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HOUSE OF REPRESENTATIVES

MONDAY, AUGUST 5, 1963

The House met at 12 o'clock noon.

Rabbi Joseph M. Langner, Congregation B'nai Israel, Greensburg, Pa., offered the following prayer:

Lord of the universe, we pray fervently for Thy blessings upon every worthy effort that is exerted in this august assembly of the lawmakers of our land on behalf of justice, security, and peace.

In this turbulent era in which vast opportunities are matched with equally powerful dangers because of the tremendous sources of power for good and evil that are now available to man, we beseech Thy guidance.

Humbly acknowledging our human frailties, we implore Thy assistance to make the deliberations in this Hall worthy of Thy heavenly favor and of Thy divine providence.

Confirm our hopes and strengthen our devotion to the noble and cherished ideals which have maintained the United States of America through perilous times, so that unitedly we may strive for a still more glorious future.

Lift, we beseech Thee, the dark clouds of hatred and strife from our horizon, and let Thy pure rays of sunshine enter our souls and gladden our hearts with the hope for a better tomorrow in a world that is free and at peace. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, August 1, 1963, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 27. An act to provide for the establishment of the Canyonlands National Park in the State of Utah, and for other purposes; and

S. 653. An act to provide an adequate basis for administration of the Lake Mead National Recreation Area, Ariz. and Nev., and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 6177) entitled "An act to amend section 2(a) of article VI of the District of Columbia Revenue Act of 1947 relating to the annual payment to the District of Columbia by the United States," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BIBLE, Mr. MCINTYRE, and Mr. BEALL to be the conferees on the part of the Senate.

The message also announced that the Vice President, pursuant to Public Law 689, 84th Congress, had appointed the following Members on the part of the Senate to the North Atlantic Treaty Organization Parliamentarian's Conference, to be held in Paris, France, beginning November 4, 1963: Mr. FULBRIGHT, Mr. KEFAUVER, Mr. TALMADGE, Mr. DODD, Mr. MCGOVERN, Mr. MCINTYRE, Mr. MUNDT, Mr. CURTIS, Mr. JAVITS, Mr. MORTON, and Mr. DOMINICK.

A TRIBUTE TO PATRICK J. HURLEY

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. EDMONDSON. Mr. Speaker, all Oklahomans were saddened last week by news of the death of one of our State's most distinguished native sons, Patrick J. Hurley.

The son of a coal miner and an orphan at an early age, Pat Hurley worked in eastern Oklahoma's coal mines and was a cowhand in his youth.

My own hometown of Muskogee came to know him as a student at what is now Bacone College, where he prepared for law school.

A lawyer of great ability, Pat Hurley was best known to Americans as a soldier and a diplomatic troubleshooter.

He served with distinction as Secretary of War in the administration of President Herbert Hoover, and I believe he was the only native Oklahoman who ever held Cabinet rank.

A lifelong Republican, Pat Hurley knew no politics when service to his country was in order. During World II, he returned to active duty with the Army and became a major general in 1943. In 1944, President Franklin D. Roosevelt sent him to China as his personal representative, and later named him Ambassador to China—a post which he held during some of the most difficult and dangerous days of World War II.

In Washington, the erect and soldierly figure of Pat Hurley has long been a familiar sight, and his keen interest in public affairs continued through the years. Members of the Oklahoma State Society were always delighted when he appeared for a function and his friends in Oklahoma and in the Nation's Capital were legion. In the words of one of Oklahoma's leading newspapers, "Pat Hurley always walked tall," and his service to his country was in the highest tradition.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. EDMONDSON. I would be delighted to yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, I join my colleague in this word of tribute to a great American who was born in humble circumstances in a small Oklahoma community.

Mr. Speaker, Pat Hurley became one of the most eminent men of his era. He succeeded in many fields of human endeavor. He was one of the leaders up to the end in the development and preservation of the history of our State. He was one of the main influences in the Oklahoma Historical Society and in the Oklahoma Hall of Fame.

Mr. Speaker, we shall miss Pat Hurley and his regular visits to his home State. He has left behind him a legion of friends among us.

I extend my deepest sympathy to his loved ones.

Mr. EDMONDSON. Mr. Speaker, I thank the distinguished majority leader.

Mr. BELCHER. Mr. Speaker, there are frequently times when one yearns for soft words and tender phrases that could convey cherished memories. Such a time is now, for my dear friend, Gen. Patrick J. Hurley, has passed from our sight, bequeathing me a rich legacy of fond memories.

Patrick J. Hurley truly lived the American dream. He was born of immigrant parents in Coal County, Okla., and was reared in poverty, but amassed a fortune before turning to public life to serve his country.

I am proud to be among the many who today are paying tribute to a man whose mark in history is the rich legacy of wisdom, statesmanship, honor, and courage which he has imparted to the Government of the United States of America. Patrick J. Hurley was a man of many talents and he served his country in many capacities; he had a long and honorable military career; he was Secretary of War under President Hoover; was Ambassador to China under President Franklin D. Roosevelt.

I am proud to live in a generation that has known the service, leadership, and love of country that has been given so freely by my dear friend. I will always think of him as being indestructible, imperishable, and indomitable. To these characteristics must be added the qualities of integrity, wisdom, loyalty, friendliness, fairness, and leadership, for he is a man who long will be remembered in our great country's annals of history.

Mrs. Belcher and I extend our most heartfelt sympathy to his wonderful wife, Mrs. Ruth Hurley, and to his three children.

Mr. WICKERSHAM. Mr. Speaker, the death last week of the only man from Oklahoma ever to serve in a President's Cabinet, Patrick J. Hurley, saddened all of us.

Pat Hurley was one of our State's most respected men, a lawyer of great ability, and a most able Secretary of War under President Hoover.

Pat Hurley played a major role in the development and growth of the U.S. Army Artillery and Missile Center at Fort Sill, Okla., in my district.

The decision to locate the artillery center at Fort Sill was made while Pat Hurley was Secretary of War. Pat Hurley was always interested in the development of this fine military post. He had earlier predicted that Fort Sill would become a great university for the instruction of artillery.

Much of this can be attributed to Pat Hurley's deep interest in the Army and military affairs.

Pat Hurley served his country in the highest tradition. I extend my deepest sympathy to his loved ones.

Mr. STEED. Mr. Speaker, all Oklahomans join in sorrow at the passing last week of Gen. Patrick J. Hurley, distinguished native son of our State.

General Hurley was born at Lehigh, in what was then the Choctaw Nation, now Coal County, Okla.

The son of a coal miner, he won renown as an attorney, a businessman, an Army officer, and a diplomat. As Secretary of War under President Hoover, he became the first and thus far the only Oklahoman to serve as a member of the Cabinet.

After World War II General Hurley made his home at Santa Fe, but he never forgot his native State and community. It was through his initiative and with the help of his generous donations that Coal County has obtained badly needed health facilities.

Years ago General Hurley began his benefactions in the county with the project of fencing the cemetery of Lehigh, where his parents, two brothers, and two sisters are buried. Later he contributed funds to help construct the Coalgate community building. This work was followed by the construction of Mary Hurley Memorial Hospital in 1952, named for the general's mother.

A retired residents home, Ruth Wilson Hurley Manor, named for his wife, was built in 1959. And at Coalgate now a new Mary Hurley Hospital is under construction. When it is complete the present building will become a convalescent home.

A lifelong Republican, General Hurley served his country under administrations of both parties. In 1944 and 1945 he acted as President Roosevelt's personal representative to Chiang Kai-shek and later as Ambassador to China.

In his home State, as elsewhere, he has left behind many friends.

GENERAL LEAVE TO EXTEND

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that all Members be permitted to extend their remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

EXERCISE SWIFT STRIKE III

Mr. SIKES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, I noted a headline in this morning's press "Brass Flees As Air-Drop Goes Awry." The subhead read "Over 50 GI's Injured; Equipment Lands Among Spectators."

The average reader could assume that the big Exercise Swift Strike III in the Carolinas is a costly, bungling failure. This is most unfortunate. The truth is, Exercise Swift Strike III is the biggest maneuver of its kind ever staged by this country. It offers extremely valuable and needed training in modern warfare to Army and Air Force alike, and it is going very well.

Nearly 100,000 troops and airmen will be involved in the operation. Thousands were air-dropped on yesterday along with equipment of all types ranging up to 20,000-pound bulldozers and earth movers. In an exercise of this enormity, there will inevitably be injuries. The percentage was not unreasonable, and nearly all of them were minor. A strong breeze floated a few pieces of equipment into the area occupied by spectators. The spectators were standing right alongside the drop zone and some insisted on wandering into the drop zone. The few pieces of equipment which landed among spectators did no damage. All they had to do was keep heads up and move to one side. A new quick-release mechanism intended to prevent equipment from being dragged and damaged by the huge chutes which bring it down, has been found in a very small percentage of the cases to release prematurely. This destroys equipment and needs looking into.

I have said many times before, and I say again, it would be a great thing, indeed, if we could read as much about the wonderful things that this Nation stands for and the things this Nation is doing well, as we read and hear about the things that are wrong with it. Instead of a pat on the back for the hard job they are doing and a word of understanding for the necessity for it, the men who participate in this important exercise may well think, if they have time to read these releases, that it is all a waste of time and money and equipment. I saw weaknesses in Exercise Swift Strike, but I saw also a magnificent operation of the kind that will win wars for us if the time comes when wars must be won. A great deal of work and planning has gone into this, and valuable lessons are being learned by every person who participates, and that includes a big part of our assault forces.

EXCESSIVE SPECULATION IN FUTURES CONTRIBUTED MATERIALLY TO PRICE SPIRAL IN SUGAR

Mrs. SULLIVAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Missouri?

There was no objection.

Mrs. SULLIVAN. Mr. Speaker, I have just received a report from the Department of Agriculture of a study of futures trading in the New York Coffee and Sugar Exchange, made pursuant to requests by members of the Subcommittee on Consumer Affairs of the House Committee on Banking and Currency during a hearing in June.

This report shows the kind of investors who were in the futures market on May 23, the day we began our inquiry in the price spiral, and the day, also, in which the bubble burst and raw sugar prices began to come down.

Mr. Speaker, I am making the report available immediately because I think it tells a most important story of the speculative excesses which occurred in sugar futures. The subcommittee plans to follow up this report with hearings on the operations of the exchange, which is not a regulated exchange.

It is the conclusion of this report that excessive speculation in futures contributed materially to the sharp rise in sugar prices. Much of the speculative activity—at least on the No. 8 or world contract—was on the part of people not normally in the sugar futures market, and not in the sugar trade.

THE LATE PHILIP L. GRAHAM

Mr. CONTE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include an editorial from the New York Times.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. CONTE. Mr. Speaker, I want to join with my colleagues, Mr. Speaker, in mourning the death of one of America's great newspapermen. The shocking death of Philip L. Graham came as a severe blow to me yesterday.

It is certainly tragic that a man of his stature should have ended his life at such an early age. It indicates the great work that still needs to be done in the areas of mental illness.

His mental breakdown, as this morning's New York Times suggested, "grimly reminds us how inadequate medical science still is in coping with one of mankind's most destructive scourges, the illnesses of the mind."

He will be missed in the town that he knew and loved so well. His communication empire, however, which he was in the process of creating, will be a living reminder of his great intelligence, ambition, and conviction.

I would like to include in the body of the RECORD the New York Times editorial to which I referred:

[From the New York Times, Aug. 5, 1963]

PHILIP L. GRAHAM

The death of Philip L. Graham by a self-inflicted gunshot wound is a personal tragedy, but it is also much more than that. It brings to a sudden end the expanding career of a man of brilliant mind and enormous dynamism, who had already achieved distinction as publisher of one of the country's great newspapers, but whose tremendous potential for productive national service had never been fully realized. At the very moment when Philip Graham's great talents in this direction were just beginning to be tapped, they were in large part blotted out by a severe mental breakdown. This was the real cause of his death; and it grimly reminds us how inadequate medical science still is in coping with one of mankind's most destructive scourges, the illnesses of the mind.

Philip Graham was a man of powerful intellect. He had had one of the most distinguished records of his generation at the Harvard Law School. He was a man of intense convictions, of surging ambition, of restless energy. He had built the Washington Post to its present position on the solid foundations laid by his father-in-law and predecessor as publisher, the late Eugene Meyer. Not content with this, he had acquired Newsweek magazine and other publications, as well as radio and television stations. He was on the way toward creating a new communications empire.

If he had lived and had recovered his health, Philip Graham could have made a notable contribution to his country. It is the publishing world's loss and the Nation's loss that this was not to be.

THE LATE PHILIP L. GRAHAM

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, the publishing world, the world of business and government, the world of thinkers and leaders, have lost a giant from their membership with the passing of Philip L. Graham. Mr. Graham was a man of rare gifts in unusual combination. His business acumen guided a successful publishing-broadcasting complex that included the Washington Post, magazines, a wire service and television station. His editorial policies earned the Post a reputation as one of the most thoughtful and responsible newspapers in the country. His high standards of journalism attracted some of the most respected and able members of the profession to the Post.

Mr. Graham spoke for and stood for the cause of justice without the restriction of allegiance to any group or individual. He advocated independent thought, high standards, and a broad view. His work reflected his personal philosophy and is a monument to his integrity.

Mr. Graham's versatility involved him in leading roles in many important fields of public life. In 1962 President Kennedy named him first chairman of the Communications Satellite Corp. He was over the years concerned with various political problems and spoke out on issues although he never sought a role beyond public participation.

His career embraced service as a university trustee and a corporation trustee. He was also a member of the Board of Visitors to the U.S. Naval Academy.

Mr. Graham has been quoted numerous times as having savored the great variety and range of interest and activity open to the journalist. His appreciation of these opportunities to utilize one's capacities over a broad sphere of public life is epitomized in his own service.

A great newspaper has lost a great leader. This city and this Nation have lost a gifted leader.

I extend my sympathy to his colleagues in his profession. My heart goes out to his wife, his children, and all his loved ones in this sad hour.

SUBCOMMITTEE ON FISHERIES AND WILDLIFE, COMMITTEE ON MERCHANT MARINE AND FISHERIES

Mr. McFALL. Mr. Speaker, I ask unanimous consent that the Subcommittee on Fisheries and Wildlife of the Committee on Merchant Marine and Fisheries may be permitted to sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

PROSPECTUSES FOR PUBLIC BUILDING PROJECTS

The SPEAKER laid before the House the following communication, which was read and referred to the Committee on Appropriations:

The Honorable JOHN W. MCCORMACK,
Speaker of the House,
The Capitol,
Washington, D.C.

MY DEAR MR. SPEAKER: Pursuant to the provisions of section 7(a) of the Public Buildings Act of 1959, the Committee on Public Works of the House of Representatives on July 31, 1963, approved prospectuses for the following public building projects, which were transmitted to this committee from the General Services Administration:

BUILDINGS PROPOSED FOR CONSTRUCTION: LOCATION AND TYPE

Horicon, Wis., post office and Federal office building.

Edwardsville, Ill., post office and Federal office building.

Detroit, Mich., IRS National Administrative Service Center and regional training center building.

Bronx, N.Y., post office and Federal office building.

Total, four buildings.

ALTERATION PROJECTS

Washington, D.C., Agriculture South Building.

San Francisco, Calif., 100 McAllister Street building.

Bronx, N.Y., Bronx Central Post Office.

Total, three projects.

Sincerely yours,

CHARLES A. BUCKLEY,
Member of Congress, Chairman, Committee on Public Works.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

ADDITIONAL PAY FOR DIRECTORS AT VA INSTALLATIONS

The Clerk called the bill (H.R. 228) to amend title 38, United States Code, with respect to the salary of directors and chiefs of staff of Veterans' Administration hospitals, domiciliaries, and centers.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill, H.R. 228, be stricken from the Consent Calendar for the balance of this session.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

MERGING OF CERTAIN COAST GUARD APPROPRIATIONS

The Clerk called the bill (H.R. 73) to provide for the merger of certain Coast Guard appropriations for operating expenses, Reserve training, and retired pay.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GARMATZ. Mr. Speaker, I ask unanimous consent that the bill, H.R. 73, be stricken from the Consent Calendar.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

URBAN RENEWAL AND HOUSING ACTIVITIES IN GUAM

The Clerk called the bill (H.R. 6481) to permit the Government of Guam to authorize a public authority to undertake urban renewal and housing activities.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Legislature of Guam may by law grant to a public corporate authority, existing or to be created by or under such law, powers to undertake urban renewal and housing activities in Guam. Such legislature may by law provide for the appointment, terms of office, or removal of the members of such authority and for the powers of such authority, including authority to accept whatever benefits the Federal Government may make available, and to do all things, to exercise any and all powers, and to assume and fulfill any and all obligations, duties, responsibilities, and requirements, including but not limited to those relating to planning or zoning, necessary or desirable for receiving such Federal assistance, except that such authority shall not be given any power of taxation, nor any power to pledge the faith and credit of the territory of Guam for any loan whatever.

SEC. 2. The Legislature of Guam may by law authorize such authority, any provision of the Organic Act of Guam, or any other Act of Congress to the contrary notwithstanding, to borrow money and to issue notes, bonds, and other obligations of such character and maturity, with such security, and in such manner as the legislature may provide. Such notes, bonds, and other obligations shall not be a debt of the United States, or of Guam other than such authority, nor constitute a debt, indebtedness, or the borrowing of money within the meaning of any limitation or restriction on the issuance of notes, bonds, or other obligations contained in any laws of the United States applicable to Guam or to any agency thereof.

SEC. 3. The Legislature of Guam may by law assist such authority by furnishing, or authorizing the furnishing of, cash donations, loans, conveyances of real and personal property, facilities, and services, and otherwise, and may by law take other action in aid of urban renewal or housing or related activities.

SEC. 4. Each and every part of Public Law 6-135 approved December 18, 1962, heretofore enacted by the Legislature of Guam dealing with any part of the subject matter of this Act and not inconsistent herewith is ratified and confirmed.

SEC. 5. Powers granted herein shall be in addition to, and not in derogation of, any powers granted by other law to, or for the benefit or assistance of, any public corporate authority.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ASPINALL. Mr. Speaker, we are considering a bill which means a great deal to the territory of Guam, the westernmost extension of the United States, and, incidentally, to every American who is proud of the appearance of our Nation. H.R. 6481 confirms an act of the Seventh Guam Legislature which created a public authority empowered to carry out urban renewal and housing activities administered by the Housing and Home Finance Agency.

H.R. 6481 was introduced by me as chairman of the Committee on Interior and Insular Affairs at the request of the Housing and Home Finance Agency and is strongly favored by the Secretary of the Interior, Governor Guerrero, and the Guam Legislature. The bill is particularly important to the rehabilitation of Guam which suffered tremendous losses inflicted by Typhoon Karen on November 11 and 12, 1962. This catastrophe destroyed 3,150 civilian homes and 386 commercial buildings and damaged 4,650 civilian homes and 428 commercial establishments. These figures, Mr. Speaker, give some indication of the housing and rebuilding program facing the Governor of Guam, the Guam Legislature, and the 40,000 Guamanians.

Some of the costs of reconstruction and rehabilitation will be covered by another bill pending in Congress but not all of it, by any means. Much of the sorely needed rehabilitation is unrelated to the typhoon but is attributable to the ravages of World War II. During the Japanese capture of the island in 1941 and its liberation by the Americans 3½ years later, Guam was virtually demolished. Since 1944 the island has recovered somewhat but not in a logical fashion. This legislation will enable the housing authority to arrive at positive plans for urban zoning and renewal on areas severely damaged by the typhoon as well as those suffering minor typhoon but major World War II damages. This bill supplements the one we will consider next week. There will be little or no overlapping.

H.R. 6481 specifically provides that obligations of the Guam Housing and Urban Renewal Authority shall not be obligations of the United States or of the territory. Without the supervision which will be forthcoming from the authority, rebuilding on Guam would most likely be on shanty-town standards. This is something that we would not want to impose on our American citizens anywhere—Guam included.

This bill provides for no additional expenditure of Federal funds. The Guamanians are entitled to the provisions included in H.R. 6481. I strongly urge its expeditious enactment.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. SAYLOR] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. SAYLOR. Mr. Speaker, on several occasions I have asked that H.R. 6481 be passed over without prejudice. My reason for doing so was well-founded. It was not because of any anti-Guam or anti-Guamanian feeling whatsoever. I have visited Guam a number of times. I know many Guamanians well and am favorably impressed by their loyalty, initiative, and aspirations. I am most sympathetic to their need of a rehabilitation program necessitated by the effects of World War II and two devastating typhoons within the past 9 months. Guam is our fortress in the western Pacific. Not only is it a strategic military base, but it is the place where many Asians receive their first impression of the United States as they move toward our West Coast. I want the Governor to be able to introduce Asian visitors to the United States with pride. I want Guam to be well built and properly zoned. I want this territory of the United States to be rebuilt in a logical and sensible manner.

This bill, H.R. 6481, clarifies and makes definitive the authority of the territory of Guam to create a public agency empowered to carry out urban renewal and housing activities and to participate in Federal programs of assistance in these fields. The Guam Legislature has authorized the creation of the authority and it is already actively engaged in a housing program. This bill gives congressional approval to the creation.

We will soon have another bill, H.R. 6225, before the House for consideration This second bill will, among other things, provide for the rehabilitation of four Guam villages. Part of the appropriation to be authorized by this upcoming bill will be in direct consequence of the November 11-12, 1962, typhoon which struck Guam. Part of it will be to provide funds to rebuild the Guam that was so nearly demolished by the ravages of World War II. These funds are long overdue. I am hopeful they will be forthcoming.

I thought it would be possible for H.R. 6481 to be incorporated into the bill we will be considering next week. I have, however, been advised that such would not be desirable. Following discussion with the Governor of Guam, the Honorable Manuel F. Leon Guerrero, and the Honorable Adrian Cristobal, chairman of the Committee on Agriculture and Commerce, Guam Legislature, we have concluded that the second bill will provide funds for rehabilitation of the four villages that were most seriously damaged. The authority created in H.R. 6481 is essential to rehabilitate the remaining 10 or 12 villages that suffered only minor destruction from the typhoons but major World War II damage. For this reason, I withdraw my objection to H.R. 6481 and hope that it will be speedily passed not only by the House but by the other legislative body as well.

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, in creating a public authority with power to carry out urban renewal and housing programs, the Legislature of Guam acted promptly and wisely to meet the challenge of rebuilding soundly and permanently on the frightful debris of two devastating typhoons. In passing the bill authored by the distinguished chairman of the great Committee on Interior and Insular Affairs, the gentleman from Colorado [Mr. ASPINALL], and cosponsored by the able gentleman from New York [Mr. O'BRIEN], the House not only is ratifying the action of the Legislature of Guam, but also is in effect stamping with congressional approval the high order of statesmanship that has been shown by the Legislature of Guam in the face of a staggering emergency. In the brief period of its existence under the Organic Act the Legislature of Guam has won a proud and honored place among the legislative bodies of the United States.

Guam is the most farflung acres of land over which waves the Stars and Stripes. In its task of rebuilding with stout housing, to withstand the menace of future typhoons, it will have the every good wish of all Americans and I am sure, the full support of the Congress. As the showcase of American democracy in the Far East, tucked in the Pacific relatively close to the Bamboo Curtain, Guam's place in the national interest can neither be overlooked nor minimized. As a member of the Committee on Foreign Affairs, I put this very strongly. It is most important that in this time of Guam's distress the full measure of our aid should be extended. Otherwise we will fall in the eyes of the world, especially in the watchful eyes of the Far East.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ELECTRONIC SOUND RECORDING IN U.S. DISTRICT COURTS

The Clerk called the bill (H.R. 6138) to amend section 753(b) of title 28, United States Code, to provide for the recording of proceedings in the U.S. district courts by means of electronic sound recordings as well as by shorthand or mechanical means.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first three paragraphs of subsection (b) of section 753 of title 28, United States Code, are amended to read as follows:

"One of the reporters appointed for each such court shall attend at each session of the court and at every other proceeding designated by rule or order of the court or by one of the judges, and shall record verbatim by shorthand, by mechanical means or by electronic sound recording subject to regulations promulgated by the Judicial Conference: (1) all proceedings in criminal cases had in open court; (2) all proceedings in other cases had in open court unless the parties with the approval of the judge shall agree specifically to the contrary; and (3) such other proceedings as a judge of the court may direct or as may be required by rule or order of court or as may be requested by any party to the proceeding. The Judicial Conference may prescribe the types of mechanical and electronic sound recording means which shall be used by the reporters for recording court proceedings.

"The reporter shall attach his official certificate to the original shorthand notes or other original records so taken and promptly file them with the clerk who shall preserve them in the public records of the court for not less than ten years.

"Upon the request of any party to any proceeding which has been so recorded who has agreed to pay the fee therefor, or of a judge of the court, the reporter shall promptly transcribe the original records or the requested parts of the proceedings and attach to the transcript his official certificate, and deliver the same to the party or judge making the request. He shall also transcribe and certify all arraignments, pleas, and proceedings in connection with the imposition of sentence in criminal cases unless they have been recorded by electronic sound recording as provided in this subsection and the original records so taken have been certified by him and filed with the clerk as hereinabove provided in this subsection. He shall also transcribe and certify such other parts of the record of proceedings as may be required by rule or order of courts."

With the following committee amendments:

Page 1, line 9, strike "shorthand," and insert "shorthand or".

Page 2, line 1, strike "or" and insert "which may be augmented".

Page 2, line 9, strike "may" and insert "shall".

Page 2, line 10, strike "mechanical and".

Page 2, lines 11 and 12, strike "shall" and "insert "may" and strike the words "for recording court proceedings".

Page 2, line 21, strike "or" and insert "of".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid in the table.

SALE OF LANDS OF CHEYENNE RIVER SIOUX TRIBE

The Clerk called the bill (H.R. 2977) to authorize the sale of certain lands of the Cheyenne River Sioux Tribe.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, or any provision of the Cheyenne River Sioux tribal constitution or any ordinance or resolution thereunder, any of the real property of the Cheyenne River Sioux Tribe located outside the boundaries of the Cheyenne River Reservation in Stanley, Haakon, Pennington, and Meade Counties, South Dakota, being approximately fifteen thousand acres more or less, may be sold in appropriate units, after competitive bidding, to the highest bidder therefor. No such sale shall be at a price less than the fair market value of such property, as determined by the Secretary of the Interior. Any such sale shall be subject to such terms and conditions as may be prescribed by the Secretary of the Interior.

SEC. 2. All funds derived from the sale of real property authorized by the first section of this Act shall be placed by the Secretary of the Interior in a special account in the Treasury and shall be used only for the purchase of real property within the boundaries of the Cheyenne River Reservation. Any real property purchased with such funds shall be held by the United States in trust for the Cheyenne River Sioux Tribe.

With the following committee amendments:

Page 1, lines 3 to 11 inclusive, strike out all of the first sentence and insert in lieu thereof:

"That, notwithstanding any other provisions of law, but subject to the provisions of the Cheyenne River Sioux tribal constitution and the ordinances and resolutions adopted thereunder, any of the real property of the Cheyenne River Sioux Tribe located outside the boundaries of the Cheyenne River Reservation in Stanley, Haakon, Pennington, and Meade Counties, South Dakota, and any isolated tracts that are located within the boundaries of the reservation but outside the boundaries of land consolidation areas and are not needed for Indian use, may be sold in appropriate units, after competitive bidding, to the highest bidder therefor."

Page 2, after line 12, add a new section to read as follows:

"SEC. 3. Any tribal land that may be sold pursuant to section 1 of this Act may, with the approval of the Secretary of the Interior, be encumbered by a mortgage or deed of trust, and shall be subject to foreclosure or sale pursuant to the terms of such mortgage or deed of trust in accordance with the laws of the State in which the land is located. The United States shall be an indispensable party to any such proceeding with the right of removal of the cause to the United States district court for the district in which the land is located, following the procedure in 28 U.S.C. 1446: *Provided,* That the United States shall have the right to appeal from any order of remand in the case."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ACQUISITION OF PROPERTY IN DISTRICT OF COLUMBIA

The Clerk called the bill (S. 254) to provide for the acquisition of certain property in square 758 in the District of Columbia, as an addition to the grounds of the U.S. Supreme Court Building.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. FORD. Reserving the right to object, Mr. Speaker, I should like to ask a member of the committee that reported this bill, What is the monthly rental for this property at the present time?

Mr. McFALL. Mr. Speaker, will the gentleman yield?

Mr. FORD. I yield to the gentleman from California.

Mr. McFALL. In the hearings it was said to be $1,500 a month.

Mr. FORD. That is $18,000 a year.

Mr. McFALL. That is correct.

Mr. FORD. As I understand, this legislation would limit the amount that could be paid for the acquisition of this property to $200,000.

Mr. McFALL. The hearings brought out that the estimated value of the property sought to be purchased is $200,000. This, of course, is the Architect's statement as to the seller's present asking price. If this bill should be passed, however, the Attorney General would have to condemn the property and go through a proceeding. He would have to appraise the property, and presumably all protections would be afforded the purchase of the property under the law. But as of now $200,000, the Architect says, is the asking price for the property.

Mr. FORD. Under the bill, there is no limitation in it?

Mr. McFALL. That is correct. It would be necessary to go through the procedure which is required by law providing for appraisal by the Attorney General. Then the money would have to be provided by the Appropriations Committee in order to make the purchase.

Mr. FORD. As I read the letter from the Architect of the Capitol, there is no indication that he intends to proceed to condemnation. The letter tends to indicate that they will consummate this deal by negotiation. Is that a correct assumption?

Mr. McFALL. That is correct. What I said about condemnation is not correct. What I said concerning appraisal by the Attorney General and the Department of Justice is a necessary part of the proceedings. It would have to be appraised by the Department of Justice before the purchase, and the money would have to be appropriated by the Congress before it could be purchased.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. FORD. I yield to the gentleman from Iowa.

Mr. GROSS. Where do the Justices of the Supreme Court park their automobiles?

Mr. McFALL. I believe the Justices of the Supreme Court have chauffeur-driven automobiles.

Mr. GROSS. They park them somewhere. Does the gentleman know where they park?

Mr. McFALL. I understand there is parking underneath the Supreme Court for the Justices.

Mr. GROSS. How many parking spaces are there?

Mr. McFALL. I am not aware of that. This is limited by the space of the building. This parking lot would provide some 60 or 65 parking places for employees of the Court. The present parking lot is used for this purpose.

Mr. GROSS. How many more cars will the purchase of this property accommodate?

Mr. McFALL. There are presently three old houses on the property that will be razed. In this space there would be added room for additional cars, I think, if I remember the hearings correctly, some 50 or so cars are now accommodated.

Mr. GROSS. Why should we provide parking spaces for employees of the Supreme Court?

Mr. McFALL. We provide parking space for employees of the House and Senate.

Mr. GROSS. Not all of them, do we?

Mr. McFALL. No, not all of them. I am told that there is an extreme shortage of parking spaces around the Capitol for employees of the House of Representatives.

Mr. GROSS. May I ask the gentleman this question: The report seems to indicate that they want this additional parking space because it is dangerous for the women employees of the Supreme Court to go to their automobiles after dark. Is this one of the reasons?

Mr. McFALL. The hearings so indicate. The Architect of the Capitol indicated that at the present time in the late evenings, since the secretaries work late, the guard personnel are on duty to make certain that these women are protected in their block-long walk to their parking place.

Mr. GROSS. May I ask the gentleman, What is the danger to the women employees of the Supreme Court?

Mr. McFALL. I presume they would be subject, possibly, to some criminal assault or robbery or something of this nature.

Mr. GROSS. All the other Federal employees, including employees of the House of Representatives, who live in that area are subject to the same dangers; are they not?

Mr. McFALL. I presume all people in this area would be subject to the same dangers. We have, as you know, around the Capitol, guards, lights, and so forth and we have the same problems around the Capitol that they would have around the Supreme Court.

Mr. GROSS. But this, apparently, becomes something in the nature of special privilege legislation since you propose to take care of the employees of the Supreme Court to the exclusion of other employees.

Mr. McFALL. I would say to the gentleman, this is a matter of opinion. I would not agree that it would be special privilege. The employees of the House and Senate are provided with parking facilities. They are provided with guards. They are provided with policemen, in the same way that is contemplated here.

Mr. GROSS. If that is true—if they are provided with all this police protection—then this would not be needed from the standpoint of the dangerous situation existing in the absence of parking; is that not correct?

Mr. McFALL. The gentleman knows that at the present time, this parking is provided for members and the employees of the Supreme Court. They would like to continue to utilize this parking lot in the manner they presently do.

Mr. GROSS. I am sure they would, at the expense of the taxpayers.

Mr. McFALL. And if they are not permitted to use this and to purchase this land for a parking lot, this coal company may construct an apartment house there and likely would construct it.

Mr. GROSS. This intrigues me—the threat that they are going to put a luxury apartment house on this property, the implication being, of course, that would make it more valuable. Now who is in the business of putting up a luxury apartment on that property, if it is so dangerous for women to be afoot after dark in the area?

Mr. McFALL. I would not want to discuss with the gentleman the business interests of the people who own the property. But from my point of view, if I owned valuable property that close to the Capitol and the rental I received from it was a total sum of $18,000 a year, and I could invest my money to bring me more return on my investment in valuable land, I think I would do it and I think that the coal company which has this property is to be congratulated for permitting the Federal Government to make this purchase at this time.

Mr. GROSS. Will the gentleman agree with me, that it is in the nature of a travesty on the touted splendor of the Capital City when the women employees of the highest Court of the United States are not safe after dark in the immediate vicinity of that Court?

Mr. McFALL. I think it is unfortunate. I do not know about the travesty part that the gentleman refers to, but I think it is unfortunate that the circumstances exist, but it is the type of problem that we have to consider and this problem does exist, and the Congress, I think, would provide some remedy. I think this is a reasonable remedy.

Mr. GROSS. I will say to the gentleman by way of conclusion with respect to that luxury apartment business, the threat that they are going to build a luxury apartment on that ground, that if that area is not safe for women employees of the Supreme Court of the United States, I certainly would not want my wife afoot in the area—luxury apartment or otherwise.

Mr. HALEY. Mr. Speaker, will the gentleman yield?

Mr. FORD. I yield to the gentleman from Florida.

Mr. HALEY. May I ask the gentleman who is in charge of the bill about section 5 of the bill? I see where in section 5 the Architect of the Capitol is authorized to enter into contracts and so forth, and to make expenditures for various services such as may be necessary to carry out the purpose of this act. Then you leave an open end authorization here.

It seems to me that there should be some figure beyond which they could not go. I feel that the Congress is entitled in all instances to know how much money is going to be expended.

Therefore, Mr. Speaker, I feel that this bill should specify a limitation.

Mr. McFALL. Well, the answer to the gentleman's question—if the gentleman from Michigan will yield to me for that purpose—it is possible that we could write in this bill a provision requiring a limitation on the amount of funds that might be expended. However, the committee considered this possibility. It was necessary under the law for the appraisal proceedings to be followed by the Department of Justice. It is necessary for the Committee on Appropriations, another committee of this House, to consider the appropriation of the funds.

We have in this instance two safeguards of the interests of the people to protect them against an overexpenditure of funds. It would be, I think, unnecessary to come back, shall we say, to the Public Works Committee to provide a safeguard by the Public Works Committee to further protect the people.

Mr. FORD. May I say to the gentleman from California that I think the suggestion made by the gentleman from Florida [Mr. HALEY] is sound. Leaving aside the question of need as far as the Supreme Court and its employees is concerned, I think past history would indicate that the Congress in its wisdom ought not to give an open end authorization to the Architect of the Capitol. It seems to me this would be the wiser course for us to take, to put some limitation on his plans and proposals for spending money.

Therefore, I suggest that we pass this bill over and then we can have some negotiation about a reasonable limitation as to cost so that the Congress knows at the time the legislation is enacted how much the Architect of the Capitol will be authorized to spend for the acquisition and for the subsequent development of this particular parking lot.

Mr. JONES of Alabama. Mr. Speaker, will the gentleman yield?

Mr. FORD. I yield to the gentleman from Alabama.

Mr. JONES of Alabama. I would say to the gentleman from Michigan that this is no departure from the normal operation and procedures. We do this in flood control projects, rivers and harbors projects, and every other project that is brought here for the authorization of projects for land acquisition for Federal use.

Mr. FORD. I greatly respect the views of the gentleman from Alabama. However, it does not take much research to find instances where the Architect of the Capitol has been a little on the extravagant side and, perhaps, this is a way in which we can emphasize that he should not go off into the wild blue yonder in this relatively small project.

Therefore, Mr. Speaker, I withdraw my reservation and I ask unanimous consent that the bill be passed over without prejudice.

The **SPEAKER.** Is there objection to the request of the gentleman from Michigan?

There was no objection.

LAKE FRANCIS CASE, S. DAK.

The Clerk called the bill (S. 130) to change the name of Fort Randall Reservoir in the State of South Dakota to Lake Francis Case.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Fort Randall Reservoir in the State of South Dakota shall be known as Lake Francis Case in honor of the late Senator of South Dakota, who was so very instrumental in the development of the Missouri River Basin program. Any law, regulation, document, or record of the United States in which such reservoir is referred to by any other name shall be held and considered to refer to such reservoir by the name of Lake Francis Case.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LAKE SHARPE, S. DAK.

The Clerk called the bill (S. 131) to change the name of the Big Bend Reservoir in the State of South Dakota to Lake Sharpe.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Big Bend Reservoir in the State of South Dakota shall be known and designated hereafter as Lake Sharpe in honor of M. Q. Sharpe, the late Governor of South Dakota, who was so very instrumental in the development of the Missouri Rive Basin program. Any law, regulation, document, or record of the United States in which such reservoir is referred to by any other name shall be held and considered to refer to such reservoir by the name of Lake Sharpe.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CHANGING NAME OF BRUCES EDDY DAM AND RESERVOIR, IDAHO, TO THE DWORSHAK DAM AND RESERVOIR

The Clerk called the bill (S. 850) to change the name of the Bruces Eddy Dam and Reservoir in the State of Idaho to the Dworshak Dam and Reservoir.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Bruces Eddy Dam and Reservoir, Idaho, a unit in the comprehensive plan of development of the Columbia River Basin, authorized by the Flood Control Acts of 1958 and 1962, shall hereafter be known and designated as the Dworshak Dam and Reservoir, in honor of the late Senator from Idaho, who was a champion of full development of our Nation's water resources and a patient and persevering promoter of this project. Any law, regulation, document, or record of the United States in which such dam and reservoir are designated or referred to under the name of Bruces Eddy Dam and Reservoir shall be held and considered to refer to such dam and reservoir by the name of Dworshak Dam and Reservoir.

Mr. HARDING. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The **SPEAKER.** Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. HARDING. Mr. Speaker, I feel that this legislation to change the name of the Bruces Eddy Dam and Reservoir in Idaho to the Dworshak Dam and Reservoir is a fitting tribute to an outstanding Idahoan who served his State faithfully in both this body and in the U.S. Senate.

Senator Henry Dworshak will always be remembered to Idahoans as a man of great courage who was willing to fight for the water resource development of our State. He could never be intimidated by the power companies or any other special interest groups.

Throughout his legislative career he remained a dedicated conservative with a big heart. This legislator was often unpredictable in his voting. A few years ago there was a bill before the U.S. Senate to increase the Federal minimum wage law. Even though it was strongly opposed by the U.S. Chamber of Commerce, the Idaho State Chamber of Commerce, and many local chambers of commerce, and Senator Dworshak's letters were running strongly against the bill, when it came to a final vote on the floor of the U.S. Senate, Henry Dworshak voted for the increased minimum wage and against the Chamber of Commerce's opposition because as he told me, "The workingman needed a little help to keep up with the increased cost of living."

During the past few years one of the big issues in Idaho politics has been the Burns Creek project. This project has had the support of water users, flood control district, wildlife and recreation supporters, REA's and municipalities, and many chambers of commerce throughout the State of Idaho. It is a needed and good project. However, it has had the opposition of the two private power companies who serve the State and a few of the newspapers which always rally to the Power Co. cause. However, Senator Dworshak again displaying the courage that made him a favorite of Idahoans introduced legislation for the passage of Burns Creek in the 85th, 86th, and 87th Congresses. I believe that Senator Dworshak's views on water resource development are well conveyed by the following excerpts from the hearings on Burns Creek in the Senate Interior Committee on March 16, 1959:

Senator ANDERSON. I will welcome to the witness stand first the able senior Senator from Idaho, the ranking minority member of the Senate Committee on Interior and Insular Affairs and a longtime friend to many of us, Senator Dworshak.

STATEMENT OF HON. HENRY DWORSHAK, A U.S. SENATOR FROM THE STATE OF IDAHO

Senator DWORSHAK. Thank you, Mr. Chairman.

I would like to have included in the record of the hearings a brief statement in support of the Burns Creek measure, which this group and the full committee has approved in the past. The measure was passed by the Senate during the 85th Congress, 2d session, and died in the House.

This project has the support of Idaho people. It has been proven to be economically feasible, and a sound development of water resources. The desirability of this project is as great today as 2 years ago when this group and the Senate as a whole gave its approval after extensive hearings and examination of testimony.

Burns Creek is designed to fit into the already constructed Palisades Reservoir project as a stream-regulating, water-storage, and power-producing project. I believe it exemplies the concept of maximum development of water resources.

It is a reimbursable project, which together with Palisades will repay the Government costs of construction plus millions in taxes from increased agricultural yields and industrial activity spurred by power and water resources it will make available to a large section of southeastern Idaho.

Here is what the project will do:

1. Provide a regulated streamflow below Palisades Dam. This will enable the powerplant at Palisades to be operated at peak efficiency, and will more than double the prime power development. This will also conform to the stream fluctuation regulations and provide a steady flow for preservation of fish life in the Snake River.

2. Provide 100,000 acre-feet of long-term holdover irrigation storage, which will give protection to 650,000 acres of irrigated land along the Snake River downstream to Bliss, Idaho. Drought conditions have in the past caused water shortages in this area.

3. Provide 90,000 kilowatts of power which will shorten the reimbursement period required and boost the electrical potential of the southern Idaho area.

4. Create another recreational reservoir for the benefit of Idaho residents and the thousands of tourists from all States in the Nation who annually flock to Idaho to be in the great outdoors and sample some of the finest fishing in America.

Fish-stocking facilities provided for Palisades can be utilized to stock this reservoir. The greatest trout-producing areas in the Nation in poundage are found in this area at Henry's Lake and Island Park Reservoir and fishery officials have indicated Burns Creek Reservoir shows great potential for fish production.

Mr. Chairman, this $44,200,000 reservoir will provide benefits to the people of Idaho and many other States, far in excess of the immediate costs. Its entire construction cost will be repaid through the sale of irrigation water and electric power. It will help the Palisades project function more efficiently and will materially shorten the repayment period of both. I believe it would be wasteful should this project not be constructed as an enhancement of the Government's investment in the Palisades project.

I urge that your subcommittee favorably report this bill to the full committee with a recommendation that it be approved.

Senator ANDERSON. Thank you.

Senator Dworshak was not only a champion of Palisades, Burns Creek, but also the Bruces Eddy Reservoir which I am hopeful that this body will today authorize to bear his name. He was a champion of all water resource development in his home State of Idaho and throughout the Nation. He found that the development of these great natural resources was consistent with his conservative philosophy. In his statement supporting Burns Creek, Senator Dworshak showed a great interest in stocking the Palisades Reservoir with fish for the benefit of sportsmen and wildlife groups. But in the days when these same groups stood in opposition to the Bruces Eddy project Henry Dworshak championed its cause in the Senate of the United States. This, Mr. Speaker, again illustrates the independence of our late senior Senator from Idaho.

The 37th session of the Idaho Legislature memorializes Congress urging adoption of the legislation that we are considering here today. Their memorial follows:

IN THE SENATE OF THE STATE OF IDAHO, SENATE JOINT MEMORIAL NO. 7, BY STATE AFFAIRS COMMITTEE, A JOINT MEMORIAL

To the Honorable Senate and House of Representative of the United States, in Congress Assembled:

We, your memorialists, the members of the Senate and House of Representatives of the Legislature of the State of Idaho, assembled in the 37th session thereof, do respectfully represent that:

Whereas the late Senator Henry Dworshak was a champion of full development of our Nation's water resources and a man of boundless energy and a tireless worker for Idaho during his 23 years he served the Gem State in Congress; and

Whereas he constantly sought cooperation among all levels of government and private enterprise in water resource development to achieve the greatest benefit for the greatest number of persons with the least amount of bureaucratic control and interference; and

Whereas the Bruces Eddy project on the north fork of the Clearwater River, which project was authorized shortly after his death, was a project which he sought and worked for in cooperation with local, State, regional, and national water resource development interests: Now, therefore, be it

Resolved by the 37th session of the Legislature of the State of Idaho, now in session (the senate and the house of representatives concurring), That the Congress and President of the United States be respectfully petitioned, as a fitting memorial to our distinguished late Senator Henry Dworshak for his many years of tireless and productive work in resource development and for his patience and perseverance in promoting this project, that early action be taken to implement a change of name from Bruces Eddy to Henry Dworshak Dam; Be it further

Resolved, That the secretary of state of the State of Idaho be, and he hereby is, authorized and directed to forward certified copies of this memorial to the President and Vice President of the United States, the Speaker of the House of Representatives of the Congress, and to the Senators and Representatives representing this State in the Congress of the United States.

This senate joint memorial was adopted by the senate on the 5th day of February 1963.

W. E. DREVLOW,
President of the Senate.

This senate joint memorial was adopted by the house of representatives on the 6th day of February 1963.

PETE T. CENARRUSA,
Speaker of the House of Representatives.

Mr. Speaker, I feel that this proposal has great merit. It is a worthy tribute to a tireless public servant and I urge all of my colleagues to support the bill before us changing the name of the Bruces Eddy Dam and Reservoir to the Dworshak Dam and Reservoir.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AGREEMENTS FOR MAIL TRANSPORTATION

The Clerk called the bill (H.R. 5179) to authorize the Postmaster General to enter into agreements for the transportation of mail by passenger common carriers by motor vehicle, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 101 of title 39, United States Code, is amended by adding immediately following section 6402 thereof the following new section:

"§ 6402a. Agreements with passenger common carriers by motor vehicle

"The Postmaster General may enter into agreements, under such terms and conditions as he shall prescribe and without advertising for bids and without bond, for the transportation of mail, by passenger common carriers by motor vehicle within the area in which the carrier is permitted by law to transport passengers.".

SEC. 2. The table of contents of chapter 101 of title 39, United States Code, is amended by inserting

"6402a. Agreements with passenger common carriers by motor vehicle."

immediately below

"6402. Authority to contract for mail transportation.".

SEC. 3. Section 6402(a) of title 39, United States Code, is amended—

(1) by striking out the word "and" immediately following the semicolon in subparagraph (4) thereof;

(2) by striking out the period at the end of subparagraph (5) thereof and inserting in lieu thereof a semicolon and the word "and"; and

(3) by adding at the end thereof the following new subparagraph:

"(6) transportation of mail, by passenger common carriers by motor vehicle shall be procured as provided in section 6402a of this title.".

With the following committee amendments:

Page 2, line 1, insert ", in passenger carrying motor vehicles," immediately following "mail".

Page 2, line 2, strike out "within the area in" and insert in lieu thereof "over the regular routes on".

Page 2, line 16, insert ", in passenger carrying motor vehicles," immediately following "mail".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DESIGNATING THE McGEE BEND DAM AND RESERVOIR AS THE SAM RAYBURN DAM AND RESERVOIR

The Clerk called the bill (H.R. 7594) to designate the McGee Bend Dam and Reservoir on the Angelina River, Tex., as the Sam Rayburn Dam and Reservoir.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the McGee Bend Dam and Reservoir on the Angelina River, Texas, hereafter shall be known and designated as the "Sam Rayburn Dam and Reservoir". Any law, regulation, map, document, record, or other paper of the United States in which McGee Bend Dam and Reservoir is referred to shall be held to refer to such dam and reservoir as the "Sam Rayburn Dam and Reservoir".

Mr. BROOKS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BROOKS. Mr. Speaker, it is with a deep appreciation of the contribution that our late speaker and colleague Sam Rayburn made toward the wise preservation of our priceless natural resources that I rise in support of H.R. 7594. It seems entirely fitting that the largest fresh water dam and reservoir in his own State be named after Sam Rayburn.

As the Members of the House know, this dam and reservoir are located in the Second Congressional District, in southeast Texas, which I am privileged to represent. Those of us who served with Sam Rayburn know that he was personally and actively interested in the construction of this significant project.

During the Korean emergency, the Corps of Engineers testified before committees of the Congress that this project was one of the nine most important public works projects in the entire country for development of our defense and essential civilian economy. In 1955, after the Lower Neches Valley Authority pledged $13 million in local support, the House Appropriations Committee approved the first construction money to build this $58 million project.

In those early days of construction, this dam and reservoir were not without some opposition. Many of us may remember the June afternoon in 1958 when Sam Rayburn temporarily laid aside his gavel and stepped down here into the well of the House and forcefully spoke in behalf of continuing the project. That day seemed to mark the end of all opposition to this great project which will be completed next year.

Mr. Speaker, since I proposed this legislation, the response from the people of east Texas has been in wholehearted support of honoring in this manner the half century of constructive labor that Sam Rayburn gave to sound conservation so that all our people can enjoy the benefits of our natural resources. No man has contributed more to our Nation and no dam and reservoir could more appropriately stand as a testimonial of Sam Rayburn's love for the people of our Nation.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING CONSTRUCTION OF A BANK PROTECTION PROJECT ON THE GUYANDOT RIVER AT BARBOURSVILLE, W. VA.

The Clerk called the bill (H.R. 2671) authorizing construction of a bank protection project on the Guyandot River at Barboursville, W. Va.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, may the House have the assurance of the gentleman from West Virginia, since this is a 100-percent contribution on the part of the Federal Government to this project, that with the completion of the project Federal responsibility will end and the community will thereafter maintain what has been constructed?

Mr. HECHLER. Mr. Speaker, under the terms of the bill it is provided that all future maintenance costs will be sustained by the local people in Barboursville, W. Va. I might add for the information of the gentleman from Iowa that strong attempts have been made over the past few years by the Corps of Engineers to see whether local interests could supply part of the costs beyond the ordinary costs of the land. The local interests could not supply the costs, and the Secretary of the Army recommended this procedure be utilized. I can assure the gentleman from Iowa, within the terms of the bill, this work is authorized on the condition that local interests shall furnish all the required land and interest therein, free from damage, and will maintain and operate the works at the conclusion of this operation.

Mr. HECHLER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. HECHLER. Mr. Speaker, will the gentleman from Iowa yield?

Mr. GROSS. I yield to the gentleman from West Virginia.

Mr. HECHLER. The best assurance I can give to the gentleman from Iowa is in the very language of the bill itself, which reads:

> This works is authorized on the condition that local interests shall furnish all required lands or interests therein, hold and save the United States free from damages, and maintain and operate the works after completion.

We have been working for several years to shore up and strengthen the bank of the Guyandot River, which has slipped and eroded along the edge of Water Street in Barboursville, W. Va. On several recent occasions I have observed that the situation is getting more serious. The pavement is being undermined. One-way traffic has already been instituted along Water Street. A church and a rectory and several businesses and private residences are in danger, not to mention one of the main thoroughfares of the town.

The Chief of Engineers in March of 1957 approved construction of a bank protection project along Water Street, under the general authority provided by section 14 of the Flood Control Act of 1946, subject to certain items of local participation including a cash contribution of the construction cost in excess of the $50,000 Federal limitation specified by the act. The Chief of Engineers and the Secretary of the Army carefully investigated this matter, and the Secretary of the Army reported:

> the city was unable to provide the required contribution.

Authority to construct the project was canceled in January 1958.

Since 1958, repeated and unsuccessful efforts have been made to raise the contribution locally. Severe floods along the Guyandot River in March of 1963 cut away the river bank even more, and make it necessary to take action. The Secretary of the Army, in a letter dated July 3, 1963, reported:

> Failure of the endangered length of Water Street would have serious consequences for the commercial, industrial, and residential interests of Barboursville.

The Committee on Public Works, in unanimously recommending the passage of H.R. 2671, pointed out:

> Evidence presented to the committee clearly indicated the emergency nature of the situation at Barboursville, W. Va.

In view of the fact that, once constructed, this bank protection project will be maintained by local interests and not provide a burden on the U.S. Treasury, I urge enactment of H.R. 2671.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

> *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Chief of Engineers is hereby authorized to construct such emergency protective works as he deems necessary to repair and restore the banks of the Guyandot River in the vicinity of Water Street in Barboursville, West Virginia, and to prevent further erosion thereof, at a total Federal cost of not to exceed $150,000. This works is authorized on the condition that local interests shall furnish all required lands or interests therein, hold and save the United States free from damages, and maintain and operate the works after completion.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING SURVEY OF THE FRIO RIVER IN THE VICINITY OF THREE RIVERS, TEX.

The Clerk called the bill (H.R. 5478) authorizing a survey of the Frio River in the vicinity of Three Rivers, Tex., in the interest of flood control and allied purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. PELLY. Mr. Speaker, reserving the right to object, I do not find in the report any estimate as to the cost of the survey. For the record, I would like to have someone indicate how much this is going to cost.

Mr. BALDWIN. Mr. Speaker, I asked that question of the Corps of Engineers at the hearing and their estimate was that it would cost approximately $75,000.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill as follows:

> *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Army is hereby authorized to cause a survey of the Frio River in the vicinity of Three Rivers, Texas, to be made under the direction of the Chief of Engineers in the interest of flood control and allied purposes.
>
> SEC. 2. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING SURVEY OF CEDAR BAYOU, TEX.

The Clerk called the bill (H.R. 6923) authorizing a survey of Cedar Bayou, Tex., in the interest of flood control and allied purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. PELLY. Mr. Speaker, reserving the right to object, again I do not find any record as to what the cost will be. I would like to have some indication as to that.

Mr. BALDWIN. Mr. Speaker, the estimate as to the cost of this survey is likewise $75,000.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

> *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Army is hereby authorized to cause a survey of the Cedar Bayou, Texas, to be made under the direction of the Chief of Engineers in the interest of flood control, navigation, major drainage, and related water uses coordinated with related land resources.
>
> SEC. 2. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

VALIDATING CERTAIN RICE ACREAGE ALLOTMENTS

The Clerk called House Joint Resolution 192, relating to the validity of certain rice acreage allotments for 1962 and prior crop years.

There being no objection, the Clerk read the House joint resolution, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in a State in which farm rice acreage allotments are determined on the basis of past production of rice by the producer on the farm, any producer rice acreage allotment found by the ASC county committee or the ASC State committee to have been properly apportioned from the State rice acreage allotment and the acreage allotment for any farm to which such producer allotment has been allocated and approved by the county committee in good faith for any crop year 1956 to 1962, both inclusive, shall be deemed to have been validly established and shall remain in effect, and the farm marketing quota and farm marketing excess, if any, shall be determined on the basis of such valid farm rice acreage allotment.

This resolution shall not apply to any producer rice allotment or any planted rice acreage that has been obtained by duplication, forgery, bribery, intimidation, or practices that would result in the total allotted acreage in the State exceeding the State acreage allotment, less any unallocated reserve acreage.

The House joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF CACHE NATIONAL FOREST BOUNDARIES

The Clerk called the bill (S. 1388) to add certain lands to the Cache National Forest, Utah.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the exterior boundaries of the Cache National Forest, Utah, are hereby extended to include the following described lands:

A tract of land in the north half of the northeast quarter of section 24, township 6 north, range 1 east, Salt Lake base and meridian, being more particularly described as follows:

Beginning at the northeast corner of said section 24, and running thence south following the east line of said section 24 522.4 feet; thence north 65 degrees 16 minutes west 250.3 feet; thence along a regular curve to the left with a radius of 3,743.2 feet, for an arc distance of 1,606.0 feet; thence north 0 degrees 08 minutes east 78.9 feet to the north line of said section 24; thence south 89 degrees 52 minutes east along the section line 1,783.4 feet to the point of beginning, containing 10.2 acres.

A tract of land in sections 18 and 19, township 6 north, range 2 east, Salt Lake base and meridian, being more particularly described as follows:

Beginning at the southwest corner of said section 18 and running thence north 0 degrees 21 minutes east along the west line of said section 18, 3,960.0 feet; thence north 88 degrees 39 minutes east 150.0 feet; thence south 1 degree 22 minutes east 318.2 feet; thence north 88 degrees 38 minutes east 15.0 feet; thence south 1 degree 00 minutes east 137.0 feet; thence east 280.0 feet; thence south 159.0 feet;

thence north 88 degrees 49 minutes east 406.0 feet; thence south 51 degrees 20 minutes east 96.1 feet; thence south 71 degrees 13 minutes east 158.4 feet; thence south 54 degrees 15 minutes east 162.6 feet; thence south 25.0 feet; thence south 41 degrees 53 minutes east 233.7 feet; thence south 57 degrees 04 minutes east 408.1 feet;

thence north 88 degrees 39 minutes east 120.0 feet; thence south 1 degree 21 minutes east 64.0 feet; thence south 67 degrees 27 minutes east 144.4 feet; thence north 1 degree 21 minutes west 59.1 feet; thence north 89 degrees 14 minutes east 58.7 feet; thence south 3 degrees 43 minutes east 228.1 feet;

thence east 55.5 feet; thence south 18 degrees 28 minutes east 139.2 feet; thence south 27 degrees 28 minutes east 332.6 feet; thence south 89 degrees 11 minutes east 131.3 feet; thence south 4 degrees 30 minutes east 494.1 feet; thence south 43 degrees 29 minutes east 307.2 feet; thence south 85 degrees 12 minutes east 145.9 feet;

thence south 4 degrees 45 minutes east 769.2 feet; thence south 3 degrees 48 minutes west 300.0 feet; thence westerly 70.0 feet, more or less; thence south 6 degrees 15 minutes east 235.0 feet; thence south 42 degrees 00 minutes east 115.2 feet; thence east 164.5 feet; thence south 9 degrees 00 minutes east 1,025.2 feet; thence south 54 degrees 00 minutes east 365.7 feet;

thence along a regular curve to the right with a radius of 1,850.08 feet for an arc distance of 1,126.0 feet, the tangent at the beginning of the curve bears south 64 degrees 09 minutes west; thence north 5 degrees 00 minutes east 61.8 feet; thence north 9 degrees 15 minutes east 400.0 feet; thence north 85 degrees 14 minutes west 1,191.0 feet; thence north 401.0 feet; thence south 82 degrees 20 minutes west 256.0 feet; thence south 31 degrees 38 minutes west 231.8 feet;

thence west 120.0 feet; thence south 1 degree 30 minutes west 204.6 feet; thence north 65 degrees 16 minutes west 766.7 feet to the west line of said section 19; thence north 522.4 feet to the point of beginning containing 246.0 acres.

A tract of land in the northwest quarter of the northeast quarter of section 13, township 6 north, range 1 east, Salt Lake base meridian, being more particularly described as follows:

Beginning at the southwest corner of said northwest quarter northeast quarter, from which point the north quarter corner of said section 13 bears north 0 degrees 57 minutes east 1,320.0 feet, and running thence north 0 degrees 57 minutes east along the west line of said northwest quarter northeast quarter 195.0 feet; thence north 65 degrees 04 minutes east 361.3 feet;

thence south 51 degrees 18 minutes east 284.6 feet; thence east 322.0 feet; thence south 170.0 feet, more or less, to the south line of said northwest quarter northeast quarter; thence north 89 degrees 57 minutes west 875.0 feet, more or less, to the point of beginning, containing 4.4 acres.

A tract of land in the southeast quarter of the southeast quarter of section 12 and the northeast quarter of the northeast quarter of section 13, township 6 north, range 1 east, Salt Lake base and meridian, being more particularly described as follows:

Beginning at the northeast corner of said section 13 and running thence south along the east line of said section 13 576.0 feet to a point on the north line of First Street of the Huntsville townsite; thence south 88 degrees 39 minutes west 473.3 feet; thence north 0 degrees 07 minutes east 75.0 feet;

thence north 61 degrees 26 minutes west 496.4 feet; thence north 4 degrees 53 minutes west 284.7 feet to a point on the south line of section 12; thence continuing north 4 degrees 53 minutes west 349.3 feet; thence north 9 degrees 37 minutes east 196.5 feet;

thence east 40.0 feet; thence north 2 degrees 47 minutes east 120.0 feet, more or less, to the north line of the south half southeast quarter southeast quarter of section 12; thence east along said line, 900.0 feet, more or less, to the east line of said section 12, thence south 0 degrees 21 minutes west 660.0 feet to the point of beginning, containing 24.9 acres.

A tract of land in the southwest quarter of the southwest quarter of section 6 and in the west half of section 7 and in the north half of the northwest quarter of section 18, township 6 north, range 2 east, Salt Lake base and meridian, being more particularly described as follows:

Beginning at the southwest corner of said section 7 and running thence north 0 degrees 21 minutes east along the section line 5,280.0 feet to the southwest corner of said section 6; thence continuing north along the section line 1,320.0 feet, thence east 1,320.0 feet; thence south 1,320.0 feet to the north line of said section 7;

thence south 3,960.0 feet; thence north 88 degrees 43 minutes east 500.0 feet; thence south 3 degrees 00 minutes east 1,232.0 feet; thence south 71 degrees 24 minutes west 301.3 feet to the south line of said section 7; thence south 24 degrees 44 minutes west 310.2 feet; thence south 130.5 feet; thence south 88 degrees 39 minutes west 335.25 feet;

thence north 130.5 feet; thence south 88 degrees 08 minutes west 121.5 feet; thence north 76.0 feet; thence south 88 degrees 27 minutes west 414.9 feet; thence south 6 degrees 45 minutes east 192.0 feet; thence west 100.0 feet; thence south 34 degrees 02 minutes west 220.0 feet; thence south 88 degrees 39 minutes west 419.1 feet to west line of said section 18; thence north 576.0 feet to the point of beginning, containing 230 acres, more or less.

A tract of land in sections 1, 2, 3, and 12, township 6 north, range 1 east, Salt Lake base and meridian, being more particularly described as follows:

Beginning at the northwest corner of said section 2 and running thence east along the section line 5,280.0 feet to the northwest corner of said section 1; thence east along the section line 5,280.0 feet to the northeast corner of said section 1; thence south along the section line 5,280.0 feet to the northeast corner of said section 12; thence south along the section line 1,320 feet;

thence west 1,320.0 feet; thence north 1,320.0 feet to a point on the south line of said section 1; thence west along the section line 1,320.0 feet; thence north 3,960.0 feet; thence west 2,640.0 feet to a point on the east line of said section 2; thence south along the section line 2,640.0 feet; thence west 1,320.0 feet; thence south 1,320.0 feet to a point on the south line of said section 2;

thence west along the section line 1,320.0 feet; thence north 3,960.0 feet; thence west 2,640.0 feet to the east line of said section 3; thence west 3,960.0 feet; thence north 1,320.0 feet to the north line of said section 3; thence east along the section line 3,960.0 feet to the point of beginning, containing 920.0 acres.

A tract of land in the south half of the south half of section 36, township 7 north, range 1 east, Salt Lake base and meridian, being more particularly described as follows:

Beginning at the southeast corner of said section 36 and running thence north along the west line of said section 36 1,320.0 feet; thence east 3,300.0 feet; thence south 1,320.0 feet to the south line of said section 36; thence west along said south line 3,300.0 feet to the point of beginning, containing 100 acres.

A tract of land in the south half of section 34, township 7 north, range 1 east, Salt Lake base and meridian, being more particularly described as follows:

Beginning at the southeast corner of said section 34 and running thence north along the east line of said section 34 1,980.0 feet; thence west 3,960.0 feet; thence south 1,980.0 feet to the south line of said section 34; thence east along said south line 3,960.0 feet to the point of beginning, containing 180 acres.

SEC. 2. All lands of the United States within such extended boundaries together with all federally owned lands within the former forest boundary which are included within the enlarged Pineview Reservoir site in sections 1, 2, 3, 10, 11, 12, 13, 14, 15, 16, and 24, township 6 north, range 1 east, sections 6, 7, 18, and 19, township 6 north, range 2 east, and sections 34 and 36, township 7 north, range 1 east, Salt Lake base and meridian, and including any lands within such boundaries hereafter acquired by the United States in connection with the Weber Basin project, shall hereafter be national forest lands subject to the laws, rules, and regulations applicable to lands acquired pursuant to the Act of March 1, 1911 (36 Stat. 961), as amended: *Provided*, That none of these lands shall be sold, exchanged, or otherwise be disposed of by the Secretary of Agriculture without the approval of the Secretary of the Interior and any revenue from disposal so authorized shall be credited pursuant to reclamation law.

SEC. 3. (a) The Secretary of Agriculture shall make available, from the lands referred to in the foregoing sections of this Act, to the Bureau of Reclamation of the Department of the Interior, such lands as the Secretary of the Interior finds are needed in connection with the Weber Basin and Ogden River reclamation projects, and shall include particularly as a minimum area needed for such project, all the normal water surface area of the Pineview Reservoir and an adjacent border strip extending out from such water surface area a minimum horizontal distance of 100 feet around said reservoir, and in addition all the reclamation acquired land in section 16, township 6 north, range 1 east.

(b) The Secretary of the Interior is authorized to enter into such agreements with the Secretary of Agriculture with respect to the relative responsibilities of the aforesaid Secretaries for the administration of, as well as accountings for and use of revenues arising from, lands made available to the Bureau of Reclamation of the Department of the Interior pursuant to subsection (a) as the Secretary of the Interior finds to be proper in carrying out the purpose of this Act.

With the following committee amendment:

Page 8, line 9, strike out "southeast" and insert "southwest".

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REIMBURSEMENT OF CERTAIN VESSEL CONSTRUCTION EXPENSES

The Clerk called the bill (H.R. 82) to amend the Merchant Marine Act, 1936, in order to provide for the reimbursement of certain vessel construction expenses.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. FORD. Mr. Speaker, reserving the right to object, this bill is scheduled for consideration under suspension of the rules today, as I understand it. I think this is an important enough legislative proposal so that it should be on the floor for consideration and for debate. Therefore, I withdraw my reservation and ask that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

TRUST TERRITORY OF THE PACIFIC ISLANDS

The Clerk called the bill (H.R. 3198) to promote the economic and social development of the Trust Territory of the Pacific Islands, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. FORD. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

Mr. ASPINALL. Mr. Speaker, reserving the right to object, would my friend, the gentleman from Michigan [Mr. FORD], please state his reasons for the request so that the committee chairman may be advised as to whether or not to seek a rule on this particular matter. This is a very important piece of legislation as far as the trust territory is concerned. The committee handling the legislation has met all of the objections of the various departments. We have stricken section 3, which had to do with immigration and naturalization matters, from the bill. The other departments concerned are now favorable to the passage of the bill. It came to the Committee on Interior and Insular Affairs because of our general jurisdiction over the trust territory.

Mr. FORD. I am concerned as to whether or not the initiation of such a program at a relatively small amount per year is only the kickoff for an ever-expanding, never-ending program as far as we are concerned.

Mr. ASPINALL. May I answer my colleague to the effect that it is not. This simply gives to the trust territory the opportunity of having certain benefits which will amount annually to approximately $150,000 as of this time and, unless the benefits are expanded for the other areas of the United States, the amount provided in this legislation will remain constant. This also gives to the trust territory certain authority relative to the operation of ships in these waters, which authority they very badly need at the present time.

Mr. FORD. In other words, this is not an opening wedge for a vastly expanded program in the future?

Mr. ASPINALL. The gentleman is exactly correct.

Mr. FORD. Mr. Speaker, I withdraw my unanimous-consent request.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of June 30, 1954 (68 Stat. 330; 48 U.S.C. 1681), is hereby amended by inserting at the end thereof the following new subsection (b) and by designating the existing section as subsection (a):

"(b) The head of any department, corporation, or other agency of the executive branch of the Government may, upon the request of the Secretary of the Interior, extend to the Trust Territory of the Pacific Islands, with or without reimbursement, scientific, technical, and other assistance under any program administered by such agency that will promote the welfare of the Trust Territory notwithstanding any provision of law under which the Trust Territory of the Pacific Islands may otherwise be excluded from such program: *Provided*, That the Secretary of the Interior shall not request assistance pursuant to this subsection that involves, in the aggregate, an estimated nonreimbursable cost in any one fiscal year in excess of $150,000. The provisions of this subsection shall not apply to financial assistance under a grant-in-aid program."

SEC. 2. Effective January 1, 1963, the Act of June 30, 1954 (68 Stat. 330), is further amended by adding at the end thereof the following new section 3:

"SEC. 3. (a) For the purposes of section 301 of the Tariff Act of 1930, as amended (19 U.S.C. 1301a), the Trust Territory of the Pacific Islands shall be considered to be an 'insular possession' as that term is used therein, except that the section shall not apply to any fishery products processed in the Trust Territory from fish or fish products landed in the Trust Territory of the Pacific Islands under conditions which would preclude such landings in ports of the United States under section 4311 of the Revised Statutes, as amended (46 U.S.C. 251). The foregoing exception shall not apply to vessels sailing under the American flag and to vessels sailing under a Trust Territory flag manned by crews, two-thirds of which are citizens of the United States or of the Trust Territory. The Secretary of the Treasury is authorized to make such rules and regulations as may be necessary to carry out the purposes of this section.

"(b) In the event that the President shall determine that the underlying economic factors affecting the production and trade of such Trust Territory has changed so that the duty free entry of any article under this section results, or threatens to result, in substantial injury to the competitive trade of any contracting party to the General Agreement on Tariffs and Trade, the duty free entry of such article under this section shall be suspended, in whole or in part, for such specified periods as he shall proclaim."

SEC. 3. The Act of June 27, 1952 (66 Stat. 163), as amended, is further amended by adding at the end of title II thereof the following new section 292:

"SEC. 292. (a) Nothing contained in this title shall be construed so as to limit, restrict, deny, or affect the coming into or departure from the United States of a native of the Trust Territory of the Pacific Islands who presents a valid identity certificate issued by the High Commissioner of such Territory: *Provided*, That nothing contained in this section shall be construed to give or to confer upon any such native any other privileges, rights, benefits, exemptions, or immunities under this Act, which are not otherwise specifically granted by this Act.

"(b) The High Commissioner of the Trust Territory shall issue an identity permit, upon request, to any native of such Territory who resided in the Territory on July 18, 1947, including a native temporarily absent from the islands on that date, and to any native of such Territory who was subsequently born there, if after that date or after his birth he continued to reside in the Trust Territory or in the United States, its territories or possessions, and if he is not a citizen or national of a foreign country and has taken no affirmative steps to acquire foreign nationality.

"(c) Any person who comes to the United States pursuant to the provisions of this section shall, upon completion of the residence and physical presence requirements of section 316(a) of this Act, be deemed to have been lawfully admitted to the United States for permanent residence as of the date of such coming, for the purpose of petitioning for naturalization."

Sec. 4. Subsection 303(1) of the Communications Act of 1934 (48 Stat. 1082), as amended (47 U.S.C. 303(1)), is hereby amended by inserting the words: ", or natives of the Trust Territory of the Pacific Islands presenting valid identity certificates issued by the High Commissioner of such Territory;" immediately following the words "citizens or nationals of the United States".

Sec. 5. The revolving fund authorized by the Department of the Interior and Related Agencies Appropriation Act, 1956 (69 Stat. 141, 149), to be available during fiscal year 1956 for loans to locally owned private trading companies in the Trust Territory of the Pacific Islands, which revolving fund has been continued by subsequent annual appropriation Acts, is hereby abolished, and the total assets of the revolving fund are contributed as a grant to the Government of the Trust Territory for use as a development fund within the Trust Territory of the Pacific Islands.

With the following committee amendment:

Strike out all after the enacting clause and insert: "That section 1 of the Act of June 30, 1954 (68 Stat. 330; 48 U.S.C. 1681), is hereby amended by inserting at the end thereof the following new subsection (b) and by designating the existing section as subsection (a):

" '(b) The head of any department, corporation, or other agency of the executive branch of the Government may, upon the request of the Secretary of the Interior, extend to the Trust Territory of the Pacific Islands, with or without reimbursement, scientific, technical, and other assistance under any program administered by such agency, or extend to the Trust Territory any Federal program administered by such agency, if the assistance or program will promote the welfare of the Trust Territory, notwithstanding any provision of law under which the Trust Territory may otherwise be ineligible for the assistance or program: *Provided*, That the Secretary of the Interior shall not request assistance pursuant to this subsection that involves, in the aggregate, an estimated nonreimbursable cost in any one fiscal year in excess of $150,000: *Provided further*, That the cost of any program extended to the Trust Territory under this subsection shall be reimbursable out of appropriations authorized and made for the government of the Trust Territory pursuant to section 2 of this Act, as amended. The provisions of this subsection shall not apply to financial assistance under a grant-in-aid program.'

"Sec. 2. Effective January 1, 1963, the Act of June 30, 1954 (68 Stat. 330), is further amended by adding at the end thereof the following new section 3:

" 'Sec. 3. (a) The provisions of section 301 of the Tariff Act of 1930, as amended (19 U.S.C. 1301a) shall be applicable to articles coming into the United States from the Trust Territory of the Pacific Islands except fishery products processed in the Trust Territory from fish or fish products landed in the Trust Territory under conditions which would preclude such landings in ports of the United States under section 4311 of the Revised Statutes, as amended (46 U.S.C. 251). The foregoing exception shall not apply to vessels sailing under the American flag and to vessels sailing under the Trust Territory flag manned by crews, two-thirds of which are nationals of the United States as defined in sections 101(a)(22) and 308 of the Act of June 27, 1952 (66 Stat. 169, 238; 8 U.S.C. 1101(a)(22), 1408) or citizens of the Trust Territory. The Secretary of the Treasury is authorized to make such rules and regulations as may be necessary to carry out the purposes of this section.

" '(b) In the event that the President shall determine that the underlying economic factors affecting the production and trade of such Trust Territory has changed so that the duty-free entry of any article under this section results, or threatens to result, in substantial injury to the competitive trade of any contracting party to the General Agreement on Tariffs and Trade, the duty-free entry of such article under this section shall be suspended, in whole or in part, for such specified periods as he shall proclaim.'

"Sec. 3. Subsection 303(l) of the Communications Act of 1934 (48 Stat. 1082), as amended (47 U.S.C. 303(l)), is hereby amended by inserting the words: ', or citizens of the Trust Territory of the Pacific Islands presenting valid identity certificates issued by the High Commissioner of such Territory,' immediately following the words 'citizens or nationals of the United States'.

"Sec. 4. The revolving fund authorized by the Department of the Interior and Related Agencies Appropriation Act, 1956 (69 Stat. 141, 149), to be available during fiscal year 1956 for loans to locally owned private training companies in the Trust Territory of the Pacific Islands, which revolving fund has been continued by subsequent annual appropriation Acts, is hereby abolished, and the total assets of the revolving fund are contributed as a grant to the government of the Trust Territory for use as a development fund within the Trust Territory of the Pacific Islands."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REINDICTMENT AFTER DISMISSAL OF A DEFECTIVE INDICTMENT

The Clerk called the bill (H.R. 7219) to amend sections 3288 and 3289 of title 18, United States Code, relating to reindictment after dismissal of a defective indictment.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3288 of title 18, United States Code, is amended to read as follows:

"§ 3288. Indictment where defect found after period of limitations

"Whenever an indictment is dismissed for any error, defect, or irregularity with respect to the grand jury, or an indictment or information filed after the defendant waives in open court prosecution by indictment is found otherwise defective or insufficient for any cause, after the period prescribed by the applicable statute of limitations has expired, a new indictment may be returned in the appropriate jurisdiction within six calendar months of the date of the dismissal of the indictment or information, or, if no regular grand jury is in session in the appropriate jurisdiction when the indictment or information is dismissed, within six calendar months of the date when the next regular grand jury is convened, which new indictment shall not be barred by any statute of limitations."

Sec. 2. That section 3289 of title 18, United States Code, is amended to read as follows:

"§ 3289. Indictment where defect found before period of limitations

"Whenever an indictment is dismissed for any error, defect, or irregularity with respect to the grand jury, or an indictment or information filed after the defendant waives in open court prosecution by indictment is found otherwise defective or insufficient for any cause, before the period prescribed by the applicable statute of limitations has expired, and such period will expire within six calendar months of the date of the dismissal of the indictment or information, a new indictment may be returned in the appropriate jurisdiction within six calendar months of the expiration of the applicable statute of limitations, or, if no regular grand jury is in session in the appropriate jurisdiction at the expiration of the applicable statute of limitations, within six calendar months of the date when the next regular grand jury is convened, which new indictment shall not be barred by any statute of limitations."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RED ROCK DAM AND LAKE RED ROCK, IOWA

The Clerk called the bill (H.R. 1135) to designate the dam being constructed and the reservoir to be formed on the Des Moines River, Iowa, as the Red Rock Dam and Lake Red Rock.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the dam now being constructed on the Des Moines River in Iowa, authorized by the Flood Control Act of June 28, 1938 (52 Stat. 1216; Public Law 761, Seventy-fifth Congress), and which will create a reservoir in Polk and Marion Counties, Iowa, shall be known and designated hereafter as "Red Rock Dam" and the reservoir formed by such dam shall be known and designated as "Lake Red Rock". Any law, regulation, map, document, record, or other paper of the United States in which such dam and reservoir are referred to shall be held to refer to such dam as the "Red Rock Dam" and to such reservoir as "Lake Red Rock".

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LOCAL RIGHTS IN FEDERALLY CONSTRUCTED RESERVOIRS

The Clerk called the bill (H.R. 1696) defining the interest of local public agencies in water reservoirs constructed by the Government which have been financed partially by such agencies.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, cognizant that many States and local interests have in the past contributed to the Government, or have contracted to pay to the Government over a specified period of years, money equivalent to the cost of providing for them water storage space at Government-owned dams and reservoirs, constructed by the Corps of Engineers of the United States Army, and that such practices will continue, and that no law defines the duration of their interest in such storage space, and realizing that such States and local interests assume the obligation of paying substantially their portion of the cost of providing such facilities, their right to use may be continued during the existence of the facility as hereinafter provided.

SEC. 2. That this Act be applicable to all dams and reservoirs heretofore or hereafter constructed by the United States Government (acting through the Corps of Engineers of the United States Army) wherein either a part of the construction cost thereof shall have been contributed or may be contributed by States or local interests (hereinafter called "local interests") or local interests have acquired or may acquire rights to utilize certain storage space thereof by making payments during the period of such use as specified in the agreement with the Government and wherein the amount of money paid, exclusive of interests, is equivalent to the cost of providing that part of such dam and reservoir which is allocated to such use, whether such share of cost shall have been determined by the "incremental cost" method or by the "separable costs-remaining benefits" method or by any other method. Included among the dams and reservoirs affected by this Act are those constructed by the Corps of Engineers of the Department of the Army, but nothing in this Act shall be construed to affect or modify section 8 of the Flood Control Act of 1944.

SEC. 3. The right thus acquired by any such local interest is hereby declared to be available to the local interest so long as the space designated for that purpose may be physically available, taking into account such equitable reallocation of reservoir storage capacities among the purposes served by the project as may be necessary due to sedimentation, limited to the term of years which may be prescribed in any lease agreement or other agreement with the Government, but the enjoyment of such interest will remain subject to performance of its obligations prescribed in such lease agreement or agreement executed in reference thereto. Such obligations will include continued payment of annual operation and maintenance costs allocated to water supply. In addition, local interests shall bear the costs allocated to the water supply of any necessary reconstruction, rehabilitation, or replacement of project features which may be required to continue satisfactory operation of the project. Any affected local interest may utilize such facility so long as it is operated by the Government. In the event that the Government concludes that it can no longer usefully and economically maintain and operate such facility, the responsible department or agency of the Government is authorized to negotiate a contract with the affected local interest under which the local interest may continue to operate such part of the facility as is necessary for utilization of the storage space allocated to it, under terms which will protect the public interest and provided that the Government is effectively absolved from all liability in connection with such operation.

SEC. 4. Upon application of any affected local interest its existing lease or agreement with the Government will be revised to evidence the conversion of its rights to the use of the storage as prescribed in this Act.

With the following committee amendments:

Page 3, line 7, insert "and not" before the word "limited".

Page 3, line 9, strike out "interest" and insert in lieu thereof "right".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

STATE OF NEW MEXICO

The Clerk called the bill (H.R. 4786) for the relief of the State of New Mexico.

Mr. PELLY. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

The SPEAKER. This completes the list of eligible bills on the Consent Calendar for today.

MERGING OF CERTAIN COAST GUARD APPROPRIATIONS

Mr. BONNER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute with reference to the bill, H.R. 73, which was stricken from the calendar.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. BONNER. Mr. Speaker, the reason I asked to make this statement is that this bill was sent down from the Treasury Department. In the usual course of events, in the Committee on Merchant Marine, as chairman I sent this bill to the subcommittee on the Coast Guard. The fact of the matter is that the provisions in this bill have been carried out from year to year for 10 years, so I am advised, by the Committee on Appropriations. Therefore I saw no objection to the bill. Nevertheless, it is perfectly satisfactory that the bill be stricken from the Consent Calendar, since it has been discussed with the Treasury and with the gentleman from Virginia, Mr. VAUGHAN GARY, chairman of the appropriations subcommittee dealing with the Treasury and the Coast Guard. The gentleman from Virginia [Mr. GARY] is also greatly interested in the Coast Guard.

ADDITIONAL MINT FACILITIES

Mr. JONES of Alabama. Mr. Speaker, I move to suspend the rules and pass the bill (S. 874) to authorize the construction and equipping of buildings required in connection with the operations of the Bureau of the Mint, with a committee amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized, acting through the Administrator of General Services, (1) to design and construct such buildings as may be required in connection with the operations of the Bureau of the Mint; (2) to furnish and equip such buildings with all necessary building equipment, facilities, and utilities; and (3) to acquire suitable sites for such buildings by purchase, condemnation, donation, exchange, or otherwise. The Secretary of the Treasury is authorized to furnish and equip such buildings with all necessary coinage and other special equipment and facilities.

SEC. 2. All functions with respect to the operation, maintenance, and custody of any building constructed pursuant to this Act are hereby vested in the Secretary of the Treasury, and all functions with respect to the repair and improvement of any such buildings are hereby vested in the Administrator of General Services.

SEC. 3. Nothing contained in this Act shall be construed as authorizing the construction of any public building as defined in the Public Buildings Act of 1959.

SEC. 4. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for each fiscal year which begins after June 30, 1963, and ends before July 1, 1973, such sums as may be necessary to carry out this Act, except that the aggregate of sums appropriated under this section shall not exceed $30,000,000. Sums appropriated to the Department of the Treasury for the purposes of this Act may be available for transfer to the Administrator of General Services to remain available until expended.

The SPEAKER. Is a second demanded?

Mr. BALDWIN. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

CALL OF THE HOUSE

Mr. BOW. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. JONES of Alabama. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 112]

Abernethy
Baring
Barry
Battin
Belcher
Blatnik
Brademas
Broyhill, Va.
Buckley
Celler
Chamberlain
Clark
Cohelan
Colmer
Cramer
Davis, Tenn.
Diggs
Dingell
Edwards
Elliott
Evins
Farbstein
Findley
Fino
Fisher
Foreman
Fraser
Fulton, Tenn.
Gibbons
Grabowski
Griffin
Harsha
Harvey, Mich.
Healey
Henderson
Hoffman
Johnson, Calif.
Jones, Mo.
Karth
Kee
Keith
Kilburn
Kluczynski
Knox
Lesinski
Long, La.
McDade
McDowell
McIntire
Macdonald
Marsh
Meader
Miller, Calif.
Miller, N.Y.
Monagan
Montoya
Moorhead
Murphy, N.Y.
Nedzi
O'Brien, Ill.
Osmers
Pillion
Powell
Rains
Rivers, S.C.
Rostenkowski
Roudebush
Roush
Roybal
Ryan, Mich.
St. George
St. Onge
Scott
Shelley
Sibal
Springer
Stephens
Thompson, N.J.
Trimble
Vanik
Van Pelt
Vinson
Wallhauser
Whitten
Wickersham
Williams
Wilson, Charles H.
Winstead
Wydler
Wyman

The SPEAKER. On this rollcall 344 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

ADDITIONAL MINT FACILITIES

Mr. JONES of Alabama. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection?

Mr. JONES of Alabama. Mr. Speaker, this legislation is before the House today for 2 reasons, the first of which is that there is a great need for the expanded production of coins by the mint in its operations in Philadelphia and in Denver, Colo. To give the House an idea of the great requirements of the mint, I refer the Members to page 2 of the committee report. In 1950 some 407 million coins were minted. Last year, 1962, 3,460,524,142 coins were minted.

The Treasury is operating facilities and plant in Philadelphia that were constructed in the early part of this century. It has tried to rehabilitate them and bring them up to date without too much success. There is need for additional space. There is need for the improvement of the types of machinery employed by the mint in the city of Philadelphia.

The second reason is, that the demand for coins has reached an unprecedented high. The Federal Reserve System, the banks, the business community have all found themselves in great need of additional coins. If these necessary improvements are not made there will be an extreme shortage of coins which will have an effect on our total economy.

This is a unique operation. The principal duties of the mint represent a manufacturing operation. The committee felt that the mint should have additional authority to take care of the requirements for the next 10 years.

This is the reason the committee authorized an estimated amount of $30 million to be available until the fiscal year 1973. This provides for rehabilitation and improvements as far as the mints in Denver and Philadelphia are concerned.

The committee gave careful consideration to the testimony of representatives of the Treasury. It was satisfied that there is need for additional space requirements for the mint.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. JONES of Alabama. I yield to the gentleman.

Mr. GROSS. This bill provides for an expenditure of $30 million?

Mr. JONES of Alabama. That is correct.

Mr. GROSS. If a new mint is to be built in Philadelphia—is this contemplated?

Mr. JONES of Alabama. Yes. This is a distinct possibility.

Mr. GROSS. If this new mint is to be built in Philadelphia, will this come to the Congress for approval? Will this come particularly to the House of Representatives for approval?

Mr. JONES of Alabama. It will come to the Appropriations Committee for justification, as do other items in the budget.

Mr. GROSS. Will all of the items of expenditures under this $30 million come to the House of Representatives for approval?

Mr. JONES of Alabama. They must, of necessity.

Mr. GROSS. Does the gentleman mean, now, when I say House of Representatives——

Mr. JONES of Alabama. By the route of appropriation.

Mr. GROSS. You are limiting this, then, to the Appropriations Committee? This will come only to the Appropriations Committee for approval?

Mr. JONES of Alabama. It will come to the House floor, after it is reported by the Appropriations Committee.

Mr. GROSS. Will there be a bill authorizing a new mint in Philadelphia if one is constructed?

Mr. JONES of Alabama. No.

Mr. GROSS. Then it will go only to the Appropriations Committee, which in turn will bring the proposal to the House floor?

Mr. JONES of Alabama. That is correct.

Mr. GROSS. And so with any other expansion anywhere in the country?

Mr. JONES of Alabama. Yes, but I think the language of the bill and report will restrict the construction or rehabilitation of mint facilities to the cities of Denver and Philadelphia. There was an operation in San Francisco which ceased operations in the late fifties. The equipment and machinery was moved to Denver. So those are the only two operations in business now.

Mr. GROSS. Is it contemplated that the plant at Philadelphia be expanded in view of the fact that there is a proposal to build a new plant?

Mr. JONES of Alabama. It will have to be expanded, because the increase in the demand for coins is such that they are going to have to improve the facilities there.

Mr. GROSS. So we are going to be faced with an expansion of a plant that, according to the report, is very old. We are going to expand that plant and build some new facilities somewhere else?

Mr. JONES of Alabama. We will increase the operations at the Philadelphia and Denver mints.

Mr. GROSS. The point I am trying to get at is this: Why expand the facilities of an obsolete plant or an old plant if you are going to build a new one there?

Mr. JONES of Alabama. It is expected that the money will be expended for new plant facilities and new equipment at the Philadelphia and Denver operations.

Mr. Speaker, S. 874 authorizes the construction and equipping of buildings required in connection with the operations of the Bureau of the Mint.

The demand for coins required for business transactions throughout the country has increased very rapidly during recent years. The coinage production in representative years includes the following: fiscal year 1950, 497 million pieces; fiscal year 1955, 937 million pieces; fiscal year 1960, 2,567 million pieces; fiscal year 1962, 3,461 million pieces; and fiscal year 1963, 3,627 million pieces.

The mint has established a new record in each of the past 3 fiscal years in producing domestic coins, but in spite of this recordbreaking production, coin shortages have existed in many parts of the country.

Because of the very substantial increase in coinage requirements during recent years, a survey of the coinage problem was made for the mint by a reputable engineer consultant firm. This survey concluded that the coin demand will continue to increase steadily each year, along with the growing population, increased prosperity, and related economic factors.

An extensive review was made of present minting facilities, and the survey indicated that neither the mint at Denver or Philadelphia is capable of increasing its capacity to meet the large coinage demands projected for the future, due primarily to the limitations imposed by the kind of space in which they operate.

The survey indicated there were three possible alternatives: First, construction of a new mint in Philadelphia; second, expansion of the existing Philadelphia Mint; and third, the closing of both the Philadelphia and Denver Mints and the construction of a single mint in a central location.

However, testimony before the committee indicated that the greatest demand for coins is presently on the eastern seaboard so it is logical that new coinage facilities should be provided in Philadelphia. At the same time there is a need for the continued operation of the mint facilities at Denver to take care of the western region of the country.

The committee heard from the Director of the Mint and other interested witnesses recommending this legislation. It is apparent that there is a pressing need for either extension of present facilities or construction of new facilities to meet the coinage problem I have described beforehand. This legislation will take care of this problem at the present time.

It provides the necessary authorization for construction by the General Services Administration of the special type of buildings that are needed for mint operations.

Because of the nature of the type of buildings that are involved it was felt this construction could not be done simply by the prospectus method under the Public Buildings Act of 1959 but that special legislation of the type before us today would be needed.

The committee adopted one amendment which was approved by the representatives of the Treasury Department. This amendment simply limits the total amount of funds that may be expended for the construction of the buildings that can be authorized under S. 874. It provides that for the fiscal period extending from July 1, 1963, to and including June 30, 1973, the total amount of funds that may be used for the purposes of S. 874 during this period is not to exceed $30 million. The committee felt that the $30 million will be sufficient to take care of the needs of the mint in connection with both the Denver or the Philadelphia buildings during the period covered by the amendment.

Mr. Speaker, S. 874 was reported unanimously by the Committee on Public Works. It is needed legislation and I recommend its passage.

Mr. Speaker, I move to suspend the rules and pass the bill, S. 874, an act to authorize the construction and equipping of the buildings required in connection with the operations of the Bureau of the Mint, with the committee amendment.

Mr. BALDWIN. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, the reason this bill has been made necessary is the tremendous demand for coins throughout the United States. This has been caused by a great increase in the use of vending machines, practically all of which require coins, and the great increase in the use of parking meters and many other things of this kind, all of which put an increased burden on the mints.

The estimated production required of the mints for the year 1964 was about 4,100 million coins. For the mints with the existing facilities to produce that requirement they will have to work 24 hours a day, 7 days a week, without interruption. This means that if there is any interruption whatsoever, if any particular part of their equipment breaks down, they are in trouble. Further, if any expansion is required after 1964 the mints will not be able to take care of the need with the existing equipment. It is perfectly obvious there is going to be a continued expansion in our coin requirements because the country continues to grow population-wise and the use of vending machines is steadily increasing. Therefore, this bill is absolutely necessary in view of this situation.

This bill came out of the committee by unanimous vote. It is designed to rectify this problem that has already developed to the point where the Mint must take action.

The committee has recommended that new mint facilities be constructed at Philadelphia and then as they require further facilities in view of the coinage requirements that they likewise take action to expand and improve their facility at Denver.

Mr. Speaker, I hope very much the House will pass this measure.

Mr. JONES of Alabama. Mr. Speaker, I yield such time as she may require to the gentlewoman from Missouri [Mrs. SULLIVAN].

Mrs. SULLIVAN. Mr. Speaker, I am indeed pleased that the Committee on Public Works has acted favorably on S. 874 and that the bill has been scheduled for House action today, so quickly after hearings were conducted on the legislation. The operations of the Bureau of the Mint are under the legislative jurisdiction of the Committee on Banking and Currency, and this jurisdiction has been assigned in specific instances to the Subcommittee on Consumer Affairs. As chairman of that subcommittee, I have shared the deep concern expressed by the Director of the Mint, the Honorable Eva Adams, over the need for prompt action to expand the overtaxed facilities of the Bureau for the production of coins.

The chairman of the Committee on Banking and Currency, the gentleman from Texas, the Honorable WRIGHT PATMAN, is also vitally interested in this matter. While the legislation before us today was placed in the jurisdiction of another House committee, we are just as anxious to see it enacted promptly as is our counterpart committee in the Senate which, under Senate rules, did have jurisdiction over S. 874.

The demand for coins in the United States is growing at such a rate that our two main mint facilities, at Philadelphia and Denver, even while working three shifts a day and 7 days a week, are finding it difficult to supply the requirements of American business. Ten years ago, the mints were producing about a billion and a half coins, more or less, in the 1-cent, 5-cent, 10-cent, 25-cent, and 50-cent denominations. We have not been producing silver dollars for years, although I understand that we may soon find it necessary to resume their production, also. But 10 years ago we produced, as I said, about a billion and a half coins, compared to only a half a billion in 1950. Last year we produced about 3½ billion coins. By 1970 the forecast is that we will require more than 5 billion pieces for day-to-day operations of our monetary system. The present facilities could not meet that demand.

As a matter of fact, a breakdown in any major equipment at either Philadelphia or Denver, where operations are continuous around the clock, would create a great many problems for businesses which are using a vastly increasing number of coins.

The legislation before us is primarily intended to authorize construction of a new and modern mint in Philadelphia to replace the old reliable but obsolete and overtaxed building constructed around the turn of the century. In addition, the total authorization of $30 million would also permit further improvements in, and expansion of, the Denver Mint. As the Committee on Public Works has reported, new facilities at Philadelphia will permit the savings of more than $400,000 a year in direct operating costs, according to the management firm survey which convinced the Treasury Department of the need for an entirely new structure rather than modernization of the present building.

Designed for coinage manufacturing procedures in effect six decades ago, the Philadelphia Mint has small operating rooms on various floor levels which hinder or prevent adoption of more modern, streamlined operations.

I think I should add that this legislation will still have to be followed by appropriations contained in subsequent legislation. So we will have an opportunity to review the actual costs in detail before the money is provided.

Mr. Speaker, one of the most basic of all responsibilities of the Federal Government is to provide for a system of coinage. Obviously we would be derelict in our duties if we failed to provide the coins needed by our economy. To produce them, adequate, modern facilities must be built.

Mr. JONES of Alabama. Mr. Speaker, I yield such time as he may require to the gentleman From Colorado [Mr. ROGERS].

Mr. ROGERS of Colorado. Mr. Speaker, I rise in support of the bill, S. 874. I would point out to my colleagues, as the report indicates, we now have two mints—one in Philadelphia and one in Denver, Colo. A survey was made by the Treasury Department to ascertain the needs in the future. The need for additional coin is tremendous and it will increase as our economy develops. It is our hope when this legislation is approved that the Department of the Treasury will make adequate presentation of the needs for the expansion and construction of new mints and new facilities, particularly in my area where is located the Denver Mint. The Denver Mint should be expanded because the operation of that facility and the production of coin in that mint has been most efficient. We believe that the proper solution of this problem is the adoption of this legislation, and I urge its passage.

Mr. BALDWIN. Mr. Speaker, I yield 1 minute to the gentleman from Colorado [Mr. BROTZMAN].

Mr. BROTZMAN. Mr. Speaker, it is my belief that we should save money while making money and expanding the Denver Mint will produce this result. I note, with pleasure, the committee report that part of this money is going to go for expanding the existing Denver Mint. The Denver Mint has clearly demonstrated that it can do an efficient job. I would point out to the Members that they have already acquired property contiguous to the existing mint facilities to enable future expansion.

I commend this committee on the good job they have done. There is no question in my mind but what a national need and crisis does exist for the minting of new coins, and for those reasons, Mr. Speaker, I support this particular bill.

Mr. JONES of Alabama. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore (Mr. ALBERT). The question is, Will the House suspend the rules and pass the bill, as amended?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

AMENDING THE NATIONAL CULTURAL CENTER ACT

Mr. JONES of Alabama. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1652) to amend the National Cultural Center Act to extend the termination date contained therein, and to enlarge the Board of Trustees.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of

America in Congress assembled, That subsection (a) of section 2 of the National Cultural Center Act (72 Stat. 1698) is amended in its last clause by striking out the word "fifteen" and inserting in lieu thereof the word "thirty".

SEC. 2. Subsection (b) of section 2 of the National Cultural Center Act (72 Stat. 1698) is amended to read as follows:

"(b) The general trustees shall be appointed by the President of the United States and each such trustee shall hold office as a member of the Board for a term of ten years, except that (1) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, (2) the terms of any members appointed prior to the date of enactment of the National Cultural Center Amendments Act of 1963 shall expire as designated by the President at the time of appointment, and (3) the terms of the first fifteen members appointed to the Board pursuant to the amendments made by the National Cultural Center Amendments Act of 1963 shall expire, as designated by the President at the time of appointment, three on September 1, 1964, three on September 1, 1966, three on September 1, 1968, three on September 1, 1970, and three on September 1, 1972."

SEC. 3. Subsection (a) of section 6 of the National Cultural Center Act (72 Stat. 1699) is amended in its second sentence by deleting the word "eight" and substituting in lieu thereof "twelve".

SEC. 4. Subsection (a) of section 7 of the National Cultural Center Act (72 Stat. 1700) is amended by deleting the word "five" and substituting in lieu thereof the word "eight".

SEC. 5. This Act may be cited as the "National Cultural Center Amendments Act of 1963".

The **SPEAKER** pro tempore. Is a second demanded?

Mr. **BALDWIN**. Mr. Speaker, I demand a second.

Mr. **GROSS**. Mr. Speaker, a parliamentary inquiry.

The **SPEAKER** pro tempore. The gentleman will state it.

Mr. **GROSS**. Is the gentleman from Washington [Mr. BALDWIN] opposed to the bill?

Mr. **BALDWIN**. I am not opposed to the bill.

Mr. **GROSS**. Mr. Speaker, I demand a second.

The **SPEAKER** pro tempore. Is the gentleman from Iowa opposed to the bill?

Mr. **GROSS**. The gentleman from Iowa is unqualifiedly opposed to the bill, Mr. Speaker.

The **SPEAKER** pro tempore. The gentleman qualifies. Without objection, a second will be considered as ordered.

There was no objection.

Mr. **JONES** of Alabama. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. **JONES** of Alabama. Mr. Speaker, as the Members will recall, 5 years ago we authorized legislation which made in order the creation of a National Cultural Center to be constructed in the District of Columbia. The act provided that the funds to be supplied for the construction of this edifice would be from voluntary contributions. Since that time the Cultural Center has not been able to raise the necessary amount for the construction of this building.

Mr. Speaker, the Cultural Center will cost approximately $30 million. A very creditable job of organizing the nationwide campaign to raise the funds required for this project has been accomplished. Nevertheless the needed funds for the Cultural Center have not been raised.

Mr. Speaker, S. 1652 extends the period for fundraising for the Cultural Center for 3 additional years and doubles the number of trustees serving on its Board. The House will recall that all this is supervised by the Smithsonian Institution. The Cultural Center's accounting, deliberations, and other activities will be reported to the Regents of the Smithsonian Institution.

I am happy, Mr. Speaker, to tell the Members of the House that this bill was reported out by the full Public Works Committee without serious objection. It is pleasing to those of us who made the estimation of its worth 5 years ago to see that there has been steady progress.

Mr. Speaker, no one has been more vigorous and no one has been more dedicated to this proposition than the distinguished member of the Committee on Public Works, the gentleman from Texas [Mr. WRIGHT], who has not only taken a great interest in it but has served as a trustee on the Board. So, I am pleased at this time, Mr. Speaker, to yield to the distinguished gentleman from Texas.

Mr. **WRIGHT**. Mr. Speaker, as the gentleman from Alabama has so ably explained, this bill does two things and two things only. First of all it extends for an additional 3 years the time which the trustees of the National Cultural Center may have to raise by public subscription the approximately $30 million estimated to be required for the construction here in Washington of a National Cultural Center.

Secondly, it increases the number of trustees from 15 to 30.

Mr. Speaker, the parent legislation which this bill would extend was passed by this House on August 22, 1958, by the overwhelming vote of 261 for and 55 against.

It was felt at that time, both in the House and in the other body, that there was a great deficiency in the fact that Washington alone of all the great capitals of the world did not have a National Cultural Center for the performing arts.

The legislation authorized the creation under the Smithsonian Institution of a National Cultural Center Board of Trustees whose purpose it would be, among other things, to raise the funds for the construction of this building. It is estimated that approximately $30 million will be required for this purpose. To date they have raised in excess of $10 million. There is an additional $5 million pledged by one of the great foundations of the country conditioned upon the raising of $15 million, which seems to be well within sight.

The response in recent months has been extremely gratifying, and I think the House will want to pass by an overwhelming majority this bill to extend for an additional 3 years the time in which this money may be raised by public subscription, not by the expenditure of taxpayers' money, in order that our Capital may have the benefit of this great building and the services it can perform for our Nation.

Mr. **JONES** of Alabama. Mr. Speaker, the ranking minority member of the Committee on Public Works [Mr. AUCHINCLOSS], made an exhaustive and careful examination of the fiscal operations of the Cultural Center. Certainly no one is better equipped for an examination of this character than the gentleman from New Jersey.

I now yield to the distinguished ranking member of the Committee on Public Works, the gentleman from New Jersey [Mr. AUCHINCLOSS], 3 minutes.

Mr. **AUCHINCLOSS**. Mr. Speaker, when this project was first started about 5 years ago I opposed it. In my remarks at that time I pointed out that I thought it was ill conceived and ill planned. Every one of the points I made have been confirmed in this operation.

Today, however, I have reversed my stand. This is based on the fact that the whole operation has been completely revised. About 1½ years ago Mr. Roger L. Stevens was appointed by the President to be Chairman of the Board of Trustees. I never knew Mr. Stevens until about a month ago. I took occasion to discuss this problem with him and asked him about his views.

Mr. Stevens is a businessman who has operated successfully in real estate for some time. He has promoted successful Broadway plays all of which have been among the 10 most successful plays of the year. He is a man of experience in this line of work.

He pointed out to me that, first of all, he had recommended the reduction in cost from $70 million to around $30 or $40 million because he did not believe that it was necessary to have $70 million. He pointed out to me that they would probably proceed if they were not able to raise the necesssary money with part of the project and not complete it entirely at one time. This makes sense. He also pointed out that they are considering working out a plan so that part of the money which they collect will be dedicated to operating expenses, thereby insuring solvency of the project and eliminating its dependency on Federal funds.

These and other businesslike ideas that he discussed with me have completely changed my mind.

I believe this is going to be successful; I believe it will be a great thing for this country as well as the city, and I am convinced that under Mr. Stevens' leadership it will not become a load on the Federal Treasury. I would oppose it if I thought otherwise.

Mr. **JONES** of Alabama. Mr. Speaker, I yield 3 minutes to the distinguished minority member of the committee, the gentleman from Iowa [Mr. SCHWENGEL].

Mr. **SCHWENGEL**. Mr. Speaker, I yield a minute of my time to the distinguished gentleman from Illinois [Mr.

McLoskey] who has served with us on this committee.

Mr. McLOSKEY. I thank the gentleman from Iowa for yielding. In order that we keep the record straight here, what the chairman of our committee, the gentleman from Alabama, said was true, that is, in the final vote in committee there was no formal objection. However, I did raise certain questions. I was apprehensive, I was fearful as to what might happen with respect to the maintenance of this project. In the course of our hearings, in order to bring this to light, I asked Mr. Stevens to provide us with some information as to what the actual maintenance costs would be. Likewise, I should like to say that I conferred with my distinguished and charming colleague from the State of Illinois, who is likewise a member of this committee, the gentlewoman from Illinois [Mrs. Reid] and she said that she had gone into this matter carefully, and was convinced the project was sound.

Mr. Speaker, as pointed out in my opening remarks there is some doubt in my mind whether or not once this Center is completed it will be self-supporting. This feeling still exists, but I am willing to give the Cultural Committee the opportunity to prove me wrong.

As one who believes in the free enterprise system, I believe this bill fits into this category because the $30 million we are talking about is to come from popular subscription.

Obviously this House determined by a sizable majority 5 years ago that authority should be granted for the establishment in the Smithsonian Institution of a Board of Trustees of the National Culture Center. I do not care to debate the merits of culture, this must have been done 5 years ago.

As I see it, all this bill actually does is extend the termination date of the National Cultural Center Act for 3 more years.

I shall support the bill today but I wish to serve notice if I am fortunate enough to be returned to membership in this distinguished body I shall not support 3 years from now another extension, neither will I vote for the use of Federal funds in the maintenance and operation of this Center.

Mr. SCHWENGEL. Mr. Speaker, I rise today in support of S. 1652, a bill to extend the termination date and increase of the Board of Trustees for the Nation Cultural Center.

I have said, and I believe firmly, that the District of Columbia is the most interesting and worthwhile place in the world to visit for all who are interested in freedom and in studying the story of representative government. More people come to this area every year than visit any other capital area in the world. This is a special kind of tribute to our system and to those who, like us, made it their business to help make representative government function in the interest of all of the people. This bill will serve to make visiting here even more meaningful and worthwhile.

If we Americans have a national shrine, it is the Capitol Building of the United States and there is a reason. The reason is that more has happened there through elected representatives to benefit people than has happened anywhere else in all the rest of history. The Cultural Center will encourage even more people to visit this shrine and be inspired and encouraged by the visit.

Recently there has been much news about the crime and the sad state of affairs in other respects here in the District of Columbia. This is indeed unfortunate and I am glad that there are Members of Congress who, with me and others, want to do something about correcting that situation and I am sure that many of the problems that have been exposed are being and will continue to be dealt with effectively. The encouragement of culture here will tend to discourage the crime and other disgraceful developments here.

So Mr. Speaker, I repeat, performing arts can do much good in helping to make the District of Columbia an even more interesting and worthwhile place to visit. The performing arts that will be featured in the National Cultural Center are a special form of communication that both enlighten and encourage our intellectual desires and serve to furnish a high grade of entertainment. The fact that we in this country have produced a rich storehouse of highly talented artists dictates that we have a suitable place in this community where they can perform at their best.

Mr. Speaker, as has been pointed out before, our Nation's Capital belongs to all of our people. Through it, in various ways, we communicate with the rest of the world. Here we honor our statesmen, our military heroes, and our pioneers in science. Here we acknowledge that their achievements have brought honor and credit to all of America and to the world. But, unfortunately, until now, we have failed to give comparable recognition and dignity to others who have brought us similar honor and credit in the field of the humanities. Nor have we given the attention that we should to our performing artists. This unselfish contribution by Americans from all across our land will help correct that situation and I am glad to have a part in making it possible.

Nine million visitors come to the Capital each year from across the country and from overseas. This figure will grow in the future. Two million more people, including a large diplomatic population, reside in or near Washington. Through the lack of adequate facilities for the performing arts, we have often given the false impression to these people and to the people of other lands that we do not regard the arts as important in our national life. America is one of the few leading countries in the world today which has no national center for the performing arts.

Now, if we pass this bill, we can have such a center. We can correct misconceptions and have stages worthy of the finest of our own talent and that of distinguished artists from abroad. We can enable those appearing upon its stages to do so in a national setting. This Center will not be an impersonal entity of steel, marble, and concrete. It will be the focal point of splendid artistic endeavors and the temporary home of audiences come to enjoy them. It will be a magnet for all that is great in American cultural life and it will be the mirror through which other lands can view our cultural heritage.

Mr. Speaker, I want now to pay special tribute to two people with whom I have counciled and who have had and are continuing to have a very significant part in making this facility possible for the District and for America. They are Mr. Ralph Becker and Mr. Roger Stevens.

Mr. Becker is an internationally known lawyer of high repute, a senior partner in the firm of Brookhart, Becker, and Dorsey, and a member of the American Bar Association serving this organization in many capacities.

His civic and community contributions and his leadership in his many capacities locally are well known. He gives unstintingly of his time to the Metropolitan Washington Board of Trade where he is a member of the board of directors.

For many years he has been collecting political memorabilia on the various presidential campaigns. This collection now has over 30,000 items, many of which are rare and valuable. At the behest of friends, and in order to share this wonderful collection with his fellowman, in 1960 he donated the entire Ralph E. Becker Collection of Political Americana to the Smithsonian Institution where it can be and is seen by thousands of people who visit that marvelous Institution each year.

He is on the board of consultants of the newly organized United States Capitol Historical Society. In the history-making reenactment of the first inauguration of Abraham Lincoln he served both as chairman of the committee on arrangements and played the part of Senator Douglas in the reenactment.

In politics he is a Republican and has served as national chairman of the Young Republicans and in various other capacities for the Republican organization.

He is a distinguished war veteran having served in combat in the European theater and received all sorts of recognition.

He also has authored a number of articles on space law and atomic energy.

He is a member of many national cultural organizations. Before the National Cultural Center became law, he located and testified in behalf of the Potomac River site. He was appointed by Eisenhower in 1959 as a trustee of the National Cultural Center and was then elected counsel—an office which he has served without compensation and with a great dedication to the cause. He is presently serving as general campaign chairman for the metropolitan area.

I am deeply grateful that a man of Ralph Becker's capacity, vision, energy, outlook, and devotion to high ideals has accepted the challenge of helping to raise the necessary money to make this fine facility possible for us.

ROGER L. STEVENS

Mr. Speaker, the biography of Roger L. Stevens indicates that he is ideally suited to the responsibility given him in connection with the National Cultural Center.

He was born March 12, 1910, Detroit, Mich.; attended school in Ann Arbor, Mich., and graduated from Choate School, 1928; also attended University of Michigan, 1928–30.

He is a real estate broker specializing in investment properties. He has completed real estate deals of sufficient importance to make front page news in practically every major city in the country, including purchase of Empire State Building in 1951. He has been a director, City Investing Co., since 1950; is chairman of board, University Properties in Seattle; is director, Allied Building Credits since 1958; chairman of board, Davidson Bros., a large Midwest department store chain. In politics he is a Democrat; was chairman, finance committee of Volunteers for Stevenson, 1952; was chairman, Democratic Party Finance Committee, 1956–59.

Since 1949, produced or coproduced over 100 Broadway plays including such hits as "Rival of Peter Pan, 1950," "Four Poster," "Tea and Sympathy," "Sabrina Fair," "Ondine," "Remarkable Mr. Pennypacker," "Golden Apple," "Confidential Clerk," "Bus Stop," "Cat on a Hot Tin Roof," "Bad Seed," "Tiger at the Gate," "Hole in the Head," "Major Barbara," "West Side Story," "Time Remembered," "The Visit," "Pleasure of His Company," "Best Man," "Mary, Mary," "A Far Country," "The Caretaker," "A Man for All Seasons," "Five Finger Exercise," and many others that have made the "Ten Best Plays of the Year," but have not been box office.

He is president, Producers Theater; president, Phoenix Theater; past president of New Dramatists Committee; member of executive committee of American Shakespeare Festival and Academy; treasurer of ANTA; member of board of Metropolitan Opera; Chairman of Board of National Cultural Center, Washington, D.C.

Honorary degrees: February 1960, doctor of humanities, Wayne State University; October 1960, doctor of humane letters, Tulane University.

Mr. Speaker, it is my hope that this House will act speedily on this matter so it will go to the President for his signature and so the people who have been so deeply involved in this will be able to move ahead with their plans so we all may enjoy this fine new facility for the most meaningful and worthwhile capital in the world—our capital.

CORRIN STRONG

Corrin Strong, former U.S. Ambassador to Norway is Vice Chairman of the National Cultural Center and formerly served as Executive Vice Chairman. He has given of his time, efforts, talent, and money and has been very generous with his funds taking care of the administrative expenses.

Mr. GROSS. Mr. Speaker, I yield 5 minutes to the gentleman from Iowa [Mr. KYL].

Mr. KYL. Mr. Speaker, a moment ago the gentleman from Texas pointed out that this bill which we have before us does two things and two things only, and therein lies my concern, because if we were genuinely interested in providing a center for national culture we would do much more than the Commission has done to this time and much more than this bill provides. We can talk all we want about finances and about plans, and so on. When the financial report was presented on 5 years of fundraising, on June 30 of this year, we had listed an excess of receipts over expenses of $1,319,000 and total expenses of $1,057,000.

It is all right to say that we are going to change all this from this point, but it still is not going to alter a few fundamental facts. It is not my purpose to try to create a tempest in this matter. I am afraid we are losing the labors of our love and this whole thing might degenerate into a comedy of errors unless we do give some new direction to this program. Is this a national cultural center or is it just an opera house for the District of Columbia?

Everything we have except one little report from the Department of the Interior concerns agencies of the District of Columbia. The report says we need such a building in the District. But here I want to point out to you that a national cultural center is not only a building. If we had a genuine program for culture, for national culture, involved in this debate, involved in the program presented by the Commission, then we would be considering, I think, a national cultural center in which it is the program which is paramount, and not some building.

A national cultural center, as I see it, should first be an institution the program of which would identify and indirectly promote a national culture. Nothing has been done on that in this whole proposition.

And, secondly, this Center for National Culture should provide for the widest possible dissemination of worthwhile esthetic participation and appreciation in all corners of the United States. If this is going to be a national cultural center, instead of a District of Columbia opera house, we should have had some indication in a period of 5 years that the program of cultural dissemination is the center of this business.

This brings us to the point of finances. It is one thing to say that a program of this kind should be self-supporting. It is another thing to prove it. We have had, I believe, some rather similar comments in the past respecting a magnificent stadium on the banks of the Anacostia, where our Washington Senators play their baseball games. If we develop the kind of a program that we should have through a national cultural center, not a District center, but a national cultural center, I do not think there is any question but that there should be some Federal funds provided for the program, and I would not even be opposed to having those Federal funds injected into it. As a matter of fact, I have introduced legislation for that purpose.

But I decry the dishonest presentation which says, "Oh, yes, everything is going to be honey and applesauce, there will not be any problem in getting sufficient funds." The Director of this Center has told our committee, as I understand it, that we are going to be primarily concerned with using this building for the purposes of those groups who want to put on cultural activities. If you are interested only in culture in the District of Columbia, let me point out another problem. We already have here a National Symphony, we have an opera group, we have a ballet group. All of these are tremendous organizations. All of them provide culture not only for the District but for the surrounding area and, at times, through the Nation. But these organizations depend for their funds on local sources from which we also will have to draw funds for the District cultural center.

Are we here creating something which is going to dissipate those facilities we already have for providing culture?

I think we have to make a decision here in an honest fashion:

First. Is this going to be a building or is it going to be a national cultural program?

Second. Is it for the District of Columbia or for the Nation?

Third. How are we going to provide for the operation of this institution, and the program which it should entail, through local funds if we are going to dry up the sources of the local cultural agencies now extant? If we are going to need Federal funds, the time to talk about it is now, instead of perpetrating another one of these jokes that we play on ourselves as we did in the case of the District of Columbia Stadium. This is the time we should make these decisions and not 3 years hence, when maybe we will and maybe we will not have sufficient funds to build the building.

Mr. GROSS. Mr. Speaker, I yield 4 minutes to the gentleman from New Jersey [Mr. WIDNALL].

Mr. WIDNALL. Mr. Speaker, I would like to suggest that culture and art do not spring into being because a high price tag is placed on them. Instead of dreaming about a grandiose Italian marble building at an inconvenient place, this Congress should concern itself with benefiting the people who live in and visit the Nation's Capital by preserving those assets that we have.

I refer to the fact that unless there is appropriate action by this Congress we will sit by and watch the destruction of the Capitol Theater which has been successfully used as a cultural stage for opera and ballet for many years. The House in its last session passed a measure that would have preserved the Capitol Theater. The preservation of this existing asset is something that the trustees of the Cultural Center could well concern themselves with, but despite many opportunities to do so they have totally ignored the fact that the disappearance of this auditorium and stage, which has been successfully used for cultural purposes, will leave Washington without any adequate staging area. With the amounts the Center professes to have already in hand, they could start operating with a stage for cultural attractions tomorrow. I would hope in the days ahead, if this extension is passed, serious consideration will be given to this, as it looks to me as if it will be many years before this program comes into being.

I should like to ask this question of the gentleman in charge of the bill, the gentleman from Alabama [Mr. JONES]. What opportunity was given for other witnesses to appear at the hearings?

Mr. JONES of Alabama. I do not know that anybody was denied an opportunity to appear before the subcommittee. If the gentleman is intimating that anyone was denied such opportunity, it certainly did not come to my attention. This is an amendment to legislation that was overwhelmingly adopted by the House and the other body.

Mr. WIDNALL. I should like to ask further, is any further acquisition of land contemplated for the Cultural Center?

Mr. JONES of Alabama. No, there is none, or it would be considered along with this legislation. There has been no request for additional land in the last 2 years that I know anything about. There was about 3 years ago a request for additional land. The Public Works Committee took the position that we have already supplied a sufficient amount of land to accommodate the need. The gentleman will recall further that at the time there was request for additional land it was believed that the building cost would not be as high as it is estimated now. The Board of Trustees then calculated that the best thing to do would be to have a building that would cost some $30 million.

Mr. WIDNALL. I believe in having a cultural center in Washington. This has been a nonpartisan matter. It was started in the Eisenhower administration and is being continued in the Kennedy administration. But I do believe we should decry the fact that existing facilities are disappearing fast, and something should be done about it now.

Mr. GROSS. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I opposed similar legislation 5 years ago and I oppose it today because I was convinced then, and I am convinced now, that this $30 to $40 million so-called Cultural Center will become a load upon the taxpayers of the Third Congressional District of Iowa as well as every other congressional district in the United States.

We have only to look at that financial white elephant known as the Washington, D.C., Stadium to note how fast they rush in to donate money in the District of Columbia for projects of a public nature. Speaking of culture—it was only 30 minutes or so ago that we had a bill before the House to provide for parking lots in the immediate vicinity of the Supreme Court of the United States because it is dangerous, they say, for women employees of the Court to walk any distance to get to their automobiles after dark. They seek a parking lot paid for by the taxpayers because it is dangerous to be afoot outside the Supreme Court building at 5 p.m. in the winter. What is this culture you are talking about? Do you not think you ought to cure this lawlessness in the District of Columbia before you embark upon a $30 or $40 million cultural center? Where is the culture you are talking about in the Nation's Capital, if women cannot walk the streets in the immediate vicinity of the Supreme Court of the United States in the early evening or after dark without being in danger of losing their lives, or being raped or robbed? Why not put first things first in the Nation's Capital?

I say to you that this cultural deal is coming back as a load upon the taxpayers of the entire country. Five years ago, one of the Members who is on the floor today and one who has been most vocal in support of culture with a $40 million price tag, said this:

> I assume the gentleman (the gentleman from Iowa) is familiar with the committee amendment we have included which provides that if the money is not raised in 5 years, the act will be null and void.

Yet here he is again today. He helped sell it 5 years ago upon the premise that the money would be raised in 5 years or the show would be out and over. He is here today asking that the law be extended for 3 years, and it will probably be extended another 3 years if that is what it takes to get the load on the backs of your taxpayers and mine.

The gentleman from Virginia [Mr. SMITH] was for this Cultural Center 5 years ago on the basis that everything was going to be free; that it was not going to cost the taxpayers anything. Well, let me say to the gentleman from Virginia, and I am sure when he becomes fully acquainted with the facts, he will probably change his position this time—let me say to the gentleman—they have already had their hands in the taxpayers' pockets. In the first place, Congress has made a pretty substantial donation of expensive land to this outfit and they have been operating a promotional program right out of the White House. I do not know how much money has been spent, but I do know some of it is right out of the taxpayers' pockets. I do not know how much has been spent on office space in the White House or how many employees at the White House were used to stage that $100-a-plate dinner which a goodly number were reported to have attended only after substantial arm twisting.

Yes, I say to my good friend, the gentleman from Virginia [Mr. SMITH], that they have already stuck their fingers in the pockets of my taxpayers as well as his, and I do not like it.

Mr. Speaker, they can build a cultural center on every street intersection in the city of Washington so long as they raise the money in the District of Columbia with which to build it. I want them to keep their hands out of the pockets of taxpayers I represent, who are going to see little or nothing of this Cultural Center.

The **SPEAKER** pro tempore. The time of the gentleman from Iowa has expired.

Mr. GROSS. Mr. Speaker, I yield myself 1 additional minute.

I understand that the question was asked of, I believe, the one witness who appeared before the committee whether he would assure the committee—and if I am wrong in this I want some member of the committee to correct me—if he would assure the committee that this would never become a burden upon the Nation's taxpayers, and it is my understanding that the witness who appeared before the committee would not give any such assurance.

Now, am I correct or am I wrong in that statement? Does any member of the committee want to rise here and stake his reputation on the floor of the House that this will not become a burden upon the taxpayers of the country, in whole or substantial part? Does anyone want to stake their reputation on it? No.

The **SPEAKER** pro tempore. The time of the gentleman from Iowa has again expired.

Mr. GROSS. Mr. Speaker, I yield myself 1 additional minute.

The facts are that the Cultural Center promoters are in the public till right now.

Vote for the proposition if you want to, and build cultural centers until Hades freezes over and then skate on the ice, but count me out. I am not about to be a party to loading upon the taxpayers any more of this kind of frivolity, with a national debt of $306 billion, and another debt ceiling bill to be considered in the House this week. So, rush out and build a cultural center in a city where women cannot walk without fear of their lives on the streets at night in the immediate vicinity of the Capitol and the Supreme Court of the United States.

Mr. JONES of Alabama. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this extension—this authorization—does not authorize the expenditure of one red penny.

The gentleman from Iowa mentioned the debate on the floor when the bill was first considered by the House 5 years ago. He mentioned the comments of the distinguished gentleman from Virginia [Mr. SMITH].

Now, the gentleman from Virginia [Mr. SMITH] stated then, and correctly so, that this bill would not cost the taxpayers any additional sum, other than the cost of the land which was being donated in the District of Columbia to the Cultural Center. Now, that is the long and the short of it.

Mr. Speaker, the very notion of saying here and now that someone would stake their political fortunes on predicting what future Congresses will do is wholly and totally nonsense.

How could I stand here and give an unequivocal statement that the next Congress is not going to see fit to make donations for a worthwhile activity established for the people of this Republic?

It seems to me that there is not a single Member of this House who does not realize that if there is a need to authorize the expenditure of Federal funds for this project it will have to come back to the same forum in which we are now standing at the present time to secure such authorization. When this is done every Member will have an opportunity to make a full and complete examination of the requirements suggested in any bill that is presented here.

So let us not go astray when we are considering a measure that has had as close, careful, and complete scrutiny by Members on both sides of the aisle. We do not bring you a trivial matter, but one that has had complete and careful analysis, approval, and approbation of the Public Works Committee.

Mr. Speaker, I rise today in support of S. 1652, a bill which will extend the termination date of the National Cultural Center Act from September 2, 1963, to September 2, 1966; increase the number of trustees of the Center from 15 to 30; provide for staggered terms for additional trustees; and provide for a larger quorum requirement to correspond with the enlargement of the Board of Trustees.

Mr. Speaker, it was my privilege some 5 years ago to handle this legislation when the Committee on Public Works reported out the bill which became the law establishing the National Cultural Center. At that time, the committee indicated, and I felt strongly, that enactment of this legislation would permit careful planning and construction of a much-needed National Cultural Center worthy of the city of Washington. Five years later I am still of this opinion and I am happy to report that it is the concensus of the Committee on Public Works.

You have before you today legislation which will give to the No. 1 Capital of the world a much-needed edifice. It is ironic that in this day and age of all the great capitals of the world Washington is the only one that does not provide a proper forum for members of the performing arts, for lectures and other civic activities. The Cultural Center will not only give our own artists but also those from other lands a place to display their talents.

This is unique legislation. The funds for this building are being raised by voluntary contribution. In hearings before the committee the present Chairman of the National Cultural Center, Mr. Roger Stevens, a distinguished businessman, presented to the committee a most businesslike approach to the operation of the entire campaign for the Cultural Center as of June 30, 1963. It was advised that a little over $10 million have already been raised by voluntary subscription for the Cultural Center. It was further advised that those who are handling this program are certain that within the 3-year extension provided by this legislation the additional $20 million needed to build a Cultural Center will be raised.

As a result of careful questioning by members the Public Works Committee was told that the Cultural Center was planning to handle the cost of its operation and maintenance from anticipated rental fees once the Center is in use, and by investment of some of its capital funds for this purpose.

This legislation comes to you today with the support of the Committee on Public Works. I can assure you that the committee feels from the evidence it received in the hearings that this legislation will give the Cultural Center sufficient time to raise the additional funds needed to construct the building; the Cultural Center believes it can and will be self-supporting insofar as maintenance is concerned once the structure is built; and the enlargement of the Board of Trustees under this legislation will provide for a more comprehensive representation from all sections of the Nation on the Cultural Center Board.

I would like to point out once again that no additional Federal funds are involved in this legislation.

S. 1652 is good legislation and I recommend its passage.

Mr. GROSS. Mr. Speaker, I yield myself 3 minutes.

The gentleman states that this is not a trivial matter, and he is right.

Mr. JONES of Alabama. Nor do we insist it is a trivial matter.

Mr. GROSS. This is a $35 million or $40 million deal that will very likely become a burden, as I have said, upon the Nation's taxpayers. The gentleman says this so-called Cultural Center is being built for the people of the entire country. Strange as it may seem, I have not heard of a single mass meeting in Alabama or in Iowa demanding the construction of a cultural center in Washington, D.C. Perhaps I should be surprised that no mass meetings have been held in Alabama for that purpose.

I well remember the story when the stadium matter was on the House floor; the story that it was not going to cost the Nation's taxpayers anything. We had a complete assurance that would be the case and on that basis the bill went through the House. The taxpayers are already financing the interest on the bonds. They are making their donations to the District of Columbia and the interest on the bonds is advanced out of tax money. Nothing is being paid on the principal of those bonds. And the day is coming, despite all the wonderful assurances given when that $20 million stadium was authorized that it would not cost the taxpayers anything; the day is coming when Congress will be asked to pick up the load.

The gentleman says that in the case of this cultural deal we will have to come back to the House floor to do thus and so. It is always necessary to come back to the House floor. But the deed will have been done, the hole will have been dug, some of the Italian marble will have been put up, and then Congress will be told it cannot afford to lose the investment it has in the hole. That is the old, ancient racket that is used around here.

Mr. JONES of Alabama. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. THOMPSON] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. THOMPSON of New Jersey. Mr. Speaker, as you know, under the original act of 1958, a 5-year period was granted the Board of Trustees of the National Cultural Center to raise the funds necessary to bring this most worthy project to fruition. While the change in national administrations did temporarily delay their fund raising activities, the trustees are now making significant progress and the outlook for reaching their financial goal is very promising. The legislation now before us would extend for 3 years the statutory period within which the trustees may continue their fundraising drive. It is only reasonable that they be given this additional time. In addition, the legislation would authorize an increase in the number of general trustees from 15 to 30. It is felt that this increase will provide a broader national representation and assist in carrying out the objectives of the 1958 act. I would respectfully commend Senate bill 1652 to my colleagues.

Mr. JONES of Alabama. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Alabama [Mr. JONES] that the rules be suspended and the bill be passed.

The question was taken, and the Speaker pro tempore announced that two-thirds had voted in favor of suspending the rules.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 293, nays 33, not voting 106, as follows:

[Roll No. 113]

YEAS—293

Adair
Albert
Anderson
Andrews
Arends
Ashley
Ashmore
Aspinall
Auchincloss
Ayres
Baldwin
Bass
Becker
Beckworth
Bell
Bennett, Fla.
Bennett, Mich.
Betts
Boggs
Boland
Bolling
Bolton, Frances P.
Bolton, Oliver P.
Bonner
Bow
Brademas
Bray
Brock
Bromwell
Brooks
Broomfield
Brotzman
Brown, Calif.
Broyhill, N.C.
Bruce
Burke
Burkhalter
Burleson
Burton
Byrne, Pa.
Byrnes, Wis.
Cahill
Cameron
Cannon
Casey
Cederberg
Chelf
Chenoweth
Clausen, Don H.
Cleveland
Conte
Corbett
Corman
Curtin
Curtis
Daddario
Daniels
Davis, Ga.
Dawson
Dent
Derwinski
Dole
Donohue
Dorn
Dowdy
Downing
Dulski
Duncan
Dwyer
Edmondson
Edwards
Ellsworth
Everett
Fallon
Fascell
Feighan
Finnegan
Fisher
Flood
Flynt
Ford
Forrester
Fountain
Frelinghuysen
Friedel
Fulton, Pa.
Fuqua
Garmatz
Gary
Gathings
Gavin
Giaimo
Gill
Glenn
Gonzales
Goodell
Grant
Gray
Green, Oreg.
Green, Pa.
Griffiths
Grover
Gubser
Gurney
Hagan, Ga.
Hagen, Calif.
Halleck
Hansen
Harding
Hardy
Harris
Harrison
Harsha
Harvey, Ind.
Hawkins
Hays
Hechler
Hemphill
Hoeven
Holifield
Holland
Horan
Horton
Hosmer
Huddleston
Hull
Hutchinson
Ichord
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Wis.
Jonas
Jones, Ala.
Karsten
Kastenmeier
Keith
Keogh
Kilgore
King, Calif.
Kirwan
Kornegay
Kunkel

Laird
Landrum
Lankford
Latta
Leggett
Lennon
Lindsay
Lipscomb
Lloyd
Long, Md.
McClory
McCulloch
McDade
McFall
McLoskey
McMillan
MacGregor
Mahon
Mailliard
Marsh
Martin, Calif.
Martin, Nebr.
Mathias
Matsunaga
Matthews
May
Michel
Milliken
Mills
Minish
Minshall
Moore
Morgan
Morris
Morse
Morton
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
Nedzi
Nix
Norblad
O'Brien, N.Y.
O'Hara, Ill.
O'Hara, Mich.
Olsen, Mont.
Olson, Minn.
Ostertag
Passman
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pike
Pilcher
Pirnie
Poage
Poff
Pool
Powell
Price
Pucinski
Purcell
Quie
Rains
Randall
Reid, Ill.
Reid, N.Y.
Reifel
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Rich
Riehlman
Rivers, Alaska
Roberts, Ala.
Roberts, Tex.
Robison
Rogers, Colo.
Rogers, Fla.
Rooney
Roosevelt
Roudebush
Roybal
Rumsfeld
Ryan, N.Y.
Saylor
Schenck
Schneebeli
Schweiker
Schwengel
Secrest
Selden
Senner
Sheppard
Shipley
Short
Shriver
Sickles
Sikes
Siler
Sisk
Skubitz
Slack
Smith, Iowa
Smith, Va.
Staebler
Stafford
Staggers
Steed
Stinson
Stratton
Stubblefield
Sullivan
Taft
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thomas
Thompson, Tex.
Thomson, Wis.
Thornberry
Toll
Tollefson
Tupper
Tuten
Udall
Ullman
Van Deerlin
Watson
Weaver
Weltner
Westland
Whalley
Wharton
White
Whitener
Widnall
Wilson, Bob
Wilson, Ind.
Wright
Wyman
Young

NAYS—33

Abbitt
Alger
Avery
Baker
Beermann
Berry
Brown, Ohio
Clancy
Clawson, Del
Collier
Cunningham
Dague
Derounian
Devine
Goodling
Gross
Haley
Hall
Herlong
Jensen
Johansen
King, N.Y.
Kyl
Langen
Nelsen
O'Konski
Quillen
Schadeberg
Smith, Calif.
Snyder
Tuck
Utt
Younger

NOT VOTING—106

Abele
Abernethy
Addabbo
Ashbrook
Baring
Barrett
Barry
Bates
Battin
Belcher
Blatnik
Broyhill, Va.
Buckley
Carey
Celler
Chamberlain
Clark
Cohelan
Colmer
Cooley
Cramer
Davis, Tenn.
Delaney
Denton
Diggs
Dingell
Elliott
Evins
Farbstein
Findley
Fino
Fogarty
Foreman
Fraser
Fulton, Tenn.
Gallagher
Gibbons
Gilbert
Grabowski
Griffin
Halpern
Hanna
Harvey, Mich.
Healey
Hébert
Henderson
Hoffman
Jones, Mo.
Karth
Kee
Kelly
Kilburn
Kluczynski
Knox
Lesinski
Libonati
Long, La.
McDowell
McIntire
Macdonald
Madden
Martin, Mass.
Meader
Miller, Calif.
Miller, N.Y.
Monagan
Montoya
Moorhead
Morrison
Multer
O'Brien, Ill.
O'Neill
Osmers
Pillion
Rivers, S.C.
Rodino
Rogers, Tex.
Rosenthal
Rostenkowski
Roush
Ryan, Mich.
St. George
St Germain
St. Onge
Scott
Shelley
Sibal
Springer
Stephens
Thompson, La.
Thompson, N.J.
Trimble
Vanik
Van Pelt
Vinson
Waggonner
Wallhauser
Watts
Whitten
Wickersham
Williams
Willis
Wilson, Charles H.
Winstead
Wydler
Zablocki

So, two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Buckley and Mr. Evins for, with Mr. Van Pelt against.

Mr. Henderson and Mr. Monagan for, with Mr. Knox against.

Mr. Cramer and Mr. Cooley for, with Mr. Bates against.

Mr. Wallhauser and Mr. Trimble for, with Mr. Hoffman against.

Mr. Hébert and Mr. St. Onge for, with Mr. Kilburn against.

Until further notice:

Mr. Addabbo with Mr. Belcher.
Mr. Gilbert with Mr. Osmers.
Mr. Delaney with Mr. Meader.
Mr. Celler with Mr. Ashbrook.
Mr. Carey with Mr. Halpern.
Mr. O'Brien of New York with Mr. Pillion.
Mr. Rosenthal with Mr. Sibal.
Mr. Multer with Mr. Chamberlain.
Mrs. Kelly with Mr. Broyhill of Virginia.
Mr. Farbstein with Mr. Wydler.
Mr. Healey with Mrs. St. George.
Mr. Libonati with Mr. Barry.
Mr. Morrison with Mr. Harvey of Michigan.
Mr. Zablocki with Mr. Martin of Massachusetts.
Mr. Ryan with Mr. Springer.
Mr. Shelley with Mr. Fino.
Mr. Grabowski with Mr. Griffin.
Mr. Miller of California with Mr. McIntire.
Mr. Cohelan with Mr. Foreman.
Mr. Barrett with Mr. Miller of New York.
Mr. Kluczynski with Mr. Findley.
Mr. Rodino with Mr. Abele.
Mr. Thompson of New Jersey with Mr. Battin.
Mr. Diggs with Mr. Denton.
Mr. St Germain with Mr. Dingell.
Mr. Fogarty with Mr. Davis of Tennessee.
Mr. Macdonald with Mr. Madden.
Mr. Stephens with Mr. Abernethy.
Mr. Montoya with Mr. Williams.
Mr. Blatnik with Mr. Winstead.
Mr. O'Neill with Mr. Colmer.
Mr. Moorhead with Mr. Whitten.
Mr. Gallagher with Mr. Gibbons.
Mr. Rogers of Texas with Mr. Thompson of Louisiana.
Mr. Vanik with Mr. Waggonner.
Mr. Vinson with Mr. Watts.
Mr. Clark with Mr. Elliott.
Mr. Fraser with Mr. Fulton of Tennessee.
Mr. Hanna with Mrs. Kee.
Mr. Karth with Mr. McDowell.
Mr. Rivers of South Carolina with Mr. Roush.
Mr. Lesinski with Mr. Long of Louisiana.

Mr. LATTA changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

PROVIDING FOR THE REIMBURSEMENT OF CERTAIN VESSEL CONSTRUCTION EXPENSES

Mr. BONNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 82) to amend the Merchant Marine Act, 1936, in order to provide for the reimbursement of certain vessel construction expenses.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 502(f) of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1153(f)), is amended by inserting at the end thereof the following:

"If, as a result of allocation under this subsection, the applicant incurs expenses for inspection and supervision of the vessel during construction and for the delivery voyage of the vessel in excess of the estimated expenses for the same services that he would have incurred if the vessel had been constructed by the lowest responsible bidder the Secretary of Commerce (with respect to construction under title V, except section 509) shall reimburse the applicant for such excess, less one-half of any gross income the applicant receives that is allocable to the delivery voyage minus one-half of the extra expenses incurred to produce such gross income, and such reimbursement shall not be considered part of the construction-differential subsidy. If the vessel is constructed under section 509 the Secretary of Commerce shall reduce the price of the vessel by such excess, less one-half of any gross income (minus one-half of the extra expenses incurred to produce such gross income) the applicant receives that is allocable to the delivery voyage. In the case of a vessel that is not to receive operating-differential subsidy, the delivery voyage shall be deemed terminated at the port where the vessel begins loading. In the case of a vessel that is to receive operating-differential subsidy, the delivery voyage shall be deemed terminated when the vessel begins loading at a United States port on any essential service of the operator. In either case, however, the vessel owner shall not be compensated for excess vessel delivery costs in an amount greater than the expenses that would have been incurred in delivering the vessel from the shipyard at which it was built to the shipyard of the lowest responsible bidder. If as a result of such allocation, the expenses the applicant incurs with respect to such services are less than the expenses he would have incurred for such services if the vessel had been constructed by the lowest responsible bidder, the applicant shall pay to the Secretary of Commerce an amount equal to such reduction and, if the vessel was built with the aid of construction-differential subsidy, such payment shall not be considered a reduction of the construction-differential subsidy."

Sec. 2. The amendment made by this Act shall be effective with respect to any contract entered into under the provisions of section 502 of the Merchant Marine Act, 1936, as amended, and the Secretary of Commerce shall, with the consent of the other parties thereto, modify any such contract entered into prior to the date of the enactment of this Act to the extent authorized by the amendment made by this Act, except that the Secretary shall not agree to any such modification which would result in a payment by the United States unless, within one year after enactment of this Act, provision has been made for payment to the Secretary of an amount equal to the total of any amounts which would be due the United States under such contracts entered into prior to the date of enactment of this Act if all such contracts were modified in accordance with the amendment made by this Act.

The SPEAKER. Is a second demanded?

Mr. TOLLEFSON. Mr. Speaker, I demand a second.

Mr. BONNER. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. BONNER. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, the purpose of this bill is to correct serious inequities to ship owners resulting from allocations of shipbuilding contracts to other than the lowest bidders when the Government determines that such allocation is desirable in the national interest in order to assure a dispersed shipbuilding mobilization base.

The basic policy of the Merchant Marine Act of 1936 is that vessels built under construction subsidy should be contracted for on the basis of the lowest responsible bid in nationwide competitive bidding. However, in view of the national defense importance of the shipbuilding industry, provision is made in the act for allocation of such shipbuilding contracts to other than the low bidder when the Government determines that the shipbuilding mobilization base needs strengthening in another area. The law provides that the excess contract price resulting from the allocation shall be treated as a national defense cost, and not charged to the ship operator.

The allocation authority has been used only three times in the 25 years it has been on the books—all within the past 6 years. In these cases it was disclosed that the basic act did not give reasonable protection to the ship operator. For example, in two cases where the prospective operators were based on the east coast and the low bidders were also located on the east coast, the Maritime Administration divided the contract awards between the low bidder on the east coast and a higher bidder on the west coast where the shipbuilding industry needed strengthening. This meant that the operator not only needed to maintain a supervision and inspection force at the yard of the low bidder, but also an additional force at the yard of the allocated bidder on the west coast. Moreover, the allocation of several of the ships to the west coast put an additional burden on the operator who, because of the Government's decision, had to bring the ship thousands of miles back to his own trade route based on the east coast.

There is no more reason why the operator should bear these special expenses resulting from a special Government action than he should assume the excess contract price.

This bill provides an equitable adjustment to the problems by providing for reimbursement to those ship operators who would otherwise suffer heavy loss due to Government action in support of the shipbuilding industry. On the other hand, if the allocation should work to the advantage of an operator, the Government would recoup a portion of its excess costs to the extent the operator might benefit.

The bill as introduced has been amended to meet every objection of the Secretary of Commerce and the Maritime Administrator. In fact, as reported, it has the full endorsement of the Maritime Administrator.

It is an equitable bill, working solely in the national interest and to protect the position of ship operators against losses which should be borne by the Government itself.

Mr. TOLLEFSON. Mr. Speaker, I yield myself such time as I might require.

Mr. OLIVER P. BOLTON. Mr. Speaker, will the gentleman yield?

Mr. TOLLEFSON. I will be glad to yield to the gentleman from Ohio.

Mr. OLIVER P. BOLTON. Mr. Speaker, I listened to the distinguished chairman's remarks with a great deal of interest. I notice he referred to the shipbuilding capacity on the east coast and on the west coast, but he did not mention the shipbuilding capacity on the Great Lakes. I presume this was merely an omission and that the bill also provides, as does the basic act, for shipbuilding on the Great Lakes also.

Mr. TOLLEFSON. The gentleman is correct. This bill does not deal only with shipbuilding on the east coast and the west coast, but it includes shipbuilding on the gulf and the Great Lakes.

Mr. BONNER. Mr. Speaker, will the gentleman yield?

Mr. TOLLEFSON. I will be glad to yield to the gentleman from North Carolina.

Mr. BONNER. I think the gentleman raised a point that he should have raised and it should be explained. The reason why I referred to the west coast is that the only allocations that have been made from the low bidder to a high bidder were made from the east coast to the west coast, and the Maritime Administration could very well have allocated it to the lakes or the gulf coast.

Mr. OLIVER P. BOLTON. If the gentleman will yield further, I appreciate the comment of the chairman, because those of us representing the Great Lakes ports tried in certain instances to get the shipbuilding capacity there utilized, and we were unable to do so.

Mr. BONNER. Mr. Speaker, I want the gentleman to know that the committee is interested in the lake areas and is interested in the shipping situation that exists there today.

Mr. OLIVER P. BOLTON. I thank the gentleman.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. TOLLEFSON. I yield to the gentleman.

Mr. GROSS. Do I understand that the retroactive feature is still in this bill, that the payout will be retroactive if the bill is passed?

Mr. TOLLEFSON. Only if those operators who benefited by the allocation pay to the Government what they save by the allocation. This is a two-way street. This is designed to reimburse the operators who are hurt by the allocation, but it also provides that if an operator benefits—and one has benefited—there shall be a reimbursement to the Government by the operators who were benefited by the allocation.

Mr. BONNER. Mr. Speaker, if the gentleman will yield further with respect to that, I tried to point that out in my overall statement. But the gentleman from Iowa [Mr. GROSS], raised an interesting point, that the operator will have to pay money back under this bill.

Mr. TOLLEFSON. Mr. Speaker, the chairman of the committee has outlined the objectives of this bill. They are designed to remove inequities that result under present law. There have been cases, a very few, where ships have been allocated, where ship construction has been allocated by the Maritime Administration to those other than the low bidder. That allocation, in one or two cases, has been disadvantageous to the operators. In other words, it cost him more money. On the other hand, there has been the situation where an operator gained by the allocation. This bill would require that the operator who is hurt will be reimbused by the Government because the allocation was made in the interest of national defense. But it also provides that if an operator gains an advantage dollarwise he must reimburse the Government.

The bill has the support of everybody interested in it. So far as I know there has been no opposition to it. It will result in equal treatment by the Government of all subsidized operators in those instances where ship construction contracts are allocated to other than the low bidder. For that reason I hope the House will approve the bill.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill, H.R. 82, as amended?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

EXCLUDING LUMBER CARGO FROM CERTAIN REQUIREMENTS

Mr. BONNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1157) to exclude cargo which is lumber from certain tariff-filing requirements under the Shipping Act, 1916, with amendments.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 18(b)(1) of the Shipping Act, 1916, as amended (46 U.S.C. 817(b)(1)), is amended by striking out the period at the end thereof and inserting in lieu thereof a comma and the following: "or to cargo which is lumber. As used in this paragraph, the term 'lumber' means lumber not further manufactured than passing lengthwise through a standard planing machine and crosscut to length, logs, poles, piling, and ties, including such articles preservatively treated, or bored, or framed, but not including plywood or finished articles knocked down or set up."

The SPEAKER. Is a second demanded?

Mr. TOLLEFSON. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. BONNER. Mr. Speaker, I yield to the gentleman from Washington [Mr. TOLLEFSON].

Mr. TOLLEFSON. Mr. Speaker, this is a very simple bill that has the unanimous support of the committee. It has the support of the Department of State, the Department of Commerce, and the Department of Agriculture. It has the support of the ocean carriers and the support of the lumber shippers in the Pacific Northwest, as well as the support of the National Industrial Traffic League. The only opposition the bill had during hearings was from the Maritime Commission which reversed its previous position on the bill. Last year we had a similar bill before the committee and the Maritime Commission supported it, but this year it reversed itself and opposed it.

There also was opposition to the bill received by the committee after the bill had been voted out, in a letter from the Department of Justice. I might say with respect to the opposition to the bill that the Maritime Commissioner who spoke for the Commission said in response to a question that nobody could be hurt by this bill.

The committee took the view that if his opposition was to have any merit it should have been to protect the public interest, but by his own testimony he said that the public could in no way be hurt. The only people who are affected are the ocean carriers and the lumber shippers, and they support the bill.

The need for the bill arose because Northwest lumber producers are competing with the Canadian producers for the European lumber market. The Canadian lumber producer has had an advantage because there is no law in Canada requiring the filing of ocean freight rates, so that the lumber shipper in Canada could negotiate with the ocean carrier for lower rates. This the American producer could not do because under existing law the ocean carrier must file his rates with the Maritime Commission, and there was no opportunity to negotiate for lower rates.

While it would not take a great deal of time for the Maritime Commission to okay a reduced rate, the carriers were reluctant to reduce them because they knew if they wanted to again raise them they would have to file the increased rate, and it must remain on file 30 days before it would become effective. Consequently, the carrier did not wish to file reduced rates. That being the situation, the Canadian lumber producer had the advantage over the American in the foreign market.

This does not affect any other than the foreign market where the Canadians have been taking from us business which we formerly enjoyed.

It is a meritorious bill despite the opposition of the Maritime Commission and the Department of Justice. I might say the Department of Commerce supported it very actively. As the House knows, the Maritime Administration is within the Department of Commerce, so as far as the maritime agencies of our Government were concerned, they were split in their views.

I urge the House to support the bill.

Mr. BONNER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. BONNER. Mr. Speaker, the purpose of this bill is to amend the Shipping Act, 1916, as amended, so as to exempt lumber from the provisions of the act requiring the filing with the Federal Maritime Commission by common carriers and conferences of carriers engaged in foreign commerce, of tariffs of all rates and charges applicable to all cargo except "cargo loaded and carried in bulk without mark or count."

The bill defines the term "lumber" to mean lumber not further manufactured than passing lengthwise through a standard planing machine and crosscut to length, logs, poles, piling, and ties, including such articles preservatively treated, or bored, or framed, but not including plywood or finished articles knocked down or set up. Thus, the intent of the bill is to treat rough, or unfinished, lumber which is usually carried either in full-cargo or substantial partial-cargo lots in the same manner as "cargo loaded and carried in bulk without mark or count" notwithstanding the fact that such lumber cargoes are tallied.

Existing law provides that decreases in rates are effective upon filing, but that increases may not become effective until 30 days after filing with the Federal Maritime Commission.

Lumber producing interests in Northwestern United States, pointed out in committee hearings that they are in intense competition with Canadian lumber interests engaged in world trade with the same or similar types of rough and semifinished lumber. They state that the export market for such lumber is susceptible to the same sensitivity to ocean freight rate fluctuations as bulk cargoes of the types presently exempt from tariff filing requirements under the act. Moreover, the fact that Canada has no tariff filing requirements comparable to section 18(b)(1) of our 1916 act interferes with the ability of common carriers engaged in the U.S. foreign commerce to meet the flexible ratemaking opportunities of the unregulated competitive carriers serving Canada.

Objections were noted to the bill by the Federal Maritime Commission and the Department of Justice on the grounds that they felt that the amendment is unnecessary. On the other hand, there was no objection from any other department, and the Department of Commerce actively supported the bill. Moreover, there was no objection from any source outside the Government, and the legislation was actively urged by major lumber shipping groups, by the National Industrial Traffic League, one of the largest associations representing American importers and exporters in all fields, and by the only American carrier in the steamship conference serving between the Pacific Northwest and Europe.

It was the unanimous view of the committee that the proponents of the legislation presented a much stronger justification than the opposition expressed by the Federal Maritime Commission and the Department of Justice. Testimony tended to show that participation of American lumber in export trade to Europe has substantially diminished since the amendments to the 1916 act in 1961, which imposed the requirement of advanced filing of freight rate changes. The enactment of this bill may materially help the American lumber export trade, and your committee urges prompt action.

Mr. Speaker, I ask unanimous consent that the gentlewoman from Washington [Mrs. HANSEN] may extend her remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mrs. HANSEN. Mr. Speaker, because lumber is the backbone of the economy of my district, I am deeply interested in all facets of the difficult and troublesome problems with which this industry has been confronted during the past several years, and any attempt at solution of any one of these problems is of tremendous importance. Therefore, I support wholeheartedly H.R. 1157, identical to my own bill, H.R. 2593. One of the major problems that the Northwest finds is that of retention of markets due to severe competition by Canadian mills.

The pending legislation is designed to correct an inequality existing in the assessment of freight charges in reaching foreign countries. This is occasioned by the fact that there is no regulation of any kind of rates in the Conference of steamship lines which operates from British Columbia to foreign countries. Public Law 87-346 which became effective January 1, 1962, imposes the requirement that steamship companies operated between U.S. ports and foreign countries must file their rates with the Federal Maritime Commission. While the Federal Maritime Commission has endeavored to make the rules for filing as simple as possible, the fact still remains that an exporter in British Columbia can call up, get a rate quotation from a steamship line, complete his arrangements, while he cannot do this in the United States. While the Federal Maritime filing requirements may seem simple, they do act as a deterrent, and when steamship companies have space to offer on an emergency basis and are willing to grant a reduced rate, they offer it to the Canadian mills and not to mills in the United States. Bulk commodities were exempted in the original legislation to which we have referred. Lumber is a bulk commodity but not legally considered so, hence it is important that Congress take action to amend the present public law so that equal opportunity will be afforded American shippers in competition with the mills in British Columbia who ship on the same vessels but under entirely different conditions. The rates from the United States have varied as much as $14 per thousand in excess of the rates from British Columbia. This condition should be corrected.

Under existing law the water carrier must file his rates with the Federal Maritime Commission. When he files a reduction in rate with the Commission, that rate takes effect immediately. But under present procedure a rate increase cannot take effect until 30 days after the rate increase has been filed with the Commission, unless the Commission grants permission to file on shorter notice. A carrier is reluctant to file a low rate and be bound with that rate in later cargoes. He may enter a port with a less-than-full load and may find that he can top the load with lumber at a rate less than that which has been filed. The next trip, however, he may find that he cannot economically carry the lumber at that rate. A water carrier must be free to bargain with the shipper of U.S. lumber just as he is free to bargain with shippers of Canadian lumber.

Employment in sawmills and planing mills has decreased from a total of 492,000 in 1947 to 432,000 in 1949, to 473,000 in 1951, to 416,000 in 1954, to 393,000 in 1955, 332,000 in 1957 and to 309,000 in 1960. The conclusion is obvious. Employment in sawmills and planing mills in the United States has declined by over 40 percent since 1947. One of the principal reasons for this marked decline in employment in our domestic lumber industry is the importation of Canadian lumber. According to a report of the U.S. Department of Commerce imports of softwood lumber from Canada increased from 2,748 million board feet in 1954 to 3,941 million board feet in 1961. That is about 13.7 percent of our domestic production and current estimates indicate that Canadian imports exceed 17 percent of domestic production.

We find in the Northwest and particularly in Southwest Washington that a decline in lumber employment is a major factor in an unemployment situation which has reached serious proportions.

I feel that this bill before us today will be one step toward solving this unemployment problem by removing a barrier which lumber shippers now find to be restrictive.

Exports of softwood to the United Kingdom and common market

[In millions of board feet]

Country	Total 1962	Pacific Northwest	Percent	British Columbia	Percent
United Kingdom	462.4	20.1	4.3	442.3	95.7
Belgium-Luxembourg	23.7	.9	3.8	22.8	96.2
France	37.0	15.1	40.8	21.9	59.2
Germany	25.7	15.1	58.8	10.6	41.2
Holland	35.4	13.6	38.4	21.8	61.6
Italy	40.3	27.7	68.7	12.6	31.3
Total, European Common market	162.1	72.4	44.7	89.7	55.3

Country	Previous 10-year average	Pacific Northwest	Percent	British Columbia	Percent
United Kingdom	525.9	41.9	8.0	484.0	92.0
Belgium-Luxembourg	11.7	2.2	18.8	9.5	81.2
France	10.8	6.5	60.2	4.3	39.8
Germany	6.9	6.0	87.0	.9	13.0
Holland	10.1	4.9	48.5	5.2	51.5
Italy	9.3	5.6	60.2	3.7	39.8
Total, European Common Market	48.8	25.2	51.6	23.6	48.4

Source: PLIB Reports, 1952-62.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill H.R. 1157?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The title was amended so as to read: "A bill to exclude cargo which is lumber from certain tariff-filing requirements under the Shipping Act, 1916, as amended."

A motion to reconsider was laid on the table.

Mr. BONNER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1032) to exclude cargo which is lumber from certain tariff-filing requirements under the Shipping Act, 1916.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 18(b) (1) of the Shipping Act, 1916 (46 U.S.C. 817(b) (1)), is amended by striking out the period at the end thereof and inserting in lieu thereof a comma and the following: "or to cargo which is lumber. As used in this paragraph, the term 'lumber' means lumber not further manufactured than passing lengthwise through a standard planing machine and crosscut to length, logs, poles, piling, and ties, including, such articles preservatively treated, or bored, or framed, but not including plywood or finished articles knocked down or set up."

AMENDMENT BY MR. BONNER

Mr. BONNER. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BONNER: Strike out all after the enacting clause of S. 1032 and insert the language of H.R. 1157, as passed.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to exclude cargo which is lumber from certain tariff-filing requirements under the Shipping Act, 1916, as amended."

A motion to reconsider was laid on the table.

A similar House bill (H.R. 1157) was laid on the table.

RETIREMENT OF ENLISTED MEN OF THE COAST GUARD

Mr. GARMATZ. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1194) to remove the percentage limitations on retirement of enlisted men of the Coast Guard, and for other purposes, as amended.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 14, United States Code, is amended as follows:

(1) Section 357(c) is amended by striking out the words "or any enlisted man so retired whose average marks in conduct during his service in the Coast Guard were not less than 97½ per centum of the maximum, or any enlisted man so retired who shall have been both so cited and shall have received such average marks,".

(2) Section 358 is repealed.

(3) The analysis of chapter 11 is amended by striking out the following item:

"358. Limitation of retirements."

SEC. 2. The amendment made by subsection (1) of section 1 of this Act does not apply to any enlisted man in service on the effective date of this Act.

The SPEAKER. Is a second demanded?

Mr. TOLLEFSON. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. GARMATZ. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, under present law there is a 1-percent limitation on enlisted retirements in the Coast Guard after 20 years' service. At present, by reason of the fact that World War II enlistees are now reaching the 20-year mark, more than 1 percent of the enlisted strength are eligible for retirement, but are unable to retire because of the limitation. The effect of this is detrimental to the service since it restricts advancements within the ranks and causes the retention in service of a number of men who wish to retire. The bill removes the limitation. The removal of the limitation is consistent with Navy practice, and is in line with the policy of uniformity among the armed services.

The bill also discontinues the practice of paying a good conduct bonus on retirement. This, again, is in conformance with Navy practice. The bill, as introduced, would have retained the bonus for all men who had 4 or more years' service on the theory that it would be unfair to reduce benefits on which the men had reason to rely. However, the committee took the view that this reasoning applied to all presently in service, and accordingly amended the bill to preserve the bonus for all presently in service.

The SPEAKER. The question is on suspending the rules and passing the bill, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

AMENDING TITLE 14, UNITED STATES CODE—APPOINTMENT, PROMOTION, SEPARATION, AND RETIREMENT OF OFFICERS, COAST GUARD

Mr. GARMATZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5623) to amend the provisions of title 14, United States Code, relating to the appointment, promotion, separation, and retirement of officers of the Coast Guard, and for other purposes, with amendments.

The Clerk read as follows:

H.R. 5623

An act to amend the provisions of title 14, United States Code, relating to the appointment, promotion, separation, and retirement of officers of the Coast Guard, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 14, United States Code, is amended as follows:

(1) The following new section is added after section 41:

"§ 41a. Active duty promotion list

"(a) The Secretary shall maintain a single active duty promotion list of officers of the Coast Guard on active duty in the grades of ensign and above. Retired officers, officers of the permanent commissioned teaching staff of the Coast Guard Academy, and officers of the Women's Reserve shall not be included on the active duty promotion list. Reserve officers on extended active duty, other than those serving in connection with organizing, administering, recruiting, instructing, or training the reserve components, shall be included on the active duty promotion list.

"(b) Officers shall be carried on the active duty promotion list in the order of seniority of the grades in which they are serving. Officers serving in the same grade shall be carried in the order of their seniority in that grade. The Secretary may correct any erroneous position on the active duty promotion list that was caused by administrative error.

"(c) A person appointed in the grade of ensign or above in the Regular Coast Guard shall be placed on the active duty promotion list in the order of his date of rank and seniority.

"(d) A Reserve officer, other than one excluded by subsection (a), shall, when he enters on extended active duty, be placed on the active duty promotion list in accordance with his grade and seniority. The position of such a Reserve officer among other officers of the Coast Guard on active duty who have the same date of rank shall be determined by the Secretary."

(2) Section 42 is amended to read as follows:

"§ 42. Number and distribution of commissioned officers

"(a) The total number of commissioned officers, excluding commissioned warrant officers, on active duty in the Coast Guard shall not exceed three thousand five hundred.

"(b) The commissioned officers on the active duty promotion list shall be distributed in grade in the following percentages, respectively: rear admiral 0.75; captain 6.0; commander 12.0; lieutenant commander 18:0. The Secretary shall prescribe the percentages applicable to the grades of lieutenant, lieutenant (junior grade), and ensign. The Secretary may, as the needs of the Coast Guard require, reduce the percentage applicable to any grade above lieutenant commander, and in order to compensate for such reduction increase correspondingly the percentage applicable to any lower grade.

"(c) The Secretary shall, at least once each year, make a computation to determine the number of officers on the active duty promotion list authorized to be serving in each grade. The number in each grade shall be computed by applying the applicable percentage to the total number of such officers serving on active duty on the date the computation is made. In making computations under this section the nearest whole number shall be regarded as the authorized number in any case where there is a fraction in the final result.

"(d) The numbers resulting from such computations shall be for all purposes the authorized number in each grade, except that the authorized number for a grade is temporarily increased during the period between one computation and the next by the number of officers originally appointed in that grade during that period and the number of officers of that grade for whom vacancies exist in the next higher grade but whose promotion has been delayed for any reason.

"(e) Officers who are not included on the active duty promotion list, officers serving as extra numbers in grade under sections 432 and 433 of this title, and officers serving with other departments or agencies on a reimbursable basis shall not be counted in determining authorized strengths under subsection (c) and shall not count against those strengths. The number of officers authorized to be serving on active duty in each grade of the permanent commissioned teaching staff of the Coast Guard Academy, of the Reserve serving in connection with organizing, administering, recruiting, instructing, or training the reserve components, and of the Women's Reserve shall be prescribed by the Secretary."

(3) The second and third sentences of section 44 are amended to read as follows: "The Commandant shall be appointed from the officers on the active duty promotion list serving in the grade of captain or above who have completed at least ten years of active service as a commissioned officer in the Coast Guard. The Commandant while so serving shall have the grade of admiral."

(4) Subsections (a), (b), and (c) of section 46 are each amended by striking out the words "and retired pay of admiral" and inserting in place thereof the words "of admiral and retired pay computed at the highest rates of basic pay applicable to him while he served as Commandant".

(5) Subsection (a) of section 47 is amended by striking out the words "active list of officers who hold a permanent commission as captain or above" and substituting therefor the words "officers on the active duty promotion list serving in the grade of captain or above".

(6) Subsection (d) of section 47 is amended by striking out the figure "243" and substituting therefor the figure "334".

(7) The analysis of chapter 3 is amended by striking out the following item:

"43. Relative rank of commissioned officers with respect to Army and Navy."

and inserting the following new item:

"41a. Active duty promotion list."

(8) The first sentence of section 190 is amended to read as follows: "Professors, associate professors, assistant professors, and instructors in the Coast Guard shall be subject to retirement or discharge from active service for any cause on the same basis as other commissioned officers of the Coast Guard, except that they shall not be required to retire from active service under the provisions of section 288 of this title, nor shall they be subject to the provisions of section 289 of this title. Service as a civilian member of the teaching staff at the Academy in addition to creditable service authorized by any other law in any of the military services rendered prior to an appointment as a professor, associate professor, assistant professor, or instructor shall be credited in computing length of service for retirement purposes."

(9) The analysis of chapter 11 is amended by striking out the subheads "Commissioned Officers" and "Warrant Officers" and the sections included thereunder and substituting in place thereof the following:

"OFFICERS

"A. Appointments

"Sec.
"211. Original appointment of permanent commissioned officers.
"212. Original appointment of permanent commissioned warrant officers.
"213. Original appointment of permanent warrant officers (W–1).
"214. Original appointment of temporary officers.

"B. Selection for promotion

"251. Selection boards; convening of boards.
"252. Selection boards; composition of boards.
"253. Selection boards; notice of convening; communication with board.
"254. Selection boards; oath of members.
"255. Number of officers to be selected for promotion.
"256. Promotion zones.
"257. Eligibility of officers for consideration for promotion.
"258. Selection boards; information to be furnished boards.
"259. Officers to be recommended for promotion.
"260. Selection boards; reports.
"261. Selection boards; submission of reports.
"262. Failure of selection for promotion.

"C. Promotions

"271. Promotions; appointments.
"272. Removal of officer from list of selectees for promotion.
"273. Promotions; acceptance; oath of office.
"274. Promotions; pay and allowances.
"275. Wartime temporary service promotions.
"276. Promotion of officers not included on active duty promotion list.
"277. Temporary promotions of warrant officers.

"D. Discharges; retirements; revocation of commissions

"281. Revocation of commissions during first three years of commissioned service.
"282. Regular lieutenants (junior grade); separation for failure of selection for promotion.
"283. Regular lieutenants; separation for failure of selection for promotion; continuation.
"284. Regular Coast Guard; officers serving under temporary appointments.
"285. Regular lieutenant commanders and commanders; retirement for failure of selection for promotion.
"286. Discharge in lieu of retirement; severance pay.
"287. Separation for failure of selection for promotion or continuation; time of.
"288. Regular captains; retirement.
"289. Captains; continuation on active duty; involuntary retirement.
"290. Rear admirals; retention on the active list; involuntary retirement.
"291. Voluntary retirement after twenty years' service.
"292. Voluntary retirement after thirty years' service.

"293. Compulsory retirement at age of sixty-two.
"294. Retirement for physical disability after selection for promotion; grade in which retired.

"E. Separation for cause

"321. Review of records of officers.
"322. Boards of inquiry.
"323. Boards of review.
"324. Composition of boards.
"325. Rights and procedures.
"326. Removal of officers from active duty; action by Secretary.
"327. Officers considered for removal; retirement or discharge; severance benefits.

"F. Miscellaneous provisions

"331. Recall to active duty during war or national emergency.
"332. Recall to active duty with consent of officer.
"333. Relief of retired officer promoted while on active duty.
"334. Retirement in cases where higher grade has been held.
"335. Physical fitness of officers."

(10) Chapter 11 is amended—

(A) by repealing sections 221–248 and 301–313a;

(B) by striking out the subheads "COMMISSIONED OFFICERS" and "WARRANT OFFICERS"; and

(C) by inserting the following new matter preceding section 350:

"OFFICERS

"A. Appointments

"§ 211. Original appointment of permanent commissioned officers

"(a) The President may appoint, by and with the advice and consent of the Senate, permanent commissioned officers in the Regular Coast Guard in grades of ensign or above appropriate to their qualifications, experience, and length of service, as the needs of the Coast Guard may require, from among the following categories:

"(1) graduates of the Coast Guard Academy;

"(2) commissioned warrant officers, warrant officers, and enlisted men of the Regular Coast Guard;

"(3) members of the Coast Guard Reserve who have served at least two years as such; and

"(4) licensed officers of the United States merchant marine who have served four or more years aboard a vessel of the United States in the capacity of a licensed officer.

"(b) No person shall be appointed a commissioned officer under this section until his mental, moral, physical, and professional fitness to perform the duties of a commissioned officer has been established under such regulations as the Secretary shall prescribe.

"(c) Appointees under this section shall take precedence in the grade to which appointed in accordance with the dates of their commissions as commissioned officers in such grade. Appointees whose dates of commission are the same shall take precedence with each other as the Secretary shall determine.

"§ 212 Original appointment of permanent commissioned warrant officers

"(a) The President may appoint, by and with the advice and consent of the Senate, permanent commissioned warrant officers in the Regular Coast Guard, as the needs of the Coast Guard may require, from among the following categories:

"(1) warrant officers (W–1) of the Regular Coast Guard;

"(2) enlisted men of the Regular Coast Guard;

"(3) members of the Coast Guard Reserve; and

"(4) licensed officers of the United States merchant marine.

"(b) No person shall be appointed a commissioned warrant officer under this section until his mental, moral, physical, and professional fitness to perform the duties of a commissioned warrant officer has been established under such regulations as the Secretary shall prescribe.

"(c) Appointees under this section shall take precedence in the grade to which appointed in accordance with the dates of their commissions as commissioned officers in the Coast Guard in such grade. Appointees whose dates of commission are the same shall take precedence with each other as the Secretary shall determine.

"§ 213. Original appointment of permanent warrant officers (W–1)

"(a) The Secretary may appoint permanent warrant officers (W–1), in the Regular Coast Guard, as the needs of the Coast Guard may require, from among the following categories:

"(1) enlisted men of the Regular Coast Guard;

"(2) members of the Coast Guard Reserve; and

"(3) licensed officers of the United States merchant marine.

"(b) No person shall be appointed a warrant officer under this section until his mental, moral, physical, and professional fitness to perform the duties of a warrant officer has been established under such regulations as the Secretary shall prescribe.

"(c) Appointees under this section shall take precedence with other warrant officers in accordance with the dates of their appointments. Appointees whose dates of appointment are the same shall take precedence with each other as the Secretary shall determine.

"§ 214. Original appointment of temporary officers

"(a) The President may appoint temporary commissioned officers in the Regular Coast Guard in a grade, not above lieutenant, appropriate to their qualifications, experience, and length of service, as the needs of the Coast Guard may require, from among the commissioned warrant officers, warrant officers, and enlisted men of the Coast Guard.

"(b) The President may appoint temporary commissioned warrant officers in the Regular Coast Guard, as the needs of the Coast Guard may require, from among the warrant officers and enlisted men of the Coast Guard.

"(c) The Secretary may appoint temporary warrant officers (W–1) in the Regular Coast Guard, as the needs of the Coast Guard require, from among the enlisted men of the Coast Guard.

"(d) Temporary appointments under this section do not change the permanent, probationary, or acting status of persons so appointed, prejudice them in regard to promotion or appointment, or abridge their rights or benefits. A person who is appointed under this section may not suffer any reduction in the pay and allowances to which he was entitled because of his permanent status at the time of his temporary appointment under this section.

"(e) An appointment under this section may be vacated by the appointing officer at any time. Each officer whose appointment is so vacated shall revert to his permanent status.

"(f) Appointees under this section shall take precedence in the grade to which appointed in accordance with the dates of their appointments as officers in such grade. Appointees whose dates of appointment are the same shall take precedence with each other as the Secretary shall determine.

"B. Selection for promotion

"§ 251. Selection boards; convening of boards

"At least once a year and at such other times as the needs of the service require, the Secretary shall convene selection boards to recommend for promotion to the next higher grade officers on the active duty promotion list in each grade from lieutenant (junior grade) through captain, with separate boards for each grade. However, the Secretary is not required to convene a board to recommend officers for promotion to a grade when no vacancies exist in the grade concerned, and he estimates that none will occur in the next twelve months.

"§ 252. Selection boards; composition of boards

"A board convened under section 251 of this title shall consist of five or more officers on the active duty promotion list who are serving in or above the grade to which the board may recommend officers for promotion. No officer may be a member of two successive boards convened to consider officers of the same grade for promotion.

"§ 253. Selection boards; notice of convening; communication with board

"(a) Before a board is convened under section 251 of this title, notice of the convening date, the promotion zone to be considered, and the number of officers the board may recommend for promotion shall be given to the service at large.

"(b) Each officer eligible for consideration by a selection board convened under section 251 of this title may send a communication through official channels to the board, to arrive not later than the date the board convenes, inviting attention to any matter of record in the armed forces concerning himself. A communication sent under this section may not criticize any officer or reflect upon the character, conduct, or motive of any officer.

"§ 254. Selection boards; oath of members

"Each member of a selection board shall swear that he will, without prejudice or partiality, and having in view both the special fitness of officers and the efficiency of the Coast Guard, perform the duties imposed upon him.

"§ 255. Number of officers to be selected for promotion

"Before convening a board under section 251 of this title to recommend officers for promotion to any grade, the Secretary shall determine the total number of officers to be selected for promotion to that grade. This number shall be equal to the number of vacancies existing in the grade, plus the number of additional vacancies estimated for the next twelve months, less the number of officers on the selection list for the grade.

"§ 256. Promotion zones

"(a) Before convening a selection board to recommend officers for promotion to any grade above lieutenant (junior grade) and below rear admiral, the Secretary shall establish a promotion zone for the grade to be considered. The promotion zone for each grade shall consist of the most senior officers of that grade on the active duty promotion list who have not previously been placed in a promotion zone for selection for promotion to the next higher grade. The number of officers in each zone shall be determined after considering—

"(1) the needs of the service;

"(2) the estimated numbers of vacancies available in future years to provide comparable opportunity for promotion of officers in successive year groups; and

"(3) the extent to which current terms of service in that grade conform to a desirable career promotion pattern.

However, such number of officers shall not exceed the number to be selected for promotion divided by six-tenths.

"(b) Promotion zones from which officers will be selected for promotion to the grade of rear admiral shall be established by the Secretary as the needs of the service require.

"§ 257. Eligibility of officers for consideration for promotion

"(a) An officer on the active duty promotion list becomes eligible for consideration for promotion to the next higher grade at the beginning of the fiscal year in which he completes the following amount of service computed from his date of rank in the grade in which he is serving:

"(1) two years in the grade of lieutenant (junior grade);

"(2) three years in the grade of lieutenant;

"(3) four years in the grade of lieutenant commander;

"(4) four years in the grade of commander; and

"(5) three years in the grade of captain.

"(b) For the purpose of this section, service in a grade includes all qualifying service in that grade or a higher grade, under either a temporary or permanent appointment. However, service in a grade under a temporary service appointment under section 275 of this title is considered as service only in the grade that the officer concerned would have held had he not been so appointed.

"(c) No officer may become eligible for consideration for promotion until all officers of his grade senior to him are so eligible.

"(d) Except when his name is on a list of selectees, each officer who becomes eligible for consideration for promotion to the next higher grade remains eligible so long as he—

"(1) continues on active duty;

"(2) is not promoted to that grade; and

"(3) if serving in a grade below captain, has not twice failed of selection for promotion to the next higher grade.

"§ 258. Selection boards; information to be furnished boards

"The Secretary shall furnish the appropriate selection board convened under section 251 of this title with:

"(1) the number of officers that the board may recommend for promotion to the next higher grade; and

"(2) the names and records of all officers to be considered by the board, with identification of those officers who are in the promotion zone.

"§ 259. Officers to be recommended for promotion

"(a) A selection board convened to recommend officers for promotion shall recommend those eligible officers whom the board considers best qualified of the officers under consideration for promotion. No officer may be recommended for promotion unless he receives the recommendation of at least a majority of the members of the board composed of five members, or at least two-thirds of the members of a board composed of more than five members.

"(b) The number of officers that a board convened under section 251 of this title may recommend for promotion to a grade below rear admiral from among eligible officers junior in rank to the junior officer in the appropriate promotion zone may not exceed—

"(1) 5 percent of the total number of officers that the board is authorized to recommend for promotion to the grade of lieutenant or lieutenant commander;

"(2) 7½ percent of the total number of officers that the board is authorized to recommend for promotion to the grade of commander; and

"(3) 10 percent of the total number of officers that the board is authorized to recommend for promotion to the grade of captain; unless such percentage is a number less than one, in which case the board may recommend one such officer for promotion.

"§ 260. Selection boards; reports

"(a) Each board convened under section 251 of this title shall submit a report in writing, signed by all the members thereof, containing the names of the officers recommended for promotion.

"(b) A board convened under section 251 of this title shall certify that, in the opinion of at least a majority of the members if the board has five members, or in the opinion of at least two-thirds of the members if the board has more than five members, the officers recommended for promotion are the best qualified for promotion of those officers whose names have been furnished to the board.

"§ 261. Selection boards; submission of reports

"(a) A board convened under section 251 of this title shall submit its report to the Secretary. If the board has acted contrary to law or regulation, the Secretary may return the report for proceedings in revision and resubmission to the Secretary. After his final review, the Secretary shall submit the report of the board to the President for his approval, modification, or disapproval.

"(b) If any officer recommended for promotion is not acceptable to the President, the President may remove the name of that officer from the report of the board.

"(c) Upon approval by the President the names of officers selected for promotion by a board convened under section 251 of this title shall be promptly disseminated to the service at large.

"(d) Except as required by this section, the proceedings of a selection board shall not be disclosed to any person not a member of the board.

"§ 262. Failure of selection for promotion

"(a) An officer, other than an officer serving in the grade of captain, who is, or is senior to, the junior officer in the promotion zone established for his grade under section 256 of this title, fails of selection if he is not selected for promotion by the selection board which considered him, or if having been recommended for promotion by the board, his name is thereafter removed from the report of the board by the President.

"(b) An officer shall not be considered to have failed of selection if he was not considered by a selection board because of administrative error. If he is selected by the next succeeding selection board and promoted, he shall be given the date of rank and position on the active duty promotion list in the grade to which promoted that he would have held had he been recommended by the first selection board.

"C. Promotions

"§ 271. Promotions; appointments

"(a) When the report of a board convened to recommend officers for promotion has been approved by the President, the Secretary shall place the names of all officers selected and approved on a list of selectees in the order of their seniority on the active duty promotion list.

"(b) Officers on the list of selectees may be promoted by appointment in the next higher grade to fill vacancies in the authorized active duty strength of the grade as determined under section 42 of this title after officers on any previous list of selectees for that grade have been promoted. Officers shall be promoted in the order that their names appear on the list of selectees. The date of rank of an officer promoted under this subsection shall be the date of his appointment in that grade.

"(c) An officer serving on active duty in the grade of ensign may, if found fully qualified for promotion in accordance with regulations prescribed by the Secretary, be promoted to the grade of lieutenant (junior grade) by appointment after he has completed eighteen months' active service in grade. The date of rank of an officer promoted under this subsection shall be the date of his appointment in the grade of lieutenant (junior grade) as specified by the Secretary.

"(d) Appointments of regular officers under this section shall be made by the President, by and with the advice and consent of the Senate. Appointments of Reserve officers shall be made as prescribed in section 593 of title 10.

"(e) The promotion of an officer who is under investigation or against whom proceedings of a court-martial or a board of officers are pending may be delayed without prejudice by the Secretary until completion of the investigation or proceedings. However, unless the Secretary determines that a further delay is necessary in the public interest, a promotion may not be delayed under this subsection for more than one year after the date the officer would otherwise have been promoted. An officer whose promotion is delayed under this subsection and who is subsequently promoted shall be given the date of rank and position on the active duty promotion list in the grade to which promoted that he would have held had his promotion not been so delayed.

"§ 272. Removal of officer from list of selectees for promotion

"(a) The President may remove the name of any officer from a list of selectees established under section 271 of this title.

"(b) If the Senate does not consent to the appointment of an officer whose name is on a list of selectees established under section 271 of this title, that officer's name shall be removed from this list.

"(c) An officer whose name is removed from a list under subsection (a) or (b) continues to be eligible for consideration for promotion. If he is selected for promotion by the next selection board and promoted, he shall be given the date of rank and position on the active duty promotion list in the grade to which promoted that he would have held if his name had not been removed. However, if the officer is not selected by the next selection board or if his name is again removed from the list of selectees, he shall be considered for all purposes as having twice failed of selection for promotion.

"§ 273. Promotions; acceptance; oath of office

"(a) An officer who receives an appointment under section 271 of this title is considered to have accepted his appointment on its effective date, unless he expressly declines the appointment.

"(b) An officer who has served continuously since he subscribed to the oath of office prescribed in section 16 of title 5 is not required to take a new oath upon his appointment in a higher grade.

"§ 274. Promotions; pay and allowances

"An officer who is promoted under section 271 of this title shall be entitled to the pay and allowances of the grade to which promoted from his date of rank in such grade.

"§ 275. Wartime temporary service promotions

"(a) In time of war, or of national emergency declared by the President or Congress, the President may suspend any section of this chapter relating to the selection, promotion, or involuntary separation of officers. Such a suspension may not continue beyond six months after the termination of the war or national emergency.

"(b) When the preceding sections of this chapter relating to selection and promotion of officers are suspended in accordance with subsection (a), and the needs of the service require, the President may, under regulations prescribed by him, promote to a higher grade any officer serving on active duty in the grade of ensign or above in the Coast Guard.

"(c) In time of war, or of national emergency declared by the President or Congress, the President may, under regulations to be prescribed by him, promote to the next higher warrant officer grade any warrant officer serving on active duty in a grade below chief warrant officer, W–4.

"(d) The grade of commodore in the Coast Guard is established for the purposes of this section.

"(e) A promotion under this section to a grade above lieutenant may be made only upon the recommendation of a board of officers convened for that purpose.

"(f) A promotion under this section shall be made by an appointment for temporary service. An appointment under this section to a grade above captain shall be made by the President by and with the advice and consent of the Senate. Any other appointments under this section shall be made by the President alone.

"(g) An appointment under this section, unless expressly declined, is regarded as accepted on the date specified by the Secretary as the date of the appointment, and the officer so promoted is entitled to pay and allowances of the grade to which appointed from that date.

"(h) An appointment under this section does not terminate any appointments held by an officer concerned under any other provisions of this title. The President may terminate temporary appointments made under this section at any time. An appointment under this section is effective for such period as the President determines. However, an appointment may not be effective later than six months after the end of the war or national emergency. When his temporary appointment under this section is terminated or expires, the officer shall revert to his former grade.

"(i) Not later than six months after the end of the war or national emergency the President shall, under such regulations as he may prescribe, reestablish the active duty promotion list with adjustments and additions appropriate to the conditions of original appointment and wartime service of all officers to be included thereon. The President may, by and with the advice and consent of the Senate, appoint officers on the reestablished active duty promotion list to fill vacancies in the authorized active duty strength of each grade. Such appointments shall be considered to have been made under section 271 of this title.

"§ 276. Promotion of officers not included on active duty promotion list

"Officers who are not included on the active duty promotion list may be promoted under regulations to be prescribed by the Secretary. These regulations shall, as to officers serving in connection with organizing, administering, recruiting, instructing, or training the reserve components, provide, as nearly as practicable, that such officers will be selected and promoted in the same manner and will be afforded equal opportunity for promotion as officers of the corresponding grade on the active duty promotion list.

"§ 277. Temporary promotions of warrant officers

"Warrant officers may be temporarily promoted to higher warrant officer grades under such regulations as the Secretary may prescribe.

"Discharges; retirements; revocation of commissions

"§ 281. Revocation of commissions during first three years of commissioned service

"The Secretary, under such regulations as he may prescribe, may revoke the commission of any regular officer on active duty who, at the date of such revocation, has had less than three years of continuous service as a commissioned officer in the Regular Coast Guard.

"§ 282. Regular lieutenants (junior grade); separation for failure of selection for promotion

"Each officer of the Regular Coast Guard appointed under section 211 of this title who is serving in the grade of lieutenant (junior grade) and who has failed of selection for promotion to the grade of lieutenant for the second time, shall:

"(1) be honorably discharged on June 30 of the fiscal year in which his second failure of selection occurs; or

"(2) if he so requests, be honorably discharged at an earlier date without loss of benefits that would accrue if he were discharged on that date under clause (1); or

"(3) if, on the date specified for his discharge in this section, he is eligible for retirement under any law, be retired on that date.

"§ 283. Regular lieutenants; separation for failure of selection for promotion; continuation

"(a) Each officer of the Regular Coast Guard appointed under section 211 of this title who is serving in the grade of lieutenant and who has failed of selection for promotion to the grade of lieutenant commander for the second time shall:

"(1) be honorably discharged on June 30 of the fiscal year in which his second failure of selection occurs; or

"(2) if he so requests, be honorably discharged at an earlier date without loss of benefits that would accrue if he were discharged on that date under clause (1); or

"(3) if, on the date specified for his discharge in this section, he is eligible for retirement under any law, be retired on that date; or

"(4) if, on the date specified for his discharge in clause (1), he has completed at least eighteen years of active service, be retained on active duty and retired on the last day of the month in which he completes twenty years of active service, unless earlier removed under another provision of law.

"(b) When the needs of the service require, the Secretary may direct a selection board, which has been convened under section 251 of this chapter, to recommend for continuation on active duty for terms of not less than two nor more than four years a designated number of officers of the grade of lieutenant who would otherwise be discharged, or retired under this section. When so directed, the board shall recommend for continuation on active duty those officers under consideration who are, in the opinion of the board, best qualified for continuation. Each officer so recommended may, with the approval of the Secretary, and notwithstanding subsection (a), be continued on active duty for the term recommended. Upon the completion of such a term he shall unless selected for further continuation, be honorably discharged with severance pay computed under section 286 of this title, or, if eligible for retirement under any law, be retired.

"(c) Each officer who has been continued on active duty under subsection (b) shall, unless earlier removed from active duty, be retired on the last day of the month in which he completes twenty years of active service.

"§ 284. Regular Coast Guard; officers serving under temporary appointments

"(a) Each officer of the Regular Coast Guard appointed under section 214 of this title who is serving in the grade of lieutenant (junior grade) or lieutenant and who has failed of selection for promotion to the grade of lieutenant or lieutenant commander, respectively, for the second time shall:

"(1) be honorably discharged on June 30 of the fiscal year in which his second failure of selection occurs; or

"(2) if he so requests, be honorably discharged at an earlier date without loss of benefits that would accrue if he were discharged on that date under clause (1); or

"(3) if on the date specified for his discharge in this section he is eligible for retirement under any law, be retired under that law on that date.

"(b) Each officer subject to discharge or retirement under subsection (a) may elect to revert to his permanent grade.

"§ 285. Regular lieutenant commanders and commanders; retirement for failure of selection for promotion

"Each officer of the Regular Coast Guard serving in the grade of lieutenant commander or commander, who has failed of selection for promotion to the grade of commander or captain, respectively, for the second time shall:

"(1) if eligible for retirement under any law on June 30 of the fiscal year in which his second failure of selection occurs, be retired on that date; or

"(2) if ineligible for retirement on the date specified in clause (1) be retained on active duty and retired on the last day of the month in which he completes twenty years of active service, unless earlier removed under another provision of law.

"§ 286. Discharge in lieu of retirement; severance pay

"(a) Each officer who is retained on active duty under section 283(a)(4), 283(b), or 285 of this title may, if he so requests, with the approval of the Secretary, be honorably discharged at any time prior to the date otherwise specified for his retirement or discharge.

"(b) Each officer discharged under this section or under section 282, 283, or 284 of this title is entitled to a lump-sum payment computed by multiplying his years of active commissioned service, but not more than twelve, by two months' basic pay of the grade in which he is serving on the date of his discharge. In determining the total number of years of active service to be used as a multiplier in computing this payment, a part of a year that is six months or more is counted as a whole year and a part of a year that is less than six months is disregarded. The acceptance of a lump-sum payment under this section does not deprive a person of any retirement benefits from the United States. However, there shall be deducted from each of his retirement payments so much thereof as is based on the service for which he has received payment under this section until the total amount deducted equals the amount of the lump-sum payment.

"§ 287. Separation for failure of selection for promotion or continuation; time of

"If, under section 282, 283, 284, 285, or 289 of this title, the discharge or retirement of any officer would be required less than six months following approval of the report of the board which considered but did not select him for promotion or continuation, the discharge or retirement of such officer shall be deferred until the last day of the sixth calendar month after such approval.

"§ 288. Regular captains; retirement

"(a) Each officer of the Regular Coast Guard serving in the grade of captain whose name is not carried on an approved list of officers selected for promotion to the grade of rear admiral shall, if not earlier retired, be retired on June 30 of the fiscal year in which he, or any captain junior to him on the active duty promotion list who has not lost numbers or precedence, completes thirty years of active commissioned service in the Coast Guard.

"(b) Notwithstanding section 423 of this title, the retired pay of an officer retired under this section shall not be less than 50 percent of the basic pay upon which the computation of his retired pay is based.

"§ 289. Captains; continuation on active duty; involuntary retirement

"(a) The Secretary may, whenever the needs of the service require, but not more often than annually, convene a board consisting of not less than six officers of the grade of rear admiral to recommend for continuation on active duty officers on the active duty promotion list serving in the grade of captain, who during the fiscal year in which the board meets will complete at least three years' service in that grade and who have not been selected for promotion to the grade of rear admiral. Officers who are subject to retirement under section 288 of this title during the fiscal year in which the board meets shall not be considered by this board.

"(b) Whenever he convenes a board under this section, the Secretary shall establish a continuation zone. The zone shall consist of the most senior captains eligible for consideration for continuation on active duty who have not previously been placed in a continuation zone under this section. The Secretary shall, based upon the needs of the service, prescribe the number of captains to be included in the zone.

"(c) Based on the needs of the service the Secretary shall furnish the board with the number of officers that may be recommended for continuation on active duty. This number shall be no less than 75 percent of the number considered. The board shall select from the designated continuation zone, in the number directed by the Secretary, those officers who are, in the opinion of the board, best qualified for continuation on active duty.

"(d) The provisions of sections 253, 254, 258, and 260 of this title relating to selection for promotion shall, to the extent that they are not inconsistent with the provisions of this section, apply to boards convened under this section.

"(e) The Secretary shall prescribe by regulation the detailed procedures whereby officers in a continuation zone will be selected for continuation on active duty.

"(f) A board convened under this section shall submit its report to the Secretary. If the board has acted contrary to law or regulation, the Secretary may return the report for proceedings in revision and resubmission to the Secretary. After his final review the Secretary shall submit the report of the board to the President for his approval. Upon approval by the President, the names of the officers selected for continuation on active duty by the board shall be promptly disseminated to the service at large. Except as required by the procedures of this section, the proceedings of the board shall not be disclosed to any person not a member of the board.

"(g) Each officer who is considered but not recommended for continuation on active duty under the provisions of this section shall, unless retired under some other provision of law, be retired on June 30 of the fiscal year in which the report of the continuation board convened under this section is approved, or the last day of the month in which he completes twenty years of active service, whichever is later.

"§ 290. Rear admirals; retention on the active list; involuntary retirement

"(a) Any rear admiral, unless retired under some other provision of law or retained on active duty under subsection (b) of this section, shall be retired on June 30 of the fiscal year in which he completes a total of seven years of service in the permanent grade of rear admiral or a total of thirty-five years of active commissioned service, including service creditable for retirement purposes under sections 432, 433, and 434 of this title.

"(b) Notwithstanding subsection (a) of this section, the Commandant, with the approval of the Secretary, may by annual action retain on active duty from fiscal year to fiscal year any rear admiral who would otherwise be retired under subsection (a). A rear admiral so retained, unless retired under some other provision of law, shall be retired on June 30 of that fiscal year in which no action is taken to further retain him under this subsection.

"(c) Subsections (a) and (b) of this section do not apply to any officer serving as Commandant.

"§ 291. Voluntary retirement after twenty years' service

"Any regular commissioned officer who has completed twenty years' active service in the Coast Guard, Navy, Army, Air Force, or Marine Corps, or the Reserve components thereof, including active duty for training, at least ten years of which shall have been active commissioned service, may, upon his own application, in the discretion of the President, be retired from active service, with retired pay of the grade with which retired.

"§ 292. Voluntary retirement after thirty years' service

"Any regular commissioned officer who has completed thirty years' service may, upon his own application, in the discretion of the Secretary, be retired from active service with retired pay of the grade with which retired.

"§ 293. Compulsory retirement at age of sixty-two

"Any regular commissioned officer, except a commissioned warrant officer, who has reached the age of sixty-two shall be retired from active service, with retired pay of the grade with which retired.

"§ 294. Retirement for physical disability after selection for promotion; grade in which retired

"An officer whose name appears on an approved list of officers selected for promotion to the next higher grade and who is retired for physical disability under the provisions of chapter 61 of title 10 prior to being promoted shall be retired in the grade to which he was selected for promotion.

"E. Separation for cause

"§ 321. Review of records of officers

"The Secretary may at any time convene a board of officers to review the record of any officer of the Regular Coast Guard to determine whether he shall be required to show cause for his retention on active duty—

"(1) because his performance of duty has fallen below the standards prescribed by the Secretary, or

"(2) because of moral dereliction, professional dereliction, or because his retention is not clearly consistent with the interests of national security.

"§ 322. Boards of inquiry

"(a) Boards of inquiry shall be convened at such places as the Secretary may prescribe to receive evidence and make findings and recommendations whether an officer who is required to show cause for retention under section 321 of this title should be retained on active duty.

"(b) A fair and impartial hearing before a board of inquiry shall be given to each officer so required to show cause for retention.

"(c) If a board of inquiry determines that the officer has failed to establish that he should be retained, it shall send the record of its proceedings to a board of review.

"(d) If a board of inquiry determines that the officer has established that he should be retained, his case is closed. However, at any time after one year from the date of the determination in a case arising under clause (1) of section 321, and at any time after the date of the determination in a case arising under clause (2) of that section, an officer may again be required to show cause for retention.

"§ 323. Boards of review

"(a) Boards of review shall be convened at such times as the Secretary may prescribe, to review the records of cases of officers recommended by boards of inquiry for removal.

"(b) If, after reviewing the record of the case, a board of review determines that the officer has failed to establish that he should be retained, it shall send its recommendation to the Secretary for his action.

"(c) If, after reviewing the record of the case, a board of review determines that the officer has established that he should be retained on active duty, his case is closed. However, at any time after one year from the date of the determination in a case arising under clause (1) of section 321 and at any time after the date of the determination in a case arising under clause (1) of section 321 and at any time after the date of the determination in a case arising under clause (2) of that section, an officer may again be required to show cause for retention.

"§ 324. Composition of boards

"(a) A board convened under section 321, 322, or 323 of this title shall consist of at least three officers of the grade of commander or above, all of whom are serving in a grade senior to the grade of any officer considered by the board.

"(b) No person may be a member of more than one board convened under section 321, 322, or 323 of this title to consider the same officer.

"§ 325. Rights and procedures

"Each officer under consideration for removal under section 322 of this title shall be—

"(1) notified in writing at least thirty days before the hearing of the case by a board of inquiry of the reasons for which the officer is being required to show cause for retention;

"(2) allowed reasonable time, as determined by the board of inquiry under regulations of the Secretary, to prepare his defense;

"(3) allowed to appear in person and by counsel at proceedings before a board of inquiry; and

"(4) allowed full access to, and furnished copies of, records relevant to the case at all stages of the proceeding, except that a board shall withhold any records that the Secretary determines should be withheld in the interest of national security. In any case where any records are withheld under this clause, the officer whose case is under consideration shall, to the extent that the national security permits, be furnished a summary of the records so withheld.

"§ 326. Removal of officer from active duty; action by Secretary

"The Secretary may remove an officer from active duty if his removal is recommended by a board of review under section 323 of this title. The Secretary's action in such a case is final and conclusive.

"§ 327. Officers considered for removal; retirement or discharge; severance benefits

"(a) At any time during proceedings under section 322 or 323, and before the removal of an officer, the Secretary may grant a request—

"(1) for voluntary retirement, if the officer is otherwise qualified therefor; or

"(2) for honorable discharge with severance benefits under subsection (b) in those cases arising under clause (1) of section 321; or

"(3) for discharge with severance benefits under subsection (b) in those cases arising under clause (2) of section 321.

"(b) Each officer removed from active duty under section 326 of this title shall—

"(1) if on the date of removal the officer is eligible for voluntary retirement under any law, be retired in the grade and with the pay for which he would be eligible if retired at his request; or

"(2) if on that date the officer is ineligible for voluntary retirement under any law, be honorably discharged in the grade then held with severance pay computed by multiplying his years of active commissioned service, but not more than twelve, by one month's basic pay of that grade, in those cases arising under clause (1) of section 321; or

"(3) if on that date the officer is ineligible for voluntary retirement under any law, be discharged in the grade then held with severance pay computed by multiplying his years of active commissioned service, but not more than twelve, by one month's basic pay of that grade, in those cases arising under clause (2) of section 321.

"F. Miscellaneous provisions

"§ 331. Recall to active duty during war or national emergency

"In time of war or national emergency, the Secretary may order any regular officer on the retired list to active duty.

"§ 332. Recall to active duty with consent of officer

"(a) Any regular officer on the retired list may, with his consent, be assigned to such duties as he may be able to perform but no officer on the retired list who has reached the age of sixty-two years shall be recalled in time of peace.

"(b) The number of retired officers on active duty in the grade of lieutenant commander, commander, or captain shall not exceed 1 percent of the authorized number of officers on active duty in each such grade.

"§ 333. Relief of retired officer promoted while on active duty

"Any regular officer on the retired list recalled to active duty who during such active duty is advanced to a higher grade under an appointment shall, upon relief from active duty, if his performance of duty under such appointment has been satisfactory, be advanced on the retired list to the highest grade held while on such active duty.

"§ 334. Retirement in cases where higher grade has been held

"(a) Any commissioned officer, other than a commissioned warrant officer, who is retired under any provision of this title, shall be retired from active service with the highest grade held by him for not less than six months while on active duty in which, as determined by the Secretary, his performance of duty was satisfactory, with retired pay of the grade with which retired.

"(b) Any warrant officer who is retired under any provision of section 564, 1263, 1293, or 1305 of title 10, shall be retired from active service with the highest commissioned grade above chief warrant officer, W-4, held by him for not less than six months on active duty in which, as determined by the Secretary, his performance of duty was satisfactory, with retired pay of the grade with which retired. However, when the rate of pay of such highest grade is less than the pay of the warrant grade with which the officer would otherwise be retired under section 1371 of title 10, the retired pay shall be based on the higher rate of pay.

"§ 335. Physical fitness of officers

"The Secretary shall prescribe regulations under which the physical fitness of officers to perform their duties shall be periodically determined."

(11) Section 433 is amended—

(A) by striking out the words "two thousand two hundred and fifty" in subsection (a) and substituting in place thereof the words "total number of", and

(B) by adding the following new subsection at the end:

"(1) No personnel of the former Bureau of Marine Inspection and Navigation and Bureau of Customs transferred from those Bureaus to the Coast Guard by Executive Order 9083 and by Reorganization Plan Numbered 3, effective July 16, 1946, who are serving as commissioned officers in the Coast Guard, shall be required to retire from active service under the provisions of section 288 of this title prior to completion of thirty years of active commissioned service, including service creditable for retirement purposes under this section, nor shall any such officers be subject to the provisions of section 289 of this title."

(12) Section 759a is amended—

(A) by striking out the figure "436" in subsection (a) and substituting in place thereof the figure "275";

(B) by striking out the figure "435" in subsection (a) and substituting in place thereof the figure "214".

(13) Section 791 is amended by striking out the words "for temporary service."

SEC. 2. (a) Officers who have been placed permanently out of line of promotion under laws and regulations of the Secretary in effect the day before the effective date of this Act shall be considered as having failed of selection for promotion to the next higher grade for the second time on the day before the effective date of this Act, and shall be subject to the provisions of sections 282 through 285 of title 14, United States Code, as appropriate. No officer shall be separated from the service under the above provisions prior to the last day of the sixth calendar month following the effective date of this Act.

(b) Officers who have been placed temporarily out of line of promotion for appointment for temporary service under laws and regulations of the Secretary in effect the day before the effective date of this Act shall be considered as having once failed of selection for promotion to the next higher grade.

(c) Officers who, prior to the effective date of this Act, were considered but not selected for retention on active duty under the provisions of section 248, title 14, United States Code, shall remain subject to the provisions of subsections (b) and (c) of that section.

INTERIM PROVISIONS

SEC. 3. (a) For a period of three years following the effective date of this Act, or until July 1, 1966, whichever is longer, the Secretary of the Treasury may, whenever the needs of the service require but not more than once annually, convene boards to recommend for continuation on active duty officers of the Coast Guard on the active duty promotion list in the following categories:

(1) officers serving in the grade of captain who have not been selected for promotion to the grade of rear admiral and who are not subject to retirement under section 288 of title 14, United States Code, during fiscal year in which a board is convened under this section, and

(2) officers serving in the grade of commander.

(b) Officers who are selected for promotion after the effective date of this Act and officers who are serving as extra numbers in grade under section 432 or 433, title 14, United States Code, may not be considered by boards convened under this section.

(c) No officer may be considered more than once for continuation on active duty by a board convened under this section.

(d) At the time he convenes a board to recommend officers for continuation on active duty under this section, the Secretary shall establish a continuation zone for the category to be considered. The continuation zone for each category shall consist of the most senior officers of that category who have not previously been considered for continuation under this section. The zone shall include such number of officers as the Secretary determines to be necessary to meet the needs of the service.

(e) The Secretary shall furnish a board convened under this section with the names and records of the officers who shall be considered by the board, and, based on the needs of the service, the number of officers that may be recommended for continuation on active duty. In the case of officers serving in the grade of captain this number shall not be less than 90 percent of the total number of captains in the continuation zone. In the case of officers serving in the grade of commander this number shall not be less than 80 percent of the total number of commanders in the continuation zone.

(f) A board convened under this section shall consist of six or more officers who are serving on active duty in any grade above the grade being considered for continuation.

(g) Before a board is convened under this section, notice of the convening date, the zone to be considered, and the number of officers to be continued on active duty shall be given the service at large. Any officer to be considered by the board may send a communication through official channels to the board, to arrive not later than the date the board convenes, inviting attention to any matter of record in the Coast Guard concerning himself. A communication sent under this section may not criticize any officer or reflect upon his character, conduct, or motives.

(h) Each member of a board convened under this section shall swear or affirm that he will, without prejudice or partiality, and having in view both the special fitness of officers and the efficiency of the Coast Guard, perform the duties imposed upon him.

(i) A board convened under this section shall recommend for continuation on active duty those officers in the zone whom the board considers best qualified for continuation.

(j) A board convened under this section shall submit its report to the Secretary. If the board has acted contrary to law or regulation, the Secretary may return the report for proceedings in revision and resubmission to the Secretary. After his final review the Secretary shall submit the report of the board to the President for his approval. Upon approval by the President, the names of the officers selected for continuation on active duty by the board shall be promptly disseminated to the service at large. Except as required by the procedures of this section, the proceedings of the board shall not be disclosed to any person not a member of the board.

(k) The Secretary shall prescribe regulations governing the detailed procedure whereby officers in a designated zone will be selected for continuation on active duty.

(l) Each officer who is considered for continuation on active duty under this section and who is not recommended for continuation in the approved report of the board shall not thereafter be eligible for promotion and, unless earlier retired under some other provision of law, shall be retired on June 30 of the fiscal year in which the report of the board is approved, or on the last day of the month in which he completes twenty years of active service, whichever is later.

(m) Each officer who is retired under this section shall be paid, in addition to his retired pay, a lump-sum payment of $2,000, effective on the date of his retirement.

(n) An officer whose retirement is required under this section shall be considered for the purposes of subsection (m) of this section as being retired under this section if the officer retires voluntarily prior to the date specified for his retirement under this section.

(o) Notwithstanding subsection (l) above, no officer shall be retired under this section until the last day of the sixth month following the month in which the report of the board which considered him is approved.

(p) Notwithstanding the provisions of subsection (l) of this section, any officer who has failed of selection for continuation may, at his own request, and with the approval of the Secretary, at any time prior to completion of twenty years of active service, be honorably discharged with severance pay computed in accordance with section 286 of title 14, United States Code.

(q) Notwithstanding section 1431 of title 10, United States Code, an original election, change, or revocation of an election made under that section by an officer who—

(1) is considered for continuation on active duty under this section, and

(2) is not recommended for continuation, and

(3) either retires under this section, or voluntarily retires under another provision of law before the date specified for his retirement under this section,

is effective if such original election, change, or revocation is made prior to the convening date of the board which considers him.

REPEALS

SEC. 4. (a) Sections 435, 436, 437, 439, and 440 of title 14, United States Code, are repealed.

(b) The Act of September 21, 1961 (75 Stat. 538), is repealed.

(c) The analysis of chapter 11 of title 14, United States Code, is amended by striking out the following items:

"435. Temporary appointments in time of war or national emergency.

"436. Temporary promotions in time of war or national emergency.

"437. Officers having less than 20 years of service; discharged during war or emergency for unsatisfactory performance of duty.

"439. Oath of office.

"440. Temporary promotions of warrant officers."

SAVING CLAUSES

SEC. 5. (a) Officers in each grade who have been recommended as qualified for temporary promotion under laws and regulations in effect the day before the effective date of this Act but not promoted to the grade for which they were recommended shall be placed on a list of selectees in order of their precedence, and they shall be promoted as if they had been selected for promotion in the approved report of a selection board convened under this Act.

(b) Officers who have been recommended for promotion to the grade of rear admiral under laws and regulations in effect the day before the effective date of this Act but have not been promoted to that grade shall be promoted as if they had been so recommended in the approved report of a selection board convened under this Act.

(c) The enactment of this Act does not terminate the appointment of any officer.

(d) An officer of the Regular Coast Guard who on the day before the effective date of this Act had been promoted to and was serving on active duty in a temporary grade higher than his permanent grade shall be considered to have been promoted to the grade under section 271 of title 14, United States Code.

(e) An officer of the Regular Coast Guard who was appointed as a temporary commissioned officer under any provision of law in effect prior to the effective date of this Act and who is serving on active duty shall be considered to have been appointed under section 214 of title 14, United States Code, and subject to the provisions thereof.

(f) Each officer who would have been required to retire on June 30, 1962, under the provisions of section 288 of title 14, United States Code, had that section been in effect on that date, shall be retired on the last day of the sixth month following the month in which this Act becomes effective. If, under section 288 of title 14, United States Code, the retirement of any other officer would be required after June 30, 1962, but less than six months following the effective date of this Act, his retirement shall be deferred until the last day of the twelfth month following the month in which this Act becomes effective, or June 30, 1964, whichever is earlier.

(g) The enactment of this Act does not increase or decrease the retired pay of any person retired on or prior to the effective date of this Act.

(h) Notwithstanding section 1431 of title 10, United States Code, an original election, change, or revocation of an election, made under that section by an officer who is retired under the provisions of section 282, 283, 284, 285, or 288 of title 14, United States Code, is effective if made prior to the first day of the third month following the month in which this Act is enacted.

EFFECTIVE DATE

SEC. 6. Section 289 of title 14, United States Code, as enacted by section 1(10)(C) of this Act, becomes effective three years after the effective date of this Act, or on July 1, 1966, whichever is later.

The SPEAKER. Is a second demanded?

If not, the Chair will put the question.

The question is on suspending the rules and passing the bill, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

PROVIDING FOR COMPREHENSIVE LONG-RANGE COORDINATED NATIONAL PROGRAM IN OCEANOGRAPHY

Mr. LENNON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6997) to provide for a comprehensive, long-range, and coordinated national program in oceanography, and for other purposes, with an amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Oceanographic Act of 1963".

SEC. 2. (a) It is hereby declared to be the policy of the United States to develop, encourage, and maintain a coordinated, comprehensive, and long-range national program in oceanography for the benefit of mankind, defense against attack from the oceans, and operation of our own surface and subsurface naval forces with maximum efficiency, rehabilitation of our commercial fisheries, and increased utilization of these and other resources. Furtherance of this policy requires that adequate provision be made for continuing systematic research, studies, and surveys of the ocean and its resources, and of the total marine environment, the development of new and improved techniques, instruments, or equipment for oceanographic research and surveys, the education and training of scientists and technicians through a sustained and effective program, and encouragement of international cooperation in marine research and surveys in the national interests.

It is further declared to be the policy of the United States to implement the national program through the balanced participation and cooperation of all qualified persons, organizations, institutions, agencies, or corporate entities whether governmental, educational, nonprofit, or industrial.

(b) It is the purpose of this Act to carry out and effectuate the policies declared in subsection (a) of this section.

SEC. 3. (a) In conformity with the provisions of section 2 of this Act, it shall be the duty of the President to—

(1) issue a statement of national goals with respect to oceanography;

(2) survey all significant oceanographic activities, including the policies, plans, programs, and accomplishments of all Federal agencies engaged in such activities;

(3) develop a comprehensive program of oceanographic activities to be conducted or supported by Federal agencies;

(4) designate and fix responsibility for the direction of oceanographic activities; and

(5) resolve differences arising among Federal agencies with respect to oceanographic activities.

(b) In the planning and conduct of a coordinated Federal program the President shall utilize such advisory arrangements, including the Office of Science and Technology, as he may find necessary and appropriate. Departments and agencies concerned with oceanographic problems or having capabilities in this field shall be consulted in planning a Federal program. The views of non-Federal organizations and individuals with capabilities in oceanography shall also be solicited.

SEC. 4. (a) The President is authorized to appoint an Advisory Committee for Oceanography to consist of not less than seven members. The Committee shall contain adequate representation of scientists selected on the basis of competence from universities and other non-Federal institutions and agencies, and from industry.

(b) The Advisory Committee shall meet at the call of the President. The Advisory Committee shall review the national program of oceanography and revisions thereof and may make recommendations with respect thereto.

SEC. 5. The President shall report annually during the month of February to the Congress. Such report shall contain the following:

(1) The general status of oceanography.

(2) The status of research, development, studies, and surveys conducted (directly or indirectly) by the United States in furtherance of oceanography, together with application of such research, development, studies, and surveys.

(3) A financial analysis on a horizontal basis showing the totality of the amounts proposed for appropriation by Congress for marine sciences, by functions.

(4) A detailed analysis of the amounts proposed for appropriation by Congress for the ensuing fiscal year for each of the departments, agencies, and instrumentalities of the Government to carry out the purposes of this Act.

(5) Current and future plans and policies of the United States with respect to oceanography.

(6) Requests for such legislation as may be necessary to carry out as rapidly as possible the purposes of this Act.

SEC. 6. As used in this Act the term "oceanography" includes, but is not limited to, the acquisition, assembling, processing, and dissemination of all scientific and technological oceanographic and related environmental data, including, but not limited to, physical, geological, biological, fisheries, hydrographic and coastal survey, meteorological, climatological, and geophysical data.

The SPEAKER. Is a second demanded?

Mr. TOLLEFSON. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. LENNON. Mr. Speaker, the full membership of the Subcommittee on Oceanography and the full membership of the House Merchant Marine and Fisheries Committee consider this to be an important piece of legislation. It represents over 4 years of study by the Congress, the agencies of the Federal Government, the States, and private industry who have been seeking to find some mechanism by which the many interests in our country concerned with the orderly, maximum understanding and use of the oceans could be coordinated into a national program.

But this program as envisaged by this bill does not call for vast new expenditures of appropriated funds—or new organizations—or radical departures from basic Government procedures.

This bill will stimulate the activities of the many agencies of Government whose normal functions involve various phases of the marine sciences; it will provide for the coordination of these activities; it will increase efficiency and productivity in this vital program by providing a focusing point in Congress between the Executive and this body.

I think it would be of interest to the Members to know that there is included in the fiscal 1964 budget the sum of $156.3 million for various aspects of the oceanography program. These include $74.9 million for the Department of Defense; $24.7 million for the Department of Commerce; $25.8 million for the National Science Foundation; $18.9 million for the Department of Interior; $5.3 million for the Atomic Energy Commission; $4.8 million for the Department of Health, Education, and Welfare; $1.1 million for the Treasury Department; and $531,000 for the Smithsonian Institute.

A bill of similar purpose was overwhelmingly passed by the Congress last year—only to become a casualty by Presidential "pocket veto." An identical bill was introduced by Chairman Bonner at the beginning of this session of the Congress. We then called on the branches of Government concerned with the probable points of difference which caused the pocket veto. After several meetings with top officials of the Bureau of the Budget, the President's Office of Science and Technology and the Interagency Committee on Oceanography, we reached agreement on objectives. A clean bill was introduced and departmental reports requested.

All agencies responded. All which were involved responded favorably and supported or urged enactment of the legislation.

This is the bill before you today. The committee report explains the details.

I urge enactment of this bill as the vehicle to push forward a program vital to the security and progress of this Nation.

Mr. Speaker, I want to commend the many dedicated people who are responsible for this legislation. Our chairman, the gentleman from North Carolina, Herbert Bonner, saw the need for action in this field in early 1959, even before the release of the basic report of the National Academy of Sciences National Research Council. Great credit goes to our distinguished colleague, the gentleman from California, George Miller, who initiated the studies and the early form of this legislation when he was a valued member of the Committee on Merchant Marine and Fisheries—and to the gentleman from Michigan, Congressman John Dingell, who took over when the gentleman from California, George Miller, became chairman of the Science and Astronautics Committee. Dr. Jerome Wiesner and his able assistant, Dr. Edward Wenk, of the Office of Science and Technology worked in close cooperation with us. Assistant Secretary of the Navy, James Wakelin, Chairman of the Interagency Committee on Oceanography and the capable members of his interdepartmental group assisted throughout in developing the formula embodied in this bill. Particular credit is directed to the dedicated scientists who made up the National Academy of Sciences Committee on Oceanography and those from academic institutions and industry who patiently assisted committee members to understanding and appreciation of the problems with which it was dealing.

Mr. Speaker, I should like also to call to the attention of the Members a report that was transmitted to the Speaker last week by Dr. Jerome B. Wiesner, the director of the Office of Science and Technology. The report, entitled "Oceanography: The 10 Years Ahead," embodies, for the first time, the coordinated plans for the decade 1963–72 of the various Federal agencies which conduct and sponsor oceanographic research. Included is a statement of research objectives and projections of the funds, facilities, and manpower needed for their accomplishment. As Dr. Wiesner has noted, the plan reflects this administration's dedication to a comprehensive program to understand a world ocean, its boundaries, and its properties, and to exploit this understanding in the public interest, for the enhancement of our national defense; for improved protection and development of marine mineral and fishery resources; for pollution control; for more accurate prediction of storms and tides likely to endanger property or life; and for extending scientific knowledge generally.

The Congress has had a strong and sustained interest in advancing this Nation's program in oceanography. Over the past 4 years, the Merchant Marine and Fisheries Committee and other committees of the House and of the Senate have undertaken extensive hearings from which we have learned that while the sea is destined to be closely linked to our national security, a very major portion remains almost completely unexplored. A major question thus arose as to how this Nation could mobilize for a concerted and long-range program of research and exploration of and in the sea.

The Congress has had the benefit of studies by the National Academy of Sciences and of statements by numerous Government officials, scientists, and industrialists. All concurred on the vital significance of the oceans to our national welfare and on the disproportionately small fraction of our scientific resources in terms of manpower and funds which were then being devoted to oceanic research.

In some great measure, as a result of congressional interest this program gained attention and support. It received an additional impetus early in 1961 when President Kennedy sent to the Congress a special letter calling attention to the concerted action, investments in ships, facilities and instruments, and the long-range plan needed to meet the opportunities which research in the oceans would afford. His recommendations for increased financial support for the program were carefully reviewed by the Congress and acted upon favorably.

As the program matured, both the Congress and the Executive appreciated certain special qualities of this program in oceanography. In the first instance, very modest financial support for research in the oceans is derived from State or private sources, so that the acceleration of this program must in great measure be a Federal responsibility. Secondly, research in the oceans is an important part of the mission and roles of a large number of Federal agencies so that it is incumbent upon both branches that the program has unity, a sense of purpose, coordination and vigor to be sure that the goals are met effectively and with due regard to thrift. Thirdly, research in the oceans can only be undertaken if adequate seagoing as well as shorebased facilities are provided that will incorporate the benefits of new technological development of instruments and data collecting systems. Fourthly, the strength and effectiveness of any program depends upon the men engaged in its undertaking, and this manpower area is one which has suffered a longstanding deficiency in training of scientists as well as in a gap between scientists and engineers who should work in concert, not only for the exploration of the oceans, but for the conversion of new knowledge for man's benefit.

Our committee has thus been interested in the manner in which this program, which is the responsibility of some 20 or so agencies, is planned and coordinated. We have also been interested in whether or not our research facilities and ships are being developed in phase with program needs. We have found, Mr. Speaker, that there are areas deserving of additional attention, but we have also recognized that the President has taken special measures, through the Federal Council for science and Technology and the new Office of Science and Technology, so that the activities of some 20 agencies are planned ahead and planned together. Through the Council's Interagency Committee on Oceanography, Dr. Wiesner has noted that coordination is being effected to minimize gaps and unwitting duplication, to assure adequate depth, breadth and selected emphasis between different sectors of the program, to permit sharing of ships and research facilities, to foster cooperative training of oceanographic scientists and to enhance communication between Government and non-Government scientists who jointly share the responsibilities for the conduct of this important program.

Annual plans and budgets have been developed on a Government-wide basis by the Interagency Committee on Oceanography and submitted to the Congress for several years. But until this long-range report just transmitted to the Congress was made available, there has been no long-range framework against which the Congress has been in a position to evaluate the goals and the manner in which the agencies are in concert, moving to meet those goals.

It is the intention of our committee to study this report carefully, to test its projections against the judgments of the Congress. It is exceedingly reassuring, however, to note from this report and other documents provided to the Congress, that it is the President's intent that this program would assure continued world leadership of the United States in oceanographic research. I believe that the Congress shares that view and that we have a responsibility to take those steps necessary to confirm the strength and integrity of a program that would otherwise be seriously fragmented.

This is a field in which our activities have been marked by scientific excellence. It is one in which many of our young people may find challenge for a fruitful career. It is an area of exploration which, so marked by its vast area of ignorance, carries with it the same enormous potential for the benefit of this Nation and men everywhere as does our program in outer space.

Mr. LENNON. Mr. Speaker, I have no other requests for time.

Mr. TOLLEFSON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the gentleman from North Carolina [Mr. LENNON] has applauded the individuals and organizations that worked in support of this legislation. I think it is in order that the gentleman from North Carolina himself be commended for the tremendous part and work that he put into this legislation.

Mr. Speaker, as the gentleman from North Carolina stated this represents the work of some 4½ years. I know of no one who has worked as hard as the gentleman from North Carolina on this legislation.

Mr. Speaker, as the Members of the House may recall, a similar bill was approved at the last session of Congress by both the House and the Senate. However, it was pocket vetoed by the President. The committee is satisfied that the President had no real objection to the objectives and purposes of the bill, but there was some disagreement over the actual wording of it—some technical language. In consideration of that the committee has reworded the bill and has satisfied the executive branch of the Government with respect thereto.

Mr. Speaker, I know of no objection to the bill. It covers a subject of tremendous importance and I think the Congress should again approve the legislation. I am satisfied that if it does pass this bill today the bill will not be again vetoed.

Mr. Speaker, I urge the House to approve this legislation.

The SPEAKER. The question is on the motion of the gentleman from North Carolina [Mr. LENNON] that the House suspend the rules and pass the bill, H.R. 6997, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

Mr. KEITH. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. KEITH. Mr. Speaker, the legislation before us today is urgently needed. In recent years, progress in oceanography has been remarkable. Man's knowledge of the oceans has increased beyond expectations. But if we are to insure continued progress in this vital science, legislation coordinating the oceanography effort is necessary.

My bill provides for a comprehensive, long-range, and national program in oceanography. It seeks to make certain that the 16 Federal Government departments and agencies involved in oceanographic work consult each other, coordinate their activities, and aim at the same goal. It also stresses the need to coordinate Government and private efforts in this field.

Both the Executive and the Congress are aware that our oceanographic program must be expanded, that it must have a direction and a purpose. Until now, however, there has been no agreement on the kind of legislation needed.

H.R. 6997 was reported unanimously by your Committee on Merchant Marine and Fisheries and was favorably commented upon by all departments and agencies involved. We are at last agreed on the merits of an oceanography bill.

The legislation directs the President to issue a statement of national goals with respect to oceanography and develop a comprehensive program of oceanographic activities and report annually to the Congress on the status of the program and future plans and policies of the United States with respect thereto.

The bill will confer to the field of oceanography a significant element of formal congressional intent and concern. It should be instrumental in assuring continued growth and progress in one of the Nation's most important sciences.

I urge my colleagues in the Congress to suspend the rules and pass this legislation which means so much to the people of my district as well as to the generations yet to come throughout this country and the world.

Mr. TUPPER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. TUPPER. Mr. Speaker, the legislation, H.R. 6997, referred to as the Oceanographic Act of 1963, will have a most significant impact on research in the marine sciences in the years to come.

A number of Federal agencies are presently undertaking valuable oceanographic studies, but compared to our efforts in space research, these efforts are almost infinitesimal. This is not surprising in view of the millions upon millions of words written on the subject of space exploration, completely capturing the imagination of the American public.

There is tremendous appeal in seeing over TV fire-spewing rockets making their way into space. There is a great emotional impact in witnessing our brave astronauts defy death to conquer space.

Without detracting in the slightest from the scientific contribution to be gained in near and outer space, we must admit it has held back exploration of our ocean depths. While lacking the glamour of space probes, can it be honestly stated that oceanography is not equally as important to the Nation's survival and for the benefit of mankind?

While we spend billions on space, only a few millions go toward discovery of what lies beneath the ocean floor. When we consider that 70 percent of this earth is covered by oceans—that undreamed of wealth in minerals, plant, and animal life lie on the ocean bottom—when we stop and ponder how negligible our information really is about the secrets of the deep, most can agree that new impetus must be placed upon oceanographic research.

Those of us from coastal districts realize all too well how our commercial fisheries have declined, and know we must find new ways to rehabilitate this industry. Underseas research will open up new methods of harvesting fish in ways that will make present methods completely obsolete. Our Nation will need new food sources for future generations and the sea offers them to us in great abundance.

I need not tell my colleagues how vital it is that we increase our information in the oceanographic sciences strictly from a national defense standpoint. Increase in knowledge will make it safer for our own subsurface naval forces and build stronger defenses against attacks from beneath the seas.

Perhaps some of my colleagues are not aware that the United States has fallen behind the Soviets in this vital science. They presently have 100 vessels engaged in oceanographic studies as compared to 57 U.S. vessels. It is conceded that they have the finest naval laboratories afloat.

The United States has only one manned deep research vehicle capable of going down to 30,000 feet and two others capable of submerging to 6,000 feet.

I urge Members to view some of the undersea research films available. It will give them new appreciation of the challenge that lies ahead.

This bill, H.R. 6997, will place Congress on record as urging:

First, a statement of national goals with respect to oceanography;

Second, a survey of all present significant activities, policies, programs, and accomplishments of Federal agencies now engaged in oceanographic work;

Third, development of a comprehensive program of oceanographic activities by Federal agencies for the future;

Fourth, designation and fixing of responsibility for direction of all oceanographic activities within the Federal Government; and

Fifth, resolving differences arising among Federal agencies in this scientific field.

I have introduced an identical bill (H.R. 7047), and as a member of the House Subcommittee on Oceanography, urge my colleagues to take an increased interest in this vital field of science.

THE LATE EDWIN F. MANDEL

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, in the death of Edwin F. Mandel, Chicago has lost an illustrious son and the world a rare soul whose life was one of gentleness and of helpfulness.

Our friendship had spanned a half a century, beginning in 1913. He then was the president of Mandel Bros. store on State Street in Chicago, one of the great merchandising establishments of the world. When a committee created by the State Senate of Illinois, of which I was chairman, had brought to public attention the fact that woman clerks on fashionable State Street were seldom paid more than $5 a week, whereas $8 a week had been established as the least upon which a woman could provide herself with food and shelter, Edwin F. Mandel voluntarily and immediately raised the wages of all his employees so that none gave of their time and toil for less than the cost of sustenance.

This was in striking contrast to the attitude of other large merchandisers. But the public conscience had been stirred, and one by one other employers throughout the Nation fell in line. I always have given Edwin F. Mandel much of the credit for the fact that the year 1913 was marked by the largest voluntary wage boosts for clerks in our stores in the history of merchandising. The year 1913 also witnessed the passage of the first State minimum-wage laws.

Minimum-wage laws, organization of store workers and other forces later combined to bring salaries and working conditions to their present levels. But in early 1913 the woman clerk who received $5 a week was lucky. Some were paid as low as $2 a week.

Edwin F. Mandel was the son of Emanuel Mandel, who went to Chicago from Bavaria in 1855 with his brothers, Soloman, Simon, and Leon, to found the great store on State Street. He joined the store in 1896 on his graduation from the University of Chicago at the age of 20, and became president in his early thirties. Under his presidency, Mandel Bros. enjoyed a measure of prosperity and prestige never excelled in the history of merchandising.

In recent years he had served as honorary chairman of the board. I last saw him in 1960 a day or so after the announcement that the store was being sold to Wiebolt's and that after 102 years, during which Mandel Bros. on State Street had become almost a part of Chicago itself, the chapter of his life's devotion and dedication was about to be closed. Mandel Bros. on State Street was to be no more. We talked of life and its changes, the yesterdays and the tomorrows, and that was the last meeting of 50 years of warm friendship.

He died at Michael Reese Hospital, to which he gave $430,000 in 1960 for a major expansion of the Babette and Emanuel Mandel Clinic which was opened in 1927 and named in honor of his parents. There is no record of how many millions of dollars his mother gave to Michael Reese and other good causes since anonymousness was a condition of her gifts. She was a fine and noble woman. Edwin F. Mandel was a fine and noble man.

CRISIS FOR COTTON

Mr. SISK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include two telegrams.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SISK. Mr. Speaker, this House will soon be considering H.R. 6196, the Cooley bill, to stabilize the production and marketing of cotton. Approval of this legislation is so important for very large segments of both our agricultural and our industrial economies, I want to point out some facts concerning the cotton crisis, and to include in my remarks strong endorsement of this legislation by two gentlemen who are in the best position to know cotton problems of the western United States.

The plain fact is that unless we make cotton competitive with synthetics the cotton industry will be pinched out of existence. This land and these people will not stand idle—they will convert to overproduction of other crops—wheat, grain, peanuts, livestock, fruits, vegetables. Unless this bill is passed, the repercussion of the cotton collapse will extend far beyond the Cotton Belt. Everyone has a stake in this. Look to the welfare of your own people while you also assist the cotton people.

I have received telegrams in support of this legislation from Charles Paul, director of the California State Department of Agriculture, and from J. Russell Kennedy, general manager of Calcot, Ltd., which markets one-third of the cotton grown in California. These two men know cotton and they know California agriculture and their endorsement of the Cooley bill carries heavy weight.

Here is what they say:

SACRAMENTO, CALIF.

HON. B. F. SISK: Cotton is largest cash farm crop in California. It brings over $300 million each year to California farmers. But it is important to all of California agriculture as a balance wheel.

When land comes out of cotton it goes into other crops, many of which may already have marketing problems. On the other hand when land goes into cotton it takes acreage out of other crops and thereby improves their market position and income. California cotton growers today are facing dwindling markets which will soon mean substantial cuts in acreage unless action is taken.

As State Director of Agriculture I hesitate to predict what would happen to a score of farm crops if several hundred thousand acres of highly productive cotton land in the State were to be planted to those crops, either row crops, vines, orchards, or grains. The result might prove truly disastrous to them.

What California needs is an increase in cotton acreage to take the pressure off other crops and to lower the cost of per pound production. The cotton bill voted out of the Agriculture Committee of the House of Representatives is aimed to do just that. By a temporary equalization fee it would make cotton competitive and move more of it into use with the prospects of more acres in California rather than less. The provision for a research program on production is aimed to lower the cost of production so that the Government export subsidy and equalization fee could be reduced. The bill provides that small growers will keep a higher price but other growers would take a substantially lower price in order to keep their market. Over the years they figure on lower cost and increased acreage to make up the difference.

In the interest of the California agriculture I therefore ask your serious support of the bill offered by Congressman COOLEY and supported by most of the cotton industry.

CHAS. PAUL,
Director, California State Department of Agriculture, Sacramento, Calif.

BAKERSFIELD, CALIF.,
August 2, 1963.

DEAR REPRESENTATIVE SISK: The cotton industry of California and the whole Nation faces a crisis. As general manager of Calcot, Ltd., a grower-owned marketing organization which sells for growers one-third of the cotton grown in California, I have seen this crisis approach. Cotton is losing its market and stands to lose more and more unless corrective action is taken now.

It will do no good to try and place the responsibility for the situation. It is here and we are faced with a fact. This is one program on which political considerations should be forgotten. The fact is that we must become more competitive or go downhill at a rapid rate.

Representatives of growers and other segments of the cotton industry have been meeting on this problem for months. The Cooley cotton bill passed out of the House Committee on Agriculture, comes about as close as we can get to a general agreement.

This bill provides for a 3-year equalization payment to make cotton competitive to the U.S. textile mills. It also provides for a research program to reduce the cost of growing cotton in order to cut the subsidy payments for the Government.

Under an amendment proposed by Mr. MCINTIRE and accepted by the Committee, the price support for 1964 would be lowered to 30 cents a pound except growers would receive 10 percent more for their first 15 bales. This protects the small grower and reduces the cost to the Government.

These provisions are the hope for saving the cotton industry of California and the Nation. We are confident they will lead to an increase in cotton use and cotton acreage and a decrease in the present cost to the U.S. Government.

The bill also provides for increased acreage which farmers, in effect, could grow at world prices without any subsidy. But this program would not go into effect if it would pile up cotton in the carryover or in Government hands. California needs and would use those extra acres when they become available.

> Cotton is the greatest agricultural crop in the State. Neither the cotton growers nor the State's economy could afford to lose this $320 million annually that it brings to growers alone.
>
> I hope you will support as strongly as possible the Cooley bill, H.R. 6196, to save the cotton farmers' market and protect the economy of California and the other cotton producing States.
>
> J. RUSSELL KENNEDY,
> *General Manager,*
> *Calcot Ltd., Bakersfield.*

OUR AMERICAN HERITAGE OF FREEDOM

Mr. DULSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DULSKI. Mr. Speaker, because our American heritage of freedom comes above all else, I have introduced House Joint Resolution 592. This would provide for the settlement of the current dispute between the railroads and their operating employees without resorting to the devices of compulsion, whether the arbitration is by the Interstate Commerce Commission or anyone else.

As the Representative in Congress from a district that embraces most of the city of Buffalo, one of the Nation's important railroad centers, I know how essential to the life of my community and this Nation railroad service—uninterrupted railroad service—is. Railroad operation must continue, but the price of that continuation should not be the slightest infringement of individual liberties.

I believe that this dispute between the Nation's railroads and the five operating railroad unions, the Brotherhood of Locomotive Engineers, Brotherhood of Locomotive Firemen and Enginemen, Order of Railway Conductors and Brakemen, Brotherhood of Railroad Trainmen, and the Switchmen's Union of North America, can be resolved if both sides will continue to bargain in good faith.

My resolution would assure this. A select joint committee of this Congress would be looking over the shoulders of the conferees. Such a committee would not participate in the negotiations. That is the function of the U.S. Mediation Service. Its function would be to see that both parties kept bargaining.

Unlike the proposal that would send this dispute to the Interstate Commerce Commission for final decision, the select committee would not make a decision, but it would make certain that the conferees come to an agreement. In effect, we would be saying to both railroads and unions that they should get down to business and reach agreement, or Congress will assert its authority to settle this issue in the public interest. Neither side will have an incentive to stall, knowing it will gain more through compulsory arbitration than through the free play of collective bargaining. And it will make the railroads get down to brass tacks on the issues across the table with their employees' representatives.

Madison Avenue has been brainwashing the Nation too long with a one-sided presentation of the issues in dispute. Congress would be watching through its joint select committee. No longer would the railroads be able to say that they accept the recommendations, while refusing to do so when the chips are down for bargaining.

I have lived all my life in a railroad center. Members of my family for two generations have worked on the railroads. I know conditions. I know what the rail managements have been doing in cutting back—both in employees and facilities—sacrificing safety and service in the quest for higher profits.

There are occasions when I would like to journey from and to my district by train. But, because the Pennsylvania Railroad has for years provided only a poorly equipped overnight train from Washington to Buffalo, I am compelled to use other means of transportation.

This work rule dispute is part of the same railroad pattern as the mergers. Both are a means designed to cut the number of employees without regard to the human factors involved. Although they give lipservice to the public interest, the railroads' only interest is more profits for greedy owners.

The railroads know that because trains are longer and heavier, and diesel locomotives have many units, a present-day crew of five can perform the tasks that it took four and five, or more, times that number to do. Two men in the cab, engineer and fireman-helper, handle six or more diesel units. In steam, that would have meant 6 locomotives with 2 men in every cab, or a total of 12.

I have watched the railroad propaganda drive since it started in 1959. The railroads do not want collective bargaining. They do not want agreement. They do not want to work with their men to achieve a better future for the industry and its workers.

What they do want is full control of working conditions. They would like to turn the clock back and take away all the benefits labor has won—railroad workers lag behind their brothers in other industries—and finally destroy the unions even if to do so they would destroy themselves.

In all sincerity, I ask my colleagues to pass this resolution. Do not let the railroads, through the Interstate Commerce Commission or any other means, destroy our freedoms. When men are compelled to work and their representatives are denied the opportunity to bargain for them, it will be a sad day for all of us, indeed.

MANIPULATED DECISIONS

Mr. ANDREWS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. ANDREWS. Mr. Speaker, recently Judge Ben Cameron charged that the rules of the Fifth U.S. Circuit Court of Appeals have been abused by the chief judge of the court in order to circumvent due process and arrive at manipulated decisions. Judge Cameron is a respected member of the Federal judiciary, and the charges made by him reflect on the integrity of the judicial process.

These charges should be investigated thoroughly by the Congress of the United States, and I am today introducing a resolution requesting an investigation of the Fifth U.S. Court of Appeals by an appropriate committee of the House of Representatives to determine whether or not the assignment of judges to its panels has been rigged in order to produce decisions favorable to integration.

In support of this resolution I would like to quote from an editorial in the Washington Star of Saturday, August 3, 1963:

> The question, however, is whether the facts support the accusations. That is an issue which should not be left dangling. For the prestige of the higher Federal courts already has suffered enough in popular estimation. If Judge Cameron is right, drastic remedial action should be taken. If he is wrong, the falsity of his charges, at least in fairness to the other members of the court, should be exposed.

Mr. Speaker, this is one of the most serious charges that has been made against the Federal judiciary in many, many years, and we Members of the Congress owe it to the American people to see that a searching investigation is made.

Mr. Speaker, I include as part of my remarks the editorial referred to above:

JUDICIAL INTEGRITY

> Since they reflect so adversely on the integrity of the judicial process, the charges which have been made by Judge Ben Cameron, of the Fifth U.S. Circuit Court of Appeals, are much too serious to be brushed aside or ignored. They ought to be thoroughly investigated, and, though one might prefer that the investigation should be conducted by some other agency than Senator EASTLAND's Judiciary Committee, the facts, we suppose, will speak for themselves once they have been assembled.
>
> The jurisdiction of the Fifth Circuit Court covers the Deep South, and this court has long been held in low esteem by the white people of that area. But this is the first time, as far as we know, that the tribunal's integrity has been challenged by anyone—much less by a member of the court itself.
>
> The Fifth Circuit Court is composed of nine judges (one has been ill) but most cases actually are heard by panels of three judges. It is this of which Judge Cameron complains. He says in effect that the assignment of judges to the panels has been rigged in order to produce decisions favorable to integration. Judge Cameron charges that four of the nine judges have sat on panels which decided 23 of 25 recent cases. One of these four judges, John Minor Wisdom, says the selection of the panels is governed by "pure chance." Obviously, Judge Cameron doesn't agree. And in a criticism directed specifically to Chief Judge Tuttle, Judge Cameron declared: "The idea that the chief judge may thus gerrymander the U.S. judges of a State in order to accomplish a desired result is, I think, entirely foreign to any just concept of the proper conduct of the judicial process."
>
> This, of course, is incontestable. The question, however, is whether the facts support the accusations. That is an issue which should not be left dangling. For the prestige of the higher Federal courts already

has suffered enough in popular estimation. If Judge Cameron is right, drastic remedial action should be taken. If he is wrong, the falsity of his charges, at least in fairness to the other members of the court, should be exposed.

AUGUST 28, 1963: A NATIONAL DAY OF PRAYER

Mr. PELLY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include a copy of a resolution calling for a national day of prayer.

The **SPEAKER.** Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PELLY. Mr. Speaker, during this difficult and trying period when the Congress of the United States is considering the proposals of President Kennedy for civil rights legislation we should not, it seems to me, blind ourselves to the bitter conflict and domestic strife between Negro and white citizens which plague the entire country.

This struggle is going on all over America. It is being waged in the North and in the South. It is being waged in the East and in the West.

The rights of citizens under the Federal Constitution, States rights under the Federal Constitution, civil rights and civil liberties under the Federal Constitution—human rights—legal rights—moral rights are subordinated often throughout the land to civil disorder and rock throwing and jailing and name calling. The rule of men often replaces the rule of law.

Mr. Speaker, there must be freedom of assembly; there must be freedom of speech, but above all there must be order and respect for private property and public law.

Like my colleagues of the Congress, and like all good and law-abiding citizens of the United States I am disturbed. Something is wrong. In this social struggle there is wrong often on one side and wrong often on the other side as at times there is right on either side. But discrimination is always wrong. Disorder is always wrong. Indignity is always wrong. Prejudice is always wrong.

Mr. Speaker, I think justice and right will triumph in the end. Meanwhile, however, the citizens of our beloved country require patience and prayer, it seems to me, to reach the decision and solution to this national upheaval.

One hundred fifty-one years ago this Nation and the Congress established a precedent which in this time of domestic trouble, it seems to me, could help resolve our problems. In july 1812, during a period of great national stress Congress passed a resolution calling on the President of the United States to proclaim a National Day of Humiliation and Prayer. In this connection, President James Madison set the third Thursday in August for this purpose.

Today it has seemed to me in the present time of racial violence and widespread prevalence of unrest and injustice I have thought Congress could take similar action whereby we would request the President that a day may be recommended to be observed by the people of the United States, with religious solemnity, as a day of public humiliation and prayer.

As in the days of the youth of this Nation all Americans would render public homage to the sovereign of the universe. We could acknowledge the transgressions of our times and offer, as of old, fervent supplications that our hearts be turned away from violence and injustice and that the blessing of peace shall be restored.

To accomplish this purpose I have introduced the following joint resolution calling on President Kennedy to set August 28, 1963, the day when a civil rights march on Washington has been scheduled, as a National Day of Humiliation and Prayer:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That August 28, 1963, is hereby set aside and designated as a National Day of Prayer. The President is authorized and requested to issue a proclamation calling upon the people of the United States to observe such day with prayers, each in accordance with his religious faith.

POLITICS IN THE COUNTY AND THE MISSOURI STATE AGRICULTURE STABILIZATION AND CONSERVATION SERVICE

Mr. HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, while the Secretary of Agriculture continues on his "grand tour" of Soviet Russia and Poland, "politics as usual" is being played by the "New Frontier" Department of Agriculture.

The latest instance is so outrageous in nature, so unbelievable in content, and so political in execution that I intend to give the House a play-by-play account of the latest "politics as usual" in the operations of the Missouri Agriculture, Stabilization and Conservation Committee.

Actually, it is not quite "politics as usual," for on this occasion, even some leading Democrats are unable to go along with the display of power politics and have joined at the local level in demanding an investigation.

The scene for this travesty, Mr. Speaker, is St. Clair County, Mo.

On July 1, 1963, a meeting took place in the county ASCS office. Present were Mr. Edd Alexander, his father Wilber Alexander and the three elected members of the county ASCS committee, including Chairman B. F. Moore, a Republican, Perry Reynolds and Estel Majors, both Democrats. Also present in the committee room according to a published version of the affair was Amos Neuenschwander, the ASCS office manager. Nearby was a Mr. Harry Bowlin, a performance supervisor who was hired by Neuenschwander.

During the meeting Bowlin overheard remarks by Edd Alexander, and is reported to have come into the room uninvited, accosted Mr. Alexander with vile and obscene language and invited him outside where he promptly struck Alexander with his fist in Alexander's blind eye.

On July 3, Chairman Moore notified the State ASCS office of the incident and on July 5, 1963, Mr. Bowlin was temporarily suspended. On July 9, the county magistrate judge found Bowlin guilty of common assault and Bowlin was fined.

That concludes the legal phase of this incident, Mr. Speaker, but here beginneth the political phase:

On July 31, Chairman Moore, an elected Republican, was notified by the chairman of the State ASCS committee that because he had allowed vile and obscene language to occur in St. Clair County ASCS office, and had allowed fisticuffs to ensue in front of the office, he, Moore, was being suspended as chairman of the St. Clair County Committee.

On the very next day, Mr. Moore learned by telegraph that Mr. Bowlin was being allowed to resume his duties at his convenience. Nothing was said by the State committee about the other two Democrat members of the committee who were present; nor was there any action taken toward Bowlin's immediate superior—and office manager—who is responsible for the actions of all of his employees.

Consider these events, Mr. Speaker. The man who perpetrated the incident and was judged guilty of so doing in a court of law was reinstated in his position. No action was taken toward his immediate superior nor toward the two Democrat members of the committee. But the Republican member was summarily dismissed, presumably because he did not choose to join in the physical attack upon a St. Clair County farmer, a man blind in one eye at that.

Mr. Speaker, how much longer can these kinds of situations prevail in what is supposed to be a farmer, not a politician-inspired program?

Even the Democrats at the local level are upset. State Representatives Moran D. Harris, Democrat, and State Senator Thomas G. Woolsey, a Republican, have demanded an investigation.

Mr. Speaker, I join in that request, in fact I demand it of Secretary Freeman. If I knew where he could be reached on his "Gulliver's travels" expedition into Russia I would advise him direct. I only trust that someone has been left behind to "mind the store" who will take prompt action to reverse the actions that have been taken.

PARTIAL TEST BAN TREATY REMOVES THE BONE FROM KHRUSHCHEV'S THROAT

Mr. HOSMER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The **SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOSMER. Mr. Speaker, possibly the Soviets have a real fear of nuclear war. Possibly they have need for economic relief from the present weapons competition with the West. Possibly their troubles with the Chinese are so grave, a détente must be achieved with the West. Possibly the regime will totter unless the Soviet people get assurances about peace.

These are the principal reasons given by Under Secretary of State Averell Harriman why Khrushchev, at long last, has decided there shall be a partial test ban treaty. Possibly they are the real reasons, as incredible as they seem. But before the U.S. Senate bets the lives and freedom of 180 million Americans on it, to say nothing of the population of the rest of the free world, it should look into some other very plausible reasons Mr. Khrushchev may have in mind, but which he may not have revealed to Mr. Harriman.

Events have transpired during the period of 10 short months since the Cuban crises, but they hardly support the view that Khrushchev suddenly sees things a lot less hardheadedly than one of his predecessors, Lenin, who said:

> Only after the proletariat has disarmed the bourgeoisie will it be able, without betraying its world historical mission, to throw all armaments in the scrap heap.

If this quotation more accurately describes the Russian's mood than the implications of Mr. Harriman's statements, it still is not inconsistent with the test-ban pact. On the contrary, from the Soviet standpoint the pact is highly consistent—even necessary, to achieve communism's unalterable goal of total world domination. It is consistent whether that goal is to be gained by "peaceful coexistence" or by war, nuclear or otherwise.

Today the military supremacy of the West, principally in the form of American nuclear deterrent stockpiles, stands as the roadblock in the path of achieving that goal by war. Employing it at the cost of retaliatory destruction is just too great.

That military supremacy also stands in the way of achieving the goal by means other than war. Khrushchev is fully aware of the dependency of Communist expansion upon Communist military power. No country has been brought under communism except where nonviolent revolutionary techniques have been reinforced by armed conquest or by the close pressure of military power. In countries with strong Communist parties, such as Italy, France, and Greece, communism failed to take over because the Soviet military strength could not be brought directly or indirectly to bear.

Khrushchev has had to steer clear of confronting the West with his military power to back up "peaceful" takeovers only because the West's nuclear superiority has been able to threaten him with crushing damage. He has faithfully adhered to the Marxist-Leninist admonition against blundering into self-destructive situations. In the process Mr. Harriman and others have mistaken him for a man of peace. Actually he is a man with a bone in his throat. That bone is not West Berlin. It is Western military superiority which denies him the opportunity to pursue more aggressive policies in getting about communism's business of making the world safe for itself by eliminating all competition.

Getting rid of the bone by trying to outbuild the United States militarily is not attractive. Khrushchev recognizes the United States is capable of raising the ante beyond his stakes. Consequently, he has taken the obvious alternative. He calls for "putting an end to the arms race." His object is to immobilize the nuclear weapons systems on which U.S. nuclear power mainly is based, while at the same time leaving open the maximum opportunity for improvement of Soviet military capabilities.

In this context, the partial test ban treaty is ideal for his purposes. The U.S.S.R. is clearly ahead in high-yield nuclear weapons. It claims to have solved the antimissile problem. Extensive construction at Soviet missile defense sites lends credence to this claim. Progress in this type of weaponry requires atmospheric testing. The treaty will insure we will not make progress and the U.S.S.R. will keep its lead in these areas. Tactical nuclear weapons of great significance can be developed by underground testing. That is not barred by the treaty. Therefore, if the U.S.S.R. is behind in tactical weapons, it is free to catch up. As it does so, Western military power will constantly diminish in relation to Communist military power. Eventually the crossover will be reached, at which point the bone is dislodged from Mr. Khrushchev's throat.

Thus the inexorable consequence of the pact will be to give communism the military superiority it must have to employ military force to achieve its goals, either explosively or as a backup for an intensified program of "peaceful" takeovers.

Under Secretary Harriman, at the President's direction, and Lord Hailsham, the British negotiator, made no demands during the Moscow negotiations for effective inspection procedures to guard against clandestine preparations by the U.S.S.R. for surprise abrogation of the treaty. Indeed, they made no inspection demands whatever, despite President Kennedy's statement of February 7, 1962, that a treaty on atmospheric testing without them would be "very vulnerable."

Such procedures would have opened a crack in the Iron Curtain not only through which surprise abrogation preparations might be observed, but also through which communism's military hardware developments from legal testing might have been detected. As it is, the treaty leaves the U.S.S.R. free to discover the means to achieve military superiority and actually to achieve it, both without warning to the West.

The partial test ban treaty is, indeed, a "first step," as the President called it. But it is not a first step in a direction helpful to the West. It is a first step in removing the bone of Western military superiority from the Communist throat. It is a first step toward giving communism freedom to wage peaceful coexistence, more aggressively and more effectively, backed up overwhelming by Soviet military might. This is the means by which Soviet Communists prefer to force the West to capitulate. But if this preferred means is not working, or is working too slowly, the pact also is a first step toward permitting them the freedom to do it militarily, by war.

In dealing with the foregoing military significance of the "first step," the Senate should not fail to notice the strategic and psychological significances of the pact. These are truly monumental.

Not only does the pact inaugurate the transition period from Western to Communist military superiority, but its miscalculation by Washington and London as evidence of Communist peaceful intentions gives the Communists a guarantee of the very period of relaxation they need to accomplish the transition—without fear of interruption. In this context the pact can be considered a Communist masterstroke in the decisive strategic battle of our time.

The pact also is a master stroke in the area of psychological warfare:

First, it is an indication of doubt by the West that it any longer has the will to insure its survival by a resolute maintenance of the deterrent. It signifies irresolution. It indicates a willingness to seek accommodation with the aggressive movement dedicated to achieving mastery of the globe. It indicates a "sign now, pay later" treaty signing recklessness that will surely whet the Kremlin's appetite for more brazen pacts incorporating the principle of "surrender on the installment plan."

Second, it has enabled Premier Khrushchev to make credible claims upon world opinion for its "peacemaker" accolades.

Third, now that the first step has been taken, it will spur Moscow to enlarge the areas of negotiation, not for the purpose of achieving agreement, but for the purpose of further lulling the West into slackening the pace of its military progress and speeding the day when the transition period ends on Soviet terms.

In concluding, I recommend, to those who seek a deeper background on the subject here discussed, an essay titled "Soviet Strategy of Disarmament," by Dr. Thomas W. Wolfe, found in the book "American Strategy for the Nuclear Age," Hahn and Neff, editors, published in 1960 by Anchor-Doubleday.

REPORT OF THE HONORABLE JAMES ROOSEVELT TO THE HOUSE OF REPRESENTATIVES ON PROCEEDINGS AT THE INTERNATIONAL LABOR CONFERENCE

The **SPEAKER.** Under previous order of the House, the gentleman from California [Mr. ROOSEVELT] is recognized for 30 minutes.

Mr. ROOSEVELT. Mr. Speaker, I ask unanimous consent to revise and extend my remarks, and to include certain tables and certain speeches by others, including myself.

The **SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, it is my privilege to give this report to the Members of the House after my participation in the recent ILO Conference in Geneva.

Before proceeding to the body of my report, I would like to express my admiration for the delegates and the staff who represented us at the ILO Conference. All of them handled their duties with great intelligence and made the part we played at the Conference something of which all of us can be proud. I want to compliment particularly Mr. George Weaver, Mr. Rudi Faupl, and Mr. Richard Wagner whose jobs more than once called for extraordinary discretion. Circumstances made their positions more difficult than they ought to have been, and if such men continue to represent us at international conferences the admiration of other nations will be guaranteed to our country's participation.

Mr. Speaker, several questions have been raised regarding the value and the effectiveness of the ILO. It is to these questions that I will address myself for they involve matters which should be brought to the attention of all of us, and which can help us strengthen our position at future Conferences.

The first and broadest issue refers to the ultimate effect of the ILO—that is, does the ILO serve, merely, as a forum for Communist propaganda? Since we contribute 25 percent of the total ILO budget which next year will demand of us upwards of $4 million, Congress had best know the purposes to which these funds are being used. The Communists, of course, take advantage of every opportunity to propagate their ideas. In the plenary sessions, in the Selections Committee, and in the Governing Body, they make an effort to hamstring procedure and discredit practical measures on the basis of minute technicalities and extremely perverse lines of reasoning. I think they were unsuccessful for a number of reasons. Many countries by this time have been alerted to the real intentions of the Soviets and thoroughly understand the game they play. The Soviets showed their hand when they tried to prevent the Credentials Committee from invalidating the credentials of the Workers' delegates from South Africa. It was the Soviets who pretended to be the great friend of the African nations and the true enemies of apartheid when there was chaos on the floor of the plenary session, but when it came to acting on their avowed principles, they showed what their principles were worth. Nevertheless, the Conference adopted the resolution of the Credentials Committee—invalidating the South African Workers' credentials—and the work of the Conference went on.

As you know already, several positive measures resulted from the work of the Conference. They included:

The adoption of a recommendation concerning termination of employment, assuring the worker the right to appeal what he considers to be unfair termination;

The adoption of a Convention and recommendation concerning the sale, hire, and use of inadequately guarded machinery;

The adoption of conclusions to serve as the basis for a Convention and recommendation concerning benefits in the case of industrial accidents and occupational disease;

The adoption of conclusions to serve as the basis for a Convention and recommendation concerning hygiene in commerce and offices.

The budget for the year 1964, despite Soviet disruptive tactics, was also adopted, and at no time were the Soviets successful in holding up the truly important work of the Conference.

There are additional and more technical reasons for their failure, and I feel it is in the interest of all of us that I be as thorough as possible in accounting for what took place this year at the ILO. Let me submit for your inspection, then, a breakdown of the membership in the Selections Committee—which acts as a sort of steering committee for the Conference—and the results of the elections to the Governing Body for the period 1963–66.

BREAKDOWN BY AREA OF THE SELECTIONS COMMITTEE OF THE ILO

Government group: United States, Canada, two African members, four Asian members, six European members, four Latin American members, and two Soviet bloc members.

Employers group: United States, Australia, one Arab member, one Asian member, four European members, and two Latin American members.

Deputy members: three African members, one Arab member, two Asian members, three European members, and one Latin American member.

Workers Group: United States, Australia, Canada, one African member, two Asian members, three European members, and one Latin American member.

BREAKDOWN BY AREA OF THE ELECTION TO THE GOVERNING BODY OF THE ILO FOR THE PERIOD 1963–66

Government members: Australia, four African members, one Arab member, two Asian members, four Latin American members, and two Soviet bloc members.

Deputy members: Three African members, two Asian members, one European member, three Latin American members, and one Soviet bloc member.

Employers members: United States, one African member, two Arab members, two Asian members, four European members, and two Latin American members.

Deputy members: Australia, Canada, one African member, two Asian members, three European members, and two Latin American members.

Workers members: United States, Australia, Canada, two African members, two Asian members, four European members, and one Latin American member.

Deputy members: Israel, two African members, one Arab member, two Asian members, three European members, and one Latin American member.

As you can see in these tabulations, the Soviet bloc claims 2 members out of 48 on the Selections Committee and 3 members out of 48 in the Governing Body. Therefore, non-Communist countries control the balance of power and are able to deal successfully with any Soviet maneuvering.

Our job, however, was not limited to countering Soviet maneuvers, and as the speeches of Mr. Richard Wagner, Mr. Seidman, and Mr. Weaver demonstrate, our point of view was many times admirably put forth for all to hear.

I would also like to submit at this time, a speech I made to the 25th sitting of the plenary session on June 25.

SPEECH OF THE HONORABLE JAMES ROOSEVELT DELIVERED ON JUNE 25 TO THE 25TH SITTING OF THE PLENARY ASSEMBLY OF THE ILO, GENEVA, SWITZERLAND

Mr. ROOSEVELT (Government adviser, United States): It is a source of particular gratification for me to have the opportunity and privilege of appearing before this 47th Session of the International Labor Conference and to speak in support of the report of the Committee on the Application of Conventions and Recommendations.

First, may I say just a few personal words about this historic Organization. My Government's association with the ILO began 30 years ago when my father, Franklin Delano Roosevelt, as President of the United States, directed the then Secretary of Labor—the first woman to hold a Cabinet post—Miss Frances Perkins, to take the steps necessary to insure full participation of the United States in the work of the ILO. Upon the death of my father, my mother, Eleanor Roosevelt, served for 6 years as Chairman of the United Nations Commission for Human Rights, resulting in the Covenant of Human Rights, which implemented the Universal Declaration on this subject adopted in 1948. This serves, and will continue to serve, I believe, as one of the basic guidelines in the work of this important body. I believe, therefore, you will understand why this report of the Committee on the Application of Conventions and Recommendations has my particular interest and support.

I have read the report of the Committee of Experts; I have followed the work of this Conference Committee through the provisional minutes, and I have studied the report which has just been presented. In doing so, I am struck again, as I have been in the past at previous Conferences, with the dedication, the integrity, and the craftsmanship of the international civil servants constituting the Conference's Secretariat. I would like to add my tribute to them and to acknowledge their indispensable part in the presentation of this excellent report for our approval.

It is also a heartwarming fact that the conclusions in the experts' report, with the exception of that portion dealing with Convention No. 87, were arrived at unanimously by the Committee of Experts, experts who represent every political division of opinion that may exist within this Conference. It is rare indeed that in matters so fundamental as those with which the report is concerned a unanimity of basic principle can be and has been so well achieved.

The Conference Committee itself, however, has of course noted some differences of opinion amongst its members. Paragraph 9 deals particularly with the suggestion of the minority of the Conference members that the work of the experts should be governed by precise arbitrary and formal rules. I would like to add my voice, however, to the majority view, expressed in paragraph 10, that there has rarely been a body of human beings charged with the responsibility of a quasi-judicial decision who have exercised their duties in a more impartial, more objective manner, and with a wholly successful effort to rise above normal biases to achieve integrity of performance rarely equaled. The imposition of arbitrary rules could only serve to degrade such a body and to hamstring its functions. I would be opposed to such censorship, and in this connection I am struck particularly with the comments of Mr. Igbo, the Government member from Nigeria, who also clearly indicates that the experts already possess precise terms of reference, as indicated in paragraph 6 of their general report.

Paragraph 41 and the succeeding paragraphs 43 and 44 deal with a subject matter which is particularly close to my heart and to the responsibilities with which I have been entrusted in the Congress of the United States. I am there the chairman of the General Subcommittee on Labor, with particular responsibility in the field of discrimination in employment, both as it affects employers, unions, and workers.

In paragraph 43 it is stated that certain members expressed the view that the experts were not sufficiently objective in their treatment of the situation in the United States. One positive conclusion to be drawn from this report is that discrimination, in one form or another, is unfortunately to be found in every country of the world, no matter how high its ideals or how perfect its constitutional and legislative protections. Had the members mentioned in paragraph 43 devoted comparable efforts in the conference committee—and you will note from appendix IV that they were encouraged to do so—to explaining how the problems of discrimination existing in their countries are dealt with, this report would be of more value, even though it might be longer.

The chairman of my delegation, Assistant Secretary of Labor, George Weaver, has already documented the nature of our free society, our strength and resolve to meet problems openly, and our willingness to furnish full information to the experts. He has already cataloged the number of steps that have been taken to erase the stain of discrimination from all walks of American life. To his well-documented recital there has since been added the message of the President of the United States, Mr. Kennedy, to the Congress formulating a specific program for considered action. The Congress has now begun the democratic procedures of translating this program into statutory form. That there will be resistance to its enactment, as there is resistance to almost every advance in the social and economic fields of man's relationship, is obvious and evident. That this resistance will be overcome is also evident, as was indicated when the President said: "I am proposing that the Congress stay in session this year until it has enacted the most responsible, reasonable, and urgently needed solutions to this problem, solutions which would be acceptable to all fairminded men."

This program to which he referred has, of course, been well publicized and I shall not take your time in repeating it here.

The subcommittee to which I referred, and of which I have the privilege of being chairman, approved last week a bill that would establish Federal standards of fair employment practices in a manner that would drive directly to the heart of discrimination in employment and occupation and guarantee the possibility for promotion to the highest posts.

My subcommittee is proceeding at this very moment to expand the already existing manpower development and training program and the increased work study program which trains young people and adults alike that they may be equipped to develop their talents to the fullest degree. And this must be so, in order to provide them with the assurance that the only criterion of achievement will be their ability to do the job, and that the factors of race, religion, or nationality will have been removed forever. These are all matters which are well covered in paragraphs 47, 50, and 51 of the report, which makes the report indeed so timely in my own country and my own subcommittee.

It is good, then, that this year—not next year or in years to come, but this year—we shall in the United States achieve the setting aside of sectional and political ties. We shall do it, as President Kennedy so well put it, "not merely for reasons of economic efficiency or world diplomacy or domestic tranquillity" but because "above all it is right" and "justice requires us to insure the blessings of liberty for all Americans and their posterity."

If I may return briefly to paragraph 43, on which some members expressed some concern regarding the objective treatment of the situation in the United States, may I be the first to acknowledge that the ways of democracy are sometimes somewhat slower than the methods practiced by another governmental ideology. Democracy must educate and be completely certain of its grounds before it writes fundamental changes into the laws that govern its people. It can afford few mistakes, and then only minor ones. There will be natural disagreement as to whether in our times urgent problems can be settled in a democratic fashion, but my people and my Government continue to subscribe to the feeling that they can and must.

May I point out that it has not been the misfortune of my country to find itself fighting on both sides in the same war. May I point out that it has not been necessary in America to renounce the actions and philosophy of one of its great heroes of the past—yes, indeed, almost the immediate past—in order to rectify a course which new leaders have decided was without honor or justification.

But do not misunderstand me, there are in democracies also times for action and I assure you that I shall, individually, and as a Member of the Congress of the United States, urge my Government and my colleagues, first, in the light of paragraphs 53, 54 and 55 of this report, to ratify the Discrimination (Employment and Occupation) Convention, 1958. At the same time I shall urge the necessity of finding and taking practical steps—yes, the leadership—which will not only condemn the worst form of discrimination, apartheid, but make its elimination a prerequisite for any nation that wishes to participate in consultation of its fellow members of the world family. I shall do this not for political reasons but because, as in the implementation of my country's national policy, the time has come to do what is right, just because it is the right.

Lastly, in order that it may be doubly clear to all the world, let me emphasize that the departure of the African States from the deliberations of this 47th session has not meant and does not mean that those nations are not still a vital and essential part of the total membership of the International Labor Organization. We who remain have a heavy responsibility not only for our own people here represented but also for those who are temporarily absent.

I speak for the entire U.S. Government delegation when I say that favorable action in the adoption of this report will be one more indication that we have discharged our trust in a manner beyond reproach in this important area. It will help assure that the principles and purposes which first attracted you and us, and the African nations, to the ILO remain unsullied by political adventuring and expediency. This is a firm step that my country is proud to take, side by side with our colleagues here in the ILO, to achieve in deeds as well as in words that social justice upon which rest the hopes of all mankind for a world finally at peace.

Mr. Richard Wagner's speech made on June 24 to the 22d sitting of the plenary session is of particular interest I think, because it raises issues which will be of importance to us at future conferences. I would like to quote the following paragraph from Mr. Wagner's speech.

A number of speakers, principally from the totalitarian countries have advocated divesting the governing body of some powers and vesting them in the Conference. One speaker said technical assistance programs should be the responsibility of the Conference and not the Office. Another speaker proposed that the governing body should not arrange the Conference agenda. That body, he said, could make suggestions but the agenda should be established by the Conference. I submit, honorable delegates, that such proposals are completely impractical. The Conference is composed of delegates attending once a year, many of whom come only to one such session. Therefore, the Conference has no continuity, and must entrust the arranging of the ILO's many activities to the governing body, the members of which serve for a minimum of 3 years, weighing not only programs, agendas, special activities, etc., but also considering budgetary proposals, relating to all of these matters. Surely with 48 titular members and a like number of deputies, the delegates must have full confidence in the dedication and understanding these persons bring to ILO matters. This should be particularly so with the welcome addition of the new members in the governing body. To have just increased the governing body membership and at the same time propose limiting the governing body's authority does seem inconsistent.

I am in complete agreement with Mr. Wagner's view as to maintaining the powers of the governing body and keeping matters pertaining to agenda off the floor of the Conference.

I would also like to shift the context of Mr. Wagner's remarks relating to continuity and apply them to our own representation at the Conference. At present, we have rotational representation at the ILO from the House and the Senate—Members from the House attending one year, Members of the Senate attending the next. But I believe this policy should be looked into, for it can result in a serious gap in knowledge and awareness that can be detrimental to our overall effectiveness.

Congress withdrew from direct participation in the ILO Conference in 1953 upon the urging of the National Association of Manufacturers and the chamber of commerce. The main basis for this withdrawal was that the treatises that had been adopted at the Conference were "socialistic." I think that Mr. Weaver's testimony before the Committee on Foreign Affairs, the principles upon which the ILO is based, and the conventions and recommendations approved by the ILO all tend to refute the charge of "socialism."

I believe it would be in our best interest to have voting Members of the House and the Senate attend the ILO Conference each year that the Conference is held. And our delegates, who do excellent work, should perhaps be allowed more leeway at the Conference and should not have to wire or telephone back home for instructions as often as they do. Officially, our delegates represent the State Department. My observation has been that not only do they get general instructions, but they are required to obtain specific instructions on each and every matter as well. I submit that if they are good enough to represent us, they should be able to rely on their judgment based on their general instructions. This would give them a better basis for action in procedural matters.

Over and above this, I think the Committee on Foreign Affairs should make a thorough reexamination of the manner in which ILO policy is determined. Recent events have catapulted the Organization into a position of major importance, and I think that we should exercise great care not only in the determination of our future policies, but also in the securing of the full cooperation of all the friendly nations. As the matter now stands, we contact only a few of these nations before the sitting of the Conference; our foreplanning must be made more comprehensive.

Incidentally, let me note that our exceptional staff is among the lowest paid in Geneva. And I would like to urge also a reconsideration of the manner in which representational allowances are determined and put to use. The Soviets daily use person-to-person contacts for purposes of propaganda. Our delegation holds formal receptions, but the present delegate's allowance cannot meet the expenses of person-to-person contacts. If we are going to contribute over $4 million to the organization, we should perhaps spend a little more and do the job completely.

Before leaving the general subject of our delegation, an important question raised by my counterpart, the gentleman from Ohio, Mr. WILLIAM AYRES, deserves pointed comment. He noted in his speech to the House on June 27 that the Soviet delegation votes as a bloc, the tripartite setup of government, employer, worker delegates is ignored by them, and I would like to add that the developing nations of Africa tend to vote in this manner as well. We, on the other hand, take the tripartite arrangement quite seriously, and I think it is a proper question to ask, Is it in our best interest to continue to do so? Other nations cannot help but take note, however, of the independence of our delegates. It is proof to all nations that we do not lie when we speak about freedom. But we should point out this fact at the Conference and not miss the opportunity for good propaganda through example. We should also seek a way to make the tripartite system for all nations a reality instead of a myth.

STATEMENT OF MR. RUDI FAUPL, U.S. WORKERS' DELEGATE TO THE ILO

On the all important question of cooperation among the U.S. delegates, Mr. Rudi Faupl has made some crucial observations, and I would like to cite a passage from his statement to the Subcommittee on Education and Labor:

> In conclusion, let me return to the subject of diplomacy and the role of the U.S. Government. This is a field where I feel there is room for improvement—not only in our relations to foreign delegates—but also in the relations between the Government members and the workers' and employers' members of the delegation.
>
> The harmony within the delegation which Mr. Weaver cites in his otherwise eloquent report, was by no means always apparent to other members. Despite an agreement in October 1962 before the Governing Body meeting that the State and Labor Departments would fully inform the workers' and employers' delegates of their plans regarding ILO matters and contacts with ILO officials and officials of other governments, very little such information was passed on. Decisions were made regarding Governing Body and Conference procedures, tactics, and the election of key officers without advance consultation with non-Government members. Important labor reports on ILO matters from various countries were not made available to us. Thus, when things have gone wrong at ILO meetings, our own ignorance of matters to which at least some of the Government delegates were privy made our roles doubly frustrating. This the more so, since the issue of more information for the nongovernmental representatives had been raised time and again and since a commitment to us had not been carried out.
>
> Another matter of concern to me and the AFL–CIO with regard to the ILO is the only intermittent interest of the U.S. Government in ILO affairs. This interest rises and falls with the proximity of the Governing Body meetings and plenary conferences. For example, there is an inadequately sustained interest in the activities of the ILO staff and its many technical programs, how justifiable these are, and how they fit in with other aid programs and needs in the social and labor fields. If there were more continuous interest in the ILO, the Government might be better informed and be also in a better position to exert its influence through diplomacy well ahead of procedural crises.

How we can secure a more realistic system of representation is another problem that faces us in view of the Soviet bloc's multiple votes. A system of representation by population would be of no help, so perhaps we should move toward a policy of regional balance.

Mr. Speaker, I do not think it is necessary for me to give you an account of the more dramatic events which took place at Geneva during this last ILO Conference. I am referring, of course, to the demonstration that occurred on the floor of the 10th Sitting of the Plenary Session on June 12th while Mr. Slipchenko, the Government Members' Vice President from the Ukraine, had control of the Chair. I am including the testimony of Mr. George Weaver before the Foreign Affairs Committee, however, as I feel he provides excellent background material and a clear description of what took place.

STATEMENT OF GEORGE L. P. WEAVER, ASSISTANT SECRETARY OF LABOR, BEFORE THE SUBCOMMITTEE ON INTERNATIONAL ORGANIZATIONS AND MOVEMENTS OF THE COMMITTEE ON FOREIGN AFFAIRS, HOUSE OF REPRESENTATIVES

I have just returned from the 47th session of the International Labor Conference which met in Geneva from June 5 to 26, 1963, and welcome this opportunity to give this committee my reactions from the viewpoint of chairman of the U.S. Government delegation.

The International Labor Organization is, as this committee knows, a democratic institution dedicated to principles which we as a nation support. Its essential orientation is toward developing free institutions in the field of its special concern. This was a finding of your committee in 1957, based upon a full record which included testimony of persons from many walks of life. The record of the ILO since 1957 confirms that finding. Since 1957 this committee has considered the work of the ILO on various occasions, the most recent being in April of this year. In the interim since 1957, the views of a number of Members of the Congress have appeared in the CONGRESSIONAL RECORD from time to time. I recall in particular those of Mr. Fogarty on February 18, 1960, replying to Mr. Scherer, of Ohio, Mr. Roosevelt on June 28, 1961, and July 27, 1961, and Senator McNamara on August 29, 1962. I need not therefore dwell upon the structure, the organization or the objectives of the International Labor Organization.

This past session of the International Labor Conference was unique in one respect but for the most part it was a hard-working Conference. At the outset it was the largest Conference ever held; 102 of the 108 member countries were represented, most of them by full tripartite delegations. By midsession the number of delegates and advisers had reached a new record of 1,087.

There were four standing committees and four technical committees which worked without interruption throughout the Conference and successfully completed their important work. Thus, there was the Selection Committee, of which I had the honor to be chairman, which met daily to guide the work of the Conference. Then there was a Finance Committee, charged with study and approval of the budget for 1964. This budget was subsequently submitted to and adopted by the full Conference. Third, a Standing Orders Committee whose recommendations on important changes in the standing orders of the Conference were adopted by the full Conference. Fourth, there was a Committee on the Application of Conventions and Recommendations which had the task of supervising the application by member states of conventions they have ratified. In addition, this committee had before it this year an expert study concerning discrimination in employment. This report was based on information concerning 138 countries, 90 member states of the ILO and 48 nonmetropolitan territories. The report of the Committee on Application of Conventions and Recommendations, notwithstanding the controversial nature of its work, was completed timely and adopted by the full Conference.

I want to emphasize that the work of these standing committees continued without interruption and at no time were the Communist nations, which in a number of instances were opposed to the action taken, able to thwart the will of the majority, nor did they gain propaganda advantages from their positions.

The four technical committees dealt with technical items on the agenda of the Conference. The Committee on Termination of Employment developed the final text of a recommendation which was adopted by the full Conference. The Committee on Guarding of Machinery developed the final text of a convention and recommendation, both of which were adopted by the full Conference.

The other two technical committees, those dealing with hygiene in shops and offices, and benefits in the case of industrial accidents and occupational diseases, developed preliminary drafts of international instruments which were approved by the full Conference as a basis for a second discussion at the Conference next year. The labor standards established by the work of these committees are of particular importance to developing countries in providing guides for the improvement of labor conditions and labor administration.

Again, I wish to emphasize that the work of these important committees continued on schedule and that the democratic processes of the Conference never failed. And it should be noted in this connection that in every important decision relating to the work of the various committees and matters of policy there was full understanding between the government, worker and employer delegates. In addition, I want to point out that three Members of the House of Representatives, Mr. POWELL, Mr. ROOSEVELT and Mr AYRES, during their stay in Geneva, participated fully in the staff meetings and in the work of the Conference. Due to this close coordination and cooperation, the U.S. delegation was able at all times to put forward a unanimous American position on all matters of importance.

As the work of these eight committees continued, the plenary sittings of the Conference were occupied with a debate on the Director General's report. This report was of special significance this year as it related to comprehensive examination of the programs and structure of the Organization with a view to adaptation to changing world needs. While the debate was not as full as it would have been, for reasons which I shall mention shortly, 169 speakers did take part in the general discussion, including 37 cabinet ministers responsible for labor affairs in their respective countries. Views from all parts of the world were reflected by these 169 speakers in this general discussion. However, since all members of the Organization did not have full opportunity to present their views, the same report will be before the Conference next year to permit continued discussion. So, it can be said that despite some loss of time during plenary sittings, the Conference successfully completed its very substantial work.

However, as frequently is the case, completing work successfully and reaching agreement may be less dramatic than sharp differences of opinion. This is demonstrated by the events of this Conference. The question which caught and held the attention of the Conference, as well as outside observers, was the issue of South African participation, with the result that the solid accomplishments of the Conference, to which I have referred were overshadowed.

In order to understand the developments at the Conference regarding the South African question, we must be aware of the attitude which prevailed among the representatives of African nations when they arrived to participate in the Conference. The conference of African heads of state at Addis Ababa had just concluded prior to the opening of the ILO Conference. At Addis Ababa African resentment against apartheid and the remaining vestiges of colonialism on the continent reached a new peak, and with it came a new dedication among the African states to act together against these hated institutions in every way and in every forum open to them. ILO was the first such forum after Addis Abada. It was a particularly important forum to the Africans because in 1961 the ILO Conference passed a resolution advising South Africa to withdraw from ILO and there was deep disappointment and resentment that this resolution had been without effect.

This deep antagonism against South Africa and resentment over the fact that no effective action had been taken following the 1961 resolution erupted into an unified demonstration by African representatives when the South African employer delegate rose to address the Conference. In the absence of the President of the Conference, Chief J. M. Johnson, Nigerian Minister of Labor, the Government Group Vice President, Mr. Slipchenko, of the Ukrainian S.S.R., took his appointed turn in the chair. A point of order was raised questioning the right of the South African employer delegate to address the Conference, and Mr. Slipchenko, acting against the opinion of the legal adviser, permitted delegate after delegate to avail himself of spurious points of order to deliver long and scathing attacks on apartheid and on South Africa. The plenary sitting was adjourned with the South African delegate still waiting to speak.

The plenary session of the Conference reconvened after several days of consultation, during which an attempt was made by the Secretary General of the Conference, Mr. David A. Morse, to find a solution which would uphold the right of the South African to speak and also to provide guidance to the African group as to how to pursue their objective through constitutional methods. In the absence of Mr. Johnson, Mr. Rudolph Faupl, U.S. worker delegate and workers' group vice president, was in the chair. Mr. Faupl ruled on a point of order that the South African delegate has a right to speak. The African delegations thereupon left their seats, and some delegations demonstrated at the rear of the conference hall. Several days later they withdrew from participating in the Conference. They were joined in walking out of the conference hall by the workers' groups and a number of Government delegates. However, all but the African and Arab delegations continued to participate in the work of the Conference. A new Conference President was elected to replace Mr. Johnson, who had resigned, and the work of the Conference was brought to a successful conclusion.

What are we to conclude from the developments of this Conference? First of all, may I emphasize that the work of the Conference was brought to a successful conclusion. It is true that some plenary sittings of the Conference temporarily were disrupted by the South African issue. However, most of the plenary sittings were devoted to the consideration of the Director General's report, and committee work was carried on successfully throughout the Conference.

Secondly, throughout the period when the plenary session was disrupted, the U.S. delegation played a very important role, serving as a bridge between the Secretariat of the Conference and the African, Latin American, Asian and Western European groups.

Thirdly, it is clear that the action of the African delegations in withdrawing from the Conference can be explained only in terms of their determination to rid Africa of colonialism and apartheid. It is clear also that the U.S.S.R. was quick to exploit this issue and to exploit African emotions. The Communist vice-president of the Conference, Slipchenko, who automatically assumed the chair of the Conference when the elected President absented himself, repeatedly abused the authority of the chair in order to feed the emotions of the African groups. The Communists hoped to manipulate the African protest in such a way as to bring into question the legality of the Conference proceedings and particularly to block the passage of the ILO budget.

It is important to note that these Communist tactics were thwarted. The Africans refused to support the Communist objective of preventing the adoption of the budget. Those delegations which remained participants in the Conference overwhelmingly defeated Communist moves to adjourn the Conference and overwhelmingly approved the budget.

Subsequent to the walkout, consultations continued with the aim of finding a constitutional solution to the problem of South Africa in the ILO. Proposals were developed to deal with the problem by constitutional means. However, there is a rule in the ILO Conferences which says no resolution may be put before the plenary except with the unanimous vote of the Conference officers. The Communist vice president was able to use this rule to prevent any proposals from ever being put before the plenary body.

Although the Conference was thus frustrated from considering constitutional ways to resolve the South African issue, the Governing Body, meeting subsequent to the Conference, did take action to deal with the matter. While the action taken by the Governing Body raised several legal points with which the U.S. delegation could not agree, we supported a proposal that the Director General meet with the Secretary General of the United Nations to inform him of the proceedings at the Conference, and to place himself at the disposal of the International Court of Justice in relation to pending proceedings of the Court which affect South Africa. The Governing Body also voted to place on the agenda of the next session of the International Labor Conference the question of amending the constitution and standing orders in order to permit the ILO to achieve the objectives of the 1961 resolution on the apartheid policy of South Africa.

Because of the ambiguous wording of this resolution, the U.S. delegation abstained. We are, of course, willing to consider constitutional changes in ILO, but we must insist that any changes be approached in an orderly manner.

The Governing Body also voted to exclude South Africa from ILO meetings which are convened and constituted by action of the Governing Body. The U.S. delegation voted against this action.

The first task of the U.S. delegation throughout the discussions of the South African issue was to defend the constitutional procedures of ILO. This was done in the face of Communist opposition. Now we must clearly demonstrate that these same constitutional procedures can be used to preserve African allegiances to and participation in ILO. This challenge remains before us. I am confident that we can meet the challenge and in the process demonstrate to the Africans, and to others who may have doubts, that their future, no less than ours, depends on democratic procedures.

Pertaining to other matters which immediately concern us, I would like to discuss the Director General's Report to the ILO while at the same time trying to answer the question, what is being done at the ILO that can be of benefit to the American workingman?

The Director General's report this year was a very well prepared document and was of importance for several reasons. It described programs for the education of union leadership. It described technical training programs and stressed the need for the wide dissemination of literature regarding all areas of employment and occupation. The significance of the ILO as a forum was emphasized. The ILO, it was suggested, was the best place for such forward-thinking planning as will be required by national programs of automation and disarmament. I do not have to point out the timeliness of these latter issues, and I strongly urge that we take the lead in recommending that every kind of study be made which will enable us to evaluate the effects and problems of disarmament and automation. Particular attention should be given to the matter of redistribution of labor and the training programs which such redistribution will require.

I think it can be safely stated that the overall effects of the ILO are very much to the benefit of the American workingman. The effects of the ILO are to raise the standard of living and to reduce the chances that noncompetitive low-wage production areas will wipe out our markets. Moreover, by raising the standard of living, the ILO helps us to find markets for our own goods, and the organization should be of use to us in the solution of our balance-of-payments problem.

A final matter which I think is deserving of our attention regards the payment of dues. It has been said that several of the member nations are behind in their payments and this is true. I am including a chart which lists these countries.

According to the Constitution of the ILO, article 13, paragraph 4;

> A member of the Organization which is in arrears in the payment of its financial contribution to the organization shall have no vote in the Conference, in the Governing Body, in any committee, or in the election of members of the Governing Body, if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding 2 full years.

II. Arrears of contributions for years prior to 1963 as at June 5, 1963

[In United States dollars]

State (French alphabetical order)	Period	Total arrears due	Contributions 1961–62[1]
Argentina	1961	139,784	--------
Do	1962	157,839	--------
Total	--------	297,623	307,667
Bolivia[2]	1953–57	29,926	--------
Do	1960–61	22,634	--------
Do	1962	13,107	--------
Total	--------	[3] 65,667	24,936
China[4]	1952–53	243,463	--------
Do	1962	86,160	--------
Total	--------	329,623	425,996
Congo (Brazzaville)	1962	4,329	25,168
Costa Rica	1962	1,731	25,059
Ecuador	1962	12,959	23,845
Guatemala	1961	11,745	--------
Do	1962	13,339	--------
Total	--------	25,084	25,094
Haiti	1962	13,265	25,094
Honduras	1962	13,304	25,059
Hungary[5]	1953	18,218	--------
Do	1961	22,825	--------
Do	1962	46,684	--------
Total	--------	87,727	87,827
Liberia	1962	2,499	25,059
Mauritania	1961	6,319	--------
Do	1962	13,339	--------
Total	--------	19,658	[6]
Nicaragua	1962	5,211	25,094
Panama	1961	11,755	--------
Do	1962	13,304	--------
Total	--------	[3] 25,059	25,059
Paraguay[7]	1920–37	23,186	--------
Do	1956–61	54,441	--------
Do	1962	13,339	--------
Total	--------	[3] 90,966	25,168
El Salvador	1962	13,304	25,059
Uruguay	1963	3,500	--------
Do	1962	18,780	--------
Total	--------	22,280	35,413
Total	--------	1,030,289	--------

[1] The figures in the last column are included in this table in pursuance of art. 13, par. 4, of the Constitution of the International Labor Organization, the text of which is as follows:

"A Member of the Organization which is in arrears in the payment of its financial contribution to the Organization shall have no vote in the Conference, in the Governing Body, in any committee, or in the elections of members of the Governing Body, if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years: Provided that the Conference may by a two-thirds majority of the votes cast by the delegates present permit such a Member to vote if it is satisfied that the failure to pay is due to conditions beyond the control of the Member."

[2] Bolivia: Contributions due for the period ending Dec. 31, 1957 ($35,057.57), payable in 8 equal annual installments of $4,382.201 commencing in 1959 in accordance with the arrangement approved by the International Labor Conference at its 40th session (1957). The installment for 1959 and an amount of $750 on account of the installment due for 1960 have been paid.

[3] It will be noted that amounts due from Bolivia, Panama, and Paraguay respectively equal or exceed the amount of their contributions due for the preceding 2 full years, as shown in the right-hand column of the table, and that art. 13, par. 4, of the constitution of the International Labor Organization is therefore applicable.

[4] China: Contributions due for the period ending Dec. 31, 1953 ($883,871.80), payable by annual installments of $30,000, in accordance with the arrangement approved by the International Labor Conference at its 37th session (1954). Installments for 1954–63, amounting to $300,000, and an additional amount of $340,408 have been paid.

[5] Hungary: Contributions due for the period ending Dec. 31, 1953 ($145,740.92), payable in 8 annual installments of $18,217.62, commencing in 1955, in accordance with the arrangement approved by the International Labor Conference at its 37th session (1954). Installments for 1955–61 have been paid.

[6] Mauritania was admitted to membership on June 20, 1961.

[7] Paraguay: The International Labor Conference decided at its 45th session (1961) that the arrears of contributions of $140,038 due from Paraguay in respect of the International Labor Organization ($23,186) and other League of Nations organizations ($116,852) for the period prior to 1939 shall be canceled, such cancellation to become effective on the payment by Paraguay of all its arrears of contributions due in respect of the more recent periods since Sept. 5, 1956, the date when Paraguay rejoined the Organization.

Some of the countries are in arrears for a period of more than 2 years, but the Office has made arrangements for payment. Many of the member nations have limited funds and I think the 2-year leeway given to all members is a wise and understandable provision.

The conclusions that I draw from my experience as a delegate to the ILO are as follows:

First. I would say first, that the ILO is an organization that affords us the ears of 108 nations and that we should make more use of this forum and make our policies known; that we should continue to demonstrate that we live in a nation of freedom where every effort is made to secure the happiness and welfare of the workingman.

Second. I suggest that we undertake a study of all the conventions of the Conference that we have not ratified as well as the ratification records of other nations so that we may have this information ready at hand to use as we see fit. However, a question arises and should be settled as to whether we should not urge a change in ILO policy regarding conventions and recommendations.

Third. I suggest that the Foreign Affairs Subcommittee should require regular quarterly reports from the U.S. members of the Governing Body, delivered in person after each meeting of the ILO Governing Body, and that representatives from the Subcommittee on Education and Labor should be invited to these hearings in order to maintain a high level of continuity, cooperation, and information.

Fourth. I think also, it would be beneficial to our participation in the ILO Conference if the Committee on Foreign Affairs would consider setting up the machinery which would enable us to send three or four Members of the Senate and three or four Members of the House every year to the ILO Conference. Our delegates should include members of the Foreign Affairs Committee, the Committee on Education and Labor, and the Appropriations Committee. Congress allocates great sums of money to the ILO, and I believe that at least one congressional voting Member should be a voting member at the Conference as well.

Fifth. Finally, I strongly urge that a top-level committee should be set up in the executive branch to review and update the so-called Johnson report and any other matters of principle regarding our policy and participation in the ILO; and that this committee should report its conclusions and its indicated instructions to the Government delegates prior to the meeting of the ILO Governing Body in November.

Incidentally, Mr. Speaker, a most interesting view of the ILO was presented by Mr. Richard Doherty on August 1 to the Subcommittee on Education and Labor. Whether or not one agrees with it in whole or in part or at all, it deserves our consideration. The testimony of Mr. Rudi Faupl before the same committee, which is to some extent an answer to Mr. Doherty's statement is also submitted to afford you the opinions of the nongovernmental delegates to the Conference. I submit them to be inserted in the Record and be viewed in the context of this report:

STATEMENT BEFORE AN AD HOC SUBCOMMITTEE OF THE HOUSE EDUCATION AND LABOR COMMITTEE

(By Richard P. Doherty, U.S. employer adviser to 10 ILO Conferences, 1948–63; president of TV-Radio Management Corp.; chairman, International Management Services, Inc., Washington, D.C., economist and author of books and articles on business economics and labor-management relations; employer member, National Wage Stabilization Board, 1950–52; professor of economics and head of Economics Department, Boston University, 1928–46.)

I welcome this opportunity to testify before this subcommittee and present my views about the ILO, as based on a considerable working experience with the Organization. I only hope that my presentation will help to crystallize executive and legislative action toward the redirection and reorganization of the ILO as an effective world agency working for economic and social progress.

Over the period of 1948–63, I have participated as an American employer representative in a variety of ILO activities, including six annual June conferences; three industrial committee meetings and one (1962) meeting of the Committee of Social Security Experts. I have served as the employer group vice chairman on six different technical committees. Within the United States, I have given many addresses on the ILO before university groups and labor relations conferences and I have written various articles and reports concerning the ILO. One article entitled "An American Employer's Appraisal of the ILO" was inserted in the Congressional Record (Mar. 27, 1962) by the Honorable Charles E. Goodell.

Especially over the past 10 years, I have opposed those persons who advocated U.S. employer withdrawal from the ILO and nonparticipation with ILO affairs. The fact that the environmental climate of the ILO was often alien to—even in opposition to—the principles of free enterprise never bothered me. Neither was I perplexed by the inherent ideological conflict between our American concepts of life and communism. Recognizing these challenges, I have believed that the United States, her Government representatives, her employers, and labor leaders must not be afraid to meet the challenge involved by our membership and participation in the ILO.

The 1963 Conference finally faced up to the basic issue of reappraising the ILO—its activities, purposes, and procedures. For fully 7 years, I have been advocating that such an effort be undertaken within the Organization.

However, I greatly fear that nothing constructive will be accomplished unless the Government of the United States pursues an aggressive role, among the free nations, in redesigning the ILO. Persistently, in the past the U.S. Government has been much too sanguine and lethargic in recognizing the weaknesses of the ILO and the basic dangers, posed by these ILO weaknesses, to our international posture.

We, in the United States and the free world, are now disturbed about the Communist utilization of the ILO for propaganda purposes. This is a real problem. But, in appraising the ILO, we should also take a good hard look at other weaknesses in that organization's policies, practices, and procedures.

The ILO must be restored to its intended and legitimate status as a world organization concerned with improving economic and social standards and advancing effective labor-management relations. If reasonable success toward achieving this goal is not obtained, within the next 2 years, the Organization should be caused to disintegrate by virtue of withdrawal of financial support and participation on the part of the United States and other major free world powers.

The alternative procedure would be to establish a new tripartite agency based upon membership from the nations of the free world and those other nations which are, at least, neutral in their national policy. It is conceivable that this may prove to be the only solution.

In the meantime, a prompt concerted effort must be made to remodel and recast the ILO processes and procedures.

The legislative and executive branches of the United States should take a positive and active interest in the immediate effort to redesign the ILO.

The United States in collaboration with other major nations, where democracy and free enterprise are accepted concepts, should make a joint valiant attempt to destroy the strong Communist influence. The end objective should be an ILO which: (1) concentrates upon serving the economic-social-labor interests of its members; (2) operates effectively and efficiently within its appropriate area of world service; (3) recognizes and cultivates freedom of worker association, private enterprise and democratic political processes as essential ingredients in mankind's growth and progress.

The United States and other free world critics of the ILO will not solve the ILO problems via mutual agreements, philosophical principles and recurring (annual) post Conference memorandums and reports or legislative hearings. Action is needed to force changes in ILO procedures and practices.

The time has now come to engage in concrete corrective action. The most logical and appropriate action must be within the existing framework, procedures, and functioning of the ILO.

Either the ILO procedures must be redesigned to prevent massive exposure of Communist propaganda or a constructive free world labor-management agency must be developed. At its inception, the ILO was promulgated as an instrumentality for world peace by raising the living standards of the masses. It is now a major cold war forum.

If the ILO continues to maintain the fertile propaganda climate, cumulatively developed over the past few years, the employers and unions and governments of the free world will face serious losses; will endanger their world leadership position; will contribute directly toward a process which does them irreparable damage and, equally significant, will help to perpetuate a world agency which works for the progressive benefit of the Communist bloc and their ideological allies.

Equally serious—probably even more serious—is the fact that the recent ILO trends and developments constitute a progressive threat to our American relations with the African nations. It is my personal opinion that the Communist bloc has more successfully and effectively exploited African problems than have we of the United States, or Western nations, cultivated cooperation among these African nations—during ILO Conferences.

The 1963 South African issue is one such example. However, there are many others. During the 1963 meetings of the Social Security Committee, the African government delegates consistently voted with the Russian and other Communist government delegates even on specifications which were incompatible with African economic and social security conditions.

In 1962, the Africans were largely controlled by the Communist line in regard to the effort made to disqualify the so-called employer delegate from Cuba.

In 1962, a vigorous Communist front fought against point 5 of the social security recommendation. This issue turned into a bitter fight with the employers and workers joining forces against the Communist opposition which won favor among the Africans by making the issue an ideological struggle which even embraced colonialism—despite the fact that colonialism was not involved.

In fact, during the past few ILO Conferences, the United States and the Western World have very seldom been able to secure African backing whenever ideological issues were precipitated by the Communists.

The Communist bloc vote plus a solidified vote of the African nations now effectively controls the total ILO voting strength. On instruments and other plenary action requiring a two-thirds vote, the Communists plus the African votes can definitely prevent approval of programs which are overwhelmingly supported by the free world combination of employers-workers-governments.

The newer nations of Africa presumably come to the ILO Conferences in anticipation of guidance on their emerging economic, social, and labor problems. Unfortunately, they generally become involved in a vigorous propaganda process designed to draw them within the orbit of Communist ideology. Most of the African representatives return home less enlightened by the Conference discussion than indoctrinated by the Communists. This indoctrination extends from the plenary to the technical committees and to the social life behind the Conference.

U.S. employer collaboration with the ILO has been founded upon the stated policy that:

"The aspirations of the people of the world for a better life, higher living standards and cultures, command the support of all men of good will. We believe that those worthy aims are best achieved through voluntary cooperation by freemen which results in more production of goods and services, and guarantees the preservation of the freedom and dignity of the individual."

Within the framework of this broad policy, leading U.S. employer executives have participated in conferences and ILO activities, seeking to contribute ideas and guidance from the practical record of American experience and knowledge, toward the goal of improved working conditions and living standards, throughout the world. The fundamental approach which has motivated U.S. employer activities has been the conviction that freedom of the individual, in a free market society, constitutes the keystone of human advance and economic progress of all people.

The strength and weakness of the ILO rest with its tripartite composition. As a tripartite organization, the ILO is a three-legged stool or chair. Its stability rests upon the equal support of each leg—labor, management and government. Without effective tripartite participation, the ILO would become another international state-dominated agency.

Within the ILO, labor and management possess equal and full voting power and the combined labor and management vote equals the total government representation. Frankly, I believe that this process is wrong in the practice of tripartitism. I believe that each of the three parties should have the same voting strength; government voting strength should not be equal to labor and management combined.

ILO conferences bring together top labor and management leaders and leading governmental officials, from nations around the world. The ILO, therefore, is the only world forum where labor and management and governments may exchange viewpoints and conceivably gain mutual understanding. This is the vitality and basic validity of the ILO and this vitality should be cultivated.

However, the real challenge before the ILO is to make its tripartitism work effectively toward the improvement of world labor-management relations and not to use the tripartite process as a mechanism for statism.

Tripartitism is a sound process for some labor-management problems; it is a totally unsound process for others.

Philosophically, tripartitism is a workable modus operandi in the field of labor-management affairs only as related to broad principles underlying public policy. Tripartitism is unsound as applied to the solution of specified problems which concern day-to-day employment and working arrangements between labor and management in given business undertakings. These latter problems are basically bipartite and belong on the collective-bargaining table if free labor and free management are to survive. The possible exception would be genuine national emergencies where national welfare is at stake.

If the public or governmental members of a tripartite group are philosophically, emotionally, and sociologically inclined toward either labor or management, the majority of final decisions will favor that particular group. The offended party will have a just right to believe that the cards are stacked against him.

Frankly, American and other free enterprise employers have a valid right to regard the tripartitism of the ILO as frequently being stacked against management and free enterprise ownership.

It has been my personal experience that, throughout all tripartite discussions of the ILO, there is always strong and vigorous advocacy for solutions to economic-social problems via legislative fiat; strong advocacy for free trade unionism, moderate advocacy for free collective bargaining. However, it is a very rare occasion when government or labor delegates (and advisers) even give lip service to free enterprise—and this includes U.S. Government representatives. Except in the speeches of employers, one will have a hard time finding references to free enterprise in ILO Conference records—except the critical remarks of the Communist delegates.

A look at the record of ILO results indicates a pronounced prolabor tendency by the government representatives—unless one assumes that the business representatives have been overwhelmingly wrong in their judgment while the labor and government representatives have been overwhelmingly correct on virtually every item.

When the ILO accepted the principle of "employer" and "worker" representation by the Communist nations, it was guilty of political hypocrisy; it perpetrated a sham.

There are those who are convinced that the ILO will never change its basic approach to labor problems; that the ILO will always recognize itself as a protagonist for world socialism; that the ILO does not truly accept the underlying premise that free enterprise is a sound economic institution; that the ILO will continue to render only lip service to free enterprise while crusading for society embraced by governmental direction and domination; that employer participation in the ILO can be but a token, defensive action against the overweighted support of labor and governmental delegates and representatives.

Maybe these persons are correct in their appraisal of the ILO. If so, employers are preparing their own deathbed by continued participation.

There are those employers—not alone in the United States—who subscribe to the conceptual principle of the ILO but who are repelled by the practices of the Organization. Some of these persons see the lofty aims of this tripartite body as merely a mechanism for public acceptance of activities which promote statism at the expense of free enterprise.

During the 1963 June Conference, the private opinion of many employers, from a cross section of nations, was that the Organization had outlived its usefulness in terms of the principles upon which the ILO was founded.

The ILO today is vastly different from what it was in its early days. The current problems facing the ILO are magnified and complicated many times by conflicts in ideologies; cold war propaganda; the subversion of the ILO platform by political maneuvering; the shifting balance of power from the Western World to the Communist and Afro-Asian nations.

One of the primary inadequacies about the ILO rests with its chronically distorted emphasis upon conventions which have not met with acceptance by the majority of its members and with the Organization's failure to concern itself with many of the basic and challenging problems within the area of labor-management relations. Moreover, certain government and labor groups seem always to engineer conferences and committee agenda items in the direction of subject matter which doesn't properly lend itself to international treaties or which properly belong on the collective bargaining table or which is designed to establish ideological positions without concrete regard to improved labor conditions.

It is my personal opinion that the U.S. Government has aided and abetted the misguided emphasis upon ILO conventions by its own positive actions. Our American Government delegates and representatives, at the ILO Conferences, have voted in favor of practically every proposed convention, regardless of the subject or the inadequacies of the proposed document; have abstained in a very few cases but have, to the best of my knowledge voted against only one ILO convention.

Even in the 1963 Conference, the two U.S. Government votes were cast in favor of the proposed world convention-treaty on "benefits of workmen's compensation and occupational diseases." This despite the fact that the Government policy position stated clearly (and obviously) that this was a convention which could not possibly be ratified by the United States; despite the fact that the document which was drafted, by the Technical Committee, was so unsound and inflexible that, according to the ILO staff itself, it could not be ratified legitimately by more than a handful of ILO member nations—if, indeed, even one such member could ratify the document. This type of action, in my opinion, is diplomatic hypocrisy without benefit of accomplishment from diplomatic compromise.

The Russians and the other Communist bloc representatives at the ILO—government, labor, and employers—always fight for issues, technical points and policies which are compatible with their way of life. They are always outspoken advocates for their way of life. Except on the Resolutions Committee and some of the other standing committees, where the U.S. Government spokesmen are vigorous proponents for American precepts and policies, U.S. Government representatives on technical committees seldom take a strong position with regard to the American method; practically never engage the Communists in ideological battle; practically never support the American employer position when that position is in opposition to the American labor position; practically always permit advocacy leadership to rest with government spokesmen from various European nations.

BLUEPRINT FOR A MORE EFFECTIVE ILO

It is difficult to be completely impartial and objective in one's appraisal of an international organization which concerns itself with complex social and economic problems.

Unquestionably, there are some persons who favor the ILO, as it now functions and who regard the agency as highly constructive in its actions.

However, employers generally—in other nations and especially in the United States of America—are convinced that the ILO cannot become a substantially more effective world instrumentality as it is now constituted and operated. As one of the three parties of this tripartite organization, management's voice deserves consideration. Without management's membership participation, the ILO would, perforce, become an entirely different kind of international influence. In this tripartite organization, management must have a say, along with governments and labor, in the future revision and reorganization of the ILO.

Certainly in the United States, as in other nations which preserve free enterprise, governmental policy regarding the ILO must be reconciled with employer policy as well as with labor's policy.

I, personally, have no authority to speak for all management, nor even for the overall U.S. segment of management. Yet, as a U.S. management representative to the ILO Conferences since 1948, I believe that I do possess a reasonably studied and experienced knowledge of the faults of ILO from a management viewpoint. Upon this background of ILO experience, I am convinced that the building of a more effective ILO relates largely to five factors and to a series of parliamentary and operational procedures.

1. Minimize world legislative enactments: An ILO convention is intrinsically a world legislative fiat, a world treaty. An official U.N. publication on the Convention on Genocide (1952, 1:31) says a "convention in international law is an agreement between sovereign nations. It is not just a resolution or an expression of opinion. It is a legal compact which pledges every signatory country to accept certain specific obligations. Broadly speaking, it is a treaty between many nations."

Rather consistently, the ILO has placed primary and major emphasis on conventions as a device to achieve its objectives. Practically always, certain elements seek to turn every agenda item into a convention, regardless of the limited or general character of the item.

Some protagonists for ILO conventions argue that they are necessary guides to national legislation and set up desired objectives of social and economic achievements. If this is the purpose, a convention is not the instrument. The proper guide would be a technical report or comprehensive recommendation for internal national action.

If ILO conventions dealt exclusively with matters which were genuinely international in scope; if such conventions squarely pertained to problems on which there were substantial international agreement that world economic welfare could only be served by international law; if such conventions were restricted to labor-management problems which could not be solved adequately by the internal laws of each sovereign government; if conventions were not used for items which properly belong on the collective bargaining table, there would be a justifiable case for ILO convention procedure.

A substantial degree of hypocrisy relates to ILO conventions.

A convention is a custom-made law to fit all the customers. The record proves devastatingly that the vast majority of these custom-made conventions just don't meet the approval of the ILO clients. Ironically, the majority of countries which have voted in favor of these ILO laws, or treaties, don't adopt them when presented for home ratification. Yet ILO goes on manufacturing laws which aren't accepted by the majority of its own members.

Out of the 115 conventions enacted by the ILO thus far, I am convinced that only 35–37 have to do with matters appropriate for international consideration.

The greatest irony is the fact that many of the lesser developed nations plus Russia and the Communist bloc nations have the overall best record of convention ratification. Yet few persons at the ILO truly believe that these nations put these ratified conventions into effect. For the Communist tripartite bloc, ILO conventions are chiefly a device to propagandize among working people of the world; they are not blueprints for Communist public welfare action at home.

However, the answer to the ILO convention problem is not greater ratification by more nations, including the United States. The basic problem stems from the fact that the majority of ILO conventions are either: (1) not appropriate for convention treatment or (2) are inadequately drawn, inflexible documents. We can't expect that the legislatures of the United States, or most other nations, can be cajoled into ratifying such conventions. That's why the record of ratification is so bad.

There are many Americans, and also many informed persons in other nations, who contend that the ILO should discontinue fully its convention actions. I, personally, am not a member of this group. I am of the opinion that conventions have a proper, but restricted and limited, place in ILO action. The ILO should restrict and limit its conventions to labor subjects which are fully appropriate for treaty accord among nations and where the specific labor problem flows over national boundaries.

There should be greater emphasis and attention given to comprehensive and progressive recommendations and less concentration on conventions. Even the Director General, in his 1963 report, emphasized the great benefits to be derived from the recommendation type of instrument.

2. Maximum guidance through free forum discussions and technical reports: When intelligent and qualified persons, possessing wide varieties of practical experience, gather for a discussion on specific problems of mutual concern there is a grand opportunity to produce guidance to everyone and to every nation on these problems. The leaders who attend these Conferences go back home with an enlightened concept; they are better leaders in their respective countries; their governments secure valuable blueprints for practical internal action.

Many of the delegates and advisers from the underdeveloped nations of Africa and Asia would gain far more knowledge from free forum sessions than from committee negotiations on conventions.

It is also time that the ILO give greater emphasis to Technical Expert Committee reports as a service to nations concerning labor-management and social welfare. A report should be the end product of a tripartite Committee of Experts which seeks to provide information and guidance, on labor items, as against seeking to develop international treaties (conventions) or blueprinting action via recommendations.

There is a vast and concrete use and need, in today's world, for ILO Technical Expert reports. The ILO Governing Body should strive to establish more agenda items as report items.

3. Redirected staff activities: The member countries are themselves the ILO. Each member country possesses a tripartite ownership of ILO. Thus, the staff (office) of ILO is not the central organ of ILO to which the tripartite national representation is called upon to render obedience and support. Nor should the staff be privileged to serve the interests of anyone of the tripartite groups comprising the ILO or to lean toward any one party.

Prior to each Conference, the staff must necessarily prepare documentary reports for the conferees. In practically all cases, the staff produces preliminary conventions and/or recommendations upon which Conferences are supposed to act. All too frequently, the ILO staff assumes the competency of deciding, prior to a Conference, the content material and the expected action of the tripartite conferees—based upon an advanced survey of the facts as reflected by the attitudes of governmental members only.

The staff receives its advice from the government member of the tripartite team in each member nation. The opinions expressed by the respective governmental agencies seldom represent the joint consensus of thinking of labor and/or management. In the vast majority of cases, the government position does not reflect the ideas of employers and is not concurred in by the employer leader. Even in the United States, the Government position is arrived at, generally, without prior consultation with employers.

On many subjects, it would be wise to substitute the spadework of a small committee of experts (tripartite) for the work of the staff. The net results would be far more effective documents for full conference deliberation. The ILO staff would benefit greatly from the collaborative guidance of a tripartite committee of experts.

I have worked with many ILO staff members and supervisors. Of course, some of them are ideologically oriented but the majority of the ILO staff is composed of professionally competent persons. The fault rests not with the staff but with the ILO procedures which basically force documents to be tailored according to governmental policy and position, despite the tripartite structure of the Organization. "This is what the majority of governments stated they wanted" is a chronic common argument advanced in support of draft documents on every technical committee.

4. Constructive technical assistance: Here is a field of ILO activities which offers real proof that the Organization can render concrete benefits to the people of the world, especially in the lesser developed nations. Generally Conventions, and sometimes recommendations, are but lofty scraps of paper, suitable for political window dressing. However, technical assistance is concrete aid borne of mature experience; it is a helping hand of both labor and management extended to countries which need assistance in their climb up the ladder of economic progress.

The ILO is admirably equipped, through its tripartite structure, to support expert guidance on labor-management problems but only if sound operational practices are followed.

Merely because ILO technical assistance is a sound and laudable service, we should not be misguided into the concluding fact that all the ILO technical assistance has been constructive and worthwhile—or even free from Communist ideological infiltration.

There are four guiding signposts which must be used to direct all technical assistance projects of the ILO if this agency is to perform constructive services. These signposts read:

(1) Labor-management project: The ILO should restrict its technical assistance to projects clearly within the purview of labor-management problems. There is always a danger that technical assistance will get involved with sociopolitical affairs.

(2) Trained and competent experts: It is axiomatic that technical assistance can never be any better than the competency of the experts rendering the assistance. No matter how valid and desirable the project may be, the participating nation and the ILO will suffer from incompetent or politically oriented experts. If adequate qualified and objective field personnel is not available, a technical assistance project should not be undertaken. The ILO has a grave responsibility to select only qualified experts who have a job to do rather than a political cause for which to crusade.

(3) Joint tripartite agreement: Within the ILO there should be a regularly functioning "tripartite" body which directs technical assistance; such a tripartite procedure would avoid the possible dangers of misdirected office decisions regarding certain technical assistance.

(4) Project needed and wanted: Technical assistance projects must originate only with the needs and wishes of an individual nation and not emerge from the instigation of the ILO. The ILO should be ready to render assistance to nations which prove that they want and need it and where there is a justifiable evidence that labor-management collaboration will be forthcoming—and that both management and labor want the job done.

5. Tripartite autonomy in group representation: The membership of Communist nations has seriously impaired this tripartite representation. It is perfectly absurd for the ILO to admit and accept specified persons, from Communist countries, as employer delegates and representatives. Likewise, it is fiction to recognize Communist "labor" representatives as genuine spokesman for the labor movement.

Each individual group must possess the autonomous right to pass upon the legitimacy of respective representation within its given group. This is the essence of tripartite participation.

If tripartism is to work and function effectively, employers and labor must each possess the autonomous right to determine, as an individual group, which persons properly represent its respective tripartite category. It is absurd to allow an appeals board to determine group representation.

ILO tripartism will disintegrate if autonomous group self-determination is not restored and made effective. This is one of the immediate requirements.

Group autonomy must be advocated and supported, starting right now, by the U.S. Government and the other governments of free world nations. The U.S. Government should take the leadership in restoring autonomous group privileges regarding ILO employer and worker committee representation.

It is regrettable that U.S. Government delegates and representatives, since the 1954 action, have not been willing to advocate or support a movement to restore group autonomy. Some of us, U.S. employers, have repeatedly raised the issue but in vain.

In addition to these five operating aspects, I recommend the following series of actions concerning ILO procedures, rules, and practices.

1. The Governing Body must possess and retain effective control of the Organization, its Conference agenda and its overall operation. Resolutions and actions taken at annual Conferences must not be given authoritative priority over the administrative control and direction vested solely in the Governing Body.

Recently, especially during the 1963 Conference, we heard much argument that the "Conference is supreme." If we fall for this line, we shall construct a further broad avenue for Communist influence over the ILO, including the Governing Body itself.

2. The appeals committee should be abolished coincidental with the establishment of tripartite group autonomy.

3. Communist representation must not be added to ILO administration either on the Governing Body or the administrative-executive staff.

4. Communist nation representation and participation on technical assistance programs must be reduced.

5. Effective control of the ILO must revert to the free world nations which not only pay the lion's share of the ILO budget but who genuinely support the principles of freedom of association, political democracy, free enterprise, and free collective bargaining.

6. Parliamentary procedures must be developed so that inappropriate political ideological resolutions may be "ruled out of order" at annual conferences and at meetings of industrial committees.

7. Convention voting should be on the basis of tripartite approval. The very nature of ILO conventions warrants a procedure whereby adoption should be on the basis of a minimum two-thirds (or majority) approval by each of the three respective parties of the tripartite system.

Such a process would reduce the possibility of unsound conventions being accepted by the plenary by virtue of joint support from the Communist plus Afro-Asian nations. It would also force technical committees to negotiate more objective convention drafts.

8. Development and effectuation of a Rules Committee procedure within the Selections Committee: The present ILO procedures do not now possess a Rules Committee, per se. Action should be taken at the 1964 June Conference backed by earlier action and sponsorship of the Governing Body, so that the Selections Committee shall also act as the Rules Committee or that a tripartite segment of the Selections Committee shall function as a Rules Committee.

Some persons will probably claim that my various suggestions and recommendations pertain more to operating procedures and practices than to the basic issues. Of course, we are essentially concerned over the fact that the ILO has increasingly become a propaganda forum; we are greatly concerned that the ILO Conferences devote a disproportionate amount of time to political and ideological issues; we are concerned that the true objectives and purposes of the ILO are being sidetracked.

Nevertheless, I believe that only by paying attention to the development of sound practices, processes, and parliamentary rules may we hope to redirect this organization toward the achievement of better standards of living within the framework of freedom and democracy.

CONCLUSIONS

If the ILO procedures and processes are recast in the above-mentioned fashions, the Organization would again become an effective world organization dealing with economic and social problems as affected by labor-management-government collaboration. Certainly, these suggested operational procedures and policies would restore proper tripartite functioning to the June Conferences and result in actions which appropriately reflected genuine tripartitism on labor problems and world labor affairs. If all of these procedures were eventually enacted and adopted, the Communist bloc would possess far less influence than is true today. In the end, ILO would become a constructive force working for the improvement in labor-management relations, the rise in social standards, and the improvement in human welfare.

In my considered opinion, American management should continue to participate in ILO activities because it cannot afford to be absent so long as the Government of the United States retains membership in ILO and financially supports the ILO. There is also a positive side to our management participation. If we are competently represented, free enterprise will possess an articulate spokesman and, from our experience, we may contribute toward an international understanding of world economic and social advancement under democratic freedom and based upon productivity achievements.

Our continued ILO participation must assume the crusader role of redesigning the Organization's attitudes and modus operandi. We cannot continue to contribute to a world agency if that agency minimizes free enterprise and espouses a statist society, nor if it falls under that domination of the Communist bloc.

One last consideration: there can be no free labor in a nation where free enterprise does not exist. Unless labor subscribes to, and supports free enterprise, it will become engulfed and dominated by governmental decision and policy. In a socialized or communized society, unionism is a controlled tool of the government.

However, the major question is not whether U.S. employers and labor should participate in ILO affairs. The basic challenge is the one which faces U.S. Government because it must appraise ILO participation in terms of the American people in regard to American foreign policy.

The easy compromise policy is to continue U.S. official (governmental) collaboration with the ILO and financial support to the ILO because we are afraid to damage our image by nonparticipation.

If the ILO continues in its present direction, we shall truly support progressively greater damage to American international relations.

The U.S. Government's executive and legislative branches must, promptly, examine and appraise the ILO as a potentially valuable or potentially dangerous world organization. The time has passed, as of the 1963 Conference, when we can go on supporting the ILO on the theory that it is of secondary importance in our total world effort. We must now evaluate the ILO separately from our U.N. participation.

The U.S. Government must seek prompt and immediate collaboration from all free world governments toward the concrete goal of reorganizing and reorienting the ILO. If this achievement is not accomplished by 1965, at the very latest, the U.S. Government should officially withdraw from participation and support of the ILO and spend its tax money and efforts toward the establishment of a genuine and effective new international organization which is dedicated to the principles and purposes upon which the ILO was founded.

STATEMENT BY RUDOLPH FAUPL BEFORE AD HOC SUBCOMMITTEE OF HOUSE EDUCATION AND LABOR COMMITTEE, AUGUST 1, 1963

Mr. Chairman and members of the committee, I appreciate the opportunity to appear before your committee and to give my observations on recent developments in the ILO, and in particular on the demonstrations and walkouts by certain delegations at the 47th ILO Conference. My presentation here this morning has been made easier by the preceding testimony of Mr. Weaver and Mr. Wagner. In addition, several members of your committee were included in our delegation and, therefore, have already considerable knowledge of what has occurred at Geneva.

I have been the U.S. workers' delegate to the ILO and a member of its Governing Body since 1958. In addition, I have served as delegate to a number of industrial and ad hoc committees of the ILO. Prior to assuming this position I was adviser to the then workers' delegate, Mr. George P. Delaney, presently Special Assistant for International Labor Affairs to the Secretary of State. I would like to note here that Mr. Delaney has served longer as U.S. workers' delegate to the ILO than any other U.S. delegate, whether Government, employers' or workers'.

Let me first start with a few observations regarding the present political realities within the ILO and the opportunities and challenges which these offer for the United States and the free world. The ILO, of all the U.N. specialized agencies, is the oldest, most useful and most pro-Western democratic organization. The very nature of its tripartite representation—workers, employers and Government, assures this. So does its principle of social reform through worker and employer representation and parliamentary procedures. Its founding spirit derives from Samuel Gompers, the father of the American labor movement and the chairman of committee of the Versailles Treaty which developed the ILO constitution.

Even though the so-called workers' and employers' delegates of the Soviet bloc countries, as well as their Government delegates, have tried to subvert the ILO's democratic principles, the record reveals that the Communists and their allies have no significant voice in the conduct of the ILO's Governing Body, its major committees or its technical assistance programs. On the contrary, the ILO has in the past served to expose the oppressive nature of Communist regimes, especially in its famous slave labor report and its refusal to seat the Hungarian delegation.

Here I wish to differ with Mr. Wagner when he states that the Communists have seriously eroded the Western democratic principles of the ILO. The charts comparing the percentage of lines of type in the record of Conference proceedings of speeches by the Soviet bloc delegates and by United States or NATO bloc delegates are misleading. There are many supporters of the free world point of view outside of the NATO bloc at the ILO.

Despite the ability of Soviet bloc delegates to exploit the legitimate grievance of the Africans over the South African issue, their success was short lived and they were unable to maneuver themselves into significantly stronger positions, either in the Governing Body or in technical committees Not even the service of Mr. Slipchenko, of the Ukraine, as Conference Vice-Chairman to the Communist cause paid off, since the subsequent absence of the Africans deprived the Communists of any possible allies.

I feel that we should emphasize far more the positive successes which the free workers' and employers' representatives have jointly been able to achieve in keeping the Communists out of key positions despite their constant deceptive maneuvers to win the support of some of the Africans, Asians and even Latin Americans.

The AFL–CIO does not share the gloom of some observers that we will have to bow to such a combination and that we may become the unwitting tools of Communists in the promotion of inimical ideologies and Soviet foreign policy interests. It is our contention that despite the temporary alliances which the Soviet-bloc delegates were able to promote over the South African issue, the main political and economic relations of the African as well as other developing countries, are their relations with the democracies and not with the Soviet bloc. Just as their main trade and financial relations are with us, so are their need for acceptance and accommodation in international organizations in which we play a leading role. They wish to participate on an equal footing with other nations under the rules and procedures based on democratic political standards.

Despite all the talk of socialism in the developing countries, nearly all of them have a mixed economy and retain a substantial private sector of the economy. Even among their trade unions, notwithstanding close controls by governments and ruling parties, the spirit of trade union autonomy has by no means been silenced. Strikes and conflicts, even under the most autocratic governmental systems continue to attest to this. The ILO Conferences and the contacts with the Western trade unions which such Conferences afford have made a major contribution to keeping this spirit alive. The political and social systems of the new countries are in transition and this is no time to abdicate our leading role.

The usefulness of the ILO as an instrument of U.S. objectives for building democratic institutions as well as a platform for U.S. labor and management, thus remains established. This does not mean that the Soviet bloc or other regional interest groups may not be able to exact concessions in the future, and even change some of the current rules of the organization, but this remains a challenge for our diplomacy, be it on the government, employer, or the trade union level. No significant principle or concession has as yet been yielded. I, for one, seriously question whether the decision for the demonstration of the Africans and Arabs originated in Addis Ababa or was engineered in Moscow. The African delegation came with a legitimate grievance for which they sought redress in the ILO, particularly in the light of the resolution passed by the 45th plenary session in 1961.

As Mr. Weaver so eloquently pointed out, the brutality imposed on workers, black or white, in South Africa, has stirred the emotions of all the African nations, and therefore it is readily understandable that they would demand dramatic action in such a forum as the ILO.

The Communists, after having suffered a rebuke in the election for Governing Body members, particularly in the workers' and employers' groups, decided to pull out all stops and fully exploit the emotions of the Africans. I say this not lightly for as the records clearly indicate, the Africans in the employers', workers,' and government groups sat in meetings a full week without any challenge to the South Africans. This gave the Communists ample time for organizing their coup around this issue.

Let me now turn to some of the more specific tasks for the U.S. delegation in promoting democratic interests through the ILO. Here it is important to state the two main objectives of the ILO. One is the promotion of technical assistance in the developing countries through which the standard of welfare and the flow of goods and services can be increased. The other is the setting of social and political standards through conventions and recommendations. This is an area in which the ILO can perhaps make its most far reaching and enduring contributions. Even though, admittedly, the resort to draft treaties for promoting international labor and social standards is far more complex than technical assistance programs, considerably more attention should be given it.

Some people worry about the abuse of the treaty mechanism or the lack of need for applying ILO conventions to the United States, they should be reminded of a number of facts directly or indirectly touching upon their interests. For one thing, rising expectations in developing countries need to be satisfied and the corresponding rising standards of welfare everywhere will tend to make U.S. industry's position more competitive as other countries approach the U.S. level of living.

Furthermore, the U.S. Government, as well as the workers and employers, as citizens, share in the common interest of stabilizing the economic and political situations throughout the free world through higher standards of living, social reforms, and the rule of law. However, it is not only to the scene abroad that we need look to find useful application for ILO conventions. Both as leaders of the free world and for the sake of our commitment to the principles of social justice, we ourselves should utilize the pioneering work of the ILO in the legislative field and ratify additional ILO Conventions and incorporate them in our body of law and our social practices.

Here I cite in particular the Honorable JAMES ROOSEVELT, who attended the ILO Conference and who discussed the relevance of the ILO expert study on discrimination in employment to legislation pending before his committee. In particular, he cited the exceedingly complex work done in categorizing and defining the legal problems arising in antidiscrimination legislation. It is to be hoped that this work will lead to a convention which will also be acceptable to the United States.

Beyond this there are other crucial areas where U.S. social and labor legislation can greatly benefit by adopting already existing conventions and standards set by the ILO. These would be in the areas of social security, health insurance, the protection of agricultural workers, and retraining, to name only a few.

Despite our high standards of living and a public policy committed to workers' welfare, we lag behind other industrially advanced countries in these fields and have only adopted 7 out of 118 conventions. By raising our standards of public welfare we could demonstrate that the ILO is not merely a tool for promoting social welfare in far away places of the world. The ILO must stand as a symbol of service to all countries and we should be the first to demonstrate this.

In conclusion, let me return to the subject of diplomacy and the role of the U.S. Government. This is a field where I feel there is room for improvement—not only in our relations to foreign delegates—but also in the relations between the Government members and the workers' and employers' members of the delegation.

The harmony within the delegation which Mr. Weaver cites in his otherwise eloquent report was by no means always apparent to the other members. Despite an agreement in October 1962 before the Governing Body meeting that the State and Labor Departments would fully inform the workers' and employers' delegates of their plans regarding ILO matters and contacts with ILO officials and officials of other governments, very little such information was passed on. Decisions were made regarding Governing Body and Conference procedures, tactics, and the election of key officers without advance consultation with nongovernment members. Important labor reports on ILO matters from various countries were not made available to us. Thus, when things have gone wrong at ILO meetings, our own ignorance of matters to which at least some of the Government delegates were privy made our role doubly frustrating. This the more so, since the issue of more information for the nongovernmental representatives had been raised time and again and since a commitment to us had not been carried out.

Another matter of concern to me and the AFL-CIO with regard to the ILO is the only intermittent interest of the U.S. Government in ILO affairs. This interest rises and falls with the proximity of the Governing Body meetings and plenary conferences. For example, there is an inadequately sustained interest in the activities of the ILO staff and its many technical programs, how justifiable these are, and how they fit in with other aid programs and needs in the social and labor fields. If there were more continuous interest in the ILO, the Government might be better informed and be also in a better position to exert its influence through diplomacy well ahead of procedural crises.

Mr. BOW. Mr. Speaker, will the gentleman yield?

Mr. ROOSEVELT. I yield to the gentleman.

Mr. BOW. The distinguished gentleman from California made some reference in his earlier remarks relative to representation allowances. I am sure the gentleman from California recognizes that the gentleman from Ohio is on the Appropriations Subcommittee that has to wrestle each year with the question of representation allowances. I wonder if the gentleman would expand on that? May I ask the gentleman first, How much representation allowance was granted to the delegation from the Congress that went over there?

Mr. ROOSEVELT. I will have to say to the gentleman, I am not completely familiar with how much was available because, as the gentleman knows, it is possible to borrow from one fund for one conference and not use it there and to use it some other place. So all I can say to the gentleman is that at this conference, we were told there was very little money available for what I call the normal kind of influencing or making your point of view understood to other delegates. While I was there, and while I believe my colleague, the gentleman from Ohio [Mr. AYERS] was there, there were a number of receptions that were held, but it was always stated that money was not available for an individual delegate or an individual staff member to take his counterpart out to lunch or out to dinner and try to straighten him out—if, perhaps, he was not exactly seeing things our way. I think, therefore, the machinery needs to be checked into. So far as I am concerned, I would drop a good many of these big functions where people come in and they like your little hors d'oeuvres or whatever it might be or your drinks and then walk out. I do not think they accomplish a blessed thing in my view. On the other hand, I do think the Russians have worked out a very effective technique, and I think we could, perhaps, learn this lesson from them and I think we could do a better job than they do once we really start on it.

Mr. BOW. I know the gentleman is familiar with the difficulties we have each year when we bring our bill to the floor of the House on the question of representation allowances and for this reason I was interested in what the gentleman had to say. I remember when the gentleman from Ohio [Mr. AYRES] made his statement on the floor, there was some question about some of our expenditures and whether or not we could reduce our contributions to the ILO. What is the opinion of the gentleman from California on this subject?

Mr. ROOSEVELT. Well, I would have to say to the gentleman that at the present time I do not think the time is right to reduce them.

I do think, however, that it might well be a part of our policy in the coming governing bodies to find out and to make a better fight to get a better distribution or allocation of the percentages by that governing body to the various countries that contribute to the budget.

I think there is, perhaps, some logic to our present 25-percent contribution but that does not make it sacred for all time. As time goes on and as these countries begin to stand more on their own feet and to produce more of their own wealth, it seems to me our amount should be going down and the other countries should be going up. And, if we do not make that clear now in advance of the meeting, the chance of accomplishing it is rather small. Other countries have fought for and received some reduction. As the gentleman knows we have 108 countries which belong to this organization and I think the time has come when our voice should be heard in our direction.

Mr. BOW. I thank the gentleman and I agree with him in that respect. It seems to me that while our contribution has remained the same or has increased, the contributions of other countries have not done so, but in some cases have decreased.

I think the people are becoming more and more disturbed over the amount of these contributions which we make to these various organizations, particularly in view of the fact that the wealth of some of the other participating countries has increased.

Going back to the question of representation allowances, may I inquire of the gentleman if he can tell me who had the control of the funds that were to be used for representation purposes? As I understand it, the individual members were not given any representation allowance with which to take their counterparts to luncheons and otherwise.

Who had control? Who had the voice as to how the representation allowances were allocated to the ILO to be used?

Mr. ROOSEVELT. The State Department, altogether. It issued specific instructions through its so-called budget or finance officer who was present. His word was law in that regard and it overruled, according to my understanding, even the chairman of the U.S. delegation. Of course, as far as the Members of the House are concerned, we were limited strictly to $25 a day. We were not allowed any counterpart funds beyond the $25 a day. We, under the law, could not even ask for them from the State Department. Therefore, we could not do any kind of a job on that basis either.

Mr. BOW. I think the gentleman is correct. We should pass some clarification, I think, in the future on the use of the funds.

The Congress appropriated them with the idea that they would be used to the very best advantage of our country and the people who are representing the United States.

It seems to me that the gentleman has pointed out an area where, perhaps, we may save to some extent on the larger functions or affairs about which the gentleman spoke and obtain much more advantage by, perhaps, spending less on them and then allocating it to individuals.

I thank the gentleman from California for his information.

Mr. ROOSEVELT. I thank my friend, the gentleman from Ohio [Mr. Bow].

Mr. AYRES. Mr. Speaker, will the gentleman yield?

Mr. ROOSEVELT. I am delighted to yield to my friend, the gentleman from Ohio [Mr. Ayres].

Mr. AYRES. I would like to commend my colleague, who was an adviser, named by the Speaker of the House of Representatives, to represent the Congress at the International Labor Organization convention.

I also want to associate myself with most of the observations that the gentleman has made to the House this afternoon.

It was mentioned this morning in our hearings in which we are reviewing the happenings of this organization, that there is a consultant firm which has been hired for the sum of $45,000 to make a survey of the personnel in the present ILO operation.

I would like to ask the gentleman from California one question: Has it been called to the gentleman's attention that the United States has difficulty finding personnel with which to fill the jobs in the ILO to which we would be entitled?

Mr. ROOSEVELT. Yes; that has been brought to my attention. I will say to my good friend—and I want to thank him for his remarks—one of the reasons that we have had difficulty in getting the kind of technical experts to go to work for the ILO is, again, because of the fact that they lose under the law, once they do take leave of the benefits which they have, let us say, in private industry or even with the Government. If someone leaves the Government and becomes an employee of the ILO, he loses some of his security or fringe benefits that he would have as a United States Government employee.

I hope our distinguished colleague, the gentleman from Ohio [Mr. Bow], will perhaps look into that problem, because if we are going to spend this amount of money, I think one way we can do this thing is to be sure we can contribute the kind of experts for the real program—the technical program—that is really going to win this battle for us in the long run.

I think that is a very important point and I am delighted that my good friend, the gentleman from Ohio [Mr. Ayres], brought it up.

Mr. PEPPER. Mr. Speaker, will the gentleman yield?

Mr. ROOSEVELT. I am happy to yield to my friend, the gentleman from Florida [Mr. Pepper].

Mr. PEPPER. I want to express my gratitude to the distinguished gentleman, from California for having been able to hear his able report and to express the hope that this House will give the most serious consideration to the thoughtful recommendations which he has made.

Mr. ROOSEVELT. I thank the gentleman very much.

Mr. MATSUNAGA. Mr. Speaker, will the gentleman yield?

Mr. ROOSEVELT. I am happy to yield to the gentleman from Hawaii.

Mr. MATSUNAGA. I wish to join others here in congratulating the gentleman from California and in commending him for a comprehensive report, as well as for the recommendations that the gentleman has made to the Congress.

Mr. ROOSEVELT. I am very grateful to my friend.

Mr. Speaker, I yield back the balance of my time.

HOW WELL CAN WE TRUST MARSHAL TITO?

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Texas [Mr. Thompson] is recognized for 30 minutes.

Mr. THOMPSON of Texas. Mr. Speaker, one of the most perplexing problems to confront me, in my efforts to cope with the worldwide Communist threat, is the proper evaluation of the so-called independent Communist nations.

Yugoslavia is one of these; and I have often wondered just what makes its dictator, President Tito, tick.

I have just read an enlightening article by an old friend of mine, Robert Sherrod. I knew him first during World War II when he was a combat correspondent attached to the Marine Corps. He published the results of a most enlightening talk with President Tito in the Saturday Evening Post of June 22, 1963.

However you and I may feel toward Yugoslavia in general and President Tito in particular, I suggest that you read this article and file the results away in your mind for reference whenever the Congress is called upon to consider legislation bearing on the complexities of the worldwide Communist movement:

How Well Can We Trust Marshal Tito?

(By Robert Sherrod)

(Yugoslavia's independent-minded Communist chief has a rare talk with the Post editor at large to explain his country's unique role.)

Irritation flashed across the rugged face of President Tito. I had just suggested that he might simplify some of his problems with the United States if he changed the name of his party to something besides "Communist." For a moment I think he regretted ever agreeing to this interview—only the second by an American journalist in 5 years—but he replied calmly, "I do not see why it should be necessary to change the name which does not please the West. No question of form is here, but a question of substance."

Just what is the substance of Tito's communism? To the Young Americans for Freedom in Fort Wayne, Ind., who recently built a bonfire of 200 Yugoslav-made wicker baskets, the answer appears simple: Tito is a dedicated Communist and he ought to be forbidden contact with the free world. Among others who have arrived at a similar conclusion are the local officials of Mobile, Ala., Greenville, S.C., and Columbus, Ga., who have slapped $1,000 license fees on any merchant who sells goods made in Yugoslavia or any other Communist country. The U.S. Congress, led by the potent Representative Wilbur Mills, of Arkansas, joined the to-hell-with-Tito movement last year when it voted to withdraw equal-treatment trade benefits from any country dominated or controlled by communism.

President Kennedy has not yet applied the economic sanctions to Yugoslavia (which would also affect Poland to a lesser extent), and he has asked Congress to reverse itself. Congress will take a lot of persuading, since any Member who complies with the President's request may very well get himself accused of being pro-Communist in the next campaign.

As Tito indicated to me, Yugoslavia is certainly Communist controlled, and he intends to keep it that way for the foreseeable future. But in this Wyoming-sized Balkan country I found the winds of freedom blowing stronger than anywhere else in the Communist world—no gale, certainly, but a gentle breeze that proved refreshing in several unexpected ways.

Upon arriving at Belgrade's new Metropol Hotel, for example, I found that I could buy the New York and London newspapers, whereas in other Communist countries (Poland excepted) the products of the free world's presses are as welcome as a water moccasin in the bathtub. (Moscow's only imported English-language newspaper is the London Daily Worker.) Yugoslavs may listen to the Voice of America, unjammed, and a million of them avail themselves of the opportunity. Tito's government permits the U.S. Information Service to have libraries in Belgrade, Zagreb, and Sarajevo, and they are thronged with Yugoslavs eagerly immersed in uncensored books and magazines from the outside. I have visited many Yugoslavs in their homes and heard some of them speak vehemently against communism, apparently without fear of a 3 a.m. visit from the secret police.

Wherever I went I found other indications that Yugoslavia is a Communist country with a difference. Last month Pan American began stopping at Belgrade's flashy airport twice a week, the first time an American airline had penetrated what used to be called the Iron Curtain. A British-American movie named "The Long Ships" is being filmed on the Dalmation coast, Yugoslavia's Rivieria, which drew most of the 45,000 American tourists who visited this country last year.

During my month in Yugoslavia I saw Tito three times, once at a joint session of parliament, where he showed up for 10 minutes to give the new Constitution his blessing; again at the May Day parade, where he viewed 40,000 marchers chanting "Hero Tito! Hero Tito!" and "We are Tito's; Tito Is Ours," a sort of e pluribus unum in this country. The third time was during my interview.

An interview with Tito is as formal as a performance of a Japanese no play. Mine took place at 9 o'clock on a recent morning at his two-story brown stucco villa in the Belgrade suburb of Dedinje, one of the most modest of the 17 houses and castles at the president's disposal in Yugoslavia. Outside, in the flower-laden garden, one could hear the cooing of doves and the occasional screech of a peacock.

After I had waited a few minutes in the heavily carpeted reception room President Tito entered, a short, stocky man with intense blue-gray eyes and light-brown hair which showed a touch of gray at the forelock. It was the imperturbable face of a man who has seen much and lived with danger as few other mortals have. He might have been 55 instead of 71. He wore a slate-gray suit and a figured green tie clasped to his white shirt by a pin containing two diamonds. On the small finger of his left hand I noted his famous diamond ring, which he bought in 1937 with rubles the Russians paid him for translating "The History of the Communist Party" into Serbo-Croat.

Tito shook hands firmly and motioned me to the large conference room next door, which had twin chandeliers and a long, oaken conference table. At one end of the room Tito had his desk, at the other a glass-topped table surrounded by overstuffed furniture covered in brown velvet. It was here that we settled by a microphone which led to a tape recorder.

Professor Petlishka, the white-haired interpreter from the Foreign Office, stationed himself across the table from the president. "He speaks English English, not American English," Tito said with a chuckle, taking a pony of slivovitsa from a tray passed by a servant. The professor didn't translate my questions because Tito understands English, but Tito preferred to answer in Serbo-Croat, which the professor rendered into English. By prior agreement Tito would have a chance to edit the transcript before I received it 3 days later. (He had second thoughts about some of the questions and answers, and cut them out; others he reshaped.) I agreed to publish the complete answer to any question without trimming it.

The question of particular interest to Americans was this: What had happened to Tito's relations with the United States? Congress' withdrawing most-favored-nation treatment meant that duty would be quadrupled on Yugoslav furniture exported to the United States; the duty on lead would be doubled and on tobacco tripled. How did Tito account for these worsening relations?

"When speaking about relations between Yugoslavia and the United States, I believe that, as far as we are concerned, good mutual relations and our cooperation with the United States have never been questioned," he replied. "What is involved here, in my opinion, is a good deal of distrust on the part of some circles in the United States as regards every action of the Yugoslav Government and every activity undertaken by Yugoslavia. We regret this. I think, however, that time will show that such views were incorrect.

The Yugoslav Government wishes to maintain good relations with the United States. This has been repeatedly emphasized by us and directly communicated to the representatives of the United States. For instance, when the decision to abolish the most-favored-nation clause in trade in regard to Yugoslavia was taken, we did not dramatize the matter, as we considered that—in view of the situation prevailing there and the constellation of the American State—even the U.S. Government could not be held responsible for everything. After that, things have quieted down and we are gratified that the President of the United States of America, Mr. John F. Kennedy, expressed his personal opinion on this matter, requesting that the decision on the abolition of the above-mentioned clause be altered. In my view such an attitude of the U.S. Government contributes to the creation of mutual confidence and further promotion of good relations.

More important were his attitudes toward the Soviet Union, attitudes which had been half a century in the making. The better to understand these, I had already tried to learn what I could about Tito's origins.

I flew from Belgrade to Zagreb, the second-largest city in the country and the capital of Croatia. There I hired a Yugoslav-made Fiat and drove northeast along the new highway, past neat farms that climbed the hillsides on the left and on the right. After an hour we reached Kumrovec, with a population of 400. Here Josip, seventh of Franjo Broz's 15 children, was born in that dim past when Croatia was part of the Hapsburgs Austro-Hungarian Empire. (Josip Broz was over 40 before he adopted Tito as the last of his many names in the Communist underground.)

The Broz home remains unchanged since Josip's peasant birth in 1892, a small, whitewashed, tile-roofed cottage with a loft where the excess children could sleep. In front of the house stands a chestnut tree, flanked by forsythia bushes and pansy beds. On one side the famous Yugoslav sculptor, Antun Augustincic, who did the "Peace" statute outside the U.N. Building in New York, has created a heroic bronze of Tito as leader of the World War II partisans.

The cottage has two front rooms. The one on the right contains a spinning wheel, a bed, a table and little Josip's hand-hewn cradle. The visitor is surprised to note in the museum of an atheist the glass case on one wall. It contains a wax model of the Holy Family, labeled "Jesus," "Maria," "Josef." Mrs. Broz was a strict Catholic, our guard says, and her son Josip served as an acolyte until one day in his 12th year, when the priest slapped him and cursed him.

A RETURN TO THE CHURCH?

Josip Broz never went to Mass again unless his mother made him go (some predict Tito will return to the church before he dies). Another crisis occurred when Papa Broz, a farmer and horse trader, failed to turn up the money to send Josip to America, as he had always said he would.

The other front room of the Broz cottage contains souvenirs of Yugoslavia's hero: photographs of him as a boy, as a Communist who was jailed by King Alexander's police (1928–34), as the commander of the indomitable partisans (1941–45). Mounted on a wall is part of a cast-iron gate made by Broz when he was a young metalworker. A glass case displays Tito's binoculars and his wartime khakis. Another holds his homemade field marshal's baton, and a poster offering a Nazi reward of 100,000 Reichsmarks for his person, dead or alive.

During World War II Tito and his guerrilla bands fought not only Germans and Italians, but also Mihajlovic's Chetniks and various Axis-supported Yugoslav groups. A German of evil memory, Heinrich Himmler, commander of Hitler's S.S. forces, delivered the ultimate tribute in 1944: "I wish we had a dozen Titos in Germany. The man had nothing, nothing at all. He was always encircled, and he always found a way out. He has never capitulated. Divisions and corps are knocked to pieces by us, and the man forms them up again every time. Be sure he only succeeded in doing that because he is an uncompromising and steadfast commander."

Altogether 1.6 million Yugoslavs were killed in World War II, half of them by other Yugoslavs. Thus perished 10 percent of the population. Imagine, if you can, 15 million Americans losing their lives instead of 300,000. The number of wounded was smaller because both sides slaughtered them. The Germans perpetrated such deeds as rounding up 7,000 schoolchildren in the town of Kragujevac and machinegunning them.

Repeatedly Tito appealed to Mother Russia for aid. During the 1920's, after serving as a sergeant major in the Austro-Hungarian Army, wounded and captured by the czar's soldiers, he had spent 5 years in Russia. There he found his first wife, and became converted to communism. Between the two World Wars he served Moscow's cause throughout Europe, using a score of names on forged passports, speaking half a dozen languages, while he posed as an impeccably dressed businessman or engineer. Moscow all but ignored his pleas during World War II. Tito had to fight mostly with captured weapons, then toward the end with a trickle of British and American supplies. When the Russians did arrive, in time to help take Belgrade from the Germans, they committed, by Yugoslav count, 1,219 rapes, 329 attempted rapes, 111 rapes with murder, 248 attempted rapes with murder and 1,204 robberies with violence. In a Belgrade nightclub a drunken Russian officer shot and wounded Tito's son, Zarko, who had lost an arm fighting for his native Russia.

In spite of Stalin's wartime snubs and his soldiers' atrocious behavior, Tito got on well with the Russians for a while. Tito did everything to irritate the West: He threatened to shoot his way into Trieste if the British and Americans didn't give it to him instead of Italy; he sent Archbishop Stepinac to the same prison in which he himself had served his sentence; his air force shot down two American planes which carelessly flew over Yugoslav territory; he supplied the Greek Communists who were battling the British forces supporting King Paul. When Stalin established the satellites' association called the Cominform, he picked Belgrade as its headquarters. In his excellent biography of Tito, "The Heretic," Sir Fitzroy Maclean says that in the fall of 1947 "Jugoslavia's position as the leading Soviet satellite seemed to the world at large to be more firmly established than ever. In reality, however, things were not quite as they seemed."

It is beyond the power of the West to understand the jungle of the Communist mind. No other thunderclap in communism's history so far has equaled Tito's break with Stalin in 1948. The inconceivable had happened. Tito and his lieutenants, accustomed to thinking independently in their craggy bivouac during World War II, wanted to industrialize Yugoslavia in their own way, not according to Russia's scheme. "I will shake my finger and there will be no more Tito," Stalin declared. But Stalin dawdled while he threatened.

Tito turned to the West, which was delighted to embarrass Stalin. The Americans sent Tito military equipment until it reached a total of $700 million worth by the time the program ended in 1958 (even today, most of Tito's tanks are American M–47's and his air force consists of 400 F–84's and F–86's). Economic aid flowed in as well, about $1.5 billion worth from America alone.

After such generosity from the West Tito loosened his people's shackles in a way that no other Communist leader dared. Nearly 90 percent of the Yugoslav land is owned by the peasants who till it. Tailors, watch repairmen and other "artisans" can run their own small businesses, provided they have no more than five employees. Under a new law even a foreigner can buy a house in Yugoslavia, and the Dalmatian coast is alive with prospects. In his independence Tito has consistently refused to join the satellites' military alliance called the Warsaw Pact or their economic group, Comecon.

Ideologically, however, Tito has felt himself isolated, and he leans toward Russia from time to time. He gave the new Soviet leader, Nikita Khrushchev, a chilly reception when he first arrived in Belgrade in 1955 to atone for Stalin's sins. Tito made it clear that Yugoslavia, though Communist, intended to pursue "its own road to socialism." The next year, upon returning Khrushchev's call, Tito thawed enough to observe that the Soviets and Yugoslavs could "march shoulder to shoulder" even though each pursued "freedom of action." But later in 1956, following the Hungarian rebellion, Tito turned ferociously against the Russians because they coaxed Hungarian Premier Imre Nagy from his asylum in Budapest's Yugoslav embassy and executed him. The Russians and, especially, the Chinese retorted—with considerable justification—that there wouldn't have been any Hungarian uprising if Tito hadn't planted the seeds of rebellion throughout the satellite countries.

On balance, Tito has come out loser in his dealings with the Russians. Stalin once promised him $135 million in heavy industrial equipment, but never delivered more than 1 percent of the total before the 1948 break. Khrushchev offered to lend him $130 million in 1957 if Tito would recognize East Germany, but he reneged at the request of the Chinese, who were already mumbling about Russia's "deviation" from true communism. Recognizing East Germany cost Tito much needed trade with prosperous West Germany. "Politically, it seemed the thing to do," a high-ranking Yugoslav told me and, considering that Tito follows Khrushchev's line on German policy, perhaps he was right. But the right political thing was expensive.

Tito's on-again, off-again romance with Russia adds up to one of the most tempestuous affairs of the 20th century. For 2 years now, ever since he approved Khrushchev's resumption of nuclear testing at the Belgrade conference of the world's neutrals, Tito has appeared to become more friendly with Khrushchev.

When I asked him about reports that he was drawing away from the West in favor of the U.S.S.R., Tito replied: "There was much speculation about this in the Western press. However, nothing has happened that would mean a change in the Yugoslav policy of cooperation with all countries regardless of internal social systems. What has happened is that in personal contacts, in the course of talks, we realized that there is no sense in having tense relations when there exists nothing that justified this. It is true that we have often underlined, even before my visit to the Soviet Union, the fact that we have similar or identical views on the most important international issues, such as disarmament, war and peace, and others. We had the opportunity of convincing ourselves of this during my stay in the Soviet Union also. The Western press sensationalized even the very fact of my departure for the Soviet Union and, on this basis, made different calculations. And, as you see, nothing of the kind has occurred."

Tito paused a moment, laughed and continued, "For instance, President Kennedy has a direct telephone line with Premier Khrushchev, while I don't have it." This struck him as exceedingly funny.

When I asked Tito what he thought of reports that Khrushchev's power is declining, he said: "I do not think that one should indulge in such speculations, because all the heads of state and responsible statesmen encounter certain difficulties. President Kennedy has his difficulties, I have mine, and Premier Khrushchev probably has his." When I pursued the subject a little further, he added: "I feel that there are no great difficulties at present and that Premier Khrushchev holds strong positions."

One evening I dined with a couple of well-placed Communists, one of whom said, "Khrushchev is the hope of Yugoslavia—and the world. I shudder to think what may happen when he is done." Yet even these leaders weren't sure that Khrushchev might not sacrifice Yugoslavia in the name of Russian-Chinese ties.

Like so many other Yugoslav leaders, these party officials look to Paris or London or New York rather than Moscow. The top commanders of Yugoslavia's excellent 300,000-man army and its American-equipped air force, many of them trained in the United States, harbor a deep mistrust of the Russians. Yugoslavia's top politicians, such as Tito's twin vice presidents, Aleksandar Ranković and Edvard Kardelj, are all dedicated Communists and partisan veterans, but Tito worries about the younger generation. "Devote yourselves a little more to Marxist education," he pleaded before a youth congress last January. "Ideological armament is very useful."

Tito has never wavered in his own devotion to Leninist principles; he claims that it is the other Communists, the Stalinists and now the Chinese, who make the state omnipotent while Yugoslavia progresses toward pure socialism. I asked him whether his new constitution, which allots more power to parliament and less to the executive council, might be described as a step toward the "withering away" of the state. "Of course it can," he replied, "particularly if we bear in mind the fact that even broader competences, rights and obligations are being transferred to an ever-wider circle of people and organizations."

In that case, did Tito envision the eventual withering away of the Communist Party itself?

"It depends on the whole process," he said. "It is obvious that we are not, and have never been, in favor of an eternalization of the Communist Party. Society is evolving in a direction which will make the Communist Party, too, superfluous one day. This, of course, depends on the world situation and not only on internal development. In the light of the present international situation, it would be absurd even to imagine that the state could wither away in any single country."

DOWN WITH ABSTRACT

As the head of a totalitarian nation, Tito keeps a big brotherly eye open for the fall of every sparrow. To a Yugoslav press association meeting he said, "I am not only responsible for the industrialization and the agriculture but I am also responsible for culture itself because I am not only the President of the Republic but I am also secretary general of the League of Communists." Then he proceeded to attack abstract art, but somewhat less viciously than Khrushchev. Most of the prizes, Tito noted, had been awarded to abstract artists lately, and he didn't like it. "Let those individuals make what they like, but we are not going to spend any more public funds for such pictures. I am going to struggle against this with all my energy."

When I asked Tito for a further explanation, he replied: "In Yugoslavia the situation is different from the Soviet Union. In our country we had to warn certain artists that there cannot be only one trend in art and that one trend should not be favored at the expense of another one. The same goes for writers," he continued. "However, I have not raised my voice against the modern trend in general but only against those modern trends which are harmful to our correct social development and to our literature in general." Obviously Yugoslavia isn't about to have a free press as we understand the term. His brightest lieutenant of a decade ago, Milovan Djilas, who suddenly turned democratic and wrote anti-Communist books, still languishes in a jail outside Belgrade.

Tito's Yugoslavia presents an odd picture of black and white, stops and starts, freedom and restriction. Economists calculate the per capita income at $360 (the U.S. figure: $2,500), but in terms of purchasing power the figure seems optimistic. A pound of bread costs only 4 cents, thanks in large part to huge shipments of surplus American wheat, but a small portable typewriter costs the average Yugoslav 3 months' pay.

Under Yugoslavia's decentralization system, each factory is "owned" by its workers, who elect a council that is a sort of board of directors charged with running the factory and making a profit. But Tito has been forced to clamp down because the workers, who average a dollar a day, tend to vote themselves pay raises that price Yugoslavia's primitive industrial products out of the market. Between 1959 and 1961, for example, coal miners raised their wages one-third, although productivity increased only one-seventh.

Under the "private enterprise" system, hairdressers, carpenters, and tailors have become the richest people in the country, owners of houses and cars. This aroused jealousy, so local authorities began taxing the artisans out of existence. Tito stepped in. He noted that 13,671 of these artisans had gone out of business in 1962, and asked: "Why should not an artisan have a car? It might be a good thing in our country if more people could have a car. The artisans all need a car to do their work more easily and quickly."

Tito is a proud man, trying to get his country off the dole. With increased agricultural efficiency he believes that Yugoslavia will soon be able to feed itself and get along without any foreign aid. His prime need is foreign trade (he owes nearly a billion dollars abroad already), and the European Common Market threatens to choke off much of what he has. More than two-thirds of his trade is with the West, only about one-fifth with the Soviet bloc. The $50 million worth of Yugoslav goods that the United States buys each year is less than one-half of 1 percent of our total imports, but it is 7 percent of Yugoslavia's total exports.

If Congress insists on canceling Tito's most-favored-nation treatment (thus abrogating a treaty signed in 1881 with the old Kingdom of Serbia), he can kiss the United States market good-bye.

At times Tito can be one of the most irritating men in a world of obstreperous politicians. Some of his acts, such as his siding with the Russians on nuclear testing at the Belgrade conference in 1961, make him appear to be a sort of Balkan De Gaulle.

But on balance he has been a great force for European stability. As U.S. Ambassador George Kennan says, this incredibly brave man who showed that the Communist monolith could be cracked "has created a unique situation in this part of the world." The winds of freedom that Tito first allowed to blow show signs of spreading beyond Yugoslavia. Last spring Romania—a twin neighbor of Yugoslavia, also 19 million population, also slightly under 100,000 square miles—refused to knuckle under to Russia on Comecon matters. Hungary is beginning to emerge from her long night following the 1956 blood bath. A U.S. denial of Yugoslavia now would confirm what anti-Western politicians throughout the Balkans have been saying—"See, you can't trust anybody but Communists."

I like the Yugoslavs. Very few of them are profound, but in the aggregate they are good, earthy peasants with a strong yearning for independence. They already have far more of it than their neighbors. And if Congress allows them an equal opportunity to trade with our side, their chances of acquiring still more independence appear good.

TITO SEES CLOSER TIES WITH THE VATICAN

(By Robert Sherrod)

(Despite the jailing of Archbishop Stepinac, Tito maintained diplomatic relations with the Vatican until 1952. Yugoslavia's Catholic population is 36 percent of its total, as against 48 percent Orthodox and 14 percent Moslem. What are the prospects of Yugoslavia's improving its relations with the Vatican?)

Tito: "We wish to have good relations with the Vatican. I believe that we are now on the way to improve our relations with the Vatican, since the relations between the Catholic church and our state have also improved. All the more so, as our church dignitaries who went to the Vatican gave positive statements there. We have nothing against such statements and attitudes and, for our part also, we wish to have these relations improved."

(I had heard that Yugoslavia allows complete freedom of religion and the state helps educate priests (in fact, one American is attending the state-supported Serbian Orthodox Seminary). I asked whether government support applied to all religions.)

Tito: "We have good relations with all churches, with all religions. True, with some of them these relations are better and with others less good. For example, with the

Orthodox church we have good relations. With the Moslems also. Relations with the Catholic church have also greatly improved, especially with the majority of priests. On the whole, I can say that we no longer have any difficulties with these relations. The state helps the priests and gives them pensions, so that this measure of the state has also greatly influenced the church to improve its attitude toward the state."

REPORT FROM DEPARTMENT OF AGRICULTURE ON "EXCESSIVE SPECULATION" IN SUGAR FUTURES AS FACTOR IN PRICE SPIRAL

The **SPEAKER** pro tempore. Under previous order of the House, the gentlewoman from Missouri [Mrs. SULLIVAN] is recognized for 30 minutes.

Mrs. **SULLIVAN**. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentlewoman from Missouri?

There was no objection.

Mrs. **SULLIVAN**. Mr. Speaker, earlier today, I briefly called to the attention of the House the receipt by me, as chairman of the Subcommittee on Consumer Affairs of the House Committee on Banking and Currency, of a report from the Department of Agriculture showing that excessive speculation in futures contributed materially to the spiral which occurred in sugar prices during April and May of this year.

The report was based on a survey of all positions held in the New York Coffee and Sugar Exchange futures market as of May 23, 1963, the day of peak activity in sugar prices and in futures. That happened, also, to be the day on which Chairman WRIGHT PATMAN, of the Committee on Banking and Currency, assigned my subcommittee to inquire into the supply and price situation in sugar. I believe it is hardly coincidence that the futures market, which had been soaring the maximum of 50 points a day prior to May 23, suddenly turned around and shot downward at the same pace when Congress decided to look into the price of sugar.

BASED ON QUESTIONS AT JUNE 5 HEARING

Mr. Speaker, it appears that all kinds of people were investing, and some of them very heavily, in sugar futures—presumably under the conviction that the runaway spiral would never end. But their losses—if caught on May 23 with newly purchased "long" futures contracts which they could not immediately dispose of when the market fell—are as nothing compared to the costs to the American consumer of the sugar price spiral to which this speculation contributed so materially.

The report from the Department was prepared following our questioning of Under Secretary of Agriculture Charles E. Murphy, by me and other members of the Subcommittee on Consumer Affairs, on June 5. We were interested in knowing what kind of investors were in the sugar futures market—whether they were hedgers with a trade, or industry, interest in the sugar market, or speculators suddenly attracted from other investments into sugar futures. We were particularly concerned because the New York Coffee and Sugar Exchange is not subject to Federal regulation under the Commodity Exchange Act, but is self-regulated. It was in this same exchange in which we had the runaway coffee futures trading in 1954, resulting in increased costs to the American consumer of hundreds of millions of dollars.

Mr. Speaker, my purpose in obtaining this time this afternoon is to spread before the Congress the documentation on which the Agriculture Department report on sugar futures speculation is based. The study was made by officials of the Commodity Exchange Authority, and is entitled "Futures Trading in Sugar on the New York Coffee and Sugar Exchange."

LETTER OF TRANSMITTAL

In forwarding it to me, Under Secretary Murphy wrote as follows:

> DEPARTMENT OF AGRICULTURE,
> OFFICE OF THE UNDER SECRETARY,
> *Washington, D.C., August 5, 1963.*
>
> Hon. LEONOR K. SULLIVAN,
> *Chairman, Banking and Currency Committee,*
> *Consumer Affairs Subcommittee,*
> *House of Representatives.*
>
> DEAR MRS. SULLIVAN: Transmitted herewith is a report prepared by the Commodity Exchange Authority on the activities of the sugar futures market during the period of the extraordinary rise in the price of sugar in April and May 1963.
>
> I hope that report, which was prepared at my request, will answer questions raised at your June 5 hearings regarding the part played by speculation in the price increase.
>
> Sincerely yours,
> CHARLES S. MURPHY,
> *Acting Secretary.*

DIFFERENCES IN TYPES OF INVESTORS

The CEA study, Mr. Speaker, shows that most of the activity in the No. 7, or domestic, contract in the futures market, which relates to quota sugar intended for U.S. use, was a reflection of hedging operations by refiners, sugar producers, brokers, bakers, bottlers of carbonated beverages, candy manufacturers, ice cream manufacturers, canners, food and chain store organizations, and so forth, and that much, but by no means all, of the speculation in this same futures contract—and speculation is essential for the operation of any commodity exchange—was by professionals, and by brokerage houses, and so on. These are the people you would normally expect to find in the sugar futures market.

On the other hand, while there was also a great deal of activity on the part of sugar industry people in the No. 8, or world, contract, most of the activity in that contract was speculative, and attracted hundreds of persons with not even a remote connection with the sugar trade, other than, perhaps, to use sugar in their coffee or purchase 5 pounds of it periodically in the same way most of us do.

Architects, contractors, teachers, dentists, unskilled workers and laborers, retired persons, craftsmen, foremen, electricians, machinists, apparel and furniture and automobile dealers, accountants, doctors, pharmacists, lawyers, and so on and so on, were deeply involved in futures trading on the No. 8 contract.

This No. 8 contract relates to sugar on the world market—sugar which does not come to the United States. So it was purely a speculation on what would happen to sugar prices in South Africa or London or the Fiji Islands or anywhere in the world where sugar is exported, or traded.

DID THIS EXCESSIVE SPECULATION AFFECT CONSUMERS?

This is not meant as criticism of the investors. They have a perfect right to invest in sugar or in any other legitimate public or private investment. What we must determine, however, is whether the speculation which occurred in this highly volatile sugar futures contract was properly supervised to prevent excesses and abuses which could have repercussions throughout our economy.

The Department of Agriculture says that this speculative activity in the No. 8 contract was excessive and had a strong influence on the No. 7 contract, and therefore on the prices the refiners have had to pay for sugar, and thus on the prices the wholesalers and retailers have charged, with the consumer picking up the bill at the end of the chain.

Instead of 53 cents for 5 pounds of sugar, the consumer had to pay as much as 89 cents, after raw sugar prices soared from 6.6 cents to 13.2 cents a pound during the April-May spiral.

The Consumer Price Index rose four-tenths of a percent in June, largely because of higher retail prices for sugar.

Raw sugar prices are now back to a normal range, or about 6.85 cents. But it will be months, I am sure, before the refiners are no longer receiving much higher priced sugar they contracted for when the raw sugar price was soaring, in conjunction with the skyrocketing futures quotations.

CONCLUSIONS OF DEPARTMENT OF AGRICULTURE REPORT

Mr. Speaker, following are the conclusions of the Department of Agriculture report sent to me by Under Secretary Murphy:

CONCLUSIONS

Speculation in sugar futures on the New York Coffee and Sugar Exchange contributed materially to the sharp rise in sugar prices in the spring of 1963. Heaviest speculative trading and public participation was in the No. 8 (world) futures contract which led to the price advance and accelerated rising prices also in the No. 7 (domestic) futures contract.

The price of the world contract advanced from 2.74 cents a pound at the beginning of July 1962 to a peak of 12.95 cents in the record-size market of May 23, 1963, followed by the domestic contract which increased from about 6 cents a pound to 13.46 cents in the same period

The investigation by the Department showed that it was excessive speculation in futures rather than manipulation that stimulated the price advance and the subsequent price break. The investigation did not show indications of price manipulation on the part of any individual or group of traders, nor did the pattern of prices among the various futures months indicate that prices were manipulated

The investigation showed there was extensive public participation in the world contract. Of 1,517 traders in this contract—compared with 451 in the domestic contract—more than 90 percent were speculators, and nearly half were small speculators holding only one contract. These traders were widely dispersed, with the world contract having traders living in 42 States, the District of Columbia, Puerto Rico, the Panama Canal Zone, and 24 foreign countries.

Since most of the speculators were buyers, the effect of their activity contributed to the upward price acceleration in the world contract, and their later urgent attempts to liquidate contributed to the price break after May 23.

In contrast to the world contract which was used primarily as a vehicle for speculation, more than 80 percent of the amount of both the long and short positions in the domestic contract was reported as hedging, mainly by larger firms in the sugar industry. The largest utilization was by sugar refiners, with substantial hedging also by distributors, food and chain store organizations, and other industrial users.

In addition to the large amount of hedging on the short side of the market in the domestic contract designed to cover price risks on inventories, there was an almost equally large amount of hedging on the long side. This indicates that some sugar industry members were looking to the domestic contract to cover risks connected with acquiring supplies of the actual commodity.

IMMEDIATE RELEASE OF REPORT

Mr. Speaker, I did not see this report until 11:30 this morning, when it was delivered to my office. However, I recognized instantly that this document would be of vital interest not only to the sugar industry but to every American consumer.

I felt it was advisable to release it immediately, rather than have bits and pieces of it come out, perhaps in distorted or out-of-context form. Therefore, after announcing to the House at noon that I had received it, I obtained some additional copies and held an impromptu press conference accompanied by the ranking minority member of the subcommittee, the Honorable FLORENCE P. DWYER. We were later joined by Representative HANNA of California. Earlier, I had discussed it with Representative DEL CLAWSON, of California, the newest member of our subcommittee, who has already shown a great deal of interest in our work.

At the press conferece, I read off some handwritten comments which were included later in the following press release:

USDA REPORT TO CONSUMER SUBCOMMITTEE SAYS "EXCESSIVE SPECULATION" IN FUTURES CONTRIBUTED "MATERIALLY" TO PRICE SPIRAL IN SUGAR

Excessive speculation in the sugar futures market, particularly by persons not connected in any way with the sugar trade, "contributed materially" to the spiral in sugar prices earlier this year, according to a Department of Agriculture report made public today by Representative LEONOR K. SULLIVAN, Democrat of Missouri.

Mrs. SULLIVAN is chairman of the Subcommittee on Consumer Affairs of the House Committee on Banking and Currency, which began an inquiry into the sugar price situation on May 23, on assignment from Representative WRIGHT PATMAN, Democrat of Texas, chairman of the parent committee. May 23 was the day when prices of both futures and raw sugar "actuals" reached their highest levels in 43 years.

The report which Congresswoman SULLIVAN released was forwarded to the subcommittee by Under Secretary of Agriculture Charles E. Murphy in response to questions directed to him dealing with sugar futures speculation on the New York Coffee & Sugar Exchange, when he was a witness before the subcommittee on June 5.

The departmental study was made by officials in the Commodity Exchange Authority. It gives a tabulation of all contracts held by investors in sugar futures as of one day only—May 23. (A futures contract in sugar is for 50 long tons, or 112,000 pounds.)

In releasing the report, Mrs. SULLIVAN said:

"By May 23, raw sugar had risen from a normal price of about 6.6 cents a pound delivered at New York, to 13.2 cents, or exactly double. Most of that increase occurred in late April and May. We are still feeling the results of that advance all through the economy, even though raw sugar prices have now dropped back to less than 7 cents. The consumer, at retail, has had a substantial increase in the cost of living because of sugar—not only the sugar she buys, but all of the products she uses which contain sugar.

"The report from the Department, which was made as a result of our questioning last June, tells us the makeup of the market as of the day of peak prices. It shows that in the No. 7 contract, the domestic contract, which involves sale and delivery of quota sugar to the United States, most of the trading was done by industry people, hedging against changes in price or supply of sugar.

"On the No. 8 contract, or world contract, which involves sugar which is sold on the world market and not in the United States, the trading was largely speculative, and involved a great many people not in the sugar trade—doctors, lawyers, teachers, housewives, merchants, retired people, and so on. The Department says this speculative trading in the No. 8 contract 'led the price advance and accelerated rising prices also in the No. 7 contract.'

"Our subcommittee has been making a detailed study of the New York Coffee and Sugar Exchange where this speculative activity occurred. We are looking into all aspects of the exchange's operations. My own personal feeling is that this exchange is going to have to come under Government supervision. I am not at all convinced that the self-regulation there is effective or adequate in a period of market disorder and abnormal pressures, such as occurred in sugar this year and in coffee in 1954.

"We will follow up this report today with hearings with the people who made this study, and also with the exchange officials and others.

"This is a very useful document in telling us what happened in the sugar futures market as the spiral reached its topmost point. Our job is to find out why it was happening, and we are working on that very diligently.

"This is a nonpartisan effort, and I must say I have had the active assistance of the entire subcommittee in developing the story of what happened to sugar prices earlier this year which will cost consumers many millions of dollars and which has dislocated many of our businesses and industries."

Representative FLORENCE P. DWYER, Republican, of New Jersey, ranking minority member of the subcommittee, joined the subcommittee chairman at a press conference at which the Department report was made public.

TEXT OF REPORT FROM DEPARTMENT OF AGRICULCULTURE TO SUBCOMMITTEE ON CONSUMER AFFAIRS ON SPECULATION IN SUGAR FUTURES

Mr. Speaker, I now submit as part of my remarks, the full text of the report which I received today from the Department of Agriculture, as follows:

FUTURES TRADING IN SUGAR ON THE NEW YORK COFFEE AND SUGAR EXCHANGE

(U.S. Department of Agriculture, Washington, D.C.)

Futures markets traditionally attract speculation. Whenever economic conditions combine with unusual world events, these facts are focused in futures prices and trading, and futures trading under these conditions generally produces gyrations in prices. Speculative excesses are common in such markets. The sugar futures market in the first 6 months of 1963 was an example of this pattern.

The tremendous trading volume and the rapid rise in the level of open contracts in the New York sugar futures market during the first half of 1963, combined with extreme price movements, are symptomatic of the broad public participation in the market.

Curtailed world sugar supply conditions in late 1962 and early 1963 triggered the rise in world sugar prices. This continuous price advance ultimately affected domestic sugar which had had fairly stable prices until early in 1963. The extreme pressure of the rise in world raw sugar prices as reflected in the world futures contract at New York caused domestic futures prices to rise in the late spring of 1963 as the speculative fever increased in both the world and the domestic futures contracts.

In view of the sharp price rise and the broad activity in sugar futures, the U.S. Department of Agriculture made an investigation of open futures contracts, pinpointing the holdings in the market at the peak of the price movement on May 23, 1963. The results of the investigation, which was made by the Commodity Exchange Authority of the Department, are submitted in this report.

FUTURES CONTRACTS IN SUGAR

There were two distinct futures contracts in sugar on the New York Coffee & Sugar Exchange which were actively traded in at the time of the investigation. Both contracts specify raw sugar. The first is contract No. 7, known as the domestic contract, so described because delivery is at New York or Philadelphia, duty paid or duty free, representing quota raw sugar for U.S. consumption. The second is contract No. 8, termed the world contract, because delivery is made at designated ports in specified countries outside the United States, representing raw sugar for other than U.S. consumption.

There are many similarities in contract terms applicable to both contracts, and the following description applies to both, unless separately specified:

Trading unit: A futures contract in sugar is 50 long tons, or 112,000 pounds.

Price multiples: Quotations are in multiples of one one-hundredth of 1 cent a pound of sugar, equivalent to $11.20 per contract. Thus, if prices rise half a cent a pound, or 50 points, this increase is equivalent to $560 per contract.

Price fluctuation limit: This is the maximum amount of price change permitted by the exchange during 1 day's trading. Prior to June 24, 1963, the maximum fluctuation permitted in 1 day was one-half cent per pound.

Delivery month: This term indicates the month in which a particular future matures. Trading in sugar may be conducted in contracts for delivery during 18 months, including the current month.

Delivery points: In the No. 7 (domestic) contract, the delivery point is New York or Philadelphia. In the No. 8 (world) contract, the delivery point is a designated port capable of loading sugar in Australia, Barbados, Brazil, Colombia, Dominican Republic, Ecuador, French Antilles, Haiti, India, Jamaica, Mauritius, Mexico, Peru, the Republic of the Philippines, Reunion, South Africa, St. Kitts, Taiwan (Formosa) and Trinidad.

A long: A buyer of a futures contract. One who has bought is said to hold a long position. Any price rise results in a gain; any decline results in a loss. Such a long position remains open in a future until it is sold out or delivery of actual sugar is received.

A short: A seller of a futures contract. One who has sold is said to have a short position. Any price decline results in a gain; any price rise results in a loss. Such a short position remains open in a future until bought in or delivery of actual sugar is made.

Exchange clearing member: A member of the exchange who is also a member of the clearing association or clearinghouse. All trades made on the exchange must be cleared through a clearing member.

SUGAR PRICES

The country's attention was centered on the spectacular rise in sugar prices during the first 5 months of 1963, and the equally spectacular drop in prices in late May and during June. The price movements for the No. 7 (domestic) contract and for the No. 8 (world) contract are shown in the accompanying chart giving not only the daily futures prices for the April–June 1963 period, but also background prices on a monthly and weekly basis beginning with July 1961.

As may be seen from the chart, the stage was set for the wide price gyrations that occurred in the April–June 1963 period some months before the culmination of the price rise on May 23 and the ensuing decline. The price of the No. 8 (world) contract for sugar began to advance in July 1962, while the price of the No. 7 (domestic) contract remained relatively stable. This is shown in the following price comparisons between July 6 and December 28, 1962:

	No. 7 contract		No. 8 contract	
	Futures[1]	Spot	Futures[1]	Spot
July 6, 1962	6.40	6.37	2.81	2.85
Dec. 28, 1962	6.58	6.60	4.81	4.75
Price advance	+.18	+.23	+2.00	+1.90

[1] Closing price of the near future.

These comparisons show that the No. 8 (world) contract approximately doubled between July 6 and December 28, whereas the prices of the No. 7 (domestic) contract changed very little.

Sugar prices in the world contract continued to advance after the beginning of 1963, and for the first time prices of the domestic contract showed some strength, undoubtedly influenced by the rapid rise in world sugar prices. Thus, between December 28, 1962, and March 29, 1963, the price advances of the No. 7 (domestic) and No. 8 (world) contracts were:

	No. 7 contract		No. 8 contract	
	Futures[1]	Spot	Futures[1]	Spot
Dec. 28, 1962	6.58	6.60	4.81	4.75
Mar. 29, 1963	7.25	7.25	6.42	6.90
Price advance	+.67	+.65	+1.61	+2.15

[1] Closing price of the near future.

These comparisons show the No. 8 (world) contract continuing to lead the No. 7 (domestic) price.

The spectacular rise in sugar prices began late in March 1963 and reached its peak on May 23, 1963, both in the domestic and world contracts. This movement is shown in the comparison of sugar prices between March 29 and May 23:

	No. 7 contract		No. 8 contract	
	Futures[1]	Spot	Futures[1]	Spot
Mar. 29, 1963	7.25	7.25	6.42	6.90
May 23, 1963	13.46	13.20	12.95	12.60
Price advance	+6.21	+5.95	+6.53	+5.70

[1] Closing price of the near future.

In this period of sharpest price advances, the No. 8 (world) contract continued to lead the futures price rise.

After May 23, 1963, sugar futures prices reacted sharply—typical of futures markets after a spectacular price advance. The sugar market after May 23 was characterized by a precipitous price decline in both the domestic and world contracts. For 9 consecutive days beginning on May 24, the domestic contract (July future) dropped the maximum price limit of one-half cent per pound sometime in each trading session. From 13.46 cents per pound on May 23, the market fell to 9.10 cents on June 6, a net decline of 4.36 cents. The world contract (July future) dropped the maximum price limit sometime in the trading session on 8 consecutive days, falling from 12.95 cents on May 23 to 9.45 cents on June 5, a net decline of 3.50 cents.

Thereafter, futures prices in both contracts moved erratically, with price limits, up and down, reached on numerous days for the balance of June. At the end of June, the price of the domestic contract (September future) closed at 8.62 cents and the world contract (September future) closed at 8.35 cents per pound. At the same time spot prices of sugar, domestic No. 7, were quoted at 8.50 cents and for sugar contract No. 8 at 9.55 cents, approximately the level of prices before the spectacular rise in April and May.

This sudden bulge in prices during April and May, with the concurrent rise in open contracts, and the ensuing precipitous price decline, is characteristic of a highly speculative futures market. This speculative nature of the market was confirmed by the results of the survey on May 23 showing the composition of the futures market, and by the decline in the level of open contracts after the peak of May 23. In view of the market events recited, the price action in both futures and spot markets for sugar indicates that excessive speculation was a contributing factor in the erratic futures market in the first half of 1963.

VOLUME OF TRADING

The extraordinary activity in the sugar futures market, both in the No. 7 (domestic) and the No. 8 (world) contracts, is reflected in the following tabulation of the monthly trading volume during the 2½ years, January 1961 through June 1963.

Sugar futures: Monthly volume of trading in contracts Nos. 7 and 8, New York Coffee & Sugar Exchange, January 1961–June 1963

[Contracts of 112,000 pounds each]

Month	1961		1962		1963	
	No. 7	No. 8	No. 7	No. 8	No. 7	No. 8
January	2,747	1,874	3,545	979	4,877	29,037
February	1,376	523	2,254	1,005	9,590	21,020
March	2,003	676	3,168	3,392	9,058	36,103
April	4,524	1,653	3,875	3,954	16,758	34,155
May	5,305	1,437	2,920	4,982	16,156	32,977
June	3,854	1,335	1,581	3,363	11,770	21,455
July	3,241	755	2,740	4,349	----------	----------
August	5,432	1,225	3,380	7,981	----------	----------
September	1,730	677	2,147	4,495	----------	----------
October	2,553	1,045	3,554	7,546	----------	----------
November	765	616	1,382	8,094	----------	----------
December	1,405	350	2,030	12,032	----------	----------
Total	34,935	12,166	32,576	63,172	[1] 68,209	[1] 174,747

[1] 6-month total.

Source: New York Coffee & Sugar Exchange, Daily Market Report.

The heavy trading shown in the tabulation began in the world contract in December 1962, and spurted in January 1963. This large trading volume continued through June 1963. In contrast, trading in the domestic contract did not increase sharply until February 1963 and then almost doubled in April and May. The large trading in the domestic and world contracts in April and May coincided with the sharp rise in sugar futures prices through May 23.

OPEN CONTRACTS

Open contracts are long and short futures positions which have not been closed out by offsetting sales or purchases respectively, or fulfilled by delivery. Open contracts are thus the aggregate market positions of speculators who trade to profit from price changes, and of commodity handlers who use futures market to avoid speculative price risks through hedging—sales of futures to offset price risks on inventories, and purchases of futures to offset requirements for the actual commodity. Open contracts are a measure of the utilization of a futures market.

The following tabulation gives the month-end open contracts for the No. 7 (domestic) and the No. 8 (world) contracts during the two and a half years, January 1961 through June 1963.

Sugar futures: Month-end open contracts in contracts Nos. 7 and 8, New York Coffee & Sugar Exchange, January 1961–June 1963

[Contracts of 112,000 pounds each]

End of month	1961		1962		1963		End of month	1961		1962		1963	
	No. 7	No. 8	No. 7	No. 8	No. 7	No. 8		No. 7	No. 8	No. 7	No. 8	No. 7	No. 8
January	2,006	1,111	2,483	907	2,951	6,382	July	2,635	802	1,647	2,923	----------	----------
February	1,713	1,087	2,015	976	5,821	6,383	August	2,021	648	1,242	3,469	----------	----------
March	2,391	1,186	2,685	1,535	5,793	7,817	September	1,947	675	1,622	3,647	----------	----------
April	2,301	1,111	1,822	2,059	9,342	8,547	October	991	884	1,444	3,718	----------	----------
May	3,071	1,149	2,195	2,937	10,154	9,963	November	1,122	810	1,716	4,498	----------	----------
June	2,278	884	1,541	2,922	9,288	8,002	December	1,442	799	2,124	5,286	----------	----------

Source: New York Coffee & Sugar Exchange, Daily Market Report.

This tabulation shows a pronounced rise in open contracts in the world contract in the summer of 1962, reaching a peak in May 1963. The sharp rise in open contracts in the domestic contract did not begin until January 1963, but like the world contract, reached a peak in May 1963.

Further study was made of the daily open contracts in the period of the largest price advances and declines during April, May, and June. This shows that although the level of open contracts in the world contract exceeded that of the domestic contract until late April, the latter increased markedly from that time on and was above the world contract as prices approached their peak on May 23, 1963. As futures prices declined drastically after May 23, open contracts in the world contract declined more rapidly than those in the domestic contract. This situation in light of the rapid price decline emphasizes the speculative nature of the world contract. The following tabulation presents the daily open contracts in the domestic and world contracts for the April–June period:

Sugar futures, contract No. 7 (domestic) and contract No. 8 (world): Daily open contracts, New York Coffee & Sugar Exchange, Apr. 1–June 28, 1963

[Contracts of 112,000 pounds each]

Date	No. 7	No. 8	Date	No. 7	No. 8
1963			*1963*		
Apr. 1	5,961	8,070	May 16	9,749	9,297
2	6,085	8,139	17	10,087	9,496
3	6,034	8,250	20	10,179	9,643
4	6,061	8,339	21	10,137	9,921
5	6,240	8,252	22	10,297	9,986
8	6,387	8,291	23	10,401	10,133
9	6,416	8,282	24	10,241	10,146
10	6,460	8,293	27	10,247	10,088
11	6,527	8,342	28	10,227	10,098
15	7,135	8,319	29	10,186	9,923
16	7,432	7,919	31	10,154	9,963
17	7,278	7,978	June 3	10,184	9,960
18	7,666	8,260	4	10,184	9,986
19	7,920	8,359	5	10,132	9,734
22	8,051	8,379	6	10,027	9,502
23	8,156	8,381	7	10,390	9,466
24	8,290	8,421	10	10,471	9,245
25	8,630	8,442	11	10,351	9,228
26	9,002	8,475	12	9,906	9,355
29	9,349	8,556	13	9,747	9,136
30	9,342	8,547	14	9,577	8,671
May 1	9,675	8,618	17	9,513	8,522
2	9,796	8,821	18	9,505	8,508
3	10,095	9,113	19	9,456	8,345
6	10,033	9,135	20	9,442	8,355
7	10,088	9,039	21	9,288	8,246
8	9,944	8,832	24	9,307	8,288
9	9,938	8,984	25	9,302	8,355
10	9,979	9,161	26	9,265	8,152
13	10,072	9,149	27	9,357	7,965
14	10,103	9,313	28	9,288	8,002
15	9,741	9,299			

Source: New York Coffee & Sugar Exchange, Daily Market Report.

SUGAR FUTURES INVESTIGATION

The investigation by the U.S. Department of Agriculture showed that in the New York sugar futures market on May 23, 1963, at the peak of the price rise when the market reached record size, there were nearly 2,000 traders, with total open positions exceeding 20,000 contracts.

In terms of open contracts, the size of the market in the No. 7 (domestic) contract was about the same as in the No. 8 (world) contract, but the number of traders in the world contract was about three times as large as in the domestic contract. In the world contract, there were 1,517 traders with holdings of 10,365 contracts, and in the domestic contract, 451 traders with 10,404 contracts.[1] It is thus obvious that the average holding in the world contract was only about one-third the size of the average holding in the domestic contract, and that in general terms the futures market in the world sugar contract was predominantly one of smaller traders as contrasted with the accounts of larger average size in the domestic sugar futures contract.

As shown earlier in this report, the acceleration in trading activity and the buildup in open contracts came earlier in the world contract than in the domestic contract, and the former led the latter in the price advance. In the world contract, marked increases in trading activity and open contracts occurred in December 1962 and continued. In the domestic contract, the increases were very pronounced in April and May 1963. Considering that the world contract was one of smaller trades as contrasted with the traders of much larger average size in the domestic contract, it appears that the trading and pricing decisions of traders in the world contract exerted a substantial influence on those in the domestic contract.

SPECULATIVE AND HEDGING COMPOSITION OF THE SUGAR MARKET

In the larger futures markets for which data are available on patterns of traders' holdings and market composition, it is fairly typical to find numerous relatively small traders holding speculative positions, and a lesser number of large traders with more substantial average-size positions. Typically, a considerable proportion of the large-trader holdings are those of industry traders and firms—merchants, processors, and distributors—engaged in handling the actual commodity and hedging in the futures market against price risks.

On frequent occasions in such markets, the numerous small speculators are buyers on balance, holding a considerable proportion of the total open contracts long, and large hedgers on the opposite side account for a substantial part of total short positions. Short hedges in futures, covering price risks on inventories, are used more extensively by commodity handlers than long hedges, which cover price risks on commodity requirements not yet acquired. At times, however, long hedging commitments in the market may be substantial, particularly near the end of the crop year or when for various reasons supplies of the actual commodity may be limited or tight.

The speculative and hedging composition of the sugar futures market of May 23, 1963, showed some resemblance to typical large futures markets in having numerous small speculators and substantial aggregates of hedging positions, but there were striking variations from the typical in the composition of the sugar futures market as a whole, and also marked differences between the composition of the market in the domestic contract and that in the world contract.

Table 1 shows the number of traders and amount of positions in the domestic and world sugar futures contracts on May 23, 1963, as reported by clearing members of the exchange.

An unusual feature of the New York sugar futures market of May 23, 1963, was the large number of speculators in the world contract, as contrasted with the domestic contract. In the world contract the speculators numbered 1,382, or 91.1 percent of the total, and in the domestic contract numbered 317, or 70.3 percent of the total.

In amounts of open contracts, a striking feature of the sugar futures market was that in the world contract the proportion of speculative holdings was high, and that reported as hedging considerably less, while in the domestic contract much the opposite was the case—the proportion of speculative holdings was very low and that reported as hedging very high on both the long and short sides of the market.

Speculators in the world contract held 6,917 contracts long and 5,021 contracts short, representing respectively, 66.7 percent of total long contracts and 48.4 percent of total short. Speculators in the domestic contracts held a very much smaller amount and proportion of the total positions—1,351 contracts long and 1,480 contracts short, or only 13 percent of total long contracts and 14.2 percent of total short.

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[1] Here and throughout this section of the report the analysis does not treat separately the relatively small number of accounts carried by nonclearing brokers which accounts were not identified in reports by clearing members.

TABLE 1.—*Sugar futures, contract No. 7 and contract No. 8: Number of accounts and amount of positions classified as speculative and hedging, New York Coffee & Sugar Exchange, May 23, 1963*

CONTRACT NO. 7 (DOMESTIC)

Classification [1]	Number of accounts	Positions (in contracts [2])		Percent of accounts	Percent of positions	
		Long	Short		Long	Short
Speculative	317	1,351	1,480	70.3	13.0	14.2
Hedging	118	8,503	8,886	26.2	82.1	85.4
Nonclearing brokers [3]	16	507	38	3.5	4.9	.4
Total	451	10,361	10,404	100.0	100.0	100.0

CONTRACT NO. 8 (WORLD)

Classification [1]	Number of accounts	Positions (in contracts [2])		Percent of accounts	Percent of positions	
		Long	Short		Long	Short
Speculative	1,382	6,917	5,021	91.1	66.7	48.4
Hedging	86	2,173	4,570	5.7	21.0	44.1
Nonclearing brokers [3]	49	1,277	774	3.2	12.3	7.5
Total	1,517	10,367	10,365	100.0	100.0	100.0

[1] Classification of positions as speculative and hedging reported by exchange clearing members.

[2] One contract equals 50 long tons, or 112,000 pounds.

[3] Includes some accounts not identified by a clearing member.

The amounts reported as hedging positions in the world contract, although substantial on the short side, were smaller aggregates than the speculative holdings, and were much smaller than those in the domestic contract. Commitments reported as hedging in the world contract were 2,173 contracts long and 4,570 contracts short, or 21 percent of total long and 44.1 percent of total short contracts. In the domestic contract positions reported as hedging totaled 8,503 contracts long and 8,886 contracts short, or 82.1 percent of total long and 85.4 percent of total short contracts.

With respect to the world sugar contract, the significance of the data on speculative and hedging positions as of May 23, 1963, is that although the contract was being used extensively for short hedging purposes by industry traders to cover price risks on inventories, the major utilization of the contract—on both sides of the market—was as a vehicle for speculation.

In contrast, the utilization of the domestic contract, as reported by clearing members, was primarily for hedging. That such a high proportion as 85.4 percent of the short contracts consisted of hedging indicates that sugar industry traders were making substantial use of the market for hedging, and were giving the domestic contract a higher preference for this purpose than the world contract.

More unusual than the amount of short hedges, however, was that such a high level as 82.1 percent of the total amount of long positions in the domestic contract was reported as hedging. At a time when the level of short hedging commitments in a large futures market is high, usually indicating a relatively large supply of the actual commodity, a high level also of long hedges—presumably indicating limited supplies—would not be expected. Considering the sharp rise in sugar prices before May 23, 1963, however, it appears that sugar industry traders were anxious to lay hands on the actual commodity and were making large purchases of futures in the domestic contract as a means of protecting themsleves against price risks in obtaining available supplies.

SUGAR FUTURES TRADERS AND POSITIONS BY SIZE GROUPS

For a closer view of the speculative and hedging composition of the New York sugar futures market on May 23, 1963, the data on number of traders and amount of their open contracts are broken down into seven size groups as presented in tables 2, 3, 4, and 5. Beginning with traders holding only one contract—which at prices prevailing in the world contract on May 23, 1963, had an approximate contract value of $14,500—the tables show traders with 2 to 4 contracts, 5 to 9 contracts, and so on up to the largest size group—250 or more contracts. The value of 250 contracts at prices prevailing in the world contract on May 23, 1963, was approximately $3,600,000.

TABLE 2.—*Sugar futures, contract No. 7 (domestic): Distribution of accounts and gross positions, by classification and size of position, New York Coffee & Sugar Exchange, May 23, 1963*

[Positions in contracts of 112,000 pounds each]

SPECULATORS

Size group (in contracts) [1]	Accounts net long			Accounts net short			Accounts even			Total		
	Number of accounts	Gross positions		Number of accounts	Gross positions		Number of accounts	Gross positions		Number of accounts	Gross positions	
		Long	Short		Long	Short		Long	Short		Long	Short
1	99	99	0	40	0	40	6	6	6	145	105	46
2 to 4	64	156	1	30	1	69	5	10	10	99	167	80
5 to 9	16	97	8	18	1	114	4	26	26	38	124	148
10 to 24	15	217	44	6	16	92	2	23	23	23	256	159
25 to 99	6	268	38	3	75	182	0	0	0	9	343	220
100 to 249	0	0	0	2	167	322	0	0	0	2	167	322
250 and over	0	0	0	1	189	505	0	0	0	1	189	505
Total	200	837	91	100	449	1,324	17	65	65	317	1,351	1,480
HEDGERS												
1	8	8	0	0	0	0	0	0	0	8	8	0
2 to 4	14	42	0	0	0	0	0	0	0	14	42	0
5 to 9	17	108	0	1	0	7	0	0	0	18	108	7
10 to 24	19	267	25	7	0	140	0	0	0	26	267	165
25 to 99	17	785	121	8	53	504	0	0	0	25	838	625
100 to 249	9	1,422	98	4	328	650	0	0	0	13	1,750	748
250 and over	5	4,725	278	9	765	7,063	0	0	0	14	5,490	7,341
Total	89	7,357	822	29	1,146	8,364	0	0	0	118	8,503	8,886
NONCLEARING BROKERS [2]												
Total	13	504	15	2	2	22	1	1	1	16	507	38
Grand total	302	8,698	628	131	1,597	9,710	18	66	66	451	10,361	10,404

[1] In allocating an account's position to a size group, the largest total long or short position in all futures is used; not the "net" of such long and short positions.

[2] Includes some accounts not identified by a clearing member.

TABLE 3.—*Sugar futures, contract No. 8 (world): Distribution of accounts and gross positions, by classification and size of position, New York Coffee & Sugar Exchange, May 23, 1963*

[Positions in contracts of 112,000 pounds each]

SPECULATORS

Size group (in contracts) [1]	Accounts net long			Accounts net short			Accounts even			Total		
	Number of accounts	Gross positions		Number of accounts	Gross positions		Number of accounts	Gross positions		Number of accounts	Gross positions	
		Long	Short		Long	Short		Long	Short		Long	Short
1	242	242	0	233	0	233	165	165	165	640	407	398
2 to 4	216	566	32	149	30	379	77	194	194	442	790	605
5 to 9	74	451	63	42	56	255	35	221	221	151	728	539
10 to 24	54	755	80	30	105	413	18	262	262	102	1,122	755
25 to 99	16	788	291	11	203	546	6	220	220	33	1,211	1,057
100 to 249	5	645	18	2	107	212	3	412	412	10	1,164	642
250 and over	4	1,495	1,025	0	0	0	0	0		4	1,495	1,025
Total	611	4,942	1,509	467	501	2,038	304	1,474	1,474	1,382	6,917	5,021
HEDGERS												
1	3	3	0	1	0	1	0	0	0	4	3	1
2 to 4	10	31	0	7	5	21	1	3	3	18	39	24
5 to 9	5	27	0	1	0	5	3	18	18	9	45	23
10 to 24	9	144	24	9	2	125	1	12	12	19	158	161
25 to 99	9	366	84	8	67	555	2	66	66	19	499	705
100 to 249	2	225	0	9	449	1,609	0	0	0	11	674	1,609
250 and over	2	670	99	4	85	1,948	0	0	0	6	755	2,047
Total	40	1,466	207	39	608	4,264	7	99	99	86	2,173	4,570
NONCLEARING BROKERS [2]												
Total	30	1,210	534	16	63	236	3	4	4	49	1,277	774
Grand total	681	7,618	2,250	522	1,172	6,538	314	1,577	1,577	1,517	10,367	10,365

[1] In allocating an account's position to a size group, the largest total long or short position in all futures is used; not the "net" of such long and short positions.

[2] Includes some accounts not identified by a clearing member.

TABLE 4.—*Sugar futures, contract No. 7 (domestic): Percentage distribution of accounts and gross positions, by classification and size o position, New York Coffee & Sugar Exchange, May 23, 1963*

[Percent]

SPECULATORS

Size group (in contracts)	Accounts net long			Accounts net short			Accounts even			Total		
	Number of accounts	Gross positions		Number of accounts	Gross positions		Number of accounts	Gross positions		Number of accounts	Gross positions	
		Long	Short		Long	Short		Long	Short		Long	Short
1	22.0	1.0	0	8.9	0	0.4	1.3	0.1	0.1	32.2	1.1	0.5
2 to 4	14.2	1.5	(1)	6.7	(1)	.7	1.1	.1	.1	22.0	1.6	.8
5 to 9	3.5	.9	.1	4.0	(1)	1.1	.9	.2	.2	8.4	1.1	1.4
10 to 24	3.3	2.1	.4	1.3	.2	.9	.5	.2	.2	5.1	2.5	1.5
25 to 99	1.3	2.6	.4	.7	.7	1.7	0	0	0	2.0	3.3	2.1
100 to 249	0	0	0	.4	1.6	3.1	0	0	0	.4	1.6	3.1
250 and over	0	0	0	.2	1.8	4.8	0	0	0	.2	1.8	4.8
Total	44.3	8.1	.9	22.2	4.3	12.7	3.8	.6	.6	70.3	13.0	14.2
HEDGERS												
1	1.8	0.1	0	0	0	0	0	0	0	1.8	0.1	0
2 to 4	3.1	.4	0	0	0	0	0	0	0	3.1	.4	0
5 to 9	3.8	1.0	0	.2	0	.1	0	0	0	4.0	1.0	.1
10 to 24	4.2	2.6	.2	1.5	0	1.3	0	0	0	5.7	2.6	1.5
25 to 99	3.8	7.6	1.2	1.8	.5	4.8	0	0	0	5.6	8.1	6.0
100 to 249	2.0	13.7	.9	.9	3.2	6.3	0	0	0	2.9	16.9	7.2
250 and over	1.1	45.6	2.7	2.0	7.4	67.9	0	0	0	3.1	53.0	70.6
Total	19.8	71.0	5.0	6.4	11.1	80.4	0	0	0	26.2	82.1	85.4
NONCLEARING BROKERS [2]												
Total	2.9	4.9	0.2	0.4	(1)	0.2	0.2	(1)	(1)	3.5	4.9	0.4
Grand total	67.0	84.0	6.1	29.0	15.4	93.3	4.0	0.6	0.6	100.0	100.0	100.0

[1] Less than 0.05 percent.

[2] Also includes some accounts not identified by a clearing member.

TABLE 5.—*Sugar futures, contract No. 8 (world): Percentage distribution of accounts and gross positions, by classification and size of position, New York Coffee & Sugar Exchange, May 23, 1963*

[Percent]

Size group (in contracts)	Accounts net long			Accounts net short			Accounts even			Total		
	Number of accounts	Gross positions		Number of accounts	Gross positions		Number of accounts	Gross positions		Number of accounts	Gross positions	
		Long	Short		Long	Short		Long	Short		Long	Short
SPECULATORS												
1	15.9	2.3	0	15.4	0	2.2	10.9	1.6	1.6	42.2	3.9	3.8
2 to 4	14.2	5.5	.3	9.8	.3	3.6	5.1	1.9	1.9	29.1	7.7	5.8
5 to 9	4.9	4.4	.6	2.8	.5	2.5	2.3	2.1	2.1	10.0	7.0	5.2
10 to 24	3.6	7.3	.8	2.0	1.0	4.0	1.1	2.5	2.5	6.7	10.8	7.3
25 to 99	1.1	7.6	2.8	.7	2.0	5.3	.4	2.1	2.1	2.2	11.7	10.2
100 to 249	.3	6.2	.1	.1	1.0	2.1	.2	4.0	4.0	.6	11.2	6.2
250 and over	.3	14.4	9.9	0	0	0	0	0	0	.3	14.4	9.9
Total	40.3	47.7	14.5	30.8	4.8	19.7	20.0	14.2	14.2	91.1	66.7	48.4
HEDGERS												
1	0.2	(1)	0	0.1	0	(1)	0	0	0	0.3	(1)	(1)
2 to 4	.7	0.3	0	.4	.1	0.2	.1	(1)	(1)	1.2	0.4	0.2
5 to 9	.3	.2	0	.1	0	(1)	.2	.2	.2	.6	.4	.2
10 to 24	.6	1.4	.2	.6	(1)	1.2	.1	.2	.2	1.3	1.6	1.6
25 to 99	.6	3.5	.8	.5	.7	5.4	.1	.6	.6	1.2	4.8	6.8
100 to 249	.1	2.2	0	.6	4.3	15.5	0	0	0	.7	6.5	15.5
250 and over	.1	6.5	1.0	.3	.8	18.8	0	0	0	.4	7.3	19.8
Total	2.6	14.1	2.0	2.6	5.9	41.1	.5	1.	1.0	5.7	21.0	44.1
NONCLEARING BROKERS [2]												
Total	2.0	11.7	5.2	1.0	0.6	2.3	0.2	(1)	(1)	3.2	12.3	7.5
Grand total	44.9	73.5	21.7	34.4	11.3	63.1	20.7	15.2	15.2	100.0	100.0	100.0

[1] Less than 0.05 percent.

[2] Includes some accounts not identified by a clearing member.

Distribution of speculative positions: A striking feature of the size-group distribution is the large number of small speculators in the world contract. Small speculators with only one contract numbered 640, or 42.2 percent of total traders in world futures, and there were 1,233 speculators with fewer than 10 contracts, or 81.3 percent of the total. Speculators in the size groups below 10 contracts held aggregate long positions amounting to 18.6 percent of total long commitments in the world contract and 14.8 percent of total short commitments. In contrast, the less numerous small speculators in the corresponding size groups in the domestic contract held only 3.8 percent of the total long positions in that contract and 2.7 percent of total short positions.

In the very active sugar futures market leading up to May 23, 1963, the high proportion of small speculators in the world contract and the surge of their buying and selling orders created pressure and congestion in the market. Since most of the small speculators were buyers, the effect of their feverish activity contributed to the upward price acceleration in the world contract, and their later urgent attempts to liquidate contributed to the price break after May 23.

Speculators in the larger size groups held substantial proportions of the total amount of positions in the world contract; they were long on balance in all size groups; and accounted for nearly one-half of the long side of the market. Table 5 shows that as the speculative size groups increased, the proportions of total speculative long holdings in the market also tended to increase. Speculators in the largest size group (250 contracts and over) held the largest aggregate of speculative positions by size groups. Four speculators in this size group had a total of 1,495 contracts long and 1,025 contracts short, or 14.4 percent and 9.9 percent, respectively, of the total long and total short contracts in the market.

In the domestic contract, in contrast to the world contract, large-speculator long holdings did not show progressive increases by size groups; the large speculative holdings below 250 contracts were net long in some size groups and net short in others; and in the largest size group the position was net short. The overall impression gained is that the relatively small aggregates of large-trader speculative holdings in the domestic contract could have been only minor factors in the market.

The investigation indicated that straddling between futures was extensive among speculators in the world contract, as indicated in the columns headed "accounts even" in tables 3 and 5. There were 304 such accounts, or 20 percent of the total number in the world contract, as contrasted with only 17 such accounts in the domestic contract.

Distribution of hedging positions: The outstanding factors in the distribution of hedging by size groups were that the hedging participation in the domestic contract was so much larger than in the world contract, that the utilization of long hedges in the domestic contract was as great as short hedges, and that a relatively small number of sugar-industry traders in the largest size group (250 contracts and over) accounted for the bulk of the open contracts on both the long and short sides of the market.

In the domestic contract, five traders in the largest size group held long positions reported as hedging amounting to 4,725 contracts, or 45.6 percent of total long positions; and nine traders had short positions reported as hedging which amounted to 7,063 contracts, or 67.9 percent of total short positions. The greater part of the remaining long and short positions reported as hedging was held by 13 traders in the next to largest size group—100 to 249 contracts. In the size groups below 100 contracts, there were a limited number of long hedging positions, but very few short hedging positions, indicating that the industry was making very little use of the domestic sugar-futures contract for protecting price risks on small or moderate-sized inventories or requirements. In the main, the market in the domestic contract was made up of large traders in the sugar industry who made heavy commitments, particularly in the latter part of the period prior to May 23, 1963, when prices were advancing sharply. Although the greater number of very large hedging positions were on the short side, presumably to cover price risks on inventories, the fact that open contracts rose steeply in the March-April period, and that by May 23, positions reported as hedging were long on balance in every size group except the largest, strongly indicates that the purchasing of domestic futures reported as hedging exerted considerable pressure on prices in latter stages of the price spiral.

In the smaller hedging market shown in the world contract, short hedges were more numerous but of smaller average size than in the domestic contract. In the size groups below 250 contracts, there were 35 short hedging positions in the world contract contrasted with 20 in the domestic contract, and the aggregate of such short hedging positions in the world contract was nearly twice as large as in the domestic contract. In the size group 250 contracts and over, there were only two traders with net long hedging positions and four with net short hedging positions, and the aggregate holdings of these traders were a much smaller factor in the world contract than those of the largest size traders in the domestic contract.

SUGAR FUTURES TRADERS BY OCCUPATIONS

To determine the utilization of the sugar futures market by traders according to occupations, distinction was made between the traders and firms in the sugar industry—

producers, distributors, refiners, etc.—and other traders attracted to the market from the general public, indicated as "nonindustry" traders. Data on the number of traders and amount of positions in the domestic and world sugar-futures contracts, classified according to leading sugar industry and nonindustry occupational groups are presented in tables 6 and 7.

TABLE 6.—*Sugar futures, contract No. 7 (domestic): Occupational distribution of accounts, by number and class of accounts, New York Coffee & Sugar Exchange, May 23, 1963*

[Positions in contracts of 112,000 pounds each]

Occupational group	Speculators			Hedgers			Total		
	Number of accounts	Positions		Number of accounts	Positions		Number of accounts	Positions	
		Long	Short		Long	Short		Long	Short
SUGAR INDUSTRY									
Sugar producers	0	0	0	12	590	1,239	12	590	1,239
Sugar refiners	2	3	0	14	1,508	5,417	16	1,511	5,417
Brokers, wholesalers, jobbers, and merchants (importers and exporters) of raw and refined sugar	7	71	41	23	2,210	1,937	30	2,281	1,978
Bakers	1	2	0	7	63	0	8	65	0
Bottlers of carbonated beverages	1	4	0	20	679	200	21	683	200
Candy manufacturers	4	7	0	17	589	13	21	596	13
Ice cream manufacturers	1	13	0	6	279	0	7	292	0
Canners	0	0	0	1	8	0	1	8	0
Food and chainstore organizations	0	0	0	16	2,566	80	16	2,566	80
Total	16	100	41	116	8,492	8,886	132	8,592	8,927
NONINDUSTRY									
Farmers and farm managers (not growing sugar)	9	21	27	1	10	0	10	31	27
Dealers in agricultural products other than sugar	12	116	48	1	1	0	13	117	48
Brokerage firm house and employee accounts	17	299	367	0	0	0	17	299	367
Floor traders	6	33	27	0	0	0	6	33	27
Professional speculators	7	224	566	0	0	0	7	224	566
Doctors, dentists, nurses, pharmacists, etc	6	23	7	0	0	0	6	23	7
Lawyers	11	5	34	0	0	0	11	5	34
Accountants and auditors	9	17	11	0	0	0	9	17	11
Chemists and engineers	11	11	20	0	0	0	11	11	20
Teachers in schools and colleges	10	81	90	0	0	0	10	81	90
Other professional occupations, such as architects, contractors, social workers, etc., not elsewhere classified	7	7	7	0	0	0	7	7	7
Semiprofessional occupations, such as aviators, draftsmen, and laboratory technicians	5	21	3	0	0	0	5	21	3
Bank officials and employees, financiers, and capitalists	10	71	26	0	0	0	10	71	26
Manufacturers, wholesale trade proprietors. managers, food brokers other than sugar, not elsewhere classified	19	41	12	0	0	0	19	41	12
Retail proprietors and managers: Apparel, furniture, automobile sales and service, etc	12	8	9	0	0	0	12	8	9
Other proprietors, managers, officials, excluding farm, not elsewhere classified	58	113	100	0	0	0	58	113	100
Salesmen and purchasing agents	14	12	9	0	0	0	14	12	9
Insurance and real estate men	17	25	20	0	0	0	17	25	20
Clerical, sales, and kindred nonmanual workers, such as bookkeepers, cashiers, secretaries, etc	7	10	8	0	0	0	7	10	8
Craftsmen, foremen, electricians, machinists, and kindred skilled workers in plants and factories, not elsewhere classified	7	30	2	0	0	0	7	30	2
Housewives	17	35	17	0	0	0	17	25	17
Students	3	2	3	0	0	0	3	2	3
Retired persons	23	38	19	0	0	0	23	38	19
Miscellaneous	4	8	7	0	0	0	4	8	7
Total	301	1,251	1,439	2	11	0	303	1,262	1,439
Nonclearing brokers[1]							16	507	38
Grand total	317	1,351	1,480	118	8,503	8,886	451	10,361	10.404

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[1] Includes some accounts not identified by a clearing member.

TABLE 7.—*Sugar futures, contract No. 8 (world): Occupational distribution of accounts, by number and class of account, New York Coffee & Sugar Exchange, May 23, 1963*

[Positions in contracts of 112,000 pounds each]

Occupational group	Speculators			Hedgers			Total		
	Number of accounts	Positions		Number of accounts	Positions		Number of accounts	Positions	
		Long	Short		Long	Short		Long	Short
SUGAR INDUSTRY									
Sugar producers	3	17	0	2	12	527	5	29	527
Sugar refiners	3	151	143	6	226	126	9	377	269
Brokers, wholesalers, jobbers and merchants (importers and exporters) of raw and refined sugar	12	183	125	45	1,195	3,823	57	1,378	3,948
Bakers	5	26	3	4	25	0	9	51	3
Bottlers of carbonated beverages	7	112	5	6	50	6	13	162	11
Candy manufacturers	5	29	2	4	400	10	9	429	12
Ice cream manufacturers	1	4	0	3	48	0	4	52	0
Canners	1	1	0	0	0	0	1	1	0
Food and chainstore organizations	4	9	10	12	166	69	16	175	79
Total	41	532	288	82	2,122	4,561	123	2,654	4,849

TABLE 7.—*Sugar futures, contract No. 8 (world): Occupational distribution of accounts, by number and class of account, New York Coffee & Sugar Exchange, May 23, 1963*—Continued

[Positions in contracts of 112,000 pounds each]

Occupational group	Speculators			Hedgers			Total		
	Number of accounts	Positions		Number of accounts	Positions		Number of accounts	Positions	
		Long	Short		Long	Short		Long	Short
NONINDUSTRY									
Farmers and farm managers (not growing sugar)	41	161	110	0	0	0	41	161	110
Dealers in agricultural products other than sugar	69	458	280	1	48	0	70	506	280
Employees of sugar dealers, mills, refiners, processors, trade members, not elsewhere classified	5	7	10	1	1	4	6	8	14
Brokerage firm house and employee accounts	61	866	824	0	0	0	61	866	824
Floor traders	18	163	209	0	0	0	18	163	209
Professional speculators	18	1,309	797	0	0	0	18	1,309	797
Commodity and investment counselors	11	24	24	0	0	0	11	24	24
Doctors, dentists, nurses, pharmacists, etc	65	292	281	0	0	0	65	292	281
Lawyers	49	82	50	0	0	0	49	82	50
Accountants and auditors	34	72	54	0	0	0	34	72	54
Chemists and engineers	77	162	292	0	0	0	77	162	292
Teachers in schools and colleges	23	66	15	0	0	0	23	66	15
Other professional occupations, such as architects, contractors, social workers, etc., not elsewhere classified	46	115	58	0	0	0	46	115	58
Semiprofessional occupations, such as aviators, draftsmen, and laboratory technicians	20	99	43	0	0	0	20	99	43
Bank officials and employees, financiers, and capitalists	57	744	382	0	0	0	57	744	382
Manufacturers, wholesale trade proprietors, managers, food brokers other than sugar, not elsewhere classified	87	201	284	2	2	5	89	203	289
Retail proprietors and managers: Apparel, furniture, automobile sales and service, etc	70	186	97	0	0	0	70	186	97
Other proprietors, managers, and officials, excluding farm, not elsewhere classified	221	495	390	0	0	0	221	495	390
Salesmen and purchasing agents	50	88	53	0	0	0	50	88	53
Insurance and real estate men	64	221	177	0	0	0	64	221	177
Clerical, sales, and kindred nonmanual workers, such as bookkeepers, cashiers, secretaries, etc	27	51	19	0	0	0	27	51	19
Craftsmen, foremen, electricians, machinists, and kindred skilled workers in plants and factories	14	27	16	0	0	0	14	27	16
Service occupations, unskilled workers and laborers	8	18	7	0	0	0	8	18	7
Transportation, communications and utility workers	9	10	10	0	0	0	9	10	10
Housewives	78	218	124	0	0	0	78	218	124
Students	9	17	6	0	0	0	9	17	6
Retired persons	94	210	104	0	0	0	94	210	104
Unemployed	8	7	8	0	0	0	8	7	8
Miscellaneous	8	16	9	0	0	0	8	16	9
Total	1,341	6,385	4,733	4	51	9	1,345	6,436	4,742
Nonclearing brokers [1]							49	1,277	774
Grand total	1,382	6,917	5,021	86	2,173	4,570	1,517	10,367	10,365

[1] Includes some accounts not identified by a clearing member.

It is apparent from these tables that in the domestic contract, consisting primarily of positions reported as hedging, the far greater part of both sides of the market was held by traders and firms in the sugar industry. In the world contract, nonindustry traders in a wide range of occupations held the greater part of the long side of the market and nearly half of the short side.

In the domestic contract, traders in industry occupations with positions reported as hedging were more numerous than the hedging accounts in the world contract, and accounted for 82 percent of total long commitments and 85.4 percent of total short commitments. The average size of holdings of traders in industry occupations in the domestic contract was more than twice the size of the average position in the world contract. Also, the positions reported as hedging in the domestic contract were more widely distributed among leading segments of the sugar industry than was the case in the world contract.

Sugar refiners were making the largest utilization of the domestic contract. In this contract 14 refiners had 1,508 long contracts reported as hedging and 5,417 short hedging contracts, thus accounting for 14.6 percent of total long positions and 52.1 percent of total short. Twenty-three sugar distributors held the next largest hedging aggregates and were net long in the market. There were 16 food and chainstore organizations with positions reported as hedging. Others in the industry hedging in the domestic contract included sugar producers, bakers, soft drink bottlers and candy and ice cream manufacturers. All these accounts, except those of refiners and producers, were net long in the market, indicating that they were looking to the domestic contract primarily to cover risks connected with acquiring supplies of the actual commodity.

In the world contract, only sugar distributors as a group were making any large use of the market for hedging purposes. There were 45 distributors—importers, brokers, wholesalers, etc.—with 1,195 long contracts and 3,823 short contracts, representing 11.5 percent and 36.9 percent, respectively, of total long and total short positions. A few firms in each of the other leading divisions of the sugar industry held small aggregates of positions reported as hedging, mostly long hedging, and some industry traders held speculative positions.

Although a majority of traders in both contracts were speculators in nonindustry occupations, the facts of significance are that in the domestic contract speculators held only a minor part of total positions while in the world contract nonindustry speculators had the greater part of total holdings and set the pace of market activity.

The public participation in the world contract at its peak was indicated by the long list of traders' occupations, as is usual in very active futures markets. The list included sizable contingents of business proprietors and managers, manufacturers, wholesale and retail proprietors, retired persons, housewives, brokerage house employees, chemists, bankers, lawyers, doctors, dentists, salesmen, insurers, realtors, and dealer in agricultural commodities other than sugar. Most of the traders in the nonindustry occupations were relatively small speculators—not long in the market.

GEOGRAPHIC DISTRIBUTION OF SUGAR FUTURES TRADERS

That trading in sugar futures attracted traders from widespread locations throughout the United States and many foreign countries is reflected in tables 8 and 9. In both sugar-futures contracts, the geographic distribution of traders was widely spread, but was most extensive in the world contract which included traders in 42 States, the District of Columbia, Puerto Rico, the Panama Canal Zone, and 24 foreign countries.

In both contracts, the number of traders and amount of open contracts in New York, including New York City, was larger than in any other State or area. New York traders held approximately one-half the open contracts in the domestic contract and well over one-third in the world contract. After New York, the next most significant feature of the geographic distribution was that traders in three States—California, Florida and Louisiana—held about 20 percent of the open contracts in both the domestic and the world contracts.

TABLE 8.—*Sugar futures, contract No. 7 (domestic): Geographical distribution of accounts and open contracts, New York Coffee & Sugar Exchange, May 23, 1963*

[Positions in contracts of 112,000 pounds each]

State and country	Speculators			Hedgers			Total		
	Number of accounts	Positions		Number of accounts	Positions		Number of accounts	Positions	
		Long	Short		Long	Short		Long	Short
Alabama	3	3	1	2	48	155	5	51	156
Arizona	4	7	2	0	0	0	4	7	2
Arkansas	0	0	0	1	3	0	1	3	0
California	36	158	83	7	278	1,188	43	436	1,271
Connecticut	3	6	60	0	0	0	3	6	60
Delaware	2	12	0	0	0	0	2	12	0
District of Columbia	2	0	2	1	1	0	3	1	2
Florida	57	209	724	9	77	132	66	286	856
Georgia	5	3	2	3	275	200	8	278	202
Idaho	1	6	0	0	0	0	1	6	0
Illinois	16	29	8	2	44	0	18	73	8
Indiana	10	33	2	1	25	0	11	58	2
Iowa	4	8	2	0	0	0	4	8	2
Kentucky	1	2	2	1	30	0	2	32	2
Louisiana	8	24	7	10	814	515	18	838	522
Maryland	2	7	0	1	20	0	3	27	0
Massachusetts	21	47	10	1	0	725	22	47	735
Michigan	4	7	0	2	40	0	6	47	0
Minnesota	3	3	1	0	0	0	3	3	1
Mississippi	3	67	38	8	69	0	11	136	38
Missouri	2	1	4	1	8	0	3	9	4
Nebraska	2	2	2	0	0	0	2	2	2
New Jersey	16	27	2	9	280	5	25	307	7
New York (excluding New York City)	15	21	6	6	2,451	1,764	21	2,472	1,770
New York City	52	460	440	28	2,159	3,599	80	2,619	4,039
North Carolina	5	23	3	1	2	0	6	25	3
Ohio	2	2	0	2	85	65	4	87	65
Oklahoma	1	2	0	0	0	0	1	2	0
Oregon	0	0	0	1	0	20	1	0	20
Pennsylvania	6	37	0	8	167	8	14	204	8
Tennessee	0	0	0	2	5	0	2	5	0
Texas	6	12	12	1	3	0	7	15	12
Utah	1	1	0	0	0	0	1	1	0
Vermont	2	12	5	0	0	0	2	12	5
Virginia	4	2	4	2	11	0	6	13	4
Washington	3	0	29	1	10	0	4	10	29
Wisconsin	2	6	0	2	20	0	4	26	0
United States	304	1,239	1,451	113	6,925	8,376	417	8,164	9,827
Canal Zone	1	0	1	0	0	0	1	0	1
Puerto Rico	2	0	4	1	0	260	3	0	264
Total	3	0	5	1	0	260	4	0	265
Bahamas	0	0	0	1	994	170	1	994	170
Canada	4	9	3	0	0	0	4	9	3
England	1	1	0	0	0	0	1	1	0
France	1	0	3	0	0	0	1	0	3
Lebanon	0	0	0	1	14	0	1	14	0
Liechtenstein	1	19	0	0	0	0	1	19	0
Peru	1	16	18	1	0	80	2	16	98
Philippines	0	0	0	1	570	0	1	570	0
Spain	2	67	0	0	0	0	2	67	0
Total foreign	10	112	24	4	1,578	250	14	1,690	274
Nonclearing brokers [1]	------	------	------	------	------	------	16	507	38
Grand total	317	1,351	1,480	118	8,503	8,886	451	10,361	10,404

[1] Includes some accounts not identified by a clearing member.

TABLE 9.—*Sugar futures, contract No. 8 (world): Geographical distribution of accounts and open contracts, New York Coffee & Sugar Exchange, May 23, 1963*

[Positions in contracts of 112,000 pounds each]

State and country	Speculators			Hedgers			Total		
	Number of accounts	Positions		Number of accounts	Positions		Number of accounts	Positions	
		Long	Short		Long	Short		Long	Short
Alabama	18	30	68	1	2	0	19	32	68
Arizona	11	33	5	0	0	0	11	33	5
Arkansas	4	12	0	0	0	0	4	12	0
California	195	505	504	3	45	3	198	550	507
Colorado	3	27	0	0	0	0	3	27	0
Connecticut	14	170	37	0	0	0	14	170	37
Delaware	1	2	0	0	0	0	1	2	0
District of Columbia	37	92	89	1	5	0	38	97	89
Florida	113	1,333	662	3	147	12	116	1,480	674
Georgia	13	18	16	0	0	0	13	18	16
Hawaii	2	14	0	0	0	0	2	14	0
Idaho	2	4	1	0	0	0	2	4	1
Illinois	53	53	28	1	0	10	54	53	38
Indiana	17	32	21	0	0	0	17	32	21
Iowa	3	5	0	0	0	0	3	5	0
Kansas	3	3	1	0	0	0	3	3	1
Louisiana	26	362	164	4	44	15	30	406	179
Maine	1	3	2	0	0	0	1	3	2
Maryland	20	167	180	1	1	0	21	168	180
Massachusetts	17	28	25	4	36	6	21	64	31

TABLE 9.—*Sugar futures, contract No. 8 (world): Geographical distribution of accounts and open contracts, New York Coffee & Sugar Exchange, May 23, 1963*—Continued

[Positions in contracts of 112,000 pounds each]

State and county	Speculators			Hedgers			Total		
	Number of accounts	Positions		Number of accounts	Positions		Number of accounts	Positions	
		Long	Short		Long	Short		Long	Short
Michigan	16	42	9	1	10	0	17	52	9
Minnesota	10	17	8	0	0	0	10	17	8
Mississippi	9	112	98	0	0	0	9	112	98
Missouri	15	137	149	1	3	0	16	140	149
Nebraska	6	4	5	0	0	0	6	4	5
Nevada	1	5	5	0	0	0	1	5	5
New Hampshire	2	3	1	0	0	0	2	3	1
New Jersey	52	110	66	2	18	0	54	128	66
New York (excluding New York City)	61	153	140	1	105	0	62	258	140
New York City	244	2,085	1,446	27	1,349	3,122	271	3,434	4,568
North Carolina	30	54	341	1	20	0	31	74	341
Ohio	35	47	59	0	0	0	35	47	59
Oklahoma	9	7	12	0	0	0	9	7	12
Oregon	1	0	2	0	0	0	1	0	2
Pennsylvania	48	205	80	2	8	0	50	213	80
Rhode Island	2	6	0	0	0	0	2	6	0
South Carolina	3	2	2	0	0	0	3	2	2
Tennessee	11	34	31	0	0	0	11	34	31
Texas	53	101	162	1	3	0	54	104	162
Utah	11	27	19	0	0	0	11	27	19
Vermont	2	6	14	0	0	0	2	6	14
Virginia	41	90	129	0	0	0	41	90	129
Washington	53	123	134	0	0	0	53	123	134
Wisconsin	5	8	2	0	0	0	5	8	2
United States	1,273	6,271	4,717	54	1,796	3,168	1,327	8,067	7,885
Canal Zone	1	1	0	0	0	0	1	1	0
Puerto Rico	5	21	0	0	0	0	5	21	0
Total	6	22	0	0	0	0	6	22	0
Bahamas	0	0	0	1	122	206	1	122	206
Belgium	1	3	0	1	2	12	2	5	12
Brazil	6	31	22	1	48	0	7	79	22
Canada	13	18	16	2	25	30	15	43	46
Colombia	1	1	0	0	0	0	1	1	0
England	1	1	2	5	20	578	6	21	580
France	7	39	18	3	13	99	10	52	117
Germany	0	0	0	5	5	29	5	5	29
Holland	1	2	0	0	0	0	1	2	0
Hong Kong	4	18	2	0	0	0	4	18	2
Italy	1	25	25	0	0	0	1	25	25
Japan	0	0	0	2	0	110	2	0	110
Kuwait	3	5	0	0	0	0	3	5	0
Lebanon	19	36	36	4	42	295	23	78	331
Liechtenstein	1	10	0	0	0	0	1	10	0
Mexico	3	5	5	0	0	0	3	5	5
Monaco	2	24	0	0	0	0	2	24	0
Morocco	0	0	0	1	32	28	1	32	28
Panama	0	0	0	1	45	0	1	45	0
Peru	1	60	40	1	1	4	2	61	44
Portugal	1	2	2	0	0	0	1	2	2
Spain	5	177	1	0	0	0	5	177	1
Switzerland	32	167	134	5	22	11	37	189	145
Venezuela	1	0	1	0	0	0	1	0	1
Total foreign	103	624	304	32	377	1,402	135	1,001	1,706
Nonclearing brokers[1]	--------	--------	--------	--------	--------	--------	49	1,277	774
Grand total	1,382	6,917	5,021	86	2,173	4,570	1,517	10,367	10,365

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[1] Includes some accounts not identified by a clearing member.

The geographic distribution of traders in the highly active sugar futures market was not unlike that in large speculative markets for other commodities. Such markets tend to draw traders from the city in which the futures market is located—particularly if that city is also a primary distribution point for the actual commodity—and also to attract numerous traders in major producing areas for the commodity. New York is a primary distribution point for raw sugar. California is the largest beet sugar producing State; and Louisiana and Florida are the U.S. continental States with largest sugarcane production.

The data on the geographic distribution shows an important difference in the utilization of the two sugar futures contracts. The domestic contract was being used primarily for hedging, both by New York distributors, refiners, etc., as well as by traders and firms in the leading producing areas. In the world contract, the major participation of the producing-area traders was speculative, and the speculative participation of New York traders in this contract was very much larger than in the domestic contract. However, the utilization of the world contract by industry firms in New York for hedging purposes was substantial.

In the domestic contract, 101 traders located in New York held 5,091 contracts long and 5,809 contracts short, with more than 90 percent of both the long and short positions reported as hedging. New York traders thus accounted for well over half the total amount of hedging positions in the domestic contract. In California, 43 traders in the domestic contract had aggregate long positions of 436 contracts and short positions of 1,271 contracts—the greater part of both long and short positions was reported as hedging. The bulk of Louisiana traders' positions was reported as hedging, while the positions of Florida traders were largely speculative. Speculative traders in the domestic contract were more numerous in New York, Florida, and California than in other States, but the speculative holdings of these traders did not comprise a significant part of the total holdings in the domestic contract.

In the wide geographic distribution of traders in the world contract, the States with largest numbers of traders, after New York and California, were Florida, Illinois, New Jersey, Texas, and Washington—in that order.

There were 149 foreign traders in the sugar futures market on May 23, 1963. Their aggregate holdings did not comprise a large part of the market, accounting for about 10 percent of total holdings in the domestic contract and about 13 percent in the world contract. Foreign traders were long on balance in the domestic contract, and were net short in the world contract.

In the domestic contract there were 14 foreign traders in 9 countries, and in the world contract 135 traders in 24 countries. In the world contract the numerous foreign traders were mostly small speculators net long, residing particularly in Switzerland, Lebanon, and Canada, but distributed also in Liechtenstein, Monaco, and Hong Kong. The larger amounts of foreign holdings in the world contract, however, were short commitments reported as hedging, and accounted for mainly by sizable positions in the Bahamas, England, Japan, and Lebanon.

CONCLUSIONS

Speculation in sugar futures on the New York Coffee and Sugar Exchange contributed materially to the sharp rise in sugar prices in the spring of 1963. Heaviest speculative trading and public participation was in the No. 8 (world) futures contract which led the price advance and accelerated rising prices also in the No. 7 (domestic) futures contract.

The price of the world contract advanced from 2.74 cents a pound at the beginning of July 1962 to a peak of 12.95 cents in the record-size market of May 23, 1963, followed by the domestic contract which increased from about 6 cents a pound to 13.46 cents in the same period.

The investigation by the Department showed that it was excessive speculation in futures rather than manipulation that stimulated the price advance and the subsequent price break. The investigation did not show indications of price manipulation on the part of any individual or group of traders, nor did the pattern of prices among the various futures months indicate that prices were manipulated.

The investigation showed there was extensive public participation in the world contract. Of 1,517 traders in this contract—compared with 451 in the domestic contract—more than 90 percent were speculators, and nearly half were small speculators holding only one contract. These traders were widely dispersed, with the world contract having traders living in 42 States, the District of Columbia, Puerto Rico, the Panama Canal Zone, and 24 foreign countries.

Since most of the speculators were buyers, the effect of their activity contributed to the upward price acceleration in the world contract, and their later urgent attempts to liquidate contributed to the price break after May 23.

In contrast to the world contract which was used primarily as a vehicle for speculation, more than 80 percent of the amount of both the long and short positions in the domestic contract was reported as hedging, mainly by larger firms in the sugar industry. The largest utilization was by sugar refiners, with substantial hedging also by distributors, food and chainstore organization, and other industrial users.

In addition to the large amount of hedging on the short side of the market in the domestic contract designed to cover price risks on inventories, there was an almost equally large amount of hedging on the long side. This indicates that some sugar industry members were looking to the domestic contract to cover risks connected with acquiring supplies of the actual commodity.

H.R. 7888 AND THE U.S. TERRITORIAL EXPANSION COMMISSION

Mr. TUPPER. Mr. Speaker, I ask unanimous consent that the gentleman from Nebraska [Mr. CUNNINGHAM] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. CUNNINGHAM. Mr. Speaker, in order to appreciate the heritage which we have in this country it is of course necessary to learn of our national history and heroes and something about the unsung men and women who settled the country. It was in this spirit that the House passed a resolution earlier this year, providing for appropriate Federal action and cooperation with State and local groups and governments, as well as individuals, in marking the Lewis and Clark Trail from St. Louis to the Pacific Northwest.

Likewise, there is under construction in St. Louis an imposing arch, which will reach some 630 feet into the sky, as a memorial to the westward expansion of our Nation and especially the settlement made possible by the Louisiana Purchase in the several States which were created out of the Louisiana Purchase Territory. This work is a partially Federal project, but the significant progress to date has been carried out by the Jefferson National Expansion Memorial Commission, a private organization, assisted to some degree by the U.S. Territorial Expansion Memorial Commission.

The U.S. Commission has been in existence since 1934 and is presently authorized only to assist in the planning for this memorial arch in St. Louis. Chairman of the Commission is the Senator from New Mexico, Mr. ANDERSON. Other members are appointed by the President, the Speaker of the House, the President of the Senate and the Jefferson National Expansion Memorial Association. The gentleman from Ohio [Mr. HAY] and the gentlemen from Missouri [Mr. KARSTEN] serve with me as members of this U.S. Commission.

This is the second term I have been named to serve on the Commission, but I have yet to attend a meeting of the group, because to the best of my knowledge there have been no called meetings of the Commission. Frankly, I do not think it has any significant duties.

We frequently hear about Federal agencies which go on and on long after the purpose for their being has passed. It seems to me as I read the resolution which created this U.S. Territorial Expansion Memorial Commission that the duties of the Commission ceased several years ago, when it approved of plans for the arch which is now under construction. Nowhere do I find any authority or any responsibility or any duties of the Commission in any way connected with actual construction of the arch. Thus, my only conclusion is that the Commission has absolutely nothing to do.

And that probably explains why there have been no meetings.

Feeling as strongly as I do about the need for our young people to understand the rich history of our West and knowing how much easier it is to understand some of these things during a visit to historic sites, I believe the scope of the Commission should be expanded to include other matters connected with our westward expansion. Accordingly, I have introduced H.R. 7888, which would do just that.

H.R. 7888 is a short bill, and I include the text of it so that all Members may understand just how I propose to activate this inactive Commission:

H. R. 7888

A bill to amend the joint resolution of June 15, 1934, to enlarge the functions of the United States Territorial Expansion Memorial Commission to provide for the encouragement of public appreciation of the inspiring heritage given to our country by the explorers and developers of the American West.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of the joint resolution of June 15, 1934 (Public Resolution 22, Seventy-third Congress, 48 Stat. 967, 968), is amended (1) by inserting "(a)" immediately after "That" and (2) by adding at the end thereof the following new subsection:

"(b) The United States Commission is further authorized—

"(1) to consider proposals from individuals and groups for Federal participation or encouragement of activities and programs which will increase public understanding and knowledge of the significance of the Louisiana Purchase, Lewis and Clark Expedition and other important movements and achievements connected with the Mississippi Valley and the westward expansion of our national domain to the Pacific Ocean and for encouraging local and State public and private groups and individuals to carry out programs and activities aimed at memorializing, preserving and marking historic sites and routes in the western portions of the country; and

"(2) generally to take such steps and to make such recommendations to the Congress, to departments and agencies of the United States, and to State, local, and private agencies as may encourage or coordinate their efforts to increase the appreciation of this and future generations for the heritage which we received from the hardy trappers, frontiersmen and pioneers and others who contributed to the territorial expansion and development of the United States of America."

I believe there is good reason to continue this Commission and remove the strict limit on its action; namely, "considering and formulating plans for designing and constructing a permanent memorial on the Mississippi River, at St. Louis, Mo." This language appears in the original 1934 resolution creating the U.S. Commission. No other duties are given.

The authorizing legislation does, however, indicate that among the purposes for which the Commission was created was to pay tribute to "the men who made possible the territorial expansion of the United States, particularly President Thomas Jefferson and his aids, Livingston and Monroe, who negotiated the Louisiana Purchase, and to the great explorers, Lewis and Clark, and the hardy hunters, trappers, frontiersmen, and pioneers and others who contributed to the territorial expansion and development of the United States of America."

I believe my bill carries out the original intent of this resolution, and I would appreciate the support of other Members who join me in believing in the importance of these early Americans.

ELIMINATION OF BRACERO PROGRAM WILL HURT SMALL FARMER MOST

Mr. TUPPER. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. TALCOTT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. TALCOTT. Mr. Speaker, the elimination of the bracero program for supplying supplemental labor at peak harvest times, will adversely affect many more persons than some of us understand.

Small farmers in my district who seldom, if ever, employ a bracero, tell me the elimination of the bracero program may force them off the farm—their life's work.

Typical of comments I am receiving from small farmers is the following:

> Without the bracero, there is not sufficient labor available to harvest the crops. The large farmer will develop and use machines for harvesting, planting, cultivating.
>
> We can compete with other workers, but we cannot compete with machines—nor can we afford to purchase or operate the machines on small acreage.
>
> We might as well sell our land and look for a job in some other industry. Naturally we don't like this—farming is our work and our life—but we must face up to the facts of economic and political life. Our employees (and their families) will be hurt worse than we.

There are probably many small farmers in this category. Possibly not enough for Congress to give a second thought; but I am personally concerned. I wish Congress were. If nothing else, these few, small, independent, lifetime farmers should remind us that many people in all walks of life, in various employments, as owners and employees, all over the United States, will be adversely affected if the bracero program is not extended by Congress.

I implore your consideration for these deserving persons also.

INTERNATIONAL PAYMENTS SYSTEM—NEED FOR REFORM

Mr. TUPPER. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. CURTIS. Mr. Speaker, a growing body of opinion believes that the United States should begin immediately to take steps to strengthen the world's payments system in preparation for the day when U.S. balance-of-payments deficits are no longer available to supply automatic increases in world liquidity. A persuasive case in favor of this view has been stated recently by a group of distinguished economists who prepared the study entitled "U.S. Balance of Payments in 1968," under the auspices of the Brookings Institution. The major policy conclusion of the study was that there is an urgent need to begin now to strengthen the international monetary mechanism.

The study recognized, however, that reaching an agreement on an improved monetary mechanism will take a long time and that, meanwhile, the United States will be obliged to deal with its current balance-of-payments problem within the framework of the present mechanism. Efforts to strengthen the world payments systems, therefore, should not be viewed as an easy way out of our present difficulties. Furthermore, improved mechanism is no substitute for hitting at basic causes and a change in attitude of those who set policy of IMF toward untried policies can produce a deterioration of the world payments system even with improved machinery. The solution to our balance-of-payments deficit will require a large number of hard policy actions, including the restoration of domestic fiscal and monetary responsibility, as well as a number of other actions, such as those which I discussed in my speech on the balance of payments before the House on July 8.

However, it is precisely because completion of international monetary reform will require several years that the United States should begin moving in this direction immediately on the assumption that the monetary policies of the IMF will not be radically changed. Such reforms in mechanics should be well advanced, if not completed, when the U.S. balance of payments comes into equilibrium.

If the payments system has not been strengthened by that time, inadequate additions to world exchange of liquidities could seriously cripple or cause the collapse of the international financial system. The collapse of the world financial structure would be reflected in mounting unemployment and declining production at home, particularly in our export industries.

My own feelings about the importance of solving both the balance-of-payments problem and beginning the job of strengthening the world payments system are reflected in House Concurrent Resolution 192 which I introduced July 5. A similar resolution has been introduced by the gentleman from New York, Congressman SEYMOUR HALPERN, in the House and by Senators JACOB JAVITS and JACK MILLER, my colleagues on the Joint Economic Committee, in the Senate. Besides expressing the sense of Congress that achievement of balance-of-payments equilibrium should receive top priority in national economic policy, my resolution also states the administration should immediately initiate discussions in the International Monetary Fund for a strengthening and broadening of the world's payments system.

An opportunity for the administration to take the first step in this direction will arise shortly when the IMF begins its annual meetings on September 30 at the Sheraton-Park Hotel here in Washington. Mr. Speaker, I urge that at this meeting, the United States seek to attain agreement on holding negotiations in the spring or summer when the governments most vitally concerned have had an opportunity to undertake adequate preparations. Such a meeting could well be held at Bretton Woods, N.H., where the world's financial structure and payments system, utterly destroyed by war, were so successfully reconstructed.

As recommended by the Brookings study, the immediate task of such negotiations should be to formulate a plan which meets the criteria for a satisfactory international liquidity mechanism. At a later date, a conference would be necessary to seek international agreement on such a plan. I again call attention to the point that the reforms relate to mechanism, not the monetary policy of the IMF.

Mr. Speaker, if the administration fails to move in this direction in September a whole year may be lost before negotiations such as I suggest can be conducted. Time is growing short. It is important that those who believe that the United States should take this initiative should make known their views at this time. With expressions of support from Members of Congress, the press, the academic community and the public at large behind it, the administration should approach such negotiations with resolution and confidence.

WHAT PRICE PEACE?

Mr. TUPPER. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. ALGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. ALGER. Mr. Speaker, what price is President Kennedy willing to pay for peace? Is he ready to give up the freedom of the United States? Will he make a deal with Khrushchev offering to give away some other nation's freedom as was done with Hitler?

Of course, whatever price we pay, there can be no guarantee of peace as long as we are faced with the Communist conspiracy directed from Moscow and dedicated to world domination. So it matters not what price we pay for a temporary peace, in the end it must cost us our freedom.

Surely the President has not forgotten the history of recent years, the appeasement of Hitler, the duplicity of the Japanese, the broken agreements by the Soviet Union. No, I am sure he has not forgotten, but it may be that he thinks the American people have. I am certain they have not, just as I am certain that the American people do not want peace at all costs, nor peace without honor, nor peace at the price of freedom.

Before the test ban treaty is ratified, the following editorial written by an able and fearless editor, Ray Zauber, of the Oak Cliff Tribune, in Oak Cliff, Tex., should be carefully studied. I, therefore, include Editor Zauber's editorial as a part of these remarks.

[From the Oak Cliff (Tex.) Tribune, Aug. 1, 1963]

U.S. LEADERS DON'T RECALL THEIR HISTORY

The United States has been fortunate in two World Wars. Both times we have ostensibly been alined on the winning side.

Next time we might be on the losing side, if there is anything left after a nuclear holocaust.

And the nuclear test ban treaty recently initialed by Averell Harriman and Nikita Khrushchev might be drawing us closer to the day of reckoning than this writer likes to imagine.

Have our present leaders no memories at all?

What possesses them when they think that they can deal with the godless leaders of communism? What makes them think that Russia will honor this agreement when they have breached 50 of 53 compacts with their allies since the end of World War II?

Doesn't the Kennedy administration recall that Japan killed our civilians and servicemen with our own scrap steel which we sold to them in million-ton lots?

Won't our historians remember how Hitler, who also outlined his plan for world conquest broke treaties when they no longer served him?

Haven't the Communists plainly blueprinted their aim to conquer the world? Hasn't Khrushchev declared he will bury us?

Did we learn no lessons from the Neville Chamberlain diplomacy before World War II? Aren't we aware that there is no way to deal with international thieves, murderers and cutthroats?

Somehow Scratchpad cannot forget the role of Joseph P. Kennedy as Ambassador to the Court of St. James's at the time of the Munich Pact. If ever a single individual influenced the British, it was our President's father.

He helped Chamberlain carry that famous umbrella. He helped complete the architecture on the treaty which was to assure "peace in our time." So badly did Ambassador Kennedy miscalculate, his career was ended with a finality and an absoluteness that was almost unparalleled in history.

President Franklin D. Roosevelt relegated the elder Kennedy, at that time one of the most affluent and influential men in the world, to the sidelines for all times.

How much of his father's burning desire for peace at all costs rubbed off on his own who now holds the reins of the free world in his grasp?

Of all the issues which confront the world today, this matter of survival is paramount, in our opinion. And with the group of socialists and professors and pipedreamers and idealists surrounding the President by his own choice, we can not help but shudder.

An informal test ban with the Russians was tossed out the windows less than 18 months ago when the Reds reached a point where it was necessary to try out new and more devastating nuclear weapons.

The Russian Ambassador, only last September, sat in President Kennedy's office and swore there were no offensive weapons in Cuba.

Just days later the President released pictures of missiles aimed at our country from emplacements just 90 miles away. This dramatic, beautifully timed exposure influenced our elections in November.

Then, a tough-talking Kennedy promised us an inspection of Cuban soil after the missiles were gone. Russian troops and technicians were to be withdrawn forthwith. The missiles were to be carted home.

Little did we realize that we bartered away our own missile sites in Turkey and Italy and made other steep concessions for this Russian "withdrawal" commitment.

The United States still hasn't inspected Cuba. Russian troops have increased, if anything, and we have only the word of the international butchers that the weapons are gone. Now we hear from the reliable underground that Communist military bases and submarine facilities are being erected where Cubans aren't even allowed.

Perhaps the Senate will fail to ratify the agreement with Russia on nuclear testing. This is now our best hope.

And maybe the people of this Nation will return to sanity and elect a man to our Nation's highest office in 1964 to replace the little boy President.

The future of mankind may depend on it.

NORTHEAST AIRLINES—A SCANDAL?

Mr. TUPPER. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. Cleveland] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, during the past week, as I have been calling to the attention of my colleagues the plight of the Northeast Airlines following the CAB decision to cut them from their only profitable run, some interesting facts have been appearing on the stock transaction pages. The stock for both National and Eastern Airlines, the two which will gain the most from the lessened competition, have reached new highs for the year and have been heavily traded during the week. A significant fact is that Eastern stock began its climb before the CAB released its decision.

Although the announcement of the decision did not come over the wires until after the market closed Friday, Eastern rose $1.87 that day. Volume totaled 20,000 compared to 7,900 the day before. Leslie Gould, New York Journal American financial editor, commenting on these facts, characterized it as "a 'leak' on an important decision that was worth money on the stock market to anyone in the know." Gould stated bluntly, "The CAB has another scandal on its hands."

On the basis of this information I have asked SEC Chairman William L. Cary to conduct an investigation of the National and Eastern stock transactions before and after the controversial and unfair decision.

The Washington Evening Star in a recent editorial pointed out a phase of this situation which has concerned those of us who see Government overregulation as a danger to our free enterprise system. It points out that the subsidy offered by the CAB to save Northeast and salve their conscience is really paid for by the taxpayer—not CAB.

I am sure my colleagues will be interested in reading the Star editorial which follows:

[From the Washington Evening Star, Aug. 1, 1963]

Crash Landing

With the stroke of a pen, so to speak, one man may have set the stage to put Northeast Airlines out of business. This, without undue exaggeration, could turn out to be the practical result of the recent 3 to 2 decision by the Civil Aeronautics Board in the New York-to-Miami case.

The announcement containing the bad news did say that "the Board is prepared to subsidize Northeast's operations north of New York City as soon as Northeast ceases operations south of New York." This, if one may say so, misconceives the fact. The CAB can't subsidize anything. If Northeast, shorn of the relatively lucrative Miami-run business, continues to serve New England on a subsidized basis, the public, not the CAB, will foot the bill for the subsidy. Let's be very clear on this point. And as long as the public can stand the gaff, any kind of uneconomic operation, or any kind of bureaucratic mismanagement, can be kept afloat. Just keep those subsidies coming in.

From the record, it would appear that there simply hasn't been enough business on the Florida run to support operations by three airlines. Northeast and Eastern, on their entire operations, have been losing heavily. The news reports don't give details with respect to the third line, National, but presumably it isn't getting rich. The anticipated revenues simply haven't materialized, and so Northeast, being the last one in, becomes the first to be bounced out. Presumably Eastern and National, at least in this area, will do nicely with the field to themselves.

Northeast has its headquarters in Boston, and Massachusetts Senators Kennedy and Saltonstall have asked the Department of Justice to look into the CAB ruling. The Department says it will do so.

One may doubt that much will come from this. For the CAB, which recently refused to permit a merger of Eastern and American, presumably has ample authority to squeeze Northeast out of the Florida business, even thought it overruled its own hearing examiner in doing so. Still, this was a 3-to-2 ruling. And if a person really believes in the concept of competition and survival of the fittest, this is an awful lot of economic power to put in the hands of one man.

THE NATIONAL CULTURAL CENTER ACT

Mr. TUPPER. Mr. Speaker, I ask unanimous consent that the gentlewoman from Illinois [Mrs. Reid] may extend her remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mrs. REID of Illinois. Mr. Speaker, as one of the congressional members of the Board of Trustees of the National Cultural Center, I have followed with close attention the progress being made in raising necessary funds by voluntary contributions for the construction of the National Cultural Center; and I would report to my colleagues that great progress has, indeed, been made and much work has been done both as regards past accomplishments and plans for the future on the part of many dedicated volunteers. .

It is vital, however, that more time be allowed whereby additional funds can be raised by voluntary contribution if past efforts and funds expended are not to be wasted; and I hope that the House of Representatives will today approve S. 1652 as reported by the Committee on Public Works just last week after such bill was previously passed by the Senate. This bill merely extends the termination date of the National Cultural Center Act from September 2, 1963, to September 2, 1966, and enlarges the board of trustees membership so as to give the Cultural Center a broader geographical base and a greater representation from all sections of the country. No Federal funds whatsoever are involved or provided in this bill.

I commend the House Committee on Public Works on its prompt and favorable action on this legislation; and I reiterate my hope that the House will today clear S. 1652 for the President.

U.S. BALANCE-OF-PAYMENTS PROBLEM

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Missouri [Mr. CURTIS] is recognized for 60 minutes.

Mr. CURTIS. Mr. Speaker, on Monday, July 8, I took the floor of the House to deliver what I regarded as an important speech on the most vital issue which faces our country today, the U.S. balance-of-payments problem.

The balance-of-payments problem underlies our own basic domestic economic problems, the strength of our military forces and the future of the United States presently preeminent but waning position as the foremost economic power in the world today. Indeed, this problem underlies the standard of living of all of us, the future peace of the world, and the cause of freedom around the world.

I am happy to state that this speech received a certain amount of attention in the newspapers, magazines, and other reporting media. Certainly the problems involved in the balance-of-payments situation are being discussed publicly with a little more concern. This is a step forward.

However, the crucial points of disagreement with the Kennedy administration that I sought to make have not been reported. The points upon which there is more or less agreement—one of these points being the stark seriousness of the problem—have been reported. How can public debate be moved forward in this kind of news management. The basic solution I suggest involves a complete change in the fiscal approach of the administration. Its will-of-the-wisp, untried, and disproven theory that balanced budgets can be produced by economic growth derived from planned deficit financing over an untold period of years must be changed to the proven theory of realistic budget balancing, if not annually at least during an economic cycle. The administration snidely referred to this theory as the Puritan ethic but refuses to debate its basic economic value and sense. By ignoring the point and having its captive news reporters ignore the points they hope to win the debate.

Secretary of the Treasury Dillon in testifying before the Joint Economic Committee on the balance-of-payments problem on the same Monday reaffirmed the administration's thesis that planned deficit financing over the next 4 years, and maybe longer, was the way to obtain the economic growth necessary to move us out of our unemployment and out of our balance-of-payments problems. The immediate and most important step in this course of planned deficits, he reiterated, was to enact the tax reduction bill at this session of Congress. However, at the same time he warned against cutting the President's requests for increased Federal expenditures. At the same time Congress should cut taxes even though the revenues are not now sufficient to take care of our expenditures. Congress must, he said, grant to the President his request for increased spending authority over last year's $103.2 billion to $107.9 billion. The spending rate for next year is to increase over last year by $6.2 billion, from $92.6 to $98.8 billion. This differs from new obligational authority to spend because much of the authority granted to spend is for future fiscal years. Some will not be used until 1965, 1966, or later.

For example, if the President were granted the $108 billion new authority to spend by this session of the Congress he would add to this new authority the unused balances of previous authorities of about $89 billion. In other words, he would have a total of about $197 billion of authority which the Congress granted to him to spend. The President has said in his budget message that this expenditure rate would be $98.8 billion for the next year. However, he could spend $110 billion or $90 billion and the Congress could do little about it.

All this increase in expenditure must be reviewed in light of previous increases. The President affirms that he has been giving Congress tight budgets. Whatever the President says, his record is there to contradict him. He has not been holding down Federal expenditures. He has not presented tight budgets to the Congress.

From 1900 to 1916 Federal expenditures rose from $0.520 billion to $0.734. World War I saw expenditures leap to $1.98 billion in 1917, $12.7 billion in 1918, $18.5 billion in 1919.

Expenditures declined after World War I to a rate of around $3 billion during the 1920's and earliest 1930's, only to be tripled during the depression of President Roosevelt's years to attain the figure of $9.05 billion in 1940.

World War II saw expenditures skyrocket to the alltime high of $98.3 billion in 1945, save for President Kennedy's $98.8 billion projected in his budget for fiscal year 1964.

After World War II the expenditure rate dropped into the $30 billion bracket. The Korean war saw the rate double to $65 billion in 1952 and up again to $74 billion in 1953.

The rate then went down below the $70 billion level remaining in the $60 billion bracket but creeping up to $71.3 in 1958, $80.3 in 1959, and then back down to $76.5 in 1960.

Since the Kennedy administration the increases of expenditures have risen steadily and more rapidly each year averaging $5.3 billion a year compared to $1.4 billion increases per year under President Eisenhower; $5 billion in 1961 to $81.5 billion, another $6.3 billion in 1962 to $87.8 billion, another $4.8 billion in 1963 to $92.6 billion, another anticipated $6.2 billion in 1964 to the alltime high of $98.8 billion. Projecting into the future based upon the administration's request for increased new obligational authority—NOA—to spend in the 1964 budget of $4.7 billion—from $103.2 in 1963 to $107.9 in 1964—the year 1965 will show this rapid rate of increase continuing. If this rate of expenditure increase does continue the budget will not be balanced even accepting the other assumptions of the Kennedy planned deficit theory until 1972. How much the additional Federal debt will be in 1967 the Kennedy theorists refuse to try to estimate, let alone estimate the figure for 1972. Taking the planned deficit for 1964 at the President's figure of around $12 billion and then using a very conservative figure of $8 billion average deficit for each of the following 3 years we have $36 billion additional debt in 1967 and $76 billion in 1972. The interest for this increased debt is $2.66 billion per year added to the budget.

Nor has this increase in expenditures been confined to defense items as the Kennedy administration claims. Nondefense expenditures have increased proportionately more rapidly than defense.

The Secretary of the Treasury's annual report contains a table showing receipts and expenditures from 1789 to the present. Expenditures in this table are broken into five major categories, "Army," "Navy," "Air Force," "Interest on the public debt," and "Other." In 1960 the three military departments spent $40.9 billion, interest on the public debt was $9.1 billion. "Other" was $27 billion. In the 1964 budget military expenditure is $51 billion, interest $11.2 billion, "Other" $36.6 billion. In other words, defense increased $10.1 billion or about 25 percent over 1960. "Other" increased $9.6 billion or about 35 percent over 1960.

The administration has confused the issue by constantly pointing out that the 1964 budget calls for no increase in items outside defense, space, and interest. I guess the theory is the public finds defense expenditure increases more palatable than other programs. But what have space and interest to do with defense? One could just as well relate depressed areas and housing to defense. These also have increased. The space agency by act of Congress was taken out of the Defense Department because it was decided that the bulk of the program did not relate to defense. However, some space activity was left in the Department of Defense and a sizable item appears in the military budget each year for military space. Furthermore, the statement of the administration even including space and interest is untrue. The request for new obligational authority of the Agriculture Department for 1964 is $8.1 billion compared to $6.7 billion in 1963, an increase of $1.4 billion. For the Department of Health, Education, and Welfare, the increase is $1.8 billion from $5.4 billion in 1963 to $7.2 billion in 1964. Foreign assistance program shows an increase of $1.1 billion from $3.85 billion in 1963 to $4.945 in 1964—since the budget was presented in January the President has cut his request back to $4.5 billion so the increase requested as of the present is only $0.6 billion.

These increases in nondefense expenditures such as agriculture, foreign aid, HEW, et cetera, are hidden by bookkeeping devices. One device is the use of a single entry of recording the net figure of money derived from sale of capital assets such as Commodity Credit Corporation — agriculture surpluses — minus the increase in the routine annual expenditures for the Department. Another device is to use a major capital expenditure reduction to offset current and continuous expenditure increases. Two-billion-dollar capital expenditures of the Export-Import Bank in 1963 is used to cover up $2 billion of increases in the current and continued expenditure levels of nondefense spending. And, of course, some Federal programs fortunately do phase out. The phasing out of a program should show up as an expenditure reduction in the budget and not be used to hide expenditure increases in other programs.

Entirely apart from the $98.8 billion expenditure in the 1964 administrative budget are the Federal trust fund expenditures totalling $28.4 billion in 1964, an increase of $1.1 over the $27.3 figure of 1963, which in turn was a $2.1 increase over the $25.2 figure for 1962. The biggest of the trust funds are social security, unemployment insurance, the highway fund, civil service retirement, railroad retirement, and veterans insurance. To understand the magnitude of Government financing through the trust fund technique, it is important to realize that in 1938 the total expenditures from trust funds was $0.5 billion and increased to $1.2 billion in 1941. World War II years saw the expenditures reduced to $0.44 billion in 1944 and a minus $0.18 billion in 1945 only to rocket after the war to $4.4 billion in 1946. These expenditures fluctuated, increasing slowly until 1953 when the figure reached $5.2. Since the Korean war these funds expenditures have skyrocketed. In 1954 the figure was $7.1, then $8.4 in 1955, $9.4 in 1956, in 1957 a jump to $12.9—increased social security benefits; 1958, $15.9; 1959, $18.3; 1960, $20.7; 1961, $23; 1962, $24.1. The discrepancy between the figure for 1962, $24.1; and the $25.2 figure previously used for 1962 lies in a difference in accounting procedures used by the Treasury Department in its statements and the Bureau of the Budget in presenting the budget figures. However, the ratios between years are the matters I am stressing.

These trust fund expenditures will continue to increase rapidly for at least the next 30 years, inasmuch as the major expenditure is from the old age and survivors insurance trust fund—social security. In 1940 the benefit payment expenditure from this fund was $0.035 billion. In 1952 it was $2.2 billion. It has steadily risen to where in 1962 it was $13.4 billion. In 1963, this year, it will be about $15 billion.

Incidentally, the amount of Government bonds in the trust fund in 1952 was $18.4 billion or about 8 years reserve at the $2.2 expenditure rate of 1952. In January 1963 the fund was $18.34 or about one and a fourth years, reserve at the $15 billion expenditure rate for 1963. The Kennedy administration spokesmen have said that anyone calling the peoples' attention to matters of this sort is undermining the public's confidence in the Social Security System. I have made a number of speeches emphasizing that this kind of blind politics can destroy the Social Security System. Even at this late date if we will ignore this demagoguery and face up to the critical problems that our fiscal irresponsibility is leading us into, we can shore up the social security fund and not renege on our commitments to those who have been relying upon the solvency and integrity of the system, this group, of course, includes almost our entire work force.

The revenue side of our Federal budget has not kept pace with our increasing expenditures, to wit the national debt is now approaching the $309 billion ceiling and will move close to $320 billion in 1964 if we continue our rate of expenditure. This will be an increase of $34 billion of debt in 4 years from the $286.3 figure of 1960, or $8.5 billion more debt per year. This is in contrast to an increase of $27 billion in the 8 years of the Eisenhower administration or $3.4 billion a year—$259 billion debt in 1952. Neither record is good, but the Kennedy record is the worst in our peacetime history and more than twice as bad as that of the preceding administration.

The Kennedy administration has sought to allay the concern of the people over the rising Federal debt by a series of specious arguments.

First. The administration hides and dissembles over the increase in the rate of annual debt increases which its fiscal theories have produced and refuses to estimate the further increases in the debt which will result from its planned deficits into the future.

Second. The administration relates the Federal debt as a ratio of gross national product and calls attention to the fact that this ratio has declined since 1946. Note the year 1946 is selected as the basis for this relation. Should the ratio of the year 1946 be the goal of our fiscal debt policy? Certainly no reasonable man would seriously advance such an argument—1946 is the year immediately following World War II when perforce the results of the overwhelming deficit financing we resorted to in financing this war reached their peak. Does the 54 percent ratio of GNP to debt in 1962 compare favorably to the percentage ratio of GNP to the national debt during other peacetime periods in the 20th century? It does not. In 1909 the ratio was 3.4 percent and this declined to 2.5 percent by 1916—a period during which GNP increased by 44 percent or about 6 percent a year. This is in relation to an overall growth rate from 1860 to 1960 of about 2.9 percent. In 1919 after World War I's deficit financing the ratio stood at 30 percent. This declined to 16 percent by 1929. The ratio increased during the depression of the thirties and reached 43 percent in 1940—a period which incidentally showed a zero increase in gross national product. This should make people pause to reflect whether debt helps economic growth. In 1946, immediately after World War II, the ratio was 128 percent and it has now declined to 56 percent as of June 1962—debt $298.6 billion, GNP $553 billion.

It should be noted that 70 percent of the decline in the ratio of the debt in the 15 years from 1946 to 1962 occurred in the first 5 years after 1946. In 1951 the ratio had declined by 51 percentage points or 10 points a year to 77 percent. This decline was largely the result of the serious devaluation of the purchasing power of the dollar, which occurred during these years. Hardly a course to emulate or to praise. The debt of course remained in the constant dollar figure of 1945 while the GNP went up because it was measured in terms of the inflated dollar. Since the Federal Reserve-Treasury accord of 1951 which largely stopped this monetary inflation the ratio has declined only 21 points in these 11 years from 77 to 56 or 2.1 points a year. Even some of this decline is the result of further dollar devaluation rather than real economic growth. Since 1960 the ratio has dropped less than a whole point from 56.8 percent to 56.0. If the estimate of GNP for 1963 reaches $578 billion the administration anticipates and the debt goes to around $318 billion as the administration projects there will be only another fraction decline to 55.2 percent. At this rate it will take 6½ years to reach a 50-percent figure and another 10 on top of that to even equal the peacetime high mark of 43 percent in 1940. This will be the year 1980.

Certainly this leaves little resiliency for these 17 years ahead of us in our fiscal posture in the event that we should have another major war or depression forced upon us.

Third. The administration relates the Federal debt to State, local and private debt and points out that these debts have risen faster than the Federal debt. Again what is the year of reference? A peacetime year? A year we would choose as our goal for an optimum? No, 1946 is again taken as the year, the year which reflects the high water mark of extraordinary Federal deficit financing as the result of World War II, 1946 is also the low water mark of State and local expenditures as well as private expenditures because of our national desire to divert as much of our resources as possible to the effort of World War II. So in this instance the selection of the year 1946 as a benchmark is doubly deceptive.

Parenthetically, I would remark that the Kennedy administration continues to show an abnormal inability to distinguish between an economy based upon war and one based upon peace in this matter as well as in other matters of economic and fiscal policies which require the use of economic statistics and the understanding of the basic laws of economics.

What are the ratios over a period of time of State and local governmental debt to Federal debt?

In 1946 which reflects the war expenditures the ratio rose to 94.4 percent Federal and declined to 0.8 percent State and 4.8 percent local. In 1960 that ratio had shifted to 80.5 percent Federal, 5.2 percent State, and 14.3 percent local. In 1962 the Federal ratio had further declined to 78.7 percent and State and local totalled 21.3 percent.

The balance which formally existed between the three tiers of government during the periods when this Nation prospered the most are far from being reached in this ratio heavily weighted to the Federal Government. In 1902 the ratio was 35.9 percent Federal, 7 percent State, and 57.1 percent local. Nineteen hundred and twenty-two reflected the shift resulting from the massive Federal debt of World War I—69.4 percent Federal, 3.4 percent State, and 27.1 percent local. In 1927 the ratio had balanced to 55.4 percent Federal, 5.9 percent State, and 38.7 percent local. In 1932, 50.4 percent Federal, 7.3 percent State, and 42.3 percent local. The 1930 depression years show a shift to the Federal tier and by 1940 the ratio was 67.9 percent Federal, 5.7 percent State, and 26.4 percent local.

The Federal programs set forth in the most recent budget of the Kennedy administration will hamper the shift back to the ratios of pre-World War II peacetime years. The balances that existed during the first 140 years out of our total 170 years social and economic development seem to be out of question today. However, if we are to match the growth rate of these 140 years in the ensuing decades, I believe we would be wise to set our sights in the direction of this kind of balance. Certainly setting our sights on the balances of the year 1946 is the height of folly.

The argument that we need not worry about the Federal debt today because it is a less ratio to the State and local governmental debt in 1946 is out of context. It is designed to mislead. Sixteen years after the war instead of a 78.7 percent Federal ratio which we have in 1962 we should be much closer to a 50 percent Federal ratio. The most alarming decline which occurred during World War II, of course, is the local government ratio. The State and local debts must increase more rapidly than the Federal debt, or better still the Federal debt should be declining much more rapidly if we are to get back to the peacetime ratios when our Nation had its greatest growth.

Fourth. The Kennedy administration seeks to compare the Federal debt to private and State and local government debt in order to suggest a point which is untrue, that a large part of the Federal debt goes for capital investment against which there are marketable and economic-capital assets.

It is true that most of the private corporate debt goes for capital investment against which there are offsetting capital assets. It is true that a good bit of consumer debt goes for capital expenditures, which remain as a capital asset securing the debt, such as homes and consumer durables. It is also true that almost all of the local governmental debt is for capital improvements, roads, schools, sewers, public buildings, and so forth. Indeed most local debt is limited by law to these kinds of capital expenditures. Much of the State debt also goes for capital improvements. Some State constitutions require this of both State and local debt. Indeed, most debt other than Federal debt is tied to capital improvements and so can be directly related to economic growth and remains a security against the debt.

The Federal debt on the other hand, just as Federal expenditure, is almost all related to other than capital investment. Even today the bulk of the Federal debt is for past and future wars, for military expenditures, and the $10 billion interest we pay annually on the debt must be largely charged to military expenditures. Military assets must go into any economic accounting books at $1 value.

The limited areas where the Federal debt can be said to relate to true capital assets and the areas the Kennedy administration seeks to enlarge are exactly the areas which cause the gravest political disputes today of whether these are constitutional and desirable, let alone efficient functions of the Federal Government. To wit, grants in aid to States and local governments, the TVA, and other public power projects, and the various other Government corporations, particularly lending institutions, like FNMA and CCC which build up capital assets. The traditional and constitutional public works of rivers and harbors and reclamation projects and the Post Office are about the only undisputed capital expenditures the Federal Government makes and these make up a very small part of today's $108 billion budget. Be this as it may, the ratio of the Federal debt which has been spent for capital assets is less than 10 percent of the total outstanding Federal debt. Ninety percent of the Federal budget expenditures are unrelated to capital assets and we have no capital assets to show for them.

Fifth. The Kennedy administration is resorting to an argument I thought was discredited in the 1930's; namely, the size of the Federal debt makes no difference because we owe it to ourselves. This is probably the most specious and dangerous of all arguments advanced by the administration to justify its extravagance. First, we do not owe it all to ourselves. Foreign holdings amount to $15.3 billion. Second, the $55.6 billion of bonds in Government investment accounts are moneys deposited by civil service employees for their retirement—$12 billion; moneys to back up the social security payments—$18 billion, and so forth; and $68.8 billion of bonds are held by individual and corporate pension funds for the benefit of employees for their retirement. Sizable sums are in sinking funds earmarked by businesses and individuals for building homes, factories, stores, and other plants from whence come the jobs for our people. Many of our people own U.S. savings bonds. Their savings do not belong to their less provident fellow citizens. Ninety-seven billion three hundred million dollars of bonds are in the commercial and Federal Reserve banking system to back up the purchasing power of everyone's dollar as well as earmarked for the million and one different programs the ultimate owners of these assets had in mind.

The most certain way to destroy the entire base of our society is to destroy the allocation of ownership of the debt securities in our society, private and governmental. Certainly we can have a complete redistribution of wealth by Government fiat or a military coup based on the economic concept that the debt is owed to ourselves without regard for the savings and efforts and planning that lies inherent in the present allocation of the ownership of the debt. This is what political scientists refer to as a revolution. Is this what the Kennedy spokesmen wish to suggest in behalf of their constituency from whom they seek votes by their profligate spending programs?

And certainly, the debt can be lowered as a ratio of gross national product as was done by the Truman administration by devaluing the dollar—cutting into the purchasing power of the consumers. This redistributes wealth, mostly from the poorer to the richer, however. This is the process that destroys jobs and economic growth. This does not enhance it.

Secretary Dillon made the point that the continued flow of private capital out of the United States abroad and the decline in the amount of foreign capital being invested in this country was one of the critical aspects of the balance-of-payments problem.

He made this point fully realizing that in the long run the fine returns we receive on our investments abroad are one of our strongest assets in the balance-of-payments picture. In other words, curtailing our investment flow abroad hurts rather than enhances economic growth.

Secretary Dillon recognizes that it is the investment climate abroad in respect to the investment climate here that leads to the continued increase in the amount of our capital going abroad and the decline of foreign investment in the United States.

What is this better investment climate? Secretary Dillon related it to our Federal tax structure and said we must have Federal income tax reform immediately.

Indeed, our Federal tax structure is one factor which makes the investment climate in the United States less desirable. However, what makes the Federal income tax structure so deleterious to economic growth? It is not the structure of the tax code, cumbersome as it is, as much as it is the amount of taxes that we seek to collect by means of it. Why do we seek to collect this high amount of taxes? Because we must meet our high rate of expenditures or else create more debt and sell more bonds. Even overburdening the cumbersome Federal tax structure as we do, we still are unable to collect enough revenues to meet our continually increasing Federal expenditures.

Does this not suggest that we should look to a reform in our Federal expenditure policies if we are to correct the economic damage our tax structure is causing? Or at least reexamine our expenditure policies? The Kennedy administration says, "No," and then parrots back the old refrain, "we have tight budgets," in the face of the uncontrovertible evidence to the contrary. Inconsistently it then advances the argument that cutting expenditures will weaken the impetus to economic growth, as if only Government, not private people, would spend their money. Furthermore, the bulk of these Federal expenditures, unlike much of private expenditure, are current expenditures, not capital expenditures. The military expenditures are largely economic waste, essential as they may be to the protection of our society. The governmental expenditures abroad, of course, are doubly deleterious. They not only add to the imbalance in our balance of payments and create more debt—debt owned by foreign governments. This creates a major imbalance of our society vis a vis societies abroad. Some of our domestic expenditures like area redevelopment and accelerated public works are politically, not economically, motivated. Some expenditure programs like public housing and urban renewal are probably causing serious social damage, as well as economic damage.

When we do not raise the taxes to pay for our expenses we must issue and try to market more Government bonds. We must increase the Federal debt—already out of ratio to the optimum gross national product ratio on a peacetime society. What will be the economic impact of marketing $75 billion more Federal securities in the next 8 years on top of those we must refinance as they mature about $70 billion a year? This is the subject the Kennedy administration avoids discussing like the plague.

It is quite clear that marketing additional amounts of the Federal debt in the private sector cuts down on the economic impact the Government seeks to gain from the tax cut. Yet marketing it through the banking system creates inflationary pressures which can hardly be held. A 1-point increase in the Consumers Price Index, and we have been averaging 1.3 point increase a year in the 3 years under the Kennedy administration, takes away $4 billion of consumer purchasing power and a commensurate amount of business purchasing power for new plant equipment and for training of men for the jobs needed to be manned.

The Kennedy administration says no inflation will result from these pressures because we have idle plant capacity and an unemployment rate beyond 4 percent. I have sought to debate these two points. This is another area the Kennedy administration wishes to pontificate rather than to discuss and support their theory by fact and fair argument. The so-called idle plant capacity is obsolete plant capacity, unwanted and unneeded plant capacity. The unemployed have obsolete skills, or have no skills, or skills that are not in demand. At the same time we have this unused plant capacity for unwanted products and the unusable manpower because of lack of usable skills, we have a pinch for new plant capacity which goes unbuilt. We have need to fill thousands of jobs going begging for lack of manpower with updated skills; the men who could learn these skills remain untrained and even now are not in the process of being trained. The Kennedy administration by ignoring the facts turns its back on the policies that could produce economic growth and diminish unemployment.

We have had constant increases of consumer purchasing power each year; in fact, World War II surpassing all known records. We have increased consumer credit—sound consumer credit based upon sound potential earning powers and certain employment—surpassing all records. We have a vast amount of corporate liquidity and a vast amount of investment moneys waiting to be invested. Put more consuming purchasing power or more investment money into this economic climate with the bottlenecks we already have for the goods and services that are in demand without building the plant capacity or the manpower to produce the goods and services in demand and only inflation can result. At the same time the obsolete plant capacity will remain unused and the idle men without skills will remain idle.

One thing holds back these inflationary pressures and it is a serious and disturbing matter. It, too, lies embedded in our balance of payments. It is the foreign marketplace. Here we find that prices of our goods and services are becoming noncompetitive. This is because in many fields we have continued to advance wages and salaries beyond real productivity increases. Underlying this is the fact that we have increased the hidden costs which the consumer ultimately pays in the price of goods and services, the costs of the Government services to our people which because of political action and demagoguery we have pushed beyond our productivity gains. The taxes we take from our people to pay for these services through payroll taxes, excise taxes, corporate income taxes, are in essence consumer taxes. They must and do go into the price of the goods and services offered in the marketplace. What makes people think that a $14 billion tax take on payrolls for social security does not go directly into the Consumer Price Index? Of course it does. And if we do not have productivity increases to justify this added expenditure, of course it will be paid for through reduction of the purchasing power of the dollar. Yes, it will also reduce the ratio of the Federal debt to GNP so demagogs can try to make us feel secure in piling up more debt. Inflation economically is a tax, transferring purchasing power from the people to the debt-ridden Government. It is the rottenest of all taxes.

Favorable business climate means one basic thing. Favorable profit on the invested dollar. Innovation to produce goods and services for the consumer to raise his standard of living or to provide better and stronger weapons for defense of his society and his freedom, comes only from human time and effort devoted to this endeavor. This requires that money be saved from immediate consumption and set aside to pay for building the plants, the machinery; and training the skilled manpower which will be used in the immediate future.

What makes men save rather than spend a dollar from the dollars they earn? If there is no incentive, human nature is such that all would be consumed for present pleasure, nothing saved—or, if saved, saved only for oneself in the future, hoarding. The incentive to save a dollar is the return that one can obtain on an investment of the saved dollar in others' work.

How are men persuaded to invest in another's innovation or one's own innovation demanding the cooperative work of others? The newer the idea, the less certain it will succeed. Investment in true and tried things comes with relative ease but investment in rather new things, which must move a society forward, comes harder. The incentive to risk saved money in innovation will only occur if there is a fair return on the investment—a profit. The newer the idea the higher can be and must be the return.

This is the profits motive. Profits today are socially, morally, and economically desirable. Without them a society cannot move forward. Yet in the United States today where the profit motive is the base of the most successful human system ever devised to raise the standard of living of all people, not just the few, it has become a fetish with political and almost religious overtones to downgrade profits. Some ministers speak out against it, usually obliquely, but sometimes directly, in our pulpits without troubling to study or understand that which they castigate. Indeed, a large school of well-meaning humanitarians seem to have dedicated themselves to denigrate it and destroy it. They must have a poor regard for the general run of human beings. They must believe that only a select few of our people have altruistic instincts or have anything to contribute that is of lasting value to our society.

I believe the opposite. I believe that there are very few human beings who cannot in their lifetime, and do not, given the opportunity, contribute some new and worthy idea, a better way of doing something, some bit of truth, however little, to our society. We must maintain a social and economic order that enables all people to make their contribution to the reservoir of human understanding. The marketplace is where the individual moves forward his economic suggestions, just as local government based upon the ballot box provides him this same opportunity in government.

The return on equity investment declined from 14 percent using 1948–51 as a base to 9 percent in 1963. Here in this decline lies the reason that capital is investing not as heavily as the Kennedy administration would wish it to, in our domestic market. A better investment climate tends to make it flow abroad.

This is why foreign capital does not come here in the amounts that it used to and capital already here is withdrawing. This is the crucial factor underlying our balance-of-payments problem.

What are the economic ingredients that bear upon the decline in the percent of return from investment money? Essentially, they are manpower costs. When manpower costs go beyond productivity increases we have no economic savings from which to pay for these increased salaries and wages, for reduction in prices for the consumer and for a better return on investment to the saver. On the other hand, when we do have productivity increase within the limits of this economic gain, we can increase wages and salaries, lower prices and give more return to the saver, who is willing to risk his savings and to forgo the consumer expenditure he otherwise might have indulged himself in.

Federal personal income taxes, serious as they are in impeding economic growth, are only one factor and a relative minor one in aggregate dollar. The main deleterious impact comes because the tax is concentrated upon incentive profit the impact has an important psychological base. When the administration talks of reducing corporate income tax rates by 5 percent it talks in terms of tenths of percentage points in relation to return on investment. We need to grapple with the economic factors that have brought a decline in terms of whole percentage points—the things that caused a decline from 14 to 9 percent.

For example, a 10-percent return on a $1,000 investment brings in $100. Under a corporate income tax rate of 50 percent, $50 goes to the Government and $50 to the investor, a 5-percent net return to the investor. Reduce the corporate rates by 5 percent and the investor gains $5 more on his $1,000 investment, a 0.5 percent gain. This is a fraction of a percentage point. Important, but not hitting at the real problem.

Continue on a program of deficit financing, increasing the Federal debt, marketing the additional Federal bonds needed to take care of the deficit and we will continue to undermine the favorable economic climate for the investment dollar. Any value to be derived from a 0.5-percent increase on return on the invested dollar through a tax cut will be overshadowed by the deterioration of the economic climate brought on by planned Federal deficits.

Underlying the balance-of-payments problems is our own domestic fiscal and other governmental policies. Until we abandon the will-o'-the-wisp economic theory of balancing budgets through planned deficits which never seem to end and return to the tried and tested economic theories of disciplined governmental spending, self-disciplined labor-management negotiations and an appreciation of the need for profits from investment, our balance-of-payments situation will continue to deteriorate. This means a decline in the standard of living of those who are employed, more unemployed, less innovations, less progress, a weakening of our defenses and unquestionably the loss of our position of preeminence in the world.

TAXPAYER CONTRIBUTIONS

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, I was interested to hear the colloquy a few moments ago between a couple of Members of the House and the concern they expressed about contributions to various international organizations, including the ILO.

I wish the same concern might have been shown in reference to contributions of other millions of dollars, such as the contributions that have been made to the so-called Cultural Center in Washington, also the contribution that is now being made to that financial white elephant known as the District of Columbia Stadium, these contributions being made by the taxpayers of the Nation.

I could hope the same concern had been expressed by the gentlemen who engaged in the colloquy a few minutes ago.

THE ALLIANCE FOR PROGRESS

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Gonzalez] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, the Alliance for Progress will have its second anniversary next month. Last year the Alliance did not celebrate its birthday. This year the Alliance has ample cause to mark the enactment of the Charter of Punta del Este.

In accordance with the second anniversary of the Alliance for Progress, I ask unanimous consent to have inserted into the Congressional Record this article appearing in the Saturday Review, July 13, 1963, by Adolph A. Berle, former Ambassador to Brazil, entitled "Latin America's True Voice." I believe that Mr. Berle's article contains some rather farsighted observations on the objectives of the Alliance for Progress:

LATIN AMERICA'S TRUE VOICE

(Editor's Note.—The author of the following guest editorial, Adolf A. Berle, is a former special assistant to the Secretary of State, former Ambassador to Brazil, and has also served as Chairman of President Kennedy's Task Force on Latin America.)

The Alliance for Progress, a positive program for social and economic development of Latin America, works on a platform of objectives adopted by all Latin American countries at the conference of Punta del Este and is backed by political parties representing a majority of all Latin American voters. Under freedom, the Alliance program can revolutionize Latin America into well-distributed prosperity. Puerto Rico's brilliant success in achieving democratic social and economic revolution, an explosion of productivity, proves its feasibility. By comparison, the wreck of the once-strong economy of Cuba displays the ghastly reality behind shimmering Communist promises.

Simultaneously, the imperialist push of the Soviet Union and China is ruthlessly driving into the explosive Caribbean area. Its aim: reduction of Latin American countries to the status of Russian or Chinese provinces—with an eye to an eventual attack on the United States.

Slowly, all too slowly perhaps, the Alliance for Progress gains new social and political adherents throughout the hemisphere. The Communist imperialists meanwhile maintain a Russian army of occupation (perhaps underestimated at 17,500 men) in Cuba, and have mounted a clandestine drive in Haiti. Cadres of armed guerrillas (locally camouflaged as "armies of national liberation"), paid and supplied from Havana, are being maintained in Venezuela, in Colombia, and possibly also in the northern jungles of Guatemala. Unactivated nests and arms dumps have been organized elsewhere in the Caribbean littoral.

The Alliance for Progress has started constructive projects throughout most of the hemisphere. By 1965 enough will have been completed to affect the lives of about 18 million people; and this is only the beginning. Results are already appearing in Venezuela, in Colombia, in parts of Central America, in other areas like the city of Rio de Janeiro, and are foreshadowed in the northeast shoulder of Brazil.

Contrast could not be clearer, nor could necessity be highlighted more violently. The Alliance program presents unlimited opportunity and hope—but must be forwarded and defended against military armed attack whose ultimate target is the United States. The attack may become more intense. Assistant Secretary of Defense Paul Nitze warns that the Soviet Union will probably stiffen its cold war drive. Washington sources report that Khrushchev agreed with Castro to abandon a "soft line" and increase the scale of armed aggression. The Organization of American States, as of June 5, documented the proven facts and methods of the Soviet military and subversive invasion carried on from her Cuban bridgehead.

Americans and Latin Americans alike enjoy talking about and working at the objectives of social reform, social progress, and increased education, production, and distribution. Both dislike to face the pressing but bloody fact that a military attack against them is going forward. This is natural; but, unhappily, social and economic welfare projects (let alone plans) do not by themselves stop bullets coming your way.

Grave as all this is, the problem is not new. When the Marshall Plan for Europe was announced in 1947, the Soviet Union presently declared war on the whole conception, and used all the weapons in its paramilitary armory to abort its apparatus. A year of violent struggle ensued before the Marshall plan machinery could really become effective. A similar policy was followed by the Communist empires when the Alliance for Progress was announced in March 1961. So it comes about that as summer 1963 begins, we are halfway along in the battle to establish those conditions of order, administration, and organization under which economic and social development can go forward. Unlike Europe, Latin America has no long tradition of honest and effective administration, organizing power, and high educational background. The Alliance task is thus harder, and Communist capacity for sabotage and armed revolution correspondingly greater. On balance, nonetheless, the battle is gradually being won—though Haiti is a current battleground, though Castro-directed terrorism is fighting a bloody last-ditch struggle against President Romulo Betancourt's brilliant achievements in Venezuela, though Brazilian opportunist politicians falter, and though Communist propaganda machines work at full bast.

In its entirety, the situation poses as square a challenge to the Congress of the United States as could well be imagined. The Congress must, and should, and does, insist on defense, and on continuing effort to seek expulsion of the Soviet and Chinese imperialists from Cuba and the Western Hemisphere. Yet to do this effectively it must and should also support, with appropriations and necessary measures, the Alliance for Progress program. Defense can perhaps "stop" or contain the paramilitary operations of Russian and Chinese imperialists. But the battle of the hemisphere cannot be "won" save by triumph of the Alliance program—the declared objective of all Latin American governments save Cuba.

Increasingly it is plain that with solid support the Alliance program can be realized. The 10-year period it envisaged will lay a visible physical economic and psychological foundation—in some places, indeed, it is beginning to pay off now. Ten years from now the economic stage will be set for an explosion of economic progress somewhat comparable to the reconstruction miracle accomplished by the Marshall plan in Western Europe. True, the Alliance for Progress without defense would have doubtful prospects. Yet defense without the Alliance for Progress would in long range be an impossibility. When Teodoro Moscoso, Director of the Alliance for Progress, and his men come before Congress for their next set of appropriations, they are entitled to full support. True, many changes can and should be made. Bureaucracy, both in Washington and in Latin American capitals, can be eliminated. Wider action than mere government-to-government arrangements—coupled with a corresponding speedup in effectiveness—can be worked out. But the main structure of this great program can be maintained, strengthened, and implemented. Latin America is not a "primitive area." Its resources of men, organizing capacity, ideas, and techniques are great. Gov. Luis Muñoz-Marín, of Puerto Rico, demonstrated that more progress for more people can be made in quicker time under freedom than under any totaliarianism, let alone under any oversea imperialism. Most Latin American countries are gold mines of natural resources compared to Puerto Rico.

Sentiments of American Congressmen are understandable and command sympathy. Noisy demagogs stalk Latin American politics, seeking votes by attacking Uncle Sam much as Mayor (Big Bill) Thompson of Chicago used to seek votes by promising to punch the King of England. Some vocal and self-appointed spokesmen for Latin American youth declare their dislike of a United States they know only through Communist propaganda. Others indulge a naive dream (frequently called "Nasserism") that they can create a native nationalist communism with Russian aid, escape from the imperial leading strings of Moscow, or perhaps Peiping, and establish themselves in semihostile isolation, alternately blackmailing, cajoling, and deceiving both the Soviet Union and the United States into granting gifts, loans, preferential markets, or other aid. But, in 1800 European youth flirted with Napoleon's agents seeking help in their private revolutions, only to wind up under the heel of Napoleonic tyranny if not dead at its hands.

The real Latin American masses are not heard, partly because there is no foreign propaganda machine to magnify their voice. These men have no quarrel with the United States. They even like the Monroe Doctrine as a defense against outsiders. They want material progress, education, breaking of outworn social limitations, and reform, assuring that materials and political success shall result in solid dividends to the least favored rather than the most favored Latin American classes. Slowly, perhaps even rapidly, they are becoming fed up with shouters, talkers, and petty brass too often mistaken for Latin American "opinion." They have no wish to be converted into Cuban-type helots, to become serfs of state collectives, to have their families torn apart, to have their teenage children converted into rifle-toting gangsters. They demonstrated and exulted when American power successfully confronted the Russians in Cuba last October, regretting only that the American victory was not more complete. If these people could speak, Washington impressions of Latin America would be quite different from what they now are.

Defense will have more dramatic and transitory crises than will the Alliance for Progress. Yet the slow working of the Alliance as it unrolls can and should lead to a mighty and permanent improvement in Latin American conditions. To this plow the United States has set its hand. Defense, economics, commonsense, and common humanity all indicate that it should not falter now.

Adolf A. Berle.

VOLUNTEER FIREFIGHTING ORGANIZATIONS IN MARYLAND

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. Sickles] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. SICKLES. Mr. Speaker, since the early days of our Nation, we have been fortunate to have civic-minded citizens who would aid their local community in such important tasks as Indian fighting, cabin building, and the like.

Today, the 296 volunteer firefighting organizations in Maryland still portray that essential cooperative spirit. Unfortunately, because of the high cost of modern equipment and the limited resources available to the local communities, some of these volunteer organizations do not have the equipment to match the spirit of their firefighters. To remedy this, I have today introduced a bill which could help these firefighting companies to fulfill the vital community role that they now play. This bill would amend the Federal Property and Administrative Services Act of 1949 to allow the donation of surplus Government property to volunteer firefighting organizations. The existing law provides that such property can be donated for purposes of education, public health, research, or civil defense. Under the present interpretation of the law, volunteer fire companies have been unable to receive this surplus equipment. It is my feeling that these companies would play a vital role in any actual civil defense effort in addition to the community protection that they now provide, and that it is only logical that they should be permitted to receive surplus Government equipment.

My bill would enable these companies to obtain much-needed truck chassis and tanks, to replace outmoded engines, and to supplement existing equipment which is, in many cases, inadequate to the needs of the community.

This is the least we in Congress can do to aid these fine organizations who continue to exist only because of the untiring effort of thousands of volunteers who put in countless hours, often with little or no community recognition. I can think of no other type of organization which would be a more worthy recipient of surplus Government equipment or make better use of it.

STATEMENT OF THE AMERICAN POINT OF VIEW AND POSITION AND A SCINTILLATING EXPOSURE OF THE AUTHORITARIAN SYSTEM IN SOVIET RUSSIA

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Pepper] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. PEPPER. Mr. Speaker, a brilliant statement of the American point of view and position and a scintillating exposure of the authoritarian system in Soviet Russia was presented in a letter of July 20, 1963, by Mr. Lee Hills, to Mr. Boris Burkov, chairman of the board of Novosti Press Agency in Russia and secretary of the U.S.S.R. Journalists Union, in reply to a letter from Mr. Burkov dated March 31, 1963.

Mr. Hill is the distinguished executive editor and publisher of the Detroit Free Press, vice president of the Knight newspapers, past president of the American Society of Newspaper Editors.

Mr. Hills' letter is as follows:

July 20, 1963.

Dear Mr. Burkov: I was pleased to receive your delayed letter of March 31. I agree with you that our correspondence has tended to drift into a rather unfruitful argument over how to rearrange the bones of the dead past. Without conceding the essential rightness of our respective views, let us continue our exchange with an eye to the future instead of sterile recrimination.

As President Kennedy said in his speech on world peace at American University June 10: "We are not engaged in a debate, seeking to pile up debating points. We are not here distributing blame or pointing the finger of judgment. We must deal with the world as it is, and not as it might have been had the history of the last 18 years been different."

In your letter you described the friendly feelings which exist between the Soviet and American peoples. You called these feelings piers for a bridge across the ocean.

Of course this is so, but it is not enough. You and I and almost all men, everywhere, share similar goals: Enough food to eat, a decent home, security for our loved ones, the right to think our own thoughts. But agreement on ends is only a small part of the task. It is necessary to work out practical methods to reach our common goals.

In this respect, I am glad that your Government is willing to sit down and negotiate realistic solutions to our common problems. The discussions of a treaty to ban easily detectable nuclear tests in the atmosphere are certainly a helpful first step. Even though some would prefer a complete ban on tests safeguarded by a satisfactory system of inspection and control, let us do, now, what we can do.

As President Kennedy said in his June 10 address, your country and mine share one overwhelming interest—how to avoid the perils of mutual annihilation. Apparently the Chinese leaders do not share this interest, or at least do not seem to realize how important it is. We respect and applaud your efforts to open their eyes to the dangers that flow from their policies.

At the same time, I wish you could persuade your leaders of the hazard they are running by continuing to keep thousands of Soviet troops in Cuba.

According to some press reports, the number of Russian soldiers in Cuba has not been reduced and, in fact, may have been increased. Their presence is a constant irritant to the American people. It places my government under heavy pressure to abandon its policy of patience.

I am sure you realize the power of public opinion in a country such as mine. Until your troops depart, and the Cuban people are allowed to work out their own destiny—

under communism or democracy as they prefer—the danger of an explosion remains.

The Cuban question, Mr. Burkov, touches on the fundamental difference between us. We believe that we stand for freedom of choice. In the marketplace, in the university, and in systems of government, we want men to be free to choose what they want.

It is my impression, from my visit to your country and my reading, that your people, while not satisfied with everything about their life (neither are mine), are reasonably content with your socialistic system. So be it. It is not our intention to interfere with that, no matter how mistaken we may think you to be.

But what we do most earnestly object to, is your effort to impose your system upon others without allowing them the freedom of choice.

It is true that Premier Castro was apparently welcomed with enthusiasm by the Cuban people when he marched into Havana. Indeed, many Americans welcomed him as a replacement for the dictator, Batista.

But now, the evidence seems overwhelming that millions of Cubans are unhappy with what Castro has done. The refugees who fill Miami are not malcontents, idle rich, or traitors to their people. They include the intellectual, professional, and technical elite of the island, as well as its humblest fishermen, and farmers. More than 250,000 of them have already left Cuba, and another 350,000 have asked and received permission to enter the United States if they can find transportation.

(A population drain on the same scale would cost my country seven million citizens, or take from the Soviet Union as many workers as were lost during the Second World War.)

The only way these Cubans can express their opposition to Castro is to flee—to vote with their feet—or to enter the desperate life of a guerrilla in the hills.

Let us agree to work for the day when the people of Cuba, of Vietnam, of Romania, of Venezuela, of Poland, of Algiers—in short, of all countries, can choose freely the system under which they live.

And let us both strive, in our national life at home, to increase the freedoms of our own peoples.

In my country, I confess, we have much to do. A man without a job is not really free. A child without an opportunity for a good education cannot be free. A man with a black skin is, unfortunately, not always completely free. But we are trying to do better. I hope the Soviet press will report our efforts honestly, and not simply dwell on our failures, real though they may be.

In your country, in turn, there has been disturbing news in recent months of renewed restrictions on the free flow of ideas. As you remarked in your letter, the period of Stalin was characterized by an "intolerant attitude toward criticism." I earnestly hope that the outpouring of literature, art, and music in the years after Stalin's death is not to be frozen once again in the ice of intolerance.

Your leaders preach peaceful coexistence and nonwarlike competition between our systems in the world at large. Yet how are we to believe you mean this if you refuse to permit coexistence and competition among ideas at home? Doesn't this sound like the man who demands privileges for himself when he is out of power but denies them to others when he is in power?

I would like to call to your attention a most interesting statement by Secretary of State Dean Rusk on the role of law.

"The purpose of law in a free society," he said, "is to enlarge freedom, by letting each know what kind of conduct to expect from the other. And it is through our laws that personal freedom is not only protected but constantly enlarged, so we can pursue our orbit with a minimum of collisions."

In other words, in our system, law is not a device to restrict freedom, to block new ideas or to sterilize the human spirit. Instead, in a marvelous paradox, it does precisely the opposite. If all men, in your country and mine, shared this conception of law, how much better life would be.

And why cannot the same spirit form the basis for our international relations? Freedom through law is surely preferable to the lawlessness of subversion, agitation, and "wars of liberation" which inevitably cause collisions between our orbits.

For generations, we Americans have dreamed of making the world safe for democracy. Your leaders dream of the eventual triumph of communism. On these matters we stand unalterably opposed.

But on this much we must agree: We must find ways, in the words of President Kennedy, at least to "make the world safe for diversity." Otherwise, there will be no safety, no democracy, no communism.

I send you my best regards, and hope to hear from you again.

Sincerely,

Lee Hills.

A NATION OF IMMIGRANTS

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Rodino] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. RODINO. Mr. Speaker, for many years, I have advocated a change in our present, antiquated formula for immigration, based as it is on inflexible "national origin" quotas.

Among those who shared my belief was a former colleague who left our midst to continue his distinguished career in the other body, then to become our beloved President. I am sure that we all remember the brilliant treatise he wrote on the subject of immigration, which was published as a pamphlet by the Anti-Defamation League of B'nai B'rith, and reprinted, in condensed form, in yesterday's New York Times magazine.

I believe that we should all reread his words at this particular time, when the legislation that he, as our President, has proposed and I, among others, have been privileged to introduce, is now before committee.

We must never lose sight of the fact, as the President says:

> That every American who ever lived, with the exception of one group (the Indians), was either an immigrant himself, or a descendant of immigrants.

As the President put it in his recent message, our investment in new citizens has always been a valuable source of our strength. We cannot protect and project that investment unless we modify the restrictive laws now governing admittance of our new citizens.

Let each of us remember his heritage as we reflect on this excerpt from the President's masterpiece of 5 years ago:

A NATION OF IMMIGRANTS

(By John F. Kennedy)

(Five years ago the junior Senator from Massachusetts wrote an eloquent plea for a change in the restrictive immigration policy of the United States. In a pamphlet called "A Nation of Immigrants," he sharply criticized the quota system—the system of admitting immigrants on the basis of fixed annual quotas for different races and nationalities. The system is heavily weighted in favor of northern Europeans.

(Now, as President, John F. Kennedy has acted to carry out the ideas of "A Nation of Immigrants." He has called on Congress to abolish the quota system. Under his proposed law, 165,000 immigrants (the present ceiling is 156,700) would be allowed in each year without regard to racial or national origins.

(Here are excerpts from Mr. Kennedy's story of immigration to America.)

Since the first settlers reached the New World, some 40 million people have migrated to America. This is the greatest migration of people in all recorded history. It is hard to imagine how many people 40 million is. It is all of the people in Arizona, Arkansas, Colorado, Delaware, Idaho, Kansas, Maine, Montana, Nevada, New Hampshire, New Mexico, North Dakota, Oregon, Rhode Island, South Dakota, Utah, Vermont, Wyoming—2½ times over.

Another way of measuring the importance of immigration to America is to say that every American who ever lived, with the exception of one group, was either an immigrant himself, or a descendant of immigrants.

The exception? Will Rogers, part Cherokee Indian, said that his ancestors were at the dock to meet the Mayflower.

This means that in just over 300 years, a nation of 175 million people has grown up, populated by persons who came from other lands and their descendants. It was the literal truth when President Franklin Delano Roosevelt greeted a convention of the Daughters of the American Revolution with the words, "Fellow immigrants."

Any great social movement must leave its mark. The great migration of peoples to the New World did just that. It made America a nation different from all others. The effects of immigration—to put it another way—the contributions of immigrants—can be seen in every aspect of our national life. We see it in religion, in politics, in business, in the arts, in education, in athletics and in entertainment. There is no part of America that has not been touched by our immigrant background.

Immigration to America can be pictured as ocean waves breaking on the shoreline. We can clearly see the crest of each successive wave, but if we look closer we can see that the waves are not really separate but continuous. Even at the moment that one wave is reaching its crest, the next is gathering force and building momentum.

The first wave began with the Virginia settlers in 1607 and the Puritans and Pilgrims in 1620. The first wave was predominantly, but not solely, English in origin. The urge for greater economic opportunity mixed with the desire for religious freedom impelled these people to leave their homes. Of all the groups that have come to America, these English settlers had perhaps the most difficult physical environment to master, but the easiest social adjustment to make. They mastered a rugged land and that was hard, but they built a society in their own image and never knew the hostility of old toward new that succeeding groups would meet.

By 1820, Ireland began to replace England as the chief source of new settlers. Indeed, in the century between 1820 and 1920, some four and a quarter million Irish came to America—most of these between 1820 and 1860. Most of the Irish settled in the great cities of the North and provided a laboring force to meet the needs of a rapidly expanding industrial economy. Many worked in factories and many others left Ireland when offered jobs by the builders of the new American railroads and canals.

The Irish were among the first to meet the hostility of an already established group of "Americans." It was not long before employment circulars included the phrase, "No Irish need apply."

It is not unusual for people to fear and distrust that which they are not familiar with. Every new group coming to America found this fear and suspicion facing them. And, in their turn, members of these groups met their successors with more of the same. The Irish are perhaps the only people in our history with the distinction of having a political party, the Know-Nothings, formed against them. No party based on bigotry and hatred could be successful in America and the Know-Nothings, after a vigorous start, died an ignominious death in the mid-1800's.

The wave of German immigration began to rise in the middle of the 19th century as Irish immigration began slowly to recede. For the rest of the century the two overlapped. By 1910, there were 8 million Americans either themselves born in Germany or whose parents were born there.

For the most part, these new Americans were farmers and artisans. They were instrumental in opening the West to settlement. Lured by the promise of free land, these people were among the first to cultivate the fertile soil of the Mississippi Valley. Their skill as craftsmen, too, found ready acceptance in the developing American industry.

Toward the end of the 19th century, immigration to America underwent a significant change. For the first time the major sources of settlers became southern and eastern Europe rather than Northern Europe and the British Isles. Large number of Italians, Russians, and Poles came to this country and their coming created new problems and gave rise to new tensions.

In the 1930 census, New York City had more people of Italian birth or parentage than did Rome, Italy. Most large cities had well defined "Little Italys," or "Little Polands" by 1910, and walking through them one might well imagine himself in Italy or Poland.

The history of cities shows that when conditions become overcrowded, when people are poor, and when living conditions are bad, tensions run high and crime flourishes. This is a situation that feeds on itself—poverty and crime in one group breed fear and hostility in others and this, in turn, impedes the acceptance and progress of the first group, thus perpetuating its depressed condition. This was the dismal situation that faced many of the southern and eastern European immigrants just as it had faced some of the earlier waves of immigrants. Indeed, one New York newspaper had these intemperate words for the newly arrived Italians: "The floodgates are open. The bars are down. The sallyports are unguarded. The dam is washed away. The sewer is choked * * * the scum of immigration is viscerating upon our shores. The horde of $9.60 steerage slime is being siphoned upon us from continental mud tanks."

As it had been with their predecessors, the struggle to establish themselves in the New World was a hard one for the newcomers from southern and eastern Europe. Indeed, for many, the struggle continues to this day. Fear, bigotry, hatred—these do not die easily and since they are not based on fact and logic, they do not yield to the evidence of fact and logic. The history of new peoples in America shows clearly, however, that given time and opportunity, virtually every group has found its way up the economic and social ladder—if not the original settlers then their children or grandchildren. There is no reason to believe that this process has ended now.

Each new group was met by the groups already in America and adjustment was often difficult and painful. The early English settlers had to find ways to get along with the Indians; the Irish who followed were met by these "Yankees"; German immigrants faced both Yankees and Irish; and so it has gone down to the latest group of Hungarian refugees. Somehow, the difficult adjustments are made and people get down to the tasks of earning a living, raising a family, living with their new neighbors, and in the process, building a nation.

There has always been public sentiment against immigration, or, more accurately, against immigrants. At times this sentiment was only latent, at times, it has been manifest, indeed, crudely so. Most often it has been unorganized, but in some periods it has been most effectively organized. The usual term for this sentiment is "nativism," which has been defined as "the fear of and hostility toward new immigrant groups."

Yet it is a remarkable fact that in spite of this agitation there was at first no official governmental response. The forces favoring free and open immigration were clearly dominant. The sense of America as a refuge for oppressed and downtrodden people was never far from the consciousness of Americans. Thus, for almost 100 years of the Republic's history, even through the period of know-nothingism, there were no Federal laws of any consequence dealing with immigration. Not only were new settlers allowed to enter freely, but they were positively sought after in some periods.

Inevitably, though, this mass movement of people presented problems which the Federal Government was forced to recognize. In 1882, recognizing the need for a national immigration policy, Congress enacted the first general legislation on the subject. The most important aspect of this law was that, for the first time, the Government undertook to exclude certain classes of undesirables, such as lunatics, idiots, convicts, and people likely to become public charges. In 1891, certain health standards were added as well as a provision excluding polygamists.

By the turn of the 20th century the opinion was becoming widespread that the amount of new immigration should be limited. Those who believed sincerely, and with some basis in fact, that America's capacity to absorb immigration was limited were joined by those who were opposed to all immigration and to all "foreigners." Anti-immigration sentiment was heightened by World War I and the aftermath of disillusion with the way peace was settled, which brought on a strong wave of isolationism. In 1921, Congress passed and the President signed the first major law in our country's history severely limiting new immigration. An era in American history had ended and we were committed to a radically new policy toward the peopling of the Nation.

The restriction was based on the so-called national-origin system which limited numbers of each nationality to a certain percentage of the number of foreign born individuals of such nationality residing in the United States. The effect was to cut drastically the amount of immigration from Eastern and Southern Europe and from Asia.

The famous words of Emma Lazarus on the pedestal of the Statue of Liberty read: "Give me your tired, your poor, your huddled masses yearning to breathe free." Under present law it is suggested that there should be added: "as long as they come from Northern Europe, are not too tired or too poor or slightly ill, never stole a loaf of bread, never joined any questionable organization, and can document their activities for the past two years."

A new, enlightened policy of immigration need not provide for unlimited immigration but simply for so much immigration as our country could absorb and which would be in the national interest—the most serious defect in the present law is not that it is restrictive but that many of the restrictions are based on false or unjust premises. We must avoid what the Massachusetts poet John Boyle O'Reilly once called:

Organized charity, scrimped and iced,
In the name of a cautious statistical Christ.

Such a policy should be generous; it should be fair; it should be flexible. With such a policy we could turn to the world with clean hands and a clear conscience.

LATIN AMERICA: TARGET FOR COMMUNIST CONQUEST

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. RODINO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. RODINO. Mr. Speaker, in recent years we have become aware of the many sides to the problem of defending the free world and democracy. Increasingly, we realize that in many areas the key to a successful defense against communism is found in social and economic progress rather than in military power. This view has been implemented by the Alliance for Progress in our policy toward Latin America.

At the same time, however, we must maintain our direct efforts to prevent subversion and Communist infiltration. In a recent article appearing in the General Electric Forum, "Latin America: Target for Communist Conquest," Adm. Arleigh Burke discusses our defense program in this area. Now, director of the Center for Strategic Studies at Georgetown University, the distinguished former Chief of Naval Operations presents an informative analysis of the continuing aspects in our policy toward Latin America along with several recent developments.

I am inserting the admiral's article in the RECORD, as I have the others in this unusually fine issue of the Forum, so that it can be brought to the attention of all who may read it. Although we may not agree on the same priorities and emphases in our foreign policy, I am sure that we can all benefit from the views of this outstanding citizen-servant, who capped his 42-year naval career with the longest tour in history as Chief of Naval Operations and member of the Joint Chiefs of Staff:

Since the early 1920's Latin America has been a target for Communist conquest. The movement grew rapidly in the 1930's and 1940's, and by the end of World War II, taking advantage of our common effort against the Nazis, the Communists were operating openly in most countries of this hemisphere. They were represented in nine national congresses, one national cabinet, and had penetrated local government in several other countries. Their infiltration into labor movements and student groups was also widespread.

With the election of Jacobo Arbenz in Guatemala in 1951, the Communists captured their first American country. Their failure to gain control of the Guatemala military establishment was a tactical mistake which led to the overthrow of their regime in 1954. That the Communists profited by their mistake was evidenced by the dispersal of the July 26 movement in Cuba soon after Castro achieved power.

The coming of Castro has brought a new phase in the Communist attack on Latin America. Now for the first time, they have a full-scale, well-defined operating base within the hemisphere. Castro has consolidated his power, and with Soviet and Chinese support is making a coordinated, stepped-up effort to subvert and control the people of this hemisphere.

In spite of our Government's efforts, subversion emanating from Cuba is increasing. In testimony before the House Subcommittee on Inter-American Affairs last February 19, John M. McCone, Central Intelligence Agency Director, stated, "Even before the October missile crisis—and with increasing rancor since then—Cuban leaders have been exhorting revolutionary movements to violence and terrorism, and supporting their activities."

MINIMUM STRATEGIC OBJECTIVES

Beginning with the Monroe Doctrine in 1823, the United States has held a minimum strategic objective for the security of the Americas: We would not tolerate any alien system in the hemisphere. In times of crisis, statesmen such as Adams, Monroe, Polk, Cleveland, Wilson—men who particularly used the doctrine—recognized that this objective was absolutely imperative, and that if we failed to achieve it when threatened by an alien system, our security would be in peril.

It is not within the scope of this article to review in detail how, why, and when this strategy collapsed. But the collapse did not come suddenly in 1959, or in 1961 as some have maintained. We began in the 1930's to move away from the concept of strong U.S. unilateral action in this hemisphere, partly as a result of an overreaction to the periods of Theodore Roosevelt and Woodrow Wilson when the strategy of the Monroe Doctrine was applied at times for intervention in the internal affairs of Latin American nations. We developed a worship of world opinion as if it were our strategy. This was a period when many Americans developed guilt feelings about our relationship with Latin America, and a period when many Latin Americans resented us.

As a result, we forgot that the lessons of history show a just peace to be the product of the wise and principled use of power. Hence, when confronted with communism—a system far more alien than those which worried Monroe and Adams—we were morally unprepared to act.

STRENGTH AT SEA

Throughout the history of the Western Hemisphere, while the techniques and equipment of war changed, the principal strategic weapon upon which the Monroe Doctrine rested was sea power. Spanish galleons and high-masted frigates gave way to ironclads and steam-driven ships, and finally, to mighty men-of-war. But the advent of modern weapons, with their tremendous destructive capability, caused us to forget the importance of the seas, and particularly of the Caribbean. We assumed that the future of mankind would depend on the ability to deliver nuclear weapons.

Now that Cuba is Communist, the importance of the seas and of the Caribbean has been brought forcibly to our attention. Last fall, when the United States demanded withdrawal of the Soviet missiles from Cuba, Premier Khrushchev complied quickly because he knew he did not have—and could not get—control of either the high seas or the Caribbean. Still, Soviet submarines were there, perhaps quite a few. The U.S. Navy's antisubmarine forces flushed several to the surface. And the water around the Leeward Islands is good submarine water—deep, warm, and difficult for antisubmarine forces because changing thermal currents make it hard to trace submarines.

If these Soviet submarines had been nuclear powered, or had they contained missiles capable of being launched from underwater, they would have represented a threat more serious than the Cuban land-based missiles. It is not reassuring to realize that such missile-carrying submarines could be based in unfriendly islands in the Caribbean and would not have to risk hazardous trips back and forth across the Atlantic to and from their home ports.

From our problems in Cuba we have two basic lessons to learn:

First, in a geographical as well as a strategic sense, it is of primary importance that the United States keep the waters of the Caribbean open to free world commerce and free from Soviet bases.

Second, and more important, the elimination of communism from Latin America is the minimum strategic objective to be achieved if this Nation and the whole hemisphere are to endure as we know them.

STEPPED-UP SUBVERSION EFFORTS

Today, Cuba has become a base where Communist leaders have dedicated themselves to the destruction of freedom, of the social order of the Americas, and of our free economic system. They have vowed to establish a Communist system throughout the Western Hemisphere. And they are doing their best right now to gain control of other Latin American countries.

STRATEGY RELATES TO PEOPLE

Since the confrontation over Cuba last October, the Communits do not risk fighting us openly. But they are maximizing their strategy and tactics of political warfare—a weapon which we have not yet learned to recognize as a weapon of war. Hence, we hesitate to use our power in sufficient quantity to defeat enemies employing it.

We can only develop a counter strategy if we remember that the aims of strategy relate to people, and to those in control of the people. We must keep in mind that just wars are fought to prevent the enemy from controlling our people.

Today, even national security must be described not just in military, but in political, scientific, and economic dimensions. Our ultimate objective in Latin America involves conditions conducive to a political order, which, with evolution rather than revolution, will move toward representative government in which power is balanced, initiative is widespread, and the marketplace is free.

A LARGER STRATEGIC APPROACH

With this in mind, we must strive to develop a broader strategy. Even if the Monroe Doctrine had been applied in past years to eliminate an alien system from the hemisphere, this would have been only a beginning.

First, we must have an improved approach toward Latin American institutions. The church, universities, and social classes all have decisive roles to play, but I would like to discuss in particular the institution of the military.

THE MILITARY

We have already noted that the military in Guatemala was the bulwark against communism, and this is generally true throughout Latin America. The military is probably the most internally democratic institution in Latin America. With the exception of the church, it is about the only institution where an individual can enter from the lower classes and emerge to high rank and responsibility. It has, by and large, social mobility.

At the same time, some members of the armed services in Latin America lean toward authoritarian and state-controlled programs, both in economics and politics. Since the military is probably the most decisive single influence in Latin America, we have a great and beckoning opportunity to influence the military in the direction of representative government, free enterprise, and power balance within the state.

MUTUAL MILITARY COOPERATION

What our Navy has already accomplished might well be applied to other institutions to develop confidence. A few years ago we began assigning destroyer-type ships to engage in maneuvers with navies of those Latin American countries who desired to participate. The effects of such cooperation were forcefully demonstrated during the Cuban crisis last fall when several Latin American countries offered ships to assist our blockade.

Another example is the U.S. Army's civic action program—a Peace Corps operation begun long before the Corps was conceived. Army units supervise and work with navies on a people-to-people level in small rural communities on water purification, housing, road construction, small port facilities, schools, and other projects.

ECONOMIC STRATEGY

The second element in our broad strategy must be directed toward encouraging free and stable market economies. Military strategy is devoted to the cure of an infection which has developed to the need of surgery. But economic strategy has the larger role of developing and maintaining a healthful climate in which the dignity and creativity of man may flourish.

However, prosperity cannot be imposed by an outside agency. Any significant change must be accomplished by the people within a country—by the plans and efforts of those who live there.

PRIVATE INVESTMENT

Since 1958 U.S. private investment in Latin America has fallen off to practically nothing. Besides the decline in foreign investment, native Latin Americans have withdrawn an estimated 10 billion dollars capital and shipped it off to Europe and the United States. Next to the presence of communism in Cuba, the hemisphere's worst problem is this flight of capital.

Not only Latin Americans, but often some in the United States, appear to lack appreciation of the value of private enterprise in the foreign market. In the face of a barrage of propaganda against free enterprise, it is difficult for private businessmen in Latin America to operate and make the important contribution of which they are capable. And if public spokesmen for the United States do not defend and endorse the free enterprise system which has contributed so much to our own growth and strength, then Latin American policies which weaken free enterprise are likely to predominate. As a result, the ultimate good of the Alliance for Progress will be put off further into the future.

PRODUCTIVITY AND DIVERSIFICATION

The third element of our overall strategy must be a better approach to the problems of productivity and diversification. To obtain the capital goods necessary for industrialization, Latin American nations must expand their dollar volume of exports. Nearly all these countries, however, derive 50 percent or more of their exchange earnings from only one or two commodities. A few are almost entirely dependent on one commodity and they suffer severely when the international price levels fluctuate. So until Latin America can diversify its export commodities and other goods, it is likely to continue to suffer from the world market price fluctuations which have been so common over the last decade.

Both exports and the general standard of living in Latin America can be improved greatly if modern management, labor, capital, and technical methods are applied to agriculture. Land reform programs, in particular, must be centered around increased productivity and not around fractionalizing and splintering production limits.

LOCAL GOVERNMENT

The fourth element in our broader strategy must be to encourage sound local government. Our government-to-government aid programs in Latin America have been carried out primarily at the level of the national governments, and hence have given an overemphasis to centralized government—to the neglect of local government.

Traditionally, local and State governments in Latin America have been assigned a minor role—a factor which has dampened the economic and social development of these countries. The development of sound local government should be encouraged, particularly since an untapped source of revenue is readily available to them in the form of a property tax.

MOBILIZE OUR BEST MINDS

Prof. William Stokes, at our Center's Conference on National Security, noted that we ought to be concerned not only with what we are against, with prohibiting further encroachments of Marxism-Leninism, and eliminating what is already there. We must also concern ourselves with "the alternative attitudes and values, with the alternative economic concepts and ideas, and with the alternative political methods, forms of organization, and procedures."

He is right. We have not done nearly enough to mobilize our best minds and skills within this country—experts in land productivity, taxation, industrial pioneering, local management, education—to establish rapport with key individuals and groups in Latin America.

To summarize: Our minimum strategic objective is to thwart and eliminate communism from the hemisphere as an alien and intolerable system. Our larger objectives are manifold, but a first step toward them is to establish a national priority to marshal the best people we have in search of ways to share with our Latin American neighbors the lessons of our own successful experiences. Then the Alliance becomes one for true knowledge out of which can spring the climate for progress—not of totalitarianism such as the Soviets seek, but of creativity, initiative, and self-reliance.

A FINE APPOINTMENT

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. PATMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. PATMAN. Mr. Speaker, the resignation of Mr. Erle Cocke, Sr., from the chairmanship of the Board of the Federal Deposit Insurance Corporation represents a great loss to the public service. Mr. Cocke has done a superb job and I personally deeply regret to see him leave.

On the other hand, my regrets have to a large extent been overcome by the fact that President Kennedy has nominated Joseph W. Barr to be the next Chairman of the Federal Deposit Insurance Corporation. Certainly the President could not have found, in my view, a better successor to Mr. Cocke.

Joe Barr was a member of the 86th Congress and was also a very active and able member of the House Committee on Banking and Currency.

More recently Joe Barr has been assistant to Secretary Dillon handling congressional relations on legislative matters, and in this job too it has seemed to me he has performed with complete excellence. I am personally delighted and I have heard the expressions of many others members of the Committee on Banking and Currency that they too are delighted that Joe Barr is to be Chairman of the Federal Deposit Insurance Corporation.

Rather than elaborate in my own words, I would like to call the Members' attention to an editorial on Joe Barr's appointment which appeared in the American Banker of July 26, 1963:

A FINE APPOINTMENT

The appointment of Joseph Barr to be Chairman of the Federal Deposit Insurance Corporation is one that should be hailed by every member of the banking community, and particularly by those banks serviced by the FDIC.

For Mr. Barr brings to his job a fine grasp of economic affairs, and a keen political mind, well seasoned in the crucible of Washington affairs.

His experience as congressional liaison man for the Treasury, with particular responsibility for guiding the administration tax program through the Congress, will stand him in particularly good stead in his new assignment.

While Mr. Barr has no experience in banking per se, his broad background in practical business affairs, coupled with a strong academic discipline in economics, provide the basis for thorough understanding of the technicalities of his new responsibility.

When Mr. Barr moves into his office in the handsome new FDIC Building in the heart of the Washington administration complex, he will be taking over a unique organization, which has prospered under the able leadership of Erle Cocke, Sr. The FDIC insures 13,455 banks, including 26,346 separate banking offices. The total capital accounts of these banks have reached the level of $27.1 billion. Their total deposits have reached $297.5 billion, and are projected to reach $450 billion by the end of 1971.

But the bare financial statistics only begin to describe the stength and potential political power of this organization.

One key point which sets the FDIC apart is the fact that its operating funds are not appropriated by, and therefore controlled by, the Federal Government. It functions on the assessments of the banks it insures, and therefore operates with more independence than most Federal agencies.

Another important structural aspect of the FDIC is that, with a number of exceptions, it is the agency of the smaller banks. These institutions are woven tightly into the grassroots structure of this country's social and political organization.

Thus the FDIC is a system which has built-in political leverage—which under the seasoned leadership of Mr. Barr can be expected to be developed to a high level of operating effectiveness.

And an FDIC which marshals this strength can become an even more valuable element in the whole banking and financial structure of this country. For with powerful forces already in motion in favor of other segments of that structure, the Federal organization representing the smaller banks will need such a development of its power.

Not that an intramural donnybrook is indicated by the appointment to the post of a man of Mr. Barr's outstanding qualifications. Far from it, for one of the essentials of political skills is the capacity to resolve differences, and not to create them.

But it is apparent that the departure of Mr. Cocke, coming at a time when the whole banking system is developing internal volatility in several areas, makes it most important that the vacuum he leaves be filled by a man of outstanding qualifications, particularly in the political field.

This the FDIC will be getting in Mr. Barr. He, the FDIC, the administration, and, indeed, all of banking, are to be congratulated upon the appointment.

TAX EXEMPTION SOURCE OF POWER

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. PATMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. PATMAN. Mr. Speaker, I include in the CONGRESSIONAL RECORD the following editorial in the Durham, N.C., Herald of July 13, 1963, entitled "Tax Exemption Source of Power":

TAX EXEMPTION SOURCE OF POWER

Supplementing Representative WRIGHT PATMAN'S, Democrat, of Texas, criticism of foundations are the criticisms reported by Associated Press education writer G. K. Hodenfield in Sunday's issue of this paper. Congressman PATMAN thinks the foundations add to the taxpayer's—individual and corporate—load because their great incomes are not taxed; he also sees them as exercising too much power in the economy both by reason of their tax-free privileges and their ability to influence the economy through selling and buying of securities and by acquiring control of companies.

Mr. Hodenfield's feature reveals that not all the beneficiaries of the foundations' largess are happy recipients. Some feel that the foundations dictate educational policy in the institutions to which they make gifts. Not only do these educators feel that the foundations dictate policy, but they exercise a measure of control over selection of personnel, one official of the American Association of School Administrators expressing the opinion that one of the large foundations "holds a veto power over the appointment of the presidents of at least half the private colleges and universities in the United States."

If this is the case, it constitutes an invasion of the independence of the private institutions which would hardly be tolerated if it came from the Government. For a board of trustees to attempt to dictate faculty appointments to the extent some foundations are charged with controlling selection of administrative heads would provoke the angriest of reactions from the American Association of University Professors.

The foundations can hardly be expected to give their money without designating how it is to be spent. They certainly may choose the objects of their liberality and should be able to select the projects they finance. On the other hand, they may readily go too far in undertaking to control choice of personnel by responsible college and university officials.

The tax exemption enjoyed by the foundations is the true source of their power. In a nation in which all its people and its business and industrial firms are taxed, it seems hardly fair to allow the foundations to use their tax-free status to build up tremendous reserves which exercise such influence in the economy. Taxing foundation income merits congressional consideration.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BARING (at the request of Mr. ALBERT), for today and the remainder of the week on account of official business.

Mrs. KELLY (at the request of Mr. ALBERT), for today and the remainder of the week on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. THOMPSON of Texas, today, for 30 minutes; to revise and extend his remarks and to include extraneous matter.

Mrs. SULLIVAN, for 30 minutes, today; to revise and extend her remarks and include extraneous matter.

Mr. LAIRD, for 15 minutes, on August 8.

Mr. CURTIS, for 1 hour, today, and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. DULSKI.

(The following Members (at the request of Mr. TUPPER) and to include extraneous matter:)

Mr. TALCOTT.

Mr. CURTIS.

(The following Member (at the request of Mr. MATSUNAGA) and to include extraneous matter:)

Mr. JOELSON in two instances.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 27. An act to provide for the establishment of the Canyonlands National Park in the State of Utah, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 653. An act to provide an adequate basis for administration of the Lake Mead National Recreation Area, Ariz. and Nev., and for other purposes; to the Committee on Interior and Insular Affairs.

BILL PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on August 2, 1962, present to the President, for his approval, a bill of the House of the following title:

H.R. 5207. An act to amend the Foreign Service Buildings Act, 1926, to authorize additional appropriations, and for other purposes.

ADJOURNMENT

Mr. MATSUNAGA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 46 minutes p.m.) the House adjourned until tomorrow, Tuesday, August 6, 1963, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1093. A letter from the Secretary of the Treasury, transmitting a report covering the progress made in liquidating the assets of the former Reconstruction Finance Corporation for the quarterly period ending June 30, 1963, pursuant to 67 Stat. 230, and Reorganization Plan No. 1 of 1957 (22 F.R. 4633); to the Committee on Banking and Currency.

1094. A letter from the Comptroller General of the United States, transmitting a report on the increased price for ballistics computers resulting from excessive estimated material costs under Department of the Air Force negotiated firm fixed-price contract AF 09(603)-34097 with Servomechanisms, Inc., El Segundo, Calif.; to the Committee on Government Operations.

1095. A letter from the Comptroller General of the United States, transmitting a report on unnecessary annual expenditures by the Departments of the Air Force and the Navy for leasing commercial facilities to store petroleum products in the San Francisco, Calif., area instead of using excess Government-owned petroleum facilities at the Navy Fuel Department, Point Molate, Richmond, Calif.; to the Committee on Government Operations.

1096. A letter from the Chairman, Federal Communications Commission, transmitting a copy of the report on backlog of pending applications and hearing cases in the Federal Communications Commission as of June 30, 1963, pursuant to Public Law 554, 82d Congress; to the Committee on Interstate and Foreign Commerce.

1097. A letter from the Chairman, Federal Power Commission, transmitting a draft of a proposed bill entitled "A bill to amend section 202(b) of the Federal Power Act with respect to the interconnection of electric facilities"; to the Committee on Interstate and Foreign Commerce.

1098. A letter from the Archivist of the United States, General Services Administration, transmitting a report on records proposed for disposal under the law; to the Committee on House Administration.

1099. A letter from the Assistant Secretary of the Interior, transmitting a draft of a proposed bill entitled "A bill to authorize the disposition of funds arising from a judgment in favor of the Snake or Paiute Indians of the former Malheur Reservation in Oregon"; to the Committee on Interior and Insular Affairs.

1100. A letter from the Chief Commissioner, Indian Claims Commission, transmitting a report that proceedings have been concluded with respect to claim of the *Pawnee Indian Tribe of Oklahoma, petitioner,* v. *the United States of America, defendant,* Docket No. 10, pursuant to 60 Stat. 1055; 25 U.S.C. 70t; to the Committee on Interior and Insular Affairs.

1101. A letter from the Secretary of the Army, transmitting a draft of a proposed bill entitled "A bill to amend title 18, United States Code, with respect to restrictions in military areas and zones"; to the Committee on the Judiciary.

1102. A letter from the Governor, Canal Zone Government, transmitting a draft of a proposed bill entitled "A bill to regulate archeological exploration in the Canal Zone"; to the Committee on Merchant Marine and Fisheries.

1103. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to Public Law 87-885; to the Committee on the Judiciary.

1104. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting a copy of an order entered as well as a list of the persons involved, pursuant to the act of September 11, 1957; to the Committee on the Judiciary.

1105. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions which this Service has approved according the beneficiaries of such petitions first preference classification, pursuant to the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

1106. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to Public Law 87-885; to the Committee on the Judiciary.

1107. A letter from the Comptroller General of the United States, transmitting a report on the impairment of combat readiness of a Department of the Army combat unit at Fort George G. Meade, Md., resulting from lack of repair parts; to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House of August 1, 1963, the following bill was reported on August 3, 1963:

Mr. PATMAN: Committee on Banking and Currency. S. 1163. An act to amend certain provisions of the Area Redevolpment Act; with an amendment (Rept. No. 633). Referred to the Committee of the Whole House on the State of the Union.

Under clause 2 of rule XIII, pursuant to the order of the House of July 30, 1963, the following bill was reported on August 3, 1963:

Mr. MILLS: Committee on Ways and Means. H.R. 7824. A bill to continue, for the period ending November 30, 1963, the existing temporary increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act; without amendment (Rept. No. 634). Referred to the Committee of the Whole House on the State of the Union.

[*Submitted August 5, 1963*]

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. POWELL: Committee on Education and Labor. H.R. 4879. A bill to amend the Library Services Act to increase the Federal assistance for the improvement of public libraries; with amendments (Rept. No. 635). Referred to the Committee of the Whole House on the State of the Union.

Mr. WATSON: Committee on Post Office and Civil Service. H.R. 5778. A bill to amend title 39, United States Code, to increase from 10 to 20 miles the area within which the Postmaster General may establish stations, substations, or branches of post offices; with amendment (Rept. No. 636). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 7544. A bill to amend the Social Security Act to assist States and Communities in preventing and combating mental retardation through expansion and improvement of the maternal and child health and crippled children's programs, through provision of prenatal, maternity, and infant care for individuals with conditions associated with childbearing which may lead to mental retardation, and through planning for comprehensive action to combat mental retardation, and for other purposes; with amendments (Rept. No. 637). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON:

H.R. 7919. A bill to amend section 212(e) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 7920. A bill to amend the U.S. Housing Act of 1937 to restore the former preferences accorded veterans and servicemen in the selection of tenants for low-rent housing projects; to the Committee on Banking and Currency.

By Mr. FALLON:

H.R. 7921. A bill to provide for the issuance of a special postage stamp in commemoration of the 150th anniversary of the composition of the Star-Spangled Banner; to the Committee on Post Office and Civil Service.

By Mr. FASCELL:

H.R. 7922. A bill to provide for a comprehensive, long-range, and coordinated national program in oceanography, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. FLOOD:

H.R. 7923. A bill to amend the Federal Water Pollution Control Act to provide for the sealing off of certain abandoned coal mines so as to prevent the pollution of waterways, and for other purposes; to the Committee on Public Works.

By Mr. GARMATZ:

H.R. 7924. A bill to provide for the issuance of a special postage stamp in commemoration of the 150th anniversary of the composition of the Star-Spangled Banner; to the Committee on Post Office and Civil Service.

By Mr. LANKFORD:

H.R. 7925. A bill to provide for the issuance of a special postage stamp in commemoration of the 150th anniversary of the composition of the Star-Spangled Banner; to the Committee on Post Office and Civil Service.

By Mr. LONG of Maryland:

H.R. 7926. A bill to provide for the issuance of a special postage stamp in commemoration of the 150th anniversary of the composition of the Star-Spangled Banner; to the Committee on Post Office and Civil Service.

By Mr. MATHIAS:

H.R. 7927. A bill to provide for the issuance of a special postage stamp in commemoration of the 150th anniversary of the composition of the Star-Spangled Banner; to the Committee on Post Office and Civil Service.

By Mr. ROSENTHAL:

H.R. 7928. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. SAYLOR:

H.R. 7929. A bill to amend the Mineral Leasing Act of February 25, 1920, to provide that in certain circumstances payment shall be considered timely when deposited in the mail; to the Committee on Interior and Insular Affairs.

By Mr. SICKLES:

H.R. 7930. A bill to amend the Federal Property and Administrative Services Act of 1949 to permit donations of surplus personal property to State agencies for use by volunteer firefighting organizations; to the Committee on Government Operations.

H.R. 7931. A bill to provide for the issuance of a special postage stamp in commemoration of the 150th anniversary of the composition of the Star-Spangled Banner; to the Committee on Post Office and Civil Service.

By Mr. TEAGUE of Texas (by request):

H.R. 7932. A bill to relieve the Veterans' Administration from paying interest on the amount of capital funds transferred in fiscal year 1962 from the direct loan revolving fund to the loan guaranty revolving fund; to the Committee on Veterans' Affairs.

By Mr. EDMONDSON:

H.R. 7933. A bill to amend the Mineral Leasing Act of February 25, 1920, to provide that in certain circumstances payment shall be considered timely when deposited in the mail; to the Committee on Interior and Insular Affairs.

By Mr. MORTON:

H.R. 7934. A bill to provide for the issuance of a special postage stamp in commemoration of the 150th anniversary of the composition of the Star-Spangled Banner; to the Committee on Post Office and Civil Service.

By Mr. SICKLES:

H.R. 7935. A bill to provide for the economic development of the Appalachian Highlands area by promoting full employment and full utilization of the abundant human and natural resources of the area, and for other purposes; to the Committee on Public Works.

By Mr. GURNEY:

H.J. Res. 621. Joint resolution expressing the determination of the United States with respect to the situation in Cuba and the Western Hemisphere; to the Committee on Foreign Affairs.

By Mr. JOHNSON of Wisconsin:

H.J. Res. 622. Joint resolution to provide for the settlement of the labor dispute between certain carriers by railroad and certain of their employers; to the Committee on Interstate and Foreign Commerce.

By Mr. LANKFORD:

H.J. Res. 623. Joint resolution to provide for the settlement of the labor dispute between certain carriers by railroad and certain of their employers; to the Committee on Interstate and Foreign Commerce.

By Mr. MADDEN:

H.J. Res. 624. Joint resolution to provide for the settlement of the labor dispute between certain carriers by railroad and certain of their employees; to the Committee on Interstate and Foreign Commerce.

By Mr. PELLY:

H.J. Res. 625. Joint resolution designating August 28, 1963, as a National Day of Prayer; to the Committee on the Judiciary.

By Mr. STAFFORD:

H.J. Res. 626. Joint resolution granting the consent of Congress to the establishment of an interstate school district by Hanover, N.H., and Norwich, Vt., and to an agreement between Hanover School District, New Hampshire, and Norwich Town School District, Vermont; to the Committee on the Judiciary.

By Mr. TOLLEFSON:

H.J. Res. 627. Joint resolution proposing an amendment to the Constitution of the United States to preserve and protect references to reliance upon God in governmental matters; to the Committee on the Judiciary.

By Mr. ADDABBO:

H.J. Res. 628. Joint resolution authorizing the continued shipment of the drug Krebiozen in interstate commerce in order to insure the continued availabilty of such drug for the treatment of patients now being treated with such drug and for terminal cancer patients; to the Committee on Interstate and Foreign Commerce.

By Mr. McFALL:

H.J. Res. 629. Joint resolution to provide for the settlement of the labor dispute between certain carriers by railroad and certain of their employees; to the Committee on Interstate and Foreign Commerce.

By Mr. ANDREWS:

H. Res. 472. Resolution providing for an investigation of the United States Fifth Circuit Court of Appeals; to the Committee on Rules.

By Mr. LAIRD:

H. Res. 473. Resolution to create a select committee to investigate expenditures for research programs conducted by or sponsored by the departments and agencies of the Federal Government; to the Committee on Rules.

By Mr. PATMAN:

H. Res. 474. Resolution to print as a House document the May 1963 Special Report to the President and to the Congress on Increase in the Resources of the Inter-American Development Bank, by the National Advisory Council on International Monetary and Financial Problems; to the Committee on House Administration.

H. Res. 475. Resolution to print as a House document the May 1963 Special Report to the President and to the Congress on the Proposed Increase of $1 Billion in Authorized Capital of the International Bank for Reconstruction and Development, by the National Advisory Council on International Monetary and Financial Problems; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BALDWIN:

H.R. 7936. A bill for the relief of Alexandra Matara Narayan and Jagjiwan Narayan; to the Committee on the Judiciary.

By Mr. BROYHILL of Virginia:

H.R. 7937. A bill for the relief of Victor O. McNabb; to the Committee on the Judiciary.

My Mr. DAWSON:

H.R. 7938. A bill for the relief of Jeanne Sumitra Heinert; to the Committee on the Judiciary.

By Mr. HALPERN:

H.R. 7939. A bill for the relief of Rosa Vexelman; to the Committee on the Judiciary.

By Mr. KEOGH:

H.R. 7940. A bill for the relief of Maria Persic; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

223. By the SPEAKER: Petition of Henry Stoner, Canyon Station, Wyo., requesting legislation that would not permit any single farm or farm corporation from receiving in "parity" any more in total cash per year than the single family unit is now receiving in direct aid or in welfare per year, and that the "parity" that the farmers of America receive should be considered relief money; to the Committee on Agriculture.

224. Also, petition of Henry Stoner, Canyon Station, Wyo., requesting that there be published as a House document the economic views of Theodore Roosevelt as expressed during his campaign of 1912 for reelection to the Presidency; to the Committee on House Administration.

225. Also, petition of Henry Stoner, Canyon Station, Wyo., requesting legislation for the resumption of publication of the "Official Register of the United States Government"; showing the names, salaries, and residences by congressional districts of all leading patronage, appointive, and Senate confirmation positions under the authority of the Federal Government; to the Committee on House Administration.

226. Also, petition of Henry Stoner, Canyon City, Wyo., suggesting that the name of the Standing Committee on Un-American Activities be changed to the Committee on

Pro-American Activities; to the Committee on Rules.

227. Also, petition of Henry Stoner, Canyon City, Wyo., requesting the abolishment of the office of U.S. House Chaplain during the period the decision by the U.S. Supreme Court of June 1963 against prayers and Bible reading in U.S. public schools is in effect; to the Committee on Rules.

228. Also, petition of Henry Stoner, Canyon City, Wyo., requesting that there be created a standing committee known as the Committee on Extinguishment of the U.S. Public Debt; to the Committee on Rules.

229. Also, petition of Henry Stoner, Canyon City, Wyo., requesting legislation requiring that every Federal contract valued at $500 million or more to be specifically voted on in regular bill form, as in the case of any bill requiring congressional passage; to the Committee on Rules.

EXTENSIONS OF REMARKS

Serra: 1713 and 1963

EXTENSION OF REMARKS
OF

HON. CHARLES S. JOELSON

OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Monday, August 5, 1963

Mr. JOELSON. Mr. Speaker, perhaps no chamber in this great Capitol is more replete with historical significance than Statuary Hall. There stand in honored glory the statues of those who have framed and molded the spiritual, military, social, and political history of these United States. One among them I would like to cite for recognition by this body. The 250th anniversary of his birth is being commemorated this year. I refer, of course, to the immigrant Franciscan friar who left an inextinguishable mark on what is now the State of California, Father Junipero Serra.

Junipero Serra, the son of Margarita Ferrer and Antonio Serra, was born in Petra, Mallorca, on November 24, 1713. His baptismal name was Miguel José. He chose the name Junipero after completing his probationary period and upon making his religious profession shortly after entering the Franciscan Order at Palma on September 14, 1730. He was ordained a priest in St. Francis Friary in Palma.

Father Serra spent the early years of his priesthood studying and teaching. The recipient of the degree of doctor of theology from the Lullian University of Palma, he filled with distinction the post of instructor in philosophy and was also heralded as the area's finest preacher. But the friar's most brilliant service still lay ahead of him.

Sailing in 1749 with a group of Franciscans bound for the Apostolic College of San Fernando in Mexico City, he landed in Veracruz. He trudged on foot to Mexico City without provisions or guide and accompanied by only one companion, arriving on New Year's Day, 1750. Soon, Father Serra accepted a call to the wild and inhospitable region of the Sierra Gorda where he spent 9 years among the Indians. The next 8 years he spent in Mexico City as a preacher and confessor. In 1767, when the Franciscans replaced the Jesuits in lower California, Father Serra was sent as presidente to that region.

In 1769 he ventured forth again into a new field. The Franciscans agreed to cooperate with the government by founding missions in upper California. Five members of the order, with Serra as presidente, accompanied the military expedition of Gaspar de Portola as it moved northward. On July 16, 1769, they established the mission of San Diego, the first of 21 eventually set up on the California coast.

For the next 15 years the able, kindly friar toiled in California. Up and down the coast on foot he traveled, the guiding force that resulted in the successful occupation of what is now the State of California. During his presidency 9 missions were founded, more than 6,000 Indians were baptized and more than 5,000 were confirmed.

Equally remarkable was the material progress under the missions. Father Serra was the first to apply the science of irrigation in the area. He was the pioneer who revealed to the world the possibilities of California's fertile soil and favorable climate.

When just past 70, the earthly mission of Serra ended. He died in 1784 within the precincts of the Mission of San Carlos de Carmel near Monterey. His remains were interred in a quiet spot beneath the old arches.

But the spirit of Father Serra endures today, not simply confined to the tradition of California or to a dignified section of Statuary Hall but throughout a wide portion of the Western Hemisphere.

A movement known as Serra international began February 27, 1935, in Seattle, Wash. Over the years Serra clubs have been formed in the great majority of our States. All existing Serra clubs duly organized and chartered constitute Serra international. The Serra movement is international in scope, Catholic in emphasis and character, and democratic in practice. Catholic business and professional men compose the membership of the Serra clubs. The objectives of Serra international are to foster religious vocations and assist in the education of young men for the priesthood and to further Catholicism through enduring friendships among Catholic men.

Mr. Speaker, I am pleased to inform the House of Representatives that a chapter of Serra was organized in Paterson, N.J., in the late 1950's. Very Rev. Edward J. Scully, now pastor of Immaculate Heart of Mary R. C. Church, Wayne, is the chaplain. Joseph A. Abbott, a communications official and parishioner of St. Joseph's, Paterson, served as first president. He has been followed successively as president by Cyril W. Collins, trucking executive, St. Anthony's, Hawthorne; James P. Evers, attorney and college professor, St. Anthony's, Hawthorne; Edward J. Foster, businessman, St. Philip the Apostle, Clifton; and J. Joseph Simonelli, businessman, Holy Cross, Wayne.

I know that these leaders and their associates prefer silence to acclaim in the performance of their endeavors. However, in view of the significance of 1963 as the 250th anniversary of his birth, I merely want to pay a deserved tribute to Father Serra's missioners in my home city of Paterson, N.J.

Annual Adjustment of Pay of Postal and Federal Employees

EXTENSION OF REMARKS
OF

HON. THADDEUS J. DULSKI

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, August 5, 1963

Mr. DULSKI. Mr. Speaker, I introduced a bill that carries out the recommendations of the President of the United States relative to the annual adjustment of pay of postal and Federal employees. Public Law 87-793, enacted by the last Congress, provided for a study of the pay of Federal employees as compared to that of comparable employees in outside industry. Such a study would be made by the Bureau of Labor Statistics, which would make recommendations to the President and, after analysis by the Bureau of the Budget and other agencies of Government, presented to the Congress.

Such a recommendation was sent to the Congress by the President in the latter part of April of this year. My bill will go a little further than the Presidential recommendation, in that it provides for up-to-date comparability.

The recommendations of the President are based upon the 1961–62 comparable figures. A study such as that made by the Bureau of Labor Statistics is made at the end of a year; by the time the figures are completed, the data is 1 year old. By the time the study is completed in the various agencies of Government and the legislation is passed by Congress, the comparability that is then attained is 2 years old. Pay raises granted in outside industry during the last 2 years have averaged 3 percent a year.

Accordingly, in my bill that I introduced, I am providing an additional 6 percent in the lower levels over and above the recommendations of the President. I have also reduced the increases recommended in the top levels so that those increases will amount to approximately 10 percent. The present pay in level 20 of the postal field service schedule and grade 18 in the classified service schedule is $20,000. In my bill this is increased to $22,000 annually. I think it should be confined to that figure until such time as Congress concludes a study on executive pay.

I sincerely recommend that my colleagues make a very careful study of the bill that I introduced.

The Bracero's Viewpoint

EXTENSION OF REMARKS

OF

HON. BURT L. TALCOTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 5, 1963

Mr. TALCOTT. Mr. Speaker, in some quarters the bracero farm labor program has been denounced as slave labor and described as harmful to the Mexican workers and their families. The Copley News Service recently featured an article from Mexico City which answers the congressional debate which was loaded with antislavery purple prose when Public Law 78 extension was defeated.

Two hundred braceros gathered in front of the Novedades newspaper office in Mexico City. Their spokesmen talked to the editors. Here is the gist of their comments:

> While people in Washington and Mexico City denounce braceroism as slave labor, nobody has asked our opinion. We could tell them it is hard work, but we could cite a thousand cases of harder work at one-tenth the pay right here.
>
> Some have denounced us as unpatriotic for going abroad to work. But the plain answer is we would gladly stay home and work for one-third of what we earn in the United States if we could just find work. What shall we work at? There is unemployment in the fields and even more in the cities. If our bracero contracts are not defended we will be forced to migrate illegally and seek work under much worse conditions.

Now, some Mexican officials might prefer to be handed millions of American dollars so that they could administer the distribution thereof to their petty officers and local agents and take the credit for such largesse. Some of our own bureaucratic governmental officials, too, would prefer that our largesse be funneled through their agencies. I suppose this is a frailty of human nature. But we need not succumb to it.

The U.S. agricultural industry can sponsor the most effective, most beneficial, and most appreciated aid program yet devised. It provides aid in valuable technical agriculture knowledge and in direct wages for services performed.

We should not tolerate illegal migration as suggested, but prevention will be difficult and embarrassing to both the United States and Mexico because the respective needs on both sides of the border are so great.

The bracero program is an effective, desired, decent solution to a difficult economic and diplomatic problem.

West Paterson, N.J.: A 50th Anniversary Salute

EXTENSION OF REMARKS

OF

HON. CHARLES S. JOELSON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, August 5, 1963

Mr. JOELSON. Mr. Speaker, 14 communities make up the Eighth District of New Jersey which I have the honor to represent in this body. One of these, West Paterson, is now observing the golden jubilee of its establishment.

The assembly of a dozen dedicated citizens in November 1912 led to the incorporation of the Borough of West Paterson by the New Jersey Legislature on March 25, 1941. Ratification by the voters of West Paterson followed on May 26 of the same year.

Garret Mountain Reservation, an expanse of 450 acres, is located in this municipality of 8,000 inhabitants. The borough is nearly 3 square miles in area at a latitude of north 40 degrees 53 minutes and longitude of west 74 degrees 10 minutes.

The borough has adjusted to the increasing tempo of the 20th century, and has thriving modern industrial plants in addition to its many dwellings. The homes in West Paterson, although not luxurious, are proud symbols of the American economic system.

West Paterson is a typical American town which takes great satisfaction in its institutions. It is grateful for its churchs, its schools, and its volunteer fire department.

Mr. Speaker, our beloved Nation can only be as strong as the thousands of municipalities of which it is composed. West Paterson is one of these sources of national strength and growth. We salute it on its 50th birthday and wish it many more years of progress in a free and peaceful United States.

Federal Statistical Directory Provides Ready Reference to Executive Branch

EXTENSION OF REMARKS

OF

HON. THOMAS B. CURTIS

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, August 5, 1963

Mr. CURTIS. Mr. Speaker, several weeks ago the 19th edition of the Federal Statistical Directory was published by the Office of Statistical Standards, Bureau of the Budget. According to its foreword:

> The Federal Statistical Directory is designed to serve as a guide to facilitate communication with offices concerned with particular statistical functions. It lists, by organizational units within each agency, the names, office addresses, and telephone numbers of professional, technical, and administrative personnel associated with statistical and related activities of agencies of the executive branch of the Federal Government.

Mr. Speaker, I want to recommend this directory as a document of considerable value for congressional offices. It contains vital information and is most useful for all research projects.

In an exchange of letters with the Joint Committee on Printing, I requested that each Congressman's and Senator's office receive a copy, and it is my understanding that these have been distributed.

SENATE

Tuesday, August 6, 1963

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father, God, turning to Thee, we would write at the start of every day's record, "In the beginning God," for more and more we solemnly realize that every national issue is, at its heart, spiritual.

A fear-haunted world has watched with wistful hope as in a faraway capital, with its background of splendor and terror, a step has been taken back from the brink of mutual destruction. Thou knowest that in the memorable hour which marked the signature of nations to a document which carries the deepest concern of the continents and isles of the sea, mixed with the ink which our free Republic has contributed to the signing of the solemn compact is the fervent hope and prayer that no betrayals will ever wipe from the darkened sky the rainbow which now arches the heavens. As in the days to come, in the process of advice and consent, here in this Chamber is weighed the possible gain and the risk, may this body, seeking naught but the truth and the safeguarding of the dignity of freedom in all the earth, be the instrument of Thy will for preserving our birthright and for the healing of the nations.

Lead kindly light amid the encircling gloom.

In the Redeemer's name we ask it. Amen.

THE JOURNAL

On request of Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Friday, August 2, 1963, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on August 5, 1963, the President had approved and signed the following acts:

S. 489. An act to amend the act of March 5, 1938, establishing a small claims and conciliation branch in the municipal court for the District of Columbia;

S. 490. An act to amend the act of July 2, 1940, as amended, relating to the recording of liens on motor vehicles and trailers registered in the District of Columbia, so as to eliminate the requirement that an alphabetical file on such liens be maintained; and

S. 1036. An act to amend the inland and western rivers rules concerning anchor lights and fog signals required in special anchorage areas, and for other purposes.

REPORT ON LEND-LEASE OPERATIONS—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 114)

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Foreign Relations:

To the Congress of the United States:

I am transmitting herewith the 44th Report to Congress on Lend-Lease Operations. This report covers the calendar year 1962.

This report is submitted in accordance with the provisions of section 5(b) of the Lend-Lease Act of March 11, 1941.

JOHN F. KENNEDY.

THE WHITE HOUSE, *August 6, 1963.*

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 130. An act to change the name of Fort Randall Reservoir in the State of South Dakota to Lake Francis Case;

S. 131. An act to change the name of the Big Bend Reservoir in the State of South Dakota to Lake Sharpe;

S. 850. An act to change the name of the Bruces Eddy Dam and Reservoir in the State of Idaho to the Dworshak Dam and Reservoir; and

S. 1652. An act to amend the National Cultural Center Act to extend the termination date contained therein, and to enlarge the Board of Trustees.

The message also announced that the House had passed the following bills of the Senate, severally with an amendment, in which it requested the concurrence of the Senate:

S. 874. An act to authorize the construction and equipping of buildings required in connection with the operations of the Bureau of the Mint;

S. 1194. An act to remove the percentage limitations on retirement of enlisted men of the Coast Guard, and for other purposes; and

S. 1388. An act to add certain lands to the Cache National Forest, Utah.

The message further announced that the House had passed the bill (S. 1032) to exclude cargo which is lumber from certain tariff filing requirements under the Shipping Act, 1916, with amendments, in which it requested the concurrence of the Senate.

REPORT OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Pursuant to the order of the Senate of August 2, 1963,

Mr. CANNON, from the Committee on Armed Services, reported favorably, with an amendment, on August 5, 1963, the bill (H.R. 5555) to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services, and for other purposes, and submitted a report (No. 387) thereon, which was printed.

LIMITATION OF STATEMENTS DURING MORNING HOUR

On request of Mr. MANSFIELD, and by unanimous consent, statements during the morning hour were ordered limited to 3 minutes.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the permanent Subcommittee on Investigations of the Government Operations Committee was authorized to meet during the session of the Senate today.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business, to consider the nominations on the Executive Calendar.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, and withdrawing the nomination of Richard R. Conley to be postmaster at Rome City, Ind., which nominating messages were referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. JOHNSTON (for Mr. EASTLAND), from the Committee on the Judiciary:

John H. Phillips, of Mississippi, to be U.S. marshal for the northern district of Mississippi.

EXECUTIVE REPORTS OF COMMITTEE ON ARMED SERVICES

Mr. INOUYE. Mr. President, from the Committee on Armed Services, I report favorably the nomination of 86 flag and general officers in the Army, Navy, and Air Force, and ask that these names be printed on the Executive Calendar.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The nominations placed on the Executive Calendar are as follows:

Capt. Fred G. Bennett, U.S. Navy, to be Director of Budget and Reports in the Department of the Navy;

Edward E. Grimm, and sundry other officers, for promotion in the U.S. Navy;

Vice Adm. Ulysses S. G. Sharp, Jr., U.S. Navy, for commands and other duties determined by the President, for appointment to the grade of admiral while so serving;

Adm. John H. Sides, U.S. Navy, to be placed on the retired list in the grade of admiral;

Maj. Gen. William Jonas Ely, U.S. Army, to be assigned to a position of importance and responsibility designated by the President, for appointment to the grade of lieutenant general while so serving;

Rear Adm. Robert J. Stroh, U.S. Navy, for commands and other duties determined by the President, for appointment to the grade of vice admiral while so serving;

Rear Adm. John S. McCain, Jr., U.S. Navy, for commands and other duties determined by the President, for appointment to the grade of vice admiral while so serving;

Vice Adm. William F. Raborn, Jr., U.S. Navy, to be placed on the retired list in the grade of vice admiral;

Maj. Gen. William Winston Lapsley, Army of the United States (brigadier general, U.S. Army), and sundry other officers, for appointment in the Regular Army of the United States;

Brig. Gen. John W. White, Regular Air Force, and sundry other officers, for temporary appointment in the U.S. Air Force; and

Rear Adm. Glynn R. Donaho, U.S. Navy, for commands and other duties determined by the President, for appointment to the grade of vice admiral while so serving.

Mr. INOUYE. Mr. President, in addition, I report favorably 6,896 appointments and promotions in the Navy and Marine Corps, and 978 appointments in the Air Force, all in the grade of captain and below. Since these names have already been printed in the CONGRESSIONAL RECORD, in order to save the expense of printing on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk, for the information of any Senator.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The nominations, ordered to lie on the desk, are as follows:

Franklin A. Hart, Jr., and sundry other officers, for permanent appointment in the Marine Corps;

Charles C. McClement, and sundry other persons, for appointment in the U.S. Navy;

William H. Abel, and sundry other officers, for temporary promotion in the U.S. Navy; and

Francis J. Bartos, and sundry other persons, for appointment in the Regular Air Force.

The PRESIDENT pro tempore. If there be no further reports of committees, the nominations on the Executive Calendar will be stated.

DEPARTMENT OF JUSTICE

The Chief Clerk read the nomination of Bruce R. Thompson, of Nevada, to be U.S. district judge for the district of Nevada.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

FARM CREDIT ADMINISTRATION

The Chief Clerk proceeded to read sundry nominations in the Farm Credit Administration.

Mr. MANSFIELD. Mr. President, I move that these nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

AMENDMENT OF TITLE 18, UNITED STATES CODE, RELATING TO RESTRICTIONS IN MILITARY AREAS AND ZONES

A letter from the Secretary of the Army, transmitting a draft of proposed legislation to amend title 18, United States Code, with respect to restrictions in military areas and zones (with an accompanying paper); to the Committee on Armed Services.

REGULATION OF ARCHEOLOGICAL EXPLORATION IN CANAL ZONE

A letter from the Governor, Canal Zone Government, Balboa Heights, Canal Zone, transmitting a draft of proposed legislation to regulate archeological exploration in the Canal Zone (with accompanying papers); to the Committee on Armed Services.

REPORT ON RECONSTRUCTION FINANCE CORPORATION LIQUIDATION FUND

A letter from the Secretary of the Treasury, transmitting, pursuant to law, a report on the progress made in liquidating the assets of the former Reconstruction Finance Corporation for the quarterly period ended June 30, 1963 (with an accompanying report); to the Committee on Banking and Currency.

AMENDMENT OF FEDERAL POWER ACT, RELATING TO INTERCONNECTION OF ELECTRIC FACILITIES

A letter from the Chairman, Federal Power Commission, Washington, D.C., transmitting a draft of proposed legislation to amend section 202(b) of the Federal Power Act with respect to the interconnection of electric facilities (with an accompanying paper); to the Committee on Commerce.

REPORT ON BACKLOG OF PENDING APPLICATIONS AND HEARING CASES IN FEDERAL COMMUNICATIONS COMMISSION

A letter from the Chairman, Federal Communications Commission, Washington, D.C., transmitting, pursuant to law, a report on backlog of pending applications and hearing cases in that Commisison, as of June 30, 1963 (with an accompanying report); to the Committee on Commerce.

REPORT ON IMPAIRMENT OF COMBAT READINESS OF A COMBAT UNIT AT FORT GEORGE G. MEADE, MD., RESULTING FROM LACK OF REPAIR PARTS

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the impairment of combat readiness of a Department of the Army Combat Unit at Fort George G. Meade, Md., resulting from lack of repair parts, dated July 1963 (with an accompanying report); to the Committee on Government Operations.

REPORT ON INCREASED PRICE FOR CERTAIN BALLISTICS COMPUTERS UNDER DEPARTMENT OF THE AIR FORCE CONTRACT

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the increased price for ballistics computers resulting from excessive estimated material costs under Department of the Air Force contract AF 09(603)-34097 with Servomechanisms, Inc., El Segundo, Calif., dated July 1963 (with an accompanying report); to the Committee on Government Operations.

REPORT ON INADEQUATE ADMINISTRATION OF MILITARY BUDGET SUPPORT FUNDS PROVIDED TO IRAN UNDER THE FOREIGN ASSISTANCE PROGRAM

A letter from the Comptroller General, transmitting, pursuant to law, a secret report on the inadequate administration of military budget support funds provided to Iran under the Foreign Assistance Program, dated July 1963 (with an accompanying report); to the Committee on Government Operations.

DISPOSITION OF CERTAIN FUNDS IN FAVOR OF SNAKE OR PAIUTE INDIANS

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to authorize the disposition of funds arising from a judgment in favor of the Snake or Paiute Indians of the former Malheur Reservation in Oregon (with accompanying papers); to the Committee on Interior and Insular Affairs.

REPORT ON CLAIM OF PAWNEE INDIAN TRIBE OF OKLAHOMA *v.* THE UNITED STATES OF AMERICA

A letter from the Chief Commissioner, Indian Claims Commission, Washington, D.C., reporting, pursuant to law, that the claim of the *Pawnee Indian Tribe of Oklahoma* v. *The United States of America, Defendant*, docket No. 10, had been finally concluded (with accompanying papers); to the Committee on Interior and Insular Aaffirs.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

Two letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting pursuant to law, copies of orders suspending deportation of certain aliens, together with a statement of the facts and pertinent provisions of law pertaining to each alien, and the reasons for ordering such suspension (with accompanying papers); to the Committee on the Judiciary.

REPORT ON PETITIONS TO CLASSIFY STATUS OF CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, petitions to classify the status of certain aliens for first preference under the quota (with accompanying papers); to the Committee on the Judiciary.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The PRESIDENT pro tempore appointed Mr. JOHNSTON and Mr. CARLSON members of the committee on the part of the Senate.

PETITION

The PRESIDENT pro tempore laid before the Senate a resolution adopted by the City Council of University City, Mo., relating to civil rights; which was referred to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. RUSSELL, from the Committee on Armed Services, with amendments:

H.R. 6996. An act to repeal section 262 of the Armed Forces Reserve Act, as amended, and to amend the Universal Military Training and Service Act, as amended, to revise and consolidate authority for deferment from, and exemption from liability for induction for, training and service for certain Reserve membership and participation, and to provide a special enlistment program, and for other purposes (Rept. No. 388).

By Mr. GOLDWATER, from the Committee on Armed Services, without amendment:

H.R. 2192. An act authorizing the readmittance of Walter Sowa, Jr., to the U.S. Naval Academy (Rept. No. 389).

DISPOSAL OF CERTAIN WATERFOWL FEATHERS AND DOWN FROM NATIONAL STOCKPILE—REPORT OF A COMMITTEE—(S. REPT. NO. 390)

Mr. SYMINGTON, from the Committee on Armed Services, reported an original bill (S. 1994) to authorize the disposal, without regard to the prescribed 6-month waiting period, of certain waterfowl feathers and down from the national stockpile, and submitted a report (No. 390) thereon; which bill was read twice by its title and placed on the calendar.

EXTENSION OF MEXICAN FARM LABOR PROGRAM—REPORT OF A COMMITTEE (S. REPT. NO. 391)

Mr. HOLLAND. Mr. President, from the Committee on Agriculture and Forestry, I report favorably, with an amendment, the bill (S. 1703) to amend title V of the Agricultural Act of 1949, as amended, and for other purposes, and I submit a report thereon, together with the minority views of Senators PROXMIRE, NEUBERGER, MCGOVERN, and MCCARTHY, members of the committee. I ask unanimous consent that the report, together with the minority views, be printed.

The PRESIDENT pro tempore. The report will be received and the bill be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Florida.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CARLSON:

S. 1987. A bill to provide for the issuance of a special postage stamp in commemoration of the 50th anniversary of the Kiwanis International Civic Organization; to the Committee on Post Office and Civil Service.

By Mr. BARTLETT:

S. 1988. A bill to prohibit fishing in the territorial waters of the United States and in certain other areas by persons other than nationals or inhabitants of the United States; to the Committee on Commerce.

(See the remarks of Mr. Bartlett when he introduced the above bill, which appear under a separate heading.)

By Mr. COOPER:

S. 1989. A bill for the relief of Walter T. Collins; to the Committee on Armed Services.

S. 1990. A bill for the relief of Edward J. Maurus; to the Committee on the Judiciary.

By Mr. INOUYE (for himself and Mr. Fong):

S. 1991. A bill to charter by act of Congress the National Tropical Botanical Garden; to the Committee on the Judiciary.

By Mr. WILLIAMS of Delaware (for himself and Mr. Boggs):

S. 1992. A bill to amend the Federal Property and Administrative Services Act of 1949, as amended, to provide for the donation of surplus personal property to States for use in the operation of prison systems and penal institutions; to the Committee on Government Operations.

By Mr. BEALL:

S. 1993. A bill to provide for the issuance of a special postage stamp in commemoration of the 150th anniversary of the composition of the Star Spangled Banner; to the Committee on Post Office and Civil Service.

By Mr. SYMINGTON:

S. 1994. A bill to authorize the disposal, without regard to the prescribed 6-month waiting period, of certain waterfowl feathers and down from the national stockpile; placed on the calendar.

(See reference to the above bill when reported by Mr. Symington, which appears under the heading "Reports of Committees.")

By Mr. BEALL:

S. 1995. A bill for the relief of Bing Bock; to the Committee on the Judiciary.

By Mr. SCOTT (for himself, Mr. Mundt, Mr. Randolph, Mr. Bennett, Mr. Lausche, Mr. Curtis, Mr. Cannon, Mr. Simpson, and Mr. Tower):

S. 1996. A bill to prohibit the use of products originating in any country or area dominated or controlled by communism in Federal or federally assisted projects for the construction, alteration, or repair of any building, public work, or facility; to the Committee on Public Works.

S. 1997. A bill to prohibit the use of products originating in any country or area dominated or controlled by communism in any housing construction which is assisted under programs administered by the Housing and Home Finance Agency, its constituent agencies, or the Veterans' Administration; to the Committee on Banking and Currency.

(See the remarks of Mr. Scott when he introduced the above bills, which appear under a separate heading.)

By Mr. KENNEDY:

S. 1998. A bill for the relief of Mohsen Chafizadeh; to the Committee on the Judiciary.

By Mr. EDMONDSON:

S. 1999. A bill for the relief of Francisco Navarro-Paz; to the Committee on the Judiciary.

By Mr. McNAMARA:

S. 2000. A bill to provide assistance in the development of new or improved programs to help older persons through grants to the States for community planning and services and for training, through research, development, or training project grants, and to establish within the Department of Health, Education, and Welfare an operating agency to be designated as the "Administration of Aging"; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. McNamara when he introduced the above bill, which appear under a separate heading.)

By Mr. McCARTHY:

S. 2001. A bill to amend section 212A(4) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

By Mr. ERVIN:

S. 2002. A bill to insure to military personnel certain basic constitutional rights by prohibiting command influence in courts-martial cases and in certain nonjudicial proceedings, and for other purposes;

S. 2003. A bill to protect the constitutional rights of military personnel by insuring their right to be represented by qualified counsel in certain cases, and for other purposes;

S. 2004. A bill to protect the constitutional rights of military personnel by increasing the period within which such personnel may petition for a new trial by court-martial, and for other purposes;

S. 2005. A bill to afford military personnel due process in court-martial cases involving minor offenses, to insure the right of counsel in such cases, and for other purposes;

S. 2006. A bill to provide additional constitutional protection in certain cases to members of the Armed Forces, and for other purposes;

S. 2007. A bill to broaden the constitutional protection against double jeopardy in the case of military personnel;

S. 2008. A bill to more effectively protect certain constitutional rights accorded military personnel;

S. 2009. A bill to amend chapter 47 (Uniform Code of Military Justice) of title 10, United States Code, so as to provide additional constitutional protection in trials by courts-martial;

S. 2010. A bill to implement the constitutional rights of military personnel by providing appellate review of certain administrative board decisions, and for other purposes;

S. 2011. A bill to insure due process in the case of certain administrative actions involving military personnel;

S. 2012. A bill to amend chapter 47 (Uniform Code of Military Justice) so as to assure the constitutional rights of confrontation and compulsory process by providing for the mandatory appearance of witnesses and the production of evidence before certain boards and officers, and for other purposes; and,

S. 2013. A bill to further insure the fair and independent review of court-martial cases by prohibiting any member of a board of review from rating the effectiveness of another member of a board of review, and for other purposes; to the Committee on Armed Services.

S. 2014. A bill to provide for compliance with constitutional requirements in the trials of persons who are charged with having committed certain offenses while subject to trial by court-martial, who have not been tried for such offenses, and who are no longer subject to trial by court-martial; and

S. 2015. A bill to provide for compliance with constitutional requirements in the trials of persons who, while accompanying the Armed Forces outside the United States, commit certain offenses against the United States; to the Committee on the Judiciary.

S. 2016. A bill to further insure due process in the administration of military justice in the Department of the Navy by establishing a Judge Advocate General's Corps in such department;

S. 2017. A bill to protect the constitutional rights of military personnel by providing an independent forum to review and correct the military records of members and former members of the Armed Forces, and for other purposes;

S. 2018. A bill to further insure to military personnel certain due process protection by providing for military judges to be detailed to all general courts-martial, and for other purposes; and

S. 2019. A bill to provide additional constitutional protection for members of the Armed Forces by establishing Courts of Military Review, and for other purposes; to the Committee on Armed Services.

(See the remarks of Mr. Ervin when he introduced the above bills, which appear under a separate heading.)

By Mr. WILLIAMS of Delaware:

S. 2020. A bill for the relief of Peter Drossos; to the Committee on the Judiciary.

ACTION, NOT WORDS, NEEDED TO PROTECT OUR FISHERY RESOURCES

Mr. BARTLETT. Mr. President, I introduce, for appropriate reference, a bill to prohibit foreign vessels from fishing in the territorial waters of the United States or from taking fishery resources of the Continental Shelf claimed by the United States, to set up effective procedures for the enforcement of the act, and to provide appropriate penalties for violators.

The introduction of this legislation, Mr. President, stems from a long-standing concern with the increasing encroachment of foreign vessels upon our offshore fishery domain and the obvious impotency of our present Federal laws to deal with trespassers who intentionally or otherwise stray within our territorial waters. But the need for this legislation has been pointed up and dramatized by very recent and very alarming intrusions by Soviets whaling vessels into our territorial seas off Alaska. Just last week, on July 28, two Soviet whaleboats were sighted west of Kodiak off Nakchamik Island. That same day another catcher and a mother ship were seen in the territorial waters off Sutwik Island. Two days later, last Tuesday, four additional whale killer vessels were sighted 1½ miles west of Nakchamik Island. The reports of these sightings come from reliable sources, the Alaska Department of Fish and Game and Kodiak Airways. State Representative Gilbert Jarvela, of Kodiak, has informed me that documentary photographs are available for the July 28 incidents. The Coast Guard and Navy have been informed of the sightings. Let me emphasize, Mr. President, that these vessels were all within our 3-mile territorial sea, some within 1 mile of our shores. It is perhaps also pertinent to note that last week there were some 230 Russian and 50 Japanese vessels fishing in Alaska coastal waters—outside the territorial sea but still in waters which furnish thousands of our fishermen with their means of livelihood and thousands more of our citizens with a vital food supply.

Another flagrant encroachment on our territorial sea occurred early last month, this time involving Japanese vessels. On July 3, the *Toshi Maru*, a Japanese whaler, was sighted operating 1½ miles from Cape Edgecumbe. A week later, on July 10, three Japanese whaling vessels were sighted between Hazy and Coronation Islands, within the territorial sea.

These violations of our territorial waters represent only one of the aspects of a total pattern of foreign interference with American fishing.

Another long-standing problem has centered around our need to protect the fishery resources of our Continental Shelf. We presently claim king crab and Dungeness crab as such a resource. This claim is made explicit in article II of the International Convention on the Law of the Seas, which both the United States and Russia have signed and ratified and which, with the ratification of one more nation, will shortly go into effect. The convention recognizes that a coastal state has sovereign rights in the exploitation of natural resources on the Continental Shelf; these resources include those organisms which "in the harvestable stage, either are immobile, or underneath the seabed, or are unable to move except in constant physical contact with the seabed or subsoil." King crab definitely qualify. Yet the Russians and the Japanese have been engaged in extensive king crab operations on our Continental Shelf in the Bering Sea. And attempts have been made this year for the first time to extend their operations into the Gulf of Alaska. All the claims which we might make and all the declarations which we might make cannot assure the protection of our shelf resources. What is needed is legislation which provides workable procedures and penalties for apprehending and punishing those who violate our claims.

Mr. President, I have repeatedly stressed that the territorial sea and Continental Shelf violations which have plagued Alaskan fishermen and citizens are not isolated phenomena; they seem instead rather typical of situations prevailing, because of the heedless fishing practices of certain nations, in other U.S. fishing areas, and indeed all over the world. Japanese and Russian vessels have been sighted off the coasts of Washington and Oregon, along the Atlantic seaboard, and, most notably, in the Gulf of Mexico. I have been pleased to note that the House Armed Services Committee has recently concerned itself with the military implications of Soviet trawler traffic off Florida, an aspect of the problem which demands close scrutiny. Canada has experienced encroachments similar to our own and has responded by proposing the establishment of a 12-mile exclusive fishery zone measured from straight baselines.

French and British lobster and crab fishermen have had their gear destroyed by Soviet vessels. And early this year, the Irish Navy took the Soviet trawler *Paltus* into custody for violating the 3-mile limit.

The threats represented by the ominous patterns in international fishing give cause for great alarm. And, Mr. President, that alarm is compounded by the realization that our present statutes are wholly inadequate to cope with the situation. Under present law, the Coast Guard has the authority to stop and board a foreign vessel found in the territorial sea for the purpose of investigating the vessel and possibly ordering it to leave the territorial sea. No stronger action is now possible, for present law provides no penalties for those who violate our fishery rights. State officials likewise have their hands tied for lack of adequate Federal support and statutory backing. There is a need for Federal legislation which provides procedures for the apprehension, prosecution, and penalizing of those who fish illegally in U.S. waters or take illegally those continental shelf resources claimed by the United States. The bill I am introducing, I believe, meets that need quite adequately.

The bill first of all declares it unlawful for foreign vessels to fish within the territorial sea or to engage in the taking of continental shelf resources claimed by the United States, except as provided by an international agreement to which the United States is a party. Appropriate penalties for violation—not more than a $10,000 fine or 1 year imprisonment, or both—are delineated. Enforcement procedures permit the authorities to seize vessels illegally operating and allow the court to order forfeiture of the vessel. Administrative rules are to be issued by the Secretary of the Treasury. The responsibility for enforcement is to be shared by the Coast Guard, the Department of the Interior, the Bureau of Customs, and such State and territorial officers as the Secretary of the Interior may designate. Federal district courts are empowered to issue such warrants as may be required for the enforcement of the act. Persons authorized to carry out enforcement activities are given the power to execute these warrants, to arrest violators of the act, and to search suspect vessels. Finally, the bill provides for the seizure and disposal of fish taken in violation of the act, and establishes procedures for the setting of a bond by alleged violators.

Mr. President, this bill is necessary if our fishery rights are to have any meaning or if our claims are to command any adherence. Foreign fishing practices represent an increasing threat. Without legal ammunition we can only fire back with words. It is time to move in defense of our domestic fishing industry and in the interest of conserving our fishery resources. I have consistently advocated action in this area—the establishment of the 12-mile fishing zone measured from straight baselines, the explicit clarification of our claims to king crab and other continental shelf resources, the vigorous representation of the U.S. case in international circles in connection with foreign interference with our fishing efforts. And now I respectfully urge the enactment of the present bill—a bill to prohibit violation of U.S. fishery claims and to provide for the effective protection and enforcement of those claims. The threats posed by foreign fishing operations to our fishery resources, to our fishing industry and to our national defense make the passage of such a bill a matter of extreme urgency and great importance.

Mr. President, I ask unanimous consent that the bill be printed in the Record at this point, and that the bill be held at the desk until the close of business on Friday, August 16, so that Senators who care to join in cosponsorship may do so.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record and will lie on the desk, as requested by the Senator from Alaska.

The bill (S. 1988) to prohibit fishing in the territorial waters of the United States and in certain other areas by persons other than nationals or inhabitants of the United States, introduced by Mr. Bartlett, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, It is unlawful for any vessel, except a vessel of the United States or for any master or other person in charge of such a vessel, to engage in the fisheries within the territorial waters of the United States and its territories and possessions or to engage in the taking of any fishery resource of the Continental Shelf claimed by the United States except as provided by an international agreement to which the United States is a party.

Sec. 2. (a) Any person violating the provisions of this Act shall be fined not more than $10,000, or imprisoned not more than one year, or both.

(b) The vessels and all fish taken or retained in violation of this Act, or the monetary value thereof, may be forfeited.

(c) All provisions of law relating to the seizure, judicial forfeiture, and condemnation of a cargo for violation of the customs laws, the disposition of such cargo or the proceeds from the sale thereof, and the remission or mitigation of such forfeitures apply to seizures and forfeitures incurred, or alleged to have been incurred, under the provisions of this Act, insofar as such provisions of law are applicable and not inconsistent with the provisions of this Act.

Sec. 3. (a) Enforcement of the provisions of this Act is the joint responsibility of the United States Coast Guard, the United States Department of the Interior, and the United States Bureau of Customs. In addition, the Secretary of the Interior may designate officers and employees of the States of the United States, of the Commonwealth of Puerto Rico, and of any territory or possession of the United States to carry out enforcement activities hereunder. When so designated, such officers and employees are authorized to function as Federal law enforcement agents for these purposes.

(b) The judges of the United States district courts, the judges of the highest courts of the territories and possessions of the United States, and United States commissioners may, within their respective jurisdictions, upon proper oath or affirmation showing probable cause, issue such warrants or other process as may be required for enforcement of this Act and any regulations issued thereunder.

(c) Any person authorized to carry out enforcement activities hereunder shall have the power to execute any warrant or process issued by any officer or court of competent jurisdiction for the enforcement of this Act.

(d) Such person so authorized shall have the power—

(1) with or without a warrant or other process, to arrest any person committing in his presence or view a violation of this Act or the regulations issued thereunder;

(2) with or without a warrant or other process, to search any vessel and, if as a result of such search he has reasonable cause to believe that such vessel or any person on board is in violation of any provision of this Act or the regulations issued thereunder, then to arrest such person.

(e) Such person so authorized, may seize, whenever and wherever lawfully found all fish taken or retained in violation of this Act or the regulations issued thereunder. Any fish so seized may be disposed of pursuant to the order of a court of competent jurisdiction, or if perishable, in a manner prescribed by regulations of the Secretary of the Treasury.

(f) Notwithstanding the provisions of section 2464 of title 28 when a warrant of arrest or other process in rem is issued in any cause under this section, the United States marshal or other officer shall stay the execution of such process, or discharge any fish seized if the process has been levied, on receiving from the claimant of the fish a bond or stipulation for the value of the property with sufficient surety to be approved by a judge of the district court having jurisdiction of the offense, conditioned to deliver the fish seized, if condemned, without impairment in value or, in the discretion of the court, to pay its equivalent value in money or otherwise to answer the decree of the court in such cause. Such bond or stipulation shall be returned to the court and judgment thereon against both the principal and sureties may be recovered in event of any breach of the conditions thereof as determined by the court. In the discretion of the accused, and subject to the direction of the court, the fish may be sold for not less than its reasonable market value and the proceeds of such sale placed in the registry of the court pending judgment in the case.

SEC. 4. The Secretary of the Treasury is authorized to issue such regulations as he determines necessary to carry out the provisions of this Act.

PROHIBITION OF COMMUNIST PRODUCTS IN FEDERALLY ASSISTED PROJECTS

Mr. SCOTT. Mr. President, I introduce, for appropriate reference, two bills for myself and the Senator from South Dakota [Mr. MUNDT], the Senator from West Virginia [Mr. RANDOLPH], the Senator from Utah [Mr. BENNETT], the Senator from Ohio [Mr. LAUSCHE], the Senator from Nebraska [Mr. CURTIS], the Senator from Nevada [Mr. CANNON], the Senator from Wyoming [Mr. SIMPSON], and the Senator from Texas [Mr. TOWER].

The PRESIDENT pro tempore. The bills will be received and appropriately referred.

The bills, introduced by Mr. SCOTT, were received, read twice by their titles, and appropriately referred, as follows:

S. 1996. A bill to prohibit the use of products originating in any country or area dominated or controlled by communism in Federal or federally assisted projects for the construction, alteration, or repair of any building, public work, or facility; to the Committee on Public Works.

S. 1997. A bill to prohibit the use of products originating in any country or area dominated or controlled by communism in any housing construction which is assisted under programs administered by the Housing and Home Finance Agency, its constituent agencies, or the Veterans' Administration; to the Committee on Banking and Currency.

Mr. SCOTT. Mr. President, these two bills deal with the use of Communist products in the United States. My first bill prohibits the use of products originating in any country or area dominated or controlled by communism in Federal or federally assisted projects for the construction, alteration, or repair of any building, public work, or facility.

The second prohibits the use of such products in any housing construction which is assisted under programs administered by the House and Home Finance Agency, its constituent agencies, or the Veterans' Administration.

My proposals are made in response to a clear and obvious need. At the present moment, there exist no statutes which prevent the use of Communist products in construction work authorized, supervised, or otherwise related to the Federal Government. Reports indicate that the use of such products is considerable although sometimes unintentional.

My bills would assure that the contractor have on hand lists of countries from which his materials originate. Heretofore, no means have been available to the Government for determining the source of various products utilized in Federal construction work. My bills would create such means.

Two considerations should be uppermost in our minds. First, we must not forget that the Soviet Union has warned that the Western World will be destroyed through an economic and ideological struggle. Communist export policies are designed to damage the economies of the free world. Only secondarily to Communist regimes pay attention to raising the living standards of their people. This Soviet strategy makes curtailment of Communist trade expansion imperative. We must do away with the shortsighted policy of bartering with the Soviets for short-term profits at longrun disadvantage to the free nations.

Second, the more Communist products we use, the smaller will be the market for our domestic manufacturers. In times of abnormally high unemployment, this is an especially grievous effect. We need to expand now the use of domestic products. We need to create more jobs now. Our present approach does just the opposite and therefore should be changed, in our national interest.

THE OLDER AMERICANS ACT OF 1963

Mr. McNAMARA. Mr. President, I introduce for appropriate reference a bill entitled "The Older Americans Act of 1963."

This bill has a dual purpose: It will establish an Administration of Aging within the Department of Health, Education, and Welfare, and it will authorize a 5-year program of Federal grants to the States and to public and nonprofit private agencies for research, training, community planning, and demonstration projects relating to aging.

The bill also creates a new position of Commissioner of Aging, appointed by the President and subject to confirmation by the Senate, to be head of the Administration of Aging.

In addition, the bill provides for a 16-member Advisory Committee on Older Americans, consisting of citizen members who have experience and interest in the special problems of the aging. The Secretary of Health, Education, and Welfare, or his designee, will serve as Chairman of this Commission.

Under the terms of this bill, a total of $70 million will be authorized in Federal grants over a 5-year period.

Of this amount, $50.5 million would be authorized for grants to the States for community planning, demonstration projects, training of personnel, and other programs.

The remaining $19.5 million in authorized grants would be made to public or private, nonprofit agencies, organizations or institutions for research, training, and demonstration projects in the field of aging.

Mr. President, at some future time I expect to speak in more detail on the merits and the provisions of this bill, which is being introduced today, in identical form, in the other House, by the Honorable JOHN E. FOGARTY, Member of Congress from Rhode Island.

However, we are introducing this proposed legislation at this time because we feel that there is a need for a high-level agency that will command the respect and pay full attention to the needs of our elderly, so that the social and economic problems of the Nation's 18 million senior citizens receive the attention they deserve.

We also believe there is a great need for the Federal Government to participate financially in efforts at the State and local levels to solve the problems of the aging.

I would point out that this proposed legislation implements the findings of the almost 3,000 delegates who participated in the 1961 White House Conference on Aging.

In addition, it represents the considered judgment of informed leaders in the field of aging throughout the country.

Mr. President, I ask unanimous consent that a summary of the major provisions of this bill be placed in the RECORD at this point in my remarks.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the summary will be printed in the RECORD, as requested.

The bill (S. 2000) to provide assistance in the development of new or improved programs to help older persons through grants to the States for community planning and services and for training, through research, development, or training project grants, and to establish within the Department of Health, Education, and Welfare an operating agency to be designated as the "Administration of Aging," introduced by Mr. McNAMARA, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

The summary presented by Mr. McNamara is as follows:

Summary of Provisions of "Older Americans Act of 1963"

The bill provides for the creation of an operating agency known as the "Administration of Aging" within the Department of Health, Education, and Welfare and headed by a Commissioner of Aging.

The bill authorizes, over a period of 5 years, a total of $50.5 million in grants to the States for community planning and coordination, demonstration programs and training of special personnel.

It further authorizes, over a period of 5 years, a total of $19.5 million in grants by the Department of Health, Education, and Welfare to public or nonprofit private agencies, organizations, and institutions, for study, development, demonstration and evaluation projects relating to the needs of older persons, and for the specialized training of individuals in carrying out such projects.

The bill provides for the establishment of a 16-member Advisory Committee on Older Americans with the Secretary of Health, Education, and Welfare, as chairman.

A DECLARATION OF OBJECTIVES FOR OLDER AMERICANS

In keeping with the traditional American concept of the inherent dignity of the individual in our democratic society, the bill sets forth a 10-point declaration of objectives for older Americans. These objectives are: (1) An adequate income; (2) the best possible physical and mental health; (3) suitable housing; (4) full restorative services; (5) opportunity for employment without age discrimination; (6) retirement in health, honor, and dignity; (7) pursuit of meaningful activity; (8) efficient community services when needed; (9) immediate benefit from proven research knowledge; and (10) freedom, independence, and the free exercise of individual initiative.

ADMINISTRATION OF AGING

1. The act establishes the Administration of Aging in the Department of Health, Education, and Welfare.

2. It creates a new position of Commissioner of Aging to be head of the Administration of Aging who will be appointed by the President and confirmed by the Senate.

3. Function of the Administration: (a) serve as a clearinghouse of information on problems of the aged and aging; (b) assist the Secretary in all matters pertaining to the aging; (c) administer grants provided by the act; (d) develop, conduct and arrange for research and demonstration programs in the field of aging; (e) provide technical assistance and consultation to State and local governments; (f) prepare and publish educational materials dealing with welfare of older persons; (g) gather statistics in the field of aging; (h) stimulate more effective use of existing resources and available services.

GRANT PROGRAMS

The act provides for three types of grant programs to be administered by the Administration of Aging. They are:

1. Authorizing grants to the States by the Secretary, amounting to $5 million for the fiscal year ending June 30, 1964, $8 million in fiscal year 1965, and $12½ million for each of the next 3 fiscal years, for projects for: (a) community planning and coordination of programs for older citizens; (b) demonstration programs or activities relating to aging; (c) specialized training of personnel needed to carry out such programs and activities; (d) other programs to carry out the purposes of the act, including centers for older persons, exclusive of construction costs. Funds to be allocated to States on a formula based on each State's population aged 65 and over. State plans for project grants shall be approved by the Secretary.

2. The act authorizes grants by the Secretary to public or nonprofit private agencies, organization, institutions, or individuals, for study, development, demonstration and evaluation projects relating to the needs of older persons.

3. Grants by the Secretary may be made to organizations and individuals for the specialized training of personnel.

For purposes of carrying out the functions in items two and three above, the act authorizes the appropriation of $1.5 million for the fiscal year ending June 30, 1964, $3 million for fiscal 1965, and $5 million for each of the next 3 fiscal years.

ADVISORY COMMITTEE ON OLDER AMERICANS

The act provides for the establishment of an Advisory Committee on Older Americans consisting of the Secretary as Chairman, with 15 citizen members who are experienced in or who have demonstrated particular interest in special problems of the aging.

BILLS TO FURTHER PROTECT THE CONSTITUTIONAL RIGHTS OF MILITARY PERSONNEL

Mr. ERVIN. Mr. President, I am introducing today a number of bills to further protect the constitutional rights of military personnel. As of now, Senators Bayh, Humphrey, Williams of New Jersey, Fong, and Cooper are joining me in cosponsoring various ones of these measures as will be indicated on the respective bills at such time as they are printed.

At one time it was thought that military personnel had no constitutional rights, that they were not entitled to due process, that the only test of the legality of court-martial action was jurisdiction over the offender and the offense. This view is now discredited. The Supreme Court has made it clear that trial by court-martial must comply with fundamental concepts of due process and that administrative discharge action by the military is subject to judicial review. Congress, in 1950, gave implicit recognition to the constitutional rights of military personnel by enacting the Uniform Code of Military Justice which contained numerous safeguards, such as prohibitions against double jeopardy and self-incrimination designed to parallel protections afforded by the Bill of Rights. At the same time, the Congress established for the first time an independent civilian tribunal expressly empowered to review convictions by court-martial; and that court, the U.S. Court of Military Appeals, has rendered valuable service in reaffirming and protecting the constitutional rights of American servicemen.

While much progress has been made in providing more adequate implementation of constitutional protections for the men and women in uniform, complaints to the Subcommittee on Constitutional Rights and background research by it revealed that considerable room remains for improvement. Thus, hearings were held in February and March 1962 by the subcommittee to determine the nature of the legislation needed to insure more satisfactorily the constitutional rights of military personnel. Extensive staff work and correspondence both preceded and followed these hearings; and thousands of questionnaires were mailed to qualified persons requesting their comments and suggestions. In addition to information received from the Department of Defense and from the Court of Military Appeals, the subcommittee was furnished with the views of several bar associations and veterans' groups and received testimony from a number of outstanding experts in military law.

The bills which I am now introducing are designed to meet some of the problems which were uncovered by the subcommittee. It may be necessary to revise the wording of some of these measures; I am wedded to no particular language. However, the substance of each is, I feel, important if we are to grant the full measure of justice and security to those to whom this Nation has entrusted its defense. For this reason, I hope that hearings on these bills will be held at an early date.

The first of these bills seeks to guarantee to military personnel the basic right that any judicial or quasi-judicial proceeding affecting them be conducted by a fair and impartial tribunal. Over the years there have been numerous complaints of command influence in trials by court-martial and in certain administrative proceedings involving military personnel. The interpretation by the courts of article 37 of the Uniform Code, which purports to prohibit command influence with respect to trials by court-martial, is not, in my opinion, sufficient to provide the requisite protection against subtle influences affecting the impartiality of the members of a court-martial. For example, a commanding officer can, under some circumstances, give pretrial instructions to court-martial members without violating this article. Furthermore, there is no prohibition at the present time against command influence with respect to administrative proceedings involving military personnel, even though those proceedings can have tremendous impact on the future of a serviceman and may result in a discharge under other than honorable conditions.

The right to counsel is a fundamental right which applies to all Federal district courts and which the Supreme Court in Gideon against Wainwright has fully extended to State courts. Although an accused, in a general court-martial, must be furnished with a qualified lawyer to represent him, he may be convicted in a special court-martial and sentenced to a bad conduct discharge, a discharge under other than honorable conditions, without having the assistance of legally trained counsel. Similarly, an enlisted man may be discharged as undesirable—or under other than honorable conditions—without having qualified counsel to represent him. Because of the effects of such discharges and the stigma which they create, I consider that, except in an emergency situation created by war, any serviceman should have the assistance of a qualified attorney to assist him in connection with a proceeding which may result in a discharge under other than honorable conditions; and the second bill which I am introducing would so provide.

In the Federal district courts a period of 2 years is provided for the submission of a petition for new trial. Under the Uniform Code of Military Justice, an accused has only 1 year to petition for a new trial even if the petition is based on a fraud which has been committed on the court-martial which might involve a deprivation of due process. Moreover, many convictions by court-martial are not subject at all to the remedy of a petition for new trial, even if that petition is based on an alleged deprivation of constitutional rights. The third bill which I am introducing would extend the time period for the submission of a petition for new trial and would expand the scope of this remedy to include any conviction by court-martial.

The subcommittee has received many complaints concerning summary courts-martial, where a single officer acts as judge, jury, prosecuting attorney, and defense counsel. I find it hard to conceive that the criteria of due process are observed in such a court. Furthermore, any need for the summary court was removed when article 15 of the Uniform Code was expanded to allow a commanding officer to impose greater punishment nonjudicially. Therefore, to better protect the constitutional rights of the enlisted man, the fourth bill proposes the abolition of the summary court-martial.

The Subcommittee on Constitutional Rights has received complaints that a member of the Armed Forces, who was alleged to have been guilty of misconduct, was separated administratively under other than honorable conditions by reason of this misconduct, even though he had requested trial by court-martial. The Uniform Code of Military Justice provides recognition and protection of many of the constitutional rights of military personnel; and yet this protection is circumvented by the procedure that I have described. In short, in some cases a member of the Armed Forces has been separated under other than honorable conditions and thereby stigmatized without receiving safeguards which both the Constitution and the Congress intended for him to have. The fifth measure proposed today would prohibit any such procedure, although, of course, it would retain the right of the Armed Forces to discharge under honorable conditions a member of the Armed Forces who could no longer serve effectively.

Although article 44 of the Uniform Code of Military Justice provides considerable protection against double jeopardy, I still perceive substantial omissions in its coverage. For example, there is no express prohibition of the administrative discharge of a serviceman under other than honorable conditions for the same alleged misconduct for which he has already been tried and acquitted by court-martial. The sixth bill would be designed to further implement the constitutional right of military personnel to protection against double jeopardy.

The seventh bill recognizes that in some instances cumbersome procedures militate against a fair trial. In this connection, I found that a major impediment to the fair and speedy trial by general court-martial is the absence of any procedure for a pretrial conference between the law officer—who serves as the judge in a general court-martial—and the trial and defense counsel. Interlocutory matters such as the admissibility of evidence alleged to have been obtained by unreasonable search and seizure must be decided at the trial after the court-martial members have assembled. Therefore, lengthy continuances may be necessary after the court has been convened in order to dispose of matters which in Federal courts would have been disposed of long before a jury was impaneled. The result often militates against the fairness of the trial, both from the standpoint of the accused and that of the Government. Under the eighth bill substantial improvement would be effected in this regard.

In Federal district courts or in State courts, the criminal trial is presided over by an independent judge who rules on all matters of law. The Uniform Code of Military Justice requires that a law officer preside over general courts-martial. However, there is no provision for a law officer to preside over a special courts-martial, even though these courts can impose a sentence which includes a bad conduct discharge. As a result, there have been cases where a special court-martial sentenced a member of the Armed Forces to a bad conduct discharge without the legal guidance that would be required in a civilian trial to insure adequate protection of the constitutional rights of the accused. The stigma of such a discharge, of course, persists throughout the entire life of the person who receives it. The eighth bill which is being introduced would authorize the appointment of a law officer to any special court-martial and require that, except in time of war, a law officer be appointed in order for the special court to have the authority to adjudge a bad conduct discharge. Also, on the analogy of the waiver of trial by jury permitted in the Federal courts, the accused would be allowed to waive trial by the members of the court-martial and be tried before the law officer alone.

Administrative proceedings in the Armed Forces and especially the proceedings of boards of officers appointed to make findings and recommendations concerning discharge of military personnel, can have very serious consequences for members of the Armed Forces. In light of those consequences, it is not surprising that these administrative board proceedings raise important questions involving constitutional rights of military personnel. Although the Federal courts, since the Supreme Court's decision in Harmon against Brucker, have increased the scope of judicial review of administrative action taken by military authorities, the procedure for obtaining such review is often cumbersome. Moreover, the Federal courts generally do not have occasion for extensive contact with problems of military law. On the other hand, the Court of Military Appeals is a specialized court, well-acquainted with military law and with the constitutional rights of military personnel. The ninth bill, would establish a procedure for appellate review by the Court of Military Appeals with respect to certain administrative actions taken by the Armed Forces.

I have already mentioned the necessity for providing legal guidance for the accused from a trained lawyer as a prerequisite in cases which could result in his receiving a bad conduct discharge by a special court martial. A similar need exists with respect to administrative board proceedings that can result in an undesirable discharge, also a discharge under other than honorable conditions. Accordingly, the 10th measure would require that, except in time of war, a board hearing be held prior to an administrative separation under other than honorable conditions and that such a board have a legal adviser with the same qualifications and functions of those possessed by the law officer of a general court-martial under the Uniform Code of Military Justice. In this way, I feel sure that the guarantee of due process will be much better implemented for military personnel being proposed for undesirable discharges.

At the hearings of the Subcommittee on Constitutional Rights it was pointed out that there is no authority for compelling witnesses to appear before military boards concerned with administrative discharges or before an officer who is conducting a pretrial investigation under the provisions of article 32 of the Uniform Code of Military Justice. As a result, vital constitutional rights of confrontation and compulsory process are affected; and it is quite possible that in many cases the boards and investigating officers do not reach the same conclusions that they would reach if they were able to obtain the personal testimony of witnesses, instead of relying on written statements. The 11th bill would authorize administrative discharge boards, discharge review boards, and correction boards, and investigating officers appointed under article 32 of the Uniform Code to compel the attendance of witnesses and the production of evidence where, in their discretion, this seems desirable.

During the hearings of the subcommittee we were informed that in Army and Air Force Boards of Review, the chairman of the board rated the efficiency of the members of the board and that these ratings helped determine future promotions and assignments of these members. Naturally, this practice does not promote the independence of the board members in cases where they disagree with the chairman. Shortly after the hearings, the Army discontinued this practice; but the Air Force has apparently retained its rating system. Because any such rating system threatens the fairness of the appellate review of courts-martial, including the review of issues involving constitutional rights, it should be prohibited. The 12th bill contains such a prohibition.

Article 3(a) of the Uniform Code of Military Justice purports to authorize trial by court-martial of former members of the Armed Forces who, while in military status, committed serious crimes for which they cannot be tried by any

State or Federal court. In Toth against Quarles the Supreme Court held that this provision was unconstitutional and that court-martial jurisdiction cannot be extended to former members of the Armed Forces. The 13th of these bills would comply with the constitutional requirements set out by the Supreme Court and at the same time would fill a jurisdictional gap by authorizing trial in Federal district courts of serious violations of the Uniform Code which otherwise would not be subject to trial in any American tribunal.

Article 2 of the Uniform Code purports to subject to military jurisdiction civilian dependents and employees accompanying the Armed Forces overseas; but the Supreme Court has held this provision unconstitutional. To fill the jurisdictional gap created by the Supreme Court decisions, it has even been proposed that civilian dependents and employees overseas be given a quasi-military status and be organized into a support corps. I doubt the constitutionality of such a proposal and I am even less convinced of its desirability. The appropriate method for handling the problem seems to be the one contained in the 14th bill, which would authorize the trial in Federal district courts of persons who commit serious offenses while accompanying the Armed Forces outside of the United States. I realize that there may be differences of viewpoint as to whether the jurisdiction of American courts should be limited only to persons in a special relation to the military or should instead be extended to include other categories; as to what should be the statute of limitations and the authorized punishments; and as to which categories of offenses should be punishable. I believe, however, that the proposal dealing with the trial of certain persons accompanying the Armed Forces outside of the United States will provide the starting point for the solution of the problem.

The value of the constitutional right to counsel depends greatly on the ability and independence of the attorney who is defending the accused. It is my belief that both the independence and the ability of lawyers in the Navy might be enhanced by the creation of a Navy Judge Advocate General's Corps, like that of the Army. The 15th bill would establish this corps.

Congress has established Boards for the Correction of Military Records and these boards often provide a remedy for servicemen who have been deprived of their constitutional rights by reason of actions taken by military authorities. I feel, however, that 10 United States Code, section 1552, which establishes these boards, should be modified in order to provide a more effective and independent forum to review applications for correction of military records. The 16th bill I have introduced is designed to achieve that objective.

Among the most significant developments in military law is the field judiciary system. It was developed by the Army and later was adopted by the Navy. The members of the field judiciary preside as law officers of general courts-martial and apparently have implemented effectively the right of accused military personnel to be tried by court-martial in accordance with the concepts of due process. During the subcommittee's hearings, with the exception of the representatives of the one service which has not adopted a field judiciary system, the witnesses, who discussed the system, praised it. In light of the proven virtues of this system for insuring due process, I am proposing the statutory recognition and adoption of the field judiciary system. The 17th measures implements this proposal.

Under article 66 of the Uniform Code of Military Justice, boards of review examine the records of trial by court-martial in serious cases. In addition to reviewing the legality of the conviction, these boards have a power, which the Court of Military Appeals does not have, to weigh the evidence and to evaluate the sentence imposed. In many instances, claims of deprivation of constitutional rights must stand or fall on the basis of factual determinations made by these boards. I am convinced that the role of these boards in protecting the constitutional rights of servicemen and in insuring a fair and impartial appellate review of court-martial convictions can be better fulfilled by some changes in the structure and designation of the boards. The last of the 18 bills is designed to accomplish certain changes to improve the boards of review.

Each of the bills is the outgrowth of extensive study and detailed research. Each of them benefits from the testimony received during the hearings conducted in February and March 1962, by the Subcommittee on Constitutional Rights, from an intensive 17-day field investigation and from the comments and suggestions of hundreds of former judge advocates who have written to the subcommittee. Each of them is designed to better insure the constitutional rights of members and former members of the Armed Forces and of persons accompanying the Armed Forces overseas. No objective could be more important at the present time than to protect the constitutional rights of the men and women in uniform who stand ready to protect the Constitution of the United States.

The PRESIDENT pro tempore. The bills will be received and appropriately referred.

The bills, introduced by Mr. ERVIN, were received, read twice by their titles, and referred to the Committee on Armed Services, as follows:

S. 2002. A bill to insure to military personnel certain basic constitutional rights by prohibiting command influence in court-martial cases and in certain nonjudicial proceedings, and for other purposes;

S. 2003. A bill to protect the constitutional rights of military personnel by insuring their right to be represented by qualified counsel in certain cases, and for other purposes;

S. 2004. A bill to protect the constitutional rights of military personnel by increasing the period within which such personnel may petition for a new trial by court-martial, and for other purposes;

S. 2005. A bill to afford military personnel due process in court-martial cases involving minor offenses, to insure the right of counsel in such cases, and for other purposes;

S. 2006. A bill to provide additional constitutional protection in certain cases to members of the Armed Forces, and for other purposes;

S. 2007. A bill to broaden the constitutional protection against double jeopardy in the case of military personnel;

S. 2008. A bill to more effectively protect certain constitutional rights accorded military personnel;

S. 2009. A bill to amend chapter 47 (Uniform Code of Military Justice) of title 10, United States Code, so as to provide additional constitutional protection in trials by courts-martial;

S. 2010. A bill to implement the constitutional rights of military personnel by providing appellate review of certain administrative board decisions, and for other purposes;

S. 2011. A bill to insure due process in the case of certain administrative actions involving military personnel;

S. 2012. A bill to amend chapter 47 (Uniform Code of Military Justice) so as to assure the constitutional rights of confrontation and compulsory process by providing for the mandatory appearance of witnesses and the production of evidence before certain boards and officers, and for other purposes; and

S. 2013. A bill to further insure the fair and independent review of court-martial cases by prohibiting any member of a board of review from rating the effectiveness of another member of a board of review, and for other purposes; to the Committee on Armed Services.

S. 2014. A bill to provide for compliance with constitutional requirements in the trials of persons who are charged with having committed certain offenses while subject to trial by court-martial, who have not been tried for such offenses, and who are no longer subject to trial by court-martial; and

S. 2015. A bill to provide for compliance with constitutional requirements in the trials of persons who, while accompanying the Armed Forces outside the United States, commit certain offenses against the United States; to the Committee on the Judiciary.

S. 2016. A bill to further insure due process in the administration of military justice in the Department of the Navy by establishing a Judge Advocate General's Corps in such department;

S. 2017. A bill to protect the constitutional rights of military personnel by providing an independent forum to review and correct the military records of members and former members of the Armed Forces, and for other purposes;

S. 2018. A bill to further insure to military personnel certain due process protection by providing for military judges to be detailed to all general courts-martial, and for other purposes; and

S. 2019. A bill to provide additional constitutional protection for members of the Armed Forces by establishing Courts of Military Review, and for other purposes.

Mr. MANSFIELD subsequently said: Mr. President, I ask unanimous consent that the group of 18 bills, introduced today by the Senator from North Carolina [Mr. ERVIN], be permitted to lie on the desk for 10 days so that additional Senators who wish to do so may cosponsor them.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MANSFIELD. I also ask unanimous consent that the texts of the bills, together with the memorandums accompanying them, may be printed in the RECORD.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The bills, together with the memorandum accompanying each bill, are as follows:

S. 2002

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 837 (article 37) of title 10, United States Code, is amended to read as follows:

"§ 837. Art. 37. Unlawfully influencing the action of any court-martial or the action of certain military boards; effectiveness reports

"(a) No authority convening a general, special, or summary court-martial, nor any other person subject to this chapter, may lecture, censure, reprimand, or admonish the court or any member, law officer, or counsel thereof, with respect to the findings or sentence adjudged by the court, or with respect to the exercise of its functions and duties in the conduct of any past, pending, or future proceedings before the court.

"(b) No person subject to this chapter may lecture, censure, reprimand, or admonish any board, or any member, legal adviser, recorder, or counsel thereof, with respect to the finding and recommendations made by the board, or with respect to the exercise of its functions and duties in the conduct of any past, pending, or future proceedings before the board, if the proceedings with which such board is concerned relate to the administrative discharge or separation from service of any member of the armed forces, or to the nature and chracter of the type of discharge to be issued to any member of the armed forces, or to the demotion or reduction in grade of any member of the armed forces, or to any matter materially affecting the status or rights of any member of the armed forces.

"(c) The provisions of subsections (a) and (b) of this section shall not apply with respect (1) to general instructional or informational courses in military justice if such courses are designed solely for the purpose of instructing members of a command in the substantive and procedural aspects of courts-martial, or (2) to statements and instructions given in open court by the law officer of a general court-martial.

"(d) In the preparation of an effectiveness, fitness, or efficiency report, or any other report or document used in whole or in part for the purpose of determining whether a member of the armed forces is qualified to be advanced in grade, or in determining the assignment or transfer of a member of the armed forces, or in determining whether a member of the armed forces should be retained on active duty, no person subject to this chapter may, in preparing any such report (1) consider or evaluate the performance of duty of any such member as a member of a court-martial, or as a member of any board described in subsection (b) of this section, or (2) give a less favorable rating or evaluation of any member of the armed forces because of the zeal with which such member, as defense counsel, represented any accused before a court-martial, or any respondent before a board described in subsection (b) of this section.

"(e) No person subject to this chapter may attempt to coerce or, by any unauthorized means, influence directly or indirectly the action of any court-martial, or any other military tribunal, or of any board described in subsection (b) of this section, or of any member of such court-martial, tribunal, or board, in reaching the findings, sentence, or recommendations in any case, or the action of any convening, appointing, approving, or reviewing authority with respect to his judicial acts in the case of a court-martial or other military tribunal case, or his acts of approval or disapproval of the findings or recommendations made by a board described in subsection (b) of this section."

Sec. 2. Section 898 (article 98) of title 10, United States Code, is amended by striking out the semicolon at the end of item (2) and inserting in lieu thereof a comma and the following: "or with any provision of section 837 of this title (article 37) relating to the proceedings before certain military boards described in such section."

Sec. 3. The table of sections at the beginning of such chapter VII of chapter 47 of title 10, United States Code, is amended by striking out

"837. 37. Unlawfully influencing actions of court."

and inserting in lieu thereof

"837. 37. Unlawfully influencing the action of any court-martial or the action of certain military boards; effectiveness reports."

The memorandum accompanying Senate bill 2002 is as follows:

Proposed Bill To Protect the Constitutional Rights of Service Personnel To Receive a Fair and Impartial Trial by Court-Martial, To Have the Assistance of Counsel, and To Have Cases Considered in Accordance With Requirements of Due Process

Background memorandum: Article 37 of the Uniform Code of Military Justice, 10 U.S.C., section 837, prohibits unlawful influence on the members of a court-martial. This prohibition reflects an effort to assure the impartial trial which is guaranteed in the sixth amendment. Unfortunately, despite the existence of article 37, complaints of command influence have not been absent with respect to trials by court-martial. Moreover, the Court of Military Appeals, by a 2-to-1 vote, has permitted the continuing use of pretrial instructions to court members. Testimony given to the subcommittee at its hearings on the constitutional rights of military personnel took the position that, in order to guarantee more adequately the impartiality of the court-martial members, the scope of article 37 should be broadened. Not only a convening authority or commanding officer but also the members of their staff should be prohibited from censuring or reprimanding any court personnel, including the counsel of the court. Any sort of pretrial instruction to members of courts-martial, now purportedly authorized by paragraph 38 of the Manual for Courts-Martial, should be expressly prohibited. Evaluation of a person's performance as a court member should not be a basis for the rating he receives on an effectiveness or fitness report used for purposes of determining his promotions and assignments. Similarly, a defense counsel should not be subject to the threat of a low rating on his own fitness report in retaliation for his vigorous defense of an accused person; otherwise the accused may, as a practical matter, be deprived of his constitutional right to the full assistance of counsel.

Article 37 contains no prohibition of command influence exerted upon discharge boards or other administrative boards which are considering important rights of service personnel—rights affecting their "liberty" and "property." For many of the same reasons applicable to courts-martial, the concept of due process would seem to demand that the participants in such board actions be protected from sanctions or retaliation, enabling them to perform their duties as their conscience guides them, instead of being forced to rely on a superior military authority for direction.

To implement these proposals for protecting the constitutional right of military personnel to a fair and impartial trial or hearing which will accord with the requirements of due process, it seems necessary to:

1. Rewrite article 37 of the Uniform Code, 10 U.S.C., section 837, to provide that, not only a convening authority or other commanding officer, but also any member of their staff, or other person subject to this code, shall not censure, reprimand, or admonish a court-martial, or any member, law officer, or counsel thereof.

2. To avoid indirect efforts to control the behavior of court members, add to article 37 a provision that, in the preparation of any effectiveness report, fitness report, efficiency report or other document used for determining promotions, transfers, or assignments of service personnel, no person subject to the Uniform Code shall be free to consider or evaluate any performance of duty as a court-martial member.

3. To avoid indirect efforts to inhibit defense counsel, add to article 37 a provision that, in the preparation of any effectiveness report, fitness report, efficiency report or other document used for determining promotions, transfers, or assignments of service personnel, and with respect to a person who has served as a defense counsel, no person subject to the Uniform Code shall be free to prepare a less favorable report than would otherwise be the case because of the vigor and zeal with which the person being reported on has performed his duties as defense counsel.

4. Prohibit expressly the giving of instructions before trial by any convening authority, other commanding officer, or member of their staff, with the exception of general courses in military justice designed to instruct the members of a command concerning the provisions of military law and the procedures of courts-martial and with the proviso that instructions given in open court by the law officer of a general court-martial to the members of the court, at the outset of the trial or otherwise, shall not be prohibited.

5. Either broaden article 37 or put in an additional article at the end of the Uniform Code (or an additional section elsewhere in title 10) so that the prohibition of article 37 shall be equally applicable to board proceedings concerning administrative discharges or separations and administrative reductions. Thus, no authority convening a board to make findings or recommendations, or both (with respect to an administrative discharge or separation, or with respect to the nature and character of such discharge or separation, or with respect to any demotion or reduction of any service personnel, or with respect to any matter affecting materially the status or rights of any officer or serviceman) or any commanding officer or member of his staff, or other person subject to the Uniform Code, shall censure, reprimand or admonish such board, or any member, legal adviser, recorder, or counsel thereof with respect to the findings or recommendations made by the board, or with respect to any other exercise of its or his functions in the conduct of its proceedings. The same provisions concerning effectiveness or fitness reports should apply here that would apply to courts-martial under the preceding suggestions to amend article 37. Also, there would be a catchall prohibition applicable like that in article 37 which would apply to anyone subject to the Uniform Code of Military Justice who attempts to coerce, or by any unauthorized means influence, the action of any board of officers or other board considering findings or recommendations pertinent to an administrative discharge or separation, or an administrative demotion or reduction of any service personnel, or with respect to any other matter affecting materially the status or rights of any officer or serviceman, or any member of such board, in making findings or recommendations or in the performance of their duties in any case or proceeding, or the

action of any convening, approving, or reviewing authority with respect to his acts in connection with such case or proceeding. Depending on the manner in which the prohibition against unlawful influence is applied to administrative proceedings in the armed services, it will also be necessary to rewrite article 98 of the Uniform Code, 10 U.S.C. 898, so that the penalty it authorizes will expressly apply to such behavior.

S. 2003

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the last sentence of section 819 (article 19) of title 10, United States Code, is amended to read as follows: "A bad-conduct discharge may not be adjudged unless a complete record of the proceedings and testimony before the court has been made and, except in time of war, unless the accused was represented at the trial, or afforded the opportunity to be represented at the trial, by a defense counsel with qualifications not less than those prescribed under section 827(b) of this title (article 27(b))."

SEC. 2. (a) Chapter 47 of title 10, United States Code, is amended by adding at the end thereof a new section as follows:

"§941. Art. 141. Procedural requirements and right to counsel in certain nonjudicial proceedings

"(a) Except as provided in subsection (b) of this section, no member of the Armed Forces shall be administratively discharged or separated from service under conditions other than honorable unless such member has been afforded an opportunity to appear and present evidence in his own behalf before a board convened by appropriate authority for the specific purpose of determining whether such member shall be discharged or separated from service under conditions other than honorable. Any member of the Armed Forces with respect to whom such a board is convened shall have the right, unless waived by him, to be represented before such board by counsel whose qualifications are not less than those prescribed under section 827(b) of this title (article 27(b)).

"(b) The provisions of subsection (a) shall not apply in the case of any member of the Armed Forces discharged or dismissed from service pursuant to the sentence of a general or special court-martial, or in time of war if the Secretary concerned suspends the operation of such subsection. Any member of the Armed Forces may waive his right to appear and be represented by counsel before a board convened for the purpose described in subsection (a) if such member is given notice in writing of his right to appear and present evidence in his own behalf before such board and of his right to be represented by counsel before such board, and such member is afforded an opportunity to consult with counsel, whose qualifications are not less than those prescribed under section 827(b) of this title (article 27(b)), regarding the waiver of such member's right to appear before such board."

(b) The table of sections at the beginning of subchapter XI of chapter 47 of such title is amended by adding at the end thereof a new item as follows:

"941. 141. Procedural requirements and right to counsel in certain nonjudicial proceedings"

The memorandum accompanying Senate bill 2003 is as follows:

Proposed Bill To Protect the Constitutional Rights of Service Personnel To Have the Assistance of Counsel and not To Be Deprived of Life, Liberty, or Property Without Due Process of Law

Background memorandum: A general court-martial has the jurisdiction to impose on a serviceman a punishment which may include a dishonorable discharge or a bad conduct discharge. In a trial before such a court-martial the accused will be offered the services of defense counsel, whose qualifications, as defined by article 27(b) of the Uniform Code, 10 U.S.C., section 827(b), include graduation from an accredited law school or membership in a bar and certification of his competence by the Judge Advocate General of the Armed Force of which the defense counsel is a member.

A special court-martial is entitled to impose a punishment which may include a bad conduct discharge, if a verbatim record is made of the proceedings. In the special court-martial a "defense counsel" must be appointed for the accused. However, there is no statutory specification of the qualifications required of such a counsel, except in terms of the trial counsel's qualifications, and so the defense counsel may be a person with absolutely no formal legal training or experience. In the event the accused is sentenced to a bad conduct discharge by a special court-martial, there will be extensive appellate review of the findings and sentence pursuant to articles 66 and 67 of the Uniform Code, 10 U.S.C., sections 866, 867 (see also article 70, 10 U.S.C., section 870); but this is a review "on the basis of the entire record." If evidence or information favorable to the accused has not been placed in the record by his counsel who, by reason of his lack of legal training, may not recognize what evidence would probably benefit the accused—then the appellate defense counsel are unable to take advantage thereof in the accused's behalf. A sentence to bad conduct discharge which survives the appellate review is treated as final, in the absence of a petition for new trial submitted within a 1-year period of time. See articles 73 and 76, 10 U.S.C., sections 873, 876.

Each armed service makes provision in its directives for administrative discharges, which may be honorable, general, or undesirable. The undesirable discharge is a discharge under other than honorable conditions and, for purposes of veterans' benefits and certain other rights, is treated like the bad conduct discharge imposed by a special court-martial. Sometimes, in fact, it may be issued for misconduct that would be cognizable by a court-martial. Usually the serviceman being considered for an undesirable discharge is provided the opportunity for a hearing before some sort of board of officers which can make findings or recommendations pertinent to the proposed hearing. While the respondent serviceman may be provided with counsel to represent him at this board hearing, the counsel may not be legally trained or experienced. Quite often the hearing before a board is waived by the serviceman after consulting with counsel; and in this instance, too, the counsel is sometimes not legally trained.

According to all available evidence the recipient of a discharge under other than honorable conditions—whether it be a bad conduct discharge or an undesirable discharge—encounters considerable difficulty in obtaining employment, is restricted from engaging in many types of activities, and is stigmatized. Thus, such a discharge has great effect on his liberty to engage in many activities and the property that he has in being allowed to enter activities which are open to other members of the community.

Therefore, the fifth amendment guarantee that no person shall "be deprived of life, liberty, or property, without due process of law" is quite relevant to the circumstances under which a serviceman may be discharged from the Armed Forces. Furthermore, since a court-martial is a form of criminal prosecution and since a sentence to a bad conduct discharge involves such severe consequences to the recipient, the sixth amendment guarantee of the "assistance of counsel" is especially significant in determining whether a special court-martial should be empowered to sentence a serviceman to a bad conduct discharge when he has not been provided with the assistance of legally trained counsel—assistance that would be mandatory if he were being prosecuted in a Federal district court. Indeed, whether the serviceman is confronting a court-martial that may sentence him to a bad conduct discharge or a board of officers that may recommend that he be issued an undesirable discharge, the availability of a legally trained counsel to advise and assist him is one of the best guarantees that he will receive due process in the proceeding.

In light of these considerations, witnesses in the hearings of the Subcommitte on Constitutional Rights recommended that legally trained counsel should be provided for an accused serviceman as a prerequisite for a special court-martial's having the power to adjudge a bad conduct discharge. The same position is taken concerning the power of a discharge board to recommend an undesirable discharge. Moreover, so that a serviceman will not be misadvised by a nonlegally trained counsel to waive a board hearing and the attendant procedural rights, a waiver of rights to a hearing should not be accepted or be binding unless the respondent serviceman has been given reasonable opportunity to consult with legally trained counsel. The requirement of counsel should be limited to time of peace in line with the general position that procedures which might be infeasible in wartime should not be discarded solely on this ground if they are otherwise suitable for peacetime. Indeed, the Uniform Code has several articles which make special provision for time of war. (See arts. 35, 43, 71, 85, 90, 99, 105, 106, 113.)

To implement the purpose of guaranteeing legally trained counsel as a prerequisite for a discharge under other than honorable conditions, it would seem desirable to:

1. Amend article 19 of the Uniform Code, 10 U.S.C. 819, to add as a prerequisite for a bad conduct discharge that it not be adjudged unless a complete record has been made and "except in time of war unless accused has been provided with or been offered the services of a defense counsel who is legally qualified to serve as trial counsel or defense counsel of a general court-martial in accordance with the requirements of article 27(b) of the Uniform Code (10 U.S.C. 827(b))."

2. Add a separate article at the end of the Uniform Code or elsewhere in title 10 to provide that, "except in time of war no board of officers shall be empowered to recommend that a serviceman or officer be issued an undesirable discharge or other discharge under other than honorable conditions, or be separated under other than honorable conditions, or to make any finding which shall be used by that board or otherwise as the basis for any such recommendation or for any such discharge or separation; unless in any hearing before such board of officers that serviceman or officer has been provided with or been offered the services of a counsel who is legally qualified to serve as trial counsel or defense counsel of a general court-martial in accordance with the requirements of article 27(b) of the Uniform Code of Military Justice, 10 U.S.C. 827(b)."

3. Either as an addition to the article or section discussed immediately hereinabove, or as a separate article of the Uniform Code or a separate section of title 10, provide that "except in time of war no waiver of any statutory or other right to a hearing before a board of officers shall have, or be given, any effect whatsoever unless, prior to the execution of such a waiver, the officer, serviceman, or other person subject to the Uniform Code of Military Justice who executes the waiver has been provided or offered the opportunity to consult concerning the proposed execution of the waiver with a counsel who is legally

qualified to serve as trial counsel or defense counsel of a general court-martial in accordance with the requirements of article 27(b) of the Uniform Code of Military Justice, 10 U.S.C. 827(b)."

S. 2004

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of section 873 (article 73) of title 10, United States Code, is amended to read as follows: "At any time within two years after approval by the convening authority of any court-martial sentence, the accused may petition the Judge Advocate General for a new trial on the ground of newly discovered evidence or fraud on the court."

Sec. 2. The amendment made by the first section of this Act shall be effective with respect to any court-martial sentence approved by the convening authority on and after the date of enactment of this Act and with respect to any court-martial sentence approved by the convening authority not more than one year prior to the date of the enactment of this Act.

The memorandum accompanying Senate bill 2004 is as follows:

PROPOSED BILL TO PROTECT THE CONSTITUTIONAL RIGHTS OF SERVICE PERSONNEL TO TRIALS BY COURT-MARTIAL IN ACCORDANCE WITH REQUIREMENTS OF DUE PROCESS

Background memorandum: Article 73 of the Uniform Code of Military Justice, 10 United States Code 873, provides, that, at any time within 1 year after approval by the convening authority of a court-martial sentence which extends to death, dismissal, dishonorable or bad conduct discharge, or confinement for 1 year or more, the accused may petition the Judge Advocate General for a new trial on ground of newly discovered evidence or fraud on the court. Subject to a successful petition for new trial under article 73 and the authority of the Secretary of the Department, under article 74, to substitute an administrative discharge for an executed discharge or dismissal pursuant to court-martial sentence, the Uniform Code provides that court-martial judgments shall be final (article 76). Thus, if a serviceman has been convicted in a trial wherein, because of some material fraud on the court martial or otherwise, he has been deprived of due process, he will have no remedy unless the sentence involved a discharge or confinement for 1 year or more; and even if the sentence were sufficiently severe to authorize relief, he must petition for a new trial within 1 year. On the other hand, Federal Rule 33 of Criminal Procedure authorizes a petition for new trial by reason of newly discovered evidence at any time within 2 years from judgment.

Since in some instances a fraud on the court martial may constitute a deprivation of due process or the newly discovered evidence may reveal that a conviction was obtained by means which deprived the accused of due process, and since—aside from the dubious remedy of judicial action predicated on the theory that the absence of due process deprived the court martial of jurisdiction and made its action void—the accused is so limited in his means to remove the stigma and the other consequences of the unjust conviction, better protection of the accused's constitutional rights demands that the remedy of the petition for a new trial be expanded. In the first place, the time limit on the petition for new trial should be expanded to 2 years to conform to the requirements of Federal Rule 33 of Criminal Procedure. There is no reason that it will be easier for the serviceman than for the civilian to obtain new evidence after a trial is completed; and therefore the time limit for the serviceman should be no less liberal than for the civilian. Secondly, the petition for new trial should be made available with respect to any conviction by court martial, irrespective of the sentence imposed.

To implement this broadening of the remedy of the petition for new trial, it would be necessary to:

1. Substitute in article 73, 10 United States Code 873, the words "2 years" for "1 year."
2. Rewrite article 73 to make the petition for new trial available after "approval by the convening authority of any court-martial sentence."
3. Probably this remedy should be made available retroactively to apply to any conviction by any kind of court martial that had occurred within 2 years of the date of the proposed amendment to article 73. Certainly it would be desirable to specify in the amending legislation the extent to which it would apply to any court-martial sentences previously imposed.

S. 2005

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 810 (article 10) of title 10, United States Code, is amended by striking out "with an offense normally tried by a summary court-martial," and inserting in lieu thereof "with an offense normally disposed of under section 815 of this title (article 15),".

Sec. 2. Section 816 (article 16) of title 10, United States Code, is amended to read as follows:

"§ 816. Article 16. Courts-martial classified

"The two kinds of courts-martial in each of the Armed Forces are—

"(1) general courts-martial, consisting of a law officer and not less than five members; and

"(2) special courts-martial, consisting of not less than three members."

Sec. 3. Section 820 (article 20) and section 824 (article 24) of title 10, United States Code, are hereby repealed.

Sec. 4. The first sentence of section 837 (article 37) of title 10, United States Code, is amended by striking out "general, special, or summary court-martial," and inserting in lieu thereof "general or special court-martial,".

Sec. 5. Section 843 (article 43) of title 10, United States Code, is amended by striking out in subsections (b) and (c) "summary court-martial" wherever it appears in such subsections and inserting in lieu thereof "special court-martial".

Sec. 6. Subsection (b) of section 854 (article 54 (b)) of title 10, United States Code, is amended by striking out "special and summary court-martial" and inserting in lieu thereof "special court-martial".

Sec. 7. Subsection (c) of section 865 (article 65(c)) of title 10, United States Code, is amended by striking out "special and summary court-martial" and inserting in lieu thereof "special court-martial".

Sec. 8. (a) Section 934 (article 134) of title 10, United States Code, is amended by striking out "general, special, or summary court-martial," and inserting in lieu thereof "general or special court-martial,".

(b) Such section is further amended by substituting a comma for the period at the end thereof and adding the following: "or shall be disposed of under authority of section 815 of this title (article 15)."

Sec. 9. Subsection (a) of section 936 (article 136(a)) of title 10, United States Code, is amended by striking out paragraph (3), and by renumbering paragraphs (4) through (7) as paragraphs (3) through (6), respectively.

Sec. 10. (a) Subsection (a) of section 4711 of title 10, United States Code, is amended by striking out "shall direct a summary court-martial" and inserting in lieu thereof "shall appoint a special investigating officer".

(b) Subsections (b) and (c) of such section are amended by striking out "summary court-martial" wherever it appears in such subsections, and inserting in lieu thereof "special investigating officer".

Sec. 11. (a) Subsection (b) of section 4712 of title 10, United States Code, is amended by striking out "shall direct a summary court-martial" and inserting in lieu thereof "shall appoint a special investigating officer".

(b) Subsection (c) of such section is amended (1) by striking out "summary court-martial" and inserting in lieu thereof "special investigating officer"; (2) by striking out "in the court's possession" and inserting in lieu thereof "in the investigating officer's possession"; and (3) by striking out "the court's final report" and inserting in lieu thereof "the investigating officer's final report".

(c) Subsections (d), (e), (f) and (g) of such section are amended by striking out "summary court-martial" wherever it appears in such subsections, and inserting in lieu thereof "special investigating officer".

(d) Subsection (f) of such section is further amended by striking out "in the court's possession" and inserting in lieu thereof "in the investigating officer's possession".

Sec. 12. (a) Subsection (a) of section 9711 of title 10, United States Code, is amended by striking out "shall direct a summary court-martial" and inserting in lieu thereof "shall appoint a special investigating officer".

(b) Subsections (b) and (c) of such section are amended by striking out "summary court-martial" wherever it appears in such subsections, and inserting in lieu thereof "special investigating officer".

Sec. 13. (a) Subsection (b) of section 9712 of title 10, United States Code, is amended by striking out "shall direct a summary court-martial" and inserting in lieu thereof "shall appoint a special investigating officer".

(b) Subsection (c) of such section is amended (1) by striking out "summary court-martial" and inserting in lieu thereof "special investigating officer"; (2) by striking out "in the court's possession" and inserting in lieu thereof "in the investigating officer's possession"; and (3) by striking out "the court's final report" and inserting in lieu thereof "the investigating officer's final report".

(c) Subsections (d), (e), (f), and (g) of such section are amended by striking out "summary court-martial" wherever it appears in such subsections, and inserting in lieu thereof "special investigating officer".

(d) Subsection (f) of such section is further amended by striking out "in the court's possession" and inserting in lieu thereof "in the investigating officer's possession".

The memorandum accompanying Senate bill 2005 is as follows:

PROPOSED BILL TO PROTECT THE CONSTITUTIONAL RIGHTS OF SERVICE PERSONNEL TO RECEIVE DUE PROCESS IN THE TRIAL OF MINOR OFFENSES AND TO BE TRIED IN A FAIR AND IMPARTIAL TRIBUNAL WHERE THEY SHALL HAVE THE RIGHT TO THE ASSISTANCE OF COUNSEL

Background memorandum: Articles 20 and 24 of the Uniform Code of Military Justice (10 U.S.C. 820 and 824) authorize summary courts-martial and direct who may convene such courts. These military tribunals cannot try officers or warrant officers and may not adjudge a punishment of more than 1 month's confinement at hard labor (or 45 days hard labor without confinement or 60 days restriction) and a forfeiture of 1 month's pay. Therefore, as a practical matter the summary court-martial is used primarily for the trial of minor offenses—and thus corresponds to a police court or recorder's court. (Because of the fact that the summary court generally is used only for minor offenses, the Uniform Code in art. 10, 10 U.S.C. 810, expressly provides that one charged only with an offense normally tried by a summary court-martial shall not ordinarily be placed in pretrial confinement.) Because the summary court-martial is used for the minor offense which has not been disposed of under article 15 by nonjudicial punishment, the number of trials by summary court-martial have usually been much greater than the trials by special or general courts-martial, which are usually reserved for more serious offense. Thus, in practice the serviceman has been much more likely to experience trial by summary court-martial. Unfortunately, if he does have such an experience, he may be very unimpressed by the quality of justice meted out, and he may be outraged by lack of adherence to concepts of due process in such a court-martial.

The summary court-martial consists of a single officer, who acts as judge, jury, prosecuting attorney, and defense counsel. Occasionally he does not shine in this last role, and the combination of duties imposed on the summary court-martial raises, in itself, some question of due process. By reason of the accused's "right to be represented in his defense before a general or special court-martial by civilian counsel if provided by him" (art. 38), it might appear by negative implication, that an accused lacks any statutory right to retain a civilian attorney to represent him before a summary court-martial. Under this construction of the Uniform Code there is a serious question of deprivation of the right to counsel guaranteed by the sixth amendment.

As a practical matter the review of a summary court-martial is rather limited in scope, since there is no requirement that the record of trial contain any summary of the testimony given. In the event relief is requested from a discharge review board or correction board, there is some question as to the scope of the action either board may take because of the finality provisions in article 76 of the Uniform Code.

The testimony received by the subcommittee makes it clear that in light of the recent expansion of the authority to punish nonjudicially under article 15 of the Uniform Code, see Public Law 87–648, there is currently no need to retain the summary court-martial and its continued existence presents a substantial risk of defeating some of the objectives that Congress intended to achieve through Public Law 87–648 [1]. Accordingly, it appears necessary to revise the Uniform Code forthwith to eliminate entirely the summary court-martial.

To effectuate the purpose of eliminating the summary court-martial, the following amendments would appear necessary:

1. Amend article 10, 10 U.S.C. 810, to provide that a person charged with an offense normally disposed of by nonjudicial punishment under article 15, ordinarily shall not be placed in confinement; and delete all reference in article 10 to the summary court-martial.

2. Rewrite article 16, 10 U.S.C. 816, to refer to two, rather than three, kinds of court-martial—namely, the general and the special court-martial; delete article 16(3) entirely.

3. Delete article 20 entirely.

4. Delete article 24 entirely.

5. In article 37, refer only to the convening authority of a general or special court-martial and eliminate any reference to the summary court-martial.

6. In articles 43(b) and 43(c), substitute the word "special" for "summary" in determining what is the critical date for the operation of the 3- or 2-year statute of limitations, as provided respectively by those two subsections.

7. In article 54(b) delete all reference to the summary court-martial.

8. In article 65(c), which deals with appellate review, eliminate all reference to review of "summary court-martial records," so that the only review provided by that subsection will concern special court-martial records.

9. In article 134, 10 U.S.C. 934, delete all reference to summary courts-martial. Article 134 contains no specific reference to, or authority for, imposing nonjudicial punishment for the offenses embraced within article 134. Accordingly, it might be desirable to insert at the end of article 134 some such phrase as: "or shall be nonjudicially punished in accordance with article 134 of this code."

10. Delete article 136(a)(3). In certain instances not related directly to military justice, statutory reference is made to the summary court-martial.

See 10 U.S.C. 4711, 4712, 9711, 9712. Those sections should be rewritten to provide that, instead of a "summary court-martial," an officer shall be detailed specifically to perform the functions envisaged in those sections.

S. 2006

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 47 of title 10, United States Code, is amended by adding at the end thereof a new section as follows:

"941. Art. 141. Right to trial by court-martial

"(a) In any case in which a military department proposes action to administratively discharge or separate any member of the armed forces under conditions other than honorable on the grounds of alleged misconduct, such member shall, upon his written request and in lieu of such proposed action, be granted a trial by general or special court-martial on such alleged misconduct. Except in any case in which a member has had no reasonable opportunity to consult with qualified counsel (counsel with qualifications not less than those prescribed in section 827(b) of this title), a member shall be deemed to have waived his right to trial by court-martial under this section unless he makes written application for trial by court-martial within ten days after receipt of written notice of the proposed administrative action. Any notice to a member of the proposed administrative action to be taken against him shall include notice of the alleged misconduct constituting the basis for such action and such member's right to trial by court-martial on such alleged misconduct in lieu of the proposed administrative action. Nothwithstanding the foregoing provisions, a member may be discharged or separated from the military service under conditions other than honorable on the grounds of misconduct if the misconduct alleged was, to a substantial degree, the basis for the conviction of a criminal offense in a State or Federal court of competent jurisdiction.

"(b) Any member of the Armed Forces granted a trial by court-martial pursuant to subsection (a) of this section shall be deemed to have waived the right to plead any statute of limitations applicable to any alleged misconduct with which he is charged and which constitutes the basis for the proposed administrative action described in subsection (a) of this section. Such member shall also be deemed to have waived any right to a plea of immunity or prohibition against trial by court-martial to which he might otherwise be entitled under the terms of any statute, treaty, or executive agreement; and such member shall be deemed to have waived any plea to which he might otherwise be entitled on account of any foreign country having jurisdiction over the alleged misconduct or on account of any acquittal, conviction, or other ruling with respect to such alleged misconduct made by any court of any foreign country.

"(c) The provisions of this section may be suspended in time of war with respect to any military department by the Secretary concerned.

"(d) As used in this section the term 'misconduct' means any act or failure to act which, at the time of its commission or omission, would have constituted a violation of subchapter X of this chapter."

Sec. 2. The amendments made by this section shall be in addition to and not a substitute for the provisions of section 804 of this title (article 4).

Sec. 3. The table of sections at the beginning of subchapter XI of chapter 47 of title 10, United States Code, is amended by adding at the end thereof the following:

"941. 141. Right to trial by court-martial."

The memorandum accompanying Senate bill 2006 is as follows:

Proposed Bill To Protect Constitutional Rights to Due Process, Confrontation, Compulsory Process, and Assistance of Counsel

Background memorandum: In 1951 Congress enacted the Uniform Code of Military Justice, which provides a number of safeguards corresponding to some of the constitutional rights protected in the Bill of Rights. Moreover, the Court of Military Appeals has enforced a requirement of military due process.

The armed services have established procedures for administrative separation or discharge of officers and servicemen; and in some instances the discharge or separation will be based on alleged misconduct and will be under conditions other than honorable. Such a discharge creates a considerable stigma, affects eligibility for veterans' benefits, and usually severely restricts the employment and other opportunities available to the ex-serviceman; thus, it pertains to his liberty and, in the broad sense, to his property. However, the administrative discharge proceedings, even when the discharge is to be predicated on alleged misconduct, are not subject to the same safeguards of due process that would apply to courts-martial. In instances where the serviceman or officer does not deny the alleged misconduct and request trial by court-martial, he is not prejudiced by the nonavailability in administrative discharge proceedings of protections that would be available in a court-martial—such as the opportunity for confrontation and cross-examination or to have compulsory process issued to secure the attendance of witnesses. On the other hand, when the misconduct is vigorously denied and trial by court-martial is specifically requested, it seems unfair for the armed services to presume guilt rather than innocence, and to discharge or separate the serviceman under other than honorable conditions by reason of the alleged misconduct, even though it has not been proved in a proceeding where the constitutional rights of the serviceman have been protected This reasoning does not imply that the accused serviceman or officer who is not brought to trial must be retained in the armed services; instead he may still be discharged under honorable conditions for the convenience of the Government.

To avoid the bypassing of safeguards for constitutional rights provided by the Uniform Code, it would appear necessary:

1. Either by an additional article at the end of the Uniform Code of Military Justice or by addition of a new section to title 10, to require that in the event action is proposed or commenced with a view to discharge or separate a serviceman or officer under other than honorable conditions by reason

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[1] Indeed, the subcommittee has recently been informed by the Air Force that the expanded article 15 has virtually eliminated the summary court in many commands.

of alleged misconduct and a written request is made by the serviceman or officer to be tried by court-martial for such misconduct in accordance with the Uniform Code of Military Justice and if no conviction in any State or Federal court shall have resulted from or been based in substantial part upon the alleged misconduct, or some act or omission which comprises a part or aspect of the alleged misconduct, and if the request for trial by court-martial is denied and no court-martial takes place, then no administrative discharge or separation under other than honorable conditions based solely or in part upon the same misconduct shall be recommended or issued, provided, however, that this article (section) shall in no way restrict the power and authority of the Armed Forces to separate or discharge an officer or serviceman under honorable conditions for the convenience of the Government and under regulations prescribed by the Secretary of the Department, even though the discharge or separation under honorable conditions may result from or be based solely or partly upon alleged misconduct for which the serviceman or officer shall never have been tried or convicted by court-martial or other military tribunal or by any State or Federal court or the court of any foreign country. If a serviceman or officer makes written request to be tried by court-martial for misconduct of which any foreign court has taken or may take cognizance or over which it may have or exercise jurisdiction, and if under treaty, statute or otherwise, the armed services might otherwise be precluded and barred from prosecuting such misconduct, then the request for trial by court-martial shall constitute a binding waiver of any immunity or prohibition against trial by court-martial which might otherwise exist under the terms of any such treaty, statute or otherwise, and, after having made such written request, no serviceman or officer shall be allowed to enter any plea in bar of trial by reason of any acquittal, conviction, or other proceedings in the courts of any foreign country. (The last proviso is to take account of the situation that might otherwise exist if a serviceman asked to be court-martialed for misconduct which had been the basis of proceedings in a foreign tribunal. Under the provisions of the NATO Status of Forces Agreement and certain other treaties or agreements, an acquittal or conviction in the foreign court might preclude trial by court-martial and, therefore, constitute grounds for a plea in bar. It seems appropriate under such circumstances to prevent the serviceman from taking advantage of such a plea.)

S. 2007

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 844 (article 44) of title 10, United States Code, is amended by adding at the end thereof the following new subsections:

"(d) No person shall be administratively discharged or separated from military service under conditions other than honorable if the grounds for such administrative action are based in whole or in part upon misconduct for which such person has been previously tried by court-martial and acquitted; or for which such person has not been acquitted or convicted but for which he cannot again be tried by reason of subsection (c) of this section.

"(e) No military board shall be authorized, in the case of any person, to make any findings or recommendations or to take any actions that are less favorable to such person than the findings or recommendations made, or the actions taken, in the case of such person by any previous military board, if (1) the matter considered by both boards (or the same board in two separate proceedings) relates to whether such member should be discharged or separated from military service under conditions other than honorable, or whether such member should be reduced in grade, and (2) the evidence before the second (or subsequent) board is substantially the same as the evidence that was before a previous board."

The memorandum accompanying Senate bill 2007 is as follows:

Bill To Implement Further the Constitutional Right to Due Process and to Protection Against Former Jeopardy

Background memorandum: The fifth amendment contains a prohibition against twice putting anyone in jeopardy of life or limb; and article 44 of the Uniform Code of Military Justice, 10 U.S.C. 844, implements this same prohibition. However, this article does not purport to apply in any way to administrative proceedings, even though these proceedings may be based principally or exclusively on alleged misconduct which would be subject to prosecution before a court-martial. Thus, it would be conceivable for an accused to be acquitted in a trial by a court-martial and then administratively discharged under other than honorable conditions for the same misconduct. Similarly, there appears to be no affirmative statutory prohibition against repeated administrative discharge hearings concerning basically the same allegations of misconduct or unfitness.

Although there is no desire to preclude the armed services from administratively discharging a member of the Armed Forces under honorable conditions for the convenience of the Government or from having more than one hearing with respect to fitness of a serviceman to remain in the Armed Forces if he is involved in additional incidents which demonstrate his unfitness, the armed services should not be free to harass a member of the armed services by repeated trials or hearings of the same issue. Indeed, such harassment does not conform to due process concepts or to the spirit of the double jeopardy prohibition.

To implement these proposals, it would seem desirable to:

(a) Add to article 44 a prohibition against administratively discharging a member of the Armed Forces under other than honorable conditions by reason of alleged misconduct for which he has been tried and acquitted by court-martial.

(b) Either add to article 44 of the Uniform Code, or add as a separate section, a prohibition against allowing an administrative board to make any findings or recommendations that shall be less favorable to the respondent member of the Armed Forces than any findings or recommendations that have already been made concerning the same matter by some other board which had jurisdiction thereof in a proceeding wherein he was a party.

S. 2008

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) chapter 47 of title 10, United States Code, is amended by adding after section 835 a new section as follows:

"§ 836. Art. 36. Pretrial conference

"(a) The law officer of any general court-martial case shall have authority, in accordance with such rules and regulations as may be prescribed by the President, to conduct a pretrial conference with respect to such case. The law officer shall have authority at any such pretrial conference to entertain and make final disposition of any motion or interlocutory question with respect to which he would have authority to make final disposition of during trial. The law officer shall also have authority to entertain and accept a plea of guilty from an accused, and any such plea accepted by the law officer shall, subject to the other provisions of this title, be accepted by the court as if such plea had been made in open court. The provisions of section 845 (art. 45) shall apply with respect to a plea of guilty made by an accused at a pretrial conference to the same extent such provisions apply to a plea of guilty made in open court. Pretrial conferences may also be utilized for the purpose of—

"(1) simplifying the issues;

"(2) receiving stipulations; and

"(3) considering such other matters as may aid in the fair and speedy disposition of the case.

There shall be present at any pretrial conference the law officer, the trial counsel, the defense counsel, the accused, and a reporter; members of the court shall not be present at pretrial conferences. A record of all proceedings at a pretrial conference shall be taken by the reporter. Any ruling made by the law officer at a pretrial conference may be changed by him at any time during the trial.

"(b) Any motion to suppress evidence shall be made at a pretrial conference (if one is held) unless opportunity therefor did not exist or the accused was not aware of the grounds for the motion, but the law officer in his discretion may entertain the motion at the trial."

(b) The table of sections at the beginning of subchapter VI of chapter 47 of such title is amended by adding at the end thereof the following:

"836. 36. Pretrial conference."

SEC. 2. Section 854(a) (article 54(a)) of title 10, United States Code, is amended by adding at the end thereof the following: "The record of any pretrial conference conducted in connection with any general court-martial shall be made a part of the record of such court-martial and shall be authenticated by the signature of the law officer. If the record of the pretrial conference cannot be authenticated by the law officer, by reason of his death, disability, or absence, it shall be signed by the trial counsel."

The memorandum accompanying Senate bill 2008 is as follows:

Proposed Bill To Better Preserve the Constitutional Right of Service Personnel to a Speedy and Fair Trial

Background memorandum: In a civil case in a Federal district court extensive resort is had to pretrial hearings whereby the attention of the parties and of the court is focused on the real issues of the case and irrelevancies are eliminated. There have been proposals to introduce somewhat similar procedures for criminal cases in the Federal district courts, although any such proposals must be carefully prepared to avoid interfering with the defendant's right to remain silent and not provide any evidence which might be used by the Government to convict him. Even so, extensive hearings may take place in a Federal district court before a jury is selected and impaneled. For instance, motions to suppress evidence obtained by an unreasonable search and seizure or by wiretapping usually are made before the trial. Furthermore, a plea of guilty may be received without impaneling a jury.

On the other hand, in a general court-martial the law officer, who corresponds to the Federal trial judge, has no authority to conduct any pretrial proceedings. Thus, all the members of the court-martial must be assembled at the beginning of the trial before any proceedings can be conducted. Then these members may be required to remain idly at hand for hours while the law officer disposes of various motions and other matters of law. Instead of hearing motions to suppress evidence before the trial begins, the law officer must interrupt the trial to rule on objections to admissibility. Even if the accused intends to plead guilty, the law officer cannot receive this plea until all the formalities of assembling the court members have been complied with.

The necessity for assembling a number of officers to serve as court members will sometimes delay the commencement of the trial; and this, in turn, will tend to impair the accused's right to a speedy trial. On the other hand, once the court-martial members are convened, the law officer may be very reluctant to grant a motion for a continuance—however justifiable the grounds—because of the necessity in that event to reassemble the court members at some later time. Accordingly, the accused may be forced to trial at a time when his defense counsel is not completely prepared to proceed—with the resulting ill effects on the fairness of the trial.

With this in mind, it seems desirable from the standpoint of accused service personnel, as well as from the standpoint of the armed services themselves, to authorize a procedure for pretrial hearings in a case. Indeed, the Department of Defense has previously drafted proposed legislation along these very lines, which might be consulted in drafting a bill.

To implement this proposal it would seem appropriate to:

(a) Amend article 39, 10 U.S.C. 839, to authorize the law officer of a court-martial to hold proceedings outside the presence of the members of a court-martial, and either before or after the members of the court-martial have been convened or assembled, during which proceedings the law officer shall have the authority to rule on any interlocutory questions (see art. 51 (b)) which he would otherwise be empowered to decide, including any motions to dismiss the charges, motions, or requests for continuances, motions to require further investigation under article 32, objections to the competency of the accused to stand trial, motions to suppress any evidence, and other motions for appropriate relief. At these same sessions the law officer of the court-martial should also have the authority to receive any appropriate stipulations. (This is phrased here in terms of the law officer of "a court-martial." At the present time only a general court-martial has a law officer; but a bill may later be introduced either to authorize or to require a law officer for special courts-martial.)

(b) Amend article 39 and perhaps article 54 to make specific the requirement that a record be made of the proceedings conducted outside of the presence of the court-martial members, including pretrial proceedings, just as a record would be made of the proceedings at the trial.

(c) Amend articles 39, 45, 51, and 52 to authorize a law officer of a court-martial (law officer of a general court-martial as the Uniform Code now stands concerning the structure of a special court-martial) to receive a plea of guilty, after suitable determination that it has not been made improvidently or through lack of understanding of the plea's meaning and effect, and to make and enter a finding of guilty thereon without any necessity or requirement that the members of the court-martial be convened or assembled.

(d) Authorize the President to promulgate reasonable regulations concerning any proceedings outside of the presence of the members of the court-martial. (In this connection it might be desirable specifically to empower the President to promulgate regulations requiring that generally motions to suppress evidence should be made prior to trial if a pretrial hearing is held to consider any motions to suppress and if the defense counsel had available at that time and knew of the facts on which he subsequently bases his motion to suppress. This might conform military procedure concerning admissibility of illegally seized evidence to the practice governing in the Federal district courts.)

S. 2009

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 801(10) (article 1(10)) of title 10, United States Code, is amended to read as follows:

"(10) 'Law officer' means an official of a general or special court-martial detailed in accordance with section 826 of this title (article 26)."

SEC. 2. Section 816 (article 16) of title 10, United States Code, is amended to read as follows:

"(a) The three kinds of courts-martial in each of the armed forces are—

"(1) general courts-martial;

"(2) special courts-martial; and

"(3) summary courts-martial.

"(b) A general court-martial consists of a law officer and not less than five members, except in any case in which the accused waives trial by court members under section 855 of this title (article 55), in which case the court consists of a law officer only.

"(c) A special court-martial consists of not less than three members, or a law officer and not less than three members, or, in any case in which a law officer has been detailed to the case and the accused waives trial by court members under section 855 of this title (article 55), the court consists of a law officer only.

"(d) A summary court-martial consists of one commissioned officer."

SEC. 3. The last sentence of section 819 (article 19) of title 10, United States Code, is amended to read as follows: "A bad conduct discharge may not be adjudged in any case tried by special court-martial unless (1) a complete record of the proceedings and testimony before the court has been made, and (2) except in time of war, a law officer was detailed to such case and was present during all trial proceedings."

SEC. 4. (a) Subsection (a) of section 826 (article 26) of title 10, United States Code, is amended to read as follows:

"(a) The authority convening a general court-martial shall, and the authority convening a special court-martial may, detail as law officer thereof a commissioned officer who is a member of the bar of a Federal court or of the highest court of a State and who is certified to be qualified for such duty by the Judge Advocate General of the armed force of which he is a member. Any officer certified as qualified to serve as law officer of a general court-martial shall be certified as qualified to serve as law officer of a special court-martial. No person is eligible to act as law officer in a case if he is the accuser or a witness for the prosecution or has acted as investigating officer or as counsel in the same case."

(b) The catch line of section 826 (article 26) of title 10, United States Code, is amended to read as follows:

"§ 826. Article 26. Law officers of general and special courts-martial.".

(c) The table of sections at the beginning of subchapter V of chapter 47 of title 10, United States Code, is amended by striking out

"826. 26. Law officer of a general court-martial."

and inserting in lieu thereof

"826. 26. Law officers of general and special courts-martial."

SEC. 5. (a) Subsection (a) of section 829 (article 29) of title 10, United States Code, is amended by striking out "No" at the beginning of such subsection and inserting in lieu thereof "Except in any case tried by a law officer without court members, pursuant to section 855 of this title (article 55), no".

(b) The first sentence of subsection (b) of such section is amended to read as follows: "Except in any case tried by a law officer without court members pursuant to section 855 of this title (article 55), a general court-martial trial may not proceed if the court is reduced below five members unless the convening authority details new members sufficient in number to provide not less than five members."

(c) Subsection (c) of such section is amended to read as follows:

"(a) Except in any case tried by a law officer without court members pursuant to section 855 of this title (article 55), a special court-martial trial may not proceed if the court is reduced below three members unless the convening authority details new members sufficient in number to provide not less than three members. When the new members have been sworn, the trial shall proceed as if no evidence had previously been introduced, unless a verbatim record of the testimony of previously examined witnesses or a stipulation thereof is read to the court in the presence of the law officer, if any, the accused, and counsel."

(d) Such section is further amended by adding at the end thereof a new subsection as follows:

"(d) In any case being tried by a law officer only pursuant to section 855 of this title (article 55), and the law officer is unable to proceed with the trial because of physical disability, as the result of challenge, or for other good cause, the trial shall proceed, subject to the provisions of section 55(d) of this title (article 55(d)), after the detail of a new law officer as if no evidence had previously been introduced, unless a verbatim record of the testimony of previously examined witnesses or a stipulation thereof is read in court in the presence of the new law officer, the accused, and counsel."

SEC. 6. The last sentence of section 838(b) (article 38(b)) of title 10, United States Code, is amended by striking out "president of the court" and inserting in lieu thereof "law officer or by the president of a court-martial without a law officer".

SEC. 7. Section 839 (article 39) of title 10, United States Code, is amended to read as follows:

"§ 839. Article 39. Sessions

"When the members of a court-martial deliberate or vote, only the members may be present. After the members of a court-martial which includes a law officer and members have finally voted on the findings, the president of the court may request the law officer and the reporter, if any, to appear before the members to put the findings in proper form, and these proceedings shall be on the record. All other proceedings, including any other consultation of the members of the court with counsel or the law officer, shall be made a part of the record and shall be in the presence of the accused, the defense counsel, the trial counsel, and in cases in which law officers have been detailed to the court, the law officer."

SEC. 8. Section 841(a) (article 41(a)) of title 10, United States Code, is amended—

(1) by striking out the first sentence and inserting in lieu thereof the following: "The law officer and members of a general or special court-martial may be challenged by the accused or the trial counsel for cause stated to the court."; and

(2) by striking out "court" in the second sentence and inserting in lieu thereof "law officer or, if none, the court".

SEC. 9 (a) The first sentence of subsection (a) of section 851 (article 51 (a)) of title 10, United States Code, is amended to read as follows: "Voting by members of a general or special court-martial, on the findings and on the sentence, and by members of a court-martial without a law officer upon questions of challenge, shall be by secret written ballot."

(b) The first and second sentences of subsection (b) of such section are amended to read as follows: "The law officer and, except for questions of challenge, the president of a court-martial without a law officer shall rule upon all questions of law and all interlocutory questions arising during the proceedings. Any such ruling made by the law officer upon any question of law or any interlocutory question other than the mental responsibility of the accused, or by the president of a court-martial without a law officer upon any question of law other than a motion for a finding of not guilty, is final and constitutes the ruling of the court."

(c) Subsection (c) of such section is amended by striking out "the law officer of a general court-martial and the president of a special court-martial" and inserting in lieu thereof "the law officer of a court-martial, or the president of a special court-martial without a law officer,".

(d) Such section is further amended by adding at the end thereof a new subsection as follows:

"(d) Subsections (a), (b), and (c) of this section do not apply with respect to any court-martial case tried by a law officer only pursuant to section 855 of this title (article 55)."

Sec. 10. Section 852 (article 52) of title 10, United States Code, is amended by adding at the end thereof a new subsection as follows:

"(d) The foregoing provisions of this section, insofar as they relate to the number of votes required by members of a court-martial, shall not apply with respect to the trial of an accused who has waived trial by members of the court pursuant to section 855 of this title (article 55) and is tried by a law officer."

Sec. 11. Section 854(a) (article 54(a)) of title 10, United States Code, is amended to read as follows:

"(a) Each general court-martial shall keep a separate record of the proceedings in each case brought before it, and the record shall be authenticated by the signature of the law officer. If the record cannot be authenticated by the law officer by reason of his death, disability, or absence, it shall be authenticated by the signature of the trial counsel or a member."

Sec. 12. (a) Chapter 47 of title 10, United States Code, is amended by adding after section 854 (art. 54) a new section as follows:

"§ 855. Article 55. Waiver of accused of trial by court members.

"(a) In accordance with such rules and regulations as the President shall prescribe, any accused who is to be tried by a general court-martial, or by a special court-martial to which a law officer has been detailed, shall be given the opportunity to waive his right to a trial by the members of the court and elect instead to be tried by the law officer of such court. The accused may exercise such waiver by notifying the law officer of the court either before or after the convening of the court. If the waiver is made prior to the convening of the court, the members of the court shall not be present at any time during the trial; if the accused wishes to exercise such waiver after the court has been convened he may do so only with the consent of the trial counsel. If the trial counsel consents to the waiver the law officer shall forthwith excuse the members of the court from further participation in the trial.

"(b) In any court-martial case tried before a law officer pursuant to a waiver authorized under subsection (a) of this section, the law officer shall have authority to entertain and accept a plea of guilty from the accused, subject to the provisions of section 845 of this title (art. 45). In any court-martial case tried by a law officer pursuant to a waiver under subsection (a) of this section, the law officer shall decide all questions of fact and law, make final rulings on all interlocutory questions and motions, make all findings with respect to guilt, and impose any sentence not prohibited by this chapter.

"(c) No waiver authorized by subsection (a) of this section shall be permitted by the law officer unless the accused prior to exercising his right to waiver, has been advised by counsel with qualifications not less than those prescribed in section 827(b) of this title (article 827(b)) regarding such waiver.

"(d) A waiver by an accused of trial by court members may be withdrawn by him if, subsequent to exercising such waiver, a law officer different from the one to whom the waiver was submitted is detailed to act as law officer at the trial of the accused."

(b) The table of sections at the beginning of subchapter VII is amended by adding at the end thereof the following:

"855. 55. Waiver by accused of trial by court members.

Sec. 13. The amendments made by this Act shall become effective on the first day of the tenth month following the month in which enacted.

The memorandum accompanying Senate bill 2009 is as follows:

Proposed Bill To Implement the Constitutional Right of Servicemen to Due Process in Trials by Court-Martial

Background memorandum: Article III of the Constitution envisages that Federal crimes shall be prosecuted in district courts presided over by an independent judge who rules on all matters of law. Courts-martial, on the other hand, as Justice Black emphasized in *Toth* v. *Quarles*, 350 U.S. 11, are not presided over by a Federal judge. Although Congress has required in article 26 of the Uniform Code of Military Justice that each general court-martial have a law officer, who must be a qualified attorney, who sits apart from the court-martial members, and who does not participate with them in ruling on issues of fact, there is no provision for any lawyer to preside over special courts-martial. Yet a special court-martial is authorized by article 19 of the Uniform Code of Military Justice, 10 U.S.C. 819, to impose a sentence to a bad conduct discharge—a sentence which, according to qualified observers, creates considerable stigma for the recipient. Although the Army does not allow its special courts to impose bad conduct discharges, this is currently authorized by the Air Force and the Navy. Some records of trial indicate that the proceedings in which these discharges are imposed occasionally are replete with legal error and that the constitutional rights of the serviceman may be violated due to the absence of an experienced attorney to preside over the proceedings. In the Navy legally trained counsel seldom are provided to represent the parties, and so the special court-martial may impose a bad conduct discharge in a proceeding where no experienced attorney is present to assure that the accused's rights are protected. In Air Force special courts-martial legally trained counsel are generally provided for the Government and the accused; however, there is no impartial law officer present to advise the court members as to what is the correct rule of law and to assist them in choosing between the sometimes drastically divergent arguments of counsel for the parties.

In light of the severe consequences of a sentence to bad conduct discharge, it seems appropriate to require that a law officer be provided for a special court-martial proceeding in order for the court-martial to have the authority to adjudge a bad conduct discharge. While it may not be practicable to insist that the law officer of this special court-martial have the same professional qualifications that are now customary for the law officers of general courts-martial, the proposed law officer of the special court should have the qualifications required of counsel under article 27(b)(1) and should also be certified as qualified for such duty by the Judge Advocate General of the armed force of which he is a member. At present, the Uniform Code does not envisage a special court-martial with a law officer or "military judge." Therefore, it will be necessary to amend the code to provide for this alternative. While it may not be practicable to require that all special courts-martial have a law officer, it does seem desirable to authorize a special court-martial with a law officer to adjudicate any case that might be referred to it and whether or not a bad conduct discharge would be authorized for the offenses charged. Moreover, since waiver of jury is well recognized in the Federal district courts and has been held constitutional, there is no reason to forbid a similar waiver by the accused of trial by the members of the special court-martial (who correspond to a civilian jury). Of course, even in a general court-martial, where a law officer is presently required by statute, the sentencing is done by the court members, rather than by the law officer; and in this respect the military practice differs from that in the Federal district courts, where the judge does the sentencing. Even so, no objection can be seen to allowing the accused to consent to the law officer's finding the facts, imposing the sentence, or both, so long as this consent is given in open court. Certainly the armed services could not object since—if the law officer has been properly certified by the Judge Advocate General as competent to perform his duties—he should be able to make correct findings and impose an appropriate sentence—or, at the very least, he should be as able to do so as would be the members of the court-martial.

To implement these proposals it would appear desirable to:

(a) Amend articles 16(b), 19, 39, 41, and 51 to provide that a special court-martial may be appointed which—in addition to the members required under article 16—shall have a law officer and that this law officer shall have all the authority to conduct the proceedings of a special court-martial to which he has been appointed as the law officer of a general court-martial would have under the provisions of article 51(b) (which prohibits him from consulting with the court members or voting with them) and, in addition to the qualifications required by article 27(b)(1), shall have been certified as competent to perform the duties of a special court-martial law officer by the Judge Advocate General of the armed force of which he is a member. Certification as the law officer of a general court-martial would include certification as law officer of a special court-martial.

(b) Amend article 19 of the Uniform Code, 10 U.S.C. 819, to provide that, except in time of war, a bad conduct discharge shall not be adjudged by a special court-martial unless that special court-martial shall have been provided with a law officer.

(c) Amend articles 39, 51, and 52 to authorize the accused, after having been provided with counsel who is qualified under the provisions of article 27(b), to consent that any findings shall be made, or any sentence imposed, or both, by the law officer of the special court-martial, without any necessity for either the concurrence or the presence of the court-martial members. At any time prior to the convening of the court, the accused shall have an absolute right to waive trial by the court members as to findings, or sentence, or both. However, after the court-martial has convened, such waiver shall only be effective with the consent of the trial counsel (who represents the Government). No waiver of trial by the court members shall be binding in the event there is a change with respect to the law officer who has been identified to the accused and his counsel as the one who will conduct the case. (This last provision is designed to avoid any switching of law officers after the accused has committed himself in reliance on the information as to who will be the law officer.)

S. 2010

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subsection (b) of section 867 (article 67) of title 10, United States Code, is amended by—

(1) striking out "all cases" at the beginning of clauses (1), (2), and (3), and inserting in lieu thereof "all court-martial cases";

(2) striking out "and" at the end of clause (2);

(3) striking out the period at the end of clause (3), and inserting in lieu thereof a semicolon and the word "and"; and

(4) adding after clause (3) a new clause as follows:

"(4) all cases reviewed by a board established under section 1552 of this title (correction of military records) or under section 1553 of this title (review of discharges and dismissals) which the Judge Advocate General orders sent to the Court of Military Appeals for review, or in which, upon petition of the applicant and on good cause shown, the Court of Military Appeals has granted a review."

(b) Subsection (c) of such section is amended (1) by inserting "in a court-martial case" immediately after "The accused", and (2) by adding at the end thereof the following: "The applicant in any case reviewed by a board referred to in subsection (c)(4) of this section has 30 days from the time he is notified by the board of the decision in his case to petition the Court of Military Appeals for review. The court shall act upon such a petition within 60 days of the receipt thereof."

(c) Subsection (d) of such section is amended by (1) striking out the word "case" in the first, second, and third sentences and inserting in lieu thereof "court-martial case", and (2) inserting after the third sentence thereof the following new sentences: "In any case referred to in subsection (b)(4) of this section which the Judge Advocate General orders sent to the Court of Military Appeals for review, the court shall take action only with respect to the issues raised by the Judge Advocate General, and in any such case reviewed upon petition of the applicant, the court shall take action only with respect to the issues specified in the grant of review."

(d) The first sentence of subsection (e) of such section is amended by striking out "sentence," and inserting in lieu thereof "sentence of a court-martial case,".

(e) The first sentence of subsection (f) of such section is amended by striking out "case," and inserting in lieu thereof "court-martial case,".

(f) Such section is further amended by redesigning subsection (g) as subsection (h) and adding after subsection (f) the following new subsection:

"(g) After it has acted on any case referred to in subsection (a)(4) of this section, the Court of Military Appeals may, in cases sent to it by the Judge Advocate General, direct the Judge Advocate General to return the record to the appropriate board for further consideration or action in accordance with the decision of the court, or may, in cases appealed by an applicant, return the record directly to the appropriate board for further consideration or action in accordance with the decision of the court. The Court of Military Appeals shall have exclusive jurisdiction with respect to the review of cases brought before any board referred to in subsection (b)(4) of this section."

SEC. 2. (a) Subsection (c) of section 870 (article 70) of title 10, United States Code, is amended by inserting "in a court-martial case" immediately after "shall represent the accused".

(b) Subsection (d) of such section is amended by inserting "in a court-martial case" immediately after "The accused".

(c) Such section is further amended by adding at the end thereof the following new subsections:

"(f) Appellate defense counsel shall also represent before the Court of Military Appeals an applicant whose case is before the court pursuant to the provisions of section 867(b)(4) of this title (article 67(b)(4))—

"(1) when he is requested to do so by the applicant;

"(2) when the civilian or military board concerned is represented by counsel; or

"(3) when the Judge Advocate General has sent such a case to the Court of Military Appeals.

An applicant has the right to be represented before the Court of Military Appeals by civilian counsel if provided by him.

"(g) In the case of a board established pursuant to section 1552 or 1553, the Judge Advocate General shall detail appellate counsel to represent the board before the Court of Military Appeals whenever the board so requests. In the case of a civilian board established pursuant to section 1552 of this title, such board may be represented before the Court of Military Appeals by its own counsel if it so elects."

The memorandum accompanying Senate bill 2010 is as follows:

PROPOSED BILL TO IMPLEMENT THE CONSTITUTIONAL RIGHT OF SERVICE PERSONNEL TO DUE PROCESS

Background memorandum: Congress has established for each armed service a discharge review board, composed solely of service personnel and authorized to review certain discharges from the armed services, and a board for the correction of records, composed of civilian personnel and authorized to review discharges and other matters. In some instances applications for relief submitted to either of these boards may present complex legal issues and involve the constitutional rights of the applicant. Apparently, in some cases a legal issue will be referred by a board for consideration to the Office of the Judge Advocate General of the appropriate armed service. In the event of denial of the requested relief, the applicant may sue for back pay and allowances in the Court of Claims or may seek relief in an appropriate district court. However, the initiation of such court action may be a troublesome and cumbersome process.

At the present time, the jurisdiction of the Court of Military Appeals, as defined in article 67 of the Uniform Code of Military Justice, 10 U.S.C. 867, extends only to cases tried by court-martial. However, this court would seem qualified in terms of experience and personnel to review legal issues that might arise in connection with administrative discharges or other administrative proceedings affecting the rights or status of members of the Armed Forces. Indeed, in some instances the administrative action may be predicated on alleged misconduct, which would be cognizable under the Uniform Code of Military Justice. In order to provide a single convenient forum to review legal issues arising in connection with applications to the discharge review boards and the correction boards and in that connection to protect the constitutional rights of the serviceman, it would seem desirable to amend article 67 of the Uniform Code and extend the jurisdiction of the Court of Military Appeals to legal issues involved in matters pending before the discharge review boards or the correction boards. The review by the court would be solely on matters of law and would not embrace review of factual issues. Just as the Court of Military Appeals can obtain jurisdiction of a court-martial case under article 67 of the Uniform Code by an accused's petition for review or by a certification from the Judge Advocate General of the appropriate armed service, the Court of Military Appeals could be petitioned by an applicant to the discharge review board or the correction board to grant review of any constitutional or other legal issue present in his case, or the Judge Advocate General of the respective service or general counsel of the appropriate department, could certify any legal issues to the court for adjudication. The court would specify rules of procedure to govern such petitions for review or certified issues; and it would be provided by statute that the Court of Military Appeals would be the exclusive forum for the consideration thereof. There would be no mandatory jurisdiction, and accordingly the court would grant review only "on good cause shown"—the same criterion applied by article 67(b)(3) to petitions for review in court-martial cases. In the event a petition for review was granted or a certificate for review was submitted, appellate counsel would be provided both for the Government and the accused, just as is authorized under article 70 of the Uniform Code for courts-martial. Moreover, the court would be authorized to direct that appellate defense counsel be assigned to assist in supplementing a petition for review where it considered that in the interests of justice such aid should be provided the applicant.

Possibly some amendment should be considered in the Judicial Code, title 28, with a view to making it clear that the Court of Military Appeals would have exclusive jurisdiction of all legal issues arising in connection with administrative action proposed or taken by the armed services and involving members of the Armed Forces. In this way, the authority of district courts to enjoin a contemplated administrative discharge or other administrative action would be negated, and the member of the armed services would be remanded to the discharge review board, the correction board, and the Court of Military Appeals for his relief. The relief available there, of course, would be retroactive in nature, with a view to repairing any harm that might have resulted to the serviceman from the action taken.

To implement this proposal, it would seem necessary to:

(a) Expand article 67 of the Uniform Code to expand the jurisdiction of the Court of Military Appeals and to provide a procedure for bringing legal issues to that court from either the discharge review boards and the boards for the correction of military (or naval) records.

(b) Amend article 70 to provide for appellate counsel to represent the parties with respect to legal issues brought before the Court of Military Appeals pursuant to the provisions of article 67 as expanded.

(c) Amend the statutory provisions establishing discharge review boards (10 U.S.C. 1553); and correction boards (10 U.S.C. 1552) to correspond with article 67 as amended.

(d) Amend title 28, of the Judicial Code, to any extent necessary to authorize the Court of Military Appeals to be the exclusive forum for considering the legality of any administrative action proposed or taken by the armed services affecting members of the Armed Forces. (Perhaps the wording of art. 67 could adequately handle this matter without the necessity to amend the Judicial Code).

S. 2011

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 47 of title 10, United States Code, is amended by adding at the end thereof a new section as follows:

"941. Article 141. Administrative separation or discharge; board proceedings

"(a) No person, except in time of war, shall be separated or discharged from the Armed Forces under conditions other than honorable unless (1) such person has been accorded a hearing in accordance with the provisions of this section before a board of officers convened for the specific purpose of determining whether such person should be separated or discharged under such conditions, and (2) the board, on the basis of the testimony and evidence presented at such hearing has recommended that such person be so separated or discharged. The Secretary concerned shall have authority to promulgate rules and regulations establishing such boards and prescribing the procedures to be followed.

"(b) Any board convened for the purpose of determining whether any person should be separated or discharged from the Armed Forces under conditions other than honorable shall have detailed to it by the convening authority of such board a commissioned officer who shall serve as law officer of the board. The law officer of any such board shall have been certified pursuant to section 826 of this title (article 26), by the Judge Advocate General of the Armed Force of which such officer is a member, as competent to act as law officer of a general court-martial. The function of the law officer shall be to preside over the proceedings of the board, rule on all legal questions and on all motions made before the board, and to insure that the board proceedings are conducted in a fair and impartial manner. The law officer shall not be a member of the board. When the board deliberates or votes only the members of the board may be present.

"(c) Any person directed to appear as respondent before a board described in subsection (a) of this section shall be informed, prior to appearing before the board, of the nature and purpose of the hearing to be conducted by the board, and shall be notified of his right to be represented by counsel appointed by the convening authority, or by civilian counsel at his own expense. Counsel appointed by the convening authority shall have qualifications not less than those prescribed in section 27(b) of this section (article 27(b)).

"(d) The right to a hearing as provided in subsection (a) of this section may be waived by any person if, prior to exercising such waiver, he has consulted with appointed counsel or civilian counsel regarding the advisability of such waiver."

Sec. 2. The table of sections at the beginning of subchapter XI of chapter 47 of title 10, United States Code, is amended by adding at the end thereof the following:

"941. 141. Administrative separation or discharge; board proceedings."

The memorandum accompanying Senate bill 2011 is as follows:

Proposed Bill To Protect the Constitutional Rights of Service Personnel To Receive Due Process Before Being Discharged or Separated Under Other Than Honorable Conditions

Background memorandum: The Subcommittee on Constitutional Rights hearings conducted in 1962 established that an administrative discharge under other than honorable conditions issued pursuant to the recommendations of a military board has almost the same effect on the recipient as the punitive discharge imposed by sentence of a court-martial. In either instance he may lose his veterans' benefits; in either instance he is stigmatized in the eyes of the community. Some of the most immutable effects of a punitive discharge are reserved for cases which have been heard by a general court-martial (see 38 U.S.C. 693g) which is presided over by a qualified law officer. Nonetheless, the consequences of any discharge under other than honorable conditions are clearly serious enough with respect to the recipient's life, liberty, or property to entitle him to due process.

Unfortunately, the military boards which recommend administrative discharges under other than honorable conditions—like special courts-martial, which can adjudge a sentence to a bad conduct discharge—often find it difficult to adhere to standards of "due process" because of the absence of competent, independent, and impartial legal advice. While some of these boards may have legal advisers, their status and function is often ill defined, as the Subcommittee on Constitutional Rights learned from an examination of current military regulations in this field. Certainly, this legal adviser has not been accorded the status and responsibility of a judge; and, without his having such status, it is doubtful that he can adequately insure adherence to the due process to which the serviceman is entitled under the U.S. Constitution.

Accordingly, it seems highly desirable to require that a board empowered to recommend a discharge or separation under other than honorable conditions, or to make findings on which such a discharge or separation might be based, must have a law officer with the qualifications required of the law officer of a general court-martial under article 26 of the Uniform Code. Just as in a general court-martial, the law officer would not retire to deliberate or vote with the board members (arts. 26(b), 39); he would rule upon interlocutory matters (art. 51(b)); and he would instruct the board members concerning any questions of law reasonably raised by the evidence before them (art. 51(c)). This law officer would also preside over the proceedings of the board.

To implement these recommendations, it would be necessary: (a) to enact a separate article of the Uniform Code which would provide that, except in time of war, no member of the Armed Forces shall be discharged or separated under other than honorable conditions unless he has either received a hearing before a board of officers presided over by a qualified law officer, certified as qualified for such duty (art. 26(a)) and such a board had made suitable findings and recommendations, or unless he had waived the right to such a hearing after having had the opportunity to consult with an attorney having the legal qualifications required for counsel of a general court-martial under article 27(b).

(b) As part of the same article or section provide that the law officer presiding over the board proceedings should not consult with board members, except in the presence of the respondent and his counsel nor vote with the board members and should rule on interlocutory questions and instruct the board members on any legal issues or matters of law (art. 51).

S. 2012

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 846 (article 46) of title 10, United States Code, is amended to read as follows:

"Under such rules and regulations as the President may prescribe, the following shall have authority to compel witnesses to appear and testify and to compel the production of other evidence—

"(1) courts-martial;

"(2) military commissions;

"(3) courts of inquiry;

"(4) investigating officers conducting investigations pursuant to section 832 of this title (article 32);

"(5) military boards appointed for the purpose of making findings or recommendation concerning the type or kind of administrative separation or discharge any member of the armed forces should receive;

"(6) boards established pursuant to section 1552 (correction of military records) and section 1553 (review of discharges and dismissals) of this title; and

"(7) any other military courts or boards when authorized to exercise subpena power by the President.

Process issued under authority of this section shall be similar to that which courts of the United States having criminal jurisdiction may lawfully issue and shall run to any part of the United States, or the territories, Commonwealths, and possessions. In court-martial cases the trial counsel, the defense counsel, and the court-martial shall have equal opportunity to obtain witnesses and other evidence in accordance with such regulations as the President may prescribe."

Sec. 2. Subsection (a)(1) of section 847 (article 47) of title 10, United States Code, is amended to read as follows:

"(1) has been duly subpenaed to appear as a witness before any body or officer described in section 846 of this title (article 46), or before any military or civil officer designated to take a deposition to be read in evidence before any such body or officer;".

Sec. 3. Subsection (a) of section 849 (article 49(a)) of title 10, United States Code, is amended by inserting immediately after "unless" the following: "the law officer or court-martial without a law officer hearing the case, or if the case is not being heard.".

The memorandum accompanying Senate bill 2012 is as follows:

Proposed Bill To Implement the Constitutional Rights of Service Personnel to Confrontation and Compulsory Process

Background memorandum: The sixth amendment requires that in all criminal prosecutions the accused shall "be confronted with the witnesses against him" and "have compulsory process for obtaining witnesses in his favor." The issuance of subpenas is, of course, the means by which prospective witnesses are compelled to come to court and testify either for the Government or for the defense; and without the subpena power it would be difficult in many instances to obtain necessary testimony.

Article 47 of the Uniform Code of Military Justice, which is implemented in paragraph 115 of the 1951 Manual for Courts-Martial, provides for the subpenaing of witnesses to appear before "any court-martial, military commission, court of inquiry, or any other military court or board, or before any military or civil officer designated to take a deposition to be read in evidence before such court, commission, or board." However, there is no authority for the subpenaing of witnesses to testify before an investigating officer during the pretrial investigation of serious offenses required by article 32 of the Uniform Code. Therefore, if it is necessary to obtain testimony from civilian witnesses prior to trial in order to determine whether the Government has a case against the accused and if the civilians will not appear voluntarily, then the needed testimony can only be obtained through the rather cumbersome procedure of convening a court of inquiry. Also, during the 1962 hearings of the Subcommittee on Constitutional Rights, it was testified that the phrase "any other military court or board," as used in article 47, had not been interpreted to include administrative discharge or separation boards, even in cases where such boards might be considering specific allegations of misconduct.

Consequently, even though the discharge board may be making a decision which will affect the entire future of the respondent serviceman and even though the correctness of this decision may hinge on the testimony of civilians who are reluctant to testify and undergo cross-examination, the board has no process available to compel their appearance. Similarly, such a board has no authority to order civilian witnesses to appear for the taking of depositions. Furthermore, neither the Discharge Review Boards (38 U.S.C. 693h) nor the Boards for the Correction of Military (or Naval) Records (5

U.S.C. 191a) have authority to compel civilian witnesses to appear and testify. Accordingly, in some instances a member of the Armed Forces may be discharged or separated under other than honorable conditions for alleged misconduct without having the opportunity to confront and cross-examine his accuser or to obtain the testimony of certain witnesses whose presence he may desire.

If the subpena power is to be expanded, two issues are immediately encountered: (1) How much of an expansion is feasible? and (2) What procedural mechanism should be used for such an expansion? With respect to the first issue, it should be noted that making subpenas available without any limitation whatsoever in administrative discharge proceedings might make it possible for the respondent to block prompt action by unreasonable requests for the presence of witnesses. To avoid this possibility, the subpena power should not be made available simply upon request of the respondent without some showing of necessity for the witness' presence; and the board should have the discretion to utilize depositions of witnesses if they reside a considerable distance from the place where the board will convene. In fact, the circumstances under which subpenas might be issued by military boards or by investigating officers acting under article 32 of the Uniform Code should be left for treatment by executive order promulgated as an amendment to paragraph 115 of the present Manual for Courts-Martial.

With respect to the mechanics to be used in extending the subpena power to military boards and to officers conducting investigations under article 32, there exists some uncertainty in Federal administrative law concerning the extent to which administrative agencies and similar bodies can issue valid and enforcible subpenas without enlisting the aid of a Federal district court. On the other hand, no question has ever been raised concerning the power of courts-martial and military courts of inquiry to issue valid subpenas, disobedience of which may be punished by prosecution in a Federal district court. Thus, instead of requiring that the military board or the article 32 investigating officer go into Federal court to request the issuance of a subpena by that court, it would probably be permissible simply to amend articles 46 and 47 of the Uniform Code to authorize the issuance of subpenas by the board or investigator. Any legislation should be simply of an enabling nature.

To implement these proposals it would seem appropriate to:

1. Amend article 46 to authorize an investigating officer duly appointed under article 32 to issue subpenas for the attendance of witnesses before him incident to his investigation in the performance of his duties under article 32, or for the attendance of witnesses before any military or civil officer who has been designated to take a deposition to be used in the investigation performed pursuant to article 32, and under regulations to be prescribed by the President.

2. Amend article 46 to authorize a military discharge or separation board, or any military or naval board which is determining whether and under what circumstances to discharge or separate a member of the Armed Forces, as well as the Discharge Review Board of each Department and the Boards for the Correction of Military (and Naval) Records, to issue subpenas requiring the attendance of witnesses before the boards incident to the performance of their duties, or requiring the attendance of witnesses before any military or civil officer designated to take a deposition to be read in evidence before such board.

3. Amend article 47, which provides for punishment of the witness who fails to appear, to include failure to appear before the investigating officer, the discharge board, the Discharge Review Board, the Correction Board, or before any military or civil officer designated to take a deposition to be used or read by such officer or board.

4. Amend article 49 to allow the taking and use of depositions in connection with proceedings of military discharge and separation boards, Discharge Review Boards, Correction Boards, or any other military or naval boards, subject to regulations to be prescribed by the President (this is to be merely permissive legislation to authorize clearly the use of depositions in connection with military administrative proceedings, but not to require the use of depositions).

5. In connection with all the previous amendments, clarify that the President shall prescribe the circumstances under which subpenas shall be issued for witnesses to appear and testify including the persons who may request issuance of the subpena.

6. Clarify the procedure for the taking of depositions during a trial by amending article 49 as proposed at page 31 of the Court of Military Appeals annual report for 1962.

S. 2013

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 866 (article 66) of title 10, United States Code, is amended by adding at the end thereof a new subsection as follows:

"(g) No member of a board of review shall be required, or on his own initiative be permitted, to prepare, approve, disapprove, review, or submit, with respect to any other member of the same or another board of review, an effectiveness, fitness, or efficiency report, or any other report or document used in whole or in part for the purpose of determining whether a member of the armed forces is qualified to be advanced in grade, or in determining the assignment or transfer of a member of the armed forces, or in determining whether a member of the armed forces should be retained on active duty."

The memorandum accompanying Senate bill 2013 is as follows:

Proposed Bill To Protect the Constitutional Rights of Service Personnel To Receive Due Process and Fair and Impartial Review of Their Convictions by Court-Martial

Background memorandum: During the hearings it was testified that in Army and Air Force Boards of Review, established under article 66 of the Uniform Code of Military Justice, the chairman of the three-member boards would prepare the efficiency or fitness reports on the two junior members of the board. These reports, in turn, help determine future promotions and assignments for the member reported on. According to several witnesses, this practice would tend to inhibit the junior members in making an independent and impartial evaluation of the cases on which they are acting. In the absence of such an evaluation, the serviceman whose case is being reviewed does not receive the full measure of due process contemplated by the Constitution and by the Uniform Code. The Army has already changed its practices to eliminate this possibility; but the Air Force apparently has not yet done so. In any event it seems desirable to prohibit any such practice in the future.

Accordingly, article 66 of the Uniform Code should be amended to: (a) Prohibit specifically any practice whereby the chairman of any board of review established under that article prepares any efficiency or fitness report or rating with respect to any other member of that board or submits any document that is made a part of, or is contained in, any promotion or selection file with respect to that member, or in any way admonishes, reprimands, or otherwise seeks to control or direct the other members of the board in the performance of their judicial duties.

S. 2014

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 803 (article 3) of title 10, United States Code, is amended to read as follows:

"(a) Subject to section 843 of this title (article 43), any person not subject to trial by court-martial who is charged with having committed, while in a status in which he was subject to trial by court-martial, an offense against this chapter punishable by confinement for five years or more, and who, while in such status, was not tried for such offense may be tried upon indictment for such offense—

"(1) in the United States district court for any judicial district in which any act or omission constituting an element of such offense was committed, if such offense was committed in the United States, or

"(2) in the United States district court for the judicial district in which such person is found or into which he is first brought, if such offense was committed outside the United States or on the high seas.

No person may be tried in any district court for any such offense if (1) the offense is one for which such person could not be tried by court-martial without his consent if he were in a status subject to trial by court-martial, or (2) such person has been previously tried in a State court for substantially the same offense. For the purpose of all proceedings for or ancillary to the trial of any person for any such offense in any district court of the United States, such offense shall be considered to be an offense prohibited by and punishable under the provisions of title 18, United States Code."

SEC. 2. The amendments made by the first section of this Act shall be effective with respect to any offense committed on or after the date of enactment of this Act.

The memorandum accompanying Senate bill 2014 is as follows:

Proposed Bill To Provide an American Forum, Subject to the U.S. Constitution, for Trial of Serious Offenses by Persons Who Have Been Separated From the Armed Services

Background memorandum: Under the articles of war no American forum existed to prosecute offenses against those articles by a serviceman who was discharged before charges had been preferred against him. As a result, World War II produced several incidents where persons who allegedly had committed serious crimes were immune from trial because they had been discharged and were no longer subject to trial by court-martial and also were not subject to trial in any American civil court. Congress attempted to close this jurisdictional loophole by enacting article 3 of the Uniform Code of Military Justice; but the Supreme Court, in the famous case of *Toth* v. *Quarles,* 350 U.S. 11, held this provision unconstitutional. In light of the Toth case, courts-martial lack jurisdiction to try a serviceman for predischarge violations of the Uniform Code, however serious they may be (unless the exserviceman later reenlists); and so frequently there is no American court which can try the accused for his crime. Of course, if the crime was committed overseas in a foreign country and if the accused either has remained there or can be extradited to that country, prosecution may still be possible; but in that event the ex-serviceman is brought to trial in a foreign court, which is not subject to the U.S. Constitution and may not furnish some of the procedural safeguards with which we are familiar.

In light of these circumstances and of the fact that the Supreme Court did not say in the Toth case that jurisdiction could not be granted to prosecute persons like Toth in a Federal civil court, the best solution would appear to be through amendment of article 3 to authorize trial in Federal district courts of ex-servicemen whose crimes were committed while they were in the Armed Forces and who would not otherwise be subject to trial for the offense in a State or Federal court. In this manner the jurisdictional hole can be plugged; but trial can take place in an American tribunal, where every constitutional safeguard will be present. Furthermore, in instances where the alleged crime occurred overseas, there will be considerably less occasion to deliver or extradite the ex-serviceman to a foreign court for trial, since an American court would also have the power to try for the same misconduct. On the other hand, under present laws trial by an American court is impossible; and therefore foreign prosecution is the only alternative to condoning the crime.

The armed services have been interested in the problem and legislation was studied after the Toth decision to help meet the problem created there. (See subcommittee hearings at 852, 910, 946). However, somewhere along the line action apparently has bogged down.

To implement this proposal, it would seem desirable to:

(a) Amend article 3(a) of the Uniform Code to provide that, subject to the provisions of article 43 (which is the statute of limitations), any person charged with having committed, while in a status in which he was subject to the code, an offense against the Uniform Code, which, under the code and the regulations prescribed by the President and in effect at the time of the alleged offense, would be punishable by confinement of 5 years or more and for which that person cannot otherwise be tried in the courts of the United States or any State or Territory thereof or the District of Columbia, shall be subject to trial for that offense in a Federal district court. If the offense occurred within the United States, then venue to try the offense shall be in any district where there occurred any of the acts or omissions complained of. If the acts or omissions all occurred on the high seas or outside the United States, then venue shall lie in the district where the defendant first comes or is brought back to the United States (the intent here being to conform the venue requirements under this article to the general venue requirements of the United States Code). Trial by a State court for substantially the same act or omission which it is proposed to try under this article shall preclude trial under this article by a Federal district court. (This is designed to clarify that a person who already has been tried by a State court cannot be tried under this article in a Federal district court; this may be especially important because of the wide scope of art. 134.)

S. 2015

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 10, United States Code, is amended by adding after chapter 47 a new chapter as follows:

"Chapter 48.—TRIAL OF CERTAIN PERSONS WHO ACCOMPANY THE ARMED FORCES OUTSIDE THE UNITED STATES

"Sec.

"951. Persons subject to trial; jurisdiction of United States district courts; offenses for which persons may be tried.

"952. Statute of limitations; maximum punishment; general provisions.

"§ 951. Persons subject to trial; jurisdiction of United States district courts; offenses for which persons may be tried.

"(a) Any citizen, national, or other person owing allegiance to the United States who commits any offense referred to in subsection (b) of this section while serving with, employed by, or accompanying the armed forces outside the United States shall be guilty of an offense against the United States and shall be tried for such offense in the United States district court for the judicial district in which such person is found or into which he is first brought.

"(b) The offenses for which any person described in subsection (a) of this section may be tried in a United States district court are those offenses specified in—

"(1) sections 877 through 881 of this title (articles 77–81) insofar as such sections relate to offenses referred to in clauses (2) through (5) of this subsection;

"(2) section 882 of this title (article 82);

"(3) sections 907 through 911 of this title (articles 107–111);

"(4) sections 913, 914, and 916 of this title (articles 113, 114, and 116); and

"(5) section 934 of this title (article 134) to the extent of crimes and offenses not capital.

"§ 952. Statute of limitations; maximum punishment; general provisions

"(a) An indictment may be found at any time without limitation with respect to any offense referred to in section 951(b) of this title for which the death penalty may be imposed. Except as provided in section 843 (f) of this title (article 43(f)), no person shall be prosecuted, tried, or punished under this chapter for any offense, not capital, unless the indictment is found or the information is instituted within three years next after such offense shall have been committed. No person may be tried under this chapter for any offense if such person has been tried for substantially the same offense in a foreign country pursuant to a treaty or agreement to which the United States is a party.

"(b) The maximum punishment which may be imposed in the case of any person tried for an offense pursuant to this chapter shall be the same as that applicable to persons subject to trial by courts-martial for the same offense, but the provisions of chapter 47 of this title relating to the forfeiture of pay and allowances shall not be applicable in the case of any person tried under authority of this chapter.

"(c) Any offense for which a person is indicted and tried under authority of this chapter shall, for the purpose of all proceedings for or ancillary to the trial of such person, be considered to be an offense prohibited by and punishable under the provisions of title 18, United States Code.

"(d) Nothing in this chapter shall be construed as depriving courts-martial, military commissions, provost courts, or other military tribunals of concurrent jurisdiction with respect to offenders or offenses that by statute or law of war may be tried by courts-martial, military commissions, provost courts, or military tribunals.

"(e) As used in this chapter, the term 'outside the United States' means outside the several States, Commonwealth of Puerto Rico, Virgin Islands, Canal Zone, and the special maritime and territorial jurisdiction of the United States."

SEC. 2. (a) The table of chapters at the beginning of title 10, United States Code, is amended by inserting immediately below

"47. Uniform Code of Military Justice........................... 801"

the following:

"48. Trial of Certain Persons Who Accompany the Armed Forces Outside the United States.... 951"

(b) The table of chapters preceding chapter 31 of title 10, United States Code, is amended by inserting immediately below

"47. Uniform Code of Military Justice........................... 801"

the following:

"48. Trial of Certain Persons Who Accompany the Armed Forces Outside the United States.... 951"

The memorandum accompanying Senate bill 2015 is as follows:

PROPOSED BILL TO PROVIDE AN AMERICAN FORUM, WITH FULL CONSTITUTIONAL SAFEGUARDS, TO TRY PERSONS ACCOMPANYING THE ARMED FORCES OUTSIDE THE UNITED STATES

Background memorandum: Until the present century, the United States had no large forces operating overseas and so, with a few exceptions, American civil courts were available to try any crimes that might be committed by civilians who were employed by, serving with, or otherwise accompanying the Armed Forces. On the other hand, the United States now maintains large military contingents overseas, where no American civil courts are available to try American civilian dependents or employees who may commit serious crimes. In a few instances, provisions of the Federal Criminal Code could be invoked as a basis for prosecuting the conduct of Americans outside the country; but, generally speaking, Federal criminal statutes were not intended to apply extraterritorially.

In order to provide an American forum for trial of civilian employees and dependents with our Armed Forces overseas, Congress enacted article 2(11) of the Uniform Code of Military Justice, which subjected to the code "all persons serving with, employed by, or accompanying the Armed Forces without the continental limits of the United States and without certain territories." Thus, civilian employees and dependents of the Armed Forces overseas were made subject to trial by court-martial. Ultimately, article 2(11) was invalidated by the Supreme Court, with the result that, in most instances, there is now no American court, either military or civil, that has jurisdiction to try serious crimes committed by American civilian employees or dependents overseas. Therefore, the only courts which can prosecute those offenses are foreign courts, which are not subject to the U.S. Constitution and may not provide the safeguards available in American courts. There is no indication that the foreign courts are anxious in most instances to try crimes committed by American civilian employees or dependents overseas; but the only alternative is to let the crime go completely unpunished.

The relationship of the conduct of civilian employees and dependents to the maintenance of discipline and morale in the armed services is great enough to give considerable support to the argument made by several dissenters in the Supreme Court that article 2(11) was constitutional under Congress' power to "make Rules for the Government and Regulation of the land and naval Forces." Because of this relationship it seems important to provide a forum for trial of crimes committed by civilian employees and dependents overseas. If this forum is a foreign court, the civilian accused loses the benefit of the safeguards provided by the U.S. Constitution. The Supreme Court has held that this forum cannot be a court-martial. *Kinsella* v. *Singleton,* 361 U.S. 234; *Grisham* v. *Hagan,* 361 U.S. 278; *McElroy* v. *Guagliardo,* 361 U.S. 281. Therefore, virtually by a process of elimination, the Federal district courts seem to be the proper forum for the trial of such misconduct.

Prior to its hearings in 1962, the Subcommittee on Constitutional Rights was informed that the Department of Defense had prepared draft legislation to deal with this problem (hearings 848–51, 910, 946). However, this draft legislation has apparently bogged down somewhere between the Pentagon and the Department of Justice.

If jurisdiction is to be given the Federal district courts with respect to serious crimes committed overseas by civilian dependents and employees, it would seem desirable to apply the usual venue provisions governing Federal trials of offenses committed outside the United States or on the high seas. Also, since a serviceman cannot be prosecuted in a court-martial after trial by a foreign court in a country which is a party to the NATO Status of Forces Agreement, the civilian employee or dependent should receive the same protection and not be subject to trial in a Federal civil court after trial in a foreign court. Articles 107–132 of the Uniform Code of Military Justice prohibit certain acts which might be committed by a civilian employee or dependent and perhaps with disastrous consequences; in article 134 of the code there is a prohibition of "crimes and offenses not capital" which serves to incorporate by reference the Federal Criminal Code. Accordingly, it would seem to suffice to make a civilian employee or dependent punishable in an American district court if he committed an act or is guilty of an omission for which a member of the Armed Forces, who did the same thing could be punished under articles 107–132 of the Uniform Code or under the "crimes and offenses" provision of article 134.

To implement this proposal, it seems necessary to:

(a) Amend article 2(11)—or enact a separate article—to provide that "all persons serving with, employed by, or accompanying the Armed Forces without the United States, the Canal Zone, Puerto Rico, and the Virgin Islands" shall be subject to trial by a Federal district court for all acts or omissions which, on the part of a member of the Armed Forces would constitute a violation of articles 107 through 132 or "crimes and offenses not capital" within the meaning of article 134.

(b) Provide that the statute of limitations which would apply to the prosecution of a member of the Armed Forces under article 43 shall apply to misconduct by a civilian prosecuted in a Federal district court under this article and the maximum punishment authorized shall be that which would be authorized for the same act or omission if committed at the same time by a member of the Armed Forces.

(c) Provide that venue shall be the same as for offenses committed outside the United States under the venue provisions of the Criminal Code (18 U.S.C. 3231–43 and especially 18 U.S.C. 3238).

(d) Provide that it shall be a defense to prosecution if the defendant has been tried for the same act or omission by the courts of a foreign country and with respect to acts or omissions which allegedly took place within the boundaries of that foreign country.

S. 2016

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 5148 of title 10, United States Code, is amended by redesignating subsections (a), (b), and (c) as subsections (b), (c), and (d), respectively, and by adding at the beginning of such section a new subsection as follows:

"(a) The Judge Advocate General's Corps is established as a Staff Corps of the Navy, and shall be organized in accordance with regulations promulgated by the Secretary of the Navy. Members of the Judge Advocate General's Corps in addition to their other duties shall perform the duties of law specialists under the Uniform Code of Military Justice.

(b) The catch line of such section is amended to read as follows:

"Judge Advocate General's Corps: Judge Advocate General; appointment, term, emoluments, duties".

SEC. 2. Section 5149 of title 10, United States Code, is amended to read as follows:

"§ 5149. Office of the Judge Advocate General: Deputy Judge Advocate General; Assistant Judge Advocate General

"(a) An officer of the Judge Advocate General's Corps shall be detailed as Deputy Judge Advocate General of the Navy. While so serving he is entitled to the rank of rear admiral (upper half) unless entitled to a higher rank under another provision of law. The Deputy Judge Advocate General is entitled to the same privileges of retirement as provided for chiefs of bureaus in section 5133 of this title.

"(b) An officer of the Judge Advocate General's Corps shall be detailed as Assistant Judge Advocate General of the Navy. While so serving he is entitled to the rank of rear admiral (lower half), unless entitled to a higher rank under another provision of law. An officer who is retired while serving as Assistant Judge Advocate General of the Navy, or who, after serving at least six months as Assistant Judge Advocate General of the Navy, is retired after completion of that service while serving in a lower rank or grade, may, in the discretion of the President, be retired with the grade of rear admiral. He is entitled to the retired pay of a rear admiral in the lower half of that grade, if he is retired as a rear admiral.

"(c) When there is a vacancy in the office of Judge Advocate General or during the absence or disability of the Judge Advocate General, the Deputy Judge Advocate General shall perform the duties of the Judge Advocate General until a successor is appointed or the absence or disability ceases."

SEC. 3. (a) Chapter 539 of title 10, United States Code, is amended by adding after section 5578 a new section as follows:

"§ 5578a. Regular Navy: Judge Advocate General's Corps

"Original appointments to the active list of the Navy in the Judge Advocate General's Corps may be made from persons who—

"(1) are at least 21 and under 35 years of age; and

"(2) have physical, mental, moral, and professional qualifications satisfactory to the Secretary of the Navy.

For the purposes of determining lineal position, permanent grade, seniority in permanent grade, and eligibility for promotion, an officer appointed in the Judge Advocate General's Corps shall be credited with the amount of service prescribed by the Secretary of the Navy, but not less than three years."

(b) Such chapter is further amended by inserting in the table of sections at the beginning of such chapter immediately after

"5578. Regular Navy: Dental Corps."

the following:

"5578a. Regular Navy: Judge Advocate General's Corps."

SEC. 4. Section 5587(c) of title 10, United States Code, is amended by striking "law,".

SEC. 5. (a) Section 5600(b) of title 10, United States Code, is amended by adding at the end of paragraph (1) a new clause as follows:

"(D) Judge Advocate General's Corps—at least three years;".

(b) Such section is further amended by striking out paragraph (2) and redesignating paragraph (3) as paragraph (2).

SEC. 6. (a) Subsection (h) of section 202 of title 37, United States Code, is amended by—

(1) striking out "or" at the end of clause (6);

(2) redesignating clause (7) as clause (8); and

(3) adding immediately after clause (6) a new clause as follows:

"(7) Deputy Judge Advocate General of the Navy; or".

(b) Subsection (i) of such section is amended by striking out clause (3) thereof and by redesignating clauses (4) and (5) as clauses (3) and (4), respectively.

(c) Such section is further amended by adding at the end thereof a new subsection as follows:

"(k) An officer serving as Assistant Judge Advocate General of the Navy is entitled to the basic pay of a rear admiral lower half."

SEC. 7. All law specialists in the Navy shall be redesignated as judge advocates in the Judge Advocate General's Corps. All provisions of title 10, United States Code, not inconsistent with this Act, relating to officers of the Medical Corps of the Navy shall apply to officers of the Judge Advocate General's Corps of the Navy.

The memorandum accompanying Senate bill 2016 is as follows:

PROPOSED BILL TO IMPLEMENT THE CONSTITUTIONAL RIGHTS OF NAVAL PERSONNEL TO DUE PROCESS AND ASSISTANCE OF COUNSEL BY ESTABLISHING A JUDGE ADVOCATE GENERAL'S CORPS IN THE NAVY

Background memorandum: The importance and necessity of the assistance of counsel in preparing a defense to criminal charges has long been recognized as basic to Anglo-American law, and was guaranteed to an individual by the sixth amendment to the Constitution ("to have the Assistance of Counsel for his defense.") Constitutionally, this right to counsel is more often seen as part and parcel of the requirement of due process set forth in the fifth amendment. Thus, the denial of the right to counsel is considered a deprivation of the due process. In a recent opinion by the Supreme Court, this requirement was even further extended to State courts under the 14th amendment.

Although the necessity for legally trained counsel has long been spelled out by decisions as regards civilian courts, the existing provisions of the Uniform Code of Military Justice set forth mandatory requirements for qualified counsel which have had significant effects upon the administration of military (and naval) justice. For example, the code requires the presence of at least three uniformed attorneys at every general court-martial and of at least one attorney in connection with the review of every court martial—general, special, or summary. In addition, the code requires that the accused must be represented by an attorney during the pretrial investigation prerequisite to a general court-martial, if he requests such representation, and no deposition will be admissible in evidence in a general court-martial unless the accused was represented by a lawyer.

In light of this increased demand for lawyers for the proper administration of military justice, it is evident that the uniformed legally trained officer must spearhead the protection of the rights of the accused set forth under the code and, more broadly, under the constitutional mandate for "due process." Such protection can only be accomplished where the attorney can be assured of complete independence in the performance of his military duties.

There seemed to be agreement at the hearings of the Subcommittee on Constitutional Rights on the necessity for the creation of a separate Judge Advocate General's Corps in the Navy and that the result would be to enhance the independence of naval counsel, as well as their efficiency (see subcommittee hearings, p. 401).

Under the existing system the Office of the Judge Advocate General of the Navy is a restricted line special duty category to which legally trained individuals are appointed. As such it carries out the functions required under the code in the administration of military justice. Often the legal officer must be both line officer as well as legal officer; in fact, in past years he was used for alternate sea and legal duty to maintain his "line" experience. With the advent of the specialization required by the code, law has become a full-time job for these officers. Often also the paths of regular Navy thought and Navy legal thought appear to be on collision course, and under the existing system substantial pressure can be brought against legal officers to accomplish certain results which other officers consider to be in the best interests of the Navy, irrespective of the legal issues involved and the rights of the accused individual. Perhaps this conflict can best be summed up by the following which appeared in the Military Law Review, April 1959 (p. 111):

"The Judge Advocate General's Corps of the Army bears the heavy responsibility of seeing that the large body of statutes, regulations, and customs governing the military service, both internally and in its relations with the civilian world, is enforced correctly and fairly. It must persuade impetuous officers of the line, impatient of legal restrictions, of the virtues of orderly procedure according to the law."

There seems to be little disagreement that there should be a separate Judge Advocate General's Corps created within the Navy; the only point of issue is how such a step can be brought about and implemented into actual practice.

The attached draft is a revision of H.R. 6889, which was introduced in the House by Representative VINSON during the last Congress, and seems to be quite acceptable to most of the individuals concerned. This effort has received the support of Admiral Mott, Judge Advocate General of the Navy who, as he stated in the subcommittee hearings (p. 401), feels that creation of a separate Judge Advocate General's Corps for the Navy "would be better for the Navy. I think a Judge Advocate General's Corps will make it easier to recruit lawyers, it will be easier to retain them, and we will be able to give our client, the Navy, better service."

S. 2017

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsections (a) and (b) of section 1552 of title 10, United States Code, are amended to read as follows:

"(a)(1) There is hereby established in the Department of Defense a board to be known as the 'Board for the Correction of Military Records' (hereinafter in this section referred to as the 'Board'). The Board shall be composed of nine members appointed from civilian life by the Secretary of Defense. No reserve or retired member of an armed force of the United States or of the United States Coast Guard shall be eligible for appointment to the Board.

"(2) Each member of the Board shall be appointed for a period of three years, except that (A) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and (B) the terms of office of the members first appointed to the Board shall expire, as designated by the Secretary of Defense at the time of appointment, three at the end of one year, three at the end of two years, and three at the end of three years. The Secretary of Defense shall designate from time to time one of the members of the Board to serve as Chairman.

"(3) Each member of the Board shall receive the same salary which shall be fixed by the Secretary of Defense. No duties other than those directly concerned with the administration of this section may be assigned to members of the Board if such duties in any manner interfere with or adversely affect the proper administration of this section.

"(4) The Board shall determine the number of members required to constitute a quorum, and shall prescribe its own rules of procedure for the conduct of its affairs. A vacancy in the Board shall not impair the right of the remaining members to exercise the powers of the Board. The Secretary of Defense may remove any member of the Board, after notice and hearing, for neglect of duty or malfeasance in office, or for mental or physical disability, but for no other cause.

"(5) Upon his certificate, each member of the Board is entitled to be paid out of appropriations for such purpose (A) all necessary traveling expenses, and (B) reasonable maintenance expenses, incurred while attending Board meetings or transacting official business outside the District of Columbia.

"(b) It shall be the function of the Board to review the service record of any member or former member of an armed force and to correct such record when it considers such action necessary to correct an error or to remove an injustice. The power of the Board shall include authority to modify, set aside, or expunge the findings or sentence, or both, of a court-martial case not reviewed by a board of review pursuant to section 866 of this title (article 66) when it considers such action necessary to correct an error or to remove an injustice; and in any case in which the Board determines that an error has been committed or an injustice suffered as the result of a court-martial trial which has been reviewed pursuant to section 866 (article 66) it may recommend to the Secretary concerned that the Secretary exercise his power under section 874 or 875 of this title (article 74 or 75). Except when procured by fraud, a correction under this section is final and conclusive on all officers of the United States."

SEC. 2. Section 1552 of title 10, United States Code, is further amended by—

(1) redesignating subsections (c), (d), and (e) as subsections (d), (e), and (f), respectively;

(2) adding after subsection (b), as amended by this section, a new subsection (c) as follows:

"(c) No correction may be made under this section unless the claimant or his heir or legal representative files a request therefor within 3 years after he discovers the error or injustice. However, the Board may excuse a failure to file within three years after discovery if it finds it to be in the interest of justice.";

(3) striking out "department concerned may pay" in subsection (d), as redesignated by this Act, and inserting in lieu thereof "department concerned shall pay";

(4) striking out "who was paid under subsection (c)" in subsection (e), as redesignated by this Act, and inserting in lieu thereof "who was paid under subsection (d)"; and

(5) adding at the end thereof a new subsection as follows:

"(g)(1) The Secretary of the Treasury is authorized to establish in the Treasury Department a board to review and correct military records of members and former members of the United States Coast Guard. Such board, if established, shall be composed of three civilian members, appointed by the Secretary of the Treasury, none of whom shall be members of or retired from the United States Coast Guard or the armed forces. The members of such board, if established, shall be appointed for a term of three years, except that (A) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and (B) the terms of office of the members first appointed to the board shall expire, as designated by the Secretary of the Treasury at the time of appointment, one at the end of one year, one at the end of two years, and one at the end of three years. The Secretary of the Treasury shall designate from time to time one of the members of the board to serve as Chairman. The Board shall have the same powers and functions regarding the correction of military records of members and former members of the Coast Guard as the board established under subsection (a) of this section has with regard to the correction of military records of members and former members of the armed forces.

"(2) In the event the Secretary of the Treasury does not elect within one year after the date of enactment of this paragraph to establish a board pursuant to paragraph (1) hereof, the board established under subsection (a) of this section to correct military records of members and former members of the Armed Forces shall have authority to review and correct military records of members and former members of the Coast Guard in the same manner and to the same extent as it may review and correct military records of members and former members of the Armed Forces."

SEC. 3. Any case pending before any board established under section 1552 of title 10, United States Code, on the effective date of this Act shall be transferred for review and disposition to the appropriate board authorized to be established pursuant to the amendments made by this Act.

SEC. 4. The amendments made by this Act shall become effective on the first day of the third calendar month following the month in which this Act is enacted.

The memorandum accompanying Senate bill 2017 is as follows:

Proposed Bill To Protect the Constitutional Rights of Service Personnel by Establishing an Independent and Impartial Forum To Review Possible Errors or Injustices Affecting the Records of Service Personnel

Background memorandum: The Congress has provided for Discharge Review Boards and Boards for the Correction of Military Records (see 10 U.S.C. 1552–3). The former boards are composed of military personnel and review the type and nature of any discharge or dismissal from the Armed Forces, unless the discharge or dismissal resulted from the sentence of a general court-martial. The correction boards, which are composed of civilians, have the authority to recommend to the Secretary of their Department that he "correct any military record of that Department * * * to correct an error or to remove an injustice." The correction boards are established by each military Department and by the Secretary of the Treasury; their members are usually performing other duties in addition to the duty as member of the correction board. Although the correction boards can recommend corrective action with respect to the findings and sentence of a court-martial, the effect of such recommendations is unclear in light of the direction in article 76 of the Uniform Code of Military Justice that the proceedings, findings and sentence of courts-martial, after undergoing the appellate review prescribed by the Code, "shall be final and conclusive." Of course, for summary court-martial cases or special court-martial cases that have not resulted in a punitive discharge, the appellate review of the case is somewhat limited; and under the present wording of article 73 a petition for a new trial cannot be submitted. Absent the possibility of relief from the correction board, the serviceman has little chance to rectify an injustice at the hands of the court-martial, even though his constitutional rights may have been violated.

Since the correction boards today do not usually have full-time members, the members of the board may be compelled to subordinate their duties on the board to other pressing matters. Furthermore, even though many of the statutes and directives applicable to requests for correction of records may apply to all the Armed Forces, there is always the possibility that the different correction boards will vary quite markedly in their application of those statutes—with a resulting lack of uniformity. Accordingly, it seems desirable to have a single correction board for the military departments with the members of this board to have no other duties. The Secretary of the Treasury should have the authority to establish his own correction board for Coast Guard cases or to have applications for correction of records considered by the Defense Department board. The unified correction board, which, for administrative purposes should be located in the Office of the Secretary of Defense, should have the authority either to make binding determinations that records should be corrected to correct an error or injustice or to recommend action to the Secretary of the appropriate military department. With respect to cases that have not received the full appellate review by a board of review authorized under article 66 of the Uniform Code, the correction boards should have full authority to modify, set aside, or expunge either the findings or the sentence of the court-martial; and article 76 of the Code should be amended to this effect. Even with respect to cases that have been reviewed under article 66, there seems nothing amiss in giving the boards authority to recommend to the Secretary of the appropriate military department that he take action under articles 74 and 75.

To implement this proposal it seems desirable to:

(a) Amend 10 U.S.C. 1552 to provide that the Secretary of Defense shall appoint a board of civilians which may order the correction of any military or naval record when the board deems this necessary to correct an error or remove an injustice.

(b) Require in 10 U.S.C. 1552 that the members of the correction board devote substantially all of their working time to their duties as board members.

(c) Modify article 76 of the Code (10 U.S.C. 876) and 10 U.S.C. 1552 to authorize the correction board to modify, expunge, and set aside for any purpose a court-martial conviction that has not been reviewed by a board of review under article 66 of the Uniform Code; and to authorize the correction board, even in cases which have been reviewed under article 66, to make recommendations to the Secretary of the appropriate military department, which recommendations shall however be purely advisory, concerning the exercise of his discretion under articles 74 and 75 of the Uniform Code.

(d) Authorize the Secretary of the Treasury either to establish his own correction board, which need not be composed of employees who have no other duty, or to submit applications for relief received by him to the Defense Department Correction Board under regulations to be promulgated jointly by him and the Secretary of Defense; but the correction board which considers Coast Guard cases shall have the same authority in these cases as the Defense Department Correction Board has in cases concerning requests for correction of military records.

S. 2018

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 801(10) (article 1(10)) of title 10, United States Code, is amended by striking out " 'Law officer' " and inserting in lieu thereof " 'Military judge' ".

(b) Section 806(c) (article 6(c)) of such title is amended by striking out "law officer" and inserting in lieu thereof "military judge".

SEC. 2. Section 816 (article 16) of title 10, United States Code, is amended by striking out in clause (1) "law officer" and inserting in lieu thereof "military judge".

SEC. 3. Section 826 (article 26) of title 10, United States Code, is amended to read as follows:

"§ 826. Art. 26. Military judge of a general court-martial

"(a) The Judge Advocate General of the military department concerned shall detail a military judge to every general court-martial convened within the military department of which the Judge Advocate General is a member.

"(b) A military judge shall be a commissioned officer of the Armed Forces, or a civilian, who is a member of a Federal court or a member of the highest court of a State and who is certified to be qualified for duty as a military judge of a general court-martial by the Judge Advocate General of the Armed Force of which such military judge is a member or employee, as the case may be.

"(c) Except in the case of a general court-martial convened by the President or the Secretary of a military department, an officer detailed as military judge of a general court-martial shall not be a member of the same command as the convening authority of such court-martial; and in no case, except in the case of a general court-martial convened by the President or the Secretary of a military department, shall the convening authority of a general court-martial (or any member of the staff of such convening authority) be responsible for the preparation or review of any report concerning the effectiveness, fitness, or efficiency of any officer detailed as a military judge of a general court-martial convened by such authority.

"(d) Any person certified to serve as military judge shall be assigned and directly responsible to the Judge Advocate General of the Armed Force of which he is a member or of which he is an employee, as the case may be. A military judge shall perform such duties of a judicial nature other than those relating to his primary duty of military judge of a general court-martial whenever such duties are assigned to him by or with the approval of the appropriate Judge Advocate General. Duties of a nonjudicial nature may not be assigned to a military judge except in time of war, and then only with the approval of the appropriate Judge Advocate General.

"(e) Any military judge of one Armed Force may be detailed to serve as military judge of a general court-martial of a different Armed Force with the consent of the Judge Advocate General of the Armed Force of which such military judge is a member or employee, as the case may be.

"(f) No person is eligible to act as military judge in a case if he is the accuser or a witness for the prosecution or has acted as investigating officer or a counsel in the same case.

"(g) The military judge of a general court-martial may not consult with the members of the court, other than on the form of the findings as provided in section 839 of this title (article 39), except in the presence of the accused, trial counsel, and defense counsel, nor may he vote with the members of the court."

SEC. 4. Section 866 (article 66) of title 10, United States Code, is amended by adding at the end thereof a new subsection as follows:

"(g) No member of a board of review shall be eligible to review the record of any trial if such member served as investigating officer in the case or served as a member of the court-martial before which such trial was conducted, or served as military judge, trial or defense counsel, or reviewing officer of such trial."

SEC. 5. Sections 827 (a) (article 27 (a)), 829 (b) (article 29 (b)), 837 (article 37), 839 (article 39), 841 (a) and (b) (article 41 (a) and (b)), 842 (a) (article 42 (a)), 851 (b) and (c) (article 51 (b) and (c)), 854 (a) (article 54 (a)), and 936 (b) (article 136 (b)) of title 10, United States Code, are amended by striking out "law officer" wherever it appears in such sections and inserting in lieu thereof "military judge".

SEC. 6. The amendments made by this Act shall become effective with respect to general courts-martial convened on or after the first day of the third calendar month following the date of enactment of this Act.

The memorandum accompanying Senate bill 2018 is as follows:

PROPOSED BILL TO IMPLEMENT THE CONSTITUTIONAL RIGHT OF SERVICE PERSONNEL TO RECEIVE DUE PROCESS AND FAIR AND IMPARTIAL TREATMENT IN TRIALS BY GENERAL COURTS-MARTIAL

Background memorandum: At the present time there are three kinds of court-martial—general, special, and summary courts-martial. The general court, which must consist of at least five members, is not subject to the same limitations of its jurisdiction that apply to other courts-martial. (See articles 18–20 of the Uniform Code of Military Justice, 10 U.S.C. 818–820.) Therefore, it is used for trial of the more serious offenses, where the sentence and punishment may be quite severe. Because of the consequences of a conviction by general court-martial, Congress required for the first time in the Uniform Code of Military Justice that each general court-martial have a law officer, who must be a qualified attorney and, like a judge, sits apart from the members of the court, rules on interlocutory questions, and instructs the members concerning the law applicable to the cases before them. Unlike a Federal judge, the law officer, under present law, is not authorized to impose sentence; nor may he rule finally on challenges to the court-martial members.

Since the Uniform Code first took effect in 1951, the Court of Military Appeals has tended more and more to equate the status and responsibility of the law officer to that of a judge and has inferred that Congress intended for him to have certain powers—like that of declaring a mistrial—which a trial judge would usually possess. Also, the Army and more recently the Navy have initiated a program—the field judiciary (or trial judiciary) program—designed to enhance the independency, impartiality, and efficiency of their law officers. This field judiciary program, which was described in detail during the course of the hearings held in 1962 by the Subcommittee on Constitutional Rights (see pp. 838–839 of the hearings), has received widespread acclaim and has produced signal results in reducing errors at the trial and in assuring that the accused serviceman received due process. Moreover, the law officers appointed pursuant to the field judiciary program have apparently been especially immune from command influence and so have been better able to assure the fairness and impartiality of the trial.

Because the advantages of the field judiciary program have proved so great, several witnesses at the hearings urged that it be given specific recognition by the Congress and applied to each armed service. In this way the airman could be better assured of receiving the same type of trial by general court-martial that the soldier and sailor have obtained under the field judiciary program. Moreover, until the field judiciary system is required by statute, there will always be the risk that even the Army or Navy might abandon it.

Under the field judiciary program, the performance of duty as law officer is a full-time matter—rather than something to be sandwiched in among a host of nonjudicial duties. Furthermore, the law officer is not assigned to the staff of a field command, where he may be trying a case and may be subject to subtle or overt command influence, but instead falls under the supervision of the Office of the Judge Advocate General of his armed service. Efficiency reports concerning a member of the field judiciary, which will help determine his future promotions and assignments, are prepared by a senior member of the field judiciary, rather than by some commanding officer in the field.

Since the time of the subcommittee's hearings last year, the Army has introduced various refinements of the field judiciary program. However, the basic ingredients of the system remain the same; namely, mature full-time law officers, who are not subject to any sort of influence by the commander who has convened the general court-martial to which the law officer has been appointed.

If the field judiciary is to be given statutory sanction, the members of the judiciary could properly be redesignated as "military judges" a term which could give a clearer picture of their function. Also, with a view to obtaining the best utilization of personnel and in accord with the premise that justice should be of the same quality in all the services, interservice exchange of the members of the field judiciary should be facilitated, so that an Army law officer could be readily available for an Air Force general court-martial, or vice versa. At the present time, under paragraph 4g(3) of the 1951 Manual for Courts-Martial, such interservice appointments are possible—with the consent of the Secretary of each Department involved; but, probably because of the cumbersomeness of obtaining the consent of both Secretaries, this authority is used quite infrequently. An easier procedure for interservice use of qualified law officers seems desirable.

Although the members of the field judiciary should be full-time military judges, it would not be inconsistent with this concept for them to perform duties of a judicial nature other than in a general courts-martial. For instance, there have been proposals to reconstitute the special court-martial with a law officer or to provide a law officer for administrative discharge boards considering proposed discharges under other than honorable conditions. Therefore, it does not seem amiss to provide that, although the primary duty of the military judge shall be to serve on general courts-martial, he shall not be disqualified to perform other duties of a judicial nature. Also, because of possible manpower problems during wartime, it seems desirable to provide that the requirement of full-time judicial duty for the military judge shall not apply in time of war; and the Judge Advocate General shall be free to assign to the military judge nonjudicial duties to the extent that this may become necessary.

There is much to be said in favor of requiring a minimum tour of duty for the military judge, so that he could not be reassigned at once to some other type of activity if his decisions proved favorable to the accused. On the other hand, this requirement might introduce excessive rigidity in the system and might preclude the Judge Advocate General from removing from duty as military judge an officer who had not displayed suitable competence and impartiality. On balance, the best solution at this time seems to be to rely on the fairness of the Judge Advocate General not to reassign a military judge to other duty merely because he has ruled frequently in favor of accused persons.

During the hearings no loud voices were heard in favor of having civilian lawyers preside over general court-martial, as is currently done under the British Articles of War. However, no objection is apparent to amending the Uniform Code to enable a civilian attorney to serve as military judge or law officer if the Judge Advocate General chooses to assign him to such duty. Although such an authorization would probably never be used by the Armed Forces, it seems desirable to give them this option.

To implement the foregoing proposals, it seems necessary to:

(a) Amend article 26 of the Uniform Code, 10 U.S.C. 826, to require that every general court-martial have a military judge, who shall have the same qualifications and disqualifications now stated in article 26(a) except that he may be either an officer or a civilian employee. Then, after setting forth the qualifications of the military judge and prohibiting the convening of a general court-martial without such a judge, article 26 should provide that this military judge shall not be a person assigned to the command of the officer who convenes the court-martial, unless the court-martial is convened by the President or the Secretary of the Department (art. 22(a)). Furthermore, this military judge shall be assigned to the office of the Judge Advocate General of his armed service, although he may be attached for administrative or record-keeping purposes to some other organization or activity. No efficiency or fitness report shall be prepared on the military judge by any convening authority, other than the President or the Secretary of the Department, nor be prepared by any person who is assigned to the staff of any such convening authority. Furthermore, article 26 should provide that, the military judge's primary and full-time duty shall be as judge for general courts-martial, except that this shall not preclude his performance, with the consent of his Judge Advocate General, of other duties of a judicial nature to the extent they do not interfere with his duties in general courts-martial and except that in time of war the Judge Advocate General may assign him additional duties of a nonjudicial nature.

(b) Enact a new subsection of article 26 which will allow a military judge to serve in a trial by court-martial or other judicial proceeding which involves a member of a different armed force, so long as this is done with the consent of the Judge Advocate General of his own armed force.

(c) In every article of the code which refers to the law officer of a general court-martial, substitute "military judge" (e.g., arts. 16, 26, 27, 29, 39, 41, 42, 51, 54).

S. 2019

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 866 (article 66) of title 10, United States Code, is amended to read as follows:

§ 866. Article 66. Courts of Military Review

"(a) There is established for each military department an appellate court which shall have authority to review, as provided in this section, courts-martial cases tried by that military department for which such court is established. Each such court is a court of record and shall be known as the Court of Military Review for the military department for which it is established. The Court of Military Review for any military department shall, for administrative purposes only, be located in such department.

"(b) The Secretary of each military department shall appoint persons to serve as judges of the Court of Military Review for that military department. The Court of Military Review for each military department shall consist of as many three-judge panels as the Secretary of the department concerned shall deem necessary. The Secretary of the military department concerned shall from time to time designate one of the judges of the Court of Military Review for such military department as chief judge of such court. Only civilian judges of each court shall be eligible to act as chief judge. Any civilian and any commissioned officer of the Armed Forces shall be eligible for appointment to a Court of Military Review if such civilian or officer is a member of the bar of a Federal court or the highest court of a State, has had not less than six years' experience in the practice of military justice, and meets such other qualifications as may be prescribed by the Secretary concerned.

"(c) The Courts of Military Review for each military department shall sit in panels of three judges each for the purpose of reviewing courts-martial cases. The composition of such panels shall be determined by the chief judge of the court concerned; but the chief judge on his own motion, or on the request of at least one-half of the judges of the court concerned, may require the court to sit en banc for the purpose of reviewing any particular court-martial case. A judge of the Court of Military Review of one military department may sit as a judge of the Court of Military Review for another military department when authorized to do so by the Secretaries of the military departments concerned.

"(d) At least one judge of each three-judge panel of any Court of Military Review shall be a civilian who is not a retired member of any armed forces.

"(e)(1) Any commissioned officer appointed to a Court of Military Review shall be appointed for a term of three years, and shall be eligible for reappointment.

"(2) Any persons appointed to a Court of Military Review from civilian life shall be appointed in accordance with the civil service laws. Any person appointed to such court from civilian life shall serve during good behavior, and may be removed from office only for physical or mental disability or other cause shown, upon notice and hearing, by the Secretary concerned.

"(f) Any person appointed to a Court of Military Review shall be known as military judge, and any commissioned officer appointed to serve on a Court of Military Review shall, in all matters relating to the work of such court, be addressed and referred to as a military judge without reference to his military grade.

"(g) The Judge Advocate General shall refer to the Court of Military Review the record in every case of trial by court-martial in which the sentence as adjudged by the court-martial affects a general or flag officer or extends to death, dismissal of an officer, cadet, or midshipman, dishonorable or bad-conduct discharge, or confinement for one year or more.

"(h) In any case referred to it, a Court of Military Review shall act only with respect to the findings and sentence as approved by an officer exercising general court-martial jurisdiction. It shall affirm only such findings of guilty, and the sentence or such part or amount of the sentence, as it finds correct in law and fact and determines on the basis of the entire record, should be approved. It may, also, suspend all or any part of the sentence. In considering the record it shall have the authority to weigh the evidence, judge the credibility of witnesses, and determine controverted questions of fact.

"(i) If a Court of Military Review sets aside the findings and sentence it may, except where the setting aside is based on lack of sufficient evidence in the record to support the findings, order a rehearing. If it sets aside the findings and sentence and does not order a rehearing it shall order that the charges be dismissed.

"(j) The Judge Advocate General shall, unless there is to be further action by the President, or the Secretary of the Department, or the Court of Military Appeals, instruct the convening authority to carry out the mandate of the Court of Military Review. If the Court of Military Review has ordered a rehearing and the convening authority finds a rehearing impracticable, he may dismiss the charges.

"(k) The Chief Judges of the Courts of Military Review shall prescribe uniform rules of procedure for proceedings in and before such courts subject to the approval of the Chief Judge of the Court of Military Appeals."

Sec. 2. (a) Section 865 (b) (article 65 (b)), section 867 (b), paragraphs (2) and (3) (article 67 (b) (2) and (3)), section 867 (c) and (f) (article 67 (c) and (f)), section 870 (b), (c), and (d) (article 70 (b), (c), and (d)), and section 871 (c) (article 71) of title 10, United States Code, are each amended by striking out "board of review" wherever it appears in such sections and inserting in lieu thereof "Court of Military Review".

(b) The first sentence of section 868 of such title (article 68) is amended by striking out ", and to establish in such branch office one or more boards of review".

(c) The last sentence of section 868 of such title (article 68) is amended to read as follows:

"That Assistant Judge Advocate General may perform for that command, under the general supervision of the Judge Advocate General, the duties which the Judge Advocate General would otherwise be required to perform in respect to all cases involving sentences not requiring approval by the President."

(d) Section 869 of such title (article 69) is amended by striking out "reviewed by a board of review" and inserting in lieu thereof "transmitted for review to the Court of Military Review".

(e) Section 873 of such title (article 73) is amended to read as follows: "If the accused's case is pending before a Court of Military Review or before the Court of Military Appeals, the Judge Advocate General shall refer the petition to the appropriate court for action."

Sec. 3. The provisions of this section shall become effective on the first day of the third calendar month following the calendar month in which it is enacted. Any case pending before a board of review on the effective date of this Act shall be transmitted to the appropriate Court of Military Review for review and disposition.

The memorandum accompanying Senate bill 2019 is as follows:

Proposed Bill To Provide Additional Constitutional Protection for Members of the Armed Forces by Establishing Courts of Military Review, and for Other Purposes

The Uniform Code of Military Justice makes provision in article 66 for boards of review to review the record of trial by court-martial in every case where the sentence, as approved, affects a general or flag officer, or extends to death, dismissal of a commissioned officer, cadet, or midshipman, dishonorable or bad conduct discharge, or confinement for 1 year or more. Certain other cases tried by general court-martial may also be referred to the boards of review pursuant to article 69 of the code. While the Court of Military Appeals acts only with respect to findings and sentence which are incorrect in law, the boards of review also review issues of fact and such matters as the appropriateness of sentence. Thus, in cases raising constitutional issues, such as the voluntariness of a confession, the boards of review may reexamine factual, as well as legal, issues in deciding the case on appeal.

During the hearings of the Subcommittee on Constitutional Rights concerning the "Constitutional Rights of Military Personnel," it was explained that the Navy boards of review have as members both naval officers and civilian employees of the Navy Department. On the other hand, the boards of review of the Army and Air Force use only military officers. In order to assure that the board members will have an opportunity to develop some degree of expertise in their work, it would seem advisable to provide a minimum tour of duty for these military members of the respective boards. The practice of the Navy in having civilian members on the boards provides some continuity and probably facilitates understanding and application by the board of the legal principles enunciated by the all-civilian Court of Military Appeals. To enhance the stature of the boards of review and emphasize their judicial role as guardian of the rights of military personnel, it also seems desirable to redesignate them as "Courts of Review." Because of the relatively small number of cases processed by the Coast Guard Board of Review, it may not be feasible to reconstitute the boards in that particular service.

DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE APPROPRIATION BILL, 1964; NOTICE OF MOTION TO SUSPEND THE RULE

Mr. JAVITS submitted the following notice in writing:

Pursuant to the provisions of rule XL of the Standing Rules of the Senate, I hereby give notice in writing that I shall hereafter move to suspend paragraph 4 of rule 16, for the purpose of proposing to the bill H.R. 5888, making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1964, and for other purposes, the following amendment, viz, on page 31, line 3, before the period insert the following: ": *Provided further*, That the funds herein appropriated shall be used only for hospitals and related facilities which are made available to all persons without discrimination in any respect whatsoever on account of race, creed, or color".

Mr. JAVITS also submitted an amendment, intended to be proposed by him, to House bill 5888, making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1964, and for other purposes, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE, AND RELATED AGENCIES APPROPRIATION BILL, 1964—AMENDMENTS

Mr. PROXMIRE submitted amendments, intended to be proposed by him, to the bill (H.R. 5888) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1964, and for other purposes, which were ordered to lie on the table and to be printed.

Mr. CLARK (for himself and Mr. RANDOLPH) submitted an amendment, intended to be proposed by them, jointly, to House bill 5888, supra, which was ordered to lie on the table and to be printed.

DOMESTIC VESSELS CONSTRUCTION SUBSIDY—ADDITIONAL COSPONSORS OF BILL

Mr. BARTLETT. Mr. President, I ask unanimous consent to have the names of the junior Senator from Oregon [Mrs. NEUBERGER], the junior Senator from Michigan [Mr. HART], the junior Senator from Ohio [Mr. YOUNG], and the junior Senator from Minnesota [Mr. MCCARTHY] added as cosponsors of S. 1773, a bill introduced by me which would authorize a construction subsidy program for carriers in the domestic trade.

The PRESIDENT pro tempore. Without objection, it is so ordered.

AID FOR DOMESTIC SHIPPING

Mrs. NEUBERGER. Mr. President, for over 40 years the lumber producers of Oregon, Washington, and California have been compelled to pay a hidden subsidy for ocean transport to carry their lumber to the great Atlantic coast markets.

By the terms of the Jones Act of 1920, American-flag vessels were granted a domestic shipping monopoly. As a result, domestic shippers, such as the west coast lumbermen, must pay shipping rates derived from high domestic construction and seafaring costs, while their Canadian lumber competitors are free to purchase shipping on the low world market.

British Columbia sawmills have now, midway through 1963, claimed 69 percent of the U.S. Atlantic coast, waterborne, cargo lumber market. Thus, low cost foreign shipping has enabled the Canadians to capture a market which Washington and Oregon cargo sawmills held without interruption from 1920 until the very recent past.

Has the Jones Act nevertheless succeeded in nourishing the domestic merchant marine? Hardly. As late as 1955 there were 101 ships, manned by 4,300 men, plying the intercoastal trade. Today there remain no more than 22 vessels in the intercoastal trades, supplying jobs to less than 1,000 seamen. There are no common carriers left to serve Northwest lumber shippers. Two private carriers remain, who offer, from time to time, space to lumber producers. During one month early this year, neither of these lines had space available.

Those few vessels that remain in service are relics of World War II, unspecialized, inefficient. Yet the dismal condition of intercoastal trade furnishes the ship operator no incentive to replace his vessels with modern specialized ships capable of providing efficient, economical service.

Our distinguished colleague from Alaska [Mr. BARTLETT], the knowledgeable and perceptive author of S. 1773, is exactly right when he says: "Now is the time that both the legislative and executive branch of our Government make a final determination. Do we want a domestic shipping industry? Should this industry survive?" His answer to each of these critical questions is affirmative. And his solution, embodied in S. 1773, is a bold program of construction and renovation subsidies for the Great Lakes and coastwise shipping industry.

Mr. President, I know that I share with the author of S. 1773 an extreme reluctance to call upon the American taxpayer to support any new subsidy. And I share with Senator BARTLETT the belief that the Nation's requirement for a revitalized domestic merchant marine must be subjected to the most searching congressional scrutiny. We must be satisfied, Mr. President, that a vigorous merchant marine is indeed vital to the interests of the United States. But, once we are satisfied, then we must proceed in a realistic manner to resuscitate our merchant fleet. And the costs must be borne not by the lumber industry, not by the producers of commodities on the Great Lakes, but, as proposed in S. 1773, by the Nation as a whole. For these reasons, I am pleased to join today as a cosponsor of S. 1773.

Of course, even if Congress accepts the principles embodied in S. 1773 it will take time to implement its provisions. It will take 2 or 3 years before we can hope to view meaningful progress in the overhaul of our domestic fleet. During the interim, relief must be granted to those domestic industries which cannot now obtain adequate water carriage at competitive rates.

In the Puerto Rican lumber trade, where no American vessels have been employed for over 2 years to carry Northwest lumber, the 1962 suspension of the Jones Act must be extended until such time as the domestic merchant marine is capable of providing adequate service. As of the first 5 months of this year, over 5 million board feet of American lumber were sold to Puerto Rico under the 1962 suspension—sales which would otherwise have gone to Canada.

With respect to Great Lakes and intercoastal shipping, the ship operator who enrolls in a program of vessel renovation or construction contemplated by S. 1773, should be permitted to enter into bare boat charters for foreign vessels—to be manned by American crews—pending the completion of renovation or construction. Such temporary relief is needed if the shippers are to have the continuity of transport essential to their survival.

AMENDMENT OF MINERAL LEASING ACT—ADDITIONAL COSPONSORS OF BILL

Mr. GRUENING. Mr. President, on August 2 I introduced, on my own behalf and that of Senators McGEE, HOLLAND, ENGLE, SIMPSON, MOSS, BIBLE, CANNON, KUCHEL and MECHEM, the bill (S. 1984) to amend the Mineral Leasing Act regarding the timely payment of rentals, and for other purposes.

Inadvertently, the names of the cosponsors were omitted from S. 1984 as printed.

Mr. President, I ask unanimous consent that at the next printing of S. 1984 the names of the cosponsors, as stated above, be added to the bill.

The PRESIDENT pro tempore. Without objection, it is so ordered.

STANDING COMMITTEE ON VETERANS' AFFAIRS—ADDITIONAL COSPONSORS OF RESOLUTION

Mr. DIRKSEN. Mr. President, on the next printing of Senate Resolution 176, I ask unanimous consent that the names of the Senator from California [Mr. ENGLE] and the Senator from Washington [Mr. JACKSON] be added to the cosponsors.

The PRESIDENT pro tempore. Without objection, it is so ordered.

TESTING OF KREBIOZEN

Mr. DIRKSEN. Mr. President, on July 18 a number of Members of the Senate introduced Senate Joint Resolution 101, to direct the National Institutes of Health to undertake an immediate test of a cancer drug known generally as Krebiozen, and to report, on a quarterly basis, the results of these tests to the Congress.

The resolution also directs the Food and Drug Administration to withhold action on any new drug application on Krebiozen until the test has been completed. The resolution also authorizes a $250,000 appropriation for this purpose.

This matter of Krebiozen has been a subject of controversy over a long period of time, and has received extensive consideration by the Chicago press. On April 30, 1963, I inserted in the RECORD a report from the National Institutes of Health, and also one from the American Cancer Journal.

In order to make this statement reasonably complete, I ask unanimous consent that in connection with this statement the NIH report and the American Cancer Journal report be included herein.

In addition, I ask unanimous consent that an editorial appearing in the Chicago Daily News on Thursday, July 18, 1963, under the title "Krebiozen Is Big Money," be made a part of my remarks.

I ask also that an article from the Chicago Daily News dated August 2, 1963, by Arthur J. Snider, science writer for the Daily News, be included.

I ask also that an editorial in the Chicago Daily News of July 22 be made a part of this statement.

I ask also that there be included a statement by Dr. Stevan Durovic, director, Krebiozen Research Foundation, Chicago, which appeared in the "Letters to the Editor" column of the Chicago Daily News on July 22, 1963.

Further, Mr. President, I ask that another editorial from the Chicago Daily News, dated July 30, 1963; and, a news article from the Chicago Tribune of July 30, 1963, be printed in the RECORD at this point.

There being no objection, the reports, editorials, and articles were ordered to be printed in the Record, as follows:

[From the CONGRESSIONAL RECORD, Apr. 30, 1963]

REPORT ON THE CURRENT STATUS OF KREBIOZEN—DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, WASHINGTON

Shortly after Dr. Kenneth M. Endicott became Director of the National Cancer Institute in July 1960, he met with Drs. Andrew Ivy and Stevan Durovic to discuss the possibility of a National Cancer Institute test of this drug. Drs. Ivy and Durovic agreed to analyze their data accumulated during the investigational study of the drug and to present the analysis to Dr. Endicott. Dr. Endicott agreed to study the report and to decide whether it provided a basis on which the National Cancer Institute could sponsor a clinical trial.

In April 1961, during the pendency of a libel suit between Dr. Ivy and Dr. Stoddard in the northern district of Illinois, District Judge Miner concluded that he could not decide the case without deciding whether Krebiozen had any merit as a cancer treatment. He wrote to Dr. Endicott asking that the Department undertake an evaluation of the drug.

Secretary Ribicoff replied with a detailed statement of what would be needed to enable the Department to appraise the drug as a cancer treatment. Briefly, Judge Miner was told that we would have to have complete information about composition, how and where the drug was made, the controls exercised to assure its safety and effectiveness, the analytical methods available to control its composition, and full information about all of the claimed cures. Secretary Ribicoff's letter indicated that, since the drug had been used for a considerable period of time under an investigational use label, it had had a comprehensive human test, and that the records should show whether or not the drug had any merit in the treatment of cancer. He told the firm that the Department would have to have full documentation on each claimed cure, including the diagnosis (with biopsy), treatment given before and after Krebiozen, details of Krebiozen treatment, and the basis on which it had been concluded that Krebiozen was effective.

On September 29, 1961, Drs. Ivy, Durovic, and Pick brought to Dr. Endicott (1) a voluminous rough draft report, (2) a manuscript to be considered for publication in the journal of the National Cancer Institute, and (3) two small vials containing minute amounts (considerably less than the 10 milligrams they claim to have delivered) of a whitish material which was said to be Krebiozen.

The manuscript was submitted to the editorial board of the Journal of the National Cancer Institute, and the vials were delivered to chemists for analysis. The editorial board rejected the manuscript on the ground that it did not meet established standards for publication in the Journal. Dr. Andervont wrote to Dr. Ivy on December 1, 1961, explaining the reasons for the rejection.

The analysis of the report and of the material in the vials required some months. On March 7, 1962, Dr. Endicott wrote to Drs. Ivy and Durovic detailing the inadequacies in the data and requesting additional information.

The next the Department heard on this was a letter from Dr. Ivy which was placed in the CONGRESSIONAL RECORD on July 20, 1962. A copy of this letter was delivered to Dr. Endicott's office on July 17, 1962. This letter challenges many statements in Dr. Endicott's letter of March 7, but it does not present any additional scientific data. Nothing that has been submitted to the National Cancer Institute, or has otherwise come to the Department's attention, lends, in our judgment, any scientific support to the claims published in the CONGRESSIONAL RECORD, volume 108, part 11, pages 14287–14291, under the heading "Improvement, Objective and Subjective, in 35 Tumor Types (Organ Groups) Treated With Krebiozen."

For some time Krebiozen has been promoted and sold as a cancer remedy. On November 29, 1962, Commissioner Larrick of the Food and Drug Administration received a voluminous promotional piece for Krebiozen, which includes the chart reproduced in the Congressional Record and claims that substantially all forms of cancer yield to Krebiozen therapy in a significant percentage of cases.

There is no license or approved new drug application for this product. Its sale without a license is prohibited by the biological control provisions of the Public Health Service Act. It is being distributed ostensibly for investigational use on human patients. That there has not been compliance with the regulations for the investigative use of drugs is evident from the fact that the records required to be kept and made available are not available.

The National Cancer Institute has stated that it cannot help to resolve this long-continued controversy without the scientific evidence on which the claimed merit of Krebiozen rests. The Institute cannot design a clinical study and ask volunteers to submit to this drug without dependable information about how it is made, standardized, and controlled and without substantial evidence from preclinical studies to establish its safety and clinical evidence from the 12 years of its widespread use for investigational purposes to support the idea that the drug may possibly have merit in some types of cancer. This is the information which Drs. Ivy and Durovic were asked to supply to Dr. Endicott's letter of March 7.

The basic difficulty is that Drs. Ivy and Durovic either cannot or will not supply this necessary information. Perhaps to some extent they do not have it, but are relying on secondhand reports about the action of the drug. In their letter, which appears in the Congressional Record, they suggest "that the National Cancer Institute obtain the services of other Federal agencies with legal authority and power to secure this information from hospitals and physicians who have refused to give it to us."

The Food and Drug Administration and the Division of Biologic Standards of the Public Health Service are initiating an appropriate investigation. They will ask Drs. Ivy and Durovic to cooperate by giving the names and addresses of treated patients and of the physicians who know about their cases. While the letter of July 17 states that the promoters of the drug have case reports attested to by licensed physicians, no such reports have yet been submitted to the Department.

The objective of our investigation will be to learn the full details on the manufacture, standardization, and control of Krebiozen; to obtain adequate samples for analysis; and to examine the complete reports on treated patients to arrive at a conclusion whether there is any scientific evidence to support the design and execution of a clinical trial. The investigation also will determine whether the drug is being distributed in accordance with the applicable regulatory laws.

If the drug is to continue to be sold, it will have to be licensed by the Public Health Service or approved as a new drug under the Federal Food, Drug, and Cosmetic Act. If it is to be continued as a drug for investigational use on human patients, it will have to comply with the requirements promulgated in accordance with the Kefauver-Harris Drug Amendments of 1962. These regulations provide that for drug investigations that were under way on August 10, 1962, the sponsor of the investigational program has 120 days from February 7, 1963, to gather and present to the Department the necessary information about the composition and identity of the drug, its preclinical investigations, the plan and results of clinical investigations carried out thus far, and a rational plan for the continuation of such investigations.

It is the Department's purpose to gather the clinical records on patients who are claimed to have been treated successfully, in an effort to answer definitely the question of Krebiozen's merit, and, at the same time, to assure that the distribution of this product comports with Federal regulatory laws.

February 1963.

[From CA–A Cancer Journal for Clinicians, 1962]

Unproven Methods of Cancer Treatment

The following statement concerning Krebiozen, a preparation proposed for the treatment of cancer by Dr. Stevan Durovic and the Krebiozen Research Foundation, was recently distributed to the 59 divisions of the American Cancer Society for their information.

"KREBIOZEN

"Krebiozen is reported to have been originally produced by Stevan Durovic, M.D., a Yugoslavian physician, in Argentina, and brought to the United States in 1949. According to Dr. Durovic, the original 2 grams of powder, from which he said 200,000 doses were prepared, was obtained as an extract of the blood of 2,000 Argentine horses which had previously been injected with a sterile extract of Actinomyces bovis, a micro-organism which causes a disease called lumpy jaw in cattle. In October 1960 Dr. Durovic was quoted in newspapers as stating that, during that year, he had made batches of Krebiozen in Illinois, each yielding about 250 milligrams (1/120 of an ounce), approximately 50,000 doses of the drug. He stated that analysis of the material showed it contained lilopolysaccharides, consisting of a mixture of six sugars, since reported to be galacturonic acid, galactose, glucose, glucosamine, arabinose and xylose, combined with a fat molecule. Dr. Durovic said that this was the same substance found by chemical analysis in his original batch of Krebiozen.

"Since mid-1959, a drug made in the same way as Krebiozen, but called Lipopolysaccharide C, has been prepared and studied by Dr. Andrew C. Ivy, professor emeritus of the University of Illinois, who has been interested in Krebiozen since 1949. According to Dr. Ivy, Lipopolysaccharide C, which he stated is the scientific name of Krebiozen, consists of a fatty substance conjoined with a substance containing several sugars, six of which have been identified. Different batches of the lipopolysaccharide are reported to have different strengths. Efforts are being made to produce this substance synthetically.

"Three organizations have been primarily concerned with the production, use, and distribution or sale of Krebiozen. At present, Krebiozen is being distributed by Promak Laboratories, Inc., of Chicago. This corporation was originally organized as the Instituto Biologicao Duga of Buenos Aires, and later was known as the Duga Laboratories, Inc., of Buenos Aires and Chicago. It is owned by Dr. Stevan Durovic and his brother, Marko Durovic, a lawyer.

"The Krebiozen Research Foundation, Chicago, Ill., is registered in the State of Illinois as a nonprofit corporation. It furnishes Krebiozen to physicians who request it for investigational use. According to the foundation, patients treated with Krebiozen are requested, through the physician who obtains it, to make a contribution to the Promak Laboratories which supplies the drug.

"The Ivy Cancer Research Foundation, Chicago, Ill., was incorporated as a not-for-profit corporation on March 4, 1959. In a fund-raising brochure, distributed in 1960, it is stated that: 'The foundation is dedicated to furthering research conducted by Dr. Andrew C. Ivy and others whose projects may be approved by the foundation, on the use of Lipopolysaccharide C.'

"Several other organizations and individuals have been active in disseminating information about, and seeking to arouse interest in, Krebiozen as a treatment for cancer.

"Preliminary results with Krebiozen as a treatment for cancer were first announced, both to the medical profession and to the public, at a meeting called for this purpose at the Drake Hotel in Chicago on March 26, 1951. Following this announcement, several medical centers were given small amounts of the preparation for experimental use. During the intervening 10 years, no scientifically acceptable report substantiating the usefulness of the drug has been issued.

"In September 1961 the Krebiozen Research Foundation and Dr. Andrew C. Ivy gave representatives of the National Cancer Institute a small amount of Krebiozen, reported to be 10 milligrams (1/3,000 of an ounce), together with an analysis of clinical data on 4,200 cancer patients. The National Cancer Institute studied these data. In March 1962, Dr. Kenneth M. Endicott, Director of National Cancer Institute, reported that he had notified Drs. Durovic and Ivy that more information must be provided before the decision could be made whether and how to test the preparation in human beings. The American Cancer Society hopes that acceptable scientific evidence concerning the value or lack of value of this preparation may be obtained without further delay for the information of physicians who have the responsibility for the treatment of patients with cancer.

"There is no evidence available to the American Cancer Society, up to the present, that demonstrates that Krebiozen is of proven merit in the treatment of human cancer."

[From the Chicago Daily News, July 18, 1963]

Krebiozen Is Big Money

Although the American Medical Association has called it worthless, the promoters of Krebiozen have been distributing the drug on an experimental basis to many thousands of cancer sufferers. This has gone on for 14 years, aided by the promoters' wails of persecution by the medical trust. Organized medicine is thus painted as more willing to see people die of cancer than to concede success by an outsider. This is a contemptible libel.

Now that Federal action has halted the interstate distribution of Krebiozen, its backers have added the Food and Drug Administration to their list of alleged persecutors of the suffering. The Government had been trying to investigate the manufacture and distribution of this drug, as is its duty to safeguard public health. The thalidomide tragedy brought tighter laws to this end, and Krebiozen has been getting attention that it had escaped since its sensational and unprofessional announcement aroused false hopes throughout the world that a cancer cure was at hand.

The FDA investigation has turned up some astonishing information. Since 1950, about 1½ million empty ampules have been sold to Dr. Steven Durovic, the discoverer of Krebiozen. By the most generous interpretation of conflicting representations of the supply of Krebiozen available, it would be sufficient for a third that many ampules. The FDA agents complain that they get evasion instead of a satisfactory explanation of this discrepancy.

Many thousands of patients have received Krebiozen injections through their physicians, some paying hundreds of dollars in contributions at $9.50 an ampule. This potential actually runs into millions of dollars, and yet the books are as much a mystery as the substance itself. The FDA men assert that Dr. Durovic informed them that "as a European he deals in cash instead of checks and is not inclined to keep records."

Questioning Dr. Durovic or his associate Dr. Andrew Ivy is like trying to tie water into a bundle, but it seems to us that this situation has gone on long enough without some solid answers.

Apparently it is intended to continue the distribution of Krebiozen as widely as possible, while urging the clientele to exert pressure for removal of the Federal restrictions.

The FDA report is crammed with complaints of the inability of its agents to obtain the information they need to appraise the identity, purity, strength, or the manufacturing process, or to arrange the "definitive test" that the sponsors keep saying they want but never cease haggling over terms of.

The history of Krebiozen is as fantastic as any ever entered among the colorful stories of medical marvels in this country. There are many testimonials from satisfied customers, but these are customary in this field. Krebiozen has been distinguished by the protection of some eminent figures in political and other fields.

By this time it would seem established that it does its patients no harm, but it is far from conclusive that it does them the slightest good. The Federal Government has restricted the area of Krebiozen's operation, but in view of the cloudy record and the potentially vast sums of money involved, some appropriate agency of the State ought to step in for the protection of the public.

[From the Chicago Daily News, Aug. 2, 1963]

United States Hints It Won't Test Krebiozen—Cites Maker's Refusal To Let Inspectors Watch Production

(By Arthur J. Snider)

The Federal Government has hardened its position on Krebiozen and strongly implied that a clinical test of the disputed cancer drug is not in the offing.

A letter to Dr. Stevan Durovic, manufacturer of the drug, stressed that his refusal to permit inspectors to observe production means that the Government cannot take the responsibility for administering Krebiozen to patients.

Presumably this injunction would cover a test situation or any other condition of the drug's use.

A copy of the letter to Durovic, written by the Department of Health, Education, and Welfare, was read before the organization meeting of the newly formed Illinois Krebiozen Study Committee Thursday night.

The letter was signed by Boisfeuillet Jones, special assistant for health and medical affairs.

Jones noted that Durovic had withdrawn Krebiozen from investigational study in the United States and added:

"You have indicated that your request still stands for a clinical test by the National Cancer Institute.

"You have refused, however, to meet the reasonable and necessary conditions for such a test. These conditions have been made known to you repeatedly."

The study committee expressed concern that a drug barred in all other States was still being distributed in Illinois.

The committee was appointed by Gov. Otto Kerner to determine whether Krebiozen shall continue to be distributed in this State. However, no decision was made Thursday night to move against Krebiozen.

A statement at the conclusion of the 4-hour meeting in the Bismarck Hotel said: "The committee concluded that study of applicable Federal and State statutes and regulations was necessary in order for it to reach a conclusion as to the reach of its study. The committee is greatly concerned as to its responsibility."

A second meeting will be held shortly, said Dr. Edward Piszczek, committee chairman.

The time and place will not be announced, he added, to forestall repetition of a gathering of Krebiozen supporters Thursday night.

The meeting was addressed by three top Government officials from Washington.

They were Dr. Linton Rankin, Assistant Commissioner of the Food and Drug Administration; Dr. Waldo Edelman, medical officer of the Bureau of Medicine, FDA, and Dr. Carl Baker, associate program director of the National Cancer Institute.

It was learned that an analysis of the case histories assembled thus far, looking to a test of Krebiozen, showed no positive results against cancer.

In addition, there were side effects recorded in many of the patients who received the drug, the officials said.

[From the Chicago Daily News, July 22, 1963]

On and On With Krebiozen

Elsewhere on this page we print a letter from Dr. Stevan Durovic in which he attempts to explain the discrepancy involved in his purchase in 1950 of 1,330,000 ampules and the fact that the claimed supplies of Krebiozen were sufficient at the most optimistic estimate to fill only one-third that many. He says the excess ampules were defective, that he destroyed them in 1963, and that he has a receipt to prove it.

This explanation, like nearly everything else connected with Krebiozen, rests upon the statement of the Durovic brothers. They abound in explanations. As we said, looking for the truth in this controversy is like hunting a gray cat in a fog.

There would have been one sure way around all this. It would have been to invite reputable scientists to observe the manufacture, processing, and analyzing of Krebiozen, and to cooperate in the testing. The polio vaccines, insulin, the sulfa compounds, antibiotics, and innumerable other drugs had no trouble in getting a welcome from the medical profession.

Instead, Krebiozen was proclaimed with brass trumpets in a way that repelled respectable researchers—but created an instant worldwide demand. Dr. Durovic made it clear that he wanted to recover his investment in the discovery of Krebiozen, which has been represented as high as $2 million.

In the battle of affidavits, there was one from an Argentine financial associate of Dr. Durovic there, who said that the investment consisted of 15 bulls at a net cost of 682 pesos.

We do not profess to know what Dr. Durovic spent in developing Krebiozen, or how many ampules have been filled and distributed at $9.50 an ampule. We never expect to learn. Indeed, doubts persist that there is any such substance as Krebiozen. Two distinguished microchemists of the University of California and Stanford reported that after the most exhaustive tests they could extract nothing from Krebiozen ampules except mineral oil.

What we do know is that after an investigation which had to overcome a discouraging succession of evasions, delays, and double-talk, the Food and Drug Administration of the Department of Health, Education, and Welfare has forbidden interstate distribution of Krebiozen. Inasmuch as Krebiozen has had the intercession of the powerful Senator Paul H. Douglas it is safe to assume that the FDA did not act hastily.

As long ago as 1959, after trying hard to make sense from the controversy, the American Cancer Society pointed out the duty to thousands of cancer patients to obtain a clear verdict on the drug that would be acceptable to the scientific community, and added: "Delays are now clearly the responsibility of the Krebiozen Foundation."

It is the opinion of the Daily News that more than ample opportunity has been afforded to prove that Krebiozen is a blessing, and that the time has now come to examine the possibility that the whole thing might be a monumental mockery.

[From the Chicago Daily News, July 22, 1963]

Letters to the Editor—Krebiozen Contradiction

In answer to your editorial in the Chicago Daily News of July 18, I am enclosing affidavits of myself and my brother submitted in Federal District Court in Chicago to correct the indirect accusation of the Food and Drug Administration that I filled and distributed 1,330,000 ampules even though the supply of Krebiozen was insufficient for this number of doses.

From these affidavits it can plainly be seen that of 1,008,000 ampules I bought in 1950, only 200,000 were filled and that the remainder of 808,000 was found unusable and destroyed.

You may or may not know the story of these ampules. Since it is a matter of public record you could have known it. The question of these ampules—and their disposition—was raised and answered in 1953 by a commission of the Illinois General Assembly in a way to discredit those who at that time made this false accusation against me.

It is certainly to be expected of a responsible editor that before repeating a thing of this kind, he will ascertain the truth or at least find out what the other side has to say on the matter. This you made no attempt to do, though you telephoned me last Monday to question me regarding our dispute with the FDA.

Your statement that Dr. Ivy and I have not collaborated with the FDA is simply untrue. Toward the end of May 1963 agents of the FDA completed a 4-month inspection of the Krebiozen Research Foundation and my laboratory. They came to inform me that their report was favorable and to thank me for my full and cordial cooperation.

Eight days later, on Saturday, June 8, these agents returned stating that their Washington superiors had refused their report as unsatisfactory (on what grounds they did not say) and that they were instructed to begin a new inspection. On the same day they tried to get fraudulent pictures and exerted unheard of pressure on me toward this end. This matter is now pending before the Federal District Court in Chicago.

I realize that in the eyes of our adversaries Krebiozen represents, as you say, "big money," and their failure to get what they demanded as the price of clearance for Krebiozen is the root of all the controversy over this drug. However, I may say that neither I nor any of those associated with Krebiozen have ever made any money out of this drug. On the contrary, my brother and I gave the drug free for experimental use for a period of nearly 6 years and when a new production of the drug became necessary we went into debt to finance it, as I told you in our telephone conversation.

Such contributions as we have had from patients were made with the express approval of their physicians on the basis of the patients' willingness and ability to defray the cost of treatment. These contributions have never been sufficient to cover production costs of the drug.

A newspaper not only has rights but also a duty to the public. Its first and most basic duty is to present the truth to the public. Therefore, I expect that you will correct the misinformation put forth in your editorial of today.

Krebiozen Research Foundation,
Stevan Durovic, M.D., *Director*.
Chicago.

[From the Chicago Daily News, July 30, 1963]

Investigating Krebiozen

Senator Paul H. Douglas' intervention to head off a study of the controversial drug Krebiozen by the State of Illinois adds a bizarre twist to what was already a long, strange story.

And not the least bizarre aspect was Douglas' opinion that the question of Krebiozen's efficacy "should be decided in the laboratory and in the hospitals and not by the medical politicians sitting high up in the quarters of the American Medical Association." The members and officers of the AMA are trained medical scientists, after all. And we wonder how Douglas could have kept a straight face when he called them politicians.

What is involved here, however, is far more serious than the carefree bandying about of mild epithets.

Krebiozen was introduced by its promoters 14 years ago in a welter of publicity that aroused hopes that a beneficial agent for cancer treatment had been found.

Grave doubts have since been expressed that Krebiozen is of any use whatever in the treatment of cancer. Two west coast microchemists tested Krebiozen ampules and reported they could extract nothing from them but mineral oil. Recently the Food and Drug Administration of the Department of Health, Education, and Welfare forbade interstate distribution of the drug.

This did not outlaw its distribution in Illinois, however, and last Friday Governor Kerner ordered an objective State investigation of the drug by the departments of public health and public safety, assisted by an outside team of scientific experts.

That was when Douglas, a long-time champion of Krebiozen's sponsors, stepped in to procure the delay.

It is to Kerner's distinct credit that the roadblock came down shortly after it went up.

On Monday the Governor, public health Director Dr. Franklin D. Yoder, and public safety director Joseph E. Ragen jointly announced creation of a nine-man Illinois Krebiozen Study Committee for "controlled scientific testing" of the drug.

If Douglas had in mind the permanent sidetracking of the study he was, manifestly, unsuccessful. And the caliber of the committee's membership—including Past President Albert E. Jenner, of the Illinois State Bar Association and Edward Spacek, a partner in a distinguished accounting firm, as well as seven eminent medical men and educators—suggests that politics will be kept at arm's length while the study goes on.

The matter is of vital importance—and we think Senator Douglas missed the point completely when he said that "everyone admits that Krebiozen is nonharmful and nontoxic." That isn't enough. If cancer sufferers take a harmless but ineffectual drug in the supposition that it is helping them, the drug is a long way from harmless. In replacing a beneficial course of treatment, it could well prove disastrous. That is why a scientific determination should be made, as promptly as reasonably possible.

[From the Chicago Tribune, July 30, 1963]

Dr. Piszczek To Head Study of Krebiozen—Calls Group to First Meeting Thursday

(By Percy Wood)

Dr. Edward A. Piszczek was named chairman yesterday of the new Illinois Krebiozen study committee and last night called the group to its first meeting Thursday night in the Bismarck Hotel. Piszczek is president-elect of the Illinois State Medical Society, which proposed the study.

His appointment and those of eight associates were announced in Springfield by Dr. Franklin D. Yoder, director of the State department of health, and Joseph E. Ragen, director of the department of public safety.

NEW CHAPTER BEGUN

The creation of the committee, which was approved by Governor Kerner, opens a new chapter in the long history of the controversial cancer drug. Although its discovery was announced in March 1951, Krebiozen has not yet had the sort of controlled test of its effectiveness being advocated by Senator Douglas (Democrat, of Illinois). On July 18, Douglas introduced a joint resolution, with other Senators, calling for an immediate test by the National Cancer Institute in Bethesda, Md.

Kerner mentioned the Douglas resolution in a paragraph of yesterday's announcement, saying that controlled scientific testing, as proposed by Senator Douglas, would contribute much needed further information in this area. Both the State committee and the proposed Federal action would complement each other.

SENATOR DOUGLAS DISAGREES

But a spokesman for Douglas in his Chicago office said the Senator believes that any hearings in Springfield or Chicago would merely be a compilation of opinions of various people.

Yoder's and Ragen's announcement stated, however, that the Illinois study will receive the full cooperation of the U.S. Public Health Service, its National Cancer Institute, and the Food and Drug Administration of the Health, Education, and Welfare Department.

LIST OTHER MEMBERS

Named to serve with Dr. Piszcek were Dr. Lowell Coggeshall, vice president for medical affairs of the University of Chicago; Dr. Warren Cole, head of surgery at the University of Illinois College of Medicine; Dr. Edwin F. Hirsch, Chicago pathologist; Dr. Alexander Karczmar, Stritch School of Medicine; Dr. Paul Holinger, chairman, board of governors of the Institute of Medicine of Chicago; Albert E. Jenner, former president of the Illinois State Bar Association; Dr. Hyman Zimmerman, Chicago Medical School; and Leonard Spacek, managing partner of Arthur Andersen, Chicago accountants.

Dr. Cole was chairman of a committee of medical experts who studied Krebiozen in 1952 and rejected claims that it was beneficial in cancer treatment.

PHILIP L. GRAHAM

Mr. SMATHERS. Mr. President, of course, the entire Nation was shocked and bereaved to learn of the untimely and unfortunate passing of Philip Leslie Graham, for it meant the loss to the Nation of a great mind, a great patriot, and a great citizen. I am sure that of the many thousands of people who knew him, without exception all of them realized that Phil Graham had as fine an intellect and as pure motivation as any man of his time. His capabilities were so enormous that truly he could have become preeminent in several differing careers.

Phil became best known, of course, as the publisher of the Washington Post and Newsweek magazine, and as the owner of the radio and television station WJXT in Jacksonville as well as other allied communications media.

However, Phil Graham was also a splendid lawyer even though he never practiced law in the ordinary sense of the word. He graduated from Harvard Law School with one of the highest scholastic records ever achieved. He came to Washington at the request of Justice Felix Frankfurter as his law clerk. There is no question but that he would have had a brilliant career had he decided to stay in the law, but having married the lovely and talented Kay Meyer during World War II, he was persuaded to leave the legal field and took his considerable talents into the newspaper business.

By virtue of his labors, Phil Graham achieved many outstanding accomplishments. Most recent, the President of the United States appointed him as chairman of the Telstar Corp, under authority of an act passed by the Congress. Phil had earned the respect and confidence of Presidents Truman, Eisenhower, and Kennedy—all of whom had called on him for counsel and assistance. Probably there is no private citizen of contemporary America who had achieved such renown and respect from people of great influence and prominence as had Phil Graham.

Much has been said, and much has been written and will be written, with respect to his accomplishments and impact upon our national life. However, I would like to take just a moment to recount more personal and intimate observations about Phil Graham. It was my privilege to know him as far back as 1925.

I knew Phil's mother, a lovely, sympathetic and intelligent lady. I knew his father who became the State senator from our county of Dade and later was a candidate for Governor of Florida. Senator Ernest Graham was a man always interested in public affairs and he made a strong imprint on Florida politics for many years. Because of his father's activities, Phil developed a keen interest in politics and as a result became one of Miami High School's best debaters while still at the youthful age of 14. Phil was not particularly vigorous or strong physically in those early days, but all those who were a little stronger physically but not quite so strong mentally, that is, those on the various athletic teams, loved and admired Phil Graham because of his warm personality and his ready, friendly wit.

From Miami High School, Phil Graham went to the University of Florida, where it was later my privilege to join the same fraternity, to live in the same roominghouse, and to graduate with him in 1936. Needless to say, our association became very close and very warm during these happy years.

Upon graduating from academic school Phil matriculated at Harvard Law School while I remained at the University of Florida Law School. However, we have remained close friends throughout the years, as indeed Phil remained friendly with those others in our particular circle at the University of Florida.

During the many years of knowing Phil Graham, I never saw him deliberately do an unkind thing. I never knew a man who was more tender, nor more concerned about the feelings of his fellow man than Phil Graham. I never met a more generous or thoughtful person when it came to dealing with his friends than Phil Graham. While he could be all this, he nevertheless could be a formidable opponent in a debate or in an athletic contest or in a fight, but he at no time ever displayed any pettiness, meanness, or for that matter, selfishness.

As a matter of fact, if Phil had any fault or any weakness, I think it would be that of being too greatly concerned about the problems of other people, and of all humanity, and he resented and brooded over the fact that he could do nothing about many of them. Frequently, he ignored and neglected some of his personal duties in order to go out of his way to be helpful and kind to those who were in trouble and needed assistance. This was his character from 1925 until the present time. I think it was probably this characteristic which had much to do with his unfortunate passing, for he was sensitive in the extreme, and as life's pressures and demands moved in on him, this sensitivity, this desire to be helpful to all people and to do all things, figuratively speaking pulled him apart.

But, Phil Graham, throughout these agonizing moments of trying to do more than he was physically capable of doing, never ceased to be a leader, a benefactor, a loyal husband, and an indulgent and thoughtful father.

None of us, of course, will miss Phil more than will his lovely family. We all admire and respect his wife, Kay; and certainly our hearts go out to her. I have been privileged to know his marvelous children. I have known Lolly Graham almost throughout her life. For his fine son, Donny, I foresee a brilliant future. I know his two younger sons to be fine young men although I do not know them personally.

These are sad days for all of them. These are sad days for his father, his sister Mary, his brothers, Bill and Robert—as well as for all of us who have known Phil intimately for years.

And of course it is a sad day for the Nation, for the Nation cannot afford easily to lose such a great man, a great heart, and a great patriot. That was Phil Graham.

Mr. TALMADGE. Mr. President, will the Senator from Florida yield?

Mr. SMATHERS. I am happy to yield to the Senator from Georgia.

Mr. TALMADGE. I am grateful to the Senator from Florida. I desire to associate myself with the remarks of the distinguished Senator from Florida. It was with a great deal of sadness that I learned of the unfortunate death of Phil Graham. He was one of the first gentlemen I became acquainted with subsequent to my election to the Senate. The first time I ever met him I was having lunch with him, along with the distinguished Senator from Florida and also one of my warm friends and distinguished constituents, John Stembler, who roomed with the late Phil Graham and the Senator from Florida while they were all attending the University of Florida.

Phil Graham was a man of extremely high ideals. He had a brilliant mind. He was a man of great courage, great charm, and great warmth. His passing is a distinct blow to our country.

I join his family and his many friends in deeply mourning his passing.

Mr. HOLLAND. Mr. President, it was with deep regret that I learned of the untimely death of Philip L. Graham, president of the Washington Post Co. and chief executive officer of Newsweek magazine. I was particularly grieved because Mr. Graham was a former resident of Florida and the son of my longtime friend and former colleague in the Florida State Senate, Ernest R. Graham.

The Washington Post Co. acquired an active interest in the communications field in Florida, during Phil Graham's lifetime, through ownership of television station WJXT in Jacksonville.

Phil Graham grew up in Miami, although he was born in Terry, S. Dak. We in Florida have always regarded him as a Floridian, since he graduated from Miami Senior High School in 1931 and the University of Florida in 1936. While at the University of Florida, he was a classmate of my distinguished colleague, the junior Senator from Florida [Mr. SMATHERS].

Phil Graham later received his law degree from the Harvard Law School and in 1939 he came to Washington where he served as law clerk to former Supreme Court Justices Stanley Reed and Felix Frankfurter. He was a brilliant newsman, a highly capable business executive, and a distinguished American, whose contributions to our Nation were many and important.

In his years with the Washington Post, Philip Graham made a major contribution to the American press. He built the Washington Post into a major editorial force in the Nation. The death of Philip L. Graham is a loss to his adopted State, to the Nation, and the world.

Mr. President, my heart is heavy for all members of the Graham family—for his father, his brothers, Bill and Robert, his sister, Mary, for his widow Kay, and their fine children, and for all those who were associates of this brilliant young man. Mrs. Holland and I extend our deep and affectionate sympathy to all members of his family.

Mr. KEFAUVER. Mr. President, Washington and the Nation have lost a fine citizen in the passing of Phil Graham. It is with a deep sense of personal loss that I learned of his tragic death, for I valued his advice and counsel on many difficult problems.

His newspaper reflected Phil Graham's untiring willingness to battle for just causes and even though we might have differed with him from time to time on some issues, we could never doubt his earnest sincerity and devotion to the public interest.

Indeed, the disagreement that is one of the greatest attributes of our system of free government was exemplified by Phil Graham in his unflagging pursuit of answers to the vital issues of our troubled world.

I know of no one more widely appreciated, not only for his work, but as a man.

Mr. McGOVERN. Mr. President, the death of Mr. Philip L. Graham deprives society of a rarely endowed personality.

His leadership of the Washington Post has been at the center of the unique influence which this paper exerts on our national life. After assuming the ownership and direction of Newsweek magazine, Mr. Graham also made the range of his talent apparent in that respected publication.

He has been a valuable counselor to influential public figures and to his associates and friends.

I share a personal sense of loss in Mr. Graham's death. At an uncertain moment in my career, he offered counsel that gave me the courage to attempt a second race for the U.S. Senate.

He was born in a little mining community in the Black Hills of South Dakota. Although his residence there was limited to his early boyhood, he returned to South Dakota for part of his service during World War II. His South Dakota birth is a source of pride to my State.

One of the paradoxes of life is that those among us who think most deeply and feel most sensitively often carry the burden of a troubled spirit.

May providence rest the soul of Phil Graham and give consolation to his lovely wife, Kay, his children, and his many friends.

Mr. JAVITS. Mr. President, I join with all my colleagues, I know, in mourning the loss of Phil Graham. I knew him quite well. He was a distinguished newspaperman, a public-spirited man who gave to everything he undertook his whole heart and mind. He rendered distinguished service with the Washington Post, one of the country's outstanding newspapers because of him. He was close to Eugene Meyer, the longtime owner and publisher of the Washington Post, and an old friend of mine.

I was very well acquainted with him. I also am well acquainted with and pay my deepest sympathy and condolences to Mrs. Katharine Graham, who survives him, and to his children.

We shall miss him. He was a great figure. We deeply mourn his untimely passing.

I ask unanimous consent that the obituary notice published in Newsweek, which Phil Graham directed in his later years, be printed in the RECORD as a part of my remarks.

There being no objection, the obituary was ordered to be printed in the RECORD, as follows:

[From Newsweek, Aug. 12, 1963]

PHILIP L. GRAHAM, 1915–63

A few short months ago, Philip Leslie Graham, the controlling voice and informing spirit of this magazine, spoke about himself to a group of Newsweek editors and correspondents. "I came to journalism quite by chance," he said, "from another ancient and honorable calling—that of the law. It is said—in explanation of the inner torment of that minority of very good lawyers—that the law is a jealous mistress.

"No doubt that is a true statement of what stretches good men who engage in any precariously intellectual vocation. When I think of a few serious journalists I have known, I know that the jealous demands of excellence in our calling have borne down on them heavily and deeply while also elevating and enlarging them.

"I am insatiably curious about the state of our world. I revel in the recitation of the daily and weekly grist of journalism.

"Much of it, of course, is pure chaff. But no one yet has been able to produce wheat without chaff. And not even such garrulous romantics as Fidel Castro or such transcendent spirits as Abraham Lincoln can produce a history which does not rest on a foundation of tedium and detail—and even sheer drudgery.

"So let us drudge on about our inescapably impossible task of providing every week a first rough draft of a history that will never be completed about a world we can never understand."

To the many who will hold his memory dear, this is pure "Phil." When he spoke, he had a wit which could dissolve pomposity and lighten tedium; a high seriousness which could endow the most trivial problem with dignity; a certitude that stemmed from an instinct for the highest standards; a sympathy which extended to the great and to the weak alike. He was always electric, with a kind of complex, stormy humanity that somehow led him, last Saturday afternoon, to take his life at his farm in Virginia, just a short drive from Washington, D.C., where his career in law and letters began.

Washington was Mr. Graham's city. It was there, in 1940, that he married Katharine Meyer, daughter of the late Eugene Meyer, who then owned the Washington Post. It was there they raised their four children. In the 23 years he lived in Washington, he saw it change from a national capital which was just one among many to the prime center of political, economic, and military might in the world. When he visited Newsweek's weekly editorial meetings in New York, he always conveyed a sense of high excitement about the power and responsibility that he lived with.

Mr. Graham came to Washington by way of Terry, S. Dak., where he was born, Florida, where he grew up and went to high school and college, and Cambridge, Mass., where he attended Harvard Law School and became president of the Law Review. This distinction led him to serve as law secretary to both Justice Stanley Reed and Justice Felix Frankfurter. In 1946, Mr. Graham became publisher of the Washington Post. Behind him were 4 years in the Army and a Legion of Merit for his service in the Pacific.

Working with Mr. Meyer, Mr. Graham built the Post into one of the most prosperous and influential newspapers in the country. Though he had no journalistic experience before, he had a natural and extraordinary feel for news, as well as a business sense which led him to a widening series of ambitious and successful ventures. A new plant for the Post was built in 1951, the Times-Herald was purchased, a radio and television division was established, and in 1961 Newsweek was added to the organization. More recently Mr. Graham acquired Art News and Portfolio and launched a news service with the Los Angeles Times.

But these activities consumed only a part of Mr. Graham's restless energies. Over the years he gave himself to a great variety of private and public causes. In an unofficial way he plunged deeply into the political and diplomatic life of the Nation. To list his friends in Government—not to speak of business, the professions, and the arts—would be to sound a rollcall of almost all who are distinguished in American life. Informed of his death as he cruised on the *Honey Fitz*, President Kennedy made this statement: "The death of Philip Graham is a serious loss to all who knew and admired his integrity and ability. It is a personal loss to me and all of his friends. He was a distinguished publisher, a man whose quiet and effective leadership contributed so much to his community and his Nation. He will be greatly missed by all of us."

Philip Graham will be missed by all, but there is a special poignance to the grief of those who knew him long and intimately. As the Washington Post, which was so much a part of his life, said: "Mr. Graham invested the full capacity of his mind and heart in anything that deeply moved and interested him. He was not a person given to qualified commitments to his country, his enterprise, or his friends.

"Our sense of loss is total; he was a man neither easily forgotten nor found again."

Mr. KEATING. Mr. President, will the Senator yield?

Mr. JAVITS. I yield to my colleague.

Mr. KEATING. I join my colleague from New York in expressing sadness over the death of Phil Graham. He was a good friend. He was a man of tremendous charm and high ideals. He was also a dynamic and courageous individual who fully understood the precious value of dissent in a free society. His death in the prime of life cut short a truly brilliant career. He has made a contribution to our national thinking and our national press that will be felt for years to come. Never fearing controversy, always seeking to enlighten and inspire, he offered an example of dedication to public service even as a private citizen.

A man of deep sincerity, outstanding human kindness, and brilliant intellect, he will be sorely missed in Washington and throughout the country. I join his many friends in expressing heartfelt sympathy at the tragic loss.

I ask unanimous consent that a fine editorial from the New York Herald Tribune may be printed at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

A Vital Publisher Passes

The tragic death of Philip L. Graham is, of course, a great loss to his family, friends, and to his associates in his publishing enterprises. More, it has removed from the American journalistic scene a vital figure, one who demonstrated that in the press are great resources of growth and fruitful change that can be tapped by a leader with energy and imagination.

By that proof, in his direction of the Washington Post and Newsweek as well as in syndicate and television ventures, Mr. Graham made a distinct contribution. His concern for political and civic affairs, too, revealed a breadth of interest that promised much for the future. It is a matter for national regret that such a career, for all its achievements, should have ended when so much of its fulfillment still lay ahead.

TRIBUTE TO JOHN D. RHODES UPON HIS RETIREMENT AS OFFICIAL REPORTER OF DEBATES, U.S. SENATE

Mr. BYRD of Virginia. Mr. President, I regret the fact that I was unable to be on the floor of the Senate on July 31 when my friend John D. Rhodes retired from his position as senior member of the Official Reporters.

I shall miss him here in the Senate; but I hope to see him frequently elsewhere because I value his friendship which has been my pleasure for 30 years.

A man who has served the Senate so well for 44 years richly deserves retirement, but the Senate had come to rely on his genius for disentangling grammar; distinguishing the thoughts and ideas of our discourse; and fitting them into their proper place.

I wish to be counted among those who appreciate John Rhodes for his true worth, for his knowledge and insight, and for his indulgence and kindly wit.

I like his allegiance to the Senate and his dedication to serving it. He is a man who has always kept his feet steady on the rock of duty, but with great capacity for the respect of tradition.

He is a man who by experience, temperament, and disposition was the master of his profession; but to his professional duties he added a native appreciation for the harmonies and resources of speech.

John Rhodes came to the Official Reporters staff during the administration of Woodrow Wilson. My fondness for him started on the day I reached the Senate; and our friendship has grown steadily from that day to this.

My respect for his ability is founded on the knowledge that Senator Furnifold Simmons, of North Carolina, when he was chairman of the Senate Finance Committee, chose John Rhodes to report the hearings on revision of the tariff laws of that era.

I should like to take this opportuunity to express my appreciation for the fine work of all of the Official Reporters and their staff associates. I never cease to marvel at the excellent work they do.

As for John Rhodes, all of us in the Senate will miss his keen intellectual interest in matters before the Senate. Personally, as a Member of the Senate, and as chairman of the Finance Committee, he has my very best wishes for the pleasures of good health in the retirement he has so manifestly earned.

UNDOING A FRAUD

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent to have inserted in the body of the Record an editorial entitled "Undoing a Fraud," by David Lawrence, as it appeared in the August 12, 1963, edition of U.S. News & World Report.

I think this is an editorial which should be read by every Member of Congress and every citizen of the United States.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Undoing a Fraud

(By David Lawrence)

Few people realize that both Houses of Congress can at any time, by a majority vote, pass a resolution which would have the effect of declaring that the so-called 14th amendment is not a part of the Constitution. Such a joint resolution would not require the President's signature and would not even have to be submitted to the State legislatures.

This is the paradoxical status of the amendment which in 1868 was declared by resolution of Congress to have been legally ratified, when in fact it was not. Ohio and New Jersey were counted as having ratified the amendment, but actually each had withdrawn an earlier resolution of ratification and had adopted instead a formal resolution rejecting the amendment.

The Supreme Court of the United States has repeatedly refused to pass on this fraud. It ruled as recently as 1939, in the case of *Coleman* v. *Miller*, that disputes over ratification or rejection are political questions with which Congress alone can deal.

The facts in this strange sequence of events are perhaps best stated in a communication just prepared, after careful research, by an eminent lawyer, Everett C. McKeage of San Francisco. He was for 4 years a judge of the superior court there, and later general counsel and for two terms president of California's Public Utilities Commission, of which he is still a member. He is active in the American Bar Association. He writes to this editor as follows:

"In recent days, I have undertaken to review the acts of the Congress and also the proclamations of the Secretary of State and of the President of the United States with regard to this matter of the asserted ratification of the 14th amendment. The whole story is set out unequivocally in 15 United States Statutes at Large, at pages 700 to 711. The documents which appear in the United States Statutes at Large are documents of which all courts, Federal and State, must take judicial notice. Upon the face of these documents, it is clear and unequivocal that the 14th amendment was never lawfully adopted.

"This conclusion of mine assumes for this purpose that the asserted ratifications by the 'carpetbag' governments of the Southern States were valid ratifications. However, we know that these 'carpetbag' governments were not the lawful governments of the Southern States at that time and we also know that the Reconstruction Act of March 2, 1867, required that the Southern States must ratify the 14th amendment as a condition precedent to readmission into the Union. This requirement was unlawful and void, as any constitutional lawyer would conclude, and made such ratifications unlawful. The Supreme Court of the United States, in the case of *Texas* v. *White*, held that the Southern States were never out of the Union and, therefore, it could not be said that they were 'readmitted' to the Union. But, swallowing all of this fraud and corruption, the official records, to which I have referred, clearly reveal that the 14th amendment was not lawfully adopted.

"At the time that the 14th amendment was adopted, there were 37 States in the Union, including the 11 Southern States. Therefore, three-fourths of that number would be 27.75. Thus, it would require the ratification by 28 States to adopt the 14th amendment. On the 20th day of July 1868, the then Secretary of State, William H. Seward, pursuant to a request by the Congress, issued a proclamation with regard to the status of the pending ratification of the 14th amendment. The Secretary of State stated that 23 States had ratified the amendment and that 6 of the Southern States, by their newly established governments, had ratified the amendment, making a total of 29 ratifications.

"However, and this is most important, the Secretary stated that the States of Ohio and New Jersey, which had theretofore ratified the 14th amendment, had subsequently withdrawn their ratifications. He pointed out that if these withdrawals by Ohio and New Jersey were valid, then the 14th amendment had not been adopted, but that if these withdrawals were unlawful and invalid, the amendment had been adopted.

"On the 21st day of July 1868, the Congress, by joint resolution, arbitrarily resolved that the 14th amendment had become a part of the Constitution of the United States and directed the Secretary of State to so proclaim. Obviously, the Congress proceeded upon nothing more than the information contained in the proclamation made by the Secretary of State which was furnished to the Congress on the previous day (July 20, 1868).

"The contention has been made that New Jersey and Ohio did not withdraw their ratifications of the 14th amendment until after a sufficient number of States had ratified the 14th amendment—three-fourths of the States—and had thus made it a part of the Constitution. This contention is refuted by the first proclamation of Secretary of State Seward. It was then that Congress arbitrarily resolved that the 14th amendment had been adopted, and instructed the Secretary of State to proclaim that fact.

"At pages 708 to 711 of 15 United States Statutes at Large appears this first proclamation of July 20, 1868, which shows, at page 710, that the State of New Jersey ratified the 14th amendment September 11, 1866, and withdrew that ratification in April 1868.

"Also, at page 710, the same proclamation of the Secretary of State shows that the State of Ohio ratified the 14th amendment January 11, 1867, and withdrew that ratification in January 1868.

"Also, at the same page, the Secretary of State's proclamation shows that the State of Iowa ratified the amendment April 3, 1868; Arkansas, April 6, 1868; Florida, June 9, 1868; Louisiana, July 9, 1868, and Alabama, July 13, 1868.

"So, it will be seen that the required number of States had not ratified the 14th amendment—including both New Jersey and Ohio—at the time New Jersey and Ohio had withdrawn their ratifications.

"Including New Jersey and Ohio, the largest number of States claimed to have ratified the 14th amendment amounted to 29, 3 of which—Florida, Louisiana and Alabama—ratified the amendment long after the withdrawal by New Jersey and Ohio of their ratifications. All this is shown in these documents to which I refer appearing at pages 700 to 711 of volume 15 of United States Statutes at Large.

"These documents to which I refer are documents which the Supreme Court of the United States has held that courts will not go behind. All that the Supreme Court of the United States needs to do is to look at these documents which show on their face the fraudulent claim that the 14th amendment became a part of the Federal Constitution.

"There is a rule of law, not always adhered to by the Supreme Court of the United States, that courts will not go behind the official statements of the legislative branch of the Government but will accept the official statements as correct. However, this rule of law has the qualification that, if the invalidity of these official statements appears upon their face, the courts will so declare and so hold. All that any court has to do is to review these public documents, and the conclusion will be inevitable that the 14th amendment was not lawfully adopted.

"The Supreme Court of the United States has never said that this amendment was lawfully adopted. What it has said is that it will assume, without deciding, that the amendment was adopted. The Court has further held that the question as to whether or not the amendment was adopted is a political one with which courts will not interfere."

Mr. McKeage points out that in 1962 the Supreme Court, which has always ruled that apportionment of Congress and State legislatures was a political question, reversed itself and held that the courts have jurisdiction to interfere in such matters. He adds:

"Therefore, it is high time that the Supreme Court undertake to adjudicate this issue of the validity of the 14th amendment to the Federal Constitution.

"There is a well-recognized rule of law that, where several persons are about to undertake a matter, until the required number of persons have signed the undertaking to make it binding, those who have signed may withdraw, but they may not withdraw after the required number have signed. In other words, New Jersey and Ohio, lawfully, could withdraw their ratifications if the constitutional number of States had not ratified the 14th amendment at the time of such withdrawal.

"To illustrate: The whole number of States in the United States is 50. Three-fourths would be 37.5, requiring 38 States to ratify a constitutional amendment today. Assume that 30 States had ratified and that, before the required 38 States had ratified, 15 of those 30 ratifying States withdrew their ratifications. Would any reasonable man contend that the proposed constitutional amendment would be adopted if 8 more States should ratify the amendment, notwithstanding the fact that 15 of the 30 States referred to had withdrawn their ratifications?

"This was the situation with the 14th amendment, although the margin was much narrower but the principle was the same.

"I believe that people generally are becoming aware of the fraud that was perpetrated upon the American people by the Reconstruction Congress."

If Congress, therefore, by a majority resolution, can declare ratified an amendment that really hasn't been approved by three-fourths of the States, then repeal of such a ratification can, by a subsequent resolution of Congress, similarly be voted.

But rather it would seem logical and fair for Congress, by a two-thirds vote, to resubmit the 14th amendment to all State legislatures. When this is done, a blemish and disgrace in American constitutional history will be removed. We will then be able to present to the world the image of a Govment that does not condone fraud but even after nearly 100 years is willing to atone for its sin.

SPACE AGE IN HAWAII

Mr. INOUYE. Mr. President, as the newest State in our great Nation, Hawaii is considered by most Americans as the land that furnishes pineapples for their tables, a vacation spot to get away from the humdrum of their daily routine or the site of one of our mightiest military bases, Pearl Harbor.

The American people conceive of Hawaii as a land of lush vegetations, of brown-skinned men and women riding surfboards off sandy beaches on the rolling swells of the Pacific, of blue skies and warm tropical winds.

Rarely, however, is Hawaii's place in American industrial life, and the State's contribution to the country's space efforts considered, and it is with some pride that I point today to our new and growing arerospace industry.

The strategic location of the Hawaiian Islands in the geographic center of the vast Pacific Missile Range has opened up new scientific horizons for the Hawaiian people. Although numerous island companies, such as Hawaiian Telephone Co. with its interest in satellite communications and Hawaiian Electric's continuing concern with new power sources show great promise in the exploitation of space and science, today's major commercial link with the Nation's multibillion-dollar aerospace business is Kentron Hawaii, Ltd., a State of Hawaii chartered company with close family ties to Ling-Temco-Vought of Dallas, Tex., one of the acknowledged leaders in the Nation's aerospace industry.

Kentron has succeded in establishing a Hawaiian company which combines years of technical experience of its Dallas parent, Chance Vought, with the rapidly expanding scientific potential of the islands' people. In cooperation with local technical schools and the University of Hawaii, this organization has within the short span of 2 years been able to transform a small electronics repair facility into a multimillion-dollar aerospace company employing some 70 percent local island people and bringing to the mid-Pacific the identical caliber of engineering services available anywhere in the Nation.

And, I am proud to point out that this Hawaiian organization plays an important and diverse role in space operations in the Pacific. As a prime technical contractor to the U.S. Navy-administered Pacific Missile Range, Kentron operates and maintains the all important National Aeronautics and Space Administration tracking station at Kokee Park on the island of Kauai. It was Astronaut Scott Carpenter who described the Kokee Station after the recent Gordon Cooper flight, "the best group in the best station of them all."

On this garden island of Kauai, the company also operates for the U.S. Navy its complicated fleet training center at Barking Sands. Moving westward to the Kwajalein Atoll, in mid-Pacific, Kentron is the technical contractor for the Pacific Missile Range facilities in support of the Army-sponsored Nike Zeus antimissile program. These activities include the technical communication services, the largest and most modern film processing center in the Pacific, a tracking control and instrumentation complex which extends to the outer islands of Ennylabegan, Gugeegue and Roi-Namur. In Honolulu the company maintains the only commercial primary type standards laboratory in the entire Pacific with precision directly traceable to the National Bureau of Standards. This facility serves the various National and State Government agencies and the mid-Pacific business community, including the calibration and repair of the vast complex of precise instrumentation required in the Pacific Missile Range.

Our new State is tuning in on this adolescent industry. The business planners are acutely aware of the necessity of supplementing the traditional economies of agriculture and tourism with more stable growth enterprises. The space/electronics field attracts the caliber of new residents that we desire. New emphasis is being placed on science and engineering in our educational institutions. In coordination with such companies as Hawaiian Telephone, Hawaiian Electric, Kaiser Industries, and Kentron, the island government is exploring the possibility of establishment of a research and development center which will exploit the advantages of Hawaii's geography, and natural environment.

In short, the people of Hawaii are actively participating in our Nation's space and scientific activities and look to the future with confidence that their State will play an ever-increasing role. I salute the new technical oriented youth of Hawaii and the spirit of aggressive cooperation with which Kentron Hawaii, Limited, has blended the high caliber of technical services supplied to the U.S. Government and industry for some 40 years by the Chance Vought Corp. with the inherent capabilities of our island people. Together they offer the Nation a new technical capability in the Pacific which holds great promise for the future economic development of the State of Hawaii.

MILWAUKEE SENTINEL CALLS FOR GREATER CONSIDERATION OF MONETARY EXPANSION TO STIMULATE OUR ECONOMY

Mr. PROXMIRE. Mr. President, recently the Milwaukee Sentinel carried a lead editorial calling for serious consideration of a proposal by Economist Beryl Sprinkel who is vice president of the Harris Trust & Savings Bank of Chicago for a moderate but steady expansion of the money supply.

Economists have argued for years that there is a logical correlation between economic growth and the availability of money or credit in any economy. In this credit economy of ours there is a conspicuous relationship between expanding economic activity on the one hand and on the other the capacity of businessmen to borrow to expand inventory and build and consumers to borrow to finance purchases of homes, automobiles, and other major purchases.

Certainly one important element in economic expansion is the availability of credit. Expansion of the money supply calculated to keep pace with economic expansion is one way of assuring that this credit will be appropriately available.

As the Sentinel points out in its excellent editorial, Mr. Sprinkel has found the relationship between the real—allowing for inflation—growth of gross national produce and the growth of the money supply in recent years has been remarkably close.

The Sentinel also stresses the wisdom in giving fuller consideration to the monetary route of economic stimulation instead of relying as exclusively as our Government now is doing in leaning on fiscal—or unbalanced-budget—policy to stimulate our economy.

Mr. President, I ask unanimous consent that the editorial from the Milwaukee Sentinel entitled "Money Cure," be printed in the Record at this point.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Money Cure

There is nothing wrong with the American economy that more money wouldn't cure. That goes for all of us, but it's not as silly as it sounds. Increasing the money supply—making more money—is being seriously advocated as a far better solution than planned deficits to the problem of economic stagnation that besets the Nation.

Senator Proxmire, Democrat, of Wisconsin, has called attention to a study made recently by Beryl Sprinkel, vice president of the Harris Trust & Savings Bank of Chicago, which argues for an increase in the money supply as the way to get the country moving again.

The study details startling correlation between percentage increase in the money supply and the increase in the real gross national product between 1955 and 1960, as follows:

Percent of increase

	Money supply	*GNP*
Japan	13.7	11.3
Italy	10.5	7.6
Germany	10.2	9.2
France	9.9	10.8
Canada	3.4	5.8
United Kingdom	2.1	5.7
United States	.9	4.9

Talk of increasing the money supply sounds like printing money, mention of which conjures up the specter of inflation.

The study, Proxmire hastens to emphasize, discounts the need to fear inflation.

The study found no correlation between the increase of money supply and the cost of living. Japan had the biggest increase in money supply and a relatively moderate increase in cost of living. France had the largest increase in the cost of living and about an average increase in money supply.

An expansion in the money supply now would not raise a serious inflation threat, the study contends, primarily because of the existence of substantial excess productive capacity. Once the economy approaches full employment of resources, according to this theory, excessive monetary growth would then clearly be an inflationary force.

Sprinkel concludes in his study that the degree of new money financing of the prospective deficit should be sufficient to permit an annual growth rate in the money supply of from 3 to 5 percent under present economic circumstances.

Proxmire stresses what the study points out, that this is one kind of economic stimulation achievable without requiring the painful process of executive recommendation and congressional action. The Federal Reserve Board, he says, could act as a very important stimulant of our economy by increasing the money supply.

Enough of a case for monetary expansion has been presented by Proxmire to deserve fuller and wider attention. The reason why this monetary supply policy has not attracted much public notice probably is that, unlike a tax cut or a Federal handout, it is a remote political measure that doesn't touch the voting nerve. But if it is as sound a remedy as it is purported to be, it should not be kept from our sick economy just because political benefits from it may be obscure.

COMPETITION AND THE NATIONAL ECONOMY

Mr. MORTON. Mr. President, on June 5, I testified before the special subcommittee of the Senate Commerce Committee holding hearings on the quality stabilization bill.

At that time I said:

You probably will be told by expert theorists that enactment of this quality stabilization bill will mean the substitution of arbitrarily fixed prices for open competition. Somehow or another these witnesses are able to do an 180° turn in their thinking when it comes to the quality stabilization bill. They will admit that free and open competition is a wonderful workable concept that has given the people of this Nation the best standard of living ever, but that in some strange fashion the same requirement of free and open competition upon which use of this bill is predicated means nothing.

These theorists should serve for only a few hours in the sales and marketing departments of a couple of our famous brand name manufacturers. They would be amazed at the intensity of competition between our famous brand name products.

Let's get down to basics. No manufacturer can afford to ignore competition. And the American consumer is blessed because of this. In our free competitive society, no one is forced to buy from any company. No competitive business has the power to compel anyone to trade with him.

If one company is asking excessive prices for the quality it gives in its product, it's an invitation to the world—in the literal sense—for the development of a new or cheaper product that can replace the more expensive one. The important consideration is that no one be prevented from developing new products and services.

As a practical matter, all businesses are compelled to provide the best possible goods and services—in order to obtain enough customers to make a profit. That's the key to our economy. That's the incentive.

Former President Eisenhower discussed this important concept of profits. He said: "When shallow critics denounce the profit motive inherent in our system of private enterprise, they ignore the fact that it is an economic support of every human right we possess and without it, all rights would soon disappear."

The Quality Stabilization Act won't stifle competition. It will promote it. It will help eliminate predatory competition that destroys profits for the smaller businessman. It will help keep the small businessman in business so that monopolies will not develop. The quality stabilization bill is antimonopoly.

My attention has been called to Forbes magazine of June 15, particularly its column "Side Lines," which I feel largely substantiates, by the citing of specific examples, my testimony on the quality stabilization bill.

It is my view that the quality stabilization bill will keep intact, and will promote, our rigorous free and open system of competition in this country. This bill deserves early enactment.

I ask unanimous consent to have printed at this point in the Record an article from Forbes magazine of June 15, 1963.

There being no objection, the article was ordered to be printed in the Record, as follows:

With a Capital C

Some people to the political left say the U.S. economy is no longer truly competitive. They flourish on such phrases as "administered prices." A recent book by a bright young liberal lawyer ("The Paper Economy," by David Bazelon) goes so far as to claim that big business has a sort of "taxing power" over the U.S. consumer.

Now some of these people are pretty good writers and phrasemakers. But they don't deserve very high marks as observers or as reporters. For the economy they write about bears only a remote resemblance to the real world that U.S. businessmen inhabit.

CEASELESS SEARCH

Consider the events reported on page 15 of this issue ("*P. & G.* v. *Scott:* Battle of the Century"). Here is Scott Paper, a company with a powerfully entrenched position in consumer paper products, a position bolstered by reputation, smart advertising, shrewd marketing and plenty of cash. What happens? Along comes Procter & Gamble driven by its ceaseless search for new markets and new profits—and Scott has a big battle on its hands. This on top of Scott's long-standing tugging and hauling against Kimberly-Clark, against local outfits and against private brands.

Or consider the razor-blade business. Gillette, as smart and as rich a marketing organization as there is, has long held 70 percent of the U.S. blade business. But Gillette held back on the stainless steel blade, and its previously stalemated competitors saw their chance. Result? And so it goes with the events reported in this and every issue of Forbes. No market, however strongly held, is safe. Let a company rest on its oars and, no matter how far ahead it may have been, it is quickly overtaken.

LESS ERRATIC

Price competition is certainly less prevalent than it once was. Short-term competition has tended to take place more on the level of marketing, advertising, and improved products.

Thus, most prices do not fluctuate ceaselessly and erratically. Razor blades cost the same on Friday as on Monday. Except at the retail level, price cutting has indeed become something of a dirty word.

But over the longer term, there certainly is price competition; for example, between aluminum and steel, a competition which exerts a downward pressure on both products. And as the copper story shows, coppermen have had to forgo the luxury of high prices at times of strong demand; high prices were losing them business to competing materials.

Then, too, overall industrial prices have been declining—at least relatively. In the special report on automation Forbes showed how competition has forced businessmen to pass the savings from automation on to the public.

HOW?

This kind of long-term competitive pressure is what businessmen today describe as the profit squeeze. They would dearly love to "administer" it or "tax" it out of existence. If the theoreticians would only tell them how.

THE INTERNATIONAL TRAVEL ACT

Mr. CANNON. Mr. President, the recently created International Travel Act which operates under the Department of Commerce has had great success in its short existence.

The activities of the U.S. Travel Service have covered the globe and operate in 45 major countries of the world with posters, ads, and publicity campaigns—all telling of the tourist attractions and friendliness with which foreign visitors will be greeted in the United States.

I believe that the results achieved thus far have been considerable.

I ask unanimous consent that an article recently published in the American Legion magazine be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

U.S. Tourism at Last

In Rome you can now read big posters proclaiming "Scoprite un Nuevo Mondo. Visitate gli Stati Uniti."

Along the Rhine the same enchanting message appeals to passers-by: "Reisen Sie in ein Neue Welt. Besuchen Sie die U.S.A."

Even in São Paulo, Brazil, enticing billboards cry out in Portuguese: "Descubra um Mondo Nôvo. Visite os E.U.A."

In any language, that says: "Discover a new world. See the U.S.A." The United States is finally selling itself as a place for foreign tourists to visit, bring their pocketbooks, and spend. And it's paying off, in a current official drive of the U.S. Government to promote tourism in America as a way of bringing foreign bucks to the homeland. We find it refreshing for us to play merchant instead of anything from Santa Claus, to wet nurse, to doormat in our relations with our world neighbors. All the pleas "for understanding" that we've heard for years have a better chance this way than any other. Who understands one another better than a buyer and seller, haggling over a deal? And besides, we need the dough.

Here's the record of U.S. tourism so far:

June 1961: U.S. Travel Service (to promote tourism here) authorized by act of Congress (the International Travel Act).

January 1962: U.S. Travel Service organized as a wing of the U.S. Department of Commerce, with travel-promoting offices in London, Paris, Rome, Frankfurt, Mexico City, São Paulo, Bogotá, Tokyo, and Sydney—and peddling our wares from these offices in 45 different countries—with posters, ads, publicity campaigns.

January 1, 1963: Foreign travel in the United States in 1962 ended up 17-percent higher than in 1961—total customers—603,715.

March 1, 1963: January and February this year saw foreigners sightseeing in the "good old U.S.A." at a rate 37.4-percent higher than in January–February 1961. Midwinter 2-month total, 75,514.

PROPOSED NUCLEAR TEST BAN TREATY

Mr. ROBERTSON. Mr. President, the preamble to the treaty abandoning nuclear weapons tests signed by us in Moscow is deceptive. It states that the principal aim of the Russians, the British and the Americans is the quickest possible achievement of an agreement on general and complete disarmament, yet the treaty includes nothing whatever on that subject.

There can be no doubt of the fact that the arms race that has been going on during the cold war has imposed a greater financial burden on the Soviet Union than on us, resulting in a low standard of living. This is a burden that Khrushchev would like to have eased. It is also to his interest to have the people of Russia and of the whole world believe that his principal aim is general disarmament.

This was clearly illustrated at the Interparliamentary Union meeting last October in Brasilia, where I served as chairman of the U.S. delegation and spoke on the Russian proposal put forward at that time for world disarmament. Characteristically, the representatives of the Soviet Union and all its satellites at that international conference strongly recommended international disarmament, but without any opportunity for anybody to inspect the extent to which the Communists would live up to such a program. This proposal, it must be remembered, was being put forward at the very time the United States was learning the full extent of the grave threat it faced from the long-range missiles the Russians had secretly installed in Cuba. The incident that best illustrated the duplicity of the Communists was the bitter attack made upon the United States by Soviet and satellite delegates because of our naval blockade of Cuba before they got the word in Brazil that the Russians had openly admitted lying to us about the nature of their Cuban missiles.

During the lifetime of the United Nations, Russia has used its veto 100 times, and has killed every single proposal for effective world peace put forward by the United States and other free countries.

In 1961, we entered into an informal no-testing agreement with Khrushchev, and while American and Russian representatives were debating in Geneva terms for a formal treaty, the Russians were engaged in feverish preparations to test the largest nuclear bombs ever exploded in the atmosphere. They ran nearly 100 tests, with total explosive power and consequent nuclear fallout equal to the force of 300 million tons of TNT. This series of tests definitely placed the Russians ahead of us in the perfecting of the largest nuclear weapons ever devised, but they still needed to do underground testing, which is permitted in the present treaty.

In denouncing the violations of the no-testing agreement, President Kennedy said in November 1961:

> If they fooled us once, it is their fault; and if they fool us twice, it will be our fault.

As a safeguard against our being fooled twice, the President declared specifically in January 1962, that any future agreement we might conclude with the Russians on nuclear test controls would have to contain "methods of inspection and control which could protect us against a repetition of prolonged secret preparations for a sudden series of major tests."

Up to the current treaty, the President has consistently insisted on the right of inspection. And Khrushchev has just as consistently refused and still refuses. The Russian Premier did promise last fall that we would have the right to inspect his withdrawal of the missiles from Cuba, and then, characteristically, he reneged on that promise.

So now we are being asked to believe what has never been true of any dictator in the history of the world; namely, that Khrushchev is willing to give up the military force through which his predecessor came to power and through which Khrushchev, himself, has subsequently been maintained in power; and Khrushchev asks us and the free world to accept his simple promise to do this while denying permission to us to inspect the Russian military program either in the Soviet Union or in any of its satellite countries.

Under the no-inspection provision of the new test ban treaty, it will be possible for the Russians to carry out the same elaborate preparations for a new atmospheric testing program as they did when they doublecrossed us in 1961 while piously proclaiming their good faith to our negotiators in Geneva.

If our own military experts testify before the Senate Armed Services Committee that we cannot be hurt by ratifying the pending test ban treaty, I shall be inclined to vote for it; but no amount of soothing talk by Ambassador Harriman or by anyone else about the change of heart of Khrushchev, or about the tear he saw in Khrushchev's eye when they were discussing a program of friendly coexistence will convince me that we can trust those who have repeatedly and consistently proven to all the world that they cannot be trusted.

In His Sermon on the Mount, Jesus warned us as follows:

> Beware of false prophets which come to you in sheep's clothing, but inwardly they are ravening wolves. Ye shall know them by their fruits. Do men gather grapes of thorns or figs of thistles? Even so, every good tree bringeth forth good fruit, but a corrupt tree bringeth forth evil fruit.

When I was a young lawyer practicing in the counties of Rockbridge, Amherst, and Nelson, I knew a mountaineer living on the Tye River in Nelson County, locally called Achelles Fitzgerald, or more affectionately known as "Old Ach."

"Old Ach" fell out with a neighbor who was a great religious exaltor on Sunday, but anything else during the other 6 days of the week. Fixing that neighbor with a piercing brown eye, "Old Ach" said, "The Good Book says that by their fruits ye shall know them, but you have never put forth even a blossom."

I ask the relatives of those slaughtered in the streets of Budapest for their definition of Khrushchev's program of peaceful coexistence.

EDITOR OF THE WEEK

Mr. MUNDT. Mr. President, the Publishers' Auxiliary—a "trade" newspaper published fortnightly by the National Editorial Association—contains what I like to think of as a "good news" feature story in each issue under the heading, "Editor of the Week."

The editorial board of the Auxiliary selects as the subject of this feature story an editor who has made and is making important contributions in his or her work in the publishing of a newspaper.

While I am not familiar with the mechanics of selection in citing the various editors who are so recognized, from my own reading of these articles I gather that the choice is made in approximately this fashion:

First. The newspaper, because of the consistent and devoted work of the editor, enjoys a reputation of great integrity that is a credit to the newspaper industry and maintains standards in full keeping with responsibilities and privileges that accompany the rights of a free press.

Second. The editor, through his or her paper, has been an effective "force for good" in the growth and progress of the community and locality served by the publication.

Third. The high ideal of a respect for each person as an individual, a dedication to enhancement of our moral values, and a cherished devotion to our country, is fully and faithfully advanced by the editor.

Perhaps there is another basis for recognizing these editors, and perhaps there are additional standards to be met, but I know from my own observations and personal acquaintance that those editors who have been recognized by the Auxiliary achieve the goals which I have briefly outlined.

In the most recent issue of the Publishers' Auxiliary, August 3, 1963, one of our South Dakota editors is honored as "Editor of the Week."

This South Dakota publisher is not the first by any means to be selected by the Publishers' Auxiliary for this particular recognition. Over the years a number of our outstanding editors and publishers from South Dakota have been designated for this honor, and from my own friendship of many years with the members of the fourth estate in South Dakota, I know these tributes are richly deserved.

Such is the case with Mrs. Rachel Lung Walradth, editor and publisher of the White Leader in White, S. Dak., Brookings County.

Mrs. Walradth, whom I am privileged and pleased to refer to as a dear personal friend, is one of the Nation's oldest active newspaper editors.

She is 85 and has been in the newspaper business for 70 years, going back to the days when, as a girl of 15, she was setting type by hand at the Elkton Record at Elkton, also in Brookings County.

Mrs. Walradth is a pioneer newspaper editor and over the years has not only observed the development of her community and our State, but has had an important role in that development through her publishing endeavors.

Mr. President, I am delighted to salute Mrs. Rachel Walradth, publisher of the White Leader, as "Editor of the Week," and ask unanimous consent to have printed in the RECORD at this point the very excellent article about Mrs. Walradth written by Mr. Bill Dorr, managing editor of the Publishers' Auxiliary.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Publishers' Auxiliary, Aug. 3, 1963]

SOUTH DAKOTA'S CACKLING OLD HEN BUSY AT 70TH YEAR OF NEWSPAPERING

(By Bill Dorr)

When young preacher George Lung of Minnesota brought his family across the prairies to South Dakota in 1882 the sky had to stretch itself the limit to touch the four corners of the great flat earth.

"Life has been interesting since then," says Rachel Lung Walradth, Lung's daughter, who also made the journey by covered wagon. Mrs. Walradth at 85, is editor of the White (S. Dak.) Leader and one of the country's oldest active newspaper editors.

"From covered wagons to jets and spacecraft; from twisted hay, flaxstraw and 'buffalo chips' to automatic (maybe soon solar) heat; from the open prairies to groves and modern homes. I wonder if another 85 years can produce such marvelous changes.

"However, human nature hasn't changed much," she adds. "No matter under what conditions people live, human nature is much the same and moral values do not fluctuate like economic circumstances."

Mrs. Walradth should know. A self-admitted cackling old hen, she spends more time observing than cackling. She became a printer at a time when coy young ladies held on to skirts in self-protection as they swept past the Elkton Record print shop where she had her first job, setting type by hand, at 15. The everlasting dry years of the broad South Dakota plains and depression even beyond in the cities ended her formal education after a year in high school.

In 1918, she married George Walradth and moved to White. In June 1924 the White Leader was ready to be disbanded when two local men, a banker and the postmaster, bought the property and hired a widow to operate it. Mrs. Walradth was hired as a typesetter.

Opportunity followed for both ladies. The widow soon married, and soon after Mrs. Walradth bought the paper and has operated it since.

During the years that followed Mrs. Walradth—like her State—endured. The hot dry years of the thirties parched the endless earth and when it occasionally softened, the strong prairie winds blew away the soil and freshly planted seeds. Farmers planted strong trees around tall chimneyed old farmhouses and watched the drying limbs reach hopelessly for a sky that was often clouded with blowing soil. At the Leader, Mrs. Walradth did most of the work, writing, setting type, and all the other chores. Her husband who had other occupations, assisted with maintenance. Mrs. Walradth set type by hand until 1946 when she bought some equipment from a discontinued weekly—including a linotype.

"Like any profession, newspapering has its tribulations," she says, "but the satisfaction of being of service to a small community offsets them. Being too busy to think about oneself is wholesome."

Needless to say this "cackling old hen" has little time to think about herself. In her weekly column under that heading, she takes to task the problems of the universe in neat small paragraphs wedged between homey notes like: "Mrs. Bertha Stamp will be 90 years of age June 24."

And: "It's about time for White to put on some kind of entertainment or appreciation program. How about a hootenanny and wing-ding?"

The other paragraphs deal with unrelated matters such as religion in schools, labor troubles, and racial problems.

After a long day at the office she hurries home to work in her garden (one of her hobbies) and after dinner perhaps dash off a few lines of verse (another hobby). One of her ballads has been set to music. Her biggest job as a journalist was compiling and publishing her city's history for anniversary editions.

About awards and honors she doesn't cackle much: "Several firsts, seconds, and thirds in the State contests, and a lifetime membership in the South Dakota Press Women," she recalls.

She had given up hope of ever having a high school diploma but received an honorary one from White High School in 1957.

"I dont know how long I'll continue editing," she reflects. "After all these years I'd hate to quit, but when a woman passes 80 she knows she will have to stop someday before long."

TENTH ANNIVERSARY OF U.S. INFORMATION AGENCY

Mr. JORDAN of North Carolina. Mr. President, in commenting on the 10th anniversary of the U.S. Information Agency I think it is well to note that its radio arm, the Voice of America—VOA—has been vastly strengthened by the opening early this year of a giant 4.8-million-watt transmitter completed in my home State of North Carolina. This transmitter is situated near Greenville in the eastern part of my State where broadcasts are transmitted throughout the world.

As we all know the power of domestic radio transmitters is limited to 50,000 watts, it is a matter of simple arithmetic to demonstrate that the VOA's North Carolina transmitter complex is equal to more than 90 of the most powerful domestic transmitters.

This VOA plant covers more than 6,000 acres including two transmitter locations and one receiver site. As we all know, the Voice of America operates 7 days a week around the clock and this new VOA facility at Greenville gives this country a louder and clearer voice direct to Latin America, Europe, and Africa. Not only does this provide better reception for millions of listeners and increase the total audience, but it gives Voice of America stations in Europe, the Mediterranean, and Africa more reliable and higher quality programs for relay to their target areas.

We know, of course, that the U.S. Information Agency uses all means of communication to the people of the world, including the printed word in newspapers, pamphlets, magazines, and books; visual material such as photographs, displays, exhibits, motion pictures, and television. But radio is unique in that it cannot effectively be stopped at national boundaries, even by "jamming"; it is relatively inexpensive; it reaches tremendous audiences instantaneously.

We in North Carolina are very proud of the fact that our State was chosen for the location of the new radio transmitter, but this is not the only reason we feel especially close to the U.S. Information Agency.

We are proud of the fact, too, that the Directors of the USIA have been North Carolinians.

The present Director, Mr. Edward R. Murrow, is a native North Carolinian, and he is doing a truly tremendous job of sending the message of America and freedom throughout the world.

Mr. Murrow's predecessor, Mr. George V. Allen, is also a North Carolinian, and his wonderful record as Director of USIA and as a diplomat is well known to all of us.

ATTITUDE OF CHURCH OF LATTER-DAY SAINTS TOWARD JOHN BIRCH SOCIETY

Mr. BENNETT. Mr. President, on May 28 of this year there appears on page 9701 of the Record an insertion made by my colleague [Mr. Moss] in which he discusses briefly the attitude of the Latter-day Saints (Mormon) Church toward the John Birch Society, and in which was printed a statement from the Salt Lake Tribune of March 21, 1963, under the heading, "L-DS Presidency Issues Stand on Birch Society."

Then follows a brief three-sentence statement regarding the position of former Secretary of Agriculture Ezra Taft Benson. It is headed by a line in parentheses, "From the Salt Lake Tribune, March 21, 1963." This carries with it the implication that all three sentences are quotations from that paper on that date. In fact, the first two sentences are paraphrases, and only the third is a direct quotation from the article. This handling of Mr. Benson's position has disturbed many of his friends in Utah, and at the request of one of them, Mr. Robert W. Lee, I ask unanimous consent to have printed in the Record, the texts of the three statements in their complete form.

First, in order to set the record in focus, I should like to reinsert the first statement from the Salt Lake Tribune on March 21, 1963, under the heading, "L-DS Presidency Issues Stand on Birch Society."

Second, immediately following it I would like to insert the entire text of the other article printed in the Salt Lake Tribune on the same day, March 21, 1963, whose headline reads, "Benson Clarifies Views on Birch Society Stand." It will be noticed that the sixth paragraph in that article is the one quoted on page 9701 of the Record.

Third, at the request of Mr. Lee, I offer for the Record a letter addressed to him on August 1, 1963, and signed by Clare Middlemiss, secretary to David O. McKay, president of the L-DS Church. The letter to Mr. Lee not only contains my authority to insert the letter in the Record, but also quotes an earlier letter addressed to Mr. Lee and also signed by Clare Middlemiss, secretary to President McKay, which stated the church position in slightly different language.

There being no objection, the three statements were ordered to be printed in the Record, as follows:

L-DS Presidency Issues Stand on Birch Society

The first presidency of the Church of Jesus Christ of Latter-day Saints Thursday issued a formal statement to "correct the false statements and unwarranted assumptions regarding the position allegedly taken by leaders of the church on political questions in general and the John Birch Society in particular."

The statement follows:

"The church recognizes and protects the rights of its members to express their personal political beliefs, but it reserves to itself the right to formulate and proclaim its own doctrine.

"We believe in a two-party system, and all our members are perfectly free to support the party of their choice.

"We deplore the presumption of some politicians, especially officers, coordinators, and members of the John Birch Society, who undertake to aline the church and its leadership with their partisan views.

"We encourage our members to exercise the right of citizenship, to vote according to their own convictions, but no one should seek or pretend to have our approval of their adherence to any extreme ideologies.

"We denounce communism as being anti-Christian, anti-American, and the enemy of freedom, but we think they who pretend to fight it by casting aspersions on our elected officers or other fellow citizens do the anti-Communist cause a great disservice.

"We again urge our bishops, stake presidents, and other officers of the church to refuse all applications for the use of our chapels, cultural halls, or other places for political meetings, money-raising propaganda, or to promote any person's political ambitions."

The statement was signed by President David O. McKay, Henry D. Moyle, and Hugh B. Brown, counselors in the first presidency of the church.

[From the Salt Lake Tribune, Mar. 21, 1963]

Benson Clarifies Views on Birch Society Stand

At least 1,000 persons have written headquarters of the Church of Jesus Christ of Latter-day Saints seeking the church's views on the John Birch Society, Ezra Taft Benson, member of the Council of Twelve Apostles, disclosed Wednesday.

Returning to Salt Lake City from a 2-day business trip to New York, the former U.S. Secretary of Agriculture said he is amazed at the number of persons making such inquiries.

"At least a thousand persons, either members of the society or just well informed on it have written President David O. McKay to learn the church's stand," Elder Benson said.

Mr. Benson said that although he is not a member of the society, he "strongly" believes in its principles. He aded that by the same token, while he is not a member of the Farm Bureau, he believes in its efforts, too.

Mr. Benson said he is too busy with his church work to join many organizations he would like to support.

"I have stated, as my personal opinion only, that the John Birch Society 'is the most effective nonchurch organization in our fight against creeping socialism and godless communism.'

"Obviously only one man, President David O. McKay, speaks for the Church of Jesus Christ of Latter-day Saints (Mormon) on matters of policy.

"In response to many inquiries, the office of President McKay has stated, 'that members of the church are free to join anti-Communist organizations if they desire and their membership in the church is not jeopardized by so doing.

"'The church is not opposing the John Birch Society or any other organization of like nature; however, it is definitely opposed to anyone's using the church for the purpose of increasing membership for private organizations sponsoring these various ideologies.'"

Elder Benson, whose son, Reed, is Utah coordinator for the John Birch Society, said he is completely impressed by the people who are pushing the work of the society and praised the "honesty and integrity" of Robert Welch, the founder.

THE CHURCH OF JESUS CHRIST
OF LATTER-DAY SAINTS,
Salt Lake City, Utah, August 1, 1963.
Mr. ROBERT W. LEE,
Salt Lake City, Utah.

DEAR BROTHER LEE: In your letter of July 27, 1963, you state that Senator WALLACE F. BENNETT will enter in the CONGRESSIONAL RECORD a copy of a letter which has been sent from this office to members of the church who have inquired whether or not the church objects to their joining the John Birch Society.

President McKay has instructed me to tell you that Senator BENNETT has his permission to have printed in the CONGRESSIONAL RECORD the letter in question as follows:

"Inasmuch as President McKay is under such a heavy schedule of duties and meetings associated with the general administration of the church, he has asked me to acknowledge for him your letters of January 25 and 28, 1963, wherein you make reference to a recent statement published by the first presidency setting forth the position of the church regarding partisan politics and other related matters.

"I have been directed to say that members of the church are free to join anti-Communist organizations if they desire and their membership in the church is not jeopardized by so doing. The church is not opposing the John Birch Society or any other organization of like nature; however, it is definitely opposed to anyone's using the church for the purpose of increasing membership for private organizations sponsoring these various ideologies.

"Sincerely yours,
"CLARE MIDDLEMISS,
"Secretary to President David O. McKay."

With best wishes, I remain,
Sincerely yours,
CLARE MIDDLEMISS,
Secretary to President David O. McKay.

Mr. BENNETT. Mr. President, by inserting the full text of these three statements, I hope I will have been able to clear up any misunderstandings that may have been created by the earlier—and incomplete—text in the RECORD.

THE PROMISE OF THE ATOM—ADDRESS BY DR. GLENN SEABORG, CHAIRMAN, ATOMIC ENERGY COMMISSION

Mr. McCARTHY. Mr. President, Dr. Glenn Seaborg, Chairman of the Atomic Energy Commission, spoke recently in Minneapolis, Minn., at the 30th annual Svenskarnas Dag celebration. I believe his statement about the current use and the potential use of nuclear power for many different purposes will be of interest to Members of Congress, and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE PROMISE OF THE ATOM

(Remarks by Dr. Glenn T. Seaborg, Chairman, U.S. Atomic Energy Commission, at the 30th annual Svenskarnas Dag celebration, Minneapolis, Minn., June 23, 1963)

It is a real pleasure for me to visit the historic Minnehaha Park and to join you here in the celebration of the 30th annual Svenskarnas Dag.

As I am of Swedish descent, I have an interest in common with members of your organization. My mother was Swedish, born in Grangesberg, Dalarna, and my father's father came from Hallefors, and my father's mother from the Orebro area. So, you can see why I feel closely related to people of Swedish descent.

Only last summer I had occasion to visit Sweden and again enjoyed meeting and becoming acquainted with many people in Swedish public life. I again had the opportunity to meet many of my relatives who live in Sweden. I was impressed by both Sweden and by the Swedish people, and was surprised to learn that there were as many Swedes in Stockholm as there are in Minneapolis.

Most Americans are of European origin or descent, and America has been built and made great by the infusion of the culture, the energy and the hard work of the millions of immigrants and their children and children's children. And, it is human for us to have pride in our ancestry and origins.

Over the last several decades there has been a tremendous tide of scientific discovery and development throughout most of the civilized world, and it is important that all of us have some comprehension of the influence of science upon our civilization. My particular interest as a scientist is, as you know, atomic energy, more properly called nuclear energy, and in my opinion some of the most interesting and valuable scientific developments over the last 20 years have been in the peaceful uses of atomic or nuclear energy.

The preamble of the Atomic Energy Act which established the U.S. Atomic Energy Commission declares it to be the policy of the United States that the development, use and control of atomic energy should be directed so as to make the maximum contribution to the general welfare, subject at all times to the paramount objective of making a maximum contribution to the common defense and security. Congress, the author of this legislation, has thus established not only a precept for the Atomic Energy Commission but also a charter declaring in simple terms the very purpose of Government—namely, to defend the people and to contribute to their general well-being.

Since this is the 30th annual Svenskarnas Dag, I think you may also be interested in what Sweden is doing in nuclear energy. I visited there last year. As is the case in the United States, Government and private industry have combined resources to build an excellent program. Their effort is concentrated on developing nuclear power, and with good reason. Not many sites remain for adding more hydroelectric plants which today supply nine-tenths of Sweden's electrical power needs. Most coal and oil is imported and Sweden's power demands are growing at the rate of 6 to 7 percent a year.

So Sweden is looking to the nucleus of the atom to supply most of her future electrical power needs. I visited the excellent nuclear research center that has been developed at Studsvik on the Baltic. Other plants and facilities are located at Stockholm. A whole family of research and testing nuclear reactors has been built or is under construction to lay the scientific and technical foundation for the design and building of large nuclear powerplants.

One unusual plant—the Agesta nuclear power station—should be in operation shortly. I also had the pleasure of visiting this plant which is located underground in the mountains outside Stockholm. In this case, the heat which the fissioning atoms generate in the reactor will not only be used to make electricity, but most of the heat generated will provide hot water for district heating at Farsta, a suburb south of Stockholm. Just as electricity made in nuclear plants is no different from that made in oil- or coal-fired plants, this steam will be no different from that made by conventional means. It will not be radioactive.

The United States and Sweden cooperate actively in the nuclear field. As a part of our atoms-for-peace program, a cooperative agreement has been in effect with Sweden since 1956. The areas of cooperation have been extended several times and will be enlarged further in the renewal of this joint agreement now being negotiated.

Sweden has been a leader in fostering worldwide cooperation in the peaceful uses of nuclear energy. Harry Brynielsson, managing director of the Atomic Energy Co. of Sweden, has been active in supporting work on radioactive waste disposal and has served as chairman of an international panel of experts on disposal of radioactive waste into the sea. Another distinguished Swedish scientist, Dr. Sigvard Eklund, is director general of the International Atomic Energy Agency, with headquarters in Vienna, Austria.

Let us now return to the atomic or nuclear energy activities here in the United States.

The program that has received the most public attention in the application of the peaceful benefits of the atom is, of course, our civilian nuclear power program. Nuclear power, as you may know, is generated in a nuclear reactor fueled with nuclear fuel such as uranium 235 or plutonium.

The reactor, of course, is the machine by which the enormous power of the nucleus of the atom is produced and controlled. In the generation of electricity, the reactor replaces the coal-, oil-, or gas-fired boiler of a conventionally fueled powerplant. We now have 23 nuclear powerplants being built, tested or "on the line" in this country. Three of these plants are in this area at Elk River, Minn., Sioux Falls, S. Dak., and near LaCrosse, Wis.

It may surprise you to know that the total energy locked in the world's uranium and thorium ores—which can be used as fuel in nuclear reactors—is many thousandfold that in the known reserves of conventional or fossil fuels, such as oil, gas and coal. This assumes that it will be possible to develop advanced, highly efficient reactors, known as breeder reactors, capable of producing more nuclear fuel than they consume. With these reactors we can utilize not only the seven-tenths of 1 percent of the fissionable isotope uranium 235 found in nature, but the much more abundant isotope uranium 238, and also thorium 232. This energy reserve is important since our country's economy and growth are linked closely with our requirements for energy and power, particularly electrical power.

As some of you may know, the Atomic Energy Commission recently submitted a report to President Kennedy in which we noted that civilian nuclear power was on the threshold of being economically competitive with other forms of electric power generation. In fact, in certain high-cost fuel areas of the

United States, such as California and New England, utilities have already decided to proceed with the immediate construction of new, large nuclear powerplants because they consider them to be economical.

The Government expects to give continued and increased support to the development of the breeder reactors which I have previously mentioned; and the result of such Government assistance should be such that by the year 2000 probably 50 percent of all electrical power generated in this country will be from nuclear sources, and essentially all new plants built from that time on will be nuclear plants.

Now I'd like to say just a few words about the use of nuclear power for propulsion of merchant ships. Out of the approximately 1,000 vessels making up the American merchant marine, only about 60 can sustain cruising speeds as high as 18 knots. We believe nuclear power will give us merchant ships that can cruise steadily at 25 to 30 knots without having to refuel at the end of each run. Fast trips at these speeds would, it is expected, play a major part in revitalizing the American merchant marine.

I hope you realize that the current troubles with our splendid nuclear ship *Savannah*, the world's first nuclear-powered cargo-passenger ship, do not spring from any deficiency in the nuclear technology. It is designed to operate 3½ years and to travel about 350,000 miles on one loading of fuel. Imagine, 14 times around the world without refueling.

The *Savannah* has visited about a dozen U.S. ports and has been received enthusiastically. It has gone 30,000 miles under nuclear power and has cruised at more than 22 knots. It has shown the world that nuclear power for merchant ships is feasible. I have been aboard the *Savannah* for a short run. It is an exciting experience to feel this beautiful ship glide through the water under nuclear power without boilers or smokestacks. We are confident that the *Savannah* will point the way for nuclear merchant ships of the future.

One of the most exciting uses of nuclear energy is for space propulsion. The dimension of space, exemplified by travel to the moon and the planets, has long been a dream of men. So much has it been a dream that references to it have been practically limited to miracles and to science fiction. While man becomes adjusted to life in new and strange physical environments through the rather slow processes of evolution and adaptation, his adjustment to recent prospects of a new spatial dimension in his environment has been swift and sure. For, as has often been true since the advent of the Scientific Revolution of the last two decades—miracles become reality, and fiction fact.

The Atomic Energy Commission is conducting two space programs. One, the Rover program, will lead to the development of a nuclear rocket. The second, the SNAP program (the word SNAP is derived from the first letters of the words "System for Nuclear Auxiliary Power"), will provide the benefits of nuclear electrical power in space. Both of these programs are conducted in close cooperation with the user agencies of the Government—the National Aeronatics and Space Administration (NASA) and the Department of Defense.

The Rover program is designed to develop a nuclear rocket engine which will use the high temperature heat provided by a nuclear reactor to heat liquid hydrogen to very high temperatures. This heated hydrogen, which is the best rocket propellant, will then be expelled through a jet nozzle for thrust. It is expected that the effciency of this nuclear rocket will be at least twice that of the best rockets using ordinary chemical fuel. This leads to great advantages for nuclear power in very long range, high pay load, missions, such as voyages to the planets. An example of the benefits accrued from this increase in efficiency with a nuclear rocket is that in projecting a manned trip to land on and explore Mars, the gross weight of a nuclear vehicle that would have to be assembled in an earth orbit prior to the trip would be only about one-tenth that of a vehicle powered by chemical fuel.

The other space program that the Commission is conducting, and which I have referred to as the SNAP program, is the one in which we have scored our first space successes. On June 29 and November 16, 1961, nuclear-powered batteries were orbited in the Navy's navigational satellites Transit IV–A and IV–B. These batteries were fueled with the radioisotope plutonium 238. The heat from the decay of this radioactive isotope is converted in the satellite to useful electrical power through thermoelectric devices. Thus this battery has no moving parts. While the battery in Transit IV–A, for example, weighs only five pounds, it has produced electricity equivalent to what could have been produced by thousands of pounds of ordinary batteries. In the SNAP program we are also developing and constructing other lightweight radioisotope-fueled batteries for other space missions, including one which could be used in the NASA Surveyor missions to explore the surface of the moon. This generator—called SNAP 11—would also be able to provide heat to the Surveyor craft during the cold lunar nights.

However, if we are to have large complex communications or weather satellites in orbit, and if we are to develop successful electric space propulsion, it is important that we have ultimately much larger amounts of electrical power available to us in space. For these purposes the Commission is developing a series of reactors which will provide long-lived, lightweight, compact reliable nuclear power sources for space missions. The first of these is scheduled to be flight tested in 1964 or 1965.

One possible use of these compact SNAP reactors would be to power communication satellites capable of broadcasting TV and radio programs directly to all our homes—in contrast to the communication satellites, such as Telstar, which require sensitive receivers to amplify and relay the message. Imagine such communication satellites in 24-hour orbits. These are orbits at altitudes of about 22,000 miles, where the periods of revolution are just equal to 24 hours, the earth's period of revolution. Thus, such a communication satellite would appear stationary over one spot on the earth and three such satellites, properly positioned, could cover television transmission over the entire earth. Nuclear power would probably be necessary for these communication satellites, since the power requirements for direct TV broadcast necessitate many kilowatts of electricity—a demand which can be met reasonably only through nuclear energy.

One of the Atomic Energy Commission's peaceful projects has been called the Plowshare program from the biblical reference to "beating swords into plowshares," in this instance by using the explosive force of nuclear devices in peaceful applications. Nuclear explosions appear to offer great advantages in excavation, mining, and other earthmoving or earthcrushing tasks, including the forming of channels and harbors. Our first excavating experiment, which we called Project Sedan, exploded a 100-kiloton nuclear device in Nevada last July at an underground depth of over 600 feet. The crater produced by this single explosion measures about 1,200 feet across and 320 feet deep and displaced about 7 million cubic yards of earth and rock weighing about 12 million tons.

One of the most exciting applications of the peaceful uses of the nucleus of the atom is in the use of radioisotopes. These have had spectacular success in the medical field, and have made significant contributions to industry and agriculture as well.

Nature provides us with a few natural radioisotopes such as radium which gives us radiation similar to the familiar X-ray. But the vast majority of radioisotopes are manmade. There are several ways of doing this but today most of them are made in relatively large quantities by bombarding stable isotopes in a nuclear reactor with neutrons—the atomic "bullets" resulting from the fissioning of atoms. Even these quantities are small compared with our usual considerations. For example, one pure, undiluted ounce of one very useful radioisotope—radiophosphorous—is considered a very large quantity; indeed, much larger than anyone needs. Such an ounce would cost $10 billion. But important chemical and medical experiments can be conducted with a million-millionths of an ounce, costing only a penny.

The use of radioactive isotopes has provided some truly astonishing advances in fundamental medical research and in the diagnosis and treatment of diseases. For example, the radioactive tracer iron 59 has been used extensively in medical research to expand in unique ways our knowledge of the blood. Radioactive tracers such as iodine 131 are widely employed in diagnostic tests to establish the state of health of the thyroid, liver, kidneys and other organs. Radioactive isotopes in larger amounts are used for the treatment of diseases as, for example, the alleviation of various thyroid disorders with iodine 131 and certain cancers with cobalt 60. To appreciate the extent of these applications consider that one-half million atomic cocktails containing iodine 131 are served per year.

There are several important characteristics of these radioisotopes that account for a great number of uses. One is the ability of the radiation produced in the decay of the radioisotope to penetrate solid materials, even steel castings. These radioisotopes—such as cobalt 60 and promethium 147—can therefore replace and improve upon X-ray machines in many applications. Another characteristic is that radioisotopes broadcast their presence by the emission of radiations at all times. With sensitive detection instruments, a minute amount of a radioisotope can be accurately followed, leading to many uses of these atoms as tracers in atom tagging experiments. For example, one can put a tagged atom into a complicated molecule, such as sugar, and trace the path of these molecules through a series of chemical reactions, or through the body.

One of the first dividends of the use of radioisotopes in agriculture was the demonstration, principally through radioactive phosphorous, of more efficient and economical fertilizing practices. Better diets for farm animals, developed through research with radioisotopes, have resulted in increased meat, milk, and egg yields.

Since with tagged atoms one can find out how far and how fast an insect travels, how long it lives, and its life habits, the radioisotope has assisted in the improvement of insecticides.

With the help of these atomic factfinders, we are also receiving exact information about utilization by animals of all types of fodder, such as availability from feeds of calcium, phosphorous, sulfur, etc. Diseases and internal parasites, cattle grubs, and virus infections are also being effectively studied by tracers as a prerequisite to effective control. Potential savings to the livestock industry through the use of radioisotope studies are estimated at over a hundred million dollars per year.

In the oil industry atomic tracers are used routinely in checking for leaks in underground pipelines, in the location of oil-bearing strata to increase the output of old wells, to measure the level of liquids in various types of refinery units, and to inspect process equipment for faults. The thickness of the paper used in your home or office may have been controlled by the use of a radioisotopic thickness gage. The motor oil in your car may be more efficient because radioactive piston rings were used to measure the wear on the motor. Most auto tires are now more uniform and safe because radioisotopic gages are used to control the vulcanization of rubber onto the basic fabric.

While I have not taken time to describe the research which the Commission carries on in its own laboratories and which it finances in the laboratories of universities and other contractors to explore further the nucleus of the atom for new beneficial and peaceful applications, I believe what I have said tells you something of the work of the Atomic Energy Commission and of the wonders of the atom and its great potentials for man's benefit here on earth and in his explorations in space.

Let me close by drawing a lesson from the future promise of the peaceful atom. I think it is clear to each of you that tomorrow's world will be a world of even further scientific and technological discoveries and application. I feel sure that Americans of Swedish descent, in the tradition of such men as Alfred Nobel, the great Swedish scientist and humanitarian, and John Ericsson, the great Swedish-American inventor, will appreciate that tomorrow's citizen—in order to participate in a meaningful way in their scientific society—must have a basic understanding of the principles of science and engineering upon which their world will be built. In other words, tomorrow's citizens must be on speaking terms with science. Now is the time to start this vast educational program for all the people, if we are successfully to meet the challenge of tomorrow.

EDITORIAL COMMENDING SENATOR WILLIAMS OF NEW JERSEY

Mr. McCARTHY. Mr. President, a recent editorial in the New Jersey Catholic Star Herald describes and commends the efforts of my distinguished colleague from New Jersey, Senator HARRISON A. WILLIAMS. Since 1959, Senator WILLIAMS has been the standard bearer on behalf of deprived and despairing migrant farm families. He has recently secured passage in the Senate for six significant bills to alleviate the severe hardships confronting this segment of agricultural America. Through unrelenting zeal and political selflessness, his legislative achievements stand as a bold declaration exploding the myth that America forgets her poor and needy because they are politically impotent. His continuing crusade to make social justice and equality more than a high-minded concept is given appropriate recognition in this editorial.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

I ask unanimous consent that the editorial be printed in the RECORD.

[From the Catholic Star Herald, June 21, 1963]

CHAMPION OF POOR

All New Jerseyites should take pride in their own Senator HARRISON WILLIAMS for his outstanding service to the poorest of the poor, the migratory farm laborers. The Senator has championed this cause for many years. Today he is on the threshold of bringing to a successful conclusion years of patient and selfless work. Already the Senate has passed six bills of his, S. 521 to S. 526, inclusive. If they pass the House, as they should, it will mean the end of conditions among migratory farmers that have blighted their lives and their children's lives for the past generations.

The Senator's bills would provide Federal aid for regular school terms as well as summer school; day care services for the children of migratory farmworkers; a ceiling of 14 years of age for such farm employment, the third most hazardous occupation in our Nation; Federal registration of farm laborer contractors, the middlemen who often abuse their hard-pressed clients; Federal aid for better sanitation and, last but not least, a national advisory council to help Congress and the President on this neglected area of our affluent society.

We cannot praise Senator WILLIAMS too highly for what he has achieved. For the migratory farmers have no lobbyists working for them—they simply cannot afford such luxuries. They have no political party indebted to them or courting them since they are scattered over a dozen States at least. Even organized labor has discovered how unrewarding and dangerous efforts to organize them can be.

Consequently what Senator WILLIAMS accomplished was not for votes. He did what he did because he is a good man, because in his heart he felt compassion for the downtrodden, because he realized that political office is not a banquet to gorge oneself on but a sacred trust under God to provide wisely for the welfare of all, especially the neglected.

Father Vizzard, S.J., national director of the Catholic Rural Life Conference, summed it up in these words of tribute to Senator WILLIAMS: "If these six bills which you are proposing become law, this Nation will no longer need to blush with shame at the neglect and gross injustices which we have allowed to be visited upon our fellow citizens in the migratory labor force. These poor people have no voice to speak for themselves. So I presume to thank you in their name."

The PRESIDENT pro tempore. Is there further morning business? If not, morning business is closed.

UNIFORMED SERVICES PAY ACT OF 1963

Mr. MANSFIELD. Mr. President, I ask unanimous consent that Calendar No. 363, House bill 5555, the military pay increase bill, be laid before the Senate and be made the pending business.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The Senate proceeded to consider the bill (H.R. 5555) to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services, and for other purposes, which had been reported from the Committee on Armed Service with an amendment to strike out all after the enacting clause and insert:

That this Act may be cited as the "Uniformed Services Pay Act of 1963".

BASIC PAY

SEC. 2. Section 203 of title 37, United States Code, is amended to read as follows:

"§ 203. Rates

"The rates of monthly basic pay for members of the uniformed services within each pay grade are set forth in the following tables:

"Commissioned officers

"Pay grade	Years of service computed under sec. 205														
	2 or less	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10	Over 12	Over 14	Over 16	Over 18	Over 20	Over 22	Over 26	Over 30
O-10[1]	$1,260	$1,315	$1,315	$1,315	$1,315	$1,365	$1,365	$1,470	$1,470	$1,575	$1,575	$1,680	$1,680	$1,785	$1,785
O-9	1,115	1,155	1,180	1,180	1,180	1,210	1,210	1,260	1,260	1,365	1,365	1,470	1,470	1,575	1,575
O-8	1,010	1,050	1,075	1,075	1,075	1,155	1,155	1,210	1,210	1,260	1,315	1,365	1,420	1,420	1,420
O-7	840	905	905	905	945	945	1,000	1,000	1,050	1,155	1,235	1,235	1,235	1,235	1,235
O-6	650	690	735	735	735	735	735	735	760	880	925	945	1,000	1,085	1,085
O-5	530	590	630	630	630	630	650	685	730	785	830	855	885	885	885
O-4	450	515	550	550	560	585	625	660	690	720	740	740	740	740	740
O-3[2]	366	440	470	520	545	565	595	625	640	640	640	640	640	640	640
O-2[2]	289	375	450	465	475	475	475	475	475	475	475	475	475	475	475
O-1[2]	242	300	375	375	375	375	375	375	375	375	375	375	375	375	375

"[1] While serving as Chairman of the Joint Chiefs of Staff, Chief of Staff of the Army, Chief of Naval Operations, Chief of Staff of the Air Force, or Commandant of the Marine Corps, basic pay for this grade is $1,970 regardless of cumulative years of service computed under section 205 of this title.

"[2] Does not apply to commissioned officers who have been credited with over 4 years' active service as an enlisted member.

"Commissioned officers who have been credited with over 4 years' active service as an enlisted member

"Pay grade	Years of service computed under sec. 205											
	Over 4	Over 6	Over 8	Over 10	Over 12	Over 14	Over 16	Over 18	Over 20	Over 22	Over 26	Over 30
O-3	$520	$545	$565	$595	$625	$650	$650	$650	$650	$650	$650	$650
O-2	465	475	490	515	535	550	550	550	550	550	550	550
O-1	375	400	415	430	445	465	465	465	465	465	465	465

"Warrant officers

"Pay grade	Years of service computed under sec. 205														
	2 or less	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10	Over 12	Over 14	Over 16	Over 18	Over 20	Over 22	Over 26	Over 30
W-4	$373	$430	$430	$440	$460	$480	$500	$535	$560	$580	$594	$615	$635	$685	$685
W-3	338	395	395	400	405	435	460	475	490	505	520	540	560	580	580
W-2	295	345	345	355	375	395	410	425	440	455	470	485	505	505	505
W-1	240	305	305	330	345	360	375	390	405	420	435	450	450	450	450

"Enlisted members

"Pay grade	Years of service computed under sec. 205														
	2 or less	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10	Over 12	Over 14	Over 16	Over 18	Over 20	Over 22	Over 26	Over 30
E-9	--------	--------	--------	--------	--------	--------	$435	$445	$455	$465	$475	$485	$510	$560	$560
E-8	--------	--------	--------	--------	--------	$365	375	385	395	405	415	425	450	500	500
E-7	$217.00	$275	$285	$295	$305	315	325	335	350	360	370	375	400	450	450
E-6	185.00	240	250	260	270	280	290	305	315	325	330	330	330	330	330
E-5	153.00	210	220	230	245	255	265	275	280	280	280	280	280	280	280
E-4	129.00	180	190	205	215	215	215	215	215	215	215	215	215	215	215
E-3	99.37	145	155	165	165	165	165	165	165	165	165	165	165	165	165
E-2	85.80	120	120	120	120	120	120	120	120	120	120	120	120	120	120
E-1	83.20	110	110	110	110	110	110	110	110	110	110	110	110	110	110".
E-1 (under 4 months)	78.00	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------

BASIC PAY AND ALLOWANCES OF CONTRACT SURGEONS

SEC. 3. (a) Section 201(b) of title 37, United States Code, is amended by striking out the word "O-2 with two or less" and inserting in place thereof the words "O-3 with over four, but not more than six,".

(b) Section 421(a) of title 37, United States Code, is amended by striking out the words "O-2 with less than two" and inserting in place thereof the words "O-3 with over four, but not more than six,".

SPECIAL PAY FOR PHYSICIANS AND DENTISTS

SEC. 4. Section 302(b) of title 37, United States Code, is amended by striking out the figure "$200" in clause (3) and the figure "$250" in clause (4) and inserting in place thereof the figure "$250" and the figure "$350", respectively.

RETIRED PAY AND RETAINER PAY

SEC. 5. (a) Except as provided in section 1402 of title 10, United States Code, the changes made by this Act in the rates of basic pay of members of the uniformed services do not increase the retired pay or retainer pay to which a member or former member of the uniformed services was entitled on the day before the effective date of this Act.

(b) A member or former member of a uniformed service who was retired other than for physical disability and who, in accordance with section 511 of the Career Compensation Act of 1949 (63 Stat. 829), is entitled to retired pay or retainer pay computed by "method" (a) of that section using rates of basic pay that were in effect before October 1, 1949, is entitled—

(1) to have that pay recomputed by "method" (b) of that section using the rates of basic pay that were in effect under that Act on the day before the effective date of this Act; or

(2) to an increase of 5 percent in the retired pay or retainer pay to which he was entitled on the day before the effective date of this Act;

whichever pay is the greater.

(c) A member or former member of a uniformed service who is entitled to retired pay or retainer pay computed under the rates of basic pay that were in effect under the Career Compensation Act of 1949 before June 1, 1958, including a member or former member who is entitled to retired pay under section 7 (b) or (c) of the Act of May 20, 1958, Public Law 85-422 (72 Stat. 130), is entitled—

(1) to have that pay recomputed under the rates of basic pay that were in effect under that Act on the day before the effective date of this Act; or

(2) to an increase of 5 percent in the retired pay or retainer pay to which he was entitled on the day before the effective date of this Act;

whichever pay is the greater.

(d) A member or former member of a uniformed service who was entitled to retired pay on the day before the effective date of this Act and who served as Chief of Staff of the Army, Chief of Naval Operations, Chief of Staff of the Air Force, or Commandant of the Marine Corps is entitled—

(1) to have his retired pay recomputed under the formula for computing retired pay applicable to him—

(A) when he retired; or

(B) if he served on active duty after he retired and his retired pay was recomputed by reason of that service, when his retired pay was so recomputed;

using as his rate of basic pay the rate of basic pay prescribed for officers serving on active duty in those positions on June 1, 1958, by footnote 1 to the table for commissioned officers in section 201(a) of the Career Compensation Act of 1949, as amended (72 Stat. 122); or

(2) to an increase of 5 percent in the retired pay to which he was entitled on the day before the effective date of this Act;

whichever pay is the greater.

(e) A member or former member of a uniformed service who was entitled to retired pay or retainer pay on the day before the effective date of this Act, other than a member or former member who is covered by subsection (b), (c), or (d) of this section, is entitled to an increase of 5 percent in the retired pay or retainer pay to which he was entitled on the day before the effective date of this Act. For the purposes of the preceding sentence, a member or former member who becomes entitled to retired pay or retainer pay on the effective date of this Act by virtue of section 1 of the Act of April 23, 1930, chapter 209, as amended (5 U.S.C. 47a), shall be considered as having become entitled to that pay before the effective date of this Act.

(f) Notwithstanding any other provision of law, a member of an armed force who was entitled to pay and allowances under any of the following provisions of law on the day before the effective date of this Act shall continue to receive the pay and allowances to which he was entitled on that day:

(1) The Act of March 23, 1946, chapter 112 (60 Stat. 59).

(2) The Act of June 26, 1948, chapter 677 (62 Stat. 1052).

(3) The Act of September 18, 1950, chapter 952 (64 Stat. A224).

(g) Chapter 71 of title 10, United States Code, is amended—

(1) by adding the following new section after section 1401:

"§ 1401a. Adjustment of retired pay and retainer pay to reflect changes in Consumer Price Index

"(a) Unless otherwise specifically provided by law, the retired pay or retainer pay of a member or former member of an armed force shall not be recomputed to reflect any increase in the rates of basic pay for members of the armed forces if that increase becomes effective after the effective date of this section.

"(b) In January of each calendar year after 1963, the Secretary of Defense shall determine the percent that the annual average of the Consumer Price Index (all items—United States city average) published by the Bureau of Labor Statistics for the preceding calendar year has increased over that for 1962 or, if later, for the calendar year preceding that in which the most recent adjustment in retired pay and retainer pay has been made under this subsection. If the Secretary determines the percent of that increase to be 3 or more, the retired pay or retainer pay of a member or former member of an armed force who became entitled to that pay before January 2 of the year in which the Secretary makes that determination shall, as of April 1 of that year, be increased by that percent, adjusted to the nearest one-tenth of 1 percent."; and

(2) by inserting the following new item in the analysis:

"1401a. Adjustment of retired pay and retainer pay to reflect changes in Consumer Price Index."

(h) Title 10, United States Code, is amended as follows:

(1) Section 1401 is amended by striking out the words ", and adjust to reflect later changes in applicable permanent rates" in footnote 1 to the table;

(2) Sections 3991 and 8991 are each amended—

(A) by amending column 1 of formula A in the table to read as follows: "Monthly basic pay [2] of member's retired grade.[1]"; and

(B) by amending footnote 2 to the table to read as follows: "[2] Compute at rates applicable on date of retirement."

(3) Chapter 561 is amended by repealing section 6149 and striking out the following item in the analysis:

"6149. Retired pay: computed on basis of rates of pay for officers on the active list."

(4) Sections 6151(b), 6323(e), 6325 (a)(2) and (b)(2), 6326(c)(2), 6381(a)(2), 6383(c)(2), 6390(b)(2), and 6394(h) are each amended by striking out the words "to

which he would be entitled if serving on active duty in" and inserting in place thereof the word "of".

(5) Section 6327(b) is amended by striking out the words "to which he would be entitled if on active duty" and inserting in place thereof the words "of the grade in which retired".

(6) Sections 6396(c)(2), 6398(b)(2), 6399(c)(2), and 6400(b)(2) are each amended by striking out the words "to which she would be entitled if serving on active duty in" and inserting in place thereof the word "of".

(i) Section 423 of title 14, United States Code, is amended by striking out the word "active-duty" wherever it appears and inserting in place thereof the word "basic".

(j) A member or former member of a uniformed service is not entitled to an increase in his retired pay or retainer pay because of the enactment of this Act for any period before the effective date of this Act.

(k) Section 3(b) of the Act of August 10, 1956, ch. 1041 (33 U.S.C. 857a(b)), and section 221(b) of the Public Health Service Act (42 U.S.C. 213a(b)) are each amended by striking out the words "or 'the Secretary concerned' " and inserting in place thereof the words ", 'the Secretary concerned' or 'the Secretary of Defense' ".

(l) Section 1402(a) of title 10, United States Code, is amended to read as follows:

"(a) A member of an armed force who has become entitled to retired pay or retainer pay, and who thereafter serves on active duty (other than for training), is entitled to recompute his retired pay or retained pay upon his release from that duty as follows:

"Col. 1, take—	Col. 2, multiply by—	Col. 3, subtract—
Monthly basic pay[1] of the grade in which he would be eligible— (1) to retire if he were retiring upon that release from active duty; or (2) to transfer to the Fleet Reserve or Fleet Marine Corps Reserve if he were transferring to either upon that release from active duty.	2½ percent of the sum of— (1) the years of service that may be credited to him in computing retired pay or retainer pay; and (2) his years of active service after becoming entitled to retired pay or retainer pay.[2]	Excess over 75 percent of pay upon which computation is based.

"[1] For a member who has been entitled, for a continuous period of at least two years, to basic pay under the rates of basic pay in effect upon that release from active duty, compute under those rates. For a member who has been entitled to basic pay for a continuous period of at least two years upon that release from active duty, but who is not covered by the preceding sentence, compute under the rates of basic pay replaced by those in effect upon that release from active duty. For any other member, compute under the rates of basic pay under which the member's retired pay or retainer pay was computed when he entered on that active duty.

"[2] Before applying the percentage factor, credit a part of a year that is six months or more as a whole year, and disregard a part of a year that is less than 6 months.

However, an officer who was ordered to active duty (other than for training) in the grade that he holds on the retired list under former section 6150 of this title, or under any other law that authorized advancement on the retired list based upon a special commendation for the performance of duty in actual combat, may have his retired pay recomputed under this subsection on the basis of the rate of basic pay applicable to that grade upon his release from that active duty only if he has been entitled, for a continuous period of at least three years, to basic pay at that rate. If, upon his release from that active duty, he has been entitled to the basic pay of that grade for a continuous period of at least three years, but he does not qualify under the preceding sentence, he may have his retired pay recomputed under this subsection on the basis of the rate of basic pay prescribed for that grade by the rates of basic pay replaced by those in effect upon his release from that duty."

(m) Section 6483(c) of title 10, United States Code, is repealed.

SUBMARINE PAY FOR MEMBERS TRAINING FOR DUTY ON NUCLEAR-POWERED SUBMARINES

SEC. 6. Section 301(a)(2) of title 37, United States Code, is amended to read as follows:

"(2) as determined by the Secretary concerned, on a submarine (including, in the case of nuclear-powered submarines, periods of training and rehabilitation after assignment thereto), or, in the case of personnel qualified in submarines, as a prospective crewmember of a submarine being constructed, and during periods of instruction to prepare for assignment to a submarine of advanced design or a position of increased responsibility on a submarine;".

INCENTIVE PAY FOR DUTY INSIDE A HIGH- OR LOW-PRESSURE CHAMBER

SEC. 7. Section 301(a)(9) of title 37, United States Code, is amended to read as follows:

"(9) inside a high- or low-pressure chamber;".

MULTIPLE PAYMENTS OF INCENTIVE PAY

SEC. 8. Section 301(e) of title 37, United States Code, is amended by striking out the words "only one payment" and inserting in place thereof the words "not more than two payments".

SPECIAL PAY FOR DUTY SUBJECT TO HOSTILE FIRE

SEC. 9. (a) Chapter 5 of title 37, United States Code, is amended as follows:

(1) The following new section is added after section 309:

"§ 310. Special pay: duty subject to hostile fire

"(a) Except in time of war declared by Congress, and under regulations prescribed by the Secretary of Defense, a member of a uniformed service may be paid special pay at the rate of $55 a month for any month in which he was entitled to basic pay and in which he—

"(1) was subject to hostile fire or explosion of hostile mines;

"(2) was on duty in an area in which he was in imminent danger of being exposed to hostile fire or explosion of hostile mines and in which, during the period he was on duty in that area, other members of the uniformed services were subject to hostile fire or explosion of hostile mines; or

"(3) was killed, injured, or wounded by hostile fire, explosion of a hostile mine, or any other hostile action.

A member covered by clause (3) who is hospitalized for the treatment of his injury or wound may be paid special pay under this section for not more than three additional months during which he is so hospitalized.

"(b) A member may not be paid more than one special pay under this section for any month. A member may be paid special pay under this section in addition to any other pay and allowances to which he may be entitled.

"(c) Any determination of fact that is made in administering this section is conclusive. Such a determination may not be reviewed by any other officer or agency of the United States unless there has been fraud or gross negligence. However, the determination may be changed on the basis of new evidence or for other good cause.

"(d) The Secretary of Defense shall report to Congress by March 1 of each year on the administration of this section during the preceding calendar year."

(2) The following new item is inserted in the analysis:

"310. Special pay: duty subject to hostile fire."

(b) The Combat Duty Pay Act of 1952 (50 App. U.S.C. 2351 et seq.) is repealed.

ELECTION BY MEMBERS WITHOUT DEPENDENTS NOT TO OCCUPY GOVERNMENT QUARTERS

SEC. 10. Section 403(b) of title 37, United States Code, is amended by adding the following sentence at the end thereof: "However, except as provided by regulations prescribed under subsection (g) of this section, a commissioned officer without dependents who is in a pay grade above pay grade O-3 and who is assigned to quarters of the United States or a housing facility under the jurisdiction of a uniformed service, appropriate to his grade or rank and adequate for himself, may elect not to occupy those quarters and instead to receive the basic allowance for quarters prescribed for his pay grade by this section."

FAMILY SEPARATION ALLOWANCE

SEC. 11. Chapter 7 of title 37, United States Code, is amended as follows:

(1) The following new section is inserted after section 426:

"§ 427. Family separation allowance

"(a) In addition to any allowance or per diem to which he otherwise may be entitled under this title, a member of a uniformed service with dependents who is on permanent duty outside of the United States, or in Alaska, is entitled to a monthly allowance equal to the basic allowance for quarters payable to a member without dependents in the same pay grade if—

"(1) the movement of his dependents to his permanent station or a place near that section is not authorized at the expense of the United States under section 406 of this title and his dependents do not reside at or near that station; and

"(2) quarters of the United States or a housing facility under the jurisdiction of a uniformed service are not available for assignment to him.

"(b) Except in time of war or of national emergency hereafter declared by Congress, and in addition to any allowance or per diem to which he otherwise may be entitled under this title, including subsection (a) of this section, a member of a uniformed service with dependent (other than a member in pay grade E-1, E-2, E-3, or E-4 (4 years' or less service)) who is entitled to a basic allowance for quarters is entitled to a monthly allowance equal to $30 if—

"(1) the movement of his dependents to his permanent station or a place near that station is not authorized at the expense of the United States under section 406 of this title and his dependents do not reside at or near that station;

"(2) he is on duty on board a ship away from the home port of the ship for a continuous period of more than 30 days; or

"(3) he is on temporary duty away from his permanent station for a continuous period of more than 30 days and his dependents do not reside at or near his temporary duty station.

A member who becomes entitled to an allowance under this subsection by virtue of duty described in clause (2) or (3) for a continuous period of more than thirty days is entitled to the allowance effective as of the first day of that period."

(2) The analysis is amended by inserting the following item:

"427. Family separation allowance."

SPECIAL PAY FOR SEA DUTY AND AT CERTAIN LOCATIONS

SEC. 12. (a) Section 305 of title 37, United States Code, is amended to read as follows:

"§ 305. Special pay: while on sea duty or duty at certain places

"(a) Except as provided by subsection (b) of this section, under regulations prescribed by the President, an enlisted member of a uniformed service who is entitled to basic pay—

"(1) is entitled, while on sea duty, to; or

"(2) may be paid, while on duty at a designated place outside the contiguous 48 States and the District of Columbia;

special pay at the following monthly rates:

"Pay grade	Monthly rate
E-9	$22.50
E-8	22.50
E-7	22.50
E-6	20.00
E-5	16.00
E-4	13.00
E-3	9.00
E-2	8.00
E-1	8.00

"(b) Appropriations of the Department of Defense may not be paid, as foreign duty pay under subsection (a) of this section, to a member of a uniformed service who is a resident of a State, Puerto Rico, the Virgin Islands, a possession, or a foreign country and who is serving in that State, Puerto Rico, the Virgin Islands, that possession, or that foreign country, as the case may be."

(b) Nothwithstanding subsection (a), an enlisted member who, on the day before the effective date of this Act, is permanently assigned to duty at a place outside the United States or in Alaska or Hawaii, shall, during the remaining period of that assignment, be paid the basic pay to which he was entitled on that date plus special pay under section 305 of title 37, United States Code, whenever qualified thereunder, if the total of that basic pay and that special pay is more than the basic pay to which he would otherwise be entitled during that period under section 2 of this Act.

(c) The analysis of chapter 5 of title 37, United States Code, is amended by striking out the following item:

"305. Special pay: sea and foreign duty."

and inserting in place thereof the following item:

"305. Special pay: while on sea duty or duty at certain places"

SAVINGS PROVISION

SEC. 13. The enactment of this Act does not reduce the rate of dependency and indemnity compensation under section 411 of title 38, United States Code, that any person was receiving on the day before the effective date of this Act or which thereafter becomes payable for that day by reason of a subsequent determination.

EFFECTIVE DATE

SEC. 14. This Act becomes effective on October 1, 1963.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

THE CONGRESSIONAL QUARTERLY ANALYSIS OF CONGRESSIONAL ACTION

Mr. JAVITS. Mr. President, since my discussion, last Wednesday, with the distinguished majority leader, on the concern of the country over the record of this Congress, the Congressional Quarterly has published its own boxscore of congressional action on administration bills.

This boxscore shows the great disparity between the number of requests for legislation which have been sent to the Capitol by the administration and the action taken on them by the Congress controlled by the administration's party. The fact that the country as a whole is also concerned with the slow pace of our deliberation on these requests and on the many critical problems facing the Nation is indicated, Mr. President, by editorials and articles in a great variety of newspapers and publications within the last week.

Since the Congressional Quarterly analysis speaks for itself, Mr. President, I ask unanimous consent for its insertion in the RECORD, along with an editorial in this morning's Washington Post, which is, I believe, representative of several editorials on this subject.

There being no objection, the analysis and editorials were ordered to be printed in the RECORD, as follows:

CONGRESS APPROVES 5 PERCENT OF PRESIDENT'S REQUESTS

Congress as of July 31 had approved 19 of 403 legislative requests submitted so far by President Kennedy. Comparison with previous Presidential boxscores shows that at midsession Mr. Kennedy had submitted a record number of requests (topping even his own previous full-session record of 355 requests) and congressional approval was at a record low.

Mr Kennedy's approval percentage—4.7 percent—was well below his 7-percent score as of July 2, 1962, and his 10-percent score as of May 5, 1961. It was also substantially lower than former President Eisenhower's score of 13.7 percent as of May 8, 1955, during his third year in office. By July 2, 1962, action of some sort had been taken on 73.69 percent of Mr. Kennedy's requests; this year the percentage is 61.79. However, by the 1962 date Congress had given its final disapproval to 2.80 percent of the President's requests; this year every request still has a chance of final approval, although some have been rejected in a committee or on the floor of one Chamber.

So far, only three of the President's major legislative proposals (comprising eight boxscore requests) have been enacted: a feed grains program extension, an extension of corporate and excise taxes, and extension of the debt limit. Major programs on which no action has been taken include medical care for the aged and other programs to help the aging, unemployment compensation and his newly submitted immigration law revisions. Programs for mental health, medical school construction, and mass transportation have passed one House, and extensive hearings have been held in at least one Chamber on the President's education, civil rights, tax, and transportation proposals.

The status of the 403 requests as of July 31:

Nineteen (4.71 percent) had been finally approved by the House and/or Senate and were either law or awaiting the President's signature.

Five (1.24 percent) had passed both House and Senate in different forms and were awaiting final congressional action.

Thirty-eight (9.42 percent) had passed either the House or the Senate but not both.

Nineteen (4.71 percent) had been reported or approved by a committee but had not come up for a vote in the Chamber.

One hundred and fifty-three (37.96 percent) had undergone committee hearings and awaited further action.

One hundred and fifty-four (38.21 percent) had received no action at all in either the House or the Senate.

Fifteen (3.72 percent) had been rejected either in committee or on the floor but can be brought up again.

None had been rejected finally.

[From the Washington Post, Aug. 6, 1963]

LIMPING CONGRESS

With Congress still in a relaxed mood, national issues are accumulating much faster than they are being disposed of. At the beginning of the present session attention was concentrated on a single objective—enactment of a tax-reduction bill. That problem still looms large on the legislative horizon, but subsequent events have added to it the civil rights bill, the railroad emergency problem, and now the nuclear test-ban treaty. Yet Congress ambles along with no apparent concern about its accumulated burden.

The latest report of the Congressional Quarterly shows that Congress has approved only 4.7 percent of President Kennedy's legislative requests at the end of July—the target date for adjournment under the LaFollette-Monroney Act. The only three major Kennedy bills to be passed by both Houses merely extend previous legislation dealing with feed grains, corporate and excise taxes, and the debt limit. On a percentage basis, the present congressional score is less than half that of 1961 and is still farther below the record for former President Eisenhower's third year in office. The Congressional Quarterly describes it as a "record low."

Quite a number of bills have passed one House and are awaiting action in the other, and none of the President's recommendations has been finally rejected. But these facts scarcely relieve the dismal general picture. Although nearly 7 months have elapsed since the 88th Congress assembled, more than 76 percent of the President's recommendations have either been ignored or have gotten no further than committee hearings. Viewed from any angle, this is a sorry performance.

The outlook is the more discouraging because Congress has shown little interest in improvement of its own creaking machinery. After 1 day of hearings on proposals for a new study of congressional deficiencies, this hopeful project again appears to have been laid on the shelf. A flaccid and limping Congress seems unwilling to face the facts about its own inadequacies.

Mr. MANSFIELD. Mr. President, will the Senator from New York yield?

Mr. JAVITS. I yield.

Mr. MANSFIELD. Did I correctly understand the Senator from New York to mention my name in connection with what he has just said?

Mr. JAVITS. Only in recalling that the Senator had replied to my statement.

Mr. MANSFIELD. Mr. President, if the Senator from New York will yield further, I would express the hope that he would not join in the speculation which the press, the television, and the radio of the country seem to indulge in every year; they seem to find great satisfaction in pointing to Congress as being dilatory, being behind in its duties, and not living up to its responsibilities.

Of course I realize that these media of communications have to find ways and means to keep their circulation going and their audiences aware. But I point out that the committees of the Senate have been working long and arduously; that, as the majority leader, I have no complaint with what they have done; and that, so far as the Senate is concerned, before we are through we shall have a respectable record.

So I would hope no Member of this body would find fault with the Senate, when the committees are working hard and when all its Members collectively are doing the best they can in discharging the responsibilities which are theirs because of the office they hold.

Mr. JAVITS. In reply to the majority leader, I do not consider it finding fault when one calls to the attention of one's colleagues his views as to our responsibilities in respect to the state of the Nation and the state of the world. I do not charge anything but good faith. I do not charge anything in respect of hard work. Every Senator works hard. I do not believe I need to apologize for the number of hours I put in, nor does the majority leader, the minority leader, or any other Senator. I only pointed out last week the mountain of labor and the number of crises which we face—beginning with civil rights, the nuclear test-ban agreement, the railroad strike, endemic unemployment, and all the other issues which I mentioned—what we have done about them, and the urgency of their timing. I am very glad to join with the majority leader in putting the question in focus. It is a question of whether we are acting in time in terms of the repute of the Congress and the country as the key legislative body to meet the crises before us. We may show the best faith in the world, but the question is, Are we in time in meeting our responsibilities? That question does not charge any bad faith. In my opinion, we are credited with the utmost good faith. The question is, Are we meeting our responsibilities? On that question I believe the Congressional Quarterly bears out what I said last week with respect to the stand-still nature of the Congress.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. MANSFIELD. Mr. President, one hears a great deal of criticism these days to the effect that the 88th Congress is a do-nothing Congress. Although it is true that the Congress as a whole has not taken final action on a large part of the President's program, this seems to me to be an inaccurate measure of the work that has been completed by Congress at this stage of the session. A tabulation appearing in the August 5 edition of the Washington Post shows that each House has separately completed action on a significant number of the President's proposals, and I ask unanimous consent that the table be printed at this point in the RECORD.

These measures, of course, must be approved by both Houses and the remainder of the session should see final enactment of a great many of these bills. I hope that the Senate will complete action on the military pay raise and public defender bills today, for example.

I might also point out that in many instances the Constitution requires the other body to act on revenue matters before the Senate may itself consider these bills.

All in all, Mr. President, I do not feel that the situation is as dark as it has been pictured, and again I predict that by the time the session is over, the Congress will have amassed a most respectable record of accomplishment.

I ask unanimous consent to have printed at this point in the RECORD the status of the President's program by committees.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Congressional Boxscore, major legislation in 88th Congress

[As of Aug. 2, 1963: ▲ Scheduled, ★ in process, ● completed]

	House					Senate							
	Hearings	Reported	Debate	Passed	Rejected	Hearings	Reported	Debate	Passed	Rejected	Final action	Signed	Vetoed
Tax cut and reform	●												
Corporate, excise tax extension	●	●	●	●		●	●	●	●		●	●	
Debt limit	★												
Foreign aid authorization	●					●							
Medical schools	●	●	●	●									
Mental health	●					●	●	●	●				
College aid	●	●				●							
Youth employment	●	●				●	●	●	●				
National Service Corps	★					●	●						
Rail settlement	★					●							
Mass transportation	●	●				●	●	●	●				
Transportation rate changes	●					●							
SEC amendments						●	●	●	●				
Omnibus civil rights	★					★							
Area redevelopment	★					●	●	●	●				
Conservation fund	●					●							
Wilderness system						●	●	●	●				
Cotton controls	●	●				●							
Feed grains	●	●	●	●		●	●	●	●		●	●	
Civil defense shelters	●												
Draft extension	●	●	●	●		●	●	●	●		●	●	
APPROPRIATIONS													
Agriculture	●	●	●	●		●							
Defense	●	●	●	●		●							
First supplemental, 1963	●	●	●	●		●	●	●	●			●	
Independent offices	★					★							
Interior	●	●	●	●		●	●	●	●			●	
State, Justice, and Commerce	●	●	●	●		★							
Labor-HEW	●	●	●	●		●	●						
Treasury-Post Office	●	●	●	●		●	●	●	●			●	
District	●	●	●	●									
Foreign aid	●												
Legislative	●	●	●	●		●	●	●	●				
Military construction	●												
Public works	●					★							
DISTRICT OF COLUMBIA AREA													
Corporal punishment	●	●	●	●									
Urban renewal	★					●	●						
Federal payment	●	●	●	●		●	●	●	●				
Chancery zoning	★					●	●	●	●				
Crime	●	●				●							

Congressional Boxscore, major legislation in 88th Congress—Continued

PARTY LINEUP

	Democrat	Republican	Vacancies
House	257	177	1
Senate	67	33	0

AUGUST 5, 1963.

STATUS OF PRESIDENT'S PROGRAM BY COMMITTEE

AERONAUTICS AND SPACE SCIENCES

1. Space authorization: Senate Calendar—floor action August 7.

AGRICULTURE

Action completed: (1) Feed grains, Public Law 88-26.

House Calendar: (1) Cotton program: Rule reported, July 24; Senate Committee completed hearings May 27.

Markup:

1. Dairy program: Senate Committee, August 7; House Committee hearings concluded May 1.

2. Food stamp program: House informal meeting July 17.

Hearings concluded:

1. Amendment to Watershed Act: Senate Committee hearing June 3; House Committee, no action.

2. Land use adjustments—raise limitation: House Committee hearings June 24-27; Senate Committee, no action.

APPROPRIATIONS

Action completed:

1. Agriculture supplemental for 1963: Public Law 88-1.

2. Supplemental for 1963: Public Law 88-25.

3. Interior for 1964: Public Law 88-79.

4. Treasury—Post Office for 1964: Public Law 88-39.

In conference: (1) Legislative for 1964.

Senate Calendar: (1) Labor-HEW for 1964: Senate floor action August 6.

Passed House: 10.

Hearings concluded: House, 1; Senate, 1.

Hearings in progress: House, 3; Senate, 4.

ARMED SERVICES

Action completed:

1. University military training extension; Public Law 88-2.

2. Military procurement: Public Law 88-28.

Senate Calendar: (1) Military pay: Passed House May 8; passed Senate August 6.

Passed House: (1) Military construction, June 5.

Markup: (1) Fallout shelter: House subcommittee in executive sessions.

No action:

1. Stockpile disposal.

2. Food stockpile for civil defense.

BANKING AND CURRENCY

Action completed: (1) Silver purchase repeal; Public Law 88-36.

In conference: (1) Export-Import Bank extension.

Passed Senate:

1. Area redevelopment: House Calendar.
2. SEC amendments: House committee.
3. Mass transit: House Calendar.

No action:

1. Housing for elderly.

2. Increase insurance coverage on banks and savings and loans.

COMMERCE

Passed House: (1) Equal time suspension—Senate committee hearings concluded June 28.

House Calendar: (1) Dulles-Washington National Airports management—Senate committee, no action.

Hearings concluded:

1. Airport construction.

2. International air fares.
3. Public accommodations.
4. Transportation bills: House committee concluded; Senate committee in recess.
5. Railroad dispute.

No action:
1. Limit right of certain air carriers to receive subsidy payments.
2. Broaden authority of FPC to permit investigation of gas industry.

DISTRICT OF COLUMBIA

In conference: (1) District of Columbia fiscal affairs.

Passed Senate: (1) National Cultural Center extension.

Hearings concluded: (1) District of Columbia Rapid Transit—House committee, July 31; Senate committee, no action.

No action: (1) Home rule.

FINANCE

Action completed:
1. Corporate-excise tax extension: Public Law 88–52.
2. Public debt ceiling: Public Law 88–30.
3. Air transportation tax: Public Law 88–52.
4. Veterans' family benefits: Public Law 88–21.

Calendar:
1. Maternal and child health: House.
2. Public debt: House. (Senate must wait on House.)

Markup: (1) Tax reforms and reduction. (Senate must wait on House.)

No action:
1. Public welfare work-training.
2. Allow tax credit for contributions to National and State political committees. (Senate must wait on House.)
3. Presidential campaign funds reporting act. (Senate must wait on House.)
4. Medicare. (Senate must wait on House.)
5. Social Security Act amendments. (Senate must wait on House.)
6. Temporary interest equalization tax. (Senate must wait on House.)
7. User charges. (Senate must wait on House.)
8. Unemployment compensation. (Senate must wait on House.)

FOREIGN RELATIONS

Action completed:
1. International coffee agreement.
2. Foreign Service buildings.

Passed Senate: (1) Disarmament Agency, ceiling increase, June 17—House Foreign Affairs, no action.

House Calendar:
1. U.N. Participation Act amendment: No action in Senate.
2. Foreign aid authorization: House Foreign Affairs to order reported August 6; Senate Foreign Relations in last phase of markup.

Markup: (1) National Academy of Foreign Affairs.

Hearings:
1. International Bank for Reconstruction and Development; capital stock increase: House Banking hearing July 11; Senate Foreign Relations, no action.
2. Inter-American Development Bank, increase U.S. share of Fund for Special Operations: House Banking hearing July 11; Senate Foreign Relations, no action.

No action:
1. Peace Corps expansion.
2. International Development Association, enlarge resources.

GOVERNMENT OPERATIONS

Action completed: (1) Reorganization plan I, Roosevelt Library, July 26.

Passed House:
1. Reorganization Act extension, June 4; no Senate committee action.
2. Presidential Transition Act, July 25; no Senate committee action.

No action: (1) Department of Urban Affairs.

INTERIOR

Action completed: (1) Outdoor recreation; Public Law 88–29.

Passed Senate:
1. Pacific Northwest Power; House Calendar.
2. Water resources research; House committee hearings recessed, July 23.
3. Wilderness preservation; House committee.
4. Shoreline recreation areas: Canyonlands, Lake Mead.

Markup: (1) Land conservation fund; House Interior, August 5, 6; Senate committee hearings concluded March 8.

No action: (1) Water resources planning.

JOINT ATOMIC ENERGY COMMITTEE

1. AEC authorization for 1964; Public Law 88–72.

JUDICIARY

Calendar: (1) Public defenders. Passed Senate August 6; on House Calendar.

Hearings concluded:
1. Civil Rights Commission extension: Reported to full committee July 10.
2. Omnibus civil rights bill: House hearings concluded August 2; Senate committee recessed August 1.

No action:
1. Immigration amendments.
2. Patent fee increase.

LABOR

Action completed: (1) Equal pay for women, Public Law 88–38.

Passed Senate:
1. Youth employment, April 10; House Calendar.
2. Migratory labor, four bills: House committee, no action.
3. Mental health, May 27: House Interstate.

Senate Calendar: (1) Domestic Peace Corps; floor action, August 7.

Passed House: (1) Medical school bill; Senate committee, no action.

Hearings in recess: (1) Juvenile Delinquency Act extension; House committee, May 6.

Hearings concluded:
1. FEPC hearings: Senate committee, August 2.
2. Education, omnibus, June 27; House committee has reported several bills to House Calendar.
3. Manpower and employment: Approved for full Senate committee, July 30.

No action:
1. Food and drug.
2. Railroad retirement amendments.
3. Narcotics control.
4. Group practice medical and dental facilities.
5. Create new Bureaus of Community Health and Environmental Health.
6. Hill-Burton Act extension.
7. Vocational rehabilitation expansion.
8. Minimum wage extension.

POST OFFICE AND CIVIL SERVICE

Hearings: (1) Federal Salary Adjustment Act: House hearings start August 13; Senate committee, no action.

No action: (1) Civil service retirement system, improve financing.

PUBLIC WORKS

Passed House: (1) Air pollution control, July 24; Senate committee, no action.

Hearings completed:
1. National forest roads and trails: Senate committee hearings concluded, July 31.
2. Water pollution control.

Mr. JAVITS. Mr. President I ask unanimous consent that I may proceed for an additional 3 minutes.

The PRESIDENT pro tempore. Morning business is closed.

Mr. JAVITS. Mr. President, have I the floor?

The PRESIDENT pro tempore. The Senator from New York has the floor.

Mr. JAVITS. I was interrupted—I am sure quite unwittingly—and thought I had used my available time.

Mr. MANSFIELD. The Senator did not ask for a certain length of time. He has the floor. As soon as he finishes, we hope that the chairman of the Committee on Armed Services will be recognized.

Mr. RUSSELL. Mr. President, if the Senator will indulge me, I have been seeking recognition so that I might yield to the Senator in charge of the bill. The bill is in the charge of the Senator from Nevada [Mr. CANNON], who is chairman of the subcommittee which conducted the hearings and wrote the bill. He will be in charge of the bill on the floor of the Senate.

Mr. JOHNSTON. Mr. President——

Mr. JAVITS. Mr. President, if the Senator from South Carolina desires me to yield, I shall be glad to do so.

Mr. JOHNSTON. Mr. President, I ask the Senator from New York to yield 1 minute to me so that I may speak on the subject which he and the Senator from Montana were discussing.

Mr. JAVITS. I yield.

Mr. JOHNSTON. Mr. President, I commend the majority leader and the minority leader for seeing to it that there are only a few bills remaining on the calendar. The committees have not reported bills to the Senate for action. The majority leader and the minority leader have been making it possible for committees to meet on various days when the Senate was not in session in order that the committees might do their work and report important bills. To show how the Senate is moving, I point out that it has taken up a bill which does not even appear on the calendar.

Mr. MANSFIELD. The Senator is correct, but it is a bill which has been reported; and it merits action. The Committee on Armed Services has endeavored to face a need in our armed services. I am sure that no Senator would disagree with that statement.

Mr. JOHNSTON. I do not object to that statement, but I wished to invite attention of Senators to the fact that the majority leader was expediting the business of the Senate as fast as possible when committees reported bills. I join the majority leader and the minority leader in urging that the committees act as fast as possible to conclude their work on important bills. Of course, there are some bills that may not be reported from committees. At the same time, there are other bills that ought to be reported to the Senate and acted upon.

DEATH OF JAMES D. ZELLERBACH

Mr. JAVITS. Mr. President, I would like the Senate's attention to the death of James David Zellerbach, former Ambassador of the United States to Italy, former Administrator of the Marshall plan in Italy in the years 1948–50, outstanding business and industrial and civic leader on the Pacific coast, and, in my view, one of the most distinguished Americans of our time.

Mr. James D. Zellerbach, together with his brother, Harold Zellerbach, was the guiding star of the Crown Zellerbach Corp. of California, a worldwide business with a gross volume of approximately $500 million a year and with exemplary employee relations. One of the most outstanding nonstrike records of any great company in the United States was compiled by this company under Mr. Zellerbach's direction throughout the decades in which he was its principal executive officer.

Somewhat late in his life he entered public service as a representative of management at the International Labor Organization in 1945. There he saw the maneuvering of the Soviet Union in a way which called him sternly to public duty. He then became our gifted and extremely successful Administrator of the Marshall plan in Italy. Following that assignment he was appointed by President Eisenhower as Ambassador to Italy, where he made an outstanding record, convincing Washington that the Italians should not be taken for granted. He is credited, in both his ministerial and ambassadorial capacities, with having been an important factor in the miracle of the Italian economy.

J. D. Zellerbach in his personal life was one of the most delightful men I have known. He had many friends in this Chamber. He was a gentleman winegrower in California. He was an outstanding civic leader of San Francisco, devoting much of his time to the symphony. He led a dedicated, beautiful life. He was a very close personal friend of mine for nearly 30 years.

It is with deep sorrow that I announce his passing and pay my tribute to J. D. Zellerbach—a great American, a great businessman, a great servant of the American people at home and abroad.

Mr. KEFAUVER. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. KEFAUVER. I take this opportunity of joining the distinguished Senator from New York in paying tribute to the life and character and public service of J. D. Zellerbach. It was my privilege to know him for a number of years, as I knew his brother, Harold. Always, in connection with their successful enterprises, they have taken time for public service, and for ably serving our Government.

I knew that many times, as Ambassador to Italy, he was called upon to help in connection with some enterprise, or to see that Americans were properly represented and that their problems were looked after. He was one of our great and capable Ambassadors. His service to our country will be greatly missed, as he will be by many of us who knew him personally.

Mr. JAVITS. I thank my colleague from Tennessee. I know that Mr. Zellerbach's family—with whom I am very close—will deeply appreciate his gracious words.

I also wish to refer to Mr. Zellerbach's outstanding service with the Committee for Economic Development, with which he was one of the guiding lights. I express upon the RECORD my deep sympathy and condolences to Hana Zellerbach, his widow, to his children, to his brother, and to the other members of his family.

I ask unanimous consent to have included in the RECORD with my remarks the obituary to James Zellerbach from the New York Herald Tribune of Monday, August 5.

There being no objection, the obituary was ordered to be printed in the RECORD, as follows:

JAMES ZELLERBACH: DEDICATED AMBASSADOR

(By Barrett McGurn)

James David Zellerbach, 71, died Saturday in San Francisco of an inoperable brain tumor. As an industrialist, administrator and Ambassador, he served as an example of how Americans in a single generation have grown up to responsibilities around the world.

A reporter asked him during his 4 years as American Ambassador to Rome (1956–60) whether he had changed his opinion about U.S. diplomacy. He had been a giant in the field of industry, chairman of the $450 million a year Crown Zellerbach paper business. Had he considered the "striped pants" diplomats "cookie pushers" as the saying had it? Had he modified his views?

No, he said, until the days after World War II, when he was drawn into diplomacy, he had never even given the subject a thought.

He had been immersed in his 25,000-employee operation. He had made a point of keeping his staff informed on how the firm was prospering, just how the "golden goose" was doing and just why it was to each man's advantage to help the company do well. Wages, too, were high. Such a spectacular strike-free record was the result that the Crown Zellerbach head was tapped by management groups to represent them in the International Labor Organization, a three-sided government-management-labor group.

That, in 1945, when he was 54, was the eye opener. At the ILO meeting in Paris the businessman, never much interested before that in anything but west coast lumber and paper mills, watched the Soviet Union maneuvering in a manner which astonished and alarmed him. His interest in thwarting the Soviet attack and in international affairs never waned thereafter.

From 1948 to 1950 Mr. Zellerbach served as Administrator of the Marshall plan in Italy, supervising the spending of hundreds of millions of dollars in a successful pump-priming effort which was climaxed in the "miracle of Italy," a boom such as the ore-scant nation never before had known.

The Marshall plan period, under a Democratic administration, President Truman's, was followed by the ambassadorship under the Republican President Eisenhower. There were signs during the first period that Mr. Zellerbach was dubious about the land-dividing program of the Marshall plan era as socialistic and counterproductive. If so, his embassy superiors, led by James C. Dunn, a career Ambassador, overrode him.

During his own ambassadorship he soft-pedaled the colorful, outspoken anti-communism of the era of the dashing Ambassador Clare Boothe Luce, smoothed over relations with mildly leftist, mildly neutralist, Communist-aided President Giovanni Gronchi, and managed to convince Washington that the Italians should "not be taken for granted."

It was a colorless ambassadorship in one sense but it was also a prosperous one. Italy made giant strides economically and, when the chips were down, gave Mr. Zellerbach what he wanted—such as split-second landing permissions for American planes needing refueling on the way to quelling of the Lebanon troubles.

During his years in the former royal palace on Rome's Via Veneto, the present American Embassy, the businessman who had never given diplomacy and world affairs a thought turned often to the question of whether the U.S. agent abroad is, as charged, an "ugly American."

He once told an interviewer:

"You can find duds, of course, in any field. But nowhere have I found a higher level of dedication than among American diplomatic employees abroad."

Two years in a place and then kids out of school, furniture into vans, and assignments to a new language, a new climate, another mass of friends to meet and to embrace. That the businessman said, was not the configuration of an "ugly American."

The bestselling blast against U.S. representatives abroad, "The Ugly American," had lampooned envoys for not knowing languages. That, too, upset the San Franciscan. He never did learn Italian well enough to do without an interpreter on official occasions, but he and his wife, Hana, did learn to handle the language well and fluently at parties.

Do Russians always do better?

Mr. Zellerbach, nearing 70, was delighted after protocol forced him to make a stiff social call on the Soviet Ambassador to Rome. Dave, as his friends knew him, was well enough along in Italian by that time to mouth a few empty nothings to the Soviet in Italian. The latter replied in French. Neither seemed to know what the other was saying. It was a long time before test-ban treaties and neither seemed to care. The two separated with relief when the protocol minimum elapsed. But, as Dave confided to friends, it was he who had been able to use Rome's own tongue, and it is always the local language that counts.

In retirement Dave Zellerbach had a joy, cultivation of a Sonoma, Calif., vineyard in which he was determined to produce a Pinot noir red wine as fine as France's great Romanee St. Vivant, and a Chardonnay white equal to Europe's best. The white was good enough to command $6 a bottle in San Francisco restaurants but, last year, Dave Zellerbach said that he felt that his Pinot noir 1959 still needed 6 or 7 more years to reach its peak. He was not yet drinking it and would not sell until he did. Wine is a European language all its own and that, too, Dave was speaking.

Dave Zellerbach was the third generation of a paper family whose operations began in 1870 in a San Francisco basement. He had memberships in 50 educational and civic organizations, was a chairman or director of 7 leading economic or research groups, and had ranking roles in 7 major business and banking institutions. He was long president of the San Francisco Symphony Association.

MRS. JANET LITTLE

Mr. JAVITS. Mr. President, one of the most difficult of tasks is to find words to express our feelings on the death of a loved one. And one of the most eloquent and saddest tributes I have ever read was published in an editorial in the Ogdensburg, N.Y., Journal on July 22.

In this issue, the publisher, Franklin R. Little, put into words the thoughts and the emotions of a host of New Yorkers—and scores of people throughout the world who had come to know and respect Janet Pennoyer Little, his wife. Mrs. Little was stricken in Japan while accompanying her husband on one of their many trips throughout the world, and was flown to a Montreal hospital, where she died July 20.

I ask unanimous consent that Mr. Little's editorial be placed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

JANET PENNOYER LITTLE

(By Franklin R. Little)

I have written many editorials in my long span of years as a newspaperman. This is the saddest one I have ever written, the most difficult, and the one for which I feel the most inadequate. I pray I had the talent and the gift to express the depth of my sorrow and my true feelings.

When I was called to the Royal Victoria Hospital in Montreal early on the morning of last Saturday I was told that my wife had passed away shortly before. My happiest memory is that I could have been with her all evening until nearly midnight the night before her death. The nurse who was with her at the last told me: "Mrs. Little was the most thoughtful and considerate patient I have ever had. I sponged off her face early in the morning with ice cold water. She smiled with that sweet smile of hers and said 'thank you so much,' and then she went to sleep, never to wake again. She was always like that. She was never demanding or exacting. She was always sweet, gentle, and so thoughtful of those who were helping her. She was a beautiful character."

My wife died as she had lived. With a smile despite her long illness, her pain and suffering, the loneliness and discouragement she must have felt. She died with a word of appreciation and a "thank you" for the nurse who had administered to her and sought to help her. She was the most selfless and unselfish person I have ever known. She lived to do for others. She sought nothing for herself. She found her greatest satisfaction and her greatest happiness in doing something to help other people.

Since her death I have been overwhelmed with the tributes she has received from people of all walks of life. The humblest and the most simple loved her for her many acts of kindness and generosity and her unfailing courtesy. People whom I have never known have come to to tell me of some thoughtful and kind thing she did for them. Many who were ill and shut-in or lonely and with few friends have called me or sent me a message to tell me how she unfailingly came to see them, brought flowers or vegetables from her garden, came to cheer them up with her sweet smile and radiant personality. She made them feel that someone did care for them and wanted to help them.

She was devoted to her sons and their families, was an exemplary mother and a loving grandmother. But far beyond the limits of her own family she was respected and beloved by many hundreds of people who had met her or knew her either intimately or casually. If there was ever a mortal being with the purity of soul of an angel it was she. This is not only my opinion but it has been expressed to me many, many times since her illness and finally her passing last Saturday. She was a sincere and believing Christian. As I wrote from Japan when she was so ill there in the U.S. Naval Hospital in Yokosuka, her religion, her deep belief in God and in His Son carried her through crisis after crisis and sustained her when a less courageous and less dedicated soul would have surrendered.

To me she was my dearest friend. She was my best companion. I was always most happy when I was in her company. When she was taken so ill in Japan she said to me one time: "I don't know what is going to happen to me. But nothing can dim or erase the memories of my wonderful life with you, with all of its tribulations and its triumphs, its defeats and its victories. We have wonderful memories of our life and experiences which nothing can ever dim for me."

Her smile is gone, her radiant personality is no more, but every life which she touched was ennobled. Her influence went far beyond the limits of her own family. It was felt by the entire community and by a host of devoted friends all over the United States and in fact the world. The outpouring of sympathy and grief attests to that.

Newspapermen mark the end of a story with the number "30." That means it is finished, it is ended, there is no more. I cannot end this with "30," Janet Pennoyer Little was a personality who can never die. The body may die and go. But her beautiful soul, her kindliness, her thoughtfulness, her generosity, her loyalty, her purity, her devotion, and her courage will live long after in the hearts and minds of all of us who were so highly privileged to know and love her.—Franklin R. Little.

POSITION OF GOVERNOR ROCKEFELLER ON PUBLIC ACCOMMODATIONS

Mr. JAVITS. Mr. President, some question was raised in the hearings before the Committee on Commerce with respect to the alleged failure of Governor Rockefeller of New York to express himself on the pending public accommodations civil rights bill before that committee.

On July 19, 1963, the Governor of New York released the text of a letter to Senator WARREN G. MAGNUSON, chairman of the Senate Committee on Commerce, fully supporting and endorsing the legislation before the committee; and pointing out that New York has had legislation of this type since 1881, which has been brought up to date, and that New York's experience with it has been magnificent. Ninety-eight percent of all cases have been settled by conciliation and mediation. New York was the pioneer, later followed by 22 other States which enacted similar legislation.

In view of the fact that there was some question raised about the Governor's position, I ask unanimous consent that the letter may be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

STATE OF NEW YORK,
EXECUTIVE CHAMBER,
Albany, N.Y., July 19, 1963.

Hon. WARREN G. MAGNUSON,
Chairman, Senate Committee on Commerce, U.S. Senate, Washington, D.C.

DEAR SENATOR MAGNUSON: I am pleased to respond to your request for my comments regarding Federal legislation designed to eliminate discrimination in places of public accommodation. You have also invited my comments on the experience of New York State under its statute barring discrimination in places of public accommodation, resort, or amusement.

At the outset, let me express my strong conviction that the enactment of Federal legislation to help assure that each of our citizens will have equal access to and treatment in all public places is urgently needed. The moral basis for legislation having this objective grows out of the basic fact that our Nation, under God, was founded on and draws its sustenance from the concept of the worth of the individual and the brotherhood of man.

I am convinced that human rights and individual dignity require constant and continuing protection through law at every level of our society, if these fundamental rights are to be, and remain, a reality for all our people.

As far back as 1881, New York enacted a law making it a misdemeanor to deny any person "the full and equal enjoyment of the accommodations, advantages, facilities, and privileges of all hotels, inns, taverns, restaurants, public conveyances on land or water, theaters, and other places of public resort or amusement, because of race, creed, or color."

Thus, the principle of equal opportunity of access to public accommodations is well established in New York.

This principle was further promoted in our law against discrimination, which, as I shall explain, provides remedies far more practical than the criminal proceedings which the 1881 law required. New York's comprehensive law against discrimination, first passed in 1945, originally covered only employment and labor union membership. An amendment to the law in 1952 extended coverage to places of public accommodation, resort, or amusement. Subsequent amendments, enacted in 1955, 1956, 1961, and 1963, extended the coverage of the law to 95 percent of the housing in New York State, and also to the sale and rental of commercial and business space. An amendment enacted in 1962 broadened the employment aspects to encompass apprenticeship training.

The public accommodations provisions of the law against discrimination have been amended twice during my administration: In 1960 and 1962, to expand the rights of all people to the enjoyment of all public facilities.

I am sure that your committee is fully aware of the highly successful experience of New York State in the application and administration of this law. The law is administered by the State commission for human rights (previously known as the State commission against discrimination), a seven-member commission appointed by the Governor by and with the advice and consent of the senate. The members are appointed for staggered 5-year terms.

As was the case with regard to discrimination in employment and as has been the case in other areas of its jurisdiction, the commission initiated a statewide educational program immediately after the public accommodations amendment was passed. The commission held a series of public meetings with leaders representing business, industry, the clergy, labor, and community organizations in all major cities and communities throughout the State.

These educational programs provided the commission with (1) the opportunity to explain the law, its procedures and goals, in an effort to obtain voluntary compliance with the spirit and the letter of the law; and (2) to allay the fears of those who felt that dire consequences would result from such legislation.

The commission's next step was to reorganize its investigation staff and gear it to handle complaints that might be filed.

The commission's complaint process is as follows: When a verified complaint is filed with the commission for human rights, the chairman designates one of the commissioners to make an investigation of the charges. If the investigating commissioner finds that discrimination probably occurred, he "shall immediately endeavor to eliminate the unlawful discriminatory practice complained of, by conference, conciliation, and persuasion."

If the conciliation procedure fails, a public hearing is held. If the Commission finds that an unlawful discriminatory practice has been committed, a cease and desist order is issued. Failure to comply with such an order subjects the offender to the possibility of a fine of not more than $500 or imprisonment for not more than 1 year, or both, subject to review by the courts. Any person, employer, labor organization, or employment agency, who or which shall willfully resist, prevent, impede, or interfere with the Commission or any of its members or representatives in the performance of duty under the law against discrimination or shall willfully violate an order of the Commission, shall be guilty of a misdemeanor and subject to punishment therefor (Executive Law, secs. 297, 298, 299).

The crucial fact for your committee to consider, in my view, is that the conference, persuasion, and conciliation technique has proved effective in approximately 98 percent of all cases involving public accommodation. These successful cases are brought to a conclusion with respondents agreeing to such terms as these:

1. An apology to the complainant.
2. An invitation to the complainant to use the facilities in the future.
3. The issuance of a policy settlement by the respondent that facilities involved are accessible to all people regardless of race, creed, color, or national origin.

Only in the rarest of cases has it been necessary to hold public hearings or impose sanctions in public accommodation cases.

In addition to the accomplishment of its major objective, the public accommodations provisions of the law have had two important byproducts.

First. The removal of discrimination in places of public accommodation has been greatly instrumental in creating the climate for greater mutual understanding among persons of differing races, creeds, and colors. This understanding has, in turn, made it easier to achieve advances in eliminating discrimination in other fields, such as housing.

Second. The law has led to greater use of public accommodation facilities throughout the State by Negroes and other minority groups, thereby increasing the income and profits of individual businesses in particular, and improving the economic health of the State in general. Commerce has clearly been promoted by the regulation achieved by the law.

I believe Federal legislation, based on the principles of the New York law, would be highly constructive.

Twenty-two States have followed the lead of New York in the enactment of some form of antidiscrimination legislation, and innumerable counties and cities also have passed similar laws. I hope that all the States will take action against discrimination, because it is a responsibility of the States to insure equal opportunity for all the people. However, it is obvious that Federal action is necessary under the circumstances where many States have not acted.

It is my considered judgment that action must be taken at this session of the Congress.

I appreciate this opportunity to present my views to you and the members of your committee.

Very truly yours,

NELSON A. ROCKEFELLER.

NUCLEAR TEST BAN TREATY

Mr. JAVITS. Mr. President, I should like to make a very brief statement on the nuclear test ban treaty.

Mr. President, ever since the end of World War II, every administration has sought means to bring the international arms race under control. In order to implement this objective, President Eisenhower instituted negotiations in 1958 for an agreement banning the testing of nuclear weapons. Proposals were advanced for prohibitions on all testing as well as in limited environments. Efforts directed toward a comprehensive test ban failed, then as now, because the Soviet Union would not agree to matters we consider vital to our security. The greatest obstacle related to the inspection and verification of underground tests.

Yesterday in Moscow, representatives from the United States, United Kingdom, and the Soviet Union signed a treaty banning nuclear explosions in the atmosphere, outer space, and underwater. This treaty must first receive the advice and consent of the Senate to its ratification. This responsibility weighs heavily upon us for the entire world will be following our deliberatons with profound interest.

In considering whether the advantages of this treaty are outweighed by the risks involved, we will not be plagued by problems connected with the detection and inspection of underground tests. They are not to be prohibited under this treaty.

We must, however, consider the possibility of Soviet cheating in prohibited environments, or of the Soviet's seeking advantage by a quick pullout from the treaty when fully ready to test again; the very situation we ran into during the past 2 years with the renewal of bomb testing by the U.S.S.R. immediately upon the giving of notice that it was ending its self-imposed ban.

Mr. President, I address myself briefly to these subjects because I believe that, in the impending debate which will take place before the country, those who have a position ought to take it, and they ought to participate in that debate. This will be most useful to our people.

I think the system which is contained in the treaty for policing is reciprocal, and that is based on the historic precedent of the Baruch-Hancock plan, which remains to this day, in my view, the best basic principle for dealing with the Soviet Union, though it was first promulgated in 1947.

I understand that the United States already has a national detection network that permits the detection and identification of nuclear tests in the atmosphere, underwater, and in space. Moreover, there is no point in attempting to carry out types of tests in these environments that could be conducted freely and legally underground.

I understand that by means of underground testing, a nation can conduct roughly all weapons development tests pertaining to tactical and intermediate yield strategic weapons. It can also conduct many useful weapons effects tests. Tests of very high yield weapons and certain particular weapons effects experiments cannot be conducted underground.

Very high yield tests can be easily detected in the atmosphere and underwater. And again I understand that we already have the capability to construct a system of observation that would make tests deep in outer space almost impossible to conceal.

A party contemplating clandestine tests in space has more to consider, however, than just the possibility of getting caught. It is an extremely expensive undertaking and is time consuming. To obtain results from a test millions of miles away could take weeks or months. This is further compounded by any number of technical difficulties that would have to be overcome to gain even a limited knowledge from the explosion.

These factors, coupled with the fact that the Soviet Union has already tested large megaton weapons, would seem to make it extremely unlikely that cheating would be attempted in this space field. Unlike the Soviet Union, we have, by choice, concentrated on a larger number of smaller yield weapons. As the President said in his August 1, 1963, news conference, thirty 3-megaton bombs do more damage than a single 100-megaton bomb because the latter does not move up in arithmetical progression.

Certain very small weapons effects tests in the atmosphere might go undetected, but I am informed that the significance of the data obtained from such tests would not be great, and, of course, the violator would always run the risk of detection with all the worldwide consequences this would bring.

These atmospheric tests have most often been spoken of in the context of developing an antimissile missile, which, as the President also indicated in his August 1 news conference, "is beyond us and beyond the Soviets technically." Our development of an antimissile is proceeding, but any ABM defense is susceptible to saturation—incoming missiles launched in such quantities as to overwhelm the defensive missiles. Moreover, the technical difficulties involved in the launching of dummy missiles to lead the defensive missiles astray are extremely complex. Therefore, the problem is not primarily one of further testing, but of discrimination, selectivity, and targeting. That the Soviet Union would consider it worthwhile to risk cheating in this area for minimal or nonexistent gains seems unreasonable.

Proponents of the test ban treaty, in enumerating some of its advantages, state that it would: First, constitute a first step in preventing the further spread of nuclear weapons to other countries, thereby lessening the danger of nuclear war; second, eliminate the hazards of radioactive fallout; third, slow down the pace of the arms race, and fourth, be a first step toward a hope of reducing world tensions and toward broader areas of enforceable agreement. I am, however, under no illusion as to what continues to be the grand objective of the U.S.S.R. as the leader of its Communist bloc.

In addition to these, I might add another advantage in answer to those who assert that the treaty would give the Soviet Union a chance to catch up with us legally in tactical weapon capability by testing underground. They could do this with or without the treaty, if they wished, but without the treaty the rate at which they could catch up with us would be greater since they could test in all environments.

Mr. President, on the basis of what we know now, I am inclined to agree that the advantages which would accrue to us and to the world through such a treaty would so far outweigh the risks as to dictate the Senate consenting to the treaty. I think the President, on this issue, deserves bipartisan support from Republicans who feel that way in good conscience at this time, so that the debate may be held with the most available support for each position, contributing to it as fully as possible. I believe that Senators who cannot decide, who have honest doubts, and want to hear the questions answered, if they feel they have not yet been answered, may properly stand aside; but Senators who can participate, have a duty to do so in the debate and in announcing their position, as I do today.

I yield to the Senator from Florida——

ORDER OF PROCEDURE

Mr. CANNON. Mr. President, I ask unanimous consent that I may be permitted to yield to the Senator from Georgia without losing my right to the floor.

The **PRESIDING OFFICER** (Mr. INOUYE in the chair). Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I wanted to yield to the Senator from Florida.

Mr. RUSSELL. Mr. President, I am constrained to object and demand the regular order as in the morning hour. I have no objection to a Senator's speaking at great length, but Senators who have been on the floor for the past 30 minutes are entitled to consideration.

Mr. JAVITS. Mr. President, a parliamentary inquiry. Do I still have the floor?

The **PRESIDING OFFICER.** Has the Senator yielded the floor?

Mr. JAVITS. I have not.

The **PRESIDING OFFICER.** The Senator from New York has the floor.

Mr. JAVITS. I see no reason why——

Mr. RUSSELL. Mr. President——

Mr. JAVITS. I do not yield. I see no reason why any Member of the Senate needs to be harried. For months, weeks, and days we have been doing very little. When a Member of the Senate takes the floor to speak, there is no reason why he should be harried. The pending bill is before the Senate for consideration. It will be considered. I am not inclined to be discursive. I feel that this situation is inimical to the conduct of the Senate. I have the floor. I have a right to make a unanimous-consent request. A Senator can object if he so desires, but I will not yield the floor at this time. I have a few other things to say.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. MANSFIELD. I think the Senator should be and will be a little more considerate in accord with his usual courtesy to his colleagues. He will recall that the morning hour had concluded, and he came to the leadership and said he would like to proceed for 5 minutes, and asked me if I would withdraw the quorum call. I did. I think we ought to realize that there is important legislation before us, that there is a responsibility on the part of all Senators, and that many Senators have been waiting for a half hour, at least. With his usual courtesy and consideration, the Senator, I am sure, is aware of that fact.

Mr. JAVITS. The Senator is absolutely correct in everything he has said. I am sure that, mettlesome as he is, he would have reacted as I did, and would have been compelled to do as I did, when there is pressure to "get off the floor." If the Senator had come to me and said to me, "Please close this up. We want to get ahead with the bill; you have had time on the floor," I would have withheld any further remarks; but any Senator with mettle and character would resent the fact that other Senators were pressing the situation. That is not the way I would like to see the business of the Senate conducted. I doubt if any other Senator would like to have it conducted in that way.

Mr. MANSFIELD. I do not disagree with the Senator, but I hope he understands the situation in the Senate, and that it is important that the Senate get on with the pending legislation as quickly as we can.

Mr. JAVITS. The Senator from Florida came to me and said he was occupied in another matter and asked if I would yield to him. I apologize to him and say that I cannot do so. Therefore, I yield the floor.

Mr. RUSSELL. Mr. President——

Mr. CANNON. Mr. President, I ask unanimous consent that I may be permitted to yield to the Senator from Georgia without losing my right to the floor.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. RUSSELL. Mr. President, I can understand the feeling of the distinguished senior Senator from New York, but I do not think I may properly be charged with any rudeness in this matter or any lack of senatorial courtesy. I can understand that there are Senators who may feel that they are entitled to the floor by prescriptive rights and to hold it at great length, and who do so. The Senator from New York has never been restrained in speaking in the Senate. I am quite sure any examination of the RECORD will disclose that the distinguished Senator speaks as much as or more than any other Member of the Senate. There is one other Senator I can think of who may be able to "place" in that contest, but not to finish first. He would be left far behind by the distinguished Senator from New York.

I favor freedom of debate. I did not object to the Senator from New York speaking. I objected to his conducting what was in effect a morning hour at his pleasure. He would speak for a while. He would offer something for the RECORD. He would yield to some other Senator, very graciously, and then he would speak again and offer something else for the RECORD.

Under the normal morning hour, any Senator who speaks for 3 minutes, or who occupies the floor for 3 minutes, is supposed to withhold proceeding further and let some other Senator take the floor for 3 minutes, and await his turn again, if he wishes to put five or six different matters into the RECORD. I was wholly within my rights under the rules, and I have no apology to make to anyone, least of all to the distinguished Senator from New York, because I did not feel that he should have farmed out the floor and held up the Senate in that fashion.

PROPOSED TEST BAN TREATY

Mr. RUSSELL. Mr. President, the test ban treaty will be before the Senate within a few weeks. It will undoubtedly be before the appropriate committees of the Senate in the very near future. The subject is of transcendent importance to the people of this Nation; indeed, to the people of the earth.

The distinguished Senator from Washington [Mr. JACKSON], who has had vast experience in this particular area, is the author of a thought-stimulating article published in the New York Times magazine of Sunday, August 4, entitled "Seven Assumptions That Beset Us."

As Members of the Senate know, the Senator from Washington is chairman of the Senate Committee on Interior and Insular Affairs. He is also a valuable and experienced member of the Committee on Armed Services, its Preparedness Investigating Subcommittee; chairman of the Military Applications Subcommittee of the Joint Committee on Atomic Energy; and chairman of the Subcommittee on National Security Staffing and Operations of the Committee on Government Operations.

He has earned a reputation as an energetic and perceptive participant in national security affairs. His observations deserve careful study as the Senate prepares to consider ratification of the nuclear test ban treaty. I ask unanimous consent that this article be printed in the body of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From New York (N.Y.) Times magazine, Aug. 4, 1963]

SEVEN ASSUMPTIONS THAT BESET US—A SENATOR TAKES A CLOSE LOOK AT THE TEST BAN TREATY AND OTHER ASPECTS OF EAST-WEST RELATIONS, AND WARNS US TO BEWARE OF BELIEVING THINGS THAT AREN'T NECESSARILY SO

(By HENRY M. JACKSON)

(NOTE.—In the coming debate over the atomic-test ban, Senator HENRY M. JACKSON, Democrat, of Washington, as a member of the Armed Services Committee and chairman of the Military Applications Subcommittee of the Joint Committee on Atomic Energy, will play a leading role. Here he outlines his philosophy on Russian relations with the West and discusses the treaty.)

WASHINGTON.—The longer I work at the problems of national security, the more I come to share Jefferson's view that a person "is less remote from the truth who believes nothing, than he who believes what is wrong." Or, as Josh Billings has said: "It isn't ignorance that causes so much trouble; it's what people know that isn't so."

It is harder to deal with error than with ignorance. Error, after all, is a child of our minds and we love it as our very own. Error is more often than not rooted in myths and wishful thinking. A nation may have great power and yet exercise it ineffectively, particularly if its people are careless of the facts and rest their judgments on misconceptions.

As Walter Lippmann once said: "A man may have the finest automobile, be the best driver, have perfect vision and a heart of gold. But if he tries to find his way around Paris with a map of Chicago and around Hanoi with a map of Oakland, Calif., he just will not arrive where he set out to go."

If today's assumptions are false and our estimates are too misleading, America will take the wrong turns and end up in the wrong place.

We confront complex issues, and understandably many of us hope for simple answers. So it is not surprising that convenient but false assumptions work their way into some people's thinking. It is useful to examine the credibility of certain assumptions about international affairs held by considerable numbers of people.

1. There is the widespread assumption that the Chinese-Soviet quarrel reduces the Communist threat to the West.

A Vietnamese might be permitted some doubts. Or a Nehru.

I believe that the truth may be exactly contrary to the reassuring words.

Khrushchev thinks our day has passed. Khrushchev and Mao are not quarreling about whether to bury us. They are quarreling about how. It may be that Mr. Mao plans a 12-foot grave and Mr. Khrushchev a 6-foot one. In any event, they both seem to have in mind a cemetery.

The Moscow-Peiping dispute is being played for very high stakes. The leadership of world communism is involved. So is the fate of men who see themselves as the locomotives of history. Khrushchev and Mao each desperately desires to show that his policy for liquidating the West is best. Each needs victories. The consequences for us may well be a period of rising tensions and dangers. At any rate this possibility weighs as much as the opposite one.

In these days, Khrushchev's tactics must be tailored to take into account his troubles with Mao. This does not mean his objective of world supremacy has changed.

Khrushchev just told the Chinese: "The struggle for peace, for peaceful coexistence, is organically bound up with the revolutionary struggle against imperialism. It weakens the front of imperialism, isolates its more aggressive circles from the masses of the people and helps in the struggle for national liberation."

Khrushchev has been a very adept and resourceful tactician. It is well to remember that where Stalin was obvious in his maneuvers, Khrushchev is devious. We have been exposed to his smiling face and his pounding shoe; we have seen him export doves of peace one month and nuclear missiles the next. The point is that whether Khrushchev is the jovial backslapper at a cocktail party or is launched on a harangue at the Berlin wall, he is the same dangerous man. He can turn it on and off again in short order. We can expect that Khrushchev will continue to twist and turn, thaw and freeze, agree and disagree—in pursuit of his ultimate aim, which he openly admits is to bury us.

And there is both a lesson of history and a warning for the future in Russia's sudden signing of a nonaggression pact with Hitler.

2. There is the widespread assumption that we can win our way with the Russians with a policy of inoffensiveness.

This is a fallacy held by many good and decent people who let their hearts prevail over their heads. We have all heard arguments that amount to nothing more than "if we trust the Communists, they will trust us." We are told that the United States should take unilateral initiatives to reduce our strength to set a "good example" and quiet Soviet suspicions.

It is not convincing to say that we won't know whether this policy will work until we try. There are some experiments that are best left undone.

Just consider India's experience. No state has tried harder than India to find security by a deliberate policy of inoffensiveness. India has had to learn the hard way, as have others, including ourselves, that expansionist states do not respect weakness. I am sure Mr. Nehru does not relish this on-the-job training program, but it may save others from a similar schooling.

As Reinhold Niebuhr has said: "If the democratic nations fail, their failure must be partly attributed to the faulty strategy of idealists who have too many illusions when they face realists who have too little conscience."

Almost all Americans are members of the peace movement in the sense that they want peace. The debate is over means. The debate needs to receive our most thoughtful, honest, tough-minded attention. But certainly, the weight of responsible opinions lies with preparedness combined with restraint—what Teddy Roosevelt meant when he said we should talk softly and carry a big stick.

The only way to bargain successfully with expansionist states is to maintain the strength to make bargaining attractive to them.

3. There is the widespread assumption that the arms race is leading straight to catastrophe.

A familiar line of this argument goes this way: Arms races have always led to war; the world is engaged in an arms race; therefore, we are heading for a nuclear holocaust.

This argument rings hollow. It was not an arms race that led to World War II. On the contrary, it was the failure of the Western democracies to prepare for war that led to its outbreak in 1939. It was Chamberlain's failure to recognize the danger of a demagogue like Hitler, bent on aggression, that led to Munich. This is the reason Winston Churchill has called the Second World War "the unnecessary war."

As I read history, international peace and security depend not on a balance of power but on a certain imbalance of power favorable to the defenders of peace—in which the strength of the peacekeeper is greater than that of the peaceupsetter.

An expansionist nation will never, of course, be satisfied with this state of affairs. And precisely for this reason, disarmament or arms control is a difficult objective to achieve. As I see it, a would-be aggressor will not settle for an arms control agreement that freezes him in a position of inferior power. On the other hand, an aggressor's objectives are served by an agreement which would permit him to acquire superiority by stealth.

As for the second premise: What arms race are people talking about? The United States is not engaged in an arms race. We could, if we wanted to, build more weapons and build them faster. But our goal is not an unlimited buildup. Our goal—and we should be perfectly clear about it and frank to acknowledge it—is to create and maintain, in cooperation with our allies, a relationship of forces favorable to peace. The real road to catastrophe would be to permit an unfavorable relationship of forces to arise.

I believe that this is an understandable position—and that our public statements about defense and about arms control or disarmament should be put in this perspective. Too often, however, high officials speak as though a nuclear test ban were mankind's last best hope, or as though the choice we face is between one more concession and catastrophe.

4. There is the widespread assumption that a test ban will halt the spread of nuclear weapons.

For those who have not mastered Anglo-Saxon, "spread" is a six-letter word meaning proliferation.

It is utterly unrealistic to take the position that a test ban agreement will stop the spread of nuclear weapons. We need to think clearly and straightforwardly about the test ban issue. Unfortunately, there has been some loose thinking, about this subject, which arouses such strong emotions.

The public lacks expert knowledge of the problems of inspection. "Decoupling" does not conjure up the same image for John Q. Public that it does for, say, Edward Teller. But the public does not lack commonsense. It knows that De Gaulle has refused to participate in the Geneva disarmament talks and that Mao has not been invited. It knows that the Chinese will be exploding a nuclear device at almost any time—this year or possibly early next year, and that Peking has been quick to say it will not be bound by the test ban. It knows that De Gaulle has said France will not sign the test ban agreement and will proceed with an independent nuclear program.

All of us, I am sure, regret that 10 years hence, as President Kennedy recently told us, there may be a sizable number of nuclear powers, each capable of touching off actions with irreparable consequences. I wish this were not the prospect. Efforts to limit the spread of nuclear weapons deserve our serious attention. But an agreement along the lines worked out in Moscow will not stop a nonsignatory country which desires to become a nuclear power and is able and determined to invest substantial resources to do so.

5. There is the widespread assumption that a test ban agreement will necessarily lead to growing East-West confidence and reduced tensions.

Obviously, we would hope a test ban agreement would be a first step toward decreasing world tension. But obviously, too, we cannot count on it, and unless we view the outlook in proper perspective we run the risk of a dangerous drop in public confidence and morale through the disappointment of exaggerated expectations.

For example, what would be the reaction to the knowledge that Communist China is conducting extensive nuclear tests—or to the strong suspicion that the Soviet Union might be cheating—or to a growing apprehension that the Soviets might abrogate the agreement without warning?

A test ban must not be merchandized like cosmetics—with claims that cannot be met. Government officials are not salesmen, but stewards.

The Senate will ratify a test ban agreement that proves, after careful study by the appropriate committees, to be in the national interest. But before reaching such a determination, the Senate, to fulfill its constitutional obligations, must look at any agreement with the greatest care, to make sure that the possible gains are not overshadowed by the risks that are inevitably run.

The prevention of fallout from tests is a clear benefit from any test ban agreement that works. But that benefit must be weighted against the risk of compromising our ability to prevent a nuclear war.

I deeply believe that in national security matters we should act according to a scale of national priorities that puts first things first and second things second. What is of first importance is to protect our military deterrent—to maintain a position where our power and our will to use it are understood both by our adversaries and our allies. Why has the Russian position changed—if it has? A good deal of credit must be given to the power we have maintained. If our deterrent ever ceases to be credible, the Communist bear will be on the loose.

6. There is the widespread assumption that our superiority in conventional forces was the decisive factor last October in the near-collision over Cuba.

This is, of course, wrong, as ought to be apparent.

I have strongly supported the strengthening of our conventional forces. This is one of the major accomplishments of this administration. Our forces are better balanced than they were and better prepared to meet the contingencies they may face.

But the decisive factor last October was will—the evidence that the United States was prepared to take whatever risks were necessary to obtain satisfaction of its demands. It may be that we did not demand enough—but that is another question. We got most of what we asked for. And the reason was that Khrushchev became convinced that our will was firm.

His reply to Communist Chinese criticism was as free of mumbo-jumbo as a statement could be. He said, "The paper tiger has nuclear teeth." And, as Bernard Brodie of the Rand Corp. recently observed, when Khrushchev found that we were not as tolerant as he had supposed, he rushed to get the missiles out, "apparently unimpeded with any worries about 'humiliation'." He was clearly less worried about his face than his future.

It is important to be very clear about all this, for if conventional superiority was the decisive factor in Cuba, what defends Berlin? The answer is that the security of Berlin also depends on our will. I, for one, would not wish to convince Mr. Khrushchev that our conventional superiority was decisive in Cuba. Or so to convince our European allies.

The Communists, by virtue of their geographic position, can deploy their forces to achieve conventional superiority at most points along their long boundaries. What deters them is fear that they might start something bigger than they are prepared to risk.

We need strong conventional forces; there is no argument about that. But it would be a tragic error to encourage the Communists to believe that they will meet only these forces so long as they restrict themselves to aggression with conventional means.

7. There is the widespread assumption that our national policies should be more flexible.

I do not know when flexibility became accepted as an unqualified virtue. It is a virtue in a tire or in a skyscraper—in moderation. Beyond a point it becomes softness in the former and wobbling in the latter. And who wants a wobbly skycraper, or a soft tire?

Flexibility is also a virtue in foreign policy—if it goes as far as resiliency but not so far as a wavering in will. The Bay of Pigs seems to have involved some wavering, the Cuban missile crisis of last fall some resiliency. I am in favor of resiliency—which my dictionary defines as "the capability of a strained body to recover its size and shape after deformation, especially when the strain is caused by compressive stresses." We are bound to suffer some compressive stresses here and there and we want the capability to bounce back, firm in purpose and resolve.

Referring to the Founding Fathers, Abraham Lincoln once said: "They were pillars of the temple of liberty; and now that they have crumbled away that temple must fall unless we, their descendants, supply their places with other pillars, hewn from the solid quarry of sober reason."

We must be vigilant, then, to make certain we are not misled by false assumptions. It is urgent, too, that we in government should be very careful what we ask the public to believe. Our national situation is too precarious to justify a nonchalant attitude toward the truth.

I believe the American people, if they have the facts, are able to distinguish nonsense at a hundred paces. They do not expect infallibility in their government officials; indeed, they wisely suspect anyone who claims it. They welcome candor, and they can take it.

ORDER OF BUSINESS

Mr. CANNON. Mr. President——

The PRESIDING OFFICER. The Senator from Nevada.

Mr. CANNON. Mr. President, I ask unanimous consent that I may yield for 1 minute to the Senator from New York.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, in response to the comments of the Senator from Georgia about my speaking, I do not know whether he watched the clock, but I spoke for exactly 20 minutes. When I yielded to other Senators, I yielded by unanimous consent. I did so to enable other Senators to make remarks. The Senate was not in the morning hour at the time, and I had been so advised. I did what any other Senator would do in endeavoring to fulfill his obligations in the Senate and at the same time trying to accommodate other Senators.

With respect to the question of the length of time that I speak, Mr. President, I say only that we can tote up the score at the end of this session, to determine how long I speak and how long other Members of the Senate speak. I would be most interested in that tally. I hope very much that the Senator from Georgia will bear this in mind when proposed civil rights legislation is before the Senate. We could then see how many lines in the RECORD are taken up by the remarks of the Senator from Georgia and by my remarks, in toto, on all subjects.

Mr. CANNON. Mr. President, I yield to the Senator from Georgia.

Mr. RUSSELL. Mr. President, I will undoubtedly speak somewhat at length when the proposed legislation to which the Senator from New York has adverted is on the floor of the Senate for debate. However, even with that recognized fact before me, and when totaling up or making a comparison of the amount of time that will have been occupied, as between myself and the Senator from New York, I believe with complete equanimity and a feeling of confidence that my physical capacity will not permit me to equal the time that the Senator from New York has taken in this session and will take during the remainder of this year. He also will speak at length on the so-called civil rights issue.

I did not object arbitrarily or capriciously when the Senator held the floor. He had said "finally," or "as a final item," and then started to take his seat. I thought the Chair had recognized the Senator from Nevada. Then the merry-go-round started all over again, not with the Senate's morning hour, but with the morning hour of the Senator from New York. I was not able to get into that morning hour.

Therefore, I resorted to a rule of the Senate, and I did so wholly within my rights. The Senator from New York can avail himself of the same rule, and undoubtedly he will do so in the future.

Mr. CANNON. Mr. President, I ask unanimous consent that I may be permitted to yield to the Senator from Louisiana [Mr. ELLENDER], without losing my right to the floor.

SUGAR PRICE FLUCTUATIONS

Mr. ELLENDER. Mr. President, last spring the attention of the country was aroused by some extraordinary movements in the price of sugar. In the space of a few weeks, the price of imported raw sugar delivered in New York doubled, rising from 6.6 cents a pound to 13.2 cents, the highest level in more than 40 years. The price of sugar on the world market underwent an even more spectacular climb.

This price spiral was fed by feverish speculation, and, like all speculative bubbles, this one burst. This particular bubble exploded on May 23, and for the next few days the price came down as rapidly as it had been going up. It has been going down ever since.

The price of raw sugar delivered in New York was 6.85 cents on July 31, which is only a quarter of a cent higher than the price that prevailed when the spiral began. The world price had fallen to 7.5 cents. The high prices this spring encouraged a great effort on the part of producing countries everywhere to take steps to increase their production, and the world supply outlook is good. There is no reason to think that the kind of price inflation which occurred this spring is going to happen again.

But the fact that the price of imported raw sugar has returned to its normal level raises an important question: Why are not the wholesale and retail prices also coming down?

The normal spread between the New York spot price of raw sugar and the price of refined is about 3.3 cents. Today it is more than 5 cents. It has been over 5 cents during most of the period since May 23 when the raw price broke.

The refiners contend that they were squeezed during the period of rising prices. They say that their selling prices lagged behind on the upward side of the spiral, and that therefore they have to lag also on the downward side, to make up for the earlier losses. I am sure there is something to this argument, but the lag on the downward side has now gone on for more than 2 months—which is much longer than the period of lag during the price rise.

The same questions can be raised about the margin that still remains between the sugar refiners' price and the retail price, which is much wider than normal.

The refiners of imported raw sugar at least have some argument for holding their prices up, because the cost of their raw sugar did rise. But what defense do the beet sugar processors have? Their costs did not go up at all. Their sugar was all refined, in inventory, when the world price of sugar began to climb. They simply took advantage of the situation, and raised their prices to get whatever they could. The price of refined beet sugar rose from a little over 9 cents to a peak of 13.25 cents generally, and in one territory to 15.25 cents for a few days. Perhaps the directors of the beet-processing companies were under great pressure from their stockholders and growers to charge what the traffic would bear. But it is hard to see how, at this date, the beet sugar processors can justify a price that is still more than a penny a pound above what was the normal price of beet sugar before the price spiral began.

It may be asked whether, by raising such questions, I propose to interfere with the free-enterprise system, under which price is properly determined by the relationships between supply and demand. The answer is that sugar is just about the most fully controlled commodity in the entire marketplace. The Sugar Act apportions the entire U.S. market among various groups of suppliers, and the Secretary of Agriculture is directed to establish the total of these quotas at the point where supply and demand will be kept in balance at a price objective determined by a formula written into the act. The formula works out at a raw sugar price, delivered in New York, of 6.6 cents a pound. This formula price may be too low, and I believe it is, but this is what the formula provides. In short, the Sugar Act, through the assignment of quotas, guarantees every producer his share of the market. It stabilizes prices for the refiners and processors during periods when excess supplies are pushing world prices down. It even directs the Secretary of Agriculture to apportion the sugar dollar among the processor, the growers, and the workers. Thus it seeks to assure each segment of the industry a fair return. Under these circumstances, it seems to me that the law creates a corresponding obligation on the part of the industry not to profiteer when the opportunity arises.

As of this date, in view of present price relationships, it seems clear that the burden of proof rests on the industry to show that it is not profiteering. The evidence suggests very strongly, to me at least, that some profiteering is taking place and will continue to take place until such time as the price of refined sugar is reduced to fair and reasonable levels.

The cane growers and processors in Louisiana have not shared in the benefits of that price spiral. That statement applies also to Hawaii, the Virgin Islands, and Puerto Rico. They have had no part in any profiteering. Their sugar, which was harvested last fall, was sold during the winter. Their inventories were gone—their cupboards were bare—when prices began to rise. The next crop will be harvested in the last quarter of this year, and there is no likelihood that prices will be any stronger than they are now.

Indeed, the indications are in the opposite direction, and this brings me to the second point that I want to make in these remarks today.

I believe there is a danger that the price of sugar will soon fall well below the price target established in the Sugar Act unless the Department of Agriculture carries out some firm measures to prevent that from happening.

Let me explain why this is the case. Originally, the Secretary of Agriculture established a national consumption estimate for this calendar year of 9.8 million tons. That was what he predicted the people of this country would actually consume. But at the time of the price spiral there was a great deal of excessive buying by industrial users and distributors of sugar, amounting to about 600,000 tons in all. This excessive buying drew down stocks in the pipelines and created the appearance of actual shortage and some fears of real shortage. These fears in turn tended to stimulate the buying panic. In order to keep the pipelines full and cover the hoarding that was going on, the Secretary was forced to raise the consumption estimate from 9.8 million tons to 10.4 million tons. This made possible additional imports under the global quota, and these were contracted for.

When it became clear that no shortage existed, or was going to exist, the panic buying suddenly stopped. Instead of accumulating inventories, users and distributors have for the last couple of months been drawing them down. They are about down to normal now. But the import commitments still exist. The domestic cane and beet production is estimated to be 750,000 tons above that of last year. The result is that the United States will in all probability wind up in the late months of this year with several hundred thousands of tons of sugar more than we need. This could have a severely depressing effect on prices. That is what the cane growers and processors in Louisiana are worried about, and so are the beet growers.

The Acting Secretary of Agriculture, Mr. Charles Murphy, has assured me he is very much aware of his responsibility for seeing to it that the price of sugar does not fall below the price objective set in the Sugar Act. He has advised me that the Department will deal with the situation if it arises. I want to say today that the situation may be on them much sooner than they realize, and that we can afford no delay in getting ready. The harvesting season in my State begins in early October and the price of sugar for the period beginning then determines the income from the crop. From the standpoint of Louisiana, it would be a severe blow if the price of sugar were below the Sugar Act objective in October.

There are a number of things the Department can do.

First. If some of the holders of quotas are unable to fill them this year, the Department can decline to reallocate those quotas to other producers. I understand that there have been defaults already, affecting rather small amounts, and that perhaps some larger amounts may be defaulted later. To whatever extent this occurs, sugar supplies will be reduced if these deficits are not assigned to any other country.

Second. The Department could entertain requests from foreign countries to be relieved of quota commitments if they need more sugar for their own domestic consumers.

Third. The Department could reduce the national consumption estimate and thus reduce all quotas. This carries administrative complications, of course, since many countries have already shipped or contracted to ship their entire quotas and it would be difficult to apportion the reductions.

Fourth. The Department could announce next year's consumption estimate early and set the estimate low enough that it would be clear to the sugar trade that this year's surpluses would be absorbed. Imports could then go ahead as planned, and refiners and processors could then plan their year-end carryovers accordingly.

There may well be other measures that I have not listed here.

Perhaps some combination of these measures would be best. But I believe the Department of Agriculture should be put on notice that it is their responsibility to be concerned about the producers of sugar, just as they have been properly concerned about the consumer. There is no time to lose in preparing their plans, if all interests are to be protected.

Mr. RIBICOFF. Mr. President, will the Senator from Nevada yield?

Mr. CANNON. Mr. President, I ask unanimous consent that I be permitted to yield to the Senator from Connecticut without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RIBICOFF. Mr. President, to the distinguished Senator from Nevada, I express my appreciation for his courtesy in yielding this time to me.

U.S. EDUCATION COMMISSIONER FAVORS PRIVATE EDUCATION AID

Mr. RIBICOFF. Mr. President, some weeks ago, I discussed the religious controversy in the field of education, and expressed the view that this controversy must be resolved so that the effort to improve the educational opportunities of every boy and girl in this country may go forward. I offered some suggestions that might point the way to a resolution of this great issue.

The response from across the Nation has been most encouraging. Editorial comment from a variety of newspapers, representing a wide range of opinion, has generally been very favorable. I was very much pleased that my proposals received encouraging comment, for example, both from the St. Louis Post-Dispatch and from the Catholic News, the official newspaper of the New York Archdiocese.

Individual comments too, have generally been favorable. Among the most interesting were those from noted Protestant theologian, Reinhold Niebuhr, who wrote:

> I am in substantial agreement with your approach to the problem * * *. I welcome your effort in this cause.

And from Francis Cardinal Spellman, who wrote:

> I thought it was a wonderful speech * * *. I know it will be helpful in clarifying the problem and the issues involved.

Mr. President, the response in the press and in the mail has also indicated several serious misunderstandings about this religious controversy in education and about the way it might be resolved. It is important that the record be set straight on these points.

First. The most serious misunderstanding throughout the Nation concerns the position of the administration. So long as this misunderstanding persists, the task of Congress in dealing with this issue is made that much more difficult. I firmly believe Congress has its own responsibility to face this issue and resolve it in a constructive and creative way. Its views may not accord with those of the administration. Some of the proposals I have advanced have been consistently opposed by the presnt administration. But we have a responsibility to legislate, whether we accept or reject the administration's position. Inevitably, however, the administration's position forms part of the context in which we shall discharge our responsibilities. For this reason, any misunderstanding about this position clouds our own efforts.

I think it would be helpful to detail the public record of the administration's position, so that any misunderstanding will be removed.

It is widely believed that the administration opposes, on constitutional grounds, all aid to church-related schools. This is simply not true.

The administration has recognized that using public funds for private education does raise questions of both constitutionality and public policy; but it has never opposed all forms of such aid, either on constitutional grounds or on their merits. In fact, it has expressed precisely the opposite view.

Two years ago, in a carefully prepared legal memorandum submitted to Congress, the administration set forth its views on the constitutional questions involved. At no point does the memorandum say that all forms of aid to church-related schools are unconstitutional. The memorandum specifically outlines some forms of aid which it says are constitutional. This memorandum, dated March 28, 1961, was prepared by attorneys of the Department of Health, Education, and Welfare, in consultation with attorneys of the Department of Justice.

The administration's view of the merits of aiding private education was recently emphasized by the Commissioner of Education, Francis Keppel. Speaking on the "Meet the Press" program on June 9, 1963, Dr. Keppel acknowledged that "there are constitutional limitations on general aid to elementary and secondary schools," but he then said:

> If there is a way of handling the matter within constitutional limitations which can be devised * * * of course, I would be in favor.

Following this broadcast, I wrote Dr. Keppel a letter, to make sure I correctly understood his position. I asked whether it was his view "that it would be desirable, in addition to aiding public education, to extend Federal financial assistance to private education at all levels, using such means as are generally agreed to be constitutional." He replied, "It is my view most certainly."

I ask unanimous consent to have printed at this point in the RECORD the pertinent portion of the "Meet the Press" transcript and the exchange of letters between Dr. Keppel and myself.

There being no objection, the excerpt and letters were ordered to be printed in the RECORD, as follows:

EXCERPT FROM "MEET THE PRESS," JUNE 9, 1963

Mr. HECHINGER. You indicated that a solution must be found on the public elementary and secondary school bill. Does that imply that the solution might have to be a bill of different form, including nonpublic school aid?

Mr. KEPPEL. The position of the administration as you know, and of other administrations, is that in the elementary and secondary area there are constitutional limitations on general aid—to the elementary and secondary schools. That constitutional limitation, according to the advice we have, remains. I am not sure that I understand your question beyond that point.

Mr. HECHINGER. Would you in other words favor a bill which would be a trade in order to make the public-school-only measure acceptable?

Mr. KEPPEL. If there is a way of handling the matter within constitutional limitations which can be devised—and I think it is going to take the wit of all of us, all the people, executive, legislative, and so forth—of course, I would be in favor. We need aid.

Mr. HECHINGER. But do you suggest that there may be a possibility of providing such aid, such compromise aid which would require efforts to get around the constitutional——

Mr. KEPPEL. No; I have no desire to get around the Constitution.

TEXT OF A LETTER TO FRANCIS KEPPEL, COMMISSIONER OF EDUCATION, JUNE 12, 1963

DEAR MR. COMMISSIONER: I noted with interest your remarks last Sunday on the "Meet the Press" program—especially your comments concerning Federal assistance for private education.

In the first place, I was glad you were careful to point out that the administration's position on aid to church-related schools is that the Constitution prohibits general or across-the-board assistance, not that all forms of assistance are prohibited.

Second, I was glad to hear you speak of the need for a solution to the religious controversy in education, emphasizing, of course, that the commands of the Constitution will be observed. This is the approach which I followed in my recent speech in the Senate on this subject. As you are no doubt aware, each of the proposals that I mention for assisting private education were considered constitutional by the legal memorandum submitted 2 years ago by the Department of Health, Education, and Welfare.

I would be interested in knowing if it is your view, as I understood from this broadcast, that it would be desirable, in addition to aiding public education, to extend Federal financial assistance to private education at all levels, using such means as are generally agreed to be constitutional.

Sincerely,

ABRAHAM RIBICOFF.

TEXT OF A LETTER FROM FRANCIS KEPPEL, COMMISSIONER OF EDUCATION, JULY 3, 1963

DEAR SENATOR RIBICOFF: Thank you for your letter about my remarks on "Meet the Press." And I hope that you will forgive my delay in replying. The last few weeks have involved being away from my desk for more than I like.

You wrote, "I would be interested in knowing if it is your view, as I understood from this broadcast, that it would be desirable, in addition to aiding public education, to extend Federal financial assistance to private are generally agreed to be constitutional." education at all levels, using such means as It is my view most certainly. I have long emphasized the important role played by private and parochial schools in the educational life of the Nation. There is no doubt, moreover, that all schools—private as well as public—urgently need additional sources of revenue if they are to achieve the levels of quality that every parent and the American people desire.

This Office continues to explore avenues of support for the improvement of educational opportunities for all of our children. Within the bounds of both constitutionality and sound public and educational policy, we are working for the enactment of effective and equitable educational legislation for all of our schools and colleges, parents and students.

Sincerely yours,

FRANCIS KEPPEL.

Mr. RIBICOFF. Mr. President, I think the misunderstanding about the administration's position has developed from a widespread failure to keep in mind exactly what President Kennedy said about this subject when he was questioned at his news conference shortly after he took office.

The President was first questioned on March 1, 1961, about aiding private education. It is true that his answers stated in general terms broad opposition, on constitutional grounds, to aid for church-related schools. But when the issue was again raised at his press conference the following week, the President elaborated his views in some detail; and it is most unfortunate that the press and the public have lost sight of the exact points he made.

The President expressed the view that it is unconstitutional to give church-related schools grants or loans on an across-the-board basis. But his opposition to such unrestricted forms of aid should not be viewed as opposition to all forms of aid. In fact, he specifically opened the door to loans or grants which are not given on an across-the-board basis.

Here are the President's own words from his press conference on March 8, 1961:

> I think it's very clear about what my view is of grants and loans across the board to nonpublic schools * * *. My judgment has been that across-the-board loans are also unconstitutional.

But the President also said:

> Loans and even grants to secondary education under some circumstances might be held to be constitutional.

In stating his view of the form of aid he believed was unconstitutional, the President used the qualifying phrase "across the board" seven times.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the pertinent questions and answers from these press conferences as reported in the New York Times of March 2 and 9, 1961.

There being no objection, the questions and answers were ordered to be printed in the Record, as follows:

Questions and Answers Concerning Aid to Private Education From President Kennedy's Press Conference of March 1, 1961, as Reported in the New York Times of March 2, 1961

Question. Mr. President, sir, in view of the criticism that has occurred, could you elaborate on why you have not recommended Federal aid to public—to private and parochial elementary and secondary schools?

Answer. Well, the Constitution clearly prohibits aid to the school, to parochial schools. I don't think there's any doubt of that.

The Everson case, which is probably the most celebrated case, provided only by a 5-to-4 decision was it possible for a local community to provide bus rides for non-public-school children.

But all through the majority and minority statements on that particular question there was a very clear prohibition against aid to the school direct. The Supreme Court made its decision in the Everson case by determining that the aid was to the child, not to the school.

Aid to the school is—there isn't any room for debate on that subject. It is prohibited by the Constitution, and the Supreme Court has made that very clear. And therefore, there would be no possibility of our recommending it.

Question. But you are free to make the recommendations you have made which will affect private and parochial colleges and universities?

Answer. Well, the aid that we have recommended to colleges is in a different form. We are aiding the student in the same way the GI bill of rights added the student. The scholarships are given to that, to the students who have particular talents and they can go to the college they want. In that case, it's aid to the student, not to the school or college, and, therefore, not to a particular religious group. That is the distinction between them, except in the case of aid to medical schools, and that has been done for a number of years and because that's a particular kind of technical assistance. A constitutional question has not arisen on that matter.

Questions and Answers Concerning Aid to Private Education From President Kennedy's Press Conference of March 8, 1961, as Reported in the New York Times of March 9, 1961

Question. Mr. President, would you help to clarify the aid-to-private-schools issue? The National Defense Education Act, passed in 1958, provides loans for private and elementary secondary schools for equipment. And existing provisions, as well as your recommendations, allow for construction loans for private colleges. I wonder if you'd give us your view on proposals to add to your school bill provisions for loans, as differentiated from grants for private and parochial elementary and secondary schools?

Answer. All right. You've mentioned three rather different programs, which involve different purposes and different constitutional problems.

The first program was the National Defense Education Act, where loans were provided for nonpublic schools for specific purposes—languages, I believe, and also for science and engineering. I think $20 million was provided of which, interestingly enough, only about $1,300,000 has been used for loans. That was the first.

Now the second type of program you discuss—in my—I supported that program. In my opinion it was—there is no evidence as yet that suggests a serious constitutional problem because it's tied very closely to national defense.

The second program we're talking about—is loans to all colleges. And in my opinion—and also, of course, scholarship assistance to the students. That is in a different position—at least to the best of my judgment—from secondary education. Secondary education is compulsory. It is provided for every student, every citizen. Every citizen must attend school.

We are providing a program, which we sent to the Congress, of grants for public schools. And therefore, in my opinion, that is the program which I hope will be passed.

Now the problem of loans to secondary education does institute serious constitutional problems. I don't think that anyone can read the Everson case without recognizing that the position which the court took—minority and majority—in regard to the use of tax funds for nonpublic schools raises a serious constitutional question.

I've expressed my view on them. I think the Congress should consider carefully what its view is on them; and what kind of program it wants to recommend in this area. The Congress, as I say, has recommended grants to private colleges in the past—I used, I think, a week or two ago I gave that as an example. It has use in the Defense Education Act, which used loans for specific purposes.

Whether across-the-board loans are constitutional is a question which I have—which I think—which, in my opinion, raises a serious constitutional question.

Now I'm hopeful that the Congress will enact grants. If the Congress, and Congressmen, wish to address themselves to the problem of loans, which is a separate matter—we're not talking about, in this bill, loans to secondary education—then, I am hopeful it would be considered as a separate matter—that the Congress will consider the constitutional problems. And then consider what action they would want to take.

And we will be glad to cooperate in every way. But I am hopeful that while that consideration is being given, that we will move ahead with the grant program.

Question. Are you suggesting, Mr. President, that Congress, if it wants to provide for long-term, low-interest loans for private and parochial schools, ought to have a separate bill?

Answer. I definitely believe that we should not tie the two together. I think that there are sufficient constitutional questions which the Members of Congress will have to consider that I believe in view of the fact that this act is directly in its title and in its purpose directed to giving grants to public schools, that we should proceed with that bill.

Now, any other matter, I think, seems to me should be taken up as a separate issue if we wanted to then discuss loans. I've given my view of the constitutional problems involved in an across-the-board loan.

As the questioner indicated there had been some kinds of loans to nonpublic schools which had been supported by the Congress and signed by the President and about which no constitutional problem has yet been raised, and the National Defense Education Act is the best example. But across-the-board loans, as this group knows, this matter was not brought up in the last—President Eisenhower sent several messages to the Congress dealing with Federal aid to education.

I believe there were one or two times when it was voted upon in the House. I do not recall that there was a great effort made at that time to provide across-the-board loans in an aid-to-education bill. The only time in my knowledge that it was brought up was by the end of the last session in August by Senator [Wayne] Morse [Democrat, of Oregon], and then just in the Senate. But it was not made a matter of great interest at that time and I am concerned that it should not be made an issue now in such a way that we end up the year again with no aid to the secondary schools.

Question. Mr. President, you said last week, as I recall it, that there was no room for debate on this matter.

Answer. That's right. There's no room for debate about grants. There's obviously room for debate about loans, because it's been debated. My view, however, is that the matter of loans is, to the best of my knowledge and judgment, though this has not been tested by the courts, of course, in the sense that grants have, but by my reading of the constitutional judgment in the Everson case, my judgment has been that across-the-board loans are also unconstitutional.

Question. Does that suggest you would veto a bill that provided for across-the-board loans, Mr. President?

Answer. I think I've made my view very clear. I think it's always a mistake before we've even had legislation to talk about what I'm going to do. But I think it's very clear about what my view is of grants and loans across the board to nonpublic schools.

Now colleges are in a different category. Specific programs of grants even to colleges which are not public have been supported by the Congress and signed by the President. Loans and even grants to secondary education under some circumstances might be held to be constitutional. But across the board to all nonpublic schools, in my opinion, does raise a serious constitutional question which after reading the cases and giving it a good deal of thought, in my opinion—at least to my judgment—would be unconstitutional.

Now, the President has an obligation—and the Congress—to consider this matter very carefully. I am extremely sympathetic to those families who are paying their taxes for public education and also sustaining their children in nonpublic schools. They carry a heavy burden. But I have made my position very clear for many months and I have to make my position clear now as long as I'm here on what I believe to be the constitutional problems. And I also point out that this matter was not made an issue in recent years until this time—except in the case of the very amendment offered at the end of the last session by Senator Morse which was just offered in the Senate and was not offered in the House of Representatives to the best of my knowledge.

Question. Mr. President, back on the subject of education. There has been rising speculation that the openly developing fights over the issues of segregation and religion as they are involved in the legislation may well stop them before they start. How do you assess the possible damage of those issues as pertaining to your legislation on building schools and loans to teachers' salaries, and do you intend to carry the issue more strongly to the public directly?

Answer. Well, this matter, of course, these two and, of course, other groups who are opposed to any action in this area have all contributed to the fact that in spite that this matter has been debated for a number of years—passed the Senate at least two or three times—that we've never gotten legislation, so that, obviously, it's going to be a difficult matter to secure the passage of legislation this year.

But I do not think that there is anything more important than to have good schools, well-trained, competent teachers. The—when the Massachusetts Bay Colony was established one of the first acts that were taken was the establishment of a public school. The Northwest Ordinance, the land-grant colleges all indicate the long traditional interest which our Government and people have had in strengthening our education.

We are as good in a long-range sense as our schools are, and, therefore, I am extremely interested in seeing the country this year place additional emphasis upon education—additional support to education.

In one area alone, as I mentioned some time ago, those people who were first thrown out of work are at the bottom of the educational ladder. The papers are filled with ads requiring scientists, technicians, engineers in the west coast and all across the country. People who can't find jobs are people who were not well educated at the beginning.

I think everyone should have a maximum chance to develop his talents. I do not believe that that can be done effectively without passage of this bill this year.

I'm therefore hopeful however strong the feeling may run—and I'm very conscious of them—on all these other matters, that the program of scholarships for college students, of loans to colleges—because we're going to have to double the number of children, we're going to have double the number of children in 1970 that we do today applying for admissions to our colleges, and grants for public schools—I am hopeful that that will be passed this year.

Mr. RIBICOFF. Mr. President, the distinction between across-the-board aid and all other forms of aid is a crucial one that has largely been ignored. Many share the President's view that the Constitution does prohibit aiding a church-related school with no restriction whatever on the use of such funds. Aid in such form would support the plainly religious aspects of the school. But aid that is limited to certain specified uses or aid that is extended generally, but with certain specified exceptions, stands on an entirely different footing.

For example, it is one thing to give $50,000 to St. Mary's High School and to permit those funds to be used for any purposes, which might include the building of a chapel; it is quite a different thing to give the same school the same $50,000 for the specific purpose of building a chemistry laboratory. The former is across-the-board aid; the latter is not.

Some will argue that the difference is of little consequence, since aid for a specific purpose, such as a chemistry laboratory, relieves the school of the financial burden for that item, and thus frees other school funds for other items, such as chapels. But that would be true only if the school intended to spend $50,000 for a chemistry laboratory, regardless of whether it received public assistance. It may well be that the public funds enable the school to construct a chemistry laboratory which otherwise it would do without. In that case there is no freeing of school funds for other purposes. Furthermore, not all publicly financed benefits that save a church-related school money which it can use for religious purposes obviously are prohibited by the Constitution. For example, municipal police and fire protection save the school money which it can use for other purposes. The community could require the school to assume these responsibilities and pay their costs, but no one seriously believes the Constitution requires this.

This distinction between across-the-board aid and restricted aid has been recognized by Congress.

Congress has never authorized, on an across-the-board basis, funds for church-related education. But under the National Defense Education Act, Congress has extended financial support to church-related schools for the specific purpose of acquiring equipment to teach mathematics, science, and foreign languages; and the pending bill to provide funds for construction of college facilities—both the bill recommended by the administration and the version approved by the House Committee on Education and Labor—specifically excepts facilities for sectarian instruction, religious worship, or divinity schools.

Thus, there are ways of extending assistance to private education without doing it on across-the-board basis.

I think the point is clear. The administration does not stand opposed to all forms of aid to church-related schools. It believes some forms of aid—especially across-the-board aid—are unconstitutional. But as the letter from the Commissioner of Education makes clear, it does support aid to private education that observes constitutional limitations. And, as the President has said, Congress has its own responsibility, apart from Executive recommendations, to consider which forms of aid to private education are both constitutional and desirable.

Second. The proposals I advanced were made in an effort to outline a means of resolving the controversy within the constitutional limitations. But some have misunderstood this, believing my proposals either ignored the Constitution or, as some have said, tried to "get around" the Constitution.

Let me make it very clear that I have no intention of supporting any proposal that exceeds constitutional limitations. The fact is that the administration's careful statement of its constitutional position in the memorandum submitted to Congress in 1961 does not view as unconstitutional any of the proposals I have suggested.

Third. Some have also misunderstood my proposals as if they stood in isolation, apart from a broad program of aid to education generally. For example, one objection to the proposal for income tax deductions for college tuition has been that this does not help those in the lowest salary levels who pay no taxes. The answer is that children of these parents are eligible for scholarship aid, and I firmly support an extensive program of scholarships for college students.

As another example, my proposal for Federal financing of the shared time approach is a supplement to a broad program of aiding public elementary and secondary schools.

In short, it is my view that the educational opportunities of every student must be broadened. This can be done by aiding public education and, within constitutional limitations, aiding private education as well.

Fourth. Finally, there is widespread misunderstanding as to the present extent of Federal aid to both public and private education. The debate goes on as if the issue were: Should there be Federal aid to education? The fact is there is Federal aid to education both public and private. Federal dollars in large amounts now aid the education of students in colleges and schools, public and private, sectarian and nonsectarian.

It is of the utmost importance that there be widespread public debate on the entire subject of financing education. In the long run our success in education will measure our success as a Nation. But the debate must be based on facts, free of misunderstandings. The response I have received indicates that there is a great readiness by thoughtful people throughout the country to participate in such a debate and to work constructively for reasonable solutions. The next generation of Americans has reason to be encouraged.

I ask unanimous consent to have printed at this point in the Record the editorials previously referred to.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Chicago's American, May 23, 1963]

RIBICOFF'S SCHOOL AID PLAN

Senator Abraham A. Ribicoff, Democrat, of Connecticut, may have opened a can of worms, to borrow a phrase from his Senate speech, by proposing a plan for solving the religious controversy over Federal aid to education. Just the same, the proposals offer a reasonable basis for discussing this particularly touchy problem, and we hope Congress accepts them as such.

Ribicoff's main suggestion is to allow income tax deductions up to $1,500 for college expenses at both public and private schools, and up to $100 for tuition expenses at private elementary secondary schools, including church-related ones. This is not new; proposals like it have run up against objections from the Treasury Department and the Office of Education, among other agencies. Yet the idea deserves more careful study than it has so far received.

The constitutional question here seems already answered. As Ribicoff pointed out, income tax deductions are allowed now for charitable donations to churches, and the donations help support church-related schools. In that indirect sense, Federal tax help for church schools is already a fact. Ribicoff's proposal in effect would apply the indirect principle on a wider scale.

Ribicoff also called for Federal financing of the shared-time system, under which private school students may use some public school facilities—vocational shops and gyms, for example—on a part-time basis and for teaching of subjects unrelated to religion. Federal aid could also be broadened, he said, to cover construction of private school classrooms for such religiously neutral subjects as mathematics, science, and language. At present, such aid is limited to furnishing teaching equipment.

Federal funds are now used, Ribicoff observed to provide summer institutes for teachers of math, science, and language, without regard for their public or private school affiliations. He proposed setting up teacher training programs and providing scholarships along the same lines.

These suggestions are all open to argument, of course. But they start out from bases that are already agreed on, and offer a promising middle ground area for fruitful discussion.

[From the St. Louis Post-Dispatch,
May 24, 1963]

BUT NO WHITE HOUSE PLAN

Senator Ribicoff, of Connecticut, in a laudable effort to break the frustrating stalemate over Federal aid to education, has offered a useful basis for discussion with a six-point program designed to "end the religious controversy." We do not endorse every one of his points, but we certainly agree that new approaches are needed, based on principle and not mere expediency, that will permit the voices of thoughtful moderation to be raised.

Allowance of income tax deductions for college expenses and private school tuition has much to be said for it as a substitute for tax support of religious schools, which would be both unconstitutional and undesirable. The shared time proposal for making certain public school facilities available to private school pupils, such as vocational shops, gyms, and auditoriums, might also be worked out without violating principle.

Federal aid for private teaching of such subjects as mathematics, science, and languages is much more questionable, but worth discussing. Providing auxiliary services like bus transportation is already being done in some States, though in others including Missouri it would run counter to State constitutional barriers. With Senator RIBICOFF, we are entirely satisfied that Federal aid to secular aspects of higher education in both private and public institutions is acceptable and necessary.

But will anybody sit down quietly to discuss such a moderate program of compromise? We have on the one hand Protestant extremists who fight aid to higher education if it includes private colleges, and on the other hand Roman Catholic extremists who fight aid to elementary education unless it includes parochial schools. Both attitudes must be modified if a reasonable middle way is to be found.

The most curious aspect of the matter is the vacuum of leadership in the White House. President Kennedy is an ardent sponsor of Federal aid. He can eloquently expound our society's need for a sustained national effort to raise the level of education, and he has firmly concluded, on sound constitutional grounds, that at the elementary and secondary levels this effort must be concentrated in the public schools. Why is it that Senator RIBICOFF, rather than President Kennedy, is stuck with the difficult task of trying to reconcile the clashing extremes?

The Senator's plan, we are told, was not stimulated by the White House, though the administration would be interested in the public reaction to it. This is a disappointingly passive attitude for an administration committed to a strong program of Federal aid to take. The President himself ought to be mobilizing the full resources of his great office behind a supreme effort to break the deadlock.

Or is President Kennedy satisfied to advocate without accomplishing?

[From the Providence (R.I.) Journal, May 29, 1963]

A Proposal for Tax Credit for College Expenses

Of the several proposals for Federal aid to education offered the other day by Senator RIBICOFF, the most likely to impress his colleagues in the Senate deals with a Federal tax credit of up to $1,500 for college expenses in public or private institutions.

The Senator had tried to promote the same idea as a Cabinet member. Two years ago, Senator KEATING introduced a bill calling for tax reductions on college tuition. More recently Senator GOLDWATER, testifying before a Senate subcommittee examining the administration's omnibus education bill, proposed some Federal tax relief for parents paying college expenses. Appearing before the same subcommittee, presidents of 20 small colleges also have urged similar income tax credit.

As a provision possibly in the President's $1 billion omnibus bill, the tax relief plan could, as Senator RIBICOFF hopes, form a new basis for discussion of the aid to education bill. It is largely true that public debate, in the Senator's words, has been dominated "by the proponents of the extreme: those who want the Federal Government to finance private education exactly as it finances public education and those who want no financial assistance to private education at all."

A Federal tax credit for college expenses, in our view, would tend to depolarize the discussion, relieve the arguments of some of their religious controversy, and promote more reasonableness than tension.

Such a provision in an education bill would benefit the country, not as clearly as many people would like, but clearly enough so that Senator RIBICOFF feels this particular proposal is constitutional. Parents whose youngsters are not destined for college might wonder why they must help pay higher education expenses of the family next door by means of taxes to compensate for the college expense deduction. While such a tax course is not likely to enjoy broad popular appeal it does have merit and certainly deserves careful analysis as an alternative to flat grants and loans to colleges and universities, a method that seems overly susceptible to the bitterness about the religious controversy in education.

Senator RIBICOFF's other proposals involving Federal financing of part-time use by private school students of public schools; aid to construction of mathematics, science and language classrooms in private schools; giving bus and health services in private schools; Federal aid in teacher training and scholarships; and Federal support to public and private higher education resemble the administration's comprehensive yet selective approach to aiding education.

But if the sum of the Senator's proposals is controversial and read as promoting the Federal Government's role in education, this is small reason to pass over a valuable provision that should become part of the omnibus bill. An untold number of parents who either have children in college or plan on sending them trusts that the tax deduction for higher education expenses receives scrupulous review by Congress because, most importantly, it is not just one sector of society that benefits.

[From the Washington (D.C.) Evening Star, May 25, 1963]

To Break School Aid Logjam

(By Gould Lincoln)

In an effort to break a logjam in Congress and out over Federal aid to education in this country, Senator ABRAHAM A. RIBICOFF, of Connecticut, has introduced proposed amendments to the income tax laws which warrant serious consideration. These proposals are for tax deductions for parents sending their children to schools—public and private—and for public financing of "shared time." Shared time simply means that children who attend private schools may be able to use some of the facilities of public schools on a part-time basis. For example, a child who wishes vocational training as well as academic.

The Connecticut Senator served for the better part of 2 years as Secretary of the Department of Health, Education, and Welfare, in the forefront of the effort to obtain Federal aid for education, which for years has been an issue in this country. In offering his proposals—in the nature of a compromise for the administration's bill which provides aid only for public schools and its opponents who wish similar aid to be provided for private schools, including parochial schools—Senator RIBICOFF said that no one should discount the intensity of the conflict which has arisen particularly over the so-called religious issue.

"I know, too," he said "the frustrations that await those who venture into this area. But I firmly believe that the effort must be made to resolve this controversy. As long as it continues * * * the possibility of progress all but vanishes." On one side of the controversy are those who wish the Government to finance private and parochial schools in the same manner as it proposes to finance public schools. On the other, those who favor aid only to public schools. There is a third group which is opposed to Federal aid to either public or private schools.

AVERTS KEY ARGUMENT

Senator RIBICOFF believes firmly that his proposal of tax deductions avoids the proposition that the Federal Government, under the Constitution, may not finance schools, private or parochial, which have church affiliations or any religious instruction. He points out that tax deductions for contributions to charities and churches are already provided by Federal law. And also to the fact that the administration recently has renewed its recommendations that income tax credits and deductions be used to help finance the costs of political campaigns. "Surely," he told the Senate, "the cause of education deserves similar support."

In brief, Senator RIBICOFF is proposing a tax deduction up to $1,500 for parents sending a child to college, and a tax deduction up to $100 for parents sending a child to school—public, private or parochial. It is his information that parents of children attending parochial schools pay on the average $50 tuition for the lower grades and $100 for the high school grades. The charges for many private schools are far higher. These deductions will not, of course, pay the tuition charges in any case, but they will help. Also, if his plan is adopted, it may lead to a resolution of the strife which has arisen over aid to private and parochial schools. "These tax deductions," he said, "may well make it possible to pass other direct assistance for public legislation that does provide schools."

DISCOUNTS OPPOSITION

Senator RIBICOFF is well aware that proposals for tax deductions, whether at the college or school level, have been opposed by the Treasury Department and the Office of Education in the Department which he formerly headed. This does not cause him great concern. He added that he does not believe Congress should be unduly concerned or deterred by such opposition.

More than 15 percent of all students in the elementary grades, 11 percent in the secondary grades, and 39 percent of the pupils in higher education are in private and parochial schools and colleges.

Obviously, the children educated in private and church schools, if placed in public schools would raise the amount of money now spent for the public schools by a large sum, to be raised by taxation. To some extent and for that reason, there should be Federal aid to the parents and to the schools in which these children are educated. It seems a valid reason, certainly, for the Ribicoff measures.

[From the Catholic News, May 23, 1963]

Act Like Grownups

Senator RIBICOFF's program for cutting through complications and ending the dispute over private school aid merits support of both sides. RIBICOFF served for 2 years as the cabinet member directly concerned with getting a school aid program through. Just before leaving office a year ago, he had expressed his conviction that channels were available, within constitutional limits, for including private schools. Now he has detailed such a program. He has pointed out that the Nation depends on better education for its 6 million private school pupils as it does on better education for those in public schools. Like Walter Lippmann earlier, the Senator appeals to Americans to act like grownups and get over the difficulties. We trust they will.

[From the Baltimore Catholic Review, May 23, 1963]

A Speech To Remember

As time goes by, it may turn out that a landmark speech was made this week in the

U.S. Senate. In this speech Senator RIBICOFF, offered the beginnings of a solution to the religious controversy aroused by the administration's Federal aid to education programs.

The individual elements of the Senator's plan are not new in themselves. What makes it admirable is its tone of fairness, its thoroughness and its realism. What makes it especially important is the Senator's background as a former Secretary of the President's Department of Health, Education, and Welfare.

His appeal is to responsible citizens who recognize that excellence of education is a categorical imperative in present-day America. "Are the adults of America mature enough," he asks, "to resolve their differences for the education of their children?"

Speaking out of his wide Government experience, he affirms that there is a surprising amount of agreement among Americans as to what is desirable and what is not desirable in this area. Recent surveys, both published and unpublished, support his statement.

Lamenting the fact that minority extremists have dominated the debate on Federal aid to private schools, the Senator affirms his conviction that the extremist demands of neither side can be or should be fully realized.

While we cannot speak for the American Catholic bishops, we can point out that their position in the debate does not fall within the Senator's definition of an extremist stance. Much of Mr. RIBICOFF's plan is, of course, predicated on the conviction that there should be Federal aid to education. Our Catholic bishops, like Americans generally, are divided on this point.

Nevertheless the Senator's arguments are broader in significance than the specific issue of Federal aid itself, and will surely find a sympathetic reading among Catholic leaders. Catholics in general should study the speech; for that reason it is reprinted in its entirety in this issue.

[From the Hartford (Conn.) Times, May 24, 1963]

SCHOOL AID, INSISTENT ISSUE

Senator RIBICOFF's appeal for thoughtful moderation to resolve differences over Federal school aid is timely and necessary.

However, he is not unmindful of how difficult it is just to achieve some helpful flexibility in approaching a solution.

As he notes, while he served as Secretary of Health, Education, and Welfare, the Senator stood at the center of the school aid dispute; he knows the depth of feeling and the strength of convictions involved in matters that rasp civic and religious sensitivities.

Yet it must be clear by now to most—as it is to Senator RIBICOFF—that for too long, public debate has been dominated by proponents of the extreme: Those who want the Federal Government to finance private education exactly as it finances public education and those who want no financial assistance to private education at all.

Such rigidities must be broken and more useful opinion must prevail if the issue is to be settled. As far as we can gather a majority favors the proposition of enlarged Federal educational help; few indeed champion the view that there is advantage in a stalemate.

The six-point educational aid program Senator RIBICOFF has offered is not assumed to be either complete or unalterable. But it forms a basis for action where there has been only an arena for unavailing argument.

Briefly, the RIBICOFF proposals call for income tax deductions for college expenses at both public or private institutions; deductions for tuition at chuch-related or other private schools; Federal school construction help and aid in teacher training regardless of public or private identity. He would end one part of the controversy by furnishing bus and health services and school lunches to private school pupils on the same scale as to public school pupils.

Besides the wide wrangle over religious and constitutional views which have been prominently discussed, this issue has impact dimensions not commonly known.

More than 15 percent of all pupils in elementary grades go to private schools as do 11 percent of all who are in secondary grades. Thirty-nine percent of higher education enrollment is in private institutions. Except in the colleges, the larger part of private enrollment is in church-related schools.

That has sharpened the debate on Federal school aid, but as Senator RIBICOFF states: "It is a fact that the education of each of these children means just as much to the strength and future of this Nation as the education of every child in public school"—something that should not be buried in the heat of opposing frictions.

Regarding this, Senator RIBICOFF says, "There is widespread agreement that nothing in the Constitution impairs the tax-exempt status which churches and church-related schools enjoy. There is also substantial agreement that the Constitution permits the type of financial assistance now rendered to private education, including the National Defense Education Act, the college housing program and various research grant programs.

"At the other end of the spectrum we find substantial agreement that the Constitution does prohibit financial assistance for religious teaching.

"Thus, there is agreement both that the Constitution does place some outer limits on the use of public funds for private education, and that there is a range of activity within these limits where some forms of public assistance are permissible."

As Senator RIBICOFF has it, "The issue of public aid for private education resembles the issue of Federal aid to education itself: may people argue whether it should exist, while the plain fact is that it does exist."

To us, as to Senator RIBICOFF, it seems that the decision to be made is what further form it should take—in what amounts and for what purposes?

We fail to see consistency in the attitude of some that it is all right to expend public money for school lunches or for transportation because such services "are for children as children"—while education itself, one must suppose, is not for them. The services are intended to make the process of education more possible, and the end itself cannot be abandoned as a concern of Government or a proper point of use for public funds.

Senator RIBICOFF continues his appeal to reason in his discussion of tax deductions to help those who send their children to a private school, or for parents who send children to either a public or a private college.

Too often the comment on tax deduction has revolved around the question of choice: If one wishes to ignore the public schools and send his children to a private one, then that is his choice—let him pay the full additional costs.

Yet, as the Senator explains, that does not constitute a complete estimate of the matter: "We should not ignore the substantial saving to the public resulting from the fact that more than 6 million children are not being educated at public expense. The simplest way to recognize some part of the public saving is to allow parents a deduction from their income tax payments for a portion of private school tuition."

Parents of children in private school still would be put to added expense for their choice, but the public would not blind itself to the plain fact of the public savings in connection with the private school choice.

Is there a religious leaning in this? Possibly. But why can't it be squared with the other—unquestioned—deductions now allowed for religious purposes?

Senator RIBICOFF notes, "We now allow income tax deductions for donations made directly to churches. These donations support not only church-related schools, but also the full range of religious activity of the church."

It seems to us that a great deal of entrenched, but inconsistent, prejudice must yield before the logic of Senator RIBICOFF's proposals.

This is not to say that every reservation one holds should be tossed away. However, minds must be opened to the prevailing facts.

In effect, Senator RIBICOFF is asking for a complete reevaluation of our outlook on the relationships of the entire public and private educational systems in light of the vast expansion and importance of the latter, and its unassailable contributions to the public welfare.

A changed outlook is not easy for many to assume, because for so many years, private education has been a go-it-alone proposition. Government has always encouraged the whole broad field of education, but it has been the general understanding that it only undertook to support public instruction.

Yet, over the years, by breach after breach of this understanding—in defense education help, in college research programs, through school lunches and a dozen other ways—restraining lines have been crossed and the exceptions that exist now make any strict construction of the rule impossible.

Surely a question must be whether every Federal grant to public schools is to be paralleled by the same sort of help, in proportional amounts, to private schools.

If that is to be the case, one can look ahead to see government encroaching on control of private education, for authority follows the dollar inevitably.

One cannot simply forget Federal aid to education and thereby remove its perplexities from the scene. Federal aid is with us now, and increasingly will be as the population increases and pressures for instruction mount.

The quandaries are these: Private education fears prospects of government controls through extensions of aid, but also it fears being left at a disadvantage in any substantial distribution of school funds in which it cannot share.

It would be easy if one could dismiss such concerns as being of a wholly private nature with observation that, of course, one sympathizes, but public education cannot be cramped or harried through necessity to be teamed with the private education sector's risks or woes.

Such an easy out, however, is impossible to accept in this Nation where the future of the extension private school system just cannot be dismissed as irrelevant or unconnected with the public interest.

It seems to us that Senator RIBICOFF's call for fair discussion of school aid, and his projection of facts and proposals to support such discussion constitute an important public service at this moment.

But the effects over the long term cannot be forgotten either, and if we are to redefine and reimplement total educational policy—which in essence would be the result of Senator RIBICOFF's suggestions—a tremendous amount of thought must go into the job, bearing on the consequences of decisions.

It is apparent, however, because of the pressure of the forces involved, that decision cannot be circumvented.

[From the Hartford Courant, May 22, 1963]

SENATOR RIBICOFF'S EDUCATION PLAN

Senator RIBICOFF, speaking for himself and not as spokesman for the Kennedy administration, has introduced a new educational bill that he hopes will overcome some of the old obstacles. The measure, said Senator RIBICOFF, had not been cleared with the White House, nor was it a trial balloon. Instead, he said it represented his own ideas of what should be done.

There are several features of the bill that will appeal to a great many parents who are struggling either to send their children to a private school or to college. Under the terms of the Ribicoff bill, parents would be permitted to deduct college expenses up to $1,500 a year per student, and high school expenses up to $100. This school deduction is an entirely new proposal, and would doubtless be opposed by some Congressmen who still regard a college education with considerable suspicion.

Other provisions of the bill include Federal support of shared time. This is the first time that shared time would be subsidized by Federal money. This is an educational plan whereby private and parochial pupils take part of their education in public schools. For example, a parochial student might take science or mathematics at a public school while remaining in parochial school for religion, history, and other subjects. Some form of shared time is now being tried in 17 States.

In addition to these two innovations, Senator RIBICOFF would authorize Federal help for classroom construction, but limited to rooms for science, mathematics, foreign languages and the like. This is not unlike other Federal building programs in the past designed to build up our science teaching resources and which, incidentally, were never disapproved by the Supreme Court.

Mr. RIBICOFF would also provide 1-year scholarships for public and private schoolteachers to study at universities, provide Federal aid for private pupil bus transportation, and give broad Federal aid for both public and private colleges.

It would be fatuous to believe that Mr. RIBICOFF's plan will be accepted without a real legislative fight. It is a temperate, middle-of-the-road approach, but for that reason may still be opposed by the extremists at both ends of the educational spectrum. There are few legislative areas that are so completely shot through with emotional and prejudicial concepts, all of which prevent consideration on the simple basis of what is best for the child and the country as a whole.

[From the Bridgeport Post, May 22, 1963]

RIBICOFF SEES A WAY

When men of good will cannot come to an understanding on behalf of a good cause, a search must be launched for some way to settle their honest differences.

Perhaps there has not been enough hunting for areas of agreement by the thoughtful moderates on both sides of the church and state question which has blocked Federal aid to education.

Toward this end, leadership is currently being provided by Connecticut's Senator ABRAHAM RIBICOFF. He has put forth a six-point program which might serve as a basis for Federal aid to education for public and private schools without doing damage to the principle of separation of church and state.

Senator RIBICOFF's six-point program explores the range of activity within which public assistance could be given to private schools. His program would provide aid in the form of income tax deductions, Federal financing of the share-time approach, under which private school students use such facilities as gyms and workshops of public schools on a part-time basis.

He also suggests assistance at private schools for teaching in selective areas like mathematics and science. Teacher training programs could be provided for all teachers as well as auxiliary services in the health and transportation field under Federal aid. There could be broad support of higher education at both public and private colleges under a Federal-aid program.

In short, Federal assistance is being sought by Senator RIBICOFF for nonreligious aspects of private education. This might be the way to resolve the controversy that has blocked the passage of every proposal for Federal aid to education that the Kennedy administration has recommended to Congress.

[From the Bridgeport (Conn.) Telegram, May 25, 1963]

RIBICOFF'S NEW APPROACH

Criticizing Congress for inaction and educational groups for stubborn resistance, Senator ABRAHAM A. RIBICOFF tried to break the impasse on Federal aid to education with a six-point program that at least offers a new approach. It includes an accumulation of ideas that he carried with him to the Senate from his service as Secretary of Health, Education, and Welfare under President Kennedy.

The plan would give income tax deductions of up to $1,500 for college expenses at both public and private colleges, and up to $100 for tuition expenses at church-related and other private elementary and secondary schools; Federal financing of shared-time facilities for private school students in public schools; Federal aid for constructing mathematics, science and language classrooms in private schools, now limited to teaching equipment; bus transportation, health services, and school lunches to private students, now limited to public school students; Federal aid for teacher training programs and broad Federal support of higher education to both public and private colleges.

Senator RIBICOFF's program seeks to replace bitterness about the religious controversy in education with reason. As the Secretary responsible for Federal education policy for 2 years, he learned the depth of the feelings and the strength of the convictions involved. If his plan stimulates debate, and moves the controversy away from the extremes favoring and opposing aid to private schools, it will serve a good purpose.

It should provoke thoughtful consideration, and amendment, until an acceptable plan is developed that will do justice to all children, and overcome any religious controversy.

[From the New Haven Register, May 26, 1963]

ANOTHER GO AT THE AID-TO-EDUCATION PROBLEM

Whether one likes it or not it can be agreed, we think, that Federal aid to education is here to stay—and State aid, too, for that matter.

Therefore we think it also must be agreed, however reluctantly, that controversy surrounding these types of education, as to amounts, types and recipients, likewise is here to stay—for some considerable time at least.

It seems to us, therefore, that Connecticut Senator ABRAHAM RIBICOFF is being overly optimistic in putting forth his six-point program as a "basis on which the religious controversy in education can be solved."

The Ribicoff plan avoids direct cash transfusions between the government and private or parochial schools.

It proposes:

An income tax deduction (parental) of up to $1,500 for college expenses at any institution of higher learning and up to $100 in deductions for tuition expenses at private or parochial schools;

Federal subsidies for shared-time programs in which private or parochial school pupils use public school facilities such as gymnasia, vocational shops, art studios or auditoriums;

Special assistance for specialized educational areas such as math, science or foreign languages in private schools;

More summer institutes and advanced training opportunities for private as well as public school teachers at Government expense;

Expansion of auxiliary services—health programs, bus transportation, etc.—at private schools through Federal grants;

And a generalized broadening of public support for higher education at both private and public colleges.

Connecticut's junior Senator has obviously tried to open up a field of broad discussion and evaluation while avoiding some of the present areas of habitual controversy whenever the eduaction issue is raised.

He shows appreciation, likewise, of the difficulties along the way when he says honest differences of viewpoint, sincerely held, cannot lightly be put aside, and then adds:

"But I do believe that for too long now the points of difference have received all the attention. Now must begin the search for common ground, for the area of agreement, for the basis of resolution."

We do not for a moment think Senator RIBICOFF's six points have led us to this common ground. But if even one among them, or a phrase therein, can point the way, a service will have been rendered.

[From the Waterbury (Conn.) American, May 22, 1963]

RIBICOFF PROPOSAL

Honest differences of viewpoint, sincerely held, cannot lightly be put aside.

But there is such a thing as too much emphasis on differences, and not enough emphasis on areas of agreement.

That, in essence, is what U.S. Senator ABRAHAM A. RIBICOFF, Democrat, of Connecticut, said the other day in the Senate when he proposed a six-point program to provide a basis on which the religious controversy in education can be resolved.

For 2 years, as U.S. Secretary of Health, Education, and Welfare, Senator RIBICOFF was right smack, in the middle of the controversy, with regard to Federal aid to education. He is, we would say, as well qualified as any man to speak on the subject with some degree of objectivity.

Religious controversy, in the Senator's opinion, has blocked the passage of every proposal for Federal aid to education and is imperiling the future of our Nation.

He has, therefore, proposed a six-point program which he believes could very well put an end to these disagreements:

1. Income tax deduction of up to $1,500 for college expenses and public and private colleges and up to $100 for tuition expenses at private—including church-related—schools.
2. Federal financing of the shared-time approach, under which private schools use gyms, vocational shops, classrooms or auditoriums of public schools on a part-time basis.
3. Expanded assistance at private schools for teaching in selective areas like math, science and foreign languages.
4. Teacher training programs to increase summer institutes for all teachers and provide scholarship aid for teachers to return to universities for advanced training.
5. Auxiliary services, such as health services and bus transportation, for private school students.
6. Broad support of higher education at both public and private colleges.

Whether, at first glance, these proposals meet with broad public acceptance, is not especially important. We do believe, however, that they provide a basis for new discussion of the matter and the hope that eventually they will bring about an answer to the question:

"Are the adults of America mature enough to resolve their differences for the education of their children?"

[From the New Britain Herald, May 22, 1963]

RIBICOFF AND "DYNAMITE"

The Federal aid to education issue is still very much alive, though the bitterness of last year's experience centering on the so-called religious issue seems to have stilled much serious debate.

However, in Congress on Monday, Senator ABRAHAM A. RIBICOFF met the issue head on with a most challenging message to America. He specifically urged a six-point program of Federal assistance to parochial and private schools.

Much of the program is old, some of it is new, but most important is the man who made the proposals and the framework in which he couched them.

Senator RIBICOFF is uniquely qualified to be a leading spokesman for this cause, if only because of his 2-year term of indenture as Secretary of Health, Education, and Welfare. "I stood at the center of the dispute," he told the Senate. "I know the depth of the feelings, and the strength of the convictions involved. I know, too, the frustrations that await those who venture into this area."

The framework, basically, was an appeal for "voices of moderation" to come between the pro-Federal aid and anti-Federal aid factions which have dominated the issue to date.

The six points suggested by Mr. RIBICOFF are: Income tax deductions up to $1,500 for public or private college education and up to $100 for tuition fees at private or parochial elementary or secondary schools; Federal aid for "shared time," under which private schools use public school facilities; Federal aid for science, math and language classrooms in private schools; bus transportation, lunches and medical service to private school students; broad Federal aid for higher education programs.

"Let no one underestimate the intensity of feeling on this issue," Senator RIBICOFF proclaimed. "Any discussion of Federal aid to education raises many controversial issues, but none packs the political and emotional dynamite of the religious controversy."

These columns heartily endorse Mr. RIBICOFF's pleas for voices of thoughtful moderation across the land, regarding this issue. Extremist thinking, either strongly pro or anti, has created an atmosphere of tension, in which there is little likelihood of anything being accomplished.

Perhaps Senator RIBICOFF asks the Congress to do too much at one time. But some of his points merit serious consideration. And certainly, when he asks whether America is mature enough to discuss this issue dispassionately, we rally the sincere hope that it is.

[From the Hartford (Conn.) Catholic Transcript, May 23, 1963]

SENATOR RIBICOFF'S PROPOSALS

Senator RIBICOFF offered this week a plan to end the impasse on Federal aid to education. He sees the heart of the problem as the extremist attitude of proponents and opponents of aid to young citizens attending church-related schools. The "religious controversy," in his view, "has blocked the passage of every proposal for Federal aid to education that the administration has recommended to Congress." This we find something of an oversimplification. There is strong opposition to Federal aid on grounds having nothing whatever to do with religion. But it is unquestionably true that the religious controversy is a principal element in the prevention of the legislation sought.

The Senator's proposals fall into two categories: Those directly related to education in the years when it is compulsory, and those indirectly or not at all so related. In the latter class are the questions of tax relief to parents of students in public or private colleges, of grants or loans to colleges of every sort, and of auxiliary services (such as bus transportation and health care) of direct benefit to children attending nonpublic elementary or secondary schools. These questions, while capable of arousing partisan passion in some places, are not so generally critical as those encompassed in the first category.

In that first category, an immediate connection with compulsory education in freely elected and fully accredited church-related schools is posited. The Senator rules out anything even approaching total subsidy of such education. He advocates a more or less modest measure of relief. His caution is dictated by considerations of constitutionality. As he reads the decisions of the Supreme Court, support cannot be found for the contention that no limits may be set on assistance where a nonpublic school is concerned. Therefore he advocates (1) a tax deduction for at least part of the tuition at church-related elementary and secondary schools; (2) Federal allotments to the States for all nonpublic schoolchildren who use public school facilities on a shared time basis; (3) Federal assistance in the construction of parochial school classrooms to be used exclusively for secular subjects; (4) Federal assistance in training and scholarship programs for teachers in any schools.

We believe that underlying Senator RIBICOFF's program are solicitude for the needs of the Nation and of all its citizens, a sense of fairness, and a shrewd estimate of what is presently possible. We do not regard it as the last word on the subject, and suspect that he does not, either. It is a beginning, a viable device for breaking a logjam whose persistence imperils the quality of American education and the welfare of America itself. On the clear understanding that it does not constitute a full and final solution, we should like to see it tried.

ORDER OF BUSINESS

Mr. YARBOROUGH. Mr. President, will the Senator yield to me?

Mr. CANNON. Mr. President, I ask unanimous consent that I may be permitted to yield to the Senator from Texas [Mr. YARBOROUGH] without losing my right to the floor.

The PRESIDING OFFICER (Mr. BURDICK in the chair). Is there objection to the request of the Senator from Nevada? The Chair hears none, and it is so ordered.

GI EDUCATIONAL BILL AIDS COLLEGES AND ENTIRE CAUSE OF EDUCATION, AS WELL AS VETERANS THEMSELVES

Mr. YARBOROUGH. Mr. President, I have recently received a letter, dated July 9, 1963, from the president of the University of Nevada, Mr. Charles J. Armstrong, in which he voices strong support for the passage of the cold war GI bill, S. 5. This is only one example of the many letters which we have received in support of this bill from the administrators and educators of the colleges and universities of the United States. Excerpts from more than 100 letters are included in the record of the hearings held by the Subcommittee on Veterans' Affairs.

The millions of cold war veterans who will be able to continue their education if this bill is passed and the hundreds of thousands of vitally needed engineers, scientists, doctors, and teachers, who will be furnished to the Nation have been discussed on many occasions in this Chamber. But what are often overlooked are the benefits which the universities and colleges themselves will achieve by the passage of this bill. The following excerpt from a letter from John A. Hannah, the president of Michigan State University, illustrates some of these benefits:

> Most educators agree that the returning veterans, with their maturity and experience, forced the standards of teaching upward, and thus unknowingly prepared for the further advance in the teaching art made necessary by recent scientific and international developments. They were good, serious, demanding students, and they provided a tonic for an educational system that may have become jaded with the years.

Dean Robert B. Bernreuter, of Pennsylvania State University, has testified before the subcommittee on two occasions that the dean of men has consistently chosen veterans as counselors for the men's residence halls due to their greater maturity and sense of responsibility. Dean Bernreuther also reported that Pennsylvania State University gives preference to veterans over nonveterans in admitting new students since the studies conducted by the university have shown that the veterans are better students achieving higher grades, a smaller percentage of dropouts and that they constitute virtually no disciplinary problem for the university.

Even the nonveteran sections of our student bodies will benefit by a new influx of veterans into our institutions of higher learning. Not only will the nonveteran benefit by the competition from the veterans and the raising of educational standards, he will also be the beneficiary of the experience and the mature outlook on life which the veteran brings to the campus. The nonveteran will also benefit from the decrease in veteran pressure on the limited number of scholarships and loans available at one school.

Article after article, letter after letter has pointed out the success of the World War II and the Korean GI bills for the universities and colleges, for the veterans and for the Nation as a whole. The value of the cold war GI bill to this Nation cannot be doubted, and even though it is designed to lend readjustment assistance to the veteran, one should not overlook its value as an aid to education bill—a bill which does not suffer from many of the objections voiced against other aid to education bills presently being considered by Congress.

Mr. President, I urge the Senate to take up and pass the cold war GI bill, S. 5, Order No. 319 on the calendar, and to lend readjustment to the more than 500,000 cold war veterans who return to civilian life each year. This bill has been on the calendar over a month. It should receive consideration.

Mr. President, I ask unanimous consent that Dr. Armstrong's letter may be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

University of Nevada,
Reno, Nev., July 9, 1963.

Senator Ralph W. Yarborough,
Chairman, Subcommittee on Veterans' Affairs, U.S. Senate, Washington, D.C.

Dear Senator Yarborough: I was delighted indeed to learn from your letter of July 1 that on June 25 the Senate Labor and Public Welfare Committee voted to report the cold war bill, S. 5, with the recommendation that it be passed. This is a major achievement, and I congratulate you upon your success in bringing this important legislation forward.

Naturally you may count on our continuing support of the legislation, and I hope that if there is anything specific which we can do to assist you will let me know.

Your interest in writing me is deeply appreciated. Kindest personal regards.

Cordially yours,
Charles J. Armstrong,
President.

ORDER OF BUSINESS

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. CANNON. Mr. President, I ask unanimous consent that I may yield to the Senator from Alaska without losing my right to the floor.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nevada? The Chair hears none, and it is so ordered.

Mr. GRUENING. Mr. President, I am extremely grateful to the distinguished Senator from Nevada.

RUSSIAN FISHING VESSELS INVADE ALASKAN WATERS

Mr. GRUENING. Mr. President, we shall shortly be asked to vote on the ratification of a treaty with Russia concerning nuclear testing. I think it is desirable therefore that we explore fully actions which Russia is taking in other fields which adversely affect the interests of American citizens, actions which are in violation of international law and existing treaties.

In this connection, I wish to alert the Senate to some distressing and pertinent information which I have just received from Alaska.

Last Saturday I received a telegram from a representative in the Alaska State Legislature by the name of Gilbert A. Jarvela, which reads as follows:

> Jap and Russian catcher boats sighted inside 3-mile limit. Have witnesses and photographs. Urgently need Federal assistance to seize and arrest offenders. We need protection now.

I immediately wired Adm. Fred Bakutis, commander of the Alaska Sea Frontier and of the 17th Naval District, asking him to check on the matter; and likewise, sent a telegram to Adm. W. D. Shields, of the Coast Guard. By the time their investigation had been made, the foreign vessels had withdrawn.

I ask unanimous consent that the text of their replies be printed in the Record at this point in my remarks:

There being no objection, the telegrams were ordered to be printed in the Record, as follows:

August 3, 1963.

Senator Ernest Gruening,
U.S. Senate,
Washington, D.C.:

Your telegrams received and am attempting communicate Gil Jarvela for further details as to geographical location. Mr. Jarvela presently airborne in a Kodiak Airways plane headed toward Chignik Bay.

Last Monday my headquarters was advised by Mr. T. H. Richardson, area biologist Alaska Department Fish and Game that two Soviet whale catcher boats had been observed operating within territorial waters 1 mile north of Nakchamik Island, Chignik Bay, on July 28 and that an additional catcher and mother ship off Sutnik Island. This information was relayed to the commander Coast Guard District 17 in Juneau and to the commanding officer Coast Guard air detachment, Kodiak. The Coast Guard responded immediately by sending a Grumman amphibian to Chignik Bay. This plane observed several Russian vessels outside territorial waters but none inside. The Coast Guard, meanwhile keeping the bay under periodic air observation, diverted the ice breaker *Northwind* to patrol the bay yesterday and the cutter *Vinona* is presently en route to Chignik, will arrive tonight to patrol for the few days.

Believe the Coast Guard has the situation well in hand. However, am passing your telegrams to Coast Guard authorities at Juneau and Kodiak.

Best regards,
Fred E. Bakutis,
Rear Admiral, U.S. Navy Commander,
Alaskan Sea Frontier.

August 3, 1963.

Hon. Ernest Gruening,
U.S. Senate,
Washington, D.C.:

Reference your wire of August 3. Coast Guard observation aircraft were dispatched immediately on receipt of the sighting report of the Japanese and Russian whaling vessels operating inside the 3-mile limit on July 31. This sighting report was made by Mr. Jarvela to the Coast Guard Air Detachment at Kodiak 24 hours after the vessels were sighted. On arrival of the Coast Guard aircraft no vessels were sighted within territorial waters. The Coast Guard cutter *Northwind* is presently in the area of the sighting and has been instructed to conduct further investigation in this matter. Regular aircraft patrols are being made through this area.

Rear Adm. W. D. Shields,
Commandant, Coast Guard District 17.

Mr. GRUENING. Mr. President, this morning I received a further telegram from Representative Jarvela, which states that four Russian whalers were sighted inside the 3-mile limit at Nakchamik Island, Chignik Bay; that eyewitnesses saw one whaler with a freshly killed whale alongside another whaler that was in the act of firing its harpoon; that eight eyewitnesses have previously been contacted to send statements and any available photographs to Governor Egan.

Representative Jarvela goes on to say:

> I have talked to Chignik fishermen and they state there have been other violations on previous occasions.

And that he heard of the violation on the 29th of July and immediately notified the Coast Guard.

That on the 31st a Kodiak Airways pilot again spotted a whaler in the same location a mile offshore.

He was unable to contact Admiral Bakutis at that time. He discussed this situation with the commanding officer of the Coast Guard Air Detachment at Kodiak.

Jarvela reports that he maintains stringent air surveillance in the process but that the vast coastline is difficult to police even with the entire Coast Guard available. He also states that the Coast Guard officer feels our available vessel can match the whalers for speed but that local experienced skippers seem to disagree.

I ask unanimous consent that the full text of Mr. Jarvela's telegram be printed at this point in my remarks.

There being no objection, the telegram was ordered to be printed in the Record, as follows:

Kodiak, Alaska,
August 6, 1963.

Senator Ernest Gruening,
U.S. Senate,
Washington, D.C.:

On July 17, 1963, four Russian whalers were sighted inside 3-mile limit at Nakchamik Island, Chignik Bay, Alaska. Eyewitnesses saw one whaler with freshly killed whale alongside. Another whaler was in act of firing its harpoon. Eight eyewitnesses have previously been contacted to send statements and any available photographs to Governor Egan. I have talked to Chignik fishermen and they state there have been other violations on previous occasions. I heard of the violation on the 29th of July and immediately notified the Coast Guard. On the 31st, a Kodiak Airways pilot again spotted a whaler in the same location a mile offshore. Unable to contact Admiral Bakutis at this time. Discussed situation with the commanding officer, Coast Guard Kodiak air detachment. He maintains stringent air surveillance in process but vast coastline difficult to police even with the entire Coast Guard available. Also states our available vessels can match the whalers for speed. Local experienced skippers seem to disagree. I do not have any facts on this. We will get statements from witnesses soon as possible plus available photographs. These will be slow in coming. Greatly appreciate your efforts.

Representative G. A. Javela.

Mr. GRUENING. Mr. President, a year ago, when the Russian fishermen were pulling up Alaska's crab traps, I wired the President, urging that a destroyer—a speedier vessel than is now stationed in Alaskan waters—be sent there to help patrol our coast. This is a serious matter, and while I have no criticism whatever of either the Coast Guard district's or the 17th Naval District's performance, I am reluctantly led to the conclusion that they either do not have adequate ships or the necessary authority to prevent the repetition of this invasion of our waters.

This coast is often fogbound and it appears that foreign vessels take advantage of the fog to penetrate within our 3-mile limit and withdraw as soon as the fog lifts, thus making the detection of their violations difficult.

I also would like to call attention again to the legislation which I introduced, with the distinguished junior Senator from Maine [Mr. Muskie] as cosponsor—S. 1816, which would make it possible for any State so desiring to extend the limits for its fishing from 3 to 12 miles. I introduced this bill following the unilateral action of Canada in extending its fishing limits from 3 to 12 miles. It would be helpful in such situations as the one I am here discussing.

I ask unanimous consent that a statement I made on the floor of the Senate on June 28, which includes the text of the bill itself, be printed at the conclusion of my remarks.

The **PRESIDING OFFICER**. Is there objection to the request by the Senator from Alaska? The Chair hears none, and it is so ordered.

(See exhibit I.)

Mr. **GRUENING**. Mr. President, we shall be asked shortly to approve a treaty which will stop nuclear testing in the air and under the sea. The implications, of course, are that the cold war is thawing and that our relations with Russia are becoming friendlier. I would like to see specific evidences of this before this treaty comes to a vote in the Senate. Russian respect for our fisheries would be a useful indication of such a thaw.

Certainly our Government could assist Russia greatly by improving its vigilance and its ability to stop these violations of our national waters by stationing additional and faster naval vessels in Alaskan waters. Mere observation of these violations and subsequent diplomatic protest is not enough. Violators should be seized and brought to trial.

Exhibit I

The 3-Mile Limit: An Albatross Around the Neck of U.S. Fishermen

Mr. **Gruening**. Mr. President, the time has come for this Nation to look realistically at its questionable policy of maintaining a 3-mile territorial water, thereby permitting fishermen from other nations to deplete our fish stocks and negate our attempts at conservation and protection of this valuable resource.

Fishing vessels of other nations make themselves at home in our waters, fill their vessels with fish, and in so doing deprive U.S. fishermen of the catch.

Commercial fishing has become big business.

Some nations literally use fleets, complete with so-called mother ships which have cleaning and freezer facilities aboard. This modern method of fishing, which surpasses existing U.S. efforts, makes it mandatory for us to modernize our thinking concerning the breadth of the territorial sea. Our outmoded thinking has kept the United States in fifth place among the fishing nations of the world.

Our national policy as it concerns our commercial fishermen is quixotic. As Don Quixote tilted with windmills, we, alas, tilt with the wind. As we idealistically adhere to our antiquated and obsolete 3-mile territorial water, other nations catch our fish.

I can find no cause to grumble because Canada realistically has extended its maritime jurisdiction from the traditional 3 miles to the realistic 12 miles. Indeed, I admire and commend Canada for taking this action in behalf of its fisherman and its economy. I suggest that the United States pursue a similar course of action. I am introducing a bill today which would, under certain circumstances, extend the territorial waters of the United States to 12 miles for fishing purposes.

I suggested on April 19, 1962, when the Japanese fishing fleet had invaded Alaskan waters, that what really should be secured, besides an affirmation of U.S. fishing rights, was the extension of U.S. fishing grounds to a 12-mile limit. I said:

"The 3-mile limit is an obsolete provision dating from days when 3 miles was the approximate distance a cannonball from a shore battery could hit a hostile vessel."

More recently Russian fishing fleets have been sighted, their crews busily fishing, off Kodiak, just outside the 3-mile limit.

I asked the Legislative Reference Service of the Library of Congress to explore the possibility of extending the Alaskan territorial waters for the purposes of protection of coastal fisheries earlier this month. I ask unanimous consent that a memorandum I received from the American Law Division be printed in the Record at the conclusion of my remarks.

The **Acting President** pro tempore. Is there objection to the request by the Senator from Alaska? The Chair hears none, and it is so ordered.

(See exhibit 1.)

Mr. **Gruening**. Mr. President, it is revealing that no constitutional objection exists to an extension by the United States of its 3 miles for territorial sea. Conversely, a State is not free to proclaim the breadth of its territorial sea. But there is no reason preventing the Federal Government from extending all or a portion of this Nation's territorial waters.

The fifth point raised by Mrs. Goler T. Butcher of the American Law Division is pertinent. Mrs. Butcher, in her memorandum writes:

"5. In conclusion it should be stated that this whole area of the breadth of the territorial sea and of the right of the coastal sea to require the practice of conservation measures by other nations fishing near her coasts is at present in a state of fluidity. As recognized by the great legal scholar, Hans Kelson, the 3-mile limit, which was never adhered to by all nations, has become antiquated. Further reasons of justice and expediency would seem to give the coastal State the right to establish, in concert with other nations customarily fishing near her territory, conservation and protective measures."

In 1956 a report by the International Law Commission said that international practice was not uniform so far as the breadth of territorial waters was concerned.

The report of the Commission added that the Commission considered "that international law does not permit an extension of the territorial sea beyond 12 miles."

Miasma which arises from the territorial sea claimed by various nations is overpowering. Consider these inconsistencies, as stated in the report:

"BREADTH OF TERRITORIAL WATERS EXPRESSED IN THE SECOND COMMITTEE OF THE CONFERENCE OF APRIL 3, 1930	"PRESENT TERRITORIAL LIMITS
"Brazil: Favored 6 miles.	"Brazil: 3 miles for territorial sea, 12 miles for fishing.
"Belgium: Favored 3 miles plus contiguous zones.	"Belgium: 3 miles.
"Canada: Favored a 3-mile limit.	"Canada: 3 miles for territorial sea, 12 miles for fishing.
"China: Favored a 3-mile limit.	"China: 3-mile limit.
"Chile: Favored 3-mile limit plus contiguous zones.	"Chile: 200 miles.
"Colombia: Favored 6 miles.	"Colombia: 6 miles territorial sea, 12 miles fishing.
"Cuba: Favored 6 miles.	"Cuba: Originally 3 miles, perhaps now the same as Russia, 12 miles.
"Denmark: Favored 3-mile limit.	"Denmark: 12 miles.
"Egypt: Favored 3 miles plus contiguous zones.	"Egypt: 12 miles.
"Finland: 4 miles and favored contiguous zones.	"Finland: Not over 12 miles.
"France: 3 miles plus contiguous zones.	"France: 3 miles.
"Germany: 3 miles plus contiguous zones.	"Germany: 3 miles.
"Great Britain: Favored 3-mile limit.	"Great Britain: 3 miles.
"Greece: Favored 3-mile limit.	"Greece: 6 miles.
"Iceland: Proposed 4 miles.	"Iceland: 12 miles.
"India: Favored 3-mile limit.	"India: 6 miles territorial sea, 100 miles fishing.
"Iran: Favored 6 miles if a contiguous zone were added.	"Iran: 12 miles.
"Ireland: Favored 3-mile limit.	"Ireland: 3 miles.
"Italy: Favored 6 miles if a contiguous zone were added.	"Italy: 6 miles.
"Japan: Favored a 3-mile limit.	"Japan: 3 miles.
"Netherlands: Favored a 3-mile limit.	"Netherlands: 3 miles.
"Norway: Proposed 4 miles favoring the idea of contiguous zones.	"Norway: 4 miles for territorial sea, 12 miles for fishing.
"Spain: Favored 6 miles if a contiguous zone were added.	"Spain: 6 miles.
"Sweden: Proposed 4 miles.	"Sweden: 4 miles.
"Turkey: Favored 6 miles if a contiguous zone were added.	"Turkey: 3 miles, will move to 12 miles for territorial sea.
"Union of South Africa: Favored 3-mile limit.	"Union of South Africa: 6 miles for territorial sea, 12 miles for fishing.
"Uruguay: Favored 6 miles if a contiguous zone were added.	"Uruguay: 6 miles for territorial sea, 10 miles for fishing.
"Yugoslavia: Favored 6 miles if a contiguous zone were added.	"Yugoslavia: 6 miles for territorial sea, 10 miles for fishing."

Thus, in 33 years 17 nations who participated in the 1930 conference have concluded that the 3-mile limit is outmoded, and were we to ask all nations of the world for an opinion, that number would probably be a great deal higher.

The United States of America can continue to hold to its 3-mile limit, if it wishes, but such action can be compared to "horse and buggy" thinking. The days of 1805 have passed. Three miles was the distance that a round cannonball could be expected to hit its target.

Earlier this month I asked the Department of State for a list of counties which claim more than 3 miles of territorial sea or exclusive fishing rights. Assistant Secretary of State Frederick G. Dutton subsequently supplied such information.

In his letter of June 17, 1963, he provided a comprehensive survey of such claims made at the two United Nations Law of the Sea Conferences held at Geneva, Switzerland, in 1958 and 1960, along with a synoptical table prepared at the conferences showing the breadth of the territorial sea and adjacent zones claimed by the various nation-states.

Assistant Secretary Dutton also provided a summary of unilateral claims made since the 1960 conference by 11 nations: Albania, Cameroon, China, Denmark, Malagasy Republic, Morocco, Norway, Senegal, Sudan, Tunisia, and Uruguay.

Further, he notes that eight nations are considering legislation to extend their territorial seas. Of importance is the fact that, says the Assistant Secretary:

"The United Kingdom has renounced certain fisheries treaties apparently as a first move toward abandoning the 3-mile limit for fisheries."

I asked the Embassy of Great Britain for additional information and learned the Department of State's reference was to the announcement in the House of Commons about 1 month ago that Great Britain intended to denounce the North Sea Fisheries Convention signed in 1882 and had given 1 year's notice of the intended action.

Further, I found that Great Britain had called for a fall 1963 conference of the nations involved. British fishermen, it appears, have suffered from being excluded from their traditional fishing grounds as well as finding their own waters well fished by others.

Mr. President, I ask unanimous consent that Assistant Secretary Dutton's letter and one enclosure be printed in the RECORD at the conclusion of my remarks.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Alaska? The Chair hears none, and it is so ordered.

(See exhibit 2.)

Mr. GRUENING. Mr. President, it should be recalled that the 1958 Geneva Law of the Sea Conference found the Soviet bloc and the Arab bloc insisting on 12 miles as the limit of territorial waters. The United States and United Kingdom led the group advocating the 3-mile limit, although evidencing some willingness to compromise.

Canada then supported the 3-mile limit and an additional 9 miles for exclusive fishing by the coastal state—a position we find that is taken by Canadian law.

When the United States proposed a compromise 6-mile limit for territorial waters with an additional 6-mile contiguous zone in which the coast state would have exclusive fishing rights, subject only to "historic rights" for states whose nationals had fished in the area for the 5 years previous, the vote was close although it failed to garner the two-thirds required for adoption as a conference recommendation.

We are in fifth place among the fishing nations of the world. Ahead of us are Japan, Peru, Communist China, and the Soviet Union. According to a report prepared by the Department of the Interior's Bureau of Commercial Fisheries, the United States is the largest importer of fishery products. Last year we caught 7 percent of the world's catch and the same year we consumed 12 percent of the world's catch. Among our fish imports were shrimp, sea scallops, spiny lobster, frozen tuna, oysters, and ground fish fillets and blocks. Our imports were the highest in our history. It is reasonable to suggest that at least a larger portion of our imports comes from our own coastal waters outside the 3-mile limit.

Our fishermen fish with old gear and still do a remarkably good job. Our fishermen continue the hook-and-line methods while fishermen of other nations use largescale techniques including trawling.

It is a wonder that our fishermen managed to stay in fifth place.

Even as they strive to keep alive, the Federal Government expends vast sums to restore and rehabilitate the fishing resources of foreign countries. In the past 8 fiscal years, the Federal Government has spent $14,587,064 in 18 foreign countries. Those countries are China (Taiwan), Indonesia, Philippines, Thailand, Vietnam, Ethiopia, India, Liberia, Pakistan, Turkey, Peru, Korea, Laos, Iceland, Yugoslavia, El Salvador, Cambodia, and British Guiana. Peru, recall, is second only to Japan as the leading fishing nation.

Personally, I consider the paradox and performance of our aiding foreign countries to rehabilitate and develop their fishing resources while we neglect our own fisheries and fishermen to be shocking and disgraceful.

The extent of territorial waters has long presented problems.

Mr. Joseph Walter Bingham, professor of law, Stanford University, discussed the complicating aspects at length in his comprehensive, readable treatise "Report on the International Law of Pacific Coastal Fisheries." In his introduction, written November 1, 1938, Professor Bingham says:

"I believe that it is of the utmost importance to the future peace and security of the United States that a definite and consistent policy be adopted at once in protection of interests off our Pacific coast that we would not surrender except under compulsion. Especially we should assert at once and unmistakably our intention to protect our coast fisheries against damaging invasion and, in proper cases, against foreign use, and to extend this protection as far from our coast as efficiency demands."

We may well ask at this point, "What is the limit demanded by efficiency?"

Professor Bingham wrote of the great importance to our economy of the Alaskan salmon fisheries—"and the need of wide control over Alaskan waters to our future defense and safety"—points he said Japan and Canada and all the States recognize more clearly than did the general American public.

Dr. Bingham continued:

"There is no phase of the history of international affairs which evidences more strikingly the part which selfish national interests play in the development of the doctrines of international law than the history of fishery claims and their effects on legal opinions concerning the law of jurisdiction over sea areas."

As far back as 1937, the Department of State, in a note to Japan, stated:

"The emphasis which has been placed in this statement upon the situation in Bristol Bay arises from the fact that the activities of Japanese fishing vessels have been chiefly observed there; it should not be inferred for this reason that a similar situation in other Alaskan waters would be of less concern to American fishing interests.

"Having in mind the high importance of the Alaskan salmon fisheries as an industry fostered and perpetuated through the efforts and economic sacrifices of the American people, the American Government believes that the safeguarding of these resources involves important principles of equity and justice.

It must be taken as a sound principle of justice that an industry such as described which has been built up by the nationals of one country cannot in fairness be left to be destroyed by the nationals of other countries.

"The American Government believes that the right of obligation to protect the Alaska salmon fisheries is not only overwhelmingly sustained by conditions of their development and perpetuation, but that it is a matter which must be regarded as important in the comity of the nations concerned."

In commenting on the text of the note, Professor Bingham says:

"As long as American right to control our Pacific salmon fisheries is not established, there is therefore a constant threat to our peace and the circumstances of some future fishing invasion by foreign vessels may be such as to carry the controversy beyond diplomatic control."

The United States purports to hold to the 3-mile rule yet finds reasons to make exceptions. Important exceptions seem to be in connection with smuggling.

In the United States often individual States have claimed territorial waters in excess of 3 miles.

Of the 20 coastal States in 1942, only 3—Oregon, California, and Washington—had specific territorial waters designations, being in each instance either 3 English miles or 1 marine league in breadth. Georgia, Massachusetts, New Jersey, and Rhode Island expressly adopted the 3-mile rule. Alabama, 18 miles; Florida, 9 miles; and Louisiana, 27 miles. Texas historically claimed 3 leagues—9 miles—from land along the Gulf of Mexico. Mississippi claimed 6 leagues—18 miles—and all islands within 6 leagues of the shore. These State rules, notwithstanding their questionable validity in this area of national control, do indicate that the 3-mile rule had been neither mandatory nor uniform in the United States.

While the claims of the States to territorial waters were questionable, the issue had never been specifically adjudicated. State jurisdiction was unclear until the decision in the Tidelands Oil case—*United States* v. *California*, 332 U.S. 19, 1947. At that time the U.S. Supreme Court ruled that the submerged oil lands were property of the National Government rather than the individual States and that it is the National Government which has the ownership and control over the territorial sea.

Thus the limit is unclear. Indeed, as Professor Reisenfeld wrote:

"The problem of jurisdiction at the maritime frontier is a very complex one under American law. No uniform formula has been devised and the law is far from being well settled."

Therefore, Mr. President, I am introducing a bill which will correct the existing situation by extending the territorial waters of the United States for fishing purposes to 12 miles. I ask unanimous consent that the bill be printed in the RECORD at the conclusion of my remarks and that it remain on the table until July 9, 1963.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD at the conclusion of the Senator's remarks and will lie on the table until July 9, 1963, as requested.

(See exhibit 3.)

The bill (S. 1816) to conserve the offshore fishery resources of the United States and its territories, and for other purposes, introduced by Mr. GRUENING, was received, read twice by its title, and referred to the Committee on Commerce.

Mr. GRUENING. Mr. President, in 1945, President Harry S. Truman issued Proclamation No. 2668 in which he outlined the policy of the United States with respect to coastal fisheries in certain areas of the high seas. On September 28, 1945, President Truman spoke of "an urgent need to protect coastal fishery resources from destructive exploitation, having due regard to conditions peculiar to each region and situation and to the special rights and equities of the coastal States and of any other State which may have established a legitimate interest therein."

He said that it would be the policy of the United States of America "to establish conservation zones in those areas of the high seas contiguous to the coasts of the United States wherein fishing activities have been or in the future may be developed and maintained on a substantial scale."

On the same day the President issued Executive Order No. 9633 which reserved and placed certain resources of the Continental Shelf under the control and jurisdiction of the Secretary of the Interior.

And on the same day, President Truman issued Executive Order No. 9634 in which he reinforced his Proclamation No. 2668 by ordering the Secretary of State and the Secretary of the Interior to jointly recommend from time to time the establishment by Executive orders of fishery conservation zones in areas of the high seas contiguous to the coasts of the United States, pursuant to the policies in the proclamation.

Mr. President, this action by President Truman was direct and clear cut. I would hope that we can learn from the past, and I ask unanimous consent that the full texts of Proclamation No. 2668 and Executive Orders Nos. 9633 and 9634 be printed in the Record at the conclusion of my remarks.

The Acting President pro tempore. Is there objection to the request of the Senator from Alaska? The Chair hears none, and it is so ordered.

(See exhibit 4.)

Mr. Gruening. Mr. President, slightly more than 1 year ago our former colleague, Senator Ben Smith, of Massachusetts, made a speech which was outstanding in content. Senator Smith presented a realistic program for our fisheries. He outlined the problems facing our fisheries, and he noted that fishing is our oldest commercial industry.

He reminded us that fisheries employ, directly and indirectly, 540,000 American workers. As fisheries are a major industry in Massachusetts so are they in Alaska, many thousands of miles from the eastern seaboard. As the fisheries of Massachusetts are encroached upon by foreign vessels, so are the fisheries of Alaska and of the other coastal States threatened.

Senator Smith, now Ambassador Smith, and this Nation's fishery expert at the ambassadorial level, bluntly described the ills which plague the industry in his May 24, 1962, speech. And he observed that the United States has a remarkable knack for building up the fisheries in foreign nations while it fails to come to the aid of its own.

I agree with Ambassador Smith and point out that the United States cannot delay any longer taking vitally needed action to protect our valuable fishing resources from continued depletion by foreign fishing vessels. The time for action has come.

Finally, Mr. President, on June 4 Prime Minister Pearson, of Canada, proclaimed Canada's extension of its exclusive fishing rights to 12 miles. His statement, released by the Canadian Embassy here, gives cogently the reasons for his action on behalf of the Dominion of Canada. The arguments he adduces apply with equal force to our own problems. I ask unanimous consent that the text of his statement be printed at this point in my remarks.

There being no objection, the statement was ordered to be printed in the Record, as follows:

"LAW OF THE SEA

"The law of the sea, a subject of considerable importance in international affairs, is of particular significance for Canada, the seventh largest fishing nation in the world and the fourth largest trading nation, possessing the world's longest coastlines. Traditionally the breadth of the territorial sea has 3 nautical miles, but the Canadian view has long been that a breadth of 3 miles is not adequate for all purposes. It was on December 7, 1956, that a Canadian representative put forth, at a meeting of the sixth committee of the United Nations, the proposal which later came to be known at Geneva as the Canadian proposal, of a contiguous fishing zone beyond the 3-mile territorial sea which would extend to a limit of 12 miles.

"In the light of the failure of efforts to bring about an agreement on the breadth of the territorial sea and the contiguous fishing zone, the Government has decided, after careful deliberation, that the time has come to take firm and national action to protect Canada's fishing industry. It is well known that foreign fishing operations off Canada's east coast, which have increased enormously over the past 5 years, are apt not only to deplete our offshore fisheries resources but are posing other problems. There are indications also that Canada's west coast fisheries may soon be threatened, in similar circumstances an increasing number of countries have felt themselves compelled to abandon the 3-mile fishing limit. All told, more than 40 countries have already extended their territorial limits and more than 50 countries their fisheries limits beyond 3 miles.

"With these considerations in mind, the Canadian Government has decided to establish a 12-mile exclusive fisheries zone along the whole of Canada's coastline as of mid-May 1964 and to implement the straight baseline system at the same time as the basis from which Canada's territorial sea and exclusive fisheries zone shall be measured.

"The Government recognizes that such action will necessarily have implications for other countries, particularly, the United States of America and France, both of whom have treaty fishing rights in some of the areas affected and claims to historic fishing rights in other areas in question. In the case of Canada and the United States of America in particular, there is a long tradition of friendly and fruitful cooperation on fisheries problems and any action by Canada on these matters will, as in the past, take full account of U.S. interests, as well as of those other countries affected.

"It may be recalled that in my discussions with President Kennedy at Hyannisport I informed him that the Canadian Government would shortly be taking decisions to establish a 12-mile fishing zone. The President reserved the longstanding American position in support of the 3-mile limit. He also called attention to the historic and treaty fishing rights of the United States of America and I assured him that these rights would be taken into account. Discussions will be held with the United States of America with a view to determining the nature and extent of the U.S. rights and interests which may be affected by the action Canada is taking. Discussions will also be opened as soon as possible with other countries affected and it is our hope and belief that we will be able to reach agreement with such countries on mutually satisfactory arrangements."

"Exhibit 1

"The Library of Congress,
"Legislative Reference Service,
"*Washington, D.C., June 10, 1963.*

"To: Hon. Ernest Gruening.
"(Attention Miss Laura Olson.)
"From: American Law Division.
"Subject: Extension of Alaskan territorial waters for purposes of protection of coastal fishery.

"1. Adequate discussion on the applicable principles of international law in this area is contained in the secondary material which has been forwarded. In particular, the monographs by Riesenfeld and Bingham are devoted to questions as to the protection of coastal fisheries. The verifaxed pages from Bishop's 'Casebook on International Law,' pages 487–498, 'Jurisdiction Over Vessels,' concern the recent unsuccessful attempts in the Conference on the International Law of the Sea to reach uniform theory and consistent practice on this. (See also 99 Congressional Record 2493, 'The Exercise of Jurisdiction for Special Purposes in High Seas Area Beyond the Outer Limit of Territorial Waters,' a paper by William M. Bishop.) The copy of a memorandum previously prepared in this division, 'Foreign Reaction to the Assertion by the United States of Jurisdiction Over the Continental Shelf' (Butcher, 1963), deals with problems on the Continental Shelf. It should be noted that some of the Latin American States have claimed excessively wide territorial waters of a 200-mile breadth.

"2. Are there constitutional objections to the recognition by the United States of a limit exceeding 3 miles for the territorial sea?

"No, the United States is free to determine the breadth of its territorial sea as it may see fit. There are no constitutional problems involved.

"3. What are the rights of a State in this matter?

"The National Government has ownership, control and paramount rights in the marginal or territorial sea, that is, the coastal belt. The Supreme Court held in *United States* v. *California*, 332 U.S. 19 (1947), that the rights running to the States are in the inland waters to the shoreward of the low water mark and Federal rights and sovereignty exist in waters seaward of the low water mark on out to the limit of the territorial sea, whatever that happens to be, 3 miles or further.

"By reason of the allocation to the National Government under our Federal system of all matters involving relations with foreign nations, all issues respecting international law are properly within the province of the Federal Government alone. Thus a State is not free to proclaim, in accordance with its own determination of its needs, the breadth of its territorial sea.

"4. Notwithstanding the general rule that straits more than 6 miles in width are not subject to the jurisdiction of the coastal State, a valid claim to exercise exclusive jurisdiction over a strait may be founded upon a historical practice, whereunder the coastal State has acquired by prescription a right to include the waters of the strait within her territorial jurisdiction. Also germane here is the fact that the proprietorship of the lands on both sides of the strait is by the same State. These considerations are relevant to the issue of the nature of the waters of Shelikof Strait separating Kodiak Island and the Alaskan peninsula.

"5. In conclusion it should be stated that this whole area of the breadth of the territorial sea and of the right of the coastal sea to require the practice of conservation measures by other nations fishing near her coasts is at present in a state of fluidity. As recognized by the great legal scholar, Hans Kelsen, the 3-mile limit, which was never adhered to by all nations, has become antiquated. Further, reasons of justice and expediency would seem to give the coastal State the right to establish in concert with other nations customarily fishing near her territory conservation and protective measures.

"Goler T. Butcher,
"*Legislative Attorney.*"

"Exhibit 2

"Department of State,
"*Washington, D.C., June 17, 1963.*

"Hon. Ernest Gruening,
"*U.S. Senate.*

"Dear Senator Gruening: A representative of your office recently requested a list of countries which claim more than 3 miles of territorial sea or exclusive fishing rights.

A comprehensive survey of such claims was made in connection with the two United Nations Law of the Sea Conferences held at Geneva 1958 and 1960, and a synoptical table was prepared by these conferences showing the breadth of the territorial sea and adjacent zones claimed by the various States. A reproduction of the table is enclosed for your information.

"Since that time several countries have made claims to an extended territorial sea or exclusive fishing zone. A summary of such claims since the 1960 Law of the Sea Conference, based on information reaching the Department, is also enclosed. In addition to the countries which have asserted claims, a number have indicated that they intend to do so. Legislation has been introduced (1) in Colombia to extend the territorial sea from 6 to 12 miles; (2) in Ghana to establish a 12-mile territorial sea, with an undefined protective area seaward of this, and up to 100 miles of fishing conservation zone; (3) in south Africa, Costa Rica, and Turkey to extend the territorial sea to 6 miles with a 6-mile contiguous fishing zone; and (4) in the Ivory Coast to extend the territorial sea to 12 miles. Moreover, Canada recently announced a decision to establish a 12-mile fishing zone, and the United Kingdom has renounced certain fisheries treaties apparently as a first move toward abandoning the 3-mile limit for fisheries.

"I hope this information will be helpful to you.

"Sincerely yours,

"FREDERICK G. DUTTON,
"*Assistant Secretary.*"

"SUMMARY OF UNILATERAL CLAIMS TO EXTENDED TERRITORIAL SEAS OR EXCLUSIVE FISHING ZONES, SINCE THE 1960 UNITED NATIONS CONFERENCE ON LAW OF THE SEA

"Albania: March 1, 1910, restricted innocent passage in a 10-mile territorial sea. Fishing jurisdiction claimed to 12 miles.

"Cameroon: June 23, 1962, claimed a 6-mile territorial sea.

"China: While the Republic of China recognizes the 3-nautical-mile territorial sea, Communist China claims a 12-mile territorial sea.

"Denmark: June 1, 1963, extended the fisheries limits for Greenland to 12 miles. A similar limit for the Faroes Islands will take effect March 12, 1964. Certain countries are exempted from the Greenland limits until May 31, 1973.

"Malagasy Republic: February 27, 1963, claimed a 12-mile territorial sea.

"Morocco: Extended fishing jurisdiction to 12 miles, except for the Strait of Gibraltar, for which such jurisdiction was extended to 6 miles.

"Norway: Extended fisheries jurisdiction to 6 miles on April 1, 1961, and to 12 miles on September 1, 1961.

"Senegal: June 21, 1961, claimed a 6-mile territorial sea, plus a 6-mile contiguous zone.

"Sudan: August 2, 1960, extended the territorial sea to 12 miles.

"Tunisia: July 26, 1962, extended the territorial sea to 6 miles with an additional 6 miles of fisheries jurisdiction for a portion of its coast from the Algerian border to Ras Kapoudia, and extended the territorial sea from there to the Libyan border to the 50-meter isobath line.

"Uruguay: February 21, 1963, claimed a 6-mile territorial sea plus a 6-mile contiguous zone for fishing and other purposes.

"EXHIBIT 3

"S. 1816

"A bill to conserve the offshore fishery resources of the United States and its Territories, and for other purposes

"Whereas for some years the Congress of the United States has viewed with great concern the inadequacy of present arrangements for the protection, conservation and rehabilitation of the fishery resources contiguous to the coasts of the United States of America and, in view of the potentially disturbing effect of this situation, has carefully studied the possibility of improving the jurisdictional basis for conservation and rehabilitation measures in this field; and

"Whereas such fishery resources have a special importance to coastal communities as a source of livelihod and to the Nation as an important food and industrial resource; and,

"Whereas the progressive development of new methods and techniques contributes to intensified fishing over wide sea areas and, in certain cases, seriously threatens fisheries with depletion; and

"Whereas there is urgent need to protect coastal fishery resources from destructive exploitation, having due regard to conditions peculiar to each region and situation and to the special rights and equities of the Coastal States; Now, therefore,

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That whenever the Governor of any State or Territory alleges by a petition to the President of the United States that fishing by nationals of other nations in some or all of the coastal waters lying within 12 miles off the shores of such State or Territory is of such intensity or magnitude that the fishery resources in such waters are in danger of depletion, the President shall appoint a Fact Finding Board (hereinafter called "The Board") consisting of three persons, one of whom shall be a resident of such State or Territory.

"SEC. 2. The Board shall, within ninety days, investigate the allegations made by the Governor and report its findings of fact and recommendations for action to the President.

"SEC. 3. The President, on the basis of such report and recommendations and such other information as may be brought to his attention, may by Presidental proclamation, if he finds that the allegations are sustained by the facts:

"(a) Prohibit fishing in some or all of the coastal waters lying up to twelve miles off the coast of such State by any person not a national of the United States of America; or

"(b) Establish conservation zones in the coastal waters lying up to twelve miles off the coast of such State or Territory, limit the amount and type of fishing which may be conducted in such conservation zones, and set forth when and by whom fishing may be conducted in such conservation zones.

"SEC. 4. Members of the Board shall be appointed without regard to the civil service and classification laws and shall receive compensation at the rate of $75 per day when engaged in carrying out their duties and shall, in addition, receive reimbursement for actual expenses incurred in the performance of such duties.

"EXHIBIT 4

"PROCLAMATION 2668—POLICY OF THE UNITED STATES WITH RESPECT TO COASTAL FISHERIES IN CERTAIN AREAS OF THE HIGH SEAS,[1] BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

"Whereas for some years the Government of the United States of America has viewed with concern the inadequacy of present arrangements for the protection and perpetuation of the fishery resources contiguous to its coasts, and in view of the potentially disturbing effect of this situation, has carefully studied the possibility of improving the jurisdictional basis for conservation measures and international cooperation in this field; and

"Whereas such fishery resources have a special importance to coastal communities as a source of livelihood and to the Nation as a food and industrial resource; and

"Whereas the progressive development of new methods and techniques contributes to intensified fishing over wide sea areas and in certain cases seriously threatens fisheries with depletion; and

"Whereas there is an urgent need to protect coastal fishery resources from destructive exploitation, having due regard to conditions peculiar to each region and situation and to the special rights and equities of the coastal State and of any other State which may have established a legitimate interest therein:

"Now, therefore, I Harry S. Truman, President of the United States of America, do hereby proclaim the following policy of the United States of America with respect to coastal fisheries in certain areas of the high seas:

"In view of the pressing need for conservation and protection of fishery resources, the Government of the United States regards it as proper to establish conservation zones in those areas of the high seas contiguous to the coasts of the United States wherein fishing activities have been or in the future may be developed and maintained on a substantial scale. Where such activities have been or shall hereafter be developed and maintained by its nationals alone, the United States regards it as proper to establish explicitly bounded conservation zones in which fishing activities shall be subject to the regulation and control of the United States. Where such activities have been or shall hereafter be legitimately developed and maintained jointly by nationals of the United States and nationals of other states, explicitly bounded conservation zones may be established under agreements between the United States and such other states; and all fishing activities in such zones shall be subject to regulation and control as provided in such agreements. The right of any state to establish conservation zones off its shores in accordance with the above principles is conceded, provided that corresponding recognition is given to any fishing interests of nationals of the United States which may exist in such areas. The character as high seas of the areas in which such conservation zones are established and the right of the free and unimpeded navigation are in no way thus affected.

"In witness whereof, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

"Done at the city of Washington this 28th day of September, in the year of our Lord nineteen hundred and forty-five, and of the Independence of the United States of America the one hundred and seventieth.

"[SEAL]

"HARRY S. TRUMAN.

"By the President:

"DEAN ACHESON,
"*Acting Secretary of State.*

"[F.R. Doc. 45-18175; Filed, Oct. 1, 1945; 11:11 a.m.]"

"EXECUTIVE ORDER 9633—RESERVING AND PLACING CERTAIN RESOURCES OF THE CONTINENTAL SHELF UNDER THE CONTROLS AND JURISDICTION OF THE SECRETARY OF THE INTERIOR

"By virtue of and pursuant to the authority vested in me as President of the United States, it is ordered that the natural resources of the subsoil and seabed of the Continental Shelf beneath the high seas but contiguous to the coasts of the United States declared this day by proclamation [1] to appertain to the United States and to be subject to the jurisdiction and control, be and they are hereby reserved, set aside, and placed under the jurisdiction and control of the Secretary of the Interior for administrative purposes, pending the enactment of legislation in regard thereto. Neither this order nor the aforesaid proclamation shall be deemed to affect the determination by legislation or judicial decree of any issues between the United States and the several States, relating to the ownership or control of the subsoil and seabed of the Continental Shelf within or outside of the 3-mile limit.

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[1] See Executive Order No. 9634.

[1] See Proclamation 2667, supra.

"HARRY S. TRUMAN.

"THE WHITE HOUSE, *September 28, 1945.*

"[F.R. Doc. 45-18132; Filed, Sept. 28, 1945; 2:25 p.m.]"

"EXECUTIVE ORDER 9634—PROVIDING FOR THE ESTABLISHMENT OF FISHERY CONSERVATION ZONES

"By virtue of and pursuant to the authority vested in me as President of the United States, it is hereby ordered that the Secretary of State and the Secretary of the Interior shall from time to time jointly recommend the establishment by Executive orders of fishery conservation zones in areas of the high seas contiguous to the coasts of the United States, pursuant to the proclamation entitled "Policy of the United States With Respect to Coastal Fisheries in Certain Areas of the High Seas," this day signed by me, and said Secretaries shall in each case recommend provisions to be incorporated in such orders relating to the administration, regulation, and control of the fishery resources of and fishing activities in such zones, pursuant to authority of law heretofore or hereafter provided.

"HARRY S. TRUMAN.

"THE WHITE HOUSE, *September 28, 1945;*

"[F.R. Doc. 45-18133; Filed Sept. 28, 1945; 2:25 p.m.]"

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 192. An act for the relief of M. Sgt. Benjamin A. Canini, U.S. Army;

S. 219. An act for the relief of Bernard W. Flynn, Jr.;

S. 280. An act for the relief of Etsuko Matsuo McClellan;

S. 752. An act for the relief of Janos Kardos;

S. 1003. An act for the relief of the Middlesex Concrete Products & Excavating Corp.;

S. 1326. An act to provide for the conveyance of certain mineral interests of the United States in property in South Carolina to the record owners of the surface of that property; and

S. 1643. An act to amend the act entitled "An act for the relief of the estate of Gregory J. Kessenich," approved October 2, 1962 (76 Stat. 1368).

The message also announced that the House had agreed to the amendment of the Senate to the bill (H.R. 1518) for the relief of Barbara Theresa Lazarus.

The message further announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H.R. 82. An act to amend the Merchant Marine Act, 1936, in order to provide for the reimbursement of certain vessel construction expenses;

H.R. 1135. An act to designate the dam being constructed and the reservoir to be formed on the Des Moines River, Iowa, as the Red Rock Dam and Lake Red Rock;

H.R. 1696. An act defining the interest of local public agencies in water reservoirs constructed by the Government which have been financed partially by such agencies;

H.R. 2671. An act authorizing construction of a bank protection project on the Guyandot River at Barboursville, W. Va.;

H.R. 2977. An act to authorize the sale of certain lands of the Cheyenne River Sioux Tribe;

H.R. 3198. An act to promote the economic and social development of the Trust Territory of the Pacific Islands, and for other purposes;

H.R. 5179. An act to authorize the Postmaster General to enter into agreements for the transportation of mail by passenger common carriers by motor vehicle, and for other purposes;

H.R. 5478. An act authorizing a survey of the Frio River in the vicinity of Three Rivers, Tex., in the interest of flood control and allied purposes;

H.R. 5623. An act to amend the provisions of title 14, United States Code, relating to the appointment, promotion, separation, and retirement of officers of the Coast Guard, and for other purposes;

H.R. 6138. An act to amend section 753(b) of title 28, United States Code, to provide for the recording of proceedings in the U.S. district courts by means of electronic sound recording as well as by shorthand or mechanical means;

H.R. 6481. An act to permit the Government of Guam to authorize a public authority to undertake urban renewal and housing activities;

H.R. 6923. An act authorizing a survey of Cedar Bayou, Tex., in the interest of flood control and allied purposes;

H.R. 6997. An act to provide for a comprehensive, long-range, and coordinated national program in oceanography, and for other purposes;

H.R. 7219. An act to amend sections 3288 and 3289 of title 18, United States Code, relating to reindictment after dismissal of a defective indictment;

H.R. 7594. An act to designate the McGee Bend Dam and Reservoir on the Angelina River, Tex., as the Sam Rayburn Dam and Reservoir; and

H.J. Res. 192. Joint resolution relating to the validity of certain rice acreage allotments for 1962 and prior crop years.

HOUSE BILLS AND JOINT RESOLUTION REFERRED

The following bills and joint resolution were severally read twice by their titles and referred as indicated:

H.R. 82. An act to amend the Merchant Marine Act, 1936, in order to provide for the reimbursement of certain vessel construction expenses;

H.R. 5623. An act to amend the provisions of title 14, United States Code, relating to the appointment, promotion, separation, and retirement of officers of the Coast Guard, and for other purposes; and

H.R. 6997. An act to provide for a comprehensive, long-range, and coordinated national program in oceanography, and for other purposes; to the Committee on Commerce.

H.R. 1135. An act to designate the dam being constructed and the reservoir to be formed on the Des Moines River, Iowa, as the Red Rock Dam and Lake Red Rock;

H.R. 1696. An act defining the interest of local public agencies in water reservoirs constructed by the Government which have been financed partially by such agencies;

H.R. 2671. An act authorizing construction of a bank protection project on the Guyandot River at Barboursville, W. Va.;

H.R. 5478. An act authorizing a survey of the Frio River in the vicinity of Three Rivers, Tex., in the interest of flood control and allied purposes;

H.R. 6923. An act authorizing a survey of Cedar Bayou, Tex., in the interest of flood control and allied purposes; and

H.R. 7594. An act to designate the McGee Bend Dam and Reservoir on the Angelina River, Tex., as the Sam Rayburn Dam and Reservoir; to the Committee on Public Works.

H.R. 2977. An act to authorize the sale of certain lands of the Cheyenne River Sioux Tribe;

H.R. 3198. An act to promote the economic and social development of the trust territory of the Pacific Islands, and for other purposes; and

H.R. 6481. An act to permit the government of Guam to authorize a public authority to undertake urban renewal and housing activities; to the Committee on Interior and Insular Affairs.

H.R. 5179. An act to authorize the Postmaster General to enter into agreements for the transportation of mail by passenger common carriers by motor vehicle, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 6138. An act to amend section 753(b) of title 28, United States Code, to provide for the recording of proceedings in the U.S. district courts by means of electronic sound recording as well as by shorthand or mechanical means; and

H.R. 7219. An act to amend sections 3288 and 3289 of title 18, United States Code, relating to reindictment after dismissal of a defective indictment; to the Committee on the Judiciary.

H.J. Res. 192. Joint resolution relating to the validity of certain rice acreage allotments for 1962 and prior crop years; to the Committee on Agriculture and Forestry.

UNIFORMED SERVICES PAY ACT OF 1963

The Senate resumed the consideration of the bill (H.R. 5555) to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services, and for other purposes.

Mr. CANNON. Mr. President, having held the floor for more than an hour, in the hope of beginning debate on Calendar No. 363, House bill 5555, the military pay bill, at this time I ask unanimous consent that I may ask for a quorum call, without losing my right to the floor, to put Senators on notice that the Senate is proceeding to consider H.R. 5555, a bill to increase the rates of basic pay for members of the uniformed services, which affects about 2.6 million of our military personnel.

The **PRESIDING OFFICER.** Is there objection?

Mr. KUCHEL. Mr. President, reserving the right to object—and I shall not object—there are two or three questions I would like to ask the Senator with respect to the provisions of the bill which was reported from the committee. I can ask him those questions either now or following the quorum call, in order to make a little legislative history.

Mr. CANNON. If the Senator will wait until after I have completed my statement, I will appreciate it. I have a statement which covers all the changes the Senate amendments encompass. Then we can go into any specific questions the Senator may have.

Mr. KUCHEL. I have no objection.

The **PRESIDING OFFICER.** Is there objection to the request of the Senator from Nevada? The Chair hears none, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CANNON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. INOUYE in the chair). Without objection, it is so ordered.

PURPOSE OF THE BILL

Mr. CANNON. Mr. President, the purposes of the proposed military pay legislation, which will involve an additional annual cost of approximately $1,227 million, are threefold: First, to improve the attraction and retention of service members for career military service by providing increased basic pay with the larger percentage increases at points of retention; second, to correct certain inequities in the military compensation system; and third, to provide as a permanent statutory matter an equitable basis for adjusting retired pay for members after retirement, based on cost-of-living increases applicable to all retired personnel.

PRELIMINARY REMARKS

UNANIMOUS REPORT

Mr. President, before discussing the details of the bill, I should like to make several preliminary observations.

First, this bill as reported received the unanimous approval of both the Subcommittee and the full Committee on Armed Services. I should like particularly to recognize the efforts of the senior Senator from Massachusetts [Mr. SALTONSTALL], who is unable to be here today because of his trip to Moscow in connection with the signing of the test ban treaty. As the ranking minority member of both the subcommittee and the full committee, his long experience and able assistance were instrumental in shaping the bill in its present form.

REVIEW OF MILITARY COMPENSATION

Except for the increase in quarters allowances enacted in 1962, military compensation has not been increased since 1958. In view of the increases received by civilian Government workers and by those in the civilian economy generally during this time period, military increases have not kept pace. It might be observed, however, that when the longer time period, commencing with 1952 is considered together with the increases in this bill, the overall increases compare favorably with the percentage increases authorized for civilian workers. Tables on this matter are set out in the appendix to the report.

The Department of Defense has stated that a procedure has been established within the Department for maintaining a continual review of the military compensation system and making such recommendations as may be necessary to the Congress.

The committee, as noted in the report, is glad to observe this new procedure. The Department of Defense and our military personnel may be sure that due consideration will be given to any recommendations that may be submitted. There should be no implication that the committee intends that any particular formula be established for increasing military pay. The principal purpose of compensation changes must be to attract and maintain a suitable career force by granting reasonable increases. In our complex military organization pay structure, the approach may be different from one pay bill to the next depending on the circumstances and problems involved.

MILITARY RETENTION PROBLEM

OFFICER RETENTION PROBLEM

Mr. President, the critical officer retention problem now confronting the military forces results from the inadequate number of junior officers who are seeking a career status beyond the period of their initial obligated service. In order to maintain the present required force levels, from 11,000 to 13,000 officers must be retained in all the services annually beyond the points when they have completed their obligated service. Under existing conditions, the services must accept most of those who apply, with the result that only a minimum level of quality control can be maintained.

ENLISTED RETENTION PROBLEM

In the enlisted area, the most critical retention problem is the retaining of enlisted men in essential skills beyond the period of their initial service. In some of the critical skill areas, the Department of Defense would desire that the career ratio, that is, those serving beyond their initial term of enlistment, be about 60 percent. These ratios actually average about 40 percent. The cost of technical training is now about $1 billion a year in the Department of Defense. An increase in the retention of these critical skills should, therefore, serve to reduce the cost and increase efficiency by raising the experience level.

I should observe, Mr. President, that the Congress in 1958 authorized a system of enlisted proficiency pay under which the Department of Defense at its discretion could grant additional compensation up to $150 a month in order to meet the critical shortage. As of the present time, proficiency pay is granted only in the amounts of $30 and $60 per month. The Department of Defense has advised that plans are being considered for increasing these rates up to $100 a month. It should be observed, therefore, that in addition to the increases in basic pay authorized under this bill, the Department of Defense presently has legislative authority to grant additional increases to meet the critical skills retention problem.

DISCUSSION OF DETAILS OF BILL AS AMENDED

Mr. President, we now come to the basic question of how the bill attempts to carry out the threefold purposes I have enumerated. As a part of my discussion of the principal features of the bill, I will include the major amendments recommended by the Senate committee.

INCREASES IN BASIC PAY

INCREASES FOR CERTAIN GRADES WITH UNDER 2 YEARS OF SERVICE

Mr. President, military personnel with less than 2 years of service are those who are filling some sort of obligated service. The basic pay for the under-2-year group in all grades has not been increased since 1952, when a 4-percent increase was enacted. The House bill provided for no increase in any of these grades in the under-2-year bracket. The Senate committee feels an increase is justified for certain grades and recommends an increase of about 5 percent for the E-4 and E-5, and from 8.9 percent to 12.5 percent for commissioned officers. The approximate increases would be as follows:

For the E-4, a $7 monthly increase for a total basic pay of $129.

For the E-5, an $8 monthly increase for a total basic pay of $153.

For the O-1, second lieutenant, a $20 monthly increase for a total basic pay of $242.

For the O-2, first lieutenant, a $30 monthly increase, for a monthly basic pay of $289.

For the O-3, captain a $40 monthly increase for a total basic pay of $366.

For the O-4, major, of whom there are only 20 in all of the Armed Forces, a $50 monthly increase, for a total basic pay of $450.

The basic pay for the enlisted grades E-3 and below are not increased. Such personnel are generally in a training status during the initial 2-year period. Those in the higher enlisted grades for the most part are carrying out the duties for their rank, and, as we know, young officers are assigned to various duties either immediately, or following a short orientation course.

INCREASES OVER 2 YEARS OF SERVICE—OFFICERS

Mr. President, I now come to what is probably the most significant portion of this bill, which concerns the increases in basic pay for personnel with over 2 years of service. Generally, for officers the average increase is 18.8 percent with the average increase by rank as follows:

For general officers there is authorized a 5-percent increase and for the O-6, colonel grade, a 10-percent increase. It might be noted that in the 1958 pay act, the highest percentage increases authorized were for the general officer grades ranging from 29 to 33 percent, and for the O-6, colonel, a 20-percent increase in basic pay was enacted.

Continuing now with the increase in this bill, Mr. President, for the O-5, lieutenant colonel, a 14.5-percent increase is provided; for the O-4, major, 18 percent; for the O-3, captain, 23 percent; for the O-2, first lieutenant, 25.7 percent; and for the O-1, second lieutenant, 19 percent. These average dollar increases range from $60 to $110 a month.

Mr. President, the basic pay rates recommended by the Senate are increased in amounts of $10 to $30 monthly over that contained in the House bill for the O-1, second lieutenant, through the O-5, lieutenant colonel, with the larger increases placed at points of retention and normal service in these grades. These increases apply to officers in the normal promotion and career pattern.

As a result of the increases in basic pay contained in the bill, the total compensation structure for officers with typical years of service, including basic pay, quarters, and subsistence, will range from $4,800 a year for the second lieutenant to $25,488 for the Chief of Staff. The inclusion of hazardous duty pay increases these amounts. These figures, contained on page 16 of the report for each grade, do not include the personal money allowances for those of three- and four-star rank.

INCREASES WITH OVER 2 YEARS OF SERVICE—ENLISTED

Mr. President, for enlisted personnel with over 2 years of service the average increase would be 15.5 percent, with the larger increases authorized at the points of retention and normal service. Except for the E–1 recruit, who only receives a 4.8-percent increase, the average increases by grade range from 11 percent to 18.2 percent. The increases vary within the grade, depending on the point of retention. For instance, an E–4 with over 4 years of service receives a 20.6-percent increase for a total of $205 monthly basic pay. An E–5 with over 6 years of service receives a 16.7-percent increase, for a total of $245 a month basic pay. An E–6, with over 16 years of service, receives a 16.1-percent increase for a total basic pay of $325 a month.

Of course, there are other elements of military compensation for which enlisted personnel may be authorized, including allowances for quarters, subsistence, and clothing, and if eligible, proficiency, hazardous duty, and certain other pays.

The bill as amended adds $5 per month to the various pay brackets over that recommended by the House, in the enlisted grades E–4 through E–7, affecting approximately 640,000 people.

Mr. President, for the enlisted grades E–4 through E–9 the enactment of the basic pay increases, together with the present allowances for quarters and subsistence, would provide an annual compensation structure ranging from $4,092 for the E–4, up to $7,732 for the E–9 for those with certain designated years of service. The exact amounts for each grade are set forth beginning on page 17 of the committee report.

INCREASE IN SPECIAL PAY FOR MEDICAL AND DENTAL OFFICERS

Mr. President, the Senate committee increased the special pay for medical and dental officers by $50 a month at the 6-year active duty point, from $200 to $250, and by $100 a month at the 10-year active duty point, from $250 to $350. The committee was of the opinion that the critical retention problem of military physicians and dentists justified this increase, in addition to the basic pay increases contained in the bill.

The Department of Defense, in supporting these additional amounts, noted that the resignation rate of officers who have completed 6 to 8 years of service has been increasing and now varies from 50 to 75 percent among the military services. The doctor draft law was enacted in 1950 and since that time the Department of Defense has been dependent on the impetus of this legislation for its input of physicians and dentists. Moreover, for the foreseeable future, the military departments will continue to be dependent on the doctor draft law for its physicians and dentists. These are the only professional groups which have been subject to continuous application of this act.

It is essential for the health of the Armed Forces that a certain portion of the medical service be composed of career officers in order to provide the experience and continuity necessary for adequate medical and dental care. Following the increase in special pay in 1956, the resignation rate dropped, although in recent years it has increased to its present rate.

The committee is of the opinion that the recommended increase should serve to make more attractive a military career for medical and dental officers and thereby serve to retain a greater number in active service.

HAZARDOUS DUTY PAY CHANGES

Mr. President, the bill corrects what might be considered certain inequities in the present military compensation system by proposing three amendments to the hazardous duty pay system.

First, entitlement to submarine pay would be broadened by providing that persons who are already qualified for submarine pay may continue to receive such pay when they are assigned as prospective crewmembers of a submarine being constructed, or when they are undergoing training prior to assignment to the nuclear or advanced types. What is happening today is that qualified submariners are losing their submarine pay during the transition period from the conventional submarines to the nuclear advanced types. The bill would permit this pay to be continued during these transition periods.

The second change relates to the existing provision which prohibits the receipt of more than one hazardous-duty pay, even though the person may be qualified, and also performs in more than one hazardous duty. The bill would permit not more than two pays where the member is qualified and performs both duties. We have personnel, for instance, who are trained to perform in both underwater demolition and parachute jumping. It should be emphasized that the bill would permit both pays only where the duties are actually being performed.

Third, those who perform inside a high-pressure chamber would be authorized to receive the hazardous-duty pay now authorized for those in the low-pressure chamber operation.

LANGUAGE IN REPORT ON INCREASED RANK FOR OFFICERS WITH ADVANCED TRAINING

Mr. President, I should like to observe that the report on page 22 contains language which urges the military departments to recognize advanced education in certain specialties for the purpose of commissioning officers in the fields allied with medicine and in other areas in the rank of first lieutenant rather than second lieutenant which is the rank currently being awarded. In the opinion of the committee, doctors of optometry and the other groups in specialties allied to medicine, as well as other specialties where advanced degrees have military application, should receive recognition for the required advanced education in terms of rank above that of second lieutenant. The military departments presently have the authority to award the temporary rank of first lieutenant for such newly commissioned officers.

FAMILY SEPARATION ALLOWANCE

The bill provides a new element for military compensation which will be known as the family separation allowance. In effect, military members in grades E–4—over 4 years of service—and above, if eligible, will be entitled to an allowance of $30 a month in addition to any other allowances or per diem they may be entitled to receive. The member must be separated from his dependents on a permanent change of station, or for at least 30 days, if he is on board a ship or on temporary duty and in all cases under circumstances where his dependents are not permitted to accompany him.

The reason for this allowance is because of the added household expenses caused by enforced separation of servicemen from their families when they are absent for any extended period of time. This results in an inequity as compared to our servicemen whose dependents are authorized to accompany them.

It is anticipated that about 100,000 enlisted men and 10,000 officers would be entitled to receive the additional allowance.

The committee amended the House bill by providing for a flat $30 a month rate for this allowance. The House formula would have provided a minimum $30 rate and not to exceed one-third of the quarters allowance without dependents for the member of the rank concerned. The Department of Defense urged the flat $30 rate, which will be much simpler to administer. Furthermore, the great majority of military members would only receive the flat $30 sum in any case.

NEW CONCEPT FOR FOREIGN DUTY

Mr. President, the Senate committee recommends a new concept for the payment of foreign-duty pay which overcomes the deficiency in the present system, which makes no distinction between locations. Existing law now authorizes sea and foreign duty pay ranging from $8 to $22.50 a month, depending on the grade concerned, for members who are on sea duty or on duty outside the United States or in Hawaii or in Alaska.

The House amended existing law by deleting the State of Hawaii as one of the eligible locations for foreign-duty pay.

The Senate committee adopts a new approach which makes all foreign duty pay outside the contiguous 48 States and the District of Columbia permissive. Under Presidential regulations the Secretary of Defense will determine the locations eligible for such pay. The amendment itself does not specify the basis for this determination. It is intended, however, that the Secretary will take into account such factors as undesirable climate, lack of normal community facilities, and the accessibility of the location generally. Under this general concept it would not appear, for instance, that an enlisted member in London, Paris, or Bermuda would qualify. On the other hand, someone on duty in the Antarctic or South Vietnam would obviously qualify.

Mr. President, I should like to observe enlisted men who receive sea pay or who receive foreign duty pay if found eligible under the new criteria would also be entitled to receive the family separation allowance of $30 a month, which I have previously discussed, if they are also separated from their families and are otherwise qualified for this separation allowance.

RETIRED PAY PROVISIONS

Mr. President, I now wish to discuss the manner in which the bill affects retired pay of the various groups involved.

There are several individuals retired under special acts of Congress, all of whom are receiving slightly more than $20,000 a year in retired pay. The bill as passed by the House provides no increase for these persons and no change is made by the Senate bill. All other members presently retired will receive at least a 5-percent increase. In addition, those retired prior to 1958 and receiving pay under the current pay laws will be permitted to receive either a 5-percent increase or recompute their retired pay under the 1958 pay scales, whichever is greater. The specific groups involved are as follows:

FIVE-PERCENT INCREASE FOR THOSE RECEIVING PAY UNDER LAWS IN EFFECT PRIOR TO 1949

Mr. President, there are approximately 33,000 persons retired prior to 1949 who continue to receive retired pay under the laws in effect prior to the Career Compensation Act, which was enacted in 1949. In order to reflect the increase in the cost of living since June 1958 the bill authorizes a flat 5-percent increase for this category of persons. This group, I might point out, received a 6-percent increase in 1955 and a 6-percent increase in 1958.

GROUP RETIRED AFTER JUNE 1, 1958, AND PRIOR TO EFFECTIVE DATE OF BILL

Mr. President, the bill also provides that those persons retired since June 1, 1958, and prior to the effective date of the bill would receive a 5-percent increase which reflects the increase in the cost of living since the enactment of the 1958 pay legislation.

Mr. KUCHEL. Mr. President, will the distinguished Senator from Nevada permit an interruption?

Mr. CANNON. If the Senator from California will permit, I should like to complete my statement; then I shall be happy to discuss any of the items independently.

Mr. KUCHEL. I thank the Senator.

APPROPRIATIONS FOR THE DEPARTMENT OF LABOR, AND HEALTH, EDUCATION, AND WELFARE, AND RELATED AGENCIES

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 5888) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1964, and for other purposes.

Mr. CANNON. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside, and that the Senate resume the consideration of H.R. 5555, the Uniformed Services Pay Act of 1963.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNIFORMED SERVICES PAY ACT OF 1963

The Senate resumed the consideration of the bill (H.R. 5555) to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services, and for other purposes.

RECOMPUTATION OR 5 PERCENT, WHICHEVER IS GREATER, FOR THOSE RETIRED PRIOR TO JUNE 1, 1958, AND RECEIVING PAY UNDER THE CAREER COMPENSATION ACT OF 1949

Mr. CANNON. Mr. President, I shall now discuss the increases authorized for persons retired prior to June 1, 1958, who are receiving retired pay under the rates of the Career Compensation Act of 1949. The bill provides that this category of personnel will be entitled to a 5-percent increase or they may recompute their retired pay under the payscales enacted in 1958 where a greater retired pay would result. The percentage increases for this group will range from 5 to 39 percent over their present retired pay, with the larger increases accruing to those retiring in the higher officer grades, that is, lieutenant colonel, O–5, through general and former chiefs of staff, O–10. As a result of the increases authorized in the bill, the total annual retired pay would range in typical cases from $6,276 for lieutenant colonel, O–5, to $16,872 for the former Chief of Staff, O–10.

As the Senate may recall, the 1958 Military Pay Act adopted a cost-of-living philosophy for retired pay increases. This legislation provided a 6-percent cost-of-living increase for all those retired, except for those of three or four-star rank, who received 16 and 26 percent increases, respectively in their retired pay. If recomputation had been continued under the 1958 legislation, the large increases would have accrued to those retired in the higher ranks, but with little or, in some cases, no increases for those retired in the lower ranks. This result would have occurred because of the substantial increases in the 1958 act in basic pay authorized for the active forces for those in the higher ranks and because of certain changes in the pay system which cut off longevity increases in the lower pay brackets. This bill continues the cost-of-living philosophy of the 1958 act, by authorizing the minimum 5 percent increase for those who were retired before June 1, 1958. At the same time, Mr. President, the bill authorizes recomputation under the 1958 pay scales for those who would have received increased retired pay had they been permitted to recompute under the 1958 scales. The argument has been made that customarily Congress permitted recomputation in the past, and that sufficient notice was not given in 1958 with respect to the change to the cost-of-living system. The bill, therefore, authorizes recomputation as a transition provision to the statutory cost-of-living system which I shall discuss momentarily.

The point I should like to emphasize, Mr. President, is that with this transition alternative, it is intended that the recomputation method be ended once and for all, and that all increases hereafter be under the automatic cost-of-living system which the bill elsewhere establishes.

The bill as passed by the House would have granted recomputation under the 1958 scales, plus 5 percent of the recomputed sum for the group involved. The committee amended this approach, so as to provide for recomputation or 5 percent, whichever is greater. As I have indicated, under the Senate committee version, this group would receive from 5 to 39 percent over present retired pay. Furthermore, when the increases granted in 1958 are considered, the combined increases range from 11 to 74 percent. The committee was of the opinion that these increases are amply sufficient to meet the objectives of recomputation for the pre-1958 group.

NEW COST-OF-LIVING SYSTEM

Mr. President, the bill establishes a new concept for increasing retired pay subsequent to retirement. Under the language of this provision, the increases would be granted administratively, without the necessity of future legislation by Congress.

Whenever the cost of living, as reflected by the Consumer Price Index, advances annually at least 3 percent, the Secretary of Defense will adjust the retired pay of all personnel accordingly, to the nearest one-tenth of 1 percent. All retirees would therefore receive the same percentage increases.

Mr. President, the cost-of-living system is the most equitable means of dealing with retired pay increases, since it insures that all retired persons will be assured equal percentage increases. The principal purpose of military pay legislation must be to meet the needs of the Active Forces, which may necessitate varying increases for those on the active list, in order to meet the personnel problems in this complex military age. Under the circumstances, the most equitable means of assuring proper increases for all on the retired list is the cost-of-living system established in this bill.

Mr. President, implicit in the cost-of-living approach is the premise that a person's retired pay will initially be computed on the rates of pay in effect when he is initially retired, with subsequent adjustments based on cost-of-living increases. We shall, therefore, have people of the same rank and service with different rates of pay. For instance, we already have different rates for some retired prior to 1949, for those retired before 1958, for those retired after 1958, and for those who will retire under the 1963 rates.

MINOR FEATURES

Mr. President, my remarks have dealt with the principal features of the bill, as well as with a number of the changes recommended by the Senate committee. I shall not take the time of the Senate to discuss in detail the other features of the amended bill, which are covered in detail in the report.

One item which should be mentioned is the deletion by the Senate committee of the increases in subsistence allowances recommended by the House. Upon the recommendation of the Department of Defense, the committee deleted all the increases in subsistence allowances, pending a further study by the Department of Defense of the whole system of subsistence. Aside from the matter of increases, there are certain inherent problems in the present subsistence system. The Department plans to complete this report next year, and this may well result in legislative recommendations to the Congress on the matter of changes in the subsistence allowances.

OBSERVATION ON OTHER MATTERS RELATING TO RETENTION

Mr. President, I should like to point out that adequate military compensation is vital, and must be reasonably increased from time to time in the interest of maintaining our Armed Forces and in fairness to the men and women involved. At the same time, military pay as a single element will not maintain our Armed Forces at their highest quality. Our Armed Forces today are large, and constitute the most complex operation in their history. This state of affairs makes for the greatest challenge in proper personal management. I should like to mention several problems which are matters of a continuing challenge.

First, there is the necessity to give our young officers ample responsibility for their rank, in order to enable them to make a full contribution in accordance with their talents.

Second, we should make sure that those in the middle ranks are given full responsibility for their grade, and that promotions are awarded for the prime purpose of increased responsibility, not for increased pay.

Third, Mr. President, there is the matter of early retirement. Today, in many cases, the services are losing officers at the peak of their ability and experience, with officers retiring after between 20 and 30 years of service. The prospect of retirement in their late forties and early fifties is causing concern among many of our career officers.

Mr. President, I mention these items merely to indicate that military pay is only one of the important elements for the retention of career men and women in our Armed Forces.

ADEQUACY OF THE BILL

Mr. President, the adequacy of any pay legislation, military or otherwise, is always a matter of judgment. There will always be some who will feel that whatever increase is granted is not sufficient.

The point I wish to emphasize is that in the opinion of the committee this bill, with its increases in basic pay and other changes, should meet the objective of attracting and retaining career personnel in sufficient numbers and quality for our forces.

Mr. President, the need for this legislation is urgent, and I urge its prompt passage by the Senate.

Mr. President, at this point I offer an amendment which is purely technical in nature; it would correct a printing error. On page 32, in line 15, it would strike out "section" and insert "station" .

The PRESIDING OFFICER (Mr. KENNEDY in the chair). The amendment of the Senator from Nevada will be stated.

The LEGISLATIVE CLERK. On page 32, in line 15, after the word "that," it is proposed to strike out "section" and insert "station".

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. McGOVERN. Will the Senator yield?

Mr. CANNON. I yield to the Senator from South Dakota.

Mr. McGOVERN. Mr. President, on May 17 of this year I took the floor to ask for strong support of a military pay bill that would give our men and women in the armed services a fair return for their vital contribution to the Nation's security.

In my remarks, I pointed out that since 1952 military pay has gone up only 16.2 percent while civilian pay for comparable jobs has gone up an average of 42.7 percent. This figure included civil service pay which will have risen 39.8 percent by 1964. While we may never reach the ideal of complete comparability between civilian and military pay, I said, we are not dealing fairly with our service people if we fail to try to narrow the gap as much as possible.

I am very glad, Mr. President, that the Committee on Armed Services is in agreement with many of the suggestions I made on May 17. I am delighted to note that those with less than 2 years' service will be given a pay increase and that additional pay increases for certain enlisted grades with over 2 years' service are provided. I have long felt that we would well afford to be more considerate of our senior enlisted men, and I know, too, how important it is to offer compensation that is adequate to attract new members of the armed services. If we are ever to get away from compulsory service in peacetime, it can come only through offering sufficient pay to make voluntary service more attractive.

On last Friday I called the attention of the Senate to the enormous sums of money we are spending on additions to our nuclear "overkill" capacity. Would it not be wise to divert at least a small fraction of this weapons procurement budget to more adequate compensation for our servicemen? After all, the effectiveness of weapons is limited in no small part by the morale, skill, and experience of the men who use the weapons.

The Senate bill is much improved over H.R. 5555, but it is still not fully satisfactory. The pay bill should be made effective immediately upon its adoption rather than on October 1. In the case of civilian pay raises, the increase is usually made effective immediately or even retroactively. Why should we be less generous in our treatment of our soldiers, sailors, and airmen?

For these reasons, and in order to show good faith to our service men and women, I had intended to offer an amendment to this bill which would make its features effective on September 1, 1963, rather than October 1. After discussing my proposal with the floor managers of the bill, however, I have decided to withhold the amendment rather than jeopardize the expeditious passage of the pay bill.

Mr. GOLDWATER. Mr. President, will the distinguished Senator from Nevada yield?

Mr. CANNON. I yield.

Mr. GOLDWATER. I thank the distinguished chairman of the subcommittee and member of the full committee of which I am also a member. I wish to comment on his excellent handling of the hearings, and on the bill in general.

I call to the attention of the Senator from Nevada [Mr. CANNON] what I am about to say. During the meeting of the full committee yesterday, I offered an amendment that in effect would call for the establishment of an agency to continue study of the question. The language which I offered yesterday provided—

> The President shall direct such agency as he deems appropriate to prepare and submit to him annually a report which compares the rates of pay and allowances of members of the uniformed services with the rates of salary paid for comparable levels of work performed by employees in private enterprise and civilian employees of government as determined on the basis of the appropriate annual surveys conducted by the Bureau of Labor Statistics, and shall report annually to the Congress its comparison together with such recommendations for reduction of rates of pay and allowances of the members of the uniformed services as he deems advisable.

My purpose was to place the military pay in keeping with the pay in the Civil Service establishment. The amendment would require the same action now required by section 503 of Public Law 87–793, the Federal Salary Reform Act of 1962.

During the course of the debate yesterday in the committee it became quite evident that it would be virtually impossible to establish any comparability between military pay and pay for civilian jobs or governmental jobs. That problem has been recognized before when similar actions have been attempted. In his testimony, Mr. Paul stated:

> We will keep military compensation under continuing review, and we will make appropriate recommendations to the Congress in the future when we determine that military pay is not keeping abreast of the productivity changes in our general economy, as it most certainly should.

At this time I offer an amendment which would merely put the language of Mr. Paul into the bill. My amendment is as follows:

> The President shall direct such agency as he deems appropriate to keep military compensation under continuing review and to prepare and submit to him annually a report of its findings. The President, if he finds that military pay is not keeping abreast of productivity changes in our general economy, shall then recommend to the Congress such reductions of pay and allowances for

members of the uniformed services as he deems advisable.

I call to the attention of the Senator from Nevada the fact that I have removed from the amendment the language to which the committee objected yesterday. I send the amendment to the desk and ask that it be stated. I suggest that the Senator in charge of the bill, the Senator from Nevada [Mr. CANNON], might wish to accept the amendment, inasmuch as it merely repeats the language of Mr. Paul in his testimony. I have stricken out the language that yesterday was found not to be desirable.

The PRESIDING OFFICER. The amendment of the Senator from Arizona will be stated.

The LEGISLATIVE CLERK. It is proposed to add a new section as follows:

SEC. 15. Chapter 19 of title 37, United States Code, is amended as follows:

(1) The following new section is added after section 1007:

"SEC. 1008. Annual Review of Pay and Allowances.

"The President shall direct such agency as he deems appropriate to keep military compensation under continuing review and to prepare and submit to him annually a report of its findings. The President, if he finds that military pay is not keeping abreast of productivity changes in our general economy, shall then recommend to the Congress such revisions of rates of pay and allowances for members of the uniformed services as he deems advisable."

(2) The following new item is inserted in the analysis:

"1008. Annual Review of Pay and Allowances."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Arizona.

Mr. CANNON. Mr. President, I yield to the Senator from California.

Mr. ENGLE. Mr. President, I thank my distinguished colleague for yielding. I take this occasion to pay my tribute to the distinguished Senator from Nevada for the remarkable job he has done on an extremely complicated question. I know that the pay situation with reference to all members of the armed services is an extremely complicated and difficult job. The junior Senator from Nevada took the chairmanship of the subcommittee and, in a very short time, he acquired a competence in that field which was truly astonishing.

For many years the Senator has been active in the Air Force Reserve. He is a brigadier general. From the beginning we have assumed that he had some competence in the field. But in the management of the bill during the hearings and before the full committee he displayed a competence and a grasp of the situation rarely seen in a Senate committee. It is a pleasure to work with the Senator in the subcommittee. Although the bill now before the Senate is not all that our military friends would like to have, I believe that the work which the Senator has performed on the bill will go a long way toward alleviating some of the complaints the military have justly made. I support the bill. I support the committee action. I commend the chairman of the subcommittee on a superb piece of work in relation to a very complicated and difficult field. I thank my friend for yielding.

Mr. CANNON. I thank the distinguished Senator from California for his kind remarks. I yield to the senior Senator from California.

Mr. KUCHEL. Mr. President, I thank my able friend. I have received a number of inquiries from retired military personnel who are now living in my State. They have raised a question as to the distinction which the bill requires between officer personnel retired prior to June 1, 1958 and those who have retired subsequently. My able friend has commented on the technical provisions in the bill which accomplish that distinction. Will the Senator indicate the reason why one group of personnel is treated differently for retirement purposes than another, based upon the date of June 1, 1958?

Mr. CANNON. Personnel who retire under different pay laws will be treated in different fashions. The bad feature of recomputation is that, under subsequent pay laws a man can eventually receive more retired pay than he ever received while on active duty.

The committee went into that question rather thoroughly. It has been considered in past years and by past administrations. Initially the Eisenhower administration rejected the principle of recomputation, and then changed position to approve it.

The Kennedy administration had the question under study for a while. Finally, with respect to the so-called 1958 group, the Kennedy administration recommended that because those people retired before 1958 had not been put on notice that recomputation would not be continued and that recomputation should be allowed at this time with reference to that group. That is what the bill now provides. The pre-1958 group will be able to recompute under the 1958 Pay Raise Act, as I indicated, and they will have the benefit of percentage increases from 5 to 39 percent over their present retired pay, the 39 percent being in the highest grade. This would mean, if added to the other raise which was granted to those people in 1958—namely, the 6-percent cost-of-living increase—that the combined percentage of increase would rise from 11 to 74 percent. With the percentage increase certain members of that group received in 1958, under the recomputation provided in the bill, they would receive a 74-percent increase in their retirement pay.

Mr. KUCHEL. The chairman and members of the committee, in my judgment, have performed a service in bringing the bill to the floor. Again recurring to the point which I attempted to make, I ask the Senator to assume that A and B have exactly the same length of service and exactly the same rank. One retired on May 31, 1958; the other on June 1, 1958. Is it not true that under the bill A and B would be treated differently with respect to the computation of their retirement pay?

Mr. CANNON. They are treated differently, up until the amendment to the bill is enacted. The amendment in the bill would permit a man who retired on May 30, 1958, to recompute under the 1958 pay scale.

There is one difference with respect to a person who retired before the 1958 act went into effect, as distinguished from a man who retired after the 1958 act went into effect. The man who retired after the 1958 act went into effect and served on duty under that pay scale would, under the terms of the bill, get a 5-percent increase in pay. The man who retired prior to the 1958 act receives a minimum 5-percent increase in pay.

This is a problem which will continue for any group under any pay bill.

The Department of Defense has now taken a firm position, as have the respective services, to the effect that they understand that the bill would put an end to the recomputation philosophy once and for all. From this time forward all retired personnel will get pay increases based on the cost of living as determined by the Consumer Price Index. Any time the cost of living goes up 3 percent or more in 1 year the increase granted will be to the nearest one-tenth of 1 percent.

Mr. KUCHEL. So, looking toward the future, retired personnel will be treated equally, except for those who remain alive who retired prior to June 1, 1958.

Mr. CANNON. No; the Senator is not correct. Every group retired under a different pay scale would be treated differently. Each would get the same percentage increase in retirement, but the retirement would be based on the salaries for the ranks in which they served, rather than the salaries for the ranks in which someone at a later time may have served. They would get the same percentage increases in retired pay.

Mr. KUCHEL. I assume, from the Senator's opening statement, that the committee unanimously adopted amendments with respect to this problem different from the language approved by the House of Representatives?

Mr. CANNON. The Senator is correct. The House committee rejected the recomputation theory and provided only a 5-percent recomputation figure based on the cost of living. On the floor the House legislated—as the Senate sometimes does—and inserted the recomputation figure and also left in the 5-percent increase.

The Senate committee unanimously changed the recomputation plus 5 percent to a formula of recomputation or 5 percent. Recomputation alone would have given little or no increase for many in the lower rank. A 5-percent increase was authorized to insure a cost-of-living increase. The committee felt that recomputation under the 1958 rates was sufficient to meet the objective and increase the pre-1958 above the cost-of-living increases.

Mr. KUCHEL. I wish to repeat, from this side of the aisle, that I believe the able chairman of the committee and all members of the committee have performed a very constructive service.

Since, apparently, the Senate will adopt a pay bill, long overdue for the Military Establishment, whose provisions on this point will be different from the provisions written by the House, I assume that the problem will be available for consideration by a conference committee, so that a third look may be had at it.

Mr. CANNON. The Senator is correct—assuming that the House insists on a conference. I am hopeful that the House will accept the Senate version of the bill.

I point out to the distinguished Senator from California that pages 31 and 32 of the committee report give examples of dollar increases in retired pay for persons receiving retired pay under the Career Compensation Act of 1949, who retired prior to June 1, 1958.

For example, a general or an admiral received $12,180 under the 1958 act in total retired pay. Under the act in effect prior to 1958 he would receive $9,684. The terms of the Senate version of the bill would give him $16,872. He would get a 74-percent increase in pay compared to pre-1958 rates.

Mr. KUCHEL. Is that pattern laid down under the provisions of the bill now before the Senate with respect to retired officers in any of the lower grades?

Mr. CANNON. If the Senator will follow the chart shown on page 31, the information shows all officers and all enlisted grades and what they would get, as retired pay, under the Senate committee version of H.R. 5555 as well as under the House version. There are also shown the present retirement pay under the 1958 act and the retirement pay prior to June 1, 1958, for all the grades.

Mr. KUCHEL. I thank my friend very much. This is a highly technical subject. I know the members of the committee and the Members of the Senate generally very much desire to do equity and to make military service an honorable service which will attract and keep good fellow Americans who wish to serve their country in that fashion.

I hope, if there is a conference, that the apprehensions which have honorably been raised by retired officer personnel in my State once again will be given consideration.

After listening to the Senator explain the bill, I believe the committee has performed an excellent service.

Mr. CANNON. I also say, for the information of the Senator on the recomputation phase, that during the hearings we attempted to find out whether private industry had adopted any such formula of recomputation, so that a retired person could thereafter recompute his retired pay based on a salary he did not receive while he worked in the industry. We were not given specific examples by the witnesses who testified. Many witnesses testified that they knew of no such system in private industry basing the recomputation on a salary a man did not receive.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. CANNON. I yield to the Senator from Wisconsin.

Mr. PROXMIRE. I wish to join Senators who have commended the Senator from Nevada for an excellent presentation. I have some general questions on the bill.

First I ask the distinguished Senator from Nevada how much enactment of the bill would cost. How much would be the annual cost to the Government of the pay increase, if the bill should be enacted?

Mr. CANNON. The cost of the bill, as it now stands, would be $1,227,330,000.

Mr. PROXMIRE. How does that figure compare with the cost increase provided by the House, before the Senate committee acted?

Mr. CANNON. This is approximately $5 million more than the total annual cost under the House bill, as passed by the House. It is slightly less than the initial proposal made by the Department of Defense.

The Department of Defense originally asked for some subsistence increases. After action was taken in the House, the Department changed its position with respect to subsistence allowances, on the representation that this matter was under study and that they hoped to have a recommendation for the Congress next year.

Mr. PROXMIRE. So the $5 million is a net figure. It is a net figure consisting of an increase by the Senate committee for the lower grades, with a decrease provided by the Senate committee in the subsistence allowances.

Mr. CANNON. The $5 million is a net increase figure. The Senate added approximately $141 million in the various basic pay areas to the provisions of the House bill. The Senate committee in turn pared $136.9 million, therefore making it a net increase of $5 million.

Mr. PROXMIRE. A reduction of $136.9 million in subsistence and a $141 million increase in the various pay grades?

Mr. CANNON. That was not entirely in the subsistence. Page 21 of the report sets forth the reductions and additions to the bill. The Senator will note that the subsistence item is one of the large items of reduction, approximately $83 million, but did not account for all the changes.

Mr. PROXMIRE. Was any consideration given by the committee, or could any consideration be given in a practical sense, to a pay increase calculated to make it more likely, if not certain, to eliminate the draft? I feel that there are many people—certainly in my State, and in all other States, I am sure—who are concerned with the philosophy of having a draft in peacetime. Of course, none of us wants this requirement imposed on our young men, but we all recognize it is necessary at the present time. I am wondering if any consideration was given to the possibility of having pay sufficiently adequate so that we no longer would have to have the draft, in view of the fact that the draft now requires the compulsory services of a relatively small number of Americans.

Mr. CANNON. Some consideration was given to it. These were the areas in which we tried to make some additions over the House bill, to make a service career more attractive, so that personnel might not only come into the service, but stay in after they were trained. The cost of training amounts to approximately $1 billion a year, according to the Department of Defense, so a substantial item is involved. If we can make a military career more desirable and retain military personnel for a longer period of time, obviously we can save money in the cost of training.

There is one bad feature, however. For the initial periods those personnel are strictly in training categories and receive a low rate of pay. There is not enough money to pay a higher salary to induce one to take the basic training; and yet many of the men are in the training category for the first 2 years. That is why the House adopted the philosophy of not giving an increase to anyone in the 2-years-and-under category. We did not completely agree with that. We increased it in the E–4 and E–5 categories.

Mr. PROXMIRE. I understand the Senator from Nevada to say there had been no increase since 1952—11 years.

Mr. CANNON. No. The Senator misunderstood me. In the lower grades there has been no increase since 1952 for the under-2-years man. The over 2-years man received——

Mr. PROXMIRE. I was referring only to the under-2-years man.

Mr. CANNON. That is correct. There has been no increase since 1952 for the under-2-years man. The cost of living for those men is borne by the Government, because the Government houses, feeds, and clothes them while they are in the training stage. The Government has borne the cost-of-living increase from 1952 to date. So we do not provide for an increased cost of living for men up to grade E–3, but for the E–4 and E–5 we have, because men in that category are assuming increased responsibility.

Mr. PROXMIRE. But the pay that the enlisted man gets recognizing the cost of eating, sleeping and clothing has been provided for, is eroded by the fact that since 1952 the cost of living has risen. So there is no encouragement for the enlisted man to reenlist, because his pay has been reduced greatly since 1952 in terms of what the money will buy. This is one reason why it is necessary to do what all of us would like to do, namely, raise Armed Forces pay sufficiently to eliminate the draft, if we possibly could.

Mr. CANNON. I remind the Senator that only the Army uses the draft.

Mr. PROXMIRE. We all recognize that the draft is necessary to get volunteers for the other services; and I recognize, as the Senator has so properly said, that only the Army uses the draft.

One further question in terms of the draft. There is still the doctor draft, as the Senator has pointed out. It seems to me the greatest injustice of all that doctors and dentists should be compelled to serve, and be the only professions singled out to be drafted into the Armed Forces. They have served patriotically and without much complaint. I wonder if an adequate adjustment was considered in that respect, recognizing the high skills and the great amount of training required, so as to provide pay which would permit elimination of the necessity for this profession to serve under the draft.

Mr. CANNON. The adjustment in 1956 helped the retention problem so far as doctors were concerned. However, since that time, the retention rate has continually decreased, to the point where it is at the present time. We have attempted to meet that problem in the proposed law at the 6-year active duty point, which is the critical point of retention. We have added an additional $50 a month. So if the bill in its present form were passed, doctors, in addition to basic pay and allowances, would receive an additional $250 a month. At the 10-year retention point they would get an additional $100 a month, going from $250 to $350 a month. So, in effect, they are being recognized for their service. Whether this pay is in an amount which will enable us to retain them, I do not know. This is the amount on which we received testimony. The Department of Health, Education, and Welfare officials testified as to this amount, and the Department of Defense also supported it.

Mr. PROXMIRE. So this was one of the reasons for the increase; and Senators feel that perhaps we may arrive at a situation in the foreseeable future where it may not be necessary to draft members of the medical and dental professions. There should be a realistic recognition of the skills required in those professions and the years needed to develop them.

Mr. CANNON. This was the amount the Department recommended.

Mr. PROXMIRE. How about comparability of military pay with other Government pay and pay in private industry? After all, $1.2 billion is an enormous cost. Was it based on comparability, in the first place, with corresponding Government grades; or, in the second place, with similar duties in civilian life?

Mr. CANNON. Comparability is an extremely difficult problem. We tried to consider it. We heard testimony from the Department of Defense. The problems of comparability were pointed out. The pay and allowances of a serviceman could not really be compared, because there was no real basis of comparison. It was stated, in effect, that the system now in effect for Government workers or for private industry could not really be compared to the military, because of the difficulty of comparison, no matter what basis was used. For example, if base pay is used as a comparability basis, there is one formula. If the pay and allowances basis is used, there is another formula. If the take-home pay basis is used, there is another formula, because the military personnel have a certain tax advantage. Tables attached to the report show the comparison of take-home pay in various grades.

There is also to be considered the insurance and retirement provisions. Military pay cannot be compared on the basis of retirement; and the civil service system and industrial employees have that benefit.

A moment ago I mentioned that a certain table was attached to the report. I am sorry. I have been informed that the table is not in the report. I ask unanimous consent that the table to which I have referred may be printed in the RECORD at this point. It shows the salaries of civilian employees, net take-home pay, pay and allowances of military personnel, and net take-home pay.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE I

Salaries of Federal classified civilian employees, and net take-home pay

Pay grade	Present scale				1964 enacted				1964 proposed			
	Salary [1]		Net take home [2]		Salary [1]		Net take home [2]		Salary [1]		Net take home [2]	
	Annual	Monthly	Annual	Monthly	Annual	Monthly	Annual	Monthly	Annual	Monthly	Annual	Monthly
GS-18	$20,000	$1,667	$14,296	$1,191	$20,000	$1,667	$14,296	$1,191	$25,500	$2,125	$17,445	$1,454
GS-17	18,628	1,552	13,451	1,121	18,628	1,552	13,451	1,121	23,386	1,949	16,285	1,357
GS-16	16,786	1,399	12,295	1,025	16,786	1,399	12,295	1,025	20,974	1,748	14,869	1,239
GS-15	15,580	1,298	11,535	961	17,042	1,420	12,451	1,038	18,706	1,559	13,501	1,125
GS-14	13,715	1,143	10,301	858	14,632	1,219	10,913	909	15,879	1,323	11,725	977
GS-13	11,930	994	9,109	759	12,639	1,053	9,581	798	13,573	1,131	10,205	850
GS-12	10,139	845	7,856	655	10,743	895	8,288	691	11,422	952	8,766	730
GS-11	8,564	714	6,715	560	9,004	750	7,033	586	9,477	790	7,382	615
GS-10	8,020	668	6,314	526	8,450	704	6,631	553	8,845	737	6,922	577
GS-9	7,345	612	5,823	485	7,715	643	6,096	508	8,040	670	6,329	527
GS-8	6,781	565	5,404	450	7,098	591	5,637	470	7,372	614	5,843	487
GS-7	6,137	511	4,918	410	6,424	535	5,135	428	6,630	552	5,290	441
GS-6	5,673	473	4,574	381	5,892	491	4,739	395	6,076	506	4,872	406
GS-5	5,128	427	4,163	347	5,253	438	4,257	355	5,418	451	4,382	365
GS-4	4,659	388	3,815	318	4,764	397	3,894	325	4,918	410	4,011	334
GS-3	4,278	356	3,527	294	4,342	362	3,576	298	4,441	370	3,650	304
GS-2	3,921	327	3,264	272	3,981	332	3,310	276	3,981	332	3,310	276
GS-1	3,690	307	3,090	257	3,750	312	3,135	261	3,750	312	3,135	261

[1] Average rate for the grade obtained by applying the pay scale to the number of "Employees of the Federal and District of Columbia Governments by Classification Act grade and step, all areas, June 30, 1961" (latest available).

[2] Net after deduction of Federal income tax, civil service retirement contributions at 6½ percent, group life insurance contributions at 25 cents per 2-week period per $1,000 of insurance, contribution to medical insurance at $12.50 per month. The Federal income tax has been calculated on the assumption of 3 dependents, joint return, and standard deduction.

Pay and allowances of military personnel, and net take-home pay

Pay grade	Present scale				H.R. 5555 (Senate revision)				Pay grade	Present scale				H.R. 5555 (Senate revision)			
	Pay and allowances [1]		Net take home [2]		Pay and allowances [1]		Net take home [2]			Pay and allowances [1]		Net take home [2]		Pay and allowances [1]		Net take home [2]	
	Annual	Monthly	Annual	Monthly	Annual	Monthly	Annual	Monthly		Annual	Monthly	Annual	Monthly	Annual	Monthly	Annual	Monthly
C/S	$29,487	$2,457	$24,339	$2,028	$30,627	$2,552	$25,082	$2,090	W-3	$7,817	$651	$7,100	$592	$8,650	$721	$7,783	$649
O-10	25,587	2,132	21,153	1,763	26,587	2,216	21,813	1,818	W-2	6,778	565	6,228	519	7,524	627	6,839	570
O-9	21,487	1,791	17,808	1,484	22,387	1,866	18,443	1,537	W-1	6,041	503	5,624	469	6,632	553	6,088	507
O-8	19,187	1,599	16,049	1,337	20,028	1,669	16,642	1,387	E-9	6,963	580	6,341	528	7,722	643	6,964	580
O-7	17,087	1,424	14,531	1,211	17,807	1,484	15,064	1,255	E-8	6,161	513	5,700	475	6,878	573	6,272	523
O-6	13,711	1,143	11,924	994	14,818	1,235	12,755	1,063	E-7	5,679	473	5,309	442	6,110	509	5,647	471
O-5	11,516	960	10,161	847	12,834	1,069	11,207	934	E-6	4,942	412	4,719	393	5,419	452	5,093	424
O-4	9,711	809	8,685	724	11,037	920	9,744	812	E-5	4,333	361	4,229	352	4,738	395	4,546	379
O-3	7,870	656	7,136	595	9,167	764	8,208	684	E-4	3,608	301	3,536	295	3,948	329	3,864	322
O-2	6,107	509	5,702	475	7,096	591	6,487	541	E-3	3,001	250	2,951	246	3,147	262	3,092	258
O-1	4,857	405	4,697	391	5,231	436	4,990	416	E-2	2,708	226	2,669	222	2,734	228	2,694	224
W-4	8,949	746	8,061	672	10,110	842	9,001	750	E-1	2,614	218	2,578	215	2,619	218	2,583	215

[1] Includes basic pay, quarters, subsistence, and personal money allowance, assuming 3 dependents. The basic pay is the fiscal year 1964 budget average for the grade. The majority of enlisted personnel in the lower grades receive a lesser amount in quarters allowance than the amount used in this illustration.

[2] Net after deduction of Federal income tax and social security contribution. The Federal income tax has been calculated on the assumption of 3 dependents, joint return, and standard deduction.

Mr. PROXMIRE. The conclusion was, in general, that it is impossible to have overall comparability, although there are many positions in the Army, Navy, and Air Force which are comparable to positions in the civilian service. Is that correct?

I have reference to all kinds of technical positions. The major problem here is that of persuading people to stay in the Armed Forces when there are attractive pay possibilities in jobs on the outside. We lose to commercial industry technical specialists and many other highly trained personnel. Is that correct?

Mr. CANNON. The real problem is meeting the pay that is available on the outside, and retaining personnel on the basis of comparable pay in civilian industry and in the civil service. When we get into the problem of overtime, how do we compute that? For example, I am thinking of some people who are in the Strategic Air Command, or some people who are on sea duty, who are on a 24-hour duty basis in many instances. They do not receive overtime pay. It is an extremely difficult area to deal with in trying to arrive at a true comparability basis.

For that reason the committee opposed an amendment which was proposed to try to handle this subject on a strictly comparable basis, with a report and recommendation to Congress.

Because of the record, we feel that this was not a proper basis, and that we could rely on the assurances of the Department of Defense to keep the problem under continuous review and make a recommendation to Congress. Page 5 of the committee report goes into this subject.

Mr. PROXMIRE. I note that the top pay, as shown in the table on page 16 of the report, is $28,000 a year, for the Chief of Staff, $25,000 for generals, and so forth. This includes hazardous duty pay. Then we get down to the U.S. Senate level, that of a major general. I wonder why this table does not include pay for foreign duty. Is this not paid to a sufficient number so that this amount should be included, in order to make a fair and comprehensive comparison?

Mr. CANNON. Officers do not receive it and only some enlisted personnel. The hazardous duty pay is included in the right-hand column.

Mr. PROXMIRE. Yes.

Mr. CANNON. That shows the amount under hazardous duty pay. Some categories receive other pay.

Mr. PROXMIRE. This might not be the top salary, because in addition, there is foreign service pay. Is that correct?

Mr. CANNON. The officers the Senator is talking about do not receive foreign duty pay. This is the top pay, except that certain ranks, three- and four-star ranks, receive personal money allowances in addition to this figure.

Mr. PROXMIRE. That is not added in the table?

Mr. CANNON. No; it is not added there.

Mr. PROXMIRE. Under the bill the top pay would be $31,000; is that correct?

Mr. CANNON. The Senator is correct. It is approximately $31,000 for the top pay. That would be a member of the Joint Chiefs of Staff.

Mr. PROXMIRE. I have one final question. Before I ask it I would like to say again that the Senator's presentation has been a topflight job. Some agencies in Government have said that they will absorb their pay increases through greater efficiency, and that the pay increases would not be totally additional so far as the cost to the Government was concerned. I believe the Senator has already answered this question in part by saying that higher salaries would help reduce turnover. For instance, if turnover were cut from 60 percent to 40 percent with a $1 billion training cost there would be a $200 million saving. I wonder if it is possible that any further portion of the $1.2 billion pay increase could be absorbed.

Mr. CANNON. I do not believe there is any basis for trying to compute what the saving might be. The saving would be great; but when we talk about a billion dollars in training costs, we must remember that the training costs vary with the respective services, and with the type of training that is involved. I heard the testimony of some witnesses to the effect that we spend approximately $25,000 a year for training certain personnel. The training of a Strategic Air Command crew costs more than that. Once we train these people and cannot keep them, it is necessary to go through the process of training all over again.

Mr. PROXMIRE. I suppose the more we spend on any particular specialty for training the more likely it will be that the highly trained personnel will become attracted to industry, and therefore it is all the more necessary to provide adequate pay. Is that correct?

Mr. CANNON. I believe the Senator is correct. That is pointed up by the fact that in many cases those in the military service retire at an early age and go to work in private industry for extremely high salaries, because industry can bid for these people and give them the type of offer that we cannot give them on an individual basis.

Mr. PROXMIRE. I thank the Senator very much.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. CANNON. I yield.

Mr. LAUSCHE. I wish to deal for the moment with the subject of comparability, recognizing the statement made by the Senator, that an intelligent comparison cannot be made because of the difference in the type of service performed.

I call the Senator's attention to the fact that in 1957 Civil Service employees of the Federal Government were given a 7-percent increase in pay; in 1960, a 4½-percent increase; in October 1962, a 7½-percent increase; and that as of January 1, 1964, the law, as now written, provides that there shall be another 4-percent increase. My question is, To what extent did the committee take into consideration the fact that since 1957 civil service employees have been given a 23-percent increase, whereas there has been only one pay increase, in 1958, to military personnel?

Mr. CANNON. We considered this problem; and we considered the overall increases which had been granted over a period of years in trying to arrive at a fair figure. If the Senator from Ohio will refer to page 58 of the report, he will see there the percentage increases in the basic pay as provided in the various bills, actual and proposed, from 1952 to 1964 inclusive, which cover the military and the civilian personnel. The Senator will find that in many instances the difference in the percentage increase is not as great as many people believe it is.

Mr. LAUSCHE. Is it not a fact that we cannot very well go to the people and say that in spite of the fact we have given four pay increases since 1958 to the civilian personnel, we will not give the military people a pay increase?

Mr. CANNON. The Senator is absolutely correct. It would be tragic if we were not to pass a pay increase bill. We are having a difficult time retaining these people at a time when we need to keep our Armed Forces in tiptop shape and maintain a strong military posture.

Mr. LAUSCHE. Would it not also follow that when we gave these four pay increases, we set in motion the force that compelled the granting of a pay increase to the military?

Mr. CANNON. It certainly had some effect, although I believe the military are entitled to pay increase in any event, based on history alone, the rising cost of living, the hardships that these people undergo, and the responsibility they assume. Based on all those factors, I believe their case can stand alone, irrespective of what we may have done for some other category. The Senator does make a point, however, which has some effect.

Mr. LAUSCHE. I am greatly impressed by the mastery the Senator from Nevada has over the various aspects of the problem under discussion today, many of which are intricate. Looking into the future, an agency has recommended that we raise the salaries of Supreme Court Justices to $75,000 a year; the salaries of Cabinet members to $50,000 a year; the salaries of Board and Commission members in the bracket from $30,000 to $50,000 a year; and the salaries of Members of Congress from the level of $22,500 to $35,000. If that should be done, what would happen to the whole structure of equality and equity in the paying of employees? I put that question now because it will arise. It will be our responsibility to recognize that it would set into motion new forces for new demands by both the civilian employees and the military.

Mr. CANNON. The Senator has properly emphasized what will happen if Congress takes such action.

Mr. LAUSCHE. I am afraid there will be serious efforts in that direction; and that is why I am speaking on the subject today.

Again, I commend the Senator from Nevada for his complete knowledge of the items that were discussed.

Mr. CANNON. I thank the Senator from Ohio for his kind remarks.

Mr. THURMOND. Mr. President, will the Senator from Nevada yield?

Mr. CANNON. I yield to the Senator from South Carolina.

Mr. THURMOND. I commend the able and distinguished Senator from Nevada for the fine manner in which he has handled the military pay bill. I feel that the pay bill is entirely justified. There have been a number of pay raises for civilians in the Government, but this will be the first time in 5 years that Congress will have provided a pay raise for the military.

Our military personnel undergo a great many hazards and inconveniences. They are ordered to various parts of the world on short notice. Sometimes their families can accompany them; sometimes they cannot. I do not know of any segment of our population that loves its country more than does the military. I do not know of any segment of the population which is rendering greater service than our military personnel. They are patriotic, public spirited, fine citizens. In the communities in which they are located, they participate in activities for the upbuilding of the community and for the overall betterment of their particular section and the Nation.

I am proud that the subcommittee has recommended the increase, and I am glad that the Committee on Armed Services has approved the increase. Again I commend the distinguished Senator from Nevada for the outstanding work he has done.

Mr. CANNON. I thank the Senator from South Carolina.

Mr. LAUSCHE. Mr. President, will the Senator yield for half a minute?

Mr. CANNON. I yield to the Senator from Ohio.

Mr. LAUSCHE. I voted against the civilian pay increase because I was of the conviction that it would set into force certain pressures. However, although I voted against the civilian pay increase, I shall vote for the military pay increase. I would not be fair unless I did.

Mr. CANNON. I thank the Senator from Ohio for his support.

Mr. BARTLETT. Mr. President, will the Senator yield?

Mr. CANNON. I yield.

Mr. BARTLETT. I wish to add my voice to those of Senators who have already been heard in praise of the Senator from Nevada for his effective floor leadership of the intricate, complex bill which he has reported. I am sure we are all in his service for the manner in which he is presenting the bill in general, although not in every last particular, as I shall shortly seek to demonstrate.

At the outset, I believe the committee, in reaching what is described in the committee report as a "new concept of foreign duty pay," has evolved a better and more sensible arrangement for taking care of this subject, which is so important to so many military men in so many places.

Is my recollection correct that in the other body a determination was finally made to eliminate Hawaii as a foreign duty station?

Mr. CANNON. The Senator is correct.

Mr. BARTLETT. Am I correct in my interpretation of the bill now before the Senate, in saying that the committee has decided that wherever the foreign duty pay should prevail, the Secretary of Defense is charged with the responsibility of making the ultimate determination?

Mr. CANNON. The Senator is correct.

Mr. BARTLETT. I applaud that decision because it seems to me it is highly pertinent. As you know, foreign duty pay has been granted in Hawaii; and likewise in Alaska. I know personally that it was needed in Alaska because of the much higher cost of living there. But I know that comparisons between the cost of living in Alaska or anywhere else and Washington, D.C., for example, may change between one pay bill and another. For that reason, and for others, I think this solution is the very best that could have been reached. I congratulate the chairman of the subcommittee and the committee itself for presenting the bill to us.

Mr. President, there is one conclusion of the committee with which I am in basic disagreement, for reasons I shall seek to explain. I desire to offer the amendment which I send to the desk and ask that it be read.

Mr. CANNON. An amendment offered by the Senator from Arizona [Mr. GOLDWATER] is now pending.

The PRESIDING OFFICER. That amendment is now pending.

Mr. BARTLETT. Does the Senator wish me to withdraw my amendment for the time being?

Mr. CANNON. If the Senator from Arizona were present, I should like to have action taken on his amendment.

The PRESIDING OFFICER. The amendment proposed to be offered by the Senator from Alaska is not now in order.

Mr. BARTLETT. I withdraw it temporarily, at the request of the chairman of the subcommittee, and shall offer it under technically permissible circumstances, when the amendment of the Senator from Arizona shall have been disposed of.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. CANNON. I yield.

Mr. JAVITS. I wish to express my support of the bill, both in respect of the active personnel duty and in respect of retirees, who have made known to my office the need of an adjustment of their compensation.

Like the Senator from Nevada, I have served long enough without having to depend upon military pay for a living. But for those who are aware of the sensitivity and gentility which are the lot of the officer cadre in the military service, which is generally accompanied by a complete inability to maintain high standards, the situation becomes a little shabby and a little unhappy. I think we have been remiss in bringing our military pay situation up to the real standard of quality living to which officers are entitled.

I have been through the command general staff school, and I know the degree of training and skill which would command in private industry two or three times, even, what the increased pay scale will now grant.

In the enlisted grades, there is yet another problem. It is often the problem of helping others to maintain themselves. Many young people come from families where earnings are very important. On the whole, I think our troops are extremely solicitous about their family responsibilities.

The image of the crap-shooting soldier is no longer prevalent. There are still some of them; and everyone loves to have a good time; but such an extreme image is out of date and is becoming obsolescent. Young people take seriously their responsibilities to their families and their own future. So the problem of the younger group, who represent the enlisted men, is again the problem of retention.

For all these reasons, I join with other Senators in expressing appreciation for the bill before the Senate and for the fine, dedicated work done by the committee, and especially the member of the committee who is in charge of the bill on the floor. I express my support of the bill.

Mr. CANNON. I thank the Senator from New York for his kind remarks.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment, as amended.

Mr. MANSFIELD. Mr. President, will the Senator from Nevada yield briefly?

Mr. CANNON. I yield.

Mr. MANSFIELD. Is it not true that in a certain sense, and a very practical sense, the passage of this bill could be considered as a move in the direction of economy, rather than a move in the area of increased costs?

Mr. CANNON. I believe it could certainly well be considered so. I hope that by means of the provisions of this bill, we shall be able to save a substantial amount of the training costs, as well as a substantial amount of the personnel replacement costs.

Mr. MANSFIELD. As an illustration, can the Senator from Nevada—who is doing an excellent job in managing this bill—state to the Senate how much, for example, it costs the Government to train a pilot in the Strategic Air Command? Perhaps the exact figure is not readily at hand; but is it not in the hundreds of thousands of dollars?

Mr. CANNON. It is in the hundreds of thousands of dollars, although the exact figure is a difficult one to pinpoint. But it has been reliably estimated that, when all the training costs incident to attaining proficiency in handling such aircraft are taken into consideration, the cost is in the neighborhood of $825,000 to train a B-52 pilot.

Mr. MANSFIELD. To train only one pilot?

Mr. CANNON. Yes; to train only one pilot.

Mr. MANSFIELD. And if because of the necessities of his family, he leaves the service, what happens to that investment by the Government?

Mr. CANNON. The investment certainly is lost, because the Government must then proceed to train a replacement.

Mr. MANSFIELD. I thank the Senator from Nevada.

Mr. CANNON. Mr. President, much as I should like to accept the amendment of the Senator from Arizona to the committee amendment, I believe the record clearly shows that the Department is going to keep this problem under continuous review, and will report to Congress. That is shown by the testimony of Mr. Paul at the hearing; and it is referred to in the report. An additional uncertainty would be added by the Senator's amendment, through its use of the words "when productivity changes"—which in and of itself is not a definitive term. I hope that when and if the bill in its present form is passed by the Senate, the House can be induced to go along with the amendments we now have—and some exploratory action along that line has been taken—so it will not be necessary to have a conference, and therefore the bill in its present form can be enacted into law.

Therefore, Mr. President, much as I dislike to do so, I feel constrained to oppose this amendment to the committee amendment; and I hope the Senate will join me in rejecting it, on the ground that it is not needed and that the entire problem is covered by the present assurances of the Department.

Mr. GOLDWATER. Mr. President, will the Senator from Nevada yield?

Mr. CANNON. I am happy to yield.

Mr. GOLDWATER. Mr. President, I wish I had the same confidence in the attitude of the Department of Defense that the Senator from Nevada has. All along we have had assurances that these matters were under constant surveillance; but not since 1958 have there been any general recommendations on the problem.

I find it difficult to understand why the military man is always the low man on the legislative totem pole. All other Government employees quite regularly receive pay increases. We know that every 2 years we can expect the postal employees to lobby for a pay increase; and because they have great political weight, they usually get what they want. We know that when other civil employees need increased pay, they also can rely upon their political strength, and are able to get what they ask.

But I point out that the armed services do not possess the unified political strength to be found in other branches of the Government.

Mr. President, the Senator from Nevada has objected to the use of the word "productivity." Yesterday, in the debate on this subject before the full committee, when he objected to use of the word "comparability," I deleted it, and, instead, took the language of the report; namely:

> There has been established in the Department of Defense a procedure whereby military compensation will be kept under continuing review and that prompt recommendations would be made to the Congress in the future whenever it is determined that military pay is not keeping abreast of productivity changes in our general economy.

Perhaps "productivity" was not the best word for Mr. Paul to use; but, as a businessman, I understand what he was referring to. In the market, pay is generally judged on the basis of productivity, I do not believe we can judge the military in this way, nor do I suggest that we do so. But when Mr. Paul says:

> Whenever it is determined that military pay is not keeping abreast of productivity changes—

All he is saying is, in effect, that military pay is not keeping up with the general increase found in the economy, because in the economy, when productivity changes upward, pay either goes up voluntarily or goes up by bargaining.

So I can find no basis for the objection of the distinguished chairman of the subcommittee, particularly, because I have changed my original amendment in order to make it coincide with the language to which he has referred. I think it would be much stronger if it were a part of the legislation, so that Congress could have a continuing responsibility in seeing to it that the Defense Department did, in effect, maintain a continuing study of the relationship of military pay to other governmental pay and to the general cost of living and to the pay across the country in the economy.

So I hope the Senator from Nevada will accept my amendment to the committee amendment, and thus avoid the necessity of having the Senate vote on my proposal. But I shall abide by whatever decision the Senate reaches.

Mr. CANNON. Mr. President, in answer to the Senator from Arizona, I point out that Congress has a continuing responsibility in this area. We have that responsibility regardless of whether such a provision is written into the law. I believe the representations made by the Department of Defense are certainly clear. We are mindful of what they are, and we are in a position to enforce them if the Department does not follow them out—although I believe it will do so.

Furthermore, in this case our concern is not solely with cost-of-living increases. The question is what pay must be given the trained personnel now in the services in order to keep them there. For example, from the time of enactment of the Pay Act to the present time there was a net increase of approximately 5 percent in the cost of living, up to the last date for which we have figures. Yet in this bill we are providing more than that percentage of pay increase for the military. I know that certainly that could be answered by the argument that they had not been adequately compensated theretofore; but the point is that we bear this responsibility, and we can decide what the correct pay increase is. All of us feel that certainly it should be more than the mere cost-of-living increase from 1958 to the present time—as evidenced by the fact that we encounter some rather high percentage increases in many of the areas where retention problems exist, and we do not adopt the same percentage increases straight across the board. Some receive a much higher percentage increase than others do. For example, we gave a 5-percent increase for the E–4's and E–5's with 2 years' service who end 2 years of service and are just completing their training status, and an 8.9 and a 12.5 percentage increase for commissioned officers in the lower grades. Yet, for example, under this bill a captain receives a 23 percent increase. If we were following the theory of basing the increase in pay along cost-of-living lines, certainly we would not be giving quite that much of a percentage increase. But we are trying to apply the big percentage and the big increase in the areas where needed.

Therefore, I respectfully urge the Senate to reject the Senator's amendment to the committee amendment, and to proceed on a basis on which I believe we can properly proceed in order to see to it that these people are adequately paid.

Mr. GOLDWATER. Mr. President, will the Senator from Nevada yield?

Mr. CANNON. I am glad to yield.

Mr. GOLDWATER. Mr. President, I am not finding fault with the proposed increases. I think the committee has rendered outstanding service. However I think, as some others do, that in some areas the increases are inadequate; but I realize this is the best bill we are going to get.

My point is that it has been 5 years since we have given this matter attention. I realize it is the responsibility of Congress; but I would suggest to the Senator that as long ago as 1958, or possibly 1959, I introduced a bill to take care of recomputability.

Only within the past 2 weeks has there been any action of a substantive nature in the committee on that point. So we have not been taking care of our responsibilities. I have every confidence that the Senator from Nevada [Mr. CANNON] will see to it that Congress acts. But the problem is a continuing one. Retention is one of the problems faced by the military. In my travels around the military bases of our country I find that the feeling is not so much what members of the military are receiving today but what they will receive in their next grade, what they will receive on up the line, and, finally, what they will be able to look forward to in the way of retirement pay. I suggest that the addition of the amendment to the bill would relieve the minds of those in our country who worry that we in the Congress do not seem to care too much about the military because, after all, they are not a political force. They cannot come marching in here in their uniforms and demand that we do this, that, and the other thing. At the same time, we are subjected to that kind of beseechment on the part of organized bodies of Government employees. I cannot see that any harm would result to the proposed legislation by the addition of the amendment. I have every intention of voting for the bill. I have never opposed such a measure in the subcommittee or in the full committee. But I cannot follow the argument of the Senator that the amendment would be a hindrance either on the floor of the Senate or in the conference with the other body.

If we ever added up what it would cost adequately to pay the military and compared that cost to what it is costing us every year to replace members of the Armed Forces, we would find that the cost of paying the military an adequate sum and keeping them from worry would be far less than the cost of retraining.

Mr. President, I hope the Senator from Nevada will consider favorably the amendment.

The **PRESIDING OFFICER**. The question is on agreeing to the amendment of the Senator from Arizona [Mr. GOLDWATER] to the committee amendment.

The amendment to the amendment was rejected.

The **PRESIDING OFFICER**. The committee amendment is open to further amendment.

Mr. **BARTLETT**. Mr. President, I return to the amendment arena, completely hopeful but not expecting that the chairman of the subcommittee will treat my amendment differently than he did that offered by the Senator from Arizona. I offer an amendment which I send to the desk and ask to have stated.

The **PRESIDING OFFICER**. The amendment of the Senator from Alaska will be stated.

The CHIEF CLERK. On page 18, below line 12, it is proposed to strike out "or Commandant of the Marine Corps," in footnote 1 of the pay table, and insert in lieu thereof "Commandant of the Marine Corps, or Commandant of the Coast Guard,".

The **PRESIDING OFFICER**. The question is on agreeing to the amendment of the Senator from Alaska [Mr. BARTLETT] to the committee amendment.

Mr. **BARTLETT**. Mr. President, I express the hope that the Senator from Nevada will be willing to accept my amendment with a very brief explanation on my part. If he is not, I am, of course, prepared to discuss the amendment at greater length.

The amendment would give the Commandant of the Coast Guard, who is a full admiral, the same pay as the other service chiefs receive. Under the bill adopted by the corresponding committee in the other body and approved by the other body, the service chiefs of the strictly military services and the Commandant of the Coast Guard are placed on a pay plateau which is absolutely identical. The Senate committee altered that principle. My understanding is that the other chiefs—the other chiefs being those contrasted with the Coast Guard Commandant—now receive $1,875 a month, and it is proposed that they receive $1,970.

The Commandant of the Coast Guard now receives $1,700, and under the Senate version of the bill he would be increased in pay only 5 percent, or $85. Thus the difference between the pay of the service chiefs at this time and the Commandant of the Coast Guard would be increased rather than diminished. I scarcely know the present Commandant of the Coast Guard, Admiral Roland, although I am sure that he is a most competent man or he would not occupy the position that he does. He succeeds a long and distinguished line of predecessors.

The Coast Guard was founded before the start of the 19th century. The officers and men in that service are in military service in wartime. Then they are under the direction of the U.S. Navy. In peacetime they are under the Treasury. But the requirements imposed upon them in wartime or in peacetime are of a very considerable order of magnitude. The Coast Guard has discharged its responsibilities to this Nation magnificently. I suspect that it will be said that, after all, the Commandant of the Coast Guard does not have as many men under his command as does a service chief. That is true, for the record shows that at present there are 31,868 officers and men in the Coast Guard. So it is obviously true that that number is far short of the number of officers and men in the Marine Corps, the smallest of the services, numbering almost 190,000.

But I submit that pay ought not to be based entirely—and perhaps not at all—upon the number of men and officers under the command of a service chief, whether he be military, as such, or the Coast Guard. I suggest that the responsibilities which devolve upon a Commandant of the Coast Guard cannot be regarded as less than those of the service chiefs and are in fact not less, and that we as a Nation who have tended to neglect the Coast Guard should face what I regard as a necessity for upgrading this vital service.

This would be one small step in the process. The Coast Guard Fleet, as those who have studied it know, is outmoded and outdated. The Coast Guard is submitting a new plan for a modernized fleet. When that fleet is in being, the Coast Guard will be able to serve our Nation even better than it does now.

Mr. President, not every company in the United States—not every industry, not every business establishment—pays its chief executive officer according to the number of men on the company payroll. Other factors must be considered. In my judgment, it is so in the present case. I hope the Senator from Nevada will be willing to accept the amendment. The country will be the gainer if he does.

Mr. **CANNON**. Mr. President, I reluctantly rise to oppose the amendment of the Senator from Alaska. He has made several points that I believe should be answered. One is that the Commandant of the Coast Guard would not receive as much of an increase as would the members of the Joint Chiefs.

I point out that he would get the same percentage increase. He would get a 5-percent increase, the same as the Joint Chiefs of Staff would get. That is all they would get.

The Senator from Alaska pointed out that the Commandant does not have many men under his command. That is true. I know he has a high degree of responsibility. I point out that at present he gets the same basic pay and subsistence and quarters allowances as a four-star general.

There are only five officers who get the additional basic pay, and those were specified in the 1958 Pay Act. They are the Chairman of the Joint Chiefs of Staff and the members of the Joint Chiefs of Staff. The Commandant of the Coast Guard is not a member of the Joint Chiefs of Staff.

As the Senator correctly says, the Commandant has approximately 32,000 men under his command. Let us look at some others who might well be in the same category, if we were to act on that basis.

First is the commander of NATO. Certainly that is an extremely responsible assignment. He has many more men under his command than does the Commandant of the Coast Guard. Yet he gets the same O–10 basic pay, quarters, subsistence as the Commandant of the Coast Guard.

Another is the commander of the U.S. Army in Europe, who has many more men under his command than does the Commandant of the Coast Guard.

Also the corps commanders, who are four-star officers.

The commander of the U.S. forces in Korea gets exactly the same basic pay, quarters and subsistence allowance as the Commandant of the Coast Guard, yet he has many more men under his command. He certainly has a high degree of responsibility.

There are fleet commanders—the commanders of the Atlantic and Pacific Fleets—who get the same basic pay and quarters and subsistence allowances. There are many more men under their command. Certainly they have a high degree of responsibility.

Finally, there is the commanding general of the Strategic Air Command. I am sure that no one would claim he does not have a high degree of responsibility. Yet, as a four-star officer, he gets exactly the same basic pay and quarters and subsistence allowances as does the Commandant of the Coast Guard. In addition, he has approximately 232,000 men under his command. They are his responsibility. That number exceeds the 32,000 in the Coast Guard.

I point out, in opposing the amendment, that Congress saw fit for a specific purpose to grant some additional pay to the Chairman and the Members of the Joint Chiefs of Staff. The Commandant of the Coast Guard is not in that category. Therefore I must oppose the amendment, based on the pay of members of the Joint Chiefs of Staff, unless consideration is given to all the others who occupy four-star positions or positions of like responsibility.

In closing, I point out that all these officers occupy responsible positions. They are to be given a 5-percent increase under the terms of the bill. The Commandant of the Coast Guard will get a 5-percent increase, from $1,700 a month to $1,785 a month in basic pay; for a total pay and allowances figure of $28,471 a year, or $5,000 more than the pay of the distinguished Senator from Alaska.

I respectfully urge the Senate to reject the amendment.

Mr. **BARTLETT**. Mr. President, if the Senator will permit me to reply for one moment, I should not care, in any case, to denigrate the jobs thrust upon the Army, Air Force, and Navy commanders whom the Senator named. We all know the size and scope and importance of those assignments. In my opinion, at least, there is one essential difference between those men and the Commandant of the Coast Guard, and that difference is that he is the head of an entire service with worldwide responsibility in these days. Whether the establishment is large or small is not especially the point, it seems to me.

I do not pretend to have read all through the 1958 hearings, for they were rather voluminous; but to the best of my ability I at least scanned through them, and nowhere did I see any reference to the pay of the service chiefs being based upon their presence on the Joint Chiefs of Staff. That may have been the case, but I did not see it noted.

From that fact I can only adduce that these officers were paid because of heading up their respective services.

In conclusion I can only say, in light of the opposition of the subcommittee chairman, my friend the Senator from Nevada, that I shall not, under the existing circumstances, press for a vote on my amendment.

This is one of the times when I trust my friends in the House of Representatives to be adamant on the proposition they endorsed when they sent the bill to the Senate; namely, that the Commandant of the Coast Guard should receive the same pay as the military service chiefs.

Mr. President, I withdraw my amendment.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. CANNON. Mr. President, I offer a technical amendment.

On page 19 there has been an error in the printing opposite the fifth printed line, the "O–2" category, with "over 22" years of service. The figure should be "$550" instead of "$650". I offer the amendment to correct the figure.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 19, in the line relating to pay grade "O–2" with "over 22 years of service computed under section 205", it is proposed to strike out "$650" and to insert in lieu thereof "$550".

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Nevada to the committee amendment.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The committee amendment is open to further amendment.

Mr. FONG. Mr. President, I offer my amendment No. 1, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 34, line 11, it is proposed to strike "or".

On page 34, between lines 11 and 12, it is proposed to insert the following:

(2) is entitled, while on duty in Hawaii, to; or

On page 34, line 12, it is proposed to strike out "(2)" and to insert in lieu thereof "(3)".

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Hawaii [Mr. FONG] to the committee amendment.

Mr. FONG. Mr. President, at the outset I wish to congratulate the Armed Services Committee and the distinguished Senator from Nevada for bringing the bill to the Senate for a vote.

Earlier I appeared before the Special Subcommittee of the Senate Armed Services Committee and urged that the committee adopt the principle of comparability for military pay, a principle which I, as a member of the Committee on Post Office and Civil Service, approved, and which was adopted in last year's pay bill for Federal classified and postal personnel.

The Senate Armed Services Committee has not seen fit to adopt this principle in H.R. 5555, although Congress adopted the principle last year for our civil service employees.

Under present law, every year a survey is made by the Bureau of Labor Statistics to determine whether salaries paid to our Federal civil servants are comparable to that being paid in private industry.

Based on the BLS statistics the President is directed to present to the Congress a report and the Congress is supposed to enact a salary schedule for civil service employees in conformity with the findings of the BLS and the President's recommendations.

The Committee on Armed Services has not incorporated in this bill the principle of comparability which was given to our civil servants last year. However, I understand the Department of Defense has been requested by the Armed Services Committee to make periodic studies of military pay comparability with salaries of the Federal civil service and private industry and report back to the committee for appropriate action. I should like to compliment the committee for requesting such surveys. I hope when the survey results come before the Armed Services Committee in future years, the committee will follow the principle of comparability, and make the necessary military pay increases.

Although I regret that the principle of comparability has not been incorporated in this pay bill, still, at least, the bill does give increased pay to our military personnel, which is sorely needed.

So I will vote for the bill and urge my Senate colleagues to do likewise.

The amendment which I have proposed would restore to enlisted personnel from other parts of the United States now serving in Hawaii what they are now receiving in special pay commonly known as oversea pay. Under the present law, our enlisted men from the mainland United States, Alaska, and U.S. possessions serving in the State of Hawaii, the State of Alaska, Puerto Rico, the Virgin Islands, and other U.S. possessions, receive this special pay.

The present bill would delete the provision in existing law giving oversea pay in such a way that enlisted men from other parts of the United States serving in Hawaii would not receive the special pay.

I note that discretion has been placed in the hands of the Secretary of Defense to give this pay to servicemen serving in noncontinental U.S. areas if he feels such special pay should be given due to factors such as undesirable climate, lack of normal community facilities, and inaccessibility of location.

I note that the House Armed Services Committee in deleting this item, according to its report, said the climate in Hawaii is salubrious and that because of this very fine climate the oversea pay should not be given to enlisted men serving in Hawaii.

I should like to call to the attention of Members of Congress who claim that favorable climate is a reason for the elimination of oversea pay for Hawaii from the bill that one just cannot eat climate. The original law giving men in the service special pay for service outside the Continental United States was enacted in 1949.

In 1958 Congress reenacted these provisions when it gave increases in salaries to enlisted personnel.

Therefore, this matter was before the Congress in 1949 and in 1958, I have checked all the reports, and I have not been able to find the reasons for granting this special pay for personnel serving in Hawaii, Alaska, Puerto Rico, and the Virgin Islands, but I surmise that it was due to insularity and the high cost of living in these areas. The insularity and high costs of living are still with us.

The most recent cost-of-living survey taken by the State Department in the State of Hawaii, only last October shows that the overall cost of living in Hawaii is 15 percent higher than it is in the District of Columbia. Expenses for travel in Hawaii are 24 percent higher than in the District of Columbia. Housing expenses are likewise 24 percent higher. New cars, newspapers, and other such items, exceed the cost in the District of Columbia by 26 percent.

These costs must be paid by our military enlisted men in Hawaii because these items are part of everyday living.

We import into Hawaii two-thirds of our consumer goods and 60 percent of our edibles.

The special duty pay received by enlisted men serving in Hawaii would be only 10 percent of the base pay for a private, and only 5 percent of that of a master sergeant. Even if my proposal was enacted, it would be 5 to 10 percent below what is required for the cost of living when one compares it with that prevailing in Washington, D.C.

Because of these facts, Congress would be justified in retaining this special pay for enlisted men serving in Hawaii. The Defense Department has indicated that Alaska duty would qualify as a special pay duty post.

Therefore, I urge the adoption of my amendment to H.R. 5555 now before the Senate.

I am urging the adoption of my amendment on the ground that our enlisted men are now receiving this pay, and that the conditions which initially caused the enactment of this provision by the Congress are still with us. The high cost of living is still with us in Hawaii and I feel that enlisted men serving in Hawaii deserve to have this special pay.

I move the adoption of the amendment.

Mr. CANNON. Mr. President, I rise reluctantly to oppose the amendment of my good friend the Senator from Hawaii. I must say that I was thinking of taking a trip to Hawaii, but after his non-chamber-of-commerce interpolation, I am not sure I would undertake the trip.

We have adopted in this bill an entirely new concept for foreign duty pay, which places discretion in the Department of Defense for a specific purpose, so that areas that are truly hardship areas can be classified as such and the personnel can draw pay for that type of service.

We have a saving provision in the bill which will assure that none of the enlisted personnel now living in Hawaii will be reduced in total pay, under the provisions of this bill, if Hawaii were determined to be a nonforeign duty station. We adopted that saving clause specifically so that no enlisted man would suffer by reason of a declaration of some foreign location to that of a nonforeign duty pay station.

I respectfully urge the Senate to oppose the amendment, because, if it passed, it destroys the entire basis of the new concept we have outlined in the bill for foreign duty pay, which we think is a good one, and one that the Secretary will implement in a proper manner. I am sure if he should determine Hawaii were a hardship station, foreign duty pay would be authorized. On the other hand, if he determined it was not determined to be a hardship station, that determination would come into play. I may point out that no other State of the contiguous 48 States can be interpreted as a hardship duty station or foreign duty station.

I urge the Senate to reject the amendment.

Mr. FONG. Mr. President, as I said, originally these provisions were incorporated into law in 1949 on the basis of the high cost of living in Hawaii. These provisions were reenacted in 1958. Although there is a flexibility in this bill giving the Secretary of Defense authority to grant special duty pay to personnel serving in places which are considered hardship stations, I note the Senate committee report applies it only to those places which have an undesirable climate, a lack of normal community facilities or inaccessible location.

I feel that the cost of living should be a very, very vital reason for such determination by the Secretary of Defense.

I should like to ask the distinguished Senator from Nevada whether or not he feels that the cost of living should be one of the reasons why we should give to personnel serving in outlying areas some consideration for foreign duty pay. We have a situation in Hawaii where the cost of living is approximately 15 percent higher than that experienced by the people of Washington, D.C. I am certain the present law on the subject was enacted originally because of these reasons which includes high cost of living.

Mr. CANNON. I merely wish to point out that the Secretary of Defense could use a station allowance at the present time, under the bill, if he so desired. Therefore, there is no tying of the hands of the Secretary if he determines that it is justified. I would like to point out that at the time of the enactment of the two previous bills relating to so-called foreign duty pay, to which the Senator has referred, Hawaii was not one of the States of the Union. It was in truth and in fact, and under the definitions in the bills, a foreign location.

I urge the Senate to reject the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Hawaii [Mr. FONG] to the committee amendment.

The amendment to the amendment was rejected.

Mr. FONG. I had another amendment, amendment No. 2. Inasmuch as my first amendment was defeated, I will not offer my second amendment.

The PRESIDING OFFICER. The committee amendment is open to further amendment.

THE MILITARY PAY RAISE BILL IS NEEDED NOW

Mr. YARBOROUGH. Mr. President, today I believe we have a bill before us upon whose virtues all can readily agree. H.R. 5555 contains a multitude of virtues which affect many important areas of our society. This bill will improve the quality and efficiency of our defense effort at the same time that it strengthens the performance of our economy; and between all the lines of facts and figures there is a strong element of social justice.

MILITARY GAINS

In both the officer and enlisted ranks of our armed services we are faced with a critical problem of retaining personnel, especially skilled personnel. The committee report points out that the retention rate of officers in certain research and development specialties in the Air Force is only 7 percent; for the Army Engineers it is 18 percent. In the enlisted ranks the Defense Department desires that the ratio of those serving beyond their initial term of service be about 60 percent. The existing ratio is about 40 percent. To combat this problem the bill before us would increase the pay in the officer grades an average of 18.8 percent. For enlisted men the increases would average 16.6 percent. The purpose of such pay increases is to make military pay more competitive with civilian salaries so that the retention rate, especially among the skilled personnel, will increase.

To a great extent these pay increases will pay for themselves. As the career ratio among technical personnel increases, the cost of training such personnel decreases. Currently the Defense Department spends $1 billion per year on training costs. Furthermore the overall efficiency of our defense effort will be increased to the extent that we raise the experience level.

ECONOMIC GAINS

The $1,227,330,000 increase in military pay authorized by H.R. 5555 will have a sizable impact upon the performance of the American economy. The increased spending which will result from the fatter pay checks received by military personnel will multiply throughout the system. As we now have considerable slack in the economy, the increased demand will result in increased production, a lower unemployment rate, an increase in the rate of investment and thereby an increase in the growth rate.

This bill is of vital concern to the people of Texas. As of December 31, 1962, there were 177,000 Armed Forces personnel on duty in Texas. There are more military personnel in Texas than in any other State in the Union due to our varied terrain and favorable climate. In the last fiscal year a total of $727 million was spent in Texas by the Military Establishment; this sum does not include civilian contracts, which would greatly increase the total. The passage of this bill will mean millions of dollars a year in extra payroll for those 177,000 people who serve the military in the State of Texas.

Mr. President, after several years of below par performance the economy is more than ready for the boost that it will receive from measures such as H.R. 5555, acting along with more specifically economic measures, such as the tax bill.

SOCIAL JUSTICE

Mr. President, whether in peacetime or in war, the life of the soldier is not an easy one. In wartime the horrors are too obvious to warrant an accounting here. And in peacetime, although the terror is removed as a factor, many discomforts remain. The necessity to change residence frequently, days and sometimes years spent away from home and family, the frequently distasteful jobs which soldiers must do—these and many other factors do not render the life of the soldier any more attractive when compared to the relative ease of comparable areas of civilian life. Along with these discomforts the military man must depend upon the will of Congress to determine what remuneration he shall receive for his work. He cannot ask the boss for a raise, nor can he elect representatives to bargain collectively with the management of the enterprise. I doubt if there is one large business in America which has been able to get by for 5 years without raising the salary of its employees, but our soldiers and sailors have not had a pay increase throughout the preceding half decade. During this time, as throughout the history of this country, our men in uniform have served their country well. Our defense force is second to none in the world. Therefore it is high time that Congress acted on a bill such as H.R. 5555, a bill which increases the pay of active duty personnel by a total of **$1,076,129,000.**

Another long-overdue action which is accomplished by H.R. 5555 is to allow persons retired prior to June 1, 1958, and discriminated against in the Cordiner 1958 pay bill to receive either a 5-percent increase in pay or to recompute their retire pay under the basic pay scales enacted in 1958. Basically these people who were dealt with so harshly by the Cordiner pay bill are the men who fought World War II. I have labored against this discrimination since 1957, and I am pleased to see this inequity at last being remedied while there is still time to do some good.

Mr. President, today the Federal Government is spending tens of billions of dollars on machines for national defense-aircraft, ships, tanks, and guns of every shape and size.

Every year we spend more dollars on machines, but we have not spent more dollars on our service personnel for the past 5 years. The lesson is obvious. This bill is badly needed and long overdue.

I commend the chairman of the subcommittee, the Senator from Nevada, and the other Senators on the committee, for the prompt and efficient manner in which this bill has been handled. The Senate should not delay the passage of H.R. 5555 another day.

Mr. President, I now offer my amendment, which applies to a limited number of people, who, in the vastness of the pay bill, were not provided for.

The **PRESIDING OFFICER**. The amendment to the amendment will be stated.

The **LEGISLATIVE CLERK**. On page 36, line 4, it is proposed to strike out "This Act" and insert in lieu thereof "This Act, except section 15,".

On page 36, below line 6, it is proposed to add the following:

BENEFICIARIES ELIGIBLE FOR ANNUITIES

SEC. 15. (a) Section 1437 of title 10, United States Code, is amended by striking out at the beginning of the first sentence thereof "Each annuity" and inserting in lieu thereof "(a) Except as provided in subsection (b) of this section, each annuity".

(b) Such section is further amended by adding at the end thereof a new subsection as follows:

"(b) In any case in which a person—

"(1) has met all the requirements for the receipt of retired or retainer pay under chapter 67 of this title,

"(2) has made an election in favor of a beneficiary or beneficiaries under section 1434 of this title, and

"(3) dies prior to the date on which he would have first become eligible for the receipt of retired or retainer pay under such chapter 67,

an annuity shall be paid under this chapter to such beneficiary or beneficiaries, as the case may be, upon application filed by such beneficiary or beneficiaries as provided in regulations prescribed by the Secretary concerned, beginning as of the first day of the month in which such person would have been eligible to receive retired or retainer pay under chapter 67 of this title had he not died."

(c) The amendments made by subsections (a) and (b) of this section shall become effective as of October 1, 1953, but no benefits shall accrue to any person as a result of the enactment of such amendments prior to the date of enactment of this Act.

WIDOW'S PROTECTIVE AMENDMENT

Mr. **YARBOROUGH**. Mr. President, the amendment would end an inequity in our laws through which a very few widows of retired servicemen are deprived of their annuity even though the serviceman has completed every requirement for the annuity.

Under present law a member of the Armed Forces may elect to accept a reduced amount of retired or retainer pay in order to provide an annuity for his widow and/or his children who are under 18 years of age and who also meet other limiting conditions. This annuity may be 50, 25, or 12½ percent of the reduced amount of the man's retired pay.

In order for the intended beneficiary to qualify for the annuity the serviceman must have been in receipt of retired pay at the time of his death. For the convenience of Government bookkeeping an individual does not start receiving retired pay until the beginning of the month following the month in which he actually qualifies for retired pay. Thus if he dies between the date on which he qualifies for retired pay and the first of the following month, his intended beneficiary will receive no annuity. This results from a hiatus in the 1953 act.

This amendment will correct the unintended inequity by amending section 1437 of title 10, United States Code, so that in cases in which a serviceman has completed all the requirements for the receipt of retired pay but dies between the date on which he qualifies and the first of the following month, his properly designated beneficiaries will receive the annuity to which they are entitled.

This inequity in our laws was revealed to me personally through the recent death of an old and valued friend, Col. Robert D. Kirk. Colonel Kirk qualified for retired pay on November 16, 1962, having attained age 60 and completed sufficient qualifying service. However, such pay could not become effective until December 1, 1962, the first day of the month following the month age 60 was attained. Colonel Kirk died on November 22, 1962. Since he was not in receipt of retired pay prior to his death no retired pay accrued in his case. As a result, his widow will receive no annuity even though her husband had completed every requirement for the payment of such annuity at the time of his death. Had Colonel Kirk lived 9 more days until December 1, 1962, his widow would have received the annuity. It had been earned before his death.

After studying this case I decided that such a glaring inequity should be corrected by a change in the law rather than by offering a private bill which would affect only this particular case.

The Secretary of the Navy wrote a letter on this subject to former Speaker of the House Sam Rayburn, in which he said:

> COST AND BUDGET DATA
>
> There will be a slight cost which cannot be readily estimated. First, there will be an additional amount initially payable averaging one-half of one month's retired pay for each person when retired under section 1331 of title 10, United States Code. Secondly, there will be additional cost because of the few cases where survivors will now become eligible for the benefits under the Contingency Option Act. These costs can be absorbed by yearly budgets.

This amendment is limited to a very small group, and applies only when the person is fully entitled to receive retired pay and when he dies before the 1st of the next month. The widow or children of such a person certainly should not be left penniless.

I believe that it is proper that this amendment be offered at this time for two principal reasons: First, it is germane in that other similar adjustments are included in H.R. 5555, among them section 13, which is a savings provision for widows receiving dependency and indemnity compensation; and second, although the Defense Department has recommended similar legislation to previous Congresses, and may do so to this Congress, months have gone by while this limited class of widows remains without the annuity their husbands earned.

In view of the minor nature of the amendment there should be no controversy attached to correcting this inequity. It is a mistake to tie the qualification for annuities to receipt of retired pay in this manner, Mr. President, since the two do not have any necessary connection. The Government has decided that if a man serves the required type and amount of time he is entitled to certain benefits. It is unwise and unfair to deny him these benefits because of an essentially unrelated condition.

Mr. President, I ask unanimous consent that a telegram which I received from the Reserve Officers Association of the United States be printed in the RECORD at this point.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

> WASHINGTON, D.C.,
> *August 5, 1963.*
>
> Hon. RALPH W. YARBOROUGH,
> *U.S. Senate,*
> *Washington, D.C.:*
>
> The Reserve Officers Association of the United States strongly supports your effort to correct an inequity that exists in the law governing the retirement of non-Regulars wherein the widow of the retiree who dies between the date that he legally was placed on the retired list and the date he receives his first paycheck is caused to forfeit her contingency option benefits altogether and without recourse. We fervently hope that the Senators will support you in your amendment to correct this glaring inequity.
>
> REAR ADM. A. JACKSON, Jr.,
> *Acting Executive Director.*

Mr. **YARBOROUGH**. Mr. President, since coming to the floor I have talked to staff personnel in the Senate—not the distinguished chairman of the subcommittee—who were under the impression that the amendment would cover a case in which a man retires at age 57, and dies between that time and the time he becomes 60. The amendment would not apply in such a situation. The amendment provides:

> (b) in any case in which a person—
>
> (1) has met all the requirements for the receipt of retired or retainer pay under chapter 67 of this title.

He must have been old enough; he must have served out his time. But because of this quirk in the law, his widow is barred. If he were over 60 years of age, had served 20 years or more, was retired, and had designated his wife or his children as annuitants before he died, but then did not live until the first of the next month, the Government would say to the wife and children, "You are through. You do not get a cent of the money that the serviceman accumulated in his years of service in South Vietnam or West Berlin. You get nothing because he did not live until the first of the next month."

I do not believe we can allow such inequities to exist for another day.

Mr. ENGLE. Mr. President, will the Senator yield?

Mr. YARBOROUGH. I yield.

Mr. ENGLE. How would the Senator answer this question? Assume that a man died 32 days after his retirement. Would his widow receive the annuity?

Mr. YARBOROUGH. His widow would receive the annuity. If he lived 32 days after retirement, he would have passed the first of the next month. The present law applies alike to Regulars and Reserves, privates and generals. If he retires and draws his first check the first of the following month, the law provides that his widow will receive his annuity, if he were drawing retirement pay.

Mr. ENGLE. The Senator has answered my question. I supported the Senator's proposed amendment in the subcommittee. I think it has much merit. When a man retires, and his death occurs between the time of his retirement and the first of the following month, it would be unfair to provide that his widow or his dependents should not participate in his pension. The Senator has adequately answered my question.

Mr. YARBOROUGH. If he lived until the 1st of next month, he would draw his retirement pay; and if he died after the 1st of next month, his widow or children would draw the annuity.

Mr. ENGLE. The Senator has made a good case for his amendment. I did not support the other amendment, which was somewhat broader, but I believe this is a good amendment, and I urge the chairman of the subcommittee to accept it.

Mr. YARBOROUGH. I thank the distinguished Senator from California for his contribution and his comments. I call attention to the fact that this proposal was presented to the subcommittee, so this is not the first time it has been brought up.

I thank the chairman of the subcommittee for his further consideration. The amendment applies to a very limited group of persons. The chairman has had the whole weight of the bill on his shoulders. Now that the other amendments, affecting more people and more money, have been disposed of, I hope that, on reconsideration, he will accept my amendment.

I cannot conceive of it disturbing any relationships between the two Houses. It is pointed out that the amendment is no more retroaction than is section 13 in the bill, and is properly germane to other provisions of the bill.

I appeal to the distinguished chairman of the subcommittee to accept the amendment. It applies to only a few people, and to a very limited group.

Mr. CANNON. Mr. President, I reluctantly oppose the amendment, but I feel that I must oppose it for several reasons. As the Senator stated, the amendment was considered by the subcommittee, along with another more liberal amendment. While I assure the Senator that I would be inclined to support his proposal in a separate bill, there are two or three reasons why I could not support it in this bill.

The first problem arises under the Contingency Option Act, a separate section of the code. Under this act, a Board of Actuaries has been established by law, and is charged with the responsibility of establishing rates for a self-sustaining program.

The basis of the argument with respect to rates is that the person must be drawing retirement pay at the time of his death. When a man dies before he receives his retirement pay, that is a very close situation.

But in addition to the fact that a Board of Actuaries is established, section 1443, chapter 73, title 10, to establish a sound actuarial basis for the administration of this program, would have us legislating specifically, and in a fashion which might affect the establishment of the rates by the Board.

There is one feature which is much more serious, to me, and that is the retroactive feature. The Senator's amendment proposes a retroactive date in 1953. The committee consistently took the position, both in subcommittee and in full committee, that it was opposed to retroactive provisions in the pay bill.

For example, the hostile fire pay provision in the bill, as it initially was proposed, made the retroactive date January 1, 1961. We opposed that provision on the ground that retroactive pay legislation generally is unsound.

The first problem is that if the provision is made retroactive, there is no legitimate reason for not making other provisions of the act retroactive. This would get us into the middle of that particular problem.

There is also the general principle that the date of entitlement to pay should be effective only from the effective date of the law.

We also considered the problem of elimination of the calendar year 1963 pay date. Using the same philosophy, we rejected an amendment to allow 1963 retirees payment as of the first of the calendar year, on the ground that it would be an undesirable precedent so far as the retroactive purposes of the law are concerned.

I hope the Senate will not now adopt an amendment that would undo the philosophy established in the bill by the subcommittee and the full committee, with respect to one feature of the retroactive revisions, and that this issue can be laid at rest once and for all.

I am sympathetic toward the amendment offered by the Senator from Texas. If he were to introduce his proposal as a separate bill to take care of this particular problem, I would support it. I have been assured by the chairman of the Committee on Armed Services that if the proposal were offered as a separate bill, he would set early hearings on it, so that it could be considered by the committee. But I respectfully urge the Senate not to break down a precedent that has been established in the law and subject Congress to an inconsistent position, so far as two other important features of the bill are concerned.

Mr. YARBOROUGH. Mr. President, the distinguished chairman of the subcommittee bases his case on retroactivity. If that argument were sound, the Senate could never correct the inequity. If we allowed retroactivity to a widow only in futura, she could be cut off without a cent if her husband died before the first of the following month, and she would have no recourse.

If the inequity could be remedied by a separate bill, it could be remedied by an amendment, because the bill amends sections of the same title that my amendment pertains to.

There is an amendment to section 1401. Mine would amend section 1437—amending the title and section. The Senator from Nevada says my amendment is not germane. But if there were a strict rule of germaneness, it would be germane under such a parliamentary rule. It would be germane under the parliamentary rules of any legislative body in the world. Although the Senate has no rule of germaneness, this amendment is germane both to the subject matter and under the present rules. Therefore, I see no reason why my amendment to the committee amendment should not be adopted.

Mr. ENGLE. Mr. President, will the Senator from Texas yield?

Mr. YARBOROUGH. I yield.

Mr. ENGLE. The distinguished Senator from Nevada said he would support the amendment if it was a separate bill. He has said, however, that it would create a precedent. However, I point out that a separate bill of this sort would create as much of a precedent as such an amendment to this bill would; that conclusion cannot be avoided.

Mr. YARBOROUGH. The Senator is exactly correct.

Mr. ENGLE. The question is whether this amendment is a good one or a bad one. I believe it is a good one. I do not believe a widow or dependent should be deprived of a pension for which the deceased person was fully qualified, merely because he died between the time he qualified and the time of the arrival of his first pension check.

So it is impossible to maintain with any degree of logic that a bill for this purpose should be supported, but that such an amendment should be rejected because it would establish a precedent.

Mr. YARBOROUGH. Mr. President, the Senator from California has well stated the situation in regard to this amendment.

I hope the Senate will adopt the amendment, in order to correct this gross injustice.

The **PRESIDING OFFICER.** The question is on agreeing to the amendment of the Senator from Texas to the committee amendment.

The amendment to the amendment was agreed to.

Mr. YARBOROUGH. Mr. President, I move that the vote by which the amendment to the committee amendment was adopted be reconsidered.

Mr. RUSSELL. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CANNON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

The question is on agreeing to the motion to reconsider the vote by which the Yarborough amendment to the committee amendment was agreed to.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that I may withdraw my motion to reconsider.

The **PRESIDING OFFICER.** Without objection, the motion to reconsider is withdrawn.

Mr. YARBOROUGH. Mr. President, I now ask unanimous consent that the action taken by the Senate in adopting my amendment to the committee amendment be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. YARBOROUGH. Mr. President, I now ask unanimous consent that I may withdraw my amendment to the committee amendment.

The **PRESIDING OFFICER.** Without objection, it is so ordered; and the amendment to the committee amendment is withdrawn.

Mr. YARBOROUGH. Mr. President, will the distinguished Senator from Nevada yield for a question?

Mr. CANNON. I yield.

Mr. YARBOROUGH. Mr. President, I plan to introduce a separate bill on this subject, this week. I understand that it is agreed that the Armed Services Committee will set the bill for an early hearing and will press for an early hearing and report on it, so that the Senate may have an opportunity to vote on it, unencumbered by being tied to the main bill. Is that satisfactory to the Armed Services Committee?

Mr. CANNON. Yes. I have been assured by the distinguished chairman of the Armed Services Committee that if the Senator from Texas introduces a separate bill on this subject, he will set it for an early hearing.

Mr. YARBOROUGH. So that the Senate will have an opportunity to vote on these two matters separately, rather than to have them tied together at this time?

Mr. CANNON. The Senator is correct—so that the two matters will not be tied together at this time.

Mr. YARBOROUGH. I thank the Senator from Nevada for his clarification.

Mr. CANNON. I thank the Senator from Texas for withdrawing his amendment.

The **PRESIDING OFFICER.** The committee amendment is open to further amendment.

If there be no further amendment to be proposed to the committee amendment, the question is on agreeing to the committee amendment in the nature of a substitute, as amended.

The amendment, as amended, was agreed to.

The **PRESIDING OFFICER.** The question now is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The **PRESIDING OFFICER.** The question now is, Shall the bill pass?

Mr. RUSSELL. Mr. President, I feel that the yeas and nays should be ordered on the question of passage of the bill. Therefore, I ask for the yeas and nays.

The yeas and nays were ordered.

The **PRESIDING OFFICER.** The clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Connecticut [Mr. Dodd], the Senator from Mississippi [Mr. Eastland], the Senator from Arkansas [Mr. Fulbright], the Senator from Tennessee [Mr. Gore], the Senator from Minnesota [Mr. Humphrey], the Senator from Missouri [Mr. Long], the Senator from Wyoming [Mr. McGee], the Senator from Rhode Island [Mr. Pastore], the Senator from Rhode Island [Mr. Pell], the Senator from Alabama [Mr. Sparkman], and the Senator from Mississippi [Mr. Stennis] are absent on official business.

I further announce that the Senator from Indiana [Mr. Bayh] and the Senator from Washington [Mr. Magnuson] are necessarily absent.

I further announce that, if present and voting, the Senator from Indiana [Mr. Bayh], the Senator from Connecticut [Mr. Dodd], the Senator from Mississippi [Mr. Eastland], the Senator from Tennessee [Mr. Gore], the Senator from Minnesota [Mr. Humphrey], the Senator from Missouri [Mr. Long], the Senator from Washington [Mr. Magnuson], the Senator from Wyoming [Mr. McGee], the Senator from Rhode Island [Mr. Pastore], the Senator from Rhode Island [Mr. Pell], the Senator from Alabama [Mr. Sparkman], the Senator from Mississippi [Mr. Stennis], and the Senator from Arkansas [Mr. Fulbright] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Vermont [Mr. Aiken] and the Senator from Massachusetts [Mr. Saltonstall] are absent on official business.

The Senator from Iowa [Mr. Miller] is necessarily absent.

If present and voting, the Senator from Vermont [Mr. Aiken], the Senator from Iowa [Mr. Miller], and the Senator from Massachusetts [Mr. Saltonstall] would each vote "yea."

The result was announced—yeas 84, nays 0.

[No. 121 Leg.]

YEAS—84

Allott
Anderson
Bartlett
Beall
Bennett
Bible
Boggs
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cooper
Cotton
Curtis
Dirksen
Dominick
Douglas
Edmondson
Ellender
Engle
Ervin
Fong
Goldwater
Gruening
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Hruska
Inouye
Jackson
Javits
Johnston
Jordan, N.C.
Jordan, Idaho
Keating
Kefauver
Kennedy
Kuchel
Lausche
Long, La.
Mansfield
McCarthy
McClellan
McGovern
McIntyre
McNamara
Mechem
Metcalf
Monroney
Morse
Morton
Moss
Mundt
Muskie
Nelson
Neuberger
Pearson
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Russell
Scott
Simpson
Smathers
Smith
Symington
Talmadge
Thurmond
Tower
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—0

NOT VOTING—16

Aiken
Bayh
Dodd
Eastland
Fulbright
Gore
Humphrey
Long, Mo.
Magnuson
McGee
Miller
Pastore
Pell
Saltonstall
Sparkman
Stennis

So the bill (H.R. 5555) was passed.

U.S. RELEASE OF RESTRICTIONS AND RESERVATIONS ON CERTAIN REAL PROPERTY IN ARKANSAS

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 12, S. 812.

The **PRESIDING OFFICER** (Mr. McGovern in the chair). The bill will be stated by title for the information of the Senate.

The Legislative Clerk. A bill (S. 812) to provide for the release of restrictions and reservations on certain real property heretofore conveyed to the State of Arkansas by the United States of America.

The **PRESIDING OFFICER.** The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Government Operations, with an amendment, on page 2, line 2, after the word "pertain," to strike out "to the following described portion of such land:

"Part of the west half section 2 township 2 north range 12 west, described as follows: Starting at the northeast corner of said west half, thence west 180 feet, thence south 9 degrees 30 minutes west, 1,059.6 feet along the west line of property conveyed by the United States Government to the city of North Little Rock per deed recorded in deed record book 436, page 331, records of Pulaski County, Arkansas, to the point of beginning, said point being in the centerline of Vermont Avenue between Sixty-first and Sixty-second Streets; from the point of beginning so established continue south 9 degrees 30 minutes west along west line of North Little Rock property 686.81 feet, thence south 70 degrees 09 minutes west along a line 50 feet south of and parallel to the centerline of Sixty-first Street 282.57 feet, thence northwesterly along the centerline of New York Avenue on a curve to the left (chord north 34 degrees 52 minutes west 590.08 feet), thence north 40 degrees 11 minutes east 718.9 feet along the center-line of Sixty-second Street, thence south 44 degrees 05 minutes east 362.63 feet along Vermont Avenue to the point of beginning. The above described property is that portion of block 10, Camp Joseph T. Robinson, Basic Infantry Replacement Training Center Expansion Area, lying west of North Little Rock property (North Little Rock Airport), containing 9.8 acres of land, more or less" and insert "to that parcel of land in Pulaski County, Arkansas, described in a lease-purchase agreement dated February 10, 1959, entered into between the Arkansas National Guard and the State board of education, State of Arkansas, containing nine and eight-tenths acres, more or less.' ", so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subject to the provisions of section 2 of this Act the Secretary of the Army is authorized to convey, quitclaim, or release to the State of Arkansas, all rights, reservations, restrictions, and exceptions reserved by the United States in and over that part of Camp Joseph T. Robinson which was conveyed to the State of Arkansas by deed executed by the Secretary of the Army on August 25, 1950, pursuant to the Act approved June 30, 1950 (64 Stat. 310), insofar as these rights, reservations, restrictions, and exceptions pertain to that parcel of land in Pulaski County, Arkansas, described in a lease-purchase agreement dated February 10, 1959, entered into between the Arkansas National Guard and the State board of education, State of Arkansas, containing nine and eight-tenths acres, more or less.

SEC. 2. The first section of this Act shall take effect upon the payment by the State of Arkansas to the Secretary of the Army of the fair market value of the property interest authorized by that section to be conveyed, as such value is determined by the Secretary.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

Mr. MORSE. Mr. President, the Senator from Arkansas [Mr. McCLELLAN] and I have arrived at a complete understanding, due to his usual wonderful cooperation in matters such as this. The Senator is in complete agreement with the amendment I now offer, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 3, beginning with line 10, it is proposed to strike out all through the period on line 14 and insert in lieu thereof the following:

SEC. 2. The first section of this Act shall take effect upon the payment by the State of Arkansas to the Secretary of the Army of the fair market value of the fee simple title of the property described therein (but not including any buildings or other permanent improvements placed on such property by the Arkansas State Board of Education), as such value is determined by the Secretary after appraisal.

Mr. MORSE. Mr. President, not only is this amendment acceptable to the Senator from Arkansas but also it is in line with the position taken by the Army. I thank the Senator from Arkansas very much for his cooperation. This amendment will, in effect, protect the principle of the Morse formula.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Oregon.

The amendment was agreed to.

Mr. McCLELLAN. Mr. President, I wish to say a few words on the bill.

The bill would authorize the conveyance of property to the State of Arkansas.

The Morse amendment, which has been agreed to, received no objection from me, for the reason that a similar provision is being applied to all similar cases. I felt that my State would be willing to conform, so long as this provision is applied to all property under similar circumstances, regardless of the public agency which may become the beneficiary.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. MORSE. I repeat my thanks to the Senator from Arkansas. I wish to tell him that so long as I have been in the Senate, the attempt has been made to apply that principle.

Mr. McCLELLAN. I have no objection to the formula. In many instances I would support it. There might be an exception, but so long as it is being observed, I have no objection in this instance. I think the authorities of the State of Arkansas are well satisfied with the arrangement.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 812) was ordered to be engrossed for a third reading, was read the third time, and passed.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, if the majority leader will permit, I should like to ask about the program for tomorrow and perhaps for succeeding days this week.

Mr. MANSFIELD. Mr. President, in response to the question raised by the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN], it is the intention of the leadership, with his concurrence, to have the Senate consider Calendar No. 359, Senate Joint Resolution 33, granting consent for an extension of 4 years of the Interstate Compact to Conserve Oil and Gas; Calendar 360, Senate Joint Resolution 67, extending an invitation to the International Olympic Committee to hold the 1968 winter Olympic games in the United States; Calendar No. 361, Senate Joint Resolution 72, favoring the holding of the Olympic games in America in 1968; and Calendar No. 320, S. 1057, to promote the cause of criminal justice by providing for the representation of defendants who are financially unable to obtain an adequate defense in criminal cases in the courts of the United States; all of which have been cleared by both sides; and then to lay before the Senate Calendar No. 358, H.R. 5888, the appropriation bill for the Departments of Labor, and Health, Education, and Welfare and related agencies for the fiscal year ending June 30, 1964, and for other purposes, on which there will be no votes tonight, but as to which opening statements will be made.

Following that, though not necessarily in sequence, depending upon developments, the Senate will consider Calendar No. 362, H.R. 7500 to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes; the Mexican farm labor bill, which was reported by the committee again today; and Calendar No. 357, S. 1321, to provide for a National Service Corps to strengthen community service programs in the United States.

I think that will bring us up to what there is on the calendar.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. PROXMIRE. Did the Senator from Wisconsin correctly understand that there will be no third reading of the appropriation bill for the Departments of Labor and Health, Education, and Welfare tonight?

Mr. MANSFIELD. The Senator is correct. There will be opening statements, but no votes.

Mr. PROXMIRE. Very good.

FOUR-YEAR EXTENSION OF INTERSTATE COMPACT TO CONSERVE OIL AND GAS

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 359, Senate Joint Resolution 33.

The PRESIDING OFFICER. The joint resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A joint resolution (S.J. Res. 33) granting consent for an extension of 4 years of the interstate compact to conserve oil and gas.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the joint resolution, which had been reported from the Committee on Interior and Insular Affairs, with an amendment, at the top of page 17, to insert a new section, as follows:

SEC. 3. The right to alter, amend, or repeal the provisions of section 1 is hereby expressly reserved.

So as to make the joint resolution read:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby given to an extension and renewal for a period of four years from September 1, 1963, to September 1, 1967, of the Interstate Compact To Conserve Oil and Gas, which was signed in the city of Dallas, Texas, the 16th day of February 1935 by the representatives of Oklahoma, Texas, California, and New Mexico, and at the same time and place was signed by the representatives, as a recommendation for approval to the Governors and Legislatures of the States of Arkansas, Colorado, Illinois, Kansas, and Michigan, and which prior to August 27, 1935, was presented to and approved by the Legislatures and Governors of the States of New Mexico, Kansas, Oklahoma, Illinois, Colorado, and Texas, and which so approved by the six States last above-named was deposited in the Department of State of the United States, and thereafter was consented to by the Congress in Public Resolution Numbered 64, Seventy-fourth Congress, approved August 27, 1935, for a period of two years, and thereafter was extended by the representatives of the compacting States and consented to by the Congress for successive periods, without interruption, the last extension being for the period from September 1, 1959, to September 1, 1963, consented to by Congress by Public Law Numbered 143, Eighty-sixth Congress, approved August 7, 1959. The agreement to extend and renew said compact for a period of four years from September 1, 1963, to September 1, 1967, duly executed by representatives of the States of Alabama, Alaska, Arizona, Arkansas, Colorado, Florida, Illinois, Indiana, Kansas, Kentucky, Louisiana, Maryland, Michigan, Mississippi, Montana, Nebraska, Nevada, New Mexico, New York, North Dakota, Ohio, Oklahoma, Pennsylvania, South Dakota, Tennessee, Texas, Utah, Washington, West Virginia, and Wyoming, has been deposited in the Department of State of the United States, and reads as follows:

"AN AGREEMENT TO EXTEND THE INTERSTATE COMPACT TO CONSERVE OIL AND GAS

"Whereas, on the 16th day of February, 1935, in the City of Dallas, Texas, there was executed 'An Interstate Compact To Conserve Oil and Gas' which was thereafter formally ratified and approved by the States of Oklahoma, Texas, New Mexico, Illinois, Colorado, and Kansas, the original of which is now on deposit with the Department of State of the United States, a true copy of which follows:

" 'INTERSTATE COMPACT TO CONSERVE OIL AND GAS

" '*Article I*

" 'This agreement may become effective within any compacting state at any time as prescribed by that state, and shall become effective within those states ratifying it whenever any three of the States of Texas, Oklahoma, California, Kansas, and New Mexico have ratified and Congress has given its consent. Any oil-producing state may become a party hereto as hereinafter provided.

" '*Article II*

" 'The purpose of this compact is to conserve oil and gas by the prevention of physical waste thereof from any cause.

" '*Article III*

" 'Each State bound hereby agrees that within a reasonable time it will enact laws, or if the laws have been enacted, then it agrees to continue the same in force, to accomplish within reasonable limits the prevention of:

" '(a) The operation of any oil well with an inefficient gas-oil ratio.

" '(b) The drowning with water of any stratum capable of producing oil or gas, or both oil and gas, in paying quantities.

" '(c) The avoidable escape into the open air or the wasteful burning of gas from a natural gas well.

" '(d) The creation of unnecessary fire hazards.

" '(e) The drilling, equipping, locating, spacing or operating of a well or wells so as to bring about physical waste of oil or gas or loss in the ultimate recovery thereof.

" '(f) The inefficient, excessive or improper use of the reservoir energy in producing any well.

" 'The enumeration of the foregoing subjects shall not limit the scope of the authority of any state.

" '*Article IV*

" 'Each state bound hereby agrees that it will, within a reasonable time, enact statutes, or if such statutes have been enacted then that it will continue the same in force, providing in effect that oil produced in violation of its valid oil and/or gas conservation statutes or any valid rule, order or regulation promulgated thereunder, shall be denied access to commerce; and providing for stringent penalties for the waste of either oil or gas.

" '*Article V*

" 'It is not the purpose of this compact to authorize the states joining herein to limit the production of oil or gas for the purpose of stabilizing or fixing the price thereof, or create or perpetuate monopoly, or to promote regimentation, but is limited to the purpose of conserving oil and gas and preventing the avoidable waste thereof within reasonable limitations.

" '*Article VI*

" 'Each State joining herein shall appoint one representative to a commission hereby constituted and designated as

THE INTERSTATE OIL COMPACT COMMISSION

the duty of which said commission shall be to make inquiry and ascertain from time to time such methods, practices, circumstances, and conditions as may be disclosed for bringing about conservation and the prevention of physical waste of oil and gas, and at such intervals as said commission deems beneficial it shall report its findings and recommendations to the several States for adoption or rejection.

" 'The Commission shall have power to recommend the co-ordination of the exercise of the police powers of the several States within their several jurisdictions to promote the maximum ultimate recovery from the petroleum reserves of said states, and to recommend measures for the maximum ultimate recovery of oil and gas. Said Commission shall organize and adopt suitable rules and regulations for the conduct of its business.

" 'No action shall be taken by the Commission except: (1) by the affirmative votes of the majority of the whole number of the compacting States represented at any meeting, and (2) by a concurring vote of a majority in interest of the compacting States at said meeting, such interest to be determined as follows: such vote of each State shall be in the decimal proportion fixed by the ratio of its daily average production during the preceding calendar half-year to the daily average production of the compacting States during said period.

" '*Article VII*

" 'No State by joining herein shall become financially obligated to any other State, nor shall the breach of the terms hereof by any State subject such State to financial responsibility to the other States joining herein.

" '*Article VIII*

" 'This compact shall expire September 1, 1937. But any State joining herein may, upon sixty (60) days notice, withdraw herefrom.

" 'The representatives of the signatory States have signed this agreement in a single original which shall be deposited in the archives of the Department of State of the United States, and a duly certified copy shall be forwarded to the Governor of each of the signatory states.

" 'This compact shall become effective when ratified and approved as provided in Article I. Any oil-producing State may become a party hereto by affixing its signature to a counterpart to be similarly deposited, certified, and ratified.'

"Whereas, the said Interstate Compact to Conserve Oil and Gas has heretofore been duly renewed and extended with the consent of the Congress to September 1, 1963; and,

"Whereas, it is desired to renew and extend the said Interstate Compact to Conserve Oil and Gas for a period of four (4) years from September 1, 1963, to September 1, 1967:

"Now, therefore, this writing witnesseth:

"It is hereby agreed that the Compact entitled

" 'An Interstate Compact To Conserve Oil and Gas' executed in the City of Dallas, Texas, on the 16th day of February, 1935, and now on deposit with the Department of State of the United States, a correct copy of which appears above, be, and the same hereby is, extended for a period of four (4) years from September 1, 1963, its present date of expiration, to September 1, 1967. This agreement shall become effective when executed, ratified, and approved as provided in Article I of the original Compact.

"The signatory States have executed this agreement in a single original which shall be deposited in the archives of the Department of State of the United States and a duly certified copy thereof shall be forwarded to the Governor of each of the signatory States. Any oil-producing state may become a party hereto by executing a counterpart of this agreement to be similarly deposited, certified, and ratified.

"Executed by the several undersigned states, at their several state capitols, through their proper officials on the dates as shown, as duly authorized by statutes and resolutions, subject to the limitations and qualifications of the acts of the respective State Legislatures.

"THE STATE OF ALABAMA

"By John Patterson, Governor

"Dated: 9-4-62
"Attest: BETTYE FRINK
"Secretary of State
"(SEAL)

"THE STATE OF ALASKA

"By William A. Egan, Governor

"Dated: 9-21-62
"Attest: HUGH J. WADE
"Secretary of State
"(SEAL)

"THE STATE OF ARIZONA

"By Paul J. Fannin, Governor

"Dated: 11-1-61
"Attest: WESLEY BOLIN
"Secretary of State
"(SEAL)

"THE STATE OF ARKANSAS

"By Orval E. Faubus, Governor

"Dated: 8-15-62
"Attest: NANCY J. HALL
"Secretary of State
"(SEAL)

"THE STATE OF COLORADO

"By Steve McNichols, Governor

"Dated:
"Attest: GEORGE J. BAKER
"Secretary of State
"(SEAL)

"THE STATE OF FLORIDA

"By Farris Bryant, Governor

"Dated: 5-28-62
"Attest: TOM ADAMS
"Secretary of State
"(SEAL)

"THE STATE OF ILLINOIS

"By Otto Kerner, Governor

"Dated: 12-12-61
"Attest: CHARLES F. CARPENTIER
"Secretary of State
"(SEAL)

"THE STATE OF INDIANA

"By Matthew E. Welsh, Governor

"Dated:
"Attest: CHARLES O. HENDRICKS
"Secretary of State
"(SEAL)

"THE STATE OF KANSAS
"By John Anderson, Jr., Governor
"Dated:
"Attest: Paul R. Shanahan
"Secretary of State
Leone M. Powers
"Assistant Secretary of State
"(SEAL)

"THE STATE OF KENTUCKY
"By Bert Combs, Governor
"Dated: 11-30-61
"Attest: Henry H. Carter
"Secretary of State
"(SEAL)

"THE STATE OF LOUISIANA
"By Jimmie H. Davis, Governor
"Dated: 6-12-62
"Attest: Wade O. Martin, Jr.
"Secretary of State
"(SEAL)

"THE STATE OF MARYLAND
"By J. Millard Tawes, Governor
"Dated: 11-20-62
"Attest: Lloyd L. Simpkins
"Secretary of State
"(SEAL)

"THE STATE OF MICHIGAN
"By John B. Swainson, Governor
"Dated: 7-6-62
"Attest: James M. Hare
"Secretary of State
"(SEAL)

"THE STATE OF MISSISSIPPI
"By Ross R. Barnett, Governor
"Dated:
"Attest: Heber Ladner
"Secretary of State
"(SEAL)

"THE STATE OF MONTANA
"By Donald G. Nutter, Governor
"Dated: 1-18-62
"Attest: Frank Murray
"Secretary of State
"(SEAL)

"THE STATE OF NEBRASKA
"By Frank B. Morrison, Governor
"Dated: 1-24-62
"Attest: Frank Marsh
"Secretary of State
"(SEAL)

"THE STATE OF NEVADA
"By Grant Sawyer, Governor
"Dated: 4-25-62
"Attest: John Koontz
"Secretary of State
"(SEAL)

"THE STATE OF NEW MEXICO
"By E. L. Mechem, Governor
"Dated: 10-23-61
"Attest: Betty Fiorina
"Secretary of State
"(SEAL)

"THE STATE OF NEW YORK
"By Nelson A. Rockefeller, Governor
"Dated: 9-22-62
"Attest: Caroline K. Simon
"Secretary of State
"(SEAL)

"THE STATE OF NORTH DAKOTA
"By William L. Guy, Governor
"Dated: 3-2-62
"Attest: Ben Meier
"Secretary of State
"(SEAL)

"THE STATE OF OHIO
"By Michael V. Di Salle, Governor
"Dated 10-9-62
"Attest: Ted W. Brown
"Secretary of State
"(SEAL)

"THE STATE OF OKLAHOMA
"By J. Howard Edmondson, Governor
"Dated: 10-20-61
"Attest: William N. Christian
"Secretary of State
"(SEAL)

"THE STATE OF PENNSYLVANIA
"By David L. Lawrence, Governor
"Dated: 2-6-62
"Attest: E. James Trimarchi, Jr.
"Secretary of State
"(SEAL)

"THE STATE OF SOUTH DAKOTA
"By Archie Gubbrud, Governor
"Dated: 3-26-62
"Attest: Essie Wiedenman
"Secretary of State
"(SEAL)

"THE STATE OF TENNESSEE
"By Buford Ellington, Governor
"Dated: 9-10-62
"Attest: Joe C. Carr
"Secretary of State
"(SEAL)

"THE STATE OF TEXAS
"By Price Daniel, Governor
"Dated: 10-16-61
"Attest: P. Frank Lake
"Secretary of State
"(SEAL)

"THE STATE OF UTAH
"By George D. Clyde, Governor
"Dated:
"Attest: Lamont F. Toronto
"Secretary of State
"(SEAL)

"THE STATE OF WASHINGTON
"By Albert D. Rosellini, Governor
"Dated: 10-25-62
"Attest: Victor A. Meyers
"Secretary of State
"(SEAL)

"THE STATE OF WEST VIRGINIA
"By W. W. Barron, Governor
"Dated: 10-10-62
"Attest: Joe F. Burdett
"Secretary of State
"(SEAL)

"THE STATE OF WYOMING
"By Jack R. Gage, Governor
"Dated: 10-3-62
"Attest: Robert Outsen
"Deputy Secretary of State
"(SEAL)".

Sec. 2. The Attorney General of the United States shall continue to make an annual report to Congress, as provided in section 2 of Public Law 185, Eighty-fourth Congress, for the duration of the Interstate Compact to Conserve Oil and Gas as to whether or not the activities of the States under the provisions of such compact have been consistent with the purpose as set out in article V of such compact.

Sec. 3. The right to alter, amend, or repeal the provisions of section 1 is hereby expressly reserved.

Mr. PROXMIRE. Mr. President, this joint resolution was heard before the Committee on Interior and Insular Affairs in the past week. I appeared before the committee on this proposal. I wish to make a very brief record as to the joint resolution now on the floor.

A similar resolution was passed 4 years ago, which required an annual report by the Department of Justice on monopolistic tendencies within the oil industry. The Department of Justice reported in 1959 but failed to report in 1960, 1961, and 1962. The law was clear. The failure of the Nation's principal law-enforcement official was conspicuous.

The record in the hearings last week was very clear that the intention of the committee is that there shall be an annual report. This was the reason I appeared.

I think the annual report is absolutely essential. In fact, I think it is the most important segment, the one real public interest instrument of the legislation. This is the single legal instrumentality available to Congress to make possible a regular objective, competent study of the oil industry from the standpoint of those who have no vested interest in it.

I hope the Department of Justice will henceforth take this clear statement in the law very seriously and will make the annual report required to be made by law every year.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The joint resolution is open to further amendment.

If there be no further amendment to be proposed, the question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed for a third reading, was read the third time, and passed.

INVITATION TO HOLD 1968 WINTER OLYMPIC GAMES IN THE UNITED STATES

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 360, Senate Joint Resolution 67.

The PRESIDING OFFICER. The resolution will be stated by title.

The Legislative Clerk. A joint resolution (S.J. Res. 67) extending an invitation to the International Olympic Committee to hold the 1968 winter Olympic games in the United States.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the joint resolution.

Mr. MANSFIELD. Mr. President, I understand that there is a House joint resolution along similar lines. I ask unanimous consent that the Senate Foreign Relations Committee be discharged from further consideration of House Joint Resolution 324, and that the Senate proceed to the immediate consideration of the House joint resolution.

The PRESIDING OFFICER. The House joint resolution will be stated by title.

The Legislative Clerk. A joint resolution (H.J. Res. 324) extending an invitation to the International Olympic Committee to hold the 1968 winter Olympic games in the United States.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

Without objection, the Foreign Relations Committee is discharged from further consideration of House Joint Resolution 324.

The House joint resolution (H.J. Res. 324) was considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate Joint Resolution 67 will be indefinitely postponed.

HOLDING OF OLYMPIC GAMES IN AMERICA IN 1968

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 361, Senate Joint Resolution 72.

The PRESIDING OFFICER. The joint resolution will be stated by title.

The Legislative Clerk. A joint resolution (S.J. Res. 72) favoring the holding of the winter Olympic games in America in 1968.

The PRESIDING OFFICER. The question is on the motion of the Senator from Montana.

The motion was agreed to; and the joint resolution was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Whereas the United States Olympic Association will invite the International Olympic Committee to hold the Olympic games at Detroit, Michigan, in 1968; and

Whereas Detroit has demonstrated a willingness and capacity to provide excellent facilities for the games and the visitors who attend them; and

Whereas Detroit's midwestern location will offer foreign visitors a revealing look at the American heartland; and

Whereas the United States has not hosted the games since 1932 and would be honored to welcome this enterprise in international good will: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Government of the United States, therefore, expresses the sincere hope that the Olympic games will be held in this country in 1968 and pledges continuing support of the principles on which the Olympic games are founded.

Sec. 2. The Secretary of State is directed to transmit a copy of this resolution to the International Olympics Committee.

The PRESIDING OFFICER. Without objection, the preamble is agreed to.

CRIMINAL JUSTICE ACT OF 1963

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 320, Senate bill 1057.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. A bill (S. 1057) to promote the cause of criminal justice by providing for the representation of defendants who are financially unable to obtain an adequate defense in criminal cases in the courts of the United States.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary with an amendment on page 1, after line 4, to strike out:

Sec. 2. Title 18 of the United States Code is amended by adding immediately after section 3006 the following new section:

"§ 3006A. Adequate representation of defendants

"(a) Choice of Plan.—Each United States district court, with the approval of the judicial council of the circuit, shall place in operation throughout the district a plan designed to effectuate the provisions of this section for furnishing representation for defendants charged with felonies or misdemeanors, other than petty offenses as defined in section 1 of this title, who are financially unable to obtain an adequate defense. Representation under each plan shall include counsel and such investigative, expert, and other services necessary to an adequate defense. The provision for counsel under each plan shall conform to one of the following:

"(1) Representation by private attorneys;

"(2) Representation by a full-time or part-time Federal public defender and assistants;

"(3) Representation by attorneys furnished by a bar association, or a legal aid society or other local defender organization; or

"(4) Representation according to a plan containing any combination of the foregoing.

Prior to approving the plan for a district, the judicial council of the circuit shall supplement the plan with provisions for the representation on appeal of defendants financially unable to obtain representation. Consistent with the provisions of this section, the district court may modify a plan at any time with the approval of the judicial council of the circuit; it shall modify the plan when directed by the judicial council of the circuit. The district court shall notify the Director of the Administrative Office of the United States Courts of modifications in its plan.

"(b) Appointment of Council.—In every criminal case in which the defendant appears without counsel, the United States commissioner or the court shall advise the defendant that he has the right to be represented by counsel and that counsel will be appointed to represent him if he is financially unable to obtain counsel. Unless the defendant waives the appointment of counsel, the United States commissioner or the court, if satisfied after appropriate inquiry that the defendant is financially unable to obtain counsel, shall appoint counsel to represent him. The United States commissioner or the court shall appoint separate counsel for defendants who have such conflicting interests that they cannot properly be represented by the same counsel, or when good cause is otherwise shown.

"(c) Duration and Substitution of Appointments.—A defendant for whom counsel is appointed shall be represented at every stage of the proceedings from his initial appearance before the United States commissioner or court, or from any subsequent stage at which counsel is appointed, through appeal. If at any time after the appointment of counsel the court having jurisdiction of the case is satisfied that the defendant is financially able to obtain counsel or to make partial payment for the representation, he may terminate the appointment of counsel or authorize payment as provided in subsection (h), as the interests of justice may dictate. The United States commissioner or the court may, in the interests of justice, substitute one appointed counsel for another at any stage of the proceedings.

"(d) Services Other Than Counsel.—The plan for each district shall contain provisions for furnishing investigative, expert, or other services necessary to an adequate defense to each defendant determined by the United States commissioner or the court after appropriate inquiry to be financially unable to obtain them. The plan shall set forth the circumstances under which specific authorization will be required for a defendant to obtain particular services. Any plan may provide for services to be furnished by salaried staff personnel or by personnel retained specially in each case, or by a combination of such means. Except where services are rendered by salaried staff personnel, the court which authorized them, or the district court in any case in which the United States commissioner authorized them, shall direct the payment of reasonable compensation to the person who rendered them. A claim for compensation shall be supported by an affidavit specifying the time expended, services rendered, and expenses incurred on behalf of the defendant, and the compensation received in the same case from any other source.

"(e) Private Attorneys.—A private attorney appointed pursuant to this section shall at the conclusion of the representation or any segment thereof be compensated at a rate not exceeding $15 per hour for time reasonably expended and be reimbursed for expenses reasonably incurred. A separate claim for compensation and reimbursement shall be made to the district court for representation before the United States commissioner or that court, and to each appellate court before which the attorney represented the defendant. Each claim shall be supported by an affidavit specifying the time expended, services rendered, and expenses incurred while the case was pending before the United States commissioner or court, and the compensation and reimbursement applied for or received in the same case from any other source. The court shall, in each instance, fix the compensation and reimbursement to be paid to the attorney.

"(f) Federal Public Defenders.—A Federal public defender who is to serve in any district pursuant to this section shall be appointed by the judicial council of the circuit after receiving recommendations from the district court. Such appointment, whether on a full-time or part-time basis, shall be for a term of four years unless sooner terminated by the judicial council of the circuit for incompetency, misconduct, or neglect of duty. The salary of a full-time Federal public defender shall not exceed that of the United States attorney in the same district; the salary of a part-time Federal public defender shall be adjusted accordingly. The Federal public defender may employ assistant Federal public defenders at salaries not to exceed the highest salary authorized to be paid to an assistant United States attorney in the same district, and part-time assistants at salaries adjusted accordingly. The Federal public defender may also employ full-time or part-time investigative, expert, clerical, and other personnel necessary to the efficient performance of the duties of his office.

"(g) Local Defenders.—A bar association, or legal aid society or other local defender organization which furnishes attorneys pursuant to this section shall at the conclusion of each representation or any segment thereof be compensated at a rate not exceeding $15 per hour for time reasonably expended by its attorneys and be reimbursed for expenses reasonably incurred. A separate claim for compensation and reimbursement shall be made to the district court for representation before the United States commissioner or that court, and to each appellate court before which the organization's attorneys represented the defendant. The claim shall be supported by an affidavit specifying the time expended, services rendered, and expenses incurred while the case was pending before the United States commissioner or court, and the compensation and reimbursement applied for or received in the same case from any other source. The court shall, in each instance, fix the compensation and reimbursement to be paid to the organization.

"(h) Receipt of Other Payments.—Whenever the court is satisfied that money is available for payment from or on behalf of a defendant, he may authorize or direct that it be paid to appointed counsel or to any person authorized pursuant to subsection (d) to assist in the representation, or to the court for deposit in the United States Treasury as a reimbursement to the appropriation, current at the time of payment, to carry out the provisions of this section. Except as so authorized or directed, no such person may request or accept any payment or promise of payment for assisting in the representation of a defendant.

"(i) Penalties.—False affidavits filed pursuant to subsections (d), (e), or (g), and false statements made by defendants in the course of inquiries conducted under subsections (b) or (d) for the purpose of securing counsel or services, shall subject the persons making such affidavits or statements to the penalties prescribed by law.

"(j) Reports.—Each district court and judicial council of a circuit shall submit a report on the operation of the plan within its jurisdiction to the Director of the Administrative Office of the United States Courts in such form and at such times as the Judicial Conference of the United States may specify.

"(k) Appropriations.—There are authorized to be appropriated to the United States courts, out of any money in the Treasury not otherwise appropriated, sums necessary to carry out the provisions of this section. When so specified in appropriation acts, such appropriations shall remain available until expended. Payments from such appropriations shall be made under the supervision of the Director of the Administrative Office of the United States Courts.

"(l) Districts Included.—The term 'district court' as used in this section includes the District Court of the Virgin Islands, the District Court of Guam, and the district courts of the United States created by chapter 5 of title 28, United States Code."

Sec. 3. The analysis of chapter 201 of title 18, United States Code, is amended by adding immediately after section 3006 the following new item:

"3006A. Adequate representation of defendants."

Sec. 4. Each district court shall within six months from the date of this enactment submit to the judicial council of the circuit a plan formulated in accordance with section 2. Each judicial council shall within nine months from the date of this enactment approve and transmit to the Administrative Office of the United States Courts a plan for each district in its circuit. Each district court and court of appeals shall place its approved plan in operation within one year from the date of this enactment.

And, in lieu thereof, to insert:

Sec. 2. Title 18 of the United States Code is amended by adding immediately after section 3006 the following new section:

"§ 3006A. Adequate representation of defendants

"(a) Choice of Plan.—Each United States district court, with the approval of the judicial council of the circuit, shall place in operation throughout the district a plan for furnishing representation for defendants charged with felonies or misdemeanors, other than petty offenses as defined in section 1 of this title, who are financially unable to obtain an adequate defense. Representation under each plan shall include counsel and such investigative, expert, and other services necessary to an adequate defense. The provision for counsel under each plan shall conform to one of the following:

"(1) Representation by private attorneys;

"(2) Representation by private attorneys and a full-time or part-time Federal public defender and assistants;

"(3) Representation by attorneys furnished by a bar association, or a legal aid society or other local defender organization; or

"(4) Representation according to a plan containing any combination of the foregoing.

The office of Federal public defender shall not be established in any district except upon approval of the plan for such district, or modification thereof, by the judicial council of the circuit and the Judicial Conference of the United States on the basis of a finding that the volume of cases in which defendants require the appointment of counsel exceeded one hundred and fifty cases in the last fiscal year for which the Administrative Office of the United States Courts has statistics and that the efficient and economical furnishing of adequate representation cannot be achieved without the appointment of a full-time or part-time Federal public defender. Prior to approving the plan for a district, the judicial council of the circuit shall supplement the plan with provisions for the representation on appeal of defendants financially unable to obtain representation. Consistent with the provisions of this section, the district court may modify a plan at any time with the approval of the judicial council of the circuit; it shall modify the plan when directed by the judicial council of the circuit. The district court shall notify the Director of the Administrative Office of the United States Courts of modifications in its plan.

"(b) Appointment of Counsel.—In every criminal case in which the defendant appears without counsel, the United States commissioner or the court shall advise the defendant that he has the right to be represented by counsel and that counsel will be appointed to represent him if he is financially unable to obtain counsel. Unless the defendant waives the appointment of counsel, the court, if satisfied after appropriate inquiry that the defendant is financially unable to obtain counsel, shall appoint counsel to represent him. The court shall appoint separate counsel for defendants who have such conflicting interests that they cannot properly be represented by the same counsel, or when good cause is otherwise shown.

"(c) Duration and Substitution of Appointments.—A defendant for whom counsel is appointed shall be represented at every stage of the proceedings from his initial appearance before the United States commissioner or court, or from any subsequent stage at which counsel is appointed, through appeal. If at any time after the appointment of counsel the court having jurisdiction of the case is satisfied that the defendant is financially able to obtain counsel or to make partial payment for the representation, he may terminate the appointment of counsel or authorize payment as provided in subsection (h), as the interests of justice may dictate. The court may, in the interests of justice, substitute one appointed counsel for another at any stage of the proceedings.

"(d) Services Other Than Counsel.—Counsel for a defendant who is financially unable to obtain investigative, expert, or other services necessary to an adequate defense in his case may file an ex parte application for them to the court. Upon finding, after appropriate inquiry, that the services are necessary and that the defendant is financially unable to obtain them, the court shall authorize counsel to obtain the services on behalf of the defendant. The court may, in the interests of justice, and upon a finding that timely procurement of necessary services could not await prior authorization, ratify such services after they have been obtained. The court shall determine reasonable compensation for the services and direct payment to the person who rendered them upon his filing of a claim for compensation supported by a statement specifying the time expended, services rendered, and expenses incurred on behalf of the defendant, and the compensation received in the same case or for the same services from any other source.

"(e) Private Attorneys.—A private attorney appointed pursuant to this section shall at the conclusion of the representation or any segment thereof be compensated at a rate not exceeding $15 per hour for time reasonably expended and be reimbursed for expenses reasonably incurred. A separate claim for compensation and reimbursement shall be made to the district court for representation before the United States commissioner or that court, and to each appellate court before which the attorney represented the defendant. Each claim shall be supported by a statement specifying the time expended, services rendered, and expenses incurred while the case was pending before the United States commissioner or court, and the compensation and reimbursement applied for or received in the same case from any other source. The court shall, in each instance, fix the compensation and reimbursement to be paid to the attorney.

"(f) Federal Public Defenders.—A Federal public defender who is to serve in any district pursuant to this section shall be appointed by the judicial council of the circuit after receiving recommendations from the district court. Such appointment, whether on a full-time or part-time basis, shall be for a term of four years unless sooner terminated by the judicial council of the circuit for incompetency, misconduct, or neglect of duty. The salary of a full-time Federal public defender shall not exceed that of the United States attorney in the same district; the salary of a part-time Federal public defender shall be adjusted accordingly. The Federal public defender may employ assistant Federal public defenders at salaries not to exceed the highest salary authorized to be paid to an assistant United States attorney in the same district, and part-time assistants at salaries adjusted accordingly. The Federal public defender may also employ full-time or part-time investigative, expert, clerical, and other personnel necessary to the efficient performance of the duties of his office.

"(g) Local Defenders.—A bar association or legal aid society or other local defender organization which furnishes attorneys pursuant to this section shall, at the conclusion of each representation or any segment thereof, be compensated at a rate not exceeding $15 per hour for time reasonably expended by its attorneys and be reimbursed for expenses reasonably incurred. A separate claim for compensation and reimbursement shall be made to the district court for representation before the United States commissioner or that court, and to each appellate court before which the organization's attorneys represented the defendant. The claim shall be supported by a statement specifying the time expended, services rendered, and expenses incurred while the case was pending before the United States commissioner or court, and the compensation and reimbursement applied for or received in the same case from any other source. The court shall, in each instance, fix the compensation and reimbursement to be paid to the organization.

"(h) Receipt of Other Payments.—Whenever the court is satisfied that money is available for payment from or on behalf of a defendant, he may authorize or direct that it be paid to appointed counsel or to any person authorized pursuant to subsection (d) to assist in the representation, or to the court for deposit in the United States Treasury as a reimbursement to the appropriation, current at the time of payment, to carry out the provisions of this section. Except as so authorized or directed, no such person may request or accept any payment or promise of payment for assisting in the representation of a defendant.

"(i) APPOINTMENTS BY COMMISSIONERS.—Whenever the geographical range of the district, established practice therein, or the effective administration of justice to secure timely appointments of counsel under subsection (b) or timely authorizations of investigative, expert, or other services under subsection (d), warrant that such appointments or authorizations be made by a United States commissioner, the plan for a district shall specify the circumstances and conditions under which commissioners may exercise such authority. Each such plan shall require the United States commissioner to appoint counsel from a roster of attorneys designated or approved by the district court, and to report each such appointment promptly to the district court.

"(j) RULES AND REPORTS.—The Judicial Conference of the United States may, from time to time, issue rules and regulations governing the operation of plans formulated under this section. Each district court and judicial council of a circuit shall submit a report on the operation of the plans within its jurisdiction to the Director of the Administrative Office of the United States Courts in such form and at such times as the Judicial Conference of the United States may specify.

"(k) APPROPRIATIONS.—There are authorized to be appropriated to the United States courts, out of any money in the Treasury not otherwise appropriated, sums necessary to carry out the provisions of this section. When so specified in appropriation Acts, such appropriations shall remain available until expended. Payments from such appropriations shall be made under the supervision of the Director of the Administrative Office of the United States Courts.

"(l) DISTRICTS INCLUDED.—The term 'district court' as used in this section includes the District Court of the Virgin Islands, the District Court of Guam, and the district courts of the United States created by chapter 5 of title 28, United States Code."

SEC. 3. The analysis of chapter 201 of title 18, United States Code, is amended by adding after section 3006 the following new item:

"3006A. Adequate representation of defendants."

SEC. 4. Each district court shall within six months from the date of this enactment submit to the judicial council of the circuit a plan formulated in accordance with section 2 and any regulations issued thereunder by the Judicial Conference of the United States. Each judicial council shall within nine months from the date of this enactment approve and transmit to the Administrative Office of the United States Courts a plan for each district in its circuit. Each district court and court of appeals shall place its approved plan in operation within one year from the date of this enactment.

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Criminal Justice Act of 1963."

SEC. 2. Title 18 of the United States Code is amended by adding immediately after section 3006 the following new section:

"§ 3006A. Adequate representation of defendants."

"(a) CHOICE OF PLAN.—Each United States district court, with the approval of the judicial council of the circuit, shall place in operation throughout the district a plan for furnishing representation for defendants charged with felonies or misdemeanors, other than petty offenses as defined in section 1 of this title, who are financially unable to obtain an adequate defense. Representation under each plan shall include counsel and such investigative, expert, and other services necessary to an adequate defense. The provision for counsel under each plan shall conform to one of the following:

"(1) Representation by private attorneys;

"(2) Representation by private attorneys and a full-time or part-time Federal public defender and assistants;

"(3) Representation by attorneys furnished by a bar association, or a legal aid society or other local defender organization; or

"(4) Representation according to a plan containing any combination of the foregoing. The office of Federal public defender shall not be established in any district except upon approval of the plan for such district, or modification thereof, by the judicial council of the circuit and the Judicial Conference of the United States on the basis of a finding that the volume of cases in which defendants require the appointment of counsel exceeded one hundred and fifty cases in the last fiscal year for which the Administrative Office of the United States Courts has statistics and that the efficient and economical furnishing of adequate representation cannot be achieved without the appointment of a full-time or part-time Federal public defender. Prior to approving the plan for a district, the judicial council of the circuit shall supplement the plan with provisions for the representation on appeal of defendants financially unable to obtain representation. Consistent with the provisions of this section, the district court may modify a plan at any time with the approval of the judicial council of the circuit; it shall modify the plan when directed by the judicial council of the circuit. The district court shall notify the Director of the Administrative Office of the United States Courts of modifications in its plan.

"(b) APPOINTMENT OF COUNSEL.—In every criminal case in which the defendant appears without counsel, the United States commissioner or the court shall advise the defendant that he has the right to be represented by counsel and that counsel will be appointed to represent him if he is financially unable to obtain counsel. Unless the defendant waives the appointment of counsel, the court, if satisfied after appropriate inquiry that the defendant is financially unable to obtain counsel, shall appoint counsel to represent him. The court shall appoint separate counsel for defendants who have such conflicting interests that they cannot properly by represented by the same counsel, or when good cause is otherwise shown.

"(c) DURATION AND SUBSTITUTION OF APPOINTMENTS.—A defendant for whom counsel is appointed shall be represented at every stage of the proceedings from his initial appearance before the United States commissioner or court, or from any subsequent stage at which counsel is appointed, through appeal. If at any time after the appointment of counsel the court having jurisdiction of the case is satisfied that the defendant is financially able to obtain counsel or to make partial payment for the representation, he may terminate the appointment of counsel or authorize payment as provided in subsection (h), as the interests of justice may dictate. The court may, in the interests of justice, substitute one appointed counsel for another at any stage of the proceedings.

"(d) SERVICES OTHER THAN COUNSEL.—Counsel for a defendant who is financially unable to obtain investigative, expert, or other services necessary to an adequate defense in his case may file an ex parte application for them to the court. Upon finding, after appropriate inquiry, that the services are necessary and that the defendant is financially unable to obtain them, the court shall authorize counsel to obtain the services on behalf of the defendant. The court may, in the interests of justice, and upon a finding that timely procurement of necessary services could not await prior authorization, ratify such services after they have been obtained. The court shall determine reasonable compensation for the services and direct payment to the person who rendered them upon his filing of a claim for compensation supported by a statement specifying the time expended, services rendered, and expenses incurred on behalf of the defendant, and the compensation received in the same case or for the same services from any other source.

"(e) PRIVATE ATTORNEYS.—A private attorney appointed pursuant to this section shall at the conclusion of the representation or any segment thereof be compensated at a rate not exceeding $15 per hour for time reasonably expended and be reimbursed for expenses reasonably incurred. A separate claim for compensation and reimbursement shall be made to the district court for representation before the United States commissioner or that court, and to each appellate court before which the attorney represented the defendant. Each claim shall be supported by a statement specifying the time expended, services rendered, and expenses incurred while the case was pending before the United States commissioner or court, and the compensation and reimbursement applied for or received in the same case from any other source. The court shall, in each instance, fix the compensation and reimbursement to be paid to the attorney.

"(f) FEDERAL PUBLIC DEFENDERS.—A Federal public defender who is to serve in any district pursuant to this section shall be appointed by the judicial council of the circuit after receiving recommendations from the district court. Such appointment, whether on a full-time or part-time basis, shall be for a term of four years unless sooner terminated by the judicial council of the circuit for incompetency, misconduct, or neglect of duty. The salary of a full-time Federal public defender shall not exceed that of the United States attorney in the same district; the salary of a part-time Federal public defender shall be adjusted accordingly. The Federal public defender may employ assistant Federal public defenders at salaries not to exceed the highest salary authorized to be paid to an assistant United States attorney in the same district, and part-time assistants at salaries adjusted accordingly. The Federal public defender may also employ full-time or part-time investigative, expert, clerical, and other personnel necessary to the efficient performance of the duties of his office.

"(g) LOCAL DEFENDERS.—A bar association or legal aid society or other local defender organization which furnishes attorneys pursuant to this section shall, at the conclusion of each representation or any segment thereof, be compensated at a rate not exceeding $15 per hour for time reasonably expended by its attorneys and be reimbursed for expenses reasonably incurred. A separate claim for compensation and reimbursement shall be made to the district court for representation before the United States commissioner or that court, and to each appellate court before which the organization's attorneys represented the defendant. The claim shall be supported by a statement specifying the time expended, services rendered, and expenses incurred while the case was pending before the United States commissioner or court, and the compensation and reimbursement applied for or received in the same case from any other source. The court shall, in each instance, fix the compensation and reimbursement to be paid to the organization.

"(h) Receipt of Other Payments.—Whenever the court is satisfied that money is available for payment from or on behalf of a defendant, he may authorize or direct that it be paid to appointed counsel or to any person authorized pursuant to subsection (d) to assist in the representation, or to the court for deposit in the United States Treasury as a reimbursement to the appropriation, current at the time of payment, to carry out the provisions of this section. Except as so authorized or directed, no such person may request or accept any payment or promise of payment for assisting in the representation of a defendant.

"(i) Appointments by Commissioners.—Whenever the geographical range of the district, established practice therein, or the effective administration of justice to secure timely appointments of counsel under subsection (b) or timely authorizations of investigative, expert, or other services under subsection (d), warrant that such appointments or authorizations be made by a United States commissioner, the plan for a district shall specify the circumstances and conditions under which commissioners may exercise such authority. Each such plan shall require the United States commissioner to appoint counsel from a roster of attorneys designated or approved by the district court, and to report each such appointment promptly to the district court.

"(j) Rules and Reports.—The Judicial Conference of the United States may, from time to time, issue rules and regulations governing the operation of plans formulated under this section. Each district court and judicial council of a circuit shall submit a report on the operation of the plans within its jurisdiction to the Director of the Administrative Office of the United States Courts in such form and at such times as the Judicial Conference of the United States may specify.

"(k) Appropriations.—There are authorized to be appropriated to the United States courts, out of any money in the Treasury not otherwise appropriated, sums necessary to carry out the provisions of this section. When so specified in appropriation Acts, such appropriations shall remain available until expended. Payments from such appropriations shall be made under the supervision of the Director of the Administrative Office of the United States Courts.

"(l) Districts Included.—The term 'district court' as used in this section includes the District Court of the Virgin Islands, the District Court of Guam, and the district courts of the United States created by chapter 5 of title 28, United State Code."

Sec. 3. The analysis of chapter 201 of title 18, United States Code, is amended by adding immediately after section 3006 the following new item:

"3006A. Adequate representation of defendants."

Sec. 4. Each district court shall within six months from the date of this enactment submit to the judicial council of the circuit a plan formulated in accordance with section 2 and any regulations issued thereunder by the Judicial Conference of the United States. Each judicial council shall within nine months from the date of this enactment approve and transmit to the Administrative Office of the United States Courts a plan for each district in its circuit. Each district court and court of appeals shall place its approved plan in operation within one year from the date of this enactment.

Mr. HRUSKA. Mr. President, S. 1057, the Criminal Justice Act of 1963, provides adequate representation in the Federal courts of accused persons lacking the means to insure for themselves a proper defense.

The Senate, I am proud to say, has demonstrated a steadfast interest in such legislation. This is the fourth successive Congress in which this body has considered and passed legislation of this kind. Last fall I was privileged to report a bill similar to the one at hand to the Senate for passage. As it happened in the two previous Congresses, however, passage came too late for the House to take up the measure.

I mention this fact, Mr. President, for two purposes. The first is to emphasize the care and concern which the Senate has given to this bill. It is not a matter that has been treated routinely or with casual indifference. From personal observation and experience, I can assure this body that countless numbers of hours have been devoted to perfecting a measure that will properly serve its stated purposes.

The sponsors of the bill have been particularly fortunate in that regard, to have the thoughtful advice of practicing members of the legal profession, the Federal judiciary, the staff of the Attorney General, members of the faculties of several law schools, and others.

It will be clear from the legislative history and the hearings on S. 1057 and related measures that no effort was spared to develop and devise a very effective piece of legislation so as to meet the requirements of the sixth amendment and to satisfy our own inborn sense of what is right and just in administration of our criminal laws. Speaking for the Judiciary Committee, which reported S. 1057 unanimously, I can assure the Senate that the Criminal Justice Act of 1963 satisfies these standards.

Secondly, I think that it is essential to emphasize the long history of Senate interest in this subject if only to resolve any questions in the minds of my colleagues as to why, with such support, no bill has yet been enacted. One reason has been the matter of scheduling the legislation sufficiently early in the session to allow for its consideration by the other body and to take into account the attitudes and views expressed by the House. The clock and the calendar, so to speak, were insurmountable obstacles, for I can say confidently that the interest in this legislation is not monopolized by the Senate. It has been my privilege to consult and to be well advised by our colleagues in the other body whose efforts on behalf of this bill are as fully directed toward enactment as our own.

S. 1057, as reported with an amendment in the nature of a substitute, is the product not only of past experience with public defender legislation introduced in this body but of extended hearings before the Judiciary Committee and consultation with my colleagues on both sides of the aisle and in both Chambers of the Congress. It is carefully drawn to avoid abuse while seeking to remedy a chronic problem of serious proportions in our Federal courts.

As the report indicates, nearly 10,000 persons, more than 30 percent of the total number of defendants in Federal criminal cases, annually require court-appointed attorneys because they cannot afford to pay for their own. Yet these attorneys are not paid for their services, although the cases may entail extensive trial work. They are not reimbursed for their out-of-pocket costs that such representation necessarily involves. They do not receive any investigative or expert help. They are not appointed until long after the arrest, when witnesses may have disappeared and leads grown stale. Frequently court-appointed counsel lack the trial experience essential to a competent defense.

Fair-minded men can only conclude that, taken together, such factors create a situation which falls far short of assuring equal justice to persons with insufficient means to provide for their own defense.

It is not my purpose, Mr. President, to paraphrase the Senate report. It speaks for itself. I ask unanimous consent for insertion at the conclusion of my remarks selected paragraphs from the report.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

(See exhibit 1.)

Mr. HRUSKA. Mr. President, the proposed legislation specifies a number of alternatives, or options, for assigning counsel. It provides for early appointment of counsel whose services are to continue throughout all stages of the proceedings. It makes provision for investigative, expert, and other services necessary to an adequate defense. And lastly it affords reasonable compensation to counsel who are assigned.

I would only stress to the Senate that the intrinsic value of this bill is its fundamental flexibility. If I were to identify the one element which had pervaded all prior hearings on this legislation and which persists as the paramount factor in the minds of those recommending its enactment, it is that each judicial district ought to be allowed to devise and design for itself a system most appropriate to its prior practices and customs.

The local option proviso, allowing the Federal judges in consultation with the bar to have the widest discretion in working out a system best adapted to its needs, is the chief value of the bill. What works best in New York City may not be appropriate for North Platte, Nebr. Even among districts with comparable criminal caseloads, experience suggests that different approaches may be possible. The committee contends, as all who have worked with this bill know, that home rule should in the final analysis govern what system is adopted.

However, in saying this I also want to call attention to the careful provisions made in the bill to insure against abuse. In the first instance, the overall responsibility for administering the plans throughout the Federal court system is placed in the Judicial Conference of the United States. It will issue rules and regulations and be guided by reports required to be furnished on the operation of the plans. In addition, careful safeguards have been built into the legislation to assure that the establishment of a public defender office, where preferred, is limited to only those districts requiring substantial appointments of counsel; the minimum is 150 such cases per year. Lastly, of course, the Congress, with control of the purse strings, will be equally sensitive to the appropriate application of the provisions of this bill.

Mr. President, hard study has convinced me that this legislation is both worthwhile and needed. We have been impressed with the conscientious attitude the Federal courts have demonstrated toward establishing prudent systems within their respective districts. We are mindful, on the other hand, that the assumption of this responsibility will not be without costs. But these costs, Mr. President, are rightfully to be borne if the realization—not merely the aspiration—of equal treatment for every litigant is to be achieved.

It is for these reasons I urge the passage of this bill.

EXHIBIT 1

PURPOSE OF THE BILL AS AMENDED

To assure adequate representation in the Federal courts of accused persons with insufficient means, the Criminal Justice Act specifies a number of alternatives, or options, for assigning counsel; contemplates early appointment of counsel whose services are to continue throughout all stages of the proceedings; provides investigative, expert, and other services necessary to an adequate defense; and affords reasonable compensation to counsel who are assigned.

STATEMENT

The committee held 3 days of hearings on S. 1057 and related legislation, during which representatives of the Department of Justice, the Judiciary, the American Bar Association, and others appeared. The record demonstrates a considerable and long-overdue need for such legislation.

Nearly 10,000 persons, more than 30 percent of the total number of defendants in Federal criminal cases, annually require court appointed attorneys because they cannot afford to pay for their own. The inadequacy of the representation furnished by these lawyers is widely recognized. They are not paid for their services. They are not reimbursed for their out-of-pocket costs. They do not receive any investigative or expert help. They are not appointed until long after the arrest, when witnesses may have disappeared and leads grown stale. They often lack the trial experience essential for a competent defense. Taken together, these factors create a situation which falls far short of assuring equal justice to persons with insufficient means to provide for their own defense.

The Attorney General's statement, which sets forth the basic framework of the Criminal Justice Act, its background, and the problems it is designed to meet, is attached as an appendix to this report. Briefly, the legislation requires that a system of adequate representation be established in every Federal district. Each district may devise whatever plan is best suited to its local situation, but the plan must include provisions for compensating counsel and furnishing expert or investigative services whenever needed. No district's plan may be adopted without approval by the judicial council of its circuit.

The overall responsibility for administering the plans throughout the Federal court system is vested in the Judicial Conference of the United States. The bill authorizes the Conference to issue rules and regulations governing the manner in which the districts are to implement the provisions of the statute.

The plans contemplated by the bill will spell out for the judges, lawyers, and citizens of each district the procedure by which counsel and factfinding services will be furnished to qualified defendants. They may provide different procedures for preliminary hearings, trials, and appeals. They may specify whether inquiry to screen qualified defendants will be made by hearing, affidavit, or interview by a panel of private lawyers. They may establish fee standards and guidelines for representation at the various stages of the proceeding. They may call for a roster of attorneys competent to undertake the trial of serious criminal cases.

These plans will enable Congress to determine how the statute is being applied. They will, as well, provide a basis for determining necessary appropriations. Plans which prove successful may become prototypes for adoption elsewhere, not only in the Federal courts but in those of the several States.

ALTERNATIVE METHODS OF PROVIDING COUNSEL

In selecting the plan best suited to local needs and preferences, each district is given several alternative methods of providing counsel. These alternatives are quite flexible. The first option is to appoint counsel from attorneys in private practice. Districts choosing this option may compensate lawyers at a rate not exceeding $15 an hour for their services and may reimburse them for necessary expenses incurred on behalf of the defendant. While the committee recognizes that this amount is less than the prevailing rates charged for similar legal services in many areas, the figure avoids the patent unfairness of requiring lawyers to discharge the public's duty at their personal expense.

The second option, limited to districts having substantial appointments of counsel, permits the establishment of a Federal public defender office with necessary assistants and staff. In order to continue the participation of the private bar, this option combines representation by public defenders with private attorneys. In order to safeguard the independence of the public defenders from control by either the trial court or the executive branch, provision is made for the appointment of the public defender by the judicial council of each circuit. The act permits salaries for public defenders and their assistants to be set by the plan at a level equivalent to those authorized for the U.S. attorneys and their assistants in the same district. The act also makes provision for part-time public defenders as the needs require. The size and facilities of each Federal public defender office, once this option is chosen, will be determined by the plan for the district, making proper allowance for the normal caseload and the availability of private attorneys to receive assignments.

The third option provides for participation by bar associations, legal aid societies, and other local defender organizations, public or private, in furnishing attorneys for court appointment. This provision takes into account the valuable role which such organizations have played in a number of jurisdictions. Under this option, the assignment in individual cases will be made to an attorney furnished by the organization and not to the organization itself, although compensation and reimbursement will be made directly to the organization.

Finally, the Criminal Justice Act permits each district to adopt a system containing any combination of the first three options.

PROVISION FOR SERVICES OTHER THAN COUNSEL

The committee recognizes that an adequate defense also requires the availability of factfinding services to assist counsel in his preparation of the case. The importance of skilled investigation and expert analysis of evidence is underscored in police work every day. The prosecuting attorney cannot function without the facts. It is no less true for the defense.

Counsel and services may, but need not, go together. An accused who is without funds may obtain appointed counsel but have no need for the services of an investigator. Another defendant, who uses up his funds to hire a lawyer, may qualify to have an investigator or expert furnished in order adequately to prepare his case for trial. The bill recognizes that many defendants are able to pay for part, but not all, of the expenses of litigation. Its provisions therefore become operative whenever the resources of an accused are inadequate to provide for his defense.

Applications for factfinding services will be considered by the court on an ex parte basis in order to protect the accused from premature disclosure of his case. They will be granted upon the finding that the services reasonably appear to be necessary and that the defendant is unable to pay for them. Provision is also made for court approval of services after they have been obtained in cases where timely procurement could not await prior authorization. Any plan devised by the district for furnishing factfinding services may authorize salaried staff personnel or may designate qualified private sources, or may combine the two. The plan may also establish guidelines for payment of reasonable fees when private service facilities are utilized.

APPOINTMENT BY U.S. COMMISSIONERS

The bill specifies that adequate representation will be furnished the accused at every stage of the proceedings from his initial appearance before the U.S. commissioner or court until the termination of appellate review. The committee was concerned that proper safeguards be devised whenever the appointing power is delegated to U.S. commissioners. The bill, therefore, provides that whenever the geographical situation, established practice, or other factors make it desirable to permit a U.S. commissioner to appoint counsel or authorize the securing of factfinding services, the district plan shall set forth the circumstances and conditions under which this authority may be exercised.

APPLICABILITY IN THE DISTRICT OF COLUMBIA

Although the District of Columbia is now served by the Legal Aid Agency established under Public Law 86–531, the committee considered it essential to include the District within the coverage of this statute in order to extend to the District the benefits which this act provides. The agency handles only one-half of the nearly 700 district court criminal cases annually assigned and has no specific provision for furnishing expert services or representation in appellate cases. Inclusion of the District will enable all appointed counsel in the trial and appellate courts to be compensated on a basis comparable to lawyers in other Federal districts. Since the agency qualifies as a local defender organization within the meaning of subsections (a) (3) and (g) of proposed section 3006A of title 18, the committee considers that it can be incorporated in any plan adopted by the District, without modification of its present statutory authority. The Legal Aid Agency of the District of Columbia would, therefore, for example, qualify to receive additional compensation provided for under proposed section 3006A to the extent that the plan for the District may so provide.

PENALTIES

The penalty provision was deleted from the original text as being unnecessary. This in no way alters the clear application of Federal statutes which relate to the making of false statements and the submission of false claims.

CONCLUSION

This is the fourth successive Congress in which the committee has reported legislation to provide for the representation of defendants who are financially unable to obtain an adequate defense in criminal cases. Were we to need a reminder of how necessary such legislation is, none could be more emphatic than the Supreme Court's ruling in *Gideon* v. *Wainwright* this past term, which held that an accused who is unable to obtain counsel must be furnished one by the State. The Court stated that our Nation's concept of due process requires that poverty shall be no handicap in the defense of any person: "That Government hires lawyers to prosecute and defendants who have money hire lawyers to defend are the strongest indications of the widespread belief that lawyers in criminal courts are necessities, not luxuries. The right of one charged with crime to counsel may not be deemed fundamental and essential to fair trials in some countries, but it is in ours."

While this right has been scrupulously observed in our Federal courts for the past quarter of a century, unfortunately there have been no means to implement the constitutional mandate other than by the appointment of counsel on a voluntary, unpaid, and nonreimbursable basis. The fact that no compensation is provided for the time a lawyer necessarily spends on the defense and no reimbursement is allowed for his expenses is not so much a matter of professional distress as it is of public concern. Such limitations do not work so much a hardship on the lawyer as they do on the defendant. While in many instances the response of the bar has been in the finest tradition, nevertheless far too often the result for the accused has been unfair.

The opportunity to remedy our present, haphazard system is provided by S. 1057. Through the collective efforts of the Department of Justice, the Judicial Conference, the legal profession, and the Congress, the realization, not merely the aspiration, of "equal treatment for every litigant before the bar" can be achieved.

Mr. CURTIS. Mr. President, I commend my senior colleague from Nebraska for his untiring efforts on the bill over many months. The contribution he has made will add greatly to the administration of justice by assuring that all persons will be treated in a fair manner, and particularly by providing that each accused, regardless of whether he has sufficient funds, will receive the benefits of counsel.

I commend my colleague for his fine contribution. He has led the way in this matter for a long period of time.

Mr. HRUSKA. I am grateful to my distinguished colleague from Nebraska for his kind remarks.

Mr. JAVITS. Mr. President, first, I commend the distinguished Senator from Nebraska for his fine leadership in this cause, which is a long-standing one. The report of the committee states that this is the fourth time such a bill has been before the Senate. Efforts to enact it have been frustrated, and such a bill has never been enacted into law.

The genius of the sovereign in matters of government is that sovereign shows it has a heart and a sense of justice.

There are few measures which have come before Congress that demonstrate this essential confidence in the system of justice in what we call Anglo-Saxon jurisdiction as does a public defender measure like the one now before the Senate.

When I was Attorney General of New York State, from 1955 to 1956, I recommended the enactment of a public defender measure by our State legislature, as the result of a statewide survey with respect to adequate legal counsel being made available to indigent youths charged with the commission of crime.

When I came to Congress I introduced two public defender bills, one with the Senator from Tennessee [Mr. KEFAUVER], and the other with the distinguished Senator and former judge of North Carolina, one of our outstanding lawyers in the Senate [Mr. ERVIN], who is present in the Chamber.

Interestingly enough, while it is well known that we do not always see eye to eye on many things, with respect to this particular area of elementary justice we have acted in unison.

Finally, I believe that the committee has done an excellent piece of work in connection with the three objections it has overcome.

All of us are solicitous about seeing to it that bar associations and legal aid societies and local forces have a chance. The committee has cared for that situation very satisfactorily.

Finally, I should like to add one further point, which I believe is critically important. We often decry juvenile delinquency and youth crime, and the great crime difficulties that are involved. We pass laws to deal with such problems; and I dare say that they are far more expensive, both in cost and in effort which individuals take, because there are few residuals in the mind of a young person—and I have seen this both as an attorney for the defense and as a prosecutor—that make him more resentful than the feeling that he has not had a proper opportunity to be represented, to have the sentence reduced, to clear himself, or to have a lawyer plead his case, because he cannot afford it, particularly when he reads in the newspapers an article stating that someone else has been able to do just that.

This is an elementary issue, in my opinion, which is critically important to the fight on juvenile delinquency and youth crime, as well as an expression of heart and conscience by the sovereign.

I again congratulate the Senator from Nebraska for the excellent work he has done on the bill.

Mr. HRUSKA. I thank the Senator from New York. As he has observed, this is the fourth session in which the Senate has acted on a public defender bill. As the Senator from New York knows, this is a type of legislation that has found its way not only into the literature of bar associations and other professional organizations, but also into the Halls of Congress. I venture to say that the Senator from New York and his colleague from New York [Mr. KEATING] have been among the first to introduce similar bills in prior sessions of Congress, for which they are entitled to recognition and I wish to accord that recognition to them now.

Mr. KEATING. Mr. President, the right to counsel in criminal proceedings has been recognized in American constitutional law from the earliest period of the Nation's history. Today, however, despite the guarantees of the sixth amendment and rule 44 of the Federal Rules of Criminal Procedure, the provision of adequate legal representation for indigent defendants in Federal courts remains an unsolved problem.

The enactment of a legal aid agency for the District of Columbia by the 86th Congress to provide free counsel for indigent defendants was a step in the right direction. Now the time has arrived for Congress to assure that adequate legal counsel for defendants is provided in all Federal courts.

What is required now is legislation that will insure experienced representation to all defendants in the Federal courts, so that we might have full compliance with the mandate of the Constitution.

The enactment of the bill before us will constitute a long stride toward achieving full compliance with the mandate of the Constitution. The bill is particularly effective in permitting each district to devise whatever plan is best suited to its local situation, while requiring that some system of adequate representation be established in every Federal district. The options provided by the bill will allow an effective integrated system of cooperation between the public defender system and those independent legal aid societies or organizations, as, for example, the Legal Aid Society of New York City, which have such a long and effective history in efforts to insure equal justice under the law.

This is a bipartisan matter; by the enactment of this legislation we will not be traveling into unchartered waters, but merely establishing the means by which to carry out the constitutional mandate.

I would like to point out that both the present Attorney General, Mr. Kennedy, and his predecessor, Mr. Rogers, have worked strenuously for enactment of legislation in this field. This bill (S. 1057) is the result of many years of serious study by leading authorities in the realm of criminal law.

Mr. President, I strongly urge that this bill receive favorable consideration by the Senate.

Mr. HRUSKA. I thank the junior Senator from New York for his statement.

Mr. ERVIN. Mr. President, the passage of the pending bill will be a landmark in the improvement of the administration of criminal justice. The able and distinguished Senator from Nebraska [Mr. HRUSKA] deserves the thanks of the country for the great work he has done in bringing this bill to this point in the Senate.

Mr. HRUSKA. I thank the Senator from North Carolina. He was of great assistance, as were all other members of the Judiciary Committee, to see that the bill was reported in its present form.

Reference was made to legal aid societies by the senior Senator from New York. Although the Senator from that great State is particularly eager that provision be made for taking advantage of the excellent work done by legal aid societies, there are several States in which that is true, although, of course, New York is one of the most noted in that respect.

Mr. ALLOTT. Mr. President, as a practicing attorney before I came to the Senate, I congratulate my distinguished colleague from Nebraska and all other Senators who played such an important part in bringing the bill to the floor. This is not the first time it has been before the Senate. It is my hope that this time the bill will become law and that the country will have the advantage of the public defender system, which it has needed for such a long time.

A few moments ago the senior Senator from New York said that the bill was important with respect to our young men and women. In my opinion the bill is not limited to those people.

The law is a highly technical field. It requires great skill and great study. The law is always the master of the people who practice law.

In such a situation it is unfair and wrong that we should expect people to be able to defend themselves without having full recourse to good legal talent. It is a matter of impressing the justice of the courts upon everyone. They can hardly be expected to be impressed by this justice if people do not have adequate representation, and feel that somehow or other they have been denied justice.

I join many others in congratulating the Senator from Nebraska on the bill, which I know has been close to his heart for such a long time and on which he has done so much work. It is a great step forward.

Mr. HRUSKA. I thank the Senator from Colorado. He speaks with a vast background of experience both as a former prosecutor and defender. He knows the real problems that are involved.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. HRUSKA. Mr. President, I move to lay that motion on the table.

The motion to table was agreed to.

Mr. HRUSKA. I ask unanimous consent that the bill be printed in its final form.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNIFORMED SERVICES PAY ACT OF 1963

Mr. MANSFIELD. Mr. President, before I call up the next order of business, I feel that I should comment upon the magnificent skill, generalship, and knowledge shown by the distinguished Senator from Nevada [Mr. CANNON] this afternoon. He knew his subject. He handled with great ability the amendments as they were offered. He performed a public service. He was able to have passed, on a unanimous basis, a bill which was long overdue and which will be met with wide acclaim by members of the armed services.

I point out, as the Senator from Nevada has done, that the bill passed by the Senate today is not a spendthrift bill, but is, in effect, an economy measure. A very great deal of money is spent by the Government upon the youngsters who enter our military service and are trained to be electronics experts, pilots of various kinds of aircraft, and skilled scientists. So long as they remain in the service, there is a return to the Government for the money expended. But when they terminate their service—and the turnover is quite large—additional funds must be used to train new personnel. In that way, expenses in the Military Establishment are very much increased.

To me, the pay bill is an economy measure, one which is long overdue, and one which will be welcomed, at long last, by the armed services.

Great credit and commendation must go to the distinguished Senator from Nevada for his accomplishment this afternoon, and I am delighted to give him such commendation at this time.

Mr. PROXMIRE. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield to the Senator from Wisconsin.

Mr. PROXMIRE. I concur in everything the Senator from Montana has said. I have received from the Pentagon information that the cost of training a B-52 pilot in the ROTC is estimated by some to be $2,500,000 for each pilot. That is a perfectly astonishing cost. Although this may not be the cost of training an individual pilot, the fact is that some 327 persons enter training in order to produce 100 pilots who will stay in service. The high cost of training includes dropouts and attrition, because many of the pilots will take other positions or will enter other careers, without remaining in the service for which they have been trained.

The Senator from Montana makes an excellent point when he stresses the economy aspects of the bill.

Mr. MANSFIELD. The Senator's statement is correct, although I believe the figures he used apply primarily to pilots being trained under the ROTC program.

Mr. PROXMIRE. Yes. It is my understanding that pilots who are graduates of the Air Force Academy remain in the service in larger numbers, and with a most encouraging consistency. Something like 100 out of 118 remain in the service. So, of course, the cost in that respect is much less.

Mr. MANSFIELD. The proportion of those who remain in the service is far higher for those who come from the Air Force Academy. However, as the Senator from Wisconsin has stated, there is a larger attrition or a larger number of dropouts among those who are trained under the ROTC program.

I agree with the Senator from Wisconsin that the bill is an economy measure. I also wish to commend the Senate for its action in approving these two very important measures today, the military pay bill and the public defenders bill.

AGENCY POLICIES AND RESEARCH RESTRICTIONS

Mr. MORSE. Mr. President, first I want to congratulate the distinguished and able senior Senator from Alabama upon reporting the measure relating to appropriations for the Department of Health, Education, and Welfare, H.R. 5888.

It is indeed a herculean labor that he and his colleagues on the committee perform for us in an area that is vital, but which by its very nature, since it involves the disappointment of the hopes of some, is too often a thankless task.

In what follows, I wish to make perfectly clear that I have no quarrel with the decisions of the committee on specific items. Rather, my intention is to bring to the Senate information I have collected from distinguished scientists in Oregon regarding the policies and procedures of the National Institutes of Health and the National Science Foundation with respect to the controls exercised over grants made by these agencies.

Early in the year, I had the good fortune to talk with a most distinguished scientist during the course of an airplane trip. He is not an Oregonian, I might add. His representations to me caused me to look into the programs through both the published comment and a private survey in which I solicited views from Oregon scientists.

Mr. President, I ask unanimous consent that at this point in my remarks there be printed three editorials from Science dated January 25, February 1, and February 25, which set forth the problem which concerns me, and in addition, an article from the February 15 issue of Science written by Representative FOUNTAIN.

There being no objection, the editorials and articles were ordered to be printed in the RECORD, as follows:

[From Science, Jan. 25, 1963]

CONGRESS AND RESEARCH

In almost any enterprise the agency furnishing monetary support has or can seize a predominant role in decisions affecting the way in which the money is spent. In applied research such control usually is desirable and even necessary. In fundamental research it is often well to give the investigator wide latitude to determine his own course. The wisdom of this policy has been widely recognized. The Government granting agencies have been particularly enlightened in their administration of research grants and have not unduly interfered with the conduct of basic research. Science has enjoyed bounteous support from Government with a minimum of onerous controls or influence.

My guess is that the honeymoon is about to end and that there could be trouble ahead. I see signs that Federal policies are changing and that various interferences with the optimum development of science are likely to stem from Washington. The scientific establishment may be in the process of coming under the closer control of Congress.

One reason for concern is that to an increasing degree our academic institutions have become dependent on Government grants and contracts. This one source now furnishes a greatly preponderant fraction of the money for research. Before the advent of large-scale Federal support, funds were limited, but they came from many sources. Only limited harm could result if an individual grantor pursued restrictive policies. In the early days of Federal grants, the agencies, in effect, were in competition with other sources of money. If Government policies were onerous, investigators felt little pressure to comply, they simply obtained their funds elsewhere. Thus the wisdom and restraint shown by the agencies were reinforced by the bargaining position of the scientists. This healthy situation has changed as Government has become the major source of university research funds and as the bargaining position of academic scientists has weakened. Almost inevitably the relation of the research worker to his donor is destined to be altered.

This already has begun to occur. For years the National Institutes of Health pursued increasingly liberal policies. The good scientists were supported. There was almost no bureaucratic interference. Paperwork was held to a minimum. As a result we are in the midst of tremendous fundamental progress in biology and medicine, and the Nation is gaining and will ultimately gain even more in better medical practice. Congressional pressure has now forced a change in NIH policies. It has been alleged that the agency is not exercising sufficient control over the expenditure of Government funds. In consequence, NIH grantees are subjected to the irritating, time-consuming petty annoyance of increased paperwork. This paperwork will be done. Scientists receiving Government support will continue to seek it even on the less attractive basis. There is in practice little alternative. Would NIH procedures have been changed in quite the same manner if the academic bargaining position were not so weak? This development is not so important in itself. It is significant because it is a sample of what could happen. Congress at this moment has the power through control of funds to alter or to channel activities of the academic scientific establishment. Further evidence that Congress has this power may soon be forthcoming.—P.H.A.

[From Science, Feb. 1, 1963]

Government Support of Research

The legislative process for support of science seems to function best when a spectacular package is involved. Although Congress has attempted to give every encouragement to science over the past decade, there has been particular emphasis on research in medicine, high-energy nuclear physics and, more recently, space. It is almost certain that funds for space research will increase sharply. This is an important frontier, but only one of many. There are negative features of these great spectaculars. The President's request for $98.8 billion is certain to come under attack, but appropriations for defense and space research are unlikely to suffer. Other areas are relatively more vulnerable, and some may receive less money during the next fiscal year. Formerly, when one segment of research was supported on a large scale, other areas also benefited. With search and development appropriations now taking an unprecedented proportion of the national budget, further expansion across the board may not come so easily as in the past.

Another negative feature arises from the fact that the number of competent investigators is limited. The great expansion in space research will in part be accomplished by recruiting workers away from other fields. Many areas of science which have promise of yielding important philosophical and practical results will suffer as talent is withdrawn.

Still another negative feature is a psychological one. Scientists, like other human beings, are affected by fads. They tend to go with the crowd. The research worker who does not go with the crowd encounters a rather bleak climate. He is likely to be regarded by administrators and laymen as an odd fellow who is not in tune with the times. Under this pressure, undue emphasis develops on glamorous areas.

Government policies are shaping academic research in this country, but who in government has as his primary responsibility the duty to give continuing serious thought to the effects—positive and negative—of excessive concentration on a few areas? Support for research should be balanced and should reflect needs and opportunities throughout science. One organization which could be helpful is only sporadically called on. The National Academy of Sciences is broadly representative of the sciences. Its members are drawn from all sections of the country. Unfortunately the Academy has recently had little influence in formulating broad policies with respect to science. The organization has been used principally as an agent to generate still more spectaculars such as the International Geophysical Year. The National Academy of Sciences-National Research Council could serve a broader function, and the Government would be well advised to avail itself of this source of wisdom and experience.—P.H.A.

[From Science, Feb. 22, 1963]

More Paperwork, Less Research

Scientists in all fields should be concerned about a sequence of events during the past year which has adversely affected the grants program of the National Institutes of Health and could be repeated with other agencies. For many years NIH enjoyed a favored status. Congress was against cancer, heart disease, and other ailments and for curing them. The management of NIH has consistently been first class and through the mechanism of study sections the organization has effectively utilized the best judgment of the scientific community.

Policies with respect to grants were excellent and involved minimum paperwork. The program was successful. It attracted the very best talent and led to many practical accomplishments. In addition, fundamental research was successfully fostered, and biology in this country is in the midst of its most flourishing epoch.

The program owed its success to the fact that NIH selected and supported the best investigators and then trusted them. Unfortunately a small minority of scientists betrayed that trust. These few rendered NIH vulnerable to attack by a committee of Congress.

The operations of NIH are monitored by the Intergovernmental Relations Subcommittee of the Committee on Government Operations, House of Representatives. Congressman FOUNTAIN is chairman. One of the activities of this committee is to hold hearings at which testimony is elicited from James A. Shannon and his staff. One of the crucial sets of hearings occurred on March 28, 29, and 30, 1962. The subcommittee had uncovered a situation in which advantage had been taken of the NIH system.

This unfortunate slip was used by the subcommittee to subject Shannon and his aids to an extremely unpleasant 3 days. One instance of mismanagement was given great emphasis, and the excellence of the overall NIH program was overlooked.

The hearings forced an acceleration in changes in NIH policies toward closer control of its grants. The paperwork required for yearly continuations has been substantially increased. Grantees report that they must spend from 1 to 7 days in obtaining information and filling out the form. Since many senior investigators are involved, work on this form will cost the Nation millions of dollars in time lost from research.

Moreover, grantees now must make a special justification to Washington whenever budgetary changes involving items costing over $1,000 are made. To handle this paperwork more bureaucrats must be recruited. Previously the NIH program was staffed with knowledgeable scientists. The new posts can only be filled with administrative types who will not be able to handle scientific problems with confidence. They can only run scared, go by the book, and introduce all kinds of excuses for delay.

The changes will increase inefficiency and delays substantially. If no further demands are made on NIH this price might be justifiable. However, if further controls are required the Nation's health research program could be severely handicapped. It is unfortunate that in order to chastise a few, regulations must be imposed which penalize the many, including some of this Nation's most valuable and productive scientists.—P.H.A.

[From Science, Feb. 15, 1963]

Readers' Comments—Congress and Research

I have read with interest your editorial, "Congress and Research," in the January 25 issue of Science. While fully agreeing with your thought that Congress is moving in the direction of giving closer scrutiny to the management of the large and rapidly increasing Federal funds for scientific research, I cannot accept your thesis that this is undesirable.

I find especially open to question your assumption that what you call the increasingly liberal policies pursued by the National Institutes of Health in the past are more beneficial to scientific accomplishment than the more fiscally responsible policies urged by our committee.

When you state: "It has been alleged that the agency is not exercising sufficient control over the expenditure of Government funds," you imply that this finding has not been well documented and established. I am taking the liberty of sending you under separate cover the reports issued by our committee concerning the administration of the NIH grant programs (H. Rept. 321 and H. Rept. 1958 of the 87th Cong.), together with the related subcommittee hearings. These, I believe, amply demonstrated the need for clear and objective Government policies for assuring the most prudent expenditure of public funds as well as the equitable treatment of scientific investigators.

In this same connection I would refer you to the excellent article, also appearing in the January 25 issue of Science, which analyzes irregularities in the handling of National Science Foundation funds by the American Institute of Biological Sciences. These irregularities appear to have resulted from the kind of liberal policies advocated in your editorial.

L. H. FOUNTAIN.

(Representative FOUNTAIN, Democrat, from North Carolina, is chairman of the Intergovernmental Relations Subcommittee of the House Committee on Government Operations. The subcommittee has been extremely critical of the fiscal practices of the National Institutes of Health, and has been the principal source of pressures that have resulted in NIH adopting tighter administrative policies.)

Mr. MORSE. Mr. President, on July 3, 1963, I wrote to a number of Oregon scientists. I ask unanimous consent that my draft letter be printed at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JULY, 3, 1963.

DEAR ———: Much concern has recently been voiced to me by recipients of grants under the control of the National Science Foundation and the National Institutes of Health regarding the regulations issued as a result of the criticisms made by the Fountain committee of the House of Representatives.

In order that I may learn first hand from those most immediately affected by these changes, I have taken the liberty of imposing upon you to request a candid and frank appraisal from you of the impact of these changes upon your research operations. You may be sure that I shall treat your replies in a confidential manner.

You can appreciate that the information you provide me will be most helpful to me in my discussion on the floor of the Senate and with members of the Senate committee at the time the appropriations for the National Science Foundation and the National Institutes of Health are being considered. Attached is a self-addressed return envelope which needs no stamp. Your cooperation in providing me with the desired information is deeply appreciated.

With kindest regards.

Sincerely,

WAYNE MORSE.

Mr. MORSE. Mr. President, The response I received to these inquiries, as was to be expected, varied, but I think it significant that by a ratio of 7 to 1, these able and dedicated men and women expressed their concern over the impact of the policies being applied by the agencies as a result of congressional action.

The case they make can best be expressed in their own words. In the eight letters, which follow, I have deleted the names of the scientists and the institutions in which they are located. I have also, in a few instances removed specific references to the projects discussed by the writer in conformance with my pledge to them that anonymity would be preserved in my use of their replies to me.

Mr. President, I ask unanimous consent that the eight letters to which I have referred at this point be printed in my remarks.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

JULY 9, 1963.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: This is in response to your July 3 letter of inquiry concerning recent scientific research grant practices. The issues on which you seek to inform yourself touch the quick of a large percentage of scientists. More important than that, they are having a marked impact on higher education.

I hope that you will not be dismayed to hear that the newly instituted "changes" being so widely discussed have had no impact whatever on my research activities. As yet I know of no friend or acquaintance who has been seriously affected by the new regulations either. Most of the complaints have been heard from men employing 'sharp practices' or from administrators who ignored the rules of the agencies. I have heard some complaints from research men in large universities that excessive paper work was now mandatory.

During the year 1959–60 I was [an official in ———]. Among many other things I learned that college and university administrations were neither imaginative nor very responsible in the way they handled research grant matters. The program administrators in Washington are constantly seeking insurance for custody of public funds and finding little response in the universities. Indeed many of the larger universities sent entrepreneurial representatives to promote larger grants.

At the present time, as in the past, scientific investigators resist any moves to vest control of grant funds in the university administration. In theory I quarrel with this, in practice I am bound to say that I am sympathetic. For the most part, money spent by investigators is spent wisely and well. Gross mismanagement is easy for the university to control but it is common to find strict control measures applied only where it will have nuisance value. Any committee such as that headed by Mr. FOUNTAIN can find evidence of inefficient practices if they measure efficiency by dollar standards. Seldom can an investigator adjust scientific exigencies to bargain prices.

It is my opinion that the National Science Foundation has given the investigator the best kind of support possible but this has involved very careful screening of grantees and, on the whole, small grants. NSF has been honest but poor. Some of the scientific entrepreneurs were not too keen for NSF grants because they were not big enough. Undernourishment of the NSF budget has done little to popularize its grant policies. In contrast, money has been showered on NIH. Not only was it possible to get much larger grants but also higher risk proposals could be funded. It seems to me that this is precisely where the colleges and universities failed utterly. Both they and the NIH management delivered their responsibilities into the hands of the study sections composed of scientists. Brilliant as many of them are, they could not be expected to respond to the political climate nor to the thinking of the accountant or budget director.

So far as I can tell NSF policies have not changed, nor is there need to do so. But the funding policies will not support the kind of scientific enterprises fed by NIH. (As one example I might note that activity in [a scientific discipline] here as in many schools is highly dependent on Training Grant funds which come only from NIH. If the Nation is to support research at anything like the present level then real responsibility must be assumed by someone. My own prejudice is that the responsibility should rest squarely on the administration of the university. Unfortunately, our State government, like many others, has almost given up responsibility for research. The budgetary distress may be so acute in many universities that it will be difficult to set up control mechanisms. This is the source of many of the malpractices which distresses Mr. FOUNTAIN'S committee.

I cannot know what you consider the important political issue involved but I would like to leave the following thought with you. The institution has today a respectable repertoire of research and some remarkable scientists. There has been excellent cooperation between administration and staff. I think Mr. Fountain would be pleased if he investigated us. But our welfare as a graduate institution rests absolutely on funds from NSF and NIH. It would be wrong to accuse the State of nonsupport but the State funds for research are only a mere fraction of that needed. In short, graduate education in science is at stake because it is inseparable from research. I hope that you will find it possible to support a substantial budget increase for both NSF and NIH and that you will also insist on accountability.

As noted above, it may be very difficult for some institutions to set up a competent staff to discharge grant responsibilities. If that is the case, then I would suggest that you consider the possibility of making Federal grants for this purpose too.

I find it difficult to terminate my answer because there is so much more that needs to be said and must be understood. No doubt it is annoying to you and to many others to find big science pushing its way about Washington. I can only hope that you will continue to try to understand the problems.

Respectfully,

——— ———.

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AUGUST 1, 1963.

Senator WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: This is a reply to your invitation of July 3, 1963, that I send you a frank appraisal of the impact upon my research operations of the regulations issued recently by the National Institutes of Health.

1. It is very noticeable that I now have to spend considerably more time making sure that the regulations are being followed, particularly when an application for support of research is being prepared. I believe this adds to the cost of the research, and is for the most part, neither necessary nor efficient.

2. The regulations have undergone several modifications. I notice an undercurrent of apprehension that I may have violated some regulation, either because I have forgotten its interpretation, or never noticed that it applied to my particular activities. I find myself wondering whether some years from now a Federal or commercial auditor of my research expenditures may ask me to account for some item which I bought for some reason that seemed good at the time, but which I am likely to have forgotten.

3. As a member (since 1953) of various NIH consultant committees, I had a very high admiration for the way in which the research activity of scientists was being encouraged. I thought it a supreme example of the democratic process at its best, when special abilities need to be encouraged and utilized by the country. I often urged that the widest publicity should be given to these procedures involved.

I now feel that an element of considerable distrust has entered the relationship between grantor and grantee. I watch every step I take in order to make sure I won't be found dishonest by some official at some time in the future, no matter how innocent the error. I am less likely to take a gamble on a new idea that might not lead to anything solid.

4. In summary, the impact upon me of the new regulations is that I give the country less per research dollar granted, I am more cautious than is sensible for a research worker whose contributions should include the novel and the audacious idea or experiment, and I have the strong conviction that far more is lost by the new regulations in money, ingenuity, and originality, than whatever amounts of money may be saved by them.

I hope that a committee of scientists and legislators, of sufficient status and knowledgeability, will be set up to find a better solution for the problem of the rare scientist who is dishonest and for the preservation of the feeling of trust on the part of all the other scientists.

Sincerely yours,

——— ———.

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JULY 30, 1963.

Senator WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: Generally speaking, I think NSF and PHS grants have been very successful in promoting basic research in the United States. I don't know what we scientists would do without this help. Also, generally speaking, grants have been made more on the basis of the researcher's talent and promise than on the basis of the specific problem proposed. This is just as it should be, in order to allow unfettered originality to play its major role in new advances.

I have two serious complaints about recent developments: (a) There is a tendency, especially in PHS, to try to restrict research to the problems outlined in the original proposal. This is ridiculous. The better the scientist; i.e., the more original, the less likely he can predict in advance exactly what he wants to work on next. Support should be primarily for the man, not the problem. (b) Scientists and secretaries now have to waste a lot more of their time filling out silly forms. The more red tape, the less the Government and people get for their research money.

In conclusion, I should point out that my views have been arrived at as a recipient of

NSF and PHS grants, and also as a member of research grant panels of NSF and PHS.

Sincerely yours,

——— ———.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: Up to the present I have not observed any untoward effect on my research of the regulations resulting from the Fountain committee's criticisms of NIH administrative policies on research grants. This may be due to a lag between the dissemination of such regulations and their being put into practice.

I read the reports of the Fountain committee shortly after they became available and was more sympathetic to the views of the NIH Administrators, who kept emphasizing in their testimony the need for keeping the research investigator free from unnecessary restrictive administrative procedures, than I was to the bookkeeper approach of the committee. True, a number of loopholes in administrative regulations were revealed which unprincipled individuals could turn to their own advantage. But wouldn't such individuals act in this manner if they were also bound hand and foot with regulations? My general impression is that the number of instances of malfeasance was very low, perhaps much less than occurs in the normal population; university administrators and scientists are probably no more inclined to knavery than are Members of Congress. No substantial argument can be made against eliminating such loopholes in administrative procedure that can lead to abuse of the research grant funds.

What does become a hazard is the imposition of needlessly restrictive regulations, either directly or indirectly, on the researcher. The research scientists tend to be individualists and nonconformists (Anne Roe has reported an interesting study of personal qualities in a group of eminent scientists); I think most of them appreciate and are grateful for the aid given by Federal funds for research. But they will grow resentful of what they consider demands that interfere with the research. Individuals here and there may begin to resort to subterfuges of various kinds to avoid being interrupted by (in their eyes) needless or inconsequential regulations. In this respect I think Dr. Shannon and his staff at the NIH have a better understanding of the way scientists tick than does Mr. FOUNTAIN.

I fear I have given you my personal opinion and general impressions, rather than citing specific results of the new regulations on my research. Should application of the regulations give rise later to what I think may be generally undesirable effects, I shall be glad to write you.

I appreciate your interest and concern in this problem and am certain the scientific community will welcome your discussion of it.

With best regards.

Sincerely yours,

——— ———.

JULY 14, 1963.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I appreciate the opportunity to express my opinion of the more stringent restrictions now being placed on recipients of NIH and NSF grants.

I feel that Representative FOUNTAIN and his committee have the best of intentions in trying to avoid misuse of the taxpayers' money. I am in entire accord with restrictions that will prevent yearly jaunts to Europe and the furnishing of private clinical offices from funds that were designated for scientific research. Over the 15 years that I have been in academic research I have seen far too much of just such types of dishonesty. On the other hand, I feel that there should be considerable flexibility in the use of funds for hiring scientific personnel and for the purchase of both large and consumable laboratory equipment. This is absolutely essential for following new and significant leads which often arise and should be pursued. Progress cannot tolerate the valuable time, not to speak of enthusiasm, lost in submitting, obtaining, and initiating work on another grant specifically requested for following the new lead.

As you have asked for my personal experience I will take the liberty of citing my own example, since this reply is confidential. Two years ago I received an NIH grant for a specific project. As I changed universities at that time I found that there were neither adequate facilities nor the necessary trained personnel available, so that the project initially could be pursued under far less than full steam. My major work was then directed toward an interesting lead I had come upon, which I was able to investigate with the facilities and personnel available. In that time an experimental system has been achieved in my laboratory whereby the development of a disease has been allayed and deaths considerably reduced. I have, at present, great hopes that this will be tried eventually on human diseases. If the present restrictions had been extant 2 years ago, I would have had the greatest difficulty in following what I consider a most significant lead in ——— therapy.

Thus, while the need for more restrictions in areas where serious violations have occured and can occur may be called for, less stringent controls in the other areas to which I have alluded would be desirable. In this connection, unfortunately, those who are dishonest are also clever and manipulative enough to continue their mode of operation even under the new restrictions, penalizing the honest and dedicated scientist.

May I personally offer you my fullest support and backing for all of your fine work. Since long before coming to Oregon, my wife and I have had the greatest admiration for you as an outstanding statesman and a man of the highest integrity and conviction.

Sincerely,

——— ———.

JULY 16, 1963.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: I have received your letter concerning the new regulations for controlling grants by the National Science Foundation and the National Institutes of Health. I am very glad to have an opportunity to share with you my feelings concerning the issues raised by the Fountain committee of the House of Representatives and the subsequent steps taken to remedy these criticisms.

I am sure that you realize that scientific research, by the very nature of the activity, cannot possibly specify in advance the particular goals and purposes to be accomplished. Research efforts are carried out only into areas of ignorance in order to extend our knowledge of principles and scientific facts. Thus it is impossible to anticipate obstacles, requirements, and outcomes of such endeavors. Unfortunately, these facts suggest at once that the best laid of plans for a research effort can be executed only if by some unusual stroke of luck all the guesses, speculations, and anticipations were to be fulfilled at each step during the development of the project. A second factor inherent in the research endeavor is the fact that basic principles can often be tested in situations, species, or conditions which themselves are trivial. Often the specific situation under which a phenomenon is investigated may sound absurd to the naive observer. It is difficult to understand that progress in the understanding of the development of personality can be made by watching adult college students learn nonesense syllables. Similar problems exist of course in physics, chemistry and other natural sciences.

I have been fortunate to have had support from the U.S. Public Health Service for research activities in ——— since 1954. Since that time we have published a number of papers and found some rather interesting facts concerning the nature of ———, and its possible application to the diagnosis and treatment of ———. During this time there were both "lean" and "fat" years. In several cases our research interests changed when we discovered an apparently important relationship. Frankly, none of this research would have been possible without support from the Public Health Service.

Research activities, at least at our major universities, are not compensated directly by anybody. Most of us have spent our evenings and weekends carrying the usual teaching and administrative loads in addition to our research activities. This is especially true of many young investigators. It means that the individual has to have inherent interests, fascination, and a willingness to sacrifice time and energy in order to conduct such research. There is no doubt that research accomplishments have long-range and intangible personal advantages. These, however, are advantages which are primarily rooted in the deep satisfaction resulting from recognition of one's life work by one's colleagues, in the stimulation of seeing newer and better ways of understanding natural phenomena and the nature of man. I am sure that you are also aware of the fact that in the community of scientists material and financial benefits are not only secondary but sometimes actually looked down upon by one's fellow scientists because of the implication of a material and egocentrically-oriented value system which is totally inconsistent with the work of a scientist. I believe these are among the many reasons why research investigators are not and cannot be expert businessmen or administrators.

The criticisms by the Fountain committee and occasional comments by other members of both the House of Representatives and the Senate have deeply hurt the sensitivities and feelings of many scientists. I have heard comments of this sort by many of my colleagues across the Nation. As scientists we have little to guard but our reputations and our skill in ferreting out new knowledge and bringing it to public attention. We all know that investigators are carefully screened by a procedure which is probably unsurpassed in excellence by any other organization in the country; i.e., the procedures for grant awards by the National Institutes of Health and the National Science Foundation. In most cases investigators hold responsible positions, affecting thousands of people through their teaching, their consulting activities and their participation in civic planning. As a rule, research investigators are not picked at random, they are individuals whose interests, whose life patterns and whose accomplishments have been closely scrutinized. Any implication that these individuals intentionally misuse funds carried with it also the implication that many of our leading citizens are dishonest or willfully misuse their positions in office for personal gains. I am sure that you will agree that such is the case in so small a percentage as to be practically unknown. I have not, in my 10 years of experience in this field, come across one single individual who has been able to complete successfully a graduate education or research training and to hold a position in an academic institution or research organization for any length of time if even the slightest doubt about his intellectual and personal integrity had arisen.

Because of these facts it is extremely difficult for a scientist to defend his research projects to the broad public or more specifically to justify occasional errors in judgment when research efforts are not fruitful and his planning and expenditures of funds did not "pay off."

I want to address myself now specifically to the changes instituted since the recent attacks on the National Institutes of Health. In my own experience I have found that many of the new regulations are time consuming and in the long run result in greater expenditure of both money and effort than was earlier the case. These regulations also represent serious obstacles to engaging freely in activities which investigators would judge as essential to their efforts. Monthly reports of the percentage of time spent by each person on each project, for example, are not only burdensome but literally impossible. Some of our time spent on NIMH research supported projects is spent before going to sleep, while in bed and thinking about research. Many of our so-called "vacations" are spent with colleagues in discussing in a leisurely fashion new ideas and new possibilities. On the other hand, I find that those who work for me work best when I judge their productivity by their results and their involvement in the job rather than in terms of specific hours and minutes spent on it. After all, the products of research activity are not measured in time spent but in ideas produced.

The limitations on budget categories require anticipation of unknown developments. I can present an approximate budget for the next 3 years because of my past experience. I cannot, however, know today what my results on the first series will be. Therefore, I cannot predict the necessities for the purchase of new equipment, the hiring or discharging of research personnel, or the requirement of new facilities or the abandonment of old equipment.

There has been considerable discussion of the utility of travel expenditures for general facilitation of research. In my own experience the best contribution to my understanding of a problem has often come from discussions with colleagues, away from home, at a convention, or at a research meeting. The exchange of ideas, the exposure to activities of other researchers across the country are the very lifeblood of creativity. These exchanges tell us whether we are pursuing a worthwhile goal, what others have found which would markedly reduce energies and expenditures on our own projects. I believe that a misunderstanding of the use of these funds again lies in the fact that there is no tangible final product or process to which we can point when a researcher gains wisdom, insights, or knowledge except in his long-range output.

Since the beginning of the new regulations issued by the National Institutes of Health, in my opinion, there has been an incredible increase in the waste of human talents, moneys and facilities in order to regain a small degree of efficiency in bookkeeping and accounting. I believe the restrictions imposed on NIMH and NSF are similar to hunting squirrels with cannons. The proliferation of personnel to watch other personnel, the resentment engendered by the subtle implication that an investigator is basically dishonest and therefore must be held to account for every decision and single expenditure, all these factors threaten to stifle interest among scientists for support from the Federal Government and to slow down our scientific progress. Personally, I am appalled at the shortsightedness of sacrificing so much for so little. Even granted that the very occasional irregularities could be remedied, I believe that the present cure is worse than the disease.

I want to express my appreciation to you for your interests in this matter and I hope that my appraisal of the situation will be of help to you. I also appreciate your assurance that these comments will be treated in a confidential matter and want to indicate to you that these represent my own personal opinions. I was delighted to learn that this problem has come to your attention and will be following any developments with great interest.

Sincerely yours,

——— ———.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: Thank you for your letter of July 3, 1963. I am very glad indeed to hear that you are taking a serious interest on the grant management at the National Science Foundation and the National Institutes of Health.

In my sincere opinion, the new regulations devised by the research support agencies, particularly the National Institutes of Health, constitutes a major roadblock in developing good research programs in this country. To comply with these regulations, research workers have to spend approximately 10 to 15 percent of their time taking care of the paperwork which has nothing to do with the research operation. In addition, the mental anguish associated with the paperwork is not to be underrated. Every time I read through these regulations I found that they serve as a reminder that I, as a science research worker, am not trusted by the governmental agency. I do not deny that there are cases of research funds being misused by program directors; however, these cases, in reality, constitute only a minute fraction of the overall research programs in the country.

In my opinion, the most serious problem is not the misuse of funds by the research workers, but rather the lack of coordination among the research supporting agencies. Insofar as I know there exists no systematical coordination among the program reviewers of different Federal agencies. In fact, at times, agencies are competing with each other in establishing identical programs.

It is my sincere belief that there is an urgent need to establish a concrete and efficient coordination program among all of the research supporting agencies so that much of the wasteful spending can be eliminated and the progress of scientific research, on a national level, can be expediated.

I thank you very much for giving me this opportunity to express my views in this respect.

With my best regards.

Sincerely yours,

——— ———.

Hon. WAYNE MORSE,
U.S. Senate, Washington, D.C

DEAR SENATOR MORSE: In reply to your letter of July 3, I have several comments which I hope will be of value to you during discussions of appropriations for the National Science Foundation and the National Institutes of Health.

I appreciate the responsibility Congress must feel to assure proper expending of public moneys. It is regrettable in many ways that these two agencies have been singled out. I say this because in terms of adequate evaluation of research proposals these two agencies are known in the scientific world as operating in a most judicious manner. In my experiences with governmental granting agencies, the system of study sections under which these agencies operate is most superior.

It is somewhat early to know exactly what the impact of the new regulations will be. It is apparent that it will be another administrative chore that removes the scientist from the laboratory. The proper execution of a scientific program requires a certain amount of fiscal freedom. This is particularly true in being able to transfer funds, within reason, among various budget categories. Sometimes a particular research program may require more hands and thus a need for transfer of funds to personnel. Another time it may be necessary to purchase supply items more expensive than originally estimated. If too rigid a policy for transfer of funds is imposed, this may necessitate supplemental applications. Since such a course of action may require up to 6 months prior to approval, you can appreciate the lag in some essential research that results.

According to other investigators here and our business office, to date, one of the most time consuming and confusing changes has to do with time estimates. Formerly we reported personnel working on grants only as a budgeted item yearly. Now we have to make quarterly reports of an estimation of actual percent spent by each individual. This means additional reports and has led to a great deal of confusion. It is difficult to see why a budget category estimate and adequate accounting is not sufficient. This only requires minor restrictions as to transfer among categories.

In addition, the pressures on these agencies, I feel, has caused continual administrative changes. These add to confusion and extra expenditures of time. As an example, in the last few months we have been told three different ways to treat overhead: (1) overhead would not be paid on fixed equipment but on movable equipment; then (2) on none; then (3) on items costing less than $500. Since this has occurred after the investigations of the Fountain committee, this is undoubtedly a result of the pressures NSF and NIH are being subjected to.

Again, I understand the necessity of assuring fiscal responsibility on the part of Government agencies.

In recent months the extra burdens being forced on the working scientists have resulted in a lowering of morales with the result of impeding scientific progress. The implications all too often are that all scientists are involved in some kind of "fiscal tricks." Since most university business offices are a rather conservative lot, I really feel that they have and will accept fiscal responsibility. This can best be done under the framework of their policies together with broader and particular restrictions peculiar to the granting agency. This is particularly true at —— where grant funds are treated much the same as State-appropriated funds, and I'm sure you're aware of the close scrutiny these receive.

I hope these comments will be of some value. I am certainly willing to furnish any other information or expand on these comments.

Sincerely,

——— ———.

Mr. MORSE. Mr. President, one specific case was brought to my attention as illustrative of the type of report which some scientists find objectionable. It was set forth in a letter to the Surgeon General by a fine chemist from another State and came to me in connection with my inquiry of the Oregon scientists. I ask unanimous consent that this letter to the Surgeon General dated July 24 be printed at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JULY 24, 1963.

Dr. LUTHER TERRY,
Surgeon General, Department of Health, Education, and Welfare, U.S. Public Health Service, Bethesda, Md.

DEAR DR. TERRY: In your memorandum of June 12, 1963, addressed to all NIH grantees, you invited views and comments on the proposed research project grant regulations which appeared in the Federal Register in early June. This letter encompasses both comments and criticism on the present patent policy and I trust that it reaches you before the expiration of the 60-day deadline.

At the outset, I wish to emphasize that I am discussing only research grants and not research contracts. Furthermore, I would like to state that I am in complete agreement with the basic premise of the NIH patent policy, namely, that inventions made under partial or total NIH grant support should not be the subject of patent applications or patents benefiting the investigator or the institution. Having stated these two premises, I would now like to point out that the present patent policy is probably unenforceable in its current form and that it can be pernicious if taken literally. Theoretically and legally, this will enable the Surgeon General to terminate most research grants at will if all administrative procedures are not followed by grantees, since he now has this prerogative. I shall demonstrate below with a concrete experiment that the majority of investigators are definitely violating the patent procedure as it is now defined and that they will be forced to continue to do so, because it is completely impractical. I shall also show that, even if the grantees followed the present regulations literally, the NIH would be in no position to handle the problem.

I am presuming that the chief purpose of the NIH grant program is the development of new knowledge and new capabilities in the health sciences and that such information should be made available to the public. The traditional and proper way of making it public is through the medium of scientific publication. I am assuming further that it is not the primary or even secondary function of the NIH grant program to secure patents on behalf of the Government. Indeed, in the relatively few cases where patents are taken out by the Government, they are made available on a royalty-free basis, thus fulfilling the concept of availability to the public.

Therefore, the only possible justification for patents is to safeguard the public from private individuals or organizations securing patents on the basis of earlier publications describing NIH supported work, since such patent applications could be filed within a year of the publication date, provided certain other conditions were met. I imagine that occasionally such a situation may have arisen in the past and it is conceivable that it might arise in the future. However, if we consider the fact that there are well over 10,000 NIH grants in operation per year and that they give rise to probably a larger number of publications, it is false economy in the extreme to devise a system which will cost us untold millions of dollars in man-years to plug a possible minute loophole. The reason for my concern and for my having performed the specific experiment outlined below, is the following:

Paragraph 52.22 (Inventions and Discoveries) as published in the Federal Register is covered in further detail in section 505 of the "Grants Manual" dated January 1, 1963. The first sentence of section 505, paragraph A, reads: "Department of Health, Education, and Welfare regulations (45 CFR, pts. 6 and 8) provide as a condition that all inventions arising out of the activities assisted by Public Health Service grants and awards shall be promptly and fully reported to the Surgeon General."

This report, according to paragraph C, must take the following form:

"C. Formal reports of invention:

"In respect to inventions reported direct to the Surgeon General for determination under Department regulations, a formal report of invention is required in the nature of answers to 18 questions listed in the Outline for Invention Reports (exhibit 2). The form and other specific instructions for submission of the report will be provided upon request.

"Progress reports, which may include descriptions of inventions, may not substitute for formal reports of inventions."

In other words, in order to prevent the slight possibility that some other investigator may patent work performed by an NIH grantee, all possible discoveries or inventions should be reported to the Surgeon General, who will then decide whether patents should be taken out. If 10,000 to 20,000 publications are produced each year out of NIH supported projects, the possibility then exists that the Surgeon General may wish to protect several thousand or perhaps all of them by patents. In order to be able to decide on this point, he must first have the necessary invention disclosures, which cannot be the usual annual reports of work performed under such grants.

NIH form PHS 3945 (dated March 1962, and now included in every new grant application form) defines an invention in the very broadest terms. In fact, these terms are so broad that, if the criterion of patentability is not left open to the individual investigator, a completely preposterous situation must arise. I shall cite one specific example: According to the present regulations, any invention or discovery (within the broad definition of PHS 3945) must be reported immediately to the Surgeon General. When this is done, the investigator receives by return mail an Outline for Invention Reports, consisting of 18 questions and included as exhibit 2 in the "Grants Manual." I personally have received such a questionnaire. If I were to answer it haphazardly, I could do so in half a day; if I were to answer it in a really proper manner, it would take several days. Only after the investigator has filled out this questionnaire and returned it to the NIH will the legal staff of the NIH decide whether this material is patentable, regardless of whether the investigator wishes to take out a patent or even whether he considers the material patentable.

I maintain that this procedure is not enforcible and would have preposterous consequences if any attempt were made to enforce it. Of the several thousand NIH grants, at least 50 percent are certain to contain some invention or discovery falling within the definition of NIH form PHS 3945. Many of the NIH grants will contain several such inventions or discoveries. Among the grants in chemistry or biochemistry, I would estimate that over 80 percent fall within this category. Any patent lawyer will confirm that the question of "patentability" is very difficult to answer and that the answer depends largely on one's attitude. If one is interested in securing a patent, a patent attorney can make a good case that a given subject is patentable, while the exact reverse can be accomplished if the attorney is trying to prove that a given subject is not patentable. One can estimate conservatively that, of all chemical patents issued yearly by the U.S. Patent Office, 50 to 70 percent would be declared invalid if carried through the courts—the reason being precisely the uncertainty which exists about the definition of a real invention. I wonder whether the Surgeon General is aware of the fact that many patent applications are filed and patents granted in the chemical and pharmaceutical areas that do not include any experimental work at all—all of the work on the invention or discovery being "paperwork" and that such patents are entirely legal under our present system.

With this information as background, I performed the following experiment:

I selected at random only one issue of a chemical journal—the April 1963 issue of the "Journal of Organic Chemistry"—and then picked out all the articles which acknowledged NIH grant support. There were 17 such articles in the April issue. Of these, I could select only three (pp. 900, 1075, and 1086) which I could definitely say did not contain patentable material. In three other instances (pp. 936, 945, and 1128), an excellent case could be made for patentability, including a statement of utility. Of the remaining 11 articles, in 7 (pp. 923, 928, 942, 964, 1098, 1108, and 1119) a good case could be made for patentability and in 4 (pp. 1004, 1015, 1037, and 1041) a weak case.

According to the present NIH rules, 14 of these 17 investigators should have filed an invention record and subsequently answered the 18 questions of the Outline for Invention Reports. Reckoned conservatively in man-hours, this would require 1 to 2 months. But the real work would start only when the NIH legal staff received these documents and started wading through them. I would estimate that this experiment would have to be multiplied at least several hundredfold each year to cover all relevant grants and that the NIH would require a legal staff which would have to be much larger than the examining staff of the U.S. Patent Office. It would also involve several hundred man-years of investigators' time to handle all the reports, answers, etc., and it should be remembered that the most productive investigators are those with several collaborators, who very likely have many such invention reports each year at various stages of processing.

To complete the above-outlined small experiment from the April 1963 issue of the "Journal of Organic Chemistry," I recommend that the Surgeon General put a member of his staff on the job of checking the seventeen grants to determine whether any invention statements have been filed. The chances are excellent that he will find none. The chances are poor that he will find two or three and the probability is infinitesimal that he will find even 10—let alone the experimentally determined 14 which would be required.

Does this mean that all of these investigators are dishonest, that they are using NIH funds without fulfilling regulations, that they are filing patents surreptitiously? The answer is that the present patent policy is impractical and unenforceable because it cannot be practiced—either by the investigators (who would end up having little time for research if they followed literally the patent regulations) or by the NIH (which does not have even a fraction of the legal staff necessary to handle hundreds of such reports annually). I conclude, therefore, that the patent policy should be changed, before an uproar is raised by some uninformed individual, because it is poor administration and ineffective procedure to have a regulation on the books which no one can follow. The only purpose I can see in it is that it now gives the Surgeon General a means of terminating a grant in midair by pointing out that a grantee has not followed an administrative regulation.

I recommend that the patent policy be simplified and adapted to the de facto situation:

(a) No patents are to be filed by any NIH grantee unless he proceeds in the manner outlined in the present patent policy—section 505, paragraph A.

(b) But, if the NIH grantee does not intend to file a patent application, no specific report should be required of him, his annual progress report and the eventual publications representing sufficient evidence that he has complied with the spirit in which the grant was made.

Department of Health, Education, and Welfare, Public Health Service, National Institutes of Health, Bethesda, Md.—Definition of Terms Used in Annual Invention Statement

(From PHS 3945, March 1952)

Definition of an invention: Any process, art or method, machine, manufacture, or improvement thereof may constitute an invention if it is new and useful, and would not have been obvious to a person having skill in the art to which it relates. A "process" may be either a connected series of steps of a new use of a process, machine manufacture, or composition of matter, in a patent sense; the word "new" has a broader meaning than it has in common usage. The usual test of novelty applied by the Patent Office is the novelty search in which available printed matter is consulted to find if there is a previous description of the invention claimed. This search brings forth prior published knowledge. Any reference prior to the patent application is considered by the Patent Office to be prior art. A description published more than 1 year prior to the date of an application for patent constitutes a statutory ban to patenting. Prior unpublished experiment uses, abandoned experiments, or lost arts are not proper references.

An invention is useful in a patent sense if it is capable of performing some beneficial function.

Conception of the invention: An invention begins with its mental visualization or conception. However, the conception must be complete and include the result as well as the means for bringing about that result. Because the conception is a mental process, it must be communicated to others who understand it before it can be proved satisfactorily. The date of conception is the earliest date to which an inventor can be entitled for priority purposes. If the inventor can demonstrate reasonable continuous diligence in carrying out (constructing and testing) the conceived invention, for purposes of priority, he may be considered as having made the invention when he began the continuous diligence. If this diligence began immediately after conception, then the date to which the inventor is entitled is the date on which the invention was conceived.

Reduction to practice of the invention: The act of transforming an inventive concept into physical reality (construction and testing) is referred to as "reduction to practice" of the invention. The general rules of reduction to practice for the four most important classes of invention are:

1. For a process, when it is successfully performed, this normally requires a test of results to demonstrate the success.
2. For a machine, when it is assembled and tested or used.
3. For an article of manufacture, when it is completely manufactured and tested or used.
4. For a composition of matter, when it is completely composed and tested or used.

Mr. MORSE. Mr. President, I have discussed this matter briefly because in my judgment, the matter is one which will arise in the future with increasing warmth. I caution only that in our desire to achieve the greatest results with the least expenditure we do not defeat our objective of meaningful research. Such a policy would be prohibitively expensive in the long run. Research, that is to say basic research, is still to a degree a matter of serendipity, as shown by the discovery of penicillin, and it can be carried on successfully when it is least hampered by the bureaucratic process of supervision and control. In my view, the return from a research program which wiped out a major disease would pay for all the research ever carried on in the past three centuries or more. I would hope, therefore, that in the regulations which are made by agencies, care will be taken that the research itself be not stultified. Far better for us to appropriate even more money to pay for administrative overhead to cross the "t's" and dot the "i's" of the researcher.

DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE, AND RELATED AGENCIES APPROPRIATIONS, 1964

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 358, H.R. 5888, the appropriation bill for the Departments of Labor, and Health, Education, and Welfare, and related agencies, and that it be made the pending business.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to, and the Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations with amendments.

Mr. MANSFIELD. Mr. President, if the Senator from Alabama, chairman of the subcommittee, will yield briefly to me, I wish to make an announcement.

It is my understanding that the distinguished Senator from Alabama [Mr. HILL] will speak on the bill today. I further understand that it is quite possible an amendment will be offered, but only for the information of the Senate. There will be no voting today on this measure or on other measures. The remainder of the day will be taken up with a discussion of the bill and with other matters.

ORDER FOR ADJOURNMENT UNTIL NOON TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the business for today has been completed, the Senate adjourn until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE, AND RELATED AGENCIES APPROPRIATIONS, 1964

The Senate resumed the consideration of the bill (H.R. 5888) making appropriations for the Departments of Labor, and Health, Education and Welfare, and related agencies, for the fiscal year ending June 30, 1964, and for other purposes.

Mr. HILL. Mr. President, the bill, H.R. 5888, making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1964, and for other purposes, as reported to the Senate by the Committee on Appropriations, totals $5,494,627,250, an increase of $44,646,250 over the amount of the bill as passed by the House; a decrease of $77,345,350 from the appropriations for 1963; and a decrease of $264,861,750 from the budget estimates for fiscal year 1964. The one item for grants to States for public assistance, $2,725 million, amounts to 49.592 percent of the total, approximately one-half of the total.

For the Department of Labor, the committee recommends a total of $350,005,250, a decrease of $34,878,750 from the House allowance. The committee voted reductions, minor in amount, in five items in each of which employees were added by the respective Bureau over the number allowed by the Congress last year without checking with the Congress. It is hoped, and expected, that there will be no recurrence of this—the committee must expect the Department and its Bureaus to abide by the allowances or request permission to deviate therefrom.

The significant changes in the Department of Labor are in the Office of Manpower, Automation, and Training, and in the Bureau of Employment Security. The committee voted to reduce the House allowance by $30 million for "Manpower development and training activities," from $140 million to $110 million for the reasons set forth in our report, an allowance deemed to be entirely adequate to fulfill the program authorized by present law. For the "Area redevelopment activities," the committee reduced the House allowance by $1 million based on the past year's experience.

For the item "Grants to States for unemployment compensation and employment service administration," the committee voted an increase of $75 million, from $350 to $425 million, over the House allowance. The House had cut the estimate from $432,570,000 to $350 million because at the time it acted the annual authorization was only $350 million. Since the passage of the bill by the House, the Congress has amended the authorization, from the specific sum of $350 million to an indefinite one, 95 percent of the revenue to be derived from the Federal Unemployment Tax Act in fiscal year 1964, some $460 million. The Congress allowed $400 million for fiscal year 1963, and there was available an additional $12 million carried over from the prior year. So that the committee allowance is approximately $13 million over the funds available in the prior year. Our committee report states this allowance "makes no provision for the increase sought, $5,089,000, for continuing the improvement for the employment service, and $1,700,000 sought for improvements in unemployment insurance operations," the latter under proposed legislation. These funds are, of course, derived from the unemployment trust fund into which is deposited the net receipts from the Federal Unemployment Tax Act, and are available only for the employment security program.

Another significant change is the combining of the Office of Welfare and Pension Plans and the Bureau of Labor-Management Reports into the Office of Labor-Management Relations Services, resulting in a savings of $160,000 and 25 positions.

For the Department of Health, Education, and Welfare, the committee recommends a total of $5,114,367,000, an increase of $66,833,600 over the House allowance, but a decrease of $186,947,000 from the budget estimates. The funds for grants to States for public assistance, $2,725 million, account for 53.28 percent of the total for the Department.

The committee approved the total amount sought by the Food and Drug Administration for its operating expenses, $35,805,000, an increase of $6,740,300 over the 1963 appropriation, but expressed its discontent with the management of the program and asked for a report by January 1, 1964, on what steps had been, or would be, taken to strengthen management.

For the Office of Education, the committee approved a total of $432,793,000, a decrease of $8,500,000 from the House allowance and $16,860,000 from the budget estimates, and a decrease of $219,361,000 from the 1963 appropriation. The expiration of entitlement of the so-called b children under Public Laws 815 and 874 as of June 30, 1963, of course, accounts for the major reduction under the prior year's appropriation.

For the Vocational Rehabilitation Administration, the committee approved the budget estimate, $131,435,000, an increase of $6,020,000 over the House allowance, and $28,509,000 over the 1963 appropriation. The product of this program is the rehabilitation of the maimed, the crippled, the handicapped, and their return to useful lives, and the committee felt that nothing should be done to impede the work.

For the Public Health Service, the committee recommends a total of $1,628,158,000, an increase of $82,100,000 over the House allowance, $30,274,000 over the budget estimate, and $113,298,950 over the 1963 appropriation. For the National Institutes of Health, the committee recommends allowance of the budget estimates, $930,454,000, or $18 million more than the House allowance.

The principal item of increase in the Public Health Service is the "Hospital construction activities"; the committee again recommends allowance of the full authorization for part C, the original Hill-Burton program, $150 million, as well as the full authorization for part G, $70 million. For fiscal years 1959–63, the Congress has appropriated the full amount authorized, $150 million, for the general hospital program, for which budget estimates were $99, $79, $95, $125, and $100 million, respectively, and the committee feels that the need for general hospital beds is still acute and, accordingly, recommends $150 million in lieu of the sum proposed and allowed by the House, $100 million.

The committee approved the addition of $2.5 million for "Buildings and facilities," for which there was a budget estimate, for the construction of the Alaska Regional Water Pollution Control Laboratory.

The committee also allowed $1,441,000 for the Environmental Health Center, to be located in the Washington environs as requested by the President in his budget and in his health message, and at Beltsville, Md., in accordance with the testimony of Secretary Celebrezze, the Surgeon General, and the Assistant Surgeon General, following the recommendations of sundry groups, including the group led by Dr. Paul Gross of Duke University.

The committee added $5 million, for which there was a budget estimate, for the initiation of work to rid our land of the mosquito which carries yellow fever, in keeping with our country's pledge to our neighbors in the Western Hemisphere.

The committee restored the $2 million reduction in the general health grant to States, utilized by the States for basic health needs of its citizens, and which has been allowed at the $15 million level for 6 years.

The committee restored the House cut of $2,059,000 for the comprehensive water pollution river basin studies. The availability of water resources is a growing problem and the committee did not wish to impede the orderly forward steps being made.

For the Social Security Administration, the committee concurred in the House allowance of the original budget estimate, and provided for the use of the contingency fund to meet additional costs arising from certain personnel reclassifications.

For the Welfare Administration, the committee voted two changes—one to add $500,000 for the administrative expenses of the Bureau of Family Services, and the second to reduce the allowance for the day care services of the Children's Bureau from $8 to $4 million, with a requirement that the State and local jurisdictions pay one-half of the cost of operating the day care services.

The committee recommended funds to finance, under the supervision of Secretary Celebrezze, a study of the education of the deaf, with particular emphasis on the admission policies and operation of Gallaudet College. It is anticipated that this study will be of great benefit to the college.

The committee added $500,000 to the House allowance for the National Labor Relations Board, a reduction of $500,000 under the budget estimate, but $1,531,000 over the 1963 appropriation.

The supplemental estimate for $215,000 was allowed for the Railroad Retirement Board to finance certain personnel reclassifications approved by the Civil Service Commission recently. These funds are, of course, derived from the railroad retirement account.

The committee restored the $100 per diem for the National Mediation Board and the Federal Mediation and Conciliation Service for the temporary employment of referees and labor relations experts. The committee also added $200,000 over the House allowance for the Federal Mediation and Conciliation Service, a reduction of $200,000 from the budget estimate, but $544,700 over the 1963 appropriation.

Mr. President, I ask unanimous consent that the amendments of the committee, except the amendment on page 43, beginning on line 15, be agreed to en bloc, and that the bill as so amended be regarded for the purpose of amendment as original text, provided that no point of order shall be considered to have been waived by reason of agreement to this order.

Mr. DIRKSEN. Mr. President, will the Senator from Alabama state the last proviso of his request?

Mr. HILL. Provided that no point of order shall be considered to have been waived by reason of agreement to this order.

The PRESIDING OFFICER. Is there objection? The Chair hears none; and it is so ordered.

The amendments agreed to en bloc are as follows:

On page 2, line 8, to strike out "$16,485,000" and insert "$16,205,000".

On page 2, line 20, after the word "affairs", to strike out "$882,000" and insert "$842,000".

On page 3, line 8, to strike out "$140,000,000" and insert "$110,000,000".

On page 3, line 13, to strike out "$9,000,000" and insert "$8,000,000".

On page 4, line 7, after the word "than", to strike out "$12,640,000" and insert "$12,400,000".

On page 5, line 11, after "(68 Stat. 1130)", to strike out "$350,000,000" and insert "$425,000,000"; in line 14, after the word "fund", to insert "and of which $15,000,000 shall be available only to the extent necessary to meet increased costs of administration resulting from changes in a State law or increases in the number of claims filed and claims paid or increased salary costs resulting from changes in State salary compensation plans embracing employees of the State generally over those upon which the State's basic grant (or the allocation for the District of Columbia) was based, which increased costs of administration cannot be provided for by normal budgetary adjustments"; and on page 6, line 8, after the word "offices", to insert "during fiscal year 1964 and that any portion thereof not obligated by the State in that year shall be returned to the Treasury and credited to the account from which derived".

On page 9, line 5, to strike out "$870,000" and insert "$1,387,250, of which $517,250 shall be available only upon enactment into law of S. 1703, Eighty-eighth Congress, or similar legislation".

On page 9, line 14, after the word "laws", to strike out "$1,135,000" and insert "$2,048,500", and in line 16, after the word "fund", to insert a comma and "and of which $913,500 shall be available only upon enactment into law of S. 1703, Eighty-eighth Congress, or similar legislation".

On page 10, line 8, to strike out "$790,000" and insert "$784,000".

At the top of page 11, to strike out:

"OFFICE OF WELFARE AND PENSION PLANS

"Salaries and expenses

"For expenses necessary for performing the functions vested in the Secretary by the Welfare and Pension Plans Disclosure Act, as amended (72 Stat. 997; 76 Stat. 35), $1,565,000."

On page 11, after line 6, to strike out:

"BUREAU OF LABOR-MANAGEMENT REPORTS

"Salaries and expenses

"For expenses necessary for the Bureau of Labor-Management Reports, $5,900,000."

On page 11, after line 10, to insert:

"OFFICE OF LABOR-MANAGEMENT RELATIONS SERVICES

"Salaries and expenses

"For necessary expenses to carry out the provisions of the Welfare and Pension Plans Disclosure Act, as amended (72 Stat. 997), the Labor-Management Reporting and Disclosure Act of 1959 (73 Stat. 519), expenses of commissions and boards to resolve labor-management disputes and other expenses for improving the climate of labor-management relations, $7,500,000."

On page 11, line 24, after the word "Board", to strike out "$4,285,000" and insert "$4,275,000".

On page 13, line 1, after the figures "$53,838,000", to insert a comma and "together with such amount as may be necessary to be advanced from the subsequent year appropriation for the payment of compensation and other benefits for any period subsequent to March 31 of the year".

On page 14, at the beginning of line 6, to strike out "$4,570,000" and insert "$4,420,000".

On page 14, line 12, after the word "Labor", to strike out "including expenses of commissions or boards to resolve labor management disputes, $2,364,000" and insert "$2,269,000".

On page 14, line 20, to strike out "$4,000,000" and insert "$150,000".

On page 15, line 20, after the word "services", to strike out "$4,347,000" and insert "$4,670,000".

On page 19, at the beginning of line 6, to strike out "$229,620,000" and insert "$219,620,000", and in line 10, after the word "contributions", to strike out "$54,000,000 shall be for grants to States and loans to nonprofit private schools for science, mathematics, or modern foreign language equipment and minor remodeling of facilities, $3,750,000 shall be for grants to States for supervisory and other services" and insert "$47,750,000 shall be for grants to States and loans to nonprofit private schools for science, mathematics, or modern language equipment and minor remodeling of facilities and for grants to States for supervisory and other services: *Provided*, That allotments under sections 302(a) and 305 for acquisition of equipment and minor remodeling shall be made on the basis of $47,520,000 for grants to States and shall be made on the basis of $6,480,000 for loans to private, nonprofit schools, and allotments under section 302(b) for supervisory and other services shall be made on the basis of $3,750,000".

On page 21, after line 8, to insert:

"EXPANSION OF TEACHING IN EDUCATION OF THE DEAF

"For grants to public or other nonprofit institutions of higher education for courses of study and scholarships for training teachers of the deaf, $1,500,000: *Provided*, That this paragraph shall be effective only upon enactment into law of section 301(c) of S. 1576, Eighty-eighth Congress, or similar legislation."

On page 24, line 4, after the word "Act", to insert a comma and "and for carrying out the functions of the Office of Vocational Rehabilitation under the International Health Research Act of 1960 (74 Stat. 364)", and in line 6, after the amendment just above stated, to strike out "$31,810,000" and insert "$36,830,000".

On page 24, at the beginning of line 14, to strike out "$2,000,000" and insert "$3,000,000".

On page 25, line 20, after the word "rates", to strike out "established by the Surgeon General not to exceed $19,000 per annum" and insert "not to exceed the maximum rate provided in section 208(g): *Provided*, That section 208(g) of the Public Health Service Act, as amended (42 U.S.C. 210(g)), is amended by striking out 'the highest rate of grade 18 of the General Schedule of such Act', and inserting in lieu thereof '$30,000'."

On page 26, line 8, after the word "sites", to strike out "$13,811,000" and insert "$16,311,000".

On page 26, after line 9, to insert:

"ENVIRONMENTAL HEALTH CENTER

"For plans and specifications for an Environmental Health Center to be constructed on land to be made available by the Department of Agriculture at the Agricultural Research Center at Beltsville, Maryland, $1,441,000, to remain available until expended: *Provided*, That $785,000 of unobligated balances heretofore appropriated under the heading 'Buildings and facilities', Public Health Service, shall be merged with this appropriation."

On page 28, line 5, after the word "aircraft", to strike out "$25,405,000" and insert "$30,405,000".

On page 28, line 11, to strike out "$28,608,000" and insert "$30,608,000".

On page 28, line 14, after the word "which", to strike out "$2,006,000" and insert "$1,606,000", and in line 20, after the word "than", to strike out "$2,500,000" and insert "$2,900,000".

On page 30, after line 1, to strike out:

"To carry out the provisions of title VI of the Act, as amended, $177,914,000, of which $100,000,000 shall be for grants or loans for hospitals and related facilities pursuant to part C, $5,628,000 shall be for the purposes authorized in section 636, and $70,000,000 shall be for grants or loans for facilities pursuant to part G, as follows: $20,000,000 for diagnostic or treatment centers, $20,000,000 for hospitals for the chronically ill and impaired, $10,000,000 for rehabilitation facilities, and $20,000,000 for nursing homes: *Provided*, That allotments under such parts C and G to the several States for the current fiscal year shall be made on the basis of amounts equal to the limitations specified herein: *Provided further*, That funds made available under section 636 for experimental or demonstration construction or equipment projects shall not be used to pay in excess of two-thirds of the cost of such projects as determined by the Surgeon General."

And in lieu thereof, to insert:

"To carry out the provisions of title VI of the Act, as amended, $228,214,000, of which $150,000,000 shall be for grants or loans for hospitals, and related facilities pursuant to part C, $5,928,000 shall be for the purposes authorized in section 636, and $70,000,000 shall be for grants or loans for facilities pursuant to part G: *Provided*, That funds made available under section 636 for experimental or demonstration construction or equipment projects shall not be used to pay in excess of two-thirds of the cost of such projects as determined by the Surgeon General."

On page 32, line 9, after the word "health", to strike out "$4,590,000" and insert "$4,990,000, of which $500,000 shall be available for the continuation of the study of pulmonary diseases of coal miners".

On page 32, line 19, after the word "aircraft", to strike out "$18,745,000" and insert "$19,145,000".

On page 33, line 5, after "(33 U.S.C. 466–466d, 466f–466k)", to strike out "$27,921,000" and insert "$29,980,000", and at the beginning of line 9, to insert "and of which $500,000 shall be available for the comprehensive study of the Upper Ohio River basin."

On page 33, line 13, after the figures "$90,000,000", to insert a colon and the following provisos: "*Provided*, That allotments under such section 6 for the current fiscal year shall be made on the basis of $100,000,000: *Provided further*, That none of the sums allotted to a State shall remain available for obligation after December 31, 1964."

On page 35, line 14, after the word "research", to strike out "$163,869,000" and insert "$164,674,000".

On page 36, line 30, after the word "Act", to strike out "$144,340,000" and insert "$145,114,000".

On page 37, line 7, after the word "diseases", to strike out "$177,288,000" and insert "$190,096,000".

On page 37, at the beginning of line 12, to strike out "$132,404,000" and insert "$133,624,000".

On page 37, line 22, to strike out "$19,689,000" and insert "$19,809,000".

On page 38, line 4, after the word "diseases", to strike out "$113,679,000" and insert "$114,717,000".

On page 38, line 8, after the word "diseases", to strike out "$68,723,000" and insert "$69,226,000", and at the beginning of line 9, to strike out "$250,000" and insert "$350,000".

On page 38, line 14, after the word "blindness", to strike out "$87,675,000" and insert "$88,407,000".

On page 41, line 14, after the word "necessary", to insert "to meet the costs of certain personnel reclassifications as set forth in Senate Document No. 19, Eighty-eighth Congress, and".

On page 42, line 22, after the word "Services", to strike out "$4,756,000" and insert "$5,256,000".

On page 43, line 3, after "(42, U.S.C. ch. 7, subch. V; 74 Stat. 995–997)", to strike out "$86,943,000" and insert "$82,943,000"; at the beginning of line 6, to strike out "$33,000,000" and insert "$29,000,000".

On page 45, at the beginning of line 4, to strike out "$7,000" and insert "$14,000", and in line 5, after the word "expense", to strike out "$88,000" and insert "$95,000".

On page 45, after line 7, to strike out:

"For expenses necessary for the Office of the Commissioner of Social Security, $1,025,000, together with not to exceed $554,000 to be transferred from the Federal old age and survivors insurance trust fund."

And in lieu thereof, to insert:

"For expenses necessary for the Office of the Commissioner of Welfare, $1,025,000."

On page 47, line 19, after "(Public Law 420)", to insert "and not to exceed $100,000 for necessary expenses of carrying out, under the supervision of the Secretary of Health, Education, and Welfare, a study of the education of the deaf,", and in line 22, after the amendment just above stated, to strike out "$1,697,000" and insert $1,822,000".

On page 48, line 7, after the word "supervision", to insert "if so requested by the College".

On page 50, line 9, after the word "therewith", to strike out "$6,700,000" and insert "$6,950,000".

On page 50, line 19, after the word "expended", to strike out "$5,000,000" and insert "$7,000,000".

On page 51, after line 13, to strike out:

"SEC. 203. None of the funds provided herein shall be used to pay any recipient of a grant for the conduct of a research project an amount for indirect expenses in connection with such project in excess of 20 per centum of the direct costs."

On page 51, line 19, to change the section number from "204" to "203".

On page 52, line 9, after the word "laws", to strike out "$22,060,000" and insert "$22,560,000".

On page 53, line 7, after the word "of", to strike out "$75" and insert "$100".

On page 53, line 13, after the word "Board", to strike out "$10,900,000" and insert "$11,115,000".

On page 53, line 23, after the word "Act", to insert "temporary employment of arbitrators, conciliators, and mediators on labor relations at rates not in excess of $100 per diem;", and on page 54, line 6, after the word "maintained", to strike out "$5,540,000" and insert "$5,740,000".

On page 56, line 8, after the word "for", to strike out "entertainment, not otherwise provided for, of officials, visiting scientists, and other experts of other countries" and insert "official reception and representation expenses, not otherwise provided for."

On page 56, after line 11, to strike out:

"Sec. 906. None of the funds appropriated in this Act shall be used to conduct or assist in conducting any program (including but not limited to the payment of salaries, administrative expenses, and the conduct of research activities) related directly or indirectly to the establishment of a national service corps or similar domestic peace corps type of program."

Mr. HILL. Mr. President, I ask that the Chair lay before the Senate the amendment which I excepted, which is the amendment on page 43, beginning at line 15.

The PRESIDING OFFICER. The amendment will be stated.

The Legislative Clerk. On line 15, after the word "children", it is proposed to insert a colon and the following additional proviso:

Provided further, That none of the funds contained herein shall be used to pay in excess of one-half of the cost of day care services under section 527(a) of the Social Security Act, as amended.

Mr. RIBICOFF. Mr. President, will the Senator from Alabama yield?

Mr. HILL. Mr. President, I ask unanimous consent that I may yield to the distinguished Senator from Connecticut without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RIBICOFF. Mr. President, I oppose the committee amendment. The purpose of this amendment is to add a provision that State and local jurisdictions pay at least one-half the costs of day care services included under a State's child welfare services plan.

I can well understand the committee's concern that some provision be made for a requirement that matching funds be put up by the States and localities, to entitle them to Federal funds for day-care services. The authorizing legislation does not contain such a requirement. I certainly have no objection to the principle of a requirement of matching funds, but I believe there are several reasons why the committee amendment is inappropriate and should not be added.

First. There already is a requirement that States match Federal funds for child welfare services, of which day-care funds are a part. Under title V, part 3, of the Social Security Act, the State share of Federal-State funds for child welfare services ranges from one-third to two-thirds. This is the share the States must now put up, in order to obtain Federal funds for child welfare services. The 1962 Public Welfare Amendments authorized day-care services as a part of child welfare services, but the 1962 amendments did not change in any way the existing matching funds requirement.

For example, consider a State which must pay one-third of the Federal-State total for child welfare services. If the Federal allotment is $100,000, the State must put up $50,000. Let us assume that under this bill this State's allotment of Federal day-care funds is $10,000. Under existing law, without the committee amendment, the State would still have to put up an additional $5,000, bringing its share to $55,000. But the State money could be used for child welfare services generally, rather than being specifically earmarked for day-care services.

But under the committee amendment even though the same State puts up $55,000 or more to match the $110,000 of Federal money, it would still not be entitled to $1 of Federal day-care funds. To get these funds, the State would have to put up an extra $10,000, more than its normal share, and earmark these added funds specifically for day-care services.

Second. Not only are the States already matching Federal child welfare funds, they are actually putting up 10 times the amount required of them by Federal law. To be entitled to fiscal 1963 allotments, the States would have to put up $24 million. It is a fact that fiscal 1962 expenditures by the States were $228 million, more than 10 times the matching requirement. This excess matching by the States is true not only in the aggregate, but occurs in nearly every State. Of the 50 States, 47 have spent substantially more than was required to entitle them to funds for child welfare services. Thus, there is no need for imposing this extra requirement which the committee proposes to add.

Third. The effect of the committee amendment would be completely to deny day-care funds to 44 States, and to sharply cut back the allotment to 5 other States. The reason for this is that only six States, in appropriating funds for child welfare services, have specifically earmarked funds for day-care services as required by the committee amendment; and only one of these States has earmarked enough funds to match its full Federal allotment.

Yet the States have proceeded in good faith on the basis of the 1962 public welfare amendments, which did not require the dollar-for-dollar specific matching requirement now proposed by the committee. These States have appropriated their funds for child welfare services; and in many cases the legislatures have adjourned, and will not meet again until 1965.

Fourth. An important change of this sort in the financing formula should not be made in an appropriation bill. Possibly the change here proposed by the committee is subject to a point of order; but I prefer to put the question before the Senate and let the Senate decide whether, in view of the points I have presented, it would be better not to add this change to an appropriation bill, but to consider it subsequently as an amendment to the authorizing legislation. At such time, the Finance Committee could give the States an opportunity to be heard on this change. The Finance Committee could also consider whether any new matching requirement should use the same ratios as those provided in existing law, or should adopt the 50–50 requirement now suggested for the first time by the Appropriations Committee.

Mr. President, I shall not take the time of the Senate to argue the pressing need that exists for day-care funds. The committee itself has recognized that need by recommending $4 million for this purpose. But I do urge the Senate to realize that unless the committee's amendment is omitted, the need will go almost entirely unmet, this year; and, in many instances, next year, too. The States are already putting up more than 10 times the share required of them by Federal law. I see no reason to impose, in an appropriation bill, a new and added matching requirement which we know the States will not be able to meet.

Mr. CLARK. Mr. President, will the Senator from Connecticut yield?

Mr. RIBICOFF. I yield.

Mr. CLARK. I commend the Senator from Connecticut for raising this point. All the arguments he has made in support of his position are applicable to the Commonwealth of Pennsylvania. I had been asked by the Governor of my State—who happens to be a Republican—and by his secretary of welfare to support the position of the Senator from Connecticut in this regard. This I am happy to do.

I very much hope that the Senator from Alabama will be influenced by the eloquence of the Senator from Connecticut, and perhaps will be persuaded to accede to his request.

Mr. HRUSKA. Mr. President, will the Senator from Connecticut yield?

Mr. RIBICOFF. I yield.

Mr. HRUSKA. Mr. President, I compliment the Senator from Connecticut on his very fine analysis of this problem.

At the committee's sessions, we were informed that the States do not need to have State and local funds especially earmarked for day-care services under the terms of their legislative authority; and on page 68 our report so states.

It is my information that many of the States, notwithstanding a lack of express legislative action, would find it possible to meet the matching that would be required by this amendment. In my judgment, it could be done in a variety of ways. However, I do not intend to pursue that matter too far at this time, because I know that the Senator from Connecticut, with his experience as a member of the Cabinet, as well as his experience as the Governor of his State, is quite knowledgeable on this subject.

Nevertheless, I should like to say that it was our considered judgment in the committee—as is evidenced by the fact that we approved this amendment—that it is imperative that the States participate in the day-care program, as we have done in many other programs, in order to improve its administration and insure the economic and orderly management of the program. These ends can be best achieved by means of such participation.

I state frankly, that many apprehensions were expressed that in this particular program there is a potential for growth which eventually might militate against its continuation. It is quite obvious that without some restrictions or other means similar to those we have adopted, the cost of the program might reach astronomical figures.

I read from the statement by Mrs. Oettinger, Chief of the Children's

Bureau, delivered before our committee hearing:

> There are about 15 million children under 18 years of age in the United States whose mothers are working—4 million of these children are under 6 years of age, and 5 million are between the ages of 6 and 11. A 1958 survey showed that over 400,000 children under 12 had no plans for their care, and were expected to care for themselves while their mothers worked full time. Yet, only about 185,000 children can now be cared for in licensed day-care facilities throughout the United States.

Mr. President, it struck many of us that in this very large field there are demands for additional appropriations which in a very short time could become almost unbelievable in size. That is very well illustrated by the fact that the original appropriation for this program was $800,000, whereas now we have a request, approved by the House, for $8 million, which the Senate committee has voted to reduce to $4 million.

I should like to ask the Senator from Connecticut what would be his judgment as to the desirability, in timely and considered fashion, of adopting the concept of State participation in a program of the kind proposed?

Mr. RIBICOFF. In reply to the senior Senator from Nebraska, I should first like to thank him for his gracious remarks. I do not believe I know any more about the subject than does the distinguished Senator from Nebraska. As Governor and as Secretary of the Department of Health, Education, and Welfare, I was involved a little more with it.

I agree with the Senator from Nebraska that it probably would be advisable to have a specific matching formula. In due course, if it would be the desire of the Senator from Nebraska specifically to insert a matching formula in the future, I would support him in that desire. But what bothers me at the present time is that the States that did not have in their laws a specific matching formula would find themselves completely without day-care funds.

The committee has made provision for $4 million for that purpose. Yet 44 States out of the 50 States could not take advantage of the provision because the legislatures of most of those States have gone home without having enacted an appropriate measure.

For example, we might consider the position expressed by the distinguished Senator from Pennsylvania [Mr. CLARK], who received a request from the Governor of his State. The State of Pennsylvania would be required to match, under State welfare services, $1,337,650. The State of Pennsylvania has been very solicitous and concerned about the problems of children. The legislature of Pennsylvania has provided appropriations in the amount of $19,604,811. In other words, the legislature has gone $18 million beyond the Federal matching requirements. But when the legislature in Pennsylvania met—and the same situation prevails in the State of Connecticut—since there was no specific requirement for matching funds, the legislature appropriated general funds, and therefore they would find that even though they had been generous in the program, they would no longer be in a position to take advantage of the Federal grant.

Under those circumstances it would be unfair to Pennsylvania; in my opinion it would also be unfair to Nebraska, Alabama, New Hampshire, Connecticut, and all 44 States.

Mr. CLARK. Mr. President, will the Senator yield for a comment?

Mr. RIBICOFF. I yield.

Mr. CLARK. The Pennsylvania legislature adjourned last Friday. We are "stuck."

Mr. RIBICOFF. Most State legislatures have adjourned. Most States would be "stuck."

Should it be the desire of the committee to put the proposed program in effect in 1965, when most legislatures will be in session, and if the legislatures then know that with respect to the 50 States there is a specific matching requirement, the State legislatures could make provision for specific matching of funds to take care of what the Senator from Nebraska seeks to accomplish in accordance with the philosophy expressed by the distinguished Senator from Nebraska.

If that should be the case in 1965, when the States would be on notice and the legislatures again meet, I would certainly support the position of the distinguished Senator from Nebraska, because I believe that it is good government and good policy that there should not be merely a Federal largesse to the States. I believe we would get better and sounder administration and better care if the States were required to match Federal grants.

I believe that what the committee has sought to accomplish is praiseworthy. The only reason I have raised the point is that at present the proposal would frustrate the basic objective. The $4 million that we would seek to make available could not be used by the States even though the States should desire to take advantage of it.

Mr. HRUSKA. Does the Senator from Connecticut also agree that in instances in which States might participate in a program of the kind proposed there would be more incentive for them to limit the program to cases truly in need and demonstrably within the class that should be provided for by means of a program of the type proposed?

Mr. RIBICOFF. I agree with the Senator. The Committee on Finance would certainly discuss and consider the proposal. As a member of the Finance Committee, I say to the distinguished Senator from Nebraska [Mr. HRUSKA] that should the question come before the Committee on Finance, I would certainly express to the committee the colloquy and the philosophy that both of us have exchanged here today.

Mr. HRUSKA. If the Senator will yield further, as I understand, the desired result can be achieved in one or two ways. The organic act itself could be amended to provide for contribution and participation. By accomplishing the objective in that manner the State legislatures would be advised in timely fashion so that they could make provision for such matching as that to which the Senator has referred. Is that not correct?

Mr. RIBICOFF. The Senator is correct.

Mr. HRUSKA. I ask a further question along the same line: There is already a requirement that there be a matching of anywhere from one-third to two-thirds for child care services by the States, depending upon the formula which is employed. Is my understanding correct?

Mr. RIBICOFF. The Senator is correct.

Mr. HRUSKA. However, that provision would not apply specifically to day-care programs.

Mr. RIBICOFF. It is a general requirement for all child welfare services.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the Federal share required for the overall program in all 50 States.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Federal share of matching funds under child welfare services program [1]

State:	*Federal share* [2]
Alabama	66⅔
Alaska	39.91
Arizona	54.58
Arkansas	66⅔
California	38.48
Colorado	48.06
Connecticut	36.04
Delaware	33⅓
District of Columbia	33⅓
Florida	55.67
Georgia	63.73
Guam	66⅔
Hawaii	48.55
Idaho	59.64
Illinois	40.74
Indiana	51.04
Iowa	53.97
Kansas	53.43
Kentucky	64.84
Louisiana	63.57
Maine	58.56
Maryland	45.80
Massachusetts	43.25
Michigan	48.53
Minnesota	53.32
Mississippi	66⅔
Missouri	50.23
Montana	55.10
Nebraska	52.62
Nevada	35.64
New Hampshire	53.30
New Jersey	40.04
New Mexico	59.10
New York	37.15
North Carolina	64.63
North Dakota	63.28
Ohio	47.70
Oklahoma	58.56
Oregon	49.57
Pennsylvania	49.46
Puerto Rico	66⅔
Rhode Island	50.45
South Carolina	66⅔
South Dakota	60.55
Tennessee	65.02
Texas	56.10
Utah	56.57
Vermont	58.02
Virgin Islands	66⅔
Virginia	58.20
Washington	47.74

See footnotes at end of table.

Federal share of matching funds under child welfare services program [1]—Con.

State:	Federal share [2]
West Virginia	62.42
Wisconsin	51.26
Wyoming	48.94

[1] Allotment percentages promulgated in Federal Register, Sept. 14, 1962, p. 9153.

[2] States must match remainder up to 100 percent.

Mr. RIBICOFF. The Senator is correct. Under the present law, what is provided for day care centers would come into the general formula. I understand the suggestion of the Senator from Nebraska. Since the program and method would be new, he desires to have a specific different type of formula covering day care centers.

Mr. HRUSKA. Hence, one method that could be used would be to amend the organic law—the original law—which provides for the program itself.

Another way that the result could be accomplished would be by the procedure we have resorted to here, but with sufficient advance notice to alert all interested parties. Do I correctly understand the Senator from Connecticut to say that either of those methods would be considered suitable and effective and would receive his support on the basis of timeliness?

Mr. RIBICOFF. They would. As I indicated on the floor of the Senate and in the conference it would receive my support because I believe it is proper. I believe that the States could comply. In my opinion the States would be willing to comply, because the need is basic, not only throughout the country, but in each of the 50 States.

I am confident that there should be such a matching requirement in the basic legislation or in the appropriations, and if the States were to have an opportunity to make their plans timely, there would be no difficulty about the States matching the Federal program.

Mr. HRUSKA. Mr. President, I am grateful to the Senator from Connecticut for his explanation of the proposal, which has been quite helpful.

Mr. RIBICOFF. I thank the Senator very much.

Mr. COTTON. Mr. President, as the ranking minority member of the subcommittee, I shall have something to say in the course of the discussion tomorrow about the fine job that has been done by the distinguished chairman of the subcommittee, the Senator from Alabama [Mr. HILL]. But I shall reserve those comments until tomorrow.

I was in sympathy with the amendment, and participated with the Senator from Nebraska in securing its passage by the subcommittee. I have been much impressed by the presentation of the distinguished Senator from Connecticut. I certainly feel that he has made a case, as has the Senator from Pennsylvania [Mr. CLARK].

I believe I can say on behalf of the minority—at least a portion of the minority—to our distinguished chairman that we would be perfectly willing, in view of the legislative history that has been made, to have him agree to the striking out of the amendment and the limitation.

However, I would like to add as a corollary and a condition precedent that I hope, in view of the fact that we have yielded on this point—which I think is a just point for the reason so well brought out by Senators that the legislatures have adjourned in many States and therefore this is not the right time—in view of the fact that we have been willing to agree to have the amendment stricken, I hope that when the time comes to confer with the House of the amount of the appropriation, that fact will be taken into consideration. I trust that the distinguished chairman of the committee, the Senator from Alabama [Mr. HILL], will stand with me to uphold particularly strongly the amount of the appropriation proposed by the Senate, because of our yielding on that particular safeguard which we felt was important.

Mr. HILL. Mr. President, my distinguished friend from New Hampshire [Mr. COTTON] will be a member of the conference, along with me, and we shall stand squarely together in this regard.

It was the thought, the intent, and the purpose of the Senate Committee on Appropriations that the funds should be matched by the States. I think we were in unanimous agreement on that, exactly as we are now in unanimous agreement that those funds should be matched by the States.

It was not the intent of the Senate Committee on Appropriations or of the authors of the amendment to impose any undue hardship on the States. The information before the Appropriations Committee at the time of action was that the States could match these funds.

The distinguished Senator from Connecticut [Mr. RIBICOFF], who has served as Secretary of the Department of Health, Education, and Welfare and also as Governor of his State, has brought out in his excellent statement the fact that most of the States are not in a position at this time to match the funds. In view of the statements made by the Senator from Connecticut, the Senator from Nebraska, and the Senator from New Hampshire, I ask that the Senate reject this committee amendment.

The PRESIDING OFFICER (Mr. NELSON in the chair). The question is on agreeing to the committee amendment on page 43, beginning on line 15.

The amendment was rejected.

Mr. CLARK. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 3, line 8, it is proposed to strike out "$110,000,000" and to insert in lieu thereof "$140,000,000."

Mr. CLARK. Mr. President, I wish to say, parenthetically, that I do not intend to press the amendment to a vote tonight, but I should like to make my case in support of it, so that Senators may have an opportunity to read the argument in the RECORD tomorrow morning.

The purpose of the amendment is to restore to the bill the amount recommended by the House for carrying out the retraining program authorized by the Manpower Development and Training Act.

The Kennedy administration requested $165 million for this purpose for the fiscal year which began July 1, 1963. This was the full amount authorized for the year under the act.

The House cut the request by $25 million, to $140 million. The administration, speaking through the Under Secretary of Labor, Mr. Henning, agreed to accept the cut.

However, the Senate committee made a further reduction of $30 million in the amount requested by the administration, thus cutting the amount in the bill from the $165 million requested by the administration to $110 million, which is the amount recommended by the Appropriations Committee of the Senate, a total cut of $55 million.

My interest in this matter arises from the fact that I am chairman of the Subcommittee on Employment and Manpower of the Committee on Labor and Public Welfare. It was from this subcommittee that the Manpower Development and Training Act was brought to the full committee and to the Senate, when it was passed in 1962.

This year the subcommittee has been considering amendments to that act, for the purpose of strengthening the legislative authority to conduct the nationwide retraining program. We have had an opportunity to develop exactly what has been done under the act in the year in which it has been in effect and to view the future through the eyes not only of those who are presently administering the act in the Departments of Labor and Health, Education, and Welfare but also through the eyes of organized labor, of the vocational training system of the country, and of many civic organizations deeply interested in the legislation.

Accordingly, members of the subcommittee were much concerned by the cut recommended by the Appropriations Committee. There is in the office of each Senator a letter addressed to all Members of the Senate by the six Democratic members of the Subcommittee on Employment and Manpower. I should like to read that letter into the RECORD:

DEAR COLLEAGUE: As members of the Subcommittee on Employment and Manpower, we are writing to you to express our concern about the action of the Committee on Appropriations in reducing by $30 million the amount which the House of Representatives has voted to appropriate for programs under the Manpower Development and Training Act.

This cut, when added to a cut of $25 million made by the House, represents a total reduction of $55 million from the administration's request of $165 million for these programs.

We believe these actions to be profoundly prejudicial to the efforts now being made to restore vigor to our economy by helping those who lack marketable skills to acquire them.

Moreover, unless they are reversed, we feel that they may fatally cripple our hopes for halting the progressive isolation and alienation from the job market of the minority groups whose need for the training and retraining which this program provides is so overwhelming.

We have been taking testimony on precisely this problem in the Employment and Manpower Subcommittee since the first of the year, and on the basis of the evidence which we have heard, we are fully convinced that the first and most immediate need is to appropriate the full $165 million authorized by the act. To cut $55 million out of this pitifully inadequate amount would deprive some 51,000 persons of badly needed training and retraining, and in effect doom them to unproductive lives and ultimate dependence on public charity.

We urge that the full administration request of $165 million for these programs be restored to H.R. 5888, now on the Senate Calendar and we solicit your support in this effort.

Joseph S. Clark, *Chairman.*
Jennings Randolph.
Pat McNamara.
Claiborne Pell.
Quentin Burdick.
Edward M. Kennedy.

Mr. President, since that letter was signed and distributed we have concluded that in order to be on completely sound ground and to take a moderate position with respect to this program we should reluctantly go along with the Under Secretary of Labor, who told the Senate Committee on Appropriations that he could live with the House figure. Therefore, the pending amendment does not ask, as does the letter, for the restoration of the full amount of $165 million, but only for the restoration of $30 million, which is the amount by which the Senate committee cut the House figure of $140 million.

The subcommittee does not stand alone with respect to the matter of attempting to restore $30 million of the cut. I have a letter from Mr. Ivan A. Nestingen, Under Secretary of the Department of Health, Education, and Welfare, which I should also like to read into the Record.

The letter is undated, but it was received yesterday. It reads:

Dear Senator Clark: This is in response to telephone conversations with your office on August 2, 1963, concerning loss of training opportunity that will result from reduced appropriations for the implementation of Public Law 87-415.

I interpolate to state that that is the Manpower Development and Training Act.

Continuing to quote from the letter:

At the present time, the average cost of training an individual under the Manpower Development and Training Act is approximately $1,000—including both institutional costs and training allowances.

The proposed appropriation of $160 million contemplated training approximately 140,000 individuals based on the current costs of training. With an appropriation of $140 million, we could train approximately 116,000 individuals, and with $110 million we could probably reach about 90,000 persons. Thus, there will be at least 50,000 potential trainees for whom training projects cannot be organized if the appropriation for carrying out the act is reduced to $110 million.

It is significant to note that we reached a level of project development and approval during the final 3 months of the fiscal year which ended June 30, 1963, which, if appropriations were to be sufficient to carry on this same level of activity through the current fiscal year, would result in approved projects able to accommodate about 108,000 unemployed adult persons on a full-time basis. This rate of program development, together with on-the-job training and the rapidly growing out-of-school youth training, was actually in excess of the rate used as the basis for the estimate of 140,000 trainees in fiscal year 1964 under the appropriation authorized in the act.

It would be regrettable if this level of activity had to be reduced.

Sincerely yours,
Ivan A. Nestingen,
Under Secretary.

I point out that not only will there be 50,000 potential trainees who will not be trained, but who could be trained if the full amount of the administration's requests were agreed to, but that the amount of the administration's request, in my own opinion, is only enough to train a relatively small percentage of the individuals who are there, ready, able, and willing to be trained, and who, when trained, will have a reasonable opportunity of acquiring employable skills which they do not now have.

It is difficult for me to express to the Senate a summary of what we have heard in our subcommittee, and the heartening result which has already been achieved under this program to date.

It is equally difficult for me to explain to the Senate the high hopes which all have who are familiar with this program for its escalation in the years ahead, so that it can become one of the major factors in dealing successfully with our frightening increase in unemployment, which I fear is far from decreasing, but which, in my opinion, will probably increase still further.

My friend from West Virginia [Mr. Randolph] has just entered the Chamber. I would like to have it noted that this amendment is submitted on behalf of the Senator from West Virginia [Mr. Randolph] as well as myself, and I am happy to yield to the Senator from West Virginia in order that he may respond to the question which I now ask him.

I ask the Senator from West Virginia if he would not concur in my statement that the cutting of this appropriation by the $30 million which is proposed by the Appropriations Committee will, in effect, not enable able-bodied Americans, in the thousands, to receive training which they are ready, willing, and able to take, and which, if they got, would give them an employable skill and a reasonable expectation of employment, and which, if this cut is made, will reduce, by tens of thousands, the numbers who could be trained?

Mr. RANDOLPH. Mr. President, I wish to associate myself with the remarks of the Senator from Pennsylvania [Mr. Clark]. I know that he has presented a most persuasive argument. I was not here at the outset due to my attendance at a subcommittee hearing of the Appropriations Committee considering the Justice Reservoir project in West Virginia, with which I am directly concerned.

I am appreciative of the opportunity to speak in support of a partial restoration—I repeat, a partial restoration—of what I believe to be the necessary funds to carry forward the Manpower Development and Training Act.

I am very sincerely interested that our colleagues in the Senate realize that they will place an impediment on this program if the appropriation in the amount of $110 million, as reported by the Senate committee, rather than the House figure of $140 million, and rather than the full authorization of $165 million, is passed in the Senate.

It was on June 13 of this year that I introduced a bill which was cosponsored by Senators Clark, McNamara, Pell, Kennedy, and McIntyre, Senate bill 1716, which has been reported favorably from the Subcommittee on Manpower and Employment of the Labor and Public Welfare Committee.

The very diligent Senator from Pennsylvania, who is addressing himself to this subject this afternoon, is the chairman of that subcommittee. As I have said, the bill which was introduced by me has been reported favorably from the subcommittee, and is now pending in the Labor and Public Welfare Committee. This measure was introduced to implement that portion of the President's civil rights message in which he proposed—and I quote—"that additional funds be provided to broaden the manpower development and training program, and that the act be amended to increase the authorization ceiling and to postpone the effective date of State matching requirements."

Those are the President's words, in recognition of the need to broaden and strengthen the Manpower Development and Training Act. The Senate would not be well-advised, in my opinion, to restrict the act by a further cut in appropriations as recommended by the Appropriations Committee.

The proposal to which I have made reference would postpone the effective date for State matching requirements from June 30, 1964, to June 30, 1965, and would increase the authorization under the act for fiscal 1965 from $161 to $322 million, thereby relieving the States of the burden of matching funds.

The report from the Appropriations Committee, presented by the esteemed senior Senator from Alabama [Mr. Hill], under whose chairmanship I am privileged to serve on the Labor and Public Welfare Committee, states:

Only three States in the regular biennial legislative sessions of this year appropriated any funds for such matching, and the funds appropriated by each of these States is grossly inadequate to match the State's allotment of the 1963 appropriation. In the absence of the requisite State matching funds it will not be possible under the present law, to approve projects in fiscal year 1964 to carry over into the following fiscal year, as was done in the year just concluded.

I do not argue with this point, Mr. President. On the contrary, it was precisely the same knowledge which led to the introduction of S. 1716.

I therefore urge that the Senate, instead of reducing the appropriation for the Manpower Development Training Act, restore the amount approved by the House, $140 million. The full authorization for fiscal 1964 was $165 million. Frankly that amount could well be used. However, in the amendment now under discussion, cosponsored by those of us who feel deeply about this subject, we are asking only for the House figure, which I believe is still inadequate, but which will go farther in retraining our unemployed workers than would the amount reported by the Appropriations Committee.

Mr. CLARK. I thank the Senator for his helpful intervention. I turn now to my major argument. Not only does the majority of the subcommittee feel strongly about this matter, but I have no reason to believe that any Republican member of the subcommittee, although he may not have signed the report, feels differently than the rest of us with respect to the need for this money.

I have already referred to the letter from the Department of Health, Education, and Welfare. I should like now to refer to a letter which I received on August 5 from the Honorable W. Willard Wirtz, the Secretary of Labor, in which he states:

> U.S. DEPARTMENT OF LABOR,
> OFFICE OF THE SECRETARY,
> *Washington, D.C., August 5, 1963.*
>
> Hon. JOSEPH S. CLARK,
> *U.S. Senate,*
> *Washington, D.C.*
>
> DEAR SENATOR CLARK: I am writing to you because of my deep concern over the Senate Appropriations Committee action in reducing the appropriation for the Manpower Development and Training Act by some $30 million below the level set by the House. The House had previously cut the $165 million we requested of Congress by $25 million.
>
> Nothing has transpired since the passage of the Manpower Act, which was hailed as a landmark in legislation by interested groups and the highest professional opinion, which would permit any curtailment of effort. The Nation's manpower problems, both present and future, are still with us in the same scope and magnitude as when the act was passed. The results of the searching and informative investigation by your committee on what you have properly characterized as the employment revolution certainly does not show that any diminution of effort is warranted, but rather strongly suggests the reverse.
>
> The high rate of unemployment has remained at the disgraceful level of 5.6 percent month after month. The particular unemployment problems of the hard-core unemployed, for example, our youth, our older workers, those physically and mentally handicapped, and those facing special barriers to employment, are reflected in unemployment rates of more than four times the overall figure when the barriers are compounded.

The Secretary of Labor goes on for four eloquent pages to make the argument that this cut is most unwise and should be restored. He concludes:

> Those of us who are deeply concerned about the Nation's current and future manpower problems believe that a reduction below the House allowance would be a serious blow to our program designed to find practical solutions for these problems. The people of our Nation will be convinced that we are seriously interested in their current as well as future well-being only if funds adequate to administer the law in a meaningful and practical fashion are provided. Your complete cooperation in making the Manpower Act an effective tool in combating unemployment and meeting the future manpower needs of the Nation will be appreciated.
>
> Yours sincerely,
> W. WILLARD WIRTZ,
> *Secretary of Labor.*

Mr. President, this is the case in support of the amendment. What is the case in opposition to the amendment? I shall try to state it fairly and concisely. On page 3 of the committee report, the committee states its reasons for the reduction:

> The committee is advised that only three States in the regular biennial legislative sessions of this year appropriated any funds for such matching, and the funds appropriated by each of these States is grossly inadequate to match the State's allotment of the 1963 appropriation. In the absence of the requisite State matching funds it will not be possible, under the present law, to approve projects in fiscal year 1964 to carry over into the following fiscal year, as was done in the year just concluded.
>
> In consequence of the record before the committee, it is believed that the appropriation recommended will provide sufficient funds for the program in the fiscal year 1964.

In other words, what the committee says is that since in fiscal year 1964 the present legislation calls for 50-percent matching by the States, and since only 3 State legislatures out of 50, have undertaken to provide these funds, and since practically all of the legislatures have adjourned and few of them will meet next year, 1964, there is no need to appropriate this money because it cannot be spent under the present law.

Technically, this would be a completely correct argument if matters were to remain as they are now; and in that event it would be highly doubtful whether the amount appropriated would be inadequate.

I strongly urge on the Senate that matters will not remain as they are now, because we cannot permit them to stay as they are.

As the Senator from West Virginia [Mr. RANDOLPH] has pointed out, an administration bill, S. 1716, waiving the requirements for State participation in this program for 1 year, in order to give an opportunity for State legislatures to meet in their normal course and to make the matching requirements available until they meet 2 years from now, has been introduced in the Senate and referred to the Subcommittee on Employment and Manpower. Comprehensive and full hearings have been held on it, and there was no opposition to it adduced at the hearings. Every one of the nine members of the subcommittee voted in support of S. 1716. It is on the calendar of the Committee on Labor and Public Welfare. I have been assured by its chairman, the distinguished senior Senator from Alabama [Mr. HILL], that a prompt meeting of the full committee to mark up the bill will be held. I have every confidence that the same unanimity which existed in the subcommittee will prevail, or almost to the same extent, in the full committee, and I am hopeful that when the bill comes to the floor there will be only minimal objection to it.

The reason for that is that the retraining of our skilled manpower is probably one of the most economical ways we have of fighting the high rate of unemployment. We can take a man who is on relief, or is receiving unemployment compensation, and train him in an employable skill, at a cost of $1,000, and put him back on a job. The act provides that such training shall not be extended unless it is shown that when the training is completed, there is a reasonable prospect of the trained person being employed. These men get off the relief rolls, they get off unemployment compensation, they go to work, and many of them immediately begin to pay income taxes. It requires no student of higher mathematics to conclude that this money is not a dole; it is not a leaf-raking project; it is not something to prevent social unrest from spreading. It is an investment in the brains of America.

It may be said that all this is true, but, after all, how can the Committee on Appropriations assume that the proposed legislation will be passed? It may be asked, "Why are you in such a hurry? Why is your subcommittee so concerned? Why is the Secretary of Labor so concerned? Why is the Under Secretary of Health, Education, and Welfare so concerned? All you have to do is bide your good time. If you are correct about what Congress will do with S. 1716 in due course that authorization, which, as the Senator from West Virginia [Mr. RANDOLPH] pointed out, was for $322 million, will go through; then you can return to the Committee on Appropriations and get a supplemental appropriation to meet the additional authorization which you have received as a result of the passage of S. 1716."

Mr. President, that looks fine on paper. But it does not look very good from the point of view of individuals who will not be retrained unless the money is restored now. The reason it does not look very good to those people is that it is well recognized that we are running into one of the worst legislative logjams in the history of Congress. We shall have for consideration a nuclear test ban treaty; the railroad strike problem; a tax bill; and then last, but not least, civil rights.

I suggest that it is a starry-eyed optimist who would think that we would be able to get this amount of money as a supplemental appropriation before Congress adjourns this year. It would be a starry-eyed optimist who would think that S. 1716 could be pressed to passage before next January or February.

If this denial of funds eventuates, and if the training programs gradually grind to a halt, thousands of able-bodied Americans will be denied by their Federal Government the right to earn an honorable living, because an opportunity which was created by the authorization will have been taken away by Congress in the appropriation process. Let us remember that many training programs last as long as a year. That is 52 weeks. A year from today will be beyond the expiration of the current fiscal year. No commitments can be made for any training which is to continue beyond June 30, 1964, unless there is State matching at this point.

But there are ways in which the program can be worked out and kept moving if only we can get the full amount of the appropriation. I hope that as this subject is given consideration overnight by the distinguished Senator from Alabama [Mr. HILL] and the distinguished Senator from New Hampshire [Mr. COTTON], they will take counsel with their colleagues on the Committee on Appropriations, and that when we return tomorrow it will be possible to work out an arrangement by which fine Americans, only too desirous of acquiring skills needed to make them useful and productive members of society, will not be forced to return to the relief rolls.

Mr. President, I ask unanimous consent that the full text of the letter from the six Senators on this side of the aisle who are members of the Subcommittee on Employment and Manpower, the letter from the Under Secretary of Health, Education, and Welfare, and the letter from the Secretary of Labor may be printed at the conclusion of my remarks.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

DEAR COLLEAGUE: As members of the Subcommittee on Employment and Manpower, we are writing to you to express our concern about the action of the Committee on Appropriations in reducing by $30 million the amount which the House of Representatives has voted to appropriate for programs under the Manpower Development and Training Act.

This cut, when added to a cut of $25 million made by the House, represents a total reduction of $55 million from the administration's request of $165 million for these programs.

We believe these actions to be profoundly prejudicial to the efforts now being made to restore vigor to our economy by helping those who lack marketable skills to acquire them.

Moreover, unless they are reversed, we feel that they may fatally cripple our hopes for halting the progressive isolation and alienation from the job market of the minority groups whose need for the training and retraining which this program provides is so overwhelming.

We have been taking testimony on precisely this problem in the Employment and Manpower Subcommittee since the first of the year, and on the basis of the evidence which we have heard, we are fully convinced that the first and most immediate need is to appropriate the full $165 million authorized by the act. To cut $55 million out of this pitifully inadequate amount would deprive some 51,000 persons of badly needed training and retraining, and in effect doom them to unproductive lives and ultimate dependence on public charity.

We urge that the full administration request of $165 million for these programs be restored to H.R. 5888, now on the Senate Calendar, and we solicit your support in this effort.

JOSEPH S. CLARK,
Chairman.
JENNINGS RANDOLPH.
PAT MCNAMARA.
CLAIBORNE PELL.
QUENTIN BURDICK.
EDWARD M. KENNEDY.

THE UNDER SECRETARY OF
HEALTH, EDUCATION, AND WELFARE,
Washington, D.C.

Hon. JOSEPH M. CLARK,
U.S. Senate, Washington, D.C.
(Attention of Mr. Harry Schwartz.)

DEAR SENATOR CLARK: This is in response to telephone conversations with your office on August 2, 1963, concerning loss of training opportunity that will result from reduced appropriations for the implementation of Public Law 87-415.

At the present time, the average cost of training an individual under the Manpower Development and Training Act is approximately $1,000—including both institutional costs and training allowances.

The proposed appropriation of $160 million contemplated training approximately 140,000 individuals based on the current costs of training. With an appropriation of $140 million, we could train approximately 116,000 individuals, and with $110 million we could probably reach about 90,000 persons. Thus, there will be at least 50,000 potential trainees for whom training projects cannot be organized if the appropriation for carrying out the act is reduced to $110 million.

It is significant to note that we reached a level of project development and approval during the final 3 months of the fiscal year which ended June 30, 1963, which, if appropriations were to be sufficient to carry on this same level of activity through the current fiscal year, would result in approved projects able to accommodate about 108,000 unemployed adult persons on a full-time basis. This rate of program development, together with on-the-job training and the rapidly growing out-of-school youth training, was actually in excess of the rate used as the basis for the estimate of 140,000 trainees in fiscal year 1964 under the appropriation authorized in the act.

It would be regrettable if this level of activity had to be reduced.

Sincerely yours,
IVAN A. NESTINGEN,
Under Secretary.

U.S. DEPARTMENT OF LABOR,
OFFICE OF THE SECRETARY,
Washington, D.C., August 5, 1963.

Hon. JOSEPH S. CLARK,
U.S. Senate,
Washington, D.C.

DEAR SENATOR CLARK: I am writing to you because of my deep concern over the Senate Appropriations Committee action in reducing the appropriation for the Manpower Development and Training Act by some $30 million below the level set by the House. The House had previously cut the $165 million we requested of Congress by $25 million.

Nothing has transpired since the passage of the Manpower Act, which was hailed as a landmark in legislation by interested groups and the highest professional opinion, which would permit any curtailment of effort. The Nation's manpower problems, both present and future, are still with us in the same scope and magnitude as when the act was passed. The results of the searching and informative investigation by your committee on what you have properly characterized as the employment revolution certainly does not show that any diminution of effort is warranted, but rather strongly suggests the reverse.

The high rate of unemployment has remained at the disgraceful level of 5.6 percent month after month. The particular unemployment problems of the hard-care unemployed, for example, our youth, our older workers, those physically and mentally handicapped, and those facing special barriers to employment, are reflected in unemployment rates of more than four times the overall figure when the barriers are compounded.

As responsible citizens we cannot, in clear conscience, ignore the fact that the number of long-term unemployed has been increasing in the past few years. We must face the fact that we now have in our society an increasing number of workers who, because they lack training and skill, cannot qualify for those jobs which are available. Many of the 1.3 million hard-core unemployed can only look forward to welfare assistance and the corrosive effects of permanent joblessness as a way of life. A reduction in retraining activities would remove their last hope of salvation.

What particularly concerns me in the proposed reduction in training appropriations is that it comes at a time when our needs are becoming more acute as a result of the large number of young workers entering the labor market. During the next 3 years, more than 5½ million new young workers who do not plan to go to college will be looking for work. Of this unprecedented number, about 2 million young men and women will be school dropouts, ill-prepared to obtain or to hold jobs which are becoming increasingly more complex and specialized.

We are already seeing the results of this influx in higher unemployment rates for young people. Only last week the Department of Labor announced that the unemployment rate for teenagers was more than 16 percent in July. Last year, the rate was below 13 percent. Unless this Nation faces up to the seriousness of the problem of jobless youth, we may very well face a serious crisis within the next year or two. Because so many of our young jobseekers have not been properly trained, they are especially in need of a training program. They are the potential hard-core unemployed of the future, and what is even more pitiful, their problems and shortcomings will be visited upon their children.

Let me mention just one more employment problem area of major dimensions which alone could justify our initial budget request—that of automation and technological change. You have pointed out repeatedly in your hearings the enormous difficulties already upon us and looming even greater on the horizon which automation and its more advanced stage, cybernation, involve by way of major manpower adjustments. Technological change, whether of the progressive evolutionary or the dramatic revolutionary type, has a sharp impact on employment. Great increases in productivity are achieved with employment of fewer people. Many skills are made obsolete. Other skills required for the new technology are in short supply. The dislocation of jobs and people are creating grave economic and industrial relations difficulties. I speak from close personal experience, in the current labor-management dispute, in the railroad industry, and in the longshore and newspaper strikes before as well as many others which have come about in large part because of rapid technological change and automation.

The same effects of technological change which are dramatically apparent in the railroad industry are operating throughout the economy. If this country is to truly profit from the gains inherent in technological progress, we cannot allow its adverse effects to fall primarily upon our workers. We must be prepared to offer them training and retraining so that they will share in our technological progress.

The Manpower Development and Training Act offers hope for meeting the challenge in two major directions. One major avenue of manpower action is the training and retraining program provided by this act, which to me is one of the most important programs this country has ever attempted.

It is the one clear-cut direction we must travel in order to make a meaningful impact on the problem of unemployment. The early success of the training and retraining effort indicates that we can do something positive in enabling unemployed workers to again become productive members of our society.

I should like to underscore the practical aspects of this program. For every dollar invested in training and retraining, we are reaping a larger return. For every worker who becomes employed as a result of retraining we save not only direct welfare and unemployment insurance costs, but we also profit from his immediate productive output and his future long-term contribution to the Nation's growth. The practical effects of the retraining program, moreover, are felt not only in the communities in which they have been established but throughout the entire country.

Beyond the practical gains, I have personally witnessed in my visits to training programs a revival of hope developed among workers who in the past had little to look forward to other than a fruitless search for jobs for which they could not qualify. I can never forget the unemployed unskilled elderly worker in Norfolk, Va., who told me just a few weeks ago that retraining was his "last chance." I have talked to juvenile delinquents who had been written off as incorrigible but who were now, as a result of training, holding down regular jobs and again respectable members of society.

Certainly this is not the time to curtail our training and retraining activities, first because our initial experience emphasized its value as a tool to curb unemployment, and secondly when it is so necessary to give us experience and insight for other programs to follow.

The other avenue of action provided by the act is contained in the manpower and research program called for in title I of the act. Congress included in the original act a statesmanlike and comprehensive mandate to conduct research and evaluate, probe, weigh, and develop information which would enable labor, management, and the public to formulate policy and make decisions based upon facts. During the past year, significant progress has been made in this direction, and important information has been presented on our manpower problems, including the landmark publication, the First President's Manpower Report. However, our initial efforts have indicated that much more has to be done. The pathways are emerging and at their end lies greater hope for producing the kind of information which will provide the necessary data. Certainly this is not the time to restrict the flow of our knowledge about our manpower and every effort should be made to increase it.

Those of us who are deeply concerned about the Nation's current and future manpower problems believe that a reduction below the House allowance would be a serious blow to our program designed to find practical solutions for these problems. The people of our Nation will be convinced that we are seriously interested in their current as well as future well-being only if funds adequate to administer the law in a meaningful and practical fashion are provided. Your complete cooperation in making the Manpower Act an effective tool in combating unemployment and meeting the future manpower needs of the Nation will be appreciated.

Yours sincerely,

W. WILLARD WIRTZ,
Secretary of Labor.

PROXMIRE AMENDMENT TO CUT $95 MILLION FROM HEW-LABOR APPROPRIATION

Mr. PROXMIRE. Mr. President, I shall take a minute or two to serve notice on the Senate that I shall offer an amendment tomorrow to reduce the appropriation in the pending bill by some $95 million. My amendment is organized on a simple principle. It appears to be a complicated amendment, because it covers practically every item in the bill. But it is not. It will reduce the appropriation to the lowest level of the three alternatives: the budget estimate, the House bill, or the appropriation recommended by the Senate.

Certainly if we are to attempt to keep Federal spending down in order to ease to some degree our annual budget deficits we must start here and now. This amendment proposes to do just this with a set of budget cuts which does not eliminate programs, does not cut them back, but merely attempts to slow down their skyrocketing costs. In view of the President's commitment to keep spending at the same level as last year in all areas except defense, space, and interest on the national debt, this is the least we can do.

I hope that Senators who believe in economy will support this amendment.

Mr. COTTON. Mr. President, it was stated on the floor of the Senate by the distinguished majority leader that the opening statement on the appropriation bill for the Departments of Labor, and Health, Education, and Welfare would be made this afternoon, but that no further action would be taken on the bill until tomorrow. He said to the Senator from New Hampshire and other Senators that no votes would be taken today. But his statement, according to my understanding, was that the opening statement on the bill would be made, and that that would be all the action that would be taken on the bill today.

I know that the distinguished chairman is ready to discuss the amendment, but I am not prepared to do so, and I do not believe that the majority leader intended to cause us to dismiss some of our assistants, to whom we have relinquished some of the necessary information, since we had the distinct assurance that the opening statement would be made today and that the bill would then go over until tomorrow. I do not believe he intended that we should find ourselves involved in a debate on amendments although, of course, it is the right of any Senator to offer an amendment.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. COTTON. I yield.

Mr. CLARK. The Senator from New Hampshire was not in the Chamber when this took place, but I cleared with both the Senator from Alabama and the majority leader my desire to offer my amendment this evening and to make my argument in support of it, so that it might appear in the RECORD tomorrow morning. This request I thought I had cleared, at least by implication, perhaps not explicitly enough, with the Senator from New Hampshire, because he looked at me with his quizzical, inquiring eye when I rose to speak and explain what I was planning to do.

Mr. COTTON. I am sure the distinguished Senator from Pennsylvania is correct. I do not know that I looked at him with a quizzical eye. But he said, and I thought with commendable frankness, that his purpose was to have his amendment and argument appear in the RECORD, so that they could be perused or read and be in the minds of Senators tomorrow. That is proper. That is the Senator's privilege, and it is able and, I should say, astute and adroit tactics.

But the point is that from now on, if we are told that the further consideration of an amendment will be postponed until the next day—whether that statement is made by the majority leader or by any other Senator—I will not be dissuaded from stating my arguments for the RECORD, so they can be read there. On previous occasions I have allowed myself to be persuaded to postpone the presentation of my arguments; but I shall not do so again.

I wish to say that I think that this subcommittee did a magnificent job on this appropriation bill. I have never served on any committee under a more distinguished or able chairman than the Senator from Alabama [Mr. HILL].

Various appropriation cuts were proposed, and we fought out those issues. Sometimes some of us lost; sometimes the committee voted to make the proposed cuts. Before we adjourned, we agreed we would stand together in urging the enactment of this bill—because I believed we had been reasonably prudent, and at the same time had been reasonably liberal, in dealing with some of the health programs which are so vital and are so dear to the heart of the Senator from Alabama.

Mr. HILL. Mr. President, will the Senator from New Hampshire yield?

Mr. COTTON. I yield.

Mr. HILL. Is it not true that the Senate Appropriations Committee cannot act on what may be done in the future by the Congress, but can act only on existing law and on pending legislation—not on measures which in the future may be passed by the other body and thereafter considered by the Senate? Is it not also true that if we were to include in this bill a one dollar appropriation item not previously authorized, it could go out on a point of order?

Mr. COTTON. The Senator from Alabama is entirely correct.

Furthermore, I think all of us agree—and I think the Senator from Pennsylvania himself said this—that under existing law this is an adequate appropriation.

If we are going to start speculating about the future and ballooning 1 appropriation item in this bill, certainly there are perhaps 15 other items—which some of us thought could very well have done with somewhat smaller amounts—on which we shall have opportunities to have yea-and-nay votes tomorrow, so that every Senator can register his position on nondefense spending in connection with this part of the budget, which has become a very critical area.

I was very proud of the agreement we reached. I do not expect the Senate to accept it; but I agree that if at the outset a certain item, no matter how worthy it may be, is to be voted an appropriation before it is authorized, then all bets are off, and we shall have a serious fight on our hands, a development I would greatly regret, because this bill deals with the

Institutes of Health and other very important programs.

However, if such a fight is to begin, it will begin tomorrow. But I would hate to see that happen. Nevertheless, we were lulled into the belief that it would begin tomorrow.

I am sure the Senator from Pennsylvania has already placed his arguments in the RECORD. After all, the CONGRESSIONAL RECORD is one of the most popular novels of today; and no doubt, before tomorrow noon, it will come to the attention of untold thousands.

But I wish to say that evidently I was laboring under a misapprehension.

Mr. CLARK. Mr. President, will the Senator from New Hampshire yield?

Mr. COTTON. I yield.

Mr. CLARK. I should like to ask the Senator what the committee did about the bracero bill, which was killed in the House, and which in my opinion is a good deal worse, insofar as appropriations are concerned, than the manpower bill.

Mr. COTTON. Mr. President, the Senator's point is a very good one, and I shall be glad to discuss it tomorrow.

Mr. CLARK. I shall await with bated breath the Senator's arguments in this regard.

Mr. COTTON. Certainly many arguments could be made in regard to this matter.

Mr. CLARK. The Senator from New Hampshire has many guns in his arsenal—as I have come to know during my years of service with him.

Mr. COTTON. I thank the Senator from Pennsylvania.

Mr. President, subject to correction by the chairman of the subcommittee, I wish to state that it is my feeling that tomorrow, when a greater number of Senators will be present, is the proper time to proceed with the debate on this amendment.

ADJOURNMENT

Mr. HILL. Mr. President, will the Senator from New Hampshire yield?

Mr. COTTON. Yes—or I am glad to yield the floor.

Mr. HILL. Then, Mr. President, I move that, under the order previously entered, the Senate stand in adjournment until tomorrow, at 12 o'clock noon.

The motion was agreed to; and (at 6 o'clock and 5 minutes p.m.) the Senate adjourned, under the order previously entered, until tomorrow, Wednesday, August 7, 1963, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate August 6, 1963:

IN THE NAVY

The following-named officers of the U.S. Navy for temporary promotion to the grade of captain in the line, subject to qualification therefor as provided by law:

Ackerman, John F.
Adams, Ollie B.
Adamson, Robert E., Jr.
Ainsworth, Herbert S.
Alexander, William H., II
Almy, Charles B.
Alt, Earl J.
Arbo, Paul E.
Arnold, Julian, Jr.
Bagby, Robert G.
Bagley, David H.
Baker, Howard J.
Balestri, William L.
Barco, Leslie T., Jr.
Barrow, William B., Jr.
Bartol, John W.
Battson, Arthur L., Jr.
Bedsole, Donald S.
Behrens, William W., Jr.
Bennett, Williams L., Jr.
Bergstedt, William C.
Berriman, Joseph C.
Biddle, Edward
Biewer, Francis N.
Bogan, Lewis F.
Boice, Grant
Bothwell, Robert L.
Brandt, Ralph K.
Bress, Henry
Brock, Clarence C., Jr.
Brooks, Daniel P.
Brown, Clifford L.
Bryant, Carleton F., Jr.
Buckowski, George A.
Budnick, Lawrence E.
Bunce, Lawrence W.
Burk, Raymond W.
Burnette, Oliver S.
Butt, Cyrus H.
Cady, Joseph
Caldwell, Harry H.
Cameron, Alan R.
Carpenter, Albert P.
Carson, Albert C.
Casey, Martin M., Jr.
Cassidy, Richard M.
Castle, Hal C.
Chadwick, Walter D.
Chesky, Kaz P.
Chimiak, Walter
Christiansen, John S.
Christman, Thomas J.
Clark, Morris Y.
Clark, Weldon L.
Clingan, Forest M.
Coad, Richard J.
Collins, Vincent W.
Coogan, Robert P.
Cook, Creighton W.
Cornwall, Ernest S., Jr.
Courtin, Robert E., Jr.
Cowdrey, Roy B.
Cox, Donald V.
Cox, William R.
Crandall, Charles N., Jr.
Craw, Nelson W.
Crawford, Jack H.
Crowder, Jonathan J.
Cruser, Handford T., III.
Cryan, John J.
Cummings, Harry A.
Cummins, Laverne W. S.
Cummins, Lawrence D.
Cummins, William E.
Cutler, Henry O.
Dankworth, Theodore P.
Davis, John F.
Dawson, Howard W.
Delamater, Stephen T., Jr.
Deprez, Richard J.
Dibrell, David M.
Dicori, Ralph
Dixon, William C.
Donnelly, William E., Jr.
Douglas, John T.
Doyle, William J.
Driscoll, John F.
Dumas, Glenn I.
Dunham, Frank C., Jr.
Durna, Gordon A.
Dyar, Joseph E., Jr.
Elliott, Michael M.
Ellis, Walter J.
Emerson, William D., Jr.
Engen, Donald D.
Everett, William H.
Faubion, Richard D.
Fern, Benjamin R.
Fifield, John G.
Fitzgerald, Robert E.
Fitzpatrick, Wayne N.
Flanagan, William R.
Foltz, Frank E.
Ford, Raymond E.
Foreman, Robert P.
Foss, Newton P.
Franco, Thomas E.
From, John L., Jr.
Fruin, Jack L.
Frye, Robert M.
Gaskin, Edward R.
Gibson, Richard H.
Gibson, Robert C.
Glenn, Hardy
Godfrey, Jack E.
Godman, Robert
Gorman, Henry
Grace, Joseph A., II.
Graffy, Richard
Graham, Mac A.
Graning, Leonard G.
Gray, John A., Jr.
Grieve, John R.
Grossetta, Warren A., Jr.
Gummerson, Kenneth C.
Gustafson, Boyd E.
Gustafson, Robert B.
Hancotte, John J., Jr.
Hanks, Eugene R.
Hansen, John B.
Hanson, Robert J.
Harkins, John A.
Hartle, Maurice C.
Hartman, Raymond G.
Hawkins, Jack H.
Hay, Lorin W.
Hazelton, Dewitt W.
Heald, Joseph F.
Heising, Kenneth W.
Henderson, David W.
Henning, Richard E.
Herlong, Daniel W.
Herrick, John J.
Herron, Adam A., Jr.
Hill, Clarence A., Jr.
Hiller, Harold W.
Hipp, Ernest C., Jr.
Hodgson, Gordon S.
Hoke, Leonard A., Jr.
Holbrook, James L.
Hollyfield, Ernest E., Jr.
Honour, Walter W.
Hooper, John H.
Hopkins, William A.
Horn, Dean A.
Horrocks, John N., Jr.
Howell, Jay S.
Huber, Robert L., Jr.
Hufstedler, Edward F.
Iler, John R.
Jenkins, James E.
Johnson, Ivar A.
Keller, Robert M.
Kiernan, William A.
Kimener, Robert A.
Kincaid, John R.
King, Randolph W.
Kitt, Robert B.
Kittel, Irving A.
Knopke, William R.
Knotts, Sanford L.
Knull, William H., Jr.
Koenig, Fillmore G., Jr.
Lambert, Glenn E.
Landon, James B.
Laney, Jack S.
Langer, Chester R.
Larson, Richard
Lee, Kent L.
Lemon, Thomas M., Jr.
Lewellen, Robert S.
Lieber, James C.
Lindberg, Donald S.
Linnekin, Richard B.
Livingston, Robert L.
Lockee, Garette E.
Loomis, Robert J.
Lorentson, Adrian V.
Love, John J., Jr.
Lyon, Gaylord B.
Mackey, William A.
Mallick, Edgar E.
Manship, Herbert K.
McCarthy, Cornelius A.
McCauley, James E.
McClane, Joseph L., Jr.
McDonald, Robert R.
McKenzie, Frank E.
McLane, Alpine W.
McNair, William D.
McQuary, John E.
McVey, William J.
Mereness, Robert H.
Merryman, Charles A., Jr.
Meshier, Charles W.
Metze, George M.
Miehe, Frederick W., Jr.
Millar, Donald B.
Miller, Donald M.
Miller, Rupert S.
Miller, Winston L.
Mink, Robert O.
Morris, Robert L.
Mowell, Lawrence V.
Murphy, Daniel J.
Neal, Raymond G.
Neeb, Lewis H.
Netting, Robert W.
Now, John G.
Oller, John S., Jr.
Osborne, Henry H.
Osgood, Arthur H.
Pahl, Herschel A.
Paolucci, Dominic A.
Papas, Louis J.
Patterson, William H.
Patterson, Joseph, Jr.
Payne, Paul E.
Peale, William T.
Perry, John E.
Perry, Oliver H., Jr.
Pettitt, Robert B.
Porter, Austin M.
Porter, Phillip W., Jr.
Potolicchio, Rodney A.
Prigmore, William B.
Provost, William B., Jr.
Rains, David C.
Reynolds, Ernest E., Jr.
Rhees, Thomas R.
Rian, Gerald R.
Robinson, Irving A.
Robison, Bob J.
Rosania, Hugh J.
Rosemont, Robert K.
Rosen, Ralph J.
Rowe, Robert A.
Rozier, Charles P.
Russillo, Alfred G.
Rust, Charles C.
Ryzow, Richard A.
Sadler, Stuart T.
Sampson, Richard A. H.
Sanborn, Richard W.
Schaefer, William W., II
Schmidt, Charles K.
Schroeder, William A., Jr.
Scott, Maylon T.
Seiler, Aubrey R.
Setser, Lester E. G.
Sharp, George H.
Sharrai, Robert E.
Shawcross, William H.
Sherman, John O., Jr.
Shonerd, David A.
Siple, William L.
Skidmore, Howard H.
Slattery, Francis L.
Smith, Augustine W.
Smith, Floyd E.
Smith, Leon I., Jr.
Snodgrass, Joseph C., Jr.
Snyder, Edwin K.
Sonntag, Frank H.
South, Marvin P.
Stetson, John B.
Stevens, James H., Jr.
Stickles, Albert L., II
Stock, Glenn C.
Stockton, Jackson A.
Story, Emery G., Jr.
Stuart, Jack C.
Stubel, Alvin T.
Sudduth, Roy M.
Sullivan, Thomas J.
Surface, Wayne D.
Tamburello, Gaspare B.
Thomas, Lloyd H.
Thornhill, Henry E., Jr.
Thornton, Joseph H., Jr.
Tisdale, Charles H., Jr.
Trautmann, John R.
Trottier, Albert R.
Tucker, Charles E., Jr.
Turner, Frederick C.
Turner, William H., Jr.
Unruh, Robert D.
Upshaw, William W.
Vito, Albert H., Jr.
Volpi, Ray A.
Wakeland, William R.
Walker, Donald P.
Wallace, Robert Q.
Walsh, Thomas W. F.
Walters, Hilmon E., Jr.
Ward, John G.
Webster, Harvey O., Jr.
Weeks, John M.
Wentworth, Ralph S., Jr.
Whidden, Wynn V.
Williams, Edward A.
Wish, James R.
Wolf, Robert L.
Wooten, Robert J.
Workman, Reginald L.
Worthing, Lewis K.
Wroblewski, Sigmund V.
Yatch, Walter A.
Yates, Earl P.
Yeich, Lloyd G.
Yesensky, Albert S.
Yount, Robert R.

IN THE MARINE CORPS

The following-named officers of the Marine Corps for permanent appointment to the grade of major general:

Henry W. Buse, Jr.
Herman Nickerson, Jr.
William P. Battell
George H. Cloud
Frank C. Tharin

Lewis J. Fields
Raymond L. Murray
Frederick E. Leek

The following-named officers of the Marine Corps for temporary appointment to the grade of major general:

Paul R. Tyler
William J. VanRyzin
William T. Fairbourn
Bruno A. Hochmuth
William R. Collins
Louis B. Robertshaw
Rathvon McC. Tompkins
Paul J. Fontana

The following-named officers of the Marine Corps for permanent appointment to the grade of brigadier general:

Paul J. Fontana
George S. Bowman, Jr.
Wood B. Kyle
Lewis W. Walt
Joseph O. Butcher
John F. Dobbin
Carl A. Youngdale
Ormond R. Simpson

The following-named officers of the Marine Corps for temporary appointment to the grade of brigadier general:

Charles J. Quilter
Donn J. Robertson
Lowell E. English
Alvin S. Sanders
Gordon D. Gayle
Melvin D. Henderson
William G. Thrash
Marion E. Carl
Arthur H. Adams
Frederick J. Karch
John W. Antonelli

CONFIRMATIONS

Executive nominations confirmed by the Senate August 6, 1963:

DEPARTMENT OF JUSTICE

Bruce R. Thompson, of Nevada, to be U.S. district judge for the district of Nevada.

FARM CREDIT ADMINISTRATION

Kenneth T. Anderson, of Kansas, to be a member of the Federal Farm Credit Board, Farm Credit Administration, for a term expiring March 31, 1969.

Lorin T. Bice, of Florida, to be a member of the Federal Farm Credit Board, Farm Credit Administration, for a term expiring March 31, 1969.

WITHDRAWAL

Executive nomination withdrawn from the Senate August 6, 1963:

The nomination sent to the Senate on April 11, 1963, of Richard R. Conley to be postmaster at Rome City, in the State of Indiana.

HOUSE OF REPRESENTATIVES

TUESDAY, AUGUST 6, 1963

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Psalm 19: 8: *The statutes of the Lord are right, rejoicing the heart.*

O Thou God of infinite and infallible wisdom, may we daily long and labor with confidence and certainty that our desires and hopes for the health and happiness of mankind shall someday be fulfilled.

Grant that the mind and heart of our confused and troubled world may be touched and transformed by the regenerating power of the love and light of Thy divine spirit.

Show us how, in the great adventure of building a nobler civilization, we may help all the nations of the earth cultivate friendship and fraternity.

Use us in lifting humanity unto that loftier spiritual unity where all feelings of hatred and hostility, of antagonism and antipathy, are transcended and supplanted by a relationship of peace and good will.

Hear us in the name of the Prince of Peace. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and joint resolutions of the House of the following titles:

On July 22, 1963:

H.R. 40. An act to assist the States to provide additional facilities for research at the State agricultural experiment stations; and

H.R. 2461. An act to direct the Secretary of the Interior to convey to the city of Henderson, Nev., at fair market value, certain public lands in the State of Nevada.

On July 25, 1963:

H.R. 2998. An act to amend titles 10, 14, and 38, United States Code, with respect to the award of certain medals and the Medal of Honor Roll; and

H.R. 3845. An act to amend the Lead-Zinc Small Producers Stabilization Act of October 3, 1961 (75 Stat. 766).

On July 26, 1963:

H.R. 5279. An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1964, and for other purposes; and

H.J. Res. 513. Joint resolution authorizing the President to proclaim the week beginning July 28, 1963, as Veterinary Medicine Week.

On July 30, 1963:

H.R. 1933. An act to amend the act of February 9, 1907, entitled "An act to define the term 'registered nurse' and to provide for the registration of nurses in the District of Columbia," as amended, with respect to the minimum age limitation for registration; and

H.J. Res. 403. Joint resolution to amend section 316 of the Agricultural Adjustment Act of 1938 to extend the time by which a lease transferring a tobacco acreage allotment may be filed.

On August 5, 1963:

H.R. 2221. An act to provide for the free entry of a mass spectrometer for the use of Stanford University, Stanford, Calif.;

H.R. 3272. An act to provide for the free entry of an orthicon image assembly for the use of the Medical College of Georgia, Augusta, Ga.;

H.R. 3674. An act to amend the Tariff Act of 1930 to provide that polished sheets and plates of iron or steel shall be subject to the same duty as unpolished sheets and plates; and

H.R. 4646. An act to declare a portion of the Benton Harbor Canal, Benton Harbor, Mich., a nonnavigable stream.

HON. FRED B. ROONEY

The SPEAKER. The Chair recognizes the gentleman from Pennsylvania [Mr. MORGAN].

Mr. MORGAN. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FRED B. ROONEY] be permitted to take the oath of office today. His certificate of election has not arrived, but there is no contest and no question has been raised in regard to his election.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. ROONEY of Pennsylvania appeared at the bar of the House and took the oath of office.

RIVER BASIN PLANS

Mr. DAVIS of Tennessee. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 6016) authorizing additional appropriations for prosecution of projects in certain river basin plans for flood control, navigation, and other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

Mr. HALL, Mr. HARSHA, Mr. SCHWENGEL, Mr. GROSS, and Mr. DORN objected.

EARTHQUAKE IN YUGOSLAVIA

Mr. CONTE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. CONTE. Mr. Speaker, the earthquake in Yugoslavia last week was indeed a blow to the people of that country. I know that the American people extend to those in the earthquake zone who experienced this catastrophe their heartfelt sympathy. The U.S. Government and the U.S. people have responded quickly and generously to the obvious need of the sufferers of this natural disaster. I understand that deliveries of relief goods and supplies are underway. I know that the people of Yugoslavia will appreciate this generous gesture.

I am pleased to know that the U.S. Government has been able to respond to the emergency by providing transportation for shipments provided by U.S. voluntary agencies. This important and rapid response to human emergencies is, it seems to me, an essential part of the total U.S. foreign policy effort, one which draws deeply on the humanitarian instincts of the American people, and one which should at all times be encouraged. I do not know what funds will be used but I understand that the Agency for International Development may finance a portion of the costs involved.

It is of course clear that this is not assistance to the Government of Yugoslavia within the meaning of the restrictions of section 620(f) of the Foreign Assistance Act and section 109 of the Foreign Assistance Appropriation Act. It is assistance through voluntary agencies directly to the people of Skopje who are suffering immeasurably as a result of this terrible tragedy. I understand that this distinction between assistance to nations and assistance to people has long been accepted under the Battle Act.

I hope that the United States will in the future stand as ready to respond promptly and effectively to other emergencies as it has done at Skopje.

MEAT IMPORTS

Mr. McLOSKEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. McLOSKEY. Mr. Speaker, coming from an area which is noted for the production of prime beef I share with the farmers engaged in this industry their grave concern over the prospects of the cattle market.

The producers are finding it most difficult to adjust to the situation now facing them and projecting into the future the entire cattle picture looks anything but healthy.

In spite of managed news which tells us periodically how great the economy of agriculture is, and what great advances have been made under this administration, it is just a little hard for cattle producers to swallow this line. The fact is in the Chicago market prime steers averaged a little over $4 less per hundred than a year ago.

One of the causes of this situation has been the greatly increased imports of beef from foreign countries. In early April I introduced legislation which I felt would help. No hearing on my bill has been granted and from all indications never will.

When it became apparent this proposed measure would be stymied I then attempted to see if the matter could not be resolved by negotiation between the countries involved. I made what I felt was a helpful suggestion to Mr. Christian Herter that the matter be brought up at the Meat Conference held in Geneva.

As expected, the meeting was not very productive and members of the European Economic Community indicated they were not prepared to participate in negotiations or discussions relating to international trade of meats. Maybe, and I emphasize maybe, the matter will be discussed in 1964.

Are we to continue the policy of allowing other countries to call the signals instead of our leaders being positive and aggressive for the benefit of domestic industry and our own American taxpayers?

I fail to see why we should sit back and wait for some other country to make the first move. Why do we not show some initiative? Five years have already elapsed since the beginning of this rapid buildup in increased volumes of meat imports.

It does not seem reasonable for us to expect our domestic industry to wait indefinitely. I say the time for action is now.

Once more I am calling on Mr. Herter to take some positive action to see if an agreement for voluntary import quotas might be reached. Information I have been able to obtain leads me to believe both Australia and New Zealand are sensitive to the attitude of American beef producers. Because of this I believe some equitable agreement can be reached if only our trade negotiators will press to protect the interests of America.

EIGHTEENTH ANNIVERSARY OF HIROSHIMA

Mr. HOSMER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOSMER. Mr. Speaker, today, on the 18th anniversary of Hiroshima, there are so-called protest marchers at the White House gates. I hope those who read about them and their emotional picket signs will pause to remember that the several tens of thousands of Japanese lives taken by the atomic bomb, regrettable as that may have been, ended the war and prevented the loss of several hundred thousand American lives. Since it is highly possible that my life was one of those spared, I am deeply grateful for the work of the Manhattan project which produced the nuclear weapons and ended the slaughter in the Pacific.

On this day 18 years ago I was serving aboard a naval assault transport. Our ship was in the Philippines, preparing with MacArthur's First Cavalry Division for the amphibious invasion of Japan. We had just taken part in the costly landings at Iwo Jima and Okinawa. With almost 2,000 souls aboard, we next were headed for a battle in which it was fully anticipated all aboard might perish before ever setting foot on the Japanese mainland. The estimated overall cost of the invasion was at least a quarter-of-a-million American lives.

Because of Hiroshima and Nagasaki, there was no bloody invasion. Instead less than a month hence, September 2, hundreds of American ships sailed peaceably past "Welcome U.S. Navy" signs into Tokyo Bay to receive the Japanese surrender. Not one American life was lost.

I do not regret that my country did in this instance what was necessary to preserve itself and its citizens. On the contrary, I am proud that America had the courage and wisdom to do so. Further, in light of the virulent aggressions of communism since World War II, I am wondering if the United States would exist today but for the protective strength our nuclear arsenals have given us.

It is well to remember that those who seek peace in a hostile world must have the power to command it.

REPORT ON LEND-LEASE OPERATIONS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 114)

The SPEAKER laid before the House the following message from the President of the United States which was read, and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

I am transmitting herewith the 44th report to Congress on lend-lease operations. This report covers the calendar year 1962.

This report is submitted in accordance with the provisions of section 5(b) of the Lend-Lease Act of March 11, 1941.

JOHN F. KENNEDY.

THE WHITE HOUSE, *August 6, 1963.*

PRIVATE CALENDAR

The SPEAKER. This is the day for the call of the Private Calendar.

The Clerk will call the first bill on the Private Calendar.

OUTLET STORES, INC.

The Clerk called the bill (H.R. 2300) for the relief of the Outlet Stores, Inc.

Mr. ANDERSON. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

DR. AND MRS. ABEL GORFAIN

The Clerk called the bill (H.R. 2706) for the relief of Dr. and Mrs. Abel Gorfain.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

CHARLES WAVERLY WATSON, JR.

The Clerk called the bill (H.R. 2728) for the relief of Charles Waverly Watson, Jr.

Mr. CONTE. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

M. SGT. BENJAMIN A. CANINI

The Clerk called the bill (S. 192) for the relief of M. Sgt. Benjamin A. Canini, U.S. Army.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of section 2732 of title 10, United States Code, the Secretary of the Army is authorized and directed to receive, consider, and act upon any claims of Master Sergeant Benjamin A. Canini, United States Army, of Tacoma, Washington, against the United States, filed within one year after the date of enactment of this Act, for compensation for damages and expenses sustained by him arising out of the malfunction of the heating unit of his Government-assigned quarters at Evreaux-Fauville Air Force Base, France, on January 30, 1957, as if such claims had been filed in the time and manner provided in such section, the said Benjamin A. Canini having submitted a timely oral claim but having failed to file a timely written claim as a result of erroneous advice by Government agents. Nothing in this Act shall constitute an admission of liability on the part of the United States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BERNARD W. FLYNN, JR.

The Clerk called the bill (S. 219) for the relief of Bernard W. Flynn, Jr.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Bernard W. Flynn, Junior, of Alexandria, Virginia, the sum of $797, in full satisfaction of his claim against the United States for reimbursement of the expenses of travel and movement of dependents and household goods from Fort Worth, Texas, to Fort Belvoir, Virginia, in September 1961, the said Bernard W. Flynn, Junior, having accepted employment with the Fort Belvoir Research and Development Laboratories, Virginia, in reliance upon the erroneous advice of agents of the United States that he would be reimbursed for such expenses: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MIDDLESEX CONCRETE PRODUCTS & EXCAVATING CORP.

The Clerk called the bill (S. 1003) for the relief of the Middlesex Concrete Products & Excavating Corp.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Middlesex Concrete Products and Excavating Corporation, of Woodbridge, New Jersey, the sum of $1,600, in full satisfaction of its claim against the United States for additional compensation for work performed at the direction of the Department of the Army in excess of the requirements of contract numbered DA-30-075-Eng-8601 for the construction of permanent family housing site work (outside lease lines) at Fort Wadsworth, New York, the Department of the Army being unable to pay such additional compensation because of the limitation on the expenditure of funds for such site work contained in section 505 of the Act of September 28, 1951 (12 U.S.C. 1748).

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ESTATE OF GREGORY J. KESSENICH

The Clerk called the bill (S. 1643) to amend the act entitled "An act for the relief of the estate of Gregory J. Kessenich," approved October 2, 1962 (76 Stat. 1368).

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act for the relief of the estate of Gregory J. Kessenich", approved October 2, 1962 (76 Stat. 1368), is hereby amended by adding the following new section at the end thereof:

"SEC. 2. The estate of the said Gregory J. Kessenich is hereby relieved from all liability for payment to the United States of the amount of any income tax imposed under the laws of the United States on the sum referred to in the first section of this Act, and the Secretary of the Treasury or his delegate is authorized and directed to allow credit or refund to such estate of any amounts paid as income tax imposed on such sum.".

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RELIEF OF CERTAIN ENLISTED MEMBERS AND FORMER ENLISTED MEMBERS OF THE AIR FORCE

The Clerk called the bill (H.R. 1545) to provide for the relief of certain enlisted members and former enlisted members of the Air Force.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the payment made by each of the following enlisted members and former enlisted members of the Air Force to Ronald L. Lorenz during the period June 2, 1956, through June 4, 1957, shall be credited to each such member or former member:

Julian L. Bandy, AF13475906; Orville Birge, AF18437236; Zoltan A. Csizmadia, AF12309779; Richard C. Difebbo, AF239376776; Rojelio M. Hernandez, AF16445321; Bobby L. Irvin, AF19312599; Stanley J. Janosky, AF13433024; Dick R. Johnston, AF15471378; Ronald C. Kiederling, AF12439963; Boyd J. Long, AF19472745; Web McPherson, AF20936236; Paul McShane, AF16417788; William W. Miller, Junior, AF17387668; William C. Mortensen, AF17386485; Thomas Peoples, AF26355133; Tommy R. Pugh, AF13449931; Luis M. Ramirez, AF38459323; Bennie Richey, AF18435176; Lewis Shaw, AF17084029; Mack Spurlock, AF18427589; James S. Stancil, Junior, AF13475621; James R. Stanton, AF16445602; Estil H. Vanover, AF15466591; Rayford O. Warren, AF38043180; James W. West, AF14443694; George H. White, AF34575392; Mason B. Woodby, AF13166578.

These payments were refunds of overpayments of accrued leave received by these persons as the result of the fraudulent transactions of said Lorenz, a civilian clerk in the accounting and finance office of the separation center at Manhattan Beach Air Force Station, New York, who appropriated the money to his own use.

SEC. 2. A person named in section 1 of this Act who made repayments both to the United States and to the said Lorenz, the total of which exceeded the amount due to the United States, shall be paid the excess, if otherwise proper.

SEC. 3. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for any amount expended under this Act.

SEC. 4. Appropriations available to the Department of the Air Force for the pay and allowances of military personnel are available for payments under this Act.

With the following committee amendments:

Page 1, line 5, strike "Ronald L. Lorenz" and insert "a former Air Force employee".

Page 1, line 10, strike "AF239376776" and insert "AF23937676".

Page 2, line 17, strike "Lorenz" and insert "former employee".

Page 2, line 23, strike "Lorenz" and insert "former employee".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

R. GORDON FINNEY, JR.

The Clerk called the bill (H.R. 1761) to confer jurisdiction on the Court of Claims to hear, determine, and render judgment upon the claim of R. Gordon Finney, Jr.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the statute of limitations, jurisdiction is hereby conferred upon the United States Court of Claims to hear, determine, and render judgment upon the claim of R. Gordon Finney, Junior, (1) on the question of liability of the Government, and (2) on the question of the amount of recovery, for back salary lost as a result of an alleged improper application by the National Park Service of the Selective Training and Service Act of 1940, as amended (50 U.S.C. App. 459), for the period following the date of his honorable discharge from the Army on January 27, 1946, to the date of the court's judgment.

SEC. 2. Suit upon such claim may be instituted at any time within six months after the date of enactment of this Act. Proceedings for the determination of such claim, and appeals from, and payment of, any judgment thereon shall be in the same manner as in the case of claims over which such court has jurisdiction under section 1491 of title 28 of the United States Code: *Provided,* That the passage of this Act shall not be construed as an inference of liability on the part of the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CHILDREN OF MRS. ELIZABETH A. DOMBROWSKI

The Clerk called the bill (H.R. 1861) for the relief of the children of Mrs. Elizabeth A. Dombrowski.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to each child of Mrs. Elizabeth A. Dombrowski, of Parma, Ohio, widow of Victor E. Dombrowski, of Parma, Ohio, the amount which the Administrator of Veterans' Affairs certifies to him would have been payable to each such child under section 542 of title 38 of the United States Code for the period from July 1, 1960, to the date which each such child actually began receiving a pension under such section: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RAFAELLO BUSONI

The Clerk called the bill (H.R. 2228) for the relief of the estate of Rafaello Busoni.

Mr. **HEMPHILL.** Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The **SPEAKER.** Is there objection to the request of the gentleman from South Carolina?

There was no objection.

ERWIN A. SUEHS

The Clerk called the bill (H.R. 2238) for the relief of Erwin A. Suehs.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the requirements in section 202(c)(1)(C) and 202(p) of the Social Security Act that proof of support be filed by the dependent husband of an insured individual within a specified period in order to qualify for husband's insurance benefits on the basis of such individual's wages and self-employment income shall not apply with respect to the application of Erwin A. Suehs, Pittsfield, Massachusetts, for husband's insurance benefits under section 202(c) of such Act on the basis of the wages and self-employment income of his wife Elizabeth R. Suehs (social security account numbered 095-28-0573), if he files such application, together with such proof of support, within the six-month period beginning on the date of the enactment of this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOSÉ DOMENECH

The Clerk called the bill (H.R. 2256) for the relief of José Domenech.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That José Domenech, of Niagara Falls, New York, is hereby relieved of all liability for repayment to the United States of pay and allowances for excess leave used while on active duty with the United States Army for the period from October 19, 1951, to November 13, 1957, and erroneous payment of fourteen days accrued leave on the date of his discharge, in the amount of $314.32.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said José Domenech, the sum of any amounts received or withheld from him on account of the payments referred to in the first section of this Act: *Provided,* That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GEORGE R. LORE

The Clerk called the bill (H.R. 2756) for the relief of George R. Lore.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to George R. Lore, of Baudette, Minnesota, the sum of $6,889 in full settlement of all his claims against the United States for loss of or damage to his aircraft N4688A, an approved facility of the United States Coast Guard Auxiliary, Flotilla 28-05, while on a search and rescue mission. Due to emergency and holiday conditions, the mission had to be undertaken before orders authorizing it could be obtained: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. JUSTINE M. DUBENDORF

The Clerk called the bill (H.R. 2770) for the relief of Mrs. Justine M. Dubendorf.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Mrs. Justine M. Dubendorf, of Silver Spring, Maryland, is relieved of liability to the United States in the amount of $686.41, representing an overpayment of compensation from March 12, 1956, through July 9, 1961, received by her while employed with the Army Command and Administrative Communications System, Washington, District of Columbia. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for any amount for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Mrs. Justine M. Dubendorf an amount equal to any sums which may have been withheld by the Department of the Army in partial satisfaction of the liability relieved in the first section of this Act: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ESTATE OF BART BRISCOE EDGAR, DECEASED

The Clerk called the bill (H.R. 2925) for the relief of the estate of Bart Briscoe Edgar, deceased.

The **SPEAKER.** Is there objection to the present consideration of the bill?

Mr. **HEMPHILL.** Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The **SPEAKER.** Is there objection to the request of the gentleman from South Carolina?

There was no objection.

WALLACE J. KNERR

The Clerk called the bill (H.R. 3843) for the relief of Wallace J. Knerr.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Wallace J. Knerr, of Philadelphia, Pennsylvania, is relieved of liability to pay to the United States the sum of $203.99, representing the aggregate amount of salary overpayments received by him from the United States Post Office Department during the period beginning June 28, 1958, and ending October 28, 1960, which overpayments were made as a result of administrative error. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Wallace J. Knerr, the sum of any payments received or withheld from him on account of the overpayment referred to in the first section of this Act: *Provided,* That no part of the amount appropriated in this section shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SMITH L. PARRATT AND MR. AND MRS. LLOYD PARRATT, HIS PARENTS

The Clerk called the bill (H.R. 4141) for the relief of Smith L. Parratt and Mr. and Mrs. Lloyd Parratt, his parents.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of section 2041(b) of title 28 of the United States Code barring tort claims against the United States under the Federal tort claims provisions of title 28, United States Code, unless action is begun within two years after such claim accrues is hereby waived in favor of any claims of Smith L. Parratt and Mr. and Mrs. Lloyd Parratt, his parents, of Upland, California, against the United States arising out of the mauling of the said Smith L. Parratt by a grizzly bear in Glacier National Park, Montana, on July 18, 1960, if suit thereon is commenced within one year after date of enactment of this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN F. MACPHAIL

The Clerk called the bill (H.R. 5145) for the relief of John F. MacPhail, lieutenant, U.S. Navy.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

EDWARD T. HUGHES

The Clerk called the bill (H.R. 5307) for the relief of Edward T. Hughes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Edward T. Hughes, of Concord, Massachusetts, the sum of $250.00. Such sum represents reimbursement to the said Edward T. Hughes for paying out of his own funds judgments rendered against him in the United States District Court, Boston, Massachusetts, as a result of an accident occurring when Edward T. Hughes was operating a Government vehicle in the course of his duties as an employee of the Post Office Department: *Provided,* That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

L. C. ATKINS & SON

The Clerk called the bill (H.R. 5811) for the relief of L. C. Atkins & Son.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the District of Columbia Redevelopment Land Agency is authorized and directed to pay, out of funds made available to it by the Housing and Home Finance Administrator pursuant to the provisions of section 106(f) of the Housing Act of 1949, as amended, to L. C. Atkins and Son of the District of Columbia, the sum of $150. The payment of such sum shall be in full settlement of all claims of the said L. C. Atkins and Son against the United States for expenses and losses incurred by the said L. C. Atkins and Son in vacating business premises at the municipal fish wharves in the District of Columbia at the direction of the Board of Commissioners of the District of Columbia: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

QUALITY SEAFOOD, INC.

The Clerk called the bill (H.R. 5812) for the relief of Quality Seafood, Inc.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the District of Columbia Redevelopment Land Agency is authorized and directed to pay, out of funds made available to it by the Housing and Home Finance Administrator pursuant to the provisions of section 106(f) of the Housing Act of 1949, as amended, to Quality Seafood, Incorporated, of the District of Columbia, the sum of $3,000. The payment of such sum shall be in full settlement of all claims of such corporation against the United States for expenses and losses incurred by it in vacating business premises at the municipal fish wharves in the District of Columbia at the direction of the Board of Commissioners of the District of Columbia: *Provided,* That no part of the amount appropriated in this Act in excess of 10 percentum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NORMAN R. THARP

The Clerk called the bill (H.R. 5814) for the relief of Norman R. Tharp.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Norman R. Tharp, Falls Church, Virginia, a civilian employee of the Department of the Air Force, is hereby relieved of liability to the United States in the sum of $940.80. Such sum represents the aggregate amount of salary overpayments received by him from the United States for the period beginning August 24, 1958, and ending July 9, 1960, as a result of administrative error and without fault on his part. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for the amount for which liability is relieved by this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CHIEF M. SGT. SAMUEL W. SMITH, U.S. AIR FORCE

The Clerk called the bill (H.R. 6091) for the relief of Chief M. Sgt. Samuel W. Smith, U.S. Air Force.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Chief Master Sergeant Samuel W. Smith, AF 35402624, United States Air Force, Headquarters, Third Air Force, APO 125, care of Postmaster, New York, New York; the sum of $4,362.11 in full satisfaction of his claim against the United States for reimbursement in addition to the amount he received under section 2732 of title 10, United States Code, for household goods and personal effects that were damaged in shipment from Biloxi, Mississippi, to Cambridgeshire, England, in April and May of 1960: *Provided,* That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MAJ. WARREN G. WARD ET AL.

The Clerk called the bill (H.R. 6180) for the relief of Maj. Warren G. Ward, Capt. Paul H. Beck, and 1st Lt. Russell K. Hansen, U.S. Air Force.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay to the following-named officers of the United States Air Force, Wright-Patterson Air Force Base, Ohio, out of any amounts not otherwise appropriated, the sums indicated after each of their names, respectively: Major Warren G. Ward, AO772612, $1,304.50; Captain Paul H. Beck, 65608A, $989.40; and First Lieutenant Russel K. Hansen, AO3065176, $723.20. The payment authorized in this Act is in full satisfaction of the claim of each of these officers against the United States for reimbursement in addition to the amount he received under section 2732 of title 10, United States Code, for household goods and personal effects destroyed as a result of a fire of undetermined origin on July 28, 1962, at the Bowell Storage and Transit Company warehouse, Dayton, Ohio, while the property was stored in a warehouse under a Government contract. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with any of these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 9: Strike "Russel" and insert "Russell".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ROBERT L. NOLAN

The Clerk called the bill (H.R. 6373) for the relief of Robert L. Nolan.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $412.20 to Robert L. Nolan, an employee of the United States Weather Bureau, Department of Commerce, in full settlement of all claims against the United States for personal property owned by him which through no fault of his, was lost while he was carrying out his official duties: *Provided,* That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. MARGARET L. MOORE

The Clerk called the bill (H.R. 6443) for the relief of Mrs. Margaret L. Moore.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for purposes of the Civil Service Retirement Act (5 U.S.C. 2251 et seq.) and the Act of August 3, 1950, as amended (5 U.S.C. 61f et seq.), Mrs. Margaret L. Moore, of Arlington, Virginia, shall be held and considered to be entitled to the sums of $2,233.95 and $657.59, representing the respective balances due under said Acts in the case of Muriel I. Moore, deceased former employee of the Department of the Army. Payments under this Act shall be a bar to recovery by any other person.

SEC. 2. No part of the money mentioned in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. HENRY H. COHAN

The Clerk called the bill (H.R. 6628) for the relief of Dr. Henry H. Cohan.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Doctor Henry H. Cohan, of Philadelphia, Pennsylvania, the sum of $6,010.59, in full settlement of all claims against the United States for losses sustained by the said Doctor Cohan as a result of damage to and destruction of his personal property in the warehouse of the Christian J. Ludwig Company, Philadelphia, Pennsylvania, by a fire that occurred on October 4, 1958: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor, and upon his conviction thereof shall be fined in a sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LOUIS C. WHEELER

The Clerk called the bill (H.R. 6663) for the relief of Louis C. Wheeler.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Louis C. Wheeler, doing business as Sun Valley Construction, East Greenwich, Rhode Island, the sum of $7,958.85. The payment of such sum shall be in full settlement of all claims of Louis C. Wheeler against the United States for amounts due such person as a sub-subcontractor to Maguire Homes, Incorporated, under the contract entered into by Maguire Homes, Incorporated, and the New England Division, Corps of Engineers, United States Department of the Army, for the construction of housing at the North Kingstown, Rhode Island, Nike site: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

SEC. 2. Upon the payment to Louis C. Wheeler of the sum authorized by the first section of this Act, all rights and remedies of such person against Maguire Homes, Incorporated, to recover amounts due such person as a sub-subcontractor to such corporation under the contract referred to in such first section, shall be transferred to the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SHELBURNE HARBOR SHIP & MARINE CONSTRUCTION CO., INC.

The Clerk called the bill (H.R. 6808) for the relief of the Shelburne Harbor Ship & Marine Construction Co., Inc.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Shelburne Harbor Ship and Marine Construction Company, Incorporated (hereinafter in this Act referred to as the "company"), of Shelburne, Vermont, is hereby relieved of all liability to pay to the United States the principal amount of $19,793.76, together with all accrued interest thereon. Such liability of the company arose from an order of March 10, 1958, of the Renegotiation Board with respect to profits of the company from a contract between the company and the Department of the Navy.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. JOHNSON BRADLEY

The Clerk called the bill (H.R. 7019) to provide further compensation to Mrs. Johnson Bradley for certain land and improvements in the village of Odanah, Wis., taken by the Federal Government.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Johnson Bradley, of Phoenix, Arizona, the sum of $583.33, representing the difference between the amount of $16.67 paid to Mr. and Mrs. Bradley and the value of the land and improvements which were taken by the Federal Government in 1940 through condemnation, civil numbered 41, The United States of America against 13.718 Acres in

Ashland County, Wisconsin, and which have since been administered for the use and benefit of the Bad River Indians.

With the following committee amendments:

Page 2, line 3, add: "No part of the amount appropriated in this act thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HERBERT R. SCHAFF

The Clerk called the bill (H.R. 1532) for the relief of Herbert R. Schaff.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Herbert R. Schaff of Altadena, California, the sum of $2,450. The payment of such sum shall be in full settlement of all claims of the said Herbert R. Schaff against the United States for the value of a jeep which was purchased with money stolen from him and forfeited to the United States Government because the purchaser and registered owner were unlawfully using the jeep to transport narcotics in violation of the internal revenue laws of the United States: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DAVEY ELLEN SNIDER SIEGEL

The Clerk called the bill (H.R. 2724) for the relief of Davey Ellen Snider Siegel.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any application of Mrs. Lenore Siegel, of Plainview, Long Island, New York, for dependency and indemnity compensation benefits on behalf of her child, Davey Ellen Snider Siegel, daughter of the late David Snider (XC-3-830-330), filed with the Veterans' Administration within the one-year period which begins on the date of enactment of this Act, shall be deemed to have been filed on April 1, 1949. Such benefits were terminated on March 31, 1949, as a result of Mrs. Siegel's remarriage, and as a result of administrative errors were not reinstated until May of 1962.

With the following committee amendment:

Page 1, line 4, after "for" insert "service-connected death compensation or for".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

OWEN L. GREEN

The Clerk called the bill (H.R. 2790) for the relief of Owen L. Green.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster General is authorized and directed to recompute the additional annual leave to which Owen L. Green of Rochester, Minnesota, would have been entitled as an employee of the Post Office Department in the years 1959, 1960, and 1961, had he been correctly credited with his time in the military service, and the Postmaster General is further authorized and directed to credit the annual leave account of the said Owen L. Green with the amount of the additional leave so computed to remain available until used.

With the following committee amendment:

Page 1, following line 11, insert: "The annual leave credited under the authority of this Act shall not form the basis for lump sum leave payment in the event that the said Owen L. Green is separated from the postal service."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CERTAIN NAVAL OFFICERS

The Clerk called the bill (H.R. 4145) for the relief of certain individuals.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to each individual listed in section 2 of this Act the sum specified with respect to such individual. The payment of such sum shall be in full settlement of the claim of each such individual against the United States for loss of per diem allowance for the period October 21, 1959, to February 29, 1960, both dates inclusive, due to the erroneous modification of his orders: *Provided,* That no part of the amount appropriated in this Act for the payment of any one claim in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with such claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

SEC. 2. The claimants and the amount of each claim referred to in the first section of this Act are:

Commander C. N. Mitchell, 389841, United States Navy, $1,402.00;

Lieutenant Commander R. F. Hale, 498196, United States Navy, $1,348.00;

Lieutenant Commander W. J. Cowhill, 493647, United States Navy, $1,502.00;

Lieutenant J. B. Richard, 555140, United States Navy, $1,502.00;

Lieutenant P. (n) Durbin, 519555, United States Navy, $1,502.00;

Lieutenant J. M. Will, Junior, 586645, United States Navy, $1,388.00.

With the following committee amendment:

Page 2, line 23, add:

"No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

Mr. ASHMORE. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment to the committee amendment offered by Mr. ASHMORE: Page 1, line 11, through page 2, line 9 after "orders:" Strike out "*Provided,* That no part of the amount appropriated in this Act for the payment of any one claim in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with such claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. M. ORTA WORDEN

The Clerk called the bill (H.R. 4288) for the relief of Mrs. M. Orta Worden.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the limitations contained in section 2733 of title 10, United States Code, or any other statute of limitations, the claim of Mrs. M. Orta Worden, of Broderick, California, based upon the injuries she received in a fall on April 25, 1958, at the class VI concession building, Nouasseur Air Force Base, Casablanca, Morocco, which was filed on June 23, 1961, shall be held and considered to have been timely filed, and said claim shall be considered and settled in accordance with otherwise applicable provisions of law.

With the following committee amendment:

Strike all after the enacting clause and insert:

"That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. M. Orta Worden of

Broderick, California, the sum of $10,864.89. The payment of such sum shall be in full settlement of all claims of the said Mrs. M. Orta Worden against the United States resulting from injuries sustained by her as the consequence of a fall on April 25, 1958, at the class VI concession building, Nouasseur Air Force Base, Casablanca, Morocco. No part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provision of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

Mr. ASHMORE. Mr. Speaker, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment to the committee amendment offered by Mr. ASHMORE: Page 2, beginning on line 11, after "Morocco", strike out "No part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The amendment to the committee amendment was agreed to.

The committee amendment as amended was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

THEODORE ZISSU

The Clerk called the bill (H.R. 5822) for the relief of Theodore Zissu.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of section 33 of the Trading With the Enemy Act, as amended (50 App. U.S.C. 33), with respect to the filing of claims and the institution of suits for the return of property or any interest therein pursuant to section 9 or 32 of such Act (50 App. U.S.C. 9 or 32), Theodore Zissu, a United States citizen, may within six months after the enactment of this Act file a claim for the return of certain property, namely, his interest as owner of 30 per centum of the stock of Industria Romana Mechanica si Chimica S.A., Bucharest, Rumania, the forge plant property and equipment of which latter corporation was vested by the Office of Alien Property under Vesting Order Numbered 46, effective July 6, 1942, and supplement to Vesting Order Numbered 46, effective May 11, 1943, and which forge plant property and equipment was subsequently sold by said Office of Alien Property; and that claim shall be considered on its merits in accordance with the remaining provisions of that Act. If no such return is made within a period of sixty days after the filing of such claim, the said Theodore Zissu shall be entitled, within one year of the expiration of such period, to institute suit pursuant to section 9 of said Act (50 App. U.S.C. 9) for the return of such property.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SP5C. CURTIS MELTON, JR.

The Clerk called the bill (H.R. 6377) for the relief of Sp5c. Curtis Melton, Jr.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of American in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Specialist Five Curtis Melton, Junior (serial number RA24977421), the sum of $1,800. The payment of such sum shall be in full settlement of the claim of the said Specialist Five Curtis Melton, Junior, against the United States for losses suffered by him as the result of damage to his automobile in December 1959 while it was parked in front of his off-post residence in Kirchheimbolanden, Germany, caused by an Army vehicle being driven without authority and not on an authorized mission by a member of the Armed Forces: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike "$1,800" and insert "$1,180.95". The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONVEYANCE OF CERTAIN MINERAL INTERESTS OF THE UNITED STATES TO THE RECORD OWNERS OF THE SURFACE OF THAT PROPERTY

The Clerk called the bill (H.R. 4211) to provide for the conveyance of certain mineral interests of the United States in property in South Carolina to the record owners of the surface of that property.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior shall convey to those persons who, on the date of enactment of this Act, are the record owners of the surface right thereof, all of the right, title, and interest of the United States in and to the real property consisting of fifty-three and three-tenths acres and more particularly described in the conveyance entered into between Gus Loskoski and Olo Loskoski as grantors and L. T. Vaughn and Sheron K. Vaughn as grantees, which conveyance is recorded in the office of the clerk of court for Anderson County, South Carolina, in deed book A-9 at page 257. Such conveyance shall be made only if application is made therefor by a record owner of the surface rights within one year after the date of enactment of this Act and upon payment to the United States by such record owner of the sum of $200 to reimburse the United States for the administrative cost of the conveyance plus the fair market value of the minerals as determined by the Secretary.

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1326) to provide for the conveyance of certain mineral interests of the United States in property in South Carolina to the record owners of the surface of that property.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior shall convey to those persons who, on the date of enactment of this Act, are the record owners of the surface rights thereof, all of the right, title, and interest of the United States in and to the real property consisting of fifty-three and three-tenths acres and more particularly described in the conveyance entered into between Gus Loskoski and Ola Loskoski as grantors and L. T. Vaughn and Sheron K. Vaughn as grantees, which conveyance is recorded in the office of the clerk of court for Anderson County, South Carolina, in deed book A-9 at page 257. Such conveyance shall be made only if application is made therefor by a record owner of the surface rights within one year after the date of enactment of this Act and upon payment to the United States by such record owner of such sum as may be fixed by the Secretary to reimburse the United States for the administrative cost of the conveyance plus the fair market value of the minerals as determined by the Secretary.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

A similar House bill (H.R. 4211) was laid on the table.

UNITED DAUGHTERS OF THE CONFEDERACY

The Clerk called the bill (H.R. 5703) granting an extension of patent to the United Daughters of the Confederacy.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) a certain design patent issued by the United States Patent Office of date November 8, 1898, being patent numbered 29,611, which is the insignia of the United Daughters of the Confederacy, which was renewed and extended for a period of fourteen years by Public Law Numbered 220, Seventy-seventh Congress, approved August 18, 1941, is hereby renewed and extended for an additional period of fourteen years from and after the date of enactment of this Act, with all the rights and privileges pertaining to the same, being generally known as the insignia of the United Daughters of the Confederacy.

(b) No person who has manufactured the design of such patent between August 18, 1955, and the date of the enactment of this Act shall be held liable for infringement of such patent by reason of the continued manufacture and sale thereof.

Mr. DORN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DORN. Mr. Speaker, the United Daughters of the Confederacy have a rich, and glorious heritage. They are dedicated to perpetuating the memory of those gallant men and women who sacrificed their lives and their fortunes for a principle in which they believed. The United Daughters of the Confederacy never cease paying homage to the dedicated, courageous, independent, self-reliant men of the Confederacy who suffered untold hardships—these men who went hungry, were ragged and who were often barefooted, who suffered through the chilling winds of winter and the dust and heat of summer. They endured these hardships because to them a principle was involved—a basic and fundamental principle of government and political philosophy. The United Daughters of the Confederacy will always honor the memory of such gallant men.

I am very proud of my own forebears and their devotion to the cause which they felt to be just. I am proud that my grandfather was a soldier for 4 long years, following the leadership of Robert E. Lee and Stonewall Jackson. My own home in South Carolina was built for a gallant southerner who gave his life on the field of honor at Antietam. My mother, for as long as she lives, will attend the meetings of the United Daughters of the Confederacy and cherish the principles and ideals so honored.

Mr. Speaker, the United Daughters of the Confederacy not only honor those who dedicated their lives to the Confederacy, but this magnificent organization is fighting today to preserve the principles upon which this Nation was founded. They are fighting today for the Constitution, the Bill of Rights, and for freedom and liberty. They believe in this Congress as the true representative of the American people. They defend the honor and integrity of this great body. Mr. Speaker, Mrs. Robert Hamilton Smith, of Philadelphia, Pa., is now the president of the United Daughters of the Confederacy. Mrs. Robert Bachman of Washington, D.C., is the immediate past president. Under the able and distinguished leadership of these great ladies, the United Daughters of the Confederacy is determined to play a major role in the preservation of our great country. It has been one of the happiest privileges of my life to be closely associated with these noble ladies in their endearing and dedicated efforts.

Mr. Speaker, on November 8, 1898, a certain design patent was issued by the U.S. Patent Office which was the insignia of the United Daughters of the Confederacy. This patent has been renewed and extended upon several occasions by the Congress. The bill before the House at this time, H.R. 5703, will revive and extend the patent rights of the United Daughters of the Confederacy for another 14 years.

In recognition of the outstanding leadership of Mrs. Smith and Mrs. Bachman, and the patriots whom they represent, I urge that the House pass this bill. Mr. Speaker, in recognition of the patriotism and devotion to the ideas and principles of true Americanism of the great ladies of the United Daughters of the Confederacy, it is my earnest hope that the House will unanimously approve this legislation.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. ROZSI NEUMAN

The Clerk called the bill (H.R. 2260) for the relief of Mrs. Rozsi Neuman.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provision of section 212 (a) (3) and section 212(a) (19) of the Immigration and Nationality Act, Mrs. Rozsi Neuman may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such Act under such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose: *Provided*, That, unless the beneficiary is entitled to care under the Dependents' Medical Care Act (70 Stat. 250), a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act: *Provided further*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this Act.

With the following committee amendment:

On page 1, line 4, strike out "and section 212(a) (19".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ELIZABETH KOLLOIAN IZMIRIAN

The Clerk called the bill (H.R. 2303) for the relief of Elizabeth Kolloian.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Elizabeth Kolloian, shall be held and considered to be the natural born child of Mrs. Baizer Ismirian, a citizen of the United States: *Provided*, That the natural parent of the beneficiary shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That, in the administration of the Immigration and Nationality Act, a petition filed in behalf of Elizabeth Kolloian Izmirian, by Mrs. Baizar Izmirian may be approved pursuant to the provisions of section 205(b) of the act, subject to all the conditions in that section relating to eligible orphans."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "For the relief of Elizabeth Kolloian Izmirian."

A motion to reconsider was laid on the table.

FIORE LUIGI BIASIOTTA

The Clerk called the bill (H.R. 3648) for the relief of Fiore Luigi Biasiotta.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Fiore Luigi Biasiotta, shall be held and considered to be the natural born alien child of Mr. and Mrs. Fiore Biasiotta, citizens of the United States: *Provided*, That the natural parents of the beneficiary shall not, by virtue of such parentage, be accorded any right, privilege, or status, under the Immigration and Nationality Act.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That, in the administration of the Immigration and Nationality Act, Fiore Luigi Biasiotta may be classified as an eligible orphan within the meaning of section 101(b) (1) (F) of the Act, upon approval of a petition filed in his behalf by Mr. and Mrs. Fiore Biasiotta, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANNA KRYSTYNA CHMIELEWSKA

The Clerk called the bill (H.R. 3762) for the relief of Anna Krystyna Chmielewska.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Anna Krystyna Chmielewska shall be held and considered to be the natural born alien child of Joseph and Cecylia Chmielewski citizens of the United States: *Provided*, That the natural parents of the beneficiary shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That, in the administration of the Immigration and Nationality Act, Anna C. Chmielewski may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mrs. Joseph Chmielewski, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "For the relief of Anna C. Chmielewski."

A motion to reconsider was laid on the table.

NORIYUKI MIYATA

The Clerk called the bill (H.R. 4075) for the relief of Noriyuki Miyata.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Noriyuki Miyata, shall be held and considered to be the natural born alien child of Mr. and Mrs. Harry Y. Miyoshi, citizens of the United States: *Provided,* That the natural parents of the beneficiary shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That, in the administration of the Immigration and Nationality Act, Noriyuki Miyata may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the act, upon approval of a petition filed in his behalf by Mr. and Mrs. Harry Y. Miyoshi, citizens of the United States, pursuant to section 205(b) of the act, subject to all the conditions in that section relating to eligible orphans."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ETSUKO (MATSUO) McCLELLAN

The Clerk called the bill (H.R. 4863) for the relief of Etsuko (Matsuo) McClellan.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent that a similar Senate bill S. 280 be considered in lieu of the House bill.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Etsuko Matsuo McClellan, shall be held and considered to be the natural-born alien child of Sergeant Curtis O. McClellan and Jewell McClellan, citizens of the United States: *Provided,* That the natural parents of the said Etsuko Matsuo McClellan shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 4863) was laid on the table.

JANOS KARDOS

The Clerk called the bill (S. 752) for the relief of Janos Kardos.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of section 212 (a)(4) of the Immigration and Nationality Act, Janos Kardos may be issued a visa and be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that Act: *Provided,* That a suitable and proper bond or undertaking approved by the Attorney General be deposited as prescribed by section 213 of the said Act: *And provided further,* That this Act shall apply only to grounds for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. EURINA P. RICHARDS

The Clerk called the bill (H.R. 1201) for the relief of Mrs. Eurina P. Richards.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Mrs. Eurina P. Richards shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That, the Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrants of arrest, and bond, which may have issued in the case of Mrs. Eurina P. Richards. From and after the date of the enactment of this Act, the said Mrs. Eurina P. Richards shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

JAN OWSIAK

The Clerk called the bill (H.R. 1280) for the relief of Jan Owsiak.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Jan Owsiak, shall be held and considered to be the natural born alien child of Mr. and Mrs. Stephen Koss, citizens of the United States; *Provided,* That the natural parents of the beneficiary shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That, in the administration of the Immigration and Nationality Act, Jan Koss may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in his behalf by Mr. and Mrs. Stephen Koss, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Jan Koss."

A motion to reconsider was laid on the table.

MARGUERITE LEFEBVRE BROUGHTON

The Clerk called the bill (H.R. 7022) for the relief of Marguerite Lefebvre Broughton.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provision of section 212 (a)(3) of the Immigration and Nationality Act, Marguerite Lefebvre Broughton may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such Act, under such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose: *Provided,* That, unless the beneficiary is entitled to care under chapter 55, title 10, United States Code, a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act: *Provided further,* That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. HEMPHILL. Mr. Speaker, I ask unanimous consent that further call of the Private Calendar be dispensed with at this time.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

BARBARA THERESA LAZARUS

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 1518) for the relief of Barbara Theresa Lazarus, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

> Line 3, strike out sections 203(a)(3) and 205 and insert "titles I and II."

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

Mr. GROSS. Mr. Speaker, reserving the right to object, is this presently on the calendar?

Mr. FEIGHAN. This bill has already passed the House providing for third preference status for the adopted child of lawfully resident aliens.

It went to the Senate and the Senate amended it to provide that the beneficiary also be permitted to avail herself of the quota chargeability of her adoptive father.

Mr. GROSS. The minority is acquainted with the change made in the bill?

Mr. FEIGHAN. Yes, it has been cleared.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

VOCATIONAL EDUCATION ACT OF 1963

Mr. ELLIOTT. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 469 and ask for its immediate consideration.

The Clerk read as follows:

> *Resolved,* That upon the adoption of this resolution, it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4955) to strengthen and improve the quality of vocational education and to expand the vocational education opportunities in the Nation. After general debate, which shall be confined to the bill and shall continue not to exceed three hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the substitute amendment recommended by the Committee on Education and Labor now in the bill, and such substitute for the purpose of amendment shall be considered under the five-minute rule as an original bill. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendment as may have been adopted, and any Member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

Mr. ELLIOTT. Mr. Speaker, I yield myself such time as I may require; after which I shall yield 30 minutes to the gentleman from Ohio [Mr. BROWN].

Mr. Speaker, I am happy to have the privilege today of bringing to the House, by direction of the Committee on Rules, the rule making in order the consideration of H.R. 4955, which is a bill to strengthen and improve the quality of vocational education and to expand the vocational education opportunities in the Nation. I support the rule and urge its adoption. If the rule is adopted we will go into the Committee of the Whole House on the State of the Union for 3 hours of general debate, which will be followed by debate under the 5-minute rule. At the end of debate the House will vote the bill, H.R. 4955, up or down. I shall support the bill.

Mr. Speaker, the Central Government has now for almost half a century recognized its obligation to support quality vocational education programs throughout the Nation. Perhaps only now are we beginning to recognize fully the correlation between our national social ills—and I refer to unemployment, economic distress, juvenile delinquency, crime—and our educational programs.

Mr. Speaker, perhaps only now do we see that the central paradox of our modern technological economy—the growth of hard-core unemployment combined with an increase in the demand for highly skilled personnel—can be approached most effectively by increased efforts in education. But, Mr. Speaker, we can take pride this afternoon that our predecessors who served in Congress were equally observant and were more constructive in their analysis of what they saw. They left a great challenge to us.

Over 50 years ago individuals and institutions petitioned the Congress for Federal assistance to public schools to meet the vocational training needs of a Nation that was beginning to grow rapidly in the industrial field. On January 20, 1914, Congress approved the creation of a special Commission on National Aid to Vocational Education, with the responsibility "to consider the subject of national aid for vocational education and report their findings and recommendations not later than June 1 next." After exhaustive surveys, the Commission reported back to Congress that the economic growth of our Nation depended on the availability of a labor force adequately trained to perform the jobs being created by our expanding industrialization. That report stated:

> There is a great and crying need of providing vocational education of this character for every part of the United States—to conserve and develop our resources; to promote a more productive and prosperous agriculture; to prevent the waste of human labor; to supplement apprenticeship; to increase the wage-earning power of our productive workers; to meet the increasing demand for trained workmen; to offset the increased cost of living. Vocational education is therefore needed as a wise business investment for the Nation because our national prosperity and happiness are at stake and our position in the markets of the world cannot otherwise be maintained.

Our predecessors recognized the force of these facts, and arguments. On February 23, 1917, Woodrow Wilson signed the Smith-Hughes Act into law. At the final vote in the House, only one dissenting voice was heard. With this act, Congress affirmed the Jeffersonian concept of Federal support for the vocational training needs of the Nation. Congress realized that industrialization was bringing about far-reaching changes in the labor market, resulting in new demands for workers equipped with new abilities.

Mr. Speaker, we of the 88th Congress are faced with problems comparable in every respect to the problems our predecessors faced in 1917. The facts are also clear. We can see the trends of our labor demands. We can read the newspaper advertisements—advertisements for skilled technical workers or trained engineers. We can read the unemployment figures—figures that vary but never vanish. We can interpret the statistical reports: Over 90 percent of our unemployment is among those with high school diplomas or less, yet 30 to 40 percent of youngsters now in the fifth grade will probably not graduate from high school; more than 20 million noncollege graduates are expected to enter the labor market in the 1960's; the loss of 1 year's income due to unemployment is more than the total cost of education through high school.

There is no need for further evidence that vocational education is a key to our national economic security and our citizens' personal self-fulfillment. The need today is for increased efforts in a field which the Nation long ago acclaimed an area of special concern to the Federal Government.

Times have changed since that first Commission made its report in 1914, but our underlying goals have not, nor have the Nation's needs. The task today is to modernize and expand the structure that was originally envisaged by the 1914 Commission—which was, incidentally, a congressional Commission composed of Members of both Houses of Congress as well as private citizens. Their report also speaks of social and technological change, of population shift from the farms to the cities, of the replacement of the craftsman by division of labor and the factory system. These trends, which are writ much larger today, were no doubt in the minds of many Congressmen as they enacted in 1917 that legislative landmark, the Smith-Hughes Act.

It is again time for us to fulfill traditional obligations in meeting the labor needs of a new age. There is no doubt that Federal efforts can mean a profound difference to individuals faced with the threat of unemployment but untrained for the specialized demands of our labor market. The achievements under programs of Smith-Hughes and George-Barden are matters of public record.

Our ability to deal effectively with the complex problems faced by vocational educators has been demonstrated by the success of the area vocational school program provided by title VIII of the National Defense Education Act. In fiscal year 1962, 630 schools participated in the program; 148,920 citizens received training for jobs demanding specialized skills of one form or another. And of the 9,946 graduates of preparatory programs in that year, 83.5 percent of those available for employment were placed in positions directly or indirectly related to the fields in which they had been trained.

Mr. Speaker, I submit that this record is dramatic and incontrovertible evidence that, in the face of the most difficult economic problems, we can save our Nation millions of dollars while making available to thousands of our citizens an opportunity to make their own way through a rapidly changing world of work.

In 1958 I had the privilege of being the author in the House of the National Defense Education Act. Title VIII—the vocational education title—was one of its keystones. It was one of its most important titles. It has accomplished everything that we envisioned for it, and more. I am proud today to have the privilege of reciting some of the accomplishments under this title.

For those who are able to look beyond the immediate future to, say, 10 years from now, it is obvious that every dollar we spend on vocational training programs will yield a tremendous return in savings to our economy. The returns will be twofold: Savings in reduced welfare cost, and increases in income tax returns. The unemployed person pays no taxes and consumes few goods; the underemployed contributes little more to our economic growth. An enlarged and comprehensive vocational education program will strengthen our economy as a whole by strengthening the capacity of individuals to produce, consume, and pay taxes. It is economic as well as commonsense that says we must invest now in vocational education, and invest heavily.

Mr. Speaker, in light of the success of the National Defense Education Act and other vocational educational programs, the impression may be generated that we are doing quite well—that we need only continue as in the past. I must emphasize that this bill, H.R. 4955, confronts the fact that our limited past efforts can by no means deal with the tremendous size of our present problem. Just as in 1917 Congress was faced with great new challenges to vocational education, so today are we faced with explosive new difficulties, demanding new approaches and increased efforts.

In 1961 the President requested the Secretary of Health, Education, and Welfare to appoint a special Advisory Panel to review and evaluate the vocational education acts and make recommendations for improvement and redirection. The Panel reported to the President in November of 1962, reaffirming the view that education and training are sound investments in people: vocational education graduates do find employment in fields related to their training. The Panel also found that the local-State-Federal partnership provides the skills that are vital to the welfare of the entire Nation. This has been demonstrated dramatically by the training of defense workers in World War II, the practical nurse training program, and the technical education program of the National Defense Education Act.

The following recommendations of the Panel point out existing deficiencies in our vocational education effort:

> 1. Vocational education should be available to more people. Only about 4 million persons are now enrolled, more than half of whom are adults.
>
> 2. Vocational education must be made available in more types of schools. As specialized training and relatively expensive equipment is involved, the development of area schools would allow neighboring school districts to join forces in support of vocational programs open to all their qualified students.
>
> 3. Vocational training must be made available for new and emerging occupations. Under existing acts, funds are allotted only for traditional categories such as agriculture, home economics, trades and industries, and distributive occupation; if programs could not be confined to these restrictive definitions, then they were not eligible for Federal support.
>
> 4. More vocational education programs must be provided for young people who have special needs. This group includes the disadvantaged, the school dropouts and the youths who have physical or mental handicaps that prevent them from succeeding in the traditional vocational programs. Restrictions in existing laws have prevented vocational educators from developing new programs to prepare these young people for jobs.

Mr. Speaker, the bill before you is designed to make these recommendations a reality—just as in 1917 the Smith-Hughes Act followed the suggestions of another vocational education advisory group.

H.R. 4955 authorizes new appropriations for State vocational education programs amounting to $45 million for fiscal year 1964, $90 million for fiscal year 1965, $135 million for fiscal year 1966, and $180 million for subsequent fiscal years. The new funds would be expended for State and local vocational education programs without categorical limitation under a broadened definition of vocational education. Business and office occupations not now covered under existing law are included. The State administering agency would periodically review vocational education programs in the light of current and projected manpower needs and job opportunities. The need for cooperation between State vocational agencies and public employment offices is emphasized and student vocational counseling services are encouraged.

The bill authorizes vocational education programs for persons in high school, for those out of high school available for full-time study, for persons who are unemployed or underemployed, and for persons who have academic or other handicaps that prevent them from succeeding in regular vocational education programs.

While this bill requires the State to continue its current level of support for vocational education, it does not require a State to match new Federal funds for program operations in fiscal year 1964. For subsequent fiscal years a 50 to 50 matching grant basis is required. In addition, States must assure that Federal funds complement but do not replace local and State funds.

To assure that Federal funds may be used by the State to meet actual manpower needs and job opportunities, the bill authorizes a State to transfer funds allotted under George-Barden and Smith-Hughes from one category to another or to any occupational training covered by the new authority. In such cases the State must justify such action as being consistent with the purposes of the Vocational Education Act of 1963.

H.R. 4955 eliminates the "farm practice requirement" and broadens the definition of vocational agriculture in the Smith-Hughes and George-Barden Acts so as to permit Federal funds to be expended in agricultural training programs for occupations related to agriculture in which a knowledge and skill of agricultural subjects are involved. Moreover, home economics training under existing law is now limited to preparation for work in the home. H.R. 4955 would permit the use of George-Barden and Smith-Hughes money in the home economics category for home economics training not directed to home activity but involving homemaking skills for which there were employment opportunities. For fiscal year 1966 and subsequently, 25 percent of the funds now authorized under Smith-Hughes and George-Barden for home economics training would have to be either expended by the State for training which is job-oriented or transferred to some other training program.

The area technical education program, authorized by title VIII of the National Defense Education Act, is made permanent with its present $15 million authorization. In addition, H.R. 4955 would permit the States to expend funds for the construction of area school facilities. Although matching of Federal funds is not generally required in fiscal year 1964, Federal funds spent in that year for area school construction purposes would be matched on a 50-50 basis. Because of the national urgency for area school training opportunities for out-of-school youths and adults, at least 25 percent of the new Federal allotment must be expended for the construction of such facilities or for the cost of operating programs of instruction for this type of student.

The bill requires the State administering agency periodically to evaluate vocational education programs in the light of "current manpower needs and job opportunities." An advisory committee is established by the bill to advise the Commissioner of Education with respect to policies in the administration of vocational education programs. In addition, the Secretary of Health, Education, and Welfare will appoint a National Advisory Council during 1966 to review the administering of all vocational education programs aided with Federal funds and to make recommendations regarding their improvement for transmission to the Congress. A similar council is to be formed by the Secretary every 5 years during the continuation of the program.

Finally, several provisions of the bill contribute to the improvement of quality in vocational education programs by authorizing expenditures for inservice teacher training, program evaluation, special demonstration on experimental programs, development of instructional materials, and State administration leadership. Five percent of the total funds appropriated are set apart for the purpose of enabling the Commissioner of Education to make grants to State boards, to colleges, universities, and other public or nonprofit private agencies or institutions or, with the approval of the State boards, to local educational agencies for developing materials, conducting research, carrying out pilot projects for the special needs of youths—particularly youths in economically depressed areas and youths having special academic or other problems.

Mr. Speaker, I shall not speak in greater detail concerning the various provisions of H.R. 4955. Others who follow are better qualified to explain its various sections. I shall make two or three general observations about this bill, however. In the first place, H.R. 4955 builds well on foundations already found trustworthy by time. By that I mean that these provisions strengthen ideas and goals already proved effective but overtaxed through limitations on funds or technicalities. The new provisions are new applications of basic principles that remain valid. Programs designed to meet the needs of 1917 can scarcely be expected to be adequate for the demands of 1963. New terms and new policies reflect our different dilemmas; there is the solid assurance, borne out by past history, that we can effectively meet our demands by increasing our efforts in the field of vocational education.

Second, I must point out that, in terms of cost, the proposals are modest in size. The President's Panel of Consultants recommended a Federal expenditure of $400 million a year to meet the immediate needs of vocational education. The Committee on Education and Labor agreed that this was a reasonably accurate measure of the need for activity, but a majority felt that it would be administratively impossible to immediately expand present programs to such a magnitude. Thus the bill calls for a graduated expenditure of only $45 million in the first year; then $90 million and $135 million in the next 2 years, respectively; and finally, $180 million in the fourth and following years. Mr. Speaker, these are modest proposals, in terms of immediate need and in terms of investment for the future of our economy and of our young people. These sums can by no stretch of the imagination be considered excessive.

In conclusion, Mr. Speaker, I urge that the House of Representatives approve House Resolution 469, providing for 3 hours of debate on H.R. 4955, and making in order the consideration of a committee substitute amendment as the original bill as described in House Resolution 469.

All of us here today must realize that what we say will be meaningless unless we are able to pass this bill. I hope that no Member will kill, or jeopardize the life of this bill by offering the so-called Powell amendment to it. In my judgment, that amendment would hurt the bill. I believe it would kill it. It would make it impossible in this time of stress and strain for many true friends of vocational education to vote for the bill. I oppose the Powell amendment. This bill should not be made a vehicle of racial agitation. I shall vote against it in the Committee of the Whole House on the State of the Union if it is offered. I shall vote against the Powell amendment if it is made a part of a motion to recommit the bill. I think we can all agree that people of all races, colors, and creeds will reap great benefits under this bill.

The addition of the Powell amendment will prevent both the minorities, and the majority of our population from obtaining the help that this bill will bring.

Before closing, Mr. Speaker, I want to compliment and commend the gentleman from Kentucky [Mr. PERKINS] who will bring this new vocational education bill to the floor after the rule on it is adopted. The gentleman from Kentucky [Mr. PERKINS] is the author and chief sponsor of the bill. He is a tower of strength in the field of vocational education, and in the field of education generally in this country. I had the privilege of serving 10 years with the gentleman from Kentucky [Mr. PERKINS] on the House Committee on Education and Labor, from 1951 to 1960. I know at first hand of his dedication to the interests of the people he represents and, indeed, of all the people of this country. I spent many years working on what became the National Defense Education Act of 1958. He and I worked side by side to bring about the passage of that act. We not only worked to pass the National Defense Education Act but we worked also to pass Public Law 565 which has meant so much in the expansion of vocational rehabilitation in this country; we worked side by side to pass the teacher training law for mentally retarded children. Now, today, I again stand with my friend, CARL PERKINS, in urging the adoption of this great piece of legislation which bears his name. This bill is a landmark in education. I think it may well be the most important piece of legislation this session of Congress will consider.

CALL OF THE HOUSE

Mr. HALEY. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. JENNINGS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 114]

Abernethy
Baring
Battin
Belcher
Blatnik
Buckley
Colmer
Cramer
Evins
Fuqua
Green, Oreg.
Griffin
Gubser
Jones, Ala.
Jones, Mo.
Kilburn
Knox
Macdonald
Martin, Mass.
Meader
Miller, Calif.
Miller, N.Y.
Minshall
Nedzi
O'Brien, Ill.
Rains
Rhodes, Ariz.
Rogers, Tex.
Roush
Schneebeli
Shelley
Sheppard
Thompson, N.J.
Trimble
Ullman
Van Pelt
Vinson
Wallhauser
Whitten
Williams
Wilson, Charles H.
Winstead

The SPEAKER. On this rollcall 392 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

VOCATIONAL EDUCATION ACT OF 1963

Mr. ELLIOTT. Mr. Speaker, we are considering House Resolution 469, providing for the consideration of H.R. 4955.

Mr. BROWN of Ohio. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, the gentleman from Alabama, my colleague on the Committee on Rules [Mr. ELLIOTT], has very ably and very well described this legislation and the resolution which makes in order the consideration of H.R. 4955 with 3 hours general debate.

I shall not discuss all the details of this legislation. Instead, I will discuss it from a different viewpoint entirely.

Many of you who have served with me throughout the years know I have not been enamored of most of the Federal aid to education measures or bills that have been introduced in this House. Yet, I feel this is a type and a kind of an education bill that is entitled to full consideration by the House of Representatives and one that may prove to be the best and most necessary piece of educational legislation to come before the Congress in this session.

It is true it does contain certain provisions for Federal aid to State and local schools. But, it is also true, as has been so ably pointed out by the gentleman from Alabama, that for nearly 50 years—more than 40 years—we have had in this country a vocational education act, the Smith-Hughes Act, under which the Federal Government has contributed through the States to the various schools of this country, primarily to aid in training students in agriculture; and a little later on the Congress again approved the idea of Federal aid for vocational education in the form of the George-Barden Act. And, it is true, as the gentleman from Alabama [Mr. ELLIOTT] has explained to you, that this bill does call for an increase in the amount of Federal funds which shall be allocated to the various States for educational purposes.

At the present time, and for some time in the past, the Federal Government has been furnishing Federal aid, under the provisions of the Smith-Hughes Act and the George Barden Act, about $57 million a year to the States to carry on vocational education under the provisions of those two laws.

Mr. Speaker, this bill would provide for the extension, the expansion, or the spread, of vocational education activities of the various States in their local school districts, at an expense to the Federal Government of some $450 million that would be authorized under this bill, but not necessarily actually spent, because as I understand it, the Committee on Appropriations would still have control over the amount appropriated, based upon the showing which would be made as to the needs for the use of all the money. This would be some $450 million in addition to the present $57 million each year for vocational education used during the next 4 years in the various States, with the money going to the States, with the States to control the spending of such money over the broad field of vocational education.

Mr. Speaker, $450 million, my friends, is a lot of money in any language. Yet, sometimes when we stop to think for a moment as to what is done here at this Capitol and in this very chamber itself, $450 million is not as much as some of us think. Why, bless your hearts, this bill would provide $450 million for a vocational education program over a 4-year period to take young men and young women off the streets and give them an opportunity to learn a trade or to equip themselves to make a living, but not to send them out into the woods for 6 months has has been proposed in some legislation pending before this House, but to fit them for life's work. Compare that, if you please, with the $450 million that was included in the Area Redevelopment Act that was wanted for that purpose. To give what? About 25,000 jobs, I believe, temporarily. Compare it, if you please, with the $450 million that was spent in 1 year for the accelerated public works program—that much each year—to give less employment, and temporarily only. Compare it, if you please, with the amount that we pay in Federal unemployment benefits.

Yes, Mr. Speaker, let us stop and think a moment. Why, this very body I am addressing now just last week, according to the figures that have been furnished me, if they are correct, as I believe they are, voted overwhelmingly—not with my vote, but overwhelmingly—to authorize the expenditure of $2,087 million in a single year for a moon shot; to see whether or not we can put a man on the moon when we do not know now whether we can or we cannot, or what we would do with him if we got him there, or how much it might be worth to us, when we are told that it will cost a total of from $20 to $40 billion to do that. That is for a single year—$2,087 million in direct funds for that purpose, and not to count nor take into consideration, or add to, that huge amount of money that was spent, or is being spent, or being authorized to be spent, for supplemental efforts that would aid that moon shot program and, actually, not counting what is being done by the military that will be of benefit to it.

I am wondering how we fix values in our own minds. I am wondering how we decide just how taxpayers' money shall be spent, and whether we should or should not spend some of the taxpayers' money to do the things experience has taught us, because we have had over 40 years' experience with this vocational education thing, that prepares men and women to go out and earn a livelihood, to become self-supporting citizens, to contribute to their best society, to their government, and to the welfare of the people as a whole whether or not that is the best way to spend some of the tax money that has been allotted to us. We have not always done very good in husbanding the money of the American taxpayer.

Mr. Speaker, it is for that reason I am going to support this legislation, if it includes by the time it winds its way through all legislative maneuvering on the floor, if it contains the amendments I feel it should contain and which I understand will be offered. I do not know of any reason why it should not contain certain amendments that will be offered. I believe it has the support of most Members of this House.

I believe what we spend on this program will be actually an investment of far greater concern than money we are spending on a great many other projects. I can name a great many of them for you, if I should take the time to do so. We are very liberal with about everything under the sun, and everybody under the sun, except perhaps the things right in front of our eyes that we now see here.

I am not interested in establishing a Domestic Peace Corps for sending a lot of people out through the cities and the countryside to try to tell the youth of America what they ought to do and how they ought to live. Instead I like the idea of giving our youth an opportunity to learn for themselves how to live by getting the opportunity to secure the training they need, by being urged to go to school, and to take job training or what have you.

Just stop and think for a moment. Unemployment rampant? Yes, and we have spent billions on it. Yet if you go out and try to find somebody to do a job of painting on your house or to repair your radio or television, or your automobile, you will find that we now have a shortage of skilled workers in this country. We need to take these young people and give them an opportunity to get an education, and if for nothing else, to learn a trade so they may earn their own living, and become self-supporting and perhaps even make more money than you or I, because many of those who become skilled in the various trades are highly paid. I am thinking of printers and other craftsmen, all in short supply because we have not had the technical schools, we have not had the local schools, the high schools and colleges, to prepare them. Somebody spoke about the Ph. D.'s, and that we may have too many Ph. D.'s, but not enough good craftsmen. Perhaps we had better start at the bottom and go on up from there. This is the way to start, right here by enacting legislation of this sort.

It is for that reason, believing as I do that great things start quite often with humble beginnings, that I am going to support this legislation, and I am going to urge everyone who is within the sound of my voice to give attention to the debate and discussion on it. I think you will find it worthwhile.

You will see it does lead to control of vocational education within the State and local communities, and I am rather proud of the fact I am able to stand here in the well of the House today to say that my own State of Ohio has been leading the way, and is one of the leading States of the Union, in furnishing vocational education and in giving technical assistance through many of our high schools staying open at night, along with many of our technical schools, and with industry sending their workmen to such schools so that they may better themselves by preparing for higher positions.

We have created a new climate in Ohio in the last year or so as a result of such cooperation. So I think I know from experience in my own State what can be done and what will be done if this kind of program is put into effect.

Remember, this money is furnished to each State under this bill on a matching basis; the State or local school district must meet its share of the cost with the exception of the first year. Together, through the Federal Government and the State and local communities working together, this problem of what to do with a great many young people who need to be trained in the various skills will be answered and will be answered promptly. It will not take 7, 8, 10, 15, or 20 years, as some people insist with regard to other legislative bills which come before us when they talk about how you want to send someone through 15 or 20 years of college. What most people need now is to learn things which may take 3 to 6 months to learn, and none over a year. Much of it will take far less time than that. It can be done, and will be done, if we have the right sort of cooperation and the right sort of supervision. I believe this legislation is at least a step in the right direction.

Mr. ELLIOTT. Mr. Speaker, I yield 10 minutes to the gentleman from Virginia, the chairman of the Committee on Rules [Mr. SMITH].

Mr. SMITH of Virginia. Mr. Speaker, this is the vocational education bill. I am usually opposed to Federal aid to education largely because I believe there is a desire on the part of the bureaus administering those programs to get control of local education and the local curriculum, and that is something that many of us think should be left to the local communities, that is, to guide the curriculum and the method of educating the youth. However, vocational education is something that has been going on in this Government for many, many years, as you all know. This is a supplemental authorization for further aid for vocational education. This is a thing that is very much desired and is very much needed. We are contributing and the States and communities are contributing billions of dollars to educate people to do white-collar work. If we keep on that trend, the time is going to come when there will not be anyone left to draw the water and chop the wood and there are a lot of people who could be usefully occupied if they had the proper skills. This is what this program is designed to do and I hope to be able to vote for this bill. But there are features in it that I do not think ought to be in it. I think you will find them in every one of these educational bills and many other pieces of legislation where the Federal Government is giving back to the States some little pittance of the money that they have taken away from them and where they want to keep their hand on the administration of it. There is so much redtape and there are so many reports to be made and so many conditions to be met by the States that it involves a lot of useless work. I do not know why.

I have never understood why Congress and the Members of Congress are unwilling to trust the States that elect them to the Congress. Why could we not have a little confidence in our States that they will do the right thing and spend this money in the way intended? But apparently we do not.

There are provisions in this bill that go far beyond the necessary policing of these programs. I am going to come to that in a minute, but before I do, I want to say this. Mr. Speaker, I am told that there will be offered what is commonly known as the Powell amendment to this bill. There are a lot of us who want to vote for this bill. To offer that amendment, if it is adopted, simply means that you are diminishing the chances of this bill passing the Congress, because there are a lot of people who cannot vote for it with that provision in it. But that is the responsibility of the people who are fostering that amendment.

There is not any use in offering that amendment because that same committee I am told, is prepared to report such a bill which incorporates the whole of the Powell amendment and you will have it, generally speaking, over everything.

There is a second reason why you do not need to put it on there. The President has issued an Executive order, as you all know, putting all housing under the Powell amendment, although Congress had refused to do it. And more lately the President issued an Executive order or had one issued, putting the Area Redevelopment Act under the Powell amendment, although Congress did not do it. Why not just have him issue the Executive order and say, "This is going to be the law from now on out; Congress does not have to pass it, I will pass it."

Why do you want to do it? Are you trying to defeat this bill? It does not seem to make sense to me.

There are one or two things I want to say about the bill itself, and then I am going to yield to my good friend from Louisiana. This is the only piece of legislation I ever saw where they have not only the Bureau that is going to exercise police powers over the program, but two advisory committees, not one, over the same bill. How many of you know that that is in the bill? What is the sense of it? If you have a copy of the bill before you, look at it and you will find on page 53 an Advisory Committee on Vocational Education, established in the Office of Education and hereinafter referred to as the "Advisory Committee." Then two or three pages later you find again that the Secretary of Health, Education, and Welfare shall, during 1966, appoint an Advisory Council on Vocational Education for the purpose of reviewing the administration of the act.

Now you have two advisory committees on top of the Office of Education and the Department of Health, Education, and Welfare. Why throw that money away, I wonder? Because in each one of these you provide for the appointment of 12 commissioners, and each one of those receives $75 a day and any employee help they need; $75 a day for 2 commissions of 12 each means $1,800 a day as the money that is so badly needed for education that you are going to throw away in this kind of bill.

Why do we have to deal with that kind of foolishness, anyway? I hope the House will knock out those provisions. This bill is something that is needed and is well worthwhile. It supplements a program we already have. Why fill it up with a lot of gobbledegook and unusual expenditure of public money that could better be spent on the education of our people?

Mr. HÉBERT. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from Louisiana.

Mr. HÉBERT. I thank the gentleman for yielding because I want to associate myself with the remarks that he has made, and with particular reference to the Presidential Executive orders. As a matter of fact, if you look at the history of what has gone on in Congress in recent years, it is really not necessary for us to legislate at all, because all the President has to do and is doing is to issue Executive orders negating the action of Congress and voiding the policies of Congress in every instance, and particularly in instances which funds are shared by a State.

With the broad powers which are contained in these Executive orders, it does not make one tinker's dam about what we do about the so-called Powell amendment here. The Executive order would be immediately issued putting it into effect, as it has been put into effect in civil defense and many other areas, though the Congress has time, and time, and time again rejected this proposal. The Executive order supersedes the will of the Congress, and we may as well wake up to the fact that we are living under executive direction, Executive fiat, contrary to what the Congress proposes. It is about time we do something about it.

I hope as many of you Members as possible will be on the floor tomorrow when the gentleman from South Carolina [Mr. Rivers] and the gentleman from Louisiana [Mr. Waggonner] discuss the Gesell report which puts into effect the very controversial Public Accommodations Act which is now before the Congress for consideration. It has already been put into effect by the order.

Mr. AVERY. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, after the very informative remarks of my colleague from Alabama and my colleagues from Virginia and Ohio there is very little I could add as to the basic provisions in the bill. There are, however, several side issues that have presented themselves and upon which I would like to comment. Viewing the legislative procedure perspectively, I want to make a comment, too, in reference to the bill itself.

I was called off the floor briefly during the remarks of the gentleman from Alabama [Mr. Elliott] and the gentleman from Ohio [Mr. Brown], but I am sure it has been stated that the amounts in this bill do not represent all the money that will be available for spending for vocational education.

I think the House should be reminded that there is a continuing authorization of $57 million a year for several existing vocational programs, and that the amount contained in this bill, whatever it might eventually be, will be not in lieu of, but in addition to the existing authorization.

Now that is academic. What I think should be stated, Mr. Speaker, is this, I have been advised that the other body has deferred further consideration of a similar bill to see what action the House will take on this vocational training bill. I am advised that some hearings have been held and some amendments offered to S. 580. Those amendments have been discussed, but no action has been taken on the amendments, pending the action of the House.

Now what do these amendments do? I can answer that very briefly. They simply double the amount of money being authorized in the bill we are debating today. What I want to say to the membership is this, as the gentlemen who have preceded me in this well today have already said, I am supporting this bill in its present authorization. However, if the other body, as it very well might do in view of what has been done in the previous session and what I understand is being discussed in the committee—if the other body doubles the amount of money that is going to be made available each year, I shall object to this bill going to conference. It will come back to the Rules Committee before it goes to conference. Now it may get a rule. That shall be determined later. Nevertheless, I want to state as clearly and as emphatically as I can, Mr. Speaker, that I think the amount contained in this bill is well justified. This program is in the public interest but the fact that $45 million is good now does not mean that $108 million for fiscal year 1964 will be better. I think the House should be cautioned in this respect.

Mr. GOODELL. Mr. Speaker, will the gentleman yield?

Mr. AVERY. I yield to the gentleman from New York.

Mr. GOODELL. I agree with the gentleman. I think there is grave doubt that they can use $45 million in the first year, but I think the program is important enough that we ought to give them at least that much leeway. But I do not think we ought to go beyond that, and I hope we will stand firm if, as I understand, the other body does add more money.

Mr. AVERY. I will say that my apprehension and caution go beyond fiscal year 1964. There are three additional fiscal years provided for in this bill, and I am advised that all of these amounts could possibly be doubled. I shall further object, I may say to my friend, the gentleman from New York, if the other body proceeds in its judgment to double the amounts being authorized for fiscal years 1965, 1966, and 1967.

Mr. GOODELL. I agree with the gentleman on that too.

Mr. AVERY. I appreciate the gentleman's assurances.

Mr. Speaker, with reference to the other matter that has been discussed by the gentleman from Virginia and to some extent by the gentleman from Ohio—the possibility of an antidiscrimination amendment being added when this bill is being considered in Committee of the Whole—I do not know that such an amendment should be referred to as the Powell amendment. I do not want to subtract or detract any dignity from the gentleman from New York regarding the assignment of, or credit for, the amendment. I am sure that as this amendment is read in the Congressional Record, it will not be referred to as the Powell amendment. When this bill was before the Committee on Rules, I pointed out that I thought it was rather strange that we had both this vocational bill and a Federal aid for college facilities bill before the committee with no antidiscrimination amendments from the Committee on Education and Labor, and then we find that a simple extension of Public Law 874, a program that has been continually reauthorized by the Congress since 1946, has an antidiscrimination amendment in it. Regardless of which side of this issue you are on, you cannot help but agree with me that at least we have to be consistent. Either there should be an antidiscrimination amendment in this bill and in the college facilities bill on which we began hearings this morning—and I think there should be—or that provision should be taken out of the impacted areas bill.

Mr. Speaker, in one of the morning papers, the gentleman from California [Mr. Roosevelt] was quoted as saying that if an antidiscrimination amendment were added by the House to this vocational education bill, such an amendment would have the effect of defeating the bill.

Now, I ask you very simply, What kind of a dilemma have we developed for ourselves? I am sure that every Member on this floor has received a request for an audience from a representative——

The SPEAKER pro tempore. The time of the gentleman from Kansas has again expired.

Mr. AVERY. Mr. Speaker, how much time do I have left?

The SPEAKER pro tempore. Six minutes.

Mr. AVERY. Mr. Speaker, I yield myself as much time as I may consume, but not to exceed 6 minutes.

Mr. Speaker, I think every Member—I will repeat—I think every Member of the House has received a request for an audience from a representative of the NAACP organization in his State to ask support for the civil rights bill.

Now, how in the world can we justify leaving the antidiscrimination clause out of this bill with this entire issue squarely before Congress and being debated by two committees in the other body, and I think also by two committees in this body. How can debate on a simple bill like this prompt a strong advocate of civil rights such as the gentleman from California [Mr. Roosevelt], to say that if we tie that amendment onto this bill, we will destroy the bill?

Now, I am just not able to understand the logic of such a conclusion. Either a civil rights provision is right or it is wrong. It is just as simple at that. If it is right in the bill which is now pending before the Committee on the Judiciary and if it is right in the bill which the President has sent to Congress, it is right in the bill we are debating today.

Mr. Speaker, may I go just one step further. My committee chairman of the Rules Committee, the gentleman from Virginia [Mr. Smith], is on the floor, and I reluctantly find myself in opposition or taking exception to some of the positions that are enunciated by him. I do not do this very often, but in this particular case I must, not on the issue of civil rights, but on a matter of legislative principle. Relative to the assumption of our responsibility, or the delegation of that responsibility to the Executive, I cannot agree with him that Congress does not need to take a position as far as an antidiscrimination amendment in this bill. As I understand his position, the problem will merely be solved by the Executive. This is clearly a responsibility of the House of Representatives and every Member should vote his or her conviction, whether he supports it or whether he does not. I do not believe that there is any logical reasoning whereby we can say we are "Pontius Pilates," and wash our hands of this, and let this issue be taken care of down at 1600 Pennsylvania Avenue.

Mr. CONTE. Mr. Speaker, will the gentleman yield?

Mr. AVERY. Yes, I yield to the gentleman from Massachusetts.

Mr. CONTE. Mr. Speaker, I want to commend the gentleman for his excellent presentation here today and I want to associate myself with the gentleman's remarks in regards to the antidiscriminatory amendment. If we do what the previous speaker from Louisiana and the gentleman from Virginia advocate we would pass this on to the President to issue an Executive order—what we would be doing is shunting our responsibility to the executive branch of Government. We have a responsibility here today to act on this issue and if we do not put an antidiscriminatory clause in this vocational education bill which I stand 100 percent behind, what we are doing here today is telling the young folk in some parts of this country, If your skin does not happen to be white you are not going to benefit by this legislation.

Mr. Speaker, I want to commend again the gentleman from Kansas [Mr. Avery].

Mr. AVERY. I thank the gentleman from Massachusetts. Mr. Speaker, a number of observers and commentators who subscribe to the big spending philosophy have criticized this body and the other body for not moving expeditiously. These observers further assert that the Executive was therefore prompted to take the initiative and submit various proposals to get the country moving again. We have been accused of not living up to our responsibilities. This is why the Congress has not been as effective and dominant as was intended by those who drafted the Constitution.

Here is the test today. Do we live up to our constitutional responsibilities or do we not?

Mr. ELLIOTT. Mr. Speaker, I yield 4 minutes to the gentleman from Indiana [Mr. Madden].

Mr. MADDEN. Mr. Speaker, I want to commend the committee for bringing this legislation to the floor of the House today. The sum and substance of this bill is that hundreds of thousands of unskilled workers in this country today will be able to take advantage of this legislation and they will in future years fill hundreds of thousands of available skilled jobs.

Mr. Speaker, H.R. 4955, now under consideration, is much needed and too long delayed legislation to relieve the critical shortage of vocational education schools and facilities for millions of unemployed youths and adults throughout the Nation.

As far back as 1917 when the Smith-Hughes Act was enacted, the Congress recognized the need for vocational education in agriculture, trade, and industry, and also the training of teachers for such programs. Again in 1946, under the George-Barden Act, and also in 1956 and 1958, the Congress provided further financial assistance to the States for vocational education.

During the last 20 years, by reason of modern inventions and automation, and the terrific population increase, we find that one of the main reasons for unemployment throughout the Nation has been that many of our unemployed could be given work if they were equipped through vocational education and training to occupy some of the many skilled jobs and positions that employers are unable to fill because of the scarcity of skilled workers. The Nation today has a deplorable shortage of workers who are trained in skilled trades. The operation of this bill gives the control of the vocational schools to each State which takes advantage of the program.

On February 20, 1961, the President ordered the appointment of an advisory body drawn from universities, labor, industry, and agriculture, as well as the lay public for the purpose of reviewing and reevaluating the need for additional vocational education legislation. This panel recommended that vocational education should be provided in order to extend opportunities to about 20 million college graduates and adult unemployed who will enter the labor market in the 1960's. It also included training and retraining for millions of workers whose skill in work knowledge must be improved and also to aid those who lost jobs because of automation and other economic changes.

The panel also outlined that these educational opportunities must be equally available regardless of race, color, sex, scholastic abilities or place of residence. Today's labor market and our present unemployment is primarily caused because of the rise in demand of skilled manpower when so many millions of unemployed and part-time workers do not possess the skilled training to take jobs which are now open for applicants.

During the last 50 years, science has progressed more than in all human history and 90 percent of all the scientists who ever lived are alive today. Our scientific production is held back because of the scarcity of skilled technicians and manpower to take part in the variety of new jobs and functions that are derived from modern scientific discovery. In engineering alone, it is estimated that we should be training 100,000 new technicians each year but all the present program is turning out amounts to only about 20,000 annually. The number of low-skilled workers is rapidly declining. There was a drop of 772,000 workers in these low-skilled categories in manufacturing between 1957 and 1962. It is also estimated that the professional and technical workers will rise about 40 percent in 1970's and jobs for salesmen, managers, and proprietors will rise above 20 percent. In health occupations, we have a great demand for skilled workers and this will continue for a long time unless the Government starts programs similar to that provided in this legislation.

Young Americans, to the number of 2½ million will be seeking jobs annually throughout the Nation for the next 10 years. This number added to the older workers who are idle on account of automation makes the future very dismal unless a vocational education program of this type is started at once.

Section 4 of this bill provides Federal funds may be used for the following purposes:

First. Vocational education for persons attending high school.

Second. Vocational education for persons who have completed or left high school and who are available for full-time study in preparation for entering the labor market.

Third. Vocational education for persons who have already entered the labor market and who need training or retraining to achieve stability or advancement in employment; however, no person will be eligible for education under this provision who is already receiving training allowances under the Manpower Development and Training Act of 1962, the Area Development Act, or the Trade Expansion Act of 1962.

Fourth. Vocational education for persons who have academic, socioeconomic, or other handicaps that prevent them from succeeding in the regular vocational education program.

Fifth. Construction of area vocational education school facilities.

Sixth. Ancillary services and activities to assure quality in all vocational education programs. These may include in-service teacher training and supervision, program evaluation, special demonstration and experimental programs, development of instructional materials, and State administration and leadership.

This legislation under title 2 also extends vocational education for practical nurses training and for other skills pertaining to hospitalization and health generally.

I wish to commend the Education and Labor Committee for the outstanding work they have done over the past months in holding hearings to bring this legislation to the floor of the House. I hope this legislation is passed by an overwhelming vote and enacted into law.

Mr. ELLIOTT. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. ALBERT). The question is on the resolution.

The resolution was agreed to.

IN THE COMMITTEE OF THE WHOLE

Mr. POWELL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4955) to strengthen and improve the quality of vocational education and to expand the vocational education opportunities in the Nation.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 4955, with Mr. BOLLING in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. POWELL. Mr. Chairman, I yield myself such time as I may use.

Mr. Chairman, I rise in support of H.R. 4955, a bill to strengthen and improve the quality of vocational education and to expand the vocational education opportunities in the Nation. I would like to inform this body that the bill comes out of the Committee on Education and Labor with bipartisan support.

Mr. Chairman, it gives me a great deal of pleasure to come before my distinguished colleagues today to present for debate and action our first major education bill for the 88th Congress. We are proud of the accomplishments of the Committee on Education and Labor during the 87th Congress when nine education laws were enacted. These laws related to some very important areas of educational need in our great Nation, including, first, extension of the Practical Nurses Act; second, establishment of a teaching hospital for Howard University; third, enactment of the first legislation in the area of juvenile delinquency, through the Juvenile Delinquency and Youth Offenses Control Act; fourth, preparation of teachers for the deaf and speech pathologists and audiologists; fifth, increased appropriations for the American Printing House for the Blind, and education of the blind; sixth, extension of the National Defense Education Act and Public Laws 815 and 874; seventh; amendments to title II of the National Defense Education Act; eighth, provisions for captioned films for the deaf; and, ninth, amendments to the National School Lunch Act.

In addition to these nine education laws which were enacted through the energies of the Committee on Education and Labor, nine other laws were enacted relating to labor legislation.

Needless to say, this was an outstanding record—18 laws in 18 months—and without a doubt, this committee worked over and above the call of duty in order to produce at such a high level. We are grateful to you, our colleagues, for the support you gave so that this record might be made, not only for the Committee on Education and Labor, but also for the Congress of the United States of America and for the people. The bill which comes to you today for your consideration would strengthen and improve the quality of vocational education and expand the vocational education opportunities in the Nation. This is the first of three bills which we expect to have for your deliberation during the 1st session of the 88th Congress. The other two bills are the academic facilities for higher education and extension of the laws dealing with federally impacted areas. Other legislation to which we hope you will give your undivided attention and support are the youth employment opportunities; special education; adult basic education; library services; extension of the juvenile delinquency legislation; National Service Corps; amendments to the National Defense Education Act; and possibly some Federal aid to elementary and secondary education, and general university extension.

As you will note, these pieces of legislation deal only with education, and since my committee has jurisdiction over labor legislation as well, you may expect other bills concerned with these matters to come before you also during this session, as well as the 2d session of the 88th Congress.

Vocational education acts were first inaugurated 46 years ago by the Federal Government through the enactment of the Smith-Hughes Act.

Except for the introduction of the George-Barden Act, there have been few major changes in the vocational education laws in our land. And yet, as everyone present knows, no aspect of American life has changed as greatly as the vocational education opportunities and technical advances.

Therefore, vocational education needs no defense to a group of this kind. As automation advances in factories and offices there remain fewer jobs for unskilled workers and more unfilled jobs requiring higher levels of education. The importance of skill to the individual is obvious and paramount. The importance of high level skilled persons running throughout the population is equally important to the Nation.

Whether we are thinking of the technological abilities to design and manufacture missiles, whether we are talking of office and clerical skills, or whether we are talking of auto repairs and maintenance of the home, we are talking of skills needed in order to meet the demands of our scientifically oriented society.

Without a doubt Congress must assume its rightful role in the reinterpretation of the vocational education program to meet these changes of our society. In his message to Congress on February 20, 1961, President John F. Kennedy said:

> The National Vocational Education Acts, first enacted by the Congress in 1917 and subsequently amended, have provided a pro-

> gram of training for industry, agriculture, and other occupational areas. The basic purpose of our vocational education effort is sound. * * * However, the technological changes which have occurred in all occupations call for a review and reevaluation of these acts, with a view toward their modernization.

On the basis of this consideration, the Secretary of Health, Education, and Welfare was requested to convene an advisory body to study the needs of vocational education. This panel of consultants, chaired by Dr. Benjamin Willis, identified four groups of individuals for whom additional service is needed in vocational education:

First. The young people in high school who are preparing to enter the labor market or who become homemakers;

Second. High school young people with academic socioeconomic or other handicaps that prevent them from succeeding in a regular education program;

Third. The young people and adults who have completed or left high school and who, as full-time students, are preparing to enter the labor market; and

Fourth. The young people and adults who are unemployed or who have worked but who need training or retraining to achieve employment stability.

The panel also recommended that first, vocational education be made available to more people. Only about 4 million persons are now enrolled, more than half of whom are adults. Second, vocational education be offered in more types of schools. As specialized training and relatively expensive equipment is involved, the development of area schools would allow neighboring school districts to join forces in support of vocational programs open to all their qualified students. Third, vocational training must encompass the new and emerging occupations. Under existing acts, funds are allotted only for traditional categories such as agriculture, home economics, trades and industries, and distributive occupations; if programs could not be confined to these restrictive definitions, they were not eligible for Federal support. Fourth, more vocational education programs be provided for young people who have special needs. This group includes the culturally deprived, the disadvantaged, the dropouts, and youths who have physical or mental handicaps that prevent them from succeeding in the traditional vocational programs. Restrictions in existing laws have prevented vocational educators from developing new programs to prepare these young people for jobs.

H.R. 4955, in implementing these recommendations, would update and revamp one of the most important areas of American life. I feel that the passage of this act would be a landmark in American education as important as the National Defense Education Act of 1958.

At the present time, through the Smith-Hughes and George-Barden Acts and their amendments, and title VIII of the National Defense Education Act, the Congress appropriates funds for allotment to the several States to assist in the promotion and further development of vocational education. These funds are used primarily for the salaries of vocational teachers, teacher trainers, supervisors and directors for agriculture, trades industry, home economics, distribute occupations, fisheries, practical nursing, and technicians. The laws require that for every dollar of Federal vocational education funds expended, at least $1 of State or local funds must be expended for the same purpose. As you know, an appropriation is made for each of these specific categories and each State is allotted a fixed sum, by formula, for each category. It is the responsibility of a State board of vocational education to promote, develop, improve, and supervise vocational education programs within its State. The Office of Education in the Department of Health, Education, and Welfare is responsible for administering the Federal acts in cooperation with the States, but it is prohibited from controlling the nature of these programs. There has been persistent growth in the program since its inception in 1917, following the passage of the Federal legislation providing funds for the promotion of vocational education. In fact, in 1918, the total expenditures in this area were $3,039,061.15, as against a total of $283,930,842.98 in 1962. Likewise notable is the fact that the Federal share has proportionately decreased as the State and local share has increased through these years. For example, in 1918, the Federal share was $832,426.82, as against $2,206,534.33 expended from State and local funds. In 1962, the Federal share equaled $51,438,073.90 as against $232,492,769.08 from State and local funds. To put it another way, State and local communities matched Federal funds by 4 to 1.

As a result, Federal funds have served as a stimulation for the development and expansion of programs in vocational education, as State and local funds have increasingly borne the responsibility for such progress.

However, even with such growth in program and expenditure of funds, it is obvious that the vocational education program has not kept pace with the new advancements in technological vocational driversification. As we view the statistics regarding projections in manpower needs for the future, it is noted that the only broad industry sector in which actual decline in employment is expected between now and 1975, even under conditions of generally full employment, is agriculture. The rise in output per farmworker which underlines the long-term decline in farm employment is expected to continue, as a result of the increased use of machinery, fertilizers, additive pesticides and other technological advances. The continuing decrease in the number of farms, particularly the small low-income producing units will result in a significant decrease in the number of farms. As a result of these and other factors, agricultural employment may decline from 5.7 million in 1960 to 4.3 million in 1970, and about 4 million in 1975. At the same time, nonagricutural employment will increase rapidly. The Department of Labor's projections show rise in nonfarm employment from 61 million in 1960 to about 76 million in 1970 and 84 million in 1975.

Advances in technology, the introduction of new productions, the emergence of new industries, and changes in the availability of natural resources and among the other factors that will influence the industrial composition of employment. Moreover, there has been a shift in the population of the United States from rural to urban since the passage of the first vocational education acts.

In fact, as one compares the percentage of urban versus rural population from 1920 to the present, he is immediately aware of the fact that urban population has increased from 51.2 percent in 1920 to 69.9 percent in 1960, while the rural population has declined from 48.8 percent in 1920 to 30.1 percent in 1960, again calling attention to the fact that the nonagricultural occupations are growing more rapidly and employment of professional, technical and kindred workers has increased proportionately. This increase in professional related employment is projected about 43 percent over the 1960 decade and another 16 percent between 1970 and 1975. In short, there is no future in this country for the unskilled worker. What has been his job is going to be done by machines. This is already happening. Between 1950 and 1960, total employment in the United States went up 11 percent. During this period, the number of professional, technical, and kindred workers increased 67 percent; and the number of craftsmen, foremen and kindred workers went up 12 percent. The number of laborers went up only 4 percent.

Over the past 15 years, the percentage of white-collar workers in the work force has risen from 35 percent—1947—to 44 percent—1962. The percentage og blue-collar workers has dropped from 41 percent to 36 percent.

In the past 10 years alone—1952 to 1962—the number of white-collar workers has increased by about 7 million. The number of laborers—again leaving out the farm and mine group—has gone down by 150,000.

This is a result primarily of all the developments we lump together under automation and technological change. The casual, and classical, view of automation is that it creates as many jobs as it destroys, even more. If this is right at all—and there is increasing question about it—what it leaves out is that the new jobs almost all require some skill, whereas this was not true before. There was a place in the old work force for the boy or girl who left high school, either dropping out or with diploma in hand, and entered the work force with no skill training. He or she could, and did, take an unskilled job and worked up from there. Now such jobs are vanishing. And so today there are over 700,000 16- to 21-year-olds out of school and out of work. Every American youngster has to be given today, as part of his education, some know-how about making a living—which means, for a great many of them, vocational education.

If then the vocational education program is to realistically meet these needs, many changes must be wrought. In testimony presented by the Commissioner of Education regarding inequality among the races for educational opportunity and attainment, we learn the disturbing facts that nearly 75 percent of the young white population have graduated from high school, but only about 40 percent of our nonwhite population have completed high school. To put it another way, 25 percent of the whites and 60 percent of the nonwhites are "school dropouts."

Of our adult population, 25 years and older, 6.2 percent of whites and 22.1 percent of nonwhites have completed less than 5 years of school—1962.

Almost 12 percent of young white adults—age 25 to 29—have completed college, while only 5.4 percent of this age group in the nonwhite population have done so.

While 11 percent of the total population is Negro, Negroes make up only 3.5 percent of all professional workers.

Part of the difficulty presented in such statistics is due to the fact that vocational education has not always been available to the nonwhite population. We further discovered through testimony presented to the committee that there have been wide discrepancies in the nature of vocational offerings to Negro youth because of the restrictive language of present vocational education acts limiting training to the areas for which jobs are available. An ad hoc subcommittee of the Committee on Education and Labor under the chairmanship of Congressman DOMINICK V. DANIELS, during the last Congress, unanimously recommended that the Smith-Hughes and other vocational acts be amended so that Negro secondary school students would be given training in a wide variety of vocations.

The present bill would rectify these wrongs and make possible greater diversity of vocational training, since all moneys appropriated would be allocated to the development of occupations previously omitted. The bill would further authorize vocational education programs for persons who have academic or socioeconomic handicaps which prevent them from succeeding in regular education programs.

The President, in his civil rights message, noted that more education and training to raise the level of skills is needed:

> Although the proportion of Negroes without adequate education and training is far higher than the proportion of whites, none of these problems is restricted to Negroes alone. This Nation is in critical need of a massive upgrading in its education and training effort for all citizens. In an age of rapidly changing technology, that effort today is failing millions of our youth. It is especially failing Negro youth in segregated schools and crowded slums. If we are ever to lift them from morass of social and economic degradation, it will be through the strengthening of our education and training services—by improving the quality of instruction; by enabling our schools to cope with rapidly expanding enrollments; and by increasing opportunities and incentives for all individuals to complete their education and to continue their self-development during adulthood.

* * * * *

> Studies show, moreover, that the loss of 1 year's income due to unemployment is more than the total cost of 12 years of education through high school; and, when welfare and other social costs are added, it is clear that failure to take these steps will cost us far more than their enactment. There is no more profitable investment than education and no greater waste than ill-trained youth.

The proposed vocational education legislation, which would greatly update and expand this program of teaching job skills to those in school would have the added money earmarked for those areas with a high incidence of school dropouts and youth unemployment.

This bill, H.R. 4955, proposes to authorize Federal grants to States to assist them in maintaining, extending, and/or in improving existing programs of vocational education, and developing new programs of vocational education so that persons of all ages in all communities of the State will have ready access to vocational training which is of high quality and which is realistic in light of the actual or anticipated opportunities for gainful employment. In every instance, the purpose of vocational education is to fit persons for useful employment, recognizing individual differences, interests, and ability. Specifically, the major provisions of this bill are:

First. Maintains the Smith-Hughes and George-Barden Acts previously authorized by Congress. The allotments to States for Smith-Hughes for fiscal year 1962 totaled $7,266,455, and under the George-Barden Act, the total was $29,515,422. Both of these acts were permanent laws.

Second. Includes title VIII of the NDEA, related to the training of highly skilled technicians as a part of the act. Title II of the George-Barden Act, relating to practical nurses' training, would be expanded and developed under this act.

Nonpermanent allocations for 1962 under title III of the George-Barden Act and title VIII of the National Defense Education Act—area technical education—total $15 million—these acts expire in fiscal year 1964. Also, nonpermanent funds authorized for fiscal year 1962 were those for practical nursing, $5 million—this act expires fiscal year 1965.

Third. Broadens the definition of vocational agriculture to include occupations related to agriculture in which a knowledge and skill of agriculture subjects are involved.

Fourth. Broadens the definition of home economics education which is now limited to training for work in the home to permit funds to be used for vocational education in any occupation involving knowledge and skill in home economics subjects.

Fifth. Adds new occupational categories consistent with analysis of present and projected manpower needs and job opportunities, including such areas as business and office occupations. For instance we have been advised by the Atomic Energy Commission of the national need for trained radiographers. This is but one of the many new occupations emerging out of the atomic age. But the training facilities are not available.

Sixth. Encourages the development of area vocational schools. This term has been defined to mean a school (a) which admits as regular students, and is principally used for the provision of vocational education to, both persons who have completed high school and persons who have left high school, where such persons are available for full-time study in preparation for entering the labor market, and (b) which is available to all residents. This new feature introduced by this proposal would permit Federal funds to be used for construction of area vocational-technical schools, that is, schools that enroll students from an entire city or from several neighboring school districts. Every State has plans for expansion of such area schools and many of them have constructed new facilities in the past few years, but the greatest construction needs in vocational education remain for area schools that cross district lines, serving large numbers of people and offering a range of curriculum that reaches out to adults as well as youth.

Seventh. In order to meet these goals, appropriations are authorized as follows: $45 million for fiscal year 1964; $90 million for fiscal year 1965; $135 million for fiscal year 1966; $180 million for fiscal year 1967. These funds would be in addition to those already available through the Smith-Hughes and George-Barden Acts. The new funds may be expended for State and local vocational education programs without categorical limitation under the broadened definition of vocational education to fit individuals for gainful employment, embracing all occupations not now covered under existing law.

Eighth. H.R. 4955 requires the State to match Federal funds appropriated for this act on a 50–50 basis. Specifically, the bill designates the State board as the sole agency for administration of the State plan, or for supervision of the administration thereof, by local education agencies. Great care is given to limiting the Federal supervisory responsibilities and encouraging each State to plan in terms of its specific needs and goals. This will allow for great flexibility in the utilization of the funds made available through this act.

Ninth. As in the past, the States participating would be required to present a State plan for the supervision and the administration of the vocational education activities.

Tenth. Provision is made for an advisory committee on vocational education, which shall advise the Commissioner in the preparation of general regulations and with respect to policy matters arising in the administration of this act. Such a committee would be composed of representatives from the Departments of Commerce, Agriculture, and Labor, and 12 members appointed for staggered terms who are familiar with the vocational education needs of management and labor. Such a committee would meet at least twice a year at the call of the chairman, who is the Commissioner of Education.

A second advisory group referred to as an advisory council—section 12—shall be appointed by the Secretary to review the administration of the vocational education programs for which funds are appropriated and make recommendations for improvement of such administration. This council shall make a report of its findings and recommendations to the Secretary not later than January 1, 1968. This council is a temporary one being discussed after making its report.

Eleventh. The most revolutionary aspect of this act is the change in definition of vocational education which is defined in the following terms: "Vocational education" is defined to mean vocational or technical training or retraining given in schools or classes under public supervision and control as a part of a program designed to fit individuals for gainful employment as skilled workers or technicians in recognized occupations including office and business occupations and including occupations for which there is Federal financial assistance under the provisions of the George-Barden Act as amended, and the Smith-Hughes Act. The term is defined to include guidance and counseling in connection with such training, the inservice training of teachers, teacher trainers, supervisors and directors for such training, travel of students and vocational education personnel and the acquisition, maintenance, and repair of instructional supplies, teaching aids, and equipment.

It must be made clear that this bill does not in any way overlap with the provisions of other existing or proposed legislation. For unlike the Manpower Development and Training Act, which is addressed to the hardcore unemployed adults, this bill centers its attention upon the training of young people during the high school years prior to their entrance into the labor market.

Unlike the proposed adult education bill, which is addressed primarily to adults who are functionally illiterate, this bill would not concern itself with illiteracy, but rather with vocational training.

In like manner, an analysis of the youth employment opportunities bill and this bill would call attention to the fact that H.R. 4955 is primarily directed to youth in school, whereas the youth employment opportunities bill concentrates on unemployed youth.

Therefore, we can no longer delay. We must come to grips with one of America's most important problems today. We must modernize and expand the structure of our vocational education program, woefully inadequate in its present form, to meet the needs of first, our social and technological changes; second, our population shift from the farms to the cities; and, third, the replacement of the craftsmen by new and ingenious, complicated machines. We must learn anew the wisdom of Booker T. Washington when he advised that "we put brains and skill into the occupations of life."

I urge, therefore, favorable action on H.R. 4955.

Mr. Chairman, I reserve the balance of my time and ask the gentleman from Kentucky [Mr. Perkins] if he will take over on this side of the aisle.

Mr. PERKINS. Mr. Chairman, I yield myself 10 minutes.

It is a great pleasure to address you and my colleagues today on behalf of a bill which is of immediate importance to every citizen of our Nation. It is not often that legislation affecting so many lives has gained such overwhelming bipartisan support. There will be questions this afternoon on several items, and even heated debate over a few. There will be no debate on the fundamental issue raised by H.R. 4955 or the principles underlying its proposals.

That basic issue, Mr. Chairman, is the immediate need for expansion of our Nation's efforts in the area of vocational education. Automation and other technological advances have reshaped the labor patterns of the land. Only now do we begin to recognize the basic connection between our gravest social problems—unemployment, poverty, crime—and the educational achievement of our citizens. Only now do we understand that a complex technological society cannot survive unless it provides its citizens with educational opportunities sufficient to meet the new demands of its rapidly changing economy.

Vocational education is designed for one primary purpose: to fit individuals for a productive role in their society. To prepare people adequately for the labor market, vocational educators must understand what job opportunities are and will be available. That is why these specialists have long warned that our technological advances must be matched by advances in vocational education.

There is no easy solution to the paradox of persistent unemployment occurring simultaneously with rising demand for skilled manpower. Our vocational education programs, developed in another era because they were deemed essential to economic progress, fall far short today of meeting the greatly stepped-up needs of these times.

Ninety percent of the scientists who ever lived are alive today—but without the support of skilled technicians, the scientist is handicapped. We should be training at least 100,000 new engineering technicians each year—but all our present programs turn out only 20,000 annually.

There was a drop of 772,000 workers in low-skill manufacturing occupations between 1957 and 1962. But jobs for professional and technical workers will rise about 40 percent in the 1970's and jobs for salesworkers, managers, and proprietors will rise about 20 percent.

Young people will seek work in greater numbers—2.6 million of them a year, estimated for this decade alone. The number of older workers will also increase. Moreover, half the women between the ages of 35 and 54 are expected to be in the labor market by 1970. All these groups must face the changing work patterns of the times.

Where once brawn and will were sufficient to insure man a place in the world, now specialized skills are required—skills that change from year to year. In some fields, probably half the youngsters now in school will find jobs that do not even exist today except in the vision of scientists.

Where will young people obtain the continuing training necessary to keep pace with the life ahead of them? Where will today's workers find the retraining to escape eventual technological unemployment? It is the responsibility of this Congress to answer these questions in a positive manner—by providing the stimulus necessary to expand our Nation's vocational education programs.

This is a national concern, Mr. Chairman—for the state of our economy and the welfare of our citizens are always national concerns. Every State, every community, every crossroads is directly affected by the sweeping changes in our labor requirements. Faced with growing welfare and unemployment rolls, it is clear that we cannot afford to stand by while many persons, young and old, are forced into economic dependence because programs through which they might acquire suitable skills are not available.

The Congress has long recognized its responsibility to assist the States in meeting the employment and manpower needs of the Nation, beginning positively with the passage of the Morrill Act, July 2, 1862. In 1917 the Congress passed the historic Smith-Hughes Act, authorizing $7 million for assisting State programs of vocational education. Other legislative enactments, notably the George-Barden Act of 1946, provided further financial assistance to the States. Our historic responsibilities as well as our present emergencies demand that we take immediate action to meet our Nation's needs.

This administration has long been concerned with the failure to recognize the importance of increased vocational education opportunity.

On February 20, 1961, the President directed the Secretary of Health, Education, and Welfare to appoint a special Panel of Consultants on Vocational Education, representing the educational profession, labor, industry, agriculture, and the lay public. The Panel was charged with the responsibility of reviewing existing vocational legislation and making recommendations for improving and redirecting current programs. The Panel concluded its work on November 27, 1962. Their exhaustive analysis has been printed under the title "Education for a Changing World of Work." The report documents the efforts and accomplishments of vocational education specialists who have labored long under severe handicaps. It also points in vivid detail to the areas which demand immediate attention. The chairman, Dr. Benjamin C. Willis, and his fellow panelists which included an outstanding Kentuckian, Mrs. Mary Bingham, have performed an invaluable service to the Congress and to the Nation. Mr. Chairman, I want the Record to show my sincere appreciation for their outstanding contributions.

Mr. Chairman, rather than take time from the debate period to analyze the provisions of H.R. 4955, I refer my colleagues to the full section-by-section breakdown in Committee Report No. 393.

This act will prove a milestone in the history of vocational education, not merely because it meets a great crisis, but because it meets this crisis with imagination and vision. It gives vocational educators sufficient flexibility to meet whatever labor demands the future might bring, as well as to remedy present imbalances. We should fail to meet our obligations if we ignored the lessons of the past—that failure to plan ahead leads to costly emergency situations. Let me call specific attention to three new features of this bill.

On January 29 of this year the administration again demonstrated its concern for vocational education by introducing a modest program fashioned to meet the Panel's recommendations. H.R. 4955 is based largely on that proposal, Mr. Chairman. It has been carefully designed to follow as fully as possible the recommendations of the President's Panel and the suggestions of many other specialists in the field.

Every section is the result of the combined efforts of representatives from the farm, business, manufacturing, and scientific communities, and spokesmen for all groups concerned with the startling changes in our labor market. The General Subcommittee on Education and the Committee on Education and Labor have devoted long hours to intensive analysis of the recommendations and legislative alternatives. H.R. 4955 represents a healthy compromise of varying views on how best to remedy the uncontested need for increased vocational education opportunity in this Nation.

I. AREA VOCATIONAL SCHOOLS

One of the most significant trends in vocational education has been the development of area vocational schools. Found in both urban and rural communities, these schools vary considerably in terms of the subjects of instruction offered and provide short-term or part-time instruction as well as full-time preparatory training. Many have developed programs in technical education under title VIII of the National Defense Education Act of 1958.

Some area schools are administered and financed directly by the State, others on a county basis or through the cooperative action of several school districts. The location is influenced by patterns of school organization, population density, and similar factors.

Perhaps the most pressing need in vocational education is the need for more facilities. State directors of vocational education report that a lack of facilities causes them to turn away students by the thousands. State boards have been forced to rent countless buildings for teaching purposes—buildings rarely suited for the specialized training required. A lack of facilities has also plagued the operation of the manpower development and training program.

The cost of equipment and supplies necessary to provide training for vocational students greatly exceeds expense requirements for traditional academic courses. For instance, it is estimated that $800 per student annually is required as a minimum for the training of technicians. Only by constructing areawide facilities have many States been able to provide the training necessary to equip students adequately for employment in highly technical fields.

H.R. 4955 provides funds for construction of area school facilities by recognizing and encouraging State efforts to provide adequate facilities for all its residents. This bill helps insure the availability of diversified plants and programs to meet changing employment demands.

II. YOUTH WITH SPECIAL NEEDS

The provision reserving 5 percent of the appropriated funds for use by the Commissioner to make grants for "experimental, development, or pilot programs" for youth who have academic, socioeconomic, or other handicaps preventing them from succeeding in regular vocational programs is especially important.

The President's Panel strongly recommended that special programs be provided for these young people and their wide variety of needs. These students cannot keep up with their classmates. Many have emotional or physical handicaps which create employment problems. Schools in all States must often provide remedial services in writing, reading, speech, and arithmetic for these people. They need some reasonable degree of assurance that, when aided, they can eventually join the labor force.

These disadvantaged students are found in many areas, both urban and rural, throughout the Nation. They are prime candidates for crime and vice. Out of school and unemployed, they have become the "social dynamite" of our Nation. Both the economic and social stability of many individuals are at stake, and the economic and social stability of our large population centers are at stake.

Vocational education has a responsibility to serve these young people. Experimental activities, marked by diversity and flexibility, are needed so that we might learn how best to serve their needs. Under H.R. 4955, the Commissioner of Education will make grants for special projects to colleges, universities, other public or nonprofit private agencies or institutions, to State boards of vocational education, and, with their permission, to local educational agencies to pay part of the cost of such research and developmental programs.

III. AMENDMENT TO THE SMITH-HUGHES AND GEORGE-BARDEN ACTS

The Smith-Hughes Act of 1917 and the George-Barden Act of 1946 have served as the basic framework for providing Federal assistance to the States for vocational education. However, their restrictive language has often prevented States from providing vocational training for actual employment opportunities. Funds must be appropriated for specific occupational categories, and the definitions of these categories have remained quite inflexible.

When the Smith-Hughes and George-Barden Acts were passed, it was relatively simple to define occupations in terms of four categories—agriculture, home economics, distribution, and trades and industries. However, as employment requirements rapidly continue to change, it becomes more difficult to fit actual jobs into narrow categories. By broadening old definitions, H.R. 4955 makes it possible to give training in fields which more nearly meet the needs of students and the demands of the labor market.

H.R. 4955 also provides for the transfer of funds among the occupational categories named in the earlier acts. The determination as to how funds will be spent is left entirely to the State boards for vocational education.

Mr. Chairman, the evidence documented in the committee hearings, in the report of the President's Advisory Panel, and in the newspapers of every city point to the urgent need for enactment of this legislation. The gentleman from Alabama made clear our historic obligation—the duty to assure our constituents that they and their children will find adequate programs when they require new skills for new jobs.

We are proposing nothing new today. We are dealing directly with new problems, through tried and successful means. We are warding off the spectre of future generations of unskilled, untrained Americans by correcting an imbalance which we have already allowed to reach emergency size.

In conclusion, I must read from the 1962 report of the President's Panel of Consultants on Vocational Education:

> Americans hold that the manifold tasks of the world of work are all equally important and that the man dignifies the job, not the reverse. We believe that, in a democracy, everyone should have access throughout life to the education and training needed to develop to his highest potential.

Mr. Chairman, the time has come to accept our responsibility to our Nation. The time has come to enact legislation which will permit those in charge of our vocational programs to admit rather than reject thousands of applicants, to train rather than ignore the youth with special needs, to build now for a future that enables people to acquire new skills necessary for new jobs.

I submit that H.R. 4955 will provide these opportunities, and ask the support of every Member of Congress in enacting this urgently needed legislation.

Mr. Chairman, next I feel that I should make it clear that I am opposed to the amendment that will be offered by the gentleman from California [Mr. BELL]. In the first place, that amendment has no place in this legislation. This is a bill to expand and modernize vocational educational opportunities for all adults and young people desiring to learn an occupation. Only a few years ago the members of this committee had an experience which we all recall. I think it occurred in 1959 or 1960. That was on the elementary and secondary education bill. That was a bill which had passed both the House and the Senate, but the antidiscrimination amendment was on the bill and it never got to conference. This so-called civil rights amendment has deprived millions of young girls and boys of their educational opportunities, and those who are proposing to offer this amendment today know or ought to know that that amendment is only designed for killing this legislation. You can use any other terminology you want here in this debate, but those who offer the amendment should know that it is designed to kill this legislation, and this legislation is too important to be killed by a maneuver of this type.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from New York.

Mr. GOODELL. The gentleman from Kentucky has used the words, "the amendment is designed to kill the bill."

Mr. PERKINS. That is my opinion.

Mr. GOODELL. By using such words, he is imputing a bad motive to the author of this amendment [Mr. Bell], and I think the gentleman in the well of the House would agree with me that Mr. Bell in the deliberations in our subcommittee and in our full committee's deliberations was one of the most conscientious, constructive advocates of this legislation throughout the entire proceedings and remains one of the most ardent advocates of this legislation today.

Mr. PERKINS. I certainly did not intend to impugn the motives of the gentleman from California, but I merely stated that those who were offering this amendment knew or ought to know that the purpose of it on many occasions, and the effect of it now, would be to kill this legislation, and I stand on that statement. I stand on that statement, because that has been the experience in the Congress without exception. And if you can give an exception in the case of a Federal aid to education bill, I would like for you to name that exception at the present time.

Mr. FRELINGHUYSEN. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield.

Mr. FRELINGHUYSEN. The gentleman from Kentucky has just admitted that an antidiscrimination measure was approved by this body in the general aid to education bill which passed the House in 1960. How does he reconcile this fact with his contention that a similar provision in this bill would endanger the chances of passage of this needed legislation today?

Mr. PERKINS. I recall distinctly in 1960 when many Members on your side of the aisle supported the so-called antidiscrimination amendment and voted against the bill on final passage and the legislation with the rider, the gentleman will recall, never became law. And that was carried by the press all over the country. My point is that the amendment, if adopted, in my judgment based on all past experience, will kill this bill and it has no place in this piece of legislation, a Federal aid to education bill.

Mr. FRELINGHUYSEN. Mr. Chairman, will the gentleman yield further?

Mr. PERKINS. Briefly.

Mr. FRELINGHUYSEN. The gentleman seems to be suggesting that if experience is any guide there may be some who will vote for an antidiscrimination measure and then vote against the bill, because there were some in that category in 1960.

Mr. PERKINS. I do not say that will be the case here, but I just relate what took place in 1960.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield.

Mr. GOODELL. It seems to me, Mr. Chairman, that what the gentleman from Kentucky is saying is that it is impossible for this Congress to enact a civil rights provision, an equal opportunity provision in any legislation that comes before us.

Mr. PERKINS. I agree that it should come in a social reform piece of legislation on civil rights and not on an extraneous bill; and you will have the opportunity in the near future to vote on that type of legislation.

Mr. GOODELL. The gentleman used the word "extraneous." Can the gentleman name any program in which the Federal Government is involved where it is more important that every one of our citizens, regardless of color, have an equal opportunity of access to facilities and access to the opportunity to develop himself than in this particular program?

Mr. PERKINS. Let me say to the gentleman, in conclusion, that I believe in everyone having equal opportunities. But here you are trying to destroy the opportunities by an extraneous rider. And that is my analysis of this situation.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from New York.

Mr. GOODELL. I agree with the gentleman on that point. I think this is very vital legislation, extremely important legislation for our country. I commend the gentleman for the bipartisan approach he took in the subcommittee in writing this legislation. We have tried on our side of the aisle to cooperate and make constructive suggestions that will improve the program. I believe the gentleman will agree we made many suggestions from our side, and his party made many from their side. But will the gentleman agree with me that the hearings show that we in our investigations ascertained unquestionably that there is significant and serious discrimination in this program which denies the opportunity of every citizen to have access to these facilities, and thereby materially discriminates against certain citizens of this country because of the color of their skin? Will the gentleman agree with me?

Mr. PERKINS. I certainly will not agree to part of that statement concerning the civil rights.

Mr. GOODELL. Does the gentleman deny that there is discrimination against Negroes in vocational educational programs today?

Mr. PERKINS. The gentleman from New York [Mr. Goodell] and the gentleman from Minnesota [Mr. Quie] and the gentleman from California [Mr. Bell] all made significant contributions to this legislation, but where we are disagreeing here is on the effect of the proposed antidiscrimination amendment.

Mr. GOODELL. I thank the gentleman and agree with the gentleman on that point.

Mr. PERKINS. I still state that if we adopt this amendment in my judgment it will be the sting of death to this important piece of legislation.

Mr. Chairman, I would like at this point to commend my distinguished colleague from Alabama [Mr. Elliott] not only for his lucid and pointed remarks in connection with the rule but also for the outstanding leadership and assistance he has devoted to fashioning this legislation. His leadership in 1958 on the National Defense Education Act bill paved the way for the great expansion area of the technical program provided in H.R. 4955.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, I think enough has been said already to demonstrate that there is substantial support both on the majority and the minority sides of the aisle for this bill. At the outset I would like to point out that the 1960 Republican platform has a reference which I should like to quote:

> Toward the goal of fullest possible educational opportunity for every American, we pledge these actions: * * * Stimulation of actions designed to update and strengthen vocational education for both youth and adults.

I might add also, Mr. Chairman, that yesterday the House Republican Policy Committee went on record in favor of this bill with, I might say, an antidiscrimination amendment.

I should like to make clear, as the gentleman from Kentucky just now did, at the outset of my remarks that I am very much in favor of an antidiscrimination amendment. I do not believe it is fair or correct to state that such an amendment is designed in any way to kill this bill. I do not believe the adoption of such an amendment would in any way be a sting of death. On the contrary, as the gentleman from New York [Mr. Goodell] pointed out, the testimony before our committee indicates without any question, and I think the gentleman from Kentucky has tacitly agreed to this, that there is at present racial discrimination in existing vocational educational programs. As I understand his position, he is saying, we must vote against such an amendment even though we believe such an amendment to be right, and would correct the situation. He seems to feel if we do not, it will reduce the chances of favorable action in this area.

As I tried to say when I asked the gentleman from Kentucky to yield, we were considering a much more controversial bill in 1960 when we had up for consideration the whole aid for construction of schools program. We adopted at that time an antidiscrimination provision because it was obviously the feeling of the membership that such a provision was necessary. I feel it is at least equally necessary with respect to the problems that this bill is directed at. To buttress my point, I would like to read a few comments from the recent message by the President of the United States with respect to civil rights.

On June 19 President Kennedy said among other things, and it was a long message:

> The Negro—too often unskilled, too often the first to be fired and the last to be hired—is a primary victim of recessions, depressed

> areas, and unused industrial capacity. Negro unemployment will not be noticeably diminished in this country until the total demand for labor is effectively increased and the whole economy is headed toward a level of full employment.

At a later point, and I quote again from President Kennedy:

> A distressing number of unemployed Negroes are illiterate and unskilled, refugees from farm automation, unable to do simple computations or even to read a help-wanted advertisement. Too many are equipped to work only in those occupations where technology and other changes have reduced the need for manpower—as farm labor or manual labor, in mining or construction. Too many have attended segregated schools that were so lacking in adequate funds and faculty as to be unable to produce qualified job applicants.

If I had more time, I would read more of the President's remarks, since he analyzes better than I can the necessity to expand and modernize our vocational education system in this country. He feels, as do I, we should do more to protect the rights of all our citizens so that there may be firm assurance that all groups, regardless of their background and the color of their skin, may receive equal benefits.

Mr. Chairman, without any doubt there is general agreement that first and foremost among the areas which cry for improvement in the field of education is our vocational education system.

Existing vocational education programs have many friends—indeed, we individually may have benefited from them. Nonetheless, any objective critic will conclude that major changes are needed. This bill seeks to accomplish that goal.

What is involved here? Put in its simplest form, our committee proposes that the Federal Government put up far more money than has been the case—to modernize existing programs, and to finance new ones. The initial expenditure of $45 million will almost double the present Federal contribution. Annual contributions thereafter will increase so that in the fourth year the Federal contribution will be almost three times greater than we now make available.

How quickly this money will become available and under what conditions is relatively unimportant. What is significant is that the Federal Government will be moving vigorously to accept a responsibility which in theory at least it has had for many decades.

A proposal to increase sharply Federal expenditures to expand existing programs and to make possible new ones cannot expect to avoid criticism. How can we balance the budget, many ask, unless we hold down Federal spending? Unless economy is our watchword how can we prevent continuing, and eventually disastrous, raids on the Treasury? Can we not simply spend more wisely and forgo spending vastly more than we now do?

These words of caution cannot be ignored. The opportunity of spending money in the vocational education field is a tempting one. Indeed, the President himself has set an example which cannot help but serve also as a warning. Only 6 months ago he requested $23 million more money to be spent during the current fiscal year. Six weeks ago he recommended $108 million additional to be spent at once, with some $65 million more to be made available for allied programs.

Clearly then, the amount which the Federal Government might spend constructively if Congress agreed to help modernize and expand existing programs is considerable. This figure is capable of no easy definition or limitation. For purposes of comparison, it should be pointed out that the Federal share of existing programs is $57 million. In 4 years this contribution, if nothing is done, would total $228 million. This bill would add another $450 million in 4 years—virtually tripling the present Federal contribution.

A further note of warning. President Kennedy now—as of mid-June—considers it advisable to spend some $702 million in this same 4-year period. And if you look at the bill as it was originally introduced you will see that a 4-year Federal expenditure of over $800 million was proposed. Under this proposal the Federal share in a single year was to reach $340 million—a sizable sum even in today's Washington.

There exists a real possibility, therefore, that if this bill is approved today that we will be committed to support another vast Federal spending program. With such a prospect, the question remains, "What should we do?"

In my opinion vocational education is an area where we must act. This is a problem on which we have turned our backs too long. We have ignored the importance of keeping these programs responsive to today's needs. We have failed to realize how realistic and adequate programs might affect in a significant way some of the problems of youths and adults alike who are unsuccessful in seeking employment because of inadequate or out-of-date skills.

The answer about what to do is plain. We should approve this bill. If this bill is enacted into law—or even before it is enacted—proposals may be made to expand it. Some may argue that still more should be spent, or that still other programs than those contemplated by this bill, should receive benefits.

For example, the President, in his June message on civil rights, suggested that an additional $50 million be spent annually on work-study programs. In my opinion this suggestion should be ignored at this time. If this idea, or others, have merit they can be considered more appropriately at a later date. Such efforts to broaden still further the proposed vocational education laws may distract us from the importance of what we are presently proposing.

That those who take the trouble to read the views expressed by the President do not pursue his recommendations as aggressively as might be expected can be explained in a variety of ways. First of all is the fact, known to us all, that there are infinite numbers of ways—meritorious, defensible, and logical ways—to spend the taxpayers' money. The President too often has failed to differentiate between a bewildering variety of programs. He has established no priorities of need, though this would be most helpful.

In the field of education, for example, virtually nothing has been accomplished under the New Frontier. This may be attributed, at least in part, to a failure on the part of the President to establish any procedure to follow through on his recommendations. He has not said, as I believe he should, that certain specified areas are in great need. These bills should be "must" legislation.

What actually has delayed consideration by the House of any education bills this year has been the reverse of the procedure I have just advocated. For months the administration has been insisting on an omnibus bill, with 24 separate and distinct proposals all wrapped up in one huge and obviously indigestible package. Only now is the obvious occurring. The package has been unwrapped. The more palatable items are being prepared for your consideration.

Another failure on the part of the President is one to which I have already referred briefly. He indulges in an unfortunate shifting of his sights. In January he wants $23 million for vocational education; by June he wants $170 million. Too often, in my opinion, he seems to think that more money for a program will make the program better. In many cases what is needed are fewer programs but better programs. If the program has not been carefully thought out, both with respect to its own provisions and its effect on other activities, more money may simply confound the problem. More money will not make a poor program good. More money, however, can make a good program better.

Mr. Chairman, I urge favorable consideration of this bill.

Mr. PERKINS. Mr. Chairman, I yield such time as he may desire to the gentleman from Georgia [Mr. LANDRUM].

Mr. LANDRUM. Mr. Chairman, to me it seems appropriate at about this stage to talk a little about the provisions of the bill we are going to be called upon to vote on this afternoon.

In understanding the provisions of the proposed legislation, it is my feeling that it will be helpful to members of the committee to have a brief review of the history relating to vocational education. That, after all, is what this bill is about.

In 1917, to begin at one of the earliest dates of action by the Congress on vocational education, what is commonly known as the Smith-Hughes Act was enacted. Following that, in 1936, the George-Dean Act was passed. Then following that in 1946 the George-Barden Act was passed.

What do each of these acts do, and how much of a foundation do they furnish for the proposals that are here before us today? The Smith-Hughes Act was designed to promote vocational education in specific fields, namely, vocational agriculture, home economics, trade, and industry.

The George-Dean Act came along in 1936 and included, among other things, distributive education, which is now a part of the George-Barden Act that occurred in 1946. Its provisions enlarged those of the George-Dean Act and increased the funds which the George-Dean Act authorized originally and, as a matter of fact, replaced the George-Dean Act. So the bill we have today has for its foundation and framework, the Smith-Hughes Act and the George-Barden Act. It is within the framework of these statutes that the Federal Government, the State governments and the local governments have been able to provide training for literally thousands of men and women in this country to take their place in industry, in agriculture and in society in general, and make a contribution.

The Smith-Hughes Act authorizes today an appropriation of $7.5 million for the three specific purposes previously named.

The George-Barden Act, that is titles 1, 2, and 3 of the George-Barden Act, authorizes $49.5 million, making a total in the two of $57 million, but this amount is restricted to training and occupational categories, as I said, of agriculture, home economics, trades and industry and distributive education.

What does H.R. 4955, on which we are called upon to act today, do? It amends these basic laws and permits State boards for vocational education to fix the amounts of this $49.5 million that are spent for such services and to interchange as between and among the various authorized activities any part of these sums not used for the specifically named industry. The State board then has at its discretion the use of these funds and can transfer from one to another or among them.

In the bill which is under consideration today, section 4 defines the expanded uses to which funds that are appropriated already under Smith-Hughes and George-Barden, and which will be additionally authorized to be appropriated under this bill, can be put.

Now I want to read from section 4 under "Uses of Federal Funds," to see exactly how we expand the area of vocational education training.

First, we can spend this additional money, in addition to what the State board might want to put in from these other funds for vocational education for persons attending high school.

Second, for vocational education for persons who have completed or who have left high school and who are available for full-time study in preparation for entering the labor market.

Third, for vocational education for persons—other than persons who are receiving training allowances under the Manpower Development and Training Act of 1962, the Area Redevelopment Act, or the Trade Expansion Act of 1962—who have already entered the labor market and who need training or retraining to achieve stability or advancement in employment.

Fourth, vocational education for persons who have academic, socioeconomic, or other handicaps that prevent them from succeeding in the regular vocational education program.

Fifth—and this one is extremely important, although not to minimize the importance of the others—construction of area vocational education school facilities. It is extremely important that you pay attention to the provisions relating to the construction of area vocational schools.

Sixth, for ancillary services and activities to assure quality in all vocational education programs.

This amendment also provides that in the present vocational education program under Smith-Hughes and George-Barden the 6 months required for farm practice training be removed and that no longer will one be required in order to participate in the vocational education program to have at least 6 months in farm practices. That means this: We have expanded the definition of vocational education for agriculture to permit the use of these funds in training for related agricultural occupations and activities. There is still a great need for agricultural training, but with this restrictive use removed students may be given training in related fields, and that appears to be an extremely important thing today. That is likewise true in the field of home economics.

In the bill before you we have enlarged the definition of vocational education. You will find on pages 50 and 51 the definition, and I would like to read it to you:

> (1) The term "vocational education" means vocational or technical training or retraining which is given in schools or classes (including field or laboratory work incidental thereto) under public supervision and control or under contract with a State Board or local educational agency, and is conducted as part of a program designed to fit individuals—

And this is important—

> for gainful employment as skilled workers or technicians in recognized occupations (including any program designed to fit individuals for gainful employment in business and office occupations, and any program designed to fit individuals for gainful employment which may be assisted by Federal funds under the Vocational Education Act of 1946—

Which was the George-Barden Act—

> and supplementary vocational education acts, but excluding—

Mind you—

> but excluding any program to fit individuals for employment in occupations which the Commissioner determines, and specifies in regulations, to be generally considered professional or as requiring a baccalaureate or higher degree).

Mr. Chairman, I feel that this is a very important bill, if not the most important bill to come before this House so far this year. It is a good bill as it is written. It ought to be passed without amendment because if it is passed and becomes law without amendment it will provide opportunities for training that will reward the Members of this Congress many times over for the opportunity that we give the young people, the young girls, the men and women all over the country, to take up their rightful place in society.

Why is it necessary to make these changes? When the Smith-Hughes and George-Barden Acts were first passed, it was relatively simple to define the occupations in the four broad occupational categories identified in those acts. However, as changes have occurred, and as they will rapidly continue to change and thus make jobs obsolete, it becomes more difficult to fit jobs into narrow and restrictive categories. The proposed amendments to these acts will make it possible to give training in these fields which more nearly meets the needs of students and the demands of the job.

The amendments are in agreement with the recommendations of the President's Panel of Consultants on Vocational Education, the Chairman of which is the very distinguished Dr. Benjamin F. Willis, of Chicago, Ill. If approved, these amendments will make it possible for enrollments in vocational education to greatly expand and will make it possible to train for employment in more occupations.

I want to emphasize again, Mr. Chairman, that this bill provides great freedom to the States to determine the kinds of vocational education they will conduct. I submit that this is right and proper.

When the first Federal act for vocational education was passed in 1917, it was the stated purpose to "provide for cooperation with the States in the promotion of such education." The States have been stimulated, with the help of Federal funds, to promote vocational education to the extent that they now match Federal funds at the rate of $4.50 for every Federal dollar. It is now time for the Federal Government to substantially increase its support for vocational education if all our citizens are to have the opportunity to acquire skills and knowledge to make them employable.

This bill, H.R. 4955, is a sound bill and has been carefully prepared. It represents a reasonable approach to a solution of some of this Nation's education and employment problems.

Now if I may ask the indulgence of the House for just about 30 seconds, I would say to you, with a subject of this sort, dealing as it must with the education of the young and the old and the middle-aged, so they may be able to compete in a rapidly changing economy, let us lay aside the differences that go to make up the politics that we all enjoy and come together for once in a true bipartisan fashion to pass something good for America, not necessarily good for a party.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. GOODELL].

Mr. GOODELL. Mr. Chairman, let me say at the outset I want to commend the gentleman from Georgia for the statement he just made, a very full, complete, and competent description of some of the most significant features of this bill. I did not ask him to yield during his time to discuss the civil rights amendment. I did want to clarify a couple of points he was talking about in connection with the changes we have made in this bill.

I would say at the outset I do not intend to devote this time to the civil rights discussion, except with this brief comment. I hope that the gentlemen on the other side of the aisle will attribute to us on our side sincerity and earnestness of purpose with reference to this civil rights issue. I would not participate in support of such an amendment if I did not feel from the bottom of my heart that it was necessary, that it would serve the purposes of this country, and that in the long run it would clearly serve the best interests of the very important vocational education program we have in this country. I likewise would not support such an amendment if I thought it would kill the bill.

Let me emphasize several points that I think as a matter of legislative history should be clarified.

First of all, one of the very significant changes we are making in this legislation is the changing, throughout the Smith-Hughes and the George-Barden Acts, of the words "useful employment" to "gainful employment." There is a very great significance to this change.

In addition, I would refer to page 51 of the bill, where we define vocational education, and in line 4 use this language:

> Any program designed to fit individuals for gainful employment in business and office occupations.

Therefore, we make it clear specifically that we are including business and office occupations. By pointing out business and office occupations there specifically, however, we do not mean to exclude other types of occupations.

I should like to stress, and I hope the gentleman from Kentucky [Mr. PERKINS] will agree with me, that our specific reference here to business and office education does not exclude other types of occupations for which we want to have training. Will the gentleman agree with me on that point?

Mr. PERKINS. I regret to state that I was talking to the Speaker and did not understand the gentleman's question. Would the gentleman mind repeating it?

Mr. GOODELL. I was referring to page 51 where we specifically include business and office occupations. In making that specific reference, we do not by implication mean to exclude other types of occupations that are not named.

Mr. PERKINS. The gentleman is absolutely correct. We intend to include all other gainful occupations not enumerated—all of them.

Mr. GOODELL. Actually, the reason we put this in here was a technical reason. We felt we had to clarify that business and office occupations were covered as well as all others.

Mr. PERKINS. Those words were used simply as an illustration and as an example.

Mr. GOODELL. That is correct.

Secondly, we have, and I think the gentleman will agree, embarked on a new type of approach and it is our intent that the vocational education program will increasingly be oriented to the job market. It is our desire that they prepare their programs with one eye on the end of the road, when the student gets out, expecting and planning that there will be a job available; this will involve taking surveys and giving attention to surveys to see that they are training in fields where jobs are available.

Mr. PERKINS. The gentleman has made a correct analysis and the legislation so provides in clear and unmistakable terms.

Mr. GOODELL. There is another point I think we ought to clarify in the legislative history, and I am sure the gentleman from Kentucky will agree with me. The gentleman from Georgia mentioned this point.

In section 4(a) we point out that a State's allotment may be used for specific named purposes and among them is No. 1, persons attending high school; and then for full-time study and preparation for the labor market; and the third one interests me particularly here. I quote:

> Vocational education for persons (other than persons who are receiving training allowances under the Manpower Development of Training Act of 1962, the Area Redevelopment Act, or the Trade Expansion Act of 1962), who have already entered the labor market and who need training or retraining to achieve stability or advancement in employment.

Now the implication might be read into this exclusion of the Manpower Act, the Area Redevelopment Act, and the Trade Expansion Act trainees, that we do not intend that they can use these facilities. I think our intention is precisely the opposite. We hope that the facilities that are constructed as a result of this act will be made readily available wherever they can be most usefully put to work.

Mr. PERKINS. I wish to state that one of the chief purposes of this legislation is to make available more adequate facilities which today are lacking and which is one of the prinicipal drawbacks to the effectiveness of the manpower development and training program. We certainly intend that the youngsters and adults being trained under the Area Redevelopment Act, the Manpower Act and the Trade Expansion Act use the area vocational schools and equipment for which funds in this bill may be used. There certainly was no intent on the part of the committee to exclude any of these facilities. The gentleman is correct.

Mr. GOODELL. Actually, and I think the gentleman will agree with me, the reason we had to write this exclusionary language here was to be sure we do not have an overlapping in the actual availability of funds.

Mr. PERKINS. That was the sole purpose of it.

Mr. GOODELL. I would point out to the Members we here are doing two things in broad outline. No. 1, we are adding a new vocational education program to the old Smith-Hughes and George-Barden programs. No. 2, we are making some changes in the Smith-Hughes and George-Barden present vocational education programs. Those of you who are interested may find, beginning on page 55 of the bill, the amendments that we are inserting to the present vocational education act. Among them, and very important, is the authority residing in the States to transfer funds from one category to another. At the present time the vocational education program has seven major categories to which Federal funds are directed, and they must remain in those categories and be utilized on such things as agriculture, home economics, trades and industry and so on.

We are authorizing by this legislation the States to transfer funds conceivably from home economics to agriculture or from agriculture to trades and industries, if they so desire. In other words, we are giving the States in this instance more flexibility and more option to pursue the programs which they think are most important in their particular areas.

Secondly—and I am on page 56 of the bill—we have broadened the definition of agriculture. This is an extremely important aspect. We now are including various related activities that are close to the agricultural economy. In the past we have had a requirement for vocational agricultural training that there must be involved work of the farm or on the farm home. That requirement is to be eliminated by this legislation.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. GOODELL. I thank the gentleman.

Mr. Chairman, we also eliminate the requirement that there be directed or supervised practice on a farm.

Another item which Republicans and Democrats alike worked hard on with some of the vocational education authorities is the problem of home economics. We spend a great deal of vocational education money in the field of home economics. Many of us felt that this was legitimately a State function and if the States wanted to teach this very important subject of home economics they should. But that the Federal Government, to the extent we contributed to such a program, should insist that the home economics courses be directed to teaching skills whereby these trainees may acquire jobs. In other words, home economics skills such as dietitians and things of that nature, where when they get out of school they will find that their newly acquired skills are useful in getting a job. We could not write an across-the-board requirement that all funds in home economics be oriented to gainful employment. So, we finally compromised by requiring that 25 percent of the funds be used in this gainful employment type of training in home economics. Then we added an additional option, permitting the States, if they so desire, to use all of the home economics money in occupations involving knowledge and skills in the gainful employment field.

Mr. Chairman, these are some of the major changes. I think this legislation is going to make some revolutionary changes in vocational education. I believe sincerely it is one of the most important pieces of legislation that we shall have to come before us in this Congress. It is my opinion that in the long run it is going to serve very significantly the best interests of our country in updating the vocational skills of our citizens.

May I say that one of the problems we had when we gave this thorough review to the whole vocational education system is that in the past we have not regularly reviewed the operations of this program. Actually, it has been 17 years since Congress has taken a good, hard look at how vocational education was operating in this country. Since 1917 we have had a permanent law, the Smith-Hughes law. Since 1946 we have had a second permanent law, the George-Barden Act. Then we added amendments of a minor nature since 1946. However, we felt that there should be a thorough and complete review of this whole field at least every 5 years.

Mr. Chairman, our first temptation was to simply make this a 5-year program, destroying the permanent aspect of the Smith-Hughes, George-Barden programs. However, the vocational education people felt this might imply that Congress was going to back off from its participation in vocational education. So once again we compromised and we set up a council which will be appointed every 5 years—at least every 5 years—and that citizens council will review vocational education and how it has been operating. It will make a report to the Congress and to the President.

Mr. Chairman, and I am sure the gentleman from Kentucky will agree, that this is a very substantial and important provision that we have put in here. We expect this to be adhered to very assiduously by the executive branch in seeing that this council is appointed and makes a competent study and report.

Mr. PERKINS. I agree with the gentleman that we directed the program here to gainful employment under provisions not in the legislation originally. I think the gentleman from New York is the author of the amendment which made this important aspect clear and unequivocal.

Mr. GOODELL. I conclude, Mr. Chairman, by thanking the gentleman from Kentucky for his courtesy, for his fairness, for the bipartisan approach he has taken to this legislation.

Mr. PERKINS. I compliment the gentleman from New York for his outstanding contribution. In writing the legislation we approached the whole matter from a bipartisan viewpoint.

Mr. Chairman, I yield 10 minutes to the gentleman from Indiana [Mr. Brademas].

Mr. BRADEMAS. Mr. Chairman, I rise in support of H.R. 4955, the Vocational Education Act of 1963. I want to echo the sentiments which have already been expressed here this afternoon to the effect that few bills this House will consider this year can have such a sound impact for good on the lives of so many Americans as the one we are considering. It is a soundly conceived bill, one that builds on the foundations of existing vocational education programs rather than tearing them down. It is, moreover, a bill that enjoyed overwhelming bipartisan support in the House Committee on Education and Labor.

I want to pay special tribute to the man who as much as anyone has contributed to the shaping of this bill, the distinguished chairman of the Subcommittee on Education, the gentleman from Kentucky [Mr. Perkins]. He conducted the hearings fairly and gave witnesses of every point of view an opportunity to express their viewpoint and also gave members of the subcommittee on both sides of the aisle an opportunity to offer their suggestions on how we could strengthen and improve the legislation.

It is fair to say that the result is a bill which if enacted will represent the most significant advance in the vocational education program that the country has seen in the last 17 years and perhaps since the original vocational education program came into existence during the Presidency of Woodrow Wilson.

This bill is the result of what is certainly the most thorough examination, as the gentleman from New York has said, the most searching examination of the vocational education program that Congress has made since the late 1940's. This bill owes a great deal as well to the reappraisal of the vocational education program which the panel appointed by President Kennedy in 1961, headed by the distinguished superintendent of schools of Chicago, Dr. Benjamin Willis. Indeed, this bill embodies most of the recommendations of the Willis report. I think that fundamental to an understanding of H.R. 4955 and the approach to vocational education that it represents is this basic fact in American life today: no job training will simply mean no jobs at all for millions of young Americans. The studies show that the very high rate of unemployment among young people in our country is directly related to inadequate education and training. For example, nearly half the total number of persons unemployed in the 16- to 24-year age group in late 1961 had not finished high school. They were dropouts. This lack of job training and education is the key reason that the unemployment rate in the United States last year, 5.6 percent, was nearly twice that high, 9 percent, for the 20- to 24-year-old dropouts and almost three times that high, 15 percent, for 16- to 19-year-olds.

In addition to the fact that education is essential to lowering the unemployment rates among new workers, it ought to be clear by now that at a time of very rapidly changing industrial technology, workers must have the basic education which will enable them to make successful adjustments to the several job changes that they will unquestionably have to experience throughout their working lifetime.

Mr. Chairman, before I discuss some of the major aspects of H.R. 4955, there is one particular aspect of the bill that I want to say a word about for the purpose of clarification, and I invite the attention of my colleague on the other side of the aisle, the gentleman from New York [Mr. Goodell].

It is my understanding that section 4(c) of the bill would permit contractual arrangements with, on the one hand, local educational agencies with the approval of the State vocational boards and, on the other hand, with colleges, universities, and other public or nonprivate agencies or institutions without their having to seek such State board approval in order to pay part of the cost of research, experimental developmental or pilot programs to meet the special vocational education needs of youth. Through this provision the Office of Education can engage the talent and the research facilities of institutions to pave the way for improved vocational education programs, developing special media and new methods which will be necessary to assist the development of appropriate programs for youths having special academic, socioeconomic or other handicaps. Such research and experimentation and development projects in various fields of educational effort are authorized under the Cooperative Research Act of 1954, Public Law 83-531 and, of course, under the National Defense Education Act of 1958, Public Law 85-864.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. BRADEMAS. I will be glad to yield to the gentleman from New York.

Mr. GOODELL. I agree with the gentleman. I think it is our clear intention here that there is no necessity for approval by State vocational boards in the case of grants to colleges, universities, and other public or nonprivate agencies or institutions. The only instance in which we are requiring approval by the State board is in the cast of grants to local educational bodies.

I might also point out that there has been some question raised about this 5-percent category of aid. I think we all agree that there is a long history of Federal legislation in this type of project and for this type of aid all the way from the Atomic Energy Act to the National Defense Education Act and many other pieces of legislation. I think it served a useful purpose in the past in other fields, and I hope it will here.

Mr. BRADEMAS. I thank the gentleman.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. BRADEMAS. I am glad to yield to the distinguished gentleman from Kentucky.

Mr. PERKINS. I want to associate myself with the observation that the gentleman from New York [Mr. Goodell] made about the 5-percent provision. Likewise I certainly want to take this opportunity to compliment the distinguished gentleman from Indiana [Mr. Brademas] for his untiring and capable work in helping to bring this legislation to the floor.

Mr. BRADEMAS. I thank the gentleman from Kentucky.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. BRADEMAS. I am glad to yield to my good friend from Indiana.

Mr. HALLECK. I want to say at the outset I am for this bill. In my opinion, the expansion and development of vocational training is probably one of the best things we could do but I have had a great conviction that if we have such a program, it ought to be open to everybody without regard to race or color. Will the gentleman agree with me? And it ought to be so administered.

Mr. BRADEMAS. I hope very much, without getting into that particular issue, which I know has been the cause of a certain amount of heat here this afternoon, that the point of view which my good friend from Indiana expresses—and

I know how deeply and sincerely he is committed to this cause—will express itself a little later in the year when we have an opportunity to vote on the civil rights bill in general which President Kennedy has sent to Congress. In particular, I hope that that same conviction will be effectively translated, with the effectiveness with which I know my friend from Indiana has so long been associated, into Republican votes for the civil rights bill and especially into Republican votes for the public accommodations feature of that bill.

Mr. HALLECK. Will the gentleman yield further?

Mr. BRADEMAS. No. I will not yield any further, because I have yielded too much of my time already.

Mr. HALLECK. I wish very much you would yield.

Mr. BRADEMAS. I am sure you do, but I do not care to yield further.

For, Mr. Chairman, I have really not had an opportunity to do what I rose to do, to review very briefly some of the major aspects of this bill, so let me go ahead. I think one of the first points that ought to be made is that the vocational education programs in recent years have been harshly criticized for what some have described as an overemphasis on agriculture and home economics at a time when, as we all know, the pattern of population in our country is shifting from the agricultural areas to the urban and suburban areas.

H.R. 4955 seeks to respond to these changing population patterns by permitting States to transfer funds from one category of vocational training to another to meet the changing needs of the labor market. The bill will not, I want to make clear, force State vocational agencies to shift, for example, their agricultural education funds to training for one of the fields such as trade and industrial occupations. But H.R. 4955 will permit States to transfer funds from one category to another in which there is clearly a need for trained persons.

Another example of the way in which we have sought in this bill to modernize the vocational education program is to broaden the definitions of both agricultural vocational education and home economics training. The definition of vocational agriculture, for example, would be expanded to allow the training of students for food processing, marketing, and farm machinery maintenance jobs, all now excluded by the present requirements in the law that training be for on-the-farm jobs.

Moreover, as you have already been advised, the bill would broaden the existing definition of home economics training, which is now restricted to preparation for work in the home, to permit George-Barden and Smith-Hughes funds earmarked for home economics courses to be used for home economics training which is not directed to activity in the home, but which involves homemaking skills for which employment opportunities exist.

Our bill also authorizes training for new jobs in addition to the existing programs. H.R. 4955 would, for example, authorize classes in business and office work.

In general this bill is a reflection of the determination of the members of our committee on both sides of the aisle to try to bring the vocational education program into a closer and more realistic relationship with the employment needs of the country.

For example, the bill requires State vocational agencies to relate their training programs to manpower needs and job opportunities in that State. For we felt that it was important, indeed essential, that vocational education programs should not be offered in a vacuum, but rather that they should be effective in providing people with the skills they need to find jobs.

For similar reasons, this bill, H.R. 4955, authorizes funds for the construction of area vocational schools about which you have already heard.

I said, Mr. Chairman, that the bill seeks to link job training more closely with job opportunities. Another instance of this approach is the requirement in the bill that the State vocational education agencies plan cooperative arrangements with the public employment offices in the State in order to be able to relate training courses intelligently to reasonable prospects of job opportunities.

Mr. Chairman, these are the major changes that H.R. 4955 would bring to the vocational education program.

The country needs this bill, and especially the young people of the country need this bill.

May I say in conclusion, Mr. Chairman, that H.R. 4955 represents a bipartisan effort to mount an effective attack on one of the major problems that America faces in the 1960's, providing people with the skills that they need to live useful and productive lives. I hope very much the bill passes with overwhelming support from both sides of the aisle.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield one minute to the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Chairman, I addressed a question to my very good friend from Indiana who has just spoken, and as he expressed a high regard for me, may I say that I have a high regard for him.

Mr. BRADEMAS. I thank my colleague.

Mr. HALLECK. Mr. Chairman, I just want to say that if there ever was a measure before the House of Representatives in which we should be sure that the advantages of this training program are open to everybody, this is it. This is the place and this is the time. As far as I am concerned I want to say here and now that I am going to support this bill, whether this amendment goes in or does not go in. And any talk about the amendment that is to be offered as some sort of move to kill the bill is without foundation. Let me just say to all of you that in my considered judgment this bill is going to be enacted into law.

Mr. Chairman, all that I say is that with this program, which involves the expenditure of Federal money through vocational training to make it possible for the men and women of this country to have jobs, to train them for jobs, that advantage ought to be open to everybody without regard to race or color. As far as I am concerned, I am going to see it through on that basis.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 10 minutes to the gentleman from Minnesota [Mr. QUIE].

Mr. QUIE. Mr. Chairman, I rise in support of H.R. 4955. I think the committee has put together a piece of legislation which we can all support and I am happy to be a member of the subcommittee which developed the bill. I think it is going to fulfill the needs of our country in a better way and a less expensive way than any other piece of legislation to assist those who have difficulty in finding jobs that this Congress will consider this year.

Mr. LAIRD. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from Wisconsin.

Mr. LAIRD. Yesterday in the Republican policy committee meeting I was privileged to make the motion supporting this legislation. Oftentimes we have been improperly accused of being negative in our approach to certain pieces of legislation. Our approach has been that if we are going to secure jobs and employment for people the best manner in which it can be done is through the manpower training and vocational education programs rather than through massive make work Federal spending programs.

The minority party has always had a deep concern for each individual citizen of this country. We feel that the funds that are going to be expended on this expanded vocational training program will be much more effective than massive Federal spending programs such as the ARA program and the accelerated public works program. Training is where the emphasis should be given if we are going to get America moving again.

Each Sunday the metropolitan papers of this Nation are making new records in the nuumber of help-wanted ads for trained individuals. In the New York Times, the Milwaukee Journal, the Los Angeles Times, the Chicago Tribune—every day are found long lists of job opportunities for trained individuals. This may well be the most important new legislation to be enacted in this session of Congress.

I commend the gentleman and his committee for bringing out this bill with bipartisan support.

Mr. QUIE. I thank the gentleman from Wisconsin. He has raised a very important point, because if you look at what we have been doing in vocational education, studying the various documents I have in my hand, you will find that in one study made by Sar A. Levitan, entitled, "Vocational Education and Federal Policy," he said that in 1961 3,150,000 people received vocational education assistance in this country; evidently now it is over 4 million. At this point, I would like to quote Mr. Levitan from his study:

ENROLLMENT

> In 1961 a total of 3,856,000 youths and adults were enrolled in federally supported vocational education classes in the United States. The enrollment was almost equally divided between day school programs at-

tended by high school youths, and extension programs serving adults and youths who had left school. But as table 1 shows, home economics accounted for more than half of the total enrollment of high school pupils of federally reimbursed vocational education. This program, useful though it may be as preparation for woman's family and home responsibilities, does not prepare youths for participation in the labor force. If these courses are not counted in the vocational enrollment tally, the other enrollees in 1961 federally reimbursed vocational education courses included less than 1 of every 10 high school students.

It is estimated that less than two-thirds of all public high schools in the Nation offered any federally reimbursed vocational education programs; preparation for agricultural work was offered in nearly half of the Nation's high schools, while only a tenth of the schools offered any courses to high school students in trade and industrial occupations; 1 out of 15 trained students for employment in distributive occupations; and only about 1 out of 25 offered courses which equipped students for technical occupations. Overall, it is apparent that the bulk of American high school students, only 20 percent of whom go on to college, are not offered any opportunity to enroll in vocational training courses which might help them to secure jobs after they complete their formal school training.

TABLE 1.—*Enrollment in federally supported vocational education programs, 1961*

[Numbers in thousands]

Occupational category	Enrollment				
	Total	High school students [1]		Extension programs	
		Number	Percent	Number	Percent
All categories	3,856	1,863	100.0	1,993	100.0
Agriculture	806	463	24.8	343	17.2
Trade and industry	963	307	16.5	656	32.9
Home economics	1,610	981	52.7	629	31.6
Distributive	306	43	2.3	263	13.2
Practical nursing	47	29	1.6	18	.9
Technician	123	39	2.1	84	4.2

[1] Includes also enrollment of post-high-school students.

NOTE.—Individual items in this and following tables may not add to totals because of rounding.

Source: U.S. Department of Health, Education, and Welfare, Office o. Education, "Digest of Annual Reports of State Boards of Vocational Education, 1961," table 3, p. 7.

FINANCING

According to the best rough estimates, total expenditures by public schools in 1961 for vocational education amounted to about $750 million. About two-thirds of this amount was expended for construction of schools and for training in office occupations, for which no financial aid is provided by the Federal Government.

During 1961 the total Federal Government contribution to public school vocational education programs was $48 million; State contributions for programs to which the Federal Government contributed amounted to $89 million; and local government contributions accounted for the balance of $117 million. Thus for every dollar which the Federal Government contributes, the States and local governments contribute over $4 and an additional $10 for construction and other costs for which the Federal Government contributes nothing. Since 1940 Federal Government contributions to vocational education have increased by about 150 percent, while State and local government contributions for the same programs rose almost sixfold, exclusive of rising outlays for programs to which the Federal Government provides no contribution.

The allocation of Federal contributions to each State depends upon the State's share of the total U.S. farm population (agricultural programs), rural population (home economics), nonfarm population (trade and industry), and upon a combination of the above formulas (practical nursing and technical occupations). In 1961 the total Federal allotment for public school vocational education amounted to $50 million, but only $48 million was actually expended. Some States did not take full advantage of Federal contributions available for some programs.

In the fiscal year 1962 to 1963 the Federal Government put up $79.7 million for this purpose. Compare that about $80 million for 4 million people with what is proposed in the youth employment bill. The youth employment bill would cost $100 million the first year for 45,000 students or corpsmen.

The Federal Government never got more for its money than in what it put up for vocational education.

This has been pointed out by many people. I want to point out one by the Republican policy committee entitled, "Forgotten Youth," in which they indicate that vocational and technical training has been virtually neglected and ignored when you compare it with the needs of this country:

> A partial solution to the problems of unemployed youth as well as those of the employer looking for skilled or semiskilled help does exist within our educational system—the vocational or technical school—but it has been neglected and ignored. In some cases it almost seems that our school administrators have taken the attitude that if they don't look maybe these schools will go away.
>
> While vocational education is not offered as an absolute solution to all of our social and economic problems, it should be more vigorously pushed, better administered, and more fully financed.
>
> During the past year, the American taxpayer, through local, State, and Federal taxation, paid a total public school bill of $18.1 billion. Of this, $5.6 billion was for secondary (high school) education. Only $254 million, or 4.5 percent, of this secondary school budget was spent on vocational education. Four and one-half percent of the budget was spent to supply the kind of skills needed by the 80 percent of our school population who will enter the labor force without a college education.
>
> Although $254 million is a sizable amount of money, it must be remembered that this is divided among the 50 States and among the 9.6 million high school students who form the 80 percent. This averages out to about $28 spent for each of these pupils. This hardly seems adequate.

We need to do something right away about this problem. There are many people who have studied it and come to the conclusion that this is an area of Federal concern to the Federal Government and we ought to help in that area beginning with this legislation. I think this will point the way to new areas of assisting in vocational education.

I checked with the Department of Health, Education, and Welfare to determine how the $45 million—the first year's authorization—would be spent. The following is the information which they sent me:

ESTIMATED EXPENDITURE BY THE STATES OF PROPOSED $45 MILLION 1964 FEDERAL VOCATIONAL EDUCATION FUNDS

1. Area vocational school construction (50–50 matching required in 1964): Based on a survey of all the States in spring, 1963, it is estimated that the States would need and use at least $25 million Federal funds for constructing and equipping about 50 new area vocational schools. The estimate does not take into account many millions of dollars for new construction to be expended by post high school institutions or local units of government. The total amount of new money—Federal, State, and local that would go into area school construction and equipment in fiscal year 1964 is estimated at nearly $100 million.

The facilities that would be provided by this new construction are badly needed to provide for the many additional Manpower Development and Training Act and Area Redevelopment Act projects as well as for the rapidly expanding trade and technical education programs for inschool and out-of-school youth and adults preparing to enter the labor market.

2. Obviously the additional facilities would require additional operating funds to carry on new training services. It is estimated that at least $10 million (matching not required in 1964) would be used by the States to help defray the additional operating costs of new trade and technical education programs that could begin operation in fiscal year 1964.

3. Another $5 million (matching not required in 1964) is estimated would be spent on the operation of new office education programs. This kind of vocational education has heretofore not been aided by Federal funds. It is a field of work in which employment opportunities continue to expand and for which high standard training is required.

4. The amount of $2.75 million (matching not required in 1964) is likely to be spent on the expansion of the practical nurse education program and for training in new occupational areas under the broadened provisions in the new legislation for agriculture, home economics, distributive, trade and industrial and technical education.

5. Five percent of the $45 million ($2.25 million) would be set aside for use by the Commissioner in providing vocational education for persons who have academic, socioeconomic, or other handicaps.

SUMMARY

	Million
1. Area vocational school construction	$25
2. Additional operating costs	10
3. New office education training programs	5
4. Expanded practical nurse education and new programs under broadened provisions in new legislation	2.75
5. Vocational education for those with academic or socioeconomic handicaps	2.25
Total	45

As you know, until this day the George-Barden, Smith-Hughes programs do not permit Federal assistance in Office of Education training, in expanded practical nurse education; and, lastly, vocational education for those with academic or socioeconomic handicaps.

I feel we have an insufficient amount of money. The percentage of money provided for the assistance of individuals with academic or socioeconomic handicaps amounts to 5 percent of the money or $2¼ million this coming year. I think this is an insufficient amount. It ought to be increased when we look at what has been done in the past, again using Sar Levitan's report, the Federal Government at the present time is spending no money for youths with these special needs. These are the individuals with less than median capabilities. And in the President's June civil rights statement, he summarized his new proposals for vocational education. Among these was the support for an increase to 15 percent in this category. I now quote from the summary of the Department of Health, Education, and Welfare:

> The House-reported bill, as well as the administration bill, sets aside 5 percent of the sums appropriated each year for Federal project grants to develop, demonstrate, and evaluate special vocational education programs for youths who, by reason of academic, socioeconomic, or other handicaps, would not be able to succeed in the regular programs. The draft bill increases this percentage from 5 to 15 percent and broadens the purpose of the grants to include projects to meet the special vocational education needs of communities having substantial numbers of youths who have dropped out of school or who are unemployed.

I know that the vocational education people have been trying to upgrade their programs. They should be commended for that. In many of the programs that I have visited, the mathematics and physics courses are virtually college level and these students could, if they so desired, go on to college. They should be commended for their work in this area. However, we must not forget those students with less than median capabilities who need assistance in vocational education. Any study of the education level of the unemployed shows that the greater the education and the greater the training and vocational education, the less likelihood there is of unemployment.

We have a sound piece of legislation, I believe, here today, that all Members can support.

With reference to the expansion and broadening of the agriculture and home economics definition, it will enable the vocational education people to gear their training to the present day needs for gainful employment without being limited by the law. I think this is another big step forward.

But, the one thing I am concerned about in this legislation is that we are not making certain that all people regardless of their race, that is regardless of the color of their skin, can receive this additional opportunity in vocational education.

From the studies of the unemployment figures, you will note that unemployment among the colored people is about double that of the white race. Unless we do something about it to set our house in order on the Federal Government's part, how can we expect the State government and the local government or the employers or the unions to do it themselves. If the Federal Government continuous to condone unequal opportunity and unequal administration of these laws how can justice prevail? We did not realize the discrimination to be to the extent it is in vocational education until many of us on the committee met with representatives of the NAACP and other organizations in which they indicated very clearly to us that discrimination exists in vocational education more than in any other single education program where the Federal Government assists. That even compares with the impacted area aid laws where a nondiscrimination amendment is presently a part of the extension bill.

There was a study made by our committee, in Southern and border States, showing that 83 percent of all the construction money goes to segregated schools. The problem is not limited to the Southern or border States, however. The problem is also in the Northern States.

I have had individuals who have called on the phone from Minnesota who object to a nondiscrimination amendment being placed on this legislation. I can understand some people being concerned about the possibility of this legislation not passing, but I know full well that with strong support on this side of the aisle and on that side of the aisle for this legislation, it will be enacted into law with a nondiscrimination amendment in it.

Mr. Chairman, I also ask each Member to look at his own conscience when he decides how he is going to vote on the Bell amendment, because 1963 is the year. It is the year when the Congress is going to decide whether the Federal Government puts its house in order and prevent racial discrimination where the Federal Government is involved. If the Federal Government refuses to put its house in order, it looks as if the people of the colored race will have to wait another 100 years for equal rights. I believe human rights come before all other rights. That is why I believe this year we ought to set the pattern in vocational education so that all people might learn the skills they need with which to obtain employment in modern day America.

Mr. PERKINS. Mr. Chairman, I yield 5 minutes to the gentleman from Hawaii [Mr. Gill].

Mr. GILL. Mr. Chairman, I think it is probably true, as has been said many times here today, that this is one of the most important bills that this Congress will consider. I would agree that it is probably the most important that we have considered so far. I think it is also fair to say that job training as found in the vocational education bill of 1963 is a civil rights bill in and of itself, without amendment.

Mr. Chairman, it is perfectly obvious to all of the Members of the House that it does very little good to open doors to employment unless there is the means to enter. I think it is obvious, based upon all the studies that we have had submitted to our committee, that the number of dropouts is highest and the level of education and training is the lowest among the Negro and other minority groups in this country.

Mr. Chairman, this particular bill, H.R. 4955, gives us a flexible job-oriented training program. It breaks down the existing inflexible categories. It leaves initiative to the individual States to tailor programs close to their own State needs.

We have noted already the widened definition of agricultural training. We have had the broadened definition of home economics called to our attention. I think we also know that the general definition of vocational education in this bill is aimed to prepare individuals for gainful employment.

I would also like to agree with some of the speakers who have preceded me when they said that the money authorization in this bill is minimal. In fact, I would say, in view of the needs we have observed, it is peanuts. It provides for $45 million in the first year, $90 million in the second year, $135 million in the third year, $180 million for fiscal 1967 and thereafter, which seems to be very little when compared not only with a $100 billion budget, but when compared with the gross national product of this country which runs well over $500 billion per year.

Mr. Chairman, it is my opinion that we can continue to hope, even though the amounts we have supplied here are minimal, that the States will continue to overmatch money for vocational education as they are doing now, sometimes to the extent of $8 to $1. We can also take hope from the proviso contained in this bill that Federal money shall not replace State money under this act.

Now, Mr. Chairman, I would like the indulgence of the Members of the Committee for a word or two about the civil rights rider which will be offered in a few minutes.

I think that my colleague and I from the new State of Hawaii can say at least one thing that few others in this body can say, and that is this: We come here representing a constituency the majority of which are of non-Caucasian extraction. There are very few in this Chamber in a similar situation. There are extremely few on the Republican side of the aisle. I think that our people have no desire at all to see their tax dollars or any Federal tax dollars spent in areas where people are denied rights to an education because of racial discrimination, or because of any barriers based on race, color or creed.

But I think also that our people are perfectly capable of understanding political shell games. I think that they are all perfectly aware of the fact that when the time comes to vote on a civil rights bill we are going to be here with both feet, with both hands, and our hearts and heads. Our people know we are going to work for the toughest civil rights bill that can come out of this Congress. I certainly hope that the great ardor that has been displayed on one side of this House today for civil rights continues for a few weeks until we get a chance to vote on a civil rights bill that means something.

This is a civil rights bill in its own right, and I hope you will bear with us to keep it separate from nondiscrimination riders, regardless of the sincerity of those who may offer them. It is not wise at this point to mix our legislative pots on this vote and confuse both the issue and our citizens.

If time permits, I will have more to say on this when the rider is offered.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts [Mr. Conte].

Mr. CONTE. Mr. Chairman, it is a great privilege for me to join in the discussion of the Vocational Education Act of 1963. Approximately 23 years ago, I, myself, graduated from a vocational high school in my home city of Pittsfield, Mass. Little did I know at that time that the smoldering fire of war would disrupt my life for the next 5 years. There was, to be sure, the feeling in the air, but many of my fellow graduates at that time felt confident for certain reasons. We were, for example, trained to meet an increasing technological age. Many of us, who went into the service at the outbreak of U.S. entry into the war, were able to play our small role in our victory because we were so trained. I, for one, will never forget or play down my vocational training, and while I am grateful that I later had the opportunity to attend college and law school, I think the practical experience and knowledge I gained at that time were essential to my future.

For these and many other reasons, Mr. Chairman, I am interested in this legislation. But even beyond personal considerations, there is a tremendous need in the United States for technological support in an ever increasing scientific era. For the most part, the United States has recognized this need in the passing of the Morrill Act in 1862, the historic Smith-Hughes Act of 1917 and other important legislation. The U.S. Government has long recognized the necessity of vocational training in America, and I am proud that my country has so acted.

In spite of this progressive and farsighted thinking on the part of Congress, the need increases. Automation and technology, while eliminating jobs, have had the paradoxical effect of increasing the need for even more skilled technicians at certain levels.

The technological revolution, which we are experiencing, requires the continuation, the extension, and expansion of this program.

I was certainly gratified in 1961 when President Kennedy named an advisory panel to study this program. Certainly much of the legislation being considered today is an outgrowth of that study. As the committee report so vividly states, there have been more advances made in the past 50 years than in all preceding history. Ninety percent of the scientists who ever lived are alive today. The point I am making is that without the supporting technician the scientist is handicapped and production is held back. While it is estimated that we should be training about 100,000 new technicians each year to meet our needs, we are training only 20,000 technicians annually.

Meanwhile, the number of workers in low skill occupations is rapidly declining. There was, for example, a drop of 772,000 workers in such categories in manufacturing between 1957 and 1962. Another startling fact is that jobs for professional and technical workers will rise about 40 percent in the 1970's, and jobs for salesworkers, managers, and proprietors will rise only about 20 percent.

It is estimated for this decade alone, that 2.6 million of our young people will be seeking employment each year. Many of these and others in various age groups will need training and retraining to obtain positions. Our schools must be geared to prepare these groups for employment more adequately than they presently do. Less than one in five of all high school students are enrolled in vocational programs, even through formal education will end in high school for most of them. This means that the present demand for funds for facilities, equipment, and teachers are severely limited in vocational education high schools, and area school programs.

With all of these facts so evident, Mr. Chairman, the importance of this legislation becomes manifest.

H.R. 4955 does not require a State to continue its current level of support for vocational education to match the Federal funds for program operation in fiscal year 1964. For subsequent fiscal years, matching is required on a 50–50 basis. In addition, States must assure that Federal funds complement but do not replace local and State funds.

I dare say that Massachusetts, which has an outstanding vocational system, will benefit from this program.

In concluding, Mr. Chairman, I would like to quote from the committee report:

> Much honor and distinction in the world of work for the technician, the craftsman, the officeworker, the salesman, the serviceman and the farmer who adequately prepares himself for his life vocation.

This is something that I know from personal experience, Mr. Chairman, and I think that the Congress of the United States would be making a significant contribution to the lofty economic ideals of this Nation by the passage of this bill.

We will all be victors in the end, and the country will know that we have not turned our backs on those who have already given so much to our Nation, and to those whose future depends upon it.

Mr. Chairman, I would like to raise my voice in opposition to those who are saying here today that there is not any need for a civil rights provision in this vocational training bill. I cannot accept the theory that is being bandied about here to the effect that a bill cannot be effective if it is designed for all people. This is certainly not a good argument and it just so happens that the civil rights amendment to this bill would greatly strengthen it.

Now in view of my strong support of this legislation, I do not want to see this bill pass by the wayside. As I have indicated, there is a pressing need for the bill, and the Congress would be making a significant contribution to the economic progress of the country by enacting the provisions contained in the bill.

There is the usual fear which I have heard expressed so often in these Chambers, Mr. Chairman, that an amendment of this type will kill the bill. I heartly disagree with that point of view in this particular instance. In some cases, such a point of view would have merit. It is often necessary, given the form of our legislative structure, to make slow gains rather than dump an entire program because of a controversial position.

I feel, however, that there is sufficient support necessary to pass this bill with a civil rights provision.

In this case, we have strong Republican support and with the support of the Members of the other side of the aisle, we should be able to enact legislation with additional teeth.

If this bill is designed for only a particular race of people, it loses its purpose. In fact, any discriminatory legislation at this point would lessen the faith that Americans have in their elected officials. We cannot overlook the desires of the great numbers of Americans, of all races, who desire equality—and indeed demand equality—in all phases of American life.

We cannot legislate discrimination, Mr. Chairman, and if we ignore the civil rights possibilities in this bill, we will be defeating the lofty ideals of our way of life.

Indeed, the people who might benefit—and by doing so, benefit the entire Nation—most from this bill would be left out. As the Republican members said in their supplemental views to the committee report—"We are disappointed and disturbed that this legislation—which will chart the future course of vocational education for many years—does not contain assurance that the federally financed programs will be available to all citizens without discrimination because of race or color."

It is crystal clear to me, Mr. Chairman, that such assurances are absolutely essential. If we fail to enact these additional provisions, we may wake tomorrow and find that the faith in this body has diminished greatly throughout the land. The entire country will take close account of this activity today, and the antidiscrimination provision would be the most meaningful thing that we could accomplish in addition to passing this bill. It is a responsibility that we are duty-bound to accept. It is a responsibility that we must accept.

I respectfully ask for the immediate passage of this bill. It is a good bill. It is a practical bill. It is an important bill. Let us make certain that it becomes a working principle of this Nation.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield to the gentleman from New York [Mr. Lindsay] such time as he may require.

Mr. LINDSAY. Mr. Chairman, I rise in support of this most important bill, H.R. 4955 designed to strengthen and improve vocational education in the Nation. This is not a new bill; it improves and strengthens existing programs. It is particularly needed today, in the 1960's, when new kinds of unemployment have been thrust upon us. The pressures of automation and other advances in the sciences, coupled with an expanding population, contribute toward a dangerously high percentage of unemployment. This is particularly true in the crowded cities, and in those areas where ghetto living and slum conditions have smothered educational opportunities and vocational training advancement.

I have long maintained that among the best weapons against modern-day hard-core unemployment are manpower retraining and basic vocational training, designed to give new skills to persons who find themselves among the mass of unemployed through no fault of their own. Manpower retraining is a pinpointed method of attacking the problem. Massive outlays of Federal money to local communities, such as the mismanaged and floundering area redevelopment program, are not the answer to modern technological problems. The answer lies in giving people, particularly young people, an opportunity to learn and develop new skills in areas where there are labor shortages. Nowhere is this truer than in the case of minority groups. The great pressure and the chief passion today among Negroes seeking equal opportunities and recognition on the basis of merit is for job opportunities. I believe the country is beginning to recognize the necessity and importance of opening up the labor market—in management and labor alike—to Negroes and the training of Negroes. In the past, there has been little incentive for members of minority groups to take up vocations when the doors have been closed to later employment. If we can change this, and I have high hopes, it is all the more important that the training programs begin. Unemployment among Negro groups is 2½ times the rate of unemployment among whites. These tragic figures are directly related to inferior educational opportunities, both basic education and vocational education. Let us in part rectify this problem in this bill today. And in doing so, let us make certain that the benefits of this legislation are made available to all citizens of our society who are in need and who will benefit our society by the application of this training.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. Gubser].

Mr. GUBSER. Mr. Chairman, in almost 11 years as a Member of this body I have patiently listened as my long-standing personal position with respect to civil rights, and I believe the majority position of Republicans, is consistently maligned as insincere. I cannot understand why advocating a civil rights principle as it pertains to an individual bill is maligned as insincere unless it is part of an omnibus civil rights bill which we are always waiting for and never seems to arrive. Principles can and should be as valid in single serving as in wholesale lots.

Had the Republican position on bills like medical facilities, HEW appropriations, housing, and others been adopted in a piecemeal fashion, then most of the pending civil rights bill would be unnecessary.

I have conducted a spot check on the Republican side of the aisle, and I will confidently predict that at least 130 Republicans will vote for an antidiscrimination amendment to this bill and then will support the bill as amended. Allowing for 20 absentees, a majority today would be 208 votes.

So when the gentleman from Kentucky says that the amendment of the gentleman from California will kill the bill, he must mean that the Democratic Party cannot muster a paltry 78 votes out of its membership of 277 to support vocational education without discrimination. If this is what the gentleman meant—and what else could he mean—then he has exposed the schizophrenic civil rights personality of the Democratic Party in all its nakedness for all the world to see.

And all the pious pronouncements from the "de facto" segregated village of Hyannis Port cannot erase the fact that the Democratic Party does not act big when it comes to civil rights—it only talks big from both the northern and southern sides of its mouth.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield such time as he may require to the gentleman from New York [Mr. Robison].

Mr. ROBISON. Mr. Chairman, I rise in support of the bill H.R. 4955. I intend to support as a matter of personal conviction the antidiscrimination amendment to be offered by the gentleman from California.

Mr. Chairman, some idea of the primacy of civil rights over all other issues now pending before this Congress, can be gained from the fact that far more time has been spent during this debate discussing the so-called antidiscrimination amendment than the merits of H.R. 4955, itself.

We have heard often, from the other side of the aisle, the warning that the addition of such an amendment to this bill will "kill" the bill, though there is a certain amount of fuzziness over there as to exactly how or where this crime is to be perpetrated. But, let us take a look at the need for insuring—if we possibly can—that the benefits of this measure are made available to all citizens, as the President's Panel of Consultants on Vocational Education urged—and I quote from the report on page 6—"regardless of race."

A few simple statistics ought to be sufficient to establish the stake that the American Negro has in this expanded program. As of 1961, the last year for which figures are available, per capita income for the Negro here in the United States stood at $1,100; that of his white counterpart at $2,450. More significant even than that, perhaps—at least for purposes of showing the need for upgrading the working skills of thousands of our fellow citizens who happen not to be white—is the further fact that, in the same year, the average wage of the employed Negro was $3,015, while that of his white fellow worker was $5,287.

Of equal pertinence, for the first quarter of 1963, unemployment among white citizens stood at 5.9 percent—but for nonwhites it was 12.7 percent. And—one more—since this expanded program is supposed to be especially aimed at helping our youth, we must note that for teenagers, as we usually refer to them, unemployed whites amounted to 13.4 percent in that category, but the percentage of unemployed Negro youths was 29.8 percent.

Mr. Chairman, I am convinced that our present racial unrest stems, more than anything else, from this sort of economic discrimination—and that this will be a far tougher nut to crack than ending discrimination in places of so-called public accommodation. Most assuredly, education is the key to the solution, and I just do not think we will ever have a better place to start turning that key than in the bill now before us.

What I have been saying goes to the practical justification for supporting the Bell amendment. I believe, however, that we should also support it because, very simply, it is right—and, regardless of all the talk of political moves and countermoves we have heard about here this afternoon, all of us in our hearts must know that it is right.

Mr. Chairman, my friends across the aisle have time and again inferred that, if the Bell amendment carries, certain Members of this body will no longer support and vote for H.R. 4955. Well, there is another side to that coin, too; there may be a substantial number of us who will not vote for this bill unless it is perfected by the addition of the Bell amendment, and I count myself in that category.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 1 minute to the gentleman from New York [Mr. Goodell].

Mr. GOODELL. Mr. Chairman, I asked for this time especially to say a word of commendation in great sincerity of my colleague, the gentleman from Minnesota [Mr. Quie]. He has worked very hard and conscientiously on this legislation. He has done a masterful job, as usual, in making a contribution to the details and development of the legislation. It has always been in a constructive and friendly and sympathetic manner with reference to the entire vocational education bill. I think the record should be clear that Mr. Quie is one of the very significant constructors of this legislation.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield.

Mr. PERKINS. Mr. Chairman, I rise to compliment the gentleman from Minnesota [Mr. Quie]. I do not know of any member on the subcommittee who worked longer hours or more untiringly to make a success of this legislation than the gentleman from Minnesota [Mr. Quie]. He not only has contributed to the development of this piece of legislation but also the legislation embodied in the higher education bill.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 3 minutes to the gentleman from New Jersey [Mr. Cahill].

Mr. CAHILL. Mr. Chairman, I, too, rise in support of this legislation and the Bell amendment. And, as was indicated by the minority leader, I propose to support the legislation whether the amendment carries or not. But I have taken time to call the attention of the House to what I consider to be certain omissions in this bill. I have noticed that all of us have been talking here today about all Americans and all the youth of America. And yet when the Bell amendment is proposed it is going to speak only of race and color and it is not going to mention that third word that usually goes with race and color, and that is creed. I would call the attention of the House, as I read this bill, to page 43, when we talk of research and experiment, I believe we are talking about institutions entitled to aid who are nonprofit and nonpublic institutions. But when we come to page 50 of this bill and when we describe what is meant by vocational education, we say that this must be under public supervision and control or under contract with a State board or local educational agency.

I am convinced that both the proposer of the amendment and the committee inadvertently neglected to include those youngsters who do not go to public schools or publicly supported schools.

I would certainly think vocational schools like Boys Town and Moose Heart and the schools of all the religious denominations in this country who need Federal aid in this field more than any other would be included in this bill. So at the appropriate time I shall offer an amendment to permit Federal aid in vocational training to those nonprofit institutions. It is my hope that the Committee and the House will support the amendment.

Mr. PERKINS. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. CAREY].

Mr. CAREY. Mr. Chairman, I take this time to commend the subcommittee, its staff, and the chairman for the zeal and diligence they have shown in the preparation of this legislation which is on the floor today.

I hope I shall have the opportunity if the Bell amendment is offered to make some appropriate comments as to what it might mean in the State which I represent, and which understands the full meaning of civil rights. As the amendment is now written, it may well mean that in the State of New York, one of the great leaders of the Nation in civil rights, by reason of the imbalance in the vocational schools, that very imbalance which is due to the fact that we are seeking to aid the man who is on the lowest rung of the ladder of education, that man we are seeking to assist may be denied.

This bill goes to the heart of disadvantage. This is a fine bill.

Some partisan comments have been made about the role of the Democratic Party in civil rights. I hope you will remember that the reason there was no elephant at the Boston Tea Party was because while he undoubtedly might have kicked the tea overboard he might also have sunk the ship. Let us not sink this ship. Let us give this advantage to those who need it in the vocational schools. I hope you will keep that ultimate goal in mind.

Mr. Chairman, the number of people entering the labor market without a college degree in this decade is estimated at 23 million. In addition to this number needing preemployment training, many workers require retraining in vocational programs to upgrade and update their skills.

Americans hold that the manifold tasks of the world of work are all equally important and that the man dignifies the job, not the reverse. We believe that in a democracy everyone should have access throughout life to the education and training needed to develop to his highest potential. Education is a continuous process, not an injection that thereafter makes the individual immune to ignorance and the need for knowledge. Expanded vocational education, apprenticeship and technical training are especially needed now to prepare both new workers and the unemployed to fill the job openings available for skilled or specialized workers.

The need is immediate, Mr. Chairman, when we consider that 67 percent of vocational graduates get employment and 17 percent go on to further schooling. The need is immediate when we consider only 1½ cents out of each dollar spent by U.S. public schools now goes for vocational education. The need is obvious when we realize that less than two-thirds of the Nation's high schools offer any vocational training.

The Vocational Education Act is a modernization of the Federal program which will enable more individuals to meet the greater demand for skilled workers.

In stressing the need for the action we are about to take in passing this Vocational Education Act, the President's Commission on National Goals said:

> A higher proportion of the gross national product must be devoted to educational purposes. This is at once an investment in the individual, in the democratic process, in the growth of the economy, and in the stature of the United States.
>
> Where reemployment within the industry is not possible, retraining must be carried out through vocational programs managed locally and financed through State and Federal funds.

Mr. Chairman, the scope and magnitude of the program to be effective for the Nation as a whole cannot be adequately financed by State and local school districts. Maximum effectiveness and efficiency are achieved when the local school districts, the State, and the Federal Government jointly finance these programs. In no other area have we the history of good Federal-State cooperation at the elementary and secondary level as we have in the Smith-Hughes Act and the George-Barden Act, where there has never really been any presentation of a substantial complaint of the existence of Federal control or interference.

The Vocational Education Act continues the work started by the Federal Government in this field. We now have an act which will enable more individuals to meet the demands for newer and greater skills in our changing economy. This bill provides the needed aid in the vocational high school; on the semihigher level for those who can participate on a full-time basis; to those who need further training or retraining for improving their occupational competences; for the handicapped; for construction and for research programs in various areas of vocational education.

Mr. Chairman, the proposed Vocational Education Act of 1963 expands the scope of present vocational education and offers vocational education and training in more fields to more people. This new flexibility is in keeping with the rapid developments of our technology and changes in the labor market. I call for the passage of this important education bill as part of our overall responsibility in this area.

Mr. PERKINS. Mr. Chairman, I yield such time as he may desire to the gentleman from California [Mr. ROOSEVELT].

Mr. ROOSEVELT. Mr. Chairman, naturally, at the appropriate time when the gentleman from California [Mr. BELL] offers his amendment I will make certain remarks concerning the position of the amendment in this bill and its effect. I think it would be more appropriate for me to make such remarks when the bill is being considered under the 5-minute rule than now.

Mr. Chairman, I rise in support of H.R. 4955, and respectfully direct your attention to the first paragraph of the committee's report on this bill:

> It is the purpose of H.R. 4955 to redirect and expand Federal financial assistance to vocational education so as to assure vocational educational opportunities for all citizens which will be of high quality and realistic in terms of the Nation's actual manpower needs and job opportunities.

The succinctness of this statement in no way diminishes its import. The very foundation of our national economy, the factor which determines our rate of prosperity and growth, is the capability of our work force. Who would dispute that manpower is our greatest resource? And unlike our natural resources of water, timber, minerals, et cetera, it is not subject to depletion. Rather we find ourselves with a seemingly unexpendable supply, with increasing numbers of older workers and a steadily increasing volume of young people entering the labor market. At the same time, technological advances have radically changed our work patterns. The result is that at one time we have an extraordinarily high unemployment rate and yet lack qualified applicants for such jobs as do exist.

It is no secret that even in this land of plenty there are today hundreds of thousands of people who live in substandard housing, poorly clothed and ill fed, receiving inadequate medical care and little or no educational opportunities. These are the people who contribute least to our national productivity and require most of our national welfare costs. Workers who have been displaced because of automation become statistics on the unemployment compensation rolls. Many of those just entering the labor market are not properly equipped for employment in a country where the number of unskilled jobs continues to decline. The cost to our national economy both in terms of welfare and unemployment costs, and the overall loss because of failure to produce, is, I would think, beyond the comprehension of even those Members of Congress who are accustomed to thinking and speaking in millions, and even billions, of dollars.

Thus, I think it is important that we redirect our thinking when we consider this bill and its authorization for appropriations. Today's demands have outmoded the question of whether we can afford this educational project. We can afford it. But more important we cannot afford to be without it. The real test is whether we will make it possible for our citizens to realize their true values and full capabilities. We are not just spending. We are investing—investing in our Nation's economic future, and assuring its stability by demonstrating our expectation of a greater return from and for our most valuable asset, our labor force.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield such time as he may desire to the gentleman from Illinois [Mr. McClory].

Mr. McCLORY. Mr. Chairman, the Vocational Education Act of 1963 offers opportunities for solution of many of the most pressing problems of the day.

This act offers a modernized vocational educational program to supplement the outdated programs presently administered by the State and local school districts under existing Federal legislation.

School dropouts and juvenile delinquency reflect in large part the absence of programs for vocational training for productive service for which this bill offers a logical solution.

The problem of unemployment—especially our unemployed youth—can be alleviated by the operation of this proposed new Vocational Education Act. The demand for skilled employees is at an alltime peak. The opportunities for satisfying this demand are present here today in this legislation.

The bill recognizes the wisdom of that part of the National Defense Act of 1958 to continue training in such areas as electronics, mechanics, electrical, chemical, aeronautical instrumentation, data processing, and computer programing.

This legislation is also in the interest of job opportunities for all Americans. Our citizens, who represent racial minorities, have the greatest stake in this legislation. Accordingly, it is essential that the bill should provide specifically that the program shall be administered without discrimination. We should not permit the practice of segregation in our public schools to be encouraged by this important legislation.

The amendment to be offered by the gentleman from California [Mr. Bell] to provide that the Federal funds authorized in this act shall be administered on a nondiscriminatory basis in nonsegregated schools, should be adopted.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield such time as he may desire to the gentleman from Indiana [Mr. Harvey].

Mr. HARVEY of Indiana. Mr. Chairman, having long been interested in the field of vocational education, I am very vigorously in support of this bill. I feel that it is a phase of education that has been all too long neglected. I trust it will be passed, and that the amendment that will be offered by the gentleman from California [Mr. Bell] will also prevail.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. Horton].

Mr. HORTON. Mr. Chairman, I rise in support of the bill now before the House, H.R. 4955, to redirect and expand Federal financial assistance to vocational education. Further, I wish to state my support of the amendment which would guarantee the application of these funds without discrimination.

I regard this proposed legislation as a necessary modernization of the responsibility borne by the Federal Government in assisting the States in providing trained and skilled persons for the employment and manpower needs of the Nation. Since Congress first acted in this field, with the passage of the Morrill Act more than 100 years ago, it has been found that such legislative improvements assure that vocational education opportunities are realistic in terms of the country's actual manpower needs and job opportunities.

This is an area where evidence of the stimulating effect of Federal funds on State and local expenditures abounds. While the Federal Government's funding for vocational education assistance has roughly doubled in the last 15 years, combined State and local spending has been tripled. In dollar amounts, the State and local governments are contributing nearly four and a half times as much to these programs as the Federal Government.

I wish to reemphasize, Mr. Chairman, the importance which I feel is attached to the amendment offered by the distinguished gentlemen from California [Mr. Bell] to protect the vocational education programs which this bill would support from the evils of discrimination. For every citizen denied the benefits of these programs because of his skin color, the value of this legislation will diminish.

The antidiscrimination amendment is a logical first step to take in our efforts to eliminate bias in hiring practices. Unless there is equal opportunity in vocational training, there cannot be equal opportunity in employment.

I think there is another feature which should be pointed out in this bill, and that is the stimulating effect that Federal money has had on the use of moneys by State and local governments. This is the way in which the Federal Government can very effectively assist in a program, by stimulating the use of State and local moneys to help in an area such as this. I think also it is very important for us to make certain that every American citizen has an equal opportunity to share in the benefits of this very important legislation. Therefore, I certainly support the Bell amendment.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 1 minute to the gentleman from New York [Mr. Reid].

Mr. REID of New York. Mr. Chairman, I rise in support of the bill and also in support of the amendment of the distinguished gentleman from California [Mr. Bell] which I understand he intends to introduce.

Mr. Chairman, it seems to me this bill is extremely important. It deals with vocational training, an area where there is a clear need; it deals with the need for special skills in a time of automation. Further, it seems to me that the amendment that has been proposed is not "extraneous" but is rather central to the future of this bill. The legislation we are dealing with specifically says it is "to assure vocational educational opportunities for all citizens."

To the extent that any American might be denied an opportunity for vocational training because of race or color, it would be repugnant. The fact, Mr. Chairman, is that in the United States only 2 percent of those undergoing apprentice training are Negroes and that the unemployment amongst Negroes in the United States is somewhere between 11 and 20 percent. I believe this demonstrates a need for this amendment and I support it most wholeheartedly and equally, Mr. Chairman, I support the bill, with or without the amendment.

Mr. FRELINGHUYSEN. Mr. Chairman, as the last speaker on our side, I yield 3 minutes to the gentleman from California [Mr. Bell].

Mr. BELL. Mr. Chairman, I support the expansion of vocational education, as provided in this bill. In fact, as a member of the subcommittee which considered this legislation, I am very proud of having made a contribution to its development. This legislation is important to California or any other State in helping to meet the complex and changing manpower needs. The purpose of H.R. 4955 is to help assure—through an expanded and modernized program of vocational education—that individuals can find a worthwhile and valuable role in a modern technological economy.

Mr. Chairman, I plan to introduce an amendment to this bill which will prohibit the use of Federal funds in vocational schools practicing discrimination.

For that very reason, the amendment I propose is a vital necessity. It is not a "rider" on this bill, but an essential part of it. The value of this legislation would be greatly diminished without an assurance of fair and equal administration. In fact, for millions of our fellow citizens, this bill has no value at all unless it contains such an assurance.

Racial discrimination in publicly-financed education programs is unconstitutional. It is a denial of the individual's chance to improve his own lot or to share in the abundance of America. Racial discrimination in federally-financed vocational education programs is unjustified, but commonly practiced. In fact, it is so commonly practiced that it is a basic element of a systematic denial of equal opportunity in many sections of this Nation.

On what basis is this amendment opposed? Well, first, some people say that it would "kill the bill." I do not believe this is true. I believe that this Congress can enact—will enact—a vocational education bill which assures against Federal support for racial discrimination. This is the education program in which such assurance is most needed—because it is most vital to Negro citizens. We all know that unemployment is twice as high among nonwhites as it is among white citizens. A prime cause of this is lack of opportunity to acquire needed skills. I do not see how the Congress—or any Member of Congress from any section of the country—can ignore this fact.

Opponents of this amendment have said that if aid is cut off, Negro children will suffer most. I raised this question with one of the foremost national leaders of the Negro struggle for equal rights: He replied that the argument is not accurate because Negro children in many cases already suffer from a lack of opportunity to share in the benefits of this program, or to share equally in such benefits.

Finally, it will be argued that our committee is about to report a bill that would have the identical effect and also apply to several other education programs. That is true. I introduced such a bill myself and have supported it in our committee. What you will not be told is that this separate bill will most likely never get to this House for consideration. So, if we really mean to assure against continued racial discrimination in vocational education, now is the chance to act. There probably will not be another opportunity.

Mr. Chairman, this amendment is necessary; it is not punitive in effect; it is reasonable in application; it would be an effective and positive encouragement to equal opportunity for high-quality vocational education.

This is time for action on civil rights not conversation. I support this bill. The Republican Party and the Republican policy committee of the House supports this bill. We support an effective assurance against continued discrimination in vocational education. I think it is now necessary for the proponents of civil rights on the other side to demonstrate their sincerity by supporting this amendment.

Mr. PERKINS. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Washington [Mrs. HANSEN].

Mrs. HANSEN. Mr. Chairman, I rise to compliment the chairman of the full committee and the chairman of the subcommittee on their splendid work in preparing this legislation.

Mr. Chairman, it is a great pleasure today to support H.R. 4995. I had the privilege during the last session of serving as a member of the Education Committee. During that time the success of this particular program was daily called to my attention by people from all over the United States. Certainly, it has enthusiastic support from my own State where it has been most successful.

The vocational-technical schools in Washington had their early start through enactment of the Smith-Hughes Act in 1917 during World War I for typically enough impetus is given to vocational and technical education during a period of crisis.

The seven vocational-technical schools in Washington were started during World War II. Since that time and during the post World War II era, vocational education has been passing through another crisis brought on by the cold war and by the swift movement to automate many of our manufacturing processes.

Despite the rapid growth of vocational-technical education in Washington, the State is simply unable to meet the manpower needs. In 1962 Washington's 20 post-high-school institutions enrolled more than 8,000 full-time vocational day students, employed 400 full-time day instructors, enrolled 60,000 part-time adult students, and employed 1,500 part-time instructors.

Total education facilities in the 20 schools have a valuation of $40 million, with $12 million in specialized equipment. Present planning calls for adding $12 million for vocational-technical facilities over the next 2 years.

Washington industries naturally would prefer to hire locally trained people. Yet, in 1962, were forced to go outside the State to hire approximately 50 percent of their technicians while many Washington youths went untrained and unemployed.

Presently most of the vocational-technical education is offered in Washington's three largest vocational-technical institutions. These and the other four vocational-technical institutions have substantial plans for expansion. In the next 3 years approximately a 200-percent increase in technical education programs in the community colleges is anticipated.

At present, post-high school vocational-technical schools and colleges are supplying one-third of the State's technical education needs—in 5 years, they should be supplying two-thirds of the needs. Last year the average starting salary for Washington's technical education graduates was $5,700.

The most recent major development is in the field of data processing. Ten data-processing programs were started, enrolling 180 full-time preparatory students with approximately twice that number enrolled in extension courses for employed workers. The instructional equipment in these institutions averages $200,000 per school and it is anticipated that five additional centers will establish data processing in the immediate future.

As of June 30, three-fourths of the 1962 graduates from vocational schools of Washington received jobs with wages varying from $4,800 to $8,000. The national average is $4,200. Just this morning I received a communication from the Battle Ground School District which has the largest Future Farmers of America chapter in the State of Washington. It reads:

> Vocational training is a great addition to our school and contributes to successful farming ventures, a major factor in our area economy.

In conclusion, may I urge the passage of this bill because young people are seeking work in ever-increasing numbers for modern business and manufacturing techniques requiring skilled workers and there is also the persistent need for retraining and readaptation.

Mr. PERKINS. Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois [Mr. GRAY].

Mr. GRAY. Mr. Chairman, I rise in support of H.R. 4955, a bill vitally important to the American labor force in general and to the unemployed and unskilled in particular. This bill will improve the quality of vocational education and certainly will expand the opportunities of providing a skill for hundreds of thousands of our unemployed and handicapped. Mr. Chairman, representing a coal mining area in southern Illinois, I have watched both young and old remain on relief, unemployment compensation rolls and other State and Federal subsistence programs because they found themselves ill equipped to find new employment when coal mining jobs disappeared. The young people particularly are eager to learn a skill but without financial means in many cases it has been an impossibility. This bill will allow those persons who are anxious to work but do not have a skill to find new hope and new employment.

This legislation will also allow our handicapped to become useful once again through a skill not possible without this kind of assistance. In many areas such as southern Illinois, we find changing work patterns because of mechanization in our coal mines, on our farms and in factories and the jobs that are displaced because of these changes will be added to the already high unemployment list if we do not find new means of training these workers for other skills.

Mr. Chairman, we are seeing our young boys and girls leave school and go into the labor market without the proper vocational training. This bill offers more hope to this group than any legislation that has been before Congress in the past several years. There are many valuable aspects of this bill that time will not permit me to discuss, however, I hope it will suffice to say that the enactment of this proposed law will in effect be strengthening the job opportunities of a growing America in a manner that will have lasting benefits.

Mr. Chairman, I have consistently voted for civil rights legislation during my five terms in Congress although the Negro population comprises less than 2 percent of my congressional district population, however, I can not support the Bell amendment that will be offered today because I feel it has no place in this proposal. The entire civil rights program will be brought to the floor very shortly in a separate measure and I have been assured by the distinguished chairman of the Judiciary Committee the gentleman from New York [Mr. CELLER], that the purposes intended by the Bell amendment will be covered fully in the omnibus civil rights legislation. Therefore it is my sincere hope that the Bell amendment be defeated and the legislation as reported by the House Committee on Education and Labor be approved. To do less will be a defeat for those who need help the most.

In closing, let me congratulate my good friend, the distinguished gentleman from Kentucky [Mr. PERKINS], and his colleagues on the subcommittee and full committee for the great job they have done on this legislation.

Mr. PERKINS. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. BROWN], to close the debate.

Mr. BROWN of California. Mr. Chairman, I appreciate the kindness of the subcommittee chairman, the gentleman from Kentucky [Mr. PERKINS], in allowing me this time, and to show my appreciation I shall be brief in my remarks.

Mr. Chairman, rarely have I had the privilege of sitting through a debate on the floor of the House in which there was such unanimous agreement from both sides of the aisle as to the merits of a piece of legislation. It appears that the only controversy with respect to this legislation is whether there is perhaps enough money in it or, secondly, as to the merits of an amendment which has not as yet been offered. I think this is a real tribute to the work of the subcommittee chairman and the members of the Subcommittee on General Education.

Mr. Chairman, I desire to say only one or two things, particularly as this bill pertains to my own State and to my own district. California is a State whose economy and whose industry is geared to the space age. For the past several years, particularly since 1957 when the Russian sputnik alerted everyone to the needs of science and technology, California has been in the forefront of research in space and research of a similar nature. I feel that what has happened as a result has been an overconcentration, on training in science and technology to the neglect of basic requirements of that 80 percent of our population who are not going to become engineers and scientists, but who are going to perform the ordinary work of the community which needs to be carried on. This neglect has created a serious problem in my own district which is a low-income district. We have large numbers of minority students who drop out of school. I think they have missed the opportunity which they are entitled to as citizens of the wealthiest nation on the face of the earth. I believe this vocational education bill will do something to correct that. It is my opinion that it will give them the opportunity they have missed.

It will therefore, be of tremendous value to the people of my district.

Why could not California, a rich State, have provided this program itself? That is a question I am sure will be asked. Many of you followed what happened in the California Legislature this year. We were up against the situation where no new taxes had been pledged, where the actual needs of the educational program at our elementary and secondary schools were not able to be met because of this situation. Of course, the kind of program contemplated in this billl, has a low priority because it deals largely with persons who have dropped out of school or may have graduated and need retraining. This kind of vocational educational program receives little, if any, attention at all. So California does need the kind of help this bill can give.

More and more, also, we are finding in California that the kind of jobs that we have, are jobs which are constantly changing. This point has been brought out also, but it needs to be emphasized. Today education is a lifetime process. We cannot train ourselves for a job and expect we will remain in that job for 30, 40 or 50 years. We will probably find that we will have to be retrained more than once during our working lifetime. This is the kind of problem this bill is directed to. I think that the bill goes a long way in solving the problem, and I wish to give it my wholehearted support.

Mr. SCHADEBERG. Mr. Chairman, I rise in support of this bill but I would prefer it include the Bell antidiscrimination amendment. I cannot conceive how anyone can justify taking tax money from any citizen for a Federal program, yet deny him the opportunity to participate in it because of his color. This is not only unjust, it is downright immoral. In a few weeks we will be debating a civil rights bill on the floor of this House. On a matter of citizen rights, there should be no need to debate. There is no argument when rights guaranteed by our Constitution are involved.

I have stated on many occasions on and off the record that the responsibility of Government is to provide equal opportunity to all. Some will avail themselves of the opportunity, others will not do so. But we do have the obligation to provide opportunity on an equal basis to all, regardless of race or color. We cannot expect all our citizens to assume equal responsibilities as citizens consistent with their innate abilities and educated talents unless all have equal opportunities to develop their abilities and talents.

If this legislation fails it will not be because the majority Members of this House are not interested in this vocational training bill but because the majority of Members in this House are not interested in providing civil rights in this field.

The primary consideration before us is one of principle. It is this, Shall we deny one segment of our population equal opportunity to avail themselves of the Government program or shall we provide equal opportunity?

My vote for the bill if the Bell amendment is defeated, will be in the hope that this injustice of discrimination can be subsequently eliminated.

Mr. ST GERMAIN. Mr. Chairman, the bill we are considering today is of great importance to my State of Rhode Island and to the Nation. The needs of our country demand that vocational education be improved and expanded, and this legislation is a major step in that direction.

We live in a changing world. The intensity and character of these changes demand that we exert every effort to keep pace with them by adapting to new situations as they arise. It is no exaggeration to say that there can no longer be a status quo in the areas of domestic and international affairs. To stand still in these times is equivalent to moving backward.

Since job training is one of the most vital concerns on the domestic scene, it is necessary that vocational education be of the highest quality. Technological changes which lie at the root of much of the present unemployment, have dated our current programs of vocational education and demand a new and more forceful approach in finding a solution to chronic unemployment in the United States.

The State of Rhode Island has been doing a good job in preparing young people to enter the labor market. However, my State and other States need help and leadership in updating our programs and strengthening our efforts. In that regard, this act will be of welcome assistance. H.R. 4955 makes provision for the expansion of vocational education programs, matching Federal-State funds, a very practical transfer of funds between occupational categories, area vocational schools, periodic analysis of training in relation to the job market, and assurance of high standards in vocational education.

I am deeply concerned with improving the employment opportunities of the youth of Rhode Island and the Nation. Since more and more young people are entering the labor market with each passing day, it is especially important that the Congress act now to assure a lessening of youth unemployment and general unemployment by expanding the scope and improving the quality of vocational education. I urge all of my colleagues to support this bill in the interests of America's youth and America's future.

Mr. BURTON. Mr. Chairman, during my short tenure in the U.S. Congress, I have become an outspoken critic of the administration's domestic policy. Certainly, I have never challenged or criticized the motivation of the President, any member of the administration, or of the Congress. On many occasions I have been forced to vote against administration proposals, not because I opposed the program, and not because I failed to recognize the problem and the need for a reasonable solution, but because I had not been convinced that the proposed solution would in fact resolve the problem. Today I am happy that I and the Members of Congress have been presented with a program that can and will solve one of the most difficult domestic problems facing the Nation at the present time. That probem is unemployment. The President himself has characterized our unemployment problem, particularly among the young people, as one of the most pressing and difficult of all our domestic problems. With this I fully agree. His proposed Vocational Education Act of 1963 represents a straightforward, honorable, and realistic approach to this tremendous program. It seems almost paradoxial that at a time when unemployment is one of the greatest domestic problems, that we would have hundreds of thousands of jobs available in our industrial and technical economic society which remain unfilled because of lack of qualified personnel to do the work. It appears that in the face of this situation, the real problem that confronts us is not creating jobs, it is not sending our young people to the forests to plant trees or creating makework projects. The real and the long-term solution very obviously lies in teaching our young people to perform the work and acquire the skills for which there is already a market. The long-term solution, and certainly consistent with our free enterprise system, is helping these people to help themselves. We can, if we desire, send our young people into the forest and temporarily take them off our streets and keep them occupied. But eventually the day will come when they must return from the forest, when they will in all likelihood become married, and be forced to assume the responsibilities of parenthood. It is for this time and for this occasion that we must be prepared. If these people possess the skills and the technical know-how to perform the work, labor, and services that are in sore demand in our economic society, these people can provide a livelihood for themselves and their families with honor and pride. The cost of such a program is obviously high, and we can reasonably expect that the cost will increase from year to year as the program moves forward. However, I am convinced that if we are going to resolve the problem of unemployment, the step must eventually be taken. We have many exceptionally fine vocational schools all across the country that have skilled personnel, modern equipment, and adequate physical facilities to assume this responsibility. The program is a good one. It deserves our attention, it deserves our support, and in the long run it will prove itself to be an effective and reasonable solution to an extremely difficult and complex problem. I trust that the appropriation of the necessary funds, and the implementation of the program, will receive a high priority by the Congress and the Administration, and that we will forthwith make funds available to the States so that they might commence their program without undue delay.

I can give this program my wholehearted and unqualified support.

Mr. ANDERSON. Mr. Chairman, as the supplemental views to the committee report indicate, this bill is not flawless. There are a number of improvements which could be made, and hopefully, some—if not all—of these improvements, suggested by the Republican members of the Committee, will be made here. But whether they are or not, I am convinced that this measure, H.R. 4955, is well calculated to strike effectively at the source of some of the economic and social ills with which the Nation finds itself confronted today.

In company with most of the Members of this House, and with thoughtful persons across the country, I have long been concerned about the economic dislocations which often follow in the wake of technological advances and about the swelling number of unskilled workers who compete for a dwindling number of unskilled jobs. I know that it is unnecessary for me to rehearse at length the snarl of headaches stemming from the unemployment problem—increasing welfare rolls, increased crime and delinquency; reduced tax revenues, reduced buying power. And there is the threat of a nationwide rail strike which has its roots in precisely this problem. Indeed, there is scarcely a sector of the economy which has not felt the weight of the problem which industrial progress has brought in its wake. Until now, the question has been, What to do about it?

It is clear, I think, that we cannot turn our backs on this technological revolution—to attempt to do so would be wasteful, reactionary, and, in the long run, futile. Nor do make-work schemes, of the sort favored by the administration, seem to provide much lasting comfort: they treat the symptoms rather than the disease, and as a matter of fact, they are not very effective in dealing with the symptoms either. Our memories of experiments along this line in depression days are still too fresh to permit us the delusion of thinking that artificially drawn subsidy-type programs will provide an effective solution.

Obviously, if we are to taste the full fruits of the increased prosperity promised by technology, some way must be found to utilize in a meaningful, productive way the manpower which is freed. As I advised this House on July 26, 1961, this can best be accomplished by two interdependent processes. First, the institution of an effective training program to equip our so-called surplus labor force to fill more demanding positions in a dynamic economy. And second, the creation and maintenance of a climate favorable to the modernization and expansion of business, so that there will be a continuing need for these trained workers.

I earnestly hope that in the near future Congress will turn its attention to the second part of this program, but at the moment, I am delighted to see the first part incorporated in the measure before us.

Mr. Chairman, in my view there are three cardinal advantages to H.R. 4955 as a solution to the problem of technological unemployment.

In the first place, in focusing on education, it builds upon and extends the solid foundation of the Smith-Hughes and George-Barden Acts, rather than on some ill-conceived and untried method of artificially priming the economy. Experience with the two older pieces of legislation has shown the soundness of this approach.

Second, though the price tag on the present proposal may seem to some of my colleagues to be prohibitive, it occurs to me that this program may in the long run be cheaper—as well as more successful—than the aggregate of present and proposed halfway schemes which have been advanced to deal with the problem. With the vocational education program successfully launched, we may be able to consider elimination of those projects which have enjoyed dubious success and which have in any event been superseded by this one.

And finally—my third reason for supporting this bill—the program which this measure would create is one jointly financed and administered by the States and the Federal Government. By casting the program in this form, we are able to avoid adding another block to the already outsized Federal monolith and at the same time assure protection to legitimate State and local interests.

I think that it is imperative that in adopting this legislation we unite in support of the antidiscrimination amendment to be offered by the gentleman from California. This bill is needed to provide the job training for our Negro citizens that will enable them to achieve the equality they are seeking. It is a well-known fact that the unemployment rate among Negroes is more than double the rate for white workers. Much of their economic disadvantage is due to the fact that they have not had the educational opportunities that would equip them for the skills needed in today's labor market. They deserve that chance. They deserve an unrestricted right to share in the benefits of this vocational education program.

Mr. Chairman, if we are sincere in our dedication to the principle of equal opportunity for all of our citizens regardless of race, color, and creed, this amendment demands our support.

Mr. LANGEN. Mr. Chairman, I have long been a critic of needless Federal spending and of make-work programs that contribute little or nothing to the long-range future of our country. But today I want it to be known that I consider the measure before us not only a good investment but of the utmost importance to the United States and its future working force.

I have been vitally interested in the possibilities of vocational education for many years and sincerely believe that, if properly administered, the money we spend to further such education will pay untold dividends in the years ahead.

The youth of our Nation are pouring out of our schools in increasing numbers. The report on this bill indicate that 2.6 million young people are seeking work each year and that most will need training to obtain employment. The report further points out that even in the largest industrial and business centers, less than one in five of all high school students are enrolled in vocational programs even though formal education will terminate in high school for the majority of them.

This indicates that we have not placed the proper emphasis on vocational education in the past, and that in many instances we have concentrated on the wrong skills to be taught. Our society must realize that the role of the unskilled worker is decreasing in importance and that the future holds promise only for those who have been adequately trained to grow with a technical world.

The money we spend to train our youth in a vocation is infinitely better spent than the millions some have proposed to pour into other types of youth programs that do nothing but delay the day when the young person in question must face the reality of unemployment due to lack of working skills.

Our young people, of course, aren't members of the only groups affected by the promise of better vocational education opportunities. Our older workers need retraining. Women of all age groups are entering the labor market for the first time and they need skills with which to find employment.

The Vocational Education Act of 1963 surely does not answer all of the problems facing the education and training of our people, but it is definitely a start in the right direction, a step that at last recognizes the importance of vocational education in relation to our entire educational system. And if the program is properly administered it will provide needed training opportunities for every segment of population in America today.

Mr. MONTOYA. Mr. Chairman, today's technological progress has brought about increased automation in almost every field, creating a need for different and greater skills. Specialization has become the rule rather than the exception.

In order to meet the demands of this technological progress and provide jobs for those displaced through automation, we must expand and improve our vocational education programs throughout the Nation.

H.R. 4955, which we are considering today, will, for the first time, provide for construction of additional area vocational schools as well as for continuation of the existing program. It is paradoxical that we are experiencing persistent unemployment during the period when the demand for skilled technicians is at an alltime high. More and more young people are entering the labor market each year upon graduation from high school. It is estimated that 2.6 million will be added to our labor force annually during this decade. We must provide vocational education opportunities for those not entering college in order that they may be equipped with the necessary skills to secure gainful employment.

Continued technological advancement in the United States is dependent upon skilled manpower and if we are to maintain our position as the greatest industrial Nation in the world, we must provide the technicians needed by industry and science. In the engineering technologies alone, we should be preparing 100,000 technicians annually, but under all present programs combined, only 20,000 are prepared to enter the labor market each year. And this is only one segment of our economy. Updating and expanding educational facilities to provide additional vocational training is essential to our economic and technologic progress. It is imperative that we prepare our young people more adequately for gainful employment. During fiscal year 1962, which are the latest statistics available at this time, 11,648 people enrolled in vocational classes in the State of New Mexico. This is not sufficient to meet today's need if we are to keep pace with scientific progress and solve our unemployment problems.

H.R. 4955 will provide an increased allotment for New Mexico in the amount of $239,955 which is almost double what my State is receiving under present programs. These funds are sorely needed to construct area vocational schools, improve vocational education facilities and train additional young people of New Mexico to successfully enter the labor market. This is the first major revision and expansion of the vocational education act since its enactment in 1946 and our changing economy clearly dictates the need for such revision.

H.R. 4955 broadens the purposes for which these additional funds may be used, making vocational training available to unemployed adults and out-of-school youth. This provision will assist in improving the economy in all areas of our Nation through decreased unemployment.

As Americans who are greatly concerned with the economic growth and development of our Nation as well as the welfare of our citizenry, I feel that it is incumbent upon us to act favorably upon this vital legislation. The only way we can accomplish our objective is to pass H.R. 4955.

Mr. DANIELS. Mr. Chairman, our Nation is today faced with a great and tragic paradox. At present, almost 6 percent of our labor force is unemployed. A high proportion of these people have been out of work for a year or more. Yet at the same time, throughout the country there is a crying need for highly skilled, highly trained manpower. This paradoxical situation is the offspring of our new technological age. The process of automation is rapidly making entire categories of workers obsolete. The demand for unskilled and semiskilled labor is fast declining. In short, then, we are faced with a situation in which a growing number of workers, because of their lack of needed technical skills and education, are denied the opportunity for gainful employment. The result: economic waste and social disaster.

If our Nation faces an unemployment problem now, it may face an even graver one in the future. By 1970, our full-time labor force will have expanded to 87 million. During this decade, 22 million young workers will have entered that labor force. Of these, less than 20 percent will have completed 4 years of college. A distressingly large number will never finish high school. Our economy is becoming increasingly more oriented around technology, and increasingly demanding of trained personnel. Unless we can provide the vocational training opportunities to help our young people meet these new manpower requirements, the present paradox will have become even more serious. We shall have an even larger percentage of our work force which will be unable to fill an even greater number of jobs.

Under the Employment Act of 1946, this Congress has assumed the responsibility for assuring high levels of employment throughout the Nation. In view of the changing manpower needs of our society, adequate training is playing an increasingly important role in assuring productive employment. The Congress has already acted in this area. The Smith-Hughes Act of 1917, the George-Barden Act of 1946, the Manpower Development and Training Act, the Area Redevelopment Act—all of these programs have been aimed at increasing the opportunities and mobility of our work force. But now it is time to act again, and to direct our attention to the problems and needs of our youth in this area.

It has become exceedingly important for us to provide our young people with the know-how which will enable them to become productive contributors to the national wealth. We must provide the funds, the programs, and the facilities which will encourage our young people to stay in school, to get the education they will need to achieve steady, gainful employment. If we do not do this, if we do not channel the vigor and energy of our Nation's youth into constructive pursuits, their loss will be our loss as well.

In light of the information which has been submitted to the Committee on Education and Labor, it is quite obvious that the present system of vocational education is extremely inadequate. Figures presented to the committee indicate that only 5 percent of the public high schools offer distributive education courses, and that less than 10 percent offer trade and industrial courses. In many cases, whole categories of skills are neglected because of a lack of facilities and teachers. In addition, many of the courses which are offered are far below standard. Curricula and facilities are often out of date. A student may be trained to use tools and machines which have already become obsolete years ago. Moreover, low salary levels often make it difficult to attract competent instructors. Nor are these the only problems. Many students face special emotional or physical handicaps. Vocational guidance and counseling is often poor and in some cases nonexistent.

Mr. Chairman, in my opinion, H.R. 4955 will go a long way toward remedying the present inadequacies in our vocational education system. By providing substantially larger funds, it will greatly increase the number of people who will be able to participate in these training programs. And if past experience is any indicator, the expenditure of Federal funds will bring about a twofold, threefold, or even fourfold increase in State and local appropriations for this purpose.

H.R. 4955 will allow the States to pursue their individual needs. It will extend the scope of the Smith-Hughes Act and the George-Barden Act to increase the categories and scope of vocational education. It will increase the flexibility of such programs. It will enable the States to provide better training facilities, and to hire more qualified personnel. It will create a National Advisory Council to assist in coordination and to disseminate the latest techniques of instruction. H.R. 4955, then, will increase the coverage and flexibility of vocational educational programs, and will facilitate the development of better curriculums.

Mr. Chairman, unemployment is our No. 1 social problem today. By providing the vocational training which will lead to productive employment, we are striking at the very roots of the unemployment problem. We are making a necessary and desirable response to the demands of a highly technological age. For this reason, I urge my colleagues to support the passage of this legislation.

Mr. VANIK. Mr. Chairman, we have before us for our consideration an extremely vital piece of legislation namely: a bill to strengthen and improve the quality of vocational education in these United States. As a representative of a community in which vocational education has for the past 50 years played an extremely vital role, I am a firm friend of this legislation.

It is unfortunate that vocational education legislation has failed to keep abreast with contemporary technology. What this has meant in many instances is that before a vocational education institution could open its doors, its facilities were deemed obsolete. Such conditions have placed many school boards at a distinct disadvantage because they have found that their vocational education programs were training students for areas of employment which no longer were vital to the interest of the community at large. Therefore, unemployment and personal discouragement displaced the useful and creative contributions which graduates from these institutions would normally have been able to make to their community.

This bill constitutes a commendable step forward in making this program more workable. In my opinion, one of the most vital provisions which I am gratified to see included in this bill is encompassed by lines 8 through 19 in section 1, "The Declaration of Purposes," in which it is clearly stated that this bill will help school boards to reach those persons in every community who because of circumstances beyond their control are in a position in which they have discontinued their formal education and must be aided in returning to school to upgrade or learn new skills. As is recognized in the declaration of purpose, this bill attempts to reach an area which has never been verbalized in legislation before, the area of special educational handicaps. It might be reiterated that such educational handicaps which include not only lack of manual training but functional illiteracy have helped to draw the very strength and life's blood out of this vital public vocational education program. I therefore urge the support of this important bill.

Mr. FLOOD. Mr. Chairman, I would like to confine my contribution to today's debate on this important measure to my congressional district of Luzerne County, Pa., where we have suffered serious unemployment for many years.

At the present time there are about 11 percent unemployed in my district, according to the latest figures that have been released. This totals about 13,000 unemployed. Many of these people would not be unemployed if they possessed the skills demanded by today's industry.

There are vocational training schools located in my congressional district but they need to be expanded to reduce the number of unemployed as well as to meet the needs of the local economy in the future.

Great interest has been shown over the years in this program and action has been taken to improve the program through the various industrial development committees of the chambers of commerce in my congressional district. Many of the boards of education have cooperated in furthering the vocational education program in their respective areas. Continuous action on a local level must be demonstrated if the full benefits of this training program are to be achieved. In my area, this is guaranteed based on past experience.

Today's action by the House is a real opportunity to greatly expand and bring up-to-date the vocational education act to fit the employment needs of our young people. It will also represent the first major changes since the enactment of the Smith-Hughes Act of 1917 and the George-Barden Act of 1946. There have been many, many changes in the vocational requirements made over the past 17 years.

Quite obviously, the training techniques of the 1940's will not meet the standards required in the 1960's. Automation currently is making serious inroads in the trades and technological fields and by bringing this vocational training program up to date, we can reduce the impact of automation in the future.

Much has been said and written concerning the serious national problem of school dropouts. Just this past week, school officials here in the District of Columbia disclosed that 4 out of every 10 schoolchildren do not receive high school diplomas because they drop out of school before completing the required curriculums.

On a national scale, when schools open next month something over a million youngsters will fail to return to school for the new term or will drop out during the upcoming school year.

It is true, men and women have succeeded brilliantly despite lack of early education but these, of course, are rare exceptions. Particularly in today's automated economy, these dropouts are candidates, at best, for ill-paid drudgery at common labor, at worst for dependence on public charity. When they drop out of school, they also drop out of the main stream of American life.

Statistics reveal that jobs filled by high school graduates increased 30 percent over the past 10 years while jobs for those with no high school education decreased 25 percent in the same period.

The ill educated are the last to be hired, in the least desirable of hard, menial, jobs and they are the first to be fired in any business recession.

This is a problem, therefore, which fully justifies the urgent attention of the Congress. We have the manpower training and retraining program for our adult citizens which has proved to be most beneficial in my congressional district where unemployed anthracite coal miners must be retrained in new skills and occupations because of the depressed state of the anthracite industry.

Now we have the great opportunity of improving the lives and the future for our younger generation by expanding and bringing up to date the vocational education program. This the Congress should not fail to do.

Mr. ALGER. Mr. Chairman, the Federal Government is not responsible for jobs, nor job training, that is vocational education. Such Government activity is unconstitutional, as I see it. Here is Federal aid to education in a big way. Here too is Federal control as the rules and regulations are specified by Federal Government. The rights reserved to the States and localities and to the individual citizens are out the window. The ultimate contradiction in the bill is the disclaimer of Federal control found on page 60. One must be very naive to believe such illogic. Federal aid and control is seen also in the Davis-Bacon provision, wherein the Secretary of Labor will set all the wages in construction—any and all State and local laws to the contrary notwithstanding.

True, there is Federal precedence. More than this, there is the usual Federal duplication. We now have vocational education under: First, the Manpower Training Act of 1962, second, the Area Redevelopment Act, and third, the Trade Assistance Act of 1962. We do not need another program.

As for the cost, here we are ready to authorize $450 million over 4 fiscal years, a staggering increase over the $23 million asked for by the President.

As for me, I repeat once again that this problem, like so many of today's so-called problems, can be solved locally without Federal intrusion. By injecting the Federal Government where it does not belong, the correct solutions locally are stultified, and we spend money we do not have as we blandly continue to deficit finance, charge it to our children, and endanger the value of our currency.

This is not the role for Federal Government, all the proponents' good intentions notwithstanding. What we really need to do is to unshackle the genius of the capitalistic system—by reducing the tax burden, by cutting spending, reducing the debt, and getting Government out of business. There will be plenty of jobs and job training if we free up the private enterprise system.

Mr. BLATNIK. Mr. Chairman, over the next 10 years there will be a tremendous influx of young people, many of whom will not even hold a high school diploma, entering our national labor market. They will be competing for jobs in a market which has a high rate of unemployment and which is marked by rising rates of unemployment among their age group and among the unskilled of all ages. They will be entering upon their careers at a time when the job structure is changing rapidly and affecting profoundly every group in the labor market.

These youthful workers will be entering a labor world more complicated, more technical, more highly skilled, more mobile than any which has been known—even to this great industrial Nation—in the past. And for the most part these youngsters—like the unfortunate unskilled workers of today who are in their forties and over—will find themselves unequipped to become a productive part of that world.

Mr. Chairman, we must act now to help the technologically displaced workers of our contemporary society and to prevent a great American tragedy in the future—the waste of the brains, talents, and vigorous energies of the youth of this Nation, who are its most precious resource. Even now, we are keeping men and women who would like to work on our relief and welfare rolls because we are not making provision for them to be retrained and to become productive again. As Senator HUMPHREY has pointed out:

> Not only are we keeping these workers from contributing to our gross national product—which is the index of our productive capacity and, therefore, of our employment and our prosperity—but we are forcing them to drain off money on which we get no return—in welfare and relief payments, unemployment compensation, and other costs.

We must halt this unconscionable waste.

I believe that the Vocational Education Act of 1963 is one of the most urgent and the most profitable pieces of legislation to come before the 88th Congress, because it is a step in the direction of minimizing this waste of manpower. This bill represents the first major review and revision of Federal aid to vocational education since the enactment of the Smith-Hughes Act in 1917 and the George-Barden Act in 1946. And it comes not too soon, but almost too late.

According to the information received by the House General Subcommittee on Education when it was considering this bill, only 1 employed adult in every 35 is enrolled in a refresher or upgrading course in fields partially supported by Federal funds. Only about 13 percent—1 in 5—of our high school students are enrolled in federally aided vocational education programs. This latter is a frightening figure when we realize that only 30 percent to 40 percent will graduate from high school and 80 percent will enter the job market with only a high school diploma or less.

Yet, with the creation of new industries, new products, new jobs, the demand for types of job skills has changed—and will continue to change. What will become of these little skilled and little educated workers? The answer is evident. As President Kennedy indicated in his news conference last week:

> Jobs filled by high school graduates rose 30 percent, while jobs for those with no secondary education decreased 25 percent in the last decade.

As the unemployment statistics available today have already proved, the unskilled workers are the first to be displaced and the last to be rehired by industry. And there will be less and less places for these workers in the future. According to the President:

> The greatest growth in labor demand today is for highly trained professional workers with 16 or more years of education. The second fastest growing demand is for technical and semiprofessional workers with 1 to 3 years of post-high-school education.

Mr. Chairman, the President's remarks call our attention to the decided shift in the job market of today, a shift resulting from our advancing technology. We are only now beginning to understand and to evaluate the benefits and the burdens of our rapid technological progress during the past 50 years. We have seen that advancing technology improves the living standard of the Nation as a whole, but that it does so at a cost of unemployment, poverty, and hopelessness to those few who get in its way and who are unaided during the process of change.

We have seen that many of the jobs requiring little or no skill have been eliminated and that there is an increased need for jobs demanding more education, greater skills, and improved training. We have seen that while many new jobs are created, they often come later in the pattern of change and are infrequently filled by the unskilled and uneducated workers who have been displaced—unless these workers have been able to qualify for advanced training. This trend makes it obvious that we must upgrade our entire educational system so that our children will be able to meet the actual manpower needs and job opportunities of the future.

We have, then, the statistics to prove that our youngsters who leave school with a bare minimum of education and training cannot possibly adjust to the current nor the future demands of a technologically sophisticated labor market. The shift from employment in the industrial and agricultural sectors of the economy to employment in the service industries makes it evident that more and more advanced training will be requisite for all workers. Many of our young people who are still in school today will leave school to find jobs which only exist, at the present time, in the vision of our scientists. And they will be jobs necessitating a high degree of education and skill training.

In the future, education is going to be a continuous, lifelong process for all. Labor Secretary Wirtz has estimated that the man who goes into a plant or a nonprofessional service job in the years ahead faces the prospect of having to change his trade or livelihood at least once and maybe twice during his life. And his training in each instance will be for a job completely unlike his previous one.

Private industry today is spending large sums on retraining its employees—sometimes for jobs not even in existence right now—and on finding approaches to the problems of a rapidly accelerated technology. But private industry cannot handle the situation alone. The problem is of great magnitude and must be solved through education—in a joint effort of industry and government.

Mr. Chairman, this brief background should be sufficient to illustrate the urgent need for an improved and expanded program of vocational education. I sincerely recommend H.R. 4955 as an important first step in the direction of utilizing our national manpower reserves. I urge my colleagues to vote favorably on its enactment.

Mr. MOORHEAD. Mr. Chairman, I rise in wholehearted support of this legislation. Education should not be regarded as a burden on the commonweal. Instead, education is a crucial investment in the future well-being of our Nation. Part of this necessary investment must be made in the field of vocational education in order to grant many of our future citizens the skills requisite for our ever-changing economy.

Everyone knows that the demand for workers in low-skill occupations is continually declining; everyone knows that the demand for workers with technical skills is continually rising. Our schools must be prepared for these changing work patterns. The present paradox of persistent unemployment—now over 6.8 percent in my Pittsburgh area—occurring simultaneously with the rising need for skilled manpower indicates our past lack of foresight. We had failed in the past to invest in the future. We have people on relief instead of on the job because of a lack of skills. We must not fail again to provide the necessary technically-skilled manpower to man our future industries.

The children of the 1960's will be the backbone of the labor force at the beginning of the 21st century. They must be given a 21st century education rather than the 19th century education most of them are now receiving. To accomplish this end, we must build on the knowledge we now have of job opportunities; and we must project this knowledge into educational programs which will meet the needs of the future. We must, therefore, increase our investment in vocational education.

The Pennsylvania State Chamber of Commerce has estimated that a continuous enrollment of from 158,000 to 165,000 pupils in vocational education programs is necessary to provide Pennsylvania's industries with trained replacements. The chamber also states that industries which are expanding or relocating are becoming increasingly critical of the skills and training of the labor supply. They are also critical of the scope of vocational education programs and their ability to cope with changing job requirements. The schools of Pennsylvania are not meeting this replacement standard. Currently there are fewer than 100,000 Pennsylvania students in vocational programs. The Federal Government must act to meet this vital deficiency. Vocational education programs must be expanded and updated. Federal funds are necessary to give our future economy the skilled manpower which it needs in order to function.

Mr. BOLAND. Mr. Chairman, I believe that H.R. 4955 presents for the Members of this 88th Congress a unique opportunity. With our support and our vote we can add wise new tools to a program whose wisdom has been proven for over 50 years. We can encourage the greater employment of the States' experience in a program where experience has been amassed for over half a century. And finally, we can spread the benefits of this wisdom and experience to the thousands of additional youth who without it will be left untrained, unemployed, and uninterested in their future as well as that of the Nation.

I am particularly happy to support this piece of legislation because I take pride in the fact that a distinguished Springfield, Mass., schoolteacher, Miss Margaret C. Ells, retired assistant principal of Springfield Trade High School, is a member of President Kennedy's Panel of Consultants on Vocational Education, which made a study on vocational education and recommended the improvements and redirection of the program which are embodied in this bill before us today.

If we accomplish little else in this Congress, I would suggest that we could take a great deal of pride in adding our names to the rollcalls of the past that have supported Federal cooperation in providing vocational education. As you all know, Federal participation began with the Smith-Hughes Act of 1917. But I would like to point out that, unlike many Federal programs, the National Government entered this field not long after the States, and even before some of them.

My own State can take some pride in being the first of the Union to enact a statewide program of assistance to vocational education. That was in 1907, only 10 years before the action of the Congress. The Commonwealth's commission had reported to our State legislature:

> Whatever may be the cost of [vocational] training, the failure to furnish it would in the end be more costly.

The General Court of Massachusetts apparently agree, and so must have the consensus of the Congress, when in 1917 they joined the resources of the Federal Government with that of the States to eradicate vocational illiteracy among the Nation's youth and to promote the general economic welfare of the Nation.

I think that a realization of this historical partnership between the States and the Federal Government is important in assessing what we hope H.R. 4955 will accomplish. It is a partnership that even in its earliest days received the support of a wide range of interests. In the 62d Congress, Senator Carroll S. Page, of Vermont, noted with amazement the united advocacy of his Federal aid bill by Samuel Gompers, the president of the American Federation of Labor, and H. E. Miles, representative of the National Association of Manufacturers. And it should be emphasized that it is a partnership in which each party has faithfully performed their duties. It was the policy of the Smith-Hughes Act to encourage the States in providing vocational education by the then new means of the matching grant. The States have reacted to this stimulus in remarkable fashion. In 1918 the State and local governments exceeded the Federal expenditures by over a million dollars. In 1961 they exceeded the Federal outlay by over $150 million, and even that does not include their expenditures for buildings and equipment.

What we can now do with H.R. 4955 is to expand the terms of this partnership. We can bring the Federal level of expenditure up to a sum that more equitably balances the financial burden of the program. We can also make permanent the nursing and technical educational programs that have proven themselves, and have received such enthusiastic support in the last 5 years.

Finally, I would like to commend the authors of H.R. 4955 for their incorporation of the provisions which will let a little new air into the program, and which will encourage the States to utilize their experience and knowledge in determining the training needs of their own people and industry. I am referring to the provisions of the bill which would allow the shifting of funds from the traditional categories, which would liberalize the definitions of home economics and agricultural education, and which would assure a periodic reevaluation of the program at both the State and the Federal level.

If the illustrious partnership has erred at all it must be conceded to be in this area. The historical necessities for specifying the fields of education to be assisted have dwindled, and today it is flexibility in dealing with the rapid changes of our technological society that is demanded. This is a principle that was recognized by the 1914 Commission which largely drafted the Smith-Hughes bill and whose report contributed greatly to its acceptance and enactment. That Commission said then:

> Vocational schools and classes will be successful in proportion as their organization, courses of study, and methods of instruction meet continously the changing needs and conditions of the vocations for which they give their preparation.

I have said little of the tremendous problems that face our teenagers today, for I do not think it is too necessary to dwell upon an illness so widely recognized. If the school dropout is not to become a symbol of our country's educational failure, a measure such as H.R. 4955 must be prescribed by this Congress this year.

Let me add my hope and desire that the 88th Congress will be added to that list of Congresses of the past which have placed their faith in the values of vocational education, and which have provided their alert support to the invigoration of this grand Federal-State partnership.

Mr. DONOHUE. Mr. Chairman, I most earnestly urge my colleagues here to overwhelmingly approve this bill, H.R. 4955, before us and to reject all amendments, however well-intentioned, that would tend to cripple the effective provisions of this measure.

Even a brief examination of the statistics related to vocational education will clearly reveal that the need for this program is obvious and imperative in the national welfare. These figures show that the number of workers in the lower skilled occupations is rapidly declining each year. Between 1957 and 1962 there was a drop of 772,000 workers in these classifications within the manufacturing area. On the other hand, jobs for professional and technical workers will rise about 40 percent in the 1970's, and jobs for salesworkers, managers, and proprietors will rise about 20 percent. In health occupations at all levels the demand far exceeds the supply, and this situation will continue for a long time.

Young people are seeking work in greater numbers—2.6 million of them a year, estimated for this decade alone. At the other end of the scale, the number of older workers continues to increase. Moreover, half the women between the ages of 35 and 54 are expected to be in the labor market by 1970, some for the first time, some after long absence. Most will need training or retraining opportunities to obtain employment.

In our continuing appraisal of the need for expanding vocational education opportunities it is primarily important to bear in mind that perhaps 80 percent of our fifth grade students today will not graduate from any college and, if the present rate of dropouts goes on probably more than 30 percent of these will not even complete high school. It is particularly urgent upon us, in my opinion, to make provision, in the public and national interest, for these citizens of tomorrow.

In summary the problem here presented to us for solution is this. Technological and automation developments are eliminating many unskilled jobs and at the same time creating a greater need for different kinds of employment in which greater skills are required. If we mean to anticipate and prevent the unemployment and associated evils that will result from this technological revolution, and that is our job, then we must enable our young people to obtain the continuing training and retraining they must have to keep pace with the changing life ahead of them and we must give today's workers the chance for training and retraining, in new skills, that will help them escape threatening technological unemployment.

I suggest that this Government has shown considerable and continuing concern for the welfare of millions of people abroad and, I might add, at exceeding great cost to the American taxpayer. I believe the time has come to open our eyes to the difficulties and problems of our own people which is, after all, our primary and foremost legislative duty. We cannot better or more completely discharge that duty, in my opinion, than to approve this bill which will provide the extension, expansion, and improvement of our vocational education program throughout the Nation in a wise and prudent manner. Let me urge you, again, to vote for this bill in the national interest.

Mr. MATSUNAGA. Mr. Chairman, I rise in support of H.R. 4955, to be known, upon enactment, as the Vocational Education Act of 1963.

There can be no denying that this is one of the most needed pieces of legislation to come before this body.

With our rapid advancement in technology, the demand for skilled workers has risen while unemployment among the unskilled has persistently been on the increase.

It is an accepted fact that science has made more advances in the past 50 years than in all preceding human history. Ninety percent of the scientists who ever lived are alive today. But paradoxically we have suffered a shortage of skilled manpower for the various new functions that have arisen from scientific discoveries. In the engineering field alone, it is estimated that we should be training 100,000 technicians annually, instead of the 20,000 which all our programs presently turn out each year. In the health occupations at all levels the demand far exceeds the supply, and this situation is expected to continue for a long time. It is estimated, too, that jobs for professional and technical workers will rise about 40 percent in the 1970's, and jobs for salesworkers, managers, and proprietors will increase by about 20 percent.

On the other hand, the number of jobs in the unskilled and low-skilled occupations is rapidly declining. In 5 years between 1957 and 1962, in the manufacturing industry there was a decrease of jobs in such categories totaling 772,000. It has been estimated that automation will continue to add 30,000 to the unemployed list every week in the next several years. These unemployed must be trained or retrained for available jobs.

In addition, 2,600,000 young people will be seeking new jobs every year for the next 10 years alone. If we keep in mind that probably 80 percent of the children in the fifth grade today will not graduate from college and that if the present trend of dropouts continues, 30 percent or more of them will not even complete high school, we begin to fully appreciate the great need for an expanded vocational educational program.

The great bulk of our unemployed are without skills for which a demand exists. Those are the ones who will benefit most by the passage of H.R. 4955. The Nation will benefit by having available more manpower for greater productivity. Let us vote for progress.

Mr. RYAN of New York. Mr. Chairman, I am pleased to support H.R. 4955, the Vocational Education Act of 1963. This is a comprehensive, sound, and flexible bill. It has been carefully considered. It meets a pressing national problem.

The need for new and enlarged Federal action in this area is clear. One month after he took office, President Kennedy requested that the Secretary of Health, Education, and Welfare appoint an advisory body "to be charged with the responsibility of reviewing and evaluating the current National Vocational Education Acts and making recommendations for improving and redirecting the program."

That advisory body, composed of representatives from the fields of education, labor, industry, agriculture, as well as the lay public, issued its complete and well documented study this year. Its facts are well known to us. Many are summarized in the committee report on H.R. 4955. I will not be redundant here by repeating the statistics. The studies demonstrate how vital vocational education is to our economy. They show clearly how one direct factor in unemployment is lack of job training. This is dollars and cents wisdom. It is wisdom related to the welfare and security of our Nation.

We must also be sensitive to the human factors of the mental and moral health of our youth. Striking to me are the correlations of school dropouts and juvenile delinquency with the lack of knowledge of any skill with which to work.

The bill before us, H.R. 4955, has absorbed the major recommendations of the President's Advisory Panel. It has met the requirements of the American Vocational Association, the professional organization for vocational education. The highlights of these are worth pointing out.

Youth in high school, youth with special needs, post-high-school youth and adults, out-of-school youth and adults at work or unemployed—these were the four major categories the Panel of consultants recommended for inclusion. The Panel also recommended provision for training of vocational teachers, development of new curriculums and materials, improvement in counseling and guidance services, research to help in evaluation of effectiveness, expansion of professional educational staff at the Federal level to provide consultative services through State and local vocational education authorities.

This is provided for. Also it is provided to construct area vocational school facilities, and, drawing from experience with the Area Redevelopment Authority as well as the Manpower Development Training Act, it provides for continued liaison between vocational education and employment service activities.

Existing categories of what constitute vocational education are too limited to cover the range of developments in our expanding technological society. This bill provides for a broadening of definition in some cases, as in agriculture and home economics. It gives the States the power to shift funds from one category to another, or to new categories, if it is established with the Commissioner of Education that the purposes of the act are being served. Such flexibility is necessary.

Mr. Chairman, it takes only a cursory look to see the problems—at the rate of population growth, the millions entering the labor market, the decline in need for unskilled labor, the shifting nature of the kinds of jobs required for a full employment in a productive economy, and the maintenance of a free and secure people.

The President's panel in surveying past action, rightly criticized the "legislature patchwork" which had grown up around vocational education. The Congress has never been unmindful of a responsibility in this area, and never inclined to be derelict when it saw a need. The Morrill Act of 1862 was a very far-sighted act, profoundly influencing the development of our country as well as education. The words of President Wilson's Commission on National Aid to Vocational Education in 1914, which led to the enactment of the Smith-Hughes Act in 1917, still have, as Commissioner of Education Keppel has said, "the ring of truth."

> There is a great and crying need—

The Commission said at that time—

> of providing vocational education of this character for every part of the United States—to conserve and develop our resources; to promote a more productive and prosperous agriculture; to prevent the waste of human labor; to supplement apprenticeship; to increase the wage-earning power of our productive workers; to meet the increasing demand for trained workmen; to offset the increased cost of living. Vocational education is therefore needed as a wise business investment for the Nation because our national prosperity and happiness are at stake and our position in the markets of the world cannot otherwise be maintained.

Nothing has changed in the Nation's goals or its needs. Only the times have, and their pace has accelerated. We never had an option after World War II of "going back to normalcy." We were thrust into a jet age, a missile age, an atomic age, a vast application of new technology to every area of life.

Part of our patchwork—the George-Barden Act and its amendments—then the National Defense Education Act and the Manpower Development and Training Act and the Area Redevelopment Act were part of our initial "catching on" to what was happening. Now however, the tempo is increasing. We are never going to walk again, figuratively speaking.

The President's panel study noted that the data we kept on both the quantity and quality of vocational education was inadequate. Steps to improve reporting have already been taken, and with the continual evaluations this bill provides we will have a good meter on the program.

Of great importance is the setting aside of funds to permit grants to any State board, or with their approval, to approved educational agencies to do research and establish pilot projects to get essential data that can help guide larger programs. Conditions vary widely in different sections of our country, and there are peculiarities even between large cities. What fits New York may not fit Arizona. H.R. 4955 presents a pragmatic and flexible approach to this area of experiment.

Mr. Chairman, I like to believe that we are concerned with more than unemployment statistics or the gross national product, important as these may be. I believe that this legislation will stimulate some creative developments in the area of general education.

A point of connection between this bill and its concerns with vocational education on one hand, and the larger whole of education, may well be the human youth who becomes the dropout. So much literature upon him seems to say that he drops out because he is not motivated to stay in. This does not tell us much unless there is a lot more said about what motivates.

I hope that we may be working upon this in this bill, however indirectly. Many young people will gain a tangible relationship to reality in terms of a craft.

We know too little for generalizations, but I find it plausible to believe that some who start to learn a trade will go on to areas of interest and concern of which they did not originally dream. Or if they do not necessarily pursue this in academic terms formally, they will pursue broadening interests the way they should be pursued in or out of school, because the individuals enjoy what they are doing.

Conversely, there may well be stimulated an interest in and a respect for the skill, logic, and clarity which may be equally demanded in nonacademic work. This may inform the whole body of education in a new way.

In this proposed legislation we are approaching a concrete problem. The bill before us sets up a structure so that a large number of our fellow citizens and a very large number of our youth may receive the concern and aid they have a right to expect from a government founded on the concept of serving their general welfare.

Mr. ROUSH. Mr. Chairman, today over 70 million Americans are gainfully employed and how pleased we are that this country is prospering. But unfortunately there are many who are not employed and of these there are those who are not employed because they are not trained to perform the jobs which are available. The committee's report indicates that 2.6 million young people are seeking employment; that the number of older workers continues to increase; that training and retraining opportunities are needed to obtain employment.

The fact is that we have had great changes in our employment picture. It is true that once brawn and will were sufficient to insure man a place in industry. Now special skills are needed for almost any job in the plant. These skills must be developed and training is necessary. Unfortunately, funds for facilities, equipment, and teachers are severely limited in vocational education high schools and area school programs.

This bill is a step in the right direction and it has my wholehearted support. The bill has strong bipartisan support, including the support of the minority leader, Mr. HALLECK. It is a recognition of a pressing problem. It is an effort to solve that problem. I hope the bill will pass.

The CHAIRMAN. If there are no further requests for time, under the rule the Clerk will now read the substitute committee amendment reported in the committee bill as an original bill for the purpose of amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

DECLARATION OF PURPOSE

SECTION 1. It is the purpose of this Act to authorize Federal grants to States to assist them to maintain, extend, and improve existing programs of vocational education, and to develop new programs of vocational education, so that persons of all ages in all communities of the State—those in high school, those who have completed or discontinued their formal education and are preparing to enter the labor market, those who have already entered the labor market but need to upgrade their skills or learn new ones, and those with special educational handicaps—will have ready access to vocational training or retraining which is of high quality, which is realistic in the light of actual or anticipated opportunities for gainful employment, and which is suited to their needs, interests, and ability to benefit from such training.

AUTHORIZATION OF APPROPRIATIONS

SEC. 2. There are hereby authorized to be appropriated for the fiscal year ending June 30, 1964, $45,000,000, for the fiscal year ending June 30, 1965, $90,000,000, for the fiscal year ending June 30, 1966, $135,000,000, and for the fiscal year ending June 30, 1967, and each fiscal year thereafter, $180,000,000, for the purpose of making grants to States as provided in this Act.

ALLOTMENTS TO STATES

SEC. 3. (a) Ninety-five per centum of the sums appropriated pursuant to section 2 shall be allotted among the States on the basis of the number of persons in the various age groups needing vocational education in the respective States as follows: The Commissioner shall allot to each State for each fiscal year—

(1) an amount which bears the same ratio to 50 per centum of the sums so appropriated for such year, as the population aged fifteen to nineteen, inclusive, in the State in the preceding fiscal year bears to the total population aged fifteen to nineteen, inclusive, in all the States; plus

(2) an amount which bears the same ratio to 20 per centum of the sums so appropriated for such year, as the population aged twenty to twenty-four, inclusive, in the State in the preceding fiscal year bears to the total population aged twenty to twenty-four, inclusive, in all the States; plus

(3) an amount which bears the same ratio to 15 per centum of the sums so appropriated for such year, as the population aged twenty-five to sixty-five, inclusive, in the State in the preceding fiscal year bears to the total population aged twenty-five to sixty-five, inclusive, in all the States; plus

(4) an amount which bears the same ratio to 10 per centum of the sums so appropriated for such year, as the sum of the amounts allotted to the State under paragraphs (1), (2), and (3) for such year bears to the sum of the amounts allotted to all the States under paragraphs (1), (2), and (3) for such year.

(b) The amount of any State's allotment under subsection (a) for any fiscal year which is less than $10,000 shall be increased to that amount, the total of the increases thereby required being derived by proportionately reducing the allotments to each of the remaining States under such subsection, but with such adjustments as may be necessary to prevent the allotment of any of such remaining States from being thereby reduced to less than that amount.

(c) The amount of any State's allotment under subsection (a) for any fiscal year which the Commissioner determines will not be required for such fiscal year for carrying out the State's plan approved under section 5 shall be available for reallotment from time to time, on such dates during such year as the Commissioner may fix, to other States in proportion to the original allotments to such States under such subsection for such year, but with such proportionate amount for any of such other States being reduced to the extent it exceeds the sum the Commissioner estimates such State needs and will be able to use under the approved plan of such State for such year and the total of such reductions shall be similarly reallotted among the States not suffering such a reduction. Any amount reallotted to a State under this subsection during such year shall be deemed part of its allotment under subsection (a) for such year.

(d) The population of particular age groups in a State or in all the States shall be determined by the Commissioner on the basis of the latest available estimates furnished by the Department of Commerce.

USES OF FEDERAL FUNDS

SEC. 4. (a) Except as otherwise provided in subsection (b), a State's allotment under section 3 may be used, in accordance with its approved State plan, for any or all of the following purposes:

(1) Vocational education for persons attending high school;

(2) Vocational education for persons who have completed or left high school and who are available for full-time study in preparation for entering the labor market;

(3) Vocational education for persons (other than persons who are receiving training allowances under the Manpower Development and Training Act of 1962 (Public Law 87–415), the Area Redevelopment Act (Public Law 87–27), or the Trade Expansion Act of 1962 (Public Law 87–794)) who have already entered the labor market and who need training or retraining to achieve stability or advancement in employment;

(4) Vocational education for persons who have academic, socioeconomic, or other handicaps that prevent them from succeeding in the regular vocational education program;

(5) Construction of area vocational education school facilities;

(6) Ancillary services and activities to assure quality in all vocational education programs, such as inservice teacher training and supervision, program evaluation, special demonstration and experimental programs, development of instructional materials, and State administration and leadership, including periodic evaluation of State and local vocational education programs and services in light of information regarding current and projected manpower needs and job opportunities.

(b) At least 25 per centum of each State's allotment shall be used only for the purposes set forth in paragraph (2) or (5), or both, of subsection (a), and at least 3 per centum of each State's allotment shall be used only for the purposes set forth in paragraph (6) of subsection (a), except that the Commissioner may, upon request of a State, permit such State to use a smaller percentage of its allotment for any year for the purposes specified above if he determines that such smaller percentage will adequately meet such purposes in such State.

(c) Five per centum of the sums appropriated pursuant to section 2 for each fiscal year shall be used by the Commissioner to make grants to State Boards, or with the approval of the appropriate State Board, to local educational agencies, and to colleges, universities, and other public or nonprofit private agencies or institutions, to pay part of the cost of research, experimental, developmental, or pilot programs developed by such Boards, agencies, or institutions and designed to meet the special vocational education needs of youths, particularly youths in economically depressed communities who have academic, socioeconomic, or other handicaps that prevent them from succeeding in the regular vocational education programs.

STATE PLANS

SEC. 5. (a) A State which desires to receive its allotments of Federal funds under this Act shall submit through its State Board to the Commissioner a State plan, in such detail as the Commissioner deems necessary, which—

(1) designates the State Board as the sole agency for administration of the State plan, or for supervision of the administration thereof by local educational agencies; and, if such State Board does not include as members persons familiar with the vocational education needs of management and labor in the State, and a person or persons representative of junior colleges, technical institutes, or other institutions of higher education which provide programs of technical or vocational training meeting the definition of vocational education in section 8(1) of this Act, provides for the designation or creation of a State advisory council which shall include such persons, to consult with the State Board in carrying out the State plan;

(2) sets forth the policies and procedures to be followed by the State in allocating each such allotment among the various uses set forth in paragraphs (1), (2), (3), (4), (5), and (6) of section 4(a), and in allocating

Federal funds to local educational agencies in the State, which policies and procedures insure that due consideration will be given to the results of periodic evaluations of State and local vocational education programs and services in light of information regarding current and projected manpower needs and job opportunities, and to the relative vocational education needs of all groups in all communities in the State, and that Federal funds made available under this Act will be so used as to supplement, and, to the extent practical, increase the amounts of State or local funds that would, in the absence of such Federal funds, be made available for the uses set forth in section 4(a), and in no case supplant such State or local funds;

(3) provides minimum qualifications for teachers, teacher-trainers, supervisors, directors, and others having responsibilities under the State plan;

(4) provides for entering into cooperative arrangements with the system of public employment offices in the State, approved by the State Board and by the State head of such system, looking toward such offices making available to the State Board and local educational agencies occupational information regarding reasonable prospects of employment in the community and elsewhere, and toward consideration of such information by such Board and agencies in providing vocational guidance and counseling to students and prospective students and in determining the occupations for which persons are to be trained; and looking toward guidance and counseling personnel of the State Board and local educational agencies making available to public employment offices information regarding the occupational qualifications of persons leaving or completing vocational education courses or schools, and toward consideration of such information by such offices in the occupational guidance and placement of such persons;

(5) sets forth procedures for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid to the State (including such funds paid by the State to local education agencies) under this Act;

(6) provides assurance that the requirements of section 7 will be complied with on all construction projects in the State assisted under this Act; and

(7) provides for making such reports in such form and containing such information as the Commissioner may reasonably require to carry out his functions under this Act, and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

(b) The Commissioner shall approve a State plan which fulfills the conditions specified in subsection (a), and shall not finally disapprove a State plan except after reasonable notice and opportunity for a hearing to the State Board designated pursuant to paragraph (1) of such subsection.

(c) Whenever the Commissioner, after reasonable notice and opportunity for hearing to the State Board administering a State plan approved under subsection (b), finds that—

(1) the State plan has been so changed that it no longer complies with the provisions of subsection (a), or

(2) in the administration of the plan there is a failure to comply substantially with any such provision, the Commissioner shall notify such State Board that no further payments will be made to the State under this Act (or, in his discretion, further payments to the State will be limited to programs under or portions of the State plan not affected by such failure) until he is satisfied that there will no longer be any failure to comply. Until he is so satisfied, the Commissioner shall make no further payments to such State under this Act (or shall limit payments to programs under or portions of the State plan not affected by such failure).

(d) A State Board which is dissatisfied with a final action of the Commissioner under subsection (b) or (c) may appeal to the United States court of appeals for the circuit in which the State is located, by filing a petition with such court within sixty days after such final action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Commissioner, or any officer designated by him for that purpose. The Commissioner thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code. Upon the filing of such petition, the court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part, temporarily or permanently, but until the filing of the record the Commissioner may modify or set aside his action. The findings of the Commissioner as to the facts, if supported by substantial evidence, shall be conclusive, but the court, for good cause shown, may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make new or modified findings of fact and may modify his previous action, and shall file in the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence. The judgment of the court affirming or setting aside, in whole or in part, any action of the Commissioner shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code. The commencement of proceedings under this subsection shall not, unless so specifically ordered by the court, operate as a stay of the Commissioner's action.

PAYMENTS TO STATES

SEC. 6. (a) Any amount paid to a State from its allotment under section 3 for the fiscal year ending June 30, 1964, shall be paid on condition that there shall be expended for such year, in accordance with the State plan approved under section 5 or the State plan approved under the Vocational Education Act of 1946 and supplementary vocational education Acts, or both, an amount in State or local funds, or both, which at least equals the amount expended for vocational education during the fiscal year ending June 30, 1963, under the State plan approved under the Vocational Education Act of 1946 and supplementary vocational education Acts.

(b) Subject to the limitations in section 4(b), the portion of a State's allotment for the fiscal year ending June 30, 1965, and for each succeeding year, allocated under the approved State plan for each of the purposes set forth in paragraphs (1), (2), (3), (4), and (6) of section 4(a) shall be available for paying one-half of the State's expenditures under such plan for such year for each such purpose.

(c) The portion of a State's allotment for any fiscal year allocated under the approved State plan for the purpose set forth in paragraph (5) of section 4(a) shall be available for paying not to exceed one-half of the cost of construction of each area vocational education school facility project.

(d) Payments of Federal funds allotted to a State under section 3 to States which have State plans approved under section 5 (as adjusted on account of overpayments or underpayments previously made) shall be made by the Commissioner in advance on the basis of such estimates, in such installments, and at such times, as may be reasonably required for expenditures by the States of the funds so allotted.

LABOR STANDARDS

SEC. 7. All laborers and mechanics employed by contractors or subcontractors on all construction projects assisted under this Act shall be paid wages at rates not less than those prevailing, as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5), and shall receive overtime compensation in accordance with and subject to the provisions of the Contract Work Hours Standards Act (Public Law 87-581). The Secretary of Labor shall have with respect to the labor standards specified in this section the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133z-15) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

DEFINITIONS

SEC. 8. For the purposes of this Act—

(1) The term "vocational education" means vocational or technical training or retraining which is given in schools or classes (including field or laboratory work incidental thereto) under public supervision and control or under contract with a State Board or local educational agency, and is conducted as part of a program designed to fit individuals for gainful employment as skilled workers or technicians in recognized occupations (including any program designed to fit individuals for gainful employment in business and office occupations, and any program designed to fit individuals for gainful employment which may be assisted by Federal funds under the Vocational Education Act of 1946 and supplementary vocational education Acts, but excluding any program to fit individuals for employment in occupations which the Commissioner determines, and specifies in regulations, to be generally considered professional or as requiring a baccalaureate or higher degree). Such term includes vocational guidance and counseling in connection with such training, the in-service training of teachers, teacher-trainers, supervisors, and directors for such training, travel of students and vocational education personnel, and the acquisition and maintenance and repair of instructional supplies, teaching aids and equipment, but does not include the construction or initial equipment of buildings or the acquisition or rental of land.

(2) The term "area vocational education school" means a school (A) which admits as regular students, and is principally used for the provision of vocational education to, both persons who have completed high school and persons who have left high school, where such persons are available for full-time study in preparation for entering the labor market, and (B) which is available to all residents of the State or of an area thereof designated and approved by the State Board administering a State plan approved under section 5.

(3) The term "school facilities" means classrooms and related facilities (including initial equipment) and interests in land on which such facilities are constructed. Such term shall not include any facility intended primarily for events for which admission is to be charged to the general public.

(4) The term "construction" includes construction of new buildings and expansion, remodeling, and alteration of existing buildings, and includes site grading and improvement and architect fees.

(5) The term "Commissioner" means the Commissioner of Education.

(6) The term "State" includes, in addition to the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa.

(7) The term "State Board" means the State Board designated or created pursuant to section 5 of the Smith-Hughes Act (that is, the Act approved February 23, 1917 (39

Stat. 929, ch. 114; 20 U.S.C. 11–15, 16–28)) to secure to the State the benefits of that Act.

(8) The term "local educational agency" means a board of education or other legally constituted local school authority having administrative control and direction of public elementary or secondary schools in a city, county, township, school district, or political subdivision in a State, or any other public educational institution or agency having administrative control and direction of a vocational education program.

(9) The term "high school" does not include any grade beyond grade 12.

(10) The term "Vocational Education Act of 1946" means titles I, II, and III of the Act of June 8, 1936, as amended (20 U.S.C. 15i–15m, 15o–15q, 15aa–15jj, 15aaa–15ggg).

(11) The term "supplementary vocational education Acts" means section 1 of the Act of March 3, 1931 (20 U.S.C. 30) (relating to vocational education in Puerto Rico), the Act of March 18, 1950 (20 U.S.C. 31–33) (relating to vocational education in the Virgin Islands), and section 9 of the Act of August 1, 1956 (20 U.S.C. 34) (relating to vocational education in Guam).

ADVISORY COMMITTEE ON VOCATIONAL EDUCATION

SEC. 9. (a) There is hereby established in the Office of Education Advisory Committee on Vocational Education (hereinafter referred to as the "Advisory Committee"), consisting of the Commissioner, who shall be chairman, one representative each of the Departments of Commerce, Agriculture, and Labor, and twelve members appointed, for staggered terms and without regard to the civil service laws, by the Commissioner with the approval of the Secretary of Health, Education, and Welfare. Such twelve members shall, to the extent possible, include persons familiar with the vocational education needs of management and labor (in equal numbers), persons familiar with the administration of State and local vocational education programs, other persons with special knowledge, experience, or qualification with respect to vocational education, and persons representative of the general public, and not more than six of such members shall be professional educators. The Advisory Committee shall meet at the call of the chairman but not less often than twice a year.

(b) The Advisory Committee shall advise the Commissioner in the preparation of general regulations and with respect to policy matters arising in the administration of this Act, the Vocational Education Act of 1946, and supplementary vocational education Acts, including policies and procedures governing the approval of State plans.

(c) Members of the Advisory Committee shall, while serving on the business of the Advisory Committee, be entitled to receive compensation at rates fixed by the Secretary of Health, Education, and Welfare, but not exceeding $75 per day, including travel time; and, while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2) for persons in the Government service employed intermittently

AMENDMENTS TO GEORGE-BARDEN AND SMITH-HUGHES VOCATIONAL EDUCATION ACTS

SEC. 10. Notwithstanding anything to the contrary in title I, II, or III of the Vocational Education Act of 1946 (20 U.S.C. 15i–15m, 15o–15q, 15aa–15jj, 15aaa–15ggg), or in the Smith-Hughes Act (that is, the Act approved February 23, 1917, as amended (39 Stat. 929, ch. 114; 20 U.S.C. 11–15, 16–28)), or in supplementary vocational education Acts—

(a) any portion of any amount allotted (or apportioned) to any State for any purpose under such titles, Act, or Acts for the fiscal year ending June 30, 1964, or for any fiscal year thereafter, may be transferred to and combined with one or more of the other allotments (or apportionments) of such State for such fiscal year under such titles, Act, or Acts, or under this Act and used for the purposes for which, and subject to the conditions under which, such other allotment (or apportionment) may be used, if the State Board requests, in accordance with regulations of the Commissioner, that such portion be transferred and shows to the satisfaction of the Commissioner that transfer of such portion in the manner requested will promote the purpose of this Act;

(b) any amounts allotted (or apportioned) under such titles, Act, or Acts for agriculture may be used for vocational education in any occupation involving knowledge and skills in agricultural subjects, whether or not such occupation involves work of the farm or of the farm home, and such education may be provided without directed or supervised practice on a farm;

(c)(1) any amounts allotted (or apportioned) under such titles, Act, or Acts for home economics may be used for vocational education to fit individuals for gainful employment in any occupation involving knowledge and skills in home economics subjects;

(2) at least 25 per centum of any amount so allotted (or apportioned) to a State for each fiscal year beginning after June 30, 1965, may be used only for vocational education to fit persons for gainful employment in occupations involving knowledge and skills in home economics subjects, or transferred to another allotment under subsection (a), or both.

(d) any amounts allotted (or apportioned) under such titles, Act, or Acts for distributive occupations may be used for vocational education for any person over fourteen years of age who has entered upon or is preparing to enter upon such an occupation, and such education need not be provided in part-time or evening schools;

(e) any amounts allotted (or apportioned) under such titles, Act, or Acts for trade and industrial occupations may be used for preemployment schools and classes organized to fit for gainful employment in such occupations persons over fourteen years of age who are in school, and operated for less than nine months per year and less than thirty hours per week and without the requirement that a minimum of 50 percent of the time be given to practical work on a useful or productive basis, if such preemployment schools and classes are for single-skilled or semi-skilled occupations which do not require training or work of such duration or nature; and less than one-third of any amounts so allotted (or apportioned) need be applied to part-time schools or classes for workers who have entered upon employment.

EXTENSION OF PRACTICAL NURSE TRAINING AND AREA VOCATIONAL EDUCATION PROGRAMS

SEC. 11. (a)(1) Section 201 of the Vocational Education Act of 1946 (20 U.S.C. 15aa) is amended by striking out "of the next eight fiscal years" and inserting in lieu thereof "succeeding fiscal year".

(2) Subsection (c) of section 202 of such Act is amended by striking out "of the next seven fiscal years" and inserting in lieu thereof "succeeding fiscal year".

(b) Section 301 of such Act (20 U.S.C. 15aaa) is amended by striking out "of the five succeeding fiscal years" and inserting in lieu thereof "succeeding fiscal year".

PERIODIC REVIEW OF VOCATIONAL EDUCATION PROGRAMS AND LAWS

SEC. 12. (a) The Secretary of Health, Education, and Welfare shall, during 1966, appoint an Advisory Council on Vocational Education for the purpose of reviewing the administration of the vocational education programs for which funds are appropriated pursuant to this Act and other vocational education Acts and making recommendations for improvement of such administration, and reviewing the status of and making recommendations with respect to such vocational education programs and the Acts under which funds are so appropriated.

(b) The Council shall be appointed by the Secretary without regard to the civil service laws and shall consist of twelve persons who shall, to the extent possible, include persons familiar with the vocational education needs of management and labor (in equal numbers), persons familiar with the administration of State and local vocational education programs, other persons with special knowledge, experience, or qualification with respect to vocational education, and persons representative of the general public.

(c) The Council is authorized to engage such technical assistance as may be required to carry out its functions, and the Secretary shall, in addition, make available to the Council such secretarial, clerical, and other assistance and such pertinent data prepared by the Department of Health, Education, and Welfare as it may require to carry out such functions.

(d) The Council shall make a report of its findings and recommendations (including recommendations for changes in the provisions of this Act and other vocational education Acts) to the Secretary, such report to be submitted not later than January 1, 1968, after which date such Council shall cease to exist. The Secretary shall transmit such report to the President and the Congress.

(e) The Secretary shall also from time to time thereafter (but at intervals of not more than five years) appoint an Advisory Council on Vocational Education, with the same functions and constituted in the same manner as prescribed for the Advisory Council in the preceding subsections of this section. Each Council so appointed shall report its findings and recommendations, as prescribed in subsection (d), not later than July 1 of the second year after the year in which it is appointed, after which date such Council shall cease to exist.

(f) Members of the Council who are not regular full-time employees of the United States shall, while serving on business of the Council, be entitled to receive compensation at rates fixed by the Secretary, but not exceeding $75 per day, including travel time; and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2) for persons in Government service employed intermittently.

FEDERAL CONTROL

SEC. 13. Nothing contained in this Act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution or school system.

SHORT TITLE

SEC. 14. This Act may be cited as the "Vocational Education Act of 1963".

AMENDMENT OFFERED BY MR. BELL

Mr. BELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BELL: On page 46, line 17, Sec. 5(a), strike out the period and insert in lieu there, "; and", and add the following new paragraph:

"(8) Provides that after June 30, 1965, any program assisted with funds appropriated under this Act shall be operated, and students admitted thereto, on a racially nondiscriminatory basis."

On page 60, after line 16, insert the heading "NONDISCRIMINATION" and the following new section:

"Sec. 13. (a) Section 8 of the Act of February 23, 1917 (relating to vocational education) is amended by inserting '(a)' after 'Sec. 8' and by adding at the end thereof the following new subsection:

"'(b) After June 30, 1965, each State plan shall require that any vocational education program assisted with funds appropriated under this Act shall be operated, and students admitted thereto, on a racially nondiscriminatory basis.'

"(b) Section 203(a) of the Vocational Education Act of 1946 is amended by striking out 'and' at the end of clause (4), by striking out the period at the end of clause (5) and inserting in lieu thereof '; and', and by adding at the end thereof the following:

"'(6) after June 30, 1965, provide that any practical nurse training program assisted with funds appropriated under this title will be operated, and students admitted thereto, on a racially nondiscriminatory basis,'."

On page 60, line 18, strike out "Sec. 13" and insert in lieu thereof "Sec. 14".

On page 61, line 2, strike out "Sec. 14" and insert in lieu thereof "Sec. 15".

(By unanimous consent, Mr. Bell was allowed to proceed for an additional 5 minutes.)

Mr. BELL. Mr. Chairman, vocational training encouraged in the United States with funds authorized by Congress must be considered an aspect of the Federal response to the problem of racial inequality in our land.

Members of the two Houses will shortly be required to make far-reaching, perhaps painful decisions involving equal treatment for our citizens.

Today, in a small way, we anticipate the greater debate soon to absorb us.

Job training proposed in H.R. 4955 is designed to assist men and women who have found themselves in tragically limited demand in the Nation's employment market.

Government cannot avoid a measure of responsibility for the plight of much of our work force which is currently either unemployable or barely employable because of insufficient training and uncultivated talents.

Of the $14 billion we spend annually to sponsor research and development, the National Science Foundation estimates that 25 percent will eventually result in the upgrading of industrial technology.

By 1970 automation will have eliminated 22 million jobs in the United States, according to figures of the Bureau of Labor Statistics.

All of us are aware of the downward pressures exerted on unskilled, inadequately prepared workers when new systems and refined machinery are installed by employers.

That this downward pressure, for a variety of reasons, is experienced more by our nonwhite citizens than our white citizens is usually conceded.

Whether or not it is conceded, however, the fact remains that vocational education is needed by an important segment of our nonwhite population.

Department of Health, Education, and Welfare research shows a 5.5 unemployment percentage in the white labor force at this time.

Negro unemployment is exactly double this and totals 11 percent.

That terrible sense of losing ground in the competition for jobs is one of the things that racial strife in the United States today is all about.

Mr. Chairman, I submit that the upgrading of the economic potential of minorities is a major justification for support of H.R. 4955.

I submit, further, that Members now being asked to vote for this bill, along with both white and nonwhite taxpayers who will have to pay for it, ought to be reassured that racial discrimination will not mar the program.

Before you is an amendment to provide that simple guarantee.

If the amendment is adopted, the Commissioner of Education of the Department of Health, Education, and Welfare will be called upon to review the vocational education proposals of each State which requests Federal matching funds.

He will be expected to certify that the training is being offered in integrated schools and is of uniform quality.

Mr. Chairman, in the belief that many Members cannot cast their votes for a vocational training bill which did not include this built-in protection against the possibility of abuse, I urge passage of the amendment.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. BELL. I yield to the gentleman from New York.

Mr. GOODELL. Clarifying what your amendment will do, it is my understanding, and as a matter of legislative history I think it should be clear, that you intend that in a given State where there may be 17 facilities or schools that are segregated and all the rest are not, it will be possible for the Commissioner to continue aid to that State provided that the State plan makes it clear that no Federal funds directly or indirectly, or matching funds, go to these segregated facilities.

Mr. BELL. That is correct.

Mr. GOODELL. A further caveat on this proviso is that also the State plan must make clear and be administered so that there is no subterfuge. The Commissioner must be satisfied that there was no subterfuge whereby the State in effect favored the segregated facilities or discriminating programs over the nondiscriminating programs, thus preventing the penalty of loss of aid from affecting discriminating programs.

Mr. BELL. That is correct.

Mr. GOODELL. Mr. Chairman, if I may clarify one further point; in other words, a State plan that was set up to move in the direction of integration may do so on a gradual basis provided there is good faith, provided that no Federal funds nor special institute State funds would go to the facilities and programs where there is discrimination?

Mr. BELL. That is correct.

Mr. PERKINS. Mr. Chairman, will the gentleman yield to me?

Mr. BELL. I yield.

Mr. PERKINS. Mr. Chairman, If I understand the gentleman's amendment, he makes an effort to make it applicable to Smith-Hughes and George-Barden as well as the present legislation; but if I have ever seen any amendment involving Federal control in my judgment this amendment will cast a cloud over the administration of the program by the State boards and make the administration of the act practically impossible. I am of the opinion that this amendment as written involves considerable Federal control. Am I correct in that statement?

Mr. BELL. It does not involve considerable control. Certainly the Commissioner will have certain powers.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. BELL. I yield to the minority leader.

Mr. HALLECK. As I understand the gentleman's amendment, and I think I do understand it, it simply means that this expanded program of vocational education in which we are about to engage is to be applied across the country without regard to race or color.

Mr. BELL. That is correct.

Mr. HALLECK. In other words, any person who otherwise qualifies will be permitted to avail himself of the benefits of this program.

Mr. BELL. That is correct.

Mr. HALLECK. The gentleman from Kentucky [Mr. Perkins] talks about controls. Of course, many of us have fretted about excessive Federal controls; but this is essentially a Federal program that we are about to enact and in my opinion it would be much less than fair, so far as our population generally is concerned, to deny to any person the benefits of this program by reason of race or color.

Mr. BELL. I certainly concur in that statement.

Mr. GOODELL. Mr. Chairman, if the gentleman will yield to me further, let me just emphasize here to the gentleman from Kentucky that the language is designed after and is very close to the language of the so-called Gill bill that we voted for in our committee. It is designed to do exactly the same thing that the Gill bill would do, on a special basis applied to vocational programs only. It would do it for the manpower bill. It is designed to be moderate, to be reasonable, to permit the States within their own borders to aid with Federal funds those facilities that are integrated while the segregated facilities or discriminating facilities may go ahead with their own programs, provided there is no Federal aid, matching State aid, and no favoritism to discriminatory programs in the vocational system. I think it is a very fair and sensible proposal that the gentleman makes.

Mr. ROOSEVELT. Mr. Chairman, will the gentleman yield to me?

Mr. BELL. I yield.

Mr. ROOSEVELT. I want to clarify what the gentleman from New York [Mr. Goodell] just said, because if what he says is true he contradicts his own minority leader. For instance, in the State of Virginia it is possible for a school board, a State school board to come in and have two programs, one for segregated schools and one for nonsegregated schools. If that is so then what the gentleman has said is that they can come in for Federal money for their nonsegregated schools and that would enable them to go ahead and have more money with which to run their segregated schools. I do not understand that kind of double talk.

Mr. BELL. The gentleman is not accurate.

Mr. CELLER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I rise in opposition to the amendment not because of its substance but because of the obvious fact that its adoption may have the effect of endangering the passage of this very worthwhile legislation.

Members are well aware that title VI of H.R. 7152, the so-called Omnibus Civil Rights Act of 1963, which I introduced on June 20, in my humble opinion contains adequate protection against discrimination in federally assisted programs because of race, color, religion, or national origin.

Let me read that section, which is a part of the omnibus bill now being considered by the House Judiciary Committee, hearings on which have just been terminated. Next week we begin writing up the bill. Section 601 provides the following:

> Notwithstanding any provision to the contrary in any law of the United States providing or authorizing direct or indirect financial assistance for or in connection with any program or activity by way of grant, contract, loan, insurance, guaranty, or otherwise, no such law shall be interpreted as requiring that such financial assistance shall be furnished in circumstances under which individuals participating in or benefiting from the program or activity are discriminated against on the ground of race, color, religion, or national origin or are denied participation or benefits therein on the ground of race, color, religion, or national origin. All contracts made in connection with any such program or activity shall contain such conditions as the President may prescribe for the purpose of assuring that there shall be no discrimination in employment by any contractor or subcontractor on the ground of race, color, religion, or national origin.

That language is very broad. That language is most comprehensive. It encompasses the terminology and the substance and the purposes of the amendment now before you. It even goes further. The amendment before you is limited to the present bill. The language I read covers all legislation involving grants, aid, or anything of that character by the Federal Government. Certainly the language of this section covers the precise areas of the vocational education bill now being considered here today, making the additional amendment barring discrimination completely unnecessary.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Indiana.

Mr. HALLECK. I thank the gentleman for yielding to me.

Any time that amendments like this have been offered it has been said that the whole purpose is to kill the bill. The gentleman spoke of endangering the passage of this particular bill. Let me ask the gentleman, Would he vote for the bill with or without this amendment?

Mr. CELLER. I am opposed to this amendment. Never mind what I am going to do directly on the bill. Every effort that has been made to graft on legislation of this kind heretofore has had the effect of torpedoing the bill which was under discussion.

Mr. HALLECK. Now, will the gentleman yield to me for a brief observation?

Mr. CELLER. I have answered the gentleman.

Mr. HALLECK. No, you did not answer the gentleman.

Mr. CELLER. Will you get me more time?

Mr. HALLECK. I cannot give you any time. The Committee is operating under the 5-minute rule.

Mr. CELLER. Yes, but you are using my time, sir.

Mr. HALLECK. Will the gentleman yield?

Mr. CELLER. I yield to the gentleman.

Mr. HALLECK. May I say, as far as I am concerned I shall vote for this bill whether this amendment goes in or not. I would remind the gentleman that a similar amendment went in on an education bill and the bill went on to final passage.

The CHAIRMAN. The time of the gentleman from New York [Mr. CELLER] has expired.

Mr. CELLER. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Chairman, I do not know for whom the gentleman speaks; that is, the gentleman who just addressed us. He may only speak for himself. I do not know whether he questioned every Member on the Republican side. I do not know what the response would have been had he done so. I do know that an amendment of this character has had the effect heretofore of vitiating and rendering abortive all our efforts to get worthwhile legislation on the statute books and has had the effect of destroying and rendering a nullity the bills that were being considered by this House.

Mr. THOMPSON of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman.

Mr. THOMPSON of New Jersey. I might point out to the gentleman that in a very small measure, the statement of the minority leader was accurate, that the bill did pass the House. I was the author of the bill, which was H.R. 10128; and when it went back to the Committee on Rules not one single Republican vote could be obtained to take it to conference. Because of the failure of those Republicans to provide a single vote the bill did not become law.

Mr. CELLER. I do not want to indulge in partisan argument here. This bill that is before you members of the Committee is a worthwhile bill. It would be a sad day, indeed, if we were to graft on to it any kind of an amendment that would have the tendency to destroy it. I will make further statement with reference to the purport and substance of this amendment.

I shall be most pleased when we write up the civil rights bill to entertain a motion to include and add to the ommibus civil rights bill the import and even the language of the amendment now before this Committee. I cannot guarantee that the members either of my subcommittee considering the bill, the civil rights bill, or the full membership will embrace the idea of the amendment, but I sincerely and genuinely express to you that we will fully and carefully consider this amendment, and I will support it personally and will do all and sundry to have the substance and purpose of this amendment included in the Civil Rights Act. Now I am sure you cannot ask from me more than that. I hope that this language, as I am expressing it to you today, will have the effect of discouraging any votes for this amendment now before you.

Mr. BYRNES of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman.

Mr. BYRNES of Wisconsin. The gentleman is chairman of the committee considering civil rights legislation and I assume the gentleman is doing so with the feeling that the bill, or whatever he reports to the House, is going to pass. That being the case, how can a civil rights amendment on this legislation jeopardize the bill? Either you are not going to be able to pass any civil rights legislations or you can pass it here on this bill and get it on its way.

Mr. CELLER. I am one of those who do not believe that we should adopt any civil rights provisions piecemeal. We should not be taking 17 bites at the cherry. When we can do it at one fell swoop, let us do it at one fell swoop. But you are dangerously agitating here and you are going to influence some Members on either side of the House against the general provisions of the bill at hand, if you adopt this amendment. I fervently hope the amendment will not prevail.

Mr. TAFT. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I would like to say a few words to urge the members of the Democratic Party in this House to support this amendment, as the great majority of the members of the Republican Party will.

Mr. Chairman, on the area redevelopment bill I withheld an amendment of this sort. I withheld it at that time because the President at that time had announced that he was going to introduce, or expected to have introduced a bill which would have a provision of this sort in it. Since then title VI of the civil rights bill has been introduced. It is inconclusive. It would, in effect, authorize a continuation of the use of Federal funds in a discriminatory way, if the administrator of the program wished to make those funds available under those circumstances.

Mr. Chairman, the ARA bill from the other body came before our committee again last week. I again proposed the same amendment, or basically the same amendment. It was again turned down by the members of the Democratic Party, after letting five of their members off the hook not to vote, members who incidentally come from the large metropolitan congressional districts.

Mr. Chairman, I think, of course, this bill differs from the ARA. If that bill comes out of the Committee on Rules to the floor again I shall probably introduce the same amendment again.

It was said and will probably be said again that I am going to defeat the bill. This certainly cannot be said of this bill. As a matter of fact, I do not know whether I will be able to vote for the ARA bill. I think it is important, Mr. Chairman, that the ARA bill have a civil rights clause in it before the bill is passed out. To me it is more important that it have such an amendment than that the bill pass. It has been said that it is absolutely essential for the purpose of this legislation today that it have this amendment and I agree.

I would like to give a little advice and information to the Members of this body as to the feeling of some of the people involved and who will be most directly involved in this program. I would like to tell them that last week when I offered my amendment in the hearings on the ARA bill before the Committee on Banking and Currency, at that time Mr. Clarence Mitchell, the NAACP regional director, came before the committee in support of that amendment and, among other things, called to the attention of the members of the committee—and I have had printed in the minority views on the ARA bill which will be available in a report to all of us—to a copy of the resolution this year, the 53d meeting of the NAACP, which reads in part as follows:

> Federally supported racial discrimination or segregation in any form is unconscionable. We support and urge the adoption in Congress of antisegregation amendments in all legislation for schools, hospitals, recreation, disaster relief, or any other purpose under which the Federal Government will provide grants, loans, technical assistance, or any other type of aid.

Continuing, that resolution states:

> Our wealth and our resources should be pledged to spread educational advantages, relieve the suffering and succor the victims of storms, floods, or other disasters. This we support. However, we insist that all aid must be available to every citizen without regard to race. No State, city, political subdivision, or any private person should be permitted to use Federal money to build, rebuild, operate, or extend any program, facility, or activity which bars American citizens or visitors from foreign countries on the basis of race.

This is the statement made by some of the people who represent those who are most involved or essentially tied up in the great need for this program.

Mr. Chairman, I ask the members of the Committee to consider this and to vote their consciences on this amendment.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. TAFT. I shall be glad to yield to the distinguished minority leader.

Mr. HALLECK. The gentleman from New York [Mr. CELLER], the chairman of the Judiciary Committee, questioned what I have said a moment ago, indicating that maybe I just spoke for myself. I would like to remind all others that in our Republican policy committee we discussed this matter at some length and a public statement was issued to the effect that we are in support of this bill. So there is not any question in my mind but what the bill is going to pass with or without this amendment.

I have always understood that a bird in hand is worth two or three in the bush. Here is one place where we can provide—and I do not see how anyone can quarrel with it—that the benefits of this program shall be open to everybody who can qualify. That is what this amendment seeks to do.

Mr. TAFT. I agree with the distinguished minority leader.

Mr. STINSON. Mr. Chairman, will the gentleman yield?

Mr. TAFT. I yield to the gentleman from Washington.

Mr. STINSON. I thank the gentleman from Ohio for yielding and I thank him for his remarks. I would like to commend the gentleman from California [Mr. BELL] for offering this amendment. It is both reasonable and justified.

I believe this antidiscrimination amendment should receive support from both sides of the aisle.

Mr. TAFT. I thank the gentleman.

Mr. HAWKINS. Mr. Chairman, I rise in opposition to the pending amendment.

Mr. Chairman, I doubt if any man in this House can speak to me in terms of civil rights who has felt perhaps civil rights any more than I have. I doubt if anyone has had the experience of being refused admittance into places of public accommodation, even in the district of the sponsor of this amendment, because of his wife whose complexion is obviously more Negro than mine. I think anyone who has gone through that experience can speak in terms of civil rights as a prize possession, as something that is sacred and as something which should not be dragged through partisan political battles merely for publicity.

I certainly believe the first thing that is wrong about the presentation of this amendment—and certainly I have a deep regard for my colleague from California [Mr. BELL]—is that it is not a proper introduction of civil rights to this bill at this time. It can only prostitute that which to me is sacred, and something which to millions of people throughout America is sacred and should not be handled in this manner.

There are other things wrong with this amendment. It is technically defective. It has been said that the amendment will provide for a nondiscriminatory program in the field of vocational education. You should understand the amendment would deprive any State of any Federal funds if that State had as much as one school or one district which still discriminated, and despite the fact there may innocently be many others that are trying to comply in every way with the Supreme Court decision, and despite the fact there are many that are actually in compliance with it. The innocent would be spanked with the guilty. As a matter of fact, they would be spanked more militantly than the guilty.

There are other defects in this amendment. They have highjacked this amendment. The amendment is not going to be presented to this bill in its present form. We intend to correct some of the mistakes which are in this amendment. They have in highjacking the amendment worked out what they thought would place us in the position of opposition to such amendment. We intend certainly to correct some of the mistakes in this amendment and to bring it back for your approval.

There is another defect in this amendment in that it is ineffectual and very unjust. Of all the Federal programs to aid various educational programs, this is almost the last one on the totem pole. As a matter of fact there is only one educational program which authorizes less money and appropriates less Federal money than this, and that is for Federal Indian education services. They have selected perhaps the weakest of all the educational programs in terms of actual money in order to make a record in the field of civil rights.

Not only that, but only a small percentage of Federal money goes into vocational education on the local level. Most of the Southern States contribute 10 or 15 times more dollars than the $1 of money which they receive from the Federal Government. In other words, if you are going to use this as a weapon, you are only using a popgun. It is just like going out into darkest Africa to hunt wild game with a popgun and some bubble gum in your mouth. That is all it amounts to. It is one of the weakest programs to which to attach this. Why not attach it to manpower, which has 100 percent financing by the Government in it and not this, which only has one-fifteenth of the amount of money appropriated, with most of it to be put up by local government?

Do you think under those terms you are going to threaten any Southern State or any State in defiance of the Constitution, or any district? You will certainly not do it for this small amount of money being appropriated. But in my opinion the real danger of this amendment is it will defeat this bill and deprive more Negroes of needed training than even whites. The whites in the Deep South and elsewhere can go to private training schools and to private on-the-job training provided by industry, but this will not be possible for the Negroes who will not get this money if this bill is not passed.

This is a most important bill. Certainly the gentleman from California [Mr. BELL], coming from a silk stocking district surrounded by the green Palos Verdes hills stretching up the seacoast to the beautiful Malibu sands, could not be worried, because his district is not concerned if this bill is defeated. However, I come from and I represent a district which is between the noise of downtown Los Angeles and the stockyards, and the poor Negro boys and girls in my district need this training.

For that reason I oppose the amendment.

Mr. GOODELL. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, we have been told here today that we should lay aside partisan differences. So I lay them aside. At no time in the consideration of this legislation, in the subcommittee or in the full committee, have partisan considerations entered into our deliberations. This has been fully attested to by the chairman of the subcommittee and by others. We have a bipartisan front. We believe traditionally, and I believe in both parties, in the vocational education system. No one here is trying to put the dagger into vocational education.

Mr. PERKINS. Mr. Chairman, will the gentleman yield to me?

Mr. GOODELL. I yield.

Mr. PERKINS. We have been bipartisan except that we had this amendment up in the committee and it was defeated in committee.

Mr. GOODELL. This is the division we have. It has also been said that this is the weakest of our Federal education programs. I deny that. Perhaps it is the strongest of all the Federal education programs. I can tell you that there is no program that is more important to the Negroes of this country. This is the program that can really help them where it counts—in jobs. This is the program where they should be guaranteed equal opportunity to prepare themselves for jobs—good jobs, on an equal basis.

I would be amused, Mr. Chairman, if it were not so tragic, to observe the tortured reasoning of my friends on the other side and their painful, awkward, and embarrassed thrashings to try to get out of this. I say this to you advisedly. We know that there are two factions that disagree in the Democratic Party. There is a faction here that sincerely believes in civil rights, in the Democratic Party. I attribute to them high motives. They want to help the Negro. But, I ask you, do not be tired young liberals, do not be discouraged before we go into battle. Do not lay down your arms before we even enter the battle lists. You stand before us and say we cannot win; it is useless to do this. I wish you would stop listening to the summons of expediency and pragmatism. You have a chance here to vote what I believe sincerely are your convictions. And I tell you that this program on which you will have almost solid Republican support, regardless what you do. You cannot stand here in good faith and say that the program is going to be defeated if you put this amendment on here.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman.

Mr. HALLECK. Mr. Chairman, I do not know whether it would be parliamentary or not, but I would like to have the Republicans who are here—and we are in goodly number—raise their hands to indicate whether they will vote for this bill with or without the amendment.

Mr. GOODELL. Mr. Chairman, I tell you that this bill has solid Republican support. It is going to have it whatever you do with this amendment. If you cannot add a civil rights amendment to this bill you cannot add it to anything. You should stand up now and face this question on your convictions because you can do it without being expedient, because you can do it without killing the legislation.

I stand here and admit to you that you have some basis for making this argument when you have a close vote, where you do not think you are going to get Republican support. Perhaps you would kill legislation under those circumstances. But do not stay in this coalition between your two factions. You of that faction over here who believe in civil rights, join this side. We will be with you on vocational education and we will see that this program is administered so that there is equal opportunity for everyone, on a bipartisan basis.

Mr. O'HARA of Michigan. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I have been very impressed by the articulate and very well reasoned argument made by my friend from New York [Mr. Goodell]. His argument that the bill will pass the House with or without a Powell amendment impresses us all. The comments of his leader to the same effect certainly impresses us. But I wonder if they have forgotten that the U.S. Congress is not unicameral. Can the gentleman from New York or the gentleman from Indiana or any Member on that side, name a single Federal educational proposal to which a Powell amendment was added in this House that has ever become the law of the United States?

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Michigan. I yield to the gentleman from New York.

Mr. GOODELL. For a man who says that he believes in the future, who is a progressive—and I respect his sincerity in this field—I say to him, are you going to look to the past forever? Cannot we look forward now and break some new lines and have bipartisan support for this legislation across the board? Let us fight the battle now and face it in the Senate. We are going to do everything we can to see that the legislation is not killed.

Mr. O'HARA of Michigan. Mr. Chairman, I will say to my friend that I try to learn from my mistakes. And in 1960, as the gentleman from New Jersey, the gentleman from Indiana, and the gentleman from New York have pointed out, we passed an education bill in the House of Representatives that included a Powell amendment. That bill died. It never became law. And when we conducted an autopsy to see what had happened to it, the most likely cause of the death was found to be its antidiscrimination amendment.

I say to you that if you want any educational program you are going to have to vote against Powell amendments to it. If you want improved and expanded vocational education you will have to oppose this amendment. The gentleman from New York, when he introduced his own bill to provide about a billion dollars for higher education in the next 5 years, was prudent enough not to include, in that bill, the antidiscrimination amendment that he now wants us to put into this bill.

Mr. BRADEMAS. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Michigan. I yield to the gentleman.

Mr. BRADEMAS. Mr. Chairman, I would be very grateful, following the leadership of my dear friend from Indiana, if all the Republicans who plan to vote for the public accommodations section in the civil rights bill will please hold up their hands.

Mr. GOODELL. The gentleman speaks of the higher education bill. I introduced that bill on a bipartisan basis, and I have indicated consistently I would support a civil rights amendment to that legislation. I say to you, as it relates right here on the vocational program to the Negro, the civil rights spokesmen who came before our committee made it clear that at this juncture in our history even if it had to mean delay in this program they wanted the civil rights provision in, that the program as it operates now in too many States does not help the Negro effectively, and we should face this issue now. I am convinced if you would join our ranks over here with your ranks over there in bipartisan support we could do it, but I am afraid you are too timid at this stage and will not face up to it.

Mr. O'HARA of Michigan. I liked the gentleman's brand of bipartisanship better on the higher education bill, because when he was bipartisan on that bill he did not offer in committee or include in his own proposal any amendment that would have had the effect of causing that bill to be defeated at some place in the legislative process. Nevertheless I like the Bell amendment and I like the gentleman from New York. I believe he is sincere. But I want an improved vocational education program and my better judgment tells me that I am not going to get it by supporting this kind of amendment in the House of Representatives.

Mr. ROOSEVELT. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, may I first take the opportunity to congratulate my colleague from California [Mr. Hawkins]. I do not know whether or not you know it, but his district is 80 percent Negro. When a Negro Congressman representing a district of that kind can come up and make that kind of speech, he is a man of great courage, in my book.

I should also like to call the attention of my Republican colleagues to the statement of Clarence Mitchell on this bill, when he said the first and most important step to be taken is the passage of a National Fair Employment Practices Act. I wonder why not one single Member on that side of the aisle, who suddenly have become such civil rights advocates, have mentioned that they would support other civil rights legislation.

It seems to me, therefore, that what we are doing is exactly what the gentleman from California [Mr. HAWKINS] said, we are seeing a kind of dramatic exposition of how to get away with something as cheaply as possible to make a political gain. If they had really wanted to move forward, there were all kinds of opportunities, such as the medical bill, that did not pass in this House. It was not offered at that time by my friends on this side.

All I can say is that as far as I am concerned, the realities of this situation are that if we put the amendment on this bill now, you ought to know that in the other body there will not be two civil rights bills and this bill will not get enacted. I stand for the realities of the situation. Let us enact this bill. Let us make it law. Let us help those Negroes and whites who need this bill. The way to do it is to show demagoguery for what it is and not vote for the amendment offered by the gentleman from California [Mr. BELL] to this bill at this time.

I yield to the gentleman from New York [Mr. GOODELL].

Mr. GOODELL. I would ask the gentleman to yield to the gentleman from Connecticut [Mr. SIBAL] who offered the amendment to the medical facilities bill.

Mr. ROOSEVELT. But it did not pass. It did not get a lot of support the way it is today.

Mr. SIBAL. Mr. Chairman, will the gentleman yield?

Mr. ROOSEVELT. I yield to the gentleman.

Mr. SIBAL. I would like to respond to your allegation. When the medical facilities bill was before this House, I offered an essentially identical amendment. Every Republican in this House voted for it. I do not recall where the gentleman from California was at that time. Perhaps, he was not in this country. But, it was definitely a partisan vote with all Democrats voting against it except, I might say, the gentleman from New York [Mr. POWELL].

Mr. ROOSEVELT. I do not know just who offered it, whether it was the gentleman from Connecticut who offered it. But, there was not that unanimity that we are seeing here today on the Republican side.

Mr. SIBAL. There were no Democratic votes except one, as I mentioned, and all the Republicans voted for it.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. ROOSEVELT. I yield to the gentleman.

Mr. GOODELL. I respect the gentleman's statements but let me say, he knows full well that I and many other Republicans on that subcommittee and on the committee supported the measures to which he refers. The gentleman also asks the question as to why we are adding this civil rights amendment just to the vocational education bill. That is the only legislation that is before us today. That is the only one we can offer it to now.

Second, this is, perhaps, and I am sure the gentleman would agree with me, this is perhaps the most important area for Negroes—the area of jobs and of job opportunities and of the opportunity to equip oneself to get a job through training and education.

Mr. ROOSEVELT. I am sorry I cannot yield further to the gentleman.

Mr. Chairman, I agree with the gentleman that this is important, but he wants to play politics with an important bill. I will not play politics with it. I want to say further insofar as I am concerned, and I say this to the gentleman in fairness to him, that he has supported, and some Republicans have supported civil rights measures. But with reference to the four members on the Committee on Rules, have they voted out the FEPC bill or have they made any move to do that? Not one of them. I think the record speaks for itself and we may leave it at that point.

The CHAIRMAN. For what purpose does the chairman of the committee, the gentleman from New York [Mr. POWELL] rise?

Mr. POWELL. Mr. Chairman, I ask unanimous consent that all debate on this amendment close at 5 o'clock with the last 5 minutes reserved to the chairman of the committee.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. WATSON. Mr. Chairman, reserving the right to object, may I make this statement to the chairman?

I have tried in all sincerity to get 5 minutes from the controller of the time on the majority side in your absence. He said he did not have the time. I have been repeatedly jumping up and trying to get recognition here. I recognize the fact that being a newcomer, the members of the committee must be recognized first. But I would like to ask unanimous consent of the committee to speak for 5 minutes on this regardless of whether it comes under the gentleman's motion or whether it comes under unanimous consent.

Mr. POWELL. Mr. Chairman, I withdraw my unanimous consent request for 5 minutes.

The CHAIRMAN. The Chair recognizes the gentleman from South Carolina [Mr. WATSON].

Mr. WATSON. Mr. Chairman, no doubt mine will be a voice crying in the wilderness with reference to this particular bill because thus far I have yet to hear anyone stand here and say that they are opposed to the bill with or without the Powell amendment. That is the position I stand in now. Lest any of you get the idea I am against vocational education, let me set the record straight. No one is a greater champion of vocational education than I and the people of South Carolina are. In fact, we believe in it so much that last year when I was privileged to serve as a member of the Richmond County delegation in South Carolina our people in our county taxed our own people to spend $425,000 in order to build a technical education center in Richmond County, South Carolina. If that is not enough, I would remind you that my State although we are one of the poorest States so far as per capita income is concerned in the United States, realizing the importance of vocational education, is now in the process of setting up some nine of these technical education centers throughout the State of South Carolina. If that is not enough, as I have read the hearings of the committee here, the State of North Carolina, my sister State, has some 20 of these technical education centers which are now educating some 25,000 or more North Carolinians in vocational education. People speak of discrimination. Who has been discriminatory? Has it been in the areas of South Carolina, North Carolina, and the other southern States? Has it been our southern people who are trying to provide technical education training for our people?

Or, has it been these people who now suddenly come hat in hand to Washington saying, "We cannot do it at home?"

May I ask the Members of the House this question: If poor little South Carolina which is right at the bottom economically speaking in per capita income, can face up to this problem, if we can tax our own people to provide these educational centers for the education of our people, then why cannot big New York do it? Why cannot big California do it?

Why cannot the other States in the Nation meet this need on a local basis?

Mr. Chairman, the basic issue is not whether or not you believe in vocational education. We all believe in that. If this bill is defeated it will not affect one iota the $57 million which we presently have for vocational education. The question on this bill is simply whether or not you want the States and the counties and the individual governmental entities to contine their efforts to provide vocational education, or do you want them to come hat in hand to Washington in order to get $45 million this year, $90 million next year, $135 million the following year, and $180 million thereafter. The question is simply this: Do you believe in local responsibility? Do you believe that the States, even the poorer States as those in the Southland, should continue this effort, or do you want them to rush to Washington, as we are so prone to do now, because that is where the so-called easy money is? The question is whether or not you want the folks to do it at home. We in the Southland yield to no State, area, or section or anyone in the matter of trying to educate our people, both academically and vocationally speaking. I ask you Representatives of other States of the Nation why do you not, with all of your wealth, face up to this responsibility like the poorer Southern States have been trying to face it. Consider it well and I believe you will vote down this bill, because it is not necessary, it will penalize those States which have faced up to the problem without Federal handouts, it will further invade the rights of our States in the field of education and finally because our Federal Treasury cannot stand additional expenditures of this proportion for unwarranted programs.

Mr. KILGORE. Mr. Chairman, I ask unanimous consent that the gentleman from California [Mr. CORMAN] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. CORMAN. Mr. Chairman, I commend my colleague from South Carolina and his State for their efforts in the field of vocational education. I take this opportunity to respond as best I can to his inquiry concerning the efforts of California. I cannot give him figures for our State but can tell him that the Los Angeles City School District, during the past fiscal year, spent $50,400,000 for vocational education and training. This was part of a city school budget which exceeded one-third of a billion dollars. I would not want the gentleman from South Carolina nor this House to worry about the State of California or the city of Los Angeles neglecting its obligation in any phase of public education. I support H.R. 4955 in part because it makes some small contribution to this taxload borne by residents of the city of Los Angeles but more importantly because it may be some incentive to other areas of this Nation to raise their sights as to the needs for vocational training.

Mr. POWELL. Mr. Chairman, I move that all debate on this amendment and all amendments thereto close at 5 minutes after 5 o'clock, the last 5 minutes reserved to the chairman of the Committee on Education and Labor.

The CHAIRMAN. The question is on the motion of the gentleman from New York [Mr. POWELL].

Mr. GROSS. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman from Iowa will state his point of order.

Mr. GROSS. The time cannot be reserved under a motion to limit debate.

The CHAIRMAN. The gentleman is correct.

Mr. POWELL. Then, Mr. Chairman, I move that all debate on this amendment and all amendments thereto close at a quarter after 5 o'clock.

The CHAIRMAN. The question is on the motion of the gentleman from New York.

The motion was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from Louisiana [Mr. WAGGONNER] for 1½ minutes.

Mr. WAGGONNER. Mr. Chairman, we have witnessed here this afternoon a very unusual spectacle. We have seen much controversy over everything except whether this is a bill that has merit or not. Finally, one man has risen to his feet, Mr. WATSON of South Carolina, and attempted to place in proper focus what we are considering this afternoon. That is whether or not you are in favor of Federal aid to vocational education or not.

As a former member of the State board of education in Louisiana, I know that vocational education is good and it will work. The question is are we going to allow vocational education to become completely submissive to the Federal Government and pass legislation now which cannot help but involve complete Federal control by Executive order, whether you want it by amendment or not. That is the decision you must make. Are you for Federal aid to education with Federal control, whether you have civil rights riders now or not? These controls will come later. Wait and see.

Let me point out to you it is rather odd to find some people here discussing civil rights, who have been discussing that subject all afternoon. You have not found many people who really know something about civil rights speaking this afternoon. The battle has been between other elements. The reasons should be obvious to all.

The CHAIRMAN. The Chair recognizes the gentleman from Iowa [Mr. JENSEN].

Mr. JENSEN. Mr. Chairman, I rise in support of this bill, H.R. 4955, just as I have supported all vocational training legislation in the past. Vocational training in all fields has proven of great benefit to millions of our people of all ages, fitting them for a vocation of their own choice.

The acceleration of this program will, I am sure, prove its worth as time goes on, by reducing unemployment to a far greater degree, and costing but a small percentage as compared to the area development program or any other program of that nature that has or can be devised by the mind of man. Also, Mr. Chairman, the benefits provided in such legislation as this, must in all fairness accrue to all our people irrespective of race, color, or creed, hence I shall support such an amendment which I understand will be offered.

The CHAIRMAN. The Chair recognizes the gentleman from New Jersey [Mr. JOELSON].

Mr. JOELSON. Mr. Chairman, I would like to propose a test of the newfound devotion on the right side of the aisle to civil rights. A simple bill has been introduced which would forbid any Government funds for any endeavor in which racial discrimination is practiced.

There is a discharge petition relating to that bill on the desk here. The gentleman from New York [Mr. GOODALL] exhorted us not to be tired liberals, not to be afraid because something might be difficult. Let him give testimony to his attitude by signing the discharge petition, and I would like to ask the gentleman from Ohio [Mr. TAFT] to come forward and sign that discharge petition. I do not expect to be killed in the stampede, but if you really believe that no Federal money should go to segregated projects you will come up here prior to 5:15 p.m. today and sign this petition.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. JOELSON. I yield to the gentleman from New York.

Mr. GOODELL. A discharge petition involves other procedures.

Mr. JOELSON. I do not yield further. The discharge petition refers simply to a bill to outlaw Federal funds for any project in which discrimination is practiced. If you believe in that principle you should come up and sign that petition.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. LINDSAY] for a minute and a half.

Mr. LINDSAY. Mr. Chairman, 8 months have gone by and this Congress has done practically nothing. Meanwhile the windstorms swell across the country, 100 years of failure to fulfill the American promise of freedom, dignity, and equality for every American confronts the Congress, and still the Congress sleeps.

Business as usual is the byword. I have unending respect for the distinguished chairman of my own committee, the Judiciary Committee. He is a good soldier, but my heart bled for him this afternoon when he advocated that Congress do nothing. It is too late for inaction. It is too late because the country will not wait. The Congress can delay no longer. This amendment strikes at the heart of the problem of unemployment in the United States. It will help open up the labor market to all minority groups, and it should be adopted.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. REID] for a minute and a half.

Mr. REID of New York. Mr. Chairman, I feel that the House today is faced with a crucial vote. Whether or not we will face our responsibilities as a Congress and as a nation is before us. There has been much talk of politics. There has been some laughter on the other side of the aisle. I submit that this is a serious question. I submit that we have a real opportunity to exercise leadership in the national interest today. Anybody who has worked seriously in the field of employment and unemployment knows that in the field of vocational training there is a clear need for training for all Americans. In particular we should attach an antidiscrimination amendment to this program. It is my hope that the other side of the aisle will join in a bipartisan opportunity to do something that is basic to the future of our country and take a forward step which is essential to the training opportunities for all Americans.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. RYAN] for a minute and a half.

Mr. RYAN of New York. Mr. Chairman, I rise to support the pending amendment which is consistent with my bill, H.R. 5741, which would deny Federal assistance to any program in which discrimination is practiced. I have consistently supported antidiscrimination amendments, even when I was the only member of my political party to do so. As recently as April 30, when the 1964 Department of Labor, and Health, Education, and Welfare and related agencies appropriation bill was before the House, I proposed amendments to eliminate segregation in the impacted areas program and the Hill-Burton hospital construction program. These amendments were defeated.

The gentleman from Connecticut [Mr. SIBAL] has a short memory, for on April 24, 1963, I spoke and voted for a similar amendment to H.R. 12, the Health Professions Education Act of 1963.

The gentleman from New Jersey [Mr. JOELSON] has suggested that our colleagues on the other side of the aisle can make clear their good faith by signing the discharge petition which I filed for H.R. 5741. I urge all of my colleagues to sign this discharge petition. By passing H.R. 5741, we will remove this kind of an amendment as a political issue.

Mr. Chairman, there is no question about the fact that there is segregation and discrimination in the vocational education program. The Department of Health, Education, and Welfare has informed me that in certain States vocational education programs are operated on a discriminatory basis.

In four States—Alabama, Louisiana, Mississippi, and South Carolina—the vocational programs which are supported with Federal funds are conducted on a completely segregated basis. In fiscal year 1963 $2,987,355 in Federal funds was allocated to these four States for vocational education.

The Civil Rights Commission concluded:

> Federal funds in some places support vocational education that is not strictly separate but palpably unequal even in relation to current employment opportunities for Negroes. Moreover, the pattern of vocational education supported by Federal funds adopts the discriminatory employment patterns of the past and perpetuates them for the future by denying to Negroes the opportunity to obtain training in new fields. To the extent that openings for Negroes do occur in these fields, there are few who are trained to fill them. The circle of discrimination is complete—few are qualified because few will be hired; few will be hired because few are qualified (1961 U.S. Civil Rights Commission Rept. No. 3, p. 104).

The Civil Rights Commission, speaking of Georgia, also reported:

> Many counties offer Federal grant training to whites but not to Negroes (Ibid., p. 99).

Mr. Chairman, the Federal Government should no longer underwrite segregation.

According to the report on H.R. 4955 on page 6, the President's Panel of Consultants on Vocational Education recommended in its report, which reviewed and analyzed Federal vocational education legislation and the program of the States, that vocational education must "make educational opportunities equally available to all regardless of race, sex, scholastic aptitude, or place of residence."

Mr. Chairman, this afternoon the House faces a unique opportunity, an opportunity for the first time this session to pass a civil rights proposal and with Republican support. Let us take the opportunity, and let us do it. Let us show the country right now that we are able in this House of Representatives to write into law what makes only good commonsense and moral sense and what is right, that is, that there shall be no discrimination in the administration or operation of this program which is so important to all of the people of the country. It seems to me that if ever—if ever—it was encumbent upon all of us to march down the aisle in support of civil rights, the time is now. In my opinion from the statements which have been made here today we can obviously pass this bill with a civil rights amendment. So let us do so now, and let us remember that in March 1933, a New Deal Congress amended the Civilian Conservation Corps bill to provide that there should be no discrimination. What has happened in the last 30 years? What progress have we made? In 1963 should we do less? In 1963 are we to say "No. No, we are afraid of what might happen over in the Senate"? Let us call upon the U.S. Senate to act, too. Let us challenge by our vote today the Senate to pass this bill also.

Mr. Chairman, we should meet our obligation now. Segregation can no longer be tolerated in or out of Government programs. If Congress is to play a constructive role in the struggle for liberty, we must take every opportunity to eradicate such affronts to the Constitution.

The CHAIRMAN. The Chair recognizes the gentleman from Missouri [Mr. CURTIS].

Mr. CURTIS. Mr. Chairman, I was most pleased last year that we passed a Manpower Training Act which hits at one of our great economic problems, which is unemployment. There is no question that unemployment for this entire Nation is serious, running around 6 percent. But if there is any group where unemployment particularly hits it is the young Negro, where the rate is not 6 percent but around 20 percent.

This bill is designed—and I am happy to see that it has got bipartisan support, as it should have—is designed to hit at this problem. It becomes very important that we direct our attention to this.

I was really hesitant to take the well of the House after some of the remarks of the gentlemen on the Democratic side. If we have reached the point here—and this is serious for all of us—where we cannot discuss these issues without calling each other phonies then this country is in sad shape; if we cannot conduct a debate on the floor of the House on the merits of an issue without that charge being leveled, we are in sad shape.

I think this is most important—and I am glad that I follow the gentleman from New York [Mr. RYAN]—this is important; this is the core of this bill. I think it is very important that the people on the Democratic side of the aisle realize that indeed this is a breakthrough. Let us get on with it and move on to the big problem of unemployment which is so heavily concentrated among our unskilled and semiskilled people who, unfortunately, largely are our Negro citizens.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. AYRES].

Mr. AYRES. Mr. Chairman, I rise in support of the Bell amendment for a reason that I have not heard mentioned here this afternoon. Those of us who have followed these hearings very closely over the years and who are members of the Committee on Education and Labor are very familiar with how difficult it is for a graduate of a vocational school in the skilled trades to get a job today, white or black. Mr. Meany, who is the president of the AFL-CIO has testified that within the workings of his organization he cannot break down all of the race barriers. He has said he needs the help and the arm of government, that he needs the help and arm of the Congress.

What is going to happen if the House of Representatives refuses to take one little step in the direction of removing discrimination in the vocational field? Today a Negro boy, graduating from a vocational high school in the North, cannot get a job as a plumber, a carpenter, a sheet metal worker or an electrician. He cannot be taken into the apprenticeship program. Right at this very moment, the biggest construction job in the city of Cleveland is tied up because the union refuses to hire two mechanics who are skilled Negro mechanics.

I say to you, Mr. Chairman, that if this House of Representatives does not have the courage to pass this weak amendment then we are saying to organized labor, "We don't care whether you break down the barriers in your apprenticeship program or your race problem; you go ahead and run it as you are." But if we pass this amendment I can assure you, Mr. Chairman, that 4 years from now when these boys who entered the skilled trade schools are graduating and looking for jobs, the union will have to give them jobs, white or black.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. GUBSER].

Mr. GUBSER. Mr. Chairman, I lay no claim to holding a liberal philosophy, but I do say that no man or woman in this House, with 10½ years of tenure, can boast a more liberal voting record on the subject of civil rights than the present occupant of the well of the House. I challenge anyone to dispute that statement.

And so I must say frankly that I resent the blanket indictment of "phony" because I support an amendment in which I deeply believe. I have always gone down this aisle on teller votes in support of antidiscrimination amendments to such things as medical facilities bills, housing bills and all the others, and I have voted for every civil rights bill that has been brought to this floor. I do not believe that consistency of principle should ever be interpreted as "phony."

Why will not this bill pass if this amendment is adopted? This House is controlled by the majority party 277 to 158. The other body is controlled by the Democrats by 67 to 33. Do we mean when we say this will not pass with the Bell amendment included that the principle of civil rights cannot pass these two bodies? In effect are we not saying that the President of the United States is engaging in a meaningless and useless gesture by conveying his recommendations on a civil rights bill to the Congress? We Republicans are not saying this but apparently members of the other party are in the position of saying in effect that their President, President Kennedy, has engaged in such a meaningless gesture.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. Derounian].

Mr. DEROUNIAN. Mr. Chairman, I took this time to apprise the gentleman from California [Mr. Hawkins] that we Republicans are not "phony" on civil rights. I do not mind that he said it. He is a new Member and he does not know the rules. But if we are going to discuss civil rights let us go back to 1957 and find out who voted for what. I noticed the majority leader, the gentleman from Oklahoma [Mr. Albert] when we were called "phonies" by the gentleman from California [Mr. Hawkins] smiling like a squirrel that had just swallowed a walnut and applauding vigorously.

How did the majority leader vote on that civil rights bill in 1957—the first since the Civil War? He voted "no." How did the majority whip, the gentleman from Louisiana [Mr. Boggs] vote? He voted "no." He also signed the southern manifesto in 1954 which stated that desegregation was immoral.

I would suggest to the gentleman from California [Mr. Hawkins] that he spend less time calling Republicans "phonies" and more time importuning his majority leader and majority whip to support civil rights. I do not say they were "phonies" when they voted against civil rights, I say they voted their convictions on civil rights.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. Pucinski].

Mr. PUCINSKI. Mr. Chairman, there are some in this Chamber who for various selfish reasons, are looking to the next election. I will take my chances on the next election and look to the next generation.

I rise in opposition to this amendment because I want to help the thousands upon thousands of children in Chicago, Negro and white, who for the first time under this legislation would have an opportunity to participate in vocational training.

The gentleman from New York made all sorts of speeches here as did the previous speaker, but nobody in this Chamber can deny that under a parliamentary situation over which this House has no control, the other body can tie this legislation up and talk it to death through a filibuster if the Bell amendment is included in this bill. No one can deny this, despite all the speeches we have heard around here today. If I lived in Aiken, S.C., with the Federal installations there, maybe I too might be against this bill. I too wouldn't need this bill because of all the Federal money Aiken gets from the aid to impacted areas bill.

But under the legislation before us, this is the first time that we have an opportunity to help the urban areas of America which have been the recipients of this tremendous immigration of families from rural areas into the urban areas. This bill, for the first time, makes Chicago and other large urban areas eligible for Federal aid to vocational training. For that reason, I hope this amendment will be defeated. Let us get on with this bill. Let us enact meaningful legislation which will help a city like Chicago shift part of the present burden for maintaining our public schools' vocational education program from the real estate tax payer in my district to the Federal Government. After all, Mr. Speaker, when thousands of families exercise their constitutional right and move from another State to Illinois, I don't know why the taxpayer in my district should be forced to carry the full burden of providing education for these migrant families. Once these migrant families exercise their Federal right to move from one State to another, I believe the Federal Government should assume part of the cost.

The CHAIRMAN. The Chair recognizes the gentleman from Wisconsin [Mr. Byrnes].

Mr. BYRNES of Wisconsin. Mr. Chairman, I am a little flabbergasted by some of the rationale or logic that is used to oppose the Bell amendment. I thought that in this day and age we were supposed to think positively yet I have never heard such negative thinking as has been expressed in opposing the Bell amendment. You do not dare adopt something that you believe in, we are told. Those on the other side who are against the amendment stand up and tell us, "Oh, we are for it, but we do not dare vote for it because it might defeat the bill."

And yet, at the same time I think we must recognize one of the major programs of the administration is a broad civil rights legislation. Committees are now considering legislation of a broad nature. Are you saying that this is all a useless gesture and that that cannot be passed and, therefore, the committee should stop considering it? Anybody who votes against this amendment on the rationale that we cannot have this amendment because it would kill the bill might just as well say to us and to the President and to members of the Committee on the Judiciary—stop wasting your time in trying to report out a civil rights bill. If a civil rights amendment will kill this bill, how pray tell, can you ever pass a civil rights bill?

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota [Mr. Quie].

Mr. QUIE. Mr. Chairman, it must be difficult for many people in this Chamber and in this country to realize that the Republicans are giving wholehearted and strong support to the vocational education bill. They have been trying to claim all the time that the Republicans are obstructionists. But when we have a measure that we believe in, we work as hard as we can for that program. All of us on the committee have taken that positive position, and that is what we are doing now.

Last night my phone was ringing from people saying that they heard that Republicans on the policy committee took a position in opposition to this legislation. Evidently, some people started spreading that story around to discredit Republicans. Then it is claimed that because we believe in equal rights for people who will utilize vocational education, which is a most important thing, that we really are against the whole bill. We have decided to make this fight at a time when we are strongly in support of a bill. I have indicated my support for this bill. In fact, you know of my strong support for the college education bill and nobody needs to wonder about that. I have told my fellow members on the Committee on Education and Labor that I am ready to vote for a civil rights amendment on that bill any time because I believe civil rights is that important this year. We are going to push it.

In the event you people do not see fit to support the Bell amendment, we are going to offer a motion to recommit which will be offered by the gentleman from Kentucky [Mr. Snyder] so that all can be on record today show whether they favor civil rights or not. The decision is 1963. It cannot be put off until some other time. We cannot wait until some grand program is offered to us. Now, today, at this time we make our decision.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. Powell] to close debate.

Mr. POWELL. Mr. Chairman and colleagues, as I said earlier during general debate, when the Powell amendment came up, it would be a matter of conscience. So all I want to do is to stand here not as chairman of the Committee on Education and Labor or as a Democrat, not even as a Member of the Congress, but just as an American citizen and to state simply one or two facts.

The Powell amendment was initiated back in 1954. The Powell amendment has passed. When I was a fledgling Congressman, I offered it, not knowing about the philosophy of the Powell amendment concept in full, to the school lunch program. It passed this House and the other body and became the law of the land. In 1960 the Powell amendment passed this body. True, it died in the Committee on Rules, but with this manifestation by people who belong to the Rules Committee on the other side, I do not see why it or any other legislation cannot come out.

I do not like the word "phony" in the world of civil rights. Civil rights to me is what Israel is to the Jew or as sacred as Ireland is to an Irishman or Catholicism is to a Catholic. Civil rights goes way beyond the matter of being Republican or Democrat. There are phonies on both sides of this aisle. We all know that. I have been here 20 years. So let us not talk about phonies because, if you do, you will be talking about both sides of the aisle and not just one.

My committee is a bipartisan committee. We have worked hard to whip this legislation together. Out of our committee we bring legislation after legislation on a bipartisan basis; and those Democrats on my committee know that. There are some we cannot convert—it is true—such as the gentleman from Kentucky [Mr. Snyder] who is going to offer a motion to recommit. But, we like each other. There is no finer person than the gentleman from California [Mr. Bell]. I know him personally and socially, he and his wife and my wife and I. So let no one say that he is insincere.

My concern is this, that this House is rapidly becoming a second-class body with a growing, massive, inferiority complex. Every time anything comes up we say, "The other body, the other body." What are we doing here? When we go home let it be a unicameral body representing a legislative body, not bicameral. Let us live up to our own conscience, and my conscience when I walk down that aisle is going to meet 180 million people, 20 million people black; and after that, God. And, I am going to vote my conscience.

The CHAIRMAN. The time of the gentleman from New York has expired. All time has expired.

The question is on the amendment offered by the gentleman from California [Mr. Bell].

Mr. BELL. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. Bell and Mr. Perkins.

The Committee divided, and the tellers reported that there were—ayes 146, noes 194.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. CAHILL

Mr. CAHILL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. Cahill: Page 50, line 25, strike out "under public supervision and control" and insert "in public or other nonprofit educational institutions".
>
> Page 53, lines 5 and 6, strike out "other public" and insert "public or other nonprofit".

Mr. CAHILL. Mr. Chairman, those of you who were here when we were talking on the bill will know the purpose of this amendment. For those who were not here let me briefly explain it. It is a very uncomplicated amendment. On page 50 of the bill the definition given of vocational education is this: It means "vocational or technical training or retraining which is given in schools or classes—including field or laboratory work incidental thereto—and these are the key words—"under public supervision and control or under contract with a State board or local educational agency."

This amendment would strike those words and it would make the provisions of this bill, if passed, applicable not only to pupils and students of public institutions but would also make this bill applicable to nonprofit educational institutions.

As I indicated in my earlier statement to the House, this would apply to Boys Town and Moose Heart and institutions like that, as well as religious institutions of all denominations.

I think you all understand the purpose of the amendment. Let me just say this one word. I am sure that the chairman of this committee, being interested as he is in the elimination of discrimination in any guise, should accept the amendment.

Let me point out that most of these private institutions are supported and are in existence today largely because of vocations, and vocations do not supply machinery. Usually people with vocations do not have technical skills. Therefore, I would say to you that if the public institutions need this type of legislation a fortiori, so do the private institutions, and I would hope, therefore, that the House and especially the committee headed by the eminent chairman from New York, will accept this amendment.

Mr. THOMPSON of New Jersey. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, it is with some reluctance that I take the floor to oppose the amendment of my distinguished colleague from New Jersey. In this instance I feel, however, that it should be done and that the issue should be clarified.

Unlike many other educational programs the moneys under these longstanding acts are allocated not to the institutions of learning, to the schools themselves, but specifically to the States themselves. If, indeed, there is merit to the gentleman's suggestion, and I think that there is, the remedy is to pass this legislation as it is, allocate the moneys to the States and then to make the appeal for the specific institutions within the States to the chief State school officer.

Mr. CAHILL. Mr. Chairman, will the gentleman yield for a question?

Mr. THOMPSON of New Jersey. I yield to my colleague from New Jersey.

Mr. CAHILL. Will the gentleman and will the committee explain whether or not the State of New Jersey, for example, if granted funds under this bill would have a legal right to in turn make contributions to the parochial school system of New Jersey?

Mr. THOMPSON of New Jersey. I would say to the gentleman that we would have to review the constitutions of the 50 States. In the State of New Jersey the answer would be in the affirmative. In many other States, indeed I think the majority, the answer would be that their constitutions prohibit it. But the gentleman's amendment will not remedy the situation. I respectfully suggest to him that the moneys under this formula will go to the States and the disposition is made there.

Mr. CAHILL. Mr. Chairman, will the gentleman yield further for one question?

Mr. THOMPSON of New Jersey. Yes, indeed.

Mr. CAHILL. Will the gentleman, as a member of the committee, tell me whether it was the opinion of the committee and whether the committee intended, that these funds should be used for public and private institutions alike?

Mr. THOMPSON of New Jersey. I am sorry I cannot answer that specifically because I do not think that the issue was raised in that context for the reason which I am explaining; the reason being it did not become an issue in this legislation, I will say to my colleague, because the money goes to the State. There is no opportunity, as there is in the National Defense Education Act, to make specific and categorical allocations.

Mr. POWELL. Mr. Chairman, will the gentleman yield to me?

Mr. THOMPSON of New Jersey. I yield to the chairman of the committee.

Mr. POWELL. In answer to the question of our colleague from New Jersey the State and the State alone is the body that distributes these funds. In section 8, for example, on page 50, we find:

> The term "vocational education" means vocational or technical training or retraining which is given in schools or classes * * * under public supervision and control or under contract with a State board or local educational agency,

It is up to the State.

Mr. CAHILL. Mr. Chairman, will the gentleman yield to me so I may ask the chairman a question?

Mr. THOMPSON of New Jersey. I yield.

Mr. CAHILL. I would like to ask why on page 43 of the bill where you deal with the 5 percent and you deal with those appropriations that go for experimental, developmental or pilot programs you specifically point out nonprofit agencies, but in the rest of the bill you do not spell it out, and therefore it would seem to me exclude it.

Mr. THOMPSON of New Jersey. I believe that the language which the Chairman has just read explains that very specifically. In other words, the State is at liberty under contract to make disposition of funds that the gentleman would desire. It is my considered opinion in this context that this amendment will not achieve the gentleman's purpose and should be defeated.

Mr. CAHILL. Mr. Chairman, will the gentleman yield for one other question?

Mr. THOMPSON of New Jersey. I yield.

Mr. CAHILL. Would it not be the gentleman's opinion that if this is the thought and this is the desire of the committee that the best way to clarify it would be to accept this amendment and therefore make it crystal clear to the States that this was the intention of the Congress?

Mr. THOMPSON. of New Jersey. I cannot agree with my distinguished colleague who is a distinguished lawyer as well because I do not think his amendment is designed in sufficient depth to achieve his purpose.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey [Mr. Cahill].

The question was taken; and on a division (demanded by Mr. Cahill) there were—ayes 44, noes 123.

So the amendment was rejected.

Mr. CURTIS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I take this time to discuss some of the fiscal aspects of this bill. On page 12 of the committee report we have the figures to show how it increases from $45 million, on top of the basic $57 million, for the first fiscal year, to $90 million, then to $135 million, and then to $180 million, and so on.

Very frankly, I am very much concerned about any program that increases this rapidly, knowing that we have the problem of getting adequate teachers. However, I know the committee has gone into this and I am willing to accept their judgment that this can be done and leave the details to the Appropriations Committee to be certain the programs will have realistic planning.

The main fiscal aspects I want to address myself to are for the record, and also to some of my colleagues on my side of the aisle who are concerned about the budget.

I do recognize that this is beyond the President's request and the President's budget to some degree. I feel, though, that this program is going to do more in the way of removing some of these Federal expenditures that we have in the many areas where we seek to cope with unemployment than any single thing I can think of. This bill is directing our attention to the real economic problem, unemployment. We transfer a person from the unemployed side of the ledger to the employed side and we gain a taxpayer and lose a public charge. Our society gains in gross national product and the individual gains in dignity.

The primary thing I want to call attention to is that this program of vocational education conforms to the Republican position. This is the way to go at the unemployment problem. The costly proposals of the administration of area redevelopment, accelerated public works, youth opportunity, domestic peace corps, and trade adjustment do not hit at the basic problem. And I might add the biggest and most costly programs in the field of vocational education are hardly ever mentioned, the ones conducted by the Military Establishment, which are redundant to a large degree with the civilian educational programs. These administration proposals total up, exclusive of the military, to over $2 billion.

So let me assure my friends who are concerned about the budget, that if we can hold the line on these other kinds of programs which run up to around $2 billion and which do not reach in and hit at the problem of unemployment, we can well spend one-tenth the money right here and get good results, and we will be almost $2 billion closer to a balanced budget.

Mr. POWELL. Mr. Chairman, may I inquire how many amendments are at the desk?

The CHAIRMAN. There are no amendments at the desk.

Mr. POWELL. Then, Mr. Chairman, if no Members desire to offer further amendments, I move that all debate close in 5 minutes.

The motion was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. GUBSER].

Mr. GUBSER. Mr. Chairman, for obvious reasons the Nation's press is not able to report the partisan lineups which occur on teller votes. I observed the number of Democrats going through the "yea" line for the Bell amendment and the number of Republicans going through the "nay" line and would like to report the results of that observation for the record.

My count shows that 142 Republicans——

Mr. POWELL. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state the point of order.

Mr. POWELL. Mr. Chairman, I do not believe that that can be done under the rules of the House.

The CHAIRMAN. The gentleman may not mention the names of the Members who voted.

The point of order is overruled.

The Chair recognizes the gentleman from California [Mr. GUBSER].

Mr. GUBSER. Mr. Chairman, my count shows that 142 Republicans voted against discrimination and 185 Democrats voted for discrimination.

The CHAIRMAN. The Chair recognizes the gentleman from Georgia [Mr. WELTNER].

Mr. WELTNER. Mr. Chairman, it is a distinct privilege to speak in support of H.R. 4955 the Vocational Education Act of 1963. My own State of Georgia has made great contributions to the Nation in this field. It was Senator Hoke Smith and Congressman Dudley Hughes, both of Georgia, who authored the Smith-Hughes Vocational Act of 1917.

The late Senator Walter George, of Georgia, was the moving figure in the George-Barden Act, some 30 years later. This firm support for vocational education is continued by my colleague, the Honorable PHIL LANDRUM, of the Ninth District of Georgia.

Mr. Chairman, I would like to quote briefly from a report of a commission that was concerned with the problems of equipping young people for making a living:

> There is a great and crying need of providing vocational education of this character for every part of the United States—to conserve and develop our resources; to promote a more productive and prosperous agriculture; to prevent the waste of human labor; to supplement apprenticeship; to increase the wage-earning power of our productive workers; to meet the increasing demand for trained workmen; to offset the increased cost of living.

One would think this written only yesterday. Yet, it is contained in the report of the first Commission on National Aid to Vocational Education. Its date is the year 1914. Thus it is seen that vocational education is a continuing need. The goals described in that report are more pressing today than ever—for in 1914 there was no such word as "automation", no such term as "dropout."

I need not reiterate what has been so ably stated today concerning the effects of automation and its great human impact. During the last 10 years, total employment in the United States rose by 11 percent. There was in this period a 67-percent increase in the number of professional and technical workers, a 12-percent increase in the number of craftsmen and foremen, and only a 4-percent increase in the number of laborers.

During the past 15 years the percentage of white-collar workers rose from 35 percent to 44 percent; the percentage of blue-collar workers dropped from 41 percent to 36 percent. It is unmistakenly true that the economy of America today demands—not so much strength as skill—not so much brawn as training.

My own State of Georgia presents a compelling example of this change. Whereas we were once overwhelmingly rural, Georgia's population is now almost 60 percent urban. Whereas agriculture was once the major source of personal income, today it accounts for less than 7 percent. And what has happened to Georgia has occurred throughout the United States, in varying degrees.

The categorical restrictions in the Smith-Hughes Act, valid in the days of its passage, have long since become outmoded. For instance, in my State, we are spending 70 percent of vocational funds for agriculture, a field that produces less than 7 percent of personal income.

It is obvious that a sound vocational program must provide the skills that are needed today, and will be needed tomorrow. It does little good to train cabinet makers when cabinets are made by machines. It does little good to teach agricultural skills, when those skills will not be utilized.

H.R. 4955 has been termed the most significant legislation in this field since the Landmark Act of 1917. It is significant in that it recognizes that times have changed and with them, the skills modern industry demands.

It is significant in that it removes some of the strictures of the Smith-Hughes Act and the George-Barden Act—because it broadens the definition of vocational agriculture and of home economics. This bill seeks to train for tomorrow, not for yesterday. I would commend the members of the committee for their work in fashioning this program, and in drawing legislation that is practical, realistic, and effective.

Mr. Chairman, if we are ever to solve our problems of unemployment, it will not be by increased or extended unemployment benefits, but by legislation such as the Vocational Education Act of 1963, the Manpower Development and Training Act, and retraining provisions such as those of the Area Redevelopment Act and the Trade Expansion Act. If we are ever to assure equality of opportunity, then we must first provide opportunity. That will be done, not through shortsighted and unworkable expedients, but through long-term efforts such as H.R. 4955.

Our world today is far too complex for quick and easy solutions. The problem of upgrading skills will not be accomplished overnight. But with the passage of this bill, Mr. Chairman, and with diligent and careful administration by local school systems, it will be accomplished.

The CHAIRMAN. All time has expired.

The question is on the committee substitute amendment.

The committee substitute amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose, and the Speaker having resumed the Chair, Mr. BOLLING, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 4955) to strengthen and improve the quality of vocational education and to expand the vocational education opportunities in the Nation, pursuant to House Resolution 469, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. SNYDER. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Kentucky rise?

Mr. SNYDER. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. SNYDER. I am opposed to the bill in its present form, Mr. Speaker.

Mr. PERKINS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state the parliamentary inquiry.

Mr. PERKINS. Mr. Speaker, is a motion to recommit from a Member for a specific purpose in order when the gentleman offering the motion is against the bill in its entirety?

The SPEAKER. The Chair will state that the gentleman from Kentucky has stated he is opposed to the bill in its present form; and, of course, the bill that is now before the House is the bill, as it is, in its present form.

The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. SNYDER moves to recommit the bill, H.R. 4955, to the Committee on Education and Labor with directions to report it back forthwith, with the following amendment: On page 46, line 17 (SEC. 5(a)), strike out the period and insert in lieu thereof, "; and", and add the following new paragraph:

"(8) Provides that after June 30, 1965, any program assisted with funds appropriated under this Act shall be operated, and students admitted thereto, on a racially nondiscriminatory basis."

On page 60, after line 16, insert the heading "NONDISCRIMINATION" and the following new section:

"SEC. 13. (a) Section 8 of the Act of February 23, 1917 (relating to vocational education) is amended by inserting "(a)" after "SEC. 8" and by adding at the end thereof the following new subsection:

"'(b) After June 30, 1965, each State plan shall require that any vocational education program assisted with funds appropriated under this Act shall be operated, and students admitted thereto, on a racially nondiscriminatory basis.'

"(b) Section 203(a) of the Vocational Education Act of 1946 is amended by striking out 'and' at the end of clause (4), by striking out the period at the end of clause (5) and inserting in lieu thereof '; and', and by adding at the end thereof the following:

"'(6) after June 30, 1965, provide that any practical nurse training program assisted with funds appropriated under this title will be operated, and students admitted thereto, on a racially nondiscriminatory basis.'"

On page 60, line 18, strike out "SEC. 13" and insert in lieu thereof "SEC. 14".

On page 61, line 2, strike out "SEC. 14" and insert in lieu thereof "SEC. 15".

Mr. SNYDER (interrupting the reading of the motion to recommit). Mr. Speaker, I ask unanimous consent that further reading of this motion be dispensed with, with the statement that this is the Bell amendment.

The SPEAKER. And that it be considered as read at this point in the RECORD?

Mr. SNYDER. Yes, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The SPEAKER. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

Mr. SNYDER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 181, nays 217, answered "present" 1, not voting 34, as follows:

[Roll No. 115]

YEAS—181

Abele
Adair
Alger
Anderson
Arends
Ashbrook
Auchincloss
Avery
Ayres
Baldwin
Barry
Bates
Becker
Beermann
Bell
Bennett, Mich.
Berry
Betts
Bolton,
  Frances P.
Bolton,
  Oliver P.
Bow
Bray
Brock
Bromwell
Broomfield
Brotzman
Brown, Ohio
Bruce
Burton
Byrnes, Wis.
Cahill
Cederberg
Chamberlain
Chenoweth
Clancy
Clausen,
  Don H.
Clawson, Del
Cleveland
Cohelan
Collier
Conte
Corbett
Cunningham
Curtin
Curtis
Dague
Daniels
Derounian
Devine
Dole
Dwyer
Ellsworth
Farbstein
Feighan
Findley
Fino
Ford
Foreman
Frelinghuysen
Fulton, Pa.
Gallagher
Gavin
Gilbert
Glenn
Goodell
Goodling
Green, Oreg.
Gross
Grover
Gubser
Gurney
Hall
Halleck
Halpern
Harrison
Harsha
Harvey, Ind.
Harvey, Mich.
Hoeven
Hoffman
Horan
Horton
Hosmer
Hutchinson
Jensen
Joelson
Karsten
Kastenmeier
Keith
King, N.Y.
Kunkel
Kyl
Laird
Langen
Latta
Lindsay
Lipscomb
Lloyd
McClory
McCulloch
McDade
McIntire
McLoskey
MacGregor
Mailliard
Martin, Calif.
Martin, Nebr.
Mathias
May
Michel
Milliken
Minish
Moore
Morse
Morton
Mosher
Nelsen
Nix
Norblad
O'Hara, Ill.
O'Konski
Osmers
Ostertag
Pelly
Pillion
Pirnie
Powell
Price
Quie
Reid, Ill.
Reid, N.Y.
Reifel
Reuss
Rhodes, Ariz.
Rich
Riehlman
Robison
Rodino
Rogers, Colo.
Rooney, N.Y.
Roudebush
Rumsfeld
Ryan, N.Y.
St. George
Saylor
Schadeberg
Schenck
Schneebeli
Schweiker
Schwengel
Secrest
Senner
Short
Shriver
Sibal
Siler
Skubitz
Smith, Calif.
Snyder
Springer
Stafford
Stinson
Sullivan
Taft
Talcott
Teague, Calif.
Thomson, Wis.
Tollefson
Tupper
Utt
Vanik
Weaver
Westland
Whalley
Wharton
Widnall
Wilson, Bob
Wilson, Ind.
Wydler
Wyman
Younger

NAYS—217

Abbitt
Addabbo
Albert
Andrews
Ashley
Ashmore
Aspinall
Baker
Barrett
Bass
Beckworth
Bennett, Fla.
Boggs
Boland
Bolling
Bonner
Brademas
Brooks
Brown, Calif.
Broyhill, N.C.
Broyhill, Va.
Burke
Burkhalter
Burleson
Byrne, Pa.
Cameron
Cannon
Carey
Casey
Celler
Chelf
Clark
Cooley
Corman
Daddario
Davis, Ga.
Davis, Tenn.
Dawson
Delaney
Dent
Denton
Dingell
Donohue
Dorn
Dowdy
Downing
Dulski
Duncan
Edmondson
Edwards
Elliott
Everett
Fallon
Fascell
Finnegan
Fisher
Flood
Flynt
Fogarty
Forrester
Fountain
Fraser
Friedel
Fulton, Tenn.
Garmatz
Gary
Gathings
Giaimo
Gibbons
Gill
Gonzalez
Grabowski
Grant
Gray
Green, Pa.
Griffiths
Hagan, Ga.
Hagen, Calif.
Haley
Hanna
Hansen
Harding
Hardy
Harris
Hawkins
Hays
Healey
Hébert
Hechler
Hemphill
Henderson
Herlong
Holifield
Holland
Huddleston
Hull
Ichord
Jarman
Jennings
Johnson, Calif.
Johnson, Wis.
Jonas
Jones, Ala.
Karth
Kee
Keogh
Kilgore
King, Calif.
Kirwan
Kluczynski
Kornegay
Landrum
Lankford
Leggett
Lennon
Lesinski
Libonati
Long, La.
Long, Md.
McDowell
McFall
McMillan
Madden
Mahon
Marsh
Matsunaga
Matthews
Mills
Monagan
Montoya
Moorhead
Morgan
Morris
Morrison
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
Nedzi
O'Brien, N.Y.
O'Hara, Mich.
Olsen, Mont.
Olson, Minn.
O'Neill
Passman
Patman
Patten
Pepper
Perkins
Philbin
Pike
Pilcher
Poage
Poff
Pool
Pucinski
Purcell
Quillen
Rains
Randall
Rhodes, Pa.
Rivers, Alaska
Rivers, S.C.
Roberts, Ala.
Roberts, Tex.
Rogers, Fla.
Rogers, Tex.
Rooney, Pa.
Roosevelt
Rosenthal
Rostenkowski
Roush
Roybal
Ryan, Mich.
St Germain
St. Onge
Scott
Selden
Sheppard
Shipley
Sickles
Sisk
Slack
Smith, Iowa
Smith, Va.
Staebler
Staggers
Steed
Stephens
Stratton
Stubblefield
Taylor
Teague, Tex.
Thomas
Thompson, La.
Thompson, N.J.
Thompson, Tex.
Thornberry
Toll
Tuck
Tuten
Udall
Ullman
Van Deerlin
Waggonner
Watson
Watts
Weltner
White
Whitener
Wickersham
Willis
Wright
Young
Zablocki

ANSWERED "PRESENT"—1

Diggs

NOT VOTING—34

Abernethy
Baring
Battin
Belcher
Blatnik
Buckley
Colmer
Cramer
Derwinski
Evins
Fuqua
Griffin
Johansen
Jones, Mo.
Kelly
Kilburn
Knox
Macdonald
Martin, Mass.
Meader
Miller, Calif.
Miller, N.Y.
Minshall
O'Brien, Ill.
Shelley
Sikes
Trimble
Van Pelt
Vinson
Wallhauser
Whitten
Williams
Wilson,
  Charles H.
Winstead

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Wallhauser for, with Mr. Shelley against.

Mr. Johansen for, with Mr. Miller of California against.

Mr. Derwinski for, with Mr. Cramer against.

Mr. Griffin for, with Mr. Buckley against.

Mr. Miller of New York for, with Mr. Sikes against.

Mr. Kilburn for, with Mr. Trimble against.

Mr. Minshall for, with Mr. Evins against.

Until further notice:

Mr. Colmer with Mr. Battin.

Mr. Whitten with Mr. Martin of Massachusetts.

Mr. Winstead with Mr. Knox.

Mr. Williams with Mr. Meader.

Mr. Abernethy with Mr. Van Pelt.

Mr. Blatnik with Mr. Belcher.

Mr. Macdonald with Mr. Baring.

Mrs. Kelly with Mr. O'Brien of Illinois.

Mr. Fuqua with Mr. Vinson.

Mr. BARRETT changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

Mr. POWELL. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 378, nays 21, not voting 34, as follows:

[Roll No. 116]

YEAS—378

Abbitt
Abele
Adair
Addabbo
Albert
Anderson
Arends
Ashley
Aspinall
Auchincloss
Avery
Ayres
Baker
Baldwin
Barrett
Barry
Bass
Bates
Becker
Beckworth
Bell
Bennett, Fla.
Bennett, Mich.
Berry
Betts
Boggs
Boland
Bolling
Bolton, Frances P.
Bolton, Oliver P.
Bonner
Bow
Brademas
Bray
Brock
Bromwell
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Burke
Burkhalter
Burton
Byrne, Pa.
Byrnes, Wis.
Cahill
Cameron
Cannon
Carey
Casey
Cederberg
Celler
Chamberlain
Chelf
Chenoweth
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Cohelan
Collier
Conte
Cooley
Corbett
Corman
Cunningham
Curtin
Curtis
Daddario
Dague
Daniels
Davis, Ga.
Davis, Tenn.
Dawson
Delaney
Dent
Denton
Derounian
Devine
Diggs
Dingell
Dole
Donohue
Dowdy
Downing
Dulski
Duncan
Dwyer
Edmondson
Edwards
Elliott
Ellsworth
Everett
Fallon
Farbstein
Fascell
Feighan
Findley
Finnegan
Fino
Fisher
Flood
Flynt
Fogarty
Ford
Forrester
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Gallagher
Garmatz
Gary
Gathings
Gavin
Giaimo
Gibbons
Gilbert
Gill
Glenn
Gonzalez
Goodell
Goodling
Grabowski
Grant
Gray
Green, Oreg.
Green, Pa.
Griffiths
Gross
Grover
Gubser
Hagan, Ga.
Hagen, Calif.
Haley
Hall
Halleck
Halpern
Hanna
Hansen
Harding
Hardy
Harris
Harrison
Harsha
Harvey, Ind.
Harvey, Mich.
Hawkins
Hays
Healey
Hébert
Hechler
Henderson
Herlong
Hoeven
Hoffman
Holifield
Holland
Horan
Horton
Hosmer
Huddleston
Hull
Hutchinson
Ichord
Jarman
Jennings
Jensen
Joelson
Johnson, Calif.
Johnson, Wis.
Jonas
Jones, Ala.
Karsten
Karth
Kastenmeier
Kee
Keith
Keogh
Kilgore
King, Calif.
King, N.Y.
Kirwan
Kluczynski
Kornegay
Kunkel
Kyl
Laird
Landrum
Langen
Lankford
Latta
Leggett
Lennon
Lesinski
Libonati
Lindsay
Lipscomb
Lloyd
Long, Md.
McClory
McCulloch
McDade
McDowell
McFall
McIntire
McLoskey
MacGregor
Madden
Mahon
Mailliard
Marsh
Martin, Calif.
Martin, Nebr.
Mathias
Matsunaga
Matthews
May
Michel
Milliken
Mills
Minish
Monagan
Montoya
Moore
Moorhead
Morgan
Morris
Morrison
Morse
Morton
Mosher
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
Nedzi
Nelsen
Nix
Norblad
O'Brien, N.Y.
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neill
Osmers
Ostertag
Passman
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pike
Pilcher
Pillion
Pirnie
Poage
Poff
Powell
Price
Pucinski
Purcell
Quie
Quillen
Rains
Randall
Reid, Ill.
Reid, N.Y.
Reifel
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Rich
Riehlman
Rivers, Alaska
Roberts, Ala.
Roberts, Tex.
Rodino
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Rostenkowski
Roudebush
Roush
Roybal
Rumsfeld
Ryan, Mich.
Ryan, N.Y.
St. George
St Germain
St. Onge
Saylor
Schadeberg
Schenck
Schneebeli
Schweiker
Schwengel
Scott
Secrest
Selden
Senner
Sheppard
Shipley
Short
Shriver
Sibal
Sickles
Siler
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, Va.
Springer
Staebler
Stafford
Staggers
Steed
Stephens
Stinson
Stratton
Stubblefield
Sullivan
Taft
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thomas
Thompson, La.
Thompson, N.J.
Thompson, Tex.
Thomson, Wis.
Thornberry
Toll
Tollefson
Tuck
Tupper
Tuten
Udall
Ullman
Van Deerlin
Vanik
Watts
Weaver
Weltner
Westland
Whalley
Wharton
White
Whitener
Wickersham
Widnall
Willis
Wilson, Bob
Wilson, Ind.
Wright
Wydler
Wyman
Young
Younger
Zablocki

NAYS—21

Alger
Andrews
Ashbrook
Ashmore
Beermann
Bruce
Burleson
Dorn
Foreman
Gurney
Hemphill
Long, La.
McMillan
Pool
Rivers, S.C.
Robison
Rogers, Tex.
Snyder
Utt
Waggonner
Watson

NOT VOTING—34

Abernethy
Baring
Battin
Belcher
Blatnik
Buckley
Colmer
Cramer
Derwinski
Evins
Fuqua
Griffin
Johansen
Jones, Mo.
Kelly
Kilburn
Knox
Macdonald
Martin, Mass.
Meader
Miller, Calif.
Miller, N.Y.
Minshall
O'Brien, Ill.
Shelley
Sikes
Trimble
Van Pelt
Vinson
Wallhauser
Whitten
Williams
Wilson, Charles H.
Winstead

So the bill was passed.

The Clerk announced the following pairs:

Mr. Blatnik with Mr. Battin.

Mr. Colmer with Mr. Miller of New York.

Mr. Winstead with Mr. Johansen.

Mr. Williams with Mr. Belcher.

Mr. Whitten with Mr. Martin of Massachusetts.

Mr. Abernethy with Mr. Van Pelt.

Mr. Evins with Mr. Minshall.

Mr. Sikes with Mr. Cramer.

Mr. Fuqua with Mr. Meader.

Mr. Macdonald with Mr. Kilburn.

Mrs. Kelly with Mr. Griffin.

Mr. Vinson with Mr. Knox.

Mr. Buckley with Mr. Derwinski.

Mr. Miller of California with Mr. Wallhauser.

Mr. Shelley with Mr. Baring.

Mr. O'Brien of Illinois with Mr. Charles H. Wilson.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. PERKINS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed, H.R. 4955.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

LEGISLATIVE PROGRAM FOR THE BALANCE OF THE WEEK

Mr. MORSE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MORSE. Mr. Speaker, may I inquire of the majority leader as to the program for tomorrow and the balance of the week?

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. MORSE. I yield to the majority leader.

Mr. ALBERT. It is planned to take up the rule on H.R. 7824, which makes in order the consideration of the debt limit bill, which we will consider on Thursday.

Mr. MORSE. Will we proceed on this tomorrow?

Mr. ALBERT. We are going to take up the rule tomorrow but we are not going to take up the bill.

COMMITTEE ON RULES

Mr. ALBERT. Mr. Speaker, if the gentleman will yield for that purpose, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file a report.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

HON. WRIGHT PATMAN

Mr. VANIK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. VANIK. Mr. Speaker, I take this time to direct the attention of the House to the fact that today is the 70th birthday of the distinguished chairman of the House Committee on Banking and Currency, the gentleman from Texas, the Honorable WRIGHT PATMAN. Mr. PATMAN has served this Congress for over 35 years. After this long period of diligent and vigorous public service he looks younger and acts with greater courage and energy than many of us who have been here a much shorter period of time. I think it is remarkable that he has been able to give us this fine period of service. I certainly want to congratulate Mr. PATMAN on this occasion.

Mr. GONZALEZ. Mr. Speaker, will the gentleman yield?

Mr. VANIK. I yield to the gentleman from Texas.

Mr. GONZALEZ. Mr. Speaker, it is a real privilege to rise in recognition of the dean of the Texas delegation, the Honorable WRIGHT PATMAN. Especially is it gratifying to me for the main and simple reason that ever since I was a student in high school, and even before then, I was very much aware of the tremendous contribution that the gentleman from Texas [Mr. PATMAN] had made and was in the process of making in behalf of the Government, in behalf of the recognition of the small businessman, and in behalf of the recognition of a tradition that has been rooted in American history.

Mr. PATMAN symbolizes not only to those of us who come from Texas but to the entire country the wholesome aspects of representative democracy. He has taken on some formidable opposition at times. Some of the most powerful financial and vested interests have on various and sundry occasions hurled tremendous sums of money against him in his district seeking his defeat, merely because he symbolized this constant fight on behalf of the small businessman, the plain, average citizen.

In addition, Mr. PATMAN has contributed greatly to the knowledge and understanding of the processes of American government which you and I must apply in this day and time. He is the author of a booklet that has been used extensively, particularly in Texas, by high school children, in which questions and answers relative to the fundamentals of American government have been very intelligently set forth.

Mr. Speaker, I conclude by invoking the grace of the Almighty to give a long continued and fruitful life to our distinguished dean of the Texas delegation, WRIGHT PATMAN, of Patman's Switch, Tex., chairman of the House Committee on Banking and Currency.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. VANIK. I yield to the majority leader.

Mr. ALBERT. I join the distinguished gentleman from Ohio in wishing a happy birthday to the distinguished gentleman from Texas [Mr. PATMAN]. He is one of the most courageous, one of the most industrious, one of the most effective Members of the House of Representatives.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. VANIK. I am happy to yield to the distinguished Speaker, the gentleman from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK. Mr. Speaker, WRIGHT PATMAN is one of the dedicated Members of the National House of Representatives. He is an inspiration to me and has been, for many years, for his dedicated service, his fine, noble and beautiful outlook on life, his courage and his outstanding ability. Even those who disagree with him, and I do not, for he and I have a common outlook on legislation and on the conduct of government, have profound respect for WRIGHT PATMAN. I am indeed fortunate, as are all others who enjoy his friendship. I congratulate WRIGHT PATMAN on his birthday anniversary and extend to him my very best wishes for countless future anniversaries.

Mr. VANIK. I thank the distinguished Speaker.

Mr. KILGORE. Mr. Speaker, will the gentleman yield?

Mr. VANIK. I yield to the gentleman from Texas.

Mr. KILGORE. Mr. Speaker, I thank the gentleman for taking this time to express his appreciation for the distinguished gentleman from Texas, the dean of our delegation. I would like to add my voice to his and that of others in sending our fondest and best wishes to this distinguished American both on the occasion of his 70th birthday and also for his great contribution to the Nation.

Mr. VANIK. I thank the gentleman from Texas.

Mr. LIBONATI. Mr. Speaker, we are proud to congratulate our good friend, WRIGHT PATMAN, distinguished chairman of the Committee on Banking and Currency, on his 70th birthday. The Members of the Illinois delegation hold our genial leader from Texas in high regard and manifest great admiration for his exceptional talents in the field of finance. His study of Government monetary structures within its agencies including the finite operations of the Federal Reserve have been enlightening to the membership.

He has contributed much to our understanding in determining the fiscal problems confronting the Congress, and, as well, their solution. We are happy to join our good wishes for health, happiness, and continued success in his endeavors on this day and together with his many friends and loving family we embrace him in a firm friendship, wishing him God's blessings and a long life.

Mr. HECHLER. I would like to add my compliments to the gentleman from Texas [Mr. PATMAN] as he celebrates his birthday today. Everyone in the State of West Virginia is certainly grateful for the outstanding work the gentleman has done to aid the economy of our State and Nation. He is an indefatigable worker and one of the most thorough students in this body. I congratulate him and may his life be a long and happy one.

Mr. MATSUNAGA. Mr. Speaker, I too would like to add my wishes for a happy birthday and aloha to a most distinguished Member of Congress, the Honorable WRIGHT PATMAN, dean of the Texas delegation and chairman of the House Committee on Banking and Currency.

Congressman PATMAN has been an acknowledged leader in Congress for many years. In fact, he was already a famous man when I was still a student in high school. His name was an oft-repeated one in connection with American politics and Federal legislation even in the remote Pacific Paradise. To meet him and to serve with him in this great body, therefore, have meant to me an honor and privilege. Even in the short time that I have been in Congress, I have benefited from his wise counseling and personal interest. As Hawaii's Representative and as a friend, I join the others in wishing Congressman PATMAN good health and happiness in the years ahead and look forward to his continued leadership in the affairs of our great Nation.

GENERAL LEAVE TO EXTEND

Mr. VANIK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks with reference to our distinguished colleague, the gentleman from Texas [Mr. PATMAN].

The SPEAKER pro tempore (Mr. LIBONATI). Without objection, it is so ordered.

There was no objection.

PHILIP L. GRAHAM

Mr. BOLAND. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BOLAND. Mr. Speaker, I want to join my colleagues in both Houses of this Congress to express my feelings on the death of Philip L. Graham, the brilliant and forceful president of the Washington Post Co., and one of the enlightened and progressive luminaries in American journalism.

We are all saddened by the untimely passing of this great lawyer-journalist-business executive, whose dynamism not only led him to make significant contributions to intelligent and masterful newspaper publishing, bringing the Washington Post to the pinnacle among American newspapers with an international reputation, but to range beyond the daily editions into the relatively newer communications media of radio, television, and weekly news magazines.

Mr. Graham was the champion of freedom in intellectual thought, and he encouraged diversity of ideas in the editorial opinions of the communications media under his direction on international, national, and local matters. He believed intensely and passionately in causes and programs, not in political parties and party lines, and the media under his command very often were at odds with prevailing popular opinion as it editorialized and supported such causes and programs. Always fair, Mr. Graham saw to it that the opponents' objections, ideas, and reasoning were given liberal space both in the news columns and "Letters to the Editor" column on the editorial page of the Washington Post, for he genuinely and deeply believed with Voltaire that "I wholly disagree with what you have to say but will defend to the death your right to say it."

Mr. Speaker, I had the pleasure of knowing Mr. Graham and corresponding with him on National Capital affairs, and always found his counsel to be most helpful and illuminating. His address last October 10 to the 25th anniversary dinner of the Washington Building Congress which I inserted in the Congressional Record on October 11, contained the best, clearest, and most commonsense statements that I have read on the Nation's Capital since I came to Congress in 1953. This capital city of the Nation has certainly benefited from Mr. Graham's brilliance, perspective, wisdom, sage advice, and wholehearted support of just, humane, and material causes and programs.

I know I express the sentiments of my colleagues when I say that Philip Graham has left the Washington Post with a great legacy in the truest and finest sense of American free journalism, and we trust that his successors will see to it that the Washington Post will continue to remain as a guiding beacon of responsible journalism for other great dailies throughout this Nation.

Mr. Speaker, I include with my remarks the editorial on Mr. Graham from yesterday's Washington Sunday Post:

Philip L. Graham

Philip L. Graham, president of the Washington Post Co., would have excelled in whatever field commanded his energy and ability. He chose journalism, and leaves as his legacy an independent newspaper with an international reputation, an impressive range of achievements in public service and a host of memories of a gallant figure. It is a legacy that will endure.

To his associates on this newspaper, Mr. Graham was as much a friend as an employer. There was no detail of journalism he regarded as too trifling to engage his sympathetic attention and no person beyond reach of his concern. His rangy figure and quicksilver wit were as familiar a part of our enterprise as the fonts of type in our composing room. In all that he dealt with at the Washington Post and its related ventures, he was broadly liberal, eminently practical and endowed with an intuitive grasp of coming needs.

Trained as a lawyer, Mr. Graham served as law secretary to both Mr. Justice Frankfurter and Mr. Justice Reed; he never lost his concern with law and justice—or a capacity for generous anger when either was ignored. After rising from private to major in the Army Air Force, he returned to the Capital after the war and gave his full energies to the Washington Post. The record speaks for itself.

In 1946, Mr. Graham became publisher of a newspaper then ranked third in circulation in Washington and that incurred draining deficits. In collaboration with Eugene Meyer, Mr. Graham gave a secure foundation to the Post. A new plant was built, the Times-Herald purchased, and a television and radio division, including WTOP in Washington and WJXT in Jacksonville, was formed. The partnership of Mr. Meyer and Mr. Graham transcended normal business relations and family ties; there was a fraternal affinity between two persons of complementary character whose closeness assured executive continuity when, in 1959, Mr. Meyer died.

Growth continued in recent years as the Post expanded its facilities, acquired Newsweek and Art News, and established a news service in partnership with the Los Angeles Times. The range of Mr. Graham's interest and acquaintanceship was extraordinary, and though his contribution of signed articles was infrequent, his suggestions were not. They gave depth and authority to much that appeared under the name of others. If the Post today is both prosperous and influential, a full measure of credit is owed to Philip L. Graham.

His country and city commanded much of his time. Through his father, who was an influential State senator in Florida, Mr. Graham early in life acquired an insight into the skills of politics. He could combine moral courage, wit, and tact in dealing with others, and his ability profited a bewildering diversity of causes—everything from the Advertising Council, the United Givers Fund, the Federal City Council, the Committee for Economic Development, and George Washington University to the Communications Satellite Corp.

Mr. Graham invested the full capacity of his mind and heart in anything that deeply moved and interested him. He was not a person given to qualified commitments to his country, his enterprise, or his friends. It was this quality that precipitated the illness that led to his death.

Our sense of loss is total; he was a man neither easily forgotten nor found again.

OPERATION SWIFT STRIKE

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. GIBBONS. Mr. Speaker, I have just returned from a 2-day inspection trip of Operation Swift Strike III down in the Carolinas. When I returned home last night I was surprised and shocked to see a story in the Washington Post attributed to the Associated Press that gives what I consider to be a mistaken impression of this combined military training operation involving 100,000 men.

Mr. Speaker, I want to report to the Members of this House, as a trained observer of military operations, I think Operation Swift Strike III is not only excellently planned but has been superbly executed. Our soldiers, officers, and men participating in this realistic operation show that they are well trained, well directed, and are doing their jobs enthusiastically.

I want to remind those who would dwell upon a few accidents such as a fallen bulldozer and a couple of jeeps that came to the ground without the benefit of parachutes, that a great majority of the equipment air-dropped into this operation landed intact within the drop zones and that the fighting capabilities of our soldiers were not impaired by the small amount of accidents that occurred. It is my belief that the injury rates of the parachutists were extremely low in this very realistic military operation. I believe we have every reason to be proud of our Armed Forces as they have been displayed in this training operation in the Carolinas.

Americans should be assured that their top military and civilian leaders have been diligently examining the state of training and readiness of our Armed Forces during this arduous test. I observed Gen. Paul Adams, Commander in Chief, U.S. Strike Command, Gen. Earle Wheeler, Chief of Staff, U.S. Army, and key members of their staffs, actively inspecting, examining and evaluating our personnel and equipment under realistic battlefield conditions. Our able Secretary of the Army Cyrus Vance, and key civilian personnel of the Department of the Army, were in the area vigorously carrying out their duties and responsibilities.

I feel that I should report to Congress that our Forces are ably led, adequately equipped, and sufficiently trained to give a fine accounting for themselves should the need arise. I hope that Americans, as well as our enemy, will not be misled by inadequate newspaper reporting.

PHILIP GRAHAM, 1915–63, SHAPER OF OUR NATIONAL CHARACTER

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Moorhead] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MOORHEAD. Mr. Speaker, I was stunned by the unexpected death of a close personal friend, Philip L. Graham, last weekend. His passing is not only a deep loss to all of us who loved him but also a temporary setback for the defense of a free society.

Phil was one of those few people who cared deeply about ideas and handled them with both skill and pleasure. He once said, "I am insatiably curious about the state of our world," and this attitude seemed to motivate him toward the field of communications. Phil felt deeply, I think, that democracy can fail when a government fails to explain itself thoroughly and candidly to its citizens and that success rests upon the newspapers to interpret what the government is saying.

As an influential shaper of our national character, Phil attempted continually to determine the quality of life in the society he served. He regarded his readers as free persons who need to be informed, not as objects of propaganda. We shall all miss this man, "a man neither easily forgotten nor found again."

Those who knew Phil Graham will find that the August 12 issue of Newsweek captured some of his greatness in an article which I ask leave to extend below:

Philip L. Graham, 1915–63

A few short months ago, Philip Leslie Graham, the controlling voice and informing spirit of this magazine, spoke about himself to a group of Newsweek editors and correspondents. "I came to journalism quite by chance," he said, "from another ancient and honorable calling—that of the law. It is said—in explanation of the inner torment of that minority of very good lawyers—that the law is a jealous mistress.

"No doubt that is a true statement of what stretches good men who engage in any precariously intellectual vocation. When I think of a few serious journalists I have known, I know that the jealous demands of excellence in our calling have borne down on them heavily and deeply while also elevating and enlarging them.

"I am insatiably curious about the state of our world. I revel in the recitation of the daily and weekly grist of journalism.

"Much of it, of course, is pure chaff. But no one yet has been able to produce wheat without chaff. And not even such garrulous romantics as Fidel Castro or such transcendent spirits as Abraham Lincoln can produce a history which does not rest on a foundation of tedium and detail—and even sheer drudgery.

"So let us drudge on about our inescapably impossible task of providing every week a first rough draft of a history that will never be completed about a world we can never understand."

To the many who will hold his memory dear, this is pure "Phil." When he spoke, he had a wit which could dissolve pomposity and lighten tedium; a high seriousness which could endow the most trivial problem with dignity; a certitude that stemmed from an instinct for the highest standards; a sympathy which extended to the great and to the weak alike. He was always electric, with a kind of complex, stormy humanity that somehow led him, last Saturday afternoon, to take his life at his farm in Virginia, just a short drive from Washington, D.C., where his career in law and letters began.

Washington was Mr. Graham's city. It was there, in 1940, that he married Katharine Meyer, daughter of the late Eugene Meyer, who then owned the Washington Post. It was there they raised their four children. In the 23 years he lived in Washington, he saw it change from a national capital which was just one among many to the prime center of political, economic, and military might in the world. When he visited Newsweek's weekly editorial meetings in New York, he always conveyed a sense of high excitement about the power and responsibility that he lived with.

Mr. Graham came to Washington by way of Terry, S. Dak., where he was born; Florida where he grew up and went to high school and college, and Cambridge, Mass., where he attended Harvard Law School and became president of the Law Review. This distinction led him to serve as law secretary to both Justice Stanley Reed and Justice Felix Frankfurter. In 1946, Mr. Graham became publisher of the Washington Post. Behind him were 4 years in the Army and a Legion of Merit for his service in the Pacific.

Working with Mr. Meyer, Mr. Graham built the Post into one of the most prosperous and influential newspapers in the country. Though he had no journalistic experience before, he had a natural and extraordinary feel for news, as well as a business sense which led him to a widening series of ambitious and successful ventures. A new plant for the Post was built in 1951, the Times-Herald was purchased, a radio and television division was established, and in 1961 Newsweek was added to the organization. More recently, Mr. Graham acquired Art News and Portfolio and launched a news service with the Los Angeles Times.

But these activities consumed only a part of Mr. Graham's restless energies. Over the years he gave himself to a great variety of private and public causes. In an unofficial way he plunged deeply into the political and diplomatic life of the Nation. To list his friends in Government—not to speak of business, the professions, and the arts—would be to sound a rollcall of almost all who are distinguished in American life. Informed of his death as he cruised on the *Honey Fitz,* President Kennedy made the statement: "The death of Philip Graham is a serious loss to all who knew and admired his integrity and ability. It is a personal loss to me and all of his friends. He was a distinguished publisher, a man whose quiet and effective leadership contributed so much to this community and his Nation. He will be greatly missed by all of us."

Philip Graham will be missed by all, but there is a special poignance to the grief of those who knew him long and intimately. As the Washington Post, which was so much a part of his life, said: "Mr. Graham invested the full capacity of his mind and heart in anything that deeply moved and interested him. He was not a person given to qualified commitments to his country, his enterprise, or his friends.

"Our sense of loss is total; he was a man neither easily forgotten nor found again."

RETIREMENT FOR CIVIL SERVICE EMPLOYEES AFTER 30 YEARS WITHOUT REDUCTION IN ANNUITY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Multer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MULTER. Mr. Speaker, the following is a statement that I submitted to the Post Office and Civil Service Committee in support of the proposal to allow civil service employees to retire after 30 years without a reduction in annuity and without regard to age:

Statement of Hon. Abraham J. Multer, Democrat, of New York, Before the Post Office and Civil Service Subcommittee on Civil Service on Civil Service Retirement After 30 Years' Service, July 31, 1963

Mr. Chairman, I would like to express my appreciation for this opportunity to speak in support of the legislation before you to allow civil service retirement on a full annuity after 30 years of service.

For a number of years I have introduced legislation to amend the Civil Service Retirement Act to allow employees to retire at any age after 30 years' service without reduction of benefits. This year I introduced H.R. 718 and H.R. 719 to this effect which are presently before this committee.

Although the bills I introduced carry no minimum age and would allow Federal employees with 30 years of service to retire at any age, I would also like to express my support for other bills before this committee to allow full annuities to 30-year employees at age 55. I would prefer to see one of my own bills enacted but I realize that they face stronger opposition from the Civil Service Commission than the age 55 bills. Since the latter bills obviously have much better prospects for approval, I am most happy to lend them my full and complete support.

These bills carry on a gradually evolved process of liberalizing the Civil Service Retirement Act to make it a more effective instrument in attracting and holding capable workers in the Federal service. When the Retirement Act was first enacted in 1920 it carried no provision for early retirement. The law was amended in 1930 to allow for optional retirement 2 years before the required age. It was later amended in 1942 to provide a reduced annuity at age 55 with an actuarial reduction of approximately 6.5 percent of the annuity for each year the employee was under 60 years of age. This actuarial reduction was itself reduced to 3 percent a year in 1948 and again to the present 1 percent a year in 1956.

The present bills, then, would carry out this process of liberalizing the law by eliminating the reduction in the annuity altogether, and bills of the type which I have introduced would in addition do away with the age 55 requirement to allow a full annuity after 30 years of service.

I do not think that this is such a tremendous change in the law. Its actuarial cost is only sixteen one-hundredths of 1 percent of payroll. Most employees who remain in service for 30 years would not exercise the option it offers to retire early, just as most do not exercise the present option. Only about 8 percent of those eligible to retire before age 60 with 30 years' service are doing so. The change made by these proposals—eliminating the 1 percent a year reduction—would not be enough of an inducement to increase this rate substantially.

At the same time, the proposals would improve the retirement system considerably for those who have good reasons to retire before age 65. The majority of those who retire after 30 years' service before age 60 do so for reasons of ill health or inability to keep pace with their duties. It is an unfair penalty to reduce the retirement benefits of these workers as the present law requires.

Moreover, I feel that the cost argument against these bills has been overemphasized. It is true that the cost to the retirement system will be increased slightly. But it is also true that the Government will benefit from many of these early retirements in a number of ways. They will allow the Government to replace older, in some cases partially disabled, workers with younger, more vigorous workers. These younger workers will in almost all cases be paid less than their predecessors for performing the same duties. And even in the case of those older workers who retire to take another job, the Government is going to realize some return of its funds in the form of income tax that they will pay on their combined salaries and retirement benefits.

I believe that these amendments for full annuities after 30 years of service—with or without the age 55 requirement—would improve the Civil Service Retirement Act considerably at very little cost. They would improve the situation of those choosing to retire before age 60 and they would benefit the Government, first, by making it possible to replace workers who are partially disabled or who have slowed down in their work, and secondly, by liberalizing the retirement system so that it would become a more effective instrument for recruiting capable people into the Federal service.

CRISIS FOR COTTON

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Sisk] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. SISK. Mr. Speaker, yesterday I explained briefly the crisis facing our entire cotton industry and why if we fail to enact the Cooley bill, H.R. 6196, the virtual destruction of the industry will jeopardize many other parts of our agriculture and industry. I presented telegrams in strong support of the Cooley bill from the director of the California Department of Agriculture and from the general manager of the firm marketing one-third of the cotton grown in California. Labor and consumers have an equal stake in stabilizing the cotton industry.

That organized labor recognizes this is shown by the following telegram I have just received from Mr. William R.

O'Rear, secretary of the Central Labor Council of Fresno and Madera Counties, Calif.:

> Fresno, Calif.
>
> Hon. B. F. Sisk:
>
> Central Labor Council of Fresno and Madera Counties AFL–CIO went on record August 2 urging you to support H.R. 6196, the Cooley cotton bill. The cotton industry under present legislation would reduce acreage which will cause additional unemployment. The Cooley bill provides price protection for small growers but simultaneously larger growers would take a price cut under increased acreage. The cut plus the equalization fee provided in the bill would cause fair competition and increase consumption. The council believes that all of California would benefit by passage of H.R. 6196.
>
> W. R. O'Rear,
> *Secretary, Central Labor Council of Fresno and Madera Counties.*

OLDER AMERICANS ACT OF 1963

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. Fogarty] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. FOGARTY. Mr. Speaker, today I have introduced my bill to be known as the Older Americans Act of 1963. Its stated purpose is:

> To provide assistance in the development of new or improved programs to help older persons through grants to the States for community planning and services and for training, through research, development, or training project grants, and to establish within the Department of Health, Education, and Welfare an operating agency to be designated as the Administration of Aging.

With the introduction of this bill, I must express my deep concern that action has been so long delayed in an area so vital to the social and economic status of the Nation's 18 million persons over age 65. It is my honest conviction that few issues have come before the Congress that have such a great potential, not only for the individuals affected by the legislation but also for the Nation that can only benefit from the untapped manpower reserve that is represented among the ranks of our older citizens.

The Older Americans Act has six major titles, each of which is designed to implement the findings of almost 3,000 delegates who participated in the White House Conference on Aging in January 1961. In addition, this bill represents the considered judgment of informed leaders in the field of aging throughout the country.

I cannot recall introducing a bill that so nearly represents a mandate of the people. Associations of retired persons, community leaders, labor organizations, national voluntary agencies, State representatives, and private citizens have all documented the need for such a program and indicated their support and wholehearted cooperation in assisting in its implementation.

I shall not attempt to inventory the action that has been so desperately needed to meet our responsibility as a nation to its older citizens. I say again as I did when I introduced a bill 2 years ago recommending a Commission on Aging, "I marvel at the patience and loyalty of a group of persons so long neglected or ignored."

I do not have to remind the Members of this House that unless deserving citizens receive fair and equitable treatment through established channels of legislation and communication they are forced to submit to the pressures of leaders who frequently exploit them as a group for personal or political purposes.

My bill will make financial assistance and support available for, first, community planning; second, research and development projects; and, third, training projects.

In each of these areas the funds will assist in strengthening and expanding programs at the State and local levels, primarily where these older persons are living and where the greatest good can be accomplished with the least cost to the taxpayer.

I am mindful that there are those who would prefer to see a bill defeated rather than lose control of a program they presently administer. This must not happen to the Older Americans Act. Its importance transcends petty personal interests or motives and deals directly with an issue that each one of us must face squarely and honestly.

Time is very much of the essence, and to enact such legislation during this session of Congress will require a concerted effort of all who believe in the dignity and independence of their fellow man.

I ask your support of this legislation that will overcome the status of the older American as a second-class citizen and will elevate him to his rightful place as citizen first class.

WETBACK LABOR

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Gonzalez] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, last week, I was astounded to hear that some kinds of work are "cruel, undesirable, un-American." I was even more amazed to hear that any kind of migrant—even a Congressman or baseball player—should be relieved of the necessity of constant travel and hard work.

These words are hard to take for me. I always understood that Americans take pride in work, even glorify it. But be that as it may, I think that we ought to take a serious look at words which proclaim that certain kinds of work are too low for Americans to perform. This is a warning sounded by John Steinbeck, the Nobel Prize winner, when he wrote in "Travels With Charlie":

> I've seen many migrant crop-picking people about the country: Hindus, Filipinos, Mexicans, Okies away from their States. * * * It occurs to me that, just as the Carthagenians hired mercenaries to do their fighting for them, we Americans bring in mercenaries to do our hard and humble work. I hope we may not be overwhelmed one day by people not too proud or too lazy or too soft to bend to the earth and pick up the things we eat.

Mr. Speaker, I submit that this is a country which has a strong feeling against mercenaries. Let us not extend Public Law 78; we do not need mercenaries in this country.

AUTOMATION WILL ELIMINATE DOMESTIC JOBS—THE BRACERO HELPS OUR DOMESTICS

Mr. MORSE. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Talcott] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. TALCOTT. Mr. Speaker, if the bracero program, providing for importation of supplemental labor to harvest crops when no domestic labor is available, is not extended, there will be many dire consequences in unexpected areas.

Farmers will be forced to accelerate mechanization and automation. Already great advances in mechanization of the agricultural harvesting and processing procedures have reduced the need for many braceros. The husbandry, harvesting, and processing of sugarbeets—a short time ago mostly manual—is now mostly mechanized—displacing many low- and high-skilled farmworkers—foreign and domestic. Some success has been achieved in the mechanization of picking tomatoes—which once seemed impossible.

Strawberries, one of the most difficult of the row crops to harvest mechanically, may move to Mexico where the land, labor, and water is less expensive. Of course, the jobs in the strawberry and allied businesses, as well as the profits, will go to Mexico also. We need these jobs and profits in America.

Mechanization will eliminate jobs of our domestic, as well as the bracero labor force. This will be enormously unfortunate for these people. They will have no alternative but public relief. They, of course, would not prefer this; but the alternative would be inevitable.

A skilled technician—such as in a factory or railroad—whose job is eliminated by mechanization or automation can always find employment in an industry requiring lower skills. But agricultural field jobs are near the lowest in skill requirements. When these jobs are automated, the unskilled worker has no place to go.

What happened in the coal fields will certainly follow in the vegetable fields. It would seem less expensive, more wholesome, and more satisfying for the individual to work than to accept relief.

I implore those Members of Congress who feel they must vote against an extension of the bracero program—regardless of the devastation to the agricultural industry—to devote some energy and thought to ways and means for assisting our displaced domestic fieldworkers to obtain employment after their present jobs have been automated.

THE 17TH ANNIVERSARY OF THE CROSSROADS IN WASHINGTON, D.C.

Mr. MORSE. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. SCHWENGEL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. SCHWENGEL. Mr. Speaker, on May 5 this year I had the interesting experience of attending the 17th anniversary meeting of the international crossroads Sunday morning breakfast held at the Washington, D.C., YMCA. This will be of special interest to a large number of our colleagues in the Congress who have, from time to time, addressed the breakfast sessions; and I know their colleagues will be pleased to know about this as well.

There was present on this occasion a number of important persons including Warren I. Cikins of the White House staff who brought greetings from the President and the Honorable Brooks Hays who in the past has given this group one of his excellent messages that dealt the moral values.

A significant point of this event is that it was the 887th consecutive Sunday morning breakfast, held over the past 17 years, for the primary purpose of extending hospitality and fostering better understanding of the United States among the many visitors who come from all parts of the world to our Capital City while we learn about them.

During this period 14,800 visitors from 121 countries—or geographical areas—of every religious belief have met with us and others at the crossroads breakfast, there to be welcomed and given the opportunity to extend their hand of fellowship. The proportion of travelers from abroad has increased from year to year until they currently number about one-half of all those who weekly break bread together at the crossroads. The average attendance is about 50 to 60, with an opportunity to meet the potential leaders of the oncoming generation, followed by a talk by one of the most intelligent and capable speakers obtainable, people from all walks of life and all nationalities, from Congress, education, Government, industry, and from religious leaders. This makes a most interesting array of speakers from which those in attendance learn and benefit.

The leader of this wonderful project to promote better international understanding is Mr. Paul Brindle who has a fine record of giving of his talent to his fellow man. In the past 17 years he has been the leader and moving force behind this wonderful idea which has done so much to bring to the people who attend the crossroads breakfast from all over the world a better understanding of the American heart and mind. This program demonstrates beyond question that the real strength of America stems from the spiritual values that are spoken of, brilliantly displayed, and wonderfully explained by the large and varied cross-section of talented and experienced speakers that Mr. Brindle brings to the rostrum each Sunday morning.

Paul Brindle would be the first, I am sure, to admit that this important project could not be carried on without the active support and help received from others who are associated with him in this endeavor. They include Mr. H. B. Niece who is retired and formerly in the advertising business. He is a devoted and dedicated Christian gentleman. Then there is Mr. I. B. Potter who assumes the responsibility of recording the names of all of the new visitors and then he issues the life membership cards which have been extended now to over 15,000 people who have come there from all over the world. Mr. Charles Funkhouser who is a patent attorney serves as a receptionist. He does much to make the visitors welcome and to add substantially to the program in other ways. On occasions he is asked to offer prayer which he does in a most appropriate manner. Mrs. Florence Wise helps so much with the detail work such as typing and preparing the announcements, flyers, et cetera. Other people who help materially whenever called upon are Messrs. Lawrence Freude, Robert Gleason, Thomas DeClaire, Harry Puffer, Leroy Maas, Samuel Young, and Elmer Peterson. There are many others who have made significent contributions through the years.

A little-known but very important feature of this unusual program is its development of wholesome international friendships. This friendship is so evident in the correspondence received from the visitors after they have returned to their homes. This interesting mail is received by Paul Brindle. We in the Congress should be very interested in these messages about their reaction to their U.S. visit because this, I believe, is a kind of foreign aid which is very effective and does not cost the taxpayers anything.

On this special occasion, many of the letters and their heartwarming messages were read or reviewed by W. L. Robinson, an official of the American Automobile Association, who has a great interest in this project.

Because the letters indicate an ever-strengthening bond of friendship on a high level that is a formidable force for peace, understanding, and cooperation, I am making excerpts of them available to my colleagues and others in the hope that they will inspire others to cooperate and otherwise to encourage this type of voluntary foreign aid.

When we realize that every facet of this crossroads activity springs from the voluntary, spontaneous effort of outgoing good will, not only by all of those who support and participate in the breakfast but from those who in 71 countries were so appreciative as to write for the anniversary, then we begin to see the widening circle of benefits. This should be and I believe is a source of satisfaction for all of those who have assisted in any way with this unique service.

A very brief summary of the messages that have been sent follows:

V. R. Katre, of the Associated Cement Cos. in India, writes:

"It is a wonderful experience to meet people from various countries, not individually, but in a close-knit gathering. I had this experience when I was visiting Washington, D.C., in November 1961. International crossroads Sunday breakfast meetings are unique and the informal and friendly way people meet, is praiseworthy. Every Sunday morning I am reminded of the occasion I had to participate in one of these meetings, and think of the people from many countries whom I met. I wish the organizers all success and greet the brothers who would be present on the occasion of the 17th anniversary."

Rev. J. K. W. Mathieson, superintendent of Methodist Child Care in Victoria, Australia, reports:

"It is most encouraging to know that over against the many international tensions, the crossroads Sunday morning breakfast provides one longstanding and valuable witness and influence in the cause of international good will, mutual understanding, and peace."

Hans-Joachim Kohler, a student from Germany, and native of East Germany, writes:

"I am sorry that I could take part in your international crossroads Sunday morning breakfast only once, but nevertheless I will remember the happy hours with you whenever I think of my trip to Washington.

"For the school year 1962–63 I was the guest of a Jewish fraternity at Union College, Schenectady, N.Y. I have been very much impressed by the cordiality with which I, as a young German, have been received by my hosts and with their fairness in the many discussions about the last 30 years of German history. At the end of such discussions we always agreed that personal contacts are one of the best means to promote peace. Hostility and war are possible only if people think of each other not as human beings with the same hopes, feelings and problems, but in terms of abstract and distorted images (the American, the Jew, the German, etc.).

"For 17 years the international crossroads Sunday morning breakfast has been trying—and I think with great success—to promote just this personal friendship among people from many different countries, which we need so badly in our time. Therefore I wish wholeheartedly good luck to all of you. I am convinced that the international crossroads Sunday morning breakfast will continue its work as successfully as before, and I hope that still many more people from all over the world will make use of this unique opportunity for mutual understanding."

B. K. Shivalingappa, research engineer in India, writes:

"Time moves fast and years are passing rather quickly. However, on an occasion like this, it is just the time to recapitulate our deeds and actions and sort out those that were done for the betterment of the people in various fields, namely, physical, economical, mental, moral, social, and spiritual. If the selection so made is not appreciable it is high time that we should make up our mind to devote some portion of our precious time to the cause of humanity. Because time once spent cannot be relived or purchased. The span of our life is very limited. Before it is too late, let us make a strong decision to devote a part of our activities so as to benefit the people of the world irrespective of geographical boundaries, politicial divisions, caste, creed, color, or race.

"It is gratifying to note that the above purpose is served to a great extent in the coming anniversary on May 5, 1963. It is a proud privilege to take part in such a happy and memorable occasion with an august gathering. How I wish to be amongst them.

Though I am unable to attend the function physically, I am sure that I will grace the occasion with my mind and spirit.

"I conclude with a quotation from Mr. C. Jinarajadasa: 'The child is born with a purpose, which is to do a work in life. But it is first necessary to arouse in the child an enthusiasm for the work he is to do. And the best way for arousing that enthusiasm is to make the child's homelife and his school life as full of happiness as possible, so as to remind him of the heaven whence he has come to us. Surround the child with conditions of love, beauty and happiness and then the soul of the child will begin to cooperate with parent and teacher.' "

Atelio Romero, a pharmaceutical chemist of Venezuela, writes:

"One of the nicest experiences during my travels in the United States was my attendance to the international crossroads, sharing Sunday morning breakfast in a fraternal atmosphere among people of different nationalities.

"I congratulate you on being so active and enthusiastic in the various altruistic purposes of human solidarity and I am happy to participate in the 17th anniversary spiritually by means of this letter."

Dr. M. Camitan Magboo, physician and surgeon of Manila, writes:

"It seems to be only yesterday when I was honored to be among those seated around the breakfast table in 1955, and in that short period was a veritable source of perennial inspiration to me in all the actuations that I have been doing to date. As a member of the national board, YMCA of the Philippines, as past intercontinental vice president, International Association of Y's Men's Clubs, as medical director of a local hospital, and as a plain citizen, it has been my guidance in all the activities with which I have been associated, either in conferences or forums. Your diversified program and the international aspect of your subjects by different nationalities tend to a unity obviously manifested by all those that have the experience to have been in fellowship at your breakfast table. One cannot help but be broadminded, understanding of other people's problems and be a citizen of the world, after such an experience."

John R. Mackay, newspaperman of Perth (city of lights), who made a world tour at the time of the Y's Men's Club convention in 1962, writes:

"The most important international breakfast that I ever had was at the Washington YMCA on August 19. May I say that I was proud to be a representative of Australia on that day and hear the Honorable JOHN BRADEMAS speak. To have attended and experienced the fellowship and spirit was a warming thrill. I often think of you, Paul, and the work that you and others are doing for world understanding. While we are separated halfway around the world, I shall devote the hour corresponding to your 17th anniversary session to thinking of all of you around the table."

Claude Archieri and son, Michel, of French Guiana, writes:

"At the occasion of the 17th anniversary we want to assure you that the association reached fully its purpose as far as we are concerned, for beside the numerous interesting people we met there, it gave us the opportunity to be introduced to a part of the American society we couldn't have reached as unacquainted visitors."

J. Rooney, general secretary, YMCA, Durban, South Africa, writes:

"I should like to send my heartiest congratulations to yourself and all who assist you in this tremendous and important job of international good fellowship. To these of us who read a wide variety of papers from near and far, there can be no doubt that what the world needs is not critics but examples. Too many people in all ranks and walks of life are too ready to condemn and criticize policies and ways of life that are strange to them. The more we know about our neighbors overseas, the more we are ready to sympathize and help in a constructive manner.

"Each country has its own particular problems and all the factors involved must be known and understood. People and nations must be accepted as they are and not as they should be. This does not necessarily make us blind or condone their errors but, generally speaking, we accept our friends with their vices as well as their virtues and it is only when we have them as our friends that we can hope to influence them for better—so it is with nations.

"God willing, we will draw them all closer together by positive leadership and example. The international crossroads Sunday morning breakfast is one small step in the right direction. Would that there were more places with similar programs."

C. S. Rao, of Bangalore, India, reports:

"It is very gratifying to note that you have successfully steered these meetings over this long period, providing opportunities for such of those pilgrims who come to your great city of Washington, who come in contact with you. You are rendering a great service to humanity by helping to bring these unofficial ambassadors of different nations together, under one roof, for some time. The benefits that these meetings at the international crossroads bring about cannot be measured by any known standards of measurements. The harvest such human contacts yield is rich as it is at such places, freemen can meet, discuss and get to know one another. There can be no greater pleasure for one who thinks in the larger interests of humanity than to meet people from all corners of the globe.

"I cannot forget the wonderful experience I felt when I heard Mr. Julius N. Cahn address one of the meetings which I had the good fortune to attend in the last week of September. His philosophy of 'Live a full life cheerfully in the present, without brooding over the past and thinking too much of the future,' is a dictum which all of us should strive to practice today in the strife-torn world, as this attitude of the individual in society will help to shape the destiny of nations and the world."

Heinz Wieland, a dairy farmer in Germany, and a former exchange student in 1956, quotes from Rudyard Kipling's "Ballad of East and West":

"Oh, east is east and west is west, and never
the twain shall meet,
Till earth and sky stand presently at God's
great judgment seat.
But there is neither east nor west border
(Berlin) nor breed nor birth (Jew
or Gentile),
When two strong (in faith) men stand
face to face,
Though they come from the ends of the
earth (to the crossroads table)."

H. L. D. Selvaratnam, of the Central Bank of Ceylon, and former speaker when he was here, writes that he has had a miraculous recovery from a serious accident and quotes a verse from Isaiah:

"They that wait upon the Lord shall renew their strength; they shall mount up with wings of eagles; they shall run and not be weary and they shall walk and not faint."

George Peters, a retired professor of engineering, of Cuxhaven, Germany, has completed a trip around the world, visiting a great many YMCA's:

"I felt quite at home among friendly people, especially in the United States. I like America and I hope to visit this wonderful country again. I send my heartiest congratulations to the 17th anniversary with cordial greetings."

Santokh Singh, aviation adviser, India, who addressed the breakfast when he was here, writes:

"I may assure you that in spite of so many years having passed, I distinctly remember that pleasant time I had in the States generally, and for a few days that I stayed at YMCA in particular. I wish the ICSMB and you as its soul, to prosper forever."

John Swain, an engineer, writes from Australia:

"In writing of international crossroads Sunday morning breakfast I am deeply conscious of the numerous inspired compliments which the organization has already received from its fraternity now scattered far and wide. Since meeting at the crossroads, perhaps seeking an ideal, they have journeyed on stronger in friendship and the exchange of knowledge.

"An ancient proverb says, 'When thou seest an eagle, thou seest a portion of genius; lift up thy head.'

"Surely the inaugurators of international crossroads Sunday morning breakfast, under the wing of the American eagle, assumed some of this genius in creating a common ground of understanding for the people of the world, at a time when the world greatly needs it, in a country which so admirably has the capacity to provide it."

V. O. de Alwis Gunawardane, manager, book publishing department, Associated Newspapers of Ceylon, who toured publishing businesses in the United States, the United Kingdom, and Western Europe, writes:

"I always think of the YMCA of Washington and you as one living unit inseparable, one the embodiment of the other. And to me this has become a symbol of the goodness, the generosity and the helpfulness I always received from the people of the United States of America in March and April of 1961.

"I remember that 1961—April—breakfast vividly: a gathering of the inquiring minds of many nations, the masterly digest of the essence of the American Constitution by a Congressman, the lively, dignified discussion that followed, and my own observation of the British rule of law that obtains here, as being the counterpart of the checks and balances of your Constitution.

"On May 5, between 9 p.m. and 10:30 p.m. (corresponding to the hour of the anniversary celebration), I will take up for reading a clipping I have of General MacArthur's speech to Congress upon his recall from Japan. He acted as God gave him the light to act, and my prayer is that the crossroads breakfast will ever be the helpful traffic lights to the precious stream of travelers from the four corners of the earth."

Eric Freeborn, photographer-journalist, Orpington, England, writes:

"When I attended the crossroads breakfast in September 1960, I was thrilled at the idea of men from so many widely differing nationalities and cultures having that simple meal and words of wisdom from the guest speaker, in an atmosphere of peace and happiness. I think this atmosphere was the result of two driving forces; the first was your own driving force in arranging the regular series of meetings, and in maintaining written contact with the many members; the second force was the search for knowledge (and with knowledge comes truth) which appeared to be the common denominator among that assembly.

"When I left that 1960 breakfast I assumed I would hear no more of it; and even when I received a printed progress report the following year, I still took it to be no more than an automatic followup circular; but the regular flow of personal letters which arrived, and still arrive, has shown me that my chance attendance at a breakfast in Washington nearly 3 years ago, had forged a link which was to prove more lasting, and more personal than I had anticipated.

"How has this affected my feelings and actions?

"1. I assume that the object of the international crossroads breakfasts is to promote international friendship, and through that, peace.

"2. Although Paul Brindle may be a powerful and admirable driving force behind this movement, I and other members, must not leave all the driving to him.

"3. I endeavor to take every opportunity to advance the ideals of friendship and peace, regardless of national or political barriers—in other words, I accept a share in the driving.

"4. To this end I suggest that an interchange of names and addresses at the breakfasts, with the intention of promoting a flow of friendly correspondence, crisscrossing the globe, may be a useful extension of the activities reports."

Kenneth T. C. Chang, director, Taiwan Weather Bureau, writes:

"The international crossroads Sunday morning breakfast has and is making a great contribution to the promotion of world peace and the exchange of mutual understandings from the people of different nationalities. Such an organization is really in a position of prominent importance to the world and is very worthwhile to have an expansion of such activities to those friendly countries to the United States. At present, the religious activities are very popular in China and you will meet those missionaries everywhere. So far the work of international crossroads has yet not been taken up by anyone here. I strongly believe the contribution of international crossroads should be a world success and must be carried out in a worldwide scale. May I ask you to convey the sincerities of the people of China to the anniversary for their glorious success in the past and in the future."

Herbert De Four, a public health educator, of Trinidad, writes:

"I cannot now recall the name of the world figure who addressed the breakfast meeting in my time. Indeed, it would be dishonest of me to say that I remember the theme of his talk. What I remember clearly then, now, and perhaps as long as I live were thoughts that came to me during and after the meeting. I honestly felt that as long as there were men like you and others dedicated to bringing about world peace through fostering friendships and understanding among men of all races, there was reason to have faith in the future, for it meant that God was still in the hearts of man.

"I felt secure in the thought, too, that world leadership was in American hands. A nation that is guided by men, guided by God, must ultimately win the day.

"I feel certain that the thinking, and therefore the action, of every visitor to America who has had the privilege to attend an international crossroads breakfast meeting, would be influenced by its message."

Capt. C. K. Ullah, of Pakistan Army, writes:

"I very sincerely hope and pray that your organization may succeed in creating good will and better understanding among the people of various nations; also may rise above their racial, religious, and social prejudices, thus contributing to the well-being of all mankind."

Dr. S. V. Desai, of Malad, India, writes:

"My humble contribution of good wishes is after a lapse of 17 years of our meeting. This gives my a burning sense of duty to contribute my mite in creating goodwill which should cover all the world; with increasing rapidity of communications the world has shrunk, and the goodwill to bind mankind together is the duty of everyone and of all the races of the people.

"The crossroads has generated a feeling of fellowship knowing no racial or religious discrimination, and is voicing the sentiment of world brotherhood which is commendable. I wish its activities to widen the sphere of its influence."

Frank Gsell, teacher of agriculture in Germany, reports:

"I like to remember the year 1950, when I was favored to travel in the United States, and there I became the friend of land and people.

"Interesting were the Sundays in the YMCA, the international crossroads Sunday morning breakfast. Such an institution I am missing in Germany."

Matthew Francis Connor, of Ottawa, Canada, writes:

"In the presence of the world's highest, from Embassy, Government, and high authority of so many nations of the world, what a moving spirit of unity prevailed. Surely God's spirit was present, to inspire and strengthen, and to make known to many present that there was a Saviour for a needy world. I recall quite definitely the joyous (nothing less) spirit that prevailed in the meeting."

Jose Raymundo de Andrade Ramos, chief of section of geology of the Brazilian Government, reports:

"Let me refer to the words of Jimmy Williams, old American geologist, who died a few years ago. He used to repeat to me, when I was in the United States: 'Joe, remember, America has a heart.' To a normal Brazilian, which he used to place in the middle, between the known Spanish hotness and the traditional Anglo-Saxon coldness, these words mean that we have a heart, very similar to each other. Those Sunday breakfasts I attended are a proof of Jimmy Williams' words."

Akira I. Ohsawa, supervisor of Tokyo Metropolitan Board of Education, writes as follows:

"Men meet and part at a crossroad. Gladness of a crossroad is that men meet and have conversations. Sadness of a crossroad is that they part from each other as strangers unknown. The greatest sadness of a crossroad is that they cease to remember the gladness of a crossroad.

"International crossroads breakfast is the spot or crossroad where we met the people and parted from them as unforgettable friends. It is a symbol of the gladness of a crossroad. I never can forget it. I never do cease to remember it. It still teaches us 'smile and talk to each other.' Thank you."

Dr. Pedro M. Reyes, Jr., surgeon, Quezon City, Philippines, writes:

"The worthwhile contribution of the international crossroads Sunday morning breakfast to the promotion of good will and brotherhood among men is inestimable. As a lonely tourist passing through Washington, D.C., in the fall of 1950, I felt the warmth of companionship in the company of those also attending that Sunday breakfast. I trust that in the near future, I shall be privileged to attend once more another such session of cultural brotherhood. Again, best wishes for continued success."

Dr. Tatsuo Wakabayashi, dean, Department of Social Work, Meiji Gakuin University, Tokyo, reports:

"Meiji Gakuin University is an educational institution which has been a bridge of Christian faith and good will between your country and mine for more than 85 years. I have been the dean of the graduate school of social work which was organized on the top of the undergraduate department of social work and sociology 3 years ago.

"In 1957 I went to Hong Kong, India, and Pakistan. A United Nations seminar on training for community development and social work was held in Lahore, west Pakistan. The following year I was the chairman of the program committee of the Ninth International Congress of Schools of Social Work held in Tokyo. In 1961 I had an oportunity of going to Europe, attending several international social work conferences held in Rome and visiting social work schools in 15 West European cities.

"I often think of the international crossroads Sunday morning breakfast meeting I attended while I stayed at your YMCA. The other day I talked with Dr. Yamada about that meeting. Dr. Yamada is a professor of the Tokyo Medical and Dental School, and also had attended the meeting in 1956. We both miss it very much. God bless you and your valuable work."

S. Rangarajan, lecturer in chemical engineering, Annamalai University, India, writes:

"The first person to greet me when I came to Washington, D.C., as a trainee on the ICA program was Mr. Paul L. Brindle, at the YMCA buildings. The international crossroads Sunday morning breakfast meeting gives an opportunity for all to acquaint with each other, and the friendship is bonded permanent. I send my hearty congratulations to all the member guests who are to attend the 17th anniversary of the association. I pray God for the continued glory of the association."

Prof. M. Ramaswamy, professor of constitutional law, University of Delhi, writes:

"I recall with great pleasure the occasion when I was present at the international crossroads Sunday morning breakfast on January 22, 1956. The atmosphere of friendliness, good fellowship, and cordiality noticeable on that occasion was most impressive."

Gerhard Geipel, of Vienna, writes:

"I am very happy that I had the opportunity to attend one of your Sunday morning breakfast meetings. It is an excellent idea to further understanding and respect between people from different walks of life and other nations. It gives them a chance to have an active part in exchanging ideas and views in a relaxed atmosphere and to meet interesting people.

"Only through knowledge, better mutual understanding and respect for each other can we hope to make this world a better place in which to live. I couldn't think of a nicer way to spend a Sunday morning."

Shyam Sundar Misra, Servants of India Society, Cuttack, writes:

"I had the privilege of attending these breakfasts when I was a visitor to your country in 1950. It was a wonderful experience, this free mixing of persons belonging to different parts of the globe. We mixed and discussed world problems as absolute friends. It is my firm conviction that nothing is more conducive to establishing peace and amity in the world than this free mixing of members of all nations on an absolutely equal footing. We want peace everywhere in the world so that we may march toward prosperity."

Setsuzo Tsuji, professor of engineering, Kyushu University, who was a visiting research scholar at the University of Michigan in 1962, writes:

"While I attended only one breakfast of the international crossroads Sunday morning breakfast, it has been one of the most delightful remembrances for me. When I attended the international crossroads Sunday morning breakfast last year I could find the invisible but splendid road which is constructed for the security of minds and the warming of friendship of peoples of the whole world."

Woo, Wen-Wai, of the Hong Kong YMCA, writes:

"May I send greetings and hearty congratulations from Hong Kong and with sincere hope that 'crossroads' will continue to carry on its meaningful service to others in the days ahead. I shall be thinking and praying for you all on the 5th."

Raul Gonzales, founder of the Forest School of Pucon, Chile, writes:

"It was my pleasure to be a member of the 'crossroads' on December 11, 1960, when

William J. Handley, of the U.S. Information Agency, spoke on 'Our Overseas Libraries.' I remember that I was seated at the table between a Korean and an American student. I had an opportunity to explain to the group the purpose of my trip—the organization of our forestry school, which has since grown to 45 boys, and various school buildings on 200 acres of land. I wish to express my deepest feeling about the 'crossroads' and how this marvelous example has helped us in our people-to-people project."

Gert von Riesenfelder of Vienna, who made a study of New York Stock Exchange in 1962, writes:

"In a country like Austria, where in the past few years, historical changes have taken place, a vicinity close to the Iron Curtain, the understanding of people of different idealogies became a must of vital necessity. The 'crossroads' idea shows how the must, as in Austria, becomes a willingness and constant changing appreciation of each one of the other people. Meetings of like-minded travelers can help more in the maturing process of understanding than many high-level meetings."

C. S. Parthasarathy, Assistant Chief (Irrigation), Planning Commission, New Delhi, writes:

"It is my firm belief that it is exchange of messages like this, that brings more closely the members of the 'international crossroads' from different parts of the world, and keeps the stars of universal brotherhood, cooperation and understanding, as also of peace, freedom and hope in the world, twinkling forever and forever. It would also have served its purpose if it helps to make its humble contribution to stimulate inspiration and spontaneous response from many others who have had the good fortune to visit the 'crossroads.'

"The memories of many friendships and contacts I picked up while in the United States of America in 1956-57 are green as ever. I continue to be engaged on the fascinating and exciting task of planning and designing the vast water resources development projects in our country. The knowledge and experience I gained during my visit to the United States of America and the 'international crossroads' stand me in good stead and occasions are not infrequent when that knowledge and experience take a practical shape in the discharge of my duties and responsibilities—professional as well as otherwise.

"Nothing would have given me greater joy and happiness now than to have been able to be physically present there in your midst to participate in the forthcoming anniversary celebrations, but, as you know, circumstances would not permit me me to do so. However, my heart will be there then. This letter goes to you with an ardent longing that the objectives of the 'international crossroads' would appeal more and more to those who visit it from all over the world, thus contributing to its flourishing growth and advancement. May I prayerfully wish the 17th anniversary celebrations all the best, as also the 'international crossroads' an ever-increasing measure of success in its wonderful mission and universal service."

Masahi Mori, an attorney, of Urawa-shi, Japan, writes:

"One of the most important things that I learned through my stay in the United States is that we, the people coming from various countries of the world, had the chance of talking with each other and could gain deeper mutual understanding. This mutual understanding, I believe, is the basis for friendly and peaceful existence of all the nations of the world. I pray that international crossroads Sunday morning breakfast may continue to discuss various matters that are interesting and thus establish warm friendship."

Kyros L. Savvides, a soil conservationist of Cyprus, writes:

"With the occasion of the 17th anniversary my thoughts are with you and I send you, my brethren, greetings from Cyprus, the small Mediterranean island where Aphrodite, the goddess of beauty, was born, and later on Apostole Vamaras taught the Christian religion.

"The international crossroads Sunday morning breakfast promotes the better understanding among nations, as at our meeting today, and so the principles of Christianity for peace, love, and mutual help are established in the interest and well-being of all human beings, so I wish you every success."

A. V. Phadke, senior geologist in the Indian Atomic Energy Commission, writes:

"On the occasion of the 17th anniversary, coming off on the 5th of May, I would like to say that I feel we can all be really proud of the part the 'crossroads' is playing in the life of the community as a whole, and I wish it all success in the years to come."

Terence Morahan, a student of economics at Queen's University, Belfast, writes:

"It was the 23d of September 1962 when I attended your Sunday morning breakfast for the first and also only time. The excellent and inspiring talk by Dr. Leon Dostert on Europe I will not quickly forget.

"My holiday in America was continually enriched by experiences similar to your 'international crossroads' meetings. Americans still display a vitality and vigor, an enthusiasm which we in Europe seem to have lost. Your meetings are typical of the hospitality that Americans proffer to visitors, a hospitality that turns visitors into friends and firm allies of America."

Hsueh Si Yeh, civil engineer, of Taipei, writes:

"It was on July 8, 1962 that I attended the breakfast table and heard Dr. J. Southeland Frame, professor of mathematics of Michigan State, but I will never forget the impression that people made upon me. I believe it is an effective means of giving an individual an opportunity to share his own faith and experience. Moreover, it is significant in spreading the idea of world freedom through mutual understanding and cooperation of people meeting at the 'crossroads.' The word 'crossroads', in Chinese, has another meaning of 'wondering whichever way to go.' Only following the rule of love and appreciation, people can help each other to choose the right way which they can accept. I rejoice that in this work, all of us may have a part."

Miss Edith Pezoa Reyes, of Santiago, Chile, writes:

"I can still remember with emotion the friendly welcome you gave a group of Chileans on a not far away Sunday at the end of last September. Your kindness and warmth made an impression which we will not forget. We extend our warmest and sincere congratulations."

Eric Nedergaard, of Denmark, writes:

"Thank you very much for your kind letter of April 11 and for activity reports, and so forth.

"It is always a pleasure to me when I get news from United States of America and especially the 'Crossroads News' because when I came to Washington, D.C., on my 3 months trip around United States of America I did not know anybody in your Capitol. I saw something about the Sunday morning breakfast at the YMCA and I never regret I went there.

"The kind of meeting was something I had hoped to find before but never did. You go straight into a foreign party and at once you have friends.

"Unfortunately I had to leave for New York City after breakfast but I could have spent lots of time in Washington, D.C., because suddenly I had friends there and they would help me to see more of your very interesting Capital if I had had the time.

"Now I run a small hotel in wonderful Copenhagen and everytime I have a guest here, alone or in a party, I remember what people did to me at the breakfast. It might be help to find a street, to go shopping, to find the best things to see, and so forth."

Raymond Issid, a national of Beirut, Lebanon, graduate of the University of Montana and now teaching engineering at K.T.I. in Khartoum, Sudan, writes:

"An idea of inspiration that could be thought of by any member or guest present around the big table on May 5, 1963: 'If there are more roundtables of the type international crossroads Sunday morning breakfast in every capital city around the world, if there are more active members to spread the word around and create subcenters of international crossroads Sunday morning breakfast in every city they come from, the world tension and misunderstanding will disappear gradually, the love of brotherhood and the desire to help one another will dominate the universe.' This is not of imagination but of real life. Many people that I ran into from different countries, and who never heard of international crossroads Sunday morning breakfast, could be good members and helpful for others if they just received the right directions. Why don't we adopt the idea seriously?"

Edward H. C. Tang writes from Taiwan:

"As you may remember, I got my M.A. degree in political science at Pennsylvania and also studied at the Graduate School of International and Public Affairs, in the University of Pittsburgh. I am a 100-percent American trained person. Now I am serving in the Kuo Ming Tang in addition to my teaching responsibilities. I am trying to do my best in both of these areas, as a result of my learning and training in the United States.

"I often remember the fine experience I had at the international crossroads Sunday morning breakfast. Please extend my hearty greeting to all who are present."

Dr. V. Satchidanandam, Madras Veterinary College, India writes:

"Happy memories of my stay in your country come to my mind when I receive your letters. The YMCA brings together people of all nations building up universal fellowship. During my stay of about a year in your great country, I have had the privilege of studying in four YMCA's the pleasant thoughts of which I continue to cherish. The Sunday morning breakfast session—whoever invented it—is a great and ingenious idea to foster friendship and brotherhood. Yours is a wonderful country and you Americans succeed in making every foreigner feel quite at home while he or she is over there. I pray to God to give you all the energy and luck to carry on your good work."

H. C. Shih, an electrical engineer of Taiwan Aluminum Corp., writes:

"While I tell my friends of the inspiration of my trip to your country, I especially tell of my attendance at a meeting of the 'crossroads breakfast.' This particular form of meeting I find the progressive idea on the one hand and the simplified program on the other hand. It is the best way to make friends. I will keep you and all friends of the 'crossroads' throughout the world in my thoughts at the same time as you will be seated around the 17th anniversary table, which in my home will be 9 p.m. on May 6. I would like to pray for a successful meeting by introducing the words which Jesus said to his disciples: 'For verily I say unto you if you have faith as a grain of mustard seed, ye shall say unto this mountain, remove hence to yonder place, and it shall move and nothing shall be impossible unto you.' "

David O. de Gale, an English barrister-at-law writes from Germany:

"The breakfast table meeting I was lucky enough to attend on the 23d of September was addressed by Dr. Dostert and had as its theme 'Europe: Federation or Union' and it just so happens that for the last 3 days I have been attending a European lawyers' congress of some interest, and may be of some consequence, at Cologne University. Our aim was to consider the court that now serves, in common, the three European Community Organizations—the Coal and Steel Community, Euratom, and the Common Market—and to review the progress made during the first 10 years of its existence in the development of what lawyers can now reasonably and correctly call community law. This European experiment seems to have a close connection, to my mind, with the aims and methods of the 'crossroads' organization. Good luck and success to 'crossroads' for the coming and successive years: May we remain, as ever, single-minded in the aims that we find are common to us; may we, in the pursuit of these aims, look to the accumulated wisdom and experience of others as well as ourselves; and may we be tolerant, patient, and above all honest with ourselves and each other in the expression of our views and in the attention that we do in fact give to the views expressed to us by others."

P. B. Murthy, geologist in the AEC, India, writes:

"Technological advances have dwindled physical distances. The next thing to achieve is mental proximity. I believe international gatherings like the "crossroads" will pave the way for mutual understanding and reduce the tensions of the world."

Gerald I. Durrant, principal education officer, Ministry of Education, Kingston, Jamaica, writes:

"One of the most memorable of the 180 days I spent in the United States as a guest of the U.S. Government in 1959–60 was the occasion when I had the privilege of joining in your breakfast fellowship in February 1960. The kinship shared with all the others assembled on that Sunday morning indelibly underscored the fact that in this world we are all members one of another and that selfishness is the grand refusal of a full life. It is activities such as the international crossroads Sunday morning breakfast that will ultimately unite men into that society of friends and brothers among whom no contention will ever arise either at the national or international level."

Dr. Shigeaki Hinohara, chief physician of St. Luke's International Hospital, and chairman of executive committee, Christian Medical Association of Japan, writes from Tokyo:

"It was 11 years ago, back in 1952, that I first attended your breakfast. I certainly enjoyed the fruitful talks and fellowship of the 'crossroads,' before going to visit Mr. Grew, former Ambassador to Japan, who really knew and loved Japan.

"I believe that the continuation of this sort of meeting does contribute a great deal to the future of peace on earth.

"I, on this side of the ocean, will be praying at the same hour on May 5 when you folks get together around the big breakfast table at the YMCA in your great Capital."

John L. Handley, writes from Birmingham, England:

"It hardly seems as though a full year has elapsed since I last had the pleasure of being among you all at the 16th anniversary in 1962. The warm welcome that I received I will always remember, and I do hope that it will not be long before I may have the opportunity of meeting you all again.

"It is certainly a tremendous achievement that you have now reached your 17th anniversary, and you can feel sure that I shall be thinking of you on this occasion."

Chiro S. Thapa, student from Nepal, who was our 14,000th visitor while a student at Dickinson College, writes from Fribourg (Switzerland) University:

"I do not know of any other place, in America or elsewhere, where people of widely different backgrounds can come together in a spirit of spontaneous conviviality as at the 'crossroads breakfast.' What better idea than to make possible for everyone to come together at breakfast, hear an authority on questions of topical interest, followed by a discussion on the speech as well as on other topics. By making it possible for a get-together on a day of rest, Americans learn about other lands and foreigners learn about America, about the people, their customs, and their ways of thinking. The breakfast participants are able to appreciate the variety of human existence but always in the context of the essential unity of mankind. To a large extent, Paul, you are responsible for this. Even those that come only in brief contact with you are able to appreciate your friendliness, your idealism, and your overpowering humanism. To others like me, who have had the privilege of being on a footing of intimacy with you, it is simply a privilege knowing you.

"The international crossroads breakfast is an example of the fact of human interdependence. By demonstrating that human beings are essentially the same, the international crossroads breakfast demonstrates, in these times of peril, the better sidelights of human life and gives all much to hope for in the future."

Antti Tamminen, a psychologist in Helsinki, writes:

"Really, we must continue to strengthen the bridges of good will and mutual understanding between different countries. We must trust to realities existing in this world though not possible to see, touch, hear."

John E. Fuller, a young accountant from Australia, seeing the world before settling down, writes:

"There are many unfortunate events occurring in the world today that tend to give one a rather dispirited and pessimistic outlook on the future. Wherever I have traveled I have met people who, although earnestly desiring a peaceful and happy world, have given up hope of it ever being attained and have merely shrugged and said: 'There's nothing I can do about it.' I have often felt myself thinking along the same lines—then, thankful, one meets people, or organizations, who have not given up hope and who are active in their endeavours to secure peace and happiness, not only for themselves, but for all mankind. Such an organization is the international crossroads Sunday morning breakfast.

"If the spirit of good will and understanding, that I witnessed at the breakfast, was emulated throughout the entire world, then our hopes for the future might become justifiably optimistic.

"I thank you sincerely for providing me with such a rewarding experience and for helping me realize the importance of not giving up the fight."

Dr. M. J. Maimandi-Nejad, associate professor, College of Agriculture, University of Tehran, writes:

"I shall await to see the coming of age of this youthful, active and useful endeavor which has proved its significance in the lives of many who have visited beautiful Washington, D.C."

Juan Cortez, television writer and producer, London, writes:

"It was on Trinity Sunday, June 12, 1960, that I had the pleasure of breakfasting with you, an experience I have not forgotten—nor hesitated to speak of—during my not infrequent journeys abroad.

"When I read or hear of color or class discrimination, I think of that breakfast where there were representatives of so many nations.

"God willing, I will be in the United States of America again within the next 12 months and I assure you, high on my engagement list will be another breakfast."

Urpo Ratia, of Helsinki, Finland, a prominent manufacturer and exporter and a respected leader in many civic and educational affairs writes:

"This visit to the United States of America in the year 1958–59 has helped me to find broader basis for my activities. It opened my eyes to see things differently. It encouraged me to win the natural frightness and shyness of human beings.

"My message to your 17th anniversary is: Let us try, everyone individually and in groups, to develop our own ability to build a better world by participating not only in implementations but even in decision-making."

Johannes Pedersen, busdriver of Denmark, writes:

"I hope your organization can tell people around the world, that if we want peace and happiness we have to change the hate between the people, with love and forgiveness; without these two words the world some day may destroy itself. I appreciate that you keep on going, very much."

Lt. Col. (ret.) Mohd Sadiq, M.B.E., and sugarcane farmer in Pakistan, writes:

"I have traveled the world over and stayed at many institutions but it is only at the YMCA's where I have found peace of mind. The atmosphere at every YMCA I have visited has benefited me physically, morally and mentally. I have learned much from the many personalities of high spiritual and moral caliber whom one always meets at YMCA gatherings."

Dr. Ugo M. Colombo, director of public assistance for the city of Milan, Italy, writes:

"Although many years have passed since my visit to Washington, D.C., my spirit has unchanged. A spirit of comprehension and fraternity among men and nations, a spirit of trust in God and in the future. This spirit I found admirably 10 years ago in your meetings and this spirit I maintain during my scientific and practical activity."

THE SENATE'S SUPREME TEST

Mr. MORSE. Mr. Speaker I ask unanimous consent that the gentleman from Minnesota [Mr. LANGEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANGEN. Mr. Speaker, the Seventh Congressional District of Minnesota, which I have the privilege of representing, is ably served by a host of excellent daily and weekly newspapers. In addition to 5 dailies in our district, we have 78 weekly papers, published and edited by some of the most enlightened and dedicated people in our Nation.

One of those weekly editors is Mr. George F. Etzell, who publishes the Clarissa Independent at Clarissa, Minn. His ability has been recognized to the extent of his being selected as Minnesota's Republican national committeeman. His editorials in that small newspaper are a challenge to all Americans who are concerned with the future of our great country.

I would like to share George Etzell's latest editorial with my colleagues today. It offers much food for thought as the United States enters into a limited nuclear test ban treaty:

THE SENATE'S SUPREME TEST

Under Secretary of State W. Averell Harriman has assented to a tentative form of agreement to ban nuclear tests in the three-power talks in Moscow.

President Kennedy has alerted the Democratic leadership in the Senate to prepare for swift ratification of a nuclear test ban treaty limited to atmosphere, space and underwater tests. He wants the treaty approved by a vote well in excess of the required two-thirds majority to emphasize to the world his desire to work for peace.

The debate over this proposed treaty in the next few weeks therefore will be crucial to the security and the survival of the United States. It calls for the greatest care that we are not again trapped into signing something that will insure our ultimate defeat and the communization of the world.

Let us look backward. The United States enjoyed a monopoly in nuclear power for many years. The monopoly was broken primarily by spies who stole our secrets. With them, the Soviet Union speedily developed its own nuclear capability.

In 1958, Soviet Premier Khrushchev arranged a nuclear test moratorium by a gentleman's agreement. Under its cover, Khrushchev ordered a speedup of nuclear technological development. In 1961, he broke the moratorium with a series of atmospheric tests that robbed us of our superiority and changed the balance of nuclear power, all in 3 years of clandestine planning.

Again in October of 1962, Khrushchev sneaked a complex of intermediate missiles into Cuba. He had them zeroed on the United States in such a way that he could annihilate most of the country with a surprise attack. As Gen. David M. Shoup, Commandant of the Marine Corps said, "but for the grace of God and an aerial photograph," Khrushchev would have had us at his mercy. For an attack from Cuba could be launched without giving us time to retaliate, whereas an attack from the Soviet Union gives us 30 minutes to mount a strike that would devastate Russia.

In the intervening 9 months, Khrushchev has not completely changed. He is still a dedicated Communist. He still wants to bury us. Yet, in a few days, he now has offered us a nuclear test ban treaty. Why?

The only sensible reason, from his viewpoint, is that he has discovered through the moratorium how to get ahead of the United States in nuclear power, and through the confrontation in Cuba, how to achieve a short cut to our destruction. Given a treaty-insured test ban, with freedom to test underground, he can go ahead and refine his superiority with immunity, and sneak another Cuba setup.

It would be wonderful to relieve the taxpayers of the cost of nuclear testing, and the world of the hazard of nuclear fallout generated by atmospheric tests, if we could be sure that Khrushchev and his successors would not cheat. But the whole history of nuclear development belies this.

A test ban treaty is a suicide pact for the United States. It can be nothing else, unless we step up our own nuclear development and testing underground, the one area that remains open to us. It would be surer, however, for the security and survival of the Nation, to repudiate any such treaty now and so long as Communists insist on winning the world by burying us.

NORTHEAST AIRLINES: MANAGED NEWS A BLOW TO NEW ENGLAND

Mr. MORSE. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, New England's economy has suffered a severe blow at the hands of the CAB and sharp cries are ringing out in protest against the Board's decision to cripple Northeast Airlines. During the past week I have pointed out to my colleagues several aspects of the situation—the dangers of monopoly, the value of healthy competition, the expense to the public, the evidence of a leak in information which caused Eastern Airlines' stock to rise markedly before the public announcement of the ruling.

Today I would like to bring to the attention of my colleagues the serious effect of the decision on New England. An editorial from the Boston Record American discusses the question, bringing out that 1,500 jobs have been imperiled in Boston alone. This was dramatically demonstrated at Hyannis Port last weekend as a single-engined airplane conducted an aerial picket over the summer White House towing a huge streamer that read "J.F.K.—Please Help Northeast Airlines." The picket was in reply to Presidential Press Secretary Pierre Salinger's statement that he was unaware of any communication to the President concerning Northeast Airlines.

I applaud this show of Yankee ingenuity in getting past the protective curtain which apparently shields the President from knowledge of such vital matters, after hundreds of telegrams seemingly failed to get his attention. It is interesting to note this aspect of news management. That news out of this administration is managed has been the subject of much comment. Now it would appear that news is also managed on the way in.

The excellent editorial from the Record American, which I commend to my colleagues, follows:

SAVE NORTHEAST

The decision of the Civil Aeronautics Board to take away Northeast Airlines' license to continue operation of its busy Boston-to-Florida routes, including service to Philadelphia, Washington, and other markets, is not simply an action affecting an airline; it is a matter of grave concern to all New England.

The CAB has ruled, with absurd illogic, that this eastern seaboard commercial air corridor which is constantly growing and now accommodates 2 million travelers yearly, can be serviced by just two airlines.

The CAB has moved to eliminate Northeast, which transports 60 percent of those 2 million passengers, and thus set up a monopoly for New England air traffic.

It has threatened a needless crippling blow to this region's economy—the loss of 1,500 skilled jobs and an annual payroll of $12,300,000 in Greater Boston alone.

It has imperiled regional air service within New England, a service Northeast has provided without subsidy for the past 7 years.

It has jeopardized the continuation of Northeast's efficient and dependable and frequent Boston-New York service (250,000 passengers a year; one of the top two carriers).

Northeast's fight to retain its eastern seaboard routes is also New England's fight. That is obvious for this needed air service is vital to our economy.

Massachusetts' two U.S. Senators already have petitioned the Justice Department to determine if antitrust laws are being violated; if a monopoly is being set up for the two remaining airlines by eliminating Northeast from the commercial routes all three now serve.

This investigation is mandatory on the basis of CAB's own figures which show that in the first 3 months of this year Northeast carried 27,500 passengers between Boston and Philadelphia as against 47 passengers for one competing airline; and that Northeast carried 38,114 between Washington and Boston as against 103 for the third-place airline. Yet it is Northeast which the CAB would oust from these runs.

A monopoly investigation is warranted by the facts and is a good start, but it is not enough. In addition, all members of the New England congressional delegation should unite in demanding that the CAB revoke this unfair action.

And all of this region's civic, labor, business, and industry leaders should besiege the CAB to change its decision. If this fails, they should carry their protests to the President who certainly is aware of the terrible impact this move by a governmental regulatory agency will have on the New England economy.

Here is an opportunity for the administration not simply to do more for Massachusetts, but to do something which New England has an honest right to expect—protection from this indefensible and discriminatory action by the CAB.

A LOOK AT "A REPORT TO THE PRESIDENT" ON THE PETROLEUM INDUSTRY

The SPEAKER pro tempore (Mr. LIBONATI). Under previous order of the House, the gentleman from Texas [Mr. FOREMAN] is recognized for 2 hours.

Mr. FOREMAN. Mr. Speaker, in these days of national and international crises, Congress is devoting much of its time and efforts on the nuclear testing problems, racial problems, foreign aid, military procurement, space activities and many, many other matters of paramount importance to our Nation's welfare.

In doing so, I fear we are unable to give adequate study and consideration to some developments taking place right under our nose which might very well in the long run have a greater adverse impact on this Nation's well-being and future progress than many of the so-called priority matters which I mentioned earlier.

Specifically, Mr. Speaker, I wish to call to the attention of my colleagues in the House a once "secret" report which has just recently been exposed to public view entitled "A Report to the President," by the Petroleum Study Committee.

This report had its beginning back in 1961, when on December 2 of that year, President Kennedy announced:

> A comprehensive study of petroleum requirements and supplies in relation to national security objectives will be undertaken under the leadership of the Director of the Office of Emergency Planning (OEP).

Pursuant to this directive, Edward A. McDermott, Director of OEP, organized an interagency study under his chairmanship, with equal participation by the Departments of State, Treasury, Defense, Justice, Interior, Commerce, and Labor.

Mr. Speaker, this report, although I think it could better be characterized as a bunch of conclusions and recommendations totally lacking in basic data and information to back up its conclusions, only came to light as a result of the fine efforts of our distinguished colleague, the gentleman from Texas, WALTER ROGERS.

Further, I might have missed the full implication of the document had I not read an excellent analysis by Minor S. Jameson, Jr., executive vice president of the Independent Petroleum Association of America, in which he effectively pointed up the many dangerous aspects of the report which—as Mr. Jameson put it, the report "reveals the thinking of those in Government whose philosophy would lead to complete control of the petroleum industry. This dangerous document spells out the strategy of the advocates of Federal control."

Mr. Speaker, after making a study of this so-called report, I am gravely concerned that what Mr. Jameson has concluded is correct; and further and even worse, I find that many of the recommendations contained in this document have already been, or are in process of being, put into effect.

However, Mr. Speaker, I would like to defer until later my remarks on the implementation of this report.

First, allow me to comment on who put these conclusions together and how they were developed and ask my friends in this body to decide for themselves whether this is a proper way to develop and put into practice basic policies directly affecting an industry which is vital to our national security and the general welfare of our Nation.

As I mentioned earlier, OEP Director McDermott stated in his letter to the President that each Department was allowed equal participation in this endeavor. That is, the conclusions and recommendations of each Department were given equal weight.

Now, Mr. Speaker, without intending to question the abilities of the various departmental representatives, I wish to point out that without exception the participants on this Petroleum Study Committee were at best a sub-Cabinet level study group. No doubt, all were and are competent in their respective jobs. But, I submit, Mr. Speaker, this study group—no matter how dedicated—faced the handicap of not being in a position to weigh all the pertinent factors which, of necessity, are basic ingredients in construction of basic national policies. Stated simply, this Study Committee is a perfect example of sending forth a group of boys to do a man's job.

Unfortunately, the sum total of their work, no matter how inadequate, can without challenge be elevated into the position of basic national policy. This document can become set in concrete and serve as the pattern for the future. The longer it goes without challenge the more difficult it will be to undo the existing and potential damage flowing from the half-baked, and unfounded conclusions making up this nefarious document.

Mr. Speaker, as an example of what I mean when I refer to half-baked and unfounded conclusions, I cite this statement in the report:

> It has been estimated that complete abandonment of (import) controls could lead to a reduction in the price of domestic crude oil of $1 per barrel (to approximate the world price).

Later in this discussion, I hope we can set forth how ridiculous it is to state that the price of crude oil can be reduced by more than 33⅓ percent and still have an oil and gas industry in the United States.

In my opinion, Mr. Speaker, no greater disservice could be performed on this Nation's security and economic welfare than to advocate or even suggest abandonment of our domestic petroleum industry. Yet, in effect, that is exactly what these uninformed—though admittedly dedicated departmental representatives—are doing when they state to the President of the United States that "without controls, the price of domestic crude oil could be reduced by $1 per barrel." More about this aspect later.

Mr. Speaker, one of the most difficult aspects of the study for me to understand is the cavalier manner in which the Department of the Interior was relegated to a minor role in the study to the extent that this Department observed, among other things in the transmittal letter which accompanied the report, that the report's "conclusions relating to costs and benefits are potentially misleading."

What does this mean? It means simply that this Department does not agree with the report.

One might ask why be concerned about what the Department of the Interior thinks in this matter. The answer is that historically and under the Defense Production Act and related legislation, the Department of the Interior is charged by Congress with "responsibilities relating to petroleum and gas" and "the jurisdiction of the Department extends over the conservation and development of mineral resources."

The Department of the Interior has as one of its functions the Office of Oil and Gas. According to the U.S. Government Organization Manual, this Office of Oil and Gas does the following:

> The Office of Oil and Gas, under the supervision of the Assistant Secretary—mineral resources:
>
> 1. Provides staff advice and assistance to the Assistant Secretary in the development, coordination, and management of oil and gas programs and functions which are assigned to the Department by the President or the Congress.
>
> 2. Provides leadership in obtaining coordination and unification of oil and gas policies and related administrative activities of all Federal agencies and enlists their cooperation to assure adequate development, distribution, and utilization of petroleum and gas resources and facilities to meet civilian, industrial, and military requirements in time of peace or national emergency.
>
> 3. Serves as the principal channel of communication between the Federal Government and the Interstate Oil Compact Commission, State regulatory bodies, and the petroleum and gas industries (primarily through the National Petroleum Council, the Military Petroleum Advisory Board, and the Foreign Petroleum Supply Committee).
>
> 4. Carries out functions and responsibilities authorized by the Defense Production Act of 1950, as amended, with respect to petroleum and gas. These functions are aimed at assuring adequate supplies of these products and facilities to fulfill civilian, industrial, and military requirements and are similar to those performed jointly by the Office of Minerals Mobilization and General Services Administration with respect to metals and minerals.

The Interior Department historically has served as the expert on, and coordinating department for, government in all matters dealing with the petroleum industry.

In addition, Mr. Speaker, the Bureau of Mines in the Department of the Interior is charged with making economic and statistical studies many of which concern the petroleum industry. The official U.S. Government Organization Manual states on page 236:

> Economics and statistics: Economics and statistical studies are made of domestic and foreign mineral production, distribution, and consumption. These studies provide the Government with information necessary for policy and program formulation and supply industry with information necessary for its operations. Further, a health and safety statistical program is conducted and correlated with the commodity program.

OIL IMPORT ADMINISTRATION

Another very important activity of the Interior Department concerning petroleum policies and activities is that of the Oil Import Administration. As to this, the U.S. Government Organization Manual has this to say on pages 230–231:

> Oil import administration: The Oil Import Administration under the supervision of the Assistant Secretary—Mineral Resources, discharges the responsibilities imposed upon the Secretary of the Interior by Presidential Proclamation 3279 of March 10, 1959, "Adjusting Imports of Petroleum and Petroleum Products Into the United States." This proclamation, in the interests of national security, imposes restrictions upon the importation of crude oil, unfinished petroleum oils, and finished petroleum products. The Administration allocates imports of these commodities among qualified applicants and issue import licenses on the basis of such allocations.

Mr. Speaker, I have taken the trouble to detail some of the more important responsibilities of the Interior Department concerning the Petroleum Industry to show the great and vital role this Department plays with respect thereto in accordance with statute and historical precedence.

Yet, Mr. Speaker, when one reads this report and the letter of transmittal to the President, only one conclusion can be reached; namely, the Department of the Interior has been completely bypassed and overruled. Here the expert Department on oil and gas, by way of law and experience, was relegated to the backroom when this report was put together.

Mr. Speaker, before proceeding further, I would like to call the attention of the House to two more statements from the "Memorandum for the President":

> Interior contends that "while estimates purportedly covering costs to the economy are included in the report, the counterbalancing benefits which flow from the maintenance of the petroleum industry in its

> present state of health were not reduced to comparable terms." The Interior member also states "that existing legislation and delegations vest the Director of the Office of Emergency Planning with adequate authority to deal with the security aspects of the petroleum problem and that, in consequence, the recommendation in the report dealing with coordination of interagency activities is unnecessary and could lead to future difficulty in assessing responsibility for development and coordination of petroleum policy within the executive branch."

I am sure that, by now, any thinking person must conclude that this report does not reflect the approval of the Department of the Interior. Frankly, Mr. Speaker, I need very little surmise to conclude that the Department of the Interior by its own words as quoted herein has branded the report as a dishonest report among other things. To me, such words as "potentially misleading," and "the counterbalancing benefits were not reduced to comparable terms," are just a diplomatic way of saying the report is dishonest and completely lacking in objectivity.

Mr. Speaker, I think it is real cause for alarm when a study group gives equal participation to such Departments as Labor, Justice, and Treasury on oil matters and while ignoring the Department of Interior—the best qualified department in Government on oil matters.

Yet, this by the very words of the report, is exactly what has happened.

Another thing, Mr. Speaker, I wish to dwell on briefly before discussing the actual conclusions and recommendations of the report, is the statement found in the President's instructions directing that "a comprehensive study of petroleum be undertaken."

Where is this comprehensive study? None is available.

Where are the facts and supporting data backing up the far-reaching conclusions in the report? There are none available.

Were public hearings held? The answer is "No."

Were written briefs from interested parties invited and really encouraged? The answer to the latter part of the question is "No."

As a matter of fact, material and suggestions from industry were discouraged when OEP announced:

> The committee believes there is no immediate need for submission of views and material by the public.

Mr. Speaker, a recent editorial appearing in the highly respected Oil and Gas Journal summed up my thoughts as follows:

> If this is our national oil policy, it is well that we know it. Some people will be pleased by parts of it; others will object violently to parts or all of it.
>
> But all can object to its method of preparation. It was a sort of star-chamber proceeding, done in the guise of a private study to aid the President in implementing a congressional directive to control imports. The report was kept secret for 10 months after completion.
>
> No hearings were held. No one knew the full scope of the study. Many Federal agencies and some industry groups submitted material, but there is no way of telling how well this supported the final conclusions.
>
> If we are to have a national oil policy it should be an open covenant, openly arrived at, subject to rebuttal, qualification, and amplification, so that industry as well as Government can know where we are heading.

It is bad enough to learn how this report was put together, but possibly even worse we do not know to what extent the President agrees with it and to what extent it will serve as the foundation for future national policies on oil and gas.

We do know that already many of the planks in the report have been implemented, calling for greater Federal activity in state regulatory functions, and a shifting away from the Interior Department of its functions of collecting data and information on oil industry activities.

Mr. Speaker, I think it only proper that the President make his views known with respect to the report, and for him to inform Congress as to what has been done and what the plans are for the future in regard to this sub-Cabinet level report on the oil and gas industry.

It could be that Congress does not agree with what he and his administration have in mind, and we in Congress may very well wish to have our Government steer a different course on national oil and gas policies.

Mr. Speaker, I have great confidence that once appraised of what is taking place, President Kennedy will wish to take the necessary action to disregard this so-called report and return to more responsible hands the job of developing our Nation's policies affecting this vital and basic industry—oil and gas.

Now, Mr. Speaker, I would like to analyze and throw open for consideration by the House, some of the observations, conclusions, and recommendations contained in the report.

I invite my colleagues to join with me in this endeavor.

Mr. STEED. Mr. Speaker, will the gentleman yield?

Mr. FOREMAN. I yield to the gentleman from Oklahoma.

Mr. STEED. Mr. Speaker, I want to congratulate the gentleman on the fine statement which he has made. I want to associate myself with the gentleman's remarks and to say that I think bringing this very vital matter to the attention of the House and to the country at this time is a distinguished public service.

Mr. FOREMAN. I thank the gentleman.

Mr. STEED. This report in my estimation is at least as dangerous as the gentleman has stated it to be.

Mr. Speaker, the Petroleum Study Committee's report groped and erred in many directions as it reached conclusions and made recommendations regarding the oil and gas industry.

Much of the report reflects more idealism than realism as it clearly points toward greater Federal control of the industry as the perfect route to maximum efficiency and competitiveness. In reaching at least one conclusion, however, the Committee failed to consider the consequences of what it proposed.

> It is imperative—

The report said—

> that domestic petroleum costs be reduced to permit a narrowing of the difference between United States and foreign prices.

Examine this utopian concept with any degree of understanding and it becomes evident that this is a virtual impossibility unless the Federal Government wishes to find and produce the oil, then give it away. The report fails to tell us how to go about this cost cutting. Actually, even now cost-cutting methods are being found and used, but there is a point beyond which they can't be cut.

Considering the cost of exploring for and finding the oil, even if it could be brought from the ground for nothing, I still doubt that U.S. oil could compete seriously in the world marketplace with foreign oil.

We have to wonder what approach the Committee would have the industry take to cut costs. Do the Committee members recommend that fringe benefits be reduced, that unemployment compensation or minimum wage laws be changed to reduce industry costs? Would they advocate tax reductions at the Federal, State, and local levels to lower the cost of producing our oil so that it would be more competitive abroad with oil produced in foreign areas?

The Committee's report to the President presumes to advise that the domestic industry's costs of operation should somehow be miraculously reduced to the point that we can wedge our 12-barrel-a-day wells into the international competition with wells that produce, in some cases, as much as 5,000 barrels daily. In the Middle East, for example, the average daily production per well exceeds 4,000 barrels daily.

The report says that at this juncture, "information is inadequate to assess the extent of foreign markets which might be developed."

For the benefit of the report's drafters, I would like to point out that the only way to significantly reduce the domestic petroleum industry's costs is to reduce exploration and development in the United States. If national security, employment and tax revenues have any consideration in this matter, and I am convinced they do, then reducing our domestic operations would be the initial step on the road to disaster.

To be more blunt and self-serving from our national standpoint, why should we ask one of our most important defense industries to commit economic suicide by slashing costs to a level from which the industry could not recover just to match finding costs with foreign oil? What would be gained?

Is it worthwhile to expand oil exports at a loss, as Russia appears to do, and compound our balance-of-payments problem just so we can say, "Look at us moving into the world petroleum market"?

Does it make sense to cripple an industry just to reduce "the small percentage of the cost of manufactured products" which the Committee attributes to petroleum? Does it not make more sense to avoid actions which would make it impossible for us to have a healthy, domestic petroleum industry for national security purposes?

We can only hope that those who would be responsible for placing the Committee's recommendations into effect will have perspective and greater understanding of the consequences than did those who did the recommending.

Mr. DENT. Mr. Speaker, I appreciate the opportunity to say a few words about the oil import program and its relationship to the coal industry of Pennsylvania and other coal-producing States.

There is no question in my mind but that oil imports, and particularly imports of residual fuel oil, have had an adverse effect upon coal production and employment in this Nation.

I was chairman of a subcommittee of the House Labor Committee which held hearings in 1961, on the impact of imports and exports on employment. Two days of those hearings were devoted to coal and residual oil.

The record of those hearings make most interesting reading, Mr. Speaker, and I invite Members of the House who have not already done so, to secure a copy of them and read that testimony.

Since those hearings were held, the situation insofar as coal is concerned has grown progressively worse. The amount of oil which can be imported under the oil import program has steadily increased. Today, imports are the equivalent of some 50 million tons of coal annually, and almost all of this imported oil goes into the east coast market where it competes directly with coal produced in Pennsylvania and other Appalachian States.

The present oil import program needs strengthening, Mr. Speaker. Unfortunately, most of the talk emanating from those charged with the responsibility for administering the program concerns itself with either relaxing the program even further or doing away with it entirely.

First, there was a report from the Office of Emergency Planning which called for a "meaningful relaxation" of restrictions on residual oil imports. As I read that report, it became abundantly clear that what "meaningful relaxation" as used by the OEP really meant was an abandonment of import controls and the opening up of the entire Nation to a flood of foreign oil. Fortunately, the President wisely decided to ignore the OEP report and to maintain controls, but in so doing he opened the dike a little more and permitted an increase of 50,000 barrels a day in the amount of allowable oil imports.

The report on oil imports by the Cabinet Committee which is under discussion here today is another indication that certain elements in the executive branch seem to be determined to get rid of this program.

Just recently, the Federal Reserve Bank of Philadelphia issued a report which stated that many of the unemployment problems which have plagued Pennsylvania for a number of years can be traced to a decline in coal production. It should be obvious to anyone that, in turn, a great part of the coal unemployment is directly due to increased residual oil imports on the east coast. The cause and effect is clear.

The coal industry of this Nation, and the railroads which haul most of the coal to market, are making a determined and successful effort to reduce both production and transportation costs and to insure a lower delivered cost to consumers along the east coast. Yet, it seems that all of the progress the coal industry has made is jeopardized by increased oil imports which are offered for sale on the east coast in competition with coal at prices which are guaranteed to be under that of coal.

This is a serious situation, Mr. Speaker, and for officials of this Government to think for one minute about doing away with oil imports, or relaxing import controls even further, is beyond my comprehension.

These Government officials ought to be thinking about plugging the holes in the present program and stemming the growing tide of residual oil imports. They ought to be thinking more about the men in Pennsylvania and other States who cannot find jobs in coal mines and less about the need for strengthening the economy of foreign nations which produce fuel in competition with that produced by domestic oil and coal industries.

I think it is clear, in light of the abundant evidence which has been submitted over the years to Congress by spokesmen for these two vital industries, that domestic oil and coal cannot compete against unlimited imports. Removal of controls can mean only one thing. These two industries, essential to continued industrial growth and military strength, will decline in importance. Rather than looking to our domestic oil wells and coal mines for the strength we need, we would look instead to foreign oil wells.

Fuel is too important to this Nation for me to ever agree to such a course of action. The economy of this Nation needs the strength which an active oil and coal industry imparts to it.

Therefore, Mr. Speaker, I am pleased to have the opportunity to join my colleagues here today and urge upon the executive branch, and upon my fellow Members of Congress, the extreme urgency of maintaining and strengthening the oil import program. It is only through the continuation of import controls can we maintain a sound domestic fuels economy that will strengthen the national security.

Mr. BELCHER. Mr. Speaker, particular attention is given exempt imports by the Office of Emergency Planning Committee in its report to the President.

On the whole, this section of the report is factual and embodies a sound recommendation. The latter, however, is nothing new.

I find myself impressed by certain evidence in this section of the report which is not mentioned by the Committee. I refer to the tendency for imports to have a wild growth when uncontrolled. In the case of Canada, whose crude oil exports to the United States were exempt from the import program during the period under purview by the Committee, the imported volume increased from 83,000 barrels per day in 1958 to 270,000 barrels per day in 1962. In other words, the volume more than tripled during these years.

Through a change in the control program since the Committee's study, Canadian imports are included in the overall import allowable. This is constructive and in keeping with the overall concept of continental petroleum security.

However, it is necessary that imports from Canada be coordinated with our own supply as well as with oversea imports. Otherwise, the entire program could degenerate into a state of serious imbalance.

Therefore I heartily endorse the Committee's recommendation that talks with Canadian officials, with the view of stabilizing this situation, be continued.

I think, also, that the increase in imports from Canada, while they were exempt, constitutes a clear warning to this Nation that the control program must not be relaxed.

The Committee also gives attention to imports from Mexico in a manner with which I heartily disagree.

The Committee states that, and I quote:

> Exempt imports from Mexico (they are no longer exempt, it should be observed) have not created a problem since they were stabilized in May 1961 at 30,000 barrels per day.

In my interpretation of this import schedule, which is clearly a circumvention of the intent of the program, these imports still create a problem. They constitute a 30,000-barrel-per-day problem. In my opinion it is the problem which has been stabilized, not merely the daily volume of influx.

In my view, the Committee's findings in this area should provide two points for emphasis. First, and already mentioned, coordination with Canada, and second, the absolute need to contain all imports under the overall program regardless of source.

Mr. ALGER. Mr. Speaker, one of the most erroneous and indefensible conclusions reached by the Petroleum Study Committee pertains to oil prices. The report of this Committee infers very strongly that oil prices have been and are out of line with general price levels at both the wholesale and retail level and that the import control program is keeping them there. Neither could be further from the truth.

It is a recognized fact that throughout the world the standard of living in a given country is directly dependent upon the quantities of energy consumed. The people of the United States have long enjoyed the highest standard of living in the world because they had available to them adequate supplies of energy fuels at reasonable prices. Since well over two-thirds of that energy is supplied by the petroleum industry, oil prices have had to be fairly well in line with general price levels or the present rate of energy consumption and resulting high standard of living would never have been achieved.

This fact is also borne out by a comparison of the official Government wholesale price index data for all commodities, excluding farm products and foods, with the index of crude oil prices. Following World War II these two indexes followed the same trend and were at about the same level. The crude oil index went slightly above the index for all commodities, excluding farm products and foods, in 1957, the year the first voluntary oil import program became effective. Since that time the trends in these two official Government price index series have been as follows:

Index numbers

[1957-59=100]

	Wholesale price index all commodities (excluding farm products and foods)	Crude petroleum
1957	99.2	101.0
1958	99.5	101.2
1959	101.3	97.8
1960	101.3	97.2
1961	100.8	97.5
1962	100.8	97.8
	Percent	*Percent*
1962 versus 1957	+1.6	−3.2

During the time we have had an import control program, crude oil prices actually declined 3.2 percent while prices, other than farm products and foods, increased 1.6 percent.

At the retail level, about the same trends have prevailed. Following World War II, the price index for regular grade gasoline, excluding taxes, increased at a slightly faster rate than the consumer price index for all commodities excluding foods. However, since 1957 gasoline prices have declined steadily each year while consumer prices in general have continued to rise. Data for each year since 1957 have been as follows:

	Consumer Price Index (all commodities except foods)	Regular grade gasoline (excise taxes)
1957	98.9	102.4
1958	99.8	99.5
1959	101.3	98.1
1960	101.8	97.2
1961	102.1	95.1
1962	102.8	93.8
	Percent	*Percent*
1962 versus 1957	+3.9	−8.4

Even though both crude oil and refined product prices have declined since 1957 when general price trends have been upward, there is no doubt but that they would have declined even more if there had been no import control program or production controls in the States with substantial shut-in capacity. It is entirely possible that for a short period crude prices might decline much more than the $1 per barrel estimated by the Petroleum Study Committee. However, would the inevitable result be worth it?

If this happened it would be the end of the road for a vital U.S. industry that provided the fuel to win two World Wars. It would mean the wasting away of our most valuable natural resource. Billions of barrels of oil, now recoverable only because of conservation measures enacted many years ago, would never be produced. The United States would be dependent upon insecure sources such as the Middle East and Venezuela for vital petroleum supplies. Although we might have "cheap" oil for a short time, in the long run it would be the most expensive oil in our history.

Six years ago a special Cabinet Committee reported on its investigation of the crude oil import problem. This Committee was also concerned with the effect of possible import controls on consumers and came to the following conclusion on this point:

> "Domestic consumers are utilizing an increasing amount of petroleum products for transportation, fuel, heating, and many other aspects of consumer life. In the event of a national emergency, it is essential to these consumers that there be adequate supplies at reasonable cost, both now and in the future. The low cost of imported oil is attractive, but excessive reliance upon it in the short run may put the Nation in a long-term vulnerable position. Imported supplies could be cut off in an emergency and might well be diminished by events beyond our control. This vulnerability could easily result in a much higher cost, or even in the unavailability, of oil to consumers. It is therefore believed that the best interests of domestic consumers, as well as of national security, will be served if a reasonable balance is maintained between domestic and foreign supplies."

The relatively low price at which oil is presently sold may also be demonstrated by the fact that crude oil today sells for less than 7 cents per gallon and is the cheapest liquid bought and sold in our economy. Because of this low cost some 2,500 petroleum products are available at prices within the means of all Americans. A gallon of gasoline, for example, not including taxes, costs about the same as two cups of coffee, about half as much as a gallon of distilled water and one-fifth as much as a gallon of milk.

In view of these facts it is inconceivable that any study group could conclude that oil prices are high in comparison with general price levels or that they are being maintained at unreasonably high levels because of either the import control program or State production controls.

Mr. HOSMER. Mr. Speaker, the purpose of the present oil import program is to insure our national security in times of emergencies. Our reserve petroleum productive capacity has enabled us, from a position of strength, to build up our military capability to meet any eventuality. At all times we must maintain a position of strength to prevent and deter war. In this effort, experience has proven that no munition is more important than oil.

On several occasions during recent years, the United States has been called upon to make additional petroleum supplies available from our oilfields to help meet emergency conditions in which friendly foreign nations found themselves when their normal oil supplies were cut off. The nationalization of the Iranian oilfields cut off some 600,000 barrels daily of vital oil supplies to all of the countries of the free world for 3 years while a solution to the nationalization problem was being sought. The U.S. oil reserve productive capacity was called on to help overcome the shortage of oil that affected many nations of the world and Western Europe in particular. When the Suez Canal was nationalized in 1956, subsequent sinkings of ships in the canal effectively blocked all transit through this key link between the vast Middle East oilfields and the countries of Western Europe and northern Africa which were utterly dependent on Middle East oil. War was imminent and in fact, European troops were landed in Egypt to recapture the canal by force. The bargaining position of the United States in this crisis was materially strengthened by our reserve supply of oil and we were able successfully to demand that these European troops be withdrawn from Egypt and world war III was averted. U.S. shipments of oil to Europe during this crisis increased some 700,000 barrels daily and greatly assisted Western Europe's industry from coming to a grinding halt.

Today, Communist agents from Cuba periodically blow up oil pipelines in Venezuela and harass the Government. Oil installations are continually threatened in Venezuela which happens to be the largest oil exporter in the entire world.

Yet, this report from the Petroleum Study Committee blandly states that there could be an additional but undetermined requirement to meet some portion of the needs of friendly foreign nations in such emergencies. Although generally considered, no complete appraisal of supply-requirements interrelationships of the entire free world was made. The extent to which the United States must undertake to maintain spare capacity for other free world emergency requirements has not been determined by this Government nor made the subject of international discussion.

I submit that the omission of such consideration from a so-called comprehensive study of petroleum supplies and requirements in relation to national security objectives is a major blunder and should be corrected immediately.

As I previously pointed out in my discussion of the Suez Canal crisis, two European countries almost triggered world war III because their oil supply from the Middle East was cut off when the Canal was nationalized. If we cannot arrange to deliver the oil that is required, no choice is available to them, if a similar emergency should arise, except to fight to regain the oil supply they must have to survive. We must assume that the unexpected could happen and we cannot ignore the consequences if it does happen.

If we lack ample reserve supplies in this country to fill the gap caused by the denial of oil from a normal supply source, I am afraid that our requests for restraint with the friendly foreign country or countries affected would be completely ignored. We would be bargaining not from a position of strength but from one of weakness and we can anticipate the results.

Therefore, I am fearful that this Petroleum Study Committee report is not, in fact, based on a comprehensive study of petroleum requirements and supplies in relation to our national security objectives as stated. Perhaps, I would be less apprehensive if I could examine the referred to "comprehensive" study which has not been made available to me or to anyone to my knowledge. We must be sure that all relevant facts bearing on our national security position have received full consideration. The Congress has the responsibility to know all the facts when policy matters affecting this Nation's security is involved.

I believe that we should have hearings to discuss this report and that the experts from the Office of Emergency Planning should be called to answer these pressing questions that are a matter of concern to many of us.

Is this report merely a report to the President or is it a new policy statement affecting the entire petroleum industry in this country and our national security as to oil. Has the report been approved by the President or has it been rejected in whole or in part? These, among many other questions, are begging an answer and since they remain unanswered it is our duty as Representatives to find out.

Mr. HARRISON. Mr. Speaker, I wish to commend the gentleman from Texas [Mr. FOREMAN] for arranging for a discussion of this important matter on the floor of the House.

The oil import program is of deep concern to every American citizen, for it is only through the maintenance of Government-imposed restrictions upon oil imports that this Nation can hope to maintain a strong and healthy domestic fuels industry.

Should the oil import program be abandoned, it would signify that we as a nation have decided that in the future we will place our reliance for fuel and energy upon foreign sources to the detriment of domestic oil and coal.

Such a decision would entail a basic and fundamental change in national policy and I am firmly of the opinion that no such change in national policy should be made without long and considered debate. Certainly, a change as far reaching as that involved in abolishing the oil import program, or weakening it significantly, should not be based upon a study made by a committee of the executive branch without the advice and counsel of the Congress.

The Nation must in the future have a safe and secure supply of fuel and energy. Without this fuel and energy we cannot hope to maintain our industrial supremacy or to continue our military dominance.

I seriously doubt that we can maintain the supply of fuel and energy the Nation must have if we write off the domestic coal and oil industries and turn to foreign producing countries for our fuel. The world is too unsettled, and the future to obscure, for such a step to be even contemplated.

I trust the words spoken on the floor of this House today will be heeded by the administration and will be regarded as an expression of concern over the threat raised by the Cabinet Committee report to the future of the oil import program.

This program to limit oil imports, and thereby provide an opportunity for the domestic oil and coal industries to grow and expand to meet the Nation's growing demands for fuel and energy, must be continued.

And the program should be strengthened, both as to imports of crude and residual oil. It must not be fatally weakened, as would be the case if the recommendations of the Cabinet Committee were put into effect.

I would like to point out, Mr. Speaker, that removal of import controls on residual oil could well mean the end to hopes the West has of developing vast reserves of coal. In my State of Wyoming alone, recoverable reserves are estimated at more than 60 billion tons.

There is a definite possibility of developing a market for this coal on the west coast. But how can this be done if we permit imports to destroy the strength and financial stability of the domestic coal industry? These vast reserves of coal are a great national asset and they should be protected.

In closing, let me again commend my colleague from Texas for his initiative and wisdom in calling this most important matter to the attention of the House.

Mr. KILGORE. Mr. Speaker, will the gentleman yield?

Mr. FOREMAN. I yield to the gentleman from Texas.

Mr. KILGORE. Mr. Speaker, another matter of concern to our Government and to all of our citizens is the chronic imbalance in our international payments. I find no mention in the report of the Petroleum Study Committee concerning this vital problem which must be solved, and soon, if our dollar is to continue to command respect in the commerce of the world.

During the last 13 years the U.S. deficit in our balance of payments has totaled $26 billion or an average of some $2 billion a year. Since 1950, only one year showed a favorable balance, indicating that our income from abroad exceeded our payments to foreign countries. These annual deficits, in effect, are due bills which must be settled either with goods or with gold.

The impact of petroleum on our balance of payments is quite significant. For example, the U.S. No. 1 import dollarwise is petroleum. Last year the value of petroleum imports was $1.8 billion according to Department of Commerce data. However, even this enormous sum is on the conservative side since it does not include the freight charge which is not included in the Department's value figures. During the year 1962, the United States exported petroleum and products valued at $442 million again excluding freight. So our trade balance in petroleum resulted in a deficit of $1.3 billion. Our deficit position in petroleum trade has exceeded a billion dollars for each of the last 5 years and this does not include military purchases of oil abroad which during the last 5 years have averaged some $300 million annually and are running at about $350 million. Therefore our petroleum trade deficit constitutes a significant item in our overall balance-of-payments problem.

Last year we managed to hold our balance-of-payments deficit to $2.2 billion. This was possible because of special circumstances including loan repayments by foreign governments of debts, advance payments on German military purchases here and the U.S. Treasury's borrowings in Italy and Switzerland. Without these special receipts, which we cannot expect to be repeated, last year's deficit would have totaled $3 billion. The balance of payments in the first quarter of this year ran at an annual rate of $3.3 billion and the second quarter will be no better.

Our gold situation today reflects the fact that the time is fast approaching when we must face this problem and take definite measures to alleviate the situation or in truth our dollar will not be worth a "continental." Currently, we have some $16 billion in gold reserves. About $12 billion of this $16 billion is reserved or "frozen" as the backing of our currency. The remainder, or $4 billion, is what is left to settle foreign claims of $25 billion which have piled up from our spending more abroad than we have received. These foreign claims of $25 billion are payable in gold should the foreign creditor ask for gold. It is clear that demand for payment in gold beyond the $4 billion available in the Treasury would create a serious payment problem. We simply do not have the gold to settle these claims unless we use the gold that backs our money. If we use this gold, what stands behind our currency? Again, I repeat that we must come to grips with this problem now. We cannot forestall the inevitable result if we continue to ignore this most serious crisis.

Therefore, the recommendation made in this committee report to increase the crude oil import level will also increase our trade deficit in oil and have an adverse impact on our already serious balance-of-payments difficulties.

With 2.5 million barrels a day of shut-in oil in this country, I believe our national security and national objectives would be more properly served if we utilized more of our own oil and reduced imports accordingly. Such action would reduce our petroleum trade deficit and improve our balance-of-payments position.

It might be asked if oil remittances from U.S. companies' oil operations abroad offset our trade deficit in oil. The answer is negative. Even if every oil-related item is taken into account, there remains a petroleum trade deficit of one-half billion dollars. Including U.S. oil company dividends to and remittances from foreign oil operations, added to the value of total petroleum exports, plus the value of all exports of casing and line pipe and oilfield equipment still fell far short of balancing the petroleum ledger last year.

I believe that the importance of petroleum in our trade accounts and balance-of-payments difficulties should be explored with the petroleum study group in detail and a clear record established concerning the weight that was given to our gold outflow problem in the deliberations of the group.

Mr. SHORT. Mr. Speaker, will the gentleman yield?

Mr. FOREMAN. I yield to the gentleman from North Dakota.

Mr. SHORT. Mr. Speaker, I thank the gentleman from Texas for yielding. I want to commend him for taking this time to bring to the attention of the Members of Congress and the public the reality of the current condition of the oil industry in the United States.

Mr. Speaker, at a time when the administration says it is committed to a policy of stimulating our domestic economy and creating new jobs, national policy with relation to the petroleum industry seems headed in the opposite direction.

In my State oil production is small in relation to total national production yet petroleum exploration and production is the second largest source of income in North Dakota. We are witnessing a marked decline in oil exploration and development of new fields. Oil company offices have been closing up and a recent article in the Bismarck (N. Dak.) Tribune indicated that the last major oil company maintaining an office in North Dakota—Texaco—was moving out this month.

This all obviously is a part of a national petroleum policy based on allowing a maximum of crude petroleum importation and increasing amounts of residual fuel oil.

The justification is a simple one—namely that foreign petroleum products are cheaper than those produced domestically. This is true and I might add that this is true of almost any product you want to name that can be obtained from a foreign source. It is also true that this policy does not contribute to stimulating our domestic economy.

It just does not make good practical sense not to maintain a healthy domestic petroleum industry—oil is an indispensible fuel in our present-day economy. We must not become dependent upon a foreign source for such a basic commodity when the interference of an unfriendly country could cut off our supply. This to say nothing of the potential increase in employment that could result from expanding our domestic petroleum industry.

Mr. Speaker, the recent report by the President's Petroleum Study Committee unfortunately tends to exaggerate the benefits that would accrue to the economy if certain steps were taken to further control or penalize the oil and gas industry. Conversely, the study tended to gloss over and minimize the actual damage that would be inflicted on the oil industry itself.

For example, the Committee implies that import controls should be abandoned and suggests obliquely that this would drive U.S.-produced oil prices downward by $1 a barrel, or below the cost of finding and producing it. It was magnanimously conceded, however, that "a sharp decline in the level of prices or of production would create pockets of economic distress and unemployment."

Economic distress and unemployment would indeed result in the United States as a result of such sharp declines. But to refer to the broad areas that would be hard hit as pockets indicates astounding unfamiliarity with the scope of petroleum industry activities and the thousands of communities which rely on these operations as a primary source of trade and income.

Consider what has happened since the midfifties in a period of rising imports and even without what the Committee might call a sharp decline in prices.

Between 1955 and 1962, there was a 50-percent decline in the number of crew months logged in geophysical exploration while the annual drilling rate fell more than 10,000 wells. And in just 5 years, between 1957 and 1962, the number of jobs in oil and gas production declined by 40,000.

Observing what has happened in this period when such drastic measures as were hinted at by the Committee were not even in effect, it is frightening to contemplate what might occur if these steps were initiated.

Rather than "pockets" of distress, I assure you we would have a vast blighted area covering parts, and in some cases most, of the 33 oil- and gas-producing States.

Mr. FOREMAN. I thank the gentleman from North Dakota for his very appropriate remarks. Mr. Speaker, I now yield to the gentleman from Texas, [Mr. FISHER].

Mr. FISHER. Mr. Speaker, first I wish to thank the gentleman for yielding and also to compliment him for the contribution he is making by bringing this matter to the attention of the Congress and the country at this time. I can hardly think of a subject more really serious in importance on the domestic front than that of the plight of our domestic oil industry. And no one is better qualified to discuss that and to appraise it than is my colleague [Mr. FOREMAN] who represents a district that is so vitally affected by the excessive imports with which this country has been plagued in recent years. And I might add I represent a district that is likewise very vitally affected.

Mr. Speaker, I am very much disturbed by a rather vague passage in this so-called Petroleum Study Committee report. The report states that, "Taking account of all factors, there is an area of choice within which action can be begun to accommodate petroleum policy to other relevant national objectives." The referred to factors are not enumerated but the inference is that every significant fact bearing on petroleum policy has been weighed in line with relevant national objectives—again not enumerated—leading to a conclusion that "a modest increase in the level of licensed crude oil imports above that which would be provided by the present program for districts I–IV can now be undertaken."

This conclusion flies in the face of all of the relevant facts available to me concerning the economic health of the domestic petroleum industry. I have reviewed the record of earnings of the oil industry, the level of shut-in production seeking a market, the level of exploratory activity and drilling activity, the volumes of our proved oil and natural gas reserves, the level of employment in the industry and I have reviewed the price record for crude oil and refined petroleum products. The facts simply do not support the conclusion that the oil import volumes should be increased.

The petroleum industry's rate of return at 8.6 percent on invested capital is below that for all manufacturing industries despite a considerably greater risk factor. Earnings in the industry for the period 1955–61 averaged 9.1 percent and have persisted below that for manufacturing industries in general which averaged 10.4 percent for this same 7-year period.

The volume of U.S. oil shut in for lack of market exceeds 2.5 million barrels per day at the present time and has remained around this level since the oil import program went into effect. Exploration activity as measured by geophysical activity is at the lowest point in a decade. The number of active rotary rigs drilling for oil and gas has set a new low in each of the last 3 years and currently rigs active are 40 percent below the year 1955. Exploratory or wildcat well completions drilled last year totaled only 9,000 down steadily each year since 1959 and currently only two-thirds as many wildcat wells are being drilled as was the case in 1955. The total number of wells completed has dropped steadily for 4 straight years and today is running 20 percent under 1955 levels. The price of domestic crude oil has decreased steadily since 1957 and today crude sells for $2.89 compared with $3.09 as recently as 1957. It is difficult to recall any other commodity that sells for less today than it did 6 years ago. The decline in the price of crude oil is clear evidence that the volume of oil already being imported is excessive. Gasoline prices in 1962, when taxes are excluded, were lower than in 1961 and are one-half cent lower than 5 years ago. Crude oil reserves in the United States actually decreased slightly last year and have hovered around the 31 billion barrel mark for the last 3 years.

Despite these facts the report concludes that more imports rather than less should be allowed to enter the country. I am unable to follow the logic that lower employment, fewer wells being drilled, lower prices for crude oil and products, an actual depression in the well-drilling industry with dozens of companies going out of business, and a smaller reserve position indicate that more imports are indicated to further our national security objectives. Larger volume imports will further depress the domestic industry's health and weaken our national security as to oil.

Mr. FOREMAN. Mr. Speaker, I thank the gentleman for his very fine remarks and join with him in this effort to bring to the American public the true picture of this vitally important industry.

Mr. Speaker, I now yield to the gentleman from West Virginia [Mr. HECHLER.]

Mr. HECHLER. Mr. Speaker, as a Representative from the State of West Virginia, the largest coal-producing State in the Union, I wish to urge not only the retention of the present oil import program but also a strengthening of those provisions of the program applying to residual fuel oil.

From the very first day I took the oath of office as a Member of this body, I have worked with my West Virginia colleagues and those from other States in an attempt to limit the quotas on the importation of residual oil.

The program must be strengthened in order to hold the line against residual oil imports, which have increased from 357,000 barrels daily, when the program was started in March of 1957, to 575,000 barrels per day at the present time.

This vast amount of oil—equivalent to 50 million tons of coal annually—is sold in competition with coal, chiefly on the east coast.

This competition has created very difficult conditions for the coal industry and those people who rely upon the production and transportation of coal for a livelihood.

The coal industry has shown very heartening signs of recovering some of the ground it has lost in past years. Thanks to an almost unprecedented increase in efficiency and productivity, both in producing coal and in transporting it to market in one form or another, and in improved efficiency in the burning of coal to produce electric power, some improvement in production has been evident in recent years.

At this point I would like to compliment both the coal and power industries for the teamwork they have shown in the development and utilization of coal.

But all of this progress can be seriously retarded by any further increase in residual oil imports.

The very nature of residual oil—a waste product of foreign refining operations—and the manner in which it is and can be sold to always undersell coal assures it of a ready market. The only thing which stands between the coal industry and further substantial losses of markets to imported oil is the oil import program.

Mr. Speaker, I want to make it crystal clear that I am a strong supporter of President Kennedy, and I do not entirely share the criticisms which have been made against the Kennedy administration on the floor today. I happen to be one of the hundreds of thousands of West Virginians who deeply appreciate the steadfast efforts of President Kennedy to give an economic upsurge to the economy of our State and other areas with high numbers of unemployed. We in West Virginia are grateful, Mr. Speaker, that we have a President in the White House named John F. Kennedy.

Yet the economy of West Virginia is geared to coal—its production and transportation—and the oil import program is essential to the economic resurgence which our State is making against heavy odds.

Mr. FOREMAN. I thank the gentleman from West Virginia for his remarks.

Mr. Speaker, I yield to the gentleman from New Hampshire [Mr. CLEVELAND].

Mr. CLEVELAND. Mr. Speaker, I thank the gentleman for giving me the opportunity to have my remarks follow the remarks of the gentleman from West Virginia.

A group of us from the Atlantic Seaboard discussed in the well of the House the residual oil problem last March. At page 4951 of the CONGRESSIONAL RECORD of March 28 my remarks on this subject are more fully set out. In part they are as follows:

> The coal industry is spending millions through the National Coal Association and the National Coal Policy Conference Board in Washington to sell false propaganda. Throughout the world the coal industry is fighting not only for the status quo, but a turning back of the clock. Because of their unity they are temporarily winning this battle through various forms of controls and unfair taxation on competitive fuels.
>
> The price the New England taxpayer is paying for a few New Frontier West Virginia votes is very high indeed.
>
> According to the Congressional Quarterly magazine, some U.S. oil interests have joined the coal industry in favoring residual oil quotas. There is no convincing evidence that removal of residual oil restrictions would hurt American oil companies. All the evidence suggests the opposite.
>
> SYMPATHY MAY WEAR THIN
>
> American oil companies should carefully consider the facts before joining an embargo movement on New England progress. One of these facts that I hope they will pay particular attention to is: they traditionally look to intelligent Representatives of New England for assistance in their annual fight to maintain the 27½-percent depletion allowance. One of the main purposes of this allowance is to insure an abundance of petroleum products to benefit the American consumer. This allowance was never intended to act as a handmaiden of restrictions. Intelligent and thoughtful people in New England are sympathetic to the needs of the U.S. oil industry. However, when we find the oil industry combining with groups who want to unnecessarily raise the price of New England fuel, I think it is reasonable to point out that our sympathy may wear thin.

I call to the attention of the gentleman from Texas and many who have joined with him today that the patience of some of us in New England will wear extremely thin if we find they are in coalition with the coal people to embargo New England.

I call attention to the fact that recently President Kennedy and Secretary Udall in recommending the Passamaquoddy project pointed out that New England electrical rates are the highest in the country. One of the reasons they are so high is the embargo created by the administration, which has raised the price of residual oil and has resulted in high prices for New England fuel. Despite the position taken by the gentleman from West Virginia, we urge that you people who are truly interested in the oil industry not to be beguiled into joining a coalition with them. As I suggested last March there may come a time when you will call for our help when we are considering such things as depletion allowances.

Mr. FOREMAN. I thank the gentleman from New Hampshire.

Mr. Speaker, I think that those of us from the western oil and gas States should make it quite clear that the problems of crude oil imports and residual oil imports are two quite separate and distinct problems. This distinction is extremely important, and we should keep it in mind as the discussion on import problems progresses. The factors which influence these two programs are highly diverse; there is little, if any, relationship between the two.

In the case of crude oil, there is available from many points around the world, in Venezuela, in the Middle East, in North Africa, a flood of low-cost crude oil which, if permitted to flow into this country unrestricted, would shut down the domestic petroleum industry completely. Such a situation would leave this Nation at the mercy of the foreign nations which control the production of that crude oil—or of the foreign nation which chose to interrupt commerce on the high seas during a time of national emergency.

There has been bipartisan agreement since the mid-1950's, Mr. Speaker, that the influx of foreign crude oil should be regulated so that this Nation could continue to rely on a healthy, strong domestic oil producing industry to supply us with a ample outflow of inexpensive energy for our domestic economy, and for our war machine if it should ever have to be placed in motion.

No one has ever seriously suggested that the oil wells of the United States, producing as they do hundreds or less barrels of crude daily, could compete with the giant outflow of the Middle East fields, where the daily production from a single well may run into the thousands of barrels.

This is an open and shut question, Mr. Speaker, and the United States should not place itself in the position where it has to import the major part of its energy supplies, any more than we would wish to be in the spot where most of our food came from oversea sources. The truth is that, if we were to lose our low-cost energy sources at home, we would very shortly lose our food supplies, too, because the one is dependent upon the other.

But heavy fuel oil presents a different problem. Unlike domestic crude, there is a shortage of domestically produced residual. During the postwar period, domestic refineries have continuously reduced their production of residual fuel oil for basically economic reasons. U.S. refiners find themselves selling this product today for $2.50—less than they pay for an equivalent quantity of crude oil, and that allows nothing for the processing cost, the transportation, and marketing cost. Residual oil produced in the United States, Mr. Speaker, is sold in order to reduce the loss involved in disposing of the product. Since residual oil is not a profitable item, it is not surprising that U.S. refiners make just as little of it as they can. There was a time when nearly one-third of every barrel of crude oil ended up as residual oil. But that was decades ago when refineries amounted to nothing more than topping operations. In these days of modern refinery technology, with catalytic cracking producing new advances each day, more and more of the black, sticky residual oil is turned into valuable products such as gasoline, and home heating oil. Modern refineries today are able to convert more than nine-tenths of each barrel of crude into valuable products, leaving only about 8 percent to be disposed of as heavy fuel oil. Furthermore, this 8 percent constitutes only about 4 percent of the value of the total barrel of crude. This downward trend in the production of domestic residual can be noted in inland refineries which have been relatively insulated from imported supplies as well as in the coastal refineries. Therefore, this trend has been essentially independent of the magnitude of imports and is therefore incorrect to relate the residual fuel oil problem to the national security interests of the domestic oil industry.

Residual oil, Mr. Speaker, is used under large boilers, in industrial and commercial installations which have the special equipment needed in order to burn the product. It is never used in private homes. And, as the domestic supply of this product has dwindled over the years, its markets have gradually been taken over by natural gas and coal, depending upon the location of the market. In the southwestern States, and in areas near them served by efficient pipelines, natural gas today supplies much of the market which once went to residual oil.

Similarly, in States near large bodies of coal, this fuel tends to be the product which is used in industrial and commercial heating, although it has lost large markets to oil and gas in home heating, and from dieselization of the railroads.

The shrinking domestic output of heavy fuel oil has also been supplemented in recent years by imported heavy fuel oil, produced primarily from heavy Venezuelan crudes which are particularly adapted to it. But this imported residual oil is competitive in the United States only in a narrow strip along our eastern seaboard, at points comparatively distant from coal producing areas. This underscores the fact, Mr. Speaker, that imported residual oil is competitive primarily with coal, and then only in a very limited area.

The basic reason for this is that, paradoxically, coal and heavy fuel oil share two basic characteristics: First, they are both available at very low cost at the point of production. But, second, their costs rise very sharply when they have to be transported over great distances, and particularly if they are transported by land. Thus, coal can be shipped by rail to Hampton Roads and transported to Western Europe at prices less than European coal companies can deliver their own coal to industrial consumers.

But when coal has to be shipped by rail to New England, it competes with heavy fuel oil brought in by sea from the Caribbean.

Similarly, residual oil can be brought to the United States from the Caribbean, and brought up our eastern rivers and waterways for a short distance, at a price competitive with coal. But when it reaches a point about 100 miles up the waterways from the coast, the costs of the special equipment required to handle the gummy stuff brings its price up to the point where coal takes over.

Residual oil, actually, does not compete with western coal deposits, Mr. Speaker, because by the time it was brought into the Western States from the Nation's refining centers, its price would be prohibitive. So imports of heavy fuel oil are no threat to western coal producers.

But the point which I really intend to drive home, Mr. Speaker, is that imported heavy fuel is not competitive with domestic crude oil. I know of no U.S. refiner who would increase his production of heavy fuel oil in the event that imports of the product were cut off. No domestic refiner can be found who will state that he has increased his output of residual in the several years since import quotas were imposed on residual oil. In fact, domestic production of residual oil has continued to decline, as refiners improved their facilities in an effort to minimize their production of a loss item.

To state my point in another way, Mr. Speaker, the curtailment of residual oil imports does not provide a market for domestic crude oil. Elimination of residual oil imports would not necessarily enhance the market for domestic crude oil. Consumers of heavy fuel oil would, under those circumstances, simply have to use an alternative fuel.

Now, it might be argued that domestic refiners and producers would suffer from excessive imports of heavy fuel oil because the consequent drop in the market price for the product would reduce refiners' realizations on their sales of residual oil, and thus depress the price they were able to pay for our own U.S. crude oil. But even this argument will not stand inspection.

In the first place, residual oil is not imported in huge quantities which are determined without regard to whether there is a market for the product. It is, as I have said, costly to handle and to store. Therefore, importations have traditionally been regulated by the demand for the product along the eastern seaboard. It is not brought in in a flood, which gluts the market and breaks the price.

But let us suppose that residual oil imports should reduce the market price in the United States by as much as 50 cents a barrel—and this is a very extreme assumption, Mr. Speaker. In that case, the composite price of a barrel of refined products would decline by only about 1 percent.

We must remember that residual fuel sells for $2.50 or less, compared with $3 for a barrel of crude oil, while products such as gasoline bring as much as $6 a barrel, and home heating oils bring as much as $4 a barrel.

I think that all of these facts make it apparent why domestic refiners and crude producers have little, if any, economic interest in restricting imports of residual fuel oil into the United States.

Mr. Speaker, I yield to the gentleman from Kansas [Mr. Shriver].

Mr. SHRIVER. Mr. Speaker, I commend the gentleman from Texas for taking this opportunity to call to the attention of the Members of Congress some of the disturbing factors which are having an adverse effect upon an industry which is so vital to the national security and economic progress of the United States.

The petroleum industry is one of the most important segments of the economy of my State of Kansas. Kansas ranks sixth among the oil producing States in the Nation. It is disheartening to one from an oil State to witness a gradual deterioration of this industry in a period of only a few years.

More than a year ago there were efforts in the Congress to assist this ailing industry by introducing legislation which would have strengthened limitations on oil imports. These efforts were denied; and oil imports have been allowed to increase.

This year the administration has submitted to Congress tax proposals which would further suppress the normal and natural progress of the petroleum industry. It is difficult to comprehend the reasoning for placing additional tax burdens upon this industry, when the administration's announced goal is to stimulate the industrial economy through a program of tax reduction.

Now we have before us the report of the Petroleum Study Committee which until a few weeks ago had remained a well-guarded secret. The overall implications of this report to the President, drafted by representatives of seven executive departments, are cause for further alarm. The conclusion of this study appears to be more Federal control of the petroleum industry.

Mr. Speaker, today I am joining with a number of my colleagues in the House, who share a mutual concern for the health and vitality of this industry, in discussing certain aspects of the Petroleum Study Committee's report.

First, the Committee claims that the system of production controls "has strongly tended to increase excess capacity and production costs and to distort competition."

It is vitally important for national security purposes to maintain petroleum producing capacity substantially in excess of peacetime needs, and to expand capacity each year to stay well ahead of rising consumer requirements. It is most difficult to understand the criticism of excess petroleum producing capacity. As long as petroleum continues to be our industrial life's blood, with vast and instantly expanded demands on the industry in times of emergency, the challenge will be to keep expanding our capacity rather than shrinking it as this "secret report" says we should.

The value of U.S. oil to national security has been demonstrated over a period of 45 years of meeting various types of emergencies. Oil has been the key to victory for this Nation in two World Wars.

More recently, and of perhaps more significance as a deterrent to World War III, a number of political crises have emphasized the essentiality of maintaining adequate oil supplies within the United States. In 1951, the production of oil in Iran was shut down and 600,000 barrels daily were cut off as a source of supply to the free world. Five years later, in 1956, the closing of the Suez Canal posed a grave threat to world peace. The availability of reserve supplies from the United States and, to a lesser extent, from other Western Hemisphere sources averted this threat of war. Today, Communist activities in Cuba again threaten the availability of oil supplied from foreign sources through infiltration and sabotage activities in South America.

The Committee's report inaccuratley charges that State regulation of production has increased costs. On the contrary there is strong evidence that State regulation has tended to eliminate waste and conserve our mineral wealth. Without States regulation of production, there would be a severe waste of our resources through overproduction of petroleum for which there would be neither market nor facilities for storage.

In regards to competition, State proration and conservation systems have not distorted competition as the report claims. The exact opposite is true. The system of State controls has preserved industry competition through the setting of production allowables designed to provide for each well its equitable portion of petroleum demand.

Mr. FOREMAN. I thank the gentleman from Kansas [Mr. SHRIVER] for his very appropriate remarks in this discussion.

Mr. RUMSFELD. Mr. Speaker, will the gentleman yield?

Mr. FOREMAN. I yield to the gentleman from Illinois.

Mr. RUMSFELD. I first want to commend the gentleman from Texas on his very fine presentation here this evening and for bringing this matter to the attention of the Members of the House. The gentleman from New Hampshire raised the question of percentage depletion. I would like very briefly, if the gentleman from Texas would explain or account for this special tax treatment which is allowed the oil and gas industry. I think it would be of interest to the Members of the House as well as to this one Member. I am from a district that does not produce oil but we are big users of oil.

Mr. FOREMAN. I appreciate the question of the gentleman from Illinois and I am pleased to answer.

Percentage depletion is simply a depreciation allowance on a depleting capital asset. Percentage depletion merely recognizes that oil in the ground is the producer's capital, and that this capital is depleted—or used up—by the operation of an oil well. The provision is based on the accepted tax principle that only income from capital should be taxed, not the capital itself.

It is my belief that the highest national interest is served by maintaining a healthy dynamic oil industry and that to insure that it is important to preserve incentives—such as the percentage depletion principle—which encourage the search for oil. It is not enough to find as much oil as we consume. We must find more oil than we consume. Our reserves must be kept high for they are the base of our national security. In order for us to maintain the necessary reserves of the oil and gas fuel energy requirements of our Nation without the oil percentage depletion principle, one of two steps, if not both, would have to be taken. First, the consumer price for petroleum products would rise sharply, and/or secondly, the Federal Government would have to subsidize the oil industry with our tax money, and eventually control it completely. Every American will be required to pay the price, if these socialistic steps are taken. Percentage depletion has been incomparably effective for a generation. Who can doubt that it will prove as effective for the generation that lies ahead.

If a man is going to bet on a horse race or a poker hand, he had better know the odds. This same advice holds for a man considering investing in a wildcat oil venture. Let us consider the case of an oilman about to invest in the hunt for oil. And this is an open game. Oilmen are constantly on the search for investment capital. Anyone can get in who wants to play, whether it is for $10, $100, or any larger amount that he dares to risk. Now, the odds of finding any oil, getting any return, are 1 in 9. The odds of getting your money back or slightly better, are 1 in 44. The odds of hitting the jackpot—that is, finding a 50 million barrel field are one in a thousand. Only the most venturesome will play in this kind of "game," and many operators play a long time before they beat even the 1 to 9 odds; many never do.

In view of the general misunderstanding and confusion regarding the basic issues involved in the question of the depletion provision, I felt this letter, published by the Empire Trust Co., New York, N.Y., might help in clarifying its importance to our economy and security. Therefore, I wish to insert the letter at this point:

[From the Empire Trust Letter]

THE OIL PERCENTAGE DEPLETION PRINCIPLE—HOW IT WORKS FOR AMERICA

Suppose you wanted to stop—and reverse—the wheels of progress. Suppose you wanted to turn back the clock—sending American life and living standards back to the early 19th century. What would be the quickest way of foisting backwardness on your fellow Americans?

The answer is very simple and as effective as it is simple: You would find a way of cutting off the Nation's oil resources.

We call these resources—in accurate but unilluminating terms—the principal source of our fuel energy. And so they are. But the reality is at once accurate, more striking, and more compelling. It is this:

OIL IS THE FOUNTAINHEAD OF AMERICA'S PROGRESS

Oil alone did not bring us to our present high place of military and industrial power. But it is equally clear that without oil we could not have grown to our present stature: that without constantly increasing quantities of oil in the future we cannot grow in stature. It seems scarcely too much to say that it occupies among us a position almost of industrial omnipotence and the reasons are not far to seek.

Ranking behind Red China, India, and the Soviet Union, we are the fourth largest grouping of people in the world. But we are small on the scale of the world's total population. We account for only 6 percent of all men.

We loom large in the industrial and political affairs of the world—and in the careful calculations of would-be aggressor nations—because of this fact:

The United States uses almost 40 percent of the world's total commercial energy consumption.

Let us look back for a moment in order to better look forward. Just a short while ago—on August 27—the Nation celebrated its oil centenary. For on that day in 1859, Edwin L. Drake, a former train conductor, struck oil at 69½ feet at Titusville, Pa.

Drake's well produced 20 barrels of oil a day at its peak. One hundred years later the United States produces more than 7 million barrels daily from its own wells and consumes more than 9 million barrels daily. What then, is the measure of our rapidly growing appetite for oil? It is this:

It took 77 years—from 1859 to 1936—for domestic petroleum consumption to reach a billion barrels annually. But the jump from 1 billion to 2 was accomplished in a mere 12 years. And 7 years from then—in 1955—America's annual petroleum consumption surged past the 3-billion-barrel mark.

The United States cannot lead a summer grasshopper's life. It must prepare for the future if it is to survive in the present. Even if there were no great powers antagonistic to us, we would still have to provide more oil for the years ahead.

OIL FOR THE SPACE AGE

As we move into a new world, it becomes clearer that America's greatest days lie ahead.

What do they hold for oil? It is estimated that by 1975—only 12 years hence—our annual petroleum consumption will rise from its present 3¼ billion barrels to 6 billion barrels. Annual petrochemical production alone will be 85 billion pounds by 1965.

These estimates may well be on the conservative side. For, as experience shows, future estimates of petroleum consumption in the United States have often lagged behind the fact. Hence the 1975 demand may be on the order of more than 6 million barrels or over twice today's consumption.

We have often worked industrial wonders but ingenious as we are we can't suddenly pull 2 or 3 additional billion barrels of oil out of the earth every year. It must be found, developed, and financed in advance of the event.

OIL IS THE FLAME OF OUR NATIONAL LIFE

Oil and natural gas together furnish nearly three-fourths of the fuel energy requirements of the Nation.

And while our population grows, our industry grows to meet the increasing demands of an increasing population, and our standard of living, long ago risen past the meat-and-potatoes stage, annually permits more of us to live better and better.

Thus tomorrow's demands for oil and gas may well dwarf those of today.

THE SHIRT LOSERS AND THE WINNERS

The first requisite of producing oil is to find it. And finding oil in the United States has always been a risky business. The oil seeker has to be an odd combination of Brodie, who took a chance by jumping off the Brooklyn Bridge, and a businessman.

Some oil explorers became rich. But thousands of them lost their shirts. There is a hard luck story in every one of America's 472,000 dry holes.

THE BIGGER THEY ARE

Let us see how it is today even when the explorer for oil is widely experienced, has at his disposal all that modern science can provide for petroleum exploration, and is well-heeled financially. Do these factors insure success in the gamble of looking for oil?

Early this year one of the major oil companies abandoned its most expensive dry hole. We do not know how much was invested in the venture, but the company magazine does tell us of the awesome conditions under which its men worked in their search for indispensable oil.

A long campaign of preparation preceded the actual drilling. As though getting ready for invading a foreign country, housing facilities and a mountain of supplies were assembled at Seattle and loaded on barges. Then the barges were towed 2,500 miles to Jute Bay on the Alaskan coast. There they were hauled over a newly built road from the beach to the drill site which was, we are told, "330 trackless miles from Anchorage."

Here was established a self-contained community in a remote and bleak wilderness which was, so to speak, 3,000 miles from a lemon. In this unrelentingly hostile environment men endured terrible hardships for more than 500 days while their drilling bit was slowly driven through the eternally frozen tundra to the great depth of 14,374 feet, or nearly 3 miles.

But what lay at the end of this arctic rainbow? A dry hole.

THE HUNTERS AND THE HUNTED

The moral of this story of a dry hole points up the dilemma of our oil industry. The country's economic and industrial power floats upon oil. But there is still no sure-fire way of finding it directly. Thus Everett de Golyer, the father of modern petroleum geophysics, at the time of his death in 1956, was planning a conference of Americans in many fields of science to ascertain if men outside the oil industry, by a freshness of point of view and novel approach, could develop a technique that has so far eluded men everywhere: The technique that would enable them to find oil directly.

Over the years there have been notable advances in the art, or science, of oil exploration. But as we all know even men employing the most ingenious scientific devices can never be sure they are going to find oil until by the expensive trial-and-error method of drilling they find it or they strike a dry hole. There is no inexpensive short cut to success.

SLOT MACHINE ODDS

Hence the would-be oil explorer must have two tools. The first is his belief that he knows where oil may be found in commercial quantities. The second is his courage to risk his money in the belief that he is right. His courage must be great and his conviction in his rightness fervent because he knows he is working against slot machine odds. They are no less than 8 to 1; that is, for every hole that finds some oil or gas in unexplored territory in the United States we have drilled 8 "dusters." These are appalling odds. Few men would enter so risky an enterprise—or could remain in it—if its high perils were not tempered, or compensated, by rewards somewhat commensurate with these risks.

AND 'RITHMETIC

Even finding oil is not enough to endow you with what Mark Twain called "the calm confidence of a Christian with four aces in his hand." The arithmetic is stark. It now can cost well over $100,000 and sometimes over $1 million to drill a wildcat. Men are drilling deeper all the time. The deeper you go into the ground, the deeper you go into your pocket and we must remember that since only 1 exploratory well in 8 uncovers any petroleum—and only about 1 in 50 makes a commercially successful strike—the prospector must be prepared to invest large sums of capital without any guarantee of success.

NATURE AND THE CONGRESS

Nature has already stacked the cards against the oil prospector. If the tax laws added unduly to these built-in hazards of his business, by making it virtually impossible for him to come out ahead even when he did find oil, there would be no incentive to take the risks. The hunt for oil would end abruptly.

Congress recognized this when the Federal income tax took effect back in 1913. After some experimentation with the principle of discovery value depletion it adopted the present percentage depletion provision a third of a century ago at a rate that still stands—27½ percent.

When this happened our population was about 115 million: our gross national product less than $100 billion. No one could have foreseen the United States, or the world, of today. But the country owes it to this wisdom of Congress that we have held our position as the world's leading oil producer and so a world leader in peace and war.

For Congress realized that looking for oil hidden far below the surface of the earth was an extremely risky business. It knew that just as there is a difference between courage and foolhardiness, so there is also a difference, compelling to sensible men, between taking the ordinary risks of ordinary business and the extraordinary risks of looking for oil. Hence Congress, aware of the vital importance of abundant oil supplies among us, and aware, too, that men must be encouraged to look for oil, adopted the realistic tax treatment method that is called percentage depletion.

WHAT IS PERCENTAGE DEPLETION?

Briefly, percentage depletion merely recognizes that oil in the ground is the producer's capital, and that this capital is depleted—or used up—by the operation of an oil well. The provision is based on the accepted tax principle that only income from capital should be taxed, not the capital itself.

To prevent an oil producer's capital from being taxed as income, he is permitted to deduct from his gross income—for tax purposes—up to 27½ percent of the value of the oil and gas he produces during the course of the year. The deduction is figured by each oil and gas lease or property, and it is limited to 50 percent of the net income of each lease or property, i.e., no income, no deduction. Because of this limitation it is estimated the 27½ percent is reduced to about 23 percent. The deduction approximates the capital value of the oil in the ground. Such treatment provides the producer with part of the funds needed to find more oil and thus stay in business.

Percentage depletion is not confined to the petroleum industry. It applies to practically all the other extractive industries—the mining of coal, lead, uranium, granite, limestone, and clay to name a few of the scores of raw materials covered. The rates vary roughly for the different minerals according to costs and risks of exploration and the variation in value of the resources in the ground.

The principle in all cases is the same. For the law recognizes that taxation of the value of these natural resources, as if they were part of the producer's income, would discourage their discovery and development. Percentage depletion encourages producers to find and develop new reserves of oil and other natural resources. This is exactly what Congress intended.

WHAT HAS THE DEPLETION PROVISION DONE FOR AMERICA?

When the depletion provision became effective in 1925, our oil reserves were 8.5 billion barrels. But in the period 1925–58, our domestic oil industry produced 52.4 billion barrels, or six times our reserves at the time percentage depletion was adopted. It has been brilliantly successful in making America supreme industrially and militarily. Presently, our proved oil reserves are at an alltime high.

WHAT DOES OIL PLENTY MEAN TO EVERY ONE OF US?

Abundant oil is the essence of our industrial-military might. It is the very heart of our world leadership. Lord Curzon, British Secretary of State for Foreign Affairs, observed that in the First World War "the Allies floated to victory on a sea of oil." We supplied 90 percent of that sea. After the war every American knew oil was the key to our power.

Recently, Fleet Adm. Chester W. Nimitz pointed out that the Japanese attack on Pearl Harbor might have been decisive if they had destroyed a tank farm at the base that contained 4½ million barrels of fuel oil.

"The loss of that great fuel supply would have been well-nigh irreparable," Nimitz said. "The campaigns against the Japanese would have been so much delayed and the enemy might have established themselves so strongly in the Western Pacific that years of effort would be needed for their expulsion."

PEACE HAS ITS OIL PROBLEMS NO LESS THAN WAR

Peacetime demands for petroleum exceed those of wartime. Consumption has increased 86 percent over the wartime demands of 1945. And in this dangerous period, that is neither war nor peace, our petroleum demands will continue to rise.

It is not enough to find as much oil as we consume. We must find more oil than we consume. Our reserves must be kept high for they are the base of our national security.

WHEN GOOD NEIGHBORS GET TOGETHER THEY DISCUSS OIL

Earlier this year the United States-Canadian Committee on Trade and Economic Affairs met in Ottawa. The presence of three members of the President's Cabinet in our delegation attests to its importance. Not surprisingly, the Committee talked oil.

It first reviewed the factors affecting petroleum supply and demand everywhere including, of course, Canada and the United States. Then, in the light of its review, it stated three principles upon which its members agreed:

First. Continued oil exploration and development were needed on defense grounds.

Second. There must be constant growth and stability within the oil industry. But this could be had only when there were incentives for further exploration and development.

Third. A healthy, dynamic oil industry must be maintained throughout the western Pacific.

This is sound counsel. It is also compelling in the matter of national survival. Here oil plays an overwhelming role. As a prime instrument of national survival, it can best be served by: Retaining tax incentives, and other incentives, that encourage risk-taking men to search for more oil.

DOES THE DEPLETION PROVISION WORK?

We Americans are a practical people. Hence when we are dealing with almost anything whether it be as trivial as a new kind of cigarette lighter or as important as a new public policy, we ask: Does it work?

Let's apply this question to the depletion principle. The answer—based on a generation of experience—must be yes.

Has the depletion principle worked not only in peace but in the life-or-death time of war?

Here again the answer is yes. During the Second World War we fueled with oil the mightiest fighting machine ever assembled by man.

We supplied the multimillion forces of our fighting allies with oil fuel. More than half of the tonnage we sent around the world in the course of man's greatest war, was made up of petroleum products. Nor is this all.

Here at home, oil and natural gas supplied the larger part of the fuel energy that kept going our colossal war industrial machine, and superimposed upon it, a civilian production so great and diverse that all retail sales reached an all-time high and no American suffered for lack of anything essential to his well-being.

Fortunately, by the time of Pearl Harbor, oil men had already been stimulated by the depletion principle during the preceding 16 years to hunt for oil.

IS THE DEPLETION PROVISION EFFECTIVE IN THE COLD WAR?

Again the answer is yes. Current drilling activity is at the rate of 10,000 wildcats this year. But we need more. This may be barely sufficient to maintain our reserve position.

Let this be said. Our wildcatters are risking their own money to find oil in a country where it daily becomes harder to find. What of the Soviet Union against whom, in a way, they are pitted? There a state-owned enterprise that does not have to concern itself with profits or taxes is employing its giant resources to exploit the oil resources of continental Russia whose land area is three times greater than ours.

It would seem illogical to impose an artificial handicap upon the oil industry in its struggle against this colossus, by increasing its risks through any weakening of the depletion principle.

HAS DEPLETION WORKED SUCCESSFULLY FOR INDUSTRY?

The question answers itself since oil and natural gas supply about three-fourths of the fuel energy requirements of the world's greatest producer of farm and factory products.

HAS DEPLETION WORKED FOR THE CONSUMER?

The fact that it has is apparent in that the consumer has full access to all the petroleum energy he wants—whether it is diesel fuel to run a machine, fuel oil or natural gas to heat his home or cook his dinner, or the most familiar of all petroleum products—gasoline to power his car. And this energy comes to him at reasonable cost. Take the record of gasoline, for instance.

In the period 1949–58, prices of all items rose 21 percent. Many showed greater increases. But the motorist's gasoline (excluding taxes) sold for only 6 percent more at the service station in 1958 than in 1949.

DOES THE OIL INDUSTRY ESCAPE TAXATION THROUGH DEPLETION?

Hardly. In 1957, for example, taxes derived from the petroleum industry and its products totaled nearly $6.9 billion. Contrast this with taxes paid by other industries. They were:

	Billion
Alcoholic beverages	$4.2
Automobiles	3.2
Tobacco	2.7
Telephone and telegraph	1.9
Steel	1.4

DOES THE DEPLETION PRINCIPLE EXCESSIVELY ENRICH THE OIL INDUSTRY?

During the years that the depletion principle has been effective, oil companies' after-tax earnings have averaged only 9.6 percent of invested capital. For all manufacturing companies the average figure was 10.4 percent.

WHAT OF TOMORROW?

The big day in the oil industry's calendar is tomorrow. Every time a barrel of oil is sold, 1½ new barrels must be found to meet tomorrow's rising demand and maintain reserves.

The industry also knows that its tomorrows—and those of the Nation—are likely to be bright. For there still remains hidden beneath our soil and coastal waters huge undiscovered stores of oil. If this is true, then there remains to be brought to bear upon our national life great, unrealized potentials of industrial-military power that will increase the prosperity and security of the country.

The stimulus to the realization of these potentials is the same stimulus that for a generation has been so effective in producing the petroleum and natural gas that have provided the energies for the world's greatest industrial, automotive, agricultural nation: The stimulus—the depletion principle.

It has been incomparably effective for a generation. Who can doubt that it will prove as effective for the generation that lies ahead: perhaps the most dangerous, and certainly the most challenging period, in the 6,000 years of man's recorded life on earth.

Mr. DOLE. Mr. Speaker, will the gentleman yield?

Mr. FOREMAN. I yield to the gentleman from Kansas.

Mr. DOLE. Mr. Speaker, I wish to join the gentleman from Texas [Mr. FOREMAN], in alerting the House to the dangers inherent in the secret Cabinet committee report on the oil import program. There is no question whatever that if the philosophy set forth in this document is followed the domestic fuels industries will be exposed to increased harmful competition from cheap foreign oil.

Kansas was blessed with large reserves of all fuels—oil, natural gas, and coal. The men who have had the foresight and initiative to develop these vast amounts of natural resources are entitled to the protection which the oil import program provides.

All but 8 of the 58 counties in the First District have producing oil or gas wells. In Kansas the total value of production from oil and gas wells amounted to almost one-half billion dollars in 1961. This activity and related industries provided employment for 28,800 persons.

Eastern Kansas has recoverable coal reserves estimated at 10 billion tons. Production has been limited in recent years but there exists in these rich coal deposits the potential for another large and profitable industrial activity for our State.

Thus, it is readily obvious that the First District has a big stake in the oil import program.

The producers of oil and coal in Kansas are concerned, and rightfully so, about the future of the program. They are aware that within this administration there is an inherent hostility to the program. Top officials in this administration make no secret of the fact they believe controls on imports of oil should be removed, and this foreign oil be permitted to enter the country and compete with our domestic oil and coal for markets.

Oil production in Kansas is severely limited at the present time and production in Kansas has not increased as rapidly as oil imports. The percentage of total crude petroleum produced in the United States by Kansas has steadily fallen since 1952—from 5 to 4.3 percent in 1961. Average production in barrels produced daily has fallen from 327,500 in 1959 to 307,050 in 1962. While production has continued to fall, producers, in face of rising consumer demands, have been faced with fluctuating prices of crude oil. Average value in 1952 was $2.53, in 1958 the price was $3.01, and in 1963, it is $2.91.

Every barrel of crude oil imported replaced a barrel of domestically produced crude. Imports of crude oil and refined products have risen from a total of 952,000 in 1952 to 2,079,000 in 1962.

Every barrel of residual oil imported not only takes a market for domestic coal, but it also is rapidly taking away a market for domestic residual oil, which amounts to about 10 percent of refinery runs.

The oil import program must be continued and strengthened. The Kennedy administration may very well consider the domestic oil and coal industries expendable in the interests of foreign policy, but the men and women of Kansas, who have such a big stake in strong and expanding oil and coal industries, disagree strongly with this point of view.

I trust that we have, by speaking out here today, let the administration know that the oil import program is in the best interests of the Nation, its economy, and its security, and we will not stand idly by and permit this vital program be scuttled, either openly or through secret documents.

OIL AND GAS IN KANSAS

All figures are for Kansas except where noted.

Ninety counties produce oil and/or gas.

Fifty counties produced oil and/or gas in First District (those not producing are Greeley, Smith, Jewell, Mitchell, Cloud, Ottawa, Lincoln, Republic).

Five million twenty-five thousand acres have proved productive of oil or gas.

Twenty-two percent of total land area is productive or leased for 1963.

Seven billion two hundred and ninety-one million two hundred and sixty-seven thousand dollars is the value for all time to January 1, 1963, at wells, of crude oil produced—$425,884,000 is the estimated value of petroleum production in Kansas in 1962.

Two dollars and ninety-one cents is the average field price of crude oil per barrel in 1962—same as in 1959.

In relation to other mineral products crude petroleum is first in value; natural gas is second; cement is third.

Crude petroleum comprises 85.9 percent of the total value of all minerals.

Thirty and one-tenth of 1 percent of total State taxes received from fuels and vehicles taxes.

Kansas is fourth in total wells drilled of oil and gas for all time to January 1, 1963.

Kansas is fifth in estimated number of employees engaged in crude oil and natural gas production—13,800 individuals. This does not include refining process, pipeline transportation, gas companies and systems and gasoline service stations. If those were included, Kansas would have an estimated total of 28,800 individuals, but would be ninth in the Nation in total employees.

Following are national figures published by the Department of the Interior, March 11, 1963: 1,913,631 barrels of crude and unfinished oil, finished petroleum products and residual fuel oil were imported daily into the United States and Puerto Rico in the last half of 1962.

Mr. FOREMAN. I thank the gentleman from Kansas for his very fine and appropriate remarks in this regard.

Mr. Speaker, I wish to express my thanks and appreciation to the various Members of this body who have joined me today in expressing our concern over this report as well as to the many Members who have asked to extend their remarks in the RECORD concerning this subject.

GENERAL LEAVE TO EXTEND

Mr. FOREMAN. Mr. Speaker, I ask unanimous consent that all Members be permitted to extend their remarks on the subject of this discussion.

The SPEAKER pro tempore (Mr. LIBONATI). Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PERKINS. Mr. Speaker, the question under discussion here today is one which is of vital interest to the State of Kentucky.

Kentucky is the second largest coal producing State in the Nation, with a production of 65 million tons in 1962. The mining of this coal provided jobs for about 25,000 persons and a total payroll in excess of $123 million. In addition, the transportation of this coal to market by the railroads serving the State provided a substantial portion of their revenues and payroll of about $107 million.

With the coal industry playing such a large part in the economy of the State, Kentucky is extremely interested in seeing to it that realistic and effective controls are maintained on imports of residual fuel oil. Much of the coal produced in the State must compete for markets against this imported waste oil, and if import controls should be removed the coal economy of Kentucky would suffer an irreparable damage.

Coal is a basic American commodity, the Nation's No. 1 energy fuel. In the interests of the economy of the entire Nation, and of the national security, the present oil import program must be retained and strengthened.

Mr. CONTE. Mr. Speaker, the citizens of the New England States are envious of their fellow citizens in Texas, in Oklahoma, in Kansas, and in the other great oil and gas producing States. The fortunate residents of those States have lying beneath their feet vast reserves of petroleum and natural gas which warm them in winter, cool them in summer, and fuel their industries and commerce the year around. Furthermore, these vast sources of inexpensive energy, when transported to the other States of the Union by pipeline, tanker and barge, provide vital energy for all of our citizens, and a handsome source of revenues to those States which have been fortunate enough to find such liquid gold beneath their plains.

But Mr. Speaker, the eyes of New England residents turn from the green of envy to the red of anger when they discover the representatives of the great oil and gas States collaborating with New England's enemies in a campaign to cut off the limited supplies of energy which are available to us. We in New England necessarily must find a source of energy from outside our borders. All we ask is that the energy-rich States, secure in their treasures, refrain from political logrolling which threatens to cut off the limited supplies of inexpensive energy which are available to us.

Thus, Mr. Speaker, I had hoped that my colleagues from the Southwestern States, speaking today on the subject of Federal regulation of the domestic crude oil industry, would refrain from coupling this subject with the question of importations of heavy fuel oil.

In actuality, the two products—crude oil and heavy fuel oil—are as different as the gingham dog and the calico cat, and the producers of the two products have even less interest in each other than did Eugene Field's imaginary animals.

It seems to me, Mr. Speaker, that there has been sufficient confusion and misunderstanding in connection with this very controversial and very political question of oil imports, without any of us contributing to the confusion by trying to correct matters which are totally unrelated to each other.

As a matter of fact, the domestic oil industry has less than no interest in imports of residual fuel oil. If all imports of heavy fuel oil were to be cut off, the domestic oil industry could not expect to produce one more barrel of U.S. crude oil. I am quite certain that most of my colleagues from the great oil producing States understand this thoroughly—much more thoroughly than I do—and will acknowledge the accuracy of what I am saying.

In order to understand this, one has only to learn that a barrel of heavy fuel oil sells for substantially less than the price of a barrel of U.S. crude oil. For example, according to the official data published monthly by the Office of Emergency Planning, a public utility in New England could secure a full tanker cargo of heavy fuel oil last January—at the height of the winter heating season, when prices are at their peak—for $2.11 a barrel. Purchasers in barge lots had to pay $2.18 for heavy fuel oil delivered to their facilities. If it was delivered by truck or tank car, then the price rose to $2.46 a barrel.

Once one has these figures, he does not have to be an economist, or capable of higher mathematics, to understand that U.S. refiners will not willingly and knowingly purchase U.S. domestic crude oil at around $3 a barrel, and convert it into a product which sells for less than $2.50 a barrel delivered into the customer's tank.

With gasoline selling for $6 a barrel, and home heating oils selling for about $4 a barrel, why in the world would a businessman reduce his output of these products in order to meet the demand for a product bringing $2.50 a barrel?

By the time processing, marketing, transportation, and overhead costs are included, the losses on an operation of this kind would be truly astronomical.

Being well aware of these facts, Mr. Speaker, the refiners of the United States have consistently striven to minimize their output of the heavy residual oil. They have gradually developed and installed facilities which will convert all but a fraction of the barrel of crude oil into the lighter, more valuable products, such as gasoline, jet fuel, kerosene, and light home heating oils the sale of which leads to greater profits. I understand that some modern petroleum refineries are being designed to produce no heavy fuel oil at all. Accordingly, in such refineries, the production of residual will be eliminated entirely. And, as I said a minute ago, if the entire supply of heavy fuel oil from overseas were to be cut off at the customs house, no refiner would make a move to increase his output of the heavy oil, because he could only lose money by doing so.

Actually, U.S. refiners have been quite successful in reducing their yield of the residual product. As of 1930, about 31 percent of each barrel of crude oil processed in the United States became residual oil. Refinery techniques and equipment were not sufficiently advanced to further reduce this leftover portion. Since then, however, there has been steady improvement, and heavy fuel oil now constitutes 10 percent or less of the output of U.S. refineries. As the years go by, this proportion will continue to shrink, as it does each year, and eventually, I predict, there will be no residual fuel oil produced in the United States.

Under these circumstances, it is easy to see clearly, Mr. Speaker, that the domestic oil producers and the great oil-producing States have no stake in restrictions on importations of heavy fuel oil. They could not care less. They just are not affected by the flow of commerce in this product, which comes into the east coast areas, in order to make up the deficits in supply which have resulted from the economic trends which I have just described. I am told, Mr. Speaker, that the heavier crude oils of Venezuela are more suited to the production of heavy fuel oil than are typical of U.S. crude oils, and that the production and importation of this product produced a reasonable profit for the importing firms and for the Government of Venezuela, which is heavily dependent upon revenues from this trade to finance its development and improvement programs, so vital in order to counteract the Communist terrorists who are so active in that nation at present.

Of course, these imports of heavy fuel oil are restricted, without one scintilla of justification, as a result of a cynical political liaison of the present administration and the coal industry. Actually, as has been proven by studies conducted by the executive branch and in the other body, these import quotas provide little enough assistance to the coal industry, whose competitive difficulties stem from quite different sources than heavy fuel oil imports. The quotas are in actuality just a gratuitous burden on the shoulders of New England and east coast consumers, who pay higher light and utility bills mounting into the millions of dollars annually so that the present occupant of the White House, who opposed these quotas when he was a Member of the other body, can curry political favor in West Virginia and Pennsylvania.

Furthermore, Mr. Speaker, the gentleman from Oklahoma knows full well the truth of the situation as I have portrayed it today. In fact, as he may have suspected, most of the data which I have presented to the House today were drawn from the gentleman's own hearings on petroleum imports, conducted in his capacity as chairman of a subcommittee of the Select Committee on Small Business. The gentleman's own printed hearings refute the contentions which he made here today, as to the interests of the domestic petroleum industry in importations of heavy fuel oil.

So, Mr. Speaker, I can only repeat what I said at the beginning of these remarks. New England wishes only good fortune to the great oil producing States of the West. New England sees no conflict between its interests and those of the oil producers of this Nation. Unfortunately the New England States do not enjoy an abundant, inexpensive source of energy such as exists in Texas and Oklahoma. We wish we did have such a low-cost energy source.

What we do earnestly request of our colleagues from the West is that they not contribute to our difficulties by lending assistance to the coal industry in its selfish and pointless efforts to cut us off from our imported source of energy. This is little enough to grant since the oil producers of the United States have no stake in the matter whatsoever.

Mr. MORSE. Mr. Speaker, the remarks of the gentleman from Texas bring to mind a number of questions, questions which we in New England have been asking for a long time. We are still waiting for the answers.

What, Mr. Speaker, is the legal justification for the imposition of restrictions on the import of residual oil? Is it not that such restrictions are necessary for the national security? In fact, is this not the only possible legal justification? If this is the case, then I want to ask why it is that the report of the Office of Emergency Planning, an office which is part of the Executive Offices of the President, has been so completely ignored by the administration. This report makes it abundantly clear that there is no national security justification whatsoever for restrictions on the import of residual oil. The Department of Defense and the Department of State have concurred in this view. Apparently only the gentlemen of the coal industry believe that these restrictions are necessary for the national security. Is the administration prepared to accept their view of national security requirements in opposition to the judgments of its own OEP and the Departments of Defense and State?

Further, Mr. Speaker, what do these inequitable restrictions do to our international relations? The President has emphasized the need for liberalized trade policies as the key to continued American leadership in the world marketplace. Is it not terribly inconsistent to try to implement such a program and at the same time maintain such unjustified restrictions on such a vital commodity as residual oil? Furthermore, Mr. Speaker, the effect of these restrictions is to take away with one hand what we are giving in foreign aid with the other hand.

Let us take, for example, the situation in Venezuela. President Kennedy has emphasized the importance of economic development in Latin America. Millions of dollars have been poured into Venezuela under the Alliance for Progress. Yet all the aid that we can put into the country will not have the desired effect unless we eliminate prohibitive restrictions on foreign trade with Venezuela. Ninety-five percent of Venezuela's foreign trade income is from the export of petroleum products. Fifty-five percent of Venezuela's crude oil production ends up as residual. The United States has been its No. 1 customer. Obviously these unjustified restrictions have severely injured the foreign trade position of one of our most important Latin American friends.

Finally, Mr. Speaker, I would like to ask the question which is now of the greatest concern to us in New England. What is the reason for the coal industry's unreasonable and unjustified demands for the continuation of residual oil restrictions? Is the coal industry making residual oil the scapegoat for their unemployment problem? The answer is "Yes." Let us look at the facts. Coal and residual oil are competitive in only one area of the country. That is the area along the east coast. Yet in this area, between 1954 and 1958, the coal industry showed a 9.7 million ton increase in the electric utility market. This, Mr. Speaker, was prior to controls on residual oil. It graphically shows that coal can compete with residual in a free market. Coal's problems are not due to residual oil imports. They are due to increased mechanization in the coal industry and the loss of a major market by reason of the dieselization of our railroads. We would all be better off if the coal people started to think coolly about their problems instead of hysterically demanding the worthless panacea of continued residual oil restrictions.

Mr. Speaker, I am glad the opportunity has arisen to ask these questions. As I said at the outset, we in New England have waited a long time for the answers. But we are becoming impatient. We have a right to choose the type of fuel which best serves our needs and to buy it in a free competitive market where we are not penalized for our choice. I hope my friends from the coal producing States can finally give us in New England the answers we seek.

Mr. GRAY. Mr. Speaker, I am pleased to have this opportunity to add my voice to that of my colleagues in support of the oil import program. It is important to both the national security and to the economy of the Nation that this program to protect the important domestic fuels industries against unlimited competition from foreign oils be maintained.

The State which I am privileged to represent in the Congress is a major producer of bituminous coal, with a production of almost 50 million tons annually. With recoverable reserves estimated at 68 billion tons, there is no reason why, in this energy-hungry Nation, we cannot look toward even greater production in the years ahead and substantially larger employment for our people.

I am concerned that increasing imports of residual oil will slow down or even reverse the steady progress the coal industry has made in recent years in Illinois.

It is true that imported residual oil at the present time competes against coal only on the east coast. But when coal is displaced from markets there, it is forced to seek outlets elsewhere and this, of course, has a decided effect in the Midwest. Also, it is generally predicted that should import controls be removed, foreign residual oil would become a factor in the Midwest fuel markets.

Recently, a bank in Princeton, N.J., published a report on the electric utility industry in the Midwest. It was the conclusion of this report that because of the almost unlimited reserves of coal, and the present trend toward lower delivered coal prices, there is no reason why this industry should not continue to grow and expand. The Midwest electric utility industry is based on coal as a dependable, low cost fuel.

The coal industry of Illinois and other Midwest States needs the protection which this oil import program provides. I am happy to join today in urging the retention and strengthening of the program.

Mr. RIVERS of Alaska. Mr. Speaker, I compliment the gentleman from Texas [Mr. FOREMAN], upon his initiative in arranging this special order, and thereby bringing together this group of my distinguished colleagues who are prepared to speak on the subject of oil. As an Alaskan, I think first of gold, but have come to recognize oil as the black gold which is proving so important to the 49th State, and welcome this opportunity to speak briefly about it.

At the outset I wish to remark that I have read the report of the President, dated September 4, 1962, by the Petroleum Study Committee, chaired by Mr. Edward A. McDermott, Director of the Office of Emergency Planning. Having done so I share the concern which has been expressed by the Independent Petroleum Association of America that the report divulges the thinking of several executive departments , exclusive of the Department of Interior, to the effect that there should be increased Federal control. To this I will say generally that I believe there is already enough Federal control in this area, and that the depletion allowance presently allowed under the Federal income tax law should be retained. The fact that the oil depletion allowance makes needed money available to the petroleum industry for the costly and highly risky enterprise of oil and gas exploration is highlighted by the situation in Alaska where, after 50 years of off-and-on searching, oil was discovered in commercial quantities in 1957. As yet, however, Alaska has but one producing oilfield on the Kenai Peninsula and large-scale explorations ahead to prove or disprove the value of many other areas. The approximately $17 million invested in Alaska in 29 dry holes in 1962 came from depletion taken on producing properties in other parts of the United States. These figures have, I am sure, already alerted you to the fact that with great distances and rugged terrains, plus cold winters and high costs, the average cost of drilling a well in Alaska is very high. In short, exploration and development costs in Alaska are 2¼ times the average for all producing areas in the United States. The average cost of drilling a well in Alaska being $535,000. Because of these high costs any action which would cut down on the availability of venture capital would be doubly damaging to oil and gas exploration and development in Alaska.

It follows that any substantial reduction in funds derived from the oil depletion allowance would result in curtailment of oil exploration all over, but with a particularly heavy impact upon such activity in Alaska. Please join me in recognizing the fact that Alaska must compete with other areas in attracting capital into the risky business of exploring for new deposits, and that because of the high costs and the difficulties mentioned would be the first to undergo a curtailment of exploration. Of course this would be a curtailment based upon the economics involved. By the same token any new limitations upon production and exploration stemming from an increase in Federal Government controls would first militate against Alaska. For this reason and upon general principles I do not want the Government, in effect, to take over the oil industry or even cut back on it to any appreciable extent, and will govern myself accordingly.

Mr. BURTON. Mr. Speaker, as a Representative of an area in which both the coal and petroleum industries are operating on a marginal basis, I strenuously oppose any further relaxation of crude and residual oil import quotas.

The coal industry in Utah is one of the most depressed areas in the State's economy. Many of our mines work only 2 or 3 days a week if at all. A similar situation exists in many other regions of our Nation.

Utah is not a large gas and oil producing State but nevertheless this industry represents a vital part of the State's economy. Our markets are generally located in the West. However, the cost per well is high, production expenses are high, and the yield is somewhat low.

The marginal conditions under which the coal and oil industries of Utah are now operating would only be aggravated if import quotas on crude and residual oil are in any measure relaxed.

As a Representative from a State where liberal import quotas would seriously further depress our economy, I oppose such liberalization.

Mr. MORGAN. Mr. Speaker, the very enlightening and thoughtful comments we have heard today from our distinguished colleagues on the subject of foreign oil imports and their effect on the Nation have been most encouraging to me.

I believe they will be equally encouraging to the millions of Americans who believe, as I do, that America must maintain and strengthen the domestic source of its energy fuels if it is to survive.

It seems to me that this is a premise with which no responsible citizen can quarrel; certainly no one would contend that we would long exist as a nation without the resources to provide power for practically every facet of modern existence, as well as our ability to defend ourselves if ever again the need arises.

Moreover, it seems an obvious truth to me that we can be sure of this energy capability that is so essential only if we, ourselves, possess the safe and dependable source of it. The fuel which is vital to our industrial capacity, to our daily living and to our military strength must be preponderantly derived from within the safe confines of our own borders. Only then can we be certain that it cannot be denied us in any hour of extremity by enemy submarine action, or even by political upheaval such as the further spread of Communist-Castroism in formerly friendly supplying nations in either our hemisphere or the Middle East.

I need not dwell on the economic damage already plaguing many areas of the Nation, including important sections of my own State of Pennsylvania, because of the loss of fuel markets to cheap imported oil. These facts are on the record for anyone who cares enough to investigate. They tell the clear and heartrendering story of human despair and even hunger, of loss of dignity and self-respect, by American families whose means of livelihood have been sacrificed to cheap foreign fuel flooding our shores.

They tell further of the steady wearing away of the independent domestic petroleum industry, with exploration and drilling of new wells dropping year after year as foreign produced crude oil continues to usurp U.S. markets.

Considering one category of fuel imports alone—that of residual fuel oil for use largely under large steam boilers—we are struck by these alarming facts:

First. Residual imports, although nominally restricted by the import control program proclaimed by Executive order in 1959, have increased steadily under permitted import quotas. The first quotas established, for the last 9 months of 1958, were at an annual rate of 131 million barrels. But in 1963, under the vastly increased quotas that have taken place despite the control program, importers will be permitted to bring in 198 million barrels of residual.

Second. During the past 10 years imports of residual oil have increased from the equivalent in heating value of 22 tons of coal to the equivalent of more than 50 tons—or about 11 percent of the anticipated total U.S. bituminous coal production this year.

I should point out that each million tons of Appalachian region coal for which there is a market means, on an average, about 350 to 400 jobs for U.S. miners plus another 200 jobs for railroad workers who haul 75 percent of our coal to market.

Third. Growing residual imports are having a like effect on domestic residual oil production. The U.S. Bureau of Mines reports that U.S. annual production of domestic residual, which cannot compete in price with that produced overseas, declined by some 50 million barrels between 1959 and 1962. When we realize that about 10 percent of all crude oil put through U.S. refineries must wind up and be sold as residual, we can understand the impact of this lost market on the producers of American crude oil.

In fact, my friends in the oil industry tell me that some 900,000 barrels of American crude oil daily must find a market in the form of residual—yet domestic residual is steadily being forced out of east coast markets by imports.

I believe my colleagues will concede that I am deeply interested in our Nation's relations with its friends among the countries of the free world, and that I believe we should take no steps that will unduly penalize any of them in terms of trade and commerce. Thus, I do not advocate an unreasonable limitation on oil imports which would do damage to the economy of Venezuela or other supplying nations, particularly those in the Western Hemisphere. But the fact is that, even during the import control program, Venezuelan oil exports to the United States, particularly of residual oil, have continued to increase and her favorable trade balance with us is now greater than ever before. But, by the same token, we must be realistic and accept the fact that we cannot continue to sacrifice more American jobs and the security of fuel supply which is so essential to our national welfare needlessly. And without a more effective import control program, which will halt the continued increase in quotas, this is bound to happen.

Crude oil from foreign wells generally flows at a daily rate many, many times the production of domestic oil wells. In addition, production costs are lower. Thus, foreign crude can be produced and shipped to our shores at about $1 a barrel cheaper than we can produce it and move it to market.

Residual oil, as the name implies, is the residue left after more valuable products such as gasoline, kerosene, light distillates for home heating, and lubricants are refined from the crude. Since it can be burned only in large utility, industrial, or similar boiler plants, it has a substantial market only in advanced, high industrialized nations such as America, Western Europe or Japan. Thus, except when it can be dumped on markets like the United States, at cutrate prices to enable it to drive out domestic fuels, Caribbean residual oil is virtually a waste product. It has no market at home because there is not sufficient industry to consume it. Likewise, it cannot compete with Middle East oil in Europe. That is the reason that it can be, and is, sold on the eastern seaboard of the United States for any price necessary in order to drive domestic fuels from the markets.

And that is why we must have a more effective program to restrict the further growth of these imports, at least to a proportionate share of the U.S. energy market.

I do not blame the executive branch of Government for the fact that residual imports have increased about 10 percent a year since the program began. I believe that conscientious efforts have been made to keep them within reason. But I also recognize that the political and international pressures to constantly increase imports are severe, when the determination of quotas is merely a matter of human judgment, without proper guidelines to follow. I might point out that the original, and only guidelines that existed—the warning by a Special Cabinet Committee that residual imports should not exceed 1957 levels without imperiling our national security—were abandoned long ago by the previous administration.

Thus, it seems to me that we must give most serious consideration to establishing a new petroleum import control program by law. This could have the effect of assuring that a fair share of the domestic fuel market would still be open to friendly foreign producer nations, while at the same time guaranteeing an opportunity to compete for the remainder by domestic producers. It would also set up a formula which each could depend on to determine that share in future years, and thus establish a stability in the fuels market which does not now exist. I believe this action would go far toward solving the complex and serious problems which now plague American fuels producers, would greatly help to restore economic prosperity to some many hard-pressed communities of our country where the production and transportation of fuels is the major income producer and, certainly, would assure our friends abroad that we are committed to share our vast industrial fuel markets with them on an equitable basis.

Mr. MOORE. Mr. Speaker, I wish to congratulate my colleague, the gentleman from Texas [Mr. FOREMAN], for arranging this special order and to express my appreciation for this opportunity to speak briefly.

I share the alarm expressed by other speakers here today over the continuing attacks on the oil import program. I agree that the influx of foreign oil has had an adverse affect upon the domestic economy and that by itself, to my mind, constitutes a grave national problem.

But I would like to emphasize the national security implication of this whole question of oil imports. This, to my mind, is the most important element of all in the whole question and, unfortunately, it has not received the attention on the part of our policymakers it deserves.

Obviously, Mr. Speaker, this Nation must have an ample supply of fuel at all times but in time of emergency the need becomes even more compelling than ever. It seems obvious therefore that we should look first to the great oil and coal industries in this country to provide the fuel that would be needed to power our industrial and military machines.

What has alarmed me is what appears to be the philosophy behind these continued attacks on the oil import program—a philosophy apparently designed to shift our reliance for fuel from these domestic industries and to oil produced in foreign nations. Aside from the damage these increased imports cause to the domestic fuels industries, perhaps a policy of greater dependence upon foreign oil would not create any serious security problems if we could be assured of continued free movement of oil tankers over the world oceans.

But what happens if these foreign sources of oil are interrupted or cut off by a political or military emergency? What would we do then?

We would turn to our domestic oil and coal industries in desperation, just as we did in World War II. The Government would urge them in the name of patriotism and security, to increase production and provide the Nation with the fuel that is an indispensable ingredient of any victory.

But here is where the Nation faces a dangerous and serious problem. For the oil import program, as it has been administered, seems to consider domestic fuels industries—especially coal—expendable as a part of our foreign policy. We have given preference to foreign fuels, so foreign producing nations could be strengthened politically and economically. These are laudable objectives, but the price to our domestic industry has been too high. At home, we have experienced decreased production and a weakening of our domestic fuels industries to a point where, if this trend is not checked and reversed, they will be unable to produce the fuel the Nation must have.

We know what happened in World War II when the oil supply from the Caribbean was suddenly cut off. For 24 months there was an acute shortage of oil which forced a slowdown in production and a hasty conversion to coal. The threat today would be compounded several times for the Government's oil import policies have so operated that oil imports are today some five times what they were in 1942 and many more vital defense plants of all kinds are dependent solely upon imported oil.

We managed to survive the 1942 submarine blockade only by dint of an unprecedented concentration of antisubmarine forces—which, incidentally, prevented this sizable naval force from being brought to bear directly upon the enemy. But we know any wartime blockade now would be much more difficult to overcome. The Russians have a fleet of modern, long-range nuclear submarines equipped with atomic devices. Any war, short of a hydrogen holocaust, could well be decided in the waters off our own shores.

But there does not have to be a war to create a full-scale fuel crisis for the east coast and the entire Nation. Fidel Castro could trigger such a crisis by taking over Venezuela—a development, unfortunately, which is not as unlikely as we might like to believe.

At this point, Mr. Speaker, I would like to quote from a pamphlet published recently by the National Coal Policy Conference in which this very point—the danger to the Nation of a Castro takeover of Venezuela—is discussed. This publication declared:

> The present Government of Venezuela is living under a virtual state of siege imposed by Castro. Terrorists roam the streets of Caracas. Oil wells are blown up, the power supply dynamited and ships are hijacked by the Communists. The government is gravely imperiled.
>
> The Castro objective in Venezuela is clear: It is nothing less than seizing the government and imposing upon the country a Communist state, subservient to Russia and dedicated in its opposition to the United States. The threat of Castroism to Venezuela cannot be dismissed. Nor can the implications of such a development be lightly disregarded.
>
> In addition to its effect upon the military balance of power, and the disastrous political results of a Communist government in the heart of South America, the question of the east coast's fuel supply would become a matter of grave concern.
>
> The first step by a Communist government—dictated by classic Communist dogma—would be the expropriation of all oil fields. The next step would be to use the nation's vast oil production as an economic and political weapon, just as the Russians are so successfully using their rapidly expanding oil output.
>
> Under these circumstances, would the east coast continue to receive from Venezuela the vast amount of oil which it must have to exist?
>
> Assume that a Communist government in Venezuela would find it expedient to sell oil to the United States for economic reasons.
>
> Then, the United States would be forced into the untenable position of providing to a Communist regime urgently needed dollars—which would be used to step up subversion throughout South America—as the price for ransoming the vital East Coast industrial complex from crippling fuel shortages.
>
> Thus, the consequences of present Government policies relating to oil imports are clear:
>
> Not only in time of war would the east coast fuel supply be jeopardized.
>
> The more immediate and pressing threat springs from the persistent and determined Communist plot to take over Venezuela—a plot that is well-financed in Moscow and manipulated from Cuba.
>
> In effect, our own Government's policies have created a situation which threatens to deliver as a hostage to Castro the capability of our east coast industrial complex to produce at peak efficiency.
>
> Such a possibility—the ability to play so vital a role in our own domestic industrial and economic life—adds to the incentive for Castro to succeed in Venezuela.
>
> The alternative to a sudden interruption of oil from Venezuela—on which east coast plants have come to depend to an alarming extent—would be the buying of oil for dollars from a hostile Communist regime.

It seems obvious to me, Mr. Speaker, that a continuation and strengthening of the oil import program is necessary for at least two reasons:

First. The national security could be seriously, if not fatally, weakened by abandoning the present restrictions upon oil imports, or weakening them further to the point of complete ineffectiveness.

Second. The domestic economy would be gravely damaged by permitting oil imports to take over domestic markets from the domestic fuels industries, thus creating additional unemployment with all of the social dislocations that would cause.

I sincerely trust that the statements which have been made on the floor of the House today will clearly demonstrate to the administration the seriousness with which we regard efforts to do away with this important program or to destroy its effectiveness.

Mr. UTT. Mr. Speaker, the report to President Kennedy by his Petroleum Study Committee makes a wide-ranging series of nonspecific suggestions and conclusions. Such a study, properly and impartially conducted by the experts in Government, with the assistance which would have been made available from the industry itself, could possibly have had merit as an idea and utility as an accomplishment.

There is neither merit nor usefulness, however, in a report by nonexperts who appear to have twisted and turned their way through the so-called study with preconceived ideas which they hoped to support with assumptions and sometimes unrelated statistics.

To give the illusion of objectivity, the Committee sometimes tempered its recommendations with language to assuage the alarm which the report deserves to cause.

Discussing the mandatory oil import program, the Committee said it is "difficult to make any precise judgment as to the cost of the program to the economy." This statement is true. While I am sure it is not what the Committee had in mind, it probably could be proved that the program costs little or nothing if all facts are considered—such as national security plus employment and the tax revenues that result from the U.S. production that would not be possible without the imports program.

Seeming to prove that such broad-based thinking was not intended, however, is an earlier section observing the abandonment of import controls could lead to a reduction in the price of domestic crude oil of $1 a barrel. Then, with the observation that the United States consumes approximately 3.5 billion barrels of oil, the report appears to be inviting you to come to the conclusion that elimination of the import program would mean billions of dollars in savings to our economy.

Such conclusions, either expressed or implied, make the rest of the report suspect and render it useless.

Mr. FLOOD. Mr. Speaker, I wish to join my colleagues in expressing concern over what appears to be a continuing attack from certain quarters of the Government on the oil import program.

As the representative of a major coal-producing State, an industry which has long provided a major source of employment for our people, I am naturally concerned that any successful effort to weaken or remove import controls on crude oil would be immediately reflected in a weakened or abandoned control program on residual fuel oil.

We, in Pennsylvania, have had to live with the threat of imported residual oil for years. We have seen markets for coal on the east coast taken away by this waste product of foreign refining operations and, furthermore, we have seen this loss of coal markets translated into declining job opportunities in the coal and railroad industry.

You cannot permit the entry into the east coast fuels market of the equivalent of some 50 million tons of coal each year—which is the current total amount of residual fuel oil imports—without it disrupting the entire domestic fuels market.

This imported oil has taken over coal markets. And in addition, domestically produced residual oil, produced in the refineries of the great inland oil-producing States, have been pushed out of a traditional market.

Thus, Mr. Speaker, we see that residual oil imports have a very grave effect upon two of the Nation's most important industries—oil and coal.

The Cabinet Committee report under discussion today is directed toward the crude oil import control program. But no Member of this House is naive enough to believe that if this crude oil import control program is abandoned, or weakened to a point where it is meaningless, that the program to control residual oil imports will be long continued.

This matter of oil imports is of overriding concern to all domestic fuels industries and to the millions of people who depend directly and indirectly upon them for a livelihood. But even more important is the relationship of oil imports, as it affects these two industries, to the national economy and the national security.

To my mind, there can be no question about the urgent necessity for this Nation preserving and maintaining strong fuels industries, capable of providing the Nation with the fuel and energy it must have under any circumstances.

I want this Nation to continue to place primary reliance for fuel and energy upon domestic sources. We know our own oil wells and coal mines are secure within our own borders and can produce to meet the national requirements whatever might happen in the political situation throughout the world.

But can we have such assurances about oil produced in other nations? Surely not, Mr. Speaker. We know oil produced abroad and shipped over long distances is vulnerable to interruption by either a military or political emergency.

If we abandon import controls on oil—if we permit unlimited imports of oil of all kinds—we will in effect be transferring our reliance for fuel and energy from safe and secure domestic sources to unreliable and undependable foreign sources.

There is too much at stake to take an unnecessary and dangerous gamble like this.

We have oil and coal in almost unlimited amounts here at home. Our primary task should be to see to it that the industries which produce and transport these fuels remain strong and be capable of expanding production to meet any national need.

We can assure the continued maintenance of strong domestic fuels industries, Mr. Speaker, only if the oil import program is continued and strengthened.

I hope the President will see fit at the earliest possible opportunity to reassure the Nation that this program is going to be continued on a realistic and effective basis.

Mr. ELLIOTT. Mr. Speaker, I am happy to join my colleagues who are interested, as I am, in the question of importation of foreign and residual oil.

The Cabinet Committee report which has been discussed here today, indicates the pressure that is continuously being exerted to eliminate import controls on crude and residual oil.

NEED FOR LEGISLATION

It, therefore, seems most timely that the Congress should pass legislation that will do two things: First, establish an equitable quota that would be fair to domestic energy fuels, as well as foreign suppliers of oil; and, second, relieve the executive branch of the Government from the constant pressures whenever new quotas are being considered each quarter.

I have long felt that legislation is the answer to this question and have introduced legislation to establish quotas on residual oil by law.

OIL IMPORTS AFFECT COAL

There is no question that imports of residual and crude oil have had a serious effect upon domestic fuels. Residual imports are the equivalent of 50 million tons of coal annually and crude oil imports run in the neighborhood of 15 percent of domestic production.

COAL IMPORTANT TO ALABAMA

The mining and transportation of coal is an important industry in Alabama, even under present conditions. In 1962 more than 14 million tons were mined and if the coal industry, which has recoverable reserves of 6 billion tons in Alabama, could be assured that in the future it would enjoy reasonable protection against increased oil imports there is every reason to believe this tonnage could be significantly increased, thereby providing additional employment for our people in the mines and on the railroads.

I trust this whole question of oil imports will receive the attention it warrants, in view of its importance to the entire economy and to the national security.

Mr. FOREMAN. Mr. Speaker, the section of the Petroleum Study Committee's report that gives me greatest concern deals with what it describes as "inadequacies in the administrative machinery" to carry out national petroleum policies. Inadequate administrative machinery has only one clear implication: More Government control. Those who seek greater regulation by Government invariably ask for more administrative machinery, more personnel, and, of course, more of the funds provided by American taxpayers.

What are the inadequacies in administrative machinery that this Study Committee puts forth as matters calling for action by the Federal Government? The report claims there are three inadequacies which may be summarized as follows:

First. The report claims that it is urgent that steps be taken to change the oil and gas conservation programs of the producing States—which are improperly described as a "control system." The first step, according to the report, "must be to establish a basis of cooperation with the producing States." Note the word "must." The implications are obvious: We, the Federal Government, are going to see that you, the producing States, are going to do it our way—or else.

Second. The report concludes that a lack of close coordination between Federal agencies makes for inadequate administrative machinery. It proposes that the Office of Emergency Planning be the agency that takes the lead in coordinating petroleum activities of the Federal Government. All of us can subscribe to the advantage of coordination, but this recommendation moves in the direction of a petroleum bureaucracy within the executive branch of the Federal Government headed by an agency with little or no knowledge or experience as to oil and gas policies.

Third. The report calls for a coordinated program by the Federal Government to provide satisfactory information on petroleum reserves, producing capacity, deliverability, expansibility, and costs. There is a wealth of information now available from both Government and industry sources. Why this sudden and urgent need for satisfactory information as a correction for inadequacies in administrative machinery? The answer is simple for anyone familiar with governmental controls. Statistics piled on statistics are the tools of the trade for Federal regulators.

For those who may feel that my fears that this report threatens Government control of the petroleum industry are exaggerated, I suggest that they consider the fact that the conculsions and recommendations of the study are already being implemented. In fact, they were set in motion long before the report was made public.

Earlier this year, the Attorney General submitted a report under the obligation imposed by the Congress to investigate whether or not the activities of the producing States under the provisions of the Interstate Compact to Conserve Oil and Gas have been consistent with the purposes of the compact. The Attorney General's report went far beyond this congressional obligation. Although it was not generally known at that time, it is now clear that the Attorney General's report was based on and sought to implement the unpublished and "secret" report of the President's Petroleum Study Committee.

Mr. Harold Decker, president of the Independent Petroleum Association of America, stated that the Attorney General's report amounted to an attempt to impose Federal regulation on all U.S. oil and gas production. He further said that it seemed part of a purposeful campaign by some in Government to nationalize the petroleum industry. The recent exposure of the secret report on which the Attorney General based his findings made Mr. Decker's comments prophetic. I ask that the full statement made by Mr. Decker on May 20, 1963 be incorporated as a part of my remarks at this time.

STATEMENT BY HAROLD DECKER, PRESIDENT, INDEPENDENT PETROLEUM ASSOCIATION OF AMERICA, MAY 20, 1963

The May 15 report of Attorney General Kennedy amounts to an attempt to impose Federal regulation on all U.S. oil and gas production. By overstressing the difficult problems in oil and gas conservation and understating the benefits of existing policies to the consumer, the attorney general has fabricated a case that invites further Government controls.

The report is reassuring only in that it makes no findings that the Interstate Oil Compact Commission has operated so as to limit production of oil and gas for the purpose of stabilizing and fixing the price thereof or create or perpetuate monopoly or to promote regimentation. The Attorney General then becomes gratuitous and goes beyond the purposes for which Congress authorized his report. Through innuendo and inference his report constitutes an unsupported attack upon State laws and State administrative officials as permitting an undesirable control by the industry over State conservation.

If the industry were exercising monopolistic controls over the production and price of petroleum, which it is not, the Attorney General under the Federal antitrust laws and the States under State antitrust laws have ample authority to deal with any abuses. The Attorney General seems unaware of these available procedures.

He argues that the Federal import program confers on the Federal Government "direct responsibility for performance of the whole supply control system." The law which provides statutory authority for the import program reveals absolutely no intent on the part of Congress to delegate such responsibility.

Certainly, the independent producer does face many difficulties in dealing with the unhealthy economic conditions that have prevailed since the mid-1950's. But under the guise that something should be done for the independent, there is a clear threat of something being done to him.

It is difficult to draw any inference from the report that does not point toward Federal control of oil production. Federal control is not the answer to the problems of the producing States or the industry. More important, it would be most harmful to the interest of the consuming public.

Let no one be mistaken. This report seems part of a purposeful campaign by some in Government to nationalize the petroleum industry. In the public interest, that should not, and must not, take place.

Both the Attorney General's report and the Petroleum Study Committee are highly critical of the conservation program that has been the primary responsibility of the producing States, supplemented by the interstate compact and Federal law prohibiting interstate shipments of oil produced in violation of State programs. No recognition is given to the established fact that this conservation program has added billions of barrels of oil to the Nation's available supply and thereby resulted in more oil and gas at lower prices to the consuming public. Certainly, State conservation programs can and should be improved in keeping with technological advances and changing economic conditions. This has been done and is being done. There continues to be, of course, conservation problems. But, the imposition of Federal control over petroleum exploration, development, and production is not the answer to the problems of oil and gas conservation. In effect, however, these reports point a gun at the head of every State conservation agency with the threat that the Federal Government will take over whenever the State does not act as someone in Washington thinks it should.

By condemning State conservation programs, calling for closer coordination of petroleum activities by Federal agencies, and demanding detailed information on the industry's operations, the Petroleum Study Committee has attempted to build a case for further Federal intervention into the business of finding and producing crude oil and natural gas. This is dangerous and unsound. Our Nation's strength as to petroleum supplies was built by men who were free to gain or lose in the arena of competition. Their successes and failures have served well the public interest. The United States, alone among the great powers of the free world, has been self-sufficient in oil and gas. This position has kept us secure in times of emergency. It has fueled our economic expansion at the lowest cost in the world. We cannot and must not permit a basic and essential industry to wither under the deadening hand of Federal control.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. JOHANSEN (at the request of Mr. HALLECK), for today, on account of death in family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to Mr. STRATTON (at the request of Mr. ALBERT), for 60 minutes, on August 7, 1963; to revise and extend his remarks and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. FLOOD (at the request of Mr. ALBERT) to extend his remarks during debate on H.R. 4955 and include extraneous matter.

(The following Members (at the request of Mr. ALBERT) and to include extraneous matter:)

Mr. POWELL.

Mr. THOMPSON of Louisiana.

Mr. CAREY.

Mr. HANNA.

Mr. BURKHALTER.

(The following Members (at the request of Mr. MORSE) and to include extraneous matter:)

Mr. FINO.

Mr. MATHIAS.

ADJOURNMENT

Mr. HECHLER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 16 minutes p.m.) the House adjourned until tomorrow, Wednesday, August 7, 1963, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1108. A letter from the Director, Bureau of the Budget, Executive Office of the President, relative to plans for works of improvement relating to the following watersheds: Little Walnut-Hickory, Kans.; Bradley Brook, Mass.; Broad Brook, Mass.; Tri-County Turkey Creek, Okla.; Waterfall-Gilford Creek, Okla.; Nolan Creek, Tex.; and Monroe-Annabella, Utah, pursuant to the Watershed Protection and Flood Prevention Act, as amended (16 U.S.C. 1005), and Executive Order No. 10654 of January 20, 1956; to the Committee on Agriculture.

1109. A letter from the Director, Bureau of the Budget, Executive Office of the President, relative to plans for works of improvement relating to the following watersheds: Mill Creek, Ala., and Pine Creek, Tex., pursuant to the Watershed Protection and Flood Prevention Act, as amended (16 U.S.C. 1005), and Executive Order No. 10654 of January 20, 1956; to the Committee on Public Works.

1110. A letter from the National Secretary, the National Woman's Relief Corps, transmitting the Annual Report of the National Woman's Relief Corps for the Fiscal Year 1961–62, pursuant to Public Law 87-650; to the Committee on the District of Columbia.

1111. A letter from the Comptroller General of the United States, transmitting a report on noncompetitive procurement of military aircraft forgings from Aluminum Co. of America, Pittsburgh, Pa., at prices substantially higher than current and expected costs of production; to the Committee on Government Operations.

1112. A letter from the Acting Chairman, U.S. Atomic Energy Commission, transmitting a draft of a proposed bill entitled "A bill to provide for the establishment of a community at or near the Nevada Test Site, Nev."; to the Joint Committee on Atomic Energy.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. POWELL: Committee on Education and Labor. H.R. 5542. A bill to assist the States in providing necessary instruction for adults not proficient in basic educational skills through grants to States for pilot projects, improvement of State services, and programs of instruction; with amendments (Rept. No. 638). Referred to the Committee of the Whole House on the State of the Union.

Mr. MADDEN: Committee on Rules. House Resolution 477. A Resolution for consideration of H.R. 7824, a bill to continue, for the period ending November 30, 1963, the existing temporary increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act; without amendment (Rept. No. 639). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BARRY:

H.R. 7941. A bill to amend titles I, II, and III of the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. BONNER:

H.R. 7942. A bill to authorize the Secretary of the Interior to convey certain property to the county of Dare, State of North Carolina, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BROWN of California:

H.R. 7943. A bill to amend section 102 of the Manpower Development and Training Act of 1962 to provide for a study by the Secretary of Labor of the military manpower needs of the Nation, and for other purposes; to the Committee on Education and Labor.

By Mr. CRAMER:

H.R. 7944. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I and their widows and dependents; to the Committee on Veterans' Affairs.

By Mr. DINGELL:

H.R. 7945. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. EDWARDS:

H.R. 7946. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. FRIEDEL:

H.R. 7947. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. HALPERN:

H.R. 7948. A bill to provide for the issuance of a special U.S. postage stamp in commemoration of the crusade against cancer; to the Committee on Post Office and Civil Service.

H.R. 7949. A bill to amend the Legislative Reorganization Act of 1946 to provide for more effective evaluation of the fiscal requirements of the executive agencies of the Government of the United States; to the Committee on Rules.

By Mr. JOHNSON of California:

H.R. 7950. A bill to amend section 2 of the act of July 4, 1955 (69 Stat. 244), to provide that distribution system loan repayment contracts may be executed contingent upon the availability of appropriated funds; to the Committee on Interior and Insular Affairs.

By Mr. McFALL:

H.R. 7951. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. MONTOYA:

H.R. 7952. A bill to amend section 312 of title 38 of the United States Code in order to create a presumption of service connection for diseases contracted by certain veterans who were prisoners of war of the Japanese Government during World War II; to the Committee on Veterans' Affairs.

H.R. 7953. A bill to provide increased insurance benefits for certain persons who on April 19, 1942, were captured, besieged, or otherwise isolated by a nation then an enemy of the United States; to the Committee on Veterans' Affairs.

By Mr. RIVERS of Alaska:

H.R. 7954. A bill to prohibit fishing in the territorial waters of the United States and in certain other areas by persons other than nationals or inhabitants of the United States; to the Committee on Merchant Marine and Fisheries.

By Mr. SHRIVER:

H.R. 7955. A bill to provide for the medical and hospital care of the aged through a system of voluntary health insurance, and for other purposes; to the Committee on Ways and Means.

By Mr. DAVIS of Georgia:

H.R. 7956. A bill to authorize the acceptance of donations of land and the construction, administration, and maintenance of an extension of the Blue Ridge Parkway in the States of North Carolina and Georgia by the Secretary of the Interior, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. FOGARTY:

H.R. 7957. A bill to provide assistance in the development of new or improved programs to help older persons through grants to the States for community planning and services and for training, through research, development, or training project grants, and to establish within the Department of Health, Education, and Welfare an operating agency to be designated as the "Administration of Aging"; to the Committee on Education and Labor.

By Mr. GALLAGHER:

H.R. 7958. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. MINISH:

H.R. 7959. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. TOLL:

H.R. 7960. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. WESTLAND:

H.R. 7961. A bill to make permanent the provisions of law authorizing certain suspension of section 27 of the Merchant Marine Act, 1920, with respect to the transportation of lumber; to the Committee on Merchant Marine and Fisheries.

By Mr. CLARK:

H.R. 7962. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. HALPERN:

H.R. 7963. A bill to promote the cause of criminal justice by providing for the representation of defendants who are financially unable to obtain an adequate defense in criminal cases in the courts of the United States; to the Committee on the Judiciary.

By Mr. McMILLAN (by request):

H.R. 7964. A bill to amend the act entitled "An Act to grant a franchise to D.C. Transit System, Inc., and for other purposes," approved July 24, 1956; to the Committee on the District of Columbia.

By Mr. WHALLEY:

H.R. 7965. A bill to amend the Antidumping Act, 1921; to the Committee on Ways and Means.

By Mr. OSTERTAG:

H.J. Res. 630. Joint resolution to prohibit the Postmaster General from requiring that work measurement systems used by the Post Office Department be used to determine individual employee productivity; to the Committee on Post Office and Civil Service.

By Mr. ROGERS of Florida:

H.J. Res. 631. Joint resolution proposing an amendment to the Constitution of the United States permitting the offering of prayers and the reading of the Bible in public schools in the United States; to the Committee on the Judiciary.

By Mr. GRAY:

H.J. Res. 632. Joint resolution to provide for the settlement of the labor dispute between certain carriers by railroad and certain of their employees; to the Committee on Interstate and Foreign Commerce.

By Mr PRICE:

H.J. Res. 633. Joint resolution to provide for the settlement of the labor dispute between certain carriers by railroad and certain of their employees; to the Committee on Interstate and Foreign Commerce.

By Mr. CLEVELAND:

H.J. Res. 634. Joint resolution granting the consent of Congress to the establishment of an interstate school district by Hanover, N.H., and Norwich, Vt., and to an agreement between Hanover School District, New Hampshire, and Norwich Town School District, Vermont; to the Committee on the Judiciary.

By Mr. FRASER:

H. Res. 476. Resolution to create a select committee to investigate expenditures for research programs conducted by or sponsored by the departments and agencies of the Federal Government; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BRUCE:

H.R. 7966. A bill for the relief of Milagros Garcia Somera; to the Committee on the Judiciary.

By Mr. GILL:

H.R. 7967. A bill for the relief of certain individuals employed by the Department of the Air Force at Hickam Air Force Base, Hawaii; to the Committee on the Judiciary.

By Mr. HORTON:

H.R. 7968. A bill for the relief of Samuel Lipsih; to the Committee on the Judiciary.

By Mr. LINDSAY:

H.R. 7969. A bill for the relief of Nguyen Thai Son; to the Committee on the Judiciary.

H.R. 7970. A bill for the relief of Dr. Maximo Deysine; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.R. 7971. A bill for the relief of Mrs. Hotica Phillips; to the Committee on the Judiciary.

H.R. 7972. A bill for the relief of Mrs. Ofra Bernstein; to the Committee on the Judiciary.

By Mr. ROOSEVELT:

H.R. 7973. A bill for the relief of Istvan Kelemen; to the Committee on the Judiciary.

By Mr. RYAN of Michigan:

H.R. 7974. A bill for the relief of Sara Khalil Mohamed; Osmand Mohamed, her husband; and Hassen Mohamed, her son; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

230. By Mr. BROWN of California: Petition of Los Angeles Journeymen Plumbers Local Union 78, urging passage of H.R. 2582, which would equalize all rates of wartime disability compensation; to the Committee on Veterans' Affairs.

231. By the SPEAKER: Petition of Harry L. Stuver, president, National Geriatrical Society, San Francisco, Calif., requesting passage of civil rights legislation; to the Committee on Education and Labor.

232. Also petition of Francis C. Flynn, city clerk, University City, Mo., relative to a resolution adopted relating to three proposed States rights amendments to the Constitution of the United States; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Government Lotteries of Norway, Poland, Portugal, Sweden, and Switzerland

EXTENSION OF REMARKS
OF
HON. PAUL A. FINO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 6, 1963

Mr. FINO. Mr. Speaker, among the 77 foreign countries which utilize government lotteries as a revenue-raising device are Norway, Poland, Portugal, Sweden, and Switzerland. In these five foreign nations, like in all the other countries, the gambling spirit of its people is legally recognized, accepted, and regulated for the countries' needs and the people's benefit.

Norway, in addition to the lottery, also benefits from semiofficial football pools. In 1962, the gross receipts of the national lottery came to over $17 million. After payment of prizes, the total annual net income to the government came to over $5 million.

Poland has a government lottery which was established long before the Communists took over that country—it dates back to 1808. In Poland there are two countrywide lotteries. In 1962, the total gross wagered in these lotteries was over $53 million. The net profit to the government was over $18 million of which part is used for investments in sports installations and support of sporting activities. The other part is used for housing, historical monuments, and local cultural activities.

Portugal gives us another example of how the urge to gamble may be utilized on behalf of charitable organizations. In 1962, the total gross receipts were $25½ million. The net income came to over $6½ million which went to public assistance.

Sweden has found the lottery to be of great help to its people. Not only is the Swedish lottery the largest Scandinavian lottery but it is the most profitable. In 1962, the gross receipts came to $52 million. The net income to the government was almost $31 million. A good portion of this money is set aside for cultural activities and the rest is devoted to general budget purposes.

Switzerland has three lotteries which are operated on a multicantonal level. The 1962 figures show over $6¼ million in gross receipts. The net income came to close to $2 million which was used for private and public charities and for cultural organizations. Part of the moneys was used for conserving wildlife, for financing public buildings and maintaining public transportation systems.

Mr. Speaker, the lesson to be drawn from the example of these foreign nations is that a national lottery can be of great benefit to a country. This is not merely a case of the ends justifying the means, for if we were not so steeped in moral hypocrisy, we would realize that a national lottery is a time honored and tested financial device. With our own lottery we can produce over $10 billion a year in new revenue which can be used to reduce our high taxes and growing national debt. When will America wake up to the worth and value of national lottery?

Independence of Jamaica

EXTENSION OF REMARKS
OF
HON. ADAM C. POWELL
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 6, 1963

Mr. POWELL. Mr. Speaker, yesterday, August 5, Jamaica celebrated the first anniversary of her independence, and we wish to take this opportunity to send warm felicitations to His Excellency the Prime Minister of Jamaica, Sir Alexander Bustamente; and His Excellency the Jamaican Ambassador to the United States, Sir Neville Noel Ashenheim.

Hail to Jamaica, as it marks the first anniversary of its independence. One of the very oldest countries of the Western Hemisphere, in point of discovery, one of the youngest to join the ranks of independent nations of the Commonwealth, of the American nations, of the United Nations, of the world; Jamaica, we salute you.

Within your island you have happily combined the old and the new, the great and the small. It is pleasing to us in the United States to see our flag among those at your shrine of Columbus.

After Columbus discovered your island in 1494 and you remained a Spanish possession for the next half century, the British took over for some 300 years. Your institutions reflect the spirit of liberty, the respect for the individual, a belief in the rule of law, which are the hallmarks of the Western World. The great ideas of the past you have epitomized in the new constitution of your beautiful little island. As your self-government developed with the major constitutional changes of 1944, 1953, and 1959, you were well on your way to the independence of 1962.

We note the wisdom of the provisions of your new Constitution concerning the fundamental rights and freedoms of all persons within your shores. Not only are those fundamental freedoms of the individual safeguarded as in other free countries of the world, and not only so safeguarded irrespective of race, place of origin, color, creed, or sex, but also irrespective of political opinions, and in any case, "subject only to respect for the rights and freedoms of others and for the public interest."[1]

We note with gratification your readiness at cooperation internationally, and that you approached independence even prepared to assist in the common services to the small islands about you, as long as such assistance remained necessary, in the interests of the region as a whole. Among these common services are such deserving institutions as the University of the West Indies and the teaching hospital associated with it, which serve all the British Caribbean territories; the West India Regiment; the Federal Supreme Court; the West Indies Shipping Corporation, which operates an interisland shipping service with two ships given by the Canadian Government under its West Indies Aid Program; the West Indies Meteorological Service, and various other regional projects. We are glad that Jamaica wanted to join the United Nations and related agencies, which are working toward the betterment of mankind.

We welcome you as one of us. May your freedom be as pure, as pleasant, and are perpetuated as the fragrant white corona of lilies that is doubly self-perpetuating in your world-renowned gardens. May your future be as bright as the hibiscus flowers for which you are known the world over. Jamaica, it is with pride and hope for a happy future that we welcome you among the nations of the Americas, among the nations of the United Nations, among the nations of the world.

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[1] "Jamaica, the making of a Nation." British Information Services. London, Central Office of Information. April 1962. (No. RF.P. 5379) p. 10.

The Test Ban Treaty

EXTENSION OF REMARKS
OF
HON. EVERETT G. BURKHALTER
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 6, 1963

Mr. BURKHALTER. Mr. Speaker, I wish to rise and add my voice to the overwhelming majority of Americans throughout our Nation who are greeting the signing of the treaty banning most thermonuclear tests as the bottom rung on the ladder to world peace. True, this does not remove the threat of nuclear war. However, when one nation can approach another nation and when three such nations can meet and discuss a problem which affects each and everyone of them, as well as all the other nations of the earth, and do so in a friendly and serious mood and reach an agreement binding on all the cosignators, this action, although overdue, does give mankind a relaxed breathing spell. How much better off all of tomorrows unborn babies will be because of a treaty signed by three of the world's great powers to ban further atmospheric testing of thermonuclear reactions, including underwater and outer space testing.

The consequences of continued thermonuclear testing are so complicated and unfortunately so controversial that discussions will go on for many months ahead, however, everyone, regardless of whether their particular views are pro or con will welcome the new treaty, and will await most anxiously for the final acceptance when the U.S. Senate will vote its will. The citizens of the United States can rest assured that our Government knows full well the capability of our adversaries and knows full well the retaliatory might of our forces in protecting the Nation against any and all challenges to our national sovereignty. In human events there is always a first step and this treaty may be the first step to an era of cooperative expansion in fields of attack on disease, underfed peoples of the world, substandard conditions of human existence throughout all of the earth's nations, an era which will startle all peoples with its swift progress and giant strides toward eradication of many of mankind's oldest chronic problems.

Just as it has taken vision, manpower, and natural resources to accomplish the many wonderful things that mankind has wrought in the ages, since the epoch of understandable knowledge was disseminated far and wide, to bring us to today's brink of space exploration; so may tomorrow's horizons be expanded here on earth to alleviate man's many sufferings and to use the earth's resources for a truly peaceful defeat of all these afflictions. If at some time in the future mankind can devote but a small part of its daily labor and resources toward self-protection and can turn the greatest part of its immense production capabilities into producing for human comfort, those in their youth today will be able to enjoy a lifetime of accomplishment and well-being never before thought possible.

Many, many hours of patient persuasion by many dedicated persons were spent at the conference tables in the past discussing the issues contained in trying to bring about the signing of a test ban treaty. I wish to pay homage to all of these people for their service in the past, for tending the ground that made it possible for the planting of the seed of understanding that has led to the first fruit—the new thermonuclear test ban treaty. We have started on a new highway of human existence, may we accept the challenge and make it straight and safe.

International Air Cadet Exchange

EXTENSION OF REMARKS
OF
HON. CHARLES McC. MATHIAS, JR.
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 6, 1963

Mr. MATHIAS. Mr. Speaker, I am extremely happy to note that on August 2, 1963, foreign cadets participating in the 16th Annual International Air Cadet Exchange program of the Civil Air Patrol and their escort officers representing 22 countries, arrived in Washington, D.C., for a 4-day visit. The following countries took part in this most commendable program: Argentina, Belgium, Canada, Chile, Costa Rica, Denmark, Ecuador, El Salvador, France, Germany, Great Britain, Greece, Israel, Netherlands, Norway, Peru, Portugal, Spain, Sweden, Switzerland, and Turkey.

It was indeed heartening to have had this fine international group of young people and interested adult participants meeting here in our Nation's Capital to compare programs and discuss the worldwide operation of the Civil Air Patrol. The Civil Air Patrol has long been in the forefront of a worthwhile and constructive program of public service and admirably inspires a large voluntary service of its members and wide non-Government participation in its functions.

This recent International Air Cadet Exchange received invaluable assistance from the U.S. Air Force, of which the Civil Air Patrol is an auxiliary unit. While the Air Force assists in the Exchange, it is still essentially self-reliant and requires active support from American citizens and private corporations.

Men like Samuel F. Pryor, Jr., of Pan American World Airways, and L. A. Fleener, of the Mercedes-Benz Co., can be singled out as citizens who have taken such an active and spirited interest in the CAP International Exchange program. Their tireless efforts, as well as the work of numerous others, have guaranteed the success of this most commendable and constructive international meeting of mind.

Again, I congratulate the CAP and its members, both from the United States and abroad, who participated in the recent Exchange visit to Washington and who, I am sure, have carried back to their homelands a new devotion and interest in the work of the Civil Air Patrol.

One View on Civil Rights

EXTENSION OF REMARKS
OF
HON. RICHARD T. HANNA
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 6, 1963

Mr. HANNA. Mr. Speaker, the real key in the move for freedom, the demand for increased rights in society, lies in the expansion of the spectrum of choice. What the Negro citizen should seek and want is more to choose from and a real power to choose. A range of job potentials as wide as the existing multiplicity of classifications generated by our 20th-century technological age and a real opportunity to compete on the basis of competency and qualification. More of the material things, such as new homes, television sets, washing machines, motorcars, and so forth, and a real opportunity to use the benefits of the credit system on the basis of his individual performance for responsibility and payment. Greater chance for the things of the mind and the things of the spirit without artificial barriers of generalities of deficiency and disqualification. Acceptance of his right to be different as long as it is a progressing, improving difference.

We submit that the way to get these desirable things does not lie in cutting down everyone else's choice to a lower, common level or a lower, equal size. That is precisely the way to narrow choice and diminish rights and freedoms. It deprives our society of its flexibility, diversity, and incentive upon which a policy of plenty and of a dynamic, growing culture so urgently depends.

What the Negro is entitled to is the right to be included in everything everyone else in America is included in, and on the same basis. To put a goal realistically within the reach of all is quite different from putting it within the grasp of some. It should be remembered that whereas the Negro has much to gain he also has something that could be lost. Mainly, himself and all of the heritage and culture that is worthwhile in his past. A society in which everyone is nobody and anybody can be anyone is not in character with America. The free scope for individuals to develop by their own efforts and their own gifts and for groups to exist within our American framework by their own vitality and integrity and by the needs they serve, this is the strength of our society. Add to that the free interplay and interflow between such individuals and groups, and this is the open society of a free land.

It is in view of this truth that we suggest some error and misguidance may operate in the programs sought for civil rights. It is our belief that aside from the strong assertion of a general policy of equality backed with court sanctions the most productive programs will be aimed to help the Negro where he is. Crash programs designed to improve the environment and improve the individual will, in the long run, be best. Only such an approach can maintain the integrity of the Negro as a person and Negroes as a race. Only such an approach can protect us from the erosion of the present quality of our society. For the long history of oppression and denial we owe the Negro citizen much, but we do not intelligently pay the debt by making our society a less attractive one in which to claim full citizenry.

Every minority has, at some time in its struggle for status, required its government to help its members measure up. At no time is it appropriate to ask its members to mark down their rights, privileges, or opportunities. All of the demonstrations, all the righteous recriminations about the past, whatever constructive part they have to play, are not going to change the hard facts of life in the Negro's situation. He still has the burden to measure up to the requirements of responsibility for enlarged political rights with the assumption of enlarged political responsibilities. He still has the burden of measuring up to increased education and skill as a condition of fuller economic recognition and progress. He still has to measure up to standards which for some time will include the prejudice of the past before achieving full participation as an individual in the more intimate interplay of society. All this is simply to say that after eliminating such artificial barriers as now exist the Negro must still find an honest, meaningful ground on which to base a personal pride on being a Negro before he will have a recognizable or meaningful basis for pride in being an American.

The burden of this accomplishment is primarily money and time. The tools for achievement are increased quality and quantity of education—job training—housing and a real competitive chance in the large arena of choice. Now is the time to urge all manner of assistance to those so long denied the opportunity to measure up. Let us be generous in our approaches on every front to provide real, effective avenues for self-improvement. But most importantly, let us do this meeting the Negro where he is. Not only where he is physically but where he is as a person, as a member of a race. What we are seeking is not the right to be the same, but the same right to be ourselves. Let us guard for all, including the Negro, this intrinsic value of our open society and moreover, I suspect, this intrinsic value in true human dignity.

Only by distinguishing between those actions that make smooth the way for the self-improvement of a particular group of persons and those actions which reduce the measures of rights, remove the value of difference and restrict the spectrum of choice for all can we make real progress. Only thusly can we assure the Negro that his contribution to his country will be the best he is capable of producing. Only thusly in his efforts can he achieve that plateau of the fullest panoply of choice.

Hard cases make bad law. The case of the Negro is a hard case. Can we hope that we will avoid the maximum possible of bad law?

Remarks of Hon. John E. Fogarty, of Rhode Island, at American Library Trustee Association Recognition Dinner, Chicago, Ill., July 13, 1963

EXTENSION OF REMARKS

OF

HON. HUGH L. CAREY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 6, 1963

Mr. CAREY. Mr. Speaker, another deserved honor has come to our distinguished colleague from the Second District of Rhode Island, the Honorable JOHN FOGARTY, who received the Citation of Merit for his outstanding contribution as a library trustee at the American Library Association's 82d Annual Conference in Chicago, Ill., on July 14.

Those of us who have difficulty keeping track of the multiplicity of JOHN FOGARTY's interests and attainments may not be aware that he is an active member of the board of trustees of the Harmony, R.I., Public Library.

Representative FOGARTY was cited:

> For his militant championship of libraries in the halls of Congress * * * his immeasurable help in 1956 in obtaining appropriation of funds which implemented the Library Services Act * * * his powerful and effective fight in 1960 which culminated in extension of the Library Services Act * * * his continuing leadership in preparing the way for new Federal legislation favorable to libraries.

Prior to the announcement of the award, Mr. FOGARTY was the featured speaker at the annual recognition dinner held on July 13 by the American Library Trustees Association. His remarks reveal his keen understanding of the significance and the problems of today's public libraries. Because they are of exceptional value to Members of Congress at this time when we are considering legislation to amend the Library Services Act, I should like to insert Mr. FOGARTY's speech in its entirety:

REMARKS OF HON. JOHN E. FOGARTY, U.S. REPRESENTATIVE, SECOND CONGRESSIONAL DISTRICT OF RHODE ISLAND, AT AMERICAN LIBRARY TRUSTEE ASSOCIATION RECOGNITION DINNER, CHICAGO, ILL., JULY 13, 1963

First, let me express my pleasure at being among you. As a fellow public library trustee and one of the thousands of unsung, unpaid partners in library development, I know that you share my abiding commitment to the importance of good public libraries. We can take pride in the fact that the devoted efforts of conscientious trustees, who give so freely of their time and effort, have done much to make the American public library a major resource for lifelong learning.

This ALTA recognition dinner provides a fitting occasion for some reflection and some speculation on the fortunes of the libraries in our charge. Without doubt, each of us can gain some satisfaction with library progress and improvements made over the last year. Equally certain is our knowledge of problems yet to be solved, demands yet to be adequately met, and, just over the horizon, a whole new world of library change and growth.

The continued ability of American citizens to make intelligent decisions and well-informed choices is a matter of crucial importance in today's world and in the years ahead. A good public library has a central responsibility in the achievement of this vital goal. To understand some of the reasons why library service of excellence is becoming more complex, more expensive, and more important, we need to consider the major social, economic, and cultural forces now impinging on our daily lives. On the one hand, we have more people who are more highly educated and more highly dependent upon resources for continuing education than ever before. On the other hand, we are just beginning to cope with a phenomenal increase in both the quality and quantity of recorded knowledge in the form of books, periodicals, films, tapes, and other communication media which can be appropriately considered as library materials.

This is a very broad statement of a serious situation which now faces, and will continue to face, all of our social and educational institutions. For public libraries, and for us as librarians and trustees, the problem has special significance. With this growth pattern in mind, let me try to identify a number of elements which seem to bear directly on the task of providing good library service.

We are all acutely aware of the numerical increase in population, and libraries have a special concern with certain parts of this growth. For example, the number of people who are 5 through 21 years of age, the heaviest users of both public and school libraries, will increase from 53.2 million in 1960 to 67.5 million in 1970. During the same period, those persons who are over 60 years of age and who frequently have need of specialized library facilities will increase in number from 23.7 million to 28.4 million.

If the implication in these figures was simply that we will need to do more of the same kind of thing that our libraries are already doing, this would still be a demanding task. But let's not forget the change which has occurred in the number of persons employed in professional and technical occupations. This group, with its built-in demand for reference and research material, increased from 4.5 million in 1950 to 7.5 million in 1960, a rise of 66 percent.

The significance of this change was identified by Lester Asheim when he was dean of the University of Chicago Graduate Library School. He noted that "growth is occurring in those parts of the total population which have traditionally been the greatest users of the book. The implications for the library add up to something considerably more than just a growth in library use; they point to a more serious, more intensive and more purposeful use of library materials." It follows logically from this that more extensive library collections will be needed, together with a more specialized and more highly trained staff of professional librarians.

The handmaiden to this growth in demand for materials is the increase in the number and variety of publications available. It has been estimated that 10 million words are added every month to the cumulative knowledge of mankind in the field of chemistry alone. The number of titles of scientific books published in the United States, excluding Government publications, increased from 705 in 1950 to 1,743 in 1962. The total number of new books and new editions rose from 11,022 in 1950 to 21,904 in 1962.

Still a third factor in this demand and supply situation is the sharp increase in the cost of library materials. The average subscription price of periodicals in the fields of chemistry and physics increased 102 percent between 1950 and 1962. In only the last 7 years, the annual subscription price of Chemical Abstracts rose from $60 to $500. And this journal, despite its value, can offer only partial coverage of the 50,000 scientific periodicals now being published.

One characteristic of our growing and changing society which seems to be occasionally neglected by library planners is the truly amazing mobility of the modern American family. Nearly 46 million citizens moved, at least from one house to another, in the 15-month period between January 1959 and April 1960. In our urban fringe areas, only 21 percent of the population in 1960 had lived in the same house for 10 years or more. This same ebb and flow of people exists even when the place of residence is not changed. The family members may live in one community, earn their living in another, and go to school in a third. They shop, go to church, and seek their recreation on this freewheeling basis, crossing city, town, county, and even State lines, often without being aware that they are doing so. These Americans have little patience for arbitrary political boundaries which, to them, merely complicate rather than simplify their lives. In many cases they have also shown little tolerance for public officials who try to maintain such boundaries for the benefit of a few, rather than reducing them for the benefit of all.

The implication for libraries of this mobility has been well expressed by ALA President Bryan who said, "Let us turn our attention to what in effect is the library system. This is the totality of all libraries in the United States and, while the differing units are not identified as necessarily related in any way, we are for many students and scholars serving just as certainly as a system of libraries as our public and private schools on all levels are serving as a system of formal education."

All of these facts show that we, as library trustees, have a big and important job. We must realize that library service as we have known it in the past will not meet the needs of our citizens in the days ahead. Bold and imaginative planning, followed by action on an unprecedented scale will be required of both librarians and trustees. For library trustees, the key word is "planning." As policymaking groups, constituted to represent the wide range of community interests and needs, library boards of trustees can be the focal point in library development. The present demands on our library facilities which I have already mentioned create considerable daily pressures on our librarians. We trustees should see to it that these serious distractions do not prevent an occasional halt to examine the fundamentals involved in designing adequate library services for our communities. It is the mutual understanding by the library board members, the librarian, and the library staff of their respective responsibilities that makes possible a spirit of productive teamwork. It is in this spirit that real progress toward our library's goals will be made.

In this working partnership for better libraries, we can be sure that each trustee can make a unique contribution to some aspect of each library activity. As an example, let's consider the national standards, as defined in the ALA publication, Public Library Service. These statements describe the various criteria which, when taken as a whole, mean that a library is giving service of minimum adequacy. As I view the role of the trustee in applying these standards to his community, it would be first to identify any shortcomings in his library, then to begin planning the ways and means by which the gaps can be filled. I think we should also remember that these standards defined minimum adequacy in 1956 and today's needs are unquestionably greater.

It is interesting that these standards, which emphasize the joining together of libraries in order to provide a network of resources for the user, reflect exactly the patterns of use which Mr. Bryan has described. Trustees, familiar with the people and places reached by their libraries, can be alert to possible cooperative arrangements which would help make such a network a functioning reality. That these possibilities exist has already been demonstrated by several States. New York State, now almost entirely covered by 22 library systems, has led the way in the development of cooperative networks of public libraries. But New York State has also recognized a wider need, which is embodied in their "three-R" program. This idea, now in the form of proposed legislation, is based on a report by a special Governor's Committee, and is entitled "A Cooperative Program for the Development of Reference and Research Library Resources in New York State." It provides for five regional reference and research library systems which would permit access to all of the available library resources in each area on an equitable financial basis. This proposal reflects the fact that not only is any single library inadequate in terms of current demand, but that no one type of library has the money, space, staff, or equipment to cope with these needs. The job demands a joint enterprise which will promote the cooperative acquisition and use of materials and which will fully exploit modern electronic techniques of information storage and retrieval and of automatic data processing.

New York is not alone in mounting a concerted attack on the problem. In my own State, a study published in March 1963, takes into account the resources of all the libraries in Rhode Island—public, school, academic, and special. The recommendations are specifically aimed first at correcting shocking existing inadequacies, and second, of coordinating facilities to provide freer access to materials of all types.

In New Jersey, a massive do-it-yourself survey of libraries has just been completed. Conducted by the New Jersey Library Association, with the direct involvement of many library trustees, the survey teams covered all type of libraries and the various methods of financing library operations. California, Illinois, Missouri, New Hampshire, New York, and Pennsylvania are examples of other States which have taken a long-range wide-angle look at library development. Every library trustee should be fully informed about current planning in his State. Every library trustee has a direct responsibility to become thoroughly familiar with the recommendations for improved services and should be willing to work toward their implementation.

In many cases, the key to effective implementation of programs to improve library services is money. Every comprehensive statewide plan for library development considers the problem connected with adequate financing of library services. We all know the inherent inefficiencies of the overburdened local property tax as the traditional source of most library support. Other revenue sources must be found and many States are now examining the respective responsibilities of local, State, and Federal Government toward the support of library service of high quality.

At the present time we have begun to accumulate some valuable experience with programs of grants-in-aid at both the State and Federal levels. I know you are all familiar with the Federal Library Services Act which allocates funds to the States for the extension and improvement of public library services in areas of less than 10,000 population. This program has been highly popular and a part of its success can be measured by the fact that more than 38 million citizens now have new or improved public library services as a direct result of the Library Services Act. Of special significance is the fact that State appropriations for rural public library services have increased 92 percent and funds from local government for the same purpose have risen 71 percent since the act went into effect. This demonstrates beyond question that one basic purpose of the law—to stimulate greater State and local effort—has been accomplished. To me, it is also convincing evidence that the Federal Government can, and should, share with State and local governments the responsibility of financing good library service. We have clearly seen that the problems facing our libraries are national in scope; it seems to follow logically that a part of the solution also lies at the national level.

A little more than a century ago, States began to adopt legislation permitting the establishment, organization, and support of local public libraries. I am proud to say that Rhode Island, in 1875, passed the first State-aid law under which the State board of education could pay local libraries up to $500, based on the size of the book collection.

The role of the State in public library development has been well stated by Carleton Joeckey, who said, "Since education is a State concern and the library is a part of the educational system, it is also a concern of the State. The public library must be raised to a level higher than that of purely local interest. The process will doubtlessly be gradual, but it must be definite if the library is to be successful either in extending its service to all people of the State or in raising the quality of service to anything like a uniform standard."

A forthright endorsement of this position was made in 1959 by the California Legislature which adopted the following statement as part of its education code:

"The legislature hereby declares that it is in the interests of the people and of the State that there be a general diffusion of knowledge and intelligence through the establishment and operation of public libraries. Such diffusion is a matter of general concern inasmuch as it is the duty of the State to provide encouragement to the voluntary lifelong learning of the people of the State. The legislature further declares that the public library is a supplement to the formal system of free public education, and a source of information and inspiration to persons of all ages, and as such deserves adequate financial support from government at all levels."

Today, 27 States have State-aid programs which include cash payments to local libraries. The grant programs in Colorado, Florida, Massachusetts, Minnesota, New Jersey, and Oregon were all enacted since 1956, and the programs in three other States, Kentucky, New York, and Pennsylvania have been substantially increased in recent years.

In 1950, State grants to local libraries made up only 1.7 percent of total public library expenditures. In 1956, this proportion rose to 2.7 percent amounting to $4.3 million. By 1961 State grants totaled more than $17 million or about 6 percent of all public library expenditures. That same year the maximum authorized appropriation under the Library Services Act was $7.5 million or about 2.5 percent of the national total.

Although this trend is highly encouraging, the proportion of State and Federal support for public libraries does not yet begin to approach levels recognized by professional leaders as required for adequate service. As long ago as 1948 the suggested ratio of library support was: 60 percent from local units; 25 percent from the States, and 15 percent from the Federal Government. In 1961 a prominent State librarian recommended that a more realistic formula would be 40 percent local funds, 40 percent State, and 20 percent Federal. It is interesting to compare this with a recent paper on public school finance which suggests that, "A school revenue pattern of 50 percent from State sources 25 percent from Federal sources and 25 percent from local sources would be far more logical and equitable than our present pattern."

It may well be that there is no one correct formula for the optimum distribution of library support among the various levels of government. The overwhelming evidence from public libraries and from our other educational enterprises, however, does show that placing over 90 percent of the burden of support for public libraries on the already struggling local community is unfair and unwise.

As we consider the role of the Federal Government in helping to define, to understand, and to solve the problems now facing our libraries, it is of value to note that the very success of the present Library Services Act has helped to reveal the serious library needs yet to be met. The present Library Services Act was designed to cope with only a small segment of the total library situation. The act provides assistance only to public libraries, and then only to those public libraries which are located in rural communities. Providing improved services to these residents was, and still remains, a highly important goal, but the forces of change do not wait until present problems are neatly solved.

Legislation now pending before the Congress contains two new and much needed revisions of the present program. First, benefits become available to communities of every size, and second, funds can be used for the construction of library buildings and for site acquisition.

The inclusion of urban areas will allow librarians and trustees to build substantial programs of library extension and improvement on the more developed libraries of the larger cities. In this way, improved library facilities and services can be shared by all users regardless of their place of residence. However, the problems which we have considered—increased library use, rising costs of personnel and materials, lack of enough books—cannot be solved by providing assistance only for operating expenses. The ability of any library to respond to these demands is directly related to the adequacy of its physical plant. Advanced age, lack of usable space, nonfunctional design, and expensive maintenance are the typical characteristics of American public library buildings today.

Title VI, part C, of the comprehensive education bill would authorize the appropriation of $20 million for public library construction. This title is based on the same State plan principle which has proved so successful under the present Library Services Act. By enlarging this program to include all areas of the country, and by providing assistance for construction costs we are recognizing the essential unity of public library needs.

Other parts of the proposal are addressed to the larger unity of libraries of all kinds. One of the strongest features of John Humphrey's report on Rhode Island libraries is, in my judgment, his emphasis on the need for immediate and radical improvement within each type of library. The importance attached to interlibrary cooperation has not been exaggerated, but it is absolutely vital to such cooperation that the partners be at relatively comparable levels of adequacy. A vigorous public library program, operating with a comprehensive book collection cannot "cooperate" with a weak or nonexistent school library program. It can only act as an unsatisfactory substitute. The same principle will hold true whenever academic, special or other libraries are grossly inadequate to the demands made upon them. The various proposals affecting libraries now pending before Congress, when taken together, represent a beginning effort to achieve some of this basic improvement in library facilities and services. There are gaps in the legislative proposals and there are strong and weak points in particular bills, but I am convinced that we are moving in the right direction.

By stimulating more systematic statewide planning; by fostering greater and more rapid investment in public and academic library facilities; by stimulating additional State and local effort; and by providing new opportunities for additional professional training, these proposals will give our libraries a running start into the difficult but fascinating years ahead.

Alert and intelligent leadership is urgently required from every librarian, library trustee, government official, and citizen concerned with good public library service. We know the magnitude of the job ahead and the importance of doing it well. We know the strengths and weaknesses of our own libraries. Every library board and each individual trustee should, therefore, come to grips with some basic questions now confronting us. What productive relationships can be established with our neighboring public libraries? What specific forms of cooperation among different types of libraries will help improve the services of each? What is the appropriate role of our large urban and academic libraries toward the extension of high quality service? How can we work toward optimum distribution of the responsibility for library support among the various levels of government?

It is only as we lift our eyes to the horizon that we are able to see the true perspective of our daily concerns. Any plan we make for our own libraries will be realistic and effective only if it is based on a clear view of the relationships between each library and all other related facilities and service throughout the State and region.

In considering our responsibilities as public library trustees, we must never lose sight of the constructive role which the library must assume in society. In today's society a major area of concern is the extension of basic American rights to every citizen of the Nation. Ours is a leadership task—to promote an orderly transition in a period of extraordinary tension. Freedom of access by every citizen to every public library should be the goal of every library trustee.

The Council of the American Library Association has taken a bold step forward in authorizing the conduct of a study of access to libraries throughout the Nation. We look forward with interest to the report of this study which is to be presented to the council of the association next week.

I might add that in addition to such nongovernmental action, the Congress also must face its obligations in this field of human relations, and legislation in the area is currently under consideration.

You all know of my deep commitment to the improvement of all our educational agencies. You know of my belief that the public library can provide needed educational opportunities to every citizen. If we work together as trustees, if we build effective patterns of cooperation, if we strive for higher standards, we will accomplish our library goals. If we can provide library services of consistently high quality, we will be making a significant contribution to educational excellence in the United States. The stakes in our efforts are, at the least, the continued freedom and enlightenment of individual Americans. The stakes may also be the continued vitality of Western civilization and the survival of mankind upon this earth. In either case, can any of us do less than our very best for the progress of our libraries?

Address of Congressman James H. Morrison, of Louisiana, House Post Office and Civil Service Committee, Before the Fifth NAIRE District Conference at New Orleans

EXTENSION OF REMARKS

OF

HON. T. A. THOMPSON

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 6, 1963

Mr. THOMPSON of Louisiana. Mr. Speaker, I have just read an address recently made by my good friend and colleague, the gentleman from Louisiana, JIMMY MORRISON, before the Fifth National Association of Internal Revenue Employees District Conference at New Orleans.

In his address to the conference delegates and officials, he explained his enthusiastic interest in making the life of a Federal employee "more realistic, and on a basis more equal and more comparable to private enterprise."

He particularly complimented the Department of Internal Revenue for its dedication and efficiency, and pointed out that it actually worked "in partnership with the taxpayers."

JIMMY MORRISON's comments on the IRS and other Federal employment branches are illuminating and concise.

Under unanimous consent, I am including his address which appeared in the NAIRE Bulletin of July 15, 1963:

ADDRESS BY CONGRESSMAN JAMES H. MORRISON, OF LOUISIANA

I have had the privilege of speaking to many conventions and meetings, various Government officials, and Government employee organizations, but I don't believe I ever had the privilege before of speaking at a banquet of Internal Revenue employees. You know, to me, the Internal Revenue is, as far as peacetime is concerned, one of the most, if not the most, important Governmental agencies and departments. Of course, it is not the biggest by any stretch of the imagination. The Post Office is much bigger. But I don't know of any that are more important than IRS, and I don't know of any that are as important. Your Department's accomplishments have been amazing. It is doubtful that anyone would dare to say that it would ever be as efficient and successful and as amazing as it is today. It is hard to realize and it is hard to imagine and it is hard to even think that you people could be as dedicated and as able and work to the end that the United States would get every taxpayer in this great Nation of ours in a partnership where these taxpayers, as citizens of this great Nation of ours, would not only assess themselves of the tax, and the basis on which they assess it, write out all the papers, do all the paperwork and at the same time do the collection work and the giving of the money to the U.S. Treasurer as they do. In other words, actually, you're in partnership with the taxpayers. They do your work under your supervision. I'll tell you this, being as good as you are, and I think you are tops, I don't know of any people in any line of endeavor whether it be Government work or private enterprise anywhere in the world that are more dedicated, more efficient, or do a better job than your Department does. But at the same time, as dedicated as you are and with the degree of perfection that you have reached, you could never even hope, presuming no matter how many people were put in your agency to do the paperwork and the actual collecting and paying out that the taxpayer does under your guidance and supervision, to get the taxpayer to pay that money which he doesn't want to pay, and do it quite naturally. It is just exactly as difficult, I think, as the supervision that teachers have to do when they teach your children, and before our children, they taught us. Something that we had to do, but at the same time, we didn't want to do it. We rebelled against it, and yet we ended up doing it. So I would say that the success of the entire basic tax assessment and tax collection is the very backbone and fundamental basis of our existence as a free nation, because by far the greatest source, single and otherwise, of our tax revenue comes from income taxes. There is an old saying that you never appreciate the water until the well goes dry. And maybe a lot of people never appreciate what you people do in the Internal Revenue Department until they visit some country that doesn't have anywhere near the efficiency, the dedication, and the perfection that you have shown over the years so masterfully.

For instance, when I was in France several years ago, I saw those people over there were victims of favoritism in tax collection. Nobody felt that it was their duty to pay taxes. They didn't pay the taxes because they thought that it was their duty to do so to keep not only the Government going, but guarantee its freedom. They did everything they could as an excuse. This fellow did not pay his taxes, or that fellow didn't, or favoritism was here and favoritism was there. The result of it was a horrible network of chaos. And I think that that is one of the main difficulties that France has experienced over the years, and one of the main difficulties that brought about their Government changing so much, putting this group in, that group out, and then another group in. They did not have any fair system in collection, that all-important basic fundamental of freedom and democratic government, which is the fair collection of taxes. Without taxes we wouldn't be able to defend ourselves, we couldn't be able to have a land of the free, and we wouldn't be able to do the things that this great Nation of ours has been able to accomplish in the way of becoming the greatest democracy in the whole world. The working out of the democracy that we have causes these other nations to look to our leadership, and we not only have to lead ourselves in the cause of freedom but we must lead the entire free world and provide the hope for these nations that are not now free but hope to be free some day.

Your work isn't glamorous, your work hasn't built up glowing headlines in the papers, saying you did this and you did that which was the spectacular. It's just the opposite. It's dreary, and many times it's drudgery, but I will tell you one thing, maybe a lot of people just don't realize your dedication and the very fact that you may not necessarily be doing the thing that you might want to be doing. But you have certainly mastered this, which I think perhaps is the best definition of conquering a job, namely that it is not necessarily doing that which you want to do but learning to like to do the thing that you must do. It isn't everybody that has the dedication and the determination to say, "I don't care what anybody says, I don't care what they think, or what they may not think, but I have a job to do and I'm going to do it to the best of my ability." If it were not for your dedication and determination you couldn't get the job done like you have succeeded in getting it done.

You know, being on the Civil Service and Post Office Committee in many ways is a very rewarding and a very wonderful, I think, position to have. Many Members come on and seem to get off at the first opportunity. Maybe they don't appreciate the challenge, maybe it's not to their liking, but I'll tell you one thing that I believe caused me to want to stay there, caused me to have the determination that I had to do a job I thought was more necessary to be done than perhaps almost any job that I knew of at that particular time in Congress where I had an opportunity to do it. That was to make work in the Federal Government something that the people of this country would look to and respect and admire, and that would at the same time make our young people want to seek Government work.

You know, there was a time not so many years ago that people would say by inference and otherwise, by jokes of various entertainers, "Oh, you work for the Government," trying to give the impression that it was just a so-so job, half deadhead. You only worked part of the time; you didn't get the job done; you just got paid; they always had about five people doing one person's job. I'd hear people say, "Why are you working for the Government? Don't waste your time, go get a job in private enterprise. Nobody's got any ambition, ability, or anything else with the Government." That used to make my blood boil. Because not only was it not true, but there was a fundamental, underlying reason for that and that was mainly, I think, the fault of Congress.

As a Member of Congress, I take my full share of the responsibility and I further take my full share of the responsibility for being on the Post Office and Civil Service Committee. So I used to wonder and think Why do they say that about our Government employees? Why, why should that happen? Oh, the answer was very simple. Congress had just taken the Government workers for granted. There was no progress as far as salary increases were concerned comparable to jobs in private industry; there were no fringe benefits such as hospitalization, group insurance, such as life insurance, such as benefits that you would get in a comparable job, so I decided that as best as I could, and I had a high position on the committee when I first went there, and I am vice chairman of it today, I would do something about it. And I did just that. I have been in the middle of every Government employee salary raise that we've had. I've been abused, I've been told that I wasn't for economy in Government. Of course I had a quick answer to that. I said no Member of Congress necessarily had a monopoly on patriotism or on economy in Government, that I was just as patriotic and just as economy-minded as any Congressman and I wouldn't bow to anyone on this. However, I've taken the position that I wasn't going to economize by taking off the skin of the backs of the Federal employees nor was I going to stick my head in the sand like an ostrich and say that they weren't entitled to the fringe benefits that they could get in comparable jobs in private enterprise.

You know, you have no basis for collective bargaining. You have to depend on fellows like myself in Congress when you get a salary raise. And that is one reason why your organization is so important and why I can't help but be so greatly impressed with your organization and the very fact that you've had this regional get-together here and are having them all over the United States. That is the very fundamental basis of having your wants and desires given to the Members of Congress. As an individual you may have your fragrance lost in the desert air and be gone forever, but as an organization your voice is powerful and clearly heard and understood.

You have some very distinguished and able people in the leadership of your organization and I think you should be congratulated on your choice. I've heard this gentleman on my right, Mr. Brady, the person that introduced me, testify before our committee and he did a magnificent job. And I'll tell you this, that that is the way you need to tell what your agency wants and needs, not as an individual, but as an organization. One individual in an agency may come up and say we want this, another one may say just the opposite. So one person offsets the other one and you've gotten nowhere. But when one of your officials comes up and says I speak for this organization and here is what we think we are entitled to, here is our problem, here is the way we feel, here is what we think we are entitled to, here is what we need and want, that is the difference between success and failure. I can remember the ASC, Agriculture Stabilization Administration, which has a very responsible job and gives out millions of dollars in soil bank programs throughout the United States. Its employees weren't organized. One or two of them would come before the committee and it was just like speaking out in the middle of the desert as far as any influence was concerned. But they got organized all over the United States, every one of them, and even though the Agriculture Department said, "Well, even though the Federal Government pays them, we don't necessarily say that they should be taken in for all the fringe benefits of the Federal employees." Well, they organized, they came before our committee, and they made a good case. Our committee thought that, the vast majority of both the House and the Senate passed their bill, and the President signed it. But that bill would never have been passed had they not been organized.

In past years, in some six or seven salary increases that you've received I've been in the middle of every one of those fights. Oh, they've said, "Well, Morrison's a professional bill introducer." They run out of things to criticize me about when I take up for the Federal employees. And then they'll get out and say, "Well, this agency and that agency, they have just too many people in them and they're not efficient and all that." Just anything to throw a roadblock in to say, "Well, and they would be working for peanuts."

And I remember one Congressman accusing me of going overboard for Federal employees and another Congressman who was dean of his State's delegation said, "Well, I'll tell you one thing, you may call Morrison a professional bill introducer but as far as the Government employees are concerned they ought to thank God that they've got Jimmy Morrison that does introduce those bills because if they didn't have him they wouldn't have gotten as many pay raises as they did get, and they would be working for peanuts."

You know, I remember when we had the Cordiner report. Cordiner was chairman of the board of General Electric and had some of the smartest brains in the world on his committee. He got out a report that the average Government employee, and this was some 7 years ago, was 20 percent behind the employees in comparable private enterprise. Why should that be? Well, that's what used to burn me up. I say this, that if a person is working for the Federal Government, and that is the biggest business in the world, 2½ million people, why shouldn't they be paid a fair and just salary with all the fringe benefits comparable to private enterprise, if you want to get the best people that are necessary to get the job done. That has been my creed and will always be my creed as long as I am in Congress and on the Post Office and Civil Service Committee, and that is as it should be, I think. We can look back a few years and a person either had to be a pauper or a millionaire to go to the hospital. Federal employees then had no hospitalization insurance and I asked what's the difference between a group hospitalization insurance policy for governmental employees numbering 2½ million or a group policy for General Electric or General Motors? None, they are just another group, so to speak. One is just larger than the other, but we shouldn't put a penalty on Government employees because there are more Government employees than there are workers at General Electric. Yet, when we first brought that up, there was a cry and they came to me, these private insurance companies, and said, "If you put in this hospitalization plan, why, we will go out of business. You are against private enterprise."

I said, "No, we're not against private enterprise. As a matter of fact, we want private enterprise to handle this if they want to."

So the first time we failed. The next time we came back we worked and we struggled and finally we got a hospitalization bill through and it is a good one. Today, there are some 10 of them that are taking care of the 2½ million Federal employees. These private insurance companies are making more money and selling more insurance today, and, if anything, they benefited by your group hospitalization insurance policies because they have brought it home to many people that didn't have it.

That is a benefit that hasn't cost anybody as far as the taxpayer is concerned. It hasn't cost them any money. You pay for your own insurance, but somebody had to get criticized for doing it. Well, the "water is under the bridge." You got the hospitalization insurance and I am still in Congress.

The same thing happened with your life insurance. Many people are working for the Government who can't pass a physical examination. Many of them are in the age bracket where life insurance would be prohibitive, but they need it more than anybody else. Well, the same cry went out when we tried to get a group life insurance policy for all Government people. It didn't hurt the private insurance companies. They are selling more insurance today than they ever have before, but look what it has done in the way of giving security to the Federal employee.

I say that it isn't perfect, but we certainly have got a wonderful start. I will tell you this, I certainly look forward to taking that group life insurance policy and correcting many inequities in it and many of the things that could be improved in it, and I think that is something that will develop in the future for the benefit of every Federal employee.

I might also state that either this next week or the following week, the permanent Subcommittee on Civil Service, of which I happen to be chairman is to take up a lot of retirement problems and we are going to go into that very closely. There is one feature of it that I am sure you are interested in and that is the 30-year optional retirement. In the military service, you get retirement at the end of 20 years. There are some who say that you should be able to retire at 55 with 30 years, some say just 30 years, and some say that particularly in the Internal Revenue many, after 30 years and regardless of age are so burned out—like this gentleman said, "burned out before then." Others say they are just getting good after 30 years of work and so they might want to stay with the Government a little longer. Frankly, I feel like you might say that we could work out something that won't be mandatory but that will be optional and will please, I am sure, the vast majority of the employees of this great Nation of ours.

Today, I think, the feeling toward Government employees is much improved over what it was 10 years ago or 20 years ago, when I first went to Congress. I see students today who are coming out of colleges and they write me letters about going into the Federal Government. They never did that before. I think people today are awakening to the fact of how important employees of the Federal Government are and I think the people in the Federal employment by the same token have a greater respect for themselves and their jobs. The main reason is that they now have many of the fringe benefits they would have in private enterprise.

So I think we are entering into a period where you can say that if you are an employee of the Federal Government you can be proud of it. You can have self-respect and you can have devotion and dedication to your work. The Members of the Congress of the United States that represent the people of America have the respect that they should have for you by having provided for you the fringe benefits and the salary increases and the retirement improvements that you are entitled to.

I think we have accomplished a lot. It hasn't come as quickly as I would have liked for it to come and some of the other Members of Congress would have liked for it to come, but we have come a long way. So I say to you, let me be one of those to tell you that whatever I have done, whatever part I have played in making your life as a Federal employee better, making it more realistic, making it on a basis more equal and more comparable to private enterprise, it has been a great privilege to work for you. What I have done, I am proud of. I am not only very happy about the past, but I look to the future with more hope and optimism.

From all indications, it may be that the good people of the Sixth District, which incidentally is the best congressional district in the whole wide world, will see fit to reelect me to Congress. Maybe it will be my good fortune to be chairman of the committee in the foreseeable future. The chairman has already stated on several occasions that this might be his last term, that he is considering voluntary retirement. As to what happens after this term, your guess is as good or better than mine, but I believe that with the opportunity I might have as chairman of the House committee many of these things that will be for the further improvement of the Federal employees of this great Nation of ours, may yet come.

Anyhow, that is the way I look forward to what I think and hope will happen in the future. So I say to you, to your wonderful organization, to you distinguished officials, let me express my deep appreciation for the opportunity I have had of being able to be here with you, being able to be a part of your great convention. I want you to know that I stand ready to help you and your great organization at all times.

HOUSE OF REPRESENTATIVES

WEDNESDAY, AUGUST 7, 1963

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Isaiah 41: 13: *For I the Lord thy God will hold thy right hand, saying unto thee, Fear not; I will help thee.*

Almighty God, our help in ages past and our hope for years to come, Thou alone canst guide and sustain us in these days when nations seem to find it so difficult to live together in peace and good will.

Grant that the time may speedily come when humanity shall know how to conquer the tensions and discords in the human heart and shall seek to call forth those nobler instincts and release their hidden splendor.

May we never be primarily interested and concerned in discovering the secret energies contained in the earth and soil and concealed in the sky, but show us how we may assist mankind in gaining wisdom to master its emotions and control its baser passions.

God forbid that any of the countries should ever again be turned into battlefields and its cities and hillsides be ground into dust and ashes by human rage and violence.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment a joint resolution of the House of the following title:

H.J. Res. 324. Joint resolution extending an invitation to the International Olympic Committee to hold the 1968 winter Olympic games in the United States.

The message also announced that the Senate had passed, with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 5555. An act to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services, and for other purposes.

The message also announced that the Senate had passed bills and joint resolutions of the following titles, in which the concurrence of the House is requested:

S. 812. An act to provide for the release of restrictions and reservations on certain real property heretofore conveyed to the State of Arkansas by the United States of America;

S. 1057. An act to promote the cause of criminal justice by providing for the representation of defendants who are financially unable to obtain an adequate defense in criminal cases in the courts of the United States;

S.J. Res. 33. Joint resolution granting consent for an extension of 4 years of the Interstate Compact To Conserve Oil and Gas; and

S.J. Res. 72. Joint resolution favoring the holding of the Olympic games in America in 1968.

The message also announced that the Vice President had appointed Mr. JOHNSTON and Mr. CARLSON members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the U.S. Government," for the disposition of executive papers referred to in the report of the Archivist of the United States numbered 64-2.

ADJOURNMENT TO 11 O'CLOCK A.M., AUGUST 8, 1963

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow, August 8, 1963.

The **SPEAKER.** Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

CIVIL RIGHTS LEGISLATION

Mr. AYRES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. AYRES. Mr. Speaker, contrary to the reference made yesterday that some Members of Congress are phonies, I disagree. To imply that Members of Congress are phonies is an insult to the electorate who, by their votes, sent the Members of this body here. However, it was interesting to note the large number of our Members with sizable Negro constituencies who came to the crowded well and qualified to vote their conscience. Yesterday was a sad day for civil rights legislation insofar as getting jobs for the minorities is concerned.

Mr. Speaker, how can I know what is best for the Negro when the five distinguished Negro Members of this body are so evenly divided on this issue? The gentleman from New York [Mr. POWELL] and the gentleman from Pennsylvania [Mr. NIX] voted for the antidiscrimination amendment. The gentleman from California [Mr. HAWKINS] and the gentleman from Illinois [Mr. DAWSON] voted against the amendment, and my friend, the gentleman from Michigan [Mr. DIGGS] voted present.

Mr. Speaker, since I am to advise the Negro leadership of this country this afternoon as to my position on civil rights legislation, I would like to know what is the real position of the Negroes on antidiscrimination legislation.

FREEDOM TO BROADCAST

Mr. DORN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DORN. Mr. Speaker, radio and television broadcasters should be protected and encouraged in their constitutional right of free speech. The right of broadcasters to editorialize is a basic, fundamental, and essential freedom guaranteed by the Constitution. I have been shocked and alarmed at proposals and regulatory practices that would drive editorials from the airways. This is a Fascist concept to intimidate those who do not agree and is a threat to all free speech. Sinister suggestions have been proposed that broadcasters be completely controlled by a powerful, growing, centralized Federal autocracy—sinister suggestions from those who would not dare propose book burning or censorship of editorials in periodicals and newspapers.

Mr. Speaker, many radio and television stations do not avail themselves of the privilege of editorializing. This is their prerogative and is a manifestation of the freedom of choice. However, I strongly feel that those who desire to editorialize should not be harassed, intimidated or censored by the Federal Government.

Mr. Speaker, in times past we all know that broadcasters have been discriminated against in their access to the news. We can recall times when they have been treated as an unwanted stepchild here in this very Capitol. We have all been guilty of rushing to the great metropolitan press or to our favorite correspondents with our choicest news items. Radio and television broadcasters have very definitely been the victims of discrimination in the news. It is high time that this Congress makes sure that the right to editorialize be defended and maintained. Mr. Speaker, no single sentence in the Constitution means more to me than "Congress shall make no law abridging the freedom of speech or of the press." Mr. Speaker, it is our duty, as Members of the Congress, to see that no regulatory agency or bureaucrat abridges this sacred right in the field of broadcasting.

CHARGE OF "PHONIES"

Mr. HAYS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HAYS. Mr. Speaker, I heard what the gentleman from Ohio [Mr. AYRES] had to say about the comments of the gentleman from New York [Mr. POWELL] about phonies. I was here on the floor and listened to Mr. POWELL carefully and might have had his words taken down; but because I listened carefully I did not. I want to read to you what Mr. POWELL said; and I am reading verbatim from page 14293. He said:

> There are phonies on both sides of this aisle. We all know that. I have been here 20 years.

That is what Mr. POWELL said.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. HAYS. Yes, I would be glad to yield.

Mr. HALLECK. The gentleman from Ohio [Mr. AYRES] is not on the floor——

Mr. HAYS. Yes, he is.

Mr. HALLECK. I am sorry; I took a quick look and did not see him. But I would like to say this. There was a very definite reference to phonies by one of the speakers on the amendment yesterday, by a Member from California, not Mr. POWELL.

Mr. HAYS. I assumed he was talking about Mr. POWELL. I am concerned with what Mr. POWELL said.

Mr. HALLECK. While we are talking about phonies here, and with reference to the talk yesterday about how some of us were trying to defeat the bill, to my mind it is significant that the bill passed the House of Representatives by a vote of 377 to 21. In other words, there was substantial support for the bill; there was all the time. It was obvious to anyone who wanted to look and see that the bill was going to pass with or without the amendment.

Mr. HAYS. Mr. Speaker, the gentleman has used up most of my time, but I have just this one comment. The gentleman put his own side on the spot until they could not do much else, and there was not much reason for a coalition after we beat the amendment.

ATTITUDE OF CERTAIN MEMBERS ON CIVIL RIGHTS

Mr. SISK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SISK. Mr. Speaker, my good friend, the gentleman from Ohio [Mr. AYRES], referred to five distinguished Members of this House and their actions on this floor. I personally believe very devoutly, and I am sure that my good friend from Ohio [Mr. AYRES] would agree with me, that these five gentlemen are devoted advocates of civil rights legislation in this country.

A number of us had a difference of opinion on the result of the so-called Powell amendment with reference to the bill we had up yesterday. Mr. Speaker, I would like further to make a comment with reference to my good friend and colleague from California [Mr. HAWKINS] because of a reference that was made to his lack of legislative knowledge on yesterday. I should like to say that Mr. HAWKINS, in my opinion, is one of the most able and experienced legislators in this House, having devoted 30 years to the legislative processes of government, having been an outstanding legislator and a senior legislator and leader in the California State Legislature. He was a distinguished member of that body and is a distinguished Member of this body. I commend him on his courageous stand of yesterday.

PUBLIC DEBT LIMIT

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 477 and ask for its immediate consideration.

The Clerk read as follows:

> *Resolved*, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 7824) to continue, for the period ending

November 30, 1963, the existing temporary increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act, and all points of order against said bill are hereby waived. After general debate, which shall be confined to the bill and continue not to exceed four hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the bill shall be considered as having been read for amendment. No amendment shall be in order to said bill except amendments offered by direction of the Committee on Ways and Means. Amendments offered by direction of the Committee on Ways and Means may be offered to the bill at the conclusion of the general debate, but said amendments shall not be subject to amendment. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SISK. Mr. Speaker, I yield to the gentleman from Ohio [Mr. BROWN] 30 minutes, and, pending that, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 477 makes in order the consideration of H.R. 7824, a bill to extend until November 30 the present debt ceiling of $309 billion. It provides for 4 hours of general debate, and is a closed rule.

Mr. Speaker, I would hope that the resolution would be adopted and that the Committee on Ways and Means might be able to proceed to debate the issue.

Mr. BROWN of Ohio. Mr. Speaker, I yield myself such time as I may consume, and ask unanimous consent to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, as the gentleman from California [Mr. SISK] has explained, this resolution makes in order the consideration of H.R. 7824, a bill from the Committee on Ways and Means, under a closed or gag rule, a bill which would continue until midnight November 30, 1963, the present national debt limit of $309 billion. Under this rule no amendment may be offered to or considered, except those offered by the Committee on Ways and Means, and only one motion to recommit with instructions can be offered.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Iowa.

Mr. GROSS. Does the gentleman propose to speak extensively on this subject?

Mr. BROWN of Ohio. I do not know how extensively I shall speak, but I wish to speak, if I may, for a few minutes on this matter.

Mr. GROSS. Mr. Speaker, I make the point of order that a quorum is not present.

Mr. BROWN of Ohio. I hope the gentleman will withhold that, because I am not sure that what I may say will have any particular influence on what is done in adopting this rule.

Mr. GROSS. I have found that the gentleman's words are more often than not important to the House. If the gentleman is going to speak extensively, I think there ought to be more Members here to hear him.

Mr. BROWN of Ohio. That is up to the gentleman.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 117]

Ashbrook
Baring
Battin
Belcher
Blatnik
Brown, Calif.
Buckley
Colmer
Cramer
Dawson
Derwinski
Diggs
Ellsworth
Evins
Fisher
Fulton, Tenn.
Fuqua
Gary
Grabowski
Griffin
Harding
Hardy
Hébert
Henderson
Johansen
Jones, Ala.
Jones, Mo.
Karth
Kelly
Kilburn
Knox
Martin, Mass.
Miller, Calif.
Miller, N.Y.
O'Brien, Ill.
Pilcher
Powell
Rivers, Alaska
Schenck
Shelley
Sheppard
Sikes
Smith, Va.
Teague, Tex.
Trimble
Van Pelt
Wharton
Williams
Willis
Wilson, Bob
Wilson, Charles H.
Winstead

The SPEAKER. On this rollcall 381 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PUBLIC DEBT LIMIT

Mr. BROWN of Ohio. Mr. Speaker, as I was saying at the time the point of order was made and the call of the House ordered, House Resolution 477 makes in order the consideration of H.R. 7824, under a closed or a gag rule which prohibits and prevents the offering of any amendment to the bill except those that may be offered by direction of the Committee on Ways and Means. The rule, however, does provide for the offering and consideration of one motion to recommit, either with or without instructions.

Mr. Speaker, H.R. 7824 is a very simple and a very easily understood bill, yet it is a very, very important measure because it would extend from midnight August 31, at which time the present temporary national debt ceiling of $309 billion as provided by present law would otherwise die, until midnight November 30, 1963. In other words, it would continue the present $309 billion temporary debt limit until midnight November 30.

It is my understanding that the motion to recommit which will be offered from this side of the center aisle will provide the present law be amended so as to fix the national debt ceiling, temporarily, at $307 billion until midnight October 31, on the theory and belief of the minority members of the Committee on Ways and Means that the Federal Treasury can live within that debt ceiling, or $307 billion, until midnight October 31, without difficulty, and that such a lower debt ceiling would act as a brake, restriction, or limitation on Government spending and greater deficit financing.

The national debt at the present moment, according to the records I have, which I believe are accurate, as furnished by the Department of the Treasury, is $305 billion, of which $5 billion is in the form of a cash balance. It is agreed, generally, I believe, even by Treasury officials, that it is not necessary to carry that heavy a cash balance in the Treasury, that is $5 billion, but that perhaps in order to be safe in Government operations a cash balance of somewhere around $2 billion to $3 billion should be carried at all times, and therefore it would be possible to easily live with a debt limit of $307 billion until October 31 without any other increase, such as is proposed, to $309 billion or to continue it at that much, providing the Federal Government will hold down its expenditures, and not increase them above those to be expected within the next 60 to 90 days.

So here we go again. It was not long ago that I stood in the well of this House, and others stood with me, to point out that if we increased our national debt ceiling, as requested, that it would not be long before the Treasury and the administration would be before us requesting another increase in the debt limit. They got increases last May and June; the last became effective, of course, on the first of the new fiscal year, July 1. Part of it became effective before that date, as you know. But the balance, up to $309 billion, became effective after midnight June 30. We have time after time increased the debt limit because we have failed, or have refused, to limit Federal spending, or to limit the amount the Federal Government can go out and borrow to meet deficits.

This House has finally become alarmed, as has the country generally, over the situation that confronts us of continuously and continually having the Federal Treasury come in and ask for increases in the national debt limit, and for authority to borrow more and more money to cover deficit financing, once or twice every year, so that on the last vote we had on this subject, if I am correct in my memory, the debt limit was raised by a vote or a margin of only five votes in this House. In other words, we were that close to saying to the Federal Treasury, "No, you cannot continue to come to the Congress, or to the House of Representatives at least, to go along with you in increasing the national debt so you can go out and borrow more and more money to spend." Now it is true, and I am happy to admit it and to agree to it, that we did have on June 30, at the close of the past fiscal year, a smaller budget deficit than was predicted the first of the year by the President, the Treasury, and by other fiscal authorities.

And, for two reasons: One was because there had been a pickup in earnings and profits, so the tax income of the Federal Government has been a little higher than had been expected.

The other is because the Congress had not appropriated for, or had not authorized, greater expenditures. And, let me be fair about it: The departments have not been able to spend all the money which has been appropriated, or authorized, quite as rapidly as expected. Therefore, the outflow from the Federal Treasury has not been quite as high as expected, so the deficit for the fiscal year was, I believe, $6.2 billion and not the $8 billion or $9 billion that had originally been predicted.

Mr. Speaker, what about the future? Why is it now, despite the good fortune that we have had, that we have to increase this debt limit at this time? Why are they saying, "Hold the debt limit at $309 billion, although we can get by on $307 billion?"

The minority will ask for a debt limit of $307 billion—not increase it or hold it at $309 billion, the present figure, as requested. Why does the Treasury say "We can get by until midnight, November 30."

Mr. Speaker, why did the Treasury say that? Because they know that the income of the Federal Government in the latter part of this year will drop off and expenditures will increase, especially if the appropriations before Congress have been voted and finally enacted into law and are made available for spending by the administration. And, for another reason. Of course, such action means they will have to ask, just because of those circumstances, for an increase in the national debt limit next November, to be effective on December 1. But there is another reason behind this maneuver and I think we might as well bring it out and put it on the table here for everybody to see and to understand.

That is, within a week or two we will have before us the administration's tax reduction bill, a bill designed to cut Federal taxes. If we cut Federal taxes, while the cut will not become effective until January, it will not be long thereafter until the revenues of the Federal Government will become less, because the tax take will be less, and the Treasury deficit will increase. So, what is more logical than to say, "Well, Mr. Congress, you voted to cut taxes for the American people. You accepted our tax reduction bill and our proposed cut in taxes, so now we are in the position where we can and must increase our borrowing, for the Congress has voted, effective December 1, a rather hefty increase in the national debt limit. It has authorized the Treasury and the administration to go out and borrow the needed money for future generations to pay."

Mr. Speaker, borrow money for what purpose? Not only to meet operating deficits, deficits in the cost of running the Federal Government as it is now, but also, believe it or not, to borrow money for future generations yet unborn to pay in order to take care of our own cut in Federal taxes. In other words, say, "Well, yes, America, accept this big gift from a beneficent Government in the form of a tax reduction. Be smart about it. Do not pay as much tax, because we have cut the tax rates for you. We have reduced your taxes. We have been good to you. This administration has been good to you, and the Congress has been good to you. We have reduced your taxes, but in order to take care of the needs of the Government, and in order to make up for the reduction in the Government's income as a result of this tax cut, we will have to go out and borrow a little money for your great, great grandchildren, yet unborn, to pay off."

So, in effect, we will be voting a tax cut, voting a tax cut now, remember, to be paid for with borrowed money which must be paid back, with interest, sometime or other, if this Republic is to remain solvent, not by our children; but by our children's children yet unborn.

Now, Mr. Speaker, that is the reason why down underneath, with all the camouflage torn away, with all the draperies pulled aside, we have this bill before us today.

That is the reason why we have this bill before us today. It is to continue the present debt ceiling of $309 billion until midnight, November 30. Then, by that time, having squeezed through the administration's tax reduction bill then there will be a demand for a great big whopping increase in the national debt, so the Federal Treasury can go out and borrow more money to not only meet the deficit financing already planned or under way, but to also meet the cost of the tax reduction plan or program the administration is hoping to put through this Congress, and to sell to the American people.

It is just as simple as that. So simple that some of the planners believe the country and the Congress cannot understand it, but that the people will think there must be some other reason for it.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Iowa.

Mr. GROSS. I want to compliment the gentleman on his statement and ask if he agrees with me that unless we face up to the financial facts of life in this country, we will be confronted with devaluation of our currency?

Mr. BROWN of Ohio. Of course, there is not any question about that. Sooner or later the chickens are coming home to roost. In fact, that is the trouble we have today, and the reason why there is so much concern in high places. It is a fact that the chickens are coming home to roost financially and otherwise. We do have some very serious problems in this country that will grow worse rather, than easier of solution, and more difficult in the future, than they are at the present time.

I hope the administration will stand on the statement which has been issued recently that there will be no devaluation of gold. I hope that somehow or other we will not have to go very far down the path we have just started on, of the United States going into the money markets of the world and borrowing from foreign sources, from international organizations, to finance our Federal Government, or to help support the value of our currency in the markets of the world. It is a dangerous situation. We all know it, we all realize it. The country may not realize it, and I refer to the average American citizen, but I do not believe there is a fiscal expert, regardless of his political affiliation, who is not concerned over the present situation. We have seen these troubles pile up as a result of many of the programs we have approved here. I am sorry to say we voted for some of them too often in this House. I am proud of the fact I have not voted for most of them. I am sorry if I voted for any of them.

Mr. GROSS. I understand arrangements have already been made by the Kennedy administration to borrow a half-billion dollars from the International Monetary Fund, which certainly means that we are at least in part borrowing our own money from this international lending agency.

Mr. BROWN of Ohio. I think that is true.

Mr. GROSS. The gentleman from Ohio has been here much longer than the gentleman from Iowa. Does the gentleman recall any previous borrowing of a half-billion dollars or anything approaching that amount from an international lending agency?

Mr. BROWN of Ohio. No. Instead, we have been the international lender instead of the borrower through the years.

Let me conclude by just saying one other thing, one other quick statement:

We have had some legislation before the Rules Committee, some of it very important, and some of it very attractive. All of it would require a great deal of money to be spent on the theory the States and the local communities cannot afford to do these things for themselves. Yet, there is not a State in the Union, there is not a local community or a city in the United States, that is not in better financial condition today, and that is not more solvent, than the Government of the United States. Somehow or other, too many Americans, and I am afraid too many Members of Congress, have the peculiar idea and the mistaken belief that there is a magic source from which the Federal Government gets the money that it spends. Yet, every penny that is paid out of this Federal Treasury is first paid in, either by some taxpayer who has earned it in a hard and difficult way, or it has been borrowed at the expense of future generations yet unborn, to be paid off at a huge interest charge which is running now at a rate of better than $10 billion a year, nearly three times more than the entire Federal Government cost—the interest charge alone is running today nearly three times as much as the entire Federal Government cost—to operate and to run when we first embarked on these socialistic programs about a third of a century ago, or a little less than that.

Mr. BROWN. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Bow] may extend his remarks at this point in the RECORD and include a table.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BOW. Mr. Speaker, evidence continues to accumulate as to the need to amend the budget law to require the President to update his January budget along about midway of the session, and perhaps more than once, so that the Congress, in processing the $100 billion budgets, in processing the appropriations, and the many propositions of new and expanded legislation, will be in position more intelligently to pass judgment on the questions.

The wide margin by which the final budget results missed not only the original rosy budget predictions from the President but every intervening official revision, and the timing of some of the revisions, demonstrate the need for Congress to be more fully, frequently, and officially advised of the changed and changing budget outlook and the economic assumptions on which to an important degree the budget balance or imbalance rests. And further evidence is also in the report of the Committee on Ways and Means on the pending debt limit extension.

Let me just briefly recall the chronology of the distressing fiscal 1963 budget results. The President's original budget submitted in January 1962 projected a small, hoped-for surplus of $463 million. The country generally applauded the prospect of a budget balance. But long before the summer of 1962 arrived, virtually every competent authority was predicting a deficit instead of a surplus. It was then obvious that the revenue assumptions in the budget were too rosy, too optimistic. A substantial deficit was granted. But no official revision, no updating was received from the President. Congress proceeded to process the pending appropriation bills and other legislation calling for more Federal expenditures under the official illusion of a budget surplus. The country and the Congress would have been alerted to the radically changed outlook—and it was bleak by comparison to only a few months earlier—and could have guided themselves accordingly had the President so advised when the changes became apparent, as they were indeed apparent, and as they must have been apparent to the authorities in the executive branch.

But not until after the November elections did the executive branch officially concede the obvious. On November 13 they issued a revised forecast for fiscal 1963—the prospective surplus of $463 million had gone glimmering and a huge deficit of $7.8 billion was then forecast. But that came too late to affect the situation; Congress had adjourned and gone home a month before. And the worsened outlook resulted not from congressional action or inaction on the budget in the session just then concluded but rather from the overoptimistic revenues and expenditure forecasts in the President's original budget. Revenue expectations were down $7.1 billion, and expenditure estimates were up $1.2 billion even though Congress had cut the appropriation budget requests; approximately one-third of annual expenditures-disbursements are from appropriations of earlier sessions and thus not directly affected by action on the current appropriation bills.

The President further updated the fiscal 1963 budget when he submitted his 1964 budget last January. Both the revenue and the expenditure sides were changed and resulted in an $8.8 billion deficit forecast—$1 billion higher than in mid-November. Then when the debt ceiling bill was reported here on the floor last May it was disclosed that the Budget Bureau had told the Committee on Ways and Means the expected budget deficit for fiscal 1963 had declined to $8.4 billion as a result of revised expenditure expectations.

As we now know, Mr. Speaker, the final budget results for fiscal 1963 show a deficit of $6.2 billion. For convenience of reference, I will tabulate here the chronological totals:

Fiscal 1963

[In billions of dollars]

	Budget receipts	Budget expenditures	Deficit (−) or surplus (+)
1. President's original budget, January 1962	93.0	92.5	+0.5
2. Revised by executive branch, November 1962, after Congress adjourned	85.9	93.7	−7.8
The change between January and November	−7.1	+1.2	−8.3
3. President's updated estimates, January 1963	85.5	94.3	−8.8
The change between November and January	−.4	+.6	−1.0
4. Executive branch revisions, May 1963 to Ways and Means Committee	85.5	93.9	−8.4
The change between January and May	0	−.4	−.4
5. Final results for 1963, per Treasury statements for June 30, 1963	86.4	92.6	−6.2
6. Comparisons of final results (item 5) with—			
(a) Original budget, January 1962	−6.6	+.1	−6.7
(b) Revised estimates, November 1962	+.5	−1.1	−1.6
(c) Revised estimates, January 1963	+.9	−1.7	−2.6
(d) Revised estimates, May 1963	+.9	−1.3	−2.2

Mr. Speaker, my purpose here today is not to indulge in hindsight criticism although many responsible people thought at the time that the President's original budget predictions were unduly rosy and that failure to publicly admit the facts to the American people until after the November elections was politically motivated.

My purpose is to call attention to the urgent need of Congress being currently and authoritatively advised of significant changes in the fiscal outlook—advised in time to afford opportunity to take such measures as the changed and changing situation may call for and not be left groping in the dark. Under present procedures, with ever-changing economic forces, and the uncoordinated, fragmented legislative practices in processing appropriation and spending legislation, the left hand does not—indeed, cannot—know what the right hand is doing.

Further evidence of the need for authoritative budget updating—and in time to afford opportunity for Congress to take account of the changed conditions and outlook—is apparent in connection with the pending 1964 budget, only a small fraction of which has been finally enacted into law.

Under the assumed economic conditions and his legislative and appropriation recommendations, the President's original fiscal 1964 budget last January foresaw a budget deficit of $11.9 billion. Yet only 4 months later, Treasury Secretary Dillon told the U.S. Chamber of Commerce that the revenue outlook for fiscal 1964 was perhaps a billion dollars brighter than the President's January budget assumptions. That was back in May. Now comes the pending debt limit extension bill. Evidently the budget outlook has further brightened. And enough is evidently already known about fiscal 1964 prospects to justify the Secretary asking, on behalf of the administration, for a 3-month extension of the $309 billion debt limit without change, without increase. And the Secretary also advises that the next debt ceiling request, the one beyond November 30, will be substantially below—those are the words used—the $320 billion figure frequently mentioned earlier.

One widely circulated publication, claiming contact with knowledgeable Government sources, suggests that the 1964 deficit will be subtantially less than the original $11.9 billion figure.

Mr. Speaker, Congress does not authorize the collection of taxes or the bills. It makes these decisions on tax bills and appropriation bills. And in this session, most of those bills are still pending. It is when we act on those bills that we need the most up-to-date reading on the condition of the Treasury and the most authoritative budget outlook. It comes too late to significantly affect the situation after those bills are processed and we are struggling with a postmortem debt ceiling.

But some will contend it is too early to make accurate revisions of the budget; that we are not far enough along on the legislative business and the appropriation bills to make intelligent revisions; that it is unrealistic to expect the President to put himself in position of changing the January budget from a "plan" to a "forecast."

I would be the last to argue that anyone should or could be expected to make a hard and fast, precise-to-the-last-dollar budget for anything as vast and complex as this $100 billion-plus business; that under our system anyone could, so to speak, declare the end from the beginning.

But Mr. Speaker, I do say, and I do contend, that the President is in far better position in August—after the fiscal year has begun—to render a budget prospectus than he was back in January—6 months before the year began. And if the Secretary of the Treasury is in possession of enough information about the budget to be able to recommend, as he has done, a debt limit unchanged over the first 5 months of the fiscal year, then the President is in far better position to up-to-date his budget and render a far more accurate prospectus than he was last January. The revenues are almost entirely a forecast under present laws, and often they are solely that. And roughly one-third of the expenditures in any year are made from appropriations of past years and therefore not directly or substantially affected by current congressional action. And I would hazard the guess that the economic advisers have in hand, and under constant study, informed projections of such key indicators as gross national product, corporate profits, and personal income on which budget revenue estimates so directly rest.

Mr. Speaker, no matter what the political philosophy, timely information from the authoritative source is indispensable to intelligent legislative consideration. Bleak though it is, evidently the budget outlook is not quite as bad as the President's original budget. If it is not, the President ought to advise us. The original budget is here; most of it is yet to be processed.

When the budget came last January I introduced House Joint Resolution 129 for the purpose of changing the law to secure an authoritative budget updating. I hope the additional developments will impress upon the committee the merit of adopting some such revision as the resolution contemplates.

Mr. BROWN of Ohio. Mr. Speaker, I now yield 8 minutes to the gentleman from Missouri [Mr. Curtis].

Mr. CURTIS. Mr. Speaker, this is the rule, as the gentleman from Ohio [Mr. Brown] has pointed out, on whether or not to debate on the floor of the House the proposals for increasing the public debt limit. I am in favor of the rule. We have to have this matter before us because the permanent debt ceiling is still $285 billion, which is completely unrealistic. I had hoped that the Congress, the last time we had this matter up, which was in May, would have accepted the Republican proposal to make the permanent debt ceiling a realistic ceiling so that we could use a debt ceiling, as it should be, to bring about an exercise of expenditure reform if it was the will of the Congress that the executive exercise expenditure reform.

We are going to have tomorrow again a real test of those who have been talking in their communities about economy, saying that they are opposed to the President's theory of deficit financing. Here is an opportunity for them to demonstrate by a vote whether or not they really mean it.

Regrettably we do not hit this thing through the appropriation bills. The fact is that this year's appropriation bills apply only partially to the fiscal year immediately ahead of us, that is, fiscal year 1964. The requests for new obligational authority of about $108 billion for this present Congress are actually obligational authority that will be spent, partially in fiscal 1964, in fiscal 1965, fiscal 1966, and fiscal 1967. We have to relate any new obligational authority to the carryover balances from previous authorities to spend that the Congress has granted.

If we grant the President $108 billion, which he has requested, he will have in addition around $87 to $89 billion of carryover authority to spend, or $195 or $197 billion. It is only the President who has told the Congress that his expenditure rate will be $98.8 billion. Congress has no control over that expenditure figure for the fiscal year 1964. We have granted this authority to spend. But there certainly is some real flexibility in the hands of the President to cut that expenditure rate. And the interesting thing is this, in the testimony before the Committee on Ways and Means by the Secretary of the Treasury. I asked him, "Have you revised downward the expenditure rate of $98.8 billion that you have projected for fiscal 1964?" And the answer was, "No," they had not touched that figure in spite of the fact that some of their requests for new obligational authority have been revised downward, such as foreign aid; in spite of the fact that this Congress, because it has not acted upon appropriation bills, has put the administration in the position where the executive departments are spending at the 1963 expenditure level of $92.3 billion, not $98.8 billion.

Mr. Speaker, I want to call attention to the minority views in the committee report, because we go into this business of expenditure rates and we also point out what is very clearly the fact, that because we did give a tight ceiling earlier this year and last year, there have been what are called expenditure reforms; but, as we point out, that is because of the single-entry bookkeeping techniques of the administration, by calling sale of capital assets expenditure reductions. Actually this is not true expenditure reform. Let us illustrate. There is supposed to be a cut of about $1 billion in Agriculture. Actually there is an increase of $1.5 billion in the current expenditure rate in Agriculture. Then how can it show a cut of $1 billion? Because they anticipate selling off $2.5 billion of assets.

Mr. Speaker, we are discussing the rule. Why this should be before the House. I want to call attention to some of the features in it. Essentially the Republican position is going to be, as our minority views point out, that that $307 billion instead of $309 billion can be lived with. It will be a little tight and we may force some real expenditure reform as the result of it—not this business of just selling off capital assets and doing nothing about the expenditure rate.

I would like to call attention to a speech that I made on the floor of the House on Monday appearing on page 14122 of the Congressional Record of August 5. It is entitled "U.S. Balance of Payments." Underlying our problem in balance of payments and the gold flow is this fiscal irresponsibility of continuing to spend more money than we are taking in at the Federal level. It points out, and I try to point out in detail, why the theories of this administration are wrong when they tell the people, "Don't worry about the debt." I also point out in these remarks I made on Monday the speciousness of the arguments of the administration which has been made for some time, for many months, to the public, when they say, "Don't worry about the size of the Federal debt, we owe it to ourselves"; or, "It is a lesser ratio of the gross national product than it was in 1946," and other arguments of that kind.

Let me say this, that the size of the debt of the U.S. Government makes a tremendous difference and underlies among other things our serious situation in the matter of balance of payments, this follows a discipline over which we do not have control.

The foreign marketplace enters this picture and we are beginning to have to face up to some of the results of our expenditure policies under this administration.

Tomorrow we are going to see a test again of whether or not this Congress does believe in the Puritan ethic, which is, that we have to move toward a balanced budget not in 1972, which the administration theory would give us, but a balanced budget immediately. That can only be done with expenditure reform. Furthermore, we cannot have a tax cut that is going to help this country unless it is in context with expenditure reform.

Mr. DELANEY. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore (Mr. Albert). The question is on the resolution.

The question was taken, and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. CLANCY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 303, nays 72, not voting 59, as follows:

[Roll No. 118]

YEAS—303

Abbitt
Addabbo
Albert
Alger
Arends
Ashley
Aspinall
Auchincloss
Avery
Ayres
Baker
Baldwin
Barrett
Barry
Bass
Bates
Becker
Beckworth
Beermann
Bell
Bennett, Fla.
Bennett, Mich.
Berry
Betts
Boland
Bolling
Bonner
Brademas
Bray
Brooks
Broomfield
Brotzman
Broyhill, N.C.
Broyhill, Va.
Burke
Burkhalter
Burleson
Burton
Byrne, Pa.
Byrnes, Wis.
Cahill
Cameron
Cannon
Carey
Casey
Celler
Chamberlain
Chelf
Chenoweth
Clark
Cleveland
Cohelan
Collier
Corbett
Corman
Curtin
Curtis
Daddario
Dague
Daniels
Davis, Ga.
Davis, Tenn.
Dawson
Delaney
Dent
Denton
Dingell
Donohue
Downing
Dulski
Duncan
Dwyer
Edmondson
Edwards
Elliott
Ellsworth
Everett
Fallon
Farbstein
Fascell
Feighan
Findley
Finnegan
Fino
Flood
Flynt
Fogarty

Ford
Foreman
Fountain
Frelinghuysen
Friedel
Fulton, Tenn.
Gallagher
Garmatz
Gathings
Gavin
Giaimo
Gibbons
Gilbert
Gill
Glenn
Goodell
Goodling
Green, Oreg.
Green, Pa.
Griffiths
Grover
Gubser
Gurney
Hagan, Ga.
Hagen, Calif.
Haley
Halleck
Halpern
Hanna
Hansen
Harding
Harris
Harvey, Ind.
Harvey, Mich.
Hawkins
Hays
Healey
Hébert
Hechler
Hemphill
Henderson
Herlong
Hoeven
Holifield
Holland
Horton
Hosmer
Huddleston
Hull
Hutchinson
Ichord
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Wis.
Karsten
Karth
Kastenmeier
Kee
Kilgore
King, Calif.
King, N.Y.
Kirwan
Kluczynski
Kornegay
Kunkel
Landrum
Lankford
Leggett
Lennon
Lesinski
Libonati
Lindsey
Long, La.
Long, Md.
McClory
McDade
McDowell
McFall
McIntire
McMillan
Macdonald
MacGregor
Madden
Mahon
Marsh
Martin, Nebr.
Mathias
Matsunaga
Matthews
May
Milliken
Mills
Minish
Monagan
Montoya
Moorhead
Morgan
Morris
Morse
Morton
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
Nedzi
Nix
Norblad
O'Brien, N.Y.
O'Hara, Ill.
O'Hara, Mich.
Olsen, Mont.
Olson, Minn.
O'Neill
Osmers
Ostertag
Passman
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pike
Pirnie
Poage
Powell
Price
Pucinski
Purcell
Quie
Rains
Randall
Reid, N.Y.
Reifel
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Riehlman
Rivers, Alaska
Rivers, S.C.
Roberts, Tex.
Robison
Rodino
Rogers, Colo.
Rogers, Tex.
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Rostenkowski
Roush
Roybal
Rumsfeld
Ryan, Mich.
Ryan, N.Y.
St Germain
St. Onge
Saylor
Schneebeli
Schweiker
Scott
Selden
Senner
Shipley
Shriver
Sickles
Skubitz
Slack
Smith, Iowa
Stafford
Staggers
Steed
Stephens
Stinson
Stratton
Stubblefield
Sullivan
Talcott
Taylor
Teague, Calif.
Thomas
Thompson, N.J.
Thompson, Tex.
Thornberry
Toll
Tollefson
Tuck
Tupper
Tuten
Udall
Ullman
Utt
Van Deerlin
Vanik
Vinson
Waggonner
Wallhauser
Watts
Weaver
Weltner
Westland
Whalley
White
Whitener
Wickersham
Widnall
Wright
Wydler
Wyman
Young
Younger
Zablocki

NAYS—72

Abele
Abernethy
Adair
Anderson
Andrews
Ashmore
Bolton, Frances P.
Bolton, Oliver P.
Bow
Brock
Bromwell
Brown, Ohio
Bruce
Cederberg
Clancy
Clausen, Don H.
Clawson, Del
Conte
Cunningham
Derounian
Devine
Dole
Dorn
Dowdy
Forrester
Fulton, Pa.
Gross
Hall
Harrison
Harsha
Hoffman
Horan
Jensen
Jonas
Keith
Kyl
Laird
Langen
Latta
Lipscomb
McCulloch
McLoskey
Martin, Calif.
Michel
Minshall
Moore
Mosher
Nelsen
O'Konski
Pillion
Poff
Pool
Quillen
Reid, Ill.
Rich
Roberts, Ala.
Roudebush
St. George
Schadeberg
Schwengel
Secrest
Short
Sibal
Siler
Snyder
Springer
Taft
Teague, Tex.
Thomson, Wis.
Watson
Whitten
Wilson, Ind.

NOT VOTING—59

Ashbrook
Baring
Battin
Belcher
Blatnik
Boggs
Brown, Calif.
Buckley
Colmer
Cooley
Cramer
Derwinski
Diggs
Evins
Fisher
Fraser
Fuqua
Gary
Gonzalez
Grabowski
Grant
Gray
Griffin
Hardy
Johansen
Jones, Ala.
Jones, Mo.
Kelly
Keogh
Kilburn
Knox
Lloyd
Mailliard
Martin, Mass.
Meader
Miller, Calif.
Miller, N.Y.
Morrison
O'Brien, Ill.
Pilcher
Rogers, Fla.
Schenck
Shelley
Sheppard
Sikes
Sisk
Smith, Calif.
Smith, Va.
Staebler
Thompson, La.
Trimble
Van Pelt
Wharton
Williams
Willis
Wilson, Bob
Wilson, Charles H.
Winstead

So the resolution was agreed to:

The Clerk announced the following pairs:

On this vote:

Mr. Blatnik for, with Mr. Cramer against.

Mr. Shelley for, with Mr. Schenck against.

Mr. Miller of California for, with Mr. Colmer against.

Mr. Bob Wilson for, with Mr. Sikes against.

Mr. Kilburn for, with Mr. Baring against.

Mr. Keogh for, with Mr. Winstead against.

Mr. Grabowski for, with Mr. Williams against.

Mr. Sheppard for, with Mr. Rogers of Florida against.

Mr. Miller of New York for, with Mr. Battin against.

Mrs. Kelly for, with Mr. Fisher against.

Mr. Buckley for, with Mr. Belcher against.

Until further notice:

Mr. Boggs with Mr. Gray.

Mr. Morrison with Mr. Knox.

Mr. Thompson of Louisiana with Mr. Griffin.

Mr. Hardy with Mr. Derwinski.

Mr. Gary with Mr. Ashbrook.

Mr. Cooley with Mr. Mailliard.

Mr. Sisk with Mr. Lloyd.

Mr. Trimble with Mr. Johansen.

Mr. Staebler with Mr. Martin of Massachusetts.

Mr. Jones of Alabama with Mr. Wharton.

Mr. Fuqua with Mr. Van Pelt.

Mr. Evins with Mr. Smith of California.

Mr. O'Brien of Illinois with Mr. Meader.

Mr. Pilcher with Mr. Gonzalez.

Mr. Grant with Mr. Charles H. Wilson.

Mr. Willis with Mr. Smith of Virginia.

Mr. Diggs with Mr. Brown of California.

Mr. MICHEL changed his vote from yea to nay.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

FREDERICK DOUGLASS COMMEMORATIVE STAMP

Mr. HORTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HORTON. Mr. Speaker, I have introduced today a bill authorizing the issuance of a special postage stamp to honor Frederick Douglass. My bill would commemorate the publication by Mr. Douglass of the North Star, an abolitionist newspaper which he published in Rochester, N.Y., a community I have the honor to represent in Congress, by directing that this stamp be placed on sale in Rochester 1 day before it is made available elsewhere.

In the nearly 80 years he lived, Frederick Douglass saw life from many different perspectives. He was born into slavery in the year 1817. His early childhood, spent in Talbot County on the Eastern Shore of Maryland, was an experience of neglect and cruelty, indulgency and hard work, and the tyranny of human enslavement.

Resistance built inside young Frederick Douglass. He turned at last upon his cruelest master and was sent off to Baltimore as a house servant. Here, he learned to read and write with the help of his master's wife.

As he grew so did his desire for freedom. His first escape attempt was betrayed and he was thrown into jail. However, a second attempt to escape in 1838, when he was 21, was entirely successful. He went to New York City and on to New Bedford, Mass., where he hired out as a laborer.

It was in 1841 during his attendance at a convention of the Massachusetts Antislavery Society that a career opened for him. An impromptu abolition speech he delivered had such extraordinary effect that Mr. Douglass was hired as a full-time antislavery lecturer.

In 1847, after 2 years of touring in Great Britain and Ireland making abolition speeches, he returned to the United States and moved to Rochester. He established the North Star and issued it for the next 17 years. His printing establishment cost nearly $1,000 and was the first in America owned by a Negro. It is written that he was a careful editor who insisted on high standards from office assistants and the contributors of weekly newsletters.

In addition to publishing his newspaper in Rochester, Mr. Douglass took part in another of the organized forms of action against slavery, the underground railroad. He was superintendent of the Rochester terminus of the underground railroad; his house was its headquarters.

With the Civil War came his great opportunity. He recruited Negroes to fight for the cause of emancipation and gave his own sons as first recruits. During Reconstruction, President Lincoln frequently conferred with Mr. Douglass and relied on his counsel in matters of civil rights for the freed men.

His last years were filled with official duties. He was successively secretary of the Santo Domingo Commission, marshal and recorder of deeds of the District of Columbia, and finally U.S. Minister to Haiti. Even to the very close of his career, he took active part in supporting his social convictions, having attended a woman suffrage convention on the day of his death.

In "Frederick Douglass," a biography by Arna Bontemps, the author has written:

> Until his death in 1895, Douglass remained an honored figure in Washington and throughout the United States. But it was his brave fight for the freedom of the slaves which most people remembered best. In this fight, there was no greater hero than Frederick Douglass.

Mr. Speaker, the citizens of my home city of Rochester have memorialized Frederick Douglass with a statute in the downtown community. I ask that the citizens of the United States now do his memory another honor through their elected Representatives granting favorable consideration to this bill which would authorize the issuance of a postage stamp commemorating his achievements.

In a recent issue of Time magazine, there was published a book review of "Narrative of the Life of Frederick Douglass," Mr. Douglass' autobiography. As detailed in this magazine review, the work was published originally in 1845 and now has been reissued. For the additional insight it offers on the life of the man whose memory would be honored by this commemorative stamp, I would like to include this article with my remarks:

THE BLACK ABOLITIONIST

Though he was the greatest American Negro of the last century, Frederick Douglass was all but forgotten after his death in 1895. The Nation was weary of the Negro problem, and Douglass, a Negro militant well in advance of the NAACP and CORE, did not suit the national temper. His reputation was eclipsed by the more accommodating Booker T. Washington, who supported segregation. U.S. historians have heaped praise on Washington while ignoring Douglass and, in one case, misspelling his name.

But the new attack on segregation has revived interest in Douglass. His early autobiography, published in 1845, has now been reissued. Written when Douglass was 27 or 28 (he was never certain of his age, since the births of slaves were rarely recorded), it is a classic of abolitionist literature without the steamy rhetoric of much abolitionist writing.

BEATING BY SCRIPTURE

The "fatal poison of irresponsible power" made brutes of most slaveholders, writes Douglass. Even in the border State of Maryland, where Douglass lived, slaves were regularly flogged by masters who were fond of paraphrasing scripture. "He that knoweth his master's will, and doeth it not, shall be beaten with many stripes." Douglass knew of a white overseer who shot down a slave for refusing to obey. He tells of a 15-year-old girl who was beaten to death for letting a white baby cry. The slaves were helpless, since their testimony was not accepted in court. Most had to work from sunrise to sunset, and often longer. They ate from a common trough like pigs.

Douglass was better treated than most. A mulatto, he had a hunch that his master was his father. At about the age of 7 he was loaned to his master's relatives in Baltimore, where his new mistress started to teach him to read until her husband grumbled that literacy would make the boy "unfit to be a slave." Douglass snitched books from the house and bribed little white boys to help him with the hard words. He scrawled letters on any available walls. Eventually he mastered the language and held classes to teach his fellow slaves. "Those," he recalled, "were great days to my soul."

Douglass' Baltimore idyl came to an end. He was sent back to rural Maryland and farmed out to a cracker named Edward Covey, who enjoyed a reputation as a "nigger breaker." Covey very nearly broke Douglass. Called the Snake because he was always sneaking up on the slaves at work, Covey ruled by terror. "My natural elasticity was crushed," writes Douglass, "the disposition to read departed, the dark night of slavery closed in upon me." But Covey flogged Douglass once too often. In a fit of rage, Douglass grabbed Covey by the neck and beat him up. Covey never called the police, Douglass reasoned, because he was afraid of tarnishing his "nigger breaker" reputation. Douglass recovered his spirit from the fight and made a hair-raising escape North in 1838.

STALWART REPUBLICAN

Douglass ended his youthful autobiography just when he was becoming famous. He joined the fiery William Lloyd Garrison's band of abolitionists. A powerfully built man with a great shock of hair and a sonorous voice, he was the best orator of the lot. When the fugitive slave law was passed, enabling slaveowners to recover their runaways, Douglass thundered: "The only way to make the law a dead letter is to make half a dozen or more dead kidnapers." His lecture tour of Britain was credited with helping to keep Britain from recognizing the Confederacy during the Civil War. But he taxed the tolerance of even the abolitionists when he married a white woman of good colonial family who qualified for the DAR.

For all his militancy, Douglass was a practical man. When Garrison denounced the U.S. Constitution and urged the dissolution of the Union, Douglass broke with him, fearing that slaves would be helpless if left to the mercies of the South. He hoped to abolish slavery by the ballot and became a stalwart of the Republican Party, later helped to swing the Negro vote to a series of Republican Presidents. He was finally rewarded with the post of Minister to Haiti.

But his career was to end in disappointment, as he saw Negro rights steadily snuffed out in the South. He died at 77 (or 78), the same year that Booker T. Washington delivered his famous Atlanta address, agreeing that the white and black races should remain "in all things social * * * as separate as the fingers."

U.S. CHAMBER OF COMMERCE

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BOGGS. Mr. Speaker, as a member of the Committee on Ways and Means I have had the pleasure and I might say the good fortune of working with officers of the U.S. Chamber of Commerce. Therefore, it comes as a surprise to me to read a speech which is being delivered now at the Press Club by the president of the U.S. Chamber of Commerce, Mr. Edwin P. Neilan, in which he describes Members of Congress generally, if not categorically, as "political bagmen." As a matter of fact, the title of the speech as released is "What Is Our Public Scandal, Vote Buying and Selling?"

I think this is an unfortunate thing, Mr. Speaker. Members of Congress agree and disagree on many things, and that is as it should be in our representative form of government. But to question the basic integrity of the Members because they may work for projects, whether they be flood control projects, navigation projects, public works projects, shipyards, and all the other things that go to make up this vast economy of ours, as being politically immoral and compare them to the sex and security scandal going on in Great Britain today I think is unbecoming of the president of a great national organization, and I am sorry to hear him make the speech.

At this time I think it appropriate to include a list of something like 600 members of chambers of commerce throughout our country who have participated in joint programs beneficial to all of our people.

LOCAL CHAMBER OF COMMERCE PARTICIPATION IN AREA REDEVELOPMENT PROGRAM

ALABAMA

Fayette County Rural Areas Development Committee: Sam J. Renfroe, president, Fayette Chamber of Commerce (1962); W. J. Holladay, vice president, chamber of commerce; Harlan Prater, president, chamber of commerce (1963).

Greene, Hale, Perry, and Wilcox Counties Rural Areas Development Committee: J. E. Banks, president, Eutaw Chamber of Commerce.

Lamar, Pickens, and Tuscaloosa Counties Rural Areas Development Committee, Don Hyames, president, Aliceville Chamber of Commerce; Lynn T. Webb, executive secretary, chamber of commerce.

Limestone County Rural Area Development and Technical Panel: John M. McDonald, president, Athens Chamber of Commerce; Ed Sandlin, manager, chamber of commerce.

Marion County Area Redevelopment Committee: E. L. Pearce, secretary, Hilton Chamber of Commerce.

Northeast Alabama Rural Areas Development Committee and Technical Panel

Cherokee County: Jerry Dan Stone, president, Centre Chamber of Commerce.

DeKalb County: Mrs. Glenn Gravitt, secretary, Fort Payne Chamber of Commerce.

Madison County: Mrs. W. E. McBride, secretary, Huntsville Chamber of Commerce.

Marshall County: Dr. James Horton, president, Guntersville Chamber of Commerce.

Walker County Industrial Development Board: W. W. Cannon, president, Jasper Chamber of Commerce.

Choctaw, Clarke, Marengo, and Sumter Counties Rural Areas Development Committee

Choctaw County: F. M. Myatt, vice president, Barber Chamber of Commerce; W. R. Lanier, president, Butler Chamber of Commerce.

Clarke County: Thomas B. Kennedy, president, Thomasville Chamber of Commerce; Donald Duff, president, Grove Hill Chamber of Commerce.

Marengo County: J. C. Camp, secretary, Linden Chamber of Commerce; Ed Fendley, secretary, chamber of commerce; F. R. Ott, president, Thomaston Chamber of Commerce.

Sumter County: Leon L. Goggans, chairman, North Sumter Chamber of Commerce; Ira D. Pruitt, Jr., secretary, Livingston, North Sumter Chamber of Commerce; Joseph Stallworth, president, York Chamber of Commerce; Dr. D. P. Culp, president, Livingston, North Sumter Chamber of Commerce.

Barbour, Bullock, and Macon Rural Areas Development Committee

Barbour County: James E. Daniel, president, Clayton Chamber of Commerce; Robert Beaty, Jr., past president, chamber of commerce; Robert Hornsby, director, Eufaula Chamber of Commerce.

Russell County: O. L. Randall, secretary, Phenix City Chamber of Commerce; O. W. Taff, president, Phenix City Chamber of Commerce.

ALASKA

Ketchikan Area Redevelopment Committee: Bill Boardman, manager, Ketchikan Chamber of Commerce.

Nineteenth Election District Economic Development Committee: Conrad Miller, president, Fairbanks Chamber of Commerce; Arthur Noffke, director, chamber of commerce.

Kuskokwin Valley Development Committee, Bethel Area: Bob Mulcahy, president, chamber of commerce.

Economic Development Committee for the 17th Election District: Gordon Osborne, president, Barrow Chamber of Commerce.

The city of Anchorage Area Redevelopment Commission. All general development and statistical data compiled by the Greater Anchorage Chamber of Commerce: John E. Croul, Jr., vice president, Alaska Chamber of Commerce, chairman, local chamber of commerce; Walter J. Hickel, chairman, State chamber of commerce; Thomas E. Kelly, division director; John M. Anderson, division director; Raymond I. Peterson, local chamber of commerce division director and acting chairman; D. J. Smith, transportation adviser, State chamber of commerce.

Economic Development Committee for the 18th District: Donald M. Hoover, director, Alaska Chamber of Commerce.

ARKANSAS

Madison County Rural Development Board: Jasper Northcutt, president, Huntsville Chamber of Commerce.

Lawrence County Development Council: Jim Snapp, past president, Walnut Ridge Chamber of Commerce; Arthur Cleveland, president, Walnut Ridge Chamber of Commerce; Jerry Bassett, past president, Walnut Ridge Chamber of Commerce.

LaFayette County Development Council: W. J. Lee, president, chamber of commerce; Frank Schweitzer, president, chamber of commerce; Frank Key, secretary, chamber of commerce.

Crittenden County Development Council: Bob Eden, president, chamber of commerce.

North central Arkansas—Fulton, Independence, Izard, Sharp, and Stone Counties—the Five County Area Rural Development Council: Jack Cochren, member, Fulton Chamber of Commerce Board.

Ashley, Chicot, Desha, Drew, Lincoln Counties, the Southeast Arkansas Chamber of Commerce: Benjamin O. Bynum, president, Dermott Chamber of Commerce; Carl Luckey, president, McGehee Chamber of Commerce; Claude T. Frank, secretary, Southeast Arkansas Chamber of Commerce.

Van Buren and Cleburne County, Ark., Development Council: Jack Ducksworth, vice president, and president elect of Heber Springs Chamber of Commerce; Tom Olmstead, president, chamber of commerce.

CALIFORNIA

Plumas County Planning Commission: Irwin Joy, director, Portola Chamber of Commerce; John Allen, president, Lake Almanor Chamber of Commerce.

COLORADO

Area Redevelopment Committee—Trinidad and Las Animas County: Tom Cimino, president, Trinidad Chamber of Commerce.

Huerfano County Redevelopment Commission: James Boies, vice president, chamber of commerce; Louis Nardini, manager, chamber of commerce; Gilbert Arnold, president, La Vete Chamber of Commerce.

CONNECTICUT

Gateway Regional Development and Industrial Commission, New Haven County: Edward W. Mullaney, president, Ansonia Chamber of Commerce.

FLORIDA

Pasco County Development Association: Lawrence Puckett, president, chamber of commerce, Dade City; R. H. Johnson, president, Zephyrhills Chamber of Commerce.

Northwest Florida Development Committee, Franklin County: Robert Connell, president, Apalachicola Chamber of Commerce.

Calhoun County: Col. W. L. Baily, president, Blountstown Chamber of Commerce.

GEORGIA

The Barrow County Redevelopment Corp.: C. L. Light, president, West Barrow Chamber of Commerce; H. O. Smith, director, chamber of commerce; J. B. Lay, board of commissioners; J. D. Watson, past president, chamber of commerce.

Carroll County Development Corp.: M. C. Wiley, executive director, Carrollton Chamber of Commerce; Chick Almon, director, chamber of commerce; Harold Border, director, chamber of commerce; Henry Burson, director, chamber of commerce; Woodfin Cole, director, chamber of commerce; Ebb Duncan, director, chamber of commerce; MacGregor Flanders, director, chamber of commerce; John Fletcher, director, chamber of commerce; J. B. Grooms, director, chamber of commerce; J. C. Harris, director, chamber of commerce; Ed Harman, director, chamber of commerce; Henry Head, director, chamber of commerce; I. S. Ingram, president, chamber of commerce; Russell O'Neal, director, chamber of commerce; Stanley Parkman, director, chamber of commerce; Chester Roush, director, chamber of commerce; Roger Sohoerner, director, chamber of commerce; Frank Searcy, director, chamber of commerce; Tom Vassy, director, chamber of commerce; M. C. Wiley, executive director, chamber of commerce.

Dougherty County Redevelopment Corp.: Hoyt Edge, president, Albany Chamber of Commerce; A. W. Holloway, director, chamber of commerce; Allen Churchwell, director, chamber of commerce; Walter Brown, vice president, chamber of commerce; Charles E. Franklin, assistant manager, chamber of commerce.

Early County Redevelopment Area Corp.: H. M. Richardson, president, Blakely Chamber of Commerce.

Gordon County Area Development Committee: Hoyt Edwards, president, Gordon County Chamber of Commerce.

Laurens County Development Corp.: R. L. McMillan, director, Laurens Chamber of Commerce.

Johnson County Redevelopment Corp.: W. P. Garner, secretary, Johnson County Chamber of Commerce.

Hart County Rural Area Development Committee: Lee E. Carter, secretary, Hart County Chamber of Commerce; W. P. Carter, chairman, industrial commission, chamber of commerce; James Mauldin, president, Hart Chamber of Commerce.

Habersham County Redevelopment Corp.: Paul Fitts, past president, Cornelia Chamber of Commerce.

Terrell County Redevelopment Corp.: Mrs. Francis Christe, secretary, Dawson Chamber of Commerce; Walter Childress, president, chamber of commerce.

Toombs County Overall Economic Development Program Committee: H. S. Vandiver, secretary, Vidalia Chamber of Commerce; Wilbur Gibbs, secretary, Lyons Chamber of Commerce.

Washington County Redevelopment Corp.: Cecil M. Hodges, Jr., past director, Sandersville-Washington Chamber of Commerce; Tom R. Simmons, past director, chamber of commerce; Maurice Friedman, past director, chamber of commerce; L. W. Smith, Jr., director, chamber of commerce; T. W. Gilmore, committee chairman, chamber of commerce.

Wayne County Redevelopment Corp.: George L. Massey, manager, Wayne Chamber of Commerce.

Wilkes County Redevelopment Corp.: W. A. Pope, president, Wilkes County Chamber of Commerce.

IDAHO

Idaho County, Opportunities Unlimited: Warren Parks, past president, Grangeville Chamber of Commerce, Floyd Swanson, president, chamber of commerce.

Kootenai County Area Redevelopment and Rural Area Development Committee: Kyle Walker, secretary, Coeur d'Alene Chamber of Commerce.

ILLINOIS

Clark County Area Redevelopment Conference: Homer Smith, chairman, industrial development committee, Clark Chamber of Commerce; Russell C. Colvin, manager, chamber of commerce.

INDIANA

Clay County Area Development Association: Robert H. Dix, president, Brazil Chamber of Commerce.

Evansville Future Inc.: D. W. Vaughn, president, Evansville Chamber of Commerce.

Greene County, United Area Economic Development Committe, Inc.: Jack Kennedy, president, chamber of commerce.

Harrison County Redevelopment Council: W. A. Parker, president, Corydon Chamber of Commerce.

Henry County Redevelopment Committee: Franklin George, vice president, New Castle Chamber of Commerce; Larry Haffer, president, chamber of commerce.

Jennings County Economic Development Committee: Joseph Caradonna, secretary, chamber of commerce.

Orange County Development Committee: Raymond Brosmer, director, French Lick-West Baden Chamber of Commerce; Ralph Pate, president, Orleans Chamber of Commerce.

Perry County Area Redevelopment Council: Frank Clemens, president, Tell City Chamber of Commerce.

Pike County Economic Development Committee: Omer Kipsch, president, Petersburg Chamber of Commerce.

Washington County Economic Development Committee: Clyde Goen, president, Salen Chamber of Commerce.

KANSAS

Cherokee-Crawford Counties Area Redevelopment Association: Victor J. Waite, manager, Pittsburg Chamber of Commerce.

Rice County Development Association: Al Pearce, manager, Lyons Chamber of Commerce.

KENTUCKY

Caldwell-Crittenden-Livingston-Lyon Area Program Council: F. M. Wilcox, president, Princeton Chamber of Commerce.

Boyd County Area Program Council: Allan Collier, president, Catlettsburg Chamber of Commerce.

Floyd, Johnson, Lawrence, Magoffin, Martin, Pike Counties—Big Sandy River Valley Area Program Council: H. H. Kincaid, president, Pike County Chamber of Commerce; George Branham, president, Paintsville Chamber of Commerce.

Christian-Todd-Trigg Area Program Council; Robert Cayce, president, Hopkinsville Chamber of Commerce; A. G. Campbell, president, Elkton Chamber of Commerce.

Cumberland Valley Area Economic Area Program Council, Bell County: Ernest H. Smith, president, Harlan Chamber of Commerce; Maurice Henry, past president, Kentucky Chamber of Commerce; Bill Narr, president, Knox County Chamber of Commerce; Roy Brown, president, Rockcastle Chamber of Commerce.

East Lake Cumberland Area Program Council: Dr. I. K. Cross, president, chamber of commerce.

Hopkins-Muhlenburg Area Program Council: N. S. McGaw, executive committee, Madisonville Chamber of Commerce.

McCracken County Area Program Council: Russ Chittenden, manager, Paducah Chamber of Commerce; Frank R. Paxton, president, Paducah Chamber of Commerce.

Middle Kentucky River Valley Area Program Council: W. H. Reynolds, chamber of commerce representative.

Northeastern Kentucky Area Program Council: William Whitaker, secretary manager, Morehead Chamber of Commerce.

Pendleton County Area Program Council: A. B. Arnold, secretary, chamber of commerce.

Southern Kentucky Counties Area Program Council—Allen, Butler, Edmonson, Grayson, Logan, Simpson, Warren: Harold Huff, president, Bowling Green Chamber of Commerce; F. L. Price, president, Adairville Chamber of Commerce; Bob Guion, president, Russellville Chamber of Commerce; James A. Durr, president, Auburn Chamber of Commerce.

Upper Kentucky River Valley Area Program Council—Knott, Leslie, Letcher, Perry Counties: Albert F. Stamper, president, Hindman Chamber of Commerce; Cossie Quillen, president, Whitesburg Chamber of Commerce.

West Lake Cumberland Area Program Council—Adair, Cumberland, Green, and Russell Counties: Lynn Jeffries, Kentucky Chamber of Commerce, fourth district.

LOUISIANA

Natchitoches Area Economic Development Association: Jack O. Britain, past president, chamber of commerce.

Sabine Development Association: C. G. Bullard, vice president, Sabine Parish Chamber of Commerce.

Vernon Area Redevelopment Corp.—Leesville and Vernon Parish: Russell Bailes, president, Leesville-Vernon Chamber of Commerce.

MAINE

Aroostook County Rural Area Development Committee: Francis S. Demir, executive director, Caribou Chamber of Commerce (all directors, not named).

Biddeford-Sanford Redevelopment Area Committee: Ronel Dubois, president, Sanford Chamber of Commerce.

Sanford-Springvale Chamber of Commerce: Ronel J. Dubois, president, Sanford Chamber of Commerce; Joseph T. Barberie, vice president, Sanford Chamber of Commerce; William E. Roberts, secretary, Sanford Chamber of Commerce; Charles D. Colson, director, Sanford Chamber of Commerce; William J. St. Onge, director, Sanford Chamber of Commerce; Andrew G. Chabot, director, Sanford Chamber of Commerce; Lawrence W. Jackson, director, Sanford Chamber of Commerce; Saul Shalit, director, Sanford Chamber of Commerce; David B. Thurston, director, Sanford Chamber of Commerce; Robert J. Trembley, director, Sanford Chamber of Commerce; Everett A. Weiss, director, Sanford Chamber of Commerce; John H. Folsom, director, Sanford Chamber of Commerce; John E. Garnsey, director, Sanford Chamber of Commerce; Harold F. Gates, director, Sanford Chamber of Commerce; Keith R. Goodrich, director, Sanford Chamber of Commerce; Robert S. Jagger, director, Sanford Chamber of Commerce; Ernest N. Kostis, director, Sanford Chamber of Commerce; Edgar A. Roberge, director, Sanford Chamber of Commerce; Wendell B. Thayer, director, Sanford Chamber of Commerce.

Washington County Rural Areas Development Committee: V. P. McFadden, executive committee county chamber of commerce.

MARYLAND

Cecil County Industrial Association, Inc.: George Lutz, president, chamber of commerce.

Dorchester County Industrial Development Corp.: Doris G. Cook, representing chamber of commerce.

Garrett County Development Corp.: Lowell Loomis, director, chamber of commerce; Mount Top Chamber of Commerce; Helmuth Heise, director, Mount Top Chamber of Commerce; Frank McDaniel, director, Mount Top Chamber of Commerce; Wesley Schaible, director, Mount Top Chamber of Commerce.

MASSACHUSETTS

Dukes County Area Development Committee: Leo J. Connvery, president, Martha's Vineyard Chamber of Commerce; Benjamin F. Morton, secretary.

Greater Fall River Area Development Committee: Walter Brown, president, chamber of commerce; George Delano, chairman, of commerce committee.

Gloucester, Rockport, Essex Economic Development Committee: Robie H. Liscomb, secretary, chamber of commerce.

Greater Lowell Economic Development Committee: Thomas J. Hickey, president, Greater Lowell Chamber of Commerce.

MICHIGAN

Charlevoix County Area Redevelopment Planning Committee: Paul Kohler, secretary, Charlevoix Chamber of Commerce.

Cheboygan County Area Redevelopment Planning Committee: Betty Jane Minsky, secretary-manager, chamber of commerce; Victor Leonall, representative, Cheboygan Chamber of Commerce; Lewis Chalker, representative, Indian River Chamber of Commerce; Sebastian LaTocha, representative, Mackinaw Chamber of Commerce.

Dickinson County Preliminary Overall Economic Development Committee: Enio Kolemainen, secretary, chamber of commerce.

Emmet County Redevelopment Committee: Chet Crago, president, Petosky Chamber of Commerce.

Gratiot County Redevelopment Area—Overall Economic Development Committee: R. L. Wilson, chamber of commerce officer (no title); Paul Bennett, president, St. Louis Chamber of Commerce; R. M. Henneberger, board of supervisors, St. Louis Chamber of Commerce; Fred Carter, committee chairman, St. Louis Chamber of Commerce.

Huron County Area Redevelopment Committee: James Baker, director, Port Hope Chamber of Commerce.

Luce County Area Redevelopment Association: R. J. Beach, president, Luce County Chamber of Commerce.

Osceola County Economic Development Organization: chamber of commerce named board of directors (19).

Otsego County ARA Committee: Glen Catt, president, chamber of commerce.

Schoolcraft County Area Redevelopment Committee: Carl Graves, secretary, chamber of commerce.

Van Buren County Area Redevelopment Committee: M. J. Breitenbach, president, Lawrence Chamber of Commerce; Kenneth Davis, secretary, Decatur Chamber of Commerce; Louise Engle, secretary, Hartford Chamber of Commerce.

Economic Development Board of Wexford County: Hall Bell, secretary-manager, Cadillac Area Chamber of Commerce.

MINNESOTA

Itasca County Area Redevelopment Agency: Gene Roth, past president, chamber of commerce.

MISSISSIPPI

Holmes County Area Redevelopment Association: A. L. Gibson, president, Lexington Chamber of Commerce.

Lafayette County Rural Areas Development Committee: Robert McClain, manager, chamber of commerce.

Lincoln County Rural Areas Development Program (this is the chamber for this area): Gerald Kees, immediate past president; Tom L. Moak, president; Victor Becker, vice president; Frank Oakes, manager; Travis Tadlock; Sara Jane Craig, executive secretary; J. E. Spring, director; Glenn Smith, director; Owen Roberts, director; Ernest Norton, director; E. L. Boyce, director; Chester Burnham, director; Mike Carr, director; F. F. Becker, director; Cramer Roberts, director; W. W. Godbold, Jr., director; L. L. Entrican, director.

Oktibbeha Area Development Committee: Listed as representing the chamber are: James H. Cook, T. E. Easterwood, O. F. Parker, L. M. Pritchard, Bill Harpole, Ben Hilbun, Dr. F. H. Josey, T. E. Veitch, O. W. Charles, Jim Wilson, Cecil Rackley, P. L. Douglas, Guy W. Thaxton, Jim Crowe.

Tippah County Rural Areas Development Organization: Dr. W. E. Johnson, president, Ripley Chamber of Commerce.

MISSOURI

Howell County Rural Areas Development Committee: W. J. Bratton, president, West Plains Chamber of Commerce.

Ripley County Rural Area Development Council: Adolf Roberts, secretary, chamber of commerce.

MONTANA

Butte Development Corp. (Silver Bow County): Harold McGrath, secretary, chamber of commerce; John J. Burke, committee chairman, chamber of commerce.

Crow Indian Reservation: E. O. Preston, secretary, chamber of commerce.

Flathead County Area Redevelopment Interim Board: E. F. Matelich, industrial development committee, Kalispell Chamber of Commerce; Carlyle Crum, manager, Whitefish Chamber of Commerce.

NEW JERSEY

Passaic County Area Redevelopment Board: Edwin J. MacEwan, executive vice president, Greater Paterson Chamber of Commerce; Sidney R. Milburn, executive secretary, Wayne Chamber of Commerce.

NEW MEXICO

San Miguel County Area Development Committee: Dale B. Gereman, past president, Las Vegas San Miguel Chamber of Commerce; Charles P. Trumbull, director, chamber of commerce; Tom Clark, director, chamber of commerce; Richard B. Cavanaugh, past president, chamber of commerce.

Santa Fe County Resources Planning and Development Organization: Raymond E. Franz, manager, Santa Fe Chamber of Commerce.

Grant County Development Committee: Ed Stevens, past president, Silver City Chamber of Commerce.

NEW YORK

Area Redevelopment Committee of Montgomery County: Thomas Zappone, executive manager, Amsterdam Chamber of Commerce; Edward L. Wilkinson, executive director, chamber of commerce.

Essex County Development Committee: Francis Malaney, director, chamber of commerce.

Franklin County Area Redevelopment Committee, Ogdensburg-Massena Malone Area: Otis Schulz, president, Malone Chamber of Commerce; Jacques De Mattos, president, Saranac Lake Chamber of Commerce; James Kissane, director, Chateaugay Chamber of Commerce.

Fulton County Area Redevelopment Committee: Mrs. Anna D. Kukla, secretary, chamber of commerce; Ralph P. Van Woert, president, Gloversville Chamber of Commerce.

Area Redevelopment Organization of Jefferson County: Warren G. Gamble, president, Jefferson County Chamber of Commerce; Gordon W. Bryant, director, Watertown Chamber of Commerce.

Redevelopment Area Organization of the Auburn Labor Market Area: William E. Bouley, past president, Auburn Chamber of Commerce; Michael L. Peduto, executive manager, Auburn Chamber of Commerce; Col. William K. Walker, past president, Auburn Chamber of Commerce.

Chautaugua County Planning Board: Theodore Rabb, business manager, Dunkirk Chamber of Commerce.

NORTH CAROLINA

Avery County Planning Board: J. Ray Braswell, president, chamber of commerce; Frank Welch, secretary, chamber of commerce; Dr. E. H. Smith, vice president, chamber of commerce.

Edenton-Chowan Planning Board: J. H. Conger Jr., president, Edenton Chamber of Commerce; J. M. Robinson, executive vice president, Edenton Chamber of Commerce.

Lincoln County Planning Board: Gordon Goodson, president, chamber of commerce.

Mitchell County Planning Board—Spruce Pine area: B. E. Ragan, president, Spruce Pine Chamber of Commerce.

Swain County Planning Board: J. A. Hensley, vice president, chamber of commerce.

Plymouth and Washington County Planning Board: Ed Evensen, manager, Plymouth and Washington Chamber of Commerce.

Watauga Area Redevelopment Committee: H. W. Wilcox, president, Boone Chamber of Commerce.

OHIO

Ashtabula County Industrial Development, Inc.: Ralph Graham, president, Orwell Chamber of Commerce; William R. Hubbard, secretary, Conneaut Chamber of Commerce; Clinton E. Jolly, secretary, Geneva on the Lake Chamber of Commerce; Walter C. Smith, president, Jefferson Chamber of Commerce; James W. Wentling, president, Ashtabula Chamber of Commerce.

Guernsey Regional Planning Commission: Dale J. Abbott, committee chairman, Guernsey County Chamber of Commerce; Willard W. Smith, director, chamber of commerce.

Lawrence County Redevelopment Committee (Hutington-Ashland part): Volley Boggs, president, Ironton Chamber of Commerce; Zeller Henry, manager, Ironton Chamber of Commerce; C. W. Bloss, officer, Lawrence County Chamber of Commerce; B. B. Mills, director, Ironton Chamber of Commerce; W. B. McGurk, director, Ironton Chamber of Commerce.

Meigs County Resource Development Committee: Clyde Kirkland, president, Pomeroy Chamber of Commerce.

Monroe County Resource Development Committee: James Diehl, vice president, Woodsfield Chamber of Commerce.

Morgan County Rural Areas Development Committee: Robert Christe, industrial committee, McConnelsville Chamber of Commerce.

Portage County Development Committee: Walter N. Miller, manager, Ravenna Chamber of Commerce; Edward Alberty, manager, Kent area Chamber of Commerce.

OKLAHOMA

Latimer County Area Redevelopment Committee: Mrs. Donna Booth, secretary, chamber of commerce.

Adair County Area Redevelopment Committee: Tobe O'Neal, president, Stilwell Chamber of Commerce.

Coal County Area Redevelopment Committee: Eileen Ronald, secretary, chamber of commerce; George Brown, president, Coalgate Chamber of Commerce; Dr. Doyle L. Patten, past president, Coalgate Chamber of Commerce; Dr. Wallace Byrd, past president, Coalgate Chamber of Commerce.

Delaware County Redevelopment Committee: Frank Graham, president, Jay Chamber of Commerce; Otto Earp, past president, Grove Chamber of Commerce; Lou Ryan, president, Bernice Chamber of Commerce; Mart Potter, past president, Colcord Chamber of Commerce; Otto Earp, past president, Colcord Chamber of Commerce.

Hughes County Area Redevelopment Committee: C. A. Sanders, committee chairman, Holdenville Chamber of Commerce; Clem Pollock, secretary-manager, Holdenville Chamber of Commerce.

Le Flore County Area Redevelopment Committee: Hildred La Fevers, president, Poteau Chamber of Commerce; Jay P. Dalley, manager, Poteau Chamber of Commerce.

Love County Area Redevelopment Committee: Clarence Cochran, industrial committee member, Marietta Chamber of Commerce; D. Joyce Coffey, president, Marietta Chamber of Commerce; William R. Brannan, vice president, chamber of commerce.

Mayes County Area Redevelopment Committee: M. L. McFarlin, manager, Pryor Chamber of Commerce; Jack Noles, president, Locust Grove Chamber of Commerce.

Murray County Area Redevelopment Committee: Jack Patten, Davis Chamber of Commerce; R. L. Boles, president, Sulpher Chamber of Commerce.

Muskogee County Area Redevelopment Committee: Jim Jordon, manager, chamber of commerce; Bob Jahrman, president, chamber of commerce.

Nowata County Area Redevelopment Committee: Dr. Homer Flora, chairman, industrial committee; Nowata Chamber of Commerce; James L. Sontag, president, Nowata Chamber of Commerce; Dean Shackleford, manager, Nowata Chamber of Commerce.

Okfuskee County Area Redevelopment Committee: Col. J. O. Smith, secretary, Okemah Chamber of Commerce; John M. Rasberry, president, Weleetka Chamber of Commerce; Marvin W. Lee, Jr., president, Boley Chamber of Commerce; J. Miller, president, Okemah Chamber of Commerce.

Ottawa County Area Redevelopment Committee: F. E. Farrier, president, Miami Chamber of Commerce.

Cherokee County Area Redevelopment Committee: Col. Martin A. Hagerstrand, manager, Tahlequah Chamber of Commerce; J. L. La Fevers, industrial committee, Tahlequah Chamber of Commerce; Hal Reed, president, Tahlequah Chamber of Commerce.

Industrial Development Trust of Chickasha, Okla. (Grady County): Clyde Cole, manager, Chickasha Chamber of Commerce.

Okmulgee County Area Redevelopment Committee: L. L. Altermatt, president, Henryetta Chamber of Commerce; Lynn Edenborough, president, Okmulgee Chamber of Commerce.

Pittsburg County Area Redevelopment Committee: Dale Dalton, president, Quinton Chamber of Commerce; Rex B. Ross, manager, McAlester Chamber of Commerce; S. Arch Thompson, president, McAlester Chamber of Commerce.

Pontotoc and Adair Counties Redevelopment Area Organization: Ted R. Savage, manager, chamber of commerce; Orval Price, chamber board; Denzil Lowry, chamber board; J. B. Lyon, chamber board; David O. Howe, chamber board; Bart Todd, chamber board; Tom O'Dell, chamber board; Lee McDonald, chamber board.

Atoka County Planning and Rural Areas Development Council: Harvey Bettis, secretary, chamber of commerce.

Greer County Area Redevelopment Committee: James P. Garrett, president, Mangum Chamber of Commerce; Eugene Hahn, president, Granite Chamber of Commerce; William Gill, Sr., manager, Mangum Chamber of Commerce W. T. Green, president, Duke Chamber of Commerce.

OREGON

Columbia County Redevelopment Committee: Forris Humphrey, president, Clatskanie Chamber of Commerce.

Josephine County Area Redevelopment Committee: Jack McMahan, manager, Grants Pass Chamber of Commerce.

PENNSYLVANIA

Pittsburgh Regional Industrial Development Corp. (Allegheny, Beaver and Westmoreland Counties)

Westmoreland County: Mrs. Elizabeth S. Blissell, executive director, New Kensington Chamber of Commerce; B. Carlson, executive secretary, Irwin Chamber of Commerce; John E. Kennelty, executive secretary, Greensburg Chamber of Commerce; Ginger Joyce, executive director, Jeannette Chamber of Commerce; Virginia Swank, executive director, Ligonier Chamber of Commerce; Betty Douglass, secretary, Mt. Pleasant Chamber of Commerce.

Blair-Bedford Area Development Council: Thomas Staphenson, promotional manager, Tyrone Chamber of Commerce; G. Stanley Ruth, executive, Altoona Chamber of Commerce; Olin Horton, president, Saxton Chamber of Commerce.

Bradford County Planning Commission: Gene Paluzzi, secretary, Sayre Chamber of Commerce.

Butler County Area Redevelopment Council: A. Wendell Weihe, executive secretary, Butler Chamber of Commerce; Paul L. Klingler, secretary, Mars Chamber of Commerce.

Indiana County Planning Commission: William Ingersoll, executive secretary, Indiana County Chamber of Commerce.

Greater Johnstown Chamber of Commerce Industrial Development Division and Somerset County Development Council: Robert Martin, representing Somerset Chamber of Commerce; John Stein, representing Somerset Chamber of Commerce; Wayne Pile, representing Somerset Chamber of Commerce; Blair Barkman, representing Somerset Chamber of Commerce; George Foy, representing Meyersdale Chamber of Commerce.

Armstrong County Area Redevelopment Council (Kittanning-Ford City): Don Mash, manager, Kittanning Chamber of Commerce; Robert D. Noel, Jr., president, Kittanning Chamber of Commerce.

Redevelopment Area Organization of Lackawanna County (Scranton): Ronald C. Jones, chairman, Scranton Chamber of Commerce; Robert L. Justin, president, Scranton Chamber of Commerce; James L. Noecker, president, Carbondale Chamber of Commerce; Robert Morgan, president, Archbald Chamber of Commerce; James F. Arthur, president, Dickson Chamber of Commerce; Franklin Price, president, Moosic Chamber of Commerce.

Northeast Pennsylvania Industrial Development Commission, Luzerne County: Louis G. Feldmann, vice president, Hazelton Chamber of Commerce; A. J. Sordoni, Jr., president, State Chamber of Commerce; Andrew Hourigan, Jr., president, Wilkes-Barre Chamber of Commerce.

Northumberland County: Edward Barr, secretary, Shamokin Chamber of Commerce.

Wayne County: Lewis Howell, president, Honesdale Chamber of Commerce.

At Large: Frank A. Ernest, executive secretary, Wilkes Barre Chamber of Commerce; Cliff Jones, executive secretary, Hazelton Chamber of Commerce; Willis W. Jones, executive vice president, Scranton Chamber of Commerce; Vincent T. O'Hara, executive secretary, Scranton Chamber of Commerce.

Northwestern Pennsylvania Conference for Economic Development Crawford County: B. J. Smith, representative, Meadville Chamber of Commerce; W. C. Wenner, secretary, Cambridge Springs Chamber of Commerce.

Erie County: W. Dudley, Jewell, executive vice president, Greater Erie Chamber of Commerce.

McKean County: A. Robert Hill, president, Mt. Jewett Chamber of Commerce; David L. Scott, executive secretary, Bradford Chamber of Commerce.

Mercer County: Michael C. Yourga, president, Shenango Chamber of Commerce.

Venango County: Elwood B. Deeter, president, Franklin Chamber of Commerce; Francis B. Hall, manager, Oil City Chamber of Commerce; Robert Rhoades, president, Oil City Chamber of Commerce.

Warren County: Ray Stein, chairman, Warren Chamber of Commerce; Col. Henry Kerlin, executive vice president, Warren Chamber of Commerce.

Schuylkill County Planning Commission: Richard F. Higgins, president, Pottsville Chamber of Commerce.

Susquehanna Economic Development Association: Robert Lyons, president, Lewisburg Chamber of Commerce; G. Guy Luck, secretary, Middleburg Chamber of Commerce; Gilbert T. Hess, president, Middleburg Chamber of Commerce; Herbert Bendt, secretary, Lewisburg Chamber of Commerce; E. L. Gill, secretary, Central Susquehanna Valley Chamber of Commerce; Dr. G. R. Varano, secretary, Mt. Carmel Chamber of Commerce; Roland F. Harbeson, secretary, Milton Chamber of Commerce; William Belford, president, Milton Chamber of Commerce; Mrs. Katherine Gunter, secretary, Bloomsburg Chamber of Commerce; Warren E. Hause, secretary, Berwick Chamber of Commerce; William Booth, secretary, Danville Chamber of Commerce; Edward P. Barr, secretary, Shamokin Chamber of Commerce; H. Leighton Williams, secretary, Greater Williamsport Chamber of Commerce; Frank O'Reilly, president, Clinton County Chamber of Commerce; Richard A. Morse, secretary, Clinton County Chamber of Commerce.

SOUTH CAROLINA

Jasper County Redevelopment Committee: M. A. Garr, president, Hardeeville Chamber of Commerce; Mrs. Margie Wise, president, Jasper Chamber of Commerce.

Kershaw County Redevelopment Committee: W. Ed Mitchell, manager, Camden Chamber of Commerce.

Lancaster County Redevelopment Council: David McInnis, manager, Lancaster Chamber of Commerce.

Sumter County Economic Development Committee: James E. Boling, secretary, Sumter Chamber of Commerce.

Barnwell County Rural Areas Development Committee: Bill Hanks, president, Barnwell Chamber of Commerce.

Colleton Redevelopment Council: Leon Gelson, president, Walterboro Chamber of Commerce.

Orangeburg County Economic Development Council: T. S. Taylor, president, Orangeburg Chamber of Commerce; J. L. Gammon, vice president, chamber of commerce; W. D. Kirkpatrick, manager, chamber of commerce.

TENNESSEE

Dickson County Area Redevelopment Corp.: president, Dickson County Chamber of Commerce (no name).

Houston County Area Redevelopment Committee: Ralph Lynn, president, Houston Chamber of Commerce.

Marion County Industrial Committee: Howard Horn, president, chamber of commerce.

Putnam County Overall Economic Development Committee: E. H. Hooper, president, chamber of commerce.

Robertson County Redevelopment Committee: Charles Ralph, secretary, Springfield Chamber of Commerce.

TEXAS

Texarkana Area Redevelopment Committee (Bowie County): F. E. Hightower, president, Texarkana Chamber of Commerce; W. E. Drummond, vice president, Texarkana Chamber of Commerce; Winn Smith, treasurer, chamber of commerce; L. E. Gilliland, manager, chamber of commerce.

Red River Industrial Foundation: Pat C. Beadle, past vice president, Clarksville Chamber of Commerce; Byron B. Black, past president, Clarksville Chamber of Commerce; A. N. Quarles, secretary, chamber of commerce; Billy E. Barker, director, chamber of commerce; Charlie M. Conine, past director, chamber of commerce; Austin Guest, past president, chamber of commerce; George F. Sunkel, past president, chamber of commerce; James W. Vaughan, past president, chamber of commerce; Harry Whitehouse, director, chamber of commerce; Cab N. Wolf, director, chamber of commerce.

Zapata County Rural Area Development Committee: Rafael San Miguel, president, Zapata County Chamber of Commerce.

Collingsworth County Overall Economic Development Planning Board: Jack Sanford, president, chamber of commerce.

Henderson County Redevelopment Committee: Dan Royall, Jr., president, Malakoff Chamber of Commerce; Finis Hardy, secretary, Malakoff Chamber of Commerce; Chester Bradley, president, Trinidad Chamber of Commerce.

Laredo Redevelopment Area Organization (Webb County): E. H. Borchers, president, chamber of commerce; S. K. Mason, first vice president, chamber of commerce; Tom F. Herring, second vice president, chamber of commerce; T. B. Miller, treasurer, chamber of commerce; Frank Y. Hill, immediate past president, chamber of commerce; Maurice M. Alexander, director, chamber of commerce; Roberto M. Benavides, director, chamber of commerce; Alfonso Casso, director, chamber of commerce; Rodrigo DeLlano, director, chamber of commerce; A. E. Guajardo, director, chamber of commerce; Armengol Guerra, Jr., director, chamber of commerce; George L. Hachar, director, chamber of commerce; W. B. Johnson, Jr., director, chamber of commerce; Col. W. J. Jones, director, chamber of commerce; Palmer F. King, director, chamber of commerce; Oscar M. Laurel, director, chamber of commerce; Robert E. Levy, director, chamber of commerce; J. C. Martin, Jr., director, chamber of commerce; Sam Meyer, director, chamber of commerce; Col. Roger C. Pryor, director, chamber of commerce; Francis Richter, director, chamber of commerce; R. H. Riestenberg, director, chamber of commerce; Harry Sames, Jr., director, chamber of commerce; Allan C. Skinner, director, chamber of commerce; George Spence, director, chamber of commerce; Velia Uribe, director, chamber of commerce; C. C. Whitworth, director, chamber of commerce; Ben F. Wright, Jr., director, chamber of commerce; Renato Zapata, Sr., director, chamber of commerce; Fernando Zuniga, director, chamber of commerce.

Jefferson-Marion County Planning Commission: B. Koontz, director, Marion County Chamber of Commerce; U. L. Williamson, past president, Marion County Chamber of Commerce; Ray Thomas, director, Marion Chamber of Commerce.

McCulloch County Program Building Committee: George Purcell, manager, chamber of commerce.

Morris County Program Building Committee: L. Jack Coker, president, Naples Chamber of Commerce.

UTAH

Wasatch County Redevelopment Committee: Don Barker, committee chairman, chamber of commerce; Russell Wall, president, Wasatch Chamber of Commerce.

VIRGIN ISLANDS

Economic Development Board of the Virgin Islands of the United States: D. Victor Bornn, director, St. Thomas Chamber of Commerce; James A. Bough, president, St. Thomas Chamber of Commerce; Van B. Hooper, St. Croix Chamber of Commerce Advisory Committee; Alexander A. Moorehead, president, St. Croix Chamber of Commerce.

WASHINGTON

Grays Harbor Area Redevelopment Agency: John Forbes, manager, Grays Harbor Chamber of Commerce. Three additional managers not named.

Pacific County Area Redevelopment Association; R. W. Casebolt, secretary, Ilwaco Chamber of Commerce; E. R. Maddin, past president, Ilwaco Chamber of Commerce.

Skagit County Development Association: Gene Hopkins, manager, chamber of commerce.

Douglas County Redevelopment Council: Zoss Wilkinson, president, chamber of commerce.

WEST VIRGINIA

Calhoun County Resource Development Committee: Rymer Law, chamber of commerce representative.

Fayette County Development Corp.: Gene Imbrogno, president, Montgomery Chamber of Commerce.

Industrial Development Committee for Harrison County: president, Clarksburg Chamber of Commerce (no name).

Huntington (Cabell-Wayne Counties) Development Commission: John Rutherford, representing Wayne Chamber of Commerce; Glenn Fogle, representing Ceredo-Kenova Chamber of Commerce; C. McD. England, Huntington Chamber of Commerce.

Mason County Redevelopment Association: Cecil Deverick, managing director, Mason County Chamber of Commerce.

McDowell County Development and Improvement Corp.: Claude R. Kirkland, president, Welch Chamber of Commerce.

Bluefield Area Development Corp.: W. J. Gillespie, president, Bluefield Chamber of Commerce; Dodd Martensen, representing Bluefield Chamber of Commerce.

Lewis County Development Committee: Mrs. John R. Davis, representing chamber of commerce.

Monongalia County-Morgantown Community Association: Dean Chester A. Arents, president, chamber of commerce; Raymond E. Shafer, industrial committee, chamber of commerce; James R. McCartney, manager, chamber of commerce.

Monroe Industrial Development Corp.: O. B. Grimmett, president, Union Chamber of Commerce.

Raleigh County Development Association (Beckley Area): Eugene Morehouse, president, Beckley Chamber of Commerce.

Randolph County Planning Commission: Cyrus S. Kump, director, Elkins Chamber of Commerce; Carl L. Wilmoth, director, Elkins Chamber of Commerce.

Wetzel County ARA-RAD Committee: W. E. Durig, vice president, New Martinsville Chamber of Commerce.

WISCONSIN

Door County Industrial Development Agency: Tom Pinney, Jr., president, Door County Chamber of Commerce.

La Crosse County Industrial Development Council: One representative from La Crosse County Chamber of Commerce; one representative from City Chamber of Commerce (no names).

Portage County Area Development Committee: Carl Wallace, secretary-manager, Stevens Point Chamber of Commerce.

WYOMING

Teton County Rural Area Development Committee (Jackson area): Dean Driskell, president, Jackson Chamber of Commerce.

Since April 20, 1963, when this report was prepared, ARA has received 51 new economic redevelopment plans prepared by local committees. In these plans 41 chamber of commerce officials and representatives are actively serving on ARA development committees.

ALABAMA

Cullman County Rural Areas Development Committee: L. C. Norrell, chairman, agriculture committee, chamber of commerce; O. M. Willoughby, president, chamber of commerce.

ARKANSAS

Faulkner County Development Council: Guy Murphy, representing Conway Chamber of Commerce.

Chicot County Development Council: Mrs. F. R. Paris, Dermott Chamber of Commerce;

Joe Lilly, Eudora Chamber of Commerce; J. H. Fondren, Eudora Chamber of Commerce; George Walker, Lake Village Chamber of Commerce.

Ashley County Development Council: Earl Scott, president, chamber of commerce; Don Rogers, secretary, chamber of commerce.

COLORADO

Fremont County Area Redevelopment Organization: Ray Shoop, chairman, agriculture committee, Canon City Chamber of Commerce; Dr. Howard Miller, chairman, recreation committee, Canon City Chamber of Commerce; Pauline Bryan, manager, Canon City Chamber of Commerce.

FLORIDA

Franklin County Planning and Development Committee: W. C. Buzzett, former president, Apalachicola Chamber of Commerce (ex officio); R. E. Connell, president, Apalachicola Chamber of Commerce.

Jackson County Development Council: William Avery, secretary, chamber of commerce.

Industrial Development Commission of St. Lucie County: Philip C. Gates, president, Fort Pierce Chamber of Commerce.

GEORGIA

Bulloch County Redevelopment Corp.: A. R. Gibson, Sr., manager, Bulloch Chamber of Commerce; Charles M. Robbins, Jr., president, Bulloch Chamber of Commerce.

KENTUCKY

Garrard County Area Program Council: Tillo B. Martin, representing chamber of commerce; Jack Zanone, representing chamber of commerce.

LOUISIANA

Springhill Overall Economic Development Program Committee: Tom Stevenson, manager, chamber of commerce.

MICHIGAN

Omegaw County Redevelopment Area Organization: Adrian Dantzer, West Branch Chamber of Commerce.

MISSISSIPPI

Leake County Rural Areas Development Committee: Carl Fulton, manager, chamber of commerce.

Warren County Rural Area Development Committee: Robert G. Geoffory, manager, chamber of commerce.

MONTANA

Granite County ARA Committee: O. H. Christensen, president, Philipsburg Chamber of Commerce.

NEW HAMPSHIRE

Carroll County RAD Committee: Lawrence H. Sherman, director, North Conway Chamber of Commerce; Ralph Grindle, president, Conway Chamber of Commerce.

Coos County rural areas development program: John P. O'Neil, past president, Berlin Chamber of Commerce; A. W. Warren, director, Berlin Chamber of Commerce.

OKLAHOMA

Lincoln County Area Redevelopment Committee: Bo Belcher, president, Chandler Chamber of Commerce; Cecil Ford, president, Davenport Chamber of Commerce; Leo Moore, president, Prague Chamber of Commerce; Milton Wolff, president, Stroud Chamber of Commerce; Floyd Key, president, Wellston Chamber of Commerce; P. J. Nunnery, representing Meeker Chamber of Commerce.

PUERTO RICO

Guayama Redevelopment Area Committee: Luis Blondet Bloise, president, Guayama Chamber of Commerce.

TEXAS

Camp County Redevelopment Area Organization: Neal Ray, three-time president, chamber of commerce; Murray Maddox, past president, Camp County Chamber of Commerce.

Maverick County Redevelopment Area Committee: Harvey Seymour, representing chamber of commerce.

Val Verde Overall Economic Development Program Committee: Jack Robinson, president, Del Rio Chamber of Commerce (entire program submitted by Del Rio Chamber of Commerce Area Development Foundation, Inc.).

WASHINGTON

Chelan County Overall Economic Development Committee: Dr. Alfred J. Stojowski, representing Wenatchee Chamber of Commerce.

GESELL REPORT

The SPEAKER pro tempore (Mr. ALBERT). Under previous order of the House, the gentleman from South Carolina [Mr. RIVERS] is recognized for 2 hours.

Mr. RIVERS of South Carolina. Mr. Speaker, I have a very important announcement. To your keen disappointment, I shall not speak 2 hours. On the contrary, we will have a number of contributors to this discussion, but I will do the best I can to pay the proper respect to one of the most infamous documents ever devised by human hand, known as the Gesell report.

Mr. Speaker, as the ranking majority member of the House Armed Services Committee I would be remiss in my duties as a Member of the Congress, a citizen of the United States, and particularly as a member of this committee if I did not tell the House of Representatives the effect of the recent directive issued by the Secretary of Defense based on this report, and what it will do to the combat efficiency of the Armed Forces of the United States.

Now, you spend over $52 billion a year on the military. This destroys it. This Nation from its inception has prided itself on the fact that we have constantly kept our Armed Forces out of the political area. Every officer in our Armed Forces learns from the day of his entry into a commissioned status that he must keep himself free from local, State and Federal civil affairs that are not directly related to his primary mission of being combat-ready at all times. We have Armed Forces for one reason and one reason alone, for the defense of the United States of America. The career men and women of our armed services are dedicated to the preservation of the United States of America. They lead a life that is different from that of the ordinary citizen for during a normal career they rarely can call any place home.

Our officers and men come from all walks of life, from all sections of this Nation and from a variety of backgrounds. At only one time in our prior history as a nation have our Armed Forces been divided. I need not remind this House of that unpleasantness, 100 years ago. Only one time in our history have our Armed Forces been divided in their loyalties to the single duty of providing for the defense of this country.

But just the other day this highly inflammatory, vicious, and extremely prejudiced report was issued, forwarded to the President of the United States, and to the Secretary of Defense, and on the basis of that report a directive has now been issued implementing this report. The major parts of this report I warn you here and now will seriously affect if not destroy the combat efficiency of your Armed Forces. The directive issued by the Secretary of Defense takes the military out of the role of providing for the national security and plunges them into the role of social reformers.

Now, all of us have separate views on civil rights, and I would not impugn the motives of any of you, my colleagues, regardless of your position.

But the laws of this Nation are made by the Congress of the United States, they are not made by the Secretary of Defense nor, indeed, by the President of the United States. I do not care what the Executive order may be. Executive orders must be based on the law of the land. But what we have today is a directive in which a captive group of men and women wearing the uniform of their country, your country, are being ordered and directed to bring about forced integration not only among themselves and their social activities off base and off duty, but in addition they are being told in no uncertain terms—now, get this—they are being told in no uncertain terms based on this that their careers are ended if they do not become protagonists of a philosophy of life that has not even been endorsed by the Congress of the United States.

Mr. Speaker, when we reach the point in this Nation where the full force and power of the Armed Forces is being used against a large segment of our population in this Nation, I need not tell you that there is no question of the proof that the security of this Nation and the combat efficiency of our Armed Forces is in serious jeopardy. Indeed, it may have passed the point of no return. Our country is being challenged not from without but from within.

I will discuss with you now this directive issued by the Secretary of Defense, which, incidentally, I will make a part of my remarks, and which, in my considered opinion, will destroy the morale of our Armed Forces and will do more to divide the singleness of purpose of our Armed Forces than the fall of Fort Sumter in 1861, and I know something about that, if you catch the point.

Let me say by way of interpolation that here are excerpts from reports of the Secretaries of the services.

They warned against this. I do not think I had better put this in the RECORD, but that is contained in here, which I have in my possession, and they did not recommend it. They said, "Lay off this thing at least until the Congress has spoken on the public accommodations of the Celler and whoever else's name is attached to the new civil rights bill."

Let us go into this thing. I tried my best to give you the benefit of this and the directives as best I could. The directive issued by the Secretary of Defense on the subject of equal opportunity in the Armed Forces is based on the recommendations, as I have told you, of this report, and you can see it. Anybody can see it. If I can get permission, I will put this in the RECORD.

This committee can hardly be called an impartial committee. The findings of this committee could be anticipated before the committee met, if you read the membership. About 90 percent of our Armed Forces are white and less than 10 percent are Negroes, yet no attempt was made to integrate the forces off base, when they have no business being integrated, as recommended and directed by this report.

Now—

> (a) The morale of the Armed Forces—

None of these things were discussed. None of these things were taken into consideration. The morale of the Armed Forces, the ability of the Armed Forces to recruit competent personnel, the ability of the Army Forces to retain competent personnel.

> The Department of Defense directive requires the military departments to issue all appropriate instructions, manuals, and regulations in connection with the leadership responsible for equal opportunity off base—

Not on base—

> and continuing guidance for its discharge.

Period.

The assumption is that Negroes because of their color must be given equal opportunity on and off base in all respects. The implication is clear that without regard to competence, a percentage of distribution will determine promotion opportunities and assumption of responsibility. This thing is altogether wrong. The directive talks in terms of "equal opportunity". But since each military department will be required to institute a system for regularly reporting, monitoring and measuring progress in achievement of equal opportunity off base, it is clear that only percentages will be the deciding factor.

Can you imagine this? Competence? No. The military department says, "Go slow on this. We cannot do this." But they did it. There is a vast difference, my colleagues, between equal opportunity and forced equality. Yet, no commander will be able to survive in an atmosphere, no commander, and I do not care what his military competence is—no commander may survive in an atmosphere of that directive unless he can clearly demonstrate that for each 1,000 enlisted men 10 percent of the master sergeants are colored.

Ten percent of the E6's are colored, and so on up and down the line regardless of competence. I do not know about Indians. I do not know about Hindus. I do not know about this—Chinese, Japanese—I do not know. But I am just telling you what is in this report.

Mr. HÉBERT. Mr. Speaker, will the gentleman yield?

Mr. RIVERS of South Carolina. I yield to the gentleman.

Mr. HÉBERT. I have in my hand, for the benefit of the Members of the House and for my distinguished colleague, the gentleman from South Carolina, a copy of this so-called Gesell report. In order that there may be no doubt in anybody's mind as to the authenticity of what the gentleman from South Carolina is now referring to, I want to read this shocking statement from the report in connection with the advancement of officers in the military in line with what the gentleman has just said. I read from the report:

> It should be made clear that officers, for showing initiative and achievement in this area—

And I put in parenthesis to explain in this area means the area of integrating local communities—

> will enhance their performance ratings and obtain favorable consideration for promotion and career advancement.

Those are the words of the report, subscribed to by the President in his order to the Secretary of Defense and implemented in the order of the Secretary of Defense to the military—a most shocking and damnable procedure.

Mr. RIVERS of South Carolina. And what else did they do? Anything short of this—now listen to this—anything short of this will automatically identify this commander as uncooperative under the equal opportunity directive. But beyond this is the responsibility imposed on the military commander by the directive.

Under the directive every commander has a responsibility to oppose discriminatory practices affecting men and their dependents and to foster equal opportunity for them not only in areas under his immediate command. We understand this. This is a fact and we all know it. It should be like this. But, also, in nearby communities where they live or gather in off-duty hours.

Mr. Speaker, if the commander has authority and does not carry out these directives, he is as dead as a mackerel. This is what this says in mind and body and estate, as they say in the church of which I am a communicant about as much as most of you are. This is the way it will be done. They are dead under this directive. I ask you this question: If we live by this and the directives emanating from it what good is West Point, what good is Annapolis, what good is the Air Force Academy, what good is the science of warfare, combat efficiency, combat readiness, which are all subordinates to sociological change as long as you wear the uniform of this country? How can a man save this homeland under such a program as we are witnessing here? Never in my 23 years as a Member of this body have I seen anything even approximating this and its impact upon the future of military commanders. This is a scythe held over the head of every community, the everlasting sword of Damocles over its economic future and its survival. This is in addition to all of this, other because elsewhere in this report it says that as a last resort we will close up any military installation, and I do not know what else they will do. Maybe they will tie a key on a jackrabbit and give him a swift kick. I do not know. The implications are clear that it will be the responsibility of the commander to force social integration upon the members of his command, notwithstanding their own heritage, notwithstanding their own background, notwithstanding the mores and the customs of the community in which they reside.

Mr. Speaker, if a battalion commander gives a dinner party and fails to invite one of his officers who happens not to be white, obviously this will be reflected in his fitness report because he has not fostered integration. The base commander will be remiss in his duty if he does not bring this to the attention of his commander.

Mr. Speaker, the effects of this directive are as dangerous to the combat efficiency of our Armed Forces as any action that has been taken by a nation unfriendly to this country. There are large segments of the American population who still believe in personal freedom who will refuse to become a part of an organization in which forced social integration will become a part and parcel of their way of life. The directive means only those who are willing to accept integration completely and without reservation as a way of life will henceforth be able to make a career of the Armed Forces of the United States.

Mr. Speaker, recruiting results will, of course, reflect the effect on enlisted personnel and applications for a commission from among officers will undoubtedly show a marked decline after the directive fully becomes implemented.

To this, Mr. Speaker, add the unassailable argument that for the first time in the history of this Nation a base commander has been ordered by higher authority to directly involve himself in local affairs to the extent of requesting the use of off-base limit sanctions against persons off of the base who refuse to submit to commingling of the races. The base commander will not only have an economic weapon but he will be unable to remain aloof from the local governmental affairs.

Mr. Speaker, the directive places in the hands of the military a power that has already been considered unacceptable to the American people.

Mr. Speaker, this is the beginning of the police state and the commissar program in America, the United States of America.

The Department of Defense is under the overall control of the Secretary of Defense and the directive of the Secretary of Defense supercedes the position of any individual department commander. It would appear reasonable to raise the question as to whether each of the military departments completely endorses the directive issued by the Secretary of Defense. I will tell you now they did not do it. They did not wait until we took action on the MacGregor bill. We have not passed the MacGregor bill as yet.

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. RIVERS of South Carolina. I yield to the distinguished minority leader of the House and the ranking minority members of the Committee on Armed Services.

Mr. ARENDS. In view of what the gentleman has stated and recognizing this to be an Executive order which the Secretary of Defense will carry out, does the gentleman have any information as to the attitude of the Secretary of Defense on this particular Executive order?

Mr. RIVERS of South Carolina. We met with the Secretary of Defense. The gentleman from Louisiana [Mr. HÉBERT], the gentleman from Georgia [Mr. VINSON], the gentleman from Florida [Mr. SIKES], and myself met with the Secretary of Defense. I believe that was the group.

We cautioned him not to let this report warp his judgment; that this report was a biased one. I know the membership. I can tell you where it comes from, every single one of them. We asked him not to submit to it. He constantly told us his prime mission was the combat readiness of his forces and he regarded this as his prime responsibility. He listened to us and took down a lot of notes. Does that answer the question? A directive was issued.

May I also state that my chairman joins with us in the request that this is not the time. At least, let the Congress of the United States speak, that we do not put the military up to its neck in politics on every military post in the United States.

This does not affect me. My town of Charleston is a thousand years ahead of most of your districts. We have been living next door to colored people in my community for a 100 years, as well as my people before me. So it does not worry me. I am not worried about it. We have a golf course. We have our libraries. We have everything on earth. I represent 300,000 colored people, and they vote. I do not have any problem. I never had it so good. Can you say that? But I can tell you what is going to happen to all of you. It is wrong. We do not have to do this. This thing is unconstitutional, it is not the law of the land. If you pass the law to put in public accommodations at least we will have debate. This has been written by people who do not even go 30 feet from Washington to write it.

Legislation dealing with public accommodations is now pending. It would appear a permanent question should be asked, whether any military department has recommended this. They have not done so.

No person serving with the armed services should be deprived of promotion because of race, color or religion. I repeat that: No person in the Armed Forces should be deprived of promotion because of race, color or religion, and I will defend with my life their right to such consideration. At the same time, no person should be given preferential rights because of his race, his color or his religion.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. RIVERS of South Carolina. I am delighted to yield to my distinguished friend from Iowa.

Mr. GROSS. After setting up what may well be described, I am sure, from reading the entire report backward and forward, after setting up what will become a commissar on each base, an officer to hear complaints, the report reads as follows:

> All personnel, officers and enlisted men should be free to contact the officer designated to receive complaints at any time without the consent, knowledge or approval in the chain of command.

Gone is the day when the private is required to go to his top sergeant in order to get to the company commander.

Gone is that day. Continuing to read from the report:

> Communications between servicemen and this commissar should be privileged and service regulations should prohibit the disclosure of such communications, or the identity of the complainant without the serviceman's consent.

This will create, if put into effect, the biggest army of snoopers and informers that the military has ever heard of. This is an outrage.

Mr. RIVERS of South Carolina. It could be the beginning of SS troops in America.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. RIVERS of South Carolina. I will be glad to yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, God forbid that we have an OGPU or an SS in our military. I would like to associate myself with the remarks of the gentleman from South Carolina. I have serious doubts about the military or the legal qualifications of this study committee, and I have serious doubts about its implementation as a function of the armed services.

Mr. RIVERS of South Carolina. In this report they recommend seminars and schools better to equip these commanders to carry out the sociological directives. It would be interesting to know if any department recommended this. I can tell you that they have not so far as I have been able to find out.

I am going to finish and let somebody else talk. This is your country as well as mine. You still have time to do something. You are making history and so am I.

Mr. FEIGHAN. Mr. Speaker, will the gentleman yield?

Mr. RIVERS of South Carolina. Certainly.

Mr. FEIGHAN. I wanted to inquire if that report is available or, if not, if it would be put in the CONGRESSIONAL RECORD.

Mr. RIVERS of South Carolina. If it is not available to you, it is available to you in my office.

Mr. FEIGHAN. Thank you.

Mr. RIVERS of South Carolina. And I will send it to your office and you can read it. If you will read it, as I am sure you will, you will agree with me. It is a report prepared by highly prejudiced people which was submitted to the President and transmitted to the Secretary, which has been used as the basis for a directive issued by the Secretary of Defense which will, without question, adversely affect the ability of our Armed Forces to carry out their primary mission. Many officers in our Armed Forces will become social reformers by directive. Percentage distribution will take the place of competence for the purposes of promotion. The responsibilities that are commensurate with rank will lead to the placement of individuals in decisionmaking areas who do not have the competence to make these important decisions. The net effect of the report and the directive is a gain for those who insist upon forced integration of the races and a very serious loss to the combat efficiency of the United States.

Mr. Speaker, this ends my lesson. I ask permission to place in the RECORD at this point a statement by the distinguished Representative from Florida [Mr. SIKES].

Mr. RIVERS of South Carolina. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. SIKES] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. SIKES. Mr. Speaker, it will soon be mid-August. Few Congresses have enacted less legislation than this one. At this time of year we should be ready to adjourn. Now, it may not be all to the bad that we have enacted so little legislation. No legislation is better than bad legislation. The civil rights legislation which has been proposed is bad in every sense of the word. And as a result Congress is spinning its wheels instead of accomplishing things that are needed. Much more harm has been done in the name of civil rights through legislation and court orders than can possibly be accomplished for good. Certainly the proposed civil rights measures will not solve the problems between the races. The Russian technique has long been to create problems and then to gain concessions in the solutions of these problems. I am sure some racial demonstrations were promoted in this country to create trouble and to involve the participation of the U.S. Government. They have left bitterness instead of good; chaos instead of solution. Administration force should never be used to bail out those responsible.

Many outstanding lawyers have said the proposed civil rights bills are unconstitutional. I do not think much comfort can be taken from these statements. In my opinion they would be upheld in the U.S. Supreme Court regardless of constitutionality. These bills should not under any circumstances become law. If they are enacted, that part of the Constitution which has been left us by the Supreme Court would largely be destroyed. As I read the bills, they would completely set aside the guarantee of individual rights that are contained in the Constitution.

In recent weeks, a new problem has been tossed in our laps. A report released by the Gesell Committee has in substance recommended that the defense functions of the military forces be subordinated to achieving the goal of complete integration. In a set of findings that are wholly unbelievable, there are recommendations that promotion of officers be based upon the effectiveness they demonstrate in bringing about integration; that military bases be removed from segregated areas; that base commanders be instructed to list as "off limits" to military personnel the business facilities which practice segregation.

Can it be that men sufficiently deserving of recognition to be named by the President of the United States to a committee are so completely blind on the problem of America's defense? Are they so naive that they consider military bases are located to satisfy prejudice or to keep racial problems quiescent or for any reason other than for the defense of the United States?

Military bases are located according to the desirability of training conditions or because of the necessity of locating defenses at strategic locations. The cost alone of relocating bases would run into billions.

Equally without merit are attempts to force integration on off-base business establishments through threats of off-limit designation. Off-limit designations were intended to apply only in those cases where health and moral conditions are considered substandard. Any departure from this precept would, in my opinion, be unlawful. To require that a base commander spend his time chasing will-o'-the-wisp complaints about the business houses of his area would completely destroy his usefulness as a military leader. I respectfully suggest to the Gesell Committee, integration is one thing, defense is another.

To attempt to determine an officer's capability for promotion on the basis of his effectiveness in promoting integration would in like manner destroy that officer's usefulness as a military leader.

No longer would bravery, honor, and ability count. To get ahead in the service, an officer would have to become a snooping, groveling, commissar type, taking particular pains not to offend anyone who might complain he was being discriminated against on the basis of color.

These suggestions are an insult to the intelligence of the people of the United States and a disservice to the administration.

They would limit the effectiveness and lower the morale of the personnel of the Armed Forces.

This is the kind of thing that destroys confidence in the administration and in the American system at a time when Americans need so very much to find a way to stand together. The Gesell committee should have the good grace to resign in a body for having made such a colossal blunder. Failing to do this, they should be fired outright by the administration.

Now, I realize this is not going to happen. I realize it is going to be up to the Congress to attempt to bring order out of this unwarranted and unneeded situation.

In this connection, I am constrained to remind you of the unique and responsible place occupied by Southern leaders in Congress. They are the very same leaders who are making a last-ditch fight to prevent the passage of unconstitutional and unwarranted civil rights legislation, and are in the main, the men who are depended on to bring about the passage of the essential programs of Government. By virtue of competence, influence, and seniority, they are the key men who dominate most of the Nation's legislation. It is to their great credit that these patriotic Members of the highest deliberative body, support the Constitution and help to preserve the Nation's governmental process. If they chose to do so, they could create havoc with the programs in Congress and block much essential legislation.

We have a problem at home serious enough to obscure most happenings abroad. And I fear we are in danger of losing the image of freedom at home which we are seeking to establish for people abroad. Here in America, race has been set against race by glory seekers or vote seekers who are attempting to bring about through riots and unwanted and unneeded legislation what can only be accomplished through voluntary cooperation. In this crisis, which I trust may now be abating, there has been a void of responsible leadership. I hope and I pray that in the days ahead America will not be swayed by hysterical demands for "everything now," and instead that the moral energy of our leaders will be used to require calm and logical consideration of what is right and what is needed. America needs most of all right now a season of understanding and an acceptance of responsibility at all levels.

Mr. DEVINE. Mr. Speaker, before the gentleman yields the floor, he mentioned during his remarks that he could identify each of the persons on this so-called advisory committee. I think it might be well if he would inform the House who these people are and what he knows about them in order that we may evaluate them.

Mr. RIVERS of South Carolina. Since I come from the no man's political land of the United States, I had better not refer to these people and who they are. I will give you their names, and you can look them up, too.

Nathaniel S. Colley comes from California. Abe Fortas. You have heard of Abe Fortas. I think he practices law with Paul Porter. I do not know, but I believe he is around here in Washington. Gerhard A. Gesell is the chairman. Louis J. Hector, Benjamin Muse, John H. Sengstacke. I think he was born in Savannah, Ga., sometime in the past. Whitney M. Young, Jr., and their counsel was Lawrence I. Hughes III. He was committee counsel.

Mr. HÉBERT. Mr. Speaker, will the gentleman yield to me for a point of clarification?

Mr. RIVERS of South Carolina. I would be delighted to yield to the gentleman as much time as he desires.

Mr. HÉBERT. No; I shall ask that later. But I want to clarify this question. While the name of Gerhard A. Gesell is carried as Chairman he was, in fact, a protocol chairman.

Mr. RIVERS of South Carolina. He did not write the report.

Mr. HÉBERT. He did not write the report. The report was written by Nathaniel S. Colley who was a graduate of Tuskegee Institute of Alabama and a graduate of the Yale Law School, and I understand is an official of the NAACP and now resides in California.

Also I think it important for the House to know that the people who did the visiting to the camps in a sort of a fly-by-night way were headed by Mr. Colley. Very little time was spent in the camps in America. Many of these recommendations are the result of information gained from tours in Okinawa and in Japan. But in the ultimate the committee was controlled by the author of this document. In fairness to Mr. Gesell, and I say very unwisely, his name was loaned to it. I do not know what part he had in the committee activities.

Mr. BENNETT of Florida. Mr. Speaker, will the gentleman yield?

Mr. RIVERS of South Carolina. I yield to the distinguished gentleman from Florida.

Mr. BENNETT of Florida. Mr. Speaker, I congratulate the gentleman from South Carolina [Mr. Rivers] and the gentleman from Louisiana [Mr. Waggonner] for bringing this matter to the attention of the House and of the country. Our Military Establishment is for the national defense of our country and not for the purpose of social, political, or philosophical reform. If Secretary McNamara carries out the program of this report now under discussion he will be bringing to our Nation a modern-day inquisition. I understand that the gentleman from Alabama [Mr. Selden] has introduced a resolution for the investigation of this report, its formulation, and its appropriateness. I sincerely hope that the Rules Committee will grant this request and that the matter can be deliberately and properly investigated at the earliest possible moment.

Mr. HAGAN of Georgia. Mr. Speaker, will the gentleman yield?

Mr. RIVERS of South Carolina. I yield to the distinguished gentleman from Georgia.

Mr. HAGAN of Georgia. Mr. Speaker, I, too, want to congratulate the distinguished gentleman from South Carolina and associate myself with the remarks he has made.

It is traditional in America that our Armed Forces remain absolutely free of politics. Our Nation's basic defense depends upon it; this premise is vital to our security.

When our men in uniform are forced to enter politics, when the troops of this country are used for anything but defense, we are getting onto dangerous ground.

Someone in authority in the executive branch of our Government has got to realize that force is not the answer to the racial problem. Economic reprisals will not solve this situation.

Mr. HOEVEN. Mr. Speaker, will the gentleman yield?

Mr. RIVERS of South Carolina. I yield to the distinguished gentleman from Iowa.

Mr. HOEVEN. Mr. Speaker, I want to commend the gentleman from South Carolina for giving us the benefit of his views on this shocking and almost unbelievable report. I would like to ask the gentleman two questions. What can the Committee on Armed Services do about this; and second, what can the House of Representatives do about it?

Mr. RIVERS of South Carolina. I do not know. I know what RIVERS is going to do, as long as one end of my tongue is loose.

Mr. HOEVEN. Can the gentleman answer my questions?

Mr. RIVERS of South Carolina. I cannot answer them.

Mr. WAGGONNER. Mr. Speaker, will the gentleman yield to me?

Mr. RIVERS of South Carolina. I yield to the gentleman.

Mr. WAGGONNER. Would the gentleman object if I attempted to answer the question which has just been propounded to him?

Mr. RIVERS of South Carolina. Positively not. I would be delighted to have some assistance. I always need help.

Mr. WAGGONNER. Mr. Speaker, I think if the gentleman had been following the sequence of events with regard to this report he would have been alerted, some 3 weeks ago at least, to what had been going on, because on July 12 I mailed out a newsletter, which I normally mail to the people residing in my district, on this particular case. Sensing the seriousness of the implications of this Gesell report I mailed not only to the people residing in my district in Louisiana, but to the President, the Secretary of Defense, his secretaries, and the various departments as well as to each Member of the Senate and each Member of the House of Representatives that newsletter pointing out the difficulties and the problems created by the possible implementation of this Gesell report.

Some time later, after its implementation, I mailed a letter back again to all of my colleagues, telling them what I had done and asking them to join with me in bringing pressure to bear on the President and on the Secretary of Defense, asking that this report and its authority be rescinded.

These special orders today are an effort on our part, a sincere effort on our part to create and to gain an understanding by the Members of the House of Representatives and the U.S. Senate, of the report, so that we might solidify our position and bring that pressure to bear by saying to the President and the Secretary of Defense that we will have no part of your using the military in this fashion. And if this House of Representatives so desires it can do exactly that.

Mr. HOEVEN. I would very much like to have a reply to my two questions. Is there anyone present from the committee? I do not see the chairman of the Armed Services Committee present. Certainly someone from the Armed Services Committee can speak for the committee. What do they intend to do about it? I think the Members of the House of Representatives are enough interested that they want to do something about it, and we are looking for guidance.

Mr. RIVERS of South Carolina. I do not know anybody that could do something about an Executive order. I would like very much to do something about it. I would like to see it put to a secret vote.

Mr. WYMAN. Mr. Speaker, will the gentleman yield?

Mr. RIVERS of South Carolina. I yield to the gentleman from New Hampshire.

Mr. WYMAN. I am sure the gentleman is familiar with the principle of the separation of powers. This is not the first instance of Executive orders that have transgressed the proper legislative functions and prerogatives of the Congress. I remember that the Federal Housing Administrator, Mr. Weaver, in 1962, put an order into effect in connection with the Housing and Home Finance Agency. By the terms of this order federally financed assistance would be denied to citizens who bought or sold in violation of antidiscrimination regulations. This was done by the Executive deliberately, although it was well known that Congress had several times refused to so legislate. The Congress can rescind this Executive order by legislation right now. We ought to do this because while it is patently a violation of the constitutional enjoinder that legislation is for Congress, for the military to legislate in this fashion, I fear it will be a long day in Siberia before the U.S. Supreme Court as presently constituted so decrees. Furthermore, the damage will be largely done before an appeal would reach the High Court.

Mr. RIVERS of South Carolina. Nobody ever took a military man and put him in a community and told him to put a decal or a placard up and say, "If you don't subscribe to this, you are off limits." This has never happened in America since Washington knelt at Valley Forge.

Mr. WYMAN. The gentleman from South Carolina just told the gentleman from Illinois [Mr. ARENDS] that the Secretary of Defense thought it was his prime responsibility to have a military establishment that would operate effectively. The gentleman from South Carolina also said it was his opinion that this report, if implemented, would undermine and destroy the Military Establishment. Did the Secretary take that position?

Mr. RIVERS of South Carolina. The Secretary said his primary responsibility was combat effectiveness.

Mr. WYMAN. Is it not the contention of the gentleman that this report if implemented would destroy that combat effectiveness?

Mr. RIVERS of South Carolina. So fast it would make your head swim.

Mr. WYMAN. I would like to say I agree with the gentleman. I would say, further, that for the life of me I cannot understand what appears to be a deliberate and intentional scuttling of morale and efficiency in the Armed Forces in this way. It is clear from Mr. McNamara's letter to the President, announcing this policy, that he is doing so on orders from the White House. Is it possible the President has such a stranglehold on his Cabinet that political considerations even in the armed services are now permitted to outweigh the defense and security of the United States? If this is the case, the American people should know it now—and the Congress should act to rescind this order.

Mr. FLYNT. Mr. Speaker, will the gentleman yield?

Mr. RIVERS of South Carolina. I yield to the gentleman from Georgia.

Mr. FLYNT. I would like to associate myself with the remarks of the gentleman from South Carolina [Mr. RIVERS], and to congratulate and commend him for bringing this report to the attention of the House of Representatives as he has so ably done today.

I think it would be appropriate for the RECORD to reflect at this point that present on the House floor today is as large a number of Members of this body as has been present at a special order in at least quite some time. I think that the presence of this large number of Members of the House of Representatives here today indicates the concern that the Members of the House have in connection with what the gentleman from South Carolina has been discussing. I think it also reflects the interest that the Members of this body have in expressing alarm and grave concern over the recommendations which are contained in this report.

Mr. Speaker, I would like to say that in my judgment if the recommendations contained in this report are implemented it would mean that the primary purpose for which the Department of Defense, the Army, the Navy, the Air Force, the Marine Corps, and the Coast Guard are created and are in existence in this country today, would be subverted into making the entire Department of Defense a political entity whose primary purpose would cease to be maintaining the national security of the United States but would become secondary to implementing the political philosophy that is expressed in this report.

Mr. Speaker, may God forbid that the Defense Establishment and the Department of Defense of the United States of America will ever be swerved or turned from its primary purpose of defending the United States of America, its territories, and its people, and be used as dictators in other lands have used the armed forces of those countries, to destroy the rights of all the people of the country that it is supposed to protect.

The recommendation contained in this report would seem to have come more from a totalitarian group such as existed in Germany between 1933 and 1945 under the Government headed by one, Hitler, the head of the Nazi party, and contemporaneously the head of the German Government.

It would appear more likely to have come from a Communist totalitarian government whereby the Armed Forces of the Nation might be used to destroy rather than to protect individuals and citizens and the rights and liberties of its citizens.

Mr. Speaker, I repeat, may God forbid any implementation of this report which the gentleman from South Carolina has so ably brought to the attention of the House.

Mr. RIVERS of South Carolina. I thank my distinguished colleague, the gentleman from Georgia.

Mr. PASSMAN. Mr. Speaker, will the gentleman yield?

Mr. RIVERS of South Carolina. I yield to the distinguished gentleman from Louisiana.

Mr. PASSMAN. Mr. Speaker, I want to associate myself with the views expressed by this great and patriotic American, the gentleman from South Carolina. He has today, as is his custom, stated his position frankly, clearly, and courageously.

Mr. Speaker, in supporting the stand taken by my distinguished friend, let me say that no matter the source of the motivation for the Executive directive authorizing the Military Establishment to engage in economic strangulation of American free enterprise in certain areas of the United States—by designating as "off limits" to servicemen certain establishments and even entire communities in which privately owned businesses see fit, fully within their legal and other rights, to exercise their own discretion as to whom they will accept as guests and serve as customers—the logical place for this dangerously absurd plan to be consigned is to the Pentagon's incinerators.

It is highly unlikely that Secretary McNamara, personally, was the author of this hardly believable brainstorm. And it is rather certain that the Joint Chiefs of Staff had nothing to do with the formulation of this incredible policy for making the Army, Navy, Air Force, and Marine Corps—the guardians of our safety, the defenders of our security—instruments for forcing domestic social action to conform to politicians' whims.

It is obvious, of course, that the so-called Gesell report—which, as I interpret its recommendations, would virtually transform our armed services into forces for sociological and political pressure here at home—is the foundation on which the "off limits" directive was based. And it is a rather accurate assumption, I believe, that the Office of the Attorney General of the United States, and most likely Mr. Robert Kennedy himself, directly triggered this amazing action. If that assumption is indeed a fact, it is a tragic state of affairs of our country—that the formulation of the purposes and the direction of the missions of the Military Establishment would be coming from the Justice Department, and not from the Department of Defense.

Mr. Speaker, this is, unquestionably, an extremely dangerous policy. And the authority of this particular directive, if it should ever be implemented, would be entirely foreign to the military function and the American system. This matter, along with the other phases of the Gesell report, is an attempt, in varying degrees of unwarranted encroachment, to prostitute our Armed Forces, to make them subservient to the uses of those who would, by fiat, force upon people compliance with their personal views on the issues and in the problems of so-called civil rights. This is, Mr. Speaker, a radical attempt to take over our Defense Establishment; and, in the national interest, it must not be allowed to proceed. Upon sober reflection the Secretary of Defense must surely recognize that it is his duty to rescind this unjustified and unjustifiable order and, then, promptly to act accordingly.

Mr. HUDDLESTON. Mr. Speaker, will the gentleman yield?

Mr. RIVERS of South Carolina. I yield to the distinguished gentleman from Alabama.

Mr. HUDDLESTON. Mr. Speaker, I want to congratulate the gentleman from South Carolina for the courage, vision, and foresight that he is showing here this afternoon in bringing to the attention of the House of Representatives this very serious threat that is presented by the so-called Gesell report. We in America have over the past 180 years been witnessing a great experiment—an experiment in democracy. Over the centuries we have seen similar types of experiments fail in other parts of the world as efforts have been made to assure that the people have a voice in their government and that their government be not run by executive fiat or by dictation from authority concentrated in a single source. One of the greatest safeguards in our system, and one of the reasons it has survived—one of the major reasons it has continued to exist is the fact that we have assiduously and jealously maintained a separation between the civilian aspects of our Government and the military aspects. We have over the years indoctrinated in our military forces and in the leaders of our military forces the principle that they must not become involved in the political aspects of American life.

It seems to me, the greatest threat that is presented today by this Gesell report and any proposed implementation of that report is the intention and the effort that is being made through that report to bring our military leaders and our military forces into the political arena. If this is allowed to continue, and unless this great body, the Congress, rises and makes known its desires, then this system of ours, the American system of Government, is not going to continue. Fail to act now against this report and we make a major contribution to the death of the democracy that we love so dearly.

Mr. Speaker, again I thank the gentleman from South Carolina for the great contribution that he is making here today.

Mr. RIVERS of South Carolina. I thank the gentleman.

Mr. LENNON. Mr. Speaker, will the gentleman yield?

Mr. RIVERS of South Carolina. I yield to the distinguished gentleman.

Mr. LENNON. Mr. Speaker, at least there are some of us here in this Chamber today who believe that we have reached a rather tragic point in our national history when we feel the necessity of asking for the time to express our opinions, collectively and individually, as to what is about to happen to those responsible for our military posture.

Mr. Speaker, I want to personally commend the gentleman from South Carolina [Mr. Rivers], as the ranking majority member on the House Armed Services Committee, and the gentleman from Louisiana [Mr. Hébert], as well as some of the other gentlemen who have spoken, for the initiative demonstrated in bringing this matter to the attention of the Members of the House. I wonder, Mr. Speaker, what motivated the President's request early in June to call for this study which produced the so-called Gesell report. It is the first so-called significant, if you want to define it as that, study that has been made now in some 16 years of the alleged problem of our armed forces at our respective military installations in the country.

Mr. Speaker, I have the great honor and I believe the great distinction of having in my congressional district perhaps the largest military installation in the land. It is the home of the airborne service and the home of the Strategic Army Corps, consisting of some 100,000 personnel, with their dependents and with the civilian personnel.

Mr. Speaker, Fort Bragg was built in 1918. It has been the right arm of the Army for that many years. Over those years the commanders at that base and all of the personnel and their dependents have enjoyed the finest spirit of cooperation and understanding with the people of the community of the city of Federal, N.C.

I have grave fear, Mr. Speaker, that if this report is implemented to the extent and as aggressively as I understand it is to be done, then I can see nothing but dissension, strife, and misunderstanding. I trust that the Members of this House will have an opportunity to read this report. It goes further than anything I have ever known to happen in our Armed Forces. It suggests the social attitudes, if you please, Mr. Speaker, on the part of the young ladies who are invited to participate in the social affairs at the various bases. It even, Mr. Speaker, goes further than that, when the commander of the base is told in no uncertain terms that his promotion, his opportunity for advancement, will be oriented or attuned to his initiative and ability to initiate and effectively carry out the suggestions of this report. It goes, Mr. Speaker, further than that, when you go into a community and put the swastika, if you will, the decal, in the window by the military, if you please, and say by that decal or that placard in the window, "You do not cross these doors, you are off limits."

Now, Mr. Speaker, why have the civil rights bill? I believe, Mr. Speaker, there may be segregationists in the membership of this great House, and there are moderates, but there are few if any races of which we cannot be proud. However, I think, sir, that the implementation of this order will cause the hearts and minds of a lot of people in the Southland to be hardened by just such an action as projected by this report.

I say to you, Mr. Speaker, why consider the six- or seven-pronged civil rights bill? Why consider the public accommodations section, if by an Executive order the President of the United

States can outlaw alleged discrimination or segregation in those areas of public accommodations?

I am reminded, Mr. Speaker, of Executive Order No. 11114 that was handed down by the Executive on June 22 at about 2 o'clock of that date this year after a conference with the Negro leaders of this country, in which that Executive order of the President of the United States did exactly what is proposed to be done by titles 6 and 7 of the so-called Civil Rights Act. If you do not believe that is so look in the Federal Register of June 25 and you will find Executive Order No. 11114 which was promulgated on the Saturday preceding that. Read the language of that, then read sections 6 and 7 of the so-called Civil Rights Act.

Mr. HÉBERT. Mr. Speaker, will the gentleman yield?

Mr. LENNON. I yield to the gentleman from Louisiana.

Mr. HÉBERT. I wonder if the gentleman realizes the language of that Executive order makes it mandatory upon the elected officials of a State receiving Federal funds to enforce the so-called nondiscriminatory clause?

Mr. LENNON. Yes.

Mr. HÉBERT. I am sure the gentleman realizes that this is another implementation of the Public Accommodations Act. Again, keeping in mind what has been done, we have the spectacle of brothers, our own friends, our own neighbors, serving their country in the National Guard, serving under the orders of their Executive, their Commander-in-Chief, the Governor, in enforcing the orders of a State one day and by the flip of a pen under federalization serving under orders from the other side, serving on one side one day and on the other the next day. I am sure the gentleman realizes that makes the Governor of a State or any elected official become the Department of Justice enforcer in that particular State, contrary to his will, contrary to his ideas, in substance saying "If you want it you have to pay for it." Prostitution in Government, I call it.

Mr. LENNON. I thank the gentleman for his observation.

If you will read the implementation of that Executive order I referred to, which I believe is found in the Federal Register of July 23, that exact language appears.

I shall not take any more of the gentleman's time except to express the hope again that those of you who believe in the military power of this country, and who want to keep it that way, should read this report, then express your opinion.

Mr. RIVERS of South Carolina. I thank the gentleman.

Mr. YOUNGER. Mr. Speaker, will the gentleman yield?

Mr. RIVERS of South Carolina. I yield to the gentleman from California.

Mr. YOUNGER. In July I read in Mr. DeCourcy's weekly review, which comes out of London, an item that disturbs me very much. But I could not see how it would be possible. I want to read to you what he related as to an individual who was talking with Mr. Khrushchev, one who related this as having been told to Mr. Khrushchev. This individual made the suggestion to Mr. Khrushchev that Russia should be less impressed by America, that there were a sufficient number of key men who were now placed in America to stop President Kennedy from any drastic moves. It was not more than a week to 10 days later when Mr. Khrushchev then changed and said he was willing to accept the treaty for a test ban. I have no authenticity or background for this statement other than Mr. DeCourcy's review, but the more I see of the directives coming out and the more I see of what is going on in Washington, and when I think of Cuba and what is happening within 90 miles of our shore, I am not so sure but what Mr. DeCourcy's statement was a warning to us.

Mr. HALL. Mr. Speaker, I ask unanimous consent to revise and extend my remarks following those of Mr. RIVERS of South Carolina?

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, in the recent past, civil confusion in key cities has served as an excuse for our Chief Executive to order Federal troops into a given State in order to implement Federal court orders. Although there have been spokesmen who raised questions regarding the constitutionality of military enforcement of court orders without State requests, most Americans, because of the critical issue involved—civil rights—were reluctant to criticize this action at the risk of being branded as "segregationists."

Today, our Nation is confronted with a different and, in my opinion, much more serious action by the Federal Government. Again the issue involved is packed with emotion and tends to obscure a basic question. On July 26, 1963, Secretary of Defense Robert McNamara issued a directive to all branches of the Armed Forces which was designed to implement the recommendations of President Kennedy's Committee on Equal Opportunity in the Armed Forces. Examination of this report and the ensuing directive is shocking. The recommendations made in the report and in the directive indicate a narrowness of vision which, in seeing only the civil rights issue, has blinded itself to the question of whether it is proper to use the Armed Forces to enforce a moral or social, rather than a legal, issue in the civilian sector.

After citing instances of discrimination in communities adjacent to Armed Forces installations, the President's Committee asserted that a base "commander's performance must be rated, monitored, and supported" on how effectively he pressures nearby communities into acquiescence with the President's political position on questions involving integration. Is this government by law, or man?

The report goes on to state:

> It should be made clear that officers showing initiative in achievement in this area (elimination of discrimination) will enhance their performance ratings and obtain favorable consideration for promotion and career advancement.

The directive seeks to implement this in a direct manner. It states:

> Every military commander has the responsibility to oppose discriminatory practice, * * * not only in areas under his immediate (and legal) control, but also in nearby communities.

The important question raised by this directive is twofold: The commander is subjected to judgment and appraisal on political issues, and by requiring the base commander to implement moral and social values in an area outside of his specific realm of action, the Defense Department has, in effect, demanded that he lead a crusade which may conflict with his own beliefs, and outside his legal area.

Even more important, is the fact that military commanders are told to enforce a political position which has no legal basis. There is no law at this time which requires that all public accommodations be open to all persons regardless of race, creed, or color. In fact, the Congress is now considering adoption of such legislation. If it were already the law of the land, what would be the need for submitting such legislation to the Congress? Why indeed, if it can be done by civilian order or Executive decree?

Military commanders thus are being ordered to assist in carrying out a law which has not yet been adopted. Or to put it another way, they are being ordered to take action which could be the basis for a lawsuit, against them personally, for issuing orders which result in damages and loss of business. Technically, the commander who issues an off limits directive is responsible for his orders, and he, not President Kennedy, is the one who might be required to pay damages in the event of a court suit.

Aside from this question of personal liability, the directive of the Defense Department severely threatens the role of State and local authorities in dealing with problems at the local level. This is serious for many reasons, not the least of which is the fact that many local communities are now negotiating solutions to these very difficult and emotional problems. One has to look only to Atlanta and Memphis to see leaders of both races cooperating to solve problems in a reasonable manner.

The report states:

> The pattern the community chooses to follow as to its own civilians cannot be accepted as the pattern which must be imposed upon men in uniform or their dependents, when that pattern is detrimental to military morale and efficiency.

Must we now forsake due process of law and traditional separation of the military and civilian authority?

The report looks critically upon the use of the courts as a method of correcting abuses in the field of civil rights. The committee almost contemptuously reports that "even in cases in which such litigation offers some hope of eventual success, it is piecemeal and time-consuming at best," seeming to suggest that a quicker and more efficient way of dispensing justice can be found. Is the Federal Government actually encouraging "vigilante" operations in reverse? Such a method was suggested by the committee, and provision has been made in the Defense Department directive for its implementation. The committee recommends and the directive provides for what is more commonly known as extortion. The report states that "the commander should develop a plan under which military personnel of all races would be permitted to patronize only those facilities which receive his express approval."

The report seemingly admits that such judgment by the base commander is but a foot in the door of controlling the economic life of the community. It says:

> One of the requirements for such approval should be a guarantee from the proprietor that the establishment will be open to all servicemen.

Aside from the question of the legal rights of the individual business concern, what about the legal rights of the individual soldier to patronize any firm he desires? Certainly the individual soldier, if he so desires, has the right not to patronize any business firm if its policies regarding integration, segregation or any other issue, do not confirm to his own. But must he acquiesce to the decision of someone else? Does any commander have the legal right to tell soldiers, even on his own command, whom they may or may not patronize so long as his health and safety are not involved? If he can issue such an order today, can he not issue one tomorrow which says that he must buy his groceries at the commissary, and is forbidden to shop at the local supermarket; or he must buy his gasoline on the base and is forbidden to purchase gasoline at a service station outside the base?

Do we now hold the philosophy that the end justifies the means?

Mr. Speaker I submit that the actions of the Defense Department are indefensible and should be serious concern to all Americans, whether Negro or white.

Lest my own position on civil rights be made an issue in these remarks, I would remind my colleagues that on a key vote yesterday, I supported an amendment to the Vocational Education Act which would have guaranteed civil rights to all those who participate in this program. I note that many on the other side of the aisle who speak so vociferously on this subject opposed this amendment. Their actions speak so loud that I cannot hear what they say.

I hope this administration, while seeking, belatedly, to meet the civil rights problem, will not abandon concepts of due process which have been part of our history and tradition since this Nation was founded.

Mr. HÉBERT. Mr. Speaker, will the gentleman yield?

Mr. RIVERS of South Carolina. I yield the gentleman all the time he wants.

Mr. HÉBERT. Mr. Speaker, I first want to congratulate my distinguished colleague, the gentleman from South Carolina [Mr. RIVERS], for bringing this matter to the attention of the House. I also want to congratulate my distinguished colleague, the gentleman from Louisiana [Mr. WAGGONNER], who was the first Member of this House to become awakened to the viciousness of this report. He has detailed to you some very interesting things today which I think will bear comment. In addition to what he has told you about mailing to each Member of this House his evaluation of this report, he also mailed to every daily newspaper in the United States, every major wire service in the United States, every major broadcasting company in the United States his observations on this matter. It was not until the New Orleans States Item and the New Orleans Times Picayune, at my request, brought this matter to the attention of the public that I became knowledgeable of any reference to it being made in our news media. Even as of this moment when the Secretary of Defense issued his directive and sent his memorandum to the President, the news media have yet to mention what is contained in the report. They tell you that the order was issued; they tell you the Secretary of Defense sent a memorandum to the President; they give you a biography and a eulogy of Mr. Fitts, who is to become the chief commissar under these orders, but I have not seen discussed any place the contents of this report except that by Mr. David Lawrence, the articulate columnist of recent days, referred to the debate which took place in the other body and which was indulged in by the distinguished Senator from Mississippi and the distinguished Senator from Arizona. Let me say this in that connection: The distinguished Senator from Arizona made the statement on the floor of the other body that the Defense Department had in its possession the income tax returns of individuals. A denial was quickly and heatedly issued from the Pentagon. Let me suggest now that I make this unequivocable statement here, that the Defense Department has in its possession right now dossiers, little black books, if you please, on leading citizens of the State of Mississippi, and I challenge them to deny it, because if they do, I will release the names and what has been said about them. I further say to you that the Defense Department has in its files economic reports on military bases in segregated areas and communities.

I further say this: That as to any statement I make here today, the same challenge goes to the Department of Defense. I do not make statements if I do not know what I am talking about and if I am not ready to document them. So if they want to challenge any statement I utter here today, let them challenge it, and I will confront them with the facts. There is no deadline on this challenge and I suggest that failure to accept this challenge and failure to call my hand indicates the authenticity of my remarks and charges.

I think it has come to a pretty sad state of affairs when we are on the brink or on the eve in America of waiting for the knock on the door after midnight. That is the next step. I say to you, gentlemen, that I speak with authority and knowledge because I have lived under dictatorship; I have lived under the only American dictatorship known in history—I come from Louisiana, and I know what sanctions are, political sanctions; I know what threats are; I know that the policy of believing every man has his price, be it for good or evil, is very effective.

I said this was governmental prostitution, and that is exactly what I mean. I do not subscribe to the philosophy of selling my political body for Federal money or largesse. Until the day comes when the American public and the governments of our several States realize that this is nothing more nor less than a political soul for sale in order to get temporary grants of money—well, I have some words of Mr. McNamara that I am criticizing and so I will not go beyond that; but I am sure you get the comparison.

As you well know I am not given to reading speeches. Unfortunately, there are several quotes which I want to make and I want to be very accurate. For that reason I will ask you to indulge me while I read in order that I may be most accurate, because I have a fetish for accuracy. And I hope it will not take away from the full meaning of these words, my inadequate and limited way of reading them.

Mr. Speaker, operating a bawdy house and practicing segregation apparently are both vices that can bring about the off-limits sanction, according to the Secretary of Defense. A respectable business is compared to a bawdy house, or bistro, or other kinds of houses.

On July 24, 1963, in a memorandum to the President of the United States the Secretary of Defense, Mr. McNamara said—and I quote him, and I urge you to weigh well his words, or the words for which he is responsible.

> Certainly the damage to military effectiveness from off-base discrimination is not less than that caused by off-base vice as to which the off-limits sanction is quite customary.

There can be no mistake as to the meaning or the implication of those words. The Secretary went on to say that while he hoped such a sanction would never be put into effect, nevertheless such a sanction against segregation must be available.

Let me say this. If I could only disassociate myself from the issue of segregation or integration I would be happy, but unfortunately I was born in a State which can never disassociate any statements I make from that emotional issue. I am asking you to take my own word that I am not as concerned about integration and segregation as I am concerned about the paramount principle involved in what we are talking about today. Forget segregation, forget integration. It is the principle of using the military might and power of this country to enforce a political philosophy of an administration that is in power at the moment.

I say to you, look back several years ago; and again I say let us disassociate ourselves from integration or politics or the right or the left, and talk about individuals. I take the case of General Ted Walker. If General Walker did what he was accused of doing, he was wrong.

He should not have done it. He had no right to do it if he did these things, to urge his own political philosophy upon his troops. It cost him his military career.

What General Walker was cited for is being ordered to be done by this Executive order upon all military base commanders. It makes little difference whether you are to the right or left, a conservative or a liberal, it is just as wrong on one side as on the other.

I say this in an effort to draw the point of principle that I am talking about. These are the things we should concern ourselves about lest we lose the very Government we are trying to defend. Do not say it cannot happen here. Wake up. It is happening here. The battle for civil rights has thus reached a point where the power of the Armed Forces of the United States may be used against every person, no matter where situated, who adheres to the social structure which was a part of his heritage.

There was a time, not long ago, when the Secretary of Defense told me, and as the gentleman from South Carolina [Mr. RIVERS] has referred to, he told the gentleman from South Carolina [Mr. RIVERS], the gentleman from Mississippi [Mr. WINSTEAD], the gentleman from Florida [Mr. SIKES], and the gentleman from Georgia [Mr. VINSON], that he had one function and one function only; namely, to be ready to fight the Nation's battles. But now the armed services will be used to bring about a change in our social environment with the threat of sanctions, intimidation, and even with the threat—hear me well; it is in the report—even with the threat of closing down military bases in segregated areas of this country. If you do not believe in segregation, you are not worth saving.

This report has now been implemented by the Secretary of Defense, as you know, the same Secretary of Defense who said his mission was to keep the combat readiness of the military at its highest peak.

The report says:

> Should all other efforts fail, the services must consider a curtailment or termination of activities at certain military installations near communities where discrimination is particularly prevalent.

The Secretary of Defense did not reject this proposal. Instead, he said this in a letter to the President. These are again his words or the words for which he is responsible:

> I do not regard this as a feasible action at this time.

At this time? 24 hours, 48 hours, 72 hours, a week, a month, a year. I may regard it as feasible. The time will come then that the bases will be closed.

Mr. WAGGONNER. Mr. Speaker, will the gentleman yield?

Mr. HÉBERT. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. The gentleman just made reference to the fact that some of these actions, some of these words, might not be those of the Secretary of Defense himself, but that other speakers might be speaking for him and putting papers in front of him to sign. Is that what the gentleman believes is going on in the Department of Defense?

Mr. HEBERT. I will develop that to a great extent in just a few seconds.

I repeat, I participated in that discussion with the Secretary of Defense just a few days ago and at that conference which was held on Friday before this order was issued, I was certainly led to believe, and I am sure other members of the conference were led to believe, that such action would never be considered feasible by the Secretary.

It is apparent that what the Secretary says privately and what he says publicly are two different things. Now let him deny that.

Adam Yarmolinsky—remember that name, the special assistant to the Secretary of Defense, is the author of the new directive issued by the Secretary of Defense although the order is signed by the Secretary of Defense. I make that statement with no qualifications. Do not let anybody ask me to prove it, if they do not want to have a red face afterward.

Mr. Yarmolinsky has one objective in mind—with an almost sataniclike zeal—the forced integration of every facet of the American way of life, using the full power of the Department of Defense to bring about this change.

Mr. McNamara, understandably so—admirably so—accepts the responsibility for the directive but he cannot deny the fact that Mr. Yarmolinsky is the author, although Mr. McNamara did not go so far as Mr. Yarmolinsky would have liked.

The words are Mr. Yarmolinsky's, the signature is Mr. McNamara's.

Now, under the new director, a new policy for the Armed Forces has been established. All members of the Department of Defense are enjoined to oppose segregation practices on every occasion and they are directed to foster equal opportunity for servicemen and their families on and off base.

> Equal opportunities on and off base.

Now I presume this includes all forms of recreation, social activity.

How far this directive would go remains to be seen.

An officer or an enlisted man who has any desire to achieve a higher grade or rank would certainly be well advised to adhere to the directive that is now in effect. And if he does not, the directive goes further and says:

> The military departments shall institute in each service a system for regularly reporting, monitoring, and measuring progress in achieving equal opportunity on and off base.

Now if servicemen and their dependents refuse to use a swimming pool that is integrated, they are obviously violating the new directive.

If they sat in a restaurant that refused admission to persons because of race, color or creed, they may be stopped by a military policeman on their return visit, when they may find the restaurant has been declared off limits.

If they belong to a golf club that discriminates against persons because of race, creed or color, they are undoubtedly in violation of the directive because they are not fostering equal opportunity for servicemen and their families on and off base.

Men and women of our armed services and their dependents will no longer be given the freedom of choice as to how they will spend their off-duty time.

They no longer have the privilege of selecting their own friends.

Their lives will be regulated by a directive which will force them to integrate—or else.

There are no adequate words to describe the viciousness of this directive. Not only is it contrary to every concept that has kept our Armed Forces from participation in civilian affairs, but active participation in reshaping our social order in other parts of the United States is now directed.

The only thing the directive does not specifically contain is a requirement on the part of all commanders to instruct all persons in their command on how to vote. And yet, an ambitious commander might well interpret this directive as a mandate to participate in political activities, for it says:

> Every military commander has the responsibility to oppose discriminatory practices affecting his men and their dependents and to foster equal opportunity for them, not only in areas under his immediate control, but also in nearby communities where they may live and gather in off-duty hours.

If a candidate for political office is opposed to integration, and the base commander has the responsibility to oppose discriminatory practices, obviously he also has the responsibility to oppose those who support segregation.

The effects of this directive, signed by the Secretary of Defense, will be as far reaching as any in the history of this Nation. For the first time, the Armed Forces are to be directly involved in local affairs. They are not only urged to remove discriminatory practices, but are required to actively oppose them.

There is not one word in the directive concerning the harmful effects upon the military effectiveness of the Nation as a result of the new directive. Men and women of our Armed Forces, 90 percent of whom are Caucasian, will henceforth be banned from utilizing segregated facilities, even though many members of our Armed Forces have been brought up in an environment in which separate but equal facilities are maintained for colored and white.

Henceforth under this directive, participation in off-base activities that are segregated may threaten their careers.

And a new gestapo has already been established in the Office of the Assistant Secretary of Defense for Manpower, known as the Office of the Deputy Secretary of Defense to whom I referred a few minutes ago.

While the directive does not state that the career of every base commander may depend upon the manner in which he faithfully pursues the objectives of the directive, there can be little doubt that a base commander who does not take immediate steps to force social integration upon his entire command, has shortened his career in the Armed Forces. And there is no reason to believe that this policy will not go to every grade and rank on the base. This is the result of it.

Mr. Speaker, this directive I submit and suggest to the Members of this body is an insult to every man, woman and child in this country. I suggest to you that it openly invites mob violence, though that seems to be the pattern of the day, with the approbation and God's blessings of some people.

Mr. Speaker, it is an insult to every member of the Armed Forces who felt that until now he belonged to an organization that existed for the sole purpose of providing for the security of the Nation. Instead, he now finds that he has become the political tool of a President, an Attorney General, or a Secretary of Defense, or whomever may be in that power.

Mr. Speaker, the Members of the House have indulged me long and I appreciate it. I am most grateful for your attention. There will be others who will discuss other matters here. But I have such a deep feeling and a deep sense of conviction about this that I just had to bring this to your attention. I had to alert you to it. At the proper time the gentleman from South Carolina [Mr. Rivers] I am sure, in following the rules of the House, will obtain permission to include the full text of this Gesell report in this discussion so that all Members may be able to read it. Because, I assure you, that you do not get the full impact of the feeling of nausea until you have read the words and seen them in black and white. This is a time when your blood does boil, when you find yourself asking the question as you read page after page and understand word after word, is this my country? Is this the country that I was born into? Is this a democratic process where we have ceased to become a government of law instead of men, but have become a government of men capricious for political power and political gain.

Mr. Speaker, I may be the last standing but I will be standing until the bitter end and I know I will not be standing alone.

Mr. GRANT. Mr. Speaker, will the gentleman yield?

Mr. HÉBERT. Yes, I yield to the gentleman from Alabama.

Mr. GRANT. I was prepared a few minutes ago to ask the gentleman where this thing came from. I thought, probably, it was from Sweden. But I notice that he stated it was written by a Tuskegee Institute graduate down in my State, but that he had been elsewhere to school since he finished at Tuskegee.

I want to say this, however. I doubt that he got these ideas down there.

Mr. Speaker, the gentleman refers to segregation and integration but to get away from that I want to refer to page 59 of this report on equality of treatment and opportunity in the armed services where it is said:

> It is not surprising, therefore, that the base commander without instructions, experience or technical support keeps in mind his emphasis solidly on the military aspect of his base.

The gentleman is a member of the Committee on Armed Services. I would like to ask him what other interests should a commander keep in mind?

Mr. HÉBERT. The responsibility and the duty of the commander is to sustain the morale and effectiveness of his troops in every way, and with good community relations, not to disrupt community relations. His responsibility ends at the gate of the post. However, in this report, if you will read it, it says the base commander shall be informed as to his primary responsiblity with local problems.

Mr. GRANT. Someone said a few minutes ago, I believe the gentleman from Georgia [Mr. Flynt] stated that this is one of the largest crowds he had ever seen on the floor at a special order. I want to say if some of you had read this thing like I did—I got up about 5 o'clock this morning to read it—I believe every Member of the House would be here. This is something that transcends anything we have had to deal with in recent months, and I do not believe this Congress is going to let the Defense Department get away with such a thing.

I thank the gentleman.

Mr. Speaker, I do not see how anyone who is vitally interested in the defense of our Nation can sanction or approve the initial report of the President's Committee on Equal Opportunities in the Armed Forces. This so-called equal opportunity is a high-sounding phrase; however, a glance at the Gesell report will convince one that this is another treatise similar to the Gunnar Mydral study.

The introduction to the Gesell report calls attention to the Executive order issued by President Truman in July of 1948, which order declared it to be the policy of the President that there should be equality of treatment and opportunity to all persons in the armed services, without regard to race, color, religion, or national origin. However, the report is silent as to what the press stated in reference to Mr. Truman's statement some months ago in which he is quoted as saying:

> If anyone came into my store and tried to stop business, I would throw him out. The Negro should behave himself and show he is a good citizen. Commonsense and good will can solve this whole thing.

I am not talking about integration in the various defense establishments.

This is a fixed policy. What I am concerned with at the present time is the recommendation in this report that the Government declare an economic boycott upon the people of a given community and, may I say, who are trying to make a decent living—both white and colored.

Let us, for example, take the city of Montgomery, Ala. Here we have Maxwell Field, established many years ago, and the Air University. There has always been a wonderful cooperative spirit between the personnel of these establishments and the general public. Do you mean to tell me that just because a Negro airman is not served in a local business place, a white airman is to be deprived the privilege of entering a business where Negroes are not served? In other words, a club is being held over the heads of local business people with the threat of declaring their premises off limits unless they agree to violate the laws and customs of their city and State. This is preposterous; it is undemocratic; yes, it is un-American. What are we supposed to be fighting? Why are we spending billions—yes, hundreds of billions—of dollars? There is only one answer, and you know that it is to fight communism. Yet on the other hand, you would—by carrying out the recommendations of this Committee—be doing something that even Hitler never dared to do in his heyday.

Much is being said these days about so-called civil rights. Does this mean that a person in service surrenders all civil rights when he enters service? Read this report and read it carefully. Do you see anything in here to protect the rights of a white serviceman? I anticipate if such a ruling is carried out by the armed services, this matter will be carried to the Supreme Court and also to the last military court of appeal. Congress had better stop, look, and listen. It has about come to the point where an officer in the armed services dare not say anything about communism to the men under his command. Some have been reprimanded for just this. Yet they are now—if this report is carried out—designated as emissaries to carry out every phase of civil rights, even to the public in towns where military installations are established.

I am not arguing as to the right of the military command to place a section or entire city off limits where it is crime ridden, or for any other serious matter, but I do vehemently denounce this threat that would have the military assume any such dictatorial power over a given community.

Negroes enjoy serving at Maxwell Field. They are well treated in Montgomery. This report is an insult to the many good white and Negro citizens of Montgomery who have nice places of business. Yes; it is all right for the merchants and business people to be threatened and placed off limits, just so you do not say anything derogatory about communism. It is high time that Congress reassert itself, not only in this particular instance, but in many others. We have a duty and responsibility that far exceeds the mere voting of appropriations for the military. Do we want to create a military dictatorship? If so, we could be on the road to doing so.

Let us take a hard look at this report. It sets out that a procedure must be developed which will eliminate the fear of criticism and reprisal. Is only a Negro to be given this protection? Furthermore, an officer is to be designated at each base to receive complaints; this officer must have full access to the base commander or his deputy for the immediate purpose of discussion of any Negro's problem. In addition, this officer is to be chosen as one who will insure that he is sensitive to problems of discrimination, which will all be handled confidentially. In addition thereto—to keep this matter stirred up—it is suggested that all base personnel be repeatedy advised of the identity of the complaint officer. And listen to this: Anyone who forbids or in any way attempts to discourage the presentation of a complaint is subject to disciplinary action. It is also provided that day-to-day efforts will be made to discover examples of discrimination and to insure that none are overlooked, that there will be periodic field visits from personnel of the Department of Defense who will give full time to the problem.

The report calls attention to the fact that at some bases forms of segregation are practiced and especially where there is more than one NCO or service club on the base in that the whites tend to go to one club and Negroes to the other. It recommends that where there are too few or no Negro girls on the base that they should be secured for the dances and the happy solution to the problem sets out that one of the most successful service clubs is at an Army base in the South operated by a very able Negro hostess who attracts local volunteer workers and servicemen of both races.

No one can help but be sympathetic toward any race that wishes to obtain proper housing; however, the recent Secretary of Defense's memorandum now providing that private housing leased by the services for assignment to military personnel may be obtained only where the lessor agrees that the services may assign it without discrimination, should be countermanded. It is working a hardship on white servicemen as well as landlords. I know of a case where a widow has as her only source of income a two-apartment house. She lives in one apartment and rents out the other to service families. It is unfair to ask her to sign an agreement to accept anyone the service might send there because she would be ostracized if she rented to a Negro family and the Negro family would be unhappy in the surroundings, so why punish this poor woman?

The report states:

> No one has suggested to base commanders that their achievements in dealing with such problems will be considered in rating their performance of duty and in promotion selection.

Then later on, under the recommendations for an urgently needed program, the Committee recommends that a different concept of the base commander's functioning in the racial field must be evolved. Then as a threat it is further recommended, and I quote:

> It should be made clear that officers showing initiative and achievement in this area will enhance their promotional and career advancement.

What have we come to? Is it a criterion for officer promotion to overlook the things that have heretofore been the basis for advancement or are all of these to be abandoned in this civil rights craze?

The report concludes that at both home and abroad the armed forces must be leaders rather than followers in establishing equal opportunity. So far so good, but listen to this last suggestion "to the extent they practice and preach equality without regard to race, creed, color, or national origin."

Does the establishment of equal opportunity justify some of the pictures that we see from foreign lands where Negro servicemen and white girls are dancing together? The right-thinking people in neither race want this.

Whether intended or not this report is one step further toward the recommendation of a mongrelized race.

Mr. DORN. Mr. Speaker, will the gentleman yield?

Mr. RIVERS of South Carolina. I yield to the gentleman from South Carolina.

Mr. DORN. Mr. Speaker, I would like, of course, to commend my distinguished and able colleague, the gentleman from South Carolina [Mr. RIVERS], and also my distinguished colleague, the gentleman from Louisiana [Mr. WAGGONNER], who first brought this report to my attention and to the attention of the Congress and who first placed it before the American people. I want to thank my distinguished friend, the gentleman from Louisiana [Mr. HÉBERT], and others. These gentlemen deserve the congratulations and gratitudes of all the people in the United States who cherish freedom.

May I say to the Speaker and to the House that today in my congressional district in South Carolina and that of my distinguished colleagues, the gentlemen from South Carolina [Mr. ASHMORE and Mr. HEMPHILL], there are being conducted the largest peacetime maneuvers of the Armed Forces of the United States in the history of this country. More than 100,000 men are engaged in this joint operation making every effort to prepare our Armed Forces for any emergency. Simulated battle conditions to prepare our men to defend our country in this hour of great crisis and international peril.

The people of my State have been requested to cooperate with the Armed Forces to maneuver in our area. I was one of the thousands of citizens who signed up so that our farmland could be used. The report I received this morning was to the effect that these maneuvers are a magnificent success. These stupendous peacetime maneuvers are moving forward with the cooperation not only of all the branches of the Armed Forces of this great Nation, but with the cooperation of every single policeman, every single magistrate, every single sheriff and deputy sheriff wearing the badge, and every State policeman. These local officials and officers are cooperating in these great military maneuvers to help prepare the defense of this great country.

Mr. Speaker, the cooperation of local government, State government, and the individual citizen is necessary to the Armed Forces in peace and in war. We must permit nothing which would jeopardize this mutual respect and understanding. This Gesell report if fully implemented would greatly impair the splendid public relations always existing between the civilian and the military. This report is a serious threat to the security of America and our leadership of the free world.

Policemen, sheriffs and State officials are standing on the firing line to preserve freedom—on the front line today against subversion and sabotage, cooperating with the Armed Forces of this great Nation and the FBI to defend our liberty and to save our heritage. This report here would jeopardize that splendid cooperation so paramount and so manifest through the years between local government, State government, and the Armed Forces of the United States.

This report is one of the most dangerous and sinister threats to the freedom of this country in all our history. It will cause confusion and disrespect for the uniform. This report will encourage mob violence and disrespect for law and order. It will force the military to back mob rule. Oh, my friends, I wish I had time to detail for you accounts of the barrage of whisky bottles and beer cans lately being thrown at local peace officers wearing the uniform in practically every State in this Union. Oh, yes, Mr. Speaker, it may be the sheriffs today in your State, it may be the local policeman in your State, but tomorrow it will be lead and beer bottles at the Armed Forces of the United States of America. We must maintain respect for those men who wear the uniform and give them the opportunity, as they have traditionally always done, to defend the United States of America in the best way they know how. Mr. Speaker, my plea to this House is to rise up and prevent this Gesell report from being forced on our distinguished officers and men of the Armed Forces. Such a report as this is as much of a threat to the security of our country as Castro and Cuba and even the Communists abroad. This is a dire threat from within.

So I want to commend my colleagues today for bringing to the attention of the House and to the attention of the people of this country this threat to our security and individual liberty in an age and a day and a time when we should be an example to the world of perfection in protecting the rights, liberties, and freedoms of all our people, local, State, and national. Mr. Speaker, this report will weaken our military and set the stage for dictatorship. The people are looking to Congress. We must stand up and be counted.

Mr. RYAN of New York. Mr. Speaker, will the gentleman yield?

Mr. RIVERS of South Carolina. I am delighted to yield.

Mr. RYAN of New York. Mr. Speaker, I heard the gentleman from Louisiana [Mr. HÉBERT] say that the author of the directive was Mr. Adam Yarmolinsky, and I should like to say that, if this is indeed the fact, I commend Mr. Yarmolinsky for the directive and also for the dedication which was attributed to him by the gentleman from Louisiana.

Mr. RIVERS of South Carolina. I want to thank the gentleman, and if you had said anything else, I would have been surprised.

Mr. ANDREWS. Mr. Speaker, will the gentleman yield?

Mr. RIVERS of South Carolina. I yield to the gentleman from Alabama [Mr. ANDREWS].

Mr. ANDREWS. Mr. Speaker, I want to commend and thank the gentleman from South Carolina [Mr. RIVERS] and the gentlemen from Louisiana [Mr. WAGGONNER and Mr. HÉBERT] for bringing this tragic report to the attention of the American people and of the Congress today. I would like to ask the gentleman from South Carolina, Is there any doubt in your mind but that this Committee, this report, these implementing orders are solely for political reasons?

Mr. RIVERS of South Carolina. That question suggests the answer. Yes. There is not any other reason.

Mr. ANDREWS. Has there been any time in the history of this country when the Army was used for political purposes?

Mr. RIVERS of South Carolina. If there were an association known as the National Association for the Advancement of Indians, they would have a shoo-in in this country.

Mr. ANDREWS. I think the gentleman will agree with me when I say it is my opinion that this is the first time in the history of this country that our Armed Forces have been used solely for political purposes.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. RIVERS of South Carolina. I yield to the gentleman from Iowa.

Mr. GROSS. In order to make this record complete, I trust that the gentleman will put in the RECORD with his remarks the letter of transmittal of the Gesell report from the White House to the Secretary of Defense, and the directive that was issued by the Secretary of Defense. And I trust, if he is going to insert in the RECORD these communications, he will also include the letter from the President to Mr. Gerhard A. Gesell. If the gentleman will bear with me further I would like now to read the last paragraph of the President's letter to Gesell acknowledging receipt of and praising this wicked recommendation without a single exception. It reads as follows:

> The timeliness of your report is, of course, obvious, and I hope you will convey to the other members of the Committee my appreciation for the constructive report that has been prepared. I am confident that the Committee will bring to its remaining tasks the same high degree of effort, competence and understanding that characterizes your initial report.
>
> Sincerely,
>
> JOHN F. KENNEDY.

Mr. ANDREWS. Mr. Speaker, does the gentleman think there is any politics in that letter?

Mr. GROSS. I would not be able to pass upon that, I will say to the gentleman. But I will say this, as I have said before, that after reading the report and reading it thoroughly, if the report and its recommendations are fully implemented, and apparently it is going to be made completely effective by the Secretary of Defense, if I were a base commander I would get my affairs in order and resign immediately. I would not want to be the commander of a single military base in the United States and be compelled to submit to this kind of a directive and the political dictatorship recommended in the Gesell report.

Mr. RIVERS of South Carolina. I thank the gentleman very much.

Mr. ANDREWS. Mr. Speaker, the thing that frightens me is the use being made of Government agencies to carry out a political philosophy in this country. Now we find the Army being used as an agency for political purposes.

Recently the chairman of the Judiciary Committee of this House made a statement here in Washington, according to the Associated Press:

> Representative EMANUEL CELLER yesterday said he is keeping a "watchful eye" on Federal judges who delay decisions in civil rights cases.

I construe that to be a threat to every district judge in America; that is, if you do not act quickly in these integration cases that watchful eye may have you before the Judiciary Committee for action.

Last week in New Orleans a member of the Fifth Circuit Court of Appeals made a statement to the effect that the chief judge of that fifth circuit was rigging panels—imagine—rigging panels of that court in an effort to get favorable decisions in integration cases. And on Monday of this week I introduced a resolution calling on this Congress to investigate those serious charges made by Judge Cameron about the chief judge of this court of appeals.

So I am frightened, Mr. Speaker, when I think about the extent to which this administration is going in an effort to carry out its political promises of integration. I would like to ask the distinguished gentleman from South Carolina if this committee report recommends a spy system to be called a monitor, with an especially sympathetic monitor through the range of troop levels in order to check on commanders as to how they carry out this function.

Mr. RIVERS of South Carolina. The answer to that is yes.

Mr. ANDREWS. Is there any precedent in America for such a spy system in the armed services?

Mr. RIVERS of South Carolina. I do not know. I have never heard of one. I have never heard of anything like that since I have been in Congress.

Mr. ANDREWS. Is it not true that the Communists have such a spy system and have had it since the beginning of the Russian Revolution in 1917?

Mr. RIVERS of South Carolina. There are some other Members of this body more informed on communism than I am.

Mr. ANDREWS. I can tell you from what I have read and according to my best information, there is such a spy system and it is directed by a man known as the political commissar, whose business it is to watch all military commanders and to report to another agency on the manner of the performance of that duty.

Mr. Speaker, in my humble opinion, if this committee report is implemented, and certain implementing orders have been issued, if it is implemented, we are well on the way to dictatorship in this country. I certainly hope that the Armed Services Committee can come up with legislation that will keep these recommendations from becoming law.

Never has our Nation faced such a threat. Never have we been faced with such devastating implications. The President is playing with an ominous toy. He would make the military a political puppet controlled by strings pulled only by the Executive.

I hoped that my fears would be abated by the actual report. Surely, I thought, a group of military organizational experts would make the report and would politely show the President how he "had a good idea but that it just would not work."

But I was wrong, Mr. Speaker, I had not imagined that the investigation squad would be so carefully chosen as to assure the outcome of the report.

Three of the members of this Committee are Negroes and the other four are in some way connected with the ADA or the ADL or the NAACP. I do not have to remind you how these groups feel on this issue. Not a one appears to have a practical and objective approach to the subject of integration.

How could we expect the report of this Committee to be objective in any sense of the word?

We could not expect it and it was not. Many of the outstanding characteristics are not only outstanding but are outlandish. Let me mention a few.

The so-called Gesell report demands in the name of "equal opportunity" a higher percentage in Negro promotions. The report does not ask to base promotion on education, age, time in service, and the more fundamental consideration of merit; but rather the sole determiner would be a percentage.

It encourages and recommends the establishment of an agency whereby accusations of "discrimination" may be made by secret testimony without the person accused even being given the source of the accusation.

It recommends a "spy system" to be called monitoring with an especially sympathetic monitor throughout the range of troop levels in order to report on responsible commanders as to how they carry out their functions.

But in this instance the committee is not without precedents, as in other proposals, in their suggestion of a monitoring system. They have copied experts. A system which has proved its efficiency and effectiveness.

The Communist Soviets have just such a system and have had it since the beginning of the Russian Revolution 1917. It is directed by a man known as the "political commissar," whose business it is to watch all military commanders and to report to another agency on their manner of performance of duty.

The effrontery of this committee to propose such a departure from the system of integrity of such long standing in the military services is shocking and revolting.

Let me emphasize and point out to my colleagues so there will be no misunderstanding: this monitoring system is not a trinket for debate, but is being put into effect.

It will be implemented on the ides of this very month by Department of Defense Directive 5120.27. In this directive the Secretary of Defense is authorized and directed to "monitor their"—members of the Armed Forces—"performance through periodic reports and visits to field installations."

This directive goes further to set up this system explicity. "The military departments shall institute in each service a system for regularly reporting, monitoring, and measuring progress in, achieving equal opportunity on and off base."

Where are we letting the times lead us? What direction are we taking when we allow the Executive to use the military to propagate its doctrines of social reform?

We do not have to look far for an answer. Our neighbors to the South should have taught us our lesson. Look at the price that many Latin American countries have had to pay for mixing the military with politics.

In this connection allow me to quote Senator STENNIS of Mississippi:

> This may only be the beginning. If political activity is condoned in this field, the President someday may not be able to extricate the military from other political activity that could follow.

Mr. RIVERS of South Carolina. I thank the gentleman.

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. RIVERS of South Carolina. I will be delighted to yield to the distinguished gentleman from Wisconsin.

Mr. LAIRD. I thank the gentleman from South Carolina for yielding.

This is an important discussion we are having here on the floor of the House. I am sure the gentleman from South Carolina realizes that several Members of the House have received telephone calls from the Department of Defense within the last 24 hours urging them to come to defense of the Gesell report. I think it is interesting to note that there has been a lack of defense for the broad scope of this report, even though the Department of Defense offered to do a little speech writing for proper planting with Members of the House.

As a Member of this House I have always supported civil rights legislation and will continue to press for solid progress in the field of human rights. Our Government certainly must act to help establish conditions of equal opportunity for all people and to help assure that no one is denied the requisite for a dignified life.

The important point for each of us to keep in mind is "equal opportunity"—equal opportunity for all citizens. The Gesell report goes beyond any civil rights proposal yet suggested and borders on the area of preferential treatment. I hope that the gentleman's committee will give some real consideration to this whole area.

I heard mentioned the name Adam Yarmolinsky. I have served on the Board of Advisers of the Air Force Academy, the Naval Academy, and the U.S. Military Academy at West Point. I have enjoyed this experience on these Military Academy boards. It was just 2 years ago that Adam Yarmolinsky made a recommendation to the Chief of the Bureau of Naval Personnel that the procedures for admittance to the service academies, particularly Annapolis, be changed so that the college board exams and the other required examinations for admittance to the Academy be set aside so that special examinations could be given in order to afford preferential entrance treatment.

This recommendation went far beyond equal opportunity.

Mr. RIVERS of South Carolina. We call that a "fair" advantage.

Mr. LAIRD. Within the last month in my State of Wisconsin, the Department of Defense has gone beyond its scope and its responsibility in the awarding of Government contracts on a competitive bid basis. The clear intent of the Department was to bring about economic and sociological change through the abuse of its power to review and award contracts.

In this case, bids were put out by the Department of Defense. The low bidder happened to be a concern in Wisconsin. The award of the bid was delayed because in answer to a Department of Defense questionnaire, this corporation showed that they had no Negroes on their payroll. This kind of delay in awarding a bid to a low bidder is absolutely uncalled for. In the community involved, there could not be any Negroes on the payroll as there are none in the area, and if this were required by the Department of Defense, it would necessitate the importation of individuals to work in this community.

The fair employment clause, it seems to me, in defense contracts was established to provide that no discrimination occurred in the hiring of individuals. It certainly does not guarantee jobs to Negroes in communities where no Negroes reside, nor does it make the hiring of Negroes a prerequisite for obtaining a Government contract.

It seems to me, this whole operation of the Department of Defense in the economic and in sociological areas must be brought under close examination by the Committee on Armed Services. I believe the committee will be derelict in its duty if it does not investigate this matter thoroughly to see that all citizens are guaranteed equal opportunity—but let us not go beyond the assurance of equal opportunity and insist on preferential opportunity gained through the abuse of power by the Secretary of Defense and his Department.

I thank the gentleman for yielding.

Mr. RIVERS of South Carolina. I thank the gentleman very much.

Mr. FORRESTER. Mr. Speaker, will the gentleman yield?

Mr. RIVERS of South Carolina. I have to yield to my distinguished friend, in celebration of his return to the House—because we have missed you an awful lot.

Mr. FORRESTER. Mr. Speaker, I certainly am grateful for the fact that the gentleman from South Carolina and the two gentlemen from Louisiana have brought to the attention of this body and to a common Congressman like me the facts that have been related from the well of the House here today.

Mr. RIVERS of South Carolina. I wish I were as common as you are.

Mr. FORRESTER. Thank you, sir—the gentleman is unduly modest.

Let me say this: You know I was not surprised; somehow, in some way, there is always some man or some set of men who will reveal facts to the people in times of stress and danger. Now, Mr. Speaker, as I try to make a few comments here today, I want to say this to you: I do not know whether anyone is playing politics with questions affecting the future of America, but whoever does it, I want you to know he has my severe and my utter and my complete denunciation and contempt. As I stand here before this microphone—privileged to speak in this great House of Representatives of the United States, and particularly when I speak about the defense of America, I feel that I am standing on hallowed ground.

Mr. Speaker, I feel almost like taking off my shoes in the presence of the Lord God Almighty whom I believe looked down from the heavens and smiled upon the ambitions of those patriots of old who were all complete Americans, 100 percent Americans, and when at that time it was not unfashionable to be 100 percent right or unduly patriotic. In other words, I think that this country was given to us by God and I think that God and godly people are the ones who are going to preserve it.

There is no one, I do not believe, in this Chamber who recognizes any more keenly than I do that the President of the United States has a tremendous job. He has an overwhelming job. He has one in which the only way it can be carried out properly, I would think, would be under the guidance and leadership of our God, the God Jehovah, and he should if possible have the assistance, the respect, and the aid of every person in this country.

With that end in view, I do want to make a few remarks. I simply could not have believed the facts that I have heard related here today had they not been said here by members of the Armed Services Committee and by the production of the documents themselves, indicating that those things definitely are true.

Mr. Speaker, I could not help but think as I was hearing some of the comments made here, if they were going to impose upon the military duties not connected with the military and if they were going to be ordered by their superiors to inflict their personal opinion upon these boys—these beardless boys, these boys from every section of the country including mine, who are performing their duty in the military because they are American citizens, but sometimes a little bewildered because they do not quite understand just what we are trying to do, and if it has now become fashionable to inflict personal opinions upon those boys I now wonder if they would not want to apologize to General Walker.

Mr. Speaker, I think I am a constitutionalist. I hope I am. I believe in the Constitution. I agree with the gentleman from Louisiana [Mr. HÉBERT] that if General Walker were trying to inflict his personal opinion upon the soldiers, I think he was wrong. But at the same time I do not lose sight of the fact that this gentleman who probably had an overdose of patriotism according to some people, personally I do not think you can. Sometimes I wonder just what would be the regard that some of the people would have toward George Washington and Nathan Hale and so forth—but that is another story. But anyway, if he did commit some infraction of the rules of the military, I think we ought to be a little merciful with him because of the fact I cannot forget, despite every sentiment that he had, he was the commander of the troops down at Little Rock when we captured Little Rock. There was a U.S. general, no matter how distasteful it was, who performed the duties of the military.

Mr. Speaker, if it has now become fashionable, if what he introduced has now been found to be proper, then I think we acted in great haste and we ought to call back the general and tell him to come on back here, that we need him because we have work for him to do. I understand that these orders have been based upon that premise that segregation has undermined the morale of the U.S. Army.

Thank God, Mr. Speaker, I have a whole lot more regard for the U.S. Army and I just simply know that is not so. It did not hurt us in the Revolution, it did not hurt us in the War of 1812, it did not hurt us in World War I, and it has not hurt us in any war and it never will hurt us. But I will say this: If our Army has sunk to that low or if we have come to the point that segregation or integration has destroyed the morale of our Army, the military, we might as well call off the dogs, because it simply is not worth saving.

Mr. Speaker, we might as well get down to brass tacks on that, because that is the truth. I think when you consider this statement, with truth, that this kind of action is shattering to the morale of the military and particularly to those who are making the military a profession and who are going to really stand for you when the chips are down, this kind of argument, in my opinion, is about as insipid, about as unsound, and about as erroneous, as the same argument that they are going to cancel out all military installations in the South if we do not accept integration.

Well, now, you know I do not think we ought to compound error. A lot of people down my way, because we live close to Cuba—it is 90 miles from the coast of the United States—think we made a grievous mistake about Cuba, and one which may rise up to haunt us. I hope you will not compound it now because if you take away those military installations in the South which are our closest defense against Cuba I do not know how we will defend America. I do not believe the Congress of the United States is going to permit McDill Field, Turner Field, Robins Air Force Base, Fort Benning and others down there to be dismantled. I do not believe you are going to tolerate their being dismantled. That kind of argument, so far as I am concerned, is purely void of reason. It is not the kind of argument which appeals to reason.

Another thing, if the gentleman will indulge me, I am astounded over the argument that segregation is illegal. Segregation is not illegal per se. Segregation is only illegal when it infringes upon the 14th amendment and discriminates against creed or color. It does not say you can deny every segregationist in that area all of his civil rights, and that is what an order of this kind would do.

In other words, referring to those boys down there in our section, it is pretty hard on them to be told they cannot associate with white people, that they cannot pick the people they want to associate with. By the way, I think they are going to have a hard time enforcing any such order as that. After all, white people have civil rights too.

My people are quite disturbed about a statement that was made by Mr. McNamara in his report. The gentleman from Alabama [Mr. ANDREWS] and myself read this with much dismay and with much sorrow because in his report he said that "damage to military effectiveness from offbase discrimination is not less than that caused by offbase vice."

My people are not prepared to accept that, and we do not believe it.

Of course, we have had fun poked at us. We have been called the Bible country. We appreciate that compliment because every time these boys who denounce us get scared and in serious trouble they come over and hop in bed with us. They believe in the Bible then.

We do not believe that segregation is in the same category as vice. We are sorry for anyone who does. We doubt the wisdom of such people.

We appreciate the military installations down South, and we think we are entitled to them because we have always made full contribution to the defense of America.

You know, Gen. Courtney Hodges was the first man to enter Germany in World War II. He happened to be from my district. I do not think anybody objected to him being the first man to go into Germany. I do not know that anyone objected to the fact that probably one of the greatest heroes in the Korean war was a little segregationist who lived in my district by the name of Luther Story. He weighed about 125 pounds, but he killed about 150 North Koreans before the North Koreans killed him.

We just do not believe that being a segregationist undermines character. We think it is a sad day in America when anyone would make such a statement.

Mr. Speaker, I know what it is to be discriminated against. We have been discriminated against many, many times.

Every southerner understands what it means. You know, my mother taught me if I could just understand that nobody owed me anything, I would be surprised how wonderful people are and how kind they are. You know, I was born white. My people participated in the American Revolution. I never went to college. Eighth grade is as far as I ever went, because there was nobody particularly interested in helping a white boy go to college. We might as well face that real fact. But, anyway, they gave me a blessing no other country in this world could give me. If I were a fourth-class citizen, I would get down on my knees and thank God every night for the privilege of being a fourth-class citizen in this great country called America. A fourth-class citizen here has more privileges and rights than a first-class citizen in any other country on the face of this earth.

The people down South do not want to make the slightest contribution toward losing that. We are for our country and expect to support it with all our souls.

I thank you, sir, and I appreciate your indulgence.

Mr. RIVERS of South Carolina. Mr. Speaker, I ask unanimous consent to include the order of the Secretary of Defense and the accompanying letters and also to include the Gesell report.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. McMILLAN. Mr. Speaker, will the gentleman yield?

Mr. RIVERS of South Carolina. I will be delighted to yield to the dean of my delegation, the distinguished chairman of the District Committee, the gentleman from South Carolina [Mr. MCMILLAN].

Mr. McMILLAN. Mr. Speaker, I want to take this opportunity to congratulate my colleagues, the gentleman from South Carolina, Congressman RIVERS; the gentlemen from Louisiana [Mr. WAGGONNER and Mr. HÉBERT], on the forceful manner that they have called to the attention of the House the unreasonable and seemingly unwarranted directive recently issued by the Secretary of Defense. I doubt seriously if any directive issued by Mr. Khrushchev could vitally affect more people and have a more drastic effect on future generations than the directive under discussion today.

After reading the history of the authors of the report, which recommended to the Secretary of Defense to take this drastic action, I think the Congress and the Armed Services Committee should take a second look and stop all pending legislation until this matter can be called to the attention of all the people of the United States. This order or directive places the military in a political role, which, in my opinion, was never intended by our forefathers and the framers of the Constitution. This directive goes much further than the subject of integration and segregation, as it completely changes our military system by creating a spy system within the military.

No one within the sound of my voice could ever believe that we would be living in an era that directives of this magnitude could be issued by the Executive without the sanction of the lawmaking body of the United States. This directive will vitally affect the lives and promotions of all military officers in our Armed Forces to the extent that I am certain some of our finest officers will sooner or later refuse to serve under this type of dictatorship.

Again, I want to thank my colleagues for yielding to me a few minutes on this vital subject.

Mr. JONES of Alabama. Mr. Speaker, will the gentleman yield?

Mr. RIVERS of South Carolina. I will be glad to yield to the gentleman from Alabama.

Mr. JONES of Alabama. Mr. Speaker, I am pleased that the gentleman from South Carolina would yield to me in order that I can report to the House that I have received the following telegram from Birmingham, Ala., of this date, addressed to me, which reads as follows:

> Urgently request you speak out against the destructive Defense Department order July 26 on civil rights which threatens removal of military bases near segregated communities. This order gives military base commanders authority and encouragement to declare off limits to base personnel communities where segregation is practiced. All Alabama awaits your reply.

Signed John Grenier, chairman, Republican executive committee of Alabama.

This is my reply, Mr. Speaker, to Mr. Grenier, chairman of the Republican executive committee of Alabama:

> Am pleased to know that you and the Republican State committee are willing to join me in protesting the Defense Department's directive for military installations. You will encourage me immensely if you would communicate with Mr. Halleck, Republican minority leader, and other stanch Republican integrationists in Congress and thus assist the Alabama delegation in thwarting the civil rights bill. With your effective assistance, certain Republican Senators could be prevented from insisting on civil rights legislation which so many other Republicans are supporting. We would be most pleased to have an outspoken statement from you as a Republican, to be distributed to the press, to the effect that you as a Republican and the Republican Party are opposed to civil rights legislation as we of the Alabama Democratic delegation have opposed it throughout the years. Further, I would appreciate your informing me as to how many Republican Members of the House you have contacted by telegram and how many of these Republicans have replied and indicated how they will vote on the civil rights legislation which the Republican Party is supporting to the extent of its ability.

Mr. RIVERS of South Carolina. Mr. Speaker, under permission previously granted, I include at this point the order of the Secretary of Defense and the accompanying letters:

DEPARTMENT OF DEFENSE NEWS RELEASE, JULY 26, 1963

Secretary of Defense Robert S. McNamara, as requested on June 21, 1963, has reported to the President following his review of the recommendations of the President's Committee on Equal Opportunity in the Armed Forces.

In his memorandum, Secretary McNamara states that he has issued a directive stating Department of Defense policy with respect to off-base discrimination.

Copies of both the Secretary of Defense Memorandum to the President dated July 24, 1963, and the directive referred to in this memorandum are attached.

THE SECRETARY OF DEFENSE,
Washington, D.C., July 24, 1963.

Memorandum for the President.

On June 21 you sent me a copy of the initial report of your Committee on Equal Opportunity in the Armed Forces and asked that I review the document and report on the recommendations within 30 days. This memorandum responds to that request.

In its year of work the Committee observed racial imbalances and vestiges of racial discrimination within the Armed Forces themselves. Nevertheless, the Committee found that in the main, racial equality is a reality on military bases today. The Department of Defense will eliminate the exceptions and guard the continuing reality.

It is to the Department's off-base responsibilities that the Committee has devoted the bulk of its report. In eloquent terms the Committee has described the nature and pervasiveness of off-base discrimination against Negro servicemen and their families, the divisive and demoralizing impact of that discrimination, and the general absence of affirmative, effective action to ameliorate or end the off-base practices affecting nearly a quarter of a million of our servicemen.

Our military effectiveness is unquestionably reduced as a result of civilian racial discrimination against men in uniform. The Committee report has made this point with great clarity. With equal clarity it demonstrates that the Department of Defense has in the past only imperfectly recognized the harm flowing from off-base discrimination. That imperfect recognition has in turn meant the lack of a program to correct the conditions giving rise to the harm.

The Committee report contained recommendations for such a program. Consistently therewith I have issued a directive explicitly stating Department of Defense policy with respect to off-base discrimination and requiring:

Preparation of detailed directives, manuals, and regulations making clear the leadership responsibility both on and off base and containing guidance as to how that responsibility is to be discharged.

Institution in each service of a system for regularly monitoring and measuring progress in this field.

We are in the process of establishing a staff element within my office to give full time to such matters.

While the foregoing is in accord with the recommendations of the Committee, the details of the program necessarily will be found in the manuals and regulations to be issued as a result of my directive.

The initial Committee report contained many specific recommendations on recruitment, assignment, promotion, techniques for eliminating on- and off-base discrimination, housing, education, and recording of racial data. Many of these have been or will be put into effect, but some require more study and on a few we have reservations. These will be discussed further with the Committee.

The recommendations on sanctions do require special comment. The Committee suggests using a form of the off-limits sanction when, despite the commander's best efforts with community leaders, relentless discrimination persists against Negro servicemen and their families.

Certainly the damage to military effectiveness from off-base discrimination is not less than that caused by off-base vice, as to which the off-limits sanction is quite customary. While I would hope that it need never be put in effect, I agree with the Committee that a like sanction against discrimination must be available. It should be applied, however, only with the prior approval of the Secretary of the Military Department concerned.

The Committee also suggested the possibility of closing bases near communities where discrimination is particularly prevalent. I do not regard this as a feasible action at this time.

In your letter transmitting the Committee report you wrote that "Discriminatory practices are morally wrong wherever they occur—they are especially inequitable and iniquitous when they inconvenience and embarrass those serving in the armed services and their families."

Guided by those words and the report of your Committee on Equal Opportunity in the Armed Forces, the military departments will take a leadership role in combating discrimination wherever it affects the military effectiveness of the men and women serving in defense of this country.

ROBERT S. MCNAMARA.

DEPARTMENT OF DEFENSE DIRECTIVE

Subject: Equal opportunity in the Armed Forces.

Reference: Department of Defense Directive No. 5120.27, "Assistant Secretary of Defense (Manpower)," June 7, 1963.

I. POLICY

It is the policy of the Department of Defense to conduct all of its activities in a manner which is free from racial discrimination, and which provides equal opportunity for all uniformed members and all civilian employees irrespective of their color.

Discriminatory practices directed against Armed Forces members, all of whom lack a civilian's freedom of choice in where to live, to work, to travel, and to spend his off-duty hours, are harmful to military effectiveness. Therefore, all members of the Department of Defense should oppose such practices on every occasion, while fostering equal opportunity for servicemen and their families, on and off base.

II. RESPONSIBILITIES

A. Office of the Secretary of Defense:

1. Pursuant to the authority vested in the Secretary of Defense and the provisions of the National Security Act of 1947, as amended, the Assistant Secretary of Defense (Manpower) is hereby assigned responsibility and authority for promoting equal opportunity for members of the Armed Forces.

In the performance of this function he shall (a) be the representative of the Secretary of Defense in civil rights matters, (b) give direction to programs that promote equal opportunity for military personnel, (c) provide policy guidance and review policies, regulations and manuals of the military departments, and (d) monitor their performance through periodic reports and visits to field installations.

2. In carrying out the functions enumerated above, the Assistant Secretary of Defense (Manpower) is authorized to establish the Office of Deputy Assistant Secretary of Defense (Civil Rights).

B. The military departments:

1. The military departments shall, with the approval of the Assistant Secretary of Defense (Manpower), issue appropriate instructions, manuals and regulations in connection with the leadership responsibility for equal opportunity, on and off base, and containing guidance for its discharge.

2. The military departments shall institute in each service a system for regularly reporting, monitoring and measuring progress in achieving equal opportunity on and off base.

C. Military commanders: Every military commander has the responsibility to oppose discriminatory practices affecting his men and their dependents and to foster equal opportunity for them, not only in areas under his immediate control, but also in nearby communities where they may live or gather in off-duty hours. In discharging that responsibility a commander shall not, except with the prior approval of the Secretary of his military department, use the off-limits sanction in discrimination cases arising within the United States.

III. IMPLEMENTATION

Not later than August 15, 1963, the military departments shall forward for the approval of the Assistant Secretary of Defense (Manpower) an outline plan for implementing this directive.

IV. EFFECTIVE DATE

This directive is effective immediately.

ROBERT S. MCNAMARA,
Secretary of Defense.

Mr. Speaker, I also include at this point the report, with accompanying letter, which I have referred to known as the Gesell report:

THE PRESIDENT'S COMMITTEE ON
EQUAL OPPORTUNITY IN THE
ARMED FORCES,
Washington, D.C., June 13, 1963.

THE PRESIDENT,
The White House,
Washington, D.C.

MR. PRESIDENT: There is transmitted herewith the initial report of the President's Committee on Equal Opportunity in the Armed Forces covering the work of the Committee during its first year of existence.

This report considers problems of equal opportunity affecting Negro military personnel on and off base within the United States. The recommendations emphasize matters which the Committee believes should receive the immediate attention of the Secretary of Defense. The Committee is available to consult as to any plan of action which the Department of Defense proposes to put into effect to meet the specific matters covered by this initial report.

Discrimination in the Reserve and National Guard and problems of equal opportunity affecting Negro military personnel serving in oversea areas have been under intensive study. A further report covering these matters will be completed soon.

Yours respectfully,
NATHANIEL S. COLLEY.
ABE FORTAS.
GERHARD A. GESELL,
Chairman.
LOUIS J. HECTOR.
BENJAMIN MUSE.
JOHN H. SENGSTACKE.
WHITNEY M. YOUNG, Jr.

THE PRESIDENT'S COMMITTEE ON EQUAL OPPORTUNITY IN THE ARMED FORCES—INITIAL REPORT, EQUALITY OF TREATMENT AND OPPORTUNITY FOR NEGRO MILITARY PERSONNEL STATIONED WITHIN THE UNITED STATES, JUNE 13, 1963

I. INTRODUCTION

This initial report, covering the work of the Committee since its appointment in June 1962, considers certain matters involving equality of treatment and opportunity for Negro military personnel stationed within the United States.

The Committee has been actively exploring the two questions it was directed to consider, i.e.:

"1. What measures should be taken to improve the effectiveness of current policies and procedures in the Armed Forces with regard to equality of treatment and opportunity for persons in the Armed Forces?

"2. What measures should be employed to improve equality of opportunity for members of the Armed Forces and their dependents in the civilian community, particularly with respect to housing, education, transportation, recreational facilities, community events, programs, and activities?"[1]

The Committee has held frequent sessions of 2 to 3 days' duration. During these sessions discussions were held with installation and other commanders, representatives of the Department of Defense and the services, officials of interested Federal agencies, and others.[2] Committee members have traveled to a number of military bases and have interviewed officers and enlisted personnel of all ranks. In addition, information has been gathered through questionnaires and complaints received from servicemen.

The Committee has devoted its efforts to formulating general policies and recommendations and has not conducted detailed hearings and investigations into the merits of individual specific claims of discrimination. The Committee's inquiries have been courteously received with full cooperation.

II. THE INTEGRATION AND PARTICIPATION OF THE NEGRO IN THE ARMED FORCES

Prior to 1948, the Negro had little or no opportunity in the Armed Forces. His skills and even his ability were a matter of debate. He was officially segregated, if not excluded; his duties were limited and his ability to serve his country in time of need was minimized or ignored. Such official policies no longer exist, and, in the main, the conditions which accompanied them have disappeared. Negroes have made military service their career in increasing numbers. They are formally integrated and have served well in both officer and enlisted ranks in times of war and peace.

It is desirable at the outset to review how this change occurred. In July 1948, President Truman, by Executive Order No. 9981, made the following declaration of principle which has since been applied throughout the Armed Forces:

"It is hereby declared to be the policy of the President that there shall be equality of treatment and opportunity for all persons in the armed services, without regard to race, color, religion or national origin. This policy shall be put into effect as rapidly as possible, having due regard to the time required to effectuate any necessary changes without impairing efficiency or morale."

On this occasion, President Truman appointed a committee to advise how this policy could best be implemented. As a result of the Executive order and the work of that committee, with continuing emphasis by succeeding administrations during the subsequent years, the Armed Forces were gradually integrated, and recognition was given to the ability of Negroes to train for, and serve in, all capacities.

This is the first general policy review of questions of equality of treatment and opportunity in the Armed Forces since that committee completed its work approximately 13 years ago. It is well to keep in mind the vast changes which have occurred since that time. Not only have there been dramatic developments in the field of racial equality, but under the stress of international events and technological developments the composition and mission of the Armed Forces have substantially changed. While steps taken pursuant to President Truman's Executive order were essential first ones in dealing with racial problems in the Armed Forces, it is wholly appropriate now to consider what further must be done to assure equality of treatment and opportunity for all qualified military personnel in the light of present-day conditions.

Any consideration of problems pertaining to equality of treatment and opportunity for Negroes in the Armed Forces must emphasize the vast scope and complexity of the Military Establishment. As of September 30, 1962, there were 2,674,000 men in uniform stationed at home and abroad. Of these, approximately 1,900,000 were stationed in the United States. Within the 50 States alone, there are 1,145 military installations to which 100 or more military personnel are assigned, and some 88,000 military personnel are assigned to many smaller installations in the United States. These installations are scattered throughout the 50 States.

There are no quotas or other forms of limitations on the recruiting of Negroes or on their assignment to career fields. All written policies governing advancement and promotion through both enlisted and commissioned ranks are nondiscriminatory in character.

The number of Negroes in the Armed Forces has increased since President Truman's Executive order was issued in 1948. Nevertheless, while about 11 percent of our population is Negro, it is significant that only 8.2 percent of all military personnel is Negro. The following table graphically demonstrates the disparities between the overall Negro population percentage and the percentages of enlisted and officer personnel found in each service:

Negro personnel as percent[1] of all personnel, 1949–62

Percentage of Negroes in national population	11.0
Army:	
Enlisted:	
1949	12.4
1954	13.7
1962	12.2
Officers:	
1949	1.8
1954	3.0
1962	3.2
Navy:	
Enlisted:	
1949	4.7
1954	3.6
1962	5.1
Officers:	
1949	0
1954	.1
1962	.2
Air Force:	
Enlisted:	
1949	5.1
1954	8.6
1962	9.1
Officers:	
1949	.6
1954	1.1
1962	1.2
Marine Corps:	
Enlisted:	
1949	2.1
1954	6.5
1962	7.7
Officers:	
1949	0
1954	.1
1962	.2

[1] To the nearest 1/10 of 1 percent.

As these figures show, Negro participation in officer ranks is still very small for all the services. A breakdown of the current number of Negroes and their relative percentage in both commissioned and enlisted ranks, shown in the following tables, reveals that substantial progress must yet be achieved.

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[1] Letter from President dated June 22, 1962.

[2] The principal organizations providing information and assistance to the Committee, apart from the Department of Defense and the Services, have been the President's Committee on Equal Opportunity in Housing, the President's Committee on Equal Employment Opportunity, the Department of Justice, the Department of Health, Education, and Welfare, the Housing and Home Finance Agency (especially its component, the Federal Housing Administration), and the U.S. Commission on Civil Rights. The Commission on Civil Rights has been especially helpful in furnishing factual information for study by the Committee. Generally, other agencies have furnished published information. None of these organizations bear any responsibility for the conclusions or recommendations of this Committee.

TABLE I.—*Statistics on Negro commissioned officers*[1]

Rank		Number and percent of Negro personnel in each rank							
Army, Air Force, and Marine Corps	Navy	Army		Navy		Air Force		Marine Corps	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent
Generals (all types)	Admirals (all types)	0	0	0	0	1	0.29	0	0
Colonels	Captains	6	.11	0	0	6	.14	0	0
Lieutenant colonels	Commanders	117	.95	3	.03	67	2.54	0	0
Majors	Lieutenant commanders	424	2.47	17	.14	124	.60	0	0
Captains	Lieutenants	1,532	5.21	88	.35	615	1.74	7	.17
1st lieutenants	Lieutenants (junior grade)	650	4.33	57	.39	317	1.56	16	.44
2d lieutenants	Ensigns	421	2.26	29	.22	170	1.45	9	.28
Total officers and percentages		3,150	3.2	174	.24	1,300	1.24	32	.21

[1] 1962 data for all services. The Air Force figures include only officers assigned to duty in the 48 States of the continental United States. All other figures are complete and worldwide in scope.

TABLE II.—*Statistics on Negro enlisted personnel*[1]

Grade	Number and percent of Negro personnel in each grade							
	Army		Navy		Air Force		Marine Corps	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
E-9 (highest)	76	2.97	22	1.30	32	0.83	5	0.71
E-8	586	5.72	89	1.22	140	1.67	19	.81
E-7	3,143	7.64	984	2.42	616	2.51	142	2.12
E-6	10,496	12.65	2,843	4.43	2,115	4.19	417	3.93
E-5	21,892	16.28	5,370	6.23	10,287	9.33	1,490	8.65
E-4	21,133	12.20	6,771	6.59	14,321	12.47	2,663	9.08
E-3	26,385	11.90	7,502	5.11	11,505	9.26	3,101	8.14
E-2	10,836	10.58	5,396	5.22	6,951	10.23	3,727	8.01
E-1 (lowest)	8,456	11.15	1,431	4.77	597	17.17	1,787	7.55
Total enlisted members and percentages	103,603	12.20	30,408	5.22	46,564	9.1	13,351	7.59

[1] 1962 data for all services. The Air Force figures are drawn from certain selected commands, and represent about 76 percent of all Air Force enlisted personnel. All other figures are complete and worldwide in scope.

The Armed Forces have made an intelligent and far-reaching advance toward complete integration, and, with some variations from service to service, substantial progress toward equality of treatment and opportunity. By and large, military bases reflect a clear pattern of integration. Segregation or exclusion of Negroes from barracks or other onbase housing facilities is not allowed. Military messes and all other onbase facilities are open to all personnel without regard to race. Negro personnel serve with whites in almost all types of units and at all unit levels. Negroes command white and Negro troops. Although the distribution is quite uneven, as will appear, Negroes have been placed in virtually all of the numerous job specialties and career fields which exist in the various services.

The committee feels, however, that the urgency of the remaining problems faced by Negro military personnel requires that this initial report be rendered at this time, so that corrective action may begin without delay. The headlines of recent weeks highlight this urgency. The great progress made is not enough. Negro military personnel and their families are daily suffering humiliation and degradation in communities near the bases at which they are compelled to serve, and a vigorous, new program of action is needed to relieve the situation. In addition, remaining problems of equality of treatment and opportunity, both servicewide and at particular bases, call for correction. National policy requires prompt action to eliminate all these conditions. Equal opportunity for the Negro will exist only when it is possible for him to enter upon a career of military service with assurance that his acceptance and his progress will be in no way impeded by reason of his color. Clearly, distinctions based on race prevent full utilization of Negro military personnel and are inconsistent with the objectives of our democratic society.

III. IMPROVING THE PARTICIPATION OF THE NEGRO IN THE ARMED FORCES

A. There is need to make greater efforts to attract qualified Negroes

All services are making strenuous efforts to attract and hold personnel. Only the Army still relies to some extent on the draft, but all branches of the Armed Forces report difficulty in recruiting qualified personnel of all races. As the statistics previously presented disclose, the participation of the Negro in the Armed Forces is less than the percentage of Negroes in our total population.

Negroes are only now coming to realize that opportunity is available in the Armed Forces. Undoubtedly, the glaring lack of opportunity which existed not so many years ago and the limited progress which Negroes have as yet made to higher ranks have, in part, produced this result, as have other inequalities and conditions confronting Negro military personnel off base. Moreover, continuing educational disadvantages make many Negroes unavailable for certain types of job opportunities in the Armed Forces.

The means by which individuals are influenced to enter the services are, of course, important. While methods differ in each service, there is, at the present time, little recruiting directed toward Negroes and insufficient awareness on the part of recruiting officers of special matters which would be of interest to potential Negro personnel.

For example, of the illustrative photographs in the occupational training guide of one service, the only Negro shown is an enlisted man, in kitchen garb in the steward field, where he appears working with a uniformed, white enlisted man. In general, Negroes rarely appear in recruiting literature, and then almost never on the cover together with other personnel or in the more appealing action shots.

Service programs to attract personnel properly emphasize special educational backgrounds and technical training, a need resulting from the increasing complexity of military operations. Unless Negroes with such aptitudes are encouraged to enter the services, there is the danger that the Negro least attractive to private industry and other career fields—men not always in a position to take full advantage of the opportunity offered by the services—will enter the Armed Forces.

Turning from the general problem of attracting Negroes to the Armed Forces to the particular question of officer selection, it should be noted at the outset that officers are obtained by the services from several sources. For instance, there is direct commissioning of persons with special skills, including doctors, dentists, and certain others.

In addition, the services obtain officers through the respective Academies, officer candidate programs, and, in significant numbers, from ROTC programs. Negroes are currently represented at all of the Academies—14 at West Point, 10 at the Naval Academy, and 15 at the Air Force Academy—and the other programs and sources are all offering Negroes for officer training. Participation of Negroes in these programs and services is discussed below in the section of this report dealing with educational opportunities.

Additional Negro officer participation can be achieved only by attracting qualified candidates through improved opportunity for Negroes in the military service. It should be noted that the standards one must meet to become an officer are necessarily high and that the military is competing for skilled personnel with other employers who can often offer greater material rewards to Negroes and whites alike.

B. Recommendations for attracting qualified Negroes

In order to increase the presently insufficient flow of qualified Negroes into the Armed

Forces, techniques and procedures to attract persons should be carefully reexamined to insure that they do not operate to reduce the entry of qualified Negroes into the service. The problems here do not appear to be ones of an affirmative discrimination encouraged by official service policies. Rather, the condition results from a lack of adequate attention to, and review of, several aspects of the personnel selection process. The services should initiate a more informed solicitation of colleges having substantial numbers of Negro students, develop literature appealing to Negroes and make wider use of Negro officers in recruiting assignments. Special efforts should be made to find and recruit Negroes with the special aptitudes the services now require and affirmative steps should be taken to insure that no recruiting personnel, consciously or unconsciously, channel Negroes to particular career fields, disregarding their aptitudes.

To increase the pitifully small number of Negro officers, energetic efforts must be made to raise the number of Negroes in the Academies and in all other programs which supply officers for the services.

Finally, the services should continually review all aspects of personnel selection procedures and their operation, to minimize the possibility of discrimination, especially discrimination by individuals in positions of responsibility at all service levels.

C. There is need for continuing reappraisal of assignment patterns

The assignment of an occupational classification to an enlisted man, shortly after he enters military service, is usually one of the most significant actions affecting his entire service career. It will have an obvious bearing upon his training and duty assignments, and upon his earnings outlook, as well, since the more technical specialites normally offer greater opportunities for grade advancement and related benefits. Initial classification action normally occurs during basic training. The bases for such classification are the results of detailed aptitude testing, an evaluation of pertinent training, work experience and interests, and a personal interview. Actual assignments to particular schools or specialties are also influenced by available quotas and changes in skill requirements.

There have been a number of complaints from Negro military personnel at particular bases to the effect that discrimination exists as to duty and career field assignments. Since many factors enter into assignment decisions, the merits of these complaints are difficult to determine without exhaustive inquiry. Statistics do show that on a servicewide basis, Negroes are to be found assigned to virtually all occupational areas.

However, there is some evidence of a disproportionate grouping of Negro enlisted personnel in the service area. For example, one out of every five Negroes in the Navy is in the food service career field, along with a substantial number of Filipinos. The heavy proportion of Negroes in this career field undoubtedly reflects the policy, now abandoned, of assigning Negroes only to occupations such as food service and other support-type activities.

To some extent, uneveness of assignment represents the cumulation of individual preferences. In any event, the bunching of Negro military personnel in any particular category, for whatever reasons, operates as a brake upon advancement because only a limited number of promotion vacancies are available in any particular career specialty.

Conversely, Negro participation in most technical career fields is slight, though relative participation appears to be increasing. Such fields include, for example, electronics and crafts in the Navy, and electronic maintenance in the Air Force. These patterns appear to have improved in the case of more recent entrants into service, reflecting the impact of policies designed to provide equal treatment and opportunity for Negroes in the Armed Forces. The improvement has been dramatic in the Navy and Marine Corps, although, it is evident that some difference in relative occupational distribution persists. The trend toward equal occupational distribution has resulted in an increasing proportion of Negroes in the white collar skills and in many of the more technical specialties.

Many of the Negroes in the Navy and Marine Corps are still grouped in assignments which perpetuate the image of the Negro as a menial or servant in respect to the total activities of these services, and it will take some time before the more recent assignment trends rectify this discrepancy.

Service policies governing the assignment and advancement of military personnel find their reflection in the atmosphere of each particular base. Where assignments in any substantial way appear to reflect the relegation of Negro personnel to particular activities or where there is an unexplained absence of Negro officers in significant duty assignments, the posture of the base as a whole is unavoidably one of inequality of treatment and suggests to Negro personnel that there is a lack of opportunity. In some instances, of course, such patterns are created unconsciously since the services generally assign personnel to particular bases without regard to race. As a result, the representation and assignments of Negroes on a particular installation may be quite inconsistent with the pattern of the particular service as a whole.

Since the number of Negro officers in the Armed Forces is very small, there are still relatively few Negro officers at most installations, and the commands and headquarters are often overwhelmingly white. Several installation commanders expressed the view that a greater proportion of Negro officers would be helpful to the morale of the installation as a whole.

D. Recommendations for improving assignment patterns

Because of the importance of the assignment of an occupational classification to a new enlisted man, the procedures affecting such assignment, as well as their results, must be carefully and regularly reviewed to see whether they operate to insure equality of treatment and opportunity for Negro military personnel. When new Negro personnel or applicants are interviewed, they should be made fully aware of the variety of opportunities available before being required to express preferences for career fields. Special effort should be made to recognize potential capacities of Negroes at the time of recruitment and at other appropriate times, and to encourage their entering, with proper vocational assistance, into career fields which match latent skill.

In addition, continuing efforts must be made to place Negro personnel in as many special and technical career fields and positions of troop command as possible, in order to afford Negro personnel wide training and insure the fullest utilization of available talent. In this regard, the disproportionate bunchings of Negro personnel in certain service career fields should be reexamined, these personnel retested, carefully advised about other fields for which they are trainable, retrained accordingly and reassigned.

Although the Committee does not feel competent to recommend specific procedures for assuring the participation of Negro officers at base and regional headquarters in all sections of the country, it is advisable to point out that informal efforts to minimize Negro assignment to certain bases, however well motivated, are undesirable.

E. There is need to improve procedures affecting promotions

The slight Negro participation in higher noncommissioned and commissioned ranks, indicated in tables I and II above, suggests strongly that Negroes, at least in the past, have not enjoyed equality of treatment and opportunity in the Armed Forces. In any event, this pattern acts to deter other Negroes from choosing the Armed Forces as a career.

Generally, advancement in the noncommissioned ranks is based, among other things, upon the recommendations of commanding officers, and involves board actions of various kinds as well as certain written examinations. None of the higher noncommissioned officer ranks can be achieved without long periods of duty in the service and there are many Negroes who have not yet served the minimum time required. Satisfaction of minimum requirements does not, however, assure promotion since the number of openings available are limited by the necessities of the military organization and may be smaller than the number of men meeting minimum requirements.

Selection for promotion from among qualified personnel is based on value judgments formed from a review of the entire experience of those qualified for advancement. There is at the present time no system within any of the services for periodic review of noncommissioned officer promotions in order to investigate and eliminate the possibility that elements of racial bias may have been operative in the selection or rating of candidates at installation and other levels where crucial decisions affecting a man's career are made.

Each of the services has established a system for selecting officers for promotion by action of specially appointed boards of senior officers. While there are variations, the systems have much in common. All services seek to maintain high standards and are faced with very substantial attrition due to legislation and other factors which limit the number of officers that may hold a particular rank at a given time. Efforts have been made by all of the services to establish fair promotion criteria. In the nature of things, however, it is inevitable that many officers fail of promotion. Competition is extremely keen and minor differences in experience, training and personality may be decisive as between individual candidates.

One factor affecting the advancement of Negro officers has been the emphasis given by the services to specialized educational backgrounds in selecting candidates for promotion. The more limited educational opportunities available for Negroes, until recent years, have, therefore, operated to their disadvantage in the promotion selection process.

Seniority, too, plays a vital part in the officer promotion system. Indeed, promotions are possible only after minimum prescribed lengths of service. For example, under present conditions, it normally takes approximately 16 years of service as an officer to be eligible for promotion to lieutenant colonel in the Army, Air Force, or Marine Corps, or to the corresponding rank of commander in the Navy. Since the full participation of the Negro in the Armed Forces is of recent origin, there are relatively few Negroes with the requisite seniority. Studies show, for instance, that although 3.2 percent of all Army officers are Negroes, only 1 percent of the officers with 20 years or more service are Negroes. While this fact may explain the existence of so few high ranking Negro officers, it does not eliminate the need for all personnel concerned with recruitment, assignment and promotion to be ever mindful of the history of discriminatory practices from which this situation arose and of the desirability of closing the gap as quickly as possible.

The ability of competent Negroes to succeed is all important. Nothing will do more to encourage the able Negro to enter military service as a career than tangible proof, as yet almost entirely lacking, that Negro officers can receive equal recognition and opportunity for advancement with whites. Actual examples of Negroes who have achieved major positions of responsibility in the Armed Forces will be worth thousands of words devoted to claims that no barriers exist.

Several problems have come to the Committee's attention concerning significant details in the machinery of officer promotions. The personnel folders reviewed by promotion boards, in the case of all the services, contain a photograph of the officers under consideration and, in the case of some of the services, contain forms having racial designations. Thus, the officer's race is brought sharply to the attention of the promotion board. There do not appear to be adequate reasons for having photographs or racial designations in the materials reviewed for promotion purposes. The presence of this information raises serious questions whether individual members of a promotion board, intentionally or otherwise, might discriminate on the basis of race.

The number of Negro officers who have served on boards concerned with officer promotions is very small. This follows from the fact that the members of such boards in all services are normally colonels (or the Navy equivalent, captain) or higher ranking officers, and, as table I, above, indicates, the number of Negroes who have attained these ranks is extremely small. In fact, in the Navy and Marine Corps, no officers have attained these ranks. So long as promotion selection is made primarily by white officers, questions as to the impartiality of these boards will continue to arise.

Officers serving on promotion boards are selected with care and take an oath demanding objectivity, but no particular effort is made to determine whether an officer serving on a promotion board, because of his background and personal experience, has a conscious or unconscious bias. Experience with this delicate and intangible problem in commercial organizations suggests that, on occasion, bias exists which can be disclosed by specific inquiry and attention to the individual's past performance.

F. Recommendations for improving promotion procedures

In view of the numerous complaints of discrimination in enlisted promotions and the slight participtaion of Negroes in the higher NCO ranks, the services should initiate, on a spot check basis, periodic inquiries into the operation of enlisted promotion procedures, particularly to the higher NCO ranks.

To minimize the possibility that conscious or unconscious discrimination on the basis of race or color may affect the impartiality of the officer promotion system, photographs and racial desigations in the folders reviewed by promotion boards should be eliminated. Every opportunity should be taken to appoint Negro officers to serve on promotion boards, in normal rotation. Techniques for assuring that all promotion board members are free from conscious or unconscious racial bias should be developed. Wherever possible, officers chosen to serve on promotion boards should be chosen from those who have had more than casual experience serving with Negro officers and enlisted personnel. To the extent that similar situations pertain in the enlisted promotion system, like steps should be taken there.

A final comment: No system is valid if the standards used to make decisions, no matter how objectively applied, are such as to operate unfairly against any group of persons. Accordingly, the services should each periodically review their standards for promotion, selection and assignment to make certain that latent ability is always properly measured and utilized.

IV. ELIMINATING REMAINING ON-BASE DISCRIMINATION

A. The present lack of communication between Negro personnel and commanders causes discrimination to fester

Reference has already been made to the highly successful program of the Armed Forces to bring about full integration and to the progress made toward equality of treatment and opportunity. More is required. Many of the remaining problems result from the lack of communication between Negro military personnel and the command echelon at bases.

Equality of treatment and opportunity is not the responsibility of any particular official or office in any of the services. Rather, responsibility is servicewide, in the sense that a general policy has been defined by broad directives. As a result, no machinery exists at any particular base by which a given officer is specifically charged with continuing responsibility in this area. There is no satisfactory method of handling complaints. Conditions conducive to discriminatory practices are often not even known to commanders. The Negro serviceman may complain to his immediate superior but it is rare that these complaints reach the attention of the base commander or members of his immediate staff. As problems become severe, they may or may not receive attention at one or more echelons in the command. In sum, there is no affirmative and continuing effort to monitor race relations problems on base.

An important byproduct of the Committee's work has been a new awareness, on the part of many of the commanders of bases visited, of the necessity for greater efforts to eliminate remaining obstacles to equality of treatment and opportunity in the Armed Forces. For example, on visits to bases, Committee members noted a number of discriminatory practices. Such practices were often remedied forthwith when brought to the attention of the base commander by Committee members. This illustrates the value of expanded communications between Negro military personnel and base commanders. Means must be found to keep base commanders informed of such conditions as they develop. It is clear to the Committee that only by fixing responsibility and establishing some means for monitoring these matters, base by base, can problems of discrimination, which will inevitably arise from time to time, be cured effectively and promptly.

At the present time, the absence of an effective procedure for dealing with complaints has led Negro personnel to complain to Congressmen and to various private groups such as the NAACP, and to broadcast letters, sometimes anonymous, to individuals and groups interested in racial matters. The investigation of these letters through the traditonal Inspector General or Department of Defense channels is often fruitless. These authorities are not geared to handle such problems and too much time elapses, making it difficult to ascertain the facts.

There exists in the minds of many Negro personnel the fear that they will be subject to criticism and reprisal if they raise matters of this kind. Procedures must be developed which eliminate this fear and encourage them to present their complaints. Merely stating that reprisals are forbidden is not enough.

Some complaints will allege that a specific individual has suffered discriminatory treatment of some kind. Such complaints, involving matters relating to a single person, such as failing to be promoted, cannot ordinarily be investigated without disclosing the identity of the aggrieved individual. This is not true, however, where the complaint discloses a discriminatory condition on base, such as a segregated NCO club. Such conditions can be investigated and eliminated without the need for identifying a particular complainant.

It cannot be emphasized too strongly that prompt correction of what may appear on the surface to be minor examples of discrimination will contribute substantially to morale. Such actions will also serve to keep the standard of conduct which national policy has decreed before all individuals on the base.

B. Recommendations for improving communication with commanders

In order to improve the processing of complaints at the base level, procedures must be established which will encourage Negro personnel to present complaints of discrimination while eliminating the risk that they will be subject to criticism or reprisal for so doing. In order to accomplish this, an officer should be designated at each base to receive such complaints. This officer must have free access to the base commander or his deputy for the purpose of communicating and discussing complaints of discrimination. Commanders at bases must, of course, be held personally responsible for the effectiveness of the system and for conditions on the base. Discriminatory conditions may exist even where few complaints are made, and the commander should be held accountable to discover and remedy such conditions.

All personnel, officer and enlisted, should be free to contact the officer designated to receive complaints at any time, without the consent, knowledge, or approval of any person in the chain of command over them. Communications between servicemen and this officer should be privileged and service regulations should prohibit the disclosure of such communications or the identity of the complainant without the serviceman's consent.

The officer designated to receive such complaints should be carefully chosen to ensure that he is sensitive to problems of discrimination. The confidential nature of his duties in this area should be thoroughly explained to him and others, and he should be provided with a detailed manual of instructions. In view of his role as a confidential counselor, consideration should be given to the designation of the local legal assistance officer as the officer to receive such complaints, but the base commander should be free to designate the officer best qualified for such duties, regardless of the officer's other duties. However, the officer so chosen must not be so burdened with other duties that he cannot effectively deal with complaints presented to him; he should be so situated that servicemen can contact and consult him in privacy; and he should be independent and free from intimidation by any person in the performance of his duties.

Under this system, all base personnel should be repeatedly and periodically advised of the identity of the complaint officer, and further advised of their right to present complaints. Service regulations should forbid attempts to discourage the presentation of such complaints or reprisals against complainants, and all personnel should be advised that such attempts, in violation of these regulations, will subject them to disciplinary action.

Such day-to-day efforts to discover and eliminate examples of discrimination at the base level should be checked and supplemented by periodic field visits from personnel from the Department of Defense who are skilled and sensitive in handling problems of discrimination and whose full-time energies are devoted to such problems. In this way, commanders' efforts can be measured. In addition, servicemen should be free, if they choose, to present their complaints to such visiting personnel and to contact the Department of Defense office to which such personnel are assigned if they so desire.

C. Examples of remaining on-base discrimination and recommendations for their elimination

Members of the Committee received complaints from Negro personnel concerning particular conditions existing at specific bases. These complaints were received orally during base visits and by letters from servicemen. The Committee has not had the time or the resources to conduct specific investigations into such complaints, nor did the Committee conceive that this was the role assigned to it.

Personal observations and interviews have, however, pointed to discriminatory conditions which do exist at some bases.[3] These can be remedied and would appear to be of sufficient general consequence to be mentioned here, although conditions such as those discussed below are not the only ones which may exist nor are they prevalent on every base.

The Committee anticipates that if a better system of communication for dealing with racial problems suggestive of discrimination is established on base, and specific matters found on bases, such as those mentioned below, are given intelligent attention, many of the principal sources of irritation which reflect on morale, military efficiency and opportunity would be eliminated.

1. NCO and Service Clubs Require Careful Continuing Attention

One of the principal sources of difficulty arises in connection with the operation of on-base service and NCO clubs. The number and program of these clubs vary from base to base. Generally, they provide a place for gathering, refreshment, entertainment and occasional dances. There is sometimes more than one NCO or service club on a base. At some bases, due to pressures brought by white personnel or other factors, forms of segregated service clubs have developed in practice. For example, the majority of Negro servicemen may gravitate to one club and white servicemen to another. Commanding officers have permitted this condition to be imposed by the wishes of a minority of white personnel and have not taken sufficient affirmative steps to encourage utilization of all clubs by all personnel who desire to do so.

At some service clubs, it is customary for the command, through professional or volunteer hostesses, to arrange for girls to come to the base for a dance or other entertainment. Although such service clubs are used by whites and Negroes alike, there are instances when too few or no Negro girls are brought to the base, thus creating unnecessary tensions. There is also evidence that on occasion civilian hostesses have imported onto the base from the civilian community attitudes which are inconsistent with Department of Defense policy. One of the most successful service clubs is that at an Army base in the South, operated by a very able Negro hostess, which attracts local volunteer workers and servicemen of both races.

These problems are not necessary and should be eliminated without delay. To do this, commanders should take affirmative action to insure that there is no de facto segregation or discrimination at any of these club facilities. In addition, Negro girls should be secured for dances, and greater care should be taken in the selection and training of hostesses and other civilian personnel operating service clubs.

2. Military Police Assignments Require Review

Another area of fairly common complaint involves the use of military police of all services on base, at the base gate, and on patrols sent from the base into nearby communities. At some bases Negro military police have not been used at the base gate because of possible objection by members of the white civilian community. At others, there are instances in which wholly Negro patrols are sent into Negro areas, but not into white areas, while integrated patrols are not used for off-base assignments. These problems are particularly sensitive ones because of the status and authority of the military police.

To the extent numerically possible, regular military police patrols should be assigned on a racially integrated basis, and there should be no distinctions based on race in any type of military police assignment. Sufficient numbers of Negro personnel should be included in military police units to permit such assignment policies to be effectuated. National and defense policy on integration should be clearly spelled out to personnel undergoing military police training and to those who train and supervise military police.

3. Base-Sponsored Activities Must Adhere to National Policy

The Department of Defense and the services have prohibited the use of their names, facilities, activities or sponsorship by any employee recreational organization practicing racial discrimination. However, policies have not been established concerning the participation of bands, sports teams, choirs, and the like, in activities off base. For example, no directive specifically prohibits the removal of Negro members from bands, choirs, marching units, or other military groups representing the base at off-base functions, where such removal is sought or suggested by community representatives.

Many base commanders on their own initiative have refused to permit groups from a base to participate outside the base in events where elimination or segregation of Negro personnel would be required because of civilian attitudes. This has been a very healthy and desirable action. To remove Negro members from bands and choruses, as has been done on occasion, or from any other service activity in response to outside pressures, creates an indefensible form of discrimination within the services.

Base commanders themselves have frequent opportunities to attend gatherings of local groups, as speakers or in other semiofficial capacities. A number of these groups both practice segregation and support local segregation policies. Such attendance may serve a legitimate and useful function in furthering objectives of the services.

Where commanders limit their community activities to civic groups that exclude Negroes and favor segregation—as is often the case—they fail in their mission. The commander must not appear, by his speeches to such groups and his acceptance of awards from them, to condone conditions which are offensive to his men and injurious to the efficiency of his command.

To assure that these off-base functions do not undermine the atmosphere of equality developed on the base, all military commanders should be instructed to follow the lead of those who have refused to permit their personnel to participate in base-controlled activities outside the base where elimination or segregation of Negro personnel is sought. While commanders' discretion must guide their own attendance policies, they should be sensitive to avoid attending any function if such attendance might seem an endorsement of discriminatory civilian attitudes.

4. Freedom of Association and Expression Must Be Preserved

Another example of the influence which off-base civilian attitudes have on base is reflected in the efforts of some commanders to discourage interracial association by military personnel off base and to urge compliance with all forms of local segregation requirements. In some cases, it has been officially suggested, in effect, that friends segregate themselves off base in order to avoid local objections. In one case, it was reported that military police at the base gate systematically warned personnel that white and Negro personnel leaving the base together in private automobiles should not enter town together. In other cases, personnel have been advised to comply with local segregation policies without any protest, and have even been told that expressions of their views concerning such local policies may result in disciplinary action against them.

These actions by some commanders, restraining freedom of association and expression, are misguided and should be terminated.

5. Segregation in Transportation and Schoolbuses Must Be Eliminated

A number of bases utilize local transportation facilities which run with some frequency between the base and the local community. Some of these local operators practice segregation. In a number of instances, buses, while required to integrate during the period the bus is on base property, enforce a segregated pattern of seating immediately upon leaving the installation. Conversely, troops traveling to the base in segregated patterns may change seating only upon arrival at the base. In other instances, taxis which refuse Negroes transportation are permitted to serve the installation. Thus, servicemen are carried to and from the base in a segregated pattern wholly inconsistent with the existing pattern of integration on base.

There are few schools on military bases for dependents living on base. None of these schools serve all such dependents. As a consequence, dependents living on base are sent to local public and, sometimes, private school systems. Where these public school systems are segregated, different transportation services are sometimes provided for Negro and white students. As a consequence, during the school year separate buses for Negro and white children arrive and depart from a base daily. The white and Negro children live and play together on base and may have gone to school together on base. The enforced separation and differentiation which the segregated schoolbus system sharply exhibits is inconsistent with other conditions on base and is often the only example of on-base segregation. By appearing even in this fashion to support a segregated school system, the Military Establishment is lending support to a basically unconstitutional, and therefore, unlawful, condition.

These and any other examples of discrimination in transportation serving the base should be eliminated. Agreements should be sought with bus and taxi companies willing to provide nondiscriminatory transportation for servicemen. If such agreements cannot be promptly obtained, the services should provide other forms of transportation to terminate this indignity.

In addition, the services should make every effort to have local school authorities discontinue segregation of all schoolbuses traveling to the post without delay. If such efforts should in any case be unsuccessful, immediate provisions should be made for transporting these children in military vehicles or under contractual arrangements with other carriers. This will entail some difficulty and expense, but the clear national policy of on-base integration requires it. Moreover, such action will daily carry to the civilian community a demonstration of the services' conviction that all such discrimination must disappear.

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[3] Disturbing patterns of civilian employment at some military bases, both in the Federal civil service and in clubs, exchange facilities and other non-appropriated fund activities, have come to the attention of the Committee during its study. Since discrimination in Federal civilian employment is under continuing review by the President's Committee on Equal Employment Opportunity, these patterns have been called to the attention of that body.

V. ELIMINATING THE SERIOUS OFF-BASE DISCRIMINATION BY CIVILIAN COMMUNITIES AFFECTING THE MORALE OF NEGRO MILITARY PERSONNEL AND DEPENDENTS

A. Civilian communities near bases often segregate and discriminate against Negro military personnel

The hundreds of military installations within the United States cannot exist in isolation from surrounding civilian communities. The reasons are obvious and need be only briefly covered.

Military family housing on base is, generally speaking, assigned to eligible personnel on the basis of seniority. Such housing is not sufficient, in most instances, to house more than about one-half the eligible married personnel. At many bases there is relatively little on-base housing. Therefore, it is quite usual for many of the married personnel to live off base. Statistics from the Department of Defense indicate that there are within the United States approximately 405,000 families residing in various types of off-base community housing, in communities near the service members' places of duty.

As far as schools are concerned, the overwhelming majority of school-age dependents of military personnel use the local public school system, whether they live on or off base.

A family residing on or off base utilizes many of the normal community facilities for shopping and recreation. While the services have attempted in some degree to provide recreational opportunities on base—and there are, among other things, service clubs, swimming pools and theaters found in some of the larger bases—the limited and institutional character of these arrangements does not satisfy the needs of the military personnel. Apart from the natural desire of military personnel to exist free from command supervision, many families reside sufficiently far from the base to make on-base facilities of limited utility.

Although the Supreme Court has declared that laws requiring segregation of public school or other public facilities are unconstitutional, the Committee's studies have disclosed that a very substantial number of communities neighboring military bases practice various forms of segregation. Segregation is found in varying degrees throughout the United States. In some communities local laws require segregation; in others the condition derives from custom and the wishes of the local population. The pattern of discrimination and segregation is, of course, particularly noticeable in the southern communities, but there are substantial variations from community to community and State to State. Forms of discrimination appear in many northern communities. Discrimination in housing is almost universal. Some bases established in States such as the Dakotas have confronted forms of segregation and discrimination which have much of the same rigidity found in certain southern communities.

In addition to its personal examination of conditions in certain communities, the Committee requested the services to supply information indicating prevalence of segregation in communities neighboring to bases. Studies made by the Army and Navy or certain of their domestic installations and activities illustrate the typical pattern with which the Committee is concerned. The following table containing this informaton is illuminating; less complete analyses by the Air Force and Marine Corps indicate that their personnel confront similar patterns.

TABLE III.—*Segregation of public facilities in communities adjacent to military installations*

Types of segregated public facility	Number of surveyed installations and activities with such segregated facilities [1]		Number of personnel stationed where facilities are segregated		Percentage of surveyed installations and activities with segregated facilities	
	Army	Navy	Army	Navy	Army	Navy
Public schools	48	143	178, 109	58, 500	24	25
Restaurants and bars	68	238	257, 893	110, 000	34	43
Theaters	63	223	232, 301	105, 000	31	40
Swimming pools	19	226	178, 201	102, 000	9	40
Golf courses	38	164	190, 931	82, 000	19	29
Beaches	10	203	123, 502	90, 000	5	36
Bowling alleys	32	194	205, 001	103, 000	16	35
Libraries	10	49	130, 179	28, 000	5	9
Public transportation	4	47	41, 091	22, 000	2	8
Hotels, motels	12	252	205, 618	141, 000	6	45
Churches	23	163	127, 402	70, 000	11	29

[1] The Army survey for this table covered 201 installations and activities, while the Navy survey covered 559. Each installation and activity surveyed had 100 or more military personnel assigned to it.

B. Community segregation and discrimination adversely affects service morale

A Negro officer or serviceman is, like all military personnel, subject to orders. On short notice he may be transferred to any base. This dislocation of his affairs is one of the disadvantages of military service. The time allowed is limited and orders are immutable.

When a Negro officer or serviceman is transferred to a base where the neighboring community practices substantial forms of segregation and discrimination, he immediately faces very special and difficult problems. Assuming, as is often the case, that he must live off base, he must look for a house or an apartment; he must then arrange for the schooling of his children; he must find transportation between home and base. In short, he must obtain for himself and his family food, shelter, and recreation in what to him is necessarily a new and unfriendly community. In making this transition he gets little help from the base or the community. He must cope with the problems as he finds them, on short notice.

Discrimination in housing confronts him immediately in most sections of the country. Private housing in many parts of town is not available. Many real estate agents will have nothing to do with him. He is forced to that part of town and type of housing occupied by Negroes. Here in many cases are structures well below acceptable standards, expensive, dirty, dilapidated—in all respects undesirable. Often Negro housing areas are farthest from the base. Almost always the available segregated housing is below the standard available for white military personnel. Frequently little or no housing is available and space is at a premium. After one or two nights sleeping in his family car or at an expensive Negro motel (if he can find one) he takes whatever turns up.

Schools are his next concern. Here again patterns of segregation often exist. Although he wears the uniform of his country, his dependents may be forced into segregated schools. In some communities near bases these schools are well below standards, overcrowded, distant from the base and otherwise undesirable. Whatever the quality of the schools, and school conditions do of course vary, his children, like himself, are again set apart, contrary to their wishes.

Usually the Negro officer or serviceman has few friends in the community where he is sent. He and his family must build a new life, but many doors are closed outside the Negro section of town. Drugstores, restaurants and bars may refuse to serve him. Bowling alleys, golf courses, theaters, hotels and sections of department stores may exclude him. Transportation may be segregated. Churches may deny him admission. Throughout his period of service at the particular base he is in many ways set apart and denied the general freedom of the community available to his white counterpart.

Many of these Negro military personnel are well educated, specially skilled and accustomed to home communities relatively free from discrimination. All of them have enjoyed the relative freedom from distinctions drawn on the basis of color which prevails on military bases. To all Negroes these community conditions are a constant affront and a constant reminder that the society they are prepared to defend is a society that deprecates their right to full participation as citizens. This should not be.

Letters from Negro military personnel bring these conditions into sharp focus. Visits which members of the Committee made to bases and their surrounding communities have served to give them special emphasis. Interviews with Negro military personnel reflect their gravity and the need for prompt action.

Complaints which the Committee has received, some in interviews and some written, show that for some Negro families, the pressures of community discrimination prove too great to bear. Homes are broken up by these conditions as Negro families coming from parts of the country which are relatively tolerant of color differences find themselves facing a situation which is both new and frightening. For them, the clock has turned back more than a generation. To protect their children and to maintain some degree of dignity they return home, and the husband is left to work out his service obligations alone. Other families never attempt to venture into these conditions in the first place. Under either of these circumstances the Negro serviceman becomes consumed with the frustration of separation and the desire for transfer. And whether his family is with him or not, the indignities suffered in the community place a load upon his service career affecting both his interest and his performance.

The impact of community discrimination is not solely upon those who have families. Such discrimination creates another demoralizing condition, affecting all military personnel. On base many of the artificial barriers caused by race disappear as Negro and white personnel work, eat, and sleep together. Friendships develop between Negro and white officers and servicemen. Normally these relationships would carry over into moments of liberty and recreation. But many communities do not tolerate relations between Negroes and whites. Leaving the base, they may not be able to ride the bus into town together, attend a movie, go bowling, get a coke at a drugstore or a beer at a bar or, indeed, even stroll through a public park. This sharp taboo which the civilian community seeks to impose is particularly intolerable and its effects unusually severe in view of the easy, normal relationships which develop on base under existing military policy. The contrast makes the discrimination more biting and affront more serious. Conditions such as these cause deep resentment among Negro and many white personnel.

The isolation caused by this type of blatant discrimination is felt keenly by the increasingly large group of Negro personnel whose education and training make the facilities available in the Negro areas of many communities unacceptable. There are many Negroes in the Armed Forces who simply will not patronize the usual places of public recreation and accommodations available to Negroes in typical segregated communities. Judged by standards to which they have been accustomed at home, these places seem both shabby and disreputable. They will not accept them merely because no alternative is available. Their efforts to find forms of recreation and pursue cultural interests consonant with their background go unrewarded because of the barriers placed in their way by community attitudes.

It is not surprising, but most discouraging, to have to report that there are bases where Negro personnel confront such intolerable conditions off base that almost any device will be employed to effect a change in duty assignment. Applications for transfer,[4] infractions of rules and a general contempt for the "system" are apt to appear. The effect on service morale and efficiency is apparent. The Committee's inquiries, including interviews with many base commanders, made it clear that the accomplishment of the military mission of a base confronted with such conditions is measurably impaired. There was general agreement among base commanders that the morale of both white and Negro troops suffers in the presence of such indignities and inequities. A practical program for dealing with off-base discrimination against Negro military personnel and their dependents is urgently required.

C. Base commanders lack adequate instructions and generally ignore off-base discrimination

The focal point of any practical approach to this most pressing problem is the base commander.[5] He represents the military in the area. It is his duty to be concerned with the welfare of those under his command. He is in a better position than higher echelons to identify the particular discrimination forms prevalent in the community neighboring his base. On his shoulders should fall the primary responsibility for solving local problems.

The record of base commanders in dealing with such problems has not been impressive. Their failure in this regard stems from a number of causes.

While the failure can be explained by the absence of specific directives requiring affirmative programs, in part it stems from the attitudes and training which most base commanders bring to their job. As a group, they do not believe that problems of segregation and racial discrimination in the local community should be their concern. Base commanders express this view in various ways: That the authority of the base commander ends at the gate, that it is not his job to rearrange the social order, that it is not part of the military mission to change community attitudes, that any pressure would be misunderstood and merely stir up trouble, that questions of this kind should be left to the courts, that military personnel are traditionally nonpolitical and should not involve themselevs in controversial questions.

The failure stems also from the nature of assignments to the job of base commander. Such assignments are for a limited tour of duty, often between 2 and 3 years. Rarely does a man serve as a base commander more than once. The base commander naturally looks upon his job as an opportunty to exercise military command on a substantial scale, thus providing important experience as he moves up the promotion ladder. Quite naturally he conceives of his job as overwhelmingly military in character, his mission being to develop the units and troops under his command to peak efficiency. While he has a multitude of duties, many of these may be delegated or subordinated to the priority which he feels must be given the strictly military aspects of his job, the aspects most familiar to him. His course of training as an officer has not been such as to bring him into contact with literature and experience in the field of equal opporuntly. He operates without the guidance of persons experienced with such problems.

The typical base commander understands that he is expected to complete his limited tour of duty without disturbance. The problems with which he might become concerned in attempting to improve treatment of his troops off base are emotionally surcharged and controversial, as well as difficult to solve. He will not venture into this area without specific instructions.

The attitudes and background of the base commander influence the manner in which he utilizes the fairly well-established procedures by which commanders discuss certain types of problems with the neighboring civilian community. The various services' instructions concerning community relations suggest working through some sort of committee or council. The civilian members of such a group are often designated by the chamber of commerce, Rotary Club, or other civic group, or by officials of the local governments, and rarely are Negroes represented. The base is represented by the base commander and certain officers designated by him.

The principal function of the committee is to develop a smooth-working relationship on certain matters of obviously common concern, such as relations with local police authorities. Base commanders are instructed by directives, quite properly, to recognize the public-relations aspect of their jobs, to encourage parades and troop participation in civic affairs, and generally to project before the community a favorable image of the base and the service. It has not been the practice for these community relations committees to concern themselves with racial matters. Indeed, in most communities where there is a substantial Negro population and serious forms of discrimination exist, the leaders of the Negro community are not represented on the committees, nor are whites who are mindful of these problems. The commander, moreover, selects no Negro personnel to represent the base. As a result, the base commander has little or no contact with local discrimination problems.

The pattern which the Committee has observed is clearly one of inaction by base commanders in the face of serious discrimination affecting the morale and military efficiency of members of their commands. But while the base commander represents his service and the Department of Defense locally, it would be unfair to ascribe to him sole responsibility for the policy of inaction. If he has failed to pursue an active program, it is largely because no higher command has directed him to do so, provided him with guidance in developing a program, or assured him that he would be given support if his affirmative actions should incur the disfavor of the community.

It is true that the Department of Defense, in recognition of the off-base problem, has made some limited moves in the direction of improving conditions. Military police, for example, are not permitted to be employed on behalf of local authorities to support enforcement of racial segregation or other forms of discrimination. Where civilian authorities initiate legal action against military personnel arsing out of the enforcement of segregation or discrimination policies, limited legal assistance may be provided on an ad hoc basis to assure that such personnel are afforded due process of law.

In the field of housing, a recent Secretary of Defense memorandum now provides that private housing leased by the services for assignment to military personnel may be obtained only where the lessor agrees that the services may assign it without discrimination. In dealing with the problem of segregated schools, the services are cooperating with the Department of Health, Education, and Welfare and the Department of Justice in a program designed to desegregate schooling in certain communities by constructing on-base schools and withdrawing payments made to local schools for educating dependents living on base.

These are, of course, policies for dealing with rather well-defined, specific problems. It is also important to consider direct instructions to bases giving general policies for attacking problems of discrimination. The existing instructions are found in the so-called Gilpatric memorandum, issued to all branches of the service by the Deputy Secretary of Defense on June 19, 1961, and reissued thereafter by each of the services, which reads in part, as follows:

"1. The policy of equal treatment for all members of the Armed Forces without regard to race, creed or color is firmly established within the Department of Defense.

"2. Therefore, in those areas where unsegregated facilities are not readily available to members of the Armed Forces in adjacent or surrounding communities, it is the policy of the Department of Defense to provide such facilities on military installations to the extent possible. In addition, local commanders are expected to make every effort to obtain such facilities off base for members of the Armed Forces through command-community relations committees."

The policy announced by the second paragraph of this memorandum has not been carried out. While copies of this memorandum were distributed widely in the services, there was no well-developed plan for carrying out the program outlined in these general terms, and the words "to the extent possible" vitiated its effectiveness. Except in the Navy, the policy has not been incorporated in any of the relatively permanent types of directives which are referred to by those in the field for guidance in developing base policies. Equally serious, no service has issued detailed regulations or manuals implementing the policy, nor has any systematic effort been made to determine what, if anything, base commanders were doing to carry out its letter or spirit. Indeed, the great majority of base commanders interviewed were unaware of the existence of the policy. These procedures are fairly typical of the way in which most other policies in this area have been handled.

Apart from the Gilpatric memorandum, no directive or policy of any service specifically assigns to base commanders the responsibility for attempting to eliminate problems of discrimination in surrounding communities, where such problems affect the morale and military efficiency of members of their commands. The service literature dealing with community relations has not in the past discussed the problem; apparently no higher command has censured base commanders for policies of inaction; no effort has been to identify and commend commanders who have made efforts to solve such problems; no one has suggested to base commanders that their achievements in dealing with such problems will be considered in rating their performance of duty and in promotion selection. It is not surprising, therefore, that the base commander, without instruction, experience or technical support, keeps his emphasis solidly on the military aspect of his mission. While some commanders assert that they have quietly urged desegregation "behind the scenes" and in the course of social contacts, few, if any, have regularly and systematically sought to solve problems of discrimination.

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[4] In order to maintain maximum utilization of manpower, the Services generally deny transfers to Negro servicemen when such transfers are requested upon the sole ground that they and their families are suffering racial discrimination in the communities where their places of duty are located. Exceptions may be made for particularly severe cases.

[5] At some bases, there are commanders senior to the person designated as the base commander. Where this is true, the attitudes of the senior commander are naturally given great weight by the base commander. In such situations, the considerations discussed in the context of the base commander's functions apply with equal force to the role of this senior commander located at the base.

Despite the general climate of inaction, the Committee has seen some evidence of occasional efforts by individual base commanders to deal with off-base discrimination problems, efforts which have met with some success. One commander encouraged enactment of an equal accommodations law; another has attempted to desegregate multiple housing units; others have placed considerable emphasis on breaking color lines in sports contests in which the base is involved. Occasionally, local auditoriums have been thrown open to all servicemen in the face of an established pattern of exclusion and segregation. Efforts have been made to open up cultural events in communities to Negro personnel or to permit attendance at sports events, with nonsegregated seating. While, in many instances, in communities where segregation is practiced, segregated military police patrols are used—an undesirable practice—there has been some effort to use mixed military police patrols in white and Negro areas. Some commanders have been able to arrange desegregated transportation between the base and the nearby community, contrary to local practice. At least one commander started a program of meetings and discussions with local Negro civil rights leaders.

The examples given above are the rare exception, rather than the rule, but they offer an indication of the advances which a positive effort can achieve.

D. Recommendations for an urgently needed program

1. The Defense Department and the Services Must Redefine Responsibilities, Establish Goals and Provide Detailed Instructions

While any worthwhile efforts to eliminate off-base discrimination must center on the functions of the base commander, a redefinition of responsibilities at all levels of command in this field is an essential preliminary. It should be the policy of the Department of Defense and part of the mission of the chain of command from the secretaries of the services to the local base commander, not only to remove discrimination within the Armed Forces, but also to make every effort to eliminate discriminatory practices as they affect members of the Armed Forces and their dependents within the neighboring civilian communities.

As a part of this process of redefinition, a different concept of the base commander's functions in the racial field must be evolved. Interviews with base commanders have led the Committee to conclude that commanders desire more explicit instructions and clarification of their responsibilities in this regard. These commanders, concerned with morale factors, increasingly feel the need to act. Before they act, they need to have their responsibilities defined. They need more explicit orders and more detailed directives. These should be provided.

2. Commanders' Performance Must Be Rated, Monitored and Supported

Redefinition is, however, not enough. There is need for a continuing program in this area, a program which must be imaginative and persistent in order to achieve the desired equality of treatment and opportunity. It must be made clear to base commanders and others concerned with these problems that they will be measured in terms of their performance. A regular system of monitoring and reporting on progress should be instituted. It should be made clear that officers showing initiative and achievement in this area will enhance their performance ratings and obtain favorable consideration for promotion and career advancement. It is especially important that such officers be assured that they will not run the risk of official disfavor for their efforts and that they will receive the support of all echelons of command if their programs are attacked by local interests.

In implementing the program to eliminate off-base discrimination against military personnel, considerable care should be taken to insure that the policies of the Department of Defense are disseminated to lower echelons by the services in relatively permanent media of the type maintained for continuing reference by those responsible for operating military bases.

But it is not sufficient merely to state in directives, of whatever type, the substance of the foregoing policy. There has been a great failure of communications to bases of the attitudes and policies of the Department of Defense concerning discrimination. It will be necessary to emphasize and reemphasize that progress is required, and that a constant showing of serious, intense effort is the minimum performance accepted. While this attitude must be instilled in base commanders, it must also be part of the command philosophy of the many superior commanders who assign base commanders to duty, assess their performance, and necessarily influence their attitudes.

3. Command Training Programs and Manuals Should Treat All Aspects of Discrimination Problems and Solutions

Still other steps should be taken to insure that a sense of responsibility for problems of offbase discrimination replaces the prevalent notion that matters outside the gate are of no concern to the base commander. The history of Negro participation in the Armed Forces and the problems which he confronts in the services must be emphasized and made a definite part of the curriculum at all levels of officer and command training. The services must insure that men reaching the position of base commander are familiar with the requirements of the Constitution and the history of the Negroes' struggle to achieve equality of treatment and opportunity. In addition, it would be beneficial for base commanders to attend regional and interregional seminars or conferences where discussions of techniques and results are featured. Base commanders and higher commands should be made aware of other Federal agencies which work with problems of discrimination and directed to cooperate with such agencies and to seek their technical assistance and advice.

Base commanders should also be provided a carefully prepared manual, which will guide their activities in this as yet unfamiliar area and fill some of the gaps in their experience and training.

4. Base Commanders Must Establish Biracial Community Committees and by This and Other Means Lead Efforts To Reduce Discrimination

An active program for eliminating off-base discrimination demands the creation of a wholly different working relationship between the commander and the local community in which discrimination is practiced. Solving such problems should be the means at his disposal in seeking solutions. One of the means base commanders should use to solve problems of discrimination is a committee of base and community representatives. But satisfactory results cannot be obtained by relying on the types of committees which have heretofore existed. Generally, these committees have represented a part of the white community, but not the community as a whole.

In the future the installation commander should be required to appoint such a committee in order to bring together leaders of both the white and Negro communities. He is in the best position to do this. Care should be taken to include individuals experienced and concerned with problems of racial equality, as a recent Navy instruction has noted, and to insure that the Negro members are those who are not, by virtue of their job or position, subservient to white interests. Both white and Negro military personnel should participate.

The committees should function as working committees, identifying problem areas in the community and working toward their solution with the guidance and help of committee members and with technical assistance from experts when appropriate. It will be necessary to establish specific objectives and a timetable against which results can be measured. Problems of housing will prevail everywhere, but exclusion of Negro military personnel from theaters may be the most pressing problem in one community, while exclusion from restaurants is the principal aggravation in another. Various types of recreational facilities may have special local significance because of their proximity to the base, the lack of adequate on-base facilities or other considerations. It will be necessary to move from objective to objective and these objectives will differ from community to community.

Each community has its own special traditions and history. In some, attitudes are more entrenched than in others. It is significant, however, that base commanders who have genuinely undertaken to accomplish progress in this area have met some degree of success, even in communities where feelings are strong. Similarly, the progress of the national USO program to eliminate segregation in all its local facilities, discussed later in this report, shows that serious effort can produce results.

It is important to emphasize that the base commander's concern should be that of correcting forms of discrimination which interfere with the morale and efficiency of members of his command. The pattern the community chooses to follow as to its own civilians cannot be accepted as the pattern which must be imposed upon men in uniform or their dependents, when that pattern is detrimental to military morale and efficiency. The significant tradition of noninvolvement by military authorities in local political matters will be unimpaired if base commanders limit their concern to problems affecting the morale and efficiency of members of their commands.

It is the Committee's judgment that many communities are awaiting leadership and direction. Proprietors of local establishments and others who must live and work in the community may understandably hesitate to urge a change in existing customs. However, the enormous growth of relatively permanent military installations, scattered throughout the country and economically important to the communities which surround them, enables local commanders to supply some of the necessary leadership. The base commander not only enjoys an independence which permits him to do so; he can also point to the successful program of equality of treatment and opportunity which exists on his base and to the economic dependence of the community upon the base. The base commander should emphasize his concern for morale and the policy of the services concerning off-base discrimination in conferences with individuals, in his work with the local committee, and in public expressions of his views. Such an approach, stressing troop morale and efficiency, should lead patriotic citizens to join together, where their business interests are common, to find an appropriate solution.

5. Where Efforts of Base Commanders Are Unsuccessful Sanctions Are Available and Should Be Employed

It is important to consider what further steps may be necessary where efforts to achieve progress by persuasion and discussion are unsuccessful.

Litigation, brought in the name of the Federal Government, to open some types of public establishments to members of the Armed Forces and their dependents is one possible avenue for achieving integration. But even in those cases in which such litigation offers some hope of eventual success, it is piecemeal and time consuming at best.

A more satisfactory approach must be developed. Segregation and other forms of discrimination in facilities in a given locality, detrimental to the morale of Negro personnel at a neighboring military base, must cease. The commander should, of course, attempt by means available to him—community committees, persuasion, emphasis of the base's importance to the local economy—to eliminate such practices. In situations in which these efforts are unsuccessful, the commander should develop a plan under which military personnel of all races would be permitted to patronize only those facilities which receive his express approval. One of the requirements for such approval should be a guarantee from the proprietor that the establishment will be open to all servicemen and their dependents without regard to race or color, and that all patrons will receive equal treatment. Qualifying establishments might be issued a display placard or decal.

Approval of an establishment is not, of course, the final step. There must be procedures for dealing with complaints that approved establishments have not fulfilled their guarantees, and for withdrawing approval if such complaints are substantiated.

Should all other efforts fail, the services must consider a curtailment or termination of activities at certain military installations near communities where discrimination is particularly prevalent. While compelling military considerations must prevail, it is often possible to conduct certain activities at any one of a number of locations. Where this is true, alternative communities' attitudes and practices should be carefully weighed. Such relocation of activities is particularly important at bases that play an important role in the training of new recruits or officers or in the orientation of representatives of foreign governments. The objective here should be preservation of morale, not the punishment of local communities which have a tradition of segregation.

In this context, one further comment is appropriate. The Armed Forces have, in the past, unfortunately not given attention to the important morale factors presented in off-base communities at the time that new installations are opened or changes made in the deployment of forces as between bases.

Where tactical considerations make a variety of sites eligible for consideration, the military decision should, among other things, strenuously emphasize the necessity of obtaining from the communities involved explicit guarantees against the continuation or establishment of patterns of discrimination against members of the Armed Forces and their dependents. At these moments of decision the economic well-being of the community will serve as a potent influence toward assuring the conditions necessary to maintain morale and efficiency.

6. Officials Charged With Responsibility for Equality of Treatment and Opportunity On and Off Base Should Be Appointed in the Defense Department and the Services

It is not within the province of this committee to detail the administrative steps which are obviously necessary to carry out the type of program that has been outlined. Some general recommendations in this regard are, however, indicated.

It will be necessary to establish offices in each service to monitor developments and to provide assistance. Trained individuals must be in frequent contact with the bases involved. Overall policies must be guided by an official within the Department of Defense whose full-time responsibility is the program for assuring equality of opportunity and treatment for servicemen. This official should have a full-time, biracial staff skilled in dealing with deprivations of equality, and should, in addition, have access to consultants who have broad experience in dealing with racial discrimination. Procedures must be devised to bring the base commander into close working relationship with other Federal bodies concerned with problems in this area, and with local groups working to eliminate forms of discrimination. All of the resources of the Federal Government should be made available to him and brought to bear on the intelligent solution of specific problems.

VI. EFFORTS OF THE USO TO ELIMINATE SEGREGATION AND DISCRIMINATION

It is appropriate at this juncture to comment briefly on some recent developments affecting the United Services Organization, commonly known as the USO. The USO, which operates some 139 clubs in the United States, is a voluntary civilian agency established for the purpose of assisting the Armed Forces. It does so by providing recreational and entertainment facilities and programs for servicemen in various communities. Operating on a nonprofit basis, it collects its funds largely through private donations in a number of communities throughout the United States. No Federal funds support the program within the United States. Quite naturally, the USO has a close working relationship with the Department of Defense, which is represented on its board of governors.

In January 1963, the USO board of governors determined to implement more aggressively a policy, long established by the USO, designed to assure operation of all its facilities without distinctions based on race, color or national origin. The USO is now in the process of adjusting its program and devising methods to make maximum service possible on a nonsegregated basis to all members of the Armed Forces. It has determined that it will not sponsor, operate or finance anything other than integrated USO facilities in any community after 1963.

This new policy involves various adjustments at clubs in 20 communities located chiefly in Florida, Georgia, Texas, South Carolina, and Virginia. Since January a number of clubs have integrated and established new programs. The Department of Defense and the commanders at the installations affected have agreed to cooperate with the USO in carrying out its program. As a result of these measures, it is expected that all local USO clubs will be operating on an integrated basis by the end of the year. This Committee has been in close touch with the USO throughout this program and commends its efforts, which it will continue to observe in the forthcoming months.

VII. THE UNAVAILABILITY OF SUITABLE HOUSING FOR NEGRO MILITARY PERSONNEL AND RECOMMENDATIONS FOR IMPROVEMENT

Representatives of the services are unanimous in characterizing undesirable family housing conditions as the most serious problem affecting the morale of military families of all races. Some measure of the gravity of this problem is suggested by a complete 1962 Department of Defense survey which shows that of the 487,408 military families not living on military installations, 181,635 live in quarters which are below service standards in some fashion.[8] Bad as the situation is for all personnel, it is much worse for Negroes who face discrimination in housing throughout the United States. Unfortunately, the Department of Defense is not at present acting with vigor or sensitivity in this area.

The full scope of housing problems encountered by Negro personnel off base cannot be determined from available figures. These figures are based on an annual questionnaire on family housing which does not include questions identifying the race of the family or the nature of the neighborhood in which the family lives. Neither does the questionnaire inquire into difficulties stemming from discriminatory off-base housing practices. Modification of this questionnaire to develop such information is essential if Negro housing problems, as an important element of overall housing problems, are to be adequately assessed. In planning Government owned or controlled housing, the information developed from the modified questionnaire should be fully utilized to insure that estimates of the availability of housing in the community and standards for determining the adequacy of such housing gave appropriate weight to discriminatory housing practices.

If this is done, construction of additional Government-owned or controlled housing units at installations where housing problems are severe can be properly planned to help alleviate the problem of discrimination in housing. Any new units should, of course, be occupied on an integrated basis as other military housing is now occupied.

Furthermore, in order to provide a fair opportunity for all servicemen eligible for on-base housing to obtain such quarters, it may be desirable in some instances to assign on-base housing by alloting blocks of housing to certain specific enlisted grades, as is now done occasionally.

That little has been done at the base level to increase the amount of housing available to Negro personnel reflects the absence of any helpful policies or guidance from the services or the Department of Defense dealing with this problem. While discrimination in housing is not susceptible of easy solution, there are a number of steps which, if utilized, can bring improvement in the off-base housing situation.

Some of these steps will be informal in nature. For example, base housing officials and base commanders should stimulate interest among private builders in developing multiple units available without regard to race. Equally important are concerted efforts to develop and maintain lists of private housing available without regard to race, by means of a canvass of units available in the community. Such lists, kept current and open to all personnel, would help to avoid the embarrassment and wasted effort which results when each Negro serviceman seeking housing has to rely on his own investigation and efforts.

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[8] Of these 181,635 families, 74,250 families live in housing which is substandard because of the condition of the dwelling or inadequate size for the family unit. An additional 27,284 families live at a distance from the base which is considered excessive by Department of Defense standards, and 80,101 live in housing whose cost exceeds the allowance for quarters paid the serviceman. The first figure given does not include 23,859 families who desire to live near the duty station of the service member, but cannot because of the unavailability of adequate housing.

Other steps of a more formal nature should also be vigorously pursued. The leased housing program currently available to the Services has, in the past, been generally limited to providing housing for personnel assigned to jobs whose tactical significance required them to live near their place of duty. Such housing can now be obtained for personnel not holding tactical positions. Under this program, privately owned units are rented by the service and assigned as public quarters to military personnel, who then forfeit their quarters allowance. The advantages of such a program include both utilization of the private housing market and speed and flexibility in adapting to changing conditions. This program should be expanded and applied more vigorously in tactical and in nontactical situations, where necessary, to minimize the effects of discriminatory housing practices. While current directives require that the lessor consent to nondiscriminatory assignment, it will naturally be necessary for the services to insure that the housing to which Negroes are assigned is not in substandard neighborhoods.

Section 810 of the National Housing Act has recently provided for FHA insurance of multiple-family housing to be constructed on the basis of military need. However, the number of units currently authorized is far too small to have any significant effect on Negro housing problems. This program, too, should be enlarged and made more flexible. Here, again, the agencies of government responsible for approving construction of this so-called "810" housing should weigh, with other considerations, the incidence of discrimination in housing near bases.

New housing, to be insured by the Federal Housing Administration, will be subject to the mandatory nondiscrimination provisions of the recent Executive order on equal opportunity in housing. The services should insure that lists of such housing are made easily available to all personnel at the base level. Any discrimination in this housing should be promptly reported by the base to the FHA, the Department of Justice and the President's Committee on Equal Opportunity in Housing for proper action.

As an essential part of a meaningful program, base commanders will have to utilize their good offices and those of other involved Federal Agencies, as directed in the Executive order, at every opportunity, in order to promote the abandonment of discriminatory practices in housing.

Some States and local communities prohibit discrimination in certain types of housing. For example, at least 17 States, including California, New Jersey, New York, and Pennsylvania, have laws to this effect. Information on such requirements, including the agency of the State charged with their enforcement, should be made accessible to base commanders and housing officers, who should be responsible for utilizing procedures available through such agencies for eliminating discrimination in housing.

The inexperience of base housing officers in attacking discrimination problems makes it necessary that rather detailed regulations and manuals be prepared, outlining the steps to be taken and the avenues to be explored. In discussing recommendations for a vigorous program, the Committee remarked on the need to impress upon responsible officials that serious, continued effort in dealing with equal opportunity matters is required. Those remarks apply with equal force here.

VIII. EDUCATIONAL OPPORTUNITIES FOR NEGRO MILITARY PERSONNEL AND DEPENDENTS AND RECOMMENDATIONS FOR IMPROVEMENT

Many military personnel are stationed at locations where segregation is practiced in the schools of the nearby community. This condition is not only unlawful under the Constitution but it operates against the military program of equal treatment and opportunity and is inconsistent with the patterns of integration which exist on base.

Traditionally, the military has not provided on-base schooling in any substantial degree. Where such schooling is provided, it is, of course, integrated and is specifically for dependents of personnel living on base. Thus, the great bulk of school-age dependents of military personnel, whether living on base or off base, attend local public schools.

The extent to which segregated public schooling exists in communities neighboring military installations is suggested by the following statistics.

TABLE IV.—*Segregated public schooling serving children of service personnel*

	Army	Navy	Marine Corps	Air Force
Number of installations or activities (with 100 or more assigned military personnel) in areas where public schools are segregated	48	143	4	53
Number of military personnel assigned to such installations and activities	178,109	58,500	47,956	159,691
Percentage of all service installations of this size in such segregated-school areas	20	25	5	18

There are probably about 200,000 to 210,000 school-age dependents, including perhaps between 15,000 to 20,000 Negro children, of the military personnel assigned to those bases referred to in table IV above. Usually the majority of school-age dependent children attend off-base schools. Negro military personnel expressed deep resentment about school segregation to the Committee during its visits. One letter reported that a serviceman had decided to send his wife and child home, leaving the serviceman alone at a base more than a thousand miles away, to avoid segregated schooling. Undoubtedly, others have done likewise.

The Federal Government has already begun steps to ease the problems. Where children living on base attend off-base locally operated schools, such schools in some cases receive Federal financial assistance. The determination of the Secretary of Health, Education, and Welfare that segregated schools do not provide suitable education for military dependents living on base will result in the establishment of a number of schools onbase, with a consequent withdrawal of students and funds from the schools of the community. These on-base schools, which can under existing law serve only children living on base, leave untouched the needs of the large numbers of military dependents who must live off base. Federal financial assistance is also being furnished in some cases to schools serving dependents who live off base, but whose parent works on base; the Secretary of Health, Education, and Welfare has determined that such payments must, under current law, be continued despite segregation in the schools receiving payment.

Suits initiated by the Department of Justice in the name of the United States, now pending in the courts, will, if successful, compel the integration of other schools serving military dependents, including dependents who live off base. If the right of the United States to bring such suits is upheld, the burden of supporting desegregation suits can be lifted from the shoulders of individual Negro servicemen. But such litigation is by nature long drawn out and piecemeal.

The children of our military personnel should not be compelled to wait. Their needs are immediate and should receive more attention. Legislation requiring desegregation of all public schools receiving Federal assistance which serve dependents of military personnel is urgently needed. As public schools are desegregated—through such legislation, through litigation, through efforts of the base commander, or by other means—local commanders should insure that children of Negro military personnel are promptly placed in such recently desegregated schools. In accomplishing this, the full power and influence of the base commander and of the service should be placed squarely on the side of Negro parents as they attempt to overcome the administrative barriers which often accompany desegregation. Token integration is only a first step toward satisfactory progress; efforts must not be considered successful until dispersion of children of Negro military personnel within the local school system is complete.

There are several aspects of military education programs conducted in, by or through civilian schools which also require comment. A variety of opportunities exist by which an enlisted man or officer may improve his education and hence enhance his opportunity for advancement. Efforts have been made by the Armed Forces to provide this education to Negro personnel as well as to others.

However, some of these programs involve direct agreements or contracts between the services and segregated secondary schools or institutions of higher learning. For example, some of the Army's junior ROTC and National Defense Cadet Corps units are located in segregated secondary schools. All of the services have ROTC units and fully subsidized professional education programs in segregated institutions of higher learning. These arrangements should not be continued. There is no readily apparent reason why similar arrangements to afford the types of education here involved cannot be made with institutions which have desegregated. Fortunately, the number of segregated institutions participating in military education programs is not so large for any service that the recommended alterations of programs should cause serious difficulties.

The services also have programs designed to permit full-time college attendance by personnel who need only a semester or a year of college work to qualify for a degree. Some personnel involved in this program are attending segregated institutions. To require these personnel to complete their work at a college other than the one previously attended would cause complications because of the difficulty of transferring credits and the different curricula involved. The Committee does not feel that those limited, special situations need be altered. It does not follow, of course, that personnel with no record of prior attendance at a segregated college should be permitted to complete their degree requirements there when integrated colleges are available.

In addition to these programs all of the services subsidize in part so-called off-duty education programs. Many service personnel afford themselves the advantages of such programs. However, some cannot because of segregation policies at certain institutions. At a few bases, where only white schools are available for this program and yet sufficient numbers of Negro personnel would participate if they could, integrated courses have been arranged on base for all personnel. These examples are highly commendable, and this practice should be required wherever similar segregated conditions exist together with sufficient numbers of interested Negro and white personnel. This practice should result in continuing minimization of use of segregated institutions in the off-duty program.

There are occasions, however, when courses are not arranged because of the limited number of Negroes present. While these determinations are administrative in character and are in no way intended as a form of discrimination, the Committee feels that under no circumstances should any Negro desiring to improve his education be prohibited from doing so because of the unavailability of schools. The very lack of such opportunities will keep Negroes from moving into technical and other nonservice occupational areas as mentioned earlier in this report. Where it is not feasible to establish on-base courses, and off-base schooling is not available, Negroes desiring additional education should be freely given the opportunity for transfer to or temporary duty at other locations.

There are compelling reasons for the Committee's recommendations regarding service educational programs involving segregated civilian institutions. First, of course, service funds should not be provided for these programs to State-controlled schools conducted in a manner offensive to a clear constitutional requirement, particularly one so oft-pronounced. Second, officer and enlisted personnel should not be trained in an environment which fosters among its members a policy opposite to, and at loggerheads with, that of equality of treatment and opportunity for all military personnel. To produce men trained for leadership under such conditions will make the job of correcting current problems more difficult for years to come. Finally, of course, Negro personnel who desire to partake of these educational opportunities should not be barred from doing so, for if they are, their careers and usefulness will be stunted to that extent.

In summary, then, as Armed Forces operations have become more complex, the importance of education of military personnel has been accentuated. This trend will undoubtedly continue. Full utilization of available talent—Negro or otherwise—demands that education programs contain no features which limit the opportunities of any personnel.

IX. RECOMMENDATIONS INVOLVING RACIAL DATA

All of the services have, in one form or another, an indication of each serviceman's race. This information is usually obtained at the time a man enters the service and accompanies his personnel file, together with other basic data such as educational history, experience, etc. While the Committee believes that the presence of racial information in promotion files is undesirable for the reasons indicated elsewhere in this report, it has been handicapped in its work by an almost complete absence of current statistical reports which would permit measurement of such elementary matters as recruitment, promotion or assignment of Negroes. Such information is lacking in a readily available form at the installation level in many cases, as well as at major command and headquarters levels generally. Special questionnaires and detailed statistical studies undertaken by the services provide the basis for this report. A substantial amount of time and money have been required to develop them.

The entire problem of racial statistics is a controversial one because they can be used both for proper and improper purposes. It is the Committee's opinion that sufficient controls on such data can be devised to insure that they are used only for proper purposes. Accordingly, with such controls, the services should provide for the maintenance of centralized racial data which may be availed of under special circumstances to measure progress in achieving the equality of treatment and opportunity which national policy requires. Racial entries should not be maintained in records which accompany the servicemen, or on other records routinely available to those who rate, assign or promote personnel.

It is essential as Negroes are increasingly recruited into the Armed Forces, that their assignments be consistent with their skills, and that they receive appropriate recognition through promotions. The process has been, and presumably will be, gradual, although far greater acceleration is required than has been exhibited in recent years. Only with the availability of informative statistical information, subject to constant and penetrating review by the appropriate officials, will it be possible to determine, except through great expenditure of time and money, whether the desired progress is being achieved. Such statistics also will point up special areas within this general field which require attention.

X. ASPECTS OF DISCRIMINATION UNDER FURTHER STUDY

This initial report covers a substantial portion, but not all, of the work assigned to the Committee. Three specific areas are now under intensive study and will be the subject of a further report. These involve problems of segregation and discrimination in the National Guard and the Reserves and problems of inequality of treatment and opportunity affecting Negroes at installations overseas. In addition, consideration must be given to areas of possible discrimination and inequality of treatment affecting individuals of other races and creeds serving in the Armed Forces.

While pursuing these matters to completion, the Committee will maintain close contact with the Department of Defense and the Armed Forces on matters covered by this report. The services are reviewing existing procedures and policies, and there is every prospect that affirmative action will be taken in many of the areas suggested. As these and other steps are taken, their effectiveness will be measured by the Committee during its tenure.

The Committee is mindful that the Armed Forces are an ever-present symbol of our democracy. Both at home and abroad, they must be leaders rather than followers in establishing equal opportunity. To the extent they practice and preach equality without regard to race, creed, color, or national origin, they provide a standard by which communities at home may measure their own conduct and against which citizens of other lands may judge our adherence to the principles of equality we advocate.

Respectfully submitted.

Nathaniel S. Colley,
Abe Fortas,
Gerhard A. Gesell,
Chairman.
Louis J. Hector,
Benjamin Muse,
John H. Sengstacke,
Whitney M. Young, Jr.

Attest:

Laurence I. Hewes III,
Committee Counsel.

The SPEAKER pro tempore. The time of the gentleman from South Carolina has expired.

THE GESELL REPORT

The SPEAKER pro tempore (Mr. Albert). Under previous order of the House, the gentleman from Louisiana [Mr. Waggonner] is recognized for 60 minutes.

Mr. LAIRD. Mr. Speaker, will the gentleman from Louisiana yield to me?

Mr. WAGGONNER. I yield.

Mr. LAIRD. Mr. Speaker, I would like to respond to the statement of the gentleman from Alabama who just left the floor. The discussion we have had here today was not concerned with past or future civil rights legislation. It had to do with a Defense Department directive which went beyond, as I explained in my remarks earlier, the equal opportunity assurance for all citizens which we as Republicans have always supported from the time of our first Republican President, Abraham Lincoln.

Mr. WAGGONNER. The gentleman is absolutely correct.

Mr. LAIRD. By injecting past or future civil rights legislation into this debate I would remind the gentleman from Alabama that he is doing considerable damage to a fair discussion of the Gesell report. He has not served his cause well today by bringing up this important but irrelevant topic.

Mr. WAGGONNER. Mr. Speaker, I refuse to yield further.

Mr. HAYS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. The Chair will count.

Mr. HAYS. Mr. Speaker, I withhold the point of order temporarily.

Mr. WAGGONNER. Mr. Speaker, I want to try, if I possibly can in a few minutes—and if possible I do not intend to take all this time reserved for a special order today—to place in proper focus the one question that is involved in these special orders today, and that is, this is not just a matter of segregation and integration, nor is it a partisan issue. Surely by now you all know I do not play partisan politics. God forbid.

Mr. JONES of Alabama. Mr. Speaker, will the gentleman yield?

Mr. WAGGONNER. I had rather not at this time, sir, unless you insist. I should like to make this statement first to pinpoint the question at hand. I will be glad to yield in a few moments.

There is one question involved, as far as I am concerned, with regard to the implementation of the Gesell report. And that is: not whether the Secretary of Defense or the President of the United States has any authority to do anything about segregation by desegregating military bases or not. But the question paramount in my mind and the only question is this. Have the President of the United States and the people who compiled the Gesell report and, in turn, one of his appointed officials, the Secretary of Defense, attempted to misuse the military for a purpose which was never intended? That is the question I want to discuss and the light in which I want to discuss the Gesell report.

Perhaps I made a mistake at one point in distributing my newsletter when I called to the attention of the people in the Fourth Congressionial District of Louisiana the fact that ultimately by implementing this report the question of segregation or desegregation or integration—whatever you want to call it—would be involved. But there is one question: Are the military branches of service going to be misused by implementing this report?

And I want to begin, Mr. Speaker, by asking unanimous consent to revise and extend my remarks and include certain news stories, newspaper editorials, letters of transmittal from the Secretary of Defense to the Department of Defense, and other material which is pertinent and relevant to the Gesell report and its implementation.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. WAGGONNER. Mr. Speaker, I hold in my hand a copy of hearings before the Committee on Armed Services of the U.S. Senate of the 87th Congress, 1st session, on Senate Resolution 191, which was a resolution to authorize the Committee on Armed Services to study the use of military personnel and facilities to arouse the public to the menace of the cold war. I turn to page 16, and I find that Senator Smith asks the then and now Secretary of Defense, Mr. McNamara, a question with regard to the use of military personnel in the armed services in arousing the public to the menace of the cold war. This was in 1961:

> What do you do to prevent this and what do you plan to do in the future to prevent it?
>
> Secretary McNamara. If I may, in passing, suggest that when we use the word "politics" or "political" and we may have done it erroneously, we have tried to use it synonymously with "partisan politics." Its dictionary definition is not quite that, but that is the way we use it, and using it in that sense I believe we should prohibit military officers from participating in partisan politics, and we should prohibit partisan politics from affecting the promotion of an officer.
>
> To the best of my knowledge I have not approved any promotions based on or affected by partisan politics. I know that the military services, in screening officers, on the active lists for promotion, are very, very careful and follow what in some ways are almost excessively rigid and rigorous rules to insure that merit rather than any other influence is the foundation of the promotion.

Mr. WHITENER. Mr. Speaker, will the gentleman yield?

Mr. WAGGONNER. I yield to the gentleman from North Carolina.

Mr. WHITENER. I would certainly join with the others who have commended the gentleman from Louisiana [Mr. Waggonner] and his colleague, the gentleman from Louisiana [Mr. Hébert], and the gentleman from South Carolina [Mr. Rivers], on their presentation of this matter to the Members of the House today. I am sure that as we have all observed the rather large number of Members of the House present and participating in the discussion we realize that this is a problem which is bearing heavily on the minds and hearts of the Members of the House of Representatives.

It seems to me that the gentleman in reading the testimony of the Secretary of Defense before the Senate last year has brought out something which might well be commented upon here. The Secretary, as I understand it, is saying that the Defense Department could not permit partisan political instructions to be given by military personnel nor their decisions affected by partisan considerations.

I think that as we have witnessed the discussion here today on this subject we have seen that Members of the House do not approach a serious matter of this sort on a partisan basis, because on both sides of the aisle and from every section of the country we have heard the Members of this body express consternation as to the recent action of the Secretary of Defense, and more particularly the action of the so-called Gesell Committee.

Many of us have had the privilege of serving in the various branches of the Defense Department during World War II. Many Members of the House have served in the several branches of the service. I am sure that those of us who were privileged to serve in time of emergency look back upon it as one of the really wonderful experiences of our life, one where we were given an opportunity to stand up for those things which have stirred the souls of men in this country since it was established.

I hope that the splendid discussion which the gentleman is bringing to us with the help of the other gentleman from Louisiana and the gentleman from South Carolina [Mr. Rivers] will stir again in the hearts of Members of this body a dedication to the service of their country and preserving those features of it which have made it great.

The gentleman from Louisiana [Mr. Hébert] in bringing out some of the tactics that are being used, such as carrying around income tax returns to use in some mysterious way in local communities, has brought our attention to something we, during World War II, would have stood on any corner and argued with the Russians, that it would never happen in this country. But, as this distinguished and outstanding Member of the Congress says, not only is this true but if challenged, he can document it.

I say to you, gentlemen of the House and particularly my friend, the gentleman from Louisiana, I think a great service has been rendered to this country today in exposing here some of the things that are going on which if not stopped, and if not stopped immediately will destroy democracy more quickly than any external force will ever bring about its destruction.

I thank my colleague for giving me an opportunity to make these comments.

Mr. WAGGONNER. I thank the gentleman.

Mr. WHITTEN. Mr. Speaker, will the gentleman yield?

Mr. WAGGONNER. I yield to the gentleman from Mississippi.

Mr. WHITTEN. Mr. Speaker, may I, too, compliment and commend the gentleman from Louisiana [Mr. Waggonner] as well as the gentleman from South Carolina and the gentleman from Louisiana [Mr. Hébert]. Our colleague, the gentleman from Louisiana [Mr. Waggonner], has rendered a real service by making public the implications and the serious nature of the proposed order some days ago, which now is becoming fact. It has been my privilege since I have been a Member of the Congress to serve many years on various military appropriations subcommittees. I was on the Subcommittee on Navy Appropriations during World War II. I would like to say here, in my study of history, it has always been a great danger to any country when it got its economy tied to military expenditures, its politics dominated either by the military or by military spending. It has always been a serious threat to any nation when the military got to where it was spending far more than all the rest of the budget. Throughout history we have learned that he who has great power usually finds some place to use it. These truisms have been behind the fall and destruction of many of the great powers of the world throughout history, and you might say, the main ones.

In addition to that, one other thing that has led to the destruction of so many nations is the fact that instead of trying to have their defense establishment—strong as can be, for the defense of their country, they have had mercenary soldiers using their funds in foreign lands to get someone else to do the defending of their country, which is what they should do for themselves. We do this today. May I say, in recent years on this floor I have pointed out many times that we have about let military spending be the dominant voice in everything that goes on around us. No longer is it the Public Works Civil Functions Subcommittee to which local communities go for back home spending. Now it is a military establishment, with its huge spending which all seek for local pump priming. Now almost every section attempts to get a defense establishment in the area. We are spending something like 60 percent of our entire national budget for what is called defense, much of it not real defense at all. In this report and in these directives we see the use of naked power of that expenditure being used internally to try to force social change, to destroy private business, local rights and using Federal funds to do it. Economic power is the instrument of dictatorship just as much as troops or marshals.

The next time, and if we keep up on the same road that we are going, it will not be a question of which State gets a $6.5 billion TFX contract or which contractor gets it or which Congressman or Senator gets the money spent in his district, if we go the way we are going, you will see this Nation, like the nations to the south of us in Central America and South America, with the military the dominant political factor in the country and in politics. Here, too, we will have revolution and military coups on the order of Iran, Cuba, and so forth. And, also in the same breath, how can we say that our objective is having a real effective fighting force, if at the time we say that it is to be used to promote the sociological ideals or ideas or the political ramifications of some party that might be in power.

May I say to my friend the gentleman from Louisiana [Mr. WAGGONNER] that my colleagues and I who represent districts of the State of Mississippi in the Congress have just gotten back from Mississippi where we had gone to vote. We have not had an opportunity to bring together this afternoon the voluminous material which I have gathered as a member of the Defense Appropriations Subcommittee dealing with these appropriations for defense which show that more and more we are getting away from the ideas that the military is solely for the purpose of providing for defending our country, but getting into the position of deciding how we divide the pie, how we spend our money, where we promote productivity, where we are going to give contracts with which to buy materiel which we do not need to use in places where we have no right to be anyway, and now, seeing how the military can be used to tear down, to force domestic change, all to the destruction of our Nation.

This report culminates a series of steps whereby the powers that be—and here it happens to be the Secretary of Defense—use the power of the purse, the power of the draft, the power of the military in the name of the Commander in Chief, use these things that are said to be needed to defend our country, in reality to destroy everything which we claim Russia would destroy. But let me say that I have letters from the President on down with reference to the things that will be coming up soon which do affect the internal affairs, the private business of every American and these requested actions will not represent just a simple law, because behind it would be the use of Federal troops to the limit. You will recall that I presented here some months ago the orders issued in sending 28,000 troops to the University of Mississippi before the final order of the court, and after federalizing the State militia, our only State law-enforcement body.

Mr. Speaker, we destroy ourselves at home. We do to ourselves what it is charged Russia would do to us.

We see our leaders using troops, economic pressure, the courts, the marshals, and all the rest, all, in the final analysis, being steps to a complete dictatorship.

I commend again my colleague, the gentleman from Louisiana, JOE WAGGONNER, for making public this report and these directives. I hope it will wake up the American people before these actions destroy all freedom, all those great principles on which this Nation was formed.

Mr. WAGGONNER. I thank the gentleman from Mississippi.

Before yielding further, may I set the stage a little further in order to show what the proper role of the military is and what is really at the crux of this entire thing? I refer now to the hearings on the same Senate Resolution 191 of the 87th Congress, page 28, where Senator CANNON is asking the same Secretary of Defense, Mr. McNamara, another question, or at least is referring to a statement that Mr. McNamara had previously made on this occasion. He says:

> I would also like to comment again on your statement where you say we do not permit Defense Department personnel, civilian or military, to advance either side of a partisan or political issue, nor do we place the Defense Department stamp of approval on a viewpoint which is not settled national policy.

I ask the Members of the House these questions: Is this the same attitude the Secretary is adopting today with the Gesell report? Is he now ordering every member of the military service to advance one side of a political issue? Is he not placing the Department of Defense's stamp of approval on one side of an issue that is being considered right now in the Halls of Congress? By what right does he decide a national policy before the decision is made by this and the other body?

Now I go to page 95 of the same report where hearings were being held on this same resolution and we have some extracts from an interview with Secretary of Defense Robert S. McNamara on the NBC television program "Today," originating in New York and Washington, February 17, 1961.

Mr. Martin Agronsky says:

> Mr. Secretary, you have been on both sides of the fence, in industry and Government and that's why I think you are uniquely equipped to answer this question: Former President Eisenhower in his farewell message warned the Nation about the increasing—and, as he put it—the dangerous power of the military-industrial complex in our country to influence thought and opinion, and thereby jeopardize America's liberty—

And that is the same thing about which the gentleman from Mississippi has just spoken—

> Now, do you share that concern of Mr. Eisenhower and are you doing anything about it if you do share it?

To which Mr. McNamara replied:

> I would share his concern, Martin, if I thought that either I or any of my key officials in the Defense Department or any of the senior military or civilian officials in the Defense Department were likely to subordinate our desire to act in the national interest to the special interest of any one group, including ourselves or the contractors of the Department.

I ask you, my colleagues of the House, does the Secretary of Defense still share that same opinion which he expressed on that occasion? I say to you without reservation that, in implementing the Gesell report, he has refuted what he professed the role of the military to be in answer to the questions of Martin Agronsky in 1961 before a nationwide television audience.

There are some who will say this is not their problem. Believe me, my colleagues, it is your problem. Let me urge you to join this fight now to free the military from this unconstitutional role.

I urge you to join this fight now lest you find yourself without any answer when someday you are sure to be asked, "Why did you keep silent, when you knew the truth?" Under these conditions, I cannot remain silent.

Mr. ROBERTS of Alabama. Mr. Speaker, will the gentleman yield?

Mr. WAGGONNER. I yield to the gentleman from Alabama.

Mr. ROBERTS of Alabama. Mr. Speaker, I would like to associate myself with the remarks of the gentleman from Louisiana [Mr. WAGGONNER] and I thank him for yielding to me and for taking this time.

I agree with the gentleman it is not a question of integration or segregation. It is a question of putting a political twist or use of our armed services to which it has not been put before, this business of calling upon military commanders to go out and becomes leaders of the community where they happen to be stationed to promote one particular philosophy.

I appreciate very much the gentleman's service and the service he has rendered the House in this respect.

Mr. Speaker, I hold in my hand an analysis by General Almond, commander of the 77th Division under General MacArthur in Korea, who has analyzed this report. He has had a tremendous amount of experience in the armed services and I am proud he lives in my district. I understand that he lost a son in the Korean conflict.

I commend the gentleman for his diligence in this matter.

I include as part of my remarks the following excerpts from the analysis made by General Almond:

EXCERPTS OF ANALYSIS AND COMMENTS ON THE INITIAL REPORT OF THE PRESIDENT'S COMMITTEE ON EQUAL OPPORTUNITY IN THE ARMED FORCES

(Made by Edward M. Almond, lieutenant general, U.S. Army, retired, July 25, 1963)

I. INTRODUCTION

The initial subject report dealing with equality of treatment and opportunity for Negro military personnel stationed within the United States has been carefully reviewed by the undersigned and it is believed that the average objective reader of the report would be struck by the dictatorial recommendations, the vagueness of many charges and the bias whereby the Committee making the report to the President clearly shows that it is willing to go to any limit to insure integration in its most complete degree and this without regard to the effects that it may have on the balance of the Armed Forces which constitute between 85 and 90 percent of our military services.

II. OUTSTANDING CHARACTERISTICS OF THE REPORT

1. It proposes to deny essential information to promotion boards in the military services (pp. 24 and 25, photographs).

2. It demands in the name of "equal opportunity" a higher percentage in Negro promotions rather than education, age in service, and the more fundamental consideration of merit (p. 20).

3. It seeks integration "for the amalgamation of the races" and not merely to secure equal opportunity and use of skills (see pp. 34 and 35).

4. It invokes responsibilities and makes demands on post and area commanders by coercive methods to force integration on civilian communities by "threat and blackmail."

5. It encourages and recommends the establishment of an agency whereby accusation of "discrimination" may be made by secret testimony without the person accused being given the source of the accusation.

6. It quotes injustices repeatedly but at the same time admits that the Committee

verified very few and many times none of the facts.

7. It draws many inferences loosely and in general terms, even to the extent of challenging the integrity of responsible military leaders.

8. It does not envisage a real evaluation of the individual Negro based on merit but repeatedly speaks of opportunities and "latent" skills inherent in the Negro.

9. It recommends a "spy system" to be called monitoring with an especially sympathetic monitor throughout the range of troop levels in order to report on responsible commanders as to how they carry out their functions.

10. It strongly recommends that those responsible for integrating Negroes among white elements of commands be given to understand that such accomplishments will redound to the credit of the author of such plans for the purposes of furthering his promotion.

11. It emphasizes repeatedly that Negroes should operate without reference to race and that there should be no record of blood or race on the Negroes' record of services. Later on in the report it complains of the inability to determine what cases there are which have been committed against the Negroes, since it has no way of determining from the military record whether the individual is a Negro or not. It goes on further to claim that the absence of such a record has cost untold time and money to accumulate such information for the purposes of the report.

12. Signers of the report are: Nathaniel S. Colley; Abe Fortas; Gerhard A. Gesell, Chairman; Louis J. Hector; Benjamin Muse; John H. Sengstacke; Whitney M. Young, Jr.; Laurence I. Hewes III, Committee counsel.

Three of the members of this Committee are Negroes and the other four have a long career as racial agitators working with the ADA, ADL, and the NAACP. Not a single member appears to have a practical and objective approach to the subject of integration. From some of the recommendations made, it is apparent that the Committee is willing to go to any length to discredit the commander who does not meet the integration criteria that the Committee sets up and to institute a spy system which places the post commander in a thoroughly discredited position.

13. The immaturity of this Committee is established by its reference to the several Inspector General's Departments of the Armed Services which have been known for careful analyses and unblemished integrity since the beginning of the organization of all of our Armed Forces—Army, Navy, Air Force, and Marine Corps; this report would dispense with the Inspector General handling anything that has to do with integration and would set up a monitoring service with a special appointee who would handle such cases. The Communist Soviets have such a system and have had since the beginning of the Russian Revolution in 1917. He is known as a "political commissar," whose business it is to watch all military commanders and to report to another agency on their manner of performance of duty. The effrontery of this Committee to propose such a departure from the system of integrity of such long standing in the military services is shocking and revolting.

14. This whole report is reminiscent of the experiences of the undersigned when he was the commander of the 92d Division and had so many problems to confront him in various phases of training and in combat from the period of September 1942 to August 1945. One of the most notable problems was that of promotion. Negro advocates of rapid promotion had no hesitancy in recommending that a percentage of Negroes comparable to the Negro population strength of the United States should obtain in all promotions in the 92d Division. They complained bitterly when white officers who had commanded companies in training for as much a year were promoted to the next grade and Negro lieutenants who had just joined the unit or had had only 3 or 4 months' service were not promoted percentagewise.

15. Needless to say, such complaints were taken with the validity that they deserved but this instance is cited to show that nothing has changed in the nature of those who are determined to integrate the Armed Forces and determined to secure what is called "equal rights and opportunities" for skills and abilities. It seems never to have occurred to the authors of such projects that there may be a slight difference between the average white and the average Negro in his ability to absorb information and to deliver a satisfactory performance. It is a known fact that during World War II it required in training 3½ to 4 times as much ammunition expenditure on the part of Negroes as compared to whites in order to secure a reasonable comparison of weapons performance in firing.

16. The undersigned has interviewed three different post commanders since reading this report and the meddlings and directives and complaints that are foisted upon post commanders are little short of tragic. This report if put into effect will do more to damage the morale of the military services than anything that could be devised.

EDWARD M. ALMOND,
Lieutenant General,
U.S. Army (Retired).

Mr. ROBERTS of Alabama. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include an analysis by General Almond.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. WAGGONNER. I thank the gentleman, and say without reservation there are very few people who wear the military uniform today who do not object to the military being used in this manner.

Again, I go a little further. I hold in my hand copy of hearings before the Special Preparedness Subcommittee of the Committee on Armed Services, U.S. Senate, 87th Congress. It has to do with military cold war education and speech review policies. I refer to pages 8 and 9 of these hearings and to a statement by then Secretary of Defense Lovett. He speaks directly to the question of the role of the military service in Government.

Secretary Lovett said:

> Any examination of the appropriate role of the military in our Government must concluded, I believe, that the separation of the military and civilian functions is not only well established by custom and implicit in our Constitution itself but also that the subordination of the military to civilian authority is specifically established by the provision of the Constitution which makes the President the Chief Executive and the Commander in Chief of the Armed Forces.
>
> From this separation has grown one of our great national military traditions: That the military should be nonpolitical and that career military officers should stick to their demanding profession and take no part in partisan activities or become involved in discussions of our political issues. This well-established tradition, which has grown more important in this century, should, in my opinion, apply equally to the civilian heads of these departments while in office for many of the same reasons which apply to the military personnel.

I now refer to page 19 of the hearings and to a statement by Adm. Arleigh A. Burke and what he had to say about the role of the military, as follows:

> The involvement of the military in these discussions, as citizens with responsibilities equal to those of other citizens, can only remain proper, however, so long as matters of purely partisan politics are avoided. That area, every military man I know would agree, is off limits to the man in uniform.

Then I refer to page 178 of the same hearings and to a statement by Gen. Thomas D. Wright, as follows:

> It seems to me that the key to both these problems lies in the maintenance of the sound and historic fact that our Military Establishment is subordinate to the civil administration and that it is an instrument of policy and not a formulator of public opinion. This seems to me to be fundamental to our whole system of government and to preserve our way of life it must continue so. Let us not forget that license opens the door to abuse and that even freedom in some respect can become a two-edged sword.

My friends, if these statements were acceptable to the Department of Defense in 1961 and 1962, why should they not be acceptable to the Department of Defense today?

Mr. ABERNETHY. Mr. Speaker, will the gentleman yield?

Mr. WAGGONNER. I will be glad to yield to the gentleman from Mississippi.

Mr. ABERNETHY. First I would like to congratulate and commend our colleague from Louisiana [Mr. WAGGONNER] and also our colleagues from Louisiana [Mr. HÉBERT] and from South Carolina [Mr. RIVERS] for arranging the time today to bring to the attention of the Congress and the country the contents and extent of this horrible directive.

This matter broke a few weeks ago at a time when I was absent from the Hill due to illness. On returning in recent days I have attempted to familiarize myself with the report and the directives.

I am deeply shocked to find that the executive branch of our Government is diverting the serious mission of the Department of Defense and is now using it for the purpose of molding the social and political life not only of the country but of the military itself. This is bound to affect the morale of our servicemen and to lower the standard of our national defense.

It is most disturbing to me that we are rapidly getting away from the basic principles of government and playing politics with every thought, move, and consideration. It is disturbing that ours is becoming a government of directives, a government of Executive orders, and a government of Executive dictation. We are no longer what we used to be and that which was intended to be, a government of laws. Instead we are a government of men. We have not completely reached the point of dictatorship but 2 more years equivalent to the past 2 will put us there, completely and absolutely.

The Congress of the United States, which has the constitutional authority of molding the laws which control our society has, through Executive orders and directives, and legislating by our judiciary, been relegated to a position of insignificance. If we do not take appropriate action to recapture the powers accorded to the Congress by the Constitution, then representative government in the United States will soon be at an end.

The country is disturbed. The people are looking to this body to assert itself and to stop this headlong drive toward dictatorship. The debate which these gentlemen from Louisiana and South Carolina have stimulated today will also stimulate the interest of the people in this country in returning us to the kind of government which is set forth in the basic law of our land, the Constitution.

Again I want to congratulate my friends the gentlemen from Louisiana [Mr. Waggonner and Mr. Hébert], and the gentleman from South Carolina [Mr. Rivers].

I would like to associate myself with their effort, and their remarks. They have rendered a fine service, one which we appreciate and one which I know the country appreciates.

Mr. WAGGONER. I thank the gentleman.

After being aware of the hearings which have been held in the Senate Preparedness Subcommittee, I felt, I suppose, quite at ease in that the role of the military had been placed in its proper perspective and was understood and acceptable to everyone. I suppose I rocked along with some degree of relaxation until the morning of June 23, 1963, when there appeared in the Washington Post a news story under the United Press International dateline which was entitled "Report Suggests Closing Bases Where Discrimination Abounds." This is the first indication I had that something was really in the wind, and this was the story which prompted me to do some research to find out what was really involved. I want to read this news article to you:

[From the Washington Post, June 23, 1963]

REPORT SUGGESTS CLOSING BASES WHERE DISCRIMINATION ABOUNDS

A White House Committee yesterday recommended that the armed services consider shutting down military bases near cities where race discrimination is widespread if other measures do not halt the practice.

President Kennedy referred the report to Defense Secretary Robert S. McNamara and asked for a report within 30 days on this and other recommendations to promote equality in the services.

The Chief Executive said the report showed significant progress in the 15 years since former President Harry S. Truman ordered desegregation in the military.

But he agreed with the Committee that much remains to be done, especially in eliminating practices that cause inconvenience and embarrassment to servicemen and their families in communities adjoining military bases.

AGREES WITH SPIRIT

The President said he agreed with the spirit of the proposals and called on residents of cities near military bases to open up public accommodations and housing to Negro servicemen.

The report, prepared by a seven-man committee under the direction of Gerhard A. Gesell, said discrimination was a problem in promotions and assignments. But it said the worst problem was off-base segregation which adversely affects service morale.

Calling for new leadership by the Defense Department in promoting racial equality, the report recommended that base commanders form biracial committees to deal with segregation in towns adjoining military sites.

It suggested that the commanders may order soldiers to boycott establishments in these cities that discriminate in service to Negroes and their families.

END OF ACTIVITIES

"Should all other efforts fail," the report said, "the services must consider a curtailment or termination of activities at certain military installations where discrimination is particularly prevalent.

"Such relocation of activities is particularly important at bases that play an important role in the training of new officers or in the orientation of representatives of foreign government," the report said.

The report also declared that the Armed Forces have not given enough attention to off-base community practices when new installations are opened or troops shifted between bases.

The military leaders should take this into consideration and get guarantees from the communities before deciding to locate a base, it said.

"At these moments of decision the economic well-being of the community will serve as a potent influence toward assuring the conditions necessary to maintain morale and efficiency," it said.

That morning, after reading this news story I went directly to the gentleman from South Carolina [Mr. Rivers], the gentleman from Louisiana [Mr. Hébert], and others of the Committee on Armed Services of the House and told them that there was something which spelled trouble for the military, trouble for this Government, was in violation of every democratic principle of this country, was a sweeping change in the historic role of the military, and that we had better find out what it was.

Mr. HUDDLESTON. Mr. Speaker, will the gentleman yield?

Mr. WAGGONER. I yield to the gentleman from Alabama.

Mr. HUDDLESTON. I thank the gentleman for yielding.

Mr. Speaker, I want to express my personal appreciation to the gentleman from Louisiana [Mr. Waggonner] for being the first to inform the Members of the House of the Gesell report and of the dangers inherent in that report and its possible implementation. It was upon receipt of the letter to which the gentleman from Louisiana [Mr. Waggonner] referred earlier and which he addressed to the various Members of Congress that I first became aware of the fact that this report had been issued, and had been referred to the Department of Defense with the request for the comments of the Secretary as to how it should be implemented. The gentleman from Louisiana [Mr. Waggonner], in his letter, requested all of us who were of a like mind to join with him in contacting the Secretary of Defense to register as vigorous a protest as we could against this challenge to the concept of the separation between the civilian and the military aspects of our Government.

Upon receipt of that letter I joined with Mr. Waggonner in registering a protest with the Secretary of Defense.

Mr. Speaker, I would like to ask the gentleman from Louisiana [Mr. Hébert] a question with relation to something that the gentleman from Iowa brought up a few moments ago. On page 31 of the so-called Gesell report, the report relates to the commissars that are to be set up at each one of the military bases and installations who are to receive reports from personnel at the installations, and in so doing bypass the chain of command.

This statement appears at page 31:

> Communications between servicemen and this officer—

That is the commissar—

> should be privileged and service regulations should prohibit the disclosure of such communications or the identity of the complainant without the serviceman's consent.

The gentleman from Louisiana in the course of his remarks a few moments ago made reference to somebody by the name of Yarmolinsky as being the author of the Secretary of Defense's directive.

The gentleman from New York [Mr. Ryan] took the floor when yielded to by the gentleman from South Carolina and praised Mr. Yarmolinsky's devotion to the cause of humanity, or some such. My question is, Suppose the Committee on Un-American Activities were to issue instructions that people were to report to them charges arising in our country concerning communism and in the investigation of the charges the defendants were not to be confronted with witnesses. I wonder if Mr. Yarmolinsky and the gentleman from New York [Mr. Ryan] would give such an enthusiastic endorsement to that proposition on behalf of the Committee on Un-American Activities.

Mr. HÉBERT. I must say to my good friend from Alabama that these two gentlemen to whom he has referred must answer for themselves. I am not competent at all to answer that question. However, I would make this observation, that those individuals in that segment of American society who are loudest and most vociferous and most meticulous in attacking the Committee on Un-American Activities on the allegation that the accused is not faced by the accuser are to be found for the most part in the camp of those who would put out this directive.

Mr. HUDDLESTON. That is my understanding. As a matter of fact, my sketchy knowledge of Mr. Yarmolinsky is that he opposes the Committee on Un-American Activities on the ground, so he says, that they do not provide people who are charged with Communist activities with confrontation by the witnesses against them.

Mr. HÉBERT. I may say further to my distinguished friend from Alabama, and as referred to by the gentleman from South Carolina [Mr. Rivers], that the three services have rejected for the better part this concept of putting the military in the police business in a particular community, and with particular reference to this secret searching for information has rejected the idea on the proposition that it already has a Solicitor General to whom anybody in the service can go, and the conservation of the Solicitor General with that individual is privileged.

Mr. HUDDLESTON. I thank the gentleman from Louisiana.

Mr. HENDERSON. Mr. Speaker, will the gentleman yield?

Mr. WAGGONNER. I yield to the gentleman from North Carolina.

Mr. HENDERSON. I have been following the remarks very carefully because we have been referring for some time to the Gesell report. I want to compliment the gentleman for calling this to the attention to the Members of the House. I think it is a very fine service that has been rendered to the Nation here by our distinguished colleagues on the House Committee on Armed Services, the gentleman from Louisiana [Mr. Hébert] and the gentleman from South Carolina Mr. [Rivers].

May I point out to the Members of the House that very shortly after I heard of this report the Secretary of Defense was called upon to place a city and a town in my congressional district off limits. I am sure because of the widespread publicity that many of you know the Secretary of Defense at that time said that this would not be done. I communicated with Secretary McNamara and told him that certainly in the light of the publicity that had been given to the Gesell report I thought my people and the American people were entitled to know what was the policy of the Defense Department with regard to declaring civilian communities near military bases to be off limits. I think the gentleman from Louisiana knows and I want the Members of the House to know that the reply I got was a copy of the memorandum or press release of the Secretary of Defense with regard to the implementation of the Gesell report.

Now I have no idea except as it has been explained here today what the policy of the Defense Department is, and I think we have every right to assume, as my very able colleagues have pointed out, that the Gesell report will be fully implemented if not at this time then at some time in the future.

May I say in just another moment of the gentleman's time, that I have only been here in the House a little over 2½ years, but I have three of the largest and greatest military installations in my district, the Marine Corps Base at Camp LeJeune, the Marine Corps Air Station at Cherry Point, the Seymour-Johnson Air Base at Goldsboro. The military bases have employed thousands of my people and are employing them today. But I think without exception I can say that the great majority of the people in the Third District of North Carolina likewise have supported the military effort in eastern North Carolina. I am as concerned as my colleague, Congressman Lennon, who represents Fort Bragg and Pope Field, with what we see is now going on, not on military bases but in the civilian communities which we represent. We are not able to tell them what the policy of the Defense Department or our Nation is except to refer them to the Gesell report which we have been talking about here this afternoon. I can only say in joining my colleagues that it was my impression since I came here I have tried to support the Department of Defense in every appropriation on every piece of legislation in every manner, and I was only representing the overwhelming and unanimous opinion of the people of my district.

The gentleman made the point and has raised the question, that we wonder if the military is defending our Nation. I must say there is a grave question in my mind and in the minds of many of my people, that they have quit defending and have gone to offending and that the Nation under which we live shall suffer.

I thank my colleague for yielding.

Mr. HÉBERT. Mr. Speaker, will the gentleman yield?

Mr. WAGGONNER. I am glad to yield to my colleague.

Mr. HÉBERT. I just wanted to answer the question, if my colleague will permit me, about the directive by the Secretary. The full implementation of this directive must come from the services by August 15. That does not give much time and it does not make much difference how it is implemented but it will be implemented in such places and according to the language of the directive.

Mr. WAGGONNER. I will clarify that further as I go along.

But, if my colleagues will permit me, may I go one step further before yielding again to my colleagues.

Becoming aware of what I thought were the evil effects of the recommendations of the Gesell report, I tried, in a thumbnail sketch, to reduce it to its minimum. I prepared this newsletter which I hold in my hand, a newsletter which each of you gentlemen received at your offices in the regular mail. In it I gave you in brief the detailed recommendations of this report. I am going to insert this newsletter in the Record, but here I am going to recite briefly some of the attitudes and recommendations of the report I condensed in my newsletter. This is what I had to say back then, nearly a month ago, to you and to the people of my congressional district and to all the daily newspapers in the United States—the weekly publications and the weekly newspapers of my State and to other news media.

These are not exact quotations from the report but are, rather, condensations that were necessary because of the limited space available in my newsletter. They are, however, correct interpretations of what is written on these pages:

Pages 14 and 15 of the Gesell report state that they recommend that more recruiting be directed toward Negroes to correct the "insufficient flow" of Negroes into the services and to increase the "pitiful small" number of Negro officers.

Page 17 says that Negroes should be located in jobs throughout the services regardless of their individual preference in order to have a few everywhere and in all positions.

Page 25 says that on promotion boards—there should be more Negro officers because white officers are "consciously or unconsciously"—however, that might be—discriminating against Negroes in promotions.

Pages 30 and 37 of the report say that special officers should be appointed—with biracial staffs—on every base to handle all complaints of Negroes.

Page 29 says that complaints are to be encouraged.

Can you imagine—encouraging a member of the military to complain?

Page 34 says that more Negro girls are to be brought on bases for social functions and fewer girls who believe in segregation.

They simply state that nobody should be invited on bases who had attitudes contrary to the Department of Defense policy.

Page 35 says that Negro hostesses should be considered rather than white.

Page 36 says that military police patrols used in neighboring communities should be integrated.

Page 41 says that segregated buses should be boycotted.

Pages 37 and 65 say that base commanders should appoint biracial committees in the communities to break down segregation practices.

Page 38 says that civic clubs should not be joined if they are segregated.

I wonder if that applies to lodges as well.

Page 39 says that the past policy of complying with local segregation policies should be terminated.

Page 35 says that the practice of Negroes gravitating to one base service club and whites to another should not be permitted, even though this might be of their own choosing.

Mr. Speaker, we are even losing the right to choose our personal associates in off-duty hours.

Page 78 suggests a method for getting around local segregated housing by leasing homes in the name of the Government and moving Negroes in.

You have not heard that mentioned here today.

Page 85 says that ROTC units should be canceled in segregated schools.

We have two in Louisiana and they are both located in my congressional district.

Page 62 says that the efforts of officers to bring about integration should be constantly reviewed and rated. Promotions should be based on their initiative and accomplishments in this field.

I will have more to say about that later.

Page 52 says that the traditional function of the base commander and senior officer to run a military establishment and maintain good community relations by staying out of local controversies is misguided and should be stopped. They should be encouraged to lead the way to full integration.

Page 79 says that military personnel should be allowed to patronize only those local establishments which are integrated and have the express approval of the base commander.

In the report the word "only" is underlined.

All others should be placed off limits. Approved stores should display placards or decals on their windows and doors to show they have been approved by the military. This gives the base commander life-or-death control over the economic life of the community and also the right to subject to military discipline all servicemen, their wives and children who shop at other stores of their own choosing.

Page 70 says that should all these efforts fail to bring about integration, the services must consider curtailing or terminating activities at these installations.

Believe me, my friends, I am not talking about segregation and integration. I am talking about changing the role or mission of the military.

And, in closing this newsletter to my constituents I said as follows:

> These, I repeat, are only brief summaries of some of the points contained in this infamous report. It brazenly calls down the threat of blackmail upon the populace. I do not, and I do not believe the people of the Fourth District yield to blackmail. The military branches were created for the defense of our Nation, not as instruments to enforce so-called social reforms.

That is the only issue involved in the implementation of this Gesell report, regardless of what our respective beliefs might be on the question of segregation and integration. Where does the role of the military start and end? Does the military have any authority to invoke social reform outside the gates of military establishments?

> The sorriest aspect of this report is the damage it will do to the serviceman and his family. Communities have always gone out of the way to receive these men and their families and make them welcome for the duration of their residence away from their homes. This report, when implemented, will make the serviceman and his family, through no fault of their own, walking symbols of civil disobedience. It will make the proud uniform of our country into a shabby coat of political vote grubbing. It will debase this honorable career and turn the friendly relations now enjoyed by a base and community into one of hostility and resentment.
>
> I have strongly protested the implementation of this report to the President, to the Secretary of Defense, the House Armed Services Committee, and the Secretaries of each of the branches of service. I will continue to exert every human pressure against this ill-advised and socialistic scheme. Its advocates still will not or cannot see that pure equality is pure communism.

My complete newsletter follows:

JOE D. WAGGONNER REPORTS

> The attention of the Nation is focused on the civil rights question. It is the No. 1 issue before the Congress and the public; the No. 1 topic of conversation; the No. 1 story in the press and on television.
>
> The integration question is the sum total of many different considerations, each of which would require the space of this newsletter to discuss in even the briefest terms. On each of these developments, I have spoken and acted with all the strength at my command. I have discussed this subject with the President, with his closest advisers, with my colleagues in the House and Senate and with civilian leaders, each time in an earnest effort to halt this assault on the rights of the States to govern themselves and the rights of the individual to choose his own associates. Last Friday, July 12, I appeared before the House Subcommittee on the Judiciary, which is conducting hearings on the current civil rights proposals. To date, 166 civil rights bills have been introduced, the majority by the Republican Members.
>
> The most recent development in the integration assault is the publication of a report which is, without question, the most sweeping attack on the separation of the races since the Black Monday decision of the Supreme Court. It is not available for public distribution, but I have obtained a copy and, in the belief that every man and woman in the United States should know its contents, would like to discuss it briefly in this newsletter.
>
> It is the work of a seven-man civilian committee appointed by the President in June of 1962 and is known as the Gesell report, after the name of the chairman, Gerhard Gesell, Washington attorney. The committee is named the President's Committee on Equal Opportunity in the Armed Forces and the title of this initial report is "Equality of Treatment and Opportunity for Negro Military Personnel Stationed Within the United States." It is obvious, from the first page to the last, that the true subject is not "equality" but "preferential treatment." The report was forwarded by the President to the Secretary of Defense at the Pentagon where indications are it is already regarded by the branches of the service as the "bible," even though it was supposedly submitted only as a report and not a directive.
>
> These are a few of the attitudes and recommendations contained in its 93 pages:
>
> More recruiting should be directed toward Negroes to correct the "insufficient flow" of Negroes into the services and to increase the "pitifully small" number of Negro officers.
>
> Negroes should be located in jobs throughout the services regardless of their individual preferences in order to have a few everywhere and in all positions.
>
> Promotion boards should have more Negro officers on them because white officers are "consciously or unconsciously" discriminating against Negroes on promotions.
>
> Special officers should be appointed (with biracial staffs) on every base to handle all complaints of the Negroes.
>
> Such complaints are to be "encouraged."
>
> More Negro girls are to be brought on bases for social functions and fewer girls who believe in segregation.
>
> Negro hostesses should be considered rather than white.
>
> Military police patrols used in neighboring communities should be integrated.
>
> Segregated buses should be boycotted.
>
> Base commanders should appoint biracial committees in the communities to breakdown segregation practices.
>
> Civic clubs should not be joined if they are segregated.
>
> The past policy of complying with local segregation policies should be terminated.
>
> The practice of Negroes gravitating to one base service club and whites to another should not be permitted, even though this might be of their own choosing.
>
> Methods are suggested for getting around local segregated housing by leasing homes in the name of the Government and moving Negroes in.
>
> ROTC units should be canceled in segregated schools.
>
> The efforts of officers to bring about integration should be constantly reviewed and rated. Promotions should be based on their initiative and accomplishments in this field.
>
> The traditional function of the base commander and senior officer to run a military establishment and maintain good community relations by staying out of local controversies is misguided and should be stopped. They should be encouraged to lead the way to full integration.
>
> Military personnel should be allowed to patronize only those local establishments which are integrated and have the express approval of the base commander. All others should be placed off limits. Approved stores should display placards or decals on their windows and doors to show they have been approved by the military. This gives the base commander life-or-death control of the economic life of the community and the right to subject to military discipline all servicemen, their wives and children who shop at other stores of their own choosing.
>
> Should all these efforts fail to bring about integration, the services must consider curtailing or terminating activities at these installations.
>
> These, I repeat, are only brief summaries of some of the points contained in this infamous report. It brazenly calls down the threat of blackmail upon the populace. I do not, and I do not believe the people of the Fourth District will yield to blackmail. The military branches were created for the defense of our Nation, not as instruments to enforce so-called social reforms.
>
> The sorriest aspect of this report is the damage it will do to the serviceman and his family. Communities have always gone out of the way to receive these men and their families and make them welcome for the duration of their residence away from their homes. This report, when implemented, will make the serviceman and his family, through no fault of their own, walking symbols of civil disobedience. It will make the proud uniform of our country into a shabby coat of political vote grubbing. It will debase this honorable career and turn the friendly relations now enjoyed by base and community into one of hostility and resentment.
>
> I have strongly protested the implementation of this report to the President, the Secretary of Defense, the House Armed Services Committee and the Secretaries of each of the branches of service. I will continue to exert every human pressure against this ill-advised and socialistic scheme. Its advocates still will not or cannot see that pure equality is pure communism.

Mr. SELDEN. Mr. Speaker, will the gentleman yield?

Mr. WAGGONNER. I yield to the gentleman from Alabama.

Mr. SELDEN. Mr. Speaker, recently we have witnessed a stream of civil rights directives, orders, and maneuvers emanating from our Military Establishment. I commend the gentlemen from Louisiana [Mr. WAGGONNER and Mr. HÉBERT] and the gentleman from South Carolina [Mr. RIVERS] for securing time this afternoon to call this unprecedented action to the attention of the Congress and the Nation.

The latest and most sweeping rights directive from the Pentagon, as has been pointed out, authorizes the commander of a military base, with the approval of the Secretary of his service, to mark business establishments in neighboring communities "off limits" in cases of alleged discrimination.

Forbidding off-base patronage of private business by servicemen and their dependents amounts to a Pentagon-ordered economic boycott. And, to use the military—supported by our tax dollars—to violate local laws and customs and to force integration amounts to economic blackmail.

The July 26 directive is based on a recommendation of the Gesell Committee report. This report also suggested closing military bases in communities where racial discrimination is particularly prevalent. Secretary of Defense McNamara has said he does not regard this as feasible "at this time."

Mr. Speaker, have we reached the point where our national security and defense will be based not on military and geographic effectiveness but on who is served in what restaurant?

If the threat of closing bases in segregated areas is carried out, our armed services would be employed as a political tool to attain social reforms. Clearly, this is not the proper province into which our military should move, for traditionally the armed services have remained aloof from the political arena.

Mr. Speaker, the recent Defense Department directive is a blatant effort to force integration of private enterprise by Executive order. It is part of a massive pattern of Federal coercion, and comes at a time when Congress is being pressured to place additional and more dangerous civil rights tools in the hands of our executive branch for the purpose of forcing integration of the races.

In view of these unprecedented developments, I am today introducing a resolution that calls for an investigation by the appropriate committee of the House of Representatives of the formulation, contents, and appropriateness of the initial report of the President's Committee on Equal Opportunity in the Armed Forces entitled "Equality of Treatment and Opportunity for Negro Military Personnel Stationed Within the United States."

Such an investigation, in my opinion, would bring to light information that should be carefully analyzed and considered by the Congress and the American people.

Mr. WAGGONNER. I thank the gentelman for his remarks.

Mr. KORNEGAY. Mr. Speaker, will the gentleman yield?

Mr. WAGGONNER. I yield to the gentleman from North Carolina.

Mr. KORNEGAY. Mr. Speaker, I join my colleagues in expressing my appreciation to the gentleman from Louisiana [Mr. WAGGONNER], the gentleman from Louisiana [Mr. HÉBERT], and the gentleman from South Carolina [Mr. RIVERS], for bringing to the attention of the House, and I hope the Nation, this matter of such grave importance. I may say that I share the grave concern of my colleagues over implementation of the so-called Gesell report and the effect it will have on the morale of our Armed Forces.

I have no military bases in my district, but that fact certainly does not leave me without great concern and apprehension over this report and order being used in connection with one of the social problems of our country.

I would like to say that a most disturbing question has been raised in the thinking and statements of those who are on the Armed Services Committee and those who know the ways of the military, and that is: What is the future role of the military in this country? Will it continue as it has done in the past to gloriously protect this country and its citizens or will it be transformed into a sociological arm of the Government in implementing policies which the Executive Department desires to carry out? I think that is a far-reaching question that needs some answers.

Again I would like to commend the gentleman for the great service he has done in bringing this matter to our attention and for the diligent work he has performed in analyzing the Gesell report.

Mr. WAGGONNER. I thank the gentleman.

If I may proceed for a moment, I would like to bring to the attention of the House that on July 15, 1963, I addressed a letter to each of you, as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., July 15, 1963.

DEAR COLLEAGUE: Earlier this week, I sent to each Member and each Senator, a copy of my monthly Newsletter describing in brief the contents of the initial report of the President's Committee on Equal Opportunity in the Armed Forces, entitled "Equality of Treatment and Opportunity for Negro Military Personnel Stationed Within the United States."

This report, called popularly the Gesell report, was, according to news stories, sent by the President to the Secretary of Defense for his recommendation. Following that recommendation, the President was to have issued a policy decision. However, a statement signed by Secretary McNamara and dated July 16, states that "this Department is implementing the recommendations" contained in that report.

On the surface, the issue in point appears to be integration, but these proposals far transcend that subject. If enforced, the recommendations in this report open the door to military control of the civilian sector and strike at the heart of the democratic system.

The attached letter has been sent, not only to the members of the Armed Services Committees, but to the President, the Secretary of Defense and the secretaries of the branches of service.

The urgency of this matter prompts me to address each of you individually to ask your assistance in seeing that the recommendations of this report not be implemented. I earnestly request that you read the attached letter and, for the reasons I have given in it, join me in protesting and preventing these proposals being put into effect.

Sincerely yours,
JOE D. WAGGONNER, JR.

But I suppose, being a southerner from Louisiana and not having been here very long, there are some who would not believe my letter was anything other than a southerner protesting about the possibility of integration, and this letter was not too well read.

I included this letter, which went also to all Members of the Senate and House Committees on Armed Services:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., July 15, 1963.
To All Members of the Senate and House Committees on Armed Services.

GENTLEMEN: The initial report of the President's Committee on Equal Opportunity in the Armed Forces, entitled, "Equality of Treatment and Opportunity for Negro Military Personnel Stationed Within the United States," has come to my attention.

After a thorough study of the recommendations it makes, I am gravely concerned over the changes it proposes to bring about in the traditional role of the military and, in particular, in the role of the base commander.

As the report states, the traditional role of the military has never been one concerned with rearranging the social order; leaving all such matters to their proper place in the hands of the civilian and their courts; remaining nonpolitical and aloof from controversial community problems. The past practice of this attitude is, without serious question, responsible for the fact that, in the main, the military has enjoyed exemplary relations with the communities in which they are located.

This report decrees that, in following this time-honored tradition, base commanders have been failures and that adherence to these policies should cease.

To so depart from this tradition and to assume the mantle of arbiter of social mores and the customs and laws of the community, is to recede from the established military mission and engage in controversies which can only and rightly be settled by the courts.

The report recommends, among other things, that complaints be privileged, complainants anonymous, that star chamber proceedings be insinuated into the military, and that any man accused of any wrong not be allowed to face and question his accuser. This is an intolerable injustice and must not be condoned.

The report recommends that members be encouraged to complain. This is a posture unfitting the dignity of the military and of any man in its uniform.

The report states that compliance with local and State laws on segregation is misguided "and should be terminated." This is an open invitation to military revolt against civil authority. Regardless of any man's personal attitude against any duly certified law, it cannot be in the best interests of the Nation to urge him to violate that law; and most certainly not while he is in the uniform of his country. This is in direct opposition to customary military discipline and respect for authority.

The report delves deep into psychological factors that are not the concern of the military or any person other than the individual himself. It recommends, as but one example, discouraging men from seeking the social company of their own race in their off-duty hours. This is meddling in the private and social relations of the individual and an invasion that is intolerable anywhere except in a police state.

The report recommends giving authority to base commanders to tell the serviceman, his wife and children, whether or not they can patronize, in their off-duty hours, the corner drugstore, the theater, or the restaurant of their own choosing. Again, no man and no group has the right to assume such dictatorship over the private rights of another.

To assume so is to defy every democratic tradition this Nation has ever followed and extends Federal power over the mind and actions of the citizen to a degree never before dreamed of. The report even attempts to control the subconscious mind of the serviceman.

The most disturbing aspect of this report is the damage it will do to the innocent serviceman and his family if the recommendations it contains are implemented.

This report would turn the blameless serviceman and his family into walking symbols of military disobedience of civil authority. It would debase the honorable career of service to our country and turn the friendly relations now enjoyed between base and community into hostility and resentment.

The military forces of this Nation must not be deviated from their role as guardians of our country and pressed into service to enforce any social ideology.

Although this report concerns itself with integration, if it is implemented, who can say what ideology or what philosophy or what political theory may not be treated in the same manner tomorrow.

I urge that such a course not be taken and that the proposals of this report not be put into effect. I ask that you give earnest consideration to the gravity of the condition this report would bring about if implemented.

Sincerely yours,

JOE D. WAGGONNER, Jr.

I am inserting in the RECORD at this point the memorandum for the President from the Secretary of Defense dated July 24, 1963:

THE SECRETARY OF DEFENSE,
Washington, July 24, 1963.

Memorandum for the President:

On June 21 you sent me a copy of the initial report of your Committee on Equal Opportunity in the Armed Forces and asked that I review the document and report on the recommendations within 30 days. This memorandum responds to that request.

In its year of work the committee observed racial imbalances and vestiges of racial discrimination within the Armed Forces themselves. Nevertheless, the committee found that in the main, racial equality is a reality on military bases today. The Department of Defense will eliminate the exceptions and guard the continuing reality.

It is to the Department's off-base responsibilities that the committee has devoted the bulk of its report. In eloquent terms the committee has described the nature and pervasiveness of off-base discrimination against Negro servicemen and their families, the divisive and demoralizing impact of that discrimination, and the general absence of affirmative, effective action to ameliorate or end the off-base practices affecting nearly a quarter of a million of our servicemen.

Our military effectiveness is unquestionably reduced as a result of civilian racial discrimination against men in uniform. The committee report has made this point with great clarity. With equal clarity it demonstrates that the Department of Defense has in the past only imperfectly recognized the harm flowing from off-base discrimination. That imperfect recognition has in turn meant the lack of a program to correct the conditions giving rise to the harm.

The committee report contained recommendations for such a program. Consistently therewith I have issued a directive explicitly stating Department of Defense policy with respect to off-base discrimination and requiring—

Preparation of detailed directives, manuals and regulations making clear the leadership responsibility both on and off base and containing guidance as to how that responsibility is to be discharged.

Institution in each service of a system for regularly monitoring and measuring progress in this field.

We are in the process of establishing a staff element within my office to give full time to such matters.

While the foregoing is in accord with the recommendations of the committee, the details of the program necessarily will be found in the manuals and regulations to be issued as a result of my directive.

The initial committee report contained many specific recommendations on recruitment, assignment, promotion, techniques for eliminating on- and off-base discrimination, housing, education and recording of racial data. Many of these have been or will be put into effect, but some require more study and on a few we have reservations.

These will be discussed further with the Committee.

The recommendations on sanctions do require special comment. The Committee suggests using a form of the off-limits sanction when, despite the commander's best efforts with the community leaders, relentless discrimination persists against Negro servicemen and their families.

Certainly the damage to military effectiveness from off-base discrimination is not less than that caused by off-base vice, as to which the off-limits sanction is quite customary. While I would hope that it need never be put in effect, I agree with the Committee that a like sanction against discrimination must be available. It should be applied, however, only with the prior approval of the Secretary of the Military Department concerned.

The Committee also suggested the possibility of closing bases near communities where discrimination is particularly prevalent. I do not regard this as feasible action at this time.

In your letter transmitting the Committee report you wrote that "Discriminatory practices are morally wrong wherever they occur—they are especially inequitable and iniquitous when they inconvenience and embarrass those serving in the Armed Services and their families."

Guided by those words and the report of your Committee on Equal Opportunity in the Armed Forces, the military departments will take a leadership role in combating discrimination wherever it affects the military effectiveness of the men and women serving in defense of this country.

ROBERT S. MCNAMARA.

I ask for inclusion of a document entitled Department of Defense Directive, dated July 26, 1963, which further establishes the sequence of events. Also included is my letter to the editors of every daily newspaper in the United States, with which I transmitted my newsletter and other pertinent information concerning the Gesell report. My letter is dated July 31, 1963, and was my second mailing to all these newspapers.

Also I include herewith a sampling of the critical news stories and editorials from various newspapers. The first is from the Elyria, Ohio, Chronicle of July 19, 1963, flaying this report entitled, "Congressman Says Unpublished Report 'Socialist Scheme' "; from the Kinston, N.C., Free Press of July 19, a story entitled, "Louisiana Congressman Wants To Halt Military Action"; from the Times-Picayune of New Orleans, a news story of Friday, July 26, 1963, entitled "Orders Pushing Officers in Civilian Areas Is Fear," and of Saturday, July 27; an editorial from the New Orleans Times-Picayune dated July 30, 1963, entitled, "Radical Takeover of Defense Establishment"; and an editorial from the Chattanooga News-Free Press of Thursday, August 1, 1963, entitled "How Military Dictatorship Comes," condemning the military aspects of dictatorship inherent in this; a column contained in the Washington Star on Friday, August 2, by David Lawrence entitled, "The Military and Social Reform," condemning the implementation of this Gesell report; and a news story from the Washington Evening Star of August 2 which shows the United States is going further than the boundaries of the States now and is going to halt sales of arms in Africa because of their racial beliefs.

The matter referred to is as follows:

DEPARTMENT OF DEFENSE DIRECTIVE—EQUAL OPPORTUNITY IN THE ARMED FORCES

I. POLICY

It is the policy of the Department of Defense to conduct all of its activities in a manner which is free from racial discrimination and which provides equal opportunity for all uniformed members and all civilian employees irrespective of their color.

Discriminatory practices directed against Armed Forces members, all of whom lack a civilian's freedom of choice in where to live, to work, to travel and to spend his off-duty hours, are harmful to military effectiveness. Therefore, all members of the Department of Defense should oppose such practices on every occasion, while fostering equal opportunity for servicemen and their families, on and off base.

II. RESPONSIBILITIES

A. Office of the Secretary of Defense:

1. Pursuant to the authority vested in the Secretary of Defense and the provisions of the National Security Act of 1947, as amended, the Assistant Secretary of Defense (Manpower) is hereby assigned responsibility and authority for promoting equal opportunity for members of the Armed Forces. In the performance of this function he shall (a) be the representative of the Secretary of Defense in civil rights matters, (b) give direction to programs that promote equal opportunity for military personnel, (c) provide policy guidance and review policies, regulations and manuals of the military departments, and (d) monitor their performance through periodic reports and visits to field installations.

2. In carrying out the functions enumerated above, the Assistant Secretary of Defense (Manpower) is authorized to establish the Office of Deputy Assistant Secretary of Defense (Civil Rights).

B. The military departments:

1. The military departments shall, with the approval of the Assistant Secretary of Defense (Manpower), issue appropriate instructions, manuals, and regulations in connection with the leadership responsibility for equal opportunity, on and off base, and containing guidance for its discharge.

2. The military departments shall institute in each service a system for regularly reporting, monitoring and measuring progress in achieving equal opportunity on and off base.

C. Military commanders: Every military commander has the responsibility to oppose discriminatory practices affecting his men and their dependents and to foster equal opportunity for them, not only in areas under his immediate control, but also in nearby communities where they may live or gather in off-duty hours. In discharging that responsibility a commander shall not, except with the prior approval of the Secretary of his military department, use the off-limits sanction in discriminating cases within the United States.

III. IMPLEMENTATION

Not later than August 15, 1963, the military departments shall forward for the approval of the Assistant Secretary of Defense (Manpower) an outline plan for implementing this directive.

IV. EFFECTIVE DATE

This directive is effective immediately.

ROBERT S. MCNAMARA,
Secretary of Defense.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., July 31, 1963.

DEAR EDITOR: The Nation urgently needs the good offices of your newspaper to make the story of the infamous Gesell report known. The very keystone of all democratic principles depends on halting the implementation of this report.

This is not—and I repeat—this is not, as it appears on the surface, an integration issue. The question far transcends that issue. The issue is: shall the civilian sector control the military or shall the military control the civilian. It is that simple. It is that basic.

Attached you will find a copy of my newsletter No. 6, a copy of which was sent to you

2 weeks ago. That newsletter deplored the consideration of the Gesell report. Now that the Secretary of Defense has ordered the implementation of the recommendations of the report, I have issued the attached three-page summary of the devastation that must now follow his actions. Coverage in the Shreveport Journal and Times, in the area which I represent, as well as other newspapers around the country has been extensive. Coverage is now spreading rapidly to other parts of the State and Nation. As but one example, you will find attached a reproduction of the first two articles in a lengthy series planned by the New Orleans Times-Picayune, the largest newspaper in this southern area.

Again, I urge you to study this material and, if you agree that the basic role of the military has been violently warped by this report, join in the fight to see that the order to implement the Gesell report be rescinded.

Sincerely,

JOE D. WAGGONNER, Jr.

RELEASE OF REPRESENTATIVE JOE D. WAGGONNER, JR., DEMOCRAT, OF LOUISIANA, FOURTH DISTRICT, FRIDAY, JULY 26, 1963

The announcement by the Secretary of Defense that implementation of the infamous Gesell report will begin immediately can only be compared to the actions of the evil Benjamin Butler or Thaddeus Stevens. The Nation cannot survive the assault of another Stevens or Butler. These times call for the calm deliberation of Louisiana's Judah P. Benjamin if we are to face another round of Reconstruction days.

Without conscience and with total disregard for the honorable history of the military services of this Nation, he has, with a single stroke of a poison pen, created a military dictatorship over the personal affairs of every man and woman in service and every man and woman who lives within an undetermined number of miles from any military base in the United States.

In a memorandum to the President, dated July 26, he shed mountainous waves of crocodile tears because he had not done more in the past to bring about social reforms on military bases and in communities nearby and, in humiliating supplication, begged forgiveness and promised to do better immediately.

The appointment of an Assistant Secretary of Defense for Civil Rights, whose duty will be to enforce integration of the races, is a rank insult to the honor roll of men and women who have served and died in the military service for the noble causes of our Nation's past. To mass the military now, as he has done, for an assault on the social habits and practices of the citizenry, borders on the racist insanity of the Nazi Gestapo.

No authority exists in the Constitution, or by virtue of any law ever passed by the Congress or by inference on any page of American history, to give the President or the Secretary of Defense the right to dictate to the people of this country whom they may associate with in the privacy of their homes, their businesses or their churches.

This memorandum from the Secretary of Defense not only gives the Armed Forces that right, it goes even further: the memorandum commands that it be done.

The implementation of the Gesell report brings this Nation to the brink of military dictatorship.

The Nazi battlecry was, "Today, Europe. Tomorrow, the world." The battlecry of those who would rule by executive order is: "Today, social reform. Tomorrow, your mind."

Free America cannot, must not, tolerate this tearing down of the barrier that stands between the civil and military. If the civilian loses this control of the military, there can be no freedom left in the land.

In an effort to alert the United States to the violence the Gesell report would do to our democratic traditions, I mailed a summary of it to every daily newspaper in the country and to every Member of the Congress. Sadly, too few have been aroused to the danger. Too many see only the issue of integration and not the incipient threat to the foundation and the keystone of all that made this Nation secure and free.

I urge every American to bring every conceivable pressure to bear on the President and the Secretary of Defense to see that this memorandum is rescinded. The communications media must join in this fight. These are perilous times. The sunshine patriot and the summer soldier must stand now if we are to survive.

We are standing on the threshold of national oblivion. Heretofore, it has been the hour of midnight. With the enforcement of this document, we will have come to zero-zero-zero-one.

Dawn may find that this Nation has not survived.

At this very moment, the Senate is being asked to approve a plan to stop certain vital phases of our military preparedness in the nuclear field. We are told in the preamble of the proposed Test Ban Treaty that this Nation's policy is total disarmament. At the same moment, our mortal enemies, Russia and Red China have never, in their histories, been more dedicated to and capable of our total annihilation.

The Secretary of Defense must share in the responsibility for these policies.

The Secretary has on occasion, in the past, displayed remarkable talent and ability, though at times, misguided.

But, if it is his concept of his position of director of this Nation's defenses that the United States can emerge from the hour of its gravest peril in all history by disarmament and by devoting our military forces to the task of forcing social reforms on our own citizens, then the time has come to question his qualifications to continue in that office and to ask for his resignation.

This, I now do.

[From the Elyria (Ohio) Chronicle-Telegram, July 19, 1963]

CONGRESSMAN SAYS UNPUBLISHED REPORT "SOCIALIST SCHEME"

(By Don Miller)

A blistering attack on use of U.S. defense organizations to achieve social reforms was unleashed in Washington, D.C., yesterday by U.S. Representative JOE D. WAGGONNER, Jr., Democrat, of Louisiana.

Misuse of the military has stemmed from the unpublicized Gesell report to President John F. Kennedy, the legislator charged.

The Gesell report was one made to the President and forwarded by him to the Secretary of Defense.

The report is named after Gerhard Gesell, a Washington attorney and chairman of a seven-man civilian committee named by the President in June 1962.

The committee is known as the President's Committee on Equal Opportunity in the Armed Forces.

Its initial report has been labeled "Equality of Treatment and Opportunity for Negro Military Personnel Stationed Within the United States."

The Gesell report, although its provisions actually are being implemented in the Armed Forces today, has not been made public nor have copies been provided to news media, Representative WAGGONNER declared.

But quoting chapter and verse from a copy of the 93-page report which he procured, the 44-year-old Louisiana Representative, now in his second congressional term, blasted the Gesell report as "infamous."

It "brazenly" calls for blackmail of the populace; is "an ill-advised and socialistic scheme; and calls for the Government to act to destroy private enterprise," WAGGONNER angrily declared.

"It is obvious from the first page to the last," the legislator declared, "that the true subject is not 'equality' but 'preferential treatment'."

The report, which calls for far-reaching changes in the role of military base commanders and in matters ranging from military recreation to housing, got its first public scrutiny Wednesday.

WAGGONNER mailed, to every daily newspaper in the country, a copy of his July legislative newsletter, airing details of the report.

And the report, he declared, "Is, without question, the most sweeping attack on the separation of the races since the Black Monday decision of the Supreme Court."

Efforts currently are being made to determine cost of the President's Committee in its 13 months of activity so far; costs of its transportation; and whether the transportation was by commercial or Government carrier, the Louisiana Congressman said.

"My efforts here are to alert the people," he said. "Not to the problems relating to segregation, but to misuse of the Military Establishment to accomplish social reforms."

The Congressman was particularly bitter about the proposed change in role of commanders of military bases.

These, he said, long have been ordered to remain out of local controversies stemming from communities near military installations.

"Now they are told to get in the middle of them," WAGGONNER said.

ECONOMIC SANCTIONS

Base commanders would, under the Gesell report, impose economic sanctions on private business establishments in near-base communities where they did not agree to serve anyone, regardless of color, WAGGONNER charged.

The report calls for the base commander to have decals or placards displayed in windows of establishments which have his approval. Those not having this approval would be declared off limits. And servicemen using such establishments could be subject to discipline for disobeying orders.

Along with this local pressure from a base commander, which "gives the base commander life-or-death control of the economic life of a community." WAGGONNER said, the report calls for curtailment of an installation's activities or for its complete removal from an area where efforts to achieve complete integration fail.

The economic weapon poses a "blackmail" threat to private businesses, the Congressman claimed, adding, "The military branches were created for the defense of our Nation, not as instruments to enforce so-called social reforms.

A spokesman for the Office of Public Affairs in the Department of Defense told the Chronicle-Telegram yesterday the report was made public June 22, by Pierre Salinger, the President's press secretary.

IN NAME ONLY

It was made public in name only Representative WAGGONNER had indicated.

The Defense Department spokesman confirmed WAGGONNER's statement about economic sanctions against off-base establishments not cooperating in the integration program.

The report recommended establishment of biracial community relations committees by base commanders to help in eliminating discriminatory practices in off-base communities.

Should lesser efforts fail, the Defense Department spokesman said, the Gesell report recommended base commanders develop plans "whereby military personnel would be permitted to patronize only those places which achieve his express approval."

WAGGONNER said he can cite specific cases to show the Gesell report, which already is regarded by service branches as "the Bible," is in process of implementation.

"Even though," he wrote in his legislative newsletter, "it was supposedly submitted only as a report and not a directive."

OFFICER PROMOTIONS

Under the report even officer promotions can hinge on how active a military officer is in "initiative" and "accomplishment" in bringing about integration, the Congressman said.

The report, he said, calls for grading and monitoring of a commander's performance in bringing about integration. Reading from the report itself, WAGGONNER noted it calls for making clear to officers that "showing achievement in this area can enhance their performance ratings and achieve for them favorable consideration for promotion and for career advancement."

One section of the report urges that the Government lease homes in the name of the Government, then move Negroes in, thus "getting around local segregated housing," he said.

WAGGONNER declared a committee went to Shreveport, La., Tuesday, to discuss with people there, at Barksdale Air Force Base, some phase of the integration picture as it involves the military.

The group was met by radio, TV, and newspaper personnel, "much to their surprise," WAGGONNER said. "They didn't know anyone was coming to meet them."

NOT SECRET

The Congressman from Plain Dealing, La., said committee spokesmen, asked about the Gesell report, declared it was not secret.

They admitted, however, they could give no copies to the newsmen.

And where could they get them?

"They were told they could get it from the President," WAGGONNER said.

WAGGONNER, who served on the Louisiana State Board of Education before entering Congress, and who is a businessman engaged in wholesaling of gasoline, aired other controversial parts of the Gesell report.

It calls for, he said:

More Negro recruiting to correct the "insufficient flow" of Negroes into the services and to increase the "pitifully small" number of Negro officers.

Locate Negroes in jobs through the service, regardless of personal preference, to have a few everywhere and in all positions.

More Negro officers for promotion boards.

Special officers on every base to handle Negro complaints.

Encouraging of such complaints.

Bringing more Negro girls to bases for social functions.

Negro hostesses to be considered rather than white.

Integration of military police patrols.

Boycotting of segregated buses.

Appointment by base commanders of biracial committees in the communities to break down segregation practices.

Refusal to join civic clubs which are not integrated.

Termination of past policy of complying with local segregation policies.

Not permitting practice of Negroes gravitating to one base service club and white to another, even though this might be of their own choosing.

Canceling of ROTC in segregated schools.

The points he has listed, WAGGONNER said, are the major points made within the Gesell report.

Since the report has been kept under wraps even though not classified as secret, and copies have not been made available to the press, the Congressman today is seeking to reproduce it in wholesale quantities.

Every newspaper which received his legislative newsletter will receive a copy of that 93-page report, he declared firmly.

"I will continue to exert every human pressure against this ill-advised and socialistic scheme," WAGGONNER declared. "Its advocates still will not or cannot see that pure equality is pure communism."

He charged it would turn the uniform "into a shabby coat of political vote grubbing. It will debase this honorable career (the military-ed.) and turn the friendly relations now enjoyed by base and community into one of hostility and resentment."

SORRIEST ASPECT

"The sorriest aspect of this report," he added, "is the damage it will do the serviceman and his family."

Communities, he said, have always gone out of their way to welcome and receive these service families. But the Gesell report, when implemented, "will make the serviceman and his family walking symbols of civil disobedience."

WAGGONNER said Secretary of Defense Robert McNamara had made statements published in yesterday's Washington Post which were ambiguous, but indicated the Gesell report already was in the process of being placed into effect.

"I consider he was referring to the Gesell report," WAGGONNER said.

Barksdale Air Force Base itself, near Shreveport in Bossier Parish, contains a situation backing his claim that preferential treatment is being sought for a very small group, the Congressman declared.

There, Negro students of junior and senior high school age number no more than 20, he said, while the base has a total population of about 8,000 military personnel.

WAGGONNER also chuckled over one portion of the Gesell report.

The committee declared it believes presence of racial information in a serviceman's file "is undesirable."

Yet, it added, "It has been handicapped in its work by an almost complete absence of complete statistical reports which would permit measurement of such elementary matters as recruitment, assignment or promotion."

"If they can't identify them they can't give them preferential treatment," WAGGONNER quipped.

[From the Kinston (N.C.) Free Press]

LOUISIANA SOLON WANTS TO HALT MILITARY ACTION

WASHINGTON.—Representative JOE D. WAGGONNER, JR., Democrat, Louisiana, has asked the House-Senate Armed Services Committee to stop implementation of a presidential committee report dealing with equality of treatment for Negro military personnel.

The report was made by the President's Committee on Equal Opportunity in the Armed Forces and was entitled "equality of treatment and opportunity for Negro military personnel stationed within the United States."

The Congressman told the committee that it was his understanding that the report was sent by the President to Defense Secretary Robert McNamara for his recommendation.

Following that recommendation, the President was to have issued a policy decision.

However, a statement signed by McNamara and dated July 16 said that the department was giving consideration to implementing the recommendations in the report.

"After a thorough study of the recommendations it makes I am gravely concerned over the changes it proposes to bring about in the traditional role of the military and, in particular, in the role of the base commander," WAGGONNER said in a letter to the Committee.

"The most disturbing aspect of this report is the damage it will do the innocent serviceman and his family if the recommendation it contains are implemented," WAGGONNER continued.

The Congressman said the report recommended that complaints be privileged, complainants anonymous, and that any man accused of any wrongdoing not be allowed to face and question his accuser.

He said the report recommended that servicemen be "encouraged" to complain, particularly if they are Negroes who feel they are receiving unfair treatment.

The report stated that compliance with local and State laws on segregation is misguided "and should be terminated," he said.

He said the report recommended that servicemen be discouraged from seeking the social company of their own race in off-duty hours and that more Negro girls should be encouraged to attend USO dances.

"This is meddling in the private and social relations of the individual and an invasion that is intolerable anywhere except in a police state," WAGGONNER said.

[From the New Orleans Times-Picayune, July 26, 1963]

THE GESELL REPORT—ORDERS PUSHING OFFICERS IN CIVILIAN AREAS, IS FEAR—ORDERS NOT LIMITED TO ON-BASE CONDITIONS

Commanders of U.S. military installations who have not received them soon will be receiving orders to go to the front in a battle in which they heretofore have taken little part: The battle for complete racial integration.

Their concern under these orders will not be limited to on-base conditions but will extend also into the off-base, or civilian area.

These are conclusions of Members of the Congress and others in high places in Washington who have had the opportunity to study the initial report by the President's Committee on Equal Opportunity in the Armed Forces—generally called the Gesell report.

Representative JOE D. WAGGONNER, JR., of Louisiana's Fourth District, considers that the implementation of the report—already ordered by Robert S. McNamara, Secretary of Defense—will transcend the subject of integration. This implementation, he has informed his colleagues, will open the door to military control of the civilian sector and strike at the heart of the democratic system.

TEAM TO BILOXI

Secretary McNamara, the Times-Picayune has learned, already has undertaken implementation of the report on the Mississippi gulf coast. He recently sent a team to Biloxi with instructions to assist the base commander at Keesler Field to develop a plan for effecting changes in the communities near Keesler "to bring about an improvement in conditions * * * as they affect Negro airmen and their dependents."

Members of the visiting team were instructed that if they should receive any inquiries from members of the press that they should reply: "Maj. Gen. C. H. Childre, Assistant Deputy Chief of Air Staff for Personnel, arrived at Keesler Air Force Base today for the purpose of conferring with Maj. Gen. John S. Hardy, base commander, on the subject of off-base discrimination affecting Negro airmen and their families. General Childre was accompanied by Mr. Alfred B. Fitt, who was made available by the Office of the Secretary of Defense to assist in the discussion with base officials."

Under the Gesell report recommendations, the base commander of a military establishment is described as being in excellent position "to identify the particular discrimination forms prevalent in the community neighboring his base." The report says further. "On his shoulders should fall the primary responsibility for solving local problems."

This means, say critics of the report, that the Department of Defense will have base commanders rather than local civilian governments solving off-base problems.

OFFICERS ASSURED

According to the language of the report, the base commander's performance in achieving integration in areas near his base "must be rated, monitored and supported."

"It should be made clear that officers showing initiative and achievement in this area will enhance their performance ratings and obtain favorable consideration for promotion and career advancement," the report continues. "It is especially important that such officers be assured that they will not run the risk of official disfavor for their efforts and that they will receive the support of all echelons of command if their programs are attacked by local interests.'

This means, say critics of the report, that the administration proposes to promote officers who effectively force local communities to integrate and to hold back or demote officers who do not concern themselves with disregarding wishes or sentiment of communities near their bases.

TEXT IS GIVEN.

Here is the text of the statement by Representative Waggonner regarding the Gesell report and its implementation:

"The attention of the Nation is focused on the civil rights question. It is the No. 1 issue before the Congress and the public; the No. 1 topic of conversation; the No. 1 story in the press and on television.

"The integration question is the sum total of many different considerations, each of which would require the space of this newsletter to discuss in even the briefest terms. On each of these developments, I have spoken and acted with all the strength at my command. I have discussed this subject with the President, with his closest advisers, with my colleagues in the House and Senate and with civilian leaders, each time in an earnest effort to halt this assault on the rights of the States to govern themselves and the rights of the individual to choose his own associates. Last Friday, July 12, I appeared before the House Subcommittee on the Judiciary, which is conducting hearings on the current civil rights proposals. To date, 166 civil rights bills have been introduced, the majority by Republican Members.

"The most recent development in the integration assault is the publication of a report which is, without question, the most sweeping attack on the separation of the races since the Black Monday decision of the Supreme Court. It is not available for public distribution, but I have obtained a copy and, in the belief that every man and woman in the United States should know its contents, would like to discuss it briefly in this newsletter.

"EXCERPTS SHOWN

"It is the work of a seven-man civilian committee appointed by the President in June of 1962 and is known as the Gesell report, after the name of the Chairman, Gerhard Gesell, Washington attorney. The Committee is named the President's Committee on Equal Opportunity in the Armed Forces and the title of this initial report is, 'Equality of Treatment and Opportunity for Negro Military Personnel Stationed Within the United States.' It is obvious, from the first page to the last, that the true subject is not 'equality' but 'preferential treatment.' The report was forwarded by the President to the Secretary of Defense at the Pentagon where indications are it is already regarded by the branches of the service as 'the Bible,' even though it was supposedly submitted only as a report and not a directive.

"These are a few of the attitudes and recommendations contained in its 93 pages:

"More recruiting should be directed toward Negroes to correct the insufficient flow of Negroes into the services and to increase the pitifully small number of Negro officers.

"Negroes should be located in jobs throughout the services regardless of their individual preferences in order to have a few everywhere and in all positions.

"Promotion boards should have more Negro officers on them because white officers are 'consciously or unconsciously' discriminating against Negroes on promotions.

"SPECIAL OFFICERS

"Special officers should be appointed (with biracial staffs) on every base to handle all complaints of the Negroes.

"Such complaints are to be 'encouraged.'

"More Negro girls are to be brought on bases for social functions and fewer girls who believe in segregation.

"Negro hostesses should be considered rather than white.

"Military police patrols used in neighboring communities should be integrated.

"Segregated buses should be boycotted.

"Base commanders should appoint biracial committees in the communities to break down segregation practices.

"Civic clubs should not be joined if they are segregated.

"The past policy of complying with local segregation policies should be terminated.

"The practice of Negroes gravitating to one base service club and whites to another should not be permitted, even though this might be of their own choosing.

"Methods are suggested for getting around local segregated housing by leasing homes in the name of the Government and moving Negroes in.

"ROTC units should be canceled in segregated schools.

"The efforts of officers to bring about integration should be constantly reviewed and rated. Promotions should be based on their initiative and accomplishments in this field.

"The traditional function of the base commander and senior officer to run a military establishment and maintain good community relations by staying out of local controversies is misguided and should be stopped. They should be encouraged to lead the way to full integration.

"BRIEF SUMMARIES

"Military personnel should be allowed to patronize only those local establishments which are integrated and have the express approval of the base commander. All others should be placed off limits. Approved stores should display placards or decals on their windows and doors to show they have been approved by the military. This gives the base commander life-or-death control of the economic life of the community and the right to subject to military discipline all servicemen, their wives, and children who shop at other stores of their own choosing.

"Should all these efforts fail to bring about integration, the services must consider curtailing or terminating activities at these installations.

"These, I repeat, are only brief summaries of some of the points contained in this infamous report. It brazenly calls down the threat of blackmail upon the populace. I do not, and I do not believe the people of the Fourth District yield to blackmail. The military branches were created for the defense of our Nation, not as instruments to enforce so-called social reforms.

"The sorriest aspect of this report is the damage it will do to the serviceman and his family. Communities have always gone out of the way to receive these men and their families and make them welcome for the duration of their residence away from their homes. This report, when implemented, will make the serviceman and his family, through no fault of their own, walking symbols of civil disobedience. It will make the proud uniform of our country into a shabby coat of political vote grubbing. It will debase this honorable career and turn the friendly relations now enjoyed by base and community into one of hostility and resentment.

"I have strongly protested the implementation of this report to the President, the Secretary of Defense, the House Armed Services Committee and the Secretaries of each of the branches of service. I will continue to exert every human pressure against this ill-advised and socialistic scheme. Its advocates still will not or cannot see that pure equality is pure communism."

[From the New Orleans Times-Picayune, July 27, 1963]

The Gesell Report—Complaints of Alleged Injustice Aim of Report—Negroes in Services May Be "Encouraged"

Negro members of the Armed Forces in the future will be encouraged to complain of alleged racial injustices—but their complaints anonymous, and the person accused will not be allowed to face and question his accuser.

This is one of the recommendations contained in the initial report of "The President's Committee on Equal Opportunity in the Armed Forces"—generally called the Gesell report.

In a letter to Secretary of Defense Robert S. McNamara, President John F. Kennedy praised the report and said its recommendations "merit your prompt attention."

The 93-page report concerns itself with both on-base and off-base situations.

OFFICER LEAD URGED

Concerning the military, it makes recommendations concerning enlistment procedures, assignment and promotion practices and suggests that base commanders in the military establishment take the lead in the march toward complete racial integration on and off the base.

U.S. Representative Joe D. Waggonner, Jr., of Louisiana's Fourth District, asserts that the report's recommendations concerning complaints represent "a posture unfitting the dignity of the military and of any man in uniform."

Provisions that the identity of the complainant remain anonymous and that the accused not be allowed to face the accuser, he says, "is an intolerable injustice and must not be condoned."

The Gesell report asserts that because many Negro personnel fear criticism and reprisal if they raise matters of alleged racial injustice, "procedures must be developed which eliminate this fear and encourage them to present their complaints."

ASKS RECORD CHANGE

It points out that some complaints, such as failing to be promoted, cannot ordinarily be investigated without disclosing the identity of the individual.

At the same time, the report recommends that:

"To minimize the possibility that conscious or unconscious discrimination on the basis of race or color may affect the impartiality of the officer promotion system, photographs and racial designations in the folders reviewed by promotion boards should be eliminated."

It also urges that Negro officers should be appointed to serve on promotion boards, in normal rotation, at every opportunity.

A further recommendation in this area is that all officers chosen to serve on promotion boards "should be chosen from those who have had more than casual experience serving with Negro officers and enlisted personnel."

ENCOURAGE COMPLAINTS

The encouragement of complaints is part of the report's plan to expand communications between Negro servicemen and base commanders.

Implementation will occur by the designation at each base of an officer to receive complaints, but even at bases where only few complaints are made, base commanders will still be held accountable "to discover" conditions.

The officer designated to hear complaints "must not be so burdened with other duties that he cannot effectively deal with complaints," the report suggests.

Concerning racial designations in service records, the Gesell report states that the problem of racial statistics is controversial, but that "sufficient controls on such data can be devised to insure that they are used only for proper purposes."

WOULD END RACE NOTES

Racial entries should not be maintained in records which accompany the servicemen, the report recommends, or on other records routinely available to personnel who rate, assign or promote personnel.

Periodic reports are urged on how the Negro serviceman and implementation of the recommendations are progressing, because such statistics will point up special areas, within this general field which require attention.

The report asserts that there is a need to make greater efforts to attract qualified Negroes, and it says recruiting should be directed toward them.

It recommends that colleges having substantial numbers of Negro students should be solicited; that literature appealing to Negroes should be developed and wider use of Negro officers in recruiting should be made.

URGE USE IN TECHNOLOGY

On assignments:

Special efforts should be made to recognize the potential capabilities of Negroes when they enlist "and at other appropriate times."

Efforts should be made to place Negroes in "as many special and technical career fields and positions of troop command as possible," and the "disproportionate bunchings" of Negroes in certain career fields "should be reexamined, these personnel retested, carefully advised about other fields for which they are trainable, retrained accordingly and reassigned."

Secretary McNamara, the Times-Picayune has learned, has already undertaken implementation of the Gesell report at the Air Force installation at Biloxi, Miss.

[From the New Orleans (La.) Times Picayune, July 30, 1963]

THE GESELL REPORT—RADICAL TAKEOVER OF DEFENSE ESTABLISHMENT

Elsewhere in this issue appears the first installment of the full text of the so-called Gesell report, which calls for virtual transformation of the armed services of the United States into an instrument of domestic sociopolitical pressure.

Reprinting of this text follows a series of articles in which we believe the gist of these radical recommendations was fairly summarized; and of pertinent news stories which disclose that their major implementation already is underway.

This attempt to degenerate the military services and their installations, and through them the very bedrock of national security, is a matter that addresses itself primarily to the people, and sections of this Nation, whose interests in their integrity and single-minded purpose are greatest numerically and proportionately, at stake.

This fact—or charge—can perhaps be appreciated by them only by a careful study of the means proposed, or in the making, for reorientation of the warp and woof of the Military Establishment, to make it revolve about a single issue or problem—integration, segregation—in national controversy.

The techniques outlined for achieving this represent, in a certain wry sense, a masterpiece of blueprint (we understand the authorship should be credited to a member of the planning committee rather than to Chairman Gerhart Gesell, of Washington, who otherwise may take and get all the credit he deserves).

Though independent thought even in a free country can, unfortunately, devise the same methods for prostitution of a vital national institution, the preparation here can be compared, with reference not to objectives but to thoroughgoing painstaking detail, with outlines for corruption, intimidation and takeover of the military institution by Nazi, Fascist, and Communist elements, elsewhere on the globe.

To add to the single national issue at present involved in this abomination of cleverness, a group of issues more or less entwined, forming a pattern of upheaval and reform, calls only for hack artists, to fill in and embellish the brushwork of the talented (mayhap unwitting) pioneer.

With education, interstate commerce, much intrastate commerce, and other institutions and rights, already subservient, by one form of fiat or another, to this same single present issue, the further addition of armed force should not be, to the interested, appraising eye, a surprising development or ambition. From slow growth of a pattern in stages which can be watched, to kaleidoscopic riot, dizziness, confusion—and finality—is a process, recorded both in modern and ancient history.

The Gesell report's preparation began a little more than a year ago. We will have something to add later concerning the general circumstances under which President Kennedy initiated it. To say at this point also that the supposed subject of study, "Presidential Commission on Equal Opportunities in the Armed Forces," turned out to be a misnomer, is the least of the criticisms applicable to the matter.

Rumors or reports relative to proposed abandonment or transfer of military bases, without regard to national security concerns, or to suppose logic and pertinence in military planning, emerged during about the past month.

There seems to have been a considerable degree of hush-hush about the report's delivery to the White House; the Presidential review, complimentary comment, and transmittal to Secretary McNamara; the details of intramilitary and extramilitary coercion, etc. It seems Louisiana and other southern Congressmen who had wind of the matter pleaded in vain against directives that have followed (or are held in abeyance only because they are not yet "feasible," or because coercion conceivably could make them unnecessary). For our part, we were unable to obtain a copy of the 93-page blueprint in time to present more than one of a series of analyses, before the Defense Secretary's orders came through.

Congressman WAGGONNER is to be congratulated for his services to the U.S. public in baring the report and its more or less obvious implications. Congressman HÉBERT is among those who think Mr. McNamara (despite his expression of acquiescence and agreement) had his orders from the White House. In any case, the content and significance of this extraordinary encroachment would be no less had the plans, intentions, and handling been open and above-board throughout.

[From the Chattanooga (Tenn.) News-Free Press, Aug. 1, 1963]

HOW MILITARY DICTATORSHIP COMES

On three recent occasions, the American people have seen the regrettable action of two Presidents violating the Constitution, and their oaths of office to uphold it, as they used Federal troops as armies of occupation to force their will upon the people of our Nation. And now we are seeing the use of the military in a new role, as a "social" weapon to force integration upon communities around military bases.

The armies of occupation marched in Little Rock, Oxford, and Tuscaloosa despite the Constitution's article IV, section 4, which provides for such action only upon request of the legislature or Governor of the State affected. The application of military pressures for integration has been embodied in directives providing for private establishments which do not bow to the will of the Kennedys on integration to be declared "off limits" to military personnel.

And Senator BARRY GOLDWATER has called attention to what he has described as "police state" methods employed by Attorney General Bobby Kennedy in sending a delegation around to areas having military bases to apply pressure on private individuals to bring their personal property into line with the Kennedy philosophy.

The creation in the Department of Defense of the post of "Deputy Assistant Secretary of Defense for Civil Rights" smacks of the political commissars who are assigned to Soviet troop units to enforce a pattern of political doctrine.

Senator GOLDWATER has correctly told the Senate that the misuse of the military sows the seeds for military takeover in our country. This may seem foreign to some, but in Germany Hitler did not impose his nazism in one horrible swoop but by a swift erosion of customary forms. We wonder how the German people ever tolerated the Nazi police state, sometimes failing to realize that it crept up on them and was imposed in all its terror and force before many realized what had happened.

Our military forces are provided for the defense of our Nation against its enemies. It is not established to change the social patterns of any community or to deny Americans their constitutional rights to their own property and free choices within the law. Yet the Kennedy administration has resorted to arms and the power residing in the existence of armed forces to dictate to the American people in a manner repugnant to all those who uphold personal liberty and destructive to the freedom of our Nation.

Senator GOLDWATER's warning is particularly significant since he is not a southerner and does not speak as a champion of segregation. He is a major general in the Air Force Reserve. In the Arizona Air National Guard he was a leader in providing for desegregation of its personnel that being his personal conviction of the best action to be taken in his State by the people of his State. With that background, Senator GOLDWATER comes now to challenge the dangerous methods of the Kennedy dictatorship, to warn against the misuse of military power, to give notice to the American people of the danger that is thrust upon them when military power becomes a dominant and dictating instrument of partisan political expediency.

[From the Washington (D.C.) Star, Aug. 2, 1963]

THE MILITARY AND SOCIAL REFORM—SENATE AND HOUSE ATTACKS ON PENTAGON DIRECTIVE ON RACIAL BIAS ARE REVIEWED

(By David Lawrence)

It seems incredible that, with all the denunciation that Americans have heaped on the Soviet Union for indoctrinating their troops with the social and political ideas of communism, the people of the United States should be reading this week in their newspapers about speeches in the Halls of Congress alleging that the Kennedy administration is trying to use the armed services to propagate its doctrines of social reform.

Senator Stennis of Mississippi, Democrat, is a high-ranking member of the Senate Armed Services Committee and chairman of its Preparedness Investigating Subcommittee. In a speech to the Senate on Wednesday, he cited the directive which has been issued by the Secretary of Defense ordering commanders at military bases to declare "off limits" any businesses or areas where any racial discrimination may occur. The Senator said in his speech:

"It is now proposed that the military profession itself be utilized as a driving force in the establishment of a new social and political order which involves race relations and individual associations in off-base areas surrounding our Military Establishments.

"This new and previously unheard-of mission is designed to shape our military force as an instrument for social reform and can only result in irreparable injury to the military profession. In addition, it is a grave and serious challenge to the long-established and traditional concept of complete separation of the military from all political matters and activities.

"Paragraph C (of the directive) places clear and heavy responsibility upon the military commander in the field of social reform. It provides:

" 'Every military commander has the responsibility to oppose discriminatory practices affecting his men and their dependents and to foster equal opportunity for them, not only in areas under his immediate control, but also in nearby communities where they may live or gather in off-duty hours.' "

Not long ago, the Secretary of Defense had to revise an Air Force directive which was construed as encouraging soldiers when out of uniform to participate in racial "demonstrations." It is not yet clear how much of the Defense Department's influence still remains a factor in the activities of soldiers off duty who are in sympathy with the "demonstrations."

Senator Stennis not only calls attention to the economic coercion involved in using military commanders to determine what places of business shall be patronized but he says the new directive brings into play the factor of influence in promotions. Senator Stennis declared that the new directive "will affect the promotion and career advancement of officers affected" and that he could not conceive of any step "which would be more destructive of officer morale." He quoted from a presidential commission's report which proposed that officers "showing initiative and achievement" in this activity "will enhance their performance ratings and obtain favorable consideration for promotion and career advancement."

Senator Goldwater of Arizona, Republican, joined with other Senators on Wednesday in denouncing the directive. He recommended that the Senate Armed Services Committee conduct an investigation of the Pentagon committee which, he said, had gone to military bases around the country "with complete dossiers on every businessman" in the surrounding communities, including "every figure the committee can get out of the income-tax returns" filed with the Internal Revenue Service. He declared:

"I think this goes much further than what we are talking about here today; namely, the threat of a military takeover should things change in this country and we find that the military commanders have become used to running politics and the social life of the community—I do not care where it is. It goes further than a discussion of the civil rights question."

"Militarism" is a term used to refer to military men who usurp power to control civilians, but there seems to be no word except possibly "politics" to define efforts by civilians to use the military to carry on social-reform programs. Senator Stennis said:

"This may only be the beginning. If political activity is condoned and encouraged in this field, the President some day may not be able to extricate the military from other political activity that would follow."

Representative Hébert of Louisiana, Democrat, on the same day denounced an order by which the Federal Government will withdraw contracts for the civil defense adult education program if a State doesn't sign on the dotted line an agreement against "discrimination." He declared that "what can't be done by the law and under the law is done by executive order or by departmental directive."

Mr. Hébert is chairman of a subcommittee of the House Armed Services Committee which had been holding extended hearings on a civil defense fallout shelter program. He declared that his statement concerning executives usurpation was based on principles underlying governmental operation and not on the merits of the discrimination problem itself. He added:

"I have a deep conviction that the very integrity of the Congress is involved here. And this integrity is being constantly compromised by what I consider capricious and unwarranted assumptions of legislative power by the executive branch."

[From the Washington (D.C.) Star, Aug. 2, 1963]

United States To Halt Sale of Arms in African Racial Protest

United Nations, N.Y., August 2.—The United States announced today it is banning by the end of 1963 the sale of all weapons and military equipment to South Africa because of that country's racial segregation policies.

The embargo was disclosed by U.S. Ambassador Adlai E. Stevenson in a speech before the United Nations Security Council. He spoke after Ghana's Alex Quaison-Sackey had denounced South Africa as an outlaw and asked the Council to consider expelling it from the United Nations.

Mr. Stevenson told the Council the United States already had banned the sale of military equipment that might be used by South Africa to enforce its racial apartheid policies and is now ready to make such a ban complete.

He said the ban could not become fully effective before the end of the year because of existing commitments, including the sale of air-to-air missiles and torpedoes for submarines.

RACIAL POLICIES ASSAILED

Mr. Stevenson denounced South Africa's racial policies as "an evil business" and declared:

"My country will support efforts to bring about a change in South Africa."

So far, he said, efforts of the United Nations "have yielded no tangible results. There has been forward motion, indeed, there has been retrogression, calculated retrogression."

He called the apartheid policies "abhorrent."

Mr. Stevenson urged that the Council try to bring about the change through measures of peaceful settlement rather than through coercion.

FAVORS U.N. ACTION

He made no specific proposal, but said the United States has looked with favor on the appointment of a special U.N. representative who would exercise his own ingenuity in seeking a solution.

An African committee was reported working on two resolutions for submission to the Council on the theory that if one does not pass, the other one might.

Diplomats said one resolution would call on U.N. members to embargo arms shipments to South Africa.

African, Asian, and Latin American delegates expressed belief it would be possible for this resolution to be adopted. But one European delegate said he thought it would be difficult.

ADOPTION DOUBTFUL

The second resolution reportedly would call on U.N. members to carry out 1961 and 1962 General Assembly resolutions against apartheid.

Only some Africans claimed this resolution could get the seven votes necessary for adoption. Other diplomats generally doubted that. Nobody would predict a veto in either case.

A full economic and diplomatic boycott would be the effect of any proposal asking U.N. members to carry out the Assembly's apartheid resolutions. The 1961 resolution urged "collective action" to force an end to that policy. The 1962 resolution asked U.N. with South Africa, including diplomacy, trade, shipping, and aviation.

African delegates said they believed a resolution or resolutions would be turned in Monday or Tuesday. A vote was expected by Thursday.

Secretary of State J. Rudolph Grimes of Liberia told the Council yesterday it would call on U.N. members "to honor their commitments reached last autumn" in the General Assembly.

Of the present 11 Council members, Britain, France, and the United States voted against the Assembly resolution. It was adopted, 67–16, with 63 abstentions. Three other present Council members, Brazil, Norway, and Venezuela, were among the abstainers.

Mr. Grimes said the Council, in asking for implementation of that resolution, should call especially on countries selling weapons to South Africa. He said South Africa had gotten arms factories from Britain, jet fighters and tanks from France, and troop transport planes from the United States. He said it obtained capital from Britain, the United States, France, West Germany, and the International Bank.

Also, I include in the Record an editorial from the Tulsa Tribune, talking about the strange Gesell report. Also a byline story from the Dallas Morning News entitled, "Storm Brewing on McNamara Policy" on August 4, 1963 condemning the Gesell report. Also an editorial from the Shreveport Journal of July 8, 1963 headed "A Shameful Military Directive."

The matter referred to follows:

[From the Tulsa (Okla.) Tribune, Aug. 2, 1963]

The Strange Gesell Report

The hottest item in American Government today is a peculiar report put together in secret by a committee appointed in June 1962, ostensibly for the purpose of improving conditions for Negroes in the armed services. The question now has risen: Was this really an effort to use the power of the armed services to force social changes outside the bases? We will be hearing a lot about the Gesell report.

The report was compiled by a committee of three Negroes and four white men, headed by Gerhard A. Gesell, Washington lawyer. It was sent to the Defense Department after being initialed by the President and his brother, the Attorney General. Such initialing is tantamount to an order. The report has never been officially published. Copies of it, however, are in the hands of Congress.

Among the recommendations contained in its 93 pages are:

More recruiting should be directed toward Negroes to correct the insufficient flow of Negroes into the services and to increase the pitifully small number of Negro officers.

Special officers should be appointed with biracial staffs on every base to handle all complaints by Negroes. Such complaints are to be encouraged.

More Negro girls are to be brought on to bases for social functions and fewer girls who believe in segregation. This seems to mean that commanding officers should inquire about the sentiments of white girls and bar them from dances if they are not ardent integrationists.

The practice of Negroes gravitating to one base service club and whites to another must not be permitted.

Officers should not join segregated civic clubs. Local segregated housing must be broken by leasing homes off base in the name of the Government and moving Negroes in.

Military personnel should not be allowed to patronize any except integrated business establishments which have the express approval of the base commander. All other businesses should be off limits.

Where these efforts fail to bring about general integration in nearby communities the U.S. Government should consider curtailing or closing the military establishments.

And—the efforts of officers to bring about integration should be constantly reviewed and rated. Promotions should be based on their initiative and accomplishments in this field.

Well, that gives you an idea of the Gesell report.

It would make the Armed Forces of the United States agencies to push social and political theories beloved by the Kennedy brothers. It would base promotions, not upon the military ability of American officers, but upon how readily officers lent themselves to these aims.

More ominous, yet, is the charge by Senator GOLDWATER that a Pentagon committee, headed by Assistant Defense Secretary Alfred B. Fitt, has been touring the South, armed with tax figures about southern businessmen which could only have been obtained from the Department of Internal Revenue. Is this an attempt to blackmail? The Defense Department denies it has used such figures, and the Senator has demanded an investigation.

We think the Gesell report is a tragedy. We think it is so intemperate and overreaching that it will set the cause of Negro GI's back. It will do violence to the morale in the armed services.

But, worst of all, it seeks by devious means to impose the power of the Federal Government upon individuals, even dates to the enlisted men's dances. It goes so far as to deprive the soldier of the right of voluntary companionship in the interest of a social theory. It would locate military bases, not according to defense necessities, but according to the prevailing social attitudes of the surrounding countryside.

It is a perfect example of what happens when ends, political or social, are deemed to justify any means.

We need a clear expression from John Kennedy and his brother as to whether they are prepared to enforce the Gesell report as the law of the land.

[From the Dallas (Tex.) Morning News, Aug. 4, 1963]

Civil Rights Program—Storm Brewing on McNamara Policy

(By Robert E. Baskin, chief, Washington bureau of the News)

WASHINGTON.—The Nation's military establishment—traditionally kept separate from civilian affairs—is now being employed to carry out the Kennedy administration's civil rights program in local communities.

A storm is brewing in Congress over this issue.

So far, despite a number of speeches in both Houses, the Nation as a whole appears uninformed and largely indifferent to serious constitutional questions raised by recent actions of the Defense Department.

If all present readings are correct, the military is now going to be used to implement Presidential views without congressional action and against the wishes of the people in many communities which will be affected.

An alert freshman Congressman from Louisiana, Representative JOE D. WAGGONNER, JR., was the first person to put the spotlight on a drastic new civil rights policy by the Pentagon.

On July 12 WAGGONNER, who represents the northwest Louisiana 4th District, right on the Texas border, disseminated to every daily newspaper in the country and his congressional colleagues his views on what is known as "the Gesell Report."

In June 1962 President Kennedy appointed a Washington lawyer, Gerhard Gesell, to head a special committee—four white and three Negroes—to examine "equal opportunity in the Armed Forces."

The committee has now unburdened itself with a report, and in the wake of it Defense Secretary Robert S. McNamara has issued a directive carrying out many of the recommendations.

The Gesell report recommended these policies by the Defense Department, as spelled out by WAGGONNER:

More recruiting should be directed toward Negroes to correct the "insufficient flow" of Negroes into the services and to increase the "pitifully small" number of Negro officers.

Negroes should be located in jobs throughout the services regardless of their individual preferences in order to have a few everywhere and in all positions.

Promotion boards should have more Negro officers on them because white officers are "consciously or unconsciously" discriminating against Negroes on promotions.

Special officers should be appointed (with biracial staffs (on every base to handle all complaints of the Negroes.

Such complaints are to be "encouraged."

More Negro girls are to be brought on bases for social functions and fewer girls who believe in segregation.

Negro hostesses should be considered rather than white.

Military police patrols used in neighboring communities should be integrated.

Segregated buses should be boycotted.

Base commanders should appoint biracial committees in the communities to break down segregation practices.

Civic clubs should not be joined if they are segregated.

The past policy of complying with local segregation policies should be terminated.

The practice of Negroes gravitating to one base service club and whites to another should not be permitted, even though this might be of their own choosing.

Methods are suggested for getting around local segregated housing by leasing homes in the name of the Government and moving Negroes in.

ROTC units should be canceled in segregated schools.

The efforts of officers to bring about integration should be constantly reviewed and rated. Promotions should be based on their "initiative" and "accomplishments" in this field.

The traditional function of the base commander and senior officer to run a Military Establishment and maintain good community relations by staying out of local controversies is misguided and should be stopped. They should be encouraged to lead the way to full integration.

Military personnel should be allowed to patronize only those local establishments which are integrated and have the "express approval" of the base commander. All others should be placed off limits. Approved stores should display placards or decals on their windows and doors to show they have been approved by the military. This gives the base commander life-or-death control of the economic life of the community and the right to subject to military discipline all servicemen, their wives, and children who shop at other stores of their own choosing.

Should all these efforts fail to bring about integration, the services must consider curtailing or terminating activities at these installations.

On July 26 Secretary McNamara issued his directive. Although it did not go as far as the Gesell report proposals, it is still regarded by many in Congress as a drastic innovation in the relationship between military bases and their nearby communities.

To carry out its program McNamara appointed Albert B. Fitts as a Deputy Assistant Secretary of Defense on Civil Rights. Fitts' post is just below the sub-Cabinet level and does not require Senate confirmation.

The McNamara directive said in its policy statement:

"Discriminatory practices directed against Armed Forces members, all of whom lack a civilian's freedom of choice in where to live, to work, to travel, and to spend his off-duty hours, are harmful to military effectiveness.

"Therefore, all members of the Department of Defense should oppose such practices on every occasion, while fostering equal opportunity for servicemen and their families, on and off base."

The Army, Navy, and Air Force are directed to issue manuals on how to handle communities and are told "to institute in each service a system for regularly reporting, monitoring and measuring progress in achieving equal opportunity on and off base."

There was one noticeable restraint, however. While authorizing off-limits decrees against segregated establishments, McNamara's directive does not allow base commanders to issue such decrees. They can come only from the service Secretaries.

But base commanders are still left with the responsibility of trying to carry out desegregation in nearby civilian communities.

As Congressman WAGGONNER noted in a letter to all members of the House and Senate Armed Services Committee, "The traditional role of the military has never been concerned with rearranging the social order, leaving all such matters to their proper place in the hands of the civilians and their courts, remaining nonpolitical and aloof from controversial community problems."

WAGGONNER describes the Gesell report as an assault on the civilian establishment comparable to Gen. Benjamin Butler's rule over New Orleans in the Civil War and Thaddeus Stevens' activities in Washington in the Reconstruction.

"The Nation cannot survive the assault of another Stevens or Butler," WAGGONNER declared.

The Gesell report and McNamara's directives now have stirred up a hornet's nest in Congress, and the Senate heard a good many words on the subject one day last week.

Senator JOHN C. STENNIS, Democrat, of Mississippi, a high-ranking member of the Senate Armed Services Committee, described the Pentagon action as "an economic bludgeon with which a businessman could be hit over the head."

"There has been no mandate of the Congress on that point," he declared, "and no law has been passed with respect thereto."

STENNIS asserted that the directive will place the military "in the mainstream of swirling political currents and, unless rescinded, will keep them there for years to come."

The Senate debate was enlivened by the participation of Senator BARRY GOLDWATER, Republican, of Arizona, who reported that the new civil rights deputy, Fitts, has been traveling around military bases "in the preliminary efforts to get the commanding officers to act in a way commanding officers have never acted before."

Goldwater said Fitts was armed "with complete dossiers on every businessman," including income tax data.

"It started in the Attorney General's office," Goldwater asserted, "they have used the full force of the Internal Revenue documents."

Goldwater said these procedures make possible "a military takeover" of the country with military commanders becoming accustomed to "running politics and the social life of the country."

(The Justice Department has denied that it is involved in the military desegregation program.)

The Gesell report and the resultant McNamara order are not the only things in the Pentagon that are bothering southern Congressmen these days.

Southerners on the House Armed Services Committee are indignant over an administration decision to withhold funds for civil defense adult education programs in States which do not sign integration pledges. Representative F. Edward Hébert, Democrat, of Louisiana, has stalled a civil defense authorization bill because of this edict.

Congressional power has waned steadily since the Roosevelt administration, but Congress still has one very great weapon—the power to appropriate.

Southerners holding key positions on the Senate and House Appropriations Committees can make things pretty difficult for those in the executive department who try to preempt congressional authority.

But, in the case of the military, there is another important factor. The Senate Armed Services Committee is headed by Senator Richard B. Russell, Democrat, of Georgia, and the like committee in the House is ruled by the veteran Representative Carl Vinson, Democrat, of Georgia.

Russell already has denounced the Gesell report and the McNamara order. Vinson certainly does not view these matters with approval. There can be some stormy days ahead in both committees.

[From the Shreveport (La.) Journal, July 8, 1963]

A Shameful Military Directive

There is a lot of hypocrisy and deceit in the U.S. Air Force directive authorizing off-base demonstrations for racial integration by enlisted personnel.

A news dispatch from Washington Saturday revealed that the Pentagon had announced major Air Force commands have been advised that off-duty servicemen may participate in desegregation demonstrations.

The news dispatch, a UPI release, said the Pentagon revealed a "guidance memo" had been sent to the Air Force with the statement that the military "had no power to prevent a person from exercising his constitutional rights if there is no involvement of the service nor violation of laws or regulations."

A directive issued from headquarters, Continental Air Command, U.S. Air Force, Robins Air Force Base, Ga., contained this specific message "for the guidance of all concerned":

"Some commanders have raised the question of Air Force policy on the participation of members of the Air Force in demonstrations. Our policy is that no Air Force member will be restricted from demonstrating as a private citizen as long as (1) it is done during off-duty time, (2) the demonstrators wear civilian clothes, (3) there is no imminent danger of injury to Air Force personnel or damage to Government property as a result of this demonstration."

In other words, the Air Force seems to be telling its members that it is all right for them to disguise themselves as civilians, go into nearby communities, demonstrate as they please and cause as much damage or injury as they please—so long as there is no damage or injury to Government property or personnel. It may be presumed, therefore, that the Air Force is not concerned with any damage or injury that its members, masquerading as civilians on "off-duty" time, might inflict upon private property or private citizens.

It is a shame that any section of the Air Force would lend itself to such hyprocritical, deceitful pronouncements.

It is a greater shame that an arm of our national defense should find so little to do in its assigned field that it must devote its time to directives concerning demonstrations calculated to disturb the peace of American communities.

Mr. Speaker, there are, at the last count, 1,145 military bases or other military installations scattered all over the United States. They are close to almost everyone, and some of them affect you. Since there is no geographical limitations set forth in this report I submit that every area of the United States is covered by the recommendations. Let me give you a few illustrations of military establishments within what could be said to be a reasonable distance of major cities in the United States: Fort Dix, Philadelphia-Trenton-Camden complex; Lowry Air Force Base and Fitzsimmons General Hospital, Denver; Forbes Air Force Base, Topeka, Kans.; Hill Air Force Base, Ogden, Utah; Fort Knox, Louisville, Ky.; Fort Lewis, Tacoma, Wash.; Fort Benjamin Wood, Indianapolis, Ind.; Offutt Air Force Base, Omaha, Nebr.; McClellan Air Force Base, Mather Army Depot, Sacramento; Minot Air Force Base, Minot, N. Dak.; Mountain Home Air Force Base, Boise, Idaho; Castle Air Force Base, Merced, Calif.; Lockburne Air Force Base, Columbus, Ohio.

In the few moments left me, I would like to stress these few and brief points and urge with all the sincerity at my command that every Member of this body consider them carefully.

I maintain that by his Executive order implementing this report, the President has assumed all the authority he and the Attorney General have requested in the civil rights bill as far as the public accommodations section is concerned.

I submit that the statement in this report which the Secretary of Defense has ordered implemented that obedience to local laws on segregation should be stopped is nothing short of inciting to riot. It makes no difference how much the President, the Secretary of Defense, the Attorney General, Mr. Yarmolinsky or Mr. Gesell may not agree with these laws, they are still laws and in full force.

In urging the military to break down local customs, the door is thrown wide open to use the military in the future to "instruct" the people in the "error of their ways" in not supporting some future President or some future political ideology.

Page 19 of the Gesell report says, and I quote:

> Special effort should be made to recognize potential capacities of Negroes.

I read no statement in this report that special efforts should be made to recognize potential capacities of white men. This is a rank example of preferential treatment; not equal opportunity.

The fact that the promotion of officers responsible for achieving integration is, in the future, to be based in part on how successful he is in bringing about integration, makes it mandatory that he show favoritism and preferential treatment to all Negroes in order to achieve a good rating. I call your attention again to the statement of Secretary McNamara which he made on September 6, 1961, which I quoted earlier:

> I believe we should prohibit military officers from participating in partisan politics, and we should prohibit partisan politics from affecting the promotion of an officer.

I suggest that the Secretary has a short memory or else one that conveniently releases him from any previous stands that prove inconvenient later.

Finally, I read on page 53 of the Gesell report this statement:

> The base commander naturally looks upon his job as an opportunity to exercise military command; he conceives of his job as overwhelmingly military in character, his mission being to develop the units and troops under his command to peak efficiency.

You would imagine that, at this point, would follow the statement that, in following this concept, the base commander was absolutely correct.

However, the conclusion of the Gesell committee is that, in so doing, the base commander is a failure.

This is not just Barksdale Air Force Base and the surrounding communities in my district but yours as well. And if we can use the military today for social reform, who is to say that it will not be used at some future date by some misguided individual for political reform?

The SPEAKER. The time of the gentleman from Louisiana [Mr. Waggonner] has expired.

Mr. WATSON. Mr. Speaker, I ask unanimous consent to associate myself with the remarks of the gentleman from South Carolina [Mr. Rivers], the gentleman from Louisiana [Mr. Waggonner], and also the gentleman from Louisiana [Mr. Hébert].

The SPEAKER. Without objection, it is so ordered.

Mr. WATSON. Mr. Speaker, I should like to associate myself with my esteemed colleague, the gentleman from South Carolina [Mr. Rivers], and the other distinguished members from the State of Louisiana and wholeheartedly endorse their condemnation of the infamous Gesell report and all efforts to implement the same.

As the gentleman well knows, I have met with them and other concerned Congressmen to discuss the rash of illegal and unconstitutional executive directives which are presently being issued in defiance and contravention of the will of Congress. Of course, the Gesell report and its subsequent directive from the Secretary of Defense are the most reprehensible and contemptible of all such Executive orders.

As I join my colleagues in condemnation of these directives which not only threaten our military position, and the very constitutional basis of our Government, I likewise pledge to them my abiding support for any measures which they

may recommend for the halting of such directives and returning the constitutionally granted power to the Congress.

THE GESELL REPORT: THE REAL FACTS

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. STRATTON] is recognized for 60 minutes.

Mr. STRATTON. Mr. Speaker, it is not often that I differ with the distinguished ranking Democratic member of the great Committee on Armed Services on which I have the privilege to serve, my good friend, Mr. RIVERS of South Carolina. And it is not often that I differ with the distinguished chairman of one of our distinguished subcommittees, the gentleman from Louisiana [Mr. HÉBERT]. We have over the years in our committee, I think, developed a somewhat nonpartisan and nonpolitical approach to matters of military concern which has made our committee somewhat unique in this body. But as a member of this committee and one who is deeply concerned with the morale and the efficiency of our armed services, and with the basic implementation of the Declaration of Independence and the Constitution of the United States, I feel that even at this late hour, Mr. Speaker, it is necessary to set the record straight and to put forward here some of the real facts with regard to this document which has been the subject of such a one-sided discussion on this floor for the past 3 hours.

I might say, Mr. Speaker, that having sat through the debates on yesterday when Members of this House were vying with one another in their concern over civil rights, it is a little hard to believe that this is the same body today, because Members, particularly those on the Republican side of the aisle, were standing up to associate themselves with the position taken by our friends from the South. Those were the same Members who said yesterday that their interest in civil rights was so deep. Of course, others said that sudden interest was only a transient one. Apparently these latter were right, because the bloom seems suddenly to have faded from the civil rights rose—and in less than 24 hours at that.

Mr. Speaker, I think that we ought to understand exactly what this Gesell report is, because there have been some rather strong statements made here about it in the past 3 hours.

We have been told that this is the beginning of SS troops in America. We have been told that this was the opening wedge for police state commissar programs in America. We have been told that we may have passed the point of no return in undermining the morale and efficiency of our armed services. We have been told that we are putting the military up to their necks in politics at every base in the United States. And we have been told that henceforth promotion is going to be based on color alone rather than competence.

I am not surprised that Members who have not had an opportunity to follow these matters or even to read the directive of the Secretary of Defense or to read the Gesell report itself should be concerned over these charges because if any of these charges were even remotely true this would indeed be a matter of greatest concern for anyone associated with the armed services.

But, Mr. Speaker, it is really no secret that we have been concerned for many years with eliminating discrimination and segregation in the armed services of the United States, and by Executive order, if not indeed by action of this Congress, distinguished Presidents in the past have felt that men and women in the services ought to be treated equally regardless of their race, their creed, or their color.

President Truman put forth an Executive order back in 1948, Executive Order 9981, calling for equality of treatment and opportunity in the Armed Forces. We did not collapse as a nation as a result of this order. The armed services did not degenerate. Grass did not grow in the streets, and SS troops did not march in the corridors.

Later on, in June of 1961, the Deputy Secretary of Defense, Mr. Gilpatric, issued a memorandum on equality; but I do not recall that there were any viewings with alarm on this floor. We recognized then that the elimination of inequality meant that individual Army commanders should have a responsibility for trying to prevent discrimination in the facilities that were available around military bases as well as on the bases themselves.

Mr. HÉBERT. Mr. Speaker, will the gentleman yield?

Mr. STRATTON. I wish I could yield to my distinguished friend, but my friend and his associates had 3 hours. I have 1 brief hour to straighten out the record. We did not interrupt the gentleman's presentation.

Mr. HÉBERT. That is perfectly all right. I will ask for time after the gentleman has finished his remarks.

Mr. STRATTON. I would like to have an opportunity to develop additional facts on this important subject, so that those who are listening can have an opportunity to see what the real picture is.

Now, Mr. Speaker, we are, as I see it, in the midst, and I do not believe anyone is unaware of this fact, of a social upheaval in this country. Whether we like it or do not like it, there has been a deep upheaval here in America and a demand on the part of our Negro citizens for equality of treatment. This Congress is confronted with this social upheaval today and we are, in my judgment, going to do something about it. We are going to pass constructive civil rights legislation in this Congress. We are not, I might add, going to do it on a piecemeal, half-baked basis, as we were urged to do on yesterday.

I do not think anybody who understands what is going on in this country and in this world today could possibly expect the President of the United States to do anything else than to try to find ways and means in which this basic American spirit of equality could be further implemental in every facet of our Government.

That is the basis for the Gesell report, and that is all there is to it.

The President called upon a distinguished group of citizens to develop a study of exactly what the status of our quest for equality of treatment was in the armed services at this time. If he had not been concerned about this problem, we would, I think, have felt that he was not doing his job properly.

And soon, the 22d of June 1962, the President wrote to Mr. Gesell.

As the letter shows, he pointed out to Mr. Gesell that the Department of Defense had made great progress since the end of World War II in promoting the equality of treatment and he said that it is appropriate now, however, to make a thorough review of the current situation both within the services and in the communities where military installations are located to determine what further measures may be required to assure equality of treatment for all persons serving in the Armed Forces.

The President indicated that he was establishing an independent body of distinguished citizens on the most effective action that can be taken to cope with the problem, and he stated that he was establishing a committee on equality of opportunity in the Armed Forces and asked Mr. Gerhard Gesell to serve as chairman of that committee.

Now this Gesell Committee was asked to include in its consideration of the general problem of equality of opportunity the following specific questions:

> 1. What measures should be taken to improve the effectiveness of current policies and procedures in the Armed Forces with regard to equality of treatment and opportunity for persons in the Armed Forces?
>
> 2. What measures should be employed to improve equality of opportunity for members of the Armed Forces and their dependents in the civilian community, particularly with respect to housing, education, transportation, recreational facilities, community events, programs and activities?

Mr. Speaker, that is the specific frame of reference of the so-called Gesell report. There is nothing unusual and nothing startling about it, and I am surprised that Members of this House should think that it is out of order for the President to inquire about matters such as these as Commander in Chief.

The suggestion has been made that this was a strange body and that somehow these individuals were not competent. I would like to invite the attention of the House to some of the distinguished pedigrees of the members of this Committee.

Mr. Gesell, for example, was a member of the Committee of Investigation on the Pearl Harbor Attack from 1945 to 1946. He has had considerable experience in Government. He has had some concrete experience in the operation of the military. He graduated from Yale and was a member of the Securities and Exchange Commission and was technical adviser to the Commission and special counsel of the Special and Temporary National Economic Committee. He is also a member of the distinguished law firm of Covington & Burling, in the city of Washington.

Mr. Nathaniel Colley, of Tuskeegee Institute, a second member of the Committee, was a captain in the U.S. Army from 1942 to 1946.

Mr. Abe Fortas, distinguished attorney was at one time Under Secretary of the Interior, from 1942 to 1946, and as adviser to the U.S. delegation to the United Nations at San Francisco in 1945 and London in 1946. He was visiting lecturer on law with the rank of professor at Yale University.

These members were not dragged up from out of the backyard, as some have tried to suggest in the past 3 hours. They are able and distinguished citizens.

There is for example, Mr. Louis J. Hector, a graduate of Phillips Andover Academy, 1933; Williams College, 1938, Christ Church, Oxford, 1939; Assistant to the Under Secretary of State, 1944; member of the firm of Hector, Faircloth & Rutledge, Miami, Fla., from 1956 to 1957.

Mr. Hector was also a member of the Civil Aeronautics Board and served with the Office of Strategic Services in combat in China in 1945.

Then we have Mr. Benjamin Muse of Manassas, Va., a Foreign Service officer for 14 years, from 1920 to 1934, and a lieutenant colonel in the U.S. Army from 1942 to 1946.

Next is Mr. John Sengstacke of Hampton Institute, Va. He was vice president and general manager of the Robert S. Abbott Publishing Co., and was a recipient of the Two Friends Award of the National Urban League.

Next is Mr. Whitney Young, Jr., who is a national director of the National Urban League in the great city of New York in my home State.

Mr. Speaker, these are the people listed on this Gesell report. These are the people who examined this vital question of equality. They came from all sections of our country.

Well, now, the Gesell report was submitted to the President, Mr. Speaker, and we have had some portions of it read here today. This is a report that has examined the current status of equality of opportunity in the armed services today and in the communities surrounding our armed services bases. It has made a number of concrete recommendations, as people of this caliber would who have these concerns at heart and who would be operating on a commission from the President of the United States in these difficult and challenging days, would want to make. They analyzed the facts and they came up with recommendations of their own.

Mr. Speaker, the President of the United States had this to say to the chairman of that committee after his report had been submitted:

> I appreciate the intensive and constructive effort that you and the other members of the Committee on Equal Opportunity in the Armed Forces have given to one of the Nation's most serious problems. As your initial report suggests, the Armed Forces have made significant progress in eliminating discrimination among those serving in the defense of the Nation. Your inquiry indicates, however, that much remains to be done, especially in eliminating practices that cause inconvenience and embarrassment to servicemen and their families in communities adjoining military bases. Your recommendation should have the immediate attention of the Department of Defense. I have asked the Secretary of Defense to report to me on your recommendations within 30 days.

Then, Mr. Speaker, the President also wrote to the Secretary of Defense with regard to this same report:

> Because of my concern that there should be full equality of treatment for all military personnel, regardless of race or color, I appointed a committee to study the matter in June of 1962. An initial report of that committee is transmitted with this letter for your personal attention and action.
>
> We have come a long way in the 15 years since President Truman ordered the desegregation of the Armed Forces. The military services lead almost every other segment of our society in establishing equality of opportunity for all Americans.

Mr. Speaker, can anybody properly object to that kind of inquiry? Can anybody stand up and object, when the Presidents says, "A great deal remains to be done," in dealing with discrimination and inequality in our Armed Forces.

Further quoting from the letter:

> As the report emphasizes, a serious morale problem is created for Negro personnel when various forms of segregation and discrimination exist in communities neighboring military bases. Discriminatory practices are morally wrong wherever they occur and they are especially inequitable and iniquitous when they inconvenience and embarrass those serving in the armed services and their families. Responsible citizens of all races in these communities should work together to open up public accommodations and housing for Negro military personnel and their dependents. This effort is required by the interests of our national defense, national policy, and basic considerations of human decency.

And, then the President's letter to the Secretary of Defense concludes with the final sentence:

> I realize that I am asking the military community to take a leadership role but I believe that this is proper. The armed services will, I am confident, be equal to that task. In this area as in so many others, the U.S. infantry motto, "Follow Me," is an appropriate guide for action.

Mr. Speaker, can anybody object to that approach? Can anybody really maintain that the President is off base because he wants to protect the morale and efficiency of our armed services, or because he wants to eliminate those forms of segregation and discrimination which are not only "morally wrong" but which inconvenience and which disrupt the opportunity of our men in uniform to serve their flag and their uniform to the full extent of their ability?

Yes, it would be pretty hard to argue that point, Mr. Speaker. Let me say, Mr. Speaker, we in the North have been particularly well aware that when it comes to the location of our military bases there has been a very substantial number of them located in the Southern States of our country. I have not always subscribed to this particular decision, that because they do not have snow in most of these Southern States, that all of our bases should therefore be put in one geographical basket. I have been a little bit concerned that perhaps some of our military people were not having the best possible opportunity to harden themselves against some of the challenges that they may be meeting in some parts of the world without having the opportunity of being trained at places like Camp Drum in upper New York.

The young men who go to these southern bases, Mr. Speaker, are young men who come from New York, from New England, from New Jersey, and Michigan, and all over the country, to these bases located in the southern section of our country. I think we have a certain responsibility to them, to remember the kind of background and social environment they came from.

In any event, Mr. Speaker, the Secretary of Defense received this document from the President. He acknowledged it on the 24th of July, 1963, in a letter in which he comments that the committee found that in the main racial equality "is a reality" on military bases today. He continues:

> The Department of Defense will eliminate the exceptions and guard the continuing reality.
>
> It is to the Department's off-base responsibilities that the committee has devoted the bulk of its report. In eloquent terms the committee has described the nature and pervasiveness of off-base discrimination against Negro servicemen and their families, the divisive and demoralizing impact of that discrimination, and the general absence of affirmative, effective action to ameliorate or end the off-base practices affecting nearly a quarter of a million of our servicemen.

Here is a real point, Mr. Speaker: He goes on to say:

> Consistently therewith, I have issued a directive explicitly stating Department of Defense policy with regard to off-base discrimination and requiring—preparation of detailed directives, manuals and regulations making clear the leadership responsibility both on base and off base and containing guidance as to how that responsibility is to be discharged—institution in each service of a system for regularly monitoring and measuring progress in this field.

Now we have heard a lot of talk here today about spies and G-men, Mr. Speaker, but if you are administering a program you are not much of an administrator if you do not find out how your program is progressing. So the Department is monitoring it to find out whether the orders sent down by the Secretary are really being carried out.

And then finally the Secretary says:

> We are in the process of establishing a staff element within my office to give full time to such matters.

He does not necessarily agree to put into effect all of the recommendations of the Gesell report. The Secretary of Defense has used this report as a guide to the directive which he has himself issued. That directive simply indicates to each of his commanders in each of the three uniformed services that they have a responsibility to do what they can to eliminate discrimination, not only on base but off the base. But the Secretary is sympathetic with the objective of the report, as he concludes:

> The military departments will take a leadership role in combating discrimination wherever it affects the military effectiveness of the men and women serving in the defense of this country.

What is wrong with that? Since when have military commanders not had any concern with what goes on off the base if it affects the military efficiency of their troops? Since when have they had to stop exactly within the limits of the base itself? Anybody that has ever had anything to do with the armed services knows they have not stopped at the precise limits of the base. Anybody that has ever lived near a base knows perfectly well that there is a close and continuing relationship between the military base and the surrounding areas; and as my good friend, the gentleman from Louisiana well knows, this relationship has been one which has been tremendously beneficial economically to those who set up their stores and their emporiums and their opportunities for entertainment on the steps of military bases. Yes, over the years the military commander has been an important part of the economic life of the military base community. I know. I have a small base in my own district, and I know that the commander of that base is one of the most respected members of the chamber of commerce, and we are delighted to have that base in our area. If there has ever been anything in the surrounding area that has bothered him, he sat down with the other members of our community and has discussed it, usually on a man-to-man, voluntary basis.

Why back during World War II we had certain cases of rent-gouging in some of our bases, with servicemen and their wives and families being made fair game for unscrupulous landlords. Did the base commander say, "We could not go over the line; traditionally we have been restrained within the limits of the base and to go outside of the base would be to violate our Constitution and bring the SS troops into it"? Of course he did not. He sat down with the responsible leaders of the particular community and he said, "Look, we have to get a little help. We have to have some cooperation here and have the mayors and the chambers of commerce do something about this rent gouging. And that situation was dealt with. We have had other similar cases where, because of the quality of the entertainment provided, let us say, as the gentleman from Louisiana has already mentioned, there have been conditions which have seriously impaired the health and efficiency of members of the armed services of the United States. Did our military commanders hesitate then and say, "Well, gee, we cannot do anything about this venereal disease problem? If these fellows are all going to come down with disease, that is just too bad, but we cannot step over the line"? Of course they did not say that. If they could not eliminate these places on a voluntary basis, after a little discussion with the civilian authorities—and more often than not that is what really worked—then they took the final, ultimate sanction of putting these establishments off limits. Where an establishment has been enjoying the patronage of the military, day after day, month after month, and week after week, I do not think that there was ever a more effective device for bringing about some changes in the quality of the entertainment of that establishment desired by the military commanders than to place those places off limits for awhile and deny them the business of thousands of service personnel. Those places got cleaned up then in a hurry. We have seen this happen in one city after another. Nobody ever objected to that kind of action, and nobody ever said the armed services did not have a responsibility to protect the morale, health, and efficiency of their forces off their own base area.

That is exactly the same responsibility today, and there is not a single thing in this directive, issued by the Secretary of Defense, that goes a single iota beyond what has already been done time and time again in the past. That is all that is involved here. But we have today a new type of situation that exists in many parts of our country which is impairing the morale, the efficiency, and the effectiveness of our armed services, just as much as it was impaired by rent-gouging or by impure influences that existed in the past. And I mean segregation and discrimination. Any Commander in Chief that did not recognize it and did not do something about it would certainly not merit the confidence and support of the American people.

Let us get this thing into perspective, Mr. Speaker. This is all that the Gesell report involves. We are trying to eliminate those things which impair the efficiency of a substantial segment of our armed services. Young men who come from my State of New York, for example, or from other Northern States and come down into Louisiana or North Carolina or South Carolina and find that they cannot even go outside the base and go to a hotdog stand and sit down with a fellow of a different color and have a hotdog or a Coke, or that they cannot even go into a drugstore and get an aspirin—what effect is this strange treatment likely to have on their morale? These boys are drafted into the service, usually at a relatively tender age. Maybe they have not been away from home before. There are adjustments enough, as we all know, in getting into military service in the first place under any circumstances. But when you put them in this whole new kind of framework, and this wholly strange new life, to which they have never been subjected before, and then insist that this is the condition under which they are going to have to live, this kind of discrimination and humiliation, what do you think this is going to do to their morale and their efficiency?

I think we have a tremendous responsibility here, Mr. Speaker, and I am proud of the President of the United States and the Secretary of Defense for recognizing that responsibility and for carrying it out so effectively. Now we are told that this is a blackmail approach. As I said, military commanders are a part of the economic life of the community in which the base is established, one of the most important parts of that economic life. They can sit down and accomplish a great deal on a voluntary basis. And if they say, "Look, the kind of things that have been going on around here are impairing the efficiency of my troops, and we feel that you have got to make some changes if we are going to continue to let our young men go out and spend their dollars in your establishments," I know darn well that you are going to find a lot of changes made by your local businessmen. They do not want to lose that profitable service business.

What we have got to do is to recognize this responsibility and suggest to the base commander that he has just as much responsibility in this field as he does in eliminating any other practices that would impair the morale and efficiency of his troops. And that is what this directive is doing and what it is supposed to do and that is all it is doing. It is supposed to be carried out on a voluntary basis, and I am sure a great deal can be accomplished on a purely voluntary basis. But if you do not have some sanction somewhere in the picture, then a lot of people are going to ignore the voluntary appeal. That is commonsense too.

So we have the sanction that says that if you still do not get compliance, if you have a relentless discrimination that refuses to permit Negro servicemen to buy a coke or a beer or something in stores which still make money on white boys, then the ultimate sanction against them is to place those establishments that insist on discrimination off limits. But the Secretary of Defense also made clear that this action, that ultimate sanction, cannot be imposed without the concurrence of the particular service Secretary concerned. Let's be clear about that one, too. So the idea is that hopefully this problem can be resolved and will be resolved by people who recognize that if they are going to profit from the money that is paid by Uncle Sam to servicemen, certainly they have some responsibility to deal with servicemen in uniform on an equal basis and without instituting a kind of discrimination which should have no place in our armed services and no real place in our country. You cannot have equality on the base, Mr. Speaker, and discrimination off the base.

There is no inherent right of anybody to make money off the armed services. Nobody has the inherent right to run a business that is a whole lot more profitable than it otherwise would be simply because the U.S. armed services happened to locate next door to him. If this fellow wants to benefit from the armed services installation, certainly he has some responsibility to cooperate with the policies of those services; and I am sure that if we could get the facts presented properly on this directive all reasonable, fairminded people would recognize what is involved and we would not have to listen to the kind of charges that were made here earlier on this floor as to all of the dire consequences involved. In fact I do not think we would have any serious problem in getting this kind of compliance.

This is what the Defense Department has done. This is all they have done. This seems to me to be a perfectly necessary and perfectly responsible and perfectly commendable way to deal with a very serious social problem. I think we would be highly critical of the President of the United States in fact if he had not done what he has done with the Gesell report.

Mr. COHELAN. Mr. Speaker, will the gentleman yield?

Mr. STRATTON. I shall yield in a minute, if the gentleman will allow me.

Mr. COHELAN I hope the gentleman will discuss some of the specific items in the directive.

Mr. STRATTON. I want just to include a couple of items in the RECORD, if I may, and then I will be happy to yield to the gentleman.

We have heard the charge made that representatives of the Department of Defense, armed with income tax dossiers, were walking up and down the streets in certain communities. I raised this question with the Secretary of Defense and a representative of the Secretary responded to me today. I should like to read a part of that letter and then I will ask that this be included in the RECORD, together with some other documents that I want to include.

DEAR MR. STRATTON: You have inquired about charges recently made that I have complete dossiers on every businessman near our southern military bases, with the facts and figures in these dossiers having been drawn from Federal income tax returns.

The charge is wholly in error. The facts of the matter are these:

From June 30 to July 5 and on July 16 and 17 a six-member team headed by a Representative of the Office of the Assistant Secretary of Defense (Manpower), visited military bases at or near Biloxi, Columbus, and Greenville, Miss., Mobile, Ala., and Shreveport, La. I joined the group on the evening of July 1 and returned to Washington on the evening of the third.

The purpose of the visits was to gather current accurate information from several bases in connection with the response of this Department to the President's letter of June 21 transmitting the initial report of his Committee on Equal Opportunity in the Armed Forces, commonly called the Gesell committee.

At each base the sole function of the team was to gather information respecting the base, the community and base-community relations, including the nature and degree of off-base segregation affecting Negro military personnel and their dependents. The team was not armed "with complete dossiers on every businessman" nor did it compile same in the course of the base visits, nor does such a dossier exist today, insofar as this Department is aware, with respect to every or any of the businessmen in the communities mentioned above.

There are two other paragraphs in this letter which I will not bother to read, but the letter is signed by Alfred B. Fitt, Deputy Assistant Secretary (Civil Rights) Designee, in the Office of the Secretary of Defense. I will include the full document at the end of my remarks.

Let me make just one other comment, that the statement was made that somebody other than Mr. Gesell had written the Gesell report. That charge was not documented, neither were any of the other charges that were made here. But let me say that my information is that Mr. Gesell, who has a great deal of extensive experience in investigations and in writing reports in connection with the Pearl Harbor investigation, actually wrote his own report himself.

Mr. Chairman, we have a basic and profound social upheaval facing us here in America today. If this country is going to weather this upheaval, as I am sure we are going to weather it, then men of good will, regardless of where they may live, in the South or in the North, when all has been said and done, are going to have to sit down and try to find some constructive solution to this problem, some way in which we can genuinely eliminate discrimination and second-class citizenship. When all the steam has evaporated, then perhaps the responsible and forward-looking leaders in our southern as well as northern States will recognize that nothing is really going to be accomplished just by trying to perpetuate those conditions which impair the efficiency and morale of the armed services or by trying to warm over old embers. Perhaps then they will join in trying to find a constructive way to eliminate these conditions so that we can continue to have the greatest armed services on the face of the earth.

Mr. Speaker, I ask unanimous consent to include at the end of my remarks the Executive order issued by the President of the United States in 1948; the memorandum from the Secretary of Defense dated June 19, 1961; the letter of the President of the United States establishing the Gesell Committee; the letter of June 21 forwarding the Gesell report to the Secretary of Defense; the memorandum of the Secretary of Defense to the President dated July 24; the Defense directive dated on the 26th of July; and the letter to which I referred earlier.

I also ask unanimous consent to include following that the analysis of the members of the Gesell Committee from which I quoted a moment ago.

The SPEAKER pro tempore (Mr. KASTENMEIER). Without objection, it is so ordered.

There was no objection.

Mr. COHELAN. Mr. Speaker, will the gentleman yield?

Mr. STRATTON. Now I am happy to yield to my colleague the gentleman from California, and I apologize for taking so much time.

Mr. COHELAN. I want to take this opportunity to congratulate the gentleman from New York for this point-by-point development of the genesis of this very excellent report on equality of treatment and opportunity for Negro personnel stationed within the United States. I am most pleased to associate myself with his remarks. I would like to say at this point in the RECORD that in due course I will have further comment to make on this particular subject. But I would like to mention one or two things of my personal knowledge in connection with the Gesell report which, I believe, are pertinent.

The gentleman has gone into detail in discussing the background of committee members responsible for the Gesell report. Among those is the name of a very distinguished Californian presently serving on the Board of Education of the State of California, Mr. Nathaniel Colley. I can assure you that the presence of this distinguished gentleman's name on the report adds great weight, in my mind, to the conclusions that were drawn by the committee. Mr. Colley is an outstanding citizen and leader in California and I am honored to count him as an associate in many worthy civic causes and as a friend.

Mr. Speaker, there is overwhelming evidence to show that the recommendations and the findings of this report are correct and that strong measures should be taken.

I am very proud of the President of the United States and the Secretary of Defense for having proceeded in this forthright and intelligent manner.

Mr. Speaker, we have heard some outraged protests this afternoon against efforts of the Department of Defense to safeguard the morale of American servicemen. We have especially heard the claim that it is a terrible thing even to suggest the possibility that an establishment conspicuously practicing discrimination might be put off limits. I am reminded of a true story which took place at a base which I shall leave unnamed.

A prominent hotel in the community involved announced that it would refuse service to enlisted men. The military commander of the base responded by announcing that the hotel involved would henceforth be off limits to all his personnel, officers, and enlisted men alike. For, he pointed out, it was entirely contrary to American tradition to regard one class of American as second-class citizens compared to another class. After a while the hotel involved relented and has been serving all our military people, enlisted and officers alike, ever since. So the idea that one might place a business practicing discrimination off limits is not an unprecedented one, and I do not think anyone would seriously argue that discrimination among American servicemen of different colors is any more consistent with American traditions and concepts of first-class citizenship than discrimination among American servicemen as between enlisted and officer personnel. Nor can anyone seriously question that those demoralizing conditions have a direct effect on morale and fighting spirit. If a place of business could properly be put off limits on grounds of discriminating among servicemen by refusing service to enlisted men, I do not see why similar action prompted by other forms of discrimination should be regarded as so unthinkable.

As this story and as numerous other stories indicate, base commanders have long felt and long been held responsible for taking actions to improve the morale and to win fair treatment for our servicemen in the communities around bases. Our constitution is colorblind, as are our service regulations. If it is proper for a commander to take action to protect his men from discrimination as between officer and enlisted personnel, I don't think anyone would deny that it is equally proper for military commanders in the Navy, and in the Air Force and in the Army, to make every reasonable effort to alleviate conditions of discrimination and unfairness against servicemen under their command, regardless of race, color, or creed.

Mr. VANIK. Mr. Speaker, will the gentleman yield?

Mr. STRATTON. I yield to the gentleman from Ohio.

Mr. VANIK. Mr. Speaker, I concur in the fine presentation that has been made in the matter of the Secretary's directive this afternoon. I think he has outlined the situation. I think he has given the background of that directive that certainly ought to be in the RECORD.

Mr. Speaker, a violent attack has been made on the Gesell report and the directive of the Secretary of Defense, Mr. McNamara. The bitterness of the attack spread to the inflection and spelling of the name of the good and dedicated public servant who was alleged to have prepared the directive for the Secretary of Defense. The provincial un-American intolerances which have been placed into the record are self-explaining—and self-defeating.

As a Representative of a northern district, I have file cabinets full of sad and despairing letters describing the cruel conditions of Negro military service in the South. I hope that the McNamara directive—regardless of who counseled its preparation, will help make military service more tolerable in the South.

As a matter of fact, I think it is time for the Congress to reexamine the reasons why the military departments have concentrated the military bases throughout the South.

There are sound and perhaps overwhelming reasons to relocate the military training facilities closer to the concentration of available manpower. The cold damp weather of winter in Mississippi or Georgia or the Carolinas is no more pleasant or conducive to military training than is winter with a little snow in Illinois, Pennsylvania, or Ohio. Locating military bases closer to the source of supply will be equivalent to a moderate pay increase to those thousands of young men who must face the costly expense of travel between home and the military base.

As a matter of fact, we have surplus public land, 21,427 acres at the former site of the Ravenna Arsenal in northeastern Ohio, which would make a splendid military base conveniently located and easily accessible to railroads, highways, and turnpikes. The adjacent community will happily provide services and accommodations to anyone and everyone who may need them. Ohio would be pleased to have the economic benefit of the millions of dollars which would be spent near such an establishment.

Military training will be more effective and productive in a community atmosphere which cherishes and welcomes the activity. Training under these circumstances and in this atmosphere will produce better defense and happier trainees.

I therefore urge that we reinvestigate our Military Establishment and restudy the reasons why military bases were established and continue to be operated in communities where they are not welcome and where their efficiency is drastically impaired.

Mr. NEDZI. Mr. Speaker, will the gentleman yield?

Mr. STRATTON. I would be happy to yield to the gentleman from Michigan.

Mr. NEDZI. Mr. Speaker, I am happy to have the opportunity to join my colleague on the House Armed Services Committee in complimenting the gentleman from New York for taking the time necessary to respond to some of the questions that were presented to the House earlier this afternoon. I would like to say that I share his views and I also share his apprehension in assuming a position contrary to that of some of our senior colleagues on the committee.

Mr. Speaker, opponents of equal treatment for all Americans serving in the Armed Forces object to the Defense Department directive of July 26. That directive calls upon every military commander "to oppose discriminatory practices affecting his men and their dependents and to foster equal opportunity for them, not only in areas under his immediate control, but also in nearby communities where they may live or gather in off-duty hours.

It is charged that this is a brand new concept which imposes burdens on the military which are no concern of theirs and which will embroil them in political controversy. The facts of the matter are that the concept is not new nor is the concern irrelevant nor is the task political.

On July 26, 1948, President Truman ordered integration of the Armed Forces. That order has been carried out with great skill and success by all the military departments. There is no racial discrimination on military bases. Men live and eat and work and train and fight together for their country, no matter what their color and no matter what their background. Integration works, and it is a reality in the Defense Establishment.

It is not a reality outside of military bases. Men and women wearing their country's uniform are ordered into communities where some of them cannot find a hotel, a restaurant, a movie theater, a bowling alley, a lodging house, or a lunch counter which will admit them. They cannot rent a decent house or apartment. They cannot sit in vacant seats in buses. They cannot obtain off-duty education. Their children cannot go to accredited schools. They cannot play in the playgrounds, or sit down in the libraries. These conditions affecting service people and their families are the reality for nearly a quarter of a million Americans in uniform.

Long ago it was recognized that off-base racial discrimination damages military morale and military effectiveness. It is a divisive force, for its consequences are that men who work together on base—and teamwork is the essence of military effectiveness—cannot associate off base. It is a demoralizing force, because the humiliations, insults and indignities heaped by civilian communities on Negroes in uniform make them doubt their own worthiness, embitter them and cause separations of families unwilling to bear the conditions I have mentioned.

Recognizing the damage that such discrimination can do, the Defense Department on June 19, 1961, directed local commanders to make every effort to obtain unsegregated off-base facilities for members of the Armed Forces. This has been the normal, established policy for over two years now. All the military departments have followed it, and there is nothing revolutionary at all about it.

Take the Army, for example. On September 6, 1961, it sent a message to all commands saying, in part:

> In furtherance of [the equal opportunity] policy, local commanders are expected, through command-community relations committees, to make continuing efforts toward obtaining unsegregated facilities off base for members of the Army.

Like instructions were issued in the Navy and Air Force.

So much for the charge that the July 26 defense directive was something new and surprising.

If not revolutionary, does it nonetheless require commanders to assume an irrelevant burden? What is irrelevant in asking military commanders to worry about the welfare of their men, and to take steps contributing toward high morale and military effectiveness? That is exactly what commanders have been expected to do ever since there have been armies. Our commanders are trained from the day they enter service to put the welfare of their men first, for this is how effective fighting units are built.

And just what is the off-base lot of the Negro serviceman, which some among us say is not the concern of his commander. Take a typical married career soldier who happens to be a Negro ordered to report to a southern base. In the first place he leaves his wife and children behind because he knows they cannot be sure of a place to eat or of a place to sleep at night during the trip, and that when the trip is over there will in most cases be no hotel and no motel where his family can stay while the search goes on for permanent housing.

Quite often there will be no decent permanent housing open to that Negro serviceman's family. This circumstance alone, not to mention an unwillingness to subject children to segregated schools, means that many families are separated during the whole period of the father's assignment in the South.

So the serviceman makes the trip alone, driving nonstop to his new post. Inside its boundaries he is treated with complete equality. The instant he leaves the post he is treated with complete inequality. He cannot go anywhere with his fellow soldiers who happen to be white, because there is no place which will admit them so long as he is part of the group. In some towns he will not even be permitted to go on the public sidewalks in company with a white soldier, or to enter the same waiting room in the railroad station, or to share a taxi with him, or to sit next to him on the bus.

So he does not go to town with his white friends. He goes alone, or only in company with other Negroes. When they get to town there is no place to go, or no fit place to go. The movies—even the drive-ins—the restaurants, the taverns, the parks, the golf courses, the bowling alleys—all of these are denied to the Negro wearing his country's uniform.

In every aspect of off-base housing, education, transportation, and recreation he receives separate and unequal treatment. He cannot even take a correspondence course from the State university.

This sort of grinding, humiliating, persistent discrimination does incalculable damage to the inside of a man. When it is imposed on a Negro in uniform it is particularly inequitable and iniquitous, for he is serving where his own Government has sent him. He has no choice; he goes because there is a military requirement for his presence.

The whole point behind Secretary McNamara's directive is that the military requirement is made more difficult to meet, and military effectiveness more difficult to obtain, precisely because of the impact of off-base discrimination.

Finally, the charge is made that Secretary McNamara's directive puts military commanders in the position of dictating to civilian communities on what is essentially a civilian matter.

Let us acknowledge at once that military commanders are accustomed to working with civilian communities in the interests of their men.

We all accept the idea that a base commander should seek decent treatment for his men in nearby communities—at least so far as his efforts go toward obtaining housing, or schooling, or transportation, or volunteer workers for service clubs and USO's, and matters of that kind. But evidently some people think it improper for a commander to seek equal treatment for all his men, as if their needs were somehow different because the color of their skin is different, or that if it is proper to treat them equally on base, it somehow becomes improper to seek equal treatment for them off base. I submit that there is no such distinction. There is no impropriety about equality, and there is no impropriety in seeking it.

Over the years military commanders have forbidden their men to swim in polluted waters, to eat in unsanitary restaurants, to deal with crooked merchants, and to patronize establishments where gambling and prostitution flourish. Over the same period commanders have worked with civilian authorities to end such conditions in communities near bases. There was and is no charge that such efforts meant a political takeover by the military, because it was clear they were only seeking to protect their men and in turn enhance the fighting effectiveness of the units under their command. So it is with the effort to end racial discrimination affecting American servicemen.

To characterize the July 26 directive as an attempt to thrust military commanders into a political role misses the mark entirely. The commanders are not being asked to bring about changes in civilian customs except as they bear directly on the welfare and effectiveness of men and women in uniform.

This is in the very highest traditions of the Military Establishment. Our military commanders have shown great leadership in achieving equality for all Americans on base. In so doing they have provided the very best and most gratifying proof that equality can be transformed from a word into a reality. I am quite confident that in seeking decent treatment for their men off base as well, those same commanders will again demonstrate that there is no need to fear equal treatment for all those who serve in the defense of our Nation.

Mr. ASHLEY. Mr. Speaker, will the gentleman yield?

Mr. STRATTON. I yield to the gentleman from Ohio.

Mr. ASHLEY. Mr. Speaker, I too want to congratulate our good friend the gentleman from New York [Mr. STRATTON] upon putting into perspective an important issue that has been raised in this House today.

Mr. Speaker, if I might make a comment or two, I would say that our friend the gentleman from Louisiana [Mr. HÉBERT] condemns the use of the Armed Forces for what he describes as a political purpose, regardless of what that purpose may be. Well, I disagree with this, Mr. Speaker. I think it is wrong. I say that it does make a difference when the purpose is the maintenance of a standard of democracy which includes equality of treatment and opportunity for all those who serve in the country's defense.

Are we to take the position that an instrumentality of the United States should remain neutral on the proposition of democracy? I think not, Mr. Speaker.

The gentleman from Louisiana [Mr. HÉBERT] asks that we remember the name of Adam Yarmolinsky; that it was he who wrote the Defense Department directive; that it is he, with satanic zeal, who would bring about integration in our Military Establishment.

Mr. Speaker, does that make this man less of an American? If so, the patriotism of a vast majority of Americans must be in serious question. I know Mr. Yarmolinsky and I have known him for a number of years. I would not do him the disservice of defending him or answering for him in this circumstance. As a human being and as a citizen of this Republic, he needs no defense. Period.

Mr. Speaker, there has also been reflection cast upon the President's Committee on Equality of Treatment and Opportunity in the Armed Services. It has been said that their recommendations could have been anticipated simply on the basis of the composition of the Committee membership. Perhaps so, Mr. Speaker, but I ask the question again, does this make the members of that Committee any less American? In fact, Mr. Speaker, what are these recommendations, what are these findings?

First, the Committee found that in the main racial equality is a reality on military bases today, but it went on and pointed out the pervasiveness of off-base discrimination, and it characterized this as divisive and demoralizing and said that the general absence of affirmative, effective action to ameliorate or end the off-base practices, affecting nearly one-quarter million of our servicemen, was in fact hurting the effectiveness of our fightingmen today.

Is there justification for these findings, Mr. Speaker? How far do we have to go, how hard do we have to be beaten over the head to admit the plain facts of everyday life? We know there is discrimination, we know this discrimination hurts the effectiveness of the American fighting man.

The gentleman from South Carolina [Mr. RIVERS] would have us believe that the Defense Department directive would undermine the ability of our military forces to recruit, to retain trained people in our fighting forces, that it would, as he said, undermine the fighting effectiveness of our Armed Forces. To this I say "balderdash." This proposition cannot be supported.

Can it be seriously propounded that steps to improve equality of treatment and opportunity in our armed services or anywhere else in our American society is pernicious, that it damages the morale of our men, our fighting men, that it undermines the principles upon which our Republic was founded? I think not, Mr. Speaker.

It has been said that the issue before us is not civil rights but, rather, the propriety of directing the power, the authority of our Military Establishment to eliminate off-base discrimination. I think this may well be true. My response must be that the time has come for both executive and legislative action to erase discrimination, that our national conscience can no longer brook delay. The further fact remains, Mr. Speaker, that few, if any, of those who have spoken against this directive and against this policy are going to vote for a civil rights bill in this or any other session of the Congress. So while it is all very well to say that this issue goes to the question of the proper use of Federal authority and has nothing to do with civil rights, surely there is more than a passing coincidence in the fact that those who have spoken against the proposition incorporated in the directive almost to the man are against any form of civil rights, while those who have defended the directive are active supporters of equality of citizenship.

Mr. Speaker, I appreciate the gentleman yielding me this time.

Mr. STRATTON. I thank the gentleman for his forceful statement.

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to include with the other documents previously included the full text of a letter from Mr. Albert B. Fitt, Deputy Assistant Secretary (designate) for Civil Rights.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The matter referred to follows:

EXECUTIVE ORDER NO. 9981, JULY 26, 1948

ESTABLISHING THE PRESIDENT'S COMMITTEE ON EQUALITY OF TREATMENT AND OPPORTUNITY IN THE ARMED SERVICES

Whereas it is essential that there be maintained in the armed services of the United States the highest standards of democracy, with equality of treatment and opportunity for all those who serve in our country's defense:

Now, therefore, by virtue of the authority vested in me as President of the United States, by the Constitution and the statutes of the United States, and as Commander in

Chief of the armed services, it is hereby ordered as follows:

1. It is hereby declared to be the policy of the President that there shall be equality of treatment and opportunity for all persons in the armed services without regard to race, color, religion or national origin. This policy shall be put into effect as rapidly as possible, having due regard to the time required to effectuate any necessary changes without impairing efficiency or morale.

2. There shall be created in the National Military Establishment an advisory committee to be known as the President's Committee on Equality of Treatment and Opportunity in the Armed Services which shall be composed of seven members to be designated by the President.

3. The Committee is authorized on behalf of the President to examine into the rules, procedures and practices of the armed services in order to determine in what respect such rules, procedures and practices may be altered or improved with a view to carrying out the policy of this order. The Committee shall confer and advise with the Secretary of Defense, the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force, and shall make such recommendations to the President and to said Secretaries as in the judgment of the Committee will effectuate the policy hereof.

4. All executive departments and agencies of the Federal Government are authorized and directed to cooperate with the Committee in its work, and to furnish the Committee such information or the services of such persons as the Committee may require in the performance of its duties.

5. When requested by the Committee to do so, persons in the armed services or in any of the executive departments and agencies of the Federal Government shall testify before the Committee and shall make available for the use of the Committee such documents and other information as the Committee may require.

6. The Committee shall continue to exist until such time as the President shall terminate its existence by Executive order.

HARRY S. TRUMAN.

THE WHITE HOUSE, *July 26, 1948.*

THE SECRETARY OF DEFENSE,
Washington, D.C., June 19, 1961.

Memorandum for the Secretary of the Army, the Secretary of the Navy, the Secretary of the Air Force.

Subject: Availability of facilities to military personnel.

1. The policy of equal treatment for all members of the Armed Forces without regard to race, creed, or color is firmly established within the Department of Defense.

2. Therefore, in those areas where unsegregated facilities are not readily available to members of the Armed Forces in adjacent or surrounding communities, it is the policy of the Department of Defense to provide such facilities on military installations to the extent possible. In addition, local commanders are expected to make every effort to obtain such facilities off base for members of the Armed Forces through command-community relations committees.

3. Military police may be used to quell affrays when military personnel are involved but military police will not be employed on behalf of local authorities to support enforcement of racial segregation or other forms of racial discrimination.

4. Legal actions by civilian authorities against members of the Armed Forces growing out of enforcement of racial segregation or other forms of racial discrimination will be carefully monitored by local commanders. As circumstances warrant, military legal assistance may be provided to assure that members of the Armed Forces are afforded due process of law.

ROSWELL GILPATRIC,
Deputy.

JUNE 22, 1962.

GERHARD A. GESELL, Esq.,
Union Trust Building,
Washington, D.C.

DEAR MR. GESELL: The Department of Defense has made great progress since the end of World War II in promoting equality of treatment and opportunity for all persons in the Armed Forces. The military services can take justifiable pride in their outstanding accomplishments in this area over the past 10 years.

It is appropriate now, however, to make a thorough review of the current situation both within the services and in the communities where military installations are located to determine what further measures may be required to assure equality of treatment for all persons serving in the Armed Forces.

There is considerable evidence that in some civilian communities in which military installations are located, discrimination on the basis of race, color, creed, or national origin is a serious source of hardship and embarrassment for Armed Forces personnel and their dependents.

In order that I may have the benefit of advice for an independent body of distinguished citizens on the most effective action that can be taken to cope with the problem I am establishing a Committee on Equality of Opportunity in the Armed Forces, and I ask that you serve as Chairman of the Committee.

The Committee will include in its consideration of the general problem the following specific questions:

1. What measures should be taken to improve the effectiveness of current policies and procedures in the Armed Forces with regard to equality of treatment and opportunity for persons in the Armed Forces?

2. What measures should be employed to improve equality of opportunity for members of the Armed Forces and their dependents in the civilian community, particularly with respect to housing, education, transportation, recreational facilities, community events, programs, and activities?

The Secretary of Defense will make all necessary facilities of the Department of Defense available to the Committee for carrying out this important assignment.

Sincerely,

JOHN F. KENNEDY.

THE WHITE HOUSE,
Washington, D.C., June 21, 1963.

Hon. ROBERT S. MCNAMARA,
Secretary of Defense.

DEAR MR. SECRETARY: Because of my concern that there be full equality of treatment and opportunity for all military personnel, regardless of race or color, I appointed a Committee to study the matter in June of 1962. An initial report of my Committee on Equal Opportunity in the Armed Forces is transmitted with this letter for your personal attention and action.

We have come a long way in the 15 years since President Truman ordered the desegregation of the Armed Forces. The military services lead almost every other segment of our society in establishing equality of opportunity for all Americans. Yet a great deal remains to be done.

As the report emphasizes, a serious morale problem is created for Negro military personnel when various forms of segregation and discrimination exist in communities neighboring military bases. Discriminatory practices are morally wrong whenever they occur—they are especially inequitable and iniquitous when they inconvenience and embarrass those serving in the armed services and their families. Responsible citizens of all races in these communities should work together to open up public accommodations and housing for Negro military personnel and their dependents. This effort is required by the interests of our national defense, national policy and basic considerations of human decency.

It is encouraging to note that the continuing effort over the last 15 years to provide equality of treatment and opportunity for all military personnel on base is obviously having far-reaching and satisfactory results. The remaining problems outlined by the Committee pertaining to on-base conditions, of course, must be remedied. All policies, procedures and conditions under which men and women serve must be free of considerations of race or color.

The Committee's recommendations regarding both off-base and on-base conditions merit your prompt attention and certainly are in the spirit that I believe should characterize our approach to this matter. I would hope your review and report on the recommendations could be completed within 30 days.

I realize that I am asking the military community to take a leadership role, but I believe that this is proper. The armed services will, I am confident, be equal to the task. In this area, as in so many others, the U.S. infantry motto "Follow Me" is an appropriate guide for action.

Sincerely,

JOHN F. KENNEDY.

THE SECRETARY OF DEFENSE,
Washington, D.C., July 24, 1963.

Memorandum for the President.

On June 21 you sent me a copy of the initial report of your Committee on Equal Opportunity in the Armed Forces and asked that I review the document and report on the recommendations within 30 days. This memorandum responds to that request.

In its year of work the Committee observed racial imbalances and vestiges of racial discrimination within the Armed Forces themselves. Nevertheless, the Committee found that in the main, racial equality is a reality on military bases today. The Department of Defense will eliminate the exceptions and guard the continuing reality.

It is to the Department's off-base responsibilities that the Committee has devoted the bulk of its report. In eloquent terms the Committee has described the nature and pervasiveness of off-base discrimination against Negro servicemen and their families, the divisive and demoralizing impact of that discrimination, and the general absence of affirmative, effective action to ameliorate or end the off-base practices affecting nearly a quarter of a million of our servicemen.

Our military effectiveness is unquestionably reduced as a result of civilian racial discrimination against men in uniform. The Committee report has made this point with great clarity. With equal clarity it demonstrates that the Department of Defense has in the past only imperfectly recognized the harm flowing from off-base discrimination. That imperfect recognition has in turn meant the lack of a program to correct the conditions giving rise to the harm.

The Committee report contained recommendations for such a program. Consistently therewith I have issued a directive explicitly stating Department of Defense policy with respect to off-base discrimination and requiring:

Preparation of detailed directives, manuals, and regulations making clear the leadership responsibility both on and off base and containing guidance as to how that responsibility is to be discharged.

Institution in each service of a system for regularly monitoring and measuring progress in this field.

We are in the process of establishing a staff element within my office to give full time to such matters.

While the foregoing is in accord with the recommendations of the Committee, the details of the program necessarily will be found in the manuals and regulations to be issued as a result of my directive.

The initial Committee report contained many specific recommendations on recruitment, assignment, promotion, techniques for eliminating on- and off-base discrimination, housing, education, and recording of racial data. Many of these have been or will be put into effect, but some require more study and on a few we have reservations. These will be discussed further with the Committee.

The recommendations on sanctions do require special comment. The Committee suggests using a form of the off-limits sanction when, despite the commander's best efforts with community leaders, relentless discrimination persists against Negro servicemen and their families.

Certainly the damage to military effectiveness from off-base discrimination is not less than that caused by off-base vice, as to which the off-limits sanction is quite customary. While I would hope that it need never be put in effect, I agree with the Committee that a like sanction against discrimination must be available. It should be applied, however, only with the prior approval of the Secretary of the military department concerned.

The Committee also suggested the possibility of closing bases near communities where discrimination is particularly prevalent. I do not regard this as a feasible action at this time.

In your letter transmitting the Committee report you wrote that "Discriminatory practices are morally wrong wherever they occur—they are especially inequitable and iniquitous when they inconvenience and embarrass those serving in the armed services and their families."

Guided by those words and the report of your Committee on Equal Opportunity in the Armed Forces, the military departments will take a leadership role in combating discrimination wherever it affects the military effectiveness of the men and women serving in defense of this country.

ROBERT S. MCNAMARA.

DEPARTMENT OF DEFENSE DIRECTIVE

Subject: Equal Opportunity in the Armed Forces.

Reference: Department of Defense Directive 5120.27, "Assistant Secretary of Defense (Manpower)," June 7, 1963.

I. POLICY

It is the policy of the Department of Defense to conduct all of its activities in a manner which is free from racial discrimination, and which provides equal opportunity for all uniformed members and all civilian employees irrespective of their color.

Discriminatory practices directed against Armed Forces members, all of whom lack a civilian's freedom of choice in where to live, to work, to travel and to spend his off-duty hours, are harmful to military effectiveness. Therefore, all members of the Department of Defense should oppose such practices on every occasion, while fostering equal opportunity for servicemen and their families, on and off base.

II. RESPONSIBILITIES

A. Office of the Secretary of Defense:

1. Pursuant to the authority vested in the Secretary of Defense and the provisions of the National Security Act of 1947, as amended, the Assistant Secretary of Defense (Manpower) is hereby assigned responsibility and authority for promoting equal opportunity for members of the Armed Forces.

In the performance of this function he shall (a) be the representative of the Secretary of Defense in civil rights matters, (b) give direction to programs that promote equal opportunity for military personnel, (c) provide policy guidance and review policies, regulations and manuals of the military departments, and (d) monitor their performance through periodic reports and visits to field installations.

2. In carrying out the functions enumerated above, the Assistant Secretary of Defense (Manpower) is authorized to establish the Office of Deputy Assistant Secretary of Defense (Civil Rights).

B. The military departments:

1. The military departments shall, with the approval of the Assistant Secretary of Defense (Manpower), issue appropriate instructions, manuals and regulations in connection with the leadership responsibility for equal opportunity, on and off base, and containing guidance for its discharge.

2. The military departments shall institute in each Service a system for regularly reporting, monitoring and measuring progress in achieving equal opportunity on and off base.

C. Military commanders:

Every military commander has the responsibility to oppose discriminatory practices affecting his men and their dependents and to foster equal opportunity for them, not only in areas under his immediate control, but also in nearby communities where they may live or gather in off-duty hours. In discharging that responsibility a commander shall not, except with the prior approval of the Secretary of his military department, use the off-limits sanction in discrimination cases arising within the United States.

III. IMPLEMENTATION

Not later than August 15, 1963, the military departments shall forward for the approval of the Assistant Secretary of Defense (Manpower) an outline plan for implementing this directive.

IV. EFFECTIVE DATE

This directive is effective immediately.

ROBERT S. MCNAMARA,
Secretary of Defense.

PRESIDENT'S COMMITTEE ON EQUAL OPPORTUNITY IN THE ARMED FORCES

1. Members of the Committee are Chairman: Mr. Gerhard A. Gesell; members: Mr. Nathaniel Colley, Mr. Abe Fortas, Mr. Louis J. Hector, Mr. Benjamin Muse, Mr. John Sengstacke, Mr. Whitney Young, Jr.; Counsel: Mr. Lawrence Hewes III.

2. Biographical summaries:

Mr. Gerhard A. Gesell, Covington & Burling, Union Trust Building, Washington, D.C. Phillips Andover Academy, 1928; Yale, A.B., 1932; Yale, LL.B., 1935; Securities Exchange Commission, Washington, 1935–40; technical adviser to Commission, 1940–41; special counsel for Temporary National Economics Committee, study of legal reserve life insurance companies; member of Covington & Burling since 1941; member, Committee on Investigation Pearl Harbor Attack, 1945–46; American and District of Columbia Bar Associations; American Law Institute; coauthor: "Study of Legal Reserve Life Insurance Companies, 1940," "Families and Their Life Insurance, 1940."

Mr. Nathaniel Colley, 10th Street, Sacramento, Calif. Tuskegee Institute, A.B., 1941; Yale, LL.B., 1948; teacher, Tuskegee Institute, 1941–42; U.S. Army (captain), 1942–46; lawyer (own firm), 1949–62.

Mr. Abe Fortas, 19th Street NW., Washington, D.C. Southwestern College, A.B., 1930; Yale, LL.B., 1933; assistant professor of law, Yale, 1933–37; assistant chief, legal division, AAA, 1933–34; assistant director, Corporate Reorganization Study, Securities and Exchange Commission, 1934–37; consultant, 1937–38; assistant director, Public Utilities Division, 1938–39; General Counsel, Public Works Administration, 1939–40; Director, Division of Power, Department of Interior, 1931–42; Under Secretary of the Interior, 1942–46; member law firm, Arnold, Fortas & Porter, Washington, D.C.; Acting General Counsel, National Power Policy Committee, 1941; member of board of legal examiners, Civil Service Commission, 1941–43; President's Committee To Study Changes in Organic Law of Puerto Rico, 1943; adviser to U.S. delegation to U.N., San Francisco, 1945, London, 1946; visiting lecturer on law, rank of professor, Yale, 1946–47; director, Federated Department Stores, Inc., Festival Casuals, Inc.; member, Federal and American Bar Associations; Order of Coif; Omicron Delta Kappa; associate editor of journal, Psychiatry; trustee, William Alanson White Psychiatric Foundation.

Mr. Louis J. Hector, Hector & Faircloth, Alfred I. Dupont Building, Miami, Fla. Phillips Andover Academy, 1933; Williams College, B.A., 1938; student, Christ Church, Oxford, England, 1939; Yale, LL.B., 1942; attorney, U.S. Department of Justice, Washington, D.C., 1942–43; Assistant to Under Secretary of State, 1944; private practice, 1946–47; president, Hector Supply Co., Miami, 1948–55; member of firm, Hector, Faircloth & Rutledge, Miami, 1956–57; member, Civil Aeronautics Board, 1957 to present; vice chairman, board of trustees, Miami Public Library; director, Dad Co. Research Foundation; served with OSS in China, 1945.

Mr. Benjamin Muse, Manassas, Va. Trinity College and George Washington University, 1914–16, 1919–20; Foreign Service officer, 1920–34; U.S. Army (lieutenant colonel), 1942–46; research consultant, Southern Regional Council, Inc., Atlanta, 1959 to present.

Mr. John H. Sengstacke, South Michigan Avenue, Chicago, Ill. Hampton Institute, Va., BS, 1933; vice president and general manager of Robert S. Abbott Publishing Co., publishers of Chicago Defender and Tri-State Defender, 1934–40; president, editor and publisher, Chicago Defender, 1940 to present; member, board of trustees, Bethune-Cookman College, Daytona Beach, Fla.; board of directors, Virgin Islands Corp.; recipient, Two Friends Award, National Urban League, 1950; Hampton Alumni Award, 1954.

Mr. Whitney Young, Jr., executive director, National Urban League, 14 East 48th Street, New York, N.Y. Kentucky State College, BS, 1941; Massachusetts Institute of Technology, 1942–43; University of Minnesota, M.A., 1947; dean, School of Social Work, Atlanta University, 1954–60; executive director, National Urban League, 1960 to present.

OFFICE OF THE SECRETARY OF DEFENSE,
Washington, D.C., August 7, 1963.

Hon. SAMUEL S. STRATTON,
House of Representatives.

DEAR MR. STRATTON: You have inquired about charges recently made that I have complete dossiers on every businessman near our Southern military bases, with the facts and figures in those dossiers having been drawn from Federal income tax returns.

The charge is wholly in error. The facts of the matter are these:

From June 30 to July 5 and on July 16 and 17 a six-member team headed by a representative of the Office of the Assistant Secretary of Defense (Manpower), visited military bases at or near Biloxi, Columbus, and Greenville, Miss., Mobile, Ala., and Shreveport, La. I joined the group on the evening of July 1 and returned to Washington on the evening of the 3d.

The purpose of the visits was to gather current accurate information from several bases in connection with the response of this Department to the President's letter of June 21 transmitting the initial report of his Committee on Equal Opportunity in the Armed Forces, commonly called the Gesell Committee.

At each base the sole function of the team was to gather information respecting the base, the community and base-community relations, including the nature and degree of off-base segregation affecting Negro military personnel and their dependents. The team was not armed with "complete dossiers on every businessman" nor did it compile same in the course of the base visits, nor does such a dossier exist today, insofar as this Department is aware, with respect to every or any of the businessmen in the communities mentioned above.

As part of the fact gathering process, the team did in several instances obtain information from base officials with respect to the more important businesses in the area, all of which information was already known to the base officials or was maintained routinely by the local chamber of commerce.

However, neither my activities nor those of anyone acting under my direction nor, so far as I am aware, those of any person in the Department of Defense, have, directly or indirectly, been based upon, or have included access to information gained from, corporate or individual tax returns or any return or report required to be filed with any governmental agency.

Sincerely yours,

Alfred B. Fitt,
Deputy Assistant Secretary (Civil Rights) Designee.

THE GESELL REPORT

The **SPEAKER** pro tempore (Mr. Kastenmeier). Under previous order of the House, the gentleman from Louisiana [Mr. Hébert] is recognized for 10 minutes.

Mr. HÉBERT. Mr. Speaker, I do apologize to the House for holding them in session this long. But I am compelled to take this time as the only alternative I have in order to keep the record straight.

The distinguished gentleman from New York [Mr. Stratton], as you know, who preceded me refused to yield to me. It is perfectly obvious why he refused to yield to me and yielded only to those who were in accord with his point of view. It is obvious the reason the gentleman did not yield was because he did not want to be exposed on the inaccuracies, misrepresentations, and misinterpretations he was placing in the Record on the matter under discussion.

Since I was refused the opportunity by him of asking him pertinent questions and asking him for the evidence and the basis of his statement, I find myself with this alternative of having to take the time now, and for this I again apologize to my colleagues.

Mr. Speaker, I ask unanimous consent that the remarks which I am now making be placed immediately following the remarks of the gentleman from New York [Mr. Stratton] in order that the Record may be coherent and in chronological order.

The **SPEAKER** pro tempore (Mr. Kastenmeier). Is there objection to the request of the gentleman from Louisiana [Mr. Hébert]?

There was no objection.

Mr. HÉBERT. Mr. Speaker, as to the statement made by the gentleman from New York [Mr. Stratton] and the other gentlemen, let me first say I hope I am more gracious than some of them were.

Mr. Speaker, I am not charging anybody with being un-American. I have the greatest respect for the difference of opinion of those who disagree with me. I think many of these people in their zealous patriotism, misguided though as I think it is, I still think they are patriots and real Americans. No real American is no less patriotic than I am, and I am sure the gentlemen from Ohio, who are my friends, did not mean to impugn my patriotism or that of any other Member who disagrees with them as being un-American. I am sure they did not mean that.

Mr. ASHLEY. Mr. Speaker, will the gentleman yield?

Mr. HÉBERT. I yield to the gentleman from Ohio.

Mr. ASHLEY. I am sure that the gentleman knows full well that I have nothing but the highest regard for him personally. Our views do differ. But most certainly I did not mean to give any such impression, and if I did, I apologize for it with respect to the character of the gentleman and his essential good qualities.

Mr. HÉBERT. I know that and that is the reason I am saying what I am saying, because I know the gentleman did not mean it. But the gentleman used the word "un-American" and it could be misinterpreted.

Mr. Speaker, I first wanted the gentleman from New York [Mr. Stratton], to yield when he was referring to the fact that this was nothing unusual, the issuing of these orders; that it goes back to the time of President Truman's integration of the military forces, and indicated that these orders have come out from time to time. No one is in disagreement nor has anyone challenged the right of President Truman at that time to issue these orders. No one challenges now the right of the military to integrate. No one challenges that. But the impression could well be left that these are usual things.

Mr. Speaker, I wanted to ask the gentleman some questions but I notice that he has left the floor; he did not remain to be questioned. I want to ask him when in our American history has the military been ordered to interfere in local communities and use sanctions against them. He cannot name one because there has never been an occasion in which this has occurred. There is one inaccuracy.

Mr. Speaker, the gentleman from New York dwelt a great deal upon about what happened in his native city with reference to rent gouging. Rent gouging occurred all over the country. Certainly, it was settled on a voluntary basis. Never has the military been authorized to use sanctions.

Mr. Speaker, the gentleman referred to bistros. I do not know whether he used that word but he indicated it in reference to conditions of vice. Certainly, my own community which encompasses a large military area, has these places, bistros or bawdy houses—because we in Louisiana are not without sin and, certainly, we in Louisiana who enjoy Bourbon Street which is located in my district are not naive. But we have never objected to any place that contributed to the breaking down of the morals, the breaking down of the morals of a man in uniform, we have never objected to that place being placed off limits. But I do object, and strenuously object, to placing these operations in the same category and let them be characterized in the same category with respectable business people, respectable hotels, respectable restaurants. I do not think it is fair.

Mr. Speaker, I condemn the Secretary for using that language.

Now, another question was brought up, again which was another inaccuracy. The question was brought up about statements being made about dossiers and a letter was read from Mr. Fitt. I want Mr. Fitt to ask me to give him the documents. I will tell you, gentlemen, right here are the documents and they are stamped by the Department of Defense for "official use only."

I do not make statements when I cannot prove them. Let Mr. Fitt ask me for them and I will give them to him. He will not ask for them.

I said that the Defense Department has dossiers, little black books, if you please, in their possession, on leading citizens in Mississippi, and I repeat that now. Further than that, they have evaluations of economies in the various areas where bases are located.

Now, Mr. Speaker, to Mr. Yarmolinsky. I, perhaps, have met Mr. Yarmolinsky. I may have or may not. I do not know. I have heard about him, and I certainly would not impugn his patriotism or his Americanism. He has what I think is a sataniclike zeal to force these things upon an unwilling people.

Mr. Speaker, I have been told a story during the Cuban crisis that we did not know where we were going, whether we were going to war or not or whether we were going to be involved in a nuclear holocaust.

I want to tell you something about Mr. Yarmolinsky. I would not repeat except I repeat it on good authority. He was down in Florida and he ordered the troops integrated in certain hotels that the military had rented. He was informed that the Negroes did not want to be integrated. He said he did not give a damn whether they wanted to be integrated or not, that they would be integrated. If that is not true Mr. Yarmolinsky can deny it. But those are the things I am talking about.

Mr. ASHLEY. Mr. Speaker, will the gentleman yield?

Mr. HÉBERT. I yield to the gentleman from Ohio.

Mr. ASHLEY. Is it not policy in our Armed Forces that there shall be no discrimination between Negroes and whites?

Mr. HÉBERT. That is correct. Nobody denies that is the policy. But I am saying the Negroes did not want to be billeted with the white troops down there.

Mr. ASHLEY. If it is policy, whether the Negroes want it or not, that does not enter into it. Maybe I do not like fish on Friday, but if they are serving fish that is what I eat. Is it not true they were bringing large numbers of troops to Florida at this time? Does the gentleman in his high position on the committee mean to tell me Negroes, whites, or any other soldier should have the choice as to where he is to be billeted?

Mr. HÉBERT. Certainly not. It is a convenience, and that is not for the convenience of the Army, Navy, and Air Force. But I do not want to get into an argument on segregation.

I might say to the gentleman that a little segregation is being practiced right now. I want to say to the gentleman that right now on the desk of somebody in the Department of Defense are orders to all commanders not to send Negroes to Iceland.

Mr. ASHLEY. I think that is wrong. We must have a little segregation.

Mr. HÉBERT. We cannot be a little bit pregnant.

Mr. ASHLEY. I agree with that.

Mr. HÉBERT. In that same office are orders to commanders not to send Jews to Egypt and Saudi Arabia. It looks like the Defense Department is talking out of both sides of its mouth. On the one hand they are using the military to enforce these orders. Perhaps the chameleon is of a different hue.

I just want to set the record straight. Let me say to the gentleman from Ohio, both gentlemen from Ohio, I am sure they are well schooled in the military role. I have only served on the Armed Services Committee for 21 years. Up to this time I have never known that the location of a military base in this country was to be based on segregation. This is the first time I have ever heard that suggestion made. I thought we were all Americans, white, black, red, yellow, brown, all to be defended. But I learn now that this concept is changed, and only those who believe in integration are to be defended by their comrades.

The SPEAKER pro tempore. The time of the gentleman from Louisiana has expired.

(By unanimous consent, Mr. HÉBERT was allowed to proceed for an additional 10 minutes.)

Mr. HÉBERT. Mr. Speaker, I refer particularly to my good friend [Mr. VANIK]. I associate myself with him and urge that his plan be put into effect. That is, let us have a reevaluation of why our military bases are at their present location. I would welcome that. Of course, he does not know, not being knowledgeable of military activity, that the softest spot in this country right now susceptible to nuclear attack since the Cuban crisis is an assault on the belly of the South.

He does not know that the gentleman from South Carolina and myself have been fighting this fight for a long time; that the United States is unprotected—unprotected from Corpus Christi on the Texas coast up to Norfolk, Va.

Mr. ASHLEY. Mr. Speaker, will the gentleman yield?

Mr. HÉBERT. Yes. Certainly.

Mr. ASHLEY. Is the gentleman saying that this lack of protection has led him to conclude that there should be a diversification of our military installations and the overwhelming preponderance of these bases and facilities that exist in the South should be shifted in part to the North? Because, if so, I want to tell him as a Member of Congress whose district has suffered from an installation in recent months being closed down that I would have to welcome this and tell him that I stand ready to pick up any military bases that might be available.

Mr. HÉBERT. I think the gentleman obviously continues to misunderstand me. What I have said is the soft underbelly of the South is not protected, in retrospect, compared to the entire country. We need more defense in the South.

Mr. ASHLEY. Protection of the bases and facilities that exist in the South?

Mr. HÉBERT. No. I am not talking only about bases but the Nike-Hercules, and I am sure the gentleman, who is familiar with military operations, knows about that. I do not have the time to continue too long and I do not wish to ask for another extension of time, but I want to say that the whole defense of the country is pitched on an attack coming over the polar icecap from the north. However, since Cuba has come into effect, this has brought up as a possibility the thought of what can happen with an attack coming from the south and with other Communist countries being there. That is what I am talking about. However, if any base exists in the South which does not exist for a military purpose, I will be the first to move it out.

I want to say this: I have a study going on in New Orleans, in my district, to consolidate the military bases, because I think it is economical and proper so to do. So I am not provincial and I am not talking out of both sides of my mouth, but I just want this record to be straight.

I think it most interesting, Mr. Speaker and Members of the House, that all of this hue and cry, and heart bleeding, and bloodletting, is being expended for these poor people who are being discriminated against and it is said that this is hurting the morale of our forces. The morale of our forces in the Pentagon has never been lower among the military. I am wondering what the gentlemen who do not understand our language or comprehend our words would say when I say to them that every one of the three military services opposes this operation. Who can be better qualified to talk for himself than the man in uniform? The only sections that they approve of are the sections related to what goes on on base. Now, I have no argument at all about what goes on on base. I have no argument at all. They are supposed to integrate. Again I do not complain about integration with white and white and black and black. I do not know whether my friend from Ohio knows it, but there is more discrimination among blacks than there is among whites. A light-skinned boy does not like a black-skinned boy down south. They are social outcasts and separate one from the other. So let us face the facts and stop this heartbleeding business. Nobody is a bigger friend of the Negro than I am. I am from the Deep South. My district is divided 50–50 between Negro and white. I am the only southerner who has a field representative in my district who is a Negro. Do you know I nominated a Negro to the Air Academy and to the Military Academy and said nothing about it? Because it is right. I believe in equal opportunity. So I do not want to get involved in this race thing. I want the House to believe exactly what I said today. I am more concerned about the principle of Presidential Executive orders than I am concerned about the race issue, because if we continue to be a constitutional form of government, with Congress in power and directing the country in its policies, I will have no sleepless nights, but these nights I sleep very little because of the situation, seeing what is happening to my country and the type of government in which I believe and the Government I was advised to live under and which I have grown up under.

So, Members of the House, again I extend my apologies for keeping you this long, but I think it is important that I not let the record stand on an inaccurate, shaky basis. It is important that I bring this to your attention in order to keep the record straight. Again renewing what I have said, I do not want to be involved in a segregation or integration contest. I am only interested in preserving what I believe to be the constitutional right of this Government. In the matter of Executive orders, let me say just this to you, Mr. Speaker and Members of the House: A very wise and prudent man damned the issuance of Executive orders as being immoral and destructive of our democratic processes of government. Was he a partisan? Was he suspect? That man's name was Woodrow Wilson.

COMMENTS ON SPEECH BY EDWIN P. NEILAN, PRESIDENT, CHAMBER OF COMMERCE OF THE UNITED STATES, BEFORE THE NATIONAL PRESS CLUB AT NOON TODAY

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Texas [Mr. PATMAN] is recognized for 60 minutes.

Mr. PATMAN. Mr. Speaker, the Chamber of Commerce of the United States is a great and powerful business organization—indeed, the largest business organization in the country.

It will come as a great shock to the American people that the president of this organization now reveals that he considers representative government a system of political bribery, regards the Congress of the United States as an institution of immorality, and conceives the American people to be mobs of unworthies interested only in bread and circuses and voting, not for the political candidates who deserve the votes, but voting only for the biggest briber.

Yes, I am shocked that there should be a man of such vast ignorance and unlimited ill will heading this great organization. It is unbelievable that a man in this high position would say such things, but he has said these things, and more, in a prepared speech which he delivered today before the National Press Club in Washington, D.C.

The great American dream of an opportunity for all and for democratic self-government is to this man only a nightmare. He would have America not a land of opportunity and the American Government not a government by and for the people. He dreams, I judge, of some ideal society in which all the attention of government and all the government subsidies will go to business and there are no consumers to buy the products and services of business.

It would be my suggestion that this gentleman be deported to some Fascist country where he can enjoy the ways of life and the high morality he dreams about. Ideally he should deport himself to some bushman tribe where there are no taxes, no debt, no public services, and no government which might be tempted to govern for the benefit of the people. He could then run around in his breech clout, a garment completely suited to his intellect, and shoot poison arrows at his neighbors. Obviously, he hates the American people and he hates America.

Let me give to this body this gentleman's description of the American voter and then ask whether the Members recognize the character of the American people from this man's description of them. He says:

> The voter doesn't support the candidate who deserves support; he casts his vote for the biggest briber.

"Seduction by subsidy" he calls it, and likens the morality of Members of Congress who vote for such measures as the area redevelopment bill to the morality revealed by the Profumo scandal and the trial of Dr. Ward.

Now consider our problems as this expert sees them. He says:

> Members of Congress find themselves under almost intolerable pressures from their voters to get more and more Federal handouts.

He adds:

> Make no mistake; these pressures impair the effectiveness of our Congressmen and Senators to the point where they have less and less time to give adequate attention to our real national interests and the national problems involved.

During my 35 years in public life in Congress I have found the American voters' patriotism and concern for good government at least equal to this gentleman's, and their generosity toward their neighbors, and their faith in their neighbors, a great deal superior to his.

What are the real national interests and the real national problems involved as this gentleman sees them? We are left to wonder. Apparently this gentleman perceives no national problems and no national interests except cutting Federal spending; that is, spending that is beneficial to the people—he does not suggest cutting any direct subsidies to business—and turning all of our problems back to the local communities.

He damns as corrupt all votes for the mass transit legislation and, at the same time, all support of area redevelopment for the depressed areas of the country. The fact that over the past 20 years some 20 million people have moved from the farms and small town communities into the great cities and created the problems of urban transportation, air pollution, slum clearance, juvenile delinquency and all that, is beyond his scope. He would give no help to the cities, and he would give no help to the depressed areas to help them create jobs so the people could stay home.

Frankly, I do not think that this man's views reflect the views of most American businessmen, or of most of the local chambers of commerce. I have had many telegrams and letters from local chambers of commerce supporting the area redevelopment bill, the piece of legislation which this gentleman singles out to illustrate his idea that the American political system is really one of bread and circuses.

More than that, the local chambers of commerce in the distressed areas are more often than not the local groups who have initiated and are running the area redevelopment programs. As a matter of record, over 500 members and officers of local chambers of commerce are serving on local development committees, helping run this program. Are these the "bribers" that the president of the chamber is talking about, his own local businessmen?

It is interesting to me that the kind of mentality and economic ignorance displayed by the president of the U.S. Chamber never finds any objection to the many billions of dollars of taxpayers' money being spent for economic development abroad. This is the kind of mentality which looks upon economic development at home as new and unwanted competition, but looks upon loans abroad as providing juicy subsidies whereby business can unload goods in some foreign land.

Yes, we are supporting economic development abroad—in every country of the world outside of the Iron Curtain countries, through at least half a dozen different agencies. AID, the Loan Development Fund, and the Export-Import Bank are all 100 percent American-financed. In addition, we are putting billions of dollars into international agencies such as the World Bank and the Inter-American Development Bank, for making economic development loans abroad. But no American citizen, and no American community, is eligible even to file an application with any of these agencies for economic development in the distressed areas here in the United States. It is puzzling to me that some people who find no objection to lending and spending billions of dollars for economic development abroad, seem to think that the world will come to an end if we lend and spend a half billion dollars, over the next 3 years, to give our own distressed areas an opportunity to create new private enterprises and permanent new jobs.

Although the U.S. Chamber has not discovered it, the area redevelopment programs are now a local responsibility. Under the law, the local citizens must take the initiative for starting and operating these programs. This is not a Federal handout. It is, in the best American tradition, a loan of "seedcorn" money to enable our neighbors to produce a crop, or to build a factory and produce the goods that the American people need and want.

I for one hope that the American spirit of helping people help themselves will never die; and I do not believe that it will die. I do not believe, either, that the American people will ever reject representative government, or that they will replace their ideals and economic good sense with dreams of a closed and shrinking economy such as the president of the Chamber of Commerce of the United States dreams about.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman.

Mr. PUCINSKI. Mr. Speaker, I would like to congratulate the distinguished chairman of the House Committee on Banking and Currency for calling attention to this speech of Mr. Neilan. I have here the Associated Press report on this speech which was delivered at the Press Club today. It says:

> Edwin P. Neilan, president of the U.S. Chamber of Commerce, asserted today that the spoils system in the Federal Government is "more sophisticated, more sinister, than ever before."
>
> He said there is a public scandal in Federal spending and voters in many cases have turned their Congressmen into "bagmen."
>
> "Bagman" is a term used to describe a person who picks up collections for racketeers.
>
> Neilan, a Delaware banker, delivered a stinging attack on Federal spending in general, and on the area redevelopment program in particular, in a National Press Club speech. He said Federal spending has been used as a bribing power to buy votes.

This is perhaps the most irresponsible language I have ever heard used by any official of a distinguished organization like the chamber of commerce. We in this Chamber in the House of Representatives and in the other body frequently have disagreement. We have fundamental disagreement on philosophies. We have great debates here, but I do not think we necessarily have to become disagreeable in our disagreement. I am distressed when I see the president of a large organization, perhaps the largest single organization in the country, representing businessmen who come here day in and day out to confer with their Congressmen and with their Senators about problems in their own particular communities, using such language. I do not think that these businessmen who come here to the Nation's Capital to discuss their problems with their Federal representatives and the Federal Government would subscribe to his description of "bagman."

I also wonder if Mr. Neilan would use that same description of Members of Congress who in a few days, I hope, certainly in a few weeks, will be called upon to revise our archaic tax structure. From the reports I see in the press, there is a great deal of sympathy before shown in the bills being discussed before the Committee on Ways and Means, recognizing the fact that if our free enterprise system is to survive we will have to have some tax relief. These are the men and women here in the House who will have to write this bill and enact it into law. I wonder, if we who recognize the fact that these American businessmen must get some relief in the tax structure, whether Mr. Neilan would also describe us then as "bagmen"—collectors for racketeers.

The chairman of the Committee on Banking and Currency has an illustrious record in this House. I think he has done a great service to this country by calling this speech to our attention. I believe Mr. Neilan owes the Congress a public apology. I think Mr. Neilan ought to hear from the thousands upon thousands of American businessmen who belong to chambers of commerce all over America and who have benefited directly or indirectly from this area redevelopment program. I do not know of a single community in America that has rejected the program. On the contrary, every Member of Congress, I would say, has heard at some time either from communities in his own district or communities in his State that want the program expanded.

Secretary of Commerce Hodges certainly reacted to Mr. Neilan's speech in a correct manner when he pointed out that Mr. Neilan is doing an injustice to the more than 100,000 Americans who already have gotten jobs and today are providing a living with dignity for their families, for their children, through this program. I wonder if these 100,000 Americans who have been restored to earning a gainful living for their families would share Mr. Neilan's description that Congressmen are bagmen collecting for racketeers. Is he then saying that the American people are racketeers? Is that what the distinguished president of the chamber of commerce is trying to tell the American people? I believe the individual members of the chamber of commerce, the businessmen who have seen the efforts and the results of programs like this area redevelopment program, bring results in their areas should protest; they are the ones who ought to make their protests heard to their newly elected chairman. Certainly they ought to demand from him more discreet words than to describe Members of Congress as bagmen.

Mr. Neilan certainly has every right in the world to point out where he thinks the conduct of Congress is erroneous or improper. He has the right to point to those bills to which he opposes, as the chamber of commerce has done for many years. Indeed, he has a duty to do this. But I doubt if all the American people will accept with very good grace this kind of name calling by a man from an organization that day in and day out has dealings with Congress here on the Hill. I shall watch with interest the reaction to Mr. Neilan's speech by the Republican Members of Congress who have supported some of these programs and are now categorized as bagmen.

I wish again to congratulate the distinguished gentleman from Texas [Mr. Patman] for bringing this matter to the attention of the Congress.

Mr. VANIK. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Ohio.

Mr. VANIK. Mr. Speaker, I want to congratulate the gentleman from Texas, the distinguished chairman of the Committee on Banking and Currency, for calling the attention of the House to the speech made this afternoon by Mr. Neilan. It is regrettable that the chamber of commerce would, on the one hand, have one voice that speaks one way here in Washington, when, on the other hand, the record of this Congress, the record of all its committees, is replete with the testimony and the pleas of hundreds of representatives of chambers of commerce all over the country who have begged and pleaded for some kind of Federal assistance or Federal participation in vital programs.

How is it that the chamber of commerce can have one voice here in Washington as represented by these statements made by Mr. Nielan and have still another voice as evidenced by the statements made by countless other members of chambers of commerce who have joined hands and urged the individual Members of Congress to fight with every strength possible for something in which they have had a very important local interest?

As I noted the other day, Mr. Speaker, there have been very glowing reports as far as the business community is concerned for the second quarter of 1963. It is interesting to note that these reports fail to give proper credence and credit to two vital steps that were taken during the course of this administration on the behalf of business. They are:

First, the new depreciation allowances, the schedules that were provided by the Treasury Department last year, and second, the passage of the investment credit by the Congress last year.

We have taken $2.2 billion out of the Public Treasury through these two actions and have distributed these moneys among the businesses and enterprises of this country. If Mr. Nielan's speech reflects the attitude of the business community to these two generous acts which have meant so much to the profit sheets of the corporations of this country, it certainly is a mark of ingratitude, we are certain, according to the records, that almost $2½ billion of the current Federal deficit are the result of the two tax breaks that have been given to the business community; one was the passage of the 7-percent investment credit by this Congress last year and the other, by the action of the administration in providing more liberal depreciation schedules.

I think we ought to make the record clear and let the causes of the deficit be known. We must let it be clearly understood that the business community itself has received the maximum advantage and benefit from these two actions of this administration.

Mr. PATMAN. I thank the gentleman from Ohio.

This speech is an attack on representative government. It is an attack on the Congress as an institution. It borders on subversion.

CONGRATULATIONS TO PRESIDENT AND MRS. KENNEDY

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Illinois [Mr. Pucinski] is recognized for 5 minutes.

Mr. PUCINSKI. Mr. Speaker, just a little while ago the First Lady of the land, Mrs. John F. Kennedy, gave birth to a 4 pound 10½ ounce baby boy. I am sure that all of my colleagues here in the House on both sides of the aisle join me in wishing the First Family the very best in their new joy. I am sure that not only our entire Nation but the whole world will rejoice in this very pleasant news.

Mr. Speaker, this is the first time in 70 years that an occupant of the White House has given birth to a child. The last time this event happened was on September 9, 1893, when Mrs. Grover Cleveland had a baby.

I am sure we can all agree that Mrs. Kennedy is a most lovely mother, the President is a handsome father, their two children, Caroline and John are wonderful little children, and that we wish the First Family the best of happiness in this very, very fine moment.

There is one tiny distressing note that we pray will not be serious. The doctors have indicated it is not serious. The little baby boy has developed a respiratory ailment and has been taken to Boston Children's Memorial Hospital. I am sure that the prayers of the entire Nation and the world go to the First Family, that this little new heir of the Kennedy family will grow into a fine, strong, and healthy young man.

Mrs. Pucinski and I extend to President and Mrs. Kennedy our sincerest best wishes and our earnest prayer for their newest son's good health.

Mr. HÉBERT. Mr. Speaker, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman.

Mr. HÉBERT. Mr. Speaker, I want to say, as dean of the Louisiana delegation of the Congress, that I join the gentleman in extending our heartiest felicitations and congratulations to President and Mrs. Kennedy. We wish all of them well, and particularly the newborn baby.

May I ask the gentleman a question? Where was the child born?

Mr. PUCINSKI. At Otis Air Force Base Hospital.

Mr. HÉBERT. In an Air Force hospital?

Mr. PUCINSKI. Yes.

Mr. HÉBERT. I just wanted to call attention to the fact that the Air Force beat the Army this time.

Mr. PUCINSKI. Mrs. Kennedy was rushed to the base hospital in a helicopter. It happened very suddenly. The President was in his office at the White House. He flew in a helicopter to Andrews and then was rushed to the Otis Air Force field. For the second time in his life, the President had to learn by telephone of the birth of a child in his family. The President was en route to Otis at the time when they had to notify him that the youngster was born. You will recall, he also learned by telephone in 1960 of the birth of his first son.

Mr. HÉBERT. Since we have been on a military subject this afternoon I want to direct the gentleman's attention to the fact that this has been quite a contest between the Air Force and the Army. As a matter of fact, several days ago one high-ranking Army official said, "You can get your bets down that the baby will be born at Walter Reed Army General Hospital." It looks as though the Air Force moved a little faster; they were a little closer by.

Mr. DORN. Mr. Speaker, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman.

Mr. DORN. Mr. Speaker, I want to join the distinguished and able gentleman from Illinois in congratulations to the President and First Lady. I came to this Congress with the President. We were among the three or four youngest Members of this great body. So I am keenly interested, and I do join the gentleman in congratulations and best wishes and in expressing the earnest hope that the baby will be absolutely healthy and the respiratory ailment will be corrected.

Mrs. Dorn and I wish to extend our best wishes to President and Mrs. Kennedy and their newly born son.

Mr. TUPPER. Mr. Speaker, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman.

Mr. TUPPER. Mr. Speaker, on behalf of the Republican Members I would like to express to Mrs. Kennedy and the President our congratulations upon the birth of another son. I certainly express the hope that this child will be in the best of health.

Mr. PUCINSKI. I thank the gentleman.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. PUCINSKI. I yield to the distinguished Speaker.

Mr. McCORMACK. The entire country is very happy at this blessed event. I think it is almost 70 years since a President and his wife were blessed with an event of this kind while that Chief Executive was occupying the White House. Is my recollection correct?

Mr. PUCINSKI. That is correct, Mr. Speaker.

Mr. McCORMACK. I congratulate the President and Mrs. Kennedy. Also, Mrs. McCormack and I wish for Mrs. Kennedy and the baby every happiness. We know the joy and happiness this event has brought to the President and Mrs. Kennedy and their loved ones. This blessed event brings happiness to all Members of the House of Representatives, in fact, of both branches of Congress, and the people of the United States.

May I express my appreciation to the gentleman from Illinois for taking the time to make the remarks he did, and to other Members for their participation in these congratulations.

Mr. WAGGONNER. Mr. Speaker, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. I, too, would like to join the other Members of the House present this afternoon in expressing our best wishes to the President and Mrs. Kennedy on the birth of another son. I share the concern as to his condition. I wish for them everything that is good.

I think it might be proper to comment here, in view of the quite controversial discussion we have been having this afternoon, that in the midst of it all, the President and his wife have gone about the job of bringing into being another good soldier for the United States of America.

Mr. FOUNTAIN. Mr. Speaker, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from North Carolina.

Mr. FOUNTAIN. Mr. Speaker, I am the only Member present at the moment from North Carolina, but I want to join the distinguished gentleman from Illinois in congratulating our President and Mrs. Kennedy on the birth of their son, and to wish all of them an abundance of good health and happiness for many years to come.

GENERAL LEAVE TO EXTEND

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent that all Members may be permitted to extend their remarks at this point in the RECORD.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

A TAX BREAK FOR HOMEOWNERS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. HALPERN] is recognized for 15 minutes.

Mr. HALPERN. Mr. Speaker, there is much talk these days about tax reductions, reforms, and tax law revisions. The Ways and Means Committee has been working relentlessly for months shaping a tax bill which I trust will provide justifiable reductions and correct existing inequities. I hope we have a bill that will not only provide much-needed relief, but will serve as an effective stimulant to our economy.

While considering the ways that this goal can be accomplished, I trust that the committee will give its every evaluation to the tax problems of the homeowner. I strongly feel that it is high time this segment of our society was given a tax break and that any program of tax reform, to be equitable and meaningful, must include consideration for those who own their own homes. We must recognize the fact that homeowners and their expenditures are a mainstay of our economy.

In this respect, I call to the attention of this House three bills I have introduced which would provide long overdue, reasonable, and much-deserved tax relief for the homeowner. I urge my colleagues to support these bills and I appeal to the committee to thoroughly review them with the view of including their provisions in its forthcoming recommendations for tax law revisions.

The bills I propose would, I believe, give the homeowner an incentive to keep his residence from deteriorating and would also serve to maintain high standards in residential neighborhoods and thus sustain property values. When the homeowner spends his hard-earned money to make an improvement on his residence, it is only fair that this contribution be recognized in our tax laws, for it reduces the need for the use of public funds to rehabilitate run-down areas and maintains the high standards of a community from which the locality benefits directly.

The first—H.R. 2407—of these three bills would give to the homeowner the same general right to claim depreciation of his property that is now enjoyed by owners of properties used for trade or business or held for the production of income.

A depreciation allowance for privately owned homes, based on a reasonable value and estimated life of the residence, would fill a long-felt need. It is time that the Federal tax laws recognize that the homeowner faces costly problems of wear and tear and obsolescence. This bill would go a long way in dispelling the present discrimination against some property owners that prevail in our present tax laws.

Under this bill, the basis for depreciation on which exhaustion, wear and tear, and obsolescence could be allowed, would be determined on the adjusted basis provided in section 1011 in dealing with the gain on the sale or other disposition of property but with these exceptions:

> (a) the basis of a residence or any part thereof acquired from a decedent within the meaning of Section 1014(b), or acquired by gift, would be the same as it would be in the hands of the decedent or the donor, as the case may be, or the last owner by whom it was not acquired from a decedent or by gift, and
>
> (b) the basis, however determined, shall be reduced by an adjustment for exhaustion, wear and tear, and obsolescence to the extent sustained prior to January 1, 1962, either by the taxpayer or any decedent or donor with respect to whose basis the taxpayer's basis is determined.

In this bill, the principal residence shall be deemed owned by the taxpayer if legal or beneficial ownership of the property is vested in the taxpayer. In the case of property held by one individual for life with the property going to another individual after his death, the deduction shall be computed as if the life tenent were the absolute owner of the property. In the case of property held in trust or in an estate, the depreciation deduction under this section shall be allowed to the individual who is permitted to occupy the property and who uses the property as his principal residence.

I would like to point out some statistics available from Government sources that demonstrate the need for this bill. These statistics stress the present high rate of private home starts, all of which add immeasurably to the need for providing householders with the same depreciation allowances hitherto covering only industrial and commercial property. In 1961, new construction of residential nonfarm units totaled over $22 billion, as against only $10 billion for new industrial starts in the same year. For the New York City metropolitan area alone, this amounted to some 96,000 units.

According to the Bureau of the Census in its 1960 "U.S. Census of Housing," only 74 percent of the U.S. housing can be said to be in sound condition. Taking 74 percent as the national figure, this leaves 7.8 percent in deteriorating condition and 18.2 percent in dilapidated condition. Surely, these conditions are large enough and deplorable enough to warrant their alleviation through the type of legislation I outlined above.

I believe that my bill, H.R. 2407, would not only bring needed relief to most of our taxpaying householders, but it would also be a real influence in helping to improve some of the housing conditions prevailing in the United States. The repeal of this unfair tax discrimination against homeowners will enable them to spend more dollars for home improvements, furniture, and so forth, and this would greatly assist our expanding economy by increasing consumer expenditures.

The second bill to which I would now like to direct the attention of my colleagues is H.R. 2408 which would amend the Internal Revenue Code so as to exclude from gross income the gain realized from the sale of his principal residence by a taxpayer who has attained the age of 60 years.

This would help meet an ever-increasing problem. At present many homeowners over 60 years of age would like to dispose of homes that are too big or too much of a burden for them now that their children have grown and married but they are afraid to make a move because of the heavy capital gains tax they must pay. It seems to me that those who have raised families and made important contributions to our way of life as decent citizens should be entitled to an exemption from taxes on the sale of homes.

Similar legislation is being considered by the Ways and Means Committee in the form of the Baker bill—H.R. 1764. I would like to point out the difference between my bill and the tentatively adopted Baker bill. His proposed legislation would only affect householders who are 65 years old and older, whereas my bill would affect a taxpayer who has attained the age of 60. I believe that the lower age suggested in my bill has much to recommend it. Today many people who live in private homes have older children who are either married or live away from home for some other reason. With the younger marriages of today, with many young people going away to school, and with the increased independence of our younger people, many couples in their late fifties and early sixties find themselves living alone in a large house that once was filled with children. These people would like to sell their homes and move into smaller dwellings, but they refrain from doing so because of the huge tax bite of the Government. I commend the concept of the Baker bill, but I feel that with the younger marriages of today, the eligibility age of 60 years for the exclusion is much more in tune with the realities of life.

The third bill I would like to mention briefly is H.R. 2409, a measure designed to allow a tax deduction for expenses incurred by a taxpayer in making repairs and improvements to his residence and to allow the owner of rental housing to amortize at an accelerated rate the cost of rehabilitating or restoring such housing.

The allowance for deduction provides for the ordinary and necessary expenses paid during the taxable year for the repair or improvement of his residence. The deduction allowed to the taxpayer under this section shall not exceed $750 for any taxable year.

The proposed gains to the economy from these bills are great. For too long now the homeowner has been passed over by legislation and forgotten by his friends. We must act now to help the homeowner who is the backbone of our economy. We can aid our lagging economy by aiding him. There has been a great deal of emphasis on remedial tax reform or tax cuts to spur the national economy. The bills that I have introduced to benefit the homeowner would certainly meet this criterion, for I am sure that it would spark a tremendous nationwide program of home repair, improvement and modernization. Any direct tax loss to the Government resulting from the three bills I have introduced would be more than compensated for by maintaining property values and by the upsurge in the building and allied industries that would result. Beyond these considerations is the fact that the homeowner deserves a tax break from the Government. For too long he has been the forgotten man in the tax picture.

I trust these bills will be given the full consideration they deserve, and that their provisions will meet with overwhelming approval.

POULTRY EXPORTS

Mr. TUPPER. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. Broyhill] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. BROYHILL of North Carolina. Mr. Speaker, I would like to say a few words at this time about the American poultry industry which, as many of us realize, will be facing a severe international test in the weeks to come.

The record of American poultry exports by now should be familiar. Exports to Europe rose continually from 1957 to 1962, and last year reached 271 million pounds. Then, however, the European Common Market raised its import duties from 4.5 to 13 cents per pound, thus reducing our share of the market by roughly two-thirds. From $60 million worth of exports in 1962, we are faced with an estimated drop to only $15 million for this year.

It is obvious that the American chicken and those who depend upon him for economic well-being have been the victim of protectionism. The precipitate elevation of duties and obstructions against American poultry is nothing more than a naked attempt by the Common Market countries to promote their poultry industry at the expense of ours. There can be no other reason than this for such a drastic blow at a commodity as well received on the Continent as the American broiler.

Accordingly, I am quite relieved to see that our State Department is finally taking action in this matter. Yesterday's announcement that hearings will be conducted to consider increased U.S. duties on Common Market products comes only after long and continued complaints from domestic producers.

Certainly, I disapprove as much as the next man any spiral of reprisal and counterreprisal that might ensue from this situation. However, our only guarantee that our products will not be subjected to unfair discrimination resides in the willingness of the administration and the State Department to afford us protection.

It is my hope that the hearing announcement itself will suffice to show the Common Market that we intend to assert our rights, and that, accordingly, reprisals here against European products will not be necessary. If need be, however, I earnestly hope our negotiators will not fail to take whatever steps may be necessary to restore poultry to its rightful share of the world market and to take whatever action reasonable equity demands to assure that our friends abroad understand that we shall not allow our industries to be victimized and that we do not intend to sit by idly while other nations ignore their solemn obligations.

AMERICAN TRAGEDY, KENNEDY STYLE

Mr. TUPPER. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Alger] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. ALGER. Mr. Speaker, the great American tragedy of this day is the total failure of President Kennedy to furnish able leadership for the Nation. As a result of the vacuum in leadership from the White House, a confused and hysterical domestic policy which has resulted in a breakdown in respect for law and order and the institution of mob violence throughout the country, and no foreign policy, the United States faces its greatest hour of peril.

The Kennedy administration must bear full responsibility for the arrogant march of Communist aggression which has steadily increased since January 20, 1961, and has made the possibility of war almost inevitable. Under the timidity of the Kennedy policies we are about to sign a test ban treaty which will further weaken our defenses at a time when it is almost certain our enemy is stronger than we are in nuclear power; we are unilaterally cutting back our weapons and weapons systems so as not to provoke our enemy; we look in shame at the Berlin wall where men, women, and children have died for the crime of seeking freedom; we use the might of the United States to protect a Cuban dictator whose hands are stained with the blood of the innocent, and I could go on and on.

Mr. Speaker, Congress and the American people must be awakened to what is happening to this Nation at the hands of the Kennedy administration. That there is some hope that the people are being aroused is indicated in the following editorial "Anatomy of Leadership," from the August 5 edition of the Dallas Morning News. Let us hope and pray that other editors in other areas will have the courage to expose the failures of the administration and the dangers these failures present:

Anatomy of Leadership

In a speech at the National Press Club, Under Secretary of State W. Averell Harriman, who negotiated the recent test ban agreement in Moscow, warned that failure of the Senate to ratify the treaty would result in the loss of U.S. leadership of the world.

Mr. Harriman may have his own novel definition of leadership, but if he is using the word in its traditional, commonly accepted sense, we wonder just how much the United States stands to lose. To lead normally means to show the way, to command, to direct, to guide, to advance and to attract a large and loyal following. Regrettably, we haven't been doing very much of that lately.

On the same day that Harriman spoke, his colleague, Mr. Adlai Stevenson, abstained from a crucial U.N. vote in favor of a resolution condemning and imposing an arms embargo on our NATO ally Portugal. Nor did he have the courage to use the veto to kill this radical move sponsored by the Afro-Asian nations and supported by the Communist bloc. Unwillingness or fear to take sides is hardly a good example of leadership.

A few days earlier, three American GI's were killed by Communist snipers in Korea. The incident brought a mild diplomatic protest, but no tough warning that any recurrence of such murder will be punished. Is this leadership?

And in Havana, at a 26th of July rally, Premier Fidel Castro ordered the American Embassy building and grounds seized—an act unprecedented in modern diplomatic history. Though the Swiss, who occupy our Cuban Embassy, refused to budge, there was not even a word of protest from Washington. Castro was allowed to demonstrate for all to see that the most powerful country in the world would suffer an indignity that no other nation would tolerate. Is that leadership?

One of the strongest symbols of American leadership for more than a century was the Monroe Doctrine, which proclaimed that we would protect nations within this hemisphere from meddling by nations outside this hemisphere. The Soviets now are firmly entrenched in Cuba and the Monroe Doctrine is dead. What is worse, Khrushchev has his own Monroe Doctrine which proclaims that none must interfere with his Cuban satellite—and we don't seem to be disputing it.

No wonder Khrushchev can boast that his "peaceful coexistence" strategy is a better and faster means of burying Western civilization than the more violent tactics advocated by the Red Chinese. No wonder Castro is able to boast that: "Cuba is not the last, but only the first Socialist revolution in the (Latin American) continent."

These boasts are a challenge which can only be met with leadership, if they are to be turned aside. To qualify as genuine leaders, we must stop deserting our allies, stop abandoning our citizens, begin protecting our property, quit embracing our enemy and, most of all, recognize that the contest for leadership in this world is not a popularity contest where the nicest and meekest nation becomes the victor.

Mr. Harriman would do his country a a greater service if he would worry less about losing world leadership and more about using it.

ARA—A SECOND LOOK, PLEASE

Mr. TUPPER. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. Cleveland] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, the junior Senator from New Hampshire, with understandable pleasure, inserted in the daily Record yesterday, p. A4992, an RAD Newsletter reprint of an editorial by a distinguished northern New Hampshire publisher, Judge Frederick Harrigan, of Colebrook, N.H.

Our junior Senator praised Judge Harrigan for his assessment of RAD and his nonpartisan and altogether independent judgment. Judge Harrigan's editorial and accompanying news story, both of which were inserted in yesterday's Record, were published last April 29.

Mr. Speaker, I, too, am a great admirer of Judge Harrigan. I wish to join with the junior Senator from New Hampshire in praising the publisher of the Colebrook News & Sentinel.

This outstanding weekly newspaper proudly carries on its masthead the motto "Independent But Not Neutral." As a regular reader of this fine publication, I can state with authority that its editor, Judge Harrigan, is a man of wit, wisdom, and perception. Not easily fooled by the wiles of politicians, bureaucrats, or slogans, Judge Harrigan's editorials reflect a refreshing independence of thought and creative originality. His editorials reflect his brilliance as a scholar, perception as a lawyer, and his wisdom as a judge.

I regularly read Judge Harrigan's paper and I think that the Record should show that on Wednesday, July 24, 2 weeks prior to yesterday's insertion in the Record, the Judge again commented on ARA and RAD. In view of the fact that his paper is apparently not regularly read by all of his admirers here in Washington, I thought it would be of interest to my colleagues to have the benefit of his additional, nonpartisan, and altogether independent views.

One can only wonder if the RAD Newsletter will again reprint the Judge's thoughtful editorial which follows:

RAD Can Still Be a Power

Speaking of things political, and emanations from politicians, we are a little put out at all the weeping and wailing over the defeat of the administration's area redevelopment bill in Congress. The high-powered publicity purveyors of the Kennedy regime immediately went to work to make us think that this was practically condemning "eligible" (i.e., depressed) counties like Coos to some kind of eternal poverty. A lively name-calling session ensued with Democratic Governor King and Senator McIntyre assailing Republican Senator Cotton and Representatives Cleveland and Wyman for voting against the thing.

Well, we've been exposed to RAD just once, and some weeks back did a long piece on it for this paper. We thought and still think it a darn good idea that a fine responsible group of citizens from all over Coos County are putting some real thought into what can be done to improve the county's economic picture. But we expressed distress, even then, that there seemed to be quite so much emphasis on a Federal handout for this and a Washington "approval" of some kind for that, in connection with virtually every project before the group.

Personally, we belong to the school of thought that believes if Coos County is going to pull up its socks economically, it will have to do it primarily by its own efforts and with private capital it either possesses or can attract. There is no reason in the world why this fine RAD group can't chug right along, perhaps even better than before, with the promise of Washington pie-in-the-sky out of the picture. We hate to sound cynical, but there is just the possibility that quite a lot more may get done quite a lot faster without a clutch of beaming bureaucrats and politicians shoving each other around trying to get into the limelight each time some forward step is taken for the county.

I commend Judge Harrigan's forthright statement. As the Judge says, if the north country of New Hampshire is going to pull up its socks economically it will have to do it primarily by its own efforts. This is an important truth. Most of the new industry and most of the economic development worthy of note anywhere in New Hampshire has been a result of "do it yourself" groups, working hard at the local level. The soothing promises of faraway bureaucracy eventually will deaden local and individual initiative which is still our country's greatest resource and our greatest hope for continuing economic development and full employment.

New Hampshire people are proud of the fact that when things need doing we like to do them ourselves. As Judge Harrigan suggests:

> Quite a lot more may be done quite a lot faster without a clutch of beaming bureaucrats and politicians shoving each other around trying to get into the limelight each time some forward step is taken for the county.

OPPOSE TAX CUT IF SPENDING NOT CUT

Mr. TUPPER. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Findley] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. FINDLEY. Mr. Speaker, by a ratio of 4 to 1 west central Illinois citizens oppose a tax cut if Federal spending is not cut, according to 17,310 replies received in my 1963 survey of home district opinion. This is significant in view of the upcoming tax reduction bill.

The survey shows heavy opposition—ranging from 2 to 1 to 7 to 1—to new spending proposals and mandatory farm controls, and strong support—the ratio was 7 to 1—for action to assure a non-Communist government in Cuba.

By 22 to 1 those responding supported a proposal to require secret-ballot approval by union members before a union can call a strike.

This is my third annual survey. Questionnaires were mailed to names selected at random from telephone directories.

This year's response is the largest yet and comes directly from about one-tenth of the adult population of the 20th Congressional District.

In all, 17,310 replies were tabulated, and most of them were marked as being from husband and wife. This means they reflect the views of 25,000 to 30,000 adults—or about 10 percent of the adult population. The 1960 census showed 282,404 adults.

Final tally—Representative Paul Findley's 1963 survey of home district opinion—20th District Illinois

	Yes	No	No opinion	Total responses	Percent yes	Yes-no ratio
Should the United States do whatever is necessary (even to the point of military action) to assure a non-Communist government in Cuba?	13,681	1,896	1,712	17,289	79	7-1
Should income taxes be cut if Federal spending is not cut?	3,253	13,134	916	17,303	18	1-4
The new budget calls for about $5,000,000,000 for foreign aid. Do you approve?	1,887	14,358	1,057	17,302	10	1-7
The President proposes $5,300,000,000 (over 5 years) in new Federal spending for schools (including teacher salaries). Do you approve?	5,717	10,656	914	17,287	33	1-2
Should secret-ballot approval by union members be required before a union can call a strike?	15,776	723	793	17,292	91	22-1
The President proposes a 5,000-member corps (known as the Domestic Peace Corps) to work in community social problems. Estimated annual cost: $20,000,000 to $30,000,000. Do you approve?	3,173	12,853	1,280	17,306	18	1-4
Do you favor compulsory acre-and-bushel control of farm production (similar to that in the upcoming wheat referendum)?	1,924	13,197	2,189	17,310	11	1-7

PHILIP L. GRAHAM

Mr. TUPPER. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. MATHIAS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. MATHIAS. Mr. Speaker, when a man of inherent value and worth dies, mankind's store of human virtue does not necessarily diminish. By his example, a good man extends and enlarges the reservoir of good will. But it is unfortunately true that when an active, constructive, and successful man dies, humanity is robbed of the benefit of his energy, his genius, and his labor. Unless his works can be perpetuated, they are too frequently dissipated and lost.

In the case of Philip L. Graham, this loss must not take place. His remarkable career as a publisher touched so many people, affected so many events and raised the standards of his generation to such a marked degree that its influence should continue.

The goal which Philip L. Graham set and achieved for the Washington Post was an expression of his own high personal standards.

> The Post is an independent newspaper fixed with a love of liberty, capable of indignation over injustice, and aware of the destiny and responsibility of America as a world leader.

This was an emphasis on "quality" which is so necessary and so rare in a nation and in a time too often preoccupied with "quantity." I should like to see this spirit kept alive in America.

For that reason I propose the the memorial to Philip Graham—and there will be one—should take the form of a vessel to convey his message to the future. I would hope that a Philip Graham Memorial would be a program to reward the industry and objectivity of members of the working press by providing them fellowships to study in depth and at leisure in the areas of government, economics, foreign affairs, and the arts. Other programs of this sort exist, but surely the field is not preempted nor overcrowded. After such an experience a reporter or an editor, a feature writer or a cartoonist, or any other member of the press would return to his desk with renewed determination to gain the highest levels of personal achievement in the American press. If such a memorial is projected, I should be proud to lend it all the support of which I am able.

ELIMINATION OF AIRCRAFT NOISE

Mr. WAGGONNER. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. ROSENTHAL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. ROSENTHAL. Mr. Speaker, today I have introduced the most comprehensive and far-reaching legislative proposal yet to be offered in either body of Congress dealing constructively and equitably with the serious and growing problem of aircraft noise. This bill, for the first time, will establish within the Federal Aviation Agency an Aircraft Noise Abatement Service whose sole responsibility shall be, first, to develop a workable measuring system for correlating the intensity and quality of aircraft noise with the distress to people on the ground caused by such noise; second, to develop quieter aircraft through research and development in the fields of airframe and powerplant design, and in the field of vertical takeoff and landing equipment for aircraft; third, to develop a comprehensive body of knowledge concerning methods and devices for aircraft noise abatement, including but not limited to, mechanical devices such as noise suppression devices for aircraft engines and ground baffle systems, procedural techniques applied through air traffic control systems such as preferential runway systems and greater ascent and descent angles for aircraft, and administrative procedures for aircraft noise abatement through local zoning regulations and airport site selection; and fourth, to consolidate and coordinate current research data from all sources relating to aircraft noise abatement.

Following the research directed by this bill:

> The Administrator shall, with due regard to safety and economic feasibility, establish such rules and regulations as may be necessary to require the maximum utilization of aircraft noise abatement techniques and devices determined by the Administrator to be of practical application.

For these purposes there would be authorized in fiscal year 1964 an appropriation of $20 million.

The advent of the jet age, while bringing great advances has also brought with it the terrifying and abrasive noise that disrupts the peace and quiet of millions of airport neighbors throughout the country.

Aircraft noise has caused serious and frustrating problems, not only in my congressional district in Queens County in New York State, but elsewhere on Long Island in New York, as well as in Pittsburgh, Atlanta, San Francisco, Chicago, Newark, Denver, Seattle, Dallas, San Diego, St. Louis, Miami, Los Angeles, and Boston.

At the present time, 47 additional cities are receiving turbojet service, which is potentially capable of threatening community tranquillity. They are: Albuquerque, N. Mex.; Anchorage, Alaska; Annette, Alaska; Baltimore, Md.; Charlotte, N.C.; Cincinnati, Ohio—Covington, Ky.; Cleveland, Ohio; Columbus, Ohio; Dayton, Ohio; Des Moines, Iowa; Detroit, Mich.—Willow Run; Detroit, Mich.—Metropolitan Wayne County; El Paso, Tex.; Fairbanks, Alaska; Fort Lauderdale, Fla.; Fort Worth, Tex.; Houston, Tex.; Indianapolis, Ind.; Jacksonville, Fla.; Juneau, Alaska; Las Vegas, Nev.; Memphis, Tenn.; Midland, Tex.; Milwaukee, Wis.; Mobile, Ala.; Nashville, Tenn.; New Orleans, La.; Oklahoma City, Okla.; Philadelphia, Pa.; Salt Lake City, Utah; San Antonio, Tex.; San Juan, P.R.; Spokane, Wash.; Tampa, Fla.; Tulsa, Okla.; Tucson, Ariz.; Washington, D.C.—Dulles; Windsor Locks, Conn.; Louisville, Ky.; Minneapolis, Minn.; Phoenix, Ariz.; Portland, Oreg.; Birmingham, Ala.; Honolulu, Hawaii; Kansas City, Mo.—Municipal; Orlando, Fla.—McCoy Air Force Base; West Palm Beach, Fla.; and Omaha, Nebr.

By 1967 the FAA anticipates that the following 57 communities will also be receiving turbojet service, in addition to propeller plane service, and then they, too, will be exposed to the jet noise problem: Akron-Canton, Ohio; Albany, N.Y.; Amarillo, Tex.; Austin, Tex.; Billings, Mont.; Binghamton, N.Y.; Boise, Idaho; Charleston, S.C.; Cold Bay, Alaska; Colorado Springs, Colo.; Columbia, S.C.; Cordova, Alaska; Corpus Christi, Tex.; Fresno, Calif.; Greensboro-High Point, N.C.; Greenville-Spartanburg, S.C.; Gustavus, Alaska; Harrisburg, Pa.; Houston, Tex.—new; Huntsville, Ala.; Jackson, Miss.; Kansas City, Mo.—Mid-Continent; King Salmon, Alaska; Knoxville, Tenn.; Kodiak, Alaska; Little Rock, Ark.; Los Angeles, Calif.—new; Lubbock, Tex.; Melbourne, Fla.; Newport News, Va.; New York, N.Y.—new; Norfolk, Va.; Oakland, Calif.; Ontario, Calif.; Raleigh-Durham, N.C.; Reno, Nev.; Richmond, Va.; Sacramento, Calif.; San Diego, Calif.—new; Shemya Island, Alaska; Shreveport, La.; Sitka, Alaska; Stockton, Calif.; Syracuse, N.Y.; Terre Haute, Ind.; Toledo, Ohio; Wichita, Kans.; Wilkes-Barre-Scranton, Pa.; Youngstown, Ohio; Buffalo, N.Y.; Hilo, Hawaii; Providence, R.I.; Rochester, N.Y.; St. Croix, V.I.—Alexander Hamilton; San Jose, Calif.; Chicago, Ill.—Midway; New York, N.Y.—LaGuardia.

Unfortunately, the true dimensions of the problem of aircraft noise are not always fully appreciated. Those persons who do not live near airports are, of course, not likely to be aware of the problem. Nevertheless, aircraft noise is a national problem and one that warrants national concern and attention.

Not only have citizens throughout the entire country had their right of privacy violated, but public institutions have also been subjected to airplane noise intrusions.

Teachers, for example, complain of frequent interruptions in the classroom because of aircraft overhead. A survey of 11 schools in the vicinity of O'Hare International Airport serving Chicago found there were 750 interruptions per school during a 2-week period.

Numerous clergymen have reported that they have had to suspend their sermons or services until noisy aircraft have passed.

Physicians have stated that post-operative patients and those recovering from heart attacks have a more difficult and hazardous recuperation if their ears are assailed repeatedly by noisy aircraft.

It is ironic, Mr. Speaker, that we mark the streets near our hospitals with signs warning "Hospital—Quiet"; police will ticket the motorist who wantonly blows his horn in a posted quiet zone, yet a plane can shatter this healing serenity, and many people believe that nothing can or should be done.

These are but a few examples of the human values that are destroyed by aircraft noise.

Certainly, Mr. Speaker, no one would suggest that it is not in our national interest to foster aviation advances and technological development.

A national air transport system is a settled matter of public policy. But the threat to the system posed by excessive aircraft noise is a real one. For example, consider the airport operator. The decision of the Supreme Court of the United States in March 1962 in the case of Griggs against Allegheny County has apparently rendered airport operators potentially liable for taking private airspace rights in connection with aircraft noise disturbances. There are said to be some 1,200 suits pending in the courts as a consequence of this decision. Airport operators are understandably reluctant to extend or build new runways because of their potential liability. In Pittsburgh, a new runway is not in use because the airport owner fears the impact of the Griggs decision. It is obvious, therefore, that aircraft noise seriously threatens the airport operator and thus can retard the development of the national air transport system.

There are two major reasons why there has been so little accomplished in the field of aircraft noise abatement. First, whether because of a failure of a clear-cut congressional mandate or a lack of interest or understanding, the responsible Federal officials have not established effective standards against which the performance of the airplane industry would be measured. Secondly, there has been a failure to adequately coordinate, promote, finance, and sponsor research in the field of noise abatement.

To illustrate the rather unusual and offhand way in which Federal officials have tended to minimize the problem, the Chairman of the Civil Aeronautics Board has testified that "anxiety psychosis" is the cause of community displeasure with aircraft noise. The Administrator of the FAA has said:

> We [Americans] are more anxious as a people, and anxious people are more easily irritated people.

It seems to me, Mr. Speaker, that more research and less psychiatry is needed here in Washington.

I have no wish, Mr. Speaker, merely to add to the length of the statute books. If the FAA displayed more concern for the problem of aircraft noise and more zeal in dealing with it, there would be no need for specific legislation. But through the years the FAA has exhibited doubt as to its degree of responsibility for abating aircraft noise. My bill would make it clear that the FAA is expected to pursue research, and based on the findings, to promulgate rules to achieve aircraft noise abatement.

Mr. Halaby, the Administrator of the Federal Aviation Agency, one of the pioneers of this jet age, has taken the position that the problem of aircraft noise, in relation to his other responsibilities, is not a very significant one—that the FAA has done all that can be done at the present time. The fact is that his agency has programed less than $1½ million for noise abatement research while it recommends an expenditure of $1 billion for a supersonic jet transport.

Naturally, he attempts to minimize the problem of aircraft noise abatement. His primary job is to see that commercial and private planes land and take off speedily and safely. The ear-splitting racket these landings and takeoffs may entail are by no means his chief interest, nor should they be. Yet these machines were made for man, not the reverse. If outrageous aircraft noise in hundreds of communities is the price that must be paid for a few minutes clipped off an airlines schedule, then I say that that price is too high.

Fortunately, we need not pay such a premium on progress. Considerable research is being done on the problem of aircraft noise, some even by the FAA, and the outlook is not hopeless.

With a more concentrated and better coordinated research and development effort, we can lick the problem of excessive aircraft noise. What is needed, though, is some central focus for the work that is being done, some technical followthrough to assure that all leads are explored vigorously so that quieter aircraft may be developed.

How can we expect a quick solution to this problem when there is no central coordination for the research work of the many agencies that are dealing with some aspect of this problem? They include the FAA; Bureau of Standards; National Science Foundation; NASA; Department of Defense; National Academy of Science—National Research Council; American Acoustical Association; the aircarriers; the airframe manufacturers; the aircraft engine manufacturers; National Aircraft Noise Abatement Council and State and local governments.

The FAA is the logical and responsible agency for the effective coordination of the work that these groups are doing. These many research programs will no doubt come to a quicker and more fruitful conclusion if there is greater coordination of effort and exchange of information and experience.

It is noteworthy, Mr. Speaker, that there exists no national standard for maximum permissible levels of aircraft noise. Setting such standards is left in the hands of local and State units of government. In my opinion, not all possess the technical competence to make such judgments. Even if they were competent in this field, the resulting hodge-podge of disparate standards would be intolerable. The result of this regulatory vacuum is to keep the airlines dominant and the public confused. If they are framed at all, the rules regarding tolerable aircraft noise levels are framed to fit the amount of noise created by the planes in current use; the regulations are not tailored, as they should be, to the amount of noise that is tolerable to the individual or community.

The New York Port Authority, for example, has set a standard of 112 Perceived Noise Decibels at three and one-half miles from the point of takeoff. In comparison, Niagara Falls has a decibel rate of 110. There is risk of permanent damage to the human ear when it is exposed to 120 decibels.

The lack of a national standard for tolerable aircraft noise is especially inconsistent with the history of commercial aviation in the United States. Congress has long recognized that the problems of aviation are national problems. The existence of the CAB and the FAA, the availability of Federal grants for airport development, the frequently expressed goal of a cohesive and coordinated national air transportation system—need more evidence be cited?

Congress has also recognized, that the ordinary citizen, who may never go aloft, nevertheless has rights with respect to air transportation. Section 307(c) of the Aviation Act of 1958 authorizes and directs the Administrator to prescribe air traffic rules and regulations governing the flight of aircraft for the protection of persons and property on the ground. Surely the abatement of aircraft noise is within the scope of that statutory grant of authority and responsibility.

I am convinced, Mr. Speaker, that only research will bring a solution to the problem of excessive aircraft noise. Military requirements are producing so-called VTOL aircraft—that is, planes able to achieve vertical takeoff and landing. The Army has a jet known as V2-11, which is of this type, as will be the TFX. Planes of this type, if adapted to commercial requirements, would virtually eliminate the problem. There are other possibilities that may prove to abate much aircraft noise. Dr. Spiridon Sucui of General Electric, a major producer of jet engines, believes it possible to design a new jet engine that would create a "sonic block" to eliminate "compressor whine" upon landing. Moreover, present engines and airframes could be adapted to make them considerably quieter. For example, elevating wings of jet aircraft to the top of the fuselage would permit planes to take off in stronger crosswinds, using preferred runways. Increasing the thrust of commercial jet engines would enable these craft to climb out of earshot more quickly.

I am confident that methods, devices, and designs can be developed that will mean quieter aircraft at stable acquisition and operating costs. We must, therefore, make the comprehensive, coordinated research and development effort that would be authorized by this bill. We can cut down the noise level around our airports. We can prevent sleepless nights for those living nearby and a deterioration of their property values. Enactment of this bill is the answer.

ALLIANCE FOR PROGRESS

Mr. WAGGONNER. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Gonzalez] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, the Alliance for Progress stands as a symbol of hope for millions of people in our hemisphere. The Alliance offers help for those who would help themselves. The progress we have already made, the renewed hope that has been generated, and the friendship we have won through the Alliance is amply illustrated in the following editorial from a Colombian newspaper. It is significant that this editorial appeared on July 4, a day when we celebrate our liberty. It is now a day when the people of this hemisphere celebrate the anniversary of hope for freedom from the burdens of poverty:

Festival of Democracy

The national day of the United States, celebrated today, the Fourth of July, is, in truth, the day of democracy. This is because the United States, which not only achieved its own liberty, the right of its own people to govern themselves, to live in peace and to progress in accord with their material and spiritual capacities, but also, after its historic action, through its noble example and with its efficient help, has encouraged other peoples and other nations to enjoy permanently these same benefits. And so democracy, as an ideal doctrine, as a system of government, as a way of daily living which knows no frontiers, can join jubilantly in the commemoration of this glorious date of the North American people.

The celebration of its National Day sees the United States at the head of a universal movement for peace, for respect of human rights, for equality among men, for progress and collective well-being, and consequently, opposed to other systems of governments and of life practiced by other governments which seek to impose them—even by force—on the rest of humanity.

The United States, assured the operation of democracy in its vast territory—because there laws and the Constitution are sacred—and having achieved solid bases for progress in all fields, has been working energetically in the past decades for the consolidation of peace in all the world. And this peace cannot be a reality so long as the peoples do not enjoy a standard of living which will balk the eternal demagogs and the ambitious men who underestimate their peoples. The United States has placed a great part of its economic, social and military potential at the service of the noble cause of peace and human welfare.

The actual President, John F. Kennedy, not only has followed the path of his predecessors, but has extended the benefits of this notable policy to sectors which until now have been forgotten or little regarded. And besides new treaties, and the new accords that give form to this assistance and mutual defense, President Kennedy has practiced a policy of personal diplomacy, in the course of which he has visited Latin America, and, during the last 10 days, Europe.

The Alliance for Progress constitutes another of the positive evidences of how the Government and the people of the United States are working to make real all the literature that we have written during many years exalting our brotherhood as "peoples born to liberty as fruit of the same sacrifice."

For this reason, the Alliance for Progress is neither gift nor grant, but a tool, a fortunate opportunity for the peoples of Latin America, utilizing the help of the United States and their own resources, to seek the progress and social well-being which, in the end, constitute the principal objectives of democracy.

OIL IMPORT PROGRAM

Mr. WAGGONNER. Mr. Speaker, I ask unanimous consent that the gentleman from West Virginia [Mr. Staggers] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. STAGGERS. Mr. Speaker, during a discusion on the floor of the House yesterday of the oil import program, statements were made on several occasions that there is no relation between the problems of crude oil and residual fuel oil insofar as imports are concerned.

I will admit, Mr. Speaker, that the problems are different in nature and in scope but to say, as some Members of the House did yesterday, that they are unrelated and one problem can be considered without relation to the others is contrary to what I have been told on a number of occasions by men conversant with the domestic oil industry.

In this connection, it is interesting to recall that the Texas Independent Producers and Royalty Owners Association, which speaks for the vast domestic oil producing industry in that great State, has taken a position completely contrary to that expressed on the floor yesterday by the gentleman from Texas, as well as several Members from New England.

In a publication entitled "U.S. Oil Import Policy and Monopoly," and dated February 1962, one section is headed "Why Independents Have Residual Oil in Proposed Oil Import Policy." One sentence in this article particularly caught my attention.

Many observers believe—

This official publication of TIPRO stated—

that the effort to separate oil independents and coal interests is in reality the most effective means of defeating import legislation.

Under permission to extend my remarks, I wish at this time to insert in the Record the statement on the close relationship between crude and residual oil as contained in this official statement of policy by TIPRO.

Why Independents Have Residual Fuel in Proposed Oil Import Formula

Inasmuch as residual fuel oil is a relatively uneconomic product so far as the domestic crude oil producer is concerned, and such imports are widely believed to compete only for markets supplied by coal, why do domestic oil independents oppose decontrol and seek to have residual fuel oil included in any new oil import program?

Some importing company officials have gone so far as to accuse independents of hurting oil's cause by joining forces with a competitor fuel—coal.

In answer, independents stress that they share with the New England Consumer Council, and consumers everywhere, a desire to have on hand plentiful oil supplies at all times. We support no measure which would create an artificial shortage of any oil products in order to confront the consumer with the necessity of using competitor fuels. But a policy of decontrol is not necessary to achieving a policy of allowing for ample imports.

In the first place, the "desirable stock" figures supplied by the Nation's oil importers themselves show that there is not and has not been a shortage of residual fuel oil, even though some importing companies appear to encourage this impression among consumer groups. Any supply difficulties arise not out of insufficient quantity available, but rather out of the allocation procedure under the present quota system. Each company with fuel oil customers naturally seeks import quotas high enough to enable it to supply potential customer requirements without having to acquire the surplus supplies held by other companies. To solve this problem of quota allocation, some importers prefer to insist on the easy route of decontrol.

Second. Argument that residual fuel oil is uneconomic from domestic sources is not entirely valid, when considered as a byproduct. Some 60 percent of the residual fuel oil used in America still comes from domestic crude, which provides a daily market for domestic crude of about 900,000 barrels that can be economically furnished at the present crude price structure. Moreover, the steady decrease in yield of resid from domestic crude has not improved U.S. crude prices. On the contrary, since 1957 there has been an approximate 17-cent-per-barrel crude price cut, while we yielded about a quarter of a million barrels of the resid market to foreign oil.

Third. The whole national security basis for import controls—to maintain accessible supplies in time of emergency—applies no less to residual fuel products than to imported crude. If any petroleum product is decontrolled, or left out of any new import restraint program altogether, the whole purpose of the program would undoubtedly be weakened. Additionally, decontrol might render meaningless the present prohibition against rerefining residual fuel oil imports into higher products.

Fourth, there is the secondary effect on domestic producers of any temporary residual fuel oil price break resulting from decontrol—not to mention injury to importing companies and the economics of source countries, particularly Venezuela. New England consumers, having been led to believe that decontrol would result in a sharp price drop, might insist on it—to the detriment of the importing companies and source countries which helped along this "consumer" pressure. Domestic producers, who still supply more than half of the Nation's residual fuel oil, would find their income cut as well on some 10 percent of their total market for domestic crude.

Finally, there is admittedly the practical political consideration of an "alliance" between those in Congress concerned with the welfare of both the oil and coal industries. Many observers believe that the effort to separate oil independents and coal interests is in reality the most effective means of defeating import legislation. Numerous so-called oil States are primarily coal States, and separate legislative proposals by oil producers and coal would lose desperately needed congressional support for both groups. A united "domestic fuels industry" stand, on the other hand, cannot be ignored, and the executive department will quickly recognize the necessity of dealing with such a force in order to get its foreign trade bill through.

Another interesting statement in this same TIPRO article is entitled "The Residual Fuel Saga of Refinery 'A'," which clearly sets forth the interests of domestic refiners in maintaining residual fuel oil import controls.

I wish to include this statement in my remarks at this point in the RECORD:

THE RESIDUAL FUEL SAGA OF REFINERY "A"

Refinery A is purely hypothetical. It is a refinery owned by a major American oil company that imports both crude and residual fuel and purchases domestic crude from independents.

Each day last year it refined 60,000 barrels of purchased domestic crude and 40,000 barrels of the company's imported crude. It averaged a yield of 90 percent in nonresidual fuel products and 10 percent in residual fuel.

This year, as it had in recent years, refinery A cut its residual fuel yield by 1 percent—from 10 percent to 9 percent, or approximately 1,000 barrels daily. Already overstocked with nonresidual products, the refinery had then to reduce its total runs by most of the 1,000 barrels daily to compensate. It refused to make the total refinery cutback indicated, hoping for more sales and trying to keep its high import quota, which is based on its refinery input. Meanwhile, its importing parent, together with other importers, were allowed to increase their residual fuel quotas by 1,000 barrels daily to meet the increased "need" created when refinery A reduced residual yields.

Who lost the 1,000 barrels daily in order to keep the balance? Were crude import quotas cut 1,000 barrels daily to absorb any of the loss? Was the loss shared by the importing refinery and the domestic crude producers? Or is it obvious to all that under present regulations the domestic crude producers suffered the total loss of market.

While the refinery's crude imports even contributed 40 percent of the reduced domestic residual fuel yield in the first place, then imports were not called upon even to share the 1,000 barrel loss to imported residual fuel.

This, then, is the saga of refinery A. Little wonder some importing companies want present regulations continued with only one significant change—complete decontrol of imported residual fuel. This would mean intensification of the process by which American international oil companies increase their total imports, including residual fuel, at the direct expense of their domestic producer competitors.

CRISIS FOR COTTON

Mr. WAGGONNER. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. SISK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. SISK. Mr. Speaker, all segments of our economy are awakening to the importance to them of stabilizing our cotton industry through passage of the Cooley bill, H.R. 6196. Farmers and industrial employees presently remote from direct connection with cotton in any form would feel the effect if the cotton industry is pinched out of existence, as is threatened if we do not pass this bill. Present cotton farmers would be forced to put their lands into competition with other agricultural production. Cotton industrial workers would be forced into other industries where labor surpluses presently exist.

I am glad to report that there is growing recognition of the impact of the cotton problem on other segments of our economy. Another evidence of this is a telegram I have just received from Mr. J. C. Baten, secretary of the International Chemical Workers Union No. 97, in Fresno, Calif. It read as follows:

FRESNO, CALIF.

Hon. B. F. SISK: The International Chemical Workers Union Local 97 is urging you to support the Cooley bill H.R. 6196. In an area where high unemployment is prevailing, we believe H.R. 6196 would help this situation and give the farmers a break they so badly need for fair competition. It would give economy a boost all over the United States therefore this union is in full support of bill H.R. 6196.

J. C. BATEN.

SEMINAR ON MUSIC EDUCATION

Mr. WAGGONNER. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. FOGARTY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. FOGARTY. Mr. Speaker, one of the major fields of concern to all of us interested in strengthening the arts and humanities is that of music education. A very significant seminar on music education, supported by the Office of Education as a part of its cooperative research program, has recently been completed at Yale University. This seminar, I believe, will serve as a focal point in the expansion and improvement of music education in our schools throughout the country.

Mr. Speaker, I submit for the RECORD at this time an article by Mr. Eric Salzman appearing in the New York Times, July 7, 1963, covering some of the significant results of this unique meeting.

This seminar on music education is an example of the type of development and use of our artistic brainpower which is possible and which could be supported to a much greater extent under the provisions of my bill, the Cultural Development Act of 1963, introduced on January 9 of this year—H.R. 324. When I read of the results of such a far-ranging meeting of minds, possible perhaps only through the support and encouragement of an agency of the Federal Government such as the U.S. Office of Education, I am more than ever convinced of the need for such legislation as I have proposed.

This beginning has been made in the field of music. However, much remains to be done in the other arts as well if we are to bring to bear our best artistic resources on our programs of education and participation in the arts.

TEACHERS UNDER FIRE

(By Eric Salzman)

A long and loud vote of no confidence in American public school education was offered last month at a conference of distinguished musicians and teachers held under the sponsorship of the Federal Government.

The conference, or seminar on music education, was held at Yale University in the last 2 weeks of June. It was a remarkable meeting of representatives of every aspect of American musical life and activity who came together with the aim of evaluating and reevaluating American musical education in the primary and secondary grades.

If the initial premises and prognoses were negative, the results of the conclave were not. Somehow, the congruence of a variety of vastly differing musical backgrounds, minds, points of view, and approaches produced clear outlines of new concepts of music teaching designed to involve children in genuine and profound musical experiences.

The impulse for the seminar came from, of all places, the President's Office of Science and Technology; the event was financed by the U.S. Office of Education. The prototypes for the meeting can be found in the fields of science and mathematics. The Sputnik Age found American basic scientific education still in the age of Euclid and Newton; distinguished scientists and mathematicians, working through the prestige and good offices of the Government, have since brought about an educational revolution from the primary grades on up. Now, for the first time, it was being asked whether similar reforms were not needed in one of the arts and the answer was emphatically in the affirmative.

The 30 participants in the seminar included a large group of composer-educators and composer-performers (Lukas Foss, Leon Kirchner, Edward T. Cone, Otto Luening, Henry Brant, Lionel Nowak, Howard Boatwright, Gid Waldrop, and from the jazz field, Billy Taylor and Mercer Ellington), performers (Adele Addison, Norah Greenberg, Milton Katims), critics, theoreticians, musicologists and ethnomusicologists.

There was agreement that American public school music education had its bright spots and positive achievements. The high technical quality of band, orchestra, and choral performance was often cited and individual examples of excellent educational achievement were brought forward.

The general situation across the country however, was found to be very poor; in most schools, in the elementary grades, untrained classroom teachers are charged with the responsibility of giving children the basic musical skills which the teachers themselves do not possess, and the means and equipment provided for the purpose of accomplishing this hopeless goal are almost invariably inadequate and antimusical.

POINT OF UNANIMITY

Interestingly enough, there was almost no conflict on these points between the educators and the "practicing" musicians. The educators were convinced of the magnitude of the problem and of the need for close contact between the living world of musical creation and performance just as the practicing musicians were sensitive to the need for close involvement in the educational process from the lowest grades.

If the 12 days of panels, papers, discussions, section meetings and plenary sessions produced any ideological divisions at all, it was primarily between those who wanted to place the principal emphasis on the great Western tradition of the last two centuries and the strong group who felt that it was at least as important to broaden our musical and educational horizons to include early Western music, non-Western music, recent avant-garde developments including electronic music as well as nonconcert music of all types.

A great deal of emphasis was put, not only on children's performance activities, but also on creativity; there was wide agreement as to the importance of a program designed to foster creative musical expression from the earliest grades as a means of building and training basic musicality in every child.

The importance of student involvement and activity at every level of the educational process was a constant theme of the discussions. The experience of live music was also stressed and, in this connection, it was urged that solo performers and chamber ensembles be brought into the schools on an in-residence basis similar to that already used in the Ford Foundation's composers-in-residence program.

The work of the seminar was only a first step. Its conclusions will be described in a report to the Office of Education to be made by Claude Palisca, who is associate professor of the history of music at Yale and director of the seminar. The report will serve both as a mandate and a guide for the work of a followup committee that will have the responsibility of finding ways of implementing these ideas in practical terms.

PERSONAL ANNOUNCEMENT

Mr. WAGGONNER. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. KASTENMEIER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, on rollcall No. 101, on a motion to recommit H.R. 5171, authorizing GSA to coordinate purchase and maintenance of data processing equipment for Federal agencies, I was absent. Had I been present, I would have voted "nay."

BRACERO PROGRAM

Mr. WAGGONNER. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, proponents of the bracero program often point out that domestic workers can replace braceros at any time they want to do so. It is left unsaid that American workers often cannot get job offers which are attractive enough to cause them to want jobs held by the braceros.

Under Secretary of Labor Henning pointed this fact out in a recent statement before the Senate Subcommittee on Migratory Labor. Mr. Henning noted:

> The simple fact is that under the present system the employer can refuse to offer to domestic workers the same terms and conditions that he is required to offer alien workers. If the domestic worker refuses to accept the job at less favorable terms, the employer is permitted to bring in Mexican workers who are then afforded the very terms and conditions which were denied to our own workers.

The Department of Labor opposes extension of Public Law 78 unless it is amended to rectify such faults as I have just pointed out. Mr. Henning said of Public Law 78, and I agree with him—"It is a wretched law that should be buried."

RESIDUAL OIL RESTRICTIONS

The SPEAKER pro tempore (Mr. KASTENMEIER). Under previous order of the House, the gentleman from Connecticut [Mr. GIAIMO] is recognized for 10 minutes.

Mr. GIAIMO. Mr. Speaker, once again I join in the congressional debate on residual oil restrictions. Time after time in the past 4 years this topic has been debated in this House. Time after time my colleagues from New England and other areas of this country have pleaded for elimination of residual oil restrictions, and time after time our efforts have been thwarted by the coal bloc.

We are talking today about a policy which is being continued ostensibly to help the coal industry, but which, in fact, has little if any effect upon the coal industry. We are talking about a program which is intended to strengthen the American economy but which, in fact, is severely hindering the growth and competitive position of many industries, particularly in New England. We are talking about a program which is being justified on grounds of national security but which, in fact, is endangering our national security.

The coal industry, Mr. Speaker, argues that a relaxation of residual oil restrictions would cause even further unemployment among coal workers. They are unwilling to recognize that the cause of increased unemployment lies here at home: automation, increased use of diesel fuels especially by the railroads, at the expense of the coal industry, and a general loss of a retail fuel market. Those who would argue for tightening of these residual oil restrictions to protect the coal industry do not realize that coal is too expensive in New England and that, rather than turning to coal as an alternative, fuel consumers would probably choose natural gas or some other fuel oil which is cheaper than coal. And, finally, those who are so concerned about protecting coal, to the extent of calling for the removal of coal import restrictions in Europe, a move which would hurt the European economy, are not concerned that the American restrictions on residual oil are damaging our own economy.

These restrictions are causing serious concern in New England. The fuel consumer in our region pays approximately 27 cents more per barrel than his foreign competitor. This is costing New England industries almost $20 million every year. If residual oil restrictions were tightened, the result would be a loss of jobs for thousands in New England, many times more than might be put back to work in the coal mines.

Finally, Mr. Speaker, I would like to turn my attention to the administration's decision to continue these restrictions. By these actions the administration has challenged the studied judgment of its own adviser Edward McDermott who, as Director of the Office of Emergency Planning, conducted a study to determine whether the national security provision of the Trade Expansion Act of 1962 would justify continuation of restrictions. His conclusions are unequivocal and to the point. I quote from the report's conclusion:

> Western Hemispheric sources have predominated in the imports of residual fuel oil to the United States. Substantial reliance on this area for an important component of residual fuel oil needs contributes to the achievement of long-term hemispheric goals for the promotion of economic, political, and social progress. At the same time this use of those petroleum resources is compatible with national defense requirements, current and contemplated.
>
> An inevitable conclusion of this investigation is that the imposition of tighter residual fuel oil controls than those now in effect would be inconsistent with national security objectives. Such action could not contribute in any important degree to the security of fuels for the United States itself or in the broader context of its international security obligations. A more drastic import control program would impose serious economic, political, and social burdens within the Western Hemisphere where it is essential that progress be achieved. That the national security investigation reveals the Western Hemisphere is a suitable source for such imports would accentuate the unfortunate repercussions which would follow the imposition of tighter controls.

Under Secretary of State George Ball has questioned the continuation of this program. He said:

> The doubts about the oil import program have caused and continue to cause problems

in our relations with friendly nations, not only our principal petroleum suppliers but with our trading partners generally. They have constituted a special weakness in our ability to respond effectively to foreign friends who seek sincerely to understand our security requirements. It has been particularly difficult in the case of residual fuel oil to relate, with any effectiveness, the framework of our restrictions to clearly demonstrate national security needs.

In light of these considerations, Mr. Speaker, may I again add my voice to the chorus of those who seek the relaxation of residual oil restrictions.

DELAWARE'S SUPERB BEACHFRONT RECREATIONAL FACILITIES ARE ONLY 120 MILES FROM THE WHITE HOUSE

The SPEAKER pro tempore. (Mr. Kastenmeier). Under previous order of the House, the gentleman from Delaware [Mr. McDowell] is recognized for 10 minutes.

Mr. McDOWELL. Mr. Speaker, Delaware's beaches and recreational needs have found a sympathetic and perceptive champion, and the citizens of the First State have gained an able and brilliant spokesman, in George Kennedy, the white-bearded patriarch of the Evening Star newspaper of Washington, D.C.

A gentle savant, George Kennedy yesterday wrote his famous Rambler column on the importance to the citizens of Delaware, of Washington, D.C., and of the Nation at large, of acquiring for public park and recreational purposes the 500 acres of excess beach-front land at Fort Miles Military Reservation, Del.

I am pleased to include yesterday's column as part of my remarks for the information of my colleagues and those from coast to coast who read the Congressional Record including those officials of the Federal Government who will make the final decisions regarding the disposal of Federal property in Delaware, large portions of which were originally ceded by the State to the Federal Government without reimbursement.

Perhaps 500 acres in Texas, Alaska, or some other State of huge size might not seem of great importance but in Delaware 500 acres looms very large indeed. In fact, it has been said from time to time, in a spirit of jest, that Delaware consists of three counties at low tide, and only one at high tide. Thomas Jefferson, who was fond of the First State, was struck by its diminutive and compact size, and called it a jewel among the States.

In Delaware, because of its small land area, and the fact that it is an established summertime host to the Nation, 500 acres means all the difference in the world.

George Kennedy understands this, and, I have reason to think, so do a growing number of those Federal officials who must make the final decisions regarding the disposition of these 500 precious acres of beach-front property at Fort Miles Military Reservation in Delaware.

The President himself has shown his own concern in this matter on a number of occasions and, I feel sure, in view of this, that the final decision will be favorable to Delaware.

How could it be otherwise with such good and wise friends and champions as the First State has always had from Thomas Jefferson's era to our own?

George Kennedy's column follows:

[From the Washington (D.C.) Star, Aug 6, 1963]

The Rambler Is All for Delaware

(By George Kennedy)

Rehoboth Beach, Del.—As you approach this ideal Atlantic beach resort—where the splash of the surf is heard under the murmuring pines—the highway signs say:

"Delaware, the First State."

That's right. Little Delaware (only Rhode Island is smaller) was the first State to ratify the Constitution. That was in December 1787.

There is another thing about Delaware that is not generally realized. Maryland's shore points sound nearer. After all, the District was carved out of Maryland.

But draw a line from the eastern corner of the District—right along East Capitol street. The first shore point (across Chesapeake Bay) will be Lewes, Del., on Delaware Bay, just inside the breakwater.

The nearest ocean beach resort is Rehoboth, Del.—120 miles. Ocean City, Md., is 150 miles.

There is a great deal of interest in Washington in the fate of Assateague Island, 18 miles of sandy beach south of Ocean City.

The Department of the Interior wants it for recreational purposes. Those who purchased lots from a real estate promoter after the war oppose this.

There has been much less publicity in the Nation's Capital about a much nearer oceanfront property available for recreational purposes.

This is Fort Miles, about 1,000 acres on Henlopen Point, the southern shoulder of the confluence of the Delaware River and the Atlantic.

In this case it is the State of Delaware which wants to utilize it for public recreation.

Long after the strategic importance of Fort McHenry, at the juncture of the Patapsco River and Chesapeake Bay, had declined (that's where Francis Scott Key's Star Spangled Banner is still waving), Henlopen Point was considered important to national defense.

But intercontinental ballistic missiles ended that. Some time ago the Army declared some 600 acres surplus property.

These 600 acres, a rectangular tract, are bordered by two and three-quarters miles of sandy ocean beach, ideal for surf bathing, and one and three-quarters miles of bay front—ideal for those who fear the undertow.

As I understand the situation after talking to Jesse Gundry of Rehoboth Beach and John Biven, Jr., of Dover, both members of the Governor's Planning Board, there is a little tug of war going on as to whether the property will go to the General Services Administration of the Federal Government or to the State of Delaware.

Delaware has been an advanced State in the matter of public recreation. About 20 years ago Delaware acquired several miles of ocean beach south of Rehoboth and made it available for camping at a nominal rate.

Many of the campers occupied tents only during their vacations and summer weekends. When they went back to work they merely tied the strings. In summers past I remember talking to these fortunate happy people. There was no instance of vandalism or thievery.

But the big storm of March 6, 1962, washed away the dunes and since then the State has prohibited camping in the interest of safety.

Delaware's Representative in the House, Harris B. McDowell, has been making a fight to obtain this property for the State of Delaware for recreational purposes. He has sponsored a House bill to that effect.

Delaware's two Senators, John Williams and Caleb Boggs, have introduced an identical bill in the Senate.

This marvelous beach property is no more than 110 miles from the White House.

Delaware is ready to make it immediately available to the public.

Now that the new Route 50, the magic carpet to the beaches, has at long last been completed, this beach can be reached in less than 3 hours from anywhere in the Washington area.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Schenck (at the request of Mr. Arends), for the balance of this week, on account of death in family.

Mr. Johansen (at the request of Mr. Arends), for today, on account of death in family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Patman, for 1 hour, today.

Mr. Hébert, for 10 minutes, today.

Mr. Pucinski, for 5 minutes, today.

Mr. Halpern (at the request of Mr. Tupper), for 15 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. Giaimo (at the request of Mr. Waggonner), for 10 minutes, today.

Mr. McDowell (at the request of Mr. Waggonner), for 10 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

Mr. Gilbert in two instances.

Mr. Wydler.

SENATE BILL AND JOINT RESOLUTION REFERRED

A bill and a joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 812. An act to provide for the release of restrictions and reservations on certain real property heretofore conveyed to the State of Arkansas by the United States of America; to the Committee on Armed Services.

S.J. Res. 33. Joint resolution granting consent for an extension of 4 years of the Interstate Compact To Conserve Oil and Gas; to the Committee on Interstate and Foreign Commerce.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1518. An act for the relief of Barbara Theresa Lazarus; and

H.J. Res. 324. Joint resolution extending an invitation to the International Olympic Committee to hold the 1968 winter Olympic games in the United States.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 130. An act to change the name of Fort Randall Reservoir in the State of South Dakota to Lake Francis Case;

S. 131. An act to change the name of the Big Bend Reservoir in the State of South Dakota to Lake Sharpe;

S. 192. An act for the relief of M. Sgt. Benjamin A. Canini, U.S. Army;

S. 219. An act for the relief of Bernard W. Flynn, Jr.;

S. 280. An act for the relief of Etsuko Matsuo McClellan;

S. 752. An act for the relief of Janos Kardos;

S. 850. An act to change the name of the Bruces Eddy Dam and Reservoir in the State of Idaho to the Dworshak Dam and Reservoir;

S. 1003. An act for the relief of the Middlesex Concrete Products & Excavating Corp.;

S. 1326. An act to provide for the conveyance of certain mineral interests of the United States in property in South Carolina to the record owners of the surface of that property;

S. 1652. An act to amend the National Cultural Center Act to extend the termination date contained therein, and to enlarge the Board of Trustees; and

S. 1643. An act to amend the act entitled "An act for the relief of the estate of Gregory J. Kessenich," approved October 2, 1962 (76 Stat. 1368).

ADJOURNMENT

Mr. WAGGONNER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 21 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, August 8, 1963, at 11 o'clock a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1113. A letter from the Director, Office of Emergency Planning, Executive Office of the President, transmitting a report that no claims were paid by the Office of Emergency Planning during fiscal year 1963, pursuant to section 2673 of the Federal Tort Claims Act of 1946; to the Committee on the Judiciary.

1114. A letter from the President of the Board of Commissioners of the District of Columbia, transmitting a draft of a proposed bill entitled "a bill to eliminate the maintenance by the District of Columbia of perpetual accounts for unclaimed moneys held in trust by the Government of the District of Columbia"; to the Committee on the District of Columbia.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. EDMONDSON: Committee on Interior and Insular Affairs. Report on conditions in the lead-zinc mining industries (Rept. No. 640). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BROYHILL of Virginia:

H.R. 7975. A bill to amend the Federal Employees Health Benefits Act of 1959 to extend the benefits of such act to a child who is in legal custody of an employee or annuitant under such act, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. FOGARTY:

H.R. 7976. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. HALPERN:

H.R. 7977. A bill to amend section 17 of the Federal Home Loan Bank Act and to amend section 5 of the Home Owners Loan Act of 1933; to the Committee on Banking and Currency.

By Mr. HORTON:

H.R. 7978. A bill to provide for the issuance of a special postage stamp honoring Frederick Douglass; to the Committee on Post Office and Civil Service.

By Mr. JOELSON:

H.R. 7979. A bill to amend the Internal Revenue Code of 1954 with respect to the definition of commuter fare revenue; to the Committee on Ways and Means.

By Mr. KEOGH:

H.R. 7980. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. McDOWELL:

H.R. 7981. A bill to amend title II of the Social Security Act to include Delaware among the States which may obtain social security coverage, under State agreement, for State and local policemen and firemen; to the Committee on Ways and Means.

By Mr. MATSUNAGA:

H.R. 7982. A bill to repeal certain provisions of the Immigration and Nationality Act relating to the loss of U.S. citizenship by naturalized citizens through residence in a foreign country, and for other purposes; to the Committee on the Judiciary.

By Mr. MORGAN:

H.R. 7983. A bill to amend the Antidumping Act, 1921; to the Committee on Ways and Means.

By Mr. ROSENTHAL:

H.R. 7984. A bill to amend section 302 of the Federal Aviation Act of 1958 to provide for the establishment of an Aircraft Noise Abatement Service within the Federal Aviation Agency, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. SISK:

H.R. 7985. A bill to amend the Agricultural Trade Development and Assistance Act of 1954 to provide for the use of counterpart funds for international agricultural conferences; to the Committee on Agriculture.

By Mr. WHARTON:

H.R. 7986. A bill to authorize an appropriation of a sum not to exceed $50,000 with which to make a survey of a proposed national parkway in the States of Pennsylvania, New Jersey, and New York from the vicinity of Stroudsburg, Pa., northeast to Kingston, N.Y.; to the Committee on Interior and Insular Affairs.

By Mr. DENT:

H.R. 7987. A bill to amend the Fair Labor Standards Act of 1938, as amended; to the Committee on Education and Labor.

By Mr. HALPERN:

H.R. 7988. A bill to authorize assistance to public and other nonprofit institutions of higher education in financing the construction, rehabilitation, or improvement of needed academic and related facilities in undergraduate and graduate institutions; to the Committee on Education and Labor.

By Mr. KYL:

H.R. 7989. A bill to limit financial assistance under title I of the Housing Act of 1949, after July 1, 1965, to projects which cannot be self-liquidating under applicable State law, to amend title I of the Housing Act of 1949 to prevent unnecessary or excessive demolition of buildings in urban renewal projects, and for other purposes; to the Committee on Banking and Currency.

By Mr. SKUBITZ:

H.R. 7990. A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by stabilizing the domestic lead and zinc industry, and for other purposes; to the Committee on Ways and Means.

By Mr. McDOWELL:

H.J. Res. 635. Joint resolution authorizing and directing the National Institutes of Health to undertake a fair, impartial, and controlled test of Krebiozen; and directing the Food and Drug Administration to withhold action on any new drug application before it on Krebiozen until the completion of such test; and authorizing to be appropriated to the Department of Health, Education, and Welfare the sum of $250,000; to the Committee on Interstate and Foreign Commerce.

By Mr. SHIPLEY:

H.J. Res. 636. Joint resolution to provide for the settlement of the labor dispute between certain carriers by railroad and certain of their employees; to the Committee on Interstate and Foreign Commerce.

By Mr. HARDING:

H.J. Res. 637. Joint resolution to provide for the settlement of the labor dispute between certain carriers by railroad and certain of their employees; to the Committee on Interstate and Foreign Commerce.

By Mr. TUPPER:

H. Res. 478. Resolution to create a select committee to investigate expenditures for research programs conducted by or sponsored by the departments and agencies of the Federal Government; to the Committee on Rules.

By Mr. SELDEN:

H. Res. 479. Resolution providing for an investigation of the formulation, contents, and appropriateness of the initial report of the President's Committee on Equal Opportunity in the Armed Forces entitled "Equality of Treatment and Opportunity for Negro Military Personnel Stationed Within the United States"; to the Committee on Rules.

By Mr. FOGARTY:

H. Res. 480. Resolution to create a select committee to investigate expenditures for research programs conducted by or sponsored by the departments and agencies of the Federal Government; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BURKE:

H.R. 7991. A bill for the relief of Marianna Stefanska; to the Committee on the Judiciary.

By Mr. HALPERN:

H.R. 7992. A bill for the relief of Antonio Lamonaca; to the Committee on the Judiciary.

By Mr. HOLLAND:

H.R. 7993. A bill for the relief of Kevork Agopoglu; to the Committee on the Judiciary.

By Mr. LINDSAY:

H.R. 7994. A bill for the relief of Col. Ralph H. Wade, U.S. Air Force, retired; to the Committee on the Judiciary.

By Mr. MORRISON:

H.R. 7995. A bill for the relief of La Driere, Inc.; to the Committee on the Judiciary.

By Mr. O'NEILL:

H.R. 7996. A bill for the relief of Nai-chi Wang and Amy Fang Wang; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 7997. A bill for the relief of Nicola Di Lorenzo; to the Committee on the Judiciary.

SENATE

WEDNESDAY, AUGUST 7, 1963

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

The Reverend Norton Scrimshire, minister, First Methodist Church, Laverne, Okla., offered the following prayer:

Eternal Father, strong to save, who art the author and giver of law, and from whom alone all just designs and righteous judgments come:

We confess how easy it is to yield to the temptation of feeding and serving our own prejudices and unworthy motives. Forgive us the sin of yielding to the devices and desires of our hearts, and enable us to seek and follow Thy good and perfect will. We acknowledge our weakness, and pray for Thy strength, that we may be courageous for Thee in the face of opposition. Increase our wisdom, that we may know Thy truth and uphold it in all legislation. Thou who art the source of all love, allow us to rise to the task of fulfilling our duties and responsibilities with love and charity for all and with malice toward none.

It is our earnest plea that we may be a part of the healing waters that flow throughout our world, and never a part of the raging turmoil of hatred and bitterness that destroys fellowship and understanding.

We pray for peace, a peace that is sustained by Thee. We ask this, our prayer, in the name of the Prince of Peace, Christ, the Lord of Life. Amen.

THE JOURNAL

On request of Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, August 6, 1963, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurence of the Senate:

H.R. 1201. An act for the relief of Mrs. Eurina P. Richards;

H.R. 1280. An act for the relief of Jan Koss;

H.R. 1532. An act for the relief of Herbert R. Schaff;

H.R. 1545. An act to provide for the relief of certain enlisted members and former enlisted members of the Air Force;

H.R. 1761. An act to confer jurisdiction on the Court of Claims to hear, determine, and render judgment upon the claim of R. Gordon Finney, Jr.;

H.R. 1861. An act for the relief of the children of Mrs. Elizabeth A. Dombrowski;

H.R. 2238. An act for the relief of Erwin A. Suehs;

H.R. 2256. An act for the relief of Jose Domenech;

H.R. 2260. An act for the relief of Mrs. Rozsi Neuman;

H.R. 2303. An act for the relief of Elizabeth Kolloian Izmirian;

H.R. 2724. An act for the relief of Davey Ellen Snider Siegel;

H.R. 2756. An act for the relief of George R. Lore;

H.R. 2770. An act for the relief of Mrs. Justine M. Dubendorf;

H.R. 2790. An act for the relief of Owen L. Green;

H.R. 3648. An act for the relief of Fiore Luigi Biasiotta;

H.R. 3762. An act for the relief of Anna C. Chmielewski;

H.R. 3843. An act for the relief of Wallace J. Knerr;

H.R. 4075. An act for the relief of Noriyuki Miyata;

H.R. 4141. An act for the relief of Smith L. Parratt and Mr. and Mrs. Lloyd Paratt, his parents;

H.R. 4145. An act for the relief of certain individuals;

H.R. 4288. An act for the relief of Mrs. M. Orta Worden;

H.R. 4955. An act to strengthen and improve the quality of vocational education and to expand the vocational education opportunities in the Nation;

H.R. 5307. An act for the relief of Edward T. Hughes;

H.R. 5703. An act granting an extension of patent to the United Daughters of the Confederacy;

H.R. 5811. An act for the relief of L. C. Atkins and Son;

H.R. 5812. An act for the relief of Quality Seafood, Inc.;

H.R. 5814. An act for the relief of Norman R. Tharp;

H.R. 5822. An act for the relief of Theodore Zissu;

H.R. 6091. An act for the relief of Chief M. Sgt. Samuel W. Smith, U.S. Air Force;

H.R. 6180. An act for the relief of Maj. Warren G. Ward, Capt. Paul H. Beck, and 1st Lt. Russell K. Hansen, U.S. Air Force;

H.R. 6373. An act for the relief of Robert L. Nolan;

H.R. 6443. An act for the relief of Mrs. Margaret L. Moore;

H.R. 6628. An act for the relief of Dr. Henry H. Cohan;

H.R. 6663. An act for the relief of Louis C. Wheeler;

H.R. 6808. An act for the relief of the Shelburne Harbor Ship & Marine Construction Co., Inc.;

H.R. 7019. An act to provide further compensation to Mrs. Johnson Bradley for certain land and improvements in the village of Odanah, Wis., taken by the Federal Government; and

H.R. 7022. An act for the relief of Marguerite Lefebvre Broughton.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bill and joint resolution, and they were signed by the President pro tempore:

H.R. 1518. An act for the relief of Barbara Theresa Lazarus; and

H.J. Res. 324. Joint resolution extending an invitation to the International Olympic Committee to hold the 1968 winter Olympic games in the United States.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H.R. 1201. An act for the relief of Mrs. Eurina P. Richards;

H.R. 1280. An act for the relief of Jan Koss;

H.R. 1532. An act for the relief of Herbert R. Schaff;

H.R. 1545. An act to provide for the relief of certain enlisted members and former enlisted members of the Air Force;

H.R. 1761. An act to confer jurisdiction on the Court of Claims to hear, determine, and render judgment upon the claim of R. Gordon Finney, Jr.;

H.R. 1861. An act for the relief of the children of Mrs. Elizabeth A. Dombrowski;

H.R. 2238. An act for the relief of Erwin A. Suehs;

H.R. 2256. An act for the relief of Jose Domenech;

H.R. 2260. An act for the relief of Mrs. Rozsi Neuman;

H.R. 2303. An act for the relief of Elizabeth Kolloian Izmirian;

H.R. 2724. An act for the relief of Davey Ellen Snider Siegel;

H.R. 2756. An act for the relief of George R. Lore;

H.R. 2770. An act for the relief of Mrs. Justine M. Dubendorf;

H.R. 2790. An act for the relief of Owen L. Green;

H.R. 3648. An act for the relief of Fiore Luigi Biasiotta;

H.R. 3762. An act for the relief of Anna C. Chmielewski;

H.R. 3843. An act for the relief of Wallace J. Knerr;

H.R. 4075. An act for the relief of Noriyuki Miyata;

H.R. 4141. An act for the relief of Smith L. Parratt and Mr. and Mrs. Lloyd Parratt, his parents;

H.R. 4145. An act for the relief of certain individuals;

H.R. 4288. An act for the relief of Mrs. M. Orta Worden;

H.R. 5307. An act for the relief of Edward T. Hughes;

H.R. 5703. An act granting an extension of patent to the United Daughters of the Confederacy;

H.R. 5811. An act for the relief of L. C. Atkins and son;

H.R. 5812. An act for the relief of Quality Seafood, Inc.;

H.R. 5814. An act for the relief of Norman R. Tharp;

H.R. 5822. An act for the relief of Theodore Zissu;

H.R. 6091. An act for the relief of Chief M. Sgt. Samuel W. Smith, U.S. Air Force;

H.R. 6180. An act for the relief of Maj. Warren G. Ward, Capt. Paul H. Beck, and 1st Lt. Russell K. Hansen, U.S. Air Force;

H.R. 6373. An act for the relief of Robert L. Nolan;

H.R. 6443. An act for the relief of Mrs. Margaret L. Moore;

H.R. 6628. An act for the relief of Dr. Henry H. Cohan;

H.R. 6663. An act for the relief of Louis C. Wheeler;

H.R. 6808. An act for the relief of the Shelburne Harbor Ship & Marine Construction Co., Inc.;

H.R. 7019. An act to provide further compensation to Mrs. Johnson Bradley for certain land and improvements in the village of Odanah, Wis., taken by the Federal Government; and

H.R. 7022. An act for the relief of Marguerite Lefebvre Broughton; to the Committee on the Judiciary.

H.R. 4955. An act to strengthen and improve the quality of vocational education and to expand the vocational education opportunities in the Nation; to the Committee on Labor and Public Welfare.

LIMITATION OF STATEMENTS DURING MORNING HOUR

On request of Mr. MANSFIELD, and by unanimous consent, statements during the morning hour were ordered limited to 3 minutes.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Permanent Subcommittee on Investigations of the Committee on Government Operations was authorized to meet during the session of the Senate today.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business, to consider the nominations on the Executive Calendar.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

The PRESIDENT pro tempore. If there be no reports of committees, the nominations on the Executive Calendar will be stated.

DEPARTMENT OF JUSTICE

The Chief Clerk read the nomination of John H. Phillips, of Mississippi, to be a U.S. marshal for the northern district of Mississippi, for a term of 4 years.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

U.S. NAVY

The Chief Clerk read the nomination of Vice Adm. Ulysses S. G. Sharp, Jr., U.S. Navy, having been designated, under the provisions of title 10, United States Code, section 5231, for commands and other duties determined by the President to be within the contemplation of said section, for appointment to the grade of admiral while so serving.

THE ADMIRAL FROM FORT BENTON, MONT.

Mr. MANSFIELD. Mr. President, it is a special privilege to call to the attention of the Senate the assignment of Adm. Ulysses S. G. Sharp, Jr., as commander in chief of the Pacific Fleet, an assignment which coincides with his promotion from vice admiral to full admiral.

It is always a pleasure, Mr. President, to record the progress in the career of an able, distinguished, and dedicated officer of the Armed Forces. In this instance, the pleasure is enhanced because Admiral Sharp has a long and intimate association with the State of Montana, having been born in the State and spending the years of his boyhood at Fort Benton, Mont., before being appointed to the U.S. Naval Academy by the late, great Senator from Montana, Thomas J. Walsh.

I might note, Mr. President, that this small land-locked town of around 1,500 people in our large land-locked State is one of the great sources of leadership talent for the Nation's naval and other defenses. Thirteen admirals and generals who served in World War II and shortly thereafter came from Montana, and of these, no less than four admirals and two generals now serving or having served in the Armed Forces passed their formative years in Fort Benton. In addition to Adm. Ulysses S. Grant Sharp, this illustrious roster includes Adm. John Hoover, Rear Adm. G. C. Towner, Rear Adm. L. D. Sharp, Brig. Gen. R. W. Curtis, U.S. Army; and Brig. Gen. Karl Louther, U.S. Marine Corps.

I know that not only Montanans but all Americans join with me in congratulating Admiral Sharp on his promotion and wishing him every success in his new and exacting assignment. As for Fort Benton, its unique capacity to mold outstanding military leaders, which has long been a source of pride to Montana, is now on the way to becoming a great national tradition.

Mr. President, I ask unanimous consent that an article which appeared in the Great Falls Tribune, July 19, 1963, an article from the Montana Farmers Stockman and the Miles City Star, July 20, 1956, entitled "The Admirals of Fort Benton," and a biography of Admiral Sharp be printed at this point in the RECORD.

There being no objection, the articles and the biography were ordered to be printed in the RECORD, as follows:

[From the Miles City Star of July 20, 1956]

THE ADMIRALS OF FORT BENTON

Many Montanans know that Adm. John Hoover, retired, of the U.S. Navy, who was in charge of important naval forces in numerous engagements of World War II, grew up in Fort Benton, Mont. But not many know that three other admirals of the Navy with exceptionally fine service records also came from this little town on the Missouri.

On a recent naval tour in the Pacific the writer, while chatting with Rear Adm. Ulysses S. Grant Sharp one day, remarked that Admiral Hoover came from Fort Benton. "Yes, that's right," replied Admiral Sharp, adding that he too used to live in Fort Benton.

Admiral Sharp then went on to say that Rear Adm. G. C. Towner and Rear Adm. L. D. Sharp, retired, also came from Fort Benton. And he reminded us that Brig. Gen. R. W. Curtis of the U.S. Army and Col. Karl Louther of the U.S. Marine Corps came from Fort Benton.

Since its early pioneering days, many other young men from Fort Benton and its surrounding rural territory have served in the various branches of the armed services, as have men from all other Montana communities.

But we doubt whether any other town of 1,200–1,500 population in the United States has produced 4 admirals. Perhaps that is not so surprising a record for an inland town as it might seem. After all, Fort Benton used to be the head of navigation on the Missouri in the old fur-trading days and for a good many years thereafter.

—MONTANA FARMER STOCKMAN.

[From the Great Falls Tribune, July 19, 1963]

ADMIRAL SHARP GETS FLEET COMMAND

FORT BENTON.—Vice Adm. Ulysses S. G. Sharp, Jr., who spent his boyhood here, was assigned to commander in chief, Pacific Fleet. He is Deputy Chief of Naval Operations for Plans and Policy and will succeed Adm. John H. Sides, who is now retiring. The President also nominated Sharp to full admiral.

Better known to old friends here as Grant Sharp, the Fort Benton man became a vice admiral January 15, 1960. He is the son of Mrs. Cora K. Sharp and the late U. S. G. Sharp, Sr., residents of Fort Benton from 1910 until the 1930's. Grant graduated from Fort Benton High School in 1923, received an appointment to the Naval Academy that year. He was commissioned an ensign in 1927. The name derives from a family relationship with U. S. Grant, Civil War general and President, but Grant and a younger brother, Tom, chose naval service. Tom graduated from high school here in 1930, later received a Naval Academy appointment and died in service in the western Pacific as a submarine officer in 1943.

BIOGRAPHY OF ADM. U. S. G. SHARP, JR., U.S. NAVY

Ulysses S. Grant Sharp, Jr. was born in Chinook, Mont., on April 2, 1906. He attended high school at Fort Benton, Mont., and entered the U.S. Naval Academy, Annapolis, Md., in July 1923, having been appointed by the late Senator Thomas J. Walsh. He graduated and was commissioned ensign on June 3, 1927, subsequently advanced to the rank of vice admiral on January 15, 1960. On July 11, 1963, the White House announced that Vice Admiral Sharp would be reassigned as commander in chief, U.S. Pacific Fleet and promoted to the rank of admiral. Vice Admiral Sharp will relieve Adm. J. H. Sides as commander in chief, U.S. Pacific Fleet in Pearl Harbor on September 30, 1963.

Following graduation from the Naval Academy in 1927, Sharp served successfully in the battleship *New Mexico*, the transport *Henderson*, destroyers *Sumner* and *Buchanan*, and the carrier *Saratoga*, after which he attended the Postgraduate School at Annapolis, completing a course of instruction in operating engineering in June of 1936. As a lieutenant, Sharp then returned to sea, serving in the U.S.S. *Richmond* and then the destroyer *Winslow*.

In 1940, Lieutenant Sharp was transferred to duty in the Bureau of Ships where he remained until May of 1942 when he assumed command of the U.S.S. *Hogan*, a destroyer-type minesweeper. Under his command, the *Hogan* had convoy duty in the Western Atlantic until November 1942, when she participated in the African landings at Casablanca. He received a Letter of Commendation with Ribbon, and Combat "V," for excellent handling of the *Hogan* under combat conditions.

In January of 1943, he was relieved and ordered to command the U.S.S. *Boyd* in the Pacific. Under his command, the *Boyd* participated in seven operations. On December 8, 1943, the *Boyd* was ordered to search for an aviator reported downed off the Island of Nauru. While on this rescue mission, *Boyd* fought an engagement with shore batteries. Commander Sharp received the Silver Star for his conduct in this action. The citation reads in part: "* * * When his ship was hit and severely damaged while carrying out the hazardous task of searching for a friendly pilot during a bombardment of hostile shore positions he skillfully extricated his vessel * * * enabled the ship to continue in the action and return to port under her own power * * *."

Following this incident, *Boyd* participated in other operations in the Pacific including one in which *Boyd* assisted in screening and rescue operations of the personnel of the torpedoed cruisers *Houston* and *Canberra*. Commander Sharp was awarded a second Silver Star Medal for his conduct in this action.

Commander Sharp was relieved of command of the *Boyd* in November of 1944 and transferred to duty with the staff of commander, cruisers-destroyers, Pacific, first as CIC officer and then as operations officer. For meritorious achievement in this duty he was awarded the Bronze Star Medal.

In 1948, Captain Sharp commanded the Fleet Sonar School at San Diego, Calif. He then reported to the Naval War College, Newport, R.I., for instruction and in 1950, assumed command of Destroyer Squadron 5 and proceeded with his squadron to Korean waters. He was temporarily attached to the staff of commander, 7th Fleet in 1950 acting as fleet planning officer for the Inchon invasion. He received a Gold Star in lieu of a second Bronze Star Medal and a third Letter of Commendation during this period.

In 1951, he reported to Norfolk, Va., as operations and plans officer and subsequently as Chief of Staff to Commander 2d Fleet. In August of 1953, he assumed command of the U.S.S. *Macon*. In August of 1954, he reported to the commander in chief, U.S. Pacific Fleet at Pearl Harbor for duty as Deputy Chief of Staff for Plans and Operations. Captain Sharp was promoted to the grade of rear admiral in 1955.

In 1956, Sharp reported for duty as commander Cruiser Division 3. He continued in this assignment until October of 1957 when he was assigned to the Office of the Chief of Naval Operations for duty as Assistant Director and subsequently Director, Strategic Plans Division.

Rear Admiral Sharp assumed command of the Cruiser-Destroyer Force of the Pacific Fleet in February of 1959 with headquarters at San Diego, Calif. In April of 1960, Sharp was promoted to vice admiral and assigned as commander 1st Fleet. He served in that command until August of 1960 when he returned to Washington to become Deputy Chief of Naval Operations for Plans and Policy. In that assignment, Vice Admiral Sharp also acted as Navy operations deputy in the organization of the Joint Chiefs of Staff.

Vice Admiral Sharp will relieve Adm. J. H. Sides as commander in chief, U.S. Pacific Fleet in Pearl Harbor on September 30, 1963.

In addition to the Silver Star Medal with Gold Star, the Bronze Star Medal with Gold Star, and the Commendation Ribbon with two bronze stars and Combat "V", Vice Admiral Sharp has the American Defense Service Medal with Fleet Clasp; the American Campaign Medal; the European-African-Middle Eastern Campaign Medal with one engagement star; the Asiatic-Pacific Campaign Medal with seven engagement stars; the World War II Victory Medal; the National Defense Service Medal; the Korean Service Medal with three engagement stars; the United Nations Service Medal; and the Philippine Liberation Ribbon with one star.

Mrs. Sharp is the former Patricia O'Connor of San Diego, Calif. They have two children, Patricia (Mrs. Russell F. Milham) of Los Angeles, Calif.; and Grant, a lieutenant (jg.) currently serving in a Pacific Fleet destroyer.

Vice Admiral Sharp's mother, Mrs. U.S.G. Sharp, Sr., resides with her son. His brother, Lt. Comdr. Thomas F. Sharp, U.S. Navy, was lost in the U.S.S. *Pickerel* when that submarine failed to return from a war patrol in Western Pacific area in May of 1943.

The PRESIDENT pro tempore. The question is, Will the Senate advise and consent to this nomination?

Without objection, the nomination is confirmed.

Mr. MANSFIELD. In other words, he is now Admiral Sharp, and no longer Vice Admiral Sharp?

The PRESIDENT pro tempore. That is correct.

The Chief Clerk read the nomination of Adm. John H. Sides, United States Navy, to be placed on the retired list in the grade of admiral, under the provisions of title 10, United States Code, section 5233.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Rear Adm. Robert J. Stroh, U.S. Navy, having been designated, under the provisions of title 10, United States Code, section 5231, for commands and other duties determined by the President to be within the contemplation of said section, for appointment to the grade of vice admiral while so serving.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Capt. Fred G. Bennett, U.S. Navy, to be Director of Budget and Reports in the Department of the Navy for a term of 3 years with the rank of rear admiral.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Rear Adm. Glynn R. Donaho, U.S. Navy, having been designated under the provisions of title 10, United States Code, section 5231 for commands and other duties determined by the President to be within the contemplation of such section, for appointment to the grade of vice admiral while so serving.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Rear Adm. John S. McCain, Jr., U.S. Navy, having been designated under the provisions of title 10, United States Code, section 5231, for commands and other duties determined by the President to be within the contemplation of said section, for appointment to the grade of vice admiral while so serving.

Mr. DIRKSEN. Mr. President, in the tradition of the sea, a sailor, regardless of his rank, often is referred to as an "old sea dog." But to be an "old sea dog" and to merit all the encomiums and attributes that go with it, one has to be an old sea dog, indeed.

John S. McCain, whom I know so affectionately as Jack McCain, is an old sea dog in the greatest sense of the word; and he comes by the title so honestly because his father was an admiral before him. It is a great thing when that salty tradition persists in the veins of father and son, alike. I presume that if Jack McCain has a son; and if he has some of the instinct for the sea, he, too, will follow in that tradition. He sounds like an old sea dog. I like to hear him talk. I like to have him come and visit. I like to have him come and snap at me now and then, because then I know there is in him all of the intrinsic attributes that make him a great sailor, devoted indeed to his country. Loyalty is a command in his book, and he devotes himself most diligently to his duties in the interest of the security of his country, for which he was trained.

So, Mr. President, I salute him today, and can only hope that at other times when we consider the Executive Calendar, his name will reappear on it for even higher laurels than those implied by the nomination which is before us today.

The PRESIDENT pro tempore. The question is Will the Senate advise and consent to this nomination? Without objection, the nomination is confirmed.

The Chief Clerk proceeded to read sundry other nominations in the U.S. Navy.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the remaining Navy nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

U.S. ARMY

The Chief Clerk proceeded to read sundry nominations in the U.S. Army.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

U.S. AIR FORCE

The Chief Clerk proceeded to read sundry nominations in the U.S. Air Force.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

THE NAVY, THE MARINE CORPS, AND THE AIR FORCE

The Chief Clerk proceeded to read sundry nominations in the Navy, in the

Marine Corps, and in the Air Force, which had been placed on the Secretary's desk.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all these nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

MEMORIAL

The PRESIDENT pro tempore laid before the Senate a telegram in the nature of a memorial, signed by C. M. Short, of Texarkana, Tex., remonstrating against the approval of a test ban treaty, which was referred to the Committee on Foreign Relations.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. YARBOROUGH:

S. 2021. A bill to amend the Contingency Option Act in order to protect the right to annuities of survivors of retired servicemen; to the Committee on Armed Services.

S. 2022. A bill to amend section 3573 of title 39, United States Code, to equalize overtime and compensatory time treatment and standardize them for all employees under the Postal Field Service schedule; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. Yarborough when he introduced the above bills, which appear under separate headings.)

By Mr. WILLIAMS of New Jersey:

S. 2023. A bill to amend the Internal Revenue Code of 1954 with respect to the definition of commuter fare revenue; to the Committee on Finance.

(See the remarks of Mr. Williams of New Jersey when he introduced the above bill, which appear under a separate heading.)

By Mr. HRUSKA:

S. 2024. A bill for the relief of Panagiotis Kamboukos; to the Committee on the Judiciary.

By Mr. PROXMIRE:

S. 2025. A bill for the relief of Elija Vlatkovic and his wife, Milica Vlatkovic; to the Committee on the Judiciary.

By Mr. HARTKE:

S. 2026. A bill to amend the Internal Revenue Code of 1954 so as to exclude from gross income gain realized from the sale of his principal residence by a taxpayer who has attained the age of 62 years; to the Committee on Finance.

(See the remarks of Mr. Hartke when he introduced the above bill, which appear under a separate heading.)

By Mr. CHURCH (by request):

S. 2027. A bill to authorize the disposition of funds arising from a judgment in favor of the Snake or Paiute Indians of the former Malheur Reservation in Oregon; to the Committee on Interior and Insular Affairs.

By Mr. KEATING:

S.J. Res. 109. Joint resolution designating the period from January 12, 1964, to January 18, 1964, as International Printing Week; to the Committee on the Judiciary.

(See the remarks of Mr. Keating when he introduced the above joint resolution, which appear under a separate heading.)

RESOLUTION

STANDING COMMITTEE ON VETERANS' AFFAIRS

Mr. BYRD of West Virginia submitted the following resolution (S. Res. 179); which was referred to the Committee on Rules and Administration:

Resolved, That rule XXV of the Standing Rules of the Senate (relating to standing committees) is amended by—

(1) striking out subparagraphs 10 through 13 in paragraph (h) of section 1;

(2) striking out subparagraphs 16 through 19 in paragraph (m) of section 1; and

(3) inserting in section 1 after paragraph (p) the following new paragraph:

"(q) Committee on Veterans' Affairs, to consist of nine Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

"1. Veterans' measures, generally.

"2. Pensions of all wars of the United States, general and special.

"3. Life insurance issued by the Government on account of service in the Armed Forces.

"4. Compensation of veterans.

"5. Vocational rehabilitation and education of veterans.

"6. Veterans' hospitals, medical care, and treatment of veterans.

"7. Soldiers' and sailors' civil relief.

"8. Readjustment of servicemen to civil life".

Sec. 2. Section 4 of rule XXV of the Standing Rules of the Senate is amended by striking out in the second sentence thereof "and the Committee on Rules and Administration" and inserting in lieu thereof "the Committee on Rules and Administration; and the Committee on Veterans' Affairs".

Sec. 3. The Committee on Veterans' Affairs shall as promptly as feasible after its appointment and organization confer with the Committee on Finance and the Committee on Labor and Public Welfare for the purpose of determining what disposition should be made of proposed legislation, messages, petitions, memorials, and other matters theretofore referred to the Committee on Finance and the Committee on Labor and Public Welfare, respectively, during the Eighty-eighth Congress which are within the jurisdiction of the Committee on Veterans' Affairs.

SERVICEMEN'S WIDOWS' ANNUITY PROTECTIVE BILL

Mr. YARBOROUGH. Mr. President, I introduce, for appropriate reference, a bill to protect a small group of survivors of deceased servicemen who, by the present operation of our laws, are deprived of the annuity which the serviceman fully earned during his lifetime.

Under present law a member of the Armed Forces may elect to accept a reduced amount of retired pay in order to provide an annuity for his widow, or children under 18 years of age who also meet other limiting conditions.

In order for the intended beneficiary to qualify for the annuity, the serviceman must have been in receipt of retired pay at the time of his death. For the convenience of Government bookkeeping, an individual does not start receiving retired pay until the beginning of the month following the month in which he actually qualifies for retired pay. Thus if he dies between the date on which he qualifies for retired pay and the first of the following month, his intended beneficiary will receive no annuity.

This bill will correct the unintended inequity by amending section 1437 of title 10, United States Code, so that in cases in which a serviceman has completed all the age and service requirements for the receipt of retired pay but dies between the date on which he qualifies and the first of the following month, his properly designated beneficiaries will receive the annuity to which they are entitled.

This bill will accomplish the same end as a similar amendment which I proposed yesterday to H.R. 5555, the military pay bill. At the request of the distinguished junior Senator from Nevada I agreed to withdraw the amendment at that time and reintroduce it as a separate bill, with the assurance of the distinguished chairman of the Committee on Armed Services that the committee will schedule an early hearing on the bill.

I thank the distinguished junior Senator from Nevada for his announced intention to support this measure as a separate bill, and I thank the distinguished junior Senator from California for his previous support of this measure in committee and on the floor yesterday. This servicemen's widows' annuity protective bill is an obviously justified measure, and I am hopeful that the Senate may have an opportunity to vote on it at an early date.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2021) to amend the Contingency Option Act in order to protect the right to annuities of survivors of retired servicemen, introduced by Mr. Yarborough, was received, read twice by its title, and referred to the Committee on Armed Services.

OVERTIME PAY FOR POSTAL SUPERVISORS

Mr. YARBOROUGH. Mr. President, I introduce, for appropriate reference, a bill to amend section 3573 of title 39, United States Code to equalize overtime and compensatory time treatment and standardize them for all employees under the Postal Field Service schedule.

Mr. President, at present postal supervisors and other postal service employees above level 7 are not paid time and a half for overtime work. While they are entitled to compensatory time for work done in excess of 8 hours daily or work done on weekends, many supervisors cannot take advantage of this compensatory time off due to the heavy demands of their jobs. All postal employees below level 7 as well as all other employees in any service under the Classification Act are entitled to time and a half for overtime regardless of their level. Thus, the postal supervisors alone are denied time and a half pay for their overtime work.

This bill would remedy this inequity in pay by including postal supervisors in the general overtime pay scheme provided for postal service employees. The bill would also bring the postal service pay system in harmony with the Classification Act.

This bill is needed for two reasons. First, and most important, the bill is aimed at alleviating the existing inequity in pay between supervisory and nonsupervisory employees in the postal service.

Second, there is an administrative convenience in including postal supervisors under the general postal service provisions for overtime pay. If postal volume is high, the extended overtime service of postal supervisors may be used and the supervisors can be paid time and a half for their overtime work. Alternatively, where the work situation permits the post office can compensate them by allowing the supervisors compensatory time off.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2022) to amend section 3573 of title 39, United States Code, to equalize overtime and compensatory time treatment and standardize them for all employees under the Postal Field Service schedule, introduced by Mr. YARBOROUGH, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

AMENDMENT OF THE INTERNAL REVENUE CODE DEALING WITH COMMUTER FARE REVENUE

Mr. WILLIAMS of New Jersey. Mr. President, as we all are aware, fare levels in the transit industry are steadily rising, as a result of heavy economic pressures in the form of rising costs and declining ridership. This is true of the entire transit industry of course, and it is particularly true of the local commuter buslines which are so necessary to the commercial life of cities across the country.

Rising fares, of course, not only impose financial hardships on many low and moderate income riders, they also serve to drive more and more riders away from transit and onto our already badly overcrowded highways during the rush hours.

In 1941, Congress took note of the important role of commuter transportation when it exempted local bus companies from various taxes on local commuter trips. Today, after several changes in the revenue code made to reflect both higher operational costs of the transportation industry and the Nation's greater need for revenue, there is a 2-cent refund on the fuel tax of 4 cents per gallon for regular route buses, provided at least 60 percent of the revenue comes from commuter fares. Commuter fares have been defined as, first, amounts paid for transportation which do not exceed 60 cents and, second, amounts paid for commuter or season tickets for single trips of less than 30 miles or amounts paid for commuter tickets for 1 month or less.

The problem is that under this definition, which is part of the Internal Revenue Code of 1954, the increasing costs of operating a commuter busline have made this definition of commuter fares unrealistic.

Mr. President, I am therefore introducing at this time for appropriate reference a bill to amend the Internal Revenue Code of 1954 with respect to the definition of commuter fare revenue. It would simply remove the 60-cent cost ceiling for single trip fares and replace it by a maximum permissible distance for a single commuter trip of 30 miles. This change, it seems to me, is in full keeping with the original intent of Congress to give consideration to the needs of the local commuter, while at the same time giving the buslines realistic consideration for their increasing operational costs.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2023) to amend the Internal Revenue Code of 1954 with respect to the definition of commuter fare revenue, introduced by Mr. WILLIAMS of New Jersey, was received, read twice by its title, and referred to the Committee on Finance.

CAPITAL GAINS TAX RELIEF FOR ELDERLY HOMEOWNERS

Mr. HARTKE. Mr. President, I introduce, for appropriate reference, a bill to exempt from the capital gains tax the appreciation in sales price over cost for those older citizens who wish to sell their owner-occupied homes or are forced to sell and relocate because of Government action. This bill is identical to S. 3249 which I introduced in the 87th Congress.

The bill provides tax exemption for families, including single elderly people, in which the head of the household or his spouse is 62 years of age or older. Eligibility for such exemption is limited to elderly families who have owned and occupied their homes for a period of 5 years or more. The exemption is permitted only on private homes, not apartment houses, tenements, boarding houses and similar structures.

The tax laws already provide relief from capital gains resulting from sale of homes if another home is bought within a year. However, this is of benefit primarily to younger families, who are most likely to buy other homes, than older people, who are less frequently interested in buying private homes.

Older people tend to be in the lower and moderate income groups. The passing years inevitably result in deteriorating physical condition and poorer health. Our Nation now has over 20 million people 62 years of age and over, and this number is increasing by about 400,000 every year.

Increasing longevity, an excess of leisure time, and the death of one's friends and spouse often mean added years of loneliness and pose vexing social problems. Given these and other factors, suitable housing becomes more and more the focal point of the lives of our senior citizens. Housing which prolongs their ability to live independently with dignity and self respect becomes particularly important to them and increasingly significant to the Nation's total welfare.

Two-thirds of our senior citizens now live in their own homes. Many would like to sell their homes and move into more suitable housing, most generally of the rental type. Other elderly homeowners find themselves forced to relocate because of urban renewal activity, road programs and similar programs of progress. Many face rising maintenance costs, higher taxes and major repairs when their physical capacities and incomes are materially reduced. A substantial portion of their assets is often represented by their equity in their homes, and as a result, this potential tax inhibits their willingness to sell and obtain housing better suited to their current needs.

In effect, the capital gains tax acts to stifle attempts to improve the lives of our millions of senior citizens and in so doing, conflicts with the national interest. Stimulated by the elimination of the capital gains tax on the sale of their homes, our senior citizens would be encouraged to find housing more fitting to their present circumstances and needs. This bill, enacted into law, would allow the later years of our senior citizens to be more satisfying to themselves and to their communities and the Nation would be enriched.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2026) to amend the Internal Revenue Code of 1954 so as to exclude from gross income gain realized from the sale of his principal residence by a taxpayer who has attained the age of 62 years, introduced by Mr. HARTKE, was received, read twice by its title, and referred to the Committee on Finance.

INTERNATIONAL PRINTING WEEK

Mr. KEATING. Mr. President, I introduce, for appropriate reference, a joint resolution designating the period from January 12 to 18, 1964, as International Printing Week.

The designated period embraces the birthday of Benjamin Franklin, the father of the printing industry and patron of the graphic arts in the United States. The printing press must be ranked as one of the greatest inventions in the history of mankind. Preliterate societies could merely disseminate culture from person to person and from generation to generation through word-of-mouth communications. Even the development of writing could not facilitate widespread literacy without the means of mass reproduction of the written word. The printing press provided that means, and the world we live in today is an infinitely better place to live in because of it.

Printing makes possible the worldwide dissemination of knowledge and therefore lies at the very source of political, economic, scientific, and cultural advancement. In the United States we are most fortunate, for under our freedoms of speech and press guaranteed by the first amendment to the Constitution we have reaped the greatest advancement through the printed word.

The printing press lay at the very base of the establishment of our Nation, for it provided the means by which we could unite our citizens behind the fundamental principles of self-determination and civil liberty which to this day bring hope to oppressed peoples throughout the world who yearn to achieve freedom from tyranny.

Mr. President, the printing industry of the United States will join with similar enterprises elsewhere in the free world this coming January to celebrate International Printing Week. In this country, the International Association of Printing House Craftsmen, the largest graphic arts organization in the world, has set aside the week of January 12 through 18 to focus public attention to our heritage of freedom of the press and to the continued healthy development of the graphic arts in our cultural life. Therefore, I take great pleasure in introducing this joint resolution which will accord appropriate recognition to the medium of communication that has for five centuries brought so much benefit to the human race.

Mr. President, I ask unanimous consent that the text of the joint resolution be printed in the RECORD at this point.

The PRESIDENT pro tempore. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the RECORD.

The joint resolution (S.J. Res. 109) designating the period from January 12, 1964, to January 18, 1964, as International Printing Week, introduced by Mr. KEATING, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Whereas the first amendment to the Constitution of the United States guarantees to every person in this country the freedom of speech and of the press; and

Whereas the exercise of these freedoms depends in major part upon the continued healthy development and progress of the graphic arts, and more particularly the printing industry of the United States; and

Whereas printing makes possible the worldwide dissemination of knowledge and thus lies at the source of all political, economic, scientific, and cultural advancement; and

Whereas the people of the United States enjoy the many benefits of printing in their daily lives; and

Whereas January 17 is the birthday of Benjamin Franklin, who, among all his other achievements in behalf of, and contributions to the cause of the freedom of mankind, is the father of printing in the United States: Therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the period from January 12, 1964, to January 18, 1964, is hereby designated as International Printing Week, and the President of the United States is requested and authorized to issue a proclamation inviting the people of the United States to observe such week with appropriate ceremonies and activities.

CHANGE OF REFERENCE

Mr. MUSKIE. Mr. President, I ask unanimous consent that the Committee on Banking and Currency be discharged from further consideration of the bill (S. 332) to prohibit trading in Irish potato futures on commodity exchanges, introduced by me January 18, 1963, and that the bill be referred to the Committee on Agriculture and Forestry.

I have discussed this matter with the chairmen of both committees, and they agree that the Committee on Agriculture and Forestry should have jurisdiction over the bill.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

SCIENTIFIC TESTS AND INVESTIGATIONS OF KREBIOZEN—AMENDMENT

Mr. DOUGLAS (for himself, Mr. KEFAUVER, Mr. BAYH, Mr. CASE, Mr. ENGLE, Mr. HOLLAND, Mr. JAVITS, Mr. KEATING, Mr. PELL, Mr. PROXMIRE, Mr. SCOTT, Mr. SMATHERS, Mr. SYMINGTON, Mr. WILLIAMS of Delaware, Mr. WILLIAMS of New Jersey, and Mr. YARBOROUGH) submitted an amendment, in the nature of a substitute, intended to be proposed by them, jointly, to the joint resolution (S.J. Res. 101) authorizing and directing the National Institutes of Health to undertake a fair, impartial, and controlled test of Krebiozen; and directing the Food and Drug Administration to withhold action on any new drug application before it on Krebiozen until the completion of such test; and authorizing to be appropriated to the Department of Health, Education, and Welfare the sum of $250,000, which was referred to the Committee on Labor and Public Welfare and ordered to be printed.

AUTHORIZATION OF APPROPRIATIONS FOR NATIONAL AERONAUTICS AND SPACE ADMINISTRATION—AMENDMENT

Mr. KEFAUVER (for himself, Mr. BURDICK, Mr. MONRONEY, Mr. CLARK, Mr. DOUGLAS, Mr. GRUENING, Mr. LONG of Louisiana, Mr. MORSE, Mr. NELSON, Mrs. NEUBERGER, Mr. CHURCH, Mr. MOSS, Mr. BARTLETT, Mr. MCNAMARA and Mr. YARBOROUGH) submitted an amendment, intended to be proposed by them, jointly, to the bill (H.R. 7500) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes, which was ordered to lie on the table and to be printed.

ADDITIONAL COSPONSORS OF BILLS

Mr. SCOTT. Mr. President, I ask unanimous consent that the names of the junior Senator from Colorado [Mr. DOMINICK] and the junior Senator from New Mexico [Mr. MECHEM] may be added as cosponsors of Senate bills 1996 and 1997, relating to the prohibition of Communist products in federally assisted projects, introduced by me on yesterday, the next time those bills are printed.

The PRESIDENT pro tempore. Without objection, it is so ordered.

SETTLEMENT OF LABOR DISPUTE BETWEEN CERTAIN CARRIERS BY RAILWAY AND CERTAIN OF THEIR EMPLOYEES—ADDITIONAL COSPONSORS OF AMENDMENT

Under authority of the orders of the Senate of July 31, and August 2, 1963, the names of Mr. BARTLETT, Mr. BURDICK, Mr. CANNON, Mr. CHURCH, Mr. HART, Mr. KEFAUVER, and Mr. MOSS were added as additional cosponsors of the amendment intended to be proposed by Mr. ENGLE (for himself and other Senators) to the joint resolution (S.J. Res. 102) to provide for the settlement of the labor dispute between certain carriers by railroad and certain of their employees, submitted on July 31, 1963.

STANDING COMMITTEE ON VETERANS' AFFAIRS—ADDITIONAL COSPONSOR OF RESOLUTION

Mr. DIRKSEN. Mr. President, on the next printing of Senate resolution 176, to create a Standing Committee on Veterans' Affairs, I ask unanimous consent that the name of the Senator from Connecticut [Mr. RIBICOFF] be added to the cosponsors.

The PRESIDENT pro tempore. Without objection, it is so ordered.

NOTICE OF HEARING ON S. 815, ADJUSTMENT OF LEGISLATIVE JURISDICTION

Mr. MUSKIE. Mr. President, I would like to announce for the information of the Senate and other interested persons that the Subcommittee on Intergovernmental Relations has scheduled a hearing on S. 815, providing for adjustment of the legislative jurisdiction exercised by the United States over land used for Federal purposes in the several States. This bill would permit Federal agencies to restore to the States certain jurisdictional authority now vested in the United States which may better be administered by State authorities, and would provide that the United States acquire only such jurisdiction as may be necessary in connection with future land procurements.

The hearing will begin on Tuesday, August 20.

Any Senator or other person wishing to testify should notify the subcommittee, room 357, Senate Office Building, extension 4718, in order that he might be scheduled as a witness.

FACILITIES FOR TOURISTS EMPHASIZED IN OREGON DUNES DEVELOPMENT PLAN

Mrs. NEUBERGER. Mr. President, the National Park Service has set high standards for achieving the goal of maximum public enjoyment and recreation, in connection with the legislation for creating the Oregon Dunes National Seashore. Review of the preliminary de-well been heeded in the past. The counsel of Admiral Burke might well be heeded in the future. I repeat the words:

> Could result in destruction or political perversion of our entire military procurement system.

When a man of the high national and international reputation of Arleigh Burke uses strident terms and strong words like "destruction or political perversion" in that connection with this kind of case, it merits the scrutiny of a senatorial committee.

The Mollenhoff article continues:

> His—

Referring to Adm. Arleigh Burke—

> warnings were aimed at Defense Secretary Robert S. McNamara's decision to overrule the unanimous recommendations of the high-level Pentagon Source Selection Board and take the first steps which could lead to awarding a $6.5 billion TFX warplane program to General Dynamics Corp.
>
> McNamara has admitted that he had no independent cost studies available on the low bid by the Boeing Co., but had used figures out of his head and "rough judgment" to discard the Boeing bid.

If our investigation does nothing else, I hope it will put a prompt and permanent end to any Government official grabbing figures out of his head and awarding on a basis of a rough personal judgment a $6½-billion Government contract to anybody for any purpose. Our hardpressed taxpayers are entitled to a more careful scrutiny than that.

I continue to read from the Mollinhoff article:

> In addition to criticizing the specific TFX contract procedure, Burke expressed concern over a memorandum prepared by Dr. John H. Rubel, one of McNamara's top aids, which proposes an end to the "recommendations" of source selection boards such as those that have caused McNamara so much embarrassment in the TFX investigation.

I interpolate to say that we have had the Rubel testimony before us, and the memorandum has been made a part of the public record of our hearings.

> Dr. Rubel's memorandum proposes that such source selection boards be abolished and that in their place a source evaluation would be established. This evaluation group would simply make factual reports and evaluations, but would have no power to "recommend."
>
> "This pattern of practices and proposals opens the way for destruction or political perversion of our entire military procurement system," Burke said.

I knew very little about how a $6½ billion contract was parceled out to contractors when the McClellan investigation began. I was compelled, as the ranking Republican member of the committee, to meet my assignment and to spend an unconscionable number of hours sitting and listening to testimony about the TFX contract, when I would have preferred to be working on legislative proposals of more immediate interest to South Dakota or of more immediate concern to the present speaker.

When one has a committee assignment, either he shirks it or he works at it. Since this involved a $6½ billion contract, it was no place for shirking. It was a place for hard work and long study and careful analysis. I have devoted myself therefore to this assignment.

The greatest single impression I have received from the entire hearings is the care and the prudence and the caution which have been utilized in the past through the Pentagon procedure of putting in motion source selection boards, evaluation teams, consultative meetings of uniformed personnel, channeled all the way up, with careful briefings and preparation, so that when the recommendations to our civilian Secretaries are finally made they are based on the best judgment of the best available cost accountants, the best available scientists and engineers, and the best fliers—in this particular case, because this was an air contract—that America possesses.

I think it would be a backward step toward the jungle of complete inefficiency and political patronage if we were now to discard, as Dr. Rubel suggests, the source selection system which has served America so well, for so long.

When the hearings are over, it may or may not be demonstrated by the Pentagon witnesses—and I certainly am not casting any verdict at this time—that in this particular instance they were justified in overruling, as they did, peremptorily, the unanimous recommendation of the source selection and evaluation groups. Whether they were justified in this instance or not—this we will find at the end of the trail—there is no question in my mind that the system which has served us so well for so long should not be discarded simply to avoid embarrassment for civilian Secretaries in the event they decide—and they did in this case—to overrule the panels of experts.

This system has served us well—so well, in fact, that when we asked the witnesses to give us other precedents and other examples of important contracts where the civilian Secretaries had avoided and overruled and discarded the recommendations of the technical teams, they could come up with no other example. So I say it has served America exceedingly well.

Going on with the article by Mr. Mullenhoff:

> He stated—

Referring to Admiral Burke—

> that McNamara undoubtedly does not intend to engage in such destructive action—

I would agree with him emphatically, because I entered those hearings as one who had a high regard for Secretary McNamara, and I continue to retain it, even though there is a presumption, at least, that he may have made a horrendously bad decision in the instant case.

This I do not know. The evidence is not all in. We will get it in the hearings. But even if it were determined, developed, and demonstrated that he was totally wrong in what he did in exercising his judgment to overrule the technical experts in this case, my high regard for Secretary McNamara would continue. I am sure, if he made this mistake, it was an honest one. It was not because of political persuasion, in my opinion. It was certainly not because of any financial consideration, I know. Being human like the rest of us, I am sure he makes mistakes, as the rest of us do. He may be a little more reluctant to admit his mistakes than the average man, but I think the idea persists that even he may be in error at times. But I know he is a man of high character and dedicated service.

So listen to what Burke said:

> McNamara undoubtedly does not intend to engage in such destructive action, but that "the danger of destroying the integrity of our military procurement is inherent in the policies that were used in the TFX decision and the standardization of those policies as frankly proposed in the memorandum of Dr. Rubel."
>
> It is stated frankly (in the memorandum) that the proposed policies to abandon recommendations * * * is for the purpose of making it easier.

Note the words, Mr. President. Note the words, readers of the CONGRESSIONAL RECORD. Note the words, those who are interested in informing the public—the memorandum frankly states it is for the purpose of making it easier for "the Defense Secretary or other political appointees to make arbitrary multibillion-dollar contracts."

Mr. President, has public business become so exclusively the property of an individual political appointee with a high title that we want to make it easier for him to spend the public's money in disregard of the prudent policies which through the years and over hundreds of billions of dollars' worth of contracts have enabled us to become the best armed and best equipped country in the world and still maintain our national solvency?

Who wants to make it easier for civilian Secretaries to disregard that policy; and, most of all, why should it be made easier? Whose interest are we concerned in protecting? The embarrassment of a civilian Secretary who may make a mistake, or the duty of preserving the solvency of our country and the greater, overriding importance of developing the best weapons system for America that the state of the art will provide?

This, we have been told by witness after witness, is the end result which has been obtained in the past, and which I believe is obtainable in the future—by utilizing the evaluation, the processes, and the source selection methods which have served us so well.

I trust that Congress will preserve this procedure and deny the recommendation of Dr. Rubel that we scrap that policy, whereby arbitrary decisions can be made more easily, with less embarrassment.

I do not know whether Dr. Rubel knows of the investigative processes of Congress, but I doubt that his proposal would succeed in anyone's avoiding embarrassment, because Congress has the sticky habit of having investigations into certain procedures and loyalty matters and other subjects of interest to the general public. I suspect that the investigative committees of the Congress would be much busier than otherwise if contracts should be awarded on this casual basis suggested by Dr. Rubel instead of through the meticulous attention which has been devoted to them as of the proposal, it is suggested that it be developed in accordance with current BLM thinking. This would involve construction of an access road from the vicinity of the Menasha Paper Mill via an old railroad grade to the proposed terminus approximately 6 miles in length. The proposed development would involve a swimming beach, bathhouse, picnic area, and boat docks.

THE PROPOSED AMENDMENT TO CHANGE THE PROCESS OF AMENDING THE U.S. CONSTITUTION

Mrs. NEUBERGER. Mr. President, it has been 174 years since the United States was a Confederation. We have flourished as a Federal nation; we have been the "forge of democracy" as a nation; we have occupied a unique position of world leadership as a nation. And today we are heartened by a new vision of Europe evolving from centuries of narrow statism toward a Federal union in our image.

In 1787, there were, nonetheless, many State citizens who opposed this formation of a "more perfect union"; those who had prospered under a loose confederation viewed federation as a threat to their self-interest. Others were simply incapable of lifting their horizons beyond the narrow reaches of their States. Even today, despite the lessons of history, their spiritual descendants are still active among us.

These advocates of a return to a confederation, utilizing the machinery of the Council of State Governments as a vehicle for their schemes, are now conducting an audacious campaign for the adoption of three constitutional amendments which would restore to the individual States a great segment of the powers granted to the Federal Government by the Constitution.

The Association of the Bar of the City of New York, acting through its distinguished executive committee, has just published a brief, but nonetheless compelling, analysis and evaluation of the proposed amendments. The committee unequivocally condemns both the machinery and the underlying objectives of each of the amendments, citing with approval the judgment of Prof. Charles L. Black, Jr., of Yale Law School. Professor Black, in characterizing the proposals as "radical in the extreme," had written:

> They aim not at the preservation but at the subversion of that balance in Federal-State relations which has, in the words of the (Council of State Governments) report, enabled us to escape "the evils of despotism and totalitarianism." They constitute, collectively, one more attempt, so late in the day, at converting the United States into a confederation. The wisdom of peace and the sacrifices of war alike warn against starting down that ruinous road.

Today I intend to bring to the Senate's attention the committee's analysis of the first of the three amendments—the proposal to give State legislatures the power to amend the Constitution. It is a significant index of the gravity of this challenge to our Constitution that this amendment has already been adopted by 11 State legislatures and has passed 1 house of the legislatures of 8 other States.

This amendment, the committee concludes, "would bring about a change in the distribution of ultimate power, giving to the States, acting through their legislatures, power not only to propose, but also to ratify, amendments to the national Constitution."

Citing the inability of State legislatures to view problems from a national perspective, the committee deplores the consequent balkanizing of national policy. Moreover the committee observes that the unrepresentative nature of many State legislatures "would result in permitting constitutional amendments to be adopted which had support from only a minority of national citizenry."

I ask unanimous consent that the portion of the report of the executive committee of the Association of the Bar of the City of New York which analyses the proposed amendment to change the amending process be printed at the close of my remarks. I also intend within the next few days to bring to the Senate's attention the committee's analyses of the "court of the Union" amendment and the apportionment amendment.

There being no objection, the excerpt from the report was ordered to be printed in the RECORD, as follows:

THE PROPOSED AMENDMENT TO CHANGE THE AMENDING PROCESS

Set forth below is article V of the Constitution showing the changes which would be effected if the Council of State Governments' proposal were adopted (new matter which would be added by such amendment being italicized and present matter which would be deleted by such amendment being shown in brackets):

"ARTICLE V.—AMENDMENTS

"The Congress, whenever two thirds of both Houses shall deem it necessary, [shall propose amendments to this Constitution,] or, on the Application of the Legislatures of two thirds of the several States, *shall propose Amendments to this Constitution,* [shall call a Convention for proposing Amendments,] which [, in either Case,] shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States. *Whenever applications from the Legislatures of two-thirds of the total number of States of the United States shall contain identical texts of an amendment to be proposed, the President of the Senate and the Speaker of the House of Representatives shall so certify, and the amendment as contained in the application shall be deemed to have been proposed, without further action by Congress.* [, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no] *No* State, without its Consent, shall be deprived of its equal Suffrage in the Senate."

The effect of this proposed amendment would be to—

1. Abolish the present alternative method of proposing amendments, whereby, upon application of legislatures of two-thirds of the States, Congress shall call a convention for that purpose;

2. Abolish the present alternative method for ratification by conventions in three-fourths of the States (instead of by State legislatures in such number of States) if Congress so decides, of amendments which have been proposed either by Congress (by two-thirds of both Houses) or by a convention called by Congress for the purpose; and

3. Substitute a procedure whereby the Constitution may be amended by (a) filing with Congress applications from legislatures of two-thirds of the States which contain identical texts of a proposed amendment, (b) certification of such filing (a purely ministerial act) by the President of the Senate and the Speaker of the House and (c) ratification of such amendment by the legislatures of three-fourths of the States.

Under present article V an amendment to the Constitution cannot be proposed except after national deliberation and presumably the achievement of something like a national consensus either in Congress by a two-thirds vote of both Houses (including the House of Representatives where at least the voting power is roughly proportional to population), or by a national convention (upon proper application of two-thirds of the States) called and constituted by Congress. The council's proposal, on the other hand, would bring about a "change in the distribution of ultimate power," giving to the States, acting through their legislatures, power not only to propose, but also to ratify, amendments to the National Constitution.

State legislatures, by the very nature of their purpose and function, have relatively small acquaintance with problems viewed from a national perspective. They have little or no experience in dealing with problems in such perspective. Moreover, even given the best of intent on the part of any State legislature, there would be great difficulty in acquainting the members with the attitudes, views, and needs of sections of the country other than their own. Whereas a congressional committee can obtain views from many areas of the country at a single hearing, the States would require 50 hearings. In addition, the greater publicity which is given to Washington activities provides a greater likelihood that proposed amendments will be given the full consideration which they deserve and not slipped through the legislative mill without publicity.

While the Constitution describes a federation of States united as a federal nation, the proposed amendment moves in the direction of a confederacy. By completely bypassing all national organs (except for the ministerial roles assigned to the President of the Senate and the Speaker), the proposed amendment seeks to give the individual States the final voice on questions of national importance. The political theory expressed by the proposed amendment is similar to that behind the articles of confederation, a philosophy rejected by the authors of the Constitution. It also partakes of the doctrines of Calhoun and other States' rights advocates, which were rejected by the War Between the States.

The amendment appears in an even more dangerous light when one takes into consideration the fact that many State legislatures are grossly unrepresentative of the people within the States—a condition which the third proposal of the National Council of State Governments would perpetuate. To commit the process of amending the Federal Constitution to the control of the State legislatures would result in permitting constitutional amendments to be adopted which had support from only a minority of national citizenry. Professor Black has pointed out that 38 least populous States, whose legislatures might under proposed article V repeal the full faith and credit clause, contain about 40 percent of the country's population. He further states:

"In the best table accessible (compiled by The National Municipal League, New York Times, Mar. 28, 1962, p. 22, col. 3) relevant data are given for 34 of the 38 least populous States of the Union. On the average, it takes 38 percent of the people in one of these States to form the constituencies of enough State senators or representatives to pass a measure through the more accurately representative house of the State legislature. Taking this figure as good enough for present purposes, if the proposed article V were in force, the income tax could be abolished, by repeal of the 16th amendment, if about 15 percent of the American people were represented by legislators who desired that result."

Professor Black explains that this figure is arrived at by taking 38 percent (the percentage of people in the relevant States necessary, on the average, to control the legislature) of 40 percent (the percentage of the American people residing in the 38 least populous States).

HOUSING FINANCING

Mr. DIRKSEN. Mr. President, in one of the Chicago real estate journals appears an interesting article under the caption "Federal Housing Administration Losing Position."

I believe there is a tendency around the country to believe that virtually all mortgages are either FHA, VA, or some other governmental type of mortgage. The fact is that the conventional mortgage by insurance companies, savings and loan associations, and others completely dominate the market because of the services they have rendered to the homebuilders of the country over a long period of time. The article is rather interesting, and I ask unanimous consent that it may be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FINANCING—FHA LOSING POSITION

The Federal Housing Administration has been progressively losing its position in the mortgage market, states the latest quarterly economic report of the Mortgage Bankers Association of America, because, "Instead of concentrating on the use of FHA for improving and expanding the use of private credit, the major emphasis has been on the ways that mortgage insurance may be used, under political or other stress, for purposes often alien to those of sound private credit."

What is needed, the Mortgage Bankers Association report stresses, is a recognition that, "The FHA operation is essentially private in character. It has no Government capital, all initial advances having long since been repaid. It requires no appropriations of public money; its expenses are wholly borne by premiums and other payments by the borrowers who use the system. FHA basically is, therefore, a private insurance company operated under Government auspices."

The Mortgage Bankers Association report further emphasizes that: "An instrumentality of the private market must be operated in a manner compatible with the forces that motivate that market. Failure to recognize this principle, or efforts to avoid its application, have been the source of many of FHA's difficulties."

The report points out that, "The effort to dictate the course of interest rates is a notorious example, and the distortions in activity and the repeated deprivation of funds to worthy borrowers that have resulted from it have been an outstanding feature of FHA's postwar history. Another example is the pushing of loan-to-value ratios and maturities to the point where no margin is left for appraisal error or a fall in realty values. Still another is the increasing confusion of credit with charity and the replacement of credit-worthiness by need as the basis for granting a loan and setting its terms, including the insurance premium.

"To be sound," the Mortgage Bankers Association report continues, "in the sense of paying its operating costs and covering its risks, a mortgage insurance system cannot be forced into such confusions of purpose. It cannot appropriately act directly as a dictator of interest rates, as a substitute for extra credit welfare activities, or as an instrument of social or economic adjustment.

"As an agency of and in the private market, the FHA system cannot be administered as if it were a direct lending or a public works operation, for which the extent of activity and the expenditure to be made are properly matters of annual congressional authorization and appropriation. Yet, this is precisely the present congressional practice," the Mortgage Bankers Association report states.

"The actions of Congress do not reflect a recognition that FHA's administrative expenses are paid from its own earned funds, that it cannot estimate with accuracy the demand that will be made for its services, and that the greater the demand the greater will be its income and ability to pay its own way. Instead, Congress insists on rigidly setting, far in advance, a limit on the amount that may be spent for administrative purposes with no allowance for meeting contingencies, apparently assuming that in some way the Nation's budgetary position is improved thereby. The result is the almost annual—and sometimes more than annual—disruption of FHA activity with results that are discouraging and costly to both the agency and the public with which it deals."

What is the solution to these problems? According to the Mortgage Bankers Association report, the FHA must be given "an administrative framework that is in harmony with its private market character and function." At the moment, the report emphasizes, the FHA "is separated from every activity of government that is concerned with private credit and commingled with a multiplication of activities all of which (with the partial exception of FNMA) depend upon the direct use of Treasury funds and which, for the most part, are conducted wholly outside and sometimes in conflict with the private market economy.

"Under these circumstances," the report concludes, "there is little wonder that Congress and the general public become confused as to the character and function of FHA and that FHA finds itself warped into conducting activities that are beyond its proper scope and in violation of its inherent nature. The remedy lies in detaching FHA from its present incongruous environment and reestablishing it in a form that would make its market orientation clear, that would free it from performance of responsibilities for which it is not suited, and that would permit it to make the full contribution to the Nation's residential mortgage system that it was intended to make."

Thus, the Mortgage Bankers Association report calls for the reorganization of FHA as "an independent, federally chartered mutual mortgage insurance corporation directed by Presidentially appointed trustees accountable to the President and the Congress, but in all other respects operated as a private corporation. Regulation of interest rates would be eliminated, insurance premiums would be varied in accordance with estimated risks, and insurance formulas and procedures would be simplified."

PLATFORM OF ILLINOIS YOUNG REPUBLICAN COLLEGE FEDERATION

Mr. DIRKSEN. Mr. President, I have received from Mr. Robert F. Croll, college clubs chairman, Young Republican Organization of Illinois, Illinois Young Republican College Federation, a copy of the 1963 platform as it was passed at the last annual convention held in Chicago in February 1963. So that the Members of Congress may be informed of the thinking of the young Republican college students who are members of this organization, I ask unanimous consent that their platform be printed at this point in the RECORD.

There being no objection, the platform was ordered to be printed in the RECORD, as follows:

PLATFORM OF ILLINOIS YOUNG REPUBLICAN COLLEGE FEDERATION—PASSED IN CONVENTION AT CHICAGO, ILL., FEBRUARY 16, 1963

PARTY PHILOSOPHY

We, the members of the Illinois Young Republican College Federation, do herein declare that we, as young Republicans, believe:

That in accordance with the natural rights and dignity of the individual, he should be free of all unduly restrictive Government forces;

That the natural rights of man are embodied in the Constitution of the United States and that the proper function of our Government is to uphold and perpetuate these constitutional rights;

That the safest repository for these rights lies in a free, private enterprise, and in the imposition of the strictest limit to the power of Government; and

That international communism represents the most immediate and dangerous threat to these fundamental rights and that our determined objective should be victory over, rather than coexistence with, the atheistic forces of world communism.

To implement these principles, we offer the following platform:

AGRICULTURE

We believe that the major objective of national agricultural policies is to create and maintain conditions which will provide farmers the opportunity to earn an equitable income within our competitive economic system with limited interference and regulation by the Government of individual farm operations. We firmly believe that this objective can best be accomplished through an agricultural economy governed by the natural market laws of supply and demand as the principal influence in allocating the use of farm resources and in distributing farm production. We maintain that excessive governmental intervention in farming only destroys the American spirit of free enterprise and places an unfair burden on the American taxpayer.

We recommend the termination of the so-called emergency programs and reaffirm our support of a practical cropland program which will recognize the right of the farmer to make a choice in the acceptance of such a program. We favor the emphasis on the retirement of whole farms, thus eliminating the possibility of increasing production on the acres not under contract on the same farm. We advocate the principle of payment-in-kind to reduce our farm commodity surplus.

We oppose all measures of rigid production quotas and rigid price supports We believe that these tend to add to the gravity of the internal crisis.

We favor programs designed to bring about an orderly and definite liquidation of Commodity Credit Corporation surplus stocks, thus bringing to an end the need for the Commodity Credit Corporation. We maintain that the present policy of selling surplus commodities to depress the market prices below the support level must be stopped.

We believe that basing participation in the programs on crop history is unfair to the farmer who has followed sound conservation practices during those years used for establishing the bases. We maintain that individual producers' historical productions create an inflexibility in agriculture, that freedom of entry into the market is curtailed, and that the plan would encourage production of other substitutes.

We oppose the unrealistic approach of the Kennedy administration to the farm program, which is in effect aimed at the nationalization and regimentation of American farmers. We oppose Secretary Freeman's use of rigged referendums to increase and expand its control over large and previously unrestricted segments of American agriculture.

We favor programs and policies that would further expand our domestic and foreign markets for agricultural products. We maintain that agriculture should be considered a full participant with other export industries in trade negotiation benefits. A policy to set agriculture apart from other segments of our economy would seriously jeopardize the entire program, restrict important agricultural markets, and prevent agricultural exports from making their maximum contribution to our country's export earnings. We believe that Public Law 480, designed to develop and expand foreign markets, has become more and more an economic assistance program. We advocate that the surpluses moved into consumption through Public Law 480 be tied to realistic long-range development of dollar markets for our products.

We favor programs which place emphasis on research. This includes research on new crops, new products, consumer demand, and new methods that will assist in enlarging our markets.

We endorse the Republican Party's plan for creating a strategic food reserve, and laud the American Farm Bureau Federation for its valuable work in preserving conservative agricultural principles.

CIVIL RIGHTS

In this centennial year of the signing of the Emancipation Proclamation, we affirm the interest of the Republican Party in protecting the personal liberties of each and every American citizen.

We believe that the Constitution of the United States is based upon the philosophy—first proclaimed in the Declaration of Independence—that all men are endowed by their Creator with certain inalienable rights.

We believe it is the proper function of the Federal Government to enforce the Constitution together with all its amendments, but we believe that this cannot be done fairly if either the executive or judicial branch oversteps its constitutional functions.

ECONOMIC POLICY AND WELFARE

We believe that the free market economy is a sound and growing economy, that a free economy is necessary for the preservation of individual liberty, and that only this can be ultimately victorious over international communism.

We favor comprehensive tax reforms and reductions to encourage both employment and investment, but hold that no decrease in taxation can be affected without a reduction in governmental expenditures. We further feel that such a reduction would be, ipso facto, salutary, and favor decreases in such areas as welfare, foreign aid, and agriculture.

We favor decreases in defense expenditures in areas where it can be shown that these expenditures are not clearly consistent with the national good. This statement is not to be construed as intending to weaken the defense capability of the United States in any way.

We favor the growth of private enterprise, and deplore the increasing infringement of the Government through regulation of, and competition with, the free market economy. We favor the increase of depreciation allowances for plant improvement, and feel that the present 52-percent corporate profit tax, imposed under the contingencies of war, should be sharply reduced.

We urge the Federal debt be reduced with all due haste consistent with the national good and welfare.

We oppose further deficit financing, unless under the extreme adversity of war and/or depression, and maintain that a balanced budget would strengthen the position of the dollar, both at home and abroad.

We favor further tariff reductions with reciprocal tariff reductions on American exports. We deplore the shirking of congressional responsibility over matters of foreign trade, with its accompanying aggrandizement of Presidential powers in this field.

We favor maintaining the current depletion allowances on national resources.

We oppose the extension of the social security system; specifically we oppose any program of medical care financed by social security. We urge the adoption of the Goldwater-Clark bill proposing exemption from social security for those who object to it on religious grounds.

We feel that compulsory social security is an improper interference with the rights of our citizens to provide for their own retirement. We, therefore, urge the Congress to begin hearings on legislation making membership in the social security system voluntary.

EDUCATION

We maintain that the success of the Government of this Republic is directly dependent upon the educational level of its citizens. Dut to the presently heavy technological demands placed upon the American educational system, we recommend the following with regard to American education:

We believe that the financing and responsibility for education is primarily a local concern, and as such should be handled on the local level rather than on the Federal level whenever appropriate.

We strongly object to attempts by the Federal Government to circumvent the 10th amendment to the Constitution of the United States by interfering with the right of State and local governments to determine educational policies within their jurisdictions.

We recommend that the individual should be allowed a deduction from his Federal taxable income equal to the amount paid for local school taxes, and that the individual be allowed a deduction from his Federal taxable income equal to the amount paid for college tuition.

We applaud the development of loan programs by colleges, along with private and corporate groups to insure that no qualified student is deprived of the opportunity for a college education.

We affirm that as students attending the February 1963 eighth annual convention of the Illinois Young Republican College Federation, by a vote of 131 to 4, declare that the National Student Association does not speak for us.

We urge that the students of all colleges and universities in Illinois seriously consider the value of continued membership in the National Student Association.

In the light of our own evaluation, we further recommend that all colleges and universities in Illinois withdraw from the National Student Association.

FOREIGN POLICY

We believe that the purpose of American foreign policy must be to maintain freedom for the American people, and to preserve the right to freedom for all people. We maintain that the United States is engaged in a war with the international, conspiratorial forces of communism and that we must take the offensive toward winning that war.

We assert that the sole criterion for judging foreign policy is whether or not that proposed policy will further the interests of the United States. To implement this policy, we state the following:

We advocate limiting foreign aid to those anti-Communist nations which will use the funds and military assistance for the furthering of freedom and strengthening of the free world alliance. We believe that free enterprise is the only practical means for increasing productivity in Latin America, and favor the reorganization of the Alliance for Progress toward the end of stimulating such free enterprise.

We realize the overt limitations of the United Nations as a means for preserving world peace. We do not feel that the foreign policy of the United States should be subordinated to so-called world opinion.

We are shocked at the bellicose and heartless actions of the United Nations, under the leadership of Secretary-General U Thant, in forcing the submission of the peaceful nation of Katanga into an arbitrary union with the unstable and Communist-influenced Central Government of the Congo at Leopoldville.

We advocate a return to the Monroe Doctrine and the eradication, by force if necessary, of communism in the Western Hemisphere. We endorse the U.S. Senate in its investigation of the Bay of Pigs invasion, and condemn the attempts of some members of the administration to distort the truth regarding it.

We unalterably oppose the admission to the United Nations or the diplomatic recognition of the Communist government of China. We recognize the government of Generalissimo Chiang Kai-shek as the only lawful government of the Chinese people. We are unalterably opposed to any economic assistance to the Communist regime on the mainland.

We hereby support all programs for counterguerrilla action in Vietnam, in order to defend the nations of Southeast Asia.

We propose to meet any infringement of the sovereignty or freedom of West Berlin with military force and reaffirm our support for the reunification of Germany under a free, democratically elected government.

We strongly encourage the administration to conduct its foreign affairs through normal diplomatic channels and are appalled at recent incidents which have occurred due to the abandonment of this policy.

LABOR

We affirm that the Republican Party has fought for laws which would help labor unions become more representative and responsible institutions. We have faith in the practice of collective bargaining as being the proper means of settling disputes. We regret and recognize as a threat to the system the trend of all powerful Federal Government inviting itself in on dispute settlement, and condemn the efforts of the Kennedy administration to circumvent this process through personal interference in labor disputes.

We as Republicans believe that the individual has the ability to best solve his own problems. To this end we support the right of the individual to choose his own bargaining agent and to choose without compulsion by public law or private agreement whether or not he desires to belong to a union. We support the right of an individual to bargain independent of a union acting as his own agent.

We favor legislation to prohibit the use of union funds, and/or assignment of manpower, in any partisan politics.

We support Landrum-Griffin and all like legislation which protects the individual

American worker. In this connection, we recommend legislation to provide that all union elections be by secret ballot.

We can think of no greater loss to the American public, management, or to organized labor itself than featherbedding. We believe that management should have the sole prerogative to lay off workers where technological advances make jobs obsolete.

We realize that labor skills are not easily transformed; therefore, we favor joint responsibility of labor and management for retraining programs as opposed to Government programs.

We believe unions should be bound strictly to their contracts, as are businesses, including liability on the part of unions for nonfulfillment of contractual obligations.

We support the right of employers to determine their own affairs and we deplore the most recent example of Government interference; namely, the NLRB decision concerning Darlington Knitting Mills, which deprived this firm the basic right of going out of business.

We favor the outlawing of all secondary boycotts and coercive blackmail picketing not covered by the Landrum-Griffin law.

Realizing that unions are potentially the most powerful monopoly in the United States today, we urge legislation to prevent them from acting in restraint of trade, or to the detriment of the national health and safety.

NATIONAL DEFENSE AND INTERNAL SECURITY

We assert that America must have a defense posture second to none, in order to protect itself and the other nations of the free world from the ever-threatening forces of commmunism.

We believe that the testing and development of nuclear weapons is vital to the national security interests of the United States. We advocate taking all necessary steps toward maintaining America's nuclear superiority over the Communist bloc. We call for America's continued exploration of outer space under the Department of Defense.

We favor retention of our oversea military bases program and the expansion of the Polaris submarine program.

We favor continued efforts to strengthen and unify our mutual security alliances.

We support the maintenance and development of conventional military capabilities for combat in brush fire wars. We call for the further development of our national capabilities to carry out limited or brush fire wars. We support the development of our capability to carry out these wars with our allies.

We advocate positive steps to reduce inefficiency and unnecessary duplication in the armed services, but favor the present system of basically autonomous military departments.

We endorse the Federal Bureau of Investigation, the House Committee on Un-American Activities, and the Senate Internal Security Subcommittee for their invaluable work in exposing the extent and efficacy of the Communist network in this country.

We call for the further development of a system of antimissile defense. We feel that the Nike-Zeus program is of significant value in this area.

OPPOSITION IS GROWING TO MISGUIDED AMENDMENTS TO CONSTITUTION

Mr. KEATING. Mr. President, the executive committee of the association of the bar of the city of New York, in consultation with the association's committee on Federal legislation, recently issued an excellent report on the three amendments to the U.S. Constitution proposed by the Council of State Governments.

The report concludes that adoption of these amendments "would revolutionize our form of government and turn the clock back to the Articles of Confederation of 1777—which proved to be a failure and which were replaced 10 years later by the Federal Constitution." The committee expresses its belief that it is the duty of the organized bar to speak out publicly and emphatically against the adoption of these ill-conceived amendments and to take steps to educate the public as to their real significance. It strongly urges that State legislatures and Congress reject the amendments.

An excellent editorial in the Rochester Democrat and Chronicle also points out the dangers which these amendments pose to our system of constitutional government:

Enactment of the amendments—

The editorial notes—

would sap the strength of the Federal Union and could leave the American people to the mercy of the States imbued with new and dangerous powers.

Mr. President, while I cannot conceive of these amendments ever being approved, I heartily support the efforts of the bar and our leading newspapers to educate and alert the American people to the menacing character of these proposals. In the words of the Rochester Democrat & Chronicle editorial "these proposals should be sentenced to a well-earned limbo," and I am confident that when their character is fully understood, that this will be their fate.

Mr. President, I ask unanimous consent that the text of the report of the Association of the Bar of the City of New York and of the editorial from the Rochester Democrat & Chronicle be printed at this point in the RECORD.

There being no objection, the report and editorial were ordered to be printed in the RECORD, as follows:

A REPORT BY THE ASSOCIATION OF THE BAR OF THE CITY OF NEW YORK ON THREE AMENDMENTS TO THE U.S. CONSTITUTION PROPOSED BY THE COUNCIL OF STATE GOVERNMENTS

INTRODUCTION

The Council of State Governments, meeting in Chicago in December 1962, approved three resolutions[1] for action by State legislatures petitioning Congress to call a convention[2] to propose three amendments to the U.S. Constitution, which may be summarized as follows:

1. To provide that if two-thirds of the State legislatures approve identical texts of a proposed constitutional amendment, the President of the Senate and the Speaker of the House of Representatives must so certify and such amendment shall be deemed to have been proposed without further action by Congress and when ratified by legislatures of three-fourths of the States shall become a part of the Constitution.
2. To provide for the establishment of a "Court of the Union," composed of the chief justices of the highest courts of each of the States which would have authority to reverse the U.S. Supreme Court in matters relating to the rights reserved by the Constitution to the States or to the people.
3. To provide that no provision of the Constitution, or any amendment thereto, shall restrict or limit any State in the apportionment of representation in its legislature and that the judicial power of the United States shall not extend to any suit or any controversy relating to apportionment of representation in a State legislature.

Considering the far-reaching character of the proposed amendments, they have made remarkably successful, but until recently unnoticed, progress in State legislatures since they were proposed by the council last December.

Based on the information available,[3] 11 States, i.e., Arkansas, Florida, Idaho, Illinois, Kansas, Missouri, Oklahoma, South Carolina, South Dakota, Texas, and Wyoming have passed the first resolution proposing the amendment giving the States power to amend the Constitution, and it has been passed by one house of the State legislatures in eight other States, namely, Colorado, Indiana, Iowa, Mississippi, New Jersey (but later rescinded), New Mexico, Oregon, and Wisconsin. Four States, i.e., Alabama, Arkansas, Florida, and Wyoming have passed the second resolution proposing the "Court of the Union" amendment, and it has been passed by one house of the State legislatures in six other States, namely, Mississippi, New Jersey (but later rescinded), New Mexico, South Carolina, South Dakota, and Wisconsin. Fourteen States, i.e., Arkansas, Idaho, Kansas, Missouri, Montana, Nebraska (but

The proponents of the amendments argue that Congress would be required to call a convention if legislatures of two-thirds of the States adopt and file with Congress identical resolutions containing the text of the proposed amendments, petitioning Congress to arrange a convention to "propose" them. The soundness of that conclusion has been challenged. Black, "The Proposed Amendment of Article V: A Threatened Disaster," 72 Yale L.J. 957 (April 1963). While the committee shares Professor Black's views, the risks attendant upon the possibility that Congress might under such circumstances feel constrained to call a convention for the limited purpose of proposing these particular amendments are so great that the committee believes that the organized bar should take all possible steps to convince Congress, the public, and State legislatures of the unwiseness of these proposals so that the stage at which Congress would face the difficult and unprecedented problem of deciding whether it would be required to call a convention will never be reached.

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[1] The full texts of the 3 proposals are annexed hereto as appendixes A, B, and C, and reasons for their adoption advanced by the council may be found in "Amending the Constitution To Strengthen the States in the Federal System," 36 State Government 10 (1963).

[2] The proposal for a constitutional convention is an innovation since this alternative of amending the Constitution has never been used. Article V relating to amendments reads so far as it is pertinent here: "The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the legislatures of two-thirds of the several States, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three-fourths of the several States, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress."

[3] New York Times, Apr. 14 and 15, 1963, and May 2 and 15, 1963; release of Council of State Governments, May 3, 1963.

vetoed by the Governor), Nevada, Oklahoma, South Carolina, South Dakota, Texas, Utah,[4] Washington, and Wyoming, have passed the third resolution proposing the "apportionment" amendment and it has been passed by one house of the State legislatures in six other States, namely, Colorado, Illinois, Iowa, Mississippi, New Jersey (but later rescinded), and Oregon.

Advanced by their sponsors purportedly in support of the principle of States' rights and to correct what they believe to be a presently existing "grave imbalance" in the division of the powers of government between the Nation and the States,[5] the proposals are in fact accurately described by Prof. Charles L. Black, Jr., of Yale Law School, as "radical in the extreme."[6] In an analysis of the three proposals, Professor Black has stated:[7] "They aim not at the preservation but at the subversion of that balance in Federal-State relations which has, in the words of the [Council of State Governments'] report, enabled us to escape 'the evils of despotism and totalitarianism.' They constitute, collectively, one more attempt, so late in the day, at converting the United States into a confederation. The wisdom of peace and the sacrifices of war alike warn against starting down that ruinous road."

Taken collectively, the three proposals would result in (1) placing the power to amend the national Constitution in the control of State legislatures, (2) placing the final construction of the Constitution in the hands of judges whose offices are created and whose salaries are paid by State legislatures and (3) exempting State legislatures from any effective policing by the U.S. Supreme Court or Congress of their representative character.

Each of the proposed amendments is analyzed below and the views of the committee with regard thereto are stated.

THE PROPOSED AMENDMENT TO CHANGE THE AMENDING PROCESS [8]

Set forth below is article V of the Constitution showing the changes which would be effected if the Council of State Governments' proposal were adopted (new matter which would be added by such amendment being italicized and present matter which would be deleted by such amendment being shown in black brackets):[9]

"ARTICLE V.—AMENDMENTS

"The Congress, whenever two-thirds of both Houses shall deem it necessary, [shall propose amendments to this Constitution,] or, on the application of the legislatures of two-thirds of the several States, *shall propose amendments to this Constitution,* [shall call a convention for proposing amendments,] which [, in either case,] shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three-fourths of the several States. *Whenever applications from the legislatures of two-thirds of the total number of States of the United States shall contain identical texts of an amendment to be proposed, the President of the Senate and the Speaker of the House of Representatives shall so certify, and the amendment as contained in the application shall be deemed to have been proposed, without further action by Congress.* [, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress; *Provided,* That no amendment which may be made prior to the year one thousand eight hundred and eight shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no] *no* State, without its consent, shall be deprived of its equal suffrage in the Senate."

The effect of this proposed amendment would be to:

1. Abolish the present alternative method of proposing amendments, whereby, upon application of legislatures of two-thirds of the States, Congress shall call a convention for that purpose;

2. Abolish the present alternative method for ratification by conventions in three-fourths of the States (instead of by State legislatures in such number of States) if Congress so decides, of amendments which have been proposed either by Congress (by two-thirds of both Houses) or by a convention called by Congress for the purpose; and

3. Substitute a procedure whereby the Constitution may be amended by (a) filing with Congress applications from legislatures of two-thirds of the States which contain identical texts of a proposed amendment, (b) certification of such filing (a purely ministerial act) by the President of the Senate and the Speaker of the House and (c) ratification of such amendment by the legislatures of three-fourths of the States.

Under present article V an amendment to the Constitution cannot be proposed except after national deliberation and presumably the achievement of something like a national consensus either in Congress by a two-thirds vote of both Houses (including the House of Representatives where at least the voting power is roughly proportional to population), or by a national convention (upon proper application of two-thirds of the States) called and constituted by Congress. The Council's proposal, on the other hand, would bring about a "change in the distribution of ultimate power,"[10] giving to the States, acting through their legislatures, power not only to propose, but also to ratify, amendments to the national Constitution.

State legislatures, by the very nature of their purpose and function, have relatively small acquaintance with problems viewed from a national perspective. They have little or no experience in dealing with problems in such perspective. Moreover, even given the best of intent on the part of any State legislature, there would be great difficulty in acquainting the members with the attitudes, views, and needs of sections of the country other than their own. Whereas a congressional committee can obtain views from many areas of the country at a single hearing, the States would require 50 hearings. In addition, the greater publicity which is given to Washington activities provides a greater likelihood that proposed amendments will be given the full consideration which they deserve and not slipped through the legislative mill without publicity.

While the Constitution describes a Federation of States united as a Federal Nation, the proposed amendment moves in the direction of a confederacy.[11] By completely bypassing all national organs (except for the ministerial roles assigned to the President of the Senate and the Speaker), the proposed amendment seeks to give the individual States the final voice on questions of national importance. The political theory expressed by the proposed amendment is similar to that behind the Articles of Confederation, a philosophy rejected by the authors of the Constitution. It also partakes of the doctrines of Calhoun and other States' rights advocates, which were rejected by the War Between the States.

The amendment appears in an even more dangerous light when one takes into consideration the fact that many State legislatures are grossly unrepresentative of the people within the States—a condition which the third proposal of the National Council of State Governments would perpetuate.[12] To commit the process of amending the Federal Constitution to the control of the State legislatures would result in permitting constitutional amendments to be adopted which had support from only a minority of national citizenry. Professor Black has pointed out[13] that 38 least populous States, whose legislatures might under proposed article V repeal the full faith and credit clause, contain about 40 percent of the country's population. He further states:[14] "In the best table accessible [compiled by the National Municipal League, New York Times, Mar. 28, 1962, p. 22, col. 3] relevant data are given for 34 of the 38 least populous States of the Union. On the average, it takes 38 percent of the people in one of these States to form the constituencies of enough State senators or representatives to pass a measure through the more accurately representative house of the State legislature. Taking this figure as good enough for present purposes, if the proposed article V were in force, the income tax could be abolished, by repeal of the 16th amendment, if about 15 percent of the American people were represented by legislators who desired that result."

Professor Black explains that this figure is arrived at by taking 38 percent (the percentage of people in the relevant States necessary, on the average, to control the legislature) of 40 percent (the percentage of the American people residing in the 38 least populous States).

THE "COURT OF THE UNION" AMENDMENT [15]

This amendment would provide that upon demand of the legislatures of five States, made within 2 years after the rendition of a judgment by the Supreme Court "relating to rights reserved by the Constitution to the States or to the people," such judgment shall be reviewed by a court, to be known as the "Court of the Union," composed of the chief justices of the highest courts of the 50 States. The issue before the court would be whether "the power or jurisdiction sought to be exercised on the part of the United States" (apparently as reflected in the judgment of the Supreme Court under review) was a power granted to the United States under the Constitution. A majority of the Court of the Union (that is, State chief justices representing 26 of the States) would have the authority to reverse the Supreme Court decision. The proposed amendment further provides that decisions of the Court of the Union upon matters within its jurisdiction would be final, could not be overruled by any court and could be changed only by a Constitutional amendment.

On its face the proposal purports to establish a court with fairly limited jurisdiction with power to decide only a single issue, but the Court of the Union's jurisdiction would inevitably be broad and sweeping. In giving the Court jurisdiction to review "any judgment of the Supreme Court relating to the rights reserved to the States or to the people" the proposal would in effect allow the Court to review practically any Supreme Court decision interpreting the Federal Constitution. In a government of granted powers any case involving a constitutional question necessarily determines whether rights have been reserved. Moreover, it is to be expected that the Court of the Union would be the final judge of its own jurisdiction, for an inferior court could hardly determine the jurisdiction of a superior court.

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[4] The Utah resolution was adopted in somewhat different language than that proposed by the Council of State Governments.

[5] National Legislative Conference Committee on Federal-State Relations, report to the General Assembly of the States, Dec. 6, 1962, statement of principles (obtainable from the Northeastern Regional Office of the Council of State Governments, 1201 Bar Building, 36 West 44th Street, New York 36, N.Y.).

[6] New York Times, Apr. 14, 1963.

[7] Ibid.

[8] See app. A.

[9] Capitalization and style of present article V are retained.

[10] Black, supra, Note 2, at 957.

[11] A "confederacy" is a "body formed * * * by States * * * united by a league"; it is a "looser union than a federation." Webster's Third New International Dictionary. For example, in the Article of Confederation of 1777, article III provided that the "States hereby severally enter into a firm league of friendship with each other," and article II stated, "Each State retains its sovereignty, freedom and independence, and every power, jurisdiction and right, which is not by this confederation expressly delegated to the United States, in Congress assembled."

[12] See discussion at p. 30, infra.

[13] Black, supra, note 2, at 959–960.

[14] Id. at 960.

[15] See app. B.

The proposal, therefore, would transfer the ultimate judicial power in this country from a court whose members are responsible to a Nation to one whose members are avowedly responsible only to individual States. As such we believe it objectionable in its attempt to reverse the trend of history and to change principles on which the country has been founded and developed.

Apart from the undesirability of such a transfer of ultimate judicial power, the proposal is objectionable because it would place the judicial power in a body that could not be expected to be independent. The Court of the Union will consist of the chief justices of each of the States, and there is no restriction on the manner in which the chief justices are to be selected. Many States elect their chief justices, in some cases for relatively short terms. Thus, the members of the court would not have a guarantee of life tenure that would permit them to be immune to the whims and tyranny of transient majorities within their States. Under these conditions, it cannot be hoped that they would act on the controversial issues that inevitably would be before them in a judicial, rather than a legislative, manner

In addition, the authors of the proposal have ignored the practicalities of constitutional litigation in several substantial respects:

1. Procedure of the court: The size of the court and the dual functions of its members raise serious doubts concerning the ability of the court to function like an ordinary judicial tribunal. The Court of the Union would be too large to consider issues in the ordinary judicial manner of collective deliberation. The requirement of a majority of 26 for affirmative action renders written opinions on decisions unlikely. Moreover, each member of the Court of the Union would have a full-time job as chief justice of his State, but the issues to be considered by the Court of the Union should doubtless receive extensive consideration. Either the administration of State justice must suffer, or the constitutional issues must receive less than due consideration.

2. Representation: Although the drafters clearly consider the real parties in interest to be the States and the Federal Government, there is no indication of how governmental interests are to be represented. Important constitutional questions may arise in private litigation, and an amicus appearance may not be adequate in all cases, when the decision is to have the finality planned for the Court of the Union. But intervention of right would make the lawsuit unwieldly if many exercised the right.

3. Burden to litigants: The possibility of Court of the Union review would mean that Supreme Court decisions on constitutional questions could not become final for a minimum of 2 years after delivery. This additional time and the opportunity for a losing litigant to canvass various State legislatures will add considerably to the already heavy expenditure of time and money needed for constitutional litigation. Moreover, even if the litigants wish to terminate the litigation, they cannot do so, for the States may always act on their own initiative.

4. Constitutional paralysis: The Council of State Governments objects to the present finality of Supreme Court decisions. But the Supreme Court can overrule its own decisions, and Congress can frequently change the effect of decisions by legislation (e.g., case involving Federal preemption). The Court of the Union's decisions, however, "shall be final and shall not thereafter be overruled by any court and may be changed only by an amendment of this Constitution." This suggests that the Court of the Union cannot reconsider its own decisions in the light of changed circumstances and imposes a greater finality than now attaches to decisions of the Supreme Court. Such finality would stifle constitutional growth.

In brief, the committee's basic objections to this proposal are that (1) it would commit the interpretation of the Federal Constitution (with its characteristic of national law) into the hands of a court which would be representative not of the national judiciary but of the judiciary of the individual States, and (2) the chief justices representing 26 of the least populous States would have the power, in the final analysis, to decide what the Constitution means. Taken together with the other two proposed amendments, this proposal would take the United States further down the backroad from Nation to confederacy.

THE APPORTIONMENT AMENDMENT [16]

With the avowed purpose of overruling the Supreme Court's decision in *Baker* v. *Carr*,[17] this proposal would amend the Constitution to provide that no provision of the Constitution, or any amendment thereto, shall restrict or limit any State in the apportionment of representation in its legislature and would further provide that the judicial power of the United States shall not extend to any suit in law or equity or to any controversy relating to apportionment of representation in a State legislature.

Regardless of one's views on the merits of the Supreme Court's decision in *Baker* v. *Carr* (as to which the committee in this report takes no position), the committee opposes the "apportionment" amendment because in principle it is opposed to diminishing Federal constitutional guarantees under the "equal protection clause" of the 14th amendment, and also because it believes that to embark upon a policy of introducing exceptions to the "equal protection clause" is dangerous and may lead eventually to whittling away that vital constitutional guarantee.

Moreover, the proposal goes beyond the 14th amendment's equal protection clause. It provides that "no provision of the Constitution, or any amendment thereto, shall restrict or limit any State in the apportionment of representation in its legislature" (emphasis supplied). This apparently would provide sanction for States to use "'apportionment' as a guise for rank racial discrimination, in contravention of at least the purpose and spirit of the 15th amendment." [18]

The proposal is also open to the objection that it would thwart the constitutional provision (art. IV, sec. 4) by which the United States guarantees "to every State in this Union a republican form of Government," since the proposed amendment would deprive the Federal judiciary and Congress of authority to implement that guarantee, no matter how gross might be the malapportionment in any particular State, and since experience has shown that correction of malapportionment abuses is unlikely to be made by the State legislatures themselves.

The effect of the adoption of this proposed amendment would be not only to remove from the jurisdiction of U.S. courts matters relating to apportionment of representation in State legislatures, but it would also deprive State courts of jurisdiction of such matters on Federal constitutional grounds.

Beyond doubt, adoption of this proposal would entrench more deeply existing abuses and make it unlikely that such abuses would ever be corrected.

Finally, if adopted, this proposal would constitute the first diminution in American history of any Federal constitutional guarantee of liberty, justice or equality. Together with the other two proposals in the Council of State Government's package, it would work a profound, and in the view of the committee, a damaging change in the government of our country and in Federal-State relationships.

CONCLUSION

Advanced by their sponsors in the name of conservatism and the tradition of States' rights, the full impact of these three proposals, when viewed in the light of our constitutional history, is radical in the extreme. It is not overstating to say that should these amendments to the Constitution be adopted it would revolutionize our form of Government and turn the clock back to the Articles of Confederation of 1777—which proved to be a failure and which were replaced 10 years later by the Federal Constitution.

RECOMMENDATION

The executive committee of the Association of the Bar of the City of New York believes that it is the duty of the organized bar to speak out publicly and emphatically against the adoption of these ill-conceived amendments and to take steps to educate the public as to their real significance. Accordingly, the executive committee recommends to citizens, to State legislatures, and to Congress that the three amendments proposed by the Council of State Governments (as set forth in appendices A, B, and C to this report) be rejected.

Respectfully submitted.

The Executive Committee of the Association of the Bar of the City of New York; Arthur H. Christy; Merrell E. Clark, Jr.; Mark N. Donohue; William Everdell; Henry Harfield; Mendes Hershman, chairman; Seymour M. Klein; George S. Leisure, Jr.; Charles Looker; E. Noble Lowe; Russell D. Niles; Sheldon Oliensis; Charles F. Preusse; Ross Reid; Andrew Y. Rogers; Whitney North Seymour, Jr.; Ex Officio: Herbert Brownell, President of the Association; George P. Kramer, Secretary; Melbourne Bergerman, Treasurer; Former President of the Association: Dudley B. Bonsal; * Allen T. Klots; Louis M. Loeb; Orison S. Marden; Whitney North Seymour; Harrison Tweed; Bethuel M. Webster.

JUNE 4, 1963.

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[16] See app. C.

[17] 369 U.S. 186 (1962), where the Court held that Federal district courts have jurisdiction of suits by qualified voters for members of a State legislature to redress alleged deprivation of such voters' Federal constitutional rights arising from malapportionment of seats in the legislature, on the ground that such voters are thereby denied the equal protection of the laws guaranteed by the 14th amendment.

[18] Amendment XV provides that the right of United States citizens "to vote shall not be denied or abridged * * * by any State on account of race, color, or previous condition of servitude" and empowers Congress to adopt enforcing legislation. See Anthony Lewis, "Justice Aid Says 'States Rights' Amendments Would Cost Negroes the Vote," New York Times, May 2, 1963.

* Judge Bonsal did not participate in the preparation or consideration of the report.

APPENDIX A

A [joint] resolution [1] memorializing Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States relating to article V thereof

Resolved by the house of representatives (the senate concurring), That this legislature respectfully petitions the Congress of the United States to call a convention for the purpose of proposing the following article as an amendment to the Constitution of the United States:

"ARTICLE —

"SECTION 1. Article V of the Constitution of the United States is hereby amended to read as follows:

"The Congress, whenever two-thirds of both Houses shall deem it necessary, or, on the application of the legislatures of two-thirds of the several States, shall propose amendments to this Constitution, which shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three-fourths of the several States. Whenever applications from the legislatures of two-thirds of the total number of States of the United States shall contain identical texts of an amendment to be proposed, the President of the Senate and the Speaker of the House of Representatives shall so certify, and the amendment as contained in the application shall be deemed to have been proposed, without further action by Congress. No State, without its consent, shall be deprived of its equal suffrage in the Senate.

"SEC. 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within 7 years from the date of its submission"; be it further

Resolved, That if Congress shall have proposed an amendment to the Constitution identical with that contained in this resolution prior to January 1, 1965, this application for a convention shall no longer be of any force or effect; and be it further

Resolved, That a duly attested copy of this resolution be immediately transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States, and to each Member of the Congress from this State.

APPENDIX B

A [joint] resolution [1] memoralizing Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States

Resolved by the house of representatives, the senate concurring, That this legislature respectfully petitions the Congress of the United States to call a convention for the purpose of proposing the following article as an amendment to the Constitution of the United States:

"ARTICLE —

"SECTION 1. Upon demand of the legislatures of five States, no two of which shall share any common boundary, made within 2 years after the rendition of any judgment of the Supreme Court relating to the rights reserved to the States or to the people by this Constitution, such judgment shall be reviewed by a court composed of the chief justices of the highest courts of the several States to be known as the Court of the Union. The sole issue before the Court of the Union shall be whether the power or jurisdiction sought to be exercised on the part of the United States is a power granted to it under this Constitution.

"SEC. 2. Three-fourths of the justices of the Court of the Union shall constitute a quorum, but it shall require concurrence of a majority of the entire court to reverse a decision of the Supreme Court. In event of incapacity of the chief justice of the highest court of any State to sit upon the Court of the Union, his place shall be filled by another justice of such State court selected by affirmative vote of a majority of its membership.

"SEC. 3. On the first Monday of the third calendar month following the ratification of this amendment, the chief justices of the highest courts of the several States shall convene at the National Capital, at which time the Court of the Union shall be organized and shall adopt rules governing its procedure.

"SEC. 4. Decisions of the Court of the Union upon matters within its jurisdiction shall be final and shall not thereafter be overruled by any court and may be changed only by an amendment of this Constitution.

"SEC. 5. The Congress shall make provisions for the housing of the Court of the Union and the expenses of its operation.

"SEC. 6. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within 7 years from the date of its submission"; be it further

Resolved, That if Congress shall have proposed an amendment to the Constitution identical with that contained in this resolution prior to January 1, 1965, this application for a convention shall no longer be of any force or effect; be it further

Resolved, That a duly attested copy of this resolution be immediately transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States and to each Member of the Congress from this State.

APPENDIX C

A [joint] resolution [1] memorializing Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States

Resolved by the house of representatives (the senate concurring) That this legislature respectfully petitions the Congress of the United States to call a convention for the purpose of proposing the following article as an amendment to the Constitution of the United States

"ARTICLE —

"SECTION 1. No provision of this Constitution, or any amendment thereto, shall restrict or limit any State in the apportionment of representation in its legislature.

"SEC. 2. The judicial power of the United States shall not extend to any suit in law or equity, or to any controversy relating to apportionment of representation in a State legislature.

"SEC. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the Legislatures of three-fourths of the several States within 7 years from the date of its submission"; be it further

Resolved, That if Congress shall have proposed an amendment to the Constitution identical with that contained in this resolution prior to January 1, 1965, this application for a convention shall no longer be of any force or effect; be it further

Resolved, That a duly attested copy of this resolution be immediately transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States and to each Member of the Congress from this State.

[From the Rochester (N.Y.) Democrat and Chronicle, July 10, 1963]

THESE AMENDMENTS SHOULDN'T AMEND

The U.S. Constitution has been jabbed at and even shaken at times since it went into effect 174 years ago and it has survived every threat to change its essential form. Thanks to defenders like Governor Rockefeller, we expect it to withstand the current effort of extreme rightists and States righters to weaken this remarkable instrument of human freedom.

Nevertheless the movement on behalf of three amendments is by no means a token effort, 16 States having approved one or more of them. One proposal would let States bypass Congress in amending the Constitution; a second would deprive the U.S. Supreme Court of jurisdiction to review the fairness of legislative apportionment; the third would create a super court (made up of chief justices of the 50 States) that could overrule U.S. Supreme Court decisions involving rights reserved to the States.

In opposing the amendments at the Governors' conference, Governor Rockefeller put himself in distinguished company—President Kennedy, Chief Justice Warren, and many others.

Recent successful use of Federal muscle in enforcing Court decisions in the South points up dangers of weakening the Federal Government by increasing the States' powers. In union there is strength, and the U.S. Constitution symbolizes and validates that strength. A new super court would create confusion and dilute the power and dignity of the U.S. Supreme Court. Enactment of the amendments would sap the strength of the Federal union and could leave the American people to the mercy of the States imbued with new and dangerous powers.

Because they would produce profound and harmful changes in Federal-State relations and distort the original concept of the Constitution, these proposals should be sentenced to a well-earned limbo.

RELIGION IN THE SOVIET UNION

Mr. KEATING. Mr. President, as we know, the Soviet regime has for years actively fought to eliminate belief in God and all religious practices in the Soviet Union. Communism cannot tolerate any religious doctrines or expressions of spiritual values.

The American Committee for Liberation has recently published an excellent study done by Radio Liberty on the status of religion in the Soviet Union, entitled "The Beleaguered Fortress." I have here an article describing this study and some of its findings, which are both distressing and encouraging. I say distressing because of the pressure and violence used by the Communists in their campaign against religion which this report reveals and yet encouraging because of the indication that religion has not been killed by the regime.

Our praise must be extended to those who are so courageously countering this vicious attack within the Soviet Union. We must also salute those such as Radio Liberty, who support this work by round-the-clock broadcasts to the Soviet Union. Because of their tireless efforts the Communists have failed in their attempt to suppress religion and the spiritual values which are the fundamentals of freedom Mr. President, I ask unanimous consent to have printed in the RECORD following my remarks the text of this article.

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[1] This resolution should be in whatever technical form the State employs for a single resolution of both houses of the legislature which does not require the Governor to approve or veto.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SOVIET REGIME MOUNTING NEW OFFENSIVE AGAINST RELIGION, SURVEY FINDS

NEW YORK.—Hard-sell newspaper articles and interviews with erstwhile clergymen who have lost religion, soft-sell approach on an individual level, and brass-knuckle harassment of congregations—these are the new trends in the Soviet regime's dogged struggle with religion, spotlighted in a 40-page study originally written for programing guidance of Radio Liberty's staff and now released in booklet form by the press and publications division of the American Committee for Liberation. The American committee is the supporting arm of the freedom network's round-the-clock broadcasts to the Soviet Union.

The booklet, "The Beleaguered Fortress," eloquently documents recent evidence from Soviet sources as well as from the persecuted faithful themselves of the intensified persecution of religion in the Soviet Union in the sixties.

But the booklet, described on its cover as "a survey of the present status of religion in the U.S.S.R.," is more than a cogent compilation of facts. "The Beleaguered Fortress" also tells how it feels to be on its ramparts behind the Iron Curtain. It points out, for instance, that it takes courage of the highest order to stand up for Christ in the Soviet Union or, in the venomous words of a Soviet atheist journal, to become "an idiot for Christ."

Further, for example, it gives the reader an idea of how it feels to be a Jew in the Soviet Union, secretly meeting in private homes for religious services. The animus against Judaism is emphasized in the study: "Whereas all the major Christian groups have their central organizations, nothing of the sort is permitted the Jews."

"The Beleaguered Fortress" also shows the free world how its adversaries attempt to camouflage their attacks on Islam. The followers of this faith, though represented by a national organization, are subject to relentless antireligious indoctrination.

According to the study, the Soviet Government's offensive against the spiritual fortress in the Soviet Union was sparked by the strong comeback of all faiths in the U.S.S.R. in recent months. "Among the city's population there are hundreds of thousands, and in the country many more," Science and Religion, official atheist monthly, wrote plaintively in one of its statistical estimates of believers in the U.S.S.R.

In discussing new tactics in the atheists' arsenal, "The Beleaguered Fortress" points to the dangers of the "neighborly attention" device whereby undercover propagandists worm their way into families of known believers to sow doubt with an inconspicuous phrase here or there.

The author of this study, the title of which is derived from a poetic passage, "A mighty fortress is our God," is an American who spent a number of years in Soviet Russia during the formative period of the Soviet regime after the revolution of 1917. During a visit to the Soviet Union 5 years ago, he was able to confirm some of the information he had gathered in his research.

Radio Liberty, with 13 powerful transmitters in West Germany and Spain and 4 transmitters on Formosa, is heard in all heavily populated areas of the Soviet Union despite Soviet jamming efforts. Situated so as to insure optimum propagation of the radio signal, the freedom network's transmitters utilize a total power of more than 1½ million watts. Radio Liberty has broadcast continuously since March 1, 1953.

FEDERAL RESEARCH

Mr. KEATING. Mr. President, at the present time there are six resolutions pending before the House Rules Committee to set up a select committee to make a study of the research programs in which the Federal Government is involved. With the Federal Government contributing $15 billion annually, accounting for two-thirds of the total research outlay in the country, this investigation is very timely and worthwhile.

Mr. President, the increasing budget requests each year makes it especially necessary and important for the Federal Government to be scrupulous in the distribution of funds. With the intricacy and interrelation of Government agencies, the duplication of research studies as well as scholarships becomes very possible. Even more important, we must guard against the research dollar being concentrated too heavily in one field.

Mr. President, an editorial about Federal research programs appeared in the Buffalo Evening News of August 3. I ask unanimous consent that following my remarks the text of the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

MICROSCOPE ON RESEARCH

The Federal Government's dominant role in every sort of research has been growing so prodigiously that the searching inquiry now ordered by the House Rules Committee on how and to what effect Federal dollars are being spent is very much in order.

In the 1930's the Government annually budgeted about $100 million for all research and development. Federal support, rising in giant leaps in the postwar years, amounts to almost $15 billion this year. It accounts for about two-thirds of the total research outlay in the country.

The investigation move comes at a time when Congress is showing unaccustomed resistance to the burgeoning budget requests of the space and other agencies, and to proposals for study grants that smack too much of "intellectual leaf raking" to Capitol Hill critics.

We can be sure, too, that the congressional mood is related to mounting concern about the impact of Federal spending on higher education—whether it is in the long-range national interest for so giant a share of Federal dollars to funnel to a charmed circle of universities and research institutions, with all the regional competitive advantages these can bestow in production contracts and jobs.

The scope of the congressional inquiry, however, promises from advanced billing to reach deep beyond matters of waste or mismanagement into fundamental questions of research priorities related to national objectives. And this is all to the good.

We should know, for example, the basis for fears that scores of uncoordinated Federal talent-buying programs are distorting the balance between research and teaching, at the expense of future brainpower.

Even more than this, we need a much clearer picture of a vast research enterprise that in so many ways shows signs of fragmented decisionmaking. The congressional committee structure itself is poorly equipped to assess scientific judgments. Yet the haphazard assigning of priorities—the way Federal dollars concentrate on this or that space or military project at the expense of limited scientific manpower for research in industrial technology—can be a powerful drag on the Nation's competitive position and the generating of new job opportunities.

FEDERAL AID TO EDUCATION—THE WAY TO GET IT

Mr. JAVITS. Mr. President, yesterday the other body passed a vocational education bill. That action raises the question of how we are proceeding in this body on Federal aid-to-education bills. As to their urgency, I think there can be no doubt whatever. It is one of the most critical problems facing the Nation. Increased enrollments, the demands of defense, the need for educating even younger people who have dropped out of school and who are desirous of training, the great inadequacies which we show, for example, in the number of Ph. D. and master's degrees which we are awarding as compared with our competitors in the Soviet Union, the complete inadequacy of meeting our goals in these fields—all are evidence that action is absolutely necessary and most urgently required.

The vocational education bill is extremely important; and, in my opinion, the higher education bill is equally important. The question is, What is the Senate doing? The Subcommittee on Education, of which I am a member, and which is headed by the Senator from Oregon [Mr. MORSE], has been holding hearings on the President's omnibus bill. I have great faith in the chairmanship of the Senator from Oregon. I know that he is as deeply sincere as I or any other Senator in trying to report a bill. What I am desirous of today, however, is to discuss what we ought to do in order to get one.

I believe that in order to get a bill, the administration bill must be split up as it was split in the other body. I think it must be split up so that those sections will get the prime attention and the first priority. Not that first priority is deserved on the merits. It is a question of the legislative facts of life. We must give first priority to the higher education bill. We came so close to agreement in relation to that measure that we failed only in conference the last time between the Senate and the House. Incidentally, I have introduced the conference report as a bill, and it is now before the committee.

There is great opportunity here for constructive action. S. 580, the omnibus education bill, covers the whole range of education needs—from primary and secondary schools to colleges, graduate and professional schools, libraries and vocational schools. Much of it is good and a great deal is immediately vital to the Nation's welfare and progress. It contains major answers to the problems of school dropouts and chronic unemployment on the one hand, and a scarcity of skilled manpower and trained professionals on the other.

I deeply believe that the way to get action on the most immediate needs is to divide from the whole of the legislation the section dealing with higher education and the section providing a greatly expanded vocational education program and to push for their passage. A similar higher education bill passed both Houses of Congress last year but became bogged down in conference. I have introduced the compromise higher education bill on which the House-Senate conference came so close to agreement last year. The need this year is greater than ever, and we shall be endangering the Nation's future if we do not take affirmative action to help our institutions of higher education. I am fully for Federal aid to primary and secondary schools but we know there is no chance for 1963 so let us get after the most urgent and the most likely—vocational and higher education.

In the face of booming enrollments and galloping costs, time is running out. A recent Ford Foundation study estimates conservatively that student enrollment in public colleges, including junior colleges and universities, will grow rapidly from 2 million in 1960 to about 10 million in 1985.

Private colleges estimate their growth to be from 1.5 million students in 1960 to 2.3 million in 1970, an increase of 53 percent in 10 years.

Moreover, the study points out that by 1985, our economy will call for a labor force that will consist of more than 70 percent of highly skilled and professional workers, most of whom must be college and university trained.

Other long-range projections of our country's employment and manpower needs backup these estimates. The President's Science Advisory Committee, for example, reported last December that our goal in 1970 should be 7,500 Ph. D.'s and 30,000 master's degrees in engineering, mathematics, and the physical sciences. By comparison with this projected total of 37,500 higher degrees, our universities in 1960 produced only 15,000 advanced degrees. And this represented an increase of only 4,000 in 10 years since 1950.

Our security and progress as a nation are so heavily dependent upon our progress in education and the Congress cannot be remiss in its duty if any of us can do anything about it. Our colleges and universities are making almost desperate efforts to meet the enrollment bulge. But they are far behind in meeting the need for classrooms, libraries, modern equipment, and other necessary facilities.

To meet the growing shortage of skilled manpower, our education system should be of the very best quality from grade school through the universities. We do not have the best system now that we can afford, and we are not doing enough to get it.

Until we take the giant steps needed to approach that goal we shall go on wasting the talent and energy of thousands of Americans who should have had at least the opportunity to get a higher education.

At the same time we dare not neglect except at our peril, the mounting problem of those at the lowest rungs of the educational ladder, the large group of unemployed adults who need basic education training as well as vocational education. This is an emergency need whose proportions are shocking and staggering. There are almost a million dropouts each year from our elementary and secondary schools, and there are also some 8 million adults over 25 years of age who have less than 5 years of school education of any kind. This is a nationwide problem, and in New York State alone there are nearly 2 million adults in this group.

Most of the 8 million cannot read, write, or do enough arithmetic to hold down a simple job. They form the hard core of our unemployed and they become a constant drain on public welfare funds. In this technological world where automation is rapidly replacing the unskilled worker, ways must be found to provide the basic educational tools needed for retraining and subsequent reemployment. The undereducated adult represents a wasted human resource which our economy cannot afford.

These are the education priorities on which Congress must act at this session. I believe that this Congress can reach agreement on some parts of the education package, at the very least on those sections dealing with aid to higher education and to basic adult and vocational education.

Hard core unemployment on the one hand, and on the other, increasing student enrollments, a bulging educational system trying to meet accelerating needs, and mounting costs on all levels—all require action now that will include immediate needs as well as long-range planning. It is an enormous job with tremendous responsibilities and it can no longer be put off.

We must separate the vocational education bill from the omnibus bill. Then we can take up the bills which relate to secondary and primary Federal aid to education. So I make the plea today to my own chairman, as well as to the Senate, that we carve out of the President's omnibus Federal aid to education bill these two sections—higher education and vocational education—that we give to them high priority, and that we pass them in this session. I believe there is no other way. While I understand the reluctance to take that action in terms of an administrative program, I point out that exactly that has been done in the other body. Exactly that has been done here. It is the way in which we can most quickly—and the country needs and urgently demands it—get action on Federal aid to education.

I ask unanimous consent to have printed at this point in the Record an editorial entitled "College Facilities," published in the Washington Post on August 7, and an article entitled "Room, Teacher Shortages Remain as Enrollments Grow," published in the Congressional Quarterly, June 28.

There being no objection, the editorial and article were ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Post, Aug. 7, 1963]

College Facilities

There is still hope of rescuing American education from the doldrums. Despite a seemingly impenetrable congressional listlessness and a reluctance to come to grips with an issue involving overtones of religious controversy, the House of Representatives should soon be called upon to act on a troika of administration aid-to-education bills.

The House Rules Committee is now considering the second and most important of these measures—the so-called college facilities bill, providing a 3-year, $1.195 billion program of grants and loans to public and private nonprofit colleges and universities to help build classrooms, laboratories, and libraries. The committee decided a week ago to send the much more modest vocational education bill to the House floor under an "open rule" and will probably act before long on aid to federally impacted areas, a program that has long had enthusiastic congressional support.

There is opposition to the college facilities bill on the ground that it would make Federal funds available to sectarian institutions, although not for any religious observances or instruction. This newspaper, which has always been strongly opposed to any Federal support of private schools at the elementary and secondary levels—especially private schools engaged in the propagation of religion—believes that such support can be provided, properly and constitutionally, to institutions of higher learning. The difference can be stated very simply. Higher education is not compulsory; it deals with more mature minds; and it has traditionally been church related and sponsored; higher education, moreover, is oriented primarily to education and not to religious indoctrination.

Enactment of the college facilities bill seems to us of great importance on two counts. First, it would give urgently needed aid to institutions now critically overburdened. Second, it would be significant as a recognition of the Federal responsibility for education. Educators at every level ought to give the measure strong support for its symbolic as well as for its practical importance.

[From Congressional Quarterly magazine, June 28, 1963]

Room, Teacher Shortages Remain as Enrollments Grow

While proposals for general Federal aid to improve school and college conditions throughout the country have been at a standstill in the postwar years, the statistics on classroom and teacher shortages have not.

The most recent figures released by the Department of Health, Education, and Welfare's Office of Education show that:

A record 38,837,000 were enrolled in public elementary and secondary schools in the fall of 1962—a 3.7 percent rise over the fall of 1961. The rate of growth varied widely among the four regions, with the West and Southwest regions growing the most rapidly and the Southeast region the slowest.

Figures for the most recent school year available, 1959–60, show that there were 5.7 million pupils in private elementary and secondary schools in the 1959–60 school year. It is estimated that there were 5.5 million children in Catholic schools during the 1962–63 school year.

The school-age population (5 to 17 years old) continued to grow at a rate which was faster than that of the total population. Between October 1, 1961, and October 1, 1962, the estimated school-age population grew from 45.6 million to 47 million, an increase of 3 percent. During the same period, the total U.S. population increased 1.5 percent.

The total elementary and secondary school classroom shortage in the fall of 1962 was 121,235—about evenly divided between the number needed to house pupils in excess of normal capacity and those needed to replace unsatisfactory facilities. New York was the State with the highest classroom needs—11,716—and planned to complete 3,784 in the 1962–63 school year. California was the

State which planned for the most new classrooms—8,000—though its shortage—2,000—was under that of several States. The nine States with the next highest shortages were Michigan (8,319), Pennsylvania (7,644), Illinois (7,151), Texas (6,706), Florida (4,465), Kentucky (4,119), Georgia (3,950), New Jersey (3,913), North Carolina (3,896), and Virginia (3,835).

The total number of classrooms scheduled for completion during the 1962–63 school year was 58,888; 72,000 were completed during 1961–62. The annual average number of classrooms that have been completed in the last 7 years (1955–56 through 1961–62) is 69,600.

The Office of Education estimates that "only a small part" of the 58,888 classrooms scheduled for completion during 1962–63 can be charged against the 121,235 gap because thousands more will be needed by the fall of 1963 to provide for population shifts, the estimated annual enrollment increase of over 1 million pupils, and replacements of rooms abandoned during the previous year for various reasons. In addition, new classroom construction does not necessarily take place in areas of shortage.

The 1962–63 shortage represented a decrease of 6,100 rooms, or 4.8 percent, from the shortage of 127,300 reported in 1961. The Office of Education says that some of this change is probably caused by a change in reporting methods by 11 States.

The 10 States with the highest classroom shortage accounted for 51 percent of the total shortage in the fall of 1962, but planned to build only 35.9 percent of the total rooms scheduled for completion during 1962–63.

There has been a gradual trend toward reorganization and consolidation of smaller school districts. In recent years, the number of school districts fell from 40,500 in 1959–60 to 33,100 in the fall of 1962, consisting of 28,900 operating districts and 4,200 nonoperating districts. The nonoperating districts either did not have any school pupils or sent their pupils to another district on a tuition basis. In the fall of 1962, the Great Lakes and Plains region had 55.6 percent of the operating districts and 85 percent of the nonoperating districts in the United States.

In 37 States and the District of Columbia over 400,000 pupils were attending school for less than a full school day; almost two-thirds of these students were in the elementary schools.

In the fall of 1962 there were 1.5 million full-time and part-time teachers, an increase of 3.4 percent over the number in the fall of 1961. Of these, 82,000, or 5.5 percent, had substandard credentials for their positions. For a regular elementary school teacher's certificate, 44 States require a bachelor's degree, 5 States require 2 years of college, and 1 State requires less than 2 years of college. For regular high school teaching certificates, 3 States require a master's degree or its equivalent and 47 States require at least a bachelor's degree.

College enrollment jumped by 8.1 percent between the fall of 1961 and 1962. More rises are expected as those born during the "baby boom" of the mid-1940's are now becoming of college age.

ADMINISTRATION BILLS

The Kennedy administration has requested that Congress pass a broad education program to meet both the problems reflected by these statistics and others as well. For elementary and secondary schools, the President asked for $1.5 billion, to be turned over to the States and to be used by them, as they see fit, to construct classrooms in areas of critical needs, raise teachers' salaries, or initiate experimental projects to cope with special school problems, such as slum or depressed areas. One important way this differs from past proposals is that school construction is to be undertaken only in areas of critical need; past school construction bills often spread the funds across-the-board to all school districts. This proposal is still part of an omnibus bill in the Senate (S. 580), where it is undergoing hearings by a Senate Labor and Public Welfare Subcommittee. In the House, the omnibus bill has been broken up. The elementary and secondary school section (H.R. 5344) is undergoing hearings by a House Education and Labor Subcommittee. A college classroom construction bill (H.R. 6143) has been reported to the House and is in the Rules Committee. In the Senate, college aid proposals remain in the omnibus bill.

Several Senators addressed the Chair.

The PRESIDING OFFICER (Mr. McIntyre in the chair). The Senator from Montana [Mr. Mansfield] is recognized.

OPPORTUNITIES FOR OUR YOUTH

Mr. YOUNG of Ohio. Mr. President, it is with some concern I note that the Youth Employment Act, which we passed by an overwhelming vote in the Senate, has been shelved and is likely to continue as pending business in the Rules Committee of the other body.

This is very unfortunate for the American people.

Over the years the Congress has repeatedly enacted legislation to protect and conserve our natural resources—our land, farms, rivers, lakes, and forests. From these acts we have derived the means by which we have attained the highest standard of living of any nation in the world.

We sometimes lose sight of the fact that the real and great wealth of our country—our most basic resource—is in the boys and girls who will tomorrow follow us as trustees and guardians of of our Nation. We are failing many of these young people today. The fact is we should be alarmed at the present lack of physical well-being of our youth. It is shameful that almost half the young men called for induction into our Armed Forces are physically unfit for service.

Crime among young people is on the increase. In automobile thefts alone, 65 percent are committed by teenagers. Every day newspapers report an appalling waste of young lives. Juvenile cases in the courts have more than doubled in the past 10 years. Each year the statistics become worse. Americans should be alarmed at the increase of crimes and misdemeanors committed by juveniles and the physical unfitness of American youth.

We accommodate our surplus in agriculture. We subsidize certain vital industries. Certainly, we should legislate to conserve our youth.

In most cases it is idleness and hopelessness that causes the youngsters to become juvenile delinquents. It is not an indication of the moral decay of our youth. Rather, it is an indictment of our society and of our failure to legislate adequately in their behalf.

It is estimated that by 1965 there will be almost half a million unemployed boys between 16 and 21. The jobless rate for this age group is more than twice the national average. Boys who drop out of school and cannot find jobs find it all too easy to end up in trouble—not only for themselves but for society.

At the same time our national resources are sorely in need of attention. Eroded land, fire-ravaged forests, polluted streams, and neglected recreational areas mock the tourist brochures. There is an $8 billion backlog of proposed and really essential conservation projects. The work must be done sooner or later. The more it is postponed, the more expensive it will become.

Only a third of the Nation's farmlands are protected by soil-conservation measures. Fifty million acres of forest land need replanting and another 275 million need improvement. Two-thirds of our western grazing lands suffer from erosion. Forest fires alone last year destroyed over 3 million acres of timber.

We must not tolerate this tragic waste of both human and natural resources. The Civilian Conservation Corps of the 1930's gives us the blueprint for what is needed today. As Congressman at Large representing Ohio, I supported this great national experiment. It was one of the most successful projects of the New Deal era. Hundreds of thousands of youth were physically and mentally rehabilitated by reason of the CCC. Today, many of them are scattered throughout the leadership of American Government, industry, and education—testimony to the social values of this great social experiment.

The youth employment legislative proposal which we in the Senate passed would establish two programs for employment of youth in useful occupations. The Youth Conservation Corps it will organize will put young men between the ages of 16 and 21 to work improving the Nation's forests, outdoor recreation areas, and in other basic conservation work. This youth opportunities organization is to be smaller and more flexible than the CCC. It is designed to meet the needs of today. The second program will provide public service employment. Financed by Federal and State matching funds, it will put young people in this same age group to work in hospitals, schools, parks, settlement houses, libraries, playgrounds, juvenile centers, and similar community social welfare projects.

This legislation provides for but a beginning. It would be a good one. These young people who would be dealt with by final passage of this bill have already been left idle too long for their own sake or for the welfare of their fellow countrymen. The entire country is paying heavily for potentially productive manpower going to waste, for young abilities left undeveloped; and more tangibly in the cost of crime to which some turn for want of legitimate employment.

These programs will cost about $4,000 for each volunteer. Contrast this with the $25,000 that it costs our society for each juvenile delinquent who now follows the dreary juvenile court-reformatary route.

For thousands of boys in city slums this will be the only opportunity for living and working in the open, their only opportunity to enrich the land and strengthen their lives. It will provide a new sense of purpose for young men growing up in a society in which the opportunity for creative accomplishment has been becoming rarer each year. Most of all, it will constructively channel those restless energies that today are leading thousands of underprivileged boys in the direction of delinquency, violence, and ultimate self-destruction.

Mr. President, this meritorious proposal will bring untold dividends to our Nation. Many will be tangible in the form of more abundant use of our natural resources. The greatest dividend will be the conservation and enrichment of our youth.

MONTANA BOY SCOUT HIKES 50 MILES—ON ONE LEG

Mr. MANSFIELD. Mr. President, the advent of the New Frontier and Kennedy administration brought a new consciousness to physical fitness and athletic skill. The 50-mile hike has subsequently become the symbol of the physically fit.

The most remarkable 50-mile hiker of all is 12-year-old Robert Reopelle, son of Mr. and Mrs. H. C. Reopelle, of Butte, Mont. Bobby recently won plaudits from his fellow Scouts in troop 6 and his scoutmaster for his courage and fortitude during a 50-mile hike in the rugged Anaconda-Pintlar wilderness area. He did it the hard way, asking no favors, hiking along on one leg with the aid of a pair of crutches.

The seventh grader lost his leg in a firearms accident when he was 6 years old and now uses an artificial leg which permits him to play basketball, baseball, and participate in boxing. The courage and determination exhibited by Bobby Reopelle is an inspiration to all of us and the people of Butte and Montana are very proud of him.

Mr. President, I ask unanimous consent to have printed at the conclusion of my remarks in the CONGRESSIONAL RECORD a news story from the August 4, 1963, issue of the Montana Standard, published in Butte, Mont.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NO FAVORS ASKED—SCOUT DOES 50-MILE HIKE ON ONE LEG

(By Frank Quinn)

It's easy to smile that last long mile when you have two sturdy legs.

It's tougher to grin when you're hiking along on one leg, with assistance of a pair of crutches.

Robert Reopelle, 12, son of Mr. and Mrs. H. C. Reopelle, 2109 Ash Street, last week won plaudits of his fellow Scouts of troop 6, his scoutmaster, and other Scout officials for the determination and grit he displayed in a 50-mile hike in the rugged Anaconda-Pintlar wilderness area.

NO FAVORS ASKED

He did it the hard way, asking and receiving no favors as he and 23 other Scouts accompanied by 2 adult leaders earned the national Boy Scout 50-Miler Award. They covered well over 50 miles in the primitive mountain area south of Moose Lake in Granite County.

Bobby kept in step during climbs over rugged peaks as the group crossed the Continental Divide four times, forded roaring mountain streams, and worked its way through numerous windfalls.

The trek was pretty tough for any one of the group. For Bobby, according to Scoutmaster Dick Matthew and Ken Waldron, troop committee chairman who made the trip, and Scout Executive Robert DeBuhr, it was a remarkable accomplishment.

"There were numerous places where the trails switchbacked up steep grades or gave way to swamps and windfall jungles," Matthew said, "but Bobby kept swinging along on those crutches. He was, in fact, an inspiration to all of us."

The trek started at Carp Creek near Moose Lake and ended at the Boy Scout camp on the middle fork of Rock Creek. The troop established a base camp at Johnson Lake. Other lakes visited included Rainbow, Carp, Pintlar, Oreamnos, Edith, and Phillis. The troop crossed the Continental Divide at Pintlar and Bitterroot Passes. As a good turn, members of the troop cut and left a large supply of firewood at three of the Forest Service trail camps, and spent several hours clearing trails. Bobby cut his share of wood as well as performed the camp chores expected of all good Scouts.

Bobby's brother, Tom, also was on the trip along with the following other members of troop 6: Albert Chiamulera, Bruce and Steve Waldron, Addison Collier, David and Gary Henrich, Joe Carok, Clifford Kindt, Tony Grosso, Stanley Kasun, David Ugetti, Gary Galetti, Jamie Battiola, Ricky O'Donnell, Keith Craig, Henry Kruzick, Jimmy Jones, Eddie Petrin, Jimmy Lawrence, Mickey Bajovich, Mickey Castolani, and Tony Bracco.

Bobby lost his right leg when he was 6 years old as a result of a firearms accident. He generally uses an artificial limb, but in training for the better than 50-mile wilderness trek, he found the artificial leg handicapped him in mountain climbing. He, and other Scouts trained for the Pintlar expedition on the East Range of the Rockies in back of Columbia Gardens.

Bobby is in the seventh grade. With use of his artificial leg he plays basketball, baseball, and boxes.

He's a modest boy, and at first balked at having his picture taken. "The other fellows," he said, "hiked just as far."

That's the way Bobby is. He doesn't consider himself handicapped, and he isn't.

REPLY TO EDWIN P. NEILAN, PRESIDENT, U.S. CHAMBER OF COMMERCE

Mr. MANSFIELD. Mr. President, I rise to take exception to certain remarks made today by Mr. Edwin P. Neilan, president of the U.S. Chamber of Commerce.

It would appear that either Mr. Neilan or his speechwriters have been carried away by the propaganda of the far right. The substance of his remarks certainly reflects no credit upon Mr. Neilan or the national chamber.

The gist of his remarks is that we in Congress are immoral, our constituents are immoral, the Federal Government is immoral, and all Federal-State programs are immoral.

His contention is that because a certain town, or city, or county, or district, or State becomes a part of a certain program and receives a certain project, its citizens are bribed to vote a certain way politically.

Certainly, any Representative and any Senator intends to see that his district and his State have the maximum opportunity for development. With the complexities of society in America today, there are problems that are national in scope. These are the problems that the Federal, State, and local governments attack jointly.

It is an affront to the citizens of this Nation, however, to be accused of bribery because a city, or State, or district receives a certain project.

It is also an affront to the integrity of our citizenry to assume that they would vote for a certain individual solely because that individual was a Congressman or Senator at the time a certain project or program benefited a community.

It is regrettable that Mr. Neilan as the spokesman for a national organization anchored to respectability and conservatism should be the vehicle for the wild statements made today.

His statements are strange, indeed, when one considers the fact that almost 600 bankers, professional people, and businessmen—all chamber of commerce members—have worked on the basic planning for area redevelopment projects in local communities.

These men realize the complexities of our age.

They know that solutions to our problems do not lie in negativism. They know that solutions to our national problems lie in national action.

And so it is unfortunate that Mr. Neilan should make his Washington debut as national chamber president in this manner.

Perhaps he should try again after talking with his rank and file.

CONGRESSIONAL REFORM

Mr. CLARK. Mr. President, as week after week goes by and important legislation which holds us here fails to reach the calendar, the public demand for action or, in the alternative, for congressional reform, is growing daily.

The well-known columnist Roscoe Drummond, in a column entitled "Action or Reform," printed in the Washington Post of August 3, 1963, had this to say:

> Every student of government who looks upon the functioning of Congress with any detachment in convinced that its machinery must be modernized if it is to recover its eroded authority and have any chance of transacting the public business efficiently and responsibly.

The column, which is worthy of study by all readers of the RECORD, ends with the suggestion that the country is anxiously waiting to see whether Congress, which now has the ball, is going to sit on it, throw it into the stands, or run with it.

I ask unanimous consent that Mr. Drummond's column may be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ACTION OR REFORM

(By Roscoe Drummond)

This summer and fall will be a good time for the American people—and the Congressmen themselves—to watch and decide whether Congress can go on much longer with its present archaic machinery.

Every student of government who looks upon the functioning of Congress with any detachment is convinced that its machinery must be modernized if it is to recover its eroded authority and have any chance of transacting the public business efficiently and responsibly.

What we are going to learn this summer and fall is not only whether Congress can transact the public business at all.

During the many years I have been in Washington there has always been urgent business before the Congress. At this session there is transcendently urgent business before the Congress. There is the problem of rising racial tension, unrelieved unemployment despite substantial prosperity, a sluggish economy, the matter of tax reduction, and the overhanging threat of a rail strike.

Legislation dealing with all of these matters will be before Congress. The issues are being clearly drawn. The President has done his part by decisively committing his leadership, by alerting the Nation to the problems, and by offering Congress concrete proposals for action.

The initiative is now wholly with Congress. The responsibility for action—or inaction—is with Congress, plus responsibility for the consequences. Congress has the ball.

After 6 months of frittering, no wonder everybody is uncertain about what is going to be done—if anything. From January to July Congress has accomplished little that is visible to the naked eye and nothing significant. And now Washington is filled with talk that Congress can hardly be expected to do two big things the same year—that is, deal with civil rights legislation and tax reduction over a 12-month span. The talk is that if Congress can handle one major problem a year, like civil rights, that would be transacting the public business pretty well.

It wouldn't. It would be a sorry record and one that Congressmen who want to see Congress recover its initiative, authority, and prestige cannot and should not condone as an acceptable standard of government.

The truth is that Congress has been continuously losing power to the President for more than a quarter century. We no longer have a system of three coordinate branches—legislative, executive, and judicial. Through its own fault and inefficiency Congress is no longer coequal with the executive and the judiciary. It can retrieve its position only by modernizing its methods of discharging its responsibilities. It has lost control of the budget. It is not an adequate monitor of the administration. It is so burdened with trivia that it is rarely able to give priority to crucial legislation. At most points it is so understaffed with its own experts that, more often than not, it cannot give independent study to Presidential proposals.

How responsibly Congress conducts itself from now to adjournment—what it does and what it fails to do—will disclose the congressional reforms most needed.

Congress now has the ball. What the country is anxiously waiting to see is whether Congress is going to sit on it, throw it into the stands—or run with it.

Mr. CLARK. Mr. President, not only is there strong sentiment building up all over the country for congressional reforms, but the present pace of the Congress in general, and the Senate in particular, is bringing us into ridicule. Ridicule is not a good thing for what should be one of the three coordinate branches of the Federal union.

The entertaining, humorous writer, Mr. Art Buchwald, wrote a column ridiculing the Congress, with biting satire, in Sunday's Washington Post. It is entitled "King of the Hill." I ask unanimous consent that a copy of the column may be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

KING OF THE HILL—DESTRUCTIONALISM ART CREATED IN ABSTRACT

(By Art Buchwald)

Many people are wondering how Congress can remain in session for as long as it has without passing any important legislation. Well, it isn't easy. It takes experience, knowhow, and devoted patience.

The Members of the 88th Congress have the art of legislative featherbedding down to a science, and after spending time on Capitol Hill one can't help developing anything but admiration for our elected representatives. To paraphrase Sir Winston Churchill, "Never have so few done so little for so many."

How do they do it? In order to find out, we interviewed a Congressman who was willing to talk providing we didn't use his name.

"Sir, how are you able to stay in session for so long without doing anything?"

"The secret is cooperation, boy," he said. "Without cooperation from everybody in Congress, Heaven knows how many laws we'd pass."

"What do you mean, sir?"

"Well, boy, Congress has built-in safeguards against anything getting on the floor for a vote. For one thing, a bill has to go to a committee for study. The bill is usually given to the committee that is most unfavorable to its being passed, so it's pigeonholed without much discussion. In most cases the key committees in Congress are controlled by chairmen who are pledged to keeping legislation away from the legislators."

"Why is that?"

"If you, as a legislator, vote, that means you're taking a stand on an issue, and if you're running for reelection the last thing you want to do is to let the voters know what side you're on."

"Then as a safeguard we also have the congressional hearing. You can have hearings for as long as 9 months on a piece of legislation. Sometimes, if the legislation is newsworthy enough, you can have two or three committees holding hearings on the same bill at the same time. In many cases the hearings become so complicated the committee forgets why they're holding them in the first place. But as long as the hearings get in the newspapers everyone is satisfied."

"Who decides whether a hearing has enough publicity value?"

"Usually the chairman of the committee. We depend on him to hold hearings only on legislation that will get our names in the papers."

"But there have been occasions where a bill has gotten to the floor of the House. How do you explain that?"

"Somebody goofed. He is usually censured in private for it, and we see that he doesn't get to handle any bills again. But fortunately, even if a bill gets to the floor, we have safeguards against passing it. For one thing, you need a quorum and it isn't easy to get one.

"Most Congressmen go home on Thursdays and come back on Tuesdays. Then they have mail to answer, speaking engagements to fulfill, and interviews to give to the press. Very few Congressmen have time to vote."

"But suppose you do have a quorum and you do vote and you do pass a bill. Then what?"

"It's happened in previous Congresses," he admitted. "But very rarely in ours. If this did happen, we would then depend on the Senate not to pass it. That's why we have two Houses. So each one has a chance to cancel out the other's bill. We're pledged to kill their bills and they're pledged to kill ours."

Mr. CLARK. Mr. President, many important proposed changes in Senate rules, procedures, and customs are pending before the Subcommittee on Standing Rules of the Senate, of the Committee on Rules and Administration. Two days of testimony have been taken. The notes of the testimony have been transcribed and printed. The beloved chairman of the subcommittee [Mr. HAYDEN] has promised the Senator from New Jersey [Mr. CASE] and me that he will hold two more hearings promptly. I hope very much that we can bring from that subcommittee, in the very near future, approval of some of the measures which it is important to pass this year in order to update our rules and enable us to proceed, with expedition, to the consideration of measures which are so vitally needed this summer.

TRIBUTE TO MAJ. ROBERT A. RUSHWORTH

Mrs. SMITH. Mr. President, recently Maine expressed its pride in one of its native sons, Maj. Robert A. Rushworth, of Madison, Maine, who, as an X-15 pilot has been awarded the designation of "astronaut" and the wings of an astronaut.

As a member of the Armed Services Committee and the Aeronautical and Space Sciences Committee, I am particularly proud of this young man whose birthplace is a close neighboring town of my own birthplace.

Because they so accurately reflect the feeling of the people of Maine in their pride of Major Rushworth, I ask unanimous consent to have placed in the RECORD at this point editorials of the Waterville, Maine, Sentinel and the Lewiston, Maine, Daily Sun and an account by the Somerset, Maine, Reporter.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Lewiston Daily Sun, July 31, 1963]

MAINE'S ASTRONAUT HONORED

There will come a time when astronauts will be as plentiful (we couldn't bring ourselves to say common) as pilots are today. But that time still is a few years in the future. Meanwhile, the designation astronaut is a kind of honorary degree which sets a select few airmen apart from their fellows.

A few days ago, in Washington, the latest American to attain the special honor, Maj. Robert A. Rushworth, an Air Force test pilot, was presented his astronaut wings. The event was especially noteworthy in that Major Rushworth earned his wings in controlled flight of a winged plane, and not by being hurled into space on the tip of a giant missile.

Maine basked in reflected glory as Astronaut Rushworth was honored, for he is a native son whose original home was in Madison. Both of Maine's Senators attended the special ceremony at the Pentagon.

Beginning tomorrow, and for 3 days, Madison and environs will pay tribute to our first astronaut as he brings his family home for a visit.

The country's latest astronaut flew the experimental rocket plane, the X-15, to a height of 286,000 feet to qualify for the exclusive space club.

We take justifiable pride in congratulating Astronaut Rushworth on his achievement. We hail the training, courage, ability, and dedication of this American serviceman who, with others like him, is blazing the space trails of the future.

[From the Waterville (Maine) Morning Sentinel, Aug. 2, 1963]

THE MAJOR COMES HOME

It would be as difficult as it would be out of order at this point to attempt to evaluate the winged astronaut's exploits with those of the more highly publicized missile-launched astronauts such as Glenn, Carpenter, et al.

Maj. Robert A. Rushworth represents the former and whether it takes more skill and courage to fly an X–15 or a space capsule is a rather academic question.

A man who qualifies as an astronaut by either means is a rather special type of man who must have talent, stamina and personality characteristics which we land-bound mortals hold in awe.

Major Rushworth received the first of a 3-day round of home-State honors Thursday night when he was the principal guest at the dedication of a gymnasium at Madison in his name.

Today the State and the Air National Guard will pay him homage and on Saturday he will return to his hometown of Madison and the hometown of his wife—Norridgewock—for a spectacular homecoming celebration.

Madison in particular and the State of Maine in general have reason to be proud of this gentleman.

He has achieved his fame in the tradition of State-of-Maine sons of earlier generations who roamed the seas in proud ships. Today the frontiers are in the air and in space and because of this son of Madison, Maine has an important place in their exploration just as it did in those earlier nautical ones.

We would be remiss if we failed to mention the man who has headed up the plans for the celebration, Alex Richard, principal of Madison High School and an Air Force Reserve major. Richard was a childhood friend of Major Rushworth in Madison, and the homecoming festivities are the realization of a yearlong dream of Richard and his associates in Madison.

We join with all of the people of Madison and of Maine in welcoming Bob Rushworth home. The tributes he has received and will receive during these homecoming days are both warm and sincere.

It is a peculiarity—albeit a good one—of State of Mainers that wherever life's highways take them and no matter how infrequently they get back, Maine is always home.

[From the Somerset Reporter, Aug. 1, 1963]

RUSHWORTH COMES HOME—TO BE GIVEN HERO'S WELCOME IN 2-MILE PARADE IN MADISON

Justifiably proud of their native son, Maj. Robert A. Rushworth—Maine's greatest modern-day hero—the people of Madison are joining forces with their sister communities of Anson and Norridgewock to produce one of the most spectacular homecomings ever staged in the State of Maine.

The 3-day Maine civic tribute got underway last night with a special reception at Lakewood Inn and Theater, and will be climaxed by a 2-mile parade through Madison on Saturday afternoon.

The tribute for Maine's first astronaut will be the realization of a yearlong dream of Major Rushworth's childhood friend, Alex Richard, principal of Madison High School, and himself a major in the Air Force Reserves.

At 6 p.m. tonight, a public barbecue will be held at the Madison High School athletic field. This will be followed by the dedication of the Robert A. Rushworth Gymnasium in accordance to a town meeting vote last March. Major Rushworth will be the featured speaker at 8 p.m.

"The public is invited to attend the gym dedication even if they do not attend the barbecue," Mrs. Shirley Richard pointed out yesterday. "We are hoping that many of the local people will take advantage of this part of the program. There is no admission charge."

On Friday, August 2, Major Rushworth and his party will be in Augusta for a special reception tendered by Gov. John H. Reed. This will be followed by a luncheon in honor of the astronaut at the Pioneer House, which will be attended by his party, State officials, and representatives of the press. A news conference will then be held.

At 6:30 p.m., Major Rushworth will be honored at a reception sponsored by the Maine Air National Guard at Dow Air Force Base in Bangor.

Saturday is parade day. The first parade will be held in Norridgewock—hometown of Mrs. Rushworth, the former Joyce Butler. Fire Chief Winton Keene and Thomas Labun are cochairmen. The parade will start at 10 a.m. on Waterville Hill, proceeding up Main Street to the new athletic field where Major Rushworth and his party will review the units.

At 1:30 in the afternoon, a giant parade will start at Madison's Weston Avenue School, proceeding south along Weston Avenue, across Bean Street, then south on Maple Street, west along Main Street as far as the high school, then north on North Street, and across John Street to the Weston Avenue School where it will disband.

The parade will feature an open convertible motorcade, with Major Rushworth and his family and relatives in the lead cars, followed by cars containing the entire Maine congressional delegation, State dignitaries and military officials.

Units will include the U.S. Air Force Band with colors from McGuire Air Force Base, N.J.; the 195th Army Band; U.S. Marine marching unit; Legion and VFW State commanders and marching units; floats; Boy and Girl Scouts; Madison High majorettes; and Madison Fire Department. This will be followed by a reception at Madison High School.

In the evening, there will be open house at the Legion and VFW posts, and at the class reunions of the MHS class of 1938 at Kiwanis Hall, and the class of 1943 at the O Sole Mio. Major Rushworth was in the class of 1942.

Maj. Robert A. Rushworth, of Madison, the Air Force's second winged astronaut and principal X–15 pilot, has been testing aircraft at Edwards for more than 6 years.

He has flown the North American Aviation, Inc.-built experimental rocket plane 15 times in the joint Air Force-National Aeronautics and Space Administration (NASA) Navy research program.

Highest X–15 flight for Rushworth, who is assigned to the Air Force Flight Test Center's Manned Spacecraft Operations Branch was 285,000 feet (54 miles) June 27, 1963. It gave him his pilot astronaut rating, awarded only to military pilots who fly 50 miles or more high.

On May 8, 1962, the thrice-decorated World War II veteran proved the craft could withstand the heat of 1,250° Fahrenheit on its speed brakes and 1,000° wing and fuselage temperatures.

A few months earlier Rushworth flew the plane without the lower portion of its ventral fin for the first time. This was to determine if, as engineers believed, the lack provided greater stability for reentry to denser atmospheres from extreme altitudes.

He has chalked up about 5,200 hours of flying time—some 3,000 in jets—in his 20 years in uniform. More than 1,700 were in testing fighter aircraft since his January 3, 1957 graduation from the Air Force Experimental Flight Test Pilot School (since renamed Aerospace Research Pilot School).

Decorations and awards received by Major Rushworth include the Air Medal, with one oak leaf cluster; the Distinguished Flying Cross; the American Campaign Medal; the World War II Medal; the Asiatic-Pacific Campaign Medal; and the National Defense Service Medal, and others.

Major Rushworth resides at Edwards with his wife, the former Joyce Butler, and daughter, Cheri, 4½ years of age. His widowed mother, Mrs. Mabel T. Rushworth, resides at 2H Eastway Road, Greenbelt, Md.

THE PEACE CORPS

Mr. PELL. Mr. President, it is an old and tested maxim that one can tell much about the effectiveness of an undertaking by the nature of the opposition to it. The people who are hurt most generally are the ones who cry loudest.

This is now being demonstrated by a bitter attack on the Peace Corps. Not long ago there appeared in the Bolivian Communist newspapers two particularly vituperative articles on this evidently extremely sore subject. The loud cries of anguish in these articles make it very clear indeed that the Communists are being hurt—and badly—by the activities of our dedicated young volunteers in Bolivia.

The March 23, 1963, edition of El Pueblo of La Paz unleashes a flow of prime Communist invective on the Peace Corps, calling it a "fetus of neocolonialism" and calumniating its members as "microbes of North American neocolonialism being introduced into any freedom-seeking society in order to poison it."

This, perhaps, is no more than the typical abuse directed at all things American. But the paper Unidad, of March 30, 1963, is packed with so many utterly outrageous falsehoods and such truly ingenious fabrications that I think we must conclude that the Latin American Communists have singled out the Peace Corps as peoples' No. 1 enemy.

The Peace Corps volunteers, charges Unidad, are trained as antiguerrilla fighters. They are armed with special "rocket guns" and with "baby bombs" disguised as cigarette lighters which Unidad describes in imaginative detail. Moreover, the volunteers are deployed to spray the rural vegetation in order to kill any foliage which might provide camouflage for guerrilla fighters. American military equipment will be shipped to these "agents of the CIA" in packings marked "medicinal elements."

And to top it off, Unidad comes up with what must surely set some kind of record for desperate invention. It accuses the Peace Corps of training its members in the policy of sex with the slogan "marriage as a form of fight and tactical weapon." It asserts that members of the Peace Corps must be single, so that they "will be able to contract fictitious martrimony to justify in legal form their residence in the occupied country and win the confidence of the natives."

Now what is this monster which has evidently so badly frightened the Latin American Communists? The fact of the matter is that at the present moment the grand total of Peace Corps operatives in Bolivia stands at 111. Just 111 men and women, Mr. President, and none of them has been in Bolivia for more than 1 year.

As a Senator from Rhode Island, I am particularly proud that one of these patriotic and highly motivated young people is Miss Nancy Crawford, of East Providence, R.I. Her activities are typical of the kind of direct, people-to-people action which makes the Peace Corps such an effective antidote to the poisons of anti-American propaganda. Miss Crawford is working with 56 other volunteers in a public health and sanitation project aimed at improving the general health and physical well-being of the Bolivian people. The group is participating in child welfare work and environmental sanitation; working in clinics, hospitals, and health centers; and assisting Bolivian communities to locate water, dig wells, and pipe in pure water. The group is divided into several small community teams, such as the one in the village of El Alto where Miss Crawford is working.

Elsewhere in Bolivia the story is the same: Small groups of versatile Americans doing outstanding humanitarian work in poverty-stricken villages. In Cochabamba, 18 volunteers are demonstrating techniques of animal husbandry, dairy-farming, and forage-crop production. In Santa Cruz, 16 volunteers are assisting the Bolivian Government in an attempt to increase agricultural productivity and to contribute to the social development of the indigenous population. In Also Beni, 20 volunteers are at work in a project of land clearance and resettlement. In the next year two more projects, involving 68 more volunteers, are planned. One will provide teachers to Bolivian universities; the other will be devoted to agricultural extension activities.

This is the monster which is giving the Communists nightmares. The Communists themselves tell us why—"The illusion is created at first sight," concedes El Pueblo, "that the members of that corps really want to serve the underdeveloped countries with their knowledge." What more eloquent testimony to the extraordinary effectiveness of these dedicated young men and women of the Peace Corps than this grudging tribute in the Communist press.

And what better proof that the Peace Corps poses a dire threat to Communist ambitions in the developing nations than the desperate fabrications the Communists feel compelled to invent in order to vilify the vitally constructive work it is doing.

Mr. President, I ask unanimous consent that these newspaper articles "Peace Corps: Fetus of Neocolonialism" and "The Peace Corps: In Reality, Yankee Occupation and Antiguerrilla Armies in South America," be printed at this point in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From El Pueblo, La Paz, Bolivia, Mar. 23, 1963]

PEACE CORPS: FETUS OF NEOCOLONIALISM

(Translation from Spanish by Legislative Reference Service of the Library of Congress)

The Corps of Volunteers of Peace [sic] is a fetus of neocolonialism. It has as much to do with peace as witchcraft has to do with science. Since it has come into being, that Peace Corps has stretched out its tentacles to many countries in Latin America (among them, Bolivia), Asia, and Africa, ordinarily included in the list of underdeveloped countries. U.S. Government circles are making a special point of sending these volunteers to the countries of Latin America.

The job of the so-called Peace Corps includes, for the purpose of aiding the penetration and strengthening the influence of North America, the fight against the progressive ideas of the national liberation movement that is shaking the regions of this hemisphere.

The Peace Corps is an instrument wielded by the North American neocolonialists who want to occupy the countries of Latin America. If the North American government circles really wanted to supply the existing deficiency of national cadres (of specialists) in this hemisphere, the Peace Corps should be subordinated in toto to the corresponding governments and should not interfere in their national activity. But the job has an entirely different setup. Upon arrival at their respective destinations (such as Bolivia), the members of the Peace Corps are subordinated in toto to the U.S. Central Intelligence Agency Staff.

Therefore, the members of that organization are microbes of North American neocolonialism being introduced into any freedom-seeking country in order to poison it.

The danger represented by the members of the Peace Corps must be recognized in time; and the danger is even greater inasmuch as, impelled by the enormous need which exists in the countries of Latin America for the training of specialists, the illusion is created at first sight that the members of those corps really want to serve the underdeveloped countries with their knowledge. But, as evidenced by the facts, the high-sounding talks about the generous and humane character of the Peace Corps are out and out lies, as the Hindu newspaper, Daily Times, reported not long ago.

Our people, we say, must remain on the alert and watch out for those microbes of Yankee neocolonialism that are hiding behind the fancy appellation of "Peace Corps volunteers." They are mere instruments of the North American espionage apparatus which the CIA has put into action in order to interfere in the daily pursuits of a people and to produce confusion in their minds, as well as to disseminate the subtle and dirty propaganda put out by its staff to serve the ends of colonialism.

These volunteers have expanded the ugly apparatus of the U.S. Embassy in La Paz; and their objective is, we repeat, to penetrate into those zones where the people are eager, precisely, to denounce a policy of wretchedness and deceit. The workers must watch out for those microbes.

[From Unidad, La Paz, Bolivia, Mar. 30 1963]

THE PEACE CORPS: IN REALITY, YANKEE OCCUPATION AND ANTIGUERRILLA ARMIES IN LATIN AMERICA

(Translation from Spanish by Legislative Reference Service of the Library of Congress)

(By Pedro Llamas)

The Peace Corps, which have—with remarkable ingenuity and on the pretext of aiding rural folk—begun to occupy our territory are none other than mercenaries especially trained by the U.S. Department of Defense for the sole purpose of repressing, with the aid of modern methods, the people's progress toward winning economic independence. The Americans know that a brazen invasion of our land would entail the protest and vigorous reaction of the population. That is why they have chosen to conceal behind the innocent facade of the Peace Corps a calculated and malicious occupation of our land with troops under camouflage banners of aid and peace. Since when, in modern history, have warmongers turned into meek lambs? Or is it that they are bringing the Trojan horse into our territory because they think that our people still wear blindfolds and are unaware of their evil designs? I venture to think that the people are not asleep, and that they frown upon the brazen violation being perpetrated on their country by a foreign nation, and that they will remain alert and vigilant vis-a-vis this situation.

HOW ARE THE ANGELS OF PEACE BEING TRAINED?

We know from well-informed sources how the plans of the Peace Corps are worked out. Aspirants to the international army of repression are selected by a recruitment (selection) board which submits them to rigorous checkups, whereupon they are sent to Arizona State University to take the corresponding courses which comprise Spanish, Latin American customs, ways of life, including the food we eat. These courses are given by specially trained personnel and are illustrated by documentaries previously taken in each country by the American Embassy's Information Section. The most interesting aspect of these courses is their psychological orientation, which we consider the lowest (ever) because it makes a mockery of human emotions. It is called "the policy of sex," with the catchword: "Marriage is a form of fight and tactical weapon" [sic]. An indispensable requirement for acceptance into the Peace Corps is to be single so that members will be able to contract fictitious matrimony and justify in legal form their residence in the occupied country and win the confidence of the natives (as they call the Bolivians in those courses). It must not be forgotten that the gringo mentality (philosophy) does not accept our Catholic marriage as a sacrament but considers it a simple ceremony which does not bother them.

THE PEACE CORPS AS ANTIGUERRILLA FIGHTERS

Considering the lesson they learned from the people's fight for liberation in the form of guerrilla warfare, the U.S. Defense Department has set up, in Panama and Puerto Rico, concentration [sic—training?] camps for this type of practice, to which the Peace Corps volunteers are sent, in their final training stage, before going to their countries of destination. At the present time about 4,000 men, who have been assigned to Colombia under the secret military pacts signed by our Government and that of the United States, are given training in those camps. These assistance pacts are a guarantee for the Alliance for Progress; that is, we trade economic aid for military occupation—a most expensive sale of our territory to the gringo merchants.

SPECIAL WEAPONS TO BE USED BY ANTIGUERRILLA FIGHTERS

In order to guarantee the action of its occupation troops the Scientific Department [sic] of the American Pentagon has given them several special weapons which we shall now describe. The antiguerrilla fighter groups will not use conventional rifles, but a special firearm consisting of tiny, lightweight arrows activated by rockets and endowed with greater lethal power than a .30-caliber projectile (rocket gun). Every antiguerrilla fighter would so be able to become a veritable armed battalion—capable of running, jumping, and attacking with real efficacy.

CHEMICAL SUBSTANCES

The rural vegetation will be sprayed, around the edges, with chemicals capable of causing leaves to drop off the trees in widespread areas. This will enable them (the Peace Corps volunteers) to clean out any foliage that might be used for camouflage purposes by the guerrilla fighters.

In their night attacks they will use special infrared lenses which will make them see better during those raids. They will also use in those night attacks special dyes from nonwashable (colorfast) chemicals, for easy identification of presumed guerrilla fighters.

Another weapon to be used by the "little angels of peace" in due course will be a tiny cast-iron bomb weighing only a few grains, and a big one, about 24 millimeters in circumference. Due to its shape, the small metal chunk will describe a straight trajectory and approach its target with extraordinary velocity and force. The new tiny (baby) bombs offer a psychological advantage in that they are noiseless and will cause panic among those caught up in surprise attacks. The bombs are camouflaged as cigarette lighters which would prevent easy identification.

COMBAT SYSTEM OFFICES [SIC] FOR LTDA (LIMITED? LIBERATION?) WARS

This office, operating under the supervision and direction of the Pentagon, is the office in charge of shipping to our country, clandestinely, the military equipment needed by the antiguerrilla troops. So as not to arouse any suspicion in the unloading operations, the shipments will be camouflaged by labels showing the content to be medicinal elements. As we see, the "little angels of peace" have a warmongering plan all mapped out in advance, but present themselves in our country like innocent children who could not harm anyone. But those little gentlemen-in-disguise should know that our people have suffered through a lengthy period of violence for which our backward ruling class lack of understanding had been responsible, and that we are not willing, under any circumstances, to add thereto another case of violence perpetrated by foreign hands because that would be an interference in our internal affairs, a violation of the sovereignty that is our heritage from our liberators which was forged with the blood and toil of our people.

Mr. PELL. Mr. President, I should also like to point out that the total cost of the Peace Corps operation in Bolivia which has provoked these vitriolic Communist attacks is $596,358: approximately a half-million dollars. By comparison, over the past decade, our foreign aid program in Bolivia has cost $234.6 million; and in the last 2 years alone—the years of the Peace Corps—we have given Bolivia $66.9 million. These figures make it clear beyond the shadow of a doubt that we are getting an enormous amount of mileage out of a very small number of Peace Corps dollars.

I am especially hopeful that the Congress will take note of this remarkable record and increase the scope and funds of the Peace Corps when its appropriation measure comes before us. The Peace Corps has proven itself a potent weapon in the cold war and a vital instrument of progress in the development of South America. It stands richly vindicated by the mortal enemies it has made, as well as by its burgeoning host of friends.

EUROPEAN INFLUENCE ON CIVIL CONTROL OF THE MILITARY

Mr. GOLDWATER. Mr. President, during the remaining days of this Congress, which seem to be as multitudinous as the calendar itself, many issues will be debated on the floor of the Senate; but, I doubt whether any will bear more importance to the future of our democratic Republic than that centered around the dangerous directive issued by the Secretary of Defense that the military commander must use the full power of his position, including economics, to force social changes in the community in which his base is located. While at first blush this might seem to be a matter solely concerned with civil rights, its real impact is upon the historic relationship of the civilian with the military, and vice versa. We Americans are prone to think that this relationship has been solely an invention of "we the people," but historically, there has been a sway back and forth in the balance of power between the military and the civilian, with the military almost universally recognizing that the civilian should be superior. One of the most interesting pieces of writing I have seen lately, on this general subject is one entitled "European Influence on Civil Control of the Military," published in Airpower Historian for July 1963, written by Maj. Gen. Dale O. Smith, who is special assistant to the Joint Chiefs of Staff for arms control. Typical of the cogent remarks quoted in this brilliantly written paper, is the one ascribed to Woodrow Wilson when he remarked that soldiers should have nothing to do with boundary drawing and then went on to say "it is the military who have led us from one disaster to another." I paraphrase at this point. When Secretary of Defense McNamara seems to be bound and determined to develop the military leadership into political leadership, historians might quote someone in this day and age to the effect that "it is the civilians who have lured us from one disaster to another."

I suggest that my colleagues in the Senate read this interesting and thought provoking dissertation so that they might fully understand what on the surface seems to be a civil rights move, but which underneath, holds all the dangers of power politics.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

EUROPEAN INFLUENCE ON CIVIL CONTROL OF THE MILITARY

(By Maj. Gen. Dale O. Smith, USAF Special Assistant to the Joint Chiefs of Staff for Arms Control)

(EDITORIAL NOTE.—This article was prepared with assistance from the Committee of National Security Policy Research of the Social Science Research Council. Observations are those of the author and should not be construed as policies of the U.S. Air Force, the Joint Chiefs of Staff, or the Department of Defense.)

Although the Cromwellian period in Britain during the early 17th century had much to do with influencing subsequent Anglo-American civil-military relations, events on the Continent were taking place at the same time which were also to have an influence in shaping these relations. Germany was undergoing the 30 Years' War. The Catholic Holy Roman Empire under the Hapsburgs in Vienna was being threatened by the Protestant Evangelic Union. The Hapsburgs managed to prevail over the Protestant combinations in the first decade of the war by hiring two able professional soldiers: Johan Tilly and Albrecht von Wallenstein. The latter veteran raised his own army of 20,000 (including, strangely, many Protestants) and insisted that he have a free hand. Thus armed with his hard-fighting mercenaries he defeated the Protestant forces at Dessau in 1626 and, allied with Tilly's army, subdued Christian of Denmark at Lutter.

The ambitious General Wallenstein became governor of territories he had conquered but the vested interests of the Catholic League attempted to force his dismissal. This was badly timed because, in the summer of 1630 Gustavus Adolphus of Sweden took up the Protestant cause and swept through Germany in triumph, defeating Tilly near Leipzig. Emperor Ferdinand had to eat humble pie and appeal to Wallenstein to save the day. For this Wallenstein exacted concessions of supreme command over imperial forces as well as authority to make treaties.

If Wallenstein had won, it is not inconceivable that a military dictatorship could have been established over the Holy Roman Empire. But he did not win. At Lützen (1632) Wallenstein was defeated by Gustavus. After 2 more years of desultory and unsuccessful campaigning, Wallenstein was relieved from command and soon thereafter, assassinated. So ended a threat by an independent military leader to the constituted royal authority. It was a lesson not to be regarded lightly and the mercenary forces that had been so prevalent during this vicious war began to lose favor. Eventually the long and bloody war petered to a close.

Military art had lain dormant as long as it had been left to hired hands of the sort Wallenstein led. Tactics assumed far more importance than strategy, for strategy is always a function of government. But Gustavus Adolphus integrated the military with statecraft, as did Frederick the Great of Prussia a little over a century later.

In the War of the Austrian Succession (1740–48) Frederick II (the Great) defeated the armies of Maria Theresa and acquired Silesia through a series of brilliantly led engagements. A few years later, however, he found himself virtually surrounded by enemies whose purpose was to dismember all of Prussia. Frederick fought gallantly against an overwhelming alliance of Russia, Austria, France, Saxony, and Sweden. His sole ally was England-Hanover whose support was essentially financial. Oddly enough, this Seven Years' War had begun in America between

French and English colonists. England's alliance with Prussia, and France's with Austria, caused the two German states to again take up arms against each other.

Frederick's grand strategy was to keep his enemies from uniting and defeat them in detail by use of his interior lines. This strategy worked well against his vastly superior foes until the Austrian and Russian armies affected a junction in 1759 at Kunersdorf, and Frederick suffered his worst defeat. The end looked near for Prussia but luck came to Frederick's assistance. A change of regime in Russia caused a change in sympathies and Russia switched sides. England and France patched up their quarrel and France lost interest in fighting Prussia. At this juncture, Maria Theresa thought it prudent to negotiate a peace and Prussia was saved.

Some 14 years later Frederick again challenged Austria but this war of the Bavarian Succession, as mentioned earlier, came to an end without fighting and with Austria renouncing its claims to Bavaria. Frederick had no desire to fight if his aims could be achieved by diplomacy.

There can be no doubt that the military function was merged with statecraft under the Prussian King, and he executed both functions with consummate skill. Had Frederick lived longer he might have been successful in achieving the unification of Germany, a task eventually accomplished by the Bismarck-Moltke team a century later. In 1785 a League of German Princes was formed, but was dissolved after Frederick's death the following year.

The French Revolution saw the military again become an integral part of government under Napoleon. Strategy assumed a dominant role in statecraft. Archduke Karl, who led the Austrians against the French, and probably felt the lack of this integration in his own forces, put it this way:

> The strategic design, as a rule, depends on the decisions of cabinets and upon the resources placed at the disposal of the commander. Therefore, the leading statesmen should either have correct views of the science of war or should make up for their ignorance by giving their entire confidence to the man to whom the supreme command of the army is entrusted.[1]

But integration of the military with statecraft was as shortlived as Napoleon, who succumbed to a coalition led by the English mercantile state which was dedicated to keeping the military in its place. Perhaps the need for civic control of the military began to be felt on the Continent as a consequence of the fear which Napoleon had spread throughout Europe for half a generation. Fear and evil are unquestionably related in human conclusions. Therefore, lack of civil control of the military could have been regarded as dangerous; particularly by those merchant princes who were beginning to wrest control of statecraft from the hereditary nobility. To them wars were only acceptable if they improved business, and military men seldom recognized such objectives. Certainly the Napoleonic wars had been unprofitable. Moreover, the military were fundamentally loyal to the sovereign rather than to the emerging democratic elements of government, and the sovereign was the target for the new commercially inspired forums.

Analyzing Napoleon's successes, Karl von Clausewitz theorized on the integration of politics and war. "None of the principal plans which are required for a war," he wrote, "can be made without an insight into political relations." Yet Clausewitz noted certain cleavages of the military from statecraft that even then were beginning to be practiced in Prussia. To correct this tendency he urged cross-training between statesmen and soldiers.

The emerging military-political dichotomy during Clausewitz's time was revealed by his cautions for greater unity and for civil-military mutual understanding. "War is only a part of social intercourse," he wrote, "therefore by no means an independent thing in itself * * * accordingly war can never be separated from political intercourse." To do so, he maintained, would cause war to be "a useless thing, without an objective * * * the unbridled element of hostility." [2]

Splitting off the military from the state itself at this stage of history and thereafter did not come about entirely as a measure to keep the military from threatening the state. It was as much, if not more, of a consequence of a general cultural trend. Hereditary control of property and power as established by the feudal system and later by the divine right kingdoms concentrated the wealth in the hands of a few who became disinclined to practice the rough game of self-defense. As long as the military could be hired and loyalty bought, as long as the hereditary succession of property and power was accepted as the natural course of events, there was no need for statesmen to practice the military arts. There is little evidence that this division of labor came about through any conscious effort to keep the military within bounds as is popularly imagined today.

As commercialism grew, the concept of divine right lost credence in Germany as elsewhere. Although the Congress of Vienna following Napoleon's downfall at first appeared to restore the old order, popular government had captured the imagination of all Western countries and the military, alined with the old order, was generally regarded as an enemy to this reform.

Separation of the military took many forms. One such form was an intellectual division. Military matters began to be discussed in a political vacuum as "pure" military strategy. The renowned French military philosopher of Swiss birth, Jomini, scoffed at there being anything such as a "purely military" decision. The principal plans which are necessary for war, he said, cannot be made without an insight into the political conditions. Policy and strategy should be one and the same. And Clausewitz wrote:

> "If war is to correspond entirely with the intentions of policy, and policy is to accommodate itself to the means available for war, in case statesmen and soldiers are not combined in one person, there is only one satisfactory alternative left, which is to make the commander in chief a member of the cabinet." [3]

Generally speaking, however, the Prussian military leaders were not accepted in the ruling circles. They had few ambitions beyond mastering the sword and improving Germany's military posture.

In Britain, too, the hereditary leaders securely held the power of the state. They were largely civilian in background and amateurs in military affairs.

Too often civil rulers in their military ignorance would turn uncritically to military advice in time of crisis. "War is the province for soldiers," was too readily recited, while on the other hand, the political ignorance on the part of soldiers led to equally grave consequences. Bismarck was one of the few statesmen who recognized the dangers in letting the military run a war in a political vacuum.[4] He appreciated the genius of von Moltke who defeated Austria in 7 weeks and subdued France in 4, but by dictating magnanimous terms Bismarck was permitted by his former enemies to consolidate the German Empire.

As warfare grew more encompassing with modern organization and technology, its relationship to politics became increasingly evident. Yet this evidence has not caused an amalgamation of the citizen and the soldier. The ancient dichotomy is fervently justified in America as a means for civil control of the military which, it is felt, is necessary to retain democratic principles.

Because of mutual ignorance of the others' aims and methods, politicos and generals have argued bitterly in every Western country which has practiced this civil-military separation. Each class fears the other as a threat to peace and security. The military are alarmed at policies promulgated by governments which fail to consider military strategy or capacity, while civil leaders look upon the military as a necessary evil, dangerous to freedom and only to be called on when all other means of statecraft fail. This is typified by Woodrow Wilson's remarks that soldiers should have nothing to do with boundary drawing. "It is the military who have led us from one disaster to another," he said.[5]

It should be of some concern to note here that the free city of Danzig was established by the Treaty of Versailles at which Wilson was in conspicuous attendance, and at which his military adviser, Tasker H. Bliss, was virtually disregarded. Isolated in Poland, this German city was separated from its Prussian neighbors on either side. One of the issues which sparked World War II was Germany's desire to correct this geographical and political anomaly. Having fought World War II the victorious allies similarly isolated Berlin and left it an island in a sea of Soviet controlled territory. This was where we came in with respect to Danzig, and the Berlin issue has several times put us on the brink of world war III. One can readily understand why military men would like to sit at the peace table and in the cabinets where such decisions seem to be made in a military vacuum, for it is the military who are often called upon to correct these mistakes by force of arms.

On the other side of the coin is the narrow military attitude which eschews political considerations in military decisionmaking, either as being of minor consequence or as somehow having an immoral connotation. This attitude was expressed by Payton C. March in 1919 when he pointed out that our military program "frames entirely on its merits, without any relation whatsoever to national or international politics."

It can be seen from history that a separation of military from statecraft is not a U.S. invention by any means. It was common to most western countries long before America was discovered and it has been religiously practiced ever since for various reasons. In recent times efforts have been made to achieve more coordination between political and military elements of government in order to arrive at reasonable national policies, but this effort has achieved considerably more form than substance.

PREPARING FOR A FREE CUBA: THE EDUCATION OF CUBAN REFUGEE CHILDREN

Mr. HART. Mr. President, a recent speech by Mr. Manuel J. Reyes, a refugee from Cuba, concerns the education of

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[1] Vagts, Alfred, "Defense and Diplomacy," King's Crown Press, New York, 1956, p. 454.

[2] "War as an Instrument of Policy," ch. VI (B) of book VII, "On War," p. 594f.

[3] "On War," p. 599.

[4] Vagts, op cit., p. 470.

[5] Vagts, p. 484.

Cuban refugee children in this country. Referring to these children, he states:

> They are the representatives and the ambassadors of Cuba in exile. All they will be able to learn about democracy is what they will be able to establish later on when their country is free * * * and the more they learn, the better acquainted and prepared they will be to face the youngsters that are still in Cuba, and have not been able to see the light and the truth, and whose minds are poisoned by communism.

Mr. Reyes makes a good point. He puts on the line, Mr. President, a little of what I fear is lacking in much of the discussion about freeing Cuba; namely, how are we preparing for this inevitable day? What will replace the tyranny of the Castro regime? There are many facets to these questions, and I stake no claim on having all the answers. But certainly the training of the refugee children is involved. I trust all of us, American citizens and Cuban exiles alike, realize fully the tremendous responsibility we have for the proper nurture of these children, especially those with parents and other close relatives remaining in Cuba. As Mr. Reyes puts it:

> It is our duty to help them. They will be the leaders of tomorrow.

Mr. President, I ask unanimous consent that Mr. Reyes' speech be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

SPEECH BY MANUAL J. REYES, LATIN AMERICAN NEWS DIRECTOR, WTVJ, MIAMI, FLA.

Just a few months ago, I had the honor to address a few words to the Spanish and Portuguese teachers of Dade and Broward Counties.

Mrs. Catherine Pacheco, president of the Spanish Teachers Association of Dade County, was present and asked me to speak to you on the same subject I spoke about at that time: "The Education of Cuban Refugee Children."

You, the teachers at school, are the continuation of the parents at home.

I believe I can talk for the thousands of refugees in these lands of freedom and would like to bring to you the real situation between Cuban parents and children, to enlighten you as to the real value of the different aspects of the difficult problems they face.

Two years ago, in a special program we broadcast on Channel 4, we exposed the plight of the Cuban children. The name of the program was "Cuba, a Lost Generation."

To start to analyze the problem, we must realize that the Cuban children are living between two nations: At school he is an American, and at home, he is a Cuban.

This could bring at any moment a psychological trauma if parents and teachers do not work together in the education of the Cuban children.

The difficult situations which the Cuban child has to go through since the time he left his country are sometimes explosive, and will probably leave unforgettable traces or marks in their minds.

They would not stay in Cuba because the strong Communist indoctrination would have made him another Communist.

Today, the Cuban youth who are growing in Cuba, are not Cuban youngsters, but Soviet youngsters.

Youngsters who have lost their smiles and the will to do so, and who have been converted into robots with their minds poisoned by Communist indoctrination. Ideas that remind us of the time of Hitler and Mussolini.

Let us talk now about the responsibility that the Cuban child has to face in order to study.

When the parents have the financial means to pay for their children's education, the child has a great obligation to study and fulfill the purpose of the sacrifice of their parents.

For the Cuban youngster, when they realize that their parents have left everything behind: loved ones, memoirs, profession, rich or poor homes * * * work or business, rich or poor, hard years of working * * * with the only purpose to stop him from falling into the paws of atheist communism and bring him to this land of freedom * * *.

For him, I repeat, the responsibility to study is a greater one. It is the same responsibility or even greater for the Cuban youngster whose parents stayed in Cuba with their heart broken by the separation of the beloved son, and sent him here to make out of him a good man for democracy.

I know, and you know, that many of these Cuban youngsters are making their best effort to study. And it is my only wish that these poor words will help to continue the actual effort you are making, to increase it, if possible, and help others to do as well as you have done.

Another fact that increases the responsibility of these Cuban boys and girls is that they were born in Cuba * * * that they are Cubans, and that the people of this great Nation have allowed them to study in their schools.

The United States is the cradle of democracy. They can take advantage of this great opportunity to study its laws, its customs and enlighten their souls with the principles of Christianity and freedom. You, the teachers are the media God has chosen to accomplish this, and help them.

They are the representatives and the ambassadors of Cuba in exile. All they will be able to learn about democracy is what they will be able to establish later on when their country is free * * * and the more they learn, the better acquainted and prepared they will be to face the youngsters that are still in Cuba and have not been able to see the light and the truth, and whose minds are poisoned by communism.

We, the elder, will only have 5, 10, or perhaps a few more years of effective production. They will have to face the Communist youngsters when the process of the liberation of Cuba is finished. It is our duty to help them. They will be the leaders of tomorrow. On their shoulders is the future responsibility to save and reconstruct, through the Christian way of democracy, the country of José Marti.

EQUAL EMPLOYMENT OPPORTUNITY PROGRAM

Mr. HART. Mr. President, with the energies of the Congress and the channels of mass communication focused these days almost entirely on two phases of the civil rights front—work on new legislation and the continuing protest demonstrations—I fear that one important area is often overlooked. This is the area of implementing existing public policy up and down the line.

On June 22 of this year President Kennedy issued Executive Order No. 11114 which extended the existing equal employment opportunity program to employment on construction contracts financed with the assistance of the Federal Government.

On July 9, in a unanimous declaration of policy, the joint construction activities committee of the Detroit metropolitan area endorsed the President's Executive order and announced the removal of all racial barriers from Detroit's construction industry.

This committee is composed of representatives of contractor organizations, the building trades council, local construction unions, and the joint apprenticeship committees of 18 craft unions in the Detroit area. I congratulate each and all who helped achieve this significant declaration and policy.

Mr. President, I ask unanimous consent that excerpts from the record of the July 9 meeting of the joint construction activities committee, and an article from the Building Tradesman of July 12, be printed at this point in my remarks.

There being no objection, the excerpts and article were ordered to be printed in the RECORD, as follows:

In a meeting of July 9, 1963, the joint construction activities committee of the Detroit metropolitan area has studied President Kennedy's Executive Order No. 11114, extending the authority of the President's Committee on Equal Employment Opportunity, and has endorsed the letter and intent of the order without reservation.

The order provides for the extension of the existing national program for nondiscrimination in employment in Government contracts for construction financed with assistance of the Federal Government.

The Detroit area committee will immediately seek the aid of local, State, and Federal agencies concerned with apprenticeship to insure entry into apprenticeship openings for qualified applicants without regard to race, creed, color, or national origin.

There will be affirmative action on the part of the committee and member contractors and local unions to encourage application from members of minority groups. The committee also solicits the help of interested community groups in publicizing this policy.

The committee recognizes that the acceptance and training of apprentices to fill new jobs as they are being created in accordance with national policy will implement the long-run goals of the national equal employment opportunity program. However, with expanding employment opportunities in private building and construction as well as with respect to contracts for construction financed with assistance from the Federal Government, the committee believes that action at the apprentice training level is not sufficient to implement the full letter and intent of the national policy as stated by President Kennedy. It recognizes that affirmative action must also be taken at the journeyman level where applicants meet the required qualifications. This is in full accord with point No. 1 of the public statement adopted at a June 21, 1963, meeting of the general presidents of the international unions affiliated with the building and construction trades department of the AFL-CIO.

In order to avoid discrimination, local unions will adopt the policy of accepting into membership any applicant who meets the required qualifications, regardless of race, creed, color, or national origin.

The local unions concerned will urge qualified people already working in the crafts in a nonunion status, to establish qualifications and to apply for membership.

The committee is requesting Prof. Ronald W. Haughton of Wayne State University, and a member of the academic advisory committee to the President's Committee on Equal Employment Opportunity, to consult with it to establish fair and impartial procedures to implement the policies to which it has herein subscribed.

The four-point program adopted by the general presidents June 21, 1963, is to be included in the above resolution.

The following motion was also adopted unanimously:

"That the joint construction activities committee request all joint apprenticeship committees affiliated with the Construction and Allied Industries Joint Apprenticeship Council, Detroit and vicinity, to make available immediately, in writing, for all concerned the qualifications and rules regarding application for or employment of apprentices in their respective apprenticeship programs; and further, the joint construction activities committee requests the six-man executive committee of the Construction and Allied Industries Joint Apprenticeship Council to study the written qualifications and rules to determine whether any changes are necessary to insure nondiscrimination."

The above excerpts are from the special meeting of the joint construction activities committee held on Tuesday, July 9, 1963, for your information and records.

W. Harry Lane,
Chairman.
Tom McNamara,
Secretary.

[From the Building Tradesman, Detroit, Mich., July 12, 1963]

Crafts Vow To End All Discrimination

Racial discrimination in the construction industry has been all but erased following a series of meetings by leaders in the construction industry from both labor and management, public officials, apprentice heads and representatives of the Trade Union Leadership Council, a Negro group which first advanced the bias charge.

The series of sessions culminated last Tuesday with the passage of two resolutions that broke down any and all alleged barriers to full participation in the construction industry by Negro workmen, other than the usual high standards long prevalent in the industry.

The resolutions were passed at a meeting of the joint construction activities committee of the Detroit metropolitan area, which is composed of building trades union and industry leaders, and the members of all joint apprenticeship committees among the 18 craft unions.

Following the session, Tom McNamara, secretary-manager of the Detroit Building Trades Council and secretary of the joint construction activities committee, called Horace Sheffield, administrative vice president of Trade Union Leadership Council, and read to him the two resolutions and filled in with the action of the groups.

Sheffield expressed himself as pleased with both the gist of the resolutions and the unanimous passage which both received.

The series of meetings—set off by an Executive order issued by President Kennedy which banned discrimination on all construction projects that receive Federal financial aid—began with the executive board of the Detroit Building Trades Council meeting with Trade Union Leadership Council leaders.

This meeting was held June 28 after which the other meetings were scheduled.

Then Mayor Cavanagh called a meeting of construction leaders Monday. This meeting, like the others, ended on a happy note, with a pleasant discussion of ways and means of meeting the demands made by the Trade Union Leadership Council.

Meanwhile, the Detroit Building Trades Council's executive board was scheduled to meet with Trade Union Leadership Council leadership last Thursday and explain the actions taken on Tuesday. Because the Building Tradesman's press date falls on Thursday, coverage was unavailable in this edition.

The joint construction activities committee meeting opened smoothly with Joe Perry, business manager of Plumbers Local 98, presenting a resolution that called for affirmative action by way of accepting apprentices and journeymen regardless of race, color, creed or national origin, provided they met the same high standards as other apprentices.

The resolution also recommended that Prof. Ronald W. Haughton, director of the Institute of Industrial and Labor Relations at Wayne State University and a member of the Academic Advisory Committee on Equal Employment Opportunity, be invited to serve as consultant.

The resolution also set forth that the Detroit area committee would immediately seek the aid of local, State, and Federal agencies concerned with apprenticeship to insure entry into apprenticeship openings of qualified applicants without regard to race, creed, color, or national origin.

This resolution also called for the admittance of qualified journeymen into building trades unions regardless of race, color, creed, or national origin.

The resolution was amended to include all 4 points of an antidiscrimination program outlined by the 18 presidents of trade unions affiliated with the AFL-CIO building and construction trades department.

The second resolution covered the apprenticeship program. It follows in full below:

"That the joint construction activities committee request all joint apprenticeship committees affiliated with the Construction and Allied Industries Joint Apprenticeship Council, Detroit and vicinity, to make available immediately, in writing, for all concerned the qualifications and rules regarding application for or employment of apprentices in their respective apprenticeship programs; and further, the joint construction activities committee requests the six-man executive committee of the Construction and Allied Industries Joint Apprenticeship Council to study the written qualifications and rules to determine whether any changes are necessary to insure nondiscrimination."

Those attending were assured by Felician Van Den Branden, principal of the Detroit Apprentice Training School, and James Whyte, field representative of the Department of Labor's Bureau of Apprenticeship and Training that neither the school nor the Detroit Board of Education permitted discrimination in the apprenticeship program.

The two motions were placed under vigorous, but friendly discussion in an open attempt to iron out any and all inequities.

Various spokesmen for contractors' organizations, including Perry Schiltz, of the Detroit Electrical Contractors Association, and spokesmen for all employer organizations represented, agreed to abide by the terms of the resolutions.

Following the discussion and passage of the two motions, Louie Holmes, Jr., secretary-treasurer of Laborers Local 334, and a charter member of Trade Union Leadership Council, was asked to present his opinions on what had been accomplished.

Holmes said that in the past contractors had been as guilty, if not more so, than trade unions in the practice of discrimination.

He explained that the Trade Union Leadership Council had membership in all walks of life, including a member of common council, who are interested in ending discrimination in the construction industry and elsewhere.

"We will watch the building trades closely," he said. At the same time he said that L. M. "Boots" Weir, secretary-treasurer of the Carpenters District Council, and Irving Bronson, Painters District Council business representative, had made it clear that their unions had no policy of discrimination.

"My father is a carpenter member of Weir's organization," he said. He then charged that some other unions, even outside the construction unions, did carry on a policy of discrimination.

Holmes also explained how local 334 had integrated its staff in keeping with a policy of antibias. At the same time he said, "We want action, not words."

When some building trades leaders stressed some of the difficulties they had in organizing Negro workmen, they were assured that the Trade Union Leadership Council would help them in this endeavor.

The four antidiscrimination points laid down by the 18 international union presidents and included in the first resolution follow in full below:

1. Local unions are to accept into membership any applicant who meets the required qualifications regardless of race, creed, color or national origin.

2. If a local union has an agreement which provides for, and operates, an exclusive hiring hall, all applicants for employment are to be placed upon a hiring list in accordance with the applicable law and their collective bargaining agreement.

There is to be no identification of applicants as to race, creed, color, or national origin, and they are to be referred without discrimination as their turn comes up on the hiring list, if their qualifications meet those required by the employer.

3. If the local unions do not have an exclusive hiring hall, but do have a referral system set forth in their collective bargaining agreement, qualified applicants for employment are to be referred without discrimination as to race, creed, color, or national origin.

4. With regard to the application for, or employment of, apprentices, local unions shall accept, and refer, such applicants in accordance with the their qualifications and there shall be no discrimination as to race, creed, color, or national origin, and the local unions shall adhere to their apprenticeship standards.

CALIFORNIA AND PACIFIC NORTHWEST HAVE A MUTUAL STAKE IN FEDERAL WEST COAST POWER INTERTIE

Mr. ENGLE. Mr. President, everybody can benefit from the proposed west coast electric power intertie if it is built and operated as a Federal common carrier line. By everybody, I mean the people of the Pacific Northwest and the people of California, including those who are consumers of both public projects and private projects.

Conversely, very few may benefit if it is built as a monopoly line controlled at the southern end by the so-called California power pool. That is exactly what would happen, however, if the Westland amendment tacked on by the House Interior Committee should prevail. The power consumers of both the Northwest and California would lose. The Pacific Coast Power Coordinating Committee understands this. At a meeting in Portland, Oreg., the committee adopted a resolution which states:

> The Westland amendment would impede efforts to intergrate existing Federal systems. It would mean higher costs for Northwest and Southwest consumers but lower revenues to the U.S. Treasury. The Westland amendment strengthens the Pacific Gas & Electric Co. monopoly; creates transmission tollgates and endangers and weakens legislation to establish ground rules

for any Pacific Northwest-Southwest intertie. We respectfully urge the amendment be stricken.

The California Municipal Utilities Association takes the same position. It has wired me as follows:

Inclusion of Westland amendment in S. 1007 eliminates our support of the bill and requires our active opposition. The amendment discriminates against our members and the State of California. The Westland amendment is so adverse to our interest as to negate any benefit which the preference legislation might otherwise assure. We ask you to employ the full force of your office to strike the amendment or to oppose S. 1007 if the amendment remains in effect.

The mutual interest of both North and South in a full length and unfettered west coast intertie is spelled out perhaps best of all by the Sacramento Bee in editorials published on July 10 and July 22. I ask unanimous consent that these two editorials be printed in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Sacramento Bee, July 10, 1963]

NORTHWEST WOULD LOSE BY INTERTIE HOBBLE

It is difficult to understand how a Congressman from the State of Washington should be the one to sponsor an amendment to the Pacific Northwest power preference legislation requiring specific congressional approval before a Federal transmission intertie can be built to transport Bonneville electricity into California.

This is exactly what the privately owned utilities wanted, for they can feel reasonably sure the House Interior Committee which adopted this antipublic power amendment likewise would turn down authorization of a Federal intertie.

It is one thing for Congressman JACK WESTLAND, the sponsor of the restrictive amendment, to play the game of the privately owned utilities but quite another for him to foster a gambit which could be costly both to his own territory, the Pacific Northwest, and to California.

The Pacific Northwest has a very large surplus of power and the situation will become even more acute when the treaty between Canada and the United States inevitably is negotiated whereby Canadian electricity will be moved into this country.

Unless an outlet can be found for surplus Bonneville power it will be necessary to increase the rates in order to repay the Federal Government for the investment in dams and generating facilities. That is certain.

This not only would raise the charges to existing customers but would discourage industries from moving to the Northwest. If industries cannot be attracted now with power rates which are just about the lowest in the United States, they could not be attracted if the rates were higher.

Proposed private transmission facilities would not take care of the situation; several lines including the public intertie are necessary. So if WESTLAND's amendment is kept in the pending bill, the Bonneville kilowatts in effect will be rotting on the transmission lines.

The Northwest would be penalized; California which can use the additional electricity for the State's water plan and in other areas, would be penalized.

For the House of Representatives to approve the bill as it stands would be a disservice to the West. And if the House is minded to play the tune of the privately owned utilities, the Senate, which already has passed a preference bill without this amendment, should refuse to concur.

[From the Sacramento Bee, July 22, 1963]

PRIVATE UTILITIES WOULD SIT AT POWER TOLLGATE

It must be conceded the Washington lobbyists for the privately owned electric utilities scored a victory of sorts in getting the House of Representatives Interior Committee to insert the so-called Westland amendment in the Northwest power preference bill.

The measure in its overall purpose is reasonable enough in that it would give the Pacific Northwest first call on Government power generated in that area to meet its own needs before any could be transmitted to California or other States.

Yet the amendment offered by Congressman JACK WESTLAND, of Washington, and adopted by the committee would go beyond the basic principle set forth in the bill. It in effect would take away the existing authorization for the Interior Department to build a Federal transmission line from Bonneville into California and require specific approval by Congress of such a project.

Meeting in Portland recently the Pacific Coast Power Coordinating Committee, representing 175 consumer-owned electric systems in 7 Western States, strongly condemned the amendment and called for congressional defeat of the measure if the rider remains in the bill.

In a telegram to Congressman WAYNE N. ASPINALL, of Colorado, chairman of the Interior Committee, the west coast group stated:

"The Westland amendment would impede efforts to integrate existing Federal systems. It would drastically weaken the Government's negotiating position respecting possible non-Federal intertie proposals, jeopardize chances for approval of the Canadian treaty providing for sale of Canadian power to the United States and mean higher costs for Northwest and Southwest consumers but lower returns for the U.S. Treasury."

There is nothing in the Westland amendment to keep the Government from building a line to the Oregon-California border where the power could be delivered to the private companies. While the utilities have offered to convey the energy to a few public agencies in California, this would put the private interests at the tollgate.

The Westland amendment must have exceeded the wildest hopes of the special interest lobbyists. It should be stricken out or the entire bill, unfortunately, should be defeated.

TRIBUTE TO OMAR B. KETCHUM

Mr. ENGLE. Mr. President, I rise to pay tribute to a recently departed friend, Omar B. Ketchum.

With Omar Ketchum's death the country lost a great champion of veterans' rights. It is to the inestimable advantage of the veterans of this country that Omar Ketchum chose to devote his life to their cause. He gave them hope and encouragement. He was their true friend.

As VFW's national legislative officer and later director of its Washington office, Omar Ketchum was for more than two decades an integral and important part of all major legislative and administrative actions affecting our veterans. He was especially proud of the significant role he played in the GI bills for World War II and Korean conflict veterans, and in the successful fight to have enlisted men receive terminal leave pay at the end of World War II. He was considered to be the chief spokesman for a separate pension program for World War I veterans.

Omar Ketchum did not limit his activities to veterans' affairs. For the last 20 years he was very much in the forefront of legislative activity designed to protect our country against subversive forces and to promote a strong national defense. For many years he served on the President's Committee on Employment of the Handicapped and on the Federal Advisory Council on Employment Security.

Omar Ketchum served his country well—with courage and devotion to the end. His many friends will miss him very much. The veterans of this country will never forget him.

My deepest sympathy to his wife Edna and their children.

CIVIL RIGHTS DEMONSTRATIONS

Mr. CHURCH. Mr. President, our Nation today is facing a social revolution of such profound consequence that, in my judgment, it shall have tremendous influence in molding our future relations with one another and the relations of our country with the rest of the world. However, too many of us have focused such great attention on the demonstrations and the proposed civil rights legislation, that we have failed to grasp the real implication of what is happening. No doubt, the present events are of great and immediate significance, but they will mean very little if we neglect the long-range suggestions of this social revolution, that being the low economic status of our Negro citizens, brought about by their lack of educational opportunity.

Last June 18, William H. Stringer, the chief of the Washington Bureau of the Christian Science Monitor, wrote a very thought provoking article concerning this subject.

I ask unanimous consent that his article entitled "Low Man on the Totem Pole," be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LOW MAN ON THE TOTEM POLE

(By William H. Stringer)

WASHINGTON.—We're reading these days about Negro street marchings and demonstrations and President Kennedy's proposed new civil rights legislation. But beyond the immediate crisis lies a problem which legislation cannot quickly reach, yet which is crucial for the long-range future of the Negro.

This is his economic status, which is partly the result of lack of educational opportunity.

Throughout American history some group always has been low man on the economic totem pole. On the west coast, it was once the Chinese, who became the laborers who built the western half of the first transcontinental railroad. In the East it was the Irish, fleeing from the potato famine. Now it is the Negro, last to be hired, first to be fired, filling the unskilled jobs—the jobs which automation is beginning to snatch from him.

The Negroes are the ones who participate most directly in the poverty of what the sociologists call "the other America"—the America of the slack industrial town, of the outworn mining community—the America of the ill-educated school dropout, and of the chronically unemployable.

There are more Negroes in these categories, except in mining areas, than anyone else. Their rate of unemployment is twice that of whites. The rate of joblessness among Negro youths in several big cities ranges up to 75 percent.

What is to be done about these statistics of despair? This isn't a problem of admitting Negroes to lunch counters or swimming pools. It isn't even an issue of lawsuits to secure their voting rights, though a people possessed of the right to vote can work more effectively against discrimination in hiring and firing.

But we have a clue to the basic challenge when we note that Attorney General Robert F. Kennedy, in discussing civil rights remedies, says that aid-to-education measures and the administration's tax bill are more important even than new civil rights legislation. For it is these further objectives—more education, and the brisker economic activity which the tax bill is expected to induce—that will raise the Negroes' economic status.

Lesser measures also will help. One can argue the value of stronger Government support for vocational training, and the value of work among the high school dropouts—by local schools hand in hand with local private enterprise—and even the value of a domestic peace corps to work in the Negro ghettos.

There is need for more rapid upgrading of job opportunities by the predominantly white labor unions, and for persistent pressure on hiring practices by the President's Committee on Equal Employment Opportunity.

Beyond all this, there is the continuing challenge of the Nation's economic growth rate. Just now the Bank for International Settlements at Basel has criticized American administration policy for its alleged "reluctance to call upon fiscal measures on a scale to match the huge size of the economy." The bank suggests more Government spending, besides the projected tax cut. This Keynesian advocacy may be the wrong prescription, but it underlines the urgency of having a continually thriving economy.

The Negroes' agitation today reminds us that there is this "other America" which by no means participates in the good life, and that its plight could worsen if nothing is done about it.

EMERGENCE OF FORMER COLONIAL STATE

Mr. CHURCH. Mr. President, one intriguing aspect of our world in the second half of the 20th century and perhaps the most misunderstood has been the development of what many have called the third world. This is the name commonly applied to those countries of Africa and Asia which were the products of the revolutionary changes taking place after the Second World War. While we and the Soviets have, from time to time, maneuvered for their favor, these countries, mostly unalined, have become the largest bloc in the United Nations, and have the potential of drastically affecting the future course of world history.

A phenomenon connected with the development of the third world has been that not only have they refused to subordinate their own peculiar problems of economic or political development to those of the major powers, but in the cold war they have followed policies of nonalinement. Though many may find these policies destructive, or unenlightened, nevertheless, they cannot be ignored.

Therefore, I would like to call to the attention of the Senate a book review which appeared in the Wall Street Journal of May 29, 1963. It is a perspective review by William H. Chamberlin, of a book entitled the "Third World."

Mr. Mario Rossi, the author of the study, tries to provide some answers as to why the third world nations act as they do on such vital questions as the cold war, colonialism, aid to newly developing nations, and communism.

I ask unanimous consent that the book review from the Wall Street Journal be printed at this point in the RECORD.

There being no objection, the review was ordered to be printed in the RECORD, as follows:

THE MYSTIFYING ORBIT OF THE "THIRD WORLD"

The hot war which led to the downfall of the German and Japanese empires has been followed by the cold war between the Communist-ruled nations and the West, allied with a few anti-Communist regimes in Korea and Taiwan, Thailand and South Vietnam.

Another very important aftermath of World War II has been the emergence of a third bloc of former colonial states which may be described as non-alined. In this group one finds India, Burma, most of the Arab States and the steadily increasing number of newly independent African States.

These nations form "The Third World," the subject of a new book by Italian-born Mario Rossi, a journalist with a philosophic bent of mind who has been observing the policies, tactics and psychology of the nonalined states from the vantage points of a correspondent at the United Nations. One finds in Mr. Rossi's book plausible answers to a number of question which perplex and sometimes exasperate many Americans.

ATTITUDE TOWARD SATELLITES

Why, for example, do spokesmen for the neutralist powers display extreme indignation over the remaining remnants of Western oversea rule, and no indignation at all over Soviet rule of a considerable area of Asia and brutal imposition of Communist domination on countries like East Germany and Hungary? Mr. Rossi offers the following reply:

"To non-Westerners, colonialism means the exploitation of Asians and Africans by Europeans. In their view, if a European exploits or dominates another of his race, that cannot be considered colonialism * * * Western efforts to brand certain Soviet policies as colonialism have proved useless, even self-defeating."

As for the situation with Soviet domination of Asiatic peoples in the Caucasus and central Asia, the Afro-Asian leaders are inclined to accept at face value the Soviet assurance that no race discrimination is involved. This is not altogether true; the natives who are put in leading posts in the national republics of the Soviet Union are apt to be front men for Russians who pull the strings. It is, however, substantially true that Russians, by and large, have just as little freedom as the Asiatic subjects of the Soviet state; perhaps this takes away the stigma of colonialism in the eyes of Afro-Asians.

The frequency with which the Soviet bloc in the U.N. has voted with the Afro-Asians has created in some Western circles the impression that communism and Afro-Asian nationalism are more or less identical. Mr. Rossi shows this is an oversimplification.

The Soviet Union plays up to anticolonial nationalism on every possible occasion. But the nonalined countries are not tied to the chariot wheel of Soviet diplomacy. They accept or reject Soviet support on the basis of whether this is in their own interest. There are some pretty shaky spots; but not one of the newly independent Asian and African States has gone Communist in any final or irrevocable sense. Soviet diplomacy probably has as many headaches and disappointments as American in countries like Iraq, Burma, and Guinea.

One common characteristic of the uncommitted third is its dire poverty. Defying all Marxist predictions of gloom and doom, the industrially developed part of the world since the end of World War II has gone ahead at a rapid clip, giving the common man, and not least Marx's proletariat, the highest standard of living in history. The former colonial areas on the other hand, have barely kept pace with the needs of their growing population; sometimes they have failed even to do this.

AFRO-ASIAN ASPIRATIONS

Mr. Rossi mentions as aspirations of the poor, underdeveloped countries both an economic breakthrough that would bring their standards closer to those of the West and a desire to do away with what Afro-Asian nationalists call indirect colonialism, that is, the retention of considerable economic interests by the former colonial powers. But are not these aspirations mutually contradictory?

Where would the Congo be today without foreign administrative and technical skill and foreign investment? It is the countries in which the transition to independence has involved the least disturbance of former property relations, Malaya, for instance, that seem to be best off.

Mr. Rossi deals in general propositions rather than in specific facts about individual countries; there is more diversity in the Afro-Asian lineup than his work might suggest. And sometimes he carries sympathy with the newly emerging states to the point of softening or overlooking some of the less pleasant facts about the consequences of independence for some of the less prepared peoples.

But, like it or not, the uncommitteed bloc is here to stay. This is an admirable study and presentation of the viewpoint and psychology of its spokesmen.

WILLIAM HENRY CHAMBERLIN.

FEDERAL POTATO CONTROL PROGRAM

Mr. CHURCH. Mr. President, every year the world's best potatoes are grown in Idaho. Now it appears that attempts to establish a Federal potato control program may become as reliable an annual event as the superlative Idaho crop.

The year 1961 was an excellent year for potatoes, but a poor one for potato growers. Acreage and production in Idaho and the Nation were considerably above levels of the previous year. However, prices received by the growers fell more than 30 percent. As the big crop was shipped out and the meager receipts came in, sympathy in favor of various potato control schemes grew. In the spring of 1962, hearings were held across the Nation on a proposed national potato marketing order, and bills were introduced in Congress to impose potato marketing quotas and acreage allotments.

Overwhelming evidence, at that time, convinced me that Idaho did not want potato controls, for reasons valid both in Idaho and in the rest of the country. Addressing the Senate in April 1962, I said that one poor year was not sufficient justification for instituting elaborate controls. The growers wanted to try to correct the problem on their own, and I thought they should be given the opportunity to do so.

They were, and in 1962, prices improved as acreage and production were cut back. Nevertheless, pressures for a national marketing order have continued, and control legislation has been introduced in the current session of Congress. All the arguments I made last year against potato controls are still valid, and they are now reinforced by the 1962 crop reports, which show unquestionably that the potato industry is not in a condition of chronic oversupply. But since support for potato controls persists, I am delivering this address to restate the points I made last spring and to report subsequent developments concerning the proposed national marketing order and the bills establishing acreage allotments and marketing quotas.

In November 1961, when the problems with that year's crop had become apparent, the National Potato Council requested appointment of a National Potato Advisory Committee to suggest methods of better supply management for Irish potatoes. The committee met, held hearings during the spring of 1962, and made two basic recommendations: First, that a national marketing order for potatoes be promulgated under authority of the Agricultural Marketing Agreement Act of 1937, as amended; and second, that the Department ask Congress for statutory authority to impose marketing quotas on Irish potatoes through the establishment of acreage allotments.

THE PROPOSED NATIONAL MARKETING ORDER

Under the 1937 act, the Secretary of Agriculture has authority to propose and submit marketing orders of local or national scope to grower referendums for approval by the customary two-thirds majority. However, the Secretary can act only on the basis of substantial evidence that a proposed order is desirable and desired. In recent years this evidence has been provided and the necessary two-thirds vote has been obtained for local orders covering various potato producing areas. But a national order has never been submitted to a vote. The hearings in the spring of 1962 were held to determine whether substantial evidence favoring a national order could be found.

Idaho growers did not provide it in the testimony offered at Pocatello. They were convinced that there was sound reasoning, applicable not just in Idaho, but to the whole potato industry, to justify rejection of a major feature of the proposed order, volume controls enforced at the handler level.

The record shows that such controls are unsatisfactory. Their administration poses great difficulty. Black marketing of potatoes in violation of the order, cannot be avoided, especially in areas close to big-city markets, where contact between grower and commercial buyer can be direct. Our last experience with controls of this type, which came more than a decade ago, was with a program which failed notoriously to accomplish its objectives, and broke down, finally, in nothing less than a public scandal. If this happens again, areas like Idaho, where production, sale, and processing of potatoes is far removed from the major markets, could suffer undue injury. For these reasons, I believe that volume controls at the handler level should not be included in any proposed national marketing order.

If suitably amended, a workable marketing order might find much support in Idaho, as well as in other major potato producing areas. There would be significant advantages to commercial potato growers in a national marketing order of uniform application, which established requirements for grade, size, and quality; for labeling as to both grade and source; and for compulsory inspection to insure compliance. If the order were also to include a provision prohibiting the use of culls for human food, most Idaho growers seem to believe it would result in an improved quality of potatoes, and that it would also reduce the chances of excessive production glutting the market and reducing prices.

The order, as originally conceived, however, would create more problems than it would solve. The hearings conducted last year and numerous briefs filed since attest overwhelmingly to this fact, as the Department of Agriculture has apparently recognized. Recently, the Department announced a tentative decision to withdraw the proposed order.

POTATO MARKETING QUOTA AND ACREAGE CONTROL LEGISLATION

Let me turn now from national marketing orders, which do not come before the Congress for approval, to certain bills introduced in both Houses of Congress seeking to establish a national acreage allotment and marketing quota for potatoes.

Similar measures were introduced last year, upon the recommendation of the National Potato Advisory Committee. For the record, it should be made clear that the three Idaho representatives on the Committee at that time voted against the recommended control program. In doing so, I think there is no question but that they reflected the preponderant sentiment of Idaho farmers.

Of the 14 Idahoans who testified or submitted statements this spring at the hearings on this year's bills, 10 were opposed. Seventy-six percent of the respondents to a growers poll conducted this spring by the Idaho Potato and Onion Commission disapproved of acreage controls as proposed by the pending legislation. I opposed last year's bills to institute acreage allotments and marketing quotas and my position remains unchanged this year.

Mr. President, the Idaho potato industry has grown and prospered greatly over the past 13 years, in the absence of controls. During this period, the value of our crop has increased markedly, and the development of a modern processing industry in Idaho has brought added long-term stability and increased employment to my State. These successes result from the quality of our product, and the efficiency with which it is produced and marketed. Why should those who have achieved efficient production of a quality food product be subjected to controls they do not want?

No one could deny that the potato industry in Idaho and elsewhere faces certain problems, particularly the instability of prices received by the grower. But Idaho growers recognize that sharp fluctuations in potato prices are not new. The industry has experienced poor years before, and has survived and expanded. They also know that even when market conditions are not what they would like, there is no assurance that Federal intervention will solve, or even relieve, the difficulties. Furthermore, they see brighter prospects ahead.

The most recent crop is encouraging, as are trends in the Nation's total and per capita potato consumption. From 1910 to 1950 per capita consumption of potatoes declined from slightly under 200 pounds to about 105. Throughout this period population growth barely prevented total consumption from falling. But about 1950 per capita consumption stopped its decline and has shown a perceptible rise in the past couple of years. Total consumption, responding both to this per capita increase and to the population expansion, has risen about 35 million hundredweight just since 1956. The future for the potato industry is far from dark, though occasional eclipses can be expected.

Mr. President, with enormous quantities of wheat and feed grains still in storage, with a new surplus of dairy products now reappearing, and with failing farm programs on our hands which cry out for correction, this is no time to launch a new control program on a commodity not proved to be in chronic surplus, and as to which there is widespread disagreement on the need for controls at all.

I submit, Mr. President, that the imposition of a straitjacket upon the potato growers of the Nation could frustrate the processes of the free market to the detriment of all. Further growth will be denied the areas of naturally good production, while little more than poverty will be preserved in the areas of naturally poor production.

In my remarks last year, I granted that Idaho had been outvoted in the councils of the industry when the National Potato Advisory Committee approved acreage allotment legislation and a national marketing order. But I said then that Idaho's case was right nonetheless. The dissent and disapproval which persuaded the Agricultural Department to withdraw the proposed national marketing order demonstrate that Idaho's arguments were valid and that the National Potato Council and Advisory Committee are not fully representative of the farmers themselves.

So I will oppose the potato control bills introduced in this session of the Congress. The need for such drastic legislation has not been demonstrated; the case for controls has not been made.

THE MITZVAH CORPS

Mr. WILLIAMS of New Jersey. Mr. President, I have noticed a great resurgence of the volunteer spirit in this country over the past few years. Our citizens have become increasingly aware of the problems of others, and have reacted in a very commendable manner. Many have joined the Peace Corps; many have made inquiries about the National Service Corps proposal; and many have acted on their own initiative. I recently learned of one young man who has found his own personal way to give service.

The young man I had in mind is Stuart Rosengarten, age 16, of West Orange, N.J. Stuart has just returned from Puerto Rico as a member of the Mitzvah Corps, a function of the National Federation of Temple Youth. As 1 of 10 young men in the corps, Stuart worked for a month in Puerto Rico helping with the construction of hurricaneproof shelters, teaching English, and taking part in cultural activities.

I am proud of Stuart, for, like many other young men from New Jersey and across the country, he has unselfishly contributed time that he could have put to use making money or simply enjoying himself. The only reward he received for his labors was the heartfelt thanks of those he helped. I too thank Stuart for being such a fine representative of the United States; and I commend him for his devoted efforts in helping others less fortunate than himself.

Mr. President, I would like unanimous consent to have an article from the August 2 issue of the Jewish News of Newark, N.J., concerning the trip and work of Stuart Rosengarten placed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Back From Puerto Rico: Praises Mitzvah Corps' Work

(By Bea Smith)

It's a real mitzvah when a lad of 16 gives up a month of precious vacation time to join a Jewish youth group to assist villagers in constructing hurricaneproof dwellings, to teach English, and to contribute to cultural activities.

Such a lad is Stuart Rosengarten, son of Mr. and Mrs. Nathaniel S. Rosengarten of South Orange, who recently returned from a pioneer project in Puerto Rico with the NFTY Mitzvah Corps, a group of 10 high school students from various parts of the United States. (The Hebrew word "mitzvah" means commandment to do a good deed in serving one's fellow man.)

NFTY (National Federation of Temple Youth) is the teenage group of the Union of American Hebrew Congregations, a body representing 650 reform temples in North and Central America.

It conducted the assistance project in cooperation with the Social Programs Administration of the Commonwealth of Puerto Rico.

HEALTHY EXPERIENCE

Stuart is none the worse for his experience. He now sports a healthy-looking tan, and some newly developed muscles bulge "from swinging that pick and digging into those excavations."

The handsome Columbia High School student is treasurer of the Temple B'nai Jeshurun, Newark, youth group and a recipient of a partial scholarship from the temple for the Puerto Rico project.

He flashed a broad grin and exclaimed, "It was nifty, thanks to NFTY.

"My experience was quite profitable. I really established a love of Puerto Rican people. They are very kind, very understanding."

Stuart said he had had 2 years of Spanish in high school, and he was able to communicate fairly well with the villagers.

Under the guidance of two college students-supervisors, each of the 10 boys was assigned to a family. The families received a subsidy of $40 a month for housing the young men.

"Naturally, they were non-Jewish families. My family had five children, three of whom were in colleges in the United States.

"The strangest thing about these hastily built shacks we lived in—there wasn't one shack without a TV antenna, and lots of them have washing machines, but little else."

USUAL WORKDAY

"An average workday in a rural village (such as Palmas Altas where I lived) began by being awakened by roosters, dogs, and pigs, then with whatever water was left in the pipes, a hasty scrub, an enormous breakfast—and a 5-minute walk to work.

"The workers would be already digging foundations, so I would just pick up a shovel or pick and pitch in.

"We picked through rocks, we cemented, set up frames, and poured concrete.

"We knocked off about 4 o'clock in the afternoon, and at night we got together either at school to teach English to those who wanted to learn, or to sing our folks songs and learn theirs."

AKIN TO ISRAEL

"You know," Stuart said thoughtfully, "Puerto Rico is greatly akin to Israel in many ways. Climate, problems, progress."

Stuart visited other parts of the island and observed the Sabbath in San Juan and once in a historic synagogue at St. Thomas, in the Virgin Islands.

Generally, Stuart met interesting boys and girls at evening dances and socials. "The girls were a bit shy at first," he said.

Did he come across any anti-Semitism?

"There were two minor events—although hardly much to talk about. A fellow colleague got into a discussion with his Puerto Rican family one day. They asked him if he believed in God, in the Ten Commandments, and after two affirmative answers, they asked him if he believed in Christ and the New Testament.

"He answered 'No' and proceeded to explain why, but one of the sons in the family thereafter stayed away from him as much as possible.

"Not everyone knew what Judaism was.

"One of the villagers thought it was some order of the Catholic Church. I corrected her idea."

Stuart was offered many invitations from villagers, and said he would like to return to Puerto Rico next year.

"I'll certainly sign up," he said, "and see what happens."

SHORTAGE OF SKILLED WORKERS

Mr. WILLIAMS of New Jersey. Mr. President, we are all concerned with the shortage of skilled workers in this country. We, as Members of Congress, have attacked this problem in a number of different ways; but many individuals throughout the country have attempted to come to grips with the problem in their own way. Mr. Raymond F. Conover of Verona, N.J., is involved in a project that I find highly commendable. Every year a great number of highly skilled people retire, and it is with these retired people that Mr. Conover is working. He is running an employment agency for the retired in Montclair, N.J.

Very often retired people find that they miss not having a job to spend their energies on. Mr. Conover has provided these people with just such an outlet. He attempts to place those retired persons who desire employment in part-time jobs in the community. At first the employers were skeptical of the plan and unwilling to hire a retired person, but the years have proven that these Americans are capable and determined to do a good job. The benefits of Mr. Conover's program are twofold. The retired are provided with a way to expend their energies; and the community receives the benefits of a person with years of experience.

Mr. President, I commend Mr. Conover and the Junior League of Montclair for bringing this project into successful operation. I ask unanimous consent that an article concerning their work from the July 7 Newark Sunday News be placed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Aid for Idle Senior Citizens: Montclair Job Agency Seen Boost for Elderly

(By Elizabeth Weller)

For the Montclair Senior Citizens Placement Bureau, tracking down jobs for the elderly often is easier than finding applicants to fill them.

"When we first opened, we had more requests for work than we had jobs. Now the trend is reversed," said Raymond F. Conover of Verona, an energetic retired manufacturer past 60, who serves as the bureau's director and single paid employee. "Last year we made 303 placements for full- or part-time work, almost 10 times as many as we did 3 years ago."

"We started out providing baby sitters and handymen, but now we have been getting more office jobs. We just placed a 65-year-old man in a part-time job as a consultant in the trust department of a local bank," he said.

"A real plum was the job selling accounting systems we obtained for a retired man past 65, who once worked for an office machines company, Conover recalled.

SUPPLEMENTAL INCOME

Conover said that many elderly people need the $1,200 that social security laws allow them to make while receiving retirement benefits.

"In many cases, it means the difference between a comfortable retirement and an impoverished one," he said. "Of course we place some people who just want the feeling of usefulness a job gives them."

Conover said the bureau's initial problem was educating employers to the usefulness of employes over 60. "Now we get letters from employers commending the workers whom we have placed."

A manufacturer of plant machinery told Conover that two part-time older men referred to him by the bureau are twice as dependable as one full-time younger man. "They enjoy their 4 hours a day and don't get bored and careless before quitting time," he said.

"We also get letters from interested groups in other parts of the country who want to establish a similar employment service," he said, "there are only six placement offices in the entire country devoted exclusively to older workers."

BUDGET

The Community Welfare Council provides office space at 60 S. Fullerton Avenue and provides the bureau with mail and telephone service. The $4,800 annual budget is underwritten by the Montclair Junior League. League volunteers also help with interviewing and clerical work.

Applicants to the bureau need only be past 60. Conover devotes his mornings to interviewing prospective workers, and in the afternoon, follows up help-wanted advertisements and writes and telephones employers.

The Junior League established the service in May 1960 as a demonstration project, after a survey revealed that many senior citizens in the community were in need of full- or part-time work to supplement their retirement incomes.

PHYSICAL FITNESS PROGRAM OF SLOVAK CATHOLIC SCHOOL, NEW JERSEY

Mr. WILLIAMS of New Jersey. Mr. President, from July 11 to 20, 1963, a leading organization from my State of New Jersey, the Slovak Catholic Sokol, with headquarters in Passaic, put on a memorable physical fitness program in conjunction with religious and patriotic celebrations in Youngstown, Ohio.

The celebration attracted more than 15,000 observers and more than 1,000 young American Slovak youth from 11 States.

The Governor of Ohio, James Rhodes, the mayor of city of Youngstown, Harry N. Savasten, and the mayor of the neighboring city of Campbell, Ohio, Joseph Vrabel, proclaimed the Slovak Catholic Sokol Week on this occasion. Three Catholic bishops—Bishop Emmet M. Walsh and Bishop James W. Malone, both of Youngstown, and Bishop Andrew G. Grutka of Gary, Ind.—participated, as well as Abbot Theodore G. Kojis, OSB, of Cleveland, Ohio.

U.S. Representative MICHAEL J. KIRWAN, of Ohio, was grand marshal of one of the most picturesque parades led by U.S. Attorney General Robert F. Kennedy, who brought a special message from President John F. Kennedy.

Paul C. Fallat of Hasbrouck Heights, N.J., is supreme president of the organization and Joseph G. Prusa, Passaic, N.J., is supreme secretary.

The 3-day gymnastic and calesthenic exhibition—arranged by Supreme Commander S. Stephen C. Burican—and Mrs. Irene Matuschak and supreme sports and athletic director, Frank Petruff, of Paterson, N.J.—was followed by the 19th national convention of this the largest Slovak gymnastic and athletic fraternity. Mr. John C. Sciranka, well-known American Slovak journalist, was permanent chairman of this historical convention, which voted $50,000 for the establishment of SS. Cyril and Methodius Institute in Rome on the occasion of the 11th centenary of these two apostles and also $30,000 for the seminary of Slovak Franciscan Fathers, who have institutions in Pittsburgh, Pa., Valparaiso, Ind., Easton, Pa., Uniontown, Pa., and Columbiana, Ohio. They also have parishes in Clifton, N.J., and Buffalo, N.Y.

Prior to the opening of the national convention, U.S. Attorney General Robert F. Kennedy spoke at the luncheon in the Pick Ohio Hotel. His message, as well as the entire program of the festivities, were beamed to Slovakia and other countries behind the Iron Curtain by the Voice of America.

Mr. Robert F. Kennedy's remarks, created great international interest and therefore, I should like the members of the U.S. Congress to share them.

I ask unanimous consent to insert the remarks in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

REMARKS BY ATTORNEY GENERAL ROBERT F. KENNEDY AT THE SLOVAK CATHOLIC SOKOL CONVENTION

Bishop Grutka, reverend fathers, Chairman Prusa, ladies and gentlemen, it is both an honor and a pleasure to meet with you today, and to participate in this festival and convention.

Your Sokol tradition, so closely linked with the Slovaks' historic efforts for independence and for national self-realization in modern times, is a reminder to us all of the vital role of the Slovak people in the continuing worldwide struggle for freedom.

And the entire Catholic world is celebrating this year as the 1,100th anniversary of the Christianization of the Slovaks by S.S. Cyril and Methodius. The work for your Sokol organization in laying the foundation for the new institute at the Vatican, named in their honor, has been highly commendable.

I can't help feeling that those two traditional traits of your parent country—a continuing struggle for political freedom and a deeply ingrained religious faith—give us a great deal in common.

Both of my great grandfathers, like yours, were born in another country whose national pride is built of those same two characteristics.

And as they came here, like your grandfathers, your fathers and some of yourselves, as poor men with very little more than those two strong traditions to sustain them.

They came not only in flight from oppression, but with something of the valor of explorers and pioneers—as men willing to pit their enterprise against the mystery and complexity of a New World; men determined, against great odds, to survive and prosper and plant the roots of their future generations in foreign soil.

That they did survive, your forefathers and mine, that they did prosper and create American families with the cultural heritage of their homelands—this will stand in everlasting tribute to their personal courage, to the honor of the countries that gave them birth, and above all to the glory of America.

For it is this very quality of American life, more than any other, that has always electrified the imagination of the world: that men of humble origins have been able to fulfill their ambitions here in ways that would never have been open to them in their native lands.

You are Slovaks and justifiably proud of it. I'm an Irishman, and proud of that too. But it is with no sense of contradiction that we can thank God we are all Americans.

I had the pleasure of visiting your fathers country a decade ago. I spent a good deal of time in Bratislava and drove for hundreds of miles through your beautiful countryside meeting any number of friendly and courteous people along the way who perhaps were the relatives of many of you here.

I know something of the nostalgia you must feel for that fine homeland of yours and I know how distressed you must all be to think of it now under the tyranny of Communist rule.

As a respresentative of the U.S. Government the President has asked me to tell you that the United States will continue to support the just aspirations of all people in the world for independence and liberty—aspirations which the Slovaks share today with many other captive nations.

Our Government seeks to keep in close touch with the people of all such nations in order to assure those who are oppressed of our continuing sympathy and support ana for a better future.

But it is primarily as Americans as fellow immigrants, that I want to address you here today.

I want to remind you that your people have a deep and proud heritage in American history, as well as in the history of Europe.

George Washington's army had a good many Slovaks in its ranks—and one of them, Maj. John Ladislav Polerecky, won a place for himself in the history books for his command at the Battle of Newark.

The Slovak Company of the Union Army in the Civil War was famed for its daring and fortitude. Gejza Mihaloczy, an officer of that company who died of battle wounds in 1864, is still a legendary figure in the annals of that war.

Countless other Slovak-Americans served their adopted country with gallantry in the First and Second World Wars, and in Korea; and in their civilian careers your people have made vivid contributions to all aspects of American life.

Your clergymen have risen to positions of high eminence in American Catholicism. I need only mention three such men who have graced us with their presence today: Bishop Grutka, Abbott Theodore Kojis (Koyish), and Msgr. Clement Mlinarovich.

Your people, who were once denied ownership of their lands by foreign nobility, now own and cultivate vastly productive tracts of farmland in most, if not all, of our 50 States.

Slovak-Americans have founded no less than 55 newspapers in this country since 1885, a proud journalistic tradition that is typified by the outstanding careers of men like Michal Bosak, the Pennsylvania publisher.

Still other Slovak-Americans have distinguished themselves in the professions, in business, in government service, and in many other areas of public life, from the novelist Gustav Marshall-Petrovsky to the celebrated young jockey, Willie Hartack.

Clearly, the United States would be a poorer nation today, economically, intellectually, culturally, and in every other way, if it were not for the 2 million of our citizens who are of Slovak birth or ancestry. And, needless to add, those 2 million would be poorer if it weren't for the work of the Catholic Sokol throughout the Nation.

You may have every reason for being grateful to America; but I hope you will never doubt or forget that America has every reason to be grateful to you.

But America imposes moral obligations on you, too, as it does on all of its citizens. As Americans today, of whatever other national origin, none of us can afford to ignore the pressing and in some ways desperate problems of minority groups less fortunate than ourselves.

I refer primarily, of course, to the conditions of blind prejudice that have continually foiled the American Negroes in their struggle for fundamental civil rights. And there are other, subtler but no less sinister forces of prejudice at work in America today—against Indians, Puerto Ricans, against Mexicans, against people of Japanese, Chinese, and Philippine ancestry.

Nor is color the only criterion for intolerance: prejudice still prevents many people of the Jewish faith from attaining their full share of the freedom, the equal opportunity, the untrammelled right to the pursuit of happiness that are so clearly promised in our Declaration of Independence and our Constitution.

The plight of all such afflicted minorities, and the need for all of us to set it right, cannot help but stir the conscience of anyone fit to call himself a citizen of this country. All of us, it seems to me, face a clear challenge today to reaffirm and to demonstrate, in our daily actions, the sense of democratic justice that unites us as Americans.

If we fail to do so, we become no better than the oppressors our fathers found intolerable in their native lands. Only if we succeed, as we can and must succeed, will the ideals of this Nation be fully realized. I cannot believe our fathers would have wanted it any other way.

In conclusion, if you will forgive an Irishman's poor pronunciation, let me salute you all with the only two words of Slovakian I understand: "Zdar boh."

CRIMINAL JUSTICE ACT OF 1963

Mr. ERVIN. Mr. President, I was most gratified by the unanimous vote yesterday by which the Senate passed the Criminal Justice Act of 1963 allowing compensated counsel for indigent defendants in the Federal courts.

As a practicing lawyer, as a judge, and as a legislator, I have long realized that if the financial resources of a defendant are to be irrelevant to the administration of justice, all defendants must have access to adequate counsel. To rely on inexperienced counsel who must find the spare time to defend without compensation is to provide less for indigents than is available to those with means. Furthermore, it is an unfair burden on the bar, particularly on the struggling young attorney who often is not much better situated financially than his client.

In 1946 Congress recognized the constitutional mandate for counsel in criminal cases when the sixth amendment provision was restated in rule 44 of the Federal Rules of Criminal Procedure:

> If the defendant appears in court without counsel, the court shall advise him of his right to counsel and assign counsel to represent him at every stage of the proceeding unless he elects to proceed without counsel or is able to obtain counsel.

Yet, with the exception of legislation passed in 1960 providing for a Legal Aid Agency in the District of Columbia, Congress has done nothing to allow compensation for those lawyers representing the poor in Federal cases. The fine work of the Legal Aid Agency of the District of Columbia is proof that Federal legislation authorizing compensation for counsel of indigent defendants in the Federal courts is desirable. The Agency's annual report for 1962–63 is a cogent argument for enacting such legislation for all Federal district courts.

Thus, I hope the House will, at an early date, concur in the action taken yesterday by the Senate.

I ask unanimous consent that there be printed at this point in the RECORD the report of the Legal Aid Agency for the District, and the appendix to that report.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

ANNUAL REPORT, 1962–63, LEGAL AID AGENCY FOR THE DISTRICT OF COLUMBIA, WASHINGTON, D.C.

This report covering the period June 1, 1962–May 31, 1963, is prepared pursuant to the District of Columbia Legal Aid Act (act approved June 27, 1960, Public Law 86–531, 74 Stat. 229; District of Columbia Code, 1961 ed., title 2, ch. 22, secs. 2201–2210). The act provides that a report of the Agency's work, including a statement of financial condition, revenues and expenses, shall be submitted on June 1 of each year to the Congress, the courts and the District of Columbia Commissioners (2–2209 D.C. Code).

Despite a breakdown in Agency representation of indigents in the District of Columbia Court of General Sessions, and severe limitations imposed by the district court toward the end of the year in criminal and mental health cases, the services of the Agency show substantial gains for the year in many areas. There is an increasing demand by volunteer attorneys for the investigative services and consultation services of the Agency. Staff attorneys of the Agency have appeared for indigent defendants at the preliminary hearings before the U.S. Commissioner and immediately thereafter begun preparation of the cases for trial. Agency attorneys have been assigned to a larger number of felony cases in district court than ever before.

Agency attorneys have appeared for all the 94 indigent persons appearing at inquests before the Coroner for the District of Columbia. Also there has been a substantial increase in representations in juvenile court cases.

Death deprived the Board of Trustees on April 14, 1963, of its Chairman, W. Cameron Burton, Esq., one of the original trustees of the Agency. Mr. Burton, a lifetime private practitioner, former president of the Bar Association of the District of Columbia and, at the time of his death, State delegate to the American Bar Association, was noted for his longstanding devotion to the cause of adequate legal representation of poor litigants in both civil and criminal proceedings. James Francis Reilly, Esq., also a member of the original Board of Trustees, has been elected Chairman to succeed Mr. Burton.

The Agency's primary function is to make attorneys available to represent indigents by assignment from the court in proceedings enumerated in the act. The proceedings in which the Agency is authorized to operate are: Felony trials in the U.S. District Court for the District of Columbia; District of Columbia Court of General Sessions: (a) preliminary hearings in felony cases; (b) misdemeanors where the penalty can be 1 year; preliminary hearings (inquests) before the coroner of the District of Columbia; mental health cases: hearings before the Commission on Mental Health of the District of Columbia, and proceedings resulting therefrom in the U.S. District Court for the District of Columbia.[1]

The act vests the powers of the Agency in an uncompensated Board of Trustees consisting of seven members. The members are chosen by a nominating panel provided for in the act consisting of the chief judge of the U.S. Court of Appeals for the District of Columbia Circuit; the chief judge of the U.S. District Court for the District of Columbia; the chief judge of the District of Columbia Court of Appeals; the chief judge of the District of Columbia Court of General Sessions; the chief judge of the juvenile court of the District of Columbia; and the president of the Board of Commissioners of the District of Columbia. The present membership of the Board of Trustees is as follows: James Francis Reilly, Chairman; Frederick A. Ballard; C. Frank Reifsnyder; Roger Robb; William S. Thompson; Howard C. Westwood (vacancy).

These trustees are all lawyers in private practice who have had broad experience in both civil and criminal litigation. The Board meets regularly each month and also holds special meetings. Written and oral reports on the work of the Agency are made regularly to the Trustees by the Director. The Director works under the supervision of the Board. There is no judicial or executive control or supervision over the Board. The Board decides on all expenditures of moneys.

The Agency's professional staff totals 15, as follows: The Director; six lawyers; four investigators; the secretary to the Director; and three clerk-stenographers. The staff is appointed by the Director with the approval of the Trustees.

U.S. DISTRICT COURT

Since long before *Johnson* v. *Zerbst*, 304 U.S. 458 (1938) defendants charged with felonies in the U.S. District Court for the District of Columbia have been assigned free counsel when they were without funds to employ their own attorneys.[2] The attorneys which the Agency makes available to the district court for assignment are its own full-time staff attorneys and outside volunteer attorneys. During the past year 1,060 cases were docketed in the district court. Of these 695 involved indigents which required assignment of free counsel. Four hundred and fifty-four assignments were made to volunteer attorneys and 241 assignments were made to Legal Aid Agency staff attorneys.

The 241 assignments made to Agency staff attorneys represents the highest number of such assignments since the beginning of the Agency's operations. This number would be substantially higher were it not for the fact that in April, 1963, the court imposed a 10-case limitation on assignments to staff attorneys. During the last 2 months of the current year, a total of only 6 assignments were made to staff attorneys, compared to a monthly average of 24 during the 10-month period immediately preceeding. This 10-case limit includes cases awaiting dismissal when sentence is imposed in a companion case, and the cases in which no trial date has been set because the defendant is confined in a mental institution.

A definite increase has been observed in time spent by attorneys of the Agency in consultation with outside volunteer attorneys. An increase in mail and telephone calls confirms this observable growth.

VOLUNTEER ATTORNEYS

Before the Agency began its operations in November, 1960, the U.S. district court made its assignment of attorneys to represent indigents from a list of attorneys compiled by the clerk of that court. Beginning in November 1960, this function was gradually taken over by the Legal Aid Agency, and now practically all assignments are made from names of attorneys furnished to the assigning judge by the Agency from its list. The Agency's list totals more than 1,200 names. It was compiled in various ways. The clerk made the court's list available, and as assignments were made from this list the names would be taken off the list and added to the Agency's list. Other names were added by personal and mail solicitation. In 1962 the Agency conducted a systematic solicitation by telephone of all lawyers listed in a legal register for the District of Columbia and in the yellow pages of the District of Columbia telephone directory. Calls were made to 3,093 lawyers. Conversations were had with 2,581 of those called. These lawyers were asked if they would be willing to have their names included in a list of attorneys available for assignment to represent indigents in felony cases in the U.S. district court. Three hundred and fifty-eight responded "Yes"; 1,712, "No"—739 of the "no's" gave as their reason that they were engaged in a noncriminal specialty such as tax or administrative law; 437 gave no reason at all. Recently, the Agency advertised in the Washington Law Reporter for volunteers, and that advertisement is being repeated 1 day each week at this time. This advertising has produced only a few additions to the volunteer list. Also, as each new group of lawyers are admitted to the bar they are solicited for possible future assignment.

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[1] Except for the mental health cases, the Agency is not authorized to operate in civil proceedings. Because of its name, however, it is frequently confused with the Legal Aid Society, a private organization which for 30 years has performed outstanding legal aid in civil cases.

[2] Since 1938, the Supreme Court has reaffirmed and expanded the doctrine of *Johnson* v. *Zerbst*. In recent weeks, the Court substantially expanded the right of indigents to be represented by counsel in all felony cases in all State courts. These cases arose in California, Florida, Indiana, Maryland, and Washington: *Douglas and Meyes* v. *The People of the State of California*, 372 U.S. 353, Mar. 18, 1963, October term 1962, No. 34; *Gideon* v. *Louie L. Wainwright, Director, (Florida) Division of Corrections*, 372 U.S. 335, Mar. 18, 1963, October term 1962, 155; *White* v. *Maryland*, ——— U.S. ———, Apr. 29, 1963, October term 1962, No. 600; *Ward Lane, (Indiana) Warden* v. *Brown*, 372 U.S. 477, Mar. 18, 1963, October term 1962, No. 283 and *Draper* and *Lorentzen* v. *Washington*, 372 U.S. 487, Mar. 18, 1963, October term 1962, No. 201.

The names of the lawyers are kept on individual cards and filed in 12 monthly divisions, to insure that the Agency will not recommend the assignment of the same lawyer more often than once each year. A regular check is also made of the assignment of these attorneys by the U.S. court of appeals to represent their indigent appellants (85 percent of all appellants), and the card of the attorney so appointed is likewise set back for 1 year. In this way, the burden is spread over the group. It was not uncommon in years past for one of the better known criminal law practitioners to be burdened with the representation of indigents in as many as five first-degree murder cases in 1 year.

PRETTYMAN FELLOWS

A notable inclusion in the outside volunteer attorneys is the staff of six legal interns, or Prettyman fellows,[3] who are pursuing a master's degree in trial tactics at Georgetown Law Center. These interns begin their trial practice in the fall in the District of Columbia court of general sessions. In January of each year they make themselves available for assignment to felony cases in the U.S. district court and carry a caseload as do staff attorneys of the Legal Aid Agency. The staff attorneys of the Agency and the Georgetown interns are in daily informal consultation and freely exchange pleadings, motions and memoranda filed by them in their respective cases.

Finding sufficient competent attorneys to handle the approximately 35 murder and other capital cases each year continues to be the Agency's greatest assignment problem. Attorneys of proved competence and experience in such cases are few. The Agency's own staff attorneys and the Georgetown interns, so readily available in the less serious felonies, are presently lacking in the experience and reputation necessary for these cases. The Agency has made a special list of attorneys who are qualified for assignment in murder and other capital cases. This special list includes experienced defense counsel and former prosecutors who have entered private practice. The court frequently assigns a junior attorney to associate with chief defense counsel in capital cases. These young attorneys, the younger defense attorneys in private practice, and the prosecuting attorneys, Georgetown interns, and Legal Aid Agency staff attorneys who later will enter private practice, may be expected to fill the special lists of the future.

INVESTIGATING STAFF

Volunteer attorneys are entitled to reimbursement for out-of-pocket expenses and also to the investigative and other facilities of the Legal Aid Agency. There has been an increasing demand by volunteer attorneys for the assistance of the investigating staff of the Agency. During the year just closed the Agency made 138 investigations for volunteer attorneys as compared to 87 investigations for staff attorneys of the Agency.

In February 1962, the chief judge of the district court requested that the Legal Aid Agency take over the function theretofore performed by the court clerk of interviewing defendants and obtaining in forma pauperis affidavits from those who were without funds, as required of defendants seeking free counsel and process under the provisions of 28 U.S.C. 1915. In order to carry out these additional duties, the Agency employed another investigator and another clerk.[4] This additional investigator and the chief of the investigating staff were appointed notaries public in order to take the necessary oaths involved in the work.

The Agency investigator visits the District of Columbia jail and interviews prisoners lately indicted. Those who claim they are without funds to employ counsel are required to execute the affidavit provided by 28 U.S.C. 1915 and also a short-form indigency affidavit required by the Legal Aid Act. When a defendant who appears for arraignment is on bond and informs the court that he cannot pay an attorney's fee, the court orders him to go to the office of the Agency (which is also located in the courthouse). There he is required to fill out a long-form indigency affidavit provided by the Trustees containing more than 50 questions. The defendant is also interrogated closely by the investigator as to his claimed inability to hire a lawyer when he was able to pay the premium for a bond. In some instances the defendant, because he has obtained employment or for other reasons, is able to retain counsel. More often the defendant has used all his funds to pay the bond premium, or the relative or friend who paid the premium is not able to pay an attorney. The Agency's experience of about 15 months indicates that most defendants are truly without funds. Also, most defendants appear to prefer paying for lawyers of their own choosing if they can, and accept assigned counsel only because they are without funds to employ their own attorneys.

The Committee on the Determination of Indigency created by the Judicial Conference of the District of Columbia Circuit on May 17, 1962, reported to the conference on May 9, 1963, in part as follows: "The Junior Bar's study reveals that during the 7½-month period from July 13, 1962, through February 28, 1963, a total of 104 defendants appeared at arraignment on bond but without counsel. Of this number, 41 (or 39 percent) subsequently retained counsel without ever having had an attorney appointed. Your committee believes that the interview which many of these defendants had with the Legal Aid Agency's investigator stimulated them to find the funds for and hire their own attorney."

The committee further reported: "Your committee is of the unanimous opinion that it is vital to the integrity of the present system of assigning volunteer private counsel in indigent cases that the present activities of the Legal Aid Agency in interviewing and checking on statements of those alleged indigents who are on bond be continued and expanded. We believe that the investigations thus far conducted by that Agency have been in large measure responsible for the relatively few known cases of nonindigents receiving assistance of assigned counsel."

PERSONAL BOND INVESTIGATIONS

Recently Chief Judge Matthew F. McGuire of the U.S. district court requested the Agency to investigate defendants confined in jail in default of bond to see whether residence in the community, family ties, employment and other circumstances might indicate they would be safe risks for release on their own personal recognizance. On the basis of a very brief experience, it appears unlikely that the Agency's facilities and personnel under presently available appropriations will permit the Agency to undertake a large number of such investigations. However, the Judicial Conference for the District of Columbia Circuit on May 9, 1963, approved a report of its committee created in 1962 to investigate this subject and also received an excellent study and report by the Junior Bar section of the Bar Association of the District of Columbia. The conference authorized the reappointment of the committee with authority to organize in consultation with the courts an experimental program of selective pretrial release of defendants on their personal bond—a program which has been carried forward in New York City with outstanding success by the Vera Foundation.

OBTAINING CRIMINAL RECORDS

The investigating staff of the Legal Aid Agency has not been able to obtain criminal records of defendants or other persons from the Federal Bureau of Investigation. The Metropolitan Police Department has provided the local criminal records of defendants when requested, but normally will not furnish the criminal records of Government witnesses. It is safe to assume that many Government witnesses with criminal records leave the stand untarnished in the eyes of the court and jury because the facilities available to the Government and used by the Government to learn of defendants' criminal records have not been made available to defense counsel to obtain like information about Government witnesses.

U.S. COMMISSIONER

The U.S. commissioner has jurisdiction over preliminary hearings in felony cases in the District of Columbia, where all felony offenses are violations of Federal statutes. However, preliminary hearings in most local felonies such as assault with a dangerous weapon and housebreaking are conducted in the District of Columbia court of general sessions.

The Agency's own legal staff continues to be the sole source of representation of indigent defendants before the U.S. commissioner. Before the Agency began its operations in November 1960, indigent defendants went without counsel in such preliminary hearings.

In the first year of its operation the Agency was able to provide representation for only 16 indigents, and this by virtue of the availability of temporary personnel for 2 or 3 months. The other indigents went without counsel. In the year ending May 31, 1962, the Agency represented 207 indigent defendants, and an estimated 90 to 100 indigent defendants went to hearing before the commissioner without counsel. During the year just ended, staff attorneys of the Agency represented 265 indigent defendants and 18 indigent defendants were without counsel in hearings before the commissioner. These 18 instances where no counsel was available occurred on 3 hearing days when the Agency was unable to provide an attorney because all its staff attorneys were engaged in other matters.

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[3] Named in honor of former chief judge and now Senior Judge E. Barrett Prettyman of the U.S. Court of Appeals for the District of Columbia Circuit, who truly inspired and furthered the establishment of the Legal Aid Agency in the form enacted into law. Oliver Gasch, then U.S. attorney for the District of Columbia, was an important force in the creation of the Prettyman fellowship program.

[4] These two additional positions added approximately $10,000 to the Agency's annual budget.

Until the present year the staff attorney who appeared for an indigent defendant at a preliminary hearing before the commissioner performed no further services at that time, nor any further services for that defendant unless he was again assigned by the court after the defendant was indicted. In October 1962, the Trustees of the Agency directed that staff attorneys intensify their efforts to cover all hearings of indigent defendants before the commissioner and begin immediately after the hearings to prepare the defense of the case with the assistance of the Agency's investigating staff. This action of the Trustees was in conformity with the intent of the statute that assignment of counsel be provided "as early in the proceeding as practicable" (2-2202, D.C. Code).

After the indictment of those defendants whom Agency staff attorneys had represented at the preliminary hearing, the assigning judge of the district court was advised of such representation, and the particular staff attorney's name was among those submitted to the judge as available for assignment. Invariably, an assignment of that staff attorney to represent the defendant followed. However, beginning April 2, 1963, when a limitation was put on the caseload of staff attorneys, these assignments went to outside attorneys.

The representation of indigent defendants before the Commissioner has proved beneficial. Immediately after the hearing, the staff attorney is in a position to negotiate for a favorable disposition of the case on the basis of information developed at the hearing, and Government counsel is available and disposed to negotiate for a speedy disposition acceptable to the Government and favorable to the defendant. Also, at that stage the defendant seems receptive to his counsel's appraisal of the advantages of an immediate disposition, coming as it does from an attorney who has gained his confidence by his demonstrated interest in the client's welfare. The result has been that some cases were dropped entirely even though not dismissed by the commissioner; some were disposed of by a plea of guilty to a misdemeanor, and still others were disposed of by a plea of guilty to a felony information, which made it unnecessary for the Government to process the case through the grand jury. On one notable day six cases were disposed of by these various means.

Advantages have been observed too as a result of the staff attorney's continuing in the case after the hearing and immediately preparing for trial. A relationship has been established between the defendant and counsel which facilitates the investigation considerably. Furthermore, there have been instances where the initiation of the investigation at an early stage of the case has produced favorable evidence which otherwise would probably not have been obtained.

The investigation of a large number of cases at one time has overtaxed the capacity of the Agency's investigation staff, and it has been necessary to select the cases which seemed most urgent and promising.

Staff attorneys have at times contended that the hearings before the U.S. commissioner have not been conducted in compliance with rule 5(c) of the Federal Rules of Criminal Procedure in that cross-examination has been severely limited and the defendant has been denied his right to call witnesses. In some instances counsel has attempted to test these contentions by habeas corpus, but the question has been rendered moot by the swift return of an indictment into court.

MENTAL HEALTH CASES

The Commission on Mental Health was created by act of Congress approved June 8, 1938, 52 Stat. 625, chapter 326 (District of Columbia Code, title 21, sec. 308, et seq.). Proceedings in these cases are initiated by the filing of a petition in the U.S. District Court for the District of Columbia. Counsel are appointed promptly to look after the interests of the patient. The 1938 act creating the Commission provided that an attorney appointed as guardian ad litem for patients who have no property should receive a reasonable fee for his services out of the funds of the Commission (21-308 D.C. Code); but in the 25 years of the existence of the Commission, funds have never been forthcoming to effectuate this provision for fee. Accordingly, when the patient has no estate or property, the services of the guardian ad litem go uncompensated.

The Legal Aid Agency has made its staff attorneys available for assignment to cases of patients who are indigent. In order to avoid being appointed in a case where the patient has property, the staff attorneys of the Agency have been permitted through the courtesy of the Chairman of the Commission on Mental Health to make a preliminary examination of the petitions filed in court.

When the staff attorney is appointed guardian ad litem he visits and interviews the patient where he is confined, either in the District of Columbia General Hospital or in St. Elizabeths Hospital. The Commission conducts the hearing at the institution where the patient is confined. The guardian ad litem attends that hearing and looks after the interests of the patient. If the patient is recommended for confinement by the Commission, the case must go through the district court for a final hearing. The patient is entitled on demand to a jury trial at this hearing before the court. The guardian ad litem attends the hearing in court either before the judge or before the judge and jury and looks after the interests of the patient.

Since May 7, 1963, the activities of the Legal Aid Agency in mental health cases have been radically curtailed by an order of the chief judge of the district court limiting staff attorneys to 10 cases at a time. In the year ending May 31, 1962, staff attorneys handled 1,366 mental health cases. In the year just ended, staff attorneys handled 1,188 cases. If the present caseload limitation of 10 is imposed throughout the coming year, representation by Agency staff attorneys will not exceed 200 cases.

JUVENILE COURT

The Legal Aid Agency's participation in proceedings in Juvenile Court has continued to be relatively limited. The expansion of the court from a one-judge to a three-judge court has increased the demand for lawyers. Traditionally, the Juvenile Court has availed itself of a small but dedicated section of the practicing bar. However, staff attorneys of the Agency, when they are available, can usually respond on shorter notice than attorneys in private practice. Accordingly, they have been useful in emergencies. During the year just ended 55 assignments were made to staff attorneys of the Agency, compared to 23 for the previous year. The Agency looks forward to an increasing availability for these most worthy and useful assignments.

CORONER

In the District of Columbia the coroner is required to investigate all deaths not known to be from natural causes. The Coroner performs autopsies and holds inquests in cases where homicide is suspected.

The coroner notifies the Agency of scheduled hearings. Frequently the notice is not received until the morning of the day of the hearing. If a staff attorney is available, he will go to the morgue and be ready for the hearing in the event the prospective accused is indigent. As in cases before the commissioner, it is not practicable to obtain outside volunteer attorneys for inquests because of the shortness of notice. Accordingly, when no staff attorney can attend an inquest, the prospective accused goes without counsel.

Because of the importance of these preliminary hearings in homicide cases, the Agency has intensified its efforts to provide representation for indigents appearing at these inquests. Fortunately, it was able to furnish representation in every single case heard by the coroner during the year just ended in which the prospective accused was indigent. The Legal Aid Agency provided representation from its own legal staff in all 94 inquests involving indigents during the year ending May 31, 1963.

Hearings before the coroner in homicide cases have been the most complete preliminary hearings held in the District of Columbia. The proceedings are recorded, and in the event of an indictment a copy of the transcript is usually available to counsel for indigent defendants.

During recent weeks in six consecutive hearings in which Legal Aid Agency staff attorneys represented the prospective accused, he was set free by the coroner's jury.

DISTRICT OF COLUMBIA COURT OF GENERAL SESSIONS

Due to circumstances beyond the control of the Legal Aid Agency, its activities in the District of Columbia court of general sessions have suffered a complete breakdown. (The District of Columbia court of general sessions, until lately known by the name municipal court of the District of Columbia, has plenary jurisdiction over misdemeanors and jurisdiction over preliminary hearings in felony cases.)

On October 4, 1961, the Legal Aid Agency sent two staff attorneys (with two others standing by) to attend upon the court and accept assignments to represent indigent defendants. Attorneys in private practice who appeared before the court and made themselves available for assignment were willing to represent the defendants who were without funds as well as defendants from whom they could collect a fee. In October, November, and December 1961, staff attorneys of the Agency received a total of about 10 cases. Accordingly, in December 1961, it was necessary to withdraw staff attorneys from attendance on the court of general sessions.

In the summer of 1962 the Director discussed with the acting chief judge of the court of general sessions the availability of investigators of the Legal Aid Agency to assist attorneys assigned to represent indigent defendants in the Court of General Sessions. As a result the acting chief judge designated a group of attorneys who carry on a substantial practice in that court to confer with the Director. In this conference the Director of the Agency assured the attorneys that any outside volunteer attorney assigned by the court to represent indigent defendants would have available to him the investigative assistance of the Agency as fully as the staff attorneys of the Agency. The attorneys informed the Director that they were not aware of this fact and indicated that they would call upon the Agency frequently to assist them in the cases to which they were assigned. However, they never have availed themselves of the services of the Agency.

For several months there has been a general disregard of amended rule 24 of the Criminal Rules of the District of Columbia court of general sessions. This rule requires that an attorney who is directed by the court to interview a defendant appearing for arraignment in the U.S. branch of the court, shall report back to the court whether he is representing the defendant as a retained case (called a "referred case"), in which event he is allowed to charge a fee and required to report back the amount of fee collected; or whether he is taking the case as an assigned case, in which event no fee may be sought or received and the defendant's declaration of indigency must be filed in the case. The records of the proceedings in the U.S. branch of the court for the past several months do not indicate whether a defendant was represented as a referred case or as an assigned case.

Since the Agency is prohibited by the act from giving its services to any but indigent defendants, it is not possible under present practice for the Agency to make its legal or investigative services available in cases in the U.S. Branch of the Court of General Sessions.

GENERAL COMMENTS AND EVALUATIONS BY OTHERS OF LEGAL AID AGENCY

The establishment of the District of Columbia Legal Aid Agency by Public Law 86–531 of June 27, 1960, was the culmination of years of dedicated, cooperative efforts of the judiciary, lawyers in private practice, and the Congress, under the inspired, persevering leadership of the then chief judge of the U.S. Court of Appeals for the District of Columbia Circuit, the Honorable E. Barrett Prettyman.

In a surprisingly short time this Agency has become the Nation's outstanding Agency for assuring that there will not be a failure of justice in criminal proceedings in the District of Columbia because of an accused's financial poverty.

In August 1961 the American Bar Association rendered its annual Harrison Tweed Award to the District of Columbia Bar Association for its important contribution to the establishment of the Agency.

In its August 1961 study, "Legal Counsel for Indigent Defendants in Federal Courts," the Subcommittee on Constitutional Rights of the Senate Committee on the Judiciary, said:

"The enactment by Congress during the 2d session of the 86th Congress of legislation to provide for the creation of a Legal Aid Agency in the District of Columbia to provide free counsel for indigent defendants was the first step by Congress toward the solution of a problem which has long plagued judicial and legal bodies throughout the United States: The provision of adequate legal counsel for penniless defendants in Federal courts."

"It is hoped by this subcommittee that the passage of Public Law 86–531 will encourage Congress to take similar action with respect to Federal courts throughout the United States."

"The problem of providing adequate legal counsel for indigent defendants within the District of Columbia appears well on the road toward solution since the passage by the 86th Congress of the District of Columbia Legal Aid Act."

Since its establishment, the Agency has been favorably pointed to in various legislative proposals which have been made in Congress in the area of representation of indigents.

The Attorney General's Committee on Poverty and the Administration of Criminal Justice in its report dated February 25, 1963, commended the Agency. While the full text of that portion of the report which refers to the Agency is set out in the appendix to this annual report, it is pertinent to quote here the following excerpt: "The committee believes that the program going forward in the Nation's Capital represents an important experiment in the provision of adequate representation and that its continued development has significance for the country as a whole. This development will require increased appropriations in order that services may be expanded and that capable legal staff can be retained against the pressure of more lucrative professional opportunities. The committee therefore recommends that the Department of Justice continue to direct its sympathetic attention to the District of Columbia legal aid program and lend its support to appropriations needed to enhance the quality and quantity of its services." [5]

In the March 1963 issue of the national publication, Federal Probation, this statement appears: "By congressional action, the Legal Aid Agency for the District of Columbia was created in 1960. Even though the initial appropriation was small ($75,000 annually), a highly competent director was obtained and the office is performing a remarkable service in the District Court."

In his testimony on May 13, 1963, before the Senate Committee on the Judiciary on S. 1057, the administration's proposed Criminal Justice Act of 1963, Attorney General Robert F. Kennedy had this to say about the Agency:

"In 1960 Congress created the Legal Aid Agency for the District of Columbia, and in its first 2 years, this Agency has won a reputation for skilled and dedicated service to needy defendants.

"But the Agency handles by no means all of the nearly 700 cases assigned annually. A great many private attorneys supplement the Agency staff. Appointments in appellate cases are handled exclusively by the private bar.

"The Agency has given the District of Columbia a combination of a strong central defender office augmented by the individual efforts of numerous volunteer attorneys."

* * * * *

"With respect to the question of administration the lesson of the District of Columbia is worth considering. The Legal Aid Agency is administered by a private board of trustees appointed by the chief justices of the various local courts. Responsibility thus is vested in an autonomous group of citizens independent of the judiciary, the prosecutor and politics."

Both the Legal Aid Agency Panel, composed of all of the chief judges of all of our local courts and the President of the Board of Commissioners for the District of Columbia, and the Judicial Conference for the District of Columbia Circuit are continuously aware of the work and progress of the Agency, and have commended it on the job it has done and is doing in the representation of indigents in criminal proceedings.

CONCLUSION

On the basis of their personal knowledge of the operation of the Agency, and the fine reputation which the Agency has acquired among the courts, practicing attorneys and other persons eminently qualified to assess the work of the Agency, the Trustees feel that Agency has proved fully the wisdom of Congress in establishing it and providing the necessary funds to operate it.

The Trustees are pleased to report that the Agency has made healthy progress during the past year toward maximum achievement of the purposes and objectives of the act, within the limits of funds appropriated for its operation. There is no question that the Agency has been and is making substantial public service contributions in a critical area of public interest.

The Trustees believe that the experience the Agency has gained since its establishment has created a firm foundation upon which the Agency may confidently look forward to the acceptance of whatever additional or expanded responsibilities the Congress and the courts may require or direct it to accept, provided that the necessary funds will be appropriated with which to carry out efficiently and effectively such additional responsibilities.

The Trustees desire to express their appreciation to the Congress, to the courts, to the Board of Commissioners of the District of Columbia and their staffs, to the volunteer attorneys from private practice, to its Director, and to the entire Agency staff, for their considerable individual and collective contributions to the work of the Agency during the past year.

Respectfully submitted.

FREDERICK A. BALLARD,
C. FRANK REIFSNYDER,
ROGER ROBB,
WILLIAM S. THOMPSON,
HOWARD C. WESTWOOD,
JAMES FRANCIS REILLY,
Chairman.

JUNE 1, 1963.

LEGAL AID AGENCY FOR THE DISTRICT OF COLUMBIA

Criminal cases, U.S. district court, June 1, 1962, to May 31, 1963

	Volunteer cases	Staff cases	Total
Total cases docketed	----------	----------	1,060
Assigned cases	454	241	695
Pleas of guilty	148	81	229
Verdicts of guilty	84	40	124
Sentenced to imprisonment	235	129	364
Placed on probation	32	17	49
Verdicts of not guilty	24	13	37
Verdicts of not guilty by reason of insanity	12	2	14
Dismissed	73	32	105
Cases disposed of by pleas to misdemeanors	20	19	39

Juvenile court

Total assignments to staff attorneys	55
Disposition:	
Adult cases: Sentenced to imprisonment	18
Juvenile cases: Placed in an institution	13
Placed on probation	3
Dismissed	5

U.S. commissioner

Total cases docketed	1,114
Cases assigned to staff attorneys	265
Withdrawals by staff attorneys	40
Hearings	222
Held for the grand jury	126
Discharged by Commissioner	23
No counsel	18
Total time, hours	106

Coroner for the District of Columbia

Total number of inquests	132
Appearances by LAA staff attorneys	124
Withdrawals by LAA staff attorneys	39
Inquests handled by staff attorneys	94
Held for the grand jury	39
Held for municipal court	0
Held for juvenile authorities	7
No counsel	0
Total time, hours	139

Mental health cases

Total number of petitions filed in District court	2,265
Total number of cases assigned to LAA staff attorneys	1,188
Patients discharged by hospital staff	260
Withdrawals by LAA staff attorneys	26
Hearings before Commission on Mental Health	965
Discharged by Commission	303
Discharged by court	48
Held for jury trial	66
Committed by jury	24
Discharged by jury	1
Finally committed	501
Time, hours	914

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[5] The Agency gratefully acknowledges its appreciation for the understanding and sympathetic attention which the House and Senate Subcommittees for the District of Columbia Appropriations have given to the needs of the Agency.

Investigation staff

Investigations requested by staff attorneys	87
Investigations requested by volunteer attorneys	138
Total investigations	225
Total hours	2,249
Total field trips	858
Total cost, LAA investigators	$636.65
Average man hours per case	10.14
Average cost per case	$2.87
Total hours overtime	132
Out-of-pocket expenses paid volunteer attorneys	$1,365.46
Travel and other expenses paid LAA attorneys and investigators	$1,356.15
Miscellaneous expenses (phone calls, photostats, certified copies of transcripts, film, mimeographing, etc.)	$1,239.67

Indigency investigations

Defendants processed at District of Columbia jail	866
Indictments delivered to defendants at District of Columbia jail	866
Defendants on bond processed at LAA office	109
Defendants on bond processed at LAA office who later retained counsel	83
Reports on indigency forwarded to junior bar section representative	109
Total hours	1,894
Total transportation cost	$35.20
Total overtime worked, hours	47

Report on the status of funds available to the Legal Aid Agency for the District of Columbia for fiscal year 1963, as of May 15, 1963

Funds available		$119,000
Obligations:		
Personnel compensation (to June 30)[1]		104,604
Personnel benefits: (to June 30):		
Retirement	$6,722	
F.I.C.A.	38	
Life insurance	206	
Health benefits	412	
		7,378
Total, personnel compensation and benefits		111,982
Travel:		
Staff	1,670	
Volunteer attorneys	814	
		2,484
Transportation of things		--------
Rent and communications		1,373
Printing and reproduction		492
Other services		280
Supplies and materials		372
Equipment (including law books)		152
Total obligations		117,135
Balance		1,865

[1] Detail of personnel compensation attached.

Detail of personnel compensation as of May 15, 1963

Position	Salary rate	Incumbent	Fiscal year 1963 obligation[1]	Remarks
Director	$16,000	Murray, Charles B.	$15,999.88	
Chief investigator	7,205	Ellmer, Andrew J.	7,109.60	
Investigator	6,675	Savage, Francis N.	6,610.80	
Do	6,675	Reed, Robert Jerome	6,610.80	
Do	6,090	Mahaney, Michael J.	6,034.40	
Staff attorney	6,835	Bellow, Gary	6,567.20	Change in status from investigator to staff attorney effective Oct. 15, 1962.
Do	6,835	O'Neill, Edward E.	6,747.20	
Do	6,835	Kramer, Paul R.	6,747.20	
Do	6,835	Jones, Thomas R.	6,747.20	
Do	6,835	Miller, Paul E.	6,747.20	Entered on duty, July 2, 1962.
Do	6,835	Hubbart, Phillip A.	5,870.80	Entered on duty, Aug. 20, 1962.
Secretary	6,005	Thompson, Geneva K.	5,963.20	Change of name due to marriage effective Mar. 24, 1963; formerly Kaplan.
Do	5,545	Springs, Jeanne M.	5,493.60	
Do	5,205	Pharr, Doris L.	5,160.80	
Do	5,035	McKinnon, Patricia A.	4,888.80	Converted to permanent effective Aug. 27, 1962. Change of name due to marriage effective Jan. 5, 1963; formerly Banting.
Do	4,830	Archey, Lorraine W.	745.60	Terminated close of business Aug. 24, 1962.
Clerk-stenographer (w.a.e.)	[2] 2	Barsky, Phyllis J.	560.00	Terminated close of business Aug. 17, 1962 (served 280 hours).
		Total	104,604.28	

[1] Based on a projection of the salary rates in effect on May 15, 1963.
[2] Per hour.

LEGAL AID AGENCY ANNUAL REPORT, 1962–63, APPENDIX, THE ATTORNEY GENERAL'S COMMITTEE, REPORT, FEBRUARY 25, 1963

THE LEGAL AID AGENCY FOR THE DISTRICT OF COLUMBIA

The District of Columbia Legal Aid Act, approved June 27, 1960, represents, in the judgment of the committee, an event of genuine importance. The legislation is significant, not only as the first congressional effort tending toward systematic handling of the representation problem, but as a source of experience valuable in devising solutions for the other Federal districts and for State systems of criminal justice.

Three features of the District of Columbia legislation are entitled to particular notice: (1) The effort to create administrative autonomy in a Legal Aid Agency free of direct judicial or other governmental supervision; (2) the involvement of a large segment of the legal profession in providing adequate representation; and (3) the recognition of the importance of investigatory and other staff services in the provision of adequate representation.

1. The powers of the Agency are vested in a Board of Trustees composed of seven members. The Board is appointed by a nominating panel consisting of the chief judges of the Court of Appeals for the District of Columbia, the District court, the municipal court, and the municipal court of appeals, the judge of the juvenile court, and the president of the Board of Commissioners of the District of Columbia. The Board of Trustees appoints the Director of the Agency and performs other usual supervisory functions. Ultimate administrative responsibility is thus placed with a group of private citizens, who, at the present time, are all attorneys practicing in the District. The objective secured is that of creating an agency that both possesses and appears to possess independence of the judicial and prosecuting arms of government.

2. The act contemplates that, despite the existence of an agency possessing a staff of compensated, full-time attorneys, a significant share of the burden of representation shall be borne by volunteer attorneys engaged in private practice. The statute thus authorizes a mixed system for the representation of financially incapacitated persons. By order of the chief judge of the District court, the Agency has taken over the entire function of recommending lawyers for assignment in that court. A vigorous effort has been undertaken to recruit private attorneys for these purposes, and the effort has been rewarded by considerable success. Thus, in the fiscal year 1962, of 652 cases in which counsel were assigned in the District court, volunteers appeared in 519. Private attorneys played an even more significant role in the proceedings of some of the other courts and agencies of the District. Important cooperation has been secured from the junior bar section of the local bar association in recruiting and training young lawyers for volunteer services. Valuable assistance has also been secured from graduate students participating in Georgetown University's legal internship program. The committee regards the response of the District bar as impressive and believes that one of the important values secured by the program is the broad sharing of responsibility by a significantly large segment of the profession in the District of Columbia.

3. The operation of the Legal Aid Agency demonstrates recognition that adequate representation entails more than placing attorneys in court and encompasses various other defense services. At the end of fiscal 1962, the staff of the Agency included the Director, four lawyers, four investigators, one secretary, three clerk-stenographers, and a temporary clerk engaged in recruiting volunteer attorneys. The committee believes the emphasis on investigatory personnel to be wholly warranted. It is significant that these services are made available to the volunteer attorneys and that the latter are making use of them. Indeed, in fiscal 1962, of the 189 investigations undertaken by the staff, 113 were made at the request of volunteer attorneys. It should also be observed that volunteer attorneys may be assisted by such staff services as the furnishing of legal memorandums, assistance in the preparation and filing of pretrial motions, and reimbursement of the attorney for out-of-pocket expenses properly incurred by him.

It should be noted that the act directs representation to be provided, not only at the trial stage in felony proceedings, but in misdemeanor cases in which the maximum sentence may be 1 year or more, in preliminary proceedings in the municipal court, before the U.S. commissioner, and at inquests before the coroner, in proceedings before the juvenile court and before the Commission on Mental Health. By the end of fiscal 1962, services had been extended in all these areas, although in some, expansion of services is still required.

The committee believes that the program going forward in the Nation's Capital represents an important experiment in the provision of adequate representation and that its continued development has significance for the country as a whole. This development will require increased appropriations in order that services may be expanded and that capable legal staff can be retained against the pressure of more lucrative professional opportunities. The committee, therefore, recommends that the Department of Justice continue to direct its sympathetic attention to the District of Columbia's legal aid program and lend its support to appropriations needed to enhance the quality and quantity of its services.

4. An evaluation of current representation practices in the Federal courts: The committee is firmly of the view that present efforts in the Federal district courts to supply financially incapacitated persons with counsel and to guarantee the other essentials of adequate defense are insufficient to achieve these important purposes. It follows that it is the committee's judgment that substantial changes in these practices are urgently required. These conclusions rest first and most importantly on the committee's observations of practices prevailing in various districts throughout the country. In addition, the committee has been impressed by the many similar appraisals of present procedures made by judges, prosecutors, defense counsels, and other knowledgeable observers of Federal criminal justice. It is the purpose of this section to identify what appear to the committee to be some of the salient weaknesses and strengths of the current practices.

Mr. ERVIN. Mr. President, the need for equal justice is, of course, no less important in the State courts than in Federal courts. Nevertheless, the Supreme Court's recent decision in Gideon against Wainwright, requiring representation by counsel in all criminal cases, has placed a great burden on the courts and the lawyers of the country. As an indication of that burden I ask unanimous consent that an article "Who Should Receive Free Legal Counsel," by Sid Bost appearing in the Winston-Salem Journal of June 19, 1963, be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Latest Ruling Far Reaching: Who Should Receive Free Legal Advice?

(By Sid Bost)

Brantley C. Booe has practiced law here since 1927, but had never tried a case in criminal court until last week.

His unique experience was the result of the U.S. Supreme Court's decision March 18 holding that defendants in criminal actions who are unable to employ counsel must be offered, free of charge, the services of a court-appointed attorney.

The burden of providing this free legal service has fallen in Forsyth County on the members of the Forsyth Bar Association.

Superior Court Judge John R. McLaughlin of Statesville, who is presiding over court here this term, has a roster of the members and is going down an alphabetical list in appointing counsel to represent those who are unable to pay.

The bar association considered two proposals in coping with the problem: That only those attorneys who are trial lawyers be asked to provide the service, or that the entire roster of members be used.

The association, by one vote, chose the latter method.

Thus it was that Booe, who has been a title attorney with Piedmont Federal Savings & Loan Association since he was licensed to practice, got his first taste of courtroom experience.

He was assigned to represent a woman charged with the felonious burning of a house.

After discussing the case with her, he entered a plea of nolo contendere (no contest) to the charge and she was placed on probation.

"I don't think I pulled too many blunders," he said, "but it wasn't a stellar performance, either." He admitted his first appearance in a criminal courtroom was an "interesting experience."

Weston Hatfield, association president, said the attorneys oppose having to provide the service on the ground that it is confiscation of their time.

"Every lawyer I know does plenty of charity work," Hatfield said, "and having to provide a regular free service over and above this is, we feel, confiscatory of our time."

But he added that until some legislation is passed to deal with the problem he knows of no better way to handle it than that adopted by the local bar.

There is legislation pending in the General Assembly which would authorize the State to pay for court-appointed attorneys for paupers charged with felonies. But whether it will pass in the lawmakers' rush for adjournment remains to be seen.

The bill would increase Superior Court costs by $4 to finance a statewide fund to pay attorneys for representing those unable to pay.

The Supreme Court's decision upholding the right of defendants in State courts to counsel came on an appeal from Florida in the case of *Gideon* v. *Wainwright*.

In that case, Clarence Gideon, who had been charged with breaking into a poolroom, told the court he had no funds to hire a lawyer and asked that the presiding Superior Court judge appoint counsel for him. The judge denied the request, saying that under Florida law the court could only appoint counsel in cases in which the defendant was charged with a crime that could cost him his life (a capital crime, such as first degree murder).

Gideon conducted his own defense, was convicted and sentenced to serve 5 years. He later appealed, claiming that the court's refusal to provide him an attorney violated his constitutional rights.

In their decision, the nine Supreme Court justices overruled a 1942 opinion of the court which had held that the States need not appoint trial counsel for criminal defendants execpt where refusal to do so was "so offensive to the common and fundamental ideas of fairness" as to amount to a denial of due process of law.

The latest decision extended the provisions of the sixth amendment, that "in all criminal prosecutions, the accused shall enjoy the right to have the assistance of counsel for his defense" to the 14th amendment, which is concerned with due process in the State courts.

The implications of the decision have not been fully assessed.

Some attorneys believe the decision entitles defendants in all criminal actions to the right of counsel. However, since the case of *Gideon* v. *Wainwright* dealt with a felony offense, the decision has been interpreted so far as applying only to felony cases and therefore of no effect in courts beneath superior court.

Should clarifying legislation extend the ruling to lower courts, the demand for free counsel would be greatly increased.

One suggestion for coping with the problem has been the establishment of a system of public defender offices, paid for by the State.

The public defender functions in the criminal field much in the same way the Legal Aid Society does in civil legal matters. He provides free legal service to defendants whose inability to pay is clearly established.

Many attorneys feel that a public defender could make a more accurate determination of a defendant's ability to pay for legal services than could a judge in a few minutes of questioning from the bench.

The North Carolina constitution gives every person charged with a crime the right to counsel for his defense. In addition, the general statutes of the State declare that "every person, accused of any crime whatsoever, shall be entitled to counsel in all matters which may be necessary for his defense."

While this has been the law a long time, it has never been followed in practice. The North Carolina Supreme Court has held that the burden for requesting counsel rests with the accused and if he does not ask for it at the time of his arraignment, he forfeits the right to ask for it later.

Since the decision was handed down, some superior court judges have signed orders in some counties of North Carolina directing the county commissioners to pay for the legal services provided paupers.

Attorneys here say they have heard of entire county budgets being unbalanced by this unforeseen drain on the public treasury.

However, McLaughlin, the judge presiding here, says such order have nothing to back them up, that there is nothing in the statutes which would make the commissioners responsible for paying for legal services in any criminal actions other than capital cases.

And an attorney here suggested that any board of commissioners that pays such legal fees could be liable for a suit by any taxpayer who objected to spending tax funds in this manner.

Mr. ERVIN. Mr. President, I am pleased that several States have risen to the challenge posed by the Gideon case. In North Carolina for instance $500,000 a year has been appropriated to compensate lawyers who represent indigent defendants. Counsel are to be assigned from among lawyers with criminal experience, utilizing lists prepared by the county bar associations. The progress of North Carolina and other States has been noted in an article by Anthony Lewis entitled "Supreme Court Ruling Steps Up Legal Aid for Poor Defendants," appearing in the New York Times of June 30, 1963, which I ask unanimous consent to be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Supreme Court Ruling Steps Up Legal Aid for Poor Defendants—Legislatures, Tribunals and Bar Groups of Many States Are Meeting or Going Beyond Decision To Provide Lawyers

(By Anthony Lewis)

Washington, June 29.—Last March 18 the Supreme Court laid down a new constitutional rule that the States must provide free lawyers for all poor persons facing serious criminal charges.

In the 3 months since, the decision has had widespread effects. A survey of the 50 States shows actions by legislatures, courts and bar groups that meet or go beyond the court's requirements. Here are some highlights:

Three States have moved, by legislation, toward the use of public defenders—lawyers employed by the State to represent indigent criminal defendants.

In four States that formerly did not guarantee counsel for the poor except in capital cases, varying steps are being taken to appoint lawyers in all felony trials.

In several States that had provided lawyers for the poor at felony trials, that provision is being extended to lesser crimes and to some pretrial and postconviction proceedings.

Reaction to the Supreme Court decision has been almost entirely favorable, even in States that have long resisted a counsel guarantee and among lawyers now carrying the burden of appointment to defend the poor.

THE 1942 RULING OVERTURNED

The March decision overruled one in 1942 in which the Court refused to lay down an absolute requirement of counsel in State criminal cases. Instead, the 1942 ruling required counsel only where there were "exceptional circumstances," such as an illiterate defendant.

Over the years the Court had found such circumstances more and more often in particular cases. It surprised almost nobody when it took the final step in March and laid down the general rule.

Many States had long expected the decision. In all but five, any poor felony defendant who had insisted on a lawyer at his trial was almost certain to have one provided.

Only 24 States, however, guaranteed the right to counsel in misdemeanor cases. There were widely varying practices as to counsel at pretrial hearings and on appeals.

In all these areas the March decision is being felt. In addition, in a subtle way, the Court's speaking out on the right to counsel seems to have focused attention on the issue and caused new thinking on ways to improve the defense of the indigent.

Perhaps the most dramatic reaction to the March decision was in the State from which the case had come, Florida.

FLORIDA FINALLY ACTS

For years the Florida Legislature, dominated by rural conservatives, had refused to do anything about counsel for the poor except in cases involving the death penalty. In recent years the Supreme Court had been getting more cases from Florida charging injustice in trials without lawyers than any other State.

Last month, under the impact of the Court decision, the Florida Legislature adopted a law creating a public defender in each of the State's 16 judicial circuits.

Although counsel for the State had vigorously defended its position in the Supreme Court, decrying an absolute counsel guarantee as socialism, Gov. Farris Bryant spoke favorably of the decision.

"In this era of social consciousness," he told the legislature, "it is unthinkable that an innocent man may be condemned to penal servitude because he is unfamiliar with the intricacies of criminal procedure and unable to provide counsel for his defense."

Governor Bryant, urging the public defender law, said the Court decision had made its passage essential not only "to protect the innocent," but "in order that valid judgments of guilty may be entered and criminals kept confined for the protection of society."

CONCERN ARISES

That comment reflected a concern that the March decision would be applied to men in prison, requiring that all those tried without counsel in the past be given new trials.

The Supreme Court has not said whether the decision will be given retroactive effect.

Florida estimates that 5,000 of its 8,000 prisoners had no lawyers at their trials. If all had to receive new trials, the impact on the legal system would be enormous.

The Florida prisoner whose case brought the Supreme Court decision has yet to benefit from it. He is Clarence E. Gideon, 52 years old, who was convicted of breaking into the Bay Harbor poolroom in Panama City. He received a 5-year sentence. At his trial he had repeatedly asked for a lawyer, but was turned down.

From the State penitentiary in Raiford, Gideon filed a petition for habeas corpus with the State supreme court. When that was turned down, he filed a handwritten petition for review in the U.S. Supreme Court, which granted it.

Gideon is due to have a new trial next Friday. He will be represented by a lawyer from the American Civil Liberties Union.

The States that formerly provided no counsel in noncapital cases, in addition to Florida, were Alabama, Mississippi, and North and South Carolina. In all, methods of assuring counsel have been or are being adopted.

The North Carolina Legislature has just approved an appropriation of $500,000 a year to pay lawyers assigned to represent the poor. Judges will make the assignments from lists, prepared by county bar associations, of lawyers with experience in criminal practice.

In Alabama, Mississippi, and South Carolina, local bar associations are preparing rosters of lawyers available for appointment to represent the indigent.

ALABAMA PLAN DRAFTED

A committee of the Alabama bar is drafting for early submission to the legislature a plan for a system of appointments and compensation for those appointed.

Bar groups in Mississippi are working toward the legislature's appropriation of funds for appointed counsel by next year.

The reaction in these Southern States has been surprisingly favorable to the Gideon decision.

In Mississippi, Howard McDonnell of Biloxi, chairman of the State bar's criminal law committee, told a meeting last week that the decision was farsighted.

"Our penitentiary is loaded with inmates who are there because of no representation or improper representation," he said. He criticized the use of young, inexperienced lawyers to represent indigents, and said the Gideon case could be a catalyst to improve criminal law.

R. Mayne Albright of Raleigh, N.C., head of the Wake County Bar Association, said:

"I think few lawyers would disagree with the principle enunciated by the Supreme Court. It was time we recognized the need for the defendant who is indigent to have a lawyer."

James J. Carter, head of the Alabama Bar Association, said some lawyers had opposed the Gideon decision, but "it has been accepted even by those who disagree."

The day of the Gideon decision the Supreme Court held in a companion case that States must also provide a lawyer to handle an appeal by a convicted indigent.

RESPONSE OF OREGON

In direct response to that ruling, the Oregon Legislature has just created the office of public defender to handle all indigent appeals and postconviction proceedings, such as habeas corpus actions.

Poor defendants will continue to be represented at their trials in Oregon by court-appointed counsel, rather than a public defender.

In this year's session the Colorado Legislature passed a local-option public defender law. It authorized any county to use the system at its own expense. None has yet established a public defender office.

The Kansas Supreme Court adopted a rule April 16 requiring trial courts to appoint counsel to conduct the appeal of any poor man convicted of a crime.

In Nevada the State supreme court has asked the legislature to authorize the appointment of counsel to carry on habeas corpus and similar postconviction proceedings for poor prisoners, and to authorize funds to compensate the lawyers.

The Minnesota Legislature, for the first time, voted this session to provide funds for appointed counsel who represent the poor in appeals and postconviction proceedings.

Justice Hugo L. Black, in giving the Court's opinion in the Gideon case, did not discuss whether the right to counsel applied in misdemeanor and more serious cases. But there is a wide impression in the States that the rule will, at some point, be applied to misdemeanors. Some States have begun to move on this assumption.

Chief Justice Charles L. Terry, Jr., of the Delaware Supreme Court has called a conference of all lower-court judges to extend to misdemeanor cases the system of appointing counsel.

The New Hampshire Legislature is expected to pass a bill removing from the law a provision that counsel need be appointed only in cases involving possible sentences of 3 years or more.

WHEN TO PROVIDE LAWYER?

The bill was drafted in response to the Gideon decision. New Hampshire judges, by practice, have often made appointments in lesser cases.

A bill before the Vermont Legislature would change a State law allowing compensation for attorneys appointed in felony cases to cover any criminal charge carrying a possible sentence of 6 months or more.

Another issue not reached by Justice Black in the Gideon opinion was at what stage in the criminal proceeding must a poor defendant be given a lawyer. Is the trial soon enough, or must there be a lawyer earlier?

In a decision later in its term the Court held that a Maryland prisoner should have had a lawyer at his first preliminary hearing after arrest. He had to plead then, and thus the hearing was a vital stage requiring counsel, the Court held.

In response to this decision the Baltimore Municipal Court, which holds preliminary hearings in cases later tried in the higher courts, held an emergency meeting with local bar leaders.

The Bar Association of Baltimore agreed to draw a list of lawyers to represent indigents in the lowest courts. Lawyers have even been provided in serious traffic cases, such as charges of driving while drunk.

The association intends to look over the situation after some time and recommend a permanent solution. But its president, Leon H. A. Pierson, is certain that representation at the lowest court level will be required in the future.

"We are looking toward where the Supreme Court is pointing," he said, "or where if it isn't pointing, it should be."

In Iowa and Rhode Island, steps are also being taken to provide lawyers at pretrial stages of criminal proceedings.

BURDEN ON LAWYERS SEEN

Reports from many States indicate concern about the burden of unpaid representation on members of the bar. This characteristic comment came from Chief Justice Joseph Weintraub of New Jersey:

"Assigning lawyers to represent indigents does create an unfair burden on the bar, and I think we have reached the point where serious consideration must be given to a substitute program. The bar has been doing a fine job, but it, alone, should not be required to pick up the tab."

An Arizona lawyer made the point that those lawyers "best able financially to handle these indigent cases are the last ones to be appointed."

In other States the use of young inexperienced attorneys to represent the poor is being criticized as unfair to them and the defendants.

A majority of States provide compensation for appointed lawyers, but usually it is meager. Payment ranges from as low as $10 a day in Kansas to $1,500 for a capital case in New York. The New York sum could amount to little on a daily basis, and there is no compensation in noncapital cases.

At least half a dozen States are considering the use of paid public defenders to reduce the burden on the bar. Public defenders are now used in Indiana, Connecticut, California, Illinois, and about 10 other States.

The alternative of compensating assigned counsel adequately and covering out-of-pocket expenses, is being pressed elsewhere. In Kansas, Attorney General William M. Ferguson has urged assigned lawyers to keep track of their expenses and time spent, and to file claims with the legislature.

All over the country complaints are heard about the failure of Federal courts to pay any compensation or expenses to assigned counsel. The problem is the more severe because Federal criminal cases tend to be longer and more difficult to try.

The administration is strongly supporting legislation to let Federal district courts pay appointed counsel or have public defenders. The bill is before the House Judiciary Committee with a decision expected shortly.

How to provide adequate representation for the poor is the subject of a nationwide study directed by the American Bar Foundation. State bar committees are cooperating.

In addition the Ford Foundation has granted $2,300,000 to the National Legal Aid and Defender Association to set up model programs.

The *Gideon* decision has thus spurred new concern over the fate of the man who faces the terrifying machinery of criminal law without the help of a lawyer.

LIMITATIONS ON SHOE IMPORTS

Mr. DODD. Mr. President, a few days ago, I and 31 Senators joined with our able colleague from Maine, Senator MUSKIE, in a letter urging the President to enter into negotiations with the principal foreign shoe exporting nations, in order to obtain quantitative limitations on shoe imports.

We have requested this action because greatly increased imports of both leather and rubber-canvas shoes are a serious threat to the continued prosperity of our domestic shoe industry. And if steps to limit these imports are not taken soon, the very existence of the shoe industry, as a viable and important segment of our economy, will be in doubt.

Figures compiled by industry point up the magnitude of the problem faced by American shoe manufacturers. Since 1955, leather shoe imports have increased by 600 percent, and imports of all types of footwear have increased by almost twice as much, 1170 percent.

During this same period, U.S. shoe exports have dropped 38 percent.

So there is really a twofold problem here. One, our shoe exports have declined. And more seriously, increased imports of foreign shoes have absorbed the growth in the domestic market, to the detriment of American shoe companies.

But something can be done, and I hope the President will accept our proposal that he negotiate an agreement to limit imports. He is specifically empowered to enter into agreements of this nature, under a section of the reciprocal trade bill we approved last year.

He can negotiate with the leading exporting nations to establish quantitative limitations on the imports of a particular product. And he also has the authority to proclaim the necessary additional import restrictions to implement an agreement.

When I advocate, or another Senator advocates, the implementation of a limitation on the importation of shoes, for example, we are not speaking out for a return to "protectionism." Far from it, because these agreements can be fair both to American and to foreign producers.

To use footwear as an example, the United States will, I hope, negotiate an agreement with the principal foreign suppliers of shoes, giving a substantial share of the domestic market to American companies. But at the same time a reasonable amount of imported footwear could be allowed into the country, with a similar arrangement to share in the future growth of the domestic market as well.

We do not ask that shoe imports be cut off or even seriously restricted. We are simply asking that American companies be helped to maintain a fair share of the market in this country.

This is not an unreasonable request that we make, in behalf of 1,300 shoe factories and the approximately 600 communities across the country which inevitably will suffer if help is not extended in the very near future.

In my State alone, there are 7,500 workers employed by 19 plants manufacturing leather and rubber-canvas shoes. The payroll comes to $25 million a year in Connecticut, so the continued existence of an economically healthy and prosperous shoe industry is of considerable importance to many thousands of men, women, and children in my State. And this is certainly true of other States also, where the shoe industry is even larger and more significant in terms of a State's economic well-being.

I cannot urge the President too strongly to take steps now to assist the domestic footwear industry. The present is the time to act, to make sure that the shoe industry does not enter into a sharp decline similar to that of the domestic textile industry.

We have seen in the textile case what can happen to a basic American industry if it does not receive realistic and timely help in meeting competition from excessive imports.

As the old saying goes, an ounce of prevention—in this case a limitation on shoe imports—is worth a pound of cure, in the form of belatedly trying to help domestic manufacturers who have already suffered the adverse effects of intensive foreign competition.

BASIC TRUTHS ARE NOT RELATIVE

Mr. DODD. Mr. President, I would like to bring to the attention of the Senate a very excellent article by Dr. Frederick Brown Harris, Chaplain of the U.S. Senate.

Dr. Harris' writings are always characterized by clarity and deep insight, as this article attests.

Our Chaplain reminds us that basic truths are not relative. The American belief in the principle that "just powers of government are derived only by the consent of the governed" is a basic truth underlying our whole system of constitutional government.

Dr. Harris further reminds us that while the Soviets may be superficially loosening their iron grip over the Hungarian nation, the fact still remains that the Soviets do not, nor have they ever, believed the principle of government by the consent of the governed.

A betrayal of this principle was the "crucifixion of Hungary" by the Soviets in the execution of the Hungarian revolution in 1956.

Continuing, Dr. Harris asks that if we believe in government by the consent of the governed, how can the United States soften her condemnation of the present Hungarian regime and consider recognition of this blood-stained regime?

James Russell Lowell once wrote:

> True freedom is to share
> All the chains our brothers wear,
> And, with heart and hand, to be
> Earnest to make others free.

This remains a valid truth in the 1960's, and I commend Dr. Harris for reminding us of this most important truth.

Mr. President, I ask unanimous consent to insert into the RECORD at this point, a most commendable article by the Chaplain of the U.S. Senate, Dr. Frederick Brown Harris.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WE HOLD THESE TRUTHS

(By Dr. Frederick Brown Harris, Chaplain of the U.S. Senate)

In the mission recently ended the President of the United States has been seen and heard across free Europe. To wild throngs of cheering Europeans his premise was that liberty is indivisible. His promise was that at any risk to ourselves we would hurl the full force of our might against any fresh aggression by totalitarianism to enslave more people with its fetters of the mind and body.

But, is there any ray of hope for the captives of a diabolical conspiracy whose shackles bind more people than the President saw on his trip across the free frontiers of the continent? What word has America in answer to the agonizing pleading of Poland, East Germany, Czechoslovakia, Bulgaria, Rumania, Lithuania, Latvia, Estonia, Hungary, and the Ukraine, deep in the Soviet land mass? If upon the high heavens could be written the ghastly tale of liquidation, martyrdoms, sudden deportations to the frozen steppes, the genocidal destruction of national roots which the conquest of each of these subdued nations involved in all their sadistic details, it would suggest a chamber of horrors to make devils gleeful and angels weep.

Should comfortable America ever forget all this and acquiesce in admitting the blood-stained culprits to the realms of decency, such forgetting would but register the lowering of our own Republic's moral sensitivity and the dulling of its conscience. The one sure criterion of the reality of our own commitment to freedom is the agony we feel for those who are under a foreign taskmaster's lash. That is why America insists on uncovering the damning truth in Captive Nations Week. It is the accursed spot which will not out that the bandits desire the world to dismiss with, "Oh, let bygones be bygones," as knocking on the door of moral integrity they now seek the recognition of respectability. There is no more essential proposition now before the Congress than House Resolution 14. The passage of this bill would run up to the masthead of our own ship of state a flag of aggravating remembrance and defiance against the pirates who now seek an approved harbor with their ship laden with all the plunder secured by shocking inhumanity, misery, and murder. Such action by the Congress of the United States would tell the world that with us liberty is not a dead fossil but a living thing incarnated in the 50 United States.

Nothing is more vital than our assurance to the whole world that we still hold certain unalienable truths—yea, that they hold us. What is this eternal truth we hold? It is that rights are given, not by any State but by the Creator, and that the just powers of government are derived only by the consent of the governed. Let us look at perhaps the most blatant betrayal of this principle—that of the crucifixion of Hungary. Ever since the brave freedom fighters were mowed down by the thousands by Soviet tanks in the streets of Budapest, we have insisted on keeping unveiled the hideous scenes of the vile slaughter on that day of Red infamy and the vengeance-motivated atrocities that followed. We have treated the hammer and sickle perpetrators as the moral lepers they have proved themselves to be.

But, now in this year of our Lord, the United States stands condemned by the blind and blatant reversal of our policy of protesting any thought of the present Hungarian regime being given diplomatic recognition by the United Nations. Because of propaganda statements, dripping with whitewash, crediting the dictatorship in Hungary with some relaxation of oppression, and the softening of restrictions on religion, there is in the United Nations councils a silence heard in heaven as this land of liberty at last is persuaded to abstain from registering her disagreement. That base reversal must seem to the coerced Hungarian people as great a betrayal as was the kiss of Judas 2,000 years ago.

No wonder a great newspaper sensing the deal at the United Nations, under the black headline of "Deceit" summarizes the action, or the inaction so far as our vote is concerned, regarding the Kremlin's Hungarian puppet, as "washing our hands of the victims of tyranny."

One of the reasons advanced for granting recognition to the Hungarian jailers is that they have been granting amnesty to freedom fighters whose one crime is that they believe in government only with the consent of the governed. The recognition of the present Hungarian Government further weakens the United Nations, as Russian tank experts are added to the already heavily Soviet-loaded world organization.

God forgive us as the United States stands aside to favor the outrageous scheme of allowing the Kremlin, who robbed and murdered those who resisted, to take a place with those who are supposed to have a decent respect for the opinions of mankind. Indignant letters from aroused citizens of America ought to flood the State Department and Congress. No one, however high in our official life, can possibly sincerely believe in recognizing Red Hungary and at the same time believe in government by consent of the governed.

James Russell Lowell, this day America has need of thee—somebody to represent us in the U.N. who, with you, would exhort—

"Is true freedom but to break fetters for our own dear sake, and, with leathern hearts forget that we owe mankind a debt? They are slaves who fear to speak for the fallen and the weak; No. True freedom is to share all the chains our brothers wear, and, with heart and hand, to be earnest to make others free."

Government by consent of the governed—we hold this truth. But, do we?

TRIBUTE TO J. EDWARD DAY

Mr. McGEE. Mr. President, I note with a great deal of sadness the resignation of a valuable public servant and a good friend, Postmaster General J. Edward Day.

As a member of the Post Office and Civil Service Committee I have received ample evidence of his effectiveness as a public servant. The efficiency of the Post Office and the innovations established to speed service and increase efficiency are real testimony to his dedication and energy. He worked hard and he got the job done.

But more than effective, J. Edward Day was a man of warm heart and good will. In an extremely trying and frustrating job he kept his temper and his good humor. He managed, apparently without effort, the difficult job of being good natured and lighthearted while at the same time being an effective overseer of a very large and complex organization with thousands of employees.

There are too few men of his high caliber and pleasant disposition to be found in public life and while I congratulate him on his new position and envy him his release from the woes and worries of the public spotlight, I am convinced that that nebulous organization known as "official Washington" will be much the worse for his departure. I know he will forgive me if I say that it will be a long Day before we see his equal.

TRIBUTE TO PHILIP L. GRAHAM

Mr. McGEE. Mr. President, I would like to add my voice to those of my colleagues who have mourned the passing of the late Philip L. Graham. In the space of a few short years he had become the sparkplug for a whole communications empire in the capital city of the free world.

Throughout our history there have always been great newspapermen who have chronicled our national struggles to grow and remain free. Philip Graham was one of those men. He molded the Washington Post into one of the most responsible, effective, and well-read journals in America. He made it his business to make sure that any separation between the Government and the governed was only physical.

As is usually the case in men of great ability and real determination to succeed, Philip Graham was a man of strong disposition. He often struck sparks in the pursuit of his ideals, but he also kindled new lights of understanding of and appreciation for the valuable heritage of our society and democratic way of life. He will be sorely missed and well remembered by all of us who knew him.

Mr. PELL. Mr. President, I rise at this time to lament the loss of a wonderful, sensitive, and brilliant mind that not only Washington but our Nation and our world has suffered as the result of the death of Philip Graham.

All of us who knew Phil Graham through the years, knew him with affection and admiration. He had been a model of the kind of man that we would like our sons to emulate. He was a good man and a man with a sense of conscience, purpose and dedication.

As a friend and admirer of his for many years, I join with all my colleagues in extending my regrets, sadness, and sympathy to his widow, Kay, and his children.

THE AMERICAN INDIANS HAVE LOST A CHAMPION IN OLIVER LA FARGE

Mr. McGOVERN. Mr. President, on August 2, 1963, at Bataan Memorial Hospital, death came to a man who was an author, historian, anthropologist and more important a true and understanding friend of the American Indian. Oliver La Farge was born in New York City in 1901 and was educated at Groton and Harvard. An author of renown, he won the Pulitzer Prize in 1929 for his book "Laughing Boy," a novel about the Navajo Indians which showed, even then, his deep insight and understanding of these people. Although best known as an author, he gave generously of his time, efforts and energy to the American Indian.

Over more than three decades he was active in various organizations to assist our Indian population by studying their problems and supporting programs to solve them. The Indians recognized in Mr. La Farge a quiet, intelligent, understanding friend who took the time and effort to see their problems through their eyes.

During 1930 to 1932 he was director of the Eastern Association of Indian Affairs, and in 1931 was in charge of the Intertribal Exhibit of Indian Art supported by that organization. From 1933 to 1937 he was president of the National Association of Indian Affairs, and from 1937 to 1942 he was president of the American Association of Indian Affairs. In 1948 he was reelected president of the association and held that post until his death. During 1941 he was vice chairman of the Institute of Future of the American Indian. From 1935 to 1941 and from 1946 until he died he was a member of the advisory board of the Laboratory of Anthropology at Santa Fe. Mr. La Farge participated in various archeological expeditions during the years 1921 through 1927 and again in 1932, both in Arizona and Guatemala. In 1936 he was appointed field representative for the Bureau of Indian Affairs and was given the job of drafting a constitution for the Hopi Tribe. The Secretary of the Interior appointed him to a 10-man Advisory Committee to the Government on Indian Affairs in 1948. In addition to his activities in various organizations and Government positions. Mr. La Farge wrote numerous articles, appeared before many congressional committees, and was always in the forefront of the battle to help the American Indian.

This man's warm understanding of a minority group and his success in being a main line of communication between them and the rest of society make his contribution important to us. His manner and his method offer us an insight to effective communication with the developing peoples of the world. Shortly before his death Mr. La Farge was asked how people should act on meeting an Indian. His answer I believe not only is the mark of the man, but is the key to our successful communication with other cultures. He said:

> The ordinary American has three stereotypes that he applies to American Indians. Often he thinks of Indians in a confusion of all three at once. One is the stereotype of the Noble Red Man, expressed to some extent by the tendency to turn male Indians into chiefs and females into princesses, one is the stereotype of the lazy, crafty, drunken Indian, and the third is our established expectation in regard to all minorities. The first thing a non-Indian must do if he wishes to approach Indians is to rid his mind of all his preconceptions and prepare himself to face a human being endowed with the usual range of virtues and faults, plus a conditioning resulting from a unique position in American life. * * *
>
> The Indians were here first. They did not invite us, they did not want us, and we have shown them precious little reason to believe that it would be an improvement to become the same as the rest of us. Indians are conscious of themselves as an aboriginal aristocracy older, smaller, and prouder than the DAR or the Society of Cincinnati. * * *
>
> Although there are many individual exceptions, the deeply imbedded desire of most Indians is to prove themselves whole men and successful in our world without ceasing to be Indians. This is not an easy ambition to fulfill.
>
> Indians who seem to have lost all of their culture, even all of their dignity, yet retain far more Indianness than anyone would expect. Very important in this is what we would consider a very old-fashioned reticence and reserve in initial contact with people. Our modern pattern is the immediate smile, the hearty handshake, the slap on the back and the instant use of first names. We enact a comedy of personal friendship on sight, one result of which often is that we experience no true friendships. The overwhelming majority of Indians operate in exactly the reverse manner. They don't know you and you don't know them, and they don't expect to give or receive gestures of false cordiality. They want to go slow and find out whether in fact they and you are going to like each other. My experience is that their capacity for real friendship and trust is rather greater than ours. They draw back from the thrusting overcordial approach and if there is in the approach an element of condescension, a suggestion on the part of the non-Indian that he is favoring a person less fortunate than himself with his benevolence, the result is hostility.
>
> I hope that this somewhat involved explanation of what is, in fact, a difficult cultural phenomenon to explain will give meaning to certain rules that my father, who spent much time among Indians, taught me and that I have consistently applied:
>
> Do not be overcordial.
>
> Do not push your personality on the Indian.
>
> Do not expect the Indian to accept you on sight.
>
> Do not condescend.
>
> Do observe old-fashioned reserve and courtesy.
>
> Do base your approach on respect for the integrity of the individual, regardless of age or condition.

These rules were Mr. La Farge's key to communication and understanding of the American Indian. The man has left us a legacy that with some adaptation can be helpful to us in our international relations.

The Indians have lost a champion, the country has lost a scholar, but his family has lost a husband and father. My deepest sympathy goes to Mrs. La Farge, sons Peter and John, and daughter Povi.

I ask unanimous consent that an article from the Washington Star of August 3, 1963, relative to Mr. La Farge's death and an editorial from the New York Times of August 4, 1963, be printed at this point in the RECORD.

There being no objection, the article and editorial were ordered to be printed in the RECORD, as follows:

[From the Evening Star, Washington, D.C., Aug. 3, 1963]

OLIVER LA FARGE DIES; WRITER, AIDED INDIANS

ALBUQUERQUE, N. MEX., August 3.—Oliver La Farge, 61, who spent a lifetime fighting for the American Indian, died of a heart ailment yesterday.

Mr. La Farge won a Pulitzer Prize in 1929 for "Laughing Boy," a novel of Navajo Indian life.

His work in anthropology led him to the Southwest to study the Indian after he had carried on research in Guatemala and Mexico.

Mr. La Farge was born in New York City on December 19, 1901, the son of Christopher Grant La Farge, an architect. His full name—Oliver Hazard Perry La Farge—was bestowed in honor of his ancestor, Commodore Oliver Hazard Perry.

In 1955 Mr. La Farge served as president of the Association on American Indian Affairs. He was a fellow of the American Association for the Advancement of Science, and a member of the American Anthropological Association and the American Academy of Arts and Sciences.

He was elected to the academy in 1953 in the area of fine arts and belles-lettres.

After graduation in 1924 from Harvard University, where he edited the "Lampoon" humor magazine, Mr. La Farge taught at Tulane University. In 1930 he won the O. Henry Memorial Prize for his short story, "Haunted Ground."

He received the Legion of Merit as a lieutenant colonel in the Air Corps in World War II.

Surviving are his wife, Consuelo, two sons, Peter and John, and a daughter, Povi.

[From the New York Times, Aug. 4, 1963]

OLIVER LA FARGE

A half-century ago, when the American Indian was much in the news because of the gross injustices done to him, he had a considerable number of influential—or at least highly vocal—friends. But in time the national conscience found other and seemingly greater injustices pressing upon it, and many of the Indian's friends wandered away from a concern for his welfare. Not so Oliver La Farge. He became an eloquent spokesman for the Indian cause in the 1920's when he wrote the Pulitzer Prize winning novel, "Laughing Boy," a tale of Navajo life. His ardor never waned; indeed, at his death thousands of residents of Indian reservations considered him their only hope for ever achieving a measure of dignity.

Oliver La Farge approached the Indian without maudlin sentiment. He liked and respected him, and with gentle but firm good nature he repelled the caricature of the modern Indian as a drunk and a wastrel. La Farge told America that the Indian was brave, loyal and intelligent. He fought the Indian's battles before many a congressional committee and White House advisory group. Others were in the fight, too, but it was La Farge's voice that was heard most frequently and most movingly in behalf of the country's original settler.

Oliver La Farge threw his arm in kindness and affection around the shoulder of a forgotten man. No racial minority ever had a more resolute friend.

CIVIL RIGHTS IN HAWAII

Mr. FONG. Mr. President, the people of Hawaii, perhaps more than people of any other place, pride themselves for the spirit of aloha they have for all people. The American ideal of equal rights under the law is most meaningful in my State.

The city and county of Honolulu has recently completed a survey of its ordinances, departmental procedures, and practices. I am proud to report to the Senate that the city and county found no evidence of discrimination in its jurisdiction.

Mr. President, I ask unanimous consent that the text of the report of the Deputy Corporation Counsel of the city and county of Honolulu to the City Council of Honolulu, dated July 19, 1963, be printed in full at this point in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

JULY 19, 1963.

Hon. Chairman and Members of the City Council, City and County of Honolulu, Honolulu, Hawaii.

GENTLEMEN: Pursuant to your request we have reviewed the ordinances of the city and county of Honolulu to ascertain whether or not there is in existence any ordinance provision discriminatory in nature based on race or ancestry.

Please be advised that our search has disclosed no ordinance provision of the type referred to above.

In addition, we have made a random check of departmental procedures and practices, as well as permits and licenses issued by the several departments, but have found no evidence of discriminatory practices.

Very truly yours,
HIROMU SUZAWA,
Deputy Corporation Counsel.

Approved.
STANLEY LING,
Corporation Counsel.

THE NATIONAL SERVICE CORPS

Mr. WILLIAMS of New Jersey. Mr. President, in a few days the Senate will be voting on a noble measure—the National Service Corps bill, S. 1321. As many of my colleagues are no doubt aware, various dilatory parliamentary maneuvers will be attempted during debate on the bill which are intended to block passage of this bill.

It is very probable, for example, that amendments will be offered with the ostensible purpose of preventing discrimination in the selection and training of corpsmen and in the implementation of Corps projects. During committee deliberation on the bill, S. 1321, such amendments were offered, but were rejected as being unnecessary and unwise.

The amendments regarding selection and training of corpsmen was rejected because its purpose had already been achieved under clearly articulated Federal policies.

Although it is unthinkable that any administration would discriminate among employees in any program which it established, the committee asked the Attorney General whether corpsmen would be covered by President Kennedy's Executive Order No. 10925 on Equal Employment Opportunity. The answer provided the committee by the Attorney General was affirmative and to the point:

> Because of their relationship to the Federal Government, the corpsmen are, in my opinion, fully governed by the President's Executive Order No. 10925 on Equal Employment Opportunity. Under the circumstances, these two amendments would only duplicate an already clear Federal policy. * * * However, their adoption might result in undermining the very objectives toward which they are ostensibly directed. Thus, adoption of such provisions as a part of this bill might be taken to mean that other programs which have been or may be authorized without them need not meet these same standards of nondiscrimination. This would bring about a confusion where utmost clarity is required.

Executive Order No. 10925, referred to by the Attorney General, culminates a long history of Federal policy against discrimination in Government employment.

Part II of this Executive order expressly reaffirms the nondiscrimination policy set forth in Executive Order No. 10590 issued by President Eisenhower on January 18, 1955:

> That equal opportunity be afforded all qualified persons consistent with law, for employment in the Federal Government; and * * * this policy necessarily excludes and prohibits discrimination against any employee or applicant for employment in the Federal Government because of race, color, religion, or national origin.

Given this well established policy against discrimination in Government employment, plus assurances against discrimination obtained during the hearings on S. 1321—hearing, page 58—it is apparent that the proposed amendment would serve no legitimate purpose whatsoever, except perhaps to add confusion where utmost clarity is absolutely essential. In view of these facts, the committee considered it inconceivable that the Corps would be administered in a discriminatory fashion, and accordingly rejected the amendment.

The second amendment proposed during committee deliberations was ostensibly designed to prohibit discrimination in the implementation of Corps projects. It would prohibit corpsmen from assisting disadvantaged Americans in institutions or areas which, for one reason or another, are limited to persons of a particular religious creed, nationality, race or color. Despite the purported objective of this amendment, however, its actual effect would be to deny assistance to persons most in need—a result that is direct conflict with the goal of the National Service Corps.

The Chairman of the President's Study Group on the National Service Corps, Robert F. Kennedy, characterized this proposed amendment as follows:

> While the benefits of this program should unquestionably be available to eligible recipients without regard to race, color, or creed, any such sweeping mandatory requirement would, I believe, threaten the welfare of those in need, including the very minority groups which I assume Senator TOWER seeks to assist. Under the provisions of the bill, corpsmen would be assigned to work only with persons in critical need. To deny those persons this opportunity to help themselves because, through no fault of their own, some form of discrimination remains would be a callous disregard of the human problems presented to the Service Corps.

It is most obvious that in many areas and institutions, such as mental institutions, migratory labor camps, Indian reservations and homes for the aged, people are often grouped by religious creed, nationality, race, or color. We all know, for instance, of homes for the aged which are limited to persons of a particular religion; we know that migratory labor camps are frequently inhabited by persons of Mexican descent or by Negroes; we know also that mental institutions in some parts of the country are sometimes limited to persons of a particular race or color.

Moreover, these very people are often the most disadvantaged members of our population. And to deprive them, in the guise of fairness, of the assistance they so desperately need would actually aggravate existing hardships to which they may already be subject, and over which they have no control. Consider an analogous situation: suppose we were asked to withdraw the school milk program from schools that are limited to persons of a particular race, creed, or color. The Congress has wisely rejected this tack. Taking milk out of the hands of children, because of policies beyond their control, is like refusing to save a drowning man because he happened to be drowning in the wrong lake. In short, Mr. President, the name of fairness cannot be used to impose hardships on our disadvantaged citizens.

Mr. President, an omnibus civil rights bill is presently before Congress dealing with the overall problem of discrimination. This measure would provide the minority groups of this country the dignity and equal opportunity which they need and deserve, and which for too long they have been denied.

Unlike the omnibus civil rights bill, the amendments offered ostensibly to prevent discrimination in corps activities will merely trade clarity for confusion and blunt the overall effectiveness of the National Service Corps.

An editorial in the New York Times, whose stand on civil rights is strong and unequivocal, indicated that S. 1321 should not "run into civil rights trouble for reasons that have no valid relation to the eradication of racial bias." The August 5, 1963, editorial stated the issue bluntly:

> Since Negroes would be one of the principal beneficiaries of its activities, it is cynical to jeopardize the Corps chances of creation by a spurious civil rights issue.

This editorial warrants serious consideration and I ask unanimous consent, Mr. President, it be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

DOMESTIC PEACE CORPS

The administration's proposal to establish a Domestic Peace Corps may run into civil rights trouble in the Senate this week—for reasons that have no valid relation to the eradication of racial bias. An attempt already has been defeated in committee to load onto the bill riders ostensibly designed to prohibit discrimination in the Corps' operations. Now Senator JOHN TOWER, the Texas Republican, is reported planning to renew the effort from the floor.

The only effect of the move will be to transfer to the wrong battlefield the fight that is already being fought, in its most fundamental sense, in the consideration of President Kennedy's omnibus civil rights bill. The Domestic Peace Corps deserves a chance at decision on its own merits, without involvement in the larger struggle. Its aim is to give a limited number of volunteers—much too limited a number—an opportunity to do in rural and urban slums, migratory farm labor camps, Indian reservations and many other areas of great deprivation the kind of things the Peace Corps has done with such animation overseas. Since Negroes will be among the principal beneficiaries of its activities, it is cynical to jeopardize the Corps' chances of creation by a spurious civil rights issue.

THE GRUENING AMENDMENT TO FOREIGN AID BILL

Mr. MOSS. Mr. President, last week the distinguished Senator from Alaska [Mr. GRUENING] introduced an amendment to the foreign aid bill (S. 1276) to require that all foreign aid development loans be repaid at a domestic rate of interest. I cosponsored this amendment.

Since that time the Senate Foreign Relations Committee has adopted an amendment to the foreign aid bill which would place a minimum of 2-percent interest on development loans. I hail this as a wise and significant move, but hope that when the bill reaches the Senate floor, we finish the job and require that these loans be repaid at the same rate which our Government must pay to borrow the money.

We are currently facing our largest public debt in history, and a long continued imbalance of international payments, which has brought our gold reserves to their lowest level since 1939.

We have taken many of the small steps required to set the Nation's financial affairs once again in good order. For example, we have reduced the amount of grants made to foreign governments, while still giving them aid for mutual benefit. We are, more and more, lending aid rather than giving away aid. The share of development loans in the foreign economic assistance program has increased by $450 million between 1961 and 1964, while development grants have increased $100 million, and supporting assistance has been reduced $600 million. Over the past 5 years $3.5 billion have been committed for development loans.

While it is good policy for the United States to require aid to be repaid rather than to be forgotten, it would be better policy to reduce even further the gift element in our aid. We make a gift out of a loan when we fail to require payment of reasonable interest on that loan. I am concerned, and I believe that the American people would be concerned if they knew that the majority of these loans are at the rate of three-fourths of 1 percent interest. We are told that the repayment of these loans is a healthy stimulus for the self-help effort of the countries which receive the loan. I submit to you that whether or not a three-fourths of 1 percent interest is a healthy stimulus to the economy of a foreign nation, it is an unwise burden on our own economy and on the American taxpayers who paid over $99 billion in taxes in fiscal 1962.

These cheap money loans ostensibly for development, are somewhat of a paradox when we consider that we must repay money borrowed by the U.S. Government at the average rate of 3 percent-plus. Our own Nation, we all know well, has not reached the end of its development and growth. Yet we take from it money which is worth 3 or 4 percent or more depending on who is the borrower, and for how long it is borrowed, and lend it to other countries at one-tenth the interest charge. If the money is worth to them only one-tenth as much as it is here, then surely we must question whether it really would assist any desirable development abroad.

The present development loan rate paradox must be striking to any savings bond holder who considers the 3¾ percent interest rate he earns on his U.S. savings bonds. His Government borrows from him, and makes him pay taxes to pay 3¾ percent interest. There is a 3-percent interest difference between the rate the United States must pay to savings bond holders and the rate that it receives on foreign development loans.

I feel that the interest rate for foreign aid development loans should be made at least equivalent to a standard domestic rate of interest.

I believe that the rate of 3¾ percent interest paid U.S. savings bond holders is a reasonable rate of interest for this type of loan. I do not think that we should attempt to profit from the economic conditions of lesser developed countries, but by the same token, we should not provide a subsidy at the expense of our own economy, at a time when we can ill afford to do so.

When the United States was undergoing its development in the mid-19th century we were known as the world's greatest debtor nation. Many countries were very eager to invest in our railroads and other industries, but I can assure you that the interest rate was not three-fourths of 1 percent—but often was 8 or 10 times that high.

With the U.S. savings bond as the standard rate of interest for foreign aid loans we have a rate of interest that is stable for long periods and not subject to daily market changes. This would preclude the necessity for aid administrators and foreign borrowers to keep an eye on the bond market in hopes of borrowing during temporarily favorable market fluctuations.

Wise and productive lending can benefit both debtor and creditor. The Congress can improve the lending of aid by requiring borrowers to pay a reasonable interest rate.

Mr. President, the amendment introduced by the Senator from Alaska is an eminently fair and sensible amendment, and its adoption will not undermine in any way our foreign aid program. Only by its adoption can we accurately label as "loans" the money we now say we are lending recipient countries. Even under the committee amendment, loans would still be a combination of loans and grants, with the American public picking up the tab for the difference between the money we loan at low interest and borrow at higher interest. Let us be fair with everyone concerned—certainly we should not mislead the American people.

NUCLEAR TEST BAN TREATY

Mr. THURMOND. Mr. President, with all the propaganda and political pressures being brought on the public and the Senate by the administration, and particularly the State Department, to obtain Senate approval of the proposed Moscow test ban treaty, it is most refreshing to hear the voice of caution uttered by a former Secretary of State who has had much experience in matching diplomatic wits with the leaders of the world Communist movement. I call to the attention of my colleagues an article in the News and Courier of Charleston, S.C., dated August 3, 1963, with this headline: "Byrnes Warns Americans About Test Ban Treaty: Statesman Cautions of Red Violation."

This article quotes the Honorable James F. Byrnes, who has served his Nation with distinction not only as Secretary of State, but also as U.S. Representative, U.S. Senator, U.S. Supreme Court Justice, Governor of South Carolina, and as "Assistant" President during World War II.

I ask unanimous consent, Mr. President, that this article about Governor Byrnes' statement on the proposed test ban treaty be printed in the body of the RECORD.

I also ask unanimous consent, Mr. President, that at the conclusion of Governor Byrnes' statement that the following materials be printed in the RECORD:

My weekly newsletter dated August 5, 1963, and entitled "A Question of Trust."

"A Time for Vigilance" from the Greenville Piedmont of Greenville, S.C., and dated July 30, 1963.

"Another Yalta Sell-Out" from the News and Courier of Charleston, S.C., and dated August 1, 1963.

"Hope Does Not Lie in Serenity" from the Augusta Chronicle dated July 31, 1963.

"Space Test Ban Would Be Folly—Teller" from the Augusta Chronicle dated July 31, 1963.

"Missing: Test Ban Safeguards" from the Augusta Chronicle of Augusta, Ga., dated August 1, 1963.

American Security Council's Washington Report dated August 3, 1963, entitled "The Issues Now Joined."

The Manion Forum broadcast dated August 4, 1963, by Rear Adm. Chester Ward, U.S. Navy, retired, entitled "The Unlimited Dangers of a Limited Test Ban."

"Emotion and the Test Ban Treaty" from the Chicago Tribune dated August 7, 1963.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Charleston (S.C.) News & Courier, Aug. 3, 1963]

BYRNES WARNS AMERICANS ABOUT TEST BAN TREATY—STATESMAN CAUTIONS OF RED VIOLATION

(By Hugh Gibson)

COLUMBIA.—Former Gov. James F. Byrnes yesterday warned Americans not to allow their hunger for peace blind them to the potential dangers in signing a nuclear test ban treaty with Russia.

The Soviets have violated every important agreement since 1945 when it was to their advantage to do so, the former U.S. Secretary of State charged. He indicated little doubt that the nuclear test treaty would prove any exception to that rule.

"The Russians know they won't keep their word if it suits their purpose not to and they know that we will keep ours," South Carolina's elder statesman pointed out.

"I can understand Russian enthusiasm, but not ours," he continued. "Even our strong desire for peace must not lead us to lose our good sense."

Mr. Byrnes recalled that as Secretary of State under President Truman he first brought up the nuclear question at a Moscow Foreign Ministers' meeting in December 1945.

"I submitted to the Foreign Ministers of Russia and Great Britain a proposal for establishing a United Nations committee to give the world the atomic bomb secret—provided it was done by stages and with hard and fast agreement on international inspection," he said.

The Russians backed down on the 1945 proposal because of the inspection factor and the Soviet position has not changed in the intervening years, Mr. Byrnes insisted.

INSPECTIONS

"The Russians have argued about international inspections from that day to this but they still haven't agreed," the former Secretary of State declared.

Mr. Byrnes reminded Americans that Russia violated in 1961 a moratorium on nuclear testing. He said this has created suspicion of Russia's current good faith on a test ban that is regrettable but fully justified.

The former Secretary of State said his information regarding the nuclear test treaty came from press reports and from President Kennedy's televised report to the Nation. Mr. Byrnes said he would want to know "a greart deal more" about what was in the treaty before he could approve it.

OPPOSITION

"I would want to know whether—as newspapers reported—the Joint Chiefs of Staff opposed the treaty and their reason," he explained.

"I also would want to know whether we would be at a disadvantage from the standpoint of national defense," he said.

Mr. Byrnes said he thought everybody favors a step toward peace but he indicated strong skepticism that the nuclear test treaty is a move in that direction.

"I see no reason to believe that the Russians now will do what they have always failed to do: keep their word," the veteran statesman declared.

A Question of Trust

(Report to the people by Strom Thurmond, U.S. Senator from South Carolina)

"We know enough now about broken negotiations, secret preparations, and the (Soviet) advantage gained from a long test series never to offer again an uninspected moratorium." These are the words of President Kennedy on March 2, 1962.

On June 10, 1963, the President announced that the United States would cease testing nuclear weapons in the atmosphere "so long as other states do not do so." There is reliable evidence that the Soviets tested a nuclear device in the atmosphere on June 12, 2 days later. When this fact was made public by an enterprising reporter, it was not denied by the Atomic Energy Commission. Thereafter, the unilateral, uninspected test ban decreed by the President for the United States continued.

Negotiations with the Soviets for a test ban continued in Moscow, and on July 25, Mr. Harriman, on behalf of the United States, initialed an agreement with the Soviets for a partial, uninspected test ban with the Soviets.

The agreement on a test ban was similar to an offer made by the United States in 1961 and prior thereto, before the Soviets openly and suddenly breached the then existing moratorium and launched an unparalleled series of nuclear tests. Before the Soviets tested, they rejected the partial test ban categorically. After almost 2 years of all-out testing by the Soviets, it was the Soviets who offered the partial, uninspected test ban. We accepted the Soviet offer, despite "the (Soviet) advantage gained from a long test series," as the President expressed it.

The U.S. proposal in 1961 for a partial test ban treaty was justified as being a means to freeze the relative U.S. superiority over the Soviets in nuclear capabilities. Since then the Soviets tested, and as the President said, achieved an "advantage," now in the form of "knowledge," which might provide the basis for a clear superiority if it could be turned into weapons by the Soviets before the United States gained this knowledge and made the weapons. U.S. production is far superior and faster than that of the Soviets, so a freeze in the level of knowledge, which can only be gained from testing, could give the Soviets the time to produce weapons with their slow production facilities.

Such a motive is not attributed to Khrushchev by the President now. Our Government has displayed its willingness to take Khrushchev's word that his motive is peace. What happened between March 1962 and June 1963 to change the President's attitude from distrust to trust of Khrushchev?

In this period, two agreements were reached between the United States and Khrushchev. The first, also negotiated by Mr. Harriman, was for a neutral Laos. The agreement didn't stop the fighting in Laos, nor did it stop the use of Laos as an approach for the Reds to outflank and slaughter our U.S. servicemen in Vietnam. Mr. Harriman, in April 1963, went to Moscow, hat in hand, to seek Khrushchev's help in enforcing the agreement on Laos, but to no avail. Did Khrushchev earn the President's trust with the agreement on Laos?

There was also an agreement with the Soviets on Cuba. Our Government, and U.N. Ambassador Stevenson, announced that Khrushchev had agreed to remove his big missiles from Cuba and let the United States make on-site inspections in Cuba. Khrushchev said he removed the missiles, but no one even pretends the United States ever got to make on-site inspections. We don't know even now what the Soviets have in Cuba. Did Khrushchev earn the President's trust with his agreement for the United States to make on-site inspections in Cuba?

On July 26, a Soviet broadcast from Moscow attacking opponents of the treaty contained the following statement: "This goes primarily for the madmen in the United States, such as fascistic Senators Goldwater and Thurmond, Republican, of Arizona, and Democrat, of South Carolina, respectively. They tried to put the squeeze on the U.S. negotiators in Moscow by issuing statements against any departure from the positions-of-strength stand."

I plead guilty to the charge of Moscow. I believe peace, as well as liberty, depends on the United States having a position of strength, without any departure, for I don't trust Khrushchev.

Do you?

[From the Greenville Piedmont, July 30, 1963]

A Time for Vigilance

The free world has no choice but to view ban-the-tests developments involving the Kremlin with more trepidation than hope, in view of the historic record of broken Soviet pledges.

An actual ban on nuclear testing in the air, in outer space, and underwater could be a forward step toward a genuine instead of a propaganda peaceful coexistence period. But since Washington's first proposals at Geneva, hundreds of days and thousands of words ago, we insisted upon a form of inspection.

Whether a two-thirds vote of the Senate will approve the treaty is not clear. It was the Soviet, not the United States, that broke the voluntary moratorium before—when it suited Soviet national purpose.

Even without knowing what the nuclear arsenals of each power contain, it has become obvious that we are at stalemate. It cannot be ignored, as Dr. Edward Teller suggests, that the U.S.S.R. may be ahead of the United States in antimissile experiments. Orbiting vehicles into space also can provide peaceful testing of propellants and guidance systems.

It would be stupid to assume that the Soviet does anything not suited to its long-term purposes. It would be more stupid to believe that the bear suddenly had sprouted wings.

Eternal vigilance, more than ever, is the price of liberty.

[From the News and Courier, Aug. 1, 1963]

Another Yalta Sell-out

Already the lines are being drawn in the U.S. Senate over the issue of a nuclear test ban treaty. On one side are realists who oppose a pact that will only serve the interests of the Soviet Union. On the other side are those who take a soft view of world affairs, who believe that America should make concessions to reduce tension.

Senator Everett Dirksen, the Republican minority leader, has declined to accompany Secretary of State Rusk on his mission to Moscow. Other realistic Republicans likewise have refused to participate. President Kennedy must be content with the presence of Senators Aiken, of Vermont, and Saltonstall, of Massachusetts, two members of the GOP's liberal wing, as representatives of the opposition party.

The suspicion with which realistic Senators regard the test ban agreement is well founded. How can realistic Americans favor a pact negotiated by W. Averell Harriman, who earned a reputation as the late Josef Stalin's favorite American diplomat?

Mr. Harriman's public career is one of mistaken judgment throughout. When he was Assistant Secretary of State for Far Eastern Affairs not long ago, he negotiated the so-called neutralization of Laos. This has proved to be a major setback for the United States. Laos is the key to southeast Asia. The Russians, contrary to their word, are cheating on the Laos agreement. The country is gradually being infiltrated by Communist bands.

Aside from the alarm which Mr. Harriman inspires in realists, observant citizens know that the test ban is an outward and visible sign of an inward conviction on the part of the Kennedy administration that Russia has been misjudged, and that it sincerely wants to end the cold war.

The test ban agreement helps to explain the muzzling of the military by the Kennedy administration. It is no surprise that Senator J. W. Fulbright, the Arkansas appeaser and author of the infamous memorandum opposing cold war education, will be present in Moscow for the treaty signing ceremony. The test ban also helps to explain the failure to order a tight blockade of Communist Cuba, and the U.S. Government's readiness to crack down on free Cubans who want to strike a blow for liberty in the Caribbean.

All along, the Kennedy administration has been making concessions and adopting a soft tone with respect to Russia, in the hope of persuading Nikita Khrushchev to behave.

John F. Kennedy is attempting to repeat the history of the Yalta era. He believes that concessions can win peace. This is what President Franklin D. Roosevelt thought when he allowed Stalin to retain Eastern Europe. President Roosevelt abandoned the people of Poland to Soviet tyranny, in the hope that Russia would join a civilized community of nations. This unrealism proved disastrous in the 1940's. It would be even more ruinous if it became American policy in the 1960's. The Russian bear has not changed his nature.

Nor is a test ban agreement the ultimate Kennedy administration goal. We see in the administration's determination to deny nuclear weapons to European allies the grand design of a demilitarized Western Europe. This, we submit, is the price that the Kennedy administration is ready and willing to pay to extract smiles from the men in the Kremlin.

It would be a disaster if this country puts faith in the Russians. The whole of their history shows no cause for trust. Even within the Communist world, Red China does not trust the Russians. The Chinese know that Russia's plans of domination never will end so long as there are Russians. While the United States also wishes to counter the aggression of the Communist Chinese, it should not seek to lessen the Chinese danger by signing a pact with its own principal enemy, Soviet Russia.

The men who guide U.S. policy these days embody all the confusions of American liberalism. A lack of confidence in the uses of strength characterizes their approach to U.S. action. The Senate will do its greatest work of this decade if it prevents a sellout of American interests that is presented as a step toward lasting peace.

[From the Augusta Chronicle, July 31, 1963]

Hope Does Not Lie in Serenity

With issues beginning to crystallize in the debate over U.S. acceptance of a limited nuclear test ban treaty, it becomes increasingly apparent that the United States has more to lose than to gain from such a move.

Our foremost consideration must be the national security. If a test ban treaty impairs our ability to defend ourselves in event of war, that fact alone constitutes compelling cause to reject it. As much as all

Americans would like to reduce the tensions that might lead to war, our primary concern—in the face of an implacable enemy whose expressed goal is destruction of our way of life—must be maximum defense capability.

In sum, the best insurance against war with communism lies in strength, not serenity.

Thus, the first responsibility of the Senate, as it considers the test ban treaty, must be examination of the document's potential impact upon free world defenses and the cold war balance of power. The limited facts available from the highly classified field of nuclear weaponry indicate that impact would be decisively negative, insofar as the United States is concerned.

Hanson Baldwin, authoritative military writer for the New York Times, got to the meat of the matter troubling opponents of the treaty when he described the prospective effects of an agreement banning all but underground tests:

"From the point of view of weapons testing this would mean, in the opinion of most military and intelligence experts, that the United States would be able to test the type of weapons—small size tactical weapons—in which it has a clear-cut lead, but would be unable to test the weapons in which it is apparently lagging."

Put another way, the treaty would enable the Soviet Union to continue testing the only kind of nuclear weapons in which it has a recognized disadvantage, while freezing Russia's lead in other nuclear capabilities.

In addition to the probability that Soviets can improve their nuclear positions under terms of the new treaty, the United States confronts the prospect of even greater Communist gains outside the scope of treaty guarantees.

What, for example, is to prevent Russia and Red China—who now apparently are at odds over methods of achieving a common goal—from patching up their differences in the weeks ahead? If they do, it would be quite simple for Russia, in a tightly closed society, to return her nuclear technicians to Red China and continue her weaponry progress under the guise of Chinese testing. The Peiping regime is party to the new treaty and presumably will continue its nuclear explosions.

Entirely too many dangers to the national security are inherent in the treaty now before the Senate. If Members of that body refuse to be blinded by false hopes for a dramatic shift in Communist policy, and open their eyes to the realities clearly revealed by history and current events, we believe they will refuse to accept the terms of this agreement.

[From the Augusta Chronicle, July 31, 1963]

"Space Test Ban Would Be Jolly"—Teller

(Editor's Note.—Dr. Edward Teller, nuclear scientist who was instrumental in developing the hydrogen bomb, was asked by the Chronicle in a telephone interview Tuesday for his opinion of the nuclear test-ban treaty on which preliminary agreement has been reached by the United States, Britain and Russia. The following story by City Editor Bob Cohn is the result.)

(By Bob Cohn)

The proposed nuclear test-ban treaty will prohibit development of high yield range explosives, will stop the U.S. effort to produce a feasible defense against missiles, and will not prevent Russia from conducting undetected nuclear tests in space, Dr. Edward Teller told the Chronicle Tuesday.

Teller, a leader in America's nuclear development and outspoken opponent of nuclear disarmament, was reached at the Livermore Radiation Laboratory in California and asked for his views on the proposed treaty between the United States, Russia and Great Britain.

The treaty which would abolish nuclear tests in the atmosphere, space and under the oceans, has been initialed by negotiators for the three major powers but was to be ratified and signed by the Senate before the United States becomes a full party to the treaty.

Teller, who in his book, "Legacy of Hiroshima" took the lead in pointing out the inadequacies of the U.S. nuclear policies, appeared Tuesday to be concerned with the treaty's provision for a ban on space tests.

"In 1958, at the time of the first test moratorium, the usefulness of future tests was discussed in considerable detail. Two important future applications had been carefully reviewed and emphatically rejected.

"One was the further development of nuclear explosives in the multimegaton range. The other was the use of nuclear explosives in missile defense.

"It was said that in big explosives not much more progress was possible. It was also said that the practical feasibility of missile defense was not sufficiently promising.

"In the late summer of 1961 Russian tests were resumed. As a result of this test period the Russians claimed great advances in precisely the two fields which we had designated as virtually hopeless.

"The Russian claim of a 100-megaton explosive and an effective missile defense was known to the world. These claims may be exaggerated but there is little doubt that the Russians are ahead of us in big yield explosives and defense against missile attack.

"The latter fact is significant. If the Russians should now have or in the future acquire a really effective antimissile missile, they may feel safe from any retaliation.

"The Russians may further develop their big explosives by secret tests in distant interplanetary space. They may perfect their missile defense by tests in the atmosphere which are kept at so small an explosive yield as to be undetectable outside Russia.

"We should certainly not violate the treaty by cheating in a similar fashion.

"The result may be an increasing disadvantage to our side which at some uncertain date may acquire dangerous proportions. This might have tragic consequences for the United States and the free world.

"The test ban which is now proposed will prohibit our development of explosives in the highest yield range. This ban will also stop our effort to investigate effects of nuclear explosives in the atmosphere, a piece of knowledge which is vital for missile defense.

"Thus the proposed test ban will make sure that our inferiority in big explosives and in missile defense will become permanent.

"These are some of the worries connected with the present test ban proposal. There can be no doubt that the proposal is of the utmost importance for the peace and security of the United States and the free world.

"The question will be discussed in the Senate. I think valid arguments will arise on both sides. I believe it would be a great mistake to ratify or to reject the proposed treaty within a short period.

"What is needed is a most careful, detailed, and unemotional consideration of all relevant facts."

In "Legacy" Teller admits that a ban on nuclear tests in the atmosphere and beneath the oceans is feasible because violations could be easily detected.

However, he is quick to point out that to include space testing bans in a treaty would be ridiculous. He asserts that they would be impossible to detect and would allow violation of the treaty "on a really massive scale."

The treaty that the United States, Britain, and Russia are now considering provides for a ban of space tests.

Teller claims that the violator, to avoid detection, would need only rocket thrust and scientific patience. After a rocket carrying a nuclear device and observation equipment had left the earth's gravitational field, scientists would have to wait a few months for the rocket to drift 100 million miles from the earth before they could safely separate the rocket's compartments and detonate the nuclear device.

Teller said this explosion could not be detected from earth because a nuclear explosion in space would produce intense X-rays and electromagnetic waves that would be absorbed in the atmosphere.

The only practical method of controlling space tests, Teller said, would be to establish a network of observation stations that would sight the firing of any rocket from any point in the world. An onsite inspection of every rocket would be necessary to determine whether nuclear explosives were aboard.

Teller admits there is one thing wrong with this simple and effective proposal. The Russians, who balked at adequate inspection of suspected underground explosions and have constantly refused to agree to any onsite inspection plan, certainly would never agree to inspection of their rockets.

Teller's summation: A test ban treaty on nuclear tests in the atmosphere and under the oceans is feasible, but to include bans on space testing is folly.

[From the Augusta Chronicle, Aug. 1, 1963]

Missing: Test Ban Safeguards

President Kennedy has assured Americans that his administration would not agree to any nuclear test ban treaty devoid of adequate provisions for inspection designed to detect both testing and preparations for testing.

Yet he has now asked Congress to ratify a treaty that contains no inspection provisions whatever beyond the normal surveillance and seismic devices already at our command.

In earlier editorials, the Chronicle has observed that this void in the proposed treaty would clear the way for the Soviets to cheat again—as they did on the 1958–61 moratorium—by secretly preparing for a new series of tests while Western nations relax their nuclear weapons development efforts. This prospect, in itself, is alarming enough to justify Senate rejection of the treaty now before it.

Now, however, another piece of compelling testimony has been entered in the evidence offered by opponents of the treaty.

In an interview with the Chronicle, Dr. Edward Teller, one of America's foremost nuclear scientists, said nuclear tests in space—which are included in the treaty—are impossible to detect and would permit violation of the treaty on a really massive scale.

Hanson Baldwin, military writer for the New York Times, carried it a step further. "Contrary to popular opinion," he wrote last week, "it is not certain that all atmospheric or space shots can be detected. Some high-altitude tests in the South Atlantic by the United States have gone undetected."

Administration leaders have led Americans to believe that an adequate surveillance can be maintained over nuclear explosions in the atmosphere, in space, and underwater without onsite inspection. The only safeguards written into the proposed new treaty are based on this supposition. But now scientific experts in this field tell us that space—and even some atmospheric—tests may go undetected without inspection.

If this be the case, success of the new test ban treaty would depend entirely upon Russia's good faith and trustworthiness.

And that, honorable Senators, is extremely shaky ground on which to place the security of your 185 million constituents.

[From Washington Report, Aug. 3, 1963]

THE ISSUES NOW JOINED

(By Frank J. Johnson)

Twenty-four years ago, on August 23, 1939, the world was stunned to learn that Soviet Russia and Nazi Germany had signed a nonaggression pact. Russia had executed one of the greatest diplomatic about faces in history. Two nations which had been the bitterest of ideological enemies and had been on the brink of war during the Munich crisis of the previous fall, suddenly became friends. The atmosphere of the negotiations was businesslike and cordial. The negotiators were jovial. A British delegation, which had come to Moscow in the hope of inducing the Soviets to join Britain in a guarantee of Poland against German attack, left for home, its mission an utter failure. The international Communist movement was temporarily rent asunder by the shock of a Soviet pact with Fascist Germany. Disillusioned idealists quit the party in droves.

So much for the parallels between 1939 and 1963. There are also differences. The Nazi-Soviet pact was a green light for war and was so intended by both parties; 10 days later Hitler invaded Poland and World War II began. The agreement between Hitler and Stalin was an utterly cynical act of political and military expediency by two dictators, each of whom expected to doublecross the other. Neither expected the arrangement to last. The Soviets expected to do what they later did to Japan (in violation of a nonaggression treaty), enter the war at the last moment for maximum advantage at minimum risk. Their miscalculation lay in the easy German victory over France, which freed Hitler for the attack on Russia.

The nuclear test ban treaty which the United States and Britain has just signed with the Soviet Union represents another dramatic tactical reversal in Soviet foreign policy. But this time it is being hailed as a great step toward peace and an end to the cold war. There is little reason today to believe that the Soviets act with any less cynical motives than they did in 1939. They know what they are doing. But do we?

President Kennedy, to be sure, has sought to avoid the peace in our time role of Neville Chamberlain on his return from Munich. In his report to the Nation on the test ban treaty, the President cautioned against over optimism. "This treaty is not the millennium," he said. "It will not resolve all conflicts, or cause the Communists to forgo their ambitions, or eliminate the dangers of war. But," he went on, "it is an important first step—a step toward peace; a step toward reason; a step away from war."

When put before the American people and the Senate in this form, it becomes very difficult to oppose the nuclear test ban—almost as difficult as it must have been for Winston Churchill to buck the tide of popular British acclaim over Munich in order to warn of the consequences. The treaty appears safe enough, since it avoids the problem of underground cheating. What harm can there be when weighed against the great advantages of elimination of fallout and a step toward peace?

It will not be easy to oppose this kind of treaty because the charge of warmonger is hurled at the opponent almost automatically. For example, a Herblock cartoon (Washington Post, July 28, 1963) portrays the antitest ban club as made up of sadistic and embittered men who passionately wish to blow up the world. Poisoners of children could as well be added in the emotional atmosphere which prevails.

What, however, are the legitimate reasons for skepticism? Why might honest men oppose this treaty, not because they are for war, but on the grounds that the treaty is not really a step toward peace as Americans understand the word?

There is, first, the question of Soviet motivation. In agreeing to a partial test ban, the Soviets reversed their earlier position. It is probable that their decision was taken during June and thrashed out at the meeting of the Central Committee of the Communist Party which was held at that time. It is obviously part of the overall Soviet peace offensive now in progress. When the Soviets undertake a major shift of this sort, they do so with cold calculation. Why, then, have they reversed their more threatening attitude of the spring, which caused Secretary Rusk to warn of a possible new hardening of the Soviet position?

Many reasons are heard. First among them is usually the dispute with China. This may be a factor—Khrushchev's desire to emphasize the contrast of strategies and rally the faithful to his banner. But since the dispute has been going on for some years now, it is not likely that this is a major reason for the switch at this time. Here are some other, less frequently mentioned possible reasons:

1. The U.S. political situation. The widespread anger of the American people over the failure to eliminate Soviet forces from Cuba, combined with the racial issue, may have indicated to Moscow that the present accommodation-minded administration would be vulnerable to defeat in 1964. Since both of the leading Republican nomination contenders apparently favor a stronger U.S. foreign policy, it is in the Soviet interest that there be no change in administrations. One way to cause the American people to forget about Cuba is to convince them that Russia herself is no longer dangerous.

2. The political situation in Britain. The Conservative government is desperate. Its normal lack of realism toward Russia is compounded by the fact that only "peace in our time" offers it a chance of reelection. Under such circumstances it will probably press its allies for almost any concession to get an overall settlement with Russia.

3. The political situation in Europe. The astonishing increase of Communist strength in Italy, the resurgence of Communist influence in France, and the coming departure of Adenauer from the German scene, may suggest to the Kremlin that now is the time for honey rather than vinegar in seeking its European objectives, which are chiefly the recognition of the status quo in Eastern Europe, the neutralization of Germany, and the dissolution of NATO. Nuclear blackmail having so far failed, psychopolitical warfare may look much more promising.

4. The economic consequences of the arms race. It is extremely expensive and virtually impossible for the Soviets to alter or even maintain the military balance in an all-out arms race. If a way can be found to achieve the same objective at less cost, it is to their advantage. The element of secrecy, by which they once fooled us into thinking there was a missile gap, is now largely lost. The effort to put missiles into Cuba failed (we hope). The area of disarmament is a third way.

5. The specific instance of the President's "strategy of peace" speech at American University. This may have been the clincher that confirmed the other arguments and galvanized Soviet diplomacy and loyal Communist cadres into action. The eagerness of the American Government to find a way out of the cold war could scarcely be ignored. A fluid world situation in such an atmosphere offers the Soviets limitless possibilities for maneuver.

Second, there is the treaty itself. From the standpoint of Soviet cheating, it is less dangerous to American security than is a total test ban without adequate inspection. This, however, is only one part of it. The Joint Chiefs of Staff may be pressured into giving approval on political grounds, but they are known to have military reservations. The Soviets are sacrificing very little. Since 1961 they have completed two massive atmospheric tests in which they made at least enough progress on the antimissile missile to be able to begin deployment of an operational system. No one knows just how effective their system is, but it seems certain that the ban freezes them in a position superior to the United States in this vital area. Moreover, if and when they decide to resume atmospheric testing, the escape clause in the treaty gives them a legal and propagandistically honorable way out. Any party can withdraw on 90 days' notice. France's determination to continue testing provides the Soviets with a suitable excuse to withdraw whenever they wish.

The third reason for opposition to the treaty is related to the first and is in the realm of the psychological. No matter what words of caution United States and British leaders may now utter, they have set in motion and are continuing to fuel a groundswell of popular optimism and hope that the cold war is ending.

Khrushchev, the same man who relaxed tension by withdrawing from Austria in 1955 only to follow it with Hungary, the Berlin ultimatums, and the Cuban missiles, adds his now benign voice to the call for peace. The real danger, therefore, is that the Western democracies will be swept along the road to political concessions to communism by a popular momentum which will be impossible for a politically conscious leadership to resist. A new summit conference has become a virtual certainty.

Already the United States and British negotiators have morally committed their nations to enter into some kind of nonaggression pact or arrangement with the Communists, whatever the legal reservations. De Gaulle's implacable "Non" to the idea preserves France from such folly, but may further strain the Alliance. The preamble to the treaty reaffirms the aim of general and complete disarmament under strict international control. The treaty itself, however, avoids the major problem of on-site inspection in the Soviet Union, which has always been the sticking point on actual disarmament. The Soviets agree to international control over disarmament—over what is actually destroyed—but not over the remaining armaments. So far we have avoided this kind of trap, but will we do so now? The public pressure for concessions to the Soviet position on actual disarmament could become enormous now that new hopes are aroused.

The Communist goal has not changed. As recently as July 14, 1963, it was reiterated, again and again, in the long Soviet open letter which answered the Chinese charges. For example, it said:

"We fully stand for the destruction of imperialism and capitalism. We not only believe in the inevitable destruction of capitalism but are doing everything for this to be accomplished as soon as possible."

[From the "Manion Forum," South Bend, Ind., Aug. 4, 1963]

THE UNLIMITED DANGERS OF A LIMITED TEST BAN

(Interview with Rear Adm. Chester Ward, U.S. Navy, retired)

Dean Manion. Bad news given in time is the best news we can possibly get. The doctor who finds your cancer while you can still cut it out has given you the best news you will ever hear. This basic truth is the reason why I have cleared the decks to bring you a warning that can serve to save our country. The man who will give it to you is Adm. Chester Ward, one of the top military strategists of our generation.

Admiral Ward is a former Judge Advocate of the U.S. Navy. He declined a second tour of duty in that high office to retire at 52 years of age and devote his full time to study and public education on the subject of our national survival in this nuclear age. Time here and everywhere is too short to give you even a brief rundown on his superb qualifications for what I have asked him to do for you here today. Our national life is staked upon his message.

Admiral Ward, welcome to the Manion Forum.

Admiral **Ward**. Thank you, Dean Manion. I deeply appreciate the opportunity of talking with the audience of this great radio forum. This is because I am a notorious "fright peddler"—and I'm going to predict a national disaster.

I always predict disasters in plenty of time to avert them and this Forum audience has the numbers and dedication required to avert fulfillment of my present prophecy of doom.

This is my third major prediction of disastrous plunges by U.S. leadership into Soviet Communist traps—traps set to weaken us for the final kill. The other two predictions were the Soviet betrayal of the first test ban, a prediction made 5 months in advance, and Soviet conversion of Cuba into an offensive base against the United States, made 14 months in advance.

The famous Fulbright memorandum smeared me for implying that our leaders would be duped by the Communists, but they were duped; and, consequently, both predictions came true. The tragedy of it is, that both disasters could have been averted if American leadership had only been willing to face the proven facts of Communist duplicity and malevolence.

Now, for the third time in 3 years, American leadership is again refusing to face the facts, so here is my third prediction:

The U.S. Senate will ratify the so-called limited test ban deal with Moscow. This will freeze the United States in second place to Russia in the technology of strategic nuclear weapons. U.S. nuclear strike capability will be reduced so fast relative to the Soviets' mushrooming superweapon strength, that within 18 months we will have lost our power to deter a Soviet surprise attack, or to retaliate effectively against the overwhelming military power of their superweapons of annihilation.

If this prediction is allowed to come true, it will be the end of our country. This third time American leadership not only again refuses to face the facts, but is actively concealing the facts from the American people, so that the people can be led blindly into the third and fatal trap.

This third time, however, the American people are not helpless to avoid the trap. We can influence our legislative leadership to face the facts which our executive leadership is hiding from us—and from them.

Because this time we can save ourselves by invoking a provision of that great document which—under God—made and preserved us a Nation. Under our Constitution, the U.S. Senate can refuse ratification of the slick deal with Moscow. It will be an inspiring triumph for our constitutional processes to destroy this deal before it destroys us.

Because this is a deal engineered by a Washington inner circle of pseudosophisticated, pseudointellectuals who deride our Constitution as outdated; and it is a deal with an enemy whose objective is the destruction of the Constitution of the United States, and the destruction also of the God who ordained it.

Yes, this time the Senate, thanks to the Constitution, can save us. Whether the Senate will save us, however, depends on us. We cannot rely upon the Senate—without our help—vetoing the second test ban deal.

We must persuade our Senators to insist on knowing the hitherto suppressed results of the first test ban before they commit us to the second; and to insist on safeguards in the proposed agreement to prevent the Soviets from betraying the second test ban exactly the same way they betrayed the first.

The recent Washington-Moscow slick switch from the long-discussed Geneva draft of a comprehensive type test ban, to the so-called limited type, has effectively confused most of our Senators. More than the one-third of our Senators required to block ratification of a treaty fully understood the inadequacy of safeguards in the Geneva comprehensive type agreement relating to underground sneak-cheat testing by the Soviets.

It is a shocking fact, however, that most of these same Senators have been deceived into believing that, by shifting over to the "limited" type agreement—which does avoid the danger of inadequate inspections to safeguard against underground cheating by the Soviets—we have avoided also all danger of Soviet cheating.

Tragically, these Senators, along with most of the American people, fail to recognize that the headlined negotiations over the number of inspections to be allowed by the Soviets, were a diversion. Seven inspections would be as ridiculously inadequate as three, to safeguard against underground cheating.

But this elaborate argument over insignificant numbers did successfully focus public attention on what is really the most improbable, the least decisive, the smallest, and the slowest method of cheating.

It did divert attention away from the vastly more important and more probable dangers of the Soviets again breaking the ban by prolonged secret preparations for massive tests in the atmosphere.

THE LESSON WE SHOULD HAVE LEARNED

That this is the fatal danger is proved by the experience of the first test ban. From that we should have learned that when Khrushchev cheats, he cheats big. He does not piddle around with nuclear tests underground, which cannot exceed more than a few thousand tons of explosive power.

He went boldly into the atmosphere, and broke the ban with single tests as powerful as 58 million tons of explosive. He ran 2 long preplanned series, totaling nearly 100 tests with a total explosive power of 300 million tons. Such massive tests inevitably produce equally massive gains in nuclear technology; and, indeed his gains were so great that the information on them is still being withheld from the American people. Otherwise they would rebel against being subjected to a second similar military disaster in the second test ban.

In addition to suppressing the magnitude of the Soviet gains, managed news out of Washington has confused the American people into forgetting both what Khrushchev had done in atmosphere cheating, and what President Kennedy had said about the necessity of safeguards to protect against Khrushchev's doing it again.

In November 1961, Kennedy denounced the Soviet's prolonged preparations to betray the test ban while going through the motions of "negotiations" with us. He declared that "if they fooled us once, it is their fault, and if they fool us twice, it is our fault."

In January of 1962, Kennedy stressed specifically the danger of Soviet betrayal of a second test ban by secretly preplanned atmospheric tests. He declared that any future agreement would have to contain "methods of inspection and control which could protect us against a repetition of prolonged secret preparations for a sudden series of major tests."

Some Senators remember the President's warning of the needs of safeguards against major cheating by the Soviets. Unfortunately, however, they have been deceived into believing that the necessity for these safeguards can be obviated by the United States maintaining what is called a readiness to test. These Senators have been confused into forgetting that the President himself has declared that it is not possible for the United States to maintain a realistic readiness to test.

On March 2, 1962, he gave two specific reasons why it could not be done in a free society. He summed up by saying that for us to maintain such a readiness to test—and I quote the President's own words—"is not merely difficult or inconvenient; we have explored this alternative thoroughly, and found it impossible of execution."

WHAT YOU CAN DO

Thus in the face of this impending national disaster, there is at least a practical answer to the sincere American who questions, "But what can I do—what can any one person do?"

The Senate will veto the limited test ban deal with Moscow, if the Senators only ask the right questions to cut through the planned confusion and deliberate deceit.

It takes only two short questions to expose the unlimited dangers of the limited test ban; and it takes only two additional questions to expose the greatest danger of all—that of entering any test ban until the United States recovers its superiority in the technology of strategic nuclear weaponry which the Soviets stole from us by trapping us in the first test ban.

And it is within your power to persuade your Senators to ask the right questions. I am working on a draft telegram to address to my Senators. Here it is:

"**Senator** ———: Request you sponsor Senate resolution calling on Kennedy administration to give specific answers to four questions:

"First, does proposed test ban agreement contain inspection or control provisions President Kennedy declared essential to protect against secret prolonged preparations for sudden massive atmospheric tests?

"Second, does it contain any enforcement provisions, or any penalties for cheating, to prevent Soviets from betraying second test ban exactly same way they betrayed the first?

"Third, did Soviet first ban-breaking tests enable them to multiply their nuclear explosive efficiency up to 500 percent, and to reverse U.S. superiority in technology of strategic nuclear warheads?

"Fourth, will entering a test ban now freeze U.S. administration from conducting atmospheric test program necessary to develop a counter to Soviet superweapons now 100 times more powerful than U.S. Polaris and Minuteman missiles on which our future defense depends?"

Thank you for listening.

Dean Manion. Thank you, Adm. Chester Ward, for this frightening but timely warning of our impending peril.

My friends, in this broadcast your work and mine is cut out for us. Here is your telegram and the argument to support it. If every person who has heard this broadcast will act, disaster can be averted. But don't temporize with this terminal cancer—act now.

APPENDIX

A comprehensive compilation of Soviet Russia's treaty record has been made by the Senate Subcommittee To Investigate the Administration of the Internal Security Act and Other Internal Security Laws. Every American should ponder this statement by Chairman **Eastland**, taken from the foreword to this study:

"The staff studied nearly a thousand treaties and agreements of the kind described above, both bilateral and multilateral, which the Soviets have entered into not only with the United States, but with countries all over the world. The staff found that in the 38 short years since the Soviet Union came into existence, its Government has broken its word to virtually every country to which it ever gave a signed promise.

"It [Soviet Union] signed treaties of nonaggression with neighboring states and then absorbed those states. It signed promises to refrain from revolutionary activity inside the countries with which it sought friendship, and then cynically broke those promises.

"It (Soviet Union) was violating the first agreement it ever signed with the United States at the very moment the Soviet envoy, Litvinov, was putting his signature to that agreement, and is still violating the same agreement in 1955.

"It [Soviet Union] broke the promises it made to the Western nations during previous meetings 'at the summit' in Teheran and Yalta. It broke lend-lease agreements offered to it by the United States in order to keep Stalin from surrendering to the Nazis.

"It [Soviet Union] violated the charter of the United Nations. It keeps no international promises at all unless doing so is clearly advantageous to the Soviet Union.

"I seriously doubt whether during the whole history of civilization any great nation has ever made as perfidious a record as this in so short a time.

"On the basis of the record, this question inevitably arises: Is the Soviet record merely a series of individual and unrelated misdeeds, or has treatybreaking been an instrument of national policy since the U.S.S.R. itself came in existence?"

[From the Chicago Tribune, Aug. 7, 1963]

EMOTION AND THE TEST BAN TREATY

Examination of the arguments being advanced for Senate ratification of the partial nuclear test ban treaty with the Soviet Union shows a large emotional content. To be against the treaty is to proclaim yourself an enemy of Santa Claus and an unrepentant Scrooge. You are against the "mother and children lobby," as the New York Herald Tribune delicately phrases it.

Peace, it's wonderful, even if the treaty has nothing to do with peace.

In this kind of climate the dictates of reason are little regarded, and it is to the credit of Senators who insist on taking a thorough look at this rapprochement with Khrushchev that they are able to stand fast against waves of wishful thinking.

For the question needs to be explored in detail, and emotion has no valid place in the discussion. The substantial considerations are technical and strategic. They go to the root of national survival and Soviet good faith. Why, after all these years of obdurate resistance, is Khrushchev now willing to make a gesture? Is he out to trick us? Will the doublecross come when the time is opportune? Is he bent on disarming us psychologically?

These are the things the Senate must answer to its satisfaction. It must call on expert testimony and it must refuse to be stampeded. If, in its judgment, the treaty should be accepted only with reservations, then let it draft the reservations. If, in its convinced judgment, the treaty should be rejected, then let it be rejected.

The Joint Chiefs of Staff are strangely silent. But, with President Kennedy's record of political reprisal before them, does anyone expect the military chieftains to express their honest beliefs? Two of their members, Admiral Anderson and General Le May, found their days on active duty numbered when they got out of line.

The administration had hoped to induce General Eisenhower to speak for the treaty. He had proposed a somewhat similar agreement in 1959, but he has not declared himself now. It is being said that 4 years ago the Russians had yet to break the voluntary moratorium to which he had committed the United States, nor had they exploded their 1961–62 series of giant bombs in the high megaton range. These are things that may have given Mr. Eisenhower pause, and he may also recall the words of his Secretary of State, John Foster Dulles.

In the winter of 1959 Mr. Dulles said it would be simple to dress up a test ban treaty in fuzzy language and present it to the world as a great achievement for peace. That, he said, was what the Russians wanted, and probably a Republican could be elected President in 1960 on the strength of the propaganda. "But we're not going to do it," said Mr. Dulles, for in his judgment it would engender great pressures to disarm the United States and enfeeble its alliances, so that, within a few years, "we could be as a sitting duck for the Communists to pick off."

Have we a more eminent or sensible nuclear physicist than Dr. Edward Teller? Only last week he reiterated his warning that Russia can set off completely undetectable nuclear bursts of below 1 kiloton in the atmosphere. Such experiments, he said, would allow the Soviet Union to perfect its already partially deployed antimissile defense system. Without a counterpart the United States might not survive.

Perhaps Mr. Dulles had something when he said that the emotional response to unsatisfactory nuclear treaties promising peace could elect Presidents. Perhaps that is not altogether remote from Mr. Kennedy's thoughts. Mr. Kennedy's "image," after Cuba, Laos, civil rights disorders, and all the rest, needs some refurbishing. The treaty might do the trick.

UNION ELECTIONS IN SOUTH CAROLINA

Mr. THURMOND. Mr. President, on July 24, 1963, I presented on the Senate floor a brief speech in which I inserted in the RECORD at the conclusion of my remarks several editorials and also a report by the national office of the NLRB at Winston-Salem, N.C., with regard to its recommendations on two recent union elections in Orangeburg and Greenville, S.C. Since that time, two editorials have been printed in South Carolina newspapers which I wish to call to the attention of my colleagues. One is from the Times and Democrat of Orangeburg, S.C., dated August 3, 1963, and is entitled "NLRB in Need of Change." Originally, Mr. President, this editorial was published in the Twin City Sentinel of Winston-Salem, N.C. The other editorial is entitled "NLRB Bares Its Fangs Into South Carolina Again." This editorial was originally printed in the Spartanburg Herald of Spartanburg, S.C., was reprinted on July 31, 1963, in the Times and Democrat of Orangeburg, S.C. I ask unanimous consent that both of these editorials be printed in the body of the RECORD as a supplement to my earlier remarks on July 24, 1963, along with a letter from the Honorable ALBERT WATSON, the distinguished Member of Congress from the Second Congressional District of South Carolina, to NLRB Chairman Frank W. McCulloch dated August 3, 1963.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Times and Democrat, Orangeburg, S.C., July 31, 1963]

NLRB BARES ITS FANGS INTO SOUTH CAROLINA AGAIN

(EDITOR'S NOTE.—The following editorial is from the Spartanburg Herald, edited by Hubert Hendrix. It deals with the National Labor Relations Board report on the union election at Orangeburg's Utica-Herbrand plant.)

The National Labor Relations Board has bared its fangs again at South Carolina industry.

Once more it reveals itself as a promoter of compulsory union membership, and not a protector of the right of workers to choose for themselves.

The new incident casts the gravest kind of implication toward free speech and free thought. It happened in Orangeburg, but its importance is to everyone.

The regional director of the NLRB has recommended that an election at the Utica-Herbrand plant be set aside. He cited a "reign of terror" he said was waged to influence workers to reject the union. The result was 245 to 171 against union organization.

The full Board usually accepts recommendations by one of its field branches.

Such elections are supervised by the NLRB. Significantly, it did not charge any of the "terror" until results were in. If the union won, no complaint would be necessary.

What was this reign of terror?

The NLRB indictment specified three charges against company management:

1. Allowing, and encouraging, influential people in the community to openly express their views against union organization through newspaper advertising, house calls, handbills, and radio programs.
2. Allowing, and encouraging, the local newspaper to make statements and write editorials opposed to union organization.
3. Making statements immediately prior to the election indicating that the company would not grant increased benefits short of a strike by the union.

The real terror in these accusations is the NLRB line.

Since when do interested citizens, as the NLRB Director himself defined them, have to fear openly expressing their views on unionism or anything else?

Since when must a newspaper receive approval by union organizers or the NLRB to state its position on a matter of public importance?

Why should a company avoid the suggestion, though it be true, that unionization would be harmful to the firm and its employees and that it does not propose to kowtow to the organizers?

The NLRB Director, Reed Johnston, proposes that union organizers be granted an absolutely immune sphere for their campaigning. His suggestion is that an election is unfair unless workers are given complete benefit of all union sales pitches, while protected from the views of their company and community leaders.

This is thought control on the order of a totalitarian state.

Union organizers engage freely in all the activities listed as accusations against the company in this case. Johnston's idea is that they should be free to undertake all manner of coercion and propagandizing—as they do—while management or citizens who are concerned for their community, are prohibited from forceful public statements.

The pure arrogance of suggesting that a newspaper cannot freely editorialize, on whatever side it chooses almost defies comment.

A newspaper worth its salt does not need "allowing or encouraging" to speak plainly.

Neither free citizens nor free newspapers are going to be intimidated. Free working people will continue to make their own decisions.

The Times and Democrat of Orangeburg stated its reaction in unmistakable terms:

"Sheridan (the union representative) and his cohorts can be assured that the 'two-bit newspaper' he has often referred to will stand firm in its right to print any story it deems newsworthy, and to voice any editorial opinion it believes in the best interest of this area * * *.

"The Times and Democrat's voice will not be stifled by any labor union or its leaders, nor by such Federal bureaucracy in Washington as the National Labor Relations Board, an agency formed by Congress to maintain peace between management and labor—not to stir up dissension."

The Spartanburg Herald will make itself clear, too, in the event that any circumstances should warrant its attention. This newspaper has not the slightest intention of applying for permission—to management, to union, or to government—before making its opinions known to its readers.

[From the Times and Democrat, Orangeburg, S.C., Aug. 3, 1963]

NLRB in Need of Change

One point stands out in Senator Strom Thurmond's criticism last week of the National Labor Relations Board and of the recommendation of Reed Johnston, NLRB regional director in Winston-Salem, that a recent no-union vote in a South Carolina plant be set aside.

The Senator quoted Mr. Johnston's report which said that a barrage of propaganda in the Orangeburg, S.C., community where the election was held destroyed the laboratory conditions needed for the expression of a free choice by the employees involved—those of the Utica-Herbrand Tool Division of the Kelsey-Hayes Co.

The comment of Senator Thurmond on this was: "No election in this country is or should be held under laboratory conditions. The public, itself, has legitimate interest in representation in elections which take place in this community."

So far as we can tell from examining Mr. Johnston's report on the Utica-Herbrand representation election, he was simply carrying out NLRB policy in supporting the objections of the International Association of Machinists (AFL–CIO) and in recommending that the election be reheld at some later date. The South Carolina Senator properly centered his critical shots on the policy itself, not on the man whose job it is to apply it.

"Laboratory conditions" is a scientific term that when misapplied outside the realm of science, is almost certain to produce confused thoughts and actions. When scientists plan an experiment, they determine as precisely as possible what active ingredients and energies will be operating in the experiment, and then seek to exclude all stray substances or energies. That way, they can be fairly sure that the results of the experiment were due to the things they planned to include, not to some unknown intruding factor. That is why a good scientific laboratory is kept thoroughly clean, often to the point of removal of dust from the air. Under laboratory conditions, an experiment can be isolated from the environment to the extent of keeping the environment from distorting the experiment's results.

The NLRB, perhaps mindful of the near-religious awe with which too many people view science today, seized the phrase "laboratory conditions" to give an aura of scientific sanctity to its policy. And that policy has been one of conducting representation elections under rules that let some influences in and keep others out.

This is no way to conduct a fair, democratic election. The opposing sides should be equally free to make promises, challenge each other's claims, tell what a disaster it would be if the other side won, and so on. Since it is beyond human capability to conduct election campaigns in a wholly truthful manner, each side must have a full right to expound its version of the truth, after which the voter can compare the versions and decide which he thinks is best.

That, it seems, is what happened in Orangeburg, much to the union's and the NLRB's annoyance. The gist of the handbills, newspaper ads and editorials, management letters and speeches on which the union's objection was based is that: the union could not keep its compaign promises to workers at the Utica-Herbrand plant without a strike; that under South Carolina law striking workers could be replaced and wind up jobless; that unionization would hurt Orangeburg's chances of attracting more industry, just as union excesses have driven many industries (including the Utica plant) out of other sections of the country.

The contention of Mr. Johnston's report that such words created an atmosphere of fear of economic loss and complete futility in selecting the union as a bargaining agent is doubtless true. But is there not an element of truth in the words themselves, and is not the danger of economic loss something the workers would have to consider in making a realistic decision in the election?

The workers in Orangeburg—or anywhere else in this country—have to live and make their livings in a society that is a closely interlocked and interrelated whole. They do not live in sterilized bottles on laboratory shelves, where they can be isolated from any part of the society that is all around them. When they are asked to act on a matter of great importance to themselves as if they did live in bottles, they are being asked to act irrationally.

That is exactly how the NLRB's "laboratory conditions" policy would have them act. And that is why the NLRB's policy is urgently in need of change.

(From the Twin City Sentinel, Winston-Salem, N.C.)

Open Letter From Representative Albert Watson, of South Carolina, to Frank W. McCulloch, Chairman of the National Labor Relations Board

The following is a copy of an open letter from Representative Albert Watson, Democrat, of South Carolina, to Mr. Frank W. McCulloch, Chairman of the National Labor Relations Board. The letter concerns the contested election of May 13, 1963, at the Utica-Herbrand Tool plant near Orangeburg, S.C. At that time the International Association of Machinists, AFL–CIO, was rejected by the Utica employees by a 245–171 margin.

Representative Watson protests the decision of the region 11 office, NLRB, which upheld the union's call for a new election. He strongly criticizes this decision as being insulting, unfair, and politically motivated, and he asks Mr. McCulloch and the NLRB to uphold the May 13 vote:

August 3, 1963.

Mr. Frank W. McCulloch,
Chairman, National Labor Relations Board,
Washington, D.C.

Dear Mr. McCulloch: This open letter concerns the contested election of May 13, 1963, at the Utica-Herbrand Tool plant near Orangeburg, S.C., a progressive city in my district. At that time the International Association of Machinists, AFL–CIO, was rejected by the Utica employees by a 245–171 margin.

Evidently unable to comprehend fully what had happened and apparently basing its judgment solely on the objections filed by the machinists union, the region 11 office of the National Labor Relations Board has recommended to you in its "Report on Objections" that the May 13 election be set aside and a new election be held.

The region 11 director, Reed Johnston, supporting the union's objections, feels that a fair election was not held and that a "reign of terror" was conducted by the citizens of Orangeburg just prior to the election.

I have studied this matter at some length and have concluded that the action taken by the region 11 office is insulting, unfair, and politically motivated.

It is insulting to the voters at the Utica plant, for it arbitrarily assumes they are unable to put various influences in proper perspective and intelligently vote their own minds. It insults the dignity of the interested citizens of Orangeburg, for it unjustly accused them of creating an atmosphere in which a free and fair election could not be held. This accusation is absurd. When did it become improper in America for a newspaper to express its opinion on a matter of vital concern? When did it become un-American for interested citizens to express themselves by radio and newspaper ads and by handbills? And when did such actions come to constitute a "reign of terror"? If this is a "reign of terror," then the citizens of the United States are constantly being terrorized if one can judge from the frequent elections for public office held each year. I am proud of the citizens of Orangeburg for having expressed themselves, and I would have been disappointed had they done otherwise. The Times and Democrat of Orangeburg and the citizens of that city were exercising their constitutional rights under the first amendment. I hope that no Federal agency will ever attempt to abridge the free exercise of the rights of freedom of the press and freedom of speech.

The report sent to you by Mr. Johnston is unfair, for it cites only the union's side of the argument. It did not tell of the visits made by the union organizers to the homes of Utica employees. Nor did it mention the union sponsored parties and the letters mailed by the machinists to the potential voters. Does the region 11 office propose that only the unions be allowed to express their point of view?

I have been forced by the evidence to conclude that politics has in this and other cases entered a supposedly impartial process. (Another case in point concerns a trial examiner's recommendation that the results be set aside in the labor election involving Daniel Construction Co. of Greenville, S.C.) Administrative adjudication can only be permitted in our society if imbued with a judicial air of impartiality. How far have we fallen from this standard?

It would be highly unfortunate if we were to blur the distinctions between South Carolina and the highly industrialized sections of our country. South Carolina has experienced great industrial growth in recent years largely because of a favorable labor market. If the employees at the Utica plant voted down the machinists union, it was not because of a "reign of terror" but, rather, because 60 percent of the employees personally and individually opposed unionization.

It is my opinion that this election was fair and free. Both sides presented their views, and the vote was taken in a peaceful atmosphere according to R.F. Dukes, sheriff of Orangeburg County. The International Association of Machinists lost, and I urge you to uphold this vote and to restore to the citizens of Orangeburg their rightful dignity.

Thank you very much for your consideration.

Yours very truly,
Albert Watson,
Member of Congress.

COMMUNIST CONNECTIONS WITH NEGRO DEMONSTRATIONS

Mr. THURMOND. Mr. President, on August 2, 1963, I placed in the Congressional Record, beginning at page 13968 and concluding on page 13975, a number of newspaper articles and other materials bearing on the question of whether the Communists have any connection with the Negro demonstrations which have been turning into race riots in various cities across the country. I have additional articles to call to the attention of the Senate today and I ask unanimous consent that they be printed in the RECORD at the conclusion of these remarks. The material I have today consists of the following:

First. Articles from the Standard-Times of New Bedford, Mass., dated July 21–25, 1958, entitled: "Forced Integration Fails To Promote Harmony," "Communists' Basic Goal: To Incite Racial Strife," "Daily Worker Led the Cry for Federal Intervention," "Reds Goad NAACP To End Moderation," and "Senate Group Says South Red's Target."

Second. An Associated Press article printed in the Sunday Oklahoman on December 11, 1959, entitled "Reds of U.S. Advocate New Negro Policy."

Third. A column from the Milwaukee Sentinel dated March 19, 1960, entitled "Red 'Newsmen' Go South, Aim To Add to Unrest," by Jack Lotto.

Fourth. A column from the Cincinnati Enquirer dated June 9, 1963, entitled "Cincinnati Pastor Named as Head of Red Front," by Jack Lotto.

Fifth. A column from the New York Mirror dated July 4, 1963, entitled "A Rededication to Spiritual Beginnings," by Victor Riesel.

Sixth. An article from the Brooklyn Tablet dated August 1, 1963, entitled "Protest Against Indecency or Riot of Racists?"

Seventh. An editorial from the Daily Advance of Lynchburg, Va., dated August 2, 1963, entitled "Who's Lying?"

Eighth. An excerpt from the testimony of former Communist, Benjamin Gitlow, entitled "World Communist Movement, 1928," and his most recent publication "The Negro Question—Communist Civil War Policy."

Ninth. An editorial from the Evening Star of Washington, D.C., dated Monday, August 5, 1963, and entitled "Communist Righters?"

Tenth. An editorial from the Nashville Banner of July 22, 1963, entitled "Highlander Desegregation: With That Joie De Vivre and Tax Exemption Too."

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New Bedford (Mass.) Standard-Times, July 21–25, 1958]

FORCED INTEGRATION FAILS TO PROMOTE HARMONY

WASHINGTON.—The luster is wearing thin at Little Rock, Ark., where bayonets were used last fall to enforce integration in a public school. Some of the trailblazers appear to have washed their hands of the cause of Negro rights. Others have been seen in roles considerably less flattering than those they played last fall.

Ernest Green's observation "I'm glad that's all over," is perhaps not untypical. Ernest, 18, was one of the nine Negro youths admitted to Little Rock's Central High School under the guns of federalized National Guardsmen and U.S. paratroopers.

Last month Ernest was graduated. One of the nine was expelled; the other seven may never return to Central.

If the experiment continues at Central, it will have to do so without the assistance of many persons who were instrumental in launching it.

Mayor Woodrow Wilson Mann, of Little Rock, who made the daily telephone calls to the White House that led to Federal intervention, has left town.

He is now a resident of Denver, Colo., working in an investment banking firm.

Max Rabb, the Presidential assistant who was at the White House end of the Mayor Mann calls and was a keyman in the decision to send Federal troops, has left Washington.

He is now a partner in a big New York law firm.

Despite apparent success in its part in obtaining the Little Rock test, the National Association for the Advancement of Colored People has experienced a "sharp drop" in membership.

Federal Judge Ronald Davies, whose ruling that integration must begin "forthwith" in Little Rock was the foundation for what followed, has long since left Little Rock.

He is now back in his court in North Dakota, where there are but 257 Negroes in the entire State. Arkansas has 462,000.

Harry Ashmore, the Little Rock editor whose editorials in behalf of integration stirred the controversy and brought him a Pulitzer Prize, has conceded he will not employ a Negro on his newspaper.

Mrs. Grace Lorch, the Little Rock "housewife" who attracted national attention by "befriending" one of the nine students, has since refused to declare whether she is a Communist.

Herbert Brownell, whose U.S. Justice Department gave the orders for dispatch of troops, is no longer Attorney General.

He has taken up the more lucrative private practice of law.

The Justice Department, itself, has had a change of heart. Under its new chief, William P. Rogers, the word is "never again" on the use of Federal troops to enforce integration.

The Little Rock School Board, which had worked out a gradual integration program that Judge Davies' ruling nullified, has thrown in the sponge on any integration in the near future.

Central High School has claimed that the educational program for its 2,000 students was so badly dislocated by the 1-year experiment the school could not survive another year without complete disintegration of morale.

This was a major consideration in Federal Judge Harry J. Lemley's approval of a 2½-year stay of integration for the Little Rock high school, a decision that may have made the best of a very unfortunate situation.

MAJORITY NEEDS CONSIDERATION

Judge Lemley, while acknowledging the interest of Negroes in obtaining equal rights, said the "public interest" of the majority rated consideration, too. The burden placed on other Central High students and the "racial tension and unrest" created in Little Rock itself demanded a delay in integration, he said.

The ruling led to another example of apparent change in viewpoint among those who had been insistent on an immediate end of segregation.

When Judge Lemley's decision was taken to the U.S. Supreme Court, whose 1954 "sociological" and subsequent decrees had started the ferment in the South, that body declined to break up its summer vacation for a special sitting.

The Court, in effect, passed the buck to a lower court with an admonition to act fast.

Little Rock, the morning after, appears to have been a venture that has not served racial harmony or promoted integration. As such, its origin, its leaders and its original objectives invited inquiry.

[From the New Bedford (Mass.) Standard-Times]

COMMUNISTS' BASIC GOAL: TO INCITE RACIAL STRIFE

WASHINGTON, July 22.—To incite racial strife is one of the oldest objectives in the Communist program for getting world domination. "We must realize that our party's most powerful weapon is racial tension," states a Communist Party handbook of 1912, well before a few hundred Bolsheviks seized control of Russia.

"By propounding into the consciousness of the dark races that for centuries they have been oppressed by the whites, we can mold them to the program of the Communist Party," the handbook continues.

"In America, we will aim for subtle victory. While inflaming the Negro minority against the whites, we will endeavor to instill in the whites a guilt complex for their exploitation of the Negroes. Thus will begin a process which will deliver America to our cause."

COINCIDENCE OR STRATEGY

Is it coincidence or the result of strategy that, some 45 years later, racial unrest in an outstanding Southern city, Little Rock, Ark., has increased so sharply that the Federal judge called for a 2½-year delay in any integration?

Again, is it coincidence or the result of Communist strategy that one of the most influential of all Southern Negro leaders, the Rev. Martin Luther King, exhorts his followers with these words:

"It (the Montgomery, Ala., bus boycott) is a part of something that is happening all over the world. The oppressed people are rising up. They are revolting against colonialism and imperialism and all other systems of oppression."

When Mr. King draws a parallel between the situation of the American Negro and "oppressed peoples" rising against "colonialism" and "imperialism," he is following exactly, to the word, the Communist line.

DIRECT APPROACH FAILED

At first, the Communist drive for creation of racial strife called for a direct approach to Negroes, using labor unions and Communist fronts like the American Negro Labor Congress and the League for Struggle for Negro Rights.

This approach was brazenly direct, and it failed. Former Communist Joseph Kornfelder, one of the party founders in the United States and its first director of Southern operations, has described what happened:

"The South to the Communists was always one of the most vexing problems," Kornfelder told a joint legislative committee of the State of Louisiana in March 1957. "Moscow could never understand it * * *. According to Marx' theory, the South should be leading the United States in Communist development.

"It just didn't work out that way.

"It was just to the contrary. The South proved to be a hard nut and it didn't conform to the doctrine."

BLOCKED BY RELIGION

"They decided that the big block against penetration of the South is religion. The Negroes believed in religion; the hillbillies believed in religion; nearly everybody is religious. The South is more religious than the North.

"Therefore, they decided maybe they should get at them under the auspices of the cross."

Kornfelder and two Negro former Communist leaders, Manning Johnson and Leonard Patterson, told the Louisiana committee that the new tactics included, besides use of the church, penetration of reputable Negro organizations and the founding, but not obvious control, of others.

World War II, with its migrations and general dislocation of living habits, produced what Kornfelder described as a "sort of honeymoon situation" between the Communist organizers and Negro organizations.

FOUR AGENCIES INFILTRATED

"It seems the intellectuals during that time had shown a remarkable weakness," he testified. "They were bigger suckers for the Communist propaganda than many others were, apparently because they sort of led a life apart from the daily troubles and toil of the population.

"They were the ivory tower boys who picked up the theories of the Communists, not looking at what is behind the theories."

The results of this "honeymoon" were vital Communist infiltration of the most important agencies in the South dealing in Negro issues. The Communists infiltrated four of these organizations and actually helped found three of them.

They are the Southern Conference Educational Fund, the Southern Regional Council, the Highlander Folk School in Tennessee, and the National Association for the Advancement of Colored People.

An almost incredible maze of interlocking officials, ideas and publications linked the three first-named agencies with the Communist Party.

COUNCIL GOT FORD GRANT

The Regional Council and the educational fund were both offshoots of the old Southern Conference for Human Welfare, which was dissolved in 1948 after twice being described by the Federal Government as a Communist front serving the Soviet Union and its subservient Communist Party.

Former directors and officers of the Conference for Human Welfare became directors and officers of the Regional Council and the Educational Fund and of the Highlander School. The Communist Daily Worker openly boasted that James E. Jackson, chief of the southern branch of the U.S. Communist Party, was a cofounder of the Regional Council.

Although the Regional Council is not widely known in the North, its influence in the South is attested by its receiving a $497,000 grant from the Ford Foundation Fund for the Republic.

Likewise, the Highlander School plays an important role in southern civil rights developments, although it is scarcely known in the North. The school, according to testimony before the Senate Internal Security Subcommittee, was cofounded by a Communist and by a man who refused to testify on his beliefs.

NAACP INFILTRATED

During these organizing years by the Communist Party, the NAACP was extensively infiltrated, although not dominated, by Communist sympathizers. Many of its leading officials were members of Communist fronts.

In fact, by 1954 and the crucial Supreme Court decision, the Communist Party was so confident it had set the stage for developments in its favor that the party's national convention in the winter of 1953 declared, "The next period ahead will witness momentous struggles of the Negroes * * * given the vanguard leadership of the Communist Party, we may be confident that the Negro liberation movement will ally itself more fully with the camp of peace and democracy."

The Communist Party was in a position to follow its long-proved doctrine:

To get a "sociological" or pro-Communist book on the reading list of influential persons, like a Supreme Court Justice.

To persuade a Negro to violate a civil rights statute, in the cause of civil disobedience.

To inject a fellow traveler in the forefront of a civil rights dispute.

To support the program of the NAACP.

These objectives were attained in the year to come.

[From the New Bedford (Mass.) Standard-Times]

REDS GOAD NAACP TO END MODERATION

WASHINGTON, July 23.—The success of Communist efforts to exploit the southern Negro under the guise of "democratization" became fully evident in 1954 and the 3 subsequent years. The Supreme Court's historic 1954 ruling on school segregation was in judgment on four cases brought before it by the National Association of Advancement for Colored People, which for years had been a priority objective of Communist infiltration.

The NAACP charged that Negro children in Delaware, Kansas, South Carolina, and Virginia were being denied their rights under the 14th amendment.

The Court did not rule on this aspect. Instead, Chief Justice Earl Warren in the written opinion declared that the Court found for the NAACP because segregated schools induced a feeling of inferiority among Negro children.

SIX BOOKS CITED

This sociological view, the Justice stated, is "amply supported by modern authority." He cited six books by such "modern authority."

Two of the six authorities were Theodore Brameld and E. Franklin Frazier. Between them, they have been members of or identified with 28 organizations listed as Communist, Communist-fronts, or Communist-dominated.

A third "authority" was K. B. Clark. While arguments were being heard by the Court on the four cases; Clark was on the payroll of the NAACP as a "social science expert."

A fourth authority cited by Justice Warren was the book, "An American Dilemma," edited by Gunnar Myrdal, a Swedish Socialist. The Chief Justice emphasized the importance of this book in the Court's deliberations by saying it was depended on "generally," that is from cover to cover.

RECORDS NOTED

Sixteen of the contributors to Myrdal's book have long records of pro-Communist affiliation and activity. One, W. E. B. Dubois, identified by the Communist Party as the "honorary chairman" of the NAACP, had a hand in 82 parts of the book. Dubois has been identified with 80 Communist fronts, reportedly more than any other American citizen.

Dubois intervened in behalf of executed Communist spies Julius and Ethel Rosenberg and sent the Kremlin a message of condolence on the death of Stalin.

Myrdal, himself, has written that the U.S. Constitution is "impractical and unsuited to modern conditions." Its adoption was "nearly a plot against the common people," said this foreign authority on American Negro problems.

The Court's decision gave new influence to the NAACP. Its officers hailed the decision but indicated that it would not change the organization's plan for calm and orderly progress in race relations.

"We accept the decision quietly, unless there is deliberately fomented trouble," said the late Walter White, then executive secretary of NAACP.

WANTED STRUGGLES

Thurgood Marshall, chief NAACP counsel, who had argued the school cases before the Court, said, "The people will get together and work this thing out."

The Communist Party, however, wanted no part of moderation. It wanted the "big sharp struggles" its leaders had forecast, and racial unrest. Communist publications and officials shrilled for "immediate implementation of the Supreme Court decision, immediate abolition of segregation and discrimination from every facet of American life, immediate enforcement" * * * etc.

The record from the Supreme Court decision until the climax at Little Rock makes it plain which philosophy was the dominant one.

Moderation was forgotten.

The next 3 years brought unprecedented civil disobedience and violence in the South's racial affairs. There were all-out "incidents" of long duration in Tuskegee, Ala., Charleston, S.C., Tallahassee, Fla., Montgomery, Ala., Americus, Ga., and Clinton, Tenn., to name only the major ones.

COMMUNISTS BLAMED

The NAACP played a prominent role in each, but the atmosphere was not the moderate one ostensibly espoused by the NAACP.

"In my opinion, every major racial disturbance in the South since 1954 has been incited and directed by the Communist Party," Mrs. Paul Crouch, widow of a former Communist leader, told the Standard-Times. Her husband was a top Communist functionary in the South for 13 years, and she was his aid throughout the period.

Communist exploitation of the Negro through the NAACP is attested by the proceedings of the 1957 national convention of the Communist Party. That convention adopted as its main resolution, "the question of Negro freedom * * * the crucial domestic issue of the day * * * requiring support of the program of the National Association for the Advancement of Colored People."

Communist penetration of the NAACP in these important years is conceded by the NAACP itself.

ALL CHAPTERS WARNED

On February 14, 1956, Leroy Wilkins, who succeeded White as NAACP executive secretary, warned all chapters to guard against the "intensive efforts" of Communists to infiltrate.

At that very time, however, the NAACP's official publication, "The Crisis," was recommending as must background reading for Negroes, books by Claude Lightfoot, chairman of the Illinois Communist Party, and Doxey E. Wilkerson, member of the party's National Committee. Both have written extensively in behalf of racial unrest.

Communist dominance of Negro civil rights developments after the Supreme Court decision is illustrated, also, in the activities of the Highlander School, influential "sociological" workshop in the South Highlander, according to testimony before a congressional committee, was founded by a Communist and by a man who refused to state his beliefs.

IS PROGRAM SINCERE?

Since 1954, Highlander has held a series of "workshops to develop plans for an orderly transition from segregated to integrated schools." At the last workshop, held over the Labor Day weekend just before the trouble at Little Rock, the leaders of every important racial strife incident in the South since 1954 were present.

How sincere is the Highlander program for "orderly transition" in desegregation?

The actual curriculum at Highlander, its pamphlet statement in behalf of "orderly transition" notwithstanding, preached that "desegregation is more effectively accomplished in a single step than in a series of steps with delays in between."

This is fellow-traveler vernacular for the straight-out Communist program of "immediate desegregation."

Among those attending the important Highlander workshop was the Rev. Martin Luther King, leader of the Montgomery, Ala., bus boycott. King was to be at Little Rock, and, in 1958, at the White House, protesting integration delay.

By the time Central High School in Little Rock was to open for its 1957–58 school year, the Communist Party was marching step by step with the NAACP, whether the good element in the NAACP liked it or not.

[From the New Bedford (Mass.) Standard-Times]

Daily Worker Led the Cry for Federal Intervention

WASHINGTON, July 24—"The honor of our country requires Federal intervention now, to end the organized defiance of decency and justice in the South." These words were not spoken by Mayor Mann of Little Rock. Nor by Maxwell Rabb, White House assistant to whom the mayor talked daily by telephone in the hectic days preceding intervention by the National Guard and paratroopers.

They were not spoken by an official of the National Association for the Advancement of Colored People, the dominant U.S. Negro organization.

The words were an official pronouncement of the Communist Party of the United States, issued 2 years before Little Rock, and printed in the party's official political guide, Political Affairs, issue of October 1955.

UTTERED BY COMMUNIST

"The Federal Government has the power and the duty to use troops and whatever other constitutional means are available to enforce the law of the land."

Use of the word "constitutional" in the above might lead someone to think a good American had said those words.

They were uttered 18 months before Little Rock's Federal troop intervention by Benjamin J. Davis, chairman of the Negro Commission of the U.S. Communist Party.

"The Federal Government hasn't hesitated to use the force of jail and seizures in trying to destroy the Communists and other foes of Jim Crow," said Davis, who, like other Communists, has been able to predict the future in civil rights matters.

PRESSED FOR TROOPS

"It should not hesitate to use whatever force—troops if necessary—to put down violent defiance of the law of the land, and murderous terror against peaceful citizens seeking to exercise their constitutional rights."

From the very beginning of the Little Rock incident, the Communists pressed for "dispatch of Federal troops to keep order in the South."

The Communist Daily Worker shrilled a demand for "action," on Sept. 5, the day after Governor Faubus stationed National Guardsmen around Central High School.

"The insurrection in Arkansas" must be put down, strummed the Worker the next day.

"G-men must be sent," said another edition, blasting FBI Director Hoover for refusing to do so.

OTHER PHRASES

"Every prerogative" must be used by the President, was another phrase in the daily demands for use of the military.

"Threats of blood running in the streets" were cited by the Worker, without identifying the source.

Southern whites were charged with being "immune to education, cajolery, and pleas of moderation," so that troops were the only recourse.

"Why wait?" asked one Worker editorial.

"Patience!" scoffed another.

"Nothing is to be gained by handling Faubus with kid gloves," stated another diatribe.

"Shilly-shallying" was laid to the President.

And so it came to pass. On September 24, paratroopers were airborne to Little Rock. Exactly the methods advocated by the Communist ace agitators—speed and force—were used in a civil rights dispute.

"A tremendous victory for the American people," rejoined the next day's Daily Worker.

Use of armed troops climaxed years of incitement by violence and distortion of truth by the Communists and their sympathizers. Again a helping hand came from the Supreme Court that had "opened the way to Negro freedom," as the Communist Party observed, and from the misled NAACP.

Mrs. Daisy Bates, president of the Arkansas Conference of NAACP branches, had a key role at Little Rock.

MRS. BATES LAUDED

In an adulatory interview with Mrs. Bates, the New York Post's reporter Ted Poston stated, "both sides in this embattled southern town agreed on one thing: If there had been no Daisy Bates, there would have been no 101st Airborne Division patrolling the halls of Central High School.

"And no nine Negro children in the once all-white high school."

Mrs. Bates' husband, Lucius C. Bates, is a director of the Southern Conference Educational Fund, which former Communists have indicted as a "Communist transmission" agency for inculcating and carrying out Communist doctrine.

The Southern Conference Educational Fund took over many of the officers and all of the publications of the old Southern Conference for Human Welfare, twice listed as a Communist front, "doing the work of the Communist Party," by the U.S. Government.

Mrs. Bates is listed as a "sponsor" of the Southern Conference Educational Fund.

ANOTHER WOMAN INFLUENTIAL

Mr. Bates was a member of the organization known as Negroes for Wallace, a Communist rallying point. He was a sponsor of the Bill of Rights Congress, a Communist Party front.

Also influential at Little Rock was Mrs. Grace Lorch, white woman who "befriended" one of the Negro students refused admission to Central High.

Widely published press dispatches described Mrs. Lorch as a white housewife who protected a Negro girl before a jeering mob, and as having defied an angry crowd of whites to offer sympathy.

It was not reported, however, that Mrs. Lorch, according to Senate Internal Security Subcommittee records, has a thorough Communist Party background.

HUSBAND INDICTED

She has been identified as a one-time Communist Party organizer in Boston, as having attended a Communist Party convention, as a member of the New England District of the Communist Party, as former vice president of the Teachers Union, and as a director of the Samuel Adams School for Social Studies, both Communist fronts.

At the time Mrs. Lorch was active in Little Rock, her husband, Lee Lorch, was under Federal indictment on eight counts of refusing to answer questions on his alleged Communist background put to him by the House Un-American Activities Committee.

Here, too, the Supreme Court rendered an assist. The charges against Lorch later were dismissed by a Federal judge on the basis of the Supreme Court's freeing of John T. Watkins, United Auto Workers official who refused to name Communists he knew while he was one himself.

Little Rock found the U.S. Supreme Court, the NAACP, and the Communist Party teammates.

It was a dazzling demonstration of what can happen, to quote former Communist Joseph Kornfelder, when "the ivory tower boys picked up the theories of the Communists, not looking at what is behind the theories."

[From the New Bedford (Mass.) Standard-Times]

Senate Group Says South Red's Target

WASHINGTON, July 25.—What lies ahead for race relations in the South and, indirectly, for the Nation? If the pattern of the last 3 years is followed in the future, the outlook is not favorable. Some may want to ignore the record, but they cannot hide it. Racial disturbances since the Supreme Court decision of 1954, culminating in the use of armed force at Little Rock, have made two areas of opinion where there were three.

The middle-ground on southern civil rights issues, the ground on which progress had been steady if slow, is virtually deserted. Sides have been chosen, of necessity.

TWO EXTREMIST CAMPS

Without this conciliatory middle area, there are two extremist camps.

One is headed by the National Association for the Advancement of Colored People. The Communist Party officially has planted its standard in this camp, its purpose to promote racial tension behind the NAACP program.

The other camp includes various white citizen organizations, established authorities of many Southern municipalities and States and, as time passes, more and more of the moderates.

The no man's land between these two camps is widened in an election year, like the present, and with the 1960 presidential campaign drawing closer, neither major political party, nor, apparently, the Federal Government, wishes to intervene.

A HANDS-OFF ATTITUDE

The hands-off attitude in Washington was evident during Senate Judiciary Committee examination of incoming U.S. Attorney General William P. Rogers. The prospective head of the Federal agency that sent troops to Little Rock was not asked about his views on civil rights, not even by Southern Senators.

Absence of leadership from Washington has increased the importance of the role played by the NAACP. Its leaders apparently plan no change in policy.

Reviewing events through Little Rock, Dr. Channing Tobias, board chairman of the NAACP, declared:

"But this record of advance is only a beginning. Unjust practices are still commonplace in many parts of the Nation. The people have a continuing responsibility to take the lead, to assure the winning of equality in all communities, large and small, North and South.

GOOD OBJECTIVE

"The pattern is set; it's up to us to fill in the details of the picture. Only then will we have achieved our goal of a democratic America living up to its ideals."

These words from an influential Negro leader describe an objective which the majority of Americans would be happy to work toward.

But there is little reason to suppose that the good intentions of the NAACP will not capitulate, as they have before, to the driving, inflammatory race-tension strategy of the Communist Party.

After the 1954 court decision, the leadership of the NAACP promised moderation, a "quiet" "talking over" of issues among all segments.

EXACTLY AS FORECAST

Instead what transpired was a series of big, sharp struggles in civil disobedience and violence, exactly as forecast by Benjamin J. Davis, chairman of the Negro Commission of the Communist Party.

Today, Davis and his coworker, James E. Jackson, Communist chief for southern affairs, are using phraseology much like Dr. Tobias in predicting the future.

"The people must take the lead," says Davis. "Negro liberation is now the property of the whole American people."

Jackson's view: "The response to Little Rock has signalized that ours is the time ripe with opportunity to secure major victories in the cause of Negro freedom."

These words have a ring like Dr. Tobias, but an utterly different intent.

AIMS NEFARIOUS

"You are aware, of course," FBI Director J. Edgar Hoover commented for the Standard-Times, "the Communists have no sincere interest in promoting racial harmony, but are ever alert to exploit any issue to further their nefarious aims."

This observation may be obvious to many Americans.

But is it obvious to Dr. Tobias, who has been associated with 40 Communist fronts, board chairman of NAACP, or to W. E. B. DuBois, honorary chairman of NAACP, who has been identified with 82 Communist fronts, more than any other American citizen?

Apparently it is not.

As recently as March 1958, the NAACP leadership brought a court action in Florida seeking to halt an investigation by the Florida Legislature of Communist activity in that State.

Besides the NAACP, leadership in the integrationist camp will come from the Reverend Martin Luther King, leader of the Montgomery, Ala., bus boycott. Mr. King also seems hazy in distinguishing between the Communist way and the American way.

A COMMUNIST EXPLANATION

At its 1957 national convention, the U.S. Communist Party selected a man identified by the Communist Daily Worker as Mr. King's "secretary," Bayard Rustin, to be an official "observer." Rustin praised the "democratic proceedings of the convention in a report later denounced by FBI Director Hoover.

Mr. King was quoted as telling a Chicago assembly last year, "It (the Montgomery boycott, in which there was much violence) is a part of something that is happening all over the world. The oppressed people are rising up. They are revolting against colonialism and imperialism and all other systems of oppression."

This explanation is exactly that of the Communist Party, the depiction of the American Negro as a kicked-around colonial, oppressed by imperialists.

Yet the same Rev. Martin Luther King was one of four Negro "leaders" who called upon President Eisenhower in June 1958 to try and set the pattern for racial progress.

A LOOK TO FUTURE

A former Negro Communist official, who later worked for the U.S. Department of Justice, sees the future in these words:

In my opinion the Negro leadership should realize that they have responsibility," a Louisiana legislative committee was told by Manning Johnson, "a responsibility to guide and spirit their people along the right paths, help to pull themselves up by their own bootstraps, and to work together as a group for cooperation, mutual cooperation between races, to the end result that they can keep what they have, strengthen their economic and political position, and move on to higher things.

"Men of King's type will not give that kind of leadership. The only thing they know is the threat and a sword.

"I know the NAACP can't do that. They have called the leaders of Southern life every conceivable type of name. They have labeled them everything they can, and there is no basis for them to negotiate with them because they have already built up a wall that cannot be gotten over, gotten under, or gone around."

Former Communist Johnson's judgment may be harsh. But the future will make him an accurate prophet unless there is wider understanding of the Communist background to "immediate" integration, to be accomplished by "force" if necessary.

In a little-publicized report of last November, the U.S. Senate Internal Security Subcommittee declared: "There is a present-day pattern of Communist activity in the mid-South area. The Communist participants * * * make up the basic framework of a Communist operation that is directed against all generations of people in the South."

To that could be added, "and in the Nation."

[From the Sunday Oklahoman, Dec. 11, 1959]

Reds of United States Advocate New Negro Policy

New York.—The American Communist Party announced Saturday an about-face on a long-established Negro policy. The party no longer advocates the formation of a Negro nation within the United States, party leaders said.

Instead, the objective now "is to secure to the Negro people with all speed the complete realization of genuinely equal economic, political, and social status with all other American citizens."

The action, taken in a resolution adopted at the party's 17th national convention in a Harlem hotel, marks a fundamental change in the line of the American Communist Party dating back to 1930, a party spokesman said.

ACTION EXPLAINED

He said the former policy is being abandoned because it smacks of segregation.

The convention, said to be attended by 222 delegates from 40 States, is a closed affair but newsmen are briefed regularly by party officers.

The turnabout on Negro policy was announced by James Jackson of Richmond, Va., party secretary for southern and Negro affairs. He told newsmen the resolution was introduced by Claude Lightfoot of Chicago, chairman of the Illinois State Committee of the Communist Party.

POLICY MISCONSTRUED

Jackson said the old policy had been based on the premise that Negroes in the Deep South, where in places they outnumber the white population, were entitled to Negro representation and the right to form a separate political entity.

This policy, he said, has been determined to be incorrect because "it has been misconstrued as a form of segregation."

Jackson asserted the effect of the new resolution was that "the Negro people are not a nation, they are an oppressed people within the Nation. They are full members of the American Nation but are deprived of many rights within the Nation."

In another resolution, the convention urged the United States to stay out of Cuba.

[From Milwaukee (Wis.) Sentinel, Mar. 19, 1960]

Red "Newsmen" Go South, Aim To Add to Unrest

(By Jack Lotto)

Two top Kremlin agents have moved into the southern lunch counter demonstrations in an attempt to provoke bloody racial strife.

The pair, ostensibly newspapermen, are a Russian-born spy recruiter-agitator, and the Red boss of all Negro and southern trouble-making activities.

Simultaneously, Communists and their supporters were told by the Red press to "express your solidarity" with the striking students by joining in the picket line demonstrations."

One of the "agit-prop" men on the scene in the South is Joseph North, 56, the "foreign editor" of The Worker, official mouthpiece of the Communist Party, U.S.A.

The other is James E. Jackson, 45, the newly named propaganda czar of the party, and editor of the Red newspaper. Jackson won't say whether he would side with the United States in a war with Russia.

North has, in the past, shown up at trouble spots. He was in Cuba, meeting with all the Communist brass, setting up the "line" to be followed, a few days after Castro took over.

He served with the Communists during the Spanish Civil War, and was one of the chief agitators in the Scottsboro rape case in the thirties. According to sworn congressional testimony, North helped recruit agents for the international Red espionage apparatus.

Soon after the arrival of North and Jackson in the South, Communist newspapers began blossoming with such headlines as "front line dispatch" and "written directly from the battlefront."

These veteran Communists will try to cash in on the civil rights issue and problems for Moscow's benefit. They can be expected to stir Negro-white animosity in the hope of creating big incidents.

The underlying theme to be pushed in pamphlets, leaflets, and newspapers: The true champions of the Negro people are the Communist Party and the Soviet Union.

The movement of the two agents into the South also showed up another Red lie. It came at a time when the Communist newspaper claimed it was having trouble collecting enough money to keep its presses rolling.

It should be remembered that no member of The Worker goes anywhere merely to write news stories. Also not to be forgotten is the fact the Communists, adroit at exploiting issues of genuine concern to all Americans, have betrayed the Negro's cause whenever it was expedient.

[From the Cincinnati Enquirer, June 9, 1963]

Cincinnati Pastor Named as Head of Red Front

(By Jack Lotto)

One of the top leaders of the integration movement in the South has been named head of a big pro-Communist front.

He is the Reverend Fred L. Shuttlesworth, 965 Dana Avenue, pastor of the Revelation Baptist Church, 1556 John Street.

The post he was elected to is president of the Southern Conference Educational Fund, with headquarters in New Orleans, and active in 17 Southern States.

Both the Senate Internal Security Subcommittee and the House Committee on Un-American Activities have described the SCEF as an organization set up to promote communism throughout the South.

This group has a long history of activity in the South. It originally was known as the Southern Conference for Human Welfare. One of its founders was a veteran Communist, the late Louis E. Burnham.

When the SCHW was cited as a Communist front in 1947 by the House committee, it ostensibly went out of business.

It quickly reopened at the same New Orleans address, under the new name and with the same telephone number.

According to the Senate subcommittee, the Southern Conference Educational Fund was operating with substantially the same leadership and purposes of its predecessor.

Said the House report on the SCHW:

"It seeks to attract Southern liberals on the basis of its seeming interest in the problems of the South. Its professed interest in Southern welfare is simply an expedient for larger aims serving the Soviet Union and its subservient Communist Party in the United States."

The field secretary for the SCEF, and editor of its publication, the Southern Patriot, is Carl Braden, of Louisville, Ky. Braden, identified in sworn testimony as a member of the Communist Party, recently finished serving a 1 year prison term for contempt of Congress.

New additions to the board of the Southern Conference Educational Fund included the Rev. James A. Zellner, Methodist minister in Panama City, Fla. He is the father of Bob Zellner, the "freedom-walker" active in the "student nonviolence committee," and now serving a jail term in Alabama.

Another board member is Mrs. Diane Bevel, of Cleveland, Miss., active in Nashville student demonstrations, and currently working in Alabama and Mississippi.

She is jailed in Gadsden, Ala., for taking part with Zellner in a prointegration march, following in the steps of William Moore, the postman shot and killed during a one-man protest march.

Communist and pro-Communists are moving into the South to provoke friction between whites and Negroes. On the scene is James E. Jackson, a member of the four-man ruling secretariat of the U.S. Communist Party.

Jackson, who is propaganda boss in the United States for the Reds, is also the party's secretary for southern and Negro affairs—a polite term for chief racial troublemaker.

This Moscow-trained Negro has been in the forefront of Communist organizational and agitational work in the South for years.

In 1959, he went to Russia as the representative of the U.S. Communist Party at the 21st World Congress of Communist Parties. There he hailed the Soviet Union and denounced the United States.

[From the New York (N.Y) Mirror, July 4, 1963]

A Rededication to Spiritual Beginnings

(By Victor Riesel)

(Editor's Note: Before Victor Riesel left on a newsgathering tour of South America, he asked FBI Director J. Edgar Hoover for his comments on Independence Day—a holiday often observed by a gaiety which real security makes possible, and a cynicism which could undo both gaiety and security. Here is Mr. Hoover's reply.)

Washington, July 3.—On July 4, as bells ring out in celebration across the United States, some of us will be reminded that the bell which pealed the first jubilant notes announcing the adoption of the Declaration of Independence in 1776 reached all of the way back into Old Testament days for its message: "Proclaim liberty throughout all the land unto all the inhabitants thereof." (Leviticus, XXV, 10).

That statement, engraved on the bell ordered for the State House at Philadelphia in 1751, is a living reminder that our origins as a nation are spiritual and idealistic. The Founding Fathers believed that man, with God's help, is capable of self-rule, and the blueprint of government which they gave us remains a continuing challenge.

For though the men who projected that magnificent experiment in government gained for us the liberty we currently enjoy, they cannot preserve it for us. They gave us the guidelines for continuance of our freedom in a brief document which has safeguarded that freedom for 174 years.

But we can continue to reap the benefits of the Founding Fathers' knowledge and vision only if we in turn are willing to expend similar effort and to act with intelligence and foresight.

For today, the premise that governments are instituted to secure certain natural rights and that such governments derive "their just powers from the consent of the governed" is under vicious attack. Totalitarian communism is increasing its challenging thrust in many areas.

With mounting intensity, domestic Communists seek to spread their influence among our youth and to exploit racial unrest in the United States. They are unceasing in their efforts to infiltrate and secure a foothold in American labor unions.

Late in 1962, the Communist Party distributed within Party circles a document entitled "To Reestablish the Priority of Working Class Emphasis in the Work of the Communist Party." This document is important. It is a statement on labor policy, and from a careful reading of it we may anticipate forthcoming Communist action in the labor field.

No area of American life is safe from Communist attempts to infiltrate and exploit, and communism thrives best in a world in which faith is in retreat. Therefore, in this week of celebrating the anniversary of a Declaration which holds "these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights," the words of the man whose active leadership made that Declaration live are pertinent. The first President of these United States said:

"It is impossible to govern the world without God. He must be worse than an infidel that lacks faith, and more than wicked that has not gratitude enough to acknowledge his obligation."

This year, as freedom bells ring out in celebration of the birth of this greatest of all Republics, may the living reminder of our spiritual beginnings renew in us the dynamic faith which motivated the Founding Fathers. May we rededicate ourselves to the task of preserving the immortal dream which we inherited.

[From the Tablet, Aug. 1, 1963]

That North Carolina Camp Incident: Protest Versus Indecency or Riot of Racists?

A citizens' protest against indecency was twisted in news stories to make it appear as an action of racists, according to the editor of a national anti-Communist biweekly published in Staten Island.

Frank A. Capell, editor of the Herald of Freedom and Metropolitan Review and former chief of the Subversive Activities Control Board of Westchester County, reported on the results of a special edition of his publication dealing with Summerlane School and Camp of Manhattan and Rosman, N.C.

NO CENSORSHIP

The special July 3 issue reproduced promotional literature for the camp, widely advertised as integrated, stating that there is no censorship of any kind and no regulation of private behavior of the teenager campers, and that teachers and counselors "are not expected to hide their weaknesses from the children."

The issue also contained information on George von Hilsheimer, camp director, whom it described as "a former minister who admittedly has engaged in acts of sexual degeneracy, who is a radical and a nihilist." A brochure was quoted saying many of Summerlane's teachers had worked in the Highlander Folk School, cited as a Communist enterprise by the State of Georgia.

Copies of this issue were supplied to the Rosman Chamber of Commerce for distribution to State legislators, judges, prosecuting officers and civic groups. This was done, Mr. Capell said, to provide documentation on which to base a demand for action by the proper authorities.

Mr. Capell reported that protests were made to the camp operators after complaints of gross immorality at the camp in the form of nude mixed bathing (to which a local Baptist minister was reportedly an eyewitness) and a camp newspaper containing a sexual promiscuity theme (not fit for gentlemen to read, according to the local sheriff).

"The conduct at the camp so incensed the local citizens," Mr. Capell continued, "that residents of the camp were warned not to come into town and to stay in the camp to avoid trouble. The campers disregarded the warning and after several incidents the local citizenry took matters into their own hands. Several hundred people marched on the camp, destroyed the main building and told the campers to get out."

"Then," Mr. Capell said, "came the newspaper stories which distorted the protest into a mob action prompted by racism."

MOVE TO RED PICNIC SPOT

A check of the local records, Mr. Capell stated, reveals that reports of injuries were grossly exaggerated in news stories. A stabbing turned out to have been the taking of a knife away from one of the camp counsellors who was then relieved of the seat of his trousers with it, with no personal injury.

He said the campers have found refuge in a New Jersey camp "well known for the number of Communist activities which have taken place there. Camp Midvale is located at Ringwood, N.J., and has long been a favorite vacation and picnic resort of Communist and Communist-front groups. The Communist paper, the Worker, holds its annual picnics there."

The article concerning Summerlane in the Herald of Freedom recommended action by the proper authorities and "bringing such activities to an end by lawful methods," Mr. Capell pointed out. "However," he concluded, "the invaders of the South goad the normally peaceful and religious people into acts of violence by refusing to obey the law and to cooperate with local authorities for their own protection. Their agitation creates violence."

[From the Lynchburg (Va.) Daily Advance, Aug. 2, 1963]

Who's Lying?

During the past several weeks Robert F. Kennedy, Attorney General of the United States, testified before the Senate Commerce Committee and stated repeatedly that the Federal Government has no evidence that any of the major civil rights groups are influenced by Communists. In addition, he stated on several occasions that the Communists have been remarkably unsuccessful in efforts to exploit the racial situation.

Contrast these statements with testimony given by J. Edgar Hoover, Director of the Federal Bureau of Investigation, on the same subject matter. On January 24, 1962, Hoover testified before the Appropriations Committee of the House of Representatives, as follows:

"Since its inception the Communist Party, U.S.A., has been alert to capitalize on every possible issue or event which could be used to exploit the American Negro in furtherance of party aims. In its efforts to influence the American Negro, the party attempts to infiltrate the legitimate Negro organizations for the purpose of stirring up racial prejudice and hatred. In this way, the party strikes a blow at our democratic form of government by attempting to influence public opinion throughout the world against the United States."

On two earlier occasions, Hoover testified before the same committee along the same line. On January 16, 1958, he said:

"The Negro situation is also being exploited fully and continuously by Communists on a national scale. Current programs include intensified attempts to infiltrate Negro mass organizations. The party's objectives are not to aid the Negroes—but are designed to take advantage of all controversial issues on the race question in the minds of the American people."

On March 3, 1961, Hoover told the same committee:

"The sit-in demonstrations in the South were a made-to-order issue which the party fully exploited to further its ends."

The Committee on Un-American Activities of the House of Representatives and the Internal Security Subcommittee of the Senate have published voluminous documentary evidence supporting fully the testimony of Hoover. This newspaper has just received the latest publication of the Committee on Un-American Activities, dated July 31, 1963, and containing the testimony before the committee of how the Communist Party in California has successfully extended its influence into additional Negro civil liberties units.

For the information of those who might feel that the Attorney General is simply misinformed, we point out that the Federal Bureau of Investigation is a part of the Department of Justice, which is headed by the Attorney General, and the Attorney General has access to the same information as the Director of the Federal Bureau of Investigation.

Our readers have a choice. They can believe Kennedy, one of the most cynical politicians and inept Attorneys General in the history of the United States, or they can believe Hoover, one of the finest law enforcement officers in the history of this or any other country, and a man of the greatest integrity.

As for this newspaper, we made the obvious choice a long time ago.

World Communist Movement—Selective Chronology 1818–1957

(Prepared by the Legislative Reference Service of the Library of Congress)

YEAR 1928

During the Communist Party presidential campaign, American Communists advanced the Comintern policy on Negro self-determination. In pursuance of Comintern instruction the party made every effort to attract the Negro masses. * * * The campaign for a Negro republic in the South was tied up with a campaign in the party ranks against white chauvinism. Party members who failed to carry out the Negro policy or disagreed with it were accused of white chauvinism. * * * The Negro question was injected into every situation, in every campaign. The Negroes were looked upon as the chosen people who were to be the vanguard of the Communist revolution. Party members were urged to make every effort to establish personal as well as social relations with the Negroes. Negroes were brought into the party, not on the basis of their Communist convictions, but on the promise that in the party they could enjoy a sociable evening together with whites on a basis of equality. Negroes who had recently joined the party were pushed into places of leadership simply because they were Negroes and as a demonstration that the Negroes enjoyed preferred treatment in the party. This was done not out of sympathy or consideration for the Negro masses, but for purely political reasons.

Behind the Negro agitation and the stress laid on exploiting the Negro issue was the desire to comply with the orders from Moscow. It was hoped through Negro minorities movement in the United States to give leadership to a colored Nationalist movement of world proportions in the countries of South and Central America, Africa, Asia, and the Antipodes. The American Nationalist Negro movement, Moscow believed, would provide the leadership for such a world movement. Besides, the Communist Party could dominate the American Negro movement, because it was believed possible for a small handful of American Communists to organize and control the 2 million Negro workers in American industry, which force could be the most decisive in the broader worldwide Negro movement * * *. Said the Comintern resolution:

"To the extent to which the party succeeds in developing a strong revolutionary Negro movement in the United States, it will also be able to exert a decisive influence upon the revolutionary movement of the Negroes in all parts of the world."

It was hoped by the development of this Negro Nationalist movement on a world scale to bring millions of new supporters in defense of the Soviet Union, ardent supporters, who could actually fight against Russia's enemies over a farflung territory. The Negro Nationalist movement was thus part and parcel of Russian political imperialism. (G: 480–483.)

(Above excerpt was from testimony of former Commie, Benjamin Gitlow.

The Negro Question—Communist Civil War Policy

(By Benjamin Gitlow)

(Editor's Note.—What is behind the Negro civil rights bill? Does it mean the beginning of U.S. revolution? Does it put an end to the U.S. Constitution?

(The Communist International in Moscow, in 1921, instructed the American Communists to organize and head the Negro masses. They have fanned the flame of impoverishment and exploitation ever since. The Communists are, therefore, championing the cause of the Negroes in America, not as part of a democratic movement, but as an important part of their drive to mobilize both colored and white for proletarian revolution and the overthrow of our Government. The Communists have no intention of conducting a constitutional battle for Negro rights and justice. To them the Constitution is a scrap of paper to use when it serves their purpose, to disregard it and violate it whenever it suits them. Since the U.S. Constitution and Bill of Rights provides a clear and equitable civil rights program for all citizens of the United States, after reading the enclosure it will become clear that the Kennedy civil rights bill can serve only one purpose: The Communist conspiracy.

(Concerning the author: For 11 years Benjamin Gitlow was a Communist—the first in the United States to be convicted and imprisoned for such membership. He held the highest position in the Communist Party in the United States—that of general secretary of the party. Mr. Gitlow holds another distinction—that of being one of the few persons to split with Josef Stalin and live to tell it. In 1929 Stalin summoned Mr. Gitlow to Moscow. In the ensuing meeting, Gitlow refused to accept orders from the Red leader—hence the split. It was in 1939 that Mr. Gitlow wrote his first book—"I Confess," which told of his personal background as a Communist, and gave the public the first real insight of the workings of the Reds in this country. In 1940 he gave the House Un-American Activities Committee the complete story of the Communist Party in the United States and their plans to rule America.)

The Negro question is a most distressing problem for the American people. For the country it is a problem of great magnitude. Its political consequences in the affairs of our Government and in the arena of world politics cannot be ignored. We in the United States will have to deal with the Negro problem boldy and realistically. To exploit the Negro question, like a politician for expediency only and as an opportunistic leverage for vote getting as is too often the practice of our major political parties, will solve nothing and will eventually lead to a greatly aggravated crisis in race relations and in our relations with many nations. The immediate result of the continuance of such crass opportunistic policies will be the inflamming of our population and the dividing our people, at a time when a united, patriotic citizenry is badly needed to defend and preserve our liberties.

In this article I propose to deal with aspects of the Negro question that receive top priority from the Communists. I do so, fully conscious of the fact that to treat certain phases of the Negro question analytically and critically, especially as it affects our country's security and our posture in the cold war, is to arouse the ire of many individuals and organizations today in the forefront of the civil rights movement, the term by which the Negro question is erroneously called. Many of these civil rights forces who are recklessly spreading dissension among our people, and who are pushing their campaigns in utter disregard for the defense and security needs of the country, will, I am sure, attempt to distort any objective presentation and critical analysis of the Negro problem, on my part, into a smear campaign, charging that the writer is a racist, a white chauvinist, an ultra rightist opposed to integration and civil right.

Against such a ridiculous, premeditated smear a defense on my part is absolutely unnecessary. Let it be here noted—the examples are too numerous to cite—that to libel genuine anti-Communists in the vilest language is welcomed by the liberal intellectuals, who are proficient in this practice, and the press which favorably publicizes their calumnies.

On the other hand, in the world of the liberal traumatic miasma, to tell the truth about Communist, Communazi liberals and the host of fellow travelers who idealize Communist and totalitarian manifestations at home and abroad, is scandalous, McCarthyism at its worst, a repudiation of American ideals and traditions, character assassination and libelous.

Fully aware of attacks upon me personally that will follow the publication of this article, I have decided, nevertheless, to write it because the Communists and their supporters with the full backing of Khrushchev have embarked upon a campaign to exploit the Negro problem as a vehicle for national liberation. They intend to arouse to a fever heat the nationalist and chauvinist sentiments now finding expression in segments of the Negro population into a drive for the separation of the Negroes from the whites through the establishment of an independent Negro republic in the United States. They are hopeful that an intensified nationalist drive among the American Negroes will accelerate the build-up in Latin America and in Africa of the anti-American campaign to such an extent that it will aid the Communist imperialist efforts on these two continents. But what is much more important is the fact that the Communists are deliberately maneuvering among the American Negroes to create a situation for the outbreak of racial violence, to such an extent that it can be turned into a civil war—a civil war on a racial basis involved with profound political and revolutionary consequences. In such a civil war, should they succeed in fomenting it, the Communists hope to so undermine the American Government and our social structure that they can take over power. In the racial civil war they envisage, they are sure Negroes will be in the front ranks, the shock troops of the Communist revolution.

This Communist diabolic policy is a calculated and deliberate policy. In the final analysis it will not bring justice and political equality to the Negro. It is bound to bring on bloody strife in which the Negroes will be the main losers, and should the Communists win, enslavement of the Negroes and whites alike will take place and all Americans will live without rights, under a Communist dictatorship.

A historical outline, at this time, of the Communist role in the Negro question will, I am sure, help the reader to a better understanding of the Communist position.

The Communist International in Moscow in 1921, instructed the American Communists to organize and lead the Negro masses. For that special purpose money was liberally provided by the Comintern. The Communists took the position that the Negroes, constituting the most impoverished and exploited section of our population—a section with special problems and grievances because of racial discrimination—would constitute, once properly organized and led, the front rank fighters in a revolution to overthrow the United States Government and replace it with a Soviet form of dictatorship. To carry out the Cominterns' instructions, the American Communist Party created a Negro department, organized special Negro organizations, published Negro papers and periodicals and conducted a drive for Negroes to join the party, giving them, if they did so, jobs and all kinds of special inducements. Every Negro member brought into the party was hailed as an achievement.

The Communist policy in the early years up to 1928 on the Negro question was that the Negroes should be accorded full racial, social, and political equality with the whites.

At the Sixth World Congress of the Communist International held in Moscow during the late summer of 1928, a special commission was set up to study the American Negro question. Joseph Stalin was a member of the commission on which the American Communist Party was well represented.

I was not in Moscow at that time because I was touring the country as the vice presidential candidate of the Communist Party. While I was campaigning in the South, I received a telegram from the national office of the Communist Party that to our regular Negro demands for equality, etc., I should add the right of the Negroes to national self-determination, the ultimate objective of which was, naturally, the establishment of a Negro government in the Black Belt of the South. The policy, though it originated in Moscow, did not appeal to me. I considered the demand for a Negro republic dynamite, dynamite that would be so explosive in the South, once a considerable number of the Negroes accepted it, that it would do the Negroes more harm than good.

At the close of the vice presidential campaign I was conducting, I returned to New York and went into a huddle on the Negro question with the leaders of the American Communist Party. I asked: "What do you seek to accomplish with this policy? Create a situation in the South where you will bring about a civil war between the whites and the blacks? Do you realize where that will lead to? Do you not realize that such a policy will lead to the butchery and massacre of thousands of Negroes?"

John Pepper, whose real name was Joseph Pogany, a leader of the terrorists in the first Red Hungarian revolution under Bela Kuhn, was attached by the Comintern to the leadership of the American Communist Party. He was a member of the Negro commission, as was Stalin—the commission that handed down the decision. I already had learned that the decision for the establishment of a Negro republic in the United States was formulated by Stalin and that he forced its adoption. So Pepper answered me calmly in these words:

"Comrade Gitlow, there is much truth in what you say but we could not help ourselves in Moscow."

In addition, the 1928 Stalin resolution laying down binding instructions upon the American Communist Party contained the following:

"To the extent to which the party succeeds in developing a strong revolutionary movement in the United States, it will also be able to exert a decisive influence upon the revolutionary movement of the Negroes in all parts of the world."

Stalin hoped by utilizing Negro nationalism in the United States to develop revolutionary Negro nationalist movements on a world scale and through such movements to mobilize millions of ardent supporters for the Soviet Union. The revolutionary Negro nationalist movement which the Communists began in earnest to organize in the United States, in South America, in Africa, and wherever Negroes lived, became a most important arm of Soviet political imperialism.

I have put down in very brief outline the historical facts that constitute the background of the basic, the unchangeable position on the American Negro question of the American Communists and their comrades throughout the world, including, of course, their Soviet masters.

Until recently, the Communist policy in the United States has been to soft-pedal their demand for the establishment of a Negro, nationalist, separationist movement, a movement determined to oust the whites from the South, expropriate their lands and property and establish a Negro republic under Communist hegemony.

It appears that now the time has come for the American Communists to accent the loud pedal on Negro nationhood.

Claude Lightfoot, one of the top leaders of the American Communist Party and a guiding spirit in its Negro department, a Negro himself, states the present position of the Communists on the Negro question in this manner in an article in the July 1962 issue of "Political Affairs," the theoretical and outstanding political monthly of the Communist Party.

"Back in the early 1930's the Communist Party of the United States projected the idea that the Negro constituted an oppressed nation within a nation. The homeland of this nation was seen as embracing what was commonly called the black area of the South. The black belt at that time consisted of over 200 counties, crossing several States. It was an area of Negro majority. The Communist Party adopted this position in 1930." (This is an error on Lightfoot's part. The American Communist Party never originated this decision. It was handed down as binding instructions to the American Communist Party by Moscow in 1928, as I have already stated.)

He further explains that during the period of World War II the demand for a Negro republic was dropped. What Lightfoot deliberately forgets to state is that the demand was put in cold storage after Hitler attacked the Soviet Union and the Soviet Union became one of our allies. Then Lightfoot adds: "In 1946 the Communist Party reexamined its position on this question (that is after the war was over) and reaffirmed its previous position. Although the question of nationhood was reaffirmed this time certain modifications were made. * * * The Communist Party now declared that what we are witnessing was a young nation in its earliest stage of development and because of this consciousness lagged behind objective developments. Notwithstanding these new observations the party continued to place the slogan of self-determination in the forefront of its general program."

That statement by Lightfoot is not an equivocal statement. It states categorically that the slogan of self-determination for the Negro, that is, for the establishment of a Negro republic in the black belt of the South, is in the forefront of the American Communist Party's general program. In other words in the forefront of the general Communist program for the communizing of the United States is the demand for the establishment of a Negro republic in the South. Why does the program of self-determination for the American Negroes hold such high priority for the Communists? Because that objective cannot under any circumstances be achieved without bloodshed and civil war, and civil war to achieve Communist power is a basic major policy for the American Communist Party and so recognized in its program.

One must know how to read the Communist language. I believe I know how to read Communist language, how to digest it and get at its real meaning. Few persons do. And the sad part of the story is that those who make policy for our Government, who are responsible for guiding our ship of state through the perilous storms of the cold war, have not yet learned how to read and understand Communist language, a language unique in its logic, subtle in the use and meaning of words, in which every "i" dotted, every comma, every punctuation mark has a meaning all its own.

Lightfoot continues in this vein and I quote:

"And so in 1959 the Communists adopted a position which discarded the slogan of self-determination."

Particularly note that the slogan, not the policy, was discarded. The slogan, to tell the truth, was actually not discarded but filed away for future uses when the time would be more propitious for its exploitation. That time was not long in coming. It has already arrived because the slogan for a Negro republic has been removed from moth balls and is once again being proclaimed loudly from the Communist housetops. Why?

For the answer let us return to Lightfoot who writes:

"One must now take into account a powerful nationalist current which is becoming increasingly significant.

"The Muslim leadership and doctrine is the most significant source of a trend to the contrary within the ranks of the Negro people. (Contrary to the opposition to the Communist policy for a Negro republic that existed among the Negroes before). The heart of the program advanced by the Muslims calls for the establishment of a Negro nation, separate and apart from other white Americans."

One can begin to understand what the Communist Party is aiming at. It aims to make an alliance with the Black Muslim movement in order to draw it into the Communist orbit. But Communist aims go even further. The Communists see in the increasing popular support the Muslims have in the Negro community an opportunity of linking up the nationalist struggle of the Muslims, and those under their influence, with the world revolutionary struggle of the black people being engineered by the Communists against the United States as part of the Soviet effort to undermine U.S. influence in strategic areas of the globe.

This factor is indeed underlined by Lightfoot when he writes: "Nationalism is rising in the Negro community not entirely out of context with the problems flowing from the basic structure of American Negro life, but it is a fact that nationalism today is influenced more by external factors * * *. The national character of the Negro struggle is still an overall characteristic."

It is necessary here, before we examine what the Communist policy on the Negro question has in store for the United States, to determine the basic elements of the policy.

As has already been stated Stalin was the originator of the American Communist Party policy on the Negro question. Writing an article on "Estimating Stalin," William Weinstone, a top American Communist gave this estimate of Stalin in the May 1962 issue of "Political Affairs."

"His [Stalin's] pamphlet written in 1912 on Marxism and the national question, which Lenin praised, remains a classic of Marxism. His 'Foundation of Leninism' which helped train generations of Communists in its time * * * is also a great work."

We will, therefore, turn to Stalin's "Foundations of Leninism" as an authority on the basic foundation of the Communist position on the Negro question. On page 286 the following is written:

"It is obvious that those who look upon the nationalist question as an integral part of the general question of proletarian revolution, will never be willing to look upon it as a mere matter of constitutional adjustment."

To use Stalin's words—it is therefore obvious that the American Communists when they fight so loudly and militantly for civil rights, for integration, for the Constitution, are perpetrating a hoax on the Negroes. What they are diligently preparing, by their activities in the civil rights field, are conditions favorable for civil war and revolution. This is obviously true because the Communists, by exploiting the justified complaints of the Negro people and the humane instincts of the American people, seek, because they champion national self-determination for the Negroes, an outcome that is not a matter of constitutional adjustment; they seek revolutionary results that do not square with the legal process—for their real aim is civil war and revolution. That is the essence of the Communist position. They are setting a trap for ensnaring the Negro masses into the Communist conspiracy. They are committing a colossal fraud upon the American people.

To further underline the Communist position on the Negro question, I herewith underscore the fundamentals outlined by Stalin:

"The national question must not be considered as an isolated phenomenon but as one which is indissolubly intertwined with the question of the victory of the revolution" ("Fundamentals of Leninism," p. 288).

Stalin emphasized as most important this statement used by Zinoviev, chairman of the Comintern: "The national question is a revolutionary problem, not a constitutional one."

It should now be clear to every reader that the Communists have no intention of conducting a constitutional battle for Negro rights and justice. To them the Constitution is a scrap of paper to use when it serves their purpose, to disregard it and violate it whenever it suits them.

The Communists in their propaganda on the Negro question try to impress the American people and the Negroes in particular that they are for justice for the Negro, for giving the Negro full democratic rights, for raising his status and giving him equal social standing with the whites. This propaganda is all camouflage, all lies.

Here is what Lenin, the Communist genius, stated unequivocally in the basic Communist position as reported by Stalin:

"Herein he (Lenin) declared that the essential point of the nationalist question, in general, and of the right of self-determination in particular, was that they had ceased to be parts of the democratic movement, and had become vital constituents of the proletarian movement, of the Socialist revolution," "Fundamentals of Leninism," page 290.

The Communists are, therefore, championing the cause of the Negroes in America, not as part of a democratic movement, but as an important part of their drive to mobilize both colored and white for proletarian revolution and the overthrow of our Government.

And using Aesopian language, because the Black Muslims reject the movements on civil rights which the Communists support, Lightfoot concludes as follows:

"Thus nationalism, as expressed today in the United States, unlike in Africa and other places, is an obstacle in the path toward freedom.

"But this does not necessarily have to be so. A nationalist movement which would direct its fire at the source of our oppression, the white ruling class, would have a positive progressive value.

"And so those of us (the Communists) who feel that we can see through today's frustrations to a brighter tomorrow are duty bound to go among our Muslim brothers and to help light an understanding among them. For in winning them to more positive concepts we will help to enlist people who hold nationalist sentiments in the great battle for freedom in the United States.

We have Lightfoot's words for it that the American Communists are seeking to join hands with the Muslim Brotherhood, an organization that thrives on Negro chauvinism, hatred of all whites and separation from the United States. The Communists hope to direct the fire of the Muslim movement against the white ruling class. That is another way of saying against the U.S. Government. This is the important and immediate objective of the American Communist Party among the Negroes.

It is necessary to examine the Communist Negro policy a little more closely. Their policy on the Negro question is based on a false premise. It cannot stand up when considered in the light of U.S. vital population statistics.

The total Negro population of the United States in April 1960 was 18,871,831 representing 10½ percent of our total population. There is not a single State in the Union where the Negroes constitute a majority of the population. The Negroes are Americans and should enjoy all the privileges of American citizenship. They are, however, not an indigenous group in spite of the numerical numbers. It has no basis in origin, land, special language or culture warranting a legal status for separation as a distinct independent nation within the United States, as the Communists demand.

Under our Constitution there is absolutely no legal basis whatsoever for such separation. Any serious attempt in that direction, as the Communists propose, is bound to break out into racial violence and a great loss of life. This the Communists are fully aware of, yet they advocate that step and are prepared to make the gamble. They are willing to make that gamble because the Communists are disloyal Americans who have pledged their loyalty to a foreign power, the Soviet Union. Furthermore, they are under orders from their Russian masters to pursue such a policy regardless of the consequences. And, finally, since civil war is the main objective in setting the stage for the Communist assumption of power, nothing could foment civil strife and division among the American people better, than to inflame the Negro masses against the white ruling class by promising them heaven in the United States in a separate, independent Negro republic.

But you may insist, since Khrushchev has assumed high command over the Communist empire, a more rational and civilized attitude toward the world and its people may be expected. Nothing could be further from the truth, for on the Negro question Khrushchev sees eye to eye with Stalin and the American Communists. In Khrushchev's "Fundamentals of Marxism-Leninism" published 1961, on page 489, the following appears:

"The reactionary bourgeoisie is altogether incapable of solving the national question, as is eloquently attested by the gravity of the Negro question in the United States of America."

Khrushchev, who wants self-determination for the Negroes in the United States where there is absolutely no basis for it, refuses self-determination to the people in East Germany where there is a real, a fundamental basis for it. To prevent their desire for national liberation he builds a wall around East Berlin, locks the entire border of East Germany with soldiers and bristling steel and tanks, thereby imprisoning a population of over 17 million people.

Yea, the ways of the Communists lack logic and reason. But of one thing you may be sure, they know where they are going and they are hellbent on getting there even if they have to drown the American Negroes in their own blood to get the power they covet.

[From the Washington (D.C.) Evening Star, Aug. 5, 1963]

COMMUNIST RIGHTERS?

Nothing the Government has said on the subject has removed every doubt that Communists are playing a part in the civil rights movement. On the contrary, even the denials during the Senate Commerce Committee hearings have been, on close scrutiny, somewhat less than categorical.

Senator MONRONEY, of Oklahoma, promptly and correctly challenged the statements of two Southern Governors charging that this summer's demonstrations have been Communist-inspired. In answer to the Senator's request for an FBI check, Attorney General Kennedy replied: "Based on all available information from the FBI and other sources, we have no evidence that any of the top leaders of the major civil rights groups are Communists, or Communist-controlled. This is true as to Dr. Martin Luther King, Jr., about whom particular accusations were made, as well as other leaders." This statement, however, refers only to "top leaders." By implication, this suggests that some of those beneath the top echelon are Communists.

At another point Mr. Kennedy said: "It is natural and inevitable that Communists have made efforts to infiltrate the civil rights groups and to exploit the current racial situation. In view of the real injustices that exist and the resentment against them, these efforts have been remarkably unsuccessful."

Here again, at first blush, this would appear to be a denial of Communist penetration. But it could also mean that infiltration has not been as successful as Communists hoped it would be.

One Mississippi State legislator has labeled Mr. Kennedy's statement a "whitewash." We do not believe this. But the FBI information on Communist penetration of the rights movement should be made public. All concerned—both white and colored—have a right to know just who is working for the Kremlin in this matter.

[From the Nashville (Tenn.) Banner, July 22, 1963]

HIGHLANDER DESEGREGATION: WITH THAT JOIE DE VIVRE AND TAX EXEMPTION TOO

Highlander Folk School, it seems, has always been able to work a little "joie de vivre" into its mission. A pioneer in the field of integration, its avowed good works were undertaken in the early thirties, long before the Supreme Court confirmed the practices of the institution with stern orders for the mixing of the races.

While many alumni have gone forth to remake the world by participating in deadly serious demonstrations, in some cases with the grim assistance at times of Federal troops, the loyal Highlander must look back with longing to the days of good fellowship and congeniality at the old alma mater.

For example, there was the Labor Day celebration in 1957. Recently sworn testimony before a congressional committee was to the effect that the now famous Dr. Martin Luther King was there, along with an alleged Communist or two and a considerable representation from Red-front organizations.

But as usual, at the idealistic refuge on the mountain not far from Monteagle, the agenda did not call for all work and no play. Photographic evidence shows breaks for dancing, swimming, and other forms of relaxation. During the court hearing that ended in padlocking the school, the picture presented was hardly that of a religious convocation.

But when the place was closed by law, the director was undaunted. With whatever assets remained, he removed to Knoxville and set up the Highlander Research & Education Center. In a recent letter to friends and contributors, he proclaimed the Highlander "idea" had been "born anew, like Phoenix rising out of the ashes."

The communication also contained the glad tidings that Mr. Kennedy's Internal Revenue Service had concluded the Center need not pay income taxes and that all who wished to have a part in furthering a good cause could deduct their donations on their annual returns.

That must have been inspiring news for the harassed businessman who needs to relax on a trip occasionally and entertain a few faithful customers. Then while the taxpayer might have been fretting about discrimination on the matter of deductible pleasure, some Highlander researchers decided that all work and no play tends to dull the edge of ideals.

Knoxville newspapers bloomed out a few weeks ago with headlines about a Highlander camp in neighboring Blount County that caught the attention of the high sheriff. He decided to make an unannounced call, accompanied by deputies, with the net result that a group of Negroes and whites were hauled into court. Seven were bound over to the grand jury. There would have been eight, except that a judge was shocked to learn that one of the white girls was only 15 years old. Then there were seven. The charge: contributing to the delinquency of a minor. Some fines were also assessed for lewdness, disorderly conduct, and possession of whisky.

A story in the Knoxville Journal quoted the judge as saying that the involvement of Negroes and whites had no effect upon his decisions, and that anonymous efforts to intimidate him by telephone had been useless. Then came the statement from the bench that there had been "scandalous and lewd" activity at the camp and the officers charged only those they could identify.

Faced with the consequences of desegregation with joie de vivre, Director Horton told the court the camp was set up so people from the North and the South, as well as college students from all over the country, could get closer together and discuss their problems.

There is no indication as yet, however, that the explanatory plea for tax exempt togetherness will satisfy the demands of the legal and moral standards of historic Blount County.

MILITARY CONTROL OF CIVILIAN ACTIVITIES

Mr. THURMOND. Mr. President, on last Wednesday, the distinguished junior Senator from Mississippi [Mr. STENNIS] made an eloquent plea on the Senate floor for the President and Defense Secretary McNamara to withdraw the ruling issued by McNamara's order which would make it possible to place communities near defense installations off limits, if these communities should refuse to integrate their private business establishments and also presumably their locally controlled public facilities. As these remarks were printed in the body of the CONGRESSIONAL RECORD, I ask unanimous consent to have printed in today's RECORD the following articles in support of the views expressed on that occasion by the distinguished Senator from Mississippi and others who participated in this discussion:

"Report Advances Race Amalgamation," which was printed in the August 2, 1963, issue of the Birmingham Post Herald.

"McNamara Exceeds Authority," which was printed in the Tampa Times on July 29, 1963.

"Political Use of Defense Bases" as printed in the August 4, 1963, issue of the News and Courier.

"Preview of Police State," which was printed in the August 2, 1963, issue of the News and Courier.

"Tax Returns No Club for Integrationist Wielding," as printed in the August 2, 1963, issue of Nashville Banner.

"Attorney General of the Air Force" as printed in the August 6, 1963, issue of the Aiken Standard and Review.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Birmingham Post Herald, Aug. 2, 1963]

REPORT ADVANCES RACE AMALGAMATION

The report of the President's Committee on Equal Opportunities in the Armed Forces (now being called the Gesell report) seeks integration "for the amalgamation of the races" and not merely to secure equal opportunity for Negroes in the services, charges Edward M. Almond, of Anniston, retired lieutenant general in the U.S. Army.

General Almond, who was commander of the 92d Division during World War II, has made a detailed analysis of the report and condemns many of its recommendations.

The report apparently is the basis for the action of Defense Secretary Robert McNamara in threatening to put "off limits" to service personnel, cities where segregation practices are followed.

Some of General Almond's criticisms of the report:

"It demands in the name of 'equal opportunity' a higher percentage of Negro promotions than education, age in service, and the more fundamental consideration of merit.

FEW VERIFIED

"It invokes responsibilities and makes demands on post and area commanders by coercive methods to force integration on civilian communities by 'threat and blackmail.'

"It quotes injustices repeatedly but at the same time admits that the Committee has verified very few and many times none of the facts.

"It does not envisage a real evaluation of the individual Negro based on merit, but repeatedly speaks of opportunities and 'latent' skills inherent in the Negro.

"It strongly recommends a 'spy system' to be called 'monitoring' with an especially sympathetic monitor throughout the range of troop levels in order to report on responsible commanders as to how they carry out their functions.

"It strongly recommends that those responsible for integrating Negroes among white elements of commands be given to understand that such accomplishments will rebound to the credit of the author of such plans for the purpose of furthering his promotion.

NO WAY OF KNOWING

"It emphasizes repeatedly that Negroes should operate without reference to race and that there should be no record of blood or race on the Negro's record of service. Later on in the report it complains of the inability to determine what cases there are which have been committed against Negroes, since it has no way of determining from the military record whether the individual is a Negro or not.

"It goes on further to claim that the absence of such a record has cost untold time and money to accumulate such information for the purposes of the report."

Those signing the report were: Gerhard A. Gesell, Chairman; Nathaniel S. Colley, Abe Fortas, Louis L. Hector, Benjamin Muse, John H. Sengstache, Whitney M. Young, and Lawrence I. Hewes III, Committee counsel.

Mr. Gesell, the Chairman, is a Washington attorney.

RECOMMENDATIONS CITED

Following are some of the recommendations of the report, according to Representative JOE D. WAGGONNER, of Louisiana, as quoted in the New Orleans Times-Picayune:

More recruiting should be directed toward Negroes to correct the "insufficient flow" of Negroes into the services and to increase the "pitifully small" number of Negro officers.

Negroes should be located in jobs throughout the services regardless of their individual preferences in order to have a few everywhere and in all positions.

Promotion boards should have more Negroes on them because white officers "consciously or unconsciously" discriminate against Negroes on promotions.

Special officers should be appointed (with biracial staffs) on every base to handle all complaints by the Negroes.

Such complaints are to be "encouraged."

More Negro girls are to be brought on bases for social functions and fewer girls who believe in segregation.

NEGRO HOSTESSES FAVORED

Negro hostesses should be considered, rather than white.

Military police patrols used in neighboring communities should be integrated.

Segregated buses should be boycotted.

Civic clubs should not be joined if they are segregated.

The practice of Negroes gravitating to one base service club and whites to another should not be permitted, even though this might be of their own choosing.

Methods are suggested for getting around segregated housing by renting homes in the name of the Government and moving Negroes in.

ROTC units should be canceled in segregated schools.

The efforts of officers to bring about integration should be constantly reviewed and rated. Promotions should be based on their "initiative" and "accomplishments" in this field.

Military personnel should be allowed to patronize only those local establishments which are "integrated" and have the "express approval" of the base commander. All others should be placed off limits.

Approved stores should display placards or decals on their windows and doors to show they have the approval of the military.

[From the Tampa Times, July 29, 1963]

MCNAMARA EXCEEDS AUTHORITY

Defense Secretary McNamara's order declaring communities which practice "relentless discrimination" off limits to members of the armed services is almost laughable. But any tendency toward merriment is drowned in the realization of how far the Federal Government is willing to go to enforce its will on the American public.

What Secretary McNamara actually proposes is economic blackmail of communities which insist upon maintaining their own standards and traditions. This is a weapon being brandished with increasing frequency by Federal agencies which have wormed their way into the active life of every community in the United States.

The Secretary proposes to establish himself as judge, jury, and prosecutor. He is prepared to issue and enforce an edict from which there is no appeal. We suspect the authors of the U.S. Constitution would recoil in horror from such an act.

We offer no defense of any community which practices "relentless discrimination." However, we do insist that where such abuses occur they should be attacked through normal judicial channels. The courts of this Nation are not paralyzed to such an extent that a Federal bureaucrat must apply martial law to suppress real or imagined evils.

And that is what Secretary McNamara is doing.

What is "relentless discrimination"?

Obviously, Mr. McNamara's action is related to the current wave of racial strife and demonstrations by Negro groups seeking, in some cases, full rights of citizenship and, in others, preferential treatment.

Does Secretary McNamara propose to dictate the hiring practices of a community? Would he use his power of blackmail to take the issue of school integration out of the hands of the Federal courts and place it with the military? Is he to sit in judgment of housing distribution within a community?

We are in total sympathy with the individual Negro's desire to improve his position and we believe that the individual Negro pursuing this ambition deserves the encouragement of his total community and recognition of goals achieved. But we do not believe his dreams or ambitions will be advanced through threats such as Secretary McNamara has issued. Such orders will arouse general antagonism even in areas where there is no "relentless discrimination."

Mr. McNamara seems to forget that the Government is not a private corporation and that he and the Kennedy brothers are not its principal shareholders. The Government belongs to all the people. As such, it should be responsive to the will of the people rather than expect the people to respond to its will. We see no basis for the Federal Government specifying codes of conduct for men, businesses, or communities beyond its constitutional limits.

Following the same principle which Mr. McNamara is applying in his "relentless discrimination" order, he might just as well declare that the Government will not purchase from firms which employ red-headed secretaries in preference to blondes. The point is that there are some things which are none of Mr. McNamara's business.

We have lived a long time within the framework of the present Constitution and have registered unmatched progress. There is no reason to junk it now in favor of government by Executive order which bypasses the legislative and judicial branches.

Secretary McNamara would be well advised to withdraw his "relentless discrimination" boycott order and confess that he has wandered far afield from his normal duties as head of the Defense Department.

We are certain that his retreat will not make life one bit more difficult for members of the Negro race. But we feel that enforcement of his order will injure the rights of citizenship of both white and colored people by establishment of a dangerous precedent. For, if the Secretary of Defense exercises economic blackmail to apply his will, how much longer will it be before the Secretary of Defense is backing up his orders to the American people with Armed Forces?

The doors of the courts are wide open to handle cases of "relentless discrimination," Mr. McNamara. Until they are closed, there is no excuse for a member of the Cabinet attempting to usurp their prerogatives.

[From the News and Courier, Aug. 4, 1963]

POLITICAL USE OF DEFENSE BASES

(An editorial from the Charlotte News)

Defense Secretary McNamara's latest directive bids fair to make Humpty Dumptys of military base commanders in the United States. In a precise defense of imprecise language, the original Humpty declared: "When I use a word, it means just what I choose it to mean—nothing more or less."

So it will be with the base commanders, who have been authorized by Mr. McNamara to declare "off limits" any area—or community—which practices "relentless discrimination" against Negroes.

"Relentless" in this instance, as the Greensboro Daily News rightly notes, is a "weasel word." It means whatever Secretary McNamara chooses it to mean, and the meaning can change from commander to commander—subject, of course, to higher level approval where the meaning well might change again.

The probability of unequal application of the directive is obvious. But the meaning of Mr. McNamara's words is not a point upon which debate ought to be impaled. It needs to be directed, instead, at the improper assumption that the social and civil ills of this Nation fall within the province of military concern.

Those ills, of course, are none of the military's business, unless Congress so declares by legislation or the President, in his capacity as commander in chief, so declares by Executive order. Neither Congress nor the President has made such a declaration.

The Defense Department's sole reason for being is to protect this Nation and this Government against foreign attack or domestic revolt. It is neither required nor authorized to use its considerable economic power to achieve political ends or social and civil reform which, at this time, not even Congress has endorsed as a goal properly within the purview of Federal authority.

[From the Charleston (S.C.) News and Courier, Aug. 2, 1963]

PREVIEW OF POLICE STATE

Orders from Washington to inject the armed services into local public school problems is the latest sample of Government dictation. It is, we are confident, by no means the last.

While citizens are marching in the streets of cities of both North and South, and gearing up perhaps for full-scale race riots, the Kennedy administration is proceeding with its practice runs for the police state in America.

We use these strong terms advisedly. An administration that will direct the Armed Forces to intervene in social and political matters on the scale already announced in the current controversy will not stop at policing the color problem. Once the habit is formed of employing the Armed Forces for domestic purposes instead of protecting the country against foreign enemies, the concentration camp and the firing squad begin to move closer.

Couched in language that seems harmless enough, a Department of Defense order published yesterday in the News and Courier instructs commanders to advise parents under their command of "the constitutional rights of their children to be assigned to school without regard to race." These "constitutional rights"—though supposedly settled by the 1954 decision of the Supreme Court—still are being argued in the courts. Yet Army, Navy and Air Force officers are being commanded to interpret them and see that they are enforced in local communities where military bases are situated. Other directives already have threatened to use the economic weapon, by putting off limits places of business that cater to patrons of only one race.

Meanwhile, in Congress, the so-called civil rights bill is under consideration to give the force of statutory law to Government management of private business policies. As we understand this legislation, it would deny the civil right of a jury trial to businessmen charged with violation of rules for employment and accommodation.

Putting together the removal of protection by juries and the enforcement of Government civil policies by the armed services, a concerned citizen hardly can escape the conclusion that the United States of America is fast becoming a police state in the literal sense of the term.

[From the Nashville Banner, Aug. 2, 1963]

TAX RETURNS NO CLUB FOR INTEGRATIONIST WIELDING

To the docket of coercive devices employed or attempted by the Kennedy team in behalf of its desegregation pitch, now is added the charge that it is using previously secret income tax returns of businessmen to make them integrate their facilities near military bases.

And to Senator BARRY GOLDWATER's urgent suggestion that the Senate investigate that, as well as kindred tactics visited on these areas as policy, through the Pentagon, a concerned public can only reply "It is time somebody investigated them."

Congress through its appropriate committees has that authority—backed with subpena power.

Congress writes the laws, including, certainly, the tax statutes. It also has the responsibility of guarding these against abuse, or misuse for punitive purpose—as a blunt instrument held over individual or community heads.

Moreover, the Defense Department is answerable to Congress for digressing into new policy areas of sociological challenge, waving a big stick, on the domestic front. Whether such originates with Secretary McNamara, or through the Pentagon's embroidery with new offices of fancy nomenclature—such as the Deputy Assistant Secretary of Defense for Civil Rights—Congress has the authority, and the duty, to hold it to an accounting.

One of the foremost civil rights, guaranteed to the citizens by their Constitution—and not lawfully subject to abridgement—is the right to security from political caprice by figures of the Government, itself. That is the point to which Thomas Jefferson was drawing attention when he admonished, "In questions of power, then, let no more be heard of confidence in man, but bind him down from mischief by the chains of the Constitution."

This is, after all, still the United States of America—where the people are boss—and not a police state, wherein they are in subject status to either elective or appointive officialdom.

If, as charged, tax returns—normally and properly secret—are employed as an instrument of coercion; and by units of the Government not properly privy to them, a major departure from the civil proprieties has occurred. And that, note it, is the business of Congress.

No less has a major departure occurred in the order, whatever its source, subjecting whole communities to the off limits status for failure to come to heel—just like that—at the brothers Kennedy et al., cracking of the whip. Again, this is not a police state, relative to military decree, or otherwise.

BARRY GOLDWATER and southern colleagues, challenging the drift in that direction, are not alone, surely, in their concern. As the Arizona Senator clearly pointed out—communities almost as far north as the Canadian border, with military installations, have not adopted all-out integration.

There is a vast difference between the Kennedy team's political interest and the public interest. There are adequate laws to accomplish the latter. It won't be accomplished by the former.

[From the Aiken Standard and Review, Aug. 6, 1963]

ATTORNEY GENERAL OF THE AIR FORCE?

Senator BARRY GOLDWATER, a major general in the Air Force Reserve, sees in the Defense Department's civil rights program "the threat of a military takeover should things change in the country and we find the military commanders have become used to running politics and the social life of the community."

The Arizona Republican expressed this concern in attacking, on the floor of the Senate, the Pentagon order that directs commanders of military establishments to place off limits nearby areas where "relentless discrimination" is found.

Senator GOLDWATER charged that the directive "started in the Attorney General's Office" and demanded an investigation of the recent tour of military bases by the newly appointed Deputy Assistant Secretary for Civil Defense, Alfred B. Fitt, who, he said, was "completely armed with dossiers on the businessmen of the community, dossiers complete with every figure the Committee (Presidential Committee on Equal Opportunity) can get out of income tax returns."

Democratic Senators JOHN STENNIS of Mississippi, and STROM THURMOND of South Carolina, backed the Goldwater charge that the Pentagon order put the military in politics.

The Pentagon admitted that a group of Defense officials recently visited Air Force bases at Biloxi, Greenville, and Columbus, Miss.; Mobile, Ala., and Shreveport, La., and that Mr. Fitt was on part of the tour—"where off-base discrimination problems had been known to exist." But the Department denied that Mr. Fitt or any others had information from income tax records or Government files.

It would seem to us that the Defense Department might have its hands pretty full running the Army, the Navy, the Air Force, the Marine Corps, and in maintaining and strengthening our defenses against the most cunning, ruthless and far-flung enemies the Nation has ever faced—without undertaking to police civil rights.

However, the Goldwater charge of the use of police state tactics, would seem to revolve around the question of whether or not Mr. Fitt and his group have used, as the Senator said, "the full force of the Internal Revenue documents." When the facts have been established by investigation it will then be time to determine the proper scope of military duty.

DOCTRINE FOR TEACHERS

Mr. THURMOND. Mr. President, under the sponsorship of the American Bar Association, the Institute of International Studies at the University of South Carolina has prepared a syllabus and guide for teacher workshops and seminars entitled "Democracy and Communism in World Affairs."

It is my understanding that the draft is to be considered by the American Bar Association this weekend. I sincerely hope that the bar association will scrutinize this work most carefully, for I have had numerous protests from responsible sources concerning the lack of scholarship and the generally ineffective presentation of the subject in this work.

One of the latest criticisms which has come to my attention is an editorial entitled "Doctrine for Teachers" which appeared in the August 6, 1963, issue of the Richmond News Leader of Richmond, Va. I ask unanimous consent that this editorial be printed in the RECORD at this point in my remarks.

I am particularly concerned about this publication since it originated at the University of South Carolina. I have had numerous contacts from across the Nation inquiring as to just how such an inferior work happened to be produced in South Carolina. I must say that I am unable to account for what appears to be a most unobjective work and I join with many others who have taken a sincere interest in informing the public on the issues of communism against democracy and urge that the American Bar Association weigh most carefully the harm that could be done by sponsoring the distribution of an inferior product as a guide to teachers in public schools.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

DOCTRINE FOR TEACHERS

The American Bar Association is circulating a draft version of a new teacher's guide on communism, intended for comment and correction before September publication. Our correction is brief: This draft needs lots of correction; it is unacceptable, and unfortunate.

The proposed publication is "Democracy and Communism in World Affairs." This title omits a significant word when one considers that the book was prepared by the ABA's Standing Committee on Education Against Communism. That word is "against."

Needless to say, this guide does not advocate communism. It does not, as a matter of fact, advocate anything. The message of the manual, which is designed to help teacher-trainees prepare high school courses in communism, pretty much comes down to this: You've got your communism, and you you've your democracy. They both have their good points and their bad points. If you want to "deal effectively" with communism, you have to understand the appeal which it has for its devoted followers. But teachers are warned "to steer clear of the 'good guys vs. the bad guys' approach." Communists are a bit despotic, but are they really such bad guys?

Under this analysis, communism becomes merely an alternate system of social organization, relished by hungry millions who have a taste for totalitarianism. Communism is indeed ruthless, which makes it something of a challenge to the more genteel "forces of freedom." But on the whole, the problem is to maintain a dynamic equilibrium in world affairs, with a judicious use of foreign aid as a holding action, and to demonstrate the moral power of good example. The ABA manual will cost no lost sleep to Walt Whitman Rostow and the State Department policy planning staff.

Over and over again the fledgling teacher is invited to understand the mysterious "appeals" of the Communistic system. He is invited to read the ponderous tomes of George Kennan and Walter Lippmann. He is told that the enormous bureaucracy of Soviet Russia is "essentially conservative." He is reminded of the excesses of our own industrial revolution, although "today we have learned that property is compatible with social justice." He observes the flowering of socialism and Marxism in history and follows the contributions of Hegel and the refinements of Lenin. He finds that Lenin's terrorism perverted true socialism—a development of such magnitude that a whole chapter is necessary to explain that the "democratic socialists are among the bitterest foes of the Communists, as well as their admittedly most dangerous enemies."

And so it goes in a soft tapestry of subtle webs and fine-spun distortions. The manual asserts that communism in the United States began in 1917; in reality Communists set up headquarters in New York in 1872. Here Trotsky published "Novy Mir" until the revolutionaries left to join Lenin in Russia in 1917. The manual implies that 10,000 U.S. Communists have registered under the foreign agents law, whereas none have. The manual twice refers to the pre-election Cuban crisis last year as the "November" crisis; and not without noting that "the U.S.S.R., backed away from the prospect with maturity and realism." The clear and familiar record of Communist espionage and subversion in the United States is ignored while Communist conquests abroad just happen impersonally—the People's Republic of China arises bloodlessly in 1949, Eastern European dissidents disappear, whole nations vanish from the map. The teacher who reads this guide will find no ugliness here.

In opposition to the alluring appeals of the myth they have invented, the authors of this book have no defined philosophy to offer. They speak sometimes of "democracy," although their only conviction is that "political democracy is justified by its own existence." Yet democracy is not distinctive of the American system; it has been representative of many tyrannies and two or three free nations. The significant feature of the American Republic was well expressed by the title of another American Bar Association pamphlet which we had occasion to praise a year ago: "Instruction on Communism and Its Contrast With Liberty Under Law." Americans have found certain limited features of democracy a workable means to a higher end—the dignity of a free man and his property, protected by his dependence on fixed higher principles.

In its anxiety to avoid indoctrination, the current manual forgets that all teachers must have a doctrine. It confuses an open mind with a blank mind. It believes that to be objective, one must have no objective. New discoveries cannot disturb the student who is taught to love the beautiful truths of Western civilization, and to love his country where these truths ought to be protected. Let such a student read beyond the narrow-minded oversimplifications of the coexistence theory, and he will discover that communism is evil. It has its strengths and its weaknesses; but one of its strengths—as this book sadly demonstrates—is the gradual erosion of American doctrine.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

What is the will of the Senate?

Mr. CLARK. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HILL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

What is the will of the Senate?

DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE, AND RELATED AGENCIES APPROPRIATIONS, 1964

Mr. HILL. Mr. President, I ask unanimous consent that the Chair lay before the Senate the unfinished business.

The PRESIDING OFFICER. Without objection, the Chair lays before the Senate the unfinished business, which is H.R. 5888.

The Senate resumed the consideration of the bill (H.R. 5888) making appropriations for the Departments of

Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1964, and for other purposes.

Mr. CLARK. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CLARK. Is the Clark amendment the pending business?

The PRESIDING OFFICER. The Senator is correct.

Mr. CLARK. A further parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CLARK. Have I the right to withdraw the amendment without prejudice to offer it later today?

The PRESIDING OFFICER. The Senator may withdraw his amendment, because no action has been taken upon it. He may do so at his will.

Mr. CLARK. If I withdraw it, may I reoffer it later today?

The PRESIDING OFFICER. The Senator may do so.

Mr. CLARK. I withdraw my amendment for the time being. I notify Senators that I shall reoffer it at a time when I believe it will be possible to have a majority of Senators in the Chamber, and after a "live" quorum.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. COTTON. Mr. President, no doubt debate on the bill will continue long enough so that the distinguished Senator from Pennsylvania will have ample time in which to reoffer his amendment. However, having been courteous enough to inform the Senate that he intends to reoffer his amendment, it is only fair to say that many Senators had hoped that the Senate would be able to pass the bill promptly because of the favorable compromises that had been made in the subcommittee. Unless the Senator from Pennsylvania can take up the time until he reoffers the amendment, I am not sure that other amendments will not be offered.

Mr. CLARK. I must protect my rights in that regard, and I shall do so. It is my understanding that the Senator from Wisconsin [Mr. Proxmire] has informed the Senator in charge of the bill that he proposes to offer an amendment. I intend to get in touch with him to see if he is willing to come to the Chamber and offer his amendment.

Mr. COTTON. That is perfectly agreeable. The distinguished majority leader will be interested in my next statement. If consideration of the Clark amendment is deferred until late in the afternoon, and the amendment is adopted, it is only fair to say that the agreement between the distinguished chairman of the subcommittee, the Senator from Alabama [Mr. Hill], and myself will then be vitiated. I have approximately six amendments which I wish to offer, and upon which I shall want yea-and-nay votes. In the subcommittee, by a meeting of minds and by reasonable concessions, a situation was reached in which it was possible to report a good bill.

The Senator from Alabama will recall that before the Senate adjourned yesterday, after bringing up the bill, I stated, as did other members of the subcommittee, that we would stand loyally by these appropriations, even though some of them, we felt, had gone a little too far. We said that because of the good result we had obtained. However, if the appropriations are to be increased, we will have every right to try to see that some of them are cut down.

This is not a threat of any sort. This is said merely on the question of time. If the distinguished Senator from Pennsylvania withholds his amendment, it may mean that late in the afternoon Senators may find themselves in the position where they will have to offer amendments which they had not intended to offer.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. COTTON. I yield.

Mr. DIRKSEN. Yesterday I was contemplating making a motion to recommit. However, on reconsideration, I thought the committee deserved a pat on the back, first, because it reported a bill which is $265 million under the estimates; second—and this is rather extraordinary, I believe—it is $77 million under the appropriation bill for the fiscal year 1963.

I compliment not only the distinguished chairman, but also the distinguished members on our side, including our ranking member, the Senator from New Hampshire [Mr. Cotton], as well as the Senator from Nebraska [Mr. Hruska], the Senator from Maine [Mrs. Smith], the Senator from Massachusetts [Mr. Saltonstall], and the Senator from Colorado [Mr. Allott] for their diligence with respect to the bill.

If amendments are to be offered to increase the amounts, obviously, if nothing happens, I will still reinstitute in my mind the original feeling that I would offer a motion to recommit, along with all the other amendments that will be offered.

I do not believe that at this juncture the excellent work of the committee ought to be despoiled by trying to raise the amounts in the bill by substantial sums. The amendment that was withdrawn would increase one item by $30 million.

Mr. HILL. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. HILL. It would increase the item by $30 million based on what is calculated to meet a need under legislation which has not yet been reported by the legislative committee.

Mr. DIRKSEN. I understand.

Mr. HILL. Mr. President, will the Senator from New Hampshire further yield?

Mr. COTTON. I yield to the Senator from Alabama, although I was about to yield the floor.

Mr. HILL. What the Senator from New Hampshire has said concerning what happened in committee is absolutely correct. The bill comes to the floor through the joint efforts, the cooperation, and the bipartisan spirit of the members of the Committee on Appriations, both on the Democratic side and the Republican side. We have sought to bring the best possible bill to the Senate. We reported it to the Senate with the understanding that we would fight for the bill in the form in which we have brought it to the floor, believing that, after due consideration by the subcommittee and also by the full committee, and based upon the spirit of cooperation with the committee, the Senate has before it the best possible bill.

Mr. COTTON. That is largely because of the untiring efforts of the chairman of the subcommittee, the distinguished Senator from Alabama [Mr. Hill]. He deserves great credit.

Mr. HILL. It is also because of the generous help, willing cooperation, and admirable spirit of the Senator from New Hampshire.

Mr. COTTON. Mr. President, on that statement, I yield the floor.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum. In view of the situation that now exists, I announce that it will be a live quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 122 Leg.]

Allott
Bartlett
Beall
Bible
Boggs
Burdick
Carlson
Case
Church
Clark
Cooper
Cotton
Dirksen
Edmondson
Ellender
Ervin
Goldwater
Hartke
Hickenlooper
Hill
Hruska
Jackson
Jordan, N.C.
Mansfield
McCarthy
McGee
McIntyre
McNamara
Mechem
Metcalf
Monroney
Morton
Moss
Nelson
Pearson
Pell
Proxmire
Robertson
Scott
Tower
Young, N. Dak.
Young, Ohio

Mr. MANSFIELD. I announce that the Senator from Mississippi [Mr. Eastland], the Senator from Tennessee [Mr. Gore], the Senator from Minnesota [Mr. Humphrey], the Senator from Missouri [Mr. Long], the Senator from Oregon [Mr. Morse], the Senator from Rhode Island [Mr. Pastore], the Senator from Arkansas [Mr. Fulbright], the Senator from West Virginia [Mr. Randolph], and the Senator from Alabama [Mr. Sparkman] are absent on official business.

I further announce that the Senator from Indiana [Mr. Bayh] and the Senator from Washington [Mr. Magnuson] are necessarily absent.

Mr. KUCHEL. I announce that the Senator from Vermont [Mr. Aiken] and the Senator from Massachusetts [Mr. Saltonstall] are absent on official business.

The Senator from Vermont [Mr. Prouty] is necessarily absent.

The PRESIDING OFFICER. A quorum is not present.

Mr. BIBLE. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay, Mr. Anderson, Mr. Bennett, Mr. Brewster, Mr. Byrd of Virginia, Mr. Byrd of West Virginia, Mr. Cannon, Mr. Curtis, Mr. Dodd, Mr.

Dominick, Mr. Douglas, Mr. Engle, Mr. Fong, Mr. Gruening, Mr. Hart, Mr. Hayden, Mr. Holland, Mr. Inouye, Mr. Javits, Mr. Johnston, Mr. Jordan of Idaho, Mr. Keating, Mr. Kefauver, Mr. Kennedy, Mr. Kuchel, Mr. Lausche, Mr. Long of Louisiana, Mr. McClellan, Mr. McGovern, Mr. Miller, Mr. Mundt, Mr. Muskie, Mrs. Neuberger, Mr. Ribicoff, Mr. Russell, Mr. Simpson, Mr. Smathers, Mrs. Smith, Mr. Stennis, Mr. Symington, Mr. Talmadge, Mr. Thurmond, Mr. Williams of New Jersey, Mr. Williams of Delaware, and Mr. Yarborough entered the Chamber and answered to their names.

The PRESIDING OFFICER. A quorum is present.

Mr. PROXMIRE. Mr. President, I call up my amendments, which are at the desk, identified as No. 154.

The PRESIDING OFFICER. Does the Senator wish to have the amendments considered en bloc?

Mr. PROXMIRE. Yes, Mr. President. I ask unanimous consent that the amendments may be considered en bloc and that the amendments may be printed in the Record without being read.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Wisconsin? The Chair hears none, and it is so ordered.

The amendments, ordered to be printed in the Record, are as follows:

On page 9, strike out lines 5 through 7, and insert in lieu thereof "$870,000.".

On page 9, beginning with "$2,048,500" on line 14, strike out all through line 18, and insert in lieu thereof "$1,135,000.".

On page 15, line 20, strike out "$4,670,000" and insert in lieu thereof "$4,347,000".

On page 21, strike out lines 9 through 15.

On page 24, line 7, strike out "$36,830,000.", and insert in lieu thereof "$31,810,000.".

On page 24, line 14, strike out "$3,000,000" and insert in lieu thereof "$2,000,000".

On page 26, line 8, strike out "$16,311,000" and insert in lieu thereof "$13,811,000".

On page 26, strike out lines 10 through 18.

On page 28, line 6, strike out "$30,405,000" and insert in lieu thereof "$25,405,000".

On page 28, line 11, strike out "$30,608,000" and insert in lieu thereof "$28,608,000".

Beginning with page 30, line 19, strike out all through page 31, line 3, and insert in lieu thereof the following:

"To carry out the provisions of title VI of this Act, as amended, $177,914,000, of which $100,000,000 shall be for grants or loans for hospitals and related facilities pursuant to part C, $5,628,000 shall be for the purposes authorized in section 636, and $70,000,000 shall be for grants or loans for facilities pursuant to part G, as follows: $20,000,000 for diagnostic or treatment centers, $20,000,000 for hospitals for the chronically ill and impaired, $10,000,000 for rehabilitation facilities, and $20,000,000 for nursing homes: *Provided*, That allotments under such parts C and G to the several States for the current fiscal year shall be made on the basis of amounts equal to the limitations specified herein: *Provided further*, That funds made available under section 636 for experimental or demonstration construction or equipment projects shall not be used to pay in excess of two-thirds of the cost of such projects as determined by the Surgeon General.

On page 32, strike out lines 10 through 12, and insert in lieu thereof "$4,590,000.".

On page 32, line 19, strike out "$19,145,000" and insert in lieu thereof "$18,745,000".

On page 33, line 6, strike out "$29,980,000" and insert in lieu thereof "$27,921,000".

On page 35, line 15, strike out "$164,674,000" and insert in lieu thereof "$163,869,000".

On page 36, line 20, strike out "$145,114,000" and insert in lieu thereof "$144,340,000".

On page 37, lines 7 and 8, strike out "$190,096,000" and insert in lieu thereof "$177,288,000".

On page 37, line 12, strike out "$133,624,000" and insert in lieu thereof "$132,404,000".

On page 37, line 22, strike out "$19,809,000" and insert in lieu thereof "$19,689,000".

On page 38, line 4, strike out "$114,717,000" and insert in lieu thereof "$113,679,000".

On page 38, line 8, strike out "$69,226,000" and insert in lieu thereof "$68,723,000".

On page 38, line 9, strike out "$350,000" and insert in lieu thereof "$250,000".

On page 38, line 15, strike out "$88,407,000" and insert in lieu thereof "$87,675,000".

On page 42, line 22, strike out "$5,256,000" and insert in lieu thereof "$4,756,000".

On page 45, line 4, strike out "$14,000" and insert in lieu thereof "$7,000".

On page 45, line 5, strike out "$95,000" and insert in lieu thereof "$88,000".

On page 47, beginning with the word "and" on line 19, strike out all before the colon on line 22, and insert in lieu thereof "$1,697,000".

On page 50, line 9, strike out "$6,950,000" and insert in lieu thereof "$6,700,000".

On page 50, line 19, strike out "$7,000,000" and insert in lieu thereof "$5,000,000".

On page 51, restore the matter proposed to be stricken on lines 14 through 18.

On page 51, line 19, strike out "203" and insert in lieu thereof "204".

On page 52, line 9, strike out "$22,560,000" and insert in lieu thereof "$22,060,000".

Beginning with the word "temporary" on page 52, line 23, strike out all before the word "and" on page 54, line 2.

On page 54, lines 6 and 7, strike out "$5,740,000" and insert in lieu thereof "$5,540,000".

Mr. PROXMIRE. Mr. President, the amendments would save the taxpayers a total of $94,955,750.

At the same time they would permit a substantially higher level of spending for virtually all activities than last year's level.

The amendments would simply cut appropriations to the lowest of the following three levels:

First. The President's budget request.

Second. The level of appropriations in the bill as passed by the House.

Third. The level of appropriations in the bill as reported to the Senate.

Superficially, the bill as reported to the Senate would seem to cut spending below last year's levels. Actually it would increase appropriations by more than $176 million. This is because certain authorizations for some important programs have yet to be extended. For example, if legislation granting Federal funds to school districts which have children of Federal workers in their classes were to be extended, as surely it will be, since it is one of our most popular programs, a supplemental appropriation of $216,204,000 would be required.

I am confident that will come up and be passed; perhaps at a higher level. As a consequence, the funding of these programs will be handled in a supplemental appropriations bill.

Taking into consideration the fact that the National Institutes of Health last year returned nearly $100 million—I think $93 million—of appropriated funds, the bill would increase appropriations by more than $269 million over last year's actual spending and my amendments would permit increased expenditures of at least $174 million, even after the cut.

Certainly if we are to attempt to keep Federal spending down in order to ease to some degree our annual budget deficits, we must start here and now. The amendments propose to do exactly this with a set of budget cuts which do not eliminate programs, do not cut them back, generally, but merely attempt to slow down their skyrocketing growth.

The President of the United States said this year, when he addressed the Congress, that he would recommend an increase in defense spending and in space spending, and in meeting our necessary responsibility in connection with interest on the national debt; but that in all other areas of Government spending there would not be an increase.

This policy would certainly apply to the appropriation bill for the Departments of Labor and Health, Education, and Welfare. Why should such appropriations be increased?

I feel that, if we are to take the President at his word—I think he was right in so stating—we should do our best to keep the level of spending as close to the level of last year as possible.

As I have stated, even if the amendments were agreed to and the $95 million cut were provided, there still would be an increase in spending over the sum of last year, by $174 million.

Mr. President, I shall take up the amendments which are incorporated in my amendments No. 154 in order.

SAVE $1⅓ MILLION BY CUTTING BRACERO PROGRAM

On page 9 I propose to strike out lines 5 through 7, and to insert in lieu thereof "$870,000."

This would be a reduction of $1,330,000 for the Mexican farm labor program. I strongly disapprove of this program, but this part of my amendments has nothing to do with my particular attitude on that program. The program has already been killed in the House of Representatives. There is a very serious question as to whether the Senate will pass the program. If the Senate does pass the measure for that program, there will remain a serious question as to whether the House will reverse itself and accept the Senate bill.

Under these circumstances, the recommended action seems to me to be consistent with the philosophy that is followed in our rules—rule XVI, subparagraph (g) and (d)—and also with the philosophy expressed by the distinguished senior Senator from New Hampshire last night. He pointed out, properly, that in the event an authorization is passed at a later date, a supplemental appropriation bill could take care of the funds called for by such authorization. This would seem to be the orderly way to handle the Mexican bracero program. For the Senate to make the assumption—I think it is a very unrealistic assumption—that the program will be revived, and to appropriate nearly $1½ million for it, seems to me to involve an unnecessary expenditure.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. PROXMIRE. I am happy to yield to the Senator from Iowa.

Mr. MILLER. I should like to ask the Senator a question.

There is a great deal of merit in the Senator's amendments. The Senator knows, as I do, how difficult it is to succeed in having the Senate adopt a reduction in appropriations once they have been recommended by the committee.

In the event that the Senator's amendments do not prevail, is it the Senator's intention to try to obtain at least a part of the effect by offering separate amendments with respect to some of the items contained in his amendments, such as the amendment he is now discussing, which would seem to me to be most persuasive even to Senators who might otherwise not go along with the amendments as a whole?

Mr. PROXMIRE. Yes, indeed. I have that intention. I am delighted to hear that the Senator from Iowa may support that particular amendment, when I offer it. I intend to offer that amendment later.

I shall offer only one amendment, or at most two amendments, of that kind. Perhaps there will be only this one. There are 31 different amendments included in my amendments No. 154. If I offered them separately, the time for consideration would be greatly extended.

The vote on my overall amendments may indicate to me generally whether there will be much support for any individual amendments. If Senators indicate to me that there is any amendment which a substantial number of Senators might support, which would give me real hope to have it agreed to, I shall be delighted to offer it.

Mr. MILLER. I hope the Senator will not necessarily be deterred by the vote on the main amendments, because it is understandable that there might be various reasons why Senators would vote "nay," with the result that they might constitute a group so large as to make the vote adverse on the amendments as a whole, whereas if Senators were given an opportunity to vote on individual amendments, the Senator from Wisconsin might well pick up enough strength to have some amendments adopted.

I recognize that there are many amendments, but perhaps if the Senator selected a few—not necessarily only two—they might comprise a good chunk of the $95 million which the Senator is seeking to reduce by his main amendments.

Mr. PROXMIRE. That is very true. Another possible amendment, which I am seriously considering offering, is the amendment with respect to the provision in the bill which accounts for more than half of the $95 million. There is a $50 million increase provided in the bill over the Bureau of the Budget request, over what the agency wants, over what the administration says it can use for hospital construction. It may be that an amendment on that item, to cut it back to what the administration asks, might succeed. That is a possible alternative.

Mr. MILLER. Yes. That is exactly what I was thinking about. I thank the Senator.

Mr. PROXMIRE. I thank the Senator from Iowa.

I have discussed the Mexican farm labor section of my amendment.

SAVING ONE-THIRD OF A MILLION DOLLARS: FDA BUILDINGS

On page 15, line 20, I would make a further amendment. It involves a reduction of $323,000 in the allotment for the buildings and facilities of the Food and Drug Administration.

Incidentally, this amendment would reduce the appropriation to the level recommended by the House of Representatives and passed by the House of Representatives. Last year the Senate passed nothing. So it would still be nearly $4½ million over last year's appropriation, which was nothing in this category.

The extra $323,000 that the Senate has restored from the amount provided by the House is for planning for four district facilities: In Denver, Philadelphia, St. Louis, and San Francisco. The Denver plans will be completed, and the others begun.

The Food and Drug Administration requested funds for planning and for construction of seven district facilities, but construction funds were appropriated in the House for only three of these. The Senate has added these funds for planning purposes for the other facilities. The House wanted the others built before appropriating funds for planning the remaining four.

The question is how fast we should go in constructing these facilities. I am not against constructing them, but should we rush all seven this year? The House does not think that expanded field facilities are that urgently needed, and it was properly concerned with the rapid rate of construction. There were none last year, and seven were proposed for this year.

This is a very rapid step-up, particularly in light of what the President has said about keeping domestic spending down to last year's level.

SCHOOL FOR DEAF—ONE AND ONE-HALF MILLION DOLLAR SAVING

The next amendment involves a reduction of $1,500,000 for expansion of teaching in education of the deaf.

Again we have a request by the administration, by the Budget, that the Congress should pass nothing. It is felt that we should not spend this $1½ million. No funds were requested by the President for this purpose, and the House provided none, even though last year there was a $1,500,000 program.

It seems to me no funds should be appropriated for this purpose until a bill authorizing continuation of the program has passed both Houses of Congress and is signed by the President.

So once again we come to the simple issue of whether Congress should force money on the administration and give it money which it has not indicated it wants. I think we should not do so.

VOCATIONAL REHABILITATION—$5 MILLION SAVING

The next item is on page 24, line 17, involving a reduction of $5,020,000 for research and training funds in the Office of Vocational Rehabilitation.

Last year $25,500,000 was appropriated, and this was an enormous increase.

Let me trace the expansion of spending in this particular agency over a period of 4 years.

In 1960 the appropriation was $12,700,000.

In 1961 it was $16,430,000.

In 1962 it was $20,250,000.

In 1963 it was $25,500,000.

In other words, for each year from 1960 to 1963 there was an increase of $4 or $5 million.

This year the Senate committee has asked for an increase of $11,330,000 in 1 year, an increase of some 40 percent, an increase from $25 million to $36 million.

The House concluded that the proposed increase is too much, being an increase of 44 percent.

If the Senate should go back to the House figure, as my amendment would provide, there would still be an increase of 24 percent, an increase of $6 million over last year's appropriation.

In view of the rapid pace of expansion of this good program—it is a good program and I support the program—a pace which has involved an annual increase of $4 or $5 million, to provide another $5 million this year would be generous, appropriate, and proper, rather than to step up the program suddenly and have an $11 million increase in a single year.

The experience of our Congress with programs that have been rapidly expanded indicates that these are programs in which waste and inefficiency develop.

FOREIGN RESEARCH—$1 MILLION SAVING

My next item concerns funds for research and training in the special foreign currency program in the Office of Vocational Rehabilitation. The Senate committee provided for a $3 million appropriation for that item. It compares with a $2 million allowance by the House.

There are two arguments for my proposal.

This program would provide an additional $2 million, after my amendment. However, the Senate committee feels that we should go to a $3 million level in a program for financing research in foreign countries. I think such a program has some merit, but we should recognize that the real problem of American industry in competing for foreign markets has been the fact that foreign countries have engaged in a great deal more commercial and industrial research than we have. We have concentrated our research very largely in the areas of defense and space, with some in the area of health sciences. But a number of industrialists with whom I have talked to have said one of the reasons for the great expansion of competition from abroad has been the fact that they have had this research advantage.

I think we should continue the program at a generous rate; but to step it up to the $3 million level, and increase it by 50 percent, seems to me to be excessive.

In 1960 the budget request was for $395,000 for this purpose, and it was not granted. Congress did not provide it.

However, in 1961 the amount appropriated was $930,000.

The 1962 appropriation was $1,372,000.

Last year the amount was increased to $2 million, an increase of $600,000 in 1 year.

Now the Appropriations Committee recommends a further increase of $1 million, up to $3 million.

The House has indicated that very few results of this program are available to the Congress now and that it cannot, therefore, be adequately evaluated. House Members felt that Congress should take a good look at this program, evaluate the results, and recognize what benefits have been realized from the large expenditures in the past, before increasing the program by $1 million this year.

ALASKAN WATER POLLUTION—$2,500,000 SAVING

The next section of the bill which I would amend is on page 26, line 8. There my amendment provides for a reduction of $2,500,000 for buildings and facilities of the Public Health Service. This item goes back once again to the House-recommended figure.

It is always difficult to take a position in opposition to the distinguished Senators from Alaska. They are not only charming and attractive, fine gentlemen, and wonderful Senators, but they are also able men who make the best possible case for their State. But what this particular proposal provides, and what I would cut out, are funds for a regional water pollution control laboratory at Fairbanks, Alaska.

Alaska is the largest State in the Union; it is infinitely larger than Texas. It has a very small population. It has vast water resources of all kinds in all areas. It seems to me that to provide $2.5 million for a study or for work on the development of water pollution control in Alaska would make about as much sense as it would have made to provide $2.5 million to clear up pollution in the streams of this country back in 1492 when Columbus discovered America.

If any part of the United States can be expected to be clear of water pollution, it ought to be Alaska. Therefore, the increase which the committee makes over the House figure in order to provide for a regional water pollution control laboratory at Fairbanks makes very little sense to me and, I believe, is another reason why the amendment should be adopted.

BELTSVILLE HEALTH CENTER—$1.4 MILLION SAVING

On page 26 I would strike out lines 10 through 18. The effect would be a reduction of $1,441,000 for an environmental health center to be located in Washington, D.C. The result would be to go back to the figure recommended by the House of Representatives. The House disallowed the request in its entirety. The Senate committee restored it.

The House committee was favorably disposed toward the concept of a major environmental health facility, as was the Senate committee. In 1961, Congress appropriated $785,000 for the planning of this environmental health center. The House report has this to say about the appropriation, at page 20 of the House report.

> This was followed by inexcusable procrastination, indecision, and confusion in the executive branch. Last year it was testified that the site would be announced "tomorrow." This year no site has been selected and no assurance could be given the committee as to when it was to be selected.

The House disallowed the appropriation until the executive branch could come forward with firmer plans, and there could be better evidence of support and cooperation on the part of those interested in the various phases of environmental health. The first set of plans for the environment health center has not yet been completed.

It is true that the Secretary of Agriculture has now proposed a site. However, the site is controversial. The item ought to be separately considered and evaluated by the Senate before such a substantial amount of money is appropriated. The question is whether or not the facility should be located in the District of Columbia area. There was a feeling, eloquently voiced in the House of Representatives, both in the committee and on the floor, that a better place would be a college or university complex. The Senate committee, however, says that any location remote from the Nation's capital would "destroy" the basic "concept" of this environment health center.

I believe that the site suggested by the Secretary of Agriculture was selected in a hurry, in order to present the proposal before the close of the Senate hearings. More time ought to be devoted to careful selection of the site before a money commitment is made that seals the decision and makes it final. When money is spent it is virtually impossible to reverse a decision. Therefore it would be better to defer the appropriations. If there is urgency, action can be taken in a supplemental appropriation bill.

YELLOW FEVER MOSQUITO—$5 MILLION SAVING

The next item is on page 28, line 6. I would reduce the appropriation recommended by the committee from $30,405,000 to $25,405,000.

Of all recommendations which my amendment makes, I believe this is the one that is hardest to refute. This is a cut of $5 million from the communicable disease activities budget. What would the $5 million do? It would initiate a program to eradicate from the United States the mosquito that carries yellow fever.

When did we last have any problem with yellow fever in this country? It was in 1907. There has been no yellow fever problem in the United States since 1907. The $5 million additional provided in the bill would start a $45 million program. The amount in the bill would be the first downpayment on it. Over a 5-year period $45 million would be spent for the eradication of a disease which is not a problem. Furthermore, if there should be an outbreak of yellow fever, there is an excellent vaccine against the disease.

It is true that this might be a contribution to our friends in other countries, but it seems to me that such a program should properly be a part of our foreign aid program. As such it might have some merit; and the Senate might decide to vote for it. This country does not need to spend $45 million to eradicate a disease from which it has not suffered since 1907. There is a vaccine that can take care of it if it should develop.

HEALTH GRANT TO STATES—$2 MILLION SAVING

The next item is on page 28, line 11, to strike out $30,608,000 and insert in lieu thereof $28,608,000. It involves a reduction of $2 million. That $2 million cut is from the $15 million budgeted for general health grants to States. This amendment would cut the figure back to the level recommended by the House. The House made the cut because this is the kind of grant in which the States spend the funds on almost any phase of their health programs that they decide on. The House subcommittee has been told in the past that, to a great extent, the way the funds are used depends on who the health officer is in the particular State. Many health officers have ideas about what is the most important thing in their States, and their ideas do not necessarily coincide with the thinking of the Congress. The cut can thus be justified on an efficiency basis.

Furthermore, this is a matching program which was originally intended to stimulate the expansion of general health programs such as public health nursing and sanitary engineering in the States. It has since lost much of its stimulatory effect and remains a program in which the Federal Government continues to support existing activities at the level of service of a few years ago. The stimulating effect of the program is so minor now that this purpose of the program is largely lost. But the program is so entrenched that some State offices protested vigorously when a requirement was made a year ago that 10 percent of the funds be programed on new activities.

At any rate, the amendment, which would cut the amount back to the House figure, seems to be a sensible proposal.

HOSPITAL CONSTRUCTION—$50 MILLION SAVING

The next amendment begins with page 30, line 19, and strikes out all through page 31, line 3, and inserts in lieu thereof the paragraph that is in the amendment. The amendment would effect a reduction which I have already discussed with the Senator from Iowa [Mr. MILLER]. It deals with hospital construction by the Public Health Service.

It would cut the hospital construction program back to the level the House recommended and the Bureau of the Budget recommended. The Bureau of the Budget told Congress that it could use only a certain amount. However, the Senate insisted on making it $50 million over that amount. The Public Health Service and the Bureau of the Budget had good reasons for limiting that spending, the principal one being that it is difficult to staff such an increase in the number of hospitals, and the amount suggested is just about the amount that can be spent and with as much rapidity as can be justified in view of the availability of the staffs. This is the judgment of a liberal, humanitarian administration.

By spending this additional money, we would be spending it to have hospitals partially staffed or to have them partially empty, or to have them not staffed at all and lying idle.

Furthermore, the cut is justified because the need for the extra $50 million is obviated by other funds that the Public Health Service is getting from the accelerated public works program. Last year, Public Health Service got $44,625,000, and a supplemental appropriation this year gave them another $61,600,000. The total is $106,225,000, and these funds are earmarked for hospital construction. I stress earmarked. So far, Public Health Service has allocated $80,107,234 of the total. Hence, Public Health Service no longer needs $50 million above the budget estimates.

RESPIRATORY ILLNESS—$400,000 SAVINGS

My next item is on page 32, line 10, of the bill. There my proposed change would delete $400,000 for the further expansion of the comprehensive study of respiratory illnesses of coal miners, in West Virginia. It would not eliminate the program, but it would retain it at the $100,000 level, which the House recommended, and which is a sound level. Even Dr. Cooper, who is in charge of the program, testified before the Committee on Appropriations, that $500,000 was too high, and that we could not justify going that high. So my amendment would restore the amount to the moderate level recommended by the House, the level at which the program has been operating successfully for some time.

RADIOLOGICAL HEALTH—$400,000 SAVING

On page 32, line 19, I propose to reduce by $400,000 the amount for radiological health and bring the amount back to the House recommendation. The recommendation of the Senate committee is $400,000 over the House estimate. I understand that the Senate committee's recommendation is $369,000 over the budget estimate for 1964.

This amount was proposed at a time when it seemed very unlikely that there would be a nuclear test ban. Now it seems likely that there will be a test ban. I am not saying that we should condition an appropriation bill entirely on that possibility, but my amendment is conditioned on the possibility of a test ban treaty. If such a test-ban treaty were in effect radiation problems which exist throughout the United States could be significantly lessened. At least, competition in testing would be reduced.

My proposal would not kill the program, but would merely reduce it to a level which seems more sensible and is closer to the budget estimate.

POLLUTION CONTROL—$2 MILLION SAVING

My next proposal is on page 33, line 6. It would cut $2,059,000 from the allotment for water supply and water pollution control. Two million dollars of this reduction—virtually all of it—is applied against the "comprehensive program for water pollution control," for which an increase of $2,428,000 was budgeted. The House committee recognized the importance of this activity, but pointed out that there are already 324 positions and more than $4,500,000 being utilized for this purpose. The House felt—and it seems to me that the testimony in the hearings has corroborated this feeling—that a creditable and timely job could be done with the additional $428,000 provided for this purpose in the bill, and this would be left if my amendment were adopted.

NATIONAL INSTITUTES OF HEALTH—$18 MILLION SAVING

Now I come to a series of amendments relating to the National Institutes of Health, but with one prominent exception, based upon a later change that I make. This is the first year in some time that the Senate Committee on Appropriations has maintained its recommendation to the Senate for appropriations for the National Institutes of Health at the same level as that which the Bureau of the Budget recommended. In the past, the Senate has gone over—and often far over—the amount the National Institutes of Health said it could use.

However, it is true that this year, the Senate subcommittee and full Committee on Appropriations have maintained the level at the amount recommended by the Bureau of the Budget. The changes I propose to make in most of these programs are very slight; they are approximately 1 or 2 percent. They are based on a later change in the bill, which I shall discuss at a later point.

The House recommended that the allotment for overhead which provided to the Institutes for conducting research for the Federal Government be not increased. It will be recalled that last year this figure was increased from 15 to 20 percent. That was a disputed increase, but the increase was made.

This year, the Senate recommends elimination of the limitation entirely. The administration recommended that the limitation be held at 25 percent, and the House has proposed to keep it at 20 percent. My amendment would cut it to 20 percent. Because this additional expenditure to take care of overhead would not be provided in my amendment, a minimum saving of 1 or 2 percent would be effected. In other words, a saving of $805,000 would be made in the appropriation for general research and services, out of the $159 million recommended for appropriation.

For the National Cancer Institute, I propose a reduction of $774,000 from the amount in the Senate bill, so as to make the total amount $144,340,000.

The reason why I have made the series of changes on pages 35, 36, 37, and 38 of the bill is that I stay with the House recommendation, and I will explain why a little later.

MENTAL HEALTH—$12 MILLION SAVING

First, I would make one very substantial additional provision for the Institutes of Health; namely, for mental health activities. For most mental health activities there has been a series of huge increases. The increase recommended this year is the biggest increase, by far, in any section of this bill. It is an increase from $143 million for mental health to $190 million in 1 year, an increase of about $47 million or $46 million. That is an enormous increase. The House decided not to approve that much of an increase, but to approve a more moderate increase. My amendment would cut the figure back to the House figure. The reduction of $12 million by the House, is the reduction which I would support. This involved a deferral of appropriation request for a new program of hospital improvement grants. There was considerable argument in the House hearings on this item. One Representative pointed out that these funds had been authorized with the understanding that "being certain, however, that at least one institution for the mentally ill and one institution for the mentally retarded in each State receives funds the first year." There was no indication that the institutions had to meet certain specifications to qualify.

Furthermore, this item is a 100-percent grant. It is a gift to the States from the Federal Government. Yet the State legislatures have shown no interest in making such grants.

Also, the House committee in an emphatic and comprehensive indictment of the spending in this particular program, said in its report that it was concerned with the lack of definitive details concerning the operation of the program in terms of guidelines, relationship to existing activities, criteria as to qualification requirements, review mechanism, and particularly the nature and extent of State and local participation.

Furthermore, the program is of a transitional nature in relationship to other broad programs in the mental health field currently pending legislative action.

Under these circumstances, it seems to me that this moderate cut would permit by far the largest increase in any health area, for mental health activities.

The recommendation of a $12 million cut in the transitional program, which, as I have indicated, lacks criteria, direction, and guidelines, is justified, and permits the very worthy mental health program to expand substantially.

BUREAU OF FAMILY SERVICES—$500,000 SAVING

On page 42, line 22, I provide an amendment that would reduce the allotment for the Bureau of Family Services by $500,000. The Bureau of Family Services asks for 101 new positions the next year. The House did not allow 51 of these positions, since the Bureau had 42 new positions last year. Also the Bureau just finished making a study of aid to families of dependent children, at the request of the Senate Appropriations Committee—a very interesting and informative study made at the suggestion of the distinguished Senator from West Virginia [Mr. BYRD]. It took some 3 months of concentrated effort with 105 staff members and 2,400 State and local people to make this report, which was submitted only last week. It took no additional appropriations to finance this study, although, as I say, 104 staff members and 2,400 State and local people were involved.

It would seem logical to conclude that if the Bureau could manage this work with no extra money, it surely does not need any extra money for the 50 positions; and the House denied such extra funds.

My proposal and the House proposal would permit an increase of 51 positions; not the requested increase of 101 positions. In view of the activities of this agency, it would seem that it is in a position to do its job without the very heavy expansion it recommends.

SOCIAL SECURITY CONVENTION—$7,000 SAVING

The next provision is on page 45, in line 4. This would provide a reduction of $7,000 in the representation allowance for an International Social Security meeting to be held next year in Washington, D.C. The amendment would still leave $88,000 for the purpose of entertaining and providing for the conference. The House felt—and I think very correctly so—that $95,000 would be an extravagant amount, and that at least some effort should be made toward providing a relatively reasonable sum, so that whatever temptation there might be to have extravagant cocktail parties or banquets might be somewhat diminished. Incidentally, this cut was made on the House floor, and there was very little opposition to it.

PROGRAM FOR DEAF—$125,000 SAVING

Mr. President, the next item is on page 47, in line 19—to strike out all before the colon in line 22, and in lieu thereof to insert "$1,697,000." This provides for a reduction in the sum provided for a program which the Federal Government has had for years. It is a wonderful program for the deaf—and is one I support. However, once again, my amendment simply provides that we return to the budget estimate, to the amount the agency said it could use. It makes no sense for us to force money on an agency. Last year, as I have indicated, the Institutes of Health returned $100 million because they could not find ways to spend it. We know that in the past when we have forced funds on agencies, they feel impelled to spend them, and spend them extravagantly. So it seems that this provision also would be logical and sensible, if we follow the principle of not appropriating more than the Kennedy administration—which has a warm heart and great sympathy with and understanding of these programs—requests.

JUVENILE DELINQUENCY—$250,000 SAVING

On page 50, in line 9, is my next provision. It would cut $250,000 out of the proposal for juvenile delinquency and youth offenses. This is a very modest reduction, incidentally, because the Senate committee provides $6,950,000; and my amendment would reduce it to $6,700,000—or a relatively slight percentage cut.

This conforms with what the House has done. The House claims that this reduction results from a disallowance of the funds requested for financing the project beyond the end of fiscal year 1964. A number of experts testified at the hearings and a number of persons have indicated that the juvenile delinquency program was not doing very well, and perhaps should not be continued. At any rate, it would seem that to appropriate funds to extend it for more than the coming fiscal year would be unwise, in view of the fact that there is pending on the calendar, and the Senate probably will pass, the so-called Domestic Peace Corps or Service Act, which also is aimed at meeting this particular need—although, admittedly, in a small way. But in view of that, the slight cut of $250,000 which the House made, seems to me to be a sensible one to support.

EDUCATIONAL TV—$2 MILLION SAVINGS

The next provision is on page 50, in line 19; and there I would make a reduction of $2 million in the item for educational television facilities.

Mr. President, I believe very enthusiastically in educational television. Wisconsin pioneered with educational radio and educational televison, and has a fine station at Madison, and another excellent one at Milwaukee. They have done wonderful work, and provide excellently for a cultural need and an educational need. They provide economical methods of education. This is a fine program, and I believe we should support it. But even with the cut I recommend, which the House has voted, we would support it very generously.

Last year, $1.5 million was provided for the program. Even with my cut, we would provide $5 million this year. In other words, the amount for the program would triple in 1 year. So it seems that the House is correct when it says that although this is a good program, we should go a little slower, rather than provide this rapid increase, and that it would be wholesome and efficient for Congress to take a little time to study the experience with the program before it proceeds with a 400-percent or 500-percent expansion of the program.

A 20-PERCENT LIMIT ON INDIRECT RESEARCH EXPENSE

The next item is on page 51. My amendment would restore the matter now proposed to be stricken out, and thus would restore the House language. I have already briefly discussed this item. This provision would set a 20-percent limit on indirect expenses connected with research projects.

Frankly, this is a controversial item; many persons in my State disagree with me on it, and they include most of those interested in it—the university people. I do not believe we should allow 25 percent—or, as the Senate committee has done in the bill—an unlimited amount to cover indirect expenses. If I were a university president or a university official, perhaps I would feel differently. But if we are going to provide aid to education, which I enthusiastically support, we should frankly specify it as such. Last year we did increase this indirect allowance from 15 percent to 20 percent—a one-third increase in 1 year, an enormous increase. But to increase it now so greatly that it would be a two-thirds increase over a period of 2 years would seem to me to be excessive, particularly in view of the findings of the Fountain subcommittee. I think that subcommittee has made a very fine study of this whole area and has adduced much more information than Congress previously had; and last year the subcommittee made an excellent report on the HEW and on spending in the whole research area. The subcommittee stated:

> Much if not most of health related research is conducted by investigators using facilities which would serve also for teaching, for clinical practice, and for research sponsored by the institution itself as well as for Government-supported work.

So when a Federal agency makes financial aid available to help support research proposed by a scientist, and of a type customarily carried on by institutions of higher learning, the Fountain subcommittee believed that under the circumstances the Government does not incur the same obligation for indirect costs that it does with respect to sponsored research.

The overwhelming majority of these funds—almost all of them—are being spent on programs in which the institution will come to the National Institutes of Health and the other research facilities, and will propose that a program in which it wishes to engage be supported by the Federal Government. Under these circumstances there is no question that much of the indirect expenses cover the university or institution's indirect costs. There is benefit to a college, to a university, or to an institution to have the indirect costs covered to some extent; and with a 20-percent allowance, the Federal Government covers two-thirds of the indirect costs—because the maximum estimate is that the indirect costs are about 30 percent of these research projects. So it seems to me that the Federal Government should not be required to go higher than two-thirds. That is the gist of this language, which strikes out the Senate committee provision, which has no limit at all, and returns to the House provision, which would continue at a 20-percent level—the one we voted last year over the 15 percent of the year before.

Mr. President, the last provision I had is on page 52, in line 9. Since I started to speak, an alert staff member has called to my attention the fact that my amendment is in error. So I wish to modify my amendment on page 5, in line 1; the reference to page 52 of the bill should read "page 53." Of course, this was just a typographical error.

The PRESIDING OFFICER. The modification will be made.

The last amendment.

A $500,000 SAVING IN NLRB

Mr. PROXMIRE. Mr. President, the last amendment I have is on page 52, on line 9, to strike out "$22,560,000" and insert in lieu thereof "$22,060,000." The effect of the amendment would be to make a cut of $500,000 in the items for the National Labor Relations Board—thus restoring the appropriation to the House level.

The last amendment I have is on page 52, line 9. The effect of the amendment would be to cut $500,000 from the appropriation for the National Labor Relations Board, restoring the appropriation to the House level. The National Labor Relations Board is a fine board. The head of the Board is one of the finest men in government anywhere. He is Mr. Frank W. McCulloch, the former administrative assistant to the distinguished Senator from Illinois [Mr. DOUGLAS].

Mr. McCulloch has done a splendid job on the National Labor Relations Board. He certainly deserves the support of the Congress. However, the funds appropriated for the Board have skyrocketed in recent years. The amount recommended in the House bill, and stated in the amendment of the Senator from Wisconsin, represents an increase of over 130 percent in 6 years. It is true that the workload of the Board has increased during the same period. The House was convinced that the Board could handle the workload well, on the basis of its fine record. The appropriation would represent a substantial increase of $1 million, even if my amendment were agreed to. It seems to the Senator from Wisconsin that that makes sense.

A $200,000 SAVINGS FOR MEDIATION SERVICE

My amendment includes one more provision, which appears on page 53, line 23, and on page 54, lines 1 and 2, referring to employment of arbitrators, conciliators, and mediators on the Labor Relations Board at rates of not in excess of $100 per day. My amendment would provide for an increase of $350,000 in that provision over the $5,195,000 provided for last year. That is an 8-percent increase, which is a pretty generous increase. The House hearings and the committee report indicate emphatically a good job can be done with that amount.

On the basis of the review which I have made of my amendment, item by item, it seems that in every case the levels of spending which would be provided under my amendment would be adequate to provide an expanded program, an increased program, and a program which would permit the agency to move ahead and cope more effectively with the educational, health, and welfare needs of our Government, except, of course, in areas in which the administration—the action being concurred in by the House and Senate—has decided to drop a particular program. Such a situation is rare.

SUMMARY

To sum up, the amendment would cut appropriations, to the lowest of the following levels: First, the President's budget request; second, the level of the appropriations in the bill as passed by the House; third, the level of the appropriations in the bill as reported to the Senate. Superficially the bill as reported to the Senate would seem to cut spending below last year's level. It would not. The bill before the Senate would increase appropriations by more than $176 million over last year's level of appropriations in the same areas. If we recognize the fact that approximately $93 million of appropriated funds were returned by the National Institutes of Health, the bill before the Senate would recommend a $269 million increase over last year's actual spending. In view of the fact that the President has said that we should not increase the rates of spending except in connection with defense and space programs and interest on the national debt, it would seem that Senators who support the President in that regard would also support my amendment, because at least the amendment would bring the appropriation $95 million closer to the President's intention in his effort to hold the line.

If there is to be economy anywhere in the Federal Government it should be in an area like the one which we are discussing, which has nothing to do with national defense. The amendment would permit programs to move ahead at a reasonable rate, and keep them from skyrocketing out of control.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. KENNEDY in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PROXMIRE. Mr. President, I ask for the yeas and nays on my amendments.

The yeas and nays were ordered.

Mr. PROXMIRE. Mr. President, I yield to the distinguished Senator from Connecticut [Mr. DODD].

TRIBUTE TO WILLIAM RAY OF WEST HARTFORD, CONN.

Mr. DODD. Mr. President, our Capitol is being visited today by a very special visitor, a young man from West Hartford, Conn., named William Ray. The story of this young man is so instructive and inspiring that I wish to tell it on the floor of the Senate. It is a story that tells us what courage and determination can achieve in the face of personal tragedy.

William Ray was born in West Hartford in 1946. He has lived all his life at 36 Cortland Street. His early years were much like those of any other American boy.

Bill attended Elmwood Elementary School through the sixth grade, and enjoyed perfect health for 12 years. When 11, and in the sixth grade, he built a computer from a Westinghouse schematic. It was through this effort that he was sent to a special elementary class at Trinity College and received instruction in biology under the supervision of Dr. Stanley Zimmerman for a year.

In 1959 Bill entered Talcott Junior High School in Elmwood and attended school for about 2 months before he was stricken with rheumatoid arthritis. He was 12 years old at the time. He was in and out of the hospitals, while specialists performed various tests in order to confirm their original diagnosis. There followed a period of about 2 years when he was confined to bed with a high fever most of the time, his entire body almost too stiff and sore to move. At times the limbs were almost paralyzed from lack of movement. He lost considerable weight and was a very sick boy. Whenever it was possible, he had a tutor come to his room and try and teach him some of the work his class was covering.

In March of 1960 he was anxious to enter a project in the school science fair. Under great difficulty he built one on thermoelectricity. He was overjoyed when he won first prize for his entry. The same project then entered the Northern Connecticut Science Fair at the armory in Hartford, where it won another prize, a second science grant.

It was still impossible for him to walk, but he tried to continue his school subjects at home with the help of the tutors supplied by the town of West Hartford. They were very kind and patient with Bill, which helped him considerably. The following year he built another project for the Northern Connecticut Science Fair. This time it was a model displaying hydroelectric power. It won him a first science grant in May 1961.

During these months he was receiving therapy treatments at home in order to rebuild the muscles of his legs. The disease had eaten away all the tissue, and he was unable to move them.

He became interested in ham radio operations, and managed to get his novice class license in 1960. He spent hours and hours just learning the code necessary to qualify, as well as practicing with his key to send out messages. His progress was slow as his fingers were too stiff to send out messages very fast. However, he did receive his general license soon afterward. This encouraged him to build a complete ham radio station in his room.

It has been through this hobby, ham radio, that he has made many wonderful friends throughout the United States, as well as in countries throughout the world. The exchange of cards, representing every corner of the earth, decorate one corner of his station.

During these long months, he still remained at home because of his illness. The West Hartford school system experimented with Bill, by installing an intercommunication system in the 9th grade classroom so that he might become part of a class, and possibly participate in discussions. He would sit up in bed and answer the teachers at school, as well as listen to the others in class. He enjoyed this plan of schoolwork very much.

Last September he entered Conard Senior High School in West Hartford. He was delighted as it was the first year in four that he was able—with the help of his wheelchair—to actually attend school in an institution. The course was hard, as he had to make up credits. However, the principal planned it on a part-time basis, with the consent of Bill's doctor. He took two subjects at school in the morning, and three subjects at home in the afternoon with tutors. He was driven to school every day and went about the building in his wheelchair. Unfortunately, there were many, many days he was too sore and stiff to attend. However, in June he made the honor roll and passed into his junior year. Right now he just completed a 6-week summer course at the school in college preparatory mathematics. He seemed to enjoy it very much and realizes how important it will be as he hopes to obtain an electrical engineering degree someday, somehow.

His doctor is Dr. Edward Scull, a specialist in rheumatoid arthritis. He is very pleased with Bill's progress over the past 5 years. He says it was a very severe case of juvenile rheumatoid arthritis and in the past year has shown progress. However, there is still arthritis activity there, and he is unable to give a prognosis as to when it will all leave. He claims Bill's terrific interest in outside activities has done wonders in keeping his spirit up.

Bill is constantly trying to train himself to fit into a given field for the future.

This is a story of quiet heroism by a young boy.

It is a story of unsurpassed love and sacrifice by his parents, of dedication by his doctors, of devotion to the highest concept of duty by the West Hartford school system.

It reminds us of the great good in the world and it asks of each of us: What are we doing with the opportunities and privileges we have? Few, if any, can measure up to the standard set by Bill Ray.

And so I am proud to pay tribute to him today on the floor of the Senate and to call his example to the attention of the Nation.

Mr. President, I ask unanimous consent to insert in the RECORD a number of newspaper articles about the achievements of this remarkable young man.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Hartford Times, Mar. 19, 1960]

STUDENT TRIUMPHS OVER HANDICAP

You can't keep a good man down.

Or, in this case more accurately, you can't keep a good young man down for long.

William H. Ray, Jr., is 13, the slender, bespectacled son of Mr. and Mrs. William H. Ray, of 36 Cortland Street, Elmwood.

He has lived 1½ years under a handicap, a severe case of rheumatoid arthritis that prevents him from joining in most activities and that has kept him out of school for prolonged periods.

Tutors supplied by the West Hartford schools have visited him at home during his illness and kept him abreast of his class at Talcott Junior High School when possible.

It might seem that Bill Ray has enough to do without taking on extra projects, but that didn't prove to be the case.

His teachers suggested that he work on an exhibit for the school science fair, which was conducted this week.

During a period of 3 to 4 weeks—part of which he was unable to devote to his project—he constructed a demonstration thermoelectricity apparatus that operates a small motor.

The principle is that certain different metals, when placed together and heated, will produce electric current. Bill succeeded in demonstrating the principle and harnessing the resulting power for exhibit purposes.

Judges, who examined entries without any information on the builders, picked the thermoelectricity project for first prize in the eighth grade.

Thursday night Bill visited the Talcott fair in his parent's company to see for himself the bright blue ribbon tacked to his display.

The boy, who exhibits a science bent in other areas, is also teaching himself Morse code with the aid of a shortwave receiver.

Perhaps the most excited member of the Ray family, when told of Bill's triumph, little sister Kathryne, an Elmwood School student, who was "absolutely thrilled," said Mrs. Ray.

And it all goes to show that you can't keep a good man down for long.

[From the Catholic Transcript, Apr. 14, 1960]

HANDICAP NOT BLOCKING YOUTH WITH SKILL AND SOUND VALUES

Young Billy Ray, of Elmwood, thinks the drug industry owes him a gold pill. Under doctor's orders he swallows 20 tablets daily, including 12 aspirin, to deaden the biting pains of rheumatoid arthritis.

For the past 18 months Billy has patiently suffered, determined to overcome the affliction that has stiffened several parts of his body. Seldom does this slim, good-looking boy with neatly combed black hair complain. His lighthearted remark about deserving a gold pill is typical of his outlook.

There are times when he does become depressed. Who wouldn't? But how many adults could counter with, "When this happens I wish someone would shake me until I snapped out of it. Nothing can be gained from feeling sorry for yourself."

Impatient with sympathy this 13-year-old recently proved that his physical limitations won't interfere with his career. Although he has not been able to attend classes at Talcott Junior High School, Billy prepared an exhibit for the recent science fair.

After carefully scrutinizing all the entries from eighth grade students judges pinned the coveted first place blue ribbon on the project engineered by Billy.

Entitled "Thermoelectricity," Billy's display features a thermopile which produces electricity from heat. In a printed description of the project Billy pointed out that thermoelectricity is "very reliable in low voltage applications such as radio, telephone, and telegraph. He went on to make note of the fact that Russia is manufacturing kerosene lamps to serve as heat sources for thermoelectricity which is being employed to power radios in remote areas of the vast country.

"Luckily my arthritis hasn't affected my hands," says Billy, gifted with long agile fingers. "If it had, I guess I would really be in trouble. I like to build and repair electronic devices."

Bent on becoming an electronics engineer, specializing in either radar or automation, Billy has been electrifying friends of his parents since preschool days with his ingenious homemade inventions.

His mother recalls, "Billy's been carrying tools around in his pockets back as far as I can remember. He has always wanted to take things apart and rebuild them."

As a fifth grader Billy assembled a computer without any assistance. The job, considered a challenge for a junior high school pupil, amazed his teacher. Later the computer was sent to every school in West Hartford for viewing by science enthusiasts.

Friends of the Rays pass along old radios which Billy converts into receivers operating on emergency bands. Most of the sets are useless when they arrive in Bill's basement workshop. New life is given to them through his painstaking efforts.

At present Billy is engaged in building a pocket tape recorder. He says that for an expenditure of $30 for parts he hopes to fashion a piece of merchandise worth more than $250.

His mother and father are well aware of Bill's talents with recorders. Unknown to them he revitalized a discarded unit, "bugged" the living room with a tiny microphone and late one night invited his parents to listen to their evening's conversation.

Mainly Bill is interested in electronic communications. He hopes to obtain an amateur radio operator's license in the future and join the world network of "hams."

With Billy, know-how is accompanied by strong desire to investigate and uncover reasons. He reads publications aimed for adults and is able to express himself on several weighty subjects.

Looking at the approach to science taken by the average junior high school student, Bill states, "Too many want to build junk. Look at the time spent by teenagers on outer space rockets. When assembled these rockets are nothing more than oversized hand grenades. A fellow 12 or 13 years old can't possibly uncover anything that is not already known by the experts."

Continuing he says, "Others spend their time putting 'burp' guns together. What good are they?"

From his self-assigned studies Billy draws the conclusion that Russian youths lead American contemporaries in the field of science. But he quickly brings to light the possibilities for Americans.

"In Russia a boy my age, who wants to study amateur radio, has to join a community station. He is one of 12 members. His opportunities are limited. Here, once a fellow has his equipment, he can go to work on his own, learning as much as he can absorb. There is no limit as to what he can do. The boy in Russia is restricted in many ways."

Outer space vehicles appeal to Bill only to the extent of their communications systems. He studies the reports and descriptions of the units and catalogues the information in his fertile mind.

Teachers have informed Mr. and Mrs. William Ray that their son is ahead of the average science student and that his undertakings go far beyond what is offered in classrooms.

Despite his sickness, Billy has remained abreast of his class in all subjects through home tutoring by teachers in the West Hartford school system.

Billy is reluctant to talk about the misfortune that befell him in the fall of 1958. It began with pains in his right ankle. When the ankle swelled up a doctor suggested he drop out of physical education classes, and diagnosed the condition as a result of "fast growth in the boy."

Subsequently, the pains worsened, spread to his knees and were accompanied by a high fever. Specialists were called in for several weeks, no one could put his finger on the cause. Not until February of 1959, at the end of a long hospital stay, did the Rays know Billy had rheumatoid arthritis.

Last summer he showed marked improvement and returned to school in September. His stay was short and by December he was in the hospital again undergoing more tests and treatment.

Damp days are exceptionally rough on Billy. His muscles tighten and ache. Even while the weather is clear and no one can be sure whether or not Billy will be mobile. At the end of many days he has to be carried upstairs by his father, who is comptroller and personnel director at WNBC–TV, New Britain.

His flair for electronics has done much more than keep him occupied in recent months. Billy has installed an intercom system in the house so he can communicate with his parents and save them steps.

Hopefully, Billy thinks he may regain full use of his body this summer. Doctors have informed the Rays that Billy's condition is unusual; that rheumatoid arthritis in a growing boy is a rarity. They say it could disappear as fast as it came, or linger indefinitely.

Billy has heard these reports and insists on being optimistic. He has developed a well-balanced sense of values. Draped over the bedpost in his home is a set of rosary beads. Every night his mother and father and young sister, Kathryne, join him in reciting the rosary.

And pennants are not the only wall decorations in his room. There are several religious pictures that have been carefully clipped from magazines and neatly tacked above his bed and dresser.

In more than electronics, Billy is quite a young man.

LET US GIVE FULL EQUALITY TO THE COAST GUARD

Mr. GRUENING. Mr. President, yesterday, in the course of the debate on the military pay bill, my colleague from Alaska [Mr. BARTLETT] offered an amendment to the Senate committee draft of the bill to restore an item which the Senate Committee on Armed Services deleted from the House version. It sought to restore equality in the pay of the Commandant of the Coast Guard with that of the chiefs of the other services; namely, Army, Air Force, Navy, and Marine Corps.

My colleague made a very effective presentation of the reasons for the restoration of this item, to reestablish equality of treatment for the chiefs of all the services.

The Senator in charge of the bill opposed the amendment on the ground that the discrimination wrought by the Senate Committee on Armed Services was based on the fact that the Commandant of the Coast Guard was not a member of the Joint Chiefs of Staff, who for that reason were given an added emolument.

I do not share the point of view of those who made this change in the House bill. The Senator in charge of the bill opposed the amendment, which my colleague then withdrew. My colleague had made his point, however, by urging the House conferees to stand firm. I join him in his plea, and urge the Senate conferees not to insist on its change.

The argument that the personnel of the Coast Guard are not as great numerically as those in the Army, Air Force, Navy, and Marine Corps does not strike me as relevant.

Whatever its number, the Coast Guard is a highly important and admirably functioning agency. We in Alaska, who see it daily at work, admire and cherish it. It is, in the tradition of its motto, "Semper Paratus," ready at all times to meet unexpected emergencies, to save lives, to help those in distress along our farflung coastlines.

I hope that in conference the House version in this respect will prevail. That the Commandant of the Coast Guard is not one of the Joint Chiefs of Staff is probably an omission which should be rectified by amending the existing composition of this important body. But that is no reason for downgrading a service of such historic and continuing importance to our Nation.

NEW OPPORTUNITIES IN NUCLEAR POWER PROGRAM

Mr. JACKSON. Mr. President, I am most pleased to bring to the attention of my colleagues a discussion by Commissioner James T. Ramey, of the Atomic Energy Commission, which was published in Nucleonics magazine in its July 1963 edition.

Commissioner Ramey is a comparatively new member of the Commission, however, he brings to it years of working experience in the atomic energy field. Before joining the Commission, he served as a most able staff director of the Joint Committee on Atomic Energy for 6 years and prior thereto he worked for the AEC in legal and administrative positions.

In the interview published in Nucleonics, Commissioner Ramey provides an articulate explanation of the Commission's current efforts to obtain maximum industrial participation in the nuclear power program. He also presented some recommendations aimed to provide new opportunities for qualified nuclear firms.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NEW OPPORTUNITIES IN NUCLEAR POWER PROGRAM DISCUSSED BY COMMISSIONER RAMEY

(AEC Commissioner James T. Ramey has been particularly active in exploring means by which AEC can assist firms, whose reactor technologies haven't yet gained a commercial market, to keep going until a self-sustaining and competitive nuclear equipment industry becomes possible. His interest in this problem dates back to when he served AEC's Chicago Operations Office as assistant counsel and assistant to the manager 1947–56. In the following interview, Ramey discusses current AEC efforts to maximize industrial participation in the nuclear power program and offers some new suggestions of his own.)

Question. What public interest considerations do you feel justify AEC's lending a helping hand to reactor firms which have not yet been able to establish themselves solidly in the nuclear power field? Conversely what should be the limitations on such a policy?

Answer. It should be recognized that only one or two firms have as yet been able "to establish themselves solidly in the nuclear power field," and this only in the last year or two.

The Atomic Energy Act has recognized as a public interest consideration in the atomic field a policy "to strengthen free competition in private enterprise." This policy would seem to be particularly applicable to the atomic power equipment industry. The AEC at the present time has something of a moral obligation with respect to industrial firms who were exhorted prematurely to come into the field. But this policy is different from a made-work program to keep a tired established industry in business. Rather it is to assist an emerging industry in bringing in a wholly new energy resource with as few violent fluctuations as possible.

On the positive side it is in the public interest with a new technology to encourage the variety of technical approaches which competition among a number of firms can provide. Similarly the presence of several firms in bidding on plants will insure that costs are realistic and prices not inflated. As a competitive industry gets established, it should be able to take over more of the development effort.

On the restrictive side, the public interest consideration reflected a long established policy against monopoly or oligopoly. As applied to atomic energy this policy would help prevent restraints on the development of this resource, and the distortion of the technology in the interest of short-term monopoly factors.

The limitations on the policy should be to recognize that the AEC's program and the atomic equipment industry itself can be spread too thin. In my opinion we are spread too thin right now in fuel element development. The other limitation is that contract awards should only be made to well qualified firms. We shouldn't keep mediocre firms in business for the sake of maintaining competition.

Question. What steps are being taken by AEC to provide new opportunities for qualified nuclear firms?

Answer. The Commission lately has taken several steps in this direction:

The AEC recently adopted a policy of seeking competitive proposals on renewals of certain of its operating contracts, and all its service contracts, at AEC installations. With regard to renewal of certain operating contracts, the policy would give some weight to a firm's investment in the private development of atomic energy.

The Commission, at the Chairman's suggestion, in order to develop further a policy of encouragement of a competitive industrial base, has directed the staff to review the contractor selection system, and to consider measures whereby the Commission itself can develop or approve appropriate criteria of selection in important contract cases, and generally take a more active interest in the selection process.

The Commission at my suggestion has recently directed its staff to study possible criteria applicable to future extensions of its third-round invitations which would permit, as an alternative, firms to bid on 600-megawatt or larger stations to include two or more reactors. This might make it possible for firms to bid who do not believe they can take the risk on a single 600-megawatt or larger reactor. It is possible that tandem reactor stations may be as economic as large single reactors, taking into account shutdown time, and other factors.

The Commission is continuing its interest in smaller reactors (see question 7 for details).

Question. What further steps in this direction do you recommend?

Answer. Additional steps which I would recommend include:

We need to get a better idea of the economic impact of the AEC program as a whole and that of the other private atomic programs on those companies which make up the atomic equipment industry. The Division of Industrial Participation has made a start in this direction, but more needs to be done. From AEC's standpoint, we should be able to see not only what the civilian atomic power contracts add up to per company but also military and space contract dollars. Perhaps this is an area where the Atomic Industrial Forum and other industry organizations can be helpful.

There is need for a more vigorous educational effort on the desirability of developing a competitive nuclear equipment industry. This used to be recognized in AEC years ago, but the application of the more recent AEC procurement policies have tended to give large and established firms an advantage.

It would appear desirable for AEC to convene a series of followup seminars this fall with the utility and atomic equipment industries as to where we should go from here in implementing AEC's report to the President. I would hope that policies for further encouraging a competitive industrial base would be considered.

We should develop further improved means of regularized consultation between AEC and industry and labor in regard to the atomic power and related programs, in which this subject could be considered among others. Some progress has been made in this general field, but consideration should be given to broadening our channels, such as the AEC Labor-Management Committee or providing additional channels.

A further adaptation of AEC's policy in seeking competitive proposals on renewal of its contracts should include consideration of segmenting its operation to permit equally or better qualified organizations to operate parts of the installation which can be separated efficiently. This is a suggestion being pressed by Mr. Tremmel, AEC's Director of Industrial Participation.

Question. How much opportunity do you see for new firms to replace contractors operating AEC-owned facilities, in view of the highly specialized nature of these facilities and the long intimate experience of the present contractors?

Answer. The AEC has been fortunate in having a number of very well qualified contractors. However, in some instances the obtaining of competitive proposals could reveal equally or better qualified organizations than the present contractor operator. The experience of the present contractor, except possibly at its top management level, would not be an important factor, since it would be expected that most personnel would stay with the project installation. A countervailing factor in some cases would be an evaluation of the real interest of the proposers in the project as a part of the atomic energy program, as evidenced by their respective investment of people and facilities in the private development of atomic energy.

The feasibility of segmenting contract operations and obtaining competitive proposals on the segmented portion also has important possibilities.

Question. Although AEC's prototype program is directly applicable to several firms with advanced reactor types, is it adequately paced to provide timely assistance to these companies? Also, what about the uncertainty of future budgetary support for the prototype program?

Answer. The prototype program, although designed for programatic purposes, would seem to afford timely assistance to firms with advanced reactor types. This program would involve new starts on 7 or 8 prototypes in the next 10 or 12 years, and would, of course, also involve related research and development support. Certainly such a program would help firms interested in concepts which will be ready for prototyping in the next few years, such as the sodium graphite, the gas-cooled and the nuclear superheat.

There is undoubtedly some budgetary uncertainty on prototypes beyond that proposed for fiscal 1964. If the program is curtailed or stretched out, then it could indeed be too slow paced to be an effective incentive.

Question. To what extent might AEC be able to increase contractor participation in research-development programs now essentially on an in-house basis?

Answer. In view of the history of the proposals made several years ago by the chamber of commerce, the NAM and the Manufacturing Chemists Association, and the consideration given them by the AEC and the Joint Committee, I would say this is an interesting and touchy question which deserves further study. The AEC is carefully considering certain new research and development projects with a view as to whether they should be conducted on an "in-house" basis or at private industrial installations or other organizations.

Question. What AEC efforts are required to improve the economics of small- and intermediate-sized reactors and to promote a market for them? What sort of a market potential do you foresee among publicly owned utilities, in view of their generally not requiring large-size units? What about the foreign market potential for small-size reactors?

Answer. I don't believe AEC needs to do much more at present on improving the technology on small reactors, as such. But we should carefully evaluate the experience of the smaller reactors which are going or have gone, into operation this year to see what the technical and economic prospects for these reactors will be.

As to promoting a market for them, we should certainly try to keep the door open in the power demonstration program, particularly in the unsolicited proposal category. We should be on the alert for further demonstrations of small reactors, such as the possibility at Key West, Fla., of a combination nuclear electric plant and desalting facility. The AEC and the Department of Interior are conducting a joint design study of this project.

We won't know the market potential for nuclear power among the publicly owned utilities until the above evaluation takes place, and until the extent these utilities can and will pool their requirements can be ascertained.

I believe the foreign market for small and medium sized reactors (up to 200 megawatts) will for several years be limited to demonstration plants. Certainly there are possibilities in such developing countries as the Philippines, Pakistan and Taiwan, as well as possibly some of the industrialized countries. Much will depend on our own experience with small plants, and with our policies on international assistance.

Question. It has been noted that AEC has stepped up its promotional activities in an effort to interest utilities in building nuclear plants on their own or under one of the financial assistance programs. Could you describe the nature of these activities and the results that have been obtained thus far?

Answer. These are informal sessions which Commissioners and top staff are holding with their counterparts in the privately- and publicly owned utilities. A total of 18 utility sessions have been held. In these sessions the utility executives are encouraged to describe their current programs and future power plans with particular reference to nuclear power. The Commission usually describes its prototype and power demonstration program and encourages the utilities to identify any AEC policies or problems which they would like clarified.

I believe these discussions have been mutually helpful. In a number of cases there have been followup sessions between our respective staffs. In my opinion these sessions were helpful in moving up the schedule on the start of one atomic plant, and in enlisting interest by several utilities in AEC prototypes and possibilities for going ahead with atomic plants not otherwise considered under the AEC power demonstration program.

DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE, AND RELATED AGENCIES APPROPRIATIONS, 1964

The Senate resumed the consideration of the bill (H.R. 5888) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1964, and for other purposes.

Mr. HILL. Mr. President, the Senator from Wisconsin [Mr. PROXMIRE], speaking in behalf of his amendments, stated that the bill would increase appropriations by more than $176 million. The Senator arrived at his figure, for example, by including the statement:

> If legislation granting Federal funds to school districts which have children of Federal workers in their classes were to be extended, as surely it will be, a supplemental appropriation of $216,204,000 would be required.

The $216,204,000 was not in the budget estimates. It was not in the estimates sent to Congress by the Bureau of the Budget. It was not in any way considered by the House. It was not in any way considered by the Senate. It has no place whatever in the consideration of the bill. It is merely a reaching out for a figure, to arrive at some figure which the Senator from Wisconsin would like to have. It has nothing whatever to do with the budget or the figures in it, or the estimates of appropriations in the bill.

The Committee on Appropriations considered the bill very carefully. The committee exercised its best judgment. Senators on the Democratic side and those on the Republican side did what they could to insure most careful consideration. After careful consideration by Senators on both sides of the table, the bill was reported. The bill provides $77,345,350 less than the appropriations for the last fiscal year of 1963. The bill provides $264,861,750 less than the budget estimates for the present fiscal year of 1964.

The amendments represent a scattergun approach. They would scatter here, there, and everywhere. For example, they would reduce funds for the deaf, for teachers of the deaf—for Galludet College, the finest institution of its kind in all the world today for the teaching of those who are deaf.

The amendments would slash funds for water programs below the budget estimates for such programs.

The amendments would slash the funds for educational TV below the budget estimates for this program.

The amendments would slash the funds for radiological health, hospital construction, occupational health, the Alaska Health Laboratory, and the vocational rehabilitation programs for the crippled, maimed, and disabled.

The amendments would slash here and there, without logic. All the items have been considered by the Bureau of the Budget, by the House committee, by the House, and by the Senate committee. As a result of all this consideration, the Senate committee has brought the bill to the Senate with a figure $264,861,750 below the budget estimates.

Mr. President, on behalf of the committee, I ask for rejection of the pending amendments.

Mr. COTTON. Mr. President, as the minority member of the subcommittee, I think I should state, first, that I am in accord with the distinguished Senator from Alabama.

There are several points in the presentation of the distinguished Senator from Wisconsin which are very well founded. There was nothing the committee could do about them. Undoubtedly, there are now, as there have been in the past, certain amounts which may become authorized subsequent to passage of the pending appropriation bill, which items will have to be the subject of a supplemental appropriation bill.

If I were free to do so, I might well support the amendments, although I do not believe that is the best method of amending an appropriation bill. I am not free to do so, because, as I have previously stated, certain members of the committee—at least the chairman and I—feel that we have accomplished a good job, and that once we open the floodgates, a great deal of damage may be done.

Before the vote on the amendments, I take the opportunity to call to the attention of Senators, for the record, some salient facts that are perfectly accurate in the report but are not marshaled and put together too concisely.

It should be remembered that the Subcommittee on the Department of Labor and the Department of Health, Education, and Welfare, in its report and recommendations, set out five items in respect to which the report exceeds the budget estimate. Those items total, roughly, $52 million; and $50 million of that $52 million goes to the Hill-Burton funds for hospital construction, which is about as essential and desirable a program as has ever been before Congress.

In respect to five items the committee exceeded the budget recommendations.

In connection with 14 items the Senate committee exceeded the House figure. Only 14 of some 150 items exceeded the House figure. On the other hand, on 20 items the budget figure was reduced. In 15 items the bill is below the figures passed by the House of Representatives.

I doubt whether, in the past 2 or 3 years, many appropriations bills have been brought to the floor of the Senate with a better record than that.

That is the reason why I again express the hope that the Senate can adhere to the bill as reported by the committee, because it represents a meeting of minds which I believe resulted in an excellent report.

Therefore, I shall be compelled to join my friend from Alabama in voting against the Proxmire amendments.

Mr. PROXMIRE. Mr. President, I shall be very brief in replying to the distinguished Senator from Alabama. He always does excellent work on these bills.

The Senator from Wisconsin did not take anything out of the air. The principle on which the amendments were proposed is very clear. I selected the lowest of three choices—the budget recommendation, the House-passed bill, or the bill recommended by the Senate committee.

One other point was raised by the Senator from Alabama with relation to the federally impacted school areas: The Senator from Alabama indicated that that item has no relation to this bill, that it has not been in the bill, and that it was an irrelevancy to bring it up.

The committee report, of which the Senator from Alabama is the author and sponsor, on page 83, in about the 8th line, refers to payments to school districts, appropriations, 1963.

For that item the bill provides $177,856,000 below the figure for last year. That accounts for $178 million of the reduction.

The next item is a reduction of $39 million in assistance for school construction. This item counts for almost $40 million of the so-called reduction from last year.

The next item is a $9,830,000 reduction in defense educational activities, which accounts for almost $10 million of the reduction below the level of last year.

These and a few other instances account for the fact that the committee can come to the Senate and say that the bill it recommends provides appropriations below those of last year. This is a technicality, and not a fact. It does not represent the true situation. Furthermore, we should recognize the fact that last year the Institutes of Health returned $100 million it could not spend. So that level of spending was $100 million below the level of appropriations.

These are some of the reasons why the bill in fact, on a comparable basis, is $269 million below the level of last year's spending.

I yield the floor.

Mr. BREWSTER. Mr. President, the urgent need for the establishment of a Center for the Study of Environmental Health has been well documented. The publication of the book by Rachel Carson and the testimony developed in recent Senate hearings on the use of pesticide are only two of the more dramatic aspects of this problem.

As our population increases at an accelerated rate, it becomes vital for the Nation to mount an organized program for the control of air and water pollution, radiation hazards and other manmade contaminants. A continuing search into the factors which affect man's physical environment and, through it, his health is essential.

I have closely followed the progress and plans for this center. In so doing, I have become acutely aware of the tremendous stake which our Nation has in environmental health and of the need for the facility proposed.

In a recent issue of a bulletin of the American Association for the Advancement of Science, environmental health was described as a new field with its focus on protection from the adverse products of technological change; requiring a new kind of organization for operational programs and for research.

The new problems created by these changes have led the Public Health Service to assume new responsibilities and establish new divisions—food protection in the 1940's, air pollution in 1955, and radiological health in 1958. Facilities for the study of water pollution, sanitary engineering, and occupational health are complemented by the environmental health activities of other Government agencies including the Atomic Energy Commission, the Food and Drug Administration, and half a dozen agencies concerned with water resources.

The Congress has given increasing support in recent years to the environmental health programs of the Public Health Service. Nonetheless, it is apparent that our rapid population growth, expanding urbanization and industrialization, and increasingly complex technology are outstripping our efforts to contain environmental hazards. Changes are occurring so rapidly that the effects on man's health and well-being are not being dealt with as promptly and completely as they should. This fact is now widely recognized, not only by the scientific community but by the public as a whole.

What is urgently needed now is a major new effort and concentration in this field. This can best be provided by the establishment of a National Center for Environmental Health.

In his 1962 health message, President Kennedy recommended the establishment of an environmental health center. He explained:

> Such a center will serve as the base laboratory for research and training activities, and as headquarters for the Public Health Service personnel concerned with health hazards in the environment. It will facilitate regular and frequent collaboration between public health service scientists and those with whom they should consult in other Federal agencies.

In his 1963 health message, the President renewed his request by asking that "The Congress approve the funds requested in the 1964 budget for initial steps to establish a central facility in the Washington area which can serve as a focal point for related research, training, and technical assistance in environmental health."

The selection of the Washington area as the proper location for this new facility is based on many considerations. By seeking to place the new center in this area, the Public Health Service is seeking greater efficiency and effectiveness in the consolidation of its own programs with new and greater opportunity for coordination with the activities of the several other agencies now active in this field, and with the scientific resources of the National Institutes of Health, the Bureau of Standards, and the National Science Foundation. The Public Health Service hopes that in so doing it will be able to increase its voice in the policymaking and scientific councils which are concentrated in Washington.

Since 1961 this proposal has been studied and reviewed by two scientific panels—the Gross Committee, appointed by the Surgeon General and composed of 19 eminent scientists from 11 States, and a second panel appointed by the President's science adviser. Both of these groups have endorsed the Washington location.

The committee report is very explicit in urging Senate approval of this location. I quote:

> The very concept of the Center as the national headquarters for a coordinated program to deal with the health hazards of the environment is based on a location that can successfully provide for the close association of related activities, both within the Public Health Service and with other Federal agencies. Any location remote from the Nation's Capital would destroy this concept.
>
> Cooperative efforts with other Federal agencies in Washington are now so widespread that specific agreements for joint projects number in the hundreds. The water pollution program alone has 35 such

> working agreements, 17 of which involve the transfer of funds from one agency to another. The radiological health program has 16 formal agreements with other agencies and an equal number of informal working arrangements. Much of the work involved in these cooperative agreements is done in the field, but the policy direction must be retained at the Washington headquarters of each of the participating agencies.
>
> More than 50 suggested sites have been studied by the staff of the public health service. Each of these has been evaluated in terms of such criteria as acreage cost, availability of utilities, topography, geology, transportation, access, and relationship to other agencies.
>
> The Secretary of Agriculture has agreed to make land available to the Department of Health, Education, and Welfare on a site in Beltsville, adjacent to the Agricultural Research Center. This is a most happy solution to the search for a site for the National Center for Environmental Health in the Washington area. The Agricultural Research Center is engaged in pesticide research and other activities closely related to environmental health. Beltsville is also the site of the major new facility of the Food and Drug Administration, which has many interests in common with the environmental health programs of the Public Health Service.
>
> A number of planning groups, including the National Capital Regional Planning Council and the National Capital Planning Commission have approved the Beltsville site in accord with their long-range plans for development of the National Capital area.

It is important to point out as well that officials have testified that between one-third and two-thirds of the Center's future personnel are already located in the Washington area and would be reluctant and costly to move.

I am proud that federally owned land in my own State of Maryland has been selected by the Department and by the committee as the optimum and most economical site for this new facility.

The State of Maryland stands ready to do everything within its power to facilitate the construction of this Center and to insure its successful operation. The Maryland Department of Planning and the State Roads Commission have given assurances to the committee that their plans for the Beltsville area will provide adequate access and radial highways well in advance of the time when the Center will reach its maximum of 5,000 employees.

The State roads commission is planning construction on every State highway in the Beltsville region, plus the creation of two entirely new modern highways. Under current plans Kenilworth Avenue—Maryland 201—will be extended from the Capitol Beltway to U.S. Route 1, with the first lane of the extension from the Beltway to Powder Hill Road scheduled for completion prior to 1967. In addition, Maryland 197—the Laurel-Bowie Road—will be constructed as an urban dual highway from the Baltimore-Washington Parkway to U.S. Route 1 by 1967.

These projects would seem to preclude significant traffic or highway problems during the first phase of the center, especially in view of the fact that initial occupancy is not scheduled until 1969, and will involve only 1,600 employees.

In addition to those mentioned above, Maryland's plans for the 1967–80 period call for several other highway projects in the Beltsville region. These include completion of the Kenilworth Avenue extension, with a bridge over the Baltimore & Ohio Railroad and an interchange with U.S. Route 1; construction of the Outer Beltway from the Baltimore-Washington Parkway to U.S. Route 29, along the northern boundary of the proposed Environmental Health Center site; resurfacing of U.S. Route 1 through the Beltsville area; and construction of Maryland Route 212 from Riggs Road to U.S. Route 1 as a 48-foot urban facility.

These roads are included in the 1967–80 plans in anticipation of increased population and commercial, industrial, and governmental activity in the Washington metropolitan region, on which all economists and planners agree.

The State highway system in the vicinity of the proposed site should be well able to take care of any traffic load expected of it. All in all, our highway schedules and plans for the next 4 to 6 years assure the adequate handling of any traffic demands created by the Center during that period, and our long-range plans contain the solution for any highway problems in the foreseeable future.

Finally, I know that my State's long and honored association with medicine and public health will provide a most hospitable atmosphere for the research and training efforts of the staff of this new Center.

Mr. President, because I recognize the importance to the Nation of this continuing search into the factors that affect man's physical environment and thereby his health, I sincerely recommend that the ultimate success of this program should be the only standard by which any and all proposals concerning it be judged. In fact, I am so impressed by the importance of this program that I would not espouse the Maryland site if there were incontrovertible evidence that it would function more effectively in another location.

Federal scientific research is not a relief program for depressed areas. The effective protection of the public's health requires this new Center to be placed where its staff can work most efficiently. That place is Beltsville.

The PRESIDING OFFICER. The question is on agreeing to the amendments offered by the Senator from Wisconsin [Mr. PROXMIRE].

Mr. MILLER. Mr. President, will the Senator from Wisconsin yield for a question?

Mr. PROXMIRE. I yield.

Mr. MILLER. I should like to ask the Senator from Wisconsin whether or not it would be possible to have a division on this vote.

Page 2, line 12, of his amendments provides for a reduction of the amount of funds relating to the Hill-Burton Act. I must say to my friend from Wisconsin that I cannot support that portion of the amendments, but I might be able to support the remainder of his amendments. That being the case, it would be of assistance to me if there could be a division on the vote on the amendments. I suggest that perhaps other Senators are in the same position I am in.

Mr. PROXMIRE. I thank the distinguished Senator from Iowa. He has an excellent record on economy. No one has a better record. I understand his sentiment. He has discussed it with me. However, I had talked with other Senators, and I have been persuaded that it would be a mistake for me to do what the Senator from Iowa proposes. So I shall have to object to that kind of division and insist on a vote on the amendments as drafted.

Mr. LAUSCHE. Will the Senator yield for a question?

Mr. PROXMIRE. I yield.

Mr. LAUSCHE. Will the Senator from Wisconsin repeat what the actual spending for last year was under the amount of this authorization? He gave the figures a moment ago.

Mr. PROXMIRE. The Senator from Wisconsin has contended that the bill as it now is before the Senate would increase spending over last year's actual spending level by more than $269 million. It would increase the appropriation over last year's appropriation level by $175 million. The difference is due to the fact that $94 million which was appropriated last year was not spent. The administration could not spend it, and returned the money. However, it does represent an increase.

I have a chart, which I ask unanimous consent to have printed in the RECORD, on which my computations have been made. It would be difficult for me to explain it without taking too much time.

There being no objection, the chart was ordered to be printed in the RECORD, as follows:

Totals relating to 1964 Labor-HEW appropriations and Proxmire amendment thereto

Total, fiscal year 1963 Labor-HEW appropriations	$5, 571, 962, 600
1964 budget estimate	5, 759, 489, 000
(Increase over 1963	187, 526, 400)
Total House allowance	5, 449, 981, 000
(Under 1963	121, 981, 600)
(Under 1964 estimates	309, 508, 000)
Senate committee recommendation	5, 494, 627, 250
(Under 1963	77, 345, 350)
(Under 1964 estimates	264, 861, 750)
(Over the House allowance	44, 646, 250)
Total Proxmire amendment	94, 955, 750
Total appropriations with amendment	5, 399, 671, 500
(Under 1964 estimates	359, 817, 500)
(Under the House allowance	50, 309, 500)
(Under 1963	172, 291, 100)
Programs pending reauthorization:	
Payments to school districts	216, 204, 000
Assistance for school construction	37, 984, 000
Total	254, 188, 000
Assuming reauthorization of above programs:	
1964 budget estimate	6, 013, 677, 000
(Increase over 1963	441, 714, 400)
Total House allowance	5, 704, 169, 000
(Increase over 1963	132, 206, 400)
(Under 1964 estimates	309, 508, 000)
Senate committee recommendation	5, 748, 815, 250
(Increase over 1963	176, 852, 650)
(Under 1964 estimates	264, 861, 750)
(Over the House allowance	44, 646, 250)
Appropriations with Proxmire amendment	5, 653, 859, 500
(Increase over 1963	81, 896, 900)
(Under 1964 estimates	359, 817, 500)
(Under the House allowance	50, 309, 500)

Mr. LAUSCHE. What would the amendment do?

Mr. PROXMIRE. My amendment would reduce the level of appropriations by some $94,900,000. It would do so by cutting the level of spending to the lowest level of three alternatives—the House-passed bill, the budget estimate, or the amounts provided by the Senate committee—in each of the 31 items in the bill which differ.

Mr. LAUSCHE. And if that is done, will the Departments in 1964 have a sum of money equal to the money which they spent in 1963?

Mr. PROXMIRE. They will have approximately $175 million more than they spent in 1963, even after the Proxmire amendments are adopted. I do not go back to the 1963 level. I provide for an expansion of those programs.

Mr. LAUSCHE. I will support the Proxmire amendments.

The PRESIDING OFFICER. The question is on agreeing, en bloc, to the amendments of the Senator from Wisconsin. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CHURCH (when his name was called). On this vote I have a pair with the senior Senator from West Virginia [Mr. Randolph]. If he were present and voting, he would vote "nay"; if I were at liberty to vote, I would vote "yea." I withhold my vote.

The rollcall was concluded.

Mr. MANSFIELD. I announce that the Senator from Mississippi [Mr. Eastland], the Senator from Arkansas [Mr. Fulbright], the Senator from Tennessee [Mr. Gore], the Senator from Minnesota [Mr. Humphrey], the Senator from Missouri [Mr. Long], the Senator from Oregon [Mr. Morse], the Senator from Oregon [Mrs. Neuberger], the Senator from Rhode Island [Mr. Pastore], the Senator from West Virginia [Mr. Randolph], and the Senator from Alabama [Mr. Sparkman] are absent on official business.

I further announce that the Senator from Indiana [Mr. Bayh] and the Senator from Washington [Mr. Magnuson] are necessarily absent.

I further announce that, if present and voting, the Senator from Indiana [Mr. Bayh], the Senator from Mississippi [Mr. Eastland], the Senator from Minnesota [Mr. Humphrey], the Senator Washington [Mr. Magnuson], the Senator from Oregon [Mr. Morse], the Senator from Oregon [Mrs. Neuberger], the Senator from Rhode Island [Mr. Pastore], the Senator from Alabama [Mr. Sparkman], and the Senator from Missouri [Mr. Long] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Vermont [Mr. Aiken] and the Senator from Massachusetts [Mr. Saltonstall] are absent on official business.

The Senator from Vermont [Mr. Prouty] is necessarily absent.

The result was announced—yeas 27, nays 58, as follows:

[No. 123 Leg.]

YEAS—27

Bennett
Byrd, Va.
Case
Church
Cooper
Curtis
Dirksen
Dodd
Douglas
Edmondson
Ervin
Goldwater
Jordan, N.C.
Jordan, Idaho
Lausche
McClellan
Morton
Mundt
Pearson
Proxmire
Robertson
Simpson
Symington
Thurmond
Tower
Williams, Del.
Young, Ohio

NAYS—58

Allott
Anderson
Bartlett
Beall
Bible
Boggs
Brewster
Burdick
Byrd, W. Va.
Cannon
Carlson
Clark
Cotton
Dominick
Ellender
Engle
Fong
Gruening
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Hruska
Inouye
Jackson
Javits
Johnston
Keating
Kefauver
Kennedy
Kuchel
Long, La.
Mansfield
McCarthy
McGee
McGovern
McIntyre
McNamara
Mechem
Metcalf
Miller
Monroney
Moss
Muskie
Nelson
Pell
Ribicoff
Russell
Scott
Smathers
Smith
Stennis
Talmadge
Williams, N.J.
Yarborough
Young, N. Dak.

NOT VOTING—15

Aiken
Bayh
Eastland
Fulbright
Gore
Humphrey
Long, Mo.
Magnuson
Morse
Neuberger
Pastore
Prouty
Randolph
Saltonstall
Sparkman

So. Mr. Proxmire's amendments were rejected.

VISIT TO SENATE BY AMOA TAUSILIA LOLESIO, SPEAKER OF LEGISLATIVE ASSEMBLY OF WESTERN SAMOA

Mr. MUNDT. Mr. President, it is my pleasure to announce to the Senate the presence of a distinguished guest from abroad, the second highest ranking official of Western Samoa. Western Samoa became independent on January 1, 1962.

Our guest is Hon. Amoa Tausilia Lolesio, speaker of the unicameral Legislature of Western Samoa.

Speaker Amoa, who is visiting the United States under a Smith-Mundt Act grant, is studying parliamentary procedures.

Western Samoa, new, young, and small, is a firm friend of the United States. I am sure all Senators will wish to join me in welcoming Speaker Amoa to the Senate.

[Applause, Senators rising.]

DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE, AND RELATED AGENCIES APPROPRIATIONS, 1964

The Senate resumed the consideration of the bill (H.R. 5888) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1964, and for other purposes.

Mr. DIRKSEN. Mr. President, I should like to ascertain from the majority leader what amendments, if any, may yet be offered this afternoon and whether any further yea-and-nay votes are contemplated. I understand that several Senators have in mind attending a ceremony of some kind, away from the Senate Chamber, beginning after 4 o'clock this afternoon. I am sure they would be deeply interested in the disposition of the time, and would like to know whether the pending bill might be disposed of before that hour.

Mr. MANSFIELD. So long as the distinguished minority leader has raised the question, and so long as a large number of Senators are in the Chamber, I think the answer now would be that there will be no 3 o'clock "get away" but that with a little cooperation there might be a 4:30 "get away" to permit Senators to attend the repast, "shindig," or whatever one desires to call it, which I understand will occur in either St. Marys County or on Chesapeake Bay.

However, I believe the Senator from Pennsylvania [Mr. Clark] desires to offer an amendment as soon as the colloquy between the leadership is concluded.

After a consultation between Senators on this side of the aisle and the minority leader, I understand there is a willingness to agree to a limitation of 30 minutes debate on the amendment, 15 minutes to a side; and a vote could follow immediately.

Mr. CLARK. That is entirely satisfactory to me. I should like to have the yeas and nays ordered on my amendment, but I have a feeling that perhaps some of our friends on the other side might not desire to agree to the proposal.

Mr. MANSFIELD. I withdraw my statement, and shall postpone the hour of departure slightly. I now understand there might be considerable debate on the amendment.

I also understand that the Senator from Ohio [Mr. Lausche] has an amendment which he desires to have considered. He is agreeable to limiting the debate on it. There may be other amendments to be proposed. If so, I wish the voices of the Senators who propose to offer them might be heard.

Mr. COTTON. Mr. President, perhaps in a few minutes from now, we would not object to a limitation of debate on the amendment of the Senator from Pennsylvania. However, the Senator from Pennsylvania had an opportunity to offer his amendment last night and had an unlimited opportunity to present his argument for the Record.

Much depends on the disposition of the amendment of the Senator from Pennsylvania. Senators who are planning to be away later should know that we—by "we," I mean the chairman of the subcommittee and the ranking minority member of the subcommittee, without seeking, of course, to suggest that any Senator should not work his will on this appropriation bill—believe that a good result has been achieved, and we wish to maintain it if we can.

If the amendment of the Senator from Pennsylvania should prevail, and thus increase the amount in the bill, I am obliged to give notice that three or four amendments will be offered to reduce certain amounts in the bill. If the amount in the bill remains as it is, those amendments will not be offered.

For the moment, I shall have to object to a limitation of debate on the amendment of the Senator from Pennsylvania, because it is important that his amendment be disposed of carefully. In a few minutes, I think we may agree to a limitation.

Mr. JAVITS. Mr. President, I have at the desk an amendment which is printed and which I shall wish to present.

Mr. PROXMIRE. Mr. President, I shall take a total of less than 5 minutes to discuss two amendments that I shall offer.

Mr. CLARK. Mr. President, does the majority leader desire to have me call up my amendment?

Mr. MANSFIELD. The Senator from Pennsylvania has the floor. I have yielded the floor.

Mr. CLARK. Mr. President, I call up my amendment No. 155, and ask that it be read. Then I shall ask for the yeas and nays.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 3, line 8, it is proposed to strike out "$110,000,000" and insert in lieu thereof "$140,000,000."

Mr. MANSFIELD. Mr. President, will the Senator from Pennsylvania yield?

Mr. CLARK. I yield.

ANNOUNCEMENT OF BIRTH OF SON TO PRESIDENT AND MRS. KENNEDY

Mr. MANSFIELD. Mr. President, the good news has just reached the Chamber that President and Mrs. Kennedy have announced the birth of a son. [Applause.]

Mr. President, it is coincidental and historic that on this happy occasion, the present Presiding Officer of the Senate [Mr. KENNEDY], and the uncle of the newest Kennedy, is in the chair.

DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE, AND RELATED AGENCIES APPROPRIATIONS, 1964

The Senate resumed the consideration of the bill (H.R. 5888) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1964, and for other purposes.

Mr. MANSFIELD. Mr. President, if the Senator from Pennsylvania will further yield, I should like to propose a unanimous-consent request to the effect that 30 minutes be allowed on the pending amendment, 15 minutes to be controlled by the Senator from Pennsylvania, and 15 minutes to be controlled by the Senator from Alabama [Mr. HILL].

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Illinois will state it.

Mr. DOUGLAS. Mr. President, reference was made on the other side of the aisle to some pressing engagement which required the departure of Members on the other side of the aisle to some unknown event. If there is real cause for Senators to leave, of course, I shall be happy to assist them; but I wonder what event requires their absence.

Mr. MANSFIELD. I can answer the question. Members on both sides have been invited to a social event which happens once a year. Most of the remarks made in regard to it have been made in jest.

Mr. DOUGLAS. But we have work to do.

Mr. MANSFIELD. Of course we do; and the Senator from Illinois can be assured that our work comes first, not second.

Mr. ANDERSON. Reserving the right to object, Mr. President, can the able majority leader indicate at what time the space authorization bill may come up? Members of my office wish to know; and it is desirable that we be informed whether it will come up this afternoon.

Mr. MANSFIELD. The possibility is that if the pending bill is disposed of this afternoon, that measure will then be laid down and made the pending business.

Mr. ANDERSON. But will the debate on it begin this afternoon?

Mr. MANSFIELD. That would be up to the Senator from New Mexico, who is in charge of the bill.

Mr. ANDERSON. The able Senator from Tennessee [Mr. KEFAUVER] has an amendment to offer, and wishes to know whether he should have it ready this afternoon. I assume that probably it would be taken up tomorrow.

Mr. MANSFIELD. Yes. But the Senator in charge of the bill could be prepared, if he so desires, to make his opening statement today.

Mr. ANDERSON. Very well.

Mr. DIRKSEN. Mr. President, reserving the right to object, and with further reference to the unspecified event, let me say that I shall not be there, but I am advised it is somewhere west of Moscow.

The PRESIDING OFFICER. Is there objection to the requested unanimous-consent agreement? The Chair hears none, and it is so ordered.

Mr. CLARK. Mr. President, on the question of agreeing to my amendment, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. McCARTHY. The agreement on the time relates only to this one amendment, does it?

Mr. MANSFIELD. That is correct.

Mr. CLARK. Mr. President, has the proposed agreement been entered into?

Mr. MANSFIELD. Yes.

Mr. CLARK. Mr. President, I yield myself 3 minutes on my amendment.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized for 3 minutes.

Mr. CLARK. Mr. President, first, in view of the happy news which the majority leader has just given us—and I note in the chair the uncle of the new baby—I should like to point out that my amendment is an administration amendment; therefore, I hope it will receive support, particularly at this happy time.

Mr. President, the purpose of this amendment is to restore to the bill $30 million for the Manpower Development and Training Act appropriation set forth on page 3 of the bill. The administration requested $165 million for this purpose. The House cut back the appropriation to $140 million. The Senate committee cut back the appropriation by another $30 million, to a total of $110 million.

The proposed cut would gravely prejudice the training program under the Manpower Training and Development Act. Senators have on their desks a letter directed to each Senator by all the Democratic members of the Subcommittee on Manpower and Employment, under whose jurisdiction the substantive legislation falls. In the letter, it is pointed out that the actions of the Senate Appropriations Committee are profoundly prejudicial to efforts now being made to restore vigor to our economy by helping those who lack marketable skills to acquire them. There is also in yesterday's RECORD—from the speech I made last night—a letter from the Secretary of Health, Education, and Welfare—it appears in column 2 on page 14239. In it he expresses his grave concern at this cut, and points out that practically 20,000 individuals who could receive training if the House figure were restored, will not receive it because of the Senate committee cut. Secretary Wirtz points out how badly the proposed cut would cripple the program.

It has been said that the Appropriations Committee cannot make this money available because in its wisdom, as a result of its hearings, it concluded that beginning early next year there will be no possibility of obtaining any more money for this program, and thus it will have to come to a halt because the State legislatures are not prepared to pick up the 50 percent of the tab which they are required to pick up under pending legislation. The answer to that is that there is in process in Congress—in the House as well as in the Senate—a bill; ours is Senate bill 1716, which has been reported favorably. It was approved by all members of the committee. This bill would waive for 1 year the State matching fund agreements, on the ground that the legislatures have not had time properly to assess the program, and that in most instances they will not be meeting next year, and that the program is beginning to roll, that we are training at the rate of 108,000 trainees a year, that the number will increase to approximately 140,000 or 150,000 if the program continues to roll, and that it would be a grave mistake to let the program die.

Let me make it crystal clear that I am going along with the Appropriations Committee, in not attempting to increase this amount above the House figure. We are prepared to accept the cut of $25 million which the Secretary of Labor stated in testimony before the Senate committee he was prepared to accept. We merely wish to return to the House figure.

In the letter, Mr. Nestingen points out that if the full appropriation had been granted, 140,000 individuals could have been trained; but with the cuts made by the House and by the Senate committee the number is down to 90,000 individuals—or 50,000 less, who otherwise would go back on payrolls, and thus, through their income taxes, would in the course of a year or two, return to the Federal Government increased amounts of tax revenue.

The PRESIDING OFFICER. The time of the Senator from Pennsylvania has expired.

Mr. CLARK. Mr. President, I yield myself 2 additional minutes.

The **PRESIDING OFFICER.** The Senator from Pennsylvania is recognized for 2 more minutes.

Mr. CLARK. In other words, Mr. President, the amount the bill will cost will thus be returned to the Federal Government. In short, this is an interest-paying, dividend-paying investment in the brains of America. So I suggest that it would be quite unwise to sustain this cut.

There is also in the Record a longer letter from the Secretary of Labor supporting this move to restore the amount of this appropriation to the House figure.

The committee says that is all right, but that although adequate authorization exists for the full amount of the appropriation requested by the administration, it cannot recommend the appropriation of the full amount of the authorization when it does not think it will be spent under present law.

I have checked carefully with the staff of the Appropriations Committee, which tells me that frequently appropriations are reported in advance of enactment of authorizing legislation extending the program, and that practically every appropriation bill continues certain items based on authorizing legislation not yet enacted. I point out that on page 9, there is an appropriation for a program not yet authorized; in fact, the House has killed it. That is the bracero program, for which the same appropriation procedure is utilized, in order to make an appropriation available for the braceros, before the authorizing legislation extending the program beyond December 31 of this year has been authorized. But the committee is unwilling to make that provision in regard to the problem of the unemployed people of the United States who can be turned into useful and productive citizens if we provide the necessary funds.

Mr. CLARK. I yield 2 minutes to the Senator from Connecticut.

Mr. DODD. Mr. President, if I were asked to name a program in which the Federal Government participates which I think is the most worthwhile and useful, the Manpower Development and Training Act would be one of the leading contenders.

This is a practical, essential and at the same time humanitarian program, one which has brought new opportunities and hope for the future to thousands of American workers and their families.

To help train workers in new skills is an eminently logical and realistic way for us to meet the problems created when workers lose their jobs due to technological improvements or intensive foreign competition from low cost imports.

Not only do these retraining programs help thousands of people to find new jobs and enjoy a better life; they also help businesses find workers trained in important, even essential, skills, workers who otherwise might not be available in the local labor market.

I am proud to say that my State was one of the first to enter this important field, and Connecticut State and local officials, in cooperation with businessmen, have done an outstanding job.

Officials and businessmen have been consulting and cooperating with each other, and not until a labor market survey is made and it is determined there is a need for certain skills, is a training program started.

A Wall Street Journal article, which I inserted in the Record earlier this year, had this to say about the retraining program in Connecticut:

> Proper retraining can help many unemployed individuals, provided they want to work. Here in Connecticut nearly 2,100 jobless men and women have completed courses since 1959, ranging from 4 weeks in welding to 18 weeks in typing. Nearly all immediately got jobs in their new fields.

And progress has continued at a good rate since the date of this article—March 25. As of the last week in June, a total of 67 projects for 3,330 trainees had been approved in Connecticut, with 11 more proposals involving 700 to 1,000 individuals under review.

In fiscal 1963, Connecticut made full use of the funds available to the State. For the 67 approved projects, approximately $1,060,000 for training costs and allowances to individuals are committed under the Manpower Development and Training Act.

I am sure that the State can make good use of its full authorization of funds during fiscal year 1964 as well, and it is for this reason that I am so deeply concerned over the $30 million cut in retraining funds approved by the Senate Appropriations Committee last week.

My distinguished colleague, the senior Senator from Pennsylvania [Mr. Clark], who played such a significant role in having the manpower development and training program established, has offered an amendment to restore this $30 million. I wish to associate myself with him in this effort, and I hope the Senate will accept his amendment. This will still leave the figure $25 million below the original budget request, because of a House cut, but I think the $30 million will be crucial to the success of the program during fiscal 1964.

These retraining projects have been successfully administered in various parts of the country, and when one considers the fact that Federal funds were not made available until last year I think it is evident that the program shows great promise.

Connecticut is a shining example of the success that can be achieved, in helping the unemployed find a new place in their communities.

I urge my colleagues again to join in support of this amendment. It will certainly be money well spent, on a very worthwhile and practical program.

Mr. CLARK. Mr. President, I reserve the remainder of my time.

Mr. HILL. Mr. President, I yield myself 7 minutes.

The **PRESIDING OFFICER.** The Senator from Alabama is recognized for 7 minutes.

Mr. HILL. Mr. President, the Appropriations Committee considered this matter very carefully in light of the testimony before it, and recommended the appropriation carried in the bill—$110 million—as the amount which can be expended under the law as it is now on the statute books.

The committee did not feel that it should enter into the realm of speculation and speculate that perhaps some time in the future—whether it be tomorrow, next month, or next year—the Congress would pass another bill, and therefore we should try to appropriate funds on the speculative basis that some bill might be enacted into law in the future.

The Manpower Development and Training Act, under which these funds are appropriated, provides that beginning July 1, 1964, the funds should be matched by the States dollar for dollar. That provision was written into the act in March of last year, which was approximately 9 months before the State legislatures met this past winter. The legislatures met, but only three of them made any provision for matching funds. At least in two of those instances the provisions made were not adequate to carry on a full program.

So we find ourselves with the law as now written requiring matching funds. The programs cannot go forward because the funds have not been made available by the legislatures to match the Federal funds.

But my distinguished friend, the Senator from Pennsylvania, has said:

> Even though the funds are not available now, we are going to bring in a bill which will do away with the matching requirement. So go ahead and appropriate the money without that bill ever being reported by the full committee.

It has been acted upon by the subcommittee, but it has not been acted upon by the full committee. It has not been presented to the Senate. It is not on the Senate Calendar. But the Senator has told us, "The Senate can now assume that the bill will become law and may go ahead and appropriate the necessary funds."

Yesterday the Senator from Pennsylvania [Mr. Clark] and the Senator from West Virginia [Mr. Randolph], who spoke in behalf of the amendment——

Mr. CLARK. He is a cosponsor.

Mr. HILL. A cosponsor of the amendment with the Senator from Pennsylvania, read the following language from the committee report:

> The committee is advised that only three States in the regular biennial legislative sessions of this year appropriated any funds for such matching, and the funds appropriated by each of these States is grossly inadequate to match the State's allotment of the 1963 appropriation. In the absence of the requisite State matching funds it will not be possible, under the present law, to approve projects in fiscal year 1964 to carry over into the following fiscal year, as was done in the year just concluded.

It could be done in the year concluded because the matching provision was not in the law.

> In consequence of the record before the committee, it is believed that the appropriation recommended will provide sufficient funds for the program in the fiscal year 1964.

The distinguished Senator from Pennsylvania read those words from the committee report which I have just read and then made the following statement, which appears on page 14238 of yesterday's RECORD:

> Technically, this would be a completely correct argument if matters were to remain as they are now; and in that event it would be highly doubtful whether the amount appropriated would be inadequate.

That much of the argument was predicated on the proposition that the committee would report another bill, which the Senate would pass, and then the House committee would act on the bill, the House itself would pass the bill, and then it would be signed by the President. We cannot appropriate money on that basis.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. LAUSCHE. What type of bill is it anticipated will be passed?

Mr. HILL. The bill which it is anticipated would be passed would remove the requirement for matching funds from the States.

Mr. LAUSCHE. Mr. President, will the Senator yield further?

Mr. HILL. I yield.

Mr. LAUSCHE. The States have refused to appropriate matching funds. It is now proposed that Congress will see that their anticipation is carried into effect. What the State legislatures have refused to do we propose to do.

Mr. HILL. The Senator is correct.

Mr. LAUSCHE. It is proposed that the Congress should appropriate the money. The committee does not go along with that argument.

Mr. HILL. The committee has said that the Senate cannot act on the basis of that argument because no action has been taken except by a subcommittee of the full committee. The full committee has not yet acted on the bill. Yesterday the Senator from West Virginia [Mr. RANDOLPH], joining with the Senator from Pennsylvania [Mr. CLARK], read the following words from the committee report which I have read, and then he said:

> I do not argue with this point.

In other words, "I do not disagree with what the committee said."

He then said:

> On the contrary, it was precisely the same knowledge which led to the introduction of S. 1716.

The bill S. 1716 would remove the requirement for matching funds by the States. That measure has been acted upon by the subcommittee, but not by the full committee. It is not on the Senate Calendar. It had no Senate action on the basis of which the Appropriations Committee could act.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. LAUSCHE. Which three States passed laws requiring matching funds? Does the Senator from Alabama have that information available?

Mr. HILL. Yes. Connecticut, Montana, and Tennessee are the three States. The other 47 States took no action to match the available funds.

The issue is foursquare. Is the recommendation of the Appropriations Committee to be voted down because the committee did not seek to appropriate funds for which there is no legal authorization? That is the issue we are up against. Is the committee compelled to reach out and speculate that perhaps one State will pass a matching fund law, or perhaps some other State will do so, and perhaps some other proposed legislation will pass and, therefore, we will bring in a bill appropriating the necessary funds? The procedure followed by the Senate throughout the years and required under the rules of the Senate is that there must be authorization first before the Appropriations Committee can act.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. ROBERTSON. Is it not true that if there is no authorization for an appropriation, the item in the appropriation bill is subject to a point of order?

Mr. HILL. I was about to make that point. The Senator is absolutely correct. If there is no authorization for an appropriation, the item is subject to a point of order.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. CLARK. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator from Pennsylvania has 8 minutes remaining.

Mr. CLARK. I should like to say to my dear, cordial friends that I have no intention of being panicked into voting before my 8 minutes have been consumed. Mr. President, I yield myself 3 more minutes.

The eloquent argument of my good friend from Alabama might be persuasive. It was not adopted by the House Appropriations Committee, which met in February of this year, at which time the situation was not quite, but almost as clear as it is now, that the State legislatures were not going to pick up the tab for the next fiscal year under this bill. In effect, the House disagreed with the arguments of the Senator from Alabama. The Department of Labor disagrees with those arguments. The Department of Health, Education, and Welfare disagrees with those arguments.

My friend from Alabama, for whom I have the highest regard, would have been more persuasive if he had made the same argument against the provisions on page 9 of the very same bill. On that page we observe that the Appropriations Committee is doing for the Mexican labor braceros program exactly what it refused to do for Americans looking for work they cannot find because they are not trained. So the position of the Appropriations Committee appears to be that it is all right to waive the fact that authorizations have not been received to import Mexican labor into the southwestern part of the United States, where it is alleged they will take jobs away from American labor, but we cannot do that to train American labor so that it can obtain jobs.

If the technical argument made by my friend in connection with the Manpower Development and Training Act is valid, it is equally valid with respect to the braceros program on page 9 of the bill. But I say that it is not valid in either instance. Time after time appropriations have been recommended and passed by this body when the authorizing legislation had not yet been passed. Ample precedent exists for what is being done. I have consulted with the Parliamentarian, who through my staff has advised me that there is no shadow of substance to a point of order being raised against this appropriation.

I ask my friend from New Hampshire, who I am sure will take the floor in a moment, "Why did you not cut out the appropriation entirely? That would have been the honest thing to do. Do not cut it to $110 million. Wipe it out, because every argument you have made in support of the cut from $140 million to $110 million could logically be made to eliminate the whole appropriation. If your premise is right—and I say it is not—then the conclusion must be that not 1 cent of the money could be spent in the fiscal year beginning next July."

Mr. President, I reserve the remainder of my time.

Mr. HILL. Mr. President, I yield 6 minutes to the distinguished Senator from New Hampshire.

Mr. COTTON. Mr. President, I am a little puzzled by the closing remarks of my friend from Pennsylvania about the argument I have made. I have not made any as yet. For a moment or two I shall make some arguments.

In the first place, let us forget for the moment about parliamentary procedure, about whether it is in order or out of order, about whether it depends on a bill for authorization not yet passed. Let us look at the situation to determine the need.

I am in entire accord with the sentiments of the Senator from Pennsylvania about the need for job training in this country. However, I should like to invite the attention of Senators to what transpired and to the situation in respect to the bill before the Senate. There are three other places in the bill where there is provision for job training.

In the bill, the subcommittee has recommended $8 million for the job training activities of the Area Redevelopment Agency.

To the Bureau of Apprenticeship and Training, we gave $5,460,000. That Bureau, of course, utilizes some privately raised funds, in addition.

Third, the Office of Education is receiving $34,756,000 for the promotion and further development of vocational education.

So all the talk about what will happen about job training in regard to the $30 million which has not been authorized yet is in complete disregard of the fact that there is in this bill duplication, triplication, and quadruplication of a very worthy program.

In addition, only yesterday the other body passed one of the most sweeping bills that has been passed to date for the expansion of vocational education.

H.R. 4955 would authorize new appropriations for State vocational education programs amounting to $45 million for fiscal year 1964, $90 million for fiscal year 1965, $135 million for fiscal year 1966, and $180 million for subsequent fiscal years.

In addition, one of the points to be considered is the provision for training of those who need training in the colored population.

There is much talk about upsetting the recommendation of the subcommittee for $30 million which has not yet been authorized, although there are in the same bill three other items for training, and although the other body has passed a bill for vocational education and we are about to launch upon another large training and education program. I say "about to," since the bill has not passed the Senate, but if we wish to be speculative we can be as speculative as the Senator from Pennsylvania. There will be ample opportunity for job training.

If Senators will follow the hearings they will find that the evidence showed that during the past year, of the 542 positions in this Department 137 persons were employed in the home office in Washington. What were they doing? They were coordinating. What was meant by "coordinating"? I asked that in the hearings. I was told that they were assembling and putting together information which came in from the States and from the field so that they could make reports to the President, and prepare records. It was research and coordinating.

They asked for 58 more employees, for 58 new positions, at a time when the President himself wants to hold down extra positions, yet they could not tell me how many of those employees would be employed in the home office in Washington collecting, assembling, and coordinating data.

I now am informed that of a total of 516 positions which would be provided by the bill as recommended to the Senate, 124 would be in the field, and 392 in Washington. These figures are interesting indeed.

Mr. President, forgetting all about whether it was authorized, if we are to tip over the bill and open it up—and it will be opened up—I promise Senators that there are plenty of amendments to be considered that involve more than $30 million and this particular set of facts.

I am confident the Senate will not take such action.

Mr. CLARK. Mr. President, will the Senator respond, on my time, to an observation?

Mr. COTTON. I will endeavor to do so.

Mr. CLARK. The Senator, I am sure quite inadvertently, made a misstatement of fact which I am confident he will wish to correct. The Senator said that there was no authorization for the appropriation now under consideration. I am sure the Senator will recall that there is an authorization of $165 million, or about $55 million more than the Senate committee authorized, and a good deal more than the amendment would restore.

Mr. COTTON. The Senator is perfectly correct. I was relying on the fact that the Senator himself said unless the other bill passed the amount in this bill was adequate.

Mr. CLARK. All I am saying is that there is an authorization.

Mr. COTTON. Technically the Senator is perfectly correct. Actually, it does not change the tenor of my remarks.

Mr. HILL. Mr. President, I yield 1 minute to the Senator from Ohio [Mr. LAUSCHE].

The PRESIDING OFFICER. The Senator from Ohio is recognized for 1 minute.

Mr. LAUSCHE. Mr. President, I shall vote against the proposed amendment. I shall do so on the basis that we had better give heed to what 47 States, by their silence with respect to the request of the U.S. Congress to pass matching laws, have implied. Forty-seven of the fifty States have refused to pass a law which would match, to the extent of 100 percent, the money which is to be put up by the Congress.

In my judgment, we ought to begin listening to what the people are saying back home. Nine months ago they were given the opportunity to pass laws approving a dollar-for-dollar matching on the job training program. There has been silence from 47 States. Three States have passed laws, which are inadequate with respect to matching.

The argument is now made: "The program is beginning to roll."

The PRESIDING OFFICER. The time of the Senator from Ohio has expired.

Mr. LAUSCHE. Will the Senator yield me 1 more minute?

Mr. HILL. Mr. President, I yield 1 additional minute to the Senator from Ohio.

The PRESIDING OFFICER. The Senator from Ohio may proceed for 1 additional minute.

Mr. LAUSCHE. It is said that the program is now rolling, and that it will continue to roll next year. I say that it will roll—it will roll over the taxpayer. We are asked to compel States to do what they do not wish to do. We would be running the Government into further and further deficits if we did so.

Mr. CLARK. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator from Pennsylvania has 3 minutes remaining.

Mr. CLARK. How much time does the Senator from Alabama have remaining?

The PRESIDING OFFICER. The time of the Senator from Alabama has expired.

Mr. CLARK. Mr. President, I yield myself 3 minutes.

Mr. President, I ask my good friend from Ohio to go back to his own State and see whether the people who voted for him want this program killed. Let him go back and take a look at the training programs underway in Cleveland and elsewhere in his great State. Look at the men who have been taken off the relief rolls and put back to work, and then say whether the people of Ohio want this program to be killed.

Mr. LAUSCHE rose.

Mr. CLARK. I will not yield at this time; I do not have sufficient time to do so.

The Senator talks about rolling over the taxpayers. That is what my good friend from Ohio says. I say to the Senator, without fear of contradiction, that this program saves the taxpayers money. It takes people off the relief rolls. It gives people an opportunity to be taxpayers.

There is not an economist who would support the position of the Senator from Ohio that the program rolls over the taxpayers. Mr. President, I yield the remainder of my time to the Senator from Ohio [Mr. LAUSCHE].

Mr. LAUSCHE. I thank the Senator very much.

If I had gone back to Ohio and subscribed to the spending programs which were espoused frequently on this floor, I would not have been reelected to the Senate in 1962.

This program envisions merely the spending of money. The Federal Government is extraordinarily liberal when it says to the States, "You put up a dollar, and we will put up a dollar."

I cannot understand how one could interpret the silence of 47 States to mean that they subscribe to this program. That cannot be done. If their silence means anything, it means, "We refuse to join. If the Federal Government wants to spend the money, let it do so."

That is the message which is sent to Congress.

I should like to enter into a discussion of what is being done on spending, but I do not think it will be necessary. The pillars will begin to fall. The time is not far off, in spite of the Brookings Institution report to the effect that we should continue to spend, when the International Monetary Fund will begin talking to the United States the way it is talking to Argentina and Brazil. It will say to us, "Put your house in order. Go on a diet. Quit spending."

I respect the Senator from Pennsylvania. He is my friend. But I disagree with him most vigorously on this item.

The PRESIDING OFFICER. The time on the amendment has expired. The question is on agreeing to the amendment of the Senator from Pennsylvania [Mr. CLARK]. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MONRONEY (when his name was called). On this vote I have a live pair with the distinguished Senator from Virginia [Mr. RANDOLPH]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." Therefore, I withhold my vote.

The rollcall was concluded.

Mr. MANSFIELD. I announce that the Senator from Mississippi [Mr. EASTLAND], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. GORE], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Missouri [Mr. LONG], the Senator from Oregon [Mr. MORSE], the Senator from Rhode Island [Mr. PASTORE], the Senator from West Virginia [Mr. Randolph], the Senator from Alabama [Mr. Sparkman], the Senator from Oregon [Mrs. Neuberger], and the Senator from West Virginia [Mr. Byrd] are absent on official business.

I further announce that the Senator from Indiana [Mr. Bayh] and the Senator from Washington [Mr. Magnuson] are necessarily absent.

I further announce that, if present and voting, the Senator from West Virginia [Mr. Byrd], the Senator from Minnesota [Mr. Humphrey], the Senator from Missouri [Mr. Long], the Senator from Washington [Mr. Magnuson], the Senator from Oregon [Mr. Morse], the Senator from Oregon [Mrs. Neuberger], and the Senator from Rhode Island [Mr. Pastore] would each vote "yea."

On this vote, the Senator from Indiana [Mr. Bayh] is paired with the Senator from Mississippi [Mr. Eastland].

If present and voting, the Senator from Indian would vote "yea" and the Senator from Mississippi would vote "nay."

Mr. KUCHEL. I announce that the Senator from Vermont [Mr. Aiken] and the Senator from Massachusetts [Mr. Saltonstall] are absent on official business.

The Senator from Vermont [Mr. Prouty] is necessarily absent.

The result was announced—yeas 29, nays 54, as follows:

[No. 124 Leg.]

YEAS—29

Burdick
Church
Clark
Dodd
Douglas
Engle
Fong
Gruening
Hart
Hartke
Inouye
Javits
Jordan, Idaho
Kefauver
Kennedy
McCarthy
McGee
McGovern
McNamara
Metcalf
Moss
Muskie
Nelson
Pell
Ribicoff
Scott
Williams, N.J.
Yarborough
Young, Ohio

NAYS—54

Allott
Anderson
Bartlett
Beall
Bennett
Bible
Boggs
Brewster
Byrd, Va.
Cannon
Carlson
Case
Cooper
Cotton
Curtis
Dirksen
Dominick
Edmondson
Ellender
Ervin
Goldwater
Hayden
Hickenlooper
Hill
Holland
Hruska
Jackson
Johnston
Jordan, N.C.
Keating
Kuchel
Lausche
Long, La.
Mansfield
McClellan
McIntyre
Mechem
Miller
Morton
Mundt
Pearson
Proxmire
Robertson
Russell
Simpson
Smathers
Smith
Stennis
Symington
Talmadge
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NOT VOTING—17

Aiken
Bayh
Byrd, W. Va.
Eastland
Fulbright
Gore
Humphrey
Long, Mo.
Magnuson
Monroney
Morse
Neuberger
Pastore
Prouty
Randolph
Saltonstall
Sparkman

So Mr. Clark's amendment was rejected.

Mr. LAUSCHE. Mr. President, I offer my amendment.

The PRESIDING OFFICER. The clerk will state the amendment.

The Legislative Clerk. On page 5, line 12, it is proposed to strike out "$425,000,000" and insert in lieu thereof "$400,000,000".

On page 6, line 18, immediately before the period it is proposed to insert the following: ": *Provided further*, That no part of any amount appropriated by this paragraph shall be available to defray any costs incurred for advertising or publicity services of any newspaper, periodical, radio station, or television station".

Mr. MANSFIELD. Mr. President, I wish to propound a unanimous consent agreement, namely, that 20 minutes of debate be allowed on the pending amendment, with 10 minutes to be controlled by the Senator from Ohio [Mr. Lausche], and 10 minutes to be controlled by the Senator from Alabama [Mr. Hill].

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. HOLLAND. Mr. President, will the Senator from Ohio request a yea-and-nay vote on his amendment?

Mr. LAUSCHE. I am not prepared to say at this time.

If my amendment is adopted it will reduce the amount recommended by the committee for the operation of the U.S. Employment Service from $425 million to $400 million. The House allowed $350 million. The Senate committee's recommendation is $425 million. My amendment will make available to the U.S. Employment Service, as I have already stated, the sum of $400 million.

I have two reasons for proposing the amendment. The sum recommended by the committee is $25 million more than was appropriated last year. From the universities of the State of Ohio I have received letters complaining that the U.S. Employment Service was coming into the universities to engage in the placement of students, thus substituting its service for the established placement bureaus of the universities.

If I had received only one letter along this line, I would have paid no attention to it. However, I have received many letters. The argument made by the universities is: "The placement service of the universities is our means of keeping in contact with industry. We must have friendly relations with industry, which frequently contributes to the establishment of scholarship funds."

The U.S. Employment Service answers by saying: "We do not go in unless we are asked to go in."

I made inquiry on that point, and I found that a very delicate method is used. Universities are told, "We will make available for you this service."

In my judgment, we are doing a disservice to the placement bureaus of the various universities and the country when the U.S. Employment Service steps in to perform work that is already being done.

Second, I have before me a sheaf of advertisements prepared by the U.S. Employment Service and placed in various newspapers of Ohio. One of them, which was published in the Cincinnati Post and Times Star, reads:

> Jobs. Clerical, professional, and sales. Immediate openings.
>
> Marketing manager—communications, $16,000 a year.
>
> Industrial engineer, $7,500 to $7,800 a year.
>
> Methods engineer, $500 to $550 a month.

Next, I refer to an advertisement in the Cincinnati Enquirer:

> Now staffing immediate openings with largest motel chain in America.
>
> Bartenders, cooks and helpers, salad girls, bus girls, cashier-hostess, waitresses, porters, dishwashers, bellhops.

Another advertisement from the Cincinnati Post and Times Star reads:

> Jobs. Immediate openings. Professional and clerical.

Mr. RUSSELL. Mr. President, will the Senator from Ohio yield?

Mr. LAUSCHE. I yield.

Mr. RUSSELL. Were those advertisements inserted by the motel?

Mr. LAUSCHE. These advertisements were paid for by the taxpayers of the United States and were inserted by the U.S. Employment Service. The motels have not done this. The enterprises which desired the skilled mechanics have not paid for the advertisements; the advertisements were paid for by the taxpayers.

I have a whole sheaf of advertisements. I shall not read each one. But one after another indicates that the U.S. Employment Service, which was established in the 1930's to find jobs for the unemployed, is now advertising for people to apply for jobs by means of advertisements paid for by the taxpayers' money. It was never intended that such practices should be followed by the U.S. Employment Service.

I wish to read certain statements made when this law was passed in 1933. The report of the Senate Committee on Education and Labor stated, in part:

> We have in the proposed bill, then, a Federal agency set up to work in the various States in cooperation with the State employment agencies for the purpose of reducing unemployment and for the purpose of stabilizing labor conditions throughout the States.

The report of the House committee in 1933 stated:

> In conclusion, the committee feels that the passage of this legislation will do much to bring about desired results in helping to relieve the unemployment situation through the country by providing employment services whereby the Federal Government and the States may work in harmony and avoid duplication of efforts.

A number of other statements were made in 1933, when the bill was discussed in the House and Senate, pointing out that the purpose of the U.S. Employment Service was to help persons who were out of work.

But what has happened? The U.S. Employment Service now finds it easier to give help to those who have jobs, who are not out of work.

I know it is more difficult to place an unemployed worker in a job than one who is already employed. However, it is the jobless who need help. This is particularly true of those who are getting aid to dependent children. Even though they are unemployed, fathers with children in need can get relief through ADC in 15 States which have these programs. To get this relief, the fathers must first register with the Employment Service, so that the Service will know who they are. But the record of the Employment

Service here is a sorry one indeed. For the month of May 1963, 4,821 families were removed from the aid to dependent children relief rolls because the fathers got jobs. They were new jobs, not cases where they returned to their former employment. Out of these 4,800 who got new jobs, only 382 got them through referral by the public employment services. In just this 1 month alone, more than 4,400 found new jobs through other avenues such as help-wanted ads, leads from neighbors or friends, going around to places of business inquiring about employment, and private employment agencies. For everyone who got a job through the Employment Service, 12 others found jobs through other sources. My point here is that the Employment Service helped less than 8 percent of those who got new jobs. The record shows that this is quite typical, month after month. But 92 percent were not helped by the Public Employment Service.

That is the substance of my amendment. I shall not ask for a yea-and-nay vote on the amendment.

Mr. MILLER. Mr. President, will the Senator from Ohio yield?

Mr. LAUSCHE. I yield to the Senator from Iowa.

Mr. MILLER. I, too, have received similar correspondence from some of the universities in Iowa concerning the items to which the Senator from Ohio alluded. It seems to me that his amendment is worthwhile. While he may not be constrained to ask for the yeas and nays, I should like to do so. Would the Senator from Ohio have any objection if I did so? His amendment has much merit. One way in which we might be able to have some amendments adopted is to have them explained as lucidly as the Senator from Ohio has explained his amendment, and then vote them up or down. I should dislike to see an amendment such as that offered by the Senator from Ohio lose by a mere voice vote, although I do not know what the disposition of the Senators in charge of the bill is.

Mr. MILLER subsequently said: Mr. President, I ask unanimous consent that a letter from Paul H. Robbins, executive director of the National Society of Professional Engineers, and a letter from Dr. Chester E. Peters, president of the College Placement Council, Inc., may be printed in the Record following my remarks on the Lausche-Miller amendment.

The PRESIDING OFFICER. Is there objection to the request by the Senator from Iowa?

There being no objection, the letters were ordered to be printed in the Record, as follows:

National Society of
Professional Engineers,
Washington, D.C., April 19, 1963.

Subject: Fiscal year 1964 requests, Bureau of Employment Security, Department of Labor.

Hon. John E. Fogarty,
Chairman, Subcommittee on Department of Labor, House Appropriations Committee, U.S. House of Representatives, Washington, D.C.

Dear Mr. Fogarty: The 60,000-member National Society of Professional Engineers is deeply cognizant of the necessity and desirability of improving the effectiveness of the Bureau of Employment Security. There appears little reason to question that expanded activities of the Bureau in selected areas may significantly aid in the national efforts to reduce the alarming rate of unemployment, reflecting a concomitant increase in the rate of economic growth. It is respectfully submitted that this should be one of the main criteria in evaluating any increased appropriation requests for the employment service activities of BES.

The National Society of Professional Engineers is concerned to note the intention of the U.S. Employment Service to extend its support of State employment agencies to enable them to take over college placement activities. These activities are an integral, inseparable and vital part of the operations of the institutions of higher education, affording them information not otherwise available concerning supply, demand, and quality of their programs and graduates. It should also be noted that the important labor market information of BES is already available to the institutions.

The tremendous responsibilities of BES would be better fulfilled if its resources and energies were directed toward programs and problems of critical national concern which cannot otherwise be satisfactorily met. But our colleges and universities are doing a commendable job in their placement activities which provide them with vital liaison with industries and employers of their graduates. Removal of this liaison by operation of their placement facilities through and under the BES would deprive institutions of one of their most valuable, important resources.

Institutional opposition to the BES program is reflected in response to a letter to all college presidents from the College Placement Council outlining the program. Without soliciting any response, 200 college presidents replied they were in opposition to the BES assuming responsibility for their placement activities.

Another survey of 1,400 major employers asked how much they were utilizing State employment agencies for on-campus recruiting. Of the 1,023 replies, 856 did not use the State employment services. Of the 199 companies that commented pro or con on its effectiveness, 4 were favorable to the State employment services, and 195 were negative in their reactions.

The many financial demands upon the Government are urgent and critical. The Congress is now evaluating programs to which the available resources can best be assigned. Consideration must be given to curtailing those activities and expenditures for which there is no demonstrable need, demand or justification—and which may be detrimental to the interests of institutions of higher education. We therefore urge your committee to adopt an appropriate restrictive amendment to prevent the Department of Labor, through the BES, from employing Federal funds in State plans for college placement activities.

Thank you for considering this proposal. If the National Society may be of assistance to you and your colleagues in any manner, please do not hesitate to call upon us.

Very truly yours,

Paul H. Robbins,
Executive Director.

Presentation of the College Placement Council, Inc., to the Subcommittee on Departments of Labor, and Health, Education, and Welfare, and Related Agencies of the Senate Committee on Appropriations

Mr. Chairman, in the face of unemployment approaching 5 million and with the recognized need for retraining of individuals displaced in employment through increased automation, a heavy obligation rests upon the U.S. Department of Labor. It must expend every effort to utilize effectively appropriations made available to alleviate current manpower problems. Conversely, the dissipation of tax moneys by its U.S. Employment Service to provide unneeded and unsought assistance to graduating college students would appear to be an especially unthinkable misuse of public funds at this time.

Under the broad provisions of the Wagner-Peyser Act, the Department of Labor has been seeking to expand its professional placement activities on as many fronts as possible. Some of these aims would appear to be commendable. In the area of the career placement and employment of college students, however, there is virtually no need for assistance. With almost negligible exceptions the colleges and universities are providing the counseling, testing, and placement necessary to the efficient incorporation of its graduates into the economy. Employers in business, education, government, and industry have achieved a mutually advantageous relationship with these institutions. The campus placement activities are an integral part of the system of higher education and in most instances a function of student personnel services.

Until recently less than a half-dozen colleges and universities utilized personnel from the State employment services to provide placement assistance to their students. In the 1960's, however, the number has increased rapidly to the point where there are now 19 institutions with State agency personnel staffing the placement offices in whole or in part.

When it became obvious that the State employment agencies were circularizing college administrators, inviting them to augment or substitute the free services of the State employment agencies for student placement services previously provided by the colleges, concern was felt in many quarters. Concurrently, the State employment agencies began to contact employers offering to furnish recruitment services on the college campus without cost and, in some instances, encouraging the establishment of exclusive representation whereby the employer would conduct recruitment only through the State employment agency. Approaches to employers have been reported with increasing frequency in recent months. Additionally, the State agencies have continued to follow a practice of keeping confidential the identity of employers whom they serve. This practice has resulted in the college placement director being denied knowledge of the actual organization for which the student is being sought and the placement officer's effectiveness as a counselor consequently is being negated.

The College Placement Council, Inc., a nonprofit organization through which placement and recruitment are coordinated at a national and international level, was among the first to question the U.S. Employment Service program. It approached the Department of Labor to determine if the Department's objectives had been misconstrued. In four separate conferences from March 1962, to March 1963, representatives of the College Placement Council attempted first to convince the Department of the unnecessary role it was assuming Failing this, it sought cooperation in which the Department would dissuade the State employment agencies from providing on-campus services. In all discussions the Department of Labor refused to accept the basic philosophy of the placement directors, i.e., that the counseling, testing, and placement of college students is and must remain an integral function of higher education.

To assure itself of the validity of its own position, the College Placement Council, which represents the eight Regional Placement Associations in the United States and

Canada, polled those in the United States and received unanimous support for its position. Included in the seven associations in the United States are nearly 900 of the 1,085 4-year degree-granting, accredited colleges and universities in the country. Also represented are some 1,800 employers in Government, business, education, and industry—virtually every employing organization of consequence which chooses to visit a college campus to recruit graduates.

The rationale offered by the Department of Labor for its interest in the college placement field has not followed a consistent pattern. Its initial position suggested that the placement offices were so ill staffed and implemented for their responsibilities that supplementation by the U.S. Employment Service was necessary to acquaint college graduates with the "thousands of jobs" of which they otherwise would not be aware. A program was proposed wherein college seniors would be registered with the local employment office, State employment staff members would be stationed on campus for part- or full-time service, and employers would be represented by State agency personnel who would keep the identity of such individuals in confidence. When considerable negative response developed to this set of directives, the U.S. Employment Service issued a new directive which stressed generalities but failed to rescind, specifically, its earlier intentions.

The College Placement Council in cooperation with the U.S. Chamber of Commerce acquainted college presidents with the foregoing developments and received some 200 unsolicited letters from college presidents in response, most of these volunteering strong support of the College Placement Council's position. Employers were then canvassed to determine the extent to which they were taking advantage of the State employment service for the recruiting of professional personnel and their attitude toward such service. Again a preponderantly negative response to the utilization of the State employment agencies was recorded.

Representatives of the Department of Labor express concern for the status of "youth" as an important element of the unemployment problem. It is entirely proper that they should. The term "youth" in this context is presumed to cover everyone of working age short of his 21st year. The college youth, however, is completely dissimilar from the high school dropout, or even the high school graduate. To equate the college graduate with the youth problem of unemployment is not realistic. The college graduate of today is widely sought by government, business, education, and industry. The average and the exceptionally talented graduates have a multiple choice of career opportunities. The less talented have, and always will have, less option. But relatively few reach the end of their senior year without employment if they have actively sought it. For the State employment agency to expend effort, staff, and money to urge upon these college graduates even more openings while the high school students, and the high school dropouts in particular, need massive assistance, is a disservice to our economy.

Statements of Labor Department representatives have given the impression that college placement offices are not sufficiently established or implemented to serve their purpose. At the present time there are 1,085 accredited, 4-year degree-granting institutions of higher education. Of the foregoing, 853 have formalized placement activity. These placement offices are cooperating with one of the seven regional placement associations of the United States, the College Placement Council, or both. They represent some 2,810,000 college students. The remaining 232 accredited institutions are so limited in enrollment or specific as to career preparation (theological seminaries, music or art institutes, etc.) that formal placement programs are infrequently necessitated. As the smaller colleges develop to the point where formal placement activities are indicated, the regional placement associations provide counsel and assistance to their placement offices through standing committees charged with these responsibilities.

College placement officers and employers, over the past decade in particular, have cooperated through their regional placement associations to establish a remarkable working relationship which has been a prime factor in effecting understanding and communication between higher education on the one hand and the employer on the other. The mutual benefits have resulted in a philosophy and a technique unique in the world for effective career placement of graduates. This is not to say that the system, as is true with all systems involving the variability of the individual, cannot be and is not being improved. Much remains to be done and the College Placement Council reflects the determination of those whom it serves, in higher education and among the employers of the Nation, that it be done without oncampus Federal supplementation.

The major, irreconcilable difference in philosophy between the College Placement Council and the U.S. Employment Service is that the council insists upon placement being an integral part of the educational process, with counseling, testing, and placement conducted exclusively by officers of the college, retained by the college, and responsible only to the college. This is the way the system has grown and improved, with higher education and employers sharing the financial burden because of a conviction that the best interests of all concerned are thus served. The "Philosophy of College Placement" published by the College Placement Council says in part, "The educational process develops an individual's mental powers and ethical standards by a system of study and discipline to fulfill his potentialities both as an inividual and as a useful citizen in his community. As an integral part of this educational process, college placement advances the purposes of the particular educational institution it serves. In endeavoring to extend and communicate knowledge, placement activities must operate in the climate of academic freedom. They must provide opportunity for individual initiative, maintain institutional and professional integrity, and be concerned with the needs of the public."

The College Placement Council submits that these ends cannot be achieved through the substitution or supplementation of oncampus college placement responsibilities by the State affiliates of the U.S. Employment Service. It invites the serious consideration of this committee and of the Senate to the importance of directing the funds allocated to the Department of Labor to those critical areas of need which the U.S. Employment Service is uniquely qualified to serve. Since college placement is not one of these critical areas and since its continuing administration within the traditional framework of higher education is recommended by educators and employers alike, the College Placement Council asks your endorsement of the position that a professional program for the college campus as proposed by the U.S. Employment Service is both unnecessary and unwarranted.

Dr. Chester E. Peters,
President, College Placement Council, Inc.

Mr. LAUSCHE. The recommendation of the committee is $425 million. The House allowance is $350 million. My amendment would reduce the amount to $400 million.

I have confidence in the Senator from Alabama. I believe he will recognize the impropriety of the kind of of advertising I have described, such as the advertisement for a job paying $16,000 a year. How does that help to relieve unemployment? What wild imagination can bring us to the conclusion that such an advertisement is performing the function of the U.S. Employment Service. I know that under the law the U.S. Employment Agency can advertise in this manner, but it is wrong and ought to be stopped.

The PRESIDING OFFICER. The time of the Senator from Ohio has expired.

Mr. MILLER. Mr. President, I ask unanimous consent that I be permitted to join as a cosponsor of the amendment of the Senator from Ohio.

Mr. LAUSCHE. Mr. President, will the Senator from Alabama give consideration to this question when the bill is in conference?

Mr. MILLER. Mr. President, a point of order. I did not hear a response by the Chair to my unanimous-consent request.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HILL. Mr. President, I yield myself 3 minutes.

The Senator from Ohio had addressed a question to me.

I am sure that all members of the conference representing the Senate will, in conference, give due consideration to the question which the Senator from Ohio has raised today about advertising.

The House provided $350 million. The Senate provided $425 million. There is a difference of some $75 million between the two Houses.

I think I can assure the Senator from Ohio that the conferees will thoroughly discuss the question of advertising.

Mr. LAUSCHE. I have been told by a member of the staff that the USES spent $412 million last year and that of that amount a substantial part was paid for advertisements. I say in all sincerity that this practice is not at all justified by the purpose of the law.

Mr. HRUSKA. Mr. President, will the Senator from Alabama yield?

Mr. HILL. I yield.

Mr. HRUSKA. May I inquire of the chairman of the subcommittee, who is in charge of the bill, his attitude with reference to the language contained in the amendment offered by the Senator from Ohio?

Mr. HILL. I told the Senator from Ohio that I was sure the members of the conference, including the chairman—speaking for myself, and I feel certain that this would be true of the other members of the conference—would consider this subject very thoroughly in the conference with the House conferees, having in mind the statement made by the distinguished Senator from Ohio this afternoon.

Mr. HRUSKA. Would that include the acceptance of the amendment offered by the Senator from Ohio? Otherwise, nothing would be in conference, with respect to the language in the amendment.

Mr. LAUSCHE. My amendment provides that no money shall be used for paid advertising.

Mr. HILL. When the conferees consider a question of this kind, they have wide discretion and could very well, in reaching their agreement, not only determine the amount of the funds, but also state in the report exactly what the funds were for and what they shall not be used for.

Mr. HRUSKA. And the conditions under which they might be spent?

Mr. HILL. I should say the conferees could consider all such questions.

Mr. HRUSKA. If the conferees would inquire into matters of the kind contained in the amendment offered by the Senator from Ohio, I would have no objection.

Mr. HILL. Certainly.

Mr. HRUSKA. And also the conditions relating to the expenditure thereof?

Mr. HILL. The conferees can go into all the various categories of questions.

Mr. HRUSKA. If the conditions set forth in the amendment of the Senator from Ohio were included, I believe that would satisfy those who have asked the questions.

Mr. CLARK. Mr. President, will the Senator from Alabama yield 1 minute to me?

Mr. HILL. I yield.

Mr. CLARK. In view of the recent colloquy, I wish to have the Record show that in my opinion this really is an iniquitous amendment, which I hope will not be adopted either on the floor or in conference. The voluminous testimony which the Employment of Manpower Subcommittee of the Committee on Labor and Public Welfare has taken on the whole employment problem makes it abundantly clear that if we are to make any real dent in the unemployment problem, the Employment Service must be far more aggressive than it has been. It must seek jobs for these people, rather than wait for the employers to offer them. Advertising is the essence of salesmanship; advertising is the essence of enabling the unemployed to become aware of job opportunities, whereas they will not become aware of them in the absence of advertising.

So when the Senator from Alabama goes to conference, I hope he will take note of the fact that at least a few Members of the Senate do not agree to the inclusion of this amendment.

The **PRESIDING OFFICER.** The question is on agreeing to the Lausche-Miller amendment.

Mr. MILLER. Mr. President, on this question, I ask for the yeas and nays.

The yeas and nays were not ordered.

Mr. HRUSKA. Mr. President, I suggest the absence of a quorum.

Mr. MANSFIELD. First, Mr. President, on the question of agreeing to the amendment, I now ask for the yeas and nays.

The yeas and nays were ordered.

Mr. HILL. Mr. President, I have said to the distinguished Senator from Ohio that the conferees will go into the matter of paid advertising. I understand his amendment would specifically forbid all advertising; is that correct?

Mr. LAUSCHE. Yes.

Mr. HILL. I do not know whether the Senate wants to go quite that far. Our subcommittee received considerable testimony on both sides of this question. Senators will agree that, on the whole, this issue really should be determined by the legislative committee, rather than by the Appropriations Committee. It goes to the basic legislation, which of course is handled by the Senate Finance Committee and the House Ways and Means Committee.

In answer to some of the criticisms about advertising, I point out that the Employment Service has stated:

> Since Employment Service funds for advertising are very limited (less than one-half of 1 percent of the budget and averaging about $6 a week for each local office), only a small portion is paid for by the Employment Service. Most publicity is made available as a public service contribution by newspapers and radio and television stations, or is underwritten by employers for whom workers are being recruited.

That statement by the Employment Service is to the effect that much of the advertising is free, given either by the newspapers, radio stations, or television stations, or is paid for by employers who seek workers and therefore are willing to pay for the advertising, in the hope they will get the workers they need. Therefore, I do not know whether it would be wise for us at this time, without further consideration, to provide there shall be no advertising; and I thought the distinguished Senator from Ohio would withdraw his amendment.

Mr. LAUSCHE. I contemplated withdrawing it; but I could not do so in the face of the rather widespread request that the Senate vote on it.

Mr. SMATHERS. Mr. President, will the Senator from Alabama yield?

Mr. HILL. I yield.

Mr. SMATHERS. Will the Senator from Alabama explain whether it is his judgment that from time to time it is necessary for the Employment Service to make clear whether jobs are available for those who might be included to take them? Is that the need for the advertising?

Mr. HILL. That might be one of the needs for it, and might be one of the reasons why the advertising has been carried. The distinguished Senator from Florida is a member of the Senate Finance Committee, and has heard a great deal more about this particular legislation and its provisions than perhaps any member of the Appropriations Committee has.

But to continue with my response to the query of the Senator from Florida, let me say the testimony discloses, for example as to the situation in New York State:

> Job opportunities and the supply of qualified applicants are rarely in balance, which frequently necessitates advertising to bring together employers and applicants.

Mr. SMATHERS. In other words, the problem is to let the one who is seeking a job know that a job exists?

Mr. HILL. Yes, particularly in large cities such as New York.

Mr. SMATHERS. And the best way to do that is to advertise in the newspapers, so that those who are unemployed may know that jobs are available?

Mr. HILL. Yes.

Mr. SMATHERS. In order to make the program work satisfactorily, or to make it work even more satisfactorily, is it not necessary to let those who are unemployed know that jobs for them are available at certain places?

Mr. HILL. Yes; and no doubt the Finance Committee and the Ways and Means Commitee had that situation in mind.

The **PRESIDING OFFICER** (Mr. McGovern in the chair). All time on the amendment has expired.

The question is on agreeing to the Lausche-Miller amendment. On this question, the yeas and nays have been ordered; and the Clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD (after having voted in the negative). On this vote I have a pair with the distinguished Senator from Illinois [Mr. Dirksen]. If he were present, he would vote "yea." If I were at liberty to vote, I would vote "nay." I therefore withdraw my vote.

The rollcall was concluded.

Mr. MANSFIELD. I announce that the Senator from Mississippi [Mr. Eastland], the Senator from Arkansas [Mr. Fulbright], the Senator from Tennessee [Mr. Gore], the Senator from Minnesota [Mr. Humphrey], the Senator from Missouri [Mr. Long], the Senator from Oregon [Mr. Morse], the Senator from Oregon [Mrs. Neuberger], the Senator from Rhode Island [Mr. Pastore], the Senator from West Virginia [Mr. Randolph], and the Senator from Alabama [Mr. Sparkman] are absent on official business.

I further announce that the Senator from Indiana [Mr. Bayh] and the Senator from Washington [Mr. Magnuson] are necessarily absent.

I further announce that, if present and voting, the Senator from Indiana [Mr. Bayh], the Senator from Minnesota [Mr. Humphrey], the Senator from Missouri [Mr. Long], the Senator from Washington [Mr. Magnuson], the Senator from Oregon [Mr. Morse], the Senator from Oregon [Mr. Neuberger], and the Senator from Rhode Island [Mr. Pastore] would each vote "nay."

On this vote, the Senator from West Virginia [Mr. Randolph] is paired with the Senator from Mississippi [Mr. Eastland]. If present and voting, the Senator from West Virginia would vote "nay," and the Senator from Mississippi would vote "yea."

Mr. KUCHEL. I announce that the Senator from Vermont [Mr. Aiken] and the Senator from Massachusetts [Mr. Saltonstall] are absent on official business.

The Senator from Maryland [Mr. Beall] and the Senator from Vermont [Mr. Prouty] are necessarily absent.

The Senator from Illinois [Mr. Dirksen] is detained on official business, and his pair has been previously announced.

The result was announced—yeas 33, nays 49, as follows:

[No. 125 Leg.]

YEAS—33

Allott
Bennett
Boggs
Byrd, Va.
Carlson
Cooper
Curtis
Dodd
Dominick
Ellender
Ervin
Goldwater

Hickenlooper
Hruska
Jordan, N.C.
Jordan, Idaho
Lausche
Long, La.
McClellan
Mechem
Miller
Morton
Mundt
Pearson
Robertson
Russell
Scott
Simpson
Talmadge
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NAYS—49

Anderson
Bartlett
Bible
Brewster
Burdick
Byrd, W. Va.
Cannon
Case
Church
Clark
Cotton
Douglas
Edmondson
Engle
Fong
Gruening
Hart
Hartke
Hayden
Hill
Holland
Inouye
Jackson
Javits
Johnston
Keating
Kefauver
Kennedy
Kuchel
McCarthy
McGee
McGovern
McIntyre
McNamara
Metcalf
Monroney
Moss
Muskie
Nelson
Pell
Proxmire
Ribicoff
Smathers
Smith
Stennis
Symington
Williams, N.J.
Yarborough
Young, Ohio

NOT VOTING—18

Aiken
Bayh
Beall
Dirksen
Eastland
Fulbright
Gore
Humphrey
Long, Mo.
Magnuson
Mansfield
Morse
Neuberger
Pastore
Prouty
Randolph
Saltonstall
Sparkman

So Mr. LAUSCHE's amendment was rejected.

Mr. HILL. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

Mr. PROXMIRE. Mr. President, I ask for the attention of the Parliamentarian. I intend to make two points of order on the bill.

I make the point of order that on page 9, lines 5 through 7 and lines 16 through 18—the italicized matter—are not in order on the grounds that they represent a violation of rule XVI, subparagraphs 2 and 4; that is, the language both is legislation on an appropriation bill and also provides for a contingency, which is specifically prohibited under the rule.

The PRESIDING OFFICER. The Chair rules that the point of order is sustained.

Mr. PROXMIRE. I thank the Presiding Officer.

Mr. HILL. Mr. President, on behalf of the Committee on Appropriations I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 9, line 5, it is proposed to strike out "$870,000" and to insert in lieu thereof "$1,387,250".

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Alabama.

Mr. PROXMIRE. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were not ordered.

Mr. PROXMIRE. Mr. President, I intend to speak at some length on this amendment, because it would provide for a continuation of the bracero program. Furthermore, it would do so although the House of Representatives has already killed the program and there is very considerable question as to whether the Senate will approve the program at all.

There has been discussion this afternoon as to the propriety and wisdom of the Senate making appropriations before an authorization bill is passed. This is a direct, clear, and obvious violation of that principle as well as the rule.

I oppose the bracero program but it is obvious that many Senators favor the program—there is no question that it has merit. Whether Senators favor it or oppose it, it seems to me to be clearly a violation of the rule to provide the money. The Chair has sustained my position. It should be obvious to the Senate, under these circumstances.

I hope that the Senator from Alabama will reconsider and recognize that the appropriation for the program will be forthcoming if the authorization bill is passed. To press, in violation of the rule, for an appropriation now, when the authorization has not been passed, seems to this Senator to be not in order.

Before I yield the floor I hope there may be a short debate and a vote. Once again I renew my request for the yeas and nays, in view of the fact that this amendment involves a substantive question. The Chair has ruled on it. I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. PROXMIRE. Mr. President, I yield the floor.

Mr. HOLLAND. Mr. President, I wish to make a brief statement.

When the Committee on Appropriations was marking up the bill, S. 1703, the bill referred to in the committee amendment which has just been stricken on a point of order, either was the pending business on the Senate floor or had been announced as being the next order of business. As I recall, S. 1703 was the pending business on July 30 and 31. H.R. 5888 was reported to the Senate on August 1.

Because of the invariable rule of the Senate, since I have served on the Appropriations Committee, of trying to take care, in an appropriation bill pending at the time, of matters which it is believed will be enacted, the committee placed in this appropriation bill the language which has been stricken on a point of order; namely, the language which would require that $517,250 of the total appropriation for compliance activities in the Mexican farm labor program be available only upon enactment of the bill authorizing the extension of the program for 1 year.

The same statement may be made, with a difference in amounts involved, with respect to the paragraph which deals with the salaries and expenses item on the Mexican farm labor program. I think all Senators familiar with the matter know that that is the case.

On July 31 a point of order was raised on the floor of the Senate to the further debate and consideration of S. 1703, and the bill was sent back to the Committee on Agriculture and Forestry of the Senate. On August 1 the Senate Committee on Agriculture met and again voted to report out S. 1703.

The same number of members of that committee—5 of the 17—who had voted against the favorable reporting of the bill on the first occasion the committee ordered it reported again voted against the favorable reporting of the bill on August 1; that is, the next day, following the raising of the point of order on the floor of the Senate.

The bill was again reported favorably to the Senate. It was favorably reported yesterday morning, the delay between the committee vote and the actual reporting of the bill being due only to the fact that the Senator from Wisconsin requested of the Senator from Florida, who had been directed by the chairman of the committee, the Senator from Louisiana [Mr. ELLENDER] to report the bill, that he would like to have the report held up until the minority views could be prepared. I was very happy to grant that privilege to the Senator from Wisconsin. I think that is a customary privilege. I do not feel it was anything special. I had done exactly the same thing when the bill was first reported.

I do not know why the minority never seems to be able to write its opinions as fast as the majority, but that frequently happens, and that is what happened in this case.

So the bill is now upon the calendar again, and ready for consideration.

The Senator from Wisconsin again has raised a point of order, this time directed to the appropriation bill.

It is true that the House of Representatives has killed a bill somewhat similar to the bill now before the Senate and on the calendar. However the House bill was quite different in one important respect, in that the House bill would have extended the program for 2 years, whereas the Senate bill, introduced by the two distinguished Senators from Colorado [Mr. ALLOTT and Mr. DOMINICK], would extend the program for only 1 year.

This is a very significant difference between the two measures. In his report to the House committee and in a request to the Senate committee, the Secretary of Labor recommended extension of the program for 1 year—not for the 2 years covered by the House bill, but for the 1 year covered by the Senate bill.

In both cases I think it is fair to say that he suggested an amendment, being a portion of the amendment suggested by him 2 years ago, when this program was last extended, at which time several of the suggestions made by him were adopted.

The Senator from Florida would not have been able to approve the amendment requested by the Secretary of Labor. He does not think there were many Senators—certainly not more than five—within the membership of the full committee who would have approved it.

My principal reason for disapproving it is that it would have required the employers of agricultural labor who sought to avail themselves of the services of Mexican labor to give exactly the same treatment, in connection with various phases of the operation, but particularly the advancement of transportation money, to domestic labor that is required in the case of Mexican labor.

It is not reasonable to apply the same requirements to domestic and Mexican workers because of their different situations. The Mexican workers program is handled by the Department of Labor itself. It recruits the laborers, brings them in, takes care of them at various hostelries known as reception centers, and otherwise provides for their welfare and safety. They may remain in the country only if they carry out their work contracts, so that the employer has some assurance when he pays for their transportation that they will work for him.

It would be completely wrong to put into the law the requirement that employers of domestic agricultural labor should be required to advance to domestic labor transportation expenses to and from their places of work, because it happens that we have laws in this Nation against peonage.

Those who do this kind of labor, mostly stoop labor, know that when they come to a farmer—let us say the distinguished Senator from Virginia [Mr. BYRD] who raises fine apples on his farm in Virginia—they have a perfect right, no matter how much he has advanced to them, to depart from his place the next day, without striking a lick, or, if they get a better offer, to leave his orchard to go to someone else's orchard, or go anywhere else, for any reason they may have, and he has no way of requiring them to perform their work.

In the case of Mexican laborers, they are handled by the Department of Labor and the Immigration Service, and the same rule does not apply at all.

So the committee has recommended the extension for 1 year, as recommended by the Secretary of Labor, but without the amendment recommended by the Secretary; and I would be surprised if a substantial number of Senators would consider it a reasonable proposal.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield to the Senator from Virginia.

Mr. ROBERTSON. Do I correctly understand there is a difference in the law covering laborers who come in from Mexico to go into some States to pick small crops, and apple pickers who come from the Bahamas into the valleys of Virginia, for example, to harvest apples? Do I correctly understand there is a difference in the law applying to those two groups of laborers?

Mr. HOLLAND. There is a complete difference in the law as between the latter situation and the braceros. However, some workers are brought in from Mexico under the same law that covers offshore labor.

Those who know anything about these two laws say that the so-called Bracero Act, the act which is involved in these proceedings, is much fuller in its coverage of the protection of the workers than is the other act, and is so designed because the Secretary of Labor is authorized to provide camps, recruit laborers, and transport them. In the one case, the employer repays the various costs, including costs of transportation and the cost of the program, through the Federal agency; whereas in the other case it is paid more directly from the farmers to the individuals or governments concerned.

Mr. ROBERTSON. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield.

Mr. ROBERTSON. I wish to point out——

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. HOLLAND. I have yielded to the Senator from Virginia. I shall be glad to yield next to the Senator from Wisconsin.

Mr. ROBERTSON. Letters I have received say that the farmers of Virginia who do not use Mexican labor want the Mexican labor bill passed because the fight against that bill is by union labor, and if the unions can eliminate the Mexican laborers, they will make the farmers pay two or three times as much. The average unionman would not work on the farm, if there were any relief left for him, under any circumstances, for any wage; and if they can knock out the Mexican laborers, and then knock out the apple pickers, who are authorized to come and go, we shall lose our apple pickers.

While my distinguished colleague from Virginia, through superior skill, has been able to accumulate a few dollars by growing apples, that is not true of every apple farmer, and we still need the help of these pickers.

I am for the bill for the Mexican workers, but the Senator from Virginia may point out that when the Senator from Pennsylvania wanted to add $40 million to train workers, if it were not authorized, it would have been subject to a point of order.

Am I to understand that, after the Senator in charge of the bill from the subcommittee struck out the additional $517,250, and left the $870,000 which was in the House bill, it is still authorized?

Mr. HOLLAND. The $870,000 item which is in the House bill is to carry the program through December 31.

Mr. ROBERTSON. Is that authorized?

Mr. HOLLAND. The Senator is correct. If the amendment now offered by the chairman on behalf of the committee, after polling the committee, is approved, the amount provided will be $1,387,250 instead of $870,000. The Senator is speaking about the paragraph covering compliance activities, and the amendment of the Senator from Alabama would provide sufficient funds to permit the compliance activities in connection with the enforcement of this law to continue next year, in the event that the extension is enacted into law.

Mr. ROBERTSON. I want to vote for the Mexican labor provision. It has been rejected by the House. We shall try again in the Senate. But it is not yet law. Is that correct?

Mr. HOLLAND. That is correct. The bill to extend the program beyond December of this year has not been passed yet.

Mr. ROBERTSON. Under those circumstances can the $870,000 be appropriated?

Mr. HOLLAND. The program is provided for by existing law, but only until December 31, 1963. The appropriation is therefore authorized, but the amount that is needed will depend on whether the program is extended.

Mr. ROBERTSON. Then, I would not be inconsistent in voting to see that the $870,000 is authorized?

Mr. HOLLAND. The $870,000 is needed to cover the period ending December 31, the present period covered by Public Law 78. There is no contention about that sum. It is covered by the budget. The reason for proposing the larger amount now is to make a similar provision for the coming year, but without the language to which the Senator from Wisconsin has objected, although it is for the same purpose, as the Senator well sees.

The Senator says he is for renewal of the program. I would expect him to be, and I think he should be, because every grower of perishable products who has to rely upon this type of labor has only so much to draw on from the domestic pool; and if those elsewhere in the Nation are not able to obtain the laborers they have become accustomed to rely upon—and last year they used 195,000 workers under Public Law 78 in the West, Southwest, and as far north as Michigan—it means that some of the domestic labor which customarily would have gone to the apple orchards of Virginia and West Virginia, the orange groves of Florida, or to the pickle fields of Michigan, will be going to California or other points in the Southwest. The result will be a shortage, such as that which we are experiencing in other parts of the country with respect to the same type of labor.

Mr. ROBERTSON. Is not this also true as to the fundamental——

Mr. HOLLAND. I will yield to the distinguished Senator from Wisconsin, as I have already assured him that I would. I will yield to him shortly. In the meantime I will continue to recognize my friend from Virginia until he has completed his line of questioning.

Mr. ROBERTSON. Is it not also true that the union labor which complains about this program has an average income, at least so far as the skilled union worker is concerned, which is four times the average income of the average farmer?

Mr. HOLLAND. The Senator is correct in principle, although I cannot give the amount. I had not expected to go into the merits of the bill. Anyone who wishes to read the record in the House—and a full record was made there, both this year and in past years—will see that with reference to the pickle industry in the State of Michigan where about 20,000 foreign workers are used annually, it was made very clear that the industry tried to procure its workers from among the unemployed in the industrial areas of Michigan, only to find that those workers would not remain in that type of work. They would spend a few hours and then say that the work was too hard.

The pickle industry would prefer to have them, because those workers are close by and the employers are saved the expense of recruiting more distant workers and the expense of maintaining recruiting offices. Those who are raising highly perishable crops are left in a very precarious position unless they have access to farm labor in two directions, first, Mexican labor in the Southwest and, second, offshore and Canadian labor in the East.

Anyone who wishes to leave the farmers, who are already in a precarious position, in that kind of situation, will have to follow an argument which I cannot support.

So far as the attitude of the labor organizations is concerned, they are active in this field; and, of course, the recommendations of the Labor Department show its interest in augmenting the membership of organized labor. That interest has been shown in a series of recommendations. I believe the farming people of this country are growing rather tired of it, because they must contend with the elements, with the seasons, and with the many precarious situations associated with that form of agriculture. They are entitled to a little consideration. That is why I am interested in this subject. I now yield to the Senator from Wisconsin.

Mr. PROXMIRE. I thank the Senator for yielding. I was not able to follow fully the colloquy between the Senator from Virginia and the Senator from Florida, and I would like to determine whether or not the sum of $1,387,250, on line 5 of page 9, has in fact been authorized. Does the authorization go further than the $870,000? Has there been an authorization for the $1,387,250? Does the Senator from Florida or the Senator from Alabama know?

Mr. HOLLAND. So far as I know—and I stand ready to be corrected by the distinguished chairman of the committee, or any other Senator—the authorization bill is not in a precise amount of cash. On the contrary, the authorization is for a fixed time. The Appropriations Committee in the House fixed the amount at $870,000. The Appropriations Committee in the Senate fixed it at $1,387,250. My information is that the only authorization now in the law has to do with the continuance of these programs through December 31, 1963.

If I am incorrect, I ask any Senator who knows the facts more clearly to correct me. I am sure that is the case.

Mr. PROXMIRE. Will the Senator from Florida permit the Senator from Wisconsin to ask the Chair and the Parliamentarian, whether, in view of the clear language of paragraph 1 of rule XVI, which requires a meeting of a standing committee or a previous authorization, the amendment of the Senator from Alabama raising the amount by $517,000 is in order?

Mr. HOLLAND. May I be heard on that? I wish to make it clear that the subcommittee and the full committee approved the exact amount of $1,387,250.

The only vice of which they were guilty in the mind of the Senator from Wisconsin was to put in the wording that comes after that amount. That amount was added in the regular meeting of the subcommittee. The Senator from Alabama is present, and I am sure he knows that that is the case. It was approved in the full meeting of the full committee. The Senator has made his point that the wording is not good. Now for him to try to make the point that the committee did not act upon this amount is rather futile, because the committee has acted on the amount and the amount was reported by both the subcommittee and the full committee.

Mr. PROXMIRE. That is not my point. The point of order I made was sustained. That knocked out the $1,387,000; that eliminated that amount.

Mr. HOLLAND. The Senator is correct.

Mr. PROXMIRE. The amount then went back to $870,000. Since that action was taken by the Chair, there has been no meeting of the Appropriations Committee. Therefore I am asking the Chair to rule whether the authorization is sufficiently adequate to permit the Senator from Alabama to raise the amount. If the authorization is not sufficient, then the amendment of the Senator from Alabama is in violation of paragraph 1 of rule XVI.

The PRESIDING OFFICER. The Chair will read the pertinent section of rule XVI, as follows:

> 1. All general appropriation bills shall be referred to the Committee on Appropriations, and no amendments shall be received to any general appropriation bill the effect of which will be to increase an appropriation already contained in the bill, or to add a new item of appropriation, unless it be made to carry out the provisions of some existing law, or treaty stipulation, or act, or resolution previously passed by the Senate during that session; or unless the same be moved by direction of a standing or select committee of the Senate, or proposed in pursuance of an estimate submitted in accordance with law.

Under the last part of that paragraph the committee has acted within the rule, and the proposed amendment of the Senator from Alabama is, therefore, within the rule.

Mr. PROXMIRE. I had anticipated that that would be true. However, there was some confusion among Senators as to whether the authorization had actually been made. I shall speak briefly on this subject.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. RUSSELL. Mr. President, I have very grave doubts as to whether the Senator's point of order would lie in the first instance to the amount recommended by the committee. The language that follows the amount is undoubtedly subject to a point of order. However the committee could have recommended $10 million, for example, instead of $1,387,000, and not have earmarked any part of it. The point of order against the amount was not good, in my judgment. The committee, having appropriated a specific amount, has not violated any rule of the Senate. Where it violated the rule was where it earmarked a part of the appropriation.

The Chair has ruled that that part of the amendment was subject to a point of order. I wish to point out, before the RECORD is closed, that the rule gives the right to any Member of the Senate to offer an amendment. Any Member may offer an amendment in his own right as an individual Senator to increase any one of the items in any amount by which he desires to increase or decrease it, as he sees fit as long as it is authorized by law. The precedents in that respect are unbroken.

The PRESIDING OFFICER. The Chair agrees with the interpretation of the Senator from Georgia. The point of order that was sustained a little while ago, made by the Senator from Wisconsin, had reference to the entire amendment. A point of order would not lie against the amount itself.

The Senator from Alabama is perfectly in order in his proposal relative to the amount.

Mr. RUSSELL. I thought the point of order was subject to being divided. It was undoubtedly good as to the amount included. But I do not agree that a point of order can eliminate an amount duly recommended by the Committee on Appropriations if there is no authorization by law for it. No earmarking could take it out.

Mr. PROXMIRE. The only point was whether there was authorization.

Mr. RUSSELL. I think it is generally agreed that there is no authorization. But if Congress wanted to waste some money, it could appropriate $10 million instead of $1 million, and such action would not be subject to a point of order.

Mr. PROXMIRE. If the amount went above the amount authorized, it seems to me a point of order would lie.

Mr. RUSSELL. If it were in excess of an authorization, the amount in excess would have to be approved by the Committee on Appropriations. The Committee on Appropriations can approve, in committee, any amount in excess of the authorization; but no Senator can offer an amendment on the floor in excess of that amount.

Mr. PROXMIRE. I believe the situation is now clear. The amendment is clearly in order. First, I presume the verbal limitation included by the Committee on Appropriations was for a purpose. The purpose was to earmark and limit funds. I believe the committee acted properly, because it felt that the additional appropriation could not be made without some kind of limitation.

The amendment of the Senator from Alabama provides that the funds may be appropriated without limitation.

If the bracero bill passes, there will be a supplemental appropriation. I am sure there will be no trouble in that respect, if the bracero bill is permitted to become law.

The purpose of my point of order and in opposing the position of the Senator from Alabama is merely to argue, as I tried to argue about 2 o'clock this afternoon, that until the enactment of a law authorizing these funds, it is not orderly or proper, whether we approve the bracero bill or oppose it, to pass this kind of appropriation.

Every Senator knows that the bracero bill is highly controversial. The Senator from Florida has discussed its merits to some extent. When the bill comes before the Senate, some of us who oppose it will discuss it at considerable length, at least for several hours. In its present form, the bill is opposed by the Secretary of Labor; he made that clear. He is opposed to a 1-year extension without an amendment which the Senator from Florida [Mr. HOLLAND] and other Senators oppose, and may very well be able to defeat on the floor of the Senate.

Second, the Secretary of Agriculture, who is our expert on the farmer, has given a very brief report, indicating that his support for a 1-year extension, is clearly conditioned on the amendment which the Secretary of Labor desires to have offered and which the Senator from Minnesota [Mr. McCARTHY] and the Senator from New Jersey [Mr. WILLIAMS] will offer. So there is a real question—and this is the main point I wish to make—whether the proposed bracero legislation will pass. It is highly controversial.

Most important of all, similar legislation has been killed in the House. There is every likelihood that the House will not accept the bracero bill, if the Senate passes a 1-year extension. Under these circumstances, it does not make sense for the Senate to move ahead with an appropriation until the bracero bill has passed. There is plenty of time; there is no hurry. We shall consider at least one, perhaps two supplemental appropriation bills before the bracero situation develops. So is it not orderly to proceed to increase the amount to the level provided by the amendment of the Senator from Alabama until there is a purpose for this additional spending clearly provided in an authorizing bill.

Mr. HOLLAND. Mr. President, I call attention to the fact that the inclusion of this item by the Senate committee simply means that it will be in conference. If the House is adamant about the further consideration of the bracero bill on the 1-year extension basis, of course the item will go out in conference. If the House approves it, we will have completed the consideration of this phase of the matter. It seems to me that that is a complete answer to the views of the Senator from Wisconsin.

The question now is one of foresight, as to whether we should include this item in the bill, so that if the House accepts it—and we are not yet in conference by a good bit—this item will remain in the bill.

Mr. ALLOTT. Mr. President, I was about to make the point which the distinguished Senator from Florida has made. I express my appreciation to him and to the distinguished Senator from Alabama, chairman of the subcommittee, for including this money in the appropriation bill. In making this statement, I do not wish to discuss the merits of the bracero bill at this time, although I should be perfecly willing to do so. I am sure that it will be debated at great length and just as vigorously by those of us who favor the bill, when it comes before the Senate. Therefore, I hope all Senators will support the amendment of the chairman of the committee, which is in conformity with the action of the committee in its meeting.

Mr. McCARTHY. Mr. President, this procedure is somewhat unusual in the circumstances under which we are considering the Mexican farm labor bill. As the Senator from Wisconsin [Mr. PROXMIRE] has said, the House has rejected the Mexican farm labor program. It would be in order to approve the $800,000 in the bill, but I do not see any reason why we should now proceed to appropriate money to administer a program which has been rejected by the House and which might very well be rejected by the Senate when the program is brought before us.

I can anticipate the argument which will be made next week if we now appropriate money to administer the program in 1964. Senators will rise and say, "We might as well approve the program because we have already appropriated the money to carry it out."

A few minutes ago, when the Senator from Pennsylvania [Mr. CLARK] proposed to include additional money for the retraining of unemployed American workers, the argument was made against it: "We do not have sufficient authorization for it. There is an authorization for some retraining, but why appropriate more money than is needed to carry out the program?"

So in one case we have the committee and the Senate consistent: "Let us not appropriate more money than we might need to retrain unemployed American workers."

But 20 minutes later it is said, "Let us appropriate more money than we need, so as to import Mexican farmworkers to perform work that might otherwise be done by American workers."

Mr. DOUGLAS. Mr. President, will the Senator from Minnesota yield?

Mr. McCARTHY. I yield.

Mr. DOUGLAS. The Senator from Minnesota has made an excellent point. The employment of Mexican laborers will mean added unemployment for American workers. If the Senate supports the amendment offered by the Senator from Alabama, it will be voting to make the unemployment situation of American workers worse, just as on the previous amendment the Senate likewise voted to make the unemployment situation of American workers worse. Is that correct?

Mr. McCARTHY. The Senator from Illinois is quite correct.

In addition, it would give additional support to carrying to conference such an item for the next farm labor bill. In view of the present situation of the Mexican farm labor bill, I see no justification whatever for including more funds than are needed to carry out the program for the duration of the time that it has been authorized; and certainly I see no reason for the appropriation of this additional money on the very day when we have rejected the proposal that we make an appropriation in anticipation of the need to retrain unemployed Americans.

Therefore, I suggest that the Senate vote only the additional appropriation necessary for the remainder of 1963, and reject the amendment proposed by the Senator from Alabama.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Alabama [Mr. HILL]. On this question, the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Nevada [Mr. CANNON], the Senator from Mississippi [Mr. EASTLAND], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. GORE], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Missouri [Mr. LONG], the Senator from Oregon [Mr. MORSE], the Senator from Oregon [Mrs. NEUBERGER], the Senator from Rhode Island [Mr. PASTORE], the Senator from West Virginia [Mr. RANDOLPH], the Senator from Florida [Mr. SMATHERS], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Missouri [Mr. SYMINGTON] are absent on official business.

I further announce that the Senator from Indiana [Mr. BAYH] and the Senator from Washington [Mr. MAGNUSON] are necessarily absent.

I further announce that, if present and voting, the Senator from Tennessee [Mr. KEFAUVER] would vote "nay."

On this vote, the Senator from Indiana [Mr. BAYH] is paired with the Senator from Nevada [Mr. CANNON]. If present and voting, the Senator from Indiana would vote "nay," and the Senator from Nevada would vote "yea."

On this vote, the Senator from Minnesota [Mr. HUMPHREY] is paired with the Senator from Mississippi [Mr. EASTLAND]. If present and voting, the Senator from Minnesota would vote "nay," and the Senator from Mississippi would vote "yea."

On this vote, the Senator from Washington [Mr. MAGNUSON] is paired with the Senator from Arkansas [Mr. FULBRIGHT]. If present and voting, the Senator from Washington would vote "nay," and the Senator from Arkansas would vote "yea."

On this vote, the Senator from Oregon [Mr. MORSE] is paired with the Senator from West Virginia [Mr. RANDOLPH]. If present and voting, the Senator from Oregon would vote "nay," and the Senator from West Virginia would vote "yea."

On this vote, the Senator from Oregon [Mrs. NEUBERGER] is paired with the Senator from Florida [Mr. SMATHERS]. If present and voting, the Senator from Oregon would vote "nay," and the Senator from Florida would vote "yea."

On this vote, the Senator from Rhode Island [Mr. PASTORE] is paired with the Senator from Alabama [Mr. SPARKMAN]. If present and voting, the Senator from Rhode Island would vote "nay," and the Senator from Alabama would vote "yea."

Mr. KUCHEL. I announce that the Senator from Vermont [Mr. AIKEN] and the Senator from Massachusetts [Mr. SALTONSTALL] are absent on official business.

The Senator from Maryland [Mr. Beall], the Senator from Kansas [Mr. Carlson], and the Senator from Vermont [Mr. Prouty] are necessarily absent.

The result was announced—yeas 45, nays 34, as follows:

[No. 126 Leg.]

YEAS—45

Allott
Bartlett
Bennett
Bible
Byrd, Va.
Cooper
Cotton
Curtis
Dominick
Edmondson
Ellender
Engle
Ervin
Goldwater
Hart
Hayden
Hickenlooper
Hill
Holland
Hruska
Jackson
Jordan, N.C.
Jordan, Idaho
Kuchel
Lausche
Mansfield
McClellan
McGee
Mechem
Miller
Monroney
Morton
Moss
Mundt
Muskie
Pearson
Robertson
Scott
Simpson
Stennis
Talmadge
Thurmond
Tower
Yarborough
Young, N. Dak.

NAYS—34

Anderson
Boggs
Brewster
Burdick
Byrd, W. Va.
Case
Church
Clark
Dirksen
Dodd
Douglas
Fong
Gruening
Hartke
Inouye
Javits
Johnston
Keating
Kennedy
Long, La.
McCarthy
McGovern
McIntyre
McNamara
Metcalf
Nelson
Pell
Proxmire
Ribicoff
Russell
Smith
Williams, N.J.
Williams, Del.
Young, Ohio

NOT VOTING—21

Aiken
Bayh
Beall
Cannon
Carlson
Eastland
Fulbright
Gore
Humphrey
Kefauver
Long, Mo.
Magnuson
Morse
Neuberger
Pastore
Prouty
Randolph
Saltonstall
Smathers
Sparkman
Symington

So Mr. Hill's amendment was agreed to.

Mr. HILL. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. ALLOTT. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Colorado.

The motion was agreed to.

Mr. PROXMIRE. Mr. President, I make a point of order. I refer to page 21, lines 9 to 15. I make the point of order that the provision in the bill is in violation of rule XVI. It is a contingency, and clearly violates the provisions of subparagraph (2). I point out also that the program has not been requested by the administration. It has not been requested by the Department. It has not been approved by the House. I oppose it on the ground that Congress should not give the administration the money unless it asks for it. The point I now make is that the language is not in order, and therefore should be stricken from the bill.

The PRESIDING OFFICER. The Chair sustains——

Mr. HILL. Mr. President, I should like to be heard on that question.

The PRESIDING OFFICER. The Chair recognizes the Senator from Alabama.

Mr. HILL. The point of order may go to the proviso but not to the other part. The Senate has passed Senate bill 1576, the mental health bill. That bill authorized the expenditure of $1,500,000 for training teachers of the deaf. If the Senate has passed an authorizing bill, it is in order to include the appropriation in an appropriation bill. I point out that the authorization bill has passed the Senate.

The PRESIDING OFFICER. The Senator from Alabama is correct in what he has said. But does he modify the committee amendment——

Mr. HILL. The Senator from Alabama with the consent of the committee modifies the amendment on page 21, line 12, so as to strike out the language from the word "provided" down through the paragraph including line 15.

The PRESIDING OFFICER. The amendment as modified is within the rule because the part that he has agreed to eliminate is the part that is subject to the point of order. The remainder of the language would be within the rule. Without objection the amendment as modified is agreed to.

Mr. JAVITS. Mr. President, I offer an amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment of the Senator from New York will be stated.

The Legislative Clerk. On page 31, line 3, before the period it is proposed to insert the following: ": *Provided further*, That no part of the amounts appropriated in this paragraph shall be used for hospitals or related facilities which are segregated on account of race, creed, or color".

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New York.

Mr. JAVITS. Mr. President, on the amendment I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. DIRKSEN. I should like to ask the Senator how long he intends to discuss his proposal.

Mr. JAVITS. Mr. President, I shall not take more than 20 minutes. I should like, if I may, without being presumptuous, to address myself to the majority leader. If the majority leader intends to move to table the amendment, I would deeply appreciate the opportunity to ask for the yeas and nays on the motion to table at this time while many Senators are present.

Mr. MANSFIELD. That is perfectly agreeable to me. In return, I would deeply appreciate it if the Senator would agree to a 25-minute limitation on the amendment, 22 minutes to be used by himself, and 3 minutes by the majority leader.

Mr. JAVITS. I ask the majority leader to allow me to inquire of Senators in the Chamber whether any other Senator desires to speak on the amendment. Then I shall be able to answer his question. If no other Senator desires to speak, may we agree on a half hour? I shall take 25 minutes, and 5 minutes will remain to the majority leader.

Mr. MANSFIELD. Mr. President, I make such a request.

Mr. HOLLAND. Mr. President, I did not hear all that the distinguished majority leader said. Did I correctly understand him to say that he expected to make a motion to lay on the table the amendment of the Senator from New York at the expiration of 30 minutes?

Mr. MANSFIELD. At the end of the 30 minutes, or sooner, the time to be divided 25 minutes to the Senator from New York, and 5 minutes to the majority leader.

Mr. HOLLAND. With that understanding, I am perfectly willing to proceed.

Mr. JAVITS. Mr. President, I ask unanimous consent that the request for the order for the yeas and nays on the amendment apply also to a motion to table when made.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New York? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, has my request for a time limitation been agreed to?

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

Mr. JAVITS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JAVITS. As I understand the situation, there will be 30 minutes of debate on the amendment, the time to be divided in order to give 25 minutes to me and 5 minutes to the majority leader.

The PRESIDING OFFICER. The Senator is correct.

Mr. JAVITS. As I understand the situation further, the yeas and nays are ordered either on the amendment or on a motion to table the amendment, if such a motion is made.

The PRESIDING OFFICER. By unanimous consent that is the situation.

Mr. JAVITS. I thank the Chair.

Mr. President, I yield myself 15 minutes.

I shall be factual. Everyone knows my views upon this subject. The moralities have been argued many times. I should like to give my colleagues the facts. The facts are so appalling that it seems to me they make a far more overwhelming and far more persuasive case that we ought, in all good conscience, to do what is recommended by the amendment, than any coloration which I might give them.

I refer to one of the two anachronisms in the law. The law in the case of Hill-Burton Act aid for the construction of hospitals in specific terms permits the so-called separate-but-equal doctrine of the Plessy against Ferguson decision—separate-but-equal facilities—which was stricken down by the Supreme Court in 1954 in the public school desegregation cases. That provision is contained in section 622(f) of the Public Health law. Very interestingly, provision is made in that section that aid for such facilities shall be given provided that the facilities will be made available without discrimination on account of race, creed, or color, to all persons residing in the territorial area to be served by that facility. But the law further states that an exception shall be made in cases where separate hospital facilities are provided for separate population groups, if the plan makes equitable provision on the basis of need for facilities and services of like quality for each such group.

And the Public Health Service regulations accordingly state, in section 53.112:

> The State agency may waive the requirement of assurance from the construction applicant if (a) it finds that the plan otherwise makes equitable provision on the basis of need for facilities and services of like quality for each such population group in the area; and (b) such finding is subsequently approved by the Surgeon General.

That is the segregation permission; that is, the State agency may waive the requirement.

What compounds the problem and makes the provision appalling is the fact that the State agency's waiver must be subsequently approved by the Surgeon General, who is a Federal official. So this is a situation, in the case of Hill-Burton funds, in which a Federal official is affirmatively approving segregated hospitals.

Think of that, Mr. President, at a time such as this, when the country is literally burning upon this issue.

The Surgeon General of the United States actually does so. There is no guess about this. I have the record. The Hill-Burton program became law in 1946. In 1957, two such hospitals were authorized. In 1958, two were authorized. In 1959, five were authorized. In 1960, 18 were authorized. In 1961, 10 were authorized. In 1962, four were authorized. In 1963, one was authorized.

In short, this is a situation in which, in effect, we are allowing not only Federal tax moneys but also Federal authority to be used affirmatively to establish segregated facilities.

The facts are well known. I have put surveys in the RECORD. Findings have been made by the Southern Regional Council, in a report on the Hill-Burton hospital construction program. It is well known that there are many hospitals which are being constructed in the southern States, where segregation is the social order, and where hospitals and many other facilities are segregated.

I invite Members of the Senate to refer to pages 705 and 706 of the hearings on the bill. There are tables showing total allocations, by State, of the funds appropriated for the past fiscal year and expected to be appropriated for the present fiscal year.

The amount we are asked to appropriate is not $170 million, as requested by the administration and as it appears on page 706. In this case the amount is to be raised by $50 million, so it is to be $220 million. Even with respect to $170 million—I invite attention to exhibit IV on page 706—the total allocation to the 11 Southern States, where segregation is the social pattern, amount to $56,423,463. That is $56 million in round figures. That figure would have to be increased by at least 25 percent, because the amount in the bill is to be increased by $50 million.

First, we would be legislating a direct aid to segregation, because the Surgeon General not only can allow but also has allowed segregated facilities in respect of hospitals. Second, we would be feeding money without any precaution or safeguard, directly into areas where segregation is the social pattern. The indications are that segregation not only is practiced with respect to patients, but also is practiced with respect to Negro physicians, who, incidentally, represent only 2 percent of the physicians in the country although Negroes represent 10 percent of our population. It is practiced with respect to admittance into medical societies, even in States where one cannot be permitted to practice in a hospital unless one belongs to a medical society; it is practiced with respect to specialist training, of which specialists the Negroes have only a few hundred in the country, whereas in proportion to the population the figure should be about 6,000; and it is practiced with respect to admission to medical schools affiliated with the hospitals.

Mr. President, it seems to me that the overwhelming burden of the facts is so shocking in this respect, in connection with what is probably the most pernicious kind of segregation and discrimination, as to impress the Congress, if anything in the world can.

Let us examine the legislative situation. We are facing a civil rights "package." What will come of that we do not know. In that civil rights package the President has recommended a provision which would give him the authority, in his discretion, he says, to cut off Federal funds to State programs which are segregated or discriminatory.

I should like to report something to the Senate. I have tried, as has the Senator from Michigan [Mr. HART], to get from the Government departments an accounting as to how those departments are using Federal funds which are entrusted to them in respect of State programs which are segregated or discriminatory. The principal agency from which I have not had a reply is the Department of Health, Education, and Welfare.

One can understand why when one looks over the pending bill. Not only is this the most pernicious example of discrimination and segregation, in respect of the Hill-Burton Hospital Construction Act, but also there are other things in the same bill involving the same problem—vocational education, impacted school districts, and others. I have picked out the most outrageous of all, for it seems to me to be absolutely the clearest case.

This represents an almost unbelievable pattern in the Federal Government. A number of Government departments have reported to us that they believe they have the authority to withhold funds from any State programs which are segregated or discriminatory. I will name those. One is the Post Office Department, which says flatly that it has such power. Another is the Department of Labor, which says flatly that it has that power. The Commerce Department says that it has that power in all but two instances. The Defense Department says it is in doubt, and that it intends to consider the question further. Of course, we all know that the Housing and Home Finance Agency has such power, because the President made that clear by an Executive order against discrimination in housing.

Some of our Government departments feel that they have this authority and actually are applying it. These statements are in writing, and I have introduced them in the RECORD, as has the Senator from Michigan [Mr. HART], with whom I have collaborated in this effort. It is absolutely fantastic that, on the one hand, certain departments say they can withhold money; and, on the other hand, a department such as the Department of Health, Education, and Welfare not only says it cannot but also, for all practical purposes, affirms that the Surgeon General not only has the authority to utilize, but also will utilize the authority, in order to directly authorize the use of Federal moneys for the establishment of new—not old—segregated Federal hospitals.

Many people talk about protests and demonstrations and the impatience of Negroes. Under this state of facts have we any other right than to say to ourselves, "They are exercising absolutely unbelievable restraint"? This kind of situation is facing the Congress of the United States, which is today asked to appropriate $220 million for certain purposes. Yet Congress does not have the self-discipline, unless it should adopt an amendment like the one pending, to put a stop to the abuses of the use of public moneys in the fashion in which I have just described.

What will we be greeted by, Mr. President, as the argument against my amendment? We will be told, "It is in the President's package"—which, incidentally, would give him discretionary authority. I believe he has absolute authority. Other departments say they have authority. Only the Department of Health, Education, and Welfare is silent.

We shall be faced with the argument, "This is in the President's package. It will be dealt with in good time."

Mr. President, I have given the record. Since 1957 there has been segregated hospital after segregated hospital built. I have given the figures which show that $56 million will go into the South in aid of hospital construction.

We are asked to pay out this money. It is the money of the taxpayers.

It has been said time and time and time again—and it is worth repetition—that the taxpayers' money is taken out of the backs of whites and blacks alike. Yet that money is to be used for the very thing for which one such person—Medgar Evers—has put down his life in protest, and as to which others are protesting at the risk of imprisonment and the blasting of their whole futures because of an arrest record, all over this country, and very heavily in the South.

We shall be confronted with the argument, "It will be taken care of. Congress will deal with the whole subject. The President will look into it."

We are asked to appropriate the hard-earned money of the American taxpayers to support and authorize directly a segregated practice of this character on the part of the Federal Government.

Perhaps we have some indication of the attitude upon this subject from the fact that when the President sent to Congress a special message he told us only that he wanted to eliminate the separate-but-equal provisions of the Morrill Act, the Federal Land-Grant College Act. Incidentally, there is $11 million in the bill for that purpose, and an amendment toward that end would also lie.

We understand these situations, and so we try to pick out the one which will most appeal to all Senators and which will most trouble the conscience of the Congress, which is what I have tried to do today.

But the President said nothing about the Hill-Burton Act, I assume on the ground that, if he has discretionary authority, he will use it, and not as he chooses. But I submit that we are dealing with an affirmative exercise of authority by the Federal Government to authorize separate-but-equal facilities. Where that power has come to be exercised—and there is no question about it; it has been exercised in the cases I have described from 1957 on—I cannot see how we can expect people to rely upon the fact that we will do justice in the Congress to their legitimate complaints on the ground of segregation and discrimination when we will not restrain the expenditure of any of this money for the purposes I have described.

It is a pernicious example of discrimination. In my judgment, it is affront to our Constitution. It should be an affront to the conscience of the Congress. I feel very deeply that, at the very least, this is the kind of practice so blatant, involving so much money, involving new, not old, projects, that we must put a stop to that practice.

I fought the same battle with respect to construction of airports, when an effort was made to get around the law on the presense that the particular segregated part of an airport was not constructed by the use of Federal money. I am fighting the same battle on this bill.

I do not know what will become of the President's package bill for civil rights, but this is a question of justice in the barest zones of humanity. A play has been written called "The Death of Bessie Smith," which involved the case of a Negro woman who died because no one would pick her up and take her to a white hospital in the South. This is not unusual. It is one of the things that is most deeply rooted in the minds of Negroes in the South. The least we can do is to say we are not going to spend U.S. money to support this practice. It is really very elemental.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. JAVITS. I yield to my colleague.

Mr. KEATING. It should be emphasized that even if the President's package is enacted in every respect, it will not take care of the situation to which the Senator is addressing the amendment. All the President's proposals authorize is the discretionary authority to withhold funds, not the mandatory direction which is required. The authority now exists to withhold funds, but it is not being exercised, and, if enacted into law, the President's package bill will do nothing to correct that situation.

In due course, it is the intention of some of us to offer an amendment to make that section mandatory, and, generally in programs where discrimination is practiced, to do exactly what the senior Senator from New York is seeking to do in the matter of the Hill-Burton Act.

Mr. President, I strongly support this amendment. It is incredible at this date in our history that the Federal Government should operate as a silent partner of segregation in any area of activity. Yet this is exactly the situation under a host of Federal grant-in-aid programs administered without regard to the requirements of equal protection.

The Constitution of the United States is colorblind and so is the Internal Revenue Service. It collects taxes from every citizen whether he is white or Negro, and it is immoral as well as unlawful for such funds to be disbursed on a racially segregated basis.

I will support every effort to strike down this invidious practice. The most effective way of dealing with it, in my judgment, would be an Executive order applicable across the board which would direct every official of the executive branch to insist upon a policy of nondiscrimination under any programs which are within his agency's jurisdiction. A second approach would be the adoption of general legislation directing the same course of action. But no such Executive order has been issued and no such legislation has yet been acted upon. Until we take these steps to curb Federal subsidies for Jim Crow projects, we have no choice, unless we want to turn our back on the Constitution, but to insist that each individual program for which funds are requested or for which an extension is proposed be subject to nondiscrimination requirements.

The situation under the so-called Hill-Burton Act is particularly serious. We have all heard of cases in which citizens of the United States in dire need of medical attention have been turned away from white-only hospitals, sometimes with fatal consequences. We know that qualified medical doctors who could render a valuable service to the community are denied admission to the staffs of certain hospitals because they are Negro.

I have on several occasions attempted to obtain assurance from the Secretary of Health, Education, and Welfare that such practices would not be tolerated at any hospital constructed with Federal funds or operated with Federal assistance. The Attorney General has actually instituted litigation to bar such practices at hospitals subsidized with Hill-Burton funds. Despite these urgings, the Department of Health, Education, and Welfare continues its head-in-the-sand attitude toward the whole problem.

On June 4, 1963, after a meeting with the top officials of the National Medical Association, I wrote to Secretary Celebreeze asking for a report on steps his Department was taking to enforce nondiscrimination requirements in hospitals receiving Federal grants. The Hill-Burton Act contains a provision allowing approval of grants for separate but equal facilities under specified conditions.

This provision, in my judgment, has been a nullity since the Supreme Court's decision in the Brown case holding the separate but equal doctrine unconstitutional. But even apart from any question of its validity, I have been advised by the National Medical Association that separate but equal grants have been requested in only a small number of cases and that 98 percent of all grants under the Hill-Burton Act have been made on the basis of a certification by the State agency involved that the facilities would be operated without discrimination on account of race, creed, or color. In these cases there can be no arguing with the fact that operation of a hospital on a segregated basis violates not only the Constitution but the act itself and the regulations issued by the Surgeon General.

In my June 4 letter to Secretary Celebrezze, I requested that he submit to me a report on the following subjects:

First. The steps the Department takes to enforce a policy of nondiscrimination in cases in which no waiver for separate but equal facilities has been granted.

Second. The number of cases in which a waiver has been granted for segregated hospital facilities, and a summary of the Department's present policy with regard to granting such waivers.

Third. The position of the Department on its authority to condition all grants under the Hill-Burton Act on a requirement of nondiscrimination in view of the requirements of the equal protection clause.

I also asked for the Department's comments on the extent to which there is racial discrimination against patients and physicians by hospitals receiving Federal or State financial assistance.

I have yet to receive an answer to this letter after waiting for more than 2 months and despite repeated telephonic requests to the Agency as recently as yesterday for its response.

Well, let me say that this is an issue which neither the Secretary of Health, Education, and Welfare nor the Congress can duck. We are on the eve of a historic civil rights debate. The President has submitted to us a request for legislation which would go a long way toward assuring continued progress in the field of civil rights. But the Federal Government has a solemn obligation to enter this debate with clean hands. The force of its appeal for enactment of this legislation will be strengthened by every step we take to rid every Federal activity from the taint of discrimination. It is within the power of the President to deal with these shocking conditions without legislation, but he has chosen not to exercise that power. It, therefore, becomes our duty to adopt the measures needed.

This amendment is only one of the multitude which are required to translate the principle of equal protection into a guiding directive controlling the expenditure of all Federal funds. But we have to start some place at some time, and this is as good a place and time as any. I hope that this amendment will be overwhelmingly approved.

Mr. President, I ask unanimous consent that the text of my letter to Secretary Celebrezze be printed at this point in the Record, and I assure the Secretary, in the Record, that I will also request unanimous consent that any reply I receive to this letter, whenever it arrives, also be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

June 4, 1963.

Hon. Anthony J. Celebrezze,
Department of Health, Education, and Welfare, Washington, D.C.

Dear Mr. Secretary: Officials of the National Medical Association have brought to my attention their discussions with the Department regarding enforcement of nondiscrimination requirements in hospitals receiving Federal grants.

In my judgment, it is no more lawful for the Federal Government to expend Federal funds on segregated projects or programs than it is for State officials to support segregated facilities. I recognize that the Hill-Burton Act contains a clause authorizing an exception to be made to the general statutory prohibition against discriminatory hospital practices in cases in which equitable provision is made for separate facilities. It is apparent, however, that this clause was invalidated when the separate but equal doctrine was repudiated by the Supreme Court and that it no longer offers any justifiable basis for the refusal of the Department to enforce a policy of nondiscrimination in all cases.

In any event, the officials of the National Medical Association advise me that the exception for separate but equal facilities has been granted relatively infrequently and that 98 percent of all grants under the Hill-Burton Act have been made on the basis of a certification by the State agency that the facilities will be operated without discrimination on account of race, creed, or color. In such cases, operation of the hospital on a segregated basis violates not only the Constitution, but the act itself and the regulations issued by the Surgeon General.

I am confident that you would agree that it is shocking that any hospital supported by public funds, Federal or State, would deny its facilities to people in need of hospital care or to qualified physicians because of their race. Under these circumstances, I would appreciate a report from you indicating the following:

1. The steps the Department takes to enforce a policy of nondiscrimination in cases in which no waiver for separate but equal facilities has been granted.

2. The number of cases in which a waiver has been granted for segregated hospital facilities, and a summary of the Department's present policy with regard to granting such waivers.

3. The position of the Department on its authority to condition all grants under the Hill-Burton Act on a requirement of nondiscrimination in view of the requirements of the equal protection clause.

I would appreciate also the Department's comments on the extent to which there is racial discrimination against patients and physicians by hospitals receiving Federal or State financial assistance.

Your cooperation, as always, is most gratifying.

Very sincerely yours,
Kenneth B. Keating.

Mr. KEATING. Mr. President, I urge that the amendment be adopted and that any motion or effort to kill it be defeated.

Mr. JAVITS. I thank my colleague for his remarks.

Mr. President, I yield myself all but 2 minutes of my time.

I wish to make two further points: First, since this program began in 1946, there are 104 totally segregated hospitals which have been authorized under the Hill-Burton program, involving $36,996,000 as the Federal Government's share. That is a crying shame, and it is time to stop it.

Second, proceedings in court have so far failed. The NAACP has sued in order to prevent the use of such funds for two segregated hospitals. The Attorney General has tried to get into one such case. So far the district court has thrown it out on the ground that there was no cause of action.

Consequently, this is the place where justice must be sought. It is for that reason that I am pressing this amendment and hope that it will be approved.

I yield 1 minute to the Senator from Michigan.

Mr. HART. To underscore the last statement of the senior Senator from New York, this is the place and this is the time. If there is any answer to the cries for justice in the country in this sensitive area, this is it. I hope the amendment prevails and that Senators on this side of the aisle will resist any effort to table the amendment.

Mr. JAVITS. I am somewhat embarrassed by the fact that the Senator from Montana [Mr. Mansfield] wished to take a few minutes on the amendment and is not now in the Chamber. Therefore I ask unanimous consent that I may suggest the absence of a quorum without the time being charged to either side, to give the majority leader an opportunity to return to the Chamber.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. Brewster in the chair). Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I yield back four and a half minutes of my time. I point out to the Senate that this subject is now being considered in the appropriate committees of the Senate. Therefore I move to table the amendment of the Senator from New York.

The PRESIDING OFFICER. The question is on agreeing to the motion to table made by the Senator from Montana. The yeas and nays have been ordered, and the clerk will call the roll.

Mr. HUMPHREY. I announce that the Senator from Nevada [Mr. Cannon], the Senator from Mississippi [Mr. Eastland], the Senator from Arkansas [Mr. Fulbright], the Senator from Tennessee [Mr. Gore], the Senator from Missouri [Mr. Long], the Senator from Oregon [Mr. Morse], the Senator from West Virginia [Mr. Randolph], the Senator from Alabama [Mr. Sparkman], and the Senator from Missouri [Mr. Symington] are absent on official business.

I further announce that the Senator from Indiana [Mr. Bayh] and the Senator from Washington [Mr. Magnuson] are necessarily absent.

On this vote, the Senator from Indiana [Mr. Bayh] is paired with the Senator from Nevada [Mr. Cannon]. If present and voting, the Senator from Indiana would vote "nay" and the Senator from Nevada would vote "yea."

On this vote, the Senator from Missouri [Mr. Long] is paired with the Senator from Mississippi [Mr. Eastland]. If present and voting, the Senator from Missouri would vote "nay" and the Senator from Mississippi would vote "yea."

On this vote, the Senator from Oregon [Mr. Morse] is paired with the Senator from Arkansas [Mr. Fulbright]. If present and voting, the Senator from Oregon would vote "nay" and the Senator from Arkansas would vote "yea."

On this vote, the Senator from Missouri [Mr. Symington] is paired with the Senator from Washington [Mr. Magnuson]. If present and voting, the Senator from Missouri would vote "nay" and the Senator from Washington would vote "yea."

On this vote, the Senator from West Virginia [Mr. Randolph] is paired with the Senator from Alabama [Mr. Sparkman]. If present and voting, the Senator from West Virginia would vote "nay" and the Senator from Alabama would vote "yea."

Mr. KUCHEL. I announce that the Senator from Massachusetts [Mr. Saltonstall] is absent on official business.

The Senator from Maryland [Mr. Beall], the Senator from Kansas [Mr. Carlson], and the Senator from Vermont [Mr. Prouty] are necessarily absent. If present and voting the Senator from Maryland [Mr. Beall] would vote "nay."

The Senator from Nebraska [Mr. Hruska], the Senator from New Mexico [Mr. Mechem], the Senator from Kentucky [Mr. Morton], and the Senator from Kansas [Mr. Pearson] are also necessarily absent and, if present and voting, would vote "nay."

The result was announced—yeas 44, nays 37, as follows:

[No. 127 Leg.]

YEAS—44

Bartlett
Bible
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Church
Clark
Edmondson
Ellender
Ervin
Gruening
Hayden
Hill
Holland
Humphrey
Inouye
Jackson
Johnston
Jordan, N.C.
Kefauver
Kennedy
Long, La.
Mansfield
McCarthy
McClellan
McGee
McNamara
Metcalf
Monroney
Moss
Muskie
Neuberger
Pastore
Pell
Robertson
Russell
Smathers
Stennis
Talmadge
Thurmond
Williams, N.J.
Yarborough
Young, N. Dak.

NAYS—37

Aiken
Allott
Anderson
Bennett
Boggs
Case
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Douglas
Engle
Fong
Goldwater
Hart
Hartke
Hickenlooper
Javits
Jordan, Idaho
Keating
Kuchel
Lausche
McGovern
McIntyre
Miller
Mundt
Nelson
Proxmire
Ribicoff
Scott
Simpson
Smith
Tower
Williams, Del.
Young, Ohio

NOT VOTING—19

Bayh
Beall
Cannon
Carlson
Eastland
Fulbright
Gore
Hruska
Long, Mo.
Magnuson
Mechem
Morse
Morton
Pearson
Prouty
Randolph
Saltonstall
Sparkman
Symington

So Mr. Mansfield's motion to table Mr. Javits' amendment was agreed to.

Mr. JAVITS. Mr. President, in our country there is always a way of doing justice, whatever may be the momentary decision which is taken. The vote has been taken. That is it. I have no complaints about how any Senator voted. However, since, in my opinion, the President has complete authority to act in this matter, it would be well to consult not only the vote but the dynamics of the vote, in order to determine whether or not the conscience of the Senate was affected by the state of facts which was disclosed to the Senate in the discussion on the amendment. I can only hope and pray that Senators who voted as they did, in the utmost faith and in good conscience, feeling sincerely that the President of their party would correct the situation, will not find their hopes dashed. I say that in the interest of the country, in the interest of common decency, and in the interest of common justice, which I think is involved in this situation.

Mr. MANSFIELD. Mr. President, proposed legislation is now pending before the appropriate committees. I assure the Senator from New York that when it is reported—and it will be—a majority on this side of the aisle will vote for it. I should like to have the assurance of the Senator from New York that a majority of Republicans will vote for the proposed legislation at the same time and join with us to pass good civil rights legislation.

Mr. JAVITS. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. JAVITS. It seems to me that on this side we have now had a fairly good demonstration as to consistency. I also recall that the last time we had the problem of a cloture-vote issue of this character, a majority of the 33 Republicans voted in favor of cloture. I cannot anticipate how my colleagues might vote in the future; but it seems to me these are rather auspicious indications.

Mr. MANSFIELD. I hope so. I also hope that what we see this afternoon on the Republican side is an augury of what will happen when the civil rights proposal reaches the floor.

Mr. KEATING. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. KEATING. Of course I hope, as does the Senator, that a majority of the Republican Senators will vote for the civil rights bill. I call attention to the fact that every Republican Senator voted for the 1957 bill, and also for the 1960 bill. By the same token, I hope the distinguished majority leader will be able to develop support for an amendment to the bill sent to us by the President, in order to take care of the situation facing us today. The President's bill does not do so, but gives the President or the administrators of the program discretionary authority to cut off funds. Many of us desire to make that provision mandatory, if we are to deal with this problem by legislation rather than by Executive order.

When the time comes, I hope the distinguished Senator from Montana will feel that such an amendment is deserving of support.

Mr. DIRKSEN. Mr. President, earlier today I paid tribute to all the members of the subcommittee who prepared this bill, which, when measured in terms of the budget estimates, and also in terms of the House action, and also when compared with the 1963 fiscal year appropriation, was indeed a craftsmanlike job.

But the story must be completed; and I remind the Senate that normally there would be included in the bill some items which are not yet authorized. Insofar as I can tell, they probably will aggregate approximately $300 million; and when they are added to the totals here involved, quite a different fiscal picture will be presented.

So I renew my warning and my admonition—which I gave when the previous appropriation bill was considered—because in view of the dangers inherent in the imbalance of payments between our country and others and the strange reaction we got from the Tokyo market, the Toronto market, the Montreal market, and the London market, I think we are playing with fire; and I am not going to let this appropriation go by without reaffirming the warning that unless we place our fiscal house in order, there is always the danger that the slender fabric of confidence abroad will be severed. If and when it is severed, I think I shall want to look for the closest storm cellar. So this bill will not be passed without at least that warning.

Mr. LAUSCHE. Mr. President, based upon the figures presented by the Senator from Wisconsin [Mr. Proxmire], it appears that under the legislation which will be passed, there will be available for these two departments $269 million more than they had in the fiscal year 1963. An increase of $269 million means a 5-percent increase in spending.

I should like to vote for this bill; but I feel obliged to vote against it, as an indication that I do not subscribe to 5 percent or more annual increases in expenditures in accordance with Parkinson's law.

So I will vote against the bill.

Mr. HILL addressed the Chair.

Mr. PROXMIRE. Mr. President, at this point will the Senator yield?

The PRESIDING OFFICER. The Senator from Alabama, who first addressed the Chair, is recognized.

Mr. HILL. Mr. President, the bill is $77,345,350 under the appropriations for the past fiscal year—1963; and the bill is $264,861,750 under the budget estimate for the current fiscal year—1964.

Mr. DIRKSEN. Mr. President, I appreciate the verity of the figures which have been offered by the distinguished Senator from Alabama, but they do not gainsay what I previously stated—namely, that there are other items, not yet authorized, which normally would appear in this bill; and they may assume the dimensions of as much as $300 million.

So I shall give the distinguished Senator from Ohio a chance to vote on this issue, by making a motion to recommit the bill to the committee. I so move.

On that question, Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY. I announce the Senator from Nevada [Mr. Cannon], the Senator from Idaho [Mr. Church], the Senator from Mississippi [Mr. Eastland], the Senator from Louisiana [Mr. Ellender], the Senator from Arkansas [Mr. Fulbright], the Senator from Tennessee [Mr. Gore], the Senator from Tennessee [Mr. Kefauver], the Senator from Missouri [Mr. Long], the Senator from South Dakota [Mr. McGovern], the Senator from Oregon [Mr. Morse], the Senator from West Virginia [Mr. Randolph], the Senator from Virginia [Mr. Robertson], the Senator from Alabama [Mr. Sparkman], and the Senator from Missouri [Mr. Symington] are absent on official business.

I further announce that, if present and voting, the Senator from Indiana [Mr. Bayh], the Senator from Nevada [Mr. Cannon], the Senator from Idaho [Mr. Church], the Senator from Mississippi [Mr. Eastland], the Senator from Louisiana [Mr. Ellender], the Senator from Arkansas [Mr. Fulbright], the Senator from Tennessee [Mr. Gore], the Senator from Tennessee [Mr. Kefauver], the Senator from Missouri [Mr. Long], the Senator from Washington [Mr. Magnuson], the Senator from South Dakota [Mr. McGovern], the Senator from Oregon [Mr. Morse], the Senator from West Virginia [Mr. Randolph], the Senator from Virginia [Mr. Robertson], the Senator from Alabama [Mr. Sparkman], and the Senator from Missouri [Mr. Symington] would each vote "nay."

I further announce that the Senator from Indiana [Mr. Bayh] and the Senator from Washington [Mr. Magnuson] are necessarily absent.

Mr. KUCHEL. I announce that the Senator from Massachusetts [Mr. Saltonstall] is absent on official business.

The Senator from Maryland [Mr. Beall], the Senator from Kansas [Mr. Carlson], and the Senator from Vermont [Mr. Prouty] are necessarily absent.

If present and voting, the Senator from Kansas [Mr. Pearson] and the Senator from Kentucky [Mr. Cooper] would each vote "nay."

The Senator from Nebraska [Mr. Hruska], the Senator from New Mexico [Mr. Mechem], the Senator from Kentucky [Mr. Morton], the Senator from Kansas [Mr. Pearson], and the Senator from Pennsylvania [Mr. Scott] are also necessarily absent.

The Senator from Kentucky [Mr. Cooper] is detained on official business.

The vote was announced—yeas 14, nays 59, as follows:

[No. 126 Leg.]

YEAS—14

Bennett
Curtis
Dirksen
Dominick
Goldwater
Hickenlooper
Jordan, Idaho
Lausche
Miller
Proxmire
Simpson
Thurmond
Tower
Williams, Del.

NAYS—59

Aiken
Allott
Anderson
Bartlett
Bible
Boggs
Brewster
Burdick
Byrd, W. Va.
Case
Clark
Cotton
Dodd
Douglas
Edmondson
Engle
Ervin
Fong
Gruening
Hart
Hartke
Hill
Holland
Humphrey
Inouye
Jackson
Javits
Johnston
Jordan, N.C.
Keating
Kefauver
Kennedy
Kuchel
Long, La.
Mansfield
McCarthy
McClellan
McGee
McIntyre
McNamara
Metcalf
Monroney
Moss
Mundt
Muskie
Nelson
Neuberger
Pastore
Pell
Ribicoff
Russell
Smathers
Smith
Stennis
Talmadge
Williams, N.J.
Yarborough
Young, N. Dak.
Young, Ohio

NOT VOTING—27

Bayh
Beall
Byrd, Va.
Cannon
Carlson
Church
Cooper
Eastland
Ellender
Fulbright
Gore
Hayden
Hruska
Long, Mo.
Magnuson
McGovern
Mechem
Morse
Morton
Pearson
Prouty
Randolph
Robertson
Saltonstall
Scott
Sparkman
Symington

So Mr. DIRKSEN's motion to recommit was rejected.

Mr. HUMPHREY. Mr. President, on behalf of my colleague [Mr. MCCARTHY] and myself, I offer an amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment of the Senator from Minnesota will be stated.

The LEGISLATIVE CLERK. On page 45, line 6, it is proposed to insert the following:

RESEARCH AND TRAINING (SPECIAL FOREIGN CURRENCY PROGRAM)

For purchase of foreign currencies which the Treasury Department determines to be excess to the normal requirement of the United States, for necessary expenses of the Welfare Administration, as authorized by law, $1,200,000, to remain available until expended: *Provided*, That this appropriation shall be available in addition to other appropriations to such agency, for the purchase of the foregoing currencies: *Provided further*, That no additional dollars other than those appropriated in this Act shall be used or available for these purposes.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Minnesota.

Mr. HUMPHREY. Mr. President, I have discussed the amendment with the chairman of the committee and the distinguished Senator from New Hampshire [Mr. COTTON]. The purpose of the amendment is merely to make available some unused foreign currencies where such currencies are declared by the Treasury as being available for the purpose of research in the welfare program.

The proposal was recommended by the Bureau of the Budget. It would not require additional dollars, as the amendment indicates. It would fit very well into the program which is before the Senate. I believe that I have the concurrence of the Senator from New Hampshire [Mr. COTTON] and the Senator from Alabama [Mr. HILL].

The amount requested for 1964, $1,200,000, is less than the last appropriation—1962. The House rejected the administration request for continuing this research project and the purpose of my amendment is to restore the amount recommended by the Department.

The projects contemplated under this appropriation item are all in areas in which the Welfare Administration has domestic responsibility and are concerned with problems for which we are seeking solutions in this country. Many such problems can be studied most effectively in foreign countries because of the existence of conditions or because of the existence of a large number of cases which are available for study. To illustrate: Each year in our domestic State crippled children's programs about 5,000 cases of congenital dislocation of the hip are treated. Although we have good services for treating these children, we know little about why the condition occurs, especially why its incidence is high in certain groups. In several countries in which we have excess foreign currency there are isolated areas with a very high incidence which might yield clues to the cause of this malformity.

Toxemia of pregnancy is the leading cause of maternal mortality in the United States and one of the causes of premature birth, often resulting in brain-damaged infants. In Israel it has been noted that the incidence is twice as high in European-American and locally born inhabitants as in Oriental groups. A study of why this is true would be most useful to the United States. Tetanus of the newborn is a serious condition in the United States. The high incidence of this disease in certain countries of Europe and Asia offers a good opportunity for a trying-out immunization procedure. Many such examples could be enumerated where we can look for answers to some of our problems.

The United States has no cause for complacency about the status of child health. For example, in the fifties the United States slipped from 6th to 10th place in infant mortality among countries meeting certain criteria. I have been informed by the Children's Bureau that we have slipped again—to 11th place. This certainly does not argue for the elimination of research which would make available to us the knowledge of other countries. Many of the countries in which this foreign currency program is carried out offer unique opportunities for us to acquire new knowledge. The program offers also the very valuable opportunity for specialists and scientists in the United States to collaborate with scientists in other countries, one of the most effective ways I know of working for peace.

With the enactment of the public welfare amendments of last year, we took another step in meeting the problem of persistent poverty and dependency in this country by providing preventive services which will help keep our citizens off of the welfare rolls. Some of the foreign countries offer exceptional opportunities for evaluating and testing methods of providing certain social services that could prove useful in tackling the dependency problem here at home. Prevention and treatment of juvenile delinquency, which is an increasingly serious problem in this country, has been dealt with effectively in some of the foreign countries. Improved ways of providing community services; methods for providing better care for dependent children and for meeting the needs of older persons have been under experiment in some of these countries. I believe we should make the most of our opportunities to gain important knowledge and findings which will be of value not only for the life and well-being of our own citizens but for all of mankind.

All of the projects under this program will be supported by using appropriated funds to purchase foreign currencies excess to the normal needs of the United States that are derived from the sale of surplus agricultural commodities under the terms of the Agricultural Trade Development and Assistance Act of 1954, as amended. Thus, funds appropriated for the purchase of the foreign currencies do not increase governmental expenditures.

I ask unanimous consent to have printed at this point in the RECORD, a statement by the Department of Health, Education, and Welfare in relation to the special foreign currency program of research and training.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—WELFARE ADMINISTRATION

APPROPRIATION TITLE: RESEARCH AND TRAINING (SPECIAL FOREIGN CURRENCY PROGRAM)

Effect of House action

The House disallowed the total request of $1,200,000 for this program. Action by the House is appealed and restoration of the $1,200,000 is requested.

The amount requested for 1964, $1,200,000 is less than the last appropriation (1962). Since no funds were appropriated in fiscal year 1963, the elimination of an appropriation for fiscal year 1964 would result in virtual discontinuance of this program which has made such a promising start. Nearly $1 million in pending requests would be eliminated from consideration. The first year's operation of the program has been distinctly successful. Twelve projects of great value to the United States have been formally approved. Sixty-six additional projects in the amount of $1,949,200 are pending consideration. Should no new funds be appropriated, the program would come to a halt sometime during the year since it would not be fair to encourage countries to develop and submit projects for funds which do not exist.

In the maternal and child health segment of the program funds are exhausted for two countries, Pakistan and Israel, and six projects awaiting action cannot now be activated. In the other four countries all funds are being programed. We have requested only a token amount for the countries in which programing is not complete, just enough to keep the program active. The bulk of the request is for the countries whose funds have been used up and for two new countries in which excess currencies have recently become available (Burma and Indonesia). Reduction in the amounts requested for the other countries would result in a loss of knowledge applicable to child health programs in the United States. Negotiations are underway for studies concerned with prevention of tetanus of the newborn (babies still die in the United States of this condition), anemia of pregnancy, and outpatient treatment of diarrheal diseases in children (3,000 die yearly in the United States from this cause).

This is the only foreign currency program providing opportunity overseas for research in social service. There has been an exceptionally positive response from countries. Funds for Israeli projects were exhausted first. Five additional projects await 1964 funds. India with qualified social scientists available submitted 13 projects in social service. Seven must be held for next year's funds. A research proposal from United Arab Republic on impact of urban development on family and child welfare is being delayed for additional funds. All 1962 funds have been programed and projects now pending consideration would use the funds requested for 1964.

Specifically eliminated in the welfare field would be projects of practical value in implementing the 1962 welfare amendments such as: a study of working mothers and the effect of work on family living; a study in basic causes of juvenile delinquency to be sponsored by a top research agency in Israel; a demonstration of community services used effectively by the aged; research in community self-help and rehabilitation; a study of the chronically unemployed and impact of Government rehabilitation programs; and demonstration of new rehabilitation methods in aftercare of juvenile delinquents.

Elimination of funds for this promising program would result in a distinct loss to the United States in new technical knowledge. It would, in addition, create widespread misunderstanding in all cooperating countries as to why the United States would exclude child health and social welfare from U.S.-supported oversea research.

ADDITIONAL JUSTIFICATION FOR FOREIGN CURRENCY PROGRAM FOR SENATE SUBCOMMITTEE ON APPROPRIATIONS

In developing the maternal and child health and social welfare segments of the foreign currency program, the Welfare Administration has selected problems of special concern to the United States which can be studied effectively in the participating countries because of special geographical and social conditions occurring there or because of the volume of the cases available. Also, of course, the competence and interest of the collaborating investigators have been considered.

Examples of such projects underway or being developed

1. Toxemia of pregnancy: This is the leading cause of maternal mortality in the United States and one of the causes of premature birth often resulting in brain damaged infants. In Israel it has been noted that the incidence is twice as high in European-American and locally born inhabitants as in Oriental groups. A study is underway to determine differences in diet, habits, etc., in these groups which may give some clues to cause of the disease.

2. Juvenile delinquency: An action-research project is underway in Israel, a country with a very low delinquency rate. The project is being conducted in a city with problems similar to those of U.S. cities with young people from rural areas coping for the first time with city living and coming from many different ethnic groups.

In India, a study of the halfway house program would provide the United States with valuable information about this community aftercare program. Although halfway house programs have been established in other countries for many years, the first halfway house administered by a public agency for delinquent children in the United States was established only this past year in New York State.

3. Tetanus of the newborn: The United States still has 60–70 deaths a year from this cause. Yugoslavia, with a high incidence of the disease, offers a good proving ground for a field trial of immunization of pregnant women routinely during prenatal care, as a preventive measure.

4. Services for aging: Meeting the special needs of senior citizens is a key concern to almost every American city. Other countries are also active on this problem and are experimenting with demonstration of services, part-time employment and recreational activities suited to older persons, particularly to help them stay in their own homes. Israel and Poland, countries with life expectancy rates comparable to the United States, are eager to cooperate with us in evaluating the effectiveness of community services, new ways of meeting health, welfare, and economic needs with greatest safeguards to family ties and individual well-being. Four projects experimenting with provision of a range of community services are being requested for 1964.

5. Congenital dislocation of the hip: Almost 5,000 cases are cared for annually in the State crippled children's programs. Though we have good services for treating these children, we know little about why the condition occurs, especially why its incidence is high in certain groups such as the Navajos. In Yugoslavia and in Poland there are isolated areas with very high incidence (26 percent of 2,700 examinations in Zeta in Yugoslavia) which might yield clues to cause.

6. Mental retardation: Phenylketonuria was thought to occur in about 1 in 20,000 newborns, but the current study of the Guthrie test, supported by the Children's Bureau in this country, has shown a much higher incidence—14 cases in 120,000 babies tested to date. The disease does not occur in Negroes but no information is available on various ethnic groups. Israel and Poland offer opportunity for adding this information and so increasing our understanding of this condition.

7. Institutional care: Many children in the United States are in institutions today because no scientific criteria are available to guide communities in deciding on the type of care needed. A child welfare research project now under way by the Hebrew University will identify such criteria and will also establish the variety of community services required to meet individual children's needs. Additional projects will demonstrate practical methods for training institutional personnel, house parents, and child care workers.

8. Care of premature infants: Premature birth is the leading cause of death in newborns. Those small babies who survive often spend weeks or months in hospitals and frequently develop poorly because of lack of individual care and "mothering." In Warsaw in the Premature Clinic a special program of care has been devised, based on their conviction of the need for individual care, and the availability of sufficient well-trained and highly motivated nurses to give it. Their reported success warrants study of this program.

9. Manpower: Of the 22,500 caseworkers employed in public assistance in the United States in 1960, 89 percent had had no specialized preparation for their work, yet all must handle difficult social cases. Shortage of trained manpower is of equally great concern in welfare programs overseas. Studies in effective use of manpower in public agencies are under way in Pakistan and Israel to identify types of social problems adequately handled by less skilled staff, and those services requiring trained social workers. Experiments in accelerated staff training will also contribute new knowledge for State public welfare agencies.

10. Research into methods of care and treatment of emotionally disturbed children: Agencies in the United States are reporting an increase in the number of emotionally disturbed children and the lack of resources to meet the needs of these children. Institutions for the emotionally disturbed child are costly. In both Israel and Poland emotionally disturbed children are placed by plan in institutions with normal children. It is claimed that the expectations and the model of the normal setting have produced good results for the disturbed child. If through adequate research we can determine the validity and value of this program and the type of children for whom it is best suited, it will be of great benefit to the United States.

11. Rehabilitation of dependent groups: Public welfare agencies in the United States are constantly seeking new knowledge on the most effective methods of rehabilitation of long-time dependents. Research and demonstration projects in methods of rehabilitation, retraining and reemployment in Israel, Poland and the UAR provide opportunities for evaluation of a variety of methods and combinations of services in reestablishing "hard to reach" families.

Future of the program

In the health field, funds available for Pakistan and Israel are obligated and it is for these two countries and two new ones (Burma and Indonesia) that the bulk of the 1964 budget is requested. Projects are planned which will use the funds available in the four other countries (Egypt, India, Poland, and Yugoslavia) but since these may not be in operation until later in the year, only enough money is requested for a token program, to keep interest alive and project formulation active in the countries.

Though the program is slow getting off the ground, it is sound. Interest among the scientists has been keen, but the grant mechanism is unfamiliar to these countries and the preparing of projects and processing them through governmental channels is slow. In developing maternal and child health projects for the use of 1964 funds the Children's Bureau plans to develop working relationships with some U.S. medical schools and schools of public health through which experts on their staffs can provide consultant service to countries, in order to expedite the development of country projects.

In the social welfare field, the response of welfare agencies and the social scientists in the universities has been exceptionally positive, especially in India, Israel, United Arab Republic, and Pakistan. Arrangements are well established now with selection committees of social scientists screening project applications to insure good design and quality of research. All available funds are programed. More than 20 projects are ready for processing when 1964 funds are made available.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, before Senators leave, I believe it would be well to have an expression about what the business of the Senate will be tomorrow.

Mr. MANSFIELD. Mr. President, to the best of the knowledge of the leadership, no more amendments will be offered after the amendment of the Senator from Minnesota. To the best of my knowledge, it is not anticipated that there will be a yea-and-nay vote on passage of the proposed legislation.

It is the intention of the leadership to proceed to consider the bill (H.R. 7500) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes, on which no votes will be taken tonight, but on which an opening statement by the chairman of the committee, the distinguished Senator from New Mexico [Mr. Anderson] may be made.

Following consideration of that measure, which may require 1 or 2 days, the Senate will be in a position to take up the bill S. 1321 to provide for a National Service Corps to strengthen community service programs in the United States.

Following that, the so-called Mexican farm labor bill will probably be considered next week.

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

S. 130. An act to change the name of Fort Randall Reservoir in the State of South Dakota to Lake Francis Case;

S. 131. An act to change the name of the Big Bend Reservoir in the State of South Dakota to Lake Sharpe;

S. 192. An act for the relief of M. Sgt. Benjamin A. Canini, U.S. Army;

S. 219. An act for the relief of Bernard W. Flynn, Jr.;

S. 280. An act for the relief of Etsuko Matsuo McClellan;

S. 752. An act for the relief of Janos Kardos;

S. 850. An act to change the name of the Bruces Eddy Dam and Reservoir in the State of Idaho to the Dworshak Dam and Reservoir;

S. 1003. An act for the relief of the Middlesex Concrete Products & Excavating Corp.;

S. 1326. An act to provide for the conveyance of certain mineral interests of the United States in property in South Carolina to the record owners of the surface of that property;

S. 1643. An act to amend the act entitled "An act for the relief of the estate of Gregory J. Kessenich," approved October 2, 1962 (76 Stat. 1368); and

S. 1652. An act to amend the National Cultural Center Act to extend the termination date contained therein, and to enlarge the board of trustees.

DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE, AND RELATED AGENCIES APPROPRIATIONS, 1964

The Senate resumed the consideration of the bill (H.R. 5888) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1964, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Minnesota [Mr. Humphrey] for himself and his colleague [Mr. McCarthy].

The amendment was agreed to.

Mr. PROXMIRE. Mr. President, on page 26, lines 15 through 18, there is a provision:

> *Provided,* That $785,000 of unobligated balances heretofore appropriated under the heading "Buildings and facilities", Public Health Service, shall be merged with this appropriation.

I have consulted with the parliamentarian. It is my understanding that this language is legislation upon an appropriation bill.

I opposed the appropriation for a center at Beltsville. I tried to knock that out with my amendment.

Mr. President, I make the point of order that the language is not in order, and I ask for a ruling from the Presiding Officer.

Mr. HILL. Mr. President, I modify the amendment with the consent of the committee by striking out the language referred to by the Senator from Wisconsin.

Mr. PROXMIRE. Mr. President, my point of order was confined to the language of the proviso.

Mr. HILL. Mr. President, I modify the amendment by taking that language out of the amendment.

The PRESIDING OFFICER. The Chair rules that the Senator from Alabama, with the consent of his committee, has the right to modify the amendment to come within the purview of the rule, and the Senator has so modified it and as modified it is agreed to.

Mr. PROXMIRE. Mr. President, my point of order would have done precisely the same thing. My point of order simply would have knocked out the proviso. The Senator from Alabama has accommodated me by modifying the amendment to knock out all the language of the proviso. We are all happy. We have saved $785,000.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill (H.R. 5888) was read the third time.

Mr. CANNON. Mr. President, the Senate Appropriations Committee has added $400,000 to that amount approved by the House for the Public Health Service to obtain additional equipment for laboratory facilities for the Southwest Radiological Health Laboratory in Las Vegas, Nev. This item is set out on page 28 of the committee report.

As Senators may know, the Public Health Service has been conducting a dual-pronged program of research at the southern branch of the University of Nevada. One phase of the program involves monitoring of milk and other food products conducted wholly by PHS.

The other phase involved radiological work for the Atomic Energy Commission by PHS within a 300-mile proximity of the Nevada test site.

The Nevada Legislature has authorized a bond issue for the construction of new buildings to house these activities, and it is necessary that PHS have sufficient money to provide for the needed research equipment.

I would also suggest that the results of these investigations are important not only to the people in my State but to humanity everywhere and, perhaps, even to generations unborn.

I am particularly pleased that the Senate committee has seen fit to provide for this expansion and hope that the House will concur.

Mr. DOUGLAS. Mr. President, I understand that the bill has been read the third time.

The PRESIDING OFFICER. The bill has been read the third time.

Mr. DOUGLAS. I wonder if the distinguished chairman of the subcommittee, the Senator from Alabama [Mr. Hill], would be willing to answer a few questions, which I submitted to him earlier in the day.

Mr. HILL. Mr. President, I shall not take the fifth amendment. I shall answer the questions to the best of my ability.

Mr. DOUGLAS. I thank the Senator from Alabama.

As a preface to my questions, I wish to say that though I differ with the Senator from Alabama on a number of important issues—one of which was developed this afternoon—I pay tribute to him for the distinguished work which he has done in the field of public health. I have often said, both in the North and in the South, that the Senator from Alabama is one of the most quietly useful Members of this body, and that the country owes a great deal to him for his work in the field of health.

I do not think there would be a Hill-Burton Act, were it not for the Senator from Alabama.

The National Institutes of Health owe their extremely flourishing condition to the Senator from Alabama. He touches the rock of public credit and abundant streams gush forth so that the National Institutes of Health have money running out of their ears, money they do not always know what to do with.

It has always been a mystery to me how the Senator has been able to persuade some of his colleagues to support these appropriations. It has been my feeling that possibly some of the digressions from what I regard as the path of virtue on the part of the Senator from Alabama have had the beneficial effect of gaining votes for his beloved Institutes of Health.

I mention all this as a preface to my questions.

Mr. HILL. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. HILL. I thought the distinguished Senator was about to pay me a compliment, and I was prepared to thank him for his generous words. However, as the Senator proceeded with his statement I was not so sure whether it was a compliment, or exactly what it was. If it was delivered in the spirit of a compliment, I express my deep appreciation.

Mr. DOUGLAS. It was a truthful compliment. It had truth in it, as well as complimentary references.

The questions which I should like to address to the Senator from Alabama refer to the drug Krebiozen.

I should like to begin by saying that I find, from page 36 of this bill, that there will shortly be an appropriation of $145,-

114,000 for cancer research; is that correct?

Mr. HILL. The Senator is correct.

Mr. DOUGLAS. On page 35 of the bill it is shown that for general research and services, National Institutes of Health, there will be furnished $164,674,000, some of which probably will be used for research in the field of cancer.

So the Senator from Alabama has provided large amounts of money for research in the field of cancer; that is true, is it not?

Mr. HILL. Mr. President, I cannot say that the Senator from Alabama has provided all those funds. Many other Senators have participated.

Mr. DOUGLAS. The Senator from Alabama steered these requests to their pending successful appropriation.

Mr. HILL. I cannot claim even that much credit. I can say that I have been on the team which has sought to do the job.

Mr. DOUGLAS. Yes, indeed.

Since the distinguished Senator from Alabama bears the name of Lister, this means that he is the godson of the celebrated Joseph Lister, the founder of antiseptic surgery, under whom his beloved and skilled father studied at the halls of learning in London, when Lister was a professor in one of the hospitals of London?

Mr. HILL. That is true.

Mr. DOUGLAS. The Senator is the godson of Joseph Lister?

Mr. HILL. I am not the godson. I bear his great and honored name.

Mr. DOUGLAS. Is it not true that Joseph Lister was nearly driven out of the medical profession by the British Medical Association because he said that surgery which was not antiseptic gave rise to infections and caused great mortality among the patients?

Mr. HILL. He was subjected to many attacks.

Mr. DOUGLAS. By the British Medical Association?

Mr. HILL. By men prominent in that association.

Mr. DOUGLAS. Is it not true that Lister was merely following the teachings of the great French physiologist, Louis Pasteur, who discovered the germ theory of disease?

Mr. HILL. He applied the discoveries of Pasteur to surgery.

Mr. DOUGLAS. Is it not true that Pasteur was nearly driven from his chair at the University of Paris by the doctors and physiologists of France?

Mr. HILL. That is correct.

Mr. DOUGLAS. Looking back in history, is it not also true that Semmelweis—and in our country Oliver Wendell Holmes, Sr.—who discovered the cause of puerperal fever, resulting in death of women in childbirth—the cause being the dirty hands of doctors—was nearly driven from the profession?

Mr. HILL. The truth is that poor Semmelweis was a martyr to the cause. He died driven and hounded to his death.

Mr. DOUGLAS. He was driven to his death by the doctors?

Mr. HILL. That is true, because he insisted on washing his hands after he came out of the dissecting room, before he delivered a woman of a child.

Mr. DOUGLAS. It was thought that that was a reflection on the medical profession, who believed that their hands were always clean and could not have anything on them that would infect others.

Mr. HILL. Yes.

Mr. DOUGLAS. Is it not also true that Dr. Jenner, who developed the theory and practice of vaccination as a preventative, also was persecuted by the medical profession?

Mr. HILL. He was. He observed that the women in Scotland who milked cows and had cowpox largely secured an immunity from smallpox. That gave him the idea, and he developed the vaccine, which was the first vaccine we had against a dread disease.

Mr. DOUGLAS. Is it not true that the teachings of Lister were brought to this country by the celebrated Dr. W. W. Keen, who, after the Civil War, went to Scotland and studied under Lister and then came back to practice in Philadelphia, and who was virtually driven out of practice in Philadelphia by the medical association and was only saved by some adventurous people on the board of the Pennsylvania General Hospital?

Mr. HILL. Dr. Keen was, according to history, the first American surgeon to use Lister's methods in Philadelphia.

Mr. DOUGLAS. As a young man I spent an evening with Dr. W. W. Keen, who spoke of the persecution he had been subjected to by the leaders of the medical profession in the city of Philadelphia.

Mr. HILL. He was a very remarkable man. Keen's 14-volume work was almost a bible for surgery procedures.

Mr. DOUGLAS. Is it not true that Robert Koch, developer of 606, who did work on tuberculosis, suffered from persecution by the German medical association?

Mr. HILL. He did, as William Harvey, the discoverer of the circulation of the blood, had suffered.

Mr. DOUGLAS. So the medical profession in many instances sought to persecute and defeat the professional men who were later hailed as great discoverers?

Mr. HILL. There are a great number of instances of that kind.

Mr. DOUGLAS. In order that the position of the Senator from Illinois may be made clear, I do not claim that the drug Krebiozen is a cure for cancer. Neither has Dr. Ivy or Dr. Durovic, the discoverers of the drug, made such a claim. Dr. Ivy merely says that there should be a thorough test of the drug.

Would not the distinguished Senator from Alabama, the bearer of the proud name of Joseph Lister, agree that the way for the drug to be tested is to test it, rather than argue about it, and that the fair and proper way would be for the National Institutes of Health to undertake a fair, impartial, and controlled scientific test and investigation of the drug in the laboratory and in the hospitals?

Mr. HILL. The drug should be tested. Many thousands of drugs have been tested in the past. I believe this drug should be tested, as thousands of other drugs have been tested.

Mr. DOUGLAS. I thank the Senator. That is all I have been claiming.

Is it not true that many drugs highly toxic in nature have been tested by the National Cancer Institute?

Mr. HILL. Undoubtedly the Food and Drug Administration and the Cancer Institute both have tested many such drugs.

Mr. DOUGLAS. That are toxic?

Mr. HILL. Toxic drugs. I think this drug ought to have the same tests, under the same procedures, that other drugs have had. In other words, I believe in equal justice.

Mr. DOUGLAS. I thank the Senator. He will get in trouble with the American Medical Association when he says that.

Will not the Senator agree that at least while a test is going forward, the Food and Drug Administration should not issue any termination order, or notice of termination of the exemption of the drug Krebiozen for investigational use? In other words, so long as the test is in progress, and since the drug is admittedly nontoxic, and no charges have been made that it is toxic, should it not be allowed to be distributed to qualified doctors of patients who believe they need it in order to sustain their lives?

Mr. HILL. It is my understanding that, under the Kefauver act which Congress passed in the last session, and which I believe the distinguished Senator from Illinois supported, and which I supported, for this drug to be sold and/or tested there must be an application on file with the Food and Drug Administration, and then the drug will be tested; and it was tested until Dr. Durovic withdrew that application. But, under the law, when the application was withdrawn, the Food and Drug Administration could not permit the sale of the drug.

Mr. DOUGLAS. It is true that the application was withdrawn. I have taken the position, with Drs. Ivy and Durovic, that they should refile if a guarantee is given to them that a fair test will be conducted and the ground rules clearly laid out. If the sponsors of the drug refile for exemption so that patients can continue to receive the drug, should not the National Institutes of Health undertake a fair test; and should not the Food and Drug Administration not give any notice of termination of the exemption of the drug?

In other words, if a refiling takes place should there not be simultaneous refiling and a simultaneous guarantee on the part of the Food and Drug Administration that they will not object to the distribution of the drug to patients, and that the National Institutes of Health will test?

Mr. HILL. It is my understanding that if there is a refiling, the distribution of the drug can go forward.

Mr. DOUGLAS. Should there not be an understanding to that effect in advance, so that we do not have one side move and the other side refuse to move? Should there not be simultaneous guarantees?

Mr. HILL. Each agency has its own responsibilities. The Food and Drug Administration has its responsibilities under the law, and the Cancer Institute has its responsibilities under the law. This drug ought to be treated, as I said before, just as hundreds and thousands of other drugs have been.

Mr. DOUGLAS. In other words, if they refile, the Food and Drug Administration should permit the drug to be redistributed and the National Institutes of Health should order a fair and impartial test?

Mr. HILL. If a new application is filed, the drug should be handled under the same conditions as all other drugs have been handled.

Mr. DOUGLAS. Is it not true that the precedent is to file and then permit investigational distribution, if there are no injurious effects, and to have a test by the National Institutes of Health? Is not that the ordinary procedure?

Mr. HILL. I have not checked the procedure, but, as I have said, the drug should receive the same treatment at the hands of the Food and Drug Administration and the Cancer Institute, under the same conditions and procedures exactly, as the other thousands of drugs have had.

Mr. DOUGLAS. Many of them poisonous and toxic.

Should not the National Institutes of Health indicate the precise procedures that should be followed in undertaking a fair test, and should not they and the Food and Drug Administration provide a list of the reasonable and necessary conditions which the manufacturer must meet in order for a test to go forward?

Should not all the ground rules be set out ahead of time so that all the parties involved will know what is required of them and what they agree to, so there will not be a continuing conflict between and among the parties?

Mr. HILL. This drug should be handled just as other drugs have been handled.

Mr. DOUGLAS. What is wrong with laying down procedures to be followed in making a fair test, and what is wrong with an agreed-to test of the fair conditions which the manufacturer must meet?

I have been trying, as a layman, for years to mediate between Dr. Durovic and Dr. Ivy on one hand and the National Institutes of Health on the other. I have always been baffled by the fact that, after discussion had proceeded a little way, one side or the other would produce a new set of conditions, and we were never able to nail down either side as to precise steps.

In mediating any dispute there should be on the table the procedures which should be followed and the conditions which should be met.

Is it not desirable that the National Institutes of Health and the Department of Health, Education, and Welfare and the Food and Drug Administration prescribe a set of standards?

Mr. HILL. Yes; and under the same terms and conditions under which applications for other drugs have been handled.

Mr. DOUGLAS. They should not be any more severe with respect to Krebiozen than with respect to other drugs?

Mr. HILL. I would say that the authorities should act on equal terms and conditions as applied to any other drug.

Mr. DOUGLAS. I may say that if the National Cancer Institute will provide the reasonable and necessary conditions for a test, the manufacturer must, in my opinion, meet them, provided the conditions are reasonable and necessary. And, knowing ahead of time what will be required, there need not be any dispute among the parties.

Mr. HILL. That is correct.

Mr. DOUGLAS. While the evaluation of the effectiveness of the drug must be done by those who are impartial and unbiased, is it not true that the clinical data and the proper procedures and dosages and therapy developed by Dr. Ivy should be followed? For example, if only half the dosage which is required is given, or if various types of cancer need different dosages, it would certainly be proper that those who make the test follow the clinical therapy that the chief medical sponsor of the drug knows from experience is the correct and most effective therapy. Does the Senator agree?

Mr. HILL. I cannot pass on that point. I do not feel that I am qualified to pass on it. The history of the drug is that, whereas drug after drug has been approved during a period of approximately 12 years or more, this is the one drug that I have heard of with respect to which there has been any question, controversy, or dispute about the approval of a drug.

Mr. McNAMARA. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. McNAMARA. I rise to say that I have read with great interest the book that was written by the promoters of the drug.

Mr. DOUGLAS. Mr. Bailey's book entitled "A Matter of Life and Death"? He is an independent writer.

Mr. McNAMARA. Yes; I believe that is the title of it. I was considerably impressed by the book. I discussed it not only with members of the committee, but also with the HEW officials. I believe there is considerable blame on the other side. I believe the Government made a reasonable request of the promoters of the drug. I am sure the Senator from Illinois agrees with me on that point. I do not believe the legislative history of this bill should be written in such a manner as to put the blame entirely on one side.

Mr. DOUGLAS. I am trying to obtain an agreed set of requirements and an agreed set of standards, so that the two sides will know in advance what is required and what is to be produced.

Mr. McNAMARA. The only problem is that the Kefauver bill was recently passed. It is a good bill. It was certainly in the interest of the public to pass that bill.

Mr. DOUGLAS. The great Senator from Tennessee is one of the Senators who have joined us in sponsoring Senate Resolution 101, which started with 11 sponsors, and which received 3 more this morning. A moment ago an additional sponsor was added, when the Senator from Texas [Mr. YARBOROUGH] joined us. The Senator from Delaware [Mr. WILLIAMS] has also joined us, and he will have personal testimony to give on the subject tomorrow, I believe.

Mr. McNAMARA. I am not so much concerned with the individual as with the legislation passed under the leadership of the Senator from Tennessee.

Mr. DOUGLAS. It is fine legislation.

Mr. McNAMARA. The Senator from Tennessee is a fine legislator. However, I am talking about the legislation, and not about the Senator. We must keep in mind, if we are writing legislative history, that those for whom the Senator is speaking at this time have not performed in this matter as the other side has performed.

Mr. DOUGLAS. We are not asking for any exemption in any degree from the legislation. We are merely asking that the Food and Drug Administration and the National Institutes of Health be willing to test this drug in the same way it has tested thousands of other products, and not multiply difficulties.

Mr. McNAMARA. The Senator from Illinois and I will have no difference of opinion on that point, if they meet the same qualifications that the others meet. I agree with the chairman of the committee that certain conditions should be met.

Mr. DOUGLAS. Why should not the requirements be set in advance instead of having certain people keep them in their pocket and bring them out one by one?

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. YARBOROUGH. The distinguished Senator from Illinois has mentioned the fact that I have asked to be listed as a cosponsor of the resolution. That was done in response to a request from people in my State. I know responsible people there who have been treated with this drug and who have said that the treatment has been beneficial. I know some responsible and well educated people who say they owe their lives to the use of Krebiozen. Some of these people have medical doctors in their family, who say so also. That is the reason why I have joined as a cosponsor.

Mr. DOUGLAS. Should not all the data from this test, including all procedures and results be made available not only to the sponsors of the drug but also to the entire scientific community?

Mr. HILL. I do not know what the practices are with reference to other drugs or what the reason may be for or against the proposal. I know of no reason why all the facts should not be made known.

Mr. DOUGLAS. The National Institutes of Health and the Food and Drug Administration should take cognizance of this exchange of questions and answers between the Senator from Illinois and the Senator from Alabama. The Senator from Alabama is the chief defender and sponsor of the National Institutes of Health, and certainly has been a strong force behind the Food and Drug Administration. I hope they listen to their master's voice, especially when he said, "The drug should be tested."

Mr. HILL. The Senator from Illinois is ascribing to me powers which do not exist. I have been very much interested in the work being done in the National Institutes of Health, and I have tried to help them. The Senator mentioned the American Medical Association. Only in the past several weeks the World Medical News, a publication of some very distinguished doctors and scientists, published a quotation from Dr. Hugh Hussy, former dean of Georgetown University Medical School, and now chairman of the Council on Scientific Activities of the American Medical Association, in which Dr. Hussy said that due to medical research, medical knowledge has been doubled in the past 10 years.

Mr. DOUGLAS. Mr. President, if the Senator will yield further, last year I delivered an address on the floor of the Senate, the chief substance of which concerned a statistical report made by Dr. Ivy on the clinical records of 4,200 cases. The number has since been increased to about 5,000. The clinical record showed objective improvement in 36 percent of the cases; arrest of growth of tumor in about 54 percent of the cases; and either no gain or retrogression in 10 percent of the cases.

I have interviewed many people who have testified that they were on the point of death when they took Krebiozen and who have shown me their biopsy reports and medical records. They said that not only were they living, but that many of them were in excellent health, even though a great deal of time had passed.

I could detail many of these cases, but in consideration of the time element, I am forced not to do so.

But there has recently come into my possession a report made back in 1952 by a committee appointed by President George Stoddard of the University of Illinois, headed by Dr. Warren H. Cole. Their findings were, on the whole, adverse to Krebiozen, but an analysis of the material was printed in subsequent pages of the report, which I believe was never made available to the public.

I hold these findings in my hand. I will not say how I obtained a copy of them, but I have a copy of them. From page 7 of the report I read the following statement:

> The clinical details of 15 cases were presented to the committee by Dr. Ivy and some of his associates (see app. A). Thirteen of these cases were presented in person. All of these cases showed subjective improvement of some type such as the relief of pain—

Relief of pain is certainly subjective. Now let us notice the following, and I continue to read:

> Reduction in size of tumor, or retardation of growth, and the possible disappearance of the tumor in one case.

Reduction of the size of tumor is not a subjective improvement; it is an objective improvement.

Retardation of growth is not a subjective improvement. It is at least holding one's own, and is objective.

The possible disappearance of a tumor in one case was certainly objective.

The committee apparently said these were subjective in order that they might brush them away; but they go on and say:

> Judged by this presentation alone, Krebiozen would appear to have beneficial effects.

But the committee went on to say:

> No opinion of any kind can be expressed concerning these patients until after a period of several months. It was a selected group, and there was no very good reason to assume that the final outcome would be different from that of the remainder of the series.

That was in September 1952. If my information is correct, the committee never asked to see those patients again.

I am also informed, as of July 1963, that 8 of the 15 patients are still alive after 11 years. A study of these cases in the appendix indicates that a considerable portion of the 15 were in their 50's and 60's. Therefore, some would be expected to die under the ordinary operations of the mortality table, regardless of whether or not they had cancer.

I think it is up to the National Institutes of Health, and also of the Illinois commission which has been appointed to deal with this matter, headed by the President of the Illinois Medical Association, to examine the 8 survivors who, 11 or 12 years ago, took Krebiozen when they were in a very difficult situation, to ascertain what their present condition is. All I am asking is that there be a test.

I know it is said, "But the American Medical Association has pronounced Krebiozen to be a fraud." Perhaps it may be; I do not say that it is not. But the doctors in the past, as the review of the evidence showed, branded Jenner, Semmelweis, Oliver Wendell Holmes, Sr., Pasteur, Lister, Koch, and Keen as charlatans. I simply say that these matters are too important to be left to specialists or to the medical bureaucracy. Napoleon said that war is too important to be left to the generals. We go on the assumption in the Senate that foreign relations are too important to be left to the diplomats. It seems to me that this question is too important to leave purely to doctors, because a feud has developed between Dr. Ivy, a distinguished and outstanding physiologist in this country, on the one hand, and the American Medical Association, on the other. I should like to read something about Dr. Ivy, whom I have known for many years.

First, he set up the Naval Medical Research Institute at Bethesda and served as its Director for nearly a year.

He was president of the American Physiological Society from 1939 to 1941.

He was selected by the American Medical Association's Board of Trustees to represent the Allied Governments at the trials of the German medical men after World War II.

He was vice president of the University of Illinois and was in charge of its medical schools.

Dr. Ivy has contributed a dozen or more papers on cancer research to leading medical journals—at least, he did before he sponsored Krebiozen. Since then, it has been almost impossible to have any journal publish his articles.

Dr. Ivy has discovered a number of the hormones of the human body.

Dr. Ivy was named executive director of the National Advisory Cancer Council and served from 1947 to 1951. He advised the U.S. Public Health Service on cancer research because of his wide knowledge and background.

He was a director of the American Cancer Society.

Dr. Ivy is one of the foremost pathologists and medical and cancer research experts in the country today.

I knew Dr. Ivy first when he was a colleague of mine at the University of Chicago, under the great physiologist Anton J. Carlson. It was our great regret that Northwestern University and the University of Illinois were able to get him away from us. I am sorry to say that he was largely forced out of the University of Illinois and barred from the Chicago Medical Association because of his defense of Krebiozen.

I do not believe the Government should be placed in the position of summarily rejecting, without a test, a product that this man spent many years of his life testing and which he believes to be effective, both subjectively in reducing pain, and objectively in reducing or affecting or managing malignant tumors.

Let me make it clear again that certain newspapers have misrepresented my position. I am not a doctor, a physiologist, or a cancer expert. I am not personally competent to deal with this subject. I simply say it is a subject which deserves a fair test in the laboratory and in the hospitals; it is not a subject to be fought out on the floor of the Senate or in other public forums. We must clear a lot of the ground before the medical politicians and bureaucrats will permit the work to get underway.

There are four political parties in this body: Liberal Democrats, conservative Democrats, conservative Republicans, and liberal Republicans—four parties, not two. But there is a fifth party in the country which is more powerful than any of these four, or all four combined, and it is the bureaucracy. God forbid the day when the bureaucracy takes over and makes the laws and institutions of this country.

I hope we may count on the Senator from Alabama, the source of wisdom and the source of funds for the National Institutes of Health, to bring his great influence to bear to see to it that Dr. Ivy does not go the way of Semmelweis, and that we get a fair test.

Mr. HUMPHREY. Mr. President, will the Senator from Alabama yield?

Mr. HILL. I yield.

Mr. HUMPHREY. What the Senator from Illinois [Mr. DOUGLAS] has said in reference to a fair test for any drug is surely within the national and public interest. A government that is interested in medical research ought to undertake such a test. I believe this has been fully substantiated by the argument today and by the statement of the Senator from Alabama.

I should like to ask the Senator from Alabama one or two questions. First, I compliment him on his fine work as chairman of the subcommittee in handling the bill.

I notice that funds for the water supply and water pollution control program of the Public Health Service were raised from $27,921,000 to $29,980,000, which I thoroughly approve and am delighted to see.

While $500,000 of those funds are available for a study of the Upper Ohio River Basin, we are well aware that the valley of the Red River of the North, which borders North Dakota and Minnesota, has also had an application before the Government for funds for this purpose. Those funds are particularly important to the Red River Valley in the Minnesota area, because this area is subject to continual flooding. Crops are continually destroyed, and this adds to the burdens of an already distressed area. These funds will permit the Public Health Service to accelerate its project in the Red River Basin and thereby permit the Corps of Engineers to complete its comprehensive survey of the Red River Basin.

I understand that funds which are now available will permit this project to proceed.

Mr. HILL. We have provided funds for the Arkansas Red River, the Lower Arkansas, the Great Lakes-Illinois River Basin, and the Missouri River Basin, including the Red River of the North.

Mr. HUMPHREY. That is correct.

Mr. HILL. Yes; those are included.

Mr. HUMPHREY. That total appropriation does cover these projects?

Mr. HILL. It does, indeed, cover them.

Mr. HUMPHREY. One further point. I read very carefully the report on the matter of the communication of research findings—on what we might call information activities by the Department of Health, Education, and Welfare. The Senator from Alabama may recall that the Food and Drug Administration recently announced that it wished to establish a drug clearinghouse as a means of improving the communication of medical information, particularly that in regard to drugs. I do not know whether the Food and Drug Administration submitted a specific project on that subject, but at least the report we have would indicate a need for reporting to Congress on this matter, because I note that the report states that next year the Department will expect a definitive report on the ways in which the service can assist in the implementation of the recommendations made in the Dwyer report, and also states that increasing attention must be paid to the problem of making more effective use of new scientific knowledge in the health sciences field. Certainly the hearings held by the committees of both Houses indicate the need for a drug information clearinghouse; and unless one is provided, we shall have increasing problems, in the entire field of new drug application, in finding new ways to make use of the side effects of drugs, and new ways to avail ourselves of the therapeutic value of new drugs.

I hope this debate and these comments will remind the Food and Drug Administration of the importance of proceeding with its plans, and that at the appropriate time it will come with them to Congress. I know they will receive an appropriate hearing.

Mr. HILL. I commend the distinguished Senator from Minnesota on the fine work he has done in bringing attention to the need for such a clearing center and for giving emphasis to this need. Surely that should be done.

One thing that gives me concern is the fact that after we acquire new knowledge, we do not get it to those who must have it in order to obtain the results the new knowledge would bring.

Mr. HUMPHREY. The Senator from Alabama is entirely correct; and such information will be invaluable to the medical profession, which today is virtually overwhelmed by the great number of new drug products on the market.

Instead of criticizing the doctors, I think it is our job to see to it that they receive the necessary information, which they, in turn, may use in the hospitals and may make available to research centers of the country.

The PRESIDING OFFICER. The question is, Shall the bill pass?

The bill (H.R. 5888) was passed.

Mr. HILL. Mr. President, I move that the Senate insist upon its amendments and request a conference with the House on the disagreeing votes of the two Houses, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. Hill, Mr. Russell, Mr. Stennis, Mr. Pastore, Mr. Bible, Mr. Byrd of West Virginia, Mr. Cotton, Mrs. Smith, and Mr. Allott conferees on the part of the Senate.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, with the full concurrence of the minority leadership, I wish to call up three measures on the calender to which there is no objection.

AMENDMENT OF ARMED FORCES RESERVE ACT AND THE UNIVERSAL MILITARY TRAINING AND SERVICE ACT

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 364, House bill 6996.

The motion was agreed to; and the Senate proceeded to consider the bill (H.R. 6996) to repeal section 262 of the Armed Forces Reserve Act, and to amend the Universal Military Training and Service Act, and for other purposes, which had been reported from the Committee on Armed Services, with amendments, on page 2, line 12, after the word "may", to strike out "be." and insert "be, or satisfactorily performs such other Ready Reserve service as may be prescribed by the Secretary of Defense."; in line 17, after the word "of", where it appears the first time, to insert "such"; in the same line, after the word "of", where it appears the second time, to strike out "an organized unit of such" and insert "the"; on page 5, line 7, after the word "shall", to insert "subject to section 269 (e) (4) of this title"; and in line 16, after the word "duty", to insert "or active duty for training".

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the committee amendments be considered en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question now is on agreeing to the committee amendments.

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 388), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

EXPLANATION OF THE AMENDMENTS

The amendments are intended to (1) preserve a statutory exemption for Reserve trainees who, for reasons beyond their control, are unable to serve in an organized unit, but who satisfactorily perform such other service as may be prescribed by the Secretary of Defense; (2) permit Reserve trainees who perform extended active duty, as distinguished from active duty for training, to credit such active duty in combination with satisfactory Ready Reserve service in qualifying for transfer to the Standby Reserve after a combination of 5 years of active duty and satisfactory service in the Ready Reserve; and (3) make clear that enactment of this act does not increase the minimum period of active duty for training required for an exemption from training and service before enactment of this act.

PURPOSE

This bill would (1) revise, consolidate, and extend the laws under which the so-called 6-month training program and other special Reserve enlistment programs have been operated, and (2) clarify an exemption from conflict-of-interest laws for members of selective service local boards and other uncompensated persons who served in administering the Universal Military Training and Service Act.

BACKGROUND

Through a combination of circumstances the armed services have offered several special Reserve enlistment programs as alternatives to serving 2 years of active duty in discharging the obligation for military service. These programs have included:

1. The so-called 6-month training program established by the Reserve Forces Act of 1955 as section 262(a) of the Armed Forces Reserve Act.

This program was open to persons between the ages of 17 and 18½. It involves a total Reserve obligation of 8 years and an initial period of active duty for training of from 3 to 6 months (in practice it was 6 months). The length of active participation in the Reserve after performance of this initial period of active duty for training varied among the services from 3 years in the Army to 7½ years in the Air Force Reserve. Authority for this program expired on August 1.

2. The 6-month training program for persons between the ages of 18½ and 26 that is operated under the authority of section 511 of title 10, United States Code.

Enlistment in this program entails total Reserve obligation of 6 years with active participation required for the entire period of obligation.

3. The National Guard training program authorized by section 6(c) (2) (A) of the Universal Military Training and Service Act.

This program permits a person to enlist in the National Guard before reaching the age of 18½ and provides draft protection if a person continues to participate satisfactorily until he reaches the age of 28 except that if he performs at least 3 months of active duty for training his obligation ends after 8 years of service.

4. The critical skills program authorized by section 262(b) of the Armed Forces Reserve Act for persons between the ages of 17 and 26.

Enlistment in this program resulted in an 8-year Reserve obligation but they were not required to participate actively in the Reserve. This program was operated on a limited basis for a few years but has been discontinued.

The existence and administration of these several special enlistment programs have resulted in some inequities in the length of Reserve obligation and active participation and some confusion concerning the exact extent of these obligations. For example, a person who enlisted in the 6-month training program before he was draft vulnerable incurred an 8-year obligation, while a person who waited to enlist in the program until he was eligible for the draft incurred only a 6-year obligation. This incongruity resulted because the Reserve Forces Act of 1955 contemplated a 6-month training program only for persons under the age of 18½. When this program was enacted special authority was needed to provide draft exemption for those persons enlisted in it, because at that time there was no general authority for deferment or exemption from induction merely because of membership in a Reserve component. After the 1955 act was approved, selective service regulations that defer a person participating satisfactorily in the Reserve made possible the successful operation of a 6-month training program for persons over the age of 18½. These persons were enlisted under laws requiring total obligated service of 6 years.

The tabulation that follows shows the various methods by which young men can now discharge their military obligation.

Methods of fulfilling the military obligation

Major programs now in use	Age	Minimum active duty	Ready Reserve	Total, military service obligation
Selective service (voluntary or involuntary induction)	18½ to 26	2 years	2 years [1]	6 years.
Enlistment in Active Forces:				
Army	17 to 34	3 years	1 year [1]	Do.
Navy	17 to 31	4 years	do	Do.
Air Force	17 to 28	do	do	Do.
Marine Corps	do	do	do	Do.
Coast Guard	17 to 26	do	do	Do.
6 months' active-duty-for-training program:				
Army National Guard and Army Reserve	17 to 18½	6 months	3 years [2]	8 years.
	18½ to 26	do	5½ years	6 years.
Air National Guard and Air Force Reserve	17 to 18½	do	7½ years	8 years.
	18½ to 26	do	5½ years	6 years.
Marine Corps	17 to 18½	do	7½ years	8 years.
	18½ to 26	do	5½ years	6 years.
Coast Guard	17 to 18½	do	7½ years	8 years.
	18½ to 26	do	5½ years	6 years.
Other Ready Reserve enlistment programs:				
Air National Guard	17 to 18½	8 weeks	Until age 28.	Until age 28.
	18½ to 26	do	5 years 44 weeks.	6 years.
Army Reserve	17 to 26	2 years	2 years [1]	Do.
Naval Reserve	17 to 31	do	3 years	Do.

[1] Sec. 269, title 10, United States Code, provides that after a combined total of 5 years of active duty (other than for training) and satisfactory service in the Ready Reserve, individuals subject to the 6-year obligation may request transfer to the Standby Reserve for the remaining 1 year of obligated service. As a matter of equity, Army authorizes transfer to the Standby Reserve of those with 2 or more years' active duty if their combined active service and participation in a Ready Reserve unit totals 4 years.

[2] Sec. 262, Armed Forces Reserve Act of 1952, as amended, provides for enlistment in Ready Reserve units of the Reserve components, excluding the National Guard, for a total of 8 years, including initial 3 to 6 months' active duty for training. Sec. 6(c)(2)(A), Universal Military Training and Service Act, as amended, provides that a person enlisting in the National Guard prior to attaining age 18½ years is deferred from induction so long as he continues to serve satisfactorily and, upon attaining age 28, is exempt from induction. However, if he completes 8 years of satisfactory service including 3 or more consecutive months of active duty for training, he is also exempt. The memorandum of understanding provides that Army Guardsmen performing 6 months' initial active duty for training will be required to serve a total of only 3½ years in the Ready Reserve. This was extended to the Army Reserve by Army policy.

H.R. 6996 will simplify the special enlistment programs by consolidating the authority for a single special enlistment program for all the Reserve components. It provides for the continuation of the so-called 6-month training program with modifications that will permit its utilization by all the Reserve components and by providing a uniform Reserve obligation of 6 years.

The tabulation that follows shows the various enlistment programs that would be available after enactment of this bill.

Methods of fulfilling the military obligation (upon enactment of H.R. 6996)

Major programs now in use	Age	Minimum active duty	Ready Reserve	Total, military service obligation
Selective service (voluntary or involuntary induction)	18½–26	2 years	2 years [1]	6 years.
Enlistment in Active Forces:				
Army	17–34	3 years	1 year [1]	Do.
Navy	17–31	do	2 years	Do.
Air Force	17–28	4 years	1 year	Do.
Marine Corps	17–28	3 years	2 years	Do.
Coast Guard	17–26	4 years	1 year	Do.
Non-prior-service Ready Reserve enlistment program:				
All Reserve components including National Guard	17–26	4-plus months.	Approximately 5½ years.	Do.
Other Ready Reserve enlistment programs:				
Army Reserve	17–26	2 years	2 years [1]	Do.
Naval Reserve	17–31	do	3 years	Do.

[1] Sec. 269, title 10, United States Code, provides that a member of the Ready Reserve not on active duty who has a statutory military obligation shall, upon his request, be transferred to the Standby Reserve for the rest of his term of service if he has served on active duty (other than for training) in the Armed Forces and satisfactorily participated in the Ready Reserve for a combined total of 5 years. A shorter period may be prescribed by the Secretary concerned with the approval of the Secretary of Defense. The Secretary of the Army, with the approval of the Secretary of Defense, has authorized transfer to the Standby Reserve of those with 2 or more years of active duty if their combined active service and participation in a Ready Reserve unit totals 4 years.

FEATURES OF THE NEW PROGRAM

1. A standard 6-year period of Reserve obligation will be provided.

This standard obligation is prospective in nature and will operate to reduce a longer Reserve obligation incurred prior to enactment of this bill.

2. A minimum period of active duty for training of not less than 4 months will be provided.

Some Reserve enlistment programs now involve active duty for training of not more than 8 weeks and others involve as much as 6 months.

3. Persons who volunteer may be given active duty for training of longer periods to qualify them in military specialties that are needed by their units.

This program can supply the Reserve with persons possessing "hard" skills and should diminish the requirement in the event of future mobilization for persons who have previously served long periods on active duty.

LENGTH OF OBLIGATED SERVICE

A uniform 6-year obligation for persons enlisting in the 6-month training program is in harmony with the views of the committee as expressed in Senate Report 498 accompanying H.R. 5490 of the 87th Congress. The following excerpt from that committee report is pertinent:

"The committee emphasizes that this reduced obligation should not be construed as an indication that international conditions permit any relaxation in our preparedness efforts or in our attempts to achieve an effective Reserve. There is full awareness of the importance in creating a trained Reserve composed largely of persons who have not previously fought a war or served on active duty for long periods. At the same time the committee strongly believes that the responsibilities for defending our country should be shared fairly and that a reduction in the service obligation should cause an increase in the number of eligible persons who have been given some training and who would be available in the event of an emergency."

In the same report the committee expressed the following views in answer to the argument that a 6-year obligation would require more persons to be recruited and trained to maintain the Reserve components at their desired strength:

"The committee considers that the additional costs of recruiting and training such personnel are justified, not only in the interest of causing the obligation for military service to be more extensively shared, but also in the interest of having more persons with some military training available in the manpower pool. In other words, it might be more convenient and less expensive to have a 10- or 12-year obligation than a 6- or 8-year one, but against convenience and expense must be balanced the objective of an equitable distribution of the burden of military service.

"One other consideration needs to be mentioned. Under the committee bill the obligation of all persons in the Armed Forces will be 6 years. Without compensatory arrangements in the form of the length of active participation required, this uniform requirement might be unfair, since a person who has performed 2 years or more of extended active duty obviously has contributed more than a person who has performed only 6 months of active duty for training. The committee believes that this problem can be solved fairly by adjusting the period of time that a person is required to participate actively in the Reserve in accordance with the length of active duty or active duty for training performed. For example, a 2-year inductee should be required to participate actively in the Reserve for a shorter period than a person who enlists in the 6-month training program before he is draft vulnerable, and a person who enlists in the 6-month training program before he is draft vulnerable should be required to participate actively for a shorter period than a person who enlists in the 6-month training program after he is draft vulnerable. The Secretary of Defense has adequate authority under existing law to establish the required periods of active participation in the Reserve on a graduated basis."

CONTINUATION OF RELIEF FROM CONFLICT-OF-INTEREST PROVISIONS

Section 13(a) of the Universal Military Training and Service Act, as amended, exempts uncompensated officials of the Selective Service System, members of the National Selective Service Appeal Board, and persons appointed to conduct hearings on appeals of persons claiming exemption as conscientious objectors from certain conflict-of-interest provisions of law, including sections 281, 283, and 284 of title 18, United States Code. Sections 281, 283, and 284 of title 18, United States Code, were reenacted as sections 203, 205, and 207, respectively, of title 18, United States Code, by Public Law 87-849.

Section 6 of this bill makes conforming changes to the section numbers in the Universal Military Training and Service Act.

Since some of the 40,000 local board members and other uncompensated persons who work for the Selective Service System are attorneys, or may have claims against the Government, continuation of these exemptions is desirable to avoid a possibly unfair handicap to them in pursuing their regular occupations.

READMITTANCE OF WALTER SOWA, JR., TO U.S. NAVAL ACADEMY

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 365, House bill 2192.

The motion was agreed to; and the bill (H.R. 2192) authorizing the readmittance of Walter Sowa, Jr., to the U.S. Naval Academy was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 389), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

EXPLANATION

Walter Sowa, Jr., a former midshipman at the U.S. Naval Academy, was admitted to the Academy as a congressional candidate from the Second District of New Hampshire on July 1, 1957. He was discharged on July 11, 1960, because of deafness after having completed 3 years at the Academy. Since that time he has received treatment that has cured his defective hearing. A report of an examination by a board of medical examiners at the U.S. Naval Hospital, St. Albans, N.Y., that has been approved by the Bureau of Medicine and Surgery indicates that he is physically qualified for readmission to the Naval Academy. He is now 23 years old, however, and thus is above the maximum age for readmission. This bill, in effect, waives the maximum age in the case of Mr. Sowa and authorizes an additional space at the Naval Academy to accommodate his readmission.

The committee recommends the enactment of the bill in order that the Government and Mr. Sowa may receive a return from the the investment during the 3 years he spent at the Academy before his disqualification for reasons beyond his control.

DISPOSAL OF CERTAIN WATERFOWL FEATHERS AND DOWN

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 366, Senate bill 1994.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 1994) to authorize the disposal, without regard to the prescribed 6-month waiting period, of certain waterfowl feathers and down from the national stockpile.

Mr. KUCHEL. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. KUCHEL. Are we to assume that the sale of waterfowl feathers will not damage the national interest?

Mr. MANSFIELD. The Senator from California, with his usual perspicacity, is correct.

Mr. KUCHEL. I thank the Senator from Montana.

The PRESIDING OFFICER. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 1994) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of General Services is hereby authorized to dispose of approximately five million eight hundred thousand pounds of waterfowl feathers and down now held in the national stockpile. Such disposal may be made without regard to the requirement of section 3 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98b(e)), that no such disposition shall be made until six months after publication in the Federal Register and transmission to the Congress and to the Armed Services Committees, thereof of a notice of the proposed disposition.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 390), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

This bill would (1) authorize disposal of approximately 5,800,000 pounds of waterfowl feathers and down from the national stockpile and (2) waive the requirement for a 6-month waiting period before this disposal could begin.

ORIGIN

On June 17, 1963, the Administrator of the General Services Administration transmitted to the Congress a request for approval of a proposed disposal of approximately 5,800,000 pounds of waterfowl feathers and down now held in the national stockpile. The text of the letter requesting this approval appears later in this report under the caption "Departmental Recommendations." Transmitted with this request was a copy of a notice of the proposed disposition that was published in the Federal Register on June 25, 1963. The text of this proposed notice follows:

Mr. MANSFIELD. Mr. President, that completes the measures to be considered and voted on today.

AUTHORIZING APPROPRIATIONS FOR THE NATIONAL AERONAUTICAL AND SPACE ADMINISTRATION

Mr. MANSFIELD. I now move, Mr. President, that the Senate proceed to the consideration of Calendar No. 362, House bill 7500, and that it be laid down and made the pending business.

The motion was agreed to; and the Senate proceeded to consider the bill (H.R. 7500) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes which had been reported from the Committee on Aeronautical and Space Sciences, with an amendment to strike out all after the enacting clause and insert:

That there is hereby authorized to be appropriated to the National Aeronautics and Space Administration the sum of $5,511,520,400, as follows:

(a) For "Research and development", $4,225,275,000, of which amount $28,200,000 is authorized only for implementing Project Surveyor-Orbiter as requested by the National Aeronautics and Space Administration in its budget estimates for fiscal year 1964, and enumerated as follows:

(1) Manned spacecraft systems program, $1,556,600,000;

(2) Launch vehicle and propulsion systems program, $1,153,500,000;

(3) Aerospace medicine program, $11,000,000;

(4) Integration and checkout program, $140,000,000;

(5) Systems engineering program, $37,000,000;

(6) Meteorological satellites program, $63,700,000;

(7) Communications satellites program, $44,175,000;

(8) Industrial applications program, $3,500,000;

(9) Geophysics and astronomy program, $194,400,000;

(10) Lunar and planetary exploration program, $282,600,000;

(11) Bioscience program, $21,200,000;

(12) Launch vehicle development program, $127,700,000;

(13) Facility, training, and research grants program, $50,000,000;

(14) Space vehicle systems program, $53,462,000;

(15) Electronic systems program, $30,362,000;

(16) Human factor systems program, $13,200,000;

(17) Nuclear electric systems program, $68,768,000;

(18) Nuclear rockets program, $96,687,000;

(19) Chemical propulsion program, $24,497,000;

(20) Space power program, $16,524,000;

(21) Aeronautics program, $16,200,000;

(22) Tracking and data acquisition program, $220,200,000.

(b) For "Construction of facilities", including land acquisitions, $747,060,400, as follows:

(1) Ames Research Center, Moffett Field, California, $11,044,000.

(2) Flight Research Center, Edwards, California, $1,157,000.

(3) Goddard Space Flight Center, Greenbelt, Maryland, $20,332,500.

(4) Jet Propulsion Laboratory, Pasadena, California, $2,998,200.

(5) Langley Research Center, Hampton, Virginia, $8,204,700.

(6) Launch Operations Center, Cape Canaveral, Florida, $300,316,000.

(7) Lewis Research Center, Cleveland and Sandusky, Ohio, $18,634,000.

(8) Manned Spacecraft Center, Houston, Texas, $35,102,000.

(9) Marshall Space Flight Center, Huntsville, Alabama, $28,980,000.

(10) Michoud Plant, New Orleans, Louisiana, $8,688,000.

(11) Mississippi Test Facility, Mississippi, $102,196,000.

(12) Nuclear Rocket Development Station, Nevada, $15,650,000.

(13) Various locations, $168,253,000.

(14) Wallops Station, Wallops Island, Virginia, $505,000.

(15) Facility planning and design not otherwise provided for, $25,000,000.

(c) For "Administrative operations" $539,185,000.

(d) Appropriations for "Research and development" may be used (1) for any items of a capital nature (other than acquisition of land) which may be required for the performance of research and development contracts and (2) for grants to nonprofit institutions of higher education, or to nonprofit organizations whose primary purpose is the conduct of scientific research, for purchase or construction of additional research facilities; and title to such facilities shall be vested in the United States unless the Administrator determines that the national program of aeronautical and space activities will best be served by vesting title in any such grantee institution or organization. Each such grant shall be made under such conditions as the Administrator shall determine to be required to insure that the United States will receive therefrom benefit adequate to justify the making of that grant. None of the funds appropriated for "Research and development" pursuant to this Act may be used for construction of any major facility, the estimated cost of which, including collateral equipment, exceeds $250,000, unless the Administrator or his designee has notified the Committee on Science and Astronautics of the House of Representatives and the Committee on Aeronautical and Space Sciences of the Senate of the nature, location, and estimated cost of such facility.

(e) When so specified in an appropriation Act, any amount appropriated for "Research and development" or for "Construction of facilities" may remain available without fiscal year limitation.

(f) Appropriations made pursuant to subsection 1(c) may be used, but not to exceed $35,000, for scientific consultations or extraordinary expenses upon the approval or authority of the Administrator and his determination shall be final and conclusive upon the accounting officers of the Government.

(g) No part of the funds appropriated pursuant to subsection 1(c) for maintenance, repairs, alterations, and minor construction shall be used for the construction of any new facility the estimated cost of which, including collateral equipment, exceeds $100,000.

(h) No part of the funds authorized by this section may be expended for the establishment of an Electronic Research Center unless the Administrator has transmitted to the Committee on Aeronautical and Space Sciences of the Senate and to the Committee on Science and Astronautics of the House of Representatives a detailed study of the geographic location of the proposed Center, and (1) each such committee has transmitted to the Administrator written notice to the effect that such committee has no objection to the establishment of such Center, or (2) forty-five days have passed after the transmittal by the Administrator of such study to those committees.

(i) Until such time as the National Aeronautics and Space Administration shall establish uniform design criteria and construction standards for facilities for which appropriations are authorized pursuant to this Act, the National Aeronautics and Space Administration shall utilize for such facilities design criteria and construction standards established either by the General Services Administration, the United States Navy Bureau of Yards and Docks, or the United States Army Corps of Engineers.

Sec. 2. Authorization is hereby granted whereby any of the amounts prescribed in paragraphs (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (12), (13), and (14), of subsection 1(b) may in the discretion of the Administrator of the National Aeronautics and Space Administration, be varied upward 5 per centum to meet unusual cost variations, but the total cost of all work authorized under such paragraphs shall not exceed a total of $722,060,400.

Sec. 3. Not to exceed 2 per centum of the funds appropriated pursuant to subsection 1(a) hereof may be transferred to the "Construction of facilities" appropriation, and, when so transferred, together with $30,000,000 of the funds appropriated pursuant to subsection 1(b) hereof (other than funds appropriated pursuant to paragraph (15) of such subsection) shall be available for expenditure to construct, expand, or modify laboratories and other installations at any location (including locations specified in subsection 1(b)), if (1) the Administrator determines such action to be necessary because of changes in the national program of aeronautical and space activities or new scientific or engineering developments, and (2) he determines that deferral of such action until the enactment of the next authorization Act would be inconsistent with the interest of the Nation in aeronautical and space activities. The funds so made available may be expended to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment. No portion of such sums may be obligated for expenditure or expended to construct, expand, or modify laboratories and other installations unless (A) a period of thirty days has passed after the Administrator or his designee has transmitted to the Committee on Science and Astronautics of the House of Representatives and to the Committee on Aeronautical and Space Sciences of the Senate a written report containing a full and complete statement concerning (1) the nature of such construction, expansion, or modification, (2) the cost thereof including the cost of any real estate action pertaining thereto, and (3) the reason why such construction, expansion, or modification is necessary in the national interest, or (B) each such committee before the expiration of such period has transmitted to the Administrator written notice to the effect that such committee has no objection to the proposed action.

Sec. 4. Notwithstanding any other provision of this Act—

(1) no amount appropriated pursuant to this Act may be used for any program deleted by the Congress from requests as originally made to either the House Committee on Science and Astronautics or the Senate Committee on Aeronautical and Space Sciences,

(2) no amount appropriated pursuant to this Act may be used for any program in excess of the amount actually authorized for that particular program by sections 1(a) and 1(c), and

(3) no amount appropriated pursuant to this Act may be used for any program which has not been presented to or requested of either such committee,

unless (A) a period of thirty days has passed after the receipt by each such committee of notice given by the Administrator or his designee containing a full and complete statement of the action proposed to be taken and the facts and circumstances relied upon in support of such proposed action, or (B) each such committee before the expiration of such period has transmitted to the Administrator written notice to the effect that such committee has no objection to the proposed action.

Sec. 5. The Administrator is hereby authorized to transfer, with the approval of the Bureau of the Budget, funds appropriated pursuant to this Act (other than funds appropriated pursuant to paragraph (15) of subsection 1(b), to any other agency of the Government whenever the Administrator determines such transfer necessary for the efficient accomplishment of the objectives for which the funds have been appropriated. Not more than $20,000,000 of the funds authorized by this Act may be transferred by the Administrator under this section, and no transfer in excess of $250,000 shall be made under this section unless the Administrator has transmitted to the Committee on Aeronautical and Space Sciences of the Senate and to the Committee on Science and Astronautics of the House of Representatives a written statement concerning the amount and purpose of, and the reason for, such transfer, and (1) each such committee has transmitted to the Administrator written notice to the effect that such committee has no objection to that transfer, or (2) thirty days have passed after the transmittal by the Administrator of such statement to those committees.

Sec. 6. Section 307 of the National Aeronautics and Space Act of 1958 is amended by adding at the end thereof the following new subsection:

"(c) Notwithstanding any other provision of law, the authorization of any appropriation to the Administration shall expire (unless an earlier expiration is specifically provided) at the close of the third fiscal year following the fiscal year in which the authorization was enacted, to the extent that such appropriation has not theretofore actually been made."

Sec. 7. This Act may be cited as the "National Aeronautics and Space Administration Authoriztion Act, 1964".

Mr. MANSFIELD. Mr. President, so far as I know, tonight there will be no debate on this bill, although I understand and expect that the distinguished chairman of the committee which has been considering the bill—the senior Senator from New Mexico [Mr. Anderson]—and the distinguished senior Senator from Maine [Mrs. Smith] have statements to make at this time.

Mr. ANDERSON. Mr. President, we have before us today H.R. 7500, to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations; and for other purposes. H.R. 7500 passed the House by a vote of 334 to 57. While there were some differences of opinion in committee as to some of the individual items contained in the act, the measure received unanimous support from the committee in reporting the act to the floor with an amendment. The committee spent long hours in reviewing the NASA's budget request for fiscal year 1964. In front of each Member are parts I and II of the hearings encompassing some 1,154 pages of testimony. In addition, the committee spent 2 days taking some 260 pages of testimony from eminent scientists which is available on the desk of each Senator. A summary of these hearings can be found beginning on page 348 of the committee report accompanying the bill.

Also, the committee took testimony in executive session over a period of 7 days from NASA and the Department of Defense in connection with the markup of the bill.

Mr. President, before going into a review of the action taken by the House and the committee in connection with NASA's proposed budget, I would like to comment briefly on the civilian portion of our national space program.

I am fully aware of the many opinions which have been espoused as to the priority of funding between our military and civilian space programs, and the concern expressed in many quarters with respect to the huge authorization of expenditures for the civilian portion of our space program. I should only like to say at this point that our administration has declared as a national goal the landing of a man on the moon by 1970. NASA has been given the responsibility by the administration of carrying out this national objective and while I, like others, would disagree with some of the decisions that have been made by Mr. Webb, the Administrator, and his associates, I, personally, feel, and I believe the other members of the committee would generally agree, that NASA deserves unqualified credit for the manner in which it has embarked upon this formidable task.

NASA has now accomplished nine successful suborbital and orbital flights involving American astronauts without the loss of a life. The planning, preparation, and carrying out of this gigantic operation involving thousands of people from NASA, from our military forces, and from industry, defies description.

In addition, NASA has carried out a tremendously successful scientific interplanetary program which only a few years ago would have been considered fantastic even to envision.

Mr. President, the United States is in space today to stay. NASA is dedicated to the objective of making our Nation preeminent in space, and has, indeed, to date compiled an enviable record and taken a long step toward the accomplishment of this objective.

The original administration request for NASA for fiscal year 1964 was $5,712 million; broken down this included $4,351,700,000 for research and development; $560,300,000 for administrative operations; and $800 million for construction of facilities. After a most thorough review by the House Committee on Science and Astronautics, the House recommended a net reduction to $5,203,719,400; broken down this included $4,013,175,000 for research and development; $508,185,000 for administrative operations; and $682,359,400 for construction of facilities.

After a careful analysis by the committee of the budget requests, the reductions recommended by the House and NASA's requests for restoration, the committee has recommended a total of $5,511,520,400, broken down to include $4,225,275,000 for research and development; $539,185,000 for administrative operations; and $747,060,400 for construction of facilities. A comparison would show that overall the committee has reduced by $200,479,600 the administration request for NASA for fiscal year 1964 which is $307,801,000 more than was authorized by the House.

Mr. President, before reviewing the action taken by the committee on the bill, I should like to say that the committee took detailed testimony on every major research and development program and every construction of facility request contained in NASA's budget. With respect to many programs the individual projects and items within such projects were scrutinized carefully and NASA was requested to justify them. However, the committee's major consideration was not NASA's internal decisions to realine and rearrange projects and items within major programs, but rather the management aspects of their programs. As an example, the committee carefully reviewed the cost and auditing systems utilized by NASA and amended the reprograming requirements of NASA is such a way that the committee now believes them to be both meaningful and effective.

Also in the case of NASA's request for an electronics center, the committee spent considerable time inquiring into the need for such a center and the methods by which NASA would integrate the work of the center with its total research and development electronic needs so that a more orderly program would result and a smoother interface between NASA, the electronics industry, and university and commercial research institutions could be accomplished.

Mr. President, I should now like to review briefly the House's adjustments to H.R. 7500 and the related action taken by the committee. In view of the fact that detailed information on each of NASA's programs, the House's action, and the committee recommendations is contained in the committee's comprehensive report, No. 362, accompanying the bill and available to each Senator, I ask unanimous consent that they may appear in the RECORD at this point as a summary of the action taken by the committee with respect to NASA's fiscal year 1964 request.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

RESEARCH AND DEVELOPMENT

NASA's budget request was for $4,912,000,000 of which $4,351,700,000 was for research and development and $560,300,000 was for operations. The House approved for research and development $4,013,175,000, which was a reduction $338,525,000 from the budget request. Your committee has recommended a total of $4,225,275,000, which represents a reduction of $126,425,000 from the budegt request, or a restoration of $212,100,000 over the amount authorized by the House.

1. MANNED SPACECRAFT SYSTEMS—$1,556,600,000

The ultimate objective of the development of manned spacecraft systems is to provide the capability for a broad program of manned space exploration which will achieve and maintain a position of leadership for the United States. A specific goal in acquiring this capability is to land a man on the moon and return him safely to earth. The two principal items under manned spacecraft systems are projects Gemini and Apollo. The Gemini project will place two men in earth orbit to explore the long-duration flight and to develop the techniques of space rendezvous. The Apollo project will provide a 3-manned spacecraft which will be used to carry man in earth-orbital, circumlunar, lunar orbit and lunar landing, and return missions.

The House action reflects a reduction of $120 million for Apollo spacecraft development on the basis that use of the amount requested could not be wholly identified, particularly in connection with the development of the command and service modules. The NASA request for restoration indicated that, subsequent to the visit by House committee members to North American Aviation, NASA completed contract negotiations with the contractor which have shown that funds requested for fiscal year 1964 are indeed required unless there is to be a delay of from 4 to 6 months in meeting the program objectives on the command and service modules. If the House reduction were applied to other elements of the Apollo and Gemini efforts, the result is estimated to be a delay of 1 to 2 months across the board. On the basis of NASA testimony that the tightest controls and the exercise of greatest management skills will be necessary to meet program objectives even if the House reduction is restored, the committee recommends restoration of the reduction made by the House.

2. LAUNCH VEHICLE AND PROPULSION SYSTEMS—$1,153,500,000

The Launch Vehicle and Propulsion Systems program supports, through the development of the required vehicle and propulsion systems, the primary mission of the Office of Manned Space Flight, the manned exploration of space. The program consists of the development of three major launch vehicles to be used in missions leading to manned lunar landing. The administration requested for this item $1,168,500,000. The House authorized $1,138,500,000. Specifically, the House action reduces the budget request of $45 million for the M–1 engine by $30 million on the basis that there is now no specific mission for the M–1 engine, that the higher specific impulse for the M–1 makes it a potentially useful engine for some future launch vehicle, but that the budget request was excessive for fiscal year 1964 in view of the very long development leadtime envisioned and the fact that present concepts may be outmoded or in need of revision by the 1970's when the M–1 would become operational. NASA testimony to your committee indicated that a reduced but sound development program could be conducted at a fiscal year 1965 level of $30 million without bringing the project to a virtual halt. On the basis of this testimony and in view of the reorientation of this project to emphasize advancement of technology rather than system development, committee action recommends restoration of $15 of the $30 million House reduction.

3. AEROSPACE MEDICINE—$11 MILLION

The objectives of the aerospace medicine program are to provide operational medical support to space flight missions and to conduct development and test of systems and components to insure the effective performance and safety of the astronauts in flight and on the ground. The original administration budget request was for $16,700,000. The House reduced this amount by $5,700,000 on the ground that this funding represented a 100-precent increase of the funds allocated for this purpose in fiscal year 1963 and that the rate of progress required, together with other Government capabilities should make it possible to fund this project at the level of $11 million. Your committee, after taking testimony on this program, found that NASA indicated that they could carry out their fiscal year 1964 program under this funding level. Therefore, your committee recommends sustaining the position of the House in cutting $5,700,000.

4. INTEGRATION AND CHECKOUT—$140 MILLION

The objectives of this program are to provide overall integration analysis, reliability assessment and checkout for all elements essential to the Apollo project. The administration requested $153 million for fiscal year 1964. The House reduced this request to $125 million. Its action reflects a reduction of $28 million on the basis that the NASA justification did not establish clearly the amount to be used to fund contractor services and that NASA testimony on what would be done with $28 million of the total request was also vague and uncertain. NASA testimony to your committee indicated that the $28 million was for standard "off-the-shelf" equipment such as computers, power supplies, and oscilloscopes to be provided at a significant cost savings as Government-furnished equipment to the prime integration and checkout contractor (General Electric Co.), to become an integral part of the overall checkout system. On the basis that NASA has now identified the planned utilization of the $28 million and with the expectation that NASA will be able to effect economies in the total integration and checkout effort, the committee recommends restoration of $15 of the $28 million House reduction.

5. SYSTEMS ENGINEERING—$37 MILLION

The objectives of the systems engineering program are to provide for centralized systems engineering and study capabilities for the manned lunar program; for the study of advanced mission concepts; and for the support of Apollo systems synthesis, including development of overall reliability and systems test plans and the definition of environmental hazards and scientific mission requirements. The administration requested $37 million for this item which was approved by the House with no recommended reduction. Your committee agreed with the decision of the House with respect to this item.

6. METEOROLOGICAL SATELLITES—$63,700,000

The objectives of the meteorological satellites program are (1) to establish and continually improve meteorological satellite capability to provide the meteorologist with worldwide observations of atmospheric conditions and storm systems; (2) to develop a meteorological satellite system suitable for use on a routine continuing basis in an operational meteorological satellite system; and (3) to provide a capability to explore and understand the structure, temporal and spacial variation, and the dynamic processes of the atmosphere in the region from 30 to 100 kilometers. The administration requested $63,700,000 for this item which was authorized by the House and your committee, because of the extreme importance to this Nation to proper weather forecasting, agreed that the total amount should be authorized.

7. COMMUNICATIONS SATELLITES—$44,175,000

The objectives of the NASA Communications Satellite program are to assist in the early establishment of an operational communications satellite system, and to support the continuing development and expansion of such systems through a program of research, development, and flight testing of techniques and concepts designed to insure the realization of the full capabilities of communications satellites.

The original administration request for this item was $51,100,000. The House reduced this request to $42,175,000. The House action reflected itself in two areas: (1) Supporting research and technology—a reduction of $1.925 million in the areas of supporting research and technology which were considered unessential to the NASA program. Testimony before your committee indicated that the NASA requires restoration to permit execution of a sound and timely R. & D. program in fulfillment of NASA responsibilities under the Space Act and 1962 Communications Satellite Act, including support of the Federal Communications Commission, the Department of Defense, and the State Department. On this basis, your committee recommends restoration of $1.5 million as requested by NASA. (2) Advanced synchronous communications satellite—a reduction of $7 million on the basis that the original schedule could be adhered to by deferring this amount; the House committee specifically deleted the item for reliability studies estimated at $.5 million for contracted work. Restoration of this $.5 million was requested to permit an independent contractor's analysis of the system contractors design, test, and quality control, for which NASA does not have adequate in-house capability. On the basis that investment of $.5 million for an independent reliability review of a program in which each launch will cost about $20 million is a sound expenditure, the committee recommends restoration of $.5 million.

8. INDUSTRIAL APPLICATIONS—$3,500,000

The objective of the industrial applications program is to promote the early and effective utilization of the technical advances evolving from the NASA research and development activities by industry. The House provided for full authorization of the administration request which was also endorsed by your committee.

9. GEOPHYSICS AND ASTRONOMY—$194,400,000

The fundamental objective of the geophysics and astronomy program is to extend our knowledge and understanding of the earth, the sun, and the universe. The original budget request was for $194,400,000. The House authorized $190,400,000. This action reflects a reduction of $4 million which would eliminate the follow-on international satellites on the basis that the authorization of the funds requested by NASA should be deferred until after negotiations had taken place with foreign nations and agreements had been reached. NASA testimony to your committee indicated that NASA had failed to convey to the House a full appreciation of the fact that specific agreements have been reached with the United Kingdom and France for international satellite projects to be funded by the $4 million. On the basis that these funds are necessary to implement these agreements, your committee recommends restoration of the House reduction.

10. LUNAR AND PLANETARY EXPLORATION—$282,600,000

The primary objective of the lunar and plantary exploration program is the exploration of the solar system and immediate objective of the program is to obtain scientific information and design data required for manned space flight systems development, particularly for the manned lunar landing program.

The administration's request for this item was $322,600,000. The House authorized $254,400,000, a reduction of $68,200,000, consisting of $25 million from the Ranger project, $28,200,000 from Surveyor Orbiter, and $15 million from Mariner.

After a review of the Ranger program and consulting with NASA officials, your committee agrees with the House that $25 million can be reduced in Ranger funds and a good and adequate job can still be done by Ranger within the remaining $65 million. Your committee, however, stressed the fact that this $25 million reduction should not be construed as lessening the need for the Ranger program since it is extremely important to the success of the manned lunar landing program.

With respect to the House's action of reducing by $28.2 million the Surveyor Orbiter project, your committtee received extensive testimony from NASA which indicated that the Orbiter program was essential to the Apollo project and would be initiated during the fiscal year 1964 timetable. Therefore, on this basis, your committee restored the original budget request for Orbiter, but worded the authorization in such a manner so that this amount may not be reprogramed, but must be used for Surveyor Orbiter as stated in NASA's fiscal year 1964 budget request.

Your committee agreed with the action of the House that the $15 million reduced by the House from the Mariner project could be properly deferred.

11. BIOSCIENCE—$21,200,000

The Bioscience program of the NASA is being developed to provide this country with biological knowledge that can be gained only in the environment of space, and with the basic biological knowledge pertinent to space exploration and operations. The administration's request for this item was for $35,200,000. This authorization was reduced by the House to $21,200,000. The House's action indicated that the amount authorized was at the same approximate level of funding as NASA's fiscal year 1963 request. Your committee agreed with the House that this funding level should be adequate for NASA to accomplish its requirements during fiscal year 1964.

12. LAUNCH VEHICLE DEVELOPMENT—$127,700,000

The objectives of this program are to provide reliable and economic launch vehicles for (1) the unmanned earth orbital, lunar, planetary, and interplanetary missions for scientific exploration; (2) meteorology, communications, and supporting research and technology flight missions; and (3) the acquisition of engineering data from unmanned flights to support manned space exploration. The administration's request for this item was $130,700,000. The House reduced by $3 million the supporting research and technology program on the ground that there was no substantial reason for increasing SRT effort inasmuch as large funds were being authorized to support the Centaur development program and the Scout and Delta vehicles are now considered reliable launch vehicles. Your committee concurred in the reasoning of the House and agreed to the reduction of $3 million.

13. FACILITY, TRAINING, AND RESEARCH GRANTS—$50 MILLION

The Facility, Training, and Research grants program is a planned, coordinated effort of institutional liaison to establish and maintain direct scientist-to-scientist communication between NASA and the university research community. The administration's request for this item was $55 million. The House committee proposed the authorization of the full amount; however, on the floor of the House the bill was amended to maintain the same level of support as effected in fiscal year 1963. Therefore, the House reduced this item to $30,600,000. Your committee, after a careful review of NASA's proposed programs in this area, felt that in many ways the success or failure of the national space program rests directly on the skill and training of those who undertake the effort. Your committee cautioned NASA that the indiscriminate granting of scholarships without regard for need must inevitably include many who would have continued their education anyway and, therefore, can only lessen the impact on the total manpower problem that Government funds might otherwise have had. It strongly recommended that NASA explore this problem with the cooperating universities and encourage them to place a greater emphasis on need in selection of NASA scholars. While it felt that the reduction of the House was too great, it authorized a total of $50 million for this program.

14. SPACE VEHICLE SYSTEMS—$53,462,000

The objective of the space vehicle systems program is to identify and solve critical technical problems bearing on present-generation space vehicles as well as to advance the state of the art to enable the development of more advanced space vehicles for future space missions.

The administration's budget request for this item was for $61,962,000. The House reduced this amount to $53,462,000, a reduction of $8,500,000 in item proposed by NASA to initiate the advanced fire project, an investigation of reentry hearing problems at planetary rate velocities. The House's action was based on the fact that this program was only indirectly related to the lunar project and could be deferred at this time. Your committee concurred in the opinion of the House and authorized only $53,462,000.

15. ELECTRONIC SYSTEMS—$30,362,000

The objectives of the electronic systems program are to provide reliable and efficient components, and flexible and proven techniques for developing guidance, stabilization, communications, tracking, instrumentation, and data processing systems which will meet the projected needs of the NASA's future manned and unmanned space missions. The administration's request for this item was for $30,362,000. The House authorized this entire amount, and your committee agrees that a total authorization is necessary and warranted.

16. HUMAN FACTOR SYSTEMS—$13,200,000

The objectives of this program are (1) to obtain a better understanding of man's capabilities and limitations and to determine his utilization in advanced aerospace systems; (2) to obtain design requirements for equipment and subsystems which will guarantee an environment adequate for maintaining the high operating efficiency of crews during programed and emergency phases of advanced aerospace missions; and (3) to determine overall human requirements and integrate them into the design of advanced aeronautical, astronautical, and ground support systems.

The Administration requested $18,200,000 for this item. The House authorized $13,200,000. The House felt that NASA could accomplish its mission with this reduced amount and because of the possible duplication of efforts in this area, suggested that the Department of Defense and NASA should coordinate their efforts and seek cooperative experiments in this field. Your committee agreed with the concern of the House and concurred in authorizing $13,200,000 which reduced the Administration's request by $5 million.

17. NUCLEAR-ELECTRIC SYSTEMS, $68,768,000

The objective of the Nuclear-Electric Systems program is to provide the scientific and engineering knowledge and to develop the systems necessary for the early and practical utilization of nuclear electric propulsion and power generation systems in space. The Administration's request was for $68,768,000 for this item. The House authorized the full amount. Your committee, after hearing extensive testimony from NASA and the Atomic Energy Commission relative to these nuclear electric systems, agreed to the total authorization requested by the Administration.

18. NUCLEAR ROCKETS—$96,687,000

The Nuclear Rocket program has the primary objective of establishing the basic technology and developing and providing qualified nuclear rocket engines for accomplishing operational missions in advanced launch vehicles. The Administration's request for this item was $96,687,000. The House authorized a total of $91,687,000. This action reflects a reduction of $5.0 million on the basis that the KIWI reactor development project which is the responsibility of AEC is the pacing item in this program and to date AEC has not developed a satisfactory design which would be reflected in delays to NASA's Nerva engine and Rift stage projects. In view of such delays the House believed that the proposed reduction would not burden NASA in carrying out its responsibilities in this program. NASA testimony before your committee indicated that the budget request was designed to take full recognition of the pacing influence of the reactor development effort and that the proposed reduction, while not large in percentage, would undoubtedly affect progress in a variety of areas such as systems dynamics, control and instrumentation, and basic technology for the long leadtime nonnuclear components and subsystems. Based on this testimony, and in view of recent encouraging progress in NASA's nuclear rocket programs, the committee recommends restoration of the House reduction.

19. CHEMICAL PROPULSION—$24,497,000

The objective of this program is to conduct the research and advanced technology studies to increase knowledge of chemical propulsion processes, to investigate new concepts and techniques, and to advance chemical propulsion to meet future requirements.

The Administration's request was for $22,497,000 for this item. The House agreed fully with this request, but increased it by $2 million on the ground that high energy propellants appeared to offer one of the most promising advances for improvement of the Nation's capability in space. Your Committee agrees with the House as to the importance of such a research and development program and feels that every effort should be made to expand the state of the art in the area of propellants, both in chemical vehicles and other exotic systems capable of high-thrust such as nuclear engines. Therefore, your Committee agreed with the House to the full authorization request plus the additional $2 million which would allow NASA to increase the emphasis on research on such high energy propellants as borane, diborane and fluorine.

20. SPACE POWER—$16,524,000

The objectives of this program are to conduct research and technology work leading to a better basic understanding of solar and chemical energy processes and to devise new and improved methods of utilizing these energy sources for developing the electrical power required for the accomplishment of space exploration. The Administration's request for this item was $16,524,000. The House agreed to the authorization of the full amount which was concurred in by your Committee.

21. AERONAUTICS—$16,200,000

The objective of the NASA Aeronautics program is to conduct research to generate the technology for the design, construction, and operation of advanced aeronautical vehicles and missiles to support current and projected civil and military requirements and to maintain U.S. leadership in these fields. The original Administration request for this item was $16,200,000. This authorization was agreed to by the House and concurred in by your Committee.

22. TRACKING AND DATA ACQUISITION—$220,200,000

The objective of the NASA Tracking and Data Acquisition program is to provide the operational ground instrumentation support required by all NASA flight projects.

The Administration requested a total of $231,500,000 for this item. The House authorized $216,700,000. This action reflects a reduction of $14.8 million on the basis that the budget request represented approximately a 70-percent increase over the planned fiscal year 1963 program and that NASA testimony did not fully justify the need for the funds. (1) Supporting Research and Technology: Of the indicated reduction of $5 million for supporting research and technology, NASA requested restoration of $2 million on the basis that this would permit a level of effort which would be responsive to the requirement for improved tracking and data acquisition capabilities in the future. Your Committee considered the level of effort sustained in fiscal year 1963 was adequate and therefore sustained the House action. (2) Network Operations: NASA requested restoration of the $3.5 million House reduction for network operations on the basis that the full amount requested in the budget was required for contracts to provide operations personnel to support the number of flights planned to occur in fiscal year 1964. Since the House action on NASA's flight projects did not affect the number of flights to be conducted during fiscal year 1964, your Committee recommends restoration of the reduction proposed by the House.

Administrative operations—$539,185,000

The administration's original request incorporated operations in their total request for research and development. The House separated from the total request for research and development the amount that NASA was budgeting for its operations in support of its programs. By separating this request it was determined that NASA was requesting a total of $560,300,000. A summary of the various items within the administrative operations budget can be found on page 332 of your committee's report. The House authorized a total of $508,185,000. This action reflected (1) personnel costs—a reduction of $25 million in personnel costs on the grounds that reduced personnel requirements would result from reduced program activity (i.e., presumably R. & D. projects deleted or reduced by House action); and that, while the fund reduction would limit an increase in personnel, NASA would have freedom to increase personnel in essential program areas. NASA requested full restoration on the basis that the reduction would permit hiring only 595 new personnel in lieu of the 3,953 reflected in the budget, that 595 was inadequate to cover the budgeted increases in personnel (1,600) for the 3 manned space flight centers alone, and that the budget number of 3,953 was now some 2,000 short of requirements currently estimated by NASA centers. On the basis of these considerations and the understanding that NASA was prepared to operate with a tight belt and effect economies wherever possible, your committee restored $20 million of the $25 million House reduction.

2. Other administrative costs: a reduction of $27.115 million of other administrative costs on the basis that the budget request constituted approximately a 30-percent increase over fiscal year 1963 in this general area and it was the opinion of the House that economies could be effected to the extent of $27 million. NASA requested restoration of $11 million on the basis that this would provide the minimum essential level of operations consistent with the efficient conduct of NASA in-house research and development activity and the effective direction and supervision over the expanding contract programs. On the basis of this testimony, your committee restored $11 million of the $27.115 million House reduction.

Although the preponderance of the authorization is included above in the research and development activities of NASA, a considerable supporting effort is required in the field of construction of facilities which is elaborated on below.

Construction of facilities

The Administration requested $800 million to support the fiscal year 1964 program, constructionwise. The authorization requested is to procure required facilities and includes the purchase of installed equipment to conduct the planned operations.

The House committee examination of the NASA request resulted in the postponing of those projects which would, in that committee's view, not require funding in this fiscal year, would not jeopardize ongoing programs, or would replace undesirable and inefficient existing facilities. Design of certain facilities had been initiated utilizing nearly $8 million of fiscal year 1963 funds and a replacement amount was requested for fiscal year 1964. This authorization was withheld; however, a $15 million item authorization for planning and design for future work was incorporated in the House bill because potential saving in time by adequate prior design, more accurate budget estimate requests, and less reprograming would result. (Interesting to note is the sequence on the planning authorization: NASA requested $10 million; the House committee felt strongly that this aspect should receive more emphasis and increased the item by 150 percent to $25 million. By floor amendment, the $25 million recommended authorization was reduced by $10 million to $15 million, leaving a $5 million authorization in excess of the NASA request.) In total, the House reduced the Administration's request of $800 million by $117,640,000.

Your committee examined each construction item for which authorization was requested. On completion of the House subcommittee hearings and receipt of information relative to their proposed reduced program, the chairman directed the staff to work closely with NASA in behalf of minimizing the construction program while not imposing severe penalties on the ongoing programs. As a result of this diligent effort, NASA requested only partial restoration of the House reductions. Your committee then reexamined each construction item as to their impact on the programs.

In general, the authorization requested is a continuation of ongoing programs initiated in prior years. In excess of 60 perecnt (approximately $500 million) of the requested authorization is at Launch Operations Center in Florida, the Mississippi Test Facility, Marshall Space Flight Center at Huntsville, Ala., and the Manned Spacecraft Center at Houston.

Approximately $176 million was requested for 11 various locations. The largest single item in this group involves the acquisition of three required instrumentation ships and an estimated expenditure of $90 million. Other items include several engine facilities, tracking facilities, an electronic center, and a lunar excursion module test facility.

The remaining 15 percent ($124 million) of the NASA requested authorization is to further the program at the remaining eight established NASA centers and activities.

Your committee proposes a total authorization for construction of facilities in the amount of $747,060,400. This amount includes the $10 million NASA requested and the additional $15 million for planning and design as originally proposed by the House committee. Use of this authorization by NASA will enhance planning detail which will permit earlier initiation of construction after authorization and will allow NASA to submit more refined budget cost estimates for authorization. In summary, this total sum is $52,939,600 less than requested by the administration, but $64,700,400 more than approved by the House. In regard to the reduction, your committee in several instances believed that authorization requested could be deferred until the following fiscal year, and in other instances, while the proposed facilities would add efficiency to the operation, they did not have an adverse impact on the ongoing programs at this time if deleted. In the instance where your committee made restoration of House reductions, it believed that the programs would be impaired or that the orderly sequential development would suffer if the authorization were not granted.

Specifically, the following items constitute the reductions by your committee:

Location and project	President's budget	Senate committee reduction
1. Ames Research Center:		
Administrative management building	$1,375,000	−$1,375,000
Life sciences research laboratory	4,880,000	−240,000
Model construction building	347,000	−347,000
Space environment research facility	3,600,000	−70,000
2. Flight Research Center: Flight research support laboratory	2,924,000	−2,924,000
3. Goddard Space Flight Center:		
Data interpretation laboratory	5,390,000	−229,500
Meteorological systems development	4,103,000	−170,000
Utility installations	2,439,000	−200,000
4. Jet Propulsion Laboratory:		
Addition to the space flight operations facility	1,000,000	−54,800
Development engineering building	3,900,000	−3,900,000
Utility installations	467,000	−47,000
5. Langley Research Center:		
Addition to the vehicle antenna test facility	1,758,000	−73,300
Electronic instrumentation laboratory	2,850,000	−109,000
Fatigue research laboratory	1,291,000	−1,291,000
Utility installation	1,249,000	−90,000
6. Launch Operations Center:		
Advance Saturn launch complex No. 39	217,219,000	−10,000,000
Advance Saturn support facilities	9,309,000	−225,000
Barge lock and channel	1,000,000	−100,000
Cafeteria	899,000	−26,000
Central instrumentation facility	31,508,000	−260,000
Manned spacecraft facilities	6,512,000	−225,000
Range engineering and administration building	4,823,000	−25,000
Utility installations	23,755,000	−117,000
Vehicle maintenance and service facility	1,561,000	−1,561,000
7. Lewis Research Center:		
Addition to the spacecraft propulsion research facility	3,500,000	−335,000
Alteration to the space power chamber	5,665,000	−550,000
Modernization of the instrument research laboratory	1,316,000	−1,316,000
SNAP-8 assembly and spacecraft checkout building	5,000,000	−5,000,000
8. Manned Spacecraft Center:		
Atmospheric reentry materials and structures evaluation facilities	2,915,000	−220,000
Center support facilities	5,162,000	−1,465,000
Launch environment and antenna test facility	7,482,000	−217,000
Mission simulation and training facility	2,216,000	−147,000
Spacecraft control technology laboratory	6,106,000	−278,000
Ultra-high-vacuum space chamber facility	2,685,000	−307,000
9. Marshall Space Flight Center:		
Acceleration test and calibration facility	$1,700,000	−$90,000
Acoustic model test facility	2,000,000	−60,000
Additions to the components test facilities	3,875,000	−200,000
Barge dock and loading facilities	800,000	−209,000
Expansion and modernization of the high-pressure gas and propellant systems	4,000,000	−2,000,000
Expansion of computation facilities	2,315,000	−2,315,000
Extension to the propulsion and vehicle engineering laboratory	1,900,000	−1,900,000
Hangar for vehicle components	4,600,000	−1,100,000
Hazardous operation laboratory	500,000	−27,000
Support operations building	500,000	−500,000
Utility installations	5,000,000	−1,115,000
10. Michoud plant:		
Addition to production facilities	6,000,000	−780,000
Parking and security improvements	610,000	−150,000
Road and airstrip rehabilitation	760,000	−385,000
11. Mississippi Test Facility:		
F-1 engines system test stand	9,000,000	−459,000
Maintenance facilities	5,987,000	−3,707,000
Security control facilities	675,000	−675,000
Transportation and parking facilities	7,585,000	−2,988,000
Warehouse addition and storage facilities	2,318,000	−1,382,000
Waterways and docking facilities	4,242,000	−283,000
12. Nuclear Rocket Development Station:		
Additions to engine test stand No. 2	5,000,000	−1,500,000
Additions to engine maintenance assembly and disassembly building	4,500,000	−1,340,000
Support facilities	5,040,000	−2,000,000
13. Various locations:		
Facilities for H-1 engine production	1,500,000	−90,000
Facilities for M-1 engine program	16,000,000	−6,000,000
Facilities for S-IV B stage program	5,300,000	−195,000
Instrumentation ships	90,000,000	−1,000,000
Lunar excursion module test facility	15,000,000	−500,000
14. Wallops Station: Support facilities	2,000,000	−1,495,000
15. Facility planning and design	10,000,000	+15,000,000
Total		−52,939,600

The above action by your committee will authorize a total budget for NASA of $5,511,520,400 for fiscal year 1964. Your committee believes that the NASA can support effectively its fiscal year 1964 program with this funding.

Mr. ANDERSON. Mr. President, the able Senator from Tennessee [Mr. KEFAUVER] addressed to me a letter to which I have replied. I ask unanimous consent to have printed at this point in the RECORD his letter and my reply.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON APPROPRIATIONS,
August 5, 1963.

Hon. CLINTON ANDERSON,
U.S. Senate,
Washington, D.C.

DEAR CLINT: I have before me H.R. 7500, the NASA authorization bill for the fiscal year 1964. I note that this bill was passed by the House of Representatives on August 1, 1963, sent to the Senate on August 2, 1963, and reported out by your committee on that same day, August 2.

This bill, as amended by the Senate Committee on Aeronautical and Space Sciences, of which you are chairman, authorizes the expenditure of $44,175,000 for a "communications satellites program." Since the Communications Satellite Act of 1962 created a privately owned corporation for profit as a monopoly to establish, own, and operate all our Nation's nonmilitary satellite communications facilities, it is clear that all or most of this amount will redound directly to the benefit of that corporation. For this reason, I note with concern that H.R. 7500 makes no provision for reimbursement by the Communications Satellite Corp. to NASA for these moneys.

Last summer, after extended debate, Congress elected to place the development and operation of our Nation's space satellite communications in the private sector. For, as Senator PASTORE said later, "[We] were led to believe when we formed this corporation, practically all of this work (i.e., research and development) would be undertaken by this private corporation, because we said America has grown on private industry, so let private industry do it."

I respectfully request that you make available to me the following information which I and every Senator will need in order to intelligently vote on this measure:

1. What percentage of, or particular items contained in the $44,175,000 authorization for the communications satellites program will be reimbursed by the Communications Satellite Corporation?

2. What bases or guideline have been or will be used in determining the amounts to be reimbursed.

3. How and under what conditions will such reimbursement be accomplished?

In view of the fact that debate on H.R. 7500 is scheduled for this week, your prompt attention to this matter will be greatly appreciated.

With kind regards.

Sincerely,

ESTES KEFAUVER, *U.S. Senator.*

AUGUST 6, 1963.

Hon. ESTES KEFAUVER,
U.S. Senate,
Washington, D.C.

DEAR ESTES: Thank you for your letter concerning H.R. 7500, the NASA authorization bill for the fiscal year 1964. The questions you raise relative to the $44,175,000 for communications satellites I have endeavored to answer as specifically as I can in the order in which you ask them.

In response to your first question, none of the $44,175,000 authorized for the NASA communications satellite program is to be reimbursed by the new Communications Satellite Corp. None of the authorized funds for this program will be used solely or peculiarly for the benefit of the corporation.

As you know, the corporation was established to build an operating commercial communications satellite system. It is still in the process of organizing to accomplish those objectives.

The NASA program, on the other hand, is, and continues to be, a more fundamental program of experimental activities directed toward a determination of technical problems and component characteristics fundamental to the general technological area and communications satellite development. NASA projects are tailored to the achievement of basic scientific technological data as deemed necessary by NASA and DOD technical specialists concerned with the solution of fundamental problems in this area. As a consequence, the flight systems in the NASA program do not incorporate the specific equipment that would be used in operational systems.

It goes without saying that the results from the NASA investigations into this highly complex area will benefit Government agencies, the public, and industrial firms; however, no element of the program is directed toward the exclusive benefit of any one organization and the data and information derived from this effort will be made equally available to all potential users through established dissemination mechanisms. In this regard, the research and development conducted by NASA in the communications satellite field will provide a widespread and general benefit, analogous to the geenral benefits from long-established Government research efforts in areas ranging from agriculture through atomic energy.

In addition to the expected contribution to the general technical understanding of the problems of this new activity, which will be essential to the continued preeminence of the United States in this new area, the program authorized by these funds is essential to NASA for maintaining the authoritative capability required of it under its duties and responsibilities as provided in the Communications Satellite Act. As you undoubtedly recall, this Act requires that NASA advise the Federal Communications Commission on technical characteristics of communication satellite systems, consult with the new Corporation with respect to the technical characteristics of the systems, and advise the State Department on the technical feasibility of particular routes.

In response to your second question, the guidelines to be used by NASA in connection with reimbursement by the Corporation are provided for in the Communication Act of 1962. NASA will conduct activities at the specific request of the corporation and reimbursement will be required to cover all identifiable costs related to the required services. Specifically, such reimbursement will include all costs associated with hardware items furnished by or through Government channels, testing services furnished by Government facilities, launch, tracking, data reduction services performed by the Government or Government contractors, and any other services specifically identifiable with the required work. This, of course, includes reimbursement for salaries and expenses of Government employees assigned to do specific work required.

In response to your final question as to conditions under which reimbursement will be accomplished, it is understood that it would be handled as follows: NASA anticipated it will enter into a signed agreement with the Communications Satellite Corporation defining the specific items and the terms of reimbursement for the furnishing of these items, as well as for services connected with the performance of the requirement. Precedence exists for such an agreement in view of the contract which exists between NASA and the American Telephone & Telegraph Corp. in connection with the Telstar project, which was signed on July 27, 1961. Under that agreement most of the costs were reimbursed in advance of the performance of the work requested, with a postperformance audit and adjustment of actual incurred costs. In view of the satisfactory experience under the Telstar agreement, it is anticipated that this type of procedure can be used as a basis for requests placed on NASA by the Communications Satellite Corp.

I hope that the preceding information is responsive. The material used in answering your questions was derived from the NASA hearings and from discussions with NASA officials. Of course, progress in this area will be under continuing review by this committee.

If I can be of any further assistance, please advise me.

Sincerely,

CLINTON P. ANDERSON,
Chairman.

Mrs. SMITH. Mr. President, in the lumbering regions of northern New England, there is an old saying which I believe is applicable in the consideration of this authorization bill. It goes like this: "Never send a man into the woods with a dull ax." In logging parlance this means that to realize any production the furnishing of proper tools is mandatory.

The National Aeronautics and Space Administration made the same point to our committee. In fact, literally thousands of pages of documentation and testimony were presented to our committee by NASA. We also had the benefit of referring to the many pages of hearings before the House. During my 5 years on this committee never have we made such a searching and exhaustive effort to determine what tools and management concepts the NASA needs to do their space job. Nor did our committee content itself with listening exclusively to Government witnesses.

In May of this year in a letter to our chairman I proposed that the manned lunar program be put in greater perspective by calling witnesses who represent a broad spectrum of scientific opinion. This proposal was unanimously agreed to by the committee. In June hearings were held entitled, "Scientists' Testimony on Space Goals."

During those hearings we had the benefit of the judgment of some of America's most eminent scientists on our overall space goals and objectives.

After hearing from these scientists and witnesses from the Department of Defense, the Atomic Energy Commission, and from the NASA, nearly a week of executive sessions followed in which this bill was marked up.

Let me say emphatically that during the long hours spent in marking up this bill, partisanship was not evident irrespective of reports to the contrary. The guiding philosophy which was most apparent to me in the committeeroom was what can NASA intelligently use during fiscal year 1964 to get the job done. I think it is clear that not everything NASA said it required during fiscal year 1964 was needed. Some of the requested construction projects could be deferred to another year without upsetting the program of placing a man on the moon in this decade. Other requests for short lead items which could be acquired during fiscal year 1965 were deferred without harm to the program. There were several other areas where the time schedule was tight, nevertheless, no amount of additional money could hurry the project. This latter situation reminded me of the quandary of a young constituent who was pressing the elevator button of the New Senate Office Building several years ago. Upon being asked what he thought of this new building he replied, the building was nice, but he wished he were stronger so he could push that button harder to make that elevator run faster.

Needless to say, Mr. President, whenever requests from NASA were based on logic of this kind they were dealt with accordingly.

In my opinion we have reported out a well-balanced bill. It reduces NASA's original requests by over $200 million, and it divides all of NASA's research and development work into 22 major categories and places a price tag limitation on each category. Administrative operations is also placed into a separate category with a price tag and time limitation on these funds. Changes have been made in the legislative language giving the committee greater oversight of NASA's reprograming actions. We also have put a limitation on the length of time beyond which authorized funds cannot be expended. We have provided that in connection with the electronics facility that no funds can be expended for land acquisition until NASA comes back to our committee to justify a specific site for the facility.

I want to express to the chairman my thanks for his cooperation. His understanding, patience, and leadership throughout the long and often times tedious meetings was exemplary. His policy of making available to all members of the committee any information within his possession was most helpful. To the committee members and the staff, I am most appreciative for their constructive approach to the monumental task of assimilating and digesting all the vast reams of material which made it possible for the committee to knowledgeably report what I consider to be an excellent bill.

ORDER OF BUSINESS

The PRESIDING OFFICER. What is the further pleasure of the Senate?

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT

Mr. MANSFIELD. Mr. President, if there is no further business to come before the Senate at this time, I move that the Senate stand in adjournment until 12 o'clock noon, tomorrow.

The motion was agreed to; and (at 7 o'clock and 5 minutes p.m.) the Senate adjourned until tomorrow, Thursday, August 8, 1963, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate August 7, 1963:

TREASURY DEPARTMENT

Robert A. Wallace, of Illinois, to be an Assistant Secretary of the Treasury.

POSTMASTERS

The following-named persons to be postmasters:

ALABAMA

Merle Wilson, Union Grove, Ala., in place of A. S. McDermott, retired.

Larry C. Clark, Weaver, Ala., in place of P. J. Tolleson, retired.

ARKANSAS

Max O. Weathers, Salem, Ark., in place of D. H. Collins, removed.

Donald L. Ray, McNeil, Ark., in place of J. T. Sumner, retired.

Raymond J. Robinson, Garfield, Ark., in place of J. A. Bruce, retired.

CALIFORNIA

Robert M. Heighway, Altaville, Calif., in place of A. A. Hyland, removed.

Mazie A. Thornton, Auberry, Calif., in place of E. S. Anderson, retired.

Leland K. Pauly, Camptonville, Calif., in place of M. M. Cleveland, deceased.

Joseph L. Causey, Compton, Calif., in place of C. L. Veitch, deceased.

FLORIDA

Gladys A. Tillis, Keystone Heights, Fla., in place of F. M. Walrath, Jr., resigned.

Joseph E. Arnold, Pinellas Park, Fla., in place of M. M. Stevenson, retired.

GEORGIA

Andrew J. Casey, Jr., Cave Spring, Ga., in place of G. F. Medlock, transferred.

Billie L. Hamrick, Ranger, Ga., in place of H F. Hamrick, deceased.

George H. Hunt, Thomson, Ga., in place of J. R. Arnold, retired.

IDAHO

Grant A. Patterson, Hailey, Idaho, in place of G. F. Walker, deceased.

ILLINOIS

Eugene L. Herwig, Ashton, Ill., in place of A M. Boyenga, deceased.

Gladys J. Lash, Big Rock, Ill., in place of S. D. Abbott, retired.

Floyd J. Wesemann, Buckingham, Ill., in place of W. T. O'Brien, retired.

Milan S. Gjundjek, Downers Grove, Ill., in place of L. W. Black, deceased.

LeRoy M. Grande, Forreston, Ill., in place of E. E. Mase, retired.

Maurice E. Potter, Lafox, Ill., in place of H. A. Potter, retired.

INDIANA

Margaret F. Moss, Harlan, Ind., in place of S. E. Husted, retired.

Mary E. Liedtky, La Crosse, Ind., in place of C. D. Watson, retired.

Helen K. Galbraith, Oakville, Ind., in place of B. E. Garrett, removed.

IOWA

Max M. Brewster, Albion, Iowa, in place of E. M. Burroughs, retired.

Ruth M. Kopel, Haverhill, Iowa, in place of C. F. Heiring, deceased.

Robert M. Fishel, Lockridge, Iowa, in place of Lena Fritts, retired.

Dorothy H. Schuck, New Hartford, Iowa, in place of E. L. Perrin, deceased.

Marcus A. Neppl, Wall Lake, Iowa, in place of D. V. Lawler, transferred.

KANSAS

William W. Knouse, Horton, Kans., in place of J. W. McManigal, retired.

KENTUCKY

Elmer B. Arnett, Salyersville, Ky., in place of W. G. Conley, resigned.

MAINE

Margaret M. Evans, Center Lovell, Maine, in place of A. B. Silkworth, retired.

John E. Mains, Gray, Maine, in place of L. E. Wilson, retired.

Malcolm R. Packard, Locke Mills, Maine, in place of D. R. Swan, removed.

MARYLAND

Guy W. Hinebaugh, Oakland, Md., in place of D. M. Browning, resigned.

Lee C. Hocker, Rockville, Md., in place of H. H. Hassell, removed.

MICHIGAN

James E. Pryal, Escanaba, Mich., in place of R. W. Cleary, retired.

Robert L. Cooper, Kalamazoo, Mich., in place of Walter Schanz, removed.

Delbert S. Lee, Metamora, Mich., in place of Gladys Hallenbeck, retired.

MINNESOTA

Victor J. Humeniuk, Baudette, Minn., in place of A. G. McDougall, deceased.

Albert F. Kellen, Woodstock, Minn., in place of F. A. Melcher, retired.

MISSISSIPPI

Milton S. Draper, Ackerman, Miss., in place of B. L. Files, deceased.

MISSOURI

James H. Shearrer, Patterson, Mo., in place of Samantha Wilkinson, retired.

Roger L. Funkenbusch, Taylor, Mo., in place of Emmett J. Snyder, deceased.

MONTANA

Fred A. Geisser, Townsend, Mont., in place of C. A. Watkins, retired.

NEBRASKA

Charles D. Young, Filley, Nebr., in place of A. K. Halcomb, retired.

Marie M. Smith, Gandy, Nebr., in place of Minnie Santo, retired.

Frank C. Evans, Shubert, Nebr., in place of Elta Evans, retired.

William H. Hancock, Yutan, Nebr., in place of D. C. Mumm, deceased.

NEW JERSEY

J. Robert Tracey, Morristown, N.J., in place of R. A. Brown, retired.

Vincent R. Loftus, New Brunswick, N.J., in place of T. G. Radics, removed.

NEW MEXICO

Bertha M. Bogart, Sunland Park, N. Mex. Office established November 1, 1960.

NEW YORK

Elmer H. McCann, Chateaugay, N.Y., in place of P. C. Curtin, removed.

Anthony Mignana, Deer Park, N.Y., in place of M. T. Hollings, retired.

Thomas W. Schermerhorn, Esperance, N.Y., in place of A. C. Montanye, retired.

Laura A. West, Livonia Center, N.Y., in place of N. M. Panipinto, deceased.

Merle E. Parsons, Red Creek, N.Y., in place of J. D. Stafford, retired.

Helen M. Cascanette, Saint Regis Falls, N.Y., in place of H. J. Baker, retired.

Kessler B. Baldwin, South Otselic, N.Y., in place of C. B. Baldwin, deceased.

NORTH CAROLINA

Harold E. Davis, Bryson City, N.C., in place of W. T. Martin, retired.

James L. Morris, Jr., Cherokee, N.C., in place of E. T. Walkingstick, retired.

Willifred M. Farris, Gastonia, N.C., in place of C. W. Boshamer, retired.

Jane L. Humphrey, Kelford, N.C., in place of P. T. Roane, retired.

Carlene D. Bailey, Penland, N.C., in place of W. G. Pitman, retired.

R. Guy Sutton, Sylva, N.C., in place of T. W. Ashe, retired.

NORTH DAKOTA

Vernon D. Jacobson, Maxbass, N. Dak., in place of W. P. Josewski, retired.

OHIO

Robert C. Plassman, Bloomdale, Ohio, in place of F. D. Treece, retired.

Earl B. Linstedt, Cardington, Ohio, in place of P. D. Fleming, deceased.

Harold W. Kaderly, Galloway, Ohio, in place of N. L. B. Tyler, retired.

Orville C. Ruedebusch, New Bremen, Ohio, in place of H. J. Laut, deceased.

Richard H. Taylor, New Haven, Ohio, in place of C. E. Davis, deceased.

Edgar E. Arnold, Pomeroy, Ohio, in place of W. P. Lochary, retired.

Arthur F. Strauss, Strasburg, Ohio, in place of O. C. Metzger, retired.

Freeman A. Enoch, Syracuse, Ohio, in place of H. E. Clark, retired.

Richard L. Hostetler, Walnut Creek, Ohio, in place of Lester Gerber, retired.

OKLAHOMA

Leslie K. Smedley, Davenport, Okla., in place of Troy Combs, retired.

OREGON

Anna C. Allen, Elgin, Oreg., in place of L. D. Allen, deceased.

PENNSYLVANIA

Joseph F. Morris, Ardmore, Pa., in place of L. A. Quillen, retired.

Walter B. Helhowski, Hilltown, Pa., in place of H. D. Weisel, retired.

Kenneth E. Huber, Catawissa, Pa., in place of H. L. Hause, deceased.

RHODE ISLAND

Luther W. Andrews, Greene, R.I., in place of L. E. Davis, retired.

SOUTH DAKOTA

Floyd L. Leibbert, Bryant, S. Dak., in place of D. M. Thue, removed.

Mary E. Ewoldt, Piedmont, S. Dak., in place of J. B. Keyes, resigned.

TENNESSEE

James L. Lee, Collinwood, Tenn., in place of A. F. Hassell, retired.

Benton P. Scoggins, Harrison, Tenn., in place of L. G. Wilson, resigned.

Mary A. Warf, Hohenwald, Tenn., in place of W. T. Starbuck, retired.

Alva L. Hassler, Monteagle, Tenn., in place of C. P. Fults, retired.

Clay N. Blevins, Shady Valley, Tenn., in place of V. W. McQueen, transferred.

Toy J. Fuson, Smithville, Tenn., in place of E. P. Lassiter, deceased.

TEXAS

Charles A. Fleming, Jr., Kress, Tex., in place of B. O. Burk, Jr., transferred.

Andrew J. Hayes, Plains, Tex., in place of R. C. Watson, resigned.

William R. Saunders, Wimberley, Tex., in place of V. D. Hamby, deceased.

Cecil E. Garner, Yorktown, Tex., in place of L. A. Sloma, retired.

UTAH

Kay R. Peterson, Manti, Utah, in place of A. J. Judd, retired.

Edward W. Monk, Mount Pleasant, Utah, in place of R. K. Bohne, deceased.

Roy Ross, Richfield, Utah, in place of W. H. Sorensen, retired.

Clarence A. Bundy, Washington, Utah, in place of L. L. Stephens, retired.

VIRGINIA

Robert W. Buntin, Blackstone, Va., in place of T. P. Jones, retired.

WASHINGTON

Edward O. Riechman, Carnation, Wash., in place of E. A. Anderson, retired.

Vernell B. Shepler, Coulee Dam, Wash., in place of C. E. Sears, retired.

Jennie F. Snider, Rainier, Wash., in place of Clara Wilson, retired.

William E. Mitchell, Vashon, Wash., in place of G. A. Morrison, resigned.

WEST VIRGINIA

Melvin C. Stemple, Aurora, W. Va., in place of G. R. Mason, resigned.

Hal S. Findley, Flemington, W. Va., in place of Joe Piccolo, deceased.

Jack L. Dotson, Richwood, W. Va., in place of W. W. Green, retired.

WISCONSIN

Charles F. Lieder, Cornell, Wis., in place of R. W. Howard, retired.

Charles W. Larson, Mauston, Wis., in place of Myles Clark, transferred.

Leona N. Stahl, Newburg, Wis., in place of M. A. Reichl, retired.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 7, 1963:

DEPARTMENT OF JUSTICE

John H. Phillips, of Mississippi, to be U.S. marshal for the northern district of Mississippi for the term of 4 years.

U.S. NAVY

To be admirals

Vice Adm. Ulysses S. G. Sharp, Jr., U.S. Navy, having been designated, under the provisions of title 10, United States Code, section 5231, for commands and other duties determined by the President to be within the contemplation of said section, for appointment to the grade indicated while so serving.

Adm. John H. Sides, U.S. Navy, to be placed on the retired list in the grade indicated, under the provisions of title 10, United States Code, section 5233.

To be vice admiral

Rear Adm. Robert J. Stroh, U.S. Navy, having been designated, under the provisions of title 10, United States Code, section 5231, for commands and other duties determined by the President to be within the contemplation of said section, for appointment to the grade indicated while so serving.

Capt. Fred G. Bennett, U.S. Navy, to be Director of Budget and Reports in the Department of the Navy for a term of 3 years with the rank of rear admiral.

To be vice admirals

Rear Adm. Glynn R. Donaho, U.S. Navy, having been designated, under the provisions of title 10, United States Code, section 5231, for commands and other duties determined by the President to be within the contemplation of said section, for appointment to the grade indicated while so serving.

Rear Adm. John S. McCain, Jr., U.S. Navy, having been designated, under the provisions of title 10, United States Code, section 5231, for commands and other duties determined by the President to be within the contemplation of said section, for appointment to the grade indicated while so serving.

Vice Adm. William F. Raborn, Jr., U.S. Navy, to be placed on the retired list in the grade indicated under the provisions of title 10, United States Code, section 5233.

The following-named officers of the line and staff corps of the Navy for temporary promotion to the grade indicated, subject to qualification therefor as provided by law:

LINE

To be rear admirals

Edward E. Grimm
John D. Bulkeley
Rufus L. Taylor
Jackson D. Arnold
Ben W. Sarver
Don W. Wulzen
Frederick J. Harlfinger II
Dennis C. Lyndon
James H. Mini
Joseph E. Rice
Fred G. Bennett
David C. Richardson
Richard R. Pratt
Norman C. Gillette, Jr.
William P. Mack
Paul E. Hartmann
Donald Gay, Jr.
Charles S. Minter, Jr.
John K. Leydon
Eugene P. Wilkinson

MEDICAL CORPS

To be rear admiral

Walter Welham

SUPPLY CORPS

To be rear admirals

Robert H. Northwood
Ira F. Haddock

CIVIL ENGINEER CORPS

To be rear admiral

Harry N. Wallin

The following-named officers of the line and staff corps of the Navy for permanent promotion to the grade indicated, subject to qualification therefor as provided by law:

LINE

To be rear admirals

William E. Sweeney
John J. Fee

MEDICAL CORPS

To be rear admirals

Martin T. Macklin
William N. New

DENTAL CORPS

To be rear admiral

Edward C. Raffetto

U.S. ARMY

The following-named officer under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President, under subsection (a) of section 3066, in the grade indicated:

To be lieutenant general

Maj. Gen. William Jonas Ely, O18974, U.S. Army.

The following-named officers for appointment in the Regular Army of the United States, to the grades indicated, under the provisions of title 10, United States Code, sections 3284, 3306, and 3307:

To be major generals

Maj. Gen. William Winston Lapsley, O19727, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. John Lathrop Throckmorton, O19732, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. James Dyce Alger, O19848, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Ralph Edwards Haines, Jr., O19849, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Vernon Price Mock, O19906, Army of the United States (brigadier general, U.S. Army).

To be brigadier generals

Brig. Gen. William Carl Garrison, O30144, Army of the United States (colonel, U.S. Army).

Maj. Gen. Chester Victor Clifton, Jr., O20246, Army of the United States (colonel, U.S. Army).

Brig. Gen. William Charles Haneke, O20263, Army of the United States (colonel, U.S. Army).

Brig. Gen. George Paul Sampson, O42926, Army of the United States (colonel, U.S. Army).

Maj. Gen. Jackson Graham, O20553, Army of the United States (colonel, U.S. Army).

Maj. Gen. Edwin Hess Burba, O31518, Army of the United States (colonel, U.S. Army).

Maj. Gen. Arthur William Oberbeck, O20569, Army of the United States (colonel, U.S. Army).

Maj. Gen. Douglass Phillip Quandt, O20605, Army of the United States (colonel, U.S. Army).

Brig. Gen. Robert Francis Seedlock, O20609, Army of the United States (colonel, U.S. Army).

Maj. Gen. Alexander Day Surles, Jr., O20622, Army of the United States (colonel, U.S. Army).

Brig. Gen. John Graham Zierdt, O20632, Army of the United States (colonel, U.S. Army).

Brig. Gen. George Vernon Underwood, Jr., O20679, Army of the United States (colonel, U.S. Army).

Brig. Gen. Albert Ollie Connor, O20699, Army of the United States (colonel, U.S. Army).

Brig. Gen. Woodrow Wilson Stromberg, O20728, Army of the United States (colonel, U.S. Army).

Maj. Gen. Ferdinand Thomas Unger, O20734, Army of the United States (colonel, U.S. Army).

Maj. Gen. Benjamin Franklin Taylor, O20779, Army of the United States (colonel, U.S. Army).

Maj. Gen. James Howard Skeldon, O20831, Army of the United States (colonel, U.S. Army).

Maj. Gen. Joe Stallings Lawrie, O20914, Army of the United States (colonel, U.S. Army).

U.S. AIR FORCE

The following-named officers for temporary appointment in the U.S. Air Force, under the provisions of chapter 839, title 10, of the United States Code:

To be major generals

Brig. Gen. John W. White, 1087A, Regular Air Force.

Brig. Gen. Robert H. Curtin, 1643A, Regular Air Force.

Brig. Gen. Abe J. Beck, 5831A, Regular Air Force.

Brig. Gen. William S. Steele, 1229A (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Bertram C. Harrison, 1425A (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Henry C. Huglin, 1436A (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Joseph T. Kingsley, Jr., 1702A (colonel, Regular Air Force), U.S. Air Force.

To be brigadier generals

Col. Thomas P. Corwin, AO328499R, Air Force Reserve.

Col. James H. Isbell, 1463A, Regular Air Force.

Col. Stebbins W. Griffith, 3944A, Regular Air Force.

Col. William L. Mitchell, Jr., 4063A, Regular Air Force.

Col. Luther H. Richmond, 4133A, Regular Air Force.

Col. Robert W. Paulson, 3871A, Regular Air Force.

Col. William T. Daly, 3947A, Regular Air Force.

Col. Robert H. McCutcheon, 4150A, Regular Air Force.

Col. William J. Meng, 4510A, Regular Air Force.

Col. George S. Boylan, Jr., 4636A, Regular Air Force.

Col. Oris B. Johnson, 5052A, Regular Air Force.

Col. Howard J. Withycombe, 4000A, Regular Air Force.

Col. William C. Bacon, 4828A, Regular Air Force.

Col. Fred J. Higgins, 20019A, Regular Air Force.

Col. Ernest C. Hardin, Jr., 8211A, Regular Air Force.

Col. Royal B. Allison, 8451A, Regular Air Force.

Col. James T. Stewart, 8692A, Regular Air Force.

Col. Andrew S. Low, Jr., 8890A, Regular Air Force.

Col. Russell E. Dougherty, 9985A, Regular Air Force.

IN THE NAVY AND MARINE CORPS

The nominations beginning Franklin A. Hart, Jr., to be captain in the Marine Corps, and ending Marilyn J. Walker, to be lieutenant in the Navy, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on July 15, 1963.

IN THE AIR FORCE

The nominations beginning Francis J. Bartos, to be captain, and ending Ronald J. Zwolinski, to be second lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on July 29, 1963.

EXTENSIONS OF REMARKS

NASA Authorization Bill

EXTENSION OF REMARKS

OF

HON. JOHN W. WYDLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 7, 1963

Mr. WYDLER. Mr. Speaker, the bill before the House is, on balance, a good bill and deserves support.

I am, as a new Member of Congress, proud to be associated with the Science and Astronautics Committee. Its work has been impressive and its deliberations studious and exhaustive.

Although I was sharp in my questioning of the NASA witnesses who appeared before us, I can say they were an outstanding group of men in whom America can take great pride. The job they have done is first rate.

I believe it is the task of Congress to be critical and, wherever possible, constructive. I believe that our committee has done both soundly and well and that the program is a better one as a result.

The program has three levels—inner and outer space and here on earth. The need to control inner space is of military importance and this year our committee stressed the importance of "one team" spirit with our military to protect the security of our Nation. The distinction between "military" and "civilian" in the field is rather the expression of a hope for the future than of a real difference.

In outer space, with certain exceptions, our program is sound and has been successful. I doubt there is a single official at NASA who would trade it even for what the Russians have. We have made remarkable progress. No other nation on earth could have done it.

Although we heard the expected statements that the program could not be "cut," it was obviously watered for just such a purpose. All pruning was done most carefully and is justified. If need for additional funds should arise, the Congress would appropriate it in a supplemental request. In the early stages of a new program such requests should be expected.

Some money has been saved as a result of elimination of duplication with the military. This kind of economy can only result in a better coordinated program. It appears that a joint committee made up of members of the Science and Astronautics Committee and the Armed Services Committee should be set up to foster cooperation.

Most of my criticism of the current program is based on that phase taking place on earth.

I personally believe that NASA is tending to spread itself into too many fields for which it has not been given responsibility. I speak of moneys contracted for studies of public relations, sociology, water pollution, regional development, transportation, and school construction. These matters should not be allowed to detract from NASA's responsibility to keep America first in space. When the hardware is developed there will be time to consider these matters of lower priority.

I realize that much of the research done by NASA must be of the basic type. However, this should not become a habit. I believe that there should be an expanded program of practical research looking for a current solution to the development of proper noise suppressors for jet engines. The present program, though extensive, is directed toward the noise control of sonic boom. I do not believe it is wise to solve problems yet to come before those that already exist.

America is now first in the space race. Our present team is well equipped to keep us there.

Civil Rights

EXTENSION OF REMARKS

OF

HON. JACOB H. GILBERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 7, 1963

Mr. GILBERT. Mr. Speaker, I am including in the CONGRESSIONAL RECORD my supplemental statement to the Committee on the Judiciary, of which I am a member, on the vitally important subject of civil rights. My statement follows:

Mr. Chairman and members of the Committee on the Judiciary, in May of this year, when hearings were begun on civil rights bills before our committee, I made a comprehensive statement covering the numerous bills on civil rights which I had introduced, and I pointed out the great necessity for approving and passing strong, effective, civil rights legislation.

Thereafter, I introduced bills to reduce the congressional representation of States which deny the vote to Negroes. Congress has an obligation to enforce section 2 of the 14th amendment. If effective action is taken by the Congress in this regard, it would correct the injustice against Negroes who are now prevented from voting; absurd residence requirements and complicated literacy tests would disappear.

The social revolution now progressing at full speed throughout our country has intensified. Negroes and members of other minority groups are not to be denied their just rights; they will not be content with empty promises; they are demanding equality now. They are casting off the yoke of second-class citizenship. Because of recent events, I feel it necessary to make a supplemental statement.

The President, on June 19, 1963, sent his message on civil rights and job opportunities to the Congress. He was eloquent in his appeal to the conscience of the American people and called upon us to meet the growing moral crisis in American race relations. Thereafter, Mr. Chairman, you introduced H.R. 7152, which embodies the President's program. On June 24, 1963, I introduced H.R. 7223, which is identical with your bill, to show my strong support, as I wished to lose no opportunity to work for this important legislation. The bill is the most comprehensive civil rights bill ever to receive serious consideration from the Congress. There are titles relating to voting rights, public accommodations, school desegregation, community relations service, Civil Rights Commission, nondiscrimination in Federal programs, Commission on Equal Employment Opportunity, and other provisions.

Discrimination against human beings because of their color, race, religion, national origin or ancestry in any phase of our American life is morally wrong. The conscience of the American people has been aroused. Every right-thinking American wishes to help those who suffer the indignities of discrimination; the millions who, for generations, have been denied voting rights, educational and employment opportunities, decent housing, and who have been refused lodging and food because of the color of their skin.

We have heard testimony by leaders in all walks of life who advocate prompt enactment of this legislation; religious leaders, labor organizations, national service organizations, educators, civic organizations, State and city officials, and many others, have made persuasive pleas for the millions who look to us for the help this legislation would afford them.

It is an indisputable fact that the future of our Nation depends upon enactment of the administration's civil rights bill. We face terrible consequences if we fail in our duty now. I hope and pray that our committee and the Congress will not shirk the duty and responsibility which is ours.

I wish to make my position clear—we must pass strong, effective civil rights legislation. The proposed reforms are long overdue. I call upon our committee and the Congress to approve the administration's bill in its entirety and in the form in which it was introduced—including the important public accommodations section. Anything less will mean a continuation of racial strife and violence.

Let us now establish here in our Nation the true democracy of which we have boasted; let all citizens enjoy the equality and rights guaranteed them by our Constitution.

National Service Corps

EXTENSION OF REMARKS

OF

HON. JACOB H. GILBERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 7, 1963

Mr. GILBERT. Mr. Speaker, I am including in the Congressional Record my statement to the Committee on Education and Labor, urging approval of the bill to provide for a National Service Corps. The statement follows:

Mr. Chairman and members of the Committee on Education and Labor, you have under consideration a most important subject. I introduced H.R. 5640, to provide for a National Service Corps to strengthen community service programs in the United States, and my bill and others providing for such a Corps are now before you. I am pleased to have the opportunity to speak in favor of this legislation.

Impressive testimony, overwhelmingly in favor of the Corps has been given by many persons from public and private life. The Attorney General, the Secretary of Labor, the Secretary of Health, Education, and Welfare, the Secretary of Agriculture, the Secretary of the Interior, the Director of the Peace Corps, community leaders, directors of hospitals, social service workers, religious leaders, national service organizations, industrial leaders, and many others, have been vigorous in their efforts in behalf of the legislation and enthusiastic in its support. I have received voluminous mail from individuals and organizations urging passage of the bill.

We have had graphically described for us the poverty in certain of our Indian reservations, among migratory farm laborers, and in our city slums. Millions of human beings in our country exist in a vacuum of despair. These are our fellow citizens who live under heartbreaking conditions. We must face the fact that in this land of opportunity of ours, 1 in 6 lack opportunity; 11 million boys and girls have almost no chance of being useful citizens. The sick and the underprivileged are begging for our aid. But in this affluent society of ours, we have ignored the deplorable conditions and the sufferings of the poverty stricken; we have closed our eyes to the misery so close at hand.

We have been shown that there is need for a National Service Corps in every part of our country. Now that testimony and information received have spread the facts before us and have shown what must be done, if we have a national conscience, we should proceed with alacrity to do everything humanly possible to alleviate the woeful conditions which exist.

The national service program would help to show the American people the extent of the poverty and despair in our country, so that our resources can be used to the fullest extent possible to solve the human problems and so that there can be a new and concerted nationwide attack on the causes of such poverty and despair. It would enlist the aid of all citizens of our country to do their utmost about the causes. The problems are too overwhelming and too numerous to be solved by private and local efforts alone. The national service program would operate on a Federal level; it would provide a service and a hope; it would offer human minds, hands, and compassion, all inspired by a sense of patriotism and love for one's fellow man. We recognize the importance of stimulating community efforts in areas of critical human needs.

The Secretary of Health, Education, and Welfare has pointed out that there is a critical shortage of personnel to carry out needed community services—shortages of physicians, dentists, nurses, social workers, teachers, and others. The Corps would recruit skilled and dedicated persons who would be willing to give a year of full-time service as assistants in these shortage professions.

Mental retardation is a grave national problem and the Federal Government must help solve it. All States face the same burden—how to get dedicated people who can provide motivation instead of just custodial care. The National Service Corps would respond to requests by local communities for assistance in self-help projects. Study has shown many areas in which there is need for the national service program—among them, educational aid. Communities would be happy to have the Service Corps aid in locally initiated projects aimed at keeping youth in school and otherwise helping people to learn. It is a shocking fact that there are over 8 million Americans who have less than 5 years of schooling; one-third of our youth become school dropouts; about 5.5 million suffer mental retardation. When we help these people, we help ourselves and our Nation. There is a monumental task to be done in our urban slums—child welfare work alone will require tremendous effort. We must help slum youth to break the cycle of poverty and deprivation. Corpsmen would help as instructors and recreational supervisors, in social work, in health programs. We find that our American Indians on reservations are suffering from malnutrition, inadequate sanitation and lack of educational opportunity. They need to be taught how to help themselves, and will welcome such assistance. Migrant workers and their children need social work and educational aid.

Our Peace Corps has proved eminently successful. I feel certain that a National Service Corps would prove just as successful and would contribute inestimable help to our Nation. A perpetual problem of most communities is to try to get enough personnel with necessary education and motivation at existing wage levels in those positions directly responsible for rehabilitation, education, and understanding. The need is only partially met by part-time volunteers who donate their efforts in neighboring institutions for the aged, the mentally disturbed, the chronically ill. There is a great need for those who are idealistically motivated and with the proper background to tackle the many tasks at hand.

Those to whom money is not a primary objective but who seek to help their fellow men wherever they can, can be priceless assets, not only in the work they perform, but in the example they set. It is here that a Domestic Peace Corps can prove meaningful. At a minimal cost the idealism and knowledge of the volunteers can be directed for maximum effect.

If we are to be successful in furthering the cause of democracy abroad, then we must fulfill our obligations to our needy citizens at home. Domestic Peace Corps volunteers working with our unfortunate people will be performing a valuable service for the vast numbers who cannot help themselves. Our citizens will be alerted to the duties they can perform, and we know that there is nothing more gratifying than to hold out a helping hand to a neighbor who needs us.

This proposed measure, which can provide so much good at so little cost, should have our hearty support. We desperately need a National Service Corps. I urge your favorable action and am hopeful that the bill will soon become law, so that this valuable and important work can go forward.

SENATE

Thursday, August 8, 1963

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O Thou God of all the earth and of every whirling sphere: Groping with uncertain steps, we turn to Thy light, for in Thee is no darkness at all. Save us, we pray, from the frustrations of mistaken magnitudes, as too often we measure the long leagues of Thy far horizons with today's short inches. Open our eyes to the emancipating truth that the clouds are lies and the blue sky is the truth.

Thou knowest that these days, fraught with destiny, are forcing grave decisions that concern terrific forces of nature which, if not harnessed by mutual advantage or, better, by good will, may incinerate the earth and destroy man and all his works. Endue with compassion and understanding and with prudent caution which will make them harmless as doves, but wise as serpents, those who as trustees of freedom speak face to face with those whose ruthless ambitions would enslave the earth.

In all our dealings with others, make this dear land of our hope and prayer worthy of the ancient benediction: "How beautiful upon the mountains are the feet of him who brings good tidings, who publishes peace, who says, 'Your God reigns.'"

We pray in the name and the spirit of the Prince of Peace. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, August 7, 1963, was dispensed with.

LIMITATION OF STATEMENTS DURING MORNING HOUR

On request of Mr. MANSFIELD, and by unanimous consent, statements during the morning hour were ordered limited to 3 minutes.

OBJECTION TO COMMITTEE MEETINGS DURING SENATE SESSION

Mr. JOHNSTON. Mr. President, I wish to state that I object to the holding of any committee meetings while the Senate is in session.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Plans for Works of Improvement in Various States

A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting, pursuant to law, plans for works of improvement in the States of Kansas, Massachusetts, Oklahoma, Texas, and Utah (with accompanying papers); to the Committee on Agriculture and Forestry.

Report on Special Study of Securities Markets

A letter from the Chairman, Securities and Exchange Commission, Washington, D.C., reporting, pursuant to law, on a special study of securities markets; to the Committee on Banking and Currency.

Elimination of Perpetual Accounts for Certain Moneys Held by the District of Columbia

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to eliminate the maintenance by the District of Columbia of perpetual accounts for unclaimed moneys held in trust by the government of the District of Columbia (with an accompanying paper); to the Committee on the District of Columbia.

Report on Noncompetitive Procurement of Certain Military Aircraft Forgings

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on noncompetitive procurement of military aircraft forgings from Aluminum Co. of America at prices substantially higher than current and expected costs of production, dated July 1963 (with an accompanying report); to the Committee on Government Operations.

Report on Certain Unjustified Cost-of-Living Allowances Paid in the Alaskan Command

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on unjustified cost-of-living allowances paid in the Alaskan Command to military personnel not accompanied by dependents, Department of Defense, dated August 1963 (with an accompanying report); to the Committee on Government Operations.

Report on Tort Claims Paid by Office of Emergency Planning

A letter from the Director, Office of Emergency Planning, Executive Office of the President, reporting, pursuant to law, that no tort claims were paid by that Office during the fiscal year 1963; to the Committee on the Judiciary.

Plans for Works of Improvement in States of Alabama and Texas

A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting, pursuant to law, plans for works of improvement on Mill Creek, Ala., and Pine Creek, Tex. (with accompanying papers); to the Committee on Public Works.

Nevada Test Site Community Act of 1963

A letter from the Acting Chairman, U.S. Atomic Energy Commission, Washington, D.C., transmitting a draft of proposed legislation to provide for the establishment of a community at or near the Nevada Test Site, Nevada (with accompanying papers); to the Joint Committee on Atomic Energy.

REPORT ON DISPOSITION OF EXECUTIVE PAPERS

Mr. JOHNSTON, from the Joint Select Committee on the Disposition of Papers in the Executive Departments, to which was referred for examination and recommendation a list of records transmitted to the Senate by the Archivist of the United States, dated August 1, 1963, that appeared to have no permanent value or historical interest, submitted a report thereon, pursuant to law.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HUMPHREY (for himself, Mr. YOUNG of North Dakota, Mr. NELSON, Mr. McGOVERN, Mrs. NEUBERGER, and Mr. McCARTHY):

S. 2028. A bill to amend the Federal Power Act, as amended, in respect of the jurisdiction of the Federal Power Commission over nonprofit cooperatives; to the Committee on Commerce.

(See the remarks of Mr. HUMPHREY when he introduced the above bill, which appear under a separate heading.)

By Mr. RANDOLPH:

S. 2029. A bill to amend the Federal Property and Administrative Services Act of 1949, as amended, to provide for the donation of surplus property to State agencies for use by volunteer firefighting organizations; to the Committee on Government Operations.

(See the remarks of Mr. RANDOLPH when he introduced the above bill, which appear under a separate heading.)

By Mr. PASTORE (by request):

S. 2030. A bill to provide for the establishment of a community at or near the Nevada Test Site, Nev.; to the Joint Committee on Atomic Energy.

By Mr. CLARK:

S. 2031. A bill to extend and amend laws relating to urban conservation and development, the provision and improvement of housing, the availability of mortgage credit, and for other purposes; to the Committee on Banking and Currency.

(See the remarks of Mr. CLARK when he introduced the above bill, which appear under a separate heading.)

By Mr. WILLIAMS of New Jersey:

S. 2032. A bill to authorize a study of methods of helping to provide financial assistance to victims of future flood disasters; to the Committee on Banking and Currency.

(See the remarks of Mr. WILLIAMS of New Jersey when he introduced the above bill, which appear under a separate heading.)

By Mr. HRUSKA:

S. 2033. A bill for the relief of Hussein Vahabzadeh; to the Committee on the Judiciary.

By Mr. McGOVERN (for himself and Mr. MUNDT):

S.J. Res. 110. Joint resolution designating the bridge constructed over the Washington Channel of the Potomac River, in the District of Columbia as the "Francis Case Memorial Bridge"; to the Committee on the District of Columbia.

(See the remarks of Mr. McGOVERN when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. BEALL (by request):

S.J. Res. 111. Joint resolution to guarantee to displaced businesses of the Southwest waterfront, District of Columbia, their prior rights to resettlement in that area; to the Committee on the District of Columbia.

DONATION OF SURPLUS PERSONAL PROPERTY TO STATE AGENCIES FOR USE BY VOLUNTEER FIREFIGHTERS

Mr. RANDOLPH. Mr. President, I introduce, for appropriate reference, a bill to amend the Federal Property and Administrative Services Act of 1949 to permit donations of surplus personal property to State agencies for use by volunteer firefighting organizations.

In West Virginia, as in most States of the Union, the volunteer firefighting unit is a vital element in the overall program of protection for the citizen and property owner. Responding to a common need, businessmen, farmers, professional leaders, and students join together to form these associations which are the community's first line of defense against the ravages of fire. They serve without pay, giving their leisure hours, and are too often hindered by inadequate or outdated equipment. Still, their sense of responsibility and civic duty dictates that the job must done. In my State I have intimate knowledge of the work well done by thousands of volunteers in hundreds of fire companies.

Mr. President, it is obvious that every possible step should be taken to insure the continued effective service of volunteer firefighting units in smaller cities and towns, and in rural areas. Too often communities are unable to supply funds required to repair timeworn equipment, or to purchase newer and more sophisticated means of fire control.

To meet this need, the measure provides that appropriate materiel, under the purview of the Federal Property and Administrative Services Act of 1949, as amended, may be donated to agencies of the individual States for utilization by volunteer firefighting organizations. In my view, the remanding of this surplus equipment to the use of volunteer firefighters would be a positive step toward increased national and civil security.

Past efforts on the part of volunteer firefighting units to secure such surplus materiel has met the response that their organizations did not qualify as a civil defense activity. Mr. President, I contend that if this limitation is correct, then speedy and forthright action should be our course. What are volunteer firefighters if not defenders of civil welfare? Surely in the event of armed attack on the United States the rural firefighting organizations would bear a significant measure of responsibility in controlling fires and in assisting the civilian population. The cost of bringing volunteer firefighting units under the 1949 act would be entirely acceptable when considering the meaningful benefits which would then accrue to American citizens through increased effectiveness and capability in firefighting.

Mr. President, in many communities where local funds are insufficient to support needed equipment improvement and purchase, the bill would have a beneficial effect on public safety and civil defense preparedness. I urge my colleagues to consider its provisions carefully, so that affirmative action can be taken.

I ask unanimous consent that the text of the bill be printed in the Record at this point.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 2029) to amend the Federal Property and Administrative Services Act of 1949, as amended, to provide for the donation of surplus property to State agencies for use by volunteer firefighting organizations, introduced by Mr. Randolph, was received, read twice by its title, referred to the Committee on Government Operations, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of paragraph (1) of section 203(j) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 484(j)), is amended by inserting therein, immediately after the words "or civil defense", the following: "(including the establishment, maintenance, or operation of any incorporated or unincorporated volunteer firefighting organization which is tax supported or exempt from taxation under section 501 of the Internal Revenue Code of 1954)".

FRANCIS CASE MEMORIAL BRIDGE

Mr. McGOVERN. Mr. President, I introduce, for appropriate reference, a joint resolution designating a new bridge over the Washington Channel of the Potomac River here in the District of Columbia as the "Francis Case Memorial Bridge," to do honor to my distinguished predecessor who served our State of South Dakota and the Nation in the Senate of the United States for many years.

Joining as a cosponsor is the distinguished senior Senator from South Dakota who was the late Senator Case's friend and colleague over the years.

Mr. President, this joint resolution is offered to provide a lasting monument to a man who gave years of service to the Nation's Capital City both as chairman and a member of the Senate Committee on the District of Columbia. Twice elected to the Senate by the people of South Dakota, Senator Case gave much of himself, his energy, his perseverance, and his integrity to the betterment of this great Capital City.

He first become acquainted and aware of the legislative problems of this Federal city during his distinguished service of almost 14 years in the House of Representatives. He was one of the original congressional architects of the 23d amendment to the Constitution of the United States, which will give to the residents of the District of Columbia next year, for the first time, the right to vote for President and Vice President. He brought the issue to its first vote in the Senate. Hand in hand with this crusade was his aim to give a second measure of democracy to the residents of this city; namely, self-government. He joined in a bipartisan effort over the years to provide the advantages of full self-government to the people of this city which all other cities across the width and breadth of this land enjoy.

Senator Case sponsored many measures for improvements in the District of Columbia and served as chairman of the Senate Committee on the District of Columbia in 1953 and 1954. His service on that committee began in 1951 and he returned voluntarily to it in 1959 and 1960, to serve the people of this city again despite his increased responsibilities in the Senate.

Possibly one of his greatest contributions to the District of Columbia was his activity in pushing through enactment of the District of Columbia public works program in 1954, bringing about a major expansion of highway and bridge construction. Even more important nationwide to the development and improvement of the highway transportation system, not only in the District of Columbia but throughout the 50 States, was his work on the Senate Committee on Public Works. His great efforts to steer through the Senate the Federal Aid to Highways Act of 1962 actually made possible the bridge across the Washington Channel, which is located on Interstate Route 95 as it enters the city of Washington.

Therefore, Mr. President, it seems to me fitting and proper that this body, where he served so long and so well, should approve the naming of the Francis Case Memorial Bridge as a lasting monument to his service.

It is particularly a great honor for me, as one who respected this great son of South Dakota for his courage, untiring devotion to duty, his sincerity, modesty, and understanding, to sponsor this resolution.

Mr. President, I ask unanimous consent that the text of the resolution be printed at this point in the Record.

The PRESIDENT pro tempore. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the Record.

The joint resolution (S.J. Res. 110) designating the bridge constructed over the Washington Channel of the Potomac River, in the District of Columbia, as the "Francis Case Memorial Bridge," introduced by Mr. McGovern (for himself and Mr. Mundt), was received, read twice by its title, referred to the Committee on the District of Columbia, and ordered to be printed in the Record, as follows:

Whereas the Congress and the citizens of the District of Columbia are sorely saddened by the tragic and untimely passing of one of the District's most dedicated and resourceful friends, the distinguished Senator from South Dakota, Francis Case; and

Whereas during his long and distinguished career in the United States House of Representatives and the United States Senate, Francis Case was known and respected for his courage and untiring devotion to duty, and was loved for his sincerity, modesty, and understanding; and

Whereas he attained enviable stature and esteem for his constant cooperation, his wise counsel, and his broad comprehension of planning and development in the District of Columbia; and

Whereas Francis Case was an architect of the twenty-third amendment to the Constitution of the United States guaranteeing residents of the District of Columbia the right to vote for electors for President and Vice President; and

Whereas during his years of service Francis Case sponsored almost numberless measures for improvements in the District of Columbia and served as chairman of the Senate Committee on the District of Columbia in 1953 and 1954; and

Whereas, through diligent study of past, present, and future District of Columbia needs, Francis Case gained a thorough grasp of District activities and helped fashion firm policies that will guide the District for decades; and

Whereas, after having served on the Senate Committee on the District of Columbia through the years 1951 to 1954, Francis Case returned voluntarily to the committee in 1959 and 1960 to serve again the people of the District despite his increased responsibilities in the United States Senate; and

Whereas his able and dedicated service as a member of the Senate Committee on Public Works contributed immeasurably to the development and improvement of the highway transportation system in the District of Columbia; and

Whereas it was through his remarkable dedication to duty that Francis Case helped bring about major District of Columbia expansion of highway and bridge construction, through the enactment of the District of Columbia public works program in 1954, that is a lasting monument to his service: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the bridge crossing the Washington Channel of the Potomac River on Interstate Route 95, approximately 100 yards downstream from the outlet gate of the Tidal Basin, near the intersection of the extension of Thirteenth and G Streets Southwest, shall be known and designated as the "Francis Case Memorial Bridge." Any law, regulation, map, document, record, or other paper of the United States in which such bridge is referred to shall be held to refer to such bridge as the "Francis Case Memorial Bridge."

Sec. 2. The Commissioners of the District of Columbia shall—

(1) place on the "Francis Case Memorial Bridge" plaques of suitable and appropriate design; and

(2) in connection with the opening of such bridge to the public, provide for suitable ceremonies honoring the late Francis Case, United States Senator from the State of South Dakota, for his many valuable services for and on behalf of the residents of the District of Columbia.

SEC. 3. The Secretary of the Senate shall transmit copies of this resolution to the wife of the late Senator Francis Case, Myrle Case; his daughter, Jane Case Commander; and his granddaughter, Catherine.

Mr. MUNDT. Mr. President, I am happy to join my colleague, the junior Senator from South Dakota, as cosponsor of a joint resolution designating the new bridge over the Washington Channel of the Potomac River in the District of Columbia as the "Francis Case Memorial Bridge." I congratulate him on initiating this suggestion.

It is most appropriate, in my opinion, to proclaim this honor for our former colleague since he devoted so much of his time and his energies to the betterment of our Nation's Capital. As one who served for a brief time on the Senate Committee on the District of Columbia when I first became a Member of the Senate I came to know of the problems of the District of Columbia and of the time-consuming hours which one must spend in trying to find solutions to those problems. I believe that Francis Case served more years as a member of the District of Columbia Committee than most Members in recent years. Even though he came from the Midwest where the problems were different and most demanding of his time he still felt that the District of Columbia as the Nation's Capital had problems which deserved priority attention.

Because of his attention to those needs of our Nation's Capital we are witnessing today an expanding highway construction program for the betterment of the highway transportation network in this populous area. Next year because of his constant insistence in the Congress we will witness in the District of Columbia the expression of the residents of the District at the ballot box in their choice for President and Vice President.

In view of these and other contributions which Francis Case made as a son of the soil of the Midwest to progress in municipal affairs for his Nation's Capital it is most fitting and proper that there should be named after him a lasting monument to his service—such as the Francis Case Memorial Bridge.

AMENDMENT OF WATER POLLUTION CONTROL ACT—ADDITIONAL COSPONSOR OF BILL

Mr. MUSKIE. Mr. President, at its next printing, I ask unanimous consent that the name of the Senator from Minnesota [Mr. NELSON] be added as a cosponsor of Senate bill 649, to amend the Water Pollution Control Act, introduced by me on January 31, 1963.

The PRESIDENT pro tempore. Without objection, it is so ordered.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION AUTHORIZATION ACT, 1964—AMENDMENT

Mr. ANDERSON submitted an amendment, intended to be proposed by him, to the bill (H.R. 7500) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations; and for other purposes, which was ordered to lie on the table and to be printed.

PENSIONS FOR VETERANS OF WORLD WAR I—ADDITIONAL COSPONSOR OF BILL

Mr. HARTKE. Mr. President, at its next printing, I ask unanimous consent to have the name of the senior Senator from Idaho [Mr. CHURCH] added as a cosponsor of Senate bill 1918, to provide a pension for veterans of World War I, which I introduced on July 18, 1963.

The PRESIDENT pro tempore. Without objection, it is so ordered.

THE OLDER AMERICANS ACT OF 1963—ADDITIONAL COSPONSOR OF BILL

Mr. McNAMARA. Mr. President, I ask unanimous consent that on the next printing of the bill S. 2000, which was introduced by myself, that the name of the Senator from South Dakota [Mr. MCGOVERN] be added to the bill as a cosponsor.

The PRESIDENT pro tempore. Without objection, it is so ordered.

AMENDMENT OF FEDERAL FIREARMS ACT—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of August 2, 1963, the names of Mr. BAYH, Mr. ERVIN, Mr. FONG, and Mr. KEFAUVER were added as additional cosponsors of the bill (S. 1975) to amend the Federal Firearms Act, introduced by Mr. DODD on August 2, 1963.

OUT-OF-TOWN HEARINGS ON S. 750, THE TRUTH-IN-LENDING BILL

Mr. DOUGLAS. Mr. President, as chairman of the Production and Stabilization Subcommittee of the Senate Committee on Banking and Currency, I wish to announce the dates and locations of field hearings on S. 750, the truth-in-lending bill, which would require the full disclosure of finance charges and interest rates in connection with the extension of personal credit.

The out-of-town hearings will be held in New York City, courtroom No. 129, first floor, U.S. courthouse, Foley Square, on Friday and Saturday, August 16 and 17; in Pittsburgh, Pa., courtroom No. 6, sixth floor, U.S. courthouse, Grant and Seventh Streets, on Friday, August 23; and in Louisville, Ky., referee in bankruptcy hearing room 214, Federal Building, 601 West Broadway, on Saturday, August 24.

Hearings in the fourth city will be announced at a later date.

All persons who wish to appear and testify on this bill in New York City, Pittsburgh, and Louisville, are requested to notify Mr. Jonathan Lindley, staff assistant, Senate Committee on Banking and Currency, room 5300, New Senate Office Building, Washington, D.C., telephone Capitol 4-3121, extension 3921, as soon as possible.

HEARINGS ON NUCLEAR TEST BAN TREATY

Mr. SPARKMAN. Mr. President, I ask unanimous consent to insert in the body of the RECORD for the information of the Senate a press release issued yesterday by the Committee on Foreign Relations on the forthcoming hearings on the nuclear test ban treaty.

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
August 7, 1963.

The Committee on Foreign Relations announced today that hearings on the nuclear test ban treaty will begin at 10 a.m., next Monday, August 12, in the caucus room (room 318) of the Senate Office Building.

Secretary of State Dean Rusk will be the first witness. The session will be open to the public.

On Tuesday, August 13, at 10 a.m., there will be an open session in the caucus room with Secretary of Defense McNamara.

Administration witnesses for the remainder of the week will be announced at a later time.

Additional witnesses will be scheduled for the week of August 19, depending upon decisions of the committee. Members of the public desiring to submit testimony during consideration of the test ban treaty should write to the clerk of the Committee on Foreign Relations.

Chairman FULBRIGHT also announced that the committee has written Senator RICHARD RUSSELL and Senator CLINTON ANDERSON (in the absence of Senator PASTORE) inviting members of the Armed Services Committee and Senate members of the Joint Committee on Atomic Energy to sit with the Committee on Foreign Relations during hearings on the test ban treaty.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, August 8, 1963, he presented to the President of the United States the following enrolled bills:

S. 130. An act to change the name of Fort Randall Reservoir in the State of South Dakota to Lake Francis Case;

S. 131. An act to change the name of the Big Bend Reservoir in the State of South Dakota to Lake Sharpe;

S. 192. An act for the relief of M. Sgt. Benjamin A. Canini, U.S. Army;

S. 219. An act for the relief of Bernard W. Flynn, Jr.;

S. 280. An act for the relief of Etsuko Matsuo McClellan;

S. 752. An act for the relief of Janos Kardos;

S. 850. An act to change the name of the Bruces Eddy Dam and Reservoir in the State of Idaho to the Dworshak Dam and Reservoir;

S. 1003. An act for the relief of the Middlesex Concrete Products & Excavating Corp.;

S. 1326. An act to provide for the conveyance of certain mineral interests of the United States in property in South Carolina to the record owners of the surface of that property;

S. 1643. An act to amend the act entitled "An act for the relief of the estate of Gregory J. Kessenich," approved October 2, 1962 (76 Stat. 1368); and

S. 1652. An act to amend the National Cultural Center Act to extend the termination date contained therein, and to enlarge the board of trustees.

U.S. POLICY IN THE COLD WAR

Mr. PELL. Mr. President, in many parts of the world today, we are encouraging and conducting so-called counterinsurgency operations. Here in Washington we speak of counterinsurgency measures and counterinsurgency planning, and we refer to counterinsurgency as a desirable and necessary form of activity.

We all realize that this form of activity, the combating by unorthodox means of various Communist regimes and Communist-sponsored guerrilla activity, is both a necessary and a desirable policy. However, when we use the phrase counterinsurgency to describe these operations, I believe we damage the image the world should have of our Nation and our purpose. By our very use of this phrase, our Nation indicates our opposition to insurgency or insurgent activities. Surely this is not the image we wish to project in the developing nations of Asia, Africa, and Latin America.

Actually, when the objectives of insurgents in any part of the world are freedom, liberty, or independence, our policy cannot be described as one of counterinsurgency. Rather, it is just the opposite—we support this type of democratic insurgency.

To be more personal for a moment, let us elected politicians look at ourselves. Many of us won our first election as insurgents. Almost every free nation was originally born in insurgency, and our United States was no exception.

In our current battle for the minds of men, it seems to me that such distinctions are truly important. We must take care to tell the world clearly and concisely just what we stand for and just what we are trying to do. In this instance, I believe that we are being careless and unclear in our choice of words. In fact, we are saying just the opposite of what we mean. By doing this, our motives can easily be distorted in the minds of people who should be our friends. It seems to me, therefore, that it is time for a semantic shift. Our cause will be stronger for it.

Accordingly, I urge that steps be taken within the executive branch of the Government to substitute for the negative and inappropriate phrase "counterinsurgency" a positive term more genuinely descriptive of our actions and attitudes. Such a positive term would be "democratic insurgency." Or, we could speak of "internal defense," or the encouraging of "counterguerrilla" or "freedom fighting" activities.

ECONOMETRICS—A NEW FRONTIER?

Mr. PELL. Mr. President, there appeared in the July 1963 issue of Trusts and Estates an editorial entitled "Econometrics—A New Frontier?" dealing with the possible adoption of the metric system by the United States.

The editorial mentions the great spur to the national economy should this system be adopted, not only in the creation of jobs necessitated by the conversion, but also the effects of economies because of increased accuracy and reduction of error through the use of a simple and understandable system. While the editorial does speak of the estimated cost of such a conversion—from $20 billion to $150 billion—it is important to note here that the main purpose of Congressman George P. Miller's bill, H.R. 18, and my bill, S. 1278, is to make a comprehensive study of the feasibility of adopting the metric system of weights and measures. Implicit in such a proposal is as accurate an estimate of the cost factor as is possible. Until such a study is completed, estimates are rather speculative.

The real value of this editorial is that it touches on a future need, the need for a standardized system which is simple and accurate in its use and which would accommodate our tendency toward greater international trade. The future is just around the corner. If the United States is to promote a viable and forward-moving economy, it must get in step with the rest of the world—learn, as it were, an international commercial language. The benefits are likely to be considerable, and the very least we can do is to fully explore the possibilities through an exhaustive study.

I ask at this point that the editorial from Trusts and Estates be printed in full in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

ECONOMETRICS—A NEW FRONTIER?

The confusion of tongues due to the hundreds of languages and thousands of dialects spoken around the world has impeded communication and led to much misunderstanding. This barrier has emphasized the differences between nations when coexistence demands greater recognition of common goals and interests.

But there is another area in which an expensive and unnecessary complication exists: that of measurements—of money, tools, and products. Measurements of weights, volume and dimensions vary not only from country to country but also according to application. Some examples: the apothecary's grain, the avoirdupois dram, the troy pennyworth; or the long and short ton.

Most notable of recent efforts to simplify an outmoded system is the study in England of conversion from penny-shilling-pound to a decimal structure or unit. Other countries, such as Australia, Japan, France, Germany, and Sweden, have taken or are taking steps to shift over to decimal systems. In the United States bills have been introduced in the House and Senate calling for study of conversion to the metric system.

The implications of such a changover are tremendous. Preliminary estimates of the expenditures required to effect it vary from $20 to $150 billion over a period of years, but chances are that much more will be involved. Obviously this would have a terrific impact on the machine-tool industry, but it would also affect equipment—industrial and scientific—and, particularly in the study and translation stages, the computer industry.

Such a vast job of revision and standardization would be a great spur to the economy and create thousands upon thousands of jobs. But what is even more important, it would pay off with continuing dividends in economies, accuracy, and reduction of costly errors. Based as the metric or decimal system is on the factor of 10 it would uncomplicate accounting and comparative measurement as applied nationally, and provide a common language to the extent of application internationally.

As the trend accelerates toward economic alliances and international trade, such a language becomes not a convenience but a necessity. It would eliminate the frequent need for double or even multiple stockpiles, retoolings and extra bookkeeping, and allow full use of the mass-production techniques, now split between the metric and the nonmetric goods. And with increasing miniaturization of products, demanding microscopic tolerances, the convenience of the tenth factor assumes far wider usefulness, from transistor radio to rockets.

There are two approaches to this transition: maintenance of such traditional measuring units as the inch (or foot) but dividing it into tenths. This would simplify matters internally. But internationally it would still leave the problem of correlation to different national units. Thus, there is debate now on whether to do a one-step or a two-step switchover. There is also the question whether the inch (or foot) is more logical than the meter as a universal base.

Where to start the conversion? The machine-tool industry would seem a most logical launching pad. It would be placed in a better competitive position in world trade, and much of its product already is being sold abroad, but again having the disadvantage of splitting the production and stockpiles between the local specifications and the foreign or metric ones.

There is one place that could and should get into the picture immediately: the stock exchanges. Their eights system is as antediluvian as the dinosaur, costly in computation and a breeder of errors. And, it takes up—in the aggregate—printing space that serves no worthwhile purpose. Instead of a stock quotation line reading: 67⅜—46¾—ABC Co. 62⅛—60¼—61½ why not decimal it, as:

67.4—46.7—ABC Co. 62.1—60.3—61.5

The tenth-factor can be the key to more accurate and economical and comparative measurement in industry as our decimal money has been in finance. The fact that we all have 10 fingers, not eight, may be coincidental, but the multiplicity of nondecimal measures has added only confusion and needless expense and makework. The suggested changeover can add a multimillion boost to the economy, repayable out of future and continuing savings in time and money and competitive advantages.

TRIBUTE TO OLIVER LA FARGE

Mr. PELL. Mr. President, I would like to pay tribute to an illustrious American and a most distinguished representative of the State of Rhode Island, Mr. Oliver Hazard Perry La Farge, whose recent death has grieved all familiar with his many accomplishments—as Pulitzer Prize winning novelist, as historian and anthropologist and, above all, as outstanding champion of the cause and welfare of the American Indian throughout our country.

Mr. La Farge's family has long been intimately connected with the history of Rhode Island. His early years were spent near the shores of Narragansett Bay; and the home in South Kingston of his ancestor, Commodore Perry, for whom Mr. La Farge was named, remains as a historic landmark. It has been called the house that launched a fleet of ships, for Commodore Perry went from it to take victorious command of the American fleet in the famous Battle of Lake Erie during the War of 1812; and the commodore's younger brother, Matthew C. Perry, born in Newport, opened the ports of Japan to the world.

His death recalls to my mind, too, the tragic death of his brother, Thomas A. La Farge who died with all hands aboard the Coast Guard cutter *Napsek* on December 17, 1942. I recall his death with particular sadness, since I was serving in the Coast Guard at the time and had the responsibility for making public the news of the tragedy. Another brother, Bancel, also served with distinction in World War II.

Like all his family, Mr. Oliver La Farge traveled widely and with great renown.

Mr. President, I ask unanimous consent that the obituary concerning Mr. La Farge and published by the New York Times, be inserted in the RECORD.

There being no objection, the obituary was ordered to be printed in the RECORD, as follows:

OLIVER LA FARGE IS DEAD AT 61; AUTHOR HELPED INDIANS' CAUSE—BOOKS INCLUDE "LAUGHING BOY," NOVEL OF NAVAJO LIFE THAT WON A PULITZER PRIZE

ALBUQUERQUE, N. MEX., August 2.—Oliver La Farge, eloquent champion of the welfare of the American Indian, died Friday afternoon in Bataan Memorial Hospital. He was 61 years old.

Death came to the Pultizer Prize winning author, historian, and anthropologist after a recent operation to correct a heart ailment.

Mr. La Farge's tireless efforts spurred private and public projects to improve the Indian's welfare and assure his social, civil, and constitutional rights.

Mr. La Farge's "Laughing Boy," a novel about Navajo life, won the Pultizer Prize in 1929. The following year he won the O. Henry Memorial prize for his short story "Haunted Ground." In recent years, living in Santa Fe, N. Mex., he wrote a newspaper column for the Santa Fe New Mexican and many reviews for the New York Times Book Review.

He was a tall, graceful man with straight black hair, an aquiline nose and a warm, cultured and softspoken voice. He was revered by the residents of hundreds of Indian reservations, where he was, sometimes, their last recourse in their fight for survival.

Mr. La Farge was born into a prominent New York family on December 19, 1901. His grandfather was the noted painter, John La Farge. The family's roots went back to Benjamin Franklin.

The boy's father was Christopher Grant La Farge, an architect, and his mother was the former Florence Bayard Lockwood. The author was named for his noted ancestor, Commodore Oliver Hazard Perry. His full name was Oliver Hazard Perry La Farge.

Mr. La Farge's youth was spent at the family home on Rhode Island's Narragansett Bay where he learned to ride, sail, and hunt. His father, a rugged outdoorsman, spent many evenings describing his experience with Indians from Canada to Arizona. The elder La Farge's love for the Indian was passed on to his son.

The boy went to Groton and was graduated from Harvard, where he edited the Lampoon, in 1924. During his second year at Harvard, his anthropological bent took him to Arizona on an archeological expedition even though he had already made up his mind to be a writer.

He wrote short stories in his spare time. After working as an assistant in ethnology at Tulane University in New Orleans, he wrote more stories and sold several of them.

In 1928 he engaged briefly in research work at Harvard, returning to New Orleans to complete his first novel, "Laughing Boy." Recently, libraries in Amarillo, Tex., and Savannah, Ga., removed the book from their shelves, charging that parts of it were obscene. Others banned in Amarillo were John Steinbeck's "The Grapes of Wrath," MacKinlay Kantor's "Andersonville," and A. B. Guthrie's "The Way West," all Pulitzer Prize winners.

HEADED NATIONAL ASSOCIATION

Mr. La Farge was named president of the National Association on Indian Affairs in 1933. This group was merged with the American Defense Association in 1937 to become the American Association on Indian Affairs. The association sponsors a continuing study of Indian conditions, supports programs to improve substandard Indian economy and defends Indians against all who would deny their rights.

During World War II Mr. La Farge became a lieutenant colonel in the Army Air Corps and received the Legion of Merit. He returned to his post with the association after the war.

Since then, in appearances before congressional committees, as a member of a White House advisory committee, in dozens of articles and during countless hours on the telephone and visiting Indian reservations, Mr. La Farge was a vociferous fighter to improve the Indian's condition.

In an article in the New York Times magazine on June 11, 1961, Mr. La Farge warned that the temper of the American Indian had reached the "boiling point." He urged that they have their own "New Frontier."

Mr. La Farge's work in anthropology, which few of his readers were aware of, took him to Guatemala, to Mexico and eventually to the Southwest, where he settled.

His friends, both Indian and white, described him as a practical man with balanced judgment. Of Indians, Mr. La Farge said:

"The Indian as I have met him is fine, brave, loyal and intelligent. He is skillful and has artistic sensibility. He is patiently industrious about work which interests him and maintains a high level of craftsmanship."

Mr. La Farge argued for a tribe's right to keep its identity and traditions. "Tribal unity," he declared, "is the greatest possible thing for Indian progress."

Mr. La Farge's anthropological books included "Tribes and Temples (with Franz Blom), "The Year Bearer's People" (with Douglas S. Byers) and "Santa Eulalia: the Religion of a Cuchumatán Indian Town." Other works were "Sparks Fly Upward," "The Mother Ditch," "Cochise of Arizona," "The Eagle and the Egg," and "Raw Material," his autobiography. His fiction works included "Long Pennant," "All the Young Men," "The Enemy Gods," "As Long as the Grass Shall Grow" and "The Copper Pot." Many of his articles were published in national magazines.

DEPLORED PATERNALISM

In one of his recent works, Mr. La Farge stressed the need for less Government paternalism and more guidance for Indians. "Benevolence has sapped the Indian's strength," he wrote. "More responsibility and authority must be turned over to the Indians themselves, leading them on until they can take care of their own future entirely in their own hands."

Mr. La Farge was a Fellow of the American Academy of Arts and Sciences and of the American Anthropological Association. He belonged to the Century and the Coffee House Clubs.

His first marriage, to Wanden E. Mathews, ended in divorce in 1937. He married again in 1939.

Surviving are his widow, Consuelo; two sons, Peter and John, and a daughter, Povi.

THE RATIFICATION OF THE NUCLEAR TEST BAN TREATY

Mr. PELL. Mr. President, at this time, as we weigh the ratification of the nuclear test ban treaty, or we weigh its pros and cons, lucid thought is necessary to us all. I happen to agree with President Kennedy that this proposed treaty is a solid step away from the path of self-destruction which the world has been following these past years.

An excellent contribution to our discussion at this time is an article written by Representative CORNELIUS E. GALLAGHER which appeared not long ago in the Evening Star. In it, he does a fine job in setting forth the arms situation as it is in the world today and pointing out the alternatives. I ask unanimous consent to insert in the RECORD at this point an article by Representative GALLAGHER entitled "Arms Race or Control: A Matter of Risks" that appeared in the Sunday Star of July 14, 1963.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Sunday Star, July 14, 1963]

ARMS RACE OR CONTROL: A MATTER OF RISKS

(By CORNELIUS E. GALLAGHER, U.S. Representative from New Jersey)

(Representative GALLAGHER, a member of the House Foreign Affairs Committee since 1958, cosponsored in the House the bill which created the Arms Control and Disarmament Agency. He accompanied Secretary of State Rusk to the Disarmament Conference in Geneva in 1962. He is a Democrat.)

Since the day when man possessed no weapon more deadly than the club, he has harbored a strong desire to live in peace. In his ingenuity, however, and despite his yearning for peace, he has advanced his weaponry to a point where he now possesses a capability to destroy his world.

Yet, his desire for peace has grown stronger.

This is perhaps the great paradox of history. Peace has escaped him and, as President Kennedy recently pointed out, world history records more periods of war than of peace.

As man has improved the devices of destruction from the club to the thermonuclear tipped ICBM, his world has become vastly more complex; the problems and differences of nations have been compounded to a point of seeming to elude solution or settlement.

LEAST UNDERSTOOD PROGRAM

In this nuclear age, man in his quest for peace seeks first to control the devastating weapons he possesses and eventually to destroy them before they destroy him. In the United States this effort is formalized in the U.S. Arms Control and Disarmament Agency which is charged with carrying out what is unquestionably the least understood, most frustrating, and many would say, the most hopeless program in Government.

Another high-level try to bring about a ban on nuclear testing gets underway in Moscow tomorrow. The United States will be represented by Under Secretary of State Averell Harriman. This is perhaps the most trying diplomatic mission ever handled by Mr. Harriman, a man of vast experience in Government and international affairs.

Unless we succeed in the disarmament effort, the globe in our time may be just another charred and pocked planet idling through the heavens, devoid of life.

Yet to many disarmament is a "pie in the sky," an impractical and unrealistic effort, seeking an unattainable goal.

To others, disarmament is a dastardly scheme to have the United States unilaterally throw down its arms and deliver itself up to the mercy of the Communists.

DIFFICULT TO SELL

To sell the American people on disarmament at a time when our own defense expenditures are soaring higher than ever before in peacetime is difficult enough in itself. To convince them that we must actively pursue disarmament at a time when the Soviet Union continues to allot the vastly greater portion of its total resources to building armed forces designed to annihilate us is next to impossible.

It is difficult for us to get genuinely concerned with disarmament when by instinct our attention centers on our own security and that of our families and our country from nuclear attack.

But, as the President made clear in his recent American University address, "We must * * * persevere in the search for peace in the hope that constructive changes within the Communist bloc might bring within reach solutions which now seem beyond us."

There is the thought, perhaps hope is a more apt word, that Communist leaders will agree to disarmament once they are convinced that total nuclear war would leave them no world to rule and that the only practical means of achieving world domination is psychological and subversive warfare, techniques in which they excel.

MISUNDERSTANDINGS AND FEAR

If this reasoning should lead to disarmament, we and other free men then would have to rely solely on our arsenal of moral courage, intelligence, and patriotism. These are the counterweapons to subversion.

Unfortunately, the approaches to disarmament are blocked at many turns by misunderstanding and fear. The military, for example, sense only the dangers of arms reduction and oppose even nuclear test bans. There are those who permit concern for the economic impact of curtailment of defense industry and resultant loss of employment to shadow their thinking.

Disarmament proposals are targets of opportunity for the merchants of fear and they make the most of them. They know that ignorance breeds fear. Rightwing elements of all shades cry out against disarmament and warn of the turnover of military power to a United Nations army.

For many practical reasons we must continue the pursuit of disarmament, perhaps the most important being that the subject of a disarmament is the most effective means of keeping open a communications channel with the Soviet Union.

While the discussions at Geneva are tedious and exasperating, they are, nevertheless, the gage by which we constantly check the temperature of the cold war. Frequently there we are able to halt its upward pressure.

TO SEPARATE THE TWO

We perhaps would do better in many ways if we were to separate the term arms control from disarmament. The latter to any reasonable man, even though he may be carrying a placard to "ban the bomb," is a distant hope. But arms control is a more immediate, a more tangible objective. It is, in fact, an area in which some progress is being made, the best example being the "hot line" telephone, referred to in Geneva as the "purple phone," that, we hope, will soon connect the White House and the Kremlin. The building-in of safeguards against the premature or accidental firing of nuclear weapons is certainly a form of arms control.

Indeed, talk itself between representatives of the Soviet Union and the United States is a form of arms control.

While it might be well to separate the two—control and disarmament—in our thinking, they are inseparable in fact. Control is a first step towards disarmament. A ban on nuclear testing would be a control that might well be extended to other weapons.

The United States recognizes that any move toward disarmament must be gradual. Our negotiators in Geneva have been talking about the basics of arms control which hopefully would limit the intensity of the arms race and reduce the risks of accidental war, which are quite real. So, in effect, we have, consciously or otherwise, separated control from disarmament. While the most immediate matter at Geneva is the test ban, the primary long-range goal of the Western Powers remains general and total disarmament.

MUST HAVE VERIFICATION

The plan for total disarmament has been well publicized, but it remains for many a fearsome and dangerous one. Unquestionably, ignorance is the cause of such fear.

Any agreement on disarmament, of course, must provide for inspection and verification. It must be designed so a balance of force is retained during the phaseout period to assure that no nation would at any time have a military advantage over another in proportion to present capabilities.

But there would be some risk involved, no matter how many safeguards may be built into an agreement. The question is which is the greater risk—the consequence of an unbridled arms race that is bound to consume the world or the possibility of cheating on a disarmament agreement?

GLOBAL HOPE

In this vein, Mr. Kennedy has warned, "Our hopes must be tempered with the caution of history * * * but with our hopes go the hopes of all mankind."

When we speak of all men, we exclude none. Any disarmament agreement must encompass every nation. It would be one thing to bring about accord between the Soviet Union and its satellites and the Western countries, but what of Red China?

How do we approach a country that will one day be a nuclear power, but is not even a member of the United Nations and which differs so violently even with its own Communist allies?

Can man's yearning for peace overcome so much?

EXPANDING CLUB

At some future date there will be a proliferation of nuclear weapons among many nations, large and small. At that time capability to wage nuclear war will no longer be limited to the two great powers of the world. If the world is not to be incinerated in our time or in our children's lifetime, a working disarmament agreement must be achieved. Even if this situation were not to be, surely both the United States and the Soviet Union cannot extend an arms race ad infinitum, each year spending more of their resources in the drive for total destructive capability.

The search for peace is no idle dream when we view the alternative in its proper perspective.

The President, in his university address, spoke of the world's problems as being man made and therefore subject to man's solutions. He said he was not referring to "the absolute, infinite concept of universal peace and good will of which some fantasies and fanatics dream."

PLAN IS A SERIES OF ACTION

He urged that we focus instead on "a more practical, more attainable peace—based not on a sudden revolution in human nature but a more gradual evolution in human institutions—on a series of concrete actions and effective agreements."

Reduced to its simplest form, the control and disarmament program is just that—a proposed series of phased actions and agreements that would over a period of years reduce the arsenals and military forces of every country; to leave, finally, only internal security units. As the weapons and troops of the individual nations were reduced, the military force of the United Nations would be increased.

Disarmament as a plan is so simple and so worthy. But man and his world are so complex.

To falter in our search for peace would be to abandon ourselves to a fate that demands the extinguishing of all life on this planet. Unless man uses the same intellectual resources in the search for peace that he has so greatly developed in his search for extinction, he could, unhappily, find the latter.

AUTHORIZATION FOR COMMITTEE ON GOVERNMENT OPERATIONS TO MEET DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on Government Operations be permitted to meet during the session of the Senate today.

The PRESIDENT pro tempore. Is there objection?

Mr. JOHNSTON. Mr. President, in order to accede to the wish of the majority leader, I amend to that extent the objection I entered a few moments ago.

The PRESIDENT pro tempore. Without objection, consent for this committee meeting is given.

TFX ETHICS

Mr. SIMPSON. Mr. President, I was deeply impressed by Richard Wilson's article in the Star of August 7, entitled "Ethical Conduct in High Office."

Mr. Wilson has given us a thought-provoking comparison of public and press reaction to the ethical standards of high officials in Government under different administrations. He contrasts the great indignation over the conduct of Adolphe H. Wenzell in the Eisenhower administration with the apathy over that of Fred Korth in the Kennedy administration although, as I noted on the Senate floor July 29, the cases appear to be very similar.

It is a poor standard that does not work both ways. Certainly the high standard of ethics which we rightfully expect from our officials charged with public responsibility should apply to all individuals, regardless of their party affiliation or the party in the White House.

I ask unanimous consent that Mr. Wilson's article be printed in the body of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Evening Star, Aug. 7, 1963]

ETHICAL CONDUCT IN HIGH OFFICE—REACTION TO KORTH ROLE ON TFX CALLED MILDER THAN THAT IN DIXON-YATES CASE

(By Richard Wilson)

The level of indignation on the ethical standards of high officials seems to fluctuate from one Presidential administration to another.

This particular comment has only to do with how the conduct of public officials is viewed and reported, not with the substance of an official's ethical conduct.

But it is, at the same time, a strange contrast that there was so much public and press indignation over the conduct of Adolphe H. Wenzell in the Eisenhower administration and so little over the conduct of Fred Korth in the Kennedy administration.

Yet, both are bankers. Both are or were involved in the award of Government contracts to concerns which were doing business with their banks. Mr. Wenzell was a vice president of First Boston Corp., a major financial institution, and gave financial advice to sponsors of the Dixon-Yates contract for a generating plant at Memphis, Tenn., while serving as an unsalaried consultant to the Budget Bureau on the same general subject.

Fred Korth is former president and still a large stockholder in the Continental Bank, of Fort Worth, Tex., which made a substantial loan to help keep financially afloat Fort Worth's biggest industry, General Dynamics Corp. Mr. Korth also is Secretary of the Navy. He favored granting an $8 billion contract to General Dynamics for construction of a big new fighter-bomber aircraft called TFX.

Evidence before the McClellan committee shows Mr. Korth had 16 conferences with and 5 phone calls to "longtime friends" of General Dynamics during the period when it was decided to give the contract to the Fort Worth firm instead of to the lower bidding Boeing Corp.

Some strong statements have been made in Congress on his continuing interest in the bank which made the loan to the company that got the TFX contract. The relationship is called in the CONGRESSIONAL RECORD "a pattern of activity that compares with the RFC scandals, the activity of T. Lamar Caudle of the Truman era, or the Talbot case and Dixon-Yates case of the Eisenhower administration." It is stated that this is a "real Texas-size scandal."

Whether Mr. Korth was involved in a statutory "conflict of interest" is something a court could decide, if the matter were of a nature to be submitted to a court.

In this connection the comments of Chief Justice Earl Warren in *United States* v. *Mississippi Valley Generating Co.*, might be held to be applicable. This case involved the cancellation of the Dixon-Yates contract in a hot political atmosphere and whether or not the Mississippi Valley Corp. was entitled to $1,867,545.56 in damages. The Court of Claims awarded these damages. But the Supreme Court vacated the award on the ground that the contract was invalidated and tainted by Mr. Wenzell's dual role.

Justice Warren chose the occasion for a Supreme Court sermon on what "conflict of interest" is and it proved to be a highly moralistic and, some would say, extralegal concept. But it is the law of the land, as interpreted.

To be guilty of conflict of interest, it is not necessary to have been corrupt. It is not necessary to have gained anything personally, or to have been promised anything personally. It is only necessary to be willfully involved in a situation that "tempts dishonor."

"The statute," said the Chief Justice, "is more concerned with what might have happened in a given situation than with what actually happened. It attempts to prevent honest Government agents from succumbing to temptation by making it illegal for them to enter into relationships which are fraught with temptation."

This stern and truly Presbyterian morality sets a high standard of conduct. The "logic of circumstances" alone is enough, in the Warren version, to taint a public official, for he may be "subconsciously tempted to ingratiate himself" to sponsors who were in a position to affect the fortunes of himself and his firm.

How many Federal public officials really know what Spartan righteousness the law demands of them? How much longer are they to remain ignorant?

TRIBUTE TO JOHN D. RHODES, UPON HIS RETIREMENT AS OFFICIAL REPORTER OF DEBATES, U.S. SENATE

Mr. PASTORE. Mr. President, there are some remarks in the Senate that we make with regret. Such are our words of farewell to John Rhodes whose skills, integrity and devotion are written in the Senate history of the past 44 years.

I speak with humility of a man who has been so close to so much of what is so great in our American annals. I speak with gratitude of the scholar, editor and friend who has cherished, embellished and immortalized the thoughts we have expressed on this Senate floor.

John Rhodes' memorial is in the thousands of pages of the CONGRESSIONAL RECORD to which he has given life and literature in the processes of that most companionate and cooperative chamber in this Capitol—the Reporters' Room.

John Rhodes' memory will be in the appreciative hearts of all of us who enjoyed his quiet presence, his congenial company, his capacity for correctness, painless and painstaking.

His conduct was in the character of the Reporters' Room and every individual therein—achieving the daily miracle of another chapter of history—the Senate oratory preserved and perfected by their art—the labors of many devoted workers seen as a composite—the CONGRESSIONAL RECORD—our personal record—our response to the responsibilities of our time.

So—farewell John Rhodes. Be not a stranger here where you have been the appreciated associate. But wherever you go, our every good wish goes with you—ad multos annos.

Mr. RANDOLPH. Mr. President, in a nation dedicated to the principles of liberty, justice, and free speech the U.S. Senate stands as a forum where the ideas and ideals of men may be debated fully and openly. We deliberate unhurriedly—and if present momentum is to be taken into account, we are unhurriedly deliberate.

Among the more essential, and least known functions of the Senate staff is that of the reporters of debate. These are the tireless and meticulous "listeners" who are present for every moment of each session, and who faithfully record the words which are spoken in this body. Theirs is a monumental task, for the verbal outpouring of Senators is a traditional talent which some are determined to cultivate at length. And yet, the precise recording of senatorial debate is an essential part of the democratic process. It enables the manufacturer of New Jersey, the wheat farmer of Iowa, the fisherman of Washington, and the coal miner of West Virginia to evaluate for themselves the service of their chosen representatives. They can monitor the progress of legislation which will affect their lives, and can gather information on which to base opinions on national and international affairs. It has been said that the CONGRESSIONAL RECORD is the most widely influential publication in the world—one which is truly a "first draft of history."

We are fortunate that this trying and thankless task has been in the capable hands of John D. Rhodes, who recently announced his retirement after 44 years of service to the U.S. Senate.

Mr. President, John Rhodes has provided us with a worthy example of dedication and effectiveness in the public interest. He has been our valued coworker and trusted friend, and has established a record of selfless devotion which is both a credit to himself and a challenge to those who will come after.

I join in this accolade of John D. Rhodes, and express to him sincere gratitude for his years of loyalty, understanding, and cooperation.

PROPOSALS TO ESTABLISH A STANDING SENATE COMMITTEE ON VETERANS' AFFAIRS

Mr. RANDOLPH. Mr. President, proposals to establish a standing Committee on Veterans' Affairs have come before this body on several occasions in the past, and have drawn the support of a considerable number of my colleagues. At present, eight separate Senate resolutions have been introduced which call for the establishment of such a committee with many Senators as sponsors and cosponsors. It is my privilege to be a cosponsor of both Senate Resolution 48, and Senate Resolution 176.

We do not impugn the able work of the Finance Committee and the Committee on Labor and Public Welfare—the committees heretofore responsible for the processing of legislation dealing with veterans—when we suggest that a more effective means of organization is possible. However, with the growing complexity of government the workload of all standing committees will continue to increase and will demand corresponding specialization. At the same time, there are approximately 23 million veterans and their dependents—nearly 53 million in all—who are without the attention of a specialized committee in the Senate.

The present Senate organization, which had its inception in the years between the World Wars when there were far less veterans, is not the most efficient one for handling the problems of a group vastly increased in size, with annual Federal expenditures ranging between $4 and $8 billion.

A grateful Nation should not deny to its veterans the most serious and careful legislative attention of which it is capable. We owe him or her no less than the farmer, the worker, or the small businessman.

Therefore, Mr. President, in the interests of more equitable and efficient Senate consideration, and in justice to the veteran who has served our country well in time of crisis, I urge the prompt and affirmative consideration of legislation providing for the creation of a Standing Committee on Veterans' Affairs.

TRUTH IN PACKAGING

Mr. ENGLE. Mr. President, Columnist Bill Gold, after a tour through a supermarket the other day, was prompted to comment:

> Ah, what a happy day it will be when one company's giant half quart will no longer be able to make another company's teensy weensy pint look skimpy by comparison. Maybe then we'll be able to concentrate on the product instead of the packaging.

Mr. Gold, whose column "The District Line" appears in the Washington Post, makes good sense when he points out that consumers would much prefer to compare the respective merits of products, not the packages they come in.

Mr. Gold suggests—and I concur—that there is much demand in this Nation for the truth-in-packaging bill.

I am a cosponsor of this bill with the distinguished junior Senator from Michigan. I want to commend him for his hard work on this bill.

And so that my colleagues can read this enlightening and witty column by Bill Gold, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

ARE YOU RICH ENOUGH TO IGNORE PRICES?

(By Bill Gold)

At the supermarket the other day, the lady at our house studied a display of olives for a good 5 minutes. Then she asked me: "Which is bigger, 'colossal' or 'mammoth'?" I shook my head. "Sorry," I said, "but I can never remember. The only thing that sticks in my mind is that olives run from 100 to the pound to 400 to the pound, but of course grading them in that way would be too simple."

"I can never remember, either," she said, "because all the words they use for the various sizes convey essentially the same meaning of 'very big.' They probably use a size scale like the one the toothpaste manufacturers use—'giant' is the smallest they make."

She finally chose a jar of olives at random and we moved over to the detergent aisle. Here, too, she wasted a lot of time as she turned over boxes to hunt for net weights. Then she began to figure fractions by writing on air with her finger.

Finally she turned to me. "Do you have a pencil and paper, genius?" She asked. "Which is the better buy, this one with 16 pounds and some fractions or that one with 10 pounds even?"

"Don't be ridiculous," I said. "Nobody puts out a box of detergent that weighs exactly 10 pounds. The factory's research department has found that the average American family needs either 9 pounds and $42\frac{1}{2}$ grams or 11 pounds and $7\frac{3}{8}$ ounces."

"This one," she insisted, "contains exactly 10 pounds."

"Buy it," I commanded, "regardless of price." And for once in her life, she did as she was told.

Two days later, I came across the August issue of Harper's. Its "Easy Chair" department was given over to an article by William D. Zabel, who is a Wall Street lawyer by profession but in his spare time has enlisted in the consumer army that is demanding the passage of a truth-in-packaging bill.

Zabel titles his article: "Lessons in practical detective work for supermarket shoppers." Unless you have more money than sense, you should find it interesting.

He begins by telling about a recent shopping experiment. Five housewives, all with college training, were sent out to buy 14 staple food items strictly on a "best buy" basis—the biggest quantity for the lowest price.

"The result of their efforts was failure," Zabel reported.

They spent 50 percent more time on their task than average shoppers, yet in 34 of the 70 purchases came back with something other than the "best buy."

Three of the five couldn't find the least expensive can of tuna or package of salt. None could identify the least expensive package of rice or toilet soap.

And if these college-trained women could not do it, "imagine the ordinary housewife's chances of success" when she's distracted by her children and a zillion other things.

Why is it so difficult for the consumer to find out what he's buying and how much it costs him per unit? Because in merchandising, the most ruthless competitor tends to force everybody's ethical standards down to his level.

When one manufacturer uses tiny type to hide his net weight, or prints it in a color that matches the background, he puts other firms at a disadvantage. They can't compete with him unless they, too, begin increasing the size of the box while at the same time decreasing the amount of the contents.

The truth-in-packaging bill would set standards for each industry and, in effect, force everybody to measure size and weight with the same kind of yardstick. Honest-to-Pete numbers would replace meaningless words like "giant," "king," "jumbo," "regular" and "family size." In fact, we might even get rid of "colossal" and "mammoth."

Ah, what a happy day it will be when one company's giant half quart will no longer be able to make another company's teensy-weensy pint look skimpy by comparison. Maybe then we'll be able to concentrate on the product instead of the packaging.

MOTION PICTURE INDUSTRY AND THE ARMED SERVICES

Mr. ENGLE. Mr. President, at the present time the Department of Defense is, I am advised, proposing new regulations dealing with relations between motion picture and television producers and the armed services.

The California motion picture industry is very much interested in this problem and is particularly concerned that there be no restriction of the historic cooperation that has existed in the making of pictures about the Armed Forces.

Both as a member of the Committee on Armed Services and the representative of the State of California, I am myself concerned that the very worthwhile relationship between the motion picture industry and the Government not be disrupted, even though I am well aware that there are considerations that should be thoroughly examined by all parties.

Last April, for example, the Defense Department was advised by a Member of the House of Representatives—the Honorable FRANK J. BECKER, of New York—about a Swedish produced film laid in Iceland in which U.S. military personnel were disadvantageously portrayed. Congressman BECKER was correct, in my judgment, in condemning the responsible U.S. military official in Iceland for permitting two of his officers to hire out as moonlighting actors without checking the roles they were to perform.

But Mr. President, I submit, that this is no reason to completely revise long existing procedures and arrangements that have been of great benefit to the Armed Forces and to the country as a whole. This is akin to throwing out the baby with the bathwater. In fact, I doubt very much that my colleague on the House Armed Services Committee had any such result in mind when he called attention to this foreign-produced film.

The fact of the matter is that no other media of communication has glorified the armed services to a greater extent than has the film industry of my State. Its long list of pictures made in close cooperation with the Army, Navy, Marine Corps, Air Force, and Coast Guard have been tremendous morale boosters and have been praised by military officials as among the most effective recruiting incentives.

From the currently playing "PT–109" that portrays the heroism of President Kennedy and the valor of Navy men in a dangerous assignment all the way back to "What Price Glory" which was a powerful indictment against the folly and waste of war, the list of movies that have made Americans proud and other peoples throughout the world intimately aware of the might and valor of our Armed Forces is legion.

I am sure that my colleagues, like myself, can think of many of these pictures that they have seen. Only last week several members of the 9999th Air Reserve Squadron, commanded by the distinguished junior Senator from Arizona, mentioned to me in the most glowing terms the picture "A Gathering of Eagles." It is the story of the Strategic Air Command and illustrates how this command maintains a worldwide protective umbrella over the free world.

Films which are excellent examples of the cooperation that has existed between the film industry and the Armed Forces include "The D.I.," "The Outsider," and "Battle Cry," made with the Marine Corps; "Run Silent Run Deep," "Destination Tokyo," "They Were Expendable," "Task Force," "Bridges of Toki-Ray," "Gallant Hours," "Away All Boats," and "Caine Mutiny" made with the Navy; "Merrill's Marauders," "Air Borne," "Mountain Men," "The Long Gray Line," "The Bold and the Brave," "Pork Chop Hill," and "The Longest Day" made with the Army; "Battle Hymn," "Bomber B–52," "Escapade in Japan," "Lion in the Sky," "Strategic Air Command," "Spirit of St. Louis," "X–15," and a "Gathering of Eagles" made with the Air Force.

High military officers have long recognized the value of motion picture films of this type and have been unstinting in their praise of such pictures. Maj. Gen. William Quinn, when Chief of Information of the U.S. Army, said:

> The film industry has performed a tremendous service to the Defense Establishment of the United States and the country by giving its audience an honest and fair picture of the Armed Forces. We appreciate this cooperation.

Col. James E. Mills, during his tour of duty as Chief of Information for the Marine Corps, said:

> In any democratic society we are dependent upon public support for the programs which are designed to maintain and advance

the society. Those of us who handle public relations for the branches of the Armed Forces would have found the problems of our jobs insurmountable except for the motion picture industry.

The motion picture industry of my State has amply demonstrated its patriotism in two wars. It has shouldered tasks and performed duties without thought of economic reward just as every loyal citizen in a national emergency. It is not obligated to produce pictures dramatizing our military arms; not all of these pictures are lucrative ventures by any means.

I am advised reliably that this area of cooperation between the military and the film industry is a two-way street and is so regarded by knowledgeable military people who know something about morale and recruitment problems.

I hope, Mr. President, that the responsible civilian officials in the Pentagon will not permit steps to be taken that will be hurtful to all involved.

SIMPLE SOLUTION TO COMPLEX PROBLEMS

Mr. McGEE. Mr. President, in the past few years we have seen the growth of extremist groups on the periphery of our political system whose main tactic seems to be proposing simple solutions to complex problems. If only we will do this or that, they say, all our problems will end and we shall live happily ever after.

Those who counsel against their oversimplifications are immediately labeled as anti-American plotters weaving devious schemes to deprive us of our liberty.

Mr. President, I wish there were a few simple solutions to our problems but I would be inclined to believe that our problems and their solutions will become even more complex than they are today.

An excellent editorial, pointing out the difficulties of finding solutions to modern problems and the democratic way of arriving at those solutions, appeared in the July 30 edition of the Daily Times of Rawlins, Wyo. Mr. President, I ask unanimous consent that this editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

PANACEAS, ANYONE?

So these two businessmen were settling the big issues of the day as they rode to work.

"It's about time," said one, "that these guys in Washington wake up to what's really going on in this country and around the world. Between the White House and Congress, we're getting nowhere fast. The country is really in a mess."

The other man nodded. "Things are rough, all right," he said. "But I'd sure hate to be the ones who have to try to straighten them out."

So would we all. Most any one of us can call the shots when we're sitting on the sidelines and no one is keeping score on us. But how many of us would welcome the responsibility of having a voice of authority in rendering judgment and final decisions in such problems as—

The railroads' management-labor problem?

The racial unrest throughout the country?

The continuous and insistent tug between management and labor, erupting into open breaks around the country from day to day?

The relation of the nuclear test ban treaty to a nonaggression pact? Who would want to try to guess right on this?

The controversial Federal aid to schools issue?

Tax cuts and tax reforms?

The unemployment situation and the national economy?

The farm problem?

The population explosion and birth control?

And on and on and on.

We mention those headaches—only a few of the scores to plague the administration and the lawmakers in Washington—not to excuse any errors of judgment or action that may be made, but to emphasize the scope and size of the tremendous task facing our national leaders.

The freedom to second guess and to serve as Monday morning quarterbacks is an inalienable right of every American. But there is also the obligation to help solve those problems by individual effort, sober judgment, calm action, fair play, and loyal citizenship.

Contrary to what we may be told or what we may think at times, the voice of the people still prevails in America. Each of us is part of that voice. Each of us is part of America.

COAST GUARD ON LONG ISLAND

Mr. KEATING. Mr. President, I have read with great interest and considerable concern the articles written for Newsday by Ed Smith. These articles present a vivid picture of U.S. Coast Guard problems in this area and portray a situation which should no longer be neglected. The Long Island Coast Guard is described as "undermanned, undertrained, and underequipped."

Although I have no direct firsthand knowledge of the facts described in the first two articles of this three-part series, Newsday is a responsible and reliable publication dedicated not only to the accurate reporting of national news, but also to local issues and problems which are explored in depth.

Mr. President, I have asked the Coast Guard Commandant, Admiral Roland, to provide me with a full report on the situation described in these articles. I ask unanimous consent to include in the RECORD the text of the first two articles in this series.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

THE UNDERMANNED COAST GUARD

(By Ed Smith)

(First of a three-part series)

The U.S. Coast Guard, which protects the lives and property of about 186,000 private boatowners using Long Island waters, is undermaned, undertrained, and underequipped.

While the boating population on Long Island has boomed from less than 90,000 in 1959 to its present level, the highest in the Nation, the seven Coast Guard installations on Long Island (three in Nassau and four in Suffolk) have changed little to keep pace. In 1959, those stations were manned by 420 men with 36 boats to work with. Today, the complement of men is still 420. The boats have changed, though; they're older, with few exceptions.

An official of the Treasury Department, which operates the Coast Guard, concedes that the service has too few men and boats. But he said he could not disclose the totals the department felt were needed.

The seven Coast Guard stations on Long Island are divided into three groups. They are: Group Moriches, which includes installations at East Moriches, Shinnecock, and Montauk Point and covers the South Shore bay and ocean area from Moriches east; Group Short Beach, which includes stations at Short Beach, Fire Island, Atlantic Beach, and Rockaway, and covers the remainder of the South Shore to Rockaway, and Group Eaton's Neck, which covers the North Shore (Long Island Sound) from Excursion Rock, near Kings Point, west to around Riverhead.

The boats based at the stations are: Moriches: A 45-foot buoy boat; a 44-foot motor lifeboat; a 40-foot utility boat; a 20-foot motor lifeboat and a 10-foot dinghy. Shinnecock: Two 36-foot motor lifeboats; two 30-foot utility boats; and a 14-foot skiff. Montauk: A 44-foot motor lifeboat, a 40-foot utility boat, and a 16-foot dinghy. Eaton's Neck: A 45-foot buoy boat, a 44-foot motor lifeboat, a 40-foot utility boat, two 30-foot utility boats, a 16-foot outboard and a 10-foot dinghy. Atlantic Beach: A 36-foot motor lifeboat, a 30-foot utility boat, and a 10-foot dinghy. Short Beach: A 40-foot utility boat, a 36-foot motor lifeboat, and a 14-foot skiff. Fire Island: A 39-foot buoy boat, a 40-foot utility boat, two 30-foot utility boats, two 10-foot dinghys and an 82-foot patrol boat.

* * * * *

More than 1,000 search and rescue missions were conducted by the 7 stations last year and that figure is expected to climb to about 1,800 this year. No figures were available for searches and rescues in previous years.

Because the Coast Guard must also maintain lighthouses, take care of their administration, stand radio and station watches, and provide for leaves, liberty, and various other station management problems, it is not surprising that too often green recruits are pressed into search, rescue, and patrol duty. A Nassau County Marine Division officer said this of the situation: "The Coast Guard kids are cooperative and eager and willing. But they simply don't have the training and knowledge. We spend as much time helping the Coast Guard off sand bars as we do private vessels."

On weekends, when the waterways resemble an expressway traffic jam, there are instances when help is called for and the Coast Guard must reluctantly respond that it cannot answer the call immediately. Marine divisions in both Nassau and Suffolk say no official reason is ever given for the failure to answer, but a Suffolk waterways lawman explained: "The chiefs and boatswains that handle the boats most of the time tell you on the QT that lack of manpower is the problem. Sometimes they simply don't have the men or boats available."

If boat handling and navigational training were given in boot camp, or were required prior to duty at water stations, the situation might not be as bad. But there is no such training at either Cape May, N.J., or Alameda, Calif., the two Coast Guard training centers. And while the service operates dozens of specialty training courses for boot camp graduates, the Coast Guard has always reasoned that the best place to learn navigation and boat handling is on the job, from the veteran Coast Guardsmen.

Rated men, chiefs and boatswains who—officially—are the only Coast Guardmen permitted to handle boats, said at almost every Long Island station that on-the-job training is not working in practice mainly because of the manpower shortage. They maintained that once the recruit got to the station there was little time for training in boat handling and navigation.

MINIMIZE REQUIREMENTS

The chiefs and boatswains insisted that the navigational skills they themselves were required to know to get their rating was rudimentary. One officer insisted that the navigation a Coast Guardsman had to know was sizable. However, a chief who admitted he was teaching young recruits but feared for his life and his vessel, more than seven miles out to sea, said sarcastically: "It's sizable all right. It would take 45 minutes of navigational study to pass the test." He added: "How can we teach recruits when we haven't a school to go to ourselves?" Some chiefs and boatswains and most rated men interviewed throughout Long Island said they could not navigate in fog because they lacked experience in the waters and knowledge of the necessary instruments.

The Third Coast Guard District commander, Adm. R. M. Ross, denied that the service is undermanned on Long Island—or anywhere else in the Nation. "Sure, we'd like to have more money for more men, more equipment and more schools. So would the Army, Navy and the Marine Corps. But we are doing fine with what we have," he said. Ross cited the recent addition of four helicopters to Floyd Bennett Field, Brooklyn, and three 44-foot boats to the Long Island area as the latest means to keep pace with the heavy boating population. He said there was no doubt that the boating figures are "growing by leaps and bounds, but we've got the situation under control."

However, Under Secretary of the Treasury James Reed, who recently toured Long Island Coast Guard installations, disagreed. He said: "There is no question that we are undermanned and underequipped throughout the Nation, on Long Island as well. We are doing all we can to improve the situation." He said he was "bitterly disappointed that officers I spoke to during my Long Island visit didn't point out the deficiencies to me. That's what I came to Long Island to learn."

SHORTCUTS TO TROUBLE

(By Ed Smith)

(Second of a three-part series)

A business concern that doesn't have enough men and equipment to do the job is forced to take shortcuts. That's the situation facing the Coast Guard on Long Island, but with the Coast Guard, lives sometimes are at stake.

In an area where pleasure boating has increased tremendously, the Coast Guard is hamstrung by a lack of funds to keep pace with that rise. As a result, the seven Coast Guard installations in Nassau and Suffolk have been forced to (1) take a new attitude toward what constitutes routine calls for assistance; (2) rush recruits into service before they are properly schooled in local conditions, navigation, and boat handling; (3) rely more and more on police and civilian agencies to help them; (4) cut down on some services, and (5) work long weekly schedules to try to keep pace with the workload.

While some 3d District Coast Guard officials argue that there is no undermanning or any attendant problems, station personnel, including some noncommissioned officers in charge, admit that this is very decidedly the case and will get worse unless improvements are made. No one contends that the Coast Guard isn't trying to do the best possible job, but the feeling is generally expressed that the best possible job isn't possible under the circumstances.

WHAT'S A ROUTINE CALL?

A chief petty officer at one Suffolk installation said: "There was a time—before we fell behind the growth in pleasure boating—when there was no such thing as a routine call. Now, under constant pressure, particularly on weekends, we're learning to think differently. A boat that runs out of gas or a boat stuck on a sandbar now must be considered routine. If a man is stuck on a sandbar, we tell him to wait until we can get to him. If he runs out of gas, we're likely to hand him a can of gas."

At another Coast Guard installation, a boatswain said: "About 60 percent of the cases we get are sandbar cases. Any one of them can become an immediate emergency at any time."

A case of a seemingly routine incident turning into an emergency occurred last summer when a newly launched yacht ran out of gas in a rolling, pitching sea about 2 miles off Hampton Bays. In response to a call for help, a Coast Guard picket boat pulled alongside the helpless vessel and handed the owner a 10-gallon drum of gas. The Coast Guardsmen then headed for another routine call. A few minutes later, the yacht owner, forced to pour gas under adverse conditions, spilled some of the fuel over the engine. When he started the motor there was an explosion and the yacht sank. A passing boat rescued the man. The Coast Guardsmen later conceded it would have been better to tow the vessel to port—if there had been time.

A chief at a nearby Coast Guard installation commented: "During peak boating seasons we have to work as many as 80 and 90 hours a week to keep pace. We have to take short cuts where it appears possible to do so.

In a 1961 incident, a $75,000 yacht belonging to Federal Court Judge Harold R. Medina was rammed by a speedboat while at anchor at the rear of the judge's summer home in Westhampton. When the ramming was reported by the speedboat operator, the Coast Guardsmen asked if there was any injury or really serious property damage. The speedboat owner said no. So the Coast Guard did not go to the scene. The next morning Medina's boat was under 10 feet of water.

But the main consequence of undermanning is the need of the Coast Guard installations to press raw recruits or nonrated men with little boat-handling or navigational skill into service. At one key installation in Nassau, a Coast Guardsmen confided: "The officers will probably tell you that only rated men and those with complete boat-handling ability take the boats out, but it only takes a quick look at the on-station personnel lists to know that's impossible. We have four boat handlers here and it's a busy station. Everyone gets a crack at it."

Wilbur M. Rabinowitz of Freeport, past commander and public relations man for the South Shore unit of the Third District Power Squadron, said: "It's common knowledge throughout Long Island that the young fellows that are sent out with these big boats are often woefully lacking in navigation, chart-reading and general boat-handling ability as well as lacking in the knowledge of local waters, channel conditions, buoy locations, and so forth. They are cooperative and polite and probably would make fine boat handlers—if the service only had the time to train them. You certainly can't train them if you have to press them into service right away."

COULDN'T FIND THE POINT

A power squadron commander told of an episode he said pointed up the lack of training. He was leading his unit through Moriches Inlet 2 years ago when one of the squadron's boats broke down. He said he requested assistance and was asked for location. "I told the Coast Guardsman the buoy number and he said he didn't know where it was. When I told him the buoy's position in relation to Tuthill's Point, he admitted he didn't know where Tuthill's Point was. I was almost embarrassed having to tell him that Tuthill's Point was within spitting distance of the Coast Guard station," the commander related.

The most dramatic instance of problems arising from undertraining occurred in January 1956. Two boys drowned off Fire Island Pines when a boat operated by the youths ran aground. The parents charged the Coast Guard with neglect. In a subsequent hearing, the boat handlers of the Coast Guard cutter that answered the call for help from the parents admitted they took the long way around to the scene because it was foggy and they couldn't navigate in fog. They said they didn't know enough about navigation.

And with regard to equipment, marine divisions and power squadrons said the Coast Guard not only has fewer boats than the service needs to do the job on Long Island, but it is handicapped by a lack of the proper type of boats as well. One marine division officer said: "The type of boats the Coast Guard is using are generally too slow, break down frequently, and in many cases are not maneuverable enough." At one Nassau Coast Guard installation, a boatswain said, "we have three boats and two of them give us a lot of trouble with breakdowns." He said the two troublesome boats are 20 years old.

Heavy reliance must be placed on the Nassau and Suffolk police marine divisions, but officers of these units point out that they just aren't big enough to handle the job. A Nassau marine division officer, who maintained—as did Suffolk marine division brass—that his men were much better trained than the Coast Guard, said: "The Coast Guard is either going to have to abandon the idea of patrolling the bays and inland waters and just concentrate on the big ocean jobs; or else beef themselves up to handle the situation."

ADDRESS BY ROBERT C. PIERPOINT ON CIVIL RIGHTS AND THE RADICAL RIGHT

Mr. KEATING. Mr. President, when a man returns to address the student body of the school in which he began his adult intellectual development, he feels, I believe, a special obligation to be scrupulously honest and sincere as he speaks of the things with which he is most deeply concerned. Not long ago Robert Pierpoint, CBS White House correspondent, was asked to deliver the graduation address at his alma mater, Redlands University in California. As subject for his address, Mr. Pierpoint chose topics with which not only he, as an individual, is concerned but with which the entire Nation is deeply involved at this moment.

He spoke first of the crisis we face as more and more of our citizens are taken up by "the rising tide of expectations" initiated by those who have long been denied the rights and privileges of American citizenship.

Although in the Congress we are primarily concerned with the legal aspects of insuring those rights and privileges, Mr. Pierpoint eloquently urges us to fulfill the obligations we bear as believers in moral, religious, and constitutional principles. Mr. Pierpoint's moving words express the sense of moral indignation anyone must feel who objectively views the causes of the racial tension and unrest in our Nation today.

In this same address Mr. Pierpoint also discusses the threat to the principles of freedom posed by groups on the extreme right. He points out the danger in branding all those who disagree with the radical right as "dupes of the Communists" and describes the tactics which these organizations use to intimidate opponents of their programs.

Mr. Pierpoint singled out the distinguished Senator from California [Mr. KUCHEL] for praise he well deserves for alerting the Nation to the extent and nature of the fright campaigns directed by such groups—campaigns which plant seeds of mistrust, hate, and fear.

Senator KUCHEL has done much to bring such groups under public scrutiny and to demonstrate that they are simply self-appointed superpatriots, overwhelmed by the complex problems of our time, looking for easy answers and ready scapegoats.

Mr. President, I know that Mr. Pierpoint's remarks will be of interest to many Members and ask unanimous consent that they be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

CIVIL RIGHTS, THE JOHN BIRCH SOCIETY, AND THE CHRISTIAN COLLEGE

(By Robert C. Pierpoint)

This is a privilege and an honor for me, and I thank you for it. But perhaps in some ways I am even more grateful for the opportunity this occasion presents. I work in a profession where public speech is a way of life. Yet it is a frustrating way of life for those like myself who have strong opinions and would like to express them in public. It is not normally my job to broadcast even a close approximation to my own personal judgments, my own admittedly strong views on the day's news developments. This is not necessarily a complaint against the networks or the Columbia Broadcasting System which employs me. The owners of CBS long since ruled that news correspondents are to separate their beliefs from the facts, to broadcast the facts and the background to those facts, and to avoid personal opinion—editorializing, if you will. Within the industry there is continual heated discussion among those who favor allowing editorial opinion to be broadcast versus those who advocate dedication to that rather elusive goal of objectivity. But that is another topic, perhaps better discussed on other occasions.

All of which reminds me of an incident in the recent life of the White House correspondents corps—an intrepid band of about 20 reporters who follow the President from one end of the earth to the other, or at least from Palm Beach to Santa Monica. Early one muggy morning in Washington the press bus was speeding a group of White House correspondents from the jet landing field at Andrews Air Force Base back to the White House. It was at the end of a 3-day trip to California, and after enjoying Palm Springs all day and then flying all night, most of us were sleepy, rumpled, and downright grumpy. But one of my colleagues in the radio-television industry was quite elated over the number of times he had been on the air during what was actually a rather routine trip. For some minutes he had been sounding off loudly about just how many radio and television broadcasts he had done during each phase of the trip, while the underpaid and overworked newspaper reporters with him in the bus listened with a mixture of envy and disgust. Parenthetically I might point out here that broadcast reporters are considered overpaid and underworked by the rest of the profession. Finally one of the tired, bored and disgusted reporters turned and glared at the happy talker and said bluntly, "OK, so you did a lot of broadcasts during this trip. But did you really say anything?"

I've done a lot of broadcasts since I left this campus 16 years ago. Tonight I hope to say something.

Today the American people face a deep crisis in the field of race relations. It is a crisis completely of our own making. It is a crisis in which we are being forced to live up to principles which we have all thought and claimed we believed in—religious principles, moral principles, constitutional principles. In the past we have faced crises from abroad—threats to our national security and to what we like to call our way of life and so far in every case we have met the threat and mastered the enemy I believe that we will win today's battle—the battle for national integrity—even though it is mainly a struggle within ourselves and against ourselves. We are now entering a period comparable in many ways to the Civil War; we are, in fact, now living through the final phases of that war just a hundred years after it was fought.

The Negroes were freed in 1863 but by 1963 they had still not achieved equality—either legally or socially. They have waited far too long and now they are making their move. There will be great cost to this move whether they succeed or not. The cost will be measured mainly in human emotions. But it may also be measured in blood. We face a complete social revolution, and unless we are able to move with it and guide it, we do not deserve to survive it.

From the time the first Negro slaves were brought to this country, we Americans have been afflicted by a terrible disease. It has spread like a cancer, through and around our moral fibers, deadening and killing them. Two thousand years of development of western civilization, based on the great Judeo-Christian philosophy, produced more good for more people under more freedom in America than anywhere else in the world. But slavery and its heritage of racial prejudice blocked off a part of our mental development, hardened us to racial discrimination, allowed us to rationalize attitudes and conducts that are simply wrong by any honest moral standards.

I am happy to agree with you who are thinking that this is primarily a problem in the South. But let's not kid ourselves, it is not a problem confined to the South. By now anyone who keeps up with the news, realizes that Negroes are determined to end discrimination in the North and West as well as the South, particularly more subtle discrimination in such areas as housing and jobs and social relations. Progress will be uneven, perhaps sometimes painful—but it is vital and right. Let me give a specific illustration of how progress may in the beginning cost pride—having to admit wrong—and perhaps also cost money. Back in those dear dead days when I was an undergraduate on this campus, the university owned a large area of land out near the Redlands Golf Course. It was decided by the university officials that this land should be subdivided and developed with housing tracts to make some much-needed money for the college. A short while later a storm broke out on campus, led by the growling bulldog, when it was discovered by some of the students that the housing contracts drawn up by the university contained racial restrictions. Many students were shocked and discouraged that a Christian university would condone this obviously un-Christian conduct. On the other hand the businessmen of the board were surprised to hear that students considered a normal business community practice unforgiveably immoral. After a series of discussions between students and university officials, the restrictive clauses were dropped, albeit, I'm afraid, somewhat reluctantly. After all, both pride and profit were involved. Actually I do not know to this day whether the university lost money because it dropped the racial restrictions. I do not consider this important. The point is that a Christian college had taken a moral step forward, and I doubt whether any officials connected with the university today would have it any other way. No one involved in this incident believed they were acting with malice, or thought they were doing anything wrong. They had simply followed normal business practices, and in so doing, put economic values above moral ones. Today many people in this community, State, and Nation are likewise going to have to put their moral values first. Personally, I am convinced that the time will come when Americans do not refuse other Americans a house or a job or an entree to a social group because of the color of their skin or the shape of their eyes. That time has already come in one State, Hawaii, where, as a matter of fact, the President is flying tonight. The reason that President Kennedy is going to Hawaii to speak to the annual Mayors' conference is, of course, to plead with them to help bring about complete integration in their cities and towns, before it is forced on them by Negro violence and Federal troops. It is no accident that the President has chosen to speak on this subject in Hawaii, where racial integration has produced some of the world's handsomest people living in the happiest cultural harmony.

But reasoned talk and fine speeches have not brought about equal opportunity for the Negroes at a pace fast enough to suit the situation. So, as you know, President Kennedy will this next week send Congress a request for more civil rights laws. They will be aimed at speeding up integration in schools, restaurants, hotels, theaters, and stores. These laws, unfortunately, are needed. But they will be bitterly opposed by men of both parties who put their economic interests above their moral values, or whose moral values have long since been buried under the tortuous logic of segregation. Happily there will be men of both parties who will support the President's requests—perhaps some with doubt that he has gone too far—or not far enough. But they will support this drive for equal rights through more legislation because it seems the only way out of our dilemma. I hope those of you here who enjoy the special privileges and responsibilities of a good education in a Christian college, and a good life in an affluent society, will also support the President in this crisis.

But perhaps I have lost touch with Redlands and California. Perhaps you completely agree with all I have said, and are already fully supporting integration in your communities, churches, country clubs. Perhaps there is no integration problem in California. Let me then turn to a problem that does exist in California—in fact that has stigmatized this State as one where a strange political cancer has taken root, is growing and flourishing. I speak now of the puzzling, evil influence of the John Birch Society, and those who support or condone it or similar movements. I do not pretend to understand why California has become one of the centers of the rightwing radical movement. I suppose the old cliche about all kinds of strange creatures flourishing in this wonderful climate is as good an explanation as any. But it certainly is no excuse. The Birchites and their practices are antithetical to our society and our political system. Birch Society leaders practice their political arts in private—secrecy and fear and intimidation are their weapons. Their objectives are obscure, as they play upon the ignorant emotions of misguided men and women.

Through mysterious midnight phone calls, anonymous threats, outrageous lies, they are trying to scare the Nation into courses of action that are neither wise nor decent. This Nation was not built on secret societies. Its political system cannot function by whispering campaigns, clandestine economic boycotts, public demagoguery. The John Birch Society seeks to brand those who disagree with it as pro-Communists, Communist dupes, or Communist agents. It has so branded some of our greatest leaders of both political parties, including Dwight Eisenhower and John Kennedy. It attempts to confuse people on the important issues of the day by oversimplifying every problem and emotionalizing every approach. In the eyes of the radical right, if you are not for immediate invasion of Cuba, you cannot be a red-blooded American and must therefore be a Communist dupe. If you are in favor of a medical-care program for the aging under social security, you must be a Socialist, and this is surely the same as being a Communist. If you are for fluoridation of water, you must be a subversive. If you support an unbalanced budget this year, then you really want to undermine the Nation and turn us over to the Communists next year. Supreme Court Justice Earl Warren ought to be impeached, say the strange dogmas of the Birchites, because we disagree with his interpretations of the law—and because he has insisted that the Constitution should be upheld. And by impeaching the Chief Justice, we shall prove our loyalty to the Constitution.

Almost as strange as this peculiar logic of the Birchites is that of those who condone this dangerous nonsense on the grounds that it is at least anti-Communist. By those standards Hitler and Mussolini could be condoned. Thank goodness that faulty logic did not guide our country during the Second World War. There are many dangers to a complex society such as ours, and communism is certainly one of them. But another is the negative fear-philosophy of the Birchites and their bretheren.

Just one of the serious side effects of this movement is that it has begun to cut into the ranks of the loyal opposition of this country—and specifically of this State. No democratic system can function without a loyal opposition—we need the political dialog—the give and take of political argument, with the various sides of an issue heard out in public. But the fanatics of the right have made it increasingly difficult for responsible Republicans. To these people, if you are not for them, you are unpatriotic—and some members of the Republican Party are now finding it frankly not worth the effort to stand up and fight the power and money and insidious tactics of the radical right. It would be a tragedy if these fanatics ever took over the leadership of either major party in this State or Nation.

At the risk of repetition, I would like to read some of the words of your own widely respected Republican Senator, Thomas Kuchel, in a speech he recently gave to the U.S. Senate: In that speech the Senator cited hundreds of letters weekly from the John Birch Society and similar outfits, which he termed "I am a better American than you are" organizations came from such communities as Los Angeles, Beverly Hills, Hermosa Beach, Ontario, San Jose, and even Berkeley. Much of the mail, which he called fright mail reported such remarkable happenings as that a U.N. Army, complete with Negro cannibals, was training in Georgia and would soon supplant the U.S. Military Establishment, and that thousands of Chinese troops were poised in Mexico ready to invade the United States. When Kuchel denied such ridiculous charges, he was accused of treason. Said Kuchel, it is incredible that so many Americans have been so cruelly swindled, and allowed themselves to be so deceitfully duped. Added Senator Kuchel, and here I quote, "It is disgusting to find self-appointed saviors, whether infantile or cunning, preying profitably and psychotically on the fears of Americans in the name of anticommunism. Indeed the ugly labors they perform are a service to the Kremlin itself. They seek to divide and too often succeed in dividing our people far better than any Communist agents could do. Day in and day out every Senator and every government official I know works long hard hours devoted to one primary mission: to protect and promote the security, welfare and best interests of one country and one country alone—the United States of America—a country all of us unashamedly revere.

"Do these people really believe that a gigantic and unprecedented conspiracy has occurred in America, in which the President and his cabinet, 99 percent of the Congress, 99 percent of the Nation's journalists, and even the U.S. Army have all taken part to sell out our country? If they do, the only reasonable reply I can give to them which they will understand is the honorable 100 percent red, white, and blue expression, 'nuts!' "

I can only add to what Senator Kuchel has said, some of my own sad experience. In recent years as a broadcaster I have received more vitriolic hate-mail from the radical right in California than from any other State. (And I don't mean hate-Pierpoint mail—because most of it is in pamphlet form, warning me of the terrible things that terrible leaders are doing that I don't seem to have been aware of as a reporter.) There are, in fact, a surprising number of people in this State who tacitly or otherwise support the spewing out of hate-literature and racist propaganda. I have been sickened by the anti-Negro and anti-Semitic mail sent me from some of your communities. I have been almost equally worried by the failure of the good people of this State to halt what is happening here. Some of your more important offices and organizations are now being taken over by rightists—men and women who—if they are not outright advocates of the hate and fear techniques—at least condone others who are. I do not believe that the Birch Society, its sponsors, or its supporters can be condoned by anyone who believes in Christianity or democracy. If civilized man has made any progress in these last 2,000 years, he has made it through his mastery of hate and fear and ignorance. Progress has come with the realization that man must learn to respect and love his neighbor, and must work intelligently with his neighbor for the good of the community. This is what I believe the University of Redlands and the American democratic system both stand for.

UNIVERSITY OF ROCHESTER MAKES SOLID CONTRIBUTION TO ANGLO-AMERICAN UNDERSTANDING

Mr. KEATING. Mr. President, literally thousands of selfless, dedicated Americans are devoting long hours to the unheralded task of building international good will through person-to-person contacts. I am firmly convinced that at this level, where people can come to understand that natives of other lands share their same hopes and aspirations for peace and friendship, strong ties leading toward world security and stability can be formed.

For a number of years my alma mater, the University of Rochester, has carried out a program of cooperation with the University of Hull in Great Britain. Through exchanges of various kinds and other joint ventures, these two outstanding institutions of higher learning have helped to strengthen the bonds of friendship between these two English-speaking giants.

This summer an experimental program, combining study and travel in the United States by about 100 English men and women, was carried out under the auspices of the University of Rochester. A recent article in the New York Times underscores the smashing success of this project.

I know from my conversations with people informed about this Anglo-American effort that much time and effort went into its execution. I am confident, based on the reports that have reached me, that the rewards in terms of increased understanding and friendship will make all that hard work well worth it.

It is with great pride that I salute the officials and just plain men in the street who help make this "short course in Americana" such a success. It is my hope that this experiment will blossom into a permanent means for bringing together the people of the United States and Great Britain.

So that a wider audience will know more about this program and perhaps others will be stimulated to emulate it, I ask unanimous consent that the article from the New York Times of July 28 be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Short Course in Americana

(By Robert Dunphy)

Rochester, N.Y.—Transported with delight and happy as children fresh out of school, some 100 English men and women left here for New York City and home last Friday after having had the time of their lives at the University of Rochester. For the last 2 weeks, they had attended a combined Anglo-American summer school and sightseeing seminar in and around New York's scenic Finger Lakes country.

One of the first experiments on such a scale to be conducted in this country, the Englishmen's visit stemmed from a longstanding cooperation between the University of Rochester and the University of Hull in Britain. Aside from the educational rewards, it gave the 108 Britons, most of whom could not normally afford a trip of this kind to the United States, an opportunity to fulfill a lifelong dream of seeing America at firsthand and meeting her people.

Compulsive students and compulsive travelers as well, the Britons ranged in age from 15 to almost 70, and came from just about all walks of life in all parts of England. They qualified for the University of Hull charter flight as active participants in adult-education programs conducted throughout their country.

OLD HOLIDAY HANDS

A diversified group composed of businessmen, teachers, salesmen, nurses, retired civil servants, and housewives, the English visitors proved to be old hands at summer-session holidaying. Many had spent past vacations at Anglo-Scandinavian summer schools in Denmark and Sweden, and some had attended similar travel-study seminars conducted in Germany and France.

A good many had signed up for the trip to the United States through their affiliation with the Workers Education Association, the biggest adult-education movement in England. The organization, supported by the universities and local municipalities, had about 250,000 members attending evening classes at university level throughout England last year.

One hardy veteran of the summer-session circuit, Miss Gladys Farnell, of London, said that the University of Rochester program was better than any she had ever attended abroad. She observed: "The generosity on the part of the university is absolutely unsurpassed; the food is splendid; the program is very varied, and the young people on the campus are absolutely charming."

The English visitors, to a man and woman, were enthralled with America, and their enthusiasm was nowhere better expressed than by a charming, elderly Yorkshire woman, Mrs. Eric Harrison. She was traveling with her husband, a retired teacher who still works 5 days a week because of the terrific teacher shortage in England.

NEVER THE SAME

"I don't think I shall ever be the same again after visiting America," Mrs. Harrison said. "Everything is so vast here that it is quite surprising to find, when evening comes, that your moon is no bigger than ours. We plan to write our grandchildren a story about our trip and have decided to call it 'Harrisons in Wonderland.'"

Out of the total £100, or $280, that English visitors spent for the complete trip to the United States, only $45 a week went for their 2-week stay at the university here. This amount covered lodging and meals in the university's modern dormitories, as well as all lectures, tours, concerts, and other entertainment. All of them paid about £3 extra for a night in New York City en route home.

In addition to attending lectures on the university's beautiful campus, overlooking the Genesee River, the Britons visited with Americans in their homes here and were permitted to experience life in a typical American city while residing at a typical American university. Pointing up the success of the venture, those Americans on campus and off who met the British said they were delighted to greet the visitors.

As part of their sightseeing program, the English toured the nearby Finger Lakes area, visited Niagara for a night view of the falls, picnicked in scenic Letchworth State Park and on the shores of Lake Ontario, visited Kodak Park and the Corning Glass Center and laughed through a showing of a wonderful old Harold Lloyd movie, "The Freshman." The movie was shown in George Eastman House, here in Rochester.

Besides all this, the British visitors still found time to satisfy, with at least limited success, a deep-seated longing harbored by many foreign visitors to the United States—to find a souvenir typical of America and to come face to face with an American Indian.

Strangely enough, they came upon reasonable facsimiles of both while probing deep into the Finger Lakes country on a bus trip that took them over miles of old Indian trails long since macadamized. At a point just opposite the Elmira Airport, the Thunderbird Indian village was spotted, and the British swarmed over the souvenir counter like Iroquois on a raid.

After a demonstration of Indian dances by the college-educated braves of the village, who made up in terpsichorean skill whatever they might lack in pure Indian heritage, the British proceeded to the rear of the village to inspect the tepees. One housed, as its sole piece of equipment, a shiny, new softdrink vending machine.

Laden down with trinkets and beads, the pale-faced Britons left the village all aglow, chock-full of Indian lore and confident that they had been accorded a brand of Indian hospitality that their ancestors would never have believed possible.

The two men chiefly responsible for the Britons' visit to the United States were Dean Arthur Assum, director of the summer session at the University of Rochester, and W. E. Styler, director of adult education at the University of Hull. Both hope to repeat the program next year, perhaps eventually making it a two-way operation.

LAST-MINUTE CHANGE

"This venture could reach the stage where we might transport as many as 300 or 400 people to the United States each summer," said Mr. Styler, a calm, pipe-smoking educator who chooses his words carefully. "We originally planned to bring 99 on this trip, but went up to 108 at the last minute when our plane was changed. We got the 9 extra on 4-days' notice, but had to turn 100 more away.

"The visit couldn't have come off without the cooperation of the two universities. It was designed for people with a limited amount of time and money, and it gives them an excellent opportunity to meet people from all parts of America. This institution causes people to mix much more than an isolated party of tourists moving around on its own. We're rubbing shoulders with Americans all the time here."

Dean Assum said he had been in correspondence with Mr. Styler for about a year, working out the details. For the last 6 months, he added, he has "practically been carrying a tin cup to gain support for the program."

From the start, Dean Assum said, "the aim has been to do something to help clear up misconception in the minds of people abroad about the United States. And, judging from this visit, we feel sure today that at least 108 people have a better understanding of America and Americans."

In arranging for the British to visit homes of American families in this area, Dean Assum said he had contacted the Rochester Junior Chamber of Commerce and received dinner invitations for 60 of the Englishmen. The invitations came from doctors, lawyers, and businessmen in the city. He personally placed the 48 others by telephoning friends.

The home visits were, by far, the most popular of all the activities planned for the Britons, but many expressed surprise at finding Americans so warm and hospitable. The on-campus contacts with young American students attending summer sessions also were ranked high by the British as contributing to their new knowledge of the United States.

Academically, of course, the Britons' visit centered on the lectures, and they attended sessions on subjects such as western New York history, American Government, British and American English, the American economy, the geography of the United States, American music and, again, the American Indian.

Among the liveliest lectures, most agreed, was that on American music; it was delivered by Henry Cowell, the composer. After regaling his audience with personal reminiscences about George Gershwin, whom he taught in the 1920's, the composer played recorded excerpts from the works of Aaron Copland, Howard Hanson, and Charles Ives, among others.

Turning to the piano to play some of his own works, Mr. Cowell found the instrument padlocked. Not to be put off, however, the 66-year-old composer strode to the rear of the grand piano, lifted the top of the instrument, leaned inside and twanged out one of his compositions, "The Banshee," on the strings.

ON JAZZ IN ENGLAND

Jim Begley, a young pharmacist from York, was among the Britons who objected to Mr. Cowell's deprecating remarks on jazz.

"We like jazz in England, and I didn't at all agree with Mr. Cowell's views that the music of Gershwin won't last," he said. "But I did enjoy his lecture the best of all. He's a great showman."

Miss Doris Pearson, a teacher from Hull, said she thought the lecture on geography did more to open her eyes on the vastness of America than anything she had ever read.

She observed: "I had no idea that the United States was such a big country. As a matter of fact, before I heard the lecture, I thought I might be able to squeeze in a 1-day bus trip to the Rockies while in Rochester."

Many of the visitors did take side trips on their own while in Rochester, some going as far afield as Washington and Montreal. On the first weekend at the university, 16 of the group took off to visit friends and relatives or to do some free-lance sightseeing.

Miss Freda Schulz, a baking instructor in Manchester, hired a car for a day's outing in Letchworth State Park.

"I've been seeing Americans driving hired cars in England for years, so I decided that's what I wanted to do here," she said.

Alan Cottam, another teacher from Manchester, said that he believed the Rochester visit gave the British more of an opportunity to observe American life up close than the average tourist could get on his own in any big city.

"I've really fallen in love with America," Mr. Cottam continued. "The people are so friendly that we have found that we're on a first-name basis after a day. That would never happen in England."

The oldest member of the group, J. H. Collins, 69, of Great Missenden, Buckinghamshire, said he wanted to come to the United States to see the American way of life outside the films. "You get a much better impression at firsthand," he added.

The British ran into some vile weather on their visit to Rochester, but, being inured to cloudy skies at home, they took this all in stride. Nowhere was the stiff-upper-lip attitude shown to better advantage than when an outing to the Finger Lakes was washed out by torrential rains.

Parked appropriately enough on Water Street in Hammondsport, N.Y., beside Keuka Lake, the British sat inside the bus and cheerfully ate their picnic lunches while a Wagnerian storm, accompanied by violent thunder and lightning, raged outside.

But, bad weather notwithstanding, the English visitors, chin up, sang all the way home. They were led in a seemingly endless variety of songs and ballads by the Rev. Peter Cook, 31-year-old choirmaster from Holy Trinty Church in Hull, the largest parish church in England.

On campus, the British visitors mixed freely with the students. The latter included not only Americans, but also close to 100 foreign students from countries around the world who were attending summer sessions at Rochester. Two of the younger English girls, Grace Telling, 15, and Margaret Ollerenshaw, 20, even had American co-eds as roommates while here.

ADHESIVE PATCHES

Several of the group who joined the tour on last-minute notice still wore adhesive patches over their fresh vaccinations. Among these were Margaret Wood, a librarian at the University of Hull, and Mary Williams, a secretary in a Hull department store.

"A few days before the flight was scheduled to leave, my boss walked into the office and said, 'Do you want to go to America? Answer yes or no now'." Miss Williams recalled. "Without a moment's thought, I answered yes, and here I am."

On campus and off, the British visitors were kept hopping.

Their schedule included, besides the lectures and tours, visits to an American supermarket, attendance at a baseball game, a square dance and a concert by performers from the Eastman School of Music. They also took in a performance of "The Boys From Syracuse" at the Rochester Summer Theater.

The only sadness that befell the group occurred when Jean Taylor, a young teacher from Market Rasen in Lincolnshire, came down with chicken pox 3 days after arriving in the United States.

URBAN PLANNING ASSISTANCE GRANTS

Mr. KEATING. Mr. President, the Housing and Home Finance Agency has announced Federal grant awards under the urban planning assistance program totaling $980,600 to the States of New York, New Jersey, and Connecticut for comprehensive interstate planning, especially transportation planning.

Although nominally the grants are going to the commerce and development departments of the three State governments, by agreement, studies under this grant program will be conducted by the tristate transportation committee. This committee, appointed by the Governors of the States, has been doing an outstanding job in transportation analysis and planning, and before long I am certain it will, with the consent of Congress, blossom into a full-fledged interstate compact agency. Right now, the three State legislatures are acting on the proposed compact.

I am gratified by the award. The Housing and Home Finance Agency, and its Urban Renewal Administration, have shown great understanding of the critical need for interstate coordination in this tristate area, and appreciation for the important national interest and stake in healthy and sound development of this megalopolitan center of industry, commerce, and finance. I have seen some of the work product of the tristate committee. It has been undertaking an inventory of mass transit facilities and equipment in the tristate region, as well as a transportation census analyzing the immense actual and potential traffic flows by every mode of transport in and out of the metropolitan New York complex. It is sound work. It is aimed at finding out—and this grant will enable it to progress to completion—where we now are with our mass transit stock in this area, what we will need to coordinate the existing stock to the best and most efficient use, what we will have to add to it in the years to come, and how best to implement concrete recommendations for keeping pace with increased transit demand growing out of population growth and dispersion throughout the entire area.

This is a Federal-State cooperation at a high level of performance. The States and localities involved are footing one-third of the bill. It is they who have taken the initiative to get these study programs underway. And it is the States that have staffed the tristate committee with transportation and financial experts. At the same time, representatives from Federal agencies have joined the tristate committee as advisers and consultants. Now, with the Federal grant announced yesterday, this project in cooperative federalism will be operating under a full head of steam.

JEWISH WAR VETERANS

Mr. KEATING. Mr. President, this week Washington is host to the greatest national convention ever held by the Jewish War Veterans of the United States of America. I understand that over 2,000 delegates from over 700 posts will visit the Capital for this historic event.

As a tribute and in an effort to render assistance to this outstanding organization, I recently introduced a bill to incorporate the Jewish War Veterans of America. I sincerely hope that this measure will receive swift and favorable action by the Senate, as a meaningful recognition of a group which has over the years provided vital leadership in presenting the views of a large segment of the American Jewish community to all segments of the American people.

During the past decade the JWV legislative program has been in the forefront of the never-ending struggle for the preservation and emphasis of American democracy and our American heritage. Originally, the JWV was centered in the large metropolitan areas along the east coast of the United States. Today, however, the organization spans the continent, from Atlantic to Pacific, with posts in more than 100 communities of all sizes. Its veteran service program is based upon the time honored concept of insuring to the sick and wounded veterans of past wars, and their loved ones, treatment to which they are entitled through their sacrifice in behalf of our country.

I can think of no more appropriate city to host this important and memorable convention than our Nation's Capital, and I am certain that civic leaders and Government officials will join together to hail this convention, and to pay tribute to the oldest active war veterans group in America.

WATER RESOURCE DEVELOPMENT

Mr. ELLENDER. Mr. President, during the first week of June 1963, the National Rivers and Harbors Congress held its 50th national convention in Washington, D.C. On June 7, the Honorable Elmer B. Staats, Deputy Director of the Bureau of the Budget, made an informal address at the golden anniversary convention of that association at the Mayflower Hotel. I believe that portions of the informal remarks of Mr. Staats will be of interest to all those engaged in any way in the program of water resource development; so, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

REMARKS BY HON. ELMER B. STAATS

Thank you, Mr. President. It's always a great pleasure for me to have the opportunity to meet with this group and various representatives of this group. I've come to know a good many of you over the years and hopefully, through that process, to have a chance to realize the interests and the pressures and the inclinations which you gentlemen have. You are concerned with this very vital and important subject. It's been said that the only way a budget official can stand up is because he has so many pressures from all sides. Sometimes I'm inclined to think that there's truth in that observation.

Perhaps, the best I can do today to make a contribution is to highlight some of the overall problems and considerations which we face and which the President faces in dealing with the budget for this area and for other areas of the budget. I don't need to tell you people of the very tough budget issue before the country because, coming from various parts of the country, you see this and feel this probably even more intensely than we do. We have had several sizable budget deficits. In 1961, we had nearly $4 billion; and in 1962 about $6½ billion dollars. The estimate of deficit for 1963, the current year, will be somewhere in the neighborhood of $8 billion and for the next year we have estimated a deficit of about $12 billion. So you see that these are not only sizable deficits, but also of increasing size. These will represent cumulatively about $30 billion net addition to our national debt in a period of 4 years.

It was from this setting and this background, together with the failure of our economy to move forward as rapidly as it should to absorb the unemployed and to achieve the increase in growth that it should, that the President recommended last year—in spite of the deficit situation—a tax reduction. Many people have said, "Well, what kind of nonsense does it make to reduce taxes at the same time that we have such a sizable deficit." It makes a great deal of sense from the point of view of stimulating the economy to a level which will maximize the revenues received by the Treasury. If we had had full employment during this period, full employment being defined as having unemployment of not in excess of 4 percent, as against the current rate of around 5.7 percent (5.9 percent as announced yesterday), we would have had a balanced budget all through this period, a period during which we accumulated $30 billion of additional debt.

Now, it's expected that this tax bill will go through sometime this year. The details of it obviously cannot be determined as yet. It's still a matter before the House Ways and Means Committee, but we are expecting that there will be a general tax reduction of the order of magnitude proposed by the President. This means that we face next year a transitional deficit. I use the word "transitional" because the expectation is that over a period of 2 or 3 years the stimulus to the economy, growing out of the tax reduction, together with other measures that the administration has taken, will be sufficient to stimulate the economy so as to achieve a balanced budget. This means, however, that we are going to be faced with very tough budget decisions over the next 2 or 3 years.

It's been well pointed out that the size of the budget, if space, national defense, and interest are excluded, has remained about stable the past year—from 1963 to 1964. Now there are many plusses and minuses in this picture and we're facing many pressures on the plus side. I would be less than honest if I didn't tell you that we're going to be faced with even tougher budget decisions for next year, but I do not wish to imply by this that there will be a turn-around in what we have been doing in the field of water resources. Now if you go back to the period from 1954 to 1964—take that 10-year period—water resources development expenditures have increased by more than 50 percent—somewhere between 50 and 60 percent in that 10-year period. If you go back to 1956, which was the low point in the Eisenhower administration for water resources expenditures, the figure was $650 million. For 1964, the figure is over $1.4 billion or more than double for this period. The budget as a whole during this period has increased less than 50 percent. From 1956 to 1964, while water resources development expenditures were increasing by double, the budget as a whole was increasing less than 50 percent and that in a period when space and defense were increasing very, very sharply.

Now the Senate Select Committee Report on Water Resources, which I'm sure most of you have read or at least read about, estimated a requirement by 1980 of some $12 billion for water storage facilities. This is their estimate exclusive of sewage treatment works and other water pollution control measures. I believe it is fair to say that with the current rate of development in the field that this goal will be met. The Corps of Engineers budget, for example, in 1962, on an expenditure basis, was $947 million. In 1964, the budget that's before Congress will provide nearly one billion one hundred million for the Corps of Engineers.

In the water and land resources field as defined in the budget, the total expenditures in 1962—this was the first new budget of the Kennedy administration—were $1,564 million. In 1964, this will increase to $1,750 milion. The Corps of Engineers, the Bureau of Reclamation, and other agencies have some 43 new starts in 1964 representing a total cost for these projects of nearly $800 million. I think that if you look at these figures, you'll see they represent a very major rate of growth as well as absolute growth.

In the resources field as a whole, and in this we include, of course, fish and wildlife, forestry, basin surveys, and so forth, expenditures grew nearly 20 percent in these 2 years. A particularly noteworthy area which was referred to by Floyd Dominy here just a while ago is in the field of water research and surveys. This increased from $46.7 million in 1962 to about $77 million in 1964. I cite these figures partly by way of making concrete the point made earlier that this administration feels very strongly that the water resource field has a high priority in terms of the growing needs for water.

Now there have been many, many efforts to look ahead in this field. President Truman had a Water Resources Policy Commission headed by Morris Cooke. There has been the Senate Select Committee Report which I referred to. There have been many others. But I don't think we need to go back to these studies to point out the obvious—that a rising population and the increased urbanization and industrialization of this country will place very heavy demands upon the field of water resource development. By the end of fiscal 1964, there'll be some 10 million more people living in this country than at the time President Kennedy took office. This is simply one way of dramatizing or making concrete the point I'm making. Most estimates for population growth run around 250 million people by 1980. The needs for water are going to increase in a higher proportion than the increase in population because of the shifting from food and fiber needs largely and of power to greater need for water for industrial water supply, municipal water supply, and the higher rate of industrialization that will take place in this country.

I think we particularly need to footnote the importance of research and study and of technology in the water field—in the field of water pollution abatement, in the field of treatment of ocean and brackish waters, in the reduction in evaporation, in weather modification, in watershed management and underground storage—just to mention a few. Now, there have been many recent efforts in this field also. The Federal Council on Science and Technology, which is chaired by the President's science adviser, has had a committee representing the agencies of the Government concerned with water resources. This committee has made, I think, a very excellent start in this field. The Bureau of the Budget is reviewing the water resources research programs on an across-the-board basis instead of taking them up agency by agency. We're trying to look ahead to see what it means in terms of additional manpower, technicians and of research talent for this effort. This, I think, will be a very major contribution. The National Academy of Sciences has produced, as many of you know, a very good report in this field.

Now, to turn from the question of the rate of growth and the total growth of the budget just for a minute, I would like to highlight a few additional points. There have been issued in this administration, as you know, new standards for the evaluation of water resource projects. Budget Circular A-47, which is familiar to practically all of you and which was highly criticized, has been rescinded and several changes of great importance have been made. To mention only a few: instead of 50 years as a basis for determining economic analyses, it is now possible for agencies to use 100 years as a basis for this analysis. To mention a second one, benefits in the field of recreation were previously limited to the direct costs. It is now possible to go beyond that to include other costs as well.

In the field of cost sharing and of local contributions and of user charges—an area which is a very, very difficult one—there is now a study underway by the interested agencies, under the leadership of the Department of the Interior, which we hope will produce some helpful suggestions. In the field of cost allocation, another very difficult area, a similar study is underway. There has been a great deal of interest in the Congress in developing better standards. A resolution of the House Interior Committee only very recently has indicated that there should be developed better standards in the field of cost allocation and reimbursement for recreation and for fish and wildlife. This, I think is simply an illustration of the growing interest in the Congress in this area.

In the field of improved coordination among the agencies, you'd be interested to know we are still hopeful that something can be done with respect to legislation in this Congress which will provide satisfactory means for improving coordination both at the Federal level and at the State and local levels. And of particular importance is the fact that the bill provides for Federal grants to the States to assist them in keeping their planning efforts in tune and in time sequence with those of the Federal Government. It's too early to predict the details of this legislation, but we are hopeful that action will be taken this year.

Another thing we did last year in connection with the 1964 budget was to ask each of the agencies to coordinate their future programs in the field of planning so that we could review their planning budgets on a better basis and so that the agencies themselves will be in agreement as to the priorities among basins and priority among projects. I think that this has been useful; it's been particularly helpful to us and it appears to have been helpful to the Congress as well.

I believe, Mr. Chairman, that these are the principal points I wished to mention here today. I would like again to emphasize our desire to work closely with this organization. We realize that water resources programs are very controversial. I would like particularly to underscore the importance of our being certain that we have adequate standards to apply to project authorization and to new starts. It is vital, both to your interest as well as to ours, to have standards which will have acceptance by the Congress and the public, as a whole, for the economic justification of these projects. Without confidence in the standards which are applied, we would lose confidence in the program as a whole and then it would be much more difficult to get the kind of financial support and public support for these projects—support which I think this very important area so richly deserves. I would like to underscore again that in beginning the work on the 1965 budget, we will work closely with the Corps of Engineers, the Bureau of Reclamation, and the other agencies in an effort to relate these longer term objectives for research, power, recreation, and all other multiple uses of these projects. Such a program will facilitate our economic development. Sound economic development must always be a key aspect of what we're doing in this area.

PUBLIC NOW ALERTED TO DISUNITY AMENDMENTS—A TRIBUTE TO ARTHUR J. FREUND

Mr. DOUGLAS. Mr. President, on several occasions in the Senate, I have discussed the three aptly named "disunity amendments" which have been approved by the legislatures in a number of States. Prior to January of this year, the promoters of these amendments to the Constitution had succeeded in quietly getting favorable action by more than a dozen State legislatures on one or more of their proposals. It was fortunate for the country and for the preservation of our Federal system that Arthur J. Freund, a St. Louis attorney, became concerned about the fact that these amendments were being approved in the State legislatures with almost no public notice.

Mr. Freund, with no obligational support and simply as an interested citizen and member of the bar, began a campaign to alert the public to the dangers presented by these amendments. I think Mr. Freund's campaign was one of the major forces leading to the present increased public concern about this matter, and that he therefore deserves high commendation.

I ask unanimous consent that there be printed in the Record an article by Mr. Irving Dilliard, the Chicago's American columnist who has also lead in the effort to alert the public. This article is titled "The Vigilantes Were Asleep," and it appeared in the June 1963 issue of Focus Midwest.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Vigilantes Were Asleep

(By Irving Dilliard)

Arthur J. Freund, one of the most dedicated members of the American bar, must have mixed emotions these days. As he reads his mail in his 12th floor office, overlooking Seventh and Market Streets, St. Louis, he must be gratified to think that his vigilance and persistence woke up a nationally slumbering legal profession—lawyers and judges alike, lawschool deans as well as teachers—to the threat to our historic Federal Union posed by the three amendment resolutions being slipped quietly through one State legislature after another in a campaign of stealthy subversion of the U.S. Constitution.

But Arthur Freund must have another reaction. He must be dismayed to think how slow the bar leaders of the country were in coming out of their long sleep. He must wonder, too, whether the newspapers can be counted on to sound the alarm when danger threatens in view of how little attention relatively they paid to this subversive scheme through the early months of 1963 when it should have been stopped dead in its tracks by editorial exposure and condemnation alone.

And Mr. Freund must wonder what would have happened if he had not done what he did—if he had not devoted many hours of valuable time to writing letters and talking about these monkey-wrench proposals. He must wonder if perhaps twice as many States might not by now have acted favorably on them.

Last January, when the three resolutions to degrade the Supreme Court and Congress were introduced in Missouri and Illinois this one St. Louis attorney, who holds no public office but who takes seriously his duties as a private citizen, began to expose them for what they are. He wrote across the country to editors, to bar chiefs, to public officials, to law professors, to judges, some of very high estate.

The writer of the present article was one of the first approached by Arthur Freund and as a result he wrote last January a warning column for Chicago's American over which the headline writer correctly placed the caption: "Federal System Under Attack." It became the start of a series.

A few other papers responded to Mr. Freund's appeals but for the most part there were great blankets of silence in the press for many weeks. Time magazine, for example, did not get around to the subject until its June 7 issue by which time Chief Justice Warren and Justice Goldberg, President Kennedy and Solicitor General Cox, Senator Douglas, of Illinois, American Bar President Sylvester C. Smith, Jr., of Newark, American Bar Association President-Elect Walter E. Craig, of Phoenix, and the American Civil Liberties Union all had registered varying degrees of disapproval ranging to outright condemnation.

Mr. Craig acknowledged the Chief Justice's criticism of the legal profession for keeping quiet so long on an important public matter. Said the bar association's president for next year: "We got our tails in a crack. Even though we did act the bar was slow in acting and thus appropriately subject to criticism. Generally the bar felt that the Court of the Union and amendment proposals were so unworthy that action was not necessary."

Some of the bar leaders may have felt that way, but for the most part the proponents of the resolutions in the legislatures were lawyer members. It took the American correspondent of the Manchester Guardian (English) to write the bluntest comment. Said Alistair Cooke on the "super-Supreme Court" proposal in mid-April:

"It would, in effect, nullify or supplant the Supreme Court. As soon as this aim is generally recognized, all hell, not to be too pedantic about it, will break loose."

Missouri and Illinois are two of the States which have already made regrettable contributions to this undercover campaign to pass through the States legislatures one or more of a group of three resolutions which threaten to amend the U.S. Constitution without popular discussion or debate.

Last December 6 the 16th General Assembly of the States, meeting in Chicago, passed three resolutions concerning constitutional changes and this obligated their members to introduce the resolutions in their State legislatures. For purposes of identification we will designate the resolutions No. 1, No. 2 and No. 3, tell the vote by which each was approved by the Assembly of States and summarize what each would do.

No. 1 (Approved 37 to 4 with 4 abstentions.) To change article V of the U.S. Constitution so as to make obligatory the submission for ratification of amendments sponsored by two-thirds of the State legislatures, without action by Congress or by a National Convention.

No. 2 (Approved 26 to 10 with 10 abstentions.) To eliminate Federal judicial authority over the apportionment of districts for representation in State legislatures.

No. 3 (Approved 21 to 20 with 5 abstentions.) To establish a so-called Court of the Union" with authority to review and reverse decisions of the U.S. Supreme Court. This "Court of the Union" would consist of the Chief Justices of the 50 States. Cases would go before this new super-Supreme Court upon the demand of the legislatures of five States" to review "any judgment of the Supreme Court relating to the rights reserved to the States or to the people."

These resolutions were recommended to the States for a program of "coordinated action to protect the position of the States." Nothing was said by the proponents about the basic threat to our Federal system which No. 1 in particular poses. No. 2 was designed to round up the support of State legislators who are fearful that they will be redistricted out of their seats because of population changes. They resent the Supreme Court's constructive decision in *Baker* v. *Carr*, the 1962 Tennessee redistricting case, and hope to block any further judicial action in this field.

No. 3 is a continuation of the Southern segregationists' war on the Supreme Court because of the unanimous decision in *Brown* v. *Board of Education*, which 9 years ago outlawed racial discrimination in public schools. It has not fared so well as No. 1 and No. 2 in the legislatures.

Missouri not only passed No. 1 and No. 2, but did the astonishing thing of voting to send a legislative delegation to Washington, at State expense, to lobby for the resolutions in Congress.

How did these proposals come into being? For a long time it was hard to find out. Questions as to origin went unanswered at the council of State Governments. But eventually it has come to light that a committee, headed by Pennsylvania Speaker W. Stuart Helm, drew them up for the assembly of the States.

It also has been hard to find any pattern as to Democrats and Republicans. The original committee of legislators contained members of both parties. In New Jersey 11 Republican State senators and 10 Democratic State senators joined in casting every State senate vote for No. 2—a strange course since New Jersey is an urban State which urgently needs redistricting.

In Illinois voting was largely along party lines—Democrats against the proposals, Republicans for them. No doubt, some have voted in support of those amendments in good faith. Former Republican Speaker Warren Wood, of Plainfield, one of the original drafters, said the purpose was to halt the "drift of power from the State to the Federal Government."

Prof. Charles L. Black, Jr., of Yale, writing in the Yale Law Journal for April, calls proposal No. 1 a threatening disaster. In a searching article he gives the implications far more scholarly study than anyone else up to now.

The Yale legal specialist writes that the proposals are "radical in the extreme" and then says: "They aim not at the preservation but at the subversion of that balance which has enabled us to escape 'the evils of despotism and totalitarianism.' They constitute one more step, so late in the day, at converting the United States into a confederation."

But many more people need to wake up. Otherwise it may be too little and too late. As it is, we may not know until after the legislatures adjourn whether this dark plot has succeeded and the Nation has actually allowed a few men to undermine our Federal system of Government.

IMPORTS OF FLAT GLASS

Mr. HRUSKA. Mr. President, slightly more than a year ago, on June 18, 1962, the tariff rates on most categories of sheet glass were raised as a result of a finding of injury by the Tariff Commission under the escape clause procedure. In its report on which that action was based, the Commission had pointed out that imports were increasing rapidly and that both management and labor had suffered severely. For example, the Commission found that between 1955 and 1960 employment had fallen off about 16 percent, that domestic plants were working at only about 50 percent of capacity, and that the industry as a whole had actually lost money in 1960. The entire Commission joined in the finding of injury.

Pursuant to section 351(d) of the Trade Expansion Act of 1962, the Commission is presently engaged in a review of developments with respect to each domestic industry now benefiting from such escape clause actions. The Commission's report to the President on its review of sheet glass is scheduled for completion by October 10 of this year.

In its review, I hope the Commission will give heavy weight to the trend of imports since the change in duties. Data on imports for the first full year under the higher duties have just become available. Despite the higher duties, imports of sheet glass have continued to come in at a substantial rate.

During the 12-month period, July 1962 to June 1963, imports amounted to the very large figure of 360 million pounds. That is only slightly less than the level of imports in 1960—410 million pounds—which was found by unanimous vote of the Tariff Commission to be causing serious injury to the domestic industry. In fact, even at these higher rates imports have been greater than in any year prior to 1959, and nearly 10 times as great as in 1952—only 10 years ago.

When these higher duties were imposed, the action was strongly criticized by the European Common Market. In retaliation it placed duties on certain of our exports. Yet we now see that even this escape-clause tariff on glass gives only a moderate degree of protection to the domestic industry.

In this respect, our policy on glass is in sharp contrast to the European Common Market action in protecting European poultry producers. The Common Market levies on poultry seem likely to wipe out our poultry exports to the six European countries almost entirely. Furthermore, we are threatened with the same kind of levies on our exports of feed grains and other farm products. Considering the totally unreasonable manner in which the Common Market is dealing with our agricultural exports, there is certainly no justification for complaints against the very moderate and necessary level of protection we have given to the domestic sheet glass industry.

In connection with the poultry situation it is gratifying to note the State Department announcement of a few days ago that it is prepared to remove trade concessions on some 19 items being imported into the United States from Common Market countries. This would be in retaliation for the increased levies on U.S. poultry shipments to Europe. This would make clear that we want to cooperate, but we will not be pushed around.

It is hoped that the State Department will follow through resolutely on its declared intentions.

Mr. President, I ask unanimous consent that there be inserted in the Record following my remarks a table showing sheet glass imports by years from 1951 to date, and by 6-month periods beginning in 1961.

There being no objection, the table was ordered to be printed in the Record, as follows:

U.S. imports of sheet glass, annual 1951–62 and semiannual 1961–June 1963 (millions of pounds)

Year:	*Quantity*
1951	91.5
1952	37.2
1953	118.0
1954	109.9
1955	245.3
1956	330.0
1957	214.0
1958	303.4
1959	507.0
1960	410.5
1961:	
1st 6 months	161.7
2d 6 months	209.7
Full year	371.4
1962:	
1st 6 months	275.8
2d 6 months	190.6
Full year	466.4
1963:	
1st 6 months	170.0
2d 6 months	-----
Full year	-----

Source: U.S. Department of Commerce.

Mr. MANSFIELD. Mr. President, is there further morning business?

The PRESIDENT pro tempore. Is there further morning business? If not, morning business is closed.

AUTHORIZATION FOR APPROPRIATIONS FOR THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The PRESIDING OFFICER (Mr. Pell in the chair). Without objection, the Senate will resume the consideration of the unfinished business.

The Senate resumed the consideration of the bill (H.R. 7500) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations; and for other purposes.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ANDERSON. Mr. President, I ask unanimous consent that during the debate on House bill 7500, Mr. DeMarquis Wyatt and Mr. Ralph Ulmer, members of the staff of the NASA organization, be permitted the privilege of the floor, in order to assist Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DIRKSEN. Mr. President, I renew the suggestion of the absence of a quorum.

The PRESIDING OFFICER. The clerk will resume the call of the roll.

The Chief Clerk resumed the call of the roll.

Mr. ANDERSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. McGovern in the chair). Without objection, it is so ordered.

Mr. ANDERSON. Mr. President, I would be very happy if the present occupant of the chair would recognize next the distinguished Senator from New York [Mr. Keating]. The Senator from New York has been an extremely fine member of the Committee on Aeronautics and Space Sciences. We appreciate having him on the committee. I am happy that he expects today to add his voice to certain observations which have been made with reference to the bill.

Mr. KEATING. Mr. President, I appreciate the kind words of my friend from New Mexico who, as chairman of the committee, has rendered an outstanding service in seeing to it that all members of the committee had full and equal opportunity to question the witnesses.

The bill came from the committee unanimously and, in general, subject to certain amendments which may be offered, the bill has my support. However, I wish to deal with one phase of the procurement problem of the National Aeronautics and Space Administration, which seems to me quite serious. The semiannual procurement report of NASA has just been issued—unfortunately, I feel, too late for consideration by the Committee on Aeronautics and Space Sciences in its review of the NASA authorization. I debated whether the chairman of the committee should be asked to reopen the hearings, but concluded that that was not necessary or desirable. There is no desire to delay any phase of this activity, but the figures which I shall give today with regard to the procurement by NASA raise a serious question. The report which has just been issued is an interesting and revealing document. As a member of the committee, I take an interest in all of NASA's efforts, but I intend today to be somewhat critical of one phase of its activities.

NASA procurement actions for the first half of fiscal year 1963 totaled $1.307 billion, which was an increase of 108 percent over the awards during the corresponding period of the fiscal year 1962.

I should like to direct my attention to the geographical distribution of these procurements by NASA.

One State alone, California, accounts for 48 percent of all NASA dollars. Ten States account for more than 90 percent of the shares. New York ranks fourth among these, receiving 5 percent of the total procurement, or $39.2 million.

That is quite an imbalance as between California and New York, which are relatively the same in size. NASA explains this imbalance by stating:

> The large proportion placed in California reflects the heavy concentration in that State of firms in the aerospace and electronic industries.

That is the explanation. Let us look into it, Mr. President. Interestingly enough, this statement—NASA's justification for an unusually great imbalance—is not borne out by other information.

Before NASA made this statement, I judge, it had not seen the Market Census of Aerospace Industries. The Market Census of Aerospace Industries, published by Aerospace Management, Philadelphia, Pa., indicates that New York has 13.4 percent of the total number of U.S. plants in the aerospace field as compared with California's 23.2 percent. Yet California gets 48 percent of the work, or more than twice its percentage of aerospace plants, while New York gets only 5 percent, or less than half of its percentage of aerospace plants. In the specific area of electronics, in fact, the Market Census credits New York State with 4.2 percent of the Nation's plants compared with California's 5.8 percent—a slight lead, I admit, but not sufficient to justify a tenfold lead in procurement dollars.

Let me emphasize that I do not wish to be parochial about this point. If New York had no aerospace facilities or plants, I would not expect it to get any aerospace business, but I contend that it is not unreasonable to expect any State over the long run to get an amount of work roughly equivalent to the extent of aerospace firms in the State.

I emphasize that it would be ridiculous to contend that in any one year a State should receive a percentage of work related to the number of industries in a State. But when NASA explains its position by saying:

> The large proportion placed in California reflects the heavy concentration in that State of firms in the aerospace and electronic industries.

NASA ought to be prepared to justify the fact that California gets twice its percentage of aerospace industries and New York gets one-half the percentage of its aerospace industries.

One way, perhaps, in which NASA could achieve a more equitable distribution of procurements would be to increase the extent of competition in its total prime contract awards to businesses. During the first half of fiscal year 1963, 56 percent of the direct contracts to business were awarded through competitive procedures; 44 percent were awarded by noncompetitive procurements or a sum of $360 million. This is a surprisingly large amount for award without any type of competition.

I recognize that most of the procurement must be done by competitive negotiation, not by competitive bidding. Competitive bidding should be used so far as possible; but competitive negotiation should be used to an extent beyond having 44 percent awarded on a noncompetitive basis. I feel that undoubtedly this contributes to the present imbalance, to which I have called attention.

I am well aware, Mr. President, that some of these procurement actions are follow-on contracts resulting from procurements that were originally competitive in one way or another. I am also aware that subcontracting plays a big role, but, it does not significantly alter the basic procurement pattern. Nevertheless, in view of the great variance between NASA procurement figures and the overall nationwide location of aerospace industry facilities, I feel it is definitely incumbent upon the Space Administration to make more of an effort than has apparently been made to date to encourage competitive procurement action.

Having uttered these words, which I suppose would be considered critical of NASA, I wish to make a point in praise of NASA's efforts. Undoubtedly, the Space Administration has made an effort to cooperate with universities throughout the Nation in the predoctoral training program. Although a number of criticisms can be made of this program—including the fact that there is no criterion of need whatsoever for what amount to substantial Government scholarships—it is evident that NASA has tried to make participation in this program as wide and far reaching as possible. That, to my mind, is a healthy sign. I would like to see the same efforts undertaken with regard to NASA contracts for work and supplies.

Mr. President, I raise this issue today, not only for the sake of New York State, which has a great interest in the aerospace industry, but also for the Nation as a whole. We are becoming increasingly conscious of the importance of developing top space instruments and crafts as our future may depend upon successful penetration of space. For the growth and support of the aerospace program, national interest is essential and full national participation is vital. For only with national awareness comes national understanding and national support. One certain way of attaining this is greater distribution of industrial contracts throughout the Nation.

A concentration of our space program in 1 State, out of the 50—to the extent which I have pointed out, 48 percent of the procurement in 1 State—cannot in the long run have a healthy impact, either on that State, or on the Nation, or on the space program as a whole.

Mr. LAUSCHE. Mr. President, will the Senator from New York yield for a question?

Mr. KEATING. I yield.

Mr. LAUSCHE. I did not hear the Senator's entire presentation. Did the Senator's presentation contain figures for the various States, showing the proportion of electronics contracts assigned to each State?

Mr. KEATING. I can furnish that information. All I referred to was the fact that 48 percent of all NASA dollars have gone to California, whereas California has 23.2 percent of the industries in the aerospace field.

NASA's explanation of why there is such a great concentration of contracts in California is that there is such a heavy concentration in that State of aerospace firms. Contrast that with the State of New York, which received only 5 percent of NASA dollars, and has 13.4 percent of the aerospace firms. In other words, California got well over twice the amount of business as it had aerospace firms. New York got less than half of the amount of business as it had aerospace firms.

I assume the Senator from Ohio is interested in Ohio. I shall be glad to give him those figures, which are now available.

The net value of awards was $7,353,000, or .9 percent of the total; and the percentage of aerospace firms in Ohio is 5.74.

Mr. LAUSCHE. Ohio has fared worse even than the State of New York.

Mr. KEATING. Proportionately, Ohio has fared worse than New York.

Mr. LAUSCHE. I understood the Senator to say that 44 percent of these contracts were awarded on the basis of competitive bidding.

Mr. KEATING. No; 56 percent were awarded through competitive procedures, both competitive bidding and competitive negotiation. But the amazing total of 44 percent was awarded with access to only one firm—noncompetitive procurement. I feel that this is an astonishingly large amount of procurement to be done without any competition whatever, either in the way of bidding or in the way of negotiation.

Mr. LAUSCHE. Do I correctly understand the Senator from New York to say that NASA contends that the large proportion of contracts that has gone to California is the consequence of the concentration of jet industry there?

Mr. KEATING. That is correct.

Mr. LAUSCHE. And that the figures do not prove that contention to be a fact?

Mr. KEATING. There is a large proportion in California. California has the largest number of aerospace businesses. Twenty-three and two-tenths percent of the total number of aerospace industries is located in California. Apparently NASA felt it was necessary in its report, which came to us since the bill was considered in committee, to explain why California got this large proportion of contracts. The explanation it made was that "the large proportion placed in California reflects the heavy concentration in that State of firms in the aerospace and electronic industry."

Then along comes the Market Census of Aerospace Industry, which reveals the figures to which I have referred, which show that in the State of the Senator from Ohio, for instance, 0.9 percent, less than 1 percent, of the total number of NASA dollars went there, whereas in his State is located 5.75 percent of the total number of aerospace industries.

Mr. LAUSCHE. That is, the actual statistical figures do not bear out the reasons given for this concentration of assignments to the Western States?

Mr. KEATING. They not only do not bear it out; they definitely negative it as a reason for California's getting this extremely heavy concentration.

Mr. LAUSCHE. I am grateful to the Senator from New York. I shall have something to say on the subject later.

EXCLUSION OF LUMBER FROM CERTAIN TARIFF-FILING REQUIREMENTS

Mr. BARTLETT. Mr. President, I ask the Chair to lay before the Senate the amendments of the House of Representatives to S. 1032.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 1032) to exclude cargo which is lumber from certain tariff-filing requirements under the Shipping Act, 1916, which were, to strike out all after the enacting clause and insert:

> That section 18(b)(1) of the Shipping Act, 1916, as amended (46 U.S.C. 817(b)(1)), is amended by striking out the period at the end thereof and inserting in lieu thereof a comma and the following: "or to cargo which is lumber. As used in this paragraph, the term 'lumber' means lumber not further manufactured than passing lengthwise through a standard planing machine and crosscut to length, logs, poles, piling, and ties, including such articles preservatively treated, or bored, or framed, but not including plywood or finished articles knocked down or set up."

And to amend the title so as to read: "An act to exclude cargo which is lumber from certain tariff-filing requirements under the Shipping Act, 1916, as amended."

Mr. BARTLETT. Mr. President, I move that the Senate concur in the House amendments, which are of a technical and clarifying nature.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Alaska.

The motion was agreed to.

FEDERAL POWER COMMISSION JURISDICTION OVER NONPROFIT COOPERATIVES

Mr. YOUNG of North Dakota. Mr. President, the senior Senator from Minnesota [Mr. HUMPHREY] will shortly be introducing a bill, which I shall cosponsor, dealing with the Federal Power Commission's authority to supervise rural electric cooperatives. I wish to join him in his remarks, as well as in the sponsorship of this legislation.

Ever since the inception of rural electric co-ops, they have been under the control and supervision of the Rural Electric Administrator, as well as various public commissions in the State, that operate thereunder.

The Federal Power Commission never has had any authority or control or supervision over them, but it now seeks, as it has done several times in the past, to bring them under its supervision.

I think this is totally unnecessary—that they do not have the authority—and would prove to be a burden that will be costly and unwarranted.

Among the three power co-ops which have been served with notice to show cause why they should not be brought under the supervision of the Federal Power Commission is the Minnkota Power Cooperative, serving a part of North Dakota and a part of Minnesota. There has not been a single complaint, to my knowledge, on the part of the public with reference to the Minnkota Power Cooperative. I know they have gotten along very well with the distributing cooperatives, and there has never been a single complaint, to my knowledge, on the part of the private power companies serving the area. Just why the Federal Power Commission should demand that it and other co-ops show cause why they should not come under the supervision of the Federal Power Commission is more than I can understand.

This legislation should be enacted at the earliest possible time to indicate to the Federal Power Commission that it should not get into this field in which it has no business.

Mr. HUMPHREY. Mr. President, in recent months a number of us in the Congress have pointed out that the Federal Power Commission does not have jurisdiction over the Rural Electrification Administration and the cooperatives financed under the Rural Electrification Act of 1936. Our remarks were prompted by indications that some members of the FPC and its staff were seeking to extend jurisdiction to the REA cooperatives.

Our admonition that such efforts should be undertaken only after Congress has been given an opportunity to consider the matter through hearings on proposed legislation apparently has been disregarded by the FPC. On July 22, 1963, the Commission issued an order against Dairyland Power Cooperative, Minnkota Power Cooperative, and South Central Rural Electric Cooperative to show cause why they should not comply with the Commission's regulations on rate schedule filing, accounting, and reporting.

This formal FPC proceeding imposes upon the cooperatives a great and unnecessary costly burden of establishing by protracted hearings and litigation what is already clear—that they are not subject to FPC jurisdiction. This is a burden these cooperatives cannot afford. FPC and its staff, too, with its great responsibilities for really necessary activities in other areas, likewise should be spared these unnecessary proceedings.

I digress to point out that all that the Federal Power Commission needs to do is to do what it is supposed to do. The law is perfectly clear. The FPC has enough work to do in connection with the regulation of the large utilities, and in connection with gas rates, and other items, without trying to find ways and means of exploring new areas of activity. As I pointed out several weeks ago, the law does not give the Federal Power Commission authority over rural electric cooperatives. I for one will not stand idly by and permit this administrative agency to probe into areas where it has no jurisdiction, especially when it does not fully meet its responsibilities in the areas where it does have jurisdiction.

Because a majority of the Commission has seen fit to proceed without getting direction from the Congress on this matter, I am introducing legislation today which will make even more clear what clearly is the law now—as it has been since the inception of the REA program—that REA cooperatives are not subject to FPC jurisdiction. I am introducing this bill for myself and for Senators Young of North Dakota, Nelson, McGovern, Neuberger, and McCarthy.

The reasons REA cooperatives are not subject to regulation by the FPC and why they should continue to be exempt have been set out at length by me and others on the floor of the Senate, not only in recent months, but also in past years when legislation was introduced to extend FPC jurisdiction over the cooperatives. Such attempts were defeated in the past through energetic opposition by Senators Magnuson, Aiken, Fulbright, McClellan, and Hill, and former Senators Barkley, La Follette, Maybank, and Shipstead, and more recently, by myself.

Mr. President, I want to briefly summarize the reasons cooperatives are not subject to FPC jurisdiction. First, when Congress established the Rural Electrification Administration, it gave the REA Administrator—as the legislative history shows—broad discretion to administer the REA program vigorously and effectively, unhampered by review or second guessing by another Federal agency. FPC review could have entailed protracted litigation not only in the Commission, but in the courts as well. The legislative history on this point is so clear that even the General Counsel of FPC has said that the Congress did not intend REA loans to be reviewed by FPC.

Secondly, FPC regulation is unnecessary as a protection for the investors and the consumers where, as in the case of REA cooperatives, the investor is the United States—whose interests are well protected by the Administrator—and the consumers are the owners of the cooperatives. As owners, the consumers control the cooperative's operations, including its rates and service conditions. They would have no motive to overcharge themselves and if the rates they set produce more than cost of service, the same consumers own and ultimately recover these margins.

If the Federal Power Commission is engaged in an expansion under what is known as Parkinson's law, adding more and more employees as it undertakes new responsibilities, I say it is time to call a halt.

Finally, the Federal Power Act, in defining public utilities, expressly retains the concept of service to the public which is generally found in the State commission statutes. The courts interpreting such statutes have almost universally excluded cooperatives from such definition for the reasons already indicated. For the FPC to interpret its statutes to confer jurisdiction over cooperatives would be to disregard not only the express language of the Federal Power Act, its legislative history, the administrative practice of prior Commissions and the logical bases for Commission jurisdiction generally, but also the overwhelming weight of authority in the State courts which have faced this question in connection with State commission statutes.

Prompt enactment of the bill I am introducing would, I am confident, avoid a needless waste of taxpayers' money and free both the electric cooperatives and the FPC from a costly and unnecessary burden of protracted litigation.

Another way to save the taxpayers some money, and at the same time permit the rural electric cooperatives to continue in business without harassment, is for the FPC to attend to its own knitting, and do what it is supposed to do. The law is clear. We would not need new legislation except for the stubbornness of some people who are pursuing an illegal course in the face of the provisions of the law in this case, as expressly stated by Congress.

On several occasions legislation was introduced to extend the jurisdiction of the Federal Power Commission to rural electric cooperatives. That legislation has been soundly defeated on several occasions. Yet this does not seem to curtail the activities of the FPC with respect to the rural electric coops. Therefore I am introducing today, on behalf of myself and the colleagues I have mentioned, legislation which if enacted will expressly forbid the Federal Power Commission to extend its line of activity in this direction.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2028) to amend the Federal Power Act, as amended, in respect of the jurisdiction of the Federal Power Commission over nonprofit cooperatives, introduced by Mr. Humphrey (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Commerce.

Mrs. NEUBERGER. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mrs. NEUBERGER. I am asking the Senator from Minnesota to permit me to join in the sponsorship of the bill and to associate myself with his remarks. Our experience in Oregon with REA's tells us that the development of some of our rural communities would be very much behind the time if it had not been for the efforts of the REA's. I should dislike to see that effort stifled in any way. I join the Senator in his excellent statement.

Mr. HUMPHREY. I thank the Senator from Oregon very much. She always has been vitally interested in the rural electrification program and always has been a champion of the consumer interests. I am privileged to have her as a cosponsor of the bill.

Mr. RANDOLPH. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. RANDOLPH. I wish to supplement what the junior Senator from Oregon [Mrs. Neuberger] has so well said with reference to the remarks being made in this forum by the senior Senator from Minnesota. I make specific reference to what rural electrification has done in the State of West Virginia. I remember very well that when the original act was passed, there was considerable opposition, and that some charges came from certain of the private power companies.

Since then, many of the officials of these firms have very frankly told me that the rural electrification program was a stimulus for their companies, which extended their lines into farm sections they would not have served had it not been for the rural electrification activity.

I am grateful for the attention which is again focused by the Senator's helpful speech, on the contributions of the rural electrification programs. West Virginia has profited by them, and the private electrical industry has profited also.

Mr. HUMPHREY. I thank the Senator for his wise counsel and his pertinent remarks. I congratulate him particularly for what he has said about the mutuality of interest in this program between rural electrification cooperatives and private industry.

Mr. YOUNG of North Dakota. Mr. President, the Senator from Minnesota made a very appropriate statement when he spoke of Federal agencies always wishing always to extend their operations, to get more and more employees and, of course, more and more money. He and I serve on the Appropriations Committee. Long ago we found that the only way we can stop such expansion is through special legislation, and if that does not work, to cut their appropriations.

Mr. HUMPHREY. The Senator is correct. I assure the Senator of my cooperation. I am privileged to have him as a cosponsor of the bill.

AUTHORIZATION OF APPROPRIATIONS FOR THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

The Senate resumed the consideration of the bill (H.R. 7500) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations; and for other purposes.

A SPACE RECORD THAT INSPIRES CONFIDENCE

Mr. SYMINGTON. Mr. President, a little over 5 years ago, the National Aeronautics and Space Act of 1958 was enacted; and it would appear appropriate to now review briefly the achievements which NASA congressional authorization has made possible.

In that summer of 1958, all Americans felt the sting of Soviet feats in space which we were not only unable to match but did not even have plans for matching.

At that time, however, we came to realize the importance of getting our space program underway as rapidly as possible; and also the importance of providing correct policy, as well as organizational arrangements to provide for the new agency which would be responsible for American progress in space science and technology.

In drawing up the provisions of the National Aeronautics and Space Act, Congress wanted to make sure that strong and progressive leadership would be developed for the civilian part of our national space program.

Congress desired to fix responsibility for "getting the job done"—asserting American leadership in this important new field.

We wanted to make certain also that the military aspects of space would not be neglected; that the Department of Defense would have full opportunity to meet the space security needs of the Nation as rapidly as these needs became clear.

In this way we hoped and planned to assure the peace; and also to harvest the fruits of the peaceful use of space.

In short, we wanted a balanced program of space progress, flexible enough to meet all the present and foreseeable future needs of the Nation without wasteful duplication of effort.

Let us see how our theories written into laws 5 years ago, have worked out in practice.

Our position in space today is excellent—and steadily improving—thanks to a sound basic law plus hard-driving, responsible action by NASA Administrator James E. Webb. Mr. Webb and his organization have determined to meet the space goals set by the President and Congress.

In 5 short years, NASA has brought about a rapid buildup of our national competence in space. Despite the urgent nature of this buildup, despite the fact space progress requires an unending series of increasingly difficult steps across new technological thresholds, this relatively new but all important agency is establishing an impressive record of reliability and success.

I need not stress here the record established in Project Mercury.

Six astronauts were sent into space in this pioneering program. Each of them successfully completed his difficult mission, from the standpoint of both its engineering and scientific aspects.

The record is now clear that Mercury was an ably planned, competent effort by NASA's Government-industry-university team; an effort which proved the soundness of the U.S. approach to manned space flight.

This successful completion of Project Mercury justifies Congress to support with confidence Projects Gemini and Apollo, the next two steps in the national effort to achieve preeminence in manned space flight during this decade.

Five years ago our space rockets were blowing up right and left, partly because we were trying to make up for a late start, partly because of inexperience.

It is a fact, however, that, since 1960, the dependable Thor-Delta rocket has scored 19 straight successes in spacecraft launchings. Out of a total of 20 launches, only 1 failed, the first, back in 1960.

Every one of the seven scientific satellites NASA has launched in 1962 and 1963 has gone into orbit and has satisfactorily performed its mission.

One Relay and two Telstar communications satellites have been put into service. All were successes.

Relay is still operating; and 1,390 experiments and 64 TV demonstrations have been conducted successfully with this satellite.

The score for the Tiros weather satellite is seven successes, no failures.

The first stage of the giant new Saturn booster, so far as is known the world's most powerful rocket stage, has been flight tested four times. Each time it performed nearly perfectly.

On its second attempt, in 1962, NASA launched the Mariner spacecraft on its fly-by of Venus, setting a new record for long-distance radio communications at 54 million miles.

Mariner II completed the world's first successful mission in the field of planetary exploration by spacecraft.

On the first attempt ever made to put a satellite into 24-hour synchronous orbit 22,300 miles above the earth, NASA was also successful, even though the electronic equipment aboard failed and the achievement of synchronous orbit had to be confirmed visually.

Syncom II launched a few days ago, July 26, was completely successful.

The extraordinary advances in recent years in rocket reliability and spacecraft guidance and performance are eloquent testimony to the skill, hard work, and good judgment of our space team and the men responsible for directing it.

The record proves we have invested well—powerful and reliable rockets, versatile and productive spacecraft.

Now we can watch with confidence the increasingly complex facilities required to fabricate, test, launch, and control the new boosters and long-range space vehicles this country is learning to build. We view already the return on our investment in terms of increased security, new scientific knowledge, and a quickened pace of technological progress all across the board.

But we must look beyond the hardware, the research and launch facilities, the new technology, so as to find the true worth of our 5-year investment in the national space program.

In 5 years this Nation has created a new national resource; thousands of highly trained men and women in industry, in Government, and in the universities and research institutions, now leading America into the space age, people dedicated to making this country the world's leading spacefaring nation.

I turn now to the balance that has been achieved in our national space program, the proper division of effort and resources between military and civilian space programs; between manned and unmanned space flight; between space science and space technology; between current programs and advanced research in support of future programs; between the space program and other possibilities for national contribution to research and development.

In order to achieve the proper balance in this program, dozens of issues must be debated, and hundreds of difficult and perhaps fateful decisions made, every year.

The program is dynamic, the number of possible alternatives constantly increasing.

The facts and suppositions on which important judgments are based may change drastically overnight; and unfortunately some important changes may be so subtle that they ring no alarm bells.

Everyone is familiar with the tremendous pressures which build up in favor of stressing this or that aspect of the program and Congress will be doing its duty to the country, and to future generations, only as the question of the proper balance in our space program is always open, always on the agenda.

That does not mean, however, that we can avoid or postpone decisions on the issues and the programs as laid before us in the annual funding process.

The present level of effort and the present definition of priorities, as set forth in the NASA budget request for fiscal year 1964, seem reasonable, justified, and worthy of congressional support.

Some who object to the present balance in the NASA program either misunderstand or misrepresent the goals of our national space program. They say we are concentrating too heavily on a wild race to the moon, with dubious chances of winning or acquiring anything of real value for our effort.

I believe they are wrong.

Our goal, as the President has expressed it and Congress has endorsed it, is to take the lead and hold the lead in the all-important areas of space science, space engineering, space exploration, and space use.

In the field of space science, I believe we have moved ahead of the Soviet Union; and the advanced orbiting observatories which will be coming into service over the next few years should enable us to maintain this lead. They will also provide valuable information to our own scientists as well as to the world scientific community.

In using space technology for the benefit of mankind, we have also taken the lead with our highly successful weather and communications satellites.

The new Nimbus weather satellite, to be launched soon, will help maintain that lead; and our experiments with synchronous-orbit communications satellites should keep us in the forefront of this field.

In the field of manned space flight we have been behind and still are behind. Projects Gemini and Apollo and the building of the Saturn I and Saturn V rockets are an effort to overcome Soviet superiority in such flight we hope before this decade, the first decade of the space age, is out.

Let it be clear, however, that the United States is not committed to any all-out race—crash program—so as to be first to the moon. Rather to the vigorous, rapid, and orderly buildup of the space power called for in Projects Gemini and Apollo; programs which will give us the scientific, technical, and operational capability to land men on the moon, explore its characteristics, and return those men safely to earth within this decade.

The moon is no finish line in a race. It is but a proving ground where we will test and demonstrate that competence in space technology is essential to insure our security.

We are not entirely sure that the schedule we have set in Projects Gemini and Apollo will enable us to be first on the moon. That depends, at least in part, on the pace the Soviet Union is willing and able to maintain.

But the goals we have now set are demanding and call for tremendous effort in this decade and the schedule we have set allows no time for indecision or heel dragging.

The question of what NASA appropriations can safely be deferred to another budget year is, of course, a most legitimate one.

Let us be certain, however, that every action taken in this connection is an action which assures Projects Gemini and Apollo remaining on schedule, thereby hastening the day when America can be sure it is second to none in manned space flight.

Mr. LAUSCHE. Mr. President, will the Senator from Missouri yield for a question, for purposes of information?

Mr. SYMINGTON. I am glad to yield to the Senator from Ohio.

Mr. LAUSCHE. How much money is to be expended, as authorized by this bill, in the direct and indirect efforts to place a man on the moon?

Mr. SYMINGTON. The total is more than $5 billion; and I believe that the moon project will require somewhat over 50 percent of that total.

Mr. LAUSCHE. That would be about $2.5 billion?

Mr. SYMINGTON. $2.5 billion to $2,750 million; that is my estimate.

Mr. LAUSCHE. Do I correctly understand that it was originally envisioned that we would place a man on the moon by the year 1975? That was the Eisenhower program.

Mr. SYMINGTON. I am sure the Senator's memory is correct; I do not happen to recall the exact date.

Mr. LAUSCHE. What is now the target date for the achievement of that objective?

Mr. SYMINGTON. It is hoped to achieve this objective in the present decade—that is, by 1970.

Mr. LAUSCHE. Is it envisioned that the annual expenditures in the next 6 years will be the equivalent of the $2,500 million being spent in the fiscal year 1964; or will it be more?

Mr. SYMINGTON. I think it would be about the same. Of course, it is difficult to extrapolate what the future holds; but Director Webb has said he estimates that the appropriation requests will level off at this time, and that the cost of the whole program, overall, to place a group of men on the moon, will be around $20 billion.

Mr. LAUSCHE. From now until 1970?

Mr. SYMINGTON. That is correct.

Mr. LAUSCHE. So in 6 years, that would mean an average annual expenditure of about $6,666 million.

Let me ask whether the House cut the amount requested, and how the Senate Committee's figures compare with those of the House—if the Senator will refer to the page on which the figures are to be found.

Mr. SYMINGTON. As I recall, the House cut the amount about $500 million.

Mr. LAUSCHE. On what page does that appear?

Mr. SYMINGTON. On page V of the report. The House R. & D. figure would be about $4,500 million, counting administrative operations; and after adding to that the amount for construction of facilities, the amount would be about $5,200 million. The total Senate committee figures, approved are about $5,500 million.

Mr. LAUSCHE. That is, the House figure is about $300 million below the Senate committee figure?

Mr. SYMINGTON. A little more than $300 million below it.

Mr. LAUSCHE. Can the Senator from Missouri identify the items with respect to which the House made cuts, which the Senate committee restored?

Mr. SYMINGTON. I could not do that at this moment, but I shall be glad to supply them for the RECORD.

Mr. LAUSCHE. The lunar and planetary exploration items on page 75 show that the budget request was $322,600,000. The House approved $254,400,000; the Senate committee approved $282,600,000. That is one item, and there are others.

Mr. SYMINGTON. That is correct.

Mr. LAUSCHE. In the committee was there any discussion about abating the speed of the objective of reaching the moon?

Mr. SYMINGTON. I believe there was considerable discussion of it. During all of my service in the Senate, I have never seen a budget more thoroughly examined from the authorization standpoint than the budget for the NASA program this year.

As I stated a few minutes ago in the course of my remarks, this is not in any sense a crash program; it is an accelerated program. I stated the record as to how successful the operation has been in the past, in meeting accurately and on time the various undertakings. But I assure the Senator from Ohio that the committee went into the budget very carefully, on all the items; and we felt justified in making this relatively slight increase in the amount for the lunar project.

Mr. LAUSCHE. To repeat the figures: $2,500 million is the authorization for placing a man on the moon; the total project will cost $20 billion from this point in; and it is hoped to achieve the landing by 1970 or before?

Mr. SYMINGTON. That is correct.

Mr. LAUSCHE. The date in the original program of the Eisenhower administration was 1975. Why is it thought that in this period of financial stress we should be compacting the program? I should like to have the Senator's answer to that question.

Mr. SYMINGTON. My own opinion is that we are not in a period of great financial stress. I believe the country today is enjoying the highest per capita income in the history of the United States. The gross national product last year was $555 billion, of which $355 billion was for personal demands by the people of the United States. Therefore, I think our prosperity is unprecedented in world history.

I say to the Senator from Ohio that it appears very important to me—especially from the standpoint of the national security of the United States—that we maintain equality in space.

As one of the great military leaders of our time said, there was a day when those who controlled the ground controlled the world; later, those who controlled the seas controlled the world. Today, those who control the air control the world. He said:

> I predict—and I should like to leave this thought with you, as I retire from the Joint Chiefs of Staff—that in the future those who control space will control the world.

That advice was given to the people by a man with a great intellect. If that is true, I do not see any serious problem in this Nation, with a gross national product of $555 billion last year—and it is estimated to be considerably larger than that this year—if 1 percent of the gross national product is put into the security and prestige incident to our Nation not being second in the space race.

Mr. LAUSCHE. I appreciate very much the answer given. I do not quite concur in what the Senator from Missouri has said about the great prosperity we are supposed to be enjoying. When it is said that our growth is not adequate, I use as a premise my understanding that we ought to be taxing less. The tax burden is too great.

This morning, I read an important article in which it was stated that the nations of the world are more or less repudiating the Brookings Institution report on how we should solve our monetary and fiscal problems. I wish I could feel as contented about our fiscal position as others do; but I cannot.

One further question: What is the reason why the date was advanced from 1975 to 1970?

Mr. SYMINGTON. One of the reasons was that we would save billions by expediting it, because the estimate originally was $18 billion through only 1970 to do the job by 1975—later this was raised to $22,500 million; we feel we can accomplish the manned lunar mission by 1970 for $20 billion.

Mr. President, I yield the floor.

Mr. CASE. Mr. President, a few days ago the Senate Space Committee voted to strike the authorization of $5 million for a new electronics research center proposed for the Boston area. Unfortunately, in my view, the committee subsequently reconsidered its action and voted to approve the item. True, in reversing its earlier vote, the committee kept a requirement for submission of detailed study of the geographic location of the proposed center prior to the expenditure of funds. There is no doubt in my mind, however, that every member of our committee knows now what that study will conclude.

As I said in committee, I believe we would have been far wiser at least to defer this project until its implications and all possible alternatives could have been fully explored. Since I first raised questions about this project, this has been my basic concern throughout. Is the only way we can secure adequate competence in electronics in our space program by the establishment of still another huge Government laboratory?

I am not satisfied that it is. The Government already plays a very large role in electronics research and development work.

Nearly 80 percent of all the research and development in electronics is currently being financed by the Government or done in house by Government agencies. That is an extraordinary situation.

Before extending the already predominant role of the Government in electronics research, it would seem to me every effort should be made to ascertain whether the objective could not be as effectively achieved through the use of private resources, in both industry and universities, in combination with existing Government electronics capabilities.

I am impressed by the fact that NASA officials put forward the center, not as vital to the man-to-the-moon and other space programs immediately ahead, but primarily as of value long range—in the 1970's, and thereafter. On the basis of our experience with some other Government laboratories, it is not at all clear to me that a Government facility is the most effective way to maintain scientific preeminence.

The chronology and procedures surrounding the announcement of the center were, to say the least, unusual. It was announced shortly after the election, by the White House, and in December appeared full blown, site included, in the budget. There was no analysis of alternative possibilities, nor comparative evaluation of sites, no statement of criteria used, until long after the budget request reached the Congress.

It is not my habit to tilt at windmills, and clearly the second committee vote settled the matter. I would like, however, at this point in my remarks to have printed in the RECORD an editorial from the New York Times of Saturday, August 3, 1963, which will, I believe, strike a responsive chord around the country.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the New York Times, Aug. 3, 1963]

THE SENATOR DELIVERS

The "hot line" between the White House and the Kremlin is apparently not the only such instrument of communication in Washington. Another "hot line" links the White House and Capitol Hill, and congressional sources report that it was kept sizzling in recent days with administration pleas for approval of a controversial new space electronics center in Boston. Of course, no one would be cynical enough to believe that such calls could have had anything to do with the decision of the Senate Aeronautical and Space Science Committee to reverse its earlier rejection of the $50 million project.

It is coincidental, no doubt, that one of the center's chief boosters is Senator EDWARD M. KENNEDY, the man who built his election campaign last year on the promise that "he can do more for Massachusetts." When the committee voted against the Boston location, in a tentative action last week, the President's brother said he was "not disturbed." He radiated confidence that everything would come out all right in the end—for Massachusetts. What the country will still wonder is whether Boston is the right place or whether the center is needed at all. Congress is taking a deservedly skeptical look at the justification for all the billions we are spending on space exploration. Boston, as a way station to the moon, ought not to be exempt from this critical gaze.

Mr. SYMINGTON. Mr. President, I used a figure of 50 percent with reference to the lunar project. Altogether the percentage would be considerably more than that. It might be over 60 percent. I make that correction for the RECORD.

The PRESIDING OFFICER. The committee amendment in the nature of a substitute is open to amendment.

CITIZEN SUPPORT FOR TEST BAN TREATY

Mr. HUMPHREY. Mr. President, upon my return from the Soviet Union I was heartened to learn of the meeting yesterday between President Kennedy and the group of prominent Americans who comprise the Citizens Committee for a Nuclear Test Ban.

It is my intention some time after the NASA authorization is disposed of, to give a full report on our visit in Moscow and the Soviet Union, because I believe it would be of some interest to the Senate. The delegation that I referred to—the Citizens Committee for a Nuclear Test Ban—met with President Kennedy and pledged their support of the treaty signed in Moscow on Monday. Ambassador James J. Wadsworth, former Ambassador to the United Nations under President Eisenhower and chief disarmament negotiator during the Eisenhower administration, acted as the principal spokesman for the group.

I am sure that Senators know Ambassador Wadsworth as a most distinguished, able, patriotic, and courageous American. He knows the Soviet Union. He knows the issues that must be considered by the Senate in debating the treaty. His public endorsement is of great significance.

Ambassador Wadsworth conducted negotiations with the Soviet Union at one of the most critical periods of our history and was one of the pioneers in fashioning many of the provisions of the treaty which will be before the Senate today when the President submits it to the Senate. I ask unanimous consent that Ambassador Wadsworth's statement to President Kennedy and a brief press release commenting on the meeting yesterday be printed at this point in my remarks.

There being no objection, the statement and press release were ordered to be printed in the RECORD, as follows:

STATEMENT TO PRESIDENT KENNEDY FROM CITIZENS COMMITTEE FOR A NUCLEAR TEST BAN

Mr. President, we come today as members of a group that has just been formed for the purpose of supporting ratification of the nuclear test ban treaty. It is called the Citizens Committee for a Nuclear Test Ban.

Our purpose is to reflect and help make visible what we believe to be the preponderant sentiment of the American people in favor of the treaty now before the U.S. Senate.

This treaty is not a political issue. The members of this citizens committee have come together not as Republicans or Democrats or independents, but as American citizens who are mindful of their responsibility to participate in the great decisions that face the Nation.

The members of this committee agree with you that the limited test ban is not to be regarded as an answer to all the critical problems involved in achieving a workable peace.

The test ban treaty does not address itself to the dangers represented by the accumulation in both countries of vast numbers of weapons of mass devastation and methods of surprise attack.

It does not eliminate any of the highly volatile political trouble zones.

But neither must we minimize the significance of an agreement that can represent a vital beginning in a sustained attack on these and other basic problems concerned with a just peace.

Moreover, the treaty now before the Senate will bring to an end further radioactive hazards to the health and safety of the world's peoples produced by unlimited atmospheric testing. The treaty is consistent with the effort to halt or inhibit the spread of nuclear weapons to other countries. The treaty offers genuine nourishment to people everywhere who have been hungrily hoping, year after year, for some vital break in the terrifying nuclear competition. And the treaty gives the world the important ground on which to stand in building a safer future.

In this sense the test ban agreement may well represent the most constructive steps toward world peace since the founding of the United Nations itself.

The members of this committee come from all walks of life. Their names I present to you. Many of them belong to national organizations that are pledging you their full support in this historic effort. They include religious leaders, businessmen, labor spokesmen, scientists, editors, writers, educators, physicians, lawyers, architects, and civic planners. Thirteen are Nobel laureates in literature, medicine, chemistry, and physics.

As informed citizens, they recognize that any important decision affecting the Nation's security involves risk, but they recognize too that such decisions also involve a balancing of risks. Your position as Commander in Chief of our Armed Forces gives you access to all the facts to enable you to weigh these risks. Moreover, the testimony of Secretary of Defense Robert McNamara in support of the ban on nuclear testing emphasizes that this Nation would be confronted by far graver risks in the absence of such a treaty.

We offer you this evidence of our strong support for a measure which, if resolutely followed by other moves, might make an historic turning on the road to a durable and just peace.

Group of Prominent Americans Pledge Support for Test Ban Treaty in Meeting With President Kennedy

Washington, August 7.—A delegation of prominent Americans representing the recently formed Citizens Committee for a Nuclear Test Ban met with President Kennedy today to pledge their support of the test ban agreement signed in Moscow, August 6.

After the meeting the delegation issued a statement to the President stating their purpose is "to reflect and help make visible what we believe to be the preponderant sentiment of the American people in favor of the treaty now before the U.S. Senate."

In the delegation were James J. Wadsworth, former Ambassador to the United Nations in the Eisenhower administration and former disarmament negotiator. Mr. Wadsworth is Chairman of the Citizens Committee for a Nuclear Test Ban. With Wadsworth were Marion Folsom, former Secretary of Health, Education, and Welfare; William Clayton, former Under Secretary of State; Walter Reuther, president of the United Automobile Workers; and Norman Cousins, editor of the Saturday Review.

The group stressed that their citizens committee was nonpartisan representing only American citizens "who are mindful of their responsibility to participate in the great decisions that face the Nation."

The delegation pledged the support of their committee in working for ratification of the test ban treaty. The statement said the members of the citizens committee include religious leaders, businessmen, labor spokesmen, scientists, editors, writers, and other leaders from many walks of life. Thirteen members are Nobel laureates in literature, medicine, chemistry, and physics.

The statement said even though the partial test ban is not "an answer to all the critical problems involved in achieving a workable peace," it does offer "genuine nourishment to people everywhere who have been hungrily hoping, year after year, for some vital break in the terrifying nuclear competition."

The citizens committee statement concluded by offering the President "our strong support for a measure which, if resolutely followed by other moves, might make a historic turning on the road to a durable and just peace."

Mr. HUMPHREY. The support by such prominent members of the Republican Party as Ambassador Wadsworth, former Secretaries of Health, Education, and Welfare Marion Folsom and Arthur Flemming, and former Under Secretary of State William Clayton indicate the bipartisan support that is growing for the test ban treaty. The Senate has its clear responsibility as provided for by the Constitution to question, debate, and consider all aspects of this legislation.

But I devoutly hope, and I am most confident, that partisan considerations will not become involved as we fulfill our constitutional responsibilities. In that connection, I call to the attention of Senators an excellent editorial appearing in today's issue of the New York Times. The point is made that the issue should, and undoubtedly will, transcend party lines.

That is entirely as it should be.

That morning editorial is worthy of our considered attention. It reads in part as follows:

> The nuclear test ban treaty should be thoroughly discussed and debated in the Senate.

That is a point which the senior Senator from Minnesota has stressed, because I happen to believe that the treaty may very well provoke a discussion that goes to the very heart of our international and our national security policies. The editorial continues as follows:

> On this subject there can be no dispute—

Speaking of the subject of debate and discussion. Then the editorial goes on to say:

> President Kennedy has made clear that he expects such a debate. So does everyone else. This is the way our Government is run, and it is a good way.

I digress to point out that in my discussion with our British friends in Moscow and with Soviet citizens I made it clear that while I personally supported the treaty, because I had read and studied it carefully, line by line, the treaty would be subject to very careful examination in the Senate, both in the committee and on the floor of the Senate. However, the debate and discussion should not be interpreted as opposition, but rather as a part of the democratic process of a constitutional democracy such as ours.

In countries in which the democratic process does not operate, it is difficult for people to understand our procedures. But, as I returned from a country that does not know those democratic processes, I am ever more grateful for the procedures which we follow for the constitutional protections that are ours.

The New York Times editorial goes on to point out that—

> No one pretends that the accord is perfect, much less that it is going to end the danger of nuclear war. Premier Khrushchev himself, on the day of the signing in Moscow, pointed out that it would not do so. He also remarked that no treaties could overcome the basic differences between the two social systems of East and West. We are still in for a long period of what Under Secretary of State Harriman calls "competitive coexistence"—a testing of our way of life against theirs on a battlefield of ideas and accomplishments rather than of arms.

The final paragraph is, of course, of much importance to us. The editorial states—

> In a sense, the Senate is being asked to buy something—a nuclear test-ban treaty. From everything we know about it, the product is well worth the price. If the Senators think so, the nearer to unanimity that they get, the clearer our desire for a peaceful world will be.

I underscore the words with reference to so-called competitive coexistence—

> A testing of our way of life against theirs on a battlefield of ideas and accomplishments rather than of arms.

I wish that our Government and our people would spend as much time on that area of our concern as they do upon arms.

Mr. President, I ask unanimous consent that the editorial to which I referred be printed at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the New York Times, Aug. 8, 1963]

The Senate and the Treaty

The nuclear test ban treaty should be thoroughly discussed and debated in the Senate. On this subject there can be no dispute. President Kennedy has made clear that he expects such a debate. So does everyone else. This is the way our Government is run, and it is a good way.

On all important treaties, it is a general rule that the greater degree of bipartisanship the better. Issues of this nature should—and with most Senators do—transcend party lines. It is, however, not being cynical to agree with the Republican leader who was quoted yesterday as saying: "We cannot afford politically to vote against this treaty." This was a frank way of putting what could, with equal accuracy, be expressed in these terms: "The United States is a democracy and clearly most people are in favor of this treaty."

No one pretends that the accord is perfect, much less that it is going to end the danger of nuclear war. Premier Khrushchev himself, on the day of the signing in Moscow, pointed out that it would not do so. He also remarked that no treaties could overcome the basic differences between the two social systems of East and West. We are still in for a long period of what Under Secretary of State Harriman calls "competitive coexistence"—a testing of our way of life against theirs on a battlefield of ideas and accomplishments rather than of arms.

The test ban treaty, even though it is a limited one, has two manifest advantages. It will stop atmospheric pollution and it represents a break—a small break—through the frozen wastes of the cold war. The effects on world opinion if the United States rejected this pact would be shattering. While it is not comparable in importance to the League of Nations treaty that the Senate rejected after World War I, the historic precedent would be in every mind.

In a sense, the Senate is being asked to buy something—a nuclear test ban treaty. From everything we know about it, the product is well worth the price. If the Senators think so, the nearer to unanimity that they get, the clearer our desire for a peaceful world will be.

Mr. HUMPHREY. Mr. President, in other words, we should express as clearly as we can, in every contact and in every way, our idea of government, our concept of society, our attitude about political liberty, and our concern over constitutional rights and guarantees. These things need to be stressed at home and abroad.

I have a feeling that if we would give as much effort to exploring the ways and means of promoting trade and commerce, which could be advantageous to us, and ways and means of contacting the citizenry of the Soviet Union, increasing the desire of the Soviet citizenry for consumer goods, this would be of advantage to the entire world, and, indeed, to the Soviet people themselves.

Every time I visit these areas I become more convinced that we are permitting ourselves to fight the struggle with the Soviet Union on their terms, not ours. It is a fact that they can create weapons of destruction. They have the capacity to do so. They can muster armies. They have a larger population. But their economic system is obsolete compared with ours. All one has to do is to open his eyes and look. If he is of normal intelligence, he can plainly see the difference between the efficiency, the productivity, and the modernness of the Western or American economic structure and that of the Soviet Union. We far surpass what is found there.

If the Soviets believe in competitive coexistence, and if they want this struggle to be decided in the realm of economic competition and in the realm of culture and ideas, we cannot lose that struggle, if we but try to win.

If as much attention were paid in this body to these things as is paid to the reports of generals about arms and weapons, we would have the Soviet Union crying out openly for peace, on fair terms. Instead, we proceed to have a competition in the area of hydrogen bombs, rockets, and fantastic weapons.

Mr. President, I ask Senators not to misunderstand me. I recognize the importance of our military strength. This Senator has a record of support for the military strength of this Nation for which he need not apologize.

I believe in military preparedness, but I believe it is only the shield of protection, that can provide the opportunity—the time—to bring to bear other forces needed to win the struggle. War can no longer be accepted as a means of settling disputes. Military power is but a means of securing conditions conducive to the search of a just and enduring peace. And peace is more than the absence of war—it is a process of adjustment, of growth, of understanding, of social betterment.

I have seen with my own eyes, this week, evidence of the desire of the Soviet people for consumer goods—stockings, shirts, clothes—for the simple necessities of home life. I think of how little we do about it, and how little we project our ideas of the good life, and I wonder how we have done as well as we have.

Every Soviet citizen knows of our weapons, but few know how we live. There is a good reason. It is not only because the Soviets jam our broadcasts; it is because we jam our thinking. We constantly tell them of our weapons, but we seldom tell them of our homes—of our lives and living. We constantly tell them of our arms, but we seldom discuss our philosophy. Yes, we seldom get our message to them on any basis other than that of brute power.

They understand that we have power. This, within itself, is advantageous, to be sure, because I believe that the men in the Kremlin need to understand the meaning of our power. But I saw hundreds of people lined up in queues waiting for a simple little item called "stockings with elastic bands," demanding of their government modern clothing instead of the sub-standard goods they have been receiving. The Government of the Soviet Union is not immune to public pressure or public opinion.

Unfortunately, we all too often ape or mimick our opposition. We try to act as belligerent as they act. We try to use propaganda as they use it. We describe our weapons as they describe theirs. In so doing, we lose our own identity and individuality.

We race them to the moon. Perhaps we ought to race them to the hearts of humanity. I think we can win that race. In fact, we are winning it, without even a major effort.

I saw foreign students from Africa. One came to me and said, "I want to go to the United States." Those foreign students were attending the so-called Moscow Friendship University, but they did not find a friendly society. There were foreign students of color being segregated in the Soviet Union, as we fight the battle for integration in the United States. And, I should add, everytime a Negro in America is the victim of discrimination or injustice, we are injured and weakened abroad as well as at home. But, everytime our fellow Americans gain their rights and privileges, new hope is registered in the hearts of people everywhere.

Mr. President, I did not spend all my time at receptions. I went to the parks, to the railroad stations, and the streets. I talked to several hundred people in the Soviet Union. I found some of the same hopes and aspirations among the common people that exist in the United States. All too often we fail to get our message to them, because we are so busy explaining the massiveness of our space program, the massiveness of our weaponry, that we forget to tell them of the reality and at times, the kindliness of our lives.

I am of the opinion that there is a great opportunity for people who will make the approach to people, even in the Soviet Union. It makes its impact.

I spoke this morning to a few of our friends of the press. I mentioned, for example, that as I strolled through Gorky Park on Tuesday night, the first three persons I met were from other lands. Each of them spoke openly and aloud, without fear, of friendship for the United States. A young Japanese student said he had been in the United States, and he was visiting for 2 weeks in Russia, and he said, aloud, "I like the United States much better."

I heard one Communist leader say, "Everything is wonderful in Moscow," and there was one in the back row who said, "He is a fool, or a liar," out loud.

Mr. President, there are signs of hope. We ought to work to encourage those signs of hope. This is one of the reasons why I believe, as we discuss the treaty, that the discussion ought to range far into the substance and fabric of our foreign policy and our approach to other peoples.

We need officials in our State Department who will cleanse their minds of the rigidity of the cold war discipline and think of how they can come forth with new ideas. Anyone can respond to old formulas. Anybody can respond to the practices of yesterday. We need people who understand the social and political forces of today—the changes taking place now—and the possibilities for the future.

All too often the official memorandums which I see, seems to respond only to old problems with old answers that have never worked. What we need now is to find some new approaches. We need to spend as much time seeking ways and means of penetrating the body politic of the Soviet Union as we do seeking to penetrate outer space.

Today we shall vote for billions of dollars of authorizations for NASA. I shall vote for that measure. But this same Congress denies adequate funds for our own U.S. Information Agency, for our cultural and educational programs. We argue about a few million dollars for the living, when we are spending billions of dollars to go to the moon—where nobody lives.

I suppose that is important. I do not know enough about it to think it is unimportant. I shall follow what I believe to be the expert guidance and advice of the scientists. But I know something about people. I know there is hope that people who can learn how to launch a sputnik can learn something about the facts of a better life, also.

I regret to say that one of the areas of intellectual rigidity and backwardness in the field of the social sciences and the humanities is behind the Iron Curtain. The Russians are expert in engineering, science, and technology, but in the art of living, oh, how backward they are.

Perhaps we ought to talk to them about being competitive in their own society, instead of being competitive internationally.

Perhaps we ought to encourage them to construct better houses for Russians, rather than to consider who builds a better house, a Russian or an American.

Perhaps we ought to talk to them about the fact that there are other problems besides our race problems. Russians have grave political and social problems which need airing and remedial action.

Perhaps there is a worse kind of bigotry than that which emphasizes racial prejudice—the bigotry which denies that man is born in the image of his Maker. This is the bigotry of communism.

There are many things to talk about. When I have the privilege of these short journeys, I come back "fired up" to do a better job, because I sense that, in a way, we have missed our opportunity.

If the United States of America and its allies should lose this struggle with the forces of totalitarianism, it will only be because we did not try. There is no more comparison between what we have in America and what the Russians have than there is between a beautiful boulevard of freedom and the back alley of despotism.

We are far advanced, and yet we use so little of our advantage for the real power struggle. We permit others to establish the rules of the game. We permit them to set the conflict in which we can compete—the arms race, spying, counterintelligence, all the works of evil—all of which may be necessary in this ugly world of ours. But in the meantime I suggest we can do more with the young people, we can do more about getting young people to visit us, and we can do more about getting our young people to visit them, and talk more to them about the simple things in life, the comfort of a home, the benefits of the local community, clothing, medical care. Let me share with you one or two further observations. A 17-inch television set in a department store in Moscow costs $375. And they call it the "worker's paradise" in Russia.

A suit of clothes there costs from $150 to $175. I paid $59 for the Botany 500 suit that I am wearing today. I was proud to wear it in Moscow. I showed it to the young men there and said, "Instead of paying for it with 2 months' work, in our country you would have to pay the equivalent of 1 week's pay." I let a young man try it on. He liked the feel of it. I think that is better information about America than saying, "We have a bigger rocket than you have."

I do not believe in the policy of "one-upism," in which we say, "you may have a 100-megaton bomb, but with three 30-megaton bombs we can do as much damage as you can with a 100-megaton bomb."

I do not believe that we can win the struggle with that kind of argument, but we can by meeting some of the aspirations of mankind. I found this to be true because people want to live and want peace. One thing Khrushchev said that impressed me was, "If our interest is coffins, even in coffins we will lie differently." How right he is. It is another way of saying our social systems are different.

I am not interested in dying, but in living. It is to the living that we should dedicate our energies. And when we speak of the living we of necessity think of those things that make for a better life—health, education, freedom, spiritual, and philosophical truths.

The proposed treaty offers a moment of inspiration. It is a breakthrough for mankind. It shows that intelligence and reason can overcome emotion and passion. It also proves that anything which is worthwhile must prove worthwhile to you, and to someone else. We cannot have it only our way, Mr. President. I have heard many Senators say, "The Soviets will not observe treaties." Anyone who keeps a treaty that is to his own detriment is not going to be in power very long. Any treaty must be mutually advantageous to be worth the paper it is written on.

Instead of trying to negotiate all the big problems, I think we might try to negotiate how we can have a teletype machine in our Embassy in Moscow, how we can improve communications from Washington to Moscow, how we can get a little more freedom of movement for our Embassy people in Moscow. These are matters in which we can make small approaches, and then perhaps we can settle some of the bigger problems. Changes take a bigger toll of communism than they do of freedom, because with freedom we accept change as a fact of life, and we adjust to it by preserving our freedom.

One of the definitions of the word "liberal" is that he recognizes change, accepts it, and molds it to his way of life.

The forces of economic, social, technological, scientific, and political change that are at work today are compelling changes behind the iron curtain that are of monumental proportions. One cannot any longer be behind the iron curtain and be cut off from communicating with the rest of the world. It is impossible. This is why, for example, the women of the Soviet Union refuse to buy some of the cloth that is manufactured in their factories. They have learned that there are better things available somewhere else.

Even without regard to consumer organizations, the people are able to bring the pressure of consumer interest to bear on their government, which forces a change in production.

It is a fact, also, that our Western European allies are doing business with Russia. We refused to sell Russia fertilizer plants. So Mr. Khrushchev bought them from Krupp in the Federal Republic of West Germany. But today Bonn, Germany, says, "We had better not sign the test ban treaty. It may weaken our position against the Communists."

Is it not interesting that Europe does almost $2 billion in business with Russia? We do $35 million.

Every time it seems as though we are going to talk with the Soviets, someone in the chancelleries of Europe says, "Watch out. America is getting soft on communism." In the meantime our iron mines are closed down. Our factories are operating at 15 percent below capacity. We have millions unemployed. In the meantime our allies import workers, because the factories in their countries need workers to fill orders.

All I say is that it is astounding to me that there is concern in Bonn over the treaty, but no concern over the fact that they are selling to Russia petrochemicals, fertilizer, machinery, and other products, to the tune of hundreds of millions of dollars. Are they concerned that they do more than half a billion dollars worth of business with East Germany? If we propose to sign a protocol with East Germany, which is not to be filed with us as a signatory power, great concern is shown. Is not recognition given to East Germany when $500 million worth of business is done between West Germany and East Germany? The facts of history prove that we have signed protocols with regimes we have not recognized. We do not resognize Red China, and yet representatives of the past administration sat down in Geneva with representatives of Red China. Representatives of this administration sat down at Geneva with representatives of Red China. We have not recognized them and have not lost our purity because we negotiated with China. The Chinese Communists are in the world. I suppose they will be here a long time. There are more Chinese than there are Norwegians, or even Irishmen, or Italians, or Swedes. But when this Government seems to be doing anything that appears to be in its own national interest, it is said, "You may be putting us in a difficult position with the Communists."

When this treaty comes up for debate, there will be plenty of discussion, not only of the subject matter, but of the implications of it. It is time for this Government to take a good, long, careful look at where we are going, what our relationships are to be with our allies, what our allies' relationships are to be with us and our competitors and our antagonists.

I think we had better take a good look as to what are the true relationships between the Soviet Union and Communist China. Is the Soviet Union more concerned with Communist China or with Cuba? Perhaps we shall find out, if we will patiently, perseveringly, resolutely, and intelligently negotiate, instead of pulling old answers out of old desks.

That is what has been going on. I was encouraged by the report of yesterday made by Ambassador Wadsworth and by the bipartisan support which it shows for the proposed treaty. I have also called attention to the editorial in the New York Times.

I devoutly hope, and I am most confident, that partisan considerations will not become involved as we fulfill these constitutional responsibilities.

I believe that our duty, both as citizens and as Senators, not as Democrats or Republicans, is to examine what we are doing and to see if it is in our interest, and whether it contributes to our security and to the longrun program of peace. I say that because there will be no democracy unless we have peace. No man can foresee the possibility of retaining a constitutional government in a nation laid in ashes from nuclear war. It will require every bit of sense, discipline, and every bit of intelligence and restraint that we have to keep this world from destroying itself. If this treaty makes one little contribution to that end, it is indeed the work of the peacemaker. Someday, perhaps, we shall eulogize the peacemaker as much as we eulogize the warrior today. The warrior has always had the front of the stage. It requires courage to be a warrior, and no one should deprecate that fact. I know it is written, however: "Blessed are the peacemakers." If we are going to heed this spiritual advice, we should practice it, and we should put as much emphasis upon peacemaking as we do upon winning wars.

Fortunately this country has not been an aggressor. We have a record of being a peaceful Nation. Our defense structure today is what I said it is, a defense structure. We seek no war. We are beset, however, by powerful, sinister, aggressive forces. I am beginning to feel that there are others in this world who at long last are beginning to recognize the fact that there is no victory in a nuclear war. There are those who can encourage the superpowers to fight it out among themselves, and possibly hide in some distant caves and then come out after the holocaust is over and claim for themselves what is left of the world.

I do not intend to contribute to that insanity. I intend to do what I can to see to it that this country has, on the one hand, the will—and I underscore the word "will"—to defend itself, not only militarily, but also philosophically and spiritually; yes to defend freedom of choice and constitutional government; to defend human dignity, with the word, with action; with the deed, as well as with the weapon.

I intend to do what I can to promote a sincere approach to the solution of the problems that beset nations. I doubt that I shall live long enough to see these problems resolved. However, every man has an obligation to make his contribution to the resolution of the problems. It is not so much whether we are here for the final act of the history, but rather that we have made a contribution which lends itself to the solution of the problem.

Therefore, I look upon the proposed treaty, which was signed in Moscow on Monday, as one of the steps which are absolutely essential, but the first step. One will never engage in a contest unless he can make the first step. The first step may very well be involved in this treaty. I do not seek to criticize those who have doubts about the treaty and who say, "We ought to take a good look at it."

Of course we should.

I intend to examine the treaty as carefully as will any other Senator. However, I shall kep in mind that there are other values in life besides megatons. I will keep in mind that the national security decisions of this country are not to be based solely upon divisions and regiments. If that were the case, we would already have lost. The Soviet Union has more divisions and more regiments than we have. I will keep in mind that strength resides not merely in the military. I will keep in mind that strength consists also of political, economic, and social strength, and the decisions which relate to them.

I call attention again to the statement of Mr. Wadsworth and the editorial in the New York Times. I should also like to call attention to the forthright statement in support of the treaty dispatched to President Kennedy by the Citizens Committee for a Nuclear Test Ban.

I also call attention to the telegram dispatched to President Kennedy by Walter Reuther, international president of the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America.

I ask unanimous consent that his telegram be printed in the RECORD at this point.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

AUGUST 1, 1963.

President JOHN F. KENNEDY,
The White House,
Washington, D.C.:

The test ban agreement is an historic first step in ending the nuclear arms race which has been cascading mankind to catastrophe. The agreement is a tangible tribute to your leadership, for despite difficulties, delay, and disappointment, you have kept the faith in your search to building an enduring peace. People everywhere will offer a thankful prayer that your dedication and determination, your patience and perseverance have prevailed.

I am confident, Mr. President, that this first historic step will strengthen your resolve to move toward meaningful disarmament so that the contest between the free world and the Communist world can be shifted from the negative nuclear arms race that no one can win to a positive contest of peaceful competition to determine which social system can best harness the economic potential of our developing science and technology and relate the abundance of automation to the needs of the human family.

I share with you, Mr. President, the faith that our free society can best unlock the creative genius of the free human spirit and that in a contest of peaceful competition our system of freedom will demonstrate its superiority in improving the quality of human life. I salute you, Mr. President, on the historic achievement and pledge to do everything possible to achieve the broadest public understanding of the true significance of the test-ban agreement and to mobilize the maximum public support to assure Senate ratification.

Kindest regards.

Respectfully yours,

WALTER P. REUTHER.

Mr. HUMPHREY. I call particular attention to the fact that Mr. Reuther eloquently expresses his "faith that our free society can best unlock the creative genius of the free human spirit and that in a contest of peaceful competition our system of freedom will demonstrate its superiorty in improving the quality of human life."

Every American, I trust, will echo the same forthright confidence in the stability of our free political and economic institutions that has been voiced by Mr. Reuther. The overwhelming ratification of the treaty will represent a step back from the brink of mutual annihilation that all rational and responsible men hope to avoid.

I also call attention to a statement issued by the National Council of Churches in a telegram sent to the chairman of the Foreign Relations Committee, the Senator from Arkansas [Mr. FULBRIGHT]. It was signed by Mr. J. Irwin Miller, president of the National Council of Churches. It vigorously supports the treaty which was signed in Moscow on Monday. The telegram reads as follows:

On basis of long-standing policies of National Council of Churches this expresses hope for early and clear ratification by Senate of nuclear test agreement. Bipartisan support urged for as nearly unanimous vote as possible to meet changing realities and show united U.S. leadership for peace. Recognizing balance of risks, limited nature this treaty, and need for caution, ratification is important for security, politicial, economic and also moral reasons. These include health, reducing international tensions, and opening possibilities of first steps toward reliable system of disarmament and other measures for more peace with justice and freedom.

We are calling our people to pray to Almighty God in thanksgiving for achievement of treaty draft with promise of benefits for world and future generations and in petitions for further steps toward peaceful developments among God's whole human family.

Mr. President, Mr. Miller is not alone in invoking divine providence in his telegram. I saw in Russia with my own eyes thousands of people praying—praying for peace and praying for justice and praying to our God—as reverently as any Senator or any chaplain ever prayed in this body or in any church at home. I had heard that there was no religion left in the Soviet Union. I know what the atheistic policy of the Government in the Soviet Union is, namely, to discourage religion. However, I saw how faithful people can be. These people go to what are called museums, but which once were churches, and they say that they go there only in the interest of art. However, while they are there, they cross themselves, and their lips move in silent reverence. Is it not interesting that the churches in Zagorsk in Russia are open from 6 in the morning until 6 in the evening and that thousands of people come there every day to worship? They do not sit, and they do not have the comforts that we have, but they kneel, and they stand, and they pray, despite the fact that their Government says that atheism is the way and that Marxism is the way. I am confident that people can be reached by faith and love. Anyone who does not believe it ought to remember what happened to the Roman Empire, which was the most powerful empire of its day.

The Apostle Paul and St. Peter, following the words of the Master, shook the empire to its very foundation and broke it, until finally one of its emperors had to embrace Christianity as the official religion—this against the power of the state, a mighty state that ruled the earth with omnipotent power.

I believe there is something stronger than the sword. I believe there is a force stronger than the atom. I believe that force could be put to work in this day and age, too, if people would will it and do it. But so long as we calculate power in terms of megatons, rockets, Sputniks, satellites, dollars, and divisions, and use them as the full measure of power, we shall get ourselves into a competition that can lead only to disaster. However, if we add to that measurement of power the real force of power, the force of love itself, the force of human understanding, the force of respect for human dignity and the recognition that man is weak, indeed, and that more powerful forces are at work in the world than man himself, and that there is a Supreme Being, then I believe we will inevitably win, not so much for ourselves, but for mankind.

Therefore, I see in these manifestations of man's work, such as this treaty, the hope that we are returning to a more victorious approach, the approach that has always won and never lost.

I say to those who are the historians of this day and to those who have gone before: The mighty armies of Macedonia, of France, of Persia have all gone down in defeat, despite their power. Sometimes they have been broken by what may be called the forces of nature. The mighty Spanish armada was not defeated by the British alone, but by storms of the sea. Napoleon with his victorious legions was not defeated by guns so much as by Nature, and also by the desire of men to be free, as his divisions and legions left him during the battle of Leipzig and his retreat from the winter of discontent in Moscow and Russia.

I am not a profund student of history, but I am enough of a student to know that mighty armadas and powerful armies that seemed to represent omnipotent power have been destroyed by forces greater than manmade things. Therefore, I feel that as we approach the difficult hours of decision in our policy, we must not merely equate our national security in terms of the bomb or in terms of weapons, but rather in terms of the spirit. Yes, in our belief that man was created in the image of his Maker, and therefore is not to be subjected to coercive, oppressive rule; that self-government is not only a political expression, but a spiritual expression, as well; and that the betterment of mankind is not merely an economic quotient, but also is something that relates to the basic needs of mankind, as revealed in his soul and in his spirit.

Mr. President, I yield the floor.

Mr. MILLER. Mr. President, I was privileged to hear part of the remarks of the Senator from Minnesota [Mr. HUMPHREY]. I do not seek to rebut them, because all of us support many of the things he has said; but I wish to make several comments.

First, I am very restive over what appears to be premature consideration of the test ban treaty. I feel that the Senate is in the position of a judge in a courtroom. When the defendant and the plaintiff appear before him, although the trial has not begun, if members of the press then ask the judge how he will decide the case, I do not think the judge should then state how he will decide it. Furthermore, I do not believe he should even comment on that subject at that time, because to do so would be to indicate that, regardless of what the evidence might show, he had already decided how he would rule.

The evidence on the test ban treaty has not yet begun to come in. Very shortly the hearings will begin; and I understand they will continue for several weeks.

Although all of us have a smattering of knowledge about some aspects of the treaty—and certainly the Senator from Minnesota has more than a smattering, because he has been in on the situation, or at least on certain aspects of it, for several years—I do not think any Senator has heard all the evidence. Thus, I do not understand how any Senator can decide the case until all the evidence is submitted.

Certainly, Mr. President, in advance of the presentation of the evidence, I will not make up my mind as to whether I shall vote for or against approval of the treaty. I may vote for it; I may vote against it. In any event, that will be a very difficult decision for all of us to reach.

In regard to the matter of pitting one megaton against another, let me point out that when one is engaged in war or is confronted with the possibility of the outbreak of war, he had better have more bombs, more guns, and more men than the enemy has. Thank God, we did have them in World War I, in World War II, in the Korean war, and also at the time of the Cuban confrontation last fall. Although I am sure all of us believe in a Supreme Being and believe in the power of prayer, I am afraid it took more than prayer to deter Khrushchev from installing more medium-range ballistic missiles in Cuba last fall; and it took more than prayer—although prayer might have helped—to get him to take out of Cuba those already there.

I suggest that so long as the leaders of the Soviet Union—not the people of that country—are dedicated Communists—and let me say, incidentally, that the other night Khrushchev stated quite frankly, during the signing of the treaty, that he is still a Communist—they believe that might makes right and that power is the answer to everything.

Therefore, I believe we had better start thinking about megatons as well as prayer, for this is not an "either or" proposition. We must have both. We hope the day will come when the Communists will cease and desist in their faith in communism and their belief that the end justifies the means and that might makes right. But, as of now, I see no evidence whatsoever that they have changed; and, as I pointed out the other night, Khrushchev said he has not changed. So we must keep these points in mind.

Mr. HUMPHREY. Mr. President, will the Senator from Iowa yield?

Mr. MILLER. I yield.

Mr. HUMPHREY. I do not believe there is any conflict between us on this matter.

I believe I said, first that the treaty must be given careful scrutiny, and that I did not believe that those who were expressing doubts about the treaty were necessarily opposed to it. I said that our task is to examine it, both at the debate level in the Senate, and at the hearing level in the committee; and I, for one, have no sense of antagonism or criticism in regard to those who are expressing doubts. I said that our job is—as the Senator from Iowa put it; he put it more accurately and more aptly than I did—to act in a sense as a court.

Furthermore, let me make crystal clear that I do not believe we are speaking of a Utopia. I believe that one reason why Khrushchev is indicating interest in the treaty which will be before us is that we did confront him with massive strength in Cuba, which impressed upon him and upon others the fact that he, by his irresponsible actions, could precipitate the world into a nuclear holocaust. I said all this just last week, the day before I left for the trip to Moscow; and I want this clearly set forth in the RECORD.

I do not believe in unilateral disarmament. I merely say, and repeat, that despite all the strength we may build in the arms area, that strength can be matched in part by another industrialized power, such as the Soviet Union. But I point out that we have other areas of strength on which we can rely. I am not prepared to say how we shall use them or what means we shall adopt in order to use them; but I say that self-criticism and freedom of choice give us additional strength, and I do feel that our great strength in spiritual, economic and social values gives us additional power.

Those points should receive great emphasis—entirely aside from the dialog in which the Senator from Iowa and I may engage, during which we seek to develop each other's thoughts—although I am very grateful to the Senator from Iowa for the contributions he has made.

Mr. MILLER. I thank the Senator from Minnesota for his comments; and we have indeed had a dialog.

Mr. ELLENDER. Mr. President, I was delighted to listen to the remarks of the distinguished Senator from Minnesota, for I usually enjoy hearing someone speak who agrees so wholeheartedly with my views. It has been my privilege to visit Russia on four different occasions—in 1955, 1956, 1957, and also in 1960.

Upon my return from each of these journeys, I went to considerable trouble to tell the American people, and the Senate, almost exactly what has been so well said by the Senator from Minnesota just now. Indeed, it seems to me that his experiences in Russia, and mine, are very closely parallel. However, I must warn him that I was severely criticized, and kicked around by the press, for my trouble.

We both took pains to meet the common people of Russia, to go out onto the streets and to stroll through the parks. I am glad to say that this experience led us both to common conclusions as to what course of action our Nation should take in relationship to the U.S.S.R.

For years I have been attempting to influence our Government to change the present course, which has gained us virtually nothing. In my 1956 report on the oversea operations of the U.S. Government I made many of the points just mentioned by my distinguished colleague; namely, that our best hope lies in allowing the Russian people—and I would like to accent "people"—see at first hand our way of life. To this end, we should have a vastly expanded exchange program.

Also, we should make every effort to acquaint the Russians, and here again I mean the man in the street, with the benefits which have been made available to the American people under the American system of government. This person-to-person contact and exchange should be encouraged in every possible area, and at this point I ask unanimous consent to include an extract taken from my 1956 report. Similar arguments have been advanced in each of my three other reports which deal with the U.S.S.R.

There being no objection, the extract was ordered to be printed in the Record, as follows:

I found that, as a whole, the educated Russians I spoke with were extremely curious about our mode of life in the United States, and, even more important, demonstrated a desire if not a compelling urge to go behind catchy Red slogans, and to do their own thinking. I have no doubt that the Russians of today are better off than they have ever been. Most of them seem satisfied for the reason that they know no better way of life than that which they are now enjoying.

Joseph Stalin grew to power in the midst of ignorance and poverty. I am convinced that because of the changed conditions in Russia the people will not permit another despot to assume such powers as those exercised by Stalin.

As more Russians become educated, they will become less and less prone to accept at face value the propaganda-loaded description of life in the United States which the Red propaganda system dins insistently into their ears. The Russian people are curious by nature; they are becoming increasingly more curious about Americans, about life in America, and about the freedoms we enjoy.

During my stay in Russia, I visited the Crimea, where former royal places have been turned into worker hotels and resorts. People gathered around me in the street, at the hotels, and on the boardwalks, eager to feel the quality of my clothing, to see the kind of leather from which my shoes were made, and to hear me speak (through our interpreter) of life in America. They were astounded to learn that American workers are not starving in the streets of New York, and that Negroes are not lynched by the hundreds in the Deep South. They thought it unbelievable that almost every American family has its own automobile, and that the people of the United States do not want war with the people of Russia.

They were extremely curious about the prices of food and goods in the United States. They displayed doubt when I told them my shoes cost $17.50, compared with $65 to $75 in the Soviet Union. The cheapness in price and abundant availability of goods in America created amazement and disbelief among these people, who are charged $220 for an 8-inch television set and $500 for a small electric refrigerator, and to whom owning an automobile is an almost unheard of luxury for the average worker.

This curiosity, it strikes me, offers the free world a fertile area in which can be planted the seeds of freedom for Russia. I therefore recommend that, subject to reasonable security regulations, we broaden our exchange-of-persons program with the Soviet Union, and that we bring more of the Russian people into the United States, to see at first hand how our people live. I recommend, too, that our Information Service increase its efforts to reach behind the Iron Curtain with the message of freedom. In this connection, it is of vital importance that our magazine, our broadcasts, and so forth, to the people of Russia contain no criticism of their way of life. Although we abhor communism, instead of disparaging it we must stress the positive aspects of our own system. We should say, in effect: "We give you credit for believing in communism as an economic system; that is your right. But, here is what a free people, living under a democratic system of government, have both in physical and spiritual things." A better plan would be to extoll the virtues of democracy and completely ignore their system.

I do not pretend to be a psychologist, but I do know that the surest way to shut the ears of the Russian people to the story of our way of life is to criticize their existing form of government. As the old saying goes, "You can catch more flies with honey than with vinegar."

I am sincere in my belief that by bringing more Russian farmers, more Russian industrial workers, doctors, teachers, more Russian housewives and children and others, to our country, permitting them to see at first hand how we live and the benefits available to us under a free system, we can demonstrate that communism cannot hold a candle to democracy in furthering the cause of individual freedom or bringing a better way of life. This exchange of persons, coupled with objective reporting of our American way of life, will—I believe—create a mighty force for peace with its genesis among the Russian people, a force which the leaders of Russia could ignore only at their personal peril.

The Russian people with whom I spoke believe that the United States fears Russia, and that present American policy is designed with one ultimate objective—the forcible destruction of the Soviet Union. Therefore, they fear us. As patriots (and the Russian people love their land if not their present government), the people of Russia would be willing to fight for their existence. Soviet leadership has capitalized upon this fear; through this medium, they have been able to keep living standards low in order to forge a military machine. If it were possible (and I think it is) to dispel this fear, to eliminate the distrust of American motives among the Russian people, then relations between our two countries would improve overnight. We must make every effort to convince them that our preparations are not for war or aggression, but for defense.

These factors—increased education, natural curiosity, and a desire for self-improvement—are available to the United States for intelligent use as the foundation for an ultimate rejection by the Russian people of communism as both a way of life and an economic system.

I therefore regard as most unwise our Government's recent shutdown of exchange of persons between Russia and the United States. I think it was stupid. The reaction of the Russian people, fostered by the Communist propaganda machine, will be: "America fears us—she fears that we will see her poverty and her ignorance—she does not want us to see how weak she is and how her people are oppressed." In addition, this action will lend credence to the repetitive pronouncements of Moscow propaganda mediums that the United States wants war, while Russia wants peace. This, of course, will create an atmosphere which could ignite like tinder should even a tiny spark fall.

Since my return to the United States, I have been referred to by some mediums as having been "brainwashed" by Khrushchev. This I most vehemently deny. I believe I have noted basic factors which, if only capitalized upon by our country can result in the destruction of dictatorial rule in Russia. The people of Russia bear within their great masses the seed of American victory in the cold war—a victory which can result not only in benefiting the free world, but in rekindling the light of freedom behind the Iron Curtain. It is now time for us to begin nourishing this seed, to the end that fear will be replaced with trust, ignorance with knowledge, and ultimately, cold war with warm friendship between the people of Russia and the people of the United States.

Mr. ELLENDER. Mr. President, my good friend also echoed my views when he expressed the hope that the test ban treaty will prove to be the first step of the world along the road to lasting peace. In my view, the treaty itself amounts to little of real importance, but if it leads to a long era of relaxed tension and peaceful relations the benefits to be garnered will surely be of substantial value.

Foremost among these benefits will be the opportunity for our country to at long last begin reducing our defense expenditures. I have often expressed concern over how much longer the American economy can continue to stagger ahead with $50 billion annual defense budgets hanging from its neck.

My views concerning this, as well as my stand on the test ban treaty as a whole, are contained in a radio address I recorded some days before the treaty was actually initialed by our representative in Moscow. I ask unanimous consent that a portion of that address be included at the conclusion of my remarks.

Mr. President, it is my belief that everything I said, every piece of advice I gave in respect to what we should do about Russia will come to pass. I think the remarks of the Senator from Minnesota concerning the conditions he found there, as well as world events which have already taken place, bear this out.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

The Test Ban Treaty

I am pleased to hear that good progress is being made in the test ban negotiations which are going on in Moscow. It is too early to tell exactly what will come out of these talks, but I am hopeful that the final draft of a treaty will soon be agreed upon. If it is, and if it provides reasonable safeguards for our own security and against secret testing on either side, I am confident that the Senate will grant the "advice and consent" required for final adoption.

In my opinion, the time is now ripe for the United States and Russia to come to such an agreement. I hope that our efforts in this regard are successful, and that further agreements can be arrived at in more general fields. I have long felt that as the Russians become more and more prosperous, as they have undoubtedly been doing in recent years, they will tend to move further and further from the pernicious ideas of the Communist state. Communism appeals only to people who are so economically depressed that they have nothing to lose by placing all power in the State.

And as they move away from the theories of Marx and Lenin, they will become more and more receptive to the ideas which have made our country of America the greatest in the world. Accordingly, we should do everything possible to encourage the Russians to adopt the institutions of our open society. We should expand our exchange program, and act to open all doors which will allow the citizens of the U.S.S.R. to see American life as it really is. If a workable test ban agreement can be reached, perhaps it will be the first step toward allowing the current distrust and suspicion to be gradually displaced by mutual trust and understanding. To hope that this will not be the case, as some do, means acceptance of the idea that our two countries will forever be at each other's throats, or that a third world war is inevitable. I, for one, would hate to think there was no other choice.

But aside from this, there is another powerful reason to hope that the test ban negotiations will be successful. I have long felt that our Nation could not continue to carry our tremendous defense expenditures indefinitely into the future. I have also pointed out, on several occasions, that although our defense experts say we have the nuclear capacity to annihilate our enemies several times over, we continue to build up our atomic armaments and stockpiles. It often appears to me that our Nation is running pellmell down the road to fiscal disaster, and that we are being prodded on and encouraged by our so-called military experts.

Mr. HUMPHREY. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I yield.

Mr. HUMPHREY. The Senator from Louisiana knows that I have been much interested in his careful studies and observations made as the result of his official journeys. They have been most helpful. I have privately and publicly commended the Senator. I did not criticize him. His studies have been most helpful.

Mr. ELLENDER. I know the Senator from Minnesota did not criticize me. I merely say that what the Senator has been preaching is what I have preached for the past 6 or 7 years, but without results. I hope the Senator from Minnesota will have more luck.

Mr. HUMPHREY. It is hard to get results immediately.

Mr. YOUNG of Ohio. Mr. President, may I express my admiration for the great speech to which the Senate has just listened, delivered by the distinguished senior Senator from Minnesota. It was a magnificent address. I am in agreement with every statement made by the Senator from Minnesota.

Mr. HUMPHREY. I thank the Senator from Ohio for his kind remarks.

ADDITION OF CERTAIN LANDS TO CACHE NATIONAL FOREST, UTAH

Mr. ELLENDER. Mr. President, I ask that the Chair lay before the Senate a message from the House on S. 1388.

The **PRESIDING OFFICER** (Mr. McGOVERN in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 1388) to add certain lands to the Cache National Forest, Utah, which was, on page 8, line 9, strike out "southeast" and insert "southwest".

Mr. ELLENDER. Mr. President, the Senate passed this bill some time ago, and so did the House. The bill contained a technical error which was corrected by the House. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

AREA REDEVELOPMENT ACT IS GOOD GOVERNMENT AND STRENGTHENS AMERICA

Mr. YARBOROUGH. Mr. President, yesterday Edwin P. Neilan, president of the U.S. Chamber of Commerce, leveled charges at Congress which included a blanket indictment of all Federal-State programs. Mr. Neilan charged that these programs are immoral and singled out the area redevelopment program as a "sophisticated spoils system." Most of us, I am sure, share the indignation that has already been expressed at this fantastic statement. The protests to Neilan's charges included statements from the distinguished leaders in the Senate as well as the Secretary of Commerce.

Mr. President, I too am outraged by Mr. Neilan's speech and am appalled by charges that we in Congress are immoral, that our constituents are immoral, and that the Federal Government is immoral, because we seek to keep America prosperous and strong.

Mr. President, there are few better examples of the American philosophy of equal opportunity and self-help than the area redevelopment program. The ARA employs the collective resources of the Nation as a unanimous, nationwide support of progress. The ARA attempts to include every American in the economic growth of our great Nation by attacking problems of temporary pockets of unemployment and temporary economic slowdown.

The glory of the ARA, however, is that it is a program of self-help. The ARA provides the maximum of opportunities for private enterprise to turn the wheels of economic change by providing funds for technical assistance, industrial loans, public facility loans and grants, and retraining. All four aids depend on private enterprise for the final results.

We in America believe in equality and self-help. We want every American to share in the economic progress that our glorious Nation has attained. However, we do not want any group or locality to bear more than a proportionate share of the cost of economic advancement. Under the ARA all initiative comes from the local community. To get the self-help ball rolling under the area redevelopment program, a local redevelopment group—which is locally representative of the local community—must be formed and approved by State authorities as the spokesman for the community. This group spells out the plan for action. All initiative comes from the local community. All plans offer maximum opportunities for private enterprise to do its job.

The ARA has been especially beneficial to Texas. The program was directly responsible for helping Texans to build the finest brick and tile plant in the world in Malakoff, as well as providing for the expansion of the Norman Pottery Co., in Athens. The ARA was directly responsible for our fine synthetic marble plant, and the Southwest design office furniture plant in Jacksonville, as well as the east Texas mineral survey by the University of Texas' Bureau of Economic Geology. Clarksville was aided in building an industrial park, and Detroit, Tex., was helped in the construction of its pickle plant. A whole new worldwide industry which makes cattlefeed and fertilizer out of algae, which was choking Caddo Lake, was begun under the auspices of the ARA in the Caddo Lake project. The ARA is providing an $11 million tire plant in Texarkana, with the possibility of a $20 million steel plant in Cherokee County, and a $30 million Texas newsprint plant in Jasper County.

Fifty redevelopment areas have been designated in Texas. This includes 55 counties with a population of 1,026,976 Texans. There have been 15 job-creating loan projects authorized, with a total cost of $15,185,244. Of this, the ARA loan participation is $10,018,863; these are interest paying repayable loans, not grants. The ARA participation in job-creating loan projects which are now pending is almost $53,500,000.

I have been to Texas ARA projects where there was a combination of bank loans, U.S. Government loans, and capital raised by subscription from private sources, to get an industry going. The Government loan rate of 4 percent is higher than the rate the Government is paying; and all the aid to private industry by the ARA is in the form of loans at an interest rate higher than the Government pays for the money. This aid is granted only to public functions such as waterworks, sewers, and public buildings.

These technical assistance plans help communities throughout Texas to retain their self-reliance by giving a helping hand to private industry. Technical assistance is for private civic leaders; loans made are for private industrial construction, utilizing private construction companies. Public facilities are local and are always constructed by private firms, and the retraining programs allow otherwise unemployable workers to enter the private labor market. The Federal Government's sole role under ARA in industry is to help private individuals by giving a helping hand to private industry. All grants are for public projects only, public building, sewage, waterworks, and so forth. The area redevelopment program is the finest self-help program the Government has passed. The ARA is a promise for progress for our great State and the Nation. Many members of chambers of commerce in Texas are strong supporters of the ARA programs.

I am proud that we have so many members of the chamber of commerce in Texas who have shown so much more vision than the gimlet-eyed views of the president of the U.S. Chamber of Commerce. I think the average member of the John Birch Society in Texas is a far more enlightened citizen than the president of the U.S. Chamber of Commerce reveals himself to be in his speech on yesterday.

Let us hope that the American Government and people never sink to the low level of the views of the president of the U.S. Chamber of Commerce. I hope someone will lower a candle into the dark recesses of the governmental fog in which he lives.

Mr. President, I ask unanimous consent that a resolution of the Henderson County Commissioners Court of August 1, 1963, be printed in full, including the signatures, at this point in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION

Whereas on February 1, 1962, the Commissioners Court of Henderson County, Tex., by unanimous vote did recognize the Henderson County Redevelopment Industrial Committee as a representative organization and did authorize such organization to prepare and present its overall economic program for Henderson County under the Area Redevelopment Act; and

Whereas, said Henderson County Redevelopment Industrial Committee has presented an overall economic development program; and

Whereas several Area Redevelopment Act loans have been made to industries in Henderson County, which have increased the economy of Henderson County; and

Whereas there are several applications for loans pending at this time, one of said applications being for a loan to completely rework and refinish the Henderson County Courthouse; and

Whereas since the passing of our resolution above referred to, we have found the area redevelopment act program to be sound and beneficial to our county: Now, therefore, be it

Resolved by the commissioners court, duly elected from all portions of Henderson County, That there is still a great need for such program in Henderson County, and we hereby reaffirm our prior endorsement of the Henderson County Redevelopment Industrial Committee, and we ask that all representative agencies continue to work for such program; and be it further

Resolved, That we hereby, by our official act, reendorse such program and we respectfully request that Henderson County be left under the Area Redevelopment Act; and be it further

Resolved, That the U.S. Congressman from this district, the U.S. Senators from Texas, and all other interested parties be sent copies of this resolution.

Voted unanimously by the court. Dated this 1st day of August 1963

R. H. LEE,
County Judge, Athens, Tex.
D. C. MITCHELL,
Commissioner, Precinct No. 1, Athens, Tex.
Mrs. JOHN BOSHART,
Commissioner, Precinct No. 2, Trinidad, Tex.
T. D. CADE,
Commissioner, Precinct No. 3, Chandler, Tex.
JOHN R. FORRESTER,
Commissioner, Precinct No. 4, Route 4, Athens, Tex.

The STATE OF TEXAS,
County of Henderson:

I, Anna Bennett, county clerk in and for Henderson County, Tex., hereby certify that the above and foregoing is a true and correct copy of an order passed by the commissioners' court while in special session on August 1, 1963, as the same appears on file in my office to be recorded in the commissioners' court minutes of Henderson County, Tex.

Given under my hand and seal of office this the 1st day of August 1963.

ANNA BENNETT,
County Clerk, Henderson County, Tex.
By ————————,
Deputy.

PROPOSED NUCLEAR TEST BAN

Mr. MILLER. Mr. President, I should like to make two comments. The first is that I am not happy about some of the remarks to which I have been listening and about some of the stories I have been reading to the effect that the nuclear test ban treaty will be ratified; but it will be considered very carefully by the Senate. I do not believe anyone knows whether the test ban treaty will be ratified, and I do not believe any Senator ought to know whether it is to be ratified. I do not believe any Senator ought to make a forecast or an estimate with one ounce of validity until after the vote on the question. If the Senate does indeed consider the treaty carefully, deliberately, and conscientiously, it may not be ratified. But to say, "The Senate is going to consider all the evidence, conscientiously, and deliberately, but will ratify the treaty," is only an empty gesture. I do not wish to be any part of it. I do not believe any Senator ought to be a part of it. That is the point I wish to make, so far as consideration of the treaty is concerned, and all the statements that are being made before the trial has even started.

Mr. HUMPHREY. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. MCGOVERN in the chair). Does the Senator from Ohio yield to the Senator from Minnesota?

Mr. YOUNG of Ohio. I yield.

Mr. HUMPHREY. I hope the Senator will not deny those of us in political life the luxury of some prophecy. I remember that in 1936 the Republican National Committee even went so far as to prophesy a Landon victory. I recall that in 1952 the Democrats prophesied a Stevenson victory. I remember when Senator HUMPHREY prophesied a victory in some of the presidential primaries. Do not deny us these little opportunities for occasional political projection and prophecy. It gives us an opportunity on occasion to be wrong and on occasion to be right. The Senator from Iowa is fully aware of the fact that some of us have predicted that we believe the treaty will be ratified. That is an affirmative statement of a conviction. I am happy to see that the statement is bipartisan. I noticed the other day that an able, intelligent and distinguished Senator who was reelected with a rather substantial vote on the Republican side made a prediction that the treaty would be ratified. I concur in that statement in a spirit of bipartisanship, in a spirit of oneness and togetherness in this body. I should like to concur with the statement of the distinguished Senator from Kentucky [Mr. MORTON], who gave us such good prophetic figures.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. YOUNG of Ohio. I yield.

Mr. MILLER. The Senator from Iowa wishes to join with the Senator from Minnesota in all the oneness that can be found in certain areas of forecasting. I am quite sure that those who attend the Laurel racetrack and other similar places are people of a bipartisan nature. The wagers that take place are bipartisan. I do not object to betting or wagering on elections, to a certain extent. But I suggest that the question of a treaty with the Soviet Union—on such a highly delicate and sensitive point, which has, as the Senator from Minnesota has pointed out, such a grave potential, not only to the future of the United States but to the entire world—is something that probably ought not be reduced to a question of wagering or forecasting in the sense that we usually use those terms with respect to most of our political discussions.

I believe it would be very unfortunate if wagers were being taken around the city at a time when the Supreme Court of the United States was deliberating on an important case. It would be unfortunate if the newspapers carried headlines stating that one lawyer or another lawyer forecast a clear-cut 9-to-0 or 8-to-1 Supreme Court decision in favor of the defendant or in favor of the plaintiff. We do not act in that way when it comes to an issue as sacred and as important as the one about which we are speaking. A treaty stands in that category. With respect to other questions, I have no objection, but I believe that we ought to be pretty careful how we handle this very delicate problem.

Mr. HUMPHREY. Mr. President, will the Senator yield further?

Mr. YOUNG of Ohio. I yield.

Mr. HUMPHREY. We are not at the Laurel Race Track. We are not making wagers. But I will continue to make what I believe is a sensible observation that this body will not reject the treaty. I am confident that after the Senate has heard the facts, the Senate will ratify the treaty. I am happy to say that that observation is not merely my own, but is one that was made on the other side of the aisle as well. I do not believe the statement indicates any sense of lack of responsibility or any sense of frivolity. It merely indicates a sense of conviction.

If the Senator desires to paint a picture in which he is acting as a judge with judicial robes, that is his privilege. I was not appointed to the Supreme Court. I was elected to the Senate. This is a legislative body. I shall make my decisions as a legislator and not as a jurist. The Senator can do as he wishes, and he will do well. I am convinced that when the evidence is all in—because I know of the sense of justice and good sense of the Senator from Iowa—he and the Senator from Minnesota will be voting alike, and that will be the oneness that will endure.

Mr. MILLER. Mr. President, will the Senator yield further?

Mr. YOUNG of Ohio. I yield.

Mr. MILLER. While the Senator from Minnesota can make his forecast—and that is his privilege—I do not pretend to be wearing judicial robes. I merely point out that in relation to a decision such as the one with which we will soon be faced, it is in the same category, as far as the future of our country and the world is concerned, as any decision that could come from the Supreme Court of the United States.

The most I shall say until the evidence is in is that I do not know how I am going to decide the question. I may decide it one way or I may decide it the other way. But I shall not prejudge the case.

I thank my friend the Senator from Ohio.

Mr. GOLDWATER. Mr. President, consideration of the proposed partial nuclear test ban is not a matter of partisan concern. It is a matter of national concern—and deep concern at that. The Constitution demands of us advice on this treaty. The citizens of America demand of us a clear statement of conscience, a clear answer to their overriding question: Is this treaty in the best interests of the security of this Nation, in the best interests of freemen everywhere? To answer such a grave question we cannot consider this treaty in isolation from the world in which it will operate. Nor can we consider it in a spirit of partisan expediency, in terms of partisan pressures, popularity polls, personal images, and resignation of responsibility in favor of easy answers. The passions of the moment are high and dramatic. But the impact of this treaty is not just for today. Its impact will be felt from here out. It is, as the President of the United States has said, proposed as a first step—simply a first step. It must be a proper step, a sure step, a truly meaningful step, or we should not take it.

Any suggestion that the mind of the Senate has been made up in advance by reading polls or columns or listening to commentators is merely a suggestion that we abdicate all our responsibilities and turn such grave decisions over to impulse.

We need to know when it comes to this treaty. We need to know facts. We need answers. The American people need no less. We 100 men and women carry the full responsibility. Any one of us who seeks the easy way out, either by voting against the treaty from old prejudice, or voting for it from new pressures—but without fully informing ourselves and our constituencies—any one of us who does that does not deserve to be here.

The record on which this treaty must stand, or fall, has yet to be built. There is not a man in this Senate who can truthfully say he has all the answers to all the questions which must be asked and answered if this treaty is to receive the informed consideration it demands.

If there is a man who today can rise to say he has all these answers, he is a man who should disqualify himself from the final voting for he is a man with a closed mind, closed against the facts we have yet to hear, against the implications we have yet to discuss. If the President of the United States had demanded that this treaty be ratified, regardless of the conscience of the Senate, we would probably, to a Senator, resist. Instead, he asked that full discussion begin. And that is proper. Let it begin. Let it not be ended by assumptions and pressure and expediency. Let it begin now and let it not end until every one of the hundred men in this Chamber can say with a fully informed and clear conscience that his vote is based upon the facts we now must find, upon the full answers we now must get, upon the broad perspective in which such a treaty must be viewed.

Is there one of us, for instance, who can say that he will vote one way or the other on this matter regardless of what the record of our inquiry should show when it is complete? Though many Members have said they believe it will go one way or the other, and have said that they intend to support or oppose—I cannot believe that anyone would say that he will hold to that course no matter what is said or heard in the weeks ahead.

The people he represents would have cause to suspect his honesty if that were the case.

This treaty cannot stand on assumptions, hopes, fears, and fantasy. It must stand on fact. It cannot fall on assumptions, hopes, fears, and fantasy. It can only fall on facts.

Just as the negotiation of the treaty itself has been viewed as a first step in a long journey—a journey we have been making actually for 18 years—so must the considerations beginning in the Senate today be a first step toward the full debate, the fully informed conscience which will culminate in our voting.

I, as will others, will be asking questions day by day in committee hearings appropriate to the matter of this treaty. But each of us must also seek his answers and ask his questions in public, on this floor, day by day. The American people must ask their questions as well, through us.

No 100 men and women in history ever have been called upon to make a more crucial decision than we will make regarding this treaty.

Let the decision be made in our conscience. Let it not be made in haste, in confusion, in less than full understanding.

In very broad outline, these are the areas in which we must find full answers if our vote, or the treaty itself, is to be based upon facts and not upon fictions, fears, hopes, whims, and pressures.

First would be the need to test. We often ask if we can safely continue. We must ask also if we can safely stop. Is there danger of a weapons gap, the sort of gap that has haunted with all its implications so many of our recent discussions of the ability of freedom to survive.

What do military men, in their own free minds, uninhibited by politics or pressures, really think about the future under such a treaty? To be sure, we cannot say that military considerations are the only ones in this treaty. So, we must ask also what the most prudent and proven students of international politics see as the future under such a treaty.

How will freedom's alliances fare under such a treaty? How will freedom's friends fare?

How will tyranny be slowed or served? What, for instance, will be the impact of this treaty upon the recognition of such brutalized and captive regimes as East Germany? Much has been said, but do we even know enough to say we think we know?

Another area that is crucial involves our readiness to test—the readiness regarded as a vital safeguard in the negotiation of the treaty so far. Can we in fact assure a perpetual readiness to test which would preserve us should another party to the treaty violate it, as the Soviets violated the test moratorium? Put positively, what guarantees can we erect that we will remain prepared to test?

In this area also we must face the grave implications of the 90-day withdrawal clause. Would our hands be tied for 3 long, perhaps fatal, months, if another party violated the treaty? Do we have anything like a full answer to this? We must, however.

There has been some discussion of the ability of this treaty to operate free of the sort of international inspection we once insisted upon. Is this a fact or merely a hope? Can, for instance, any nation be prevented from encouraging a nation that has not signed to stage tests? Can that be prevented without inspection? If so, how? We need that answer. The treaty and the hopes of all men need that answer.

And then, of course, there is the long list of next steps to which such a treaty might commit us. What are they, not vaguely, but soberly and sincerely?

And how far along the road to them have we traveled? What, in effect, is the full negotiating history of this present treaty? What are the minutes of its meetings, the meanings of its tacit as well as explicit agreements? Surely we must know these things to vote responsibly.

Those are just a few basic areas to which our hearts, our minds, and our conscience must be directed in the weeks ahead.

I will speak in greater detail regarding each of them. I will seek answers regarding each of them. So must we all. So must the world. Peace is not the easy way, the glib way. Peace means hard work. And in terms of this treaty, particularly, it means hard answers. We cannot stop until we have them. We should not vote until we have them. No mind should be closed. No heart should be closed.

We begin, here today, our greatest debate. Let no man stop it. Our world and our lives, and our honors as Members of this body, depend upon it.

PATRICK J. HURLEY

Mr. MONRONEY. Mr. President, Oklahoma shares with New Mexico the shock and loss of an extraordinary American, Patrick J. Hurley. Although he became a citizen of the world, he was born in the Choctaw Nation, Indian territory, now Oklahoma.

He went to work in our coal mines at 11, and worked his way through Baptist

Indian University, now Bacone College at Muskogee, before studying law at the old National University in Washington. He worked as a cowpuncher, too, on his way to becoming lawyer, soldier, statesman, and diplomat. He was the first native Oklahoman to become a Cabinet member, as Secretary of War under President Hoover.

His hometown of Coalgate, Okla., and the nearby community of Lehigh, where he was born, recall him also as a hardworking, determined boy, and a philanthropist. His monuments there include $1 million worth of medical facilities and numerous stories of his aid to childhood friends and their families.

His sense of humor, love of fellow man, and dedication to country will serve as a beacon for young men for scores of years to come.

I ask unanimous consent to have printed in the RECORD three editorials from papers in his home State.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Coalgate Record-Register Aug. 1, 1963]

MAJ. GEN. PATRICK J. HURLEY

The death of General Hurley is a loss to the Nation and to the world but to us in Coal County, it is much more than that.

We have lost a friend, a personal friend and a public friend. Every place he has touched has been a little better because he had been there.

We will not dwell, however, on a recital of his great achievements in the Nation and in the world.

We will only say that in Coal County we are grateful to have known him, grateful for the many contributions he has made to his old home county—hospital, manor, and unpublicized gifts.

Most of all we are grateful to the general for setting an example for our boys and girls to which they can look and know that they, too, may aspire to greatness, no matter how humble their beginnings.

[From the Daily Oklahoman, Oklahoma City, Okla., Aug. 1, 1963]

DEATH CLAIMS PAT HURLEY

Patrick J. Hurley was one of Oklahoma's most famous sons. His life story is a chronicle of success in the American way.

Before his teens he snapped a rope end at a mine mule near Coalgate. He was the chief support of a poverty-stricken widow and her family. At an age when some people retire he was snapping his fingers at the China lobby in the State Department, predicting an eventual Communist takeover of the Chinese mainland.

Hurley talked his way into the Indian school that became Bacone College and through two law schools in the Nation's Capital. He became counsel for important clients. Success came from a drive stimulated by his remembrance of where he came from and his determination not to end up where he started. Financial success was but part of that journey.

As a citizen soldier, Hurley served through enlisted grades to lieutenant in the Indian territory volunteer cavalry; as a captain in the 1st Oklahoma Infantry on the Mexican border; as major, lieutenant colonel and colonel in the Army of the United States of World War I; and as a Reserve colonel, brigadier and major general, AUS, in World War II, on special assignments. In the Hoover administration he was Secretary of War, Oklahoma's only Cabinet member.

Hurley was a negotiator of skill, whether with the Grand Duchy of Luxembourg in World War I, with the Mexican Government over oil expropriation, or in behalf of the lost cause of Chinese nationalism. In his role of general, even in a mufti, he seemed to wear stars. As a diplomat he seemed to have been of the manor born. He had a zest for living and he lived a full life. His State and his country were the beneficiaries in his lifetime as they now are the losers in his death.

[From the Tulsa (Okla.) Tribune, Aug. 1, 1963]

PAT HURLEY

It will be hard for history to put Pat Hurley into a category and keep him there. He will have to be in history, for he was a remarkable fellow. But whether he should be listed primarily as a soldier, a diplomat, a lawyer, a politican or a businessman we leave to other judges.

He was all of those, for he crowded several lifetimes into one that lasted 80 years. His own first love probably was the military where he displayed vibrant qualities of leadership in the field in all grades up to major general. Or was that his favorite duty? His personal magnetism swayed leading world statesmen as he served in one diplomatic post after another, and that certainly must have been exciting. But, then, so was the law, banking and business high in appeal to him.

His successes should be analyzed by every young person. They were due to his wide range of activities, his unflagging interest in the subject at hand, his enthusiasm that grew monumental as he got his teeth into a subject and his splendid personal appearance. Beginning as a coal mine boy at 11, he worked his way through school to a law degree, did a tour or two of duty as a cowboy, developed an early avocation in the State military service that stood him and the country in great stead in two major wars and never stopped reaching for new horizons.

We like best the citation on the honorary degree given him a few years ago by the University of Dallas. The president of the school called him the man on the big white horse. He was that indeed, and we shall never forget him in that role.

AUTHORIZATION OF APPROPRIATIONS FOR THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

The Senate resumed the consideration of the bill (H.R. 7500) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations; and for other purposes.

Mr. YOUNG of Ohio. Mr. President, the Committee on Aeronautical and Space Sciences recently heard testimony from a group of distinguished American scientists regarding the scientific potential of the U.S. space effort, and its impact on other areas of scientific endeavor.

Because of tragic experiences within my own immediate family, experiences with the dread disease cancer, which has touched most families all across the land, I was particularly desirous of reassuring myself that emphasis on space sciences and the expanding exploration of outer space was not adversely affecting research in other fields, and specifically that it was not impeding research leading toward the conquest of cancer.

It may be, Mr. President, that this expression of concern, probably due in large part to the fact that my wife and elder son were both cancer victims in 1952 and 1958, was interpreted by some as an indication of opposition to our continuing efforts to achieve preeminence in space. This was not my intention. I believe that this great and powerful Nation has sufficient resources—human and financial—to conquer space and cancer at the same time and to make progress toward checking the tragedy of mental illnesses. I hope we have the trained men of science available to combat the terrors of war as well as the terrors and challenges of peace.

The argument has been made that it is unwise to spend billions of dollars to explore outer space when we have so many unsolved problems remaining here on earth. In my judgment, however, and I am sure most of my colleagues agree, elimination of expenditures for space exploration would not necessarily result in the transfer of those funds to other forms of research. Moreover, an investigation of the funding of all forms of Federal research reveals that no real conflict exists between space exploration and research in other fields.

In fact, this investigation provides persuasive evidence, that, rather than interfering with other forms of research, our space effort has stimulated a more favorable climate for research in general, so that progress is being made simultaneously in a great many areas totally unrelated to space.

Research efforts in the physical and biological sciences, for example, have been growing rapidly. We are witnessing today a veritable research explosion—a flowering of all branches of science at a rate unprecedented in any previous period of history.

In fiscal 1964, the Federal Government will spend an estimated $14.9 billion for research and development, and private industry an additional $6 billion. The total expenditure for the year will be more than $20 billion, almost 4 percent of our gross national product.

By far the greatest portion of these dollars will be spent on what we might call, in popular terms, "big science." In this category are programs that require the development of heavy hardware such as missiles and aircraft for the armed services, launch vehicles and spacecraft for the National Aeronautics and Space Administration, elaborate devices for exploring the mysteries of nuclear power and nuclear weapons, and similar programs.

In addition to these large and expensive programs, we also have the category we might call "little science"—medical research, physical research, biological research, and so forth. Work in these fields of laboratory science ordinarily can be carried out at considerably less expense than is required for "big science."

The lines of demarcation between "big science" and "little science" are not always clear cut. In the NASA program, for example, it is well to note that with the exception of manned space flight activities, which command the highest priority, other areas of space science are being carried on that are closely related to "little science."

Those who feel that manned lunar exploration is demanding too large a share of the research dollar should remember that $20 billion is the figure projected for this decade. We shall be spending about $5.5 billion of it for all of our civilian space programs including manned space flight next year. This is a great deal of money. However, Americans spend more than $21 billion a year for automobiles and automotive products and services. We spend $20 billion a year for liquor and tobacco products. We spend well over $50 billion a year for national defense.

Dr. Edward C. Welsh, Executive Secretary for the National Aeronautics and Space Council, recently estimated that "the price of one martini per week for each adult in the country would come close to paying for the whole moon project."

Vice President LYNDON B. JOHNSON put it this way:

> Certainly American leadership in space is not cheap. We are now spending 20 cents per week per capita on our national space program. But, at the same time, we are spending each year more than four times our space budget on golf and fishing and on movies and other forms of recreation.

Mr. President, it would appear that a Nation which spends in excess of $20 billion a year on recreation alone can afford $5.5 billion a year for activities which will make us stronger and wealthier.

The crux of the matter is whether expenditures for our space program, or for "big science" in general, are at the expense of "little science." It is extremely enlightening, I think, to make some statistical comparisons over the period from 1956—shortly before the space program got underway—until the present.

Under the heading of "big science" we can list the research and development budgets and related expenditures of the Department of Defense, the Atomic Energy Commission, NASA, and perhaps in recent years, the Federal Aviation Agency, since it has undertaken the development of the supersonic transport.

Under "little science" we can list such groups as the Department of Health, Education, and Welfare; the Department of Commerce; the Department of Agriculture; the National Science Foundation; and perhaps a few others.

The Department of Health, Education, and Welfare expects to invest more than three-quarters of a billion dollars in research and development during fiscal 1964. Part of this amount will go to the Food and Drug Administration, which will continue its research to protect us more effectively against harm from what we consume, and to step up its program to insure that unproven drugs will not cause tragedies in American homes. The National Institutes of Health will continue to search for cures for cancer, heart disease, and a host of other enemies of mankind. We in the Congress have provided so much money for research for the National Institutes of Health, the directors are finding it difficult to spend that money. It is "running out of their ears" at the NIH, as one of our distinguished colleagues stated. Incidentally, leaders of the Public Health Service will endeavor to learn more about the control of communicable diseases and chronic illnesses. The Office of Education will strive to improve teaching methods and educational standards. The Office of Vocational Research will seek understanding of ways to give persons useful work skills and to reduce unemployment.

The National Science Foundation, which sponsors fundamental research in an extremely wide variety of fields, will spend $193 million in fiscal 1964. The Department of Agriculture expects to continue sponsoring agricultural research at a cost of $187 million.

The Department of Commerce forecasts expenditures of $105 million by the Weather Bureau, the Coast and Geodetic Survey, the National Bureau of Standards, and through other activities supervised by its new Assistant Secretary for Science and Technology.

This, of course, is only a brief sampling. Research activities are in progress on a smaller scale in a host of other agencies, and in private industry.

All these facts and figures become meaningful only when placed in proper perspective.

Has little science, so called, kept its fair share with big science, so called, in expenditures since 1956? Overall expenditures for "big" and "little" science have multiplied fourfold since then—from $3.4 billion in 1956 and $14.9 billion in 1964.

A look at the statistics reveals that the most active agency in the "big sciences"—the Department of Defense—spent $2.6 billion in 1956, and will spend an estimated $7.6 billion in 1964. This is approximately a threefold increase. The expenditures of the Atomic Energy Commission, again "big science," have increased threefold from $474 million in 1956 to $1.5 billion in 1964.

By way of comparison, the largest of the "little science" group—the Department of Health, Education, and Welfare—spent $86 million in 1956. It is expected to spend $778 million in 1964, a ninefold increase. The National Science Foundation spent $15 million in 1956, against an estimated $193 million for 1964, or an increase of some elevenfold. The Department of Commerce spent $20 million in 1956. The 1964 estimate shows a fivefold increase to $105 million. From these figures it can be seen that in many cases the individual members of "little science" have shown a larger growth, in terms of percentage of increase, than have the members of the "big science" group. This fact is brought out even more clearly by a quick comparison of the overall figures for each group.

In fiscal 1956, "little science" expended $262 million, versus $3.2 billion for "big science." "Little science" had 7.6 percent of the total.

For fiscal 1964, we find estimated expenditures of $1.6 billion for "little science" versus $13.4 billion for "big science." "Little science" has now captured 10.5 percent of the total.

The gains of "little science" in the past do not necessarily guarantee a similar rising trend in the years to come, but I am hopeful that the Congress will continue to appropriate all necessary funds for the struggle against cancer and other scourges as well as for expanding the frontiers of knowledge in a multitude of areas. Moreover, there is no assurance that we would be doing even as much on those essentials if it were not for the space program. In fact, the space program stimulates and generates the use of funds for those other essentials.

It is incongruous to believe that we cannot afford an energetic space program while assuming that Soviet Russia can. The Soviet Union has only half as large a gross national product as ours, and a larger population to support.

However, although we must proceed with our space program and appropriate necessary funds for it, we must also carefully scrutinize all requests for the program to be sure that they are necessary and that taxpayers' money is being spent wisely. Throughout the debate on this bill I intend to be on the job here in the Senate Chamber. If it appears that taxpayers' money can be saved without in any way impairing our space effort, I shall support amendments which would do so. I consider myself a conservative in these matters. I have attended every meeting of the Aeronautical and Space Sciences Committee which considered this subject, and I have listened intently and studied the figures at our meetings to try to see to it that there is no waste of taxpayers' money.

Mr. President, it is not a case of our not being able to afford the space program. We cannot afford not to afford it. Furthermore we have reason to believe and hope that exploration of outer space in this rapidly moving space age of change and challenge, as a result of continuing conferences between leaders of the free world and of the Soviet Union, may in the not too far distant future proceed by joint effort and joint expense for purposes of peace and advancement for people the world over.

I hope that someday this might be possible. It would be a fine achievement indeed, if we and the Soviet Union, at joint expense, with our astronauts and their cosmonauts together, achieved a lunar landing in joint exploration of the moon, and continued a joint exploration of outer space for peaceful purposes. However, until such time, we must, of course, continue with our own program in an effort to meet the goals requested by the President and approved by the Congress.

Finally, I add a few remarks regarding the industrial obligations of space technology. May I say that Senators as a rule are not technical men. However, we all appreciate the changes that are being wrought in our times and realize our duty to try to cope with them as best we can.

A major element in the Nation's space endeavor is the fact that research and development achievements in science and technology for space purposes are often readily transferable to other applications in our industrial society.

History has demonstrated that as we developed the automobile, the airplane, and the nuclear reactor, the technology involved in these fields led to valuable industrial applications in other important fields as well.

This is already proving to be the case with our space-oriented research and development.

Space technology requires the use of practically all scientific disciplines, working at the frontiers of knowledge in both science and in functional hardware. Invention and innovation in many areas must necessarily result from the quality and quantity of technical effort put into our space program.

The National Aeronautics and Space Administration has therefore established an ambitious technology utilization program, to assure that advances in space science and technology will be used to enrich the private sector of the economy wherever possible.

Under this program, new or improved ideas, materials, methods, and technology developed or utilized in the course of NASA's research and development activities, are cataloged by NASA and disseminated to industry.

A number of well-known research institutes have been enlisted to help evaluate and disseminate the pertinent information on developments with potential industrial applications. They include the Midwest Research Institute, Armour Research Foundation, Arthur D. Little, Inc., Battelle Memorial Institute—in Columbus, Ohio, my own State—Southern Research Institute, Southwestern Research Institute, and Stanford Research Institute.

Also, local business groups in Detroit, Chicago, Oakland, Calif., and elsewhere are studying the needs of their regions and seeking ways of bringing new processes and new products, stemming from space research, into these regions.

While this technology utilization program of NASA is new, examples already exist showing that innovations to meet the demands of the space program can be of use in the general economy.

For example, the development of explosive forming into methods and techniques suitable for heavy metal gages and complex forms is used to form, economically, such items as tank heads.

The extension of filament-wound reinforced plastic technology into large, strong, lightweight containers, used as rocket cases by NASA, led one industrial firm to apply these techniques to the design of a 22,500-gallon railroad tank car, saving some 9 tons of weight.

The development of frangible tube impact energy absorbers for the Apollo capsule, was translatable into elevator safety devices, automotive safety devices, and helicopter struts.

Advanced pump and pressure-time control technology for rocket application has led to development of an artificial heart mechanism for experimental investigations.

Similarly, NASA's development of polysulfide binders for solid propellants has led to improved, longer life printing rolls for high-speed presses.

The work NASA is doing to provide pure water and air for astronauts making long voyages to distant planets is being closely watched by metropolitan areas which have major water and air pollution problems.

These are but a few of the myriad ways in which space-oriented research and development are of practical use to private industry in this country.

As time and technology progress, NASA's technology utilization program will doubtless bring many new benefits to our everyday life.

It should be noted that such benefits are in the nature of "bonus" dividends, for the betterment of everyone, resulting from our investment in space science and technology.

Since a large part of the Nation's research and development effort is financed by the Federal Government, it is essential that all Americans gain the maximum value from this effort, and NASA's technology utilization program is a meaningful step in this direction.

Mr. President, the bill we are considering has been carefully considered. Thorough, studious attention has been paid to all parts of it. It is a meritorious legislative proposal. The authorization should be approved by the Senate.

ATHENS, TEX., IS NOT A DEPRESSED AREA

Mr. TOWER. Mr. President, upsetting as it no doubt will be to many members of the New Frontier, it is my happy duty to inform the Senate that the beautiful and progressive city of Athens, Tex., wishes to have the unwelcome tag of a "depressed area" removed as soon as possible.

I call the attention of Senators to a resolution passed by the City Council of Athens and forwarded to this body. It notes that Athens, in the opinion of those living there, and in contradiction to the opinion of bureaucrats living in Washington, is not a depressed area.

It is a source of great satisfaction to me to know that in Texas we have an American city with pride in its own achievements and faith in its own future.

I ask unanimous consent to have the resolution printed at this point in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

> Whereas a building boom is in progress in the city of Athens as evidenced by building permits during the first 6 months of 1963 of $1,997,950 when building permits issued during the entire year of 1962 amounted to less than that figure; and
>
> Whereas deposits in both the Farmers & Merchants State Bank and the First National Bank have increased in the 3-month period ending in June 1963: Now, therefore, be it
>
> *Resolved by the City Council of the City of Athens, Tex.:*
>
> 1. That the city of Athens is not depressed.
>
> 2. That copies of this resolution will immediately be forwarded to Senators JOHN TOWER, RALPH YARBOROUGH, Representatives JOHN DOWDY, and JOE POOL.
>
> 3. That in view of the economic conditions now prevailing, the facts reemphasize that Athens does not qualify for assistance through the Area Redevelopment Administration.
>
> 4. That our Senators and Representatives in Congress are respectfully requested to take the necessary steps to remove the city of Athens, Tex., from the list of so-called "depressed areas" as designated under the Area Redevelopment Administration.
>
> NOLEN D. GEDDIE, Jr.,
> *Mayor.*
>
> Attest:
>
> BETTY JO DILLARD,
> *City Secretary.*

AUTHORIZATION OF APPROPRIATIONS FOR THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

The Senate resumed the consideration of the bill (H.R. 7500) to authorize appropriations to the National Aeronautics and Space Administration for research and redevelopment, construction of facilities, and administrative operations; and for other purposes.

Mr. ANDERSON. Mr. President, the distinguished Senator from Tennessee [Mr. KEFAUVER] has an amendment to the bill which deserves the careful attention of the Senate. Therefore, I should like to suggest that there be a short quorum call before he offers his amendment. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ANDERSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNFAIRNESS OF AREA REDEVELOPMENT PROGRAM

Mr. LAUSCHE. Mr. President, on July 24, a company known as the Rebel Steel Co., of Dallas, Tex., filed an application with the Area Redevelopment Administration for a loan of $8.3 million for the purpose of building a new electric furnace mill in Dayton, Tenn., involving a cost of $16.5 million. An accompanying grant is also being considered to finance a study to determine the feasibility of using an as yet unproved method for processing low-grade ore.

I have no complaint about this plant being established in Tennessee, if the money is to be loaned. I would just as soon see it go to Tennessee as anywhere else, except, of course, my own State of Ohio, if I may put it that way.

The mill will manufacture a line of steel products which are competitive with those made by the Connors steel division, which is headquartered in Birmingham, Ala., as well as those of other small producers of electric furnace steel in the southeastern part of the United States. Electric furnace steel involves the processing of remelted scrap into such products as reinforcing rod, merchant bars, billets, and other commonly used steel products. None of the present producers is operating at anywhere near full capacity. Added capacity, particularly that financed by the Federal Government under extremely favorable terms—terms not available to efficient producers in the commercial market—can only create an unfair competitive situation that could have disastrous consequence to established companies.

Loans financed by tax revenues, such as those involved in the above situation, are inimical to the basic concepts of free enterprise. I am convinced that the objectives of the area redevelopment program, well meaning as they might have been at the outset, have been so distorted that they represent an economically unsound approach to the problem of "pockets of unemployment." What is happening is that we are simply transplanting unemployment from one area to another.

The area redevelopment program is not fair; it ought to be abandoned because it causes the citizens of one State to pay taxes for the purpose of subsidizing industries in another State competing with the industries of the State paying the subsidy. While it might create jobs in the subsidized State, it takes them away from the States paying the subsidy. Finally it creates unjustified competition favoring the recipient enterprise against the genuinely self-financed enterprise that has to borrow money in the open market to meet financial needs at a rate of interest greater than that which is paid by the subsidized enterprise borrowing from the Area Redevelopment Administration.

The area redevelopment bill, regardless of the standpoint from which it is considered in our free democracy, is unjust not only to competing industries, but also to the competing communities which are seeking the establishment of improved economic conditions within their areas.

I repeat that going to Alabama is not my concern. My concern in this matter is the promotion of the program which punishes one area to help another area.

Mr. GORE. Mr. President, will my colleague yield?

The PRESIDING OFFICER (Mr. Nelson in the chair). Does the Senator from Tennessee yield to his colleague?

Mr. KEFAUVER. I yield.

Mr. GORE. Mr. President, it is with regret that I have listened to the remarks of the distinguished senior Senator from Ohio, who has leveled an attack against an application for an Area Redevelopment project in an economically depressed area of Tennessee. I realize, as the distinguished senior Senator from Ohio has just restated, that he opposed, and still opposes, the philosophy and the purposes of the Area Redevelopment program.

The proposed application may very well illustrate, as he has said, the reasons for his opposition. If, upon investigation, the project is found economically feasible, then it will indeed illustrate why I believed and still believe that the Area Redevelopment program is vital to the national welfare. Not being an engineer or financier or big businessman, I am not qualified to express an opinion as to the economic feasibility of this proposed project. Therefore, I have declined to give the application my endorsement. If, however, the feasibility study now underway demonstrates that the type of iron ore present in abundance in Tennessee can, with new technology and improved processes, be utilized beneficially to the Nation and profitably to this concern, then I would gladly endorse it. The very purpose of the Area Redevelopment program is to bring about development and to stimulate utilization of the natural resources of areas in which there is severe unemployment.

Perhaps the most severely depressed area in the country is the Appalachian Mountain region, running through Pennsylvania, West Virginia, Kentucky, parts of Virginia, and Tennessee. The site of the proposed project lies in that area, at Dayton, Tenn., where there is great need for employment.

The distinguished senior Senator from Ohio says that a Government loan for this purpose does not conform to his concept of private enterprise. I am not informed in great detail about the constitution of the corporation; but as I understand, all the stock is to be owned privately, and I understand that 49 percent of the stock is to be owned by a concern in Cleveland, Ohio, the hometown of the distinguished Senator. If, after the feasibility study is made, it is determined to be economically feasible, I see nothing antifree enterprise, nothing new, nothing unprecedented, about a Government loan for such a development. I recall to the distinguished Senator from Ohio the programs of the Reconstruction Finance Corporation and the Small Business Administration. Under Democratic and Republican administrations, these programs have been utilized to make loans to private enterprise undertakings, to bring about the rehabilitation or the development of industries.

As I have said, I do not know about the feasibility of the project under discussion. But the Senator from Ohio makes the point that even if feasible, even if it is profitable, it will be unwise for the Government to make loans for the furtherance of this enterprise.

One of the objections the distinguished Senator cited was that it would create competition. But, Mr. President, competition is at the very heart of our free enterprise system. One of the reasons advanced for accelerated depreciation in the tax structure and investment credit, one of the reasons for giving encouragement to the modernization of industry, is to make American industry more competitive with world commerce. If there is in the making a new process for the beneficiation of low-grade ore, is it not in the national interest that our country proceed with its development? Is it not properly a part of a governmental function to bring about such a beneficial development in an area which so vitally needs it? That, Mr. President, is the very purpose for which Congress enacted the law.

If the feasibility study of the new process shows that this ore deposit in the mountains of Tennessee can be beneficially and properly developed by the new process, the project is worthy of consideration by the Area Redevelopment Administration.

Mr. MANSFIELD. Mr. President, will the Senator from Tennessee yield?

Mr. GORE. I yield.

Mr. MANSFIELD. I assume the Senator from Tennessee is discussing the Rebel Steel Co. application for ARA assistance.

Mr. GORE. Yes.

Mr. MANSFIELD. I understand this application for ARA assistance was received by the Area Redevelopment Administration on July 24, 1963, and that no action has been taken on it.

If it is true that the approval of this application will cause harm to existing producers and accentuate unemployment in the steel industry, it will be turned down. However, fairness to the local development people in Tennessee requires that the project be thoroughly investigated before final action is announced.

The ARA turns down more projects than it approves. The fact that the ARA has received such a project does not mean that the project will automatically be approved. Of the 1,149 projects received by the agency since its establishment, only 368 have been approved; 422 have been disapproved; 359 are pending.

Moreover, the ARA makes a careful investigation of every project, to make certain that it will create new employment and will not harm existing industries. The ARA's policy is not to approve any project which will add significant production to an industry where there already is excess capacity and high unemployment unless there is: (1) a regional insufficiency of supply; (2) an opportunity to compete more favorably with foreign imports rather than domestic production; or (3) growing consumption on a scale sufficient to eliminate the excess capacity in a short time.

I think these facts should be in the Record. I point out again that this particular application in Tennessee was received only 2 weeks ago, and as yet no action has been taken on it. But certainly it is worth investigating, and I believe we can trust the good judgment of the ARA in this respect.

Mr. GORE. I thank the distinguished senior Senator from Montana. As he has stated, it is true that the application is very new. No action has been taken upon it. I have not endorsed the proposal. I do not know that any Member of Congress from Tennessee has recommended its approval. But if the proposal is found feasible, I repeat that I would be happy to endorse it.

As I have traveled to various parts of my State this year, I have noticed on sale, in one hardware store after another, nails, wire, and reinforcing steel imported from other countries. If we could develop a deposit in Tennessee through an advance in technology so as better to meet the competition in our area from outside the United States, even though a concern in Ohio owns 49 percent of it, I would welcome its development. I sincerely regret the attack of my distinguished friend the able senior Senator from Ohio [Mr. Lausche].

Mr. LAUSCHE. If the project were determined to be economically feasible, it would mean that its promoters could go to private industry and borrow the necessary money. I have not made any attack upon the State of Tennessee. I stated that if the plant is to be established, I am glad that it will go there. But I point out that in Youngstown, Ohio, thousands of people in the steel industry are unemployed. We will be paying taxes to help finance a proposed project in Tennessee which would compete with industry in Youngstown and take jobs away from the people of Youngstown, Cleveland, and Warren. I cannot subscribe to that.

AUTHORIZATION OF APPROPRIATIONS FOR THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

The Senate resumed the consideration of the bill (H.R. 7500) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes.

Mr. KEFAUVER. Mr. President, the authorization bill for NASA, which was reported by the Committee on Aeronautical and Space Sciences, of which the distinguished and able Senator from New Mexico [Mr. ANDERSON] is chairman, would authorize an appropriation of $5,511,000,000. On page 10 of the bill there is provision for a communication satellite program totaling $44,175,000. On page 12 of the bill there is an authorization for "Administrative Operations" of $539,185,000. It is my understanding that about $4.6 million of the administrative operation authorization is contemplated to be used in connection with the item on page 10 relative to the communication satellite program, making the total amount somewhere in the neighborhood of $50 million.

Mr. President, I offer an amendment to the committee amendment, sponsored by myself and a number of other Senators, and ask that it be stated.

The PRESIDING OFFICER. The amendment of the Senator from Tennessee to the committee amendment in the nature of a substitute will be stated.

The LEGISLATIVE CLERK. On page 10, after line 3, it is proposed to delete the semicolon and insert the following: "*Provided, however,* That no part of any funds authorized to be appropriated by this Act may be obligated or expended for the conduct of any scientific or technological research or development activity for or on behalf of any person providing satellite communications services other than an agency of the United States Government, or for the furnishing to or on behalf of any such person of any scientific or technological advice or information, unless such person has been obligated by contract approved by the Comptroller General to make reimbursement to the Administration for a proportionate share of all costs incurred for or in connection with the conduct of such activity or the furnishing of such advice or information;"

Mr. KEFAUVER. Mr. President, the amendment has but one simple purpose. Any private company that receives the benefit of taxpayer-financed research and development on communication satellite technology must pay a fair share of the cost. All we ask is that the taxpayers of the United States receive fair reimbursement for the research and development that may be achieved by NASA and used by the private monopoly which would be owned by private stockholders and run as a private corporation. If part of that technology is used for governmental purposes, such as for the military, a private company will not have to pay for that part of that cost under our amendment.

The Satellite Communication Corp. was established to do the job of getting a communication satellite system in operation and to relieve the taxpayers of that burden. Throughout the debate last year the main burden of the argument was that a private corporation would be created to take over the system. It would have stockholders. Stock would be sold. The corporation would do the research and development. It would maintain a communication satellite, and not put the Government into the business.

But now we see that the Government is being requested to do research and development which will inure to the benefit of the Communications Satellite Corp. Since it may not yet be possible for the corporation to do all the work itself at the very beginning, the amendment would permit NASA to continue to work in that area and require the corporation to pay for what it gets. The amendment would not stop NASA from continuing research. It merely provides that the corporation, and everyone else who receives benefit from the research, shall not receive that benefit as a gift by the taxpayers.

Mr. President, in February, during the hearings of the Committee on Commerce on satellite communications held by the Senator from Rhode Island [Mr. PASTORE], the Senator from Rhode Island asked some profound questions about financing the cost of research and development of the space communication satellite.

The questions about which I am talking are in series 3 of the hearings on the communications satellite before the Committee on Commerce on February 18, 19, and 20, and the questions appear on pages 57, 58, 59, and 60. I quote the words of the Senator from Rhode Island [Mr. PASTORE]. I am glad to see that the distinguished Senator from Rhode Island has returned looking so well from a most important mission.

Mr. PASTORE. And feeling better than I look.

Mr. KEFAUVER. I commend the Senator. He must be feeling very well, since he looks so well.

Mr. PASTORE. I feel very well.

Mr. KEFAUVER. The Senator from Rhode Island [Mr. PASTORE] is a fair man who delves deeply into problems which come up in his effort to look after the best interests of his constituents and of the taxpayers of the United States. The Senator had this to say:

> Now if ultimately all of this is going to fall within the control and province of this private corporation, that will be in business for profit, then my question is why shouldn't all of the research and development be sustained by the stockholders, who ultimately will get the benefit of this investment? * * *
>
> I am not saying that research is not in the public interest. All I am discussing is who is going to pay for it. It strikes me that the administration—and I was the man who had to introduce the bill on the floor—the administration made a very important decision, when it was decided this would be a private corporation, and they should be in the field of operating this commercial venture.
>
> Now the big question is, having made this decision, which is a decision that was made in order to afford private enterprise the opportunity to come into this field, under a monopolistic venture, to do this in the public interest, under Government supervision, the question arises now why shouldn't all of the research and development that will lead ultimately to this operable system, be done by the private corporation, and why is it necessary to use taxpayers' dollars in order to do it, and then make a contribution to this private corporation? * * *
>
> I am not discouraging this at all, but I am wondering here what the line of demarcation is going to be, who is going to pay for it. And we were led to believe when we formed this corporation, practically all of this work [i.e., research and development] would be undertaken by this private corporation, because we said America has grown on private industry, so let private industry do it.
>
> Now we are being confronted here today, that in all likelihood a lot of taxpayers' money is going to be spent any way.
>
> This lends credence to the argument made by some people who opposed this legislation, who said this is premature. They said we ought to wait and see what we find out and then see what we are giving away. I hope we don't get into that debate again.

I have studied carefully the hearings held in April and June by the Senate Aeronautical and Space Sciences Committee under the able leadership of my distinguished colleague, the Senator from New Mexico [Mr. ANDERSON].

I have studied the hearings extensively in the past 2 days.

I am sure that the NASA authorization we are now considering includes in it $44,175,000 for communications satellites research and development, most of which is apportioned to research on synchronous satellites.

In studying the Space Committee's hearings, I have given particularly close attention to the 10 pages of testimony of Dr. Seamans and his assistants with respect to the question of financing communications satellites research and development.

I want to go over that testimony carefully, because there seems to be a basic confusion on the part of the witness—a confusion about an issue so simple that I have trouble understanding how it has come about.

In sum—and I will go into this later, at length—Dr. Seamans testifies that most of the fruits of NASA research are going into the public domain and not to the Communications Satellite Corp. and, therefore, the corporation should not be required to reimburse the taxpayer for all the millions of dollars.

But, Mr. President, Dr. Seamans seems to overlook the composition of the public domain, in light of the Communications Satellite Act of 1962.

Senators will, I am sure, remember that act. In it, the Congress created a privately owned monopoly, for profit, to establish and operate our Nation's satellite communications.

There is only one public domain in the communications satellite business of the United States, and that is the one corporation which was created and given the monopoly by act of Congress.

Now, of course, one of the things which any business corporation has to do is research and development. If one is going to sell something, one first must create that thing which one plans to sell.

In many areas of our economy, research and develpoment by the Government creates new products or improves existing products which private businesses can and do sell.

For example, if I wanted to sell airplanes or air services, or any of a great number of agricultural crops, or many other things on which the Federal Government has done research and development, I would greatly benefit from research and development done by the Federal Government. But, everybody else in the same business would benefit, also, and anybody could get into the business. The Government has done research on many things, for instance, tires. I could go into the tire business, if I had the money.

But, suppose I want to go into the satellite communications business. What sort of satellite facilities should I use?

I could go to NASA and say: "Can you give me the benefit of the hundreds of millions of dollars you have spent in developing and perfecting satellite communications?"

They would reply: "Certainly, Senator KEFAUVER. This information is in the public domain. It is freely available to you or to any other citizen or business enterprise." And they would turn it all over to me.

That is fine. I would be greatly benefited by all this wonderful research and ready to enter the satellite communications business.

But wait. There is one small problem I have overlooked. While, thanks to hundreds of millions of taxpayers dollars, I now would know everything I needed to know about setting up a satellite communications system, there would be a fly in the ointment.

I am not allowed, under the Communications Satellite Act of 1962, to do it.

"Don't you realize," that act tells me, "that Congress has determined that only one corporation is allowed to perform and sell these services—the Communications Satellite Corp.? Don't you realize that Congress has created a monopoly?"

So there I would be, flush with all the wonderful results of the extraordinarily expensive research the Government has done, but I could not use them.

Only one company can use them, and that company is the Communications Satellite Corp.

Now, some person may get the idea that if the Communications Satellite Corp. has a monopoly, if it is the only person in the entire private economy who can benefit by the expenditures of the Government on research and development, that it follows that corporation should pay for the research and development.

That is all the amendment seeks to do, to try to say that the corporation which is to make the profit shall pay a reasonable, fair, proportionate share of the cost of research and development which is done by the U.S. Government.

Not so, Dr. Seamans tells us. Since the information is in the public domain, the public—that is, the taxpayers—should pay for it—even though only the Communications Satellite Corp. can make profits from it.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KEFAUVER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KEFAUVER. Mr. President, in my opinion the philosophy to which I have referred is absolutely fantastic. I will go further: It is shocking and unconscionable. I wish to make absolutely clear, before I discuss the vital testimony of Dr. Seaman, what my position is.

I am not attacking the Communications Satellite Corp. All Senators know that I vigorously opposed the creation of the corporation; and I still believe firmly that Congress and the American people will soon awaken to the fact that its creation was a mistake. But, for now at least, that issue is settled.

I am not in any way suggesting that 1 cent of the money authorized by H.R. 7500 should not be spent on space communications satellite research by NASA. Quite the contrary. It will be recalled that last summer I argued strongly for the entire project to be carried out by the Government. The distinguished chairman of the committee and I may have different interpretations of the testimony and different opinions, perhaps, as to what the money will be used for. If it is not to be used for research and development which will inure to the benefit of the Communications Satellite Corp., the corporation will not have to pay 1 cent. On the other hand, if the research and development inures to the benefit of the corporation, the corporation ought to pay its fair proportionate share—no more, no less.

Mr. LAUSCHE. Mr. President, will the Senator from Tennessee yield?

Mr. KEFAUVER. I am glad to yield to the Senator from Ohio.

Mr. LAUSCHE. Do I correctly understand the position of the Senator from Tennessee to be that since the Communications Satellite Corp. was definitely established as a private enterprise, it ought to reimburse the Federal Government for whatever moneys are spent for satellite research that will benefit or be used by the Satellite Corp.?

Mr. KEFAUVER. That is correct. This is very different from research that is placed in the public domain, such as research in agriculture, including fertilizers, and many other fields in which the Federal Government conducts research, because, there, many people are engaged in those businesses, and anyone can enter those fields.

But the only commercial enterprise that can benefit from any of the communications satellite research is the one monopoly that has been created; no one else.

Mr. LAUSCHE. Does the Senator from Tennessee take the position that with the passage of the bill 2 years ago——

Mr. KEFAUVER. It was last year—last August.

Mr. LAUSCHE. Does the Senator believe that the enterprise ought to have been under Government control and Government operation? As I understand, those who took the opposite view said it should operate as a free enterprise. It was also argued that by reason of its operation as a private enterprise, the gains that would be made would inure to those who invested in the business, and the hazards taken would be borne by those who undertook to promote and finance it.

Mr. KEFAUVER. The Senator from Ohio is absolutely correct. It was said that the proposal afforded an opportunity to get the load off the back of the Government; that private investors were willing to put up the money for private gain; and therefore, they should pay for the cost of what was done.

My further argument was that we ought to wait until we saw what the program was worth before any bill was passed.

Mr. LAUSCHE. Does the Senator go so far as to say that when a private enterprise profits through research conducted by the Federal Government—excluding the general research that is done in agriculture and the other fields he mentioned—the private enterpriser should reimburse the Government for his share of the expenses incurred in the research?

Mr. KEFAUVER. I feel, generally, that when Government research and development have created patents, or where they have enabled a corporation to conduct an operation which is a monopoly, the Government ought to be reimbursed.

It should be kept in mind that any research and development conducted by NASA which is beneficial to communications satellites can be beneficial, in this case, only to one monopoly. The effect is very different from that of agricultural development, which is beneficial to all farmers and others who want to use it, such as those engaged in tire or airplane manufacturing, because many companies are engaged in those industries, and anyone who can do so is at liberty to conduct such a business; he is not prohibited by law from entering into it.

In this instance, whatever profit or gain is achieved will inure only to one commercial enterprise. What the amendment seeks to do is to require the private corporation to pay its fair share of the benefits that will inure to it from the research and development conducted by NASA.

Mr. LAUSCHE. The research would continue; and if it produced beneficial results which were subsequently utilized by the Satellite Corp., the corporation would be required to pay its fair share of the expenses incurred?

Mr. KEFAUVER. That is correct.

Mr. LAUSCHE. I thank the Senator from Tennessee.

Mr. KEFAUVER. In that connection, the Air Force, also, is doing some work in connection with communications satellites. Some of that research might be of benefit to the Air Force and also to the private corporation. But the private corporation monopoly would pay only its fair share of the cost, under the direction of the Comptroller General.

I do not see how anybody could oppose having a private corporation which is a monopoly, in which all the proceeds will go to the private stockholders, pay its fair share of the cost of research and development which will possibly result in profits to the corporation. Surely no Senator wants to have the Government bear all the burden of producing something worthwhile and profitable, without the Government getting back some part of the investment which has made it possible.

All I am saying is that the corporation, if it is to be the beneficiary of the research paid for by the taxpayers—the only beneficiary since it is a monopoly—should reimburse the taxpayers.

Listen to the testimony of Dr. Dryden before the Commerce Committee earlier this year:

> Dr. DRYDEN. I think a real problem is the public interest in early obtaining of such a satellite system. I think that without the Government's participation, such a system would be delayed for very many years.

Then hear Senator MONRONEY's reply. The Senator from Oklahoma has made several statements along the same line. They are plain, good commonsense:

> Senator MONRONEY. This is just the reverse of why I voted for the Telstar bill. I felt private industry would have more flexibility, greater speed, more initiative, greater risk taking than the Government would. Now you tell us that this is going to sit back and be a paper corporation while the Government does all of the shots.

It was said, last fall, that Congress must rush and pass the Satellite Communications Act so that the corporation can get busy with the job of setting up a communications satellite system. We said that we had the jump on the Russians and we had to rush forward, so that we could maintain our advantage.

Mr. President, a year has passed. The Government is spending more money than ever on satellite communications research. The corporation has not spent a penny, except for high salaries and one research contract for $500,000; and yesterday morning it was announced that $150,000 had actually been placed. But $150,000, when compared with what the Government is doing, is small indeed.

The corporation does not even plan to sell stock so that it will have some of its own money to spend—rather than the taxpayers' money—for another 12 to 18 months, according to the latest letter from Mr. Welch, the president of the Communications Satellite Corp. That letter has been released by Mr. Henry, the chairman of the Federal Communications Commission. It is a very interesting letter, and later I shall ask that it be printed in the RECORD——

Mr. GORE. Mr. President, will my colleague yield?

The PRESIDING OFFICER (Mr. INOUYE in the chair). Does the Senator from Tennessee yield to his colleague?

Mr. KEFAUVER. I yield.

Mr. GORE. Unless the corporation sells stock, thereby generating capital with which to operate, how is it to pay the salaries of its officials, which are quite high; and how is it to pay the rent for its palatial headquarters; and how is it to pay the price of the contracts to which my colleague has referred?

Mr. KEFAUVER. I heard my colleague discuss that question some time ago on the floor of the Senate. It is my understanding that the corporation went to a bank, signed a note for some $5 million, and has drawn some $1.1 million of it for salaries and expenses. I do not know how it will pay it back.

Mr. GORE. I was informed that no endorsement was given, no collateral was submitted, and the corporation—which is without assets—obtained what was described to me as, "an unusual loan." It was most unusual.

Mr. KEFAUVER. The only collateral is the hope that the Government of the United States will continue to appropriate funds for research and development, so as to make it possible for the Government—largely—to put up the funds which eventually will be used to develop a communications satellite. When that happens, the corporation will have something very profitable; but of course the shareholders will get the profits; the Government will get nothing.

I can see no reason why the corporation does not issue stock, except that it wishes to obtain appropriations such as this one, which will be of benefit to it for the eventual development of a satellite.

Mr. GORE. Mr. President, will my colleague further yield?

Mr. KEFAUVER. I yield.

Mr. GORE. The Senator will recall that the Senate was told over and over that it was absolutely necessary for Congress to pass the bill creating this corporate monopoly, in order to develop a system of global satellite communications. Is it not true that an international system of communications necessarily involves agreements and treaties with many nations? If that is true, how is this corporation to perform that function—essentially a governmental—when it is without capital, is without a permanent board of directors, and, indeed, is operating ad hoc?

Mr. KEFAUVER. I do not know. The corporation has a chairman, whose salary is, I believe, $125,000; and the salary of the president is $80,000. They may have been traveling about and obtaining agreements; I do not know.

So this is quite a problem.

I am interested in having the corporation pay its fair share of the research and development by NASA which the corporation finds necessary or useful in its own development. But under the circumstances, anything placed in the public domain is placed there only for the benefit of this one corporation. Under general law, matters placed in the public domain are available to all; but in this case only one corporation can receive the benefit.

I am reminded of a certain law which was enacted in Tennessee—and it may still be the law. It provided that the manufacture of distilled spirits is prohibited in all the counties of Tennessee except counties with a population according to the census of 1900, of between 6,557 and 6,559. But only one county—Moore County—had that population; and, of course, the Jack Daniels distillery is located there. That was a general law, but only one corporation could benefit by it.

Much of this research is put into the public domain; but only one corporation receives any benefit from it. I do not believe the people of the United States will put up with such an arrangement, and I do not think the Senate will put up with it.

It may be that not all the money will go into communications satellite research; perhaps the Senator from New Mexico will say so. In that event, why is there objection to having the corporation pay a fair share of the cost of what it receives?

Mr. GORE. Mr. President, will my colleague yield?

Mr. KEFAUVER. I yield.

Mr. GORE. Does not my colleague recall that Dr. Dryden testified that with the passage of the act creating the Satellite Communications Corp., he would consider that Congress had chosen an instrument for global satellite communication, and that this corporation alone would have the cooperation of the Space Agency?

Mr. KEFAUVER. I believe that was substantially his testimony.

Mr. ANDERSON. Mr. President, will the Senator from Tennessee yield?

Mr. KEFAUVER. I am glad to yield.

Mr. ANDERSON. I am sure the Senator from Tennessee would not want the RECORD to be closed without having me state that for the $51 million involved in this matter, $40 million is not for the benefit of the communications satellite group. There is no question about it. In addition, I believe we should bear in mind the fact——

Mr. KEFAUVER. Well, if only $100,000 of the taxpayer's money is going to something the corporation can use, then that is its fair share and all it should have to pay. That is all my amendment calls for.

Mr. ANDERSON. I point out to the Senator from Tennessee that after the Atomic Energy Commission developed the reactor at Idaho Falls, and subsequently built a prototype full reactor at Shippingport, along came Yankee Atomic Electric and built one modeled exactly on them, but did not pay a nickel for the research going into them. Others do the same thing, and no one objects.

However, in this case there is provision for repayment, round after round. But the Senator from Tennessee ignores that.

Mr. KEFAUVER. That is correct; and I am all for it. Each electric power company which has the facilities to use the system will be treated in the same way. There are many electric power companies. If Congress should enact a law providing that there shall be only one electric power company in all the United States, I believe we would then have a comparable situation.

Mr. ANDERSON. At one time there was a long discussion in relation to the Dixon-Yates contract. It was suggested that in certain areas of the Senator's own State certain utilities had a monopoly.

Mr. KEFAUVER. A utility in any section has a monopoly in its area. The Potomac Electric Power Co. has a monopoly in the Washington area. There are 500 electrical systems in the United States. Any one can form an electric company if he has the money to do so, but no one can form another space communication satellite corporation. No one else could operate such a corporation. What is in the public domain in that field is for the benefit of only the one corporation. It cannot be available for any other.

Mr. ANDERSON. I regret that the Senator continues to make that statement, because the research and development is not for the benefit of one corporation. Most of the results are for the benefit of the Defense Establishment. Much of it is for the benefit of the Space Administration. Those are not private corporations, as the Senator from Tennessee well knows.

Mr. KEFAUVER. Of course, the results of the research may benefit NASA and the Air Force, but only one commercial corporation can benefit. All we ask in the amendment is that the corporation pay its fair and reasonable share. If the Senator knows better words than "fair and reasonable," I suggest to him that I am not wedded to any particular words.

Mr. ANDERSON. But the Senator from Tennessee knows that the law now provides that the corporation shall pay a fair share in reimbursement.

Mr. KEFAUVER. I know that the law does not provide that the corporation shall pay a fair and reasonable share. It is required to pay only for what it requests.

Mr. ANDERSON. Would the Senator want the corporation to pay for things that it did not desire?

Mr. KEFAUVER. Indeed.

Mr. ANDERSON. For things that it did not want?

Mr. KEFAUVER. If the corporation should request it, it would be on a reimbursable basis.

Mr. ANDERSON The Senator is correct.

Mr. KEFAUVER. If the benefit were given to the corporation, no provision in the law would require the corporation to pay one cent for it.

Mr. ANDERSON. I pointed out that provision for the corporation was made by the Congress. That is what the Congress did. We are now considering an authorization bill under that legislative act.

Mr. KEFAUVER. The blueprint would be put in the public domain. The corporation would not have to ask. The benefits would be given to it. The corporation would have to make no request and no reimbursement. I do not believe that any Senator would desire to give the profits from a corporation to the stockholders, and yet have the taxpayers put up the necessary money for research and development that makes it possible for the corporation to earn such profits.

Mr. ANDERSON. I believe that the difficulty of the Senator is—at least as I see it—that he believes that because the Government has done certain things, the company will be able to obtain profits on that work. The corporation will be a regulated utility. The rates will be approved on the basis of the investment, and not on the basis of the hundreds of millions of dollars that the Government has put into the development. It has been very well pointed out that the corporation is a regulated public utility. As such, it would receive a return only on the investment that it makes.

Mr. KEFAUVER. The A.T. & T. is a public regulated utility. Would the Senator from New Mexico say that because Pepco is a public regulated utility, it ought to be given $1 million worth of land downtown? Or would he say that it should be given some research and development that we felt was of value?

Mr. ANDERSON. I do not believe that Pepco is a part of the American Telephone & Telegraph system, so I would rather consider an exact example. Pepco might want to build a reactor. If so, the company would be able to use everything that the Government had put into that program—hundreds of millions of dollars—and the company would not be required to pay back 1 cent. Would the Senator from Tennessee desire to tax the company for such research and development?

Mr. KEFAUVER. Not when the company is competitive and the research and development is truly in the public domain.

Mr. ANDERSON. They are not competitive here.

Mr. KEFAUVER. Any electrical company would have the same opportunity that Pepco would have. Other companies could be established.

The difference is that under the communications satellite program there is only one company and there can only be one commercial company.

Mr. ANDERSON. Will the Senator from Tennessee tell me whether or not Pepco has a monopoly in the community in which we are now situated? Where could we buy electricity other than from that company?

Mr. KEFAUVER. Pepco operates in this community, but there are 500 other companies in the United States.

Mr. ANDERSON. Each one, as a public regulated utility, is a geographical monopoly in itself.

Mr. KEFAUVER. An electric power company is necessarily a monopoly, but there are many in the United States. If the Congress had made Pepco the only electric company in the United States, I would say that the company ought to pay for the research and development.

Mr. ANDERSON. Does the Senator believe that the Communications Satellite Corp. will be the only company in the communication business?

Mr. KEFAUVER. It will be the only company in the communications satellite business.

Mr. ANDERSON. I did not ask that. The very able and distinguished head of RCA, General Sarnoff, has announced that he thinks the Communications Satellite Corp. is probably a poor investment. Why? The development of broadband cables may very likely take away the real profit in that business. American Telephone & Telegraph Co. is greatly expanding its system of broadband cables. While I do not make any claim to financial wisdom, I do not intend to invest in that sort of idea, because I am worried about the development of broadband cables. Perhaps those younger than I will buy stock in the corporation. I wish them well. There will be competition. This is not a monopoly. Broadband cables are a great threat to the entire system, and we ought to consider the situation from that point of view.

Mr. KEFAUVER. I do not know whether the corporation will succeed, but whether or not a corporation is going to be financially successful or is not going to be financially successful should not determine whether we will join in a giveaway to that corporation. I believe the corporation probably will be successful. The Senator said that the corporation was not a monopoly.

Of course, there are other telephone companies. But there can be only one communication satellite corporation under the enactment of the Congress.

Mr. ANDERSON. Can the Senator point to any of the $51 million contained in the appropriation bill for the communication satellite work that will be spent for the benefit of the Communications Satellite Corp.?

Mr. KEFAUVER. I refer the Senator to page 3222 of the House hearings, where the figures are broken down.

Mr. ANDERSON. What page of the House hearings was that?

Mr. KEFAUVER. The report of the Senate Committee on Aeronautical and Space Sciences has no real breakdown that I see. On page 60 there is Echo, $200,000.

Mr. ANDERSON. Does the Senator contend that Echo is of value to the Communications Satellite Corp.?

Mr. KEFAUVER. I do not believe it would be of much value. The next item is Relay, $1,900,000. Relay is a low satellite system, the same type of communication satellite that has been worked on so far. I believe the research and development in connection with Relay might be of substantial benefit.

Syncom is a high orbital satellite. I do not know whether the corporation would go to a high communication system, but eventually the research and development might be beneficial.

Advance Syncom seems to be $33 million. Then I understand there were some small items for stabilization and items of that sort.

Mr. ANDERSON. The Senator is correct.

Mr. KEFAUVER. I wish to make clear that if none of that research and development would benefit the Communications Satellite Corp., the company would not have to pay anything. If some of the research and development benefited the company, it ought to pay its fair proportionate share.

Mr. ANDERSON. But the language of the Senator's amendment does not provide that the company should pay only for the things it desires or needs. It must pay for everything in that field. The purpose of the amendment is to break the Communications Satellite Corp. before it gets started. We went through that route last summer for days and days in the Senate.

Mr. KEFAUVER. I am sorry. The amendment does not read that way, nor is that the intention of the amendment. The language provides:

> Make reimbursement to the Administration for a proportionate share of all costs incurred for or in connection with the conduct of such activity or the furnishing of such advice and information.

For the RECORD, I wish to say that "proportionate share" means a fair share, a reasonable share, an equitable share.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. KEFAUVER. The language does not read "for all costs." It refers to "a proportionate share." I interpret that to be a fair and reasonable share.

The language also reads, "approved by the Comptroller General." I know of no one better for this than the Comptroller General.

I yield to the Senator from Missouri.

Mr. SYMINGTON. I thank my friend from Tennessee and have read his amendment.

The Congress made its decision. The corporation has been formed and is now operating.

Mr. KEFAUVER. It has not been formed, really. It has merely been incorporated.

Mr. SYMINGTON. The corporation has started, but it cannot operate if its functioning depends on a contract that must be approved by the Comptroller General.

The Comptroller General is the "watchdog" of the Congress.

As to whether one could make contracts over a period of weeks or months with the Comptroller General, to the Comptroller General's satisfaction, I do not know.

As I understand it, under the Senator's amendment, the corporation could not function until the contracts were approved. If there were honest delays, the operation could be delayed months.

I have read the language suggested by the distinguished senior Senator from New Mexico [Mr. ANDERSON], which is an effort to meet the objection which the Senator from Tennessee had. It provides:

> *Provided, however,* That no part of any funds authorized to be appropriated by this Act may be obligated or expended for the furnishing of any scientific or technological services for the exclusive benefit of any person providing satellite communications services other than an agency of the United States Government, except at the request of such person and on a reimbursable basis.

It seems to me that, under the proposed language of the Senator from New Mexico, if anybody utilized the results of the expenditures for scientific or technical services, that person would have to pay for it on a reimbursable basis.

If the point of the Senator from Tennessee is that such a person should pay rather than to bring up once again before the Senate, the question of whether this is a sound corporation, what is the matter with the language suggested by the Senator from New Mexico?

Mr. KEFAUVER. In the first place, as I said earlier in my speech, I do not wish to debate the merits or demerits of the Satellite Corporation. That issue has been settled by the Congress.

I am not wedded to any particular language. The only thing I am trying to do is to see to it that if this nationwide monopoly which has been created gets the benefit of research and development it will pay a fair share of the cost.

The proposed language may be a little better than the present law. I have been studying the amendment proposed by the Senator from New Mexico [Mr. ANDERSON].

Under the proposal NASA could place everything in the public domain, or practically everything it wanted to. There would not have to be any request by the Communication Satellite Corporation, but still no one in the commercial field could use the services except the Communication Satellite Corporation.

Mr. SYMINGTON. But the Government would be reimbursed for that.

Mr. KEFAUVER. No, it would not be reimbursed.

Mr. SYMINGTON. The corporation would pay for it.

Mr. KEFAUVER. Only if they requested it, as I read the amendment. We have been studying the amendment.

This also would have to be "for the exclusive benefit of any person." If it were put in the public domain it could be said to be for everybody, though actually it would be only for the one corporation.

Mr. SYMINGTON. I ask the Senator if he would consider language which would eliminate approval by the Comptroller General in the operating function. We went through this re the Department of Defense, when legislation was suggested that no defense contract could be made unless approved by the General Accounting Office. As a result of that discussion, extensive, with witnesses and hearings, I am skeptical about an administrative functioning being subject to their approval.

Mr. LAUSCHE. Mr. President, will the Senator from Tennessee yield to me?

Mr. KEFAUVER. I yield.

Mr. LAUSCHE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. Does the Senator from Tennessee yield for that purpose?

Mr. ANDERSON. Mr. President, I ask unanimous consent that the Senator from Tennessee [Mr. KEFAUVER] may yield for the purpose of the suggestion of the absence of a quorum, without losing his right to the floor, without being charged with making a speech, and without the interruption affecting the right of the Senator from Tennessee to make two speeches on the same question on the same day.

The PRESIDING OFFICER. Is there objection to the request by the Senator from New Mexico? The Chair hears none, and it is so ordered.

The absence of a quorum has been suggested, and the clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. ANDERSON. Mr. President, I ask unanimous consent that further proceedings under the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KEFAUVER. Mr. President, I should like to read from the testimony of Dr. Seamans, commenting as I go along. Let us keep in mind the one point, however, which is the apparent basis of the confusion which has grown up. NASA is not doing hundreds of millions of dollars worth of research and development directly at the request of the Communications Satellite Corporation, but the Communications Satellite Corporation is the only company in the entire Nation which can earn profits resulting from the research and development.

There was some discussion and also some confusion in the hearings before the committee.

I have before me part II of the hearings of June 12, 13, 17, and 18, 1963, and I read from page 1022. Senator SMITH asked a question, as follows:

> What research does NASA expect to perform for the Communications Satellite Corp.? How much will it cost?

These questions, I might say, were submitted in writing, and the record does not show who answered them, except that it was someone from NASA. The answer is:

> The budget estimates for the communications satellite program in fiscal year 1964 do not reflect any effort directly in support of the Communications Satellite Corp. In accordance with NASA's existing policy, any services requested by the corporation will be rendered on a reimbursable basis.

Mr. President, the important words in NASA's answer are "directly," and "requested."

By "directly," NASA appears to mean satellites and launch facilities—and nothing else. But, research and development are equally as directly beneficial and necessary for the corporation as the satellites and rockets, themselves.

This is my comment on the answer. Under the Communications Satellite Act of 1962, the corporation is requested to reimburse only for such items as it requests. If it requests nothing—that is, if NASA will do the job without a formal request—the corporation will get the benefits for nothing. This is apparently what is happening in the area of vital research and development.

Mr. President, further in the hearings, at page 1063, the chairman, the Senator from New Mexico [Mr. ANDERSON], asked this question:

> We are going to be asked again and again if this is money for a corporation that is now operating, has a staff, high salaried people, and so forth. Does any of this $55 million go for work that they should be doing?
>
> Dr. SEAMANS. No, that is not the case. Any work that is directly related to the operational system for the Satellite Corp. will be considered reimbursable in exactly the same fashion as the Government was reimbursed for the Telstar.

Dr. Seamans further said:

> If the Satellite Corp. or A.T. & T. or anyone else elected to utilize this technology in an operational system, they would have to fully fund the implementation of that system.
>
> The CHAIRMAN. But you are going to perfect one. What I am trying to find out is, after you get it perfected, who owns it, the Communications Satellite Corp.? Will they take it over and use it?
>
> NASA NOT ESTABLISHING A COMMUNICATIONS SATELLITE SYSTEM
>
> Mr. WYATT. Senator ANDERSON, we are not developing a satellite system in the advanced synchronous program. We are simply going to fly several discreet satellites to study the technological problems associated with the launching, the injection, the stabilization and the operation, long-term operation of discreet satellites at these altitudes. Now we hope that the technology that results from that work can be used to develop a system by somebody. But the satellites themselves will not constitute a communications system.
>
> The CHAIRMAN. I think I know that. But after you have done it, that is what I am trying to get to, after you have spent these hundreds of millions of dollars, does that belong to the American people?
>
> Mr. WYATT. Yes, sir.
>
> The CHAIRMAN. Or the Communications Satellite Corp.?
>
> Mr. WYATT. The information is in the public domain, sir.

Mr. President, the basic point is that Dr. Seamans points out that NASA is not setting up an operational system; therefore, it should not be reimbursed. But it is doing all the research and development without which an operational system cannot be set up. Research and development are no less vital to the corporation than the ultimate system which results.

Seamans argues that the results of NASA's research and development are in the public domain. He says the technology NASA develops can be used by "somebody." But under the Communications Satellite Act of 1962, there is only one "somebody" who can use it, and that is the corporation.

Mr. President, at page 1065, Mr. Di Luzio said:

> The question hinges on, should the corporation be responsible for paying the Government some form of royalty or some form of payback for the development of this very costly technology that does not completely exist today?
>
> Basically, this is the question.
>
> NASA THINKS R. & D. COSTS ON COMMUNICATIONS SATELLITES SHOULD BE BORNE BY GOVERNMENT
>
> Dr. SEAMANS. Yes, and it is a good question, and it is our view that we should not be reimbursed for the technology that comes out of the space program no matter who uses it. We are developing this technology for the use in this case not only of the Satellite Corp., but all the manufacturers of components and stabilization systems and power supplies, and it would be very difficult to work out an arrangement, a royalty arrangement with any company for the use of the fruits of the space program.
>
> Mr. DI LUZIO. See if I can phrase it slightly differently, what you are saying is that the technology is in the national inventory of technology to be used by anyone who has a need which serves a national purpose.
>
> If the Communications Corp. was set up to take the place of what could have been a governmental function, perhaps at either equal or higher cost, to impose on them the additional cost of paying now for the technology required to put a synchronous satellite into orbit, is slightly unreasonable. The mere fact that they are the only commercial users of this technology in existence today outside of Government, is just circumstance, and actually, if they had not come into being, this probably would still be done by a Government agency of some form or another, with the total costs, borne by such agency, rather than being supported to some degree by a profitmaking public corporation.

The observations that I should like to make are: The fact that hardware manufacturers will ultimately get contracts to make equipment resulting from NASA research does not mean that they are benefited by NASA research. They would, after all, get the same contracts if the research were done by the Satellite Corp.

With respect to Mr. Di Luzio's second statement: First, the fact that the corporation is the only commercial user of NASA technology is certainly not "just circumstance."

Second, the fact that the corporation may bear some of the costs does not improve the situation. Rather, it emphasizes the point we are trying to make. The taxpayers will have to bear all the costs which the corporation does not bear, but the corporation will receive all the profits.

On page 1066, the Senator from Florida [Mr. HOLLAND] asked questions concerning agricultural research and development available to all farmers; and whether airplane information and information about many other things is not in the public domain. I believe the comment by the Senator from New Jersey [Mr. CASE], on page 1067, very clearly answers that argument, as I have tried to answer it today. The Senator from New Jersey asked:

> Would you say that the difference between this and all of the examples that you have been discussing with Senator HOLLAND perhaps are to the effect that in the communications satellite field you have a monopoly of necessity, as many of us think, in the operation and in the use as far as the private sector of our economy goes?
>
> Dr. SEAMANS. In part.
>
> Senator CASE. That is the consideration that we ought to be addressing ourselves to rather than the question of whether the Government research is being made available to people beyond the Government.

Yesterday the Senator from New Mexico [Mr. ANDERSON] placed in the RECORD a letter which he had written, giving his answers to certain questions I had propounded in a letter I wrote to him. I ask unanimous consent that following my remarks my comments on the answers of the Senator from New Mexico may be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. KEFAUVER. Mr. President, in connection with the argument that some of the things are in the public domain, I make this statement: The communications satellite industry is not like the aircraft industry, agriculture, and the like. Unlike aircraft and agriculture, the Communications Satellite Corp. is a private monopoly, created for the specific purpose of relieving the taxpayers of heavy research expenditures and of operating the only satellite corporation that will be a communications satellite corporation in the United States. We hope other nations may join in its operation. The corporation will be the only private beneficiary of these expenditures. Of course, the Air Force and NASA will benefit; but the Communications Satellite Corp. will be the only private entity.

Because it is the only private entity in the commercial satellite communications field—and thus is unlike agriculture and the aircraft industry, which involve vast segments of the American economy—a single monopoly would be the beneficiary. This corporation is unlike the electrical industry—in which there are many competing corporations, and additional ones can be developed at any time. Atomic reactors can be available to all who wish to use them; but there are many of them, and no monopoly. Moreover, the aircraft and agricultural segments of our economy have contributed a great deal of their own basic research money. But it is clear, Mr. President, that this corporation intends to contribute practically nothing. All we ask is that it pay its fair share. Could anything be more just?

We do not ask that research stop. We do not ask private corporations to pay for the benefits the military gets from it. We only ask that this corporation pay its proportionate fair share.

Let us not be deluded by statements that this arrangement will benefit the satellite component companies as well. These companies will enter into contracts for the use of the benefits the monopolistic satellite corporation has received, for example, through its use of the research and development funds. The RCA will have to charge the corporation for what it does. In any event the corporation is ultimately involved.

This amendment seeks to make sure that the corporation pays its fair share.

Mr. President, I yield the floor.

EXHIBIT 1

ANSWERS TO POINTS IN ANDERSON LETTER

I

Mr. ANDERSON. None of the authorized funds will be used solely or peculiarly for the benefit of the corporation.

Mr. KEFAUVER. The corporation is the chief beneficiary of this expenditure because only the corporation and the military will be using satellite technology. The military is spending several hundred million on its own system and the satellite corporation is spending practically nothing.

II

Mr. ANDERSON. The NASA program is fundamental and directed to basic scientific objectives.

Mr. KEFAUVER. (1) The technology in this field is so new that almost all of the research is still very basic. (2) Without such basic research, no satellite system. (3) When last year we were told to leave the job to private enterprise, nobody drew such a distinction. Instead, we were told how much of the basic research in this field had already been done by A.T. & T. and other private companies and that the Government's role in this area could be dispensed with.

III

Mr. ANDERSON. NASA flight systems don't incorporate specific operational system units.

Mr. KEFAUVER. But without such R. & D. there cannot be any operational units. And NASA is working on hardware R. & D. Thus, Mr. Jaffe told the Space Committee.

"We will also continue our studies on intermediate- and low-altitude satellites both on systems analysis aspects and specific component hardware techniques" (space hearings, 436).

IV

Mr. ANDERSON. Results will benefit Government agencies, the public, and industrial firms; available to all potential users and not just one.

Mr. KEFAUVER. (1) This is like the Tennessee whisky statute—could benefit all, but as a practical matter, only one is involved. (2) Benefit to Government: what benefit? Military is spending $200 to $250 million on its system and why does NASA have to spend more?

In any event, our amendment would require private companies to pay only a proportional fair share. (3) Benefit to industry and potential users: This is really for Satellite Corp. because only one potential user—Tennessee whisky statute—and industry involved is really contracting for Satellite Corp. If industry did not get it free from Government, industry would charge Satellite Corp. for it, so real benefit is for the single potential user: the Satellite Corp.

V

Mr. ANDERSON. Like agriculture and atomic energy.

Mr. KEFAUVER. Not like agriculture and atomic energy for they involve numerous people and companies, not a monopoly which was set up to take over the job.

Morning's paper shows monopoly really does not want to take over the job for it does not want to issue stock, without which it has no money with which to do the job.

VI

Mr. ANDERSON. Essential to enable NASA to do its job under Satellite Act.

Mr. KEFAUVER. NASA's job is to advise, not to do all the work. NASA merely serves as middleman on 90 percent of the work, anyway, if it can perform its functions under the act when it serves as middleman for work it pays for, it can perform these functions on work corporation reimburses it for.

Essential point: We don't say NASA should do nothing but only that corporation and others should pay for what they get—a fair share—and there should be no taxpayer-financed subsidy.

VII

Mr. ANDERSON. Guidelines involve request by corporation similar to A.T. & T.

Mr. KEFAUVER. But if corporation doesn't request, it's clear that NASA will do all the work on its own and then turn it over to the corporation. The Telstar contract would be a good guideline except that it is not being followed here: Whereas A.T. & T. allegedly laid out its own money on the basic research and just requested NASA launches to test that research, the corporation is letting NASA spend taxpayers' money on the basic research and, therefore, has no occasion to request anything since it has nothing it wants to test. It is merely sitting back and waiting for a Government handout of free research.

COMMUNICATIONS SATELLITE APPROPRIATION POINTS UP CONFLICT OF PURPOSE

Mr. YARBOROUGH. Mr. President, H.R. 7500 contains an appropriation of $44,175,000 for the Communications Satellite program. This program, as a result of legislation passed by the 87th Congress, is in the hands of the Communications Satellite Corp., a so-called private corporation. Thus if this authorization is approved, Congress is directing that almost $50 million worth of research should be done in a field in which Congress has set up a monopoly private corporation as the only possible beneficiary.

It could perhaps be argued that this authorization is necessary because the corporation has not yet issued any stock to raise capital. The pertinent question to be asked in this regard is why has the corporation not issued any stock? The answer was given last year by those who opposed this legislation at the time of its passage: it is too early for any stock to be issued because this corporation came into existence at a premature date.

The Federal Communications Commission released a letter last week in which it sharply criticized the Communications Satellite Corp. for its failure to have any definite plans for an early issue of stock. The Commission said that decisions "shaping the destinies of the corporation" which should be made by a permanent board of directors elected by the stockholders might soon have to be made by the interim board. And it broadly hinted that it would approve no more loans to the corporation until "positive steps are taken."

In answer to these charges, a spokesman for the corporation stated that the interim board needed more time to study technical, economic, and international factors involved in the space system.

Mr. President, the predictions of those who opposed the establishment of the corporation last year are borne out by this defense for the corporation's failure to issue stock. In this regard, I should like to quote some excerpts from testimony before the Foreign Relations Committee of Benjamin Cohen, one of the chief architects of the New Deal and one of America's most brilliant lawyers:

> It seems to me wholly premature to try to separate the commercial aspects of the problem from the public aspects.
>
> It is impossible to tell whether the instrument created by the proposed legislation is a public or private instrument. There are a few Government-appointed directors, there are a few communication-carrier-elected directors, and there are a few so-called public directors, which are directors elected by stockholders who are not connected with communication carriers.
>
> Normally, one would not think of these unaffiliated stockholder directors as public directors. Indeed, if the directors elected by unaffiliated stockholders have a peculiarly public function and offer peculiarly effective public safeguards, then certainly A.T. & T., which has the widest public stock participation of any company in the country, offers greater public safeguards than this hybrid corporation possibly could.
>
> Obviously, when you try to commingle public and private functions, you get into difficulty.
>
> I am also very much concerned—somewhat from a different aspect—with the suggestion that the stock to be sold to the public should be reduced in value so that every taxpayer might have an opportunity to participate.
>
> I wish the committee would give serious consideration whether it is sound policy for a corporation that is to have Government-appointed directors to sell stock to the public.
>
> I know the record talks about profits, but there is no assurance of profits. This is a new and difficult field, involving risks and hazards for the unwary investor. I think the use of small, private investors at this stage is unjustified and should be avoided.
>
> I must say that the corporate setup proposed by this legislation resembles the code authorities set up under the NRA legislation in the 1930's. We know from experience that these hybrid code authorities satisfied neither the public interest nor the private interest.
>
> Therefore, it seems to me at this stage the proposed corporation is not a suitable instrument to which to entrust the commercial side of the communications satellites, and, as I said, I do not think at this stage you can separate the commercial from the public aspects of communications satellites.

Mr. President, let us now compare the foresight of Benjamin Cohen with some words spoken before the Senate Small Business Committee in 1961 by a vice president of the American Telephone & Telegraph Co.

> If our proposals are accepted, no Government subsidy of any kind would be required and responsibility for establishment, ownership, and operation of these additional common carrier facilities would be placed where it belongs—with the carriers responsible to the public for service.

At the time of the debate on the communications satellite bill last summer, those of us who pointed out the many shortcomings in the bill were attacked by a majority of the Senate and by a majority of the Nation's press as a band of obdorate obstructionists. We were accused of voicing phantom fears that the passage of this legislation would result in a mammoth giveaway of the taxpayers' money to a private monopoly.

If our fears were imaginary, I wish that someone would explain to me the meaning of a $44 million appropriation to NASA for communications satellites. Except for military satellites, confined by the communications satellite bill to special governmental uses, the whole field of communications satellites is owned and controlled by the Communications Satellite Corp.

Is it possible, Mr. President, that the majority could have been wrong? The vice president of mighty A.T. & T. told a Senate committee that if his proposals were accepted, no further subsidy would be needed. Yet today Congress is asked to authorize an appropriation of $44 million for communications satellites. Is the appetite of the greedy interests which rammed this bill through Congress still not satisfied?

Has the prediction of Benjamin Cohen come true, that it was too early to separate the commercial from the public aspects of communications satellites? What else can one conclude but that it has, Mr. President? The public interest calls for research and development of communications satellites to continue. Private interest calls for investors in the corporation to make a profit. Yet, according to a spokesman for the corporation, so little is known about the technical, economic, and international factors involved in the system, that it is too early to issue stock. Therefore, the Government is asked to foot the bill for this private corporation.

This situation indicates nothing else but that the public aspects of the corporation have collided with the private aspects, and that the creation of the Communications Satellite Corp. was a premature and unwarranted act; that this hybrid is pulling against itself—it is a two-headed anomaly. Nevertheless, the corporation has been created, and so we are trying to live with it and make the best of it. Therefore, I urge that the Senate accept the Kefauver amendment, of which I am a cosponsor, to insure that the taxpayers' money expended for the benefit of this private corporation shall be duly repaid to the Government.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the Senate by Mr. Miller, one of his secretaries.

PROPOSED TREATY ON NUCLEAR TEST BAN—MESSAGE FROM THE PRESIDENT

The PRESIDING OFFICER (Mr. NELSON in the chair). The Chair lays before the Senate a message from the President of the United States, which the clerk will read.

The legislative clerk read as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith a certified copy of the treaty banning nuclear weapon tests in the atmosphere, in outer space and underwater, signed at Moscow on August 5, 1963, on behalf of the United States of America, the United Kingdom of Great Britain and Northern Ireland, and the Union of Soviet Socialist Republics.

This treaty is the first concrete result of 18 years of effort by the United States to impose limits on the nuclear arms race. There is hope that it may lead to further measures to arrest and control the dangerous competition for increasingly destructive weapons.

The provisions of the treaty are explained in the report of the Acting Secretary of State, transmitted herewith. Essentially it prohibits only those nuclear tests that we ourselves can police. It permits nuclear tests and explosions underground so long as all fallout is contained within the country where the test or explosion is conducted.

In the weeks before and after the test ban negotiations, the hopes of the world have been focused on this treaty. Especially in America, where nuclear energy was first unlocked, where the danger of nuclear war and the meaning of radioactive fallout are so clearly recognized, there has been understanding and support for this effort. Now the treaty comes before the Senate, for that careful study which is the constitutional obligation of the Members of that body. As that study begins I wish to urge that the following considerations be kept clearly in mind:

First. This treaty is the whole agreement. United States negotiators in Moscow were instructed not to make this agreement conditioned upon any other understanding; and they made none. The treaty speaks for itself.

Second. This treaty advances, though it does not assure, world peace; and it will inhibit, though it does not prohibit, the nuclear arms race.

While it does not prohibit the United States and the Soviet Union from engaging in all nuclear tests, it will radically limit the testing in which both nations would otherwise engage.

While it will not halt the production or reduce the existing stockpiles of nuclear weapons, it is a first step toward limiting the nuclear arms race.

While it will not end the threat of nuclear war or outlaw the use of nuclear weapons, it can reduce world tensions, open a way to further agreements and thereby help to ease the threat of war.

While it cannot wholly prevent the spread of nuclear arms to nations not now possessing them, it prohibits assistance to testing in these environments by others; it will be signed by many other potential testers; and it is thus an important opening wedge in our effort to "get the genie back in the bottle."

Third. The treaty will curb the pollution of our atmosphere. While it does not assure the world that it will be forever free from the fears and dangers of radioactive fallout from atmospheric tests, it will greatly reduce the numbers and dangers of such tests.

Fourth. This treaty protects our rights in the future. It cannot be amended without the consent of the United States, including the consent of the Senate; and any party to the treaty has the right to withdraw, upon 3 months' notice, if it decides that extraordinary events related to the subject matter of the treaty have jeopardized its supreme interests.

Fifth. This treaty does not alter the status of unrecognized regimes. The provisions relating to ratification by others, and the precedents of international law, make it clear that our adherence to this treaty, and the adherence of any other party, can in no way accord or even imply recognition by the United States or any other nation of any regime which is not now accorded such recognition.

Sixth. This treaty does not halt American nuclear progress. The United States has more experience in underground testing than any other nation; and we intend to use this capacity to maintain the adequacy of our arsenal. Our atomic laboratories will maintain an active development program, including underground testing, and we will be ready to resume testing in the atmosphere if necessary. Continued research on developing the peaceful uses of atomic energy will be possible through underground testing.

Seventh. This treaty is not a substitute for, and does not diminish the need for, continued Western and American military strength to meet all contingencies. It will not prevent us from building all the strength that we need; and it is not a justification for unilaterally cutting our defensive strength at this time. Our choice is not between a limited treaty and effective strategic strength—we need and can have both. The continuous buildup in the power and invulnerability of our nuclear arsenal in recent years has been an important factor in persuading others that the time for a limitation has arrived.

Eighth. This treaty will assure the security of the United States better than continued unlimited testing on both sides. According to a comprehensive report prepared by the responsible agencies of government for the National Security Council, the tests conducted by both the Soviet Union and the United States since President Eisenhower first proposed this kind of treaty in 1959 have not resulted in any substantial alteration in the strategic balance. In 1959 our relative nuclear position was strong enough to make a limited test ban desirable, and it remains so today. Under this treaty any gains in nuclear strength and knowledge which could be made by the tests of any other power—including not only underground tests but even any illegal tests which might escape detection—could not be sufficient to offset the ability of our strategic forces to deter or survive a nuclear attack and to penetrate and destroy an aggressor's homeland. We have, and under this treaty we will continue to have, the nuclear strength that we need. On the other hand, unrestricted testing—by which other powers could develop all kinds of weapons through atmospheric tests more cheaply and quickly than they could underground—might well lead to a weakening of our security. It is true that the United States would be able to make further progress if atmospheric tests were continued—but so would the Soviet Union and, indeed, so could other nations. It should be remembered that only one atomic test was required to complete the development of the Hiroshima bomb. Clearly the security of the United States—the security of all mankind—is increased if such tests are prohibited.

Ninth. The risks in clandestine violations under this treaty are far smaller than the risks in unlimited testing. Underground tests will still be available for weapons development; and other tests, to be significant, must run substantial risks of detection. No nation tempted to violate the treaty can be certain that an attempted violation will go undetected, given the many means of detecting nuclear explosions. The risks of detection outweigh the potential gains from violation, and the risk to the United States from such violation is outweighed by the risk of a continued unlimited nuclear arms race. There is further assurance against clandestine testing in our ability to develop and deploy additional means of detection, in our determination to maintain our own arsenal through underground tests, and in our readiness to resume atmospheric testing if the actions of others so require.

Tenth. This treaty is the product of the steady effort of the United States Government in two Administrations, and its principles have had the explicit support of both great political parties. It grows out of the proposal made by President Eisenhower in 1959 and the resolution passed by the Senate in that same year; and it carries out the explicit pledges contained in the platforms of both parties in 1960. Nothing has happened since then to alter its importance to our security. It is also consistent with the proposals this administration put forward in 1961 and 1962—and with the resolution introduced in the Senate, with wide bipartisan support, in May of 1963.

This treaty is in our national interest. While experience teaches us to be cautious in our expectations and ever-vigilant in our preparations, there is no reason to oppose this hopeful step. It is rarely possible to recapture missed opportunities to achieve a more secure and peaceful world. To govern is to choose; and it is my judgment that the United States should move swiftly to make the most of the present opportunity and approve the pending treaty. I strongly recommend that the Senate of the United States advise and consent to its ratification.

JOHN F. KENNEDY.

THE WHITE HOUSE, *August 8, 1963.*

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the injunction of secrecy be removed from a certified copy of the treaty banning nuclear weapon tests in the atmosphere, in outer space and underwater, signed at Moscow on August 5, 1963, on behalf of the United States of America, the United Kingdom of Great Britain and Northern Ireland, and the Union of Soviet Socialist Republics—Executive M, 88th Congress, 1st session—and that the treaty, together with the President's message, be referred to the Committee on Foreign Relations.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SPARKMAN. Earlier in the day announcement was made and printed in the RECORD to the effect that the Committee on Foreign Relations would commence hearings on the nuclear test ban treaty at 10 a.m. on next Monday, August 12, in the caucus room, which is room 318, in the Old Senate Office Building, at which time the Secretary of State, Dean Rusk, would be the first witness.

The session will be open to the public.

On Tuesday, August 13, at 10 a.m. there will be another open session in the same room, at which Secretary of Defense, Mr. McNamara, will be the witness.

Administration witnesses will appear during the remainder of that week.

It was also announced that at a later time additional witnesses will be scheduled for all of the following week, that is, the week of August 19, depending upon decisions of the committee.

Members of the public desiring to be heard on the test ban treaty should communicate with the clerk of the Committee on Foreign Relations.

The chairman of the Foreign Relations Committee, the Senator from Arkansas [Mr. FULBRIGHT], has sent a letter to the chairman of the Armed Services Committee, the Senator from Georgia [Mr. RUSSELL], a similar letter to the Senator from New Mexico [Mr. ANDERSON], who was acting chairman of the Joint Committee on Atomic Energy, and also an identical letter to the Senator from Rhode Island [Mr. PASTORE], chairman of the Joint Committee on Atomic Energy, inviting members of those two committees to meet with the Foreign Relations Committee.

The Senator from Georgia, chairman of the Armed Services Committee, and the Senator from Rhode Island, chairman of the Joint Committee on Atomic Energy, have asked me to announce acceptance on behalf of those committees of the invitation from the chairman of the Foreign Relations Committee to sit with the Foreign Relations Committee during the hearings on the nuclear test ban treaty beginning next Monday.

The Senator from Georgia has also requested me to state that if, in addition to the witnesses appearing before the combined committees, there are others which his committee may desire to hear, he will, of course, be prepared to request that the Armed Services Committee be allowed to sit separately to hear such witnesses.

I am very glad to make the announcement on behalf of the members of the two committees that have been invited to sit with us.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. DIRKSEN. The Armed Services Committee would serve only in an advisory capacity, because jurisdiction, of course, is solely in the Committee on Foreign Relations.

Mr. SPARKMAN. The Senator is correct. Of course, the subject matter of this treaty is something in which both the Armed Services Committee and the Joint Committee on Atomic Energy are vitally interested.

Mr. DIRKSEN. I understand.

Mr. SPARKMAN. We thought it would be well to have them there in order that they might give us their recommendations and their advice and assistance in the course of the hearings.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. ANDERSON. I dislike to bring up this subject, but the Senator said that this matter was solely in the field and jurisdiction of the Foreign Relations Committee. How does he account for the fact that bilateral treaties are handled by the Joint Committee on Atomic Energy? Certain features of the treaty might properly go to the Joint Committee on Atomic Energy. Of course, we are happy—and I am speaking only as one member—that the Foreign Relations Committee should be going ahead as it is; and I have no criticism of that procedure. However, I jumped a little when the Senator said that this was solely for the attention of the Foreign Relations Committee, when similar matters were handled in the past by the Senator from Rhode Island [Mr. PASTORE] and handled very well.

Mr. SPARKMAN. As I understand the rule, exclusive jurisdiction over treaties is vested in the Foreign Relations Committee. I believe the rule states clearly that that is the only committee in which treaties are handled.

Mr. DIRKSEN. Over a period of time, as far back as 1961 and 1962, the joint Senate and House Republican leadership has from time to time made statements with respect to a nuclear test ban treaty. I have assembled all the facts, and I should like at the end of the Senator's remarks, in connection with my statement, to have all these matters inserted in the RECORD.

Mr. SPARKMAN. I believe that would be most helpful. I wish the Senator would ask unanimous consent to do so.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that at the end of the remarks of the Senator from Alabama there may be inserted in the RECORD the material to which I have referred, together with a brief statement.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. ANDERSON. Mr. President, I believe the Parliamentarian has enlightened the Senator from New Mexico. I had reference to so-called bilateral agreements; and they go to the Joint Committee on Atomic Energy instead of to the Foreign Relations Committee.

Mr. SPARKMAN. Yes; they are agreements, not treaties.

EXHIBIT 1

It is entirely fitting that Members of Congress and the public have the benefit of the complete record of statements on the nuclear test ban made by the Joint Senate-House Republican leadership through the years 1961, 1962, and to date. It will be noted that in most instances these statements were enunciated for the joint leadership by their frequent spokesmen, myself, minority leader of the Senate, and Representative CHARLES A. HALLECK, of Indiana, minority leader of the House of Representatives.

These statements together with pertinent fact sheets amount to a chronology of the Republican position relative to this issue throughout the ebb and flow of the negotiations with the Soviet Union and the United Kingdom by the Kennedy administration.

Particular attention is directed to the final statement issued August 2, 1963, over the names of all 11 members of the Joint Senate-House Republican leadership raising pertinent questions on the pending partial nuclear test ban treaty. The Members, in addition to myself and Representative HALLECK, are Senators KUCHEL, HICKENLOOPER, SALTONSTALL, and MORTON; and Representatives ARENDS, BYRNES, FORD, BROWN, and BOB WILSON.

STATEMENT BY SENATOR DIRKSEN, MAY 11, 1961

It is becoming plain that the United States must reexamine its position with respect to the interminable negotiations on nuclear testing which have been conducted at Geneva since October 31, 1958. There now have been 296 negotiating sessions hinging largely on the question of inspection if a ban on nuclear testing is reached.

With the installation of the Kennedy administration in January this Nation dispatched to Geneva an offer of seven substantial concessions to Russia. Even before these concessions could be announced, the Soviets announced they were retreating from two agreements which had been obtained in previous years. Then, having heard our concessions, the Russians accepted only two of them and balked at the rest. Negotiations since then have been uniformly described by the Western delegates as nothing less than "depressing."

It is perfectly apparent that the Soviets are not negotiating: they are conducting a monumental stall. Because underground nuclear tests cannot be detected, this leaves the Russians free to continue this kind of testing if they wish while we have suspended our own efforts in this field.

On October 9, 1960, during the presidential campaign, Mr. Kennedy asserted that "when I am elected I will direct vigorous negotiation" in Geneva, and added significantly:

"I intend to prescribe a reasonable but definite time limit to determine whether significant progress is being made."

In view of the notable lack of progress to this date, we feel that in the interest of arriving at some discernible conclusion, President Kennedy should now fix a time limit and so notify the Russians. We feel that this is not only essential to American prestige but will make clear to the world the true intent of the Soviet Union.

Statement by Representative Halleck, June 8, 1961

A month ago the joint Senate-House Republican leadership suggested that President Kennedy fix a time limit on the interminable negotiations on nuclear testing which have been conducted at Geneva since October 31, 1958. We stated we felt this was not only essential to American prestige but necessary so the world will realize the Soviet Union does not want to reach an agreement. Two nights ago President Kennedy in his report to the Nation on his European trip made it clear that he could not discover during his conversations with Khrushchev a single ray of hope for adoption of a nuclear treaty.

There now have been 317 negotiating sessions at Geneva hinging largely on the issue of inspection if a ban on nuclear testing is reached. The question is: How much longer must America submit to this persistent Soviet stalling?

We know that we have conducted no nuclear testing in this country since 1958. But we have absolutely no evidence that the Russians are not conducting such tests because underground nuclear testing cannot be detected.

We insist that we can no longer take the chance that the Soviet Union will perfect its nuclear weapons while we forgo improving ours during interminable meetings at Geneva.

It is now common knowledge that the Russians intend to seek transferral of the nuclear testing negotiations to the agenda of a general disarmament conference, thus junking the Geneva effort. If talks for 2½ years on a single phase of armaments are fruitless, how many more years will we have to live with the possibility the Soviet Union is secretly testing while we risk both our national security and world peace at another conference table?

We believe the United States has been extremely patient in view of the gravity of the issue and we respectfully urge the President to set a deadline on the negotiations and so notify the Soviet Union.

Statement by Representative Halleck, August 15, 1961

For many months it has been evident that the nuclear test ban negotiations at Geneva have been a waste of time and that we have been jeopardizing our own national security by continuing our self-imposed suspension of testing.

Twice during these months the joint Senate-House Republican leadership has raised the question of whether the United States should set a terminal date because it has become increasingly obvious that the Soviet Union has not been negotiating, but stalling.

When these negotiations began 3 years ago there was little doubt we were ahead of the Soviets in nuclear weapons. We know the United States has done no testing during these 3 years. But how about the Soviet Union?

Because there is no present way to detect underground testing, how do we know the Russians have not been testing? How do we know they haven't been stalling to gain time to catch up with us or pass us in nuclear weapons? The answer to both questions is the same: We don't know.

But we do know this: While there is no absolute proof, there does exist enough information to indicate the Soviets have been testing during the negotiations. Further, we can state that this information is known to our highest Government officials. We think action is indicated.

Last week, President Kennedy announced he was sending our negotiators back to Geneva for one more try with the Soviets. We have no objection to this attempt, but we believe it should not be allowed to sandbag the Nation's safety. We say the time has arrived for the United States to resume testing.

We have repeatedly stated that in any meeting with the Soviet Union we must negotiate from strength. In this instance we believe the United States would be in a far stronger position if we resumed testing and insisted that the Soviet Union come to the conference table with a real desire to negotiate instead of stall.

Let us not forget that 3 years of voluntary suspension of tests has produced no results at Geneva whatsoever. Perhaps testing while offering to negotiate might bring all parties closer to the desired objective—a true nuclear test ban.

Statement by Senator Dirksen, February 20, 1962

On three occasions last year (May 11, June 8, and August 15) the Joint Senate-House Republican Leadership urged President Kennedy to reexamine U.S. policy on the Geneva negotiations with the Soviet Union so that we might resume nuclear testing.

On September 1, 1961, the Soviet Union seized the initiative and began a series of 40 to 50 nuclear tests in the atmosphere. Three weeks later, the United States resumed testing, not in the atmosphere but by the far less effective method of underground explosions.

When the negotiations began in 1958, the United States had unquestioned superiority over the Soviets in both atomic devices and a bomb stockpile. Now top officials of our Government are agreed that (1) the Russians were probably testing underground all along, as we asserted in an August 15 statement, and (2) the Russians have made definite gains on us by both their clandestine and public testing.

We now ask: How much longer does President Kennedy intend to wait to resume atmospheric testing? In the past 8 months there have been numerous stories in the newspapers that Mr. Kennedy was shortly going to order such testing resumed. In fact, there are similar stories in the papers now. But we still have not resumed atmospheric testing.

What kind of leadership is this? Where is the "direct vigorous" action on this problem that Mr. Kennedy promised in the 1960 presidential campaign? In its 13 months in office the Kennedy administration has done nothing but to give ground to the Russians both at the negotiating table and on our own atomic weapons program.

The time for action is long overdue. President Kennedy should delay not 1 minute longer.

Statement by Representative Halleck, February 20, 1962

We cannot stress too much how serious we believe our nuclear weapons position to be.

We believe the policy of the Kennedy administration in delaying testing has been wrong.

One of the first acts of the Kennedy administration was to weaken, in the eyes of the world, our military emphasis on massive nuclear retaliation, by a highly publicized buildup of our conventional forces.

Reserves were called up and National Guard units mobilized and they patriotically responded, but even the Pentagon now concedes this course was a mistake. Concurrently, in the field of nuclear negotiations with the Russians at Geneva, the first act of the Kennedy administration was to offer the Russians seven major concessions. The Soviets countered as might be expected—they renounced two agreements that had already been reached under the Eisenhower administration.

Meantime, despite bipartisan demands in Congress for U.S. resumption of nuclear testing, and even predictions that the President would do this, he still delayed. President Kennedy still wanted to negotiate, even though 39 months at the conference table had only gained time for the Russians.

With the door wide open, with the United States adopting a new emphasis on ground warfare, was it any wonder that the Soviet Union openly resumed atmospheric tests last September?

And still we wait, and still we go on offering concessions, the latest being an offer to transfer the nuclear talks to the agenda of a disarmament conference—a proposal sponsored by the Soviets for many months.

If we are to maintain American prestige, if we are to stay ahead on the military front, we say the President must order whatever atmospheric nuclear testing is necessary to meet our national security requirements.

Nuclear Test Ban Fact Sheet

(Background information released with Senator Dirksen's and Congressman Halleck's February 20 statements)

Part I. Kennedy pledge.
Part II. Kennedy record on negotiations.
Part III. Kennedy record on testing.

PART I: THE KENNEDY PLEDGE

"When I am elected, I will direct vigorous negotiations, in accordance with my personal instruction on policy, in the hope of concluding a realistic and effective agreement.

"I intend to prescribe a reasonable but definite time limit within which to determine whether significant progress is being made * * *." (From a published letter from Democratic Presidential Nominee John F. Kennedy to Thomas E. Murray, ex-member of the Atomic Energy Commission, Oct. 9, 1960.)

PART II: THE KENNEDY RECORD ON NEGOTIATIONS

March 21, 1961: American Delegate Arthur Dean presents seven major concessions on nuclear test ban to Soviet Union, but before he could make the presentation, the Soviets announced they were renouncing two agreements already made under the Eisenhower administration.

March 28, 1961: The United States accepted Soviet demands for East-West partly in appointments of nuclear test ban policing staffs.

April 4, 1961: The Soviets announced they would accept only two of the U.S. concessions, pointing out that they had originated these in the first place.

April 13, 1961: The Soviets demanded the right to veto any American experiments in underground research program.

April 18, 1961: The United States presented the 292d Geneva meeting a 15,000-word treaty for Soviet consideration.

April 19, 1961: The Soviets rejected the U.S. treaty proposal because of disagreement over inspection proposal.

May 3, 1961: Having called Delegate Dean home for Presidential consultation, White House sources indicated Dean would return in a few days to press further for a test ban agreement.

May 31, 1961: United States made another concession, dropping a demand for a minimum of 20 annual inspections to 12.

August 10, 1961: President Kennedy, on the day following Premier Khrushchev's announcement that the Soviets were capable of exploding a 100-megaton bomb, disclosed he would send Delegate Dean back to Geneva on August 24 to seek a decisive showdown with the Russians.

September 9, 1961: Negotiations suspended by joint United States-British-Soviet resolution as a result of Soviet resumption of atmospheric testing.

November 13, 1961: United States, with Great Britain joining, sent offer to Soviet to resume negotiations at Geneva.

November 21, 1961: Soviet accepted offer to reopen negotiations.

November 28, 1961: Negotiations resumed.

January 15, 1962: President Kennedy told a press conference the "most disappointing event" in his first year has been "our failure to get an agreement on * * * testing."

January 16, 1962: United States, with Britain joining, offered to merge nuclear talks with general disarmament discussions—an old Soviet proposal.

January 26, 1962: Soviet Union rejected the United States-British concession and insisted the Geneva test ban talks continue.

January 29, 1962: The United States and Britain proposed termination of Geneva parley but left the door open for possible resumption of talks, a possibility which the Soviet delegate immediately rejected. Conference concluded.

PART III: THE KENNEDY RECORD ON NUCLEAR TESTING

May 11, 1961: Joint Senate-House Republican leadership (Senator DIRKSEN) suggested Soviets might be testing underground and urged President Kennedy to set a terminal date on the Geneva negotiations.

June 8, 1961: Joint Senate-House Republican leadership (Representative HALLECK), noting that two nights earlier in his broadcast to the Nation President Kennedy had said he could not find a single ray of hope in his meeting with Khrushchev for adopting a nuclear treaty, again urged a terminal date to negotiations.

June 12, 1961: Senator JACKSON, Democrat, of Washington, and Representative HOLIFIELD, Democrat, of California, of the Joint Committee on Atomic Energy, urged the administration to resume tests on a "talk 'n test" basis.

June 14, 1961: Senator DODD, Democrat, of Connecticut, urged the administration to resume both atmospheric and underground testing.

July 7, 1961: Senator BRIDGES, Republican, of New Hampshire, urged a White House decision on test resumption.

June 17, 1961: The United States in a note to the Soviet Union warned that the United States would have to resume testing if the Geneva deadlock continued.

June 21, 1961: "High administration sources" said the administration was "moving rapidly" in the direction of resuming underground testing. On the same day, Premier Khrushchev stated the Soviet Union would resume tests "immediately" if the West did.

June 28, 1961: President Kennedy directed a special scientific committee to assess whether Soviets could be conducting secret tests.

August 15, 1961: Joint Senate-House Republican leadership [Representative HALLECK] called for the United States to resume nuclear testing stating: "While there is no absolute proof, there does exist enough information to indicate the Soviets have been testing during these negotiations * * * we can state this information is known to our highest Government officials."

August 28, 1961: Former Atomic Energy Commission Chairman Lewis Strauss urged resumption of testing.

August 31, 1961: Soviet Union announced it would resume tests, the White House recalled delegate Dean from Geneva and the press speculated the United States would also resume tests.

August 31, 1961: President Kennedy, calling the Soviet announcement "atomic blackmail," declared he is "entirely confident that the size of the U.S. nuclear stockpile and the capabilities of the individual weapons and delivery systems are wholly adequate for the defense of the United States and the free world."

August 31, 1961: A bipartisan group of 13 Senators sponsored a resolution urging resumption of U.S. testing. The sponsors: Allott, Republican, of Colorado; Bridges, Republican, of New Hampshire; Butler, Republican, of Maryland; Cannon, Democrat, of Nevada; Fong, Republican, of Hawaii; Hickey, Democrat, of Wyoming; Schoeppel, Republican, of Kansas; Scott, Republican, of Pennsylvania; Smathers, Democrat, of Florida; Talmadge, Democrat, of Georgia; Thurmond, Democrat, of South Carolina; and Tower, Republican, of Texas; Dodd, Democrat, of Connecticut, sponsored it.

On the same day, the joint Senate-House Republican leadership recalling its urgings for a deadline wryly commented: "Now it seems that the deadline has been reached." (Representative HALLECK.)

September 5, 1961: President Kennedy ordered resumption of underground tests.

September 11, 1961: Former Atomic Energy Commission Chairman Strauss said: "I have no doubt Russia has been testing all along."

September 15, 1961: Following 10 Soviet tests, 3 of them in the megaton hydrogen bomb range, the United States exploded a small weapon underground in Nevada, estimated at below 20 kilotons.

October 19, 1961: U.S. representative to the United Nations, Adlai Stevenson, declared that unless a test ban treaty is signed promptly, the United States will resume atmospheric tests.

October 24, 1961: Following 20 atmospheric tests by the Russians Democratic Senate sources stated United States will resume atmospheric tests relatively soon.

November 2, 1961: President Kennedy ordered preparations for resumption of atmospheric tests necessary "to maintain our responsibilities for free world security."

November 4, 1961: Soviets complete their tests variously estimated at 31 (Moscow sources) to 40–50 (American sources) including one 60-megaton bomb.

December 23, 1961: A New York Times Washington correspondent wrote: "The administration is turning to a belief that a resumption of (atmospheric) tests might be welcomed by many foreign nations, including neutralist countries."

December 29, 1961: Defense Department disclosed that United States has created a task force for atmospheric tests "if and when President Kennedy orders them."

January 27, 1962: British sources disclosed British Government would consent to U.S. use of Christmas Island in the equatorial Pacific for atmospheric tests "if judged necessary."

February 4, 1962: New York Times military expert Hanson W. Baldwin reported "a bitter behind-the-scenes struggle about resumption of atmospheric testing is being fought in Washington."

Reviewing the several evaluations made by various U.S. nuclear experts, Baldwin said the Soviet tests showed:

"Tremendous laboratory progress in the more than 3 years of test cessation.

"Considerable progress in the development of a warhead for an antiballistic missile.

"Major development of lighter and more compact weapons. The Soviet yield-to-weight ratio—the packaging of high power into smaller and lighter weapons is now adjudged to be about equal to the United States. This is of high importance in the development of second and third generation missiles. The tests indicated considerable Soviet progress toward the development of compact, solid-fueled missiles like the Minuteman, and hence an increase in missile striking power and a reduction in vulnerability.

"Major progress in development of a whole family of new nuclear weapons—both tactical and strategic.

"Reduction of the amount of fissionable material needed to trigger a fusion reaction. The biggest Soviet test detonation, which was calculated at a yield of more than 55 megatons, released a far smaller amount of fission products into the atmosphere than the United States had anticipated. More fusion and less fission in a weapon could mean in time not only more but also cheaper weapons, since fusion materials are far less expensive and more plentiful than fissionable ones.

"In short, the Russian tests appear to sum up to a conclusion by most well-informed officials that the United States no longer has assurance that it has a major technological lead in atomic weapons."

February 5, 1962: Press reports indicated United States had fired between 11 and 15 low-yield nuclear devices in 6 months of underground tests.

February 6, 1962: Senator JACKSON, Democrat, of Washington said President Kennedy must resume atmospheric tests and do so shortly.

February 7, 1962: In response to a press conference question: "Mr. President, the nuclear test question has been under consideration for some months now; could you give us some idea of the time schedule you foresee * * *?"

The President replied: "Well, we should know—the studies and the examinations and the considerations by the Government, should be, I would think, completed within the month."

February 8, 1962: White House announced Christmas Island has been made available by the British for U.S. atmospheric testing, but offered the Soviet Union one more chance to negotiate a treaty.

February 9, 1962: William C. Foster, Director of Arms Control and Disarmament Agency, said new information on the recent Soviet tests shows that the Russians by holding another series might pass the West in the nuclear arms race unless the west resumes tests of its own. He added that the Soviet test series showed "that the Soviet achieved substantial gains."

STATEMENT BY SENATOR DIRKSEN, MARCH 22, 1962

The American people are faced with a major question: Is President Kennedy's commendable stand of March 2 on resumption of atmospheric testing being watered down at Geneva to a point where our nuclear supremacy will be gravely endangered?

On March 4, 2 days after the President's speech to the Nation, Mr. William C. Foster, our chief disarmament negotiator, said we would be taking a "desperate risk" in signing a test ban treaty with the Soviets even if it contained our proposed inspection provisions. Asked about reports that the West was considering offering looser controls, Mr. Foster stated flatly that "those reports are not true"—in fact he indicated tighter controls might be necessary.

Two days ago, our ally Britain officially advised the Soviets at Geneva that it is willing to accept the "absolute minimum" in inspection to get a test ban. Britain, its spokesman said, is prepared to let Russia keep the military knowledge and gains achieved from its tests last fall if a treaty can be negotiated.

Two things occur to us, as members of the Joint Senate-House Republican Leadership: (1) Any treaty negotiated must be approved by a two-thirds vote of the U.S. Senate, and (2) any decision to let the Soviet Union retain gains achieved by violating the test moratorium last fall would in a large measure more properly lie within the jurisdiction of the U.S. Government.

We are of the opinion that no piece of paper embracing the "absolute minimum" will receive a very warm welcome in the U.S. Senate. As President Kennedy has already pointed out on March 2, the Soviet Union "callously broke" a voluntary agreement to suspend testing. Why should we believe it would observe a more far-reaching proposal that under the best conditions has been called a "desperate risk" for us?

Statement by Representative Halleck, March 22, 1962

The joint Senate-House Republican leadership is not only concerned by proposals for more concessions to the Soviet Union on nuclear problems, but we are apprehensive about new pressures to persuade the United States not to resume atmospheric testing.

The highest officials of our Government, including President Kennedy, now concede that the Soviet Union made major strides toward nullifying our nuclear supremacy when they tested last fall. It is also conceded by all possessing knowledge of our nuclear position—once more including the President—that it is essential for us to resume atmospheric testing if we are again to validate our supremacy.

It is already known that considerable conflict existed inside the Kennedy administration over the past year on whether to resume testing or not. That conflict has already cost us precious time which could have been spent preparing to test and then deciding. So we already have lost many months charged up against our national security while the President's advisers argued the inarguable—maximum security.

Now, at Geneva, pressures are being brought from the outside to dissuade us from taking a position of strength. The British are willing to forfeit to the Soviets any advantage the Russians may have gained over us by testing. Spokesmen for Brazil and India are urging us not to resume tests. In this country we have even had pickets marching on the White House.

These statements by Senator Dirksen and myself today are the sixth and seventh issued by the Republican leadership in the last 10 months urging a stronger nuclear posture. We were among the first to applaud the President's announcement on March 2 that testing would be resumed.

We now urge the President to insist firmly upon Soviet acceptance of our proposals and lacking that acceptance to allow nothing to deter him from the early resumption of tests so essential to this Nation's military security.

Statement by Senator Dirksen, August 8, 1962

This Nation is now witnessing another example by the Kennedy administration of how not to deal with the Russians.

Early in 1961 the administration—as one of its first acts—dispatched American representatives to Geneva offering the Russians seven substantial concessions in the negotiations for a ban on nuclear testing. Before the Kennedy concession could be presented, the Russians countered by repudiating two agreements obtained by the Eisenhower administration and then proceeded to reject five of the seven Kennedy concessions. Later, in May 1961, the Soviets rejected further Kennedy concessions.

This week, hat in hand, the Kennedy administration sent our negotiators back to Geneva with a new set of concessions, including a substantial relaxation of our previous demands for inspection. The new concessions got the standard Soviet reaction to all concessions: The Russian representative threw cold water on them before they were even formally presented.

As if to further demonstrate their contempt for our concessions, the Soviets resumed high-altitude nuclear testing on the very eve of the Geneva meeting.

On October 19, 1960, as a presidential candidate, Mr. Kennedy stated that—

"When I am elected, I will direct vigorous negotiations, in accordance with my personal instructions on policy, in the hope of concluding a realistic and effective agreement for a ban on nuclear testing."

Making concession after concession is scarcely our idea of "vigorous negotiations," and when the concessions include proposals that would lessen the chances of detecting Soviet cheating, they begin to ring alarm bells with us.

We, the members of the joint Senate-House Republican leadership, would like to suggest to the Kennedy administration that a firmer American negotiating position might be achieved if it sent demands to Geneva instead of concessions. As it is now, the Russians demand and the United States concedes. We think this formula is hopeless and urge the President to abandon the concession course he has set in the test-ban negotiations.

Statement by Senator Dirksen, August 16, 1962

Last week, the members of the Joint Senate-House Republican leadership protested the continuation of the Kennedy administration's policy of offering more concessions to the Russians each time negotiations on a nuclear test ban are resumed. On the same day, Gov. Nelson Rockefeller of New York issued a thoroughly documented statement expressing a similar view.

An effort has been made to dismiss these two statements as political. Nothing could be further from the truth. We are and have been for 18 months talking about this Nation's security, not politics. Our statement last week was the eighth we have issued since April 1961 on test ban negotiations, and on four occasions we have questioned the Kennedy policy of concessions.

We think it is time for America to wake up. The greatest single deterrent to war today is our nuclear weaponry. It has been a deterrent to war simply because we have enjoyed a margin of superiority over the Soviets.

All that the test ban negotiations have produced so far has been an opportunity for the Russians to narrow our margin of safety by resuming testing a year ago. At long last, we resumed testing this year. Now, in the midst of administration indecision on whether to complete our tests, the Russians have started another series.

We believe we should complete our current series of tests. We believe we should start a new series if necessary to maintain our nuclear superiority. We believe we should abandon the policy of offering concessions at Geneva and we deem it our duty to say so.

If our negotiators should try to contrive a nuclear test ban by an executive agreement at Geneva instead of a treaty which would require Senate ratification, there would be real trouble. We had enough of executive agreements at Yalta and Potsdam and the world is still paying for them.

We hope that fears on that score are unfounded, but as responsible Members of Congress we must say this: If an executive agreement instead of a treaty is sought at Geneva, we feel certain that Republicans will fight this effort with everything at our command. The treaty-ratifying rights of Congress must not be bypassed in any matter so vital to our national safety as our nuclear weapons.

Statement by Representative Halleck, August 30, 1962

On Monday of this week President Kennedy and Prime Minister Macmillan proposed a treaty with the Soviet Union calling for an unpoliced ban on nuclear testing in the atmosphere, in outer space, and underwater and omitting the critical area of underground testing.

This proposal was the latest in a series of concessions and retreats which the Kennedy administration has sponsored on the test ban since it took office and to us it is as unwelcome as the other proposals which preceded it.

Why should we propose to accept less in a treaty in 1962 than we got in a voluntary moratorium in 1958? What value would an unpoliced treaty have in preventing secret preparations for future testing by the Soviets who historically regard a treaty as something to be broken, not kept?

Now that the Soviets have turned down the Kennedy-Macmillan proposal, what new concessions will we offer next? Are we pursuing a principle or a piece of paper?

We believe this retreat from the absolutely essential condition of inspection is a mistake of major dimensions. Inspection is the only certain way that Soviet duplicity, whether by testing underground or by preparations for atmospheric tests, could be detected.

Like everyone else, we want to see nuclear fallout eliminated but not at the risk of our own national security. We saw the Soviet Union use the voluntary test ban as a cover in 1961 for preparations for a series of 40 tests while we lost precious time. President Kennedy in his press conference yesterday called it a "lesson."

But what assurance have we that an unpoliced treaty will not be used by the Soviet Union in precisely the same manner? Must we learn the same tragic "lesson" twice?

In effect, we are now being told that a half loaf is better than none. We say that no agreement at all is better than a bad one.

The President said yesterday, "the United States cannot be a party to any renewal of false hopes which the Soviet Government shattered last September." We agree, and we think the first step to insure against this would be to withdraw the "half a loaf" offer immediately.

Statement by Senator Dirksen, February 28, 1963

The United States has engaged in 403 negotiating sessions over a 5-year period with the Soviet Union on a nuclear test ban and we are told the Kennedy administration intends to continue the negotiations.

The 2 years of Kennedy administration negotiations have been marked by a parade of concessions to the Soviet Union to the point that we think American prestige is at stake.

In its very first negotiating session on March 21, 1961, the Kennedy administration made seven major concessions to the Soviet Union. Two months later it dropped the number of on-site inspections previously demanded by the United States from 20 to 12. Last December it dropped the number to eight. On January 16, 1962, it bowed to Soviet demands to merge nuclear test ban negotiations with general disarmament discussions. Last August it reduced the U.S. demand for 21 monitoring stations in the Soviet Union to 8. Then, with little regard for the Soviet record of duplicity, the Kennedy administration proposed that the monitoring stations in each nation be manned only by its own nationals—in other words, it would be up to the Soviets to report Soviet cheating.

This is only a partial list of the concessions. The only result to date has been a Soviet violation of the voluntary test ban which reputedly has further narrowed the margin of U.S. superiority in nuclear weapons.

Now there are reports from Geneva the Kennedy administration is considering lowering the number of on-site inspections to seven or even five. This has become an exercise not in negotiation but in giveaway.

The record is unmistakably clear. A policy of firmness, not concession, is the only course that produces results in dealing with the Soviet Union.

On 10 previous occasions during these last 2 years the joint Senate-House Republican leadership has made statements on the nuclear test ban negotiations protesting the lack of a firm policy on the part of the Kennedy administration on this vital question.

We think it is high time to call a halt to concessions.

STATEMENT BY SENATOR DIRKSEN, JUNE 13, 1963

President Kennedy's proposal to reexamine our attitude toward the Soviet Union is a triumph for the accommodators in his administration and it flies in the face of all known experience in dealing with the Communists.

The decision contradicts Mr. Kennedy's own public estimates of the Communist conspiracy both before and since he became President. Mr. Kennedy disclosed his decision over the weekend like a shot from the hip, without visible consultation with Members of Congress, and on the tissue-paper grounds that somehow, someplace, sometime a nuclear test ban agreement with the Soviets might be reached.

Mr. Kennedy's announcement of a self-imposed nuclear test moratorium is grave enough to contemplate, but when it and a mere scenery shift of negotiations from neutral Geneva to hostile Moscow are used to ornament a major change in policy, we are deeply troubled.

The President tells us "that constructive changes within the Communist bloc might bring within reach solutions which now seem beyond us." What constructive changes? The Berlin wall? Vietnam? Laos? Missiles sneaked into Cuba?

Mr. Kennedy says "we must conduct our affairs in such a way that it becomes in the Communists' interest to agree on a genuine peace." Is the burden of conduct now on us? Are we to deduce the Communists have been right all along—only we must change?

Persons who see an "accommodation as impossible" are called defeatists by Mr. Kennedy. Those who want "universal peace" are called "fanatics." Obviously in between are the accommodators and, in Mr. Kennedy's words, they are the ones who want to "make the world safe for diversity."

What is "diversity"? Does this phrase translate into "make the world safe for coexistence," half free and half Communist? Mr. Kennedy does not explain.

But we, the members of the joint Senate-House Republican leadership, intend to find out. Two weeks ago we urged the Senate Foreign Relations Committee and the House Foreign Affairs Committee to conduct a review of foreign policy. Now, with President Kennedy's drastic shift in policy toward the Soviet Union, we deem such a review imperative.

STATEMENT BY REPRESENTATIVE HALLECK, JUNE 13, 1963

Negotiations with the Soviet Union on a test ban treaty are now 5 years old; there have been 403 negotiating sessions and the only product has been an endless display of Soviet stalling, Soviet duplicity and Soviet treachery.

Only a year ago President Kennedy was calling his experience with Soviet double-dealing on the test ban a lesson. On March 2, 1962, Mr. Kennedy, in a television address to the American people, said:

"We know enough now about broken negotiations, secret preparations, and the (Soviet) advantage gained from a long test series never to offer again an uninspected moratorium."

Yet, on Monday of this week Mr. Kennedy not only declared the United States bound to an uninspected moratorium on testing but he did so without even a commitment from the Soviets to join in it. It is evident that Mr. Kennedy has not only forgotten his "lesson," but he is now settling for half as much as existed from 1958 to 1961 when the Soviets were a party to a moratorium.

We know that most experts think Red China will have nuclear warheads in a year or so. Does the Kennedy decision take this into consideration? Does his decision mean that all preparations for testing have been dropped?

In the past 2½ years, we, the members of the joint Senate-House Republican leadership, have protested on 11 occasions Mr. Kennedy's course of concession after concession to the Soviets in the nuclear test ban negotiations while receiving nothing in return. And we have not been alone. Leading Democrats, including Senators RUSSELL of Georgia, DODD, of Connecticut, SYMINGTON, of Missouri, and JACKSON, of Washington, and Representative HOLIFIELD, of California, have done likewise.

But we must say that the President's latest course, the adoption of a self-imposed moratorium, is the most doubtful act of all. Two rounds of Soviet testing since September 1961 have dangerously narrowed our margin of nuclear superiority, if not wiped it out. To gamble with national security now for a piece of paper that at best would represent only a shadow of the original proposed agreement is sheer folly.

STATEMENT BY REPRESENTATIVE HALLECK, JULY 11, 1963

Nuclear test ban negotiations will be resumed next week, this time in Moscow. With the record already showing 403 negotiating sessions over a 5-year period, it must be said that never has so much time been spent accomplishing so little.

The Kennedy administration's deplorable history of concessions to the Soviet Union on this issue has caused widespread fear that the Moscow meetings may end in virtual surrender by our negotiators. Because underground testing would still be permitted, there is grave doubt that anything can be accomplished by a treaty or that the nuclear arms race would be retarded in any significant way. Nor is there the slightest basis for putting any faith in the spoken or written word of the leaders of world communism.

In Bonn, Germany, last month, Mr. Kennedy attempted to justify the continued negotiations on the ground that other nations would soon be building arsenals of nuclear weapons and he said this could be a "disaster." Yet neither the President nor anyone else has been able to explain how a treaty between the United States, Great Britain, and the Soviet Union will stop France and Red China—or any other nation—from going ahead with a nuclear weapons program if they so desire.

Our relations with NATO countries are not being helped by the latest Russian demand for inclusion of a nonaggression pact with a test ban treaty. This only sharpens the fears of our European allies that the United States might barter away Western Europe's long range interests.

Finally, there is the very real fear on the part of some of our top scientists that Russian tests over the last 2 years have jeopardized if not erased our margin of superiority in nuclear weapons. Even if a meaningful test ban becomes possible, these scientists want to see us make up this lost ground.

One thing is certain: Any agreement susceptible to cheating and which fails to include adequate inspection would be far more tragic than no agreement at all. It would be a waste of time for our negotiators to bring home a phantom treaty because the Congress would never accept it.

STATEMENT BY THE JOINT SENATE-HOUSE REPUBLICAN LEADERSHIP, AUGUST 2, 1963

A treaty for a nuclear test ban is in the interest of every American if it can be had without endangering our safety or security.

The goal of any civilized people should be peace. This is infinitely more true today than ever before because of nuclear weapons.

With the initialing of a partial test ban treaty draft by the United States, the United Kingdom, and the Soviet Union, the American people and their Government face a critical decision—

Which will do most to preserve peace in the world:

Ratification of a limited treaty placing selective restraints on the development of nuclear weapons, or

A maximum up-to-the-minute defense capability so destructive as to prohibit attack?

This is the issue. And it is a very, very complex issue. It cannot be safely resolved by an emotional approach; it must be weighed on the scales of hard fact.

The treaty draft itself raises many questions. The treaty has best been described by the President when he very properly told the Nation what it would not do.

The treaty will not, Mr. Kennedy said, "mean an end to the threat of nuclear war." "It will not," he said, "reduce nuclear stockpiles; it will not halt the production of nuclear weapons; it will not restrict their use in time of war."

It will not, Mr. Kennedy added, reduce our need for arms. It will not reduce foreign aid. It will not "cause the Communists to forgo their ambitions, or eliminate the danger of war."

This is a long, very long list of things which the President says the treaty will not do. It should be memorized by every American.

Then what will the treaty do? In the President's words "it is an important first step—a step toward peace—a step toward reason—a step away from war." These words also deserve the thoughtful consideration of every American. Certainly it is the sworn duty of every Member of the U.S. Senate to determine if this "first step" is a step in the right direction before voting for or against ratification of the treaty.

The essence of this first step is the prohibition in the treaty against further nuclear testing underwater, in the atmosphere, and in outer space. The signatories are free to test underground.

This brings us to the core of the issue.

On September 1, 1961 the Soviet Union, following many months of clandestine preparations, probably including underground testing, abruptly broke the voluntary test ban which had been in effect since October 1958, and began extensive high altitude testing of multimegaton bombs, finally exploding one approximately twice the size of any yet tested by the United States.

There is also evidence that during these tests the Soviets may have made progress in developing an antiballistic missile capable of destroying incoming missiles. Also to be considered are published reports that the Soviets are now erecting launching sites which may be designed for these antiballistic weapons.

Prior to this series of Soviet tests, there was general agreement that the United States enjoyed superiority over the Soviet Union in the broad range of nuclear weaponry, with a far greater variety of weapons possessed by us, and certainly a marked superiority in the smaller tactical nuclear weapons for ground warfare. Because our entire strategy for world peace was based on this nuclear supremacy, our margin was vital—as it was when the original recommendation for a limited suspension of nuclear testing was made by the previous administration.

Today there is doubt that the former American superiority exists to the same degree. The Soviet superbomb margin is generally conceded, with Soviet capability in the antiballistic missile field suspected. Both are the product of atmospheric testing which would be forbidden under the pending nuclear test ban treaty.

On the other hand, American superiority in the category of tactical or smaller nuclear weapons presumably could be overcome by Soviet underground testing which is permitted under the test ban treaty.

In short, the treaty forbids testing in categories where the Soviets are ahead, but permits testing in categories in which the Soviets are behind. The United States is foreclosed from making the necessary atmospheric tests to remedy any lag in strategic nuclear weapons on which the world balance of power may depend today. Thus two very real questions are posed:

1. Would the test ban treaty permit the Soviet Union to overcome any margin remaining to the United States and eventually establish a marked superiority?

2. If Soviet superiority were gained, would the peace of the world be in safer hands than when the United States enjoyed the edge?

We realize that President Kennedy, with all the vast sources of information at his command, must have weighed these possibilities with the greatest gravity. And he made his decision in favor of the test ban treaty.

Now the question of ratification faces the Senate. Surely the Members of the Senate should have every bit of information necessary to arrive at their decision.

The Joint Chiefs of Staff and other important members of the armed services command, top officials in the Atomic Energy Commission, nuclear experts in and out of Government, and intelligence officers, in addition to State Department spokesmen, all should be called by the appropriate committees for an evaluation of the effects of the treaty, with all cards face up on the table.

It is essential that Members of the U.S. Senate have the opportunity to reach their judgment on the test ban treaty with sufficient information to assure a course that is best for America, best for the free world.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, I should like to ask the distinguished majority leader whether he contemplates a session of the Senate for tomorrow in connection with the pending bill.

Mr. MANSFIELD. I do.

Mr. DIRKSEN. It is definite that the Senate will meet tomorrow.

Mr. MANSFIELD. It is definite.

Mr. DIRKSEN. At the usual hour.

Mr. MANSFIELD. Yes.

CONSTRUCTION OF BUILDINGS IN CONNECTION WITH THE BUREAU OF THE MINT

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 874) to authorize the construction and equipping of buildings required in connection with the operations of the Bureau of the Mint which was, on page 2, strike out lines 14 through 17, inclusive, and insert ", out of any money in the Treasury not otherwise appropriated, for each fiscal year which begins after June 30, 1963, and ends before July 1, 1973, such sums as may be necessary to carry out this act, except that the aggregate of sums appropriated under this section shall not exceed $30,000,000."

Mr. CLARK. Mr. President, I move that the Senate concur in the House amendments. The House amendments are of a very minor nature, only carrying out some clarifications of language which the House thought was obscure in the Senate bill. I have cleared the matter with the majority and the minority leaders and with the ranking Republican member of the Banking and Currency Committee, the Senator from Utah [Mr. BENNETT]; hence I make the motion.

Mr. BENNETT. Mr. President, will the Senator yield?

Mr. CLARK. I yield.

Mr. BENNETT. I rise merely to confirm what the Senator from Pennsylvania has said. I have examined the proposed changes, and I believe that they are not only desirable, but also necessary.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. CLARK. I yield.

Mr. DOMINICK. I understand the bill now before the Senate deals with the construction of Mint facilities. Is that correct?

Mr. CLARK. Yes.

Mr. DOMINICK. What changes did the House make in the bill? I ask the question because the matter is of considerable interest to Colorado as well as to Pennsylvania.

Mr. CLARK. The amendments are merely clarifications of the language in the Senate bill, to make it clear that the money can be spent at any time within the next 10 years. The Senator from Colorado will recall that this is a matter in which he and I concurred. The House thought the language was a little obscure, and it was felt that it should be cleared up.

Mr. DOMINICK. That was what I understood the situation to be; and I merely wished to have it clear in the RECORD. I thank the Senator.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Pennsylvania [Mr. CLARK].

The motion was agreed to.

AUTHORIZATION OF APPROPRIATIONS FOR THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

The Senate resumed the consideration of the bill (H.R. 7500) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations; and for other purposes.

Mr. CLARK. Mr. President, this 1964 authorization for the National Aeronautics and Space Administration totals $5,500 million. Of this sum the able Senator from New Mexico, who is in charge of the bill, advises me that more than $1 billion will be utilized in a phrenetic effort to reach the moon before the Russians do. The total cost of this program is said to be between $20 billion and $30 billion. I am sure all of us take pride in the accomplishments of humanity as we set out to conquer the world of space. The President gave voice to these feelings of pride and the high emotions they engender, when he said:

> Let us explore the stars, conquer the deserts, eradicate disease, tap the ocean depths.

Shortly after that speech, James Reston, of the New York Times, expressed concern which, I say frankly, bothers me, too:

> Which comes first, the moon or the slums, the unexplored or the unemployed, security or solvency?

I was as excited as any other Senator about the prospects of reaching the moon and conquering space; but how am I going to tell an unemployed coal miner in Pennsylvania that yesterday the Senate refused to authorize an adequate appropriation to continue the retraining program which would get him a job and enable him to pay taxes, while today we authorize an appropriation of billions of dollars to reach the moon?

Mr. LAUSCHE. Mr. President, will the Senator from Pennsylvania yield?

Mr. CLARK. I am glad to yield.

Mr. LAUSCHE. I understand that the amount for the program to send a man to the moon is $2,500 million. I ask the Senator from Missouri to confirm that.

Mr. CLARK. I am sure he will, but I understand that $2,800 million is allocated to construction and launching of manned spacecraft; $1,270,400,000 to project Apollo to send a man to the moon; and $282,600,000 for lunar planetary exploration. I use the smaller figure because it seemed to me more conservative; and that is what the Senator from New Mexico told me a few moments ago.

Mr. LAUSCHE. Earlier this afternoon, I asked the Senator from Missouri for his answer, which was $2,500 million to be expended in putting a man on the moon.

Mr. SYMINGTON. Mr. President, will the Senator from Pennsylvania yield?

Mr. CLARK. I yield.

Mr. SYMINGTON. The Senator from Ohio is correct; and, if anything, that figure is conservative.

Mr. CLARK. I thank the Senator from Missouri; and, accordingly, I "up the ante."

Mr. President, 20 million Americans live on the brink of poverty. How can we explain to them that although the majority of Members of Congress argue that there is not enough money in the Federal Treasury to help build housing for low-income families, we are about to vote this very large authorization—the Senator from Missouri tells me it is more than $2 billion, and almost $3 billion—not only to send a man to the moon, but, in particular, to get to the moon ahead of anyone else. I suggest that we cannot be too smug in providing such huge sums for this great scientific achievement in space, when Congress has been notably unwilling to invest half that much in transporting people in the crowded spaces of our cities to the places where they need to go in order to earn a livelihood. How can we boast of the intellectual triumph implicit in this undertaking, when—in the name of fiscal responsibility, which does not seem to bother us at all, today—Congress has been reluctant to provide the necessary funds to educate each American schoolchild for life in the age of space?

The bill for the ARA, which puts people back to work, is bottled up in the House; the youth employment bill is bottled up in the House; the accelerated public works program is grinding to an end—all in the name of fiscal responsibility. But when it comes to putting a man on the moon, we do not hesitate to provide vast amounts of funds. This bill will be passed either today or tomorrow; and then down the drain—for the exploration of outer space, a worthy objective in itself—will go much more than enough money to take care of all these problems on mother earth which cry out for solution.

A few months ago the Senator from Arkansas [Mr. FULBRIGHT] stated the matter better than I could, when he said that it is "strange" that "in a world which bears an intolerable burden of hunger, disease, poverty, and animosity among its peoples, we should devote so many of the best minds of both the Western and Communist worlds to achieve a landing on the moon, where, to my knowledge, no solutions are to be found."

If we cannot afford to invest enough money in the programs to deal with the many problems facing us at home, how can we afford to send a man to the moon? Where is our sense of priority? If we can afford to send a man to the moon, I suggest that we can also afford to deal with more immediate difficulties affecting millions of our citizens. The issue is that simple; and I believe it high time that we gain some sense of perspective.

I am quite aware of the great burden which outlays for space and defense impose on the economy of the Soviet Union, as well as our own. The Soviets probably have a far more difficult time than we do in meeting—at the same time—their commitments in space and those at home. If the conquest of space is a legitimate scientific objective, then, Mr. President, if the international climate permits, it should not be a race between nations; instead, it should be a cooperative venture by all of humanity. So let all endeavor to go to the moon together.

The Governments of the United States, the United Kingdom and the Soviet Union have stated, since the signing of the test ban agreement, that the agreement is a halting first step toward wider and broader attempts to relieve international cooperation. If a partial test ban is a first step, then I suggest the second step is an agreement for the international exploration of outer space.

There seems to be among military strategists a growing consensus that there is little military advantage in gaining a foothold on the moon. If this is so, the venture into outer space is a cause to be adopted, not by one nation, but by all humanity. Under such an arrangement, the financial burdens borne by any one nation would be substantially lightened.

I wonder whether we should suggest to the Soviet Union a program of matching grants—one similar to the great number of matching grants between the Federal Government and the several States. Why not say to the Soviets, "If you put up a dollar, we will put up a dollar." In short, why should not both go to the moon together? If that were done, the resultant saving to us would be more than sufficient to pay for our many domestic programs which are so sorely in need of Government funds. So this would be a good means of getting some money from the Soviet treasury.

I feel that this is an international effort which it might be very well for us to take seriously and to pursue. Think of the benefits to be obtained. In this way our financial burdens would be greatly decreased; duplication of scientific effort would be eliminated; scientific progress would be accelerated through the free interchange of information, research, and development. It occurs to me that this is a matter of primary importance.

The President of the United States thinks so, too. In his state of the Union message in January 1961, he said that the administration intended "to explore promptly all possible areas of cooperation with the Soviet Union and other nations to invoke the wonders of science instead of its terrors."

I now quote the language of the President of the United States:

> Specifically, I now invite all nations—including the Soviet Union—to join with us in developing a weather-prediction program, in a new communications satellite program, and in preparation for probing the distant planets of Mars and Venus, probes which may someday unlock the deepest secrets of the universe.

Again in his marvelous speech before the United Nations on September 25, 1961, entitled "Let Us Call a Truce to Terror," the President said:

> To this end we shall urge proposals extending the United Nations Charter to the limits of man's exploration in the universe, reserving outer space for peaceful use, prohibiting weapons of mass destruction in space or on celestial bodies, and opening the mysteries and benefits of space to every nation. We shall further propose cooperative efforts between all nations in weather prediction and eventually in weather control.

Mr. President, I suggest that at a time when the international atmosphere is for the moment improving, there seems good ground to believe that further steps toward the amelioration of tensions would be met receptively within the Soviet Union. If we could achieve that result, we could then turn to more immediate tasks on earth.

Again I ask, Why is it "wild spending" to invest $3 billion in housing our people, but a matter of general acceptance to spend larger amounts to bury more missiles than we need in more silos than we need?

Why is it that every program advanced to further the domestic welfare of the Nation is greeted with cries of "socialism" while the skyrocketing budget for arms is protected under a special aura of sanctity?

The junior Senator from South Dakota, in a brilliant speech on this floor just the other day, made what I thought to be a most telling point when he stated that the defense budget we shall soon be asked to consider "represents more than the combined cost of all the social and economic programs of the New Deal period from 1933 through 1940."

And, if the professed defenders of fiscal responsibility are truly interested in the state of Federal finances and not in obstructing earnest attempts to deal with the urgent domestic challenges confronting the Nation, I suggest they apply a little reason and perspective to their position. Why should spending for human welfare be less fiscally sound than to take a man to the moon?

I concur wholeheartedly with the Joint Economic Committee in its report on the President's budget when it states:

> Economies could be found in some of the present spending programs and * * * from such savings greater emphasis could be given on the expenditures side of the budget to the great priorities of national need: education, health, conservation, research and development, urban renewal, worker retraining, and area redevelopment, without increasing total expenditures.

THE COMMUNITY DEVELOPMENT ACT OF 1963

Mr. CLARK. Mr. President, with these views in mind, and, while the Senate has before it a $5.5 billion authorization for the space program, I introduce for appropriate reference, the Community Development Act of 1963 designed to advance the conservation and development of our cities and metropolitan areas, and improve the housing available to our lower income citizens. I ask that the bill remain on the desk until 2 weeks from today for additional sponsors.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will remain at the desk as requested by the Senator from Pennsylvania.

The bill (S. 2031) to extend and amend laws relating to urban conservation and development, the provision and improvement of housing, the availability of mortgage credit, and for other purposes, introduced by Mr. CLARK, was received, read twice by its title, and referred to the Committee on Banking and Currency.

Mr. CLARK. Mr. President, I ask unanimous consent that a section-by-section analysis of the bill be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. CLARK. Mr. President, the bill would increase the capital grant authorization for the urban renewal program by $3 billion and the Annual Contributions for Low Rent Housing by $105 million. Since well over three-quarters of all Americans live in the areas affected by the provisions in the bill, its fiscal dimensions are completely in accord with the resources we apparently feel we can devote to outer space.

The bill deals with the many needs the mayors of our cities and redevelopment officials across the country have found in attempting to save our urban communities from decay and strangulation. It has the full support of the U.S. Conference of Mayors, the National Association of Housing and Redevelopment Officials, and the National Housing Conference. Many of its provisions embrace recommendations from these organizations, as well as the American Municipal Association and the Advisory Commission on Intergovernmental Relations.

There are some obvious omissions.

There is no section on mass transit. This is a matter covered amply in S. 6, introduced by my good friend and colleague the junior Senator from New Jersey, which has already passed the Senate.

It contains no comprehensive provisions on housing for the elderly. S. 1170, introduced earlier in this session by me, covers that subject.

There is little here on moderate-income housing. I hope my colleagues will join with me in developing a bill on that problem in the near future.

There is nothing on open space. Again, my friend from New Jersey has covered the field with S. 7, introduced earlier in the year.

But this bill does include many recommendations for improving efforts to rebuild our communities. It does propose modifications in our public housing policy. And it does offer some proposals for dealing with metropolitan sprawl.

Can there be any doubt that our cities need help? Every day we are faced with fresh evidence of the plight in which the urban areas find themselves: Condemned slums, traffic strangulation, juvenile delinquency, crime, urban unemployment, antiquated public facilities. The growth of the challenge has far outstripped the growth of municipal budgets. Since the end of World War II, local debt has shot up by 600 percent while the Federal debt increased by only 10 percent. Mayors, hamstrung by their limited tax base and the archaic political jurisdictions hemming them in on all sides, have necessarily turned to the Federal Government for financial assistance.

I ask unanimous consent that, at this point in the RECORD, there be printed a table showing the results of a survey indicating the use being made at present of Federal urban renewal programs in America's cities.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

1963 urban renewal questionnaire—Summary results

I. Communities responding:

Population group	Communities	Population	Communities with urban renewal projects, Dec. 31, 1962
Total	260	48,875,481	636
Over 1,000,000	5	14,985,924	5
500,000 to 1,000,000	16	11,458,492	13
250,000 to 500,000	24	8,600,232	24
100,000 to 250,000	42	6,063,841	62
50,000 to 100,000	64	4,387,731	106
25,000 to 50,000	78	2,921,111	129
10,000 to 25,000	25	421,502	170
Under 10,000	6	36,648	127

II. Has community prepared long-range comprehensive program for elimination of slums and blight?

Yes	86
No	161
Not reporting	13

III. Anticipated requests for Federal grants:

A. Community renewal program grants:

Total amount	$31,277,662
1963	29,736,139
Other years	1,541,523
Number of communities anticipating requests	104

B. All project grants (includes items B and C below):

	Communities	*Amount*
Total	---	$3,226,705,671
1963	124	1,127,654,578
1964	105	463,892,460
1965–67	120	755,816,249
1968–72	98	879,342,384

C. Downtown projects:

Total	--	$449,715,710
1963–64	64	329,348,734
Other years	29	120,366,976

D. Other nonresidential projects:

Total		202,689,702
1963–64	32	137,571,702
Other years	22	65,118,000

IV. Existing nonresidential projects:

	Communities	*Number of projects*	*Federal grant allocation*
Total		246	$1,028,387,786
Downtown	114	174	770,510,860
Other	44	72	257,876,926

V. Parking spaces being provided:

Total reported	122,020
On lots	11,256
In garages	34,016
Type not specified	76,748
Number of communities	79

VI. Downtown renewal needed because of—

	Times, specified	*Times, ranked 1 or 2*	*Times, other ranks*
Declining tax base	108	44	64
Declining sales	103	46	57
Deteriorating environment	126	80	46
Increased congestion	108	37	71
Lack of adequate parking	111	44	67
Other	30	9	21

Mr. CLARK. The job ahead in rebuilding our cities, in rescuing them from decay, is a giant one. It stands comparison with the space program. For the cost of one of the Cadillac-sized modules in Project Apollo, for example, we could finance the rebuilding of a fair sized city from the ground up.

This bill asks an additional authorization of $3 billion for urban renewal. This authorization is sufficient to fund our redevelopment and planning programs for a period of 3 to 4 years. The current authorizations will be exhausted by the end of this fiscal year. Already, many communities are cutting back their renewal plans because of uncertainty over the availability of funds from the Urban Renewal Administration toward the end of the fiscal year.

I ask unanimous consent that there be printed at this point in the RECORD tables showing Federal expenditures for urban renewal since the start of the program.

There being no objection, the tables were ordered to be printed in the RECORD.

Housing and Home Finance Agency, Urban Renewal Administration, grant authorization and utilization, by year, from inception

[In millions of dollars]

Source and effective date	Fiscal year	Authority provided		Authority utilized (net reservation)	
		Increase	Cumulative	In year	Cumulative
Housing Act of 1949 (Public Law 81-171):					
July 1, 1949	1950	100	100	101.4	101.4
July 1, 1950	1951	100	200	151.2	252.6
July 1, 1951	1952	100	300	72.1	324.7
July 1, 1952	1953	100	400	29.9	354.6
July 1, 1953	1954	100	500	26.9	381.5
	1955	0	500	63.9	445.4
Housing Amendments of 1955 (Public Law 84-345):					
July 1, 1955	1956	[1] 200	700	212.3	657.7
July 1, 1956	1957	[1] 200	900	237.9	895.6
Housing Act of 1957 (Public Law 85-104):					
July 12, 1957	1958	350	1,250	300.0	1,195.6
Approved by President	1959	100	1,350	118.1	1,313.7
Housing Act of 1959 (Public Law 86-372):					
Sept. 23, 1959	1960	350	1,700	330.4	1,644.1
July 1, 1960	1961	300	2,000	342.7	1,986.8
Housing Act of 1961 (Public Law 87-70):					
Beginning June 30, 1961, and until used [2]	1962	2,000	4,000	738.0	2,724.8
	1963			600.0	3,324.8
	1964			650.0	3,974.8 [2] 25.0

[1] Plus $100,000,000 more at discretion of President. See Presidential release in fiscal year 1959.

[2] Included up to $25,000,000 for mass transportation demonstrations, which will be used by the end of 1964.

NOTE.—Reservations 1950-55 are reconstructed figures since authority was not controlled on reservation basis until December 1954.

Summary of appropriations and disbursements of grants

[In millions of dollars]

Fiscal year	Appropriations		Disbursements		Balance, year end
	Annual	Cumulative	Annual	Cumulative	
Actual:					
1953	8.0	8.0	7.8	7.8	.2
1954	20.0	28.0	11.6	19.4	8.6
1955	39.0	67.0	33.5	52.9	14.1
1956	50.0	117.0	13.6	66.5	50.5
1957	40.0	157.0	29.6	96.1	60.9
1958		157.0	35.3	131.4	25.6
1959	50.0	207.0	75.5	206.9	.1
Actual—Continued					
1960	107.5	314.5	104.3	311.2	3.3
1961	150.0	464.5	142.4	453.6	10.9
1962	200.0	664.5	163.5	617.1	47.4
Estimate:					
1963	300.0	964.5	249.9	867.0	97.5
1964	200.0	1,164.5	297.5	1,164.5	0

Summary of program levels

	Actual, fiscal year 1961	Actual, fiscal year 1962	Actual (10 months), fiscal year 1963	Estimated, fiscal year 1964
Number active at end of period:				
Community renewal programs	22	57	89	128
Urban renewal projects (total)	831	1,003	1,209	1,364
General neighborhood renewal plans	46	71	76	98
Number active at end of period—Con.				
Projects in planning	285	384	487	516
Projects in execution	471	548	618	750
Demonstration grants	29	27	28	26
Grant reservations made (millions)	$342.7	$738.3	$509.3	$650.0
Grants disbursed (millions)	$142.4	$163.6	$147.1	$307.5

Mr. CLARK. This measure also authorizes an additional $105 million for the construction of 140,000 units of low income housing. It is interesting to note, Mr. President, that the total existing outstanding Federal obligations for public housing over the next 40 years total less than the amount we will authorize today for the space program.

At this point in the RECORD, I ask unanimous consent that there be printed a report on the low income housing program.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

STATUS OF ANNUAL CONTRIBUTION: FUNDS FOR PUBLIC HOUSING UNDER THE AUTHORIZATION OF THE HOUSING ACT OF 1961, JUNE 1, 1963

In the Housing Act of 1961, the Congress of the United States made available the remaining balance of the $336 million annual contribution authorization in the Housing Act of 1949. This authorization balance covers the development of approximately 100,000 dwelling units.

TABLE 1.—*Housing Act of 1961 program status as of Apr. 30, 1963*

	Elderly	Nonelderly	Total	
			Units	Localities
Applications in process	6,800	9,775	16,575	89
Reservation approved (PLC not executed)	12,756	7,972	20,728	917
PLC executed; development program not approved	10,008	20,248	30,256	
Development program approved, ACC not executed	4,453	3,616	8,069	
Under ACC	16,607	19,853	36,460	
Inactive since 1959:				
Under preliminary loan	(1)		1,565	7
Under reservation			1,206	1
Total			2,771	8
Total, reserved and beyond	43,824	51,689	95,513	917
Total, applications in process	6,800	9,775	16,575	89
Total, inactive commitments	(2)	(2)	2,771	8
Grand total	[3] 50,624	[3] 61,464	114,859	1,014

[1] No designations for elderly.

[2] Not available.

[3] Exclusive of inactive commitments.

Source: Program Planning Division, Public Housing Administration, Statistics Branch.

As of April 30, 1963, there were sufficient dwelling units in the reservation stage and beyond to commit 95 percent of the authorized funds. In addition, if applications in process are considered, the authorization would be overcommitted. Table 1 shows 95,513 dwelling units reserved and beyond, with a full total of 114,859 dwelling units (including applications in process and inactive commitments).

Of the total dwelling units in the reservation stage and beyond, about 46 percent are especially designed for the elderly.

TABLE 2.—*Reservations approved by the Public Housing Administration July 1961 to April 1963*

	1961	1962	1963
January	--------	3,670	6,026
February	--------	570	5,877
March	--------	5,180	6,000
April	--------	1,554	3,266
May	--------	6,306	--------
June	--------	1,734	--------
July	686	2,017	--------
August	3,435	1,792	--------
September	4,529	3,374	--------
October	3,301	4,002	--------
November	1,334	6,500	--------
December	617	2,969	--------

	Total	Rate per month
July–December 1961	13,746	2,291
January–June 1962	19,014	3,169
July–December 1962	20,654	3,442
January–April 1963	21,169	5,292

Source: Public Housing Administration, Program Planning Division, Statistics Branch, May 16, 1963.

Another factor in judging the status of the current authorization is the pace of requests for Federal assistance as reflected in the reservations made by the Public Housing Administration for local communities. Table 2 shows that the monthly reservation rate has been increasing from a rate of 3,169 dwelling units in the first 6 months of 1962 to a monthly rate of over 5,000 dwelling units for the first 4 months of 1963.

TABLE 3.—*Net increase in local authorities with low-rent Federal-aided housing program or reservations*

Period:	*Total*
Total on Mar. 31, 1949	237
March 1949–March 1950	211
March 1950–March 1951	266
March 1951–March 1952	119
March 1952–March 1953	54
March 1953–March 1954	—4
March 1954–March 1955	—4
March 1955–March 1956	9
March 1956–March 1957	12
March 1957–September 1957	8
September 1957–March 1958	35
March 1958–September 1958	47
September 1958–March 1959	56
March 1959–September 1959	14
September 1959–March 1960	36
March 1960–September 1960	34
September 1960–March 1961	44
March 1961–September 1961	46
September 1961–March 1962	51
March 1962–September 1962	56
September 1962–March 1963	96
Total on Mar. 31, 1963	1,424

Something of the increased pace of activity can also be seen in the increased rate of creations of new local housing authorities. Table 3 shows that between mid-1961 (and the passage of the Housing Act of 1961) and March 1963, a total of 249 new local housing authorities were established. This brings the total of local housing authorities to 1,424.

Up until September 1962, about 50 new authorities were being created in every 6-month period. However, in the latest 6-month period ending in March 1963, a record number of 96 new local housing agencies were established.

Mr. CLARK. Mr. President, this bill recognizes many of the shortcomings in our urban planning and redevelopment programs. It attempts to meet some of them. It addresses itself to the difficult relocation problems imposed on families and business in renewal areas.

It recognizes the urgent needs for public facilities in renewal areas—open space, parks, and playgrounds, in particular.

It emphasizes the role our older housing can play in redevelopment if the rehabilitation programs which currently exist are broadened sufficiently to encourage private contractors to enter into this important new field of redevelopment.

It notes the particular difficulties of families who live in areas where an airport is constructed and provides assistance to get them away from the blight of aircraft noise by encouraging redevelopment of the area around the airport for commercial and industrial purposes consonant with airfield operations.

Equally important, this bill is addressed to the myriad problems we have in our sprawling metropolitan regions. It provides incentives for cooperation between local governments in solving metropolitan problems. It assists and encourages developers to provide basic public services such as sewers and sewage treatment, water lines, streets and street lighting wherever economically justified in order to cut down on the many community facilities problems spawned by urban and suburban sprawl.

This bill is concerned with improving the effectiveness of our public housing program. It adds to the declaration of purpose governing low income housing language urging good design in such housing in order to avoid building the slums of the future. And it liberalizes present statutes so that this can be done.

This bill is a benchmark, Mr. President. With it before us, we can test ourselves. Are we willing to invest as much here, for our first priority needs, as we are on outer space?

Mr. President, I close with the thought with which I began. If we can afford to explore outer space to the tune of $5.5 billion, as would be authorized by the bill, if we can commit ourselves to a program of $20 billion to $30 billion to put a man on the moon ahead of the Russians, then we can afford to do what is necessary to remedy the unfortunate plight of American citizens who are without jobs and without adequate homes.

I close with the final thought that the way to handle the exploration of outer space is through international agreement of all interested nations. We should get away from the mentality of the high school football team. We are not trying to score a touchdown for the "goodies" before the "baddies" get the ball. Our objective is to take care of the needs of the people of America in a peaceful world and to explore outer space on an international basis of amity.

Mr. President, I yield the floor.

EXHIBIT 1

SECTION-BY-SECTION ANALYSIS: COMMUNITY DEVELOPMENT ACT OF 1963, TITLE I—URBAN RENEWAL AND HOUSING

Section 101. Capital grant authorization: Increases the urban renewal capital grant authorization from $4 billion to $7 billion.

Section 102. Permits waiver of residential requirements in renewing central business districts: Recognizes that commercial, industrial, and cultural functions of central business districts are equal in importance to residential functions. Carries forward precedents established in previous housing acts by allowing capital grants for urban renewal without regard for predominantly residential requirements. Permits the Administrator to qualify site improvements and supporting facilities as part of the gross project cost and as a local grant-in-aid. Also allows for the rehabilitation and acquisition of historical properties in such areas.

Section 103. Areas affected by airport operations: Authorizes $250 million for grants to assist in redeveloping residential areas blighted by airport operations, without regard for predominantly residential requirements. Assistance to be contingent upon redevelopment of the area with uses compatible with airport operations and action by the local authorities to control land use in the area to purposes compatible with airport operations.

Section 104. Emergency loans for small business: Authorizes loans to small businesses displaced by redevelopment or to enterprises remaining in the area so that they may upgrade property to conform to new standards in the renewal area. Under present law, loans are available only if concerns suffer substantial economic injury due to displacement by federally aided urban renewal, highway construction, or any other construction financed by Federal funds.

Section 105. Parks and playgrounds: Recognizes the need for additional park land and open space in older urban areas in order to stabilize and increase the attractiveness of older neighborhoods. Under existing law, land can be donated for park use only to the extent to which it serves the renewal area. This section permits the donation of park land without regard for this limitation in order to encourage more parks and open space.

Section 106. Special definition of fair value: Permits standardized treatment of appraisals for disposition of property in a renewal area for governmental, private nonprofit, educational, or wholly charitable institutions. The lack of guidelines for establishing values for property to be so used has frequently resulted in local governments paying prices equivalent to what the land would cost if it were used for the highest alternative use—despite the fact that the land so used is forever, for all intents and purposes, removed from the private market. This section allows disposition of property in a renewal area at a price calculated as the maximum which would be paid for a property by a purchaser acting solely for the objective of benefiting the public and not for private gain.

Section 107. Relocation payments: The ability of local public agencies to undertake equitable and effective relocation of displaced families and businesses is still significantly impaired by the limitations imposed in existing statutes and administrative regulations. Local officials wish to make the benefits available to displaced families when the action fits best into the redevelopment schedule. This section permits inclusion of the first month's rent and initial utility charges or deposits as reimbursable relocation expenses for families and individuals, subject to a $200 maximum. This will encourage families to work with the city and help assure that they move into standard housing.

Section 108. Rehabilitation: The current level and quality of rehabilitation activity falls far short of what is needed to assure that our older housing—a vital and significant segment of the Nation's housing resource—will be utilized to the maximum. Despite a favorable money market and attractive FHA insurance programs, interest by private enterprise in the rehabilitation program has lagged. This section repeals the present limitations requiring that rehabilitation be limited to 100 units or 5 percent of the redevelopment area, whichever is less. It permits local public agencies to acquire, rehabilitate, or repair and sell at write down any number of structures within a renewal area providing it is economically feasible (net cost will not exceed demolition cost) and private industry has been unable to do the job.

Section 109. Rehabilitation outside renewal areas: Housing rehabilitation has not assumed the level needed to make a substantial contribution to upgrade our housing supply. The more liberal form of FHA rehabilitation loan insurance, now limited to urban renewal project areas, would be made available outside of urban renewal areas in those cities which have a workable program for community improvement, certified by the Housing and Home Finance Administrator.

Section 110. Code enforcement: A program of intensive code enforcement in an urban renewal area is the principal tool for assuring that voluntary rehabilitation is carried out. Under existing law, however, the scope of the services which may be included in gross project cost excludes the preparation of violation notices, making compliance inspections for code violations, or any other actions which are part of regular municipal programs. This section permits the inclusion in gross project of code enforcement costs involving urban conservation and rehabilitation.

Section 111. Urban renewal demonstration grants: Section 314 of the Housing Act of 1954 authorizes the Housing and Home Finance Administrator to make grants of up to two-thirds the cost of demonstrating urban renewal methods and techniques. All too often, however, local bodies able to contribute the other third have been interested in demonstrating techniques of primarily local applicability. There is need for demonstrations with broader applicability. This section recognizes that need by providing an additional $10 million for federally financed demonstrations. It broadens participation in the demonstration program by permitting grants to nonprofit institutions. It expands the original program by including projects demonstrating the "proper and orderly development of urban areas" and provides financial assistance for the publication and dissemination of demonstration results whether or not they were federally financed.

Section 112. Regional coordination: (1) The multitude of State and local political jurisdictions in most metropolitan areas has made it extremely difficult to establish metropolitan planning agencies. In many areas, however, it has been possible to establish ad hoc public agencies which can serve as proper vehicles for metropolitan planning. This section permits grants to metropolitan or regional agencies designated by the Governor and acceptable to the Administrator as capable of carrying on metropolitan or regional planning, whether or not such agencies are authorized to carry on planning under State or local law, providing, however, that there is effective participation and support by the local governments involved.

(2) The Area Redevelopment Act authorized grants for three-fourths of the costs of eligible planning projects in cities and counties in areas designated under that act. The omission of other planning agencies from the act can only be regarded as an oversight, since it allows only the lower grant for metropolitan or regional planning. The priority given to metropolitan and regional planning in the urban planning grant program generally is equally important in redevelopment areas. Under this section all planning agencies in redevelopment areas designated by the Area Redevelopment Administration may receive 75 percent grants.

(3) The use of metropolitan and regional planning agencies to channel funds to small cities would permit closer coordination between the small cities' plans and the overall metropolitan or regional plan. State consent is necessary in order to prevent the use of both State planning agencies and a metropolitan or regional planning agency for small city planning assistance in a single area. This section permits assistance for small cities to be channeled through metropolitan and regional planning agencies, provided that the State planning agency (or other State agency administering section 701 assistance) concurs.

Section 113. Grants to regional organizations: The greatest political obstacle to sound metropolitan planning is the lack of cooperation among the many Government jurisdictions in each area. This problem is being met in some areas by associations or conferences of elected officials representing the local governments. This section encourages the formation of such agencies by providing urban planning grants to metropolitan or regional organizations of local government representatives to assist them in solving common problems in their metropolitan area.

TITLE II—LOW RENT HOUSING

Section 201. Low rent housing policy: Adds to the declaration of purpose in the Housing Act of 1937, Congress' intent that good design and high quality are essential ingredients in federally-financed low rent housing if we are to avoid building future slums. Also declares Congress' awareness that provision of good low rent housing is but one aspect of the Nation's intention to eliminate poverty and deprivation.

Section 202. Annual contributions for low rent housing: In the Housing Act of 1961, Congress made available the remaining balance of the existing authorization for low income housing. As of June 1963, there were more than enough dwelling units in the reservation stage to commit nearly all of these available funds. This section authorizes $105 million to construct 140,000 additional low income housing units, both new and rehabilitated, with funds available until used. Additional authorizations for 1965 would be determined on the basis of demand, including demand under new approaches to low income housing which may be recommended later by the administration. The recommendation of 140,000 units is based on 5 percent of the total annual residential production. It is also based on recent rates of reservation for public housing which in the early months of 1963 were being received at the rate of 6,000 per month. The $105 million authorized by this section estimates annual contributions of $750 per dwelling unit, the current operating experience.

Section 203. Contributions for slum clearance: Contemplates an early partial contribution covering the slum clearance aspects of low income housing. The annual contribution covering the redevelopment costs over a longer period of years would continue as under the present law. Slum clearance has been an integral element of the low income housing program since its inception. With the passage of Title I of the Housing Act of 1949, Congress recognized, through its grant formula, that slum clearance is a one-time operation. The proposed amendment rationalizes the slum clearance aspect of the low income housing program by putting it on the same basis as slum clearance under the urban renewal program. The development of low income housing would then be on the same basis as a development by a private entrepreneur. This would not cost the Federal Government any more than under the present law. In either case—under the current formula or the proposed one—the local contribution would also remain the same. It is merely a matter of delineating the slum clearance costs from the development costs in the provision of housing for low income families.

Section 204. Advance amortization of capital indebtedness: This section has the desirable purpose of helping retire housing authority bonds as soon as possible and to also encourage the modernization of older lower income housing developments. Under the present system the Federal contribution varies from year to year and residual receipts are used to reduce the Federal contribution. This section would allow such receipts to go to retiring the bonded debt or for modernization expenditures by fixing the statutory subsidy.

Section 205. Relocation payments: At the present time, families and businesses displaced by public housing projects do not have access to the same relocation payments and personal assistance which is provided for families and businesses displaced by urban renewal. This has led to confusion, particularly where low income housing projects adjoin renewal areas. This section authorizes relocation payments to businesses and families displaced by low rent housing projects on a basis comparable to that applied under Title I of the Housing Act of 1949 and also provides for a relocation assistance fund to aid local housing authorities in helping displaced families and firms.

Section 206. Social services: A low income housing program should be but one part of a national effort to eliminate dependence and deprivation among low income American families. Educational, social, and physical disadvantage have given rise to a whole panoply of problems which make it extremely difficult for many low income project residents to assume a gainful place in society. Under this section local public housing authorities would assure social services in low income projects dealing with such needs as employment, health, homemaking and child care.

Section 207. Eligibility of public housing agencies to sponsor certain projects: In many smaller local communities there are not sufficient qualified local sponsors to participate in federally assisted housing programs including the direct loan program for senior citizens (sec. 202) and the FHA below-the-market-interest rate program for moderate income families (sec. 221-d-3). This has seriously impeded the construction of housing under these programs.

There are now some 1,400 local housing authorities in the United States; three-fourths of them are in communities of less than 25,000 population. They have enabling powers under State law to undertake housing development and management; they have trained staffs skilled in this area.

Local housing authorities could well fill in the gap in those communities where there is a demonstrated need for elderly housing under the direct loan program or for moderate income housing under section 221-d-3. Such sponsorship by a local housing authority could mean the difference, in some cases, as to whether a local community can provide such housing.

Section 208. Research and demonstration projects: There are at the present time no funds or resources for evaluating the operating experience of the low income housing program. Yet such appraisals are essential if low income housing is to be adapted to steadily changing economic and social conditions. These same studies could be directed toward more efficient management of low income projects and provide new approaches toward using public and private resources to raise the level of living for low income families. The section authorizes a demonstration fund of $5 million for the Public Housing Administration and local housing authorities to demonstrate and test new ways of adapting low income housing programs to the changing needs of low income families.

Section 209. Construction cost levels: Retains the existing statutory provisions prohibiting the use of costly or extravagant materials, but eliminates cost limitations per rental room. The section would carry out the declaration of intent of section 201 in this bill dealing with good design in public housing. National statutory cost limitations on construction are often inflexible and unrealistic in terms of desirable low-income housing. This is particularly true in areas of "high cost" or rapidly changing costs. The result is a deterioration in quality of the housing constructed and inevitably discourages construction of urgently needed low-income housing for large families. It includes language intended to produce a policy which recognizes prevailing local construction costs and changes in cost levels in financing the construction of well-designed low-income housing. The Public Housing Administration is urged to recognize the needs of large families and larger sized housing units in setting construction costs limits for a locality.

Section 210. Community planning for low-income housing: The low-income family is an integral part of the local community. The housing needs of such families have a direct relationship to the total community housing market and community planning efforts. Yet there is no effective way at present in which the provision of low-income housing can be integrated with overall community planning. This section authorizes the use of urban planning assistance funds under section 7-1 of the Housing Act to be used for such purposes.

TITLE III—SOUND DEVELOPMENT OF METROPOLITAN AREAS

Section 301. Allowing land costs to be included in computing section 207 rental housing mortgages: Allows the Federal Housing Commissioner to consider the value of land in computing the amount of a rental housing mortgage insured by the Federal Housing Administration under its section 207 rental housing program. The section eliminates the present language in section 207 which limits the amount of a mortgage that can be insured to the cost of the physical improvements on the property exclusive of public utilities and streets.

Section 302. Mortgage insurance to include cost of public improvements: Permits the Federal Housing Administration to insure a home improvement loan under section 203(k) or 220(h) of the National Housing Act, all or part of the proceeds of which are to be used by a homeowner to pay his share of the cost of construction or installation of sidewalks, streets, street lights, sewers, and other similar types of public improvements affecting his property which is assessed against him or for which he is otherwise legally liable. No loan, or part of a loan to be used to pay such charges may be insured if the loan, or part of the loan, which is used to pay these charges will, when added to any outstanding loans insured under section 220(h) or section 203(k) for the same borrower and the same purpose, exceed $10,000.

Section 303. FHA insurance for site preparation and development: There is an urgent need for new incentives in the Nation's urban areas which encourage orderly and economical metropolitan growth. Too often the blight of urban and suburban sprawl is further aggravated by the failure of developers to provide basic community facilities and services which the new homeowners and local governments must later provide at great inconvenience and extra expense. Basic health and social problems all too frequently result from such shortsightedness. This section provides a land development insurance fund from which mortgage insurance can be provided to assist the developers of sites who meet planning and other requirements to promote the orderly development of neighborhoods. Mortgages under the program will be granted contingent upon whether development of the site is economically sound and is needed to meet the housing and related needs of moderate income families. Improvements on the land to be insured include water lines and water supply, sewerlines and sewage disposal facilities, utilities, pavements, curbs, gutters which are necessary to convert the land into desirable suburban homesites. The site must be prepared for structures primarily for residential use of moderate income families. The principal obligation may not exceed $2,500,000 nor be more than 75 percent of the estimated value of the security insured. Maturity may not exceed 5 years. Maximum interest on insurance under the section would be 6 percent.

Section 304. Assistance conditioned on the availability of certain public facilities: Federal housing programs as presently administered go far toward encouraging provision of service from public or community water and sewerage systems wherever such systems are available or feasible. A major loophole, however, still exists in the administration of the Federal housing programs in that in some States, local ordinances do not requre construction and maintenance of public or community water and sewerage systems even where they are economically feasible. In many local jurisdictions, officials refuse to approve establishment and operation of such public or community systems to avoid additional taxes or public expenditure, or other reasons.

When such a situation exists, FHA and VA waive their strict requirements respecting the use of public and community systems where they are available or feasible and acquiesce. This has placed the health and welfare of large suburban areas in jeopardy. To close this loophole, authority should be given to these Federal agencies to refuse to insure mortgages or make loans for subdivisions or individual homes where State or local law or ordinances or other official action prevents the installation of public and community water and sewerage systems that would otherwise be feasible.

This section would preclude FHA insurance of loans on housing in any area in which public water and sewerage facilities are unavailable, unless the Federal Housing Commissioner determines that it is not economically feasible to provide them. A similar limitation would be placed on VA loans and guarantees.

Section 305. Removal of population limitations on water and sewer projects: The present 50,000 population limitation of the Public Facilities Act directly discriminates against communities of 50,000 or more by not permitting them to receive public facility loans. It also encourages fragmentation, duplication, and inadequate long-term facilities by prohibiting bond action by a number of communities within a metropolitan area to meet water and sewer needs. For example, several communities each having a population of less than 50,000 may desire to join together to provide a needed public utility such as a water or sewerage disposal system, or connecting facility. Individually, each of the communities would be eligible for loan assistance under the public facility loans program, but when acting jointly (through the establishment of an instrumentality serving the entire area) they would be ineligible for Federal loan assistance because their aggregate population exceeded 50,000. The proposed amendment would make such cooperating governments eligible for such public facility loans.

This section removes the population limitation in the Public Facilities Act.

Section 306. Deferred interest on public facilities: Growing communities are faced with a special problem in the provision of public facilities. While it may be clearly apparent that there will be rapid population growth in the years just ahead, present tax resources and financial capacity make it difficult or impossible for them to provide now for the needs of the immediate future, however economically feasible in the long term such action would be. For example, water and sewerage systems adequate for today's population, and supportable by today's economic and fiscal capacity of a community may become inadequate because of population growth in a very short time. It then becomes necessary to replace or supplement a system based on needs and capacity to finance at the time the system was constructed. The need to replace or supplement a system which the community outgrew requires a substantially higher total cost than would have been involved if the growth of a community were anticipated and the facility constructed with built-in-growth capacity.

Section 501(c) of the Housing Act of 1961 authorized the Housing and Home Finance Administrator to defer payment of interest on 50 percent of a public facility loan for a period of up to 10 years if the loan does not exceed 50 percent of the development cost of the project financed by the loan, and if the Administrator determines that the applicant for the loan will experience above average population growth and the proposed project will contribute to orderly community development, economy and efficiency. However, in its present form this deferred interest provision has been ineffective and has not been utilized since it was enacted.

To make the use of this deferment of interest provision feasible, there is a need to remove the present limitation on use of the deferred interest provision for only 50 percent of the loan made under the public facility loans program and remove the requirement that 50 percent of the development cost of the project be financed by private borrowing or other means. In addition, the requirement that the Housing and Home Finance Administrator find that the applicant will experience "above average" population growth should be modified to require only that the applicant will experience "substantial" population growth.

This section would accomplish this purpose.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Tennessee [Mr. KEFAUVER].

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate convenes tomorrow there be a morning hour ending at 12:30 p.m.; that there then be 2 hours of debate on the pending amendment and all amendments thereto, the time to be controlled by the Senator offering the amendment and the Senator from New Mexico [Mr. ANDERSON], the chairman of the committee.

The PRESIDING OFFICER. Is there objection?

Mr. BENNETT. Mr. President, reserving the right to object——

Mr. SYMINGTON. Mr. President, reserving the right to object——

The PRESIDING OFFICER. The Chair recognizes the Senator from Utah.

Mr. BENNETT. In order to arrive at an agreement, the Senator from Utah has surrendered an informal arrangement that he had for time immediately after the morning hour. I ask the majority leader if he would include in his unanimous-consent request that the Senator from Utah be recognized after the vote.

Mr. MANSFIELD. Mr. President, "reasonable" is a proper word, I say to the distinguished Senator from New Mexico. The Senator from Utah has been waiting patiently all afternoon. He has not sought to interrupt the debate. If he wishes to have that understanding in the form of a formal request, I shall make it, or if he will take the word of the Senator, I shall give him that.

Mr. BENNETT. The word of the Senator is adequate. I do not object.

Mr. SYMINGTON. Mr. President, reserving the right to object—and I shall not object—I wish to make a comment.

The PRESIDING OFFICER. The Senator from Missouri reserves the right to object.

Mr. SYMINGTON. Mr. President, after a short morning hour, the Senate started at about 12:30 to discuss this NASA authorization bill. The able senior Senator from New Mexico, the chairman of the Aeronautical and Space Sciences Committee [Mr. ANDERSON], and the able chairman of the Committee on Commerce [Mr. PASTORE], were present. Staff members were present. Our offices had been notified that the Senate was about to consider the bill.

There are many subjects of interest to the country today; I doubt that many of them were not covered this afternoon by many Senators who spoke on many different subjects, none germane to this space bill.

If I have ever seen an illustration as to how the Senate could improve its functioning, it has been presented by our actions this afternoon. Senators have talked about everything but the pending business, hour after hour.

I would hope that something could be done about this. Senators who, because of their committee assignments, come to the Senate floor with their staffs prepared to discuss the pending business before the end of the day hear erudite dissertations on everything but the pending business.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. SYMINGTON. I do not have the floor, merely reserved the right to object.

Mr. GRUENING. Mr. President, I reserve the right to object.

The PRESIDING OFFICER. The Senator from Alaska reserves the right to object.

Mr. GRUENING. If the distinguished Senator from New Mexico would agree to the simple amendment offered by the Senator from Tennessee, the question might be solved easily.

Mr. ANDERSON. Certainly; if I would agree to scuttle the Communications Satellite Corp. the Senator would be satisfied.

Mr. GRUENING. It would not scuttle anything. It would merely make the private corporation organized for profit pay for services performed by the Government with taxpayers' money by which the corporation profited.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none; and, without objection, the request is agreed to.

The unanimous-consent agreement, as subsequently reduced to writing, is as follows:

Ordered, That, effective on Friday, August 9, 1963, at the conclusion of the routine morning business which will be concluded not later than 12:30, followed by a quorum call, further debate on the amendment to the bill H.R. 7500 by the Senator from Tennessee—No. 158—and all amendments thereto, shall be limited to 2 hours, to be equally divided and controlled by the Senator from Tennessee [Mr. KEFAUVER] and the Senator from New Mexico [Mr. ANDERSON], to be followed by a yea-and-nay vote thereon.

Mr. ANDERSON obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator yield to me?

Mr. ANDERSON. I yield to the majority leader.

Mr. MANSFIELD. Mr. President, for the information of Senators, I announce that it is the intention of the leadership, at the conclusion of the morning hour tomorrow, to have not a live quorum, but a prolonged quorum call.

On behalf of the Senate and the leadership, I announce that at the conclusion of the debate on the amendment and amendments thereto, an agreement with respect to which the Senate has entered, we should like to have the Presiding Officer recognize the Senator from Utah [Mr. BENNETT].

Mr. KEFAUVER. Mr. President, reserving the right to object——

Mr. MANSFIELD. I have not made any further request.

Mr. KEFAUVER. Mr. President, will the Senator yield?

Mr. ANDERSON. Mr. President, since I have the floor, I yield.

Mr. KEFAUVER. I spoke to the majority leader about having a yea-and-nay vote on the amendment.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield to the Senator from Missouri, so that he may ask the majority leader a question.

Mr. SYMINGTON. Mr. President, may I have the attention of the majority leader? Will the majority leader let us know what time he expects the Senate to convene tomorrow?

Mr. MANSFIELD. At 12 o'clock.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. HOLLAND. Mr. President, may I have the attention of the majority leader?

If I correctly understand the situation, we have been assured of a vote on the pending amendment 2 hours after the fixed time of beginning tomorrow; is that correct?

Mr. MANSFIELD. Two hours after the conclusion of the morning hour, with the proviso that there will be a quorum call in between, which will not be a "live" quorum.

Mr. HOLLAND. Does the distinguished Senator have any plans for the conclusion of debate and final action on the bill?

Mr. MANSFIELD. I would hope it would be finished tomorrow. If not, the Senate will meet Saturday.

Mr. HOLLAND. I thank the Senator.

The PRESIDING OFFICER. The Senator from New Mexico has the floor.

Mr. LONG of Louisiana. Mr. President, will the Senator from New Mexico yield for a question?

Mr. ANDERSON. I yield.

Mr. LONG of Louisiana. Mr. President, I should like to ask the distinguished Senator in charge of the bill what the attitude of the committee was with respect to the proposal I made when I testified before the committee, suggesting that the research which was done under the national aeronautics and space program should not be subject to private patents in the event that the Government was paying the entire cost of such research? My recollection is that the Senator from New Mexico has, on occasion, supported that position. I was somewhat disappointed to see that there was nothing of that sort in the bill the committee reported.

Mr. ANDERSON. I say to the Senator from Louisiana that we heard what he had to say. We heard it respectfully and carefully. I believe something may be done at some later date.

I know that is not a very satisfactory answer. As the Senator well knows, the Senator from New Mexico had written into the Atomic Energy Act some provisions relating to the utilization of patents in that field. I have supported and I shall continue to support the able Senator from Louisiana in his drive on this subject, because I think he is correct.

I supported putting into the Space Act of 1958 a provision relating to patents. The Space Administration, in the opinion of the senior Senator from New Mexico, did not interpret the language correctly. The administration issued implementing material which I thought was inconsistent with the language of the act.

I would rather try to get NASA to change the rules rather than try to correct the situation by a legislative statute. Therefore, I am spending some time with NASA in the endeavor to have it follow what I think was the plain intent of the Congress and the plain meaning of the provisions of the law.

Should I fail in that effort, I shall be happy to become a private under the leadership of the Senator from Louisiana, and try to put through a legislative provision along the line the Senator has suggested.

Mr. LONG of Louisiana. Mr. President, the senior Senator from New Mexico, as a member of the committee, has been fighting to protect the Government's interest in research. The law as now written is in that measure because the Senator from New Mexico fought to try to make the provision prevail, so that the billions of dollars for research would not become a private domain of a few favored contractors.

I am not particularly criticizing anyone for that, though contracts are awarded on a cost-plus-fixed-fee basis, which guarantees a profit. That business must be given to somebody. I presume those who get it will be well qualified for the work.

The point is that these interests are amply remunerated, with a guaranteed profit, for the research which they do. It seems to me there is no basis upon which those who work 100 percent with Government money should be given monopoly rights to things which could be fundamental to the entire space industry, which might give them the right to foreclose numerous competitors from what might be a great competitive industry of the future.

Would the Senator from New Mexico be disposed to support an amendment, if I offered an amendment in the Senate tomorrow to try to tighten the language so that the Administrator could not give away patent rights?

Mr. ANDERSON. I shall have to answer the Senator honestly and say I hope the Senator will not offer the amendment, because I should like to try the other avenue first. If that does not succeed, I shall join the Senator.

I believe, after the discussions I have had with the members of the NASA organization, that they subscribe to the idea of the Senator from Louisiana, and that prematurely they have reached a decision which I do not believe they wish to attempt to sustain.

Mr. LONG of Louisiana. Mr. President, about 50 percent of the success the junior Senator from Louisiana has had in fighting to prevent a great patent monopoly has been the result of support by the senior Senator from New Mexico. The junior Senator from Louisiana would be reluctant to part company with the distinguished Senator from New Mexico. We shall discuss that subject again tomorrow.

Mr. ANDERSON. I thank the distinguished Senator from Louisiana.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. ANDERSON. Does the Senator wish me to yield for a question or does he wish to make a statement?

Mr. GRUENING. I have a statement to make for the Senator from Oregon [Mr. MORSE], which will take about 7 minutes.

Mr. ANDERSON. I am happy to yield to the Senator from Alaska.

Mr. GRUENING. Mr. President, our distinguished colleague, WAYNE MORSE, senior Senator from Oregon is absent on official business. But his concern about certain aspects of the pending space activity authorization legislation, as demonstrated by his able and vigorous opposition last summer to the space communications satellite legislation enacted by the 87th Congress, has led him to leave a statement on the further proposed giveaway of $44 million, which, unless the pending bill, H.R. 7500, is amended as provided in the amendment sponsored by Senator KEFAUVER and cosponsored by Senators BURDICK, MONRONEY, CLARK, DOUGLAS, GRUENING, LONG of Louisiana, MORSE, NELSON, Mrs. NEUBERGER, CHURCH, MOSS, BARTLETT, MCNAMARA, and YARBOROUGH will compound the giveaway perpetrated by the 87th Congress by giving a private corporation organized for profit these $44 million of taxpayers' money.

Senator MORSE has done me the honor to ask me to communicate his views to the Senate. I appreciate it. I fear, however, that while his words—the lucid and forthright language so characteristic of WAYNE MORSE—will convey their message, my delivery of them may not match the quality, the eloquence, the fervor, and the convincing impact of their utterance that would characterize any comments which Senator MORSE would impart to them were he to deliver them in person. I can only say that I fully share his convictions and his presentation thereof which I am about to make.

The statement of the Senator from Oregon is as follows:

A $44 MILLION GIVEAWAY SHOULD BE STOPPED

(Statement of Senator WAYNE MORSE, on H.R. 7500, August 8, 1963)

In my 19 years in the Senate I have seen many special interest and pressure groups attempt to take advantage of the American people. But never have I seen a more gross, flagrant attempt to pick the pockets of the American taxpayers than the $44,175,000 authorization request for communications satellites research and development by NASA under H.R. 7500.

I believe that I made my views on the Communications Satellite Corp. clear last year—as well as on the unconstitutionality of the Senate's advising and consenting on the nomination of its directors this year. I have warned the Senate again and again that it will come to rue the day that corporation was created.

But, Mr. President, I found nothing in any way deceptive or dishonest about the position of my friends and colleagues who voted for the corporation. For the most part, they were led to believe that the burden of carrying all this expensive research and development would be transferred from the Government to an effectively regulated private company. In my opinion they were sadly misguided, but one cannot deny the integrity of their position.

The matter which confronts us today, however, is entirely different. It is a steal, a giveaway, and a fraud on the American people. A corporation in the space communications field must do extensive research and development. Indeed, it has undoubtedly the greatest expense of any corporation in the forefront of technological and scientific advancement. But, this corporation—the Communications Satellite Corp.—would have the Government do its research and development work for it. It would sit on its hands and wait for the work to be done, and then step in for the economic kill. With a great show of a false front of integrity and honor, it promises to pay for all the expenses of the operational system.

What a weasel word is that word, "operational." The operational expenses—that is, the cost of the satellites and the rockets—are only a drop in the bucket compared to research and development costs. Yet, the corporation would have the American taxpayer make it a gift of all the research and development.

I fully expect, Mr. President, that if this bill passes without a requirement for full adequate reimbursement to the American taxpayer by the corporation, the computer companies will be in here requesting us to pay for developing their computers. The giant automobile manufacturers will want us to pay for developing a fuel injection engine for their sports cars. And so on, ad infinitum and ad nauseam.

I am afraid that the proponents of this shocking authorization will try to tell the public that they should be happy to pay for the Satellite Corp.'s research, because space satellite communications will be good for the people. The American public should be aware of this fallacious argument. Everything you buy is in some sense "good" for you, but this does not mean that you should have to put your tax dollars toward research on telephones or televisions or transistor radios or refrigerators.

Although I believe with the deepest conviction that the Communications Satellite Corp. is one of the greatest mistakes the Senate has made during my 19 years as a Member, it was not a bald deception of the taxpayers. This $44,175,000 gift of public moneys to the corporation is.

Mr. President, I cannot understand how any thoughtful Senator can vote against our amendment requiring reimbursement by the corporation of NASA research expenditures. The amendment does not condemn the corporation.

It does not condemn Government research and development in the most vital areas of space communications.

Its effort is strictly limited to requiring the Satellite Corp. to pay for what it gets from the taxpayers. A vote against the amendment is a vote for a $44 million giveaway. That is the simple truth of the matter.

Let me conclude by echoing a statement made by Senator KEFAUVER to me earlier this week. We cannot have it both ways. If the corporation is going to earn the profits, it must bear the expenses. To require the taxpayers to pay for the corporation's profits is, I believe, immoral.

Mr. ANDERSON. Mr. President, I desire to pick up quickly one of the statements made by the Senator from Alaska, that this authorization would be a $44 million giveaway to a private corporation. There are such things as proof in this world——

Mr. GRUENING. Mr. President, will the Senator yield for a correction?

Mr. ANDERSON. I yield.

Mr. GRUENING. It was not the Senator from Alaska who made that remark. The Senator from Alaska was reading the statement of the Senator from Oregon [Mr. MORSE].

Mr. ANDERSON. I thank the Senator from Alaska. I am happy to know that. I gladly transfer that statement to the Senator from Oregon, who is absent, but who, when he returns, I am sure will take up this discussion as vigorously and militantly as he knows how.

I desire to place in the RECORD the items which make up the $51,100,000 total.

The first item is the Atlas-Agena launch vehicles—3 orbital flights and one backup—$12,500,000.

I like to imagine things, but I cannot imagine any benefit that will go to the Communications Satellite Corp. except that it will have devices being put into orbit. There are now all kinds of gadgets to put in orbit. If we perfect some sort of gadget which will make it better than something we now have, we will want to be able to use it. Such research and development are not for the exclusive benefit of the Communications Satellite Corp., but for the whole space program.

The second item is spacecraft, $16,640,000. Not a bit of that is for use of the Satellite Corp. It is for work for NASA. Those who are attacking the $51 million are attacking the space program and NASA. Even though they assert that they are attacking the Satellite Communication Corp., they are not. They are directly attacking NASA. I would feel much happier if they did not try to hide behind the Satellite Corp.

The next item is equipment for ground stations, $4,960,000. There is some possibility that the Communications Satellite Corp. may receive a benefit from that, but not primarily. This is a NASA installation which NASA will own and operate, and someone else may copy.

I mentioned a few moments ago that one could find out what happened with respect to atomic reactors. We started with a reactor at Idaho Falls. It was a very poor reactor in general, but it had some possibilities. The Atomic Energy Commission nursed it along very carefully. What happened? Admiral Rickover used it for devices, subsequently putting it into an atomic propelled submarine. Subsequently, the same type of equipment was used for the pilot plant at Shippingport, into which we poured many millions of dollars.

After Shippingport was successful, the Yankee chain came along and built a reactor in New England based on the Shippingport reactor.

Under the theory of the Kefauver amendment, we should proceed to go after the Yankee system for all the money that had gone into the development of the reactor because it was of benefit to them. That is a ridiculous position to take, because we developed it primarily for the sake of our whole program and our atomic submarine. We developed a breakthrough in the development of the atomic submarine which was significant, namely, the Polaris type of missile. The cost of developing it cannot all be charged to an individual company.

I have gone through these items, as did other members of the committee, conscientiously and carefully. We realized that these items, which run to something like $51 million, were not for the benefit of the Satellite Corp., and that if they were for the benefit of the Satellite Corp., solely for that purpose, then proper bills would be sent to the corporation.

I believe that this year the Committee on Aeronautical and Space Sciences spent more time in the consideration of this budget than had been spent by all the Senate committees put together. I believe that what we did was to try to assure a good bill.

I was impressed by the fact that the Senator from Missouri [Mr. SYMINGTON] was interested in the debate on the floor this afternoon. He has a business background. He has good business sense. With respect to item after item that came up in committee we had the benefit of his fine experience. I only wish that the Senator from Maine [Mrs. SMITH] were in the Chamber at this time, because no one did finer work in caring for these items than she did during the consideration of these appropriation items. Day by day, hour after hour, she sat through the hearings. She had done her homework in advance, and she had done it well. She came in with carefully prepared questions which I submitted in her behalf to a witness first, and subsequently asked the questions of all the witnesses.

She did it on the basis of trying to produce the best bill possible, and not on the basis of tossing things aside and trying to give away $50 million. Anyone who sat with Senator Smith during the many hours in which we considered the budget realized that she was not tossing away $50 million, or anything of that nature.

I ask unanimous consent that the items which deal with the advance synchronous satellites, amounting to approximately $51,100,000 be placed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Advanced synchronous communications satellites

Atlas-Agena launch vehicles (3 orbital flights and 1 backup)	$200,000	$2,200,000	$12,500,000
Spacecraft	--------	2,330,000	16,640,000
Equipment for ground stations	--------	1,100,000	4,960,000
Ground station operations	--------	--------	1,000,000
Reliability studies	--------	--------	500,000
Switching circuit	--------	--------	300,000
Telemetry and command stations	--------	--------	600,000
Range and range rate equipment	--------	--------	2,000,000
Services and rentals	--------	--------	500,000
Data reduction and analysis	--------	--------	1,000,000
Total advanced synchronous communication satellites	200,000	5,630,000	40,000,000
Total flight program	25,627,000	30,739,000	46,100,000
Total direct research and development costs	33,105,000	43,715,000	51,100,000

Mr. ANDERSON. Mr. President, we did not blindly walk into this program. The Senator from New Mexico tried his best to find out what it was proposed to do.

At page 1064 of the hearings, I turned to the people who were testifying and said:

> What I am trying to find out is, after you get it perfected, who owns it, the Communications Satellite Corp.? Will they take it over and use it?

I was trying to find out if this could be charged as a gift, a giveaway, or a steal. The answer of Mr. Wyatt was:

> Mr. WYATT. Senator Anderson, we are not developing a satellite system in the advanced synchronous program. We are simply going to fly several discreet satellites to study the technological problems associated with the launching, the injection, the stabilization, and the operation, long-term operation of discreet satellites at these altitudes. Now we hope that the technology that results from that work can be used to develop a system by somebody. But the satellites themselves will not constitute a communications system.

That is the answer. The satellites themselves do not constitute a communications system. The charter which we gave the corporation was for a communications system, not for development of individual satellites.

At page 1065 of the record, we were questioning Dr. Seamans. The question was asked:

> The question hinges on, Should the corporation be responsible for paying the Government some form of royalty or some form of payback for the development of this very costly technology that does not completely exist today?

That is the very direct question raised by the Kefauver amendment. Dr. Seamans' answer was:

> Dr. SEAMANS. Yes, and it is a good question, and it is our view that we should not be reimbursed for the technology that comes out of the space program no matter who uses it. We are developing this technology for the use in this case not only of the Satellite Corp., but all the manufacturers of components and stabilization systems and power supplies, and it would be very difficult to work out an arrangement, a royalty arrangement with any company for the use of the fruits of the space program.

Yet people object to it and say, "Send the Communications Satellite Corporation a bill for it." Mr. President, there are all sorts of people involved. Makers of all sorts of parts are involved. Some people assume that all that the Comptroller General has to do is to say to someone, "You pay me so much money, because this was of benefit to you."

It is not as simple as that.

Our committee has spent many hours wrestling with the problems, and yet some people think it is a question that can be handled in a few minutes by saying something else should be done.

Mr. President, there are three organizations with primary responsibilities in the research and development picture of this new and expanding activity.

First. The Department of Defense is moving as rapidly as possible to obtain an operating medium-altitude system, based on the state-of-the-art technology. There is a definite requirement for a separate military command and control system, which is secure at both the sending and receiving ends. This system must be secure, must be available in time of crises, and must be flexible as to its technical characteristics. For example, military channels may require different frequency bands and separate transponders from those for commercial use. Also, different orbits may be needed for military purposes as compared with those which would be ideal for commercial purposes.

Second. NASA is engaged in the research and development aspects of communications satellites and is not interested in developing operational systems. What is more, NASA research and development is extending away from the state-of-the-art technology and transferring its primary attention to push out the frontiers of technology into advanced satellite communication fields. In its research and development work NASA is carrying on a full and mutual exchange of information with the Department of Defense, with a minimum of duplication of effort.

Third. The Communications Satellite Corp. is just getting organized, having been incorporated in February of this year. It is not yet in a position to conduct research and development and we cannot afford to let there be any lag, even for a short period of time, in expanding our ability in this field in which we hold world leadership. However, as the corporation gets going, it will attempt to develop an operating system for commercial purposes, employing improvements in the existing state of the art rather than going into advanced work like that being conducted by NASA. If the corporation needs R. & D. assistance from NASA, it will so request it and will enter into contracts with the Government agency on a reimbursable or customer-supplier relationship.

To underline the point that NASA will not be engaged in duplication with either the Communications Satellite Corp. or the Department of Defense, it should be noted that of the $51 million NASA requested for communications satellites for fiscal year 1964, $40 million is for rockets, spacecraft, and so forth for advanced synchronous communication satellites. In contrast, sharp reductions pointing toward elimination show in research and development activities in the passive satellites, in the medium-altitude Relay project, and in the present Syncom project. This all shows that the NASA trend is away from the state of the art research and toward much more advanced experiments.

Mr. President, the space organization gave us the objectives of the NASA communications satellite program; and I ask unanimous consent that a statement thereof my be incorporated in my remarks at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

OBJECTIVES OF THE NASA COMMUNICATION SATELLITE PROGRAM

The development and full exploitation of the possibilities of communications satellite systems are immensely important to the Nation's economy and to its prestige.

Although the United States has pioneered in this field and demonstrated its feasibility to the world, the U.S. position of leadership will soon be lost if we do not press ahead vigorously in the establishment of the first operational system, and if we are not the ones to indicate the direction for continuing improvement and extension of the services and capabilities.

Not only will the Nation's economy benefit from the use of communications satellites and the revenues produced by their use, but it must be recognized that the potential foreign market for equipment will turn to the leading nation in this new technology.

To insure that the United States does indeed retain the leadership that it now enjoys, the planning, the organization, the establishment of operational systems, and the continued advances in the technology must be supported and nurtured carefully by both private interests and all of the agencies of Government concerned.

The Communications Satellite Corp, was established to build, organize, and operate a commercial, operational communications satellite system, and will need to carry on applied research and development at their own expense directed toward the components of this system.

Not only must the corporation decide on the kind of satellite system which initially shows the most promise of economic return and provide the organization and finances to build the system, but it must also negotiate with and make arrangements with the numerous nations interested in having a stake in communications satellite systems of the future.

The problems are immense and we can expect the corporation to move as rapidly as possible to achieve their goals. The incorporators have only recently been confirmed by the Senate, and we have had only very preliminary discussions with Messrs. Welch and Charyk.

At present, and in fact for an indefinite period into the future, NASA's role is to carry on experimental activities directed toward future systems in much the same fashion as Government agencies now perform exploratory research and development for civilian aircraft and power industries, e.g., aeronautics activities of NASA; the National Experimental Center of FAA; the Atomic Energy Commission. Unless the Government accepts this responsibility, particularly during the formative period, the United States will not long remain dominant in this new industry.

An independent exploratory research and development program by NASA must continue if NASA is to maintain an authoritative capability to carry out its continuing responsibilities in the communications satellite area.

These responsibilities are to insure the continued preeminence of the United States in peaceful applications of space technology (sec. 102(c)(5), National Aeronautics and Space Act of 1958); to advise the Federal Communications Commission on technical characteristics of the communications satellite system (sec. 201(b)(1) of the Communications Satellite Act), to consult with the corporation with respect to the technical characteristics of the communications satellite system (sec. 201(b)(4), Communications Satellite Act); and to advise the State Department on technical feasibility of particular routes (sec. 201(2)(3), Communications Satellite Act).

Further justification for an independent Government program lies in the stipulation of the Communications Satellite Act that NASA will "cooperate with the corporation in research and development to the extent deemed appropriate by the administration in the public interest" (sec. 201(b)(2)). Elements of public (national) interest certainly include service to less developed areas and techniques for improving spectrum economy.

In addition, there are communications satellite areas which are not within the purview of the corporation, R. & D. which must obviously be done by the Government.

Examples of such areas include: Exploring use of higher frequencies to extend the frontiers of the frequency spectrum; investigation of high-powered satellites which would permit use of very small ground facilities which might be carried on ships, emergency mobile land units, and aircraft (this capability could result in an application of communications satellites to air and sea traffic control procedures); incorporation, into stationary communications satellites, equipments to provide for other observations in the national interest such as scientific experiments or meteorological sensors; and investigation of high-powered broadcasting satellites which could broadcast radio or television programs directly to all the home receivers in a very large area on the earth.

NASA must execute its program in close coordination with the program of the corporation, as well as that of the DOD to avoid unnecessary duplication.

NASA will not undertake to perform research and development on the operational systems desired by the corporation unless requested by the corporation to do so at the corporation's expense.

NASA will provide for the launching of operational communications satellites for the corporation on a reimbursable basis (all identifiable additional costs to the Government will be charged to the corporation).

NASA will continue a research program as indicated. A close review of the proposed NASA program will reveal that many of the items or technologies being pursued as part of the communications satellite program are of very general and urgent interest in many other areas of space flight, exploration, and application. They are being developed under the communications satellite program because of the early promise of application in this area.

To summarize: The objectives of the NASA communications satellite program are to—

(a) Insure that the technology required for the establishment of operational systems becomes available at the earliest possible date in concert with the corporation and DOD;

(b) Study and technically assess the applicability of communications satellites for other than common carrier utilization;

(c) Insure that the technical possibilities for the full exploitation of the potential of satellites to meet communications requirements of the future are clearly established; and

(d) Meet NASA's responsibilities as outlined in section 201(b) of the Communications Satellite Act of 1962.

Mr. ANDERSON. Mr. President, the proposed Kefauver amendment to the pending NASA Authorization Act (H.R. 7500) would provide in substance that no part of the funds authorized to be appropriated by the act may be obligated or expended for the conduct of research or development activity for or on behalf of any person providing satellite communication services—other than an agency of the U.S. Government—or for the furnishing of any technological information to any such person, unless such person has agreed, by contract approved by the Comptroller General, to reimburse NASA for a proportionate share of the costs incurred in connection with the conduct of such activity or the furnishing of such information.

This proposed amendment would not merely require that the Communications Satellite Corp. reimburse NASA for research and development work of benefit solely to the corporation, the performance of which has been specifically requested by the corporation. The record of the hearings before the Senate Space Committee on confirmation of the incorporators of the corporation, on page 91, reflects the corporation's acceptance of the principle that the corporation would reimburse NASA for such work on a mutually acceptable basis, to be negotiated in each case. The proposed amendment would also require that the corporation make payment for NASA research and development activity, regardless of whether such activity was of general benefit or was specifically requested by the corporation, as well as for technical information made available to the corporation which has resulted from NASA's general research activity and which is equally available to the general public.

The concept that the corporation should be required to reimburse NASA on account of costs of a NASA research and development program which is of general benefit to Government and industry and which the corporation has not requested is inconsistent with the provisions of the Communications Satellite Act. An examination of the specific provisions of the act, relating to the activities to be carried out by NASA makes it clear that it was anticipated that the corporation would reimburse NASA for certain activities—the furnishing of satellite launching services or the furnishing of other services "in connection with the establishment of the satellite system." As to such activities—which, under the definitions of the act, do not include research and development—the act specifically provides for reimbursement by the corporation. But the provisions of section 201(b) of the act, which contemplate that NASA will carry out research and development activities, do not make any mention of reimbursement by the corporation.

The act makes good sense in providing that the corporation is to reimburse NASA for launching services and other services in connection with the establishment and operation of the communications satellite system and in not providing for reimbursement for NASA research and development activity. The reimbursable services are services which are specifically oriented toward the corporation and which do not contribute to any national space program except the program for a communications satellite system. It is appropriate for the corporation to pay for such services. But NASA research and development activities are of benefit to many Government space programs and to numerous industrial applications of space technology, and are necessary if NASA is to discharge its own responsibilities—including its responsibility under the National Aeronautics and Space Act of 1958 to insure the continued preeminence of the United States in peaceful applications of space technology.

The proposed amendment would place an inequitable burden on the corporation. Under its provisions, the corporation would be required to pay for research which would be of great value to the entire space program even if there were no corporation and no congressional policy for the establishment of a communications satellite system. Furthermore, even though the form of the proposed amendment is such that it appears to require payments by any person, other than an agency of the U.S. Government, who is engaged in providing satellite communications services, the amendment in effect is applicable only to the corporation, inasmuch as it is the only corporation which is in that category.

The results of NASA research and development are available to all U.S. industry. It follows that, as a result of the proposed amendment, the corporation would be required to pay for information which all other American companies can obtain without payment. Moreover, reimbursement for the cost of technical information ordinarily entitles the person making such payment to a proprietary interest in the information, including the right to determine to what other persons and on what terms such information may be made available. However, in view of the general availability to other American companies of the results of NASA research, the corporation, even if it wished to do so, would be unable to obtain compensation from others for the use of such information and hence would be deprived of a material element in the value of that for which it has been required to make payment.

There is no danger of any windfall to the corporation from using technological information which NASA has made available without charge. Under the act, the corporation is a regulated public utility. It will be allowed to earn not more than a reasonable return on the cost of its property devoted to satellite communication services; and it may, of course, earn less or may even operate at a loss. But, in any event, the value of such advice or information as the corporation may have obtained without cost cannot enter into its rate base and cannot result in greater profits than the corporation would otherwise have earned.

It appears that some people are trying to reopen the subject of last year's debate. I do not wish to enter into an extended discussion at this time on the merits of the Communications Satellite Corp. This corporation was organized as a result of Public Law 87-624 which was debated at great length and finally passed the Congress on August 31, 1962.

NASA, by virtue of the National Aeronautics and Space Act, is required to make available for public inspection all information obtained or developed by the Administrator in the performance of his functions under this act except (a) information authorized or required by Federal statute to be withheld, and (b) information classified to protect the national security. The auhorization for a communications satellite program contained in this act has been authorized in order that NASA may assist in the early establishment of an operational communications satellite system and support the continuing development and expansion of such systems through a program of research, development, and flight testing of technology and concepts designed to insure the realization of the full capabilities of communications satellites.

Under the terms of the Communications Satellite Act of 1962, NASA has further been directed to:

First. Cooperate with the corporation in research and development to the extent deemed appropriate by the administration in the public interest;

Second. Assist the corporation in the conduct of its research and devolpment program by furnishing to the corporation, when requested, on a reimbursable basis, such satellite launching and associated services as the administration deems necessary for the most expeditious and economical development of the communications satellite system.

Third. Consult with the corporation with respect to the technical characteristics of the communications satellite system; and

Fourth. Furnish to the corporation, on request and on a reimbursable basis, satellite launching and associated services required for the establishment, operation, and maintenance of the communications satellite system approved by the Commission.

The committee was fully cognizant of the problem of NASA's relationship with the Communications Satellite Corp. During the hearings on this measure, much time was devoted to the questioning of NASA with respect to its relationship and its use of the funds requested for communications satellites. I refer the members to pages 1060 through 1069 of part II of our hearings, and in particular to the NASA position paper on the objectives of NASA's Communications Satellite program which appears on page 1068. In that position paper, NASA states first that it will not undertake to perform research and development on operational systems desired by the corporation unless requested by the corporation to do so at the corporation's expense. Furthermore, it will provide for the launching of operational communications satellites for the corporation on a reimbursable basis—all identifiable additional costs to the Government will be charged to the corporation.

Mr. President, in my opinion, NASA is following the same pattern of accepted practice of the Government in making available general scientific information through research which can be subsequently utilized by industry and development. If the proponents of this amendment wish to espouse a general policy of the Government that it should charge for the furnishing of general research information, then I will be willing to debate that issue at great length. However, I do not feel it proper to single out a profitmaking corporation, or a single element of industry—the communications field—and say to it that in order for it to have made available to it general scientific information which is available to everyone else, it must pay a portion of the cost of the agency's development of such information.

In no other element of our governmental research program do we do this. Our Government spends vast sums of money in agriculture research which it makes freely available. Our Government spends vast sums of money in research in aeronautical activities which is made available. No one would presume to request an aircraft corporation to pay for the general information made available by the agencies of the Government engaged in early research and development activities and the advancement of aeronautics. I therefore strongly urge that this amendment be defeated on the ground that present law is adequate and up to the present there has been developed no experience that would indicate the law is not being implemented properly.

Finally, in order that there may be something to consider along with the amendment of the Senator from Tennessee, I send to the desk at this time an amendment which I intend to offer as a substitute and which, I believe, covers the case properly and is all the language needed to make the act effective.

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the table.

DEMOCRACY AND COMMUNISM IN WORLD AFFAIRS

Mr. THURMOND. Mr. President, yesterday I caused to have printed in the CONGRESSIONAL RECORD an editorial published in the Richmond News Letter criticizing a publication entitled "Democracy and Communism in World Affairs" which was written by the Institute of International Studies of the University of South Carolina under the sponsorship of the American Bar Association. As I pointed out yesterday, this syllabus was the subject of wide criticism and numerous protests.

I am glad to tell the Senate that today I have been advised by telephone by Dr. Richard Walker of the Institute of International Studies, who directed the preparation of the publication, that it is being rewritten and corrected to meet the valid criticisms. Dr. Walker has suggested that the criticisms of the work be directed to him at the Conrad Hilton Hotel in Chicago. I would suggest that final judgment on the work be reserved, therefore, by all interested persons until the final version has been prepared. It is most reassuring to find that this book, which is proposed for use as a guide to teachers in public and private schools, is being revised with a view toward correcting its deficiencies.

Mr. KEATING. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ANDERSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

STUDY OF SECURITIES BUSINESS

Mr. WILLIAMS of New Jersey. Mr. President, with the submission of chapters 10 through 13 of its report, the special study group of the Securities and Exchange Commission has completed the task assigned to it by the Congress almost 2 years ago.

This is perhaps the most exhaustive study of the securities business ever undertaken. Without attempting to prejudge the conclusions reached by the Commission, particularly those in the last two installments, the Congress and the Commission and the staff of the special study group, including particularly Mr. Milton H. Cohen as director, are entitled to view with gratification several aspects of the special study:

First. The broad scope of the study as proposed by the Congress and as carried out by the Commission and the special study group.

Second. The thorough and responsible way in which the SEC and the special study group undertook the task and wrote its report.

Third. The responsible way in which the securities industry, the financial world and the public received these reports.

Fourth. The responsible way in which the SEC, the securities industry and the Congress have acted upon this year's legislative proposals by the SEC. The Senate passed this bill on July 30 after thorough hearings and thorough committee consideration.

I am sure the latest installments of the report of the special study group will be received with equal maturity, and without snap judgments and scare headlines.

We are dealing here with other people's money, money needed to carry on America's growth and development, and we cannot afford to act hastily or carelessly.

Securities regulations are intended to provide investor information and protection, for the purpose of encouraging healthy and dynamic securities markets, knowing that only when the securities markets are healthy and dynamic can we expect the fullest growth and development of our private enterprise economy. The SEC report will, I am sure, contribute to those aims.

NATIONAL SERVICE CORPS

Mr. WILLIAMS of New Jersey. Mr. President, we shall soon vote on a noble idea, the National Service Corps Act, S. 1321.

The Committee on Labor and Public Welfare has given this bill its stamp of approval after 2 months of hearings by the Subcommittee on a National Service Corps. The committee's prompt action on the measure represents a first step toward finding solutions to problems we have neglected too long. This program, furthermore, has great merit in its expression of the uniquely American concept of democracy, which holds the individual responsible to the society of which he is a part.

In essence, the bill will provide for a small corps of highly motivated, well trained men and women of all ages to carry human aid into pockets of need throughout this Nation, much as the Peace Corps extends person-to-person service in underdeveloped countries abroad. The corps would work among people who are hidden from the mainstream of American life and deprived of the benefits which most of us rightfully expect for ourselves and our children as 20th century American citizens.

The bill calls for a small appropriation. The resources this program will provide are human resources which cannot be measured in terms of dollars or replaced by material aid. It is founded on the premise that person-to-person help is the American way of attacking human problems, and that the human element is a vital and necessary factor in any welfare program. Every community service program in this country depends on the voluntary effort of concerned citizens in the community. The National Service Corps will provide a nucleus of skilled, dedicated Americans to strengthen service programs to communities which want this kind of help, and which invite the corps to participate in building a good program.

In our migrant labor camps, our mental institutions, our urban slums and on Indian reservations, the voluntary assistance provided by an interested and involved community is often not sufficient. In every one of these areas, more workers, both professional and nonprofessional, are desperately needed. The situation is shameful enough in itself, but is all the more tragic when we realize that hundreds of Americans in other parts of the country are willing to work, if they could be provided with the means to do so.

As a national program, the Service Corps will provide the structure to recruit these Americans, direct them to the often-forgotten pockets of need, and enable them to live and serve there for a year.

But the legislation will provide this country with much more than a corps of men and women who set out to help the poor and the sick. The witnesses who appeared before the subcommittee were convinced, and they convinced me, that this program is not only a feasible means of putting skilled Americans to work where volunteers are most desperately needed but also a highly visible program which will reveal the urgency of our unmet human needs in a way never before possible. It will strengthen the desire of all citizens to participate in volunteer programs, and stimulate communities to initiate renewed attacks, at the local level, on unmet needs.

During the hearings, I was strongly impressed by the number of witnesses who testified in support of the bill, the content of their testimony, and the fact that they often traveled long distances and took time out from heavy schedules to speak in favor of the bill. These are the real experts in this matter: the heads of social welfare organizations who have been working for years to provide services to Americans in need, and who have had vast experience with voluntary service programs; the medical director of the American Psychiatric Association, whose members are deeply concerned with expanding and improving services in overburdened hospitals and institutions throughout the country; Indians who seek new methods of preparing their children for the demands of a modern society while preserving the essence of their traditional customs; representatives of Catholic, Jewish, and Protestant welfare councils; businessmen, labor leaders, and teachers. The list is long and impressive.

For example, Mr. Robert Bondy, president of the National Social Welfare Assembly, the central planning and coordinating body for social welfare throughout the Nation, told the subcommittee that the Service Corps idea will be valid and useful by attracting attention "in a dramatic way through the unique necessity of the project itself to needs that are unmet in the community, or to needs on which voluntary and governmental agencies can give extended service and more adequately meet the needs."

The National Social Welfare Assembly also stated that this program would contribute:

> Modest expansion of existing welfare, health and education service, and provision of new services; demonstration of a new and unique concept of service, the voluntary investment of a year of service to people as a personal, social and civic responsibility; extra visibility given by the program to human need and community responsibility; and opportunity for young people to explore their interest in, and aptitude for, continuing service to people—either as a career professional or as a volunteer.

Dr. Max Baer, national director of the B'nai B'rith Youth Organization, said the corps would "dramatize, stimulate and give emphasis to the importance of voluntary service." Dr. Baer and many others who have testified for this bill feel that the example set by the corps will be of primary importance because in past years volunteers have too often been crowded out of opportunities to render advice. Dr. Baer stated:

> It is our belief that the establishment of this Service Corps will greatly help to bring the volunteer back to a position of prominence in our society. We feel that voluntarism and the activities of volunteer organizations represent one of the strengths of a democratic society.

Thomas D'Alesandro III, president of the city council of Baltimore, told the subcommittee:

> If the National Service Corps came in and showed by instructions and demonstrations what they can do by voluntary missionary work in the field of social reform, it is a possibility that this is all we need to get ourselves on the way of rehabilitating our depressed areas.

Mrs. Cenoria Johnson, Washington representative of the National Urban League, testified that the Corps could be a valuable testing ground for new theories about social welfare needs. Mrs. Johnson said:

> If there is anything wrong with the frustrations of young people today, as well as the older ones, it is this sense of futility, not really being able to get their hand on something that ties them to their fellow man, not having the chance to count in their community. If we did only six projects in America where this type of opportunity could be provided volunteers, and actually touch the lives of people, we could build back into the fabric of our social welfare program the kind of zeal and enthusiasm and stimulation that is needed.

Dr. Walter Barton, medical director of the American Psychiatric Association, testified to the shortage of professional manpower, the greatest handicap to advancing treatment and standards in the field of mental health. Dr. Barton said this condition has been mitigated in several instances by successful volunteer programs in the institutions and stated:

> There is no doubt in our mind that the establishment of a National Service Corps could multiply in geometric proportions the benefits to be derived from further elaboration of such a program. He pointed out that the quality of care patients receive is improved when volunteers contribute to an institution's program, but that, so far, there is no organized voice for the mentally ill, and there is still much to be done in this field.

The Mental Hospital Service of the American Psychiatric Association conducted a survey on the National Service Corps among public and private mental hospitals and some general hospitals throughout the country. Dr. Barton submitted to our subcommittee the report of that survey which showed that 85 percent of the administrators who replied were clearly in favor of establishing a Corps and believed corpsmen would be highly useful in activity therapy, social service, nursing, and general educational programs.

I understand that opponents of this measure base their objections on one issue: the possible duplication by a Federal program of hundreds of State, community and Federal programs already serving the people of this country.

I feel that this question has been amply answered by the testimony of the witnesses. I invite each Senator to read that testimony and determine for himself how much this program would be welcomed throughout the country.

But more than that, the question is answered by the continued presence of poverty, disease and deprivation in this Nation. For the past 30 or 40 years, the citizens who have suffered these conditions—almost one-sixth of our total population—have been fading behind the scenes into the hearts of massive cities, they are lost in the isolation of rural and mountain communities which were once the framework of this Nation but now lie forgotten and neglected because modern farming and mining methods have replaced the labor of human hands. The migrant laborer, the Indian, are filed away in this category, too.

Somewhere, in our many efforts to improve social conditions during the first half of this century, we have failed to provide the proper solution to their problems. In many cases, we have given them access to a monthly welfare check, or supplemental food supplies left over from this Nation's agricultural bounty, but we have not yet begun to show them that a better life is possible or to teach them how to attain that life. While each of us rightly wishes to relieve their dependence on welfare, we have not succeeded in eliminating the conditions which make independence a rarity among them.

Our institutions have vastly improved in the past 50 years. But the mentally ill, the mentally retarded are still doomed to continue living shut off from the community because there are not proper facilities for their rehabilitation and return to useful lives.

These citizens, the poor, the diseased, the deprived, have faded quietly into the background because they are scattered, disorganized, closed off behind a curtain, without a political voice. We have closed our eyes to their condition; ignoring them while preoccupied with the achievement of a comfortable standard of living for the more fortunate five-sixths of our population.

Mr. President, the man who doubts the need for this program should go to an Indian reservation in the West or to a migrant labor camp in New Jersey and make a judgment face to face with the fact of human suffering, when it is no longer hidden behind the obvious fact of our prosperity.

This program is so conservative in size and cost that it is hard to believe any one could object on the grounds that it represents a massive Federal involvement in matters of State or local concern. In fact, some opponents have suggested that the program is too small to be effective. I think not. It is purposely designed to be a small core of mobile, well-trained men and women who will, by the fact of a community's request for their assistance, call attention to a need to be filled. These corpsmen are not going out to change the world or cure the ills of the whole country.

This program is certainly not characterized by any unrealistic flights of fancy about what a maximum of 5,000 corpsmen could accomplish. A massive corps would, in fact, negate the fundamental purpose of the legislation, which is to encourage communities to build better local programs to serve local residents. The community must take the initiative by planning its own project and inviting this corps to come in and help.

The local invitation feature is written into the bill, as follows:

> Projects under the act shall be undertaken only upon local invitation and in cooperation with interested governmental and nongovernmental agencies.

Also:

> To the extent possible, each project carried out under this act shall provide for supervision by, and contributions from the cooperating agencies.

The subcommittee also amended the bill as follows:

> The President shall consult the Governor of each State in which one or more requests for corpsmen have been initiated to consult with the Corps and the groups or agencies making such requests, and submit recommendation to the President concerning each request.

The bill further states:

> Before undertaking a project the President shall assure himself that any recommendations received from such Governor have been given appropriate consideration and that such project will not displace regular workers or duplicate or replace an existing service in the same locality.

Mr. President, the concept of a service corps at home has won enthusiastic support from every part of the country. Long before President Kennedy first proposed this program, Americans were asking, How can we send a Peace Corps abroad before we have taken care of our own? And: Why not put the Peace Corps theory into practice in our own communities?

Young people who want to serve the Nation in a tangible way, retired citizens who still have ability and energy to contribute to a worthwhile cause, are extremely enthusiastic about the opportunity to participate in the program.

I wish to quote a distinguished businessman, Mr. Malcolm Forbes, who wrote of the National Service Corps in Forbes magazine:

> Seldom has an administration measure provided for so much potential good by so few people at so little cost.

Not often is it our privilege to create with little expense a program which can have such far-reaching benefits for millions of our people, for the millions who experience none of the advantages of life in a prosperous, modern society, and for those Americans who want to play a very vital part in building a better nation through their service in this corps.

This is a program so modest in cost and so great in its possibility of practical achievement that we cannot deny this country the advantages of its service. Nor can we deny our citizens the opportunity to answer President Kennedy's challenge:

> Ask not what your country can do for you, but what you can do for your country.

I strongly urge bipartisan backing for S. 1321; it is a measure all can support, not as party members, but as Americans.

PROTECTION AGAINST FLOOD DISASTERS

Mr. **WILLIAMS** of New Jersey. Mr. President, one of the recurring problems faced by people throughout our country is the burden of paying for losses incurred by flooding. In 1956 Congress passed the Federal Flood Insurance Act, placing on the books one solution to the problem. But the following year the House of Representatives refused, by a vote of 218 to 186 to appropiate the required funds. That is where we stand today; there is no Federal flood insurance program.

Last year I introduced a bill which would recognize the exceptional complexity of the matter by setting up a study of the whole problem of protecting against flood disaster. That bill, S. 3066, passed the Senate on July 26, 1962, but failed to pass the other body. Once again I introduce the bill for appropriate reference, and in the same form in which it passed the Senate last year, and I ask unanimous consent that the text of the bill be printed at the conclusion of my remarks in the Record.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 2032) to authorize a study of methods of helping to provide financial assistance to victims of future flood disasters, introduced by Mr. Williams of New Jersey, was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the Record.

(See exhibit 1.)

Mr. **WILLIAMS** of New Jersey. Mr. President, the need for this type of legislation was recognized by the Congress in 1956 when the existing Federal Flood Insurance Act was passed. The same need was clearly recognized during the hearings on my bill last year when it was testified that the cost of flood insurance for crops, buildings, beaches and other forms of property is beyond the reach of almost everyone. In fact, private insurance agencies just will not write such insurance policies, or if they do there is always considerable dispute over whether the damage was caused by floodwaters or wind. The result is that thousands of Americans every year suffer untold hardship as they struggle to meet the cost of repairing damage wrought by rain swollen rivers, a broken dam or high tides driven inland by winds of hurricane force.

As soon as there is a big storm or disaster involving flood, there is a scramble to have the location declared a disaster area so that inexpensive Federal loans can be made available to permit businessmen and manufacturers to reestablish themselves. But neither the language of that Small Business Administration Act nor the amount of money available under it is liberal enough to permit the average landowner to obtain relief. In most cases, there just is no relief.

What is needed is some way for an average farmer, or cottage owner to obtain protection at a reasonable rate which would protect him from disaster.

In brief, the bill would direct the Housing and Home Finance Agency Administrator to undertake a study of various programs to help provide financial assistance to victims of future flood disasters, including the present and other possible Federal flood insurance programs. A report would be made to the Congress within 9 months from the enactment of the act or the appropriation of the funds, whichever is greater.

Mr. President, this is not just another study which we might make and forget. This would be the first solid step since 1956 to seriously investigate and try out an insurance program for flood victims.

As Senators may recall, the administration supported the bill last year. On May 31 of 1962, President Kennedy said:

> With respect to flood insurance, I would like to state that the subject has been carefully reviewed by the executive branch following the tremendous east coast storms of last spring. We are prepared to undertake a series of pilot studies under programs authorized by the Congress in 1956. However, it is clear that alternative means must be considered, and thus the administration is supporting the proposal of Senator Harrison A. Williams of New Jersey, calling for an immediate study of alternative programs to provide financial assistance for those suffering financial losses as a result of floods.

I am confident that the administration will give its full support to this bill, which, as I say, is identical to the one which passed the Senate last year. At that time it had the full support of the Budget Bureau, the HHFA, and the Small Business Administration.

Mr. President, I know Senators will be interested to know that the bill is in line with the kind of legislation which the Council of State Governments studied and supported in 1959; and a conference of eastern Governors, meeting after the storms of March 1962 had ravaged the Atlantic coast, also endorsed the bill which I offered last year.

Mr. President, there can be no question that existing practices and existing legislation do not adequately provide for the serious financial hardships caused by flooding in this country. We must not wait until the next whim of nature wipes out hundreds or thousands of dollars in life savings to express our concern. We must act now to find ways in which we can solve this problem permanently.

Mr. President, I ask unanimous consent that an important editorial from the Atlantic City Press on this subject be printed at this point in the Record, together with several letters from public officials of the coast communities of New Jersey.

There being no objection, the editorial and letters were ordered to be printed in the Record, as follows:

[From the Atlantic City Press, Mar. 7, 1963]

Popular Priced Flood Insurance Needed

For a short time yesterday—the first anniversary of the disastrous storm of last March—the elements seemed bent on a repeat performance. But it was just a passing downpour, followed by sunny skies.

The odds are astronomical against a repetition of the unusual set of circumstances that occasioned the destructive floods of a year ago. They were caused by gales piling up consecutive abnormally high tides and preventing them from receding.

A year ago, in the midst of the coastal devastation, we wrote prophetically: "The record of the past is that these setbacks are temporary. The storm damage will be repaired, destroyed facilities replaced. Atlantic City and south Jersey will emerge bigger and better than ever."

Happily, this has come to pass. Out of the determination of the local populace and their public officials, and the timely cooperation and assistance of Federal and State agencies, there has been worked the miracle of reconstruction. Up and down the south Jersey coast, new dune barriers, seawalls, jetties are in evidence.

Beaches have been restored, boardwalks rebuilt or nearing rebuilding. In some instances asphalt promenades are replacing them.

Shore communities experienced a successful season last summer while still scarred from the destructive storm. They are looking forward to a banner season this coming summer, with tourist facilities never better.

There still are some loose ends to be tied. Among them is the question of flood insurance. Little insurance money was available to flood damage sufferers because coverage against flood is extremely expensive. Most shore policies are written to insure only against wind damage.

U.S. Senator Harrison A. Williams last year introduced a flood insurance study bill to determine if some program could be worked out to bring about popularly priced insurance against flood damage. It failed to win congressional approval.

Representative Milton W. Glenn now has pending in Congress a similar bill for a study of alternate plans and a revaluation of a Federal flood insurance program enacted in 1956 but never implemented by appropriation of the necessary funds.

Perhaps the latest effort will fare better. There is urgent need for some form of flood damage insurance that is not priced out of popular reach.

Borough of Ship Bottom,
Ocean County, N.J., June 21, 1963.

Senator Harrison A. Williams, Jr.,
Senate Office Building,
Washington, D.C.

Dear Senator Williams: Thank you for your letter dated June 11, and in regard to your efforts to promote some reasonable type of financial protection to those owning property along the Atlantic seaboard.

I personally, have followed with great interest, the reports of these efforts, which from time to time reach the press, and believe me, we along the shore, are grateful for what you are trying to accomplish.

As you have said, it is difficult to persuade your colleagues from States other than those along the east coast, that they share with you the responsibility for the enactment of some type of enabling legislation. Perhaps they lose sight of the fact that many of their own constituents own a vast amount of coastal property.

As you perhaps are aware the Borough of Ship Bottom is 1 mile long with its easterly boundary being the Atlantic Ocean. The main boulevard running up and down the island is one block west of the ocean. I inquired of our tax collector and he informed me as follows.

There are 28 streets, 1 block long, running from the boulevard to the ocean, in the mile length of the borough. On these streets are found ratables on buildings only (not including land value) in the amount of $3,934,350.

Based on 100 percent of true value these ratables are the total of the assessed value of 445 structures. Of these structures, only 86 are locally owned. The other 359 are in absentee ownership.

Some of these owners live in New Jersey, Pennsylvania, New York, Ohio and Delaware. In other areas along the Atlantic Coast, it would seem that this same pattern of ownership might maintain and a sampling of similar figures to those which I have offered, might indicate the financial interest of people of many States in the protection of the beachfront properties.

Again, I know that all of our people are appreciative of your efforts in their behalf and are sincerely behind you in your proposed legislation.

I personally hope that from the sum total of the answers you receive from your queries, a workable and acceptable plan will emerge.

Trusting that you will call upon the writer, if I may be of any further service, I remain,

Sincerely yours,

Frank H. Klein,
Mayor.

Borough of Longport, N.J.,
June 17, 1963.

Hon. Harrison A. Williams, Jr.,
U.S. Senate,
Washington, D.C.

Dear Senator Williams: Thank you for your letter of June 11, 1963, and the copy of S. 3066 enclosed, which I think certainly should be reintroduced.

Longport and many of its residents suffered severe financial loss from the March 1962 storm and I believe that your bill is a step in the right direction.

Sincerely yours,

Leon Leopardi, *Mayor.*

Borough of Beach Haven, N.J.,
June 14, 1963.

Senator Harrison Williams, Jr.,
U.S. Senate,
Washington, D.C.

Dear Senator: Yours of the 11th at hand regarding your bill S. 3066 which you are reintroducing to the Senate.

This subject is vitally important to all of the residents of this borough as well as I am sure it is of concern to all people living on the Atlantic coast. Even though you suggest that the bill will not provide insurance at this time, a comprehensive study to further our security along the coast is of vital importance to all of us. I urgently request that you press this in behalf of the Borough of Beach Haven to the utmost and anything further that we can do at this time we will try to do to the fullest of our ability.

Yours very truly,

Donald R. Rommel, *Mayor.*

The Borough of Point Pleasant
Beach, N.J.,
June 14, 1963.

Hon. Harrison A. Williams, Jr.
U.S. Senate,
Washington, D.C.

Dear Senator: In response to your kind favor of June 11, regarding your bill S. 3066.

We people living along the coast are of course always at the mercy of storms and hurricanes. Under normal conditions we can be covered for wind damage. But in a case, such as last year's bad storm where entire homes and entire businesses were washed away, there is no present coverage that I know of.

I certainly believe that a study regarding the situation is well in order. For this reason I give my hearty support to your bill, or to any other steps that can work out a situation that can give protection against such terrific losses as we encountered last year.

Wishing you every success, and with kind personal regards.

Sincerely yours,

Henry Moore,
Mayor.

Asbury Park, N.J.,
July 1, 1963.

Hon. Harrison A. Williams, Jr.
Senate Office Building,
Washington, D.C.

Dear Pete: I have discussed the pending legislation relative to the study of flood insurance with the mayor. He and I concur in the opinion that it is imperative that a study be made, and I am sure that if an impartial investigation of the critical situation facing the municipalities is made, there will be no doubt in the minds of the Members of Congress that there is a great need for some type of insurance program.

The storm in March 1962 devastated vast areas, as you know. The damage to private property was great; however, the damage to public property, in my opinion, was even more disastrous. Asbury Park maintains beachfront properties with an estimated value, including land and buildings, of $15 million. Major structural damage plus serious erosion were the results of the storm. We estimate that the damage that could be specifically attributed to the storm would, in all probability, exceed $1,500,000. Our total sum in connection with Federal aid to the public works department for use in acquiring additional jetty protection was slightly in excess of $250,000.

The municipal taxpayers can no longer afford to shoulder the burden with already soaring property taxes resulting from new schools and increasing operating costs.

Very truly yours,

Kendall H. Lee,
City Manager.

The City of Wildwood, N.J.,
August 2, 1963.

Hon. Harrison A. Williams, Jr.,
U.S. Senate
Washington, D.C.

Dear Senator Williams: I have your letter of June 11 with copy of the bill and release concerning the study of methods to help provide financial assistance to victims of future flood disasters.

I have just had the opportunity to review the material you sent to me and reflect on the enormity of the devastation which took place in our area in the March 1962 storm, practically all of which resulted in nonrecoverable financial loss which must have run into billions of dollars.

Such loss I feel is measured not only by physical destruction but since it occurred so close to the summer season, business losses must have been monstrous.

Of course this difficult problem should be studied. When these losses occur the Government attempts to help but it is obviously limited in the nature of the help it can give. I am sure that if some plan could be developed whereby private individuals could secure some protection against flood damage, similar for example to the war risk insurance program maintained during World War II, this would be a great benefit to these disaster areas.

Sincerely,

Ralph G. James,
Mayor.

Exhibit 1

S. 2032

A bill to authorize a study of methods of helping to provide financial assistance to victims of future flood disasters

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Housing and Home Finance Administrator shall undertake an immediate study of alternative programs which could be established to help provide financial assistance to those suffering property losses in flood disasters, including alternative methods of Federal flood insurance, as well as the existing flood insurance program, and shall report his findings and recommendations to the President for submission to the Congress not later than nine months after the enactment of this Act or the appropriation of funds for this study, whichever is later. The report shall include, among other things, an indication of the feasibility of each program studied, an estimate of its cost to the Federal Government and to property owners on the basis of reasonable assumptions, and the legal authority for State financial participation. With respect to each method of flood insurance considered, the report shall include an indication of the schedule of estimated rates adequate to pay all claims for probable losses over a reasonable period of years, the feasibility of Federal flood plain zoning for the purpose of selecting areas which may be excluded from insurance coverage, and the feasibility of initiating a flood insurance program on an experimental basis in designated pilot areas. There is hereby authorized to be appropriated such sums as are necessary to carry out the purposes of this Act.

BRACERO PROGRAM—A LAW WITHOUT A NEED

Mr. WILLIAMS of New Jersey. Mr. President, the low income and persistent underemployment of the American migratory worker in this country is directly related to the large-scale importation of Mexican farmworkers under Public Law 78. During hearings before the Subcommittee on Migratory Labor on S. 527, a bill to provide growers with a steady and reliable work force and increase the employment of American workers, excellent testimony was offered demonstrating the drastic impact these Mexican farmworkers have had on the wages and working opportunities of Americans.

On August 7, Mr. Andrew Biemiller, speaking for the AFL–CIO, very forcefully stated the case against any further extension of Public Law 78. I ask unanimous consent that excerpts from his fine statement be printed at this point in the Record.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

When the AFL-CIO testified 3 months ago before a subcommittee of the House Committee on Agriculture on proposals to extend the Mexican contract labor program, we pointed out that the very existence of Public Law 78 has these many years "destroyed any incentive on the part of employers to develop a stable source of domestic agricultural labor based on American wages and American conditions of work." We added further that "domestic workers were, and still are, available to meet this need, and cooperative planning by American employers, workers, and their government can assure a stable and available agricultural work force."

The AFL-CIO urges the Senate to let Public Law 78 die in 1963. We do so for the following reasons:

(1) The Mexican contract labor program has undermined wage and work standards for American farmworkers on a wholesale basis.

The record is clear for all to see.

In 1959, the then Secretary of Labor, James Mitchell said: "We must remember that these workers not only do not have the protection of most of the social legislation which places a floor under the economic well-being of most Americans; but they are deprived even of the 'automatic' action of a free labor market, in which labor shortage tends to bring its own correction." [1]

In November 1959, Fortune magazine said: "The farmers' preference for them (the braceros) has tended, in some cases, to reduce the wages of domestic migrants.

"The reason for this is that farmers can get braceros only when they can prove they face a shortage of domestic labor. To insure that there will be a shortage, many farmers, especially in Texas and California, offer wages and working conditions that domestic workers won't accept."

More recently the report of the Welfare Study Commission of California to Gov. Edmund Brown, January 1963, had this to say: "California's almost 150,000 farm laborers are one occupational group in California so deeply locked in poverty that it is set off from all others."

These are the consequences of a bracero program.

(2) The poverty of American farmworkers, sustained and prolonged by Public Law 78, is a tragedy for the hundreds of thousands of workers and family members involved and its social cost is tremendous.

Our domestic agricultural wage earners, displaced by automation and braceros, are characterized by low educational levels and a high proportion of Mexican-Americans and other disadvantaged minority groups with nowhere to go but into the ranks of the hard core urban or rural unemployed. It is a tragically sad fact that these minority groups are poorly equipped to move successfully into nonagricultural segments of the modern economy. If the Congress will end Public Law 78, it will help preserve for these people jobs in agriculture—jobs for which they are trained and competent.

(3) Public Law 78 fosters a system of colonialism. It solves no longrun problems for the imported foreign worker or the domestic worker he replaces. It should be noted that when the House of Representatives rejected the extension of Public Law 78, the president of the Mexican Anti-Communist Trade Union Movement, the president of Mexico's National Farmers Federation, and the Mexican Department of Interior publicly hailed the prospective termination of the bracero program. The concept of an alien labor force in our country, a labor force stripped of the normal rights of citizens or residents, is repugnant to men of good will.

Again I repeat that Public Law 78 has created an adverse depressing effect on the wages and working conditions of domestic agricultural laborers, the reason for which I shall discuss later in my testimony. We believe the Senate should vote for legislation along the lines of S. 527 rather than vote to continue the degrading bracero program.

Mr. WILLIAMS of New Jersey. Mr. President, earlier, on July 30, Rev. James L. Vizzard of the National Catholic Rural Life Conference testified before the subcommittee against the bracero program, saying that it was "morally objectionable." I ask unanimous consent that Father Vizzard's forceful testimony be included in my remarks at this point in the RECORD.

There being no objection, the testimony was ordered to be printed in the RECORD, as follows:

TESTIMONY OF FATHER VIZZARD

Father VIZZARD. Mr. Chairman and members of the subcommittee, I am director of the Washington Office of the National Catholic Rural Life Conference at 1312 Massachusetts Avenue NW., Washington, D.C. Today I also represent and speak for the Bishops' Committee for Migrant Workers and the Bishops' Committee for the Spanish Speaking.

The bill which is before you today, S. 527, Voluntary Farm Employment Service Act, is in our judgment the most important of your package of bills to come up so far for consideration and hearings. This bill, we believe, is urgently needed both by employers, in order that they might have an assured, reliable labor force, and by the workers, that they might have fuller and more stable employment.

The National Catholic Rural Life Conference and the other Catholic organizations I represent are convinced that no time was more opportune for the consideration and, we hope, adoption of this bill. Two principal facts support this opinion.

The first fact is the recent refusal of the House to extend beyond the end of this year the Mexican farm labor program under Public Law 78. The members of this subcommittee are fully aware that this action by the House is widely considered an unexpected major victory for the forces of reform. One embittered House spokesman for the advocates of extension has not hesitated to give the credit—or, from his point of view, blame—to the combined forces of organized labor and the church groups. In a public statement he asserted:

"When Walter Reuther and the church groups put pressure on Congress, the going gets mighty rough."

It might not be inappropriate to indicate here that having won this battle our forces are not relaxing and assuming that the war has been won. We continue to be alert to efforts to revive the bracero program through action originating either in the House or in the Senate. We ask members of this subcommittee to join us in vigilance against any such action in this body.

At any rate it can be reasonably hoped that the bracero program, which for so many years has served as a labor crutch for employers, is now permanently discarded. That means that farm employers who have depended on the Government to provide them with braceros for seasonal labor will have to begin acting like all other employers. They will have to secure their own labor force from among available American workers. They will have to make job and wage conditions attractive and competitive enough to interest qualified workers at the times and in the numbers needed.

We believe, however, that at least for a transitional or perhaps even for a longer period growers will need an orderly and stable means of securing sufficient qualified American workers, such as is provided for in S. 527. Unless this bill is passed we anticipate that employers will soon be engaged in a desperate, sometimes futile and perhaps even cutthroat scramble for workers. Employers, we believe, need the program envisioned in S. 527 even more than do the workers. This is the first fact which argues clearly and emphatically for the passage of this bill in this session of Congress.

The second fact that argues conclusively for such action is the newly heightened and aggravated need of the workers themselves. In the last several years the situation of migrant workers rather than improving has in many ways been deteriorating. Mechanization has been eliminating many jobs, particularly in cotton, and cutting down on the days of labor in those jobs still available. In each of the last 2 years both the days worked by the migrants and their annual income dropped significantly.

Moreover, there has been an accelerated flow into the migrant labor pool of extenants, sharecroppers, and marginal farmers. Squeezed off the land by the harsh workings of the agricultural revolution, these unskilled and generally poorly educated members of mostly minority groups have had little choice except to flee to the misery of the city slums or to join the migrants in seeking seasonal farmwork.

There are some Government programs operating, such as the rural areas development program, and the manpower training program, which are helping to provide new training and job opportunities for some of these economically displaced persons. But the majority of them, both new and old members of the migratory labor force, need practical and effective help to increase and improve their opportunities for work.

The way in which until now men have found jobs and jobs have found men has been altogether too casual and haphazard to satisfy the needs of either the employees or the employers. Unless the employment service proposed in S. 527 will be available in the 1964 and subsequent crop seasons, one can confidently predict that the farm labor market will be even more chaotic than usual and the experience of both growers and workers will be near disaster.

While it is evident that we believe that S. 527 is the answer to the termination of the bracero program, we would like to hope that Congress and the executive department will keep alert and act vigorously to prevent large masses of Mexican workers from flooding into this country either as illegal entrants—"wetbacks"—or as legal immigrants under Public Law 414. Many growers will still prefer Mexican workers and as past experience shows they will not be too scrupulous about whether they secure them legally or illegally. It will have accomplished very little to have killed Public Law 78 and to have passed S. 527 if growers are allowed simply to use other devices to perpetuate a Mexican slave labor force and to continue to exclude citizen workers from jobs and income which are rightly theirs.

That is my prepared statement, Mr. Chairman.

I would like first to comment that it is a source of extreme gratification to me that this committee, without even having heard my plea originally written for June 20, this committee has been vigilant in anticipating an attempt to block action in the Senate to revive Public Law 78.

To me, Mr. Chairman, it is simply incredible that at a time when some of our U.S. citizens are suffering extreme poverty and deprivation, and when jobs, whether farm jobs or any other types of jobs are very hard to come by, we should again be facing an extension of a law which brings in hundreds of thousand of directly competing workers.

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[1] Address before the National Conference of Farm Labor Services, Los Angeles, February 23, 1959.

The Mexicans, out of their own desperate poverty, look to this opportunity to gain a little money, but in so doing deprive the poorest of our own poor citizens of what few job opportunities and income opportunities they have. We find this morally objectionable in the extreme.

We are so disturbed by this rather unprecedented action of trying to revive in the Senate a bill already killed in the House that I yesterday wrote a letter to all Members of the Senate, the text of which letter, with your permission, I would like to read into the record now.

"DEAR SENATOR: It is my understanding that S. 1703, the bill to extend the Mexican farm labor program for 1 year, is expected to come to the Senate floor very soon, perhaps in the next day or two.

"Those of us who oppose the extension of the bracero program are both astonished and disappointed that legislation rejected by the House should be rushed to the Senate floor without hearings.

"On a matter as controversial as this, it seems essential that all interested parties should have the opportunity to have their views heard.

"Particularly is this true of the many church bodies which have long and uncompromisingly opposed the bracero program. To mention only Catholic organizations, the following have repeatedly gone on record as opposed to any extension of Public Law 78: The National Catholic Rural Life Conference; the Social Action Department, NCWC; the Bishops' Committee for Migrant Workers; the Bishops' Committee for the Spanish Speaking; the National Council of Catholic Men; the National Council of Catholic Women; and the National Federation of Catholic College Students. A list as long and as weighty could be given of Protestant and other church groups as well as innumerable other citizen organizations.

"Surely, the unanimous voice of virtually everyone except the handful of bracero-using employers and their spokesmen should be heard.

"I appeal, therefore, to you, Senator, to add your voice and vote to the effort to end this program once and for all."

I would like to take the opportunity, Mr. Chairman, also to comment, if I may, on the proposed amendments offered by the Labor Department although it is true that if the extension is to be passed, these amendments would improve the situation of our migratory domestic workers.

The organizations I represent, and I am sure a host of other organizations and distinguished individuals, are adamantly opposed to any further extension of Public Law 78, even with the Labor Department amendments.

I can see some reason why other weighty circumstances or considerations might persuade the Labor Department and the administration that a 1-year extension might be acceptable with these amendments. But this is what has been going on for year after year for 12 years now. Every year, there is some reason, some excuse, some purported necessity for extending the program for another 6 months or another year or another 2 years. The implication is always present that this will be the end of this program. It never has been, and I anticipate that if the program is extended for another year, even with these improving amendments, next year we will have the same battle over again.

We say the program has been killed in the House. Let it stay dead.

I might direct my comment to one specific item about the amount of foreign exchange provided by the wages earned by the braceros in the United States.

I think there is some significance to the fact that the average amount of U.S. dollars brought back or sent back by individual braceros for a year's labor in the United States comes to something less than $175 a year. I arrived at that figure by dividing the $30 million figure generally accepted by the number of individual braceros who came into the United States in 1962, 191,000. The average returned to Mexico by each individual bracero is $175. This does not sound to me like very much of a bonanza.

It has been said repeatedly that this is a very important method of bringing foreign aid to the Mexican economy and to giving great opportunity to individual Mexican citizens. By American standards, and I do not think even by Mexican standards, less than $175 saved is not a bonanza.

Mr. WILLIAMS of New Jersey. Mr. President, in the course of hearings on S. 527, it has become increasingly clear that the bracero program has been a continuing injustice to the American worker. There are qualified and willing workers able to do the braceros' jobs, if offered a decent wage and decent living conditions. It should not be forgotten that the bracero is provided by agreement with Mexico with decent housing, workmen's compensation, and a guaranteed amount of work. The American migrant has none of these protections. Under the provisions of S. 527, the American worker would be able to receive the same benefits now given to the Mexican. At the same time, the grower under this voluntary program would be assured of a qualified labor force at harvest time.

Unfortunately, the same people who cry havoc at the prospect that Public Law 78 will be allowed to die a well-deserved death, vigorously fight a program which would meet their labor needs. It is unfortunate at a time of high unemployment, particularly among agricultural workers, that some American farmers have become so dependent on agricultural mercenaries that they refuse even to consider a program which will give the American worker an opportunity for a just wage and a decent life.

WHAT OUR CITIES NEED MOST: BRAINS

Mr. WILLIAMS of New Jersey. Mr. President, one of the fine organizations dedicated to seeking long-term solutions to the perplexing problems which confront the rapidly expanding and decaying cities of America is Action, Inc., which recently published a study, by William Carpenter, entitled: "What Our Cities Need Most: Brains—The Case for Voluntary Support of Graduate Education in Urban Planning, Renewal, and Development."

Since entering the Senate, Mr. President, I have taken a special interest in the problems of our cities—housing, transportation, employment opportunities, urban renewal activity, water and air pollution, open space, and many other difficult problems.

It has become evident to me that we do not have the vast pool of talent and skills and knowledge needed in order to cope with the massive and interlocking headaches of slums, traffic jams, blight, crime, apathy, and ignorance. We do not have enough public knowledge about urban affairs, nor do we have the trained manpower necessary to keep pace with the multiplicity of growing city and suburban problems.

Some efforts are now underway in both the public and private sectors, and Federal legislation now provides financial help to communities in making and carrying out their own planning efforts. But no Federal assistance is available to help people who want to learn the skills of planning, urban renewal, and redevelopment.

At present, the Sears Roebuck Foundation, the Pittsburgh Plate Glass Foundation, the Loula Laker Foundation, the State of Kentucky, and several universities provide scholarship money for this purpose. But these efforts, however enlightened and helpful, have not met the need.

The Action report confirms my longheld view that a much wider attack on this matter is imperative. We must encourage our great corporations and private institutions to realize that the health of our cities is crucial to their own well-being. After all, by the end of this century—only 37 more years—85 percent of all Americans will live in urban areas. Even today, 80 percent of all America's productive capacity is located in the cities.

As the report says, our corporations have a clear self-interest in keeping our cities genuinely attractive and healthful places in which to live and work. We cannot make them that way without more skilled personnel working on the problems. This means that private sources must come forward with fellowship money and programs of public information which will spur all of us on to the solutions these problems demand.

Mr. President, I ask unanimous consent that excerpts from the report be included in the RECORD at the conclusion of my remarks. The full report, by William Carpenter, administrative officer of the Pittsburgh Plate Glass Foundation, is available from Action, Inc., 2 West 46th Street, New York 36, N.Y.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

WHAT OUR CITIES NEED MOST: BRAINS

(By William Carpenter, administrative officer, the Pittsburgh Plate Glass Foundation)

Can any sensitive observer say that the way we live in cities today is satisfactory? There are good reasons why business and civic leaders throughout America are becoming increasingly concerned about today's conditions, and the prospects for tomorrow, in our metropolitan centers:

Twenty percent or more of urban dwellers living in substandard slum housing.

Commuters caught twice a day in traffic jams.

Streets and sidewalks unsafe after dark.

Racial tensions simmering and occasionally erupting in violence.

Ugliness and blight destroying the landscape.

Air and water pollution in an uneasy equilibrium, or best, with control measures.

And in many large cities an absence of effective competition between the two great political parties.

In a broad sense, this report is concerned with problems such as these. It is addressed primarily to American business leaders, those who are in a position to influence constructively the course of our highly urbanized society, through the support of university postgraduate programs in the field of urban studies. The case rests on these points:

(1) Today 2 out of 3 U.S. citizens live in our 212 metropolitan areas; by the turn of the century this fraction will probably be 6 out of 7.

(2) It is but a small exaggeration to say that with the obvious exceptions of farming and certain mineral industries, the American economy today is the American metropolis. Approximately 80 percent of our productive capacity is located within the metropolitan areas of the Nation.

(3) From the point of view of public expenditures, the local scene is growing in importance year by year. In fiscal 1961 local governments spent $42 billion, roughly equivalent to the size of the Federal budget, minus Defense. In 1950 the figure was $17 billion.

(4) The growth of the metropolis brings special problems, demanding the talents of professionals trained in city planning, urban renewal, housing, transportation, area development, etc. There is a serious shortage of competent men and women in these fields, with two or more jobs to be filled for every trained person available.

(5) It is our belief that from an adequate supply of such talent we will see the emergence of the broad-gaged executives that are needed to manage competently the many semipublic, semiprivate efforts in redevelopment that will be undertaken in our cities.

(6) America's corporations, both large and small, have helped substantially to increase the supply of trained manpower in many other fields. Present corporate aid-to-education programs demonstrate conclusively the concern of business leadership for the health and vitality of our institutions of higher learning. Almost $200 million per year in voluntary corporate assistance stands as testimony to this acknowledgment of responsibility toward our society.

(7) The field of urban studies urgently requires much more support than the pittance it now attracts—in response to the great need, in the service of the public, and in the long-term enlightened self-interest of the donor.

The planning of urban growth and redevelopment is one of the greatest challenges facing the Nation today. And the challenge must be answered by well-trained people. In the words of Dr. Luther Gulick, chairman of the Institute of Public Administration: "Some may think our great need in the cities is water, or sewers, or wider streets, or more schools, or housing. Fundamentally, they are wrong. The real things we need are brains, character, drive, organization, and leadership."

The few existing fellowship programs supporting graduate study in city planning, urban renewal, and housing have proven that more and better qualified young men and women can be attracted to this field if financial support for their education is available. But there is a great need for more fellowships, research grants, and aid for curriculum improvement in the universities that offer these and related subjects. It is to help attain these objectives that Action presents this report and offers its assistance.

THE CITY TODAY

Actually, the best place to begin our story is not in the city, but rather on the farm. A quick review of a few recent and long-range developments in U.S. agriculture reveals the source of many urban problems.

It is a commonplace fact that our farm population has been shrinking, even in absolute terms, while the number of urban dwellers has been skyrocketing. U.S. farm population now is at approximately the same level as at the time of the Civil War.

The productivity of American agriculture today is such that one farmer can feed some 27 people otherwise occupied. As recently as 1950 this ratio was 1 to 14. The revolution in farm productivity brought about these changes in the two decades between 1940 and 1960:

Man-hours devoted to farmwork in the United States dropped by 50 percent.

Total land in use for agriculture, including cropland, pastures, and woodland increased only 5½ percent.

The national population thus provided for, with half as much labor and about the same amount of land, grew by 36 percent.

Farm output per man-hour during these two decades more than tripled. By comparison, in manufacturing the output per production worker-hour rose by only 74 percent.

The companion phenomenon to this agricultural revolution has been a migration of millions of people from the farm to industrial and service jobs in the city that is truly one of the great population upheavals of modern times. Perhaps the most dramatic aspect of this change has been the departure of millions of Negroes from the rural South, and their settling in the large cities in all sections of the country.

Closely related to this urban metamorphosis is the flight to suburbia of millions of former city dwellers, to the extent that most of the older central cities actually lost population during the decade of the fifties. Of the dozen largest cities in 1950, all but Los Angeles suffered a net loss during the ensuing 10 years. However, each of these 12 metropolitan areas—city plus suburbs—grew appreciably.

Thus, expanding population and rapidly changing agricultural technology, among other influences, have set in motion a chain-reaction sequence of events, which, superimposed upon a rigid and outdated tangle of urban political jurisdictions, has led to a collection of frustrating questions often regarded as America's most pressing national problem, after: (1) the issue of war and peace, and (2) the management of our economy.

The shortage of trained administrative, professional and technical people in the local public agencies is directly responsible for many of the existing problems of the metropolis, and is perhaps the greatest handicap facing both public and private organizations that labor therein. In the administration of urban renewal, for example:

A well-known real estate developer was describing to a professional audience his troubles in completing a new luxury apartment building in a renewal area of an east coast city. Of the 4 years required to complete the building, 12 to 15 months were wasted because of his lack of experience, indicating that public officials are not the only actors in this drama who need coaching. He warned other developers interested in such investments to carefully scrutinize the staff and director of the local public agency to make sure that they are competent, and if not, to move on in search of better and safer opportunities.

The Institute for Social Science Research in 1962 published a report titled "Renewing America's Cities," which commented on certain wastes and inefficiencies in the urban renewal program. The authors refer to examples wherein the local public agency has obtained Federal funds for a given project, then has moved on to projects two, three, and four, meanwhile setting aside completion of the first because of lack of adequate staff personnel to execute it.

In the 1962 reissue of "The City Is the People," by an outstanding architect and planner, the late Henry Churchill, the following statement appears, relative to the redtape that has been encountered in the Federal Renewal Administration:

"One reason for this, it must be said in extenuation, was the incompetency of many—far, far too many of the professional plans submitted. Some were just plain incompetent, others were deliberately shortcut in order to get away with as little work as possible, still others bore obvious earmarks of having been done by hacks."

These examples are illustrative of today's personnel problems. What does the future hold for our highly urbanized society?

THE CITY TOMORROW

As recently as November of 1962, William L. Slayton, commissioner of the Federal Urban Renewal Administration, stated that he could see "no end to the current shortage of trained manpower to staff the public agencies—at all levels of government—that are involved in urban planning and action renewal programs."

The best available evidence points to a continuation of this difficult situation in the years to come:

Item: Authorities predict that by the end of this century U.S. population will be 320 million, of whom 85 percent will be urban dwellers. One-third of our people, about 107 million, will be in 10 "super metropolises"; perhaps 40 percent will be in nearly 300 urban areas varying in size from 100,000 up to 5 million; the remainder will be on farms, in the villages and small towns, and the smaller cities. Even today two-thirds of the Nation lives in the 212 areas classified as metropolitan by the U.S. Census Bureau. In less than 20 years, one-half of our total population will be concentrated in 40 urban complexes.

Item: Real estate in American cities and metropolitan areas has a value of approximately $500 billion. This is about equaled by the value of all public facilities—streets, sewers, public buildings, schools, etc. Yet within 20 years or so we may expect roughly to double the size of these assets—the physical plant that we call the city. This increase of $1 trillion in 20 years means an average annual increment of $50 billion, which, incidentally, is about the size of the current national defense budget.

The relative magnitude of our urban facilities can perhaps be better appreciated when compared with the assets of manufacturing industry. As reported by the National Industrial Conference Board, in 1958 the book value of capital invested in all of U.S. manufacturing industries totaled $214 billion.

Item: While industry and the Defense Establishment absorb an annual increment of professionally trained people numbering well over 10,000—newly graduated engineers, chemists, accountants, etc.—the specialists available to guide and plan the growth and restructuring of our cities can be counted in the hundreds.

In October of 1960 a report was prepared for the Federal Housing and Home Finance Agency on educational needs for housing and urban affairs. Referring to the professionals concerned with urban planning, housing, public administration, and various technical services required in the government of the city, the report estimated that "about five-sixths of the vacancies that will need to be filled in the next 10 years will go unfilled or else they will be filled by unqualified people."

PROFESSIONAL MANPOWER—WHOSE RESPONSIBILITY?

What should be done to help close this gap, and who should pay the bill? Should support for education in urban studies come from business and industry, from the private foundations, from trade associations, from State and local government units, or from the Federal Government? Or should we leave it up to the graduate students to pay their own way, assisted whenever possible by university resources?

The economics of higher education today render the latter solution extremely unrealistic. In the first place, the colleges and universities do not now have the means to award the needed support to enough graduate students in this area, considering the competition from many departments for the limited funds available. However, it must be said that part of the attack on this problem must come from the educational institutions themselves; the development officers and urban studies department heads must do a better job of selling their case for broader support.

We cannot expect the required number of young people to complete the needed professional education, sustained solely by their own or family funds. This is particularly true of the experienced individual who wishes to enhance his competence by returning to school for a year or more of graduate work. Chances are that he has a family; there is a limit to the sacrifices that can be expected.

The simple fact is that in many other fields postgraduate education is heavily subsidized—by several Federal agencies such as the National Science Foundation, by industry, the private foundations, and other sources. Assistance takes the form of fellowships, requiring no work from the awardee, and teaching or research assistantships, which require some performance of duties.

As might be expected, support for the physical and biological sciences, and for engineering, leads the parade. In engineering, 48 percent of graduate students have fellowships, 52 percent research assistantships, and 60 percent teaching assistantships, with 95 percent enjoying some form of support. (Obviously, many individuals have the benefit of two or three different types of aid.) In the physical and biological sciences the aggregate figure is even higher—97 percent. By contrast, the total for professional fields indicates only 35 percent with fellowship support, and 27 percent with research assistantships.

Fellowship and research support for graduate study in city and regional planning in urban renewal and redevelopment, and in related fields, is below the averages for professional education. Yet there is a large reservoir of talented people who can be attracted to this field, and an unprecedented demand for their services which will increase dramatically in the next decade and beyond.

Now to return to the vital question—who should pay the bill for this segment of higher education? Over the past 4 years there have been vigorous attempts, some coming close to realization, to involve the Federal Government in fellowships for city planning and related disciplines. A proposed amendment to the 1961 Housing Act would have provided 300 federally financed fellowships, which is more than the current annual production of professional degrees in all of the 29 universities granting the degree of master of city planning. This attempt was unsuccessful, and to date there is no Federal provision for such awards (other than a few doctoral grants under the National Defense Education Act).

However, certain Federal programs do provide funds to assist local governments in their planning efforts. For example, the Housing Act of 1954 authorizes Federal grants to supplement State and local expenditures in comprehensive land use planning, encouraging an area-wide approach to urban problems. More recent legislation, the Federal-Aid Highway Act of 1962, sets a deadline of July 1, 1965; after that date metropolitan areas lacking a transportation program based on continuing planning will not be eligible for Federal-Aid highway project funds (90 percent of the cost of the Interstate System, otherwise 50 percent of cost). The existing inadequate supply of planning talent will thus be stretched even further.

At present the Sears, Roebuck Foundation, the Pittsburgh Plate Glass Foundation, and the Loula Lasker Foundation provide fellowships on a national basis for graduate study in city planning, urban renewal and housing, with each donor granting from 10 to 20 awards per year. The State of Kentucky maintains a modest program, and there are a few grants administered by individual universities.

It is our belief that the field of urban studies is so broad, and the imperatives of mid-20th century urbanization so demanding, that there must be multiple sources of support—primarily corporations and foundations, but also trade and professional associations, the universities themselves, and governmental units.

American industry today voluntarily supports our colleges and universities in the amount of almost $200 million annually. Much of this assistance is totally unrestricted, while a portion may be directed to a field of inquiry in which the donor is particularly interested. Thus, it is not unusual for a chemical manufacturer to set up a program of support in chemistry or chemical engineering. (It goes without saying that we are referring only to "arms length" grants, which yield no direct benefit to the giver.)

Many programs of corporate assistance which specify certain areas of study are related to the technology of manufacture of the company's product, rather than to its use. Perhaps this different emphasis in certain cases would be beneficial to all concerned. Such a shift could be a significant contribution to the public interest, which, after all, is the principal justification for this entire effort.

The rationale for corporate aid to higher education is a blend of altruism, attention to the public good, and enlightened self interest. The case for support of graduate programs in the field of urban studies must fit this pattern, and it is our conviction that it does.

WHAT IS NEEDED—A PRIORITY LIST

It is not surprising that many leading public officials have called for a much greater effort than has appeared so far in the training of both urban specialists and generalists. Speaking before a conference on urban renewal at the University of Pittsburgh in April of 1961, the Honorable David L. Lawrence, then Governor of Pennsylvania, made this statement:

"It seems to me that our problems will fall into three categories. The first is personnel—that bloodless bureaucratic word for flesh and blood human beings; men and women who will direct and execute these intricate, complicated, detail-ridden redevelopment projects; people who will plan them wisely, but not love the plan more than its accomplishment; people who will do the paper work but not put the procedures first and results last; people who know that the profit incentive must be the basis for private investment in redevelopment.

"We need the specialists—the planners, the engineers, the appraisers, and assorted experts—but we need generalists, too. For urban renewal cuts across all specialties, and no one has yet produced a book formula for discovering the blend of talents which go to make a successful redevelopment executive.

"It is obvious that the cities must recruit more men and women for redevelopment work if they are to double and triple their renewal effort. And warm bodies are not enough—they must be people with both talent and dedication."

As the former mayor of Pittsburgh, who more than any other public official guided the city's renaissance, Governor Lawrence knew whereof he spoke.

An intriguing feature of the personnel problem is brought to light by his statement that the formula hasn't yet been discovered on the blend of talents that make up a successful redevelopment executive. But of one thing we can be sure—the focus on urban renewal is producing a new breed of executive—a person with financial and political know-how, equally at home in the worlds of business and government, and guided by a deep appreciation of the fundamentals of a free and democratic society.

Our study suggests definite priorities as to where the emphasis on educational support should be directed:

(1) Clearly, to attract and train the kind of comprehensive planners, redevelopment officials and supporting experts that are required, the prime need is the establishment of several hundred fellowships to sustain talented graduate students in city and regional planning, urban renewal and redevelopment, public administration, urban transportation, housing and land economics, and urban sociology and other related specialties. This is priority No. 1—to attract and educate the people needed today and for years to come. Substantial improvements in the ways of our cities would quickly become apparent, given today's body of knowledge, if there were more well-grounded professionals available to the many agencies, both public and private, who serve and govern urban America. Support is needed for both full-time and part-time students, for the newcomer and the experienced.

In the case of city planning, the report of the Municipal Manpower Commission, issued in 1962, indicated a need for 300 to 400 additional planners each year during the 1960's. In the recent years, the number of professional degrees in planning awarded by the universities has averaged about 200 annually, although current capacity of the 29 institutions is 500 degree candidates per year (or 1,000 graduate students in total, since 2 years of postgraduate work are required for completion of the planning curriculum). The experience of those donors who now offer planning fellowships is that there are two or three times as many qualified applicants as can be supported through existing means, and that many who are disappointed seek out other opportunities, and thus are lost to the profession. The chairman of the planning department in one large eastern university estimated an immediate 50 percent increase in enrollment, with adequate fellowship assistance.

In the broader field of general urban government, an executive crisis will be upon us in a few years. More than one-half of the executives in city hall are over 50 years of age, many of them very able individuals who were attracted to public service during the depression. The ranks of the second team are thin, and there are not enough potential replacements coming along.

(2) The second priority is to find ways of increasing today's body of knowledge on urbanism. Deep and penetrating research efforts must be launched in all disciplines that pertain to the urban complex—from civil engineering to anthropology. Much study and investigation remain to be done before we will have developed a satisfactory theory and body of working knowledge on the processes and problems of urbanization in our extremely complex society.

For example, public housing has been with us for 30 years. Yet in many respects, we are no nearer a satisfactory solution to the problem of low-income housing than we were when the first permanent measures of Federal concern were spawned in the crisis of the depression. Speaking on this subject, relative to the Housing Act of 1961, Senator SPARKMAN, of Alabama, made the following statement:

"Just a few weeks ago we passed a $4.9 billion housing bill which has, as its main purpose, the elimination of substandard housing. But would you believe it—we do not really know how many substandard units there are in this Nation. Some witnesses before our committee said there were 1½ million; others said 16 million. To do an intelligent job, we must know more about our problem and we need information on the progress we are making in solving the problem."

The support of research in housing and urban problems is a great opportunity for industry and other private groups to influence the course of our civilization. The Federal Government, which spends tens of millions of dollars annually on agricultural research, and hundreds of millions of dollars on health, to this day does not have a research program worthy of the name in urban affairs.

(3) The third area of great urgency is to improve current educational programs in this field. Although there are many star performers among the 29 graduate schools of city and regional planning, the problems of which Harvey Perloff wrote in 1957, in his book "Education for Planning," still exist to some extent:

"The overall educational picture is, then, one of gradual assimilation of social science, regional aspects, and research into planning curriculums—but always with a considerable lag. In general, it has only been long after the practitioners found themselves ill equipped to undertake tasks thrust upon them—tasks such as population and migration analyses, regional economic surveys and development of programing and capital budgeting techniques—that the universities responded with changes in their existing training programs or initiated new planning programs."

While these three needs are of particular urgency, the field is so broad that the imagination and creative spark of the potential donor can range far in the establishment of meaningful support programs. There are many other needs that qualify, for example:

A lecture series on problems of the city—to reach the informed and interested public.

Short in-service training institutes for local Government officials.

Efforts such as the Nieman fellowships in the profession of journalism, to enable the mature professional to pursue highly sophisticated graduate study in some aspect of his specialization.

Development of more and better programs in urban design in the schools of architecture.

Assistance to a university in acquiring the part-time teaching services of an outstanding practitioner in urban planning or renewal.

Seminars conducted by academicians and practitioners to broaden the knowledge and sophistication of citizen committees working for community and neighborhood improvment.

Professorships in urban studies.

Assistance to the relatively neglected field of civil engineering—especially with reference to the technology of the city.

While all of these proposals are of great importance, we must again emphasize the three top priorities:

Graduate fellowships—to prepare skilled practitioners.

Research grants—to extend our knowledge and deepen our understanding.

Improvement of existing curricula—to transmit the benefits of research to practice.

AUTHORIZATION OF APPROPRIATIONS FOR THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

The Senate resumed the consideration of the bill (H.R. 7500) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations; and for other purposes.

Mr. HUMPHREY. Since tomorrow we shall be operating under limited time because of the unanimous-consent agreement which has been entered into, at this time I wish to make a few observations about House bill 7500.

First, I wish to commend the distinguished chairman of the committee [Mr. ANDERSON] and the other members of the committee for their thorough job in bringing the bill to the Senate and in studying each and every aspect of the widespread and very complicated and complex program of our space agency operations.

One feature of the program has evoked and provoked a certain amount of attention. It is dealt with on page 13 of the Senate committee's version of the bill, beginning in line 23, and ending in line 8, on page 14, and reads as follows:

> (h) No part of the funds authorized by this section may be expended for the establishment of an Electronic Research Center unless the Administrator has transmitted to the Committee on Aeronautical and Space Sciences of the Senate and to the Committee on Science and Astronautics of the House of Representatives a detailed study of the geographic location of the proposed Center, and (1) each such committee has transmitted to the Administrator written notice to the effect that such committee has no objection to the establishment of such Center, or (2) forty-five days have passed after the transmittal by the Administrator of such study to those committees.

Mr. President, that language of the Senate committee's version is a slight alteration or adjustment of the language of the bill as reported and passed by the House. Beginning on page 4, in line 16, through page 5, in line 2, the House version reads as follows:

> (h) No part of the funds authorized by this section may be expended for the establishment of an Electronic Research Center unless the Administrator has transmitted to the Committee on Aeronautical and Space Sciences of the Senate and to the Committee on Science and Astronautics of the House of Representatives a detailed study of the geographic location of, the need for, and the nature of, the proposed Center, and (1) each such committee has transmitted to the Administrator written notice to the effect that such committee has no objection to the establishment of such Center, or (2) forty-five days have passed after the transmittal by the Administrator of such study to those committees.

The difference between the House version and the Senate committee version is as follows: The language of the House version—

> The need for, and the nature of, the proposed Center—

Is deleted from the Senate committee version.

I discussed this matter with the distinguished chairman of the committee; and, as he indicated to me in private conversations, the language of the House version which calls for an evaluation, once again, as to the need for, and the nature of, the proposed Center, is in his opinion superfluous or redundant. He feels that the hearings have brought out in elaborate testimony the need for such a Center, or Centers, and that a further detailed study as to need is not required.

The House of Representatives included this language, even though in the bill it authorized the construction or the establishment of an Electronic Research Center. I am interested in this matter, primarily because I believe it important that a very careful evaluation be made of the geographic location of such an Electronic Research Center, not so much on the basis of geography, as on the basis of the facilities at a university level and at an industrial level which are available in such geographic location.

In the United States there are many places, or at least several places, which would qualify for the establishment of an Electronic Research Center. In the testimony before the Senate committee, some of these areas or cities were outlined and listed. One of them was the city of Minneapolis. I would clarify that testimony by referring to the metropolitan area of Minneapolis and St. Paul, which represents one of the large electronic centers in the world. Located there are the Honeywell-Minneapolis Regulator Co. and the Remington Univac—to mention only two of the larger ones; also Controlled Data, which is recognized as one of the outstanding electronic companies in the world; and also a host of smaller companies which have great competence, and employ some of the finest scientists and technicians in the electronics field.

I am confident that the National Aeronautics and Space Administration will evaluate all these factors of scientific competence, university connections, and industrial competence, in making the final determination as to the location of the Center—or, I would also add, Centers, for it may well be that there should be more than one. I have always been somewhat concerned over the concentration in one place of research facilities and manpower. For example, the armed services attempt to have an alternative source for any of their supplies. So it seems to me that a great research development, such as an electronic research program, should have at least two such Centers, or possibly more, rather than merely a concentration into one.

I say this because the establishment of such a Center tends to pull manpower from all over the Nation to that one place, thereby distorting, and at times injuring, the economy of other areas. If considerable quantities of the brainpower, the scientific know-how, and the persons who have that scientific know-how are drawn from certain areas of the Nation into one Center, although the work of the Center might thus be advanced, the result might also be to injure the work of a dozen other establishments. All these points need to be taken into consideration, and I am sure they will be.

The report of the Senate committee goes into this matter in considerable detail, as does the report of the House committee. For a moment, I wish to call to the attention of the Senate the report of the House committee—Report No. 591, beginning on page 183 and continuing on page 184, and also on page 204. Mr. President, I ask unanimous consent to have printed at this point in the Record the item entitled, "Electronics Research Center—Various Locations," to be found on these pages.

There being no objection, the excerpts from the report (H. Rept. No. 591) were ordered to be printed in the Record, as follows:

(Pp. 183–184)

Various Locations

ELECTRONICS RESEARCH CENTER

The request in the amount of $5 million as the initial increment for an Electronic Research Center to be constructed at a site to be determined was justified as being required for the acquisition of land and the initial design and engineering services for the Center. The breakdown of the estimate was $3 million for land acquisition and $2 million for design and engineering services. Testimony presented revealed that the design and engineering services included the development of the design analysis, or master plan, for the Center and the advance design for those projects to be proposed for construction as part of the fiscal year 1965 program. Since advance design for the construction of facilities is normally included under section 1b(a) of the bill, this project was reduced from $5 million to $3,900,000, a reduction of $1,100,000.

An exhaustive review of the necessity for this project by the committee revealed that the specific site had not been selected; the coordination with other Federal agencies having a like capability had not been properly effected; preliminary planning in general had not been in accordance with good management practice; and the need for the Center was not conclusively proven as essential. Consequently the committee determined that expenditure of funds authorized for this project shall be contingent upon the result of further study by NASA. The committee desires that NASA report back to the committee the results of their more detailed study on or about February 1, 1964. The report shall include, but shall not be limited to the following aspects:

(a) A properly documented evaluation of existing capabilities within the Federal Government in accordance with Executive Order No. 10521 dated March 17, 1954.

(b) An evaluation of industrial capability to meet this need in lieu of the establishment of a new Federal installation.

(c) A properly documented national, regional, and area survey of the industrial, professional, and academic concentrations in the electronics field to conclusively prove the proper general locale from which the disciplines of the art should emanate. This facet of the study will include a synopsis of the resultant economic impact in the areas concerned.

(d) A feasibility study comparing the advantages and disadvantages of (1) expansion of electronic research capabilities at existing NASA centers in lieu of a new center; (2) expansion of existing electronic research capabilities at existing NASA centers, and the establishment of a new center at a reduced scope; and (3) establishment of a new center as now proposed.

(e) If the study concludes that a new center at reduced scope, or a new center at full scope is in fact required to meet the need, then the study should include the selection of a specific site with sufficient preliminary master planning data to provide the Congress with an analysis of existing and required facilities, site plan, estimated costs, and a construction schedule for funding purposes.

No action toward acquisition of lands or construction of facilities for this center will be undertaken by NASA until the study mentioned above has been submitted to the Committee, and 45 days have elapsed during which time the Committee will evaluate the study and notify the Administration as to its findings. If the findings favor the project, or if the Administration should not be advised by the end of the 45-day period, NASA may proceed with the establishment of the center.

(P. 204)

5. ELECTRONIC RESEARCH CENTER

The committee has wisely decided to delay construction of the proposed Electronic Research Center. The committee's concern, which we share, questions not only whether or not such a facility is justified, but also the desirability of locating such a facility in the Boston area. H.R. 7500 prohibits the use of the $3.9 million authorized for this project until the House and Senate committees have received and accepted, or failed to reject within 45 days, a report from NASA detailing the need for such a facility and justification for location in Boston.

However, we hasten to emphasize that the $3.9 million is for land acquisition and preliminary design only. NASA witnesses testified that the eventual cost would be around $50 million, and even this figure is uncertain, it could cost more.

In view of this great eventual cost, we believe that this matter should be brought before the Congress of the United States after such a study is completed and has been studied by the appropriate House and Senate committees. It is our intention to offer an amendment to assure that the Congress as a whole, rather than merely the congressional committees, will have the opportunity to consider this question after receipt of the report from NASA.

Mr. HUMPHREY. The latter item refers to the decision of the committee to delay construction of the proposed Electronic Research Center, but quickly goes on to emphasize that the $3,900,000 is for land acquisition and preliminary design only. The report suggests that the subject should be brought before the Congress after a study has been completed and it has been studied by the appropriate committees of the House and Senate.

The earlier language of the report relates to the testimony that had been advanced in the other body relating to design and engineering services, and calls for a feasibility study, comparing the advantages and disadvantages of the expansion of the electronic research capabilities at existing NASA centers in lieu of a new center, expansion of electronic research capabilities at existing NASA centers and the establishment of a new center of a reduced scope, and, third, the establishment of a new center as now proposed.

I believe that all of those questions should be made a matter of legislative history on the bill. I support the Senate bill, even though I believe that the language of the House bill is a little more precise on that particular item. Nevertheless, the Senate bill would require that the administrator submit to the appropriate committees of the House and the Senate a detailed study of the location of the proposed center, which study, I presume, would include why the center should be located at such a particular place, whatever place might be selected.

I wish to be quite clear on the question. Every Member of this body undoubtedly feels that he has exactly the right place in his own State. That is logical and very natural. It is fair to say, however, that that is not entirely true. I read the testimony. In the New England area, for example, there are very fine facilities and manpower which would surely justify the construction of a center in that area.

I add most respectfully and assuredly that there are also some of the best facilities available in the Twin Cities area. One of the companies I mentioned a moment ago is known throughout the world as being outstanding in electronics. That is the Honeywell Co. I have mentioned also Control Data, Univac, and IBM. Those are big companies. Our area has specialized in the field of electronics. So I am merely suggesting that before a decision is finally made, all those areas should be looked over very carefully.

I repeat that it may be very much in the public interest not only to have one center, but two or more. I might add that the great Litton Industries have moved substantial facilities into the State of Minnesota. Only in the past week negotiations were underway for the Litton Industries, which are now in Duluth, Minn., and in Hibbing, Minn., to purchase the General Mills mechanical facilities in the city of Minneapolis. General Mills' mechanical division has an enviable record of service to the country and to private industry in the field of electronics. So when all of those factors are added, we have a case to make, and I intend to make it at the proper time.

Having made that statement, I will tomorrow, when the occasion permits, ask a few questions of the distinguished chairman of the committee, the Senator from New Mexico [Mr. Anderson]. I do not wish my remarks today to be interpreted as prejudicing the case of anyone else. I am fully aware of the interest that other Senators have in the question. That is all to the good. I shall respect the decision of the Administrator and the proper committees of the Congress. But I thought I ought to inform all those who are interested in the subject that when the proper time comes, I shall attempt to be as good a spokesman for the area that I am privileged to represent in the Senate as any other Member of this body, and I only hope that I shall be as persuasive as some.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. HUMPHREY. I am delighted to yield to my friend from Massachusetts.

Mr. SALTONSTALL. All I wish to say on the subject tonight is that, from the point of view of New England, we welcome the competition of the Senator from Minnesota.

Mr. HUMPHREY. Mr. President, I say to my good friend from Massachusetts that there is what is called competition. Both of us were recently in a little trip abroad. Perhaps we can also have coexistence. I hope that will not prejudice my case in any way. It is what I would call capitalistic coexistence. I feel there is plenty of room in this area for the great facilities and human resources of the great New England section of our country. New England was the birthplace of the freedom of our Nation and will contribute to its strength and freedom. The Midwest continues to sustain the freedom of the Nation. I am looking for allies. I am not looking for combat, I assure the senior Senator from Massachusetts [Mr. Saltonstall] as well as the junior Senator from Massachusetts [Mr. Kennedy], and any other New England Senators, that we in the Midwest, who, in a very real sense, saw our region populated by the good folks who came from the New England States to the Midwest, would now, once again, like to be included in the family of electronic advancement. Therefore, I come to the senior Senator from Massachusetts [Mr. Saltonstall] in a spirit of amity, fellowship, and coexistence.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. SALTONSTALL. We in New England have been in training for months to compete with the energy and coexistence of a Humphrey from Minnesota.

Mr. HUMPHREY. The Senator is a wise and prudent man, who has been in training for months. I believe in "ready-alert."

Mr. McGEE. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield to the Senator from Wyoming.

Mr. McGEE. I have been very much interested in the colloquy between the Senator from Minnesota and the Senator from Massachusetts. As we look at their small coexistence impasse, we ought to hold open a third alternative which would give each Senator a way out.

Mr. HUMPHREY. Yes, "Mr. de Gaulle."

Mr. McGEE. The Rocky Mountain area, particularly Wyoming, would be delighted to have access to the development of electronics. In the space age, it would seem to be more expeditious to move the development of electronics into the wide open spaces of the West. Such a decision would contribute to a relaxation of the coexistence tension between Minnesota and Massachusetts. Our mediatory services are available. As the freedom of our country began in New England and is being sustained in Minnesota, according to the distinguished majority whip, we ought also to acknowledge that its future lies in the great Rocky Mountain area of the West.

Mr. HUMPHREY. I am extremely grateful for those words.

Mr. McGEE. I thank the Senator from Minnesota for his courtesy in yielding to me.

Mr. HUMPHREY. I appreciate the offer of the Senator from Wyoming to mediate. What I worry about is his possible imperialism. One must always be cautious of mediators least they mediate one right out of the question which is being mediated.

Before I yield the floor I wish to make quite clear that what I have said was no selfish effort on my part. I intended merely to indicate a willingness on the part of the great State of Minnesota and the entire Midwest to serve the Nation. It was merely an offer of service and an offer of broader consideration of a program without being selfish about it. I wish to be quite clear. I recognize the great assets that are to be found in the Northeast. I make that statement in all seriousness. We will not debate and decide the location of such a center. I do not wish my remarks to be interpreted as opposition to any particular location, because they are not. To the contrary, I believe whatever decision is made here ultimately will be in the public interest.

At the appropriate time I should like to be able to recite to the appropriate officials some of the assets and virtues of at least one section of the country, as a partner in this effort.

PROGRESS IN ARGENTINA

Mr. HUMPHREY. Mr. President, in May of this year, upon returning from the fourth annual meeting of the Inter-American Development Bank in Venezuela, I reported the concern expressed by many Latin American leaders about the interference by military groups in normal civilian processes of government of several South American countries during the past year. I expressed the hope that the future might show that the events of the past year represent a temporary abortion, rather than a permanent trend. I expressed the hope that the forthcoming elections in Peru and Argentina would see the return of freely chosen constitutional governments to those countries. At this date, it would seem that the outcome of the recent elections in Peru last month and the election in Argentina this month have justified that hope.

This past week the Argentine electoral college, following the outcome of the nationwide election held earlier in July, selected Dr. Arturo Illia to be the new President of Argentina. Dr. Illia will be inaugurated in October.

For those of us who believe that political democracy is an indispensable basis for the success of the Alliance for Progress, the recent events in Argentina are most welcome. The outcome of the election is a tribute to the good sense of the Argentine people. It is an example too of the positive role that can be played by military leaders firmly committed to constitutional government in restoring free government, in the face of attacks by military and civil extremists of the left and right, who sought to perpetuate economic and political chaos.

The efforts of the new government to restore a constitutional regime in Argentina while at the same time successfully dealing with the huge social and economic problems will be closely and sympathetically watched. Argentina is not an underdeveloped country. It is a large and modern country, richly endowed in its natural wealth and in its skilled people. For that reason much is expected of Argentina. Once national unity is restored, economic stability should follow. With the restoration of a sound economy, Argentina in a few years should be able to assist her less favorably endowed neighbors with material assistance through the Alliance for Progress.

Argentina's friends in this country will understand that as a large modern nation, Argentina quite rightly expects to preserve her independence and her sovereignty. At a time when the Latin American countries are progressing toward hemispheric unity, when a Latin American common market is destined to become a reality within the next decade, it is to be hoped that Argentina will not revert to the narrow nationalistic policies of an earlier era. Nothing could be more detrimental to the interests of Argentina and to the interests of the Western Hemisphere.

I am confident that the U.S. Government stands ready to assist any moderate reformist government in Argentina in its efforts to restore economic health and political stability to the country. I know that the United States will assist Dr. Illia in his efforts to restore national unity to his great country. Just as the United States is actively and firmly supporting progressive constitutional governments in Venezuela, Colombia, and the Dominican Republic, it now stands ready to support an Argentine Government if it shows the same resolution and determination to deal with the formidable political and economic problems confronting the country. As one of the largest and most advanced countries in South America, Argentina is a natural leader of the continent. All those in the Alliance look to her for leadership. The fate of Argentina will do much to determine the outcome of the Alliance for Progress.

Mr. President, I ask unanimous consent that the editorial from today's New York Times be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Argentina Turns a Corner

The problem in writing about Argentina today is not to get too enthusiastic. This rare and happy state of affairs comes with the formal election of Dr. Arturo Illia to the Presidency. For the first time since the military intervened in Argentine politics in 1930, there is hope of a long stretch of political stability.

This is all that Argentina needs or ever has needed. She is one of the most fortunately endowed nations on the globe. She is underpopulated, with a racially homogeneous people, predominantly of Spanish and Italian descent. Literacy is exceptionally high; the skill of Argentine workmen ranks with the best of any industrial nation; the climate, except in the south, is temperate.

Yet, with all these advantages Argentina had become one of the most discouraging countries in Latin America. Political instability, economic mismanagement, corruption, lack of both mutual trust and national unity, and the corroding effects of Peronism turned Argentina into a sick country. For all her natural wealth, per capita income and gross national production actually fell over much of the sad period since 1930.

Of course, Dr. Illia cannot wave a magic wand and transform the country. He will not have a majority in Congress. The dominant influence of Juan Perón may well have been broken for good, but Peronism remains a formidable threat. This is going to be a more nationalistic government than any since Perón's time. Dr. Illia during his campaign said he would cancel Argentina's contracts with foreign oil companies and annul a recent investment guarantee agreement with the United States. He was critical of Argentina's anti-Fidelista policy and said he would make the banned Argentine Communist Party legal again.

American business interests do not seem worried; there are good reasons for the renegotiation of some of their contracts. American investments now total $1.2 billion, which is more than in any Latin-American country except Venezuela, and Americans are all set to make big new investments. Dr. Illia is unlikely to kill an American eagle that lays such golden eggs.

Everything can go wrong in this world, and especially in Argentina, but certainly a great opportunity is presenting itself.

Mr. HUMPHREY. Mr. President, it is very reassuring that two great countries, the Argentine and Peru, have moved away from their military juntas into the processes of constitutional government. I say once again, for those who are critics of the Alliance for Progress and critics of this administration's program of diplomacy and negotiation in Latin America, within recent weeks developments have indicated that the President has been pursuing the right course, and that his policy of firmness on the basis of principle toward constitutional government, yet working with the countries under very difficult conditions, is beginning to reap dividends and rewards.

EUGENIE ANDERSON—DIPLOMAT FROM MINNESOTA

Mr. HUMPHREY. Mr. President, a series of articles has been published in the press relating to my good friend, Eugenie Anderson, of Red Wing, Minn., who is doing a remarkable job as U.S. Minister to Bulgaria. Combining charm with firmness, enthusiasm with dignity, she has made herself both liked and respected in a nation with which we have had more than our share of difficulties during the chillier phases of the cold war.

The recent flux and ferment of the Communist world has now become evident to all observers. Bulgaria has not remained immune to these developments. Recently, Mrs. Anderson concluded and signed a claims agreement with the Bulgarian Government concerning indemnification for American properties seized by Bulgaria or destroyed during World War II. Shortly afterwards she brought to Sofia the first American exhibit ever to be presented in the Bulgarian capital—an exhibit which drew more than 200,000 curious and excited visitors in its first 14 days. She has opened up new contacts with Bulgarian officials, and it is said that no diplomat is better known to the ordinary Bulgarian.

While Mrs. Anderson's winning personality has much to do with this marked improvement in relations between the United States and Bulgaria, she has had to earn the high esteem in which she is held. By using firmness where firmness was called for, she has shown that she will not accept as normal the harrassments and studied insults so frequently encountered by American diplomats in Communist-bloc nations. This carefully calculated resistance to hostile gestures is the logical complement to Mrs. Anderson's search for expanded contacts. She believes that better relations are possible between the United States and Bulgaria, and she is determined to make them better.

She is succeeding.

It is evident, Mr. President, that there are limits to what one individual can do. During the depths of the Stalinist era no amount of individual initiative could overcome the basic divisions between the free world and the Communist bloc. Conversely, new opportunities are opening up as a result of the increasing recognition by both sides of a common interest in preventing nuclear war. But good judgment by individual representatives of our country is a priceless and indispensable asset if we are to make the most of these opportunities.

This is what I referred to earlier today. Old answers to new problems offer no solutions. Mrs. Anderson is not afflicted with old answers to new problems. She is a woman of initiative, of imagination, of intelligence, and of responsible activity. She is gaining recognition not only for herself but, more importantly, for our Nation.

As a friend and fellow Minnesotan I am proud of Mrs. Anderson's accomplishments, but it is particularly as a citizen of this country that I am thankful for the energy, graciousness, and good judgment Mrs. Anderson has displayed in her important and sensitive position.

Mr. President, I ask unanimous consent to include the following articles in the Record: "Bulgaria and United States Moving to Amity," "Diplomat to the Iron Curtain—Reds Guard Common Man From Learning About United States," "The Little Woman From Red Wing Just Won't Be Pushed Around," and "She Copes With Frustrations."

There being no objection, the articles were ordered to be printed in the Record, as follows:

Bulgaria and United States Moving to Amity—Woman Envoy Charms Sofia—Freeman Plans Visit

(By David Binder)

Sofia, Bulgaria, July 21.—After a long period at subzero temperatures, relations between the United States and the Communist Government of Bulgaria appear to be reaching a milder stage.

Both sides have been pursuing increased contacts in recent months.

The main aim of the Bulgarians, according to leading officials, is the expansion of trade with the United States.

The United States views the improved ties as a means of renewing Western influence in a country that has been virtually cut off from the West for 13 years.

In the last 3 weeks contacts between the two governments have developed rapidly.

On July 2 the U.S. Minister in Sofia, Mrs. Eugenie Anderson, signed a claims agreement with the Bulgarian Government. The American terms were accepted.

The agreement set a final figure of indemnities to be paid for American properties seized by Bulgaria, or destroyed in World War II. It provided for Bulgaria to open a commercial office in New York.

On July 3, Mrs. Anderson appeared on Bulgarian television. She described the ideals that motivated the American Revolution. The speech was rebroadcast by radio July 4.

U.S. ENVOY ON TV

On July 6 Mrs. Anderson opened an exhibit of American plastics that immediately became a hit. In the first 14 days the show drew more than 200,000 visitors and many were turned away.

It was said to be the first American exhibit ever presented in the Bulgarian capital.

As a result of these events, Mrs. Anderson has become the best-known diplomat in Sofia. When her legation car passes, Bulgarians point and say, "There goes Eugenie."

Yesterday, when she stopped briefly at the exhibit hall in downtown Sofia, a man rushed up to her, seized her hand and exclaimed:

"Eugenie, let me thank you for this wonderful American exhibit in Sofia. Please convey my greetings to the American people and the American President."

Then, while the crowd applauded, the man planted a loud kiss on Mrs. Anderson's hand.

HIGH OFFICIALS ARE GUESTS

During the weekend, the U.S. Minister had three high Bulgarian officials to dinner. It was the first time that high-ranking members of the Government and the Communist Party had accepted such an invitation.

The guests included Stanko Todorov, a First Deputy Premier. Mr. Todorov is a member of the Politburo and is the chief Bulgarian delegate to the Communist Council for Mutual Economic Assistance. The others were Marin Vachkov, Minister of Agriculture, and Petur Vutov, chairman of the Committee of Culture and Art, with ministerial rank.

On August 5 Secretary of Agriculture Orville L. Freeman is scheduled to visit Bulgaria for several days. It will be the first visit of an American official of Cabinet rank since before World War II.

Several cultural and scientific exchanges between the two countries are being planned.

Observers suggested that one reason the Kennedy administration saw fit to make these gestures toward Bulgaria was the change that has taken place in the government of Todor Zhivkov, head of the Communist Party and president of the ruling ministerial council.

Mr. Zhivkov, a follower of Soviet Premier Khrushchev, purged a number of leading Stalinists from party and government posts last fall. In January he declared a broad amnesty for political prisoners.

PROSPECTS HAVE IMPROVED

Not all is sweetness and light between the United States and Bulgaria, but it is thought that the prospects for the development of somewhat more normal relations are better than they have been at any time since the war.

The United States broke off relations with Bulgaria in February 1950, charging a "series of insults, restrictions, and harassments" of legation personnel.

A campaign of "systematic terror, torture, and killing" against Bulgarians working for the legation was charged in the U.S. note sent the Sofia Government at that time.

Relations were resumed at the legation level in 1959.

For a decade Bulgaria had to watch with envy and hatred as U.S. aid poured into neighboring Greece and Yugoslavia. Both neighbors have developed viable industries and expanding economies, while Bulgaria has had to rely on foodstuffs for export earnings.

Reliable sources say that Bulgarian planners hope to develop a light machine industry, plastics and petrochemical products. To do this the government needs equipment from Western countries.

Diplomat to the Iron Curtain—Reds Guard Common Man From Learning About United States

(Editor's Note.—Graham Hovey, Minneapolis Tribune European correspondent, is motoring through Eastern Europe. In this series of three articles he describes the difficulties facing American diplomats behind the Iron Curtain, using specifically the record of Eugenie Anderson, Red Wing, Minn., the U.S. Minister to Bulgaria.)

(By Graham Hovey)

(First of three articles)

SOFIA, BULGARIA.—In one important respect, a thaw in relations between the Soviet bloc and the West follows a pattern.

The last area in which Communist authorities permit any thaw is that of direct contacts between Westerners and ordinary people of the bloc countries.

It is on these common citizens over whom they rule that the Communists most fear the effects of close contacts and friendly relations with Americans and other Westerners.

This places Western diplomats in a very delicate position. They must strive to expand such contacts but not at a pace that will alarm the Communists and provoke a new freezeup.

They must keep an eye out constantly for signs that the Communists are getting uneasy and may be about to curtail Western contacts with ordinary people once again.

In this area, the problem of Eugenie Anderson, of Red Wing, Minn., U.S. Minister to Bulgaria, is comparable to that of her counterparts in other Communist bloc capitals.

Does Bulgaria Premier Todor Zhivkov echo Nikita Khrushchev's attack on alleged Western influence over Soviet bloc artists and writers?

Then Mrs. Anderson and her staff watch closely to see if this means curtailment of the American-Bulgarian cultural exchange program they have been able to expand modestly but steadily in recent months (it didn't).

Do Bulgarians turn wildly enthusiastic applause for American pianist, Eugene Istomin, into something that looks just a little bit like a pro-U.S. political demonstration?

Then American officials watch for signs that this may mean more difficulty in arranging the next visit to Bulgaria of an American artist.

At the moment, Western diplomats in Sofia, are seeking the meaning of an unexpected icy blast delivered by a Bulgarian official at the opening of the American exhibit, "Plastics, U.S.A."

This is drawing thousands of eager visitors daily to Sofia's best exhibition hall. It displays hundreds of plastic products in everyday American use as well as more advanced, experimental ones.

The bringing of "Plastics, U.S.A." to Sofia was a high point in recent efforts of Mrs. Anderson and her staff to expand contacts with ordinary Bulgarians. Americans of Bulgarian origin who speak the language serve as guides for the visitors.

"But at the opening ceremoney, the acting head of Bulgaria's Chamber of Commerce, Christo Stamboliev, delivered an ungracious response to Mrs. Anderson's welcome. He said, in effect:

These products are no better than those being made in Bulgaria, whose economic progress compares favorably with that of any other country.

Americans would delude themselves if they believed that Bulgaria's "studious and politically mature people" would be much impressed by the consumer goods;

If the United States wants better relations it should send Bulgaria more technical and scientific information in the plastics field rather than put on such a display.

Did this mean a change in Bulgarian policy? The start of a new freeezup? Western diplomats could not be certain.

Some believed Stamboliev simply had not been given the new party line on such matters and was doing what came naturally.

What seemed clear in any case was that unless Communist officials interfered, "Plastics, U.S.A." would achieve everything its sponsors had hoped for in contacts with Bugarian citizens.

And what Minister Anderson made clear immediately to Bulgarian officials was that Stamboliev's hostile approach was not the best way of getting the American trade and tourists they eagerly desire.

This hope for trade and tourists that persuades Communist regimes to relax the barriers to contacts between their people and Westerners.

But the problem for the Communists is that in such contacts their people are likely to demonstrate how little they really accept the official pro-Soviet and anti-American propaganda; how little faith they have in the regime.

One objective of Western diplomacy is to barter any concessions on trade and tourism for expanded contacts with people who have never lost their faith in us or their friendly feelings toward us.

The West's longrun hope can be no more ambitious than to maintain all contacts permitted until the happy day when the Communist empire relaxes or dissolves to the point where normal relationships are again possible.

DIPLOMAT TO THE IRON CURTAIN—THE LITTLE WOMAN FROM RED WING JUST WON'T BE PUSHED AROUND

(By Graham Hovey)

(Second of three articles)

SOFIA, BULGARIA.—Every Western diplomat in the Balkans agrees on one thing: Minnesota's Eugenie Anderson has been an active U.S. Minister to Bulgaria.

Many of these diplomats say this admiringly, some say it enviously, some perhaps cynically—but there is no dissent.

"She hasn't missed any opportunities here," said one among the admirers. "She has been seen and heard. She is known and respected by both the Communist leaders and the people."

It would have been simpler just to go through the motions in such a frustrating post. Many say that is what Mrs. Anderson's predecessor, Edward Page, did for more than 2 years.

Page was a career diplomat, serving out his time in a post he never wanted. His attitude was typical of many foreign service officers assigned to Communist-ruled countries.

His record in Sofia was not an empty one, but he rarely pushed any American initiative hard against the evident hostility or obstruction of the Communist rulers.

The way the two American Ministers behaved in two Cuban crises is cited by diplomats to illustrate the contrast.

Page was unprepared for a typical rock-throwing Communist demonstration after the Bay of Pigs fiasco in 1961. He and his staff were besieged for hours in the American Legation, unable even to telephone the Bulgarian Foreign Ministry to protest.

The woman from Red Wing, Minn., handled the Cuban showdown of October 1962 in a strikingly different manner, admittedly profiting from Page's humiliating experience.

She and her staffers spotted signs of a build-up for a demonstration at the Legation the morning after President Kennedy's "quarantine" declaration.

Mrs. Anderson promptly demanded an appointment at the Foreign Office and persisted until she was granted one at noon.

She was driven to the ministry in her official limousine, flying the American flag. She demanded adequate protection and reminded the Bulgarians that their police had stood by and permitted American officials to be besieged and American property damaged the last time.

She got a promise—and it was kept. Would-be ringleaders disappeared when modest police reenforcements showed up at the Legation in early afternoon. There was no demonstration.

Bulgarian leaders already had reason to know this was not simply a one-shot display of toughness by the only woman chief of a diplomatic mission behind the Iron Curtain. Within 3 weeks they were to get another dramatic demonstration.

On the eve of the industrial fair at Plovdiv in September 1962, Bulgarian officials abruptly withdrew permission they had granted for the distribution of pamphlets explaining the American exhibit.

Mrs. Anderson, who had presented her credentials as minister little more than a month before, refused to recognize the withdrawal. She cited a similar distribution at Plovdiv in 1960, declared that the United States considered that permission had been granted in good faith and would proceed accordingly.

For 2 days, American officials at the exhibit handed out the pamphlets to courageous Bulgarians despite the fact that most pamphlets forcibly were taken from the recipients by young Communist bullies outside.

At the end of the 2 days the Bulgarian regime caved in and permitted peaceful distribution. The official explanation was that the withdrawal of permission had been a mistake. But a Communist functionary told a friend of mine:

"We really didn't think she would persist."

But the post-Cuban demonstration that the woman from Red Wing would not be pushed around was the one that made news around the world.

The date: November 9, 1962. The occasion: Bulgaria's celebration of Soviet Russia's "October Revolution." The speaker: Bulgaria's aging, hard-lining Communist president, Dimitur Ganev.

At Sofia hotel reception with the diplomatic corps present, Ganev launched an abusive attack on the United States. So the U.S. Minister rose quietly with her staff and walked out.

After whispered consultation, ministers of governments allied with the United States got up with their staffs and did likewise.

For years Western mission chiefs in Sofia had followed a policy of simply ignoring such attacks. Some of the chiefs were delighted that Mrs. Anderson chose to play it otherwise.

All of them, it seems safe to say, were astonished—perhaps as astonished as Ganev and comrades.

Mrs. Anderson would dislike it if too much emphasis were given to these displays of toughness toward the Communists during her year as Minister in Sofia.

She would prefer to emphasize the positive achievements, such as expanded cultural exchange, growing contacts at many levels between Americans and Bulgarians and the recent $3.5 million settlement of U.S. claims against Bulgaria.

But the point diplomats wise in the ways of the Communist world would make is this: The positive achievements were made possible in part by the displays of firmness and resolution.

It was obvious that the Bulgarian regime would test Mrs. Anderson severely in this area. It was only when it found she would stand up toughly for American interests on every necessary occasion that it decided on a more cooperative approach.

DIPLOMAT TO THE IRON CURTAIN—SHE COPES WITH FRUSTRATIONS

(By Graham Hovey)

(Last of a series)

SOFIA, BULGARIA.—One of the most frustrating aspects for a Western diplomat in a Soviet satellite capital is this:

His positive work can be largely undone overnight by developments that have nothing to do with him or his actions.

At the moment, Mrs. Eugenie Moore Anderson, of Red Wing, Minn., has every reason to be satisfied with her recent positive achievements as American Minister to Bulgaria.

She was able to conclude early this month an agreement under which the Communist regime finally will repay Americans whose Bulgarian properties it nationalized after World War II.

She has presided over the opening of the first American exhibit ever in Sofia, "Plastics, U.S.A." visited daily by thousands of interested ordinary Bulgarians.

She has been able to expand American-Bulgarian contracts and exchanges at many levels in little more than a year on her job.

But tempering these satisfactions and hovering over all Mrs. Anderson's energetic activity is this political fact:

A turn for the worse in American-Russian relations—even one not directly affecting Bulgaria in any way—could undo much of her accomplishment abruptly and reduce her job to sterile, formal routine.

For this Red Bulgarian regime of Todor Zhivkov is a loyal Soviet satellite, perhaps the most loyal after Czechoslovakia.

It will liberalize only to the degree that Nikita Khrushchev permits in the Soviet Union; it will freeze its relations with the West when Khrushchev freezes.

There is nothing in Bulgaria comparable to the memory of the 1956 cataclysms that drives Janos Kadar along the course of relaxation in Hungary and warns Wladyslaw Gomulka not to turn back the clock too far in Poland.

During the decade of the 1950's, the United States and Bulgaria did not even maintain formal diplomatic relations. Another such rupture seems most unlikely.

What seems probable is that Bulgarian-American relations will continue to have ups and downs, the portion of each being determined largely by the course of Soviet-American relations and perhaps by Soviet-Chinese friction.

There is one direct issue between the United States and Bulgaria that could have major impact on Mrs. Anderson's efforts for an expansion of contracts and an improvement of relations.

Bulgaria seeks to expand its meager trade with the United States and wants to earn dollars by attracting American tourists.

It has expanded its facilities for tourism remarkably in recent years, though they still fall short of those in Western-oriented countries of Central and Southern Europe.

The American claims settlement referred to earlier contained an authorization for Bulgaria to establish a commercial office in New York to promote trade between the two countries.

If the Bulgarians meet only frustration in these bids for trade and tourists, Mrs. Anderson may find her hopes for continuing to expand American activities here abruptly dashed.

But even in this area, actions taken elsewhere may have much more to do with the result than her own behavior in Sofia.

During periodic returns to Washington, the lady from Red Wing may urge Congress to make it as easy as possible for a modest trade expansion between the United States and Bulgaria.

But she and informed Bulgarians know that a Congress reluctant to continue most-favored nation trade status even for Yugoslavia and Poland will not consider such a thing for Bulgaria.

The Bulgarians grow 100,000 tons of tobacco a year. They would like to sell enough of it for dollars to buy American industrial equipment, including complete factories.

But they cannot compete in the American market if they must pay a duty of 35 cents a pound against the most-favored nation rate of 12½ cents granted to Greece and Turkey and enjoyed at present also by Yugoslavia.

This is the kind of practical problem with which Mrs. Anderson must concern herself but whose solution must be sought elsewhere.

It may have been the ever-present cognizance of such political facts that persuaded her predecessor, Edward Page, to be a relatively inactive American minister in Sofia.

The lady from Red Wing is simply not constituted that way. As she sees it, there is a job to be done in Bulgaria, even if it must be a limited and often frustrating one.

There are contacts to be made and expanded; exchanges that can be promoted; a reservoir of good will to be built for America that can survive even a deterioration of Bulgarian-American relations. There are friends to be made and a flag to fly.

And who knows what long-run effects such activities might have in helping to loosen the once-monolithic Soviet empire in Eastern Europe?

In any case, Eugenie Anderson intends to do that job with energy and imagination and enthusiasm wherever and whenever the Bulgarian Communist regime permits her to do so.

And I have yet to meet an ordinary Bulgarian who is not delighted at her performance and the prospect for its continuation.

SERVICE BY NORTHEAST AIRLINES FOR NEW ENGLAND

Mr. KENNEDY. Mr. President, 2 weeks ago, the Civil Aeronautics Board issued a decision which was so contrary to its past policies; which was so adverse to the principle of competition in transportation; and which will have so adverse an impact on the economy and the air travel of the New England area, that I feel it deserves the closest attention of the Congress.

I refer to the decision to terminate the certificate of Northeast Airlines to fly from Boston, New York, and Philadelphia to certain points in Florida. This decision, which overturned some basic recommendations of the Board's hearing examiner, is one which is incomprehensible to many people on the eastern seaboard.

The decision severely restricts competition in one of the richest passenger markets in the country. It limits this market to two carriers, while routes between all other major terminals—including many with fewer passengers—have three carriers certified. The decisions tends to monopoly at a time when other Board actions are ostensibly trying to promote competition.

This decision will have grave economic consequences for New England. It could mean the death of the only major airline based in our region. It will jeopardize the jobs of 2,000 employees. It could leave many communities without air service. By restricting the shuttle between Washington and Boston to one carrier, it would well mean higher prices for travel between those points.

For these reasons I and my colleague from Massachusetts [Mr. SALTONSTALL] and the Senator from New Hampshire [Mr. COTTON] are today asking the Aviation Subcommittee of the Committee on Commerce of the Senate, which has jurisdiction over the Civil Aeronautics Board, to hold hearings on this decision, to ascertain what will be its consequences on the New England economy, and on the future of air travel in the United States as it affects New England citizens.

I ask unanimous consent to have printed in the RECORD a number of editorials, articles, telegrams, and letters highly critical of this decision.

There being no objection, the editorials, articles, telegrams, and letters were ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, July 30, 1963]

AN AIR OF MONOPOLY

The case of Northeast Airlines is a dramatic reminder of the scope of Federal control of this industry. And the question arises if this control is not itself an important cause of the industry's present difficulties.

For some time the Civil Aeronautics Board has been accused of insisting on "excessive competition"—more carriers on given routes than demand warrants. Now it seems to be changing; it voted to remove Northeast from the New York-Florida route, leaving two carriers in one of the world's largest passenger markets and confining Northeast literally to that geographical area.

Whether this is good or bad policy, it is a death sentence for the company. Or rather, it would be except for one thing: The CAB generously offers to let its victim hang on through the device of Federal subsidy of its reduced operations.

At the same time the agency seems to be unfavorably disposed just now toward a more natural way of reducing "excessive" competition, the way of mergers. It recently rejected, without explanation, the proposed combination of Eastern and American.

Surely such policies and procedures pile anomaly atop anomaly—misjudging markets, then summarily evicting a carrier, then throwing it a sop of subsidy while frowning on a normal business solution. It is hard to believe that real competition would have done a worse job than all this bureaucratic control.

But even that, unedifying as it is, is not the whole of the matter. Part of the present competitive confusion stems from the CAB's record of inherent opposition to competition of various kinds; it is almost as though it had been established to form an airlines cartel.

One thing it did after setting up shop a quarter century ago was to restrict, quite drastically, entry into the industry, always a prime effort of monopolistic entities. The policy was supposedly a boon to the old established carriers, and perhaps for a time it was, as air travel expanded so greatly in the postwar years.

All along, however, the CAB has also followed a policy of discouraging price competition, another familiar attitude of monopolists. It is actually empowered to fix maximum and minimum rates in some cases, and it must approve all rates. The upshot is a pretty inflexible rate structure, which has led the carriers to engage in a frantic, and sometimes rather ridiculous, competition in services.

More importantly, it has made costs to the air traveler higher than they would otherwise be. In addition, it seems clearly to have aggravated the carriers' financial troubles. A notable instance is the introduction of jets. In the absence of real price competition, the lines felt compelled to race each other in putting these costly planes into service, and they very likely did so faster than their own and economic conditions justified.

These rigidities, inefficiencies, and high costs are, again, what you would expect when Government creates a monopoly-oriented structure. Certainly the years of Government protection have not left the industry in a healthy state.

It is true that poor management has been a source of trouble in some cases. It is true that many in the industry wanted and welcomed the status of Government control. It is true that the CAB is circumscribed by the law of Congress which gave it birth.

But the answer to that is to change the law. For a guide Congress might consider the conclusions reached in an authoritative article by Sam Peltzman in the New Individualist Review:

"If what we mean by 'public interest' here is the satisfaction of market demands, in all their variety, at lowest social cost and, as part of this, the quick adaptability to changing market conditions, then our history indicates that this interest is best served by competition free of arbitrary interference by State power. * * *

"We have not given free competition a chance in this industry. We might do worse than to try it."

[From the Washington (D.C.) Evening Star, Aug. 1, 1963]

CRASH LANDING

With the stroke of a pen, so to speak, one man may have set the stage to put Northeast Airlines out of business. This, without undue exaggeration, could turn out to be the practical result of the recent 3-to-2 decision by the Civil Aeronautics Board in the New York-to-Miami case.

The announcement containing the bad news did say that "the Board is prepared to subsidize Northeast's operations north of New York City as soon as Northeast ceases operations south of New York." This, if one may say so, misconceives the fact. The CAB can't subsidize anything. If Northeast, shorn of the relatively lucrative Miami-run business, continues to serve New England on a subsidized basis, the public, not the CAB, will foot the bill for the subsidy. Let's be very clear on this point. And as long as the public can stand the gaff, any kind of uneconomic operation, or any kind of bureaucratic mismanagement, can be kept afloat. Just keep those subsidies coming in.

From the record, it would appear that there simply hasn't been enough business on the Florida run to support operations by three airlines. Northeast and Eastern, on their entire operations, have been losing heavily. The news reports don't give details with respect to the third line, National, but presumably it isn't getting rich. The anticipated revenues simply haven't materialized, and so Northeast, being the last one in, becomes the first to be bounced out. Presumably Eastern and National, at least in this area, will do nicely with the field to themselves.

Northeast has its headquarters in Boston, and Massachusetts Senators KENNEDY and SALTONSTALL have asked the Department of Justice to look into the CAB ruling. The Department says it will do so.

One may doubt that much will come of this. For the CAB, which recently refused to permit a merger of Eastern and American, presumably has ample authority to squeeze Northeast out of the Florida business, even though it overruled its own hearing examiner in doing so. Still, this was a 3-to-2 ruling. And if a person really believes in the concept of competition and survival of the fittest, this is an awful lot of economic power to put in the hands of one man.

[From the Boston Globe, Aug. 1, 1963]

CAB DECISION—NEW ENGLAND GETS SHORT END

(By Peter B. Greenough)

You would have to dig below cellar level to find the morale of large segments of the American aviation industry today.

Two developments have triggered this loss of heart:

First, the Civil Aeronautics Board's incredible decision to strip Northeast Airlines of its Florida operating rights—which include runs from Boston to Washington and Boston-Philadelphia as well.

Second, the major invasion of domestic aircraft markets by foreign planemakers.

A look at Northeast's predicament rates priority—at least around New England.

Do you recall what it was like trying to get to Florida by air from Boston before Northeast entered the picture? Let me refresh your memories.

You couldn't go nonstop. There was no such service. It always involved change of plane in New York.

That is, if you could get space at all. The New York market got top priority, and there was a somewhat cavalier attitude toward Boston, Philadelphia, and other cities in the Northeast.

It was, in fact, hell on wheels to get air reservations for Florida. An awful racket prevailed whereby hotel clerks and others on the inside would buy up advance bookings, and then peddle them to a victimized public who had no other recourse.

Is this, then, the type of "service" the CAB will tolerate or even encourage?

Make no mistake. New England has been given the short end, and the quicker a court appeal is initiated—including an effort to obtain an injunction against enforcement of the CAB order—the better off we'll be.

After all, what makes Government regulatory agencies so sacrosanct? The Supreme Court recently knocked down a long-standing Interstate Commerce Commission position on rail rates to New England ports. Why shouldn't we go after CAB in like fashion?

Better the courts, certainly, than naive suggestions that CAB reverse itself.

Meanwhile, like rows of vultures waiting to pick Northeast's bones, other airlines beat their own drums. There is an unseemly stench to the whole business.

Now to the second black cloud over aviation. There is a rumor kicking around the industry that when the CAB turned down the proposed merger between American and Eastern, C. R. Smith of American got so mad he decided to buy British short-range jets in preference to our own.

Nothing could be sillier, of course.

Nevertheless, American—long a partner with Douglas Aircraft Co. in development of new planes—has jumped across the Atlantic for short-range jets, the British Aircraft Corp.'s III. It could presage a tidal wave of foreign purchases.

Moreover, Continental Airlines has just become the first domestic carrier to order the Concorde, France's and Britain's joint effort in the supersonic field. Previously Pan American ordered six.

Why did they venture into other pastures? Not because of a better product, really. Because our Government has shilly-shallied and fussed around so long in making a decision on what type of SST we should develop that we've been left at the gate.

On the one hand the Government screams about loss of gold and the balance of payments problem. Then, from lack of action it compounds the situation.

Both developments have very important bearings on jobs. If Northeast goes kaput, we lose 2,000 jobs around here (even a merger would mean quite a reduction). With England getting our aviation business, the entire country suffers.

How much? The Long Beach, Calif., Chamber of Commerce has made quite a study of job losses involving Douglas. If Douglas were able to collar the short-range jet trade, it would create 41,700 jobs (a tenth of all national unemployment).

Far away Massachusetts would lose as much as $12.1 million in subcontracting business if the Douglas program fails to take off. In the larger picture, it could upset the payments balance situation by a $1.6 billion outflow (in planes, plus spare parts).

You can only guess what the future impact of these foreign orders may be on jobs. The U.S. aviation industry now employs 650,000 persons—but over 200,000 positions have evaporated in the past 5 years.

The attrition cannot exclusively be dumped in the laps of bumbling bureaucrats. But if promotion of public service and the general welfare is at the root of CAB or Federal Aviation Agency decisions, you don't accomplish these ends by reducing the number of air carriers, or by forcing airlines to shop elsewhere.

[From the Christian Science Monitor, July 11, 1963]

IN THE INTEREST OF COMPETITION

When the Civil Aeronautics Board tentatively turned down the proposed merger of American Airlines and Eastern Air Lines (thereby causing the companies to drop their plan), the CAB evidently was interested in preserving competition.

That purpose now would be ill served if the Board should fail to make permanent the certificate under which Northeast Airlines supplies service from Boston and New York to Florida. A decision by the Board on an examiner's adverse recommendation is expected this month.

In the 6 years that Northeast has held a temporary Florida certificate the carrier has given effective competition to other airlines on the route and has proven that traffic potentials are there when intelligently developed. Last year alone, traffic on the New York-Miami route reached 900,000 passengers. The Chicago-Miami route, also served by three carriers, served fewer than 300,000 passengers during the same year.

But NEA has never defaulted in its physical ability to serve its routes, even while desperately fending off creditors. Northeast is in no worse position financially than was Capital Airlines before it was taken over by United Air Lines.

The Hughes Tool Co. has poured millions into the Northeast operation, in which it has a majority interest. There seems every reason to expect further backing from "Toolco," with which NEA should be considered fit, willing, and able, as the law requires.

With a permanent certificate, Northeast would be able to obtain more equitable long-range financing for its aircraft and operations. Also at stake is an annual payroll of $13 million, a great deal of it benefiting the New England economy. The jobs of approximately 1,600 persons are at stake. The line also purchases in the neighborhood of $3 million in supplies and services.

NEA should receive permanent certification to continue as a viable carrier and as a fit candidate for merger if that course is indicated eventually.

[From the Boston Herald, July 31, 1963]

CIVIL AIR INCONSISTENCY

The Civil Aeronautics Board decision to strip Northeast Airlines of its essential Boston-New York-Florida route is a blow to the New England economy and a disservice to commercial aviation and the general public.

So long as the CAB continues to consider airline problems on a piecemeal basis, nagging civil aviation difficulties will continue. Long-range industrywide reforms are overdue. If the CAB is incapable of stimulating them, Congress should reform the whole structure of control of commercial air travel.

A CAB examiner recommended last April that while the New York-Florida route warranted three carriers, Northeast should not be one because the airline lacked financial stability. What the CAB examiner failed to mention was that the financial problems were largely due to the temporary Florida charter. Because the airline didn't have permanent status, it had been forced to pay for new planes and equipment over excessively short periods of time.

But on July 22 the Hughes Tool Co. announced it had written off $26 million of the Northeast debt and had assumed 80 percent ownership of the airline. Thus, Northeast's financial troubles were dramatically alleviated and it appeared the CAB should have no further objection to granting a permanent Florida route.

But despite the advice of its own professional staff, the CAB voted 3–2 to limit one of the most heavily traveled passenger markets in the world to two carriers by relieving Northeast of the one route on which it could reasonably expect to make a profit.

The decision was a sop to Eastern Airlines, one of the two remaining carriers, for the CAB had recently rejected Eastern's bid to merge with American.

And in offering to subsidize Northeast's remaining operations in New England, the CAB openly embraced a bureaucratic stopgap instead of seeking a businesslike solution.

The Board majority held that there was no need for a third carrier. If, as is rumored, another line than Northeast should be granted the Florida franchise, the Board will have proved itself suspect as well as illogical.

The Board seems bent on operating an inefficient Federal monopoly that threatens a number of carriers with insolvency and saddles passengers with unfairly high domestic tariffs. As if to emphasize its own inconsistency, the CAB is a strong supporter of major rate reductions on transatlantic routes where two U.S. carriers compete with a horde of nationally-owned foreign airlines.

Until the CAB has an announced long-range program for American civil aviation, the present confusion and inconsistency will intensify. So, too, will the need to replace the Board with a more rational means of Federal control.

No finer example of CAB readiness to modernize the whole structure of civil aviation in this country could be offered than for the Board to reverse itself and give Northeast Airlines a fair chance to work out of its financial plight with a permanent Florida franchise.

[From the Boston Record American, July 30, 1963]

FIGURES BELIE CAB'S NORTHEAST DECISION

(By Bill Duncliffe)

The Civil Aeronautics Board appeared Monday to have tripped over its own figures in the 3–2 decision by which it denied Northeast Airlines a permanent license to run planes between Boston, New York, Philadelphia, Washington, and Florida.

CAB figures showed that, since 1957, Northeast had increased its share of the Philadelphia traffic tenfold, and in the same period had increased its Boston-Washington business from 12,609 to 190,611. These same figures showed a sevenfold increase in its Miami traffic.

Northeast carried over a quarter of a million passengers on the New York-Boston run in 1962, a spokesman for the airline said. He pointed out the tremendous importance to Boston of the frequent air service provided by Northeast.

Northeast, with its back to the wall, is fighting the CAB decision which could, at best, reduce it to a puddle-jumping airline whose costs would be borne in large part by the taxpayers.

At worst, it could put them out of business, with a resultant loss of 1,500 skilled jobs and an annual payroll of $12,300,000 in Greater Boston alone.

The CAB based its ruling on whether Northeast was fit, willing, and able to compete for business in the east coast market, which averages 2 million passengers a year and is one of the most heavily traveled air corridors in the world.

It said, in substance, that New England's only homebased air carrier could not fill the bill.

BACKED BY HUGHES

Embattled Northeast said otherwise. As to its fitness, it pointed to the backing of multimillionaire Howard Hughes, who last week wrote off $26 million in debts owed him by the airline.

Its willingness was obvious—and its ability to compete for the Florida traffic—and for the traffic to Washington and Philadelphia as well—was borne out by CAB figures.

They showed that, for the first 3 months of 1963, Northeast carried 35,544 round trips between Boston and Miami—60.2 percent of the traffic between Boston and Philadelphia, Northeast carried 27,583, or 61.9 percent of the total.

And, between Boston and Washington, 38,144, or 52.4 percent.

By contrast, the third carrier on the Boston-Philly run had 47 for the same period—1 percent of the total. Between Boston and Washington, the third carrier's share of the market was 103 round trips—1 percent of the total.

New England businessmen, labor leaders, and Congressmen rallied to Northeast's support, but their effort to reverse the CAB decision was almost certain to be an uphill one.

Their concern was principally that, if Northeast loses the fight, New England will lose a service that has tied it in with the entire eastern seaboard and given it a fast, convenient long-haul and short-haul airline.

They pointed out that, when Northeast was given a temporary certificate to Florida in 1957—a certificate that also included the right to stop at Washington and Philadelphia—it voluntarily gave up a Federal subsidy.

At the same time, National Airlines was given a permanent certificate to Boston, and Eastern Airlines had certain operating restrictions removed.

Both these lines compete with Northeast for the Florida business.

Now, while dealing Northeast out of the long-haul picture, the same concessions granted National and Eastern 7 years ago still remain, they said.

SAW NO NEED

The CAB also, in its decision, ruled that it saw no need for a third carrier in the Florida market—contradicting what they said when they granted Northeast the 1957 certificate.

They also appeared to have contradicted their policy with 12 other major markets which have three competing carriers, and in two other markets which have four airlines competing for business.

Two CAB members who entered a minority opinion that supported Northeast cited the $15 million savings it has effected for the taxpayer and insisted it had proved its right to the permanent license.

The minority opinion cited all the factors in Northeast's favor, and added this paragraph on the effect the majority decision could have on the New England economy:

"Of major concern to us is the crippling effect which this decision will have on the large pool of skilled employes of Northeast and its effect upon many cities and communities in New England, an area of the country already suffering from a deteriorating railroad transportation system.

"We cannot overlook the fact that New England has been adversely affected by a number of recent economic developments and can ill afford this setback to its employment and industrial well-being.".

[From the Boston Globe, Aug. 6, 1963]

IF NORTHEAST FOLDS, 7,500 LOSE SUPPORT

(By Arthur A. Riley)

More than 7,500 persons in the Boston and New England areas would be deprived directly of economic support if the Civil Aeronautics Board fails to reverse its stand intended to strip Northeast Airlines of its New York-Florida run.

At least 2,100 of the air carrier's employees would lose their buying power; 250 more who man fuel trucks and employees of suppliers would also be affected. This means a total of about 2,500 employees—and there are about 5,000 Northeast's children as well.

Unemployment at Northeast also would add unnecessary expenditures to the already overburdened cost of State unemployment compensation. Despite the talk of absorbtion by Eastern Air Lines president, Malcolm A. MacIntyre, Northeast unemployment is not expected to be drastically alleviated because Eastern already has a lengthy list of pilots and mechanics out on furlough. Unemployment in the airline industry and its associated companies is already widespread.

Northern tourists to Floridian points on an annual basis, tally some 2 million. At an average cost of $200 per tourist for airline passage, the total spent for air transport alone is approximately $400 million. Northeast links Montreal with intervening points all along the coast route to points in Florida. This route is considered the second richest airline route in the world—second only to the New York-Los Angeles run.

In the event that the CAB clings to its original decision on a 3-to-2 basis, New England will follow the traditional loss of industry typified by the shoe and textile manufacturers.

It should be recalled that at the time Northeast was given the route to Florida National, a Miami-based carrier was given a through-route to Boston, and restrictions on Eastern's operations were removed, making possible the establishment of that carrier's successful shuttle service.

Boston and New England welcomed all this additional service with open arms and patronage justified the welcome.

Northeast was the air carrier that made better service along the coastal route for Boston and New England patrons. It inaugurated through express service, and service to Ft. Lauderdale, Jacksonville, and other points.

Before Northeast's innovations, Bostonians and New Englanders were often harassed in trying to make a Florida journey one of convenience and comfort. Service was not frequent and direct. And there was a time when illegal ticket (scalping) was prevalent, particularly during the Christmas season. This even called for an inquiry by the CAB as well as the threat of court action in some instances.

It seems incredible that this area of the Nation should return to such conditions. If the route is to be operated by but two carriers—Eastern and National, it means that many travelers along the coastal route will be subjected to the aggravations, inconveniences, time-consuming and expensive ordeals of a change of planes, change of carriers, and change of terminals.

Likewise, it affects the other end of the line, Florida, and that State's economy. In a broadcast over WTVJ Channel 4, Miami, Ralph Renick said: "As we see it, this is just not a matter to be debated solely between the

CAB and the three airlines involved. It is a matter of concern to this area.

"The airlines promote tourist travel, competition among the carriers," he continued, "has resulted in increased tourist promotion campaigns which have brought more travelers to south Florida. We think three airlines can provide better service than can two and the need will be ever more urgent in the future than it is now."

S. Boyd, Chairman of the CAB and a Miami attorney doesn't seem to agree. His was the deciding vote that resulted in the order to strip Northeast of the run.

But there are other things that must also be considered. Why, in this day and age of population explosion and continued expansion in the air carrier field, should a backward step be taken in "liquidating" a 30-year-old air carrier. Northeast distinguished herself in pioneering the North Atlantic route accompanied by many heroic rescues in the frozen north; played a noteworthy role in national defense; gratuitously carried more medical supplies from New York to Miami to pay for released "Bay of Pigs" prisoners than any other domestic carrier?

This is an unheard of case—the virtually putting out of business of a veteran airline by a Federal agency. Saddest of all, of course, is the tossing out of personnel, many of whom have played heroic roles.

[From the Boston Globe, Aug. 6, 1963]

SAVE NORTHEAST

Among the most striking picketing performances in this year of demonstrations was the plane flight over the vacationing President at Hyannis Port this past weekend dragging a sign urging Mr. Kennedy to save Northeast Airlines. The point it made cannot be too much emphasized.

The Civil Aeronautics Board's decision to deny Northeast the New York-Florida run will damage, if not destroy, an enterprise important to New England. Between 1,500 and 2,000 jobs are involved. Also raised is a key question: How much competition is desirable on air routes?

For it was to stimulate competition that Northeast, long operating in New England, received a temporary certificate for the Florida run, and began flying it in 1957. At that time its two competitors, Eastern and National Airlines, were making money. Seats for Florida often were hard to get; there were reports of ticket scalping.

By 1960, the three carriers were losing money. Eastern and National blamed this on excessive competition, but the preceding years had seen the coming of the jet age, which required the purchase of costly planes. The fact that Northeast was operating on a temporary certificate, good only for 5 years, greatly increased many of its costs. Its New England service was unprofitable.

Northeast went $43 million in the hole. It sought permission to reduce the number of its New England stops, but a CAB examiner found against its plea. Last April another held that Northeast should not keep the Florida run, but intimated that a third carrier on this line might be desirable. The company's financial troubles were given as the reason for the unfavorable finding.

On July 22 the Hughes Tool Co., owned by the multimillionaire Howard Hughes, announced it had written off $26 million of Northeast's debt and had assumed 80 percent control of the company. That appeared to restore it as a desirable competitor on the Florida run, especially as its share of the passengers had been gradually increasing. It carries 65 percent of those bound from Boston to Miami.

By a 3-to-2 vote, nevertheless, the CAB voted to deny Northeast a permanent certificate for the Florida run.

This ruling should be resisted in every way. When it is handed down formally, reconsideration should immediately be sought of the CAB. The courts should be asked to prevent this order from going into effect. The Department of Justice and Congress should be asked to determine whether the antitrust laws apply to the situation.

For the basic question is how much competition is desirable. Bostonians remember when there was too little, and the prospect of having only two carriers on the Florida run revives the likelihood of a return to days of unpleasant memory. The theory of the private enterprise system after all, is that competition produces efficient service.

New England cannot afford to neglect taking any step which may help keep Northeast on the Florida run.

UNCLE DUDLEY.

[From the Boston Globe, Aug. 2, 1963]

QUERY FOR CAB—IS COMPETITION GOOD OR BAD?

(By Peter B. Greenough)

The Northeast Airlines case refuses to drop itself. All morning yesterday my telephone rang with protests against the Civil Aeronautics Board. Above all, the question has been:

"Who can I write (in Washington)?"

To my surprise, practically none of the complaints were from Northeast's employees—although they are thoroughly incensed. Bulk of them represent indignant citizens who feel New England is being treated in high-handed fashion.

Loss of jobs is the major worry, for natural reasons. But no one yet has touched on another point, albeit philosophical, that has considerable bearing here.

Northeast is being forced out by the CAB basically on grounds that competition is a good thing, but too much competition is bad.

Moreover, a great many people in the aviation industry have gone along with this theory. Not just in private but openly.

It is a strange attitude, this defiance of the basic principle of a competitive, private enterprise economy.

Can anyone, so quickly, forget the lessons of the great price-fixing conspiracy in the electrical equipment industry? Or does business have two sets of rules—one where in public they resort to all sorts of rhetoric in defense of free enterprise, but privately where they agree and go along with divisions of markets and an easy doing of business?

Northeast, in essence, is being told that it doesn't have the right to fight for its own existence.

I bring these thoughts to the floor, first, because no one else has. And second, because somebody needs to show a sense of conscience here.

When a railworker, say, restricts output for one reason or another, businessmen never hesitate to call him lazy, misguided, a featherbedder or goodness knows what.

When a Government agency does something industry dislikes, it becomes "un-American" or irrational or what you will. But let somebody in business decide to restrict markets or output, or raise prices, then it is called "smart business."

Why must there be different types of languages for talking about similar situations?

Curiously, I find the companies (in commercial aviation, at least) who did the most crying about so-called conditions of overcompetition to be doing quite nicely lately (Eastern being the sole exception).

National has beefed about excess competition on the Florida run. Well, even before National got its southern cross-country routes, it was well into the black. Now National thrives.

Trans World Airlines complained about too many carriers on the North Atlantic. It has just reported the best second quarter in years.

Pan Am? Well, Pan American has pretty much kept its mouth shut about the opposition (except to hit the State Department for allowing landing rights to too many foreign carriers in this country). And today Pan Am comes forth with remarkable 6-months' earnings figures.

The most astonishing thing about Pan Am's gains lies in a reversal of the share of transatlantic traffic. It went up from 22.4 percent to 25.1 percent, the first such favorable showing since immediately after World War II.

Why? Part of the reason lies in sympathy. Not for an underdog, exactly, because Pan Am is no such thing. But because the line fought for lower air fares against Europe's consortium and thus won favor with air travelers.

Just possibly the same thing may happen—for a while, at least—with Northeast. The public likes an underdog. Especially one that refuses to give up in spite of the desperate odds.

[From the Keene (N.H.) Evening Sentinel, July 31, 1963]

BACK NORTHEAST

Passengers who have flown to and from New York on Northeast Airlines jet-prop Viscounts appreciate their speed and comfort. Regular travelers on the line also appreciate the vastly improved schedule inaugurated earlier this summer.

As a result of these moves, Keene is getting the best air service it has ever had, for along with Northeast's improvements we are also getting good schedules and comfortable equipment from Mohawk Airlines.

In short, until last Saturday, our air transportation picture looked brighter than it had in a long time. Then came news of a decision by a majority of the Civil Aeronautics Board to deny Northeast its permit to operate between New York and Florida and to return it to its former status of a subsidized regional carrier.

The 3 to 2 verdict was all the more shocking because, only days before it was announced, Northeast had taken a major step toward easing its acute financial difficulties. The Hughes Tool Co., in effect, lifted $26 million of debt from the line's books while adding to its stock ownership.

It was widely believed that this would put Northeast in a much stronger position to retain the Florida run and to meet its commitments to the New England communities it serves. Its competitors, in trying to knock Northeast out of the Florida business, had repeatedly cited its shaky financial situation.

The initial reaction of knowledgeable New Englanders to the CAB decision was one of dismay. For despite their differences with the line in the past, almost all believe Northeast offers the best hope of adequate air service in the region, and they wanted the line to hold its Florida run.

To appreciate how good Northeast's present Keene service is, one need only compare it to that which one of its competitors has proposed, if it should replace Northeast in New England.

Compared to Northeast's present three round trips to and from New York every day, National Airlines has proposed one. And the National schedule calls for a very early morning departure from New York to Keene, followed by a return morning flight to New York.

Such a schedule would make it impossible for a person to make a round trip to or from New York on the same day; moreover, many of the proposed flights in and out of Keene would have to be canceled because of the early morning ground fog which plagues our airport.

Finally, National's proposal calls for a stop at Hartford on each flight, while two out of Northeast's present three flights are nonstop.

This newspaper has often been critical of Northeast. But the line is giving us excellent service now, and it deserves local support and patronage so long as it continues to do so.

Under these circumstances, we share the view of many others in New England that the CAB decision should be reversed. We hope New Hampshire officials and organizations will lend whatever assistance they can to the line's efforts to achieve that result.

[From the Item, Wakefield, Mass., July 30, 1963]

New England Needs It

The concern of officials and others with the loss of Northeast Airline's Florida service is justified. One of the reasons for New England to be upset is that if the line is prohibited from continuing its flights to the South, air service in all the New England States may be virtually ended. This would leave public transportation in a poor state. Already there is no rail travel to speak of, except on commuter lines and on the longer runs coming into New England from the west and south.

Northeast is providing a service vital to New England, and the long Florida run is vital to Northeast. The arbitrary denial of the southern flight by the CAB warrants all the investigation that apparently is going to be made into it. Massachusetts Members of Congress have demonstrated that they will not sit idly by and allow the line to be damaged without making every effort to keep it strong and functioning to the best interests of the region. The very constitutionality of the CAB action is being strongly questioned.

We hope the efforts to retain Northeast's southern flights will be effective. Too much is at stake to have the airline, which as its name implies serves New England first and best, subjected to more harassment and difficulty than it already faces in the competitive business of commercial passenger hauling.

[From the Woburn (Mass.) Times, July 30, 1963]

Cutting Northeast's Wings

Northeast Airlines has held a temporary permit from the Civil Aeronautics Board since 1956 to carry passengers from Boston and New York to Florida.

Last week, a CAB 3–2 decision was announced canceling out that permit.

The disturbing factor for us is that CAB's own examiner recommended giving Northeast a permanent license to run that route, and his decision made after adequate study was thrown out.

Northeast has been in financial difficulties but last week Hughes Tool Co. refinanced the airline to the tune of $26 million.

We're not particularly impressed that allowing only Eastern and National Airlines to run the route would constitute a monopoly. They'd be enough competition between the two to remedy that.

What we are mildly exercised about is the seeming violation of section 102 of the Civil Aeronautics Act which imposes on CAB the clear obligation to maintain competition to the extent possible.

Northeast employs about 2,100 persons, carries half a million passengers to Florida each year. The company says it is doing well on the run. We know that Eastern and National would be happy to get the business—but that is beside the point.

The point is: Does Northeast's performance over 7 years warrant a permament license on the Boston-New York-Florida run. Taking a look at the entire picture, plus the recent refinancing, we'd say yes, and we'd add that CAB should stick to the rules—protect the airlines industry of the country, but don't try to run them.

[From the Gazette, Haverhill, Mass., July 30, 1963]

CAB Airline Ruling

Senators Edward M. Kennedy and Leverett Saltonstall deserve strong support for their efforts to save the lucrative New York-Florida runs for Northeast Airlines.

When the Civil Aeronautics Board ruled Friday that Northeast must cancel this run and leave the business to two other lines, the two Senators immediately moved to bring the matter to the official attention of the Antitrust Division of the Department of Justice.

The CAB decision came only 4 days after the Hughes Tool Co. had apparently rescued Northeast from financial troubles by writing off a $26 million debt and giving the line its first taste of solvency in years.

Now we have a Federal board ruling that only the big and rich companies can compete for the bookings for the New England-to-Florida runs that are increasingly attractive. "Compete" is hardly the word in this case, for the two lines will have to work hard to keep enough planes going to take care of the demands.

If the CAB has a ruling that only the powerful and the rich airlines can have the good routes, how is any airline going to expand and enter into honest American competition without reverting to politics and attempting to gain its ends through influence?

New England resentment against the CAB ruling is mounting, and with good reason. This is a New England-based line, with most of its executives and workers from this area. It provides jobs and revenue for many Massachusetts residents.

Northeast has not fully exhausted all the possibilities for promoting business within New England, but we could at least hope for regional improvements with a home-based line operating with new capital and increased incentive.

We see, instead, a Federal agency peremptorily ordering the line to cancel its most effective runs at a time when its future seems to be improving. This is a discouraging ruling, that the CAB will be hard pressed to justify.

Obviously, New England must unite and forget political and subregional differences, just as the two Senators submerge their party differences, to protest this and further onslaughts on New England business.

We cannot forget Haverhill is one of the many New England communities seeking further consideration from the Federal Government on one matter or another—specifically, at this time, a space electronics laboratory. Unless we work together, we are not going to be able to exercise the power we possess.

[From the News, Athol, Mass.]

Strange Decision

The Civil Aeronautics Board has decided to take from Northeast Airlines the right to continue its flights from Boston to Miami, which long have been maintained on a temporary permit. The Board's action, if confirmed, would reduce competition on this run and also would deprive Northeast of one of its lucrative routes. Northeast has been in financial difficulties.

This is a very strange decision, and one which is seriously questioned by both Massachusetts Senators in Congress. The question of violation of the Federal Antitrust Act by the Board has been raised.

This newspaper holds no brief for Northeast, but it is concerned by the apparent determination of a Federal agency to destroy an airline which is doing a satisfactory job in this particular field. The Board has been "thumbs down" on Northeast for a long time. The permit for the Miami run has been "temporary" since 1956. Why was it allowed to continue for 7 years before the Board could make up its mind?

[From the Pawtucket-Central Falls (R.I.) Times, Aug. 1, 1963]

A Shocking Subsidy

The Civil Aeronautics Board decision which takes the prime New York-Florida run from New England's Northeast Airlines doesn't make sense. Not only it doesn't make financial sense, it smacks of skulduggery.

It doesn't make financial sense because—

1. It takes from Northeast its lucrative winter revenue-producing link to Florida. That is important to Northeast which serves the New England tourist trade in the summer and Florida tourists in the winter. That North-South seasonal business makes a nice balance. That is true today as it was 5 years ago when the CAB gave Northeast a temporary permit for the New York-Florida route.

2. As to skulduggery, maybe it isn't really, but it might as well be. The CAB has said to Northeast if you stick to your New England activities, and let the two current operators on the Florida run split the market of nearly 2 million annual passengers and divide the revenue two ways instead of three, then CAB will give you (Northeast) a subsidy.

The subsidy proposal proves CAB hasn't learned anything from the farm mess. Here the CAB wants to pay the airline operators for not flying the southern route, just as Washington pays farmers for not growing crops. To New Englanders, that practice has never made sense.

If Northeast surrenders the New York-Florida run without a fuss and doesn't make money on the curtailed operations it won't be the loser, CAB promises. That is a shocker. It is as if CAB said to Northeast: "If you'll let us cut off your head we'll see that you get a fine funeral"—the taxpayer as the mourner.

Official toying with airlines needs some explaining. Five years ago Northeast was allowed to operate south from New York. There was need. Although there has been a heavy increase in passenger traffic hereabouts, the CAB reverses its Northeast stand.

Congress should take a dim view of the CAB with its subsidy and the throttling of a business and jobs in which New England stands in need. We think Senators Pastore and Pell and Kennedy and Saltonstall and Dodd and Cotton and all other members of the New England delegation in Congress should ask questions and get truthful answers.

[From Travel Weekly, Aug. 6, 1963]

Trade Wary Over Cancellation of Northeast's New York-Florida Routes

(By Don Knoles and Nathan Benezra)

New York, August 2.—A growing chorus of trade dissent this week greeted the CAB's decision to cancel Northeast Airlines' New York-Florida operating rights.

Most travel agents and tour operators, however, were hopeful that the two remaining carriers on the route, Eastern and National, would effectively take up the slack.

In New York, many agents and operators interviewed by Travel Weekly expressed fears that overall promotion of Florida as a vacation destination might fall off and that the peak-season demand for seats might become acute.

In Florida, resort owners sent off protests to the CAB, Congress, and the White House, warning that the loss of Northeast's services would "seriously stunt the State's tourist economy."

The Southern Florida Hotel and Motel Association said that "Northeast provided the competition which was necessary to bring about the lower rate structure which we need so badly."

In Boston, Northeast said it would continue to serve Florida until further notice and that details of an appeal of the CAB's 3–2 split decision would be announced shortly. The CAB expects NEA to end service October 1.

At the same time, Senators KENNEDY and SALTONSTALL of Massachusetts persuaded the Justice Department to review the case to determine if only "two carriers will limit competition and tend to a monopoly."

Washington observers, however, saw little chance of a reversal of the CAB decision.

Spokesmen for the beleaguered airline pointed that if the Board's ruling stands, it would mean that an annual $1 million outlay to promote Florida will be "washed down the drain."

This would include the current campaign to boost "Super-Guest Holidays." Northeast said "we are well on the way to selling 9,000 vacation packages for the summer-fall season, of which 82 percent are booked by agents."

Meanwhile, Eastern Air Lines said it "is now prepared to take all reasonable steps to help insure that transition from three to two-carrier service is accomplished without inconvenience to the public, including the honoring of Northeast tickets which may be in the hands of prospective travelers.

"We are ready to increase service on the east coast-Florida routes as required by the CAB during the next 5 years, without the usual time-consuming preliminary hearings on the need for such increases," Eastern Air Lines added.

Said National: "Whatever schedule adjustments are needed in order to meet public convenience will be made without delay and commensurate with traffic demands. This includes additional schedules, alterations in departure times and increased capacity in the form of extra sections. Unquestionably, we will increase our promotion."

Comments from tour operators offering Florida vacation packages:

American Express: "Had very little trouble getting seats with the three airlines serving the route. Six months from now we'll find out if this changes. Northeast had excellent service and a creative promotional program which will be missed."

Le Beau Tours: "Through its advertising, Northeast stimulated sales. The loss of the carrier on the route will reduce promotional exposure. We may have trouble in 1963–64 unless Eastern and National substantially add services, which they probably will."

Liberty Travel: "We'll miss Northeast's TV campaign promoting Florida. It was one of the best put on by any carrier for any area."

Stevens Tours, Miami Beach: "We need three carriers all year around. Agents booking Miami Beach packages have had enough trouble getting air reservations in the past. Northeast also did a good job of tour promotion."

Traveltyme Tours: "Two carriers are not adequate. At times in the winter, all three are hard-pressed for space. Northeast had an excellent promotion program which always stressed, 'see your travel agent.'"

[From the Boston Traveler, Aug. 6, 1963]

NORTHEAST'S FIGHT

It may be another 90 days or so before the Civil Aeronautics Board confirms its illogical "tentative" decision barring Northeast Airlines from flying its Boston-Florida service.

That leaves time for Northeast to put up a good fight for survival. Fortunately that fight has already begun, and is picking up big support. But the fight must be continued and expanded to carry the battle to the highest possible decisive level, if necessary, even if that means going to the Supreme Court.

It's encouraging to watch the way the push for Northeast's rights has been developing. From aerial trailers towed over the summer White House to Washington protests by Senators SALTONSTALL and KENNEDY and Governor Peabody, the stand taken against the CAB proves that Northeast has widespread backing. This is the little man's fight as well as the big man's—the fight of picket signs being displayed to President Kennedy on Cape Cod and of economic common sense produced by the Boston Chamber of Commerce.

If Northeast loses, we stand to suffer between 1,100 and 2,100 job losses in this area. Probably also we'll lose many of Northeast's short-haul flights north of New York. We'll lose business at Logan Airport. We'll lose travel convenience.

During the 7 years that Northeast has been flying the Florida route, the airline has been competing with two other carriers, Eastern and National. This route has been called one of the richest and most profitable in the country, but Northeast is said to have been hauling only about one-quarter of the passengers flying back and forth annually between Boston and Miami.

Can this be called unreasonable competition? Hardly. Yet the CAB would squeeze out Northeast (and also knock the airline out of the Washington and Philadelphia runs) on arguments involving over-competition.

It doesn't make sense, at least in the way New Englanders regard sensible economics.

If the CAB follows its "tentative" ruling with an official decision, Northeast can file for reconsideration. Then the real fight can begin, going to the courts if necessary.

Northeast now has financial stability for the first time in years. It needs the Miami run to maintain that stability. And Boston business—in fact, New England business—needs a sound and succesful Northeast Airlines in operation.

This is a battle that must not be dropped.

[From the Worcester (Mass.) Gazette, July 29, 1963]

THE NORTHEAST DECISION

It is getting harder and harder to know where economics ends and politics begins in the Civil Aeronautics Board's handling of the case of the Northeast Airlines, which serves New England points and Florida. The CAB's "tentative cancellation" of Northeast's Boston-New York-Florida route cannot now be explained in terms of economics alone; there is a strong hint here that the decision which absolutely stunned the airline was dictated by factors other than economics.

Northeast has apparently lost its busy Florida route only 4 days after the multimillionaire Howard Hughes, of the Hughes Tool Co., had rescued the line from the financial brink by writing off its $26 million debt. It seemed then that the Hughes' action would cause the CAB to think twice before taking from Northeast a route which the line developed into a highly popular one. Last winter, for example, Northeast carried 65 percent of the Florida passengers from Boston, and 40 percent from Philadelphia.

Last April, Walter M. Bryan, a CAB examiner, said that service down the east coast to Florida should definitely be provided by three airlines; he ruled out Northeast—leaving Eastern and National—only because, he said, the Northeast debt was huge, and the Hughes Tool Co. had then not made clear "what part of its financial ability, if any, will be forthcoming to sustain Northeast in the future should operating losses occur."

But Northeast's financial picture changed radically last week. Yet the CAB now offers to pick up a $2 million Government subsidy tab for Notheast if it confines its servives north of New York. But why should taxpayers pay such a subsidy if Hughes was ready—with the Florida run—to help put Northeast back on its financial wings?

New England—and Worcester, of course—has a strong sentimental and practical interest in Northeast Airlines. The shock expressed by Senator KENNEDY, Representative MCCORMACK, and prominent business leaders is felt throughout the region. Yet the issue is not merely one of Northeast's financial problems—past, present, or future, or even that involving three-carrier service to Florida, the issue is good air service for this entire area, including Worcester and Central New England. The decision requires New England to take a new and searching look at its air transport problem. The region must have effective air service.

This may seem a provincial viewpoint, but it is a viewpoint which New England, beset by transportation problems, must take on this issue. Meanwhile Eastern and National airlines are jubilant as they envision Northeast's Florida passengers riding with them. But if, as Bryan said earlier, the Florida route needs three lines, why not allow Northeast to continue, now that Howard Hughes is ready to gamble on the line's finances?

JAMAICA, N.Y.,
July 30, 1963.

Senator EDWARD M. KENNEDY,
Senate Building, Washington, D.C.:

Agree wholeheartedly that CAB decision on Northeast Airlines will limit competition and service severely as part-time resident Fort Lauderdale had traveled all three and am 100 percent in favor of Northeast service. With you and Senator SALTONSTALL all the way.

MRS. G. S. METZGER.

LEXINGTON, MASS.,
July 30, 1963.

Senator EDWARD KENNEDY,
Senate Office Building, Washington, D.C.:

CAB ruling criminal offense to free enterprise and American way of life.

KENNETH A. PETERSON.

WINCHESTER, MASS.,
July 28, 1963.

Senator EDWARD M. KENNEDY,
Senate Office Building, Washington, D.C.:

Ten million people of New England need Northeast Airlines to continue adequate service to this area.

RALPH H. BONNELL.

DORCHESTER, MASS.,
July 27, 1963.

Senator TED KENNEDY,
Washington, D.C.:

It is my personal opinion I disagree with the finding of CAB in the Northeast decision on permanent run to Miami. I strongly urge Northeast be given a permanent certificate. Advise antitrust law should be investigated in monopoly of said run.

LILLIAN V. TOBIN,
Employee, Northeast Airlines.

NEW YORK, N.Y.,
July 29, 1963.

Hon. EDWARD KENNEDY,
U.S. Senate,
Washington, D.C.:

Deeply appreciate your efforts to keep Florida flight rights for Northeast Airlines. Northeast has been giving excellent service much appreciated by the public.

ANDREW W. CORDIER,
Dean, school of International Affairs, Columbia University.

GEORGETOWN, MASS.,
July 29, 1963.

Senator EDWARD KENNEDY,
Senate House,
Washington, D.C.:

It is of utmost importance that the CAB change their decision re Northeast, Airlines franchise to Florida to affirmative vote.

For the good of the Boston, Mass. and New England area for economical reasons.

WARREN GEORGE.

IPSWICH, MASS,
July 30, 1963.

Senator TED KENNEDY,
Washington, D.C.:

Ipswich Chamber of Commerce wishes to voice its unanimous opposition to the rescinding of Northeast Airlines rights to the Florida run.

RICHARD MARC-AURELE,
President, Chamber of Commerce.

REVERE, MASS.,
July 26, 1963.

Senator EDWARD M. KENNEDY,
Senate Office Building,
Washington, D.C.:

We are all shocked at the terrible decision regarding Northeast Airlines. Urge you most strongly exert every influence to maintain full operation of Northeast Airlines between New England and Florida; any other course of action would be most unfair and unjust to everyone. Please reply 27 Harwood Street, Lynn, Mass.

Rabbi Dr. SAMUEL J. FOX,
President, Orthodox Rabbinic Council of Greater Boston.

BOSTON, MASS.,
August 1, 1963.

Senator EDWARD M. KENNEDY,
U.S. Senate,
Washington, D.C.:

Printed matter produced at our plant on Morrissey Boulevard for Northeast Airlines represents a substantial number of work hours. Boston men will lose if Northeast is refused Miami route. Also, beyond these personal considerations, Board decision seems to offend sense of fair play and free competition. Urge you continue your efforts to reverse decision and obtain permanent Miami route status for Northeast.

FRANK J. MCCUE,
Sales Manager, Recording & Statistical Co., Boston, Mass.

BOSTON MANUFACTURERS MUTUAL INSURANCE CO.,
Waltham, Mass., July 31, 1963.

Hon. EDWARD M. KENNEDY,
Senator from Massachusetts,
Washington, D.C.

MY DEAR MR. KENNEDY: Recent decisions of the CAB to revoke the license of Northeast Airlines charter to fly from New York to Miami has alarmed me. The Massachusetts and New England area should not be discriminated against in this manner. The decision of the CAB seems to me to be unwarranted, dictatorial, and tend to give a monopoly for such a rich charter to two large airlines.

While I believe the men on the CAB to be of high character, one could almost infer that there is an ulterior motive in this recent decision. I certainly urge you do your utmost to reverse this decision.

Very truly yours,

E. W. CARLSON,
Assistant Controller.

T. J. WALSH & CO., INC.,
Chelsea, Mass., July 29, 1963.

Senator E. KENNEDY,
Washington, D.C.

DEAR SIR: We feel that you should do all in your power to see that the CAB does not stop Northeast Airlines from continuing the Florida run thereby keeping New England air service in operation without more tax money to subsidize the line.

The State of Massachusetts will feel this drastic action in the loss of money earned and spent by the workers of Northeast Airlines.

Sincerely,

T. J. WALSH, Jr.

KOEHLER MANUFACTURING CO.,
Marlboro, Mass., July 29, 1963.

Hon. EDWARD M. KENNEDY,
Senate Office Building,
Washington, D.C.

DEAR SENATOR KENNEDY: I hope you will do everything possible to persuade the Civil Aeronautics Board to reverse its decision to restrict the operations of Northeast Airlines by canceling the Northeast routes south of New York City. This decision was unfortunate for several reasons. First, Northeast has been giving splendid service to Washington, D.C., and I cannot believe that New England will be as well off if we must rely on other airlines to provide this service. Also, the prospects are for growth of traffic to Florida and the Caribbean, which in time should allow enough traffic to support both Northeast Airlines and the other two carriers. Finally, the CAB decision apparently ignored the tremendous improvement in Northeast's financial situation, which occurred within the past 2 weeks and which greatly improves Northeast's ability to handle the routes south of New York.

It also seems ridiculous for the CAB to restrict Northeast and then to try to compensate by putting them on subsidy. If neither Northeast nor the other two carriers would require a subsidy through a continuation of Northeast's route to Florida, then cancellation of that route and provision of a subsidy for Northeast certainly seems to be a misuse of the taxpayer' money. On the other hand, if Northeast with its Florida route would not require a subsidy, but one or both of the other airlines would require such a subsidy, then we certainly would be better off to have the Northeast routes continued and to have the subsidy money go to the other airlines.

Sincerely yours,

R. R. RICHARDS,
Vice President.

Mr. KENNEDY. Mr. President, many of the editorials which have appeared in newspapers, which have commented on this important decision—such as the Wall Street Journal and the Evening Star—demonstrate that this is not merely a matter of peculiar local interest to the New England area, although it certainly does have the deepest interest for our area.

The editorials, articles, letters, and telegrams which we have received—and I have received many, and I know other Senators have also—came from throughout the eastern seaboard. The list of writers includes many people in Florida, who are concerned about the development of Florida as well as the development of the New England area.

I have received a number of editorials which discuss the effect this decision could have on the economy of New England, and of Massachusetts; and the effects it could have on employment as well as the effects it could have on the whole question of competition in air transportation on the eastern seaboard.

For these reasons, I think Senate hearings should take place.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. KENNEDY. I am delighted to yield to my distinguished colleague.

Mr. SALTONSTALL. I am very happy that my colleague has stimulated the discussion on the subject of the Northeast Airlines and its future. I wish to emphasize that I shall cooperate with my colleague as a Senator from Massachusetts in every way possible. I believe that other New England Senators, who perhaps were unable to be present tonight, because we could not get in touch with them, due to the lateness of the hour, are equally interested in stimulating a discussion of this subject, and quickly will join with us.

I wish to add a remark concerning the economic situation. I shall quote from the minority report of Vice Chairman Murphy and Member Minetti. They say:

> The record shows that this market—

Meaning the New York-Florida market or the New England-Florida market—

> has experienced a healthy, progressive growth averaging 1 to 5 percent per annum and now generates nearly 2 billion passenger miles and approximately 2 million passengers per annum.

They go on to say that certainly it is taking a step backward to have two carriers instead of three on this route.

So I hope the study that my colleague has suggested, by the proper committee in the Senate, as to the economic situation with relation to our whole New England structure, our business structure, our tourist structure, and our citizen structure, will prevail, and that this committee will have an opportunity to study the economic effect in New England.

I commend my colleague for stimulating such a study. I hope he will permit me to join him in the effort.

Mr. KENNEDY. I thank my colleague. I appreciate the point which the Senator has made about the deep interest in this problem by a number of New England Senators who are not able to be here this evening. They have certainly expressed a common interest and desire to improve air service to all New England. This is something which is certainly the concern of all of us here. We know this is a matter which has been taken up by the New England Senators, and they have all shown their interest. We will welcome their support, and look at this as a joint effort.

Mr. SALTONSTALL. I agree with my colleague, because it involves the prestige and economy of our New England area.

Mr. MUSKIE. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield to the Senator from Maine.

Mr. MUSKIE. I am delighted the Senator from Massachusetts has made this timely suggestion of a hearing of the Northeast Airlines case. In northern New England we have somewhat different reasons for concern with this decision. Our whole transportation picture in the field of air service is bound up and has been bound up for many years, in the fortunes of Northeast Airlines.

Several years ago, when Northeast was given the 5-year temporary franchise on the Miami route, I was happy, as Governor of Maine, to place the resources of Maine behind Northeast's application. We had been persuaded that if Northeast could acquire the Miami franchise, its economic position would be so improved as to permit the improvement of service to northern New England, and New England as a whole. Unfortunately, that optimistic picture was not realized, in the interest of Northeast in the Florida route, over the past few years. Nevertheless, we are still concerned with the need for air service in northern New England.

Mr. KENNEDY. Mr. President, will the Senator yield at that point?

Mr. MUSKIE. I yield.

Mr. KENNEDY. I think that applies not only to northern New England, but even within my State. It would apply in Massachusetts, for example, where there has been a termination of air service by Northeast, or at least consideration of termination or reduction of service in several cities such as New Bedford, Pittsfield, and Lawrence. This problem, as well, is a matter of concern in this requested study.

Mr. MUSKIE. I agree with the Senator. We place a slightly different emphasis on this case than we did 5 years ago. At that time we accepted the argument that a bigger and more profitable Northeast Airlines could afford to give us better service for northern New England.

We still believe that would be true. However, in light of the considerations which moved the Civil Aeronautics Board and the decision which it has announced, our emphasis is on the importance of providing for New England—and since I am from northern New England, particularly that region—adequate air service.

If, upon review, the Civil Aeronautics Board should reconsider its decision relative to Northeast, it should do so bearing in mind the importance of providing adequate air service to New England. If, on the other hand, the Civil Aeronautics Board is not persuaded to change its view relative to Northeast, it seems to me it is of paramount importance that the Civil Aeronautics Board immediately consider the problem of adequate service to New England.

I emphasize that because I think the Senator's suggestion for a hearing provides a most timely topic for the consideration of all these problems.

We have been a part of Northeast Airlines' fortunes for a long time. Northeast is a familiar entity to us. If Northeast and New England are to continue to live together to the profit of each, this is what we would like to see. But, at the very least, we would like to see at the hearings a consideration of the alternatives which are before the Board, and this Congress, in terms of service for northern New England.

I compliment the Senator from Massachusetts for his suggestion. I am happy to support him.

Mr. KENNEDY. I thank the Senator from Maine. He certainly has expressed an interest in an aspect of this whole problem which affects not only northern New England, but, very intimately, a question of traffic and transportation which exists within the State of Massachusetts.

We have received numerous inquiries from many of our communities which, in the past few months and years, have had a reduction in air service. They are equally concerned about the point which the distinguished Senator from Maine has emphasized—what will be the future air service for all of New England. I very much appreciate what the Senator has said in this regard.

Mr. MUSKIE. Mr. President, will the Senator yield for one more observation?

Mr. KENNEDY. I yield.

Mr. MUSKIE. I think the Senator's action and request are timely also because of the interests of the employees of Northeast Airlines. I appreciate the fact that in New England the bulk of the employees are from his State and that the number of employees of Northeast who reside in my State are relatively small in number. Nevertheless, they have an association with Northeast. So their economic future is bound up in the decision of the Civil Aeronautics Board. I think the entire problem should be gone into in the hearing which the Senator has requested.

Mr. KENNEDY. I am glad the Senator from Maine has mentioned this point, because this aspect of the problem, the future of job opportunities of these employees, is a matter of extreme concern to me. There have been indications by the president of Eastern Airlines, in Boston and elsewhere, that they would be delighted to absorb the great bulk of the employees of Northeast. The problem of whether Northeast is to survive as an entity includes a basic issue which applies to members of the Pilots Association and the unions that represent the maintenance employees and other people at the various bases of Northeast, namely, the problem of seniority. There has been no indication from any authoritative source at Eastern or National Airlines that they would be able to take these people with their seniority. In many instances, the pilots, for example, have 20 and 30 years service with Northeast, and have been flying the most highly sophisticated aircraft. Now, if Northeast were not to survive, they might have to go to copiloting a twin-engined plane. In spite of the statements which have been made about job opportunities and employment security for these people, this is a matter of greatest concern, certainly to me, and I know it is to the other Members of Congress from New England.

Mr. McINTYRE. Mr. President, will the Senator yield?

Mr. KENNEDY. I am pleased to yield to the Senator from New Hampshire.

Mr. McINTYRE. I have not been overly critical of the CAB decision because it has been in the back of my mind that it would perhaps open the door to better regional service than New Hampshire has enjoyed under Northeast. On the other hand, I, like the other New England Senators, have been disturbed by the possibility that, as was so carefully pointed out by the Senator, the people in his fine State and in New Hampshire would have their jobs jeopardized.

What we are primarily concerned with in New Hampshire is better and more effective transportation. We understand and realize that in the State of New Hampshire we have certain problems of terrain and of airport locations.

It was pleasing to me to learn of the great interest of Keene in a continuation of Northeast service to that city. As I understand, Keene is now receiving some Viscount service. This is important to us in New Hampshire. If I correctly understand the purpose of the proposed inquiry, it is aimed at trying to give Northeast every fair consideration. If the purpose of the inquiry is to give Northeast every consideration, I would be in favor of such a hearing. I have been impressed by the minority decision in the CAB hearing.

I am not a great flier myself, but I have enjoyed Northeast flights from Boston to Washington. They compare quite favorably with many other airlines whose flights I have experienced.

I also wish to note that my senior colleague from New Hampshire [Mr. COTTON], who has always had a great deal of interest in this matter, will be on the committee to which the matter would be referred.

Mr. KENNEDY. Does not the Senator from New Hampshire agree with me that if Northeast were given a strong trunkline which would provide access to the kind of lucrative market which exists between Boston and Florida points—and I am not speaking only of Miami, but also of the other cities in Florida—Northeast could be placed in a position, financially and economically, to provide better service for the New England areas?

Mr. McINTYRE. It is my understanding that this was the original position when CAB gave temporary certification to Northeast; namely, to enable Northeast to do an effective job in the region of northern New England.

Mr. KENNEDY. Yes. However, as the Senator has pointed out, that was a temporary certificate only. The Viscounts and other aircraft were bought since the temporary certification, and the credit situation in which Northeast found itself placed it in a prejudicial position from the very beginning.

The hearing examiner made the recommendation that there should be three lines to Florida, and if that recommendation were adopted, Northeast would at least be in a better position economically to provide the additional service. That is especially likely in view of the airline's efforts to revitalize itself financially in recent weeks—efforts which appeared to be making significant progress prior to the CAB's announcement of its proposed decision.

Mr. McINTYRE. I would sum up my position by saying that I am in favor of every consideration and every break, so-called, that Northeast can get. Primarily, what I am interested in is for New Hampshire to get good air service. Frankly, we do not have it today, and have not enjoyed it under Northeast.

Mr. MUSKIE. The Senator from New Hampshire has echoed my sentiments on this point. I should like to respond briefly to what the junior Senator from Massachusetts has said with respect to the ability of Northeast to provide adequate service to northern New England.

The traffic pattern in northern New England is such that adequate facilities must be subsidized, and they must be subsidized either from the profits of another route, such as a trunkline route to Florida, or, as is the case in other parts of the country, through subsidies by the Federal Government. These are the only two possibilities for providing adequate service to New England, because New England business will not provide the profits necessary to sustain adequate service.

Therefore I believe that one of the purposes of the kind of hearing that the Senator from Massachusetts has requested would be to probe the question: Is it possible to provide adequate service to New England if Northeast is given a permanent certificate, broadened sufficiently to provide expanded service, or must it be subsidized in other ways?

CAB's policy is violently and strongly against providing subsidies for local air service to trunk carriers. This has been the inflexible and unchanging rule of CAB. Subsidies are given only to carriers which are purely local service carriers. Northeast is not that now, although it was prior to the time that it was given a temporary certification for the Miami run.

Certain policy questions are involved; and it is timely and necessary that they be considered at such a hearing, because if the decision of CAB remains irrevocable, and the contemplated course of action is launched, there will be involved not only the fortunes of the employees to whom we have referred, but also the future of air service in New England as a whole.

Mr. KENNEDY. I would also point out that over the past 7 years Northeast has not been subsidized, thereby saving the Government many millions of dollars it would have received by way of a subsidy, as it had received in prior years. That was consistent with what CAB policy had been. If we are to minimize subsidies and maximize service, as the minority has pointed out so well, by providing a run to the South and other points outside New England, by giving Northeast a permanent certificate, Northeast would be better able to, should, and must provide additional service to northern New England, and to cities in the State of Massachusetts like Pittsfield, Worcester, New Bedford, and Lawrence. These areas are interested in this kind of service and deserve to receive it.

Therefore I join my colleagues in the Senate from New England in this request. It comes as the joint effort of all of us who are interested in the development of the New England area.

I wish to say one final word. The CAB was created by Congress. It is completely appropriate, therefore, that we in Congress should have the opportunity to review the consequences of what has been undertaken by CAB. It was created by delegated legislative authority from Congress, and is responsible to Congress for the exercise of that authority. Therefore I believe it is extremely appropriate and proper that this study be conducted.

ADJOURNMENT

Mr. KENNEDY. Mr. President, I move that the Senate adjourn until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 6 o'clock and 48 minutes p.m.) the Senate adjourned until tomorrow, Friday, August 9, 1963, at 12 o'clock noon.

HOUSE OF REPRESENTATIVES

THURSDAY, AUGUST 8, 1963

The House met at 11 o'clock a.m.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Hebrews 11: 13: *For Moses endured as seeing Him who is invisible.*

Almighty God, inspire us daily with a more glorious and glowing vision of Thy wisdom, Thy power, and Thy love.

May we go forth into the hours of this new day assured that Thou art the Supreme Ruler of the Universe and the guiding intelligence in the life of men and of nations.

Grant that this vision of Thy greatness and goodness may enable our President, our Speaker, and our chosen Representatives to bear up courageously under the weight of heavy burdens and responsibilities.

Help them to glory in their high vocation of being called to instruct and guide our Nation in the principles of law, liberty, and government.

Inspire us to cultivate our faculties of energy and enthusiasm as we strive to defy and defeat all the forces of evil which threaten the peace and welfare of humanity.

Hear us in the name of the Captain of our Salvation. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 2192. An act authorizing the readmittance of Walter Sowa, Jr., to the U.S. Naval Academy.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 6996. An act to repeal section 262 of the Armed Forces Reserve Act, as amended, and to amend the Universal Military Training and Service Act, as amended, to revise and consolidate authority for deferment from, and exemption from liability for induction for, training and service for certain Reserve membership and participation, and to provide a special enlistment program, and for other purposes.

The message also announced that the Senate had passed with amendments a bill of the House of the following title:

H.R. 5888. An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1964, and for other purposes.

The message further announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HILL, Mr. RUSSELL, Mr. STENNIS, Mr. PASTORE, Mr. BIBLE, Mr. BYRD of West Virginia, Mr. COTTON, Mrs. SMITH, and Mr. ALLOTT to be the conferees on the part of the Senate.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 1994. An act to authorize the disposal, without regard to the required 6-month waiting period, of certain waterfowl feathers and down from the national stockpile.

COMMITTEE ON FOREIGN AFFAIRS

Mr. MORGAN. Mr. Speaker, I ask unanimous consent that the Committee on Foreign Affairs may have until midnight tonight to file a report on the bill H.R. 7885.

The **SPEAKER.** Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

COMMITTEE ON PUBLIC WORKS

Mr. EDMONDSON. Mr. Speaker, at the request of the gentleman from Tennessee [Mr. DAVIS], I ask unanimous consent that the Committee on Public Works may have permission to sit during general debate this afternoon.

The **SPEAKER.** Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

COMMITTEE ON POST OFFICE AND CIVIL SERVICE

Mr. EDMONDSON. Mr. Speaker, at the request of the gentleman from Montana [Mr. OLSEN], I ask unanimous consent that the Committee on Post Office and Civil Service may have permission to sit during general debate this afternoon.

The **SPEAKER.** Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PUBLIC DEBT LIMIT

Mr. MILLS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 7824) to continue, for the period ending November 30, 1963, the existing temporary increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 7824, with Mr. O'HARA of Michigan in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Arkansas [Mr. MILLS] will be recognized for 2 hours, and the gentleman from Wisconsin [Mr. BYRNES] will be recognized for 2 hours. The Chair recognizes the gentleman from Arkansas [Mr. MILLS].

Mr. MILLS. Mr. Chairman, I yield myself 15 minutes.

Mr. ALGER. Mr. Chairman, I make the point of order that a quorum is not present.

The **CHAIRMAN.** The Chair will count. [After counting.] Evidently a quorum is not present. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 119]

Ashbrook
Baring
Barry
Battin
Belcher
Blatnik
Brown, Calif.
Celler
Colmer
Cramer
Daniels
Derwinski
Evins
Fisher
Fulton, Pa.
Griffin
Healey
Ichord
Jones, Ala.
Jones, Mo.
Kee
Kelly
Kilburn
Knox
Lindsay
McMillan
Martin, Mass.
May
Meader
Miller, N.Y.
O'Brien, Ill.
Pilcher
Powell
Saylor
Schenck
Shelley
Sikes
Smith, Va.
Steed
Trimble
Van Pelt
Weaver
Wharton
Willis
Wilson, Charles H.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. O'HARA of Michigan, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 7824, and finding itself without a quorum, he had directed the roll to be called, when 384 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

Mr. MILLS. Mr. Chairman, H.R. 7824, which we are now considering, provides for a continuation of the temporary debt ceiling of $309 billion that we voted earlier this year for the months of July and August. This bill extends that temporary debt ceiling of $309 billion for 3 additional months beyond July and August, that is, through September, October, and November.

Mr. Chairman, you will recall that the permanent debt ceiling is $285 billion and that the temporary ceiling of $309 billion, now in effect, expires on August 31. Mr. Chairman, I am sure it is quite apparent to all of us that we cannot operate the Federal Government with $285 billion of debt authority after August 31, while having a debt, in all probability, of $307 billion or $308 billion at that time. There does not seem to be any argument within the Ways and Means Committee on this point.

Mr. Chairman, the question raised in the Ways and Means Committee every time we have a debt ceiling before the committee is the amount to which we should adjust the temporary ceiling. It was thought by the majority members of the committee that it would be advisable in this situation to merely extend the existing ceiling of $309 billion for 3 additional months, which in all probability and in all frankness is, perhaps, as long a period of time in this fiscal year as a $309 billion ceiling will suffice.

The minority members of the committee, according to the separate views of the minority, do not question the inadvisability of not passing any ceiling increase for these 3 months. They recommend that instead of a ceiling that would suffice for 3 months that there should be provided a temporary ceiling which, in their opinion, would suffice for a period of 2 months. They are not willing, Mr. Chairman, to permit that temporary ceiling to be what it is today, $309 billion, for these additional 2 months of September and October, but they would require the Secretary of the Treasury to operate within a $307 billion ceiling.

On page 17, as I recall, of the report, in their minority views they maintain that the Secretary of the Treasury, in their opinion, could get by on a $307 billion ceiling for this 2-month period of September and October by drawing down the cash balance during that period of time. I will go into that in just a few minutes.

Mr. Chairman, I, no more than anyone else in this House, like to see the Federal Government have to continue to issue securities in excess of a previous high level. But we are talking now, in this bill, in terms of a period for a $309 billion ceiling of 5 months which are all in this fiscal year. That is the period of July, August, September, October, and November. And if Members will turn to table 3 on page 6 of the committee report, they will see what the situation, both from the point of view of expenditures and from the point of view of receipts, is likely to be for that 5-month period.

I should first point out that where it says fiscal year 1962, that means these months in the calendar year of 1962. And the lower estimated figures refer to the months of July, August, September, October, and November in the calendar year 1963. The table in the committee report should be corrected in that respect.

You will notice that the net receipts for these 5 months in this calendar year compared to the net receipts last year are a little in excess of $800 million over last year. You will notice also that it is estimated that net expenditures for this 5-month period will be some $600 million in the 5 months of the 1963 calendar year over the same 5 months in the calendar year 1962. You notice, too, that we expect for this 5 months of this calendar year that there will be a deficit, that is, our receipts will be less than our expenditures, by $8.7 billion in the 5 months of this year compared with $8.9 billion for last year, indicating, Mr. Chairman, that the situation for the 5 months of the calendar year 1963 corresponds generally to the situation that existed in the calendar year 1962 for the same 5 months.

What I am getting to, Mr. Chairman, is this: Here is clear indication not only to the Congress but to the American people of a situation that we face in Government in the first half of any fiscal year and that is that expenditures are always in excess of receipts then and this is true even when we operate on a budget balance for the entire fiscal year.

You will notice that the need of the Treasury, therefore, for this year, for these 5 months, is about $8.7 billion over whatever net debt we owed on June 30, at the end of the last fiscal year. We do not take in the money in revenues to equal what we spend in the first half of a fiscal year.

Mr. Chairman, regardless of whether or not Congress can succeed finally in adjusting appropriations to bring the fiscal year 1964 into balance, this situation for these 5 months faces us wherein we need to borrow additional money.

Now let me ask you, do we want to say to the Secretary of the Treasury that we are perfectly willing to give you authority for $307 billion but we are not willing to give you authority to borrow up to $309 billion for this extra month? Let us see if we want to do that, Mr. Chairman. What is involved in this decision?

The minority report in its table that I referred to on page 17 does not speak in terms of accomplishing this reduction of the $2 billion by reducing Federal spending, which I would like and everybody else would like in a practical, satisfactory way to see accomplished. But as they point out, the result is merely to reduce the cash balance of the Treasury. Look at the chart. That is the conclusion that you must reach because they refer to the fact that toward the latter part of October under a $307 billion ceiling the Secretary would have $2.9 billion on one day, $2.8 billion on other days, and end up the month with $3.7 billion.

Why, Mr. Chairman, is that not a sufficient cash balance for the Treasury to have? In the first place, $2 billion of revenue, of cash, is required to pay the bills that come to the Secretary of the Treasury for payment every 5 days.

Therefore, every week the Secretary of the Treasury is spending, and paying bills to the amount of approximately $2 billion. If that is all he had to do, we might say, on the basis of this upswing we have had in receipts, we might run the risk of getting by on this $307 billion ceiling. But there is more involved here, Mr. Chairman, in the management of the public debt than merely having the money on hand to pay bills.

Mr. Chairman, you will recall the statement that was made in the course of the consideration of this matter earlier this year when it was pointed out that debt management does involve more—far more than merely the payment of bills by the Secretary of the Treasury as they come due. Let me point out to you that in the figures and projections that the majority sets forth in its tables in connection with the majority statement, we are taking into consideration the fact that in the month of October, sometime in the early part of October, the Secretary of the Treasury will be required to borrow in new money—because of this condition that I pointed out earlier of expenditures exceeding revenues—he will be required to borrow in new money in the early part of October, $3½ billion.

It is also necessary for him in the last week of October to announce the refinancing of $7½ billion of existing indebtedness—$7½ billion in a rollover. All of that is involved in the ceiling that we fix—even in October.

Now it is possible that the Secretary could also run into some trouble some of these weeks during the month of October with respect to the issuance of these bills that are issued on every Thursday of every week in the year. The amount of $2.1 billion of money is borrowed on every Thursday of every week by the Secretary of the Treasury in what we call bills—90-day bills or 180-day bills. We could discontinue some of that in order to live within the $307 billion ceiling.

Now let us see whether we are willing to do it. What would be the effect of this discontinuing 1 week's rollover of $2.1 billion of these bills? If you discontinue it, it would have the effect of immediately reducing your short-term interest rate here in the United States. Already we are faced with the situation where the interest rate for short-term operations is less here than it is in the money markets of the world, and particularly in Canada and Europe. If we are to bring down, through this device of forcing the Secretary of the Treasury to so strap himself with his cash balance, the interest rate on short-term obligations would fall and we will have more money fleeing the United States, going to the money markets of Europe And what then happens? You have compounded a serious situation in our balance of payments and our flow of gold.

Mr. Chairman, let me point out once again to this group that there is more involved in the decision of what the ceiling on the Treasury's authority to issue obligations is than merely a question of cash balance or merely a question of the Secretary of the Treasury paying bills when they come due.

You are playing with dynamite when you force down the interest rates in this country through this device of the short-term obligations and reduce the supply of bills in the money markets of this country by over $2 billion, at a time when on securities in Europe of a like nature they can get a higher rate of interest.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I am happy to yield to the gentleman from Texas.

Mr. MAHON. I would like to say that I support the position of the gentleman from Arkansas completely in this matter. However, I would like to ask the gentleman a question. There is considerable unhappiness in the House over the fact that so frequently we are called upon to vote on the debt issue, the debt ceiling issue. We did it about eight times under President Eisenhower and we are doing the same kind of thing under President Kennedy.

Is it true that the Committee on Ways and Means is subjecting the House to unnecessary punishment in calling upon Members to vote so frequently upon an issue of this kind?

The people, to some considerable extent, misunderstand the real issue which is involved. Some of them do not understand that all of the money that the Federal Government can spend is money which has been provided for expenditure by the Congress by way of appropriations and otherwise.

So my question is, would there be a way to vote for a larger ceiling in order to settle this thing for a longer period of time without at the same time encouraging extravagance? Could this be safely and prudently done without doing injury to the cause of economy and good management? This situation troubles many Members, and I would like for the gentleman to comment on this particular issue.

Mr. MILLS. I would be glad to, and I appreciate my friend, the gentleman from Texas, raising it, because I was coming to it in just a moment.

Let me assure my friend, the gentleman from Texas [Mr. MAHON], that the membership of the Ways and Means Committee never likes to create a difficult situation for other Members of the House. It has no desire to do that.

Let me also assure the gentleman that I do not relish the responsibility as chairman of that committee in having to bring to the floor of the House more than one debt ceiling bill a year. Certainly I do not relish the idea even of bringing any debt ceiling bill to the floor of the House that provides for an increase in the authorization for a ceiling.

Let me remind my friend that we are today in exactly the same situation that we were in when we were before the House the last time, asking authority to fix the debt ceiling for 2 months in fiscal year 1964. We asked for that authority because then we could not tell what the ceiling should be for the fiscal year 1964.

The Congress has completed only two appropriation bills, as my friend, the gentleman from Texas, knows. We have completed the bill dealing with the appropriations for the Post Office and Treasury Departments and we have completed the appropriation bill dealing with the Department of the Interior, representing in total about 7 percent of the appropriations contemplated to be made. We have also before the committee a matter now on which the committee has reached no conclusions as yet which would affect the revenue side, as well as these unresolved issues on the expenditure side.

My friend, the gentleman from Texas and Members of the House generally, I hope, realize that I have as much desire as any Member of Congress to exercise through the debt ceiling such restraint as it can have and such influence as we can bring to bear on the planning and programing of expenditures in the executive department taking into account the efficient management of the public debt. I think, actually, that we can look back and perhaps conclude that there has been some influence brought to bear as a result of the fact that we have not in all instances yielded and given everything in the way of a debt ceiling that they want.

The gentleman will remember how it was handled last year. We handled it in anticipation of a balanced budget. When the balance did not occur in the budget, it was necessary for us to make adjustments. In other words, the Secretary of the Treasury would have had to have asked us, on the basis of such information as he had or such information as our committee had, to give him authority to issue securities up to about $320 billion for the remainder of this fiscal year, knowing no more about it than he knew at the moment or as my friend from Texas or any other member of the committee knew.

I do not think it is going to be necessary to have any such ceiling as that. I am hopeful it will not be. But before making that final decision I want to know more about the situation for the remainder of the fiscal year than I know today. I am satisfied my friend from Texas will applaud if in the process of taking this step it turns out in October or November or whenever we have to act for the rest of the fiscal year we may be able to get by with $315 billion instead of a ceiling of $320 billion.

I am not saying that we are influencing the rate of spending with a ceiling because it is quite clear that it does not work that way, but there can be pressures exercised and exerted. Those pressures are being exercised and are being exerted. The reason I say you cannot use this ceiling to bring about a reduction in spending, I think is quite clear to all of us. You can make them stop paying bills if they cannot issue securities.

The Republican members of our committee complained about the fact the Treasury did not need $309 billion for July and August. If they had gotten by for less than that, why? Because we ended the fiscal year 1963 in the hole to the extent of $6.2 billion rather than $8.4 billion. It made a difference in July and August in respect to the cash balance.

What if it had been the other way? I ask my friend today, what if we have miscalculated the estimates for the months of September and October? We would have merely compounded the situation that the gentleman says some are complaining about today. We would not be back in here with some degree of freedom on time of action, in either October or November. If we miscalculated we may be back here in September with another request.

If we could say to the American people today that we can get by on a $307 billion ceiling, by reducing the existing temporary ceiling from $309 billion to $307 billion, we are misleading them if they think for 1 minute that we have accomplished enough of a reduction here in appropriations for this fiscal year to bring about any such change in the requirements of the ceiling.

I think the membership of the House should consider the bill that is before it as in a sense a moral victory. It has been a long time since the Committee on Ways and Means has brought to you a debt ceiling bill for any duration that did not involve an increase. All we are bringing to you today is a bill to continue for three additional months a ceiling that has already been in existence for 2 months. I would think the membership of the House would welcome this as a moral victory at least.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Indiana.

Mr. HALLECK. There is no one of us who does not recognize that the Federal Government has to pay its bill. The gentleman spoke a moment ago about the fact that this is a device under which certain pressures against spending can be exerted. To my mind as of today that is the only value we can see in this operation. As far as I am concerned I would like to put some of the spenders on notice that they cannot break through the debt ceiling. The Congress is going to be here all year if necessary. As far as I am concerned I think the votes we had before ought to put some people on notice that they had better slow down.

Mr. MILLS. Yes, and the gentleman knows that even under the $307 billion ceiling that we had through June 30, not the $305 billion ceiling that the minority suggested, there was still a net expenditure reduction within that.

So it cannot be said that a mere fixing of a ceiling for this 3-month period of time will bring about these reductions in spending that the gentleman and I are concerned about. I do say to the gentleman from Indiana that over a period of time, which is what I was referring to, the fixing of a debt ceiling can perhaps exercise pressures with respect to spending, but it will not do it in a short 2 months and will not do it in a short 3 months. What is involved here is the payment of bills that have been undertaken and where work has been done on it, maybe over a 2-year period or over a 3-year period, whereas what we are paying in July, August, and September of this year represents programs that were begun 2 years ago, perhaps. The gentleman from Indiana is aware of that. But to the extent that we can make this debt ceiling exercise such pressures, the majority members of the Ways and Means Committee and certainly its chairman are going to see it is exercised and used in that way. However, there is a limit to the extent to which you can go, and that is what I am trying to call to the attention of my friends and others. It is not merely a question of paying bills that is involved in this, but we are dealing with balance of payments and with many other factors that go into the sound economical and efficient management of the public debt.

If the gentleman looks into this thing as closely as I know he has and will continue to do, I am sure he will agree with me that we do not want to cut off our nose to spite our face.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I will be glad to yield to the gentleman from Indiana.

Mr. HALLECK. I thank the gentleman for his usual courtesy. If I understand the gentleman correctly, he minimizes the consequences of the next 2 months. I could not quite go along with that. I think the next 2 months will be critical months with regard to our whole fiscal situation. I say that for this reason: There are authorization bills coming along and there are appropriation bills coming along. Some of these matters have come to the other body, and I understand that today they are going to restore a lot of money that I think was very sensibly and reasonably cut from the space program, in the appropriation bill. I think these next 2 months are going to be critical with respect to our whole fiscal situation, and I would again like to put some of the people on notice they cannot, willy-nilly, expect us to raise the debt ceiling without some real attempt to do something to curtail unnecessary and extravagant spending.

Mr. MILLS. The gentleman made the same statement that I have made repeatedly about this situation, but what I am trying to point out to the gentleman is this: that the fixing of this debt ceiling for these 3 additional months, only 2 as the motion from your side would propose, is not going to accomplish the reduction in present spending. If we want to refuse to authorize spending for next year and so on, we can take care of some of these matters as they come up individually. When I said that I am sure the gentleman would not want us to cut off our nose to spite our face, I am sure he would not want us to do something in the name of economy which would not result in the accomplishment of economy but would result in extreme difficulty, if not disaster, in some other areas of debt management, and in all probability would result in additional cost to the Federal Treasury through this action.

Mr. Chairman, I urge the adoption of the bill in its present form by the committee.

Mr. BAKER. Mr. Chairman, I yield 20 minutes to the gentleman from Missouri [Mr. CURTIS].

Mr. CURTIS. Mr. Chairman, I want to second largely what the chairman of our committee has been pointing out as the basic features of this debt-ceiling legislation. Indeed, it has both aspects that he describes. One, in long range it can be used, cumbersome as it is, as an effective way to bring about expenditure reform in the executive department, if it is the will of the Congress to have this expenditure reform. It also has the feature that the chairman pointed out where we have to be careful because we get into the problems of debt management, and if we were to squeeze this too tightly, it could bring this about.

There is no fundamental difference in basic philosophy between the chairman of the committee and what he has said here today and those on my side of the aisle who are seeking to squeeze a little tighter. It is a matter of judgment. Our side on the committee has been trying to point out why, in our judgment, with the same consideration for the values that the chairman pointed out, we can bring this down an additional $2 billion.

And we point out among other things in our minority views that when we suggested to the Congress last May, in a sense of trying to be fiscally responsible, that it could come down to $307 billion rather than up to $309 billion—that is, come down $2 billion—that indeed we were too generous. We gave too much of a margin. This administration ended up this fiscal year with $11 billion in cash. And I say here on the floor of the House, after my interrogation of the Secretary of the Treasury as to why they issued a particular bond issue on June 11, in light of what they must have known was going to be their cash position, that perhaps it was the fact that they did not want the debt to be as little as $305 billion. They had it at $306 billion with $11 billion in cash.

Mr. Chairman, I am going to discuss, if I may, three aspects of this question. First, is the size of the debt a worry? Secondly, to develop further, can the debt ceiling actually produce expenditure reform? And I was referring to that just now. And thirdly, develop to some degree the one loophole that we leave in even through a tight debt ceiling. I simply want to mention this and then come back to it. That loophole is this. We are talking about receipts from tax revenues. We are talking about expenditures of funds. We are talking about the imbalance between those two items which creates the debt that we must take care of in order to have the cash to pay these differences.

But there is a third factor. The Federal Government has a lot of assets and we can sell off these assets. Unfortunately, under the bookkeeping techniques of the executive department these do not show up. They show up actually as expenditure reductions. We need to get back to double entry bookkeeping so that we can understand that which is real expenditure reform and that which is indicative of the profligate son who inherited a vast estate from his forebears and continues to spend more money than he takes in; and he gradually sells off assets. Because what expenditure reform has been exercised to date by the executive department is not really expenditure reform. Rather, it is a selling off of these capital assets.

Mr. LINDSAY. Mr. Chairman, will the gentleman yield?

Mr. CURTIS. Yes.

Mr. LINDSAY. I thank the gentleman for yielding. I have one question. I am wondering whether in his presentation the gentleman will cover the point made by the chairman of the Committee on Ways and Means with respect to low interest rates and balance of payments. Some of my economist friends back home tell me that one of the key factors in the balance-of-payments problem is depressed interest rates. If interest rates can be raised it would be a major factor in correcting balance-of-payments difficulties we are in. The chairman of the committee as part of his argument made the statement that unless the House goes along with the committee bill there is the possibility of contributing to this problem, which we will all agree is a serious one. I would like to hear the gentleman's analysis of this point.

Mr. CURTIS. Yes. I was going to go into that.

I think the chairman is right. If we interfered in proper debt management—I think that is what the chairman was referring to—that what we have suggested to the Congress, if it were too tight so that it interfered with debt management, would have this consequence.

May I say I have no fear at all of imposing too tight a ceiling in our suggestion of $307 billion, because all the administration has to do is to cut back expenditure rates. This does not have to be completely in the future, as the chairman of our committee has suggested, although I must agree with him that when we are talking about the matter in total context it does have its impact much more in long-range expenditure plans than in short-range. But there is no question about the power of the executive department to exercise real expenditure reform, and if the Executive did do that, we would really be hitting at the basic problem of a loss in our balance of payments. Indeed, if we continue to market more Federal bonds than we are now in the market that we presently have, we are creating inflationary pressures; the climate which this creates is the very reason that our capital is going abroad. We have so much capital, actually, with so limited opportunities for profitable investment in this country, that we are having a net capital flow outside of the United States, and foreign capital which has been here is being withdrawn and going abroad. So that there is no question that the basis of this debt ceiling is directly involved in our balance-of-payments problem.

That is what I sought to point out in the speech I made on the floor of the House under special order last Monday, appearing on page 13333 of the RECORD, the balance-of-payments problem and how it fits into this problem we are involved in, of the debt ceiling.

I am satisfied that the judgment we are suggesting to this Congress, if the Congress believes—and this is very crucial—that expenditure reform is necessary—now, there are some who sincerely do not. The administration does not share the views of the chairman of the Committee on Ways and Means on expenditure. The administration believes that in order to move our society forward economically we must continue these high expenditure rates.

Secretary Dillon, in answer to my question, "Have you cut back your proposal in the budget that was presented to this Congress in January, your estimate of a $98.8-billion expenditure rate?" said, "No." Even though the expenditure rate by using the process of selling off capital assets was reduced to $92.6 from what had been contemplated at the January review to be a $94.3 expenditure level, nothing has been said by the administration toward cutting back their expenditure rate for fiscal 1964; in fact, quite the contrary. Mr. Dillon and Dr. Heller, the chairman of the President's Council of Economic Advisers, have argued, and I believe they are sincere in their belief, that on economic principle they must continue these high expenditure rates.

All I am asking for is some straightforward, honest debate, that those of us who disagree with this theory of planned deficits, who disagree with this theory that you can spend yourself into prosperity, and who firmly believe that we must balance our budget and that our Federal deficits lie at the base of our unemployment problem, lie at the base of our balance-of-payments problem—if the Congress believes that, then here is a technique where we can exercise this judgment and this warning, and the administration must heed it. But those of you, and I know there are many on the Democratic side of the aisle, who adhere to the administration's theory of planned deficits—yes, you should not follow the advice of the minority. Nor, indeed, would you follow the advice of the chairman of the Committee on Ways and Means. You would do what the gentleman from Texas [Mr. MAHON] suggested when he raised the question—Why not just have a big high ceiling? It used to be when we debated the debt ceiling that it was just an exercise in oratory. But a few years ago, some of us began to try to figure: Could you use the debt ceiling to produce expenditure reform or tax reforms? I think we found out that you can.

Let me get this a little into context with what our debt is. I will just read from my speech of Monday.

Mr. MILLS. Mr. Chairman, will the gentleman yield?

Mr. CURTIS. I am glad to yield to the gentleman.

Mr. MILLS. I do not see the gentleman from Texas on the floor at the moment, but I am sure the gentleman would have disputed your statement as to what he intended to say. The gentleman from Texas is not for big debts, of course.

Mr. CURTIS. I am glad the gentleman mentions that. I agree with the gentleman from Arkansas. Right after I said that, I began to realize there might be a misinterpretation. I know the purpose of the gentleman from Texas in asking that question was not that he advocated it because I think I know his philosophy which is very close to that of mine and the chairman on this business of the need for balanced budgets. But he was raising the question as to why we do come in so often. I would say the reason we do, if this is a device whereby putting the squeeze on, we can bring about expenditure reform, then you do have to tighten up. That is, you look at things and you try to be careful as to what you do.

Let me read this in context, if I may:

> The revenue side of our Federal budget has not kept pace with our increasing expenditures, to wit the national debt is now approaching the $309 billion ceiling and will move close to $320 billion in 1964 if we continue our rate of expenditure. This will be an increase of $34 billion of debt in 4 years from the $286.3 billion figure of 1960.

When this administration came in the debt was only $286 billion. I want to point this out. This amounts to $8.5 billion more debt per year.

I said further:

> This is in contrast to an increase of $27 billion in the 8 years of the Eisenhower administration or $3.4 billion a year.

The debt in 1952 was $259 billion.

> Neither record is good, but the Kennedy record is the worst in our peacetime history and more than twice as bad as that of the preceding administration.

These are matters of ratio. The Kennedy administration through Mr. Dillon and Dr. Heller and the Director of the Budget Gordon have said we have been presenting tight budgets to the Congress. I have said this is a misuse of the words "tight budget." I submit to the Members of the Congress that the administration is not forthrightly debating this issue. It should stop this attempt to confuse the public—the administration is not presenting tight budgets—it believes in this theory of increased spending—and if it does so believe, then let its spokesmen come forth with their arguments so that those of us who disagree can counter their arguments with our arguments. Then we can move forward with this debate and can come to some honest resolution on these questions.

Now I went on to say in the remarks I made on Monday:

> The Kennedy administration—

And I think you will all recognize this—

> has sought to allay the concern of the people over the rising Federal debt by a series of specious arguments.
>
> First. The administration hides and dissembles over the increase in the rate of annual debt increases which its fiscal theories have produced and refuses to estimate the further increases in the debt which will result from its planned deficits into the future.

Gentlemen, this is not just a deficit for 1964 that the administration is presenting to us. It is said that these are planned deficits that will carry on under the theory, which I think is entirely unrealistic, but under their theory will carry on until 1967.

I said to Secretary Dillon, "What will the debt be in 1963 under these planned deficits?" He said, "We have not yet estimated it." I said they should have if the deficits are planned. Actually, if we project the expenditure increases of this administration over those years, it will not be until 1972 that the budget would be balanced.

So, we are talking about an entirely different economic theory than any that has ever been presented to this Congress before.

Before we embark on this theory which I feel so deeply history and economics demonstrates is in fundamental error, at least have a forthright debate on it as to why the people who think we can spend ourselves into prosperity believe it, because if we pursue this course, in my judgment, our country is going down the drain as far as an economic power in the world is concerned.

Mr. Chairman, the second specious argument is that the administration seeks to relate the Federal debt as a ratio of gross national product and calls attention to the fact that this ratio has declined since 1946.

We have all heard that argument. The newspapers print it all the time. They do not print what I have to say to point out the opposite side any more than did they print what I said in my speech Monday. Note the year, 1946, is selected as the basis of this relationship. Should the ratio of the year 1946 be the goal of our fiscal debt policy? Certainly no reasonable man would seriously advance such an argument. Nineteen hundred and forty-six is the year immediately following World War II when perforce the results of the overwhelming deficit financing we resorted to in financing this war reached their peak. Does the 54-percent ratio of gross national product to debt in 1962 compare favorably to the percentage ratio of gross national product to the national debt during other peacetime periods in the 20th century?

It is about time that this administration faced up to the fact that there is a difference between a war economy and one based upon peace and I hope their ideas are set toward an economy based upon peace, not an economy based upon war. Indeed, it does not. In 1909 the ratio was 3.4 percent and this declined to 2.5 percent, and in my Monday speech I trace it all through the years up to the present to demonstrate that the very highest of this ratio in peacetime was 43 percent, and that was in 1940 after some vast expenditure programs of the Roosevelt depression years.

In 1946, immediately after World War II, the ratio was 128 percent and it has now declined to 56 percent.

I point out—and this is very important—that the bulk of the decline of this percentage was the inflation after World War II. That is no way to reduce the Federal debt ratio to GNP.

I want to point this out, that at the rate the administration is proceeding to reduce this ratio it will take 6½ years to reach a 50-percent figure and another 10 on top of that to even equal the peacetime high mark of 43 percent in 1940. This will be the year 1980.

Certainly this leaves little resiliency for these 17 years ahead of us in our fiscal posture in the event that we should have another major war or depression forced upon us.

So, this boasting that the Federal debt in ratio to GNP and the year 1946 shows an improvement, is an idle boast.

Mr. Chairman, we should be way beyond that point 17 years after World War II. It is tragic, a little short of tragic, that we are not down to a 40-percent ratio today.

The third argument that is specious is this: The administration relates the Federal debt to State, local, and private debts, and points out that these debts have risen faster than the Federal debt. Again, what is the year of reference? A peacetime year? A year we would choose as our goal for an optimum? No, 1946 is again taken as the year, the year which reflects the high watermark of extraordinary Federal deficit financing. Resulting from World War II. This is bad scholarship. The administration's scholars know that this is improper scholarship to use the year 1946 as a benchmark.

Again 1946 is taken as the year which reflects the high-water mark of extraordinary financing as the result of World War II. Also 1946 is the low-water mark of State and local expenditures and debt as well as private expenditures and debt.

So I traced in my speech the ratios that existed before World War II to show that all that is happening is we are just going back to some degree, but not the degree we should, to the peacetime balances that have produced the greatest economic growth of any Nation since the beginning of time. These are the ratios we should have in mind in order to come to the proper balance. This kind of specious argument is a most dangerous sort of thing.

Fourth. The Kennedy administration seeks to compare the Federal debt to private and State and local government debt in order to suggest a point which is untrue, that a large part of the Federal debt goes for capital investment against which there are marketable and economic capital assets.

We have all heard that argument. That has been carried faithfully by the press all around the country. The fact of the matter is most private and corporate debt goes to capital investment against which there are offset capital assets. That is true, I may say, of local debt. In fact, under most State constitutions it is required to relate to sewers that are built, or other facilities, roads or whatever it is. But, Mr. Chairman, we are all aware of the fact that the bulk of the Federal debt is tied to military expenditures which are not capital assets and which we must put on our books as $1. Certainly the defense of this country is necessary, but we cannot capitalize that in this same sense. This is a specious argument, an unscholarly argument, to be advanced to the people of the country to try to allay their concern over this high Federal debt we have been building up.

Fifth. The Kennedy administration is resorting to an argument I thought was discredited in the 1930's, namely, the size of the Federal debt makes no difference because we owe it to ourselves. This is probably the most specious and dangerous of all arguments advanced by the administration to justify its extravagance. First we do not owe it all to ourselves. Foreign holdings amount to $15.3 billion. Second, the $55.6 billion of bonds in Government investment accounts are moneys deposited by civil service employees for their retirement—$12 billion; moneys to back up the social security payments—$18 billion, and $68.8 billion of bonds are held by individual and corporate pension funds for the benefit of employees for their retirement.

Sizable sums are in sinking funds earmarked by businesses and individuals for building homes, factories, stores, and other plants from whence come the jobs for our people; $97.3 billion of bonds are in commercial and Federal Reserve banking systems to back up the purchasing power of everyone's dollar as well as earmarked for the million and one different programs the ultimate owners of these assets have in mind.

The most certain way to destroy the entire base of our society is to destroy the allocation of ownership of the debt securities in our society, private and governmental. Certainly we can have a complete redistribution of wealth by government fiat or a military coup based on the economic concept that debt is owed to ourselves without regard for the savings and efforts and planning that lies inherent in the present allocation of the ownership of the debt.

We have already heard these arguments. Is there any question in anyone's mind that the administration is pursuing a policy of deliberate, planned deficit financing, that does not concern itself with the size of the debt and the dangers involved? If the administration has a different theory, its spokesmen would not be advancing these arguments.

So, Mr. Chairman, it is this Congress upon whom the people of this country must depend. If it is not in accord with the fiscal policy of the administration the Congress must make up its mind, and here is an opportunity of expressing a contrary philosophy if the Congress believes in it.

Now, if we do not, of course, as I have said, we follow the other theory.

The second point I want to talk about is, can the debt ceiling produce expenditure reforms? This has been discussed and those are discussed in our minority views. I think the answer is that it has. You will see in our minority views in the table on page 12 for fiscal year 1963, the expenditure rates in the original Kennedy budget and then the four revisions, one in January, one in March, and so on. You will notice—and this is the interesting thing—that up until this Congress in its wisdom kept the ceiling at $305 billion in April instead of coming in with an increase—and I want to give credit to our chairman on this, because we did not accede to the administration's wish to increase it expressed in the President's message to the Congress—that was the first time we have seen a reduction instead of an increase in the expenditure levels. That is when we began to see this expenditure reform. I think we have proved the point that this debt ceiling can be used effectively to produce this kind of reform.

Now I want to come to the third aspect, which is the loophole, because the reform, such as it has been, in the expenditure area has been a bookkeeping device. Under the bookkeeping of this administration—and it is not just this administration, but it has been the practice in the previous administration, it is the way the Federal Government and the executive department has done it, and we need to change this—under the bookkeeping there is a single entry on expenditures. The Department of Agriculture can show on their expenditure side a $1 billion cut when actually what it is is a double entry of a $1.5 billion increase in expenditures, but they have sold off capital assets of $2.5 billion, giving what would appear to be an actual cutback in expenditures when indeed the reverse is true. This is the area that the administration has chosen first to move in for its expenditure reform.

In the hearings on the debt ceiling, on page 38, you will see the table of the estimated and actual sale of capital assets in fiscal year 1963. Note the increase of $1 billion in these sales.

Then beginning on page 39 I asked for the capital assets we have. I wanted to know how much can they dip into the assets through the business of selling off capital assets. I again remind everyone of the profligate son, the one who inherits vast wealth. He does not want to cut back his expenditures to conform to his income, but he starts selling off capital assets. In one sense, with my economic and political philosophy, I am very pleased to see the Federal Government do this, because I like to see Government get out of some of the investment they are in. But I want everyone to be aware of the fact that the administration could start selling off capital assets that it should not. I want to call attention to the hearings of the Ways and Means Committee on Tax Features of Land and Water Conservation Fund Act of 1963 and the the interrogation I had of Secretary Udall on how the administration was going to finance this program. I said:

> You also have a source of revenue sale of surplus property which I imagine you are referring to as land.
>
> Secretary UDALL. This is land; surplus real property.
>
> Mr. CURTIS. Do you have an estimate of how much you expect to gain from that?
>
> Secretary UDALL. Of course, this goes up and down.
>
> Mr. CURTIS. I understand.
>
> Secretary UDALL. Our average estimate here is $53 million.

In other words, just the average and not increasing the sales, they have been netting around $53 million a year from selling off land.

On page 34 I say:

> It would be good to have some idea of what all the present landholdings amount to.

Well, we ought to be finding out how much of this asset we have. We do not have any inventory of this that is realistic. We have $27 billion in surplus military property which we sell off at the rate of about $8 billion a year, I might say only realizing 4 or 5 cents on the dollar. We have the mineral stockpiles, the city real estate, the counterpart funds, the agriculture surpluses, and so forth. But even here I think we can feel, knowing this is a loophole which the administration can use to avoid real expenditure reform, that nonetheless this discipline is going in the same direction that those of us who believe in fiscal responsibility are seeking.

Mr. MILLS. Mr. Chairman, I yield 9 minutes to the gentleman from Georgia [Mr. HAGAN].

Mr. HAGAN of Georgia. Mr. Chairman, one of my chief concerns in approaching legislation dealing with certain expenditures of our Government has been the policies of our Government in dealing with certain countries of the world which benefit from our aid, which contributes to this public debt of ours. As our chairman so ably pointed out a while ago there is the danger of our balance-of-payments position.

Mr. Chairman, I appreciate this moment of indulgence on the part of the committee that I may express to the Members my personal satisfaction that our Central Government in Washington at long last has come to appreciate that trade is a two-way street.

The press reports that the Kennedy administration on Tuesday last told the European Common Market to rescind its new and virtually prohibitive tariff barriers on American poultry or suffer retaliatory loss of important U.S. trade concessions.

The reaction in the Common Market area is interesting indeed. We are told by the press that Common Market spokesmen in Washington and in Brussels "immediately issued bristling statements." One French newspaper even went so far as to say that rather than give in, the six Common Market countries would be justified in increasing their trade with Russia.

Mr. Chairman, it is indeed a revelation that our commercial relationships with other countries have reached such a state, that when we suggest that trade is a two-way street, we are confronted with a threat that our friends in Europe may prefer to deal with our common enemy, and certainly on the hard terms of the enemy, than to deal on an equal basis with us.

The rest of the world seems to regard Uncle Sam as "Uncle Sap" where commerce and trade are concerned, for we are always giving abundantly, and have asked but little in return.

This question confronts us: Have we overdone friendship? Have we carried friendship to such an extreme that it now is working to our disadvantage?

For three decades our country has been in the business of breaking down trade barriers in the confident belief that more trade makes more and better friends. We have reduced our own tariffs to such levels that in some areas they are now virtually meaningless.

Moreover, in the last 17 years we have opened up the Treasury of this country to strengthen the economies of the nations of the free world.

We have provided, in this covenant of friendship, $101 billion in foreign aid. Of this amount approximately 70 percent was in economic aid, and the remainder in military aid. In addition, we have sent billions of dollars worth of food to friendly peoples in other nations.

Mr. Chairman, we have carried this covenant of friendship to a point where we have endangered our balance of payments with other nations, and our gold reserves have dwindled seriously.

When the Common Market was organized in Europe the idea was applauded by many Members of this body. We are encouraged and pleased with developments that promised a stronger economic position for those nations involved. We want to do business with them—profitable business for us and for them.

In this connection, I recall a statement by the chairman of our Committee on Agriculture, the gentleman from North Carolina, Hon. HAROLD D. COOLEY:

> Ultimately, the friendship of nations, as it is with men, must thrive on exchanges—the relationship of buyers and sellers, with each nation sharing the profit and pride of production and commerce.

The gentleman from North Carolina, Chairman COOLEY, appointed me chairman of a newly formed Subcommittee on Poultry of the Committee on Agriculture, at the beginning of this Congress, and in this capacity I have followed closely the developments within the Common Market relating to poultry.

I say to this House that I cannot understand the thinking of the people in the Common Market. They raised the tariffs against our poultry from 4.8 cents a pound to 13.5 cents a pound, virtually destroying a $50 million market our poultrymen had developed in those countries of Europe.

Mr. Chairman, on June 6 in remarks before this body I pointed to the danger to our commerce involved. I warned that if the Common Market was successful in excluding our poultry, this would be but the beginning of wholesale exclusions of our products from European markets. I quote from my remarks at that time:

> In plain English this means we should erect formidable trade barriers against exports of products from the Common Market to us as they have to our poultry. After all, they have led the way in this exercise and apparently the only thing they understand is firmness.
>
> We should take prompt action, if positive results are not achieved, to raise barriers on those items like hams and wine and cheese and motor vehicles, and so forth, which they send to us and which are important to them. We have been patient long enough. If persuasion does not work, it is time to use a club.

Mr. Chairman, I am encouraged that the administration now has moved firmly to establish a fair and equitable relationship between the United States and the other nations of the world, in trade, in commerce. I commend those in authority who have made this decision.

Mr. Chairman, it is my hope and prayer that calm and sound judgment will prevail among our friends across the seas, and that they will join with us in hailing a new day in the business relationships between our nations and our peoples—for this is the soundest base for friendship and for the free community of the world to build its strength against the economic slavery of communism.

Mr. Chairman, I am inclined to go along with our distinguished chairman, the gentleman from Arkansas, WILBUR MILLS, and the distinguished members of the Committee on Ways and Means and continue this high debt limit a little bit longer, but I will be watching with careful interest the actions brought forth by these new policies.

Mr. FOUNTAIN. Mr. Chairman, will the gentleman yield?

Mr. HAGAN of Georgia. I yield to the gentleman from North Carolina.

Mr. FOUNTAIN. I want to commend the gentleman from Georgia for an excellent and forthright statement on a subject which is of serious consequence to the poultry producers of my own State of North Carolina. I hope the President will stick by his guns.

Mr. HAGAN of Georgia. I thank the gentleman from North Carolina very much.

Mr. DON H. CLAUSEN. Mr. Chairman, will the gentleman yield?

Mr. HAGAN of Georgia. I yield to the gentleman from California.

Mr. DON H. CLAUSEN. Mr. Chairman, I, too, want to compliment the gentleman from Georgia [Mr. HAGAN] for his timely remarks. Out in California we have a parallel situation in the poultry industry that he refers to. In Sonoma County, we have a community of poultry producers that has brought recognition to the city of Petaluma and its surrounding area as the "Egg Basket of the World." Many of these producers have joined with the turkey industry in developing a product recognized throughout the United States for quality and acceptance second to none. I have participated with the gentleman from Georgia [Mr. HAGAN], the gentleman from Arkansas [Mr. MILLS], and other Members of the House and Senate interested in protecting and expanding the market of our poultry producers in the Common Market countries, by alerting our colleagues to the adverse effect of present tariff policies and regulations established by our Atlantic community partners.

It is quite evident that one of these things must happen:

First. The Common Market countries must provide us with a clarification of policy, welcoming our produce for resale on a program that we can plan for.

Second. Expect remedial action by our negotiations in limiting the import of EEC commodities.

Third. Recognize the true facts of business and economic life. We have overplayed the potential of the Atlantic community and should concentrate our efforts in the future on the economic development of our neighbors of the Western Hemisphere, thereby enhancing our security and market potential simultaneously.

Our international commitments are changing rapidly as each day passes.

The complexity of the world problems requires an ever-increasing degree of alertness, flexible enough to meet the challenges confronting us, responsible enough to recognize our financial capacity, and yet responsive enough to an electorate that is dedicated to the preservation of a system of government destined to be the guideline for developing nations of our free world to follow.

The hope of all free people hinges on the fiscal integrity of this Nation. Each Member of Congress must recognize the overwhelming necessity to check the imbalance of payments internationally, to check the inflationary deficit-finance policies of our Government, and, most importantly, give recognition to the moral decay of a populace prompted by irresponsible foreign aid programs.

Mr. ALGER. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, I shall continue what has been presented so ably by our chairman and the gentleman from Missouri [Mr. CURTIS] and point out that we can exercise expenditures control through the avenue of debt ceiling, and that $307 billion is enough without cutting back the expenditures this administration holds are essential. By this action we are not telling them to cut back the appropriated expenditures, much as many of us might want to do that. If you will look at the report, you will see that we all agree that the $285 billion is unrealistic. Of course we do not advocate letting the debt ceiling expire and go back to that. But we are also aware that when the administration came before us and asked for an extension of 3 months, well into November, that indicates when we come to November, once again we will be forced to face up to the situation. We cannot turn our backs. Why not settle on $307 billion which is enough and look at the situation sooner, in October.

Who knows maybe we can go home a little sooner—that ought to please everybody.

I would like to direct the attention of my colleagues to the minority report that begins on page 11. I would like to point out, when we say we ought to cut back $2 billion, we know that that does not seem a lot of money when you are talking about $309 billion, but we also know as responsible legislators that no Member of this House can pretend that $2 billion is to be considered insignificant. We know it is important.

With reference to the minority views, I would like to touch on a few points that I feel have not been covered as fully for the RECORD as possibly they should be during this debate.

Mr. BOW. Mr. Chairman, will the gentleman yield before he goes further. There is one observation I should like to make.

Mr. ALGER. I yield to the gentleman.

Mr. BOW. There are many who join with us in attempting to reduce the budget of this year and in trying to control the spending of the Federal Government. But, I think it should be pointed out that about one-third of the expenditures comes about as the result of previous appropriations which are something that the Committee on Appropriations can do nothing about at this time. Last year the administration sent us a budget message showing a surplus of approximately $500 million. The appropriations were based upon that fact. The appropriations were made. By the end of the year, we were notified, that after November of last year, the deficit would be about $8 billion. Now there is nothing that the Committee on Appropriations can do about the appropriations that have been made based upon that $500 million surplus. Is this not one way in which we can correct the misinformation that we had last year, by a reduction of the ceiling to prevent the expenditures made on the basis of the incorrect budget estimate that came to us in January?

Mr. ALGER. I could not agree with the gentleman more; and I think that is directly what we are calling attention to here in advocating the $2 billion reduction.

Mr. BOW. So that those of us on both sides of the aisle who have been working diligently to reduce the budget can be of further assistance in this fiscal situation at this time by supporting the reduction of the debt limit.

Mr. ALGER. Indeed; and I would like to say to the gentleman and to all my colleagues regardless of their philosophy or their previous votes that here is one point on which we can all join together. We have learned a lesson that we did not know before, since our last debate on debt ceiling; namely, that a $305 billion debt ceiling would have been adequate. We know now that that figure was enough. But hindsight is always better than foresight.

We know now that since we were right before, we certainly can responsibly take this action because there was an $11 billion cash on hand and it was not just a matter of the first 6 months of the year as against the last 6 months.

There have been miscalculations, and now they can even be recognized, as we say in the report, as "financial juggling."

Needless to say, the taxpayers have to pay the interest on the funds thus borrowed notwithstanding the fact that some $10 billion of Treasury deposits in the commercial banks on June 30, 1963, did not draw any interest.

My colleagues, do you realize it costs the Treasury, that is the taxpayers, $33.3 million a year for each $1 billion of the debt? And we had $11 billion on hand. We could have cut that expense.

As the gentleman from Ohio pointed out, we went into this year on the budget for fiscal 1963 with a $500 million surplus. That was changed in the later midyear review to a $7.8 billion deficit and was later jumped up to $8.8 billion. But now we are told somewhat virtuously by the administration that it is not $8.8 billion deficit but $6.2 billion and that, therefore, they are being fiscally responsible.

Yet, at the same time the Treasury has built up a cash balance of over $11 billion. The administration apparently feels more secure when it has a lot of money in the banks notwithstanding that this is borrowed money that the Government pays interest on while the banks that hold these funds do not pay interest to the Government.

The basis for the administration's original miscalculation, it seems to me, must be remembered. There was an unrealistic revenue forecast made earlier in the year. Frankly, I think the high forecast was to justify some of the increased spending programs, which of course is the goal of this administration.

At this point I recognize the difference in viewpoints on spending and we are not trying to reduce spending; that is, the appropriated amounts, as much as I would like to. I am talking about control of rate of expenditure which is different than the appropriations procedure per se.

In any event, in this regard it is important to remember that there have been sales of certain assets. Here, again, we have been treated to a smokescreen of fiscal responsibility. We all agree that the administration should sell certain assets. This is responsible Government. However, by selling assets and adding to that extent further expenditures by Government and then calling it fiscal responsibility, we are being hoodwinked. It is profligate spending, more of the same that we have in the big budget this year of $98.8 billion. It is not fiscal responsibility.

Mr. Chairman, when I questioned Secretary Dillon, as to fiscal responsibility, the conclusion to be drawn is almost unbelievable. The picture was not one of fiscal responsibility but of deficit spending when they answered my questions to show that the deficit in 1962 was $6.4 billion; in 1963, $6.2 billion; and in 1964, $11.9 billion. Here we were talking about a deficit of $24.5 billion and saying this was being responsible. I say that is wrong. We can get along with less money under the debt ceiling.

Mr. Chairman, at this point in the report for the information of the members of the committee, we show those items that make up the $2.6 billion reduction in the deficit this year, on page 14.

Mr. Chairman, the real trouble, we feel, as we look at it—the 10 out of the 10 of the minority on the Ways and Means Committee—is that there is a tremendous built-in increased spending pressure by this administration which has brought us to this crisis and is going to bring us to new crises in debt and Government financing.

Mr. Chairman, just wait until November and see what the administration asks for in the way of an increased debt ceiling.

The real source of trouble is expenditure, but we have to leave that to the Appropriations Committee and that is not what we are doing today.

Then, Mr. Chairman, there is listed some of the expenditure program on page 15 of the report which comprises the built-in upward pressure, always for more and more increase in the debt ceiling.

The $98.8 billion budget this year has not been cut and it augurs, therefore, a deficit each year, after 1964, of $10 billion or more.

Mr. Chairman, we on the minority side say we are not going to be a rubber stamp for an unlimited public debt ceiling increase because we believe in expenditure control. We say that $307 billion is enough, even though this will reduce the cash position of the administration at its low point to just beneath $3 billion in October. It is for a very short period of time and any appreciable degree of effort toward control can alter that figure for sound financing.

Mr. Chairman, we substantiate our $307 billion ceiling with a chart which appears on page 17 of the report. When we talk about a closer control, mind you, we are not saying to cut back on your spending, as much as we would like to. We are not saying you are not going to spend the money that has been appropriated under the budgeted programs. On the contrary, what we are saying is that under the $307 billion, instead of $309 billion, the administration by exercising better control and efficiency in selling assets, as it is doing and will continue to do, can prorate their expenditures. By use of controls and the $307 billion will be an ample amount of money with enough cash but not an undue amount lying in banks drawing interest.

In conclusion, gentlemen, permit me to quote President Kennedy when he said, "Our children and our grandchildren have no lobby here in Washington." True, yet we are passing on the bill for them to pay. Why cannot we remember them and reduce the debt we pass on for our expenses today.

Mr. Chairman, I say let us be responsible and hold the debt limit to $307 billion.

Mr. MILLS. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. DENT].

Mr. DENT. Mr. Chairman, I have not been known as a supporter of this type of legislation over the years, but in this particular instance what we are doing, of course, is just calling upon Congress to carry out the necessary exercise required for the moment. So, I do not take the floor particularly to talk about that, but to mention a few other things which I think are of interest to the members of the committee.

Mr. Chairman, I understand from the daily press that this Congress and its Members—and I assume it means all of us—have been characterized as bagmen by a highly placed American representing that great business body of the country, the chamber of commerce, one Mr. Neilan, whom I understand also to be a banker from Maine. Bankers sometimes go about carrying a few bags themselves, as a group, in view of the many increases in interest and with higher rates than ever before in the history of this country or both the national debt and short term borrowing.

Probably they are the greater beneficiaries of the type of legislation we are passing today in reference to debt services. Anyway, we are characterized as bagmen. I want the record to show that the bag I carry from my district, containing the tax money collected from my people, is a larger bag and a heavier bag than I will take back with a few little pittances that may fall our way through the passage of ARA or other legislation aimed at alleviating a situation that is caused by events and occurrences beyond the control of the individuals who live in the district.

I believe this type of talk cannot possibly be a qualifying standard for a man to head the chamber of commerce.

He speaks for the U.S. Chamber of Commerce, known as the representative of business. I myself have been a member for years. Yet he mentions nothing about the bag that was picked up this year, the biggest bag in the United States, containing $2.8 billion of tax credits that this Congress voted at the insistence of the chamber of commerce, as credit for accelerated depreciation and allowing other tax credits. He says not a word about the bag they are trying to fill now with greater percentage cuts in business taxes in the new tax bill.

Mr. BYRNES of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. DENT. I yield to the gentleman from Wisconsin.

Mr. BYRNES of Wisconsin. I call the gentleman's attention to the fact that with respect to the investment credit situation the Congress enacted last year, it was done over the opposition of this side of the aisle.

Mr. DENT. Yes; because it happens we had the responsibility during the passage of that act. But if it had been mentioned or requested by big business at the time you were in the majority I am sure that we would have voted against it on this side and you would have voted for it. As has been said, we do not confine the phonies to either side of the aisle. It depends on whose ox is being gored, and which slaughterhouse has its doors open at the time.

I do not believe this Congress is any worse than any other Congress. Perhaps it may not be any better. Individually most Members try to the best of their ability to represent not alone their districts, but the welfare of the entire country. I am one of the firm believers that any type of government that is based upon good representation for your district, which in turn gives good representation to the people of the entire country, is a good government.

One of my predecessors at this podium a few minutes ago spoke about the Common Market and its action on the poultry tariff that was raised from 3.5 to 13.5 cents per pound. This is a result of the tariff bill also supported by the chamber. I might say to the Members that this man, Mr. Neilan, will soon be called upon to make his position clear on a question that is directly tied to these trade agreements, wherein this Congress will be asked to pass a new subsidy for $371 million. We will be asked to dig deep into the U.S. Treasury to provide $371 million as an added subsidy to the textile manufacturers of the United States. I would almost bet my interest in this Congress, as a Member of the Congress, that Mr. Neilan will support this type of bag legislation in which the taxpayers of my district, whose only concern is they may be able to get a job on a public works if we pass legislation over the opposition of those who propose legislation such as that which I have mentioned. If we give $371 million in the form of a subsidy to the textile manufacturers I would bet that the Chamber of Commerce of the United States will support it.

At that time I believe Mr. Neilan should be called before the committee or before any group interested in such legislation and we should ask him to show us the color of the money bag that he carries to his people, and we will show him the color of the little bag that we carry with legislation beneficial to those who, through no fault of their own, find themselves penitent beggars at the door of the Congress, asking for an opportunity to earn a living.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. Collier].

Mr. COLLIER. Mr. Chairman, no Member of this House, Democrat or Republican, has greater respect for the chairman of our Committee on Ways and Means than do I. In the same breath let me say, however, that I think our distinguished colleague, the gentleman from Missouri [Mr. Curtis], has very clearly and very concisely and very factually pointed out one important thing.

Mr. HALEY. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Seventy-four Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 120]

Auchincloss
Ayres
Baring
Battin
Belcher
Blatnik
Bolton,
  Oliver P.
Brock
Broyhill, N.C.
Cameron
Casey
Celler
Colmer
Cramer
Daniels
Evins
Fisher
Fulton, Pa.
Gathings
Goodell
Green, Oreg.
Griffin
Healey
Jensen
Johansen
Jones, Ala.
Jones, Mo.
Kee
Kelly
Kilburn
Knox
Mailliard
Martin, Mass.
May
Meader
Miller, N.Y.
Morse
O'Brien, Ill.
Pilcher
Powell
St. George
Saylor
Schenck
Shelley
Sheppard
Sikes
Smith, Calif.
Smith, Va.
Springer
Trimble
Van Pelt
Wharton
Widnall
Wilson,
  Charles H.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. O'Hara of Michigan, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 7824, and finding itself without a quorum, he had directed the roll to be called, when 375 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

Mr. COLLIER. Mr. Chairman, I might mention before continuing from where I left off prior to the quorum call that I am the last speaker. I offer you this for whatever inducement of convenience it might be to remain.

I pointed out that the gentleman from Missouri [Mr. Curtis] very clearly, very concisely and very factually pointed up the real issue involved in dealing with this legislation today. I compliment him also because in his statement he refuted facts and figures which otherwise might leave some dangerous misunderstanding as to our current fiscal situation. We all know the alltime record of the peacetime budget of $98.8 billion has been accompanied this year by a recommendation for a tax reduction which will probably reduce the Federal revenues by $10 billion.

I say, Mr. Chairman, unless this Congress exercises some fiscal discipline in the months ahead we are going to be faced with a series of legislative measures to increase the debt ceiling again and again in the next 6 months.

I would like to read, if I may, and I direct this in particular to my good friends on the Democratic side, a message that was sent to this Congress by a former President, still living, which I believe is apropos to this debate, particularly in line with the present administration's policy of planned deficit spending:

> It is my firm conviction that we should meet our expenditures as we go. A balanced budget now is just as important a mobilization measure as larger Armed Forces and allocations of basic materials. Hence, we should pay as we go because that is the way to keep the Government's finances on a sound footing. We are now strengthening our national security in order to meet whatever situation may arise in the future. Our Government financial policy, like every other part of our national effort, must be designed to leave us stronger, not weaker, as the years go by. If we pay for our necessary expenditures as we go along, rather than adding to the public debt, we will obviously be better prepared to meet our future needs whatever they may be. We could try to escape the financial cost of defense by borrowing but that would only transfer the financial problem to our children and would increase the danger of inflation with its grossly unfair distribution of the burden. The sensible and honest thing to do now is to tax ourselves enough as we go along to pay the financial cost of defense out of current income.

That was not a statement made by former President Eisenhower or former President Hoover as you might expect, but was in fact the message sent to this Congress by President Harry S. Truman on February 2, 1951. So we can readily see the difference in the philosophy that prevails today with regard to a balanced budget and the management of the national debt. I might add, on the strength of the philosophy expressed by former President Truman that perhaps the administration would do well to replace Mr. Heller with Mr. Truman in his present advisory capacity.

As you know, this bill before us today, if it is passed, will be the fifth time in the last 36 months that we have increased the national debt. I was interested in the comment that was made by the distinguished gentleman from Texas [Mr. Mahon], with regard to Congress acting on a longer range basis in establishing a debt ceiling. On the surface this would seem like a fiscally sensible approach to the problem, but on the other hand, as was pointed out by previous speakers, if this were done, I certainly would be most fearful that whatever control of Federal expenditures and debt management is involved in a shorter range establishment or a more frequent debt limit increase would be gone. Likewise, I also have a fear that the frequency with which we are obliged to increase the debt ceiling might well have a bad psychological effect not only on the Congress but certainly on the general public, because, going further and further into debt, as we have been doing in recent years, has actually become a way of life. I personally think it is a dangerous habit which does nothing more than foster fiscal immorality.

Mr. DEVINE. Mr. Chairman, will the gentleman yield?

Mr. COLLIER. I will be happy to yield to my friend from Ohio.

Mr. DEVINE. I am sure the Members of the House will recognize the consistent record of the gentleman from Illinois in opposition to deficit spending. With reference to the policy of this Government in operating our Government on a credit-card basis and the responsibility of this generation to the yet unborn generations with regard to debt financing, I wonder if the gentleman from Illinois would care to explode the theory that we so often hear from professors and others that we should not worry about the debt because we just owe it to ourselves. Would the gentleman care to comment on that?

Mr. COLLIER. Of course, the theory that we owe the national debt to ourselves is a rationalization, in my opinion, of the academic theory that we can go on spending and spending without regard to revenues. We have in recent years, as my good friend knows well, a breed of economists who seem to feel there is little or no relationship between Federal revenues and Federal expenditures. The fact that Congress itself has in recent years had, while not admitting to a philosophy of this kind, conducted itself accordingly is the very reason why we are here asking for an increase in the statutory debt ceiling.

Mr. DEVINE. I am sure the gentleman recognizes that the U.S. Government has an obligation to pay its just debts, but would not the gentleman agree that if for once the House would reject these consistent increases in the national debt ceiling—and I have been here for about 5 years, and I think this matter has come up at least half a dozen times in that period—if perhaps we would reject it on one occasion, then some of these free-spending, wild-spending people would take a second look before a program went through.

Mr. COLLIER. Let me say to my colleague from Ohio I believe there was a time in the past 3 years or so when a request for an increase in the debt ceiling was denied, not on the floor of the House, as I recall it, but where it was deferred for a couple of months. Just what the consequences would be at this point in the light of the good faith obligations of the Federal Government to deny an increase in the debt ceiling, of course, is problematical. It would depend largely upon the manner in which the Treasury Department chose to meet the debt management problem. However, I do think that the least this House can do here today is to support the recommittal motion that will be offered to establish the ceiling at $307 billion rather than continuing at the $309 billion which the legislation before us proposes.

I think the seriousness of our fiscal situation, while not directly tied to the legislation before us, but part of the overall picture that should be of very deep concern to every Member of this House as it should certainly be of deep concern to every American, is the situation we face in our gold reserves today. When one stops to think that in the year 1946, after World War II, U.S. gold reserves were in excess of $26 billion; and they have shrunk to an alltime low of $15.7 billion, then one gets some idea of the seriousness of our situation.

We all heard a year ago when the Trade Expansion Act of 1962 was presented that this was going to be the salvation of the rather serious situation in our gold flow. And here we are, many months later, having found no relief whatsoever in the Trade Expansion Act. Furthermore, there appears to be nothing on the horizon that would indicate that any further relief can be anticipated from the action which this Congress took a year ago.

When one stops to consider further that today foreign interests own or control some $22 billion in gold bonds and securities backed by the United States, then one gets a little better picture of the seriousness of our fiscal situation.

And today—and this is a rather sad statement to have to make on the floor of this House—if France and Germany were to press for dollar payments we would not be in a position, in light of our present gold reserve status, to even meet our good faith obligations.

Mr. Chairman, I would say in closing that here today, whether you are on the right or the left side of the aisle, you have an opportunity to display fiscal discipline and fiscal responsibility by voting to support the recomittal motion that will be offered momentarily.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield such time as he may require to the gentleman from North Dakota [Mr. Short].

Mr. SHORT. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

Mr. SHORT. Mr. Chairman, most of the debate this afternoon has been devoted to consideration of the need for maintaining the present debt ceiling level at $309 billion. Some reference has been made to the probable need to raise the debt limit to $320 billion at some future date.

It seems to me, Mr. Chairman, that we have failed to properly consider the purpose of a debt ceiling. It must be assumed that when Congress took the step of enacting legislation establishing a debt ceiling it was looked to as a device to provide a positive deterrent to excessive or improvident Federal spending.

Congress, in its wisdom, or lack of sound fiscal judgment, has authorized Federal expenditures when it knew these expenditures would require Federal borrowing beyond the debt limit. Subsequent to such irresponsible action by Congress, the debt ceiling has been raised by this same body because the argument ran that to not raise the ceiling would be irresponsible. Where does responsibility begin and when should it be applied?

If Congress is not to be restrained in its expenditures by a debt ceiling we might well be considering here today the repeal of this legislation which has not apparently had any effect toward economy in government. What we are doing here today is again putting a stamp of legitimacy on past irresponsible administrative and congressional fiscal policy and action. Any debt ceiling which is easily and conveniently changed by Congress serves no useful purpose.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield such time as he may require to the gentleman from New York [Mr. Horton].

Mr. HORTON. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HORTON. Mr. Chairman, I wish to state my objection to the bill, H.R. 7824, now under consideration. I am opposed to continuing the existing temporary increase in the public debt limit at $309 billion.

I recognize that the rejection of this measure by the House would lead to the public debt's being subject to the permanent statutory limitation of $285 billion on the expiration of Public Law 88-30. Because it is fiscally unrealistic to assume a reduction in the public debt amounting to more than $20 billion will occur between now and August 31, it is necessary that we pass another stopgap provision.

Therefore, I shall support the motion I understand is to be offered to recommit this bill to the Committee on Ways and Means with the instruction that it be reported back to the House with a $307 billion limit. Based on present figures and past experience, such a limitation on the public debt is adequate for the period in question, ending October 31, 1963.

When we debated this same subject just 3 months ago, I opposed increasing the limit to $309 billion. Rather, I favored and voted for the motion which would have held the limit at $305 billion. As is pointed out in the separate views of 10 members of the Ways and Means Committee in the report on H.R. 7824:

> Our position has been fully vindicated by subsequent events. The Kennedy administration closed the fiscal year 1963 with a cash balance of over $11 billion—the largest in our peacetime history—and with a public debt subject to limitation of only $306 billion. A debt ceiling of $305 billion—$4 billion less than the minimum this House was told would be required—was more than adequate to meet the Treasury's needs during the period which ends August 31, 1963.

Closer control over the public debt is an integral part of restoring fiscal soundness to this Nation. By imposing this control, we in Congress can show our responsiveness to the demands of the American public that the future of their children and grandchildren not be mortgaged to the Federal Government. We can compel the administration to take positive steps toward the balancing of the Federal budget.

Mr. Chairman, I appeal to my colleagues to decide this issue solely on the basis of fact. Clearly, every bit of economic evidence points to the defeat of this bill and in its place the adoption of a more realistic limit.

Mr. LANGEN. Mr. Chairman, we have before us a bill that has been called an extension of the present temporary debt limit. In so stating the issue, it is inferred that we are fortunate in not having to increase the debt limit and that economic indications and conditions have suddenly brightened. Nothing could be further from the truth.

This bill is not a continuation of anything. It actually represents an effort to increase the national debt limit, which has a statutory limitation of $285 billion. What we are really considering today is whether we want to increase the debt limit to $309 billion, an increase of $24 billion, on a temporary basis. It is assumed, of course, that the Congress will further increase the temporary limit before November 30 of this year.

I am sure all of us are elated by the news that the taxpayers of this country lost only $6.2 billion last year instead of the almost $9 billion that was expected. It must give our constituents great comfort to know that the hole we have been digging for them is not quite as deep as we thought it would be.

Let us not be confused about that socalled $2.6 billion saving over the expected deficit. Let us instead consider the estimate in January of 1962, when the administration told us we could expect a surplus of almost half a billion dollars in fiscal 1963. That is the true story of our present predicament—an error in judgment and planning of almost $7 billion.

Lest you get the impression that I am blaming only the administration for this faulty thinking, let me recall a statement I made here earlier this year when last we considered raising the debt limit. I stated then, as now, that no administration, regardless of who is President, can spend money that has not been appropriated. A request from the President or his economic advisers, or any department or bureau, does not give the Congress an excuse for shirking its responsibilities. That is why a debate such as this today, as futile as it may be, serves a valuable purpose in once again reminding us that we can and must do better when we consider future appropriations.

It is unfortunate that we must gather here today to consider another change in our debt limit—the sixth such increase we have been asked to sanction in less than 3 years. I realize, as does most everyone, that the Congress must face the responsibility of providing the moneys that have been appropriated. You cannot appropriate funds with one hand and snatch them back with the other. But I object to the piecemeal system we have developed in meeting this recurring problem. I simply am not satisfied with a bill that does nothing but increase the national debt limit for a matter of a few months with the expectation that we will be right back to automatically increase it again and again and again. This is nothing but bankruptcy on the installment plan.

Rather we should stop this nonsense and take a long, hard look at the entire problem. As we saw earlier this year, it is becoming increasingly difficult to pass debt limit bills, because, I believe, we finally realize that it has to come to an end sometime. This should be the moment to decide just how far we are going to permit this situation to continue. It is time to set a realistic final figure and serve notice to everyone including ourselves that as far as the House of Representatives is concerned, this is it, that we cannot and will not go any further.

It is my humble opinion that red-ink spending is having a damaging effect on our monetary system that has not been sufficiently appreciated before. Budget deficits have a direct relationship to the balance-of-payments troubles we are now experiencing. It is not a bit unreasonable to assume that we could improve the competitive position of this country, increase confidence in the dollar, and thus help stem the gold flow by simply eliminating budget deficits.

We saw another danger signal during this past month when our Government had to go to the International Monetary Fund to borrow money. Positive action now on holding the lid on our national debt would go a long way toward stabilizing the American dollar and renewing our fiscal respect among the nations of the world.

A national debt ceiling should be a danger sign, a warning to the various segments of Government that economy should be practiced. The bill before us today seems to encourage the departments and agencies to spend at an even faster rate. There is opinion that the Federal Treasury can live these next 3 months with a debt limit considerably lower than the $309 billion requested in this bill. As long as we have permitted only to consider an increase for a few months, we at least should set a realistic figure.

Of course, we all know that today's action is merely a forerunner of the whopping debt ceiling increase we will be called upon to consider, again on a so-called temporary basis, come November 30. By that time we should know the fates of the tax reduction bills and the amounts approved in various appropriations bills. By then it is hoped that we will all know how far in the hole this Government plans to go during this new fiscal year. Apparently it is not a question of whether there will or will not be a deficit, but only how many more billions of dollars we will pile onto it.

The administration assumes that enough of us will be around late this fall to constitute a quorum, so come Thanksgiving time we will be expected to file in meekly and present our constituents with what I suspect will be the biggest turkey they have ever seen. We will probably call it "Pilgrim's Progress."

Mr. McCLORY. Mr. Chairman, I wish to associate myself with the remarks of the gentleman from Missouri [Mr. CURTIS]. In addition, I want again to emphasize the need for improved congressional machinery for handling the fiscal business of our government.

The Congress has yielded too much of its authority in fiscal matters to the executive branch. A workable and adequately staffed Joint Legislative Budget Committee should be created to review fully the projected revenues and expenditures of the Federal Government. Appropriations should be measured in the light of income, and an overall analysis of our Federal obligations and receipts should be made.

This authority is consistent with the constitutional prerogative and responsibility of this legislative branch of government—under our system.

Mr. LINDSAY. Mr. Chairman, I have listened carefully to the debate today, and I am intrigued to find very little difference in general point of view between the distinguished chairman of the Committee on Ways and Means and the minority members. The committee bill seeks to extend the present temporary debt ceiling of $309 billion for 3 additional months, ending November 30, 1963. The minority substitute would cut this figure by $2 billion, bringing it to $307 billion.

Some members of the minority side, I take it from the debate, would not even agree to the $307 billion and will therefore vote against a motion to recommit the committee bill with instructions to report back a temporary debt ceiling of $307 billion.

It seems to me that the substitute bill as embodied in the motion to recommit is responsible and desirable. Let us look back a bit. Fiscal year 1963 closed with a debt ceiling of $305 billion, which turned out to be $4 billion less than the minimum the Congress was originally told would be required. It turned out to be more than adequate to meet the Treasury's needs during the period which ends August 31, 1963.

Some of this tightening may well have been caused by our insistance on May 15 that the temporary debt ceiling be held, at that time, to $305 billion.

The administration bill on that occasion, which increased the debt ceiling to $309 billion in two steps, passed by a margin of nine votes. It seems clear that the executive branch took heed of the congressional warning that fat would have to be squeezed out of the budget and priorities established. For example, a few weeks ago the House of Representatives made some important and necessary cuts in the space program. Most of us agreed that these cuts could be made without in any way prejudicing the United States in the race for space. And yet it now appears that the Senate will restore the amounts that were cut, acting under administration pressure. By stating our views on the debt ceiling, we serve notice that we expect the Executive to keep a tight rein on the taxpayers' money in these massive areas of expenditure, particularly space and defense which represent over 60 percent of the budget.

We serve notice also that we expect better management and less pork barrel in matters such as the area redevelopment program.

At the time of the May 15 debate, I stated that it had been demonstrated that the Executive could live within the minority substitute. That proved to be the case. It can do so again with respect to the minority substitute being offered today.

If the substitute bill offered by the minority fails of passage, there will be a vote on final passage and, as I did in May, I intend to vote "No." I shall do this as, once again, there will be ample time for the executive branch to come back to Congress if it should find, in fact, it cannot live within the bounds that we set. I will be the first, on such an occasion, to make an upward adjustment. But Congress, as an independent branch of Government, at least has the obligation to state its position very firmly.

This is the fifth time in 2 years that the Treasury has come to Congress with requests for new borrowing authority. Each time Congress has given the Executive exactly what it has asked. The minority substitute in this case is a fair compromise and one that will allow the machinery of Government to keep going, while serving notice that we expect the administration to establish priorities of importance and to stick with them.

Mr. ANDERSON. Mr. Chairman, it seems to be an underlying assumption in today's debate that if the House passes this bill everything is going to be all right. The Nation's financial problems will be solved for another 3 months. We can all relax again, and the heat will be off the administration.

What a thoroughly fallacious assumption this is. Everything is not going to be all right, not by a long shot. The central fact remains unchanged that the crushing burden of indebtedness, which the measure at hand fosters and augments, constitutes a mortgage on the future of our children, a legacy for which I am sure they will not thank us.

And so I have listened very carefully as proponents of this bill presented their arguments, but I have listened carefully for one thing which I have not heard, explained not at any time in the course of this debate. Why is an extension of the temporary ceiling necessary? What possible justification is there for this step? I do not mean to ask, Why would it be convenient for the administration if we were to pass the bill? That is a very different question, and one for which we have had no lack of answers presented.

If the administration is as deeply concerned about the dismal condition of the Nation's finances as we have been told it is, why has it not taken meaningful action to curtail its spending rather than to ask us to extend the temporary ceiling. This question becomes particularly relevant in view of the fact that this is the second time this year that the Congress has been called on to extend a so-called temporary debt ceiling. Perhaps the idea is that if Congress is called upon to extend the temporary limit sufficiently often, it will do so automatically after a while, and the permanent ceiling—an inconvenient, embarrassing thing—will be forgotten.

But I do not think that the American people will forget, nor do I believe that they will be deceived by any attempts to hide or disguise the fact that the administration is engaged in a deliberate policy of fostering planned deficits. That it cannot possibly look forward to a balanced budget before the end of the present decade if its current policy of increasing expenditures and decreasing revenues is carried out. I do not believe that the American people will fail to draw the obvious conclusion from the fact that their fiscal affairs are being so mishandled by their elected representatives.

Perhaps the administration believes that the public will be so beguiled by the long-promised tax cut that it will fail to observe the headlong irresponsibility with which its affairs are being conducted. But, Mr. Chairman, I do not think that the electorate is so easily pacified that it will fail to observe that a tax cut, unaccompanied by an equivalent cut in Federal spending, which is what the President desires, can only have the effect of increasing the upward spiral of public indebtedness.

Mr. Chairman, this endless cycle cannot be permitted to continue. National and individual welfare demand that it be brought sharply to a halt—and soon—and that a long overdue program of balancing expenditures and revenue be instituted. I submit that there is no time like the present, no measure more suitable than the one now at hand to get this program underway.

To borrow a phrase, "Let us begin." Let us defeat this bill.

GENERAL LEAVE TO EXTEND

Mr. MILLS. Mr. Chairman, I ask unanimous consent that those Members desiring to do so may extend their own remarks at this point in the RECORD on the pending legislation.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. BYRNES of Wisconsin. Mr. Chairman, the Republican position on this bill is well expressed in the separate views of the Republican members of the Ways and Means Committee submitted as part of the committee report. I include them in the CONGRESSIONAL RECORD at this point:

SEPARATE VIEWS OF THE REPUBLICANS ON H.R. 7824

PRELIMINARY STATEMENT

The undersigned members of the Committee on Ways and Means oppose the enactment of H.R. 7824. As a substitute we will offer a motion to provide a temporary debt ceiling of $307 billion for the period ending October 31, 1963.

Under existing law, the temporary debt limitation of $309 billion expires on August 31, 1963. The act (Public Law 88-30) providing for this limitation became effective on May 29, 1963. At that time we offered an amendment to extend indefinitely the existing debt ceiling of $305 billion. Our position has been fully vindicated by subsequent events. The Kennedy administration closed the fiscal year 1963 with a cash balance of over $11 billion—the largest in our peacetime history—and with a public debt subject to limitation of only $306 billion. A debt ceiling of $305 billion—$4 billion less than the minimum this House was told would be required—was more than adequate to meet the Treasury's needs during the period which ends August 31, 1963.

DISCUSSION

Administration request is based on inflated budgets and padded debt requirements

The Kennedy administration has made a record before the Congress of miscalculation and financial "juggling" in estimating both budgets and debt requirements.

In the consideration of Public Law 88-30, the Kennedy administration insisted that a debt ceiling of $309 billion was the "minimum" which would meet the Treasury's requirements through August 31, 1963. It has since become obvious that the Republican substitute of $305 billion would have been adequate. The Treasury has been borrowing funds in excess of its current needs. Needless to say, the taxpayers must pay interest on the funds thus borrowed, notwithstanding the fact that some $10 billion of Treasury deposits in the commercial banks on June 30, 1963, did not draw any interest. It costs the Treasury on the average $33.3 million per year for each $1 billion of debt outstanding.

Congress was first submitted a budget for 1963 showing a surplus of $500 million, with an estimated public debt at the end of fiscal year of $295.2 billion. Once the 1963 appropriation requests had passed the Congress—and only after the November elections—the Kennedy administration felt it was no longer necessary to preserve the fiction of a balanced budget. At the midyear review (November 13, 1962) the fiscal 1963 budget was revised to show a deficit of $7.8 billion. No estimate was made of the debt at that time.

In January 1963 (fiscal 1964 budget) the 1963 deficit was revised upward—this time to $8.8 billion with an accompanying public debt of $303.5 billion. Up until a few weeks before the close of the fiscal year, the administration was still forecasting a deficit of that magnitude. Now, the Congress is told the deficit is "only" $6.2 billion. Meanwhile, the public debt has increased from $295.2 billion to $306.1 billion, or an increase of $10.9 billion. At the same time, the Treasury built up a cash balance of over $11 billion for future spending. The administration apparently feels more secure when it has a lot of money in the banks, notwithstanding that this is borrowed money on which the Government pays interest, while the banks holding these funds do not pay interest to the Government.

TABLE 1.—*Fiscal year 1963*

[In billions of dollars]

	Kennedy budget [1]	Revision [2]	Revision [3]	Revision [4]	Revision [5]	Actual	Change from beginning (+) or (–)
Budget receipts	93.0	93.0	85.9	85.5	85.5	86.4	–6.6
Budget expenditures	92.5	93.0	93.7	94.3	94.3	92.6	+.1
Surplus (+) or deficit (–)	+0.5	0	–7.8	–8.8	–8.8	–6.2	–6.7
New obligational authority	99.3	+100.0	102.2	103.2	103.2	101.2	+1.9
Public debt at end of year	295.2	294.0	(6)	303.5	305.3	306.1	+10.9

[1] Contained in fiscal 1963 budget message, released Jan. 18, 1962. Applicable on Mar. 13, 1962, when debt limit was increased from $298,000,000,000 to $300,000,000,000.

[2] May 31, 1962—at this time limit increase from $300,000,000,000 to $308,000,000,000 to drop to $305,000,000,000, $300,000,000,000, and $285,000,000,000 was being considered (increase became effective July 1, 1962).

[3] Midyear review (Nov. 13, 1962)—released 1 week after 1962 congressional elections.

[4] Contained in fiscal 1964 budget message, released Jan. 17, 1963.

[5] May 1, 1963—at this time debt limit increase from $305,000,000,000 to $307,000,000,000 and then to $309,000,000,000 through Aug. 31, 1963, was being considered ($307,000,000,000 increase became effective May 29, 1963; $309,000,000,000 effective July 1, 1963.)

[6] Not given in midyear review.

The basis for the administration's original miscalculation for fiscal year 1963 is obvious. This was the result of an unrealistic forecast of $93 billion in revenues for fiscal 1963, to provide a base for the administration's spending programs. In the separate views of the Republicans on the bill to increase the public debt limit in the 2d session of the 87th Congress (H.R. 11990), we stated:

"The fiscal pattern of the Kennedy administration is clear. A balanced budget is submitted 'on paper' to satisfy the advocates of fiscal responsibility, and to forestall, if possible, any further drain on the gold required to meet our foreign obligations. At the same time, the administration is pursuing a policy of increasing Federal expenditures, irrespective of the Federal revenues. That course satisfies that group of economists, including the White House 'inner circle,' who advocate public spending and Federal deficits as a means of insuring national prosperity.

"There was thus submitted to the Congress for fiscal 1963 a Federal budget which was balanced through the simple expedient of forecasting Federal revenues sufficient to meet the desired level of Federal expenditures. Since that time, notwithstanding the failure of the economy to meet such expectations, the administration has stubbornly clung to the 'myth' of a balanced budget. The budget could be balanced in fact—not through an unrealistic forecast of Federal revenues—but by maintaining Federal expenditures at the level which prevailed during fiscal 1962. There is no indication that the normal requirements of the Federal Government, for fiscal 1963 would, if properly managed, exceed the requirements for fiscal 1962. On the contrary, we do not have the alleged 'crash program' precipitated by the Berlin crisis, which was cited as a major cause for the miscalculation of the administration in its debt requirements for fiscal 1962" (87th Cong., 2d sess., H. Rept. No. 1789, pp. 15–16).

Now, as a result of advance collections and the sale of certain financial assets (loans held by the Federal agencies), the administration is able to come before the Congress with an "improved" budget picture, without having had to curtail actual planned expenditures.

Administration claims of expenditure reduction a mirage—spending has not been reduced

The Kennedy administration seeks to create the impression that through the exercise of economies the estimated Federal deficit for fiscal 1963 has been reduced from $8.8 billion—as forecast just a few weeks ago—to an actual deficit of $6.2 billion—or a decrease of $2.6 billion. This claim has no basis in fact. The administration can claim little credit for any improvement in the Federal budget which followed its most recent forecast. In fact, the administration's claims are obviously a "smokescreen" to conceal the fact that there has been no basic change in the philosophy of the Kennedy administration in regard to Federal spending.

The so-called improvement of $2.6 billion in the Federal budget is attributable to several factors, none of which resulted from any positive action on the part of the administration to reduce spending:

First, the administration proceeded to sell some $2 billion of disposable assets (principally loans held by the Government) in order to realize an additional $1 billion in excess of the January 1963 budget forecast. These additional sales occurred in the last few months of fiscal 1963, after the administration had been refused an increase in the debt limitation by the committee until the administration took positive action to improve its debt picture.

TABLE 2.—*Sales of assets, fiscal year 1963*

[In millions of dollars]

Budget accounts	Estimated in January budget	Actual	Amounts applied in reduction of expenditures
Housing and Home Finance Agency:			
Special assistance	50	294	244
Management and liquidation	6	14	8
College housing	0	0	0
FHA purchase money	0	0	0
Public facilities	0	0	0
Veterans' Administration:			
Direct loan program	18	180	162
Loan guaranty program (vendee loans)	150	279	129
Export-Import Bank	60	336	276
Federal Savings and Loan Insurance Corporation	3	3	0
Small Business Administration	----------	8	8
Total (excluding Agriculture)	287	1,114	827
Agriculture (Commodity Credit Corporation certificates of interest)	639	[1] 823	184
Total	926	[1] 1,937	1,011

[1] Preliminary.

Source: Office of the Secretary of the Treasury, Office of Debt Analysis, June 24, 1963.

Second, tax revenues have increased by an estimated $0.9 billion over earlier forecasts because of an improvement in the economy. This improvement resulted from increased economic activity. Nothing was done by the Kennedy administration to bring about this increase.

Third, the improvement in the economy resulted in a $46 million reduction in claims for welfare. This was another factor which reduced budget expenditures—a factor over which the administrations had no control. As the economy improved there was less need for welfare payments.

Fourth, in order to offset the unfavorable balance of payments, the Defense Department collected about $340 million in advance for military equipment sold overseas. This was used to offset other expenditures. While net defense expenditures were decreased by about $340 million on account of the advance collection, there was no change in the actual rate of spending.

Fifth, the so-called accelerated public works program was delayed because the States and local authorities were unable to initiate programs as rapidly as had been claimed by the administration. This does not reflect any real economy but merely an "involuntary" postponement of these expenditures.

In all, it is clear that the improvement of $2.6 billion in the fiscal 1963 budget cannot be ascribed to any change in attitude on the part of the administration with respect to spending. In fact, positive action taken by the administration to take advantage of a favorable market for Government-held loans was brought about by reason of the urging of the Republican members of the committee, accompanied by the close vote in the House on the last debt increase. The collection in advance of some $340 billion due for military equipment sold abroad was brought about by the pressure of an unfavorable balance-of-payments trend. Other savings were fortuitous, not intentional.

In addition, the administration claims credit for a decline in the rate of growth of civilian employment in the executive branch. What the administration really is saying is that new employees were not added as rapidly as had been contemplated. Employment in the executive branch on June 30, 1963, was still 5,000 above a year earlier. Moreover, employment in the executive branch has increased by 137,000 during the Kennedy administration and, according to the fiscal 1964 budget, executive branch employment is estimated to increase by another 36,000 during fiscal 1964.

The real attitude of the Kennedy administration with respect to Federal spending is reflected in its requests for new programs, and for the expansion of existing programs which are pending before the Congress. In spite of the critical fiscal situation, both with respect to the public debt and with respect to the balance of payments, the administration still seeks additional funds for programs such as foreign aid, Area Redevelopment Administration, Domestic Peace Corps, Youth Conservation Corps, urban mass transportation, accelerated public works, and general aid to education.

The Congress should not be misled by the so-called improvement in the budget picture for fiscal 1963. Expenditures have not, in fact, been reduced. A better indication of the administration's attitude is evidenced by the proposed expenditures of $98.8 billion budgeted for fiscal 1964. No revision has been made in that estimate. The fiscal 1964 budget still looks to a deficit of more than $9 billion before giving effect to any additional loss of revenues through a tax cut.

In summary, since the Kennedy administration took office in January 1962, budget receipts have increased by about $10 billion. Expenditures have increased by about $20 billion. There is now a gap of $8 to $10 billion which must be added to the public debt each year.

If the administration's spending habits continue, the Congress might as well reconcile itself to voting future increases in the debt ceiling of about $10 billion per year. This is the basic issue facing the Members of Congress in this legislation. Do the Members of Congress support a policy of unlimited public debt? Is the Congress a "rubber-stamp" to extend the administration's borrowing authority every time that the administration's expenditures exceed its revenues? We say, "No." In the face of the administration's complete disregard of fiscal responsibility, the Republican members of the committee have no alternative but to continue to use the limitation on the public debt as a means of exerting a positive influence over future spending.

A limitation of $307 billion on the public debt is adequate for the period ending October 31, 1963

In support of our position that a limitation of $307 billion on the public debt will be adequate to meet the needs of the Treasury Department to October 31, 1963, we need only rely on the Treasury's own statements.

If the projected debt requirements submitted by the Treasury are adjusted to a debt ceiling of $307 billion, the minimum cash balance to October 31, 1963, is only slightly less than $3 billion, and this low point occurs during the last few days of October when Congress will have had an opportunity to review the appropriations and arrive at a debt ceiling for the fiscal year ending June 30, 1964.

TABLE 3.—*Comparative budget receipts and expenditures*

[In billions of dollars]

	Fiscal 1961 estimate [1]	Fiscal 1961 actual	Fiscal 1962 actual	Fiscal 1963 actual	Fiscal 1964 estimate [2]	Increase
Budget receipts	79.0	77.7	81.4	86.4	[3] 89.6	10.6
Budget expenditures	78.9	81.5	87.8	92.6	98.8	19.9
Budget deficit	(.1)	3.8	6.4	6.2	9.2	----------

[1] Contained in fiscal 1962 budget message, released Jan. 16, 1961.
[2] Contained in fiscal 1964 budget message, released Jan. 17, 1963.
[3] Figure assumes no tax-cut revenue loss as no tax cut effective in 1963.

TABLE 4.—*Estimates of projected debt subject to limitation adjusting cash balances to an overall ceiling of $307,000,000,000*[1]

Day	August 1963				September 1963				October 1963			
	Treasury estimates		Adjusted for $307,000,000,000 ceiling		Treasury estimates		Adjusted for $307,000,000,000 ceiling		Treasury estimates		Adjusted for $307,000,000,000 ceiling	
	Cash balance	Projected debt	Permissible cash balance	Projected debt	Cash balance	Projected debt	Permissible cash balance	Projected debt	Cash balance	Projected debt	Permissible cash balance	Projected debt
1	5.6	305.1	7.5	307.0	------	------	------	------	9.8	307.9	8.9	307.0
2	5.7	305.1	7.6	307.0	(2)	(2)	(2)	(2)	9.5	307.9	8.6	307.0
3	------	------	------	------	6.7	308.0	5.7	307.0	9.2	307.9	8.3	307.0
4	------	------	------	------	6.3	308.0	5.3	307.0	8.8	307.9	7.9	307.0
5	5.7	305.0	7.7	307.0	6.0	308.0	5.0	307.0	------	------	------	------
6	5.3	305.0	7.3	307.0	5.5	308.0	4.5	307.0	------	------	------	------
7	4.9	305.0	6.9	307.0	------	------	------	------	8.0	307.8	7.2	307.0
8	4.9	305.0	6.9	307.0	------	------	------	------	7.4	307.8	6.6	307.0
9	4.9	305.0	6.9	307.0	4.9	307.9	4.0	307.0	7.0	307.8	6.2	307.0
10	------	------	------	------	4.5	308.0	3.5	307.0	6.6	307.8	5.8	307.0
11	------	------	------	------	4.4	308.0	3.4	307.0	6.4	307.8	5.6	307.0
12	5.0	305.0	7.0	307.0	4.5	308.0	3.5	307.0	------	------	------	------
13	5.0	305.0	7.0	307.0	4.6	307.9	3.7	307.0	------	------	------	------
14	5.2	305.0	7.2	307.0	------	------	------	------	6.2	307.8	5.4	307.0
15	5.1	305.3	6.8	307.0	------	------	------	------	6.6	308.4	5.2	307.0
16	5.5	305.3	7.2	307.0	4.6	307.9	3.7	307.0	6.4	308.4	5.0	307.0
17	------	------	------	------	4.9	307.9	4.0	307.0	6.2	308.4	4.8	307.0
18	------	------	------	------	6.1	307.9	5.2	307.0	6.1	308.4	4.7	307.0
19	5.7	305.3	7.4	307.0	7.3	307.9	6.4	307.0	------	------	------	------
20	6.1	305.3	7.8	307.0	8.4	307.9	7.5	307.0	------	------	------	------
21	6.4	305.2	8.2	307.0	------	------	------	------	5.8	308.4	4.4	307.0
22	6.6	305.2	8.4	307.0	------	------	------	------	5.5	308.3	4.2	307.0
23	6.8	305.2	8.6	307.0	8.9	307.8	8.1	307.0	5.3	308.3	4.0	307.0
24	------	------	------	------	9.3	307.8	8.5	307.0	5.1	308.3	3.8	307.0
25	------	------	------	------	9.7	307.8	8.9	307.0	4.9	308.8	3.1	307.0
26	6.7	306.2	7.5	307.0	9.7	307.8	8.9	307.0	------	------	------	------
27	6.5	306.2	7.3	307.0	9.7	307.7	9.0	307.0	------	------	------	------
28	6.3	307.2	6.1	307.0	------	------	------	------	4.6	308.7	2.9	307.0
29	6.1	308.0	5.1	307.0	------	------	------	------	4.5	308.7	2.8	307.0
30	6.0	307.1	5.9	307.0	9.5	307.4	9.1	307.0	4.5	308.7	2.8	307.0
31	------	------	------	------	------	------	------	------	4.5	307.8	3.7	307.0

[1] In table 4, the actual cash expenditure and receipt estimates by the Secretary of the Treasury, July 29, 1963, have been adjusted to reduce the cash balance on hand in order to bring the projected debt within the ceiling of $307,000,000,000.

[2] Holiday.

In relationship to a public debt of upward of $300 billion, a differential of $2 billion in the debt ceiling—whether $307 billion or $309 billion—will not bring about fiscal disaster. Nevertheless, we do not regard $2 billion as insignificant for a 3-month period. Closer control over the public debt necessarily will bring about either an improvement in the cash requirements of the Treasury through the sale of assets (as demonstrated in the recent past) or a reduction in the rate of spending.

The improvement in the debt picture since we were last before the House—although perhaps only temporary—is due in part to the efforts of the same Republican Members to oppose unwarranted increases in the Federal debt, and to the fact that their position met with the approval of many Members of the House. The closeness of the vote had its effect. While the Kennedy administration—and the Treasury—may claim credit for having closed fiscal 1963 with a public debt of only $306 billion—and with $11 billion in cash—the result can be attributed largely to the action of the Republican Members in opposing unwarranted increases in the national debt.

CONCLUSION

The position of the Republicans with respect to this bill (H.R. 7824) is merely an extension of our position during the 88th Congress with respect to the act (Public Law 88-30) which we are now called upon to extend. In accordance with that position, a determined effort has been made by the responsible Republican minority in this Congress to curtail Government spending.

In contrast, the New Frontier has flooded the Congress with spending plans for new programs to cure overnight all of the problems faced by the Nation—"to get the country moving again"—proposals to make jobs through public works; to provide free medical care to the aged; to provide recreational facilities; to send the school dropouts to camps (and, incidentally, to make it more attractive to drop out); to set up a domestic peace corps (a Federal agency to do the work of the private and church-supported welfare agencies and similar groups); and a score of similar proposals.

If we are going to have a meaningful reduction in Federal taxes, control of Federal expenditures is essential. Tax reduction financed through additions to the public debt is contrary to the Puritan ethic of an overwhelming majority of the American people. They do not wish to hypothecate the future earnings of their children and grandchildren. As President Kennedy said in his recent address to the Nation on the test ban treaty "our children and our grandchildren * * * have no lobby here in Washington." We are hopeful that the Congress will recognize this, and through a policy of tighter debt control, compel the administration to take positive steps toward the balancing of the Federal budget.

John W. Byrnes.
Howard H. Baker.
Thomas B. Curtis.
Victor A. Knox.
James B. Utt.
Jackson E. Betts.
Bruce Alger.
Steven B. Derounian.
Herman T. Schneebeli.
Harold R. Collier.

Mr. MILLS. Mr. Chairman, I yield 10 minutes to the gentleman from Florida [Mr. Herlong] to close debate.

Mr. HERLONG. Mr. Chairman, as I said when this subject came up earlier this year I am asking this body to approve the bill which has been presented to you by the Committee on Ways and Means. I support this bill on the basic principle that the committee has set this ceiling as low as it can possibly set it and still permit the Treasury to operate in a businesslike and efficient manner.

I do not think I have to yield to very many Members of this House today when it comes to a voting record for economy. I have not voted for those things that made this debt limit as high as it is, and I shall continue, regardless of what happens here today, to vote against those things that I think are, or will result in, unnecessary Government expenditures.

However, to put forth an argument against keeping this ceiling at $309 billion on the basis that such action is fiscal irresponsibility is to me just exactly the wrong kind of argument because the opposite is true. It is fiscally irresponsible to hold this ceiling down to such a level that the Treasury cannot manage the debt and operate efficiently and effectively.

Fortunately, we have had better times during these past few months than was anticipated. Therefore, we did not have to come to you with as high a figure as we thought we might have to earlier.

A number of Members have come to me and said, "We hate to have to be voting on this ceiling every few months." You may hate to vote on it, but if you adopt the motion to recommit you know you are going to have to come back here again in September probably and vote on it again, and even then we will not know what the exact situation is fiscally as far as the increase in the debt limit is concerned that we are going to have to pass for the rest of this fiscal year some time before the end of this Congress. So in any event you will have to come back here again before the end of November and vote again on this since we do not know what final appropriations we will finally make at this time.

I am as much concerned with our debt as anybody here in the Congress, but if we hold the ceiling down too tight, it does not permit the Treasury to operate in a way that will save the taxpayers money.

One of the ways that a realistic debt ceiling actually saves money is that it permits the Treasury to take advantage of a favorable money market, to borrow money at a lower rate of interest. If they had not had such flexibility in the past to borrow the money, they could not have taken advantage of this bargain so to speak.

Each one of you knows that regardless of how good a bargain something is, if you do not have the cash in the bank to take advantage of it or if you do not have the credit to take advantage of it you miss that bargain. Recently we had the credit so we were able to take advantage of that bargain. The lower rate of interest saved money for the Federal Government, and we will continue to do that if we give them needed room in which to operate.

But they estimated what our receipts and disbursements would be during the months ahead of us the last time. And they were wrong in their estimates. At this particular time they have made other estimates and they could be wrong again. Fortunately for the taxpayers, they were wrong on the side of overestimating the expenditures the last time and underestimating the revenues. But if they guess wrong, in the opposite way, the results would be very bad. Do not think that the Government can get by without paying the bills. The Government is going to pay the bills. As it was pointed out to you the last time this came up, the method which is used to pay the bills is to simply go around the debt ceiling and circumvent it, by a means which, among other things, can cause higher interest rates. If it is fiscally responsible to say to the Treasury Department that we insist upon you borrowing money at higher interest rates rather than getting bargains in money, well, then I just do not understand the meaning of fiscal responsibility.

Mr. BYRNES of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. HERLONG. I yield to the gentleman.

Mr. BYRNES of Wisconsin. I was intrigued by the gentleman's argument and I was just wondering how a person makes money by borrowing money in this kind of process where you are paying bills and paying 3.3 percent interest on money that you borrow and then putting that money in the banks at no interest. That was just what was done in June and part of July.

Mr. HERLONG. I would draw the gentleman's attention to the information in the committee report on pages 7, 8, and 9. I would say to the gentleman, it is pretty obvious the answer to this is that you know you are going to have to have the money in the long run and you had better get it when you can get it at the cheapest rates, and that is exactly what we did.

Mr. SLACK. Mr. Chairman, will the gentleman yield?

Mr. HERLONG. I yield to the gentleman.

Mr. SLACK. Is it not true that if you screw the lid down on this ceiling and narrow the gap, then the Treasury will and must pay higher interest rates on the money?

Mr. HERLONG. If you screw the lid down to the point where they have to go around it in order to pay their debts, they do not go over it, but they use other methods such as having some of the other Government departments issue nonguaranteed Government obligations which sell at a higher interest rate than the Government-guaranteed bonds which they would not have the authority to issue.

Mr. SLACK. I thank the gentleman.

Mr. HERLONG. Mr. Chairman, I simply want to urge upon the Members of this House of Representatives that it is fiscally responsible to give the Treasury enough leeway in which to operate economically and effectively and that is all we are asking here.

Finally, Mr. Chairman, I think Members should be reminded of one thing: a lower debt ceiling does not, I repeat, does not keep the Government from borrowing money. All it does is make it more costly to get the money, and produces disruptive repercussions in many areas of debt management. The place to economize is when the authorization and appropriation bills are before us—not after the fact when the bills come in.

Mr. Chairman, I yield back the balance of my time.

Mr. MILLS. Mr. Chairman, that concludes general debate.

The CHAIRMAN. If there are no further requests for time, under the rule the bill is considered as having been read for amendment.

The bill is as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, during the period beginning on September 1, 1963, and ending on November 30, 1963, the public debt limit set forth in the first sentence of section 21 of the Second Liberty Bond Act, as amended (31 U.S.C. 757b), shall be temporarily increased to $309,000,000,000.

The CHAIRMAN. No amendments are in order to the bill except amendments offered by direction of the Committee on Ways and Means.

Mr. MILLS. Mr. Chairman, there are no committee amendments.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. O'Hara of Michigan, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 7824) to continue, for the period ending November 30, 1963, the existing temporary increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act pursuant to House Resolution 477, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. BYRNES of Wisconsin. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. BYRNES of Wisconsin. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Motion To Recommit by Mr. Byrnes of Wisconsin

Mr. Byrnes of Wisconsin moves to recommit the bill (H.R. 7824) to the Committee on Ways and Means with instructions to report the same back to the House forthwith with the following amendment: Strike out all after the enacting clause and insert "That, during the period beginning on September 1, 1963, and ending on October 31, 1963, the public debt limit set forth in the first sentence of section 21 of the Second Liberty Bond Act, as amended (31 U.S.C. 757b), shall be temporarily increased to $307,000,000,000."

Mr. MILLS. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

Mr. BYRNES of Wisconsin. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 164, nays 229, not voting 41, as follows:

[Roll No. 121]

YEAS—164

Abbitt
Abele
Abernethy
Adair
Alger
Anderson
Andrews
Arends
Ashbrook
Auchincloss
Avery
Baker
Baldwin
Barry
Bates
Beckworth
Beermann
Bell
Bennett, Mich.
Berry
Betts
Bolton, Frances P.
Bolton, Oliver P.
Bow
Bray
Brock
Bromwell
Broomfield
Brotzman
Brown, Ohio
Broyhill, Va.
Bruce
Burton
Byrnes, Wis.
Cahill
Cannon
Cederberg
Chamberlain
Chenoweth
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Conte
Corbett
Cunningham
Curtin
Curtis
Dague
Derounian
Derwinski
Devine
Dole
Dorn
Dwyer
Ellsworth
Findley
Fino
Ford
Foreman
Frelinghuysen
Gathings
Gavin
Glenn
Goodell
Gubser
Gurney
Haley
Hall
Halleck
Halpern
Harrison
Harvey, Ind.
Harvey, Mich.
Hoeven
Hoffman
Horan
Horton
Hosmer
Huddleston
Hutchinson
Jensen
Johansen
Jonas
Keith
Kunkel
Laird
Langen
Latta
Lennon
Lindsay
Lipscomb
Lloyd
McClory
McCulloch
McDade
McIntire
McLoskey
MacGregor
Mailliard
Marsh
Martin, Calif.
Martin, Nebr.
Mathias
Michel
Milliken
Moore
Morse
Morton
Nelsen
Norblad
O'Konski
Osmers
Ostertag
Pelly
Pirnie
Poff
Pool
Quie
Quillen
Reid, Ill.
Reid, N.Y.
Reifel
Rhodes, Ariz.
Riehlman
Roberts, Ala.
Robison
Roudebush
Rumsfeld
St. George
Schadeberg
Schneebeli
Schweiker
Schwengel
Secrest
Short
Shriver
Sibal
Skubitz
Smith, Calif.
Snyder
Springer
Stafford
Stinson
Taft
Talcott
Teague, Calif.
Tollefson
Tuck
Tupper
Wallhauser
Watson
Weaver
Weltner
Westland
Whalley
Whitten
Widnall
Wilson, Bob
Wilson, Ind.
Winstead
Wydler
Wyman
Younger

NAYS—229

Addabbo
Albert
Ashley
Ashmore
Aspinall
Ayres
Barrett
Bass
Becker
Bennett, Fla.
Boggs
Boland
Bolling
Bonner
Brademas
Brooks
Brown, Calif.
Buckley
Burke
Burkhalter
Burleson
Byrne, Pa.
Cameron
Carey
Celler
Chelf
Clancy
Clark
Cohelan
Cooley
Corman
Daddario
Davis, Ga.
Davis, Tenn.
Dawson
Delaney
Dent
Denton
Diggs
Dingell
Donohue
Dowdy
Downing
Dulski
Duncan
Edmondson
Edwards
Elliott
Everett
Fallon
Farbstein
Fascell
Feighan
Finnegan
Flynt
Fogarty
Forrester
Fountain
Fraser
Friedel
Fulton, Tenn.
Fuqua
Garmatz
Gary
Giaimo
Gibbons
Gilbert
Gill
Gonzalez
Goodling
Grabowski
Grant
Gray
Green, Oreg.
Green, Pa.
Griffiths
Gross
Grover
Hagan, Ga.
Hagen, Calif.
Hanna
Hansen
Harding
Hardy
Harris
Harsha
Hawkins
Hays
Healey
Hechler
Hemphill
Henderson
Herlong
Holifield
Holland
Hull
Ichord
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Wis.
Karsten
Karth
Kastenmeier
Kee
Keogh
Kilgore
King, Calif.
King, N.Y.
Kirwan
Kluczynski
Kornegay
Kyl
Landrum
Lankford
Leggett
Lesinski
Libonati
Long, La.
Long, Md.
McDowell
McFall
McMillan
Macdonald
Madden
Mahon
Matsunaga
Matthews
Miller, Calif.
Mills
Minish
Minshall
Monagan
Montoya
Moorhead
Morgan
Morris
Morrison
Mosher
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
Nedzi
Nix
O'Brien, N.Y.
O'Hara, Ill.
O'Hara, Mich.
Olsen, Mont.
Olson, Minn.
O'Neill
Passman
Patman
Patten
Pepper
Perkins
Philbin
Pike
Pillion
Poage
Powell
Price
Pucinski
Purcell
Rains
Randall
Reuss
Rhodes, Pa.
Rich
Rivers, Alaska
Rivers, S.C.
Roberts, Tex.
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Rostenkowski
Roush
Roybal
Ryan, Mich.
Ryan, N.Y.
St Germain
St. Onge
Scott
Selden
Senner
Shipley
Sickles
Siler
Sisk
Slack
Smith, Iowa
Staebler
Staggers
Steed
Stephens
Stratton
Stubblefield
Sullivan
Taylor
Teague, Tex.
Thomas
Thompson, N.J.
Thompson, Tex.
Thomson, Wis.
Thornberry
Toll
Tuten
Udall
Ullman
Utt
Van Deerlin
Vanik
Vinson
Waggonner
Watts
White
Whitener
Wickersham
Williams
Wright
Young
Zablocki

NOT VOTING—41

Baring
Battin
Belcher
Blatnik
Broyhill, N.C.
Casey
Colmer
Cramer
Daniels
Evins
Fisher
Flood
Fulton, Pa.
Gallagher
Griffin
Hébert
Jones, Ala.
Jones, Mo.
Kelly
Kilburn
Knox
Martin, Mass.
May
Meader
Miller, N.Y.
O'Brien, Ill.
Pilcher
Rodino
Saylor
Schenck
Shelley
Sheppard
Sikes
Smith, Va.
Thompson, La.
Trimble
Van Pelt
Wharton
Willis
Wilson,
Charles H.

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Casey for, with Mr. Hébert against.
Mr. Baring for, with Mrs. Kelly against.
Mr. Colmer for, with Mr. Blatnik against.
Mr. Kilburn for, with Mr. Shelley against.
Mr. Schenck for, with Mr. Sikes against.
Mr. Fulton of Pennsylvania for, with Mr. Daniels against.
Mr. Broyhill of North Carolina for, with Mr. Jones of Alabama against.
Mr. Cramer for, with Mr. Trimble against.
Mrs. May for, with Mr. Willis against.
Mr. Belcher for, with Mr. Gallagher against.
Mr. Battin for, with Mr. Flood against.
Mr. Van Pelt for, with Mr. Rodino against.
Mr. Knox for, with Mr. Thompson of Louisiana against.
Mr. Miller of New York for, with Mr. Evins against.
Mr. Fisher for, with Mr. Sheppard against.

Until further notice:

Mr. O'Brien of Illinois with Mr. Saylor.
Mr. Charles H. Wilson with Mr. Griffin.
Mr. Pilcher with Mr. Wharton.
Mr. Smith of Virginia with Mr. Martin of Massachusetts.

Mr. HARSHA changed his vote from "yea" to "nay."

Mr. DEL CLAWSON changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

Mr. BYRNES of Wisconsin. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 221, nays 175, not voting 38, as follows:

[Roll No. 122]

YEAS—221

Abbitt
Addabbo
Albert
Ashley
Aspinall
Ayres
Baker
Barrett
Bass
Bennett, Fla.
Boggs
Boland
Bolling
Bonner
Brademas
Brooks
Brown, Calif.
Buckley
Burke
Burkhalter
Burleson
Byrne, Pa.
Cameron
Carey
Celler
Chelf
Clark
Cohelan
Cooley
Corman
Daddario
Davis, Ga.
Davis, Tenn.
Dawson
Delaney
Dent
Denton
Diggs
Dingell
Donohue
Dorn
Downing
Dulski
Duncan
Edmondson
Edwards
Elliott
Everett
Fallon
Farbstein
Fascell
Feighan
Finnegan
Flood
Flynt
Fogarty
Fountain
Fraser
Friedel
Fulton, Tenn.
Fuqua
Garmatz
Gary
Giaimo
Gibbons
Gilbert
Gill
Gonzalez
Grabowski
Grant
Gray
Green, Oreg.
Green, Pa.
Griffiths
Hagan, Ga.
Hagen, Calif.
Hanna
Hansen
Harding
Hardy
Harris
Hawkins
Hays
Healey
Hechler
Hemphill
Henderson
Herlong
Holifield
Holland
Hull
Ichord
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Wis.
Karsten
Karth
Kastenmeier
Kee
Keogh
Kilgore
King, Calif.
Kirwan
Kluczynski
Kornegay
Landrum
Lankford
Leggett
Lennon
Lesinski
Libonati
Long, La.
Long, Md.
McDowell
McFall
McMillan
Macdonald
Madden
Mahon
Marsh
Matsunaga
Matthews
Miller, Calif.
Mills
Minish
Monagan
Montoya
Moorhead
Morgan
Morris
Morrison
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
Nedzi
Nix
O'Brien, N.Y.
O'Hara, Ill.
O'Hara, Mich.
Olsen, Mont.
Olson, Minn.
O'Neill
Passman
Patman
Patten
Pepper
Perkins
Philbin
Pike
Poage
Powell
Price
Pucinski
Purcell
Rains
Randall
Reuss
Rhodes, Pa.
Rivers, Alaska
Rivers, S.C.
Roberts, Ala.
Roberts, Tex.
Rodino
Rogers, Colo.
Rogers, Tex.
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Rostenkowski
Roush
Roybal
Ryan, Mich.
Ryan, N.Y.
St Germain
St. Onge
Scott
Selden
Senner
Sheppard
Shipley
Sickles
Sisk
Slack
Smith, Iowa
Staebler
Staggers
Steed
Stephens
Stratton
Stubblefield
Sullivan
Taylor
Teague, Tex.
Thomas
Thompson, N.J.
Thompson, Tex.
Thornberry
Toll
Tuck
Tuten
Udall
Ullman
Van Deerlin
Vanik
Vinson
Waggonner
Watts
Weltner
White
Whitener
Wickersham
Willis
Wright
Young
Zablocki

NAYS—175

Abele
Abernethy
Adair
Alger
Anderson
Andrews
Arends
Ashbrook
Ashmore
Auchincloss
Avery
Baldwin
Barry
Bates
Becker
Beckworth
Beermann
Bell
Bennett, Mich.
Berry
Betts
Bolton,
Frances P.
Bolton,
Oliver P.
Bow
Bray
Brock
Bromwell
Broomfield
Brotzman
Brown, Ohio
Broyhill, Va.
Bruce
Burton
Byrnes, Wis.
Cahill
Cannon
Cederberg
Chamberlain
Chenoweth
Clancy
Clausen,
Don H.
Clawson, Del
Cleveland
Collier
Conte
Corbett
Cunningham
Curtin
Curtis
Dague
Derounian
Derwinski
Devine
Dole
Dowdy
Dwyer
Ellsworth
Findley
Fino
Ford
Foreman
Forrester
Frelinghuysen
Gathings
Gavin
Glenn
Goodell
Goodling
Gross
Grover
Gubser
Gurney
Haley
Hall
Halleck
Halpern
Harrison
Harsha
Harvey, Ind.
Harvey, Mich.
Hoeven
Hoffman
Horan
Horton
Hosmer
Huddleston
Hutchinson
Jensen
Johansen
Jonas
Keith
King, N.Y.
Kunkel
Kyl
Laird
Langen
Latta
Lindsay
Lipscomb
Lloyd
McClory
McCulloch
McDade
McIntire
McLoskey
MacGregor
Mailliard
Martin, Calif.
Martin, Nebr.
Mathias
Michel
Milliken
Minshall
Moore
Morse
Morton
Mosher
Nelsen
Norblad
O'Konski
Osmers
Ostertag
Pelly
Pillion
Pirnie
Poff
Pool
Quie
Quillen
Reid, Ill.
Reid, N.Y.
Reifel
Rhodes, Ariz.
Rich
Riehlman
Robison
Rogers, Fla.
Roudebush
Rumsfeld
St. George
Schadeberg
Schneebeli
Schweiker
Schwengel
Secrest
Short
Shriver
Sibal
Siler
Skubitz
Smith, Calif.
Snyder
Springer
Stafford
Stinson
Taft
Talcott
Teague, Calif.
Thomson, Wis.
Tollefson
Tupper
Utt
Wallhauser
Watson
Weaver
Westland
Whalley
Whitten
Widnall
Williams
Wilson, Ind.
Winstead
Wydler
Wyman
Younger

NOT VOTING—38

Baring
Battin
Belcher
Blatnik
Broyhill, N.C.
Casey
Colmer
Cramer
Daniels
Evins
Fisher
Fulton, Pa.
Gallagher
Griffin
Hébert
Jones, Ala.
Jones, Mo.
Kelly
Kilburn
Knox
Martin, Mass.
May
Meader
Miller, N.Y.
O'Brien, Ill.
Pilcher
Saylor
Schenck
Shelley
Sikes
Smith, Va.
Thompson, La.
Trimble
Van Pelt
Wharton
Wilson, Bob
Wilson,
Charles H.

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Hébert for, with Mr. Baring against.
Mr. Kelly for, with Mr. Casey against.
Mr. Blatnik for, with Mr. Colmer against.
Mr. Shelley for, with Mr. Fisher against.
Mr. Sikes for, with Mr. Kilburn against.

Mr. Daniels for, with Mr. Schenck against.

Mr. Jones of Alabama for, with Mr. Fulton of Pennsylvania against.

Mr. Gallagher for, with Mr. Broyhill of North Carolina against.

Mr. O'Brien of Illinois for, with Mr. Bob Wilson against.

Mr. Trimble for, with Mr. Cramer against.

Mr. Thompson of Louisiana for, with Mrs. May against.

Mr. Evins for, with Mr. Belcher against.

Mr. Charles H. Wilson for, with Mr. Van Pelt against.

Until further notice:

Mr. Pilcher with Mr. Wharton.

Mr. Smith of Virginia with Mr. Saylor.

Mr. Battin with Mr. Martin of Massachusetts.

Mr. Miller of New York with Mr. Knox.

Mr. Griffin with Mr. Wharton.

Mr. BENNETT of Florida changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

LEAVE TO INCLUDE TABLES AND EXTRANEOUS MATTER

Mr. MILLS. Mr. Speaker, I ask unanimous consent that those Members speaking on the bill in the course of general debate be permitted to include tables and extraneous material in the remarks they made.

The SPEAKER pro tempore (Mr. ALBERT). Without objection, it is so ordered.

There was no objection.

HIGHER EDUCATION FACILITIES

Mr. BOLLING, from the Committee on Rules, reported the following privileged resolution (H. Res. 483, Rept. No. 644) which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 6143) to authorize assistance to public and other nonprofit institutions of higher education in financing the construction, rehabilitation, or improvement of needed academic and related facilities in undergraduate and graduate institutions. After general debate, which shall be confined to the bill and shall continue not to exceed three hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

NATIONAL TV COVERAGE

Mr. HÉBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. HÉBERT. Mr. Speaker, on yesterday afternoon I think that the House witnessed one of the most fruitful and extensive discussions of a controversial matter that has ever been presented to this House. It was, as you know, the so-called Gesell report. Certainly not in the time of my 23 years have I heard such a discussion over such an extended time, during which 37 Members from both sides of the aisle, including those of different opinions, addressed the House. The discussion consumed some 51 pages of the CONGRESSIONAL RECORD.

Mr. Speaker, the 37 Members represent, in essence, about 20 million people in the United States.

I listened to the "Huntley-Brinkley Report" on the NBC last evening and there was not a mention of this important matter. I also listened to the Columbia Broadcasting report and there was not a mention of this important matter. This morning I listened to a news program, "Today," and not a mention of this important matter. I did not hear the ABC broadcast, so I cannot comment on that.

It is interesting to note that there is obviously some devious method being employed to keep the American people from knowing what is in the Gesell report. I do not know whether this reflects news management from the Pentagon or censorship from various quarters, but I think the American people should be informed of the facts. As of this minute not one of these major television systems has indicated by word, editorial, or statement as to the contents of the report whereby the entire military of the country for the first time in its history is being employed to establish a social order with which many of us disagree.

I shall never challenge the right of an editor to determine what is news and how the news should be treated but I submit that I do qualify as competent to pass judgment on the subject. For 23 years I was in the news media business as reporter and editor and made the decisions on what news was to be printed and how it was to be treated. I cannot be challenged for lack of competence in this field.

Any editor who says that such an unusual occurrence as took place on the floor of this House as did yesterday when 37 elected Representatives of the people, representing approximately 25 million people, discussed a vital subject for nearly 5 hours, is not news of the highest priority, then, I say that editor is either incompetent or influenced.

In my book I do not care whether he is incompetent or influenced—in either case he is unworthy to sit in a position of judgment of the news.

I have been suspicious for a long time of the manner in which national television news media was handled. Those suspicions are now indeed confirmed and I am compelled to wonder, in kindness, whether it is incompetence, or in reality whether it is influence and from what source. Or is it a determined effort to spoon feed to the American people that portion of the news which advances the ideas, beliefs, and philosophies of the biased individual making the decisions as to what is news and what is not news.

If it is not news that a radical departure in the military mission of the country has been ordered through executive fiat then I have wasted 23 years in the newspaper business and do not know what news is.

On the other hand, if the major networks, specifically NBC and CBS, failed to carry a single word on the unusual discussion which took place yesterday in this House then these television networks had better make a reevaluation of those responsible for determining what is news.

It is a strange thing these same networks find it to be worthy news when one individual of a minority group speaks.

In these instances the world waits with bated breath for the words to flow from the mouths, according to the censors of the national news media.

It apparently is news when such spokesmen parrot the party line of acquiescence to those who believe as they believe but it lacks news value when 37 Members of the Congress, a majority of whom, talk about principle and expresses resentment of the use of the military as a political tool.

In contrast to this type of censored news is attitude of at least one competent reporter, Joseph McCaffery. Joe McCaffery, of course is not the only excellent and competent broadcaster in Washington. There are many of equal competence and integrity, but I cite him as an example because he well fits into this discussion.

His radio program, "Congress Today," is undoubtedly the most informative radio program on the current activities. I have always found him to be objective and most accurate in his radio reporting. I heard his broadcast Wednesday afternoon, while riding home, after I left the floor. He saw in what happened on the floor of the House yesterday a newsworthy story and reported on it. He did not take sides. He did broadcast the news. Joe McCaffery is a good reporter but apparently in the eyes of others he is not a very good reporter because he gave time to informing the American public on a subject of vital importance to every American, which in their eyes was not worthy of mention. Now if those who did not find news value in the happenings of yesterday are good reporters then they must admit that they failed miserably to carry out their responsibility in this instance. Of course there are good reporters who do not recognize what they have written after "the desk" and the editor gets finished rewriting the facts into anything but the facts or ignoring the whole subject for one reason or another.

I am coming more and more of the belief that America, allegedly the best informed people in the world are in reality the least informed and worst of all the most misinformed.

RUSSIA MAY REAP AID BENEFIT IN COLD WAR THAW

Mr. STINSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include a newspaper article.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. STINSON. Mr. Speaker, yesterday in the Seattle Post Intelligencer there was an extremely startling article. This Hearst headline service article stated that President Kennedy has held out to Soviet Premier Nikita Khrushchev the implied hope of American economic aid to Russia if the Soviets abandon cold war and agree to a general European settlement. This is utterly fantastic. The article went on to say that Russia would not have to renounce the Communist system to receive American foreign aid, and that President Kennedy has assured Khrushchev the United States is not hostile to any people or system, providing that they do not interfere with the freedom of others. Could it be that anyone in this country could believe the purpose of communism was to do anything but eliminate the freedom of others? Mr. Speaker, it is unbelievable that the U.S. taxpayers could be asked to financially support the tyrannical political system that has announced that it will bury us. I just don't think the American people would be gullible enough to swallow this.

Mr. Speaker, I ask that President Kennedy reassure the American people that our tax dollars will not go in the form of foreign aid to the Russians.

I wish to insert this article so that all of my colleagues might read it.

[From Seattle Post Intelligencer, Aug. 7, 1963]

RUSS MAY REAP AID BENEFIT IN COLD WAR THAW, KENNEDY HOPEFUL

(By Kingsbury Smith)

PARIS, August 6.—Diplomatic sources in Paris said today that President Kennedy has held out to Soviet Premier Nikita Khrushchev the implied hope of American economic aid to Russia if the Soviets abandon cold war and agree to a general European settlement.

This effort to encourage Khrushchev to turn away from Red China and swing Russia toward the West was made before the conclusion of the nuclear test ban agreement. It was not a commitment, nor even a definite promise, nor was it made in any formal diplomatic communication.

Nevertheless, the diplomatic sources said the President let Khrushchev know that the United States might be willing to help Russia with economic aid to hasten an improved standard of living for the Russian people if a satisfactory settlement in Europe was achieved.

Khrushchev was reminded that under the Truman administration the United States had offered to include Russia in the Marshall plan for the reconstruction of war-torn Europe. He was also reminded that at the time, General Marshall, then Secretary of State, had described his concept of Europe as all the territories "west of Asia."

It was clearly indicated to Khrushchev that the Kennedy administration feels the same way the Truman administration did at that time, and that while Stalin rejected the offer, now might be the time for Khrushchev to reconsider linking Russia with Europe instead of Asia.

This would not mean that Russia would have to renounce the Communist system. President Kennedy has assured Khrushchev that the United States is not hostile to any people or system providing they do not interfere with the freedom of others.

Khrushchev knows, however, that the President's conception of a satisfactory European settlement does not mean the recognition of the existing status quo.

If Khrushchev wants American economic aid for Russia, the European settlement to which he agrees must include the unification of Germany based on free elections.

It would be folly to think, and the President certainly does not, that Khrushchev is likely to agree, or could if he would, to give up Communist control of East Germany in the near future. He has said he will never give it up.

However, it is thought in view of the bitter break between Khrushchev and the Chinese Communist leadership the time may be opportune to indicate to Russia the long range advantage of becoming part of a prosperous Europe.

Communism has proved a failure economically in Eastern Europe. Khrushchev is known to be deeply concerned about the failure of the agricultural policy in the Soviet Union and the high cost of the arms race.

He now seems to be convinced that a nuclear war between the United States and Russia would destroy both countries and leave China dominant over whatever might be left of the world.

Thus, as long as the United States retains the retaliatory power to destroy Russia in the event of war, it is believed in diplomatic circles here that Khrushchev will not deliberately precipitate a conflict and will, in fact, try to prevent one.

How far he will go in abandoning China and drawing closer to the West remains to be seen. Some European statesmen believe the split between Khrushchev and Mao Tse-tung is fundamental and that a historical opportunity now exists to wean Russia away from China.

This may well be wishful thinking, but it reminds me of a remark Sir Winston Churchill made to the Hearst task force following our first interview with Khrushchev, and the other Soviet leaders in 1955: "The time will come, " Churchill said, "when Russia will turn to the West for aid against China."

Many European statesmen, including President de Gaulle of France, believe that Khrushchev's policy of peaceful coexistence, competitively ruthless as it may be, can facilitate the gradual evolution of the Russian people away from communism. Peiping has already called them bourgeois of the Communist world.

GOVERNMENT BY CRISES HAS CHARACTERIZED THE KENNEDY ADMINISTRATION FROM ITS INCEPTION

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, the New Frontier leadership is now trying to alibi the inaction of this "standstill Congress" with references to the impending crises—civil rights, threatening railroad strike, outflow of gold, and nuclear test ban treaty—requiring immediate attention. But, Mr. Speaker, these problems have long existed but by delay were made crises only in the last couple weeks, and we have been in session for going on 8 months.

In almost 8 months only two regular departmental appropriation bills have been enacted. And, significantly, we are now taking up the second debt ceiling bill in this session, the sixth under this administration, with still another in the offing.

Significant also, Mr. Speaker, is that we have had a whole series of crises since 1960 that stem from the administration's "wait and see policy" doing nothing until matters reach a critical stage.

This is a Government by crises caused by the political policy of doing nothing until the emergency arises.

The administration did nothing, and we had the Bay of Pigs fiasco. The Berlin wall was erected in violation of a treaty, and we did nothing but watch its erection.

We "watched and waited" while Russia made Cuba a military outpost and the "quarantine" was imposed only when the situation reached a critical stage. President Kennedy acted only when he was confronted with both a military and political crisis.

Many civil rights bills have been pending in the 87th and in this Congress. Nothing was done on any of them. The administration simply "watched and waited," and now we have a civil rights crisis that could have been avoided.

President Kennedy has sent numerous messages to the Congress. Not once has he recommended remedial legislation in the field of labor-management relations. The railroad controversy has been pending for 4 years. We simply "watched and waited"—did nothing affirmative—and we now have the resulting crisis.

We have long been confronted with the balance-of-payments problem, with a dangerous outflow of gold. Nothing basic has yet been done for a solution, and only a few weeks ago did the administration make any recommendation. Here again, Mr. Speaker, the administration's policy has been little more than its customary "watch and wait."

This is Government by crises.

This is Government by political expediency that invariably leads to crises.

The reason this Congress has so few accomplishments is not because of priority for emergency legislation but because of the administration's "watch and wait" policy whereby we move from crisis to crisis.

CIVIL RIGHTS PROPOSALS

Mr. WYMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Hampshire.

There was no objection.

Mr. WYMAN. Mr. Speaker, a representative of the NAACP visited me this morning in behalf of the administration's civil rights proposals. We had an interesting, and I believe amicable, exchange of views.

Because this subject is of such importance, as well as that its pendency is delaying the Congress in its consideration of other major legislation, I would like to state at this time the substance of what I said to the NAACP. It was just this:

Legislation designed to throw people together by force is not the answer to human adjustments. Neither do threats of violence to assure precipitate haste help to achieve sound legislation.

Education, understanding, and tolerance on both sides is the answer. Such an answer, steeped in patience and brotherhood, will not be solved by legislation under duress.

Call off your mass demonstrations. Still your hate mongers. Prove your willingness to live under and abide by the rule of law. When you have done these things, come back to Congress and we will help.

Until then, legislation to further hasten what appears to be a growing threat of head-on race conflict in the United States is unwise and undesirable.

HON. HERBERT HOOVER'S 89TH BIRTHDAY

Mr. LINDSAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. LINDSAY. Mr. Speaker, I wish to call attention to the fact that Saturday, August 10, marks the 89th birthday of one of our Nation's greatest citizens.

Many of us are privileged to know this gentleman.

All of us are, or have been, privileged to call strength, wisdom, and inspiration from his great accomplishments, his unfailing dedication to high principles and his wonderful example.

For more than 50 years he has given unselfishly and unstintingly of his invaluable time, his vast talents and his remarkable energies to the cause of our country—and of all mankind.

From humble beginnings on an Iowa farm, he rose to a position of international prominence as an engineer, humanitarian, and statesman.

Millions throughout the world literally owe their lives to this great gentleman. Millions more owe him a debt of gratitude for arduous service to his country at an age when most men are content to rest on their laurels.

I, of course, make reference to the Honorable Herbert Hoover, the 31st President of these United States. I am deeply honored to be his Representative in Congress.

On Saturday, at his apartment in New York, in the 17th Congressional District, where he continues to maintain a regular work schedule, a small group of his family and friends will gather to celebrate Mr. Hoover's 89th birthday.

Elsewhere throughout the country, many thousands of Mr. Hoover's friends and admirers will join in wishing him well. And I am sure that all my fellow Members of the House—and of the Senate—will want to join with me in wishing Mr. Hoover many more years of happiness and accomplishment.

But Mr. Speaker, that is not the main purpose of my mission here today.

It has just been brought to my attention that—in honor of Mr. Hoover's lifetime of dedication to youth—and in honor of his lifetime pursuit of better conditions, better hopes, dreams and opportunities for our youth—that a new and novel development fund has been created.

This fund—appropriately enough—is to be known as "The Herbert Hoover Development Fund."

Its purpose will be to preserve what Mr. Hoover so aptly describes as "our Nation's most precious natural resource—our youth."

This fund is being established by the Boys' Clubs of America.

I am sure, Mr. Speaker, that you and my fellow House Members are aware of the great work being done by this national youth-guidance organization, which is now in its second century of service to boys.

For 26 years, Mr. Hoover has actively served as chairman of the board of the Boys' Clubs of America. Mr. Hoover is completely devoted to the cause of the Boys' Clubs movement.

He has often described these clubs as being "after the home, church and school, the greatest character-building institutions in our country today."

Under Mr. Hoover's dynamic leadership, the number of Boys' Clubs—and members served—has quadrupled.

There are now some 625 Boys' Clubs, serving well over 600,000 deserving boys, in more than 400 cities throughout the country.

For many years, Mr. Hoover has maintained that 1,000 of the Boys' Clubs, serving a million deserving boys, will greatly reduce juvenile delinquency.

And there can be little doubt, Mr. Speaker, that Boys' Clubs do play a major role in combating juvenile delinquency.

Repeated studies have established that when a Boys' Club is established, delinquency greatly diminishes or disappears. Sociologists, law-enforcement officials, and similarly qualified experts have often commented on the importance and accomplishments of these clubs.

No less an authority than the Director of our Federal Bureau of Investigation, Mr. J. Edgar Hoover, has said:

> For its magnificent record of over a century of outstanding performance in behalf of our youth, I commend to your wholehearted support, the Boys' Clubs of America.

With these facts in mind Mr. Speaker, we cannot help but express our complete agreement when Mr. Hoover says:

> We must organize prevention, whatever the merits of punishment may be. I ask that you give a helping hand in this great enterprise.

With the establishment of this Herbert Hoover Development Fund, it is hoped that Mr. Hoover's goal of 1,000 Boys' Clubs may soon be realized.

Mr. Albert L. Cole, president of the Boys' Clubs, who is vice president and general manager of the Reader's Digest, has just announced the foundation of the fund.

In doing so, he said, "It has long been our ambition to make Mr. Hoover's dream a reality." Through this fund, we now have every confidence of reaching that goal. "I am certain," says Mr. Cole, "that all Mr. Hoover's friends and admirers will want to join with us in making it possible."

Mr. Speaker, I, too, am certain that Mr. Hoover's friends and admirers will be happy to hear of this fund and will want to assure its success.

I have some personal familiarity with the Boys' Clubs movement and with some of its clubs. And I am proud to state that the national headquarters of the Boys' Clubs of America, appropriately known as the Herbert Hoover Building, lies within my district.

On occasion, when I pass in the shadow of this building, I also have the feeling that I am passing in the shadow of a great man, a great statesman—and a great humanitarian.

It is an honor and privilege to wish Mr. Hoover well on his 89th birthday and to wish every success to the Herbert Hoover Development Fund.

CHARLES H. REED

Mr. UDALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. UDALL. Mr. Speaker, last night the people of Arizona suffered a grievous loss when Mr. Charles H. Reed died suddenly here in Washington in the midst of carrying on his long and hard battle to get the water his State most urgently needs.

Mr. Reed was special counsel for the Arizona Interstate Stream Commission and was chief counsel for the Colorado River litigation with California. As such he has devoted years to this exceedingly complex legal struggle which was climaxed June 3, 1963, when the U.S. Supreme Court rendered an opinion favorable to Arizona.

Mr. Reed was one of Arizona's most able and respected lawyers as well as a warm, kind man. To a large degree it was his mastery of intricate water law and his faith in Arizona's cause that brought victory in the Colorado River lawsuit.

I was privileged to know and work with Mr. Reed. I visited with him only hours before his death.

His passing is not only a tragedy for his fine family; it is a real loss for the State of Arizona.

Mr. SENNER. Mr. Speaker, will the gentleman yield?

Mr. UDALL. I yield to the gentleman.

Mr. SENNER. Mr. Speaker, last night Arizona lost an outstanding attorney and I lost a warm friend. At 10:15 p.m., Charles H. Reed suddenly passed away in Washington after being stricken while eating dinner.

Charles Reed's dedication to Arizona knew no limits. As chief counsel for Arizona before the Supreme Court, his great wisdom and knowledge was largely responsible for the courtroom victory that has at long last assured our State of its proper share of Colorado River water.

As special counsel for the Arizona Interstate Stream Commission he tirelessly pursued fulfillment of the central Arizona project. In fact, he was here in Washington seeking that long-sought goal when the tragic event occurred.

We shall miss him. Not only Arizona; not only his friends; not only Mrs. Senner and myself; but all men who believe in and have fought for reclamation.

Mr. RHODES of Arizona. Mr. Speaker, will the gentleman yield?

Mr. UDALL. I yield to the gentleman.

Mr. RHODES of Arizona. Mr. Speaker, Arizona yesterday suffered the tragic loss of one of her outstanding citizens—Mr. Charles H. Reed, of Coolidge and Phoenix, a fine and able lawyer and chief counsel of the Arizona Interstate Stream Commission. Because of Mr. Reed's service to the people of Arizona, he was well known in Washington as well as in Arizona, and all who knew him will feel deeply the loss of his friendship, ability, and warm personality. A man of integrity and intelligence, he commanded the respect and admiration of everyone associated with him. His principles were high, and he gave unstintingly of himself in every endeavor. He made lasting contribution to the success of Arizona in her struggle to obtain her share of Colorado River water.

The Arizona delegation, the Arizona Interstate Stream Commission, the law firm of Jennings, Strouss, Salmon & Trask of which he was a member, the members of the legal profession with whom he worked, all have lost a man whom they were proud to call a friend and colleague. I am grateful for the privilege of having known and worked with Charlie Reed, and this feeling I know is shared by all who have had this same opportunity and privilege.

My deepest sympathy goes to Mr. Reed's family and friends; we share the loss of a fine man.

LEGISLATIVE PROGRAM

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. BYRNES of Wisconsin. Mr. Speaker, I have asked for this time to inquire of the majority leader as to the legislative program for the balance of this week and next week.

Mr. ALBERT. Mr. Speaker, we have completed the legislative business for this week. It is our intention to ask unanimous consent that the House adjourn over until Monday.

The legislative program for the House of Representatives for the week of August 12 is as follows:

Monday is District day. There is one bill—H.R. 7525—relating to crime and criminal procedure in the District of Columbia.

Tuesday and the balance of the week—H.R. 6143—the Higher Education Facilities Act of 1963.

This announcement of the program is made, of course, subject to the reservation that conference reports may be brought up at any time and that any further program will be announced later.

May I advise the House that action is expected to be taken on important conference reports next week and also that other bills may be scheduled for consideration later in the week. I make this announcement, Mr. Speaker, so that Members may be advised accordingly.

Mr. HALEY. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman.

Mr. HALEY. Mr. Speaker, I do not intend to object to the request by the majority leader to go over until Monday, but I do want to call the attention of the majority leader and the leadership of this House to this fact: For three straight times in my subcommittee, where we had witnesses from various parts of the Nation who came here to testify to try to expedite the legislation of this session, we have been caught with this 11 o'clock assembly of the House. It is now 3 o'clock and we could have completed the legislative session of this day by 4 o'clock on the same basis. Now, Mr. Majority Leader, and I say this to the Speaker and to the leadership of this House, it is very unfair to bring witnesses here from various parts of the Nation who come here to give the Congress the benefit of information needed to process legislation.

I hope in the future, Mr. Majority Leader, that the Members of this House will be notified as early as possible when a situation arises such as has arisen here today.

Mr. ALBERT. Mr. Speaker, if the gentleman will yield, of course, the leadership will endeavor to comply with that request, which is a fair request, insofar as we can. But I would like to advise that we try to schedule these programs to conform to the best interests of the House as a whole. Also, I must advise that we can only meet early after a unanimous-consent request has been made and agreed to. But I do hope we can, in programing legislation and in scheduling the meetings of the House, move in a manner which will be fairest to all committees and all Members concerned. In this instance we did endeavor to do that.

ADJOURNMENT TO MONDAY, AUGUST 12, 1963

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER pro tempore (Mr. Bolling). Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY RULE ON WEDNESDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule may be dispensed with on Wednesday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

THE SHOCKING DETAILS OF THE INFAMOUS GESELL REPORT

Mr. WAGGONNER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include an editorial.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, as you sat in the chair here yesterday from about 1 o'clock to well after 6 o'clock, I am sure you were impressed as was I by the large gathering of Members who stayed in the Chamber to hear from myself, my distinguished colleague, the gentleman from Louisiana [Mr. Hébert], and the ranking member of the Armed Services Committee, the gentleman from South Carolina [Mr. Rivers], the shocking details of the infamous Gesell report.

It was the largest body, I am told, to sit through so long a period devoted to a special order, in many, many years. Those of us who brought out the facts on this vicious report were pleased that so many shared our concern over what the Secretary of Defense, the President, Adam Yarmolinsky, and Gerhard Gesell and his Committee are trying to do to the honorable, traditional role of our military forces.

As the true facts were brought out, one after the other, in shocking procession, my hopes rose that, at last, we would be able, because of this unprecedented interest, to break through the solid barriers put up by the liberal element of the press to keep the facts of this report from the people of this country. Thank God there are still some newspapers that will carry the news of what took place here yesterday. I realize, in the cold light of the following morning, that I should not have been so naive. The leftwing elements of the press have no intention of letting this story out to the public.

This morning's edition of the Washington Post contains not one single line about the 4 or 5 hours discussion which took place here yesterday. Not, I repeat, one single line on a topic that deeply concerns every individual within the borders of these United States. Not a line to tell, or hint, even, at the infamy which is being practiced against the innocent military men and women of this country.

I say I should not have been so naive as to expect this radical semblance of a newspaper to cover even a portion of what took place here. I should not, because they blacked out one of the most important Congressional Record insertions I have read in many years less than 2 weeks ago, when they refused to take notice of an insertion by our colleague, the distinguished Member from Arkansas, Representative E. C. Gathings.

On July 29, the gentleman from Arkansas, Representative GATHINGS, inserted in the RECORD the detailed record of all the Communist-front affiliations of members of the racist NAACP. He did so following the assertions of the President and the Attorney General that they knew of no Communists infiltrated in the race-mixing movement.

The insertion of the gentleman from Arkansas, Representative GATHINGS, occupied 30 pages of the RECORD in its small type. Thirty pages, I repeat. Thirty pages showing, membership by membership, the Communist-front affiliations of the hierarchy of the NAACP.

Not one word appeared the following day in the Post, or for that matter, in any other radical left newspaper, which I have read.

How tragic that the liberal press of this Nation black out information of this type. What a vicious practice to keep from the people the truth when they profess to be dedicated to a search for the truth. I suggest to the Post that the search is not a difficult one. The truth passes across their desk every day. They only have to remove from their staff the employees who slash the truth out of their news columns and permit only those stories that glow with praise for the radical elements in this country.

The truth of the Gesell report was hand delivered to the city editor of the Post 3 weeks ago by a member of my staff whom I sent to deliver a copy of my newsletter which first exposed this insane directive. The truth did not require a search. I searched for them and spoonfed it to them, but, again, not a line appeared then just as not a line appeared this morning after the hours of debate we undertook in this Chamber yesterday.

It was not for a lack of space that the Post did not mention the Gesell report this morning. They managed to find space in their editorial column for a lengthy editorial pleading the cause of homosexuals in the Capitol.

A subcommittee of the House is considering legislation today which will prohibit members of the Mattachine Society from soliciting funds for their organization. The Mattachine Society is an organization dedicated to the advancement of homosexuals.

The Washington Post pleads with its readers to protect the rights of these homosexuals and help understand them.

This, I suggest, is a queer attitude for a supposedly influential newspaper to take.

Ever since I came to Washington as a Member of this body, I have heard the Post referred to as the Com-Post by members of the press, by Members of both Houses and by the public at large.

Webster defines "compost" as a fertilizing mixture composed of peat, leaf mold, manure, and lime, mingled and decomposed.

For the edification of my colleagues, I include herewith the pleadings of the Post for us to protect the rights of the homosexuals in Washington. Imagine, if you can, the kind of editorial mind which considered this more important than our debate yesterday on the Gesell report.

UNPOPULAR CAUSES

A House District Subcommittee is to hold a hearing this morning on an unfortunate bill introduced by Representative JOHN DOWDY of Texas. The bill would amend the District of Columbia Charitable Solicitation Act in two ways. First, it would forbid the issuance of a certificate of registration to any organization soliciting charitable contributions in the District unless the District Commissioners find that "the solicitation which would be authorized by such certificate will benefit or assist in promoting the health, welfare, and the morals of the District of Columbia." The second amendment would revoke a certificate of registration already issued to the Mattachine Society of Washington.

To make the solicitation of funds for an organization concerned with ideas dependent upon official approval of the purpose for which the funds are to be used would be to put a very serious crimp in the right of expression and petition. There is little need for a constitutional guarantee of free speech for ideas which already enjoy majority acceptance. The first amendment was added to the Constitution to protect the advocacy of unpopular and unorthodox ideas. Mr. DOWDY's first section would violate the first amendment.

There is little doubt that the Mattachine Society espouses an unconventional cause. It is a social action group dedicated, according to its constitution, "to improving the status of the homosexual in our society, in the interest both of that minority group and of the Nation." It aims, in short, to protect the rights of homosexuals and to promote understanding of them. It does not function in any way, of course, to promote homosexual activity.

We think that the organization has a clear right to make a plea for public support. The law under which it was licensed to do so is simply a law which recognizes that right. Mr. DOWDY's second section, revoking the license, looks to us very much like a bill of attainder—a legislative act inflicting punishment without judicial trial. The Constitution flatly forbids Congress to pass a bill of attainder.

COMMENTS ON SOVIET TREATY VIOLATIONS

Mr. HOSMER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOSMER. Mr. Speaker, inasmuch as a new and significant treaty with the U.S.S.R. is up for ratification, it seems appropriate to review that country's record of fidelity to its treaty promises. It is a sorry one, indeed.

Although Communists are willing to negotiate, they are seldom willing to negotiate at any cost which involves foregoing their ultimate goal of world domination. In fact since the beginning of the Red regime in Russia a calculated course of insincere negotiation has been pursued wherever and whenever it forwards the goal of world domination. This is not to say that no negotiation at all is possible, but to warn that it is possible only in those limited cases where some factor in addition to good faith is present to compel Communists to keep their promises. It also is to warn that insuring this requires not only reading between the lines of any proposed pact, but between the words as well.

Summed up masterfully by the distinguished international lawyer, Adm. Chester Ward, the Communist philosophy on treaties is this:

> Communist dogma insists that promises, like piecrust, are made to be broken. Whom the Communists would destroy, they first invite to coexist, and offer a nonaggression pact.

In its 44-year history, the Soviet Union has signed over 2,000 agreements with non-Communist governments. It is safe to say that those remaining unbroken by the Kremlin are only those which expediency has not yet dictated the breach. Recently the American Bar Association's committee on Communist tactics, strategy, and objectives had this to say:

> During the last 25 years the United States has had 3,400 meetings with the Communists, including Teheran, Yalta, Potsdam, Panmunjom, and Geneva. The negotiators spoke 106 million words. All this talk led to 52 major agreements and Soviet Russia has broken 50 of them.

Treaty violation as practiced by the Soviet Union has had two facets:

First, the conventional breach of existing treaties whenever, because of changed circumstances, they no longer serve current purposes; and,

Second, the more Machiavellian practice of deliberately seeking treaties involving immediate concessions by the non-Communist signatory in exchange for delayed Communist concessions which are subsequently avoided by formal or informal treaty violation at the time performance is called for.

Such Communist diplomatic perfidy is a regrettable fact of international life that cannot safely be ignored. It must be recognized as a dangerous pitfall in any and all negotiations between East and West. It must be accepted as a limitation on talks, conferences, negotiations, and treaties as a means toward achieving a stable world order, based on respect for, and conformity with, international law.

Realistically citing the demonstrated disregard by the Communists of their pledges as one of the greatest obstacles to success in substituting the rule of law for rule by force, former President Eisenhower declared a basic rule for Western self-preservation in his 1960 State of the Union message by saying:

> We have learned the bitter lesson that international agreements, historically considered by us as sacred, are regarded in Communist doctrine and in practice to be mere scraps of paper. As a consequence, we can have no confidence in any treaty to which the Communists are a party, except where such a treaty provides within itself for self-enforcing mechanisms.

The self-enforcement procedures Mr. Eisenhower called for are necessary because the process of negotiation and agreement inherently involves concessions. Unless matched by equivalent concessions by the Communist bloc signatory, any Western concessions can represent only steps away from, not toward, the goal of successful conclusion of the East-West conflict. This is because they will constitute only a further whittling away of an already weakened Western position.

Equivalency, however, is not measured by the paper magnitude of mutual concessions. Concessions by the Soviet signer must be self-enforcing upon it. Unless this is so, they will never be honored to the impediment of the advancement of international communism. The quid pro quo of the agreement's words is an illusion without this inherent safeguard. Without it, no agreement "relaxing tensions" as a "first step" toward peace, as the emotional argument goes, is a step toward peace as the West understands it. It is a step toward peace as the Hungarian freedom fighters and the freedom rioters of East Berlin and Poznan savagely were taught it.

As the West understands it, the solemn observance of international obligations is the backbone of international law and underlies settlement of differences between nations without resort to war. As the Communists understand it, the timely breach of international obligations is simply another expedient weapon in the arsenal of conflict with the non-Communist world.

This is the basis of Stalin's observation regarding relations with non-Communist countries that:

> Sincere diplomacy is no more possible than dry water or wooden iron.

And, from the standpoint of Western concepts of morality, it is the basis for the Senate Internal Security Subcommittee's evaluation:

> You must be a liar, a cheat, and probably a spy before you can represent a Communist nation in international diplomacy. You must have no more regard for honor when you sign an agreement on behalf of your country than a forger does when he puts a name on a check.

Communist contempt for international law and decency is the theoretical and practical basis on which Red army commissars, despite promises of safe conduct, arrested and executed the leaders of the Hungarian revolution while ostensibly negotiating an armistice.

These are some of the thoughts that are on my mind while the members of the other body are considering the partial test ban pact. I speak of them today not so much to the Members of the House as I do to those of that other body. Currents of emotion, strong currents, may run past those 100 Americans seeking to sway their decision. But stark, unpleasant facts, too, must guide their decision as to what course will best protect American liberty and American lives from the dangers of a hostile world.

In arriving at their decision I pray those facts will not be ignored. I also pray that this admonition of Sir Winston Churchill may be observed:

> If you will not fight for the right when you can easily win without bloodshed—you may have to fight when there is no hope of victory because it is better to perish than to live as slaves.

PRACTICE FREE ENTERPRISE

Mr. BROCK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. BROCK. Mr. Speaker, I would like to take this time today to congratulate and commend Mr. Edwin P. Neilan, president of the U.S. Chamber of Commerce, for his very fine speech before the National Press Club entitled "Our Own Public Scandal—Vote Buying and Selling."

Yesterday several Members of this body rose in "moral indignation" over Mr. Neilan's charge that pork barrel is as immoral as the recent Profumo scandals in Great Britain. I would at this point like to take exception with my distinguished colleagues who have said they were outraged and shocked by Mr. Neilan's accusations. But I, in turn, must express my shock and deep regret that such capable men would continue to advocate programs which would attempt to buy votes today but which are charged to the account of the children of tomorrow.

The pork barrel is not new to American political life, but it is more sophisticated, more sinister, and more widespread than ever. This complete abandonment of sound economic practices and the promotion of deficit spending is robbing the soul of America. I think it is time for not only the Members of this Congress, but the citizens of this country to work to restore the sense of local responsibility in our communities and individual responsibility in our citizens.

Let me add one note of caution, though, to those who would place all the blame on our political leaders. Politicians would not vote for pork barrel were there not citizens who were seeking such special privileges which had not been earned, and who were willing to reward those who would provide such special benefits. Business leaders may preach the free enterprise system, but such words have a hollow ring when we see those same persons sticking the other hand out to the Federal Government for help.

If we are to preserve the values of this great Nation, we must be willing to practice what we preach. Free enterprise does not just apply to everybody else, it also applies to me.

I commend the following remarks and column to your serious attention.

OUR OWN PUBLIC SCANDAL—VOTE BUYING AND SELLING

(By Edwin P. Neilan, president, Chamber of Commerce of the United States, before the National Press Club, Washington, D.C., Aug. 7, 1963)

Mr. President, gentlemen of the National Press Club, I acknowledge this generous introduction with mixed emotions, pleased and flattered to appear before the National Press Club, which has earned a reputation as one of the great public forums of the free world, but uneasy because no matter how I choose my words you will have the last ones. You have acquired an awesome reputation for masticating luncheon speakers; one which I suspect is deserved even though Earl Steele, the head of our news department, assures me that you're a kindly group of family men once you have met your deadlines. Knowing you like the water hot, let me plunge in and hopefully heat it up a bit more.

You gentlemen who manage the news have managed to convince the rest of us that moral standards have been battered into pretty bad shape everywhere. If anyone is doing anything right, you are helping him keep it to himself. To put it briefly, the evil that men do, ably reported, sells newspapers, the good is good only in autobiographies. Whether or not that's as it should be, in a Republic founded on the frequently unexpressed consent of the governed, a free and watchful press has the essential duty to expose wrongdoing and corruption in the conduct of government and of the men we elect to office.

Most recently, effective vigilance by your news colleagues on the other side of the water took a simple spy story, salted it with a dash of sex and scandal and almost turned a government upside down. It was a clear and vivid case of an alert press, pressing for action. Today I call your attention to our own homegrown, still growing, scandal, a scandal of infinitely greater proportions for it involves public morality throughout our Nation.

These remarks on "Our Own Public Scandal—Vote Buying and Selling" might well have been subtitled "Billions for Ballot Bribery," because our public scandal involves the wholesale purchase of votes on an unprecedented scale. The opening skirmishes of the 1964 national election campaign provide a clear and present danger that this election may be the biggest auction sale in history—the sale of ballots not solely for promises but for hard cash. The old-fashioned wardheeler who rounded up and delivered derelicts to the polls at a dollar a vote was an honest man compared to the widespread public immorality that has infected otherwise reputable, respectable American men and women who are willing, even eager, to turn their elected representatives into "bagmen."

Let me hasten to say that this is no indictment of many Members of Congress. There are some who bravely resist the selfish pressures from back home, and they are outstanding in their service to the country. Nor is the immorality confined to either major political party. It involves voters, candidates, and elected officials of both parties, but inevitably the bulk of the spending—or buying—the bribing power if you will—rests with the party in office. Controlling a Federal budget of almost $100 billion, the talented politicians who will direct the administration campaign for reelection in 1964 have more of your money and my money to spend than in any previous election in our history—and more ways to buy votes with it. They hold the purse strings on billions of dollars of vote-getting projects: accelerated public works, urban and rural area redevelopment, defense-space contracts, to name just a few. Who is so naive as to believe they will not use them or that our whole electorate is incorruptible?

The spoils system is now new in American political life, but it is more sophisticated, more sinister than ever before, and never have we seen such widespread public indifference to—even acceptance of—political bribery. Let's not put the blame entirely on the officerholders and the office seekers. Your political officeholder doesn't become a "bagman" all by himself: it takes two to make that kind of a deal. The voters who consider their elected representatives as "bagmen" fall into two categories, but in both their moral guilt is inescapable.

First are the voters who send their man to Washington not to promote good government but for the express purpose of getting Federal tax or deficit financed dollars for their own district or State, even for their own private companies. If he fails to deliver, they kick him out of office by electing someone who will. These are the "pushers."

Second are the "takers," the people who vote for a candidate because he promises fatter Federal fund handouts than his opponent. If he doesn't deliver, he gets voted out, too.

In either case, the voter sells his ballot to buy a Congressman; the Congressman sells his high office to buy votes. The voter doesn't support the candidate who deserves support, he casts his vote for the biggest briber. I find it difficult to rank such conduct higher in the moral scale than the association of politicians, party girls, and spies in Great Britain. There is much less attractive perfume involved in seduction by subsidy. But we cannot laugh and turn the page as we might with those stories from abroad. The critical issue of national political morality must be dealt with if we are ever to regain responsible government here in America.

How do we attack the cause of this immorality? We must go to the source, the reckless extravagance which is corrupting the electorate and undermining responsible government. If you have an extravagant wife who is spending you into the poorhouse, prudence dictates that you cut off her checkbook privileges, her charge accounts, and her credit cards until she reforms. You must curb her spending authority. We must do something of that sort with our bureaucratic big spenders here in Washington, we must curtail their extravagances by reducing the tax money and credit they have to hand out. The administration proposes to spend $98.8 billion during this fiscal year plus authority to spend another $9.1 billion at a later date. Is it barely possible that they want that added authority available around election time next year?

The Chamber of Commerce of the United States has recommended 117 specific areas in which proposed spending can and should be cut without impairing our national security in our essential Government services in the slightest degree. They total a reduction of $9.1 billion in spending authority and $4.5 billion less in actual cash expenditures for this fiscal year. These economies can be increased by returning to the States, counties, and local communities the responsibility for projects which are basically local in nature. They can be achieved by resisting all expenditures for new functions or for expansion of existing programs unless it can be proved beyond a reasonable doubt that such programs are essential to the urgent national security requirements of this Nation.

The area redevelopment assistance program is a case in point. The administration wants to spend another $455.5 million to expand this program of assistance to so-called depressed areas, even though the experience of the past 2 years has proven that this program doesn't work. Economically depressed areas are created by a variety of factors such as changes in consumer demand, depletion of resources, changes in defense procurement, or in the location of defense facilities, decentralization of production, lack of industrial diversification and technological change. The Area Redevelopment Administration has done nothing to change any of those conditions which cause depressed areas. It cannot. No Federal program can. When this program was initiated, only 103 areas in the United States were listed officially as "depressed." Today, this sophisticated spoils system includes 1,000 eligible areas and the list is growing.

Where does this vote buying labeled as "assistance" stop? Is the Federal Government to pour out tax money and borrowed funds endlessly to bail out every community, every industry, every individual company that finds itself in trouble? Or is the proper role of the Federal Government to curtail this spending in order to create sound foundations for sustained economic growth which will enable the whole American community to prosper?

No one suggests that real depressed areas be ignored. I do contend that the solution of our depressed area problems will not be solved until we turn from Washington to local responsibility and local leadership. Local initiative certainly is no new idea. Communities like Winston-Salem, N.C.; Tampa, Fla.; Columbia, S.C.; and Altoona, Pa., are relying on nonprofit organizations created especially to provide money for industrial expansion. There are more than 10,000 of these organizations in the country. Another method of local self-help consists of mobilizing the community's skills and energies to attack the critical problem of urban renewal. Voluntary organizations form the core of a united effort to determine the problems, give them priorities and arrange for the financing. This method is now being used in about 50 cities, and is being refined in several pilot cities under the sponsorship of the national chamber.

The economies in Federal spending accompanying such a return to local responsibility are enormous, they are necessary, and they are practical. But we cannot get them without a radical change in the political morality of the numerous citizens throughout our Nation. We're not going to get real economy in Government so long as many Members of Congress continue to serve as "bagmen" for their constituents and so long as many of the electorate continue to pressure them to do so.

When Mr. Kermit Gordon took office as Director of the Budget last January, he waited for Members of the House and Senate to suggest one or more projects in his district or State which could be eliminated or postponed in the interest of economy. Mr. Gordon put a folder on his desk to hold the contributions that should pour in. Six months later, he had one piece of paper in the file. This was from a New York Congressman who was willing to give up a minor Long Island ferry project. Congressional economy seems to be something you practice on someone else's constituents.

On the other hand, it seems that every Member of Congress has a file of projects which he is pushing for his constituents, or which his constituents are pushing on him. I wonder how many of these projects would meet the test of real national necessity? Perhaps you gentlemen of the press could do your readers and your country a service by looking into those files and asking that question of your Congressman or your Senator.

Members of Congress find themselves under almost intolerable pressure from their voters to get more and more Federal handouts—apparently in the belief that somebody else is paying for them. Make no mistake: These pressures impair the effectiveness of our Congressmen and Senators to the point where they have less and less time to give adequate attention to our real national interests and the national problems involved.

I won't be surprised, and neither will you, if we find a few normally conservative, economy-minded Congressmen from the cotton States voting in favor of the wasteful additional half billion dollars for ARA a few days hence. Cotton legislation is also at stake. Can anyone question that the pressure of constituents' self-interest bears heavily on the judgments and time of our lawmakers and affects to some degree every major legislative decision? When a Congressman is not consistent, look at his constituents.

Government supported by bread and circuses has been with us a long time and no one believes it is going to be corrected overnight. But to paraphrase a prominent Bostonian temporarily residing here, "let us begin."

The need is to awaken the public conscience to the dangers of this something for nothing philosophy, to restore the sense of local responsibility in our communities and the sense of individual responsibility in each of our citizens. The chamber of commerce is trying to do just that in cities and towns across the country, and there is a growing recognition of personal responsibility stirring in the air. You news prospectors and interpreters may disagree with the chamber of commerce on the proper solution of some of the great public issues that confront us. That is your privilege. But surely there is no disagreement on the need for higher standards of morality among our elected officials and our citizens; surely there is no quarrel on the need for reasonable economy in Government to ease our growth stifling tax burdens and bring the national debt within manageable proportions.

Each of us may have a bigger stake than we realize in these problems. Modern medicine is doing so much to increase our life expectancy that we had better demand control of the size of our spending and our national debt. We might end up having to pay it all ourselves instead of passing it along to our children. Horrible thought, isn't it, to anyone except a responsible citizen with a high sense of political morality and the urgency of the times.

[From the Washington (D.C.) Post, Aug. 8, 1963]

IMMORALITY CHARGE OUTRAGES CONGRESSMEN

(By Julius Duscha)

Two Democratic leaders in Congress rose up in moral indignation yesterday to protest a charge by Edwin P. Neilan, president of the U.S. Chamber of Commerce, that the pork barrel is as immoral as the sex-and-spy scandal in Britain.

The morality byplay began with a speech by Neilan before the National Press Club, then moved into a noisy second act on Capitol Hill, and reached a climax when Secretary of Commerce Luther H. Hodges got into the third act with an outraged soliloquy.

Both Hodges and MIKE MANSFIELD, Democrat, of Montana, the Senate Democratic leader, tried to turn the day's dramatic events into rave reviews for the beleaguered depressed areas program.

In his blanket indictment Neilan included voters "who send their man to Washington not to promote good government but for the express purpose of getting Federal tax or deficit-financed dollars for their own district or State, even for their own private companies."

Neilan divided voters into "pushers" who force Members of Congress to get Government contracts as the price of reelection and "takers * * * who vote for a candidate because he promises fatter Federal fund handouts than his opponent."

"In either case," Neilan continued, "the voter sells his ballot to buy a Congressman; the Congressman sells his high office to buy votes. The voter doesn't support the candidate who deserves support, he casts his vote for the biggest briber.

"I find it difficult," he concluded, "to rank such conduct higher in the moral scale than the association of politicians, party girls, and spies in Great Britain. There is much less attractive perfume involved in seduction by subsidy."

Neilan singled out the depressed areas program, which the Kennedy administration is desperately trying to revive in the House, as a particularly "sophisticated spoils system."

MANSFIELD was morally outraged by Neilan's speech and replied to it on the Senate floor even before the Press Club audience had heard the speech.

Relying on advance copies of Neilan's speech, MANSFIELD told the Senate: "The gist of his remarks is that we in Congress are immoral, our constituents are immoral, the Federal Government is immoral and all Federal-State programs are immoral."

Such charges are an "affront" to the American people, MANSFIELD added.

In the House, Democratic whip HALE BOGGS, Democrat, of Louisiana, also was outraged. He told the House that to compare activities of Congressmen to "the sex-and-security scandals of Great Britain is unbecoming to the president" of the chamber of commerce.

Chairman WRIGHT PATMAN, Democrat, of Texas, of the House Banking Committee, which is handling the depressed areas legislation, said he was "shocked that there should be a man of such vast ignorance and unlimited ill-will heading" the chamber.

Scarcely had the curtain fallen on the congressional act when Commerce Department duplicating machines were turning out a statement by Secretary Hodges expressing alarm at Neilan's "derogatory" speech.

"It is not proper or factual," Hodges declared, "to accuse Members of Congress and the administration of 'immorality' because of spending for urban renewal, defense contracts, ARA (Area Redevelopment Administration), and so forth, as mentioned in his talk."

Last June the House defeated legislation to give the ARA $455 million in additional authority to make loans and grants to depressed areas. The administration is trying to reverse that decision with a new vote in the House.

CODE OF ETHICS FOR GOVERNMENT EMPLOYEES

Mr. SHORT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. HALPERN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

Mr. HALPERN. Mr. Speaker, 5 years ago Congress enacted a widely heralded congressional resolution known as the Code of Ethics for Government Employees, sponsored by the distinguished gentleman from Florida [Mr. BENNETT]. It has become the standard of conduct for public servants, elected and otherwise, in all three branches of Government.

As our distinguished colleague from California [Mr. BOB WILSON] has pointed out, only too often the public becomes apathetic about such codes and forgets about their existence. Therefore, I feel it is healthy and in the Nation's best interest for Congress to reemphasize and reaffirm its concurrence in the principles set forth in the code. I agree, too, with the gentleman that we should go further. The earlier resolution adopted by Congress covered Government employees. It was assumed to apply chiefly to employees of the executive branch of the Government. I would like to see its language broadened so that the code of ethics will clearly apply to Members of Congress as well. Hence, I am privileged to join with the gentleman from California in cosponsoring House Concurrent Resolution 202. I trust the resolution, like its predecessor, will receive a resounding vote of approval.

NORTHEAST AIRLINES—OUTRAGE GROWS

Mr. SHORT. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, during the past 2 weeks I have commented on five occasions on various aspects of the recent CAB decision which decapitates Northeast Airlines. As returns are beginning to come in from all over the country and the full impact of this outrageous decision is coming into focus, there is mounting pressure that something be done and done immediately to remedy this great wrong.

Today New England Congressmen and Senators have begun to move on a broad bipartisan front. At a meeting here in the Capital of our Nation, called by Congressman Bradford Morse and Congressman Thomas O'Neill, James Austin, the president of the embattled Northeast Airlines, appeared by invitation before a meeting of New England Senators and Congressmen. Decisive action has been decided upon. The gentleman from Massachusetts, Congressman MORSE, has been designated to draft a letter for signature by New England Congressmen and Senators. This letter will ask CAB for important interim action.

Northeast Airlines, which is New England's only commercial airline, has, against great odds, developed a record of which we in New England can be proud. They have recently received a National Safety Council Award and have also been named first in ontime performance.

Mr. Speaker, there is more at stake than the life and death of Northeast. Jobs are at stake. Not only the thousands of jobs of those working for Northeast Airlines and related services, but jobs in the area served by Northeast. New England industry has become increasingly dependent on air transportation. It would be sheer folly for us to let Northeast go down the drain. In addition to industry, the recreational facilities of northern New England must be served by air transportation. In New Hampshire our fine educational institutions and our rapidly expanding recreation industry, together with our growing manufacturing economy, are all dependent in ever-increasing degree on air transportation.

Mr. Speaker, informed opinion from all over this country has been shocked by the unfairness of this unprecedented CAB decision. In one stroke they severed the jugular vein of Northeast Airlines and the same stroke cuts the heart out of competition on the air routes from New England to Florida. The public is entitled to the benefits of competitive forces. I applaud the efforts of Senator KENNEDY and Senator SALTONSTALL to have the Justice Department inquire into the potential monopoly situation that will develop if this decision is allowed to stand.

Mr. Speaker, it is most encouraging to me to witness the bipartisan concerted effort that is being waged on behalf of New England's beleaguered airline. For too long New England has failed to act in full concert to protect and foster its own.

Mr. Speaker, much has been said about the CAB tentative decision. Because many of my colleagues may not have had an opportunity to read this decision, I am including it here. I commend to my colleagues' attention the dissenting opinion of Vice Chairman Murphy and member Minetti:

The Civil Aeronautics Board today announced that it has tentatively decided to deny renewal of Northeast Airlines' certificate authority to engage in air transportation south of New York. The Board's decision is based upon a finding that there is no present need for a third carrier in the New York-Florida market. The Board also determined that it would promptly restore Northeast to a subsidy status under section 406 of the Federal Aviation Act, as soon as Northeast terminated its operations south of New York. The carrier's authority to operate south of New York was originally granted in September 1956 for a 5-year period, and will continue by operation of law until the carrier's application for renewal is finally determined by the Board.

Based upon the formal record made in this proceeding, the Board decided that in the New York-Florida market (1) the public benefits anticipated when the certificate was granted have not materialized, (2) the future prospects for operation of Northeast's system on a profitable basis are extremely remote, and (3) the remaining two carriers are capable of meeting the requirements of this market.

Northeast was temporarily certificated on the New York-Florida route with the expectation that the New York-Florida market would continue to grow substantially as it had in the past, that Northeast would become a subsidy-free and profitable carrier as a result of its operations to Florida, and that significant improvements in service to the traveling public would occur, particularly with respect to services between New England and points south of New York. These benefits have not been realized and the record offers no reasonable expectation that they will be forthcoming if Northeast's certificate were renewed.

As to Northeast's operations north of New York City the Board intends to restore the carrier to subsidy eligibility under section 406 of the act in order to permit continuation of needed services in that area. In the event that disruptions should occur in the Northeast services, the Board will exercise its full authority to maintain or provide an adequate level of local service in New England.

Today's announcement does not constitute the Civil Aeronautics Board's final decision in the proceeding. It will be formally entered and issued promptly.

DISSENTING OPINION OF VICE CHAIRMAN MURPHY AND MEMBER MINETTI

We would renew Northeast's certificate in the New York-Florida market as well as grant it subsidy for required local service operations in New England. There is a substantial continuing need, as found by our examiner, for a third carrier in the flourishing, heavily traveled New York-Florida market and, with subsidy, to which we all agree Northeast is entitled for local service in New England, any serious doubt as to its fitness and ability to continue as a sound, viable carrier is completely dispelled.

The finding of the examiner that there is a need for three carriers in the New York-

Florida market, which is one of the largest passenger markets in the world, was supported by practically all parties in this case except Northeast's competitors, Eastern and National. Moreover, such a finding is consistent with past and recent decisions of this Board.

For example, the Board has found a need for four carriers in the New York-Chicago market and the Los Angeles-San Francisco market; for three carriers in 12 other major markets, namely, Chicago-Miami, Chicago-Tampa, Chicago-Atlanta, New York-San Francisco, California-Hawaii, New York-Detroit, Chicago-San Francisco, Chicago-Denver, New York-Atlanta, New York-Birmingham and New York-New Orleans, New York-San Juan.

The record shows that this market has experienced a healthy, progressive growth averaging 1 to 5 percent per annum and now generates nearly 2 billion passenger miles and approximately 2 million passengers per annum.

Consequently, we agree with the examiner that: "To set aside a market involving nearly 2 million annual passengers for two carriers could well be considered a protected market for the few."

The competitive spur furnished by Northeast has contributed substantially to stimulating the market and improving its service. By once again entrusting it to two carriers we are turning back the clock, downgrading the needs and convenience of the traveling public and risking the loss of noticeable improvements of service resulting from Northeast's entry in the market.

Solicitude for the well-being of Eastern has undoubtedly influenced the majority decision to eliminate Northeast in the New York-Florida market. However, this decision is an equal boon to National which is enjoying its greatest era of prosperity on a recently enlarged route system extending from Boston Harbor to San Francisco Bay along segments embracing a number of rich markets and great population centers. Special protection for National is not justified by a scintilla of evidence in the record. Eastern's temporary difficulties are not attributable to any weaknesses inherent in its route system and its able and wise management is progressively moving it forward. Most importantly, the record fails to show that either Eastern or National suffered any losses in this market because of competition from Northeast. Undoubtedly, Eastern will become the dominant carrier in this market. National, however, will share on a lesser percentage the valuable estate of Northeast which we now preemptively foreclose.

Thus, after 7 years of diligent effort in developing its Florida route—a 7-year campaign against great odds—Northeast is now deprived of the opportunity of achieving some economic reward for its valuable service to the public. This means, in our judgment, not only a present reward to Eastern and National, but also the inevitable designation of some other third carrier within the near future since the majority is unable to find, without equivocation, that a third carrier should be forever barred as a matter of policy from this market—one of the two largest passenger markets in the world.

Certain equitable factors in favor of Northeast cannot be ignored. It has borne the burden of unsubsidized service for many New England communities for 7 long years, thus saving the Federal Treasury more than $15 million while similar services were being and are now being heavily subsidized in all other areas of the United States. We note that our colleagues recognize the duty of the Government to afford these New England communities equal subsidy treatment, but would withhold it unless Northeast surrenders its one and only long-haul route. No standard of public interest requires this. No provision of any law compels it.

Northeast has not requested subsidy in this case. But it is plain to us that it is entitled to subsidy for its local services—a view to which the majority subscribes—and such revenues coupled with profitable operations over the New York-Florida route would assure the carrier of a solid future and secure its survival without a promiscuous merger.

Profits from the New York-Florida route would diminish or offset the subsidy requirements for Northeast's services and, thus, accord with congressional and executive policy to hold subsidy within reasonable bounds. The cost of certificating a substitute local service carrier in New England cannot now be approximated but, obviously, would be substantial if Northeast is forced to cease operations.

The recent extraordinary steps undertaken by Toolco to reorganize the debt structure of the carrier so as to place it on a sound financial basis demonstrates management's conviction in the ability of Northeast to survive with the Florida route, even in the absence of subsidy.

Of major concern to us is the crippling effect which this decision will have on the large pool of skilled employees of Northeast and its effect upon many cities and communities in New England, an area of the country already suffering from a deteriorating railroad transportation system. We cannot overlook the fact that New England has been adversely affected by a number of recent economic developments and can ill afford this setback to its employment and industrial well-being.

While the majority would proffer subsidy and expressed willingness to take corrective action in the event of any major disruption in service, the measures available for such action are unspecified and untested and, at best, speculative. We fail to see the necessity for creating such a risk or depriving this area of the benefits of Northeast's continued services.

ETHICAL STANDARDS DURING VARIOUS ADMINISTRATIONS

Mr. SHORT. Mr. Speaker, I ask unanimous consent that the gentleman from Washington [Mr. Stinson] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

Mr. STINSON. Mr. Speaker, I would like to draw the attention of Congress to an interesting article published last night in the Evening Star. The article concerns the difference in ethical standards during various administrations:

[From the Washington (D.C.) Evening Star, Aug. 7, 1963]

Ethical Conduct in High Office—Reaction to Korth Role on TFX Called Milder Than That in Dixon-Yates Case

(By Richard Wilson)

The level of indignation on the ethical standards of high officials seems to fluctuate from one presidential administration to another.

This particular comment has only to do with how the conduct of public officials is viewed and reported, not with the substance of an official's ethical conduct.

But it is, at the same time, a strange contrast that there was so much public and press indignation over the conduct of Adolphe H. Wenzell in the Eisenhower administration and so little over the conduct of Fred Korth in the Kennedy administration.

Yet, both are bankers. Both are or were involved in the award of Government contracts to concerns which were doing business with their banks. Mr. Wenzell was a vice president of First Boston Corp., a major financial institution, and gave financial advice to sponsors of the Dixon-Yates contract for a generating plant at Memphis, Tenn., while serving as an unsalaried consultant to the Budget Bureau on the same general subject.

Fred Korth is former president and still a large stockholder in the Continental Bank of Fort Worth, Tex., which made a substantial loan to help keep financially afloat Fort Worth's biggest industry, General Dynamics Corp. Mr. Korth also is Secretary of the Navy. He favored granting an $8 billion contract to General Dynamics for construction of a big new fighter-bomber aircraft called TFX.

Evidence before the McClellan committee shows Mr. Korth had 16 conferences with and 5 phone calls to "longtime friends" of General Dynamics during the period when it was decided to give the contract to the Fort Worth firm instead of to the lower bidding Boeing Corp.

Some strong statements have been made in Congress on his continuing interest in the bank which made the loan to the company that got the TFX contract. The relationship is called in the Congressional Record "a pattern of activity that compares with the RFC scandals, the activity of T. Lamar Caudle of the Truman era, or the Talbot case and Dixon-Yates case of the Eisenhower administration." It is stated that this is a real Texas-size scandal.

Whether Mr. Korth was involved in a statutory conflict of interest is something a court could decide, if the matter were of a nature to be submitted to a court.

In this connection the comments of Chief Justice Earl Warren in *United States* v. *Mississippi Valley Generating Co.* might be held to be applicable. This case involved the cancellation of the Dixon-Yates contract in a hot political atmosphere and whether or not the Mississippi Valley Corp. was entitled to $1,867,545.56 in damages. The Court of Claims awarded these damages. But the Supreme Court vacated the award on the ground that the contract was invalidated and tainted by Mr. Wenzell's dual role.

Justice Warren chose the occasion for a Supreme Court sermon on what conflict of interest is and it proved to be a highly moralistic and, some would say, extralegal concept. But it is the law of the land, as interpreted.

To be guilty of conflict of interest, it is not necessary to have been corrupt. It is not necessary to have gained anything personally, or to have been promised anything personally. It is only necessary to be willfully involved in a situation that tempts dishonor.

"The statute," said the Chief Justice, "is more concerned with what might have happened in a given situation than with what actually happened. It attempts to prevent honest Government agents from succumbing to temptation by making it illegal for them to enter into relationships which are fraught with temptation."

This stern and truly Presbyterian morality sets a high standard of conduct. The logic of circumstances alone is enough, in the Warren version, to taint a public official, for he may be subconsciously tempted to ingratiate himself to sponsors who were in a position to affect the fortunes of himself and his firm.

How many Federal public officials really know what Spartan righteousness the law demands of them? How much longer are they to remain ignorant?

PIERRE SALINGER, TALENT SCOUT

Mr. SHORT. Mr. Speaker, I ask unanimous consent that the gentleman from

New Jersey [Mr. Widnall] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

Mr. WIDNALL. Mr. Speaker, the Washington, D.C., Post of August 8, 1963, page A3, reported that Lulu Porter, an obscure "pops" singer from the west coast, was in Washington yesterday, being briefed for her assignment as American representative at the Polish International Song Festival later this month.

The Washington Post adds the piquant bit of information that Lulu Porter "was suggested for the assignment by Presidential Press Secretary Pierre Salinger, who saw her act in a coast nightclub earlier this year."

I am sure that this news item will be of great interest to American artists, just as it will surely be of interest to the Department of State which may not know all there is to know about the new order of things.

Some of our American artists have had a great deal of difficulty trying to go abroad under the broad authority of the Mutual Educational and Cultural Exchange Act of 1961.

For a number of years, under President Eisenhower, this Nation's exchange program in the arts was managed by the American National Theater and Academy, and this fine organization made an outstanding contribution to our foreign policy by its management of this program for the State Department.

The Mutual Educational and Cultural Exchange Act of 1961 continued the Advisory Committee on the Arts created under section 10 of the International Cultural Exchange and Trade Fair Participation Act of 1956, the members of which are appointed by the Secretary of State.

This Advisory Committee on the Arts was largely inactive while this Nation's cultural exchange program was managed by the American National Theater and Academy. Earlier this year changes were made by the State Department, and this Advisory Committee was reactivated.

Soothing statements were made about the past inadequacies of this cultural exchange program, and glowing promises were made about the steps which would be taken to improve and strengthen this program.

Now we find that the way for an American artist to be chosen to participate in our Nation's cultural exchange programs is to be seen in a nightclub by a White House official. If one of these officials, especially if he happens at the same time to be the Presidential Press Secretary, likes an act, an artist is "in like Flynn."

If the choice of artists has now been moved from the American National Theater and Academy to the White House, and the personnel in these programs is to be selected, not by an impartial advisory committee on the arts made up of distinguished cultural leaders widely recognized for their ability in the arts, but by important administration officials who have no real expertise in the arts at all, then this program has fallen on very evil days indeed.

The New Frontier in the arts must appear, to many young and aspiring American artists, to stand for this old, tired and familiar principle: "It isn't how able you are but whom you know that matters."

Mr. Speaker, in offering this comment I do not pretend to any great knowledge in the arts. I can say only this, that I know what I like. I do not pretend to any special knowledge which would make it possible for me to select an American representative for the Polish International Song Festival, or any other festival for that matter. For this reason, I would prefer to leave it to an impartial advisory committee of the arts, and, I am sure, so would the Members of this House who voted for the Mutual Educational and Cultural Exchange Act of 1961 and the International Cultural Exchange and Trade Fair Participation Act of 1956.

Mr. Salinger clearly knows what he likes, too, but it may be doubted that he is any more knowledgeable about art than any of the rest of us. However, it would take a brave State Department official, indeed, to turn down a singer or any other artist selected by as important an official as the Presidential Press Secretary.

I may be wrong but I would guess that it would be a very rare Representative or Senator who ever has had a similar opportunity to suggest an artist for participation in an international cultural program.

One of the things which concerns me in this matter is that there are a number of young artists who have never appeared in a nightclub, and who, as a result, may never be seen by the Presidential secretary and, therefore, may never have the opportunity to participate in one of our Nation's international cultural exchange programs.

For instance, there are serious young artists who view their career as artists with such clear perception that they would want to concentrate on developing the skills necessary to appear as concert artists in much the same way Van Cliburn did, and would not have time to appear in nightclubs. Even if they had time, nightclubs might not be interested.

Appearances in a nightclub might not do anything at all to advance such a serious career in concert or symphony music, in fact, nightclub appearances might be a distinct disadvantage to a career in serious music.

There are young people in our colleges and universities who are majoring in the arts and who want to have careers as teachers. They, too, might not want to have to go on the nightclub circuit. Are they to be counted out of the running too, like the serious young artists I have mentioned, if they do not go on the nightclub circuit?

I think the Mutual Educational and Cultural Exchange Act of 1961 has, as its great purpose, the development of friendly relations with other peoples.

It is not the private domain of any high official, and this great act of the Congress will be irreparably harmed if it is ignored in our Nation's cultural exchanges with other nations, and, especially, if it is ignored by the White House. The president of Princeton University, Dr. Robert F. Goheen, has ably expressed the feelings of many of us about the role of the arts in our relations with other nations and other peoples.

Dr. Goheen wrote in part as follows:

> We need to learn to know and to respect the culture of others—their history, their religion, their art, the things they value as their own. Only in this way can we hope for enlarged rapport with the peoples of other lands—or expect them to join with us gladly in the quest for a peaceable world order, built upon mutual advantage and mutual respect.

The basic purpose of the Mutual Educational and Cultural Exchange Act of 1961, as set forth in its preamble is as follows, and I quote it here for the information of the art experts in the White House:

> The purpose of this act is to enable the Government of the United States to increase mutual understanding between the people of the United States and the people of other countries by means of educational and cultural exchange; to strengthen the ties which unite us with other nations by demonstrating the educational and cultural interests, developments, and achievements of the people of the United States and other nations, and the contributions being made toward a peaceful and more fruitful life for people throughout the world; to promote international cooperation for educational and cultural advancement; and thus to assist in the development of friendly, sympathetic, and peaceful relations between the United States and the other countries of the world.

This is not to say that some nightclub artists are not great artists, for many indeed are, and many have made important contributions to the purposes of our foreign policy as spelled out in the preamble to the Mutual Educational and Cultural Exchange Act of 1961 which I have just quoted.

It is only to say that when selections are made by a high official of the White House rather than by the Advisory Committee on the Arts established by law, then questions are bound to be asked, for the important cultural exchange program may be greatly harmed if the procedures authorized by Congress in law are ignored.

NEW IMMIGRATION LEGISLATION

Mr. SHORT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Reid] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

Mr. REID of New York. Mr. Speaker, after 2½ years' delay and inaction, President Kennedy has finally put in an immigration bill, H.R. 7700—once considered urgent.

The bill appears to have been hastily drawn and to contain considerable internal inconsistencies. More important, the bill appears to contain grave defects of administrative feasibility and equity.

Mr. Speaker, there is a clear and pressing need for an immigration bill representing a carefully thought-out approach of thorough and workable reform to our discriminatory immigration laws. I am currently engaged—as are a number of other Members—in attempting to work out a bill which we hope will reflect this kind of approach.

Mr. Speaker, pending the development of such a bipartisan bill there is an urgency to make uniting of families a present reality. I am, therefore, introducing a bill today which would have that effect.

The current cutoff date for nonquota status in preferences 2 and 3 is July 1, 1961, while in preference 4 it is March 31, 1954. Thus the parents and unmarried children of U.S. citizens, if registered prior to July 1, 1961, are being admitted, while brothers and sisters of the same family are denied entry if registered any time after March 31, 1954.

I propose to extend the cutoff date for nonquota status in preference 4 from March 31, 1954, to January 1, 1958.

Mr. Speaker, there is clearly a compelling need to reunite these families. I can see no reason for these unfortunate people to have to await the lengthy deliberations accompanying a complete overhaul of our immigration law.

THREE HUNDRED AND TWENTY-FIFTH ANNIVERSARY OF HAMPTON, N.H.

Mr. SHORT. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. WYMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

Mr. WYMAN. Mr. Speaker, I have in my district many of the oldest communities in the Nation—communities that have played a major part in the original founding of our great Nation. One such town is Hampton, N.H. On August 15 through 18, this town, one of the fastest growing communities in my home State is celebrating its 325th anniversary. This town, on the Atlantic seacoast, is resplendent with historical heritage. It has contributed much to the State of New Hampshire, to the New England States and to the United States through the active role its citizens have played in military and naval affairs, politics, commerce, marine development, religion, and education. In recent years its fame as a leader in recreation has attracted worldwide renown. I feel that the Nation would like to share in this great historical heritage.

I, therefore, take this opportunity to recognize this milestone in the life and growth of Hampton, N.H. I include an article concerning the history of Hampton by the late Reverend Edgar Warren, the pastor of the Hampton Congregational Church for many years. This vignette of history shows once again that the strength of America and its promise of the future lies in the home, the church, the schools, and the community:

THREE HUNDRED AND TWENTY-FIFTH ANNIVERSARY OF THE FOUNDING OF THE TOWN OF HAMPTON, N.H.—AN OLD TOWN BY THE SEA

(By the late Reverend Edgar Warren, pastor emeritus, the First Congregational Church of Hampton, N.H.)

On a bright October afternoon, 325 years ago, the gulls wheeling in ceaseless circles and the foxes peering curiously out of their coverts, were startled to see a shallop beating its way slowly up the winding waters of a tidal river. On board the boat was a little company of men and women who had been granted permission by the Great and General Court of Massachusetts to settle at Winnacunnet on the New Hampshire coast and there establish a church and a township. The reason they selected Winnacunnet, or Hampton as it later came to be called, as the site of their settlement was due to the fact that the great marshes, covered with a luxuriant growth of grass, would furnish an inexhaustible supply of feed for their cattle.

The leader of the group was the Reverend Steven Bachiler, a man of remarkable mental and physical vigor. Although 77 years old his eye was not dim nor his natural force abated. Indeed, he was to live to be 100, and at 80 marry his third wife. Among his descendants were to be the poet Whittier and New England's greatest statesman, Daniel Webster.

The original settlers of Hampton were farmers, although they supplemented their meager support from the soil by the products of the sea. There must have been many adventurous and enterprising spirits among them, for the Hampton whaleboat is known the world over as a stanch little craft which can breast the fury of the wildest storm.

The town of Hampton was originally much larger than it is at present and comprised within its boundaries what are now a half dozen prosperous towns.

The soil was fertile and was particularly adapted to the growth of Indian corn. But before it could be planted the giant pines which covered the surface had to be felled and their roots removed. The Indian name, Winnacunnet, means "the beautiful place of pines." It was no easy life which the settlers led. They toiled from morning until night. The township was exposed to attacks from wild beasts and wild men. At any moment the war whoop of the Indian might resound from the woods, and the settler be called up to leave the plow and take the musket. Before the outbreak of the Revolution upward of 500 men from Hampton had taken up arms against the French and the Indians.

It is a singular and interesting fact that the first armed resistance to British oppression in the North took place in Hampton almost 100 years before the outbreak of the Revolution. In 1682 Charles II of England sent to New Hampshire, as royal governor, Edward Cranfield, a most arbitrary and injudicious man. The ruling body at this time was the assembly, made up of representatives of the four towns of Exeter, Hampton, Portsmouth, and Dover, which ably managed the affairs of the little Commonwealth. This assembly refused to comply with Cranfield's commands and he dissolved it. One of the members was Edward Gove, of Hampton, a high-spirited and impulsive man, who resolved not to lightly submit to what he considered an infringement of the people's ancient prerogatives. Mounting his horse, he rode through Exeter and Hampton with the cry: "Freemen, come out and stand for your liberties." He gathered around him a little band of supporters. But before the movement could become formidable Gove was surrounded by the militia in Hampton village and surrendered. He was tried, convicted of high treason, sentenced to be hanged, drawn, and quartered. But this ferocious sentence was never carried out. After several years commitment to the Tower of London he was pardoned by the King and permitted to return to Hampton. Gove has been harshly treated by the historians. They have represented him as a rash and impulsive man who headed a hopeless rebellion against constituted authority. But there is another side.

I like to think of Gove as a pioneer patriot, as a man in advance of his times, as the morning star of the American Revolution. Had Gove lived a century later he would have been acclaimed as a great patriot, and his name would have been enrolled with those of Sam Adams, Josiah Quincy, Joseph Warren, and John Sullivan.

Religion and education went hand in hand in the little settlement. The original settlers were bound together by a church covenant. The congregational church in Hampton is the oldest church in continuous existence in New Hampshire, and among its pastors have been many learned and godly men. Church and town were one for nearly 200 years. The minister was called by vote of the town and a tax was levied for his support. A special town meeting was once held to decide whether the choir at the church should be permitted to sing an anthem on the Sabbath. The anthem was voted down by an overwhelming majority. But the next Sunday the choir sang an anthem as usual. It is hard to discourage singers. Schools were established at a very early date. There is on record an agreement of the selectmen with a schoolmaster who was employed to teach the children of the town daily for a year. Summer vacations and Saturday holidays were unknown in the schools of our ancestors.

The glory of a town, after all, is not in its wealth or population but in the men and women it has given to the world. Sings the Psalmist: "And of Zion it shall be said, this and that man was born in her." Many distinguished men and women have had contact with Hampton, either through birth or ancestry. As I have pointed out, the blood of Steven Bachiler ran in the veins of John G. Whittier and Daniel Webster. Rufus Choate, next to Webster the greatest advocate New England has produced, fitted for college at the old Hampton Academy. A girl was born in the Hampton parsonage who afterwards became the first lady of the land and graced with her presence the White House in Washington, Jane Appleton, who became the wife of Franklin Pierce. The ancestors of Edward Tuck came from Hampton. And if you go outside of the narrow bounds of the present Hampton and take in the territory of the ancient town, Hampton may claim a proprietary interest in Meshech Weare, the first Governor of New Hampshire and friend of Washington, Frank Sanborn, the abolitionist, Ralph Adams Cram, America's most distinguished architect, and Alice Brown the gifted novelist and poet.

Should I conclude my writings on Hampton with no reference to Hampton Beach it would seem to many like a description of a wedding with the bride's name omitted. And yet for nearly 200 years the town did not realize that in the beach it had its biggest asset. Access to the beach was difficult, and the only buildings along the shore were a few shacks where fishermen cleaned their fish and housed their boats. In 1800 John Elkins built a one-story house at the North Beach, which he sold a year or two later to Moses Leavitt. Every winter, fishmongers would make their way over the snowy roads from the back towns of New Hampshire and Vermont for loads of frozen fish, which they would sell upon their return to local consumers, and while at the beach they were put up by Mr. and Mrs. Leavitt. This was the beginning of the beach's colossal development. A road to the South Beach was opened and soon people began to discover the charms which nature had provided. Hotels for the accommodation of guests were constructed on and near Boar's Head. These were well filled and soon summer cottages began to appear. With the construction of the electric road from Exeter to Hampton Beach in 1897, the tide of summer travel began to set in towards the resort. Now from the Long Bridge to the North Hampton line there is a continuous settlement. No beach along the Atlantic shore is cleaner and cooler in summer. On great days there are often 150,000 people on the shore. If town, State and Federal authorities combine to conserve the beach and to protect it from destruction from the tides and the sea, the future of the beach will be even greater than the past. Come to Hampton Beach this summer and you will echo these words of Whittier:

> "Good-bye to care and pain! I take
> Mine ease to-day!
> Here where these sunny waters break,
> And ripples this keen breeze, I shake
> All burdens from the heart
> All weary thoughts away."

OUR OWN PUBLIC SCANDAL—VOTE BUYING AND SELLING

Mr. SHORT. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. FOREMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

Mr. FOREMAN. Mr. Speaker, I am pleased today to call the attention of this House to a very stirring, truthful, and forthright speech delivered yesterday before the National Press Club in Washington, D.C., by Edwin P. Neilan, president of the Chamber of Commerce of the United States. I commend Mr. Neilan for his very frank and factual presentation of a deplorable situation that exists in this great country of ours today.

True, Mr. Neilan stepped on the toes of many Members of this Congress and, in fact, many business, professional, and trade people across the country, but his story, as bad as it may sound, carries a tremendous message of soul-searching truth and facts for the Members of this Congress and the people of this Nation.

It is readily apparent which Members of Congress this truth cuts the deepest by looking at those who squealed the loudest when Mr. Neilan's speech was released. Particularly, I would like to set the record straight about our great State of Texas. The gentleman from Texas [Mr. PATMAN] who attacked, ridiculed, and condemned Mr. Neilan ruthlessly on this floor yesterday certainly was not speaking for this Texas Congressman, nor a majority of the fine responsible citizens of west Texas, nor do I believe, even a majority of the folks of the entire State of Texas. It is interesting, indeed, to note how the shoe pinches the feet of those who are guilty of the actions that Mr. Neilan discusses.

The people of this country are intelligent enough to run their own affairs and manage their own businesses. The farmers can run their farms better than can the U.S. Department of Agriculture bureaucrats; the steel people know more about the steel business than do the Federal planners. This country was made great by a free people operating under a free enterprise society of capitalism, not by Federal bureaucratic planners.

If this administration does really want to get our economy moving again, I suggest they try loosing up on the Federal regulatory controls over our people, by allowing the people the right to make their own decisions and spend their own money, by allowing businesses to expand, develop new jobs, and create new employment rather than creating greater unemployment and more depressed areas by taxing those who are getting by so heavily to support the depressed areas. This administration is gradually, but surely, making one big depressed area out of our entire Nation.

I commend Mr. Neilan for his willingness, ability, and courage in presenting his story, "Our Own Public Scandal—Vote Buying and Selling." I ask unanimous consent to include Mr. Neilan's remarks at this point in the RECORD.

OUR OWN PUBLIC SCANDAL—VOTE BUYING AND SELLING

(By Edwin P. Neilan, president, Chamber of Commerce of the United States)

Mr. President, gentlemen of the National Press Club, I acknowledge this generous introduction with mixed emotions, pleased and flattered to appear before the National Press Club, which has earned a reputation as one of the great public forums of the free world, but uneasy because no matter how I choose my words you will have the last ones. You have acquired an awesome reputation for masticating luncheon speakers; one which I suspect is deserved even though Earl Steele, the head of our news department, assures me that you're a kindly group of family men once you have met your deadlines. Knowing you like the water hot, let me plunge in and hopefully heat it up a bit more.

You gentlemen who manage the news have managed to convince the rest of us that moral standards have been battered into pretty bad shape everywhere. If anyone is doing anything right, you are helping him keep it to himself. To put it briefly, the evil that men do, ably reported, sells newspapers; the good is good only in autobiographies. Whether or not that's as it should be, in a republic founded on the frequently unexpressed consent of the governed, a free and watchful press has the essential duty to expose wrongdoing and corruption in the conduct of government and of the men we elect to office.

Most recently, effective vigilance by your news colleagues on the other side of the water took a simple spy story, salted it with a dash of sex and scandal and almost turned a government upside down. It was a clear and vivid case of an alert press, pressing for action. Today I call your attention to our own homegrown, still growing, scandal, a scandal of infinitely greater proportions for it involves public morality throughout our Nation.

These remarks on "Our Own Public Scandal—Vote Buying and Selling" might well have been subtitled "Billions for Ballot Bribery," because our public scandal involves the wholesale purchase of votes on an unprecedented scale. The opening skirmishes of the 1964 national election campaign provide a clear and present danger that this election may be the biggest auction sale in history—the sale of ballots not solely for promises but for hard cash. The old-fashioned wardheeler who rounded up and delivered derelicts to the polls at a dollar a vote was an honest man compared to the widespread public immorality that has infected otherwise reputable, respectable American men and women who are willing, even eager, to turn their elected representatives into "bagmen."

Let me hasten to say that this is no indictment of many Members of Congress. There are some who bravely resist the selfish pressures from back home, and they are outstanding in their service to the country. Nor is the immorality confined to either major political party. It involves voters, candidates and elected officials of both parties, but inevitably the bulk of the spending—or buying—the bribing power if you will—rests with the party in office. Controlling a Federal budget of almost $100 billion, the talented politicans who will direct the administration campaign for reelection in 1964 have more of your money and my money to spend than in any previous election in our history—and more ways to buy votes with it. They hold the purse strings on billions of dollars of vote-getting projects: accelerated public works, urban and rural area redevelopment, defense-space contracts, to name just a few. Who is so naive as to believe they will not use them or that our whole electorate is incorruptible?

The spoils system is not new in American political life, but it is more sophisticated, more sinister than ever before, and never have we seen such widespread public indifference to—even acceptance of—political bribery. Let's not put the blame entirely on the officeholders and the officeseekers. Your political officeholder doesn't become a "bagman" all by himself: it takes two to make that kind of a deal. The voters who consider their elected representatives as "bagmen" fall into two categories, but in both their moral guilt is inescapable.

First are the voters who send their man to Washington not to promote good government but for the express purpose of getting Federal tax- or deficit-financed dollars for their own district or State, even for their own private companies. If he fails to deliver, they kick him out of office by electing someone who will. These are the pushers.

Second are the "takers," the people who vote for a candidate because he promises fatter Federal fund handouts than his opponent. If he doesn't deliver, he gets voted out, too.

In either case, the voter sells his ballot to buy a Congressman; the Congressman sells his high office to buy votes. The voter doesn't support the candidate who deserves support, he casts his vote for the biggest briber. I find it difficult to rank such conduct higher in the moral scale than the association of politicians, party girls and spies in Great Britain. There is much less attractive perfume involved in seduction by subsidy. But we cannot laugh and turn the page as we might with those stories from abroad. The critical issue of national political morality must be dealt with if we are ever to regain responsible government here in America.

How do we attack the cause of this immorality? We must go to the source, the reckless extravagance which is corrupting the electorate and undermining responsible government. If you have an extravagant wife who is spending you into the poorhouse, prudence dictates that you cut off her checkbook privileges, her charge accounts and her credit cards until she reforms. You must curb her spending authority. We must do something of that sort with our bureaucrat big spenders here in Washington, we must curtail their extravagances by reducing the tax money and credit they have to hand out. The administration proposes to spend $98.8 billion during this fiscal year plus authority to spend another $9.1 billion at a later date. Is it barely possible that they want that added authority available around election time next year?

The Chamber of Commerce of the United States has recommended 117 specific areas in which proposed spending can and should be cut without impairing our national security or our essential Government services in the slightest degree. They total a reduction of $9.1 billion in spending authority and $4.5 billion less in actual cash expenditures for this fiscal year. These economies can be increased by returning to the States, counties and local communities the responsibility for projects which are basically local in nature. They can be achieved by resisting all expenditures for new functions or for expansion of existing programs unless it can be proved beyond a reasonable doubt that such programs are essential to the urgent national security requirements of this Nation.

The area redevelopment assistance program is a case in point. The administration wants to spend another $455.5 million to expand this program of assistance to so-called depressed areas, even though the experience of the past 2 years has proven that this program doesn't work. Economically depressed areas are created by a variety of factors such as changes in consumer demand, depletion of resources, changes in defense procurement or in the location of defense facilities, decentralization of production, lack of industrial diversification and technological change. The Area Redevelopment Administration has done nothing to change any of those conditions which cause depressed areas. It cannot. No Federal program can. When this program was initiated, only 103 areas in the United States were listed officially as "depressed." Today this sophisticated spoils system includes 1,000 eligible areas and the list is growing.

Where does this vote buying labeled as "assistance" stop? Is the Federal Government to pour out tax money and borrowed funds endlessly to bail out every community, every industry, every individual company that finds itself in trouble? Or is the proper role of the Federal Government to curtail this spending in order to create sound foundations for sustained economic growth which will enable the whole American community to prosper?

No one suggests that real depressed areas be ignored. I do contend that the solution of our depressed area problems will not be solved until we turn from Washington to local responsibility and local leadership. Local initiative certainly is no new idea. Communities like Winston-Salem, N.C.; Tampa, Fla.; Columbia, S.C.; and Altoona, Pa., are relying on nonprofit organizations created especially to provide money for industrial expansion. There are more than 10,000 of these organizations in the country. Another method of local self-help consists of mobilizing the community's skills and energies to attack the critical problem of urban renewal. Voluntary organizations form the core of a united effort to determine the problems, give them priorities and arrange for the financing. This method is now being used in about 50 cities, and is being refined in several pilot cities under the sponsorship of the national chamber.

The economies in Federal spending accompanying such a return to local responsibility are enormous, they are necessary, and they are practical. But we cannot get them without a radical change in the political morality of the numerous citizens throughout our Nation. We're not going to get real economy in Government so long as many Members of Congress continue to serve as "bagmen" for their constituents and so long as many of the electorate continue to pressure them to do so.

When Mr. Kermit Gordon took office as Director of the Budget last January, he waited for Members of the House and Senate to suggest one or more projects in his district or State which could be eliminated or postponed in the interest of economy. Mr. Gordon put a folder on his desk to hold the contributions that should pour in. Six months later, he had one piece of paper in the file. This was from a New York Congressman who was willing to give up a minor Long Island ferry project. Congressional economy seems to be something you practice on someone else's constituents.

On the other hand, it seems that every Member of Congress has a file of projects which he is pushing for his constituents, or which his constituents are pushing on him. I wonder how many of these projects would meet the test of real national necessity? Perhaps you gentlemen of the press could do your readers and your country a service by looking into those files and asking that question of your Congressman or your Senator.

Members of Congress find themselves under almost intolerable pressure from their voters to get more and more Federal handouts—apparently in the belief that somebody else is paying for them. Make no mistake: these pressures impair the effectiveness of our Congressmen and Senators to the point where they have less and less time to give adequate attention to our real national interests and the national problems involved.

I won't be surprised, and neither will you, if we find a few normally conservative, economy-minded Congressmen from the cotton States voting in favor of the wasteful additional half billion dollars for ARA a few days hence. Cotton legislation is also at stake. Can anyone question that the pressure of constituents' self-interest bears heavily on the judgments and time of our lawmakers and affects to some degree every major legislative decision? When a Congressman is not consistent, look at his constituents.

Governments supported by bread and circuses has been with us a long time and no one believes it is going to be corrected overnight. But to paraphrase a prominent Bostonian temporarily residing here, "let us begin."

The need is to awaken the public conscience to the dangers of this something for nothing philosophy, to restore the sense of local responsibility in our communities and the sense of individual responsibility in each of our citizens. The chamber of commerce is trying to do just that in cities and towns across the country, and there is a growing recognition of personal responsibility stirring in the air. You news prospectors and interpreters may disagree with the chamber of commerce on the proper solution of some of the great public issues that confront us. That is your privilege. But surely there is no disagreement on the need for higher standards of morality among our elected officials and our citizens; surely there is no quarrel on the need for reasonable economy in Government to ease our growth-stifling tax burdens and bring the national debt within manageable proportions.

Each of us may have a bigger stake than we realize in these problems. Modern medicine is doing so much to increase our life expectancy that we had better demand control of the size of our spending and our national debt. We might end up having to pay it all ourselves instead of passing it along to our children. Horrible thought, isn't it, to anyone except a responsible citizen with a high sense of political morality and the urgency of the times.

THE ATTACK ON MR. NEILAN, HEAD OF THE U.S. CHAMBER OF COMMERCE

Mr. SHORT. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Alger] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

Mr. ALGER. Mr. Speaker, the intemperance of the attack on Mr. Neilan, the head of the U.S. Chamber of Commerce by our colleague, Mr. Patman, of Texas, neither lessens my belief in Mr. Neilan and his views nor gives credence to his critic. The source of the criticism cannot be overlooked. By voting record it is obvious that the gentleman from Texas [Mr. Patman] does not share Mr. Neilan's convictions. So the motivation for his criticism is understandable.

For myself, I have little agreement with my colleague on legislative issues. And I do not agree with him in his criticism of Mr. Neilan.

Thank God there are still men who will speak out, who are unafraid of the bureaucratic dictatorial Federal power and politician. I want to commend Mr. Neilan and express my hope that he continues to state his outspoken and commonsense convictions.

As to the good sense of his statement, of course, he is right. There are "pushers" and "takers," people who define the successful Congressmen by how much pork or bacon they bring home. One campaign in Massachusetts for the other body involved this as the basic issue. Most people know this is so, if the gentleman from Texas [Mr. Patman] does not.

As for me and the people of Texas' Fifth District, most do not believe in irresponsible government. Yes, there are some who even attack me and try to unseat me because I fail to get the specific Federal aids they want. But the great majority, Republican and Democrat alike realize that a Congressman's only oath is to uphold the Constitution and whose duty is Federal what is best for the entire Nation. Important as local projects are they do not take precedence over fiscal responsibility, sound foreign policy, and a limited role of government in our lives to assure freedom and to protect our God-given rights from encroachment.

Here's to you, Mr. Neilan, may you gain increased strength for your task, for our joint tasks, and success in your undertakings. Your frank speech was an inspiration. I believe a majority of Americans agree with you—and but a few with the gentleman from Texas [Mr. Patman].

FIFTH ANNUAL OBSERVANCE OF CAPTIVE NATIONS WEEK

Mr. SHORT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Reid] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

Mr. REID of New York. Mr. Speaker, the week of July 14, 1963, marked the fifth annual observance of Captive Nations Week. The purpose of this observance was to commemorate the aspirations of all people for human dignity, freedom, and independence.

The plight of those behind the Iron Curtain should be our continuing concern and their right of self-determination a matter for our constant support.

Captive Nations Week sought to emphasize that Albania, Bulgaria, Czechoslovakia, Estonia, Hungary, Latvia, Lithuania, Poland, and Rumania do not have these basic rights of representative government. The same can be said of North Korea, North Vietnam, Tibet, and now Cuba.

In the light of recent discussions of a nonaggression pact, it is particularly important that we do not, directly or indirectly, tacitly or explicitly, freeze the status quo of Eastern Europe. Any recognition of the East German regime would be repugnant to the right of self-determination and to U.S. policy supporting the reunification of Germany under free elections.

It is perhaps useful to recall, in the light of the current negotiations in process between the West and Moscow, these words of the late John Foster Dulles, then Secretary of State, from "Principles and Policies in a Changing World," dated November 18, 1958:

> There are some who seem to feel that, because international communism is a powerful and stubborn force, we should give way before it. Nothing could be more dangerous than to operate on the theory that, if hostile and evil forces do not readily change, it is always we who must change to accommodate them.
>
> Communism is stubborn for the wrong; let us be steadfast for the right.
>
> A capacity to change is indispensable. Equally indispensable is the capacity to hold fast that which is good.
>
> But let us make our opposition not just a barren negative but a positive alternative.
>
> Despotisms, with their iron discipline, their materialistic productions, their hard and glittering exterior, always seem to have the advantage over democracies, which advertise their differences to all the world and which often appear as about to fall apart.
>
> The fact is that the despotisms are always weaker than they appear and the free nations are usually stronger than they seem.
>
> International communism has many elements of strength in its monolithic, despotic, disciplined system. But it also has important weaknesses and confronts many dilemmas. There is nothing inevitable about communism except that it, too, is bound to change.

And Secretary Dulles was to state in an address "Freedom, the Predominant Force," on January 14, 1959—a faith from which we can well take fresh inspiration:

> As we look ahead, we see freedom as a predominant force, shaping our 20th-century world. As Americans, we have faith that the aspiration, deep within the soul of man, to live freely and with dignity in a just and peaceful world is stronger than all the material forces which the Communists invoke as the pledge and promise of their power.

TRIBUTE TO DR. FRANK B. ROGERS

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. FOGARTY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FOGARTY. Mr. Speaker, I would like to draw the attention of the House to the impending retirement on August 31 of one of our most distinguished Public Health Service officers.

I refer to Dr. Frank B. Rogers, Director of the National Library of Medicine, who is soon to become professor of medical bibliography at the University of Colorado Medical Center after more than 21 years of outstanding service to his country. His professional career included service as a medical officer in the Regular Army prior to his Public Health Service assignment, and his performance of duty in both categories has been equally distinctive.

A native of Norwood, Ohio, he received his undergraduate education at Yale University, and entered the military service in 1942, after receiving his medical degree from Ohio State University's College of Medicine. Upon completion of his internship at Letterman General Hospital in San Francisco, Dr. Rogers joined the faculty of the Army Medical Field Service School at Carlisle Barracks, Pa. Ordered overseas, he served as battalion surgeon, 3d Battalion, 35th Infantry through the bitterest fighting of the Philippines campaign and became division surgeon of the 25th Infantry Division in the postwar Japanese occupation forces. Returning to the United States, he resumed the practice of surgery at Walter Reed Hospital.

In 1948, he was selected from a host of applicants to be the first permanent director of the Army Medical Library and, after a brief period of indoctrination, attended Columbia University, where he received the master's degree in library science, to earn a distinction which he still holds today—that of being the only librarian in the United States with both an M.D. degree and a degree in library science. He continued as Director during the Armed Forces Medical Library transition period and was named first Director of the National Library of Medicine when that institution was established as an individual unit under the Public Health Service.

An inventory of Dr. Rogers' achievements as Director of the National Library of Medicine might well fill several pages of the CONGRESSIONAL RECORD. Some of the major highlights that come readily to my mind were his masterful presentation of a realistic library budget; reorganization of library functions and materials, in which mechanization of copy preparation was introduced and a computer-based system developed to strengthen bibliographical services; expansion in size and training of the library staff; his outstanding service in establishing the library as a national entity; and, above all, the quality of his supervision from the earliest planning stages to the completion of the new $7 million library building at Bethesda.

The high caliber of his leadership and administrative ability was notably demonstrated during the past year by his service as president of the Medical Library Association and his chairmanship of the recent Second International Congress on Medical Librarianship.

For the past several years Dr. Rogers has directed the compilation of numerous publications and papers commemorating the 125th anniversary of the library and of the birth of Dr. John Shaw Billings, director of the library for more than 30 years in the latter years of the 19th century. It is most appropriate that Dr. Rogers himself chose to compile the selected papers of Dr. Billings, another most renowned surgeon-librarian who was the first person to propose national status for the library. It was admittedly a labor of love, since he considers John Shaw Billings one of the greatest men of medicine of the 19th century.

In the midst of all this activity, Dr. Rogers has somehow managed, when requested, to survey libraries both in America and in foreign countries to help improve their operation and to give freely of his time and talents as officer, committee member, speaker, and writer in the interests of his beloved profession.

He is the immediate past president of the Medical Library Association and a member of the American Association for the Advancement of Science, American Medical Association, American Association for the History of Medicine, Association of Research Libraries, Special Libraries Association, the Association of Military Surgeons, and the International Congress on Medical Librarianship. He plays as active a part in these organizations as his many commitments allow.

He has been acclaimed for his lectures here and abroad and has received many honors. Closest to his own heart, I believe, were the Ohio State University College of Medicine's Alumni Achievement Award of 1957 and the highest award of the Medical Library Association, the Marcia C. Noyes Award for outstanding accomplishments in the promotion of medical library service, which he received in 1961 with the citation, in part:

> Frank Bradway Rogers, as physician, librarian, historian, leader, teacher, and friend, we honor all of medical librarianship in presenting to you the Marcia C. Noyes Award.

It would be difficult to improve on these words which express such deep and well-deserved praise. So I will echo these words by saying, Frank Bradway Rogers, we in Washington will miss you greatly—as physician, librarian, historian, leader, teacher, and friend.

DEDICATORY REMARKS OF JUDGE JOHN A. SHIDLER ON THE OCCASION OF THE KING HARBOR CEREMONY FOR FRANKLIN D. ROOSEVELT AND HIS YACHT "POTOMAC"

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. KING] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. KING of California. Mr. Speaker, I include at this point in the Record the remarks of the distinguished jurist of my district, judge of the California Supreme Court, John A. Shidler:

It is still a little too early to hear much about the 32d President of the United States of America. For some reason, there is no statue erected to this man in his home country although all over the world, his replica in stone is prominently displayed, and avenues of prominence in the capitals of the world carry his name.

This President broke precedent. He declared that the Government of the United States was concerned with the welfare of its people and had a duty to act in every conceivable way during a depression to prevent human misery.

Today we do not know the meaning of the word "depression." I suggest to you that it was because of the courage and vision of our 32d President that this word has lost its significance. We of an older generation are accused today of having "depression syndrome" and of being "penny pinchers." Forgive us, we cannot forget 1931.

Before F.D.R., banks went broke. The 1929 stock market new little of "blue sky" laws. Farmers were completely unorganized and labor unions were virtually illegal. Price wars in milk and other fundamental industries were rampant. There was no unemployment insurance. No disability insurance. No social security. No fair employment practices. Men with a hernia did not tell their employers—they would lose their jobs. World War I veterans sold apples on the corners. Beggars knocked at your door for food every day.

Then this polio-paralyzed cripple with the joyous spirit was elected President.

Our country was in chaos. Secret and public societies for the radical changing of our country had sprung up. Some were more radical than others. Besides the Communists, the Thirty-Every-Thursdays, the End Povertys in California, the Technocrats, and the Townsends, many other groups met to change our way of life. Some advocated script instead of money, some believed that all people should just be numbers and we should all be run by engineers without elections, and many believed that we should do away with private property. The farmers were striking and destroying their crops. Mortgages were being foreclosed but the laws could not be carried out. Public education was at a low level. Medical insurance did not exist. Few people could afford to go to a hospital.

F.D.R. was a complete change. He uplifted the people and gave them hope. Everyone. The Blue Eagle was for the merchants. The AAA was for the farmers. The Wagner Act was for labor. The securities exchange laws were for the stock market. The Banking Act was for bankers and depositors. Every segment of society in America got help. The CCC camps were for the young. The WPA was for the unemployed. Federal Housing Authority was for homes and builders. Public Works were begun and industry began to get orders. But most of all, everyone had hope and courage. Our country was not going to be taken over by something different than democracy.

While these immense changes were taking place here, over in Germany the depression was being handled in another way. They junked the Republican and tried a dictator. And World War II slowly took shape.

Our President led us to the side of the Allies. We began to produce for the world that opposed Hitler. No longer was unemployment and overproduction a problem. Even though we gave it away, it was for a good cause. We stayed out of war itself for some time, but after December 1941, and after Japan and Germany and Italy declared war on us, we were in. After Pearl Harbor, that is.

Before this, in 1940, F.D.R. was elected the President for the third time. Unheard of—unprecedented. Too much to ask of a healthy young man—much too much to ask of a cripple. He could not play golf or fish. His only pleasure was being on the water. Before his polio attack, he had liked to sail. He had been Under Secretary of the Navy under Woodrow Wilson. He loved the sea. But his heart was strong. He served.

Then war came and when the presidential election time came in 1944—the political leaders said there should be no election. "Whoever could defeat the Commander in Chief during a war?" they asked. "Save the money," they said.

But to F.D.R. even war was less important than that the American people should have their chance to kick out a President every 4 years. Never had elections been suspended in our country. They would not begin under F.D.R. And so in 1944 Mr. Dewey suffered his first defeat. F.D.R.'s tired heart undertook 4 more years of vast responsibility.

Moving so fast, we have skipped so many names and things. How can we forget Al Smith, Sam Rosenman, Ickes, Hopkins, Farley, Landon, Barkeley, LaGuardia, Wilkie, Frances Perkins, the first woman Cabinet officer, Frank Murphy, Iron Pants Hugh Johnson, Martin, Barton, and Fish, the March of Dimes—and Eleanor.

We digress—we move on. It was Winnie Churchill and F.D.R. with the tired heart—the never strong body—but with the indomitable will. It was F.D.R. and his generals—Marshall, Eisenhower, Bradley, MacArthur, Stillwell, Patton, and the others. F.D.R. was everywhere, keeping people's hearts beating proudly in battle abroad, at the machines at home.

Before World War II, how brightly lit the names of victories for freedom—on altars of the memory of man—the names of places where men who thought like us, fought like us—Trafalgar, Chateau Thierry, Belleau Wood, Thermopolae, Marathon, Jericho, Yorktown, Waterloo, Antietam, Gettysburg, Bull Run—but now we have other names that lift our hearts—Munda, Vella Lavella, Bouganville, Tarawa, Truk, and Kwajalein—places we never heard of before. In the Pacific, we began to turn the tide at these places. In the European theater, it was some old places but with new names like Omaha Beach and Fallaise Gap—then the old names of Europe's war torn lands with the old battlefields.

The pressure built up—Germany surrendered—the bomb dropped on Hiroshima and it was over—they signed the final papers on the battleship *Missouri* and it was all over—the years and years of it were over.

It was a famous victory.

But we had bought it at the price of countless broken hearts.

Everyone had lost someone.

And there was one special one—whom everyone had lost. Franklin Delano Roosevelt—in Warm Springs, Ga., for a rest, complained of a headache at 3:15 on April 12, 1945. He lay down. He was dead—like that.

The radio broke in to tell us. Then all programs went off the air except the solemn music of the classics, and the soft, wonderfolk song that he loved—"Home on the Range."

"He was a great man, all the people said.
We will not see his likes again, they said.
His smile wrapped gladness around our hearts.
His voice lit fires of confidence and pride.
In all the tired and broken timid ones.
He was the champion of all forgotten men.
The people said—we will not see his likes again."

And as the flag-draped caisson passed through towns and cities from Georgia to New York, the mourners stood in the April rains in the streets and highways and shed their tears and said—"We will not see his likes again."

So here, today in Redondo at King Harbor, we gather to dedicate a shrine, the Potomac, to the President who loved the sea. How proud I am to be here. I hope you will remember this day. Let us think he stands with us in spirit—his battered campaign hat—his cape windblown—his head uplifted. In fellowship he smiles—and says, "Thank you, my friends."

FORESIGHT NEEDED IN DISPELLING FALSE ECONOMY ARGUMENT OF FEDERAL SPENDING

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Minish] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MINISH. Mr. Speaker, the members of the Washington press corps were treated yesterday to another exhibition of the false economy which the self-styled spokesmen for business interests have been preaching lately. They express a concern for Federal spending.

The gentleman who addressed the press club luncheon used the area redevelopment program as an illustration of Federal spending which he considered could be eliminated. He exhibited an amazing ignorance of the difference between spending and investment.

Mr. Speaker, this businessman evidently does not realize—or if he did realize he did not make it apparent to his audience—that 80 percent of the disbursements of the area redevelopment program are in the form of repayable loans which come back to the taxpayer over the years with interest.

Nor did he mention the fact that these investments are largely loans to help private businessmen create profitmaking, taxpaying businesses which employ wage-earning, taxpaying workmen. In fact, a recent study of one ARA project brought out the fact that the total Federal investment in this project would be repaid in 2½ years out of savings in unemployment compensation costs and relief payments, plus the increased taxes to be collected on the wages of the workers and the profits of the businessman. And this repayment comes back year after year after year while the Federal investment is made just once.

I would hope that businessmen who fall for the false economy argument exhibit greater foresight in their own investments than their spokesman does in arguing against the Federal investment to eliminate the costliest drain there is on the American economy—excess unemployment.

I am confident that the Members of this House will exhibit greater foresight and wisdom in these matters when they vote for the additional authorizations to the Area Redevelopment Act in the forthcoming vote.

COMMENTS ON A SPEECH BY EDWIN P. NEILAN, PRESIDENT, CHAMBER OF COMMERCE OF THE UNITED STATES, BEFORE THE NATIONAL PRESS CLUB IN WASHINGTON, D.C.

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent that the gentleman from Delaware [Mr. McDOWELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. McDOWELL. Mr. Speaker, I am sorry that I could not be present in this House at the time when our distinguished and outstanding colleagues, the gentleman from Louisiana [Mr. BOGGS], the gentleman from Texas [Mr. PATMAN], and other able colleagues discussed the unfortunate and unrealistic speech made by Edwin P. Neilan, president, Chamber of Commerce of the United States, before the National Press Club yesterday.

Mr. Neilan is a Delawarean, and for several years he has been chairman of the board and a director, as well as president, of the Bank of Delaware, which has its main offices in Wilmington, Del.

The Bank of Delaware is one of the largest and most influential banks in Delaware, and on its board sit many of the first State's leading citizens.

I want to apologize to my colleagues in both the House and the Senate, and on both sides of the aisle, for the intemperate and ill-considered remarks of Edwin P. Neilan.

Mr. Neilan surely could have made many of his points without questioning the very basis of our form of government in such an extreme fashion.

His views, which were expressed in such an extreme manner as to cause nationwide comment, do not do justice to the U.S. Chamber of Commerce or to the first State.

Mr. Neilan's violent reaction to practices which he feels represent the art of political "bagmen" in the Congress, which smeared Democrats and Republicans alike, is indicative of his political naivete. He holds the actions of Delawareans immoral, whether they be plain citizens or local officials, who vote for, or administer, programs aided by Federal grants-in-aid, no matter whether these programs are for such purposes as helping crippled adults and children, helping the blind, and aiding the creation of sanitary sewer systems for the residents of Townsend, Millsboro, Camden-Wyoming, Clayton, and Bridgeville.

These programs he indicts as sinister "bribery."

Mr. Neilan was not conspicuously annoyed by the help provided by the Federal Government to citizens of Delaware, and others, who suffered in the devastating coastal storm which struck Delaware and destroyed both lives and property in March 1962.

Delaware has benefited greatly by a federally assisted highway program, by Federal aid to federally impacted school districts, and by vocational education programs.

I doubt that many Delawareans could be found who would want to see the Dover Air Force Base closed down, or removed from the first State. Whatever Mr. Neilan may think, this is not a boondoggle, there is really such a thing as the cold war, and Soviet and Cuban aggression is a fact, not a myth.

As a matter of fact, the Hercules Powder Co., which headquarters in Delaware, and which has competitively secured important contracts in the development of national space and defense programs, would be most unlikely to follow Mr. Neilan's lead and end all of its profitable contractual arrangements with the Federal Government.

Nor would the Du Pont Co. be willing to end its profitable relations with the Federal Government, now or in the future—relations which benefit the people of this country, the Federal Government, and Delaware's citizens and economy.

I could go on listing the many Federal programs which Delawareans benefit from, just as people in other States benefit from them.

So, I would think that Edwin P. Neilan, after he has had a chance to think it over, will probably want to revise his views considerably, and will want to present his own apologies for what he said yesterday.

At the very least, he will surely want to employ some new speechwriters, and in the future he will want to use the "blue pencil" effectively and extensively on some of the more extreme expressions of disbelief in our form of government which his speechwriters present to him.

In conclusion, I would say that hundreds of Members of Congress, past and present, thousands of Federal, State, and local officials, and millions of citizens deserve something better than Mr. Neilan's perverted analysis of the democratic and constitutional processes of our governmental and political system.

WHAT THE TEST BAN TREATY IS NOT

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. MONAGAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MONAGAN. Mr. Speaker, every American should read carefully the statement made by Secretary of State Dean Rusk in Moscow at the time of the signing of the test ban treaty.

One of the dangers of this period is the possibility that our people will be lulled into a state of euphoria due to the continuous stream of overoptimistic and shallow publicity that has surrounded the whole subject.

In his statement, Secretary Rusk carefully points out the limitations of this test ban proposal. It does not reduce the armory of weapons; it does not eliminate testing; it does not end the threat of nuclear war; it does take a step in the right direction, but that is all that he claims for it.

Naturally, all of us are hopeful that this agreement may mark the beginning of another day, but we must approach it with reason and care and realize that the greatest problems and the most important tasks are still far in the future and will require industrious attention if we are to attain the lasting peace that we desire.

Secretary Rusk's statement is as follows:

> Our three governments have today taken what all mankind must hope will be a first step on the road to a secure and peaceful world.
>
> The treaty we have signed today is the first step for which the United States has long and devoutly hoped. But it is only a first step. It does not end the threat of nuclear war; it does not reduce nuclear stockpiles; it does not halt the production of nuclear weapons; it does not restrict their use in time of war.
>
> It is, therefore, not yet possible for us to guarantee now what the significance of this act will be. History will eventually record how we deal with the unfinished business of peace. But each of our governments can and will play an important role in determining what future historians will report.
>
> For it will be our individual policies and attitudes and actions by which this step in the arms control field can be made the first and only one, or the first of many. If collectively we and other nations pursue a course to insure that the forward momentum of this agreement is maintained by further steps, man's long hopeful quest for peace will cease to be only a dream and will begin to acquire solid reality.
>
> So today, the President of the United States directed me to sign this treaty, which I have done with great satisfaction preparatory to its submission to our Senate for its consideration under our constitutional system. In a broader sense, the signature of this treaty represents the readiness of the United States to join with the two other original signatories, and with other nations, in a determined and sustained effort to find practical means by which tensions can be reduced and the burdens of the arms race lifted from the shoulders of our people. For this reason, we are particularly pleased that Secretary General U Thant has accepted our invitation to be here for this occasion. I am very happy, therefore, to second Mr. Gromyko's toast to peace.

OUR AID PROGRAMS

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, there has often been misunderstanding of our aid programs, and I believe that it is beneficial for us to see the aid program through the eyes of others. Burns once wrote:

> O would some power the giftie gie us
> To see ourselves as others see us.

The following editorial comment from a Colombian newspaper permits us to see the Alliance for Progress through the eyes of our Latin friends:

REPORT ON THE PROGRAM OF THE ALLIANCE FOR PROGRESS

The Council of the Organization of American States has the firm intention of learning fully what has been achieved until now through the Alliance for Progress program in Latin America.

Much has been said about the North American program. Opinions have been expressed which reserve judgment on whether the program is a definite failure. Others condemn it to defeat. What is certain is that, in line with the objective of the Alliance, there has been very little understanding of the significance of a program of cooperation, and the "panacea" that others thought would resolve all of the evils that afflict America.

It has been said, and with some reason, that many governments believed that the program of the Alliance for Progress would resolve all of the existing and future problems of the countries of the hemisphere. Nevertheless, nothing is more inexact than this thought. The peoples which will benefit from such plans also should receive support from their various governments in the scale required of them. To expect everything from North American help is totally erroneous.

The OAS, in seeking a clear and precise opinion on the problem of the Alliance, asked former President Alberto Lleras to make an exhaustive study of the matter. With the spirit of an investigator and above all as a man who knows well the problems of the hemisphere, the former President of Colombia has submitted an important report to the Organization of American States Council, arriving at important conclusions, among them, that the Latin American nations should fully realize that the Alliance is a program of social-economic redemption of a multilateral nature, and that, in consequence, the responsibility for its triumph belongs equally to all the Latin American peoples, since the cause is the development and economic growth of the Latin American region. This is all the more so since agrarian reform, educational reform and tax reform are the tasks of each country itself.

In another section, Lleras says that the false image that the Alliance is the exclusive, individual policy of the United States must be destroyed. It is a true Alliance of the American peoples to promote the economic development of all the American countries which require such development. The Alliance, Lleras Camargo adds, has made an extraordinary impression on the hard and ancient shell of Latin American society, no less notable than that on the North American people about the problems and situation of the other countries of the hemisphere. Never has so much been said or done in this part of the world to reform the old feudal structure of land possession and use; neither has there been so general a change in the tax systems, to apply taxes in areas where privilege, evasion and injustice have ruled.

Lleras Camargo has sought to analyze both the positive and the negative in this program so as to apply more convincing and more realistic rules for making the plans of the Alliance a bridge of authentic cooperation linking North America to the Western Hemisphere.

CRISIS FOR COTTON

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Sisk] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SISK. Mr. Speaker, I again arise to emphasize that if the present crisis confronting the cotton industry is not resolved by passage of the Cooley bill, H.R. 6196, the tragic consequences will not only be felt in the so-called Cotton Belt, but will extend throughout our economy.

The effect survival of cotton will have in other fields is so well set forth in a telegram just received from Mr. Frank Bergon of the Central Valley Empire Association in California that I feel it merits the attention of Members of the House. The telegram reads as follows:

Fresno, Calif.

Congressman B. F. Sisk: If southern California and the San Francisco Bay area lost all of their defense industry plants, contracts, employees, and payrolls, the blow to their economies would be like that which this San Jaoquin Valley would suffer if it lost the cotton industry.

Cotton brings more revenue into the seven counties in this valley than any other crop. It brings almost $300 million each year just to the farmers. It is the basis for well over $1 billion of new business each year in the valley. It supports tens of thousands of people on and off the farms. If it were lost just about every business and store, every county, city, and school district in the cotton areas would suffer a direct major income blow.

But this is not all. If hundreds of thousands of acres of land now in cotton had to go into other crops, the row crops, vine crops, and orchard crops would face trouble compounded. Many of these are already having problems selling their present production.

The loss of the cotton industry in California, or a major portion of it, is no academic matter. In his testimony before the House Committee on Agriculture asking for immediate cotton legislation, Hickman Price, the Assistant Secretary of Commerce, said, "the stake here is the long-term survival of cotton itself as an industrial commodity." The economy of our valley just could not stand the passing of cotton as an industrial commodity.

This is why new cotton legislation which will buy some time for us is vitally important. The Cooley cotton bill does this. It will move more cotton into markets through the offset fee. It will provide for lower costs of production through the research program, thereby lowering costs to the Government.

Without such legislation, cotton and this valley's economy face a most uncertain future.

Frank Bergon,
Central Valley Empire Association.

COMMENT ON SPEECH BY EDWIN P. NEILAN, PRESIDENT, CHAMBER OF COMMERCE OF THE UNITED STATES

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Flood] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FLOOD. Mr. Speaker, I was pleased to learn that the national chamber of commerce is in favor of the approach used by the Area Redevelopment Administration in encouraging local communities to set up nonprofit organizations for the purpose of industrial expansion, to be run through local leadership and local initiative. Actually, I see no reason—objectively speaking—why the chamber of commerce should not get together with ARA to put their support behind the idea in the areas with high unemployment, especially in those places where the chamber believes there is still a potential for economic expansion.

Mr. Neilan, the president of the chamber of commerce, indicated that Altoona, Pa., is doing exactly this sort of thing. And the local organization for economic and industrial development for the Blair-Bedford area as a whole, has as one of its members, Mr. G. Stanley Ruth, executive of the Altoona Chamber of Commerce. This local organization—with local leadership and with locally conceived economic planning—is the official group through which ARA cooperates in their efforts at economic rebirth.

As a matter of fact, local chambers of commerce in a vast number of local ARA committees are represented and are active through their officials and their members in finding ways in which to use the new tools provided by the Area Redevelopment Act. According to a recent report of ARA, there are at least 600 identifiable local bankers, businessmen, and other local private civic leaders serving on such voluntary organizations devoted to stimulating private enterprise growth and to promoting those community projects that are needed to encourage economic and job expansion.

Given these facts, I just do not understand how Mr. Neilan can so emotionally object to the existence and philosophy of ARA—unless he is being used for other, unrelated purposes.

WISCONSIN DAIRY FARMER INCOME DROPS TO NEW LOW IN COST-PRICE SQUEEZE

The SPEAKER pro tempore (Mr. Bolling). Under previous order of the House, the gentleman from Wisconsin [Mr. Laird] is recognized for 15 minutes.

Mr. LAIRD. Mr. Speaker, President Kennedy and Secretary Freeman have indicated on various occasions that the American farmer, under this administration, has never had it so good. This perplexes me. It also perplexes the many farmers I have the good fortune to represent in the heart of America's dairyland, the Seventh District of Wisconsin. They tell me things have not been so good in the last 3 years. They say they are paying more for the items they have to buy to produce dairy goods. They also insist that they are receiving less pay for the milk and dairy products they do produce.

The dairy farmer in Wisconsin is caught in the vicelike grip of a cost-price squeeze that is draining his lifeblood. On the day that President Kennedy assumed office in January 1961, the average pay price in Wisconsin for milk used in manufactured dairy products was $3.29. Today, that price has dropped by 23 cents. The most recent agricultural report issued by the Department of Agriculture sets the June 1963 average pay price to Wisconsin farmers for manufacturing milk at $3.06—in January 1963, the price was $3.07.

A drastic drop in income, Mr. Speaker, is not compatible with the statement that "the farmer has never had it so good." Especially is this true when one considers that the 23 cents loss in price paid to the farmer is only a portion of the total loss in net income. There are two factors involved in a cost-price squeeze. The second factor is the cost of producing the manufactured dairy products. Today, the price the farmer has to pay for all items used in the production of milk has risen to such an extent that the index of prices paid by the farmer is at an all-time high. In January of 1961, when President Kennedy assumed office, the parity index—which includes the index of prices paid, interest, taxes, and farm wage rates—was 301. By June of this year, 1963, the parity index had risen to 311—in January 1963, it was the same 311.

For 6 years now, Mr. Speaker, I have introduced a self-help dairy stabilization bill designed to ease the cost-price squeeze on the farmer. The Kennedy administration has continually stymied constructive attempts to pass such a bill. I have indicated that during the period between the 1st and 2d sessions of the 88th Congress, I will meet with the various farm organizations in Wisconsin. The purpose of this meeting will be to get all farm organizations in Wisconsin together on a bipartisan basis to unite behind a single dairy program to assure a better future for dairying. Without some degree of unity there can be no chance for constructive action.

By the same token, Mr. Speaker, without some degree of active interest on the part of the administration and the Secretary of Agriculture, there can be no hope of improving the sliding status of America's dairy farmers. The fact that the Secretary of Agriculture, Orville Freeman, chose this particular time to go on an extended tour of the Soviet-bloc countries indicates at least a casual disregard for the pressing problems to be faced here at home in all aspects of agriculture. It seems strange, Mr. Speaker, that the Secretary selected this time, the height of a busy session of Congress, when farm legislation is needed badly, to go to the Soviet Union and other Communist countries. It would be more understandable if he had chosen those free-world countries where stringent controls are not the vogue and where, perhaps, constructive policies could be studied and if feasible, emulated.

The control approach the Secretary is studying in the Soviet Union cannot work here in the United States. A modified version of it was tried on the wheat farmers. Predictably, they rejected it. Every time we try a control approach in the United States the result is invariably confusion and unnecesary surpluses.

For example, through ill-advised experiments with support levels, the present administration encouraged dairy farmers to step up milk production. At the same time, however, it encouraged consumers to buy less milk and dairy products, particularly butter. As a result of its bungling action, the cost of price supports jumped in 1 year—1961–1962—from $278 to $603 million. After that, the dairy support price was again lowered by Secretary Freeman to 75 percent of parity.

The mere attempt to force production control measures on the farmer tends to have an adverse effect. In the case of the dairy farmer, continued attempts along these lines brought about a resurgence of surplus milk production. Farmers understandably increased their herd sizes and, at the same time, failed to cull the low producers. This happened because the farmer logically concluded that he could only survive an experiment in production controls if he entered such a program with a production base large enough to fit his farming operations.

Even this is not the end of the story. After administration bungling had caused the farmer to add to his stock of surpluses, the next step resulted in cutting down the farmers' market. The administration encouraged the importation of surplus dairy products from other countries. As a result, we have seen increased imports of cheese, cream, and other forms of butterfat—all of which, incidentally, are also produced in Wisconsin. The result is that surpluses from abroad come into this country and displace our own products. No logical case can be made, it seems to me, for compelling U.S. dairymen to cut back production if, at the same time, we continue to allow and even encourage surpluses from abroad to come into this country.

Mr. Speaker, the administration complains of the cost of price supports to dairy farmers even though the administration caused it. At the same time, it kept in storage butter which had been moving as butteroil to feed needy persons abroad, under Public Law 480. In place of the butteroil—a market developed for surplus dairy products—the administration substituted vegetable oils created by another ill-advised measure of its own making.

As I mentioned earlier, dairy farmers have suffered more because prices of all items used in the production of milk have continued to rise while prices received by the farmers have not kept pace. This obviously can be traced to administration policies of deficit financing, foreign aid, and favoritism to other groups of the society at the expense of the dairy farmer.

It is no credit to the administration and certainly no credit to its farm program that farmers are getting a substantial portion of their income from nonfarm sources, as reported in a recent release from the Department of Agriculture. Nonfarm income has nothing to do with farm programs and was not a contribution of the administration in any sense.

Mr. Speaker, the administration belittles farmers for not supporting its prescriptions for the ills of agriculture. The administration becomes vindictive when farmers reject the rigid control programs such as exemplified by the wheat referendum, the turkey order, and the aborted potato program. And while asking farmers to support its programs, the administration has consistently rejected out of hand any proposal that did not originate in its own inner sanctum—as if bureaucrats had some kind of monopoly on proper thinking and policy formulation.

It is obvious from the record of the present administration that it is not genuinely concerned about the farmer. It is also obvious that the farmer, understandably, is growing more and more disillusioned with the wide gap between administration promises and practices. Perhaps most obvious of all is the administration's complete lack of understanding of the problems of the farmer as exemplified by the abject failure of its farm programs.

Mr. Speaker, it is to be profoundly hoped that the Kennedy administration—and the Secretary of Agriculture, when he returns from his present profitless junket—will undertake a complete reevaluation of the fundamental premises upon which it has based its unsuccessful farm programs.

DISCRIMINATION AGAINST POULTRY FROM THE UNITED STATES BY THE COMMON MARKET COUNTRIES MUST BE COUNTERED BY WITHDRAWING THE MILLIONS OF DOLLARS OF CONCESSIONS GRANTED THE PRODUCTS OF THOSE COUNTRIES

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Delaware [Mr. McDowell] is recognized for 15 minutes.

Mr. McDOWELL. Mr. Speaker, the State Department is absolutely right in its moves to counter the exclusionist policies and tariffs of the European Common Market countries where our country's poultry is concerned.

Delaware poultry producers are united in backing the State Department and President Kennedy in this matter.

I strongly support the President's trade negotiator, Christian A. Herter, in his move to list 19 items, from wine and cheese to trucks and busses, which the United States is prepared to remove from the favorable trade concession list unless the levies raised against this Nation's poultry—levies which have been tripled in the past year—are removed.

I have been in constant touch with President Kennedy and the State Department officials on this matter of Delaware's poultry.

This is a matter in which President Kennedy has shown deep understanding and great interest.

It seems to me to be the height of folly to open our own markets to products from the Common Market countries, give these countries $46 million in trade concessions on their products which compete in our own country against our own products, and then stand idly by while they triple their tariff levies against us on poultry.

I want to go on record as saying that I have invited all of Delaware's poultry producers to use my office for the duration of this emergency.

I shall do whatever I can to make sure that their case is heard at the hearings which begin September 4 in Washington, D.C.

I am sure that all of the people of Delaware are united on this matter, and that they consider an injury to Delaware's poultry producers as an injury to all of Delaware's manufacturers and producers.

Unrealistic and even snide editorials by Monday morning quarterbackers on the domestic farm economy are no answer to patent discrimination in international trade.

The American farmer, as well as the industrial manufacturer, must be treated alike at the trade bargaining table.

Growing poultry is good business in Delaware, in fact it is one of the largest businesses in the First State, and it contributes greatly to our State's economy.

What affects Delaware's poultry industry adversely has an adverse impact on the entire State of Delaware and on everyone who resides in Delaware.

I include as part of my remarks a recent front-page article from the Wilmington Morning News, of Wilmington, Del.

UNITED STATES PLANS TARIFF WAR ON EUROMART

WASHINGTON.—The United States yesterday announced plans to hike tariff duties on European imports ranging from wines to flowers bulbs in retaliation for crippling Common Market increases on U.S. poultry.

Christian A. Herter, President Kennedy's special trade negotiator, said the aim will be to compensate the United States for $46 million of trade lost through the Common Market's tariff on American chickens.

He announced in a statement that public hearings will be held next month to help the Government select from a list of 19 commodities those on which higher tariffs might be imposed.

But a spokesman for Herter's office said if the European Common Market changes its position, the United States would be happy to halt its proceeding and look toward what he called restoration of a balance of concessions.

A Washington spokesman for the Common Market attributed the U.S. action to "confusion." He said it amounted to an "or else ultimatum" which will make it much harder to achieve a real solution.

"It comes at a time when the Common Market Commission has, for the first time, been given a mandate to negotiate the dispute with the United States," the spokesman said.

He said the market's Council of Ministers on July 29 empowered the Commission to "explore the (chicken) problem with the United States in the next 2 months and to report back to the Council of Ministers on September 29 with proposals for a solution."

Herter said the United States regretted that the EEC had found it impossible "to reduce the current very high level of protection on poultry imports into the community."

He said West Germany has increased the duties on U.S. poultry repeatedly, "from 4.9 cents per pound to the present 13.43 cents per pound."

The loss to American poultry producers was estimated by Herter at $46 million a year. His list of possible retaliation items brought Common Market nations $111.5 million from this country last year. Herter said this country has sought patiently for more than a year to persuade the European Common Market to modify the impact of the tariff schedule, but without success. In view of this, he said, the United States has no choice but to retaliate "in order to restore the balance."

Herter's spokesman said it is contemplated that the hearings will start Sept. 4 and the tariff concession withdrawals will be put into effect about mid-October.

He said all of the Common Market countries would be affected: France, West Germany, Italy, Belgium, the Netherlands, and Luxembourg.

Wine, of which $22.4 million worth was imported in 1962, had the highest money value on Herter's list. Other major items are: trucks and buses, $14.8 million; film except motion pictures, $13.6 million; brandy, $12.1 million, and photography paper, $10.2 million.

The countermeasures were termed a "long overdue step to protect American agricultural products" by Senator JOHN J. WILLIAMS, Republican of Delaware.

"It is remotely possible," he added, that the hearings to determine possible higher U.S. tariffs may help the Common Market nations to "see the handwriting on the wall and reverse themselves without further U.S. action.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. SAYLOR (at the request of Mr. HALLECK), for today, on account of death in family.

Mr. SMITH of Virginia (at the request of Mr. GARY), for August 7, 1963, and the balance of the week, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. STAEBLER (at the request of Mr. GIBBONS), for 60 minutes, August 13, 1963, to revise and extend his remarks and to include extraneous matter.

Mr. McDOWELL (at the request of Mr. GIBBONS), for today, for 15 minutes, to revise and extend his remarks and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. FINO.

Mr. EVERETT and to include extraneous matter.

(The following Members (at the request of Mr. SHORT) and to include extraneous matter:)

Mr. HOEVEN.

Mr. FOREMAN.

Mr. PELLY in two instances.

(The following Members (at the request of Mr. GIBBONS) and to include extraneous matter:)

Mr. ROYBAL.

Mr. CORMAN.

Mr. FASCELL.

Mr. ST. ONGE.

Mr. KING of California.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1994. An act to authorize the disposal, without regard to the required 6-month waiting period, of certain waterfowl feathers and down from the national stockpile; to the Committee on Armed Services.

BILL AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on August 7, 1963, present to the President, for his approval, a bill and a joint resolution of the House of the following titles:

H.R. 1518. An act for the relief of Barbara Theresa Lazarus; and

H.J. Res. 324. Joint resolution extending an invitation to the International Olympic Committee to hold the 1968 winter Olympic games in the United States.

ADJOURNMENT

Mr. GIBBONS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to, accordingly (at 3 o'clock and 6 minutes p.m.), under its previous order, the House adjourned until Monday, August 12, 1963, at 12 o'clock noon.

OATH OF OFFICE

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22), to be administered to Members and Delegates of the House of Representatives, the text of which is carried in section 1757 of title XIX of the Revised Statutes of the United States and being as follows:

"I A B, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Members of the 88th Congress, pursuant to Public Law 412 of the 80th Congress entitled "An act to amend section 30 of the Revised Statutes of the United States" (U.S.C., title 2, sec. 25), approved February 18, 1948: DEL CLAWSON, 23d District, California, FRED B. ROONEY, 15th District, Pennsylvania.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1115. A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation, entitled, "A bill to amend the Internal Revenue Code of 1954 to impose a tax on acquisitions of certain foreign securities in order to equalize costs of longer term financing in the United States and in markets abroad, and for other purposes"; to the Committee on Ways and Means.

1116. A letter from the Chairman, Securities and Exchange Commission, transmitting the final installment of the Report of the Special Study of Securities Markets containing chapters X through XIII, pursuant to section 19(d) of the Securities Exchange Act of 1934, Public Law 87-196 (H. Doc. No. 95, pt. IV); to the Committee on Interstate and Foreign Commerce and ordered to be printed with illustrations.

1117. A letter from the Comptroller General of the United States, transmitting a report on unjustified cost-of-living allowances paid in the Alaskan Command to military personnel not accompanied by dependents; to the Committee on Government Operations.

1118. A letter from the Governor, Canal Zone Government, transmitting a draft of a proposed bill entitled "A bill to extend life insurance and health benefits coverage to non-U.S. citizen employees, and health benefits coverage to retired non-U.S. citizen employees, whose permanent duty station is or was in the Canal Zone"; to the Committee on Post Office and Civil Service.

1119. A letter from the Acting Assistant Secretary of the Treasury, transmitting the Annual Report of the Federal Bureau of Narcotics, prepared by the Commissioner of Narcotics, for the calendar year ending December 31, 1962, pursuant to section I of the act of June 14, 1930; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. EDMONDSON: Committee on Interior and Insular Affairs. H.R. 1233. A bill to provide for the reinstatement and validation of U.S. oil and gas lease No. Sacramento 037552-C, and for other purposes; without amendment (Rept. No. 642). Referred to the Committee of the Whole House on the State of the Union.

Mr. THOMPSON of New Jersey: Joint Committee on the Disposition of Executive Papers. House Report No. 643. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

Mr. BOLLING: Committee on Rules. House Resolution 483. Resolution for consideration of H.R. 6143, a bill to authorize assistance to public and other nonprofit institutions of higher education in financing the construction, rehabilitation, or improvement of needed academic and related facilities in undergraduate and graduate institutions; without amendment (Rept. No. 644). Referred to the House Calendar.

Mr. EDMONDSON: Committee on Interior and Insular Affairs. H.R. 4479. A bill to provide for the conveyance to the State of California of certain mineral rights reserved to the United States in certain real property in California; with amendment (Rept. No. 645). Referred to the Committee of the Whole House on the State of the Union.

Mr. MORGAN: Committee on Foreign Affairs. H.R. 7885. A bill to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes; without amendment (Rept. No. 646). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. EDMONDSON: Committee on Interior and Insular Affairs. H.R. 5451. A bill for the relief of the E.L.K. Oil Co.; without amendment (Rept. No. 641). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CELLER:

H.R. 7998. A bill to amend the Public Buildings Act of 1959 to require separate contracts to be entered into for the performance of mechanical specialty work required in certain construction and alteration of public buildings; to the Committee on Public Works.

By Mr. ELLSWORTH:

H.R. 7999. A bill to amend title 38, United States Code, to provide certain veterans with urgently needed nursing home care and nursing care facilities while reducing the cost to the United States of caring for such veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MILLS:

H.R. 8000. A bill to amend the Internal Revenue Code of 1954 to impose a tax on acquisitions of certain foreign securities in order to equalize costs of longer term financing in the United States and in markets abroad, and for other purposes; to the Committee on Ways and Means.

By Mr. EVERETT:

H.R. 8001. A bill to amend title 38, United States Code, to provide certain veterans with urgently needed nursing home care and nursing care facilities while reducing the cost to the United States of caring for such veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. GOODELL:

H.R. 8002. A bill to amend the Fair Labor Standards Act of 1938, as amended, to provide coverage for employees of large enterprises (now exempt) engaged in laundering, cleaning, or repairing of clothing or fabrics which compete substantially in the same metropolitan area with similar enterprises not exempt and to lessen unfair competition; to the Committee on Education and Labor.

By Mr. HOLIFIELD (by request):

H.R. 8003. A bill to provide for the establishment of a community at or near the Nevada Test Site, Nev.; to the Joint Committee on Atomic Energy.

By Mr. MOORHEAD:

H.R. 8004. A bill to amend the Federal Firearms Act (52 Stat. 1250); to the Committee on Ways and Means.

By Mr. REID of New York:

H.R. 8005. A bill to facilitate the entry into the United States of certain relatives of U.S. citizens; to the Committee on the Judiciary.

By Mr. ROBERTS of Texas:

H.R. 8006. A bill to amend title 38, United States Code, to provide certain veterans with urgently needed nursing home care and nursing care facilities while reducing the cost to the United States of caring for such veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SCHADEBERG:

H.R. 8007. A bill to amend title 38, United States Code, to provide certain veterans with urgently needed nursing home care and nursing care facilities while reducing the cost to the United States of caring for such veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SECREST:

H.R. 8008. A bill to amend title 38, United States Code, to provide certain veterans with urgently needed nursing home care and nursing care facilities while reducing the cost to the United States of caring for such veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. TEAGUE of Texas:

H.R. 8009. A bill to amend title 38, United States Code, to provide certain veterans with urgently needed nursing home care and nursing care facilities while reducing the cost to the United States of caring for such veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. WYDLER:

H.R. 8010. A bill to amend the Communications Act of 1934 to require that radio and television stations broadcast the national anthem of the United States; to the Committee on Interstate and Foreign Commerce.

By Mrs. DWYER:

H.R. 8011. A bill to repeal the retailers excise tax on handbags; to the Committee on Ways and Means.

H.R. 8012. A bill to establish in the Executive Office of the President an Office of Urban Affairs; to the Committee on Government Operations.

By Mr. HARRIS:

H.R. 8013. A bill to amend section 204 of the Communications Act of 1934; to the Committee on Interstate and Foreign Commerce.

By Mr. ANDERSON:

H.J. Res. 638. Joint resolution authorizing the President to proclaim the week of November 18-24, 1963, as National Youth for Christ Week; to the Committee on the Judiciary.

By Mr. FASCELL:

H.J. Res. 639. Joint resolution authorizing and directing the National Institutes of Health to undertake fair, impartial, and controlled scientific tests and investigations of the drug, Krebiozen; and that the Secretary of Health, Education, and Welfare shall not terminate or issue any notice of termination of the exemption of the drug, Krebiozen, for investigational use, until the completion of such tests and investigations and the issuance of an evaluation thereof by the National Institutes of Health; and authorizing to be appropriated to the Department of Health, Education, and Welfare the sum of $250,000; to the Committee on Interstate and Foreign Commerce.

By Mr. GILBERT:

H.J. Res. 640. Joint resolution authorizing the continued shipment of the drug Krebiozen in interstate commerce in order to insure the continued availability of such drug for the treatment of patients now being treated with such drug and for terminal cancer patients; to the Committee on Interstate and Foreign Commerce.

By Mr. MATSUNAGA:

H.J. Res. 641. Joint resolution to provide for the settlement of the labor dispute between certain carriers by railroad and certain of their employees; to the Committee on Interstate and Foreign Commerce.

By Mr. PILLION:

H.J. Res. 642. Joint resolution authorizing the continued shipment of the drug Krebiozen in interstate commerce in order to insure the continued availability of such drug for the treatment of patients now being treated with such drug and for terminal cancer patients, and providing for a fair, impartial, and controlled test of Krebiozen; to the Committee on Interstate and Foreign Commerce.

By Mr. JOHNSON of Wisconsin:

H. Res. 481. Resolution creating a standing Committee on Small Business in the House of Representatives, with authority to report germane amendments to the Small Business Act and the Small Business Investment Act of 1958; to the Committee on Rules.

By Mr. ST GERMAIN:

H. Res. 482. Resolution to create a select committee to investigate expenditures for research programs conducted by or sponsored by the departments and agencies of the Federal Government; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BROWN of California:

H.R. 8014. A bill for the relief of Carlos Rogelio Flores-Vasquez; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 8015. A bill for the relief of Angelo Pellicano; to the Committee on the Judiciary.

By Mr. KEOGH:

H.R. 8016. A bill conferring jurisdiction upon the Court of Claims of the United States to consider and render judgment on the claim of the North American Sugar Industries, Inc. (formerly Cuban-American Sugar Co.), against the United States; to the Committee on the Judiciary.

By Mr. RYAN of Michigan:

H.R. 8017. A bill for the relief of Seaway Machinery Corp.; to the Committee on the Judiciary.

By Mr. UDALL:

H.R. 8018. A bill for the relief of James S. Hall; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Report From Washington

EXTENSION OF REMARKS
OF

HON. ED FOREMAN

OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 8, 1963

Mr. FOREMAN. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following "Reports From Washington":

REPORTS FROM WASHINGTON
(By Hon. ED FOREMAN, of Texas)

NUCLEAR TEST BAN

As the United States dashes headlong toward a test ban agreement with the Soviets, it might be well to recall the warning of the late John Foster Dulles, who was Secretary of State under President Eisenhower. Discussing the possibilities of a United States-Soviet pact several months before his death in 1959, Dulles commented to a close associate:

"Since a treaty is what the Russians want, it wouldn't be difficult to come up with one which would look good on the surface. We could include in it all the fuzzy language of diplomacy—and believe me, I know some of the phrases—and present it to the world as a great achievement for peace. All of this would result in a relaxation of world tensions, generate a feeling of international good will, and probably elect a Republican President in 1960.

"But we're not going to do it. If we signed such a pact with the Soviets, there would develop a tremendous pressure to cut back on our defenses, reduce the size of our Armed Forces, and curtail our armaments. And we'd have only the word of the Russians that they were doing the same. Our NATO, SEATO, and other alliances would be endangered, perhaps to the point of deterioration. As a result, within a few years we could be a sitting duck for the Communists to pick off whenever they felt the time was ripe."

So spoke a man who understood the Communist and the Communist menace.

COMMUNIST PROBLEMS

We must not be led astray by the current dispute between the Soviets and the Red Chinese. While their differences are deep, for us they represent only a falling out of thieves; both camps are intent upon our destruction. In our eagerness to exploit this division in the Communist world, we should not form an alliance with one of the thieves.

ONE PROPOSAL MIGHT BE

Jenkin Lloyd Jones in the Tulsa Tribune says, "One of the most pernicious illusions abroad in the world today is the fond hope that if nations give up testing atomic weapons that the threat of an atomic holocaust will vanish * * * We ought to quit dispatching futile emissaries to face the familiar and bitter choice of frustration or surrender. Instead, we should send Mr. K. a simple note in nondiplomatic language: 'Look, Buster, we think tests in the atmosphere aren't even for the birds. We'll quit them if you will, but one more trick like the last time and we won't make this offer again. As to underground tests, we'll have them as often as we like and you are welcome to yours. If you ever want a moratorium on them, send us a letter telling us how many monitors you'll allow and if we're interested, we'll write you back.' "

Government Lotteries of Ceylon, Republic of Congo, Sierra Leone, Syria, and Upper Volta

EXTENSION OF REMARKS
OF

HON. PAUL A. FINO

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 8, 1963

Mr. FINO. Mr. Speaker, today I would like to discuss a few more of the 77 foreign countries that operate Government-run lotteries as a means of raising revenue. Ceylon, Republic of Congo, Sierra Leone, Syria, and Upper Volta are five nations which recognize the wisdom of a national lottery.

Ceylon conducts two national lotteries. One is run by the Hospital Lotteries Board and the other by an Industrial Exhibition Sweep which only started in 1962. However, the gross receipts in 1962 on the hospital lotteries came to almost $1½ million. The total amount given to the government was almost one-half million dollars which was set aside for improvement of the health services.

Republic of Congo does not have its own Government lottery but the French national lottery does sell tickets in this country. Plans are now underway to set up, by agreement with a large German lottery firm, a lottery. By arrangement, the Government would receive 20 percent of the weekly income from the sale of tickets.

Sierra Leone just started to operate a national lottery. The first drawings will probably be held this summer. The Government has announced that they plan to issue 1 million tickets per month which should bring in about $500,000 a month or $6 million a year. The net profits are expected to be invested in capital expenditures for schools and hospitals.

Syria has a nationwide lottery run by the Director of the Damascus International Fair, a semiautonomous organization attached to the Syrian Ministry of Economy. In 1962, the total gross annual receipts were over $1 million. The net income of almost $700,000 was earmarked for the promotion of the annual Damascus International Fair.

Upper Volta does not run its own lottery but once a year a private service organization, the Lions Club, conducts a sort of lottery for a 1-week period and the proceeds go directly into charity work.

Mr. Speaker, all of these countries realize that the urge to gamble is ineradicable and the Government should act to control it rather than ignore it. A national lottery in the United States would make the gambling urge work for the public good. It would easily pump into our treasury over $10 billion a year in new income which can be used to cut our taxes and reduce our national debt.

Grandpa Smith's Great Idea

EXTENSION OF REMARKS
OF

HON. CHARLES B. HOEVEN

OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 8, 1963

Mr. HOEVEN. Mr. Speaker, 50 years ago Grandpa Smith popped up a great idea. Back in 1913, Cloid H. Smith had just sold his telephone company, the Nation's first automatic telephone system. But Grandpa Smith was not the type to stay idle very long. He owned some farmland in the heart of the popcorn country and decided to package popcorn and market it through grocery stores—under a brand name.

This was a revolutionary idea for those cracker-barrel days since popcorn had previously been distributed to grocers in 150-pound bags. But Grandpa Smith shelled, cleaned, graded, and packaged his product in cardboard cartons for the housewife's convenience, and folks liked his idea. He called his popcorn Jolly Time, and now you see it on grocery shelves around the world.

The grandchildren of Grandpa Smith still operate the American Popcorn Co. at Sioux City, Iowa, in my congressional district which is one of the largest popcorn producing areas of the country. The American Popcorn Co. is the world's largest producer and packer of popcorn, and it looks like Jolly Time will continue to be a leader for another 50 years.

I mention Grandpa Smith and his great idea because his story is so typically American. His ingenuity and energy built an organization which now provides jobs for many in the free enterprise tradition. We need more like him.

A Nuclear Test Ban

EXTENSION OF REMARKS

OF

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 8, 1963

Mr. ROYBAL. Mr. Speaker, the President is to be commended for his excellent handling of the recent limited nuclear test ban negotiations and for the three-power treaty banning nuclear weapon tests in the atmosphere, in outer space and underwater that was agreed on in Moscow.

This is indeed a milestone in the history of the nuclear space age, and it may well be the turning point in the 18-year-old cold war between East and West.

The preamble to the treaty states the interim goals toward which the treaty itself is a major, though limited, step:

> The discontinuance of all test explosions of nuclear weapons for all time * * * and an end to the contamination of man's environment by radioactive substances.

These are most worthy and admirable goals. But we all look forward to the day when the principal aim of the treaty, also outlined in the preamble, is achieved:

> An agreement on general and complete disarmament under strict international control in accordance with the objectives of the United Nations which would put an end to the armaments race and eliminate the incentive to the production and testing of all kinds of weapons, including nuclear weapons.

This test ban treaty is the first major Soviet-Western accord since 1955, when the Austrian Peace Treaty ended four-power occupation of that country and established Austria as an independent island of neutrality in central Europe.

It gives us all hope that fresh winds of change may indeed be blowing across the Iron Curtain. But as we move into what may become a new era of relaxed tensions, we must not forget communism's long record of broken promises and unkept pledges. We must guard our strength, keep up our defenses, and assure that any agreements entered into will completely safeguard our vital interests and leave nothing to chance.

With this warning in mind, and with full knowledge of America's overwhelming military defense capability to meet Communist aggression on land, at sea, in the air, and in space, we should have no fear of discussing and negotiating on any and all topics of mutual concern and on every subject of international friction likely to cause trouble.

The overwhelmingly favorable response with which this test ban treaty has been greeted by all the peace-loving nations of the world—at this writing some 60 members of the United Nations have already indicated their intention to sign—and the unmistakable signs of nearly unanimous approval of the U.S. Senate within the next few weeks, are certainly heartening indications of a deep-seated desire for peace among the people of the world, as well as a willingness to accept the first step on what may be a long and sometimes difficult road to our ultimate goal.

President Kennedy discussed this goal in his recent speech in St. Paul's Church, Frankfurt, Germany. After noting that the "strength and unity of—the Atlantic Community—is and will continue to be the anchor of all freedom for all nations," he declared:

> Our mission is to create a new social order, founded on liberty and justice, in which men are the masters of their fate, in which states are the servants of their citizens, and in which all men and women can share a better life for themselves and their children.

Let us hope that this nuclear test ban treaty is a step in the direction of achieving that magnificent goal.

Misuse of the Military

EXTENSION OF REMARKS

OF

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 8, 1963

Mr. PELLY. Mr. Speaker, yesterday on the floor of the House there was an extensive discussion with regard to Secretary McNamara's directive under which all members of the Armed Forces would be used to implement the Department of Defense directive in connection with the Gesell report.

As a Member of this House, Mr. Speaker, who has a consistent record in favor of civil rights, I think I can discuss the implications of the Department of Defense directive objectively and I wish to state unequivocally that while I will continue to press for progress in the field of human rights I am completely opposed to using the Department of Defense and members of the Armed Forces in the enforcement of moral and social civilian issues. The use of our military in this respect should be abhorrent to every American. Historically the armed services have been used for one function and one function only; namely, a military one. Segregation and discrimination is, and by right must be, barred within the military itself, however, the military role in Government and outside its own organizational structure is and forever must remain separate from civilian and political functions. I say the Department of Defense's responsibility should be limited to the safeguarding of our country and for no other purpose.

How inconsistent can our Government be? When the Kennedy administration came to power the Department of Defense issued a directive banning anti-Communist education such as the House Un-American Activities Committee film, "Operation Abolition," which was produced to alert citizens to the dangers of communism. This film was banned in reserve officers' meetings and even barred for loaning to off-base civilian groups. The Department said that it was following this policy because it should not be used to influence the thinking of either military personnel or civilians.

Mr. Speaker, the Department of Defense is clearly out of order when it issues a directive which in effect injects Armed Forces personnel into a major domestic problem such as the present civil rights issue.

Nursing-Home Care

EXTENSION OF REMARKS

OF

HON. ROBERT A. EVERETT

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 8, 1963

Mr. EVERETT. Mr. Speaker, early in the session the chairman of the Committee on Veterans' Affairs, the gentleman from Texas [Mr. TEAGUE], appointed a Special Subcommittee on Intermediate Care to specifically investigate the desirability and feasibility of increasing the number of beds allocated for intermediate or nursing care.

The chairman of the full committee did me the honor of naming me as chairman of this subcommittee and appointed our colleagues—the gentleman from Texas [Mr. ROBERTS], the gentleman from Ohio [Mr. SECREST], the gentleman from Wisconsin [Mr. SCHADEBERG], and the gentleman from Kansas [Mr. ELLSWORTH], to serve on this subcommittee.

Never have I seen a more harmonious group than this subcommittee, Mr. Speaker. I want to take this opportunity to express my great appreciation to my colleagues on the subcommittee who have given me their complete cooperation in every step we have taken. There is a great interest in this subject and the subcommittee members have been diligent in their attendance at the subcommittee sessions and, in addition, have sacrificed a considerable amount of their own time to visit field installations to obtain a better understanding of the problems which arise in this area.

Pursuant to the direction of the chairman of the full committee, hearings were held beginning on May 14 and running through the end of June.

Every interested party was given an opportunity to testify. In addition to the Veterans' Administration, the following Government agencies appeared and expressed their points of view: The Bureau of the Budget; Department of Health, Education, and Welfare; and the

Housing and Home Finance Agency. Helpful testimony was received from the American Hospital Association, the Association of State Homes, the American Nurses' Association, the American Legion, Veterans of Foreign Wars, Disabled American Veterans, AMVETS, Paralyzed Veterans of America, United Spanish War Veterans, and Veterans of World War I of the U.S.A., Inc. In addition, individual Members of Congress and certain interested associations filed statements.

The hearings have now been printed in a 1701-page volume which I am happy to say contains much useful and helpful information.

The activities of the subcommittee culminated today in an executive session of the subcommittee which unanimously agreed on a bill to be introduced and reported favorably to the full committee. In addition to the chairman of the full committee, the Honorable OLIN E. TEAGUE, all members of the subcommittee are introducing this bill. The subcommittee has been assured by the chairman of the full committee that early attention will be given this matter by the entire membership of the Committee on Veterans' Affairs.

The measure which we are recommending to the full committee, and which is being introduced today by six members of the Committee on Veterans' Affairs provides:

First. The Veterans' Administration shall operate 4,000 additional nursing-care beds;

Second. Transferring for a maximum of 180 days to a private facility certain patients who are presently in Veterans' Administration hospitals and who have received maximum hospital benefits;

Third. Increasing the per diem rate from $2.50 to $3.50 for nursing care in State homes and authorizing a 5-year program, involving $5 million a year on a matching-fund basis, for the construction of nursing-care units in State homes;

Fourth. Permitting veterans who receive an aid and attendance pension to be in a hospital as long as 60 days without the loss of his pension;

Fifth. Authorizing the furnishing of therapeutic and rehabilitative devices for the aid and attendance pensioners who are eligible for an invalid lift; and

Sixth. Extending the completion bed occupancy program (CBOC) to permit the Veterans' Administration to provide, for a longer period of time, medication and medical assistance to aid and attendance pensioners who suffer from chronic diseases which particularly afflict older individuals.

Thousands of veterans are already hospitalized in Veterans' Administration hospitals today and are receiving this type of care. A long-term-care unit has recently been opened for treatment of diseases of this type at Kecoughtan, Va. A restoration center is now in operation at the Veterans' Administration hospital at Hines, Ill., and another is planned at the East Orange, N.J., Veterans' Administration hospital. While these two restoration projects are related to nursing-home care, in the opinion of the subcommittee members, they do not meet the immediate and pressing need.

Generally speaking, nursing-home care can be provided at a smaller cost than that required for acute and intensive medical care.

It is the judgment of the subcommittee that action is fully warranted and, in fact, essential in the immediate future if we are to meet our responsibilities.

Legislation of this general type was supported by all of the veterans' organizations testifying before the subcommittee.

Part 45 Carrier Operations

EXTENSION OF REMARKS

OF

HON. JAMES C. CORMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 8, 1963

Mr. CORMAN. Mr. Speaker, the recent stranding of 100 California students in Europe by a part 45 air carrier, Intercontinental U.S., Inc., points up a need for Congress to give to the Civil Aeronautics Board the tools to regulate this particular segment of the industry.

It is estimated that some 1,200 California students in Europe, who were flown there by Intercontinental, will be stranded before the summer is over.

The CAB will be criticized, although it is in no way responsible, and the Board can expect to receive the brunt of future criticism because the public and the press are unable to distinguish between charter operations of part 45 carriers and those of supplemental air carriers legitimately serving the transatlantic charter market.

A part 45 carrier is certificated by the Federal Aviation Agency as a commercial operator, and cannot hold itself out to the public as a common carrier. It is true it must meet the same safety standards as supplemental air carriers, although it operates on a contract basis only. However, a part 45 carrier is under no economic regulation by the CAB.

I propose asking the Civil Aeronautics Board's Bureau of Enforcement to draw up legislation which would empower the CAB to regulate part 45 carriers by ordering them to report their operating activities in the same manner that surface carriers are regulated by the Interstate Commerce Commission.

I am confident that the Civil Aeronautics Board is doing everything in its power to protect the air-traveling public. It is up to Congress to give the CAB the tools to work with in the part 45 carrier field, just as it did in the 87th Congress when new legislation was enacted tightening regulations affecting the supplemental airline industry.

Congress must give immediately to the CAB new guidelines to enable the Board to determine whether a part 45 carrier's operations have crossed the boundaries from private to common carriers.

If it doesn't the general public is entirely dependent upon the operators' whims, and lacks the benefit and protection of the CAB's regulations which govern other operators.

As an example there are no insurance requirements or performance standards in effect for part 45 carriers such as those applicable to supplemental and certificated cargo carriers, and the public's interest is entirely a matter of the operator's discretion.

Let us look at the International U.S., Inc., case. This part 45 carrier, headquartered in Luxembourg, is run by citizens of the United States.

The first newspaper interest in this company stemmed from its cancellation of a transatlantic charter flight which resulted in the stranding in New York of 100 passengers en route from California to Europe.

Then came a report that the same part 45 carrier would likely cancel its Paris-to-New York charter with 87 California students involved. California State officials are seeking help for passengers on this flight. However, the main problem seems to be one of finding substitute lift at the low rates for which the original passage was booked.

Inquiring at CAB, I learned that its Bureau of Enforcement is receiving many letters from parents and families of passengers now in Europe, expressing concern over the possibility that there may be strandings brought on by cancellation of other flights. Every few days a letter is received at CAB from some student in Europe who can't find out how he is going to get home because the travel agents handling the flights are in trouble with the New York or California authorities, and no one is answering their mail.

If some 1,200 California students now in Europe, who were flown there by Intercontinental and who are threatened with stranding actually do suffer, the public criticism will be leveled at the Civil Aeronautics Board, although it is in no way responsible for regulating this part 45 carrier's operations.

The CAB already has indicated that necessary waivers would be granted supplemental carriers to transport the passengers. This is of no avail, however, because of the higher charges of legitimate carriers for substitute transportation.

The only way to prevent a repeat of this type of stranding is for Congress to give to the CAB the legislation that will reguate all part 45 carrier operations.

Herbert C. Blunck, People-to-People Advocate

EXTENSION OF REMARKS

OF

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 8, 1963

Mr. ST. ONGE. Mr. Speaker, it was my pleasure to attend a dinner given by Samuel F. Pryor on behalf of Pan American World Airways on August 5, in honor of the Civil Air Patrol cadets and their escort officers from 22 countries.

Many Members of Congress, representatives of the diplomatic corps, government officials, and leading businessmen attended the dinner. Senators VANCE HARTKE of Indiana and HIRAM FONG of Hawaii were the speakers.

Among those present was Mr. Herbert C. Blunck, vice president and general manager of the Hilton Hotels, who is well known for his leadership in the field of promoting international travel and tourism. I had the pleasure of meeting Mr. Blunck and discussing with him the work he is doing in promoting a people-to-people exchange between the United States and other countries.

According to Mr. Blunck, there is a great need now for an expansion of this people-to-people exchange program in order to create a better understanding and appreciation of American aims in the world in behalf of mankind. He is working quietly, but very hard, for the success of this program. Most of his activity is concentrated in the field that he knows best, the hotel industry, which is making a remarkable contribution toward the success of the program. Through the efforts of Mr. Blunck and his colleagues in the industry, American hotels are participating in the people-to-people exchange program by providing services, accommodations, knowledge about life in the United States, and the exchange of information between countries.

Blunck's interest and association with this exchange program began in 1953 when he was appointed by President Eisenhower as cochairman of the American Hotel Association's People-to-People Committee, along with another prominent hotelman, Albert Pick. For the outstanding job done as cochairman of the committee, Mr. Blunck was subsequently awarded the U.S. Information Agency's Distinguished Service Citation. A similar citation was also given to Mr. Pick.

Under the leadership of these two men, the hotel association's people-to-people committee published more than 100,000 copies of a brochure in five languages entitled "A Guide for Guests From Abroad in American Hotels." They were also instrumental in getting many of the 6,000 hotels affiliated with the American Hotel Association to undertake special hospitality programs for their foreign guests.

Herbert C. Blunck is also active in the International Hotel Association and has served as vice chairman of the "Visit U.S.A. Program," appointed by the Secretary of Commerce. He recently made a special trip to Europe to inspect some of the U.S. Travel Service facilities for the hotel industry.

Mr. Blunck is a native of Seattle, Wash., and attended the University of California. He served on the staffs of the Fairmont Hotel in San Francisco and the Huntington Hotel in Pasadena. Later he taught hotel administration at San Francisco Junior College. In 1939 he joined the Hotels Statler Co., serving successively as manager of Statler hotels in San Francisco, Detroit, St. Louis, New York, Pittsburgh, and Washington, D.C. He was president of the Hotel Association of Washington in the years 1954, 1955 and 1956. He has also held leading posts in the Washington Community Chest Federation and the United Givers Fund.

Herbert Blunck's civic activities include almost every major endeavor in the Washington community, including the Board of Trade, the American Red Cross, Greater National Capital Committee, Washington Hospital Center, Advertising Club, National Press Club, Better Business Bureau, Cherry Blossom Festival Chairman in 1959, and numerous others.

He is truly a man who is civic minded in the highest degree, but his civic interests are not limited merely to his own community or even his own country. It includes the whole world and his fellowmen of all countries. He is an eloquent spokesman of the idea and ideals of the people-to-people exchange program, and he practices what he preaches.

H.R. 7688: A Bill To Amend the National Firearms Act

EXTENSION OF REMARKS

OF

HON. CECIL R. KING

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 8, 1963

Mr. KING of California. Mr. Speaker, on July 22, 1963, I introduced H.R. 7688 to amend the National Firearms Act to eliminate the Federal occupational and transfer taxes on certain firearms which are chiefly collectors' items.

The purpose of H.R. 7688 is to amend the National Firearms Act to eliminate the "any other weapon" category from its provisions.

The National Firearms Act was enacted by the 73d Congress in 1934 to impose a tax and registration on the making or transfer of machineguns, sawed-off rifles and shotguns, and certain other weapons which had become a national crime problem in the prohibition era. This law is administered by the Alcohol and Tobacco Tax Division, Internal Revenue Service, Treasury Department.

The tax on the making or transfer of fully automatic weapons, short-barrel rifles and shotguns, and certain other firearms is $200. The tax on concealable firearms—excluding pistols and revolvers—defined as "any other weapon" under the act, is $5.

Section 5848(5) defines "any other weapon" as "any weapon or device capable of being concealed on the person from which a shot can be discharged through the energy of an explosive, but such term shall not include pistols or revolvers or weapons designed, made, or intended to be fired from the shoulder and not capable of being fired with fixed ammunition."

This definition presents an area of inequity and a difficult administrative problem. Collectors and firearms enthusiasts who are interested in possessing the kinds of firearms falling under the category of "any other weapon" are discouraged from doing so because of the tax and registration involved. Further, the law does not define what is a pistol or revolver; hence, it becomes a matter of administrative determination as to what is a "pistol" or "revolver," excepted under the act, and what is "any other weapon," prohibited under the act. If a weapon is concealable and not clearly recognizable as a pistol or revolver, then it must come within the vague category of "any other weapon," subject to tax and registration.

Reputable persons who unwittingly violate the provision with regard to "any other weapon" may, upon conviction, be fined a maximum of $2,000 or be imprisoned for not more than 5 years, or both.

Clearly, Congress intended that the National Firearms Act be directed toward these weapons favored by the criminal and not toward those firearms which have little or no utility and appeal for the lawless. In connection with this observation, it should be noted that ammunition for many of the firearms falling within the "any other weapon" category is not available. To subject law-abiding collectors and enthusiasts to the possibility of prosecution and severe penalties for the pursuit of a legitimate and wholesome activity would appear to be inconsistent with the principles of the law and the intent of the Congress.

Those firearms falling within the scope of the definition of "any other weapon," as determined by administrative ruling, comprise the unusual and strange, highly prized by collectors and enthusiasts as specimens of a bygone era. These firearms mark stages in the development of small arms through the process of experimentation, trial, and error and plain American inventiveness. Their sole value today lies in their historical associations and in their unique character.

The amendments I suggest will remove a vague, burdensome area from the National Firearms Act, thereby improving its administration and enforcement.

Diminishing Gold Supply and the Balance-of-Payments Deficit

EXTENSION OF REMARKS

OF

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 8, 1963

Mr. PELLY. Mr. Speaker, I have received a great many protests from constituents in connection with one of the Kennedy proposals to help solve the balance of international payments deficit.

I refer to the suggested taxing of American purchases of foreign securities. Criticism of this stop-gap measure—and I find it objectionable too—is that if the administration concerned itself more with creating a favorable investment climate; an atmosphere of long range confidence, the balance-of-payments deficit would substantially resolve itself.

Meanwhile, other Kennedy proposals including certain temporary expedients such as raising the discount rate should help attract short term investment capital and thus deter its flight abroad.

As for borrowing from the International Monetary Fund it will perhaps help in a superficial way, but let us recognize a nation cannot borrow itself into solvency.

Mr. Speaker, as I understand the situation, the balance-of-payments deficit last year was the difference between the $34.2 billion Americans spent overseas and the $32 billion which foreigners spent in the United States.

The public has been given the impression that this payments deficit was the result of the outflow of investment funds but actually American investments abroad earned $3.8 billion in income which was more than the $3 billion newly invested abroad last year by Americans. So it should be understood that earnings on American-owned foreign investments exceeded the annual outgo of capital funds.

I think the real root of the payments deficit is the $2 billion that went overseas in foreign aid payments plus the $2 billion of our foreign military costs.

These two items alone resulted in a net loss of more than $4 billion or twice the payments deficit of last year. My personal feeling is that the foreign aid program is where the major cut in the deficit should be made.

However, it seems to me, there can be no true solution unless America can earn greater international confidence in our dollar by obtaining increased respect for our domestic monetary policies.

So my view is that the President has only proposed a partial solution and one too that is partially wrong.

Foreign financial experts tell us we must tighten our belts. They say we must curb spending and bring it in line with incentive tax cuts. I agree.

Mr. Speaker, the way to solve our economic problems requires self-discipline. There is no alternative; we must stop legislating more and increased benefits.

Today our gold obligation and commitments to foreigners amount to $27 billion. This is over and above our own domestic gold requirements of $12 billion. What gold do we have with which to back up this $39 billion liability? Only $15 billion in gold to meet a $39 billion obligation or a gold stock shortage in America of $24 billion. That is the bleak truth of the matter.

If foreigners suddenly started asking for gold because of fear that the dollar will be devalued, we will have to default. France and Germany together have claims on us for more gold than we could deliver, and all that stems the tide of such demands is confidence in our monetary management and fiscal policies.

Mr. Speaker, stimulation of our economy if it can be accomplished by a tax cut without inflation will invite that confidence, but let me add I do not see how that confidence—so necessary to solve the balance of payments deficit—can be induced if we continue deficit financing on the scale that has continued during the past decade and is projected in the future.

The time has come for Congress to cease spending borrowed money for things we do not need. Instead we are asked by the President to follow a program of a planned Federal deficit. Will that invite world confidence in the buying power of our dollar? On the contrary, it will create distrust and that is why foreign nations are drawing on us for gold. It is due to lack of confidence.

A dark shadow extends over our improving business activity—the stubborn balance-of-payments deficit coupled with a diminishing gold supply.

The President has suggested a plan to stem the tide. This with a stepped-up economy should help. But sooner or later—but not much later I fear—we must come to grips with a more fundamental solution and if I may sum up, I think in Federal Government austerity lies much of the answer to this final solution.

Immediate Krebiozen Decision Necessary

EXTENSION OF REMARKS

OF

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 8, 1963

Mr. FASCELL. Mr. Speaker, I have today introduced a measure, House Joint Resolution 639, authorizing and directing the National Institutes of Health to undertake a fair, impartial, and controlled test of the drug Krebiozen; and directing the Food and Drug Administration to withhold action on any new drug application before it on Krebiozen until the completion of such test; and authorizing to be appropriated to the Department of Health, Education, and Welfare the sum of $250,000.

During the last several months, Mr. Speaker, I have been deluged with telephone calls, wires, letters, and delegations in my office from families, friends, and from cancer patients themselves, protesting first, the delay in testing of the the drug, and as of now, its removal from the public, outside the State of Illinois.

I am not a physician and I lay no claim to specialized knowledge of the practice of medicine, nor the contents or use of drugs. However, as the Representative of the people in my district who, with or without scientific validation, feel that their lives are dependent on continued use of this drug, and as a compassionate human being, I feel I should bring this matter before my colleagues.

Gentlemen, I have had in my office several of these cancer patients in a state of great distress of mind and body. These cases are too numerous to cite, but from the many I should like to mention three:

First, the case of a terminal cancer patient, who was accompanied by her personal physician. She assured me that she had been greatly helped by the use of Krebiozen, prescribed by her physician; in fact, it was her belief that her life had been saved and maintained by use of this drug, and without it she was doomed to die. This statement was corroborated by the attending physician.

Second, the case of an ambulatory terminal cancer patient who felt so dependent upon continued use of Krebiozen that when its sale was confined to the State of Illinois, he was forced to the trouble and expense of removing to that State where he could continue to buy the drug prescribed by his physician and to which he attributed his life.

Third, another terminal cancer victim in such serious physical condition that he is not ambulatory who is suffering great mental anguish at the removal of the drug which he considers essential to continued existence.

It is my belief that it is highly desirable, in fact, urgent, that legislation should be passed immediately to enable cancer patients to obtain the drug Krebiozen when prescribed by their attending physicians and that steps be taken at once to find a satisfactory solution to this long-pending controversial issue. It would seem only reasonable to expect that after 14 years of delays, claims, and counterclaims, that the Members of Congress, physicians, cancer patients, and the general public should be given an official report based on the usual careful, scientific test under the auspices of the National Health Institutes. Issuance of such considered scientific evaluation should resolve this unsatisfactory situation and quiet the fears of my constituents and the general public.

I submit, Mr. Speaker, that there is no need for extensive hearings on a measure of this kind. The need for emergency action is obvious. I urge the chairman and members of the Committee on Interstate and Foreign Commerce to consider this matter within 24 hours and have it available for consideration by Members of the House.

Gentlemen, 24 hours is a very short time, legislatively speaking. To a person who is in anguish over termination of the treatment upon which he feels his very life depends and who is faced with the specter that the ensuing 24 hours may see his life ebb away, 24 hours is a long, long time.

In consideration of the human factors involved, I respectfully request the support of my colleagues in passing this legislative measure without delay.

SENATE

Friday, August 9, 1963

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O Thou Father of our spirits, who hearest prayer, and to whom all flesh shall come, breathe upon us now the benediction of Thy holy calm as we turn from our feverish ways. In Thy light only can we regard our common tasks, not as drab burdens to be borne, but edged with crimson and gold. Create in us the splendor that dawns when hearts are kind.

Give us a sobering realization that our individual attitudes go to make the national and international climate of the dangerous days in which we live. Make us, we pray Thee, willing partners in the garden of good will, cultivating the flowers of appreciation and understanding which at last will climb over all dividing walls and make the fields of all nations blossom as the rose. In the thunder of these tumultuous times, when the hammers of Thy purpose are beating out new shapes on the anvil of the world, especially do we ask that this dear land of ours may be more and more forged and fashioned into an instrument through which Thy will, at last, will be done on the earth.

We ask it through riches of grace in Christ Jesus, our Lord. Amen.

THE JOURNAL

On request of Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, August 8, 1963, was dispensed with.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 6377. An act for the relief of Sp5c. Curtis Melton, Jr.; and

H.R. 7824. An act to continue, for the period ending November 30, 1963, the existing temporary increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred as indicated:

H.R. 6377. An act for the relief of Sp5c. Curtis Melton, Jr.; to the Committee on the Judiciary.

H.R. 7824. An act to continue, for the period ending November 30, 1963, the existing temporary increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act; to the Committee on Finance.

LIMITATION OF STATEMENTS DURING MORNING HOUR

On request of Mr. Mansfield, and by unanimous consent, statements during the morning hour were ordered limited to 3 minutes.

PATRICK BOUVIER KENNEDY

Mr. MANSFIELD. Mr. President, I know I speak for the Senate, the entire Congress, the people of this Nation, and all the people of the world, when I express my deep sense of sadness at the untimely passing of Patrick Bouvier Kennedy, a son of the President of the United States and Mrs. Kennedy.

May his soul rest in peace.

Mr. SALTONSTALL. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. SALTONSTALL. As acting minority leader, I wish to join in the sentiments which have been expressed by the majority leader. The death of the Kennedys' younger son is a great tragedy; and the sympathies of all of us go out to the mother and to the father.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Interest Equalization Tax

A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to amend the Internal Revenue Code of 1954 to impose a tax on acquisitions of certain foreign securities in order to equalize costs of longer term financing in the United States and in markets abroad, and for other purposes (with an accompanying paper); to the Committee on Finance.

Report of Federal Bureau of Narcotics

A letter from the Acting Assistant Secretary of the Treasury, transmitting, pursuant to law, a report entitled "Traffic in Opium and Other Dangerous Drugs," for the year ended December 31, 1962, prepared by the Commissioner of Narcotics (with an accompanying report); to the Committee on Finance.

Participation in the Hague Conference on Private International Law and the International (Rome) Institute for Unification of Private Law

A letter from the Acting Secretary of State, transmitting a draft of proposed legislation to provide for participation by the Government of the United States in (1) The Hague Conference on Private International Law and (2) The International (Rome) Institute for the Unification of Private Law; and authorizing respectively appropriations therefor (with an accompanying paper); to the Committee on Foreign Relations.

Report on Scientific Research Grants

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report on scientific research grants, for the fiscal year 1963 (with an accompanying report); to the Committee on Government Operations.

Beneficial Ownership of Colorado River Indian Reservation, Arizona and California

A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to fix the beneficial ownership of the Colorado River Indian Reservation located in the States of Arizona and California (with an accompanying paper); to the Committee on Interior and Insular Affairs.

Reauthorization of Riverton Extension Unit, Missouri River Basin Project

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to reauthorize the Riverton extension unit, Missouri River Basin project, to include all the Riverton reclamation project except the Muddy Ridge area, and for other purposes (with an accompanying paper); to the Committee on Interior and Insular Affairs.

Life Insurance and Health Benefits Coverage for Certain Canal Zone Employees

A letter from the Secretary, Canal Zone Government, Washington, D.C., transmitting a draft of proposed legislation to extend life insurance and health benefits coverage to non-U.S. citizen employees, and health benefits coverage to retired non-U.S. citizen employees, whose permanent duty station is or was in the Canal Zone (with an accompanying paper); to the Committee on Post Office and Civil Service.

PETITIONS

Petitions, etc., were laid before the Senate, and referred as indicated:

By the PRESIDENT pro tempore:

Two joint resolutions of the Legislature of the State of South Dakota; to the Committee on the Judiciary:

"Senate Joint Resolution 1

"Joint resolution memorializing Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States relating to article V thereof

"Be it resolved by the Senate of the State of South Dakota (the House of Representatives concurring), That the Legislature of the State of South Dakota respectfully petitions the Congress of the United States to call a convention for the purpose of proposing the following article as an amendment to the Constitution of the United States:

" 'Article —

" 'Section 1. Article V of the Constitution of the United States is hereby amended to read as follows:

" ' "The Congress, whenever two-thirds of both Houses shall deem it necessary, or, on the application of the legislatures of two-thirds of the several States, shall propose amendments to this Constitution, which shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three-fourths of the several States. Whenever applications from the legislatures of two-thirds of the total number of States of the United States shall contain identical texts of an amendment to be proposed, the President of the Senate and the Speaker of the House of Representatives shall so certify, and the amendment as contained in the application shall be deemed to have been proposed, without further action by Congress. No State, without its consent, shall be deprived of its equal suffrage in the Senate.

" ' "Sec. 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within 7 years from the date from the date of its submission" '; be it further

"Resolved, That if Congress shall have proposed an amendment to the Constitution identical with that contained in this resolution prior to January 1, 1965, this application for a convention shall no longer be of any force or effect; be it further

"*Resolved*, That a duly attested copy of this resolution be immediately transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States and to each Member of the Congress from this State.

"Adopted by the Legislature of the State of South Dakota on March 2, 1963.

"Nils A. Boe,
"*President of the Senate.*

"Attest:

"Niels P. Jensen,
"*Secretary of the Senate.*
"Paul E. Brown,
"*Speaker of the House.*

"Attest:

"W. J. Matson,
"*Chief Clerk.*"

"Senate Joint Resolution 2

"Joint resolution memorializing Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States

"*Be it resolved by the Senate of the State of South Dakota (the House of Representatives concurring)*, That the Legislature of the State of South Dakota respectfully petitions the Congress of the United States to call a convention for the purpose of proposing the following article as an amendment to the Constitution of the United States:

" 'Article —

" 'Section 1. No provision of this Constitution, or any amendment thereto, shall restrict or limit any State in the apportionment of representation in its legislature.

" 'Sec. 2. The judicial power of the United States shall not extend to any suit in law or equity, or to any controversy relating to apportionment of representation in a State legislature.

" 'Sec. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within 7 years from the date of its submission'; be it further

"*Resolved*, That if Congress shall have proposed an amendment to the Constitution identical with that contained in this resolution prior to January 1, 1965, this application for a convention shall no longer be of any force or effect; be it further

"*Resolved*, That a duly attested copy of this resolution be immediately transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States and to each Member of the Congress from this State.

"Adopted by the Legislature of the State of South Dakota on March 2, 1963.

"Nils A. Boe,
"*President of the Senate.*

"Attest:

"Niels P. Jensen,
"*Secretary of the Senate.*
"Paul E. Brown,
"*Speaker of the House.*

"Attest:

"W. J. Matson,
"*Chief Clerk.*

"State of South Dakota
Office of Secretary of State, ss
"Filed March 6, 1963, at 2:20 p.m.

"Essie Wiedenman,
"*Secretary of State.*"

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McINTYRE:

S. 2034. A bill for the relief of Geonisis Kapos; to the Committee on the Judiciary.

By Mr. McGEE:

S. 2035. A bill to reauthorize the Riverton extension unit, Missouri River Basin project, to include all the Riverton reclamation project except the Muddy Ridge area, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. RIBICOFF:

S. 2036. A bill for the relief of Dr. Duck Sang Cheung; to the Committee on the Judiciary.

By Mr. PROUTY:

S. 2037. A bill to provide for the protection of certain rights of citizenship, the free exercise of certain privileges of citizenship and the benefit of certain immunities of citizenship; to the Committee on the Judiciary.

(See the remarks of Mr. Prouty when he introduced the above bill, which appear under a separate heading.)

NATIONAL SERVICE CORPS—AMENDMENTS

Mr. ALLOTT submitted an amendment, intended to be proposed by him, to the bill (S. 1321) to provide for a National Service Corps to strengthen community service programs in the United States, which was ordered to lie on the table and to be printed.

Mr. JAVITS submitted amendments, intended to be proposed by him to Senate bill 1321, supra, which were ordered to lie on the table and to be printed.

MANDATORY NONDISCRIMINATION AMENDMENT PROPOSED TO TITLE VI OF S. 1731

Mr. KEATING. Mr. President, on behalf of myself and Senators Beall, Boggs, Case, Javits, Kuchel, Prouty, and Scott, I submit an amendment to S. 1731, the proposed Civil Rights Act of 1963.

The amendment would require a policy of nondiscrimination under all Federal grant-in-aid programs. It would substitute for the grant of discretionary authority to withhold funds contained in title VI of S. 1731, a mandatory provision that all such programs be administered on a nonsegregated basis.

The amendment also would permit judicial review of any final agency action granting or withholding funds in such cases. The provision for judicial review is patterned after the Administrative Procedure Act and is intended to assure due process both to the States and to the intended beneficiaries of such programs.

In my judgment, nothing can justify the contribution of Federal funds to segregated projects or programs. It is incredible at this date in our history that the Federal Government should operate as a silent partner to segregation in any area or activity.

America does not ask the color of a man's skin when it sends him off to die in the defense of our Nation. And the tax collector does not skip the citizens who happen to be Negro when he is raising revenue for the Federal Treasury. The Constitution is color blind, the Internal Revenue Service is color blind, the draft board is color blind. We must also be color blind when it comes to extending to all our citizens the benefits to be derived from various programs receiving Federal financial assistance.

This is not an academic problem. We have all heard of cases in which citizens of the United States in dire need of medical attention have been turned away from "white only" hospitals—sometimes with fatal consequences. We know that qualified medical doctors that could render valuable service to the community are denied admission to the staffs of certain hospitals because they are Negro. We know that there is discrimination in apprentice training, under the area redevelopment program, in facilities constructed under the Federal program for aid to airports, in schools in impacted areas which are largely supported by Federal funds, and in many other federally supported programs and activities. In a report of the Commission on Civil Rights issued earlier this year, the Commissioners referred to a case in which children "at the brink of starvation" were deprived of assistance by the callous and discriminatory acts of State officials administering Federal funds.

I will support every effort to prohibit such invidious practices. This could most effectively be accomplished by the issuance of an Executive order prohibiting the approval of any Federal financial assistance in connection with any program or activity except upon condition that no person shall be denied participation or benefits from the program or activity on racial grounds. Executive orders have been issued requiring nondiscrimination in Federal employment, under Government contracts, and other specific programs, but no order has been issued which would have uniform and general application and which would strike down in one stroke of the pen every Federal subsidy for Jim Crow practices.

Every statute of the United States must be enforced in the manner which is consistent with constitutional requirements, and there is no doubt that the Constitution prohibits the use of public funds to subsidize racially segregated programs or activities. Under these circumstances, continued Federal expenditures on racially discriminatory programs or activities is not only immoral but is illegal, and I will continue to urge the President to exercise his authority to direct the cessation of such practices under the Executive powers granted to him under article II of the Constitution.

Unfortunately, the President has not seen fit to issue such an Executive order and the legislation he has submitted would simply impose discretionary power in the Chief Executive to determine without any standards being spelled out in which cases we shall continue to tax the American people for discrimination and in which cases we shall prohibit such conditions. I oppose this provision in its present form both because I think such unbridled discretion should not be given to any Chief Executive regardless of who may hold that Office and because I do not believe there is any room for discretion in determining whether or not

Federal officials shall obey the Constitution.

It is said that there may be hardship under a mandatory program and that in some cases those who need the benefits most may be deprived of them by a mandatory cutoff. But any such hardship will result not from any insistence upon compliance with constitutional commands but only if State officials refuse to conform their practices to a standard which is morally and legally required. I will not assume that any State would be so callous as to deny its schoolchildren the benefits of the Federal school lunch program, to take one example, rather than to administer such programs on a basis that deals fairly with all children attending the State's schools.

Let me emphasize that under this proposed amendment, the determination of whether the State is acting in a lawful manner will be determined on a program-by-program and area-by-area basis. There would be no withholding of all funds under all grant-in-aid programs for a particular State because that State discriminated in its administration of the apprentice training program or in its use of urban renewal funds. The application of the law will be on a case-by-case basis. But it will be made clear that there will be no exceptions under any of these programs.

In his testimony before the Senate Committee on the Judiciary yesterday, the Attorney General disclosed that the Department was now in the process of revising the language of title VI of S. 1731. I hope that this revision will reflect the principles on which the amendment we are submitting today is based, and I have already brought this amendment to the attention of the Attorney General for his consideration. It is apparent to me that title VI in its present form has little hope of enactment, but I believe it can be clarified and strengthened, that the opportunities that it now offers for arbitrary application can be eliminated, and that in a revised form it can serve as the basis for putting an end decisively to the practices against which it is directed.

We have incorporated in this amendment provision for judicial review which will provide further assurance against any unfairness in the enforcement of a nondiscrimination standard. Actually, many Federal statutes already authorize civil suits by State officials under grant-in-aid programs but there is no similar remedy for private citizens. Under the language of our amendment, the intended beneficiaries of such programs would also have their day in court.

Mr. President, I believe this amendment is solidly based on law, reason, and morality and I hope that it will find its way into whatever measure we finally enact to advance the cause of civil rights in our Nation.

Mr. President, I ask unanimous consent that the text of the amendment may be printed in the Record following my remarks, and also that the amendment may lie on the desk for 1 week to give other Senators an opportunity to cosponsor it.

The PRESIDENT pro tempore. The amendment will be received, printed, and appropriately referred; and, without objection the amendment will be printed in the Record and held at the desk, as requested.

The amendment was referred to the Committee on the Judiciary, as follows:

On page 34, beginning on line 23, strike the language of section 601 and substitute in lieu thereof the following:

"Sec. 601. (a) Nondiscrimination Under Federal Programs.

"Notwithstanding any provision to the contrary in any law of the United States providing or authorizing direct or indirect financial assistance for or in connection with any program or activity by way of a grant, contract, loan, insurance, guaranty, or otherwise, no application for such assistance shall be approved and no such assistance shall be furnished in circumstances under which individuals eligible to participate in or benefit from the program or activity are discriminated against on the ground of race, color, religion, or national origin or are denied participation or benefits therein on the ground of race, color, religion, or national origin.

"(b) Judicial Review.

"(1) Right of Review.—Any person adversely affected or aggrieved by any final agency action under this title, including any applicant for assistance or any citizen of the United States eligible to participate in or benefit from the program or activity involved, shall be entitled to judicial review thereof.

"(2) Form and Venue of Action.—The form of proceeding for judicial review shall be any special statutory review proceeding relevant to the subject matter in any court specified by statute or, in the absence or inadequacy thereof, any applicable form of legal action (including actions for declaratory judgments or writs of prohibitory or mandatory injunction or habeas corpus) in any court of competent jurisdiction. Agency action shall be subject to judicial review in civil or criminal proceedings for judicial enforcement except to the extent that prior, adequate, and exclusive opportunity for such review is provided by law.

"(3) Reviewable Acts.—Any preliminary, procedural, or intermediate agency action or ruling under this title not directly reviewable shall be subject to review upon the review of the final agency action. Except as otherwise expressly required by statute, agency action otherwise final shall be final for the purposes of this subsection whether or not there has been presented or determined any application for a declaratory order, for any form of reconsideration, or (unless the agency otherwise requires by rule and provides that the action meanwhile shall be inoperative) for an appeal to superior agency authority.

"(4) Interim Relief.—Pending judicial review any agency is authorized, where it finds that justice so requires, to postpone the effective date of any action taken by it under this title. Upon such conditions as may be required and to the extent necessary to prevent irreparable injury, every reviewing court (including every court to which a case may be taken on appeal from or upon application for certiorari or other writ to a reviewing court) is authorized to issue all necessary and appropriate process to postpone the effective date of any agency action under this title or to preserve status or rights pending conclusion of the review proceedings.

"(5) Scope of Review.—So far as necessary to decision and where presented the reviewing court shall decide all relevant questions of law, interpret constitutional and statutory provisions, and determine the meaning or applicability of the terms of any agency action under this title. It shall (A) compel agency action unlawfully withheld or unreasonably delayed; and (B) hold unlawful and set aside agency action, findings, and conclusions found to be (1) arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law; (2) contrary to constitutional right, power, privilege, or immunity; (3) in excess of statutory jurisdiction, authority, or limitations, or short of statutory right; (4) without observance of procedure required by law. In making the foregoing determinations the court shall review the whole record or such portions thereof as may be cited by any party, and due account shall be taken of the rule of prejudicial error."

COMMUNITY DEVELOPMENT ACT OF 1963

Mr. CLARK. Mr. President, yesterday I introduced the Community Development Act of 1963, Senate bill 2031. I requested that it be held at the desk for 2 weeks, for additional sponsors.

Interested Senators have asked that the text of the bill be printed in the Record, so it may be examined in detail. Therefore, Mr. President, I ask unanimous consent that the complete text of the bill be printed in the Record.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The bill (S. 2031) is as follows:

S. 2031

A bill to extend and amend laws relating to urban conservation and development, the provision and improvement of housing, the availability of mortgage credit, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Community Development Act of 1963".

TITLE I—URBAN RENEWAL AND PLANNING

Capital grant authorization

Sec. 101. Section 103(b) of the Housing Act of 1949 is amended by striking out "$4,000,000,000" and inserting in lieu thereof "$7,000,000,000."

Central Business District

Sec. 102. Title I of the Housing Act of 1949 is amended by adding at the end thereof a new section as follows:

"Urban renewal areas involving the central business district of a community

"Sec. 114. (a) In any case where the governing body of a community determines (1) that there exists in the central business district of such community conditions which (A) impose severe public, economic, and social liabilities, (B) impair, arrest, or prevent the sound growth, development, or redevelopment of the community, and (C) constitute a serious and growing threat to the public health, safety, morals, and welfare of the community, and (2) that the undertaking of an urban renewal project in such district will alleviate or remove such conditions and promote the public welfare and the proper development of the community, the Administrator is authorized to extend financial assistance under this title for such project without regard to the requirements in section 110 with respect to the predominately residential character or predominately residential reuse of urban renewal areas. In contracting for any such project, the Administrator shall consider the need to plan for, and carry out undertakings with respect to, a sufficiently large area to accomplish the objectives of this title, and (i) the necessity for staging the project undertakings and activities on a functional rather than geographic basis, (ii) the provision of increased opportunities for effecting the relocation of displaced individuals and business concerns, and (iii) the greater amount of time that may be required for achieving such objectives through selective and coordinated action. Site improvements and supporting facilities which are peculiarly appropriate to the revitalization and renewal of the central business district of the community involved, when provided by a public body or entity, shall be eligible as part of gross project cost and as local grant-in-aid in connection with any such urban renewal project.

"(b) Upon approval by the Administrator and subject to such conditions as he may determine to be in the public interest, the local public agency may acquire structures situated in any urban renewal area approved for a project under subsection (a) which are determined to be of unusual significance for historical or other reasons, restore or rehabilitate them, and make available the restored or rehabilitated structures to any nonprofit corporation or association, or public body or agency, for purchase at fair value for nonproprietary uses in the public interest.

"(c) As used in this section, the term 'central business district' means the administrative, commercial, financial, governmental, and cultural center of a community, including its supporting service areas."

Areas affected by airport operations

SEC. 103. Title I of the Housing Act of 1949 is amended by inserting after section 114 (added by section 102 of this Act) a new section as follows:

"*Urban renewal for areas specially affected by airport operations*

"SEC. 115. (a) Where the Administrator determines that (1) land uses which existed on the effective date of this section and which currently exist in an urban area are incompatible with the operation of an airport or airports located in the immediate vicinity of such area because of noise, wind damage, safety hazards, or other conditions attendant upon such operation, (2) such incompatability, considered in the light of other conditions in or affecting such area, has become so severe as to have changed substantially the character of the area and to require its redevelopment for uses compatible with airport operations, and (3) financial assistance for such redevelopment cannot otherwise be extended under this title, he is authorized to extend financial assistance under this title for an urban renewal project for the redevelopment of such area for uses compatible with airport operations without regard to the following:

"(1) the requirement in sections 102 and 110 that the urban renewal area be a slum area or a blighted, deteriorated, or deteriorating area;

"(2) the requirement in section 110 with respect to the predominantly residential character or predominantly residential reuse of urban renewal areas; and

"(3) the limitations of section 102(b) relating to the amount of grant funds which may be expended within any one State.

"(b) A contract for financial assistance under this section may include provisions comparable to those authorized by section 113(c).

"(c) In extending assistance under this section with respect to an area described in subsection (a), the Administrator shall, after consultation with the Administrator of the Federal Aviation Agency, establish such requirements as he deems adequate to assure (1) that the redevelopment of such area will be solely for uses compatible with the continued proper operation of the airport or airports involved, and (2) that the local public agency or local governing body having control over land in the vicinity of such airport or airports but not included within the project will establish such zoning or other controls as are necessary to prevent the development of uses which are incompatible with such continued airport operations.

"(d) The Administrator may contract to make grants under this section aggregating not to exceed $250,000,000 which shall be in addition to, and separate from, any other authorization in this title and shall not be taken into account for purposes of any percentage limitation in this title relating to the use of grant funds authorized under this title."

Emergency loan assistance

SEC. 104. Section 7(b) of the Small Business Act is amended by—

(1) striking out "The Administration also is empowered" and inserting in lieu thereof "in order to provide emergency loan assistance, the Administration is empowered"; and

(2) striking out paragraph (3) and inserting in lieu thereof the following:

"(3) to make such loans (either directly or in cooperation with banks or other lending institutions through agreements to participate on an immediate or deferred basis) as the Administration may determine to be necessary or appropriate to assist (A) any small business concern displaced by any project involving the acquisition of real property which is financed in whole or in part by public funds in reestablishing its business; or (B) any small business concern in rehabilitating its property to conform to standards established in connection with the carrying out of an urban renewal project in the area in which such concern is situated."

Parks and playgrounds

SEC. 105. (a) Paragraph (4) of the second sentence of section 110(c) of the Housing Act of 1949 is amended by inserting before the semicolon at the end thereof the following: ": *Provided*, That such property may be disposed of to any public body for park or playground use without compensation".

(b) Any contract for a capital grant under title I of the Housing Act of 1949, executed prior to the effective date of this Act, may be amended to incorporate the provisions of subsection (a) as to land conveyed on or after that date.

Special definition of fair value

SEC. 106. The first unnumbered paragraph following paragraph (7) in section 110(c) of the Housing Act of 1949 is amended by adding at the end thereof a new sentence as follows: "For the purposes of paragraph (4) above, with respect to any property acquired in the urban renewal area which is to be made available to a governmental institution or a private nonprofit educational or wholly charitable institution, the term 'fair value' means the maximum price that would be paid for the property by a well informed, prudently acting buyer who is motivated solely by the objective of benefiting the public and not by profit or gain, and who is not controlled or directed, or influenced in his decisions, by persons or firms seeking to derive profit or gain from the undertaking."

Relocation payments

SEC. 107. Section 106(f)(2) of the Housing Act of 1949 is amended by striking out the last two sentences and inserting in lieu thereof the following: "Such payments shall be made subject to such rules and regulations as may be prescribed by the Administrator, and shall not exceed $3,000 (or if greater, the total certified actual moving expenses) in the case of a business concern or nonprofit organization. In the case of individuals and families, reasonable and necessary moving expenses may include a sum representing the cost of one month's rental for new quarters and those initial charges or deposits for utilities which may be required of the individual or family in acquiring new quarters. Such rules and regulations may include provisions authorizing payment to individuals and families, at their election and in lieu of their respective reasonable and necessary moving expenses and actual direct losses of property, of fixed amounts not exceeding $200 in any case."

Rehabilitation

SEC. 108. Paragraph (7) of section 110 (c) of the Housing Act of 1949 is amended by striking out "for guidance purposes," and all that follows "facilities" and inserting in lieu thereof a period.

Rehabilitation outside renewal areas

SEC. 109. Section 220(1)(A) of the National Housing Act is amended—

(1) by striking out "an urban renewal area (as defined in title I of the Housing Act of 1949, as amended) in" in clause (ii); and

(2) by striking out "or (ii)" in the first proviso.

Code enforcement

SEC. 110. (a) Paragraph (5) of the second sentence of section 110(c) of the Housing Act of 1949 is amended by striking the phrase "a program of" and inserting in lieu thereof the following: "Programs of code enforcement and".

(b) Any contract for a capital grant under such Act executed prior to the effective date of this Act, may be amended to incorporate the provisions of subsection (a) for costs incurred on or after that date.

Urban renewal demonstration grants

SEC. 111. Section 314 of the Housing Act of 1954 is amended to read as follows:

"SEC. 314. (a) The Housing and Home Finance Administrator is authorized to make grants, subject to such terms and conditions as he shall prescribe, to public bodies, including cities and other political subdivisions, or to private nonprofit organizations, to assist them in developing and testing methods and techniques, and carrying out demonstrations and other activities for the prevention and the elimination of slums and urban blight and for the proper and orderly development of urban areas. Such grants shall not exceed the cost, as determined by the Administrator, of such activities or undertakings. In administering this section, the Administrator shall give preference to those activities and undertakings which in his judgment can reasonably be expected to contribute most significantly to the improvement of methods and techniques, or best serve to guide programs in other communities for (1) the elimination and prevention of slums and blight, and (2) the proper and orderly development of urban areas. The Administrator may make advance or progress payments on account of any grant contracted to be made pursuant to this section, notwithstanding the provisions of section 3648 of the Revised Statutes, as amended."

"(b) The Administrator is further authorized to pay for the cost of preparing, printing, and distributing reports on activities and undertakings financed by grants made under this section as well as the cost of reports on similar activities and undertakings, not so financed, but which are of significant value in furthering the purposes of this section.

"(c) The aggregate amount of grants made under this section and costs incurred pursuant to subsection (b) shall not exceed $15,000,000 and shall be payable from the capital grant funds provided under and authorized by section 103(b) of the Housing Act of 1949, as amended."

Regional coordination

Section 112 of the Housing Act of 1954 is amended by—

(1) striking out subsection (a)(2) and inserting in lieu thereof the following:

"(2) official State, metropolitan, and regional planning agencies empowered under State or local laws or interstate compact to perform metropolitan or regional planning, or, in the absence of such metropolitan or regional planning agencies, other agencies and instrumentalities designated by the Governor (or Governors in the case of interstate planning) and found acceptable by the Administrator as capable of carrying out metropolitan or regional planning;" and

(2) striking out the first sentence of subsection (b) and inserting in lieu thereof the following: "A grant made under subsection (a) shall not exceed two-thirds of the estimated cost of the work for which the grant is made: *Provided*, That a grant may be made under subsection (a) to any such agency, instrumentality, or political subdivision for the purpose of performing planning in areas designated by the Secretary of Commerce under section 5(a) of the Area Redevelopment Act as redevelopment areas, or to a State planning agency (as provided in clause (c) of subsection (a)(1)) for the provision of planning assistance to such a city, municipality or county, for not more than 75 per centum of such estimated cost."; and

(3) striking out "and" at the end of paragraph (4) of subsection (a), striking out the period at the end of paragraph (5) of subsection (a) and inserting in lieu thereof a semicolon, and adding at the end of subsection (a) a new paragraph as follows:

"(6) metropolitan and regional planning agencies, with the approval of the State planning agency or (where no such State planning agency exists) such other agency or instrumentality of State government designated by the Governor of the State and acceptable to the Administrator, for the provision of planning assistance within such metropolitan area or region to cities, other municipalities, and counties having a population of less than 50,000 according to the latest decennial census."

Grants to regional organizations

SEC. 113. Section 701 of the Housing Act of 1954 is amended by—

(1) adding at the end thereof a new subsection as follows:

"(g) In addition to the planning grants authorized by subsection (a) hereof, the Administrator is further authorized to make grants to organizations of public officials which he finds to be representative of the political jurisdictions within a metropolitan area of an urban region for the purpose of assisting such organizations in undertaking studies, collecting data, and engaging in other activities necessary or desirable for the solution of metropolitan or regional problems; for the development of programs; and for the implementation of comprehensive plans for such areas or regions. A grant made under this subsection shall not exceed two-thirds of the estimated cost of the work for which the grant is made."; and

(2) striking out the word "planning" in the fourth sentence of subsection (b).

TITLE II—LOW-RENT HOUSING

Low-rent housing policy

SEC. 201. Section 1 of the United States Housing Act of 1937 is amended by adding at the end thereof the following new paragraphs:

"It is further declared that it shall be the policy of the United States to (1) encourage good design in low-rent housing as an essential element of all housing and community rebuilding programs, and (2) develop low-rent housing which will be of such quality as to reflect its important relationship to the architectural standards of the neighborhood and community in which it is situated.

"The Congress further declares that, although good housing is an essential element among the total needs of low-income families, poverty and deprivation due to low income must be eliminated insofar as possible in a free society. It is therefore the policy of the United States to encourage and assist through all practicable means the legitimate aspirations of such families to acquire the skills and opportunities necessary to achieve a full measure of economic independence and personal dignity."

Annual contribution for low-rent housing

SEC. 202. Section 10(e) of the United States Housing Act of 1937 is amended by striking out the first sentence and insisting in lieu thereof the following: "The Authority is authorized to enter into contracts for annual contributions aggregating not more than $336,000,000 per annum, which limit shall be increased by $105,000,000 as of the date of enactment of the Community Development Act of 1963: *Provided*, That new contracts for annual contributions with respect to low-rent housing projects to be initiated after the date of enactment of the Community Development Act of 1963 shall not provide for the commencement of construction of more than one hundred and forty thousand dwelling units: *Provided further*, That any contracts for additional units for any State shall not, after such date of enactment, be entered into for more than 15 per centum of the aggregate amount not already guaranteed under contracts for annual contributions on such date. No new contract for additional units shall be entered into except with respect to low-rent housing for a locality respecting which the Administrator has made the determination and certification relating to a workable program as prescribed in section 101(c) of the Housing Act of 1949, and the Authority shall enter into only such new contracts for preliminary loans as are consistent with the number of dwelling units for which contracts for annual contributions may be entered into."

Grants for land acquisition

SEC. 203. Section 9 of the United States Housing Act of 1937 is amended—

(1) by inserting in the heading of such section after "Loans" the following: "and Grants"; and

(2) by striking out the first three sentences and inserting in lieu thereof the following: "The Authority may make loans and grants to public-housing agencies to assist the development, acquisition, or administration of low-rent housing or slum-clearance projects by such agencies. Grants under this section shall be made, under such terms and conditions as the Authority shall prescribe, solely for the purpose of assisting any such agency in acquiring and clearing land for a low-rent-housing project, and the total amount of such grants made to any such agency shall not exceed the necessary and reasonable costs to such agency of acquiring and clearing, such land, including the costs of relocating families. Where capital grants are made pursuant to section 11, the total amount of loans under this section outstanding on any one project, in which the Authority participates, shall not exceed the development or acquisition cost of such project less the amount of all grants made under this section and section 11 with respect to such project, and in no event shall such loans exceed 90 per centum of such cost. In the case of annual contributions in assistance of low rentals as provided in section 10, the total amount of such loans outstanding on any one project on which the Authority participates shall not exceed 90 per centum of the development or acquisition cost of such project, less the amount of all grants under this section with respect thereto."

Advance amortization of capital indebtedness

SEC. 204. The first sentence of section 10 (c) of the United States Housing Act of 1937 is amended by striking out "will effect a reduction in the amount of subsequent annual contributions" and inserting in lieu thereof the following: "Will result in the improvement or rehabilitation of the project or will effect a reduction in the outstanding debt incurred in connection with the development or acquisition of the project and a shortening of the period for the amortization of such debt".

Relocation payments

SEC. 205. Section 13 of the United States Housing Act of 1937 is amended by adding the following subsection:

"(f) (1) The Authority may authorize public housing agencies to make relocation payments (as defined in this paragraph), and may agree to reimburse such agencies for the cost of such payments. The cost of relocation payments shall not be included in the amount on which the computation of any annual contributions under this Act may be based, and there are hereby authorized to be appropriated in each fiscal year, out of any money in the Treasury not otherwise appropriated, the amount necessary to provide such payments. As used in this paragraph, the term 'relocation payments' means payments by a public housing agency to individuals, families, business concerns, and nonprofit organizations for their reasonable and necessary moving expenses and any actual direct losses of property except goodwill or profit (which are incurred on and after the date of enactment of this subsection, and for which reimbursement or compensation is not otherwise made) resulting from their displacement from a housing project site made necessary by the acquisition of real property by a public housing agency for a housing project. The payments shall be made subject to such rules and regulations as may be prescribed by the Administrator, and shall not exceed $200 in the case of an individual or family, or $3,000 (or, if greater, the total certified actual moving expenses) in the case of a business concern or nonprofit organization. The rules and regulations may include provisions authorizing payment to individuals and families in fixed amounts (not to exceed $200 in any case) in lieu of their respective, reasonable, and necessary moving expenses and actual direct losses of property. In the case of individuals and families, reasonable and necessary moving expenses may include a sum representing the cost of one months' rental for new quarters and those initial charges or deposits for utilities that may be required of the individual or family in acquiring new quarters.

"(2) Any contract for annual contributions executed under this title before the effective date of this subsection may be amended to require the payment of relocation expenses as provided in this subsection in any case where such expenses were incurred on or after such effective date."

Social services

SEC. 206. Paragraph (4) of section 15 of the United States Housing Act of 1937 is amended by adding at the end thereof the following: "The Authority shall insert in any such contract such conditions or provisions as it deems necessary to insure the provision of adequate social services to tenants of the housing project involved, including individuals and families displaced from a housing project site as a result of the acquisition of real property by the public housing agency with which such contract is entered into, and shall agree to reimburse the public housing agency for the costs incurred in providing such services. Any such social services shall be provided in accordance with regulations to be prescribed by the Authority, upon the recommendations of the Secretary of Health, Education, and Welfare, and, insofar as practicable, such services shall be correlated with programs administered by the Department of Health, Education, and Welfare. Reimbursements herein authorized shall not be included in the amount on which the computation of annual contributions under this Act are based. There are hereby authorized to be appropriated in each fiscal year such sums as may be necessary to make such reimbursements."

Eligibility of public housing agencies to sponsor certain projects

SEC. 207. (a) Section 221(d)(3) of the National Housing Act is amended by striking out "(and which certifies that it is not receiving financial assistance from the United States exclusively pursuant to the United States Housing Act of 1937)".

(b) Section 202(a)(2) of the Housing Act of 1959 is amended by inserting "and" before "(B)", and by striking out ", and (c) no such loan shall be made to a public body or agency unless it certifies that it is not receiving financial assistance from the United States exclusively pursuant to the United States Housing Act of 1937".

Research and demonstration projects

SEC. 208. Section 13 of the United States Housing Act of 1937 is amended by inserting after subsection (f) (added by section 204 of this Act) a new subsection, as follows:

"(g) The Authority may undertake research, development, and demonstration projects with a view to testing and developing improved methods of adapting low-rent housing to the changing needs of families of low income. Such projects may be undertaken independently or by contract. In order to finance such projects there is hereby authorized to be appropriated not to exceed $5,000,000. Sums so appropriated shall be deposited in a demonstration fund, which is hereby established in the Treasury of the United States, and any sums so deposited shall remain available until expended."

Construction cost levels

SEC. 209. Paragraph (5) of section 15 of the United States Housing Act of 1937 is amended—

(1) by striking out the first sentence thereof; and

(2) by amending the third sentence to read as follows: "In order to attain the foregoing objective, every such contract shall provide that no award of the main construction contract for such project shall be made unless the Authority shall have specifically approved the amount of such main construction contract after taking into consideration (i) the objective set forth in the next to the last paragraph of section 1 with respect to the achievement of good design in low-rent housing projects, (ii) the construction cost levels that prevail in the locality where the project is to be located, and (iii) the special needs of all types of low income families in the locality, including elderly families and large families."

Community planning for low-income housing

SEC. 210. (a) Section 701 of the Housing Act of 1954 is amended by inserting after subsection (g) (added by section 112 of this Act) a new subsection as follows:

(h) The administrator is further authorized to make planning grants to any public housing agency, as defined in paragraph (11) of section 2 of the United States Housing Act of 1937, for the purpose of undertaking surveys and studies concerning, and developing plans for meeting, in the community concerned, the housing needs of low-income families. Planning assisted under this subsection shall include, without being limited to, (1) surveys to determine the extent of the housing needs of such families in the community concerned, (2) studies to determine the relationship of such needs to land use and public facility programming in such community, and (3) plans for meeting the special problems of such families which are occasioned by displacement and relocation resulting from governmental activities in such community.

TITLE III—ALLOWING LAND COSTS TO BE INCLUDED IN COMPUTING SECTION 207 RENTAL HOUSING MORTGAGES

SEC. 301. Paragraph (2) of section 207(c) of the National Housing Act is amended by striking out all that follows the first colon and precedes "to mortgages on housing in Alaska:", and inserting in lieu thereof the following: "*Provided*, That this limitation shall not apply".

Mortgage insurance to include cost of public improvements

SEC. 302. (a) The second sentence of section 220(h)(1) of the National Housing Act is amended to read as follows: "As used in this subsection—

"(A) the term 'home improvement loan' means a loan, advance of credit, or purchase of an obligation representing a loan or advance of credit made—

"(i) for the purpose of financing the improvement of an existing structure (or in connection with an existing structure) which was constructed not less than ten years prior to the making of such loan, advance of credit, or purchase, and which is used or will be used primarily for residential purposes: *Provided*, That a home improvement loan shall include a loan, advance, or purchase with respect to the improvement of a structure which was constructed less than ten years prior to the making of such loan, advance, or purchase if the proceeds are or will be used primarily for major structural improvements, or to correct defects which were not known at the time of the completion of the structure or which were caused by fire, flood, windstorm, or other casualty; or

"(ii) for the purpose of enabling the borrower to pay that part of the cost of the construction or installation of sidewalks, curbs, gutters, street paving, street lights, sewers, or other public improvements, adjacent to or in the vicinity of property owned by him and used primarily for residential purposes, which is assessed against him or for which he is otherwise legally liable as the owner of such property;

"(B) the term 'improvement' means conservation, repair, restoration, rehabilitation, conversion, alteration, enlargement, or remodeling; and

"(C) the term 'financial institution' means a lender approved by the Commissioner as eligible for insurance under section 2 or mortgage approved under section 203(b)(1)."

(b)(1) Section 220(h)(2)(i) of such Act is amended by inserting before the semicolon at the end thereof the following: ", and be limited as required by paragraph (11)".

(2) Section 220(h) of such Act is further amended by adding at the end thereof the following new paragraph:

"(11) Notwithstanding any other provision of this Act, no home improvement loan made in whole or in part for the purpose specified in clause (A)(ii) of the second sentence of paragraph (1) shall be insured under this subsection if such loan (or portion thereof which is attributable to such purpose), when added to the aggregate principal balance of any outstanding loans insured under this subsection or section 203(k) which were made to the same borrower for the purpose so specified (or the portion of such aggregate balance which is attributable to such purpose), would exceed $10,000."

FHA insurance for site preparation and development

SEC. 303. (a) The National Housing Act is amended by adding at the end thereof the following new title:

"TITLE X—LAND DEVELOPMENT INSURANCE

"SEC. 1001. As used in this title—

"(1) the term 'mortgage' means a lien on real estate in fee simple, or on the interest of either the lessor or lessee thereof (A) under a lease for not less than ninety-nine years which is renewable, or (B) under a lease having a period of not less than fifty years to run from the date the mortgage was executed; and the term 'first mortgage' includes such classes of first liens as are commonly given to secure advances (including but not being limited to advances during construction) on, or the unpaid purchase price of, real estate under the laws of the State in which the real estate is located, together with the credit instrument or instruments, if any, secured thereby, and may be in the form of trust mortgages or mortgage indentures or deeds of trust securing notes, bonds, or other credit instruments:

"(2) the terms 'mortgagee', 'mortgagor', and 'State' shall have the same meaning as when used in section 207 of this Act;

"(3) the term 'improvements' means water lines and water supply installations, sewer lines and sewer disposal installations, utilities, pavements, curbs, gutters, and other installations or work, whether on or off the site, (A) which are necessary or desirable to convert raw land in an urban or suburban community into building sites primarily for the construction of structures designed for residential use, and (B) which are in keeping with applicable governmental requirements and with standards not lower than those reflected in general practice in the community; and

"(4) the term 'development' means the process of making and installing improvements.

"SEC. 1002. (a) The Commissioner is authorized upon application by the mortgagee to insure under this title as hereinafter provided any first mortgage (including advances during construction) which is eligible for insurance as hereinafter provided and, upon such terms and conditions as he may prescribe, to make commitments for the insurance thereof prior to the date of insurance; but no mortgage shall be insured under this title after July 1, 1963, except pursuant to a commitment to insure issued before such date.

"(b) To be eligible for mortgage insurance under this title a mortgage shall—

"(1) cover the land and improvements unless they are in public ownership or are excepted or released from the lien of the mortgage with the approval of the Commissioner;

"(2) involve an original principal obligation in an amount not to exceed $2,500,000 and not to exceed 75 per centum of the estimated value of the security covered thereby as of the completion of the development to be financed with the proceeds of the mortgage; but in no event shall any such mortgage exceed 75 per centum of the estimated value of the land as of the date of commitment plus 75 per centum of the estimated cost of development thereof;

"(3) have a maturity satisfactory to the Commissioner but not to exceed five years;

"(4) contain repayment provisions satisfactory to the Commissioner and bear interest (exclusive of premium charges for mortgage insurance) at a rate satisfactory to the Commissioner, but not to exceed 6 per centum per annum, on the amount of the principal obligation outstanding at any time;

"(5) contain such other conditions as the Commissioner may prescribe with respect to protection of the security, payment of taxes, delinquency charges, prepayment, additional and secondary liens, release of a portion or portions of the mortgaged property from the lien of the mortgage, and other matters as the Commissioner may in his discretion prescribe; and

"(6) be executed by, and cover property held by, a mortgagor approved by the Commissioner and have been made to and be held by a mortgagee approved by the Commissioner.

"(c) No mortgage shall be accepted for insurance under this title unless the Commissioner finds that—

"(1) it will aid in the development of land owned by or to be acquired by the mortgagor, and the development of such land is economically sound;

"(2) the assistance provided by this title is needed to meet the housing and related needs of moderate income families; and

"(3) the mortgager will develop the land under a schedule reasonably assuring the timely completion of all desirable neighborhood facilities and either will construct upon the land, within a reasonable period after its development, structures primarily for residential use by moderate income families, or will make the developed land available to other persons for such purpose; and the Commissioner shall require the mortgagor to enter into such agreements or covenants as the Commissioner in his discretion may deem appropriate to assure that such construction will take place within such period.

"(d) The mortgage may include a provision permitting the mortgagee to make advances subsequent to full disbursement of the original principal: *Provided*, That the total amount of such advances outstanding at any one time shall not exceed the face amount of the mortgage.

"(e) The Commissioner shall collect a premium charge for the insurance of mortgages under this title, but in the case of any mortgage such charge shall not be less than an amount equivalent to one-half of 1 per centum per annum nor more than an amount equivalent to 1 per centum per annum of the amount of the principal obligation of the mortgage outstanding at any time, without taking into account delinquent payments or prepayments. Such charge shall be payable by the mortgagee, either in cash or in debentures of the Land Development Insurance Fund issued by the Commissioner under this title at par plus accrued interest. In addition to the premium charge herein provided for, the Commissioner is authorized to charge and collect such amounts as he may deem reasonable for the appraisal of the property offered for insurance and for the inspection of such property and the development thereof during construction, but such charges for appraisal and inspection shall not aggregate more than 1 per centum of the original principal face amount of the mortgage.

"(f) The provisions of subsection (e), (g), (h), (i), (j), (k), (l), (m), (n), and (p) of section 207 of this Act shall be applicable to mortgages insured under this title, except that as applied to such mortgages, (1) all references therein to the Housing Insurance Fund or the Housing Fund shall be construed to refer to the Land Development Insurance Fund, and (2) all references therein to section 207 or 210 shall be construed to refer to this section.

"(g) There is hereby created a Land Development Insurance Fund which shall be used by the Commissioner as a revolving fund for carrying out the provisions of this title. The Commissioner is hereby authorized and directed to transfer immediately to such fund the sum of $10,000,000 from the War Housing Insurance Fund created by section 602 of this Act, which sum shall be reimbursed to the War Housing Insurance Fund from appraisal and inspection fees and charges hereafter collected under this title. General expenses of operation of the Federal Housing Administration under this title may be charged to the Land Development Insurance Fund.

"Sec. 1003. Any contract of insurance executed by the Commissioner under this title with respect to a mortgage shall be conclusive evidence of the eligibility of such mortgage for insurance, and the validity of any contract of insurance so executed shall be incontestable in the hands of an approved mortgagee from the date of the execution of such contract, except for fraud or misrepresentation on the part of such approved mortgagee.

"Sec. 1004. Nothing in this title shall be construed to exempt any real property acquired and held by the Commission under this title from taxation by any State or political subdivision thereof, to the same extent, according to its value, as other real property is taxed.

"Sec. 1005. The Commissioner is authorized and directed to make such rules and regulations as may be necessary to carry out the provisions of this title.

"Sec. 1006. Notwithstanding any other provision of this Act, no mortgage shall be finally endorsed for insurance under this title nor shall any advance thereon during construction be insured under this title unless the mortgagor has executed an agreement in form and content satisfactory to the Commissioner that he will certify to the Commissioner (and shall submit such records and data in support of such certification as the Commissioner shall prescribe) the actual cost of the development of the land (being the cost of constructing the on-site and off-site improvements reasonable and necessary for such development, including amounts paid for labor, materials, construction contracts, organizational and legal expenses, professional fees, a reasonable allowance for builders' profit if the mortgagor is also the builder as defined by the Commissioner, and other items of expense approved by the Commissioner). Notwithstanding any other provisions of this title (1) no mortgage shall be finally endorsed for insurance if the principal amount thereof exceeds 75 per centum of the Commissioner's estimate of the value of the land when the proposed development is completed and (2) no advance on such mortgage shall be insured if such advance, when added to previous insured advances, exceeds 75 per centum of the Commissioner's estimate of the value of the land as of the date of commitment plus 75 per centum of the cost of such development to the date of such disbursement as shown by the mortgagor's certificate; but in no event shall more than 90 per centum of the principal obligation of the loan be disbursed prior to the completion of the development contemplated by the Commissioner's commitment. The mortgagor shall also agree that, in the event the final amount of the mortgage or the amount of any advance exceeds the amount permitted under clause (1) or (2) (as the case may be) of the preceding sentence, he will reduce the mortgage or the insured advance by the amount of the excess."

(b)(1) Section 219 of the National Housing Act is amended by inserting after "the Section 221 Housing Insurance Fund," the following: "the Land Development Insurance Fund,".

(2) Section 215 of such Act is amended by striking out "or Title IX" and inserting in lieu thereof "title IX, or title X".

(3) The first paragraph of section 24 of the Federal Reserve Act is amended by inserting before the last sentence the following new sentence: "Notwithstanding the limitations and restrictions in this section, any national banking association may make loans for site preparation and development which are secured by mortgages insured under title X of the National Housing Act."

Assistance conditioned on the availability of certain public facilities

Sec. 304. (a) Title V of the National Housing Act is amended by adding at the end thereof a new section as follows:

"Availability of public water and sewage facilities

"Sec. 517. Notwithstanding any other provision of this Act, no mortgage shall be insured under this Act after ——— (except pursuant to a commitment entered into prior to such date), to secure a loan on any housing situated in an area in which public water and sewage facilities are not available, unless the Commissioner determines that it is not economically feasible to provide such facilities in such area."

(b) Section 1804 of title 38, United States Code, is amended by adding at the end thereof a new subsection as follows:

"(e) No loan for the purchase or construction of residential property situated in an area in which public water and sewage facilities are not available shall be financed through the assistance of this chapter, after ———, unless the Administrator determines that it is not economically feasible to provide such facilities in such area."

Removal of population limitation for water and sewer projects

Sec. 305. The last sentence of paragraph (4) of section 202(b) of the Housing Amendments of 1955 is amended by inserting after "project" the following: "(1) for the storage, treatment, purification, or distribution of water, (2) for the provision of sewage, sewage treatment, or sewer facilities, or (3)".

Deferred interest on public facility loans

Sec. 306. Paragraph (2) of section 202(b) of the Housing Amendments of 1955 is amended by striking out that part of the second sentence which precedes the semicolon and inserting in lieu thereof the following: "Subject to such maximum maturity, the Administrator in his discretion may provide for the postponement of the payment of interest on any financial assistance extended to an applicant under this section for a period up to ten years where it is determined by the Administrator that such applicant will experience substantial population growth and the project would contribute to orderly community development, economy, and efficiency".

USE OF COMMUNIST PRODUCTS IN FEDERALLY ASSISTED PROJECTS—ADDITIONAL COSPONSORS OF BILLS

Mr. SCOTT. Mr. President, I ask unanimous consent that the names of the Senator from Colorado [Mr. Allott] and the Senator from Iowa [Mr. Miller] be added as cosponsors of S. 1996 and S. 1997.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Record, as follows:

By Mr. McINTYRE:

Statement prepared by himself in support of Senate bill 1183, the detergent-control bill, together with a letter received by him from Mr. Philip Brownstein, Commissioner of the Federal Housing Administration.

COMMUTER SERVICE

Mr. RIBICOFF. Mr. President, yesterday's New York Times and Herald Tribune reported a sorry tale: A dozen or so commuters on the New Haven Railroad boarded the morning train in Connecticut, and were forced to ride to work in a baggage car. There was no room for them in the passenger cars—not even standing room. The seven passenger cars were sardine packed with 818 people.

The Times reported that the passengers were not amused. One of them said: "It can't get much worse. It's got to get better." But a railroad spokesman said: "It was just one of those things—we wish they wouldn't happen."

Mr. President, on a day when we are considering funds for NASA, I do not bring up such earthbound matters lightheartedly. But I think it is a matter of urgency that we stop wishing and start taking constructive action to improve commuter services.

It is in the national interest to send a man to the moon; but I am reluctant to see the Senate vote billions to reach the moon while the House fails to provide a fraction of that sum to get commuters to work and home again.

I want to make sure that before the first astronaut steps out of his moon capsule, our commuters get out of the baggage car. This could happen if the mass transit bill, of which I am proud to be a cosponsor, were enacted. Under this proposed legislation—which still is awaiting action in the House of Representatives—badly needed funds would go to improve commuter services of all kinds.

However, so that my distinguished colleagues will not worry, I now state that I shall vote for the NASA authorization bill. It just might help the commuter as well as the astronaut. After all, this bill authorizes the appropriation of funds for a trip to the moon; and after being cooped up in a baggage car, a commuter might well find a trip in a clean modern passenger car as exhilarating as a ride through outer space.

Mr. President, I ask unanimous consent to have printed at this point in the Record from yesterday's New York Times and New York Herald Tribune about that disgraceful incident.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the New York Herald Tribune]

NOW THE NEW HAVEN STACKS COMMUTERS IN THE MAIL CAR

(By Marshall Peck)

Without bearing so much as postage stamps, 20 New Haven Railroad commuters found themselves riding into New York yesterday in a mail car.

The railroad thought it very funny that the commuters were forced into the open-door mail car at Stamford. The commuters, however, were not amused.

"Sort of shakes you up a little," said one commuter as he felt his way out of the wide mail door at Grand Central Terminal. Some of the riders stood all the way; others put down sections of their favorite morning newspapers and squatted on the floor.

The train was No. 373, which leaves New Haven at 8:35 a.m. It carried seven passenger cars for stops at Bridgeport, Southport, Westport, Norwalk, Darien, and Stamford—and is often bursting at the seams by the time it gets to Stamford.

On some recent days, kindhearted conductors have opened up parlor cars which have been deadheading to New York, and accommodated the overflow in style.

Experienced Stamford commuters who made a dash for the rear of the crowded train found the weatherbeaten mail car attached to the last coach. The door was open. Some went in and made the best of it. Others took a look around and went back to stand in a coach or vestibule.

Thomas Barry, of Glenbrook, Conn., recalled that he had "commuted for 25 years when it was a pleasure to ride the New Haven. Believe it or not, this is my first trip into New York in a year and a half and as a souvenir I get to stand all the way in a mail car."

The New Haven Railroad was amazed to hear that hardy commuters had forged a new first by riding in a mail car: "What! You're kidding? That's a riot!" The New Haven was also surprised to learn that those gremlin commuters had been infiltrating into parlor cars on other occasions: "Well, that's not a bad deal. Better than riding a mail car."

Traditionally, ladies from Fairfield and Westchester Counties favor Wednesday as a "going into town day." Formerly, Wednesday was kown as ladies day, and special rates were in effect, but the special ladies' tickets were not good on the menfolk's commuting hour trains. Now, the New Haven has a so-called 2-day round trip which offers a reduced fare trip to New York throughout the week.

[From the New York Times]

COMMUTERS RIDE THE BAGGAGE CAR

A dozen or so commuters on the New Haven Railroad's 7:34 out of Stamford rode into New York City yesterday in a baggage car.

They were not amused.

It happened this way:

Train No. 373 out of New Haven pulled into Stamford with standing room only, its 7 passenger cars packed with 818 people. Clutching their attaché cases, the Stamford commuters, all men, moved to the rear of the train in a vain search for seats.

When they got to the baggage car they found it empty, so they promptly made themselves at home on the floor.

A few minutes later, a conductor, long accustomed to commuter disarray, approached the baggage car. He wordlessly surveyed the scene: The commuters, mostly executives, were sitting on the floor reading their morning newspapers or, hobolike, observing the passing Fairfield countryside through the big, wide-open baggage doors.

Without a sign of emotion and in dead silence, the conductor punched every green monthly commutation ticket, each costing $43.10.

"It can't get much worse," said Howard W. Long, Jr., director of marketing for Rudder magazine, as he sat in the baggage car, his back against one of the walls, "It's got to get better."

"I had it better on troop trains during the war," said Robert A. Cline, general manager of the Fire Alarm Thermostat Corp. "And I didn't have to pay money for those trips."

"Well," said William Kapp of New Canaan, Conn., "it beats walking. But that's about the only thing you can say about it."

Thomas Barry of the Glenbrook section of Stamford said he believed the incident was due to the "conditions of the times" while David Crombie, also of Stamford would say only that he thought the whole affair was "pretty bad."

As for the New Haven Railroad, a spokesman said it had all happened because of a shortage of equipment and because it was Wednesday. On Wednesdays, he said, more people, especially women go into New York, which accounted for the crowd aboard train 373 yesterday.

The spokesman said that an extra passenger car should have been attached to the train, but that none could be found in good condition. The baggage car had to be taken to New York anyway, he said, so it was hooked on instead.

The spokesman also said there was nothing illegal in carrying passengers in a baggage car, nor was it against company regulations.

"It was just one of those things," he added. "We just wish they wouldn't happen."

REGULATION OF SECURITIES EXCHANGES

Mr. JAVITS. Mr. President, I hope the majority leader will indulge me if I take a minute or two more than the usual 3 minutes, inasmuch as I wish to say a few words in the morning hour.

Mr. MANSFIELD. Mr. President, will the Senator from New York yield?

Mr. JAVITS. I yield.

Mr. MANSFIELD. All I wish to do—the use of such additional time is immaterial to me—is to call to the attention of the Senator from New York the agreement which has been entered into, which terminates the morning hour at 12:30.

Mr. JAVITS. I understand. Mr. President, at this time I wish to say a few words about the report of the Special Study of Securities Markets now submitted in its entirety to the Congress by the Securities and Exchange Commission. The report represents a monumental effort to analyze the condition of the American securities market.

First and foremost it must be said that, unlike the situation in the period from 1929 to 1932, this study has not disclosed any major scandal or fraud or imposition on the part of those in the securities business.

Second—and this is very important—it has disclosed certain situations which need to be handled by legislation. The Senate already has passed on July 30 a bill, S. 1642, concerning qualifications for entry into the securities business and regulation of the over-the-counter securities market, and it is hoped that the House of Representatives will enact that measure promptly.

Third—and this also is very important—the emphasis in all of the report has been upon self-regulation.

The PRESIDING OFFICER (Mr. RIBICOFF in the chair). The time available to the Senator from New York has expired.

Mr. JAVITS. I ask unanimous consent that I may proceed for 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. As I have said, Mr. President, the emphasis in the report is on self-regulation. There is a good deal of self-regulation in the securities business, through the boards of governors of the New York and American Stock Exchanges, and of the other exchanges, and through the National Association of Securities Dealers, which regulates dealers in unlisted securities.

Self-regulation has been sustained by the Securities and Exchange Commission, and the SEC urges that it be expanded to include mutual funds. In my opinion, this responsibility of self-regulation represents one of the greatest opportunities and challenges which the securities business has ever had, and also one of the greatest American business generally has ever had.

Mr. President, there is a great opportunity, with the consent and indeed the cooperation of the Government, to demonstrate how well self-regulation can work. Therefore, I hope that the reforms with respect to self-regulation recommended by the report of the SEC will be carried out promptly after being analyzed and discussed by all the parties concerned, with the idea of strengthening self-regulation and really making it work effectively in the public interest.

Later today, when consideration of the bill now before the Senate is concluded, I shall speak at greater length upon the SEC report. But I wished to signalize for Senators its critical importance and the high desirability of every Senator acquainting himself in some detail with the results of this great special study which is so significant and important to the economy—indeed, to the very life of our Nation.

The **PRESIDING OFFICER**. The time of the Senator from New York has expired.

Mr. **JAVITS** subsequently said: Mr. President, I wish to complete the statement which I started to make in the morning hour, but which, because of the time limitation, was impossible for me to complete. It deals with the final segment of the report of the special study of the security markets. I should like now to emphasize the critically important achievements of the SEC special market study group and what they mean to the securities industry of the country. I speak as a Senator who is deeply interested in the securities business, and because the securities business is located in the city of New York, the largest city in my State and my home city, where I was born and where I have lived all my life. I am interested in the securities business, both as a lawyer and as a legislator, and as the senior Republican member of the Securities Subcommittee of the Committee on Banking and Currency.

I am most gratified that Chairman Cary has expressed his belief that the responsible course of action calls for discussions with the securities industry before final decisions on the implementation of the Report are made. The SEC's belief that self-regulation is an essential ingredient of investor protection and must continue in this strong manner is welcomed. The Report finds that self-regulation has not gone far enough. I agree with that conclusion. I believe that the financial community and the Commission should deal with the questions which have been raised in the same cooperative and constructive manner which has characterized the entire conduct of the special study of the securities market.

Earlier in the day I referred to the marked difference between the investigation—if we can call it that—which is now being pursued by the SEC and the investigations which preceded the Securities Act of 1933 and the Securities Exchange Act of 1934, when scandalous conditions were demonstrated to have existed in the securities markets and when the whole securities industry felt itself on trial in the forum of public opinion.

I like the definition of Chairman Cary, in his letter of transmittal of this report, as to what are the responsibilities of the securities industry. He says they are three:

The promotion of share ownership by an ever larger segment of the public; second, informing investors about securities and securities markets, and counseling them in good investment practices; third, the advertising quality of exchanges and markets and their member firms.

The jugular vein of the American private enterprise system—giving employment to about 90 percent of our working force of over 70 million—is the investment resources of the country, the overwhelming preponderance of which are concentrated in the securities listed on the New York Stock Exchange, the American Stock Exchange, and the Chicago, San Francisco, and other exchanges, and the unlisted securities markets in New York and other cities.

In addition, the widespread ownership of these securities, now held by 17 million Americans directly and indirectly by the great majority of the population through their interests in life insurance companies and savings bank deposits, represents the determining factor of the success of the people's capitalism which is the hallmark of the American system. The size of the securities industry alone shows its decisive impact on our Nation's economy. The completion of the SEC market study, the final segment of which was published yesterday, is therefore an event of major importance to the Nation.

It is critically important that ownership of American business be even more widespread than at present. This is a major answer to confidence in our society, to improved labor-management relations, to the efficiency and stability of our economy and to the morale of our people in the face of the awesome responsibilities and dangers we face in the world. It is therefore critically important that these markets be kept true as marketplaces—and honest.

The magnitude of the securities industry involved is seen from the fact that as of December 30, 1962, there were 7,659,177,010 shares of stock in 1,186 companies listed on the New York Stock Exchange, the total value of these shares was in excess of $345 billion, which is approximately equal to the national debt of the United States. I state that in order to show, as far as possible, the interest of our people in this situation.

What must be emphasized in the field of Federal Government regulation is that nothing must be done to control the discretion of buyers or sellers, provided that the rules of the game are honest and that full disclosure is required, including disclosure of the activities of insiders, specialists, floor traders, and others who can affect markets for reasons extraneous to values arrived at by bids and offers made in good faith. Speculation and risk are what made this country.

I conclude by saying that self-regulation is critically important in the whole situation. I welcome the espousal of it by the SEC. I welcome the Commission's efforts to improve it. I shall fully cooperate with the Commission in the effort, and I am confident that the securities industry will, too.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a summary of the SEC report and an editorial, both published in the New York Times of today, August 9, 1963.

There being no objection, the article and editorial were ordered to be printed in the RECORD, as follows:

EXCERPTS FROM THE FINAL REPORT OF SEC STUDY GROUP DEALING WITH MUTUAL FUNDS

LETTER FROM MR. CARY

The whole report is a broad study of the securities markets and a commentary on the adequacy of investor protection in those markets. As we indicated in our first letter of transmittal, the report demonstrates that, although serious problems do exist and additional controls and improvements are much needed, the regulatory pattern of the securities acts does not require dramatic reconstruction. In important respects this pattern has been effective, efficient and adaptable; it has advanced and guarded investor participation in our economic growth. The functions of this report and of any changes proposed are to strengthen the mechanisms facilitating the free flow of capital into the markets and to raise the standards of investor protection, thus preserving and enhancing the level of investor confidence.

Prompt remedies needed

In section 19(D) of the Securities Exchange Act, the authorizing resolution for the special study, the Congress emphasized an examination of the adequacy of the rules of the self-regulatory agencies, which this report and the Commission contemplate.

Chapter X—analyzes the organization and self-regulatory operation of those agencies, with primary emphasis on the New York Stock Exchange and the National Association of Securities Dealers, Inc., and their relationship to the Commission and each other.

We agree with the report that "The basic statutory design of substantial reliance on industry self-regulation appears to have stood the test of time and to have worked effectively in most areas. This conclusion obviously does not minimize in any way the need promptly to remedy the disclosed inadequacies, a need more critical as increased reliance is placed on the self-regulatory agencies—which this report and the Commission contemplate."

The New York Stock Exchange occupies an unrivaled position as a self-regulatory institution because of its importance as a market and because of the dominant position of its membership in the securities business. We believe it important to point out, first, that the study quite properly devoted particular attention to problem areas and, secondly, that, although there are defects in the functioning of the exchange market which should be corrected, the exchange has worked diligently, and on the whole successfully, to maintain a fair and honest market. The report points out the strong performance of the exchange in many areas, including qualifications and net capital. Its disclosure, and related requirements, some antedating the enactment of the Federal securities laws, represent a major contribution to investor protection and, in some respects, have gone beyond anything the Commission could do.

In certain areas, judged by the exchange's own standards of accomplishment, performance has been less satisfactory. For example, controls over branch office operations and investment advisory and selling practices require strengthening; the exchange itself has recognized this in its initiation of new programs. The report discloses a failure of regulation over odd-lot dealers, and raises serious questions about floor trading. The special study's examination of the exchange's specialist system reveals no widespread abuses or patterns of illegality.

The importance of the New York Stock Exchange as a self-regulatory institution and as a market makes it imperative that it bring its entire level of performance up to its demonstrated capabilities. The recommendations in chapter XII-8 of the report and elsewhere are designed, as the report states, "to point toward an even stronger future role" for the exchange. With limited reservations in two instances, we agree with these recommendations.

(As to the recommendations in item 2, we favor steps looking toward a more representative distribution of voting power among regular and allied members. We will explore further the need for altering the composition of the governing bodies of the exchange. With respect to item 7, the obligation of the exchange, of which it is not unmindful to avoid exaggerations and misunderstandings in its advertisements is clear. Whether any further restrictions should be placed on the exchange's public relations activities is not so clear. The Commission has encouraged the exchange to undertake the supervision of the advertising of its member firms, including advertising of an institutional character, some of which is the work product of the exchange's own staff. The Commission is not now prepared to dispense with the advantages of the present system without further examination of the problem.)

NASD

The primary responsibility of the National Association of Securities Dealers, Inc., is to regulate the conduct of its members in the over-the-counter market.

Its role will become more important, since many recommendations in the report call for increased activity on the part of the NASD in both policymaking and enforcement.

The work of the NASD is, in large measure, performed by its members who volunteer their time and effort to the job of self-regulation. The NASD has established important standards of business conduct, including restrictions against unconscionable underwriting compensation and rules dealing with "free riding." It has assisted in the general enforcement efforts against overreaching and abuses in the over-the-counter market. However, there are many key areas in need of improvement in the over-the-counter market, in terms of new standards, as well as strengthened enforcement programs. In this context, certain organizational characteristics, including the emphasis on member participation and the heavy demands on the board of governors, necessitate significant rethinking and redirection.

With respect to the NASD, our authority to alter or amend their rules is more limited than in the case of the exchanges. We have, however, direct powers over practices in the over-the-counter market, in many respects unexercised, which can be utilized. Until these have been fully exercised and found wanting, we shall not ask Congress for legislation. In any event, up to this time needed improvements have been secured after conferences and discussions with the NASD.

We shall examine with the exchanges the need for further procedural safeguards for those affected by exchange actions—a problem that has taken on new significance because of the recent Supreme Court case of *Silver* v. *New York Stock Exchange*. In addition, as suggested by both subchapter XII–I and XII–J, we will confer with the self-regulatory agencies to determine methods by which enforcement and inspection responsibilities can be better allocated between the commission and the self-regulatory agencies and among those agencies themselves.

One sector of the self-regulatory scheme will require joint analysis with the exchanges of the need for legislation. In the Silver case the Supreme Court held that the termination, at the order of the New York Stock Exchange, of wire service from its members to a nonmember, without any hearing afforded the nonmember, involved a violation of the antitrust laws.

We believe it essential that the Silver decision should in no way be construed to inhibit vigorous performance by the exchanges of their self-regulatory responsibilities.

Our firm conviction is that self-regulation, an essential ingredient in investor protection, must continue in a strong, forward movement. Accordingly, we have written to the New York Stock Exchange advising of our concern and shall undertake to resolve with it any problems presented by the Silver case.

Federal Reserve role

Chapter XI of the study deals with selected aspects of open-end investment companies, so-called mutual funds, including selling practices, contractual plans, insider trading in portfolio securities and portfolio-brokerage reciprocal business patterns. It must be emphasized that this chapter should in no way be construed as a reflection upon the investment merits of mutual fund shares, upon the investment company as an important vehicle for investment, or upon any particular company. Furthermore, it should also be emphasized that the quertions raised with respect to contractual plans do not, and should not, affect present holders of these plans.

As the study had stated, its analysis should not be taken by any planholder as a reason for redeeming any plan certificates. Early redemption of a plan almost invariably results in loss to the planholder. The problems analyzed by the report are in no way related to the merits of the underlying investments or to shares bought outright. The recommendations are focused solely on future contractual plans as distinguished from plans already entered into.

Contractual plans involve the purchase of mutual funds on an installment basis, with a substantial portion of the sales load, up to 50 percent, taken out in the first year. The report has raised serious questions about contractual plans, basically revolving around the first-year sales load deduction. As chapter XI–B recommends, steps should be taken to deal with the problems disclosed. Discussions will commence with the industry immediately, but definitive action, whether legislation or otherwise, will await the completion of our general structural study of mutual funds.

In chapter XI the report also analyzes mutual fund selling practices, reciprocal business activities and potential conflicts of interest related to insider trading in fund portfolio securities. With limitations we agree with the accompanying recommendations.

With respect to item 2, subchapter XI–B, we shall examine various ways by which our prospectus requirements for mutual funds can be further refined. Finally, with respect to the recommendation of subchapter XI–D, we believe that each registered investment company should adopt, and take appropriate steps to enforce, a written policy concerning insider trading along the lines suggested in this recommendation.

The 1962 market break

Chapter XIII of the report deals with the events surrounding the severe market break of May 1962.

As pointed out in subchapter XIII–E, neither the report of the study nor that of the New York Stock Exchange was able to isolate and identify the causes of the market events of May 28, 29, and 31. Moreover, contrary to some speculation at the time that the events might be the result of some conspiracy, neither of these reports presents any evidence that the break was deliberately precipitated by any group, or resulted from manipulation or illegal conduct in the functioning of the market.

The study, after noting the extreme nature of any action by the commission suspending trading under section 19(A) (4), recommends that the commission and the industry should make a joint study of possible measures which might be taken by the exchange "to assure minimum disruption of the fair and orderly functioning of the securities markets."

Legislative proposals

Finally we do not plan to submit any further legislative proposals to the Congress this session. We may at a later session recommend legislation relating to quotations bureaus and to a review of exchange actions—the latter only if it is found necessary after further analysis of the silver case. Furthermore, we shall work with the Federal Reserve Board in any program respecting security credit regulation which they believe should be submitted to Congress.

SUMMARY BY COMMISSION

In chapter X, the special study analyzes existing controls on "security credit," which is defined in the report as credit extended either for the purpose of purchasing or carrying securities or credit which is collateralized by securities. Recommendations are made for amendments to provisions of the Securities Exchange Act of 1934 respecting security credit and to the implementing regulations of the Board of Governors of the Federal Reserve System (FRB).

The most important of these recommendations, if adopted, would provide for the extension of initial margin requirements to some "nonpurpose" loans, i.e., those for a purpose other than purchasing or carrying securities; permitting broker-dealers to extend credit on certain unlisted stocks and convertible bonds; requiring banks to impose initial margin requirements on certain unlisted stocks and convertible bonds used as collateral for loans; and the regulation of some persons in the business of extending security credit who are presently "unregulated lenders."

Margin calls

The special study examined margin calls (requests for additional collateral) by broker-dealers, banks and lenders not directly subject to present RRB regulations during the market break of 1962. The evidence examined by the study indicates that loans which were made with an initial margin requirement withstood the break well and that those free of such controls were much more vulnerable to margin calls.

The report concludes that a substantial initial margin requirement in security credit transactions is a "strong defense" against forced liquidations of securities in a declining market. The report states: "In periods of rising prices, an inadequate initial margin requirement might result in speculative excesses and untenable price levels. When prices decline, forced securities sales might turn an orderly market retreat into a rout."

Unregulated lenders

The report also discusses "unregulated lenders," a term defined by the study to include "any person or firm, other than a domestic bank or a broker, lending money for the purpose of enabling the borrower to purchase or carry securities." These persons, including so-called "factors," are not now subject to any direct security credit controls, although provisions of Regulation U may limit the amount which banks lend to them under certain circumstances.

The report describes the operations of unregulated lenders in considerable detail. It notes that, while the sole or primary business of some is lending to purchase or carry securities, others are engaged primarily in other forms of commercial financing. Typically, they lend up to 90 percent on securities and charge from 1 to 2 percent interest per month on securities loans.

All securities loans made by unregulated lenders are demand loans and the turnover appears to be very rapid. Among the unregulated lenders interviewed by the special study, it was uncommon for any such loans to be outstanding for more than 6 months and the average period was 1 month. According to the report, the bulk of borrowing appears to be on active listed securities.

The study also recommends that the commission's prospectus requirements be further refined "to assure that basic information is brought clearly and conspicuously to the attention of the prospective investor." It would require a summary on the cover or beginning of each prospectus of the sales charges, expense ratios, advisory fees, performance objectives and other basic information, and the disclosure of any "special or extra compensation arrangements for the sale of particular funds by mutual fund salesmen, or of the fact that the salesman can only offer a particular fund or funds." In addition the report recommends that the commission consider exercising its rule-making power to define deceptive practices in connection with recommendations by salesmen to investors to switch from one mutual fund to another.

Front-end load

As to the sale of so-called contractual plans, the report notes that the front-end load structure, under which a substantial portion of the total sales charge is deducted from the first installments paid on a long-term investment plan, creates special problems "which cannot be solved through the mere application of the doctrines of disclosure." It concludes:

"In conjunction with its comprehensive program of study of the investment company industry, the commission should recommend to the Congress legislation amending the present provisions of the Investment Company Act of 1940 which relate to contractual plans. Consideration should be given to the abolition of any future front-end load.

"If it should be concluded that such abolition is not called for, such legislation should both substantially limit the amount and method of application of any such load and prohibit the offering of front-end load contractual plans by any mutual fund sales organization without the simultaneous offering of a level-load voluntary plan for shares of the same fund and (except for prepayment of selling charges) on substantially the same basis."

The report cautions that its analysis of the problems involved in contractual plans should not be taken by any contractual planholder as a reason for redeeming any plan certificates, nor be misconstrued as criticisms of the value of the underlying securities purchased through the plans, as to which the study takes no position. Early redemptions of contractual plans almost inevitably result in losses to the planholder, and the study notes that the questions raised by it should not lead investors to incur losses on investments in front-end load plans already made.

The study found that, with respect to many mutual fund retailers specializing in the sale of mutual plans, "the sales presentation is expected to be highly emotional and dramatic in tone, playing on such factors as fear, pride, and patriotism."

The report notes that the stimuli which the structural elements of the mutual fund industry give to sales reach their quintessence in the sale of "contractual plans." These are essentially a long-term program for investing in mutual fund shares on an installment basis, with the unique feature that a substantial part of the total sales charge, is required to be paid in connection with early payments as a "front-end load." Another method of systematically investing in mutual funds is the so-called "voluntary" plan. The main distinction between the two types of accumulation plans is that in the voluntary plan the sales charge, usually about 8½ percent, is spread evenly over all the payments, while in the contractual plan half or more of the total sales charges is deducted from the first 13 installments. The report states with respect to the contractual plan that: "The substantial commission which a salesman receives from the initial 13 payments, particularly when the purchaser prepays a number of them as he is usually urged to do, gives the salesman a strong incentive to sell these plans regardless of the circumstances of the purchaser in order to realize on at least the front-end portion of the load."

Insider trading

In the final section of the chapter dealing with mutual funds, the special study examines trading in mutual fund portfolio securities by insiders and the policies of the investment company complexes concerning this practice. It notes that despite the widespread industry view that it is unethical to take advantage of inside information for personal gain in advance of portfolio transactions "fairly extensive trading in mutual fund portfolio transactions by insiders takes place," and substantial variations exist in company policies covering such trading and the manner of their enforcement.

The special study concludes that "considerably more attention to the subject of insider trading is called for on the part of the mutual fund industry and the Commission. The situation calls both for clarification and implementation of higher standards for the industry." Specifically, it recommends that each registered investment company be required to adopt a written policy satisfactory to the Commission covering insider trading, and to report violations of such policy to the Commission.

REGULATORY PATTERN

Chapter XII focuses directly on the phenomenon of self-regulation, and on the separate self-regulatory agencies as such.

The report emphasizes that "the basic statutory design of statutory reliance on industry self-regulation appears to have stood the test of time and to have worked effectively in most areas."

The report states that the New York Stock Exchange has provided vigorous leadership and produced excellent results in many areas. Nevertheless, its record is described as an uneven one. The study concludes that the exchange has fallen considerably short of its own best levels of achievement in many specific areas critically affecting the public, both in formulating rules and standards to meet changing needs and circumstances and also in providing effective enforcement of its rules and standards. The report points out that, in discussing the shortcomings of the exchange's self-regulatory performance, it is not intended to overshadow or disparage its record of accomplishment, but to point toward an even stronger future role.

The report states that the floor professionals—specialists, odd-lot dealers and brokers, and floor brokers—are not necessarily the most talented for administration or regulation or the most responsive to public needs, even though the nature of their operations requires them to own seats and to be at the exchange during the working day. Office partners may be more sensitive to the public character of the exchange and more cognizant of the needs of public investors, even though they have fewer seats and little occasion to be in the actual marketplace. The study recommends that the disproportionate influence of floor professionals in the government of the exchange be corrected by extending full or partial voting rights to allied members, that is, partners and voting stockholders of member organizations.

The staff of the exchange, which is responsible to the president, the exchange's chief executive officer and official representative in all public matters, administers the exchange and was found by the study to be generally of adequate size and quality.

Branch office abuses

In observing that the exchange's leadership has been much less noticeable and its accomplishments much less noteworthy in respect of selling and advisory practices, the report find that little attention was devoted by the exchange to selling practices and supervision by its member firms of their branch offices despite distributing evidence that abuses were occurring. It also finds that, at least until recently, the exchange's concern with advisory material has been focused more on questions of good taste than on the qualifications and standards of its member firms' research departments. The report also points to the absence of exchange efforts to regulate oddlot trading as a different kind of illustration of its failure to exercise regulatory initiative.

NYSE tenderness

In the disciplinary area the study concludes that the exchange "leans toward tenderness rather than severity, but with some unevenness in respect of different types of violations." According to the report, the exchange appears more willing to impose severe disciplinary sanctions where the interests of its membership are directly at stake than where violations involve ethical standards in dealing with customers.

The exchange's policy of not disclosing the names of individuals involved in its disciplinary actions, unless a member is suspended or expelled, may be assumed, according to the study, to be attributable at least in part to a natural reluctance to publish anything adverse about any of its members.

The report observes that the exchange's interest in public relations is in the background of many of its self-regulatory activities. It notes that basically three elements are involved, promotion of share ownership by an ever-larger segment of the public, informing potential investors about securities and securities markets and counseling them about good investment practices, and advertising the quality of the exchange's market and its member firms. The report concludes that the more the exchange does to encourage share ownership by little investors, who tend to be new and unsophisticated investors, the greater its obligation to provide rules and practices that are actually in accord with the needs of such investors, and the greater also its obligation to avoid exaggerations and misunderstandings of what the actualities are.

American Stock Exchange

In its overall evaluation of the recent reforms instituted by the American Stock Exchange, the report concludes: In contrast to the prior breakdown of self-regulation described in the staff report (of January 1962) these reforms appear to be an excellent demonstration of the effectiveness of self-regulation under responsible exchange leadership and active Commission oversight.

The study states that the Midwest Stock Exchange (MSE), located in Chicago, is one of the largest regional exchanges and occupies an important position in the securities markets with a potential for an expanded role in future years.

The report describes the exchange staff as playing a "crucial role" in the administration of the MSE and in regulating member conduct. According to the study, the experience of the MSE highlights the importance of a paid staff with sufficient authority and responsibility to accomplish effective self-regulation. The study observes that the key position of the president of the MSE in the exchange's machinery and administration contributes to the performance of the exchange as a self-regulatory agency. According to the study, the MSE president has greater authority in some respects in disciplinary matters than the presidents of other exchanges.

In assessing the exchange's performance as a self-regulatory institution, the study states that the MSE has taken leadership in a number of significant ways, including qualification examinations for members.

Pacific Coast Stock Exchange

The Pacific Coast Stock Exchange (PCSE), according to the report, is important as a securities market because of its present business—it had the largest volume of shares traded on any regional stock exchange in 1962—and because of its potential for future growth.

The PCSE is unique among the largest exchanges in the degree to which its board and committees participate directly in the operation and management of the exchange. The study points out that the division management committees and the standing committees of the PCSE exercise important regulatory and administrative responsibilities, with the paid staff occupying a less important position in the regulatory structure than in the case of the New York, American or Midwest Stock Exchanges. Noting that "experience has demonstrated that in an exchange of substantial size this kind of arrangement is of less than maximum effectivenes and has within it the potential for abuse," the report recommends that the PCSE, under the supervision of the commission, undertake a thorough examination of its organization with a view to providing a paid staff of adequate size and authority in regulatory matters in lieu of its present reliance on the committee system.

According to the report, the PCSE in its regulation of member firm conduct emphasizes enforcement of its net capital rule, particularly with respect to firms which are not members of any other major exchange. The report concludes that members' selling and advisory activities receive inadequate attention and the exchange's handling of public complaints should be strengthened.

NASD

In its report on the National Association of Securities Dealers, Inc. (the NASD), the special study calls for a basic modification and strengthening of the association's organization if it is to fulfill its role as the principal self-regulatory agency for nonexchange members. The study states that in spite of its record of accomplishment and expansion, the NASD now appears to be "at a crossroads."

At all levels, although staff assistance is used, hearings and decisions are by members, that is, part-time volunteers serving this and other needs of the organization. At the district level, this has produced "severe strains, delays and compromises." At the national level, the study states, reliance upon part-time volunteer members threatens a breakdown in the capacity of the organization to act promptly and—an even more serious problem—its capacity to deal adequately with important questions of policy and program. There is now, according to the study, such preoccupation with disciplinary matters in addition to matters of internal administration that little time is left for top governing officials to perceive and solve larger questions.

The study points out that the term of a national governor is 3 years, with a one-third turnover, in the membership every year. Since the board ordinarily meets only three times a year for 3 days at a time, the report observes, there are limitations of time and continuity on the board's ability to perform its job. Despite the increase in the workload, the board according to the study, has been reluctant to reduce its responsibility for enforcement; in fact, control over enforcement, particularly through review of disciplinary cases, has been its dominant activity at the expense of its role of policy formulation. The study states that despite the efforts which the board has made to cope with the increased volume of disciplinary matters (in 1962 the board considered 115 disciplinary cases), there seeme little likelihood of success without a change in prevailing practices.

Staff versus volunteers

According to the report, "the essentially unsolved—and gradually worsening—problem of the NASD is to find a mode of functioning effectively while not unduly sacrificing its emphasis on the 'self' in self-regulation." The solution of this problem, the study believes, will require substantial rethinking as to (1) the composition and role of the full-time staff in relation to the role of the volunteer officials and also as to (2) the allocation of responsibilities among volunteer member participants.

The report states that "the time has come, if it has not been long overdue, for the NASD to have an executive staff of adequate numbers and with adequate delegation of responsibilities."

The report states that the NASD has historically operated on a somewhat limited budget in relation to its responsibilities. It points out that implementation of the recommendations of the report would undoubtedly tend in the direction of additional operating costs, although presumably capable of being at least partially offset by adoption of the recommendations calling for the upgrading of standards for entry into the business and better coordination and elimination of duplication among agencies. Still, the study says there is reason to believe that the financial burden on the general membership of the association need not be materially increased if there is greater resort to some classes of members who may not now bear their fair share of the costs.

The report concludes that the greatest lack in the NASD's performance as a self-regulatory body is its failure to address itself to various important problems in the over-the-counter markets. Many of its major achievements have represented, according to the study, not a taking of initiative to grapple with a problem but rather a defensive response to a pending proposal or imminent action of the Commission. The study points to the areas described in this report where NASD either has not acted or has taken what must be considered inadequate action in dealing with problems that would seem to call for greater attention. However, the study's discussion of limitations in the NASD's performance is not intended to overshadow or disparage the record of accomplishment but to point to an even stronger future role.

Self-regulation and SEC

The special study summarizes some of the considerations of theory and policy underlying the broad concept of self-regulation, reviews the actual functions of the regulatory patterns in relation to the Commission, the exchanges, and the NASD, and appraises the adequacy of the existing system. The special study recommends that regulation in the field of securities should continue to be based on the principle of giving maximum scope to self-regulation, wherever and to the extent that a regulatory need can be satisfactorily met through self-regulation.

"As a corollary," states the study, "it is an essential rule of government, i.e., the Commission, to assure that there is no gap between the total regulatory need and the quantity of self-regulation provided by recognized agencies."

With reference to the Commission's role of oversight toward the exchanges, the study states that the most pressing question today, as emphasized by the Silver case, concerns exchange enforcement and disciplinary matters. The report concludes that minimum requirements of "due process" should be applicable to disciplinary proceedings of exchanges that may result in denial of membership or employment or imposition of fines, suspensions, or expulsions of members or employees, or that may affect the right of specific nonmembers to do business with members. If self-regulation is to function effectively and with due regard for all aspects of the public interest, notes the study, the necessary review of self-regulatory action should be performed by the Commission, the agency already established as the guardian of the public interest in the securities industry.

In general, the study concludes that the strengthening of the Commission's program should include more direct and continuous awareness of actual happenings in the marketplace, stronger and more continuous liaison with each exchange and the NASD as to its self-regulatory problems, and fuller and more systematic accounting by the exchanges and the NASD as to their self-regulatory progress and results.

According to the report, the Commission's total rule under the Securities Act of 1933 and the Securities Exchange Act of 1934 may be broadly divided into two main categories: (1) Administering disclosure requirements for issuers and (2) regulating conduct in the securities markets, directly or by supervision of self-regulation.

It appears to the special study that the Commission has been more successful in exercising its powers and responsibilities in the former area than in the latter.

May 1962 break

The special study analyzes the severe price fluctuations (on heavy volume) which occurred on May 28, 29, and 31, 1962 (the "market break"). It concludes that the Commission and the industry should make a joint study of possible intermediate measures, short of suspending trading, that might be invoked to assure minimum disruption of the fair and orderly functioning of the securities markets in times of severe market stress. The report states that once a break has passed there is a tendency to forget the concerns existing at the time and the apprehensions as to what might happen should it continue.

The report also states that the avalanche of orders during the break subjected the market mechanisms to extraordinary strain and in many respects they did not function in a normal way. Specifically, the late tape made it impossible for investors to predict accurately the prices at which market orders would be executed. In addition, the volume of odd-lot orders prevented some from being executed at the first round-lot sale following receipt, as required; instead, they were executed at the day's closing price, which on May 28 was in most instances considerably lower. The report also states that an unusually large volume of sell-stop orders on May 28, which were converted into market orders as prices declined, created what one specialist in testimony to the study labeled a "snowballing" effect.

SEC REPORT—PART III

The third and final part of the Securities and Exchange Commission's special study of the market is perhaps the most disturbing section of this historic investigation. It raises basic questions about the adequacy of the public's protection in some key aspects of the securities industry—questions the public has a right to expect will be dealt with promptly both by the responsible leaders of the financial community and by the SEC itself.

In a masterpiece of understatement, the report declares that "the extraordinary growth of the mutual fund industry in the 23 years since the adoption of the Investment Company Act has raised a group of problems seemingly not contemplated by its framers." The report then marshals a disquieting indictment—high pressure selling for some types of mutual fund purchasing contracts, poorly trained salesmen engaging in what comes close to outright misrepresentation to get orders from uniformed people of limited means who may suffer substantial loss if they succumb. In its appraisal of commissions on mutual fund stock transactions, the report finds practices "in flagrant conflict with the duty of a fund and its adviser to obtain best terms" for the fund and its shareholders. And evidence is cited of significant trading by some fund insiders on a basis that reeks of conflict of interest.

The section of the part dealing with the self-regulation of the securities markets pays tribute to many commendable accomplishments, but indicates unmistakably that self-regulations does not yet go far enough. The potential—and perhaps actual—contradiction between the private club aspects of the New York Stock Exchange and that exchange's obligations to the vast investing public is stressed. The suggestions for reform deserve the closest attention from everyone in the exchange. But the most serious questions raised by the report concern the effectiveness of the self-policing carried on by the National Association of Securities Dealers. Its supervisory activity must cover almost 5,000 firms and almost 100,000 individuals, a herculean task in any circumstances. The need within the NASD for "an executive staff of adequate numbers and with adequate delegation of responsibilities," as the report recommends, seems compelling indeed.

All three parts of the SEC report have bruised many vested interests in the financial community, evoking protests and challenges, some justified and many unjustified. But, however controversial some specific recommendations, the general tenor of the report's argument for tighter controls and better self-regulation is incontestably valid. Public confidence in the security market is essential for its operation, and it is to the strengthening of that confidence that the financial community and the SEC must turn by making reforms in the spirit, as well as the letter, of this historic document.

TRIBUTE TO JOHN D. RHODES, UPON HIS RETIREMENT AS OFFICIAL REPORTER OF DEBATES, U.S. SENATE

Mr. PROXMIRE. Mr. President, I am delighted to pay tribute to John Rhodes, dean of the Official Reporters of Debates of the U.S. Senate, on his retirement after more than 43 years of magnificent service to the Senate and the Nation.

It is a difficult task to report the remarks and debates of Senators and preserve both their accuracy and readability in the Congressional Record. In this hectic and demanding job, John Rhodes had no peer. He was an editor of great finesse and talent and no matter how ungrammatical or garbled a sentence was uttered on the Senate floor, it always appeared in the Record in the most perfect English possible.

My wife, Ellen, became fascinated with the procedures of recording Senate debates and wrote a column about Mr. Rhodes which appeared in many newspapers throughout the State of Wisconsin. In addition to his editorial talents, he is a warm, friendly human being with whom it was a privilege and joy to work.

I salute him as an outstanding public servant and wish him many years of profitable, well-earned retirement.

Mr. HAYDEN. Mr. President, I feel it is a privilege to add my thoughts to those of my esteemed colleagues upon the occasion of the retirement from Government office and the service of the U.S. Senate of Mr. John D. Rhodes from the post of Official Reporter of Debates.

I consider John Rhodes a friend, a gentleman of great personal integrity and honor and one whose ability and talents have been greatly valued and not found wanting over the years of his service.

As President pro tempore of the Senate and as a Member of this body for a good many years, I am happy to express the appreciation and gratitude of this membership, as well as my own, for the contributions made by John Rhodes in the performance of his duties, whch were always of the highest caliber and which combined the rare qualities of good judgment, sensitivity to the task at hand, and excellence of workmanship.

I hope that he will visit us often, and certainly, I wish for him the best of all things in the retirement years ahead.

Mr. DODD. Mr. President, after 44 years of able and dedicated work, John D. Rhodes is retiring from the service of the Senate.

He has seen many great events take place during those years, and I am sure he finds it rewarding to look back over the developments and achievements of our country, many of which he has recorded as they were discussed and debated on the floor of the Senate.

I wish to express my gratitude and thanks to John Rhodes for the help and courtesy he has always extended to me during my 5 years in the Senate. I wish him well during his richly deserved years of retirement, and I hope there will be many of them.

PENTAGON INCREASES PROFIT CEILING TO 20 PERCENT FROM PRESENT 3 PERCENT ON NEGOTIATED CONTRACTS

Mr. PROXMIRE. Mr. President, it has just been revealed that the Defense Department has increased the profit ceiling on negotiated contracts from a 3-percent level to 20 percent. Mr. President, the colossal sum of $10 to $15 billion a year of the taxpayers' money is spent on negotiation contracts out of total spending in defense contracting of $30 billion. If economy means anything, it should be practiced here.

Will this sevenfold increase in potential profits skyrocket defense costs? In the past, Congress has indicated that advertised competitive bidding should be followed in defense procurement wherever possible. However, in practice, genuine advertised competitive bidding is used in less than 20 percent of defense spending. The taxpayer has two protections: One is competitive bidding; the second is a careful auditing of costs on the part of the Defense Department auditors and other Government auditors. If we are going to permit profits up to 20 percent on negotiated contracts, it seems to me that the Congress should have answers to certain questions:

First, why is this necessary? Second, what safeguards exist against exploitation of the procedure? Third, what kind of objective tests will the Defense Department apply to such contracts in order to be sure that the extraordinary profits of 10, 15, and 20 percent are justified?

Fourth, how do we prevent corruption and collusion when public officials have such immense discretion in determining the huge profits big contractors can earn?

I ask unanimous consent that an article published in the Wall Street Journal today on the subject be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Pentagon Increases Profit Ceiling to 20 Percent From Present 3 Percent on Negotiated Contracts

Washington.—The Pentagon issued a new policy directive increasing the profit ceiling on a wide range of negotiated contracts. Negotiated contracts are those awarded without competitive bidding.

They account for $10 to $15 billion a year of the $30 billion defense contracting business.

The policy was developed at the behest of Defense Secretary McNamara to "improve the use of the profit motive as a stimulus" to efficient defense contractors.

Profit on noncompetitive contracts currently averages about 3 percent of total costs. The new approach will offer relatively high profit for good performance and high contractor risk. Profit could go to 20 percent in some cases, a Government spokesman said. By the same token, it was noted, low risk contracts could result in lower profit than at present.

The department said low profit in the defense industry may harm the public interest by driving some companies into more lucrative fields and called for more realistic returns on negotiated work.

"Negotiations aimed merely at reducing costs by reducing profits, with no realization of the function of profits, cannot be condoned," the Defense Department said. "For each contract in which profit is negotiated as a separate element of the contract price, the sum of negotiation should be to employ the profit motive so as to impel effective contract performance."

The directive says contractors are likely to assume greater cost risks only if the Department's contracting officers "objectively analyze the risk incident to proposed contracts and are willing to compensate contractors for it."

The directive lists weighted factors that Government contracting officers will consider in establishing target profit rates to be negotiated on specific contracts. Actual profit could, in some cases, exceed the target rates as a result of negotiating sessions.

The guidelines include suggested profit rates for each of several factors. These include the degree of risk taken by the contractor, his past record on meeting contractual obligations, the share of the work on a given contract that would be performed by his own employees, and the share subcontracted out.

On the risk factor, a return of 1 percent or less would be sought in a contract in which a company was guaranteed to recapture all its costs plus a fixed fee. A profit rate of 5 to 7 percent would be available to a company offering in advance to perform the contract at a specific fixed fee, because it would be taking a greater risk. Other factors in the guidelines could increase the total profit still higher.

The weighted guidelines approach was proposed several months ago by the Logistics Management Institute, a nonprofit study group. The adopted system reflects that proposal with minor changes. The new approach was endorsed in May by the Defense Industry Advisory Council, a group of top business executives who advise the Defense Department on matters affecting industry.

However, an official of at least one major defense supplier was unenthusiastic about the new approach. He figured it would mean lower profit in many cases.

In a related action, the Defense Department issued a directive setting up systematic performance evaluation for companies handling defense contracts exceeding $5 million in 1 year or $20 million over a longer period.

The evaluations will rate performance against promises made at the time the contract is received. Evaluations will be made at 6-month intervals by military contracting officers, and the companies will be given an opportunity to challenge in writing any assertions that their performance was under par in any respect.

Final performance reports on a completed contract will be filed in a centralized "data bank" in the Office of the Defense Secretary for use in future contracting. A record of consistently poor performance presumably would hurt a concern seeking future contracts.

Mr. PROXMIRE. Mr. President, I also wish to make clear that I believe enthusiastically in the profit system and good profits. High profits means good, cheering news for the American people. However, when a contract is negotiated, without competition, so that all costs of the contractor are covered, there should be protections for the taxpayer. These protections should be made evident by the Defense Department to the Congress.

Mr. President, I yield the floor.

GERMANY AND THE NUCLEAR TEST BAN TREATY

Mr. GOLDWATER. Mr. President, a distinguished American columnist, Mr. Constantine Brown, has been traveling in Europe for the past several months and he writes of his observations from different countries. A column written in Bonn on July 28 puts a question that disturbs many of us in this country relative to the test ban treaty.

In my opening remarks on the floor yesterday, I posed as one of the questions in my mind the probability of this treaty recognizing East Germany and other Communist-controlled countries if they should care to become signatories to the treaty. While this question was answered by the President in his message and the danger has been denied by Secretary Rusk, I feel that much testimony of a legal nature must be given to this point so that the question can be answered in one way or another.

I ask unanimous consent to insert Mr. Brown's article at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

(By Constantine Brown)

BONN.—Is the limited nuclear test ban a prelude to the dissolution of the NATO? This is the question asked by most Germans with whom this reporter has talked in the last few days.

While spokesmen of the Bonn government express a limited approval of the Moscow Treaty, responsible politicians of both parties are concerned over what price Germany may be called on to pay for the relaxation of tensions between Washington, London and Moscow. It is generally agreed—even in official Government circles—that there is much in the treaty which should cause real concern for the future of the Bundesrepublik.

We have pledged ourselves not to accept the partition of Germany. The present division is an arbitrary act by the U.S.S.R. which we have solemnly declared that we cannot recognize. There can be no genuine "accommodation," with Moscow, it was emphatically stated in Washington, unless West and East Germany are reunited.

But the fine print in the treaty shows that the Pankow regime can be recognized by the "back door"; it provides that any other country can join the Moscow pact by merely indicating its desire to do so. This means in effect that the Pankow regime can inform Moscow that it wants to become a signatory, and there is nothing that we can do about it.

The "second step," the nonaggression pact between the NATO and the Warsaw military combine which Mr. Khrushchev insists upon, would be another "in" for East Germany, a member of the Warsaw pact along with the U.S.S.R. and the other satellites. The signing of that agreement would mean an indirect recognition of Soviet occupied Germany.

Those two back door entrances into the legitimate family of nations are canceling out the strong words President Kennedy used in front of the Berlin wall only a few weeks ago. And Germans are beginning to realize that the Washington-Moscow-London understanding can only be achieved if Khrushchev's main objective—the permanent division of Germany—becomes an accomplished fact.

During President Kennedy's triumphal tour of Germany, one of his advisers was overheard by a German dignitary to remark that the United States could not afford to have Germany as its close ally—in fact, its strongest. The implication was that a strong Germany represents the main Soviet fear, and if there is to be a relaxation of tensions between the United States of America and the U.S.S.R., this would be a hindrance.

The objective of the NATO was not only to create a barrier against Russia's further advance in Western Europe but it was also dedicated to the eventual reuniting of the two Germanys. The Federal Republic has contributed substantially toward the support of the alliance in the last few years, and has complied with most of our requests for more manpower, greater military expenditures, and greater preparedness for any eventuality.

If an accommodation between Washington and Moscow is accomplished the whole NATO concept will have lost its meaning. Germans conversant with American politics believe this will occur a few weeks before the 1964 presidential election at the latest.

As soon as there is a nonaggression pact between the NATO and the Warsaw coalition, it will be said in America that the maintenance of large and costly armies in Europe will have become unnecessary. Many thinking Germans realize that we may wish to reshuffle the Western coalition because they realize that the NATO, under the new political climate, would have lost its purpose.

Today there are only three actual military powers in Western Europe: America, France, and Germany. There is no doubt in the minds of the Germans that soon after a nonaggression pact is signed, as a sequel to the partial test ban, Washington will start withdrawal of the bulk of its forces. The argument that in these days a full division could be flown over the Atlantic in case of an emergency at a much greater speed than a single combat team could be transferred to the battlefield in the last war, will be a powerful argument in favor of such a withdrawal.

France, for all intents and purposes, only gives lipservice to the NATO. General de Gaulle is prepared, in the event of an aggression, to launch all of France's technical and manpower. But he considers the NATO as a "has been."

The Germans, with an acute shortage of labor, are wondering why they should devote so many men to their army and spend upward of $5 billion a year for the upkeep of their armed forces if America and Russia come to terms on the basis of the cementing of the partition of their country.

TRIBUTE TO SENATOR DIRKSEN

Mr. GOLDWATER. Mr. President, the Evening Star of yesterday expressed appreciation for the courage and honesty of the minority leader, Senator EVERETT DIRKSEN. This is a trait that has characterized this man throughout his life and, particularly, during that period devoted to public service.

Senator DIRKSEN has done as much for civil rights as any man in Government and yet strangely enough, the NAACP and other Negro organizations try their best to defeat him at election time. This causes me to wonder about the motives of some of the people engaged in this effort.

I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

INDEPENDENT SENATOR

It would be nice to think that the Members of Congress will vote for or against the various provisions of the civil rights bill in accordance with their own convictions as to what is right and what is wrong. Perhaps it is naive to hope for this, however, and it certainly will not come to pass if Congress follows the suggestion offered by Roy Wilkins, executive secretary of the NAACP.

Mr. Wilkins told a Republican senatorial group that if they want to win Negro votes they must "out-Kennedy the Kennedys." Perhaps this is the way the political game has been and always will be played. But it would be difficult to find a more revealing example of brass-knuckle pressure politics in a matter which should be decided on its merits.

In this connection, a word of commendation should be said in behalf of the Republican Minority Leader, Senator DIRKSEN, of Illinois. Mr. DIRKSEN is against the public accommodations section of the bill, contending its enactment would erode private property rights. We happen to think that the section, with certain modifications, should be approved. But this difference does not lessen our admiration for Senator DIRKSEN's show of independence when he appeared this week before a delegation of NAACP leaders.

The Illinois Senator generally has had a good record on civil rights, but he did not hedge or trim in stating his position on the public accommodations section. To his unfriendly audience, Senator DIRKSEN said he does not try to please everyone, adding that "I am a legislator and I'd not be worthy of my salt if I let abuse and invective deter me from my convictions."

Here was an unusual show of political courage, and this holds true despite the fact that Senator DIRKSEN will not be up for reelection until 1968. His personal declaration of independence deserves to be applauded.

NATIONAL DEFENSE AND DISARMAMENT

Mr. THURMOND. Mr. President, the August 10, 1963, issue of Human Events contains an article which carries some very shocking and disturbing quotations from leaders in this Government on the subjects of national defense and disarmament. This is an article which should be read by every Member of the Congress, not solely because of any conclusions that the writer draws in the article, but particularly because of the astounding quotations attributed to these advisers and leaders of the administration.

The article is entitled "Do Unilateral Disarmers Influence Defense Policy?" and was written by Mr. Allan H. Ryskind. I ask unanimous consent that this article be printed in the RECORD at the conclusion of these remarks. I also ask unanimous consent, Mr. President, to have printed following this article, an article from the U.S. News & World Report of August 5, 1963, entitled "Is U.S. Giving Up in the Arms Race?" and an article entitled "The Pentagon Courts Disaster," written by Dr. Stefan T. Possony.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Human Events, Aug. 10, 1963]

DO UNILATERAL DISARMERS INFLUENCE DEFENSE POLICY?

(By Allan H. Ryskind)

Something new in "unthink" has been going around the New Frontier for some time now. It's called disarmament. This is not disarmament in the framework of carefully negotiated treaties, ironclad inspections, and a genuine effort to reduce the effects of a catastrophic arms race.

A different type of disarmament is in the making: There is a deliberate, determined and massive effort by our highest Government authorities to dismantle America's nuclear superiority over its deadly enemy the Soviet Union.

We are attempting to gut our nuclear superiority through unilateral disarmament steps which include a refusal to produce and deploy certain new weapons and an effort to abolish existing ones. These authorities are willing to take—and have taken—such measures for the purpose of grossly appeasing the Communists.

These "unilateralists" have infiltrated every government agency dealing with defense matters. They advocate that we take "calculated risks" and "gamble" with our defense policies in order not to "provoke" Moscow. They not only urge the United States to stop striving for nuclear superiority over the Soviets; they have publicly proclaimed their desire that the Soviet Union increase its own formidable nuclear capabilities.

The Harriman-Khrushchev proposed test ban treaty fits neatly into the philosophy of those willing to take calculated risks with our defenses. While the test-ban will freeze American plans to set off nuclear shots in the atmosphere, for example, it will not prevent the Soviets from testing in this element. The plan is so full of loopholes that the Soviets, as Dr. Edward Teller has warned, could safely set off sneak, undetectable nuclear air bursts which would enable them to perfect their partially deployed anti-missile defense system. And who feels the Soviets, if they have the chance, will not cheat

Yet it is not the purpose of this article to explore the effects of a test-ban, but to record the words of our unilateralists and to suggest there is a crucial link between their thoughts and America's entire military posture.

M'NAMARA HOPES FOR STRONGER U.S.S.R. DEFENSES

Foremost among the unilateralists, I believe, is the man legally in charge of bolstering America's defense establish: Defense Secretary Robert Strange McNamara. In a December 1, 1962, interview with Stewart Alsop in the Saturday Evening Post, Secretary McNamara suggested the incredible proposition that the United States would actually be better off if the Soviet Union could increase its already devastating nuclear warfare capabilities. According to Alsop—a fond admirer of Mr. McNamara—America's own Defense Secretary actually lamented the fact that Soviet Russia's nuclear forces today were so soft and vulnerable that the United States could wipe out Russia's warfare capabilities in one, sure, swift blow. Instead, said the incredible McNamara, he hoped the U.S.S.R. would soon be able to achieve what America presumably already has: a "sure second-strike" capability, and says Alsop, the Secretary meant, "the sooner the better."

If the Soviet Union ever developed a sure second-strike capability, its nuclear strength would be increased severalfold. For a nation with a sure second-strike potential has its missile-bomber system so well protected—hardened in defense terminology—that it can absorb a massive atomic attack and still wreak devastating, unacceptable damage upon the enemy.

It is this capability that America's own Defense Secretary—reputedly the highest intellect on the New Frontier—would like to see the Soviets possess "the sooner, the better."

What could be the possible logic of the Secretary? McNamara apparently reasons that in time of increased world tension, when war seems possible or probable, the Soviets might feel under terrible pressures to launch a massive sneak attack upon the United States—to bring their vulnerable missile and bomber force into play before America could annihilate this warfare capability with that one, sure, swift blow. Thus, says the Secretary, the Soviet Union should develop a sure second-strike potential. For a nation which can still retaliate in a devastating manner after receiving the first punch would have no rational basis on which to launch a preemptive attack.

It cannot be denied, of course, that the Soviet Union might launch a sneak attack against the United States if nuclear war seems inevitable. But what is highly intriguing is Mr. McNamara's unfathomable logic that as the Soviet Union grows militarily stronger in relation to America, the chance of surprise attack from Nikita—we will bury you—Khrushchev diminishes.

What is almost beyond credulity is that America's Defense Secretary decidedly opposes a U.S. military capacity to wipe out the enemy's major and effective nuclear forces in the first blow.

Defense Secretary McNamara says he wants a more stable balance of terror in the world—in short, nuclear stalemate between the United States and Russia. What the Secretary is saying, of course, is that he is not at all pleased with the imbalance of terror which now favors the United States.

With this as his guideline to America's defense policies, is it any wonder that since 1960 he has contributed $1,000 or more per year to an organization whose primary propaganda seems aimed at getting the United States to disarm? That organization is the Center for the Study of Democratic Institutions, the main activity of the leftwing Fund for the Republic. Or is it any wonder that Adam Yarmolinsky, a former secretary of the fund, strongly recommended McNamara for his post? (Yarmolinsky is now McNamara's special assistant and is credited with hiring key personnel in the Defense Establishment.)

Nor should it be any wonder that a defense secretary who wants the Soviets to increase their nuclear firepower in relation to the United States has not developed a single new weapon system since he has entered office.

If McNamara's thoughts seem utterly irrational, they appear like a fresh breeze of logic compared to the celebrations of Paul H. Nitze. Mr. Nitze, I remind the reader, is not someone stuck away in some Pentagon file. He is, in fact, currently serving as Assistant Secretary of Defense for International Security Affairs. By all accounts, he is a highly influential planner helping to determine our defense policies.

His philosophy on defense was expressed April 28, 1960, to some 500 business and professional people at Asilomar on California's Monterey Peninsula. At this seminar, Nitze, like McNamara, suggested that U.S. nuclear superiority over the Soviets was no longer a desirable defense posture. His reasoning was curiously close to that of his present boss. But Mr. Nitze went even further than his boss in outlining a radical defense policy for the United States. Nitze proposed that America should take "* * * a series of unilateral actions designed to produce a reciprocal action on the part of our allies and also on the part of our enemies to slow down the arms race. The United States, said Nitze, should scrap its fixed based missile and bomber bases (part of a class A power); the United States should put its Strategic Air Command, headquartered in Omaha, Nebr., and considered the prime American defense system against the Soviets, under a NATO command; and, finally, that the United States should inform the United Nations that NATO will turn over ultimate power of decision on the use of these systems to the General Assembly of the United Nations. * * *"

Alas, Mr. Nitze and Mr. McNamara are not the only officials with preposterous views on defense matters. Consider, also, Dr. Hans Bethe. Dr. Bethe has been a key adviser to the President for some time. At Cornell University, January 5, 1962, Dr. Bethe suggested the United States should begin to ease tensions with the Soviets. We could do this, he explained, by abandoning our "long-range bombers" and even some of our missiles. Such weapons, said Bethe, might be provocative to the Soviets and so they should be withdrawn. In the same speech, Dr. Bethe made some other remarkable observations.

For example, he actually waxed enthusiastic over his belief that the Soviets had developed a new and powerful weapon as a result of their unilaterally breaking the 3-year, big-power, moratorium on nuclear tests. These tests, conducted in September 1961—the most massive in history—may have enabled the Soviets, said Bethe joyfully, to develop a "solid-fuel missile similar to our Minuteman."

The Minuteman is one of our most advanced intercontinental ballistic missiles. Its value lies in the fact that it can be placed in hardened missile sites which are able to protect it from a devastating nuclear blow. Yet, in all seriousness, Bethe explained he was happy the Soviets might have developed such an advanced missile.

In Bethe's own words: "The recent Russian test series included many tests in the range from 1 to 5 megatons. This is just the range which might be suitable for a Russian solid-fuel missile similar to our Minuteman which could be placed in hardened sites. I hope this is the right interpretation, and that the Russians will also aim for a secure second-strike force."

In this topsy-turvy world of unthink—where defense planners rejoice over the strength of the enemy—one must also mention Dr. Jerome B. Wiesner, the President's chief scientific adviser. Carl Kaysen, a key disarmament strategist who works under McGeorge Bundy, the President's Special Assistant, told this reporter that Wiesner was one of the most influential planners in this area. The 47-year-old soft-spoken, pipe-smoking professor from the Massachusetts Institute of Technology wields enormous powers over critical agencies relating to America's defenses. The Pentagon, the Atomic Energy Commission, the National Science Foundation are only a few such governmental bodies that come under his personal supervision. Wiesner, according to one high Pentagon source, has a decisive influence upon Robert S. McNamara's own defense theories.

WIESNER: WE SHOULD TAKE CALCULATED RISKS

According to a personality profile of Wiesner in the Saturday Review (Dec. 10, 1960), the MIT professor looks upon arms control as almost a crusade. He desires, according to the article, to put peace explorers in the White House, in the State Department, in the Pentagon, in the Atomic Energy Commission and elsewhere at key points. While Wiesner believes any arms agreement with the Soviets may carry calculated risks, the professor also stresses that science must develop such an overwhelming case in support of the soundness of the calculated risk philosophy that the fearful politician will have nothing left to hide behind.

In other words, we should take calculated risks in reaching a disarmament agreement with a nation which has vowed it will exterminate us.

Dr. Wiesner, also like McNamara and Bethe, has declared he would like to see the Soviet Union increase its ability to defend itself against an American nuclear attack. The good doctor told this to Soviet and American scientists gathered at the Sixth Pugwash Disarmament Conference in Moscow. In his November 29, 1960, speech to this group (which I have before me), Wiesner urged the Soviet Union to develop a defense system which could absorb a surprise attack. Moreover, Wiesner gave rather detailed information to the Soviets suggesting how they could harden their own missile sites. Like Bethe, Wiesner has also urged the United States to begin scrapping its long-range bombers.

What makes Wiesner's proposals on defense matters suspect is that he seems to believe that the major reason we cannot come to terms with the Soviets on disarmament is due to what he euphemistically calls a "serious communication block." "Unfortunately," he adds in the 1960 fall issue of Daedalus, "* * * the West has always been suspicious of Soviet proposals, and furthermore has generally been ultra-conservative in the inspection requirements it places upon any system."

Such, then, are some of the leading disarmament theoreticians and practitioners on the New Frontier. What is highly disturbing to many military men is the common, pernicious thought threaded through their philosophies; that as the Soviet Union achieves nuclear parity with the United States, that as its defenses get increasingly better, the chance for war grows increasingly dim. What, truly, could be more insane? Would Sonny Liston have felt better if Floyd Patterson had had a better defense and a stronger right arm?

On the absurd theory that America would be better off if the Soviets begin matching our nuclear power, we should erect a national monument to Julius and Ethel Rosenberg for supplying the Soviets our atomic secrets.

Is it true, however, that the disarmament theorists have influenced our defense strategy? The available evidence suggests that this is, indeed, the case.

It now develops, in fact, that our present defense policies were initiated when President-elect Kennedy sent two professional disarmers—Walt Whitman Rostow (now State Department Planning Counselor) and Jerome Wiesner—to the Pugwash Conference in Moscow in November 1960. The two went to discover the possibilities of disarmament with the Soviet Union.

There can be little doubt today that this Conference blueprinted subsequent New Frontier moves to scrap production of provocative long-range bombers, to yank medium-range ballistic missiles from Turkey and Italy and to refuse to deploy an antimissile defense system.

On March 30, 1961, the Chicago Sun-Times revealed this astounding story through its crackerjack reporter, Thomas B. Ross. The substance of what Ross wrote (which first appeared nationally in Human Events Apr. 14, 1962) bears repeating in part:

Ross claimed that President Kennedy's defense message of 1961 was actually sown in hush-hush talks between Rostow and Soviet Deputy Foreign Minister Vasily V. Kuznetsov. Kuznetsov, according to Ross, complained that in order to achieve any progress in relieving tensions between East and West, the United States should abolish its provocative weapons, specifically manned bombers and missiles which ring the Soviet Union. Rostow, said Ross, then wrote a confidential memorandum to Kennedy suggesting we scrap these provocative weapons and build up, instead, a defense composed of allegedly invulnerable missiles, such as the Polaris, and nonnuclear forces. According to Ross, Rostow's advice reverberated in Kennedy's first defense message. The White House meetings, where the final defense message went through a threshing process, were "directed," said Ross, by Theodore Sorensen, the President's Special Counsel who was a conscientious objector during the Korean war.

Among the weapons deleted from the budget that year (and each year subsequently) were the B-70 superbomber and the antimissile missile. Each of these weapons—including the purely defensive Nike-Zeus antimissile missile—were labeled provocative weapons for varying reasons.

ROSTOW MEMORANDUM SHAPES AMERICAN POLICIES

The substance of the Ross story—never denied despite its countless repetitions in news media and before Congress—has clearly been the operating policy of the United States.

Certainly it must be rated more than coincidence that Rostow's reported advice has been carried out in detail: We have stopped production of the B-70 and all other manned bombers; despite numerous successful test firings, we have refused to deploy a Nike-Zeus antimissile defense system; Polaris submarines are replacing our oversea bombers and missiles. The Ross story, once felt to be sheer hallucination, must now be regarded as hard fact. Nor is it difficult to believe that our unilateralists—with their weird disarmament theories—have feverishly worked toward abolishing such provocative weapons. If the United States, as the unilateralists believe, would be better off if the Soviets began matching our nuclear power, then why is it so difficult to believe that we have slowed down the arms race unilaterally to allow the Soviets a chance to catch up?

The diehard skeptic may still doubt that the Rostow-Wiesner mission framed our defense policies. But what certainly can be proved beyond the shadow of a liberal's doubt is that the unilateralists have heavily favored the disarmament steps outlined in the Ross story. Mr. Nitze, Dr. Wiesner and Dr. Bethe, as we have seen, have publicly expressed their opinions we should relegate to the junkyard our long-range bombers and missiles overseas. Few question they are headed in that direction today.

The arguments against deploying an antimissile missile in the United States is immersed in technical detail, intraservice rivalry and politics. But the one, clear and decisive fact that emerges is that the unilateral disarmers have energetically worked to see it killed off permanently. The chief military reporter for the pro-New Frontier Washington Post (John G. Norris) enlightened the public on this score January 20. Wrote Norris: "President Kennedy has taken a calculated risk in deferring any missile defense of American cities and defense centers until the late 1960's."

While Norris stressed that some military men think this is a sound gamble, he also related:

"Some of President Kennedy's advisers, moreover, argue that building an urban missile defense system would be provocative in that Russia would have to follow suit and the arms race would be accelerated."

We know that the man who champions the calculated risk philosophy, Dr. Wiesner, also firmly opposes our deploying an urban defense system. He told this to Soviet and American scientists gathered at the Pugwash Disarmament Conference both he and Rostow attended. Said the good doctor in his November 29, 1960, speech: "It is important to note that a missile deterrent system would be unbalanced by the development of a highly effective antimissile defense system and if it appears possible to develop one, the agreements should explicitly prohibit the development and deployment of such systems."

Refusing to heed Wiesner, however, the Soviets earlier this year began to unbalance the defense picture by deploying one fully operational antimissile installation near Leningrad. Wiesner refused to be provoked. In the June 23 Saturday Evening Post, New York Herald-Tribune reporters Earl Ubell and Stuart H. Loory publicly revealed Wiesner's role in getting Kennedy this year to shelve deployment of our successfully tested Nike-Zeus missile. The authors report that "Wiesner had advised the President, 'Don't deploy Nike-Zeus * * *keep it in research and development.' "

Still, people will ask: How can you say we're disarming? What, for example, is wrong with gradually substituting Polaris-bearing submarines in the North Atlantic and Mediterranean, as we are doing and as the Rostow memo suggests, for long-range bombers and missiles based overseas? Isn't the Polaris a supersleek, modern, invulnerable weapon?

The Polaris-bearing subs are, indeed, superb weapons in our atomic arsenal. But the evidence suggests that Polaris subs should be supplemental to, not a substitute for, land-based missiles and bombers overseas.

It is agreed upon by most military men that the only weapons which could definitely dig out Soviet offensive missiles in hardened sites are the powerful nuclear warheads which today only long-range bombers—not missiles, least of all Polaris missiles—are capable of delivering.

When it comes to invulnerability, this point should be added. On April 17 of this year the Defense Department admitted the Soviet Union's antimissile installation near

Leningrad was capable of shooting down nuclear-tipped intermediate range Polaris missiles.

The real clue as to why the arms control advisers have hailed this weapon, I believe, lies with another key administration disarmament adviser—Arthur I. Waskow. Waskow has spelled out the Polaris philosophy as seen through the eyes of the disarmers. A brief look into Waskow's influence on the New Frontier, therefore, is in order.

He is a coauthor of "The Liberal Papers" and the sole author of "The Limits of Defense." Both books stress the need for unilateral disarmament steps by the United States. Carl Kaysen, a chief coordinator of disarmament plans for the White House, says Waskow's books are useful in disarmament planning. In addition, the U.S. Arms Control and Disarmament Agency, which Kaysen stresses has a heavy impact on Defense Secretary McNamara's own thinking on defense matters, has shelled out hard-earned taxpayer dollars to get Waskow to draft disarmament proposals for the United States. Thus Waskow's words on the Polaris should be carefully scrutinized.

POLARIS CANNOT CRACK HARDENED SOVIET BASES

On pages 131 and 132 of "The Liberal Papers," Waskow says: "The Polaris itself is not believed to be a provocative weapon, because it can be so managed as to be incapable of attacking an enemy's atomic force. This is thought to be true because the megatonnage of the Polaris missile is too small to crack through hardened missile bases or to kill a hidden base with a near miss. Nor is the Polaris, launched at sea with all the difficulties of precisely accurate aiming that a ship encounters, capable of direct hits on mobile missiles."

In addition, Waskow relates that in order to "avoid turning the Polaris into a provocative * * * weapon the Navy would like to restrict the number of its Polaris submarines to no more than 45." Is there any link between such theorizing and the fact that McNamara has scheduled construction of a total of only 41 Polaris submarines?

Again and again, it seems we have taken unilateral disarmament steps. Even the so-called ultimate weapon—the solid-fueled Minuteman ICBM—has been tampered with by the disarmers. Just a few weeks after Defense Secretary McNamara had given his defense budget to Congress this year, Newsweek examined the tampering. On February 11, 1963, it reported: "In recent months, the United States in a variety of ways, has indicated its willingness to 'manage' the arms race—the word "disarmament" is still treated gingerly * * * The number of Minutemen planned for 1968, for example, has been cut back from the counterforce number of 2,000 requested by the Air Force to 950. The United States has also agreed to refrain from developing space weapons, such as bombs in orbit, implying the Soviets should do the same."

And so it goes. Who, now, can seriously doubt that our unilateral disarmament advisers are shaping American military policy?

[From U.S. News & World Report, Aug. 5, 1963]

IS UNITED STATES GIVING UP IN THE ARMS RACE?

(NOTE.—United States has already started disarming, on its own, and at a fast clip. Bases are being dismantled, bombers scrapped, new weapons cut back or shelved. Project to build a U.S. arsenal of overwhelming superiority has been abandoned. It's official policy—based on this theory: "The more we arm the less secure we get.")

A major upheaval in U.S. defenses is now taking place.

A vast and varied arsenal of strategic weapons, planned by the Eisenhower administration, is being in large part canceled out or dismantled. A new and nonprovocative kind of arsenal is being emphasized in its place.

The official record shows the following:

Bombers are being sent to the scrap heap. Thor and Jupiter missiles are being removed from bases in Europe. Navy carriers are headed for a cutback. Some big bases overseas are being closed.

Funds for future weapons, moreover, have been reduced or eliminated—as in the cases of the RS–70 bomber and the Skybolt missile. Future production of nuclear materials is to be slowed. Nuclear arms are being "frozen" at their present stage of development through a partial test ban just worked out with Russia.

The Kennedy administration, responsible for the drastic change, sees this change as vital and necessary, and is convinced it will not endanger security. The United States, it is claimed, is entering a period of unavoidable nuclear stalemate requiring new strategy. As described by some administration officials, the strategy has a theme: "The more we arm the less secure we get."

QUALMS FROM HISTORY

Many authorities in the Military Establishment, who now are silenced, think the new strategy adds up to a type of intentional and one-sided disarmament.

They point back to the twenties, following World War I, and to the late forties, following World War II. In 1922 the United States entered into an agreement to limit navies, only to have Japan violate that agreement. United States decided, even so, that disarmament by example on its part would lead others to disarm.

Events then led toward World War II. After World War II, the United States again disarmed—this time without any agreement.

The Korean war followed when Communists decided the United States was too weak to resist aggression.

Military authorities now express concern that the United States may be repeating the mistakes of the past—endangering its own security in pursuit of a fancy slogan. Heads of U.S. armed services simply do not buy the slogan, "The more we arm the less secure we get."

Instead, the Joint Chiefs of Staff, often with unanimity, have opposed almost all of the arms cutbacks now being put into effect. Opposition is beginning to build in Congress as well.

CRITICS' POINT: WHY SWITCH TO A NUCLEAR STALEMATE?

Concern, in large measure, comes down to this:

Why abandon known superiority over Russia to settle for a nuclear stalemate—or less? Is it safe to rely only on missiles for long-term defense? Is enough stress being placed on future weapons to prevent a technological Pearl Harbor? In short, is the Nation being imperiled by "quick look" decisions?

Behind the concern is a set of facts, now fully emerging, of the changes being made in the Eisenhower strategy that was designed to carry this country through the decade of the 1960's.

General Eisenhower, in a succession of 8 defense budgets totaling $315 billion, started building a shield of overwhelming strategic power. Bombers were produced by the many hundreds, and others were rushed to the drawing boards. More than 1,300 long-range missiles were provided for to complement the bomber force.

Money was provided for work on missile-firing submarines and bomber-launched missiles. Funds were invested in research on nuclear planes, antimissile missiles and neutron bombs.

Many avenues of research were opened. Money was placed where experts thought it would do most good. Some of this money was shown to be wasted. Other investments returned immense dividends.

The result, overall, was to be an unrivaled array of U.S. strategic power, assuring nuclear superiority at all costs. A full look at the arsenal planned during the Eisenhower years follows:

How America's nuclear arsenal is to be streamlined

From this as planned by the Eisenhower administration for the mid-1960's:

B–47 bombers	1,100
B–52 bombers	630
B–58 bombers	80
Thor missiles	60
Jupiter missiles	45
Atlas missiles	126
Titan missiles	126
Polaris missiles	464
Minuteman missiles	600

To this as planned by the Kennedy administration for the late 1960's:

B–47 bombers	0
B–52 bombers	0
B–58 bombers	0
Thor missiles	0
Jupiter missiles	0
Atlas missiles	0
Titan missiles	54
Polaris missiles	656
Minuteman missiles	+950

Nuclear weapons and delivery systems equaling 30 to 40 billion tons of TNT.

Nuclear weapons and delivery systems equaling 2 billion tons of TNT.

Why many military men are concerned: In addition to sharp cutback in available U.S. nuclear punch, there is this fact: No new strategic bomber, missile, or space-weapons system is now under serious development for the late 1960's.

Mr. Kennedy's view of strategy differs sharply from that of his predecessor. General Eisenhower, it is charged by present officials, overemphasized nuclear warfare and badly neglected conventional forces. The idea now is to reduce the U.S. potential for overkill with nuclear weapons, and to beef up nonnuclear forces.

WHERE UNITED STATES HAS CUT BACK NUCLEAR-WEAPONS SYSTEMS

Radical cutbacks, as a result, have been put into effect where nuclear weapons systems are concerned. What the record shows:

B–47 bomber: Already cut back from 1,100 to 650. Will be down to 300 by next summer, entirely abandoned by 1966. Power of the B–47 bomb load is more than 10 megatons; that is, equal to more than 10 million tons of TNT.

B–52 bomber: Production was halted despite congressional desire to continue, and the operational fleet was frozen at 630 planes. Some models will be scrapped inside 5 years; others presumably can be kept flying a few years after that. In the latest model, the H series, the B–52 will carry more than 50 megatons over a 10,000-mile range.

B–58 bomber: The production line was shut down last autumn—also over congressional opposition—after about 80 planes were earmarked for combat-type duty. This plane carries a 15-megaton load at supersonic speeds.

RS–70 bomber: Planned by the Air Force as bomber of the 1970's, but held up in development stage. The Joint Chiefs of Staff and many Members of Congress want to see it in production, but chances are slim.

Thor missile: Four bases in England, with 60 medium-range missiles capable of reaching into Russia, were ordered dismantled shortly after Soviet Russia withdrew its missiles from Cuba.

Jupiter missile: Bases in Italy and Turkey, with a total of 45 missiles, were ordered abandoned. They had just become operational at a cost of $555 million.

Skybolt missiles: Designed to extend the life of the bomber force well into the 1970's, this project was killed, although Britain, which was to share the missile, protested strongly.

Nike-Zeus missile killer: Army requests to put this antimissile missile around U.S. cities were refused, over strong protests from Gen. Maxwell D. Taylor, Chairman of the Joint Chiefs of Staff. The project has been scrapped in the search for a substitute.

Military satellites: The Midas "spy" satellite was killed after a decision that 15 extra minutes' warning of missile attack was not worth the millions still required to perfect it. Numerous other military space projects have been abandoned or delayed.

Navy carriers: Signs point to a cut of as much as one-third in the Navy's fleet of 15 attack carriers. Construction is being delayed on an additional new carrier authorized by Congress last year.

Oversea bases: Flying bases in England, Morocco, Spain, France, Guam, and elsewhere have been or will be shut down. Prospects are for further withdrawals from overseas, possibly involving one of the two Army divisions in Korea and some 50,000 men in Europe.

Atomic production: The aim is to shut down half of the Nation's 14 major plants manufacturing nuclear materials for weapons. The administration feels that the present stockpile is bigger than any demand it can foresee.

Nuclear test ban: The United States alone took the initiative in suspending atmospheric tests in June as evidence of good faith before formal test ban talks with Russia. Military requests to continue testing were set aside.

VIEWS OF MILITARY LEADERS—WORRIES ABOUT FUTURE

What does this add up to?

Testimony released after closed-door hearing of Congress tells one part of the story. Worry about the future U.S. military position is being expressed on a scale not equaled in recent years.

Gen. Curtis E. LeMay, Air Force Chief of Staff, challenged Secretary of Defense Robert S. McNamara on the new strategy. He disclosed also that he had appealed directly to Mr. Kennedy—to no avail—after almost $5 billion was cut from the original Air Force budget.

Service rivalries were set aside by the Joint Chiefs of Staff in opposing cuts by the administration's top civilians in the Pentagon.

Gen. Earle G. Wheeler, Army Chief of Staff, told Congress that he had recommended continuing both the Air Force's RS–70 and the Skybolt. He was not "horse trading" with the Air Force in giving this support, he said. These were "purely military judgments."

Adm. George W. Anderson, then Chief of Naval Operations, supported Air Force programs and the Army's Nike-Zeus. He favored extending the life of bombers, he explained, because of doubts about the reliability of missiles.

It was General LeMay who came forward with the most emphasis. He disclosed that the budget as sent to Congress had been shorn by the administration of $381 million sought for 100 more Minuteman missiles, $543 million for the RS–70 and $454 million for the Skybolt.

This exchange then took place before the House Subcommittee on Defense Department Appropriations:

Representative Gerald R. Ford, Republican, of Michigan. With the decision on the RS–70 and with the decision on Skybolt, with the decision in the Minuteman area, as you look down the road, General LeMay, to 1968 and years thereafter, do you feel our strategic posture will be as strong, relatively speaking, as it is today?

General LeMay. You have to visualize what the threat is going to be at that time. At this moment, I would say no, and that is what worries me * * *. You cannot buy back time, Mr. Ford.

Representative Ford. Do you accept the philosophy that mutual deterrence or nuclear stalemate is inevitable?

General LeMay. No, I do not accept that philosophy at all.

I think it is a dangerous philosophy to say: Well, a stalemate is going to exist, we cannot do anything about it; therefore we do nothing. If we accept mutual deterrence, this will, I think, inevitably lead to defeat.

A maginot mentality? Main opposition of General LeMay and others to the cutback in U.S. strategic forces is this: An all-missile stalemate force is inflexible. It represents dangerous maginot line thinking that could leave the United States open to disaster if an enemy came up with an antimissile defense or dramatic, new offensive weapons.

Reliability of missiles, testimony makes clear, is far from proven. Accuracy is not up to standards originally set. The chart which appears below gives an indication of today's missile reliability.

General LeMay insists that claims made in behalf of Soviet defenses against U.S. bombers are far overstated. Argument is made than manned-weapon systems will always be needed—in the air or in space. Dissatisfaction is expressed at cuts made in Air Force projects that look forward to possible space warfare.

All that is on the record, as released by committees of Congress.

Not on the record—censored from publication on policy grounds—is another side of the story.

This other side concerns what many top military men consider to be a softheaded philosophy about relations with Russia. The idea that the United States can lead Russia to disarmament by first partially disarming itself, to set an example.

Military men in large numbers contend that President Kennedy and his chief aid for defense, Mr. McNamara, are "beguiled" by this philosophy.

THE PEACE STRATEGISTS AND THE SPIRAL THEORY

Just what is this philosophy—and whose is it?

One civilian witness before Congress described it in these words:

"An arms race is very much like an argument. The spiral will never turn downward until one party reduces its armaments, even by a small amount at first. * * * In the main area of military spending, it would appear that the U.S., as the country with by far the greatest overkill capacity, has to be the first to take this step. Certainly, the party that is behind in the race is not likely to be the first to do so."

John T. McNaughton, General Counsel of the Department of Defense, and an arms-control expert, says that "arms control" measures need not necessarily be negotiated and based on formal treaties. He feels that arms control can be achieved by starting with "unilateral acts"—one country taking the lead.

Essentially the same view is shared by other top civilian advisers. Among them are several key members of Mr. McNamara's team of "whiz kids" at the Pentagon, as well as Jerome B. Wiesner, Presidential science adviser; Carl Kaysen, White House arms control expert; and Walt Whitman Rostow, policy planner at the State Department. These men are sometimes called the peace strategists.

Outside the Government, Physicist Hans Bethe, of Cornell, is credited with being the most influential strategist for peace. Dr. Bethe plays a role of unofficial adviser similar to one played by Dr. Edward Teller—exponent of a "hard line" toward Russia—during the Eisenhower administration.

These men are described by military leaders are being extremely influential in altering national strategy.

"Nonprovocative" arms: "In 2 years," explains one military man, "there has emerged in this country a military philosophy developed by civilians that predicts a nuclear standoff, with both United States and Russia possessing absolute ability to destroy the other.

"Arms controllers think the risk of war can be lessened by making our forces 'nonprovocative.' Hardened missiles, to be used only in retaliation, are nonprovocative. But antimissiles are not to be pushed hard because they could only serve to provoke the arms race. Space weapons are very provocative. And bombers must be abandoned because they are good only as a 'first strike' weapon and are, therefore, extremely provocative.

"If this philosophy is pursued without restraint of any kind on the Russians, the result could be disastrous. You end up with the United States unilaterally disarming itself of everything except Minuteman and Polaris missiles in the strategic field. You assume a lasting stalemate, but this supposes that the Russians are standing still on antimissiles, giant warheads, space weapons. This is the road to a secondclass military posture in just a few years."

An expert on military affairs adds this note:

"The influence of civilian arms controllers has been tremendous and it accounts, in large part, for the defense-only nature of our strategic outlook, our depreciatory attitude toward any thought of winning and our attitude of resignation toward further increases in Russia's relative military position.

"We have a great force today—a superiority. But while enjoying this superiority we are making all kinds of decisions about the future that will reduce our firepower by a very wide percentage. In other words, we are deciding to get along without the vast firepower of bombers, but giving no serious effort to a next generation of weapons to make up the difference."

Civilian arms controllers, brought under fire, reply that they recognize there is a risk involved. But they consider the risk of a continuing arms race to be much greater. The arms race, in their view, can lead either to national bankruptcy or to a war of annihilation.

ADMINISTRATION'S POSITION: U.S. POWER IS GROWING

Secretary McNamara decries the charge that the United States is in any way weakening its defenses. He sees American power growing, not decreasing, in overall effectiveness.

It is a rapid increase in numbers of missiles that gives the administration confidence. As bombers are phased out, new missiles are coming in at the rate of one a day. More than $30 billion has gone into this missile force.

That picture in more detail:

Atlas: A force of 126 Atlas missiles is now in position, all within range of the Soviet heartland. They carry warheads of 4 to 8 megatons. Because some are "soft" and especially vulnerable, and none react instantaneously to firing orders, they will be replaced in another few years.

Titan: Now in "silos" in Western States are 54 Titan I missiles. By the end of the year 54 Titan II's will be added. Titans are America's mightiest missiles, with warheads of close to 20 megatons each. Outlook is for phasing out the slower-reacting Titan I and retaining only the instant-firing Titan II.

Minuteman: A first wing of 150 solid-fueled Minutemans is installed in Montana, and others are now going into place in North and South Dakota. By 1966 the United States will possess 950 Minutemans in "hard" sites. The Air Force is asking for several hundred more.

Polaris: The program under way calls for a force of 41 Polaris-firing submarines. Already at sea are 10 of these with 16 missiles each. By 1967—a total of 656 missiles, ready to be fired from deep under the sea. Advances in warhead technology have increased the punch of both Minuteman and Polaris more than 1 megaton.

U.S. nuclear forces, it is held, will never lack the power to destroy Russia many times over. This is held true by Mr. McNamara even though the trend is away from bombers and missiles with a "big bang" to Minuteman and Polaris missiles with a relatively "small bang."

Secretary McNamara, at the same time, insists that the security of the United States depends on more than an arsenal of strategic weapons.

He wants a "flexible response" that will enable this country to stand up to a limited-war crisis without having to resort—at the first shot of a rifle—to all-out nuclear warfare.

In recent months, Mr. McNamara points out, there has been an increase of 60 percent in U.S. tactical nuclear forces in Western Europe; a 45-percent increase in combat-ready Army divisions; 30-percent expansion of the number of Air Force tactical squadrons, and 200-percent increase in guerrilla-type forces.

Military spending has gone from $41.5 billion in the last year of the Eisenhower administration to $51 billion for the fiscal year just starting.

Cutback of the RS-70, cancellation of Skybolt, withdrawal of bombers were made, administration officials say, not primarily because these weapons are "provocative" or have no usefulness—but because even a $51 billion budget won't buy everything that military men ask for.

A SOVIET THREAT: DANGER OF AN ARMS BREAKTHROUGH

A growing worry to military men is the danger that Russia may be moving faster than the United States toward breakthroughs to new weapons. The main areas of worry—

Antimissile defense. Russia is thought to be spending as much on defenses against missiles as on offensive missiles. At stake is the future effectiveness of virtually the entire U.S. strategic force, if Russia succeeds in perfecting a missile killer.

Superterror weapon. A single 100-megaton warhead dropped on New York would destroy practically everything for roughly 20 miles in all directions and create firestorms and fallout covering whole States. Heavyweight nuclear tests and rocket shots in the Pacific last autumn indicate the Soviets are developing missiles to carry warheads of mammoth proportions.

THE BIG WORRY NOW—SHRINKING SUPERIORITY OF U.S. POWER

The Russians, it is conceded, already have the capability of orbiting and bringing down hydrogen bombs on targets. Experts say this is an inefficient way to wage war. Others maintain it is just a start—that there is no telling what types of new weapons are being worked on for as yet unknown military use by Soviet Russia.

The United States, by contrast, is described as going slow with weapons of the future that tend to appear speculative and costly. No new strategic weapons system is under serious development at this time in the United States.

Stefan T. Possony, of Stanford's Hoover Institution, a leading authority on military affairs, claims that America's failure to modernize its weapons places the Nation in danger of a "nuclear and technological Pearl Harbor." Dr. Possony's view, shared by numbers of others, is given in detail in the article appearing immediately below.

Concern, overall, is growing rapidly at this time over the upheaval in U.S. defenses.

America's declining power in relation to Russia is the big worry now.

Another—for the future—is Red China's approaching status as an atomic power. That is just a matter of time. The prospect of a nuclear armed and unrestrained Red China creates additional concern in a period when the United States appears to many to be cutting back, not beefing up, for danger ahead.

Missiles: Mainstay of the future—How reliable are they?

TEST RECORD OF LONG-RANGE U.S. MISSILES

Missile	Total firings	Complete success	Rate of success (percent)
Atlas	181	130	71. 8
Titan	80	56	70. 0
Minuteman	48	34	70. 8

Source: U.S. Air Force records, through July 18, 1963.

What the experts say (from hearings before the House Subcommittee on Defense Department Appropriations):

Adm. George W. Anderson, Chief of Naval Operations: "* * * have some doubts as to the reliability of the missiles in the period we are talking about. I do not have the same confidence in any of the missile systems as do some of the technicians who attest to the performance of the missiles."

Representative GERALD R. FORD, Republican, of Michigan: "* * * has any one of these three missile systems been tested on site with operational crews, with a nuclear warhead?"

Gen. Curtis E. LeMay, Air Force Chief of Staff: "No."

Representative FORD: "Are any programed?"

General LeMay: "Not with a nuclear warhead * * *. We tried to get authority during the last series of tests to fire an Atlas with a warhead. It was disapproved."

General LeMay: "A missile is like an airplane. It has a propulsion unit, it has an airframe, and it has a guidance system, and so forth. We know from past experience how much work is necessary to go into an aircraft system to get it reliable enough to guarantee carrying out the mission. We know from thousands and thousands of sorties exactly what the reliability is.

"For instance, in an airplane we have an abort rate of less than 5 percent in carrying out combat missions. With the missile, we will never have the degree of experience that we have with the manned airplane."

Representative DANIEL J. FLOOD, Democrat, of Pennsylvania: "I am seriously concerned about this problem having to do with the percentage of reliability of all of the ICBM missiles, regardless of which generation.

"The average guy in the street is undoubtedly of the opinion that every missile we have, regardless of sophistication, degree, or generation, or name, is 100 percent operational and 100 percent reliable. This, of course, is not the case."

[From U.S. News & World Report, Aug. 5, 1963]

The Pentagon Courts Disaster

(By Dr. Stefan T. Possony, director of international political studies program, Hoover Institution, Stanford University)

It is being suggested in Washington that a technological plateau has been reached, which allegedly allows us to pause before we decide on acquiring new weapons systems.

Evidence on continuing and accelerating technological advances in the Soviet Union is pooh-poohed systematically or passed over in silence. It may be useful, therefore, to take a short look at some of the weapons which the Soviets seem to be developing in order to insure our "burial."

Chief Marshal of Aviation Konstantine Vershinin has reiterated frequently that, though the decisive role in war henceforth will be played by long-range missiles, no future military operations will be feasible without the participation of large numbers of aircraft. The main role in aviation, according to Vershinin, will be assigned to rocket-carrying bombers capable of striking not only stationary but also moving land and sea targets from a long stand-off range. The Soviet Badger and Bear bombers, which have been overflying our carriers, are known to be equipped with air-to-surface missiles.

Insofar as the Pentagon is concerned, it has canceled our long-range Skybolt missile and would like to kill the RS-70. Our B-52 bombers will be phased out in 1968. Without the RS-70, there will be no replacement.

Chief Marshal Vershinin also disclosed: "The further perfecting of new types of aircraft is intended to increase their ceilings, speed, and range. With this goal in mind, work is being done to create atomic engines."

One of Mr. McNamara's first acts as Secretary of Defense was to cancel the atomic jet engine.

Col. Gen. V. F. Tolubko, First Deputy Commander in Chief of Strategic Rocket Forces, disclosed February 20, 1963, * * * that the Soviet Union already possesses antimissile defense weapons.

Nevertheless, the Pentagon has put the quietus on the Nike-Zeus system and is now embarked on a substitute project, the Nike-X, which will take many years to complete, and which in the end might not be approved, either.

The well-known aircraft designer Artem Mikoyan predicted a "semicosmic" airplane, with variable-geometry wings, an extended range of several times 100,000 miles, and a speed of mach 6 to 8.

The Pentagon is most anxious to kill our experimental orbital plane, the X-20 or Dyna-Soar, because it allegedly duplicates a NASA project.

We still are paying lip service to the ridiculous dogma that space is good only for peaceful purposes and we are deflecting most of our massive space budget away from using space as a medium to enhance the security of the United States.

The commander of the Soviet Union's Strategic Rocket Forces, Marshal S. S. Biryuzov, disclosed February 22, 1963, that it "has now become possible to launch, at a command from earth, rockets from a satellite, and this at any desirable time at any point in the satellite trajectory." Privately, Khrushchev has made a similar statement, although he declared that the first such device developed by the Soviets will not be put in operation because his scientists are working on a better model. The Cosmos series of Soviet-launched satellites—this is the type with which they carried out their first rendezvous experiment—may be related to this development.

Yet the Pentagon continues to insist that it makes no sense to place nuclear bombs into orbit. It even goes so far as to assert that, at the present time, there is no discernible military function in space, not even a need to defend the United States against nuclear weapons which the Soviets might launch from orbital vehicles.

It will be said that statements by Soviet marshals or even Khrushchev are nothing but Communist propaganda. But experience has proved, time and time again, that the Soviets talk about new weapons systems only when they have such weapons under development. Perhaps the Soviets will prove unable soon to build a nuclear jet engine. Perhaps the semicosmic plane will appear only in 15 or 25 years. There is no question, however, that the orbital bomb is entirely feasible now. And there is no doubt that the Soviets have tested antimissiles and could be deploying them now as an antimissile and could be deploying them now as an antimissile defense system. Such an initial system might be relatively ineffective, but its propaganda effect would be enormous.

There are a number of additional facts which the Pentagon never disputed but which it is anxious to keep concealed. Colonel General Tolubko derisively compared the biggest American warheads installed in Titan with Soviet missile warheads "whose powers attain 100 megatons." Some skeptics may dispute that the Soviets have 100-megaton warheads now, but hardly any expert denies that their warhead capability is in the 50-megaton range and will reach the 100-megaton level in the future. General Tolubko is absolutely right: Yieldwise, U.S. warheads are limping behind Soviet warheads by one full order of magnitude.

Yet the Pentagon has announced no decision to correct this deadly deficiency.

Even more frightening is the fact that, according to Lieutenant General of the Air Force N. Sbytov, the Soviets possess a bomb with a yield of 160 megatons. This claim may be somewhat inflated as yet, but, to judge from the Soviet tests of 1961, such a bomb is fully within Soviet capabilities. Our biggest bombs have only about half the yield of the biggest devices tested by the Soviets, and they are smaller than several of the bombs which the Soviets tested during 1962.

As things stand today, the Soviets have tested twice as many high-yield devices as the United States. Hence they should be ahead of us in the technology of high-yield bombs and warheads. In March 1962, this was almost admitted by President Kennedy himself. But, there again, nothing is undertaken to correct the deficiency.

This policy of "no" decisions has been creating almost unmanageable problems for the United States. * * * Under Mr. McNamara's administration, missiles with small rather than large warheads are preferred and bomber aircraft which carry the largest firepower are to be phased out.

By hook or crook, we are abandoning the nuclear race.* * *

The pattern has been that, with the exception of a minor beefing-up of our guerrilla capabilities, the ordering of a joint Air Force-Navy fighter, and the contracting of Titan III—not for a military space program but as a "building block," should such a program become necessary in the dim future—Mr. McNamara, during more than 2 years in office, has not authorized a single new weapon system. He is slowing down our technological progress deliberately.

If we allow the Soviets to acquire vastly superior nuclear firepower; if we confront a mixed Soviet strategic force, consisting of missiles as well as aircraft, with only a missile force; if we do not have the missile defenses while the Soviets possess a capability to shoot down our missiles; and if the Soviets achieve military space capability against which we cannot defend ourselves and for which we have no offensive equipment—then there is no doubt that we would be defeated or could win only at the price of excessive American casualties.

The fact that we presently are investing in research and development 50 cents for every dollar we are spending on procurement means that we are financing many exploratory research programs. It does not mean that we are modernizing our decisive weapon systems.

Perhaps the philosophy of "the biggest bang for the buck" had its faults. But the present philosophy of "the least bangs for the most bucks" courts disaster. All things considered, it does not look as though, under the stewardship of Robert Strange McNamara, the United States is being equipped to forestall a nuclear and technological Pearl Harbor.

(Foregoing are excerpts from an article published on April 15, 1963, in the American Security Council's "Washington Report." The council is a private organization reporting on matters affecting national security.)

PROPOSED CONSTITUTIONAL AMENDMENTS

Mr. THURMOND. Mr. President, in the July 1963 issue of the American Bar Association Journal, there appears an article entitled "Proposed Constitutional Amendments: They Will Strengthen Federal-State Relations." This article was written by Mr. Frank E. Shanahan, Jr., a practicing lawyer in Vicksburg, Miss., and a member of the State House of Representatives in Mississippi.

In this article, Mr. Shanahan makes a very convincing argument for the adoption of three constitutional amendments which have been proposed by the General Assembly of the States. All three of these amendments, two of which I have introduced, are now pending before Congress. I ask unanimous consent that this article be printed in the RECORD at the conclusion of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PROPOSED CONSTITUTIONAL AMENDMENTS: THEY WILL STRENGTHEN FEDERAL-STATE RELATIONS

(By Frank E. Shanahan, Jr., of the Mississippi bar (Vicksburg))

(Three far-reaching amendments to the Federal Constitution have been proposed by the General Assembly of the States, a biennial convention of State legislators and officials sponsored by the Council of State Governments. The amendments, explained here with their background by Mr. Shanahan, would (1) change the procedure by which the Constitution may be amended, (2) remove questions of State legislative apportionment from the Federal judicial power, and (3) establish a Court of the Union to review decisions of the U.S. Supreme Court relating to "reserved rights.")

During recent years there has been much discussion about the centralization of power in the Federal Government at the expense of the reserved rights and powers of the States and the people, as guaranteed by the 10th amendment to the U.S. Constitution. While the discussion has raged back and forth, however, very little, if anything, has been done or proposed in an attempt to remedy the situation in a practical manner.

That the people are convinced that a problem exists is obvious. It is a main topic in speeches before many civic clubs, political gatherings and other meetings. Organizations have been formed for the primary purpose of opposing this trend. While it is true that the problem of finding a proper and equitable balance in the Federal-State relationship has been with us since the founding of the Republic, it is also true that the problem has taken on renewed importance within the last several years.

A major factor in this regard is the feeling of many responsible citizens that the Federal courts, led by the U.S. Supreme Court, are acting with an increasing lack of judicial self-restraint and concern for prior established decisions in this field. This was pointed out most dramatically by the Conference of Chief Justices (a conference of the chief justices of the State supreme courts) in 1958 in its "Report of the Committee on Federal-State Relationships as Affected by Judicial Decisions." The report was unique in that it was a formal criticism, with documentation of cited cases, of the U.S. Supreme Court by the State supreme court chief justices. They formally indicted the Supreme Court for lack of judicial self-restraint and predicted a mounting crisis unless the Federal judiciary returned to the time-honored concepts of judicial interpretation in keeping with the fundamental philosophy on which this Republic was founded. The 14th Biennial General Assembly of the States, held in Chicago in December 1958, commended the chief justices' report.

However, subsequent events have shown that the Federal Government has given scant attention to these protests. In fact, in 1962 the U.S. Supreme Court in the reapportionment decision, *Baker* v. *Carr*, 369 U.S. 186, made the field of State legislative apportionment subject to Federal judicial review, casting aside unanimous authority to the contrary which extended back to the founding of the Republic.

It has become increasingly apparent that the problem is not possible of solution by mere protests, resolutions, and reports. The trend toward centralization of power in the Federal Government has become so pronounced that only a solution based on reforms at the most basic level will have any probability of success. It is apparent also that if an equitable balance in the Federal-State relationship is to be maintained, the reform cannot be indefinitely delayed.

CONSTITUTIONAL AMENDMENTS PROPOSED AS DESIRABLE

With this background in mind and with a desire to maintain and strengthen the fundamental concepts on which this Republic was founded, the National Legislative Conference, meeting in Phoenix, Ariz., in September 1962, adopted a resolution looking toward an effort to propose certain amendments to the U.S. Constitution, which would have as their purpose the strengthening of the 10th amendment so as to make it more meaningful.

Acting under authority of this resolution, the Federal-State Relations Committee of the National Legislative Conference presented its report to the 16th Biennial General Assembly of the States, held in Chicago in December 1962. A majority of the States present and voting (about 46 of the 50 States were present and voting) approved the report, endorsed the proposed amendments to the Constitution and recommended that all the States introduce and pass them in 1963. As these proposed amendments will be or have been up for consideration before the State legislatures of many States in 1963, members of the American bar will be called upon to express opinions and should have an interest in them. With this thought in mind, the proposed amendments—and the thinking behind them—are set forth.

THREE AMENDMENTS ARE SUGGESTED

The essential recommendation adopted was that there be introduced in each State legislature uniform joint resolutions dealing with proposed amendments to the Constitution in the following particulars:

(1) To revise and simplify the amending procedures of article V;

(2) To eliminate Federal judicial authority over the apportionment of State legislatures; and

(3) To establish a "Court of the Union" with authority to review U.S. Supreme Court decisions relating to the rights and powers reserved to the several States and to the people.

Each of the resolutions petitions the Congress to call a constitutional convention for the purpose of proposing the three amendments. However, each resolution provides that if the Congress shall have proposed prior to January 1, 1965, an amendment to the Constitution, identical with that contained in the resolution, then the application for a constitutional convention shall no longer be of any force and effect. Therefore, it is apparent that the intent is to have the proposed amendments submitted to the States for ratification; there is no desire or intent that a constitutional convention be called unless the Congress refuses to act on the request of the States.

The provisions of article V of the Constitution, which deal with the procedures by which the Constitution may be amended, make this approach necessary if the States, rather than the Congress, are to become the initiating force. It provides two basic ways of proposing amendments and two means of ratification. Action of two-thirds of each House of the Congress can initiate an amendment. The President has no part in the process. The second alternative is an application by at least two-thirds of the State legislatures for a convention to amend the Constitution, after which the Congress is required to call a convention. The two methods provided for ratifying amendments once proposed are: (1) approval of three-fourths of the State legislatures or (2) conventions approving the proposed amendment in three-fourths of the States. Since the adoption of the Constitution, the convention method has not been used to initiate amendments. This means that there is little or nothing that can be added by experience to the incomplete provisions of article V.

What information is available is conflicting. Some writers have argued that it is enough for the requisite number of States to apply for a convention, regardless of the difference or similarity in amendments they favor, and that the length of time from the first to the last of the State applications is immaterial.[1] A contrary conclusion is indicated by language in decisions by the U.S. Supreme Court construing article V.[2] These opinions say that the length of time between the proposing of an amendment and the occurrence of State ratifications may be an important factor, although it would seem that the issue raises a political question rather than a question on which the courts should pass.

As the convention method provided for in article V has not been used, however, the issue still remains one of debate. Because of these uncertainties, it is obvious that the only prudent course is for the States not to rely on doing the minimum which they might have reason to believe would suffice to meet the requirements of article V, but to proceed in a manner that clearly will meet these requirements. As the Congress has shown little inclination to act on resolutions merely asking it to submit proposed amendments to the States for ratification, a petition for a convention is the only effective method left available to the States.

To meet the requirements of article V for the convention method, no fewer than 34 States must make application to the Congress for the calling of a convention. While it is possible to argue that such applications may be separated from each other by any number of years in time, it seems highly likely that to be effective they must be contemporaneous. In fact, the closer together they are in time, the greater the impact the call for a convention will have, the more likely Congress is to feel bound to arrange for a convention and the greater the chance that enough popular interest will be generated to give the amendment process an opportunity for success.

ACTION ON SINGLE JOINT RESOLUTION IS URGED

The next problem relates to the means of addressing an application for a convention to Congress. Since the application must come from the State legislatures, the application must be in a form that clearly constitutes legislative action. A single resolution adopted jointly and uniformly by both Houses would appear to be the most appropriate form for such action to take. A study made in 1952 by the staff of the U.S. House of Representatives Committee on the Judiciary expresses some doubt whether identical but separate resolutions from each of the two chambers of a State legislature would be sufficient.[3] While this rigor of interpretation seems inappropriate, there is no reason to invite trouble by substituting some other device for joint action on a single resolution. Moreover, the resolutions do not involve participation by the Governor. The words of article V providing that an amendment is proposed by action of two-thirds of both Houses of Congress has regularly been interpreted to mean that the President neither signs nor vetoes resolutions of Congress proposing amendments. Consequently, it would seem that applications by the State legislatures as a method setting the amendment machinery in motion do not include the State executive in the process, unless specifically required by a particular State's procedure.

The contents of resolutions to be adopted by State legislatures is a matter of crucial importance. There is nothing in article V to suggest that applications from the State legislatures need do anything more than call for a convention, without specifying the respect in which it is desired to amend the Constitution. Even if such resolutions were held sufficient to compel the calling of a convention by Congress, however, the ensuing confusion in the work of the convention would be great. Congress might then feel, free moreover, to limit or direct deliberations of the convention in ways not intended by the legislatures.

Resolutions which generally identify the subject matter of amendments desired by the applicant State legislatures seem more likely to further a project for amendment. For example, the legislatures might memorialize Congress to call a convention for the purpose of amending the Constitution with respect to "clarifying Federal-State relationships." But this would leave much unclear. An amendment must ultimately appear in a single text if the ratifiers are to have anything before them which they may adopt as part of the Constitution. The convention might work out a text. But since no one can now say with certainty who the members of the convention would be, the mere specification of subject matter might give the applicants little control over the amendments ultimately proposed or over a decision made by the convention to propose or refrain from proposing amendments.

Therefore, it was determined that the course most likely to secure action is the inclusion of actual text amendments in the resolutions calling on Congress to arrange a convention. State legislatures are asked to consider identical resolutions containing identical amendments to the Constitution. Moreover, this action makes it more likely that Congress would consider proposing the same amendment, thus obviating any need for a convention and the many problems which could result.

FIRST PROPOSAL DEALS WITH AMENDING PROCESS

It was then concluded that three amendments to the Constitution are needed if the 10th amendment is to be strengthened and made more meaningful.

The convention method for initiating amendments to the Constitution has not been used since it was adopted. It is a cumbersome method subject to legal confusion because of the lack of precedent. For example, article V states only that upon application of the legislatures of two-thirds of the States, Congress shall call a convention for the purpose of proposing amendments to the Constitution. How promptly Congress is to act, whether the applications from the States must indicate that they seek the same kind of amendments, or whether it is enough that two-thirds of the State legislatures over an indefinite period of time would indicate dissatisfaction with some part of the Constitution, how the convention is to be organized and who is to participate in it, what measure of freedom the convention once called is to have in deciding what it will propose, whether the convention can be limited, and the extent of the limitation—all these are legally unanswered questions.

For these reasons it was determined that article V should be amended to eliminate the convention method as a means of initiating and ratifying amendments to the Constitution. Also, it was determined that if two-thirds of the State legislatures make application containing identical texts of an amendment Congress should not have the power to prevent the submission of the proposed amendments to the States for ratification by three-fourths of them, as it does now.

Therefore, it was determined that article V of the U.S. Constitution should be amended to read as follows:

"SECTION 1. The Congress, whenever two-thirds of both Houses shall deem it necessary, or, on the application of the legislatures of two-thirds of the several States, shall propose amendments to this Constitution which shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three-fourths of the several States. Whenever applications from the legislatures of two-thirds of the total number of States of the United States shall contain identical texts of an amendment to be proposed, the President of the Senate and the Speaker of the House of Representatives shall so certify, and the amendment as contained in the application shall be deemed to have been proposed, without further action by Congress. No State, without its consent, shall be deprived of its equal suffrage in the Senate.

"SEC. 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within 7 years from the date of its submission."

SECOND AMENDMENT REMOVES REAPPORTIONMENT POWER

The General Assembly of the States determined that the U.S. Supreme Court's reapportionment decision was an unlawful usurpation of power by the Federal judiciary over the internal affairs of the States and the people, and that the decision was contrary to all legal precedent in the field, as well as to the doctrine of "separation of powers" on which the Republic was founded. Current decisions in this field by the lower Federal courts have resulted only in confusion, without giving promise of any orderly future solution. That the legislative powers of the people should be organized according to the dictates of an appointed Federal judiciary was determined to be in violation of the doctrine that the Government shall be composed of the executive, legislative and judicial branches, each of which would exercise separate, but equal powers. When this doctrine is successfully overcome, the whole theory of "checks and balances" is upset. A Federal judiciary that can dictate the organization of a State legislature can indirectly dictate the organization of the

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[1] Packard, Constitutional Law: The States and the Amending Process, 45 A.B.A.J. 161; February, 1959.

[2] *Colman* v. *Miller*, 307 U.S. 433 (1939); *Dillon* v. *Gloss*, 256 U.S. 368 (1921).

[3] Staff of House Committee on the Judiciary, 82d Cong., 2d sess. "Problems Relating to State Applications for Convention To Propose Constitutional Limitations on Federal Tax Rates" (Comm. Print 1952), p. 6.

U.S. Congress because of the fact that seats in its House of Representatives are districted and redistricted by action of the State legislatures. It was felt that legislative reapportionment should be resolved without Federal interference, as the judicial cure is possibly worse than the alleged illness. Accordingly, it was determined that *Baker* v. *Carr* should be nullified, and the historic position of the Republic maintained. It is proposed that this provision be added to the Constitution:

"ARTICLE —

"SECTION 1. No provision of this Constitution, or any amendment thereto, shall restrict or limit any State in the apportionment of representation in its legislature.

"SEC. 2. The judicial power of the United States shall not extend to any suit in law or equity, or to any controversy, relating to apportionment of representation in a State legislature.

"SEC. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within 7 years from the date of its submission."

COURT OF THE UNION IS THIRD PROPOSAL

The States and the people must have an appellate procedure from decisions of the U.S. Supreme Court more effective than that now existing. At the present time the only practical recourse available to the States and the people from a decision of the Court is to Congress. In most instances this is sufficient and proper. However, when the decision concerns the rights reserved to the States or to the people by the Constitution, it is inadequate. These decisions are usually far reaching in their consequences, and even if the Congress should act wtih reasonable haste in the matter, the damage is often incalculable. When Congress acts, moreover, one is not certain that the problem has been solved, because the Court still has the final power to interpret the legal effect of the acts of the Congress. Therefore, if the Court would determine the acts of Congress unconstitutional, then the act is cast aside and the original decision is maintained, leaving the States and the people no recourse except a constitutional amendment. Also, there is a limit of human objectivity available when one must seek redress from one branch of the Federal Government concerning alleged wrongs committed by another branch, particularly when the point of dispute relates to an alleged right or power held or desired by the Federal Government.

It was not intended that adverse reflection be cast on either the Congress or the Court. All branches of the Federal Government are, by and large, attempting honestly and competently to fulfill their responsibilities. However, the fact remains that under present available procedures, when a controversy arises between the States or the people on the one hand and the Federal Government on the other, it is a branch of the Federal Government that is the final arbiter. It is understandable that when the dispute is over the alleged usurpation by the Federal Government of an alleged right or power reserved to the States or the people by the 10th amendment, that the States or the people will often remain hostile to and unimpressed by a final decision by a branch of the Federal Government. And this is particularly true when the effect of the final decision is to cast established authority aside and, using "legalisms," to deprive the States or the people of a right or power allegedly reserved to them by the 10th amendment. The result necessarily is that the dispute thereafter becomes an intense, emotional political issue.

Therefore, in matters relating to the reserved rights and powers of the States or the people a further appellate procedure should be available. This procedure would make the States the final arbiter of disputes of major importance that relate to the rights or powers reserved to the States or the people. Based upon these considerations, the establishment of a "Court of the Union" is proposed.

This court, which would be composed of the chief justices of the highest courts of each State, would have an extremely limited, but important, jurisdiction. It could hear and determine only matters relating to the rights or powers reserved to the States or to the people. It could hear and determine these matters only after the U.S. Supreme Court had rendered a judgment relating thereto; and, then, only if within 2 years after the rendition of the judgment, the legislatures of five States, no two of which share any common boundary, make demand for review. The sole issue before the court would be whether the power or jurisdiction sought to be exercised on the part of the Federal Government is a power granted to it under the terms of the U.S. Constitution. Even then it will require the concurrence of a majority of the entire membership of the "Court of the Union" to reverse a decision of the U.S. Supreme Court. It is provided, however, that decisions of this court on matters within its jurisdiction shall be final, shall not thereafter be overruled by any court, and may be changed only by an amendment to the U.S. Constitution.

It is submitted that in the limited field of reserved powers, it is entirely proper that a decision of the U.S. Supreme Court should be overruled and held for naught if at least 26 of the 50 States, speaking through their judicial branches of government, determine the decision to be in violation of the terms of the Constitution. Moreover, if a majority of the States concurred with the decision of the Supreme Court, then the remaining States would be more inclined to accept the decision without vigorous protest, thus tending to remove the matter from the field of emotional politics. This is true because under this procedure the States themselves would be the final arbiters of the extent of their reserved rights and powers.

Accordingly, this amendment to the Constitution is proposed:

"ARTICLE —

"SECTION 1. Upon demand of the legislatures of five States, no two of which shall share any common boundary, made within 2 years after the rendition of any judgment of the Supreme Court relating to the rights reserved to the States or to the people by this Constitution, such judgment shall be reviewed by a court composed of the chief justices of the highest courts of the several States to be known as the Court of the Union. The sole issue before the Court of the Union shall be whether the power or jurisdiction sought to be exercised on the part of the United States is a power granted to it under this Constitution.

"SEC. 2. Three-fourths of the justices of the Court of the Union shall constitute a quorum, but it shall require concurrence of a majority of the entire court to reverse a decision of the Supreme Court. In event of incapacity of the chief justice of the highest court of any State to sit upon the Court of the Union, his place shall be filled by another justice of such State court selected by affirmative vote of a majority of its membership.

"SEC. 3. On the first Monday of the third calendar month following the ratification of this amendment, the chief justices of the highest courts of the several States shall convene at the National Capital, at which time the Court of the Union shall be organized and shall adopt rules governing its procedure.

"SEC. 4. Decisions of the Court of the Union upon matters within its jurisdiction shall be final and shall not thereafter be overruled by any court and may be changed only by an amendment of this Constitution.

"SEC. 5. The Congress shall make provision for the housing of the Court of the Union and the expenses of its operation.

"SEC. 6. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within 7 years from the date of its submission."

PROPOSALS WILL STRENGTHEN OUR FEDERAL-STATE DUALISM

The characteristic of our constitutional government that has contributed most to the development of democratic processes and the preservation of human rights is the division of the powers of Government between the National Government and the States on the one hand, and among the executive, legislative and judicial departments of both State and Federal Governments on the other.

Over the years we have escaped the evils of despotism and totalitarianism. It is only when each division of the entire governmental structure insists on the right to exercise its powers, unrestrained by any other, that the proper balance can be maintained and constitutional government, as we understand it, preserved.

It is the responsibility of the National Government to protect the people from invasion by the States of those rights which are guaranteed to them by the Federal Constitution. It is equally the obligation of the States to initiate and to prosecute to fruition the necessary procedures to protect the States and the people from unwarranted assumption of power by any department of the Federal Government.

The most sacred duty of all public officials, whether State or Federal, and the highest patriotic responsibility of all citizens, is to preserve, protect and defend the U.S. Constitution, including that portion of the Constitution intended to guarantee a government of dual sovereignty.

Some Federal judicial decisions involving powers of the Federal and State Governments carry a strong bias on the Federal side. They are bringing about a strong shift toward the extension of Federal powers and the restraint of State powers. This shift tends to accelerate as each decision forms the basis and starting point for another extension of Federal domination.

It is the ultimate of political ingenuity to achieve a vigorous federal system in which dynamic States combine with a responsible central government for the good of the people. These proposed amendments are offered in that spirit; they are advocated as a basis of accomplishing that purpose.[4] The amendments, when offered in the U.S. Congress, will be offered in the same spirit and for the accomplishment of the same purpose.

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[4] As of June 17, 1963, based on the best information available, it appears that 23 of the 42 State legislatures in regular session had given consideration to one or more of the resolutions. Of these 23, one or both houses of 17 legislatures had approved the first resolution, 18 the second, and 9 the third. A list of the legislatures in which one or both houses have taken favorable action on one or more of the resolutions follows:

I (art. V); Arkansas*, Colorado, Florida*, Idaho*, Illinois*, Kansas*, Louisiana*, Mississippi, Missouri*, New Hampshire*, New Mexico, Oklahoma*, South Carolina*, South Dakota*, Texas*, Wisconsin, Wyoming*.

II (apportionment): Arkansas*, Colorado, Idaho*, Illinois, Kansas*, Louisiana, Mississippi, Missouri*, Montana*, Nebraska**, Nevada*, Oklahoma*, South Carolina*, South Dakota*, Texas*, Utah***, Washington*, Wyoming*.

III (Court of the Union): Alabama*, Arkansas*, Florida*, Louisiana*, Mississippi, New Mexico, North Carolina, Wisconsin, Wyoming*.

* Denotes favorable action by both houses of the legislature.

The Council of State Governments is a joint governmental agency of all the States, organized in 1933 "to assist the States in improving their legislative, administrative and judicial practices, to promote interstate cooperation and to facilitate and improve State-local and State-Federal relations." The council is composed of the commissions on interstate cooperation or similar official bodies of the individual State governments. It is supported exclusively by appropriations of the State legislatures.

The council holds a General Assembly of the States biennially, the delegations to which are selected by the State commissions. Each State is entitled to one vote. It was at the biennial meeting held in Chicago in December 1962, that the three amendments discussed in these articles were approved for adoption by States. The amendments were recommended to the General Assembly by the National Legislative Conference, a related organization.

The proposed amendment to change the amending procedure was approved by the General Assembly by a vote of 37 to 4, with 4 delegations abstaining. The proposal to deprive the Federal courts of jurisdiction in State legislative apportionment cases won approval 26 to 10, with 10 States passing. The Court of the Union amendment was approved narrowly, 21 to 20, with five States passing.

THE MAN WHO THOUGHT HE HAD HOSPITAL INSURANCE

Mr. METCALF. Mr. President, one of the most important pieces of legislation before this Congress is S. 880, to provide hospital insurance benefits for the aged, self-financed under the Social Security Act.

In an effort to cloud the issue, the opponents of this bill, the organizational heirarchy of the AMA, has claimed that there is no need for this program on the grounds, among others, that private health insurance provides adequate coverage. It is this aspect of this problem—the disheartening inadequacy of private health insurance plans—which I believe needs to be put into perspective. Case after case has shown that the average cost of medical care for our elders is just too large to be put in an insurance package. People over 65 get sick more often than younger people. They use three times as much hospital care as younger people and have medical bills over twice as high as younger people. All this expense is incurred by that age portion of our population that has the lowest income.

In order to put together some semblance of a salable policy, private health insurance companies have had to resort to several devices. They include:

First. Drastically limiting the benefits.

Second. Limiting the ailments eligible—sometimes through deceptive or fraudulent advertising.

Third. Accepting only the best statistical risks.

Fourth. Canceling the insurance at the first sign of ill health.

Recently I have received correspondence from many of my constituents which illustrate these points.

One of my constituents is an elderly man who thought he had adequate hospital insurance. He and his wife together paid $300 a year for hospital and out-of-hospital insurance policies. He had a certificate of insurance which outlined all the circumstances for which he could claim reimbursement. Yet when he and his wife became ill and required hospitalization, they lost most of their life savings paying the hospital bills they thought they had insurance to cover. What they really had was a policy that paid a small part of their hospital costs part of the time and only up to an unrealistically low limit.

My constituent's wife became ill. She was treated by a doctor and then hospitalized for 10 days. She had an operation, then died. The total cost for her care for this short illness was more than $1,700. The most that could be obtained from every provision of that pitiful insurance policy was around $450. This hospital insurance coverage cost this woman $96 per year. This is not adequate insurance, but there are millions of our older citizens who have similar policies and they think they have insurance, too.

Death ended her problems but her husband's problems just began. Without impoverishing himself he could not pay the bills. He paid.

The surgical benefits schedule in their policy was far below what their surgeon charged on the basis of the Average Fee Schedule for Montana. In the case of the operation performed on the wife, the policy paid $65 less than the Average Fee Schedule listed.

I am in full realization of the fact that S. 880 does not cover all aspects of a person's hospital costs. It does cover the major portion, however.

In the case of miscellaneous hospital charges such as drugs, X-rays, laboratory, use of the operating room, and so forth, the policy paid only one-half of the expenses incurred and only up to a maximum of $120. These miscellaneous charges are the charges that are more often than not the most expensive charges in a hospital stay. In the case of my constituent's wife, they accounted for four-fifths of her hospital bill. This limit of $120 is typical for old-age health insurance policies and is usually just a drop in the bucket compared to the actual costs of these services.

The policy allowed only $3 per day for visits by a doctor in the hospital and that only for a limited time.

The policy allowance for room and board was below the actual charges made.

This is not necessarily the fault of the insurance company, for as I have stated, insurance which would adequately cover the usual contingencies for older people would be just too costly. From the insurance companies' standpoint, it is an insoluble underwriting problem.

The Department of Health, Education, and Welfare reports that with aged couples, when one or the other is hospitalized, in over half the cases their total medical bill for the year is more than $800.

Elderly people are, in actuarial terms, "high risk" and "low income." The lower a man gets on the economic scale, the less likely he is to have any form of health insurance but he is the person who needs coverage the most.

Medical Economics, a journal for the medical profession, reports in its July 1, 1963, issue that in New York, Connecticut, and Massachusetts 76 insurance companies have, because of this "high risk-low income" situation, pooled the risks and tried to sell the policies to the over-65 age group at cost. They have managed to sell only 183,000 policies since 1961.

My constituent did happen to pick an insurance company, one of the largest in the field, that has extremely high administrative costs. In 1961, for example on all their nongroup medical expense policies they paid out in benefits less than half the money they took in in premiums. This is not too far out of line, however, for of all insurance companies providing health insurance in 1961, the amount paid out in benefits was only 53 percent of what was taken in in premiums. By way of comparison, social security administrative costs have proven to be less than 5 percent.

Mr. President, another example of the inadequacy of private health insurance plans is when the company limits the conditions or ailments which they will cover. Sometimes this takes the form of just a blanket exclusion of preexisting conditions or a waiting period of 6 months on the preexisting conditions, while the insured is paying for coverage, or simply limiting the diseases covered.

One of my constituents bought an over-65 policy through the mail advertised for nondrinkers. When he got the policy he found that it had an endorsement stamped on the outside which stated that the policy was not good for certain diseases. His doctor told him that the diseases listed accounted for 99 percent of the possible contingencies and that consequently the policy was worthless. Although this is an extreme case, even reputable firms have found it necessary to use large exclusionary clauses in order to cut down their risks.

A third example of the inadequacy of private health insurance plans for the over-65 age group occurs when the insurance companies will not accept those people who need the insurance the most, those with a bad health history. I am not contending that insurance companies are obligated to lose money, I am contending that the problem of our older citizens' health insurance needs is not solved by private plans.

There are always at least two sides to any question. In the case at hand, there are at least four interested parties—the older person himself, the insurance company, those relatives of the

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** Denotes favorable action by Nebraska's unicameral legislature, but the resolution was vetoed by Gov. Frank Morrison.

*** Language differs from standard resolution.

On Feb. 14 Senator J. STROM THURMOND, of South Carolina, introduced the first and third resolutions in the U.S. Senate as S.J. Res. 42 and S.J. Res. 43. They were referred to the Committee on the Judiciary. In the House of Representatives SYDNEY A. HERLONG, of Florida, has introduced the second resolution as H.J. Res. 300.

older person who pay for the medical costs of the aged person, and society as a whole.

The first three above groups are basically in the same position. The problem they face—rising medical costs, already too high, without rising resources—has not been solved by their common action and there is no indication that in the future older people are going to start needing less medical care than now or that they will become a higher income group than they are now. It, therefore, becomes the responsibility of the society as a whole to provide a framework for them to solve the problem.

The last example of the inadequacy of private health insurance plans is when the policy is cancelable and the company, for actuarial reasons, but without warning, either cancels the policy outright after the first signs of illness or requires the policyholder to accept even more limited coverage. This borders on the unethical but is a widespread practice.

Mr. President, there are millions of our older citizens who think they have health insurance. They really will not know how wrong they were until it is too late, until they get hit with a whopping hospital bill that their policy only partially covers.

I am sure my colleagues also have much mail indicating the same dissatisfaction of our senior citizens with their private health insurance policies. Naturally they turn to us, their representatives, for redress. What are we to tell them? Can we tell them that they do not need any help as the AMA tells us? I think this is an insult to them and to the facts. Shall we tell them that it is socialized medicine and, therefore, a bad thing for them when, actually, it is a capitalistic answer to socialized medicine? Shall we tell them that it is too costly when all projected financing figures show that it will be easily fit into the fiscally sound social security system?

This problem of our aged will not go away by ignoring it; it requires affirmative action.

I would like to include in the RECORD three fine articles on this very subject which appeared in recent issues of the Machinist and Senior Citizen News.

I ask unanimous consent that these articles from the July 4, 1963, issue of the Machinist and the June 1963 issue of Senior Citizen News be printed in the RECORD at this point.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From Senior Citizens News, June 1963]

PRIVATE INSURANCE HEALTH CARE PREMIUMS CLIMB FASTER THAN HEALTH CARE COSTS

The insurance industry has launched a massive campaign to discredit hospital care through social security with a fresh batch of policies. When Congressman FORAND first introduced the Forand bill, there were no such senior citizen policies.

There are an estimated 600 senior citizen policies at the present time, most of which are not worth the paper they are written on. Fly-by-night policies such as were dreamed up last summer and fall often get insurance companies into difficulties, such as with Blue Cross. It is noticeable that Blue Cross is not currently advertising senior policies as they were last fall. The grandiose promises of Blue Cross are beginning to come home to roost.

In Michigan, Blue Cross testified for the need of a substantial increase in premiums. Last fall during the elections they advertised for senior citizens to sign up. They took in $18 million in premiums. Then came the trouble. They had to deliver $34 million in benefits. The result, $16 million in the red in 1 year which the younger policyholder had to absorb. Now they are begging for an increase in the premium rate, and will probably get it.

We have long known that a comprehensive insurance policy, one that covers two-thirds of the health care bills, would run in the neighborhood of $220 to $240 per year, depending on the part of the country in which the person lives. These are standard, big-name comprehensive policies. The older, average senior citizen, getting slightly more than $1,000 from all sources, simply cannot pay between a fifth or a fourth of his cash income for adequate medical insurance.

Many of the insurance policies sound good in the advertisement. However, when the fine print contracts come—after sending in the coupon and after hours of struggling to interpret legal verbiage—little in the way of protection is actually offered. At the present time, the Department of Health, Education, and Welfare indicates that only about 15 percent of medical costs of seniors are paid by insurance.

Ask any senior citizen group the question: "Have any of you had the experience of a policy which sounded good but, when the chips were down, the policy did not pay what you anticipated it would?" Usually the majority of hands come up.

The cost of medical care is generally known as the fastest rising item in the cost of living. But what is more startling, when you begin to examine the cost of hospital care, is that it continues to go up at a very fast rate, doubling every 10 years. The average hospital cost per day in the United States after World War II was $10 per day. By 1950, it had gone up to $15 a day—by 1960, it had gone up to $32—and by 1970, it is expected to be around $70 a day. It is jumping up on schedule. This past year it increased about 10 percent.

What is more shocking is the fact that hospital insurance is going up at a faster rate than even the cost of hospital care.

Most States have had the experience of Blue Cross raising its premiums about every 2 years. While most people today cannot afford hospital insurance at current prices, within a few years private hospital insurance—of a comprehensive type—will price itself out of reach for better than 80 percent of the senior citizens. One-third of all senior policies are now being paid for by the children of the policyholders. Most policies pay one-third to one-fourth of the total hospitalization costs.

[From the Machinist, July 4, 1963]

CRISIS IN HEALTH INSURANCE

(By Sidney Margolius)

A crisis in health insurance has developed as the result of rising medical costs and the inability so far of unions and management to control these costs.

Not only do retired people find it difficult to buy adequate health insurance at prices they can afford, but even the group insurance of active workers has been diluted by rising costs, labor insurance experts report. In fact, the present system of indemnity insurance provided by many labor contracts has contributed to the leaping costs.

Indemnity insurance usually provides specific allowances, such as $15 a day toward hospital care, or $150 for an appendectomy or $3 for office visits. But as doctors and health services have raised their fees far beyond the allowances paid by the health plans, even insured families are being compelled to pay an increasingly large share of their medical bills out of pocket. Your fringe dollar has been buying less and less medical care.

Higher benefits have been negotiated in many health-insurance plans during the past 4 years in an attempt to catch up with actual costs. But the whole pattern of set allowances is coming apart at the seams, says Jerome Pollack, director of the New York Labor-Management Council of Health and Welfare Plans.

Medical costs have climbed faster than other living expenses. Even since the 1957–59 period, medical costs have risen 16 percent compared to an overall rise in the retail price index of 6 percent.

In fact, there is reason to believe the index may not fully reflect the actual jump in medical costs. For example, Irving Block, associate director of the New York Labor-Management Council, points out that the index doesn't give sufficient weight to the dramatic rise in hospital ancillary services like lab fees, drugs, and dressings. These have risen even more than room charges, Block advises. Ancillary charges now usually total as much as the room charges and for a short, critical stay can be even higher.

On the west coast especially, where indemnity plans have boomed and in turn have pushed up medical fees, an actual runaway inflation of costs has occurred.

For example, hospitals charge $30 and sometimes more for semiprivate care in Los Angeles. San Francisco and Seattle, compared to $19 to $25 in such cities as St. Louis, Cincinnati, Philadelphia, Washington, Pittsburgh, Chicago, and most others. An office visit will set you back $6 to $7 in the California cities but only $4 to $5 in New York and a number of other big towns. You can have a baby for little more than $100 in Cincinnati, but will pay over $200 in San Francisco, presumably for the same size.

Even an ordinary cough medicine like terpin hydrate costs $1.80 or more for a measly 4 ounces in San Francisco, Los Angeles, and Seattle compared to $1 or a shade more in many other large cities.

Nor are high medical costs confined to the west coast. Despite the South's low wages, some of the charges in cities like Atlanta are higher than in many Northern and Midwest cities.

The new crisis in medical costs actually is a crisis of affluence, Pollack believes. In the 1930's we had a crisis in medical care, too. That was at a time when there was virtually no health insurance. Today we are spending a solid $24 billion a year for medical care but have not learned how to manage it to get the most and best care.

Now that the present indemnity insurance, too, is proving satisfactory, labor groups and managements are having to seek a new tack. Management has become concerned, too. When collective bargaining is over, the employer has to worry about how much care the fringe dollar he has agreed to, will really buy.

The new tack taken by a group of 15 welfare plans in the New York area, and being explored by those in several cities, is to band together to seek ways to control local medical costs.

One of the main costs that needs exploring is hospital charges, Pollack advises. The "crisis of affluence" has led both to overutilization and to duplication of facilities, since at present there are few controls on where hospitals should be built.

Present forms of health insurance themselves encourage overutilization by failing to provide for diagnostic services outside the hospital, Pollack points out. Sometimes a doctor hospitalizes a patient so he won't have to pay out of pocket for tests that are covered in a hospital but not in a doctor's office, not because the doctor is dishonest but because he's humane.

Pollack lists four frequent loopholes in insurance. These are useful to watch for, whether you buy insurance in a group or individually:

Insurance is almost always confined to hospitalized illness. Sensible insurance would also cover diagnostic tests outside the hospital.

Items of severe need like rehabilitation are not insured.

Surgical payments are limited to indemnity fees much below actual charges.

Drugs are not covered.

The "crisis of affluence," by pushing up medical costs also has heightened the medical poverty of most underinsured groups, such as lower income nonunion families, and older folks.

Previously we reported that booming medical fees—inflated largely by the very indemnity insurance they are supposed to pay—have created a new crisis in medical care.

Indemnity insurance provides specific allowances, such as $15 a day toward hospital care, or up to $150 for hospital extras. But as doctors and hospitals have raised their fees beyond these allowances, the medical poverty of such groups as retired people, who usually have little or no medical insurance, especially have been heightened.

Now, with labor unions and many consumer co-ops urging passage of the King-Anderson bill to provide medical insurance for the elderly under social security, the private insurance companies have come up with their own plans. These are the "over 65," "plus 65," "golden 65" and similar policies being heavily advertised in various areas.

In particular, a number of insurance companies have joined together to offer "pooled coverage" for people over 65. These new "65 plans" are what a leading insurance company executive calls the "industry's answer to socialized insurance." Ignoring the loaded remark about "socialized insurance," the new "65 plans" are a noticeably inadequate answer to the pleas of senior citizens and community organizations that Congress allow at least minimum health insurance under social security.

Even though the new plans may be the best the insurance industry yet has to offer to older people, a study by this writer with actuaries and other experts, finds holes big enough to bankrupt a moderate-income elderly couple. In fact, even several other existing alternatives may be preferable.

This is not to say that you should not consider the "65 plans." It is to say, that these plans still do not provide adequate coverage at a price most older citizens can afford, and that you ought to look over the other possibilities, whether seeking such insurance for yourself or an elderly relative.

The way the pooled plans work, an initial "open enrollment" period, usually 2 weeks or a month, allows anyone 65 or over to join without a physical examination. The policies offered are usually a basic hospital plan, and a "major medical" plan to cover unusual expenses. You can buy either or both. For example, if an older citizen already has Blue Cross hospital insurance, he can buy the industry's pooled "major medical" policy to pay for unusual medical expenses.

Two big defects are the cost of the policies, and the noticeable gaps in the insurance they provide.

In Massachusetts, for example, the "65 plans" were offered at $9 a person for the basic hospital insurance, and $17.50 for the total package including "major medical" insurance. In New York, the insurance industry offered another version at $10 a month for partial hospital insurance plus partial payments for surgery and doctor fees when hospitalized. With a major medical policy at $9, the total cost is $19 a month, or $38 for a couple. This is $456 a year for an elderly couple for only partial health insurance, or almost one-third the entire income of many retired couples.

Even if you could afford to spend this much for health insurance, you would find that the insurance itself is limited. The New York "65 plan," for example, provides $18 a day for hospital room and board for up to 31 days. In comparison, a survey of 9,000 hospitalized illnesses of people over 65 in that area found the average hospital board bill was $26 a day. Similarly, the Massachusetts "65 plan" allows $15 a day for hospital board, in comparison to prevailing rates in that area of $24 to $25.

But an even bigger hole is the limit on hospital miscellaneous charges. The "65 plans" allow only a maximum of $150. In comparison, hospital "extras" have reached the point where they now cost almost as much as room and board. The survey of older citizens' expenses in New York found that the average hospital stay was a little over 13 days; the board bill was $364 and the charge for extras, $240.

Until Congress finally heeds the pleas for basic health insurance under social security, it is necessary to select from a number of alternatives, none wholly adequate:

If your union-employer welfare plan permits continued coverage after retirement, by all means take advantage of it. The Bureau of Labor Statistics found that three out of five of a number of welfare plans it surveyed now do provide health benefits after retirement (usually for dependents too). A number of plans that previously provided only life insurance recently also extended health benefits to retired workers, reports Dorothy Kittner of BLS.

TRAINING PROGRAMS UNDER AREA REDEVELOPMENT ACT AND MANPOWER DEVELOPMENT AND TRAINING ACT

Mr. METCALF. Mr. President, 1 month ago I inserted in the RECORD a number of excerpts from letters from constituents of mine who had received training through programs conducted under the Area Redevelopment Act and the Manpower Development and Training Act. I did this in order to emphasize the tremendous good these training programs are doing for these citizens at such a low cost. Without exception these training programs have enabled the trainees to get back to work and with the dignity every citizen deserves. The success of these programs proves that part of our unemployment problem can be licked if we can just upgrade our labor force to fill the jobs presently available but unfilled. On the practical side, they are no longer receiving unemployment compensation and, in many cases, will pay more than the cost of their training in income taxes their first year on the job.

During the past month I have received some more letters from other people who have gone through this training. Again, I must say that the depth of feeling of gratitude of these trainees who were helped does not shine through these excerpts but they will give some indication of the value of the program.

I ask unanimous consent that these letters be printed in the RECORD at this point.

There being no objection the letters were ordered to be printed in the RECORD as follows:

1. Lumber grader, age 25:

"I have been employed since my graduation as a lumber grader at Mount Lolo Lumber Co.

"As you may or may not know I am a deaf mute and was an unskilled laborer. I had recently had my hand injured and my chances of finding employment to support my family were virtually impossible. The lumber grading school has given me a big opportunity to work in a field I enjoy and also to develop myself to a higher potential.

"I wish at this time to thank you and the people who made school possible."

2. Engineering aid:

"I believe that it is one of the best programs that has ever been developed for helping people who are not trained for a trade or job. It has helped me in obtaining good jobs ever since I completed the course.

"I have had three men working under me and I am in sole charge of doing the staking in telephone communication lines in Shingletown, Calif. Without the aid of the ARA course in engineering aid all of this could not have been possible. I have taught my own crew down here what they taught me and we are doing fine. So in my words and opinion the State of Montana should be proud of what they are doing for their young men helping them find their way to be a good citizen and find their need in life and occupation."

3. Engineering aid, age 26, unemployed 9 months: "My employment by the Montana State Highway was due solely to my completion of the training program because I had applied at an earlier date for employment and was refused because of the lack of experience and knowledge."

4. Motor analyst, age 22: "I was employed by Musselshell Motors here in Harlowton, and have been working there steady ever since. It is a result from the training I received."

5. Nurses aid, age 48:

"I'm employed at Poplar Community Hospital. I know for certain that the course has helped me. I am now doing work that I couldn't have done without the training I received.

"I certainly enjoy my work. Thanks to Montana State Employment Service. I hope they have more nurse aid courses here. I am an Assinaboine Indian. More of the young women are interested. Quite a few have asked if it will be offered again."

6. Engineering aid, age 31, unemployed 5 months: "I received work immediately following the completion of my training with the Montana Highway Department as engineer aid 2. I know it was the results of the training received from your schooling that enabled me to obtain this employment for which I am very grateful. My family is also grateful."

7. Engineering aid, age 24, unemployed 4 months:

"I am now and have been working as an engineering aid for the State highway department since the day after I finished the ARA training course.

"The job I received was a direct result of the training I received through this school."

8. Stenographer, age 34: "I am now working for the State fish and game department as a clerk-stenographer. I never would have qualified without the training which was provided by the Manpower Development and Training Act."

9. Stenographer, age 33, unemployed over 52 weeks:

"I was offered a job at the Conrad National Bank upon completion of the course. I am still working there.

"I was very much in need of a good-paying job when the opportunity for the course came along and was not trained for anything.

"I could never have obtained the job without the course and I use the things I learned daily.

"I am going into the installment department the end of July with a raise, my second.

"I have never been paid unemployment compensation and I would have borrowed money for the chance to have a course such as this so I'm not sure how I fit in statistically but my working has helped my husband keep his business going and it has been a very wonderful thing for us."

10. Motor analyst, age 39, unemployed 5 weeks: "With out the analyst course with me, I am quite certain I would not have this job or the pay that goes with it."

11. Stenographer, age 20, unemployed over 52 weeks:

"I feel that the ARA course was the turning point in my life. Before being selected for the course I had no special skills and doubted that I would ever get a good position in any field of work. The course gave me something to look forward to and the desire to get out and make something of myself.

"I hope the ARA will continue their training in other areas, as I know other women will benefit as much as I have.

"My sincere thanks to all who have made the training course possible."

12. Ward attendant, age 50, unemployed over 52 weeks: "In all honesty, however, let me state that the theories taught by the faculty at ARA of kindness and understanding are beginning to show results. I know from my observations that because of ARA training I am a better man both in my attitude toward patients and my inner self. The saying of Mrs. Harrington, 'There but for the grace of God go I or a loved one' remains with me constantly."

13. Nurses aid, age 42: "The course I took last fall helped me very much. I'm sure without the training I would not be working at a pleasant steady job."

14. Ward attendant, age 22, unemployed over 52 weeks: "As a result of my training that I received on the ARA program I am now fully employed at the Montana State Hospital at Warm Springs."

15. Engineering aid, age 21: "I am working as an engineering aid as a direct result of my schooling in the course in Butte. I work here in Libby for the BPR and am well satisfied. I am employed with a GS–2 rating. I have the knowledge of the employees who have been with the Bureau for 5 and 6 years."

16. Fry Cook, age 20: "I am employed at the Belknap Broiler here in Billings. Without this course I would still be doing janitor work. I could never have taken a course if available with a fee as we were barely making ends meet with my income. I wish the class could have been open for more that were interested in that field."

17. Diesel mechanic: "The welding training I got was the best available anywhere. I couldn't weld very good when I started, but I finished as a certified welder."

18. Nurses aid, age 31: "I am very thankful for having an opportunity to take the course. Before I took the course I was unemployed and had to apply for aid from the welfare for 2 of the children. Now that I am working the children are off from aid, which we are very thankful for."

18. Rodman, age 21: "I was hired as soon as I completed the ARA school. The training I received at the school was instrumental in my being hired and has been a great help to me in my job."

20. Lumber grader, age 29:

"In regards to my grader schooling: I think the school was well conducted with good teachers and I feel I acquired a good knowledge of grading.

"I was immediately given employment at Plum Creek Lumber in Columbia Falls as a grader-trainee."

21. Stenographer, age 28, unemployed over 52 weeks:

"After completing the training, I was employed by the general adjustment bureau.

"I feel certain that I would not have had the confidence it takes to hold the same position had I not had the opportunity to take the training which was afforded under the Area Redevelopment Act."

22. Lumber grader, age 29: "In my opinion, the adult education courses are very helpful to married couples who can neither afford nor have the time to attend colleges or trade schools. I am employed at Intermountain Lumber Co. here in Missoula. I was hired shortly after my grading course ended."

23. Lumber grader, age 21: "I am now working as a lumber grader. I have been grading now for 2 months. I started grading right after I left the school."

24. Engineering aid: "I am employed as an engineer's aid for Parson's Construction. I realize by going to this school I was able to get this job."

SPIRIT OF THE BORDERLAND DESCRIBED IN "HISTORY OF HARDY COUNTY"

Mr. BYRD of West Virginia. Mr. President, Comdr. Alvin Edward Moore, U.S. Naval Reserve, has written a book on the "History of Hardy County of the Borderland," which I recommend to all Americans interested in preserving the spirit of individuality which has made our country great.

Although not a native of West Virginia, Commander Moore has found in my State a way of life, a tradition, and a history which to him exemplify the finest elements of true Americanism. The West Virginia borderland, according to Commander Moore, was typical of that historic region west of the original Colonies, where the civilization of Europe met the savagery of the New World. Out of the rigors of this struggle there developed the hardy American individual who today still inhabits Hardy County, W. Va.

Commander Moore sees Hardy County as still representing a borderland between modern superurbanism and the back country. The rugged mountain terrain of Hardy County has enabled it to resist being engulfed by big government, big business, and big labor. To maintain our motto, "Montani Semper Liberi," the people of my State have had to be content with modest incomes and few luxuries. What the people of Hardy County lack in luxury they make up for in character, Commander Moore notes in his book.

For example, Hardy County residents are proud of what they call the longest unpolluted stream east of the Mississippi—the South Branch of the Potomac River above Moorefield. Such a claim may not appear as dazzling as the largest supermarket, or the tallest building, but it is probably a unique distinction in our times when stream pollution is causing increasing concern.

Commander Moore notes that what is now the State of West Virginia was once part of a land grant that extended as far as the Pacific coast. It is his hope to see the borderland spirit of Hardy County extend that far today. I recommend his book, "History of Hardy County and the Borderland," to all Americans.

PLEA FOR AN OPEN BIBLE

Mr. TALMADGE. Mr. President, the Reverend James W. (Jimmy) Waters, pastor of Mable White Baptist Church in Macon, Ga., on June 30 delivered a moving sermon protesting the decision of the U.S. Supreme Court banning Bible reading and the Lord's Prayer from the public schools.

His was just one of the many, many voices which have been raised deploring this decision which in my opinion distorts the intent of the first amendment and infringes upon the religious freedom of the people of this Nation.

I ask unanimous consent that the Reverend Mr. Waters' sermon be printed in the RECORD.

There being no objection, the sermon was ordered to be printed in the RECORD, as follows:

"THE POWER OF GOD'S WORD"—THE BIBLE

Can men destroy the Bible today? There are many, many verses which we could read in relation to the subject matter we have chosen. Much of it we have already heard in our Scripture lesson, as we heard David the Psalmist, say: "Thy word is a lamp unto my feet and a light unto my path." We have looked through the Scriptures from beginning to end to see how the divine Book of God has outlived all other books through the ages. It still stands upon the highest pedestal that man knows how to place it and is acclaimed and accepted as the eternal word of God—Jesus Christ giving us His word and His word is God's word.

For our purpose just one verse will be sufficient, from the Gospel of Matthew, chapter 24, verse 35, "Heaven and earth shall pass away, but My word shall not pass away"; 2,000 years have gone since these words were quoted from the lips of our Master but today they are just as fresh in the ears of this generation as when the Saviour uttered them. May I say that my soul is troubled today because of the fact that the Bible has started a downward trend in this Government, and wherever the Bible has started its downward trend, with it has gone chaos and catastrophe. History writes page after page, book after book, of what has happened to nations that have placed the Bible in second place.

Let me say in the beginning, I have enough commonsense and knowledge of this book to know that the first place the Bible is to be taught is the home. I am not dodging that issue. The home, the cradle of learning, is first and foremost in Bible teaching, but let us be realistic, the fact is for the most part, God's holy Word is neglected in the home; therefore, I have always been a strong contender for reading the Word of God in the schools, so that our boys and girls can hear these words. I have put a great deal of stress on this in my community and in preaching missions over the State. You may say the home is the place, but let's face it—it isn't being done.

I think I can say without contradiction that never has the time-honored custom of reading the Bible and having a brief prayer led to the establishment of any sect or religion since this heritage was passed on to us from our forefathers. I think it is an inane and preposterous assumption to think any sect or religion could be propagated in this manner, in the schools of our country. I see no danger in this. I do see danger to our younger generation who are denied this

privilege at a time when our Nation's executive, judiciary, legislative, and military branches all concur that our greatest weapon in the fight against communism and other ideologies that would enslave the world, is the moral and spiritual integrity of the individual. What this means to our Nation disturbs and troubles me. Not only does this decision of the U.S. Supreme Court nullify the required reading of the Bible in school, but it bespeaks an encroachment in other areas of our national life. In the light of many decisions they have made in recent years, I am not surprised or shocked at all, but nevertheless, I am deeply disturbed. You may say I am fringing on the political if you want to, but I am following the dictates of my conscience in this matter.

In the light of the recent decision of the U.S. Supreme Court outlawing the Bible being read in the schools as being unconstitutional, I want to say two things that this points out to me very vividly, very emphatically: First, it points out that we apparently now, are being governed by opinions rather than by laws. The second thing I want to point out is that the minority now rules instead of the majority. The words of famous godly men of old, who said that this should be a government "of the people, by the people and for the pepole," have long since lost their ring in the Halls of Congress of the United States; and now that we have come to this very vital factor, to me it is the beginning of capitulation, a surrender of precious liberty and one day unless we wake up and fall upon our faces before God, and send people to the high places of authority, who believe in God and believe the Bible, you might as well say goodby to the "government of the people, by the people and for the people."

When one athiest can generate more power in the United States and can influence the U.S. Supreme Court more than the majority, I submit to you that our country is in a dismal and dark state. I believe the majority of the people in this country would like to have the Bible read to their children a little while each school morning. I repeat I think it farfetched and preposterous to assume this would be trying to establish a religion, by the simple act of reading from the Word of God and offering a brief prayer. The majority wants it, and if we fail to grant it then the minority is ruling instead of the majority.

At this time in our international relations when we are so concerned about our national image abroad, and spending untold sums through the Voice of America and other agencies to acquaint the people of other nations of our way of life in a free and unfettered country, have you paused to think how they will view this edict? I talked with a man from Europe this week in my study. He said the people of Europe and the people of the world will interpret the recent decision of the Supreme Court regarding the Bible as the fact that the United States outlaws the Bible and religion altogether. He pointed out that the average person in other countries, won't stop to realize that you are governed by a Constitution. All they will take is the fact that you have outlawed the Bible and that you have outlawed religion. He also said it was food for the propagandists of the Communists, they would gloat over it, be proud of this apparent victory of their cult of atheism. They do not believe in God, nor in our Heavenly Father as God, therefore they will say, "See, now the Americans are coming to our side. They have outlawed the Bible."

May I make a statement that is pretty severe? I believe that an imbecile would have enough sense to believe that our forefathers had no such decision in mind when article I was amended to the Constitution of the United States, and it reads as follows: "Congress shall make no law respecting the establishment of religion or prohibiting the free exercise thereof or abridging the freedom of speech or of the press or of the right of people peaceably to assemble and to petition the government for a redress of grievances."

George Washington, the father of our country, said: "It is impossible to rightly govern the world without God and the Bible." Edison Marshall, the writer, said in writing of Washington: "Those who followed him were never the same thereafter, that in a way the United States is a projection of his greatness." This man who in a very real sense is the father of our country, sought for guidance from God in the snow covered solitude of Valley Forge.

Daniel Webster said of the Bible, "If we abide by the principles taught in the Bible, our country will go on prospering, but if we and our posterity neglect its instructions and authority, no man can tell how sudden a catastrophe may overwhelm us and bury all our glory in profound obscurity."

Immanuel Kant the German philosopher had this to say: "The existence of the Bible, as a book for the people, is the greatest benefit which the human race has ever experienced. Every attempt to belittle it is a crime against humanity."

I reiterate the fact that there is no intent of establishing a religion by schoolroom Bible reading. I have an excerpt from an editorial in the Wall Street Journal, this is not a religious periodical as you know. This is a hard-boiled, down-to-earth business paper that is published daily. **The Wall Street Journal—a secular paper of the world, share a portion with me. "Nowhere in our history will you find any serious threat by church or sect to seize the state or to persuade the state to use its powers to establish it as a religion. This elementary fact of our history, quite apart from all of the philosophical arguments, seems to us to make absolute nonsense of the Supreme Court's decision about Bible reading in public schools. A more ponderous effort upon a more trivial issue rarely has ever emerged from the robed men who sit upon that bench. This is not to say that the result of the decision is trivial or that its consequences do not now raise grave questions for what the Supreme Court has done in the name of protecting us from the establishment of religion by the state is to establish secularization—atheism if you would have it bluntly—they have come to establish atheism as the one belief to which the state's power would extend its protection. Thus, if you believe in the God of the Jews or the God of the Christians or the God of Israel, you are denied absolutely any public expression of it in the schools which the public supports. Hereafter, the views of the non-believer alone are sheltered by the full panoply of the state's police powers.**

Now you may ask, "Preacher, what about it? What do you think?" I believe in the beginning that our forefathers simply wanted one thing to be assured. That is, that these United States of ours would not have a state church. I do not favor a state church. I have never favored a state church. I will never favor a state church. I am a firm believer in complete separation of church and state. They were merely intent on their purpose to assure that the Baptists, Methodists, Presbyterians, the Church of England, the Catholics nor anyone else would become a state church. You don't establish a religion just by reading a few verses of God's Word. For salient proof we have only to review our past history where no instance of establishment of a religion came about by reading the Bible in America's schoolrooms. An individual should have the privilege to leave a room if he is opposed to hearing it read. I'm for that.

I want to remind you of this, that the Bible is the only book that can lead our Nation out of the welter of confusion in which it now finds itself. If you have visited the U.S. Capitol in Washington, you will recall the rotunda of the Capitol, there is a painting entitled "The Embarkation of the Pilgrims." The Pilgrims that we honor and esteem as our forbearers who were to seek freedom on these shores. If you observed the painting you will see that William Brewster holds in his hand a copy of the Bible, God's Holy Word, and as they began a new life in a strange and foreign land the Holy Bible went with them. The question has been raised, "Did the pilgrims bring the Bible to these shores or did the Bible bring the pilgrims to these shores?"

I say that we believe in freedom of religion, not freedom from religion. I agree with the observation of Billy Graham, that we need more Bible reading and not less Bible reading. We must rediscover the Bible in our national life or we are going down like the *Thresher* that today lies at the bottom of the Atlantic Ocean. I want you to think what the ultimate result could portend in this High Court decision, how far reaching it really is and how much it brings an indictment against God.

Do you realize that, inspired by this High Court decision, no doubt—you already have a challenge from California that will be tried, and will be approved, that there be deleted from the pledge to the American flag, "one nation under God." Strike it they say, under this kind of decision, one cannot escape the end result.

Already there is speculation that the motto inscribed on our coins, "In God We Trust" will be subject to litigation to remove this. One more step down toward oblivion for the greatest Nation in all the world. Not only is this a distinct possibility but furthermore, in the courtrooms where today the Bible is a prominent piece of material, recognized as God's Word, will have to be removed, we can envision the ultimate result if this trend is allowed to go unchecked. The Chaplains will have to be removed from the House and Senate, also the chaplains from the Armed Forces of the United States of America, no more hymns to be learned and sung by our schoolchildren—just because the atheists say, "We don't believe in God." Just give them their way and give God the black ball and put him out here in second place and see what the consequences will be.

My friends, listen, if we allow this to happen to our Nation, God will seal our doom and will write "Ichabod" across our doors, and the word "Ichabod" means "no glory." That is the recorded history of every nation that has disrespected God and shunted him off in second place. We must appeal to our leaders in government, and we must pray for guidance. Religion is a part of our civilization. "Man is incurably religious," said one French statesman many years ago. Yet we bow to one atheist.

Our youth today—our young people, need God's Word and to neglect to read it and give them that opportunity, is to tear up the foundation for their character in future years; and as our Sunday school superintendent pointed out, it is well and good to send Bibles to prisons but how far better to send them beforehand, before maiming damage to young character has begun.

Winston Churchill said in 1945 at the close of World War II, "America now stands at the top of the world." Financially, yes, 80 percent of the world's wealth with only 6½ percent of the world's population; industries, yes; jobs, yes; opportunity, yes; good homes, yes; good education, yes; more churches, yes; and more missionaries are sent around the world today from America, the United States, than from any other nation in the world. We stand at the top of the world. Now, let me ask you in the light of all that, why is God's Word out of place anywhere, from the tip of Alaska to the tip of Florida? I have a quotation from some unknown statesman who said, "I wish we could remove the torch out of the hand of the Statue of Liberty and place the open Bible in the statue's hand instead."

I know the home is the place to read the Bible, but I say again let's be realistic, the home is not reading the Bible. Read it whenever we can, read it in all our agencies, read it in the schools, read it on the streets, read it on the air, read it everywhere we can, and let all who do not believe in God and the Bible take a one-way trip to their Communist brothers and stay there, and I personally will make a contribution to anyone who wants to go.

I beg you, let's bring God and the Bible back into the heart of America just as much as it was at Plymouth Rock. People may change, but God's Word never changes.

You know there was a time when the worst sinner in the world believed that the Bible was the word of God. The old enemies of religion were outspoken men like Voltaire, who after being educated by Jesuit priests, became the enemy of all organized religion, and Robert Ingersoll the exponent of agnosticism. In our day it is done with more subtlety, but do you recall what the Bible says about people like that? The Bible says, "the fool hath said in his heart, there is no God." Unfortunately, we have people even within the realms of Christendom today who have a treacherous type of opposition to God's Word. There are some teaching in schools and seminaries up and down the land who somehow or other doubt the authority of the Bible. They speak of inconsistencies of God's Word. I want to ask a question, where are these inconsistencies? Point them out. Show them to us. You will be defeated in an effort to do so. The problem is that not many know much about the Bible, and only a fool criticizes the Bible when he knows nothing about it. Men can't destroy the Bible. The Bible will destroy them. I stand upon the past record of history.

Look at Adolph Hitler who piled Bibles high and set gasoline fires to burn them up, but did he succeed? No. Look at the atheists and Communists today, do you think they will succeed? To a point they will, but my friends, as long as there is a witness for Jesus Christ upon this earth and the Bible is left an open book, there are not enough Communists in earth or hell to stop the progress of God's work. He never fails, the same yesterday, today, and forever. What did our text say? Verse 35, listen, "Heaven and earth shall pass away but my words shall not pass away." I repeat my question, "Can men destroy the Bible today?"

I wish now to submit five reasons why I believe that they cannot destroy the Bible today. I am using as a basis an outline by Dr. Herschel Ford. In the first place you cannot destroy the Bible because it has survived so many thousands of years. The archeologists continue to uncover facts that prove the Bible to be true. Just last night in some of my reading, I read where now in the City of David they are uncovering more and more proof about walls that were mentioned in the Scriptures, and how they still stand today. Though they are covered with the sands of time, they are being uncovered. The Bible tells men of their sins and demands that they put away sin and live a Holy life. Now man wants to hold on to sin, therefore, he seeks to destroy the Book that exposes that sin. You can't take it away from the spiritual. There is no way in the world you can do it. It has been burned in the courtyards—the Bible—it has been forbidden to the people—the Bible. Voltaire the old Frenchman and atheist, stood and said, and I quote him, "12 men established Christianity. I will show you how one man can destroy it." But the very room in France where he made that statement later became a depository for Bibles to put them in and hold them, and Voltaire died and went to Hell. It is said that on the same day in London a set of his books sold for a dollar and a half, while the British Museum paid $500,000 for an ancient Bible manuscript. The old Book stands. Men can't destroy it. I am simply standing in the gap to lift up one voice and try to do it as vigorously as I can—God help me to do it. What people think about me doesn't bother me, it's whether or not I will do the thing that honors and glorifies God. That is the only thing that concerns me.

Ingersoll was a flaming orator of the Devil. He fought the Bible and its truths, but Ingersoll died. How many of you have read a history of Ingersoll? Hold up your hands in this audience. Only three people out of the many hundreds who are here this morning have ever read a history of Ingersoll. How many of you folks have read the Bible, the history of the old Book? Hold up your hands. There they are by the multiplied hundreds. Ingersoll died and went to Hell, but the old book lives on. Brother, you can't destroy it, you may rule it unconstitutional, but you can hide it in your soul. God is bigger than the Devil, and any nation who refuses to acknowledge that will be buried in ashes. Generations to come will uncover their folly.

In the second place, you can't destroy the Bible because it meets every human need. There is the need for pardon and peace. Let me just be honest about it. Let's get down to earth now and talk practically about one thing. Let's talk about the individual man. Every person—man, woman, boy, or girl—in his most honest, most sincere, and deepest moments, knows that there is something wrong inside of him that needs to be right. When a person really looks at himself, he knows that he has sinned against the Holy God. He knows also that there is a place where he can find peace and pardon. This old Book shows him where that place is and tells him all about how to do it. As long as man can find peace for a troubled soul and can find pardon and the road to happiness, he's not going to throw away the prescription. He's going to keep on taking the medicine. You can't destroy a book that fills a need like that. That is another reason why men cannot destroy the Bible.

John Wesley preached and whole villages were converted, and his picture was in the homes of many thousands of English families. When asked by a traveler one time why John Wesley's picture was in the homes, they said "There is a man who preached the Bible, and our homes have been changed as a result of his preaching God's Word." You can't destroy something that is as forceful as that. The atom bomb can explode and destroy a city, but it can't bring a home together under the canopy of God's great love. Ponce de Leon sought the fountain of youth, but he never found it. This Old Book, the Bible, tells you about "a fountain that is filled with blood, drawn from Immanuel's veins: and sinners plunged beneath that flood, lose all their guilty stains." You can't kill anything like that, the Bible is here to stay.

The third reason. There is a need for the deliverance from sin. The Bible tells us of the forgiveness of sin. It also tells how to overcome sin. John 8: 36 says, "and the Son shall make you free." You shall be free indeed. The blacksmith who was imprisoned said, "as much as I know about steel and iron, I can break this chain over a period of time," until, upon closer inspection, he saw that it was a chain his own hands had forged in his own blacksmith shop. He knew how well he made them, and he said, "I will never be able to break these chains. I am subject to my own chains." There are many people whose lives are empty and bound by the shackles of sins of their own making. Men cannot break the shackles of sin. It will take help that man cannot bring. This Old Book tells about one who can break every fetter and set the prisoner free—the prisoner of sin.

Fourth, the Bible cannot be destroyed because there is comfort for the aching heart in the hour of sorrow. How many of us have walked away from cemeteries, our hearts bleeding and tears dimming our eyes, and empty aching void in our souls. We have gone back to an empty place at the table, an empty chair in the living room and empty shoes in the closet. We have come back disturbed and fearful, and we have sought comfort in the pages of a Bible, and as we read we feel the love of God flowing over us. "Let not your heart be troubled, you believe in God, believe also in me. In my Father's house there are many mansions * * *. I go to prepare one for you." Then, we take heart and new life and new faith, and we rise and walk out singing "Praise God from whom all blessings flow, Praise Him all creatures here below. Praise Him above ye heavenly hosts, Praise Father, Son and Holy Ghost." Friends, in the hour of death, we find the Bible is true. Job cried out, "If a man dies, shall he live again?" Then he came back to give his own answer, "I know that my Redeemer liveth." That is the message of the Bible.

We now come to the final reasons, men cannot destroy the Bible because there is nothing else to take its place. The mother of another famous infidel, dying, said, "Son, you've destroyed my faith, now I must die. Do you have anything else to offer?" "Nothing else," he said. "Die and fear not." A group of young men who started an infidel club built a fire and were going to burn a Bible as their first act. One young man took the Bible and started to throw it into the fire. He stood trembling, and tears came into his eyes. He stood there unmoving. They said, "go on and throw the Bible into the fire." He turned around and said, "Gentlemen, my opinion is that we had better not burn this book until we find something better to take its place." That is commonsense. Year after year, the Bible remains the best seller. Five out of the twenty most famous books in the world are Bible books—"In His Steps," "Pilgrims Progress," "Ben Hur," "The Robe," and Hurlbut's "Story of the Bible."

Men cannot destroy the Bible because it has a hold that cannot be shaken. Hundreds of thousands of churches across the world are founded upon the Bible. Millions of people in Communist Russia, China, and other places are Christians, and they have the sacred word of God hidden in their hearts. It has such a hold that men can't shake it loose. In many areas of the world the Holy Book is suppressed, either by governments or religious groups, but they carry the assurance of God's word in their hearts.

Man has written many books, all those books have been forgotten, but the Bible remains today the best seller of them all. Shakespeare, Browning, Longfellow, and many others wrote classics that some day will be forgotten, but the Bible continues to live on.

"Heaven and earth shall pass away, but My words shall not pass away." In the final analysis men cannot destroy the Bible because it is God's eternal word.

I ask this question, How are you treating the Bible? Is dust collecting on it in your house? We have heard of an African tribe that was given a sundial so they might tell the time of day. They were so entranced with this novelty, that they built a shelter over it, to protect it, which of course killed its effectiveness. I ask if you have built a shelter over God's word in your home to where it is never brought out in the light so the children can read it? "Teach them to thy children," God told the Children of Israel. Are you using it? Make Thy word, O Lord, "A lamp unto my feet and a light unto my path." Can men destroy the Bible today? No, and if he tries it, eventually the Bible will destroy him. This is God's Word. This the hope, God grant that It shall be read everywhere freely, and openly. Those who do not want it may have the privilege to walk away from it. Let others read it, study it, and believe it.

In conclusion may I do something that our boys and girls in Bible School have done for years. This is my own personal feeling toward the Bible: "I pledge allegiance to the Bible, God's Holy Word: and will make it a lamp unto my feet and a light unto my path: and will hide its words in my heart that I might not sin against God."

Let us pray:

"O thou infinite God, help us in this hour. Grant to us the presence of Thy Holy Spirit. Hear us as we plead for an open Bible that it might continue to be in the heart of each individual and a great nation. In Christ's dear name, we make our prayer." Amen.

THE COUNCIL ON INDUSTRIAL RELATIONS

Mr. McCARTHY. Mr. President, in view of the fact that the problems of industrial relations on the railroads and in other fields are in the forefront of the legislative arena these days, it might be well to focus attention on one area in which real progress has been made toward developing that kind of mutual respect and understanding upon which a sound progress of industrial relations must rest. I have reference to the Council on Industrial Relations in the electrical contracting industry. This was the body created by the International Brotherhood of Electrical Workers in its 1921 convention in St. Louis and the National Electrical Contractor's Association in its Cincinnati Convention in 1922. During the first 25 years of the council's existence, it handled 45 cases; but since that milestone was passed, the tempo has picked up and during the last 19 years 933 additional cases have been heard and decided.

The council began its quarterly meeting at the Mayflower Hotel here in Washington on Monday, August 19. On its agenda for this meeting are 22 cases—a relatively light calendar—involving unions and employees from Miami to Seattle and from San Antonio, Tex., to Concord, N.H. Originally, the agenda for this council meeting included 42 cases, but 20 have been taken back or referred to the employers and unions involved for further attempts at settlement by direct negotiation.

At the meeting before the current one, the council considered 52 cases. The meeting was held in Pittsburgh, but my interest has been attracted to it because of the perceptive and detailed manner in which that meeting was reviewed by an old newspaper friend of mine, one of the most competent reporters of the labor-management scene in the country, Sam Romer. Mr. Romer, in a special feature article presented by the Minneapolis Sunday Tribune on June 16, last, as an analysis of what the news means, reviewed the processing of one particular case by the last meeting of the council. This dispute was between Local Union 292 of the International Brotherhood of Electrical Workers and the Minneapolis Electrical Contracting Employers, represented by the Minneapolis chapter of the National Electrical Contractors Association.

I ask unanimous consent to have printed at this point in the Record Mr. Romer's article, spelling out the course of action which was followed in avoiding a strike, despite the impasse in which the parties found themselves after 11 meetings in an effort to draw up a new labor-management contract.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Minneapolis (Minn.) Sunday Tribune, June 16, 1963]

Council Idea Averts Strike—Both Sides Accept Electrical Industry Findings in Dispute

(By Sam Romer)

On April 30 a determined group of management and labor negotiators in the Minneapolis electrical contracting industry found themselves at a stalemate. After 11 meetings, they were unable to agree on terms of a new labor contract.

In many industries, the impasse would have ended in a strike, probably the next day when the old contract expired. But in electrical contracting, the negotiators took another road.

They referred the disputed problems to the Council on Industrial Relations, a national group established by the National Electrical Contractors Association (NECA) and the International Brotherhood of Electrical Workers (IBEW).

Joseph F. Krech, business manager for IBEW Local 292, and Oscar F. Norgen, Minneapolis NECA chapter manager, each prepared careful briefs for the council, outlining their arguments in the issues in dispute.

These included such varied areas as the journeyman's wage rate, foreman's pay, the length of a probationary period, the shorter work day, overtime and the use of a hiring hall.

Then Krech and Norgen went to Pittsburgh, Pa., where the council was sitting in its quarterly session, to back up their respective briefs with oral persuasion.

The 12-man council, 6 sitting as employer representatives and 6 for the union, listened carefully, then retired to consider the case. Their unanimous decision was handed down May 22, 3 weeks after the original submission.

The details of the decision are less important than the fact that it was made. It gave neither side all that it asked—but both the contractors and union accepted it without argument as a binding document.

The Minneapolis case—1 of 52 which the council considered at its last quarterly meting—highlights a traditional, if little-known, peace-keeping mechanism in the construction industry.

With public interest now concerned with alternatives to strikes as a means of settling labor disputes, the construction councils have focused attention on one way to avoid the prospects of serious strikes or legalized compulsory arbitration.

The electrical contracting industry, which has had such a plan in operation since 1921, has developed a far-reaching program which now covers some 95 percent of the industry. A more limited program has been established in the plumbing and pipe fitting industry, and the sheet metal industry has agreed to an initial program which may develop along similar lines.

As established in the electrical contracting industry, the program is similar to normal arbitration practiced in commercial trade areas except for one significant factor—no outsiders sit in on the deliberations and any decision must be unanimous.

On its face, such a program seems merely an extension of usual bargaining procedures, with the same problems of resolving stalemates. But the council's record discloses that it has been able to reach unanimous decisions in each of the nearly 950 cases it has handled.

One reason for this is that council members from the area where the dispute originates do not sit in judgment on cases where they may have an interest. In the Minneapolis case, for instance, Frank G. Werden, St. Paul, an NECA member of the council, was disqualified from participation.

As a result, animosities and personality clashes which often hamper settlements at the local level are erased from the picture, enabling the national negotiators to reach unanimous agreement.

Although founded in 1921 and handing down its first decision in 1921 (a verdict canceling a proposed wage cut by contractors in Detroit, Mich.), the electrical contracting council had uphill going at first. By 1947, it had processed only 45 cases.

Since then, it has added some 900 decisions to its record—an average of better than 50 a year. Some of these have been decisions interpreting clauses in existing contracts but, especially in recent years, most of its problems have arisen out of stalemated contract negotiations.

Over the years more and more areas have written a "council clause" into their contracts, providing for compulsory reference of unresolved differences. Some of this has reflected pressures from the parent organizations—the IBEW and NECA—which has sought to encourage the use of council procedures.

But it is noteworthy that the two largest centers of electrical contracting—New York and Chicago where the NECA chapters and IBEW locals are virtually independent of parent influence—still reject the council plan.

Through the years, the council has developed guidelines which give its decisions continuity and enables it often to set industry-wide patterns. Among these are:

"The council views with disfavor sudden changes in wages, as unfair to employers on account of contract commitments.

"Regularity and continuity of employment should be sought to the fullest extent possible.

"Wages should be adjusted with due regard to purchasing power.

"Efficient production in conjunction with adequate wages is essential to successful industry. Restriction of output should not be permitted."

But the key-policy statement is that which speaks of the "abandonment of the philosophy of power and struggle" and asserts that "the public interest, the welfare and prosperity of the employer and employee, require adjustment of industrial relations by peaceful methods."

A factor which has helped keep the industry's "no strike" policy has been the relatively high wages traditionally enjoyed by journeyman electricians—in Minneapolis, it is now $4.10 an hour with 50 cents more for foremen. In effect, as one union official once put it, "We have priced ourselves off the picket line."

At the same time, constant prodding by the parent organizations has helped persuade reluctant locals to adopt the "council clause"—this was the case even in Minneapolis where local 292 has not called a general strike since 1925.

And Gordon M. Freeman, IBEW international president, has not hesitated to get tough about it. When a Baltimore, Md., local recently decided to reject council intervention and go on strike, Freeman promptly dissolved the rebel local and set up a new union in its place.

The Industrial Relations Council in the plumbing and pipefitting industry is a relative newcomer, compared to the electrical contracting group. It was started in 1950 by the United Association, the AFL–CIO union in the industry, and two contractor groups, the Mechanical Contractors Association and the National Association of Plumbing Contractors.

Unlike the electrical contracting council, the plumbing plan requires that both sides jointly agree to submit the dispute before it can be considered. But here too all decisions must be unanimous and the council will not consider a case while a work stoppage is underway.

The council consists of eight voting members—two from each of the contractor groups and four from the United Association. Serving as a union representative since the council's beginning has been Gerald J. O'Donnell of St. Paul.

Since 1958, the national organizations have been urging the affiliates to include a "council clause" in bargaining agreements, providing for automatic joint submission in case of a stalemate.

Peter T. Schoemann, general president of the United Association, recently complained, however, that "the council has not been used nearly enough," noting that it has handed down but 16 decisions since its formation.

He cited its "superiority" over outside arbitration, noting that a mediator from outside the industry often is not familiar with the "day-to-day job relationships" which come as second nature to council members.

Still in a formative stage is the National Joint Adjustment Board for the sheet metal industry, established by the Sheet Metal Workers International Association and the Sheet Metal and Air Conditioning Contractors National Association.

Serving on this board as an industry representative is Richard S. Felhaber, a St. Paul attorney who has been active in its development.

The board now limits its function to ruling on grievances and other disputes arising out of the interpretation of existing agreements, but many observers believe that this is the first step toward establishment of an organization with authority to intervene in bargaining disputes as well.

A multiunion board to arbitrate grievances was set up in 1961 between the National Constructors Association, which represents the Nation's 25 major industrial builders, and the AFL–CIO Building Trades Department. Unlike the single-industry plans, it provides for an impartial arbitrator to settle divided issues.

There is some question whether the council format can be transferred successfully to nonconstruction areas. Some beginning steps in this direction may be taken soon by the IBEW in two industries where it has bargaining power—public utilities and electronic manufacturing.

There are some important differences, however, between labor relations in the construction industry and other areas which may impede successful adaptation of the council idea.

Construction unions continue to exercise effective control over the labor supply, thus establishing the cordial, reciprocal relationships with employer groups which are essential to council operation.

Moreover, the council pattern derives its strength from the fact that construction bargaining almost always is limited to local contracts, making it easy for nonlocal negotiators to discard personal feuds and establish a common bargain.

In industries where national bargaining has become the pattern or where national policies (either by giant corporations or international unions) dictate the terms of agreement, it may not be as easy to set aside the clash of personalities which produced the initial stalemate.

The limitations suggest that only in industries, like printing, where there is union control of the labor supply and a local bargaining pattern, can the council technique be as effective as it has been in construction.

Mr. McCARTHY. Mr. President, the machinery provided by the Council on Industrial Relations has served the electrical construction industry well for some 40 years. While the methods used have been developed over that period to deal specifically with problems of the electrical contracting industry, I am sure that there are many features of this program which can be appropriated by, or adapted to, other union or industry groups.

We have all been happy with the results of the human relations approach used by the steel industry to maintain contact between contract crises and the successful completion of the recent steel negotiations. In other fields, similar gestures are now being made. To the extent that management and labor commits itself to better mutual understanding of each other's problems, this seems to be a most rewarding path.

This has certainly proven to be the case in the electrical contracting field where, because there is a realization of the interdependence of the employers on the union and the union on the employers, this 40-year history of amicable relations has been compiled.

I am sure that the session of the council now underway in this city will be fruitful of decisions in the 20-odd cases before it, so arrived at that the employers and the local unions involved will continue to go forward and prosper.

The accomplishments of the council since the idea was first formulated by Mr. L. K. Comstock, "the dean of the electrical industry," who is still a respected elder statesman of the electrical contracting field as he approaches the century mark, and Charles P. Ford who in the early twenties was the international secretary of the International Brotherhood of Electrical Workers, is a genuine tribute to the art of working together in a cooperative effort to substitute harmony for strife.

OPPOSITION TO EXTENSION OF MEXICAN LABOR ACT

Mr. McCARTHY. Mr. President, last week I had printed in the Record a number of letters which expressed the opposition of a number of national groups and a number of individuals to the extension of Public Law 78, the Mexican labor bill. Since that time, I have received many more letters asking that the program be terminated, and expressing concern for the welfare of both the Mexican nationals brought in under the program and the domestic migratory farmworkers.

I ask unanimous consent that these letters be printed at this point in the Record.

There being no objection, the letters were ordered to be printed in the Record, as follows:

Minnesota Migrant Committee
of the Minnesota Council of
Churches,
Minneapolis, Minn., July 29, 1963.

Hon. Eugene McCarthy,
U.S. Senate,
Senate Office Building,
Washington, D.C.

My Dear Senator McCarthy: Working with the approximately 9,000 migrant workers who came to Minnesota again this summer, and seeing how much of the time they must spend without work in our State, is convincing evidence that there is much to be desired for improvement in their labor market. In four areas of migrant concentration in our State, workers have spent many days without work due, they say, to too many workers being available and recruited for the work to be done.

It is alarming to me to hear that a new measure, Senate bill 1703, will be reported to the floor very hastily in an attempt to extend Public Law 78 for 1 year. I feel this is not in the interest of the citizens of our Nation who are migrants, nor is it in the interest of many producers across our land. It, if passed, will help a small minority of growers at the expense of justice to many.

I am writing this letter urging you to uphold the progress made in the discontinuance of Public Law 78 some weeks ago.

Sincerely yours,

George K. Tjaden,
State Director, Ministry to Migrants,
Minnesota Council of Churches.

Bishops' Committee
for Migrant Workers,
Chicago, Ill., July 30, 1963.

Hon. Eugene J. McCarthy,
U.S. Senate,
Senate Office Building,
Washington, D.C.

Dear Senator: It has come to my attention that there is an effort being made to have the Senate approve a 1-year extension of Public Law 78—Senate bill 1703, and that this is being done without any hearings. I am shocked and surprised if this be the truth.

With the present rate of unemployment growing constantly because of automation and with the threatened railroad strike on our hands, it is difficult to understand the mind of the Senate asking for a 1-year extension of Public Law 78, which has long since outlived its utility and necessity, if it ever had such.

Our committee is united with many other civic and religious groups, labor organizations, etc. that have fully studied and fought against Public Law 78.

We urge your cooperation in bringing justice to American workers by holding the line against any further extension of this law.

Sincerely,

Rev. Ralph J. Duggan.

American Federation of Labor and
Congress of Industrial Organizations,
Washington, D.C., July 29, 1963.

Hon. Eugene J. McCarthy,
Senate Office Building,
Washington, D.C.

Dear Senator: The Senate will vote shortly on a bill which, if passed, will increase unemployment among the poorest group of workers in the United States. This bill is S. 1703, which would continue the Mexican farm labor importation program (Public Law 78).

Although this bill is extremely controversial and very dangerous, it was reported by the Agriculture Committee without hearings being held. This procedure is especially unusual in view of the fact that the House of Representatives rejected a bill to extend Public Law 78 on May 29.

The Mexican farm labor importation program has been a means for keeping U.S. farm labor wages down and curtailing jobs for U.S. farmworkers. It benefits less than 1 percent of American farms and these are mostly large corporation-type farms.

U.S. farmworkers desperately need the hundreds of thousands of jobs for which Mexican nationals are now imported. Unemployment among U.S. farmworkers is very high and is sharply increasing. Yet while mechanization is reducing agricultural employment, Public Law 78 increases the number of workers available.

It should be noted that the rejection of the Public Law 78 extension bill by the House was hailed not only in this country, but also in Mexico. The president of the Mexican anti-Communist trade union movement, the president of Mexico's National Farmers Federation, and the Mexican Department of Interior all publicly applauded the prospective termination of Public Law 78.

Therefore, the AFL–CIO most strongly urges you to vote against S. 1703 and against another extension of Public Law 78. This program was temporary when first enacted 12 years ago. It should not be continued when it expires at the end of this year.

Sincerely yours,

Andrew J. Biemiller,
Director, Department of Legislation.

National Advisory Committee
on Farm Labor,
July 29, 1963.

Dear Senator McCarthy: When the House, on May 29, voted down efforts to extend Public Law 78 for 2 years, they were responding to the overwhelming evidence presented in opposition to any extension of the Mexican farm labor program.

Enclosed for your attention is a copy of a letter signed by 44 prominent leaders in all walks of life and sent to each Member of the House prior to this vote. The arguments stated in this letter still hold true.

Furthermore, there is no validity to the argument that a sudden cutoff of braceros would work undue hardship on their employers. With no further extension of Public Law 78, this program has another 5 months to run. This is ample time in which to improve wages and working and living conditions, and to set up procedures to recruit qualified domestic farmworkers.

The action of the Senate Agriculture and Forestry Committee in reporting out S. 1703, a 1-year extension of Public Law 78, without any public hearings was unconscionable. This 1-year bill, regarded by some as a compromise, is no compromise at all, but an attempt by a comparative few large growers to extend a program for which there is no justification.

Enclosed is an editorial from the New York Times, hailing the action of the House in defeating an extension of Public Law 78. Any attempt to extend this program is a travesty of justice. We urge you to vote "no" on S. 1703.

Sincerely yours,

Fay Bennett,
Executive Secretary.

National Advisory Committee
on Farm Labor,
May 24, 1963.

[Copy of letter individually addressed to all Representatives]

Public Law 78, providing for the importation of Mexican farmworkers, will expire at the end of 1963 if no action to extend it is taken by Congress. We urge you to bring this program to an end by voting against H.R. 5497 or any similar bill introduced to extend the program.

This contract labor program was adopted as an emergency measure in 1951, when manpower needs were crucial. But now the proportion of all American farmers using Mexican braceros has dropped to less than 1 percent. The number of braceros used in 1962 was 38 percent less than in 1961; California accounted for 53 percent of the total man-months of Mexican labor and Texas for 26 percent. It has clearly become a program for the benefit of a few.

One of the worst results of the Mexican program through the years is that it has tended to become self-perpetuating, as large growers have come to rely upon it for their labor needs. The existence of an inexhaustible pool of low-paid workers destroys the competition which would encourage employers to make jobs attractive in terms of wages and working conditions. Artificial shortages of farm workers have occurred when growers, knowing they could fall back on Mexican braceros, have failed to offer a decent living wage to available domestic workers. Despite minor reforms passed by the 87th Congress and Department of Labor efforts for better enforcement of existing regulations, adverse effects on domestic farm workers continue.

Moreover, increasing mechanization of agriculture is regularly reducing the jobs available to agricultural workers. In 1962 total employment of seasonal hired farmworkers declined for the third successive year; so did the number of days worked by individual farm laborers.

Farmworkers also found fewer sources of nonfarm work last year. Lack of farm employment is forcing their migration to the cities, where the need for unskilled workers continues to decline. Surely there is no justification for the importation of foreign workers at a time of rapidly declining opportunities in unskilled and semiskilled employment both on and off the farm.

That domestic agricultural workers can fill the need is shown in the areas where the Employment Service and growers cooperate through the annual worker plan. This provides the growers with a stable and efficient supply of domestic workers without recourse to foreign recruitment, and at the same time provides the workers with fuller employment, through planned routing to meet the growers' seasonal demands.

We submit that any industry in the country would have a labor shortage if it offered wages below the national minimum; seasonal and irregular work without unemployment compensation; unhealthy working and living conditions; and few of the benefits of social legislation enjoyed by other workers. We believe these conditions in American agriculture are perpetuated by the existence of a foreign contract labor system based on substandard wages.

Ending the inequities faced by American farm workers will end any artificial labor shortages which have been created. In the name of both justice and common sense the Mexican program should be allowed to expire.

Sincerely yours,

Dr. Louis H. Bean, Joseph A. Beirne, James B. Carey, Patrick F. Crowley, Helen Gahagan Douglas, Rev. Ralph J. Duggan, John Anson Ford, Dr. L. H. Foster, Prof. Walter Galenson, Rabbi Roland B. Gittelsohn, Rev. Donald S. Harrington, Henry B. Herman, Rt. Rev. Msgr. George G. Higgins, Robert W. Hudgens, Joseph D. Keenan, Rabbi Edward E. Klein, Dr. Harry W. Laidler, Rabbi Eugene J. Lipman, Dr. Seymour M. Lipset, Bishop John Wesley Lord, Dr. Isador Lubin, Archbishop Robert E. Lucey, Rev. Alan McCoy, O.F.M.; Rev. Dr. Robert J. McCracken, Dr. John A. Mackay, Dr. Benjamin E. Mays, Dr. Reinhold Niebuhr, Dr. Peter H. Odegard, Bishop James A. Pike, Prof. Daniel H. Pollitt, Very Rev. Msgr. William J. Quinn, A. Philip Randolph, Robert Ryan, Dore Schary, Rev. Roger L. Shinn, Rabbi Samuel D. Soskin, Norman Thomas, Frederick S. Van Dyke, Dr. Maurice T. van Hecke, Rev. James L. Vizzard, S.J.; Rev. John A. Wagner, Dr. Galen R. Weaver, Rabbi Jacob J. Weinstein, and Walter P. Reuther.

Emergency Committee,
To Aid Farm Workers,
Los Angeles, Calif, July 29, 1963.

Dear Senator: We understand that Senate bill 1703 (extension of the bracero program) will come before the Senate this week. As a civic organization dedicated to the welfare of the most depressed segment of our society we strongly urge you to give a "no" vote to S. 1703.

The proponents of Public Law 78 argue that there are not enough American farmworkers to fill the labor needs of the agricultural industry. Our committee has, through hundreds of interviews with farmworkers and numerous studies, discovered incontrovertible evidence that our underemployed and unemployed farmworkers are available to fill all the labor needs of the growers. In California, for example, there are 149,799 hired domestic farmworkers in excess over the peak number of hired domestic farm workers who are employed at any one time. This is more than enough to replace the 72,900 foreign contract workers in California during the peak period and certainly enough to eliminate the need for braceros in all other periods.

Establishing a stable domestic farm labor force is clearly both feasible and desirable. Our own workers do need the same basic working conditions and advantages as are now provided to braceros. Transportation, housing, guaranteed 6-week work periods, tools and other minimum conditions as bracero workers now obtain, should be equally offered to American farmworkers. The granting of such conditions is the first step toward stabilizing the farm labor force and meeting the human needs of farmworkers.

The House of Representatives rejected an extension of Public Law 78 on May 29, 1963. The emergency under which Public Law 78 was created ended 10 years ago. Because of this and the above-mentioned evidence there is no honest reason for keeping this harmful emergency measure in existence. We therefore most strongly urge you to oppose S. 1703 or any other extension of Public Law 78.

Sincerely,

John G. Simmons,
Chairman.

NEW JERSEY PEACE CORPS SERVICE ORGANIZATION

Mr. WILLIAMS of New Jersey. Mr. President, we have in this country a great number of people who have become interested in the Peace Corps. Many of these people, unable to participate directly in the Corps' program, look for some other means by which they may focus their energies and desires to help others.

One such funnel for the pooling of these desires is the newly formed Peace Corps Service Organization established recently in Englewood, N.J. In this service organization are parents of corpsmen, people who would like to join but for some reason have been unable to do so, and others who have an interest in the Corps. It is one of 26 such organizations in the United States. I think the function of these organizations is particularly laudable, and each one is of completely spontaneous conception and independent of the Peace Corps. These organizations provide local boosts to the Corps' recruitment program, provide educational programs on the work of the Corps to local interested groups, and raise money to send such necessities as extra textbooks, toothbrushes, and whatever else is needed to the villages in which a corpsman is working.

Mr. President, I would like to congratulate Mrs. Morton Steinberg of Englewood Cliffs, N.J., for her efforts in the formation of the New Jersey Peace Corps Service Organization. I ask unanimous consent to have an article from the Bergen (N.J.) Record of July 31 concerning the work of Mrs. Steinberg and the purpose of the service organization placed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PEACE CORPS AIDS LAUNCH UNIT

(By Kathryn Holzka)

ENGLEWOOD.—The first step toward forming a New Jersey Peace Corps Service Organization was taken last night at a meeting of New Jersey residents and a staff worker of the National Peace Corps of Washington, D.C.

Some 60 residents, many of them relatives of Peace Corps volunteers, attended the discussion conducted at the public library here under the direction of Mrs. Morton Steinberg, of Englewood Cliffs.

The purpose of a Peace Corps Service Organization is to form a support operation in this country capable of utilizing local resources for supplying Corps volunteers overseas with educational and medical materials.

Miss Rossi Drummond, Assistant Director of Community Relations for the National Peace Corps, said local service organizations can play a vital role in the overall Peace Corps goal.

VOLUNTEERS NEEDED

"We need help from communities, individuals, and organizations," she told the group, "because the Washington staff can't do all the necessary work alone."

Peace Corps Service Organizations can be of special assistance, she said, in helping to recruit Corps volunteers and enlisting support from community groups.

Miss Drummond said there are 26 such organizations throughout the United States, many of them extremely active groups. New Jersey presently has no organization, although there are 153 residents of the State who are Peace Corps volunteers.

Miss Drummond explained that the Federal Government equips volunteers with the materials necessary to carry out their assignments but said that additional textbooks, magazines, and other reading matter are always in demand.

Many Corps volunteers, she added, enthusiastic with the reception given their work in other countries, take it on their own to set up other facilities in addition to their assigned tasks. Many volunteers, she said, have organized athletic teams in the villages and schools to which they have been assigned.

BOOST UNITS' MORALE

Local service organizations are an effective means of helping Corps workers to carry on these extra activities. In some instances, Miss Drummond continued, Peace Corps volunteers have even established medical dispensaries, while others have set up 4-H Club to train natives in agricultural techniques.

Peace Corps service organizations, she said, not only aid by publicizing and supporting the work of these volunteers, but also serve as morale boosters by demonstrating that the volunteers are backed up at home.

Miss Drummond said the National Peace Corps supports the work of community organizations, but insists that only necessary supplies and materials be shipped to workers.

"The one thing we don't want is to create the impression that America is Santa Claus," she said. "The Peace Corps wants to supply skills, not things."

INFORMATION AVAILABLE

Miss Drummond said the Government is ready to supply all necessary information and assistance to persons interested in forming a State Peace Corps Service Organization, and is making contacts for direct shipping lines to other countries through publishing houses and manufacturing companies.

The organizer of last night's meeting was Mrs. Steinberg, a former president of the Northern Valley Chapter of the American Association for the United Nations. She first became interested in forming a New Jersey organization when she read that Corps volunteers were often short of materials.

She said a check of former volunteers showed that such simple items as pencils, pads, and soap were among the supplies they needed for villagers.

"Let's not forget that the Peace Corps is a walking advertisement of all the good will of America," she said, "and we should do all in our power to assist."

While Bergen County residents were in the majority last night, residents from Essex, Union, and Passaic Counties also attended.

Mrs. Steinberg said if enough persons showed interest, northern and southern New Jersey chapters could be formed to facilitate operations.

She said the meeting last night was more of an introduction to the possibility of forming a State service organization,and it will be some time before a permanent, active group can be organized. A list for volunteer workers was circulated, and committees will be set up as soon as possible, she said.

In addition to parents and relatives, others who attended last night included representatives from the Red Cross, the B'nai B'rith, the Girl Scouts, the Englewood Rotary Club, and a local pharmaceutical company.

BISHOP DONALD MACADIE

Mr. WILLIAMS of New Jersey. Mr. President, it is with great sorrow that I rise to pay tribute to a man who held my greatest admiration and respect, Bishop Donald MacAdie. With the death of Bishop MacAdie on August 1 the Newark area of the State of New Jersey lost a great leader.

The Bishop's outstanding work is well known throughout the State, and elsewhere in the country. But equally well known to his fellow citizens of the Newark area is the work he did on community projects. The Bishop was connected with nearly every major community organization: The Red Cross, Community Chest, Salvation Army, American Legion, and many others. His leadership and wonderful contributions to these organizations will be long remembered.

Rarely is a community blessed with a man of Bishop MacAdie's caliber.

Mr. President, I would like to place two editorials commemorating Bishop MacAdie in the RECORD, and ask unanimous consent to do so. The editorials are from the August 2 Newark Evening News and the August 2 Passaic Herald-News, respectively.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Newark (N.J.) Evening News, Aug. 2, 1963]

BISHOP MACADIE

In the death of Bishop Donald MacAdie, the Episcopal diocese of Newark has lost an able administrator and the community a beloved leader. The nearly four decades of his ministry were spent in the diocese, which he had served as suffragan since 1958, and his contributions to his church and the people of this area were innumerable.

Dr. MacAdie's zeal for public service was exemplified by his civic activities. In Passaic, where he was rector of St. John's Church from 1931 until his consecration, he was chairman of the Social Workers Club, a Community Chest trustee, president of the Rotary Club, a member of the local assistance board and wartime Red Cross disaster chairman. He also was a onetime member of the State labor mediation board.

Bishop MacAdie will be missed and remembered far beyond the bounds of his own denomination.

[From the Passaic (N.J.) Herald-News, Aug. 2, 1963]

BISHOP MACADIE

Few men have made as large a contribution to Passaic's community and spiritual well-being as the Right Reverend Donald MacAdie, suffragan bishop of the Episcopal diocese of Newark, whose death yesterday brought sadness to those who knew him.

During the 28 years which Bishop MacAdie served as rector of St. John's Episcopal Church in Passaic, he gave unselfishly of his time and talents in behalf of many worthy causes. He devoted himself to serving his fellow man without regard to race or creed, and without showmanship or ostentation.

Many Passaic mayors sought his counsel on municipal problems and he served on the city's first advisory relief board. Former Governor Driscoll called upon him to serve as an arbiter in a labor dispute. The Community Chest, the Salvation Army, the Rotary Club, the American Legion, and other organizations called him to positions of leadership. A man of vision and tolerance, the bishop was as much at home addressing a B'nai B'rith brotherhood meeting as he was in his own pulpit or at an Episcopal Church general convention in Boston, San Francisco, or Honolulu.

It was inevitable that his church would eventually call Bishop MacAdie from Passaic to serve in a broader field. That call came in 1958 when he was elected suffragan bishop of the Newark diocese. It was a duty which was inescapable, although he was reluctant to leave Passaic where he had spent so many years and had made so many friends.

The many whom he helped to a better understanding of life through his ministry will long remember Bishop MacAdie.

NEW JERSEY CHURCHWOMEN BUY BUS FOR INDIA HOSPITAL

Mr. WILLIAMS of New Jersey. Mr. President, most people in this country think of foreign aid as a function of the Federal Government. I recently learned, however, of a group of citizens in New Jersey who are participating individually in their own small but meaningful foreign aid project.

The Episcopal churchwomen of the diocese of New Jersey, under the leadership of Mrs. Robert Feild of West Deptford Township, has arranged a contract with the S. & H. Green Stamp Co. to purchase a bus with 5,250 books of stamps. The bus will be sent to India to be used by the Christian Medical College and Hospital of Vellore, as a field hospital. The bus will travel in the outlying districts on a well-publicized schedule. The residents of this area will come and receive the medical aid they need. Should a case need further attention, the person will be able to travel back to the hospital with the bus. Along with the physicians on the bus, there will be a public health nurse to teach good health practices. I think all parties concerned, Mrs. Feild, the Episcopal churchwomen, the Vellore Hospital, and the S. & H. Green Stamp Co., should be commended for following through on such a project.

Mr. President, I ask unanimous consent to place an article concerning this project from the Camden (N.J.) Courier-Post of July 30 in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Camden (N.J.) Courier-Post, July 30, 1963]

Group To Buy Bus for India Hospital

(By Ann C. Waters)

Woodbury.—Acquisition of a hospital bus for use in treating diseases in India is fast approaching reality.

Sponsored by the Episcopal churchwomen of the diocese of New Jersey, the purchase will be made with 5,250 books of trading stamps. Mrs. Robert Feild, of Holly Drive, Green Fields Village, West Deptford Township, is the project chairman. She said the bus is being built in India so that parts will be readily available in the event of mishap.

The contract was let by the S. & H. Green Stamp Co., she said. Today some 800 books are needed to meet the purchase price, Mrs. Feild said.

TELLS OF WORK

"The plan was conceived last October," Mrs. Feild said, "while I was attending a conference on Christian unity.

"A speaker related the works accomplished by the Christian Medical College and Hospital, Vellore, India. Mrs. Reeves W. Betts, a Methodist member of the hospital's board, was quoted as referring to the decrepit condition of the bus used by doctors in their mission."

Mrs. Feild said the doctors take medicine, food and facilities for treatment to those Indians who are unable to travel to the base hospital. Between 80,000 and 100,000 persons are reported helped annually, she recalled.

Earlier, Mrs. Feild said she had seen a luxury car offered in the stamp book brochure.

"If you can get a car, why not a bus?" she asked. Conferring with company officials the plans were made and the project was launched by the diocese.

ARDENT SUPPORTER

A 90-year-old Haddonfield resident, Miss Alice Hough, who acts as collector for Grace Episcopal Church there, is credited with being a most ardent supporter of the project. She recently presented 55 books to Mrs. Feild.

The sick and needy are aware that the hospital bus will arrive at the specified spot and time, Mrs. Feild said. Families bring their sick. Some are examined and treated at the scene and those requiring additional services are transported back to the hospital, Mrs. Feild related.

As the physicians mend their ills, a public health nurse gives instructions in good health practices. A religious worker accompanies the medical team and shows pictures and tells stories of the life of Christ.

It has been reported that Vellore is the first hospital in the world to develop reconstructive surgery on lepers. The claw hand can be restored to enable the victim to regain use and thus become self-supporting. The hospital has another first in that it offers heart surgery and has thoracic and brain surgery departments.

PUERTO RICO: 11 YEARS A COMMONWEALTH

Mr. WILLIAMS of New Jersey. Mr. President, July 25 ushered in the 11th year since one of the America's greatest patriots and democrats, Luis Muñoz-Marín, proclaimed Puerto Rico to be a Commonwealth. On that historical day, the Puerto Ricans achieved a situation that was destined to raise markedly their socio-politico-economic standing in the Western Hemisphere. In a large sense, their accomplishments have stemmed from an ingrained patience and unremitting labor inspired by a fervent passion to make Operation Bootstrap successful. A once stricken, hungry, and unhappy "poorhouse of the Caribbean" has beome a vital, bountiful, and happy "showcase of democracy."

The political status which Puerto Rico enjoys can best be characterized as an associated free State. It exercises a local autonomy comparable to that of Delaware, Texas, and any other of the 50 States; at the same time, it benefits from a unique relationship with the continental United States. The people elect their own legislature and Governor; they are U.S. citizens, entitled to all the blessings of that citizenship, save two exceptions: the island residents are free from Federal taxation and they cannot vote in national elections. Like the mainland States, Puerto Rico is subject to Washington control in matters of foreign policy and certain other areas. The islanders long ago became genuinely attached to American political institutions; since World War I they have given their lives in the defense of them. In World War II and in the Korean conflict the Puerto Ricans amassed a truly distinguished record for valor and proficiency.

Within a relatively short span of time, the Muñoz-Marín-inspired Operation Bootstrap program has done wonders in richly integrating the island economy with that of the United States. Under this project, the Puerto Ricans have diversified their agricultural base and nurtured an industrialization program by which an approximation of the American dream of affluent living has been effectuated. The net and per capita income, the standard of living, life expectancy, and literacy have all rocketed upwards, whereas cases of infant mortality, disease, and poverty have been drastically decreased.

We owe our sincere congratulations to the citizens of Puerto Rico for their overwhelming success in revitalizing their economy. Their undying determination has established a sound economic basis from where widespread poverty has been eliminated. The job has been a hard one; setbacks have been plentiful; but the perseverance of the islanders has overcome these hardships and built a solid economy. We should be proud of our fellow citizens to the south, for they have shown to all who care to look that democracy and capitalism can produce happiness and wellbeing for a population.

The PRESIDING OFFICER. Is there further morning business?

ORDER OF BUSINESS—AUTHORIZATION OF APPROPRIATIONS FOR THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MANSFIELD. Do I correctly understand that an agreement has been entered into which permits the morning hour to last to the hour of 12:30 p.m.?

The PRESIDING OFFICER. The Senator is correct.

Mr. MANSFIELD. And that at that time, under the agreement, the Kefauver amendment will be the pending business, and there will be 2 hours of debate on the Kefauver amendment and all amendments thereto, 1 hour to each side?

The PRESIDING OFFICER. After a quorum call. The Senator is correct.

Mr. ANDERSON. Mr. President, I have previously sent to the desk an amendment which I hope to offer. In the opinion of the majority leader, would that amendment have to be considered as a substitute, and therefore ahead of the Kefauver amendment? I ask the question because last night I thought that the Kefauver amendment would be voted upon, but if it were not agreed to, my amendment might be offered and voted upon immediately thereafter.

Mr. MANSFIELD. I must defer to the Chair for a ruling on that question, because, as I recall, the agreement provided a time limitation on the Kefauver amendment and all amendments thereto.

The PRESIDING OFFICER. Since the Senator from New Mexico will have half the time available under his control, he can offer his amendment at any time. It is the understanding of the Chair that an amendment in the nature of a substitute is at the desk but has not been called up.

The Senator from New Mexico could call up his amendment first, and the first vote would then have to come on the substitute.

Mr. ANDERSON. I am perfectly agreeable to that procedure. Certain Senators said they would like to have an opportunity to vote on the Kefauver amendment, even though they intended to vote adversely on the amendment. Some would like an opportunity to vote favorably on it. I wonder if it would be possible—and I ask the majority leader if he will be good enough to explore the question—to have unanimous consent that whether or not my amendment in the nature of a substitute is offered, a vote could come on the Kefauver amendment.

The **PRESIDING OFFICER**. The Senator from New Mexico could offer his amendment in the nature of a substitute after a vote on the Kefauver amendment, as an original amendment, if the Kefauver amendment were rejected.

Mr. **ANDERSON**. But there would not be a control upon the time. Another lengthy debate might be launched.

The **PRESIDING OFFICER**. There would be no limitation of time unless it were requested and the request were granted.

Mr. **ANDERSON**. Mr. President, would there be any objection to a unanimous-consent request being made now on the subject?

Mr. **MANSFIELD**. I dislike making one because not enough Senators are present in the Chamber. I am sure the Senator from New Mexico understands.

The **PRESIDING OFFICER**. Is there further morning business?

ZOAR VALLEY, N.Y.

Mr. **KEATING**. Mr. President, the Zoar Valley in New York in undoubtedly one of the most picturesque and beautiful spots in the State today. Nature lovers, hikers, and skiers alike all enjoy the vastness and beauty of this valley located between Erie and Cattaraugus Counties in the upstate area.

Not too long ago, more than 10,000 acres in the valley were acquired by the Lands and Forests Division of the New York State Conservation Department. This land which is presently being surveyed will soon avail the sightseers of more ski slopes, hiking trails, and picnicking facilities. This action is in keeping with the much increased need for recreational facilities and is a farsighted and important step. Visitors from all across our land are welcome to this lovely area and will, I feel sure, conclude that a pilgrimage to the Zoar Valley is well worth while.

Mr. President, an article appearing in the Buffalo Courier-Express ably describes this region in New York. I ask unanimous consent that following my remarks the text of this article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Buffalo Courier-Express, Aug. 4, 1963]

NATURE LOVERS FIND ZOAR VALLEY UNSPOILED GEM

(By Bill Lamale)

Ever since Ahaz Allen let his canoe follow the westerly flow of Cattaraugus Creek and found that the rushing waters carried him to a place he called "Zoar," after the Biblical plains of refuge, generations of men visiting the same flatlands in the gorge carved by the river have searched for words to describe what they saw, and artists have reached for their palettes.

So it is to this day with canoeists, hikers, nature lovers, and photographers who try to tell about Zoar Valley. Those who have stood on Inspiration Point and other spots in nature's 15-mile-long spectacular, feel the futility. "You must see it for yourself," they say.

BOUNDARY CREEK

The creek, dividing the valley, also serves here as the boundary between Erie and Cattaraugus Counties. On the Erie side, the valley lies in the towns of Collins and Concord, and on the Cattaraugus side in the towns of Persia, Otto, and East Otto.

Today's tour includes the western half of Zoar Valley, the gorge. The roads have been selected by Howard H. Bobseine, regional game manager of the State conservation department, and a resident of East Otto for 10 years.

Beginning and ending in Gowanda, this 16-mile circuit follows both hardtop and improved gravel roads, descends to the valley floor and skirts the canyon rim. From the Zoar Bridge, 940 feet above sea level, it climbs to a high point of 1,565 feet on the Forty Road near Valentine Road.

STEEP ASCENT

Tires, brakes, and cooling systems are strained in a mountainous ascent which to many motorists will seem alien to western New York. Arriving in Gowanda, 32 miles from Buffalo via Route 62, motorists should turn left at Perry Street, half a mile from the blinker light at the foot of the hill leading into the village, and check their gasoline supply before entering Zoar.

Ahaz Allen explored the valley in 1810, a primeval wilderness barely unchanged since then. There is a long history of hunters and woodsmen being lost here, and the formation of search parties is still common. Virgin stands of timber crowd to the edge of the gorge, where survey teams have charted drops up to 500 feet.

PRISTINE STATE

Plans in 1920 by the Niagara Hudson Electric Co. to build a dam in the gorge and develop a hydroelectric project were abandoned when engineers discovered that the waterflow was not sufficient during the dry months. As early as 1926, the Niagara Frontier Planning Board proposed to preserve the area in its primitive state, a project which has been carried out by the Erie County Planning Department in conjunction with the State and Cattaraugus County agencies.

More than 10,000 acres of the Zoar region have been acquired by the Lands and Forests Division of the New York State Conservation Department to be set aside as wilderness. The largest contributor of lands is Herbert F. Darling, Williamsville contractor. Acreage still being surveyed will eventually be opened with hiking trails, lookout points, ski slopes, and limited picnicking facilities.

PEEP PREVIEW

Today's trip will give motorists a peep preview of the spectacular terrain that will be available to them when the State's program of development is complete.

Roadside signs advise a speed of 20 miles an hour on valley roads, and also note slides and grades where low gear braking is necessary. Many road crossings are unmarked and some roads dead end. Motorists entering the gorge during rainfall are advised to use extra caution on the clay-based gravel roads, subject to washout during flash floods.

The tract has long been a favorite one for hunters and fishermen. A burgeoning sport is riding by kayak the turbulent Cattaraugus after it has been swollen by a rainstorm. During low water, boatmen must portage rocky stretches.

BURT'S PARK

About halfway along the tour is the valley's only public picnicking grounds, Burt's Zoar Valley Park, with accommodations for 200 cars. Admission is 50 cents per car.

Just north of this park once stood a busy settlement, including a hotel, blacksmith shop, cheese factory, sawmill and houses. Carloads of lumber were shipped from here to repair the ravages of the Johnstown flood. On private property near here is the remains of an earthworks fortification thrown up during the War of 1812.

The largest settlement now in the area covered by the tour is the Zoar Valley Camp of the Niagara County Council of Girl Scouts, which is south of Zoar Bridge and occupies 350 acres. It has its own slate-colored waterfalls, and adjoins Buttermilk Falls, a cascade of waters spanned by a road bridge of angle iron.

LEGENDS ABOUND

Legend and lore abound in Zoar, and freakish weather rages throughout its length. Wispy clouds linger in the wooded heights.

Some claim to hear an Indian tom-tom beating an unearthly tattoo. Dr. James W. Fuller, who spent 35 years in the valley before retiring, heard that sound, too. Recently he wrote about the superstition of drums and offered an explanation for the sound:

"On a clear, cold day I have heard what I believed to be a woodpecker. It was the loudest and clearest I had ever heard. I believe the surrounding hills amplified it."

TENTH ANNIVERSARY OF ZOA HOUSE

Mr. **KEATING**. Mr. President, U.S. Ambassador Edward B. Lawson has acclaimed ZOA House as a "landmark of Israel-American friendship." How right he is. ZOA House, now celebrating its 10th anniversary, stands as a fitting monument to the ideals of the Zionist Organization of America in fostering closer links between Israel and American Jewry and in increasing a better understanding of the Jewish community.

The idea for ZOA House was originally conceived by the late Daniel Frisch, formerly president of the organization. Dedicated in 1953, the House is a living symbol of the accomplishments and achievements of the Zionist Organization of America for the past six decades. This organization has been a great pioneering force in numerous Zionist undertakings in the fields of education, public action, fund raising and even the promotion of private investments. Quite clearly, ZOA is dedicated to the everlasting memory of Herzl's dream—the establishment and progress of the State of Israel.

Indicative of the great prestige surrounding the establishment of ZOA House were the leaders who were present at the dedication—Premier David Ben-Gurion, the then Acting President Joseph Sprinzak, and Foreign Minister Moshe Sharett, among others. All of these men expressed the ideals embodied in ZOA House—to bridge the cultural gap between the Jews of America and Israel and, even more significant, to strengthen the friendship between these two free governments.

On this 10th anniversary of ZOA House, let us as Americans pay tribute to Israel, the progressive young government which stands as a showcase of representative government in the Middle East. ZOA House and the Zionist Organization of America have made invaluable contributions in fostering a greater understanding of the Jewish community. I salute and congratulate all of the many men and women who have dedicated themselves to this purpose.

Mr. President, an article appearing in the July issue of ZOA House News ably describes the activities of ZOA House. I ask unanimous consent that following my remarks, the text of this article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LIVING SYMBOL OF AMERICA-ISRAEL FRIENDSHIP

(By Dr. Max Nussbaum)

The 10th anniversary of the establishment of ZOA House is indeed an occasion for special rejoicing and festivity in that the primary aims envisioned for this great institution by its founders and sponsors—to serve as an everlasting living symbol of America-Israel friendship—are being fulfilled even beyond the original expectations.

Conceived and blue-printed in 1950 by the late Zionist Organization of America president Daniel Frisch, the magnificent structure was dedicated 3 years later in the presence of a galaxy of illustrious Israeli and Zionist Organization of America leaders, all of whom gave vivid expression to their hopes and dreams for this edifice as a testimonial to the achievements of the Zionist Organization of America for more than half a century.

In the span of 10 years, the Zionist Organization of America House has lived up to the program mapped out for it by its initiators, standing as a magnificent and fitting monument to the Zionist Organization of America's historic record of unparalleled accomplishments for Zion Reborn.

It is of inordinate significance that at the dedication of the House 10 years ago, the leadership of the State of Israel represented in all splendor by its Premier David Ben-Gurion, the then Acting President Joseph Sprinzak, Foreign Minister Moshe Sharett, Chief Rabbi Isaac Herzog, Golda Meir, then Minister of Labor, and other high dignitaries unanimously acclaimed the Zionist Organization of America House as symbolizing the eternal spiritual and cultural link binding American Jewry to the land and the people of Israel.

It is most appropriate to recall the memorable words uttered during the dedication ceremonies by Mr. David Ben-Gurion who, while retaining freedom to criticize the Zionist Organization of America "if necessary," gave high praise to the "imagination, daring, and will power embodied in the House," further emphasizing that "We need not forget the great acts performed by American Zionists, starting with the days of the formation of the Jewish battalions in the first World War, continuing with the days of the Biltmore Declaration during World War II and most recently with providing financial aid for Israel through a new channel, the Israel bond drive, in which Zionist Organization of America is so actively participating."

Particularly significant were Mr. Ben-Gurion's words when referring to the alleged "descending" of the Zionist movement: "Every movement has its ups and downs. My best wishes for the Zionist Organization of America to continue to be the greatest and most important factor in the life of American Jewry."

Being privileged to serve as ZOA president on this the 10th anniversary of the dedication of the ZOA House, I can assure Mr. Ben-Gurion and the people of Israel that the ZOA has not relinquished its position as "the greatest and most important factor in the life of American Jewry."

On this auspicious occasion we can state with a sense of deep pride that we have fulfilled the hope voiced at the dedication of the house by acting President Joseph Sprinzak on behalf of Dr. Chaim Weizmann: "May it come about that this house will give honor to Zionism in America and may this house be of usefulness and a blessing to the State of Israel."

Likewise, it is most appropriate to recall the words of Mr. Moshe Sharett, who will be a guest speaker at our first convention in Israel, when he voiced the hope that the "mission of the new ZOA House, inspired by the late Daniel Frisch whose whole life was devoted to the fostering of closer links between Israel and America, would be a success. It is the first instance of a Zionist organization building its own house in Israel and we hope this excellent example will be followed by Zionist federations from other countries."

Even as the ZOA House was only in its infancy, it already won recognition on the part of the U.S. Government, when its illustrious Ambassador Edward B. Lawson publicly acclaimed the ZOA House as a "landmark of Israel-American friendship." Its contributions in this sphere were also acclaimed by prominent U.S. legislators and other leaders in all walks of American public life who have visited the house and familiarized themselves with its program and activities.

In summing up the remarkable record of activities of the ZOA House during the decade since its establishment, high tribute is due to the members of the management committee, all of whom have volunteered their services and whose efforts have contributed to the success of this vital project of our organization.

Our thanks and appreciation also go out to the members of the staff for their devoted and painstaking labors.

We meet to celebrate the 10th anniversary of the ZOA House and as over 1,000 delegates representing more than 600 districts throughout the United States, are assembled for the first ZOA convention meeting in Israel. They will witness with their own eyes the fulfillment of Herzl's dream—the miraculous development of the State of Israel in providing a home, freedom, and dignity to countless thousands of our homeless brethren. They will see with wonderment and pride the fruits of their labors and financial support.

Let us take the occasion of our presence in the land of our forefathers to renew our vow to stand by the valiant people of Israel and to dedicate ourselves anew to the strengthening of our bonds with the people of Israel and to fortify the bridge of friendship between the two democracies—America and Israel.

NUCLEAR TEST BAN TREATY

Mr. STENNIS. Mr. President, the Senator from Washington [Mr. JACKSON] is momentarily expected in the Chamber. He hopes to utilize a few minutes, before the Senate, under the agreement entered into by the Senate, proceeds to consider the unfinished business.

The Senator from Washington is a member of the Joint Committee on Atomic Energy. We are also favored to have him as a member of the Committee on Armed Services, and of the Preparedness Investigating Subcommittee.

The Preparedness Investigating Subcommittee has been holding hearings since last September on the question of nuclear test bans; their impact on the entire weapons structure and exactly how dependent we are with reference to such weapons.

The proposed nuclear test ban treaty submitted to the Senate, of course, has become the specific question to be resolved in the course of time.

A few days ago the Senator from Mississippi asked the Senator from Washington if he would put in writing, summarize, and point up as questions some of the major items which he thought were involved with reference to what might be called the scientific aspects of the impact of a nuclear test ban.

The Senator from Washington has responded to that request in the form of a letter to the chairman of the subcommittee, and has prepared the subject matter in the form of remarks to be delivered on the Senate floor.

I trust the Senator, who has now arrived in the Chamber, will do so at this particular moment.

At the beginning, I wish to state my complete accord with the concern the Senator expresses, the points he raises, and the observations he makes.

Mr. JACKSON. Mr. President, the limited test ban treaty is now before the Senate for its advice and consent to ratification. The proposed treaty is, of course, no routine treaty. It has major foreign and defense policy implications, and its provisions relate directly to the present and future creditability of the military deterrent which has been the free world's mainstay in stopping aggression and keeping the peace since World War I. To fulfill our constitutional responsibilities, the Members of this body are going to have to examine this treaty with the greatest care.

I assume there would be no disagreement in the Government that a first priority of national policy is to protect and maintain the free world's ability to deter or survive a nuclear attack and to respond effectively against the aggressor. I believe it is the Senate's duty to make certain from the testimony we will receive that the Nation's security is amply protected under the terms of the treaty. To meet its constitutional obligations, the Senate, through the appropriate committees, must acquire the same type and range of evidence that was available to the executive branch in reaching its announced decision that the proposed nuclear test ban is in our national interest.

I have always believed that when we are dealing with a matter involving the very survival of our country and of individual liberty, it is certainly not the time for party partisanship. All of us in this body have to do our duty without fear or favor, as we expect the people who elected us would have us do.

I should like to indicate to the Senate at this time some of the areas of questioning related to national security issues which I plan to pursue in the course of committee hearings on this treaty. Before the Senate can reach a determination that the proposed treaty is in our national interest, I believe we need frank and adequate responses from the responsible officials of the executive branch and from other witnesses to such national security questions as the following:

The PRESIDING OFFICER. The time of the Senator from Washington has expired.

Mr. JACKSON. Mr. President, I ask unanimous consent that I may proceed for an additional 5 minutes.

Mr. MANSFIELD. Mr. President, I hope the Senator will limit that to 3 additional minutes, because of the unanimous-consent agreement.

Mr. JACKSON. That is satisfactory.

The PRESIDING OFFICER. Without objection, the Senator from Washington is recognized for an additional 3 minutes.

Mr. JACKSON. Mr. President, the questions are as follows:

First. Can the United States afford a position of parity or equality with the Soviet Union in nuclear weapons technology and systems? Does the United States require for an effective deterrent a margin of safety and superiority in these matters in view of Soviet secrecy?

Second. In what areas of strategic and defensive nuclear weapons systems do the Soviets know as much or more than we do? In what areas of nuclear weapons research and weapon effect must we progress in order to protect and maintain our deterrent?

Third. Can we make the progress necessary to protect and maintain our deterrent by underground testing within the limitations of the proposed treaty?

For example: First, just what steps are possible within the terms of the treaty to determine and evaluate the military effectiveness of the very high yield Soviet thermonuclear weapons, and to devise means of defending free world civilian populations and retaliatory weapons systems against their use by the Soviet Union? Second, what steps are possible under the treaty to obtain information on the effects of Soviet nuclear weapons on our new deterrent military weapons systems, including the ability of our missile launch complexes to survive a Soviet first strike, the ability of our missile warheads to penetrate a Soviet nuclear defense, and the ability of our vital military communications, radar, and other systems to survive and to function under Soviet nuclear attack? Third, is an effective anti-ICBM system achievable? Can an effective anti-ICBM system be designed and deployed without atmospheric testing?

Fourth. What assurances will be given that in all the experiments involving testing permissible under the treaty and required by our nuclear weapons research laboratories will go forward in a vigorous and sustained manner, and not be stifled by the qualified, half-hearted, stop-and-go characteristics of the recent past?

Fifth. What steps will be taken to deal with the possibility of a planned abrogation of the treaty by the Soviets—that is, the possible use of the treaty by Moscow to degrade our laboratory programs in nuclear research and our test organizations while secretly preparing to abrogate the treaty and carry out another massive atmospheric test series? What steps will be taken to give us an immediate standby capability for atmospheric testing?

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JACKSON. Mr. President, may I have 30 seconds additional?

Mr. MANSFIELD. Mr. President, I ask unanimous consent, notwithstanding the agreement entered into yesterday, that the Senator from Washington may have an additional 4 minutes and that the Senator from Nebraska [Mr. Curtis] may be recognized for 3 minutes; and that then, without fail, the agreement entered into yesterday be put into effect.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. JACKSON. Mr. President, to continue my statement:

Sixth. What assurances will we be given that our weapons laboratories will have full and wholehearted support, so that the budgets of the laboratories will be adequate, the morale in the laboratories will remain high, and the best men will not drift away to more attractive positions?

Seventh. What can and will be done to deal with the new difficulties in information gathering which would reinforce the difficulties already imposed on the free world by the closed Soviet society? Will a special effort be made to obtain information on possible secret Soviet preparations for atmospheric testing?

Eighth. What is the capability of our nuclear test detection systems for the atmosphere, high altitude, outer space, and under water? What would be the effect of the proposed test ban treaty on our capacity to improve nuclear test detection systems? What steps will be taken to improve these systems within the limitations of the proposed treaty?

These are some of the questions to which I believe every Member of this body would be desirous of obtaining an answer before voting on this all-important treaty.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. JACKSON. I yield to the distinguished Senator from Mississippi.

Mr. STENNIS. I commend the Senator from Washington very highly for his penetrating and timely questions and his comments thereon. In the opinion of the Senator from Mississippi, these questions are far reaching and go to the very heart of the future security of this Nation. Further, the Senator from Washington has unusual qualifications to raise these questions and make comment thereon. He has been of invaluable assistance at the hearings, and will continue to be. I approve the approach and the substance of what he has said.

Mr. JACKSON. I thank the chairman of the Preparedness Subcommittee for the outstanding service he is rendering the country and has been rendering for some time on these specific problems.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. JACKSON. I yield to the distinguished Senator from Massachusetts.

Mr. SALTONSTALL. I commend the Senator from Washington for the questions he has raised. I believe the Senate should go into this subject with the utmost care and patience and obtain all the facts. As one who witnessed the ceremony of the signing of the treaty in Moscow, I was impressed, but at the same time I said I wished to hear all the evidence and hear all the questions that might be raised before reaching a final decision as to whether I would advise and consent to the treaty. I believe that is the responsibility of every Senator, no matter on which side of the aisle he sits.

Mr. JACKSON. I commend the Senator from Massachusetts. I think he has taken a very sensible position. It is precisely the position I have taken; namely, one of reserving judgment on this question until all the facts which are known are made available.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. JACKSON. I yield to the Senator from Ohio.

The PRESIDING OFFICER. The time of the Senator from Washington has expired.

Mr. CURTIS obtained the floor.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. CURTIS. I am limited to 3 minutes. I am sorry.

Mr. LAUSCHE subsequently said: Mr. President, I commend the Senator from Washington [Mr. Jackson] for the soundness and clarity of his proposals made on the floor of the Senate today.

Many citizens are writing to me, some urging that I vote for the treaty and others urging that I vote against it. The truth is that if I were to cast my vote today, on the basis of the reliable knowledge which I now have of this subject, I would be guilty of unpardonable conduct. I would be voting without having adequate knowledge.

A majority of Senators—even including those who are members of the Committee on Aeronautical and Space Sciences—do not have a complete understanding of the advantages to be gained and the dangers which are involved.

We cannot take the word of the representatives of the State Department and the Disarmament Agency alone in deciding this issue. There are other experts, qualified both by training and scholastic achievement, who can give information which is vitally needed for an intelligent judgment.

Mr. CURTIS obtained the floor.

Mr. THURMOND subsequently said: Mr. President, the Senator from Washington [Mr. Jackson] has today performed a very distinguished service in stating to the Senate a series of questions to which the answers must be obtained before the Senate can responsibly vote on the question of ratification of the test ban treaty. The Senator from Washington has, by his question, framed the issues which are involved in the test ban treaty.

He is uniquely qualified to perform this service. As a member of the Senate Armed Services Committee, the Preparedness Subcommittee, and chairman of the Military Applications Subcommittee of the Joint Committee on Atomic Energy, his duties have brought him in closer contact with the total national security implications of the test ban treaty than is any other man in this body, or possibly in Government. His dedication and ability have enabled him to master this subject. The issues, as he has stated them, constitute an excellent guide for weighing the testimony which is to come on the most momentous issue of ratification of the treaty.

EIGHTY-NINTH BIRTHDAY OF FORMER PRESIDENT HERBERT HOOVER

Mr. CURTIS. Mr. President, tomorrow, August 10, former President Herbert Hoover will celebrate his 89th birthday. People around the world will think of him and remember his exemplary life and his noble works.

We of this generation have been privileged in many ways. Among other things, we have lived in a time of greatness. It has been a time when some of the giants of the world of all time have served, have spoken, and have written. Among these great is Herbert Hoover. I wish not only to extend to him a happy birthday, but to pay tribute to him for his many contributions to America.

Last year at the time of his birthday I spoke on Herbert Hoover the humanitarian. It was too big a subject to condense in one speech. Therefore, it amounted to but a sketch of his lifetime of good works. Today I want to speak of Herbert Hoover the author. His works are many; they cover a long period of time and cover many subjects. Again, I can only give a brief sketch of his work as an author.

HERBERT HOOVER—THE AUTHOR

It is seldom that a man is sufficiently talented to enter, with equal ability, into such divergent fields as engineering, statecraft, and the world of letters. This, however, has been the case in the career of that great American, Herbert Hoover, whose talents have outstripped and surpassed those of many competitors, in every area in which he has chosen to move.

Initially successful as an engineer, then as a practical humanitarian in the role of food administrator in postwar Europe, and later as President of the United States in a period of grave national crisis, Mr. Hoover gave evidence, every step of the way, of unsurpassed ability. And yet, in all he had done, as of the year 1922, nothing was more impressive than the literary work he turned out that year, under the title, "American Individualism."

Here was a book of high quality, recognized as such the moment it appeared. As a New York Times book review observed:

> This little book deserves to rank, and doubtless will rank, among the few great formulations of American political theory. It bears much the same relation to the problems of the present and the future that the essays of Hamilton, Madison, Jay, and Noah Webster bore to the problems that occupied men's minds when the Constitution was framed.

There were, indeed, words of great praise, and well deserved to be, for in this volume Herbert Hoover set forth a rousing challenge to the future, in keeping with a million great American traditions, and yet in step, also, with the needs of the critical postwar world.

Individualism, he observed, had been the primary force in American civilization for 3 centuries, and so it needed to be in the future. But—and here he shocked a great many readers—Mr. Hoover saw fit to distinguish between the Old World individualism of laissez faire and the equality and opportunity of the American way. Indeed, he defended the entrance of the Federal Government into certain areas of American life, on the grounds that such action was fitting and proper whenever it was undertaken in defense of "equality of opportunity."

Shocking as this may have seemed to some, it represented merely the thoughts of a practical conservative, bound neither to the past nor to the bleary-eyed never-never-land ideas of the star-gazing idealist. For throughout this work, Mr. Hoover returned repeatedly to the need for individual initiative:

> Intelligence (he wrote), character, courage, and the divine spark of the human soul are alone the property of individuals. These do not lie in agreements, in organizations, in institutions, in masses or in groups. They abide alone in the individual mind and heart. Production both of mind and hand rests upon impulses in each individual.

So wrote Herbert Hoover, the budding author, soon to be called upon to fill the highest official position in the land.

In 1928, the Republican Party, in search of a presidential candidate both forward looking and conservative, turned to Mr. Hoover—famed as the architect of postwar reconstruction in Europe, and exponent of a political theory based on individualism, a characteristic cherished in the heart of every true American.

The fates were to descend upon America almost the very moment Mr. Hoover entered the White House, and he would be obliged to work a million miracles, without the thanks of any but a faithful few. And yet—in the midst of working those miracles—he was also to find enough spare moments to prepare for publication a magnificent little work entitled "Boyhood in Iowa."

This book—which was well received in high-toned literary circles and even better received among the common people, for whom it was written—was the second step in a literary career that has gone on to such lengths as to establish Mr. Hoover as a writer of considerable significance on the American literary scene.

In "Boyhood in Iowa" Mr. Hoover not only sets forth a charming and impressive panorama of midwestern American life at the close of the 19th century, but also describes, clearly and distinctly, his own views of virtue and righteousness, deceitfulness and wrongdoing, acquired under peculiarly American circumstances. It was this philosophy—the philosophy of a hard-working Iowa farm boy—that Mr. Hoover has taken with him, wherever there have been battles to wage in the cause of democracy, over the past half century. It was this philosophy, also, that helped make the book, "Boyhood in Iowa," a noteworthy contribution to American literature.

From Mr. Hoover's account, we are entitled to conclude that American civilization as a whole was epitomized in the town, the house, and the land in which he was raised. The house, itself, where Mr. Hoover spent his early childhood, was attractive in every detail. The little room in which he was born looked out upon a yard and playground typically American. The living room which was used for a parlor, kitchen, and dining room combined, lent itself to the development of a superior social atmosphere. Parents and children together in such homes assumed the responsibility and enjoyed the privilege of collectively preparing the meals, entertaining the neighbors, and carrying forward the routine activities of the household.

The farm upon which Herbert Hoover lived after the death of his mother gave a wider but similar experience. As he saw it—

> There is no imprint upon our minds so deep as those of early boyhood. Mine are the joys of Iowa—the glories of snowy winter, the wonder at the growing crops, the joining of the neighbors to harvest, the gathering of apples, the pilgrimage to the river woods for the annual fuel and nuts, the going to school, the interludes from work, in the swimming hole, fishing in creeks, the hunting for prairie chickens and rabbits in the hedges and woods. It is the entry to life which I could wish for every American boy and girl.

Warmed by the spirit of the book, "Boyhood in Iowa," the American public looked forward eagerly to similar literary efforts by Mr. Hoover. When, however, his next work was produced, in 1934, it turned out to be something quite different from charming, philosophical boyhood reminiscence. Indeed, it was a well-edited version of the rather formal "State Papers and Other Public Writings," covering all aspects of the Hoover administration, including the official and yet—even to this day—rather disturbing account of the universal economic catastrophe that smote the world at large and this country in particular, back in 1929. Here, without apology or bombast, was the clear, undeniable story of what happened in that era, revealing—as all history is bound to recognize, today—that the panic of 1929 was not an American phenomena, aroused by the shortcomings of one political party or one Chief Executive; indeed, it was a worldwide holocaust, in which the American economy was unable to get out of the way. Also revealed in this work, without fanfare, was the admirable conduct of the Hoover administration, in the face of this unprecedented crisis. Knowing full well the evils of foreign ideology and worshipping American principle in every way, Mr. Hoover met the crisis of 1929 in the best American tradition—without foresaking principle in the interest of political expediency.

Established as a philosopher of Midwestern American thought and author of clear-cut executive directives and memoranda helpful to historians and scholars of all kinds, Mr. Hoover next appeared in print—in 1939—as author of a work entitled, "Shall We Send Our Youth to War?" As a man of peace, with considerable experience both in wartime and postwar politics, Mr. Hoover gave forth his views on the then-developing international crisis abroad, lining up the pro's and con's of American participation, in a manner worthy of an outstanding analyst of world affairs. Partisan observers were of course incensed by Mr. Hoover's refusal to take sides with them in this matter, but, then, the partisan observer and Mr. Hoover have seldom seen eye to eye.

With World War II in progress, Mr. Hoover set forth on a new tact, agreeing to serve as coauthor of a work entitled, "Problems of Lasting Peace," in conjunction with former Ambassador Hugh Gibson. Moreover, while this book was in the works, the prolific Mr. Hoover fished into the past, to introduce a book he had written, but never published, back in 1935. This was entitled, "America's First Crusade." Both books were published in 1942, at approximately the same time, and both were very well received.

"America's First Crusade" consisted of a brief collection of observations, letters, and memoranda relating to the 1919 peace conference. The lesson to be drawn from the material, in the view of Mr. Hoover, is that "eloquent and lofty ideals" are useless in international relations unless we prepare concrete solutions of the problems involved in advance. Many critics were deeply disturbed by what Mr. Hoover had to say in this regard, inasmuch as he failed to beat the drum in the customary way and failed, also, to play up certain political heroes of the World War II period. For this neglect he was very hotly assailed in certain quarters, and some of his critics went so far as to belabor him for displaying what they were pleased to call "irresponsibility." When these attacks were launched, however, they served no great purpose, other than to bring forth the defenders of Mr. Hoover, who were quick to point up the absurdity of attacks against him, in this regard. With reference to the Hoover philosophy that a war could not be won unless the postwar peace was also won, one critic declared as follows:

> If the phrase "win the war" has any positive meaning, does not Mr. Hoover by bringing forward this point show himself infinitely more patriotic than the reviewers who deride him for doing so? (Commonweal, Feb. 20, 1942, p. 441.)

When the smoke and dust had lifted, it was clear that Mr. Hoover and his supporters held the field, and that his critics had once again been driven off, in wild disarray.

The release in 1942 of "America's First Crusade," coinciding as it did with that other work, "Problems of Lasting Peace," placed Mr. Hoover before the public to an unusual degree, and began to solidify his reputation as an author. In "Problems of Lasting Peace," Mr. Hoover and Ambassador Hugh Gibson carry out a formidable effort, in remarkably workmanlike style. What they do is to survey the important "peaces" in history—not merely the peace treaties nor the peacemakings, but the nature of the peace that resulted in each case. This they do from the Pax Romana down through the Treaty of Westphalia and the Congress of Vienna to the Versailles Treaty. The resulting diagnosis is like a treatise on some subject in the world of physics. From their survey, Messrs. Hoover and Gibson deduce that alternations of peace and war throughout human history have been due to the interplay of seven dynamic forces and that the relation and interplay of the forces to each other is prepotent.

In this work, the personal participation of two exceptionally intelligent and humane men in some of the most ambitious attempts ever made in the direction of peace, coupled with the scholarly study of all men's attempts at peace throughout history, give this book a unique value. In fact, it does not really matter how far the reader agrees with the book. It is an honest, courageous, and comprehensive contribution to a debate that ultimately will determine the future of our own country and the world. What matters, so far as the book is concerned, is that it continues to be widely read and discussed.

With a sudden lapse of foresight, Mr. Hoover produced a book of "Memoirs," in 1951, a year before advising the audience at a Republican national convention that this would probably be the last convention he would be able to attend. As it has turned out, Mr. Hoover's "Memoirs" have grown surprisingly old, while he has—happily enough—remained with us, to accomplish, to advise, to learn and to teach, as always in the past; and also attend conventions, to the delight of his admirers, as well as to write and write and write. Ironically enough, since his "Memoirs" were published a dozen years ago, the remarkable Mr. Hoover has produced four more books, all of high caliber.

It is well known that of all major American political figures alive today, Mr. Hoover was the victim of some of the most partisan mistreatment on record. Yet, in the same spirit that has marked all his other actions, man and boy, Mr. Hoover responded to this kind of low-grade politicking with a volume of praise for the late Woodrow Wilson—a hero of those folks located on the other side of the political aisle.

"The Ordeal of Woodrow Wilson," published in 1958, is not a biography. In it, Mr. Hoover deals only with the years 1915–21, when Woodrow Wilson was dreaming up a new world of peace and good will. At this time, you will perhaps recall, Mr. Hoover achieved renown as one of Wilson's first advisers, served on the President's American War Council and on the Committee of Economic Advisers during the Peace Conference. In this book, Mr. Hoover sets forth a documentation—a blueprint, you might say—of the Wilsonian ordeal. He shows in detail how Wilson captured the imagination of a war-shocked world with the promise of a just peace and a League of Nations, to tidy up the international madhouse. He then shows how, notwithstanding the vision and the courage of Wilson, Old World hatreds and greeds, together with homegrown suspicions, turned Wilson's dream into a patchwork of drab compromise.

This is a work of rare importance. It serves the interest of student and scholar and offers the American public an invaluable introduction to the problems and responsibilities of the United States as a world power. Mr. Hoover's qualifications as author are not to be matched, in this respect.

The outstanding significance of this volume lies in the chapters dealing with the economic problems of the Peace Conference, the relief and reconstruction of Europe, and the difficulties that arose from the continuation of the blockade.

Althought much of the narrative was related previously in Mr. Hoover's "Memoirs," this volume—put together with especial literary brilliance—illuminates as never before the triumph and tragedy of the life of Woodrow Wilson. It also discloses the diplomatic manipulations behind the scenes that produced the agreements reached at the Paris Peace Conference.

In commenting upon "The Ordeal of Woodrow Wilson," the Christian Science Monitor had this to say:

> There are many remarkable things about this newest book of recollections by Herbert Hoover. The first is that one former President of the United States should have written a book about another. Secondly, its firsthand character. Thirdly, the thesis of the book: on the one hand, a heartfelt appreciation by a Republican President of the "political and spiritual heights" of his Democratic predecessor less than a decade before; and on the other hand, Mr. Hoover's antithesis of the idealistic American leader and the scheming, cynical European statesman—as he sees them. This book is not comprehensive. But it adds both data and viewpoint to our knowledge of one of history's sad turning points. Mr. Hoover deserves much gratitude for having written it. He is indeed an elder statesman. (Christian Science Monitor, May 1, 1958, p. 11.)

Following the triumphant reception of "The Ordeal of Woodrow Wilson," Mr. Hoover set to work again, at the writing desk, and in comparatively short time was able to turn out still another gem, in the form of "An American Epic," depicting the activities of the Commission for the Relief of Belgium, in World War I. In speaking from the vantage point of the man who organized and administered the Commission for the Relief of Belgium, Mr. Hoover was able to set forth in detail the trials and travail of the first international relief agency of record.

Here, then, is a book about an aspect of World War I that had nothing to do with the war's outcome, written by a man who is not a professional writer, and crowded with official documents. As a reviewer in the New Yorker magazine observed:

> It ought to be a dull book, but it is a fascinating one. Its literary merits are simplicity and coherent organization, and its story is moving. Most of the European commanders and statesmen Mr. Hoover remembers were gallant and humane, and so were his American colleagues. He writes with justified pride, rather then with nostalgia; still, his readers may feel homesick for a time when Europeans thought Americans were likable and when war, though horrid, was not total. (New Yorker, Jan. 2, 1960, p. 71.)

Having fully advised the literary world on certain of the several major subjects about which he was an expert, Mr. Hoover, of late, has turned to less weighty areas of discussion. His last two works—"On Growing Up" and "Fishing for Fun"—are partially philosophical, it is true, but in the main they are just good fun. "On Growing Up" is a sometimes stirring sometimes rib-tickling commentary on the younger generation, culled from correspondence between Mr. Hoover and young letterwriters from all over the Nation.

A classic is one addressed to a little girl named Betty, who wrote concerning the bad behavior of her dog, Tippy. Mr. Hoover replied as follows:

> MY DEAR BETTY: I am much astonished at Tippy's fighting; it's not proper for small dogs; however, he may reform—they do that generally.
>
> We have in our family: 2 small boys, 1 dog, 2 cats, 11 goldfish, 1 canary, 3 frogs, 14 chickens, 2 turtles, and 1 rabbit.
>
> And every morning two mice. They don't get through the day usually, as Allan needs the traps to catch more and thinks they should be drowned.
>
> We also have 1 million mosquitoes.

In the same light vein, Mr. Hoover approaches the subject of fishing in his latest work, "Fishing for Fun." Fishing and politics are not, in his opinion, unrelated. As Mr. Hoover observes, there is a close connection between political life and the need to become a fisherman.

"That Presidents have taken to fishing in an astonishing fashion seems to me worthy of investigation," he declares. "I think I have discovered the reason: it is the silent sport. One of the few opportunities given a President for the refreshment of his soul and the clarification of his thoughts by solitude lies through fishing."

"Next to prayer," Mr. Hoover observes, "fishing is the most personal relationship of man; and of more importance, everyone concedes that the fish will not bite in the presence of the public, including newspapermen."

Another of Mr. Hoover's observations:

> Fishing is a constant reminder of the democracy of life, of humility and human frailty. It is desirable that the President of the United States should be periodically reminded of this fundamental fact—that the forces of nature discriminate for no man.

Fishing, Mr. Hoover points out, is also full of amusing sidelights, as in the case he describes as follows:

> I was supposed to be returning after 2 days' fishing without a single fish when I met a boy who was toting home a beautiful catch.
>
> I asked: "Where did you get them?"
>
> He said: "You just walk down that lane marked 'Private' till you come to a sign saying 'Trespassers will be prosecuted.' Just beyond is a stream marked 'No fishing allowed,' and there you are."

All in all, Mr. Hoover has turned out to be quite something of a writer, in every field from foreign relations to domestic politics, to philosophy, to sports and to humor. Indeed, his talents have required that he be recognized not merely as a statesman who writes books on the side—but as a combination statesman and author—a combination rare to the annals of history, including only such names as Jefferson, Disraeli, Madison, Winston Churchill, and a handful of others. The addition of Mr. Hoover's name to this list is, beyond question, a certainty.

THE PRESIDING OFFICER. The time of the Senator has expired.

AUTHORIZATION OF APPROPRIATIONS FOR THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

The Senate resumed the consideration of the bill (H.R. 7500) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations; and for other purposes.

The PRESIDING OFFICER. Under the unanimous-consent agreement, the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Under the unanimous-consent agreement, the time for debate on the pending amendment will be limited to 2 hours, to be equally divided and controlled by the Senator from New Mexico [Mr. ANDERSON] and the Senator from Tennessee [Mr. KEFAUVER].

The question is on agreeing to the amendment to the committee amendment, offered by the Senator from Tennessee [Mr. KEFAUVER] for himself and other Senators, identified as No. 158.

Mr. ANDERSON. Mr. President, in the absence of the Senator from Tennessee—and I assume there is no objection to this request—I ask unanimous consent that the time in behalf of the amendment be under the control of the junior Senator from Alaska [Mr. GRUENING].

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

U.S. GOVERNMENT LOANS, NOT GRANTS, HAS BEEN A POLICY FAVORED BY THE CONGRESS—WHY NOT APPLY IN THE CASE OF A PRIVATE CORPORATION ORGANIZED FOR PROFIT?

Mr. GRUENING. Mr. President, last summer a few of us made a determined effort to prevent the enactment of the legislation establishing a private monopoly in the telecommunications field. Fifteen senators joined in this effort. They were Senators BARTLETT, BURDICK, CARROLL, CHURCH, CLARK, DOUGLAS, GORE, GRUENING, KEFAUVER, LONG of Louisiana, MCNAMARA, MORSE, NEUBERGER, and YARBOROUGH.

Unfortunately, our efforts were not successful.

We tried our best to amend that bill to protect the American taxpayer. Our amendments were ruthlessly tabled with little chance to debate on their merits the many issues raised by the proposed legislation.

Earlier this year a few of us tried to show how absurd the provision of the act was in requiring that the Senate of the United States give its advice and consent to the appointment by the President of the incorporators of this private corporation for profit. We were unsuccessful in that effort also.

Today we have before us another example of how accurate were our warnings about what would come to pass if the Congress established a private monopoly.

Today we are being asked to authorize the appropriation, for the use of NASA, of over $44 million for research and development, with a private, monopolistic corporation standing by to reap the benefits of this research.

Before I go into the basic problem that faces us today, I would like to review arguments that were made last summer with regard to the Communications Satellite Corp.

The major argument we made against the bill last year was that it amounted to nothing more than a crude "giveaway" of millions of dollars worth of governmental research to a private monopoly. Those of us who opposed the bill pointed out that the Communications Satellite Corp. would be dominated by the American Telephone & Telegraph Co., and that the shares that were not owned by A.T. & T. would be owned by a relatively few individuals in America. Since the tax dollars which paid for this research were contributed by all Americans, we objected to this as an unprecedented giveaway of the tax money of the many for the benefit of the very few.

I remember a delightful little jingle that one of Senator YARBOROUGH's constituents composed, which summed this up, as follows:

> Twinkle, twinkle, A.T. & T. star;
> Tax dollars put you where you are—
> Up above the world so high,
> Double dividends in the sky.

Those of us who opposed the communications satellite bill were not the only ones who were concerned with the high cost of governmental research on communications satellites. Many Senators who favored the communications satellite bill did so partially for this reason: They felt that eventually the science of rocketry and satellites would be used to benefit the private sector of the economy, and they wanted private enterprise to get into this area as soon as possible, so that it could begin to pay some of the costs of research.

A happy coincidence occurred for the supporters of the Communications Satellite Corp. Just as the debate was at its height, A.T. & T. successfully launched its Telstar satellite, and this feat encouraged many Members of this body to see a real opportunity for private industry to move in, and begin to assume a substantial part of the heavy financial burden of space satellite research.

Senator HUMPHREY, our distinguished majority whip—and I wish he were present in the Chamber now—expressed this prospect very effectively in a speech before this body on August 16, 1962, when he said:

> The taxpayers of this country should know that the cost of this communications satellite system will be privately financed rather than have it come out of the Federal budget, which is already running at a $6 billion deficit. What we are attempting to do is to adapt the resources of the country and to bring in the capital through other means than taxation.

Senator HUMPHREY is no doubt surprised today to see in the bill now before us the authorization of $44 million for the benefit of this satellite corporation.

Mr. GORE. Mr. President, will the Senator yield?

Mr. GRUENING. I yield with pleasure to the distinguished Senator from Tennessee.

Mr. GORE. I note that the distinguished junior Senator from Alaska said that our esteemed colleague the Senator from Minnesota [Mr. HUMPHREY] might be surprised by the pending issue. I daresay that the Senator from Alaska is not surprised. Surely, the junior Senator from Tennessee is not surprised. Part and parcel of the plan from the beginning was for the Government to continue research and development, as it has already done, to the extent of many millions of dollars, and from which this private corporate monopoly will have the exclusive commercial benefit.

Mr. GRUENING. That, I fear, is the case. I was hoping that the distinguished majority whip would be present so we could find out whether he is a little surprised. A year ago, when this subject was being debated, he said that "the cost of this communications satellite system would be privately financed rather than have it come out of the Federal budget." I assume from that statement that he could not be other than surprised at the new development—a surprisingly new development even for those of us who opposed the satellite bill last year, because we did not expect this rather crude handover of $45 million which has taken place, without any control.

The amendment which the senior Senator from Tennessee [Mr. KEFAUVER] has offered, with a number of cosponsors, of which the junior Senator from Tennessee and I are two, merely attempts to establish some safeguards in line with the declaration of last year by the majority whip, who said this would be a privately financed corporation.

I hope the majority whip will be present, so that we can ask him whether or not he is not surprised. He may decide to support the amendment or not. But the question is, Would he be surprised?

I said the Senator from Minnesota [Mr. HUMPHREY] would no doubt be surprised; but the distinguished Senator from Tennessee [Mr. GORE] says he does not think the Senator from Minnesota would be surprised.

Mr. GORE. Upon full consideration, I think he would be surprised. But those of us who were fully apprised of the plans and machinations of the Communications Satellite Corp. realized that its very purpose was to take advantage of the Government's vast research and development in this field.

Mr. GRUENING. The Senator from Tennessee would say that we were apprised but not surprised.

This is no new way of adapting "the resources of the country to bring in capital through other means than taxation," as he said. This is the old-fashioned way of giving the taxpayers' dollars to a private monopoly.

On the same day, the Senator from Arizona [Mr. GOLDWATER] expressed a similar feeling, when he said:

> It would be foolish indeed for us to take the successful venture Telstar—which was accomplished through initiative and research of American business—and drop it into the maze of Federal bureaucracy. A new Government agency, with all its requests for money and power, would be necessary if the Federal Government were to assume ownership and control of our communications in space.
>
> Mr. President, the American people can ill afford another agency, another anthill of bureaucracy, to absorb the taxpayers' dollars.

Apparently it is not a bureaucracy, but a private corporation which will now absorb the taxpayers' dollars.

I presume the able and distinguished junior Senator from Arizona [Mr. GOLDWATER] will now proceed to support our amendment so that this private corporation will not continue to "absorb the taxpayers' dollars."

On the following day, the junior Senator from New York [Mr. KEATING] expressed the same sentiments, when he said:

> I see no reason to drag the Government in at the taxpayers' expense to duplicate the know-how of the publicly owned communications companies.

Apparently the Government has been dragged in willy-nilly over its protestations to help the private corporation.

I am certain that the able and distinguished junior Senator from New York will be found on our side to assure that this example of free enterprise—the satellite corporation—remains free of dependence on the taxpayers' dollar and seek to raise the necessary capital as all other free enterprise endeavors do—through the sale of stock or by borrowing in the money markets of the country.

The senior Senator from New York [Mr. JAVITS] also felt that a private corporation could help to ease the burden of governmental research. On August 16, he said:

> The next step is Government-business cooperation as attempted in this bill and it is so vital as to be worth trying. It is to be noted that thereby the United States will be relieved of further investment in development which will be undertaken by private financing while the Federal Government will fully participate in management and have the effective benefits of the creation and operation of the system.

I hope the senior Senator from New York, will be found on our side to help relieve the United States "of further investment in development."

Mr. President, these are just random illustrations of the high hopes that many of the supporters of the Communications Satellite Corp. had for the corporation. They thought it would be a dynamic, progressive private enterprise business, in the great tradition of American free enterprise, and that it would plunge enthusiastically into the field of space communications research, in order to obtain a quicker and larger profit for its stockholders. Those of us who sought adequate debate on the bill which was denied us were skeptical and sought to bring the reasons for that skepticism before the American people. That skepticism has now been fully justified. We find the evidence in this bill.

For, alas, the Communications Satellite Corp. has been enthusiastic only in the amount of salaries that it has offered to its corporate officers. Rather than investing private capital in productive research, we find that the Communications Satellite Corp. has not spent 1 cent for research. In fact, it has not even gotten around to holding an organizational meeting. No directors have been elected. No stock has been issued. All the Communications Satellite Corp. has done is arranged to borrow $5 million, and proceed to pay huge salaries to officers, who, as far as anyone is able to tell, have absolutely nothing to do.

Mr. President, a second reason why many Senators favored the communications satellite bill was that they were convinced that such a corporation would move quickly and more effectively than a Government agency, and that the United States would move ahead in the field of satellite communications. Many Senators were afraid that the Russians would establish a satellite system first, and that they would occupy all of the available channels, and thereby preempt this Nation from the use of these wavelengths. Many Senators felt that the Communications Satellite Corp. would act vigorously and promptly to move ahead of the Russians in this field. This seems to have been one of the primary reasons that the late Senator Kerr supported the bill. On July 13, Senator Kerr made a major speech on the subject. Because it illustrates the hopes of many Senators for prompt action through this private corporation, I want to quote from a part of that speech:

> Telstar's success again emphasizes the value of Government and industry cooperating in research and development, whether it be in space, agriculture, medicine, or communications. * * * The success of this very complex experiment adds new significance to the bill H.R. 11040, which would establish a privately owned, Government-regulated U.S. corporation to build and operate a worldwide communications satellite system. Now that our scientists and engineers and thousands of industrial workers have proved the workability of such a system, it is time for the Senate to act, to move ahead.
>
> To move ahead—this is what the President and we here in the Senate have been asking of our free enterprise system.

The Senator from Rhode Island [Mr. PASTORE] did a very able job as floor leader for this bill. On June 19, 1962, he made a statement before this body, which indicated that his primary reasons for supporting the bill were that it would relieve the Government of some of the heavy expense of research and that it was necessary to form the Communications Satellite Corp. as soon as possible in order to speed up this Nation's efforts in this area. The Senator from Rhode Island made the following statement:

> Insofar as actual experimentation on communications is concerned, we have not spent too much money. In fact, in the aggregate, up to now, private industry has spent more than the Government has in the specific area of space communications. So I fear that

the idea that the job would be done anyway is a somewhat fallacious point of view. I think we ought to give it very serious thought. I am not saying that my good friend from Louisiana [Mr. LONG] is wrong and that I am right.

The point I am trying to make is this: Let us not go off with the idea that if we do not do something about the proposed corporation this year, we can merely sit back, and the project will take care of itself. If—God forbid—any other country succeeds in getting a satellite in space before we do and begins to preempt that area, and, as I pointed out, there are only so many frequencies available for use in space, and if a country should preempt those frequencies before we do, we will be in a very unfortunate position. I wish to make the record clear on that point.

Unfortunately, a majority of the mass-media publications of this country agreed that the communications corporation idea would contribute to the efficiency and speed of our space communications effort. They seemed to feel that the mere fact that private enterprise was moving into the satellite area was a good thing, despite the fact that it was doing so in a monopolistic form which was very unfair to the average taxpayer. On June 26, 1962, the New York Herald Tribune published an editorial which I ask unanimous consent to have printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the New York Herald Tribune, June 26, 1963]

PRIVATE ENTERPRISE STILL DOES ITS BEST

Communications satellites, when they reach their full potential, are going to be big business. It is right that Congress should give careful consideration to the form of any corporation set up by Federal action to own and operate a satellite system.

But in the forefront of the Senate debate—or filibuster—on the satellite question have been men who argue that it should not be turned over to private enterprise at all. And they back this argument with strange reasoning that shows little faith in the bases of the American economy.

Senator KEFAUVER, for example, argues that it would represent a gigantic giveaway, with the corporation getting the benefit of billions of dollars of taxpayer-financed research and the taxpayer getting no direct benefit. To protect these billions already invested in research, he proposes Government ownership along the lines of TVA.

The taxpayer, in this case, is nothing more nor less than the public, and the public interest is in getting a satellite communication system in operation quickly, then seeing it operated as efficiently and as economically as possible. One reason this country has achieved the greatest prosperity man has ever known is simply that free private enterprise works. The American experience has been that these things are done best when done by private companies.

As for the billions invested in space research, communications satellites are going to be an ancillary benefit of programs that would have been undertaken anyway. Are the people to be deprived of the public benefits of private ownership merely because much (though not all) of the research was publicly financed? Does Senator KEFAUVER propose erection of a wall between the Government and the people, with neither letting the other have the benefits of its technological discoveries? If so, he might well reflect on what this would mean to the Government's own programs, both in peace and in war, which have borrowed liberally—and quite properly—from the ideas, the initiatives, and the independent researches of private industry.

The public-ownership advocates seem bothered by the notion that anyone should profit from an industry the Government played so large a role in creating. They seem to forget the creative role profits play in getting things done, and the disciplining role they play in getting them done efficiently. The Kefauver arguments are supportable only if one abandons the doctrine that businesses are best run by business, not by Government. And this, we trust, is a point that neither the majority of Congress nor the mass of the public has yet reached.

Mr. GRUENING. Mr. President, I wish to quote one paragraph from the editorial:

> The taxpayer, in this case, is nothing more nor less than the public, and the public interest is in getting a satellite communication system in operation quickly, then seeing it operated as efficiently and as economically as possible. One reason this country has achieved the greatest prosperity man has ever known is simply that free private enterprise works. The American experience has been that these things are done best when done by private companies.

The Senator from New York [Mr. KEATING], in asking unanimous consent to have the editorial printed in the CONGRESSIONAL RECORD, made the following statement:

> Its opponents would have us believe that the age of private enterprise is past and that Government control is necessary for development of a satellite communications system. This is not an advanced, or forward-looking attitude. It goes back to the middle ages, when every monarch wanted to monopolize the newly discovered continents for his governments. Fortunately, they did not succeed, for what would the United States be today if they had.

Mr. President (Mr. MCINTYRE in the chair), circumstances have played a cruel joke on the Senators who supported the Communications Satellite Corp., because they thought it would help pay the costs of research, and they thought such a program would be faster than a purely governmental program. However, we find ourselves, a year later, with a Communications Satellite Corp. which has been able to do little more than arrange to borrow $5 million and to pay high salaries to corporate executives who have nothing to do.

One reason for the failure of the Communications Satellite Corp. to fulfill the hopes of its supporters is found in the authorization bill now before the Senate. It includes an authorization of an appropriation of $44,175,000 to NASA to be expended for research in the field of satellite communications. Only two organizations in this country are involved in satellite communications. One is the U.S. Army; the other is the Communications Satellite Corp., which by means of the Communications Satellite Act, was given an absolute monopoly of satellite communications for private use.

At the hearings, officials of NASA testified that, under the bill as it now stands, NASA will contract with private corporations for various research projects in satellite communications, in the total amount of approximately $44 million. Once NASA's research is completed, the fruits of the research—the blueprints procedures, devices, and discoveries made possible by the appropriation—will be in the public domain, and could be used by anyone in the United States.

But here is the joker in this authorization bill; here is one reason why the Communications Satellite Corp. has not acted to raise money and to relieve the Government of the heavy burden of conducting this research: The Communications Satellite Corp. has a monopoly on private satellite communications in this country. Therefore, when the discoveries which result from the expenditure of the $44 million are released to the public domain, under the law passed last year, only the Communications Satellite Corp. can make use of them. Why should it sell stock and raise funds for research when the Government is willing to spend $44 million for the same research, which the corporation has a monopoly to utilize?

Obviously, the Communications Satellite Corp. will continue to stall, procrastinate, and do nothing, so long as the U.S. Government continues to pay for satellite research, and is then obligated to turn over the discoveries to the corporation, free of charge.

For this reason, Mr. President, it is imperative that the authorization bill be amended so as to require the Communications Satellite Corp. to reimburse the Government for any research sums the Government spends to develop the satellite communications techniques the corporation wishes to use. It is only fair to repay the Government and the taxpayers for research which can be used only by the Communications Satellite Corp. But aside from the element of fairness to the taxpayers, the Communications Satellite Corp. has made abundantly clear, by its inaction, that it does not intend to discharge the responsibilities Congress expected it to discharge, so long as it can sit back and wait for the Government to pay for the research, and then turn it over to the corporation, free of charge.

Mr. President, our traditional principles of free enterprise cannot function when a private corporation has only to sit back and do nothing, in order to reap the benefits of Government expenditures. It is imperative that this authorization bill be amended so as to require the Communications Satellite Corp. to repay the Government for any expenditure which inures to its benefit.

Yesterday I read the statement by the Senator from New Mexico and I must confess to being surprised at our failure to communicate to him what our amendment is designed to do. It is not designed to stop NASA from doing any research, and it would not; it is not designed to make the corporation pay for all the costs, and it would not; it would pay only a fair share. The example, given by the Senator from New Mexico, on page 14572 of the RECORD, of what he things my amendment would require the Yankee chain to pay for the use of the reactor, demonstrates the depth of confusion about my amendment. The Senator from New Mexico said—at page 14572 of the RECORD:

> Under the theory of the Kefauver amendment, we should proceed to go after the Yankee system for all the money that had gone into the development of the reactor because it was of benefit to them. That is a ridiculous position to take, because we developed it primarily for the sake of our whole program and our atomic submarine. We developed a breakthrough in the development of the atomic submarine which was significant, namely, the Polaris type of missile. The cost of developing it cannot all be charged to an individual company.

I quite agree: "The cost of developing it cannot all be charged to the single company," and would not be, under my amendment. Only a fair share of the costs would be allocated. I can only ask the Senator's pardon for not having made myself sufficiently clear.

Yesterday we heard many statements to the effect that other companies would receive the benefits of free Government research. But no other company has ever been legislatively established as a private monopoly for the express purpose of relieving the taxpayers of the heavy costs of research and development. That is the crucial difference. So it is highly inaccurate to draw parallels with atomic energy, aircraft, or agriculture. Last year, when we charged that this monopoly would be a giveaway, the reply was that it would not be, because it would take over this job. But now we find it is not even going to do that, but that it will simply wait for the Government to do all the work, while it does nothing.

However, it was said the corporation could not exist if it had to repay the "proportionate share" provided for in my amendment. Then, Mr. President, that makes it perfectly clear that this corporation, the product of a gigantic giveaway, cannot continue to exist unless it continues to receive Government giveaways.

Mr. President, I invite the attention of Senators, and particularly the attention of the Senator in charge of the bill, to the answers the Senator from Tennessee made to the Senator from New Mexico, which appear on pages 14556 and 14557. They were not read, and I hesitate in view of the time limitation to take a great deal of time with them, but I think they furnish a fairly good answer to the view of the senior Senator from New Mexico about this amendment. I think the amendment would do fairly well what the language proposed by the Senator from New Mexico would do. Assuming that the Kefauver amendment is voted upon, and having carefully read the statement made yesterday by the Senator in charge of the bill, I find in it nothing incompatible with the idea that NASA should be reimbursed for any expenditure from which a private, profit-making corporation benefits.

The Senator from New Mexico stated:

> The act makes good sense in providing that the corporation is to reimburse NASA for launching services and other services in connection with the establishment and operation of the communications satellite system and in not providing for reimbursement for NASA research and development activity.

Therefore, Mr. President, after the Senate acts on the Kefauver amendment, I shall offer an amendment which, in my opinion, would do no more than the Senator from New Mexico stated is already being done in this situation. If that is the case, why should it not be specifically stated in the law?

So after the Kefauver amendment is voted on, I shall offer this amendment, which I believe conforms fairly closely to the ideas the distinguished Senator from New Mexico expressed in regard to the situation.

Mr. ANDERSON. Mr. President, I yield myself 5 minutes.

One of the troubles we have had with the amendment is that it is open to all sorts of interpretations. In the first place, NASA could not spend money without using a crystal ball in demanding how much would be useful and beneficial to the country. The amendment provides:

> *Provided, however,* That no part of any funds authorized to be appropriated by this Act may be obligated or expended for the conduct of any scientific or technological research or development activity for or on behalf of any person providing satellite communications services other than an agency of the United States Government—

Who knows for whom research will subsequently become valuable? Who can calculate in advance that a certain type of research will work one way for one person, and another way for another person?

In the field of communication satellites, there are three general levels of research. First is the Telstar, which is a rather low-range satellite, for which the telephone company has paid a great deal. The telephone company believes that the system offers great possibilities. The second system is the medium-range satellite, in which the military is very much interested. The satellite for that system is called Relay.

Then we talk about the higher orbital satellite, the Syncom, which eventually may prove to be the best system of all. Suppose we go through all three steps, and the NASA organization spends money on all three of them, as it is now doing, trying to find which is the best of the three. Suppose further that, eventually, the Communications Satellite Corp. decides to use one of the systems. Would not the Satellite Corp. then be liable for all the money expended on all systems? It might be said that the research was for the eventual benefit of the corporation. I do not see how anyone could keep track of the expenditures. It would be much better to say that those things which could be traced are the things for which the corporation would pay.

I ask Senators to consider what the corporation would be called upon to pay for all the printed material that may be available. We would not know how much to charge the corporation for such material, because the bill provides that none of the funds authorized should be used "for the furnishing to or on behalf of any such person of any scientific or technological advice or information."

Technological advice is printed by the ton. Hundreds of pamphlets on the subject are already available. Anyone can obtain them. But it is suggested that the Communications Satellite Corp. should pay for them because they would be furnished to them, and the information is scientific information. I do not think that is the purpose of the amendment, but the amendment is so drawn that that could be the result.

It is said that the Comptroller General of the United States must approve the contracts. He is an agent of the Congress, not the administration. I do not know what the Comptroller General would do about such expenditures. Therefore, we have been greatly disturbed that such an amendment should be presented. I hope some other provision on the subject will be finally adopted.

I believe the Senator from Tennessee and I are clear on what we disagree on. The Senator stated it succinctly yesterday when he said that he and I may have different interpretation as to what the NASA money will be used for. I quote him now:

> If it is not to be used for research and development which will inure to the benefit of the Communications Satellite Corp., the corporation will not have to pay 1 cent. On the other hand, if the research and development inures to the benefit of the corporation, the corporation ought to pay its fair proportionate share—no more, no less.

Now, Mr. President, let us look at that issue. Is there any substance to the allegation that some of the research and development being undertaken by the NASA might inure to the benefit of the Satellite Communications Corp.? Inure, I gather from the dictionary, means to serve to the use or benefit of someone. Certainly the research and development that NASA is doing in the communications area could benefit the corporation. Research activity in many disciplines at the NASA could benefit the corporation. Certainly, the continuing research on boosters, electronics, packaging, and literally hundreds of other NASA undertakings can benefit this corporation. In fact so many benefits are being derived from NASA research and development that an Office of Applications has been established just to handle these and disseminate this information to the taxpayer. However, Mr. President, these are residual benefits derived as fallout, so to speak, from NASA's pursuit of its primary objective.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. ANDERSON. Mr. President, I yield myself an additional 5 minutes.

If the Senator from Tennessee wants to prevent residual information of this type from falling into the hands of private enterprise, whether it is called monopolistic or otherwise, then indeed he is placing an impossible policing burden on NASA and contrary to NASA's duty under the law.

On the other hand, if the Senator seeks to prevent NASA from becoming a subsidiary of the Satellite Corp., then his concern and his amendment is unnecessary.

It is unnecessary because NASA cannot under existing law furnish assistance in the following areas:

Research and development which is defined as being the conception, design, and first creation of experimental or prototype operational devices for the operation of a communications satellite system, including the assembly of separate components into a working whole, as distinguished from the term "production," which related to the construction of such devices to fixed specifications compatible with repetitive duplication for operation applications; without reimbursement.

NASA cannot furnish the corporation satellite launching and associated services required for the establishment, operation, and maintenance of the communications satellite system without reimbursement.

NASA cannot furnish other services to the corporation in connection with the establishment and operation of the system without reimbursement.

Now, Mr. President, when we see what NASA by law cannot do to assist the corporation without reimbursement what then is left that NASA could do for free?

I submit to the Senate that there is nothing left. I would carry that thought one step further and say that if NASA could find anything left in view of what has transpired here on the Senate floor for the past 2 days their reluctance to move without consulting our committee would be understandable.

Mr. GRUENING. Mr. President, I note that the Senator from New Mexico objects to reference of the accounting to the Comptroller General. What kind of control would we have on the expenditures?

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. GRUENING. I yield.

Mr. LONG of Louisiana. Mr. President, when Congress passed the bills giving about half of the West to the railroads so that the railroads would locate a few strings of steel in the West, it might have been the greatest giveaway of the century. But in the present century I should say perhaps the greatest giveaway has been the bill under which we gave our investment in outer space to the American Telephone & Telegraph Co.

Mr. GRUENING. Outer space is an even larger area than our great West including Alaska.

Mr. LONG of Louisiana. Yes. It is beginning to occur to people that outer space is perhaps larger than the area which we gave to the railroads.

I was under the impression that when the bill was passed we were supposed to be relieved, for all time in the future, of the burden and obligation of paying for the research and for the development of space communications, the satellites, the radio, and the television. We were to be relieved of all that expense. We were to give the corporation the equivalent of perhaps a $25 billion investment and then, after having given the corporation, which had assets of $23 billion, a $25 billion extra investment, we were to be relieved of the burden of paying for any more.

May I ask my friend why we are supposed to pay $50 million more, after we gave the corporation everything we had to begin with?

Mr. GRUENING. That is one of the things which is puzzling, in view of the categorical statements which were made by the sponsors of the proposed legislation last year, to the effect that this would be a private corporation, that the Government would be relieved of further responsibility or expenditure, and that we were all going to cheer the entry of private enterprise into this field and not have the Government "messing into it" any more.

Mr. LONG of Louisiana. When the giveaway bill was passed we were to be assured that we were not to be charged 5 cents in tax money for the communications satellite. We were to give the corporation everything envisioned, and we were to be assured that we would not have to pay taxes, that all we would have to do would be to pay the long distance telephone rates. We were told we would pay when we picked up the telephone, not through taxes.

Then why should there be a request for $50 million for research for this big corporation? Can the Senator tell me what the assets of that corporation are?

Mr. GRUENING. I do not know that the corporation itself has any assets, except the hope that the U.S. Government will continue to pour in funds.

Mr. LONG of Louisiana. If I recall correctly, the satellite corporation had about $100 million, but the satellite corporation is owned by American Telephone & Telegraph Co.

Mr. GRUENING. The Senator is correct as to the ownership.

Mr. LONG of Louisiana. If I recall correctly, that company has assets of $23 billion.

The other night I was talking to a Frenchman who represented a great corporation. He was telling me about all the islands in the Mediterranean that his corporation owned. He told me how they produced wine. I said, "Do you think you have money? How much have you?" He said that they had about $2 billion of assets. I said, "You ought to get in touch with the American Telephone & Telegraph Co. They own about $23 billion in assets, and they are growing bigger all the time. We just got through selling space to them—I mean all outer space, which I think is bigger than the planet."

Mr. GORE. Selling?

Mr. LONG of Louisiana. We gave it to them. I am sorry; my friend from Tennessee has corrected me. We gave them all of outer space. Why should we give them $50 million more, after we gave them outer space? We gave them the whole universe. Why should we give them more?

Mr. GRUENING. That is one of the great mysteries surrounding the situation. That is why a few of us are trying to save a little bit for the taxpayers and for the public. That is why the Senate should agree to the modest amendment, which merely urges that any benefits the corporation gets from them shall be on a loan rather than a grant basis.

Apparently even that is considered to be too extravagant in behalf of the people of the United States. That is what we are told.

Mr. LONG of Louisiana. Mr. President, will the Senator yield further?

Mr. GRUENING. I yield.

Mr. LONG of Louisiana. Is the Senator not familiar with the fact that this Nation is running out of gold?

Mr. GRUENING. I am painfully familiar with that, because most of the gold mines in Alaska either have been or are about to be closed.

Mr. LONG of Louisiana. The Senator has never heard the American Telephone and Telegraph Co. complain about anything like that, has he?

Mr. GRUENING. No, indeed.

Mr. LONG of Louisiana. Is it not true that that company has been able to carry its burdens, and to do almost anything it wished to do?

Mr. GRUENING. I am amazed that such a company would come to the Government with its hand out, when, as the Senator said, it has assets of more than $23 million.

Mr. LONG of Louisiana. I said $23 billion.

Mr. GRUENING. Yes, the Senator said $23 billion, but I understand those assets are perhaps as much as $28 billion.

Mr. GORE. Mr. President, will the Senator yield to me?

Mr. GRUENING. I yield with pleasure.

Mr. GORE. I exhort my friends the able and distinguished junior Senators from Louisiana and Alaska, respectively, to take the bigger view. Do not view this issue so narrowly, I say to my friends, else you might become lost in practicality.

This is not for the satellite corporation. I call your attention to the answer given by Mr. Welch, the chairman of the satellite corporation, to complaints of the House committee about the failure of the corporation to undertake research and development in this field. I should like to read what he said:

> It seems to me that we are liable to lose ourselves in taking a too narrow view on this.

That may be what my friends are doing. Perhaps they are losing themselves in taking a narrow view in behalf of the public interest.

Let me read a little more of what Mr. Welch says:

> We have, in addition to the matter of the prestige that we want to maintain before the rest of the world in getting this corporation launched and getting this global communications system to be viable, it seems to me, a great factor of urgency, and I just wonder how wise we are in trying to pinpoint who spends what money here.

Are my friends also so unwise as to try to determine who is going to spend this money? Who is to pay for this? Who is to reap the benefits?

I abjure my friends not to make this narrow point of view, because Mr. Welch says, "We are liable to lose ourselves in taking a too narrow view of this."

Mr. Welch goes on to say, "Let us get on with this thing. Let us get going."

He would make a good cheer leader at a football game in Louisiana. He says, "Let us get it established. What the Government spends in this thing, if we get the benefit of it, I think that is all to the public good."

I will not ask my distinguished friend to permit me to trespass further, but I exhort both of my friends to take the broad view and not try to pinpoint the public interest in this matter. Let us put the satellite corporation first, and "let us get going."

Mr. LONG of Louisiana. Mr. President, if the Senator will yield further to me, I am reminded somewhat of what happened when the Longs happened to lose a Governor's race in Louisiana. Many of our folks had been on the State payroll. We lost the race. Those folks were fired. One of our good folks said, "I will go home to Mama, and Mama will look after me." He went home to his mother. She gave him some good fried chicken, gravy and rice; and after a while she said to him, "Son, I never thought you would come back to ask your old Mama to support you. I thought you could look after us."

In this instance there is the greatest monopoly in capitalism, in all of the history of mankind, for there has never been a greater monopoly more completely in control of human destiny than the American Telephone & Telegraph Co. It is the biggest monopoly that the mind of man could conceive. It is big enough to own space. That is why we gave space to it. Space is twice as big as the earth, or perhaps 1,000 times as big as the earth.

I could understand it if this were some poor war veteran, out shaking a tincup, with his dark glasses. I could understand it, if this were some poor beggar who had never had an opportunity to begin with and had never had an education; but this is the greatest corporation in history, with 28 billion "bucks," shaking a tincup asking us to give it $50 million more.

We might spoil these people. They might come back next year for $50 million more.

As Senators know, I was shut off after I made my first 12-hour speech against the bill last year.

However, if Senators will look at the fine print in the items which I had printed in the Record, when I was finally made to quit talking in the Senate, they will learn who these people are. They could almost control the world. The Soviet Union is about the only thing they do not control.

With all they have, imagine their saying, "We cannot make money from the telephones," although they can charge any person anything on earth they want to charge. They can get their money every way under the sun, and yet they come to the Congress shaking a tincup, saying, "Give us $50 million more."

How ridiculous can they be? They ought to be able to get it one way or the other. Either they can drain our blood when the people pick up the telephones—and they can do that, for they have a complete privilege and right to do that—or else they can take it from the taxpayers. But do Senators not think that they ought to be satisfied to get it one way or the other? Why do they want to own space? If they want to own it, they can own it. They try to pretend they do not own the corporation.

I ask Senators to read the Wall Street Journal. From time to time the space corporation is referred to as being a subsidiary of the American Telephone & Telegraph Co.—which it is. We have proved it. From time to time, in small print, it is said that this is a subsidiary of the American Telephone & Telegraph Co.—which it is.

Should the greatest corporation in the world go around shaking a tincup like a disabled war veteran, when it has more money, more gold, more of everything, than anyone else on earth? Why should it shake a cup? I find this unbecoming the greatest corporation in capitalism.

Mr. GRUENING. I think it unbecoming not only of the corporation, but of those who support this measure.

Mr. LONG of Louisiana. I find this situation very disappointing. I have great confidence in capitalism. I thought that if a corporation were given enough, so that it could buy anything under the sun, it could operate on its own.

Has the Senator explored the possibility that the corporation could borrow money from private investors?

Mr. GRUENING. It does not need to be explored. It is obvious.

Mr. LONG of Louisiana. They have $28 billion in assets. They could borrow $50 million. What percentage of their assets would the borrowing be?

Mr. GRUENING. I do not have a computing machine with me, but it is a very small amount.

Mr. LONG of Louisiana. It is one-tenth of 1 percent. Would not the Senator suppose they could borrow 2 percent of their assets on the commercial market?

Mr. GRUENING. I am sure they could.

Mr. LONG of Louisiana. Why must the taxpayers be taxed for all this?

Mr. GRUENING. I can see no valid reason why they should. I see no valid reason why the amendment offered by the Senator from Tennessee [Mr. Kefauver], and cosponsored by Senators Burdick, Monroney, Clark, Douglas, Gruening, Long of Louisiana, Morse, Nelson, Neuberger, Church, Moss, Bartlett, McNamara, and Yarborough, or some variation thereof, should not be approved. It is a reasonable amendment.

Mr. LONG of Louisiana. Would not this be a fine opportunity for the American Telephone & Telegraph Co. to prove that it is able and competent to compete with the Soviet Union in the field of space satellites?

Mr. GRUENING. That is what we were all led to believe it would do.

Mr. LONG of Louisiana. Were we not led to believe last year that we had our choice, that we could either turn it over to free enterprise or have it Government operated, and that if we voted to turn it over to the American Telephone & Telegraph Co., we would be relieved of the burden of financing it?

Mr. GRUENING. That was told us. I know the junior Senator from New York, who is present in the Chamber, made the statement which I quoted in my earlier remarks. He said it would relieve us of all future Government expenditures when the private corporation came into the picture. But now we are asked to contribute $44 million. This is only the beginning. If we do it this year, we will do it again next year. Year after year we shall be continuing to contribute the taxpayers' dollars to subsidize American Telephone & Telegraph Co.

Mr. LONG of Louisiana. I suggest to the Senator that I did not object to voting $25 million or $50 million for space. I did object to giving it away after we voted that money. I suggest to the Senator that what this great corporation is asking for is an infinitesimal amount in relation to its assets—one-tenth of 1 percent.

Mr. GRUENING. Yes.

Mr. LONG of Louisiana. I suggest that it comes in poor grace for the greatest corporation, the greatest monopoly in the history of mankind, to come with a tin cup, like a disabled war veteran begging for a little help.

Mr. GRUENING. The Senator from Louisiana is right. It is surprising that he does not have unanimous support for his view in this body.

Mr. LONG of Louisiana. Will the Senator suggest how we are going to explain it to the rest of the world? What will our image be?

Mr. GRUENING. How are we going to explain it to the American people? Let them read the record.

Mr. LONG of Louisiana. How are we going to explain to the rest of the world that the greatest corporation in the world cannot finance itself with one half of one percent of its assets?

Mr. GRUENING. That will be difficult to explain to the American people. But we shall not have to do it; someone else will. The supporters of this measure will have to do it.

Mr. LONG of Louisiana. I ask the Senator if this is not correct? I had understood that once we turned communications satellites over to the greatest monopoly under the sun, everything would be taken care of; the taxpayers would be charged no more; all we would have to do is have the American Telephone & Telegraph Co. do it.

Mr. GRUENING. We were told that, to appropriate the words of the late President Franklin Delano Roosevelt, "again and again and again."

Mr. LONG of Louisiana. For weeks.

Mr. GRUENING. Not for weeks. We were not allowed to debate it for weeks. Only for days. We were shut off. For days only were we permitted to debate. But that was stated before we were steamroller into silence.

Mr. LONG of Louisiana. If anyone is to have any confidence in private enterprise, I suggest and insist that this great corporation should finance itself, rather than beg like a disabled war veteran shaking a tincup and wearing dark glasses.

Mr. GRUENING. We were told private enterprise should do it. We are amazed that this corporation is not willing to invest this miniscule part of its assets in this great enterprise in space in which the Government has given it a monopoly.

Mr. LONG of Louisiana. Has it been suggested that in order to raise the additional money the FCC would not permit the telephone company to raise their rates, if necessary?

Mr. GRUENING. I believe the Federal Communications Commission will do whatever the American Telephone & Telegraph Co. wants it to do.

Mr. LONG of Louisiana. Was it not revealed that the Federal Communications Commission had not controlled the rates and had not inquired into them in 30 years?

Mr. GRUENING. That is correct.

Mr. LONG of Louisiana. Is the Senator under the impression that some of the State commissions would not be willing, under proper persuasion, to vote to let the telephone companies raise rates from 10 to 15 cents on local calls and higher on long-distance rates, if necessary, in order to permit American Telephone & Telegraph Co. to finance itself?

Mr. GRUENING. I am not prepared to say what all the State commissions would do, but history shows the regulatory commissions are rather blind in these matters and good naturedly go along with the monopolies they are supposed to regulate.

Mr. LONG of Louisiana. Has the corporation complained about a single commission doing this?

Mr. GRUENING. Not yet.

Mr. LONG of Louisiana. I do not even know of a single commission about which the corporation complained in any of the 50 States. Why should they not raise rates if they find themselves on bad times?

Mr. GRUENING. If it is necessary, they probably will, and that will mean we will be paying still more of the public's money to support the monopoly.

Mr. LONG of Louisiana. I ask the Senator if he does not share my disappointment that after all this time, with all the acts of Congress and of the State legislatures, and all the help of the State regulatory commissions to protect this corporation from the public, instead of the other way around, we should find the greatest monopoly on earth asking the taxpayers for money, because it is not going to finance itself, with all the great assets it has.

Mr. GRUENING. I am more than surprised—I am shocked, and particularly so that the Congress of the United States should approve this giveaway.

Mr. LONG of Louisiana. Has the Senator seen the article which appeared in the Wall Street Journal of yesterday, August 8, 1963? I quote the Wall Street Journal:

> [Mr. Welch rebuffed] the FCC's contention that stockholders should have a voice in this policymaking. And he [meaning Mr. Welch, chairman of the Satellite Corp.] scolded the FCC for "an invasion of the manager functions of the corporation."

I suggest to the Senator that that is extremely impressive conduct for a corporation that the FCC is supposed to be regulating, when it dresses the Commission down and says, "Get in line. We have the power and the money."

Mr. GRUENING. I agree.

Mr. MOSS. Mr. President, will the Senator yield?

Mr. GRUENING. I yield.

Mr. MOSS. Is it not true that the simple purpose of this amendment is to require the corporation to reimburse the Federal Government for whatever costs accrue to the corporation?

Mr. LONG of Louisiana. That is the sole purpose of it—a very simple and direct purpose.

If the language in the amendment does not do that, it will be easy to change it. That is the sole purpose of the amendment, and it is a reasonable purpose. It is to be assumed that that is the obvious and desirable thing to do. That is the sole purpose of the Kefauver amendment, of which the distinguished Senator from Utah is a cosponsor, along with 12 other Senators.

Mr. MOSS. In these days, when we are confronted with the charge of excessive spending, it would seem to me that the wholehearted desire of the legislative branch and of the executive branch would be to require a private corporation, which stands to benefit, to reimburse a proportionate share of the benefit it receives.

Mr. GRUENING. That is a reasonable assumption. I find it difficult to understand how anyone could quarrel with that point of view.

Mr. GORE. Mr. President, will the Senator yield?

Mr. GRUENING. I yield.

Mr. GORE. Although the junior Senator from Tennessee would gladly leap to the fray, as he is sure the Senator from Alaska would also, were the fundamental issue before the Senate, that of creating a satellite communications corporation, the question before the Senate is not the advisability or inadvisability of an action which Congress has already taken; the question is a narrow one and a simple one, one which is certainly easily understood, to wit, whether this corporation, which has been given a monopoly as a chosen instrument of Government for the development of a commercial system of satellite communication, global in nature, shall reimburse the Government for the reasonable value of the benefits which it derives, for its exclusive use for commercial purposes, from research and development paid for by tax money of the people of the United States. Is that not the simple issue which is before the Senate?

That is the simple, and, I believe, superobvious issue.

On that issue it would seem to me there is little room for debate in principle.

Mr. GRUENING. That is correct.

Mr. GORE. By what principle would one oppose requiring a corporation, which receives the exclusive commercial benefit from these vast expenditures of people's money for research and development, to reimburse the reasonable value thereof?

Mr. GRUENING. The opposition has made what I consider to be purely a technical point, that it would be somewhat difficult to calculate in advance what the corporation will receive. If that is the objection, the language can be amended so as to provide that the calculation shall be made after they receive the benefit, and provide that they then make reimbursement. The amendment could be modified in language to assert the principle that so long as the private corporation receives money from the Government, it shall reimburse the people of the Nation to the extent that the corporation has benefited.

Mr. GORE. Reimbursement is in and of itself an act that occurs after disbursement.

Mr. GRUENING. That is correct.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. GRUENING. I yield.

Mr. LONG of Louisiana. Is the Senator familiar with the testimony, at page 69 of the hearings on the Communications Satellite Corp. before the Committee on Commerce on March 11, 1963? I read from page 69:

> Senator MONRONEY. You do recognize, going into this thing, that the development of the communication facility through research will be your principal asset, which will be behind the stock that will be issued; is that correct?
>
> Mr. HARRIS. It will certainly be a principal asset.

Before these people came in and asked Congress to give them the American taxpayers' investment in space, why did they not wait awhile longer until we could invest billions of dollars and then ask us to give it to them? Why take it and then ask us to appropriate more money after we have voted to give it to them?

Mr. GRUENING. I believe they are concerned chiefly with their own financial interest; that is all. They are not doing anything about the stock issues; they are not moving; they are drawing huge salaries. I believe the top salary is something like $125,000 a year for two officials, who are doing precisely nothing. Nevertheless they have asked for $44 million.

Mr. LONG of Louisiana. The Senator probably recalls that the junior Senator from Louisiana made some speeches on the Senate floor before this bill was passed, and said that it might be in the interest of A.T. & T. to see to it that the thing did not work at all, and made it fail, so that by doing so they would not be confronted with the possibility of competing with themselves, but, on the other hand, if it happened to be under someone else's ownership or under Government ownership, it could perhaps be a competing system, which would be a great threat to a private monopoly.

Mr. GRUENING. It may be that it is being done right now by developing cables and using other methods of communication, rather than a satellite in space. They have such a complete monopoly of all communication methods that we do not know what they are planning. It is up to us to be vigilant to protect the Public Treasury from further raids.

Mr. LONG of Louisiana. Aside from paying big salaries, can the Senator tell me what else the corporation is doing?

Mr. GRUENING. I have never been able to discover anything that it has done since the Congress created it.

Mr. LONG of Louisiana. I thank the Senator.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. GRUENING. I am glad to yield to the Senator from Illinois.

Mr. DOUGLAS. The Senator from Louisiana has touched on a most interesting subject. Do I correctly understand that the chief executive of the Satellite Corp. receives a salary of $125,000 a year?

Mr. GRUENING. That is my understanding.

Mr. DOUGLAS. And that his associate receives a salary of $80,000 a year?

Mr. GRUENING. I believe that to be correct.

Mr. DOUGLAS. Is it true that the directors receive $200 a day for attending meetings?

Mr. GRUENING. I believe that to be so.

Mr. DOUGLAS. Does the corporation carry on any research and development work?

Mr. GRUENING. None, so far.

Mr. DOUGLAS. Has it sold any stock?

Mr. GRUENING. None.

Mr. DOUGLAS. Where does it get its money?

Mr. GRUENING. I suppose it gets it from the Government of the United States.

Mr. DOUGLAS. Is it true that possibly it may have floated a loan from banks?

Mr. GRUENING. I believe it has floated a loan for $10 million, which will, presumably be repaid by the taxpayers of the United States in one way or another.

Mr. DOUGLAS. The Senator from New Mexico made an able point yesterday when, I take it, he argued that a great deal of the research which the Government is carrying on or plans to carry on is of a general nature, not specifically benefiting the satellite corporation itself.

Mr. GRUENING. That is correct.

Mr. DOUGLAS. Has the Senator from Alaska any opinions on that subject?

Mr. GRUENING. Yes; it is the clear intent of the Kefauver amendment that the Government shall be reimbursed for the benefit the corporation receives. I believe that is the clear purpose of the Kefauver amendment. If the amendment does not prevail, I shall offer another amendment to make it crystal clear that the corporation shall reimburse the Government for the benefit it has received, to overcome the objection of the Senator in charge of the bill that it is too complicated and difficult to calculate the reimbursement in advance. My amendment will provide that compensation be made only after the corporation has received the benefits.

Mr. DOUGLAS. Since this is not an appropriation bill but only an authorization bill, amendments of this type are not only germane, but no point of order should be made against them because they involve matters of public policy.

Mr. GRUENING. That is correct. That is precisely what we are trying to do.

Mr. DOUGLAS. Am I correct in my understanding that the Kefauver amendment does not fix any definite sum; that it does not limit the amounts to be reimbursed to any definite figure, but merely asserts a general principle?

Mr. GRUENING. That it does. It provides that the calculation shall be done by the Comptroller General, to which the Senator in charge of the bill objects. I am perfectly willing to delete mention of the Comptroller General. I thought that his agency was the one that people would trust. However, if it can be done without the intercession of the Comptroller General, I am perfectly willing to have it done that way.

Mr. DOUGLAS. In any event, the decision of the Comptroller General would be reviewable in the courts, would it not?

Mr. GRUENING. It would.

Mr. DOUGLAS. So the corporation would have ample means of protection?

Mr. GRUENING. That is correct.

Mr. DOUGLAS. I do not pretend to be an expert on the subject, but it seems to me that the amendment is in the public interest.

Mr. GRUENING. I wonder whether the Senator from New Mexico would object to an amendment that would eliminate the forecasting of benefits, but would merely impose the obligation of review after the payments had been determined, and would eliminate the Comptroller General from the picture.

I am stating a general principle. It would be very difficult to calculate in advance the benefits the company would receive. I can see the validity of the Senator's point. But once the benefits had been determined, does the Senator see any objection to providing for reimbursement afterward?

Mr. ANDERSON. The present law provides for reimbursement. I suggest to the Senator from Alaska that we tried all yesterday afternoon to place language in the amendment which would make the amendment workable. The proposed language was absolutely refused at all times. We have now almost reached the point where the Senate is ready to vote on the amendment.

Mr. GRUENING. I have another amendment which I shall offer after the vote has been taken on the Kefauver amendment.

Mr. ANDERSON. I have no objection to its being offered.

Mr. President, I yield 10 minutes to the distinguished Senator from Missouri.

Mr. SYMINGTON. Mr. President, I have listened with interest to this debate. Congress decided last year the policy to be followed with respect to this Satellite Corporation. As I recall, the question was whether the development should be conducted by a Government corporation or by private business. We all agreed that it ought to be handled either by big businesses or big government, because it is a very big subject. I stated my opinion, that if it was to be handled by big Government, the result would probably be the employment of another some hundred thousand persons, or thereabouts, before the work was finished, a burden to be hung around the taxpayers' necks in the form of additional funds; whereas, if the work were to be done by big business, it would be handled by a corporation, and of any amount earned, 52 percent would be returned to the Government to help relieve the already serious tax burden on the American people. I am sorry to see that the debate today with respect to the NASA authorization has developed into a further consideration of the method of corporate setup, that the Senate, by an overwhelmingly majority, decided it favored.

In this connection, the item in NASA's budget for communications satellites, while it represents only a small fraction of the total budget, was a matter of particular concern and intense review by the Space Committee.

At this point, I wish to pay my respects to thhe chairman of the committee, the distinguished senior Senator from New Mexico [Mr. ANDERSON], and ranking minority member, the distinguished senior Senator from Maine [Mrs. SMITH]. In all the years I have been a Member of the Senate, I have never seen a budget request for an appropriation authorization handled in a more careful and more thorough manner.

Now first, let me summarize just how much is involved in this request and the action taken on it so far.

The administration requested a total of $51,100,000 for communications satellites the bulk of which—$40 million—is for an advanced synchronous satellite.

I should like to digress momentarily to remind my colleagues that the United States has now achieved another significant first in space with the successful demonstration of Syncom II. I am sure that most of you saw the pictures in the Washington Post of August 6 of President Kennedy and Governor General Azikiwe of Nigeria, successfully transmitted by Syncom II between Lakehurst, N.J., and Lagos, Nigeria. This accomplishment taken together with our previously successful Telstar and Relay satellites adds up to obvious superiority and a clear lead for our country in this important new field.

To my mind, it would be the height of folly for us to deliver a self-inflicted blow to the remarkable—but fledgling—developments that we have made in this area.

Now let me return to the NASA request for $40 million for the Advanced Syncom. This would be a larger version of the currently successful Syncom II, and would be capable of handling a much larger number of circuits, more reliably, and maintain its position in orbit more accurately.

The House cut, in total, nearly $9 million from NASA's request—$7 million from Advanced Syncom—primarily on the grounds that some of the program would slip into fiscal years 1965 and beyond, and that, therefore, funding could be deferred without in any way affecting the program.

NASA officials before our committee in a reclama session, agreed to some of the cut, but convinced the committee that a $2 million restoration could profitably be obligated in the current fiscal year if a satisfactory level of effort was to be maintained.

I think that the successful Syncom II demonstration more than justifies this action. The total amount, therefore, approved unanimously by the committee, is $44,175,000.

Let me emphasize that the committee unanimously approved $44,175,000. I should like to make it clear that the question now being debated is entirely unrelated to the one before the Senate today; namely, whether we will authorize NASA to continue with its research in this vital area.

The constant criticism of the particular corporations in this field disturbs me. All of us who have had any experience in either the purchasing or selling end of Government work with its large amount of "fallout" in such industries as the paint and varnish industry or the various mechanical industries for handling metal and plastics, know that the benefits of this work go completely free to American industry. Why is there this sudden, determined effort to prevent research in the field of space science, an effort which, if successful, would operate against the security of the United States?

Concerning NASA's expenditure of funds for this research, it seems to me that two substantive issues have been raised. The first one is: What should NASA's policy be on research on communications satellites, and the second is—What should the relationship be between NASA and the Communications Satellite Corp.?

I recommend to the Senators pages 421 to 437 in part I and pages 1059 to 1069 in part II of our hearings and pages 59 to 65 in the report. A copy of each of those documents is at every Senator's desk. I think, however, that I can summarize briefly for you NASA's position on these two very basic questions.

First, NASA feels that it has a responsibility to conduct and continue research in this area in the national interest, let me repeat that—in the national interest—whether the Communications Satellite Corp. existed or not.

It is all very well to attack private industry again, from the standpoint of what engineering is or is not given away to a particular corporation or group of corporations; but no Senator can stand on the floor of the Senate and dispute the fact that the development of this satellite system is in the best interest of the security of the United States.

Mr. GRUENING. Mr. President, will the Senator from Missouri yield?

Mr. SYMINGTON. I am nearly through; but will yield when I have finished, to the able Senator from Alaska.

NASA feels it has a responsibility to continue research in this area in the national interest, whether the Communications Satellite Corp. exists or not. Much of the research is an effort to develop technologies that are important in a number of fields, such as meteorology and navigation, not merely for communications.

The fact that we go back to the original satellite communications bill, which discussion continued over a period of many weeks and was finally overwhelmingly approved by the Senate, relates to the corporate angle; it had and has little or nothing to do with all the other advantages that the American people, from the standpoint of their security and prosperity, will receive as a result of successful passage of the bill under consideration.

Much of the research is simply an effort to develop technologies that are important in a number of fields such as meteorology and navigation, and not just for communications. NASA feels very strongly the mandate given to it by the Congress in the Space Act of 1958 to conduct research and gain preeminence for this country in the space environment. Furthermore, NASA feels that its policies in this regard are not basically different from other Government agencies engaged in research, such as Agriculture, NIH, the Weather Bureau, and others.

On the second point NASA's position could not be more clear. I read from that statement:

> NASA will not undertake to perform research and development on the operational systems desired by the corporation unless requested by the corporation to do so at the corporation's expense.
>
> NASA will provide for the launching of operational communications satellites for the corporation on a reimbursable basis (all identifiable additional costs to the Government will be charged to the corporation).

Mr. President, the statement just read gives a fairly clear picture as to who is paying for what.

Mr. President, I do not think I need labor the issue further. NASA has presented to the committee a compelling case to support its request for funds for research in the important area of communications satellites. It will do us no good to get embroiled in a controversy over the relationship between the Communications Satellite Corp. and NASA. NASA has a clear policy on this subject; and the exact relationship can be evolved only with time and experience.

Today, no one can extrapolate what that relationship will be. Here is an area in which this country is definitely ahead and is making remarkable progress. Let us not do anything so foolish as to deny NASA the authority to continue this vital research.

Mr. GRUENING. Mr. President——

The PRESIDING OFFICER. The time yielded to the Senator from Missouri has expired.

Mr. SYMINGTON. Mr. President, may I have 2 minutes more?

Mr. ANDERSON. I yield 2 more minutes to the Senator from Missouri.

The PRESIDING OFFICER. The Senator from Missouri is recognized for 2 more minutes.

Mr. SYMINGTON. Mr. President, I yield to the able Senator from Alaska for a question.

Mr. GRUENING. The Senator from Missouri has said no one could doubt this was the best possible arrangement. I doubt very much whether an arrangement which allows a private company to become a monopoly is the best possible arrangement; and I did not want to let that statement go unchallenged.

Mr. SYMINGTON. I am not quite sure of the context in which the statement he referred to was made. As a member of the committee I listened for many months to the testimony; and I also listened to the debate on the floor. I thought the advocates of Government ownership were taking a position at least to some extent contrary to my concept of the American economy and the American way of life.

This corporation is controlled in the same way that any other public utility in the land is. Mr. President, I believe this is the correct way to handle it. It is obvious that a great deal of work must be done to develop a corporation of this kind.

I agree with the distinguished chairman of the committee. I would not put a nickel into this corporation at this time because I do not think it is going to make money for many years; but I do not want any ideological differences to prevent the passage of a bill which I am convinced is important to the United States.

Mr. GRUENING. Mr. President, I yield 2 minutes to the Senator from Tennessee.

The PRESIDING OFFICER (Mr. NELSON in the chair). The Senator from Tennessee is recognized for 2 minutes.

Mr. GORE. Mr. President, on behalf of my senior colleague [Mr. KEFAUVER] who today is ill and in the hospital—perhaps as a result of the vigorous and determined speech he delivered yesterday—I rise to support the amendment offered by him, and now before the Senate.

First, let me reply to the Senator from Missouri. No effort is being made to deny to NASA the appropriation authorization which he says—and I think he correctly says—is needed. The only question involved is whether the Satellite Communications Corp., which has been given a corporate monopoly of satellite communications in its commercial operations, will be required to reimburse the taxpayers the reasonable value of the benefits it receives exclusively for commercial use as a result of the expenditures authorized by the pending bill.

The Senator from Missouri says he does not understand why the issue is raised, because the benefits of research and development in so many other fields are available to American business. But, Mr. President, that is to compare a rabbit with an elephant and conclude that since both have tails they are similar. The results of research and development by the Government are properly available generally to competitive American free enterprise.

The PRESIDING OFFICER. The time of the Senator from Tennessee has expired.

Mr. GORE. Mr. President, may I have 1 more minute?

Mr. ANDERSON. Mr. President, I yield 2 minutes to the Senator from Tennessee.

Mr. GORE. Mr. President, in this particular instance there is no competition; there is no free enterprise, this is, instead, a Government-created monopoly. Therefore, it seems to me it is proper to require reimbursement of the fair value of the benefits derived from the results of vast Government research and development in this particular field.

Mr. President, I yield back the remainder of my time.

Mr. ANDERSON. Mr. President, I yield to the Senator from Missouri such time as he may require.

Mr. SYMINGTON. Mr. President, the Senator from Tennessee knows there is no Member of this body, for whom I have greater respect. I accept with appreciation his contributions to the discussion.

Fundamentally, we have been debating how this matter could have been handled in the beginning. I studied it last year to the best of my ability; and the Senator from Tennessee and I had honest disagreement. I felt this was the best way to proceed.

Since that time, the problems incident to the development of this satellite have become considerable; and, from the standpoint of a potential investor, today the corporation is not considered as good an investment as it was last year, at the time this act was passed.

I respectfully submit that would also have been true if the corporation had become a part of the Government. But in a Government operation, that development would have been covered up, because it is much easier to cover up such matters in a Government bureaucracy than it is when the operation is open and is constantly studied, as it should be, a corporation operating under the rules of the law.

This matter involves considerably less than 1 percent of the total NASA budget. It amounts to far less than 1 percent of the total research and development funds expended annually in this country.

I do have a slight disagreement with the Senator's recent pronouncement, in that I believe much of the results of this work will be used in many different lines, by many different companies in the free enterprise system. It was pointed out that in this field there are only a few companies which can pick up the message, transmit it, receive it at the other end, and then deliver it. So only companies capable of handling those four functions could possibly bid for this work; and each company capable of doing so was brought into the picture.

I hope there will be more. However, I still think it better that the job be done by a private corporation, rather than by a large, new Government agency, to be added to the very large number now in existence. I think ultimately what is developed through this corporation will be of benefit to all industries in America.

If the Senator from Tennessee questions whether the companies operating under the Satellite Communications Act are making the proper payments for the research which is made available to them, I should be very glad to join him in looking into that matter, or in preparing an amendment to require that they pay whatever is fair and proper for the benefits they receive from the research and development work done by the Government in this field.

Mr. GORE. Mr. President, will the Senator from Missouri yield?

Mr. SYMINGTON. I am glad to yield.

Mr. GORE. I am most grateful to the Senator from Missouri for his statement. His latter statement would indicate that, with respect to the particular issue pending before the Senate, there is not too much difference in our view. As I understand, the Senator wishes to examine more fully into the benefits which may be derived exclusively by the corporation before he approaches the subject.

Mr. SYMINGTON. May I rephrase the statement?

Mr. GORE. Yes.

Mr. SYMINGTON. I would be glad to join the Senator in examining whether those who utilize the development have been required to pay the proper price, from the standpoint of the American taxpayer.

Mr. GORE. I would be most happy to join the Senator in that statement. That still leaves some difference in our point of view with respect to the pending issue. I should like to attach to the authorization a requirement of reimbursement, and then let the determination be made later. The Senator wishes to make the determination later and then attach such requirements as, in his judgment, may be proper. So I say that we are not too far apart in our points of view.

Mr. SYMINGTON. I thank the Senator. It is always a privilege to be close to his point of view.

Mr. GORE. Mr. President, will the Senator yield further?

Mr. SYMINGTON. I am glad to yield to my friend from Tennessee.

Mr. GORE. The Senator has alluded briefly to the whole question of the advisability of the approach proposed to the enormously important problem we are discussing. I do not wish to discuss it now. I do not think that question is now pending. But I submit to the Senator that a very eminently qualified witness testified that only 10 percent of the problem of global satellite communications system was "communications." I suggest to him that the most serious objection I had to the bill enacted last year was the delegation to the corporation of the conduct of international negotiations that reach into international agreements on behalf of the United States, but for the exclusive benefit of the corporation. It seemed to me that this was clearly a Government function which we could not properly delegate. As I have said, I do not wish to discuss it now. I only desired to indicate for the RECORD and for the attention of the Senator that that was the basis of my most serious objection to the creation of the corporation and giving to it a monopoly right to develop and utilize a global system of satellite communications.

Mr. SYMINGTON. Mr. President, I thank the able Senator from Tennessee for his contribution and appreciate his remarks.

Mr. ANDERSON. Mr. President, I yield myself 10 minutes. At the end of that time, I expect to yield back the remainder of my time and ask for a yea-and-nay vote on my substitute amendment, which is designated as amendment No. 159.

Mr. President, I would just like to reemphasize for the RECORD the present requirements of NASA relative to the activities of the Communications Satellite Corp.

Pursuant to the authorization contained in this act, NASA is authorized $44,175,000 for purposes of carrying out their research and development in connection with their communications satellite program. Not one penny of this authorization has been earmarked for use by or on behalf of the Communications Satellite Corp. However, it is true that NASA, by virtue of the National Aeronautics and Space Act, is required to make available for public inspection all information obtained or developed by the Administrator in the performance of his functions under the act, except first, information authorized or required by Federal statute to be withheld; and, second, information classified to protect the national security. Therefore, any information which is publicly disseminated relative to research and development in communications satellites would, of course, be available to the Satellite Corp., as well as to any other interested parties in Government and industry.

Yesterday there was printed in the RECORD a table showing where the money would go. It is difficult to understand some of the things that have been said today in the light of that table. The first item appearing on the table is "Atlas-Agena launch vehicles, $12.5 million." Anyone could recognize that such research could be useful subsequently by a Communication Satellite Corp., but the research was not for the benefit of that corporation.

The next item is Spacecraft, $16,640,000. Approximately $44 million is provided for those two defense and space operations, which have very little relation, if any, to the Communications Satellite Corp.

It is true that there will be some developments in connection with synchronous orbits. My attention has been called to a report which has been prepared dealing with that subject. I ask unanimous consent that the report may be printed at this point in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

AUGUST 9, 1963.

We are to the place in space technology where we must develop many practical applications and perform a variety of tasks involving not only space travel, but a precise control and guidance of the space vehicle from the ground.

One of the most challenging is to achieve successfully the synchronous orbit. This is done when a satellite hovers over a fixed point on the equator at 22,000 miles altitude. This technique has many practical uses for the future.

Three synchronous satellites may act as a worldwide navigation system for ships and aircraft. Ships and planes could determine their position in any weather, without the problems of having to see the sun or stars.

Three synchronous satellites in a worldwide weather system can see the total surface of the earth with all its weather patterns. Such a system will have a detailed television lens so that any particular location

> of interest, such as a tornado, or a forest fire can be brought under detailed examination. This is some distance down the road from the wonderful but still relatively crude Tiros and Nimbus systems.
>
> A synchronous satellite may represent an efficient and economical way to monitor the nuclear test ban agreement, with only three satellites doing the job on a worldwide basis. Similarly, this technique might be used to detect ICBM launchings and submarine operations.
>
> A synchronous satellite system points to the possibility of great savings in the number of satellites required for international communications purposes, whether these are for commercial or military command and control.
>
> The success of any of these synchronous systems will depend upon an intensive research effort at accomplishing reliably this most difficult trick of maneuver and control, particularly to learn to put and keep the satellite where planned.
>
> Some of the uses I have described are in the future largely because we know so little from experience in close control of space maneuvers. But we have started to learn through Syncom satellite effort. From it may come advanced weather satellites, navigation links, military command and control communications systems, as well as better commercial communications satellites.
>
> NASA should be given every encouragement to keep this research going. There is little in the way of benefits which is truly unique to communications in these synchronous applications any more than there is in developing multipurpose launch vehicles. The beneficiaries will include many advanced spacecraft systems with applications for science, industry, and defense.
>
> The differences of view as to the place of the Comsat Corp. should not interfere with the orderly progress of general space technology, of which the Syncom experiment is an important part. Development of this technique will significantly advance the useful phases of space development. It is clearly in the national interest to pursue this program vigorously.

Mr. ANDERSON. One of the sections of that report states:

> We are to the place in space technology where we must develop many practical applications and perform a variety of tasks involving not only space travel, but a concise control and guidance of the space vehicle from the ground.
>
> One of the most challenging is to achieve successfully the synchronous orbit. This is done when a satellite hovers over a fixed point on the equator at 22,000 miles altitude. This technique has many practical uses for the future.

We recognize that Telstar is involved. The information secured may be something which the space organization desires, but there is a relationship to a communication satellite. It has been said that the proposal is a horrible giveaway. Twenty-nine million dollars of the $44 million would be going to research of that nature, and yet some criticize the whole project as a gigantic giveaway.

The report states further:

> Three synchronous satellites may act as a worldwide navigation system for ships and aircraft. Ships and planes could determine their position in any weather, without the problems of having to see the sun or stars.

Does that statement sound like activities in which the Communications Satellite Corp. is authorized to engage? The corporation is engaged in communications satellite systems. It is not interested in navigation. It has nothing whatsoever to do with it. But we see in that statement where the money would go. Senators rise and talk about the enormous giveway. I say it is a strange debate and a strange discussion.

NASA has further been given certain responsibilities pursuant to the terms of the Communications Satellite Act of 1962. It has been directed by that act to first, cooperate with the corporation in research and development to the extent deemed appropriate by the administration in the public interest; second, assist the corporation in its conduct of research and development program by furnishing to the corporation, when requested, on a reimbursable basis, such satellite launching and associated services as the administration deems necessary for the most expeditious and economical development of the communications satellite system; third, consult with the corporation with respect to the technical characteristics of the communications satellite system; and, fourth, furnish to the corporation, on request and on a reimbursable basis, satellite launch and associated services required for the establishment, operation, and maintenance of the communications satellite system approved by the Commission.

Mr. President, in the course of the debate on the amendment offered by the distinguished senior Senator from Tennessee and others, the Senator read certain questions and answers asked by the committee of NASA witnesses concerning the relationship between NASA and the Communications Satellite Corp.

It is interesting to note that if the Senator from Tennessee examines these questions asked by the chairman and other members of the Space Committee, he will find that the committee was thoroughly cognizant of all possible concern by Members of the Congress as to whether or not the amount being authorized to NASA could be utilized by NASA to provide services for a satellite corporation without being reimbursed by the corporation. Such questioning was illustrative of the fact that this issue was not avoided by your committee, but was carefully scrutinized. Furthermore, the very questions which the senior Senator from Tennessee has been propounding were propounded by the chairman of the Space Committee in order to provide answers which would satisfy the members of the committee that the funds authorized for this purpose would not be used by NASA for the direct benefit of the corporation without the corporation complying with the requirements of the Communications Satellite Corporation Act of 1962.

I again commend the Senator from Missouri [Mr. SYMINGTON], who pointed out that certain questions were asked over and over by members of the committee. Members of the committee worked hard to find what the facts were with reference to that subject.

Mr. President, the Satellite Corporation Act is on the books as an indication of legislative intent. I certainly do not want to argue at this point whether this act is a good act or a bad act, but I do not believe at this time that the Congress intentionally wishes to pass legislation which could go a long way toward causing the failure of a corporation established only a year ago by it.

Mr. President, I believe that the present laws relating to NASA's relationship with the Communications Satellite Corp. are adequate in view of the little experience that has been developed since the creation of such corporation, and to my knowledge I know of nothing that has occurred in the year subsequent to the creation of such corporation which would indicate that such laws are not being implemented properly.

Mr. President, I call up my amendment No. 159 and ask that it be stated.

The PRESIDING OFFICER. The amendment of the Senator from New Mexico will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 10, after line 3, it is proposed to delete the semicolon and insert the following: ": *Provided, however*, That no part of any funds authorized to be appropriated by this Act may be obligated or expended for the furnishing of any scientific or technological services for the exclusive benefit of any person providing satellite communications services other than an agency of the United States Government, except at the request of such person and on a reimbursable basis;".

Mr. ANDERSON. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. ANDERSON. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back.

Mr. GORE. Mr. President, I rise to discuss the amendment.

The PRESIDING OFFICER. There is no time remaining.

Mr. GORE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. GORE. Is there no time remaining to discuss an entirely new amendment?

The PRESIDING OFFICER. The unanimous-consent agreement provided that time should be limited to 2 hours on the Kefauver amendment and all amendments thereto. The time has been exhausted.

Mr. GORE. Mr. President, a further parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. GORE. This is not an amendment to the Kefauver amendment.

The PRESIDING OFFICER. It is a substitute amendment.

Mr. GORE. It was not offered as a substitute amendment. It was offered as an amendment to the bill. Therefore, the unanimous-consent agreement would not apply.

The PRESIDING OFFICER. The Parliamentarian informs the Chair that the amendment was offered as a substitute for the Kefauver amendment.

Mr. ANDERSON. Mr. President, notwithstanding the fact that I have yielded back the remainder of my time, I ask unanimous consent that I may yield to the Senator from Tennessee for 5 minutes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New Mexico?

Mr. SYMINGTON. Mr. President, reserving the right to object—and I shall not object—I ask the distinguished Senator from Tennessee, Is this an amendment to the Kefauver amendment, or is it a new amendment?

The PRESIDING OFFICER. It is a request for time for the Senator from Tennessee to discuss the substitute amendment to the Kefauver amendment.

Mr. SYMINGTON. This is a request for time to discuss an amendment to the Kefauver amendment?

The PRESIDING OFFICER. That is correct—a substitute amendment.

Mr. SYMINGTON. I thank the Presiding Officer.

The PRESIDING OFFICER. Is there objection to the request by the Senator from New Mexico? The Chair hears none; and, without objection, the Senator from Tennessee is recognized for 5 minutes.

Mr. GORE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. GORE. Is the substitute amendment subject to amendment, or would that be in the third degree?

The PRESIDING OFFICER. The substitute amendment is in the second degree.

Mr. GORE. Then the substitute amendment is not subject to amendment?

The PRESIDING OFFICER. It is not.

Mr. GORE. Mr. President, before the Senate votes on the substitute amendment I point out that, insofar as the pending issue is concerned, it would have no real effect whatever. I should like to read it:

> *Provided, however,* That no part of any funds authorized to be appropriated by this Act may be obligated or expended for the furnishing of any scientific or technological services for the exclusive benefit of any person providing satellite communications services other than an agency of the United States Government.

I invite the Senator's attention to the emphasis on purpose. This would undertake to prejudge, before an expenditure of many millions of dollars was made, that it might not be made if it were to be made for the purpose of "furnishing of any scientific or technological services for the exclusive benefit."

Who could say that was a purpose? The question is not the purpose for which the expenditure is made but rather the use and benefit of the result of the research and development.

The Kefauver amendment would require that the Satellite Corp. reasonably reimburse the Federal Government for the value of the results of the research and development which it would receive as a result of the proposed appropriation.

The substitute amendment—offered, I am sure, by the distinguished senior Senator from New Mexico in good faith—in my opinion, was drawn either by a very clever lawyer who wanted to obtain the enactment of a nullity as a substitute for the Kefauver amendment, or by someone who simply did not understand what he was doing.

This provision, let me repeat, would be a nullity. It would be utterly ineffective. The proposed expenditures are not "for the exclusive benefit" of the corporation. NASA, the defense services, are anticipated beneficiaries. The exclusive benefits to flow to the Satellite Corp. will be found in the commercial system of satellite communication with respect to which a monopoly privilege has been conferred by Congress.

I hope the Senate will not adopt the substitute for the Kefauver amendment, which is based upon sound principle and which would have some teeth in it.

The PRESIDING OFFICER. Does the Senator from Tennessee yield back the remainder of his 5 minutes?

Mr. GORE. Mr. President, I yield back my remaining time.

The PRESIDING OFFICER. All time has been yielded back. The question is on agreeing to the substitute amendment offered by the Senator from New Mexico [Mr. ANDERSON] for the Kefauver amendment.

Mr. LAUSCHE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. LAUSCHE. Will the vote be on the Kefauver amendment or on the substitute amendment offered by the Senator from New Mexico [Mr. ANDERSON]?

The PRESIDING OFFICER. The vote at this time will be on the substitute amendment offered by the Senator from New Mexico [Mr. ANDERSON], which is a substitute for the Kefauver amendment.

Mr. GRUENING. Mr. President, a parliamentary inquiry

The PRESIDING OFFICER. The Senator from Alaska will state it.

Mr. GRUENING. If the vote should be favorable, would that dispose of a subsequent vote on the Kefauver amendment?

The PRESIDING OFFICER. If the substitute amendment should be agreed to, the Senate then would vote on the Kefauver amendment, as amended.

The question is on agreeing to the substitute amendment offered by the Senator from New Mexico [Mr. ANDERSON]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BREWSTER (when his name was called). On this vote I have a live pair with the Senator from Alaska [Mr. BARTLETT]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." Therefore I withhold my vote.

Mr. McCARTHY (when his name was called). On this vote I have a pair with the Senator from Tennessee [Mr. KEFAUVER]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." Therefore I withhold my vote.

Mr. McGOVERN (when his name was called). On this vote I have a pair with the junior Senator from Massachusetts [Mr. KENNEDY]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." Therefore I withhold my vote.

The rollcall was concluded.

Mr. HUMPHREY. I announce that the Senator from Alaska [Mr. BARTLETT], the Senator from North Dakota [Mr. BURDICK], the Senator from Virginia [Mr. BYRD], the Senator from Nevada [Mr. CANNON], the Senator from California [Mr. ENGLE], the Senator from Akransas [Mr. FULBRIGHT], the Senator from Michigan [Mr. HART], the Senator from Indiana [Mr. HARTKE], the Senator from Hawaii [Mr. INOUYE], the Senator from South Carolina [Mr. JOHNSTON], the Senator from North Carolina [Mr. JORDAN], the Senator from Missouri [Mr. LONG], the Senator from Arkansas [Mr. McCLELLAN], the Senator from Michigan [Mr. McNAMARA], the Senator from Oregon [Mr. MORSE], the Senator from Rhode Island [Mr. PASTORE], the Senator from Florida [Mr. SMATHERS], and the Senator from Texas [Mr. YARBOROUGH] are absent on official business.

I further announce that the Senator from Indiana [Mr. BAYH], the Senator from Washington [Mr. MAGNUSON], the Senator from Tennessee Mr. [KEFAUVER], and the Senator from Massachusetts [Mr. KENNEDY] are necessarily absent.

On this vote, the Senator from North Dakota [Mr. BURDICK] is paired with the Senator from Rhode Island [Mr. PASTORE]. If present and voting the Senator from North Dakota would vote "nay," and the Senator from Rhode Island would vote "yea."

On this vote, the Senator from Oregon [Mr. MORSE] is paired with the Senator from Hawaii [Mr. INOUYE]. If present and voting, the Senator from Oregon would vote "nay," and the Senator from Hawaii would vote "yea."

On this vote, the Senator from Texas [Mr. YARBOROUGH] is paired with the Senator from North Carolina [Mr. JORDAN]. If present and voting, the Senator from Texas would vote "nay," and the Senator from North Carolina would vote "yea."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. CARLSON], the Senator from Colorado [Mr. DOMINICK], the Senator from Nebraska [Mr. HRUSKA], and the Senator from New Mexico [Mr. MECHEM] are necessarily absent and, if present and voting, would each vote "yea."

The result was announced—yeas 60, nays 11, as follows:

[No. 129 Leg.]

YEAS—60

Aiken
Allott
Anderson
Beall
Bennett
Bible
Boggs
Byrd, W. Va.
Case
Cooper
Cotton
Curtis
Dirksen
Dodd
Eastland
Edmondson
Ellender
Ervin
Fong
Goldwater
Hayden
Hickenlooper
Hill
Holland
Humphrey
Jackson
Javits
Jordan, Idaho
Keating
Kuchel
Mansfield
McGee
McIntyre
Metcalf
Miller
Morton
Mundt
Muskie
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Russell
Saltonstall
Scott
Simpson
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Tower
Williams, N.J.
Williams, Del.
Young, N. Dak.
Young, Ohio

NAYS—11

Church
Clark
Douglas
Gore
Gruening
Lausche
Long, La.
Monroney
Moss
Nelson
Neuberger

NOT VOTING—29

Bartlett
Bayh
Brewster
Burdick
Byrd, Va.
Cannon
Carlson
Dominick
Engle
Fulbright
Hart
Hartke
Hruska
Inouye
Johnston
Jordan, N.C.
Kefauver
Kennedy
Long, Mo.
Magnuson
McCarthy
McClellan
McGovern
McNamara
Mechem
Morse
Pastore
Smathers
Yarborough

So Mr. Anderson's substitute amendment, for the Kefauver amendment, was agreed to.

Mr. ANDERSON. Mr. President, I move to reconsider the vote by which the amendment to the amendment was agreed to.

Mr. KUCHEL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. McCLELLAN. Mr. President, I was on my way to the Chamber to vote. I was delayed by business matters, and barely missed the vote. Had I been able to reach the floor of the Senate in time to respond to my name when it was called, I would have voted "yea."

Mr. ANDERSON. Mr. President, there was a previous agreement for a yea-and-nay vote on the so-called Kefauver amendment. Since then there has been a yea-and-nay vote on a supplanting amendment, which the Senate has adopted. I therefore ask unanimous consent that the order for the yea-and-nay vote on the Kefauver amendment be vacated.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the Kefauver amendment as amended by the substitute amendment offered by the Senator from New Mexico [Mr. Anderson].

The amendment, as amended, was agreed to.

ORDER OF PROCEDURE

Mr. BENNETT. Mr. President, yesterday, during the discussion of the amendment that was then pending to the authorization bill, I agreed that I would withhold an objection I had to the unanimous-consent agreement that was then being propounded, with the understanding that after the amendment was disposed of I would have the floor. This has been worked out, and I have the floor. If there is anything of great importance to be considered at this point, I will be happy to yield the floor. Otherwise, I advise the Senate that I will take about 20 or 25 minutes for my speech.

A CALL FOR A NEW NATIONAL PURPOSE: THE WILL TO WIN

Mr. BENNETT. Mr. President, it is with mixed emotions that I rise today to remind Senators of one blunt fact, as inescapable as it is obvious: 90 miles from the American coast the island of Cuba still exists. Almost within sight of the center of free world strength and security, this advance base of aggressive Communist subversion remains inviolate. With every passing day, this Soviet-supported, Moscow-dominated bandit regime tightens its oppressive grip upon the Cuban people and drives their shattered liberties more deeply into bondage.

More pointedly, I direct these reminders to that little band of timid men who presume to guide our Nation's destinies—who have substituted bravado for boldness, rhetoric for resolution. And I call upon them, in the name of our tarnished national honor as well as our imperiled national security, to make good their own repeated pledge that Cuba will once more be free.

FEAR—FRUSTRATION—SHAME

I have referred, Mr. President, to the mixed emotions with which I speak on this occasion. In part, it is with fear—fear for the security of this Nation and this hemisphere. A second part is a sense of frustration—frustration over the endless vacillation shown by the administration, and over its unfilled pledges for effective action. Still a third part is that of shame—the shameful gap between the administration's promises to the Cuban freedom fighters, both within that captive island and throughout the hemisphere, and its irresolute performance. In the name of the American people, administration officials have promised the Cuban patriots that their nation shall be restored to the community of free nations. But it would be closer to the truth to say that the administration is at open war with the forces of free Cuba—by effectively quarantining those potential leaders who have sought sanctuary and a base of future operations in the United States, and by contributing greatly to their fragmentation and disarray.

I speak also, Mr. President, with a mounting sense of anger—over the evasiveness, the equivocation, and the arrogance with which administration officials are now apparently putting a damper even on debate and discussion of our Cuban policy. But silence is no solution. The Cuban problem will not simply go away if we pretend it does not exist. Nor will the Soviet armed presence in Cuba go away, so long as we disregard the near ultimatum we proclaimed during the crisis of last October and so long as we disavow the bold resolution we showed then.

COUNSELS GO UNHEEDED

I remind my colleagues of another fact, Mr. President: that the Founding Fathers, with the wisdom that has endowed this Nation with a sound and enduring system of government, reposed in the U.S. Senate the duty and the privilege of advising the President on foreign policy. We are still, from time to time, allowed to register our approval of an executive fait accompli—as we must soon consider the proposed test ban treaty. But at the moment of decision, our advice is no longer sought. Other counsels go unheeded. Our sober proposals are dismissed with a glib phrase, or with contemptuous silence.

The time for silent and unquestioning consent is long since past, Mr. President. Let us, rather, assert the privilege of senatorial advice and strive to discharge our solemn duty. If the administration has moved on to other concerns, and if the American press is too preoccupied to make note of the fact that the Communist base in Cuba remains and grows and hardens, then it is up to this body to ask probing questions and to demand unequivocal answers. It is our grave responsibility to focus public attention and concern on the unsolved problem of a Communist Cuba and to reflect, in our deliberations and our advice, the firm resolve of the American people that Cuba must once more be free.

The Congress has already attempted to strengthen the President's hand by formal resolution. It has also written into the law of the land specific penalties against those nations which persist in doing business with Communist Cuba. The Foreign Assistance Act of 1962 imposed a flat ban on all forms of foreign aid to nations whose merchant ships carry strategic goods to Cuba; and it charged the President to justify, before appropriate committees of Congress, any exceptions to the ban on economic aid to those nations still engaged in commercial traffic. Yet, as the Senator from South Dakota [Mr. Mundt] has recently demonstrated, the President has made no such justification, and U.S. aid in the sum of at least a quarter of a billion dollars has gone to 27 nations whose ships have been or are now trading with Communist Cuba. I join, too, with the Senator from Nebraska [Mr. Hruska] in demanding to know when this administration intends to start laying down the law—or reporting to Congress why it has failed to do so.

APPROVE JOPLIN SPEECH

Three months ago, speaking in Joplin, Mo., I outlined a course of action designed to hasten the collapse of the Castro regime without involving this nation in open warfare—not necessarily the only or the best course, but one, I am convinced, that would surely contribute to this purpose. From any administration spokesman, the response has been dead silence. From many concerned Americans, I am proud to say, expressions of approval have served simply to confirm that, on this overriding issue of national security and national honor, the American people are far ahead of their leaders. Very briefly, these were my proposals:

First. The imposition of a tight quarantine—a so-called pacific blockade—on virtually all traffic to and from Communist Cuba and most particularly on all strategic goods. The Senator from Nebraska [Mr. Curtis] has also proposed this course of action, in a resolute speech recently delivered in this chamber.

Second. The organization of a free Cuban government-in-exile which this Nation would promptly recognize as the only legitimate representative of Cuban sovereignty and would help to prepare for the ultimate liberation of the Cuban homeland.

Third. The suspension of all negotiations with all Communist powers pending the complete removal from Cuba of the Soviet presence—whether we delude ourselves with the myth that they are "technicians" or face squarely the fact that they constitute an open military force.

Fourth. A categorical declaration that any overt acts against the Cuban people by these Soviet mercenaries would be considered an act of war against the United States.

Four clear-cut proposals for immediate action—offered nearly 3 months ago as a sober contribution toward the goal of Cuban liberation that the administration itself has repeatedly affirmed is its goal. And what has happened since then? Let us look at the record, Mr. President.

BOLD WORDS VERSUS TIMID DEEDS

It is a record, I am compelled to conclude, that abundantly illustrates the shameful gap to which I have already referred: the gap between bold words and timid deeds.

The clear lessons and the matchless opportunity opened up by the missile crisis of last October have been frittered away. The concept of a leakproof quarantine, boldly created and put into effect in October to meet the immediate security needs of this Nation and hemisphere is now rejected as current policy on the ground that now it is an "act of war." We are warned that we dare not "rock the boat"—least of all in the new era of reconciliation and accommodation of which, by the administration's own admission, the present test ban treaty is but a first step. Boldness, resolution, and stanch purpose—even the very will to win itself—are now out of fashion. We are not permitted to press any advantage, at this time of maximum tension within the Communist empire, against the extended lines of supply and materiel which alone sustain the Castro regime.

I need not repeat the eloquent testimony already offered in this chamber by the Senator from Colorado [Mr. DOMINICK] of the scope and intensity of Communist subversion throughout the hemisphere. He has spelled it all out—in every chilling detail. From its sanctuary in Cuba, aggressive world communism is reaching out to menace every free government in the Americas—in Venezuela, in Bolivia, in Guatemala, in Peru, in Colombia. And what has been the administration response? That we must make the world safe for diversity and for peaceful coexistence.

A SOVIET BLOODBATH

But most shameful of all has been the willingness of the administration—all its firm pledges and dire warnings to the contrary—to acquiesce in the creation of a second Hungary, 90 miles from our own shores, in occupied Cuba. As the Senator from Nebraska [Mr. HRUSKA] has so eloquently charged—with massive documentation from the firsthand reports of Cuban freedom fighters—the forces of free Cuba are under systematic attack not only by Castro's Soviet-maintained Cuban militia but also, directly, Soviet mercenaries. Armed chiefly with their superb courage, the partisans of free Cuba are victims of a mounting Soviet bloodbath; in the Cuban hills, a grim second Budapest is now unfolding. In the face of this evidence, Mr. President, can we doubt the effect throughout Latin America on their faith in U.S. intentions, and the honor of its pledged word?

The record, however, is not yet complete.

On June 17, the Senator from Colorado [Mr. ALLOTT] offered before this body a bold proposal for Cuban liberation. He suggested that this Nation spur the formation of a unified Provisional Government of Free Cuba by two means: by the offer of a territorial base for this provisional government on Cuban soil, at the U.S. Naval Station at Guantanamo Bay; and by the promise of prompt U.S. recognition of this regime, this spearhead of ultimate liberation, as the legitimate representative of Cuban sovereignty. The effect of such an act would be electric, throughout the Americas and the entire free world. It would signify, beyond any doubt, that this Nation has at last determined to match its word with deeds that must ultimately roll back the aggressive thrust of Communist imperialism. And it would put an end, once and for all, to the shameful fiction that the Castro gang represents anything except its Soviet masters and their implacable thirst for world dominion.

GREETED WITH SILENCE

But this proposal, too, has been greeted with official silence—and then with a variety of spurious charges based on legalistic nit picking. Let those who fret so over the legality of the Allott proposal reflect on the lesson of Korea: had President Truman in 1950 waited for squads of international lawyers to reconcile their endless differences, the U.N. Charter would be today nothing more than a scrap of paper, and all of Korea would have been swallowed up within the Communist empire. As they read today's headlines about Chinese Communist raids on our Korean outposts with the resumption of American casualty lists, they should realize that peaceful coexistence based on an armistice, or a treaty, is no substitute for victory. And let the spokesmen of the administration reflect as well on the clear lessons of last October: it was not international law which sanctioned our successful quarantine of Cuba. Rather, the sanction was provided by history—and by the overriding needs of national and hemispheric security.

I do not wish to be misunderstood, Mr. President. It is not to prove the special virtues of my colleagues on this side of the aisle that I repeat my own suggestions or the bold proposal of the Senator from Colorado [Mr. ALLOTT]. Where national security and national honor are at stake, there can be no Republicans and no Democrats. Parties and men may disagree over the means—but there must be and there is an overwhelming American consensus where the goal of national policy is concerned—and that is the goal of freedom with honor.

ANY PROGRAM FOR FREEDOM

We who join in a mounting call for effective action are not jealously wedded to a new departure in Cuban policy of our own devising. What we seek—what we demand—is any program of action that promises to remove the clear and present menace of Communist aggression from this hemisphere and, ultimately, to restore freedom to the captive Cuban people. That is our goal—not for crude partisan advantage but, rather, for the cause of freedom.

The thrust of modern warfare need not be purely or even primarily military. Indeed, in the continuing struggle of freedom against tyranny—of free world forces against the implacable aggression of militant world communism—the weapons of psychological warfare are often more effective. In this arsenal, the essential weapon is simply the will to victory. It is bold purpose. It is—as the Jackson committee emphasized as long ago as 1953—the clear and unambiguous message, to all our friends and to every potential enemy, that America means business. We believe in the principles of freedom. And we are prepared to fight for its preservation, for its extension—and where tyranny rules a once free people, for its restoration.

There is nothing mysterious about psychological warfare. It is simply the effective implementation of resolute national policy. The traditional instruments are information and propaganda, transmitted by every medium—radio, leaflets, balloons, even messages scrawled on walls and public monuments. In the case of the battle for ultimate Cuban liberation—and I do not speak boastfully—we have at our command the ultimate weapon of truth, to blast the pretensions of the Castro Communists and to expose the reality of their cruel tyranny.

EXPLOIT PSYCHOLOGICAL ARSENAL

But we have not yet begun to exploit all the weapons in our psychological arsenal. First, I repeat, must come bold policy and resolute will. Only when we have that can we plan definite programs.

For instance, during the Korean war, we offered a bounty to any Communist flier who defected with a Soviet aircraft. Let us now renew this offer—of a substantial reward, a job, and a guarantee of asylum and beam it to Cuba. In Cuba today, there are Migs and Soviet bombers poised to fly against us—and to help suppress any internal uprisings against the Castro-Communist regime. By offering a generous bounty, we can raise tremendously the price of continued Soviet occupation of Cuba and the cost of maintaining there a Soviet-supplied, Soviet-led striking force. The threat of defection alone may force the practical men of the Kremlin to reconsider the risks and the costs and the psychological disadvantages of their present aggressive policy—not only in Cuba, but also throughout the hemisphere.

Let us go further: We should offer asylum not only to fliers, but also to any and all Soviet soldiers now engaged in the occupation of Cuba. Judging from the lessons of Eastern and Central Europe and of Korea—and remembering the lesson of the Berlin wall—the odds are strongly in our favor. And defection would be relatively simple—either over the lines and into Guantanamo, or as part of the steady flow of Cubans who leave their country by small boat. The means for this seaborne exodus already exists in the fleet which moves regularly between Cuba and Florida and the islands of the Caribbean.

Mr. MUNDT. Mr. President, will the Senator from Utah yield?

Mr. BENNETT. I am glad to yield.

Mr. MUNDT. First, I should like to congratulate the Senator from Utah on the presentation of a very challenging and constructive speech, and especially to congratulate him on bringing up what to me, at least, is a new idea, one which I have not heretofore heard advanced authoritatively—namely, the encouragement of defections from Cuban soil to American soil.

It seems to me the Senator from Utah has hit upon a concept which well deserves careful consideration by the administration. I believe the administration either should proceed to implement it by a program of this type, or should make some reasonable answer as to why it feels such a program has serious deficiencies.

After hearing the Senator's proposal for the first time, I believe he proposes a far better program than the ill-conceived administration program of trading tractors for Cubans, which was complained about so bitterly by Dr. Milton Eisenhower in his recent book, in which he alleges the administration induced him to participate in the program, and that then, when the American reaction was almost universally antagonistic, the administration walked out and left poor Milton holding the sack.

Although I think Dr. Eisenhower might have exercised a little more prudence before joining in a concept of this kind, I feel he is entitled to complain, after he was pulled into the movement but then found, when the results were antagonistic, that the administration walked out and left him holding the sack. Perhaps next time he should be more cautious before going along with a concept not in conformity with American traditions.

The Senator from Utah has advocated a concept by which, if we induce Cubans to come to our country, not only would the Cubans who wish to be free and Soviet soldiers who wish to be free come to the United States, but, in addition, we would utilize our so-called bounty to enable them to succeed after they arrived in our country—by helping them to get jobs, find homes, and feel at home in the colony of freemen.

I wonder whether the Senator from Utah has found elsewhere any support for this concept. I believe his proposal is a reasonable and very attractive one. I hope he will find much support for it.

Mr. BENNETT. I have not attempted to measure public opinion before suggesting it on the floor of the Senate.

Mr. MUNDT. It is a splendid suggestion, by far more attractive than the policy which is now being consummated, whereby the United States paid blackmail—by providing medicines—for bringing enslaved Cubans to our area of freedom. By means of the Senator's proposal, not only would Cubans be brought to freedom, but we would avoid the kind of refugee problems which exist in Miami as a result of the medical exchanges, for those who came here would find work and the opportunity to become productive citizens in their new, free home.

Mr. BENNETT. I appreciate the comments of the Senator from South Dakota, and I am grateful for his support of this idea.

There is also a further difference, particularly if the offer resulted in the defection of Cuban fliers. When we contributed $53 million worth of medicine to Castro, we were bolstering his economy. But by means of my proposal, we would be drawing funds and value out of his economy, and would be increasing the costs to the Russians of maintaining themselves in Cuba.

Mr. MUNDT. The Senator from Utah makes a very good point, because thus we would drain out not only important people but also, in the case of Migs or Soviet military installations, things of definite use to the Soviet economy and security.

In dealing with a problem as old as the Cuban challenge and the Communist takeover by Castro in Cuba, new ideas are hard to come by. So I salute the Senator from Utah for having developed this idea; and I hope that by expressing it and by obtaining the widespread publicity it deserves, the administration will either submit to us a plausible argument as to why the Senator's proposal should not be adopted, or else will accept it—with the result that, at long last, something will be done to try to reduce the size of the Communist menace in Cuba.

Mr. ALLOT. Mr. President, will the Senator from Utah yield?

Mr. BENNETT. I am happy to yield to the Senator from Colorado.

Mr. ALLOTT. I too, wish to congratulate the Senator from Utah for keeping this subject before the Senate and the people of America. I also wish to congratulate the Senator for the contribution he makes by his speech—which I have had an opportunity to read—which shows his willingness to face this issue.

We are told by the administration that because of this or that, we cannot do certain things. For example, that we must not recognize a government in exile, because if we did, we would then release Castro from his obligations as a responsible government in the world.

But Castro has already confiscated all American property, and much other property in Cuba; and he has confiscated our Embassy. Nevertheless, the administration and the State Department are still hanging on to the theory that we are dealing with a responsible man, with a responsible government.

What the Senator from Utah has proposed, it seems to me, is that we stop acting like a prize fighter who is beaten and start to act like a prize fighter who intends to win. The Senator from Utah proposes several things—particularly, I think, propaganda things—by which we can win. We can win there; but we must start thinking. The Senator has put emphasis upon the will to win. If, in this administration, there is no will to win, certainly there is not going to be any Cuban program.

I hold in my hand a copy of a letter sent to one Senator by the Assistant Secretary of State. It shows a complete lack of will to come to grips with anything. We have been told we cannot do that—for example, that we cannot adopt the proposal made by the Senator from Colorado on June 17, because the groups are so fragmented.

But the express purpose of that proposal was to offer an inducement to the exiled Cuban groups to create unity. Every time the Government of this country shows a lack of will to proceed along a definite course, the groups fragment just that much more. So I wish to say that I think the proposal of the Senator from Utah makes sense. I think all the proposals made on the floor of the Senate in the last 2 months constitute—although perhaps not the whole answer—methods by which our country can adopt a different policy toward Cuba. I believe, as the Senator from Utah does, that this is the will of the American people.

Mr. BENNETT. I appreciate the contribution of the Senator from Colorado.

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. BENNETT. I yield.

Mr. SCOTT. I congratulate the Senator on the cogent presentation of his views, particularly his presentation of a new idea in regard to the festering Cuban problem. The Senator has made a point which deserves to be further stressed. The only response from administration spokesmen to the numerous suggestions of various Senators that certain things be done with regard to Cuba has been dead silence. It is almost impossible—in fact, so far as I am concerned, it has been impossible—to arouse the interest of a single Senator on the other side of the aisle to anything whatever that is said about Cuba. One would get the impression that the very mention of the word "Cuba" was enough to empty at least one-half of the Senate Chamber, and perhaps to empty the minds of those whom we expected to have some interest in a menace to our national security only 90 miles from our own shore. It seems to me that that very odd silence either betokens disinterest or apathy, or, what is even more chilling, the entire absence of a foreign policy position with regard to Cuba.

I am sure the Senator will agree with me that it is hardly foreign policy to leap from crisis to crisis the way a mountain goat leaps from precipice to precipice, and call that foreign policy. We all know that along about September or October of next year we shall be confronted with a Cuban crisis. We all know that as the leaves begin to fall, the press releases fall with them. The television and the radio become magnetized with new fervor. Then a great crisis will confront the American people, at which point they are asked to forget everything that ever went on before—to forget the apathy, to forget the do nothingness, and to forget the absence of a foreign policy. They are asked to forget that everything that went before was a failure to meet the responsibility to the security of the Western World and the free world to rid the free people of the world of this nest of aggressive Communist invaders armed to the teeth and bent upon our destruction.

Then, as we turn on our television sets in September and October of 1964, we shall be expected to believe that history begins again. At that time we will be advised that a crisis confronts the American people, and that all of our leadership and our foreign policy advisers are in accord that we should move forward with vigor and determination to rid the world of this great menace. All the American people are supposed to bow down and say, "Hail, hail, O Chief. Thou hast presented us with a solution to our problems." The people are expected to be duly grateful.

Then as the leaves continue to fall and the snow begins to fly in mid-November we will be right back to the place at which we started.

I commend the Senator from Utah for his presentation. He has indeed raised once more the recurring question, When are we going to get the Russians out of Cuba? When will we do something to keep a menace 90 miles from us from growing and growing until it is no longer a menace but an enemy in action against our people?

When will our Government have a policy about Cuba which represents the policy of the American people to prevent the further aggression of Soviet communism, which is both ominous and deadly, and, if we have a policy, when will they tell the American people about it?

Again I salute the Senator for his presentation.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. BENNETT. I yield.

Mr. JAVITS. I have not been present in the Chamber while the Senator delivered his entire address, but I have had the opportunity to read a summary. I should like, with the Senator's permission, to comment briefly. It seems to me that whether one agrees with every prescription of the Senator or not—and I happen to agree thoroughly with the one he is making today, which is the exploitation of the psychological arsenal—it is a fact that the Senator is thoughtfully urging a positive course of affirmative acts by our Govrenment in respect to Cuba. In that statement, any member of our party, whatever wing of the Republican Party to which he belongs, can join hands. It is the function of the minority to see that our Government does something about Cuba to give it the best counsel and guidance that we humanly can do so on that score.

The points of pressure which the Senator has outlined are undoubtedly sound. They are points of economic and diplomatic pressure. For myself, I feel very strongly about collaboration with the other American states. I feel very strongly about the possibility of a mutual defense treaty in the Caribbean with the Central American countries which are the most threatened.

Whatever may be my prescriptions, they do not have to agree with those of the Senator from Utah, for whom I have the utmost respect and personal regard. The fact is that it is the intention of the minority to insist that we need not stand still in this situation merely because one door has been blocked, to wit, the door of forceful action, which may have come as a result of our confrontation in October, but which happily did not. Though we did not win a whole victory, at least we demonstrated that the temper of the American people in respect to Cuba was such that they would even dare atomic war if they felt the danger in Cuba had come to the real danger that we discovered in October. The Senator is completely right about the psychological arsenal. We are underusing it, pointedly and markedly, with respect to Cuba. We are certainly underusing it almost as badly with respect to central Europe.

We starve our information services. We do not use the ingenuity of either economic or psychological warfare with the Communists almost anywhere in the world until we get into a hot war. In an atomic war it will be much too late.

So I join with the Senator from Utah in that part of his prescription. The weapon proposed is a great weapon. We are the most skillful publicists in the world when it comes to toothpaste, tires, and automobiles, but we fall flat as a flat tire when it comes to the struggles of the cold war.

I am glad to hear the Senator's distinguished voice raised, because he is a conservative member of my party, and it is good to identify those things in which we can speak together in favor of the United States spending some money and taking some action in the psychological warfare line.

The Senator from South Dakota [Mr. MUNDT] and I served together in the House. We joined hands many times on issues, though he and I do not see eye to eye on every issue. On the present question we always see eye to eye, as I do now with the Senator from Utah. The weapon of psychology is a powerful weapon. Let us use it.

Mr. BENNETT. Mr. President, I appreciate the comments of the Senator from New York. He has demonstrated that there can be unity among the Republicans when the problems of national security are at stake.

I should like to go a little deeper into the question of psychological warfare. I was speaking of defections.

The value of these defections would be enhanced, beyond merely psychological considerations, by the vital information the Soviet troops would bring with them. I need not spell out the details but merely assert that, with this information, our conjectures about the military buildup in Cuba might well become hard, reliable intelligence.

SOVIET DEFECTIONS KNOWN

These suggestions are not wild dreams, Mr. President. The defection of Soviet personnel is a reality, everywhere in the world where the opportunity exists. It is going on today in Cuba where, according to every report from Cuban freedom fighters, Soviet officers and men are joining the anti-Castro partisans in the Cuban hills. These men have voted with their feet. They have chosen freedom—in the face of grave risk and the threat of terrible retaliation. Let us improve their opportunities. Let us increase their incentives. Let us now match our dedication to theirs. Let us both stimulate and reward their courage.

To all the proposals and all the suggestions for devising a new and effective Cuba policy, I urge consideration of this added step. Let this Freedom Bounty constitute one more incentive in the march toward Cuban liberation. But, Mr. President, I repeat that all the proposals to which I have referred are just that: proposals for possible courses of action.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. BENNETT. I am happy to yield.

Mr. MUNDT. The Senator has used the word "bounty," which to me has a much greater American connotation than the word "blackmail." I like the concept of paying a bounty to those who will voluntarily leave Cuba, much more than surrendering to the blackmail of Castro who says:

> Give us tractors, give us medicine, give us guarantees or we will continue to keep your people in prison.

I served in the House of Representatives for many years with a delightful and distinguished gentleman from Pennsylvania by the name of Bob Rich, who periodically—once or twice a week—would stand in the well of the House as he confronted the statistical report from the Department of the Treasury, and a new spending request, to say, "Where are we going to get the money?"

I ask the Senator from Utah a question. If the administration should say, "This is a pretty good idea, but where are we going to get the money?" Would the Senator agree with me that if the administration were to take a single step—that is, to give to Americans the assurance that those who desire to contribute to a Cuban Freedom Bounty Committee would be given the same tax concessions accorded to the corporations which provided the medicine in exchange for prisoners—there would be no difficulty whatsoever in raising a sufficiently large bounty fund by volunteer contributions from patriotic Americans so that as Soviet defectors and Cuban defectors came to this country they could be provided with a home, or a little farm, or a business opportunity, so that they could work with fellow freedom-loving Cubans for the eventual installation of freedom in Cuba?

Mr. BENNETT. That certainly would be an interesting extension of a program the administration adopted when it faced the earlier proposition of gathering funds for blackmail or ransom.

Mr. MUNDT. I cannot escape the conviction that a great many more Americans would be willing to contribute of their funds for a bounty, for a reward, or for a grubstake for people defecting from Cuba than were willing to contribute ransom money or blackmail money, either in terms of tractors or of medicine.

Mr. BENNETT. It is an interesting extension of the idea.

Mr. President, I continue: If the administration has better and more effective strategies and can gather a wider arsenal of psychological weapons let us hear what they are. We will welcome and support them. We are looking neither for personal glory nor partisan advantage—rather, we are seeking indications of firmness of purpose and a will to victory. We plead for some sign that the administration is ready, finally, to lead all the people of the Americas toward the goals of freedom and justice.

Let us be done, therefore, with empty promises, with unfilled pledges, with endless evasions and delays. There are times when men, and nations, of principle must declare themselves, must stand up and be counted. There are issues that must be boldly met and effectively resolved. This is just such a time, Mr. President, and Cuban liberation is just such an issue.

UNITY IN OCTOBER

In October last the battleline was clearly drawn, and the courage with which our leaders met that confrontation thrilled the American people with a unity of support. Events since have been bewildering and discouraging. They bring to my mind the same Biblical passage that flashed its warning to me then. Let me repeat it again to the Senators today. Christ said, as recorded in St. Luke, chapter 9, verse 62: "No man, having put his hand to the plough, and looking back, is fit for the kingdom of God."

We have just done that. Last October we put our hands to the plow, and then we turned back. Fortunately there is still time to save the situation by recovering our original boldness. But every passing day strengthens our enemy and increases our difficulties. We must not allow the Cuban problem, and the slavery of the Cuban people, to be forgotten or to become a sacrificial pawn in a global program to keep Khrushchev smiling. When do we put our hands back on the plow, and start plowing? When do we demonstrate in Cuba that we are "fit for the kingdom"?

The American people have never lost their will to win, and will rally again to the administration as they did last October when they see this determination become again the basis of its Cuban policy. And if and when this happens, who in the United States, in Cuba, in Latin America—yes, who in the world—can doubt its outcome?

Mr. CURTIS and Mr. HICKENLOOPER addressed the Chair.

Mr. BENNETT. I am happy to yield first to the Senator from Nebraska.

Mr. CURTIS. Mr. President, I commend the distinguished Senator from Utah for his thoughts and for the time spent on his remarks, as well as for provoking interest on the Senate floor. The Senator's suggestions are meritorious.

It seems to me quite apropos that the speech be made today, when the Senate is considering an authorization bill dealing with outer space. Many Americans laud the great accomplishments in that area but are also concerned about the question, "In the meantime, who is going to control the earth?"

It is a real problem. We cannot escape. We cannot sweep under the rug the problem 90 miles from our shore, or close our eyes to it.

Mr. BENNETT. I appreciate the thoughts of my friend from Nebraska.

I now yield to the Senator from Iowa.

Mr. HICKENLOOPER. Mr. President, I congratulate the Senator from Utah. He has delivered a most perceptive and timely speech on a subject which is of great seriousness. He has pointed out that an uncertain policy and dilatory actions have consistently led us into more confusion internationally than we have been in for many years. I think it is timely for him to speak now, and I congratulate the Senator for the vigor of his presentation and for the truth of what he has said.

I know of no other time when international tensions have been so great and confusion and uncertainty of policy so evident. That, more than anything else, has been a great disservice to the development of the real unity of purpose of the nations we hope to have allied with us in fighting the great ideological battle and other battles in the world; and it has been a disservice in respect to stimulating adherence to our side among nations which are neutral and groping for leadership, which they have not yet found in our policy.

Mr. BENNETT. I thank my friend from Iowa, the ranking Republican on the Foreign Relations Committee; whose voice is important on all questions involving foreign policy.

Mr. President, I yield the floor.

AUTHORIZATION OF APPROPRIATIONS FOR THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

The Senate resumed the consideration of the bill (H.R. 7500) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations; and for other purposes.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska [Mr. GRUENING] is recognized.

Mr. GRUENING. Mr. President, I offer an amendment to H.R. 7500 which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 10, after line 25, it is proposed to delete the period and to insert the following:

Provided, however, That any funds authorized to be appropriated by this Act may be obligated or expended for the conduct of any scientific or technological research or development activity for or on behalf of any person providing satellite communications services other than an agency of the United States Government, or for the furnishing to or on behalf of any such person of any scientific or technological advice or information, *Provided, however,* That such person has been obligated by contract to make reimbursement to the Administration for a proportionate share of all costs incurred for or in connection with the conduct of such activity or the furnishing of such advice or information.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Alaska [Mr. GRUENING] to the committee amendment.

Mr. GRUENING. Mr. President, I shall take only a minute to explain the purposes of the amendment. This amendment would achieve the objectives which the amendment offered by the Senator from Tennessee [Mr. KEFAUVER] and 15 other Senators tried to achieve, and I hope it will overcome the objection raised by the Senator in charge of the bill. It makes the action of reimbursement post facto, and not beforehand. There is no obligation to prove in advance what benefits will accrue to the corporation. It is only after the benefits have been assumed by this company that there will be a responsibility to reimburse.

The amendment would also eliminate the Comptroller General. I do not know how the Senator in charge of the bill, the distinguished Senator from New Mexico [Mr. ANDERSON] feels, but I believe it is necessary for the record to offer the amendment, because it does precisely what many of us feel is essential; namely, to see that the Government of the United States does not pay for services which benefit a certain private group or company, but expends the money to it on a loan or reimbursable basis.

The amendment would eliminate the technical and I think valid objection which the Senator from New Mexico raised; namely, that it would be difficult or impossible to calculate what the benefits would be in advance, and that he does not want to involve the Comptroller General. The benefits will be considered only after they have been received, and only after they have been requested. It will be in the nature of a postaudit more than a preaudit.

Mr. ANDERSON. Mr. President, I did not make a point of order against this amendment, because it is not necessarily the same as the previous one. I hope it will be voted down. In view of the amendment previously offered, I hope the Senate will wait and see what would be accomplished by the language that has already been adopted. Therefore, I hope the amendment will be defeated.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Alaska [Mr. GRUENING] to the committee amendment.

The amendment to the amendment was rejected.

Mr. LAUSCHE. Mr. President, I send amendments to the desk, which I offer at this time.

The PRESIDING OFFICER. The amendments offered by the Senator from Ohio will be stated.

Mr. LAUSCHE. I ask unanimous consent that the reading of the amendments be dispensed with, and that they be considered as though read.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUSCHE's amendments are as follows:

> On page 9, line 11, strike out "$5,511,520,400" and insert in lieu thereof "$5,203,719,400".
>
> On page 9, line 12, strike out "$4,225,275,000" and insert in lieu thereof "$4,013,175,000".
>
> On page 9, lines 17 and 18, strike out "$1,556,600,000" and insert in lieu thereof "$1,436,600,000".
>
> On page 9, line 20, strike out "$1,153,500,000" and insert in lieu thereof "$1,138,500,000".
>
> On page 9, lines 22 and 23, strike out "$140,000,000" and insert in lieu thereof "$125,000,000".
>
> On page 10, lines 2 and 3, strike out "$44,175,000" and insert in lieu thereof "$42,175,000".
>
> On page 10, lines 5 and 6, strike out "$194,400,000" and insert in lieu thereof "$190,400,000".
>
> On page 10, line 8, strike out "$282,600,000" and insert in lieu thereof "$254,400,000".
>
> On page 10, line 13, strike out "$50,000,000" and insert in lieu thereof "$30,600,000".
>
> On page 10, line 20, strike out "$96,687,000" and insert in lieu thereof "$91,687,000".
>
> On page 10, line 25, strike out "$220,200,000" and insert in lieu thereof "$216,700,000".
>
> On page 11, line 2, strike out "$747,060,400" and insert in lieu thereof "$682,359,400".
>
> On page 11, strike out all in lines 5 and 6, and renumber succeeding paragraphs accordingly.
>
> On page 11, line 8, strike out "$20,332,500" and insert in lieu thereof "$17,032,500".
>
> On page 11, line 14, strike out "$300,316,000" and insert in lieu thereof "$279,677,000".
>
> On page 11, lines 23 and 24, strike out "$102,196,000" and insert in lieu thereof "$92,696,000".
>
> On page 12, line 3, strike out "$168,253,000" and insert in lieu thereof "$148,653,000".
>
> On page 12 strike out all in lines 4 and 5, and renumber the following paragraph accordingly.
>
> On page 12, line 7, strike out "$25,000,000" and insert in lieu thereof "$15,000,000".
>
> On page 12, line 8, strike out "$539,185,000" and insert in lieu thereof "$508,185,000".

Mr. ANDERSON. Mr. President, will the Senator from Ohio indicate the nature of the amendment, without reading it?

Mr. LAUSCHE. Yes.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield.

Mr. MANSFIELD. I am about to make a unanimous-consent request.

I ask unanimous consent that 30 minutes be allotted to each amendment still to be offered and considered, 15 minutes to a side, to be under the control of the author of the amendment and the Senator handling the bill, and 1 hour on the bill.

Mr. ANDERSON. If the Senator will yield, on the Lausche amendment, I wonder if the Senator would allow 20 minutes to the Senator from Ohio? Make it 20 minutes to the Senator from Ohio and 10 minutes in opposition.

Mr. MANSFIELD. I amend my request to 20 minutes on each side.

The PRESIDING OFFICER. Does the Senator from Ohio wish his amendments to be considered en bloc?

Mr. LAUSCHE. Yes.

Mr. MONRONEY. Mr. President, the bill before the Senate provides some $5½ billion for an agency called the National Aeronautics and Space Administration. I am interested, and I feel that many other Senators are interested, in aviation. Yet less than nine-tenths of 1 percent would go into aviation research.

I wonder if the Senator will be good enough to reserve some time to discuss this question, not to amend the bill, because I do not feel it is wise to amend the bill at this time, but to discuss the importance of aviation to America's future prestige.

If the Senator will be good enough to yield 10 or 15 minutes for that purpose, that is all I ask.

Mr. MANSFIELD. I am certain the Senator handling the bill or some other Senator will be glad to yield him that time.

Mr. JAVITS. Mr. President, I do not want to be frozen by any agreement, but could the Senator give me 5 minutes to speak on the Securities and Exchange Commission matter in the next half hour or three-quarters of an hour?

Mr. MANSFIELD. I am sure that Senators who wish to speak will agree to that request. Could the Senator let action be taken on the Lausche amendment first?

Mr. JAVITS. That could take 40 minutes.

Mr. MANSFIELD. If all the time were used.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? Without objection, it is so ordered.

Mr. LAUSCHE. Mr. President, is the limitation 30 minutes?

Mr. MANSFIELD. Forty minutes; twenty minutes to a side.

Mr. LAUSCHE. Mr. President, my amendments, if adopted would reduce the total amount of the appropriation for NASA's work from $5,511,520,400, to $5,203,719,400. The amount of the reduction would be $307,801,000. At least $200,000 of the reduction would be reflected by a depreciation of the dollars given to place a man on the moon.

At this time, Mr. President, I ask for the yeas and nays on my amendments.

The yeas and nays were ordered.

Mr. LAUSCHE. Mr. President, originally it was contemplated that a man would be placed on the moon by 1975. That date was advanced in a period of what I would call great enthusiasm, bordering on hysteria, in 1961. The objective is to place a man on the moon in 1970.

It was envisioned before 1960 that the cost would be $20 billion. Up to this time $3,800 million has been spent, and it is anticipated that $20 billion more will be spent. That figure, I suggest, is an optimistic one.

There are experts who say that the cost would be $30 billion. At the expense of the private economy, at the expense of private research and development work, the Government is moving pellmell, with accelerated speed, with extravagant expenditure of money, to the goal of placing a man on the moon.

Robert L. Bartley, who made a study of this question, revealed, in a recent article, what businessmen are saying. I shall quote from the article.

> Donald Collier, research vice president of Borg Warner Corp., recently asked, "How did we ever get suckered into sinking so much of our national prestige on getting a man on the moon?"
>
> Top research men in industry reason this way: Frantic bidding, by space and military contractors, for scientists and engineers is creating a big shortage for industry. This scarcity, along with the skyrocketing salaries it is provoking, is bringing almost to a halt the hitherto rapid growth of company-supported research. The Federal research and development program hampers efforts to develop new products and processes for the civilian economy.
>
> Samuel Lebner, vice president of Du Pont Co., puts it this way: Government research programs serve as a brake on research in the private sector. Even if corporations had unlimited money to spend, they could not find the personnel to expand research indefinitely.

Mr. President, when 10 minutes have expired, may I be notified, please?

The PRESIDING OFFICER. The Senator will be notified.

Mr. LAUSCHE. The space program promoted by the Federal Government alone, with its acceleration, would absorb all the engineers and scientists who annually are entering our economy and our scientific field.

About 30,000 new scientists and engineers enter the field each year. The Federal program will absorb those 30,000, without any being left to serve in the private sector of our economy.

Mr. CURTIS. Mr. President, will the Senator yield briefly?

Mr. LAUSCHE. I yield.

Mr. CURTIS. I should like also to call attention to the drain that is placed on many colleges and universities, making it difficult for them to hold their faculties.

Mr. LAUSCHE. I thank the Senator for that contribution. The private sector of our economy is faced with the problem of holding present staffs. The Senator from Nebraska has stated that our universities and colleges are facing the same difficulty. I know that to be a fact. The Government and contractors of the Government who are engaged in research and development are pirating scientists and engineers from the private sector of the economy.

I am glad that I have such widespread approval of what I am saying, as indicated by the nodding of the heads of my colleagues.

There is solid evidence that the shortage of scientific talent is slowing private research and development. Private research is practically coming to a standstill.

My amendment would still leave available a huge sum of money for the field of governmental research and development. The amount available will be $4,013,175,000. It would still leave a substantial amount of money available for the development of new facilities which have been requested.

As I stated earlier, it would reduce the total allocation by $307 million. In my judgment, that reduction would not affect the work that is being done.

If Senators desire to have a detailed understanding of how the various projects would be affected, I ask them to look on the third page of the report, which shows a summary of the adjustments and NASA fiscal year 1964 requests. In the first column is the total amount that was asked for by the administrative agency. The second column shows the amount approved by the House, as $5,203,719,480. The third column shows the amount that has been recommended by the Senate committee.

I ask Senators to support the amendment.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LAUSCHE. I yield myself 1 more minute.

The people of the country are asking, "Why a man on the moon, with all the other things that we have to do?"

I ask that question, "Why a man on the moon?"

I believe there is no reasonable explanation for the objective of placing a man on the moon by 1970.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield 1 minute to the Senator from Pennsylvania.

Mr. CLARK. Yesterday I spoke on the floor of the Senate much along the same line as the able senior Senator from Ohio has spoken today. I do not see why we should be in the phrenetic race to put a man on the moon before anyone else puts one there. I do not see why it is necessary to spend $20 billion or more on what is nothing more than a high school cross-country race to see whether we get our man there before the Russians get their man on the moon.

Personally, I would like to see this money spent for the social purposes which are not being met. For that reason, I shall support the amendment of the Senator from Ohio, inasmuch as this is the only practical way in which to show my own belief in the need for cutting our spending on the race to the moon and spending some of the money for more useful purposes.

Mr. LAUSCHE. I thank the Senator.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield 1 minute to the Senator from Iowa.

Mr. MILLER. Last year we witnessed a long, drawn out argument between the two Houses centering on the activities of the Appropriations Committees. As a Member of the Senate I felt very unhappy about the criticism that was leveled by the chairman of the House Appropriations Committee at the Senate for the record of the Senate Appropriations Committee and the Senate itself of almost constantly raising the appropriations that the House had voted.

The chairman of the House Appropriations Committee was not without good reason for saying so. We have an opportunity this year to adhere more closely to the House appropriations figure, so that this criticism will not occur again and so that the two Houses will be able to work more harmoniously in the field of appropriations.

I hope the amendment of the Senator from Ohio will be agreed to.

Mr. LAUSCHE. Mr. President, I yield 1 minute to the Senator from South Dakota.

Mr. MUNDT. Mr. President, I take the floor to congratulate the Senator from Ohio on the offering of his amendment, which I intend to support. I believe we should continue to spend money in an orderly fashion, rationally, and in a successively progressive method to reach the moon; but I am not at all concerned about trying to make this a "horse race" between the Russians and the Americans, whereby we will spend money as recklessly as we can in a mad desire to beat the Russians to the moon.

Speaking about the racing business, I think the race-for-the-moon concept has taken on a bizarre and disturbing characteristic. In the way we are approaching the problem now, it seems to me we are having a race to determine whether we can get a man on the moon ahead of the time when the national debt gets to be so high that it will reach the moon. I would rather see us get a man on the moon ahead of the time when the debt becomes so vast that it can be likened to a skyscraper so high that it reaches the moon. To assure our fellow citizens of this result, we must temper our zeal to land on the moon with some basic economic considerations. In this connection, we should make progress without profligacy.

Mr. ANDERSON. Mr. President, I yield 7 minutes to the distinguished Senator from Missouri.

Mr. SYMINGTON. Mr. President, as was mentioned earlier this afternoon, the bill was worked on carefully by the Senate Committee on Aeronautical and Space Sciences, with, of course, the hope that, after analysis of all recommendations made including those of the House, which the committee examined, the Senate would have some faith in the decisions rendered by the committee.

Yesterday I emphasized to my colleagues that this was not a crash program to get to the moon, rather a program designed to do the job quickly but at the same time efficiently. I presented figures to show the estimated amount of money required was reduced when the time for doing the job was shortened.

There has been much discussion and differences of opinion, as to the military role in the space program. The committee, led by its chairman, the able and experienced Senator from New Mexico [Mr. ANDERSON], has been reassured in this regard, because both the Secretary of Defense and the Director of NASA have assured us there is complete cooperation between the civilian space agency, NASA, and the military aspects of space in the Department of Defense.

It is important to point out that at this time we are not in any way certain about just what type and character of defense weaponry we will need. We do know, however, that we must have more information about the problems of man in space from the standpoint of his actual existence, the problem of weightlessness, and so forth.

We also know that we must develop our thrust capacity considerably. There can be no true weaponry military units in space unless the amount of thrust now available is improved; and the entire thrust program is tied up—locked up might be a better term—with the problem of how to get to the moon in the shortest period of time.

In this connection, I refer to a most thought-provoking article entitled "Why Land on the Moon?" written by Robert Jastrow and Homer E. Newell, published in the Atlantic for August 1963. The article has already been printed in the daily RECORD—July 31, page A4874—at the request of the distinguished chairman of the Committee on Aeronautical and Space Sciences [Mr. ANDERSON].

I believe this article will serve to assuage any fears anyone may have on many of the subjects discussed this afternoon and yesterday.

Mr. President, at this time I would read an excerpt from the opening statement the Senator from New Mexico [Mr. ANDERSON] made on yesterday to the Senate:

> The ultimate objective of the development of manned spacecraft systems is to provide the capability for a broad program of manned space exploration which will achieve and maintain a position of leadership for the United States. A specific goal in acquiring this capability is to land a man on the moon and return him safely to earth. The two principal items under Manned Spacecraft Systems are projects Gemini and Apollo. The Gemini project will place two men in earth orbit to explore long duration flight, and to develop the techniques of space rendezvous. The Apollo project will provide a 3-manned spacecraft which will be used to carry man in earth-orbital, circumlunar, lunar orbit and lunar landing, and return missions.
>
> The House action reflects a reduction of $120 million for Apollo spacecraft development on the basis that use of the amount requested could not be wholly identified, particularly in connection with the development of the command and service modules. The NASA request for restoration indicated that, subsequent to the visit by House committee members to North American Aviation—

Mr. President, this is a very important point—

> NASA completed contract negotiations with the contractor which have shown that funds requested for fiscal year 1964 are indeed required, unless there is to be a delay of from 4 to 6 months in meeting the program objectives on the command and service modules.

The PRESIDING OFFICER (Mr. NELSON in the chair). The time of the Senator from Missouri has expired.

Mr. ANDERSON. I yield 2 more minutes to the Senator from Missouri.

The PRESIDING OFFICER. The Senator from Missouri may proceed.

Mr. SYMINGTON. Mr. President, I read further from the opening statement of the Senator from New Mexico:

> If the House reduction were applied to other elements of the Apollo and Gemini efforts, the result is estimated to be a delay of 1 to 2 months across the board. On the basis of NASA testimony that the tightest controls and the exercise of greatest management skills will be necessary to meet program objectives even if the House reduction is restored, the committee recommends restoration of the reduction made by the House.
>
> The primary objective of the lunar and planetary exploration program is the exploration of the solar system, and the immediate objective of the program is to obtain scientific information and design data required for manned space flight systems development, particularly for the manned lunar landing program.
>
> The administration's request for this item was $322,600,000. The House authorized

> $254,400,000, a reduction of $68,200,000, consisting of $25 million from the Ranger project, $28,200,000 from Surveyor Orbiter, and $15 million from Mariner.
>
> After a review of the Ranger program and consulting with NASA officials, your committee agrees with the House that $25 million can be reduced in Ranger funds, and a good and adequate job can still be done by Ranger within the remaining $65 million. Your committee, however, stressed the fact that this $25 million reduction should not be construed as lessening the need for the Ranger program, since it is extremely important to the success of the manned lunar landing program.

The PRESIDING OFFICER. The additional time yielded to the Senator from Missouri has expired.

Mr. ANDERSON. I yield 1 more minute to the Senator from Missouri.

The PRESIDING OFFICER. The Senator from Missouri may proceed.

Mr. SYMINGTON. Mr. President, I read further from the statement by the Senator from New Mexico:

> With respect to the House's action of reducing by $28.2 million the Surveyor Orbiter project, your committee received extensive testimony from NASA which indicated that the Orbiter program was essential to the Apollo project and would be initiated during the fiscal year 1964 timetable. Therefore, on this basis, your committee restored the original budget request for Orbiter, but worded the authorization in such a manner so that this amount may not be reprogramed, but must be used for Surveyor Orbiter as stated in NASA's fiscal year 1964 budget request.
>
> Your committee agreed with the action of the House, that the $15 million reduced by the House from the Mariner project could be properly deferred.

Mr. President, in order to expedite our action on this amendment, I shall read no more of that justification along these lines which has been drawn up by the committee staff, and which on yesterday was put into the RECORD by the Senator from New Mexico.

Mr. LAUSCHE. Mr. President, to clarify the RECORD, I wish to state that a staff member tells me that this year's allocation in the effort to put a man on the moon will cost $3,800 million. Is that correct?

Mr. SYMINGTON. If everything is charged to this single program, that probably would be roughly correct. It would be very hard, however, to make an exact allocation from the various programs, which total $5,700 million. The figure I gave the distinguished Senator from Ohio yesterday is just as close—if we distribute the costs over all parts of the program, rather than charge all of them exclusively to this one project.

Mr. LAUSCHE. That would be $2,500 million?

Mr. SYMINGTON. That is correct.

Mr. ROBERTSON. Mr. President——

Mr. LAUSCHE. I yield to the Senator from Virginia.

Mr. ROBERTSON. I wish to associate myself with these amendments. I do not think it would cut this authorization enough. Last March I made a Senate speech in which I called attention to the great need to reduce the present heavy burden of taxation. I said we should not vote a big tax cut, estimated at $10 billion, on top of a deficit estimated at from $10 to $12 billion.

Now it is apparent that within the near future the House is going to send us a tax bill which will cut the revenue for the next fiscal year about $5 billion, and the following fiscal year about $5 billion—assuming that the Senate goes along in a general way with those figures. So I repeat what I said last March: We have a very heavy tax burden; it can, and it should, be reduced. But in reducing the tax burden, we should also reduce all unnecessary domestic spending.

I have read what the experts—both pro and con—say about the shot to the moon. I frankly admit I am not an expert, but of this much I am satisfied: This project was started on the assumption that the Russians were going to send a man to the moon, and that we must get a man there first, and that it was a matter of national prestige that we do so first. So we rush pellmell into this authorization of unprecedentedly large appropriations.

It is quite evident to me that the Russians have found the project to be utterly impractical, and in addition, beyond their capacity. So, instead of trying to send a man to the moon, they have concentrated on rockets; and finally they developed one that could carry a payload of many tons—far more than any we have yet developed can carry. They have a rocket with over a million pounds of thrust; and I believe that the Senator from Missouri—an expert in this field—will say that our most powerful rocket has about 350,000 pounds of thrust. Is that correct?

Mr. SYMINGTON. I believe ours has a little more than 350,000 pounds of thrust, but not much more.

Mr. ROBERTSON. I thank the Senator.

I looked into this question last year, in handling our defense budget, and in determining what the military said about putting a man on the moon. They said it has no military value whatever. We can shoot a missile to Russia in 23 or 24 minutes; but it takes 4 days to send one from the moon, assuming we could send one there, and then could shoot one from the moon. But it is thoroughly impractical to do that. The daytime temperature on the moon is 212° or more—the boiling point; and the nighttime temperature is between 50° and 60° below zero. On the moon there is no atmosphere for a person to breathe. So it is utterly impractical for man to get there and to stay there. As a matter of fact, if we ever got a man there, the complete absence of oxygen would make it most difficult, if not impossible, for him to restart his engines.

We recall that when Napoleon was planning to invade Great Britain, he said he had found three ways to land an army there, but no way to leave.

We face a similar problem in sending a man to the moon.

Outstanding scientists have said they see no practical, scientific value from a moon shot. Furthermore, the prestige value has ceased, because the Russians are not going to send a man there. No military need has ever existed, because such a shot has no military value. The scientists say it has little, if any, scientific value. So, Mr. President, let us cut the authorization to the extent proposed by the Senator from Ohio.

Mr. LAUSCHE. Mr. President, I ask the committee chairman if I may have 3 minutes in order to close my presentation.

Mr. ANDERSON. Mr. President, I ask unanimous consent that the Senator from Ohio may have 3 additional minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. LAUSCHE. I have in my hand a paper prepared by the staff of the committee which recommended the bill. The paper shows that for the fiscal year 1964 the projects directly involved in the lunar space drive would cost $3,200 million. Projects directly supporting the lunar effort would cost $400 million. Projects supporting the lunar effort which would have been conducted for other reasons would cost $200 million. So in the 1964 program $3,200 million is directly involved and the amounts of $400 and $200 million would be indirectly involved. My proposal would still leave NASA with a huge sum of money. I close by saying that Stalin made the statement that he would drive us to ruination in one of two ways. First, he would destroy us militarily; second, if he did not destroy us militarily, he would drive us into a frenzy of spending that would bring fiscal bankruptcy. We can avoid both, but let us not become the victims of his advanced prediction, and spend ourselves into destruction.

Mr. ANDERSON. Mr. President, I yield 4 minutes to the Senator from Florida [Mr. HOLLAND].

Mr. HOLLAND. Mr. President, the integrity of the committee system of the Senate is involved in this effort made by a distinguished Senator who is not a member of the committee, who did not attend the hearings, and who could know very little about what transpired in the 11 full days of hearings by a committee composed of 15 Senators. The committee brought out the unanimous report which is now before the Senate. The amendment would completely nullify and cancel the effort of 15 Senators who, for 11 days, heard testimony that filled more than 1,100 pages of printed transcript, and who wrote a report of between 300 and 400 printed pages for the information of the Senate. The amendment in effect would hold that all of that effort was abortive, nugatory, and ought to be canceled and disregarded entirely.

Mr. President, if the effort was directed at some one or two or more particular cuts with evidence behind the effort to show that the expenditure suggested was too great, there could be merit in the proposal. But when an amendment is offered which would knock out everything that the committee did in 11 days of hearings, with all the pain and expense involved, and when that effort comes from a Member who did not attend the hearings and is not a member of the committee and who has not been advised by the testifying scientists on this highly technical subject, I should not have the support of Senators, if they believe in the integrity of their committee system, and if they believe in the ability of a committee constituted as the Committee on Aeronautical and Space Sciences is constituted. That committee consists of some of the ablest Members of the Senate, including the chairman, the Senator from New Mexico [Mr. ANDERSON], the Senator from Georgia [Mr. RUSSELL], and the senior Senator from Maine [Mrs. SMITH]. I shall not mention the others, who include several ex-Governors who are now members of the committee and others of long experience. Shall we say that their time was entirely wasted, and that the committee of the House of Representatives, without the benefit of some of the later developed information which came into the Senate committee, knew before we ever started our hearings what was the proper answer to this complex question? I think the question answers itself. I hope the Senate will repudiate the amendment by a very conclusive majority voting against it.

Mr. ANDERSON. Mr. President, I yield the final minute to the Senator from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. President, I do not wish to speak particularly on the merits of the amendments offered by the Senator from Ohio [Mr. LAUSCHE], but I believe the argument made and the thesis advanced by the distinguished Senator from Florida [Mr. HOLLAND] is by all odds one of the most singular expressions I have ever heard on the floor of the Senate. If one took to heart that statement and accepted the principle that the integrity of the committee system was involved, it would be like saying that every Senator who does not serve upon that particular committee should keep his mouth well shut on the floor of the Senate, and have no imagination, no initiative, and no personal convictions with respect to subjects that come to the floor of the Senate. Time and time again, without being on any particular committee, I have undertaken in my own right to assail what has come to the floor of the Senate. That is the prerogative of every Senator. The fact that a Senator does not serve on a committee does not mean that he has not done his homework and undertaken to familiarize himself with the equities that may be involved. I hope that we never embrace the philosophy that is here advanced by the distinguished Senator from Florida.

The PRESIDING OFFICER. All time has expired. The question is on agreeing to the amendments of the Senator from Ohio [Mr. LAUSCHE]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MORTON (when his name was called). On this vote I have a live pair with the Senator from New Mexico [Mr. MECHEM]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I withhold my vote.

The rollcall was concluded.

Mr. RIBICOFF (after having voted in the negative). On this vote I have a pair with the Senator from Alaska [Mr. GRUENING]. If he were present and voting, he would vote "yea." If I were at liberty to vote I would vote "nay." I withhold my vote.

Mr. HUMPHREY. I announce that the Senator from Alaska [Mr. BARTLETT], the Senator from North Dakota [Mr. BURDICK], the Senator from Virginia [Mr. BYRD], the Senator from Nevada [Mr. CANNON], the Senator from California [Mr. ENGLE], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Alaska [Mr. GRUENING], the Senator from Michigan [Mr. HART], the Senator from Indiana [Mr. HARTKE], the Senator from Arizona [Mr. HAYDEN], the Senator from Hawaii [Mr. INOUYE], the Senator from South Carolina [Mr. JOHNSTON], the Senator from North Carolina [Mr. JORDAN], the Senator from Missouri [Mr. LONG], the Senator from Michigan [Mr. MCNAMARA], the Senator from Oregon [Mr. MORSE], the Senator from Rhode Island [Mr. PASTORE], the Senator from Florida [Mr. SMATHERS], the Senator from South Carolina [Mr. THURMOND], and the Senator from Texas [Mr. YARBOROUGH] are absent on official business.

I further announce that the Senator from Indiana [Mr. BAYH], the Senator from Washington [Mr. MAGNUSON], the Senator from Tennessee [Mr. KEFAUVER], and the Senator from Massachusetts [Mr. KENNEDY] are necessarily absent.

I further announce that, if present and voting, the Senator from Alaska [Mr. BARTLETT], the Senator from Indiana [Mr. BAYH], the Senator from Nevada [Mr. CANNON], the Senator from South Carolina [Mr. JOHNSTON], the Senator from Tennessee [Mr. KEFAUVER], and the Senator from Washington [Mr. MAGNUSON] would each vote "nay."

If present and voting, the Senator from North Dakota [Mr. BURDICK] would vote "yea."

On this vote, the Senator from California [Mr. ENGLE] is paired with the Senator from Nebraska [Mr. HRUSKA]. If present and voting, the Senator from California would vote "nay," and the Senator from Nebraska would vote "yea."

On this vote, the Senator from Hawaii [Mr. INOUYE] is paired with the Senator from Maryland [Mr. BEALL]. If present and voting, the Senator from Hawaii would vote "nay," and the Senator from Maryland would vote "yea."

On this vote, the Senator from Florida [Mr. SMATHERS] is paired with the Senator from Colorado [Mr. DOMINICK]. If present and voting, the Senator from Florida would vote "nay," and the Senator from Colorado would vote "yea."

On this vote, the Senator from Alaska [Mr. GRUENING] is paired with the Senator from Arizona [Mr. HAYDEN]. If present and voting, the Senator from Alaska would vote "yea," and the Senator from Arizona would vote "nay."

On this vote, the Senator from North Carolina [Mr. JORDAN] is paired with the Senator from Massachusetts [Mr. KENNEDY]. If present and voting, the Senator from North Carolina would vote "yea," and the Senator from Massachusetts would vote "nay."

On this vote, the Senator from Oregon [Mr. MORSE] is paired with the Senator from Rhode Island [Mr. PASTORE] If present and voting, the Senator from Oregon would vote "yea," and the Senator from Rhode Island would vote "nay."

On this vote, the Senator from South Carolina [Mr. THURMOND] is paired with the Senator from Texas [Mr. YARBOROUGH]. If present and voting, the Senator from South Carolina would vote "yea," and the Senator from Texas would vote "nay."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. CARLSON], the Senator from Colorado [Mr. DOMINICK], the Senator from Nebraska [Mr. HRUSKA], the Senator from Maryland [Mr. BEALL], and the Senator from New Mexico [Mr. MECHEM] are necessarily absent.

On this vote, the Senator from Maryland [Mr. BEALL] is paired with the Senator from Hawaii [Mr. INOUYE]. If present and voting, the Senator from Maryland would vote "yea," and the Senator from Hawaii would vote "nay."

On this vote, the Senator from Colorado [Mr. DOMINICK] is paired with the Senator from Florida [Mr. SMATHERS]. If present and voting, the Senator from Colorado would vote "yea," and the Senator from Florida would vote "nay."

On this vote, the Senator from Nebraska [Mr. HRUSKA] is paired with the Senator from California [Mr. ENGLE]. If present and voting, the Senator from Nebraska would vote "yea," and the Senator from California would vote "nay."

The positions of the Senator from Kentucky [Mr. MORTON] and the Senator from New Mexico [Mr. MECHEM] has been previously announced.

The result was announced—yeas 32, nays 37, as follows:

[No. 130 Leg.]

YEAS—32

Allott
Bennett
Boggs
Church
Clark
Cotton
Curtis
Douglas
Ervin
Goldwater
Hickenlooper
Javits
Jordan, Idaho
Lausche
McGovern
Miller
Mundt
Nelson
Neuberger
Pell
Prouty
Proxmire
Randolph
Robertson
Russell
Saltonstall
Scott
Simpson
Talmadge
Tower
Williams, Del.
Young, N. Dak.

NAYS—37

Aiken
Anderson
Bible
Brewster
Byrd, W. Va.
Case
Cooper
Dirksen
Dodd
Eastland
Edmondson
Ellender
Fong
Gore
Hill
Holland
Humphrey
Jackson
Keating
Kuchel
Long, La.
Mansfield
McCarthy
McClellan
McGee
McIntyre
Metcalf
Monroney
Moss
Muskie
Pearson
Smith
Sparkman
Stennis
Symington
Williams, N.J.
Young, Ohio

NOT VOTING—31

Bartlett
Bayh
Beall
Burdick
Byrd, Va.
Cannon
Carlson
Dominick
Engle
Fulbright
Gruening
Hart
Hartke
Hayden
Hruska
Inouye
Johnston
Jordan, N.C.
Kefauver
Kennedy
Long, Mo.
Magnuson
McNamara
Mechem
Morse
Morton
Pastore
Ribicoff
Smathers
Thurmond
Yarborough

So Mr. LAUSCHE's amendments to the committee amendment were rejected.

Mr. ANDERSON. Mr. President, I move to reconsider the vote by which the amendments were rejected.

Mr. MANSFIELD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. CURTIS. Mr. President, I send amendments to the committee amendment to the desk and ask to have them stated.

The PRESIDING OFFICER. The amendments offered by the Senator from Nebraska will be stated.

The LEGISLATIVE CLERK. On page 9, line 11, it is proposed to strike out "$5,511,520,400" and insert in lieu thereof "$5,506,520,400".

On page 11, line 2, it is proposed to strike out "$747,060,400" and insert in lieu thereof "$742,060,400".

On page 12, line 3, strike out "$168,253,000" and insert in lieu thereof "$163-253,000".

Beginning with line 23, page 13, strike out all to and including line 8, page 14, and insert in lieu thereof the following:

> (h) Notwithstanding the provisions of section 4 of this Act, no part of the funds authorized by this section may be expended for the establishment of any electronic research center or facility until the Administrator has transmitted to the Congress, and the Congress has approved by statute enacted after the effective date of this Act, a detailed study of the need for, the nature of, and plans for such center or facility.

Mr. CURTIS. Mr. President, I ask for the yeas and nays on my amendments.

The yeas and nays were ordered.

Mr. CURTIS. Mr. President, is there a time limitation?

The PRESIDING OFFICER. The Senate is proceeding under a time limitation.

Mr. ANDERSON. Mr. President, would the Senator from Nebraska be agreeable to 10 minutes a side on this amendment?

Mr. CURTIS. Mr. President, I ask to be notified when I have used 10 minutes. I will try to close in that time.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. CURTIS. Mr. President, my amendments would reduce the amount of the bill by $5 million. My proposal provides that no new electronic research center shall be established until the Administrator sends to Congress a study as to the need justifying it and Congress thereafter approves the study.

The $5 million involves a research center for the undefined space program to take place after we have landed a man on the moon. That statement is supported by the record. Considerable misgivings have been voiced about the lunar mission. There are good people on both sides of the question. My point is that this is the nose under the tent—$5 million to start a facility for research in a program that will follow the lunar landing.

The Space Administration is not operating under an austere program. I inquired into the program to aid students. The program would subsidize scholars who show promise in the sciences at $2,400 a year, and an additional amount for dependents of the student. I asked the question, "Do you pay the subsidy if he and his family are well able to pay that expense themselves?" The answer was, "Yes."

What right have we to tax college students or parents of college students who are sending their own children to school in order to pay for the education of those who are well able to pay for it themselves?

There is only one explanation. NASA has so much money that, regardless of its intentions, it cannot use it judiciously. Those students are not even obligated to serve this Nation for 1 year, or 3 years, or any other period, such as graduates of our service schools are. There is not a line that prohibits them from taking employment with another government. NASA is not operating under an austere budget. This is the beginning of a program beyond the landing on the moon.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. CURTIS. I will yield in a moment.

I call attention to what my amendments would do. They would reduce by $5 million in two appropriate places the figure provided. They would eliminate money for the research center, and provide that there shall be no center until the Administrator has provided a study justifying it and Congress approves it.

What is wrong with such a provision? This flimsy proposal already has language in it that before any amount is provided the agency must report to the committees of both Houses and wait 45 days. Not much will be done for a while, anyway. If this is so important, there is no reason why the Administrator cannot justify it and bring a measure to Congress in time; but at least we should know what is being done.

I now yield to the distinguished Senator from Colorado.

Mr. ALLOTT. Is it not a fact that there are no criteria in the bill for the selection of those who are to be sent on to higher education, and that this is to be done solely at the will of unknown individuals somewhere in NASA?

Mr. CURTIS. That is correct. While I regard that as a very important point, my amendments do not deal with the educational program. I merely speak of it as an illustration that we are piling more money on a man's desk than any human being can judiciously spend; and it is wrong.

I am concerned with what happens in outer space. I should like to see progress there. But I am also concerned with who is to control the earth. We have not made the progress in aviation that we ought to have made.

Certain sections of our national defense are literally being starved, so far as advances are concerned. Without a specific showing and justification, to start a center that will continue to grow, without having a direct finding as to the wisdom and need for it, in my judgment is folly.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. CURTIS. If I may insert some material into the RECORD, I shall then be happy to yield.

Mr. President, I inquired of the Administrator for a breakdown of the budget. I ask unanimous consent that the question and reply be placed in the RECORD at this point.

There being no objection, the question and answer were order to be printed in the RECORD, as follows:

> Question. I would like to know the total overall budget of NASA, how much of it involves the far outer space? I know it would be hard to define and hard to separate, but any idea that they can get and how much of it involves a closer outer space where we have a more immediate problem in defense.
>
> Answer. The total NASA budget for fiscal year 1964 is $5,712 million. Of this, $3,758.2 million is being requested for manned space flight; $836.7 million is being requested for space sciences; $140.7 million is being requested for applications; $597.2 million is being requested for advanced research and technology; and $379.2 million is being requested for tracking and data acquisition.
>
> Manned space flight: The manned space flight program includes two principal flight projects, Gemini and Apollo, the supporting launch vehicle and propulsion development effort, space medicine and operational support activities. Funding for the Gemini project amounts to $335.3 million. In addition, there is approximately $30 million of operational activities and supporting research and technology directly related to Gemini. The principal objectives of the Gemini project are to fly two men in earth orbit for periods up to 2 weeks and to rendezvous the Gemini capsule with an Agena launch vehicle stage in earth orbit. The information and flight experience obtained from these experiments will be directly applicable to the more advanced Apollo project as well as being applicable to future manned scientific and military operations in space.
>
> The remaining $3,393 million in the manned space flight program is devoted to developing the Apollo spacecraft, its launch vehicles and rocket motors, constructing the necessary facilities and conducting the supporting research and technology and operational activities related to Apollo. Although the Apollo space vehicle system is being designed to land two men on the moon to explore the lunar surface and to return them safely to earth, the Apollo project will provide a great deal of technology and operating experience that is essential to advance this Nation's capability for manned flight in low earth orbit. For example, all of the flight and operational testing, the Apollo space vehicle system will be done in low earth orbit. During these flights, which checkout the spacecraft and launch vehicle systems, much new data will be obtained on the endurance of man to weightlessness and space flight environment during lengthy periods of flight and new information will be gathered relating to operational techniques of spacecraft systems in space. These observations will include such things as guidance and control, additional rendezvous experiments, exposure to long periods of weightlessness, evaluation of the radiation and micrometeroid hazards and determination of the protection required for them. Thus, during the course of developing the Apollo manned lunar space vehicle system, much information will be gathered and new data generated that will be directly applicable to the design and development of future scientific and military manned spacecraft for operation in low earth orbit.
>
> Space sciences: Space sciences involve the exploration of space near the earth, the depths of space at great distances from the

earth, the moon, and the nearby planets by unmanned space vehicle systems.

The research conducted by flights near the earth encompass geophysics, astronomy, and biosciences. Funding in the geophysics and astronomy area amounts to $232.6 million and in the bioscience area $41.3 million. Geophysics relates to the characteristics of the earth and the nearby space around it. Astronomy relates to observation of the sun and the charting of the stars with orbiting observatories. The bioscience area deals principally with the flight of biological experiments in earth orbit and the observation of the effects of radiation and weightlessness on biological specimens. Additional information in these areas is indeed vital to future manned space operations in that knowledge of the environment of space in which the systems are to operate for long periods of time is essential to the proper design of the space system.

The area of lunar and planetary exploration deals with the exploration of interplanetary space and the obtaining of additional knowledge about the moon and the nearby planets. Funding in this area amounts to $331.4 million. This program provides various types of information. The observations made include those of radiation and micrometeoroid hazards out beyond the radiation belt. Such data are important to future manned flight beyond the radiation belts. The observations of the moon's surface will provide data essential to the development of the Apollo manned lunar landing vehicle. Further, the information gathered about the moon and nearby planets and the environment of space in addition to being of great value to the scientific community will assist greatly in better understanding the earth on which we live.

Other portions of the space sciences program include launch vehicle development, facility training and research grants, and the construction of facilities. The launch vehicle development funding is used for the development of improved launch vehicles for satellites and space probes. The major portion of the vehicle development funding is to be used in developing the new Centaur launch vehicle which will utilize high-energy liquid hydrogen as a fuel. Facility training and research grants relates to funds utilized to provide the facilities and the support to train scientists and engineers necessary to support this country's future efforts in space. The construction of facilities supports all of the programs in the space sciences area.

Applications: Applications includes the meteorological and communication satellite effort. The funds being requested for meteorological satellites amounts to $73.1 million, those for communications satellites amounts to $55.8 million, and other activities and construction of facilities amounts to $11.8 million. The meteorological satellites are flown at altitudes of 400–600 miles. The Echo communications satellite will orbit the earth at an altitude of about 600 miles, the Relay satellite flies at the intermediate altitudes of 5,000–6,000 miles, and the Syncom satellite will be launched into a syncronous orbit at an altitude of 22,300 miles.

Advanced research and technology: Advanced research and technology includes research in the areas of aeronautics and the space technologies. The space technology effort covers a broad spectrum of technical areas in which new knowledge is being developed for future operations in space, in near earth orbit, lunar flight and planetary missions. It includes research in the areas of spacepower to develop new techniques for efficiently obtaining power for long periods of time in space; space vehicle systems to develop new techniques for the design and fabrication of spacecraft and launch vehicles; electronics systems in which the guidance, navigation and communications technology is advanced; human factor systems in which area information is obtained on the most efficient design of the spacecraft to accommodate the requirements of man; nuclear electric systems and nuclear rockets to develop the technology of utilizing nuclear energy for future space missions, and chemical propulsion to develop information that will lead to more effective utilization of chemical rockets in the launch vehicles of the future. The $597.2 million requested for advanced research and technology supports the effort in these several areas.

Like most research, this work is not easily compartmented into that related to future operations in near earth orbit and that related to operations in deep space. Rather the effort in advanced research and technology is directed toward developing new knowledge that is applicable in widely varried types of manned and unmanned space vehicles of the future.

Tracking and data acquisition: That portion of the NASA resources devoted to tracking and data acquisition are utilized to provide the worldwide systems of NASA tracking and data acquisition stations. These stations are required to communicate with, to command and to receive data from the satellites and space probes that NASA launches. NASA has three worldwide tracking and data acquisition networks. One is the manned space flight net which was used in the Mercury flights and which will be used for the Gemini and Apollo earth orbital flights. The second is the Minitrack net utilized for the tracking and acquisition of data from the various earth satellites. Finally, there are three stations in the deep space net which are utilized to communicate with the lunar and planetary probes.

The $379.2 million budgeted for tracking and data acquisition in fiscal year 1964 is intended to maintain and operate these networks and to accommodate the expanding NASA flight program.

Mr. CURTIS. Also, at my request, the staff of the committee asked the Air Force to let us know what items in this proposal had a direct bearing on the Air Force and defense. I agree that the time for answering was rather short. The reply is disappointing, in that it does not deal with specific items, but it contains some information which may be of help, and I ask unanimous consent that it appear in the Record at this point.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Department of the Air Force,
Washington, August 7, 1963.

Hon. Clinton P. Anderson,
Chairman, Committee on Aeronautical and Space Sciences, U.S. Senate.

Dear Mr. Chairman: This is in response to your letter of July 26, 1963, which requests Department of the Air Force comment on the military worth of items in the NASA fiscal year 1964 budget.

The Air Force has followed the NASA program with great interest since the establishment of the Agency and has continuously looked for ways to apply Air Force abilities and resources to assist NASA in the monumental task of space exploration for the advancement of science and for the prestige of the Nation. We are proud of the significant contributions we have made to the extraordinary record of accomplishment of the NASA.

Our participation with NASA in the furtherance of national objectives in space has been tempered by our constant awareness that the prime concern of the Air Force is national security. Accordingly, we have been ever alert to the possible military byproducts of the NASA program. This does not imply that we have not earnestly joined in the wish that space might be preserved for scientific and commercial purposes, but reflects our conclusion that we cannot neglect the potential military applications of space in the face of the uncertainty concerning the Russian intent to seek military advantage in space.

In our search for military benefits which the Defense Department might derive from the NASA program, we have found there are many technical areas wherein advances by either agency will benefit both. It is particularly clear that the broad underlying base of technology being produced by the NASA will substantially benefit military space programs. In this connection, a major task facing NASA and the Air Force is to strengthen the techniques for effective exchange of information resulting from our respective efforts. We feel that excellent progress is being made in this vital exchange through such mechanisms as the Aeronautics and Astronautics Coordinating Board, and the Gemini Program Planning Board, as well as through less formal but highly productive day-to-day contacts between NASA and Air Force managerial and technical people. The effectiveness of this coordination will heavily influence the significance of the technological advances achieved by NASA to the development of future national security.

With regard to specific NASA programs, our review has not yielded an explicit figure of merit for their present or future direct or indirect value to national security. However, we observe that these programs, as a group, have little direct application to military activities. There are a few exceptions, a notable one being the meteorological satellites program. Information from this program can be of considerable value to military air operations, and promises to be a useful adjunct to future military missions which may involve reconnaissance and precision recovery from orbit.

A considerable number of the NASA programs, while lacking direct military value, do have aspects of potential significance to future national security. For example, the rendezvous portions of the Gemini and Apollo programs promise to provide information which will facilitate the development of vehicles to accomplish military missions of interception, inspection, and capture or neutralization of unidentified or unfriendly satellites. These same programs undoubtedly will contribute additional knowledge on man's ability to perform in space under conditions somewhat like those which may be anticipated during military space missions. Similar potential military value exists in other NASA programs, such as aerospace medicine, bioscience, communication satellites, space vehicle systems, and space power, to mention a few. Although we can assert that these individual programs have potential significance to future national security, we find no straightforward way of assigning a meaningful measure to this quality.

Our assessment of the NASA programs in the light of your questions has strengthened our conviction that the potential joint value of the NASA and Defense Department programs can be more fully realized by closer collaboration in the early conceptual phases, to insure that the objectives of each agency are clearly recognized at each successive stage of program evolution. Our point is illustrated by our recent experience in developing experiments to be sponsored by the Defense Department on the Gemini flights. Although the concerted joint effort, under the guidance of the Gemini program planning board has been fruitful, it has become obvious that an earlier beginning of intensive collaboration might well have allowed greater results. Looking to the future, we hope to apply this lesson in the establishment of an orbital space station program. We view a space station as an essential preliminary to an operational space defense system, and as a valuable source of experience which will apply to NASA objectives. As this program is in the early conceptual phase, we think it possible to begin now to fully exploit its high potential to serve both civilian and military needs. As you know, the Defense Department has proposed to NASA that there be collaboration in studies leading to the definition of the space station program.

To keep the military worth of the NASA program in true perspective, one must recognize the fundamental difference in the mission and objectives of the Defense Department and NASA. This difference was wisely acknowledged by the Congress in the Space Act of 1958, wherein the jurisdiction over space developments having to do with the defense of the United States is reserved to the Defense Department. Although this difference certainly does not obscure the basic similarity of the military and civilian space programs, it engenders in our programs a number of unique characteristics, which derive from time-tested precepts of military operations. Military space vehicles must be capable of quick reaction; they must be dependable, versatile, and susceptible to positive control; they must have high survivability and effectiveness in hostile environments. Their supporting systems, such as communications, must meet stringent standards of reliability, survivability, and security. Military science is competitive, and we cannot be satisfied to rely too heavily upon indirect or partial measures to achieve our ends. Thus, while the Air Force recognizes, welcomes, and seeks to take full advantage of the military worth of the NASA program, we are striving to pursue a concurrent military program in concert with the NASA program, which will assure the preservation of national security in the space age.

The Air Force appreciates the opportunity to comment on this subject. If we may be of further assistance, please do not hesitate to call on me,

Sincerely,

BROCKWAY MCMILLAN,
Under Secretary of the Air Force.

Mr. CURTIS. Mr. President, the present program of NASA is draining the manpower of the country away from private enterprise. It is difficult for a college or university to get an instructor. Why make the situation worse?

If Senators have any doubt about the amount of money being spent for these programs I invite their attention to pages 166 and 209 of part 1 of the hearings. There I asked to have provided a list of grants and contracts with educational institutions, broken down by States. The list goes on, page after page, for some 49 pages.

I say that we will serve the NASA program if we exercise a little restraint. We will honor the astronauts if we save for their children a solvent country. I yield to no one in my feeling of pride for what has been accomplished. There is a need for the amendment I have offered.

Two years ago the President of the United States in his message set as the objective in this decade the lunar landing.

This is for a program beyond that, for $5 million.

The PRESIDING OFFICER. The Senator has 10 minutes remaining.

Mr. CURTIS. I yield myself 2 additional minutes, and I now yield to the Senator from South Dakota.

Mr. MUNDT. If I correctly understand the Senator's amendments, they merely permit the Appropriations Committee to apply to the post-lunar landing project the same criteria which we customarily apply in conjunction with public works projects; first an authorization is obtained, and then it is necessary to come back to the Appropriations Committee. Hearings are held, and some deliberation is had. If I understand the Senator's amendments correctly, that is what he would have prescribed in connection with this project. Is that correct?

Mr. CURTIS. Yes. I wish to be fair to the committee, particularly to the very able chairman who presided over the hearings. There were hearings. Many things were involved in one bill. It is a bill for $5 or $6 billion. Therefore not too much attention could be given to this particular item. The committee voted on this item and turned it down. All I am asking is that we take time and require a showing of need. First, an authorization act must be passed. Many problems arise in connection with building Government laboratories. Many persons become Government employees, and they want to perpetuate their jobs. They look for more jobs when they have accomplished their first mission. We find this to be true in the field of atomic energy now. Laboratories which have accomplished their mission are seeking new missions.

The PRESIDING OFFICER. The additional time of the Senator has expired.

Mr. CURTIS. I yield myself 30 seconds. I ask unanimous consent to have printed in the RECORD a marked portion of the report at page 3, where the committee admonishes against so much inhouse research and deals with the use of the contractual method of private enterprise.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The committee also expressed considerable interest in the relationships between the inhouse capabilities being created by the NASA as contrasted with contractual arrangements with other agencies and private enterprise.

With specific reference to the establishment of additional NASA laboratory and research and development facilities, the committee recommends to NASA that great care be used in the future before approving additional new Government facilities in view of the fact that many of such facilities are already in existence and have served a useful purpose, but now face serious problems concerning their future utilization by the Nation. The committee further recommends that NASA examine existing research and development facilities regardless of whether privately or governmentally owned to determine whether or not use cannot be made of such facilities prior to any future authorization requests for new facilities.

While the committee recognizes that NASA has made use of private enterprise extensively, the expanding capability of private organizations should be given full cognizance in attempting to accomplish NASA objectives in the research and development field. It feels that this Nation can little afford large investments of funds in duplicating facilities.

Considering the long-range aspects of the space program the committee believes the best interests of the Nation will be served by placing with industry as much of the research and development as possible, for it is private industry, in the final analysis, which must produce the end product.

Mr. CURTIS. I reserve the remainder of my time.

Mr. ANDERSON. I yield 4 minutes to the Senator from Missouri [Mr. SYMINGTON].

Mr. SYMINGTON. I shall be very brief on these particular amendments.

First, I should like to express agreement with the distinguished Senator from Nebraska about the importance of keeping as much research and development as possible in the private economy.

In building railroad cars, the bolsters and couplers and blocks are all sent to a carbuilding shop, where the freight car itself is assembled. The same is true in the building of automobiles. Wheels, carburetors, and engines are all sent to an assembly plant, where they are assembled into the body.

The same procedure is used in the electronics field we are discussing. However, these electronic parts built all over the Nation must have very high reliability. If there is no central point to investigate reliability and manage the research required to develop electronic components of high reliability, then we are not following normal American business practice.

I should like to say one more thing with respect to this subject. We have been extremely fortunate and successful with the flights we have made and with the equipment used incident to the activities of our astronauts.

None of us would want to curtail anything related to a full test of the electronic equipment they use. No one would want to be responsible for the sad loss of some of these men who consistently risk their lives to further our position in space. It is for that reason that I fully support the decision of the committee in this connection, and cannot agree with my able and distinguished friend from Nebraska with respect to his amendments.

Mr. ANDERSON. I yield 4 minutes to the able Senator from Mississippi.

Mr. STENNIS. Mr. President, the item under discussion, which is really a central laboratory for electronics connected with the space program, attracted my attention first in connection with the electronic programs connected with the military program, which, incidentally, has been a program of vast consequence for years, as we all know, requiring many laboratories and programs. Today, we spent most of the day hearing the Directors of Los Alamos and Livermore installations of the Atomic Energy Commission testify about some of their problems. The laboratory we are discussing is not far removed from the defense program. I have not heard anything said about the defense program being stalled. I believe it has a pretty good supply of funds for essential research. The laboratory we are discussing would serve the space program, which is in addition to the defense program, but the laboratory would also support at least a part of the program for the Apollo lunar program.

I became interested in this program early because a part of the program is located in my area of the country, particularly some of the manufacturing and some of the testing. I wrote to a very able young man who has a high position in the electronics field. I have known him personally since he was a boy. I wrote to him about the need for additional laboratories in the space field. I received from him a frank and full response, and I am taking the liberty of reading two or three sentences from his letter.

He is the head of one of the largest private testing laboratories in the Nation. He says:

> The existing broad base of electronics research is understandably defense-oriented and not space-oriented. Also, most military centers are heavily involved in defense electronics. If the new space electronics work is added directly to this base, it might be forced to take a lesser priority than the defense work. The need for centralizing this work is as important as the need to centralize propulsion was not too many years ago.

We know the great need for concentrating electronic propulsion of our missiles, the larger ones and the smaller ones, particularly because that is where Russia got ahead of us.

This highly capable man, engaged in work in a private laboratory, likens our present situation on the space program—not only the lunar program, but the space program of the future, as it pertains to defense and otherwise—to what we needed in the complicated electronics field in the defense program only a few years ago.

I am not interested in the location of the laboratories. What I am interested in is the necessity of the program. Without question it must move forward.

Mr. ANDERSON. Mr. President, I ask unanimous consent to have printed at this point in the Record a letter which I sent to the Secretary of Defense under date of July 29, 1963, and a reply from Mr. Harold Brown, Director of Defense Research and Engineering, dated August 1, 1963.

There being no objection, the letters were ordered to be printed in the Record, as follows:

U.S. Senate,
July 29, 1963.

The Honorable Robert S. McNamara,
Secretary of Defense,
Washington, D.C.

My Dear Mr. Secretary: During the recent markup of NASA's budget request for fiscal 1964, a question arose as to the future usefulness of an electronics facility to be located in the Greater Boston area.

The point was raised that it might be wise to look upon this new laboratory with a little broader perspective than just a laboratory to implement NASA's electronic needs.

It was pointed out that perhaps this facility, together with the Government, industry, and educational environment in this area, could, in the future, with the proper coordination between the Department of Defense's electronic capabilities and NASA's electronic capabilities, make a major contribution to the entire Government operations in the field of electronics research and development and serve an extremely useful purpose in the future for military space as well as civilian space programs.

The committee felt that this point was important enough to request Department of Defense comment as to whether it feels that such a complex could prove extremely useful to the military and defense needs in electronics in the future, as well as NASA's needs.

I would, therefore, like to have such comment by the Department of Defense and an answer as expeditiously as possible in order that it would be available to the committee in connection with the deliberation of NASA's 1964 request in the Senate.

Sincerely,

Clinton P. Anderson,
Chairman, Committee on Aeronautical and Space Sciences.

Department of Defense,
Washington, D.C., August 1, 1963.

Hon. Clinton P. Anderson,
U.S. Senate,
Washington, D.C.

Dear Senator Anderson: Thank you for your letter dated July 29, 1963, offering us the opportunity to comment on the usefulness of NASA's proposed electronics research facility to our defense military electronics research and development effort.

In considering the possibility we have reviewed the electronic research and development facilities and technical resources currently available within the Department of Defense and the adequacy of this existing capability to advance electronics technology and develop new devices and systems needed to meet the demands of our current and foreseen military space and weapons systems program requirements.

At present there are a number of laboratories, both within the military services and nonprofit institutions outside the Defense Department, actively engaged in electronic research and development. While these resources are considered adequate to support the Department's needs in the electronic research and development area, it is recognized that NASA has a very major requirement for the most advanced kind of electronic technology in their civilian space programs. It is also recognized that a substantial part of these electronic technical requirements are very similar to those involved in our own military space and other military systems developments. Accordingly, we would expect that much of the research carried forward by NASA in the proposed facility could serve a useful purpose for the Department of Defense.

Sincerely,

Harold Brown,
Director of Defense Research and Engineering.

Mr. ANDERSON. Mr. President, after consultation with the distinguished Senator from Nebraska, I am prepared to yield back the remainder of my time, if he is agreeable to yielding back the remainder of his time.

Mr. CURTIS. I yield back the remainder of my time.

The PRESIDING OFFICER (Mr. McGovern in the chair). All time has been yielded back. The question is on agreeing to the amendments of the Senator from Nebraska [Mr. Curtis] to the committee amendment. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McGOVERN (when his name was called). I have a pair with the junior Senator from Massachusetts. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I withhold my vote.

Mr. PEARSON (when his name was called). I have a pair with the junior Senator from New Mexico [Mr. Mechem]. If he were present and voting, he would say "nay." If I were at liberty to vote, I would vote "yea." I withhold my vote.

The rollcall was concluded.

Mr. HUMPHREY. I announce that the Senator from Alaska [Mr. Bartlett], the Senator from North Dakota [Mr. Burdick], the Senator from Virginia [Mr. Byrd], the Senator from Nevada [Mr. Cannon], the Senator from Louisiana [Mr. Ellender], the Senator from California [Mr. Engle], the Senator from Arkansas [Mr. Fulbright], the Senator from Alaska [Mr. Gruening], the Senator from Michigan [Mr. Hart], the Senator from Indiana [Mr. Hartke], the Senator from Hawaii [Mr. Inouye], the Senator from South Carolina [Mr. Johnston], the Senator from North Carolina [Mr. Jordan], the Senator from Missouri [Mr. Long], the Senator from Michigan [Mr. McNamara], the Senator from Oregon [Mr. Morse], the Senator from Rhode Island [Mr. Pastore], the Senator from Virginia [Mr. Robertson], the Senator from Georgia [Mr. Russell], are necessarily absent; the Senator from Florida [Mr. Smathers], the Senator from South Carolina [Mr. Thurmond], and the Senator from Texas [Mr. Yarborough] are absent on official business.

I further announce that the Senator from Indiana [Mr. Bayh], the Senator from Washington [Mr. Magnuson], the Senator from Tennessee [Mr. Kefauver], the Senator from Massachusetts [Mr. Kennedy] are necessarily absent.

I further announce that, if present and voting, the Senator from North Dakota [Mr. Burdick], the Senator from Nevada [Mr. Cannon], the Senator from Louisiana [Mr. Ellender], the Senator from California [Mr. Engle], the Senator from Alaska [Mr. Gruening], the Senator from Michigan [Mr. Hart], the Senator from Indiana [Mr. Hartke], the Senator from Hawaii [Mr. Inouye], the Senator from South Carolina [Mr. Johnston], the Senator from Tennessee [Mr. Kefauver], the Senator from Washington [Mr. Magnuson], the Senator from Michigan [Mr. McNamara], the Senator from Oregon [Mr. Morse], the Senator from Rhode Island [Mr. Pastore], the Senator from Virginia [Mr. Robertson], the Senator from Florida [Mr. Smathers], the Senator from South Carolina [Mr. Thurmond], and the Senator from Texas [Mr. Yarborough] would each vote "nay."

On this vote, the Senator from Alaska [Mr. Bartlett] is paired with the Senator from Colorado [Mr. Dominick]. If present and voting, the Senator from Alaska would vote "nay," and the Senator from Colorado would vote "yea."

On this vote, the Senator from Indiana [Mr. Bayh] is paired with the Senator from Nebraska [Mr. Hruska]. If present and voting, the Senator from Indiana would vote "nay," and the Senator from Nebraska would vote "yea."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. Carlson], the Senator from Colorado [Mr. Dominick], the Senator from Nebraska [Mr. Hruska], the Senator from Maryland [Mr. Beall], and the Senator from New Mexico [Mr. Mechem] are necessarily absent.

The Senator from North Dakota [Mr. Young] is delayed on official business.

On this vote, the Senator from Colorado [Mr. Dominick] is paired with the Senator from Alaska [Mr. Bartlett]. If present and voting, the Senator from Colorado would vote "yea," and the Senator from Alaska would vote "nay."

On this vote, the Senator from Nebraska [Mr. Hruska] is paired with the Senator from Indiana [Mr. Bayh]. If present and voting, the Senator from Nebraska would vote "yea," and the Senator from Indiana would vote "nay."

The positions of the Senator from Kansas [Mr. Pearson] and the Senator from New Mexico [Mr. Mechem] have been previously announced.

The result was announced—yeas 21, nays 45, as follows:

[No. 131 Leg.]

YEAS—21

Allott
Bennett
Boggs
Case
Curtis
Dirksen
Fong
Goldwater
Hickenlooper
Javits
Jordan, Idaho
Keating
Lausche
Miller
Morton
Mundt
Proxmire
Scott
Simpson
Tower
Williams, Del.

NAYS—45

Aiken
Anderson
Bible
Brewster
Byrd, W. Va.
Church
Clark
Cooper
Cotton
Dodd
Douglas
Eastland
Edmondson
Ervin
Gore
Hayden
Hill
Holland
Humphrey
Jackson
Kuchel
Long, La.
Mansfield
McCarthy
McClellan
McGee
McIntyre
Metcalf
Monroney
Moss
Muskie
Nelson
Neuberger
Pell
Prouty
Randolph
Ribicoff
Saltonstall
Smith
Sparkman
Stennis
Symington
Talmadge
Williams, N.J.
Young, Ohio

NOT VOTING—34

Bartlett
Bayh
Beall
Burdick
Byrd, Va.
Cannon
Carlson
Dominick
Ellender
Engle
Fulbright
Gruening
Hart
Hartke
Hruska
Inouye
Johnston
Jordan, N.C.
Kefauver
Kennedy
Long, Mo.
Magnuson
McGovern
McNamara
Mechem
Morse
Pastore
Pearson
Robertson
Russell
Smathers
Thurmond
Yarborough
Young, N. Dak.

So the amendments offered by Mr. Curtis to the committee amendment were rejected.

Mr. CLARK. Mr. President, I call up my amendment to the committee amendment, and ask that it be stated.

The PRESIDING OFFICER (Mr. McGovern in the chair). The amendment of the Senator from Pennsylvania to the committee amendment will be stated.

The Legislative Clerk. On page 18 of the committee amendment, between lines 13 and 14, it is proposed to insert the following new section:

Sec. 7. In the event that the United States enter into any agreement or agreements with any other country or countries for the cooperative exploration of space or other aeronautical and space research and activities for peaceful purposes, or that the United States agree to participate in any joint venture for the cooperative exploration of space or other aeronautical and space research and activities for peaceful purposes through the United Nations or any other international body, the Administrator is hereby authorized to obligate and expend funds, appropriated pursuant to authorization given by this Act, for such cooperative programs on a basis of matching funds equally with any other cooperating country, except that in no event shall the aggregate of the funds obligated or expended under this section for any such program exceed the funds expended by that other cooperating country which makes the greatest expenditure for such program.

On page 18, line 14, strike "Sec. 7." and insert in lieu thereof "Sec. 8.".

Mr. CLARK. Mr. President, I yield myself so much of the time available to me as I may require.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. CLARK. Mr. President, the purpose of my amendment to the committee amendment is to implement the policy requirement of the National Aeronautics and Space Act of 1958, which in title 2, section 205, under the heading "International Cooperation," reads as follows:

> The Administration, under the foreign policy guidance of the President, may engage in a program of international cooperation in work done pursuant to this chapter and in the peaceful application of the results thereof, pursuant to agreements made by the President with the advice and consent of the Senate.

The act already authorizes the President to promote international cooperation in outer space. We now have reached a point which may be a break in what hitherto has been the intransigent opposition of the Soviet Union to any adequate cooperation in outer space.

No doubt many Senators read this morning, in the Washington Post, an article, under the byline of Howard Simons, entitled "United States, Russia May Join in Moon Effort." The article states that word has been sent indirectly to the Soviet Union that the United States is interested in following up the Soviet suggestion that can lead to a joint United States-Soviet effort to send men to the moon. This was disclosed yesterday by the able Senator in charge of the bill, the Senator from New Mexico [Mr. Anderson], when he released to the press a letter from James E. Webb, Administrator of NASA, in reply to a letter from Sir Bernard Lovell, at the Jodrell Bank and Experimental Station, in Britain, making the suggestion referred to in the article published this morning in the Washington Post.

I ask unanimous consent that the text of the exchange of letters between Dr. Lovell and Mr. Webb be printed at this point in the Record, in connection with my remarks.

There being no objection, the letters were ordered to be printed in the Record, as follows:

National Aeronautics and
Space Administration,
Washington, D.C., August —, 1963.

Sir Bernard Lovell,
Jodrell Bank, Experimental Station, Lower Withington, Macclesfield, Cheshire, England.

Dear Sir Bernard: In Dr. Dryden's absence on vacation, I want to thank you for your most interesting account of your visit to the Soviet Union as contained in your letter of July 23. We in NASA are very glad to have the benefit of your observations and your thoughts with regard to the future interests of Soviet scientists. Your report of a U.S.S.R. plan to orbit a manned astronomical platform is interesting in the light of our own project for an unmanned orbiting astronomical observatory; a comparison of results could be interesting.

It is most encouraging that you have been able to work out cooperative programs covering certain interests in radio and optical astronomy. With regard to space research and exploration, as you know, our present relationships with the Soviet Union have developed directly from the correspondence between President Kennedy and Chairman Khrushchev on specific possibilities of cooperation in this field. Dr. Dryden's discussions with Academician Blagonravov over the past year or so have followed within this framework. There is already a current agreement between the Soviet Academy of Sciences and NASA which represents the first fruit of these early efforts.

Accordingly, if the Soviet Academy is indeed interested in the matters you describe in your letter, we will look forward to the possibility of further explorations by Dr. Dryden and Academician Blagonravov as to their views and desires. I will discuss this with Dr. Dryden on his return. I assure you that there has been and continues to be a strong desire on our own part to maximize the areas of cooperation between this country and the Soviet Union with the fullest possible participation by other countries.

Sincerely yours,

James E. Webb,
Administrator.

University of Manchester,
July 23, 1963.

Dr. H. Dryden,
NASA Headquarters,
Washington, D.C.
United States of America

Dear Dr. Dryden: From June 23 until July 15, I was in the Soviet Union as the guest of the Academy of Sciences. During this time I was taken to the major Soviet optical and radio observatories and to the deep space tracking network—a station which has not so far been seen by Western eyes or by many Soviet scientists so I was told. I mention this at the beginning of this letter because it does seem to underline the apparently genuine desire of the Academy to extend its cooperation with the West.

At the request of the president of the Academy (Academician M. V. Keldyah), I had two meetings with him and his senior advisers before and after the visit to the deep space facility because he asked me to consider what form of cooperation might be possible between that facility and Jodrell Bank. These consultations seem to me to have been outstandingly successful in their promise of immediate cooperation and it is my desire to acquaint you with these arrangements, and further to draw your attention to an issue raised by the president of the Academy in connection with the lunar space program. Under (1) I outline the proposals for cooperation as far as Jodrell Bank is concerned, and under (2) I convey a request from the president of the Academy on which you may decide to take further action.

(1) The deep space tracking station, which is in the Crimea, is by far the most lavishly equipped of the Soviet radio observatories. It contains three separate but identical completely steerable paraboloidal systems each with an equivalent aperture of about 150 feet. One is associated with a powerful transmitter, used to command the space probes. (This is the equipment with which the Soviets have carried out their planetary radar work on Venus, Mars, and Mercury.) The other two are receiving stations and the associated equipment is of the highest standard using masers and cooled parametric amplifiers together with comprehensive recording equipment. The cooperative programs which I have negotiated with the Astronomical Council of the U.S.S.R. and which have been agreed with President

Keldyah and with Academician Kotelnikoff (the director of the Institute of Radio Technics and Electronics, responsible for the Crimean station) are as follows:

(a) Combined studies with the Crimean and Jodrell Bank telescopes of the flare star radio emission, together with an extension of the simultaneous optical observations to other Soviet observatories (I have already cooperated with the observatory at Buraken in this work).

(b) The initiation of bistatic radar observations of the planets Venus, Mars, Mercury, involving transmission in the Crimea and reception at Jodrell Bank, and vice versa.

(c) Simultaneous use of the Crimean and Jodrell Bank telescopes in the study of the angular diameters and structure of the radio sources. This would increase our present baseline, and hence our resolution by 60 times.

(d) The extension of our cooperative work with the Soviet Union in the tracking of their lunar and deep space probes. The discussions under this heading were more difficult than (a), (b), and (c) but my impression is (i) that a real effort will be made to provide us with earlier and more complete information about the details of the probe, (ii) that quite serious consideration is now being given to our offer to accommodate a small number of Soviet scientists at Jodrell Bank in connection with these programs (a precedent was set in June 1961 when two Soviet scientists came to Jodrell Bank to search for the signals from the Venus probe).

(2) During the course of these talks the President of the Academy gave me a good deal of information about the Soviet space programs much of which surprised me considerably. There has obviously been much discussion within the Academy of the direction of the program but I believe that at the present time these discussions have resulted in the following:

(a) A determination to perfect the rendevous technique with an immediate aim (perhaps 1965–66) of establishing a manned space platform for astronomical observations at a height of 150–200 miles. The duty period of the astronomers on this platform is envisaged as 5–7 days with immediate return to earth if lethal solar radiation seems probable.

(b) Continuation of the plans to implement the existing programs on the instrumental exploration of the Moon, Venus and Mars. I think it can be assumed that apparatus is now in process of assembly for the attempt to make a soft landing of instruments on the lunar surface, and that the launching will be made in a matter of months.

(c) The rejection (at least for the time being) of the plans for the manned lunar landing. The President gave three reasons:

(i) Soviet scientists could see no immediate solution to the problem of protecting the cosmonauts from the lethal effects of intense solar outbursts.

(ii) No economically practical solution could be seen of launching sufficient material on the moon for a useful manned exercise with reasonable guarantee of safe return to earth.

(iii) The Academy is convinced that the scientific problems involved in the lunar exploration can be solved more cheaply and quickly by their unmanned, instrumented, lunar program.

In the subsequent discussion I told the President that, personally, I did not agree with this assessment since I believed that the human brain was essential to the efficient solution of the problems presented by the lunar surface. He replied that the manned project might be revived if progress in the next few years gave hope of a solution of their problems, and that he believed the appropriate procedure would be to formulate the task on an international basis. He stated that the Academy believed that the time was now appropriate for scientists to formulate on an international basis (a) the reasons why it is desirable to engage in the manned lunar enterprise and (b) to draw up a list of scientific tasks which a man on the moon could deal with which could not be solved by instruments alone. The Academy regarded this initial step as the first and most vital in any plan for proceeding on an international basis.

I promised the President of the Academy that I would convey his views to the appropriate authorities in the United Kingdom and United States of America and this letter, which I am also sending to Lord Hailsham, is in discharge of my promise. Academician Ambartsumian who was also present at these conversations agreed to take some initial steps with the International Astronomical Union of which he is President.

Yours sincerely,

A. B. LOVELL.

Mr. CLARK. The purport of the correspondence is that this eminent British scientist has written to Mr. Webb that he believes the Russians are now in a mood to cooperate in the exploration of outer space, in general; and, in particular, in connection with a trip to the moon.

I cannot refrain from thinking of the famous lyric of Cole Porter's in the well-known song, "Just One of Those Things":

> A trip to the moon on gossamer wings,
> Just one of those things.

And the following lyric that the whole thing was too hot not to cool down.

So I hope that by means of my amendment to the committee amendment, there can be provided a congressional expression of the intent to implement the policy declared by the act from which I have just read.

In order to achieve this congressional indication of attitude—which is all my amendment to the committee amendment would do—I propose that in the event the United States enters into an agreement with other countries for the cooperative exploration of outer space or in the event the United States agrees to participate in any joint venture for cooperative exploration of outer space for peaceful purposes, through the United Nations or any other international body, the Administrator of the program is authorized—not required—to obligate and expend funds appropriated pursuant to the authorization given by this act, for such cooperative programs, on a basis of matching funds equally with other cooperating countries, except that in no event shall the aggregate of the funds obligated and expended under this section for any such program exceed the funds expended by the other cooperating country which makes the greatest expenditure for such a program.

In other words, this is an expression of a congressional intent and willingness to match funds—dollar for dollar—with the Russians, in a joint venture to reach the moon, or in any other joint venture into outer space.

I repeat that my amendment to the committee amendment would make somewhat more specific what already is provided in the act. I repeat that there is nothing mandatory about this provision; it will be only discretionary.

I believe the adoption of this amendment to the committee amendment would make a very real contribution to efforts the President has been making ever since his inauguration to persuade the Russians to go along with the peaceful development of outer space.

If this effort were successful, we would be able to get away from what I consider one of the most immature attitudes by both Russia and our country—namely, in effect, that this is a college football game, or perhaps a high-school cross-country race—an effort to see who can reach the moon first; and we seem to be taking the position that if we expend $20 billion or $30 billion, we shall be able to reach the moon first.

However, Mr. President, when we do place a man on the moon, of what help will that be to us? I wish I knew. Furthermore, how many billions of dollars of our treasury will be taken by this prestige venture away from domestic programs most desperately needed by our economy?

I wish I knew how many billions of treasure would be taken away from domestic programs so desperately needed for our economy in order to carry on this prestige venture. I hope that the Senator from New Mexico, with whom I have discussed the subject, will find it in his heart to accept the amendment. I have told him that I shall not press it to a yea-and-nay vote. If he will not accept the amendment, it will go down the drain. I believe the amendment is a contribution to international good will and an indication that the Congress of the United States is as interested as anyone else to place the moonbeam business on a sensible basis.

Mr. President, I reserve the remainder of my time.

Mr. ANDERSON. Mr. President, I yield myself as much time as I may require. I appreciate the kindness of the Senator from Pennsylvania in saying that he hoped I would find it in my heart to accept the amendment. Unfortunately, I cannot do so. In the first place, the amendment would bring us into the field of foreign relations. While I do not say that at times we should not enter into the field of foreign relations, I would have felt better if the proposal had come to us from some committee such as the Foreign Relations Committee, which has responsibility in that field.

As I understand the amendment, it would limit the authority that the NASA presently has with respect to the manner in which it carries out its international cooperation. The present authority of NASA in this area is derived from section 205 of the Space Act of 1958, which states:

> The NASA, under the foreign policy guidance of the President, may engage in a program of international cooperation in work done pursuant to this act, and in the peaceful application of the results thereof, pursuant to agreements made by the President with the advice and consent of the Senate.

This amendment would require NASA to expend funds on a dollar-for-dollar basis with other countries for cooperative exploration and peaceful uses of space and would limit the U.S. contribution to an amount not to exceed the amount spent by the other country making the biggest expenditure.

Mr. President, NASA, at the present time, enters into agreement with other countries for joint activities only in connection with activities that the United States would carry on anyway in connection with its requirements to carry out our national civilian space program.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. ANDERSON. I am happy to yield.

Mr. CLARK. I know that the Senator inadvertently made a mistake which he will wish to correct. The amendment would not require anyone to do anything. It would merely authorize the Administrator to act if he wanted to do certain things. There is nothing mandatory in the amendment.

Mr. ANDERSON. If the Administrator of NASA should decide that he would go into that sort of program, he would have to do it on the basis stated. I agree with the Senator from Pennsylvania that he would not be obligated to go into the program, but if he does, he must do so on the basis of $1 of American money for each dollar of foreign money.

Mr. CLARK. Mr. President, will the Senator yield further?

Mr. ANDERSON. I yield.

Mr. CLARK. As I previously said to the Senator, if he objects to that part of the amendment, I would be glad to strike out that language. I thought it was a sensible restriction on the Administrator so that we would not be required to pay for the whole project.

Mr. ANDERSON. Frankly, that is not the only language that bothers me. The thing that bothers me most is that the provision of the amendment would put us into the field of foreign relations on this question. The Senator from New Mexico is not a member of the Committee on Foreign Relations and is not familiar with the requirements of that committee in this regard. I would feel much better if the subject were handled by that committee.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. SALTONSTALL. As I undertsand that under present law the President could do what is proposed with the consent of the Senate, but only with the consent of the Senate. The amendment of the Senator from Pennsylvania would make it possible for the Administrator to act without coming to the Senate or without the authority of the President.

Mr. ANDERSON. I hope I did not misread the amendment.

Mr. CLARK. The Senator is correct.

Mr. ANDERSON. I would still desire to have the President of the United States, with the advice and consent of the Senate, make the determination. Of course, we still must make the distinction between formal treaties and less formal executive agreements.

To the extent that other countries contribute to the joint venture, this represents a savings to the United States because they would have to bear this expense even though the other countries did not participate.

Whether we like it or not, the United States is the only country of allied nations which is in a position to carry out a major effort toward the conquest of space. What this amendment would do, would be to cut off the joint ventures now being carried on since other countries could not possibly match the funds expended by this country in connection with the launching of satellites.

While other countries can bear some expense with respect to the payload requirements and, in fact, are now bearing such expenses, they could not possibly match the total funds required to successfully launch satellites. Therefore, instead of costing NASA less money, this amendment would actually require the United States to spend more money, inasmuch as the joint programs now being carried out with foreign nations are programs which are absolutely necessary to the United States in order to get the necessary scientific data to carry out our country's civilian space program. It would simply mean that this country would have to not only pay the costs of launching the satellites, but would have to pay the costs of the payload which are now, in many cases, being funded entirely by foreign countries.

Mr. President, the United States is carrying out a strong national civilian space program. In being in a position to take on such a formidable task, the United States is literally carrying the flag of the Western World into space. I would hate to see an amendment adopted which would first, not accomplish any savings insofar as our civilian space program is concerned; and, second, would cause a breach in the relationship presently existing between our country and our allied friends.

Therefore, much as I regret to do so because of my admiration for the Senator from Pennsylvania and my longtime friendship with him, I am forced to oppose his amendment and ask that it be rejected.

Mr. President, I yield to the able Senator from Texas [Mr. Tower].

Mr. TOWER. Mr. President, I am a little puzzled to hear my good friend from Pennsylvania, whom I have always regarded as one of the fine intellectuals in our body, criticize the moon race merely as a prestige matter, and one in which we might not realize any practical result. I believe it is important for us to engage in basic research, even if it should mean going to the moon. I point out further that many scientific experiments have been conducted that had no immediate foreseeable useful results, but later developed into valuable contributions to our civilization. The ancient Greeks not only discovered but demonstrated the principle of the steam turbine, but it was not until 2,000 years later that the principle was put into practical use.

With the quickening of the pace of the application of scientific knowledge to the technology of production and practical utility, we might realize a practical use from the venture which we are discussing much sooner than we expect.

Mr. ANDERSON. Mr. President, the Senator from Texas has encouraged me to ask to have printed in the Record a statement I had written and which I had hoped to use, but until now I never found an appropriate place to use it. I now ask unanimous consent that I may have printed at this point in the Record an article entitled "Why Go to the Moon?"

There being no objection, the article was ordered to be printed in the Record, as follows:

Why Go to the Moon?

It has been more than 2 years since President Kennedy recommended that the Nation commit itself to the goal of sending explorers to the moon before this decade is out.

Twice already—during the legislative process in 1961 and 1962—Congress has carefully examined the reasons for this national commitment and has fully endorsed it.

Throughout the past year the people of the country have discussed and debated the manned lunar exploration goal from every conceivable angle.

This year, also, the appropriate committees of Congress have again held extensive hearings and weighed the soundness of every argument, pro and con.

Let me briefly list the familiar arguments in favor of the lunar landing goal as they have evolved in this 2-year debate, and as they have stood the acid test of 2 years of public scrutiny:

We are undertaking to do, not what is easy, but what is hard, because this is the way we will develop the space skills and the space power the Nation must have at the earliest possible date consistent with good management of our resources.

No single space project in this period will be more impressive to mankind, or more important for the long-run exploration of space.

Going to the moon means mastery of space rendezvous techniques, which are essential to any nation's ability to operate effectively in space for any purpose, and of utmost importance for possible military missions in space.

Going to the moon means learning to protect our astronauts against the multiple hazards of the space environment during long flights lasting from days to weeks to months.

Going to the moon means building new ground facilities to match the scale of the giant Saturn V rockets. It means new advances in space tracking and communications.

Going to the moon, in short, is building the foundations of American space power to meet any and all national needs in space.

Our lunar accomplishments will add to the prestige we need at the negotiating table in these times of peril. Not only shall we add greatly to our defense potential in space, but we will give the world convincing evidence that we mean to lead, not trail, in this profoundly important new area of human endeavor.

In stressing Project Apollo, we are not neglecting other opportunities in space.

We have a balanced national space program.

We are making significant investments in scientific satellites, orbiting observatories, and lunar and planetary probes. We have very active programs to develop a nuclear rocket, electrical propulsion, and all the knowledge and know-how we shall need for the more difficult space missions of the next decade.

We are not engaged in a crash program. We have a good start on the way to the moon and we have 5 years and more to meet our goal.

We have nothing to gain, and much to lose, if we should slacken our effort and dissipate the momentum we have built up.

After 2 years of debate, after the highly successful demonstration of our growing competence in manned space flight in Project Mercury, it is time for the Congress to reaffirm our Nation's belief in the manned lunar exploration goal and to urge that this undertaking move forward to its rapid and happy conclusion.

Beyond the moon program, there are even greater challenges for this pioneering effort in space. By carrying through with our lunar program, we should be ready to forge ahead with the challenges that will assuredly confront us beyond the moon.

Mr. ANDERSON. I thank the Senator from Texas for the statement he has made.

Mr. CLARK. Mr. President, I yield myself such additional time as I may require within the limitations given to me.

The Senator from New Mexico has a very good lawyer. His lawyer has written an excellent brief in a bad cause. In order to make it crystal clear that the amendment could not in any way handicap the United States in some effort which might some day be made with our allies to go to the moon on a cooperative basis under which we, of course, would have to pick up the major part of the tab. I now modify my amendment by striking out the last four lines and inserting a period after the phrase "other cooperating country."

The net result would be that the argument my friend's excellent lawyer suggested that the proposal might get us into trouble with our allies will no longer prevail.

As I believe everyone knows, the purpose of the amendment is to make it possible for the United States to join with the Russians—and in cooperation with the United Nations, if that seems wise—in a joint venture in outer space, the tab for which would have to be picked up equally by the United States and the Russians.

So far as the foreign policy argument of the Senator from New Mexico is concerned, the amendment goes no further, in my judgment, than the policy provision in the Act pursuant to which the authorization bill would be enacted, except in the one respect mentioned by the Senator from Massachusetts. If the amendment were adopted, it would be possible for the Administrator—who, of course, acts under the policy guidance of the President—to enter into an agreement with the Russians, or through the United Nations, for the cooperative exploration of outer space. Immediately after the test ban treaty has come back from Russia without a single Senator having been a member of the delegation which negotiated it, I do not believe that any Senator, on the basis of nothing more than a few backdoor conversations and conferences with Senators before they went to Moscow, would think that any kind of agreement these days would receive the approval of the Senate before the President negotiated such an agreement.

Such prior approval really would be in derogation of the normal executive powers of the President. Of course, any agreement—which would have to be placed in the form of a treaty—which might result from adoption of the amendment, as modified, would of necessity have to come to the Senate for its advice and consent. That would happen after the treaty was negotiated, and not before.

So I respectfully submit that the amendment, as modified, should be agreed to.

Does the Senator from Minnesota desire any time?

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. CLARK. I am happy to yield.

Mr. HUMPHREY. I had to answer the telephone, so I left the Chamber. I mentioned to the Senator that I wished to be heard on the amendment.

It seems to me that the purpose of the amendment is very desirable. I did not hear the modification which the Senator made.

Mr. CLARK. Because my friend, the Senator from New Mexico, and his able adviser raised what seemed to me to be a rather odd objection, that this amendment might make it impossible for us to join with our poor allies in the exploration of outer space, I struck the last four lines of the amendment, to remove that objection.

Mr. HUMPHREY. It seems to me that exploration of the possibilities of international cooperation in these efforts is to be desired. It is surely a constructive thought.

As I understand the Senator's amendment, it would not be operative until an agreement had been reached, which agreement would have to be negotiated by the State Department, or by the President of the United States or one of his officers, possibly the Secretary of State or the Ambassador to the United Nations.

The PRESIDING OFFICER. The time yielded by the Senator has expired.

Mr. HUMPHREY. I think the amendment has genuine merit.

Mr. CLARK. Mr. President, I believe I still have some time remaining.

The PRESIDING OFFICER. The Senator from Pennsylvania has 3 minutes remaining.

Mr. CLARK. I wish to stress what the Senator from Minnesota has said. There is nothing in the amendment which would authorize the space Administrator to act on his own responsibility. The amendment very carefully states, "In the event that the United States enter into any agreement" or "the United States agree to participate."

This, of course, would be a negotiation to be conducted by the President or by the Secretary of State.

Mr. President, unless the Senator from New Mexico has a change of heart, I shall withdraw the amendment, because I would dislike to have it voted down.

Mr. ANDERSON. Mr. President, lacking the advice of an attorney, after looking at the last four lines of the amendment, I invite attention to page 28 of part 1 of the hearings, which shows the international activities in which NASA is now engaged.

I express the hope that the able Senator will withdraw the amendment. I am in no position, on the Senate floor, without an opportunity to hold hearings or to discuss it with those familiar with foreign relations, to know whether the proposal is good or bad. Therefore, I hesitate to take a step which might be embarrassing to anybody in the State Department or elsewhere. I know the Senator from Pennsylvania would regret that as much as I would.

I hope the Senator will withdraw the amendment. If he thinks it is a proper subject for consideration, I promise him I shall call the committee together to consider his suggestion.

Mr. CLARK. I thank the Senator from New Mexico for his generous statement. He who fights and runs away will live to fight another day.

I do not believe in drafting legislation on the floor of the Senate. It is true that the amendment was rather hastily drawn. The consultation I could have with the Senator from New Mexico was inadequate.

I shall return to battle another day, and hope that not only the committee of the Senator from New Mexico, but also the Committee on Foreign Relations, so many distinguished members of which are now in the Chamber, will look with kindness at the thought behind the amendment.

Mr. President, I withdraw the amendment.

Several Senators addressed the Chair.

Mr. MILLER. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The Legislative Clerk. On page 14, line 7, in the committee amendment, it is proposed to insert, after the first comma: "or to the location thereof".

Mr. MILLER. Mr. President, I am happy to yield to the Senator from Minnesota [Mr. McCarthy].

Mr. McCARTHY. Mr. President, I should like to ask the Senator from New Mexico [Mr. Anderson] a question.

There has been discussion, on and off, as to whether the Electronic Research Center has been definitely assigned to any one place in the United States. I ask the Senator from New Mexico whether this is still an open question to be determined, on the basis of national need and the merits of laboratories in various areas of the country in which such a center perhaps should be established.

Mr. ANDERSON. This subject was carefully considered by the committee. There were on the committee Senators from various parts of the country who are naturally interested in whether this is an open or closed question.

Under the language of the bill as reported to the Senate, there can be no question that the matter is entirely open and that the question of the location is and should be referred back to the committee. Therefore, the amendment proposed by the able Senator from Iowa [Mr. Miller] is, in my opinion, a good amendment. We thought we had drafted the language correctly. We drafted it as carefully as we could. But I think we did not draft the language carefully enough. I think what the Senator from Iowa has suggested is appropriate language.

The matter of the location of the center should be brought back to the committees of the Senate and of the House of Representatives, and if the language of the Senator's amendment is adopted there can be no question that it will be.

An excellent argument can be made for facilities in the State of California. The minority whip, who comes from California, has referred to the great possibilities there in discussions with me.

There is a very fine area in and around Chicago. Several persons from that area have referred several times to excellent facilities existing in that location.

There is a complex in Minnesota which is distinguished. There are industrial facilities available as well.

There may be many other desirable locations.

I say to the able Senator from New Jersey [Mr. CASE], a faithful member of the committee, that my attention was called to many good situations in his area, as well as to a situation in New York State.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. ANDERSON. Another area was called to my attention, in addition to the Boston area.

In the Boston area there is a peculiar situation, with five great institutions close together. Therefore it was suggested to NASA that this would be an ideal location. It might well have been—and I do not deny it—that at one time the NASA organization thought only in terms of Boston.

Under the language in the bill, the NASA organization will be required to think more than in terms of Boston, though I am not trying to eliminate consideration of Boston. It will be necessary to think of other areas which have been suggested, which may be of interest to all.

Mr. McCARTHY. I thank the Senator.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. ANDERSON. I am very glad to yield to the Senator, if I have the floor.

Mr. SALTONSTALL. I say to the Senator from New Mexico, so far as Massachusetts and Boston are concerned, about which I have heard a great deal in this regard, I think both my colleague [Mr. KENNEDY] and I feel that we ought to win in a fair competition, as the best possible site. We believe we have a good site. In the interests of efficiency, economy, and the best research possible, we want to have the Center put where it will be most efficiently used.

As a Member of the Senate and of the Committee on Appropriations, I take that position; and I feel very strongly about it.

I wish to call one thing to the attention of the Senator from New Mexico. Do I correctly understand that the amendment of the Senator from Iowa refers to the selection of the site?

Mr. ANDERSON. The Senator from Iowa has another amendment. I should like to have approval for the first amendment offered by the Senator from Iowa, which would add the words "or to the location thereof."

I am prepared to accept the amendment. I hope the Senate can accept it without delay.

I am prepared to yield back my remaining time, if the Senator from Iowa is. I am willing to accept the amendment, and I ask to have it agreed to by a voice vote.

Mr. MILLER. Mr. President, I thank my colleague the Senator from New Mexico for his kind comments, and I move the adoption of my amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Iowa to the committee amendment.

Mr. SALTONSTALL. Mr. President, I shall not object, but before the amendment is adopted I should like to make sure I understand it.

The language would read:

> Each such committee has transmitted to the Administrator written notice to the effect that such committee has no objection to the establishment of such Center, or to the location thereof.

Mr. ANDERSON. That is correct.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Iowa to the committee amendment.

The amendment to the amendment was agreed to.

Mr. MILLER. Mr. President, I send to the desk another amendment to the committee amendment, and ask to have it stated.

The PRESIDING OFFICER. The amendment of the Senator from Iowa to the committee amendment will be stated.

The LEGISLATIVE CLERK. It is proposed on page 14, in the committee amendment to strike out all after the word "study" in line 3, and insert in lieu thereof the following: "by a site selection board, which study shall contain a full evaluation by the board of the various industrial-university complex areas of the United States, including appropriate comments and recommendations from a cross section of the representatives of industries and universities which may be served by or may serve the proposed Center, accompanied by the board's recommendation for the".

Mr. MILLER. Mr. President, the bill as it now reads provides that the Administrator shall present to the committees on Astronautical and Space Sciences of both the House and the Senate a detailed study of the geographical location of the proposed Center. I am not sure this is responsive to the needs or desires of the Senate. In looking through the hearings on this particular project, I came on this language at page 384 of the hearings:

> Senator CASE. After this recommendation—

And, incidentally, this recommendation was as to the establishment of that Center—

> After this recommendation in September, it is my understanding from your earlier testimony that in October you were asked for a site recommendation.
>
> Dr. KELLEY—

And he is the head of the electronics systems programs which I am advised would have jurisdiction over the electronics control center—

> Dr. KELLEY. Yes, sir; that is correct. In answer to the question on what we should do about implementation of our electronics capability, I made the recommendation that the best way to carry this out was with a new electronic research center.
>
> After this was discussed and then my memorandum recommending this was written, it was early in October that I was asked where I thought the best location for such a center would be if such a center was approved by the administration.
>
> Senator CASE. And your recommendation was for——
>
> Dr. KELLEY. For the Greater Boston area.
>
> Senator CASE. That was in October sometime?
>
> Dr. KELLEY. That was early October.
>
> Senator CASE. Then you went off on a trip somewhere, I believe.
>
> Dr. KELLEY. Well, there were many discussions during that period between about the middle of October to the end of November. I was largely out of town on a Ranger board of inquiry, but when I was in town, there were continued discussions on this particular subject in which I was involved.

Then, at the bottom of the page:

> Senator CASE. And then the authorization request for the proposed site went into the budget in December, as I recall it.
>
> Dr. KELLEY. In the normal course of events, our budget is wrapped up in December; yes, sir.
>
> Senator CASE. When did the whole budget go to the Budget Bureau?
>
> Dr. KELLEY. The budget book goes into print about the latter part of December. In other words, there were various sections of the budget book, our own research and development area, for example, electronic systems, that we were doing the final review on in the latter part of December, before it goes into its final printing stage.
>
> Senator CASE. In this particular part of the budget, that is the part dealing with this, do you know when that went to the Budget Bureau or to the printer?
>
> Dr. KELLEY. It went at the same time.
>
> Senator CASE. And the decision was made by whom on your recommendation?
>
> Dr. KELLEY. The decision was made by the Administrator, the final decision as to whether we should have a research center or not, and where the site should be.
>
> Senator CASE. There wasn't any site evaluation board, was there?
>
> Dr. KELLEY. No, sir, there was no formal site evaluation board.
>
> Senator CASE. And no evaluation of other possible sites has been made?
>
> Dr. KELLEY. No, there was no formal selection, but of course there was access to our own experience and statistics that are available, and our appreciation of the electronics industry, particularly electronic research and the university communities as they exist in this particular field throughout the country. This is not just my own opinion, sir.

It has been my experience and observation that normally when an expensive site of this critical importance is selected by an agency—and I am thinking particularly of the Defense Department now—a site selection board is appointed by the head of the agency, consisting of several members with different backgrounds and capabilities, to evaluate all of the aspects of several possible sites.

This was not done in the case of the Electronics Research Center. The head of the directorate which will have jurisdiction over this Electronics Center came to the conclusion, in his best judgment, that the site should be located in the Greater Boston area. The head of the agency adopted this recommendation. I do not know what more is going to be done by the bill than merely to repeat what apparently has already been decided, when the bill provides that the agency shall send to the two congressional committees a detailed study of the location of the proposed Center. About all I can see that this means is that the location in the Greater Boston area has already been decided, and perhaps the exact site by lot and description number is all that will be sent to the committee. I do not feel that this is responsive——

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. MILLER. I yield.

Mr. SALTONSTALL. As a citizen of Massachusetts and as a Senator from Massachusetts, I may say that I know no site has been selected. So far as I know, the judgment of the Administrator for Massachusetts has not been made. On the several occasions when I talked with him a number of months ago he indicated very clearly he had not reached a decision. I know the Senator from Iowa wishes to be accurate.

Mr. MILLER. I appreciate that information from the Senator from Massachusetts. All I am going by is the record of the hearings. I quote again from the bottom of page 384 of the hearings these words:

> Senator CASE. And the decision was made by whom on your recommendation?
>
> Dr. KELLEY. The decision was made by the Administrator, the final decision as to whether we should have a research center or not, and where the site should be.

"Final," in my judgment, means final; and if there has been only a tentative selection of the site, that is exactly what I hope it will be; but all I am going by is the printed record of proceedings at page 384.

I think the decision the Senator from Massachusetts suggested is the one that should be made. My amendment is designed to reinforce that decision.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. MILLER. I yield.

Mr. ANDERSON. I am not able to say authoritatively, because I have not the final word on the subject, but the Senator from Massachusetts has correctly stated what the situation is. I believe at the time Dr. Kelley's testimony was given, there had been a decision that it would go to Boston. Subsequently, there was a reconsideration of the whole item. My understanding is that language went into the House report making it necessary to show the need and a recommendation for the location, and reporting it to Congress. Once that decision was reached by the House committee, the NASA organization to some degree reversed itself. Then it came to our committee. There it was found that there was strong objection to the selection of the site without opportunity to examine all possible sites. It was decided to slow down a little. NASA reconsidered. I believe the situation is wide open so far as the selection of the site is concerned. Although I cannot say exactly, I believe what the Senator from Massachusetts has just said is the correct situation.

Mr. MILLER. I thank the Senator. I have no reason to believe it is otherwise than what the Senators from Massachusetts and New Mexico have stated. I can understand how, since the testimony was given, that there was some reconsideration of the matter, but I point out that the amendment of the junior Senator from Iowa is to insure as objective a decision on the selection of the site as possible.

I overheard the comments of the Senator from Massachusetts a few moments ago, when he said, as he always does, that these matters should be decided on their merits. All my amendment provides is that there shall be a site selection board, which is standing operating procedure whenever a site of this importance is under consideration, and that there shall be an evaluation by the Board of the various industrial-university complex areas of the United States, including appropriate comments and recommendations from a cross section of the representatives of the industries and universities which may be served by or may serve the proposed center. This is to be followed by a recommendation of the site selection transmitted to the two committees of Congress.

If I had an opportunity to serve on the Aeronautical and Space Sciences Committee with the Senator from New Mexico, this is the kind of information I would think the committee would need to make an evaluation of such an important site. The amendment is designed to reinforce what the Senator from New Mexico and the Senator from Massachusetts had been saying is the policy that will be followed in the selection of this site.

I hope the Senator will take the amendment to conference. I feel he will find a responsive chord in the House on this issue, because it is a good amendment.

I reserve the remainder of my time.

Mr. ANDERSON. Mr. President, this amendment worries me, because I fully subscribe to what the Senator from Iowa has said. I agree with him that it would be desirable if the committee had all possible information on the subject. However, when it comes to the establishment of a site, I am reminded of what President Wilson said when he was asked, in connection with the Shipping Board, whether he knew what a board was. He said he knew; that a board was sometimes long and thick and wooden. I believe that some selection boards can become long and thick and wooden, too.

We have tried to provide a method under which we would receive reports and have an opportunity to consider them.

There is a difference in the language between the House and the Senate. The two sections will be in conference, and every effort will be made to make sure that the language is such that it must be reported back to us.

The Senator's amendment would require the creation of a site selection board whose study would contain a full evaluation of the various industrial-university complex areas of the United States.

How many are there? There is one at the University of California; there is one at Stanford; there is one at the University of California at Los Angeles. There are five or six in the State of California. Then we start across the country, and we find university after university with industrial complexes. They would all be seeking these sites.

Mr. MILLER. I invite the Senator's attention to the list in the hearings. The hearings contain a list of the major industrial university complexes, starting at page 20 of the hearings.

They are located at Boston, Chicago, Los Angeles-Long Beach, Minneapolis-St. Paul, northern New Jersey, New York, Philadelphia, the San Francisco Bay area, and St. Louis. I suppose others are located at Phoenix, Ariz., in Iowa, and at Denver. I am sure there are several.

Mr. ANDERSON. Some would like a complex consisting of three centers in Colorado, two in New Mexico, two in Utah, and two in Arizona. I see in the Chamber the Senator from Wyoming [Mr. SIMPSON]. I am sure he believes that what we are proposing is no good, because it does not include two sites in the State of Wyoming. A great problem is created when we try to decide how many complexes there are. I hope we can trust the committees to try to bring this proposal back in proper shape and that we will not try to bring in site selection boards. I do not say that the Senator is trying to complicate things. I commend him for his interest. I tried to show it when I accepted his first amendment, which was a decided improvement on what had been done.

Mr. SALTONSTALL. I respectfully invite the attention of the Senator from Iowa to the fact—and I do so only because my city of Boston has come into the discussion—that under the amendment the Senator from Iowa has offered, as an addition to the committee amendment, the determination of the site and the need for it must be considered by the committee.

If the committee is not satisfied and does not think sufficient investigation or study of the various locations has been made, it can refuse it and ask for a further examination. If it thinks it is all right, that is the end of the matter. However, I believe there is a very much simpler way of doing it than creating a site committee, which will become involved before it is through.

Mr. MILLER. If I were a member of the committee and a recommendation came before it, without anything further by way of support, I do not know how I could make an intelligent evaluation as to the location, considering the various existing industrial-university complexes, unless there were an evaluation of alternative sites.

That is exactly what was attempted in the hearings. The hearings set forth a brief evaluation of the major areas that I have just listed. Not more than half a page was devoted to each of these major industrial-university complexes. That is not enough.

I believe that a site board would go into these questions. I am not visualizing thick volumes on each of these sites. I served on site boards in the Defense Department during World War II. I assure the Senator from New Mexico that those that I had the privilege of serving on did not waste a great deal of time or money by going into long, detailed reports.

However, I believe that this can be handled by the Administrator of the space agency. I would certainly rely on Mr. Webb's good judgment to appoint a good site selection board which would come up with information which would be of real assistance to the committee.

Mr. ANDERSON. I yield to the Senator from Minnesota.

Mr. HUMPHREY. I am very much intrigued by the suggestion of the Senator from Iowa, and I find great merit in it. However, if the amendment were pressed to a vote and were rejected, it might very well tie the hands of the Senate conferees. Let me tell the Senator what I have in mind. The House language is slightly different from the Senate language. The objectives of both Houses are the same, but the language is different. So far as the purpose of the Senate language is concerned, it seeks to place the selection of this electronics center at the place that merits it on the basis of the industrial-university complex, and other facilities.

Mr. MILLER. Is the Senator discussing my amendment?

Mr. HUMPHREY. Yes.

Mr. MILLER. That is exactly correct.

Mr. HUMPHREY. It seems to me that the Senator from Iowa has made a rather persuasive case for his amendment. However, if he does not force it to an issue, the conferees between the House and the Senate will have some leeway. It may very well be that they may wish to recommend some form of site selection board. However, if the amendment were voted down, it would place a very serious problem before the conferees. Frankly, I would vote for the Senator's amendment I believe the amendment has genuine merit. However, I am concerned about the decision which will be made if that should happen. Since both the House and the Senate are seeking to find the best location, the amendment should not be defeated. I have the feeling that the chairman of the committee, in line with the record he has had so far, will be able to muster the votes to defeat the amendment. I do not believe it would be a good idea to press the issue. I suggest that the Senator from Iowa would be wise—as he always is—to withdraw the amendment and let this discussion stand on its own merits as a contribution to the legislative history of the bill as it was considered in the Senate.

Mr. ANDERSON. I strongly endorse what the Senator has said. I call attention to the fact that seated on the Republican side of the Chamber are three members of the Space Committee. One of them is from Maine, one from New Jersey, and one from New York. They will not allow this matter to be handled in a foolish manner. They are not going to let it be disposed of without due consideration. I say to the Senator from Iowa that we will try very diligently to have something written in the final report to insure careful consideration of the site, without any precipitate action being taken.

I appreciate what the Senator is trying to do. I find it difficult to oppose his amendment, but I must oppose it.

Mr. MILLER. Mr. President, I am sure that my friend from Minnesota and my friend from New Mexico realize that the possibility of being defeated on a yea-and-nay vote hardly deters me or most of my colleagues in the Senate from pressing an amendment. Something could be said for the fact that Members of the Senate ought to stand up and be counted on the question whether or not this type of information is to be made available to the Aeronautics and Space Sciences Committee.

I should like to ask the chairman of the committee, who is in charge of the bill on the floor of the Senate, whether the net effect of my amendment will be included in the policy that he will see is followed by the Administrator of the agency in submitting a recommendation respecting the site for the proposed center.

I should like to have assurance that the Administrator of the space agency will act not merely on the recommendation of the director under whose jurisdiction the center will be located, but that the decision will be based on recommendations by a group of more than one or two persons who have a good combination of knowledge necessary to determine requirements for the site, and that the Administrator will be receptive to recommendations from the industries and universities which will actually be working with the center.

On that basis, and with that recommendation, I am not particularly concerned that this language be written into the law. With that policy assurance, we can all rest assured that the committee will get the kind of information it needs to make the best possible decision.

Mr. ANDERSON. I cannot promise the Senator from Iowa what the Administrator will do. He has to live with his conscience, and I have to live with mine. So far as I am able to do so, I will try to persuade the Administrator of the National Aeronautics and Space Administration that sites proposed for selection should be examined by more than one person and that careful studies be made, in the light of the discussion in the Senate this afternoon. I will personally call the discussion to the Administrators attention and speak with him about it. I express the hope that he will follow some of the recommendations made here today.

Mr. MILLER. I thank the Senator from New Mexico.

One final comment to the Senator from Minnesota [Mr. HUMPHREY]. I could press the amendment and suggest that it go to conference, because it would not add anything that could not be taken out in conference. However, I do not believe it ought to be necessary to have this kind of amendment.

Mr. President, with the assurance given by the chairman of the committee, I withdraw the amendment.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. ANDERSON. I thank the Senator from Iowa.

Mr. PROUTY. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 10, line 11, it is proposed to strike out "$21,200,000" and insert in lieu thereof "$21,000,000."

Mr. PROUTY. Mr. President, this is a pro-forma amendment. I shall withdraw it later.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

BETWEEN SERVITUDE AND CITIZENSHIP, THE TWILIGHT ZONE

Mr. PROUTY. Mr. President, the twilight zone between servitude and citizenship is wider than the eye can see and broader than the mind can compass.

The human being who dwells there is a freed yet not a freeman.

The people said they had given the Negro liberty and citizenship. He has the shadow of both and the substance of neither.

Prior to the adoption of the 13th amendment, the movement of the Negro was restricted under the institution of slavery. He could not move between States, within a State, or within a town without the approval of his master. Though slavery is gone, today the heirs of the slave may not pass freely even in the town of their birth.

Who is to say that the people, through the 13th amendment, gave Congress the power to abolish slavery and left it powerless to undo its incidents?

The antislavery amendment does not simply abolish involuntary servitude. It also gives Congress the power to enforce this article by appropriate legislation.

The object of the amendment was to insure equality of the races and no fair reading of its legislative history discloses a contrary intention on the part of its framers.

The 13th amendment also abolishes involuntary servitude except where such servitude is imposed as punishment for the commission of a crime.

But the essence of involuntary servitude as punishment is a restriction on liberty, freedom of movement, the freedom to come and go as you please. It is a loss of the freedom to sleep in your own bed at night, to eat the food of your choice, to go to visit with your friends, to pass the time of day over a cup of coffee at any snackbar. Are the restrictions imposed upon men by reason of their race and which deny them food, lodging, and all the essential privileges of the right to travel any less servitude because there are no prison bars?

The 13th amendment was intended to free men of African descent, not consign them to a new servitude of custom.

Indeed, it was thought by many framers of the amendment that it at once freed the slaves and made them citizens. The Civil Rights Act of 1866 was founded on the last assumption.

State citizenship was not a thing unknown to Negroes. Even during the institution of slavery there were thousands of free Negroes with such citizenship. Surely then the impact of this amendment was to give the colored race a broader, a grander status than that of the freed slave.

All black men were to be citizens of the United States, not because they were black, but because they were born of this soil. To conclude therefore that the 13th amendment was intended solely to abolish slavery, as that word may be strictly construed, is to ignore its greatest principles.

Each of us is a slave to many habits. But the black man is a slave to someone else's habits, and these habits, written large, are customs.

And what are customs but the root of all law? Why then should it be said that discrimination must be dealt with only by the hearts and minds of men when it is so deeply imbedded in legal soil.

For all that has been said I can but conclude that the spirit and purpose of the 13th amendment was not only to free the slaves from the bondage of institutionalized slavery, but also from the servitude of custom.

Prior to the post-Civil War period a man achieved the status of national citizen only after obtaining State citizenship. The former was derived from the latter.

Until the 14th amendment became the law of the land there was no constitutional declaration of citizenship of the United States. The first clause of that amendment gave national citizenship a primacy. By its very terms one could be a citizen of the United States without being a citizen of any State.

Why this sweeping change in the concept of citizenship unless it carried with it certain fundamental rights, the abridgment of which—by man or state—the Constitution would no longer tolerate.

It should be duly noted that the 14th amendment contains four distinct propositions. Three are negative and one is positive in character. Clauses 2, 3, and 4 speak of what a State may not do. It may not abridge privileges or immunities, deprive any person of life, liberty, or property without due process nor may it deny to any person the equal protection of its laws.

Since these propositions are negatively stated the judiciary is their natural guardian and legislation is rarely needed for their implementation.

Clause 1, however, is positive in nature and must lean on an active legislative arm or else atrophy and decay.

The first clause was meant to give more than nomenclature of citizenship. It was designed to confer citizenship with every one of its magnificent attributes.

Who is to say that Congress cannot declare what those attributes are. Is it an unnatural stretching of the constitutional seam to proclaim that Congress has the power and the duty to protect the right of the citizens to move freely? Is it not absurd to argue that when the Negro goes abroad he has thrown over him the full umbrella of the Constitution, but that when he is restricted on Main Street, Congress may not afford him succor.

In summary, then, I have advanced two propositions: First, that the 13th amendment abolished not only slavery but all its historical outgrowths; and, secondly, that under the 14th amendment all persons born and naturalized in the United States are citizens and as citizens they have certain inalienable rights. Numbered among these rights is the right to pass freely from State to State and, therefore, necessarily, within the several States. Any discrimination or segregation on the basis of race, color, religion, or national origin in the use of any of the enumerated public accommodations which interferes with the right to travel freely is prohibited.

Mr. President, I now introduce for appropriate reference a bill which carries out these basic principles. I ask unanimous consent that the bill be printed following the conclusion of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2037) to provide for the protection of certain rights of citizenship, the free exercise of certain privileges of citizenship and the benefit of certain immunities of citizenship, introduced by Mr. PROUTY, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

DECLARATION

The slave is gone. The whip that scourged his flesh—the chain that gouged him hand and foot—100 years of suffering—all these are gone.

Yet the heirs of his body are not free.

The child of the slave and the child of his child are less than aliens in the country of their birth; they are of a land that is not theirs.

Leashed by law, corded by custom, pilloried by prejudice, they stand pinioned in a twilight zone between servitude and liberty.

The things that were this Nation's to protect we left unguarded as conscience did desert us all.

What of the covenants we made with them?

Privileges—immunities—citizenship: The bundle of all rights—the thing we prize the most. These are not the hollow words of hollow men.

Although they lie in sleek wood moss grown we should uncoffin them in order that they may catch that sweet glimpse of promised sun where there is neither caste nor class—where men pass freely and lodge at will.

The child of the slave and child of his child, shall cast off the badge of bondage they still wear. America can be more than shadow host.

Republic, scarred thy face no longer be. Man will be what man was meant to be.

SEC. 1. (a) All citizens shall be entitled to the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of public establishments free from discrimination or segregation on account of race, color, religion, or national origin, where such discrimination or segregation—

(i) is a vestige or historical outgrowth of the slavery sought to be abolished by the thirteenth amendment to the Constitution of the United States, or

(ii) serves to deny or impair the right of any citizen or group of citizens to travel freely from State to State or within a State, or to deny or impair any privilege incidental to such travel where such a practice would unduly burden the effective exercise of the right to travel, or

(iii) serves to deny or impair any right or incident of citizenship protected by the fourteenth amendment to the Constitution of the United States.

(b) As used in subsection (a) of this section the term "public establishments" shall include the following:

(i) any hotel, motel, or other public place engaged in furnishing lodging to transient guests, including guests from other States or traveling from State to State; or,

(ii) any motion picture house, theater, sports arena, stadium, exhibition hall, or other public place of amusement or entertainment which customarily presents motion pictures, performing groups, athletic teams, exhibitions, or other sources of entertainment; or

(iii) any retail shop, department store, market, drugstore, gasoline station, or other public place which keeps goods for sale, any restaurant, lunchroom, lunch counter, soda fountain, or other public place engaged in selling food for consumption on the premises, and any other establishment where goods, services, facilities, privileges, advantages, or accommodations are held out to the public for sale, use, rent, or hire.

(c) The provisions of this title shall not apply to an establishment not open to the public.

PROHIBITION AGAINST DENIAL OF OR INTERFERENCE WITH THE RIGHT TO NONDISCRIMINATION

SEC. 2. No person shall (a) withhold, deny, or attempt to withhold or deny, or deprive or attempt to deprive, any citizen of any right or privilege secured by section 1, or (b) interfere or attempt to interfere with any right or privilege secured by section 1, or (c) intimidate, threaten, or coerce any person with a purpose of interfering with any right or privilege secured by section 1, or (d) punish or attempt to punish any citizen for exercising or attempting to exercise any right or privilege secured by section 1, or (e) incite or aid or abet any person to do any of the foregoing.

CIVIL ACTION FOR PREVENTIVE RELIEF

SEC. 3. (a) Whenever any person has engaged or there are reasonable grounds to believe that any person is about to engage in any act or practice prohibited by section 2, a civil action for preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order, may be instituted (1) by the citizen aggrieved, or (2) by the Attorney General for or in the name of the United States if he certifies that he has received a written complaint from the citizen aggrieved and that in his judgment (i) the citizen aggrieved is unable to initiate and maintain appropriate legal proceedings and (ii) the purpose of this title will be materially furthered by the filing of an action.

(b) A citizen shall be deemed unable to initiate and maintain appropriate legal proceedings within the meaning of subsection (a) of this section when such citizen is unable, either directly or through other interested persons or organizations, to bear the expense of the litigation or to obtain effective legal representation; or when there is reason to believe that the institution of such litigation by him would jeopardize the employment or economic standing of, or might result in injury or economic damage to, such citizen, his family, or his property.

(c) In case of any complaint received by the Attorney General alleging a violation of section 2 in any jurisdiction where State or local laws or regulations appear to him to forbid the act or practice involved, the Attorney General shall notify the appropriate State and local officials and, upon request, afford them a reasonable time to act under such State or local laws or regulations before he institutes an action. Compliance with the foregoing sentence shall not be required if the Attorney General shall file with the court a certificate that the delay consequent upon such compliance in the particular case would adversely affect the interests of the United States, or that, in the particular case, compliance would be fruitless.

(d) In any case of a complaint received by the Attorney General, including a case within the scope of subsection (c) the Attorney General shall, before instituting an action, utilize the services of any Federal agency or instrumentality which may be available to attempt to secure compliance with section 2 by voluntary procedures, if in his judgment such procedures are likely to be effective in the circumstances.

Mr. PROUTY. Mr. President, the bill makes the full and equal enjoyment of public accommodations a right of national citizenship and it prohibits discrimination or segregation in these accommodations which first is a vestige or a historical outgrowth of the slavery sought to be abolished by the 13th amendment to the Constitution of the United States; or, second, serves to deny or impair the right of any citizen or group of citizens to travel freely from State to State and within a State, or to deny or impair any privilege incidental to such travel where such a practice would unduly burden the effective exercise of the right to travel; or, third, serves to deny or impair any right or incident of citizenship protected by the 14th amendment to the Constitution of the United States.

Although it is late—very late—let us help millions of Americans bridge the gap between servitude and citizenship. Let us give citizenship its fullest meaning—its complete significance as the bundle of all rights. Conscience and duty will permit us to do no less.

Mr. President, I withdraw my amendment to the committee amendment.

The **PRESIDING OFFICER.** The amendment to the committee amendment is withdrawn.

If there be no further amendment to be proposed to the committee amendment, the question is on agreeing to the committee amendment, as amended.

The committee amendment, as amended, was agreed to.

The question now is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The **PRESIDING OFFICER.** The question now is, Shall the bill pass?

Mr. MONRONEY. Mr. President, will the Senator from New Mexico yield to me 10 minutes on the bill?

Mr. ANDERSON. I yield.

The **PRESIDING OFFICER.** The Senator from Oklahoma is recognized for 10 minutes on the bill.

Mr. MONRONEY. Mr. President, the pending bill authorizes appropriations of more than $5 billion for the aeronautics and space agency. I feel impelled to express my regret concerning the limitations under which the committee had to work, in trying to calculate the vast sums to be spent for research and development, for manufacturing and for testing space vehicles and all the related equipment needed in our vaunted drive to conquer outer space. I wish to compliment the committee for its work in dealing with the recommendations of the space agency and the Bureau of the Budget, a bureaucracy which apparently has forgotten the importance of aviation to our economy, to our national prestige, and to our military strength.

It seems incredible to me that an agency which claims the title of National Aeronautics and Space Administration would propose an expenditure on aeronautics of less than 1 percent.

Actually, when figured on what I regard as a proper basis, it would be less than three-tenths of 1 percent of the funds authorized in this bill. This level of research in aeronautics is in contrast with the vast importance which aeronautics plays in this age of space.

Originally NASA was the agency for research in aeronautics. It prided itself on many great forward steps in aeronautics. But if I correctly read the record—and I think I do—the pending authorization bill for research and development provides only $16,200,000 in authorization for aviation research and development.

NASA has submitted an additional figure of approximately $28 million for aeronautical personnel costs and operation of installations. However, this is only faintly related to the amount directly devoted to aviation research. In the other allocations, I find very few instances where the amount of the operational overhead comes anywhere close to approaching the extent to which such items are charged against the aviation sector.

I hope members of the committee which reported this authorization bill will talk to the National Aeronautics and Space Administration and obtain information as to why it is neglecting its very primary duties in connection with aviation.

When one reads of the supporting testimony in the transcript of hearings and the committee report, one would think this agency was still engaging in the great efforts which it once made in attempting to break through new aviation frontiers. However, I know of no aviation organization that is not protesting that this agency has forgotten its genesis in this very science—namely, aeronautics.

Certainly such protests are coming from all the great aviation organizations and from the manufacturers of airframes and aircraft engines. Certainly this need should be considered in connection with the unveiling by the President of a billion dollar effort to be first in supersonic transport aircraft.

Oh, yes, this agency claims it has been working hard in that field; but in order to arrive at the figure of approximately $9 million which the agency claims it wants to spend for the development of supersonic transports, one must include a disproportionate amount of the personnel costs and the full amount for plant overhead.

As we examine the details in connection with the $16,200,000, the amount intended to be spent for research and development through the authorizations provided in this bill, I believe one finds that less than one-fifth of the $16,200,000 will be devoted to the supersonic transport work.

The President wants this bill enacted into law; and I am sure he recognizes, as most of us do, that in this agency and also in the Federal Aviation Agency, there is sufficient talent among the personnel now employed. They simply must orient their work more to the field of aviation, which does bring in the dollars. Aviation research sells the tickets on airlines to all parts of the world and these trips are being sold on a basis which I know will return far more money to the Treasury and far more money to American industry than will be obtained by means of any tickets sold to outer space during our lifetime.

So I believe it incumbent upon us to plead with this great committee, which has done so much to advance our Mercury program, and is trying to help advance others—and let me say I voted for all these measures—to give definite recognition to the fact that those in aviation are encountering most serious problems which also need attention.

As I have said, one such program which requires attention is the President's billion dollar program for the development of the supersonic transport. This program requires as much research and development in connection with aircraft engine and aerodynamics technology as does any effort in connection with space developments.

We have recently witnessed a disheartening spectacle. Our great airlines—Pan American, Continental Airlines and others—have gone to the French and British in order to obtain supersonic transports. It is almost certain that these planes will be flying at mach 2-plus speeds while our industry is still in the throes of trying to organize its research and development. We may not yet know what we wish to build in this great contest for supremacy in long-distance jet transportation at speeds in excess of twice the speed of sound.

We have seen the loss of the intermediate jet market, despite the fine plane that Douglas intends to produce—the DC-9's. The leading airlines of America are going to Great Britain to buy intermediate range jet planes. This has been another most important loss for American aviation.

We see the encroachment of foreign aviation in connection with the replacement of the great American workhorse, the DC-3. I am told by all who understand the production of aircraft and who understand aircraft values, that it is necessary to go abroad to find a reasonably priced DC-3 replacement—a machine of the turboprop variety. So that market has gone.

So, Mr. President, one by one, save in the field of long-range, large jet transports, and in the field of executive and general aviation aircraft—we have seen the transfer of America's great supremacy to builders abroad, to the industry in Great Britain and France; and who knows the amounts of funds being devoted to aviation research and development behind the Iron Curtain.

So, Mr. President, as we are about to pass this bill, we have on our doorstep all these aviation problems. I feel that if this agency intends to maintain the claim of being the authority for aviation research, certainly it should come to this great committee with a budget outlining what is needed, what it proposes to do, and what it has the competency to do.

Mr. President, in NASA one must reach down to about the tenth echelon of administrative leadership in order to find anyone who claims to have a reputation or expertise in aviation. In this agency, the spacemen are now in command on the top level, they have the greatest numbers and the high salaried positions. As a result, aviation has suffered.

Before we have completely and totally fallen behind in aviation research and aeronautical technology, I would request that the NASA, with the concurrence of the Committee on Aeronautical and Space Sciences, authorize within the limits of this bill the transfer of funds required to meet the needs of aviation.

I feel sure that the leadership of this committee, by giving some additional attention to the aeronautical phases of its jurisdiction, could be very helpful in urging the transfer of funds when the case is made for the research needed to help restore America's place in aviation.

Mr. ANDERSON. I compliment the Senator from Oklahoma for the statements which he has made.

The NASA aeronautics program of research on advanced aeronautical vehicles and missiles is designed to achieve two important and inextricably related goals: First, support of present and future civil and military requirements and, second, maintenance of U.S. superiority in these vital fields.

The present NASA capabilities and responsibilities in aeronautics were inherited from the National Advisory Council on Aeronautics, with in-house work being conducted at the old NACA centers, Langley, Ames, Flight Research, and Lewis. This work has involved research into the technologies of aerodynamics, materials and structures, propulsion and energy conversion, and guidance and control. Its ingredients have been theory, wind tunnels, computers, simulators, and research aircraft. Its results have substantially contributed to our present superiority in aeronautics—a posture the authorization recommended by your committee should enhance.

Subsection 1(a)(21) on page 10 of the bill before you indicates a total expenditure of $16,200,000 for aerodynamics. This is, however, only a partial figure, covering research and development efforts. Added to this must be $19 million in personnel costs and $10 million for operation of installation costs, for a total requested authorization of $45 million. In addition, there are other NASA projects concerned with aeronautical technology which are not reflected in this $16-plus-million figure, such as reentry experiments, and a very substantial number of FAA, DOD, and industry-sponsored programs. There are no cuts to this program recommended by your committee. The request before you is the one recommended by NASA.

This program, as presently outlined by NASA, is a substantial one and adequately takes into account the continuing need for research into those projects and segments of projects which are the peculiar responsibility of the Space Agency. Among these are the X–15, the supersonic transport, the manned high altitude hypersonic air breathing aircraft, the VTOL and STOL aircraft, helicopters, and basic research in airframes and aircraft components.

Over the years there has been no decrease of emphasis in aeronautics, but, rather, a substantial increase. Since 1962, the total NASA budget specifically for aeronautics has increased by 93 percent, and the total number of personnel assigned to it by 4 percent. These figures should indicate the attention given this effort, and fully substantiate the adequacy of the authorization recommended by your committee. There is no reason to believe that the aeronautics program has been lost somewhere in the gigantic wake of manned lunar efforts. NASA will continue to play its accustomed important role in this important area.

Mr. President, I am happy that we have reached the conclusion of a long discussion on the bill.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (H.R. 7500) was passed.

Mr. ANDERSON. Mr. President, I move that the Senate insist upon its amendments, request a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate at the conference.

The motion was agreed to; and the Presiding Officer appointed Mr. ANDERSON, Mr. RUSSELL, Mr. SYMINGTON, Mr. STENNIS, Mrs. SMITH, and Mr. CASE conferees on the part of the Senate.

NATIONAL SERVICE CORPS ACT

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 357, Senate bill 1321.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 1321) to provide for a National Service Corps to strengthen community service programs in the United States.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to, and the Senate proceeded to consider the bill, which had been reported from the Committee on Labor and Public Welfare, with an amendment, to strike out all after the enacting clause and insert:

SHORT TITLE

SECTION 1. That this Act may be cited as the "National Service Corps Act".

DECLARATION OF PURPOSE

SEC. 2. The Congress finds that the United States today, while enjoying the greatest general prosperity of any nation in history, is still faced with a lengthy catalog of critical human needs; that community services designed to meet these needs are seriously undermanned; that at the same time human resources for strengthening such community services exist in abundance; and that greater citizen action for the general welfare would be stimulated by a National Service Corps, composed of a limited number of carefully selected men and women of all ages to be made available to serve for a limited time in projects directed toward the critical human needs of our countrymen. The Congress finds that these needs include the health and education needs of migratory workers and their families, Indians living on and off reservations, and residents of depressed areas and rural and urban slums; the training and education of youth, particularly of "school dropouts"; and the care and rehabilitation of the elderly, the disabled, the mentally ill, and the mentally retarded.

It is therefore the purpose of this Act (1) to arouse more citizens throughout the country to volunteer for public service in their own communities and to provide increased opportunities for such service; (2) to aid local communities to initiate or improve worthwhile public service programs by providing voluntary personnel; (3) to awaken popular concern over the want and deprivation that persist even in prosperous times; and (4) to inspire more citizens to choose and to prepare themselves for careers of public service.

In carrying out these purposes, the National Service Corps will not only contribute to a nationwide citizens' effort to eliminate want and alleviate suffering, but will also demonstrate how citizens seeking to aid their country may serve the common good.

ESTABLISHMENT OF A NATIONAL SERVICE CORPS

SEC. 3. (a) There is hereby established a National Service Corps, in which the President may enroll qualified individuals for service (including qualified foreign nationals), and through which he shall carry out projects under this Act. The President may appoint, by and with the advice and consent of the Senate, a Director of the Corps, whose salary shall not exceed $20,000 per annum. The Director may perform such functions in connection with the Corps as the President may prescribe, may promulgate such rules and regulations as he may deem necessary or appropriate to carry out such functions, and may delegate to any of his subordinates authority to perform any of such functions.

(b) Projects under this Act shall be undertaken only upon local invitation and in cooperation with interested governmental and nongovernmental agencies and may include, without being limited to, projects designed to make corpsmen available for work in meeting the health and education needs of migratory workers and their families, Indians living on and off reservations, and residents of depressed areas and rural and urban slums; the training and education of youth, particularly of "school dropouts"; and the care and rehabilitation of the elderly, the disabled, the mentally ill, and the mentally retarded. To the extent possible each project carried out under this Act shall provide for supervision by, and contributions from, the cooperating agencies.

(c) The President shall request the Governor of each State in which one or more requests for corpsmen have been initiated to consult with the Corps and the groups or agencies making such requests, and submit recommendations to the President concerning each request. Before undertaking a project, the President shall assure himself that any recommendations received from such Governor have been given appropriate consideration and that such project will not displace regular workers or duplicate or replace an existing service in the same locality.

(d) There are hereby authorized to be appropriated to the President for the fiscal year commencing July 1, 1963, not to exceed $5,000,000, and for each succeeding fiscal year such amounts as the Congress may determine to be necesary to carry out the purposes of this Act.

NATIONAL SERVICE CORPS MEN

SEC. 4. (a) The terms and conditions of the enrollment, training, and service of corpsmen shall be exclusively those set forth in this Act and those consistent therewith which the President may prescribe. The number of corpsmen enrolled under this Act shall not exceed one thousand at any time during the fiscal year commencing July 1, 1963, and shall not exceed five thousand at any time thereafter.

(b) Corpsmen shall be entitled to receive stipends at a rate not exceeding $75 for each month of satisfactory service. Corpsmen leaders may be selected from among corpsmen for supervisory or other special duties and may, at the discretion of the President, receive a stipend at a rate exceeding that of corpsmen. Such stipends shall be payable to the corpsman during or at the termination of his service, or to others, as the President may determine. In the event of a corpsman's death any unpaid stipend shall be paid in accordance with section 1 of the Act of August 3, 1950 (5 U.S.C. 61f), and funeral and burial expenses, including transportation expenses incident thereto, are authorized.

(c) Corpsmen shall be provided with such training and such living, travel, and leave allowances, housing, transportation (including transportation to and from the place of enrollment, training, or termination of service), supplies, equipment, subsistence, clothing, health and dental care including examinations and immunizations, as the President deems appropriate.

(d) Corpsmen may be made available to any entity referred to in section 5(1), on such terms as the President deems appropriate and pursuant to a contract or agreement which shall not extend at any time for more than twenty-four months.

(e) The service of a corpsman may be terminated at any time at the pleasure of the President.

(f) Corpsmen shall take the oath prescribed pursuant to section 1757 of the Revised Statutes of the United States, as amended (5 U.S.C. 16). Corpsmen shall not be deemed to be in the service or employment of, or holding office under, the United States, except that—

(1) Corpsmen shall be deemed employees of the United States for purposes of (A) any Federal tort liability statute; (B) section 595 of title 18 of the United States Code; (C) section 9 of the Act of August 2, 1939, as amended (5 U.S.C. 118i); (D) the Internal Revenue Code of 1954; and (E) title II of the Social Security Act;

(2) Corpsmen shall be deemed employees of the United States for the purposes of the Federal Employees' Compensation Act (39 Stat. 742, as amended): *Provided*, That—

(A) in computing compensation benefits for disability or death, the monthly pay of the corpsman shall be deemed to be the lowest rate of grade 7 of the general schedule of the Classification Act of 1949, as amended;

(B) entitlement to disability compensation payments and other benefits under the Federal Employees' Compensation Act shall commence on the day after the date of termination of service; and

(C) if an injured corpsman, or his dependents in case of death, receive any payment (including any allowance, gratuity, payment under an insurance policy for which the premium is wholly paid by that organization, or other benefit of any kind) on account of such injury or death from the entity to which the corpsman was made available under this Act, the amount of such benefit, if on account of injury or disability, shall be credited against any disability compensation payable under the Federal Employees' Compensation Act, and if on account of death, shall be credited against any death compensation payable under such Act.

(3) For any period of satisfactory service under this Act, corpsmen shall be credited in connection with subsequent employment with a like period of civilian employment by the United States—

(A) for purposes of the Civil Service Retirement Act, as amended (5 U.S.C. 2251 et seq.), section 852(a)(1) of the Foreign Service Act of 1946, as amended (22 U.S.C. 1092 (a)(1)), and every other Act establishing a retirement system for civilian employees of any department or agency of the United States; and

(B) except as otherwise determined by the President, for purposes of determining rights and privileges based upon length of service under all Acts establishing or governing terms and conditions of service of civilian employees of any department or agency of the United States: *Provided*, That service of a corpsman shall not be credited toward completion of any probationary or trial period or completion of any service requirement for career appointment.

For purposes of paragraph (3)(A) of this subsection, corpsmen shall be deemed to be receiving compensation during their service at the rate payable under section 4(b) of this Act.

GENERAL POWERS AND AUTHORITIES

SEC. 5. In furtherance of the purposes of this Act, the President may—

(1) Enter into and perform contracts, leases, and cooperative agreements with and make payments (in advance, by transfer, or otherwise) to any department or agency of the United States or of any State, or political subdivision thereof, the District of Columbia, and any private person or organization.

(2) Utilize voluntary services including services on the National Service Corps Advisory Council (notwithstanding the provisions of 31 U.S.C. 665(b)), and accept and dispose of gifts of money or any form of property.

(3) Employ such persons as he deems necessary to carry out this Act, and pay expenses of attendance of meetings concerned with the purposes of this Act, including (notwithstanding section 9 of the Act of March 4, 1909 (31 U.S.C. 673)), expenses in connection with meetings of persons whose employment is authorized by section 7(a) of this Act.

(4) Obligate and expend under this Act any moneys received by the Corps from any State or political subdivision thereof, the District of Columbia, or any private person or organization.

(5) Provide and make payment for printing and binding without regard to section 11 of the Act of March 1, 1919 (44 U.S.C. 111).

(6) Adopt, alter, and use an official seal or emblem of the Corps of such design as he shall determine, which shall be judicially noticed.

NATIONAL SERVICE CORPS ADVISORY COUNCIL

SEC. 6. The President may establish a National Service Corps Advisory Council of twenty-five persons representative of health, welfare, and rehabilitation agencies; of educational institutions; of business, farm, labor, and other public and private organizations and groups; and of individuals interested in the programs and objectives of the Corps, to advise and consult with the President on policies and programs of the Corps. Such members shall serve at the pleasure of the President and meet at his call. Council members who are not officers or employees of the United States shall be compensated at a rate not exceeding $75 per day, not to exceed 20 days in any fiscal year, including travel time, and while away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 73b–2) for persons in the Government service employed intermittently.

EXPERTS AND CONSULTANTS

SEC. 7. (a) Experts and consultants or organizations thereof may, as authorized by section 15 of the Act of August 2, 1946, as amended (5 U.S.C. 55a), be employed by the President for the performance of functions under this Act, and individuals so employed may be compensated at rates not exceeding $75 per day, and while away from their homes or regular places of business they may be paid travel expenses, including per diem in lieu of subsistence, in accordance with section 5 of said Act (5 U.S.C. 73b–2), while so employed: *Provided*, That contracts for such employment may be renewed annually.

(b) Service of an individual as a member of the Council authorized to be established by section 6 of this Act or as an expert or consultant under subsection (a) of this section shall not be considered as service or employment bringing such individual within the provisions of section 13 of the Civil Service Retirement Act, as amended (5 U.S.C. 2263), section 212 of the Act of June 30, 1932, as amended (5 U.S.C. 59a), section 872 of the Foreign Service Act of 1946, as amended, or any other law limiting the reemployment of retired officers or employees or governing the simultaneous receipt of compensation and retired pay or annuities.

REPORTS

SEC. 8. The President shall transmit to the Congress, at least once in each fiscal year, a report on operations under this Act.

SECURITY INVESTIGATIONS

SEC. 9. All persons employed or assigned to duties and all corpsmen enrolled under this Act shall be investigated, in accordance with standards and procedures established by the President, to insure that the employment, assignment, or enrollment is consistent with the national interest.

AMENDMENTS TO EXISTING LAWS

SEC. 10. (a) Section 205 of the National Defense Education Act of 1958 (20 U.S.C. 425) is amended by deleting the word "or" immediately preceding clause (iii) of section 205(b)(2)(A) and by adding immediately after that clause the following: "or (iv) not in excess of three years during which the borrower is in service as a corpsman under the National Service Corps Act: *Provided*, That this clause shall apply to any loan outstanding on the effective date of the National Service Corps Act only with the consent of the then obligee institution."

(b) Subsection (j) of section 3 of the Civil Service Retirement Act, as amended (5 U.S.C. 2253), is amended to read as follows:

"(j) Notwithstanding any other provisions of this section or section 5(f) of the Peace Corps Act or the National Service Corps Act, any military service (other than military service covered by military leave with pay from a civilian position) performed by an individual after December 1956 and any period of service by an individual as a volunteer under the Peace Corps Act, or as a corpsman under the National Service Corps Act, shall be excluded in determining the aggregate period of service upon which an annuity payable under this chapter to such individual or to his widow or child is to be based, if such individual or widow or child is entitled (or would upon proper application be entitled) at the time of such determination, to monthly old-age or survivors benefits under section 202 of the Social Security Act, as amended (42 U.S.C. 402) based on such individual's wages and self-employment income. If in the case of the individual or widow such military service or service under the Peace Corps Act or the National Service Corps Act is not excluded under the preceding sentence, but upon attaining age sixty-two, he or she becomes entitled (or would upon proper application be entitled) to such benefits, the Commission shall redetermine the aggregate period of service upon which such annuity is based, effective as of the first day of the month in which he or she attains such age, so as to exclude such service. The Secretary of Health, Education, and Welfare shall, upon the request of the Commission, inform the Commission whether or not any such individual or widow or child is entitled at any specified time to such benefits.

DEFINITIONS

SEC. 11. (a) The term "United States" as used in this Act includes the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and all other places, continental or insular, including the Trust Territory of the Pacific Islands, subject to the jurisdiction of the United States.

(b) The term "corpsman" includes, except for the purposes of section 4(f)(3), applicants for enrollment during any training period.

CONSTRUCTION

SEC. 12. If any provision of this Act or the application of any provision to any circumstances or persons shall be held invalid, the validity of the remainder of this Act and the applicability of such provision to other circumstances or persons shall not be affected thereby.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, while many Senators are in the Chamber, I should like to ask the distinguished majority leader about the program for Monday.

Mr. MANSFIELD. Mr. President, in response to the question of the distinguished minority leader, the pending business is the bill, S. 1321. No action will be taken on the bill tonight. It will be the pending business at the conclusion of the morning hour on Monday.

It is the intention to follow consideration of that bill with Calendar No. 367, the bill S. 1703, to amend title V of the Agricultural Act of 1949, as amended, and for other purposes. It is the so-called Mexican Labor Act.

There are only eight items on the calendar. Those are the only two items out of the eight which are available for consideration at the present time. I have no fault to find with the committees. They are working extremely well. I point out that, so far as the Senate is concerned, it cannot consider proposed legislation from the Committee on Finance, which includes measures relating to taxes and other subjects, such as social security, unemployment insurance, and the like, in this body or in the Senate Finance Committee, until and unless the proposed legislation is first reported from the Committee on Ways and Means of the House and passed by the House. The calendar is pretty clear. I am sure that the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN], joins me in the expression that the chairman and the members of the committees of the Senate are entitled to our gratitude for the fine work they are doing and, insofar as they possibly can, for keeping up with the schedule which confronts them. We can do nothing on the question of taxation in this body at present. The proposed civil rights legislation and the proposed legislation related to the railroads has only recently been referred to the committees of the Senate. Since those questions have been brought to the attention of committees, the committees have been working most assiduously on them.

Mr. DIRKSEN. Mr. President, will the majority leader yield?

Mr. MANSFIELD. I yield.

Mr. DIRKSEN. I congratulate the majority leader on constantly streamlining the Senate Calendar. He has kept abreast of all the committee work. Everyone knows that the major important bills pending are highly controversial. What we observe in relation to the fact that the calendar has been kept so up to date by the distinguished majority leader is a record in the Senate. I compliment him. In addition, I congratulate him.

Mr. MANSFIELD. I thank my friend.

TRIBUTE TO SENATORS

Mr. MANSFIELD. Mr. President, I take this occasion to commend and to extend congratulations to the senior Senator from New Mexico [Mr. ANDERSON], the chairman of the committee on Aeronautical and Space Sciences, and also the ranking minority member, the Senator from Maine [Mrs. SMITH], for the fine bill which was reported from the committee, for their knowledge and understanding of the problems involved in this most difficult field, and for the generalship which they both showed. I compliment also the other members of the committee, including the Senator from Missouri [Mr. SYMINGTON], the Senator from Massachusetts [Mr. SALTONSTALL], the Senator from Florida [Mr. HOLLAND], who is so interested in this particular field, and all others.

I realize that the Senator from New Mexico has been working under a handicap during the past several days. I commend both him and the Senator from Maine [Mrs. SMITH] for their devotion to duty and the contributions they have made in the passage of this most difficult bill.

I also wish to congratulate the Senator from Alabama [Mr. HILL] and the ranking minority member of the committee, the Senator from New Hampshire [Mr. COTTON], for their fine generalship and parliamentary skill in carrying through to a successful conclusion another controversial measure, namely, the bill relating to appropriations for the Department of Labor and Health, Education, and Welfare. They did a magnificent job.

On behalf of myself and the minority leader, the Senator from Illinois [Mr. DIRKSEN], I believe I can say that we are all proud of the way they have handled these two most difficult bills.

Mr. DIRKSEN. Mr. President, I concur in the sentiments uttered by my distinguished friend the Senator from Montana, and I direct a special salute to the gentlewoman from Maine [Mrs. SMITH], who has done a magnificent job in the field of aeronautical and space sciences.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. MANSFIELD. I suggest that while she is a gentlewoman, she is also a fine Senator.

ADJOURNMENT

Mr. MANSFIELD. Mr. President, if there is no further business to come before the Senate at this time, I move that the Senate adjourn until 12 o'clock noon on Monday.

The motion was agreed to; and (at 6 o'clock and 17 minutes p.m.) the Senate adjourned until Monday, August 12, 1963, at 12 o'clock meridian.

EXTENSIONS OF REMARKS

Detergent Control

EXTENSION OF REMARKS

OF

HON. THOMAS J. McINTYRE

OF NEW HAMPSHIRE

IN THE SENATE OF THE UNITED STATES

Friday, August 9, 1963

Mr. McINTYRE. Mr. President, by a clerical error a statement I submitted in support of S. 1183, the detergent control bill, was omitted from the Public Works Committee hearing record on water pollution control measures. I ask unanimous consent that it may be printed in the RECORD at this point, along with a letter I received from Mr. Philip Brownstein, Commissioner of the Federal Housing Administration.

There being no objection, the statement and letter were ordered to be printed in the RECORD, as follows:

STATEMENT OF HON. THOMAS J. MCINTYRE, U.S. SENATOR FROM NEW HAMPSHIRE

Mr. Chairman, I am very grateful to you and the members of the subcommittee for the consideration being given to the detergent control bill introduced by Senator NEUBERGER, Senator NELSON, Senator LONG of Missouri, Senator DOUGLAS, Senator MAGNUSON, and myself. As attention has focused upon detergent contamination, it has rapidly come to seem a more serious problem than had hitherto been supposed.

EXISTING CONCENTRATIONS IMPAIR SEWAGE TREATMENT

I joined in introducing S. 1183 with the thought that Congress should have an opportunity to consider the regulation of detergent wastes. My own study of this matter has led me to believe that the national average concentration of detergents in our streams is at a sufficient level to interfere with the operation of sewage treatment plants, increasing the cost of sediment extraction. Congress should, in my opinion, be concerned about the widespread presence of any contaminant in the Nation's streams, especially if it is so persistent as the surface active agents of modern detergents which can last for years in water without being broken apart by bacterial action. It may be contended that this long-term low concentration contamination is not a serious economic problem. However we may feel about this question, I believe the low-level nationwide presence of detergents in streams deserves more attention and investigation than it has received.

THE MULTIPLICATION OF DETERGENT RESIDUES

What is alarming, Mr. Chairman, is the fact that persistent detergent residues can be brought together and the low-level concentration multiplied each time the water in our interstate streams is used and reused. In the Ohio River, which is used and reused some four times by the communities along its banks by the time it reaches the Mississippi, the average concentration of residues is now at a level of two-tenths of a part per million. It is because our Nation uses water so heavily that detergent residues become concentrated in streams and along the shore. I would call these acute concentrations. The list of their effects is a weird assortment of woes:

In California detergent suds below a dam blow across freeways, constituting a traffic hazard.

In Cleveland's sewage-treatment plant jets of water have been installed at a cost of $250,000 to beat back foam that impedes the plant's very operation.

Damage to shellfish along the Atlantic coast.

Refusal of water by livestock and damage to irrigated crops.

Appearance of suds in tapwater. In large apartment houses this residue combined with ordinary use of detergents can block drains with suds, creating serious public health problems.

Impedes oxygen exchange with the atmosphere in streams, causing further growth of harmful algae and preventing stream renewal with oxygen to dispel the harmful oxygen-demanding effects of sewage.

THE SEPTIC TANK PROBLEM IN RESIDENTIAL AREAS

I am particularly concerned, Mr. Chairman, with the form this problem has taken in New England. The growth of our residential areas is taking place on the periphery of the cities, often beyond the reach of established sewer systems. Our builders and developers have come to rely on septic tanks to provide essential sanitation. And here the increase in detergent contamination can be especially harmful. Mr. Matt Krenn, a surveyor in Epsom, N.H., wrote as follows:

"Having battled the detergent-in-water fight with my own home * * * (as a result, I had to put in a separate pair of septic tanks, one for sanitary wastes and one for kitchen wastes, and it's a bloody nuisance)—and being concerned about our Nation's water supply—(as you have probably pointed out, a given volume of water passing down a major river will probably form part of the water supply—and sewage system of all the cities on the route), I see the cumulative effect of detergents as nothing less than frightening, even though we know little about their toxicity in the human system."

IMPAIRED MORTGAGEABILITY OF PROPERTY

I requested Mr. Philip Brownstein, Commissioner of the Federal Housing Administration, to find out the effect of detergent contamination in ground water on the mortgageability of FHA-insured properties. I should like to ask that his entire reply be made part of the hearing record. It does not represent an agency endorsement of the bill, but is limited to a description of the problem. Mr. Brownstein points out that detergent pollution in the water supplies of localities in New England, New York, and Minnesota "has made these properties ineligible for FHA mortgage insurance and we understand in most instances for Veterans' Administration guaranteed loans as well. The finding of detergent pollution of water supplies has generally retarded new construction programs and in some instances has brought the building program to a halt. This is turn has depreciated the price of land." The contribution of detergent contamination has been to lower the values of existing property and make new developments much more expensive. This result of ground water contamination deserves our most considered attention.

THE NEED FOR LEGISLATION

It is because each cycle of water reuse adds a new increment of detergent residue to our interstate streams that the problem of detergent contamination merits the attention of Congress. As was pointed out in an excellent article in the Chemical & Engineering News for March 18, 1963, this contamination is unnecessary. Detergents now in use contain a refractory kernel in the chemical composition of their molecules which resists decomposition in ground water, but new substances being developed incorporate straight-line molecules which will decompose readily. If Congress provides that these new substances must be used in detergents, the problem of increasing contamination will be at an end. That is why, Mr. Chairman, in preparing this legislation, we did not contemplate a national tolerance level for detergents, but aimed at the elimination of a specific class of ingredients and their replacement with materials that would decompose. The bill as written would not regulate detergents as such, but the surface-active agents which they contain, because it is these constituent products that determine whether a detergent which contains them would be able to meet decomposability standards.

It has been very gratifying to learn that some oil and chemical companies have developed cleaning agents for inclusion in detergents which would then decompose readily. I would hope that out of a sense of public responsibility, all detergent makers would include these new products in their detergents. If the industry could decide on this course of action without the spur of Federal law, the problem of detergent contamination would be at an end.

I would like to observe, Mr. Chairman, that the change to new ingredients is not going to increase market preference for the public-minded manufacturer. The housewife is unaware of the problems that can arise 2 or 3 years in the future from the detergent she pours out with the dishwater. I fear that not all detergent manufacturers would include the newly developed surface-active chemicals in their products. In that event, the passage of the detergent control bill would prevent the loss of a share of the detergent market by those companies which include the new ingredient for the sake of its public benefits. The decomposable chemicals would soon be in universal use by all manufacturers of detergents and detergent contamination would no longer be a threat to the Nation's streams and the public health.

AVOID CONFLICTING STATE LEGISLATION

Detergent contamination multiplying in navigable streams and flowing in underground waters does not respect State lines. Consequently the problem should be controlled at the Federal level. Otherwise manufacturers may be faced with a bewildering pattern of inconsistent State legislation. The success of the West German Government in controlling detergent contamination should point the way toward action within our own Federal system, to insure uniformity of standards and timing.

NATIONWIDE INTEREST IN DETERGENT CONTROL

I was interested to learn that the National Shellfish Association, concerned with preserving our valuable resources of oysters, clams, and other marine organisms, considered the detergent contamination problem at its recent meeting in Washington, D.C. The Massachusetts Division of Marine Fisheries and Department of Health are scrutinizing the problem. The National League of Women Voters Current Review of Continuing Responsibilities for May 1963, devotes several pages to persistent detergent residues and proposals for their control. I also ask unanimous consent that a resolution of the Missiles and Electronics Lodge, I.A. of M. Local 2230, Santa Cruz, Calif., be reprinted in the record at the conclusion of this statement. I am confident that Congress will respond to this need by regulating detergent residues to the extent compatible with economic reasonableness and technical feasibility. That is the intention of S. 1183, now pending before the Public Works Committee.

FEDERAL HOUSING ADMINISTRATION,
Washington, D.C., May 13, 1963.

Hon. TOM MCINTYRE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MCINTYRE: This is in further reference to your April 12 letter requesting a summary of the Federal Housing Administration's experience with ground water supplies polluted by detergents and the effect this has had on land values. Some of our insuring offices located in New England, New York, and Minnesota, with firsthand knowledge of the local reaction to detergent pollution of water supplies and the effect this has had on marketing of residential properties, were contacted so we could give you the latest information.

The finding of evidence of detergent pollution in the individual water supplies of a specific locality has adversely affected the marketability of properties in various ways. First it has made these properties ineligible for FHA mortgage insurance and we understand in most instances for Veterans' Administration guaranteed loans as well. In addition where the pollution reports have been given wide publicity, the buyers have been hesitant to purchase even if mortgage funds from conventional sources are available. Furthermore, the stigma of polluted wells is attached to the neighborhood even if only part of the properties are involved.

Even though the detergents are not known to be a health hazard, their presence does indicate that sewage pollution is entering the water supply. When it becomes common knowledge that such pollution is occurring within a given area, the housing market is seriously impaired. If the finding of pollution has not been publicized and the water supply serving the particular property has not been examined, there is no apparent market resistance and the properties continue to be marketable.

The finding of detergent pollution of water supplies has generally retarded new construction programs and in some instances has brought the building program to a halt. This in turn has depreciated the price of land and existing residential property in the neighborhood. An exception is large developments which are supplied central water service and in some instances have sewers. The cost of these central facilities increases the cost of building, however, the added value of central utilities is reflected in the price of land. Frequently local governmental bodies have stepped up their programs of extending water and sewer service and in a few localities public systems have been installed. The knowledge that shallow ground water supplies were being polluted has undoubtedly been a factor in election authorization for a bond issue to provide the funds to make these programs possible.

Prior to the discovery of the detergent pollution of water supplies, land which could be served by central water and sewer utilities generally was not a major factor in determining the desirability of building sites and therefore had only a limited effect on land value. Building sites that have or can get central water are generally the only ones readily marketable in neighborhoods with detergent problems. Consequently the price of these sites has appreciated and this in turn has tended to promote the construction of more expensive improvements. These two factors have combined to raise the market price of new housing.

Neighborhoods that have developed with individual water supplies where pollution has been detected have usually undergone a decline in marketability, however as soon as central water service becomes available, the market rebounds with an increase in value which is reflected in the pricing of the properties.

Thus far our experience with detergent pollution of water supplies has been limited to those areas where relatively dense development with both individual water supply and sewerage systems has occurred.

I am glad to have had this opportunity to relate FHA's experiences with detergent pollution of water supplies and its effect on building programs, sale of existing properties, and residential land prices. Should you desire additional information, I will provide all the assistance possible.

Sincerely yours,

PHILIP N. BROWNSTEIN,
Commissioner.

SENATE

MONDAY, AUGUST 12, 1963

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O Thou God of the living, and of the living dead. From all the maddening maze of things that press, we pause for a hushed moment at this altar of Thy grace, vividly conscious of how swiftly and often how suddenly ebbs out life's little day.

Thou knowest the sadness that grips our spirits as we come this shadowed day, mourning the passing from this mortal stage of a public servant whose stalwart form but brief hours ago stood in his accustomed place in this free forum he loved, and lifted up his voice for measures his conscience told him were in the best interests of the Republic. Now that voice is stilled, as once again, in the broken fellowship of this storied body, our startled hearts are saying—

We hear it each and all—
A song of those who answer not
However we may call.
We see them as of yore,
Who walk with us no more.

We thank Thee for the valiant stewardship rendered with fidelity to the Nation by Thy servant, ESTES KEFAUVER, as he played his part with ability and dedication in epic times.

We bear witness that he was never tonguetied by the selfish, yet gilded, lies which threaten to eat out the national fiber and caliber. What he has written, he has written as he sought to expose devious evils by letting in the light of day.

Outside these hallowed walls, where so long he served, we glimpse a legion of friends his genial nature bound to him in a loyalty strong as steel.

Grant, we pray, the consolations of Thy grace to the dear companion of the strenuous, yet challenging years, and to each member of the stricken family who sits this hour in a bowed circle of grief.

So teach us to number our remaining days that we may apply our hearts unto wisdom, and at last, like him whose potent voice will be heard no more, may we finish our course in faith, having fought the good fight.

We ask it in the name of the Master he acknowledged as Lord of all. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Friday, August 9, 1963, was dispensed with.

COMMITTEE MEETING DURING SENATE SESSION TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Foreign Relations Committee be permitted to meet during the session of the Senate tomorrow.

The PRESIDENT pro tempore. Without objection, it is so ordered.

DEATH OF SENATOR ESTES KEFAUVER

Mr. GORE. Mr. President, today it is my sad duty—which I perform with a heavy heart, a sense of personal loss, and a sense of great loss to my country—to announce that on August 10, my senior colleague and my personal friend, ESTES KEFAUVER, passed this life.

I understand that the distinguished majority leader will seek unanimous consent to establish a day when I and other Senators may pay eulogy to his life, his record, and his memory—at which time I am sure his family will be present.

Mr. MANSFIELD. Mr. President, will the Senator from Tennessee yield?

Mr. GORE. I yield.

Mr. MANSFIELD. I wish to announce, in conjunction with the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN], that a day in the future will be set aside for eulogies of our late departed colleague, the Senator from Tennessee, Mr. KEFAUVER.

I should like to join the distinguished Senator from Tennessee [Mr. GORE] in saying that I, too, am deeply moved at the loss in the passing of our friend, ESTES KEFAUVER.

He was a man of great intellect and great ability. He was a practicing idealist in the finest sense of the term.

Mr. DIRKSEN. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. DIRKSEN. The passing of "the man in the coonskin cap" comes as a real shock. We served together in the House and in the Senate for more than 16 years, and I counted him one of my real friends.

Probably no one in this body differed with him more sharply than did the minority leader; but there was a fixed and lasting quality about his pursuit of justice and truth and the well-being of the Republic.

I am shocked, indeed, by his passing. He has made a great contribution to the well-being of the Republic.

I may add, Mr. President, that the coonskin cap was not a mere political ornament; it was a symbol of the frontiersman, the pioneer, and the crusader that ESTES KEFAUVER really was.

Mr. GORE. Mr. President, I submit a resolution, which I send to the desk; and I request its immediate consideration.

The PRESIDENT pro tempore. The resolution will be read.

The resolution (S. Res. 180) was read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of Hon. ESTES KEFAUVER, late a Senator from the State of Tennessee.

Resolved, That a committee of Senators be appointed by the President of the Senate to attend the funeral of the deceased.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit an engrossed copy thereof to the family of the deceased.

Resolved, That, as a further mark of respect to the memory of the deceased, the Senate do now adjourn.

The PRESIDENT pro tempore, under the second resolving clause, appointed the following Senators to constitute, together with the Vice President, the committee on the part of the Senate to attend the funeral of the deceased Senator:

Mr. GORE, Mr. MANSFIELD, Mr. DIRKSEN, Mr. JOHNSTON, Mr. HOLLAND, Mr. LONG of Louisiana, Mr. ANDERSON, Mr. DOUGLAS, Mr. MONRONEY, Mr. JACKSON, Mr. HRUSKA, Mr. COOPER, Mr. CHURCH, Mr. MORTON, Mr. YARBOROUGH, Mr. GRUENING, Mr. HART, Mr. MCGEE, Mrs. NEUBERGER, Mr. KENNEDY, Mr. MCINTYRE, Mr. BREWSTER, and Mr. INOUYE.

The PRESIDENT pro tempore. Under the fourth resolving clause of the resolution, the Senate now stands adjourned until 12 o'clock noon, tomorrow.

Thereupon (at 12 o'clock and 7 minutes p.m.) the Senate adjourned until tomorrow, Tuesday, August 13, 1963, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

MONDAY, AUGUST 12, 1963

The House met at 12 o'clock noon and was called to order by the Speaker pro tempore [Mr. ALBERT].

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

AUGUST 12, 1963.

I hereby designate the Honorable CARL ALBERT to act as Speaker pro tempore today.

JOHN W. MCCORMACK,
Speaker of the House of Representatives.

PRAYER

Rabbi Leon M. Adler, Temple Emanuel, Kensington, Md., offered the following prayer:

O Lord, Thou hast given us language, the loom on which we weave our thoughts and feelings. Help us this day, as with this gift we try to weave a design that may have some meaning for our times.

"Black is black," say those who hate the black. "Black heart, black ball, black mass."

"And white is white," say those who hate the white. "White as a ghost, whitewash, deathly white."

"And never the twain shall meet," is their cry who see the world in simple terms of "black" or "white."

But—and this Thou knowest well, O God—the world is not so simple.

Black is also black beauty, black-eyed susan; black is the color of my true love's * * *.

And white is also pure white, white sand, white as the driven snow.

And if this is true of language, how much the more true of men.

Woe unto us if we fail to recognize how complicated are the colors which enter into humanity's design, how interwoven the black and white threads, however the twain must and do meet.

May we be granted this knowledge, O Lord, for on this slender thread may hang mankind's survival. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, August 8, 1963, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed a resolution, as follows:

S. RES. 180

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of Hon. ESTES KEFAUVER, late a Senator from the State of Tennessee.

Resolved, That a committee of Senators be appointed by the President of the Senate to attend the funeral of the deceased.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit an engrossed copy thereof to the family of the deceased.

Resolved, That, as a further mark of respect to the memory of the deceased, the Senate do now adjourn.

The message also announced that the Senate had passed, with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 7500. An act to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations; and for other purposes.

The message also announced that the Senate insists upon its amendment to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. ANDERSON, Mr. RUSSELL, Mr. SYMINGTON, Mr. STENNIS, Mrs. SMITH, and Mr. CASE to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 874. An act to authorize the construction and equipping of buildings required in connection with the operations of the Bureau of the Mint;

S. 1032. An act to exclude cargo which is lumber from certain tariff filing requirements under the Shipping Act, 1916; and

S. 1388. An act to add certain lands to the Cache National Forest, Utah.

The message also announced that the Vice President had, pursuant to Public Law 689, 84th Congress, appointed the following members on the part of the Senate to the North Atlantic Treaty Organization Parliamentarian's Conference, to be held in Paris, France, beginning November 4, 1963: Mr. BAYH and Mr. CANNON.

SMALL BUSINESS COMMITTEE

Mr. ROOSEVELT. Mr. Speaker, I ask unanimous consent that Subcommittee No. 4 of the House Small Business Committee be allowed to sit this afternoon.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

UNIFORMED SERVICES PAY ACT OF 1963

Mr. VINSON. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 5555) to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and ask for a conference with the Senate.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

Mr. GUBSER. Reserving the right to object, Mr. Speaker, when the House adopted the Rivers amendment to allow the same privilege of recomputation to those who retired prior to June 1, 1958, as those who retired 1 day later, it was motivated by a desire to correct an inequity and an injustice.

For 5 long years we lived with a situation where men who had served in two World Wars and the Korean conflict received less retired pay than others of equal rank and length of service. For 5 years we watched the damaging effect upon the morale of the active establishment as Congress broke faith with a 100-year tradition and created a large group of second-class retirees.

The Eisenhower administration, the Kennedy administration, and on two occasions the House itself voted to be fair, to correct this injustice, and serve advance notice that the recomputation system would be supplanted in the future by cost-of-living increases. This is why the House adopted the Rivers amendment.

Now the other body has amended this bill and for the sake of around $15 million has perpetuated the same wrong the House tried to correct. I have calculated the retired pay for colonels, lieutenant colonels, and for enlisted men, including chief petty officers and sergeants, with both 22 and 30 years' service. I find that under the Senate bill every officer who retired on May 31, 1958, will get less retired pay than the one who retired 1 day later. In the case of a colonel with 30 years' service the differential is $37 per month.

The House bill corrected past wrongs and treated everybody alike. The Senate bill perpetuates these wrongs and inequality. Make no mistake; this 5-year problem will be right back with us unless the House conferees insist upon the House language regarding recomputation of retired pay.

By giving each retiree the option of a 5-percent increase or recomputation, whichever is larger, the other body actually denies recomputation rights to the man who receives 5 percent and gives both benefits to his classmate who retired 1 day later.

This is far more than a matter of money. It is a matter of principle and it will continue to plague Congress unless the House conferees hold fast to the House position. Do not think that 5 percent will appease a man who has been denied his traditional right.

Mr. Speaker, I have prepared a motion to instruct the House conferees but will not offer it. To do so would indicate a lack of confidence in the ability of our conferees to uphold the House position for the correction of an injustice.

I sincerely hope the House conferees will fight tooth and nail for the House position. This is the position of equity and justice.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from Georgia [Mr. VINSON]?

There was no objection.

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees: Messrs. RIVERS of South Carolina, PHILBIN, HÉBERT, WINSTEAD, NORBLAD, BATES, and BRAY.

HON. ESTES KEFAUVER

The SPEAKER pro tempore. The Chair recognizes the gentleman from Tennessee [Mr. DAVIS].

Mr. DAVIS of Tennessee. Mr. Speaker, it is with great sadness that I announce the death of the senior Senator from Tennessee, Senator KEFAUVER.

Many of us had the privilege of serving with him when he came to the House of Representatives in the 76th Congress. He remained in this body almost 10 years, having been reelected through the 80th Congress. In November 1948 he ran successfully for the other body. He ran a second time in 1954 and a third time in 1960. All of us remember him as one of the hardest working and certainly one of the most intelligent Members who has ever served in the House of Representatives. Senator KEFAUVER was a kind man. If you found yourself opposing him politically on an issue, he never entertained any bitterness. Many in this House will remember him as the Democratic nominee for Vice President in 1956. Still others will remember him campaigning in the snow in New Hampshire in a primary. Still others will remember him as the real champion of small business and of the small "average man," if I may use that expression. Indeed, this man was capable and kind and industrious. Still others of us will remember him as the one man who did more to alert this country on the cost and danger of crime. Still others more recently will remember him as one who sought to hold down as low as possible the cost of medical drugs. He has endeared himself to literally hundreds of thousands of the elderly people in this country.

Mr. Speaker, I could go along and talk at great length about this man. I was glad to be his friend as so many of you are to claim his friendship. But I am sure that all of us in this House will remember him for the few things that I have mentioned, but particularly we will remember him for his vigorous advocacy of issues.

Whether you agreed with him at all times politically, or on an issue, or not, you will have to admit that you always knew exactly where he stood. When he gave his word, that word was his bond. So, then, to his wife Nancy and the children and to his sisters, we offer our expression of love and we extend to them the hand of helpfulness should we ever find ourselves capable of rendering unto them that which ESTES would render unto our very own.

So, we are missing a colleague, and the State of Tennessee will miss an outstanding public servant and, yes, the country as a whole will miss him for all times as a dedicated Member of the legislative body of this great country of ours.

Mr. Speaker, I yield to the distinguished majority leader, the gentleman from Oklahoma [Mr. ALBERT].

Mr. ALBERT. Mr. Speaker, I join my distinguished friend from Tennessee in this expression of sorrow over the death of a great American and former distinguished Member of the House. ESTES KEFAUVER was a Member of this body when I came here. Although still a young man, he had already served several terms and had impressed his colleagues and the Nation with the fine qualities of mind and character which have typified his entire public service. He was a man of strength and will. He was calm but always resolute; kind but unyielding in his opposition to vested privilege; considerate and protective of the weak but a powerful aggressor against those who would exploit or abuse them.

Senator KEFAUVER was a man of independent stamp—a strong man in the mold of Andrew Jackson and other courageous Tennesseans whose dedication to their public trust is historic.

He was a foe of monopoly; a friend of freedom.

He was indeed one of the great figures of this generation.

We shall all miss him. We extend our heartfelt sympathy to Mrs. Kefauver and her children.

Mr. HALLECK. Mr. Speaker, will the gentleman yield to me?

Mr. DAVIS of Tennessee. I yield to the distinguished minority leader.

Mr. HALLECK. Mr. Speaker, I was certainly among those deeply shocked and dismayed by the news that our former colleague in this body, Senator ESTES KEFAUVER, had been fatally stricken on Saturday last. My friendship with him goes back something more than 20 years, when we were members together on the Select Committee on Small Business, reference to which committee the gentleman from Tennessee has just made. This committee was formed during the 77th Congress to lend what help we could to small business people who were understandably confused and frustrated by the mass of rules, regulations, and restrictions imposed upon them because of the war emergency.

I was an original member of that first select committee in 1941. The record indicates our former colleague, the late Senator from Tennessee, joined the committee during the 78th Congress. Well do I recall having traveled with the gentleman from Tennessee on investigating trips around the country. Then I was struck with his warm friendliness, a trait which he carried with him throughout all of his life. I was also struck by his real and deep concern for the people who were then appearing before our committee.

May I say that no member of the committee was more solicitous of the problems of small business people than ESTES KEFAUVER. And he carried that solicitude with him all through his career.

Later on it was the pleasure of my family to be neighbors of the Kefauvers in Northwest Washington where we came to know ESTES and Nancy and their fine children even better.

So, I offer the survivors my deepest sympathies in their most untimely bereavement.

Mr. FULTON of Tennessee. Mr. Speaker, as you all are aware, a former Member of this great body, Senator ESTES KEFAUVER, died this past Saturday.

His death was a great shock to those of us who knew and admired him. He will be sorely missed and his passing leaves a void which will be difficult to fill.

It would be difficult to put into words just what ESTES KEFAUVER meant to the people of Tennessee and I will not attempt to do so except to say he was admired and loved by many, respected by all.

The pages of this Nation's history echo with the names of great Tennesseans such as Jackson, Johnson, Hull, and Crockett. The name KEFAUVER now joins this proud assemblage of men who served their country with honor and devotion.

Many words of tribute have been written on Senator KEFAUVER since Saturday. At this time I would like to place in the RECORD the editorial tribute paid to this great man by the Washington Post on Sunday, August 11, 1963:

ESTES KEFAUVER

Along with Jackson, Johnson, and Cordell Hull, Estes Kefauver will go down in history as one of the memorable political figures from Tennessee. He was like his great predecessors in his Senate seat in one signal respect. During his 9 years in the House and nearly 15 years in the Senate he seldom took a sectionalist view but responded in national terms to the great issues of his time.

Millions of Americans remember ESTES KEFAUVER as the indefatigable presidential hopeful in 1952 and 1956. His large and open hand was as much a campaign emblem as his coonskin cap. Though he had broad popular support—he won 14 out of 17 primaries in 1952—he incurred the wrath of powerful Democrats through his exposure of underworld contacts with political machines. Even so, his rank-and-file following was large enough to gain him the vice-presidential nomination in 1956 over John F. Kennedy.

Senator KEFAUVER was among the first to demonstrate the potency of television in politics. His homely visage and soft voice were fixed in the national mind through the televised hearings of his Senate crime investigation in 1950 and 1951. His courage and independence, no less than his halting manner, left an impression on the country—and also irked some of his colleagues in the Senate inner club.

Every legislature needs individualists as well as team players, and if Mr. KEFAUVER was a loner, his insurgency was directed to important purposes. He boldly risked ostracism by refusing to sign the Southern manifesto calling for massive resistance to desegregation. As a champion of consumers, he took on steel companies, big drug firms, and even the administration in the case of the Telstar communications corporation. His Senate Antitrust Subcommittee hearings first familiarized the country with the concept of administered prices, and his relentless effort had much to do with the adoption last year of the drug reform law.

During his years in the House, the lanky Tennessean was especially concerned with problems of procedural reform. Much of what he said then has become freshly relevant as Congress moves slowly to reconsidering the flaws in its mechanical structure.

In his zeal Mr. KEFAUVER could be mistaken but neither his methods nor his arguments were petty. The fact that he prevailed over the entrenched Crump machine and over envenomed bigots in Tennessee spoke well for his State and his region. He was a big man and his death leaves a big void.

Mr. DAVIS of Tennessee. Mr. Speaker, I yield to the distinguished gentle-from Louisiana [Mr. BOGGS].

Mr. BOGGS. Mr. Speaker, the gentleman from Indiana, the minority leader, and the gentleman from Tennessee

[MR. DAVIS], the dean of the Tennessee delegation, have paid moving and fitting tributes to one of our great Americans, ESTES KEFAUVER. I had the great privilege of getting to know Senator KEFAUVER many years ago. I knew him and Nancy and his family well and intimately, lo these many years. It is difficult for me to add to what has already been said. Senator KEFAUVER came from a State which has produced great men—Secretary of State Hull, Presidents Andrew Johnson and Andrew Jackson, Speaker Sam Rayburn and others—all of whom had a profound understanding of the United States and the strength of the United States as a union of States.

Senator KEFAUVER was in that great tradition. While he loved his State, and his section, he could never be accused of sectionalism. And while he loved the average man, the common man, he could not be accused of being unfair to any group of men anywhere in our country. He was a big man, not only in stature, but a big man in every sense of the word; big in understanding, big in size, big of heart.

He understood the international problems of the United States. I had the privilege of traveling with him to various meetings, such as those of the Interparliamentary Union, and on many occasions I heard him speak at these meetings and articulate, as he so well could, in his homely but convincing and sincere fashion, the mission of our great country.

So, Mr. Speaker, we have all lost a great friend. Tennessee has lost a great leader and our Nation has lost one it can so ill afford to lose at so early a time in his active, vigorous, successful, and productive life.

My wife and I have lost a good friend. I join with my colleagues from Tennessee in extending to his lovely wife, Nancy, who campaigned up an down the Nation with him time in and time out, our deepest sympathy and our love and affection.

Mr. BAKER. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Tennessee. I yield to the gentleman from Tennessee [MR. BAKER].

Mr. BAKER. Mr. Speaker, I am shocked and grieved to hear of the passing of Senator KEFAUVER. ESTES and I first became friends at the University of Tennessee in 1919. We were closely associated for 4 years at the university and we continued to be friends for the remainder of his life.

While we differed on many national issues and in politics, it never disrupted our personal regard for each other.

In my first race for Congress in 1950, one of ESTES' close friends and political allies was my Democratic opponent. ESTES did everything he could to help his friend in the campaign. The race was tough and hard fought.

I won, and on the first day that I occupied my congressional office in the Old House Office Building, just after I had unlocked the door and before I had taken the oath of office, my first visitor was none other than ESTES KEFAUVER, who sauntered into the office in his familiarly casual manner, signed my guestbook, and visited with me for over half an hour. He told me that he did his dead level best to defeat me, but he would not now let that interfere with our personal friendship and that he would cooperate with me in any way he could for our mutual interests.

That easy, friendly nature was symbolic of him.

Senator KEFAUVER, during more than 25 years of public life, carved for himself a niche in the history of Tennessee, the Nation, and the world which is unique. He firmly supported his convictions, even when they seemed contrary to the views of the majority. He was never adamant and would always listen to reason. He was an indefatigable worker.

One of his finest traits was that he never made any distinction between political opponents and supporters in rendering services and performing the duties of his high office as the Senator from Tennessee.

My deepest sympathy is extended to his wife, Nancy, and their children.

Mr. BASS. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Tennessee. I yield to the gentleman from Tennessee.

Mr. BASS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include an editorial.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. BASS. Mr. Speaker, it is with a feeling of heartfelt grief that I address remarks to you in memory of my close friend and colleague, the Honorable ESTES KEFAUVER, whose untimely death Saturday has saddened us all.

The senior Senator from Tennessee, known throughout the country for his warm smile and handshake, was indeed a friend of the people. He was a crusader in the true sense of the word and his efforts for better government were untiring, and his record of achievements is an exemplary one. During his 9 years in this body and his nearly 15 years in the Senate, he devoted his boundless energies and talents to making our country a greater one for all people from all walks of life; and his record as a legislator speaks for itself. His devotion to duty is evidenced by the fact that he literally worked right up to the time of his death, as he left the Senate floor Thursday night, because of the heart condition that claimed his great life much too soon.

Senator KEFAUVER was truly one of the great men of our times—a great Tennessean and a great American. His many outstanding contributions to his country will certainly be recorded in history. His abilities, talents, and dedicated public service will be sorely missed and the void he leaves will be most difficult to fill.

I personally will miss the Senator, not only as a guide and mentor, but as a true, warm friend. His lovely widow, Nancy, and my wife, Avanell, are the closest of friends, who enjoy a wonderful relationship. Our association with the Kefauver family has been a truly heartwarming experience, and our hearts go out to Nancy and her children at this time—we only wish we could ease their burden of grief for them.

In conclusion, and as a further tribute to my beloved friend and colleague, I would like to call your attention to the following editorial which appeared in Sunday's edition of the Nashville Tennessean. I freely admit that it is difficult for me to find adequate words to express my true feelings about my dear friend, and this article, and the sentiments it contains, say much better than I can the esteem and regard I felt for the Senator. It is a well-deserved accolade to the memory of one of America's and the free world's truest friends and champions.

NATION, WORLD SHARE STATE'S LOSS OF A DISTINGUISHED PUBLIC SERVANT

Upon learning of the death of Senator ESTES KEFAUVER, a great many Americans across this broad land knew they had lost a great and stalwart friend in Congress.

Senator KEFAUVER had so often spoken and fought for the consumer—the little man—that innumerable people across the Nation owe him a debt of gratitude.

The tall man with the rough hewn features belonged to Tennessee, but in a larger sense he belonged to the Nation and the countless people who had shaken his hand in primary campaigns and watched his work in the Senate.

A national magazine once said of him in an editorial: "We are not among his constituents but we wish we were. He is the Senate's ablest investigator. In defense of the general public interest he has been diligent, inventive, intelligent, reliable and, above all, courageous."

For almost a quarter of a century, the senior Senator from Tennessee has battled patiently, continuously, and sometimes alone, for the people of his State and Nation and, through his connections with the Interparliamentary Union of the Atlantic Alliance, the world.

His efforts were in behalf of their pocketbooks, their homes, their farms and cities, their basic freedoms, their health and hopes of living in a peaceful world.

Senator KEFAUVER went to Washington believing deeply in certain progressive principles. He was determined to do something about them, and the broad sweep of his record attests to how much he did. He went about his work calmly and conscientiously, and that record has been one of courageous resistance against all sorts of pressure, threats, intimidations, and enticements.

He had his share of defeats, legislative and political. And he knew how to take them with dignity. He saw his hopes go glimmering on the floor of the 1952 Democratic Convention, and again in 1956. But he took his reversals with characteristic calmness and in good spirit.

The Senator retained from his presidential battles a most devoted personal following which existed to the day of his death. A Tennessean, visiting in almost any State from New Hampshire to Oregon is certain to find Kefauver admirers.

It is no particular mystery how Senator KEFAUVER was able to retain such a strong grip on the public's affections. Much of the strong feeling aroused by this tall Tennessean with a sincere smile and a hearty handshake was his sense of conviction and dedication about political goals—no matter whether it was a presidential primary or getting to the bottom of drug prices.

Senator KEFAUVER was in effect the underdog fighting for all other underdogs. He was a David among the Goliaths of the trusts, the oil cartel, the big pharmaceutical interests, or the crime syndicate. He plunged into fights where there seemed to be no hope of winning, where lesser men would have faltered and turned back.

In his struggles he incurred some powerful enmities, beginning with the machine of "Boss" E. H. Crump of Memphis and being added to when he launched the 1951 Senate crime hearings. In that inquiry he proved that racketeers were infiltrating the big city political machines. His trampling on political toes was to haunt him later, but he suspected as much in the beginning and wasn't deterred.

It was the forthrightness and conviction of Mr. KEFAUVER that cemented a friendship between him and the late Silliman Evans, Sr., publisher of this newspaper from 1937 to 1955. Mr. KEFAUVER wanted to have a greater part in the fight against "Boss" Crump, and decided to give up his House seat and run for the Senate.

He approached Mr. Evans for advice and was told he could count on the newspaper's support if he would make one promise—to shake 500 hands a day until election time. It was a promise Mr. KEFAUVER kept and the Nashville Tennessean became the first major newspaper to give him editorial support for the Senate.

The subsequent victory was political history in Tennessee, and the campaign symbol of a coonskin cap—made in response to a Crump remark about pet coons—was fixed in the political scene.

This newspaper did not always agree with Mr. KEFAUVER, or he with it. But on basic principles there never was a quarrel. There was never anything but pride for a Senator who ranked with men like George Norris, Bob La Follette and others in the quality of statesmanship.

There were occasions when Senator KEFAUVER stood alone or almost alone on a point of legislation, urging in his calm voice a course of wisdom and restraint. In the end, not only the Congress but his critics saw the pertinency and wisdom of his view.

For example, he fought Senator John Bricker's efforts to hamstring the President's treatymaking powers. Of his stand, Senator KEFAUVER said: "It will not be popular, but I cannot in good conscience idly stand by without opposing what I consider a dangerous amendment which would seriously injure our foreign relations."

His fight lasted for 2 years and in 1954 President Eisenhower came out strongly against the amendment, and it quietly died.

As a Senator, Mr. KEFAUVER will be remembered as one of the all time greats. As a friend, he will be remembered for countless incidents of thoughtfulness and kindnesses to so many.

He was a relaxing person with whom to visit, for his most striking characteristic was his unhurried pace, his calm manner and methodical speech. He had that quality of being able to sustain two levels of thought, and his concentration at times was such it was mistaken for absentmindedness or deep gloom.

He could chat with a friend in the folksy, homespun language of the general store, or in legal language while exploring the complex mazes of antimonopoly law. With equal facility he could discuss farm problems at the courthouse square or debate with parliamentarians in Europe's gilded halls.

He was a Roosevelt Democrat, a Truman Democrat, a Stevenson Democrat, and a Kennedy Democrat. And many who followed him in his support of others were first, last and always Kefauver Democrats.

Senator KEFAUVER's death will be mourned throughout the State and Nation and across the sea. Tennessee's loss is the Nation's loss and that of freemen everywhere.

A courageous and dedicated fighter has fallen. The gaping void left by his passing will not be easily filled, for such men come along but seldom.

Senator KEFAUVER has, by his total commitment to public service, human welfare and better government, left his mark on the pages of contemporary history and in the hearts of all his countrymen.

Mr. EVERETT. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Tennessee. I yield to the gentleman from Tennessee.

Mr. EVERETT. Mr. Speaker, we have certainly suffered a great loss in this Nation and in the State of Tennessee in the death of Senator ESTES KEFAUVER.

Senator KEFAUVER was most helpful and most cooperative in any endeavor to help us all with the problems that we have in representing our people.

He was a great humanitarian and honest with his constituents.

We shall miss him.

Mr. ROOSEVELT. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Tennessee. I yield to the gentleman from California.

Mr. ROOSEVELT. Mr. Speaker, the totally unexpected and sudden passing of our good friend, Senator ESTES KEFAUVER, was a blow to our country and to all our fellow citizens.

Mr. Speaker, to those of us who like my wife and myself had the privilege of his friendship, it was a saddening event which will linger with us for all time.

I was fortunate enough to have the friendship of Senator KEFAUVER prior to the time he first became a candidate for the presidency of the United States and I had the privilege of seconding his nomination at the 1952 convention and again to second his nomination for Vice President in 1956.

But, Mr. Speaker, it was not in the political contacts that I think our great esteem, friendship, and affection for him has lived and has flowered, but rather it was in his personality, the personality of a man who, one felt, was so human, so completely rugged and honest that one can hardly believe today he is no longer with us.

So on behalf of my wife and the rest of my family I would like to extend to his lovely wife, Nancy, to his children and to all members of his family, the hope that they will know that his, ESTES', friends will never forget him. Echoing the eloquent words of the dean of the Tennessee delegation, who is now in the well of the House, we would like to join with him in the hope that perhaps we can do something to comfort them, and make their grief a little less severe.

Mr. DAVIS of Tennessee. Mr. Speaker, I yield to the distinguished gentleman from Ohio [Mr. HAYS].

Mr. HAYS. Mr. Speaker, it is impossible to describe the deep sense of shock that I experienced when I heard on the radio Saturday at noon of the passing of my good friend and colleague, Senator KEFAUVER. I think I can say that the State of Ohio will feel a deep sense of sadness at his passing because I was one of those who managed his campaign for President in 1952 in Ohio when he overwhelmingly won the at-large delegation and every district delegation in which there was a contest.

He has campaigned in my district from one end to the other, not for himself but for me. He was willing to come at any time, no matter how inconvenient. I recall one occasion when he flew from Tennessee to make a speech for me, and then went on to Chicago the same night where he was due at a breakfast meeting the next morning.

There is little one can say at a time like this except to express deep sympathy to his family. I would say that, to me, one of the editorials in a Washington newspaper, in summing up, said about as much as anybody could say about this man. It stated:

> The Senate will miss him, his State will miss him, and the country will miss him, because the Senate had too few like him.

Mr. DAVIS of Tennessee. Mr. Speaker, I yield to the gentleman from Tennessee [Mr. QUILLEN].

Mr. QUILLEN. Mr. Speaker, the news of Senator KEFAUVER's passing is saddening to me, as it is to the hearts of the people of Tennessee, the Nation, and the world. Senator KEFAUVER loved people, and his warm friendly manner clearly expressed his dedication as a public servant and his devotion to the cause of others.

He personally created the KEFAUVER era of politics in Tennessee. Gone is the man in the coonskin cap and the friendly handshake and winning personality, but he will long be remembered, as will the era he created.

He was a man of courage and conviction—a great American and a great statesman. He was always willing and ready to help with the problems of the people.

I extend my deepest sympathy to Mrs. Kefauver and family in their great loss. In your affliction, may the knowledge that your friends share your sorrow be a comfort to you.

Mr. DAVIS of Tennessee. Mr. Speaker, I yield to the gentleman from Texas [Mr. PATMAN].

Mr. PATMAN. Mr. Speaker, Senator ESTES KEFAUVER was one of America's greatest statesmen. I knew Senator KEFAUVER from the time he came to the Congress. In fact, as the minority leader [Mr. HALLECK] said this morning, he served on the Select Committee on Small Business when he first came here, a committee that I had the honor to be the chairman. Representative KEFAUVER was made chairman of a subcommittee and by reason of that chairmanship he commenced immediately to make a good name for himself. He conducted hearings over a period of time. The testimony was printed in the book of hearings.

Even now the Select Committee on Small Business receives requests for that particular volume on monopoly; it was so impressive, so good.

Senator KEFAUVER was always for the little man, the small businessman, the underdog. He was not against Big Business. He was always insisting that all business must be fair to their customers and among themselves, that they must not do anything that would cause unfair practices in business and that all unfair practices should be stopped.

Senator KEFAUVER was one of the most courageous men I ever knew. He would take sides oftentimes when it was unpopular for him to do so. Very few men in public life will do things that Senator KEFAUVER was anxious to do always in the public interest.

Senator KEFAUVER, of Tennessee, was the kind of citizen that Thomas Jefferson must have envisaged at the inception of our great adventure in American democracy. Senator KEFAUVER was born in Monroe County, Tenn., in 1903. This Nation's new experiment in community self-government and individual freedom was then slightly over 100 years old and ESTES KEFAUVER was its product.

As a boy, young ESTES received his education in the Monroe County public schools; received his A.B. degree at the University of Tennessee in 1924; his LL.B. degree at Yale University in 1927. Later numerous honorary degrees were fittingly bestowed upon him. As soon as his schooling was complete he practiced law in Chattanooga.

ESTES KEFAUVER's chief assets were his education, his individual courage, and a strong sense of what he wanted for his country. Such assets were needed in the Congress of the United States and he became a Member of the 76th Congress. Reelected to the 77th, 78th, 79th, and 80th Congresses, ESTES KEFAUVER was successful in election to the Senate in 1948.

Early in life, the Tennessee statesman learned to separate the truth from the false. This characteristic enabled him to make a lasting contribution to the American scene in the area of crime investigations.

During the years that Senator KEFAUVER and I served together in the House of Representatives, I learned to respect and admire the ability and the good sense that he brought to Washington with him. He demonstrated courage and vision in the legislative struggles that were his to indulge in for the citizens of Tennessee and the Nation.

Whether at the committee table, in private conference, on the floor of the House or Senate, or on the public platform, his measured words produced a keen respect for his views. Through the years he became a symbol of American honesty. He was always reasonable and sympathetic. He never betrayed a confidence.

All the citizens of the United States benefited from ESTES KEFAUVER's activities. He despised shoddy and the underhanded methods. He spoke with clarity and conviction. One knew his position in the Halls of Congress.

His endeavors in the worthwhile organizations of our 20th century read like a cross section of American life. He regarded his constituents as the finest and the kindest people in the world—and he was one of them. He shared with distinction the heavy responsibilities of committee work in the Congress. His duties he regarded as a sacred trust.

In his death, ESTES KEFAUVER has left a record as high in achievement as it was faithful in performance. He never temporized nor bargained where the public interest was the issue. But, day by day, through long and devoted service in high office, he brought to the State of Tennessee and to the Nation the contribution of learning and sound wisdom.

ESTES KEFAUVER will be remembered by his fellow countrymen as a great American. His accomplishment will be an inspiration to those who believe in democracy as the best instrument for advancing the cause of world peace.

To his wife and family I extend my deep personal sympathy and ask them to remember his steadfast devotion to those things be believed to be right and just.

His belief in his country, his party, and moral justice was most sincere. He lived his belief that "government cannot be static in this dynamic world." But perhaps what was even more important about ESTES KEFAUVER was his profound personal belief in every task he undertook. He will long be remembered by those who were privileged to be associated with him.

Mr. DAVIS of Tennessee. Mr. Speaker, I yield to the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Speaker, like my colleagues, I, too, was shocked at the passing of Senator KEFAUVER. There are too few Senator KEFAUVERS in this world and in this Congress. Senator KEFAUVER was dedicated to the little people of the country, the common man. The interest of the common man was always the interest that he put first. The good that he has done and the good that he has accomplished will long remain after most of us who served with him are forgotten.

I extend my sympathies to his wife and children. May I say that I personally have lost a great and good friend whose friendship I valued.

Mr. DAVIS of Tennessee. Mr. Speaker, I yield to the gentleman from New York [Mr. MULTER].

Mr. MULTER. Mr. Speaker, I join our colleagues in this solemn moment of grieving the untimely passing of a great and distinguished American. As has been said, he was well known from one end of this country to the other. He was no stranger to my State of New York, where he was known and loved as a kindly gentleman who sought to help all those who needed assistance. His one endeavor throughout his service was to improve the operation of our Government for the benefit of all.

We extend to his family our very heartfelt sympathy on this very grievous loss, and I offer the prayer that his memory may be for a blessing forever.

Mr. DAVIS of Tennessee. Mr. Speaker, I have two unanimous requests. First, I ask unanimous consent that all Members of the Tennessee delegation may extend their remarks immediately following the statement made by the minority leader, the distinguished gentleman from Indiana [Mr. HALLECK].

The SPEAKER pro tempore. Without objection, it is so ordered.

Mr. DAVIS of Tennessee. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks on the life and the good works of our former colleague, the late Senator KEFAUVER of Tennessee.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. DAVIS of Tennessee. Mr. Speaker, I yield to the gentleman from California [Mr. SISK].

Mr. SISK. Mr. Speaker, I wish to join my colleagues in expressing my profound shock at the passing of Senator KEFAUVER. Senator KEFAUVER was a close personal friend of mine. The very fact that I have been privileged to be a Member of this distinguished body in large measure is due to the work of Senator KEFAUVER back in 1954. I did work in California as a member of his campaign committee in the 1956 campaign which he conducted in the primary for the endorsement as nominee for President. On that committee it was my privilege and pleasure to accompany him many times and I feel he probably had the greatest personal magnetism of any man it has ever been my privilege to know. I have said many times that had he been able to shake hands with each person in the United States, he could have been overwhelmingly elected President of this country. Certainly, his passing will be a great loss not only to the Congress of the United States but to his Nation. I take this opportunity, Mr. Speaker, to extend my regrets and sorrow and sympathy to his family and those he leaves behind.

Mr. CONTE. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Tennessee. I yield to the gentleman.

Mr. CONTE. Mr. Speaker, it is with deep sorrow that I join my colleagues in mourning the death of Senator ESTES KEFAUVER. His death at the age of 60 is a tremendous loss to the other body and to the Nation as well. Few men in our time have moved so many Americans. This man, Mr. Speaker, had charisma and beyond his great appeal to the American people he always demonstrated a feeling for the rights of others. He was always with the underdog and the millions of people who loved him also mourn his passing. It was not easy for him to fight for Negroes, and he no doubt was severely maligned by the South that he loved so well. This Tennessean, Mr. Speaker, was a great American. He will be sorely missed. I want to extend my sympathy to his wife and family at this moment of bereavement.

Mr. McMILLAN. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Tennessee. I yield to the gentleman.

Mr. McMILLAN. Mr. Speaker, I join the Members of the House in expressing my deep sorrow on the passing of my friend and colleague, Senator KEFAUVER. ESTES and I came to the Congress in the 76th Congress and I learned to like him very much during the 9 years he was in the House. I disagreed with ESTES on numerous occasions, but he was one of our great statesmen who could disagree on issues without being disagreeable. I considered ESTES as one of my closest personal friends and called on him for his views on numerous bills pending before the Congress. I first learned to respect ESTES KEFAUVER when I played football against him when he was an all-eastern tackle at the University of Tennessee. I learned to respect his legal ability and his legislative ability during our freshman year in the 76th Congress.

Mr. Speaker, I express my deepest sympathy to Mrs. Kefauver and the other members of his lovely family.

Mr. CHENOWETH. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Tennessee. I yield to the gentleman.

Mr. CHENOWETH. Mr. Speaker, I was deeply shocked and saddened when I heard of the untimely passing of our former colleague, the distinguished Senator from Tennessee, Estes Kefauver. I extend my sincere sympathy to our colleagues from the State of Tennessee on the great loss which they have sustained.

Senator Kefauver was a Member of this House when I first came to Congress. Our offices were on the same floor and we had many pleasant visits. We formed a friendship at that time which has endured over the years. I greatly valued this friendship and always enjoyed a visit with the Senator. I had great respect for his ability and capacity as a legislator.

Senator Kefauver was a frequent visitor to Colorado, and he had many friends in our State. I recall that when he was a candidate for President he had substantial support from the Democrats of Colorado.

Senator Kefauver made a most substantial contribution to legislation in many fields. I did not always agree with his views, but I recognized his sincerity and his devotion to the causes which he championed. He made an impression upon this political era which I am sure historians will recognize and record.

Mr. Speaker, I wish to extend my sincere sympathy to Mrs. Kefauver and the other members of the family.

Mr. STRATTON. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Tennessee. I yield to the gentleman.

Mr. STRATTON. Mr. Speaker, I appreciate the gentleman yielding to me so that I might join with my colleagues to express my sorrow and regret on the passing of the late Senator from Tennessee, Estes Kefauver. I had the privilege of knowing Senator Kefauver during his second term as a Member of this body when I served here as a secretary to one of his colleagues. He was then a distinguished junior member of the House Committee on the Judiciary. I had the privilege of coming to know him even more fully during his campaigns for the office of President of the United States. He was a distinguished and an able Member of this body and of the other body.

Mr. Speaker, many of the press accounts have referred to Senator Kefauver as a loner, and I think, perhaps, in a very real way this term does symbolize some of his tremendous personal courage and his dogged persistence and determination. Many of the positions he took and the objectives he sought were pursued against great odds and in the face of tremendous obstacles, yet Estes Kefauver never flinched, never gave up, and never lost his gracious courtesy and good manners.

I think particularly of his great fight against racketeering and corruption around the country. He never had any concern for his personal safety in all that he did; he never even displayed any great concern for his own political future. But in his quiet and always courteous way he steadfastly pursued the course which he had set for himself, and the people in his home State of Tennessee repeatedly returned him to public office.

Mr. Speaker, as a former mayor I want to say that I believe Estes Kefauver opened up the eyes of the whole Nation, as no one else had ever done, about the extent of gambling and corruption, and years later we have now moved to deal more effectively with the insidious damage caused by interstate crime.

Estes Kefauver was a real man of the people. It was often said of him that everyone was against him but the voters. He proved he held a warm spot in their hearts. He may have never been permitted to enter the so-called "club" that allegedly runs the other body, but he was very much in the hearts of the people he served.

It will be a long, long time before we will be able to fill the shoes of Estes Kefauver. I wish to join with the gentleman from Tennessee [Mr. Davis], in extending the deep smypathy of Mrs. Stratton and myself to Mrs. Kefauver and their children.

Mr. RYAN of New York. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Tennessee. I yield to the gentleman from New York.

Mr. RYAN of New York. Mr. Speaker, it is with a sad and heavy heart that I join the distinguished gentleman from Tennessee [Mr. Davis] and my other colleagues in paying tribute to the memory of Estes Kefauver, a great and gallant American.

The Nation has lost a dedicated and courageous leader who fought fearlessly for the people of America. As the scourge of racketeers and the underworld, the crusader against corruption in government and politics, the champion of the consumer, Estes Kefauver will long be remembered. He understood and articulated the economic evils of monopoly power. It was typical of him that his last fight in the Senate last Thursday was to amend the NASA authorization bill to require reimbursement to the taxpayers of America for research and development which would inure to the benefit of the private Communications Satellite Corp.

Mr. Speaker, Estes Kefauver, a warm and friendly figure, stirred the hearts of his countrymen as he campaigned for the Presidency. Who will forget his trudging through the snows of New Hampshire in his coonskin hat?

And he stirred the conscience of his countrymen when he refused to sign the southern manifesto. He consistently and courageously took a national point of view.

I valued the friendship of Estes Kefauver and was privileged to work with him on legislation and for causes in which we had a mutual interest. I admired and respected the man for his integrity, his humility, and his philosophy.

Mr. Speaker, it has been correctly said this morning that a large void has been left. How true. Senator Kefauver was a giant in the Congress who made an incalculable contribution to his Nation. He was more than the senior Senator from Tennessee. He was a Senator for all Americans. It will be a long time before we see his like again.

I extend my deepest sympathy to the widow and children of Estes Kefauver.

Mr. Speaker, I include at this point in the Record the Washington Post editorial of August 11, 1963, on the death of Senator Kefauver:

Estes Kefauver

Along with Jackson, Johnson, and Cordell Hull, Estes Kefauver will go down in history as one of the memorable political figures from Tennessee. He was like his great predecessors in his Senate seat in one signal respect. During his 9 years in the House and nearly 15 years in the Senate he seldom took a sectionalist view but responded in national terms to the great issues of his time.

Millions of Americans remember Estes Kefauver as the indefatigable presidential hopeful in 1952 and 1956. His large and open hand was as much a campaign emblem as his coonskin cap. Though he had broad popular support—he won 14 out of 17 primaries in 1952—he incurred the wrath of powerful Democrats through his exposure of underworld contacts with political machines. Even so, his rank-and-file following was large enough to gain him the vice presidential nomination in 1956 over John F. Kennedy.

Senator Kefauver was among the first to demonstrate the potency of television in politics. His homely visage and soft voice were fixed in the national mind through the televised hearings of his Senate crime investigation in 1950 and 1951. His courage and independence, no less than his halting manner, left an impression on the country—and also irked some of his colleagues in the Senate inner club.

Every legislature needs individualists as well as team players, and if Mr. Kefauver was a loner, his insurgency was directed to important purposes. He boldly risked ostracism by refusing to sign the southern manifesto calling for massive resistance to desegregation. As a champion of consumers, he took on steel companies, big drug firms, and even the administration in the case of the Telstar Communications Corp. His Senate Antitrust Subcommittee hearings first familiarized the country with the concept of "administered prices" and his relentless effort had much to do with the adoption last year of the drug reform law.

During his years in the House, the lanky Tennessean was especially concerned with problems of procedural reform. Much of what he said then has become freshly relevant as Congress moves slowly to reconsider the flaws in its mechanical structure.

In his zeal, Mr. Kefauver could be mistaken but neither his methods nor his arguments were petty. The fact that he prevailed over the entrenched Crump machine and over envenomed bigots in Tennessee spoke well for his State and his region. He was a big man, and his death leaves a big void.

Mr. DAVIS of Tennessee. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. Rhodes].

Mr. RHODES of Pennsylvania. Mr. Speaker, Senator Estes Kefauver's untimely death is a great loss to the liberal and progressive forces in the Congress. The Nation has lost one of its most distinguished and outstanding statesmen. Along with President Andrew Jackson he will go down in history as one of the great champions of the common people and most prominent political figures from Tennessee.

It is difficult to think of anyone in our history who possessed a greater sense of dedication and political courage. He was a man of vision, great ability, with high ideals and principles, who never faltered in his fight for social and economic justice and for the aged and less fortunate of our people.

Since my coming to Congress in 1949, it was my pleasure and great privilege to be closely associated with Senator KEFAUVER and to enjoy his cooperation and warm friendship. I was the first Member of Congress to publicly announce support for KEFAUVER in his 1952 Presidential campaign.

Senator KEFAUVER was respected because of his integrity and sincerity. He never lost the common touch. He was also a foe of big business monopoly and a friend of small business. It was his stand for legislation to help the underprivileged, the aged, and the needy that made him the target of attack by big money interests as well as crime syndicates.

History will be more kind to Senator ESTES KEFAUVER when the objectives he sought are realized as the Nation progresses and moves forward to a better tomorrow.

The death of Senator KEFAUVER leaves a serious gap in Congress that will be difficult to fill. To me it means the loss of one of my closest and dearest friends.

Mrs. Rhodes joins me in expressing deep and profound sympathy to his lovely wife, Nancy, and their children.

Mr. DAVIS of Tennessee. Mr. Speaker, I yield to the gentleman from Wisconsin [Mr. REUSS].

Mr. REUSS. Mr. Speaker, the late Senator KEFAUVER was well known and well beloved in my district.

Mr. Speaker, the Congress and the Nation have suffered a great loss in the death of Senator ESTES KEFAUVER. His life was one of continuous striving and accomplishment for the people of Tennessee and of the United States. He combined a fearless independence of special interests with deep ties to the great body of the people.

As a Representative and a Senator, ESTES KEFAUVER served in 13 Congresses. During this time he made many contributions to our society through his legislative and investigatory activities. For these, he will be long and highly honored.

But he also made another great contribution to our democratic system by his style of campaigning, by getting out and seeing the voters, by hearing their stories and letting them see him and hear his request for their vote in person. There was no trace of insincerity and affectation in this; it was natural and honest with him. His personal campaigning was a great benefit to the electorate which consistently responded with its favor.

Senator KEFAUVER was familiar to the voters of my own State of Wisconsin where he successfully campaigned in his indefatigable way in two presidential primaries and on behalf of many Democratic candidates. In this impersonal age of mass communication, Senator KEFAUVER has inspired a new generation of politicians to work early and late keeping in personal touch with the voters, and democracy in America is the beneficiary.

Mrs. SULLIVAN. Mr. Speaker, my sense of shock and disbelief resulting from the death of Senator ESTES KEFAUVER refuses to subside. I still remember the many times he, my husband, and I met for breakfast in the old House cafeteria when the Senator and my husband were colleagues in the House of Representatives and the gentleman from Tennessee was already demonstrating great ability in the conduct of congressional investigations as a member of the House Judiciary Committee.

Mr. Speaker, the Nation has lost in the death of Senator KEFAUVER one of the most courageous fighters for consumer issues we have ever had. I have always been flattered that Senator KEFAUVER introduced in the Senate some of the bills which I had originated in the House, particularly my original food stamp bill which he strongly supported and helped enact into law. Among many great monuments to his legislative career is the far-reaching Drug Control Act which we wrote into law last year following the disclosure of America's narrow escape from the tragedy of birth defects from thalidomide.

The only reason the Congress was able to act with such remarkable speed in writing such a complex piece of legislation into law was that Senator KEFAUVER, in his capacity as chairman of the Subcommittee on Monopoly and Antitrust of the Senate Judiciary Committee, had already conducted long and painstaking hearings into every aspect of drug industry operations. Even though the Food, Drug, and Cosmetic Act is not normally within the jurisdiction of the Senate Judiciary Committee, Senator KEFAUVER'S magnificent investigative work in the drug field prior to last year made it possible for his subcommittee to handle the drug bill quickly in cooperation with the House Committee on Interstate and Foreign Commerce.

The Drug Control Act may not be completely perfect legislation; there may be problems in connection with its operation and administration. But considering the speed with which it was enacted and the scope of its coverage, it is one of the most impressive enactments of the Congress in its field—and that goes back to the original Pure Food Act of 1906, and the Food, Drug and Cosmetic Act of 1938.

Mr. Speaker, Senator KEFAUVER was best known to the public as crime fighter, presidential candidate, vice-presidential nominee, and in other dramatic roles. But whether or not they agreed with him on most things, Members of Congress looked upon him primarily as a quietly determined, conscientious, hard-working, indefatigable searcher and prober of facts in the complex maze of legislative issues. And out of this digging and searching, he presented a solid case for the legislation he supported, or solid evidence against legislation he opposed.

Almost always, the consumer was the beneficiary of his efforts. He was of the antimonopoly mold of an O'Mahoney or of our own WRIGHT PATMAN—utterly courageous in fighting for decency in American economics.

As chairman of the Subcommittee on Consumer Affairs of the House Committee on Banking and Currency, I am particularly conscious of the loss all consumers have now suffered. My deepest sympathy goes to Senator KEFAUVER'S family.

Mr. WHITENER. Mr. Speaker, the American people, and particularly the citizens of the great State of Tennessee, have sustained a tragic loss in the untimely death of ESTES KEFAUVER.

I feel very keenly the death of this distinguished Senator as I have known and admired his character, ability, and devotion to duty for many years. I have visited in his home, and I have observed him on the floor of the Senate. Regardless of whether he was at home or in the Senate, ESTES KEFAUVER was always a very warmhearted and friendly individual.

Although I sometimes had different views from those he possessed on matters of national interest, I always respected his position as I knew he was laboring for what he felt to be in the best interest of the people of his State and of his country.

The silent hand of death has removed from our midst a man of great stature and of dedicated purpose. In his passing the people of his State have lost a devoted friend and one of the greatest Senators of this age.

Mrs. Whitener and I extend to the members of his family our sincere condolences and our deep sympathy on the great loss which they have sustained.

Mr. LIBONATI. Mr. Speaker, the Senate has lost one of its most picturesque and ablest members, in the passing of Senator ESTES KEFAUVER.

His influence in the Senate was acquired by attacking powerful interests in a series of investigations in the public interest. His forages into the operation of steel, drug, and food syndicates, in violation of antitrust and price fixing, gained for him the sobriquet "Champion of the Common People." His popularity won for him, in convention, the endorsement of the Democratic Party for the vice presidency in 1956, teamed with Adlai Stevenson.

As a successful corporation lawyer, his acquired talents in dealing with corporative operations gave him a tremendous impetus in prying into their affairs and illegal practices. His practical understanding of their problems and the circumvention of the laws, made his position unassailable. His judgment in these matters was respected. In crucial matters considered in debate, he was always prepared, giving facts and information to sustain his position. He was thorough in his preparation of his material—a result of hard study and laborious research. He was firm in standing by the principles he believed in.

No one could swerve him from his course. It was this strong characteristic that antagonized some of his colleagues. His spear knew no brother.

If he set out on a plan of action he persisted to act without fear or favor toward anyone or any group. Like a courageous crusader he pursued, in the crime investigations, every facet of its activities. Millions of Americans viewed these televised hearings, in which he showed charm and a definite professional flair for a theatrical performance. He became a popular hero in this role, receiving public acclaim which later resulted in his selection on the 1956 Democratic ticket.

He hung crepe after crepe upon the political careers of many politicians throughout the Nation and wrecked the State and Cook County ticket in Illinois, contributing to the retirement of many of my friends among whom was the popular majority leader of the Senate, Scott Lucas, of Illinois.

His victorious bid for the Vice Presidency nomination undoubtedly prolonged the political career of President Kennedy. It is for historians and political philosophers to record the importance of this contribution to the posterity of the Nation.

His stand for civil rights and in support of the U.S. Supreme Court on segregated schools—remaining aloof from filibusters and southern caucuses, marks him as a courageous, powerfully firm and unselfish individual, placing belief in principle above the loss of prestige among his sectional colleagues, and risking political reverberations.

It can be truly said that Senator Kefauver owed his success to tackling big problems of national impact, and fought against great odds to make even a dent in the armour of the mighty—but no one can deny—he was honest in his efforts to legislate reforms.

He was one of the few who was able to realize the benefits of his work, but he actually did do the work; others are not as fortunate.

He was not a strategist or diplomat or orator; but he was a great statesman, a rare type to be sure, but, as a modern pioneer, he labored in a field of legislative activity that required brains, iron will, nerves of steel, and the courage of the backwoodsman.

The Illinois delegation joins with its colleagues from the State of Tennessee in respecting the memory of the distinguished Senator and former colleague of the House, Estes Kefauver. To his lovely wife, Nancy, a political campaigner in her own right, and his darling children, Eleanore, Dianne, David and Gail, we extend our heartfelt condolences on their great loss and join them in our prayers.

The State of Tennessee and the Nation have lost a statesman of action, a true gladiator of the drawn sword, fighting in behalf of the "man on the street"—and again, on occasions, he wielded a heavily spiked—with truth—battle ax, to smash his own way against the powerful, unyielding trusts.

He held the friendship, confidence, and admiration of the masses. May God bless him for his fortitude and honesty of purpose in carrying out his stewardship. To him a public office was a public trust. I dedicate the following lines to his memory:

He stood alone upon the Hill
With coonskin cap and rifle still
Awaiting varmints to appear,
His deadly aim engendered fear.

He cared not for friend or foe
If, in his path, they sought to throw
A hostile weight against his plan
To safeguard justice in the land.

This man of courage seemed to know
That he must measure every blow
To win the public to his stand,
In fighting for the common man.

The doubters say he played a game,
To add more luster to his name.
But God knows he played it square,
His greatness is in the Nation's care.

Mr. MATSUNAGA. Mr. Speaker, the untimely death of Senator Estes Kefauver has deprived this Nation of a leader of the highest integrity, honor, and ability. He was a courageous and tenacious fighter for the ideals in which he believed. He was never too busy to aid in righting a wrong.

The people of my State have lost a great friend, for when Hawaii was not yet a full-fledged member of the Union Senator Kefauver was often referred to with the term of endearment, "the Senator from Hawaii." It was he to whom many of us addressed our problems; and he gave us unstintingly of his time and services, just as if we had been his valued voting constituents. This is a mark of greatness to which not too many Members of Congress can lay claim.

Mr. Speaker, men like Senator Kefauver come too few and far between. Humanity has indeed suffered an immeasurable loss. As Hawaii's Representative and as one who enjoyed the benefits of his personal services, I wish to associate myself with those who have paid tribute to that great American and humanitarian, Estes Kefauver, and express my deepest sympathy and condolences to Mrs. Kefauver and the family.

Mr. ZABLOCKI. Mr. Speaker, it was indeed a deep shock to learn of the unexpected death of Senator Estes Kefauver. He was, without doubt, one of the ablest Members of the other body.

Senator Kefauver, because of his two campaigns for the presidential nomination, became a familiar figure in my home State of Wisconsin. He won the State's Democratic primary in 1952, and ran unopposed in 1956.

The coonskin cap, for which Senator Kefauver became famous, was in evidence during his 1952 campaign when he stumped the State shaking hands. In 1956, he again campaigned actively, continuing his tireless handshaking.

The Senator's vigorous campaign methods made a lasting impression on Wisconsin's politicians. His theory that personal contact with voters is still vital even in an age of mass communications has been adopted by a number of Wisconsin's successful votegetters.

Senator Kefauver campaigned for other Democrats in Wisconsin as well as on his own behalf. He has always been a favorite figure in the State, with his homespun air and open friendliness.

His last appearance in Wisconsin was last January when he spoke at a luncheon of the Wisconsin Division of the Independent Bankers Association. There is no doubt that this outstanding politician and statesman of our time will be missed by the people of Wisconsin, as well as by those of his native Tennessee.

My wife joins me in expressing our sincerest sympathy to Mrs. Kefauver and the family. Surely, their consolation lies in the knowledge that the Senator had served Tennessee and his country fully and well.

Mr. KEOGH. Mr. Speaker, along with millions of other Americans, I was profoundly shocked and grieved to learn of the death of the distinguished Senator from Tennessee, Carey Estes Kefauver. The Congress has lost one of its most vigorous and effective Members.

It has been my privilege to regard the late Senator as a personal friend from the very first day he came to the House of Representatives to succeed Congressman Sam D. McReynolds in September of 1939. For 10 years we were neighbors in the House Office Building and with each year I came to know and admire him more. His service in the Senate since the beginning of the 81st Congress has been outstanding, and there are few people in the United States today who would have failed to recognize him if they met him by chance.

His vigorous and unrelenting investigations of organized crime and his later studies of monopolistic practices were carried on in behalf of the American people with a high degree of unselfish sacrifice on his part. He would undoubtedly be with us today if he had not spent so much of himself in these pursuits. His warmth of personality and his soft-spoken approach endeared him to all who knew him in person or by means of radio and television.

Mr. Speaker, I wish to join my colleagues in extending sincere condolences to the fine family of the late Senator. He will be sorely missed.

Mrs. KELLY. Mr. Speaker, it was with great sorrow that I learned of the death of our esteemed colleague, Senator Estes Kefauver. I join my fellow Members of Congress in expressing to his wife and children my deepest sympathy at this time.

Senator Kefauver was one of the great men of the age. His contribution to legislation while he represented the State of Tennessee stands glowingly in the record. His persistent and untiring efforts in behalf of individual rights will long be remembered and are a tribute to his strength of character. He will be missed not only by us who were his personal friends, but by his State and the Nation. I pray that his family will be granted God's choicest blessings to bear this cross.

Mr. HAGEN of California. Mr. Speaker, in the passing of Estes Kefauver, this Congress, this Nation, and the State of Tennessee have suffered an immeasurable loss.

Estes Kefauver will go down in history as one of the truly great statesmen of this century. His dedication to principle, his integrity, his insight and compassion, and his ever-present drive to serve his fellow man won him the respect and admiration of millions of Americans and of men of good will throughout the world.

His fight against organized crime, against corruption, and against the exploitation of the weak made him as well known and as highly esteemed in my own State of California as he was among his constituents in Tennessee.

We are all, I think, a little poorer today because the tall figure, the gentle smile, and the warm handclasp of ESTES KEFAUVER are gone.

Our deepest sympathy goes to his widow and children and to the people of Tennessee whose bereavement is even greater than our own.

Mr. HEMPHILL. Mr. Speaker, I join my colleagues here in the U.S. House of Representatives and in the Senate, and millions of Americans and people from other countries in lamenting the untimely death of our late and beloved friend ESTES KEFAUVER. I did not have the privilege of knowing him intimately, but was thrown with him on many occasions, and even when I was a first-year Congressman, noted with considerable appreciation and gratitude that he always had a ready smile, outstretched hand, and could readily call your name.

Senator KEFAUVER was a man of superatives. Not only was he the kind of man you would speak of in terms as "the hardest worker," "the most dedicated," and in other terms of appreciation of his fine qualities and aggressiveness in those tasks to which he thought duty called him, but he was a superlative in the fact of humility, simplicity, and personality. Everybody knew to call him ESTES because he did not want it any other way. He always had time for anybody who wanted to see him and talk to him, and while many did not agree with him, I never heard any man say he was not a man of ability, or question his dedication and integrity.

This Nation, his State, and millions of people are better today because he lived and served. I join his legion of admirers in expressing to Mrs. Kefauver and family, for myself and my family, our deepest sympathy.

Mr. JOHNSON of Wisconsin. Mr. Speaker, under leave to extend my remarks, I would like to include in the RECORD an editorial from the Capital Times, Madison, Wis., which details the many accomplishments and the basic courage and integrity of a man I am proud to have had as a friend—the late Senator ESTES KEFAUVER.

Although he represented Tennessee in Congress, we in Wisconsin had long ago adopted him as one of our own. Wisconsin's "little guys" loved ESTES. His roster of Badger friends included cooperatives, farmers, and many Democrats. In 1953 and 1954, he traveled extensively in the Ninth Congressional District, which I represent in Congress, and the friends he made there then still remember him kindly.

In 1952, I was privileged to attend the National Democratic Convention in Chicago as a Kefauver-for-President delegate. During my 10 years in Congress, my always-active admiration for this great liberal, reformer and champion of the common man continued to grow. It was with a sense of tremendous shock and sadness that I learned on Saturday that the Nation had lost one of its distinguished leaders—and I had lost a friend.

The editorial from the Capital Times follows:

A PUBLIC SERVANT OF COURAGE AND PRINCIPLE—SENATOR KEFAUVER

The Senate of the United States and, therefore, the country as a whole, has suffered a serious loss in the sudden death of Senator ESTES KEFAUVER, of Tennessee.

This tall, rangy Senator had a strange and indefinable political appeal which allowed him to take positions on public issues which would have ended the career of other politicians in a southern State.

No Senator, for example, had a better record in the field of civil rights than KEFAUVER. Though he was elected by Tennessee he was a Senator for the whole Nation.

In the years of distinguished service he gave to the Nation in the House and Senate, he never trimmed his sails.

His investigation of crime and racketeering opened the eyes of this Nation to formidable peril it faced.

It was KEFAUVER who stopped the outrageous Dixon-Yates deal aimed at crippling the Tennessee Valley Authority.

His investigation of the drug industry has brought some much needed reforms, though he was disappointed in the half-way measures passed.

He was a leader in the fight against handling over the communication satellite to private interests and was fighting for the public on that issue right up to the end.

His courageous stand for the public interest won him a following throughout the Nation. He was not popular with the politicians, however. He was particularly disliked by the big city machine bosses in his own party.

More than any other force they were responsible for denying him his party's nomination for President.

Senator KEFAUVER had many friends in Wisconsin where he conducted two successful campaigns for Presidential delegates. The Capital Times is proud of the warm friendship we enjoyed with him.

His kind of courage is desperately needed in the Senate.

Mr. PUCINSKI. Mr. Speaker, the people of Illinois join the people of Tennessee and the rest of the Nation in mourning the loss of a great American statesman, ESTES KEFAUVER.

A brave voice has been silenced by the untimely death of Senator KEFAUVER. In his fearless effort to uncover those who would abuse democracy, Senator KEFAUVER carved for himself an indelible page in America's history of her great sons.

He would yield to neither conformity nor even tradition whenever he felt that a great cause for human dignity was being abused by vested interests. His struggle against the monopolies is a matter of record. His daring in exposing the crime syndicate of America gave this Nation new hope that indeed the criminal elements of this Nation could be curbed.

Throughout America there are millions of families who have found new hope, new comfort, a new means of existence from the earnings of the family's breadwinner which, prior to Senator KEFAUVER's spectacular crime investigation, had too often been siphoned off by the gambling syndicate.

Senator KEFAUVER was an outspoken foe of conformity. His epitaph should read: "He dared to be different."

Mrs. Pucinski and I, and indeed all of the people of my district, extend to Senator KEFAUVER's wife Nancy and his daughters our deepest sympathy in their moment of grief.

Senator KEFAUVER will be missed.

Mr. COHELAN. Mr. Speaker, the loss of Senator ESTES KEFAUVER will be deeply felt by all of us in the Congress, by the State of Tennessee, by the Nation and, indeed, by the world.

Senator KEFAUVER was an idealist, a fighter, a humanitarian, and most of all a great American. He espoused a cause, not for its popularity, or political mileage, but for its benefit to our Nation and to mankind.

Throughout his 24 years in the Congress—9 years in the House and 15 years in the Senate—Senator KEFAUVER never shied from a cause he felt was right. His concern was for the underdog, for the common man.

His work in exposing the crime syndicate during the early 1950's, while chairing a Senate subcommittee investigating crime, was a great service to our country, as were his later committee probes including his investigations of corruption in boxing and misleading advertising.

His work in the field of drug regulation shows another facet of the Senator's greatness—his refusal to give up. He pursued the investigation and pushed for legislation in the face of Senate apathy and his action was proved justified when the need for new laws in this field became evident during the Thalidomide scare.

Mr. Speaker, Senator KEFAUVER's untimely death deeply grieves us all. I join with my colleagues in expressing our sympathies to his wife and family.

Mr. CELLER. Mr. Speaker, no one can deny that the death of ESTES KEFAUVER left the country and Congress poorer. As for me, I lost not only a friend but also a man to whom I was joined in a common politic and economic philosophy.

We had joined together as sponsor of considerable antitrust legislation, including the drug bill, and together we had fought through to a successful conclusion the enactment of the Celler-Kefauver Act and the civil investigative demand legislation both highly significant in the strengthening of our antitrust laws. Both of us shared the conviction that our economy to be free, competitive, and strong, must look to the antitrust laws, and their importance, to sustain that ideal. We both felt that economic concentration was an economic evil that had to be fought and resisted.

Behind the soft voice and gentle manner of ESTES KEFAUVER, lay immeasurable strength. He was not afraid to tackle the big job, to take on the giants of industry, or the masters of crime. He did it without bluster, without threat, and without arrogance.

When we served together on the Committee on the Judiciary of the House, I soon recognized in him the intellectual strength combined with a gentleness that made him unique. Listening to ESTES then, it would have been difficult to predict that he could capture the hearts of millions of our people—so withdrawn and so reticent did he, at times, appear. I write out of a sense of deep personal loss. I will not find his like again.

Mr. COOLEY. Mr. Speaker, for many years I enjoyed the friendship of our distinguished and beloved colleague, ESTES KEFAUVER. Last Saturday, in the golden hours of his great life, his soul slipped through the curtain of stars to the place we call "the Great Unknown." He has gone to the other side of the Crystal Sea where he will receive the full reward which his strong faith has purchased.

ESTES KEFAUVER was a brave and a courageous man. By his intelligent devotion to duty, his unswerving fidelity to truth, his great integrity, and by the honest and courageous manner in which he discharged all of the vital functions of his high office, he distinguished himself in the service of his country and endeared himself to all of his colleagues in Congress. The State of Tennessee has lost one of its best loved sons. America has lost one of its great citizens, and I have lost a good friend.

I served with ESTES KEFAUVER in the House of Representatives for many years. I have traveled with him into far distant places of the earth. He was a loyal and devoted member of the Interparliamentary Union and was a real ambassador for America in all of his travels. Wherever he went, ESTES KEFAUVER made a thoroughfare for friendship.

To his lovely wife, Nancy, to his children, and to all the members of his family, I extend my warm and sincere sympathy and express the hope that the love and sympathy of his friends will soften the sorrow they are now bearing. May the Lord of mercy bless and sustain them in their great bereavement.

Mr. KASTENMEIER. Mr. Speaker, the sudden and unexpected passing from the congressional scene of Tennessee's senior Senator, ESTES KEFAUVER, shocked the Nation and saddened countless people like myself, whom he went out of his way to befriend. I was among many, I am sure, who was fortunate enough to have our personal paths cross from time to time, and on each occasion his stalwart example in pursuing the public interest served as an inspiration to a degree that leaves us profoundly in his debt.

As a vigorous and tireless campaigner for the Presidency, Senator KEFAUVER came to know my State of Wisconsin and its Second Congressional District well, and I was more than privileged to serve as a delegate to the national convention in his behalf. But long after he aspired to the Presidency, he came to my aid and campaigned for me with all the drive and energy that he exhibited in his own campaign.

As a member of the House Judiciary Committee, my attention naturally focused on his activities in the Senate Committee on the Judiciary where I was able to observe and get a full measure of appreciation of the courage that has characterized the special investigations which he spearheaded and chaired. It takes a very special kind of courage to cross swords with giant drug interests and the powerful steel and telecommunications industries, racketeers and gambling syndicates. But Senator KEFAUVER refused to be deflected from his singular role of guardian and protector of the American public in his endless crusade against monopoly and organized crime.

With much the same courage, the coonskin-capped Tennessean stood out among his southern colleagues as a champion of civil rights and defender of racial equality long before the words "sit-in" and "freedom march" became part of the daily American lexicon.

It is too soon to try to evaluate the breadth and depth of his impact on American social, political, and economic life, but I have every confidence that his influence will continue to be felt for many years. His passing leaves a tragic void in the Halls of Congress and in the hearts of his countrymen.

Mrs. HANSEN. Mr. Speaker, it is with the deepest regret that I join in observing the passing of the late distinguished Senator from Tennessee, ESTES KEFAUVER. Far removed though it may be from his native Tennessee, the State of Washington will genuinely feel the loss of a good friend in Senator KEFAUVER's death. He came into our State many times and in my own district his friends are legion. His warmth, his understanding, and his deep conscience for humanity made him beloved.

My own personal feeling for Senator KEFAUVER has always been one of great respect and admiration. I have indeed lost a good friend.

My sincerest sympathy to his lovely wife and his four splendid children.

Mr. EVINS. Mr. Speaker, I wish to join with my colleagues in paying tribute to the late senior Senator from Tennessee, ESTES KEFAUVER, whose untimely passing shocked and saddened the Nation.

ESTES KEFAUVER was not only known and beloved in Tennessee, but he was a major national figure whose coonskin cap and handshake became a legend of American politics during his time. He was a tower of strength and conviction—a tall and sturdy oak, often the victim of the storm but never uprooted and always firm in his convictions. He will be sorely missed by his many friends in Tennessee, the Nation, and the world.

I was privileged to serve with ESTES KEFAUVER during one term in the House—during the years he was campaigning against great odds for the Senate. I often kidded ESTES that I did not get to see very much of him during those first 2 years because he was necessarily in Tennessee so frequently. I did see him often after his election to the Senate, both socially and otherwise, and was pleased to cooperate with him in working for many important projects for Tennessee and the Nation.

Many throughout the Nation knew Senator KEFAUVER as a persistent investigator or as a tireless campaigner. This was certainly a part of ESTES KEFAUVER, but I also was privileged to know him as a friend and as a tireless plugger for legislation and projects in which he believed, including minor projects as well as major ones which he believed important.

No Tennessean since Andrew Jackson has drawn more enthusiastic support and devotion from the common man than ESTES KEFAUVER. He made an impact on Tennessee. He is assured of an important role in history along with other Tennesseans, such as Jackson, Polk, Johnson and Cordell Hull. His contributions were vast and varied.

A smalltown boy who became a great Senator, ESTES KEFAUVER mastered one of the Nation's most complex occupations, was a mixture of simplicity and greatness. He hid a true egghead under his coonskin cap. He was a foe of all who tried to grow rich at the expense of the American people; whether a gangster, a corrupt politician, or a greedy monopolist. He championed the public interest.

Tennessee, the Nation, and the world share in the loss of this distinguished Senator and public servant.

I extend an expression of my sincere sympathy to his wonderful wife Nancy and their four fine children in their bereavement.

Mr. BROCK. Mr. Speaker, Senator ESTES KEFAUVER has left an indelible mark on the history of our time. His courage in facing the issues, his determination to voice his convictions will furnish a continuing example to those who are to follow.

Our families have been friends for many years, and I consider his loss a personal one.

Without apology, we differed on matters of political philosophy, yet it was a difference based on respect. His warm friendliness, soft voice, and pleasant manner were basic to the character of this man who was truly interested in his fellow man.

Such personal gentleness, however, hid a determined spirit and a resolute will. Working constantly, ESTES KEFAUVER enjoyed engaging the toughest opposition, whether they be political bosses, captains of industry, or leaders of organized crime.

Excelling in courage and resolute in completing his task, ESTES KEFAUVER never lost the rugged independence and individualism which is so characteristic of the great people of Tennessee.

Though none can ease the loss to Nancy and his children, we may only share their sorrow and say that we will miss him too.

I commend the following editorials from Senator KEFAUVER's hometown newspapers to your attention:

[From the Chattanooga Times, Aug 11, 1963]

KEFAUVER OF TENNESSEE, 1903–63

On the threshold of another quarter-century of internationally recognized service in the U.S. Congress, ESTES KEFAUVER suddenly is cut down. A fighting heart has stopped. It is with a deep and stinging sadness that we note the death of a great Chattanoogan, Tennesseean and American.

East Tennessee courage, determination and ability drove ESTES KEFAUVER to follow the counsel of poet John Donne: "Go and catch a falling star.* * *" He reached high. And he found a towering place indeed.

Not soon will that place be filled, if ever. For his advent to the Senate 15 years ago, after a decade as the Third District Representative in the House, marks a distinct political era in State history; an era now ended.

Senator Kefauver's election in 1948—one of many races which stamped him as a campaigner without parallel in Tennessee, and which subjected him to fearful strain—eliminated the Nation's last statewide political machine. His service in bringing representative government to Tennessee was signal among his accomplishments.

Service had long since become his life. As a boy in Madisonville; as a popular University of Tennessee student; at Yale law school where he paid his own way, he worked to that end.

It was in Chattanooga, as a young lawyer, that his concepts of service were refined and oriented. As chairman of the county planning commission and in numerous other activities he won, in 1937, the Jaycee Young Man of the Year award. Many more honors were to come.

By 1946 he had been named by Collier's magazine as one of the 10 outstanding Members of the House. The first of his two books (the other was "Crime in America"), "20th Century Congress," had been termed "must reading" by Bernard Baruch. In its plea for more efficient congressional machinery, it revealed him as a serious student of government with a broad grasp of the democratic function.

During his sponsorship of countless bills aimed at progress and reform, he was named by Time as one of the 10 best Senators.

And only last Thursday in the Senate, his detailed arguments on the communications satellite issue filled 10 pages of the Congressional Record.

He went down as he would have desired, a vigorous battler for principles in which he believed. Throughout his entire career his actions were open and aboveboard. He was not a straddler. Often, he was clairvoyant in his approach to the divisive and controversial questions, such as human relations. He earned both the enmity of powerful groups and parochial epithets of "anti-South." But history will judge him, we are sure, as southern, and American, to the core.

During two mighty, fascinating efforts for the Presidency, in 1952 and 1956, no one seemed for him but the people. He stormed the primaries, and lost in the smoke-laden rooms.

The voters became acquainted with, and liked, his soft tones and his unassuming directness, his gentle manner and dogged pursuit.

As Democratic nominee for Vice President in 1956, he drew further distinction to his State.

He was dedicated from youth to the ideals and objectives of the Tennessee Valley Authority. And in his passing, the TVA has lost perhaps its best and most influential friend.

He took an active role in constructive legislation involving every phase of domestic life, as the news columns attest. These efforts alone, climaxed in his crime investigations, made him known in every capital of the world.

But he was equally concerned with the future and strength of the free world. As an original supporter of the Atlantic Union and the North Atlantic Treaty Alliance, he styled himself forthrightly and commendably as an internationalist. Often a delegate to world parliamentary councils, he never spared himself in his hectic travels.

It was not easy to capture the essence of Estes Kefauver. There were times when turmoil and relentless pressures of public life closed in around and depressed him. When the campaigns seemed to offer imposing or impossible odds, there occasionally was a withdrawal that accompanied his continuous handshaking.

Incredibly, and sustained by a basic love for people in the mass, he bounced back time and again.

From his boyhood in Madisonville, in the shadow of the Great Smokies, there was about him a friendliness, a strength and a stern independence of thought that thrust him toward prominence.

By 1960, when he won his third Senate term, he had appeared to achieve that illusory status, political invincibility in the State—despite his implacable enemies. But his punishing life had taken its toll. And today, with three and a half years of his term yet to run, he is gone.

Estes Kefauver carries with him the respect and affection of thousands, even of those who frequently disagreed with him. He has been a force for good in the Nation and in the world. As the late conservative Republican Senator Charles Tobey, of New Hampshire, said of him, he "had in his heart a need of decency in America." We, who have followed him since the early days, shall treasure his memory.

[From the Chattanooga News-Free Press, Aug. 10, 1963]

Senator Estes Kefauver

One of Tennessee's most colorful and widely known political careers came to a sudden and shocking close this morning when Senator Estes Kefauver, active in debate on the Senate floor as late as yesterday, died at 3:40 a.m.

While the Senate considered the program for communications satellites, Senator Kefauver suffered what he at first thought was discomfort caused by indigestion. He rode to Bethesda Naval Hospital in a private car, where tests brought the diagnosis that his illness was a mild heart attack that would require him to rest for 3 weeks. In this day when former President Dwight D. Eisenhower suffered a severe attack and not only survived but returned to good health to run for a second term, and when Senator Lyndon Johnson recovered from a heart attack to run for and be elected Vice President, it appeared possible the illness of Senator Kefauver might be only a temporary delay in the career that brought him international prominence.

But his condition suddenly worsened and death came from what doctors described as "a rupture of the main blood vessel from the heart."

In his 60 years, Senator Kefauver carried on the prominence of his family which had begun as early as the time of Tennessee statehood.

Early in his career as a Chattanooga attorney, Estes Kefauver involved himself in government. It attracted him as a moth is drawn to a flame, and he developed a highly personal technique that drew to him voters with a spirit of mission and loyalty that was to stand him in good stead throughout his life.

CAMPAIGNING

Senator Kefauver was never a brilliant speaker or a shining personality who awed or overwhelmed his audiences. Rather, he was somewhat hesitant and low pitched in his approach. He gave the impression of utter simplicity that was disarming and accompanied by a tirelessness in personal campaigning that has been unexcelled by any modern political figures. His big hand was constantly outstretched as he said quietly, "I'm Estes Kefauver."

The effectiveness of his technique was first noted as he served as representative for the Third Congressional District. He was a rather extreme liberal in political approach, far more so than the electorate that repeatedly returned him to office by large margins. He rose with the tide of the Roosevelt New Deal, coasted with the waves of liberalism in the Truman Fair Deal, crested in the political cross currents of the 1950's.

After 10 years in Congress, he chose odds which to many seemed too much. But Estes Kefauver never was awed by odds. He challenged the Crump political organization in the race for the U.S. Senate seat held by Tom Stewart. His campaign style, that was to become a nationally known trademark, and the errors of Boss Ed Crump brought him victory. Mr. Crump turned in that 1948 election from his previous backing of Senator Stewart to support relatively unknown Judge John Mitchell. This divided the forces against whom Estes Kefauver had to fight. Then, at a time when the Chattanooga Congressman was not well known in distant parts of the State, Mr. Crump by his opposition gave him the kind of publicity that proved to be the greatest asset of the Kefauver campaign. As Mr. Crump attacked him in full-page newspaper ads by calling him a political pet coon, Estes Kefauver donned a coonskin cap and assumed the role of champion of those who fought against political bossism, declaring that if indeed he were a pet coon, he was not Mr. Crump's pet coon. That campaign took Estes Kefauver to the U.S. Senate although he gained only a little more than 40 percent of the total vote, with Senator Stewart and Judge Mitchell splitting the rest.

Having achieved this political pinnacle, Senator Kefauver quickly consolidated his position. He maintained close touch with the grassroots and carefully built patronage fences.

SOURCE OF STRENGTH

The backbone of his political strength was the powerful labor unions and their political arms, plus minority groups and those who sought from Federal Government special welfare State programs. To this core he added many by his ardent campaigning, sustained even in nonelection years by the familiar letters by the hundreds signed simply Estes and Christmas cards and other communications of very personal nature.

He was reelected to the Senate twice, and was never to suffer serious political setback except in his ambitions to be President.

His liberal philosophy was aimed toward attainment of the Nation's highest office. He yearned for it and built his record to move toward it. While less determined men would have been discouraged by the inability to gain an "in" status with the National Democratic Party's "pros," Senator Estes Kefauver fought for the presidential nomination in preferential primaries and with direct appeals. Using a nationwide reputation won by his televised investigations of crime that showed him off to advantage questioning known racketeers, he became a serious presidential contender in 1952 and again in 1956, only to be defeated at the Democratic convention both times.

But in 1956, his fight won him the "consolation prize" of the vice presidential nomination over a young Senator named John F. Kennedy.

Senator Kefauver's voting record reflected his national political aims and the liberal trend of his party. He constantly advocated policies of more centralized power in Washington, of larger Government, of more Federal spending, of increased handout programs domestically and foreign aid abroad. He was an internationalist, an early advocate of Atlantic Union and a sort of world government.

Though he was from a Southern State, he excluded himself from the band of southern Senators who over the years have fought the many battles in defense of the Constitution and against Federal intervention to force racial integration.

TYPICAL BATTLE

His last battle on the Senate floor yesterday was typical of his position throughout his career. He was fighting for governmental control of satellite communications and opposing ownership and management of this field by private enterprise.

By his sudden death, a political figure of historic proportions has been removed from the turbulent Tennessee scene that he so effectively mastered from Bristol to Memphis for many years.

His rise to power marked a new political era in our State and reflected strong political currents on the national level. His passing surely will mark the beginning of still another new era in Tennessee political and governmental life.

As Tennesseans express condolence to Mrs. Kefauver and their three daughters and one son, citizens of all political persuasions will recognize that the career of Senator Estes Kefauver has been a powerful and historic one that has had a significant influence in our Nation.

Mr. MILLS. Mr. Speaker, with sadness I join my colleagues in the House of Representatives in expressing my regret on the sudden passing of our good friend and colleague in the other body, the Honorable Estes Kefauver.

Estes and I came to Congress as junior Members of the House of Representatives at the same time—the 76th Congress. Estes Kefauver was one of the hardest working and most industrious Members I have encountered. He was always unequivocal in stating his position on legislation, both while he was a Member of this body and after he became a Member of the other body. He had those qualities of mind and character which we admire. His boundless energy was known to all of us. He will be missed in the years to come.

My sincere condolences to his good wife Nancy and his children.

CALL OF THE HOUSE

Mr. DIGGS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

Mr. MOSS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 123]

Aspinall
Auchincloss
Baring
Barry
Belcher
Blatnik
Brock
Bromwell
Brown, Calif.
Buckley
Byrnes, Wis.
Casey
Cederberg
Celler
Chamberlain
Chelf
Clark
Collier
Corbett
Cramer
Curtis
Daddario
Dawson
Dent
Derounian
Dwyer
Elliott
Evins
Farbstein
Fino
Fisher
Flynt
Ford
Fraser
Fulton, Tenn.
Gary
Giaimo
Goodell
Grabowski
Gray
Gurney
Hall
Hanna
Harris
Harvey, Mich.
Hawkins
Healey
Hoffman
Holifield
Jennings
Jones, Ala.
Kee
Keith
Kilburn
Kluczynski
Knox
Kyl
Landrum
Lankford
Lesinski
Lindsay
Long, La.
Long, Md.
McCulloch
McDowell
McIntire
Macdonald
MacGregor
Maillaird
Martin, Mass.
May
Meader
Michel
Miller, N.Y.
Morse
Morton
Murphy, N.Y.
O'Brien, Ill.
Pilcher
Powell
Reid, N.Y.
Rivers, S.C.
Robison
Rostenkowski
Roudebush
Roybal
St. George
St. Onge
Saylor
Schenck
Shelley
Short
Sibal
Smith, Va.
Stephens
Taft
Thompson, La.
Tollefson
Trimble
Tuten
Utt
Van Pelt
Wallhauser
Watson
Wharton
Williams
Willis
Wilson, Bob
Wilson, Charles H.
Wyman

The SPEAKER pro tempore. On this rollcall 319 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

ELECTION TO COMMITTEE ON VETERANS' AFFAIRS

Mr. MILLS. Mr. Speaker, I offer a privileged resolution (H. Res. 484) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

> *Resolved*, That Fred B. Rooney, of Pennsylvania, be, and he is hereby, elected a member of the standing committee of the House of Representatives on Veterans' Affairs.

The resolution was agreed to.

A motion to reconsider was laid on the table.

COMMITTEE ON PUBLIC WORKS

Mr. McFALL. Mr. Speaker, I ask unanimous consent that the Committee on Public Works may have until midnight tonight to file reports on H.R. 7221, H.R. 3804, H.R. 5160, and H.R. 1136.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

DISTRICT OF COLUMBIA BUSINESS

The SPEAKER pro tempore. This is District of Columbia day. The Chair recognizes the gentleman from North Carolina [Mr. Whitener].

DISTRICT OF COLUMBIA CRIME

Mr. WHITENER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 7525) relating to crime and criminal procedure in the District of Columbia; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate be limited to not to exceed 2 hours, one-half to be controlled by me and one-half to be controlled by the gentleman from Virginia [Mr. Broyhill].

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 7525, with Mr. Bass in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

IN THE COMMITTEE OF THE WHOLE

Mr. WHITENER. Mr. Chairman, I yield such time as he may require to the distinguished chairman of the Committee on the District of Columbia [Mr. McMillan].

Mr. McMILLAN. Mr. Chairman, may I have just a couple of minutes to thank the members of the subcommittee who worked so diligently on this proposed legislation, the gentleman from North Carolina [Mr. Whitener], and the members of his subcommittee, both minority and majority. These gentlemen certainly deserve the greatest amount of gratitude we can extend to them for spending hours, days, and weeks on this proposed complex legislation.

Immediately after the 88th Congress convened in January of this year we began joint hearings with the Senate on this proposed legislation. We understood that the most urgent problem confronting the District of Columbia was crime. We wanted to take care of the responsibilities placed on our committee by the Constitution and to help the people of the District of Columbia solve this problem. I certainly hope this bill will pass today without any amendments and go to the Senate and to the President for his signature in an effort to do something to strengthen the hands of the law enforcement officers of the District of Columbia. Again I want to personally thank the members of Subcommittee No. 6. We are trying to see that criminals of our Capital receive certain and speedy arraignments.

Mr. WHITENER. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, the bill which we bring before you today is one which results from thorough study and consideration on the part of Subcommittee No. 6 of the Committee on the District of Columbia. As has been indicated by the chairman of the committee, early in this Congress joint hearings were held under the chairmanship of the gentleman from South Carolina [Mr. McMillan] and the senior Senator from Nevada [Mr. Bible] on this issue of crime, which seems to be the paramount issue confronting the respective committees on the District of Columbia.

In both the joint hearings and the separate hearings by Subcommittee No. 6, we took into account a great diversity of legislative proposals on the subject of crime. We heard from many, many witnesses, official witnesses and citizen witnesses.

At the beginning of the hearings we urged that citizen groups in the District give their attention to this problem. It was gratifying to us to know that one of the former Presidents of the Board of Commissioners of the District of Columbia was serving on a voluntary basis as chairman of a crime study committee. We heard from that organization as well as many others on this subject. In the joint hearings there was some rather interesting testimony given by the President of the Board of Commissioners of the District of Columbia, the Honorable Walter N. Tobriner. He said this:

> I have a police radio in my car, which I keep on from time to time, as I go to and from work. It seems to me that virtually every 5 minutes there is a report of a larceny, a yoking, a stolen car, a holdup. So the crime situation, I would say, in this city,

> whether it is the top city or 8th or 20th city, it is a situation of which none of us can be proud.

We also had another witness who is a very distinguished citizen of this community; that was Judge Holtzoff, one of the outstanding local jurists who has had long experience here in the District of Columbia. Later on I will refer to some of his testimony. But Mr. Tobriner, the President of the Board of Commissioners, referring to the testimony of Judge Holtzoff, had this to say:

> I would hope, too, as Judge Holtzoff indicated, that we would have stiffer sentences for crimes of violence against a person and for those who are carrying concealed weapons.
>
> I don't believe, from what I hear, that the punishment for these crimes is ordinarily rehabilitative. The Chief—

And here he was referring to the Chief of police—

> has told me that many crimes are planned by prisoners who are in Lorton and that when a crime is committed in the District of Columbia, the inmates of Lorton know pretty well who has committed that crime, because they have heard it discussed within the confines of the correctional center.

Now, what does this mean to members of our subcommittee? This means that a great deal of this wailing and moaning about so-called rights and liberties of criminals is not warranted because here the President of the Board of Commissioners of the District of Columbia is saying to you that apparently the greater part of crime that is committed in the District of Columbia is committed by those who are informed in the ways of crime and by those whose methods and activities are well understood and known by those who are now serving in prison. So, it is easy for us to draw out some of these fancy notions about crime and punishment by those of us who have dealt with crime in the courtrooms as prosecutors and as judges who know that the greatest antidote to crime is punishment. It does not necessarily have to be severe punishment. But the certainty of punishment is what is important.

Mr. Chairman, I mentioned Judge Holtzoff, who is one of the senior judges of this area. Let us see what he says about punishment. On page 58 of the joint committee hearings, Judge Holtzoff had this to say:

> That is the lenient attitude that has been displayed toward juveniles, which I think has made, has helped to make a criminal, hardened criminal out of many juveniles.
>
> Now, of course, no one should criticize, and I won't criticize anybody for being kind and humane, and therefore I don't criticize those who display leniency toward juveniles.
>
> But, unfortunately, in this workaday world sometimes too much kindness does have adverse effects.

Mr. Chairman, this is the voice of a distinguished judge who has seen the picture firsthand in the District of Columbia.

Now, Mr. Chairman, the background is one with which I am sure all of us have a great degree of familiarity. But let me point out to you one of the shocking things which our hearings divulged.

On page 255 of the transcript of our hearings, which is available to the members of the committee, we found that in 1 year there were 1,053 breaking and enterings in occupied residences in the District of Columbia. In unoccupied residences there were 30. In apartments, occupied, 1,241 breaking and enterings in 1 year, for a total of 2,294 citizens while occupying their own homes were confronted with criminals coming in to commit criminal offenses in 1 year's time. So we on the committee felt that the records indicated that there needed to be a change in the attitude on that subject as far as the law is concerned. We have written into this bill a provision which we think will have a salutary effect.

Now, Mr. Chairman, I do not desire to take too much time. But this is a rather extensive piece of legislation. We call it the omnibus crime bill. Therefore, I shall briefly go through what the bill purports to do. In title I we have legislation which would do away with the court-imposed Mallory rule.

On at least one or two occasions this form of legislation was passed when reported out by the Committee on the Judiciary. It went to the other body and was never finally acted upon there. On at least one occasion the House has approved an identical piece of legislation coming out of the Committee on the District of Columbia.

Title I merely says that a confession by a prisoner shall not be rendered inadmissible solely because of delay. It would add the further safeguard that no statement made during a period of questioning to police officers by an accused would be admissible in evidence unless the officer had first told the prisoner that he was not required to make any statement and that any statement he would make may be used against him.

Title II would deal with the unfortunate Durham rule which was created by the Court of Appeals in the District of Columbia in the case of Durham against United States. This section would merely write into the law of the District of Columbia the substance of the recommendation of the American Law Institute on this subject. It would say that henceforth a prisoner could not escape punishment for his wrongdoing on the ground of mental incapacity if the prisoner at the time had the capacity to understand the wrongfulness of his conduct and to conform his conduct into the requirements of the law.

It further provides that the fact that he was one who had a long record of antisocial or criminal conduct would not alone constitute mental incompetency.

It provides the procedure to be used where the defense of insanity is pleaded, requiring the one who raises the issue to give notice to the Government in order that preparations may be made prior to the trial.

It would further provide what we lawyers have always thought was the law until the Durham case—that insanity is an affirmative defense to be asserted and proved by the defendant. Under the Durham rule, as most of you know, we have the ridiculous situation that any suggestion of mental aberration places upon the Government the burden of proof that a criminal defendant in the District of Columbia is mentally capable. Throughout the country insanity has been considered an affirmative defense. An affirmative defense must, under the general rules of evidence be proved by those who assert it. In my own State of North Carolina—this is true generally—the burden is not upon the defendant to prove insanity beyond a reasonable doubt but he must prove it to the satisfaction of the jury.

In the State of Oregon there is a statute which puts the burden of proof on the defendant in such cases to prove his incompetence beyond a reasonable doubt. This statute has been held constitutional.

We will pass on to title III; which relates to the arrest of suspects by the Police Department in the District of Columbia. This title embodies substantially the Uniform Arrest Act. It would provide that where the law enforcement people have reasonable ground to suspect that one has committed, is committing, or is about to commit a crime, then they may detain this individual for as long as 6 hours, but no longer, without placing a charge against him.

The bill further provides that where this is done the fact that he was detained shall not be considered as an arrest and will not go upon the record of the person held for investigation.

This title has another section with reference to material witnesses, giving to the enforcement officers, the prosecution, the right to hold witnesses whose testimony is deemed to be material, but at the same time giving to that person who is sought to be held the right to go before a judge and have that judge make the determination, and then to give bail if the court feels that bail is proper.

This section also would provide that during his detention the material witness shall not be held in those quarters normally used for confinement of prisoners but rather would be held in a noncorrectional area of the government property.

Title IV of the bill, is I understand it, is the one title to which there seems to be no objection. It would merely correct what we deem to be an oversight in the statutes and would make the crime of robbery one of the crimes of violence as those crimes are defined in 32-3201 of the District Code.

In title V we deal with a multiplicity of matters. Section 501 relates to penalties for the crime of rape. Some of my colleagues have said to me that they feel we have been a little harsh in this section, but let me point out to you that those who would say that apparently have not made a study of the law as it exists in the District of Columbia.

Under the present statute it is provided that one found guilty of rape may be imprisoned for 30 years. It further says that if the jury elects to do so it may so state, and the defendant shall be put to death by hanging. Our proposal is that one convicted of rape shall be imprisoned for life, with the right of the jury to recommend for or against the death penalty. It would also provide that one convicted of rape shall not be eligible for parole until he has served 20 years of his sentence. So you can take this sentence and you can argue that it stiffens the punishment, if you want to, or you can argue that it lessens the punishment, if you want to. In any event, it seems to me this proposal is one which is worthy of support.

I do not know how many of you have ever had the experience of being in the presence of a woman, who is doomed to spend the rest of her days in a mental institution because of mistreatment of her by a rapist. This is not an uncommon occurrence. When these who would cry great tears for rapists tell you that it is unduly harsh to impose the capital punishment, then I am afraid they are overlooking the situation of the injured party and society generally.

We have other sections in title V. Section 502 would merely provide a minimum sentence for violent assault. There is no minimum prescribed now for assault with intent to commit crimes of violence. This would say that the punishment shall be not less than 2 years. It does not change the maximum prescribed by statute.

Section 503, in an effort to meet this increasing problem of breaking and entering occupied homes, creates the offense of burglary in the first degree. This is not a new statutory provision in many of our States. It would say that one guilty of breaking and entering a dwelling house or an apartment or room used as sleeping quarters with intent to commit a criminal offense at a time when this place is occupied shall be imprisoned for not less than 20 years or for not more than life.

Then we denominate the current crime of felonious breaking and entering as burglary in the second degree.

Section 504 of the bill would set a minimum punishment for robbery from the present minimum of 6 months to a new minimum of 5 years.

Now you will read and hear a great deal from some of those who oppose this legislation that there is something unholy about these provisions we have made for minimum punishment. I am constrained to feel after having studied the criminal laws of the District of Columbia that the main objection these folks have is to the fact that we make the minimum a little higher than they think it ought to be; because here we have an existing statute on robbery which says—one shall be imprisoned for not less than 6 months or more than 5 years. But, yet, some of these well-intentioned people say there should be no minimum fixed by law because they say it takes away from the judiciary its authority to make decisions as to proper punishment.

But, throughout all these years, they have not come in here and offered amendments to take it out of the several statutes where minimum penalties are now provided. I am constrained to believe that the main objection is that they feel our minimum is a little higher than they would like it to be because, apparently, they do not want the criminals to have to face up to this issue of punishment.

Section 505 was written to cover the situation which has grown up throughout the country in recent years of bribery in athletic events. This legislation rewrites the existing law in the District of Columbia. We think there is very little opposition to it so far as we have heard.

Section 506, we think, is a key provision in this bill. Under the present law, we have section 22—3202 which says that in cases where crimes of violence are committed and firearms or arms are used, that the court may impose certain additional punishment. Notwithstanding the great increase in the amount of crime that is being experienced today and notwithstanding the great outcry on the part of the public for stronger handling of these situations, the testimony before our committee indicated that even though this present law has been on the books for many, many years, no police officer nor any prosecuting officer nor any judge could remember it ever having been used in the battle against crime in the courts of the District of Columbia.

The committee has amended that provision of the law and where it said "may," we put "shall." If this bill is passed, it would mean that in addition to the punishment given in connection with the offense committed by one who committed it, by or with the use of arms, and it was a crime of violence, there would be an additional sentence of 5 years for the first offense, 10 years for a second conviction, 15 years for a third, and for a fourth and subsequent conviction not more than 30 additional years. We believe that when Congress wrote into the law years ago this provision for punishment of habitual offenders in crimes of violence with the use of firearms that they meant for the courts to use that statute.

The courts have not done it, and we think they are not going to stop crime until they do start using this provision.

Section 507 of the bill would relate to indecent literature and pornographic literature. The gentleman from Texas [Mr. DOWDY] is the author of this section. He had introduced this section in the form of separate legislation. He will deal with that in a few moments and explain it.

Briefly stated, this provision would bring into play a procedure which is not unlike the commonly referred to padlock proceedings which we have in practically every jurisdiction in this country, which are available to prosecutors for meeting bad situations with reference to vice and that type of misconduct.

There are some arguments I have read in the minority views which I think are just as full of holes as a piece of swiss cheese, but I will not undertake at this time to rebut them. I am sure that the gentleman from Texas [Mr. DOWDY] will take care of that.

Section 508 of title V would deal with the use of explosives to destroy or damage property. Under the present law there seems to be no minimum punishment. The maximum punishment is 10 years. Your committee has inserted into the existing statute, or at least is seeking to through this bill, a minimum punishment of 5 years, and leaving the existing maximum at 10 years. In most of your States, and certainly in mine, the maximum punishment for this type of offense is much greater than it is in the District of Columbia. Anticipating these wild claims that some of us are bloodthirsty and heartless, we did not undertake to raise the maximum punishment in our recommendation here, although I am frank to tell you that I personally think it ought to be raised appreciably.

The last section of title V is one which gives no problem apparently. At least we have not heard of any opposition to it. That would merely write into the law an existing regulation of the Metropolitan Police Department making it a crime to make false or fictitious reports to the Police Department resulting in a hindrance of that department in the performance of its assigned tasks and duties.

Mr. Chairman, I have taken longer than I had intended to. I have tried to give at least a sketchy statement of the content of this legislation. I realize that in any crime legislation it is difficult for all of us to be of the same mind. The subcommittee was not of the same mind. Had they all felt as I did on some of these provisions, the bill would have been different. Had I felt as each member of the subcommittee did, there would have been some differences, but we undertook to resolve these different opinions, because we thought that the subcommittee would probably reflect the sentiments of the divergent and several Members of the House. So we tried to work out a reasonable piece of legislation and one which will help to meet this problem here in the District of Columbia.

I know that we can pick flaws and do a lot of nit picking if we like to, but I can say to you that the subcommittee worked diligently on this matter. We had many, many days of hearings. We had at least three executive sessions before legislation was ever drafted. We have considered this very seriously. These sociological views which keep cropping up and all of this crying and wailing about criminals did not bother the subcommittee too much. We hope that it will not get in the way of Members of the House in assisting us in this effort to blot out one of the real tragedies which exist in this Nation today, and that is the crime rate in the District of Columbia.

Mr. HUDDLESTON. Mr. Chairman, will the gentleman yield?

Mr. WHITENER. I yield to the gentleman from Alabama.

Mr. HUDDLESTON. Mr. Chairman, I want to commend the gentleman from North Carolina and members of Subcommittee No. 6 for the very thorough attention that he and his subcommittee have given to the numerous defects in the Criminal Code of the District of Columbia. While I am not a member of the Subcommittee No. 6 I have followed its hearings and investigations with great interest. I have studied this legislation in the most minute detail. I think we have here a bill that ought to be passed by the House of Representatives.

I would like to ask the gentleman from North Carolina just one question. As I conceive this legislation, the two major portions of the bill are titles I and II which attempt to correct court decisions—the Mallory decision and the Durham decision.

Mr. WHITENER. And title II, which has interested a great many of our colleagues.

Mr. HUDDLESTON. Title I and title II refer to the Mallory and the Durham decisions, and bills concerning them have in previous Congresses passed in identical form in the House; is that correct?

Mr. WHITENER. That is right. As to the Mallory rule, some two or three or possibly four occasions.

Mr. HUDDLESTON. I thank the gentleman.

Mr. WHITENER. Mr. Chairman, may I say this to my friends who are asking me to yield, that I do want to yield but there are other members of the committee who are very anxious to be heard and I should appreciate Members being as brief as possible, since I do not want to usurp all of the time on our side.

Mr. HAGAN of Georgia. Mr. Chairman, will the gentleman yield?

Mr. WHITENER. I yield to the gentleman from Georgia.

Mr. HAGAN of Georgia. Mr. Chairman, I, too, want to commend the gentleman from North Carolina and associate myself with his remarks. I personally know of the many hours of work that the chairman has put into preparing this legislation. This is a good bill to help relieve the burden of crime in the Nation's Capital, which now ranks seventh.

The facts are substantiated by statistics from the FBI. This bill I am sure would be approved by the Police Department of the District of Columbia. I ask the House to pass this bill. And again I want to congratulate the gentleman from North Carolina for his leadership of our subcommittee.

Mr. BECKER. Mr. Chairman, will the gentleman yield?

Mr. WHITENER. I yield to the gentleman from New York.

Mr. BECKER. Mr. Chairman, I should like to commend the gentleman from North Carolina for the very excellent explanation he has given of the bill. I have read the report thoroughly. He knows that I have been urging this type of legislation for quite some time. It seemed to me strange, reading the report of the minority, the opinions that were expressed opposed to various sections of this bill. I say that because in their States and in my State we have provisions such as those written into this bill and I cannot understand their views in opposition to having such provisions for the District of Columbia. That is why I intend to support the gentleman in the debate and on the vote on this bill.

Mr. WHITENER. I thank the gentleman. He has been a very helpful member of this matter, in testimony before the committee and in other ways.

Mr. ICHORD. Mr. Chairman, will the gentleman yield?

Mr. WHITENER. I yield to the gentleman from Missouri.

Mr. ICHORD. Mr. Chairman, I, too, want to commend the distinguished gentleman from North Carolina for his very thorough explanation of the bill. But I am concerned about title I, changing the Mallory rule. The language is that a statement or confession shall not be inadmissible solely because of delay in taking an arrested person before a commissioner or other officer empowered to commit persons charged with offenses against the laws of the United States.

I am wondering, Mr. Chairman, if the committee considered any time limit within which the arrested person might be held before being taken before a magistrate and formally charged with an offense?

Mr. WHITENER. Permit me to say to the gentleman—and I do not want to be abrupt with him, but these other gentlemen do want to be heard—on page 11 and the succeeding pages of the report the gentleman will see a discussion of what was done.

This language was carried forward because it has been approved, identically in this language, on at least three occasions, notwithstanding contests on the floor of the House. We felt that just good legislative judgment dictated that we ought not to try to muddy the water any by putting within it anything other than what the House has heretofore approved.

Mr. ICHORD. I thank the gentleman.

Mr. BROYHILL of Virginia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of H.R. 7525, the bill now pending before the Committee.

Mr. Chairman, this legislation represents by far one of the most important bills which has been considered by the Committee on the District of Columbia for a long, long time. It deals with and seeks to solve a most serious problem with which our Nation's Capital is confronted. This problem has become a national disgrace and it is one that has caused grave national concern, particularly in view of the fact that many newspapers and magazines have been writing about it for quite some time and dealing with it in most dramatic terms.

Mr. Chairman, the problem of course is that of the increased rate of crime here in Washington, D.C. It is certainly a problem with which no citizen can sympathize. It is one that no decent-thinking person can condone.

Mr. Chairman, we have heard a great deal about statistics on the crime rate which have been bandied about back and forth, sometimes of course dramatized and in many instances minimized. We have heard of the crime rate here in Washington as compared with other cities, saying in some instances that it compares favorably with other cities.

Mr. Chairman, I do not see how any of us can obtain any satisfaction out of comparing the crime rate in Washington, D.C., with that of other cities and saying that it compares favorably. One thing is a fact, and that is that the crime here in Washington, D.C., has increased 43 percent since 1957. If we want to compare the rate of increase with the balance of the Nation, we can take the FBI report on crimes in Washington and the rest of the Nation during the first 3 months of the year 1963. That report shows that crime in Washington has increased 19 percent during the first 3 months of 1963 over the year 1962. The national increase during the same 3 months was 7 percent over the rate for 1962. Therefore, if it gives anyone any satisfaction to compare Washington, D.C., with the balance of the Nation, that report shows that crime in Washington is increasing at the rate of 2½ times the rate of the balance of the Nation.

Actually, Mr. Chairman, I feel that the conditions in Washington should be a great deal better than the conditions which obtain in the rest of the Nation. This is the seat of our National Government. By and large the jobs which are held by the citizens of the Nation's Capital are high-level jobs. The average educational level is the highest of any place in the Nation. So is the average income. We have very, very little unemployment. So I say if you want to compare the crime situation here in Washington with the rest of the Nation it should be much better than the situation in cities of comparable size and better than the national average.

Regardless of statistics, the crime rate here in Washington is too high. You used to be able to say it was dangerous to walk the streets of Washington at night. That is an old cliche now. It is dangerous to walk the streets of Washington at any time. It is dangerous to go into a church and pray in the shadow of the Capitol at high noon. I say that this is a most serious problem with which we are confronted.

There is no easy solution available. As stated in the report, the committee does not feel this bill is a panacea. As I said earlier in my remarks, we are seeking to solve this problem. We recognize it would be impossible to creat any sort of millenium here in the District of Columbia, but we do honestly and sincerely believe this bill which we have before us at the present time is a step in the right direction toward a solution.

Our committee has been studying this problem for years. This is not one of recent origin. We have considered various bills from time to time. We had many bills before us in previous years for consideration. As has been pointed out by the gentleman from North Carolina, we did consider this crime problem the No. 1 problem, and the No. 1 objective of the committee at the beginning of this session. We had joint meetings with the Committee on the District of Columbia of the other body to study and consider the problem. We called before us many experts and officials for advice and suggestions on how we could reach a solution to this problem.

We set up a series of hearings and considered many, many bills dealing with the problem. We considered every bill that was referred to the committee. Actually, we felt it would be far better to present a suggested solution of the committee to the House in one package; therefore, we embraced all of the bills which we had before us for consideration, all of the bills that the committee felt should be recommended to the House which we embraced in one omnibus bill that is before us today.

We had bills such as that introduced by the gentleman from New York [Mr. Becker], the so-called four-time loser bill that the committee felt would cause some problems if we recommended it for favorable passage at this time. Instead of considering that bill we suggest a mandatory sentence for oft repeaters in the Nation's Capital. We believe that we have attained the objective that the gentleman from New York was seeking when he introduced that bill originally.

The gentleman from North Carolina has done an excellent job in explaining the details of the bill to the House. Many parts of the bill have been considered and approved by the House in previous years. For example, the change in the Mallory rule has been discussed before today, but it has passed the House on three occasions. It passed the other body back in the 85th Congress. The only reason it was not approved by the Congress and sent to the White House at that time was because the House had adjourned before we could agree on a conference between the two bodies.

The so-called bill dealing with the Mallory rule had been passed twice before by another committee of the House. The section of the bill dealing with the Durham matter has been once before approved by the House. This section of the bill dealing with the publication of indecent literature was also approved by the Congress in the last session.

Then, of course, we do have a section that might be somewhat controversial because the problem has just come up this year for the first time. That is the section that deals with this ban that was proposed by the Commissioners on investigative arrests. Police Chief Murray reported to us that that has given him a very serious problem in adequately coping with the criminals here in the Nation's Capital. We have provided a section here in the bill that, as was allowed the police in previous years, they may retain people for questioning when they have some knowledge of a crime.

Then we have a section where we do require the courts to impose stiffer sentences on persons convicted here in the District, that is, repeaters. We wanted to be sure that the commission of crime here in the Nation's Capital will be less profitable in the future.

An interesting thing to observe is that while this crime rate has been increasing during the last 6 years, a 43-percent increase in crime in the District of Columbia, the attendance out there at Lorton Reformatory, the District's prison, has gone down, so that may indicate that maybe the prisoners here in the District are not being punished sufficiently for the crimes for which they have been convicted.

Our committee has worked long and hard on this matter to try to come up with some recommendation to you. As I pointed out before, this is not a perfect solution. Being human beings, I do not think we are capable of coming up with a perfect solution, but I hope the overwhelming majority of this body will believe we have what is considered a reasonable solution to this problem.

Mr. BECKER. Mr. Chairman, will the gentleman yield?

Mr. BROYHILL of Virginia. I yield to the gentleman from New York.

Mr. BECKER. I want to commend my colleague. He has worked on this problem for a long time. I was interested in the statement he made that the committee did not believe this would be a cure-all for crime in the District of Columbia. We who are interested in protecting the people recognize that there is an educational, sociological, and community activities problem involved in the whole question, but it cannot be a part of this bill. Am I correct in saying that?

Mr. BROYHILL of Virginia. I thank the gentleman. I was going to point out we do hear a great deal of hue and cry about the constitutional rights of the criminals being infringed upon. We are charged often with neglecting these people. We should provide them with better jobs, better housing, better education, better welfare. Sometimes we are made to feel that the public is guilty and should be punished. Actually we know that there are many things that cause people to commit crime. We know that there is maybe a better cure for this disease we have here. We are trying to find better ways of preventing this disease. But we know no good doctor would refuse to do something to treat the symptoms of a disease while he is trying to find a cure for it.

Mr. BECKER. Maybe it would be better if we were put in jail and let the criminals go free, because it has been said that society is guilty for not preventing the causes of evil.

Mr. BROYHILL of Virginia. I thank the gentleman. In the meantime, while we are trying to find the cure or prevent the disease we should think of the rights of the people, the victims of these criminals, people who should have a right to walk the public streets in safety and have a right to be secure in their homes and in their places of business.

An interesting thing to note and observe is that in our society here we have sought to compensate other victims, victims of destitution, of unemployment. We have tried to lighten the burdens of the blind, the disabled, and the unemployable. We have provided compensation for those who are injured on the job, even though the injury is not the fault of the employer or the employee. And of course we have provided help, for example, for the disabled veteran who has sacrificed for our beloved Nation. We have provided for his family. Yes, we have sought to reimburse to the tune of billions of dollars the farmers of this Nation for refusing to be as productive as they could be and by complying with acreage allotments.

We have even sought, and we have spent substantial sums to rehabilitate criminals so that they may return to normal life. Of course, we spend thousands of hours of time in the civil courts trying to fix damages in a lawsuit brought by one citizen against another for acts of negligence by one citizen against the other. We have many laws on the statute books and we have spent billions of dollars trying to compensate other victims of disaster or victims of misfortune. But the forgotten man and woman of the same society are the innocent law abiding citizens who through no fault of their own are robbed or beaten or raped or murdered in cold blood on the streets or in their homes or even in their churches. If the victims of these acts of violence survive, and in some cases they carry their injuries to the grave, they are required to get along the best they can. They must pay their own hospital and medical expenses, if they can, and after a brief announcement of the tragedy in the press they are very soon forgotten.

If the community and not the criminal is responsible for these acts of violence, then why should not the community be financially responsible for the injuries inflicted upon these innocent victims? But we are not advocating that here today in this legislation. We do maintain, however, and what we do advocate here by this legislation is that the community and the Congress owes these people the protection, and the best protection, that we can give them. That is what we are seeking to do here in this legislation we have before you today.

Now, Mr. Chairman, let me review the legislation in a little more specific detail.

The facts regarding the incidence of crime in the District of Columbia over the past decade, according to statistics reported by the Metropolitan Police Department, are the following:

First. Crime in the District reached an alltime high in calendar year 1952, with a total of 24,605 serious offenses committed.

Second. From December 1952 through June 1957, there was a rather steady decline in the total number of serious offenses, including all categories of part I crimes—which include murder, manslaughter, negligent homicide, rape, attempted rape, robbery, attempted robbery, aggravated assault, housebreaking, attempted housbreaking, larceny, and automobile theft—except rape and auto theft, and even the incidence of forcible rape—excluding under-age-of-consent offenses—decreased by some 40 percent during that period of years.

Third. From June 1957 through December 1962, there was a relatively steady increase in the number of serious offenses—except for rape, which dropped in total number and remained fairly constant in number of forcible offenses—with a total increase over this period of some 43 percent. The level during 1962, however, was still about 8 percent below the peak reached in 1952.

Fourth. During the first 6 months of 1963, the crime rate continued to rise, with June 1963 showing 2,062 part I offenses for an increase of nearly 8 percent over the same month of 1962. This was the 13th consecutive month with an increase in the crime rate for the Nation's Capital, and the rate of incidence has now again attained the peak figures shown in 1952. Statistics for June 1963 show increases in robbery, housebreaking, grand larceny, and auto theft. Decreases are shown in criminal homicide, aggravated assault, and petit larceny, and the figures for rape remained unchanged.

Preliminary data for fiscal year 1963, just completed, as compared with statistics for fiscal year 1962, are shown in the following table. Also, the rank of the

District of Columbia as compared with 15 other U.S. cities of populations between 500,000 and 1 million in the incidence of each category of crime from January 1962 through September 1962, is shown.

Offense	Cases		Percent change	Rank of District of Columbia among 16 cities
	Fiscal 1962	Fiscal 1963		
Criminal homicide	106	97	−8.5	4
Rape	129	142	+10.1	[1] 10
Robbery	2,037	2,462	+20.9	3
Aggravated assault	2,968	3,025	+1.9	1
Housebreaking	4,719	5,839	+23.7	9
Grand larceny	1,065	1,176	+10.4	11
Petit larceny	8,148	7,885	−3.2	
Auto theft	2,602	2,981	+14.7	8
Total	21,774	23,607	+8.4	

[1] Forcible.

As for the increase in crime in the District of Columbia as compared with the increase for the country as a whole, the 1961 report of the FBI showed a national increase of 14 percent for that year over the period 1958–60, and an increase of 41 percent in the District of Columbia on the same basis of comparison. Also, a later FBI report shows that during the first 3 months of 1963, as compared with the first quarter of 1962, whereas the national increase was 7 percent, the increase in the District of Columbia was nearly 19 percent.

These, then, are the facts—the stark, ugly truth which presents a challenge today to the citizens, the police, the courts of the Nation's Capital—and to the Congress, to take firm and positive steps to check and reverse this trend of rising crime and to restore in this beautiful city the degree of law and order which must prevail to make it possible for its citizens to walk its streets in safety, and for the millions of visitors from all parts of the world to enjoy and appreciate its wonderful historical significance.

There are two obvious steps which the Congress can and must take to provide some measure of solution to this most serious problem: One is to strengthen the hand of the Police Department in its vital work of apprehension of criminals, and the other is to provide the courts with more effective weapons against crime, in the form of more severe penalties and a wider scope of judicial authority in some portions of the District of Columbia code of law.

In regard to possible legislation which might strengthen the Police Department, District of Columbia Chief of Police Robert V. Murray, in testimony presented last February 6 at a hearing held jointly by the District of Columbia Committees of the Senate and the House of Representatives, made the following specific recommendations for legislation which he felt would enable the Metropolitan Police Department more effectively to discharge its responsibilities to the law-abiding residents and the visitors to the District of Columbia:

> 1. Legislation to clarify the intent of the Congress as expressed in rule 5(a) of the Federal Rules of Criminal Procedure.
>
> 2. Legislation to vest police officers of the District with powers of arrest similar to those provided by the Uniform Arrest Act.
>
> 3. Legislation to effectively provide for detention of persons as material witnesses.
>
> 4. Legislation to provide for utilization and compensation of off-duty police officers on details in connection with special events and emergencies.

As for the functioning of the courts in the District, Hon. Robert E. McLaughlin, former President of the District of Columbia Board of Commissioners and presently the president of the Crime Commission of Metropolitan Washington, in testimony presented before our Subcommittee No. 6 last May 1, stated in part as follows:

> Now, we feel that the net effect of the Durham ruling and the Mallory decision and Killough, and the report on prisoners probation, and report, which is a report of 1957 which sought to reduce, in effect, average prisoner days in our institutions because we are overpopulated in our correction institutions, plus the recent order on investigatory arrests, all taken as a package, have telegraphed to the criminal community those surrounding us here for a hundred miles or so, a couple of hundred miles, that Washington is soft on crime.
>
> In their business, just as anybody else's business, I think we feel that these criminals are inclined to come here and those that are here are inclined to ply their trade.
>
> * * * * *
>
> Now, I want to point out that our men and women in this community are actually going to study jujitsu. I mean they have reached the point where they are trying jungle commando defense tactics in order to feel any degree of safety on our streets.
>
> So I think that rather than being ultracivilized here in going ahead at this rate in our courts with some of our theoretical decisions, we are kind of adverting back to a jungle condition.

Certainly a lack of adequate punishment being meted out by the courts in the District is indicated by the fact that from 1957 to the present time, whereas the serious crime rate in the District of Columbia has increased by approximately 40 percent, the District of Columbia prison population at Lorton has decreased by some 22 percent.

H.R. 7525 consists of five sections or titles, each devoted to strengthening a specific area of the District of Columbia Code, as follows:

Title I deals with the highly controversial Mallory rule, which was embodied in a Supreme Court decision in 1957, and which invalidates any confession obtained after any appreciable time lapse between a defendant's arrest and his being formally charged.

This concept has been construed and applied in the courts of the District of Columbia in some instances to a point little short of ridiculous. Police Chief Murray testified on this point last February 6 as follows:

> Increased restrictions placed on authority of the police have created a problem. Paramount in this area was the decision handed down by the U.S. Supreme Court in June 1957, in the Mallory case. Under that decision, and subsequent corollary decisions and restrictions (for example, the Killough decision of the U.S. court of appeals in October 1962) our rate of offense clearance and the related effectiveness of swift arrest and punishment have been lessened.
>
> The restrictions imposed by those decisions have made it practically impossible to obtain convictions of criminals in the many serious cases where neither scientific evidence nor eyewitness identification is available. Less severe, yet still serious results from those decisions, are the pressures placed on police officers to arraign arrested persons without thorough, complete investigation, with consequent arraignment of innocent persons, and frequent failure to close and recover property in cases of multiple offenders because of the need for immediate arraignment on the first charge which can be proved.
>
> Significantly, even with increased emphasis on detective organization, operations, and training, this department has been unable to attain in recent years either the number or the proportion of clearances attained during high crime years prior to the Mallory decision.

A number of other witnesses have testified also against the Mallory concept, and in the last Congress the House passed a bill, H.R. 7053, for the purpose of correcting this situation. However, it was not acted upon in the Senate. Our present bill would accomplish this reform simply by providing that no confession shall be ruled inadmissible in court solely because of any delay in arraignment.

Title II pertains to the so-called Durham rule, created in 1954 by a decision of the U.S. Court of Appeals for the District of Columbia, which virtually reversed the old judicial concept of ability to distinguish between right and wrong as the yardstick for the determination of criminal responsibility. The Durham rule, in effect, holds that no person may be held legally responsible for any act which resulted, to any degree, from his mental illness at the time the act was committed. Furthermore, the defense has only to produce the least scintilla of evidence that such mental illness may have existed, and then the burden is placed on the prosecution to prove that the defendant was not in fact insane at the time.

Under this rule, acquittals in District of Columbia courts on the grounds of insanity have increased from five-tenths of 1 percent to a peak of 30 percent. It is true that the McDonald decision of last October has brought about some modifications in the application of the Durham rule, as a result of which this figure has since dropped to about 26 percent. However, it is the feeling of our committee and of many informed witnesses that this figure is still entirely too high, and that this loophole for evasion of the administration of justice must be closed. To this end, title II of H.R. 7525 would require considerably more evidence as a ground for raising the issue of insanity as a defense, would place the burden of proof of the insanity upon the defense, and would require notice of at least 15 days prior to trial that the defense intends to introduce the issue of insanity on the part of the defendant. This latter is highly important in that it would afford the prosecution adequate opportunity for psychiatric testing of the defendant, which they do not have under the Durham rule. The language in this title of H.R. 7525 is that recommended by the American Law Institute.

Title III deals with the subjects of detentions for investigation, and detention of material witnesses.

On the first of these closely related subjects, despite the fact that in every State in the country provision is made for the police to detain and question any person whom he has reasonable ground to suspect is committing, or is about to commit, a crime, for various specified periods of time before formally charging him—and despite the fact that no evidence of abuse of this procedure on the part of the District of Columbia police department has ever occurred—the District of Columbia Board of Commissioners issued an order, effective last March 1, flatly forbidding arrests for investigation. I wish to quote Chief Murray on this point, as follows:

> While on this subject of increased restrictions of police authority, I would fail in my duty to law enforcement and to the citizens of the District if I neglected to mention the pending action which will prohibit arrests for investigation by this department without providing any equally effective alternative for law enforcement. This action will certainly at least equal the Mallory rule in its detrimental effect on law enforcement.

It seems to me that the degree to which any police department would be hampered by being forbidden to detain any person unless virtually prima facie evidence of his guilt existed at the time of detention, is obvious to any reasonable person. This portion of H.R. 7525, patterned after the Uniform Arrest Act, would permit detention on reasonable grounds for a period not to exceed 6 hours.

The other portion of title III would amend a present weak and inadequate statute to assure the presence of material witnesses at trials of felony cases. To accomplish this purpose, the bill would authorize the court to require a person reasonably assumed to be a material witness to a felony, and whom it is reasonable to believe will not be available as a witness in the resulting case procedure, to post bond or deposit collateral to assure his appearance during the investigation or the trial, and would also authorize the police to detain such a witness for a period not to exceed 6 hours before presenting him to a judge or commissioner for such posting of bond or collateral, or for his discharge. In no case, however, shall a material witness be detained in quarters used for the detention of persons charged with crime.

Title IV simply adds robbery to the list of crimes of violence under District of Columbia law. This will permit more severe penalties in the more serious cases of robbery, in the incidence of which the District ranks third among the large American cities.

Title V is for the purpose of amending various sections of the present criminal code for the District of Columbia, by the following provisions:

First. Establish a penalty of death upon conviction of rape, unless the jury unanimously recommends life imprisonment, in which case parole cannot be granted until at least 20 years have been served. The present penalty is not more than 30 years' imprisonment, or death by vote of the jury. It is to be noted that no minimum penalty now exists.

Second. Generally increase maximum and establish minimum sentences for such crimes as assault with intent to kill, to rape, or to commit robbery, burglary, robbery by force or violence, and the malicious use of explosives. In all these areas of present law, minimum sentences either are not provided or are too small to be effective.

Third. Amend and stiffen present law pertaining to bribery in connection with athletic contests, by providing severe penalties for either offering or accepting such bribes; these penalties run as high as 10 years' imprisonment and $10,000 fine.

Fourth. Amend the present law pertaining to repeat offenders in crimes of violence so as to make additional penalties mandatory. At present, these increasing penalties are permissive at the discretion of courts, but not one witness at our hearings could recall a single instance in which they have been imposed. This section also prohibits suspended or probationary sentences upon conviction of crimes of violence when armed.

Fifth. Rewrite a present woefully weak and inadequate law regarding indecent publications, which provides only some ineffective penalties against purveyors of obscene materials—and none whatever against those who manufacture such material or aid in its production. This section of H.R. 7525 will impose realistic penalties against all who play any part whatever in this insidious traffic which capitalizes on human degradation, including a series of procedures against the use of real or personal property used in violation of this section, and possible confiscation of personal property so used. A bill designed to accomplish this purpose was approved by Congress last year, but the President withheld his approval. This section of H.R. 7525, however, meets every objection cited last year against H.R. 4670 in that every step advocated for the process of seizure of property will involve adequate judicial sanction, and thus there can be no question of any property being confiscated or enjoined against without due process of law. Incidentally, this language was prepared after a series of conferences with the U.S. attorney for the District of Columbia and the District of Columbia Corporation Counsel's office. I feel strongly that the time is overdue for the District of Columbia to take some firm and positive steps toward stamping out the traffic in pornography, which is certainly a substantial factor in destroying the moral fiber of the city's young people and inciting them to acts of degradation and crime.

Sixth. Establish penalties for false reports to the police.

I should like at this time to commend the gentleman from North Carolina, Congressman WHITENER, chairman of our Subcommittee No. 6, and my other colleagues who spent countless hours in the herculean task of researching this subject and preparing this legislation. I wish to say also that during the 11 years I have served as a Member of Congress and the House District Committee, I can recall no single piece of legislation handled by this committee more vitally important to every citizen of the Nation's Capital and every visitor to this shrine of democracy, and I am humbly proud of the opportunity I have had of playing some part in its preparation and presentation to the Congress.

I cannot express too strongly my earnest conviction that in approving this legislation, the Congress will only have met its inherent obligation to assure to the people of this city their basic and inalienable right to walk in safety upon its public streets and their right to safety and security in their homes and places of business. Surely, in order to preserve the respect it has earned for its many contributions to the government of the District of Columbia in the past, this Congress can now do no less.

The CHAIRMAN. The gentleman from Virginia has consumed 17 minutes.

Mr. BROYHILL of Virginia. Mr. Chairman, I yield 7 minutes to the gentleman from Ohio [Mr. HARSHA].

Mr. HARSHA. Mr. Chairman, at the outset, I want to call the attention of my colleagues to the conscientious and objective role played in the development of this legislation by the distinguished gentleman from South Carolina [Mr. McMILLAN], chairman of the full committee.

Not only did he attend and cochair the hearings by the joint committee of both bodies of the Congress on crime in the District, but because of his deep interest in the problems facing the District of Columbia, he attended many of the hearings conducted by Subcommittee No. 6 of the House District Committee.

He frequently counseled with members of the subcommittee, giving us the benefit of his understanding and patience with the problems facing the District of Columbia. I, for one, was deeply impressed with his concern for the District and the welfare of its citizens. During my tenure this attitude towards the District of Columbia has been reflected throughout his service as chairman of the District Committee.

The distinguished chairman has bent over backward in many instances to cooperate to the utmost with the District Board of Commissioners, various civic organizations and other citizens equally interested in the welfare of the District of Columbia. Throughout the years he has unstintingly given of his time and effort to promote and seek the passage of vital legislation designed to protect and enhance the welfare of its citizens.

I want to commend the gentleman for his deep devotion to his responsibilities and for his vital concern in matters confronting the District of Columbia.

Mr. Chairman, I want to express my full support for the bill H.R. 7525, relating to crime and criminal procedure in the District of Columbia and strongly urge my colleagues to do likewise.

For some considerable time now, the Committee on the District of Columbia, has thoroughly investigated the rapidly deteriorating public safety conditions here in the Nation's Capital and has conscientiously sought the proper judicious remedies. The proper remedies are, I believe, contained in the bill now under consideration before this body.

The statistics supplied by the Federal Bureau of Investigation and the District of Columbia police department vividly demonstrate just how serious the threat to the average citizen is. In point of fact, these statistics illustrate that the District of Columbia—while ranking low in organized crime—almost heads the list of analogous cities with an extremely high percentage of crimes of violence. Astonishingly enough, our Nation's Capital ranks first in assault, second in robbery—more often than not accompanied by assault—and fourth in murder. Needless to say, these statistics make for startling reading—all the more startling when one realizes that they refer to the Capital of our country.

District residents, especially women, are absolutely terrified to leave their homes even during daylight hours. Even more horrendous, their homes have been the targets of vicious two-legged predators not contenting themselves with simple robbery but accompanying their crimes with assaults of the most frightful nature.

The committee, after searching study, extensive hearings, and innumerable witnesses of varying shades of opinion and expertise came to the inescapable conclusion that several glaring weaknesses exist in the law, which—in the final analysis—contribute to the upsurge of crime and the encouragement of the criminal element in the District of Columbia. These weaknesses in the law coupled with several incredible decisions of the courts have the effect of tying the hands of those entrusted with the immediate task of enforcing the law—the police and the prosecution. Criminals caught redhanded in the commission of the most heinous crimes—even when they have confessed publicly—have been released by the courts on the basis of some vague or delphic quasi-legal, quasi-sociological pretext.

The bill before us, H.R. 7525, does not claim to be a panacea for the prevention of crime, nor does it purport to eliminate the social causes for crime. These matters will be properly dealt with in other legislation. Nonetheless, the various sound and realistic provisions of the bill will go a long way in the direction of bringing some order out of near chaos in the fight to protect the citizens of the District against the vicious hoodlum element.

Besides the safety of the citizenry of the Nation's Capital—I am very apprehensive with regard to the safety and property of my constituents and, needless to say, the constituents of my colleagues on their visitations to the Capital City.

With the well publicized current unrest over civil rights—one inalienable right certainly should be the absolute right to walk the streets of one's own neighborhood and most certainly the Nation's Capital—or relax within the confines of one's own home—safe from attack by criminals who have little if anything to fear from District of Columbia law.

The most effective argument in support of this bill was succinctly stated by of all people—a criminal who, eluding capture after committing a most serious crime here in the District was captured in Pennsylvania following his commission of another felony in that jurisdiction. Said he:

> I only wish I'd been caught in the District of Columbia. They'd be a lot easier on me.

The problem was equally well expressed by a chief judge of the District's highest court when he said:

> In our concern for criminals, we should not forget that nice people have some rights too.

It is not the intention of the committee to deprive anyone, be he criminal or law-abiding citizen, of any of his rights, but rather to protect the rights of both classes of citizens and to establish an effective deterrent to the commission of crime.

As I said before, this is not a panacea for the ills of the District of Columbia, but rather a first step in the correction of some of those ills.

The committee, by an overwhelming bipartisan majority, has approved this legislation, and it is my hope that this House will do likewise.

Mr. HORTON. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, we stand today at a very real crossroads. Conditions in our Capital City have deteriorated to the point that Congress must take decisive action to stem the mounting crime rate. The Nation, to which this city belongs, looks to us to enact the measures necessary to preserve the essential rights of individuals to be protected against those who live outside the law.

The District of Columbia Committee, of which I am a member, has recognized the Washington crime problem and acted accordingly. The committee held hearings both jointly with the other body and separately to consider in detail the various bills dealing with crime. The bill now before the House, H.R. 7525, is an omnibus measure embodying the best elements of the many proposals which the committee studied.

Mr. Chairman, at the outset, as a member of this subcommittee I should like to add my word of appreciation to our chairman, the gentleman from South Carolina [Mr. McMillan], and to acquaint the House with the work that our chairman did in arranging for these joint hearings. It has already been referred to that in addition to the hearings held by Subcommittee No. 6 of the District of Columbia there were joint hearings held with the other body. These joint hearings were at the instigation of our chairman, the gentleman from South Carolina [Mr. McMillan] and the chairman of the Senate District Committee, the gentleman from Nevada [Mr. Bible].

I also want to commend the gentleman from South Carolina [Mr. McMillan] for his devotion and attention to his work as chairman, not only in attending those joint meetings but also in his attendance at the meetings of Subcommittee No. 6. I should point out also that these joint hearings were held within a month after this Congress convened, the first of those hearings being held on February 6, 1963. There were three of the joint hearings and there were six hearings held by Subcommittee No. 6. Many hours went into the hearings and much information was elicited from the representatives of the District, not only from the Police Department but also from other interested agencies and offices in the District.

I also want to commend our chairman of Subcommittee No. 6, the gentleman from North Carolina [Mr. Whitener], not only for his attention to the work of the subcommittee as chairman, but the many hours he put in behind the scenes to prepare and to help with this legislation. I also want to commend him for the very succinct and thorough statement he presented here today to inform the House of the provisions of this bill.

I also want to add a word of appreciation to the ranking minority member, the gentleman from Virginia [Mr. Broyhill], for his work on this committee, his attendance at these hearings and his statement on the floor today.

I would mention that this is my first term in the Congress and that one of the first things I heard when I arrived in Washington was the seriousness of the crime rate in the District. Shortly after my appointment to the District of Columbia Committee the joint hearings were held. I tried to attend all these joint hearings, as many as I possibly could, to hear the witnesses, Chief Murray, and the others, bringing this picture to us of the crime situation in the District of Columbia. I was not assigned to Subcommittee No. 6 at the beginning of the hearings held by that subcommittee, but as soon as I was assigned I attended the hearings and participated in the executive sessions. And I can assure the Members of the House that a great amount of time was spent not only in the hearings but also in executive session preparing this legislation before us.

I think the gentleman from North Carolina [Mr. Whitener] and the gentleman from Virginia [Mr. Broyhill] have brought before you many of the figures that will justify the concern that many of us feel for the problems confronting the District and that confront us as legislators with regard to solving this crime situation. I think it should also be mentioned that in the report, in connection with the statistics compiled by the FBI for 1962 for 16 cities in the 500,000 to 1 million population class Washington ranked seventh in the rate of crime index, offenses per 100,000 population.

In the various categories of crime index offenses during 1962 the District ranked 1st in aggravated assaults; that is, assault with a deadly weapon, 2d in robbery, 4th in murder and negligent manslaughter, 5th in housebreaking, 10th in forcible rape, 10th in auto theft, and 11th in larceny.

Mr. Chairman, I think a good case has already been made by previous speakers about the fact that Washington not only should be low in connection with crime statistics, but it should be one of the leaders and a model for these United States, inasmuch as it is the Capital City and inasmuch as many, many visitors are coming to this area day in and day out.

Mr. Chairman, I think as legislators and as Members of the House we should be very much concerned about the incidence of crime in this area and we should do whatever is necessary to assist the police authorities, the judges and the courts in trying to alleviate these problems.

Mr. Chairman, I think it is also well to point out, as the report does point out, that there are long-range solutions which, of course, are not involved in the legislation now pending before us. All we are trying to do here is to provide the tools for the police and also provide standards for better rules of evidence and better standards for determining criminal responsibility. We want to tighten up the law and the penalties for those category of offenses which are most commonly committed in the District of Columbia.

Mr. Chairman, the gentleman from North Carolina [Mr. WHITENER] has already outlined the various provisions of the bill.

Briefly stated, this bill is intended to provide the efficient police force of the Nation's Capital with better tools for law enforcement and the solution of crime, to provide the courts with better rules of evidence and better standards for determining criminal responsibility, and to tighten up the provisions of law and the penalties for those categories of offenses most commonly committed in the District of Columbia.

Title I of this bill is intended to qualify and amend the rule of the Supreme Court as enunciated in the case of Mallory against United States. Under this provision, a statement or confession made freely and voluntarily by a person arrested for probable cause shall not be excluded from evidence solely because of delay in taking the arrested person before a committing magistrate. This title will restore the law to where it was prior to the Mallory decision. No longer would the policeman be at the mercy of a felon and his watch.

Title II is proposed as an improvement over existing law relating to mental diseases or defects in determining responsibility for criminal behavior. If at the time he commits a crime, a person possesses substantial capacity to know or appreciate the wrongfulness of his conduct or to conform his conduct to the requirements of law, then he should be tried accordingly. Feigning insanity while on the stand should not burden the prosecution to prove that there is no such mental disease or defect.

Title III will permit District of Columbia law enforcement officers to detain persons for questioning in connection with the solution and investigation of crime for a maximum of 6 hours and only where probable cause exists. Presently, police efforts to apprehend criminals are being dangerously impeded by an amendment to the police regulations barring arrests for investigation. Interrogation of persons is a vital process of law enforcement and must be permitted by the police of Washington.

Title IV adds the crime of "robbery" to those acts defined as "crimes of violence in the District of Columbia." Quite obviously, a person who uses force to take property from another's person has committed a crime of violent proportions and should suffer the consequences of such an act.

Title V contains nine amending sections to the District of Columbia Code. The amendments generally amplify existing law and tighten the penalties applying to certain crimes. I subscribe to all the sections and invite the attention of my colleagues particularly to those amendments providing punishment to those who would inject a corrupt influence in athletic contests and providing effective means to deal with the thriving traffic in indecent and obscene literature.

In regard to the Mallory decision, I think it is well to refer to the statement and the testimony of Chief Robert Murray of the Metropolitan Police Department of the District of Columbia during the joint hearings. He states as follows:

> It would be foolhardy to ascribe the increased crime in this city to any single cause. Among those causes which have obviously contributed to the problem have been the following:
>
> 1. Increased restrictions place on authority of the police have created a problem. Paramount in this area was the decision handed down by the U.S. Supreme Court in June 1957, in the Mallory case. Under that decision, and subsequent corollary decisions and restrictions (for example, the Killough decision of the U.S. court of appeals in October 1962) our rate of offense clearance and the related effectiveness of swift arrest and punishment have been lessened.

Further quoting from Chief Murray:

> The restrictions imposed by those decisions have made it practically impossible to obtain convictions of criminals in the many serious cases where neither scientific evidence nor eyewitness identification is available. Less severe, yet still serious results from those decisions are the pressures placed on police officers to arraign arrested persons without thorough, complete investigation, with consequent arraignment of innocent persons, and frequent failure to close and recover property in cases of multiple offenders because of the need for immediate arraignment on the first charge which can be proved.
>
> Significantly, even with increased emphasis on detective organization, operations, and training, this Department has been unable to attain in recent years either the number or the proportion of clearances attained during high crime years prior to the Mallory decision.

All you have to do is look at the figures and look at the crime and take the date of the Mallory decision and you will see that the crime rate has been increasing since the Mallory decision.

Continuing with Chief Murray's testimony:

> I certainly am not going to attribute all crime increases in this city since June 1957 to the effects of the Mallory decision, but I do believe that the relationship in timing between that decision and the upswing of crime in this city is meaningful.
>
> While on this subject of increased restrictions of police authority, I would fail in my duty to law enforcement and to the citizens of the District if I neglected to mention the pending action which will prohibit arrests for investigation by this Department without providing any equally effective alternative for law enforcement. This action will certainly at least equal the Mallory rule in its detrimental effect on law enforcement.

Mr. Chairman, this bill also provides a remedy for this point that the Chief made.

Further quoting Chief Murray's testimony:

> A second factor which has contributed to the deterioration of law enforcement in this city has been the Durham decision which was handed down in 1954.

Then he points out that the U.S. district attorney will speak on that, which he did later.

I might point out certain recommendations which Chief Murray made to solve the crime problem in the District.

First. Legislation to clarify the intent of the Congress as expressed in rule 5(a) of the Federal Rules of Criminal Procedure.

Second. Legislation to vest police officers of the District with powers of arrest similar to those provided by the Uniform Arrest Act.

Third. Legislation to effectively provide for the detention of persons as material witnesses.

It would seem from the testimony of the Chief of Police of this District, who has come in contact with this problem, that one of the tools he needs is a change in the Mallory decision and the Durham decision.

One other point I would like to make. Judge Holtzoff of the U.S. District Court for the District of Columbia, in testifying before the joint hearings also recommended the action taken by this committee with respect to amendment of the Durham rule. Senator MORSE asked him if the judge would recommend adoption of the model code, which was the model code of the American Law Institute. Judge Holtzoff replied:

> Yes, I recommend the adoption by a definition of insanity. Many States do it by statute. And I recommend that definition which is in the American Law Institute's code. We have a great deal of difficulty in instructing juries, because while I have a great respect for juries, we have to give them a concrete guide and we are unable to give them a concrete guide today.
>
> I also recommend the other features of the American Law Institute's penal code relating to insanity; namely, making insanity an affirmative defense and providing that a sociopath, as they call him now, or a psychopath as we used to call him, just because he is one should not be considered an insane person.

I think there is ample evidence from these hearings for support for this aspect of the omnibus bill; namely, the modification of the Mallory and Durham decisions and to permit detaining witnesses for questioning.

I would also recommend that the House favorably consider the other aspects of the bill being presented, such as title V, which amends the various sections of the District of Columbia Code. We should tighten the law and tighten the penalties applying to these crimes.

I think this bill challenges us and offers us the opportunity to assure the police the tools of law enforcement that will halt the flagrant infringments of the rights of American citizens to live and work safely in the Nation's Capital.

We tried by this bill to do just that.

Our actions can contribute to making Washington an exceptional city—not for the exceptional crime which is its stigma today, but for the exceptionally safe haven it can become tomorrow.

Mr. WHITENER. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. MULTER].

Mr. MULTER. Mr. Chairman, I too join my colleagues in extending to the members of the subcommittee and the chairman of the full committee compliments for the fine job that they tried to do and the hard work they have put in on formulating this bill. I attribute to them nothing but the highest motives and a desire to improve the administration of law in the District of Columbia. I do not go along with those who say that there is more venom than wisdom that produced this bill. Nevertheless, I am afraid there was too much emotion which went into the writing of the bill rather than the calmness that is required in cases of this kind.

We are dealing here with a situation that, no matter how comparably good it may be, is still a bad one. In that connection, I direct your attention to the fact that in the majority report of the committee they say in so many words that in terms of current nationwide crime rates the District compares favorably with other cities of comparable size. Chief Murray, the Chief of Police of the District, said the same thing during his testimony. So we are dealing with a situation that is no worse than it is in other parts of the country. But good as the comparison may be, all of us agree that something should be done to improve the situation.

I regret that my colleague from New York [Mr. BECKER] found it necessary to say that in his opinion the objectors to this bill overlook the fact that in the State of New York we have comparable statutes. I know he is not a lawyer, but he served for many years in our State legislature and he should know better.

The fact of the matter is you cannot find on the statute books of the State of New York any provisions comparable to any of the titles that appear in this bill.

Let us consider for a moment what this bill does not do. It does not give the police department of the District of Columbia any additional help. It does not increase the police force, and it does not give them the power that is asked for by the Commissioners to utilize volunteers for active police duty in the police reserve, a reserve which they had for many years in the District and which did effective work.

It does not touch the matter of the carrying of weapons. I know the argument that is made against laws that require licensing of persons to carry weapons is that we would be depriving the innocent citizen who wants to protect himself against the criminal, of the right to carry arms. The licensing statutes of every State in the Union are not intended to deprive any honest person, the person of good character or reputation, of the right to carry arms. They are intended to protect the public against the criminal, and no criminal can qualify for a permit to carry arms, but this bill is completely silent on that subject.

What does it do? It covers, in one bill, many matters, each of which is worthy of several hours of debate.

I know the will of this House was to change the Durham rule and the Mallory rule. Let us be practical about it. The other body will probably refuse to touch the subject at this time. If you keep those provisions in this bill it will get no consideration in the other body. If you persist in changing the Mallory rule and the Durham rule then do it by separate bills. If there is any good in this bill it should be treated in a separate bill.

What about the other provisions? I am not going to waste time by saying the provisions of this bill are bad because of the changes sought to be made in the Mallory rule and the Durham rule.

I will when we get back into the House ask permission to revise and extend my remarks and I will include the report of the Budget Bureau, the report of the Commissioners of the District of Columbia, and the reports of the Department of Justice, one dated May 16, 1963, and the other July 28, 1963. They are directed to all of the titles of this bill, and indicate why they are all bad and why this bill in its present form should not be adopted but should be rejected by this House.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. MULTER. Will the gentleman from New York yield me 5 minutes?

Mr. HORTON. I am sorry, my time is all committed.

Mr. MULTER. I was assured I would have 10 minutes, 5 minutes from the gentleman's side.

Mr. HORTON. I will give the gentleman 2 minutes, but the rest of my time is already pretty well committed.

Mr. MULTER. I thank the gentleman.

Mr. WHITENER. Notwithstanding that we are greatly pressed for time, in order that the gentleman may finish his remarks, I yield him 3 minutes.

Mr. MULTER. I thank the gentleman. He is very gracious.

The CHAIRMAN. The gentleman from New York is recognized for 5 additional minutes.

Mr. MULTER. Now then let me try to point out why I believe each of the other titles in this bill are bad.

We have a title in the bill which deals with investigative arrest—investigative arrest not only of a person suspected of having committed a crime but of a person who is suspected of being a witness—a witness. Under this bill, unlike the law of any other jurisdiction that I know of in the United States, the police will be able to pick up a person suspected of having committed a crime or pick up a person suspected of being a witness and hold that person incommunicado until the police department gets through examining him and questioning him and browbeating—and on occasion although here I am glad to say it is not used too frequently, giving him what is known as the third degree. That in itself is bad enough.

There is another provision of this bill that deals with obscene literature. I do not know anybody in this House who is not opposed to the distribution of obscene literature, but I will wager there is not any Member who will come forward and say that there is a law in a single jurisdiction within the confines of the United States that permits you to go in and seize a man's real estate and personal property because he has printed or distributed or has participated in the distribution of obscene literature. There is no law anywhere in any jurisdiction within the confines of the United States where you can go into court and get an injunction ex parte that is without notice, against the distribution of obscene literature.

Let me indicate to you very briefly just what that means. You go into court and without notice to the newspaper or magazine publisher, you get an injunction restraining him from publishing or distributing his paper or magazine because it will carry a single item you suspect or charge is obscene. Until the return of the motion some 10 days later—and if it is a daily newspaper that is to be published tomorrow or a magazine that carries this week's date and you get your ex parte injunction which will be in effect until 10 days later, when he gets his hearing for the first time and wins his case, the publication is utterly useless and the publishers might just as well go out of business. You could use that against any of the newspapers in the District against whom plenty of you have inveighed, and sometimes properly. I am certain that none of you, if you will think this thing out, will approve of a law which is going to permit the putting out of business of any newspaper or magazine just because somebody thinks what they are about to publish is obscene, and then permit the taking away of their real property and their personal property which, of course, will include all of the printing presses and paraphernalia and the like.

Incidentally, as of today no one has come in and complained that you cannot enforce, and get good enforcement of the law against the distribution of obscene literature by using the laws that are on the books today.

This bill, if enacted, will not prevent the commission of a single crime. There is not a single item of conduct or misconduct that is not already proscribed on the statute books as a crime, that is reached by this bill. There are no new crimes established by this bill; they are already amply covered by the statutes. There is no attempt to rewrite the definitions of crimes.

Oh, yes, there is an attempt to make mandatory the imposition of certain sentences, and my friend, the gentleman from New York, was a member of the State legislature, I believe, when we tried to make mandatory sentences the law of the State; and we found out that it did not work. The history of criminology and penology in the United States shows that where you make the penalties too severe and make the penalty or sentence mandatory, then juries will not convict. This bill will therefore weaken not strengthen the enforcement of law. It does not accomplish the purpose of preventing crime or getting more convictions. The chief of police tells you that he does not need any more policemen to make arrests. More than 7,000 persons were picked up in 1 year in the District of Columbia under the so-called investigative arrest provisions and the regulations of the department, only to be released, without being charged with any crime. This bill would now permit that kind of conduct to be carried on by the police. It will not bring about a single additional conviction.

The Durham rule is the result of an appellate court decision handed down in 1954 and the Mallory rule as the result of the decision of the Supreme Court in 1957. I have repeatedly asked for statistics indicating the number of cases which resulted in failure of conviction in any comparable period on account of these decisions. No one has, and I categorically state no one can, furnish such statistics. I refuse to believe that any guilty persons have escaped conviction and punishment because arresting and prosecuting officers were required to comply with those rules.

I agree with all those who say that the Capital City should lead the way for the rest of the country. When it comes to criminal law and the enforcement thereof, the standards and the criteria should be the same in every Federal court in the land. The only way to accomplish that is for the Judiciary Committee to bring to the floor of the Congress a bill that will cover all of these subjects and which will apply in every Federal court including those in the District of Columbia. People in the District of Columbia, even though denied home rule, are still protected by the same Constitution of the United States, which applies no matter where that citizen may be in this country of ours.

I commend to the attention of our colleagues the following documents, all of which contain irrefutable reasons why this bill should be defeated, to wit: report of the Bureau of the Budget, dated August 9, 1963; report of the Commissioners of the District of Columbia, dated August 8, 1963; report of the U.S. Department of Justice, dated July 25, 1963; report of the U.S. Department of Justice, dated May 16, 1963:

EXECUTIVE OFFICE OF
THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., August 9, 1963.

Hon. JOHN L. MCMILLAN,
Chairman, Committee on the District of Columbia, House of Representatives, Cannon House Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: On July 16, 1963, I wrote you to indicate that we were requesting the views of the Department of Justice and the Government of the District of Columbia on H.R. 7525—an omnibus crime bill for the District of Columbia—and would furnish such views to your committee as promptly as possible.

We have now obtained these views and are attaching copies of them for the information of your committee.

In light of the views expressed in the reports of the two agencies, the Bureau of the Budget strongly recommends against enactment of H.R. 7525 in its present form.

Sincerely yours,

PHILLIP S. HUGHES,
Assistant Director for Legislative Reference.

COMMENTS BY THE COMMISSIONERS OF THE DISTRICT OF COLUMBIA ON H.R. 7525, A BILL RELATING TO CRIME AND CRIMINAL PROCEDURE IN THE DISTRICT OF COLUMBIA, AUGUST 8, 1963

TITLE I

Title I is intended to qualify and amend the rule of the Supreme Court as enunciated in the case of *Mallory* v. *United States* (354 U.S. 449 (1957)), so as to provide that in the courts of the District of Columbia, evidence, including, but not limited to, statements and confessions, otherwise admissible, will not be inadmissible solely because of delay in taking an arrested person before a commissioner or other officer with power to commit persons charged with offenses against the laws of the United States. The title also provides that no statement, including a confession, shall be admissible in evidence against an accused unless prior to the interrogation of such person he had been advised that he was not required to make a statement and that any statement made by him may be used against him.

The Commissioners favor the admissibility of confessions and statements which are made freely and voluntarily. However, they believe that the title should be amended in several respects, to expand its coverage and to afford certain safeguards to the person making such confession or statement. The changes proposed by the Commissioners are the following:

1. Insert before the period at the end of line 9 of the first page the phrase "or of the District of Columbia".
2. Insert before the word "prior" in line 2 on page 2 the word "immediately".
3. Insert between lines 5 and 6 on page 2 the following new subsections:

"(c) Each arrested person shall, after his arrest and prior to his being interrogated for the first time by any law-enforcement officer, be plainly advised by the officer or officers having him in custody of his right to be afforded reasonable opportunity to communicate with counsel or with a relative or friend, and shall in fact be afforded such opportunity.

"(d) This title shall be construed in the light of its limited purpose of governing the admissibility of certain evidence in criminal trials in the District of Columbia. Nothing herein contained shall be construed as modifying the right of an arrested person to be taken before a committing magistrate without unnecessary delay."

If title I of the bill be amended as set forth above, the Commissioners would have no objection to its enactment.

TITLE II

Title II of the bill is patterned after the formulation recommended by the American Law Institute as the test of insanity as a defense in criminal cases, sometimes referred to as the test of criminal responsibility. This title is intended to apply to criminal cases in the District of Columbia, replacing the test of criminal responsibility stated for the District of Columbia by the U.S. court of appeals in *Durham* v. *United States* (94 U.S. App. D. C. 228, 214 F. 2d 862 (1954)). The language of the title is identical with the purview of bills previously introduced as H.R. 2519 in the 86th Congress, H.R. 7052 of the 87th Congress, and H.R. 1932 in the 88th Congress.

Title II changes existing law in a number of respects. The language of the title provides for the exclusion of sociopathic and psychopathic personality, or apparently any combination of these two types of personality, from the category of mental illnesses or defects which exclude responsibility for crime. The title places on the defendant the burden of proof of establishing a mental illness or defect excluding such responsibility, instead of leaving the burden of proof on the prosecutor to prove a lack of mental illness or defect, when mental illness becomes an issue. The title also requires that a defendant give notice at the time of his plea or within 15 days thereafter, of his intention to rely on the defense of mental disease or defect, or else be precluded from having evidence of mental disease or defect introduced, unless the court may have good cause to permit the introduction of such evidence at a later time. The title requires a notice supported by prima facie evidence, or substantial reason to doubt the defendant's fitness or capacity to proceed, or substantial reason to believe that mental disease or defect of the defendant will become an issue, before the court may order an examination of the defendant or a commitment for such examination. After any such examination, the issue must then be resolved by a judge without a jury. Further, the title requires that when a defendant is acquitted on the ground of a mental disease or defect excluding criminal responsibility, the court shall order him committed to a hospital for custody and care. If the superintendent of such hospital determines that such person is no longer suffering from such mental illness, the superintendent must make application to the court for the discharge or release of such person, and the court must then appoint two psychiatrists to examine the person and report to the court with respect to his mental illness. In any case in which the court is not satisfied with the report of the psychiatrists appointed by it, the title provides that the court may order a hearing in the nature of a civil proceeding, in which the burden of proof will be on the committed person to prove that he may safely be discharged or released.

The Commissioners question the desirability of changing existing law in the District of Columbia with respect to the test of criminal responsibility, as set forth in the line of cases beginning with the *Durham* case and ending with the case of *McDonald* v. *United States*, 312 F. 2d 847, the latter decided by the U.S. court of appeals for the District of Columbia on October 8, 1962. The Commissioners are informed that from a public health point of view, the so-called Durham rule seems to be working very well, because any person acquitted by reason of his plea of insanity at the time of the commission of the alleged crime, or any person determined to be incapable of contributing toward his defense because of mental illness or defect at the time of trial, must be sent to a mental hospital for treatment, and continue to receive treatment for his mental illness or defect. The Commissioners are informed that while the treatment of such persons has not been a complete success in every case, nevertheless it can be said that experience indicates that there is less likelihood of recidivism on the part of such persons than there is on the part of those sent to prison.

Aside from the fact that the enactment of title II would have the effect of substituting a new test of criminal responsibility for a test that has been hammered out in court decisions in the past 9 years, and possibly lead to a new series of court decisions, the Commissioners believe that the enactment of this title will operate to complicate the determination of mental illness or defect by preventing evidence of sociopathic and psychopathic personality from being presented to the jury in a determination of whether there is mental illness or defect. Since it is generally accepted in this jurisdiction that such evidence is material in establishing whether a person is suffering from or has had a mental disease or defect, the Commissioners are informed that this proposed provision of law will in many cases operate to prevent the commitment of persons needing treatment for mental disease or defect. Further, the Commissioners believe that the title will operate to complicate the release of apparently recovered persons by introducing a process that could be very costly to the District of Columbia, requiring the appointment of two psychiatrists to advise the court in every case in which the superintendent of a hospital has determined that the patient has recovered and should be released.

In view of the foregoing, the Commissioners recommend against the enactment of title II of the bill. They note, incidentally, that their position with respect to this title of the bill is substantially in accord with the position of the Department of Justice, as set forth in the May 16, 1963, letter of Deputy Attorney General Nicholas deB. Katzenbach to the chairman of the Committee on the District of Columbia, U.S. House of Representatives.

TITLE III

Title III is virtually identical with the purview of bills previously introduced in the Congress as H.R. 12851 of the 87th Congress and H.R. 1929 of the 88th Congress. The language of the first of the two sections of the title (sec. 301) is virtually identical with that of the so-called Uniform Arrest Act. The purpose of the section is to permit an officer or member of the Metropolitan Police force to detain, for a period not exceeding 6 hours, any person found abroad whom such officer or member has reasonable ground to suspect is committing, has committed, or is about to commit a crime, who, upon demand of him of his name, address, business abroad and whither he is going, fails to identify himself or explain his actions to the satisfaction of the officer or member. Under the provisions of the bill, such detention is not an arrest and shall not be reported as an arrest in any official record.

Section 302 amends section 401 of the Revised Statutes of the United States, relating to the District of Columbia (sec. 4–144, D.C. Code), to provide for the detention of certain material witnesses prior to their presentment before a judge or commissioner for the purpose of determining whether they may be required to post bond or deposit collateral to secure their appearance when needed. Suitable accommodations for the witness so detained, and for the witness who is unable to furnish security for his appearance, are authorized.

On March 9, 1961, the Commissioners appointed Charles A. Horsky, Esq., Roger Robb, Esq., and William B. Bryant, Esq.—three distinguished members of the bar of the District of Columbia—as a committee "to inquire into the policy and practices of the police department that lead to arrests for 'investigation' and to make recommendations to the Commissioners in respect thereto." In its report and recommendations to the Commissioners, submitted in July 1962, the committee concluded "that arrests for investigation, as presently practiced in the District of Columbia, are not sanctioned by any District statute, and are in violation of the constitutional rights of persons thus arrested." The report of the committee is an exhaustive and excellent study of the process of police arrests for investigation, and its conclusion that arrests for investigation are illegal is amply supported by authority.

The Commissioners are in accord with the conclusion contained in the report of this committee and are unalterably opposed to the enactment of section 301. The Commissioners are of the opinion that "arrests for investigation" are unconstitutional in that such arrests sanction the search and seizure of any person thus detained without the requirement of "probable cause" as a basis therefor. The Commissioners are of the further opinion that the enactment into substantive law of this section of the bill will not operate to cure the constitutional objections to arrests for investigation, and that the proviso, set out in subsection (c) of such section, that the detention will not be labelled an arrest, will not make such physical restraint on an individual's liberty any less unconstitutional. The Commissioners note, incidentally, that the committee mentioned in the preceding paragraph included in its report, at pages 72 through 76, a discussion of certain court decisions interpreting provisions of Delaware and Rhode Island law virtually identical with subsections (a), (b), and (c) of section 301 of H.R. 7525. In Delaware the supreme court said in *De Salvator* v. *State,* 163 A. 2d 244 (1960), that—

"We can find nothing in 11 Delaware Code, section 1902 [apparently similar, except for the period of detention, to subsecs. (a), (b), and (c) of sec. 301] which infringes on the rights of a citizen to be free from detention except, as appellant says, 'for probable cause.' Indeed, we think appellant's attempt to draw a distinction between an admittedly valid detention upon 'reasonable ground to believe' and the requirement of section 1902 of 'reasonable ground to suspect' is a semantic quibble. We point out that in Wilson v. State, in referring to the arrest of the defendant, we said, 'Nor can it be doubted that the arrest was legal, that is, upon reasonable suspicion of felony.' (Citing case.) In this context, the words "suspect' and 'believe' are equivalents." (Bracketed language added.)

A somewhat similar result was reached in the Rhode Island case of *Kavanagh* v. *Stenhous,* 174 A. 2d 560 (1961), in which the Supreme Court, after quoting with approval *De Salvatore* v. *State of Delaware, supra,* made the following statement:

"The plaintiff, however, contends that since the pertinent language is '* * * whom he has reason to suspect is committing, has committed or is about to commit a crime * * *' the test could only be subjective, since it represents nothing more than a mere suspicion entertained by the officer. This contention misconceives the purport of 'reason to suspect' as it appears in the context. These words are connotative with grounds for belief as distinguished from mere suspicion. It is for the jury [in an action for false arrest] to determine from all of the evidence whether in the circumstances the detaining officer was warranted in concluding that reasonable grounds did exist. His conclusion must find justification in the minds of the jury." (Bracketed language supplied.)

It appears, therefore, that in two of the three States which have adopted the so-called Uniform Arrest Act, from which subsections (a), (b) and (c) of section 301 are derived, the highest courts of those States have held that the phrase "reasonable ground to suspect" (in Delaware) and "reason to suspect" (in Rhode Island) are tantamount to "reasonable ground to believe", that is, probable cause. Assuming this to be so, the Commissioners are of the view that the so-called Uniform Arrest Act is unnecessary, in view of the fact that the Metropolitan Police already possess the power to make arrests on the basis of probable cause. However, if the phrase "reasonable ground to suspect" connotes something less than probable cause, and is intended to authorize "arrests for investigation", then the Commissioners are of the view that the provisions of section 301 do not conform with the requirements of the fourth amendment.

As reasons in support of their belief that arrests for "investigation" and the detentions authorized by section 301, are unconstitutional, the Commissioners adopt, in part, the following considerations advanced by its Committee on Police Arrests for Investigation:

1. Such arrests cannot be reconciled with the fourth amendment to the Constitution of the United States in that there is not a requirement of "probable cause" and that they permit the police to subjectively determine whom to detain, and for how long and under what circumstances, without the participation of a judicial officer at any stage.

2. Such arrests deny to the person so detained the opportunity to secure his liberty by seeking bail or by posting collateral.

3. Such arrests may permit the person so detained to be held incommunicado and thus, in effect, denied the right of habeas corpus.

4. Such arrests deprive the person so detained of the right to have the assistance of counsel.

5. Such arrests tend to impair the right of the person, under the fifth amendment to the Constitution, not to be compelled in any criminal case to be a witness against himself.

With respect to section 302 of the bill, the Commissioners recognize the desirability and practical necessity of securing the appearance of material witnesses, under the particular circumstances outlined in such section. However, the Commissioners are again opposed in principle to any provision which would authorize the detention of any person as a prospective material witness for a maximum period of 6 hours without presentment before a judicial officer. The Commissioners are of the view that such persons should be subjected to even less restraint on their physical liberty and freedom than those formally charged with crime, and that they should in all cases, be permitted to appear immediately at the beginning of their detention before a judge or commissioner for the purpose of determining whether they are in fact necessary and material witnesses and, if necessary to secure their appearance at trial, an opportunity to post bond or deposit collateral.

However, the Commissioners prefer that the Congress consider, as a replacement for section 302 of H.R. 7525, their draft bill forwarded to the Congress on March 12, 1963, and introduced as S. 1148, a bill "to amend the law relating to material and necessary witnesses to crimes committed in the District of Columbia," if such bill be amended in accordance with certain of the suggestions proposed in a letter dated March 11, 1963, addressed to the Director, Bureau of the Budget, by the Deputy Attorney General. As so amended, S. 1148 would provide that section 401 of the Revised Statutes of the United States relating to the District of Columbia be amended to read as follows:

"SEC. 401. (a) Whenever in a criminal proceeding, there is reasonable ground to believe that any person is a material and necessary witness to the commission of any crime or attempt to commit any crime punishable by imprisonment for one year or more, and there is a reasonable probability that such person will not be available to testify at the trial of the person charged with such offense, such person charged with such offense, such person so believed to be a material and necessary witness shall be taken by a member of the Metropolitan Police force, or by a Federal law enforcement officer, without unnecessary delay, before a judge of the United States District Court for the District of Columbia or a judge of the District of Columbia Court of General Sessions or a United States commissioner. Such judge or commissioner shall afford such person a hearing and shall, prior to commencing the hearing, advise such person that he is entitled to be represented by counsel. Such judge or commissioner may, after a hearing is afforded to such person and such judge or commissioner is satisfied by testimony given under oath that such person is a material and necessary witness and that there is reasonable probability that such person will not be available at the trial as provided in this subsection, require such witness to post bond or collateral as security that he will appear and testify at such trial or, upon his failure to post such bond or collateral after a reasonable opportunity to do so, to order his further detention until such time as he appears and gives testimony in such criminal case or until such criminal case has been finally disposed of otherwise. The detention, as herein provided, of any such witness shall not constitute an arrest within the meaning of that term as used in any other law or in any rule or regulation. No statement made by such witness in the course of his detention as authorized by this section shall be used in a prosecution against him for the commission of any crime.

"(b) A person detained as a material and necessary witness pursuant to this section, shall for the period beginning with his detention and until he is discharged from detention be entitled to be paid amounts equivalent to the amounts payable to witnesses testifying in the United States District Court for the District of Columbia.

"(c) Whenever a person is ordered detained by a judge or commissioner, such judge or commissioner shall order the deposition of such person taken as soon as it is feasible to do so. After such deposition is taken, the judge or commissioner may order the release from detention of such person. Such person shall be released from detention if it appears to any such judge or commissioner that the person has been detained for an unreasonable length of time. Such judge or commissioner may at any time modify the requirement as to bail.

"(d) The Board of Commissioners shall provide suitable accommodations within the District of Columbia for the detention of persons who are unable to furnish security for their appearance as witnesses, as provided in subsection (a). Such accommodations shall be separate and apart from quarters used for the confinement of persons charged with crime. The said Commissioners may, in their discretion, enter into agreements with any Federal agency, including the United States courts, for the use of suitable space in a building under the jurisdiction of any such agency, and such agency is hereby authorized to allow the use of such space for the purpose of providing the accommodations required by this subsection. In carrying out the purposes of this Act, the said Commissioners may utilize any appropriate space in any building which is owned privately or which is owned or leased by the government of the District of Columbia. In the case of any witness detained by an officer other than an officer or member of the Metropolitan Police force, the District of Columbia shall be reimbursed for the accommodations furnished such witness at rates to be determined by the Commissioners.

"(e) Appropriations to carry out the purposes of this section are hereby authorized."

In the belief that the above language will better protect the rights of persons detained as material and necessary witnesses, the Commissioners strongly recommend that it be used instead of the present amendatory language contained in section 302 of H.R. 7525.

TITLE IV

Title IV has the effect of including the crime of robbery among the crimes contained in the definition of "crime of violence" set forth in the first section of the act approved July 8, 1932 (sec. 22-3201, D.C. Code, 1961 ed.). The Commissioners favor the enactment of this title of the bill.

TITLE V

Section 501 changes the penalty for rape from imprisonment for not more than 30 years, unless the jury shall recommend the death penalty, to the same penalty that has been provided by the act approved March 22, 1962 (Public Law 87-423; 76 Stat. 46) upon conviction of the offense of murder in the first degree; that is, death by electrocution unless the jury by unanimous vote recommends life imprisonment; or if the jury, having determined by unanimous vote the guilt of the defendant as charged, is unable to agree as to punishment it shall inform the court and the court shall thereupon have jurisdiction to impose and shall impose either a sentence of death by electrocution or life imprisonment.

The Commissioners are informed that for at least 15 years no jury in a rape case has recommended the death penalty. This is perhaps due to a recognition by those persons who have served as jurors in rape cases that this offense may involve factors tending to mitigate the criminality of the act, such as enticement of the offender by the female, or a prior relationship between the offender and his victim which has led him to believe his act would not be against her will. In view of this possibility, the Commissioners believe it undesirable that the penalty for the offense of rape be made identical with that for the offense of murder in the first degree, and they prefer the retention of the present penalty (imprisonment for a maximum term of 30 years unless the jury recommends the death penalty) in order to allow juries and the courts latitude to deal both with those rape cases in which there are mitigating factors, and those involving violence, threats, or serious physical injury.

Section 502 of H.R. 7525 has the effect of establishing a mandatory minimum sentence of not less than 2 years' imprisonment upon conviction of the offense of assault with intent to kill or to commit rape, or to commit robbery, or mingling poison with food, drink, or medicine with intent to kill, or willfully poisoning any well, spring, or cistern of water. For the reason set forth below concerning the efficacy of mandatory minimum sentences, the Commissioners question this section of the bill.

Section 503 amends section 823 of the act approved March 3, 1901 (31 Stat. 1323; District of Columbia Code, sec. 22-1801), now captioned "Housebreaking," to define the offense of "burglary" and to further define such offense as either "first degree" or "second degree," depending on whether the offense occurs in an occupied place of residence, and should any such resident be in occupancy at such time the offense is that of burglary in the first degree. Any other breaking and entering, or entering without breaking, of the various specified premises is defined as burglary in the second degree. The Commissioners favor the enactment of this section of the bill. The Commissioners note, incidentally, that the penalty for burglary in the first degree is imprisonment for not less than 20 years nor more than life, as compared with the present penalty for housebreaking of imprisonment for not more than 15 years. In this connection, the Commissioners desire to emphasize that they do not believe that increasing the period of imprisonment upon the conviction of an offense operates in any manner to serve as a deterrent to the commission of such offense. They are of the view that a longer period of imprisonment merely has the pragmatic effect of removing the criminal from society for a longer period of time, but they feel the prospect of such longer period of incarceration does not deter the criminal from committing the crime. However, notwithstanding the foregoing comment concerning the efficacy of more severe sentences, the Commissioners do not object to the enactment of section 503. They do, however, question so much thereof as establishes mandatory minimum sentences, for the reason set forth below.

Section 504 amends section 810 of the act of March 3, 1901, defining the offense of robbery, so as to provide a mandatory minimum sentence of not less than 5 years in place of the present mandatory minimum sentence of not less than 6 months. Again for the reason set forth below concerning the efficacy of mandatory minimum sentences, the Commissioners question this section of the bill.

Section 505 of the bill generally relates to bribing or offering to bribe persons participating in athletic contests, and the acceptance or agreement to accept such bribes by such persons. This section of the bill fails to take into consideration provisions in existing law (act approved July 11, 1947; 61 Stat. 313; sec. 22-1513, D.C. Code, 1961 edition) having a somewhat similar effect, and providing for a penalty upon conviction of imprisonment for not less than 1 year nor more than 5 years and a fine of not more than $10,000, as compared with the penalty set for in subsection (a) of section 505 of imprisonment for not less than 1 year nor more than 10 years, and a fine of not less than $3,000 nor more than $10,000. Inasmuch as section 505 appears to add nothing to existing law except insofar as penalties are concerned, and inasmuch as the Commissioners are informed that there appears to be no need for a change in existing law, the Commissioners see no need for section 505 of the bill. However, should the Congress determine that there is a need for this section of the bill, the section should be changed so as to provide for the repeal of the act approved July 11, 1947, supra.

Section 506 makes it mandatory (rather than at the discretion of the judge, as under existing law) that when any person commits a crime of violence when armed with or having readily available any pistol or other firearm, he shall, in addition to the punishment provided for the crime, also be punished by the penalties prescribed in section 2 of the act of July 8, 1932 (sec. 22-3202, D.C. Code, 1961 edition). Further, section 506 adds to such section 2 language prohibiting the court from suspending sentence upon conviction of a crime of violence when armed with or having readily available any pistol or other firearm, or from giving the defendant a probationary sentence. The Commissioners question the desirability of removing from the judges the discretion they have under existing law.

Section 507 of title V of the bill, amending section 872 of the act approved March 3, 1901 (D.C. Code, sec. 22-2001), is identical with the purview of H.R. 5989 of the 88th Congress, except for certain additions on which the Commissioners will comment in the next paragraph. The provision of existing law amended by section 507 reads as follows:

"Whoever sells, or offers to sell, or give away, in the District, or has in his possession with intent to sell or give away or to exhibit to another, any obscene, lewd, or indecent book, pamphlet, drawing, engraving, picture, photograph, instrument, or article of indecent or immoral use, or advertises the same for sale, or writes or prints any letter, circular, handbill, book, pamphlet, or notice of any kind stating by what means any of such articles may be obtained, or advertises any drug, nostrum, or instrument intended to produce abortion, or gives or participates in, or by bill, poster, or otherwise advertises, any public exhibition, show, performance, or play containing obscene, indecent, or lascivious language, postures, or suggestions, or otherwise offending public decency, shall be fined not less than fifty dollars nor more than five hundred dollars, or imprisoned not more than one year, or both."

The foregoing provision of law does not, however, take into account certain relatively modern means of publication or communication, nor does it affect persons engaged in the production of indecent publications.

Section 507 has for its purpose the expansion of existing law relating to indecent publications so as to make it applicable to publishing and communicating techniques developed since the enactment of the 1901 act; to extend its provisions to persons engaged in the production or dissemination of obscene materials; to authorize temporary restraining orders, preliminary injunctions, and permanent injunctions affecting the production, distribution and sale of obscene materials; and to provide for the forfeiture to the District of Columbia of personal property made subject to any such permanent injunction. The Commissioners note, incidentally, that the language of section 507 departs from the language of H.R. 5989 by providing, in subsections (a) and (b) of the proposed new section 872, for certain mandatory minimum sentences, involving fines of not less than $200 or imprisonment for not less than 3 months for violations of section 872, as amended by the bill. For the reasons they have set forth at greater length below, the Commissioners have some doubt as to the effectiveness of a mandatory minimum penalty.

The Commissioners also object to that provision contained in subsection (c) of the amended section 872 which requires the U.S. attorney for the District of Columbia and the Corporation Counsel of the District of Columbia to join in an action to petition the U.S. district court for the temporary restraining order authorized by such subsection. At the very least, the language of the subsection should be couched in the disjunctive so as to authorize either the U.S. attorney or the Corporation Counsel, but not both, acting in concert, to file a petition for such a temporary restraining order. In point of fact, the Commissioners fail to see the need for including the Corporation Counsel in the language of the revised section 872. Prosecutions for the violation of this provision of law would be the function of the U.S. attorney for the District of Columbia. The Commissioners strongly believe that every aspect of the problem, including not only prosecution but also the securing of a temporary restraining order, a preliminary injunction, and a permanent injunction, all as authorized by the proposed new section 872, should be solely the responsibility of the U.S. attorney, without participation by the Corporation Counsel at any point in the process.

The Commissioners are aware that the proposed legislation is concerned with an area in which one must be mindful of the protections guaranteed by the first amendment. The Commissioners accordingly requested the Office of the Corporation Counsel to review the proposed legislation in this light, in cooperation with the Department of Justice and other interested agencies. As a result of that further study the Commissioners believe that there may be constitutional objections to those provisions of section 507 which relate to an ex parte proceeding in connection with the issuance of a temporary restraining order, and which provide for the forfeiture of property other than the obscene and indecent material itself. Accordingly, the Commissioners recommend that subsections (b) through (h) of the amended section 872, as set forth in section 507, be changed to read as follows:

"(b) Whoever in the District produces, or participates in the production of, any obscene, lewd, or indecent book, pamphlet, drawing, engraving, picture, photograph, instrument, magazine, story, paper, writing, card, print, motion picture film, image, cast, slide, figure, statue, phonograph record, wire, tape, or other sound recording, or other presentation or article of indecent or immoral use, with knowledge that the same is to be sold, given away, or exhibited to another, shall be fined not more than $5,000, or imprisoned not more than two years, or both.

"(c) The United States Attorney for the District of Columbia is authorized to apply to the United States District Court for the District of Columbia for a preliminary injunction and a permanent injunction to restrain the sale, gift, exhibition, distribution, production, disposition or removal of any obscene, lewd or indecent matter described in subsection (a) of this section. A hearing on the preliminary injunction shall be had not more than five days, excluding Sundays and holidays, after service upon the defendant of a copy of such application. After such hearing the said court may issue a preliminary injunction which shall remain in effect until final determination of the application for the permanent injunction, but in no case for more than thirty calendar days from issuance of the preliminary injunction.

"(d) If, after a trial of the issues, the court shall order a permanent injunction, such injunction shall include a provision for the immediate seizure and destruction of the obscene, lewd or indecent matter, and forbidding its reproduction or duplication.

"(e) For the purpose of proceeding under subsection (c) or (d) of this section, it shall not be necessary for the United States Attorney to allege or prove that an adequate remedy at law does not exist or that substantial and irreparable damage would result from the violations alleged.

"(f) Proceedings pursuant to this section shall be governed by the Federal Rules of Civil Procedure, except as they may be inconsistent with the provisions and purpose of this section."

If section 507 be amended in the manner suggested by the Commissioners, they would have no objection to it. However, should the section not be so amended, the Commissioners recommend against its enactment.

Section 508 amends existing law (act of March 3, 1905; sec. 22-3105, D.C. Code, 1961 edition) making it an offense to place explosives or cause them to be placed at certain specified locations, with the intent to cause damage, so as to provide a mandatory minimum sentence of not less than 5 years' imprisonment upon conviction of the offense. Again the Commissioners question the efficacy of mandatory minimum penalties for the reason set forth below.

Section 509 provides it shall be an offense to make a false or fictitious report to the Metropolitan Police department of the commission of any criminal offense, knowing such report to be false or fictitious, or to communicate or cause to be communicated to such department any false information concerning the commission of any criminal offense within the District of Columbia or concerning any other matter or occurrence of which such department is required to receive reports or conduct an investigation, knowing such information to be false. This section is substantially similar to section 5 of article 19 of the Police Regulations of the District of Columbia except for the penalty to be imposed for the commission of any such offense. The existing police regulation, which has been in effect for many years, provides for the penalty of a fine not exceeding $300 or imprisonment not exceeding 10 days. Section 509 provides for a penalty of a fine not exceeding $100 or imprisonment not exceeding 6 months, or both. The Commissioners consider the proposed change in existing law both unnecessary and undesirable. They believe that increasing the penalty for this type of offense is unnecessary, in that the present penalty imposed under the authority of section 5 of article 19 of the Police Regulations is considered adequate to deal with this type of offense, generally relatively minor in nature. The Commissioners consider the proposed change in penalty undesirable in that it has the effect of permitting persons accused of making false reports to demand trial by jury for what all too often is an offense of relatively little significance, such as reporting a robbery to cover a gambling loss, or reporting that an assault was by an "unknown" person, in order to shield another member of the reporter's family, or a friend. The Commissioners believe that in cases of this kind, it is undesirable that the time of the courts be taken up in conducting jury trials whenever demanded by accused persons. Accordingly, the Commissioners recommend against the enactment of section 509.

Miscellaneous comments

In the event the Congress should enact H.R. 7525 despite the objections and deficiencies discussed above, the Commissioners desire to point out that the bill in their view is also deficient in that it fails to contain a separability provision, a provision for an effective date, and a provision coordinating the proposed act with Reorganization Plan No. 5 of 1952. To correct these deficiencies, the Commissioners suggest that there be added at the end of the bill the following new title:

"TITLE VI

"SEC. 601. If any part of this Act is declared unconstitutional, or the applicability thereof to any person or circumstances is held invalid, the applicability of such part to other persons and circumstances and the constitutionality or validity of every other part of the Act shall not be affected thereby.

"SEC. 602. Nothing in this Act shall be construed so as to affect the authority vested in the Board of Commissioners of the District of Columbia by Reorganization Plan No. 5 of 1952 (66 Stat. 824). The performance of any function vested by this Act in the Board of Commissioners or in any office or agency under the jurisdiction or control of said Board of Commissioners may be delegated by said Board of Commissioners in accordance with section 3 of such plan.

"SEC. 603. This Act shall become effective on the first day of the second month which follows its approval by more than ten days."

The Commissioners note that throughout the bill the intention appears to be to increase the penalty presently provided for certain offenses, and in several instances to establish a mandatory minimum penalty. The Commissioners have considerable question concerning the effectiveness of a mandatory minimum penalty. They are of the view that any such penalty may in its effect be self-defeating, in that if the mandatory minimum penalty is considered excessive by a jury, it may tend to acquit the defendant rather than subject him to what the jury may consider an excessively high mandatory minimum penalty. The Commissioners are cognizant of the fact that some effort is made to keep from the jury the knowledge of the penalty to which a defendant may be subject, in view of the fact that this knowledge is irrelevant to the question of whether the defendant did or did not commit the offense with which he is charged. However, the Commissioners recognize that sooner or later the jurors in attendance at court acquire knowledge concerning the maximum and minimum penalties for the more common offenses, and carry this knowledge with them into the jury room at the time they begin their consideration of a case. In view of this, the Commissioners question whether a mandatory minimum penalty, or an increase in an existing mandatory minimum penalty, will operate in such manner as to affect materially the crime situation in the District of Columbia.

WALTER N. TOBRINER,
President, Board of Commissioners, District of Columbia.

U.S. DEPARTMENT OF JUSTICE,
Washington, D.C., July 25, 1963.

Hon. KERMIT GORDON,
Director, Bureau of the Budget,
Washington, D.C.

DEAR MR. GORDON: This is in response to your request for the views of the Department of Justice on the bill H.R. 7525 "relating to crime and criminal procedure in the District of Columbia."

Your letter of July 16, 1963, to the chairman of the House Committee on the District of Columbia on H.R. 7525 accurately relates titles I, II, and III of the bill to similar provisions of various bills commented on in our 12-page report of May 16, 1963, to the same committee. We have nothing to add to the views previously expressed on these provisions.

We have no objection to title IV, which would amend existing law relating to dangerous weapons (D.C. Code, sec. 22–3201) to include "robbery" in the definition of the term "crime of violence."

Subsection (a) of section 501 of title V of the bill would provide for the imposition of the death penalty in rape cases, unless the jury unanimously recommends life imprisonment. If the jury is unable to agree, the court may impose the death penalty or life imprisonment. A person sentenced under the section would not become eligible for parole until he has served 20 years. Under existing law, rape and carnal knowledge are punishable by up to 30 years' imprisonment, but the jury may specifically recommend the death penalty. If the jury fails to agree on punishment, the sentence is imprisonment (D.C. Code, sec. 22–2801).

As pointed out in our report of May 16, we are generally opposed to mandatory sentencing requirements. Moreover, the imposition of the death penalty particularly in cases of statutory rape, which would also be covered by this section, seems unduly harsh and lacking in flexibility. In our view greater discretion in sentencing should be permitted in order that all facts and circumstances of the particular crime may be taken into account. In a large number of rape cases there may be a lack of consent, technically speaking, but there frequently is a prior relationship between the two parties. There often are other circumstances, too, which make a case different from one in which there is violence, a weapon used, no prior acquaintance between the parties, or serious physical injury.

Existing law provides that persons convicted of assault with intent to kill, rob, rape, or poison shall be sentenced to not more than 15 years (D.C. Code, sec. 22–501). Section 502 would amend the existing law to provide a minimum sentence of 2 years and a maximum of 15 years. We think it unwise to establish minimum sentences and thus remove or limit the discretion of judges to impose sentence on the basis of the particular crime and the background of the person convicted.

Section 503 of the bill would define two degrees of burglary—breaking or entering an occupied dwelling, punishable by imprisonment for from 20 years to life; and breaking or entering a dwelling, store, vessel, etc., punishable by imprisonment for from 5 to 15 years. We would have no objection to defining two categories of burglary, but we would again question the wisdom of minimum sentencing requirements and for that reason would oppose this provision.

Section 504 of the bill would raise the present minimum penalty of 6 months for robbery to 5 years. Our previous comments on minimum sentences are equally applicable to section 504.

Section 505 of the bill dealing with bribery in connection with athletic contests appears unobjectionable. However, a question is raised as to whether an intention to limit the "margin of defeat" is a culpable intention. Someone who attempts to accomplish that, and someone who bribes a contestant to accomplish that, may very well be trying to win for his team. The language in all of the subsections "limit the margin of victory or defeat in such contests" should be changed to refer more specifically to the case of a particular team trying to lose or trying to limit the margin of its own victory. We note also that the provisions of this section and those of section 22–1513 of the District of Columbia Code overlap. Also, subsections (b) and (c) fail to state the applicable fines.

Section 506 would make mandatory the provisions of existing law (D.C. Code, sec. 22–2303) which call for additional terms of imprisonment for the commission of crimes of violence when armed with a pistol or other firearm, and prohibits any suspension or probationary sentence. For reasons previously discussed, we are opposed to the mandatory sentencing requirements of this section.

The provisions of section 507 providing for the amendment of existing law relating to indecent publications in the District of Columbia (D.C. Code, sec. 22–2001) are substantially the same as those of the bill H.R. 5989. A copy of the Department's proposed report on H.R. 5989 is being forwarded for clearance along with this report. As pointed out in our proposed report several of these provisions are objectionable as presenting substantial constitutional problems. However, we have read the proposed report of the Commissioners of the District of Columbia on H.R. 5989 and would have no objection to this section of the bill if amended as suggested in that report.

Existing law prohibits the placing of explosives with intent to destroy or injure property, and provides for a fine of not to exceed $1,000 or imprisonment not exceeding 10 years, or both (D.C. Code, sec. 3105). Section 508 of the bill would set a minimum sentence of 5 years and would retain the maximum sentence at 10 years. Our previous comments on minimum sentencing requirements are applicable to this section.

Section 509 would prohibit the giving of false reports or information to the police department with knowledge that the information is false. The offense would be punishable by a fine of up to $100 or imprisonment up to 6 months, or both. We have no objection to this section.

In view of the foregoing considerations, the Department of Justice is unable to recommend enactment of this bill.

Sincerely yours,

NICHOLAS DEB. KATZENBACH,
Deputy Attorney General.

U.S. DEPARTMENT OF JUSTICE,
Washington, D.C., May 16, 1963.

Hon. JOHN L. MCMILLAN,
Chairman, District of Columbia Committee, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to your requests for the views of the Department of Justice on various bills which have been introduced in an effort to cope with the crime problems of the District of Columbia.

At the outset, we must recognize that there are varied interests which must be accommodated in any statutes we enact to aid in the enforcement of our criminal laws. We must make available to our law enforcement officers whatever lawful, appropriate means we can with which to make our streets, homes, and places of business safer. At the same time, we must be mindful of the fact that not every person who is taken into custody, nor even every person charged with crime, is guilty. We must also be mindful that irrespective of whether such person is innocent or guilty, our Constitution and our way of life require that certain, sometimes restrictive, rules of conduct must be followed by our enforcement people and our courts. Any legislation favorably considered by the Congress must reflect an awareness of these sometimes conflicting considerations.

MALLORY

Among the bills with which we are now concerned, are the measures directed at the impact of the so-called Mallory case. As you know, the Mallory rule is not at all concerned with whether or under what circumstances the police in the District of Columbia may make an arrest. The case stands merely for the proposition that a confession obtained from an arrested person before his arraignment will not be received in evidence in a criminal trial if obtained during a period of "unreasonable delay." This is as it should be. Since the decision in Mallory, we have had a number of other cases interpreting "unreasonable delay" which, I am advised, make it virtually impossible for investigating officers to speak with arrested persons with any assurance that a resultant confession will be usable in the courtroom.

The American Law Institute has recently received funds with which to undertake a study of the problems raised by the Mallory decision. Also, various bills directed to these problems have been introduced in Congress. You have requested a report on H.R. 1930, H.R. 5334, and H.R. 5726. Without expressing any view on the need for amendatory legislation—leaving that question for the District of Columbia enforcement officials and the U.S. attorney for the District of Columbia, all of whom grapple with the problems of Mallory daily—the Department of Justice would support H.R. 5726 in preference to the other two bills. It is generally agreed that there should not be (and under rule 5(a) of the Criminal Rules there cannot be) any unnecessary delay in taking an arrested person before a commissioner or magistrate. Section 2 of H.R. 5726 recognizes this and clearly provides for the exclusion from evidence of any confession, admission, or statement made during a period of unnecessary delay. However, the bill provides that a delay in taking a person before a committing magistrate shall not be deemed cause for exclusion of an otherwise admissible confession, admission, or statement if certain prescribed guidelines are adhered to in the course of the detention. It is the guidelines that make this bill superior, in our judgment, to H.R. 1930 and H.R. 5334. H.R. 1930, except for requiring advice to an accused of his right not to make a statement and that any he makes may be used against him, fails to provide even minimum safeguards for an accused. H.R. 5334, the bill proposed by the so-called Killough committee of the District of Columbia Bar Association, but rejected by the general membership at an open meeting in April, similarly fails to provide adequate safeguards and thereby is susceptible to serious constitutional doubt as violative of the due process clause of the fifth amendment. On the other hand, H.R. 5726 provides that delay in and of itself will not be cause for exclusion of a confession, admission, or statement if a person is plainly advised, in advance of questioning, of his right to make no statement and that any he does make may be used against him; if he is afforded, again in advance of questioning, an opportunity to notify a relative or friend and consult with counsel; if not more than 6 hours elapsed between the arrest and the completion of the confession, statement, or admission; and if, when reasonably possible, the questioning, warning and advice were witnessed by someone not a law enforcement officer, transcribed verbatim, or sound recorded.

INVESTIGATIVE SUBPENA

Two bills, H.R. 5046 and H.R. 5335, "to authorize judicial officers to require the giving of evidence relating to crimes in the District of Columbia," have been referred to the Department of Justice for comment.

These bills are substantially similar. They are presumably offered as possible substitutes for the arrest for investigation procedure which the District of Columbia Commissioners banned as of March 15, 1963. Both measures would authorize the issuance of an investigative subpena by certain judicial officers on application of the prosecuting attorney if in a criminal investigation of an offense punishable by imprisonment for 1 year or more good cause is shown for believing that a person may be able to give evidence relating to such crime. H.R. 5335 also provides that when an investigating officer has reasonable ground to believe that if the normal procedure is followed the respondent may not be readily available, he may serve a subpena previously issued in blank by a court clerk or U.S. commissioner and bring the respondent before a judicial officer. Both bills limit interrogation to 6 hours, with H.R. 5335 excluding police stations or detention facilities as proper places for such questioning. H.R. 5046 makes a respondent's "refusal" to give evidence punishable as contempt. H.R. 5335 provides that when a respondent "wilfully refuses" he may be prosecuted as provided in title 23 of the District of Columbia Code and be subject to a maximum penalty of a $500 fine or 60 days' imprisonment.

As with some of the Mallory legislation discussed earlier, this Department expresses no recommendation as to the need of an experiment such as would be embarked upon under this type of legislation. We do feel, however, if legislation such as H.R. 5726 is enacted, the investigative subpena legislation would be unnecessary. In any event, the bills now before the committee, H.R. 5046 and H.R. 5335, appear to lack the necessary safeguards to which persons upon whom investigative subpenas may be served are constitutionally entitled.

Among the features of the legislation which which merit close scrutiny are the following: First, despite the statement in H.R. 5335 (sec. 1(c)) that a detention as provided for in the bill shall not constitute an arrest, both bills provide for a seizure of the person without probable cause, in violation of the fourth amendment and accompanied by the consequences of a conventional arrest. Both bills seem to permit a 6-hour police interrogation of a person suspected of committing a felony, without the assistance of counsel. In our view such a procedure would be violative of the sixth amendment's guarantee that an accused shall "have the assistance of counsel for his defense." If this legislation is to receive favorable consideration, the final enactment should at least—

1. Provide that the questioning is to be done in the presence of a monitor designated by the court.

2. Provide that the questioning should be reduced considerably from the 6 hours provided in the bills, subject to an extension for an additional period of time by the judicial officer upon a showing of good cause.

3. Provide that the witness is free to leave if he wishes, subject, of course to a prosecution for contempt.

4. Provide for representation by counsel throughout the interrogation.

5. Provide that a judicial officer shall advise the respondent of his right to make no incriminating statement, and that any statements he does make may be used against him.

6. Provide for the verbatim recording of all questions, answers, and statements made in the course of the interrogation.

Whether, with the addition of these safeguards the legislation would constitute a useful investigative tool is a question on which local enforcement personnel can better advise the committee.

MATERIAL WITNESSES

The committee has requested our views on H.R. 1929, a bill "to permit an officer or member of the Metropolitan Police force of the District of Columbia to detain and question persons suspected of committing crimes; and to require bond in the case of certain material witnesses"; and H.R. 5336, a bill "to amend the law relating to material and necessary witnesses to crimes committed in the District of Columbia."

H.R. 1929 is cast in two sections, the first of which provides for the detention of persons suspected of committing criminal acts in the District of Columbia. It, in effect, would constitute a legislative reinstitution of investigative arrest in the District of Columbia. As such, it would be subject to the constitutional and other considerations previously raised with respect to H.R. 5046 and H.R. 5335, the investigative subpena bills. As a matter of fact, it would be much less likely to survive judicial scrutiny, as it has even less of the required safeguards suggested by the fourth, fifth, and sixth amendments than do the subpena bills.

Section 2 of H.R. 1929, and H.R. 5336 are directed at assuring the presence of material witnesses at the investigation or trial of a person charged with the commission of a felony. H.R. 1929 would permit a Metropolitan Police officer to detain a material witness for 6 hours before bringing him before a judicial officer to determine whether there is a reasonable probability that such witness will not be available during an investigation or trial. H.R. 5336 requires that a material witness be taken before a judicial officer "without unnecessary delay," to determine whether there is a reasonable probability that he will not be available at a trial. It does not permit a 6-hour delay, nor does it permit detention in connection with investigations. H.R. 5336, submitted by the District of Columbia Commissioners, represents the sounder approach to the material witness problem to which it is addressed. It is patterned after rule 46(b) of the Federal Rules of Criminal Procedure, the constitutionality of which has never been doubted. However, if it is to be favorably considered, the committee may wish to consider the following suggestions.

Recognizing that the person involved is not accused of a criminal act, and may even be the victim of that act, it would seem desirable to provide a means for witnesses who are unable to post bonds because of financial inability to be released from confinement.

In some States, by statute, once the defendant is apprehended the deposition of the witness may be taken, and the defendant afforded the right of cross-examination. Rule 15(a) of the Federal Rules of Criminal Procedure has a similar provision. While the rules of criminal procedure for the District of Columbia provide for depositions of material witnesses for the defendant who are about to leave the District (D.C. Code, sec. 23–111), no like provision is made for depositions of witnesses for the Government.

It is suggested also, that although the witness is not accused of a crime, he should have the right to counsel and be advised of this right. An analogous situation is the right of an accused to counsel in a preliminary hearing. There is precedent for this practice. In New York, for example, the magistrate advises the witness of his right to counsel, and if he cannot pay for it, the court will assign an attorney to serve without compensation. (See 40 Neb. L. Rev. 503, 510; 511, note 42, commenting on "imprisonment of the material witness for failure to give bond.")

It is also suggested that consideration be given to compensating a witness for time spent in detention awaiting interrogation or trial. While there are provisions in the District of Columbia Code for witness fees for attendance in court (D.C. Code, sec. 11–1501 and 23–109), under the weight of authority, these provisions would not be broad enough to permit payment of compensation to a material witness under detention. Even if detention is a public duty which a person may properly be called on to perform, it may operate as an intolerable burden on a witness and his family, if, while prevented from working, he is denied reimbursement during the detention period which under some circumstances might be prolonged for several months.

As is provided in rule 46(b) of the Federal Rules of Criminal Procedure, consideration should be given to a provision which would authorize the judge or commissioner to order the release of the witness if he has been detained for an unreasonable amount of time, and to modify at any time the requirement as to bail.

Under the language of the bill the police would, without judicial process, be empowered physically to take the material witness before the judge on the basis of their own determination that the statutory grounds exist. As a practical matter this would seem to be necessary where a witness is taken into custody at the scene of the crime. However, with respect to witnesses other than those taken into custody at the scene of the crime we suggest that consideration be given to a revision of the proposal to provide that such witnesses may not be taken before a judge except pursuant to a court-issued subpena. This could be based on an ex parte affidavit or petition. Such a revision would be consistent with rule 46(b) of the Federal Rules of Criminal Procedure.

Also, to clarify the intention that not everyone need be detained, but that those who are must be brought before a judicial officer without unnecessary delay, it is suggested that lines 2 through 4 of page 2 be revised to read: "Witness may be detained by a member of the Metropolitan Police force or by a Federal law enforcement officer. Any person so detained shall, without unnecessary delay, be taken before a judge of the United States."

Modified as suggested, H.R. 5336 would substantially improve the existing law in the District of Columbia relating to the detention of material witnesses.

DURHAM RULE

The Department has not been asked to submit its views on H.R. 1932, legislation to clarify and modify substantively and procedurally—the law of the District of Columbia relating to the defense of insanity in criminal cases. However, in your letter to the Attorney General, dated April 2, you refer to testimony by District law enforcement officials that the present state of the law has seriously hampered the administration of criminal justice.

H.R. 1932 is identical with H.R. 7052, 87th Congress, which passed the House on June 26, 1961. It is directed at the problems which have arisen in the application of the decision of the Court of Appeals for the District of Columbia Circuit in *Durham* v. *United States* (94 U.S. App. D.C.; 214 F. 2d 862, (1954)). However, in the course of recent decisions—notably *McDonald* v. *United States* (312 F. 2d 847 (1962))—the Court has largely obviated the need for legislation such as H.R. 1932. In its unanimous, en banc opinion, the court not only resolved many of the difficulties, but reflected a willingness and ability to make adjustments in the Durham rule and its application, as experience dictates. It is the view of this Department that the court should be given the opportunity further to develop and refine the law in this area without legislation at this time.

FOURTH OFFENDER

The Department is unable to recommend the enactment of H.R. 1893, a bill to provide, under the laws of the District of Columbia, for the life imprisonment of any person convicted of four felonies.

Apart from the specifics of the bill, as to which we have certain criticisms, we are generally opposed to this or similar legislation. It is not in keeping with modern thinking, as expressed repeatedly by judges and in the American Law Institute Model Penal Code, that mandatory sentences are of a highly questionable value. They result in serious inequities and make it even more difficult to obtain warranted convictions, particularly when jurors know that a conviction means life imprisonment for an offender.

The sentencing process is affected by numerous factors which vary from case to case, and the weight to be assigned to each factor should be left to the discretion of the presiding judge in each instance. The interim report of the New York State Temporary Commission on Revision of the Criminal Code, published on February 1, 1963, indicates similar misgivings about the operation of New York's habitual offender legislation of this type.

The prohibition against parole for a prisoner convicted and sentenced to life imprisonment adds further undesirable rigidity to the measure.

Finally, the measure is in direct conflict with Public Law 85-752 (72 Stat. 845, approved August 25, 1958) which seeks to invest the sentencing process with a full consideration of all the factors involved, an objective which that law proposes to reach through judicial institutes and indeterminate sentences.

DANGEROUS WEAPONS

The final measure on which the committee has requested our views is H.R. 678, a bill to make possession of a dangerous weapon presumptive evidence of intent to use it unlawfully.

This Department is gravely concerned about the ease with which dangerous weapons may be obtained, transferred, and possessed, and the tragedies which occur as a result of this. We would wholeheartedly support legislation to regulate traffic in such weapons, and their possession, but are unable to support an approach to the problem such as that of H.R. 678.

Dangerous weapons, by definition in the District of Columbia Code, include a toy pistol, a razor, and a knife with a blade longer than 3 inches. To presume from the possession by a child of a toy pistol that he intends to use it unlawfully, or to presume that a man's possession of a razor indicates an intent to use it unlawfully, or to presume that a housewife carrying her carving knife intends to put it to an illegal use, is unreasonable.

Further, the Supreme Court in *Tot* v. *United States* (319 U.S. 463, 467-468 (1943)), stated the following concerning statutory presumptions:

"Under our decisions, a statutory presumption cannot be sustained if there be no rational connection between the fact proved and the ultimate fact presumed, if the inference of the one from the proof of the other is arbitrary because of lack of connection between the two in common experience. This is not to say that a valid presumption may not be created upon a view of relation broader than the jury might take in a specific case. But, where the inference is so strained as not to have a reasonable relation to the circumstances of life as we know them, it is not competent for the legislature to create it as a rule governing the procedure of courts."

Benton v. *United States* (232 F. 2d 341 (D.C. Cir. 1956)), involved a statutory presumption somewhat similar to the one in the bill in question. In that case the defendant had been convicted for violation of section 22-3601 of the District of Columbia Code, which reads as follows:

"No person shall have in his possession in the District any instrument, tool, or other implement for picking locks or pockets, or that is usually employed, or reasonably may be employed in the commission of any crime, if he is unable satisfactorily to account for the possession of the implement."

The defendant had been found in the possession of a sledge hammer, ax, and hacksaw. The court interpreted the statute as allowing the jury to presume the existence of an intent to use the instrument for a felonious purpose from the mere fact of possession of the instrument. The court, in reversing the conviction, held that no rational inference of criminal intent could be drawn from the mere possession of tools which "reasonably may be employed" in crime. The court did not reach the question of whether the inference of criminal intent could be drawn from the possession of tools or implements which in themselves give rise to sinister inferences.

Some of the views expressed in this report were stated in substance by U.S. Attorney Acheson when he appeared before a subcommittee of the House District of Columbia Committee on May 6. However, I hope this written presentation of them will be of further assistance to the committee in its deliberations.

The Bureau of the Budget has advised that there is no objection to the submission of this report from the standpoint of the administration's program.

Sincerely yours,
NICHOLAS DEB. KATZENBACH,
Deputy Attorney General.

Mr. Chairman, I urge my colleagues to vote against this bill or at least to vote to recommit the bill to the committee for further study.

Mr. HORTON. Mr. Chairman, I yield 20 minutes to the gentleman from Minnesota [Mr. NELSEN].

Mr. NELSEN. Mr. Chairman, I wish to compliment the chairman of our committee as well as the chairmen of the subcommittees who diligently and carefully worked on this legislation. I know of no time in my experience in the Congress where a more thorough, more careful, and more intensive hearing of all the persons considered was had than in regard to this bill. There could be no question but that crime in the District of Columbia is a major problem which makes living here a hazard and visiting here a cause for deep concern. As the Nation's Capital and showcase of the world, it is a situation which cries for attention. In any legislation involving crime we are confronted, as we are in H.R. 7525, with the problem of individual rights alongside the need of protecting society. The balance between them is not easy, particularly in a time of major disturbance over the serious crime situation with which we are confronted. However, it seems to me that we must give our law-enforcement officers workable tools if they are to be at all able to deal with the problem. At the same time, I hope we will not forget and will take adequate action to correct, as far as it is within our power to do so, the conditions which breed crime. Educational and recreational facilities, job opportunities, and the housing and other conditions which are all part and parcel of this problem need to be dealt with if we are to have a real long-range solution.

Mr. WHITENER. Mr. Chairman, will the gentleman yield?

Mr. NELSEN. I will be glad to yield.

Mr. WHITENER. I would like to commend the gentleman from Minnesota [Mr. NELSEN], as well as his colleagues on his side of the aisle, the gentleman from Ohio [Mr. HARSHA], the gentleman from New York [Mr. HORTON], and members of the subcommittee on our side of the aisle, the gentleman from Illinois [Mr. DAWSON], the gentleman from Mississippi [Mr. WILLIAMS], the gentleman from Texas [Mr. DOWDY], and the gentleman from Georgia [Mr. HAGAN], for their active participation in the hearings and deliberations by the committee and their efforts here on the floor of the House to see that this very beneficial legislation is written into law.

Mr. NELSEN. I thank the gentleman.

Mr. WHITENER. Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Mr. DOWDY].

Mr. DOWDY. Mr. Chairman, I understand it to be my assignment briefly to explain the portion of this bill dealing with obscene and indecent literature and publications. I think I might call the attention of the House first to the present law which actually is incorporated in this bill. The present law, of course, does not cover the things that were not contemplated at the time of its enactment.

The indecent publications law, as now on the books, covers the selling or the possession with intent to sell or give away, and so forth, any obscene, lewd, or indecent books, and so on. Since that law was written, we have phonograph records, film, tape and wire recordings, and other kinds of sound recording which we incorporate and add to the words of the present law, and include, in addition, images and statutes and things of that sort that are not presently in the law.

Going a little further, this bill or this section of the bill adds another paragraph which makes it unlawful for a person to produce, manufacture, or to take lewd photographs or to act in, or pose as a model for and so on, and to make the prints or to make the recordings with the knowledge that they are to be sold. Modern electronics have extended the possibilities of producing obscene matter in many ways, and we are trying to cover them in this portion of the bill as it is written.

There has been some complaint made in some of the supplemental opinions or additional views, or dissenting views, in regard to this bill. These complaints contain misleading statements.

The truth of the matter is that I introduced this section of H.R. 7525 as a separate bill early this year. It was prepared after a great many consultations and conferences with the U.S. attorney for the District of Columbia and with representatives of the Office of the Corporation Counsel of the District. It was the suggestion of one of them that we abandon the stricter provisions contained in the bill which was passed by this Congress almost unanimously last year and instead provide for a temporary restraining order and temporary injunctions to prevent, as much as possible, the dispensing of this objectionable material.

There have been statements made on the part of opponents of this part of the legislation that would indicate that we have nothing but corrupt judges and corrupt prosecutors here in the District of Columbia. That is not our fault, although I do not believe that statement. But if the opponents of the bill want to infer that there is corruption in the enforcement of the laws, on the part of the prosecuting officials and the judges who pass upon these matters, then that is their lookout. The truth of the matter is that there is not a law that was ever passed in the United States that did not have to rely upon the integrity, the intelligence, and the good judgment of the judges of our courts. That is one of the things we cannot legislate. We rely upon it. Also we must rely upon some intelligence and integrity in the office of the prosecutors.

The provision of this bill which is objected to so strenuously merely authorizes the U.S. attorney or the Corporation Counsel to petition for a temporary restraining order to prevent the dispensing of this objectionable material. It does not say that he has to do it; it authorizes him to do it in such cases as the facts demand.

The CHAIRMAN. The time of the gentleman from Texas [Mr. DOWDY] has expired.

Mr. HORTON. Mr. Chairman, I yield the gentleman 4 minutes.

Mr. DOWDY. I thank the gentleman. Further, it authorizes the courts to grant a temporary restraining order for a period not to exceed 10 days. After that the restraining order would have no effect. And it would be incumbent upon the prosecutors, if they wished to extend it, to get a temporary injunction after hearing.

Mr. Chairman, I know that some of the statements made here were not made by attorneys. There was a statement made by our esteemed friend from New York; I do not think that he meant it. That was that one of these filth peddlers, or filth producers, if a restraining order were issued, could not get a hearing for 10 days. Any lawyer knows that such a person could come in the very minute that he was served and ask the court to dissolve the temporary restraining order. That is the practice everywhere.

There was a complaint made of no protection under one of the provisions of this bill, but one of those provisions is that injunctive proceedings under this section shall be governed by the Federal rules of civil procedure so far as they are consistent with the provisions of this act.

One more thing; they talk about taking away property of people, and that it might cover some innocent party.

Bear in mind as you read section (f) on page 27, if any preliminary injunction is issued and if after that a permanent injunction is issued, it is done at the discretion of the court, and I shall assume that we have honest and honorable judges here in the District of Columbia. It is within the discretion of the court as to whether anything be forfeited.

Mr. Chairman, there is a further provision in the bill that if any property is seized which is subject to a lien, or if an innocent party has an interest in any property involved and if he shows he is innocent, then he is protected in his rights in the property.

Mr. Chairman, we have heard statements made at various times about the innocent material that is being sought to be barred here in the District of Columbia. However, I have a great many examples or illustrations and exhibits which I am not going to put out here for the observation of the members of the committee, because they are revolting and will turn your stomach but which I wish the members of the committee could see. Here is a book that was written in the District of Columbia. I think it was published here. I do not know where it was printed. It was written in the District of Columbia. It was written for some of the folk who have lots of money with which to buy it. It is obscene, and any reasonable man will say so.

Here is another book that was picked up here in the District of Columbia which carries such obscenity and which is widespread. It is truly revolting.

Mr. Chairman, no reasonable man could want to defeat a law which will permit the legal authorities confiscating and destroying it.

Mr. Chairman, here is a book which I understand was published in the District of Columbia. Here is one of the homosexual books. Here are some more books which are being circulated in the District of Columbia. They all represent raw obscenity.

Mr. Chairman, the police cannot do anything about these books which are being circulated.

Mr. Chairman, here is one of the kind of books that goes to schoolchildren. This very sort of publication is published here and has been published here in the District of Columbia. The police find them but they cannot do anything about the publishers and printers.

Mr. Chairman, I trust that this section of the bill will be adopted without amendment.

Mr. WHITENER. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. COHELAN].

Mr. ROSENTHAL. Mr. Chairman, will the gentleman yield?

Mr. COHELAN. I yield to the gentleman from New York.

Mr. ROSENTHAL. Mr. Chairman, I rise in opposition to this bill.

Mr. Chairman, as stated by the majority report, the purpose of this bill is "to provide some legislative specifics with which to stem the criminal tide now running in the Nation's Capitol," make the "streets safe," and "to provide additional tools" to assist the police, the prosecuting officers and the courts in ameliorating crime conditions.

I submit, Mr. Chairman, that this potpourri of revisions to the District of Columbia Criminal Code fails in every respect to meet its avowed purpose of cutting down the crime rate in the District. The passage of this bill would make the District of Columbia an outcast in the legal community and alone among other Federal jurisdictions.

This bill would be a body blow to the many freedoms that the American citizen is entitled to under our Constitution and the interpretative court decisions. It would give to the District police the power to make investigatory arrests even in cases where there is no probable cause for the arresting officer to believe a crime has been committed. It would also permit the introduction into evidence in criminal trials of confessions that were obtained during periods of unlawful detention. It would disturb the ruling of the court of appeals in the Durham case, which is a sound legal decision that spells out the rules for determining a defendant's sanity. Furthermore, it would permit ex parte seizure of allegedly indecent publications and property without trial, hearing or any determination whatsoever of what the community regards as appropriate material for general publication.

In an effort to get tough with criminals, the proponents of this bill have lost sight of the procedural and constitutional protections which have been erected as safeguards within the framework of our legal system. Further, they have lost sight of their own goals in this proposal. Clearly, we are all dedicated to eradicating crime, not only from the streets of the city which calls itself our Nation's Capital, but from every city, town and hamlet in the United States. By indicating to others that this legislation is the answer to crime prevention, rather than better schools, better housing, better living and working conditions, and better human relations, is a tragic mistake and would most certainly do disservice to the efforts of all crime prevention officers.

Crime prevention is a very complex and expensive process, involving many disciplines and programs, and it is foolhardy to think that we can take a shortcut and avoid the effort and expense it implies by passing a bill which is archaic, vindictive, and arbitrary in its spirit.

I urge the defeat of H.R. 7525.

Mr. COHELAN. Mr. Chairman, let me make it clear that I share the concern of my colleagues in the House and on the District Committee with the increase in criminal behavior in the District of Columbia. There are obviously many factors contributing to this problem—unemployment, slum housing, and racial discontent sparked by unequal opportunities, to mention just a few. But let us keep a few other important facts in mind as we consider this legislation before us today.

First. Washington does not, as is so frequently alleged or implied, lead this country in crime. As a matter of fact, in 1962, it ranked seventh among our 12 largest cities in total crimes committed per thousand population. This record certainly should be improved, in Washington and across the United States, but are any of us here today prepared to limit and boldly infringe upon basic constitutional rights in our own home cities as this bill would do in Washington, D.C.?

Second. Washington is not soft on crime. Records from the Federal Bureau of Prisons reveal that the District of Columbia leads the Nation in time served by adult offenders before their first release. In addition, Police Chief Murray stated just last year that the District's crime solution rate is about twice the national average.

Third. We must recognize, as Deputy Attorney General Katzenbach emphasized in his report to the committee on this legislation, and I quote:

> There are varied interests which must be accommodated in any statutes we enact to aid in the enforcement of our criminal laws. We must make available to our law-enforcement officers whatever lawful, appropriate means we can with which to make our streets, homes, and places of business safer. At the same time, we must be mindful of the fact that not every person taken into custody, not even every person charged with crime, is guilty. We must be mindful that irrespective of whether such person is innocent or guilty, our Constitution and our way of life require that certain, sometimes restrictive, rules of conduct must be followed by our enforcement people and our courts.

Mr. Chairman, I submit that this bill does not meet this important standard; that it violates many hard learned principles regarding the treatment of criminal behavior; that it reads in part as if the Constitution of the United States has been suspended in its Capital City.

M'NABB-MALLORY

Turning briefly to the specific provisions of this bill, Mr. Chairman, we find that title I would repeal for the District of Columbia alone, among all Federal jurisdictions rule 5(a) of the Federal Rules of Criminal Procedure. As the Deputy Attorney General explained so clearly in his May 16 letter to the committee:

> The Mallory rule is not at all concerned with whether or under what circumstances the police in the District of Columbia may make an arrest. The case stands merely for the proposition that a confession obtained from an arrested person before his arraignment will not be received in evidence in a criminal trial if obtained during a period of unreasonable delay. This is as it should be.

The Mallory rule does not prevent the police from conducting investigations by questioning people. It simply prevents them from arresting people for the purpose of questioning in the confines of a police station while they are unable to contact friend, relative, or counsel.

It is argued that Mallory hampers effective law enforcement in that it is often difficult to show probable cause unless and until a confession has been secured. The 20 years' experience with this rule, however, has not demonstrated any hamstringing of law enforcement efforts. In addition, the fourth amendment specifically prohibits any arrest except upon probable cause.

Title I would overrule many court decisions and a long, well-established policy of protecting persons against unlawful detention and secret, prolonged interrogation. It would weaken the rights and liberties of every American.

Nearly all States require preliminary hearings without unnecessary delay. This rule is effective in all 10 judicial circuits of the Federal court system. Title I would abrogate this vital protection in the District of Columbia alone. It has, accordingly, in its present form, been vigorously opposed by the Department of Justice, the District Commissioners, and the District of Columbia Bar Association. It is a dangerous attack upon vital human protections and constitutional guarantees, and should be defeated.

DURHAM

Title II of H.R. 7525 would change the entire law and procedure in the District of Columbia concerning mentally ill persons who have committed criminal offenses. Title II is proposed, moreover, after only cursory hearings which did not include the testimony of medical or psychiatric experts, of specialists in mental health, penology or criminology, or of representatives of the bar, other than the U.S. attorney, Mr. Acheson stated this year, moreover, that "all of those problems with the Durham rule have been very considerably clarified and alleviated in the McDonald decision."

The committee claims that the test of criminal responsibility proposed in title II is "patterned after and follows closely the formulation of the American Law Institute."

The fact is, however, that the test differs in one crucial respect. It differs by asking the Congress to adopt the right-wrong test of the M'Naghten rule promulgated by the House of Lords in 1843. Since that time this test has been forcefully and repeatedly condemned by judges, lawyers, criminologists, and psychiatrists. Thirty years ago Judge Cardozo pointed out that this test "has little relation to the truths of mental life." Judge Biggs, of the Court of Appeals for the Third District stated 2 years ago that "M'Naghten is not only unfair to the individual defendant but to society." And a Royal Commission in England, after extensive study, concluded that "M'Naghten cannot be defended in the light of modern medical knowledge and penal views."

Despite certain allegations, the committment procedure under the Durham rule affords the community greater protection than would imprisonment of mentally ill offenders. Persons sent to jail are released at the expiration of their sentence, even though they are predictably dangerous. A person found not guilty by reason of insanity, however, is automatically committed to a mental institution where he must remain until both the hospital authorities and district court are satisfied that he has recovered his sanity and will not be dangerous to the community or to himself.

In recommending against passage of title II, the District Commissioners stated that the "Durham rule seems to be working very well" and that title II would "operate to complicate the determination of mental illness" and "complicate the release of apparently recovered persons."

The Department of Justice has stated that recent decisions, notably *McDonald* v. *United States* (312 F. 2d 897, 1962), have obviated the need for such legislation and that the courts "should be given the opportunity to develop and refine the law in this area without legislation at this time."

Mr. Chairman, I submit that these arguments speak for themselves.

ARRESTS FOR INVESTIGATION

Title III would abolish the ban on arrests for investigations, a ban instituted only 3 months ago, and after exhaustive study, by the District Commissioners.

The committee, in its report, has claimed that investigation is vital to law enforcement. But the records show that in the overwhelming majority of cases, detention for questioning, no matter how prolonged, has led to very few charges actually being filed.

As a matter of fact, the very thorough study conducted by the Horsky Committee on Police Arrests for Investigation revealed that in the 2-year period 1960–61, 211 persons were arrested for "investigation" of homicide, of whom all but one were released. During the same period 120 persons were arrested for "investigation" of rape, only one of whom was charged. For robbery the figures were 1,998, and 51; for housebreaking, 1,682 and 67.

Not only is title III uncalled for, with its police power to detain suspects and material witnesses incommunicado for up to 6 hours, it is clearly in violation of not just one, but several sections of the Constitution.

As the Horsky committee reported, and as the District Commissioners have emphasized in their report on this measure:

Such arrests cannot be reconciled with the fourth amendment to the Constitution in that there is not a requirement of probable cause.

Such arrests deny to the person so detained the opportunity to secure his liberty by seeking bail or posting collateral.

Such arrests deny the right of habeas corpus.

Such arrests deprive the person detained of the right of counsel.

Such arrests tend to impair the right of the person, under the fifth amendment, not to be compelled in any criminal case to be a witness against himself.

Section 301(c), to be sure, says that detention "shall not be recorded as an arrest," but these are empty words at best. In addition to the denial of fundamental constitutional rights, what lesser stigma is it to be a "detainee" rather than an "arrestee"? What security official would ignore such a record of police custody?

This title, in its present form, is opposed by the Department of Justice and the District Commissioners. It was resoundingly rejected earlier this year by the District of Columbia Bar Association. The House should do no less today.

INCREASED AND MANDATORY PENALTIES

The increased and mandatory penalties for certain crimes contained in title V of this bill are both unwise and unnecessary and could lead to serious injustices. In commenting on this section both the Department of Justice and the District Commissioners have stated their strong opposition to mandatory sentencing and the resulting denial of judicial discretion.

The Justice Department, in particular, has stated:

> Greater discretion in sentencing should be permitted in order that all facts and circumstances of the particular crime may be taken into account. * * * We think it unwise to establish minimum sentences and thus remove or limit the discretion of judges to impose sentences on the basis of the particular crime and the background of the person convicted.

PRIOR CENSORSHIP OF ALLEGED INDECENT MATERIALS

Title V of this bill would also permit, for the first time in the District of Columbia, censorship through the technique of prior restraints and seizures in the matter of materials alleged to be indecent.

The Supreme Court's condemnation of prior restraints, of free expression, is firm and well established. In the case of *Near* v. *Minnesota* (283 U.S. 697, 1931) the Court ruled that prior censorship is unconstitutional. Only this year in the case of *Bantam Books* v. *Sullivan* (9 L. Ed. 2d 584, 593) the Court ruled that "any system of prior restraints of expression comes to this Court bearing a heavy presumption against its constitutional validity."

The committee has based much of its case on the Supreme Court's decision in *Kingsley Books* v. *Brown* (354 U.S. 436, 1957). But it should be clear in everyone's mind that this bill contains none of the safeguards on which the majority of the Court relied in this case.

Mr. Chairman, I defer to no man in my opposition to those who prey on innocent minds in order to make a fast buck; to those who sell or exhibit pornography.

But this bill is so broadly written; it contains such vague and indefinite language, that it infringes upon the first amendment to the Constitution. It is all very well for the proponents of this bill to say that it is not aimed at reputable publications. The fact is that it could do far more than strike at the purveyors of pornography. The range of newspapers, magazines, and books which could be reached by the language of this bill is virtually unlimited.

In its present form, both the Justice Department and the District Commissioners have emphasized that it contains "substantial constitutional problems."

In conclusion, Mr. Chairman, this bill is both narrow-minded and repressive. Its major provisions have been so severely criticized by District and Federal officials charged with the administration of justice that the Bureau of the Budget has strongly recommended against its enactment.

If adopted for the District of Columbia it would undoubtedly serve as an unjust and unfortunate precedent for other jurisdictions. It thus poses a danger to liberty, freedom, and good government, not only in the District, but throughout the United States. It should therefore, be vigorously and promptly rejected.

ARE THE COURTS PERPETUATING CRIME THROUGH THE MALLORY RULE?

"I can't see how these courts perpetuate these crimes on our own citizens. It only creates disrespect for the courts." According to the Washington Post account,[1] this statement was made by the chairman of the Public Protection Subcommittee of the Board of Trade after listening to a speech by Robert V. Murray, Chief of Police, which commented upon the Mallory rule and the recent Killough decision. Chief Murray has excited such reactions before. Testifying before various congressional committees and subcommittees in 1958, he stated that if the Mallory rule stood, it would result in a "complete breakdown of law enforcement in the District of Columbia",[2] and that "most of the murders, the rapes, and robberies that I have come in contact with would have gone unsolved and unpunished under the Mallory decision."[3] However, 2 years later in March 1960, Mr. Oliver Gasch, then U.S. attorney for the District of Columbia, is reported by the Washington Post to have said that prearrest investigations had become more extensive and that police work in general was more thorough and exact.[4] On April 1, 1962, David C. Acheson, the present U.S. attorney, stated on a local television program that there had been 11 cases, or on the average, 2 cases per year in which his office either failed to secure a conviction, or decided against a prosecution because of the realization that a confession which had been secured would be inadmissible, because of the Mallory rule.[5]

Later this year, the court of appeals' Killough decision further extended the Mallory rule. This decision prevents the admission into evidence of illegally obtained confessions which are reaffirmed after the preliminary hearing, but before the accused receives the advice of counsel. As a result of this decision, a massive campaign seems to have been launched by the police and prosecutor's office to secure modification of the Mallory rule through educating the public regarding the difficulties of law enforcement in the District of Columbia. The U.S. Attorney points out that police in this city suffer from restrictions not placed upon most State and local police, but are required to solve a wide range of local crimes not ordinarily confronting Federal law enforcement officers. Chief Murray attributes the high crime rate in Washington to court rules making it difficult to obtain convictions and to leniency in sentencing. Both seem to urge that rulesmaking convictions easier to obtain plus longer sentences will solve the crime problem in Washington. Both offices have attempted to justify as appropriate the police procedure in the recent Merson murder case in which a juvenile suspect was held and interrogated intermittently for 60 hours before being taken before a committing magistrate.

The problem is a complex one and subject to resolution by rash statements or scare tactics. Without evaluating the more fundamental issues, four questions may be relevant to the purported need for easier convictions, stiffer sentences, and less limitation upon police station house interrogation.

1. Is imprisonment too short for criminals convicted in the District of Columbia?
2. Is the percentage of acquittals too high?
3. Are too many convictees given probation (suspended sentences)?
4. How many suspects confess after prolonged police detention?

IMPRISONMENT LENGTH

According to information secured from the Federal Bureau of Prisons, the District of Columbia leads the Nation in the amount of time served by adult offenders before their first release. One State only, Illinois, gives longer sentences. However, since Illinois has more liberal parole, it cannot compete in the actual time served in prison.

Take 1960 as a year for comparison. That year, 606 adult felony convictees were released from District of Columbia institutions. They had served an average term of imprisonment of 41.5 months. Over the country as a whole for the same year, there were 34,992 adult felony convictees (serving indeterminate sentences as in the District of Columbia) who were released for the first time. They served an average period of confinement of 29.5 months. The shortest period of confinement for such persons was in Vermont, where the average period was 12.9 months; the longest (other than in the District of Columbia) was in Hawaii—38.1 months.

ACQUITTAL RATE

According to the annual report of the Administrative Office of the U.S. Courts, there were 1,337 indictments in the District of Columbia for the fiscal year 1961 (July 1, 1960–June 30, 1961). Of these, 140 were acquitted—a percentage of 10.5 percent. This figure is qualified by the fact that 66 of the 140 were acquitted by reason of insanity and were mandatorily committed to St. Elizabeths Hospital for confinement until no longer dangerous to themselves or others. This means that 5.2 percent won outright release by their acquittal.[6]

We have been unable to secure comparable statistics from other Federal courts (no insanity breakdown), or from State courts. Realistically, the acquittal rate should not be compared with either State courts or other Federal courts—it should be compared with the acquittal rate from a similar metropolitan area.

PROBATION RATE

Again referring to fiscal 1961, the administrative office annual report indicates that the District of Columbia used probation in 26.6 percent of the convictions. Other district courts used probation on the average of 37.5

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[1] See Washington Post, Nov. 22, 1962, p. C-1, article entitled "Chief Murray Says Modification of Mallory Rule Would Help Curb District's Mounting Crime Rate."

[2] Hearings before the Special Subcommittee To Study Decisions of the Supreme Court of the United States, House Committee on the Judiciary, 85th Cong., 2d sess. (1957), pp. 33, 42.

[3] Hearings before the Subcommittee on Constitutional Rights of the Senate Committee on the Judiciary, 85th Cong., 2d sess., p. 124.

[4] See Washington Post, Mar. 26, 1960, p. D-1.

[5] See report and recommendations of the Commissioners' Committee on Police Arrest for Investigations (the Horsky report), July 1962, p. 17. The committee states that "the information was supplied by the U.S. attorney in a television interview, Dimension 4, WRC-TV, Apr. 1, 1962, and was subsequently confirmed to the committee." Id. N. 16a.

[6] Annual report of the Director of the Administrative Office of the U.S. Courts, 1961, pp. 158, 160. Not all of the indictment resulted in either acquittal or conviction; 8.8 percent were dismissed. However, the writer's experience indicates dismissals usually result when a defendant pleads to a lesser charge or because of a formal defect in the indictment which is followed by a new indictment.

percent of the convictions. It may be observed however that Federal courts deal with dissimilar problems.

No statistics regarding probation use in comparable metropolitan areas have been found. However, State usage may be indicated by the statement of James V. Bennett, Director, U.S. Bureau of Prisons, in the January 1961, issue of "Crime and Delinquency":

"The statistics on prisoners tell us that in many jurisdictions highly suitable prospects for probation are still being sent to prison. In the courts of New York State only 25 percent of the convicted defendants are being placed on probation, and in Pennsylvania only 30 percent. Yet in California about 50 percent and in Wisconsin 60 percent of the convicted defendants are placed on probation. It appears that the courts in such jurisdictions as New York and Pennsylvania need to be sold on the value of probation. If this can be done, it will be a long step forward in the solution of correctional problems now being passed on the prisons."[7]

DETENTION-INTERROGATION SUCCESS RATE

What is the Mallory rule all about? In practical terms, the conflict centers upon the desirability of allowing prolonged police interrogation of the suspect rather than immediately taking him before a magistrate. The police maintain that after being warned of his rights, few confessions will issue and the solution of crime will be dramatically hindered. This presumes the effectiveness of police interrogation. Analysis of police arrest for investigation followed by prolonged detention may be helpful. These arrests and detentions are designed to hold the suspect in custody while evidence of guilt is acquired. Varying amounts of interrogation are applied during the detention. In one recent case, a juvenile suspect arrested on "investigation" was interrogated intermittently for 60 hours before being taken before a magistrate. What has been the experience of the police with these prolonged detentions for "investigation"?

The report of the Commissioners' Committee on Police Arrests for Investigation (the so-called Horsky report) indicates that "of the 1,356 persons held for 8 hours or more in 1960, only 16, or 1.2 percent, were charged." The others were released without any charge after 8 hours or more detention. The report further states, "of the 690 persons held for more than 12 hours in 1960 only 7—1 percent—were charged." Again, the remainder were released after this prolonged detention without any charge. Apparently the detention had little success in the acquisition of a confession. Turning to the specific crimes for which a confession is often said to be the essential for solution, we find the Horsky report stating:

"In the 2 years 1960-61, 221 persons were arrested for 'investigation' of homicide, of whom all but 1 were released. During the same period 120 persons were arrested for 'investigation' of rape, of whom 3 were charged. For robbery, the figures were 1,998 and 51; for housebreaking, 1682 and 67."[8]

CONCLUSION

It should be obvious that we have not answered many of the questions regarding the Mallory rule. This has not really been our purpose. We have attempted to bring to light relevant information largely ignored by some of the more vocal protagonists in this bitter controversy. The facts presented here do indicate that punishment is stiff enough in the District of Columbia and that few criminals escape after indictment.

Investigating committees and the like would do well to expend energy into some of the unexplored areas of fact. Thus far there sometimes seems to be a tendency to confuse the honestly held opinions of knowledgeable persons with fact. The difficulty is that most knowledgeable persons in this area have such a strong interest in preventing or perpetuating police interrogation that their opinions are not objective.

BIOGRAPHICAL NOTE—GEORGE W. SHADOAN

B.S., LL.B., University of Kentucky; LL.M., Georgetown University professor of civil procedure, director, the legal aid and legal internship programs, Georgetown University Law Center.

Past chairman, Criminal Law Manual Committee, junior bar section of the District of Columbia Bar Association.

Chairman, Criminal Law Short Course Committee, junior bar section of the District of Columbia Bar Association, which is presenting a criminal law practice institute in February 1963.

Member, Judicial Conference for the District of Columbia Circuit, 1963.

District of Columbia "Young Lawyer of the Year," 1963.

Presently engaged in the private practice of law in Montgomery County, Md., and the District of Columbia.

Editor and coauthor, "Law and Tactics in Federal Criminal Cases."

Mr. WHITENER. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. DIGGS].

Mr. DIGGS. Mr. Chairman, the fact that we do not have time to properly discuss all of the legal ramifications and impacts that are contained in this proposed change in the District Criminal Code is one of the indictments that, in my opinion, stands as irrefutable evidence that we are not properly considering this bill. I am certainly not questioning the motives of the proponents of this legislation. I do not think there is anyone in the District of Columbia who does not have an interest in minimizing the symptoms of the crime problem in this area. I think despite the consideration which has been given it in committee that the proponents have been myopic with respect to the solutions which they have suggested.

It is interesting in reviewing the majority report on the purposes of the bill to witness their characterization of the problem that they propose to resolve. They use such expressions as "stemming the criminal tide," as if we are about to be inundated by some great tidal wave here in the District, in contrast to the reports and the statistics which have been recited authoritatively here this afternoon. They use such expressions as "soft on crime," which in my opinion is a reflection on the judiciary of the District of Columbia and, by implication, seriously impugns their integrity.

Who is in favor of the bill? I think that the most extensively quoted witness so far has been the Chief of Police, so much so that perhaps if the bill is enacted into law it should be called the Murray bill. But I should like to point out that the local bar association is overwhelmingly opposed to this legislation, the Board of Commissioners who are supposed to be the boss of the police chief, although there is sometimes doubt about that, have not endorsed this legislation, so who is for it?

I, as a member of the committee, have witnessed with a great deal of alarm the way the list of witnesses was slanted toward this kind of prosecution approach, and people who are equally concerned with this legislation and who wanted to get at the roots and not at the leaves of the tree of crime in the District were not invited to participate in this discussion.

The committee in its report refers to long-range proposals. It says that they will continue to legislate efforts to meet these challenges. But I can assure you that there has not been any kind of consideration of these long-range proposals involving juvenile delinquency and dropouts and antiquated schools and special training for the increasing population, many of whom are disadvantaged with respect to urban living. There has not been any discussion about providing greater employment opportunities and fulfilling low-cost housing needs, particularly for the people displaced by certain projects in the area. There has not been the proper kind of discussion about better police-community relations before the committee, and I am not aware of any anticipated studies of any long-range proposals, as referred to in the report, receiving any consideration.

I would just like to conclude by saying that there has been an analysis made of the penalties of this proposal from an authoritative source, an analysis which attempted to compare them with the penalties imposed in every jurisdiction in this country, and the results of that analysis show that these penalties that are proposed will be 1½ times greater for the same crime committed anywhere in the United States except for the crime of robbery.

Mr. HORTON. Mr. Chairman, I yield 1 minute to the gentleman from Iowa [Mr. SCHWENGEL].

Mr. SCHWENGEL. Mr. Chairman, I rise to pay tribute to the chairman and the subcommittee, who worked so hard on the preparation of this legislation. But after considering the testimony and after giving much thought to this matter, I have concluded that this bill is the wrong approach to the solution of the problems it proposes to deal with.

Let me say that I too want to do what and all I can to deal with the crime problem. But there are other answers to the problem.

Conditions will be better when we get a better judicial system.

When we get job opportunities for the thousands who have no jobs. When schools are improved so that pupils will be more adequately trained vocationally and so we can have more adequate counciling service.

The Capital cannot be a model without model schools and without a model local government.

The Washington Post had an excellent editorial this morning entitled "Dangerous Remedies," which ought to be read by all who will vote on this question and I insert it in the RECORD at this point:

DANGEROUS REMEDIES

However well-intentioned its members may be, the House District Committee has concocted an omnibus crime bill for this community which prescribes dangerous remedies for a disease wrongly diagnosed in the first place. The bill would be bad for the Americans who live in this city and bad for all Americans who look to it with pride as the Capital of their country.

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[7] Bennett, "Correctional Problems the Courts Can Help Solve," "Crime and Delinquency," January 1961, reprint p. 3.

[8] Horsky report, supra note 5, pp. 39, 40.

Washington, like every other major American city, has serious problems arising out of juvenile delinquency and adult crime. Much needs to be done to eradicate the conditions causing these problems; and of course the delinquents and criminals must be dealt with effectively by those responsible for law enforcement and correction. But crime is not going to be curbed by cutting constitutional corners in dealing with it or by disregarding the rights of persons charged with crime.

The proposed bill shows scant understanding and even less respect for the great procedural protections which have bolstered American freedom. It would, for instance, restore to the local police the power to make arrests for investigation—a power recently taken from them by the District Commissioners because such arrests, unsupported by probable cause, are plainly forbidden by the Constitution. It would override the unanimous decision of the Supreme Court in the Mallory case that confessions obtained during a period of unlawful detention may not be introduced in criminal trials.

It would turn back the clock by reverting to an outmoded rule for the determination of insanity, abandoning the Durham test, an immensely significant stride in jurisprudence instituted by the Court of Appeals. It would authorize seizure, in advance of trial, of allegedly indecent publications; it would introduce nonsensical standards of decency and it would permit a flagrant prior restraint on expression in violation of the first amendment.

Congress owes it to itself and to the country, as well as to this occupied territory it governs, to scrutinize these proposals in the light of American traditions and constitutional law. This bill ought not to be whooped to enactment, like so many other District measures by a Congress ignorant of its content and indifferent to its impact. This is a monstrous bill. When it comes up for debate this morning, let the House beware.

Mr. HORTON. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. BECKER].

Mr. BECKER. Mr. Chairman, the bill we have before us today, in the words of some of the previous speakers goes too far; or, it does not do anything, in other situations. I am wondering about the great waste of time of my good colleagues on the Committee on the District of Columbia who have worked so diligently and so long to have the Congress in previous years pass much of the same legislation that is in this bill today. It has been approved before by the House on two different occasions and I cannot see what is wrong with it now. I commend the committee for their work. I first want to say this, that perhaps, through the years that I have been a Member of the House, and honored to be a Member, I have not paid too much attention to the District and the District of Columbia Committee. That, like other Members our work and our time has been taken up by our own committees. You all know, it was a year ago in 1962 when my administrative assistant was stabbed in St. Peter's Church around the corner here, two blocks from the Capitol, some 10 times. During the course of her hospitalization and operations, she reached the point of death, but with the help of good surgeons and Almighty God, she recovered from that attack. I doubt seriously whether she will ever feel secure again.

Increase in crime has been going on in the District for a long time. It has been said that crime is not as great here as it is in other cities, but when you look at the record, you will find that increase in crime here in recent months has been greater than in any other city in the country of equal size. Are we supposed to always be bleeding for those who commit the crimes? Are we also to be pleading—pleading to give more ground to those who are the criminals and are of criminal intent whether they need to be criminals or whether they do not need to be criminals? Or have we come to the time in our legislative lives, that we want to take action? Action to prevent crime and punish the criminals, and at the same time have a law that will protect the citizens of this country, both the residents of the District of Columbia and the hundreds of thousands of tourists who come here in the course of a year. I think, Mr. Chairman, we have reached a time as legislators when we must be a little tough—a little tough on the criminals and consider the victims. I remember when that stabbing took place last year in St. Peter's Church, I asked the police to advise me and keep me advised of their attempts to catch the criminal or the party responsible. Weeks went by. The police worked diligently. I take off my hat to the police department of the District of Columbia who were working under very trying conditions and under laws such as the Mallory rule and others that prevented them from taking in any characters for questioning. I remember that about 2 o'clock in the morning I received a telephone call at my apartment, that they believed they had apprehended the criminal who had stabbed my administrative assistant. At 2 o'clock in the morning I got up and went to the police station because I wanted to see myself, first hand, what our police had to go through in order to get evidence to convict. I was at police headquarters for hours and the police, had to go out from the time of apprehension of this criminal, and in a space of a very short time, 2 or 3 hours, in order to get enough evidence from statements that he had made in order that they could bring him in very quickly before a magistrate and arraign him. Witnesses had to be brought in. My administrative assistant had to be gotten out of bed at 2 o'clock in the morning.

Other witnesses who had made complaints were brought down to police headquarters at 2, 3, and 4 o'clock in the morning. This is the way our citizens have to comply with the law. And we do not want to give our police better tools to work with. We do not want to protect our citizens, and we make them get up at all hours of the night in order to come down and identify a criminal.

It is all very fine to speak about freedom and the rights of people—criminals—but, Mr. Chairman, I am wondering when the rights of law-abiding people are going to have some consideration and when we are going to have consideration for people to walk on the streets of Washington in safety? This city should be an example for this Nation. This Capital City of this Nation should be an example, and we by our legislative authority should make it an example for the Nation, an example for other cities and States to follow.

The law which we are asking to be enacted here today is on the statute books of many States of the Nation. Why should we not make it tough for the criminal here? That is all we are trying to do, without invading their rights.

Mr. MULTER. Mr. Chairman, will the gentleman yield?

Mr. BECKER. I will be glad to yield.

Mr. MULTER. What in this bill will prevent the dastardly crimes discussed here or make it easier to get a conviction? What in this bill will make it easier to get a conviction?

Mr. BECKER. I believe the intent of the bill is to make a change in the Mallory rule and the Durham rule, which will give the police better tools to work with. They say they need it, and I am willing to go along with them and give them those tools. I am not willing to hamstring them in their efforts to prevent crime and to arrest criminals in this city. That is what I intend to do.

Mr. Chairman, I am tired of pampering the wicked, if you want to put it that way, at the expense of the victims and the law-abiding citizens. I am tired of it, and I say that we as the legislative body not only have the right but have the responsibility today to pass this kind of legislation. I sincerely hope it will be passed today with an overwhelming vote of this body so that when it goes to the other body they will have an understanding of how we feel.

Mr. HORTON. Mr. Chairman, I yield to the gentleman from Ohio [Mr. DEVINE] 7 minutes.

Mr. DEVINE. Mr. Chairman, I am not a member of the District Committee. However, I do bring to the well of the House a rich experience not only in the field of law enforcement, but also having been an FBI agent for 5 years and having been admitted to the practice of law in the State of Ohio for over 20 years, and having been a prosecuting attorney or what in some of your jurisdictions would be called a district attorney or county attorney or State's attorney for nearly 4 years, I feel I have been exposed to law enforcement both from the prosecuting side as well as having defended a large number of criminal cases ranging from first degree murder down to small offenses. We are here in the House sitting more or less as the city council for the District of Columbia. I do not know how many of our 435 Members here have availed themselves of the opportunity, but I would say the eminent gentleman from Iowa [Mr. KYL] and I on a number of occasions while serving in the Congress of the United States have gone to the District Metropolitan Police and have ridden the streets of this city with rank-and-file patrolmen and plainclothesmen. We have had the opportunity on several occasions of riding the streets of this city at night with Deputy Chief John Winters, who I would say is one of the outstanding law enforcement officers in this Nation. I have had the opportunity here in the District, and elsewhere, to see firsthand what goes on in this connection. My remarks here in these very few moments are going to be directed specifically to that part of the bill which relates to the Durham rule, the Mallory rule, the Carter rule, the M'Naghten decision, and things of that nature.

The gentleman from New York [Mr. BECKER], I think, put his finger right on the key issue involved here, which is, Who are we supposed to protect in this Nation? I will grant to you that the legislation involved here today deals primarily with the District of Columbia, but I believe the action we take here today will have a manifest effect throughout the Nation.

That is because of this Mallory decision that, in my opinion, has handcuffed law enforcement authority here. Yes, we are dealing with the District of Columbia, but when we talk about crime, we are not talking about anything that is picayune or small time, we are not talking about smalltime hoods, or anything like that. I would commend to your attention the current issue of the Saturday Evening Post in which revelations are made concerning the testimony of Velacci, who will be testifying before a committee of the other body about the nationwide crime syndicate that is dealing in, not pennies and nickels, but a gross business of about $40 billion a year.

So we talk about the effect of the Mallory decision which has to do with not using a confession given voluntarily by an arrested person in the prosecution of the case if he has not been promptly or immediately arraigned before a proper official.

In law enforcement, when I was a prosecuting attorney in my county, which is similar in size of the District of Columbia—my county today approaches in population about 800,000 persons—when I became prosecuting attorney I adopted the practice, when a crime was committed, of being called out at any time of the day or night to accompany the officers through the arrests and interrogation, to talk to the witnesses immediately after a crime had been committed. There is a great psychological advantage in apprehending a person immediately after a crime and talking to him. I am afraid that too many Members have been watching television and movies and assume that after a police officer picks up a criminal, they put him in a chair, drop water on his head, put the bright lights in his eyes, hit him over the head with a rubber hose, and so forth. I would say to you that so far as my own experience is concerned with a large number of law enforcement organizations this is rarely the case. I would say to you that I have never seen such a thing happen, and I have been in on these matters from their inception in many instances, and I would say that in most instances my presence was unannounced.

I would say that with the gentleman from Iowa [Mr. KYL], I accompanied officers in this District and were with them on the interrogation of prisoners and saw what happened. We did not announce that we were coming, so they could get things set up. We saw them as they occurred. I would say to you that this business of police brutality against some poor person who is picked up, is grossly exaggerated.

Mr. Chairman, we cannot continue to handcuff law enforcement officers of this Nation and expect crime not to increase. It has increased across the Nation about 7 percent. The committee report sets forth exactly what has happened in the District. It has increased substantially more than that in the District of Columbia. The people of this Nation look upon the Capital of the United States as a showcase, a place to look to with pride, where they can bring their families and see what is going on from day to day. But they do not feel free to do that today.

As far as some of these decisions are concerned I would like to invite Members to give attention to three cases that occurred here in the District of Columbia. This goes to the Mallory rule, the Durham rule, and the M'Naghten rule. We have one person by the name of Harry Sylvester Jones who was the criminal in the case involving the administrative assistant of the gentleman from New York [Mr. BECKER]. He pleaded guilty to three counts of assault and battery.

There was also very specific evidence of sexual molestation in three other instances. This was not part of the sentence, it was not part of the conviction.

Next, Mr. Chairman, is the case of Morris Kent who was found not guilty of rape, but found guilty of robbery based upon the the same series of events. There was a woman involved here. He apparently raped her and then took her purse. He was apprehended and convicted of robbery but although he confessed, he was found not guilty of the sex offense because they held he did not have the mental capacity to commit any offense such as rape. How can you have the ability to commit one and not the other? The same situation reportedly prevailed in the case of Calvin Riecks, and all of this in 1963.

The Police Department is doing a fine job under overwhelming restrictions on intelligent law enforcement.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. SICKLES. Mr. Chairman, I rise in opposition to H.R. 7525, the so-called omnibus crime bill.

As Congressman-at-Large from nearby Maryland, I am indeed concerned with positive solutions to the crime problems in the District of Columbia, and equitable legislation to deal with these problems. I would hope that my concern is as great as those members of the District Committee, who have worked so diligently to come up with what they consider to be a partial solution to this city's crime problems. I share the desire of members of the District Committee to assure that persons may walk safely in the streets of Washington, and be secure in their homes and businesses. However, I feel that as well intentioned as this bill is, it prescribes dangerous remedies to eradicate the disease of crime, remedies that could be the start of an epidemic undermining basic constitutional rights.

The facts on crime, reprehensive as they may be, do not support the conclusion that those accused of crime in the District of Columbia should be subjected to the repressive features of this bill. While it is agreed that the public's right to be protected from criminals is as important as the rights of the individual suspected of crime, drawing a balance between the two propositions is exceedingly difficult. This balance certainly cannot be properly drawn, nor receive proper congressional consideration when it is presented in a catchall bill of this type, which makes 14 different changes in local criminal law.

The Bureau of the Budget, the District Commissioners, and the Department of Justice, have concurred in the recommendation that this legislation would be defeated. I would hope that the Members of Congress would do just this, and subsequently, in their wisdom, give the District of Columbia both the adequate financial support and an increased degree of local autonomy to enable it to better deal with crime, and the many other problems faced by this complex urban area.

Mr. VANIK. Mr. Chairman, the record to this point on the District of Columbia crime bill is extensive in discussing conditions in the District of Columbia but indeed sketchy in analyzing the far-reaching scope of this legislation.

Although the citizens of the District of Columbia are part of an urban complex of almost 2 million people, the penal provisions of the legislation completely overlook the fact that the District of Columbia is separated from the State of Maryland by streets and backyard boundaries and from the State of Virginia by the Potomac River. Is there any reason why an offense should be punishable by a mandatory sentence of death by electrocution in the District of Columbia when the State of Virginia has a discretionary sentence for the same offense which varies from 5 years to the death penalty, while the State of Maryland provides the judge with discretion to vary the penalty from 18 months to death.

One of the precepts of justice is that it should be equal. Can we explain imposing penalties in the Nation's Capital which are completely out of line with those in neighboring communities for the same offense? Is a crime more serious because it is committed here rather than Alexandria, Va., or Hyattsville, Md.?

In further studying the provisions of this bill, I am shocked to learn that the theft of an automobile wheel hubcap from a Washington junkyard, under section 823 of the act, calls for a mandatory sentence of imprisonment for not less than 5 years, when the same offense in most jurisdictions would be treated as a misdemeanor?

The provisions which deal with the treatment of insane criminals and the provisions which authorize the criminal detention of innocent people who may witness a crime make a mockery of the basic law of the land and will be rejected by the first court which must review them.

The railroading of this bill through the Congress will not solve any of the basic problems which are the cause of crime in this community. The severity in sentences will result in fewer convictions and multiply proceedings under lesser charges. Thus, the criminal statistics will be changed simply by bringing about a relabeling of the offense. In setting forth a schedule of mandatory sentences, the Congress of the United States is undertaking the obligation of cataloging the penalty to fit the crime. This completely usurps the discretion of the trial judge who is trained to adjudicate the penalty in light of the facts and the surrounding circumstances. The results will be chaotic.

Today's action is a very shameful, backward step in American jurisprudence. Our action today is hasty, emotional, and ill considered.

Mr. RYAN of New York. Mr. Chairman, we are again confronted with the consequences of the failure to provide home rule for the District of Columbia, this time in the form of a legislative monstrosity called the omnibus crime bill. As usual, the social and economic ills, the ill housing, the inadequate schooling, the discrimination which prevades the Capital of the Nation—in short the conditions causing crime are ignored by the report of the majority of the Committee on the District of Columbia. If we only pass this bill, it is argued, it will "stem the criminal tide." What errant nonsense.

Mr. Chairman, I am opposed to H.R. 7525, the omnibus crime bill for the District of Columbia, because it violates the principles of legislative responsibility, reduces radically the discretion of the courts, and abridges individual constitutional rights. In a subtle and pervasive way this proposed legislation assaults the fourth amendment by instituting investigative arrest; it repeals the Mallory rule and its restrictions on police detentions; revises the law on criminal responsibility; and increases the penalties for certain specified crimes in the District of Columbia.

The contention of the proponents of this proposed legislation is that it seeks to "stem the criminal tide now running in the Nation's Capital." This alleged "criminal tide" should be viewed in perspective. The Federal Bureau of Investigation's report for 1962 shows that the crime rate in Metropolitan Washington was 1,384 serious offenses per 100,000 population as compared with an average nationwide crime rate of 1,408 serious offenses per 100,000 population. Of course, crime in the Nation's Capital is a serious matter, but it is also serious in most American cities. A sampling taken from the report of the Federal Bureau of Investigation for 1962 shows that in Los Angeles the rate was 2,682 offenses per 100,000, or 1,625 offenses in St. Louis, or 1,747 offenses in San Francisco and Oakland.

This legislation reads as if the Constitution of the United States had been suspended in its Capital City. It distorts the Bill of Rights. It is an attempt to solve a problem by going backward.

Four of the titles in this bill as drafted will undermine the Bill of Rights as interpreted by our courts. Title I of this legislation revokes the Mallory rule.

The philosophy behind the principles as interpreted by the Court in the Mallory case stems from the Bill of Rights which is an expression by the American people that individual liberties are supreme.

In 1943 the Court decided *McNabb* v. *U.S.* (318 U.S. 332). This case serves as a background for rule 5(a) of the Federal Rules of Criminal Procedure.

Let me refer to a portion of the Court's opinion:

> A democratic society, in which respect for the dignity of all men is central, naturally guards against the misuse of the law enforcement process. Zeal in tracking down crime is not in itself an assurance of soberness of judgment. Disinterestedness in law enforcement does not alone prevent disregard of cherished liberties. Experience has therefore counseled that safeguards must be provided against the dangers of the overzealous as well as the despotic. The awful instruments of the criminal law cannot be entrusted to a single functionary. The complicated process of criminal justice is therefore divided into different parts, responsibility for which is separately vested in the various participants upon whom the criminal law relies for its vindication. Legislation such as this, requiring that the police must with reasonable promptness show legal cause for detaining arrested persons, constitutes an important safeguard—not only in assuring protection for the innocent but also in securing conviction of the guilty by methods that commend themselves to a progressive and self-confident society. For this procedural requirement checks resort to those reprehensible practices known as the third degree which, though universally rejected, still find their way into use. It aims to avoid all evil implications of secret interrogation of persons accused of crime. It reflects not a sentimental but a sturdy view of law enforcement. It outlaws easy but self-defeating ways in which brutality is substituted for brains as an instrument of crime detection. A statute carrying such purposes is expressive of a general legislative policy to which courts should not be heedless when appropriate situations call for its application.

In *Upshaw* v. *U.S.* (335 U.S. 410 (1948)), the Supreme Court again applied the "civilized standards" rule of the McNabb case.

A modification of this rule weakens the rights and liberties of every American. It opens the door to unrestrained detention of suspects by the police. It encourages the use of "third degree" methods to extract confessions from those persons least able to assist themselves. This rule is a safeguard to our liberty and must be preserved.

Title II of the proposal revamps the law of criminal responsibility. The U.S. Circuit Court of Appeals for the District of Columbia in *Durham* v. *U.S.* (214 F. 2d 862 (1954)) formulated a new test for criminal responsibility; namely, that an accused is not criminally responsible if his unlawful act was the product of a mental disease or mental defect.

The recent case of *McDonald* v. *U.S.* (312 F. 2d 847 (1962)), modified the Durham rule so as to eliminate many of the difficulties allegedly posed by it. Under the McDonald decision, it must now be shown that the mental disease or defect is one which impairs behavior control.

In the light of modern medical knowledge and modern penal views, the rational administration of justice impels the conclusion that instead of returning to 19th century views of legal insanity, we should instead, move significantly forward.

Title III of this bill provides for investigative arrest by permitting police detention of a witness not only before a charge but during the investigation of an offense. There are no safeguards to protect the innocent.

Presently, the police have no power to arrest or detain anyone, including those whom they suspect, except upon probable cause. Arrests based on suspicion alone are illegal. The roundup or dragnet arrest, the arrest on suspicion for questioning or for investigation, or on an open charge are all prohibited by law. This section of the bill abrogates those protections.

Let me, at this point, call to your attention one incident which occurred within 8 months after the Mallory case. The Washington Post newspaper of March 3, 1958, carried the following news item:

> District Commissioner Robert E. McLaughlin criticized police yesterday for making a wholesale roundup of more than 90 innocent men after a waitress was beaten recently in a restaurant holdup.
>
> The roundup began the night of January 20 and continued the next day. Some of the men were held in jail overnight. Second Precinct Capt. Alexander S. Douglas said there would not be another such incident but refused to tell what orders he received from Murray.
>
> A holdup at the Chips Grill, 1302 11th Street NW., sparked the roundup. Waitress Edith Barkley, 56, of 1931 Mintwood Place NW., was beaten during the $48 robbery. A suspect was later charged with the holdup but Murray said he was not one of those picked up in the roundup.
>
> Murray said no written orders were issued to prevent roundups of this type, "because every crime must be investigated on its own merit." Murray also said he received no specific directive from McLaughlin but he made it clear that steps had been taken to prevent future wholesale arrests.

Could this occur under the present proposal? Does not this proposal invite the evils which Mallory prohibits?

The fourth amendment to the Constitution guarantees the rights of the people to be secure both in their "person" and in their "houses" against unreasonable searches and seizures.

One would expect, then, that the fourth amendment would be approached in a manner which would give primary protection against illegal arrest and similar deprivations of personal liberty.

Another provision in this bill relating to indecent publications increases the criminal sanctions of fines and imprisonments and authorizes ex parte restraining orders, temporary and permanent injunctions, and the destruction of obscene materials.

Freedom of speech, press, and other forms of expression of ideas are given protection by the first amendment to the Constitution. The Supreme Court has condemned restraints of free expression, and this is firm and well established in our law. It dates back at least to *Near v. Minnesota* (283 U.S. 697 (1931)) which squarely ruled that prior censorship is unconstitutional. Only this year, the Supreme Court in *Bantam Books v. Sullivan* (9 L. Ed. 2d 584, 593), reiterated:

> Any system of prior restraints of expression comes to this Court bearing a heavy presumption against its constitutional validity.

This proposal is an incision in first amendment guarantees.

H.R. 7525 is an anthology of all legislation considered by the House District Committee in recent years and, unfortunately, includes many of the worst features from the various proposals. Read in part, or in whole, it poses a danger to the principles of liberty and freedom, not only in the narrow confines of the District of Columbia but throughout our Nation.

The American legal system was nurtured in the ideal of justice. This system has been created in the full knowledge that judges are fallible, procedures possibly slow, and the Constitution itself a product of compromise; but in the faith that it is better to make our final decisions in the name of an eternal ideal. H.R. 7525 does not fall within the "cause of human justice." A defeat of this bill would be a renewal of our pledge of adherence to constitutional principles in America's quest for equal justice under law.

Mr. Chairman, the substance of constitutional law and its implementation by the judicial process are at the heart of our greatness as a nation. Let us hope that we will not, as this proposal would have us do, fritter them away.

Mr. HAWKINS. Mr. Chairman, I am as much concerned as anyone with the existence of crime in the District of Columbia. Unlike many of my colleagues who live in Maryland and Virginia, I am an active resident of the District during the sessions. At night I attend many meetings in Washington. I walk its streets from the Capitol to my residence and visit friends in various neighborhoods. The protection of citizens, including my own family, is therefore of vital concern to me.

While I favor reasonably stringent laws, I also believe that good law enforcement depends on much more than building more jails and giving policemen bigger clubs. Congress must recognize that many factors contribute to crime, especially unemployment, poor schools, slums, and the denial of civil rights.

Until the Members of Congress do something real about these problems in the District they must share a substantial part of the blame for crime in the Nation's Capital.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I

SEC. 101. (a) In the courts of the District of Columbia, evidence, including, but not limited to, statements and confessions, otherwise admissible, shall not be inadmissible solely because of delay in taking an arrested person before a commissioner or other officer empowered to commit persons charged with offenses against the laws of the United States.

(b) No statement, including a confession, made by any person during an interrogation by a law-enforcement officer made while such person is under arrest shall be admissible unless prior to such interrogation the arrested person had been advised that he is not required to make a statement and that any statement made by him may be used against him.

TITLE II

SEC. 201. Section 927 of the Act entitled "An Act to establish a code of law for the District of Columbia", approved March 3, 1901, as amended (D.C. Code, sec. 24-301 and the following), is amended to read as follows:

"§ 927. Insane criminals

"(a) Mental disease or defect excluding responsibility; sociopathic and psychopathic personality is not disease or defect:

"(1) A person is not responsible for criminal conduct if at the time of such conduct as a result of mental disease or defect he lacks substantial capacity either to know or appreciate the wrongfulness of his conduct or to conform his conduct to the requirements of law.

"(2) The terms 'mental disease or defect' do not include an abnormality manifested only by repeated criminal or otherwise antisocial conduct.

"(b) Evidence of mental disease or defect admissible when relevant to element of the offense:

"(1) Evidence that the defendant in a criminal proceeding suffered from a mental disease or defect shall be admissible whenever it is relevant to prove that the defendant did or did not have a state of mind which is an element of the offense.

"(c) Mental disease or defect excluding responsibility is affirmative defense; requirement of notice; form of verdict:

"(1) Mental disease or defect excluding responsibility is an affirmative defense which the defendant must establish by showing of substantial evidence.

"(2) Evidence of mental disease or defect excluding responsibility shall not be admissible unless the defendant, at the time of entering his plea of not guilty or within fifteen days thereafter or at such later time as the court may for good cause permit, files with the court and the prosecution written notice of his purpose to rely on such defense.

"(3) When the defendant is acquitted on the ground of mental disease or defect excluding responsibility, the verdict and the judgment shall so state.

"(d) Mental disease or defect excluding fitness to proceed:

"(1) No person who as a result of mental disease or defect lacks capacity to understand the proceedings against him or to assist in his own defense shall be tried or sentenced for the commission of an offense so long as such incapacity endures.

"(e) Psychiatric examination of defendant with respect to mental disease or defect excluding responsibility or fitness to proceed:

"(1) Whenever the defendant has filed a notice of intention to rely on the defense of mental disease or defect excluding responsibility supported by prima facie evidence submitted to the court or there is substantial reason to doubt his fitness or capacity to proceed, or substantial reason to believe that mental disease or defect of the defendant will otherwise become an issue in the case, the court shall appoint at least one qualified psychiatrist or shall request the Superintendent of the District of Columbia General Hospital or the Superintendent of Saint Elizabeths Hospital or the superintendent of any other appropriate institution to designate at least one qualified psychiatrist, which designation may be or include the superintendent of such hospital, to examine and report upon the mental condition of the defendant. The court may order the defendant committed to a hospital or other suitable facility for the purpose of examination for such reasonable period as the court may determine to be necessary for the purpose of such examination and report. The court's power to so commit a defendant shall exist, notwithstanding the fact that the defendant has been at large on bond or bail.

"(2) In such examination any method may be employed which is accepted by the medical profession for the examination of those thought to be suffering from mental disease or defect.

"(3) The report of the examination shall include the following:

"(A) A description of the nature of the examination;

"(B) A diagnosis of the mental condition of the defendant;

"(C) If the report concludes that defendant suffers from a mental disease or defect, an opinion as to his capacity to understand the proceedings against him and to assist in his own defense;

"(D) When a notice of intention to rely on the defense of irresponsibility has been filed, an opinion as to the extent, if any, to which the capacity of the defendant to know or appreciate the wrongfulness of his conduct or to conform his conduct to the requirements of law was impaired at the time of the criminal conduct charged;

"(E) If the examination cannot be conducted by reason of the unwillingness of the defendant to participate therein, the report shall so state and shall include, if possible, an opinion as to whether such unwillingness of the defendant was the result of mental disease or defect; and

"(F) The report of the examination shall be filed in triplicate with the clerk of the court who shall cause copies to be delivered to the prosecution and to defense counsel.

"(f) Determination of fitness to proceed; effect of finding of unfitness; proceedings if fitness is regained:

"(1) When the defendant's mental fitness to proceed is drawn in question, the issue of such fitness shall be determined by the court. If neither the prosecution nor counsel for the defendant contests the finding of the report filed pursuant to subsection (e), the court may make the determination on the basis of such report. If the finding is contested, the court shall hold a hearing on the issue without a jury. If the report is received in evidence upon such hearing the parties who contested the finding thereof shall have the right to summon and cross-examine the psychiatrists who joined in the report and to offer evidence upon the issue. If the court determines that the defendant possesses fitness to proceed to trial, that is, that the defendant has the capacity to understand the proceedings against him and to assist in his own defense, the court shall order the defendant to stand trial within a reasonable time.

"(2) If the court determines at any stage of the proceedings that the defendant lacks mental fitness to proceed, the proceeding against him shall be suspended, pending trial in the future, and the court shall commit the defendant to an appropriate hospital or institution for so long as such unfitness shall endure. Such suspension of proceedings shall not cause jeopardy to attach barring subsequent trial. Whenever the defendant who has been committed to such hospital or other institution is restored to mental fitness in the opinion of the superintendent of such hospital or institution, such superintendent shall certify such fact to the clerk of the court in which the charge against the defendant is pending and the clerk of that court shall furnish copies of said certificate to the parties to the cause.

"(3) After the court receives the certificate of such superintendent that the defendant has regained mental fitness to proceed and the court determines that the defendant has regained such fitness to proceed, the trial proceedings shall be resumed or commenced within a reasonable time. Such determination of fitness may be made by the court on the basis of such certificate that the defendant has regained fitness to proceed provided neither the Government nor counsel for the defendant contests the findings that the defendant has regained such fitness to proceed. If the finding that the defendant has regained fitness to proceed is contested, the court shall hold a hearing without a jury on the issue and shall determine such fitness to proceed.

"(4) If, however, the court is of the opinion that so much time has elapsed since the commitment of the defendant (to determine fitness to proceed) that it would be unjust to resume the criminal proceedings, the court may dismiss the charge and may order the defendant committed for examination and determination of status by the Mental Health Commission under the provisions of applicable law.

"(g) Determination of irresponsibility on basis of report; access to defendant by psychiatrists of own choice; form of expert testimony:

"(1) If the report filed pursuant to subsection (e) finds that the defendant at the time of the criminal conduct charged suffered from a mental disease or defect which substantially impaired his capacity to appreciate the criminality of his conduct or to conform his conduct to the requirements of law, and the court is satisfied that such impairment was sufficient to exclude responsibility, the court shall enter judgment of acquittal on the ground of mental disease or defect excluding responsibility.

"(2) When, notwithstanding the report filed pursuant to subsection (e), the defendant wishes to be examined by qualified psychiatrists of his own choice, such psychiatrists shall be permitted to have reasonable access to the defendant for the purposes of such examination.

"(3) Upon the trial, the psychiatrists who filed reports pursuant to subsection (e) may be called as witnesses by the prosecution, the defendant, or the court. If called by the court, such witnesses shall be subject to cross-examination by the prosecution and by the defendant. Both the prosecution and the defendant may summon any other qualified psychiatrist to testify but no one who has not examined the defendant shall be competent to testify to his opinion as a psychiatrist with respect to the mental condition or responsibility of the defendant.

"(4) When a psychiatrist who has examined the defendant testifies concerning his mental condition, the witness shall be permitted to make a statement as to the nature of his examination, and his diagnosis of the mental condition of the defendant at the time of the commission of the offense charged. Such psychiatrist shall be permitted to make any explanation reasonably serving to clarify his diagnosis and opinion and may be cross-examined as to any matter bearing on his competency or credibility or the validity of his diagnosis or opinion.

"(5) Nothing herein shall exclude the prosecution from causing an examination of the defendant to be made to determine whether or not he had the capacity either to know or appreciate the wrongfulness of his conduct, to conform his conduct to the requirements of law or to understand the proceedings against him and assist in his own defense, provided the prosecution makes available to a defendant or his counsel the results of such examination.

"(h) Legal effect of acquittal on the ground of mental disease or defect excluding responsibility; commitment; release or discharge:

"(1) When a defendant is acquitted on the ground of mental disease or defect excluding responsibility, the court shall order him to be committed to a hospital having facilities for the custody and care of the mentally ill.

"(2) If the superintendent of such hospital is of the view that a person committed to his custody pursuant to paragraph (1) of this subsection is no longer suffering from mental illness and may be discharged or released on probation without danger to himself or to others, he shall make application for the discharge or release of such person in a report to the court by which such person was committed and shall transmit a copy of such application and report to the prosecution and defense counsel. The court shall thereupon appoint at least two qualified psychiatrists to examine such person and to report within sixty days, or such longer period as the court determines to be necessary for the purpose, their opinion as to his mental condition. To facilitate such examination, and the proceedings thereon, the court may cause such person to be confined in any institution which is suitable for the temporary detention of irresponsible persons.

"(3) If the court is satisfied by the report filed pursuant to paragraph (2) of this subsection and the testimony of the psychiatrists making such report, if the court deems it advisable to hear their testimony, that the committed person may be discharged or released on probation without danger to himself and others, the court shall order his discharge or release upon probation, on such conditions as the court determines to be necessary. If the court is not so satisfied, it shall promptly order a hearing to determine whether such person may safely be discharged or released. Any such hearing shall be deemed a civil proceeding and the burden shall be upon the committed person to prove that he may safely be discharged or released. According to the determination of the court upon the hearing, the committed person shall thereupon be discharged or released on probation on such conditions as the court determines to be necessary, or shall be recommitted to the custody of such hospitals subject to discharge or release only in accordance with the procedure prescribed above for a first hearing.

"(4) If after the release on probation of a committed person, the court shall determine, after notice and hearing, that the conditions of probation have been violated and that for the safety of such person or the safety of others his probation should be revoked, the court shall forthwith order him recommitted to a hospital having facilities for the custody, care, and treatment of the mentally ill subject to discharge or release only in accordance with the procedure prescribed above for a first hearing.

"(5) A committed person may make application for his discharge or release to the court by which he was committed and the procedure to be followed upon such application shall be the same as that prescribed above in the case of an application by the superintendent of such hospital. However, no such application by a committed person need be considered until he has been confined for a period of not less than six months from the date of the order of commitment, and if the determination of the court be adverse to the application, such person shall not be permitted to file a further application until one year has elapsed from the date of any preceding hearing on an application for his release or discharge.

"(i) Jury not to be told of consequence of verdict:

"(1) The jury shall not be told by the court or counsel for the Government or the defendant at any time regarding the consequences of a verdict of not guilty or acquittal by reason of insanity.

"(j) Availability of habeas corpus:

"(1) Nothing herein contained shall preclude a person confined under the authority of this Act from establishing his eligibility for release by a writ of habeas corpus.

"(k) Courts concerned:

"(1) This section shall apply only to proceedings brought by information or indictment in the United States District Court for the District of Columbia, and the District of Columbia Court of General Sessions, and to proceedings brought to juvenile court in the District of Columbia.

"(l) Severability:

"(1) The invalidity of any portion of this section shall not affect the validity of any other portion thereof which can be given effect without such invalid part."

SEC. 202. Nothing contained in the amendment made by section 201 of this title shall be deemed to alter, amend, or repeal section 928 or section 929(b) of such Act of March 3, 1901, as amended, or the Act entitled "An Act relating to the testimony of physicians in the courts of the District of Columbia", received by the President May 13, 1896 (29 Stat. 138; D.C. Code, sec. 14-308).

SEC. 203. Subsection (a) of section 929 of such Act of March 3, 1901, as amended (D.C. Code, sec. 24-303(a)), is hereby repealed.

SEC. 204. This title shall take effect on the date of its enactment.

TITLE III

SEC. 301. (a) An officer or member of the Metropolitan Police force of the District of Columbia may detain any person abroad whom he has reasonable ground to suspect is committing, has committed or is about to commit a crime, and may demand of him his name, address, business abroad, and whither he is going.

(b) Any person so questioned who fails to identify himself or explain his action to the satisfaction of the officer or member (as the case may be) may be detained and further questioned and investigated.

(c) The total period of detention provided for by this section shall not exceed six hours. Such detention is not an arrest and shall not be recorded as an arrest in any official record. At the end of the detention the person so detained shall be released or be arrested and charged with a crime.

SEC. 302. Section 401, the Revised Statutes of the United States, relating to the District of Columbia (D.C. Code, sec. 4-144), is amended to read as follows:

"SEC. 401. (a) Whenever there is reasonable ground to believe that any person may be a material witness to the commission of any felony or attempt to commit any felony, and that there is a reasonable probability that such person will not be available as a witness during the investigation of such offense by the Metropolitan Police, or when a suspect is arrested or tried therefor, such person may be required by a judge of the United States District Court for the District of Columbia or of the District of Columbia Court of General Sessions, or by a United States Commissioner to post bond or deposit collateral to secure his appearance as such witness during the investigation of such felony or attempt or the trial of such suspect. Such person may be detained by the Metropolitan Police, pending the posting of bond or collateral, in a room specially provided for witnesses, separate and apart from the quarters provided for those charged with crime, and in any event he shall be presented before a judge or commissioner within six hours of the beginning of such detention, and the judge or commissioner shall then require him to post bond or collateral, or discharge him. Such detention shall not constitute an arrest within the meaning of that term as used in any other law.

"(b) The Board of Commissioners shall provide suitable accommodations within the District of Columbia for the detention of witnesses who are unable to furnish security for their appearance in criminal proceedings. Such accommodations shall be in premise other than those used for the confinement of persons charged with crimes."

TITLE IV

SEC. 401. The definition of "crime of violence" contained in section 1 of the Act entitled "An Act to control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes", approved July 8, 1932 (D.C. Code, sec. 22-3201), is amended by inserting immediately after "burglary," the following: "robbery,".

TITLE V

SEC. 501. (a) Section 808 of the Act entitled "An Act to establish a code of law for the District of Columbia", approved March 3, 1901 (31 Stat. 1322; D.C. Code, sec. 22-2801), is amended to read as follows:

"SEC. 808. RAPE.—(a) Whoever has carnal knowledge of a female forcibly and against her will, or carnally knows and abuses a female child under sixteen years of age shall be punished by death by electrocution, unless the jury by unanimous vote recommends life imprisonment; or if the jury, having determined by unanimous vote the guilt of the defendant as charged, is unable to agree as to punishment, it shall inform the court and the court shall thereupon have jurisdiction to impose and shall impose either a sentence of death by electrocution or life imprisonment.

"(b) Notwithstanding any other provision of law, a person convicted of rape and upon whom a sentence of life imprisonment is imposed shall be eligible for parole only after the expiration of twenty years from the date he commences to serve his sentence."

(b) Any person tried before the effective date of this Act for violation of section 808 of such Act approved March 3, 1901, and who is before a court for the purpose of sentence or resentence, shall be sentenced in accordance with the law in effect before the effective date of this Act.

(c) The second sentence of subsection (b) of section 3 of the Act entitled "An Act to establish a Board of Indeterminate Sentence and Parole for the District of Columbia and to determine its functions, and for other purposes", approved July 15, 1932, as amended (D.C. Code, sec. 24-203(b)) is hereby repealed.

SEC. 502. Section 803 of the Act entitled "An Act to establish a code of law for the District of Columbia", approved March 3, 1901 (31 Stat. 1321; D.C. Code, sec. 22-501), is amended by inserting immediately after "for not" the following: "less than two years or".

SEC. 503. (a) Section 823 of the Act entitled "An Act to establish a code of law for the District of Columbia", approved March 3, 1901 (31 Stat. 1323; D.C. Code, sec, 22-1801), is amended to read as follows:

"SEC. 823. BURGLARY.—(a) Whoever shall, either in the nighttime or in the daytime, break and enter, or enter without breaking, any dwelling, or room used as a sleeping apartment in any building, with intent to break or carry away any part thereof, or any fixture or other thing attached to or connected thereto or to commit any criminal offense, shall, if any person is in the actual occupation of any part of such dwelling or sleeping apartment at the time of such breaking and entering, or entering without breaking, be guilty of burglary in the first degree. Burglary in the first degree shall be punished by imprisonment for not less than twenty years nor more than life imprisonment, and, notwithstanding any other provision of law, any person who violates this subsection and upon whom a sentence of life imprisonment is imposed shall be eligible for parole only after the expiration of twenty years from the date he commences to serve his sentence.

"(b) Except as provided in subsection (a) of this section, whoever shall, either in the night or in the daytime, break and enter, or enter without breaking, any dwelling, bank, store, warehouse, shop, stable, or other building, or any apartment or room, whether at the time occupied or not, or any steamboat, canal boat, vessel, or other watercraft, or railroad car, or any yard where any lumber, coal, or other goods or chattels are deposited and kept for the purpose of trade, with intent to break and carry away any part thereof or any fixture or other thing attached to or connected with the same, or to commit any criminal offense, shall be guilty of burglary in the second degree. Burglary in the second degree shall be punished by imprisonment for not less than five years nor more than fifteen years."

(b) Any person tried before the effective date of this Act for violation of section 823 of such Act approved March 3, 1901, and who is before a court for the purpose of sentence or resentence, shall be sentenced in accordance with the law in effect before the effective date of this Act.

SEC. 504. Section 810 of the Act entitled "An Act to establish a code of law for the District of Columbia", approved March 3, 1901 (31 Stat. 1322; D.C. Code, sec. 22-2901), is amended by striking out "six months" and inserting in lieu thereof "five years".

SEC. 505. (a) If any person shall bribe or offer to bribe or shall aid, advise, or abet in any way another in such bribe or offer to bribe, any player or participant in any athletic contest with intent to influence his play, action, or conduct and for the purpose of inducing the player or participant to lose or try to lose or cause to be lost such athletic contest or to limit or try to limit the margin of victory or defeat in such contest; or if any person shall bribe or offer to bribe or shall aid, advise, or abet in any way another in such bribe or offer to bribe, any referee, umpire, manager, coach, or any other official of an athletic club or team, league, association, institution, or conference, by whatever name called connected with such athletic contest with intent to influence his decision or bias his opinion or judgment for the purpose of losing or trying to lose or causing to be lost such athletic contest or of limiting or trying to limit the margin of victory or defeat in such contest, such person shall be imprisoned not less than one nor more than ten years, and shall be fined not less than $3,000, nor more than $10,000.

"(b) If any player or participant in any athletic contest shall accept, or agree to accept, a bribe given for the purpose of inducing the player or participant to lose or try to lose or cause to be lost or to limit or try to limit the margin of victory or defeat in such contest; or if any referee, umpire, manager, coach, or any other official of an athletic club, team, league, association, institution, or conference connected with an athletic contest shall accept or agree to accept a bribe given with the intent to influence his decision or bias his opinion or judgment and for the purpose of losing or trying to lose or causing to be lost such athletic contest or of limiting or trying to limit the margin of victory or defeat in such contest, such person shall be imprisoned not less than one nor more than ten years, or fined, or both.

"(c) To violate subsection (a) or (b) of this section, it shall not be necessary that the player, manager, coach, referee, umpire, or official shall, at the time, have been actually employed, selected, or appointed to perform his respective duties; it shall be sufficient if the bribe be offered, accepted, or agreed to with the view of probable employment, selection, or appointment of the person to whom the bribe is offered or by whom it is accepted. It shall not be necessary that such player, referee, umpire, manager, coach, or other official actually play or participate in an athletic contest, concerning which such bribe is offered or accepted; it shall be sufficient if the bribe be given, offered, or accepted in view of his or their possibly participating therein.

"(d) As used in this section, the term "bribe" means any gift, emolument, money or thing of value, testimonial, privilege, appointment or personal advantage, or the promise thereof, bestowed or promised for the purpose of influencing, directly or indirectly, any player, referee, manager, coach, umpire, club or league official, in connection with any athletic contest with respect to which an admission fee may be charged, or in connection with any athletic contest with respect to which any player, manager, coach, umpire, referee, or other official is paid any compensation for his services. A bribe need not be direct; it may be such as is hidden under the semblance of a sale, bet, wager, payment of a debt, or in any other manner designed to cover the true intention of the parties.

"(e) If any player or participant shall commit any willful act of omission or commission, in playing of an athletic contest, with intent to lose or try to lose or to cause to be lost or to limit or try to limit the margin of victory or defeat in such contest for the purpose of material gain to himself, or if any referee, umpire, manager, coach, or other official of an athletic club, team, league, association, institution or conference connected with an athletic contest shall commit any willful act of omission or commission connected with his official duties with intent to try to lose or to cause to be lost or to limit or try to limit the margin of victory or defeat in such contest for the purpose of material gain to himself, such person shall be imprisoned not less than one nor more than ten years, or fined, or both.

"(f) Nothing in this section shall be construed to prohibit the giving or offering of any bonus or extra compensation to any manager, coach, or professional player, or to any league, association, or conference for the purpose of encouraging such manager, coach, or player to a higher degree of skill, ability, or diligence in the performance of his duties."

SEC. 506. Section 2 of the Act entitled "An Act to control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes", approved July 8, 1932 (47 Stat. 650; D.C. Code, sec. 22-3202), is amended by striking out "he may" at each of the four places it appears therein and inserting in lieu thereof at each such place "he shall"; and by adding at the end thereof the following: "If a person is convicted of having committed a crime of violence in the District of Columbia when armed with or having readily available any pistol or other firearm, then, notwithstanding any other provision of law, the court shall not suspend his sentence or give him a probationary sentence."

SEC. 507. Section 872 of the Act entitled "An Act to establish a code of law for the District of Columbia", approved March 3, 1901 (D.C. Code, sec. 22-2001), is amended to read as follows:

"SEC. 872. INDECENT PUBLICATIONS.—(a) Whoever sells, or offers to sell, or give away, in the District, or has in his possession with intent to sell or give away or to exhibit to another, any obscene, lewd, or indecent book, pamphlet, drawing, engraving, picture, photograph, instrument, magazine, story, paper, writing, card, print, motion picture film, image, cast, slide, figure, statue, phonograph record, wire, tape, or other sound recording, or other presentation or article of indecent or immoral use, or advertises the same for sale, or writes or prints any letter, circular, handbill, book, pamphlet, or notice of any kind stating by what means any of such articles may be obtained, or advertises any drug, nostrum, or instrument intended to produce abortion, or gives or participates in, or by bill, poster, or otherwise advertises, any public exhibition, show, performance, or play containing obscene, indecent, or lascivious language, postures, or suggestions, or otherwise offending public decency, shall be fined not less than $200 nor more than $5,000, or imprisoned not less than three months nor more than two years, or both.

"(b) Whoever in the District with knowledge that the same is for the purpose of being sold, given away, or exhibited to another, produces, manufactures, photographs, acts in, poses for, models for, prints, records, televises, composes, edits, writes, publishes or offers to publish, or has in his possession, any obscene, lewd, or indecent book, pamphlet, drawing, engraving, picture, photograph, instrument, magazine, story, paper, writing, card, print, motion picture film, image, cast, slide, figure, statue, phonograph record, wire, tape, or other sound recording, or other presentation or article of indecent or immoral use, or advertises the same for sale, or writes or prints any letter, circular, handbill, book, pamphlet, or notice of any kind stating by what means any of such articles may be obtained, shall be fined not less than $200 nor more than $5,000, or imprisoned not less than three months nor more than two years, or both.

"(c) The United States attorney for the District of Columbia and the Corporation Counsel of the District of Columbia are authorized to petition the United States District Court for the District of Columbia for a temporary restraining order to restrain the sale, gift, or exhibition, or distribution, or the offer to sell, give, exhibit, or distribute any obscene, lewd, or indecent matter the sale, gift, exhibition, or distribution of which is punishable under either subsection (a) or (b) of this section, and to restrain the use of any real or personal property for such purpose, and the United States District Court for the District of Columbia is authorized to issue ex parte such a temporary restraining order for a period of not to exceed ten days.

"(d) Whenever a temporary restraining order is issued under subsection (c) of this section, the United States District Court for the District of Columbia during the period such temporary restraining order is in effect, and after notice and hearing, may issue a preliminary injunction pending a trial of the issues enjoining the sale, gift, exhibition, or distribution, or the offer to sell, give, exhibit, or distribute the matter and enjoining the disposition and the use of the property subject to the restraining order, and such preliminary injunction may permit the seizure of such obscene, lewd, or indecent matter.

"(e) If after a trial of the issues a permanent injunction shall be issued by the United States District Court for the District of Columbia, such injunction shall require the destruction of the obscene, lewd, or indecent matter seized under the preliminary injunction and permanently enjoin the use of the real property subject to the preliminary injunction for the purpose of violating this section.

"(f) Any personal property subject to a preliminary injunction issued under subsection (d) of this section shall, if a permanent injunction is issued under subsection (e) of this section, in the discretion of the court, be forfeited to the District of Columbia, and sold at public auction, the proceeds from such sale to be deposited in the Treasury to the credit of the District of Columbia. If any item of such property is not purchased at such auction it shall be disposed of in accordance with regulations prescribed by the Commissioners. If any property seized under authority of this subsection is subject to a lien which is established to the satisfaction of the court as having been created without the lienor's having any notice that such property was to be used in connection with the violation of this section, such lien shall be transferred from the property to the proceeds of any sale or other disposition thereof made under authority of this subsection.

"(g) For the purpose of obtaining a temporary restraining order or a preliminary or permanent injunction under subsection (c), (d), or (e) of this section, it shall not be necessary for the United States attorney or the Corporation Counsel to allege or prove that an adequate remedy at law does not exist or that substantial and irreparable damage would result from the violations alleged.

"(h) Injunctive proceedings under this section shall be governed by the Federal Rules of Civil Procedure so far as they are consistent with the provisions of this section."

SEC. 508. Section 825a of the Act entitled "An Act to establish a code of law for the District of Columbia", approved March 3, 1901 (D.C. Code, sec. 22-3105), is amended by striking out "or by imprisonment not exceeding ten years." and inserting in lieu thereof the following: "and by imprisonment for not less than five years or more than ten years."

SEC. 509. Whoever shall make or cause to be made to the Metropolitan Police Department of the District of Columbia, or to any officer or member thereof, a false or fictitious report of the commission of any criminal offense within the District of Columbia, or a false or fictitious report of any other matter or occurrence of which such Metropolitan Police Department is required to receive reports, or in connection with which such Metropolitan Police Department is required to conduct an investigation, knowing such report to be false or fictitious; or who shall communicate or cause to be communicated to such Metropolitan Police Department, or any officer or member thereof, any false information concerning the commission of any criminal offense within the District of Columbia or concerning any other matter or occurrence of which such Metropolitan Police Department is required to receive reports, or in connection with which such Metropolitan Police Department is required to conduct an investigation, knowing such information to be false, shall be punished by a fine not exceeding $100 or by imprisonment not exceeding six months, or both.

Mr. WHITENER (interrupting the reading of the bill). Mr. Chairman, I ask unanimous consent that further reading of the bill be dispensed with and that the bill be considered as read and printed at this point in the RECORD and open for amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

> Committee amendment: Page 14, line 18, strike out lines 18 and 19.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

> Committee amendment: Page 20, strike out line 14 and insert in lieu thereof the following:
>
> "SEC. 505. Section 869e of the Act entitled 'An Act to establish a code of law for the District of Columbia', approved March 3, 1901 (D.C. Code, sec. 22-1513), is amended to read as follows:
>
> " 'SEC. 869e. Corrupt influence in connection with athletic contests.—(a) If any person shall bribe or offer to bribe

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

> Committee amendment: Page 21, lines 9 and 23, page 22, lines 11 and 25, and page 23, line 14, insert quotation marks before the subsection designation on each such line.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

> Committee amendment: Page 23, line 19, after the period insert quotation marks.

The committee amendment was agreed to.

AMENDMENT OFFERED BY MR. WHITENER

Mr. WHITENER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Committee amendment offered by Mr. WHITENER: On page 18, line 3, after the word "court" strike out "of" and insert "for."

Mr. WHITENER. Mr. Chairman, I have no desire to go into this amendment at any great length.

Mr. COLMER. Mr. Chairman, will the gentleman yield?

Mr. WHITENER. I yield to the gentleman from Mississippi.

Mr. COLMER. Mr. Chairman, I want to address myself to the so-called Mallory rule. I have long been interested in that matter myself, having had some experience as a prosecutor also.

In the 85th Congress, the bill that came out of the Judiciary Committee and the gentleman's committee, did correct that Mallory decision. That bill passed the House after extended debate by a vote of 294 to 79. It went over to the other body where it was passed by a vote of 65 to 12. However, there were some other amendments added to it in the other body. This came toward the end of the session and the bill got lost in the shuffle in the adjournment rush; is that not correct?

Mr. WHITENER. Yes; this identical language has been approved on several occasions.

Mr. COLMER. If the gentleman will yield further, I just thought the House might be interested in that observation.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina [Mr. WHITENER].

The amendment was agreed to.

Mr. JOELSON. Mr. Chairman, I move to strike the last word.

Mr. Chairman, as a former prosecutor and also having served as director of criminal investigation of the State of New Jersey, I am aware of the problems faced by law enforcement officials, and I am certainly in great sympathy with them. But before I vote on this measure I would like to ask a few questions, if I may, of the gentleman from North Carolina.

Do I understand correctly that under the provisions of this law, if an 18-year-old boy has carnal relations with a girl who is under the age of 16, even with her consent, and the jury finds him guilty of this charge without any further recommendation, he must be electrocuted? Is that a proper understanding?

Mr. WHITENER. If the conduct of the defendant constitutes rape, the defendant is subject to be punished by death by electrocution unless the jury by unanimous vote recommends life imprisonment. If the jury has determined by unanimous vote the guilt of the defendant and is unable to agree as to punishment, they shall so inform the court, and the court thereupon have the power to sentence him to death by electrocution or to life imprisonment.

Mr. JOELSON. Then my understanding is correct. If a girl is under the age of 16, even if she consents, any defendant, no matter what his age, must get the chair, in the vernacular, or if the jury recommends, he must get life imprisonment.

I would like to ask if the committee considered that the trend is to diminishing capital punishment rather than enlarging it?

Mr. WHITENER. I may say to the gentleman that we did considerable research on that. I do not think the gentleman's statement remotely approaches the fact that there is any trend toward diminishing capital punishment. You have an example of that in California where a Governor seemed to think that should be done, yet his legislature was unwilling to do it. In many States this year it has been proposed to legislatures that that be done. Does the gentleman know of a single legislature this year that has abolished capital punishment?

Mr. JOELSON. No. My point is many legislatures are discussing abolition of capital punishment. I did not mean to infer they voted to abolish it. I know of no cases where the legislature is now attempting to enlarge the offenses beyond murder to a simple case of statutory rape.

Mr. WHITENER. Does the gentleman remember any year during his adult life during which there has not been discussions of this subject? When I was a high school boy that was a national subject for high school debate.

Mr. JOELSON. I would agree, but I never heard the subject: Resolved, that the extent of capital punishment offenses be increased.

Mr. WHITENER. I think if the gentleman will read his Scripture he will find that at the time Amnon raped his sister, Tamar, King David had him slain. There was some disagreement over the action which King David took. So this is no new argument.

Mr. JOELSON. I thank the gentleman. That answers the question.

Mr. CORMAN. Mr. Chairman, will the gentleman yield?

Mr. JOELSON. I yield to the gentleman from California.

Mr. CORMAN. In California the penalty for statutory rape—the kind of rape the gentleman is discussing here—is a sentence of 1 year in jail or from 1 to 50 years in prison.

It is a very rare thing for a defendant to get more than a year in jail if he is of tender years, and the girl has consented but is under the age of legal consent. Under this bill he must be electrocuted unless the jury unanimously recommends clemency, and that clemency, would reduce the sentence to life imprisonment.

Mr. COHELAN. Mr. Chairman, will the gentleman yield?

Mr. JOELSON. I yield to the gentleman from California.

Mr. COHELAN. I wonder if the gentleman as a former prosecutor in the great State of New Jersey could tell us what he would predict if this were to become law in terms of what juries might do in such cases.

Mr. JOELSON. I predict that very, very few juries would ever come back with a conviction if they knew the minimum sentence would be life imprisonment in a case of statutory rape.

Mr. REUSS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise in opposition to H.R. 7525.

Like many other Members, I for years have been urging home rule for the District of Columbia. I have been urging it because the right to govern oneself is an essential attribute of democracy. I have been urging it because both Republican and Democratic Parties have been promising it for the last 15 years, and not delivering. The reason we are not delivering is that, though the Senate has five times passed home rule legislation for the District, the House Committee on the District of Columbia has refused to give Members of this body a chance to vote their convictions on it.

Home rule is necessary for two main reasons. First, it is an intolerable burden upon the Congress to have to legislate not only for the Nation but for the District of Columbia. Second, it is an intolerable injustice to the three-quarters of a million people who live in the District of Columbia to deny them, year after year, the right to pick their own government and write their own laws—always, of course, subject to the overriding authority of Congress as guardian of the Nation's Capital.

H.R. 7525 dramatically demonstrates the need for home rule, here and now.

We are asked to consider a detailed bill touching upon a great number of vital procedures in criminal law. If I were a member of a city council, confronted with such legislation for my city, I would want to spend many weeks in the study of it, unhampered by any other duties, before I voted on it. If I were a member of a State legislature, I would regard the revision of my State's code of criminal procedures as one of the most important and most complicated tasks facing me. Yet here, as a Congressman concerned with tax reform and unemployment and nuclear testing and international payments and the Nation's education and defense and the space program and civil rights and railway labor and a score of other important national problems, I am asked to take on the added burden of acting as a State legislator and a municipal council member.

If I sought to add to my congressional duties by becoming a member of the Wisconsin Legislature and of the Milwaukee City Council at the same time, I would rightly be accused of delusions of grandeur. Yet, under our absurd existing system, I am required to supplement my national congressional duties by acting as both State legislator and local government official for the District of Columbia.

An important first step toward making Congress effective would be to free it of its time-consuming jurisdiction over the District.

But even more important is the elementary question of justice—the right of the District's people to have some voice in their own government. H.R. 7525 is concerned with the most fundamental of human rights—the right of an individual citizen against excessive power by the police and the courts. Those who aspire to legislate on how the District shall solve the clash between freedom and security should be legislators elected by its people and responsible to them; legislators by the people, of the people, and for the people of the District of Columbia, who know and understand its problems and people; legislators whose roots are in the District itself, and who operate under home rule at the local level.

I happen to agree with the minority of the House District Committee in their objection to many of the provisions of H.R. 7525 as unduly interfering with individual freedom. But even if I did not, I would want to draw back before I substituted my own judgment for that of the citizens of the District.

Congress is deeply concerned with crime in the District, and we should be. But the first step toward building a political and social system in the District in which law and order can be upheld, and crime diminished, is to give its people the elementary right of self-government. Repressive measures imposed from without will aggravate the social sickness of the District, not relieve it.

Mr. COHELAN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman and Members of the Committee, I am going to take this time to try to clear up one or two points as time will allow.

First of all, I want to comment on the Mallory provisions since a great deal has been made of this. I would refer the Members to page 86 wherein the minority views point out:

> We believe, moreover, that any attempt to alter the NcNabb-Mallory rule and nullify criminal rule 5(a) runs a severe risk of unconstitutionality under the fourth, fifth, sixth, and eighth amendments to the Constitution.

Then for you lawyers in the House, I would especially call your attention to a very recent case, a Supreme Court decision in what is known as *Wong Sun* v. *the United States*, 371 U.S. 471, and the date of the case is January 14, 1963, which makes it clear that a confession is inadmissible in evidence if obtained in violation of the fourth amendment, as we believe a confession taken under title 1 of this bill would be.

In the Wong Sun case, the court extended to confessions its older rule excluding tangible evidence seized as a result of an illegal arrest, and the court said, and I quote:

> Nor do the policies underlying the exclusionary rule invite any logical distinction between physical and verbal evidence.

Mr. Chairman, we have heard a great deal of emotional discussion about some of the vicious crimes that have been committed in the District of Columbia. I am of the opinion that all of us react in the same way and most of us who come from large, metropolitan areas could recite examples of the same kind. But we are dealing here with fundamental questions.

I am going to place into the RECORD a very excellent article by Mr. George W. Shadran on this very question. He raises these questions with respect to Mallory:

What should be asked first if we are really going to do a job here:

Is imprisonment too short for criminals convicted by the District of Columbia?

Is the percentage of acquittals too high?

Are too many convictees given probation and suspended sentences?

How many suspects confess after long police detention?

Mr. Chairman and Members of the Committee, this is on Mallory but we also have a very interesting rule that we are going to modify if we pass this proposed law in relation to the Durham rule.

In California we have established a special commission on insanity and criminal offenders to study this entire question. I quote from pages 12 and 13 of the first report:

> The relationship between the criminal law and the offender who has, or claims to have, a mental disease or defect is perhaps the most difficult problem that confronts the administration of justice. The criminal law constitutes society's most seriously stated and rigorously enforced body of rules of conduct, and carries with it the deepest condemnation and most serious sanctions that the community is capable of imposing. At the same time, mental disorder is perhaps the most subtle and pervasive form of individual abnormality that modern society confronts. Moreover, mental illness affects the individual in precisely the respects that are of crucial importance to the criminal law; namely, the offender's awareness of and reactions to his social environment.

And they go on to say:

> The urge to punish is strong, and punishment is justly due if the individual is mentally responsible. Yet punishing the person who is in truth mentally disorganized is recognized as ill-advised and indeed immoral.

May I make just one final point on the Durham rule. This bill is being brought to us really only with cursory hearings having been held which did not include the testimony of medical or psychiatric experts, of specialists in mental health, penology or criminology, or representatives of the bar, other than the U.S. attorney.

Mr. Acheson stated this year that all of these problems with the Durham rule have been very considerably clarified and alleviated in the McDonald decision.

Mr. Chairman, I urge a no vote on this bill.

Mr. O'HARA of Illinois. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I am happy to be back in the climate of the yesteryears. It is the same old argument. I suppose it will go on forever. Prosecuting attorneys, sincere, honest men, who are interested in sending men to death or to the penitentiaries, because that is their job and their assignment of public duty, argue on one side. I have been defense counsel in many cases, and the job and the duty of defense counsel is the protection of innocency. It is as important to protect the innocent as to punish the guilty. I have had many years of experience as a protector of innocency in my yesteryears and I have always respected the prosecutor. I have never thought that a good, conscientious prosecutor ever made a good defense counsel. I have never felt that a good defense counsel would ever make a good prosecutor, because there are two conflicting philosophies involved and the philosophies by which men are guided cannot be switched on and off.

One believes that we uphold society by meting out quick punishment and if in the proviso there is an entrapment of the innocent and the escape of the guilty ones that is a tragic percentage that society must accept as part of the price of security.

The other believes that society has its greatest security against crime when respect for the rights of the accused breeds a respect for law and justice even in those who have violated the law. The conviction of one innocent man and his condemnation to death or imprisonment is a scar on justice that cannot be erased by the conviction and punishment according to their deserts of 50 guilty men.

I have defended in many, many murder cases. Never did a client of mine go to the chair, and I have had some cases that looked desperate until in an American courtroom and under American rules of evidence all the facts were disclosed and the decision left to an American jury. I felt if I could talk to 12 men in a jury box and ask them if they were taking upon themselves the responsibility of decreeing death, I would accomplish my aim. Is there a God? I do not know, but I believe and have the faith there is a God. If there be a God, did He say, "Thou shalt not kill?" I do not know, but I believe and have the faith He did. If there be a God, and He said "Thou shalt not kill," did He say it with His fingers crossed? Did He really mean to say "Yes, if you are in a jury box and you cannot be punished, and maybe you will be applauded, then you can kill." Now, I put that up to 12 men in the jury box, and if all 12 take the responsibility on themselves of taking a life, then at least that is the finding of 12 jurors, anyone of whom could have halted the execution. They have done it, unanimously, with one voice. I have never faced such a jury.

However, this bill changes it. It must be the unanimous vote of the jury to save the accused from death. Eleven jurors may vote for a punishment less than death. If but one of the 12 decree death, death it must be, and the other 11 are powerless. The accused may be only 18 years of age and the rape may have been statutory, the voluntary relation with a girl under the age of consent, and unless all 12 persons in the jury box vote against the death penalty, that boy goes to the chair.

I do not believe in that philosophy. I do not believe that you are going to stop crime when you proceed against it in the spirit of revenge.

I am very fond of my colleague from New York and, with him, I was shocked and distressed when his fine administrative assistant was so brutally attacked. But one crime, however revolting and shocking to every sense of decency, should not lead us to the enactment of laws that in the future would leave innocency shorn of their protections woven into the very fabric of our American concept of justice. Somebody must be punished, and if the spirit of revenge dislodged the innovate spirit of reason and the punishment may be visited upon the innocent and the guilty may go free.

I have the greatest respect for my colleagues who drafted this bill, which is a document of good and noble intentions. But as defense counsel, dedicated to the protection of innocence, I must question whether the drafters of the bill really intended to go as far in stripping the accused of his right to a fair and impartial trial.

The bill provides that if the defense is that of insanity, notice must be given at time of the plea or within 15 days thereafter. Otherwise it is out. I have known of a number of cases where the defense was insanity, but the defense attorneys had not been brought in until maybe a month or more after the plea had been entered. Under the provision in this bill the accused, even in a case where insanity might be a good and valid defense, would be denied the right to trial under that defense unless he had an attorney within 15 days after entering plea.

There are so many things involved here. It would be better if it were not an omnibus bill. The right of the police to hold without booking, the right of the police to imprison for investigation, capital punishment, lewd literature which ought to be put out of circulation and pronto, fixed athletic contests, an omnibus bill of good intentions, all the dreamed-up cure-all medicines rolled into one great big pink pill. And they ask us to try it out on the District of Columbia as the guinea pig. I hope the bill will be recommitted.

AMENDMENT OFFERED BY MR. BELL

Mr. BELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. BELL: On page 17, line 11, strike out "sixteen" and insert in lieu thereof "twelve".

Mr. WHITENER. Mr. Chairman, will the gentleman yield to me?

Mr. BELL. Yes, I yield.

Mr. WHITENER. Is it correct that the gentleman's amendment is, on page 17, line 11, strike out "sixteen" and insert in lieu thereof "twelve"?

Mr. BELL. Yes, that is correct.

Mr. WHITENER. So that statutory rape could be committed then only upon a child under 12 years of age; is that correct?

Mr. BELL. That is correct.

Mr. WHITENER. Mr. Chairman, as far as we on this side are concerned this is an agreeable amendment.

Mr. CORMAN. Mr. Chairman, will the gentleman yield?

Mr. BELL. I yield to the gentleman.

Mr. CORMAN. May I inquire whether that makes 13 years the age of consent in the District of Columbia, or is this covered in some other portion of the law?

Mr. BELL. Under the circumstances I would think it would do exactly what it says—"under twelve years of age".

Mr. WHITENER. Mr. Chairman, will the gentleman yield to me?

Mr. BELL. Yes.

Mr. WHITENER. If I understand the gentleman's amendment I do not think there is any language in this provision with reference to establishing an age of consent. But as I understand the general law, a female under the age of 12, under the common law, and in some cases where the statute law has been written on this subject, one under 12 has not reached the age of consent.

Mr. BELL. That is correct.

Mr. CORMAN. If the gentleman's amendment passes I understand 12 years of age will be established as the age of consent in the District of Columbia; is that correct?

Mr. BELL. I do not believe that is correct. That is not my understanding of it.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. BELL. I yield.

Mr. HALLECK. Mr. Chairman, I want to make an observation apropos of the address just made by the gentleman from Illinois, Mr. BARRATT O'HARA, for whom I have the highest affection and regard. I served as a prosecuting attorney, too. The longer I served the more I became convinced that my job was not just to prosecute the guilty, but to be very sure that I was not indicting someone or causing someone to be arrested who should not be arrested or who was not guilty.

In other words, I just could not sit here and agree with the proposition that on one side of the table everyone on the State's side or the Government's side is trying to send somebody to jail and everybody on the other side is trying to keep them out.

As a matter of fact, in my experience since coming to Congress I have seen many people charged and subsequently acquitted, but any time when one is charged the charge is made in great big letters. But when one is acquitted real small letters are used.

I just wanted to say that, Mr. Chairman, and if the gentleman from California [Mr. BELL] will yield to the gentleman from Illinois [Mr. O'HARA], I would be happy to have the gentleman's reaction. I just do not believe that all prosecuting attorneys—and I suspect most of you here or many of us here have served apprenticeships in that job—are quite that bloodthirsty. I do believe they ought to have the necessary tools to convict the guilty.

There was a question raised here a little bit ago about just what to do in such cases as was the case of the administrative assistant to our colleague, the gentleman from New York [Mr. BECKER]. I have always believed that the sureness of apprehension, a fair trial, and a conviction if guilty is the greatest deterrent to crime.

Mr. O'HARA of Illinois. Mr. Chairman, if the gentleman from California will yield——

Mr. BELL. I yield to the gentleman from Illinois.

Mr. O'HARA of Illinois. I think what the great minority leader said is absolutely true. I do not think he ever represented the State with blood thirst. I have never known a prosecutor whom I though was not sincere and was not doing everything he thought it was his duty to do. I think that at least more than half of the prosecutors I have known, before there was an indictment, they worked to prevent the indictment if they thought there was innocence involved.

So, Mr. Chairman, I join the great minority leader, the gentleman from Indiana [Mr. HALLECK], in paying tribute to the integrity of our prosecutors.

Mr. CORMAN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I take this 5 minutes to renew my inquiry of the maker of the motion, or the chairman of the subcommittee, the gentleman from North Carolina [Mr. WHITENER], because if this is all of the law that deals with statutory rape, then the effect of the gentleman's amendment would be to establish 12 years as the age of consent in the District of Columbia, which seems to me would be something that we would not be disposed to do in this House.

Now, a part of this bill is—and there is not much help through this amendment—that we decide there is not any punishment short of life imprisonment or execution that is suitable for one who commits the offense of rape.

Mr. Chairman, I would be most hopeful that we would not, in an effort to temper the rather harsh penalty, decide that we would subject the female children in this District to such a turnback of the clock and establish the age of consent at 12 years. I doubt that many of us would tolerate that in our own States or in our own districts.

Mr. WHITENER. Mr. Chairman, will the gentleman yield?

Mr. CORMAN. I yield to the gentleman from North Carolina.

Mr. WHITENER. Do I understand that the gentleman is worried about this amendment which has been offered by the gentleman from California [Mr. BELL] may establish an age of consent at 12 years of age?

Mr. CORMAN. Yes, that is the point of my inquiry, whether or not it does.

Mr. WHITENER. And the gentleman thinks it is bad to establish the age of consent for the offense of rape?

Mr. CORMAN. At age 12, yes, sir; quite bad.

Mr. WHITENER. If the gentleman will yield further, what age does the gentleman suggest?

Mr. CORMAN. Well, in our State I believe it is age 18. I would certainly think no younger than 16.

Mr. WHITENER. So the gentleman is saying that if a male person over the age of 18 years had sexual relations with the consent of a female person under the age of 18 in the District of Columbia, he would recommend that that constitutes the crime of statutory rape?

Mr. CORMAN. Yes, sir; on the condition that the punishment is commensurate with the crime.

Mr. WHITENER. I thought, if the gentleman will yield further, that the objection we had here from others to the language of the proposed bill was that the age prescribed was too high and they did not think that because a man had something to do with a child between the age of 16 and 12 that that should be the case.

Mr. CORMAN. Well, it is my personal view that the objectionable part of the law is not the age of the young lady but, rather the punishment which must be meted out to the offenders.

Mr. WHITENER. So the gentleman is opposed to the punishment.

Mr. CORMAN. Yes.

Mr. WHITENER. I wonder if the gentleman has had the unfortunate experience of trying an adult for having raped and ravaged a female child under the age of 10 years?

Mr. CORMAN. No, I have not.

Mr. WHITENER. I am sure if the gentleman had, he would have a different attitude about the punishment.

Mr. CORMAN. I suspect we are talking about different things. There is a difference in the offense the gentleman is pointing out. Apparently what we would be doing if we agreed to this amendment is saying you cannot statutorily rape a girl in the District if she is past her 12th birthday. I would be hopeful we would not do such a thing.

Mr. MULTER. Mr. Chairman, will the gentleman yield?

Mr. CORMAN. I yield to the gentleman from New York.

Mr. MULTER. I think we are missing the point. This amendment does not go to the root of the trouble with this bill. It is a 13-year-old boy who has had carnal knowledge of a girl, whether 15 or 12. Under the new statute it would be 11, and a 15-year-old. That boy must be electrocuted under the bill.

Mr. CORMAN. I do not believe that is the law.

Mr. WHITENER. I may say that the gentleman from New York is entirely in error. Under the law of the District of Columbia the conduct of a child under the age of 18 is not cognizable by the criminal courts. That child under 18 is sent to the juvenile court. To show how wrong the gentleman is, you will remember the famous Davis bill.

When we were dealing with juvenile court the gentleman from New York was one of those who fought diligently against reducing the age at which a child is punishable as an adult from 18 to 16, as Mr. Davis, a former Member from Georgia, had recommended, and as the District Committee had reported. So I say categorically that the gentleman from New York, when he says that a male child under the age of 18 has to do with a 15-year-old girl he would be subject to punishment by electrocution is completely and entirely in error.

Mr. CORMAN. I urge a no vote on the amendment.

AMENDMENT OFFERED BY MR. HARSHA

Mr. HARSHA. Mr. Chairman, I offer an amendment.

The CHAIRMAN. Is it a substitute for the amendment pending?

Mr. HARSHA. It is a substitute for the amendment pending.

The Clerk read as follows:

> Amendment offered by Mr. HARSHA as a substitute for the amendment offered by Mr. BELL: On page 17, line 12, strike out "death by electrocution" and insert in lieu thereof "life imprisonment", and on page 17, line 13, strike out "life imprisonment" and insert in lieu thereof "death by electrocution."

The CHAIRMAN. The Chair would advise the gentleman this does not constitute a substitute for the other amendment. The Chair will dispose of the amendment offered by the gentleman from California [Mr. BELL].

Mr. BALDWIN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, if I interpret the amendment offered by the gentleman from California [Mr. BELL] correctly, it leaves a gap, in my opinion, above the age of 12 when there is no clear intention of the Congress expressed whatsoever. The amendment offered by the gentleman from California [Mr. BELL], if it were adopted by this Committee, would mean anything above 13 that did not involve forcible action against her will would not have any Federal charge leveled. I do not think that is the desire of this Congress.

Mr. MULTER. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, what the gentleman from North Carolina has said with reference to juveniles is quite correct, except that the same act also permits the juvenile court to remand any juvenile that is brought before the court to the criminal court for indictment and trial as though the juvenile were an adult.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. BELL].

The amendment was rejected.

AMENDMENT OFFERED BY MR. HARSHA

Mr. HARSHA. Mr. Chairman, I offer an amendment.

The clerk read as follows:

> Amendment offered by Mr. HARSHA: On page 17, line 12, strike out "death by electrocution" and insert in lieu thereof "life imprisonment"; and on page 17, line 13, strike out "life imprisonment" and insert in lieu thereof "death by electrocution".

Mr. HARSHA. Mr. Chairman, I think my amendment is self-explanatory. It has this effect: It lessens the punishment considerably on the conviction of someone of statutory rape and also rape by force and violence. It makes the penalty one of life imprisonment as contrasted to the present penalty of death by electrocution, unless the jury by unanimous vote recommends death by electrocution.

Simply stated, this puts the burden on the prosecutor to show that the facts are such and that the crime is so heinous that death by electrocution should be recommended.

I urge the Committee to accept this amendment.

Mr. WHITENER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, there is a great deal of concern about section 501 of the bill, which appears on page 17. I would suggest that the Members may want to look at that section as I read the existing law, section 22–2801 of the District of Columbia Code. It reads as follows:

> Whoever has carnal knowledge of a female forcibly and against her will, or carnally knows and abuses a female child under sixteen years of age shall be imprisoned for not more than thirty years: *Provided*, That in any case of rape the jury may add to their verdict if it be guilty the words "with the death penalty", in which case the punishment shall be death by electrocution; *provided further*, That if the jury fails to agree as to the punishment the verdict of guilty shall be received and the punishment shall be imprisonment as provided in this section.

So the current, existing law has this 16-year-age proposition. It also has the possible death penalty if the jury recommends it, which is in the bill we have before us. The only change substantially that the bill would make in the present law would be that we would strike out "thirty years" and insert "life imprisonment" or possible electrocution as punishment, whereas now the choice is between not more than 30 years or execution.

As I understand the amendment offered by the gentleman, his suggestion is that we would now provide that the jury would by unanimous vote have to recommend the death penalty, and that is the only import of his amendment.

Mr. HARSHA. Mr. Chairman, will the gentleman yield?

Mr. WHITENER. I yield to the gentleman from Ohio.

Mr. HARSHA. Otherwise the penalty is by imprisonment.

Mr. WHITENER. Would the gentleman agree with me that there has apparently been a great deal of misunderstanding about the language which appears in section 501?

Mr. HARSHA. I think that is probably so, but I think my amendment would clarify that.

Mr. WHITENER. The only change from existing law would be that the maximum imprisonment would be 30 years.

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. WHITENER. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Does this mean that the maximum punishment is life imprisonment or that the only punishment is life imprisonment?

Mr. WHITENER. It means that the maximum punishment by imprisonment would be life imprisonment. It would not repeal the provision for death penalty.

Mr. ALBERT. What is the minimum punishment under the amendment offered by the gentleman from Ohio?

Mr. HARSHA. It would be 20 years. Subsection (b) of the bill says notwithstanding any provision of law, the defendant shall not be eligible for parole until after the expiration of 20 years. So the minimum would be 20 years.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. WHITENER. I yield to the gentleman.

Mr. HALLECK. I have just examined the report. The report is written up, of course, in accordance with the Ramseyer rule. Apparently, there is going to be a new section 808. I would suggest respectfully that, in my opinion, we might be as well off to strike out that part of the bill that is presently before us which undertakes to rewrite section 808, which has to do with rape, and let the existing law stand as it is until such further time as we might be able to review the matter a little more carefully; and probably with some better results. I really believe that would be in the interest of good legislation. Many of us want to support this legislation but have been disturbed by the inclusion of this revision of section 808.

Mr. WHITENER. The only thing I can say to the gentleman is, while I have not been able to talk to all the members of the committee, and I cannot speak for them, but so far as I know no such amendment has been offered. If the gentleman from Indiana, with his great experience here in the House and his wisdom, and I know he does support the bill generally, feels that the best legislative tactic would indicate we should strike it, I would be for striking it.

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. WHITENER. I yield to the gentleman.

Mr. ALBERT. I dislike to find myself in disagreement with language brought in by the distinguished committee, but I think it is clear that the House is not in agreement with this language. I agree with what the gentleman from North Carolina has just said, and I associate myself with the statement made by the distinguished minority leader. I think the existing statute provides adequate punishment for the crime in question.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

AMENDMENT OFFERED BY MR. BROYHILL OF VIRGINIA

Mr. BROYHILL of Virginia. Mr. Chairman, I offer a substitute amendment for the amendment offered by the gentleman from Ohio [Mr. HARSHA].

The CHAIRMAN. The Chair would advise the gentleman from Virginia that it is first necessary to dispose of the amendment offered by the gentleman from Ohio before his amendment can be considered.

Mr. HALLECK. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HALLECK. Mr. Chairman, the language of the amendment offered by the gentleman from Ohio provides for certain changes with respect to the bill before us, as to section 808. The substitute amendment simply moves to strike out all of that language. It would seem to me, that that would properly be a substitute.

The CHAIRMAN. The Chair would advise the gentleman that the amendment offered by the gentleman from Ohio is a perfecting amendment. Before a section of the bill can be stricken from the bill, the perfecting amendments must be acted upon.

Mr. HARSHA. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from Ohio rise?

Mr. HARSHA. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The CHAIRMAN. The amendment offered by the gentleman from Ohio [Mr. HARSHA] is withdrawn.

The Clerk will report the amendment offered by the gentleman from Virginia [Mr. BROYHILL].

The Clerk read as follows:

Amendment offered by Mr. BROYHILL of Virginia: On page 17, line 5, strike out section 501.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia [Mr. BROYHILL].

The amendment was agreed to.

The CHAIRMAN. Without objection, the other sections will be numbered accordingly.

Mr. HARSHA. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HARSHA. Mr. Chairman, as I understood the amendment offered by the gentleman from Virginia, it was merely to strike out section 501.

The CHAIRMAN. That is correct.

Mr. HARSHA. What is the effect on section 808?

The CHAIRMAN. Section 808 is a part of section 501, and all of section 501 was stricken by the amendment.

Mr. MULTER. Mr. Chairman, I move to strike the last word.

I will not take the 5 minutes, Mr. Chairman. I regret we could not arouse as much emotional reaction on the part of this House to the other titles of this bill as we did to title V, but I want to say with all due deference to all the members of the committee and to all the Members of the House who are supporting this bill, that each of the other titles are equally as bad as the title we have just stricken. I do hope a motion to recommit will send this bill back to the committee so that it can get the further attention it requires and so that a good bill can be brought to the floor at a later date.

Mr. MATHIAS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I believe the colloquy which has taken place among various Members of the House on this bill in the past several hours confirms the misgivings that many of us have had about this legislation. I believe this is a bill that is wrapped in a miasmic mist. I believe it needs a great deal more consideration, and I am going to offer a motion to recommit the bill. I hope that motion, when offered, will gain the support of a majority of this House.

I yield back the balance of my time.

Mr. WHITENER. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore [Mr. ALBERT], having resumed the chair, Mr. BASS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 7525) relating to crime and criminal procedure in the District of Columbia, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. WHITENER. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on agreeing to the amendments. Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

Mr. MATHIAS. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. MATHIAS. I am, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. MATHIAS moves to recommit the bill, H.R. 7525, to the Committee on the District of Columbia.

Mr. MATHIAS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 114, nays 222, not voting 97, as follows:

[Roll No. 124]

YEAS—114

Addabbo
Ashley
Barrett
Bennett, Mich.
Blatnik
Boland
Bolling
Brademas
Brooks
Burke
Byrne, Pa.
Cameron
Carey
Celler
Cohelan
Conte
Corman
Daniels
Dawson
Denton
Diggs
Dingell
Donohue
Duncan
Edwards
Feighan
Finnegan
Fraser
Friedel
Gallagher
Gilbert
Gill
Gonzalez
Green, Oreg.
Green, Pa.
Hansen
Harding
Hays
Hechler
Holland
Joelson
Karsten
Karth
Kastenmeier
Kelly
Keogh
King, Calif.
Kirwan
Leggett
Libonati
McDade
McFall
Mathias
Matsunaga
Miller, Calif.
Minish
Monagan
Moorhead
Morgan
Mosher
Moss
Multer
Murphy, Ill.
Nedzi
Nix
O'Hara, Ill.
O'Hara, Mich.
Olsen, Mont.
Olson, Minn.
O'Neill
Patten
Pepper
Philbin
Pike
Powell
Price
Pucinski
Randall
Reuss
Rhodes, Pa.
Rich
Rivers, Alaska
Rodino
Rogers, Colo.
Rogers, Tex.
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Roush
Ryan, Mich.
Ryan, N.Y.
St Germain
Schwengel
Senner
Shipley
Sickles
Sisk
Slack
Smith, Iowa
Staebler
Staggers
Stratton
Sullivan
Thompson, N.J.
Thornberry
Toll
Udall
Ullman
Van Deerlin
Vanik
White
Wright
Young

NAYS—222

Abbitt
Abele
Abernethy
Adair
Albert
Alger
Anderson
Andrews
Arends
Ashbrook
Ashmore
Auchincloss
Avery
Ayres
Baker
Baldwin
Bass
Bates
Battin
Becker
Beckworth
Beermann
Bell
Bennett, Fla.
Berry
Betts
Boggs
Bolton,
  Frances P.
Bolton,
  Oliver P.
Bonner
Bow
Bray
Broomfield
Brotzman
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Bruce
Burkhalter
Burleson
Burton
Byrnes, Wis.
Cannon
Chenoweth
Clancy
Clausen,
  Don H.
Clawson, Del
Cleveland
Colmer
Cooley
Corbett
Cunningham
Curtin
Dague
Davis, Ga.
Davis, Tenn.
Derwinski
Devine
Dole
Dorn
Dowdy
Downing
Dulski
Edmondson
Elliott
Everett
Fallon
Findley
Flood
Foreman
Forrester
Fountain
Frelinghuysen
Fulton, Pa.
Fuqua
Garmatz
Gathings
Gavin
Gibbons
Glenn
Goodling
Grant
Gray
Griffin
Gross
Grover
Gubser
Hagan, Ga.
Hagen, Calif.
Haley
Hall
Halleck
Hardy
Harrison
Harsha
Harvey, Ind.
Hébert
Hemphill
Henderson
Herlong
Hoeven
Horan
Horton
Hosmer
Huddleston
Hull
Hutchinson
Ichord
Jarman
Jennings
Jensen
Johansen
Johnson, Calif.
Johnson, Wis.
Jonas
Jones, Mo.
Keith
Kilgore
King, N.Y.
Kornegay
Kunkel
Laird
Landrum
Langen
Latta
Lennon
Lesinski
Lipscomb
Lloyd
McClory
McLoskey
McMillan
Mahon
Mailliard
Marsh
Martin, Calif.
Martin, Nebr.
Matthews
May
Milliken
Mills
Minshall
Montoya
Moore
Morris
Murray
Natcher
Nelsen
Norblad
O'Brien, N.Y.
O'Konski
Osmers
Ostertag
Passman
Patman
Pelly
Perkins
Pillion
Pirnie
Poage
Poff
Pool
Purcell
Quie
Quillen
Rains
Reid, Ill.
Reifel
Rhodes, Ariz.
Riehlman
Roberts, Ala.
Roberts, Tex.
Robison
Rogers, Fla.
Roudebush
Rumsfeld
Schadeberg
Schneebeli
Schweiker
Scott
Secrest
Selden
Sheppard
Shriver
Sikes
Siler
Skubitz
Smith, Calif.
Smith, Va.
Snyder
Springer
Stafford
Steed
Stinson
Stubblefield
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thompson, Tex.
Thomson, Wis.
Tollefson
Tuck
Tupper
Tuten
Vinson
Waggonner
Watson
Watts
Weaver
Weltner
Westland
Whalley
Whitener
Whitten
Wickersham
Widnall
Wilson, Ind.
Winstead
Wydler
Younger
Zablocki

NOT VOTING—97

Aspinall
Baring
Barry
Belcher
Brock
Bromwell
Brown, Calif.
Buckley
Cahill
Casey
Cederberg
Chamberlain
Chelf
Clark
Collier
Cramer
Curtis
Daddario
Delaney
Dent
Derounian
Dwyer
Ellsworth
Evins

Farbstein
Fascell
Fino
Fisher
Flynt
Fogarty
Ford
Fulton, Tenn.
Gary
Giaimo
Goodell
Grabowski
Griffiths
Gurney
Halpern
Hanna
Harris
Harvey, Mich.
Hawkins
Healey
Hoffman
Holifield
Jones, Ala.
Kee
Kilburn
Kluczynski
Knox
Kyl
Lankford
Lindsay
Long, La.
Long, Md.
McCulloch
McDowell
McIntire
Macdonald
MacGregor
Madden
Martin, Mass.
Meader
Michel
Miller, N.Y.
Morrison
Morse
Morton
Murphy, N.Y.
O'Brien, Ill.
Pilcher
Reid, N.Y.
Rivers, S.C.
Rostenkowski
Roybal
St. George
St. Onge
Saylor
Schenck
Shelley
Short
Sibal
Stephens
Taft
Thomas
Thompson, La.
Trimble
Utt
Van Pelt
Wallhauser
Wharton
Williams
Willis
Wilson, Bob
Wilson, Charles H.
Wyman

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Buckley for, with Mr. Wyman against.
Mr. Shelley for, with Mr. Cramer against.
Mr. MacGregor for, with Mr. Gurney against.
Mr. Lindsay for, with Mr. Taft against.
Mr. Reid of New York for, with Mr. Kilburn against.
Mr. Morse for with Mr. Aspinall against.
Mr. Daddario for, with Mr. Chamberlain against.
Mr. St. Onge for, with Mr. Hoffman against.
Mr. Delaney for, with Mr. Bob Wilson against.
Mr. Dent for, with Mr. Miller of New York against.
Mr. Farbstein for, with Mr. Ellsworth against.
Mr. Grabowski for, with Mr. Utt against.
Mr. Healey for, with Mr. Williams against.
Mr. Madden for, with Mr. Morrison against.
Mr. Kluczynski for, with Mr. Thompson of Louisiana against.
Mr. O'Brien of Illinois for, with Mr. McIntire against.
Mr. Rostenkowski for, with Mr. Fulton of Tennessee against.
Mr. Roybal for, with Mr. Pilcher against.
Mr. Hanna for, with Mr. Rivers of South Carolina against.
Mr. Holifield for, with Mr. Gary against.
Mr. Hawkins for, with Mr. Stephens against.
Mr. Fogarty for, with Mr. Evins against.
Mr. Clark for, with Mr. Long of Louisiana against.
Mr. Brown of California for, with Mr. Casey against.
Mr. Charles H. Wilson for, with Mr. Chelf against.
Mr. Murphy of New York for, with Mr. Fisher against.
Mr. Macdonald for, with Mr. Flynt against.
Mr. McDowell for, with Mr. Willis against.
Mrs. Kee for, with Mr. Jones of Alabama against.
Mr. Long of Maryland for, with Mr. Schenck against.
Mr. Lankford for, with Mr. Van Pelt against.
Mr. Fino for, with Mr. Ford against.
Mr. Sibal for, with Mr. Knox against.

Until further notice:

Mr. Baring with Mr. Kyl.
Mr. Giaimo with Mr. Barry.
Mr. Trimble with Mr. Cahill.
Mr. Thomas with Mr. Wallhauser.
Mr. Fascell with Mrs. Dwyer.
Mrs. Griffiths with Mr. Belcher.
Mr. Harris with Mrs. St. George.
Mr. Brock with Mr. Wharton.
Mr. Short with Mr. Goodell.
Mr. Collier with Mr. Martin of Massachusetts.
Mr. Halpern with Mr. Cederberg.
Mr. Michel with Mr. Curtis of Missouri.
Mr. Morton with Mr. Bromwell.
Mr. Harvey of Michigan with Mr. McCulloch.
Mr. Derounian with Mr. Saylor.

Mr. BURKHALTER changed his vote from "yea" to "nay."

Mr. DERWINSKI changed his vote from "yea" to "nay."

Mr. HALLECK. Mr. Speaker, I would like to inquire whether the gentleman from North Dakota is recorded as having voted.

The SPEAKER pro tempore. The gentleman is recorded as having voted "yea."

Mr. HALLECK. Mr. Speaker, I have checked with his office. We looked to see whether the gentleman from North Dakota was here. I am told by his office, he is not present. So I think the RECORD should be corrected. If subsequently, it is determined that the gentleman was here, the RECORD can be corrected by him. But, I think in view of the present situation, it would be better that the gentleman not be recorded.

The SPEAKER pro tempore. Without objection, the rollcall will be corrected accordingly.

There was no objection.

Mr. COHELAN. I would like to address the same inquiry with respect to the name of Mr. JOHNSON of California.

The SPEAKER pro tempore. The gentleman from California [Mr. JOHNSON] is recorded as having voted no.

Mr. COHELAN. I thank the Speaker.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

So the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. WHITENER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed, H.R. 7525.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

THE READER'S DIGEST ARTICLE ON FOREIGN AID

Mr. FRASER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. FRASER. Mr. Speaker, an article entitled "Let's Stop Spending U.S. Dollars To Aid Our Enemies" appeared in a recent issue of the Reader's Digest. This article contains many discrepancies. It focuses on only 9 countries of the world—out of the more than 100 which have received U.S. economic aid in the last 15 years. It fails to present any of the U.S. foreign policy objectives for which the foreign aid programs have been authorized by Congress.

Mr. Speaker, this article needs to be answered. An excellent answer has been brought to my attention and I want to share it with my colleagues.

Mr. Speaker, foreign aid, both economic and military, is directed toward a single goal: to assist other countries that seek to retain their independence and develop into self-supporting nations.

Since the midpoint of World War II, the United States has recognized 49 nations as becoming newly independent. Not one has chosen a Communist form of government and not one has become a member of the Sino-Soviet bloc.

Fourteen countries which formerly received economic aid from the Agency for International Development—or its predecessors—are no longer dependent on U.S. asistance and are now self-supporting. Another 10 countries have shown substantial economic growth—over 1.5 percent per year per capita—and are approaching the stage when U.S. aid programs can be discontinued.

The security of the United States is clearly diminished when other countries fall under Communist domination, or break all ties with the free world. U.S. aid programs are intended to make this possibility less likely and the major share of aid programs has been directed to countries directly menaced by Communist aggression, external or internal.

The Reader's Digest article, even in its limited treatment of foreign aid, contains numerous statements which are misleading or erroneous. It was, in fact, labeled "a clever collection of distortion, half-truth, and innuendo" by the distinguished gentleman from Michigan [Mr. STAEBLER], in a speech on this floor on July 31.

The following facts should be considered in forming conclusions based on the Digest article.

COST OF AID PROGRAMS

The Digest article couples AID and its predecessor agencies with a $100 billion total figure, implying that this total represents the cost of their economic aid programs in the last 15 years. Actually AID and its predecessor agencies have committed $36 billion from fiscal year 1946 through fiscal year 1963, which ended on June 30, 1963. The $100 billion figure can be reached only by including: Military aid, $32.2 billion; food for peace, $10.1 billion; Export-Import Bank long-term loans, $8.1 billion; and expenditures under several other programs, such as contributions to international organizations sponsored by the United Nations, Philippines rehabilitation, UNRRA, and so forth, $13.8 billion.

UNEXPENDED BALANCES

The amount of unexpended balances, "pipeline" as it is called, in the foreign aid program is also criticized in the Digest article.

"Pipeline" is the term used for those funds appropriated to a government agency, committed by the agency for specific purposes, but not all spent by the end of a fiscal year. "Pipelines" built up when agencies undertake projects that cannot be completed within a single fiscal year—acquiring a complicated weapons system, for example, or helping to build a hydroelectric dam.

To illustrate, if AID were to agree to lend another country $10 million to buy American hydroelectric equipment for a needed power dam project, part of this $10 million might show up in the AID "pipeline" for several years—until the last generator or turbine or transformer had been delivered and the final payment made to the American manufacturer.

Many Government agencies have "pipelines." The Defense Department, for example, had a "pipeline" of $38.1 billion at the end of fiscal year 1962. The foreign aid "pipeline"—including military assistance—at that point was about $6.9 billion—roughly 8.5 percent of the total "pipeline" for all U.S. Government agencies—$76.7 billion as of June 30, 1962.

Of the entire foreign aid "pipeline" only $160 million—$64 million in military assistance, $96 million in economic assistance—was uncommitted and available for some other use at the close of fiscal year 1962. The request for the next year was reduced by this amount, a practice which is followed each year.

The implication of the Digest article that no new AID funds need to be appropriated this year is patently not true.

The difference between the $6.9 billion foreign aid "pipeline" and the $21.3 billion figure in the Digest article is made up largely of funds appropriated for international lending institutions such as the World Bank, the International Monetary Fund, the International Development Bank and the Export-Import Bank.

GOLD RESERVES AND THE BALANCE OF PAYMENTS

Another point of attack in the Digest article was the allegation that our imbalance of international payments is wholly or in major part the result of foreign assistance. This, too, is basically a distortion.

Any discussion of the economics of foreign aid must touch upon the matter of its effect on gold reserves and the balance of payments. Healthy economies like those being built with American assistance in Thailand, Taiwan, Greece, and Israel help to provide even wider markets for American products. Our exports to Europe have doubled in the past 10 years; they have more than tripled to Japan.

This does not imply that foreign assistance, and particularly the early stages of development assistance, does not contribute to an undesirable imbalance in our dollar supply.

However, of all the factors that do contribute to the U.S. deficit, economic assistance was one of the two whose adverse effect was less in calendar year 1962 than in the previous year. Compared with the U.S. export trade and income from private investment overseas, the export of dollars under the economic assistance program is small and only a minor item among the causes of our dollar deficit. Under current programs, 90 percent of all economic aid, including food for peace and Export-Import Bank loans, represents U.S. goods and services—not dollar outflow. Drastic slashes in the assistance program would have little immediate effect on the imbalance. A reduction of $1 billion in the AID program this year would reduce the loss of U.S. dollars by $200 million and cut dollar earnings to U.S. businessmen from our exports much more—$800 million.

THE HICKENLOOPER AMENDMENT

The United States believes that private enterprise should play an active role in foreign assistance. Consequently, a number of services and safeguards for American investors have been devised, such as risk guarantees, investment surveys, and loans for development and expansion of oversea operations. All these programs belie the allegation that AID discourages private enterprise.

Encouragement and protection for American investors does not end there, however. The Hickenlooper amendment adopted in 1962 stipulates that American assistance will be terminated to any country which expropriates American property overseas without making fair and adequate compensation. As a result of this legislation, a settlement was reached for compensation of property seized in Brazil, and assistance to Ceylon was cut off. Food for peace shipments to Ceylon have been continued to fulfill commitments under a sale concluded previously, but no new food for peace agreements have been entered into with Ceylon, even though they would be permissible under the Hickenlooper amendment.

THE BOKARO PROJECT IN INDIA

The emphasis on private enterprise is two sided: one one hand it encourages private concerns in this country to invest in the development of newly independent nations; and on the other it tries to create a vigorous private sector in the economies of recipient nations. This latter objective is not always as simple or as easily attainable as it may sound. Many of the nations which we are assisting have no foundations of commerce or industry upon which the structure of private enterprise can be built. Frequently, there is almost a total lack of financially experienced and business-oriented managers and entrepreneurs. Many of these nations also suffer from a severe shortage of investment capital. Oftentimes there is no feasible alternative to government initiative and government ownership for large-scale capital projects such as dams, roads, bridge, communications, and certain industries.

This fact has been recognized by most authorities on development assistance. The Clay Committee reported that while it did not feel that we should aid foreign governments "in projects establishing government-owned industrial and commercial enterprises which compete with existing private endeavors," it also recognized that "in aiding foreign countries we cannot insist upon the establishment of our own economic system." The question of private versus public ownership is part of the discussion of assistance to India for the Bokaro steel mill, one of the matters criticized in the Digest article.

In its presentation, the Digest fails to mention that the private steel companies in India are on record as saying that the demand for steel and the production of steel is so out of balance in India, that state ownership of Bokaro would not result in any increase in sales competition for steel products. The increased output would help to meet a critical need for more steel and would permit India to save more of its supply of foreign exchange. In order to determine the feasibility of the Bokaro mill, AID contracted with the United States Steel Corp. to study the matter. United States Steel assigned a team of its specialists to the job and they reached the conclusion that the project was technically feasible. The United States has not made a commitment on the project and the AID Administrator has advised congressional committees that no decision will be made until next year so that all the evidence may be given careful consideration. Contrary to the Digest article, the feasibility study was conducted by officials or contractors of United States Steel—not by AID technicians.

A side effect of the focus of attention on the Bokaro affair is that it has tended to blur the real image of the Indian economy. Over the past 2 years, more than half of our program loans to India have been to support essential imports for the use and account of private business. Far from "marking time," private investment has more than tripled in India over the last decade, and in 1962 the private sector accounted for 88.9 percent of India's total domestic production.

AID TO COMMUNIST COUNTRIES

The problem of deciding who shall receive aid and who shall not raises the question of aid to Communist nations, a principal criticism in the Digest article. In dealing with this question it is important to understand the nature and extent of our assistance to Communist nations, why we extend any aid at all, and what we have accomplished and hope to accomplish by it.

YUGOSLAVIA

Aid to Yugoslavia was prompted by the split between Moscow and Belgrade which took place in 1948. As a result of the schism, Yugoslavia determined to pursue a course of action independent of Kremlin control. When Yugoslavia closed its borders to the Greek Communists shortly thereafter, it sounded the death knoll for Communist attempts to take control of Greece. Leaders of both political parties in the United States agreed that the Yugoslavs should be encouraged to decrease their reliance on the Soviet Union by linking them with the economic community of the free world, and by opening up channels of communication to the West.

American aid to Yugoslavia began to achieve significant proportions in the early fifties with large-scale shipments of food and raw materials. There was also a military aid program from 1950 until 1958 when it was terminated at the request of Yugoslavia. Since 1957, an increasing majority of the program has been in the form of loans with emphasis on industrial loans and the extension of credit. The results have been encouraging. Here are some of them:

The U.S. Information Agency has a full program in Yugoslavia. Voice of America broadcasts reach all parts of the country and are not jammed.

Religious freedom has increased.

About 77 percent of Yugoslav trade in 1962 was with the West.

Yugoslavia participates in such Western economic organizations as the General Agreement on Tariffs and Trade, the International Monetary Fund, and the International Bank for Reconstruction and Development and is an observer at the Organization for Economic Cooperation and Development.

English has replaced Russian as the second language.

Of some 1.3 million visitors to Yugoslavia in 1962, only 50,000 were from bloc countries.

Yugoslavia is not a member of the Warsaw Pact or the Soviet-controlled Council for Mutual Economic Assistance, a Communist version of the Common Market.

Over 85 percent of the country's farmland is privately owned.

Despite the fact that our aid is not intended to buy votes in the United Nations, Yugoslavia voted with us 50 times and against the Soviets 45 times in a total of 154 rollcall votes between 1958 and 1962.

In relation to atomic testing, Yugoslavia has consistently urged the cessation of all tests.

The Yugoslav attitude on Berlin has favored neither East nor West, but has reflected the majority position of the unalined nations. In summary, there has been a growing number of Yugoslav ties with the West and a decreasing affiliation with the Soviet sphere.

Poland: The decision to assist Poland was based on the same principle which led to aid to Yugoslavia: Following the Poznan riots in 1956, Poland set out to pursue a course which would give her greater independence from Soviet domination. It was felt to be in America's best interest to help the development of a more independent Poland. Since 1959, our aid to Poland has been almost entirely through food for peace. In addition, about $4.3 million has been allocated since 1960 for a children's hospital in Krakow.

Since 1958, the Polish people have had more freedom and greater independence.

Contacts with the West have multiplied.

Religious freedom has increased.

The collectivization of farms has been modified so that the great majority of arable land is now privately owned.

Voice of America broadcasts are unjammed throughout the country.

There is an increase of tourism.

Trade with the free world has grown in recent years to 40 percent of its total trade. Under food for peace, Poland is committed to purchase commercially from the United States $17 million worth of cotton and feed grains in 1963. In addition, by 1973, Poland will be buying zlotys back from the United States at the rate of $15.9 million a year.

Small accomplishments, perhaps, but no opportunity should be neglected to widen the cracks which have been appearing in the formerly monolithic unity of the Soviet bloc.

COMMINGLING OF AID

The Reader's Digest article charges that American aid which helps communism more than it helps us has been encouraged by AID officials "in country after country." It then presents as evidence an oversimplification of the only two cases on record in which there might have been a mixing of American and Communist aid. Both cases were much more complex than the article implies, and the Digest neglected to point out the fact that it is AID policy to avoid commingling of U.S. aid and Communist aid unless an exception would result in a clear advantage to the United States.

Both instances of alleged commingling took place in Cambodia. The first was in connection with two radio studios equipped by the United States in 1960 to meet a commitment made in 1957. In the period between the signing of the agreement in 1957 and the delivery of the equipment in 1960, the Cambodian Government entered into an arrangement with the Red Chinese for assistance in the field of radio broadcasting. Inasmuch as the buildings to house the American equipment were under construction and the equipment had been procured and turned over to the Cambodian Government, it was decided that we should honor our prior commitment. The American equipment is housed in buildings separate and distinct from the Chinese facilities. Since the Chinese Communists initiated their program, no additional U.S. funds have been committed for this purpose.

A second case related to a charge that U.S. materials were used in the construction of a Russian-financed hospital in Cambodia. There is no evidence to prove that American materials were illicitly diverted to the hospital. There is some evidence to indicate that American construction materials which were imported from the United States through a non-project arrangement did pass through the local market and that they may have been purchased by a local contractor for work on the hospital. Under non-project loans, local businessmen are able to purchase needed American materials which, after importation, become free goods which can be sold in normal business transactions.

AID TO OUR ENEMIES?

By the title of the Reader's Digest article, such nations as India, Brazil, Indonesia, the United Arab Republic, Burma, Cambodia, Poland, Algeria, and Yugoslavia are labeled as "enemies" of the United States. U.S. foreign policy cannot be based on such an arbitrary designation of who is and who is not our enemy.

It is impossible to lump all countries together and apply a single standard which must be met in order to qualify for American assistance. Each nation is a separate entity, with different problems, different goals, and different philosophies about how to attain those goals. To deal with the question of why we aid a particular country—or approve a particular project—it is necessary to consider each situation individually.

Indonesia: The article condemns our assistance to Indonesia as "appeasement" and argues that it is helping to attain Communist objectives. Indonesia does not rank as our stanchest friend. However, many influential Indonesians have strong pro-Western attitudes, even though they are reluctant to see their country enter into any strong alliance which might incite its powerful neighbor to the north to overt aggression. The Communist Party in Indonesia is large, powerful, and well organized, but despite constant pressures, President Sukarno has resisted naming Communists to key positions in his government.

The economy is plagued by a number of ills, but several constructive steps have been taken by the Sukarno Government which indicate a genuine determination to correct some of the country's difficulties. A fair settlement has been reached with Western oil companies; an economic stabilization program has been adopted in cooperation with the International Monetary Fund; and Indonesia has entered into a Pan-Malay association with Malaya and the Philippines which openly recognizes the Chinese Communist threat to the area.

The case for continued aid to Indonesia was summed up in this way by Secretary of State Dean Rusk in testimony to one of our committees:

> To the extent that the Indonesian Government demonstrates a continuing determination to overcome its problems with a sound development effort, we believe that it is in our national interest to be of some help. The alternative, which I am sure none of us could accept, would be to abandon this important country to those who have shown themselves only too eager to subvert the government and its people.

Burma: The article challenged the validity of the American decision to assist Burma in building a Rangoon-Mandalay highway. In 1959, President Eisenhower formally pledged U.S. assistance to this project, conditioned upon the availability of funds and agreement on its technical and economic feasibility. The first 42-mile segment met the feasibility tests in 1963 and AID honored the original commitment by obligating $9.3 million for the project. Apart from fulfilling previous commitments and the sale of agricultural surpluses, we are providing less than $1 million annually in technical assistance to Burma.

United Arab Republic: The Digest article cites the United Arab Republic as an example of how our aid supposedly enables a country to follow an aggressive policy of militarism.

All dollar loans and grants to the United Arab Republic are earmarked for specific purposes and projects and all of them must be spent in the United States. Less than $2 million in grants was allocated for the United Arab Republic in fiscal year 1962. Local currency from Food for Peace sales has either been used to meet the operational expenses of our posts in the United Arab Republic or has been loaned to the United Arab Republic for specific economic development purposes such as highways, grain storage, health facilities, and chemical fertilizers. These moneys have not gone for any other purposes.

Other than for food for peace sales and relief assistance, the United Arab Republic received $41.9 million in fiscal year 1962, of which $40 million was in loans. Turkey—used by the Digest for comparative purposes—received over $71 million, or about $30 million more than the United Arab Republic. Since our aid program began Turkey has received $3.8 billion in combined military and economic assistance; total aid to the United Arab Republic—Egypt—amounts to $608 million. The charge that our aid enabled Nasser to distribute $43 million in dividends to Egyptian workers is groundless and has no connection whatever with our aid program. The statement that Ambassador Badeau made flying visits to other Arab leaders to placate them is also without foundation in fact.

Algeria: The Digest story misinterpreted or misconstrued the nature and purposes of our aid to the Algerian people. It also fails to mention the fact that proposals for private American investment in Algeria have been received favorably by the Ben Bella government and that the Communist Party has been outlawed in Algeria.

Ninety million of the $91.8 million which was committed for Algeria was channeled through Food for Peace and administered by the International Red Cross to prevent the mass starvation of 4 million people. The remaining $1.8 million was divided among American medical teams under CARE-MEDICO, 10 mobile health units, a contribution through the American Red Cross, and a few small training and rehabilitation projects.

MULTINATIONAL CONTROL OF U.S. AID

The article questions the ability and judgment of Americans to plan and administer American aid, and, at the same time, proposes, as a solution to all the supposed ills of the program that the operation be turned over to a multinational organization.

As of 1962, approximately 50 percent of the aid extended by the United States and other members of the Development Assistance Committee—the European nations, Canada, and Japan—was being coordinated through some kind of multinational body. The scope of such arrangements is being progressively expanded so that the many different aid programs can be coordinated to achieve the greatest degree of effectiveness. Our aid programs are undertaken to enhance America's security. Turning over all controls to a third party would not be in keeping with the best interests of the United States which considers foreign aid as an important way of achieving its broad foreign-policy objectives.

Mr. Speaker, we need public debate concerning our policies of foreign aid. Such debate, however, should always keep the long-term security interests of the United States in clear perspective. The Reader's Digest article failed to do this.

TRIBUTE TO DR. F. H. GUILD, RESEARCH DIRECTOR, KANSAS LEGISLATIVE COUNCIL

Mr. WHALLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. SHRIVER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SHRIVER. Mr. Speaker, research has been of great assistance in the great scientific progress of mankind. Research also has played a significant role in government. Those of us in the legislative branch of Government recognize the essentiality of research in order to effectively fulfill our responsibilities.

One of the real trailblazers in governmental research, at both the State and Federal levels, has been a dedicated public servant of the great State of Kansas. He is Dr. F. H. Guild, research director of the legislative council. Dr. Guild has been at this post for nearly 30 years, and as a result of the Kansas retirement statutes he will retire on December 1.

It is a privilege for me to pay tribute to Dr. Guild. During my service in the Kansas Legislature, and as a member of the Kansas Legislative Council, I gained firsthand knowledge of his valuable contributions to the legislative process. He was of great assistance to me and I will long prize his counsel and his friendship.

The Topeka, Kans., Daily Capital recently lauded Dr. Guild for his notable research service not only to Kansas but to other States and the Nation. The editorial stated in part:

> Kansas formed the first legislative council with its research department. It has been so successful 37 other States have organized similar departments. Numerous foreign delegations have come to Kansas to study and learn from Dr. Guild and his coworkers in research.
>
> Throughout his career as research director, Dr. Guild has meshed his work closely with lawmakers of both major political parties with such finesse that politics, as such, never became a factor. It was facts and facts alone that Dr. Guild and his workers sought.
>
> The legislative council and its research department have tackled hundreds of problems. Material has been gathered from other States on how they have handled them and from throughout the State from business and professions.
>
> When a study has been completed, frequently with consultations and conferences between council members and representatives of interested businesses and professions, not only the legislators but the public has been made aware of the problems and the best solutions.
>
> Better legislation has resulted. This was so because the legislature had the benefit of the council's year or more of study rather than having to make snap judgments in a 3-month lawmaking session. Frequently, studies showed the best solution was not to enact a law at all—with a resulting fewer poor enactments in the lawbooks.
>
> The deft guiding hand behind all this has been Dr. Guild's. Always he has exhibited such enthusiasm for his work that it was reflected in his work and the results. Because of his constant enthusiasm, most legislators were caught by surprise when he reached compulsory retirement age.
>
> Kansas will sorely miss Dr. Guild when he steps from the position he has filled so well. Few could leave behind so many monuments of good deeds.

Dr. Guild came to his legislative research assignment from the campus of the University of Kansas where he had served as chairman of the political science department for 10 years. It is my understanding Dr. Guild will return to the teaching profession. At 71 years young, he has experience and knowledge which should be shared by young and old who have a mutual interest in good government.

SOVIET COLONIALISM IN CENTRAL AND EASTERN EUROPE

Mr. WHALLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, there is a rightful and growing concern throughout the country over the nature of Soviet colonialism in central and eastern Europe. This matter is especially important at this time when the partial Test Ban Treaty brings before us the question of future agreements and easing of tensions between the United States and the Soviet Union.

Many of us recall the old admonition "A leopard never changes his spots," and it may be well to keep this thought in mind when dealing with the rulers of the Soviet world.

I wish to insert into the RECORD at this point as part of my remarks a letter to Secretary of State Dean Rusk from the Czechoslovak National Council of America, discussing the general implications of the recently signed partial test ban agreement:

AUGUST 1, 1963.

Hon. DEAN RUSK,
Secretary of State,
Washington, D.C.

MR. SECRETARY: In the near future the Senate will be discussing the ratification of the recently signed nuclear test ban treaty.

The Czechoslovak National Council of America, speaking on behalf of Americans of Czechoslovak descent, welcomes any measure which holds promise of bringing us closer to real peace and is happy to accept the President's word on this point.

The Czechoslovak National Council, anxious to promote the best interests of the United States of America, wishes to make the following observations, which result from a close study of political, psychological and economic developments in the Soviet Union and its satellites. We wish to address ourselves to the problems of (a) the proposed nuclear test ban treaty and (b) the hypothetical nonaggression pact.

(a) Concerning the proposed nuclear test ban treaty, two main factors seem to be of paramount importance and should be kept in mind when the real value of the proposed treaty is being assessed: the first deals with the motivation which provoked the surprising Soviet willingness to accept the limitations of the written agreement; the second pertains to the intention of the Soviet government to fulfill the accepted commitments in good faith, even in the absence of a meaningful enforcement machinery.

1. It appears to be the consensus of many of the highly qualified observers that the Soviet Government has in no way changed the ultimate goal of Soviet action. It appears, furthermore, that in full accordance with orthodox Marx-Leninism the destruction of free society and the imposition of a worldwide Communist rule remains the ultimate aim of the Soviet Government. In this point there seems to be no discrepancy between the attitude of the Government of the Soviet Union and that of Communist China.

It is said that the important change which prompted the Soviet willingness to sign the treaty with the Western powers is not a change in ultimate goal but merely a change in method. The analogy of Soviet tractability during the period following the Nazi aggression in 1941 leads many observers to conclude that the current Soviet amenability in the field of international relations, no less than the widely advertised trend toward liberalization within the Soviet orbit, are caused exclusively by the very real difficulties and setbacks recently incurred by the Soviets equally abroad and at home.

We conclude that the true motivation of the Soviet Government's present move is not a genuine desire for peace and cooperation among sovereignly equal nations but simply an attempt to temporize in order better to achieve the unchanged ultimate goal by different methods.

2. Nothing on record seems to indicate that the Soviet Government has in any way moved away from the well-known Marx-Leninist belief, according to which Communist governments are permitted in conscience to violate any international agreement if by so doing the cause of world revolution is in any way promoted. In this respect the public philosophy of the Soviet Government seems to be equally remote from our way of thinking as it has even been in the past. While we conclude treaties with the intention of keeping them, the same cannot be said about the Soviet Government.

We respectfully urge that these two observations be kept in mind when the ratification of the treaty is under consideration.

(b) The daily press has been discussing the possibility of a nonaggression pact between the NATO powers and the Warsaw pact forces. In connection with this proposition we wish to point to a possible danger inherent in an otherwise desirable arrangement. The pact, if unwisely worded, might possibly imply our implicit acceptance of the existing division of Europe as permanent, equitable, and desirable. This misinterpretation, if permitted to arise, would by far outweigh any conceivable advantage of a Communist commitment for it would deliver the deathblow to the remains of any hope for liberation and European integration behind the Iron Curtain, destroy the image of the United States as the defender of freedom and justice, and alienate millions of American citizens of Central and East European descent.

The possibility of this pitfall should be taken into consideration during the planning stages of any move in this direction.

We Americans of Czechoslovak descent respectfully submit these observations to your attention.

Very respectfully yours,
V. Vraz,
President.
Emilie Welcl,
Secretary.
Francis Schwarzenberg,
Chairman, Political Committee.

Mr. Speaker, my purpose in directing this letter to the attention of the Members is to dramatize the grave doubts, based on historic fact, that Americans should have over the long-range intentions of the Communist rulers.

Certainly, we all strive for peace, certainly, we all strive for a world of harmony, but with the discordant notes that are being struck within the Soviet empire today, we must remember that as long as any people are deprived of their freedom, our own freedom remains in danger.

The hundreds of thousands of American citizens who know from personal experience the treachery and viciousness of Communist rulers vigorously remind us of the pitfalls of coexisting with communism. We should remain alert to these practical and timely observations.

SUPREME COURT DECISION ON BIBLE READING

Mr. WHALLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. Avery] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. AVERY. Mr. Speaker, I wish to insert into the body of the Record an editorial which appeared in the Baptist Digest on July 6, supporting the recent Supreme Court decision on Bible reading and prayer in the public schools.

Although I am not in complete agreement with the views reflected in this editorial, I do recognize it as being very well written and will be of interest to many persons who read the editorial, even though it is not in total conformity with their views.

This editorial was brought to my attention by C. Emanuel Carlson, executive director of the Baptist Joint Committee on Public Affairs:

The Court Decision

"We can't pray in school any more," the junior boy solemnly told his training union fellows.

His statement, which is only half-true, points up the fact that we Baptists have a lot of educating to do—educating ourselves and our children.

First, we need to study carefully the recent Supreme Court decision regarding required Bible reading and prayer in the public schools. We need to be sure we know what it says, and what it does not say. In this issue of the Digest, there is an article which answers many questions about the decision. It is the dynamic sermon which Wayne Dehoney preached to his congregation in First Baptist Church of Jackson, Tenn., immediately after the Supreme Court decision was announced. Dehoney, who is the president of the SBC pastors conference, is respected throughout the convention. We suggest that you read the article carefully. Don't let newspaper headlines convince you that the Court has ruled God out of the public schools.

Second, we need to know ourselves as Baptists, and to search our hearts to be sure we are being honest. We are a people who demand religious freedom for ourselves and for others. Can we honestly insist that our schools, supported by public taxes, and attended by children from homes of all faiths, do the work of the church and the home by having Christian devotions? "But Bible reading and prayer aren't sectarian," many people cry. To the Moslem, Buddhist, atheist, and agnostic they are. And these people, whether we like it or not, are a part of our Nation, paying school taxes and sending their children to public schools.

In arguing these cases, there has been the claim that Bible reading and prayer are not religious exercises, but only an influence toward morality. Can there be any statement more untrue, or more nauseating to the Bible-reading, praying Christian?

Of course, religious exercises enforced by the State do have a tendency to become mere formal rites, without spirit and without meaning. Is this what we want? The form without the spirit? Christianity has never lost a thing by refusing to force itself onto others. But it has lost a great deal when it alines itself with the state, and depends upon the power of the State to carry out the evangelizing and teaching that should be carried out under the power of God.

This decision will ruin our schools, many are saying. On the contrary, perhaps this will save our public school system. The efforts of strong parochial school interests to invade the Public Treasury have become more frenzied in recent years. Just this year, one powerful interest after another has endorsed the unconstitutional principle of state support for parochial schools. Perhaps this decision has come just in time. If public school money cannot be used to promote the reading of the Bible and prayer as devotional exercises, then surely it cannot be used for schools that teach the beliefs of a particular sect. Public support for private schools would be the best way to ensure the downfall of our strong public school system.

In its opinion, the Supreme Court speaks of the "wholesome neutrality" which the Government must observe in its contacts with groups of religious believers and nonbelievers. Surely Baptists can say "amen" to that.

Let's not fall into the blind and selfish ways of other groups, who want freedom for themselves, but not for others; and freedom only as long as it promotes their particular interests. Let us carefully teach our children the facts of true freedom. There will be no confusion in their minds about the supremacy of God, if we will intelligently explain to them the reasons for this decision, and if we will live before them positive Christian lives.

The really sad fact isn't that prayer and Bible reading have been ruled out as devotional exercises in the school. It is the fact that in many Christian homes, the Bible is never opened from week to week, and the only prayers are hasty petitions mumbled at the Almighty just before the petitioner drops off to sleep.—D.W.

PLANNED POLICY TO DESTROY THE LEGISLATIVE BRANCH

Mr. WHALLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. Harvey] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. HARVEY of Indiana. Mr. Speaker, again in the issue of Sunday, August 11, the Washington Post, the editor has seen fit to bemean and belabor the House of Representatives. This is another example of a planned policy to destroy the Legislative Branch. I ask unanimous consent to include the editorial.

Genius in the House

The House of Representatives is demonstrating a positive genius in the creation of

work for itself. Not content with the slowdown that has characterized all legislative action this year, the resourceful House has invented the multiple-action technique under which some of its favorite bills can be analyzed, debated and voted up or down several times a year. The new technique was seen to excellent advantage in the temporary extension of the temporary national debt limit on Thursday.

The whole idea of a temporary national debt ceiling hovering just slightly above the Government's total obligations is a kind of make-work project. Congress itself is in control of spending, and if it really wanted to hold down the national debt by cutting the budget it could do so without any statutory curb on the debt itself. But the ritual of trying to clamp an artificial lid on the artesian flow of spending has become traditional, and now the House insists on repeating the performance at increasingly short intervals.

For the first 3 months of this year the temporary debt ceiling stood at $308 billion. Then for a couple of months it was reduced to $305 billion, bounced up to $307 billion in June, and has stood at $309 billion in July and August. Now the House, in its wisdom, has voted to extend the existing temporary ceiling, but only through November. Then the House will be able to have its fun all over again, and if it is in a generous mood it may fix a new limit that will be as much as 17½ cents above the Government's anticipated obligations, and it may make the new policy effective for all of December and January.

As this fascinating game grows upon the Congress, we may find it fixing a new national debt limit every week. That would go a long way toward freeing it from the tedium of facing serious legislation, and the technique could obviously be applied to other laws. Indeed, the House could limit the tenure of every statute it passes to a few months or a year and thus enjoy a merry round of easy lawmaking without ever bothering its head about the serious national and international problems that are worrying its constituents.

PROPOSAL FOR SETTLEMENT OF RAILROAD DISPUTE

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Ashley] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. ASHLEY. Mr. Speaker, today I have introduced a joint resolution which I believe represents a better approach at this time for settlement of the railroad dispute than the legislation proposed by President Kennedy 3 weeks ago.

There should be no misunderstanding, Mr. Speaker, that the President's approach reflects a preference to solve labor disputes through Federal compulsion, while those of us who seek a different approach favor collective bargaining. It should be understood that the President's proposal was offered only because it was his determination that the railroads and the railway brotherhoods had reached the end of the bargaining road and that a strike was threatened which imperiled the national interest. In other words, Mr. Speaker, the President's proposal was offered only reluctantly, only after considerable indication that collective bargaining had broken down, and only because it was clear that a rail tieup would adversely affect our national interest in dozens of sensitive areas.

If I were satisfied that collective bargaining offered no hope of settlement of the rail dispute, then I, too, would reluctantly conclude that the Federal Government must take whatever action is necessary to protect the broad public interest. But it is apparent, Mr. Speaker, that the possibilities of collective bargaining have not been exhausted. There still remains a very real possibility that the parties themselves can reach agreement and so long as this situation exists, then certainly no legislative solution should be imposed.

There are many who will say that enough time has passed, that the parties to this dispute have had more than ample opportunity to work out their differences through negotiation. This may well be true. The fact remains, however, that compulsory arbitration of any kind is a remedy that in many respects is worse than the disease. Far from being a panacea or cure-all, it dangerously undermines our free enterprise system by substituting Federal edict for settlements that could and should be made by the private parties themselves.

The measure which I submit today represents a final effort to bring together the parties to the rail dispute. Quite frankly, it seeks to impose pressure on the parties to negotiate with each other by establishing an emergency committee of Members of the House and Senate which, in effect, would breathe down the necks of the disputing parties. My bill establishes a 90-day period during which the committee would become thoroughly familiar with the efforts of each party to reach agreement. By creating a situation in which the parties would be bargaining in a goldfish bowl, as it were, Congress and the public will become thoroughly familiar with the issues and will be in a far better position to act intelligently in the event that bargaining does in fact break down and compulsion become necessary.

A TURNING POINT IN HISTORY

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. Nedzi] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. NEDZI. Mr. Speaker, this decade will be a turning point in history if it becomes, in truth, the decade of development. As we enter the third of these critical 10 years, there are encouraging signs of progress along with disturbing signs of doubt and difficulty. Change is stubbornly slow. The problem of creating attitudes and values congenial to development continues to elude solution. Political and social rather than purely economic factors remain the great stumbling block to progress.

We have not reached the beginning of the end. Unless there is greater self-help on the part of the less developed countries, development will fail through lack of internal initiative. But we may have reached the end of the beginning.

In Asia, communism has been checkmated in Vietnam through a concerted political, military, and economic assistance program. Chinese aggression has strengthened India's dedication to the principles of freedom. Taiwan is approaching self-sustaining economic growth, and our aid program there can soon be brought to a successful conclusion.

In Latin America, there is a new sense of solidarity. Under the prodding of the Alliance for Progress, the countries of Latin America, according to their individual characteristics, are beginning to remove internal obstacles to economic growth and the achievement of greater social justice. Through fiscal and monetary reform, land reform, education and the providing of more modern living facilities, the basis for stable and progressive democratic societies is gradually being established.

In Africa, Communist designs on newly independent nations have been thwarted, and many African countries are now looking to the United States for leadership.

In the Middle East, communism has been successfully resisted, and encouraging progress is being made toward democratic development. Iran, for example, is making a determined effort to develop. Under the personal leadership of the Shah, the people of Iran have voted overwhelmingly for new programs of land redistribution designed to give peasants more of a stake in the life of their country.

Another significant development is the creation of stabilization plans for several key less developed countries through cooperation between the host government, the United States, and the International Monetary Fund. These agreements constitute a new and promising direction for international cooperation in creating the conditions required for growth.

Still another sign of progress are the improvements in the foreign aid efforts of our allies. Although the level of this aid is not yet as high as desirable, there seems to be a growing awareness among the more highly developed countries of the importance of foreign assistance to less developed areas.

Increased use of foreign aid funds for U.S. goods has provided more jobs for Americans and has reduced the impact of aid on our balance of payments.

Encouraging progress also has been made in stimulating private investment in the less developed countries. Fifty-five countries have now signed investment guaranty agreements with the United States, and we can anticipate an improved climate for investment in those areas.

These signs of progress are gratifying. At the same time, it is becoming increasingly apparent that the road to development is not paved with quick solutions. It will take decades before many countries will achieve selfsustaining growth. The process will be long and painful, full of disappointment and temporary defeat. The task before us calls for determination but also for patience. We are an impatient people, used to doing things in a hurry. In the case of foreign aid, there are pressing problems, but they cannot be solved overnight.

We are also a very democratic people, intolerant of social injustice, extremes of economic inequality, and lack of political opportunity. We are sometimes impatient with others because we have difficulty seeing our own social, economic, and political progress in perspective. We also tend to measure the progress of others by what we have today, rather than by what they had yesterday. Only if we gain a better perspective of the process of development will we have the persistence to prevail.

It has been 15 years since the Marshall plan, yet only now are we able to see its results. I hope and believe that in years to come we will be able to enjoy the fruits of our present labor. It must be remembered, however, that in Europe all of the necessary conditions were present for rapid development. By contrast, many of the less developed countries are beginning at the beginning. If it took 15 years to see the results of the Marshall plan for Europe, how much longer will it take to measure the results of our present program for the less-developed nations?

Prudence in the use of our means requires, however, at least demonstrable progress toward the accomplishment of ends. Every American can be proud of our historic effort to set men free and help them achieve a better life. At the same time, every American has the right to expect foreign aid to achieve results. There are many pressing needs in our own country for which these funds could be used. If the foreign aid program does not achieve results, it would be only proper for these resources to be used for other needs. In this regard, it is disturbing that there has been so little progress in many less-developed countries toward better utilization of their own resources. If any one thing is clear as a result of the experience of the last 12 years, it is that progress occurs only where the people of a less-developed country have the desire and determination to move ahead. We can help, but we cannot successfully substitute our will for theirs, or transplant our institutions and way of life.

As we renew our dedication to the great unfinished task of democratic development, let us also renew our determination to make our progem work more effectively in the long and arduous years ahead. Let us bend every effort to make this crucial decade, in fact, a turning point in history.

CRISIS FOR COTTON

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. SISK] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. SISK. Mr. Speaker, the crisis with which the entire cotton industry is faced is real, present, and urgent. Unless we pass the Cooley bill, a major share of this industry will be wiped out. On the other hand, under the bill these growers and this industry will have a chance to adjust to changing conditions, reduce costs of production and enable themselves to compete in the marketplace. Our country will save a vital part of its economy and other agriculture and industry will not be dislocated and harmed.

These alternatives are well stated by Dr. John P. Benson, president of the Western Cotton Growers, who has telegraphed me as follows:

FRESNO, CALIF.

B. F. SISK,
Congressman of California:

The present cotton problem is alarmingly simple. The difficult thing about it is how to get out of it. The use of cotton by U.S. textile mills is scheduled for an alarming drop. L. T. Barringer, of Memphis, who buys for Cannon Mills, one of the largest cotton users in the world, stated that he foresaw a 2,500,000-bale decline in the next 3 years unless prompt action is taken by Congress.

A lot of groups and people may have some responsibility for this. But regardless of who is to blame the grower will suffer more than anyone else. The mills can spin other materials but cottongrowers can't produce them.

Barringer also stated that if the Cooley bill is passed he felt that a conservative estimate of the increase in cotton by U.S. mills in the same 3-year period would be 2,250,000 bales.

The total difference is almost 5 million bales in 3 years or over one-third our annual national production.

Growers realize that the price of cotton in the marketplace must come down or they stand to lose more and more each year. If the trend that Mr. Barringer indicated were to continue for 6 years more the cotton industry as we know it today in this country would be gone.

Under the Cooley bill with the McIntyre amendment, the smaller growers are protected but other growers would absorb a large portion of the drop in price in the next 3 years. Under the research provisions of the bill we would hope to get costs of production down so that it would be possible to further reduce the cost to the Government.

This great cotton industry is worth saving. I know that you are beset with many problems and that the answers are not easy. But I ask you to look on the Cooley bill as a 3-year reprieve for the cotton industry to get straightened around.

If legislation is not passed the grower must continue to lose his markets as cotton continues to pile up in Government stocks or he must sell to the textile mills at the world price.

Some growers today might be able to do this and survive but the great mass of them would be out of cotton. I just do not know what else they could grow across the Nation without flooding the market with whatever they did grow.

Under the choice program of the Cooley bill, if consumption and acreage increase above a certain point, half of the needed production is scheduled for production at no cost to the Treasury.

This bill is not a perfect bill. It is not the program which we in California might have preferred.

But now it and you Members of Congress from California seem to be our only salvation.

JOHN P. BENSON.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ASPINALL, for Monday, August 12, 1963, through Thursday, August 15, 1963, on account of official business.

Mr. LANKFORD (at the request of Mr. ALBERT), for the week of August 12, 1963, on account of official business.

Mr. WATSON (at the request of Mr. MCMILLAN), for Monday, August 12, 1963, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. MATSUNAGA, on Wednesday, August 14, for 60 minutes.

Mr. EDMONDSON, for 45 minutes, on tomorrow.

Mr. PELLY (at the request of Mr. WHALLEY), for 30 minutes, on Tuesday, August 13.

Mr. BOW (at the request of Mr. WHALLEY), for 30 minutes, on Wednesday, August 14.

Mr. DULSKI, for 1 hour, on Tuesday, August 20.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. REIFEL and to include the text of a resolution.

Mr. MULTER to revise and extend his remarks made in Committee of the whole today and to include extraneous matter.

Mr. PHILBIN.

Mr. DULSKI.

Mr. COHELAN and to include an article following his remarks in Committee of the Whole on the consideration of H.R. 7525.

Mr. SCHWENGEL (at the request of Mr. WHALLEY) to include an editorial in his remarks on the bill H.R. 7525.

(The following Members (at the request of Mr. WHALLEY) and to include extraneous matter:)

Mr. QUIE.
Mr. BRAY.
Mr. HOSMER.
Mr. ALGER.

(The following Members (at the request of Mr. BOGGS) and to include extraneous matter:)

Mr. KARTH.
Mr. MONTOYA.
Mr. FRASER.
Mr. ULLMAN.

THE LATE HONORABLE ESTES KEFAUVER

Mr. BOGGS. Mr. Speaker, on behalf of the gentleman from Tennessee [Mr. DAVIS], I offer a resolution and ask for its immediate consideration.

The Clerk read as follows:

H. RES. 490

Resolved, That the House has heard with profound sorrow of the death of the Honorable ESTES KEFAUVER, a Senator of the United States from the State of Tennessee.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased Senator.

Resolved, That a committee of nine Members be appointed on the part of the House to join the committee appointed on the part of the Senate to attend the funeral.

The resolution was agreed to.

The SPEAKER pro tempore. Without objection, the Chair appoints as members of the funeral committee the following Members on the part of the House: Mr. DAVIS of Tennessee, Mr. MURRAY, Mr. EVINS, Mr. BAKER, Mr. BASS, Mr. EVERETT, Mr. BROCK, Mr. FULTON of Tennessee, and Mr. QUILLEN.

The SPEAKER pro tempore. The Clerk will report the remainder of the resolution.

The Clerk read as follows:

Resolved, That as a further mark of respect to the memory of the deceased the House do now adjourn.

The resolution was agreed to.

ADJOURNMENT

Accordingly (at 4 o'clock and 48 minutes p.m.) the House adjourned until tomorrow, Tuesday, August 13, 1963, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1120. A letter from the Administrator, Foreign Agricultural Service, U.S. Department of Agriculture, transmitting a report on title I, Public Law 480 agreements concluded during July 1963, pursuant to Public Law 85–128; to the Committee on Agriculture.

1121. A letter from the Acting Secretary of State, transmitting a draft of a proposed bill entitled "A bill to provide for participation by the Government of the United States in (1) The Hague Conference on Private International Law and (2) The International (Rome) Institute for the Unification of Private Law; and authorizing respectively appropriations therefor"; to the Committee on Foreign Affairs.

1122. A letter from the Comptroller General of the United States, transmitting a report on concurrent payments of unemployment benefits and retired pay to retired members of the Armed Forces; to the Committee on Government Operations.

1123. A letter from the Secretary, Department of Health, Education, and Welfare, transmitting a report covering personal property received by State surplus property agencies for distribution to public health and educational institutions and civil defense organizations for the period April 1, through June 30, 1963, pursuant to the Federal Property and Administrative Services Act of 1949, as amended; to the Committee on Government Operations.

1124. A letter from the Secretary of the Interior, transmitting a draft of a proposed bill entitled "A bill to fix the beneficial ownership of the Colorado River Indian Reservation located in the States of Arizona and California"; to the Committee on Interior and Insular Affairs.

1125. A letter from the Assistant Secretary of the Interior, transmitting a draft of a proposed bill entitled "A bill to reauthorize the Riverton extension unit, Missouri River Basin project, to include all the Riverton reclamation project except the Muddy Ridge area, and for other purposes"; to the Committee on Interior and Insular Affairs.

1126. A letter from the Associate Director, Bureau of Land Management, U.S. Department of the Interior, transmitting a report of negotiated contracts made for the disposal of materials for the period January 1 through June 30, 1963, pursuant to Public Law 87–689; to the Committee on Interior and Insular Affairs.

1127. A letter from the Assistant to the Governor, Canal Zone Government, transmitting a draft of a proposed bill entitled "A bill to authorize the transfer of certain Canal Zone prisoners to the custody of the Attorney General"; to the Committee on Merchant Marine and Fisheries.

1128. A letter from the Secretary of Commerce, transmitting the annual report on scientific research grants for the fiscal year 1963 for the Department of Commerce, pursuant to Public Law 934, 85th Congress; to the Committee on Science and Astronautics.

1129. A letter from the Comptroller General of the United States, transmitting a report on opportunities for economies in aviation facility requirements and aircraft utilization, U.S. Coast Guard, Treasury Department; to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BARING: Committee on Interior and Insular Affairs. H.R. 6118. A bill to amend the act providing for the admission of the State of Alaska into the Union with respect to the selection of public lands for the development and expansion of communities; with amendment (Rept. No. 647). Referred to the Committee of the Whole House on the State of the Union.

Mr. PATMAN: Committee on Banking and Currency. H.R. 4842. A bill to amend the Federal Credit Union Act to extend the time of annual meetings, and for other purposes; with amendment (Rept. No. 648). Referred to the House Calendar.

Mr. PATMAN: Committee on Banking and Currency. H.R. 772. A bill to provide for the transfer for urban renewal purposes of land purchased for a low-rent housing project in the city of Detroit, Mich.; without amendment (Rept. No. 649). Referred to the Committee of the Whole House on the State of the Union.

Mr. PATMAN: Committee on Banking and Currency. H.R. 5048. A bill to amend section 207 of the National Housing Act to eliminate the provision presently limiting mortgages thereunder to the cost of the physical improvements involved; without amendment (Rept. No. 650). Referred to the Committee of the Whole House on the State of the Union.

Mr. PATMAN: Committee on Banking and Currency. H.R. 7405. A bill to amend the Bretton Woods Agreements Act to authorize the U.S. Governor of the International Bank for Reconstruction and Development to vote for an increase in the Bank's authorized capital stock; without amendment (Rept. No. 651). Referred to the Committee of the Whole House on the State of the Union.

Mr. PATMAN: Committee on Banking and Currency. H.R. 7406. A bill to provide for increased participation by the United States in the Inter-American Development Bank, and for other purposes; without amendment (Rept. No. 652). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAVIS of Tennessee: Committee on Public Works. H.R. 1136. A bill to authorize the Secretary of the Army to pay fair value for improvements located on the railroad right-of-way owned by bona fide lessees or permittees; without amendment (Rept. No. 653). Referred to the Committee of the Whole House on the State of the Union.

Mr. JONES of Alabama: Committee on Public Works. H.R. 3804. A bill to repeal a portion of the Second Supplemental National Defense Appropriation Act, 1943, approved October 26, 1942 (56 Stat. 990, 999), as amended, and for other purposes; with amendment (Rept. No. 654). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAVIS of Tennessee: Committee on Public Works. H.R. 5160. A bill to authorize the Secretary of the Army to pay fair value for improvements located on the railroad rights-of-way owned by bona fide lessees or permittees; without amendment (Rept. No. 655). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAVIS of Tennessee: Committee on Public Works. H.R. 7221. A bill to modify the flood control project for Four River Basins, Fla.; with amendment (Rept. No. 656). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BENNETT of Michigan:

H.R. 8019. A bill to amend the Tariff Act of 1930 to impose an import quota on iron ore; to the Committee on Ways and Means.

By Mr. BUCKLEY:

H.R. 8020. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. GIBBONS:

H.R. 8021. A bill to provide adjustment assistance to workers whose employment has been adversely affected by reason of the embargo on the importation of raw materials of Cuban origin; to the Committee on Ways and Means.

By Mr. HÉBERT:

H.R. 8022. A bill to amend title 10, United States Code, to provide for the establishment and maintenance of a Reserve Officers' Training Corps (2-year program), and for other purposes; to the Committee on Armed Services.

By Mr. JOHNSON of Wisconsin:

H.R. 8023. A bill to amend the Federal Power Act, as amended, in respect of the jurisdiction of the Federal Power Commission over nonprofit cooperatives; to the Committee on Interstate and Foreign Commerce.

By Mr. RAINS:

H.R. 8024. A bill to amend the Antidumping Act, 1921; to the Committee on Ways and Means.

By Mr. SISK:

H.R. 8025. A bill to amend section 301(a)(7) of the Immigration and Nationality Act; to the Committee on the Judiciary.

By Mr. THOMPSON of Texas:

H.R. 8026. A bill to amend the Internal Revenue Code of 1954 to provide tax-exempt status for nonprofit nurses' professional registries operated by nurses' professional associations; to the Committee on Ways and Means.

By Mr. UDALL:

H.R. 8027. A bill to fix the beneficial ownership of the Colorado River Indian Reservation located in the States of Arizona and California; to the Committee on Interior and Insular Affairs.

By Mr. VAN DEERLIN:

H.R. 8028. A bill to amend title 38, United States Code, to provide certain veterans with urgently needed nursing home care and nursing care facilities while reducing the cost to the United States of caring for such veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. **GREEN** of Pennsylvania:

H.R. 8029. A bill to adjust the rates of basic compensation of certain officers and employees in the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. **ASHLEY**:

H.J. Res. 643. Joint resolution to provide for the settlement of the labor dispute between certain carriers by railroad and certain of their employees; to the Committee on Interstate and Foreign Commerce.

By Mr. **BOLAND**:

H.J. Res. 644. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. **EDWARDS**:

H.J. Res. 645. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. **REIFEL**:

H.J. Res. 646. Joint resolution designating the bridge constructed over the Washington Channel of the Potomac River, in the District of Columbia, as the "Francis Case Memorial Bridge"; to the Committee on the District of Columbia.

By Mr. **RYAN** of New York:

H.J. Res. 647. Joint resolution authorizing and directing the National Institutes of Health to undertake fair, impartial, and controlled scientific tests and investigations of Krebiozen; and directing the Secretary of Health, Education, and Welfare not to terminate or issue any notice of termination of the exemption of the drug, Krebiozen, for investigative use until the completion of such tests and investigations and the issuance of an evaluation thereof by the National Institutes of Health; and authorizing to be appropriated to the Department of Health, Education, and Welfare the sum of $250,000; to the Committee on Interstate and Foreign Commerce.

By Mr. **HALPERN**:

H. Con. Res. 211. Concurrent resolution to firmly establish a code of ethics for Congressmen and others in Government service; to the Committee on Post Office and Civil Service.

By Mr. **GROSS**:

H. Res. 485. Resolution to create a select committee to investigate expenditures for research programs conducted by or sponsored by the departments and agencies of the Federal Government; to the Committee on Rules.

By Mr. **MOSHER**:

H. Res. 486. Resolution creating a select committee to conduct a study of the fiscal organization and procedures of the Congress; to the Committee on Rules.

By Mr. **SCHWENGEL**:

H. Res. 487. Resolution to provide for a study of needed Federal-aid highway programs for 15 years following the termination of the present interstate and defense highway program by requiring the Committee on Public Works of the House of Representatives to make a comprehensive investigation and study of highway traffic and needs based upon 20-year projections, and the changes determined necessary in the Federal-aid highway systems as a result thereof, and to report the results of such study and their recommendations for a 15-year highway program commencing June 30, 1972, to the House of Representatives; to the Committee on Rules.

By Mr. **SHRIVER**:

H. Res. 488. Resolution to create a select committee to investigate expenditures for research programs conducted by or sponsored by the departments and agencies of the Federal Government; to the Committee on Rules.

By Mr. **MARTIN** of Nebraska:

H. Res. 489. Resolution to create a select committee to investigate expenditures for research programs conducted by or sponsored by the departments and agencies of the Federal Government; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the **SPEAKER**: Memorial of the Legislature of the State of South Dakota, memorializing the President and the Congress of the United States relative to Senate Joint Resolution 1, to call a convention for the purpose of proposing an amendment to the Constitution of the United States relating to article V thereof; to the Committee on the Judiciary.

Also, memorial of the Legislature of the State of South Dakota, memorializing the President and the Congress of the United States relative to Senate Joint Resolution 2, to call a convention for the purpose of proposing an amendment to the Constitution of the United States, relating to apportionment of representation in any State legislature; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. **CHENOWETH**:

H.R. 8030. A bill for the relief of John W. Knierim, Jr.; to the Committee on the Judiciary.

By Mr. **DEL CLAWSON**:

H.R. 8031. A bill for the relief of Mr. and Mrs. Adzura Frljuckic; to the Committee on the Judiciary.

By Mr. **MILLER** of California:

H.R. 8032. A bill for the relief of Lau Bo Wing; to the Committee on the Judiciary.

By Mr. **MULTER**:

H.R. 8033. A bill for the relief of Joseph Salem; to the Committee on the Judiciary.

By Mr. **ROONEY** of New York:

H.R. 8034. A bill for the relief of Miss Rosa Basile DeSantis; to the Committee on the Judiciary.

By Mr. **ROSENTHAL**:

H.R. 8035. A bill for the relief of Mrs. Gerard Frank; to the Committee on the Judiciary.

H.R. 8036. A bill for the relief of Domenico Perrotta; to the Committee on the Judiciary.

By Mr. **RYAN** of New York:

H.R. 8037. A bill for the relief of Adina Siegler; to the Committee on the Judiciary.

By Mr. **TOLL**:

H.R. 8038. A bill for the relief of Dr. Theodora P. Virvilli; to the Committee on the Judiciary.

By Mr. **VAN DEERLIN**:

H.R. 8039. A bill for the relief of Clarence E. Hatton and his minor daughter, JoAnne Hatton; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

233. By the **SPEAKER**: Petition of Samuel Ryder and others, the Boston Forum, Boston, Mass., relative to expressing concern over the foreign policy of the United States in regard to Cuba and the Communist nest that is being built there, and calling for the preservation of the Monroe Doctrine; to the Committee on Foreign Affairs.

234. Also, petition of Kenneth C. Smith, secretary, the Western States Land Commissioners Association, Sacramento, Calif., petitioning consideration of their resolution with reference to transmitting copies of resolutions relating to public land problems of vital interest to member States; to the Committee on Interior and Insular Affairs.

EXTENSIONS OF REMARKS

Opinion Poll Indicates Voters' Beliefs on Current Issues

EXTENSION OF REMARKS
OF
HON. WILLIAM G. BRAY
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Monday, August 12, 1963

Mr. BRAY. Mr. Speaker, I have recently conducted an opinion poll among my constituents in the Seventh District of Indiana. I believe the results of this sampling are of significance and of interest to my colleagues.

Seventh District voters favor taking a tough stand on foreign policy. Their response shows they want strong action against Communist domination of Cuba, substantial cuts in foreign aid and no further concessions to the Russians to achieve a nuclear test ban.

Four out of five persons said we should not give further concessions to Russia to achieve a test ban. This referred to a general test ban. The partial test ban, which was concluded after the questionnaire was circulated, does not in itself represent further concessions, for we had made a similar offer a few years ago.

Opposition to large foreign aid grants is growing, with 87 percent of the replies favoring extensive reductions. Many indicated they would favor limited programs of assistance if they were confident the aid was being administered properly. They are concerned that too much of it does not really help the people of the recipient nations and that there is waste and expensive errors.

The question on Cuba asked simply, "Do you favor stronger U.S. actions toward Cuba, even at risk of war?" Eighty percent of the replies said "Yes"; thirteen percent said "No."

In supplementary comments it was obvious that a great many Americans believe the Communist regime in Cuba represents a continuing threat to the security of the United States.

They fear that it is being used as a training ground for Communist agents who will fan out to all of the Latin American countries and produce Castro-type revolutions throughout the hemisphere.

Various countermeasures were proposed, ranging from an economic blockade to direct invasion. Those who believe the situation will right itself were very much in the minority.

Seventh District voters disapprove of reducing Federal taxes without cutting spending. Sixty-six percent of those responding do not favor a tax cut without a comparable reduction in spending. Twenty-eight percent do approve, with 6 percent having no opinion.

A compulsory program of Federal medical care for the aged financed by an increase in social security taxes was turned down by 73 percent of the respondents. It was approved by 22 percent. Five percent gave no answer.

A proposal for Federal subsidies to construct mass transportation facilities in the Nation's cities was rejected by 79 percent of the replies and approved by only 10 percent. Eleven percent did not respond.

A domestic peace corps to work on social welfare projects in depressed areas, slums, Indian reservations, and other places was favored by 52 percent of the persons replying. Forty-three percent said "No," with 5 percent having no opinion.

A youth conservation corps, similar to the CCC's of the thirties, which would employ young men at $60 a month to work in forests and parks, was supported by 54 percent of the replies and opposed by 40 percent. Six percent did not express an opinion.

Strong public sentiment favoring a constitutional amendment expressly permitting nondenominational prayer in public schools was expressed. Better than four out of five favor such an amendment.

Additional comments indicated the voters do not want anyone to be forced into such exercises but they do not believe optional participation invades the freedom of belief of those who do not wish to participate.

There is great interest in this matter, which is partly shown by the fact that only 3 percent failed to make a "yes" or "no" answer.

We all recognize our duty to know the thoughts and beliefs of our constituents and to be the spokesmen of these views in the House of Representatives. It is not an easy task to keep well acquainted with voter sentiments in districts that cover large areas and contain populations of 300,000 or more. In addition to the thousands of letters, telegrams, and telephone calls I receive, I greatly appreciate the many personal contacts I have with Seventh District people. I believe this poll is worthwhile in keeping closely in touch with the legislative wishes of the people, and consequently being better able to represent them. Each of those who replied helped to form this cross section of public opinion, and demonstrated the willing participation and interest in public affairs which has been the hallmark of American citizenship.

I commend this insight into the thinking of my constituents to all of my colleagues for I know these people to be truly representatives of the finest traits and characteristics of this Nation.

Final summary of opinion poll conducted by Congressman William G. Bray, 7th District, Indiana

Do you favor:	Percent		
	Yes	No	No opinion
1. Further U.S. concessions to obtain a nuclear test ban with Russia?	16	80	4
2. Extensive reductions in our foreign-aid expenditures?	87	10	3
3. Stronger U.S. actions toward Cuba, even at risk of war?	80	13	7
4. A tax cut even if there is not a comparable reduction in Federal spending?	28	66	6
5. Compulsory Federal medical care for the aged under social security as proposed in King-Anderson bill?	22	73	5
6. Federal subsidies for mass transportation in the Nation's cities?	10	79	11
7. A Domestic Peace Corps to work on social welfare projects in depressed areas, slums, Indian reservations, etc.?	52	43	5
8. A Youth Conservation Corps, similar to the CCC's of the 1930's, employing young men at $60 a month to work in forests and parks?	54	40	6
9. A constitutional amendment to permit prayer, optional and nonsectarian, in public schools?	81	16	3

Oliver LaFarge

EXTENSION OF REMARKS

OF

HON. JOSEPH M. MONTOYA

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Monday, August 12, 1963

Mr. MONTOYA. Mr. Speaker, on Friday, August 2, Oliver LaFarge, historian, anthropologist and Pulitzer Prize-winning author died at the age of 61 in Albuquerque, N. Mex. He was a great American, a renowned humanitarian and author who used his pen to further the cause of mankind.

Through his work he brought new stature to the American Indian and greater dignity to the Spanish American. These two, he said, were the ethnic groups which established the roots of our American culture and civilization in the Southwest, portraying them as humble people with a rich heritage.

The people of New Mexico loved Oliver LaFarge because he represented our State's traditions. He embodied and exemplified them in his works and in his everyday life. Our State and its people will always remember him and his legacy will live in the libraries and in the minds of all Americans—these will be his monuments reminding us that this was truly a great American.

Besides using his pen to advance the commonweal, he served his country in war, attaining the rank of colonel during World War II.

His story of Navajo Indian life, depicted in his Pulitzer Prize winning novel "Laughing Boy," launched an outstanding career in letters. His other works included a short story, "The Haunted Ground," which won him the O'Henry Memorial Prize; "Behind the Mountains," a book about the family of his charming wife, Consuelo, the Baca's from Rociada, N. Mex.; "The Year Bearer's People," "Long Pennant," "The Enemy God," and "As Long as Grass Shall Grow," and many others.

The American Indian has lost a true and dedicated friend, but the Association on American Indian Affairs, of which he was president, will continue his inspiring work.

I am happy to say that during his lifetime, he was my personal friend and his counsel was most helpful to me throughout my public life.

Oliver LaFarge never asked for personal favors. His sincerity of purpose and his dedication made him tenacious and determined when he sought a better way of life for the American Indian. Through years of fruitful endeavor his use of logic and persuasion earned him the great respect of all those with whom he came in contact. His pen was a mighty sword that cut deep and activated the thinking of men for the great causes which he espoused. Although he is no longer with us, the American landscape will be enriched because his presence will continue to be notable in the indelible contributions which he made as a man of letters and a great humanitarian.

His lovely wife, Consuelo, and his children can justly say that this great American endowed them with a heritage which will live forever.

For Foreign Aid

EXTENSION OF REMARKS

OF

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 12, 1963

Mr. FRASER. Mr. Speaker, a very distinguished Member of the House, ROBERT R. BARRY, recently wrote a letter to the editor of the New York Times answering some of the criticisms which have been leveled against our foreign aid program. Mr. BARRY's letter is one of the best pieces I have seen on the subject, and I know my colleagues will be interested in reading it:

FOR FOREIGN AID

To the EDITOR:

Congressman OTTO E. PASSMAN, in his "Why I Am Opposed to Foreign Aid"—July 7—labels America's efforts in this area as "one of the greatest foreign policy failures in our history." I emphatically disagree.

Since the Marshall plan, the thrust of our mutual security programs has been primarily to meet the needs of developing countries. Why? Most of the developing countries, receiving the bulk of our aid, were colonies of European powers and Japan until a few years ago, and largely provided raw materials in exchange for manufactured goods.

As these countries achieved independence, the question constantly arose as to whether or not it would stimulate trade if industrialized countries helped them to modernize their economies in keeping with their resources. The answer given by the United States and the rest of the industrialized free world was "yes." It is to our advantage and to theirs that they become full-fledged members of the free world trading system, rather than the Communist bloc system, as our system provides the greatest hope for raising the living standards of all nations on earth.

As the developing countries increase their gross national product they will become better customers for Uncle Sam. This means expanding trade for the entire free world and therefore higher levels of prosperity for all members of the great free trading system.

Moreover, as the developing countries increase their trade with the developed countries of the world, they will correspondingly need less foreign aid. Thus, we can look forward to a time when little or no foreign aid will be needed.

Only through the creation of viable economies in other nations of the world can the economic aspirations of free men everywhere be realized. The foreign aid program does just that.

ROBERT R. BARRY,
Member of Congress, Washington.

Inflatable Communications Satellites

EXTENSION OF REMARKS
OF
HON. JOSEPH E. KARTH
OF MINNESOTA
IN THE HOUSE OF REPRESENTATIVES
Monday, August 12, 1963

INFLATABLE COMMUNICATIONS SATELLITE

Mr. KARTH. Mr. Speaker, Minnesota-made Echo I, the largest satellite that man has sent into orbit, is celebrating its third birthday. It was rocketed into space by the National Aeronautics and Space Administration from Cape Canaveral, Fla., August 12, 1960. A completely peaceful device, dedicated to helping men all over the world to communicate better with each other, the huge satelloon has been seen by more of the earth's people than any other space vehicle.

The 100-foot-diameter plastic sphere with a mirror surface, designed and manufactured by the G. T. Schjeldahl Co. of Northfield, Minn., is still aloft and in orbit, a visible symbol of American creativity for all the world to see. Echo I has traveled some 425 million miles at an altitude averaging 1,000 miles. It has been used in countless meaningful experiments in which electromagnetic signals have been beamed to it and reflected to receivers in remote parts of the globe.

Echo I is an inflatable space vehicle. It was packed tightly into a 26½-inch canister and carried into space and into orbit in the nose cone of a Delta rocket. After it was ejected from the launcher, the canister opened, allowing the plastic sphere to spill free and become inflated by means of a subliming agent.

At the time Echo I was launched, no one foresaw that the satelloon would survive in space for more than 2 weeks. Its supply of gas to keep it inflated, of course, has long since leaked out through holes made by flying micrometeorites. But even if it has become relaxed and prune faced, Echo I demonstrated the practicability of employing large inflatable reflectors to rebound intelligent signals beamed to it.

Yet Echo I, for all its durability and longevity, is a primitive electromagnetic reflector.

Echo II, also designed and manufactured by the G. T. Schjeldahl Co., is a larger, more efficient reflector and will maintain a smooth spherical shape indefinitely. It is scheduled to be placed in orbit early in 1964. Unlike Echo I, which has a skin that "remembers" all the wrinkles it acquired in its folded condition within the canister, Echo II has a skin that is more rigid and which will "forget" its canister wrinkles. Once given a new shape after ejection from the canister and being inflated, Echo II will keep that shape, without benefit of internal inflation.

Echo II spheres are fabricated of laminated aluminum foil 0.18 mil thick, on each side of Mylar polyester 0.35 mil thick, making a total thickness of about seven ten-thousandths of an inch. The laminate, as well as the tapes that seal the gores or segments of the giant satelloon, is bonded by a specially developed Schjeldahl adhesive which will withstand the extreme temperature variations encountered in space.

The rigidized spheres weigh about 500 pounds each, compared to the lighter weight—135 pounds—Echo I. The material in the Echo II satelloons is about 50 times as rigid as the material used in Echo I.

Echo II spheres are larger—135 feet in diameter—and their skin surfaces are not so shiny as Echo I. This latter quality enables the new satelloon to have a larger circle of visible light reflectivity than does Echo I. Echo I reflects light from a disc only about 9 inches in diameter. All the rest of the light beamed to it is reflected into space. Echo II's light reflective disc will be equal to the vehicle's silhouette—135 feet in diameter. For electromagnetic reflectivity, Echo II is expected to be 100 percent more efficient than Echo I. This coupled with the fact that Echo II's permanently smooth skin will prevent scintillation and that the vehicle will be operating at a lower orbit than Echo I—700 miles against 1,000 miles—will result in a much more effective communications satellite.

Of necessity, passive communications satellites have been spherical up to this point in history. Only two, one natural passive satellite—the moon—and one artificial passive satellite—Echo I—have been used in actual experimentation. It is desirable that other shapes be given future passive communications satellites to improve the efficiency of bounced signals and it is equally important that new materials be developed that will not only help preserve the orbital life of the vehicle, but also will enhance bounced signal strength.

The Schjeldahl Co. is at present working with inflatable shapes other than spheres and is considering devices which could be oriented by means of gravity gradients, so that they would always present a broad, effective reflective surface to the earth. One such device the Schjeldahl Co. is experimenting with is a model of an inflatable device which is in reality a segment of a sphere many times larger than the model. For communications purposes, such a small oriented device could equal in efficiency a sphere many times larger.

The Schjeldahl Co. is also at work in the development of new "advanced materials" for future space communications satelloons. One of these is a "chemically milled" plastic-to-metal lamination for Goddard Space Flight Center of NASA. The new material consists basically of a "sandwich" of ultrathin aluminum laminated by means of Schjelbond adhesive to a center piece of biaxially oriented polypropylene.

Objective of chemically milling the material is to reduce weight without sacrificing strength or impairing the material's effectiveness as an electromagnetic reflector. The new material weighs only about 60 percent of that in Echo II, yet compares favorably with it in strength and reflective properties.

The reason for milling out a pattern of holes in the material is that solar radiation acts on an opaque surface much as wind acts on a sail. On a large satelloon orbiting in space, this pressure has the undesirable effect of slowing the vehicle and altering its orbit. In order to minimize this effect, the Schjeldahl Co. is milling out a pattern of hexagonal "windows" from the aluminum in the sandwich, leaving the transparent polypropylene intact.

The inflatable concept is by no means confined to passive communications satellites. They have applications with the active repeated type satellites as well. Huge inflatable antennas, precisely designed and constructed, can be inflated in space to enable maximum propagation of the active satellite's signal. The inflatable concept may also be applied in building all kinds of space structures.

Such a method shows promise in solving the problems of creating space stations in which men could survive in the space environment.

Gilmore T. Schjeldahl, president of the Northfield firm, points out that the work the Schjeldahl Co. is carrying on has many applications in space research:

> Whenever a large shape in space is required, we believe we can often provide it efficiently and economically by means of satelloon-type vehicles shot up by rockets in small compact packages.
>
> Once aloft and in orbit, these small packages will instantly inflate to become massive rigidized structures. Their economy and compactness argue for their continued application.

Area Redevelopment

EXTENSION OF REMARKS

OF

HON. AL ULLMAN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, August 12, 1963

Mr. ULLMAN. Mr. Speaker, there has been a great deal of criticism recently to the area redevelopment program. One of the complaints has been that it is too heavily weighted in favor of rural communities.

The fact of the matter is that in the process of this country's economic development there are areas which are not participating in rising prosperity, and a large percentage of which happen to be in less populous counties. There are several reasons for this, Mr. Speaker, but one of the most apparent is that these areas do not share in the $50 billion-plus expenditure for national security and space exploration, which supports the economies of some more thickly populated areas. It should be observed that the funds requested for ARA are less than 100th the size of our national defense effort, and seems small, indeed, as an investment in a more prosperous America.

Our colleague, the gentleman from Oklahoma [Mr. EDMONDSON], understands the facts in this matter, and is an extremely able exponent of fairness toward ARA and its program. In a letter to the editor printed in today's Washington Post, he answers critics of ARA. I wish to commend him for his fine statement, and am sure that my colleagues will find his letter well worth reading. The article follows:

AREA REDEVELOPMENT

> Your August 1 editorial presented two apparent views which are not supported by the facts; the purpose of this letter is to solicit your editorial reconsideration of a subject of vital importance to millions of Americans who have obviously failed to win either your consideration or understanding. The people for whom I speak are the citizens of small towns and rural areas who have been given an opportnity under the area redevelopment program to secure jobs and make a decent living for their families.
>
> Your editorial states that "the scope of the program was diluted by including under it a large number of rural counties, whose problems are essentially different," and further states that "of the total funds, 60 percent are being assigned to rural counties," with the result that "no real impact can be made on the areas that need it most."
>
> As representative of a congressional district with both urban and rural areas participating in redevelopment, I find it impossible to understand your reasoning that small towns and rural areas should be excluded from the program because they have essentially different problems. The burden of unemployment falls just as heavily upon men and women living in small towns and rural communities as it does upon their neighbors in the cities; their need for job training is just as acute; the lack of diversity in job opportunities in their area makes even more urgent the mission of area redevelopment.
>
> The statistics show that ARA loan applications from these small towns and rural areas total $198 million as compared with $112 million from the urban areas. This fact, more than anything else, accounts for the fact that their approved loans total $48 million, as compared with $32 million in the urban areas.
>
> The fact is that both the law and the appropriations provide equal sums for the two classes of redevelopment areas—and no urban money has been assigned by ARA to rural areas. The small towns and rural areas have simply moved faster to avail themselves of this worthwhile program. The money provided by law for the urban areas will go to the urban areas, as it should. You may be sure of that. Surely the Washington Post will not want to let its acknowledged zeal for progress in city areas blind it to the fairness of programs which seek parallel progress in the country and in small towns.
>
> ED EDMONDSON,
> *Representative, Second District, Oklahoma.*
> WASHINGTON.

Tax Cuts Now

EXTENSION OF REMARKS

OF

HON. PHILIP J. PHILBIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, August 12, 1963

Mr. PHILBIN. Mr. Speaker, on previous occasions I have remarked on the very unfavorable effects and dangerous implications that current very high taxes were having on our economy and our people.

Every year additional billions are exacted from the pockets of the American people, from the coffers of business operations, large and small.

These exorbitant taxes cover every field, Federal, State, and local, although Federal taxes are clearly especially onerous and repressive in their effects.

Social security taxes were increased as of January 1 stepping up the combined taxes on employees and employers to 7¼ percent and taking additional $2 billion from income in 1963 over 1962.

The tax on self-employed persons has also increased this year. State and local taxes are truly skyrocketing all over the country and include exactions on sales, corporate and individual income, gas, cigarettes, alcoholic beverages, and real and personal property.

Our progressive tax rates are so high that they are paralyzing initiative and incentive and draining away seed capital of many business operations in the Nation.

I concluded long ago that a tax reduction bill should have been passed in the last session of Congress.

However, it has been delayed, extensive long continued hearings are still going on, and the economic indicators of our economy definitely show signs of flattening out and needing the impetus that tax reduction would give. If tax relief had been provided last year, practically all economists agree that our economy would be in much better shape and be moving along toward necessary high levels to sustain employment, prosperity, and population growth.

The longer tax reduction is delayed, the more pronounced will be the adverse effects upon the economy.

Moreover, if the pending tax bill in its final form provides substantial tax reductions accompanied by substantial tax reforms at this time, the gains and benefits to the economy and to the people may be largely offset, certainly they will be offset to the extent that these reforms produce additional substantial revenue to the Treasury from the pockets of business and the people.

If the Congress wants to hold up consumer and business spending and give the economy the impetus it needs, an across the board, general income tax reduction must be made as soon as possible. Further delay is very dangerous.

I hope and urge that the pending tax bill be expedited and that it may provide appropriate relief to the American people and American business in line with some of the considerations that I have outlined in these remarks.

The Francis Case Memorial Bridge

EXTENSION OF REMARKS

OF

HON. BEN REIFEL

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 12, 1963

Mr. REIFEL. Mr. Speaker, the late Senator Francis Case's love for this Nation's Capital was surpassed only by his love for South Dakota. He devoted his quarter century in Congress to building both of them, along with many notable contributions to the betterment of the Nation as a whole.

Senator Case was one of the few Members of Congress who truly earned the reputation of a friend of the District of Columbia. By virtue of his chairmanship of the Senate District Committee in 1953 and 1954, he served as "mayor of

Washington" and secured enactment of the District public works program.

In 1959 when he was already burdened by numerous responsibilities having direct application to his own State, he volunteered to resume service on the District Committee.

It is largely through his efforts that the voteless residents of the Capital City will be privileged to vote for the first time in a presidential election next year.

Therefore, I am pleased to introduce today a joint resolution designating the bridge constructed over the Washington Channel of the Potomac River, in the District of Columbia, as the "Francis Case Memorial Bridge." I am hopeful the House of Representatives, where Francis Case spent 14 fruitful years, will join the other body in approving it.

Under leave to extend my remarks in the CONGRESSIONAL RECORD, I include the text of this resolution be printed as a part of my remarks:

JOINT RESOLUTION DESIGNATING THE BRIDGE CONSTRUCTED OVER THE WASHINGTON CHANNEL OF THE POTOMAC RIVER, IN THE DISTRICT OF COLUMBIA, AS THE "FRANCIS CASE MEMORIAL BRIDGE"

Whereas the Congress and the citizens of the District of Columbia are sorely saddened by the tragic and untimely passing of one of the District's most dedicated and resourceful friends, the distinguished Senator from South Dakota, Francis Case; and

Whereas during his long and distinguished career in the United States House of Representatives and the United States Senate, Francis Case was know and respected for his courage and untiring devotion to duty, and was loved for his sincerity, modesty, and understanding; and

Whereas he attained enviable stature and esteem for his constant cooperation, his wise counsel, and his broad comprehension of planning and development in the District of Columbia; and

Whereas Francis Case was an architect of the twenty-third amendment to the Constitution of the United States guaranteeing residents of the District of Columbia the right to vote for electors for President and Vice President; and

Whereas during his years of service Francis Case sponsored almost numberless measures for improvements in the District of Columbia and served as chairman of the Senate Committee on the District of Columbia in 1953 and 1954; and

Whereas, through diligent study of past, present, and future District of Columbia needs, Francis Case gained a thorough grasp of District activities and helped fashion firm policies that will guide the District for decades; and

Whereas, after having served on the Senate Committee on the District of Columbia through the years 1951 to 1954, Francis Case returned voluntarily to the committee in 1959 and 1960 to serve again the people of the District despite his increased responsibilities in the United States Senate; and

Whereas his able and dedicated service as a member of the Senate Committee on Public Works contributed immeasurably to the development and improvement of the highway transportation system in the District of Columbia; and

Whereas it was through his remarkable dedication to duty that Francis Case helped bring about major District of Columbia expansion of highway and bridge construction, through the enactment of the District of Columbia public works program in 1954, that is a lasting monument to his service: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the bridge crossing the Washington Channel of the Potomac River on Interstate Route 95, approximately 100 yards downstream from the outlet gate of the Tidal Basin, near the intersection of the extension of Thirteenth and G Streets Southwest, shall be known and designated as the "Francis Case Memorial Bridge." Any law, regulation, map, document, record, or other paper of the United States in which such bridge is referred to shall be held to refer to such bridge as the "Francis Case Memorial Bridge."

SEC. 2. The Commissioners of the District of Columbia shall—

(1) place on the "Francis Case Memorial Bridge" plaques of suitable and appropriate design; and

(2) in connection with the opening of such bridge to the public, provide for suitable ceremonies honoring the late Francis Case, United States Senator from the State of South Dakota, for his many valuable services for and on behalf of the residents of the District of Columbia.

SEC. 3. The Secretary of the Senate shall transmit copies of this resolution to the wife of the late Senator Francis Case, Myrle Case; his daughter, Jane Case Commander; and his granddaughter, Catherine.

Guide to GOP Committee on Nuclear Testing Information Contained in the Congressional Record

EXTENSION OF REMARKS

OF

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 12, 1963

Mr. HOSMER. Mr. Speaker, because of numerous requests, I have asked that a list showing location of materials in the CONGRESSIONAL RECORD sponsored by the House Republican conference's committee on nuclear testing or myself be printed herewith. The list also includes statements by the joint GOP leadership on the subject:

GUIDE TO NUCLEAR TEST BAN PAPERS APPEARING IN THE CONGRESSIONAL RECORD UNDER SPONSORSHIP OF HOUSE GOP CONFERENCE COMMITTEE ON NUCLEAR TESTING OR ITS CHAIRMAN, REPRESENTATIVE CRAIG HOSMER, JANUARY 31, 1963, TO AUGUST 8, 1963, INCLUSIVE, AND GUIDE TO GOP JOINT LEADERSHIP STATEMENTS ON TEST BAN

CONGRESSIONAL RECORD DATE AND AUTHOR OR TITLE

January 31, page 1588, Dr. Edward Teller.

February 4, page 1640, Frank J. Johnson.

February 4, page 1641, William C. Foster.

February 5, page 1845, Lewis L. Strauss (interview).

February 7, page 1969, Dr. John A. Wheeler.

February 11, page 2200, Dr. Stefan T. Possony.

February 11, page 2201, Chester C. Ward.

February 11, page 2202, first report to Republican conference by its Committee on Nuclear Testing.

February 14, page 2269, Dr. James E. Dougherty.

February 21, page 2714, Dr. Richard B. Roberts.

February 28, page 3234, second report to Republican conference by its Committee on Nuclear Testing.

March 4, page 3369, Hosmer disputes Fisher.

March 6, page 3591, test ban fact sheet No. 1.

March 11, page 3985, test ban fact sheet No. 2.

March 18, page 4416, third report to Republican conference by its Committee on Nuclear Testing.

March 18, page 4458, undetectable nuclear tests (Washington Post letter).

March 21, page 4613, the test ban—American Strategy of Gradual Self-Mutilation, by S. Possony.

March 21, daily RECORD, page A1590, New York Times account of GOP Nuclear Test Ban Committee's third report.

March 21, page 4590, Disarmament Agency spokesman states inaccurate test ban facts.

March 21, page 4766, Disarmament, Senator ALLOTT.

March 21, page 4767, "bury" measurement.

March 25, page 4914, American Security Council report: The Test Ban Trap.

April 9, daily RECORD, page A2164, official organ of Communist Party reports on test ban petitions.

April 11, daily RECORD, page A2270, censorship by subordinates blocks Presidential access to nuclear test ban facts.

April 11, daily RECORD, page A2259, scientists are not experts on everything.

April 15, page 4771, an appraisal of Mr. Foster's views.

April 25, daily RECORD, page A2489, Sunbury Daily Item explains test ban choice.

May 15, daily RECORD, page A3069, Is it time to abandon nuclear weapons, secrecy and security?

May 16, page 8869, two Senators versus one Representative on test ban trap.

May 16, page 7283, test ban letters to colleagues.

May 16, daily RECORD, page A3101, St. Louis Globe Democrat says "End the Test Ban Illusion."

May 23, daily RECORD, page A3271, Hollywood American Legion opposes ineffective test ban.

May 27, daily RECORD, page A3331, Citizens' Views on Test Ban.

May 27, daily RECORD, page A3347, simplified Test Ban Treaty.

May 31, daily RECORD, page A3506, Test Ban Roundup, by B. Sumner, parts I and II.

May 31, daily RECORD, page A3507, Test Ban Roundup, by B. Sumner, parts III and IV.

June 5, page 10209, Fallout Limitation Proposal.

June 10, page 10523, President Reenters Test Ban Unilateral Moratorium Trap.

July 11, page 12461, Disarmament Agency Sick.

July 16, page 12741, Who Shall Finger the Nuclear Trigger?

July 22, daily RECORD, page A4576, Khrushchev Tells Red China That His Success in Taking Over Cuba Without War Proves That the Best Way To Bury the United States Is So-called Peaceful Coexistence.

July 23, page 13139, Pitfalls of the Moscow Partial Test Ban Treaty.

July 29, page 13578, Dr. Possony Demolishes the Overkill Argument.

July 30, page 13739, President Kennedy's Inconsistencies on the Test Ban Require Explanation.

July 30, page 13737, United States-Korean Casualties Are Test Ban Pact Casualties.

July 31, page 13846, President Should Ban the Test Ban Bandwagon Strategy.

July 31, daily Record, page A-4894, Military Order of World Wars Urges Caution on Test Ban.

August 1, daily Record, page A4929, Test Ban Treaty Hazard: Soviets Have Super-ICBM for Delivery of Super-H-Bomb.

August 1, daily Record, page A4937, Test Ban Takes Terrible Chance With Nation's Security.

August 2, page 13934, Legal Effect of Partial Test Ban Pact Only That of Unilateral Moratorium Under Provisions of Soviet Constitution.

August 2, daily Record, page A4953, Has the Wolf Jumped Out of Mr. Khrushchev's Skin and a Lamb Jumped in?

August 5, page 14094, Partial Test Ban Treaty Removes the Bone From Khrushchev's Throat.

August 5, daily Record, page A4960, Woolly Headed Thinking.

August 5, daily Record, page A4961, Soviet Goal Remains the Same.

August 6, daily Record, page A4985, Treaty Nightmare.

August 6, daily Record, page A5025, American Security Council Points to Gains Soviets Expect To Make Over West Under the Partial Test Ban Treaty.

August 7, daily Record, page A5037, Kennedy Atmospheric Treaty Not the Eisenhower Proposal.

August 7, daily Record, page A5040, Is the Test Ban Treaty a Step Toward Peace or Toward Disaster?

August 8, page 14617, Comments on Soviet Treaty Violations.

August 8, daily Record, page A5086, Why Our Top Military Oppose the Test Ban Treaty Even Though They Are Muzzled.

August 8, pages 14559–14563, Dirksen-Halleck Joint GOP Leadership Test Ban Statements During the Period May 11, 1961–June 11, 1963 (15 documents).

Washington Report

EXTENSION OF REMARKS

OF

HON. BRUCE ALGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, August 12, 1963

Mr. ALGER. Mr. Speaker, under leave to extend my remarks in the Record, I include the following newsletter of August 10, 1963.

WASHINGTON REPORT

(By Congressman Bruce Alger, Fifth District, Texas)

GRAVE QUESTIONS RAISED BY TEST BAN TREATY

The test ban treaty has become the most vital issue America faces. Unless some clear cut answers are given to assure the security of the United States is not being put in peril, the treaty must not be ratified. To date these answers have not been given—on the contrary all indications point to extreme danger for the United States if the treaty is ratified. This week I attended two briefings by Dr. Stefan T. Possony, who is not only a top nuclear scientist, but is an expert on the Communist philosophy and the workings of the Soviet Union. Dr. Possony stated without equivocation, "The test ban makes war inevitable."

Let's explore the reasons why. First to be considered is the Soviet definition of disarmament. In the Communist plan disarmament means disarming the capitalist peoples and strengthening their own power until they control the world and then there will be peace. In the words of Lenin: "Only after the proletariat has disarmed the bourgeoisie will it be able, without betraying its world historical mission, to throw all armaments in the scrap heap." Khrushchev reiterated his allegiance to the Lenin doctrine of world domination even after the treaty was signed in Moscow this week.

This test ban treaty does disarm the United States. Today the military supremacy of the West, principally in the form of American nuclear deterrent stockpiles, stands as the roadblock in the path of achieving the Communist goal by war. Russia cannot afford to start a war now because the cost of our retaliatory destruction would be too great for them. That military power of the United States also stands in the way of their achieving the goal by means other than war. Khrushchev is fully aware of the dependency of Communist expansion upon Communist military power. No country has been brought under communism except where nonviolent revolutionary techniques have been reinforced by armed conquest or by the close pressure of military power. Getting rid of this bone in Khrushchev's throat by trying to outbuild the United States militarily cannot be done. He recognizes the United States is capable of raising the ante beyond his stakes. So, he has taken the obvious alternative—to immobilize the nuclear weapons system on which U.S. nuclear power is based, while at the same time leaving open the maximum opportunity for improvement of Soviet military capabilities.

In this context the partial test ban treaty is ideal for Soviet purposes! The Soviet Union is clearly ahead in high-yield nuclear weapons. It claims to have solved the antimissile missile problem. Extensive construction at Soviet missile defense sites lends credence to this claim. Development of this type of weapon means we must test in the atmosphere. The treaty will insure that we will not make progress and the Soviet Union will keep its lead in these areas. Tactical nuclear weapons of great significance can be developed by underground testing. That is not barred by the treaty. Therefore, Khrushchev, behind in tactical weapons, is free to catch up. As he does so and we are prevented from further development in the field in which we are behind, our military power will constantly diminish as his gains. Eventually, according to the Soviet time-table within 10 years, the cross-over will be reached, they will be stronger and at that point can issue the ultimatum for our surrender.

Additional points. Averell Harriman, at the President's direction, and Lord Hailsham, the British negotiator, made no demands during the Moscow negotiations for effective inspection procedures to guard against underhand preparations by the Communists for surprise abrogation of the treaty. Also, treaties have no meaning to the Communists. They may be broken at will under Soviet law: Article 49 of the Constitution of the Union of Soviet Socialist Republics, adopted in Moscow in 1957, under the powers of the Presidium of the Supreme Soviet of the U.S.S.R. states: "Ratifies and denounces international treaties of the U.S.S.R." The partial test ban treaty is, indeed, a first step, as President Kennedy and Khrushchev agree, but it is not a first step in a direction helpful to the free world. It is a first step toward giving communism freedom to wage "peaceful coexistence" backed up by overwhelming Soviet military might, more aggressively and more effectively. This is the means by which Soviet Communists prefer to force the free world to capitulate. The test ban treaty will be ratified unless there is such a public outcry that will force a majority of the Senate to vote against it. The fate of the United States of America is at this moment in the hands of the people. Failure to make themselves heard—acceptance of peace at any price—will mean defeat for the United States and the whole free world. The dilemma—will the people learn the horrible truth? Will the people recognize the situation and act in time?

REASONABLE DISCUSSION ON CIVIL RIGHTS

The NAACP held national conference in Washington this week so that their members could lobby their respective Congressman for civil rights legislation. Of course, they are in favor of the President's civil rights proposals, although even these do not go far enough to satisfy the Negro leadership. Edwin Washington of Dallas, and Reverend McCardle of Houston visited me. I was glad of the opportunity to discuss civil rights with them. Some Members of Congress do not take time to discuss problems with those who do not support them. I have never taken that position. I have always felt it my duty to represent, and to be petitioned by, all the people of the 5th District of Texas and to do my best to understand their problems and to act in their behalf whether those petitioning are friendly to me personally or not. In this connection, I was happy to make my position clear. I emphatically am against law breaking for whatever good goals it seeks and I am critical of the NAACP for its part in inciting disregard for the law which has led to violence. I am against people, including Ministers of the Gospel, lying in the road to prevent law-abiding citizens from performing their right to work and I oppose using children, even 2-year-old babies by placing them under the wheels of trucks. This is not reasonable discussion—this is anarchy and its perpetrators will not succeed in winning justice, but will suffer, with all of us, the awful consequences of a breakdown of law and order. Interestingly and coincidentally, the visit of the delegation to my office followed by 1 day the debate in the House on inclusion of the Powell equal rights amendment to the vocational education bill. Although I opposed the bill because I do not believe this is a constitutional function of the Federal Government, I supported the amendment because if Federal funds are used the facilities must be open to all citizens. Most of the liberal Democrats opposed the amendment including two Negro Members. Two Negro Members voted for it and one voted "present" which meant he took no position either way. May it not be in order to ask, just who is for civil rights, who is using it for political purposes, and where do the Negroes stand on their own amendment?

Note to chamber of commerce members: The president of the U.S. Chamber of Commerce, Edwin P. Neilan, came under bitter attack in the House this week because of his defense of good government and the private enterprise system. I was glad to join with our good Texan, Ed Foreman, in coming to Mr. Neilan's defense.

Planning for Tomorrow: Assuring Employment, Retirement, and Contentment for Our Older Citizens

EXTENSION OF REMARKS

OF

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, August 12, 1963

Mr. DULSKI. Mr. Speaker, the welfare of our older citizens is an issue with which all Americans must deal. When should retirement occur? How should it be financed? How can older people be encouraged to live out rich, full lives? Twenty-five million Americans over 60 want the answer.

One central problem related to the welfare of our older citizens is that of persistent unemployment. Naturally enough, younger workers tend to be hired first when job openings occur. Many people 60 and over are faced with idleness, inadequate income, and unhappiness just at the time when they could be enjoying their most pleasant years. The American people acting through their Government can, however, take action to change this picture within this Nation's existing social and economic framework.

First. Older workers should be given the chance to retire with full old-age survivors and disability insurance—OASDI—at age 60, women at 55. Current ages are 65 for both with full benefits. The full benefits themselves should be increased in accordance wtih current living costs. Average rates allow $69 monthly for a 55-year-old-male retiree; $121 monthly for a couple; and only $57 monthly for a worker's widow. These should be increased to $100 monthly per person, regardless of status, still not a living wage rate, but somewhat more reasonable.

Estimated cost of reduction to age 60 at current pension rates: 1½ percent of payroll.

Effect: Encourage more people to retire at an earlier age with fewer financial worries, finances being clearly the cardinal factor in the employment-retirement choice for the aging. Of course, earlier voluntary retirements at a reasonable pension rate would make available more jobs for younger workers, thus alleviating unemployment.

Second. The transition from full-time employment to complete retirement should be made more gradual and more attractive in and of itself. One possible device: a 3-day workweek for workers during their last 3 years on the job; that is, the 57 to 60 years, so that potential retirees begin to learn how to make good use of their free time. A full work force could still be maintained, of course, by having the other half report Thursday through Saturday. Such a plan, of course, would have to be modified to meet special circumstances. Simply stated, this gradual retirement changes a person's view on later life to one of an opening rather than one of a closing door. As for compensation, the transitional worker would receive half of his salary from his employer, and half of his full retirement benefits from the Government, switching to full Federal benefits at age 60.

Third. John F. Kennedy, February 21, 1963:

> It is not enough for a great nation merely to have added new years to our lives—our objective must also be to add new life to those years.

Retirement can and should be a rewarding experience. With financial worries reduced and other interests awakened, the retirement years will be looked forward to rather than feared by many American workers nearing retirement.

By reducing financial insecurity, retirement can be made more attractive. The Government should lead in this effort, not by appropriating any funds directly to aid the 60-plus age group, but rather, by allowing certain tax relief to our older citizens somewhat along the lines proposed in the Kennedy tax program. The major important variation therefrom is the lowering of the common retirement age from 65 to 60. This relief, plus other incentives available to those who seek them, are as follows:

First. Removal of outside income limitations when receiving benefits within the OASDI social security system;

Second. A $300 flat tax credit for all taxpayers 60 or over, and no tax whatsoever on incomes below $4,800 annually;

Third. Devices designed to develop new interests (a) eliminate 5-percent airline tax to encourage travel, and 8 cents a gallon gasoline tax; (b) eliminate admission fees to national parks, shrines, et cetera; (c) charge no fees to people over 60 taking adult education courses at schools and colleges receiving any form of Federal aid—if they pass entrance examinations;

Fourth. Encourage older people to particiapte in the Kennedy Food Stamp Program where operative;

Fifth. Give older citizens the opportunity to participate in useful community and volunteer programs, where their experience would be valuable. The establishment of the National Service Corps modeled after the Peace Corps would be a perfect outlet for the energies and enthusiasm of our older citizens.

These ideas are by no means inclusive, but only suggestive of the many avenues open to our Nation in dealing with the challenge presented by an ever-increasing older population in a climate of sustained unemployment. We can only create jobs by creating a rewarding and happy retirement for millions of our older workers.

True, the scope and cost of effective action seems great, especially in its initial stages, but the cost of inaction will become a national burden for many decades. Helping people and encouraging them to help themselves has always been a part of our American tradition. The call has come, and it must be answered.

Should the Test Ban Treaty Be Approved?

EXTENSION OF REMARKS

OF

HON. ALBERT H. QUIE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 12, 1963

Mr. QUIE. Mr. Speaker, I am convinced that the Senate should ratify the test ban treaty. With wise administration, it would be possible for the United States to protect itself from any faults in the treaty. However, it will now be necessary for us to be more vigilant than ever. In order to learn the reaction to the treaty in my district, I sent the following report to my newspapers. I think it would be of interest to our colleagues to read five editorials which have appeared in newspapers in the First District of Minnesota. Two of the newspapers take the more reserved position on the treaty which I take. The other two are more outspoken in support.

First, I would like to insert my report to the newspapers in the district—Washington Report, Thursday, August 1.

The first editorial is from the Rochester Post-Bulletin, dated Monday, July 29, 1963, titled "No Quickie Approval of Test Ban Treaty." The second editorial from the Post-Bulletin is titled "Ban Treaty Danger: False Optimism," and is dated Tuesday, August 6, 1963.

The Monday, July 29, 1963, issue of the Austin Daily Herald carried the editorial, "Senate Should OK Nuclear Test Ban." Other editorials were "Treaty Should Be Accepted," of the Red Wing Republican Eagle, August 1, 1963, and "Test Ban Treaty May Be Faulty," of the Albert Lea Tribune, Tuesday, August 6, 1963.

The report and editorials follow:

WASHINGTON REPORT

(By Congressman ALBERT H. QUIE)

The administration has now announced a new test ban treaty with the Soviet Union. The treaty agrees to a ban on nuclear testing in the atmosphere, in outer space, and under water. The agreeing parties—the United States, Great Britain, and the Soviet Union—would still be free to continue nuclear testing underground. Article IV states any party may withdraw from the treaty if extraordinary events jeopardize its supreme interests.

The treaty must now be ratified by the U.S. Senate. Senate reaction will depend largely on support for the treaty which is indicated by the public. There are two questions which are being asked. The first, of course, is whether the treaty is in the best interests of the United States. The second is whether our Government made an unwritten agreement with the Soviets that is connected with the test ban treaty but goes beyond it.

The best way for anyone to answer these questions is to study all the arguments. In Apirl 1963, Eugene Rabinowitch, editor of the Bulletin of the Atomic Scientist and a biophysicist in his own right, stated:

"I must now explain * * * why failing to reach it [test ban agreement] would be a grave setback to mankind's hopes for a peaceful future. An agreement * * * would be a significant demonstration of the community of interests of the two nuclear superpowers. A test ban agreement would be a first step toward the recognition of common U.S.-U.S.S.R. interests and stabilizing the worldwide political and strategic situation and helping to prevent violent changes which would threaten to involve them in a mutually destructive nuclear war."

Decisions can't be made on hopes alone. If the test ban treaty endangers the future defenses of the United States, it certainly would not be in our best interests. In this regard, Edward Teller, the noted nuclear scientist, wrote to me and other Congressmen. His letter stated in part:

"Negotiations in Moscow may lead to a situation which would exclude future U.S.

tests in the atmosphere. At the same time we could not control Russian atmospheric tests if these tests stay well below 1 kiloton. Use of clean explosives may permit even bigger Russian atmospheric experimentation. Such small tests could be decisive in developing missile defense, a field of utmost importance in which the Russians may already have a considerable lead.

"There is little doubt that the Russians are ahead of us in big nuclear explosives. A ban on atmospheric tests would perpetuate this situation."

No doubt there is some truth in Dr. Teller's warning. The question is does the warning include so much truth that the Senate should reject the treaty? Perhaps, wisdom lies somewhere between the hopes of Dr. Rabinowitch and the warnings of Dr. Teller.

All of us want world peace; one free from both the effects of nuclear war and atomic fallout. To achieve that peace requires that we act as well as hope. In our dealings with the Soviet Union, we must remember the nature of the Communists. It is difficult to believe that Khrushchev wants to work with us in the interests of lasting peace and good will. In the past, the Soviets have broken 50 out of 53 treaties and their goal is still the successful spread of world communism. Their quarrel with Red China is not whether that goal should be given up, but how it should be brought about. Let's remember this as the test ban treaty raises our hopes for world peace.

[From the Rochester Post-Bulletin, July 29, 1963]

No Quickie Approval of Test Ban Treaty

In his nationwide address Friday evening urging ratification of the partial nuclear test ban treaty, President Kennedy was properly cautious in explaining that the treaty is not the millenium.

We were gratified that he pointed out the limitations of the treaty because some of the fuzzy-minded ultraliberals and crackpot intellectuals in his own party are already trying to convince one and all that the leopard Khrushchev has really changed his spots.

This is nonsense, of course, and must not be seriously considered. We think the leaders of the U.S. Senate are entirely correct in their announced intentions to spend several weeks in studying and probing the test ban provisions and just what they mean and could mean to the security of our Nation.

Pleas for a quickie approval of the treaty must go unheeded.

In the end, we suspect that the test ban treaty will be, and should be ratified; but only after all the details have been fully aired so that there can be no misunderstanding about what they mean.

Even then, however, past history indicates that the United States must proceed on the theory that some time in the future the Soviet Union will renounce the treaty when it deems such action most beneficial to itself. We must not be caught napping.

[From the Rochester Post-Bulletin, Aug. 6, 1963]

Ban Treaty Danger: False Optimism

The greatest danger to U.S. security in the partial nuclear test ban treaty, we feel, is that it may, by generating a feeling of false optimism, encourage many persons and governments in the free world to lower their guard against communism.

Although we feel that ratification of the treaty is desirable, assuming that the Senate's investigations reveal no "strings" attached, we believe there is little reason for interpreting the partial test ban as meaning very much in the cause of world peace.

All history of the past four decades shows that the Soviet Union has made many treaties and agreements when they suited her purposes, and later renounced or broke them any time she thought it would benefit her.

To believe that it will be different this time would be pure folly. Nevertheless, throughout the free world there will be many persons in high and low places—members of the left crackpoterie, the fuzzy-wuzzy ban-the-bombers and those who just never learn anything from experience—who will indeed see the treaty through rose (or pink) colored glasses.

In this connection, the Vatican radio issued an unusual warning on the eve of the signing of the test ban treaty.

"To promote help and encourage initiatives and understandings that favor peace is a duty," Vatican radio said. "But equally indispensable is the duty of vigilant, constant, and indomitable opposition to the Marxist ideology and the duty to block every line of its penetration. There is no international situation, no easing of tension, no historical pretext that can justify any indulgence or a conciliatory attitude toward Marxism and communism."

Amid the flood of optimism over the treaty signing, much of it for domestic political purposes, it will not be easy for realists to carry the day in pointing out how very little has been changed by the treaty. But they must. The free world must not be fooled again.

[From the Austin Daily Herald, July 29, 1963]

Senate Should OK Nuclear Test Ban

Some Senators appear to be reluctant about ratification of the nuclear test ban agreement with Russia, because they are suspicious of the sincerity of the Communists in any agreement.

Obviously, there is a calculated hazard in attempting cooperative effort with the Soviet Union. But the hazard is small when you consider the great danger which will confront the world if nuclear tests continue to poison our atmosphere. And the Soviets may very well be sincere about this agreement since they have a natural desire, too, to preserve the world from destruction.

All authorities agree we have enough atomic explosives to destroy the Soviet Union many, many times so that there is no real reason to conduct tests to further perfect our ability to destroy.

Fears have been expressed by a few Senators that we may have made other concessions in the secret agreements reached with Russia. But the President has emphasized that the Moscow talks "reached no agreement on any other subject, nor is this treaty conditioned on any other matter" than to prohibit nuclear testing in the atmosphere, in space, and underwater.

In his appeal for public support of the agreement, Kennedy noted that "continued and unrestricted testing by the nuclear powers, joined in time by other nations which may be less adept in limiting pollution, will increasingly contaminate the air that all of us must breathe."

There will undoubtedly be more talks between the United States and Russia in an attempt to work toward further peaceful collaboration. While we should always be wary of any agreements with the Communists, and should examine them closely, the test ban seems to be a safe start and ratification by the Senate should not be delayed. It represents a real hope in working for the survival of this world in a nuclear age.

[From the Red Wing Daily Republican Eagle, Aug. 1, 1963]

Treaty Should Be Accepted

Republicans in Washington continue to take a cool and standoffish attitude toward the partial nuclear test ban treaty which the Kennedy administration has just negotiated in Moscow. As an example, see Congressman AL QUIE's report elsewhere on this page.

To our mind, this GOP reluctance is a serious mistake. Let us explain why:

First, if partisanship is involved, that is inexcusable. World peace and the possible contamination of the atmosphere are issues too grave for any man to consider the implications for his own or his party's political fortunes.

Second, the treaty does not seem to us to endanger U.S. security. There are scientists like Dr. Teller who disagree, we know, and apparently the military would like to keep right on testing. But the military is under civilian control in the U.S. system, and the test ban issue indicates just how desirable this is.

According to the best scientific information we get, the United States will know at once if the Russians violate this treaty. Our instruments would detect their nuclear explosions anywhere except underground. Also, the treaty is cancellable within 90 days. Our laboratories can keep right on researching, and we can maintain our readiness to test should the Russians violate.

It's important to remember at this point that President Eisenhower proposed a ban on nuclear tests in the air, water, and space, and that Moscow is only now accepting. It's also worth remembering that the United States runs some risks in whatever we decide to do—accept the test ban or let the nuclear arms race continue unabated.

Third, President Kennedy flatly declared on television last Friday that the test ban treaty is accompanied by nothing whatever like the unwritten agreement with the Soviets to which QUIE refers. We cannot conceive of John F. Kennedy misleading the country on an issue so grave.

The joint communique from Moscow accompanying the treaty does say—in writing—that both we and the Soviet Union will consult with our allies on a European nonaggression pact "with the purpose of achieving agreement satisfactory to all participants." And the treaty itself pledges both sides to seek "agreement on general and complete disarmament under strict international control in accordance with the objective of the United Nations."

These statements are right out in the open, and what can be wrong with them? Indeed, they represent the hope of all mankind. If both we and the Soviets truly honor their spirit, we can eventually lift the threat of nuclear horror that hangs over every man's head.

Fourth, accepting this treaty with the Soviet Union does not imply a U.S. belief that the Soviets have suddenly become trustworthy or have abandoned their long-term objective of world domination for communism.

Rather, it suggests that the Soviets have decided that their interests run parallel with ours in regard to limiting nuclear weapons. They don't want to be blown to Kingdom come any more than we do, so they have decided that they must coexist with us for a while just as we believe we must coexist with them. If both sides can agree to conduct the long-term contest of freedom versus communism without letting nuclear weapons spread further, that is a significant step forward.

Fifth, and most importantly, this treaty could be the turning point in history at which civilized man leaves the road toward nuclear catastrophe and starts on a new road toward nuclear control.

Perhaps these hopes will be disappointed. Perhaps the Soviets will dash them before the year is out. But now that they have accepted this very limited treaty—now that they have extended their hand this little distance—dare we spurn them? Dare we slam the door that has been opened ever so slightly? Dare we reject this opportunity to see whether further steps toward arms control may now be taken and whether the world may not someday be made a safe place for little children to grow up without the threat of another Nagasaki, another Hiroshima, or far, far worse?

[From the Albert Lea Tribune, Aug. 6, 1963]

TEST BAN TREATY MAY BE FAULTY

The signing of the nuclear test ban treaty is making news headlines. This diplomatic ploy has a certain popular support since it was first announced. In fact a great many people were hailing it before even the skimpiest details were available. We think this is a function of the longing for peace rather than an intelligent appraisal of the treaty and its contents.

As a matter of fact, full text of the treaty hasn't been generally circulated. Which fact has kept this newspaper from voicing a firm opinion on what we think the value of the treaty is. Besides, we think the sicentists and military experts ought to be heard before this Nation commits itself to what appears to be only a partial ban which operates some of the time among some nations.

At the time of the signing, Secretary of State Dean Rusk observed "Our three governments—United States, U.S.S.R., and Great Britain—have today taken what all mankind must hope will be a first step on the road to a secure and peaceful world." He then dilutes his hope for all mankind by saying "But it is only a first step. It does not end the threat of nuclear war."

We think, too, that Secretary Rusk is unduly optimistic about even his first step. There is no showing in history that Russia abides by treaties when it is in her interest to break them. As late as the Cuban fiasco, we were uneasy about Russian integrity. Nikita Khrushchev indicated to President Kennedy that Russia would recall its missiles from Cuba. There was a great rejoicing in the land. But lately there are disquieting rumors that Nikita didn't keep his promise completely and that some missiles still remain in captive Cuba.

We think it entirely likely that Russia will keep this treaty—which calls for cessation of nuclear testing in the atmosphere—for a few months or even a few years. We think this because Red China and Russia are at odds with leadership of the considerable Communist world at stake. By being able to sign with major parties, Russia takes the initiative for the moment.

We think too, that Russia completed enough tests in its last series to make its scientists current with their theoretical efforts. They have demonstrated their ability to produce a gigantic bomb, but learned—as we have—that the big bombs cost too much, lack the strategic value of smaller bombs and would destroy too much real estate to make their use likely. The Muscovites are turning to smaller yield bombs, just as we have, which can be tested underground.

Much as we would like to join the chorus of hosannahs, we prefer to wait until the Senate begins its hearings and our intelligence, military and scientific people can bring the weight of their testimony to bear.

We'd like to believe this treaty is an easy credit path to world peace, but having found the convenient terms costly in other diplomatic installment buying, we are wary of it.

HOUSE OF REPRESENTATIVES

TUESDAY, AUGUST 13, 1963

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Romans 14: 19: *Let us therefore follow after the things which make for peace.*

O Thou who art the inspiration of all that makes life noble and worthwhile, we beseech Thee now to kindle within our minds a clear vision of Thy divine will, for in the doing of Thy will is our peace.

We rejoice that our beloved country has wise and courageous men and women, at the helm of the Ship of State, who are not steering her by the rush candles of self-interest and expediency, but by the eternal stars of lofty idealism.

Grant that the impression and impact which they are consciously or unconsciously making upon the life of mankind may always be for good, enabling the members of the human family to find new springs of joy and new horizons of hope.

Hear us for the sake of our blessed Lord. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

RESPONSIBLE COVERAGE AND REPORTING BY NEWS MEDIA IMPORTANT

Mr. BENNETT of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. BENNETT of Florida. Mr. Speaker, the basic communications outlets in the United States—magazines, newspapers, radio, and television—have long been bulwarks of our freedoms. Because these great news gathering organizations publish the facts about people, places, and events, they have earned respect. They have a perfect right to publish or report anything they like—as long as it is truthful.

In this week's issue of Life magazine, there is an article which is, at the very least, misleading. It is not in the best tradition of objective and interpretive reporting. The article, titled "Now, See the Innards of a Fat Pig," gives the impression that there is something evil about the United States supporting a national defense effort, operating the Post Office Department, the Small Business Administration, and the Veterans' Administration. Life's headline writers and reporters use the phrase "pork barrel" as a smear term to describe certain constitutional functions of the Federal Government. Defense, NASA, waterways, the U.S. Employment Service, and other responsibilities of Government are all lumped together and fall under the scathing, vituperative, and vitriolic pens of the Life writers and editors. They are closeted together as if they were all immoral items. Most of the items criticized are clearly set up in the U.S. Constitution as responsibilities of the Federal Government. They are purposes for which the Federal Government was originally established.

There are questionable areas of Government responsibility that the article did not touch on, such as public housing, highway construction, foreign aid, and postal subsidies to publications such as Life. Editors of the magazines may have thought these functions, costing billions of dollars, were sacred.

What has been suggested as "pork" in 1963 includes areas where there is a need for Government action, just as the Government helped in the past with railroad subsidies, a free hand for venture capital, and lately, organized labor. These assists are all functions of Government, and the effort to smear these responsibilities and to attach evil to the motives of the men who guide their progress is misrepresentation.

In our form of government, men and women are elected to the House of Representatives by the people every 2 years. The title of our position is "Representative." Taxpayers have the right to choose the projects that they want to have established or rejected. It is their Government. And they have the right to choose the person they want to promote and push the projects they want, and need. The Congressman is, in addition to his wider type legislative functions, a special pleader for his constituents, he is the attorney for the people he represents in the U.S. House of Representatives. He is constantly being checked by other Congressmen from other areas of the country who may have different views. And this is the way a democratic government operates and should operate.

My sensitivity to the article does not rest on the fact that the Cross-Florida Barge Canal was mentioned. The only thing the article suggested about the canal was that it had been persistently desired for over 100 years. The basic reason and priority for the Cross-Florida Barge Canal is its national defense value. There are three ways to move oil from the western producing States to the eastern manufacturing States—by pipeline, by tankers, and by protected barge canal. The first two transportation facilities are infinitely more expensive than the canal. During time of national emergency, like the Cuban crisis last fall, the canal would serve the needs of the Nation better than the pipeline or tankers moving with a convoy through the Gulf of Mexico and on the Atlantic Ocean. The Cross-Florida Barge Canal would provide the missing link of protected intracoastal waterways from Texas to New Jersey.

The demands and wishes of the people are not evil, as this article suggests. They represent valid needs for a great nation.

NUCLEAR TEST BAN

Mr. DEVINE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. DEVINE. Mr. Speaker, last week we heard about the infamous Gesell report. About a year or so ago we heard a lot about muzzling the military. This morning I received in the mail, from a noncommissioned officer stationed at the Lockbourne Air Force Base located in my district, the following letter:

> 801st Supply Squadron, 801st Combat Support Group, U.S. Air Force,
> *Lockbourne Air Force Base, Ohio,*
> *August 5, 1963.*
>
> Attention of: SSC.
> Subject: Nuclear test ban.
> To: All personnel, 801st Supply Squadron.
>
> 1. We have been directed by higher headquarters not to discuss, comment on, or otherwise express our opinion, officially or unofficially, on the current subject of the nuclear test ban.
>
> 2. I request that you promulgate this information to all personnel without delay.
>
> M. R. Henderson,
> *Captain, USAF, Commander.*

As a result of this particular order, I have directed a letter this morning delivered to General LeMay asking about this most shocking revelation, particularly in view of the President's suggestion that this matter be openly and freely discussed.

Our military personnel are now being told what to say and what not to say.

THE WALL OF SHAME

Mr. HORTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HORTON. Mr. Speaker, today marks the second anniversary of the most ignoble construction project the world has ever known, the Berlin wall. It is a wall of shame, a barrier between freedom and slavery, a barrier that walls out liberty and self-determination from millions of people.

Just 2 years ago today, the 13th day of August 1961, the Communists violated the Four-Power agreement in Germany when they began building the Berlin wall. I speak on this subject today not only so that we may be reminded of what happened 2 years ago and what the results of that action have been, but also to express my fervent hope that the free world not lose sight of the goal which it must pursue: the ultimate destruction of this brick and barbed wire division that enslaves millions and denies them the free movement for which they long.

On this occasion, it is well to reemphasize the U.S. position with regard to East Germany's signing the partial nuclear test-ban treaty. Because our country is also a signatory to this agreement, there is not nor is there to be any implication of our recognizing the Communist puppet government in East Germany.

This past Sunday at a German Day festival held in my home community of Rochester, N.Y., I pledged my constant support for an American effort that will see the Berlin wall turned to dust. We in Congress, as public officials of the Nation which acts as the defender of freedom, must remain firm in this position.

The construction of the Berlin wall has not been a profitable piece of propaganda for the Communists. The imprisonment of the East German people and the stifling of their heroic attempts to escape are on the liability side of the Communist ledger.

The unification of Germany, and with it the return of choice to those who now are not allowed to choose, will be a mighty asset for the free world.

IN DEFENSE OF THE ARKANSAS RIVER

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. EDMONDSON. Mr. Speaker, I have taken this time to reply at some length to an attack upon a great river project, upon a highly respected and recently deceased U.S. Senator and many of his colleagues in the Congress—an attack, in fact, upon the Congress of the United States—which appears in the August 16 issue of Life magazine.

Beginning at page 21 and continuing through 12 additional pages of text and pictures, the Life article in question sets a new low standard in journalistic responsibility.

From its cover title of "Billions Thrown Away" to its closing paragraph's insinuation about "another costly raid on the Treasury," the Life attack is calculated to create public distrust and suspicion of governmental programs ranging from the U.S. Employment Service to flood control and navigation.

When I first examined the article, I was amazed to discover that the names of five men are listed as authors of the entire piece.

When I finished reading it, and compiling a page-long list of its distortions, slanders and misstatements of fact, it was apparent why five authors were listed. That way, no single individual has to bear the responsibility for the product.

The article is manifestly unfair in its presentation of so-called facts concerning virtually every subject which it treats.

It is unfair in its treatment of Minority Leader CHARLES HALLECK, of Indiana, and of Rules Committee Chairman HOWARD SMITH, of Virginia. It is unfair in its characterization of a distinguished former Speaker of the House, the Honorable John Nance Garner, of Texas, and equally so in its description of a project supported by a former keynoter at the Republican National Convention, the Honorable Walter Judd, of Minnesota.

If the inference of the Life article is supportable, each of these distinguished Americans is or has been a shameless "money waster" and "raider of the Treasury," engaged in "pork barrel outrage" against the people of the country.

Mr. Speaker, I reject this slanderous insinuation as unworthy of any magazine of national circulation and reputation.

The writers of the Life article stand at the borderline of libel in what they have said about a great U.S. Senator who held a post of great responsibility and leadership in the Congress, prior to his untimely death on January 1 of this year.

The late Senator Robert S. Kerr contributed more to national understanding of this country's water supply and pollution problem, in his lifetime, than any American has in this century.

His leadership in the field of river basin planning and development won the unstinted praise of Americans in the fields of education, engineering, sanitation, public health, municipal and State government, and electric power.

The attempt by Life magazine to sully the memory of this great Oklahoman by its vicious and misleading description of his lifework and of the river project closest to his heart is a cowardly, below-the-belt attack upon a man whose eloquence and logic could pulverize every twisted and misleading paragraph in the article, if he were living today.

Since he is not here to defend either his name or the Arkansas River project, Mr. Speaker, other Members of the Oklahoma delegation in Congress will not hesitate to lift the proud banners of both the Senator and the Arkansas River.

Life magazine has distorted and misrepresented the facts concerning the history of the Arkansas River navigation project.

Life magazine has painted a false picture of the engineering benefits and multipurpose features of the project.

Life magazine has completely concealed the basic economic record and natural resource statistics which provide the solid foundation for the project.

SETTING THE RECORD STRAIGHT

The magazine's brazen distortion of history begins with this almost incredible paragraph:

> Kerr himself did not invent Ark-Nav. The plan had been kicking around Oklahoma in a kind of wish-dream status ever since 1907. By legend the idea was inspired by a report that somebody once saw a barge on the river in Arkansas, downstream from Oklahoma.

The inference is clear that barges and freight have never moved along the Arkansas River, except in Arkansas.

The falsehood then follows that Senator Kerr, when Governor of Oklahoma in 1943, seized upon the plan for navigation—kicking around in Oklahoma since 1907—and became the first outspoken national champion for it.

What are the facts?

The facts are that navigation of the Arkansas River, well into Oklahoma, was a common occurrence for more than 75 years that our State was known as Indian Territory.

The facts are that official Government reports in 1870 show the regular movement of 20 vessels along the Arkansas River to Little Rock, Fort Smith, and to Fort Gibson, in Oklahoma, with annual freight unloadings at Fort Gibson alone valued at more than $5 million.

The facts are that freight movement along the river continued for more than 30 years after construction of the Missouri-Kansas-Texas Railroad, in 1872, although rail competition led to a steady reduction in river freight volume.

The fact is also indisputable that the most substantial and consistent population growth in our State's history came during the period when water as well as rail transportation was available, and the importance of water freight was recognized in Oklahoma long before 1907.

The importance of Arkansas River development and improvement was also recognized by a leader of national importance, long before the rise of Oklahoma's Bob Kerr.

In 1925, an American Secretary of Commerce with an international reputation as an engineer spoke out forcefully at Kansas City for improvement of two great inland waterway systems—the Mississippi and the Great Lakes.

His words, addressed to the Mississippi Valley Association, were both prophetic and statesmanlike:

> I visualize the Mississippi system as 9,000 miles of connected waterways—a transportation system of which some 3,100 miles are trunk lines and 6,000 miles are laterals. That is, a main north-south trunk line 1,500 miles in length, reaching from New Orleans to Chicago and there connecting with the Great Lakes system, and crossing this, a great east-west trunk line 1,600 miles in length, from above Pittsburgh through Cairo to Kansas City. Over a large part of these main stems we can maintain 9 feet of depth.
>
> In addition to these main trunks we must diligently improve feeders through the Tennessee, the Cumberland, the Arkansas, the upper Mississippi, the upper Missouri, the Monongahela, the Allegheny, and other streams to workable depth for modern craft.

These were the words of endorsement by Secretary of Commerce Herbert Hoover, Mr. Speaker, in which he called for development of the Arkansas River as part of the Mississippi system. A few years later, as President of the United States, he repeated his endorsement of navigation development along the Arkansas on the occasion of a ceremony on the Ohio River.

Were Senator Kerr, and other members of the Oklahoma and Arkansas delegations who later became champions of President Hoover's proposal, adopting the reasoning of a "pork barrel pirate" or a "treasury raider"?

Is Herbert Hoover an engineer with a reputation for sponsoring "unsound concepts" of engineering?

Is Herbert Hoover a Government leader with a reputation for careless expenditure or extravagance?

We did not think so, Mr. Speaker, when the fight to secure the authorizations for the Arkansas River began in the 1930's.

We did not think so, Mr. Speaker, when the first construction money was obtained in the late 1930's and the 1940's.

During the 1950's, and in the decade of the 1960's, both the Congress and the President have become firm and strong in their support of the Arkansas River navigation project.

The program was consistently supported in the budgets of President Eisenhower from 1957 through 1960.

It has been supported just as consistently by President Kennedy from the first of his administration.

The vision of Herbert Hoover has become the vision of the overwhelming majority of the men and women who serve in this great body, and that vision has been built upon a solid foundation of engineering study and economic justification.

BENEFITS AND COSTS

The Life magazine article falsely infers that the Arkansas River navigation project could not be justified on the basis of a 50-year payout, and "a radical change in the basic ground rules" was necessary for "such dubious projects as this."

> To improve its image—

According to Life—

> Ark-Nav's supposed useful lifespan was doubled to 100 years.

The suggestion is strong in these fuzzy paragraphs that a provision authorizing 100-year payout on navigation projects was utilized to justify the Arkansas River program.

What are the facts?

The record will show that basic authorization of navigation "to the vicinity of Tulsa, Okla.," was provided in the River and Harbor Act of 1946.

The record will show that the Arkansas River program has consistently shown a favorable benefit-cost ratio, on the basis of a 50-year payout.

The record will further show that the 100-year payout provision was not enacted until 1962—a full 16 years after the Arkansas authorization.

At the present time, estimates of the Army Engineers indicate annual benefits of the Arkansas River project will amount to more than $64,500,000—or $6 million more in annual benefits than is required to amortize the project in 50 years.

In addition to the annual direct benefit figure of $64,500,000, the engineers estimate that operation of the project will lead to creation of more than $1 billion in new business each year for Arkansas and Oklahoma.

Gen. Emerson Itschner, the former Chief of Army Engineers, declared in Tulsa several years ago that the raw materials and resources of the Arkansas Valley should make it possible to create a rate of growth that compares favorably with that enjoyed by the great industrial complex along the Ohio River.

The rate of industrial growth along the Ohio has been recorded at more than $1 billion a year—with the current result of $11 return upon each $1 of Federal investment in river development.

Along the Columbia River, the rate of return is $5 to $1 on the Federal investment. Along the lower Mississippi, the rate is $6 to $1.

We believe firmly that the decision of Congress to make a similar investment of a smaller sum of money to promote the development of navigation along the Arkansas River, is a sound and wise decision.

We believe it is fully justified by the facts, by engineering study, and by sound economics.

The Arkansas River is the third longest river in the United States.

It stands today as the only major undeveloped river in the Nation.

In more than half of the last 30 years, it has inflicted flood damage measured in the millions of dollars, with floods recognized as major national disasters on two occasions since 1940.

The time has come to tame this mighty river, and to put it to work for the people.

"To put it to work for the people." That, Mr. Speaker, is the major purpose of the Arkansas River multipurpose program, as authorized in 1946 by this great legislative body.

Flood control, hydroelectric power, water supply, recreation, irrigation, pollution abatement—and navigation in the vicinity of Tulsa—all of these are included in the multiple-purpose plan for the water resources of the Arkansas River Basin.

In the advancement of that plan, private citizens and small communities have enlisted in support of State government agencies and Federal departments to bring to an early end the tragic waste of water resources in two great States.

In 1956, testifying before a subcommittee of the House Committee on Appropriations, I reported that more than 37½ million acre-feet of water was flowing unused out of Oklahoma each year—most of it in the Arkansas River.

The figure for the State of Arkansas, estimated by engineers in that same year, was the staggering total of 80 million acre-feet.

If the value of that water's use is figured at only $1 an acre-foot—far below its value in most States, I testified—the States of Arkansas and Oklahoma are losing nearly $120 million annually, through failure to control and use their rivers.

While some progress has been made in this direction since 1956 as a result of the great structures authorized and constructed since that date, the great bulk of that waste continues.

The Life magazine article declares that the program approved by this Congress for the Arkansas has only "minor flood control and power features." On this count also, the record and the facts do not support the allegation.

FLOOD CONTROL AND POWER

What are the facts about the flood control provisions of the structures in the Arkansas River Basin?

Fort Gibson Dam and Reservoir is one of three structures planned on the Grand River—two of which are responsibilities of the Grand River Dam Authority, a State agency. Operated for flood control 15 times since it went into partial operation for that purpose in 1950, Fort Gibson alone is estimated to have accrued benefits totaling $8,592,500 from flood damages prevented downstream.

Great Salt Plains Dam and Reservoir, on the Salt Fork of the Arkansas, was completed in 1941 at a construction cost of $4,626,270. By 1963 it had been used for floodwater storage 19 times, with total flood prevention of $4,724,000—more than paying for the cost of construction.

Hulah Dam and Reservoir, on the Caney, was completed for flood control in September of 1951, at a cost of $10,897,692. On 20 occasions since completion of this project, storage of floodwater has prevented downstream damage, with estimated damage prevention totaling $9,516,000.

Wister Dam and Reservoir, on the Poteau River, was completed in 1949. Its total cost was $10,501,000. Estimated flood damages prevented by this reservoir by 1963 totaled $10,494,000.

On Canton Reservoir on the North Canadian the flood damage prevented by 1963 was estimated at $4,774,180. On Tenkiller Ferry Dam on the Illinois, the saving totaled $2,459,000 in the first 10 years of operation. At Fort Supply Dam on a tributary of the North Canadian, damage prevention totaled $2,263,000 by 1963.

Representing only a portion of the planned system, during the initial years of operation, the units listed above accounted for more than $40 million of flood damages prevented—surely not a minor item, even by Life's standards.

Nor is it fair or accurate, Mr. Speaker, to describe the power contribution of the Arkansas project as minor.

The installed hydroelectric power generating capacity of the Fort Gibson Dam is 45,000 kilowatts.

At Tenkiller Ferry, there is power capacity of 34,000 kilowatts.

At Eufaula Dam, now under construction, three penstocks will provide water for three generating units, each of 30,000-kilowatt capacity.

At Keystone Dam and Reservoir, also under construction, two penstocks will provide water for two generating units, each of 35,000-kilowatt capacity.

The lock and dam at Short Mountain, recently renamed the Robert S. Kerr lock and dam and reservoir by act of this Congress, will provide a substantial addition to this power capacity, as will other structures in the system.

While final decisions with regard to total power capacity of the system are still in the hands of Congress, it is certainly poor reporting to describe the potential as minor.

The same term can be applied to Life magazine's description of the scope and purpose of navigation along the river basin.

According to the Life article, the project "is intended to make an inland port of tiny Catoosa, Okla., 516 miles from the navigable Mississippi."

Nowhere in the Life article does the fact appear that Catoosa lies within 10 minutes drive of the city of Tulsa, Oklahoma's second largest community.

Nor is there mention of the fact that the river development will also take navigation to the cities of Muskogee, Fort Smith, and Little Rock—all larger communities within the two States.

Without apologizing for Catoosa, which is already growing by leaps and bounds, it does seem only fair to mention some of the other port cities interested in the Arkansas River program.

Summing up, Mr. Speaker, it should be apparent that Life magazine has been guilty of unfairness, unjustified vilification and distortion of both history and fact and very poor reporting.

I do not know of any better way to conclude these remarks than by quoting directly from the peerless eloquence of a distinguished Member of this body who appears at some points in the Life article to be one of that magazine's heroes.

The gentleman to whom I refer is the able and articulate chairman of the House Committee on Appropriations, the Honorable Clarence Cannon. His words appear in the Congressional Record, volume 108, part 12, page 16731, in support of the public works appropriation bill for 1963.

This is the bill, Mr. Speaker, in which were reported the funds to continue the Arkansas River program along with all other flood control and navigation projects in the country.

The words of Chairman Cannon are both statesmanlike and persuasive:

> This bill changes the face of America. It reconstructs the continent. It preserves and activates and vitalizes the resources of the Nation.
>
> * * * * *
>
> It rejuvenates and accelerates the business progress of the country. It starts new wheels turning, both urban and rural. It moves up the pace both in the factory and on the farm. It creates new jobs and new markets. It opens up new avenues and develops new skills and starts the cash registers ringing in every community.
>
> It protects and renews depleted national resources. It purifies rivers and curbs unruly floods. It integrates and amplifies power production and transmission at reasonable rates.
>
> It is true that the cost is heavy and that some of the cost must be paid by the children and grandchildren, but it saves and transmits to posterity invaluable resources and national wealth and economic democracy, which otherwise would be lost to the people forever.

In close support of their chairman, the Honorable Mike Kirwan and the Honorable Ben Jensen were also heard on August 16, 1962.

Congressman Kirwan described the 1962 bill as "one of the best bills which has ever come before the Members of the House," and declared that "every dime in this bill and every public works bill that will follow will be spent either in or on America."

Congressman Jensen, summing up for his side of the committee, declared:

> Mr. Chairman, this bill is an all-American bill. It is to develop our natural resources, to control our rivers, to preserve and conserve our water and soil resources and for everything that is good for the progress of America. I offer no alibis or excuses for this bill.

No alibis or excuses were needed, Mr. Speaker. The public works appropriation bill of 1963 was overwhelmingly approved, just as the public works appropriation bill of 1964 will be overwhelmingly approved.

As an investment in America and its future, few tax dollars are better spent.

In Oklahoma, Mr. Speaker, we are both proud and grateful that the Arkansas River's development is sharing in that investment and is part of our country's dynamic and glorious future.

THE LATE PATRICK BOUVIER KENNEDY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, I take this time to express what I know to be the sentiment of every Member of this House and of every person in the Nation, when I say we extend our sincere and heartfelt sympathy to our President and Mrs. Kennedy upon the loss of their infant son, Patrick Bouvier Kennedy.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman from Indiana.

Mr. HALLECK. Mr. Speaker, I certainly want to concur in what the majority leader has just said. We on this side of the aisle join in these most appropriate expressions of sympathy, which we all feel on such an occasion.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Fraser (at the request of Mr. Staebler), for 60 minutes, on Thursday, August 15, 1963.

Mr. Hall, for 60 minutes, tomorrow, August 14, 1963.

Mr. McFall (at the request of Mr. Albert), for 30 minutes, today, to revise, and extend his remarks, and include extraneous matter.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that

that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 2192. An act authorizing the readmittance of Walter Sowa, Jr., to the U.S. Naval Academy.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced the signature to enrolled bills of the Senate of the following titles:

S. 874. An act to authorize the construction and equipping of buildings required in connection with the operations of the Bureau of the Mint;

S. 1032. An act to exclude cargo which is lumber from certain tariff filing requirements under the Shipping Act, as amended; and

S. 1388. An act to add certain lands to the Cache National Forest, Utah.

A DEMAND FOR A QUORUM

Mr. DEROUNIAN. Mr. Speaker, I make the point of order that a quorum is not present.

Mr. ALBERT. Mr. Speaker, will the gentleman withhold that request pending my making a statement?

The SPEAKER. Does the gentleman from New York insist on his point of order?

Mr. DEROUNIAN. Mr. Speaker, I insist on my point of order.

Mr. ALBERT. Mr. Speaker, it has been my policy during the entire year to protect——

Mr. DEROUNIAN. Mr. Speaker, I demand the regular order.

Mr. ALBERT. Mr. Speaker, I asked if the gentleman would withhold his point of order until I could make a statement.

Mr. DEROUNIAN. Mr. Speaker, I insist on my point of order.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 10 minutes p.m.) the House adjourned until tomorrow, Wednesday, August 14, 1963, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

1130. Under clause 2 of rule XXIV, a letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated June 12, 1963, submitting a report, together with accompanying papers and an illustration on a review of the reports on Edmonds Harbor, Wash., requested by resolutions of the Committees on Public Works, U.S. Senate and House of Representatives, adopted November 24, 1958, and June 3, 1959 (H. Doc. No. 147), was taken from the Speaker's table, referred to the Committee on Public Works, and ordered to be printed with one illustration.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FEIGHAN: Committee on the Judiciary. S. 322. An act for for the relief of Mark John Janavaras; with amendment (Rept. No. 657). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 495. An act for the relief of Evanthia Christou; without amendment (Rept. No. 658). Referred to the Committee of the Whole House.

Mr. POFF: Committee on the Judiciary. S. 506. An act for the relief of Panagiota Makris; without amendment (Rept. No. 659). Referred to the Committee of the Whole House.

Mr. POFF: Committee on the Judiciary. S. 538. An act for the relief of Henry Bang Williams; with amendment (Rept. No. 660). Referred to the Committee of the Whole House.

Mr. MOORE: Committee on the Judiciary. S. 657. An act for the relief of Dr. Mohammed Adham; without amendment (Rept. No. 661). Referred to the Committee of the Whole House.

Mr. RODINO: Committee on the Judiciary. S. 909. An act for the relief of Marija Lovsin; without amendment (Rept. No. 662). Referred to the Committee of the Whole House.

Mr. CHELF: Committee on the Judiciary. H.R. 2968. A bill for the relief of Stanislaw and Zdzislaw Kurmas; with amendment (Rept. No. 663). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of the rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BROYHILL of Virginia:

H.R. 8040. A bill to amend the District of Columbia Income and Franchise Tax Act of 1947 to allow deductions for contributions to political parties; to the Committee on the District of Columbia.

By Mr. WYDLER:

H.R. 8041. A bill to amend the Internal Revenue Code of 1954 to provide a deduction from gross income for certain nonreimbursable expenses incurred by volunteer firemen; to the Committee on Ways and Means.

By Mr. HÉBERT:

H.R. 8042. A bill to further amend the Federal Civil Defense Act of 1950, as amended, to provide for shelter in Federal structures, to authorize payment toward the construction or modification of approved public shelter space, and for other purposes; to the Committee on Armed Services.

MEMORIALS

Under clause 4 of rule XXII,

The SPEAKER presented a Memorial of the Legislature of the State of Wisconsin, memorializing the President and the Congress of the United States relative to joint resolution No. 46, to call a convention for proposing an amendment to the Constitution of the United States relating to the election of the President and Vice President in a manner fair and just to the people of the United States, which was referred to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

235. Mr. THOMPSON of New Jersey presented a petition bearing 161 signatures protesting the Supreme Court decision which declared as unconstitutional the recitation of the Lord's Prayer and reading of the Bible in public schools, which was referred to the Committee on the Judiciary.

REGULATION OF LOBBYING ACT

In compliance with Public Law 601, 79th Congress, title III, Regulation of Lobbying Act, section 308(b), which provides as follows:

(b) All information required to be filed under the provisions of this section with the Clerk of the House of Representatives and the Secretary of the Senate shall be compiled by said Clerk and Secretary, acting jointly, as soon as practicable after the close of the calendar quarter with respect to which such information is filed and shall be printed in the CONGRESSIONAL RECORD.

The Clerk of the House of Representatives and the Secretary of the Senate jointly submit their report of the compilation required by said law and have included all registrations and quarterly reports received.

QUARTERLY REPORTS

The following reports for the first calendar quarter of 1963 were received too late to be included in the published reports for that quarter:

A. Active-Retired Lighthouse Service Employees Association, Post Office Box 2169, South Portland, Maine.

D. (6) $202.30. E. (9) $252.69.

A. Actors' Equity Association, 226 West 47th Street, New York, N.Y.

D. (6) $2,500. E. (9) $2,500.

A. American Carpet Institute, Inc., 350 Fifth Avenue, New York, N.Y.

E. (9) $476.45.

A. American Civil Liberties Union, Inc., 156 Fifth Avenue, New York, N.Y.

D. (6) $2,204.94. E. (9) $2,204.94.

A. American Council for Technical Products, Inc., 910 17th Street NW., Washington, D.C.

A. American Dental Association, 222 East Superior Street, Chicago, Ill.

D. (6) $11,795.06. E. (9) $11,795.06.

A. American Gas Association, Inc., 605 Third Avenue, New York, N.Y.

A. American Hospital Association, 840 North Lake Shore Drive, Chicago, Ill.

D. (6) $5,100.57. E. (9) $5,100.57.

A. American Library Association, 50 East Huron Street, Chicago, Ill.

D. (6) $60. E. (9) $9,719.22.

A. American Merchant Marine Institute, Inc., 11 Broadway, New York, N.Y.
E. (9) $2,060.22.

A. American National Cattlemen's Association, 801 East 17th Avenue, Denver, Colo.
D. (6) $41,236.52. E. (9) $4,711.56.

A. American Podiatry Association, 3301 16th Street NW., Washington, D.C.
E. (9) $254.

A. American Stock Yards Association, 1712 I Street NW., Washington, D.C.
D. (6) $1,350. E. (9) $900.

A. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $10,290.06. E. (9) $11,918.83.

A. American Veterinary Medical Association, 600 South Michigan Avenue, Chicago, Ill.
E. (9) $1,193.36.

A. John Arens, 500 Westchester Avenue, White Plains, N.Y.
B. National Committee for Insurance Taxation, the Hay-Adams Hotel, Washington, D.C.
E. (9) $13.20.

A. Arnold, Fortas & Porter, 1229 19th Street NW., Washington, D.C.
B. Commissioner of Baseball, 30 Rockefeller Plaza, New York, N.Y.
E. (9) $37.87.

A. Arnold, Fortas & Porter, 1229 19th Street NW., Washington, D.C.
B. National Retail Merchants Association, 100 West 31st Street, New York, N.Y.
E. (9) $4.31.

A. Associated Fur Manufacturers, 101 West 30th Street, New York, N.Y.
E. (9) $2,250.

A. Edward Atkins, 51 East 42d Street, New York, N.Y.
B. National Association of Shoe Chain Stores, Inc., 51 East 42d Street, New York, N.Y.
E. (9) $600.

A. A. V. Atkinson, 1925 K Street NW., Washington, D.C.
B. Communications Workers of America, 1925 K Street NW., Washington, D.C.
E. (9) $3,199.57.

A. Frank Baird-Smith, 1616 P Street NW., Washington. D.C.
B. National Tank Truck Carriers, Inc., 1616 P Street NW., Washington, D.C.

A. Carl H. Berglund, 607 South Pine, Tacoma, Wash.

A. William S. Bergman, 132 Third Street SE., Washington, D.C.
B. Committee To Promote American-Made Motion Pictures, 6721 Melrose Avenue, Los Angeles, Calif.
D. (6) $600.

A. William S. Bergman, 132 Third Street SE., Washington, D. C.
B. Dixie Project & Development Association, Inc., St. George, Utah.
D. (6) $200.

A. William S. Bergman, 132 Third Street SE., Washington, D.C.
B. William Radkovich Co., Inc., 9133 Garvey Boulevard, Rosemead, Calif.
D. (6) $195.

A. Helen Berthelot, 1925 K Street NW., Washington, D.C.
B. Communications Workers of America, 1925 K Street NW., Washington, D.C.
E. (9) $3,271.20.

A. C. Morgan Bissette, 3200 34th Street, South, St. Petersburg, Fla.
B. National Committee for Insurance Taxation, The Hays-Adams Hotel, Washington, D.C.
E. (9) $210.

A. C. B. Blankenship, 1925 K Street NW., Washington, D.C.
B. Communication Workers of America, 1925 K Street NW., Washington, D.C.
E. (9). $2,993.05.

A. Chas. B. Bowling, 1616 H Street NW., Washington, D.C.
B. The National Grange, 1616 H Street NW., Washington, D.C.
D. (6) $600.

A. Richard Breed, 10 Prince Street, Alexandria, Va.
B. American Council for Technical Products, Inc., 910 17th Street NW., Washington, D.C.

A. Parke C. Brinkley, 1145 19th Street NW., Washington, D.C.
B. National Agricultural Chemicals Association.

A. Florence I. Broadwell, 1737 H Street NW., Washington, D.C.
B. National Federation of Federal Employees, 1737 H Street NW., Washington, D.C.
D. (6) $2,942.34.

A. Charles H. Brown, Inc., 1701 K Street NW., Washington, D.C.
B. American Society of Composers, Authors, and Publishers, 575 Madison Avenue, New York, N.Y.
D. (6) $315. E. (9) $315.

A. Charles H. Brown, 1701 K Street NW., Washington, D.C.
B. Charles H. Brown, Inc., 1701 K Street NW., Washington, D.C.
D. (6) $751.50.

A. Charles H. Brown, Inc., 1701 K Street NW., Washington, D.C.
B. National Education Association, 1201 16th Street NW., Washington, D.C.
D. (6) $937.50. E. (9) $937.50.

A. John J. Burke, 1062 West Platinum Street, Butte, Mont.
B. Pacific Northwest Power Co., Post Office Box 1445, Spokane, Wash.
E. (9) $450.

A. Charles S. Burns, 1102 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $584.05. E. (9) $66.75.

A. Monroe Butler, 550 South Flower Street, Los Angeles, Calif.
B. Superior Oil Co., 550 South Flower Street, Los Angeles, Calif.
D. (6) $863. E. (9) $1,541.45.

A. George P. Byrne, Jr., 53 Park Place, New York, N.Y.
B. U.S. Wood Screw Service Bureau, 53 Park Place, New York 7, N.Y.

A. James A. Campbell, 900 F Street NW., Washington, D.C.
B. American Federation of Government Employees, 900 F Street NW., Washington, D.C.
D. (6) $2,807.66. E. (9) $230.76.

A. Hal M. Christensen, 808 17th Street NW., Washington, D.C.
B. American Dental Association, 808 17th Street NW., Washington, D.C.
D. (6) $3,250.

A. Alexander K. Christie, 1001 Connecticut Avenue NW., Washington, D.C.
B. United Steelworkers of America, 1500 Commonwealth Building, Pittsburgh, Pa.
D. (6) $2,551.59. E. (9) $300.

A. Henry J. Clay, 120 Broadway, New York, N.Y.
B. The Realty Committee on Taxation, 660 Madison Avenue, New York, N.Y.
D. (6) $10,000.

A. Washington I. Cleveland, 1712 G Street NW., Washington, D.C.
B. District of Columbia Division, American Automobile Association, 1712 G Street NW., Washington, D.C.

A. Nicholas S. Collins, 1000 Connecticut Avenue, Washington, D.C.
B. Committee of American Steamship Lines, 1000 Connecticut Avenue, Washington, D.C.
D. (6) $240. E. (9) $26.32.

A. Paul G. Collins, 730 15th Street NW., Washington, D.C.
B. The American Bankers Association, 12 East 36th Street, New York, N.Y.
D. (6) $125.

A. Colorado Railroad Association, 840 Equitable Building, Denver, Colo.

A. Don Costa, 3527 Brandon Avenue, Roanoke, Va.
B. National Committee for Insurance Taxation, the Hay-Adams Hotel, Washington, D.C.
E. (9) $301.17.

A. Bernard J. Conway, 222 East Superior Street, Chicago, Ill.
B. American Dental Association, 222 East Superior Street, Chicago, Ill.
D. (6) $4,750.

A. Council of State Chambers of Commerce, 1025 Connecticut Avenue NW., Washington, D.C.
D. (6) $976.24. E. (9) $976.24.

A. County Supervisors Association of California, 1100 Elks Building, Sacramento Calif.
E. (9) $146.63.

A. Paul L. Courtney, 1725 K Street NW., Washington, D.C.

A. Credit Union National Association, Inc., 1617 Sherman Avenue, Madison, Wis.
D. (6) $707.08. E. (9) $707.08.

A. Joseph M. Creed, 1317 F Street NW., Washington, D.C.
B. American Bakers Association, 1317 F Street NW., Washington, D.C.
E. (9) $12.

A. Leo J. Crowley, 840 Equitable Building, Denver, Colo.
B. Colorado Railroad Association, 840 Equitable Building, Denver, Colo.

A. Culbertson, Pendleton & Pendleton, 1025 Connecticut Avenue NW., Washington, D.C.
B. County Supervisors Association of California, 1100 Elks Building, Sacramento, Calif.
D. (6) $730.54.

A. Culbertson, Pendleton & Pendleton, 1025 Connecticut Avenue NW., Washington, D.C.

B. Mahogany Association, Inc., 666 Lake Shore Drive, Chicago, Ill.
D. (6) $500.

A. Abraham A. Dash, 20 E Street NW., Washington, D.C.
B. Credit Union National Association, Inc., 1617 Sherman Avenue, Madison, Wis.
D. (6) $631.40. E. (9) $75.68.

A. Dawson, Griffin, Pickens & Riddell, 731 Washington Building, Washington, D.C.
B. Variable Annuity Life Insurance Co., Washington, D.C.

A. S. P. Deas, 520 National Bank of Commerce Building, New Orleans, La.
B. Southern Pine Industry Committee.

A. John M. Dickerman, 1625 L Street NW., Washington, D.C.
B. National Association of Home Builders of the United States, 1625 L Street NW., Washington, D.C.
D. (6) $161.55.

A. Division of Federal Relations, National Education Association, Washington, D.C.
E. (9) $12,521.81.

A. J. D. Durand, 1000 Connecticut Avenue NW., Washington, D.C.
B. Committee of American Steamship Lines, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $520. E. (9) $134.45.

A. Henry I. Dworshak, 1102 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $553.12. E. (9) $27.94.

A. John W. Edelman, 704 17th Street NW., Washington, D.C.
B. Textile Workers Union of America, AFL–CIO, 99 University Place, New York, N.Y.
D. (6) $2,445.27. E. (9) $440.22.

A. Harold E. Edwards, 1001 Connecticut Avenue NW., Washington, D.C.
B. United Steelworkers of America, 1500 Commonwealth Building, Pittsburgh, Pa.
D. (6) $3.304.85. E. (9) $300.

A. John W. Emeigh, 1040 Warner Building, Washington, D.C.
B. National Rural Letter Carriers' Association, 1040 Warner Building, Washington, D.C.
D. (6) $843.61. E. (9) $27.10.

A. Lawrence E. Ernst, 301 East Capitol Street, Washington, D.C.
B. National Star Route Mail Carriers Association, 301 East Capitol Street, Washington, D.C.

A. Mello G. Fish, 1001 Connecticut Avenue NW., Washington, D.C.
B. United Steelworkers of America, 1500 Commonwealth Building Pittsburgh, Pa.
D. (6) $2,625. E. (9) $300.

A. Donald G. Fletcher, 828 Midland Bank Building, Minneapolis, Minn.
B. Crop Quality Council, 828 Midland Bank Building, Minneapolis, Minn.
D. (6) $4,125. E. (9) $523.76.

A. Forest Farmers Association Cooperative, Post Office Box 7284, Station C, Atlanta, Ga.
D. (6) $719.05. E. (9) $719.05.

A. James F. Fort, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $500. E. (9) $282.85.

A. David C. Fullarton, 2000 Florida Avenue NW., Washington, D.C.
B. National Telephone Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
D. (6) $82.

A. Lawrence H. Gall, 918 16th Street NW., Washington, D.C.
B. Independent Natural Gas Association of America, 918 16th Street NW., Washington, D.C.
D. (6) $975.

A. Mary Condon Gereau, 1201 16th Street NW., Washington, D.C.
B. National Education Association, 1201 16th Street NW., Washington, D.C.
D. (6) $1,990.35. E. (9) $271.44.

A. Jack Golodner, 1301 Delaware Avenue SW., Washington, D.C.
B. Actors' Equity Association, 226 West 47th Street, New York, N.Y.
D. (6) $2,500. E. (9) $310.

A. John A. Gosnell, 801 19th Street NW., Washington, D.C.
B. National Small Business Association.
D. (6) $1,833.34.

A. John F. Griner, 900 F Street NW., Washington, D.C.
B. American Federation of Government Employees, 900 F Street NW., Washington, D.C.
D. (6) $4,158. E. (9) $415.80.

A. Charles A. Hamilton, 777 14th Street NW., Washington, D.C.
B. General Electric Co., 570 Lexington Avenue, New York, N.Y.
D. (6) $150. E. (9) $60.24.

A. William A. Hanscom, 100 Indiana Avenue NW., Washington, D.C.
B. Oil, Chemical and Atomic Workers International Union, 1840 California Street, Denver, Colo.
D. (6) $1,250. E. (9) $225.

A. William B. Henderson, 1013 Woodward Building, Washington, D.C.
B. Parcel Post Association, 1013 Woodward Building, Washington, D.C.
D. (6) $925. E. (9) $446.

A. David W. Herrmann, 551 Fifth Avenue, New York, N.Y.
E. (9) $250.

A. Robert E. Harper, 1913 I Street NW., Washington, D.C.
B. National Business Publications, Inc., 1913 I Street NW., Washington, D.C.

A. L. S. Hitchner, 1145 19th Street NW., Washington, D.C .
B. National Agricultural Chemicals Association.

A. Frank N. Hoffmann, 1001 Connecticut Avenue NW., Washington, D.C.
B. United Steelworkers of America, 1500 Commonwealth Building, Pittsburgh, Pa.
D. (6) $4,000. E. (9) $1,000.

A. John W. Holton, 730 15th Street NW., Washington, D.C.
B. American Bankers Association, 12 East 36th Street, New York, N.Y.
D. (6) $1,500.

A. Joe L. Howell, Jr., 3800 U.S. Highway 51 North, Jackson, Miss.
B. National Committee for Insurance Taxation, the Hay-Adams House, Washington, D.C.

A. W. T. Huff, 918 16th Street NW., Washington, D.C.
B. Independent Natural Gas Association of America, 918 16th Street NW., Washington, D.C.
D. (6) $275. E. (9) $15.

A. Floyd E. Huffman, 1040 Warner Building, Washington, D.C.
B. National Rural Letter Carriers' Association, 1040 Warner Building, Washington, D.C.
D. (6) $778.30. E. (9) $19.30.

A. B. A. Hungerford, 53 Park Place, New York, N.Y.
B. George P. Byrne, 53 Park Place, New York, N.Y.

A. John M. Hurley, 302 Hoge Building, Seattle, Wash.

A. Independent Natural Gas Association of America, 918 16th Street NW., Washington, D.C.
D. (6) $1,250. E. (9) $15.

A. International Association of Machinists, Machinists Building, Washington, D.C.
E. (9) $2,021.70.

A. Charles E. Jackson, 1614 20th Street NW., Washington, D.C.
B. National Fisheries Institute, 1614 20th Street NW., Washington, D.C.
E. (9) $3,509.15.

A. Chester W. Jackson, 1616 H Street NW., Washington, D.C.
B. The National Grange, 1616 H Street NW., Washington, D.C.
D. (6) $3,300.

A. Robert C. Jackson, 1120 Connecticut Avenue NW., Washington, D.C.
B. American Textile Manufacturers Institute, Inc., 1501 Johnston Building, Charlotte, N.C.
D. (6) $2,150. E. (9) $244.

A. Mrs. Margaret E. Jenkins, 30 Deerpath, Norgate, Roslyn Heights, Long Island, N.Y.

A. Charles B. Jennings, 1712 I Street NW., Washington, D.C.
B. American Stock Yards Association, 1712 I Street NW., Washington, D.C.

A. Robert G. Jeter, Dresden, Tenn.
B. H. C. Spinks Clay Co., Paris, Tenn.; Old Hickory Clay Co., Paducah, Ky.; Bell Clay Co., Gleason, Tenn.; United Clay Mines Corp., Trenton, N.J.; Kentucky-Tennessee Clay Co., Mayfield, Ky.

A. Charlie W. Jones, 1120 Connecticut Avenue NW., Washington, D.C.
B. American Carpet Institute, 350 Fifth Avenue, New York, N.Y.
E. (9) $51.90.

A. Max H. Jordan, 1040 Warner Building, Washington, D.C.
B. The National Rural Letter Carriers' Association, 1040 Warner Building, Washington, D.C.
D. (6) $843.61. E. (9) $23.45.

A. Jerome J. Keating, 100 Indiana Avenue NW., Washington, D.C.
B. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $3,125.

A. W. M. Keck, Jr., 9864 Wilshire Boulevard, Beverly Hills, Calif.
E. (9) $275.

A. Franklin E. Kepner, Berwick Bank Building, Berwick, Pa.

B. Associated Railroads of Pennsylvania, Room 1022, Transportation Center, Philadelphia, Pa.

A. H. Cecil Kilpatrick, 912 American Security Building, Washington, D.C.

B Rossmoor Leisure World, Seal Beach, Calif.

D. (6) $1,762.50. E. (9) $42.90.

A. Joseph T. King, 1028 Connecticut Avenue NW., Washington, D.C.

B. Associated Equipment Distributors and Sprinkler Irrigation Association.

E. (9) $1,036.84.

A. William L. Kohler, 1616 P Street NW., Washington, D.C.

B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.

D. (6) $1,000. E. (9) $231.90.

A. Herman C. Kruse, 245 Market Street, San Francisco, Calif.

B. Pacific Gas & Electric Co., 245 Market Street, San Francisco, Calif.

D. (6) $625. E. (9) $995.81.

A. Kenneth C. Landry, 1735 New York Avenue NW., Washington, D.C.

B. The American Institute of Architects, 1735 New York Avenue NW., Washington, D.C.

D. (6) $600.

A. Dillard B. Lasseter, 1616 P Street NW., Washington, D.C.

B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.

D. (6) $1,200. E. (9) $375.

A. Dillard B. Lasseter, Post Office Box 381, Washington, D.C.

B. Organization of Professional Employees of the U.S. Department of Agriculture, Post Office Box 381, Washington, D.C.

D. (6) $450. E. (9) $125.

A. Latham & Watkins.

B. Rossmoor Corp., Post Office Box 125, Seal Beach, Calif.

D. (6) $300.

A. Thomas B. Lawrence, 917 15th Street NW., Washington, D.C.

B. National Licensed Beverage Association, 420 Seventh Street, Racine, Wis.

D. (6) $650.

A. Richard T. Leonard, 815 16th Street NW., Washington, D.C.

B. Industrial Union Department, AFL–CIO, 815 16th Street NW., Washington, D.C.

E. (9) $437.50.

A. Liberty Lobby, Inc., 132 Third Street SE., Washington, D.C.

D. (6) $7,128.79. E. (9) $2,778.

A. Paul H. Long, Post Office Box 2180, Houston, Tex.

B. Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex.

A. Harold O. Lovre, 1616 P Street NW., Washington, D.C.

B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.

D. (6) $1,200. E. (9) $293.54.

A. John M. Lumley, 1201 16th Street NW., Washington, D.C.

B. National Education Association, 1201 16th Street NW., Washington, D.C.

D. (6) $2,081.23. E. (9) $622.90.

A. LeRoy E. Lyon, Jr, 11th & L Building, Sacramento, Calif.

B. California Railroad Association, 215 Market Street, San Francisco, Calif.

D. (6) $2,340. E. (9) $1,483.46.

A. Breck P. McAllister, 25 Broadway, New York, N.Y.

B. American Committee for Flags of Necessity, 25 Broadway, New York, N.Y.

A. Stanley J. McCutcheon, 315 Fourth Avenue, Anchorage, Alaska.

B. Marathon Oil Co.

A. Joseph J. McDonald, 1001 Connecticut Avenue NW., Washington, D.C.

B. United Steelworkers of America, 1500 Commonwealth Building, Pittsburgh, Pa.

D. (6) $3,304.85. E. (9) $300.

A. William H. McLin, 1201 16th Street NW., Washington, D.C.

B. National Education Association, 1201 16th Street NW., Washington, D.C.

D. (6) $2,160.99. E. (9) $534.81

A. C. W. McMillan, 801 East 17th Avenue, Denver, Colo.

B. American National Cattlemen's Association, 801 East 17th Avenue, Denver, Colo.

D. (6) $4,250.04. E. (9) $364.83.

A. Charles R. McNeill, 730 15th Street NW., Washington, D.C.

B. The American Bankers Association, 12 East 36th Street, New York, N.Y.

D. (6) $1,000. E. (9) $64.55.

A. Philip F. Maguire, 839 17th Street NW., Washington, D.C.

B. Comision de Defensa del Azucar y Fomento de la Cana, Santo Domingo, Dominican Republic.

D. (6) $6,007.90. E. (9) $7.90.

A. Mahogany Association, Inc., 666 Lake Shore Drive, Chicago, Ill.

E. (9) $113.06.

A. James D. Mann, 839 17th Street NW., Washington, D.C.

B. National Association of Motor Bus Owners, 839 17th Street NW., Washington, D.C.

A. Mrs. Olya Margolin, 1637 Massachusetts Avenue NW., Washington, D.C.

B. National Council of Jewish Women, Inc., 1 West 47th Street, New York, N.Y.

D. (6) $2,152.28. E. (9) $134.43.

A. Edwin E. Marsh, 414 Crandall Building, Salt Lake City, Utah.

B. National Wool Growers Association, 414 Crandall Building, Salt Lake City, Utah.

D. (6) $3,033.32. E. (9) $550.18.

A. Albert E. May, 1000 Connecticut Avenue NW., Washington, D.C.

B. Committee of American Steamship Lines, 1000 Connecticut Avenue NW., Washington, D.C.

D. (6) $320. E. (9) $53.26.

A. Arnold Mayer, 100 Indiana Avenue NW., Washington, D.C.

B. Amalgamated Meat Cutters and Butcher Workmen of North America, 2800 North Sheridan Road, Chicago, Ill.

D. (6) $1,530. E. (9) $340.

A. M. Barry Meyer, 1616 P Street NW., Washington, D.C.

B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.

D. (6) $250. E. (9) $529.95.

A. Clinton R. Miller, 1012 14th Street NW., Washington, D.C.

B. National Health Federation, 211 West Colorado Boulevard, Monrovia, Calif.

D. (6) $1,000. E. (9) $680.

A. Clarence Mitchell, 100 Massachusetts Avenue NW., Washington, D.C.

B. National Association for the Advancement of Colored People, 20 West 40th Street, New York, N.Y.

A. Mobilehome Dealers National Association, 30 South LaSalle Street, Chicago, Ill.

E. (9) $2,132.76.

A. Harry L. Moffett, 1102 Ring Building, Washington, D.C.

B. American Mining Congress, Ring Building, Washington, D.C.

D. (6) $1,537.50. E. (9) $10.95.

A. Curtis Morris, 1725 I Street NW., Washington, D.C.

B. American Gas Association, Inc., 605 Third Avenue, New York, N.Y.

A. Bernard R. Mullady, 1200 15th Street NW., Washington, D.C.

B. International Brotherhood of Electrical Workers.

D. (6) $2,370.

A. William E. Murray, 2000 Florida Avenue NW., Washington, D.C.

B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

A. J. Walter Myers, Jr., Post Office Box 7284, Station C, Atlanta, Ga.

B. Forest Farmers Association Cooperative, Post Office Box 7284, Station C, Atlanta, Ga.

D. (6) $144.44. E. (9) $213.63.

A. National Association for the Advancement of Colored People, 20 West 40th Street, New York, N.Y.

A. National Association of Agricultural Stabilization and Conservation County Office Employees.

D. (6) $4,154. E. (9) $2,475.

A. National Association of Home Builders of the United States, 1625 L Street NW., Washington, D.C.

D. (6) $14,987.17. E. (9) $12,774.62.

A. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C.

D. (6) $726,524.50 E. (9) $21,062.58.

A. National Association of Post Office and General Service Maintenance Employees, Post Office Box 1611, Washington, D.C.

D. (6) $22,136.09. E. (9) $2,561.71.

A. National Association of Real Estate Boards, 36 South Wabash Avenue, Chicago, Ill., and 1300 Connecticut Avenue NW., Washington, D.C.

E. (9) $11,192.68.

A. National Business Publications, Inc., 1913 I Street NW., Washington, D.C.

A. National Committee for Insurance Taxation, the Hay-Adams Hotel, Washington, D.C.

D. (6) $541.87. E. (9) $502.73.

A. National Congress of Parents and Teachers, 700 North Rush Street, Chicago, Ill.

A. National Council of the Junior Order of United American Mechanics, 3027 North Broad Street, Philadelphia, Pa.
E. (9) $150.

A. National Federation of Business and Professional Women's Clubs, Inc., 2012 Massachusetts Avenue NW., Washington, D.C.
D. (6) $23,095.40. E. (9) $2,959.72.

A. National Federation of Federal Employees, 1737 H Street NW., Washington, D.C.
D. (6) $95,828.93. E. (9) $9,066.55.

A. National Federation of Independent Business, Inc., 740 Washington Building, Washington, D.C.
D. (6) $14,350.25. E. (9) $14,350.25.

A. National Grange, 1616 H Street NW., Washington, D.C.
E. (9) $9.150.

A. National Housing Conference, Inc., 1025 Connecticut Avenue NW., Washington, D.C.
D. (6) $44,631.23. E. (9) $28,983.61.

A. National Livestock Tax Committee, 801 East 17th Avenue, Denver, Colo.
D. (6) $1,178.66. E. (9) $3,559.41.

A. National Rehabilitation Association, Inc., 1029 Vermont Avenue NW., Washington, D.C.
B. National Rehabilitation Association, Inc., 1029 Vermont Avenue NW., Washington, D.C.
D. (6) $7,927.42. E. (9) $841.16.

A. National Restaurant Association, 1012 14th Street NW., Washington, D.C., and 1530 North Lake Shore Drive, Chicago, Ill.
D. (6) $7,265.26. E. (9) $7,265.26.

A. National Rural Letter Carriers' Association, 1040 Warner Building, Washington, D.C.
D. (6) $12,232.38. E. (9) $7,917.11.

A. National Small Business Association, 801 19th Street NW., Washington, D.C.
D. (6) $5,000. E. (9) $2,562.52.

A. National Tax Equality Association, 1000 Connecticut Avenue Building, Washington, D.C.
D. (6) $13,629. E. (9) $7,662.97.

A. National Telephone Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
E. (9) $82.

A. National Wool Growers Association, 414 Crandall Building, Salt Lake City, Utah.
D. (6) $10,499. E. (9) $3,946.36.

A. Samuel E. Neel, 1001 15th Street NW., Washington, D.C.
B. Mortgage Bankers Association of America, 111 West Washington Street, Chicago, Ill.
D. (6) $4,958.98. E. (9) $4,867.51.

A. George R. Nelson, Machinists Building, Washington, D.C.
B. International Association of Machinists, Machinists Building, Washington, D.C.
D. (6) $1500. E. (9) $521.70

A. Herschel D. Newsom, 1616 H Street NW., Washington, D.C.
B. The National Grange, 1616 H Street NW., Washington, D.C.
D. (6) $3,750.

A. Charles M. Noone, 1209 Ring Building, Washington, D.C.
B. National Association of Small Business Investment Cos., 537 Washington Building, Washington, D.C.
E. (9) $143.63.

A. Graham T. Northrup, 1001 15th Street NW., Washington, D.C.
B. Mortgage Bankers Association of America, 111 West Washington Street, Chicago, Ill.
D. $2,250. E. (9) $2,167.67.

A. Seward P. Nyman, D.S.C., 3301 16th Street NW., Washington, D.C.
B. American Podiatry Association, 3301 16th Street NW., Washington, D.C.
D. (6) $650. E. (9) $103.24.

A. Brice O'Brien, 1102 Ring Building, Washington, D.C.
B. American Mining Congress.
D. (6) $693.75.

A. John A. O'Donnell, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,200.

A. John A. O'Donnell, 1025 Connecticut Avenue NW., Washington, D.C.
B. National Federation of Sugarcane Planters, 4th Floor, Gonzaga Building, Manila, Philippines.
D. (6) $1,500. E. (9) $500.

A. John A. O'Donnell, 1025 Connecticut Avenue NW., Washington, D.C.
B. Philippine Sugar Association, Suite 409, Davies Building, Manila, Philippines.
D. (6) $1,500. E. (9) $727.14.

A. Order of Railway Conductors and Brakemen, O.R.C. & B. Building, Cedar Rapids, Iowa.
E. (9) $5,315.55.

A. Organization of Professional Employees of the U.S. Department of Agriculture, Post Office Box 381, Washington, D.C.
D. (6) $946.02. E. (9) $815.55.

A. J. Allen Overton, Jr., 1102 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $1,500. E. (9) $55.

A. Vaux Owen, 1737 H Street NW., Washington, D.C.
B. National Federation of Federal Employees, 1737 H Street NW., Washington, D.C.
D. (6) $4,307.38. E. (9) $6.25.

A. Sandford Z. Persons, 1321 14th Street NW., Washington, D.C.
B. United World Federalists, Inc., 1321 14th Street NW., Washington, D.C.

A. Andrew A. Pettis, 100 Indiana Avenue NW., Washington, D.C.
B. Industrial Union of Marine & Shipbuilding Workers of America, 534 Cooper Street, Camden, N.J.
D. (6) $4,375. E. (9) $2,316.46.

A. James F. Pinkney, 1616 P Street NW., Washington, D.C.
B. American Trucking Association, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,000. E. (9) $78.75.

A. J. Francis Pohlhaus, 100 Massachusetts Avenue NW., Washington, D.C.
B. National Association for the Advancement of Colored People, 20 West 40th Street, New York, N.Y.

A. William C. Prather, 221 North LaSalle Street, Chicago, Ill.
B. United States Savings & Loan League, 221 North LaSalle Street, Chicago, Ill.
D. (6) $347.50. E. (9) $430.24.

A. Gordon M. Quarnstrom, 7447 Skokie Boulevard, Skokie, Ill.
B. National Committee for Insurance Taxation, Hay-Adams House, Washington, D.C.

A. Cushman S. Radebaugh, Box 1928, Orlando, Fla.
B. American National Cattlemen's Association, 801 East 17th Avenue, Denver, Colo.
E. (9) $96.69.

A. James H. Rademacher, 100 Indiana Avenue NW., Washington, D.C.
B. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $2,500.

A. Donald J. Ramsey, 1725 K Street NW., Washington, D.C.
B. Silver Users Association, 1725 K Street NW., Washington, D.C.
D. (6) $450. E. (9) $85.49.

A. Sydney C. Reagan, 3840 Greenbrier Drive, Dallas, Tex.
B. Southwestern Peanut Shellers Association, Drawer 747, Durant, Okla.
D. (6) $441. E. (9) $291.

A. Realty Committee on Taxation, care of Hurd & Co., Inc., 660 Madison Avenue, New York, N.Y.
D. (6) $23,550. E. (9) $12,774.81.

A. George L. Reid, Jr., 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $799.98. E. (9) $235.07.

A. John J. Riley, 1625 L Street NW., Washington, D.C.
B. National Association of Home Builders of the United States, 1625 L Street NW., Washington, D.C.
D. (6) $1,456.74. E. (9) $124.74.

A. William Neale Roach, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,200. E. (9) $245.30.

A. Royall, Koegel & Rogers, 1730 K Street NW., Washington, D.C.
B. Pinkerton's National Detective Agency, Inc., 154 Nassau Street, New York, N.Y.
D. (6) $5,000.

A. John Forney Rudy, 902 Ring Building, Washington, D.C.
B. The Goodyear Tire & Rubber Co., Akron, Ohio.

A. J. T. Rutherford, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,100.01. E. (9) $170.

A. J. T. Rutherford and Associates, 1701 K Street NW., Washington, D.C.
B. National Creative Arts Committee for Better Copyright Laws, 1701 K Street NW., Washington, D.C.
D. (6) $935. E. (9) $935.

A. Fred J. Scanlan, 1303 New Hampshire Avenue NW., Washington, D.C.
B. Fleet Reserve Association, 1303 New Hampshire Avenue NW., Washington, D.C.
D. (6) $350.

A. William H. Scheick, 1735 New York Avenue NW., Washington, D.C.
B. The American Institute of Architects, 1735 New York Avenue NW., Washington, D.C.
D. (6) $400. E. (9) $300.

A. Ernest Schein, 1025 Connecticut Avenue NW., Washington, D.C.
B. Distribuidora de Azucares S.A., Azucareros Independientes LTDA, Campania Azucarera Del Valle S.A., Bogotá, Colombia.
D. (6) $13,390. E. (9) $50.

A. Clayton A. Seeber, 1201 16th Street NW., Washington, D.C.
B. National Education Association, Division of Federal Relations, 1201 16th Street NW., Washington, D.C.
D. (6) $2,160.99. E. (9) $611.73.

A. Theodore A. Serrill, 1025 Connecticut Avenue NW., Washington, D.C.
B. National Editorial Association, 1025 Connecticut Avenue NW., Washington, D.C.
E. (9) $156.22.

A. John J. Sheehan, 1001 Connecticut Avenue NW., Washington, D.C.
B. United Steelworkers of America, 1500 Commonwealth Building, Pittsburgh, Pa.
D. (6) $3,000. E. (9) $300.

A. Henry M. Shine, Jr., 1625 L Street NW., Washington, D.C.
B. National Association of Home Builders of the United States, 1625 L Street NW., Washington, D.C.
D. (6) $2,076.93. E. (9) $194.45.

A. Silver Users Association, 1725 K Street NW., Washington, D.C.
D. (6) $396.25. E. (9) $1,353.67.

A. W. A. Smallwood, 1925 K Street NW., Washington, D.C.
B. Communications Workers of America, 1925 K Street NW., Washington, D.C.
E. (9) $2,267.26.

A. Carleton D. Smith, 1725 K Street NW., Washington, D.C.
B. Radio Corp. of America, 30 Rockefeller Plaza, New York, N.Y.

A. Wayne J. Smith, 132 Third Street SE., Washington, D.C.
B. Committee To Promote American-Made Motion Pictures, 6721 Melrose Avenue, Los Angeles, Calif.
D. (6) $600.

A. Wayne J. Smith, 132 Third Street SE., Washington, D.C.
B. Dixie Project & Development Association, Inc., St. George, Utah.
D. (6) $200.

A. Wayne J. Smith, 132 Third Street SE., Washington, D.C.
B. William Radkovich Co., 9133 Garvey Boulevard, Rosemead, Calif.
D. (6) $195.

A. W. Byron Sorrell, 1100 New Hampshire Avenue NW., Washington, D.C.
B. Mobilehome Dealers National Association, 39 South LaSalle Street, Chicago, Ill.
D. (6) $1,925. E. (9) $207.76.

A. Southern Pine Industry Committee, 520 National Bank of Commerce Building, New Orleans, La.
D. (6) $324.39. E. (9) $406.40.

A. Southwestern Peanut Shellers' Association, Drawer 747, Durant, Okla.
D. (6) $4. E. (9) $732.

A. Spray, Price, Townsend & Cushman, 134 South La Salle Street, Chicago, Ill.
B. National Committee for Insurance Taxation, Hay-Adams House, Washington, D.C.
E. (9) $102.97.

A. Chester S. Stackpole, 605 Third Avenue, New York, N.Y.
B. American Gas Association, Inc., 605 Third Avenue, New York, N.Y.

A. Samuel E. Stavisky & Associates, Inc., 1616 I Street NW., Washington, D.C.
B. International Coffee Agreement, 1725 I Street NW., Washington, D.C.
E. (9) $1,000.

A. Stitt and Hemmendinger, 1000 Connecticut Avenue, Washington, D.C.
B. Association to Acquire Compensation for Damages Prior to Peace Treaty, Naha, Okinawa; Association of Landowners of Okinawa, Naha, Okinawa.
D. (6) $2,000. E. (9) $285.

A. Stitt and Hemmendinger, 1000 Connecticut Avenue NW., Washington, D.C.
B. Japan General Merchandise Exporters Association, Tokyo, Japan, et al.
D. (6) $5,500. E. (9) $70.

A. C. Austin Sutherland, 1616 P Street NW., Washington, D.C.
B. National Tank Truck Carriers, Inc., 1616 P Street NW., Washington, D.C.

A. Noble J. Swearingen, 224 East Capitol Street, Washington, D.C.
B. National Tuberculosis Association, 1790 Broadway, New York, N.Y.
D. (6) $250. E. (9) $28.71.

A. J. Woodrow Thomas, 1000 16th Street NW., Washington, D.C.
B. Trans World Airlines, Inc., 10 Richards Road, Kansas City, Mo.
E. (9) $129.05.

A. Julia C. Thompson, 711 14th Street NW., Washington, D.C.
B. American Nurses' Association, Inc., 10 Columbus Circle, New York, N.Y.
D. (6) $2,055.18.

A. John N. Thurman, 1625 K Street NW., Washington, D.C.
B. Pacific American Steamship Association, 16 California Street, San Francisco, Calif.
D. (6) $875. E. (9) $959.15.

A. Tobacco Associates, Inc., 1025 Connecticut Avenue NW., Washington, D.C.
E. (9) $1,041.

A. Mrs. Hattie B. Trazenfeld, 2012 Massachusetts Avenue NW., Washington, D.C.
B. National Federation of Business & Professional Women's Clubs, Inc., 2012 Massachusetts Avenue NW., Washington, D.C.

A. Paul T. Truitt, 1700 K Street NW., Washington, D.C.
B. National Plant Food Institute, 1700 K Street NW., Washington, D.C.

A. Galen Douglas Trussell, 918 16th Street NW., Washington, D.C.
B. National Association of Manufacturers.

A. United World Federalists, Inc., 1321 14th Street NW., Washington, D.C.
D. (6) $4,154.65. E. (9) $4,154.65.

A. Arvin E. Upton, 1821 Jefferson Place NW., Washington, D.C.
B. National Committee on Radiation Protection and Measurements, U.S. Department of Commerce, National Bureau of Standards, Washington, D.C.
D. (6) $1,800. E. (9) $2.04.

A. Harold S. Walker, Jr., 605 Third Avenue, New York, N.Y.
B. American Gas Association, Inc., 605 Third Avenue, New York, N.Y.

A. Franklin Wallick, 1126 16th Street NW., Washington, D.C.
B. International Union, United Automobile, Aerospace and Agricultural Implement Workers of America, 8000 East Jefferson Avenue, Detroit, Mich.
D. (6) $1,208.30. E. (9) $636.70.

A. T. M. Walters, 400 First Street NW., Washington, D.C.
B. Order of Railway Conductors and Brakemen, O.R.C.B. Building, Cedar Rapids, Iowa.

A. Herbert F. Walton, 7447 Skokie Boulevard, Skokie, Ill.
B. National Committee for Insurance Taxation, the Hay-Adams House, Washington, D.C.
E. (9) $89.

A. Donald Francis White, 1616 H Street NW., Washington, D.C.
B. American Retail Federation, 1616 H Street NW., Washington, D.C.
D. (6) $2,175. E. (9) $92.41.

A. Donald S. Whyte, 1102 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $487.50. E. (9) $63.40.

A. Louis E. Whyte, 918 16th Street NW., Washington, D.C.
B. Independent Natural Gas Association of America, 918 16th Street NW., Washington, D.C.

A. John J. Wicker, Jr., 706 Mutual Building, Richmond, Va.
B. Mutual Insurance Committee on Federal Taxation, 20 North Wacker Drive, Chicago, Ill.
D. (6) $2,096.09. E. (9) $2,096.09.

A. Claude C. Wild, Jr., 1120 Connecticut Avenue NW., Washington, D.C.
B. Gulf Oil Corp., Gulf Building, Pittsburgh, Pa.
D. (6) $1,000. E. (9) $250.

A. Kenneth Williamson, 1 Farragut Square South, Washington, D.C.
B. American Hospital Association, 840 North Lake Shore Drive, Chicago, Ill.
D. (6) $506.16. E. (9) $210.48.

QUARTERLY REPORTS

The following quarterly reports were submitted for the second calendar quarter 1963:

(NOTE.—The form used for reports is reproduced below. In the interest of economy in the RECORD, questions are not repeated, only the essential answers are printed, and are indicated by their respective letter and number.)

FILE TWO COPIES WITH THE SECRETARY OF THE SENATE AND FILE THREE COPIES WITH THE CLERK OF THE HOUSE OF REPRESENTATIVES:

This page (page 1) is designed to supply identifying data; and page 2 (on the back of this page) deals with financial data.

PLACE AN "X" BELOW THE APPROPRIATE LETTER OR FIGURE IN THE BOX AT THE RIGHT OF THE "REPORT" HEADING BELOW:

"PRELIMINARY" REPORT ("Registration"): To "register," place an "X" below the letter "P" and fill out page 1 only.

"QUARTERLY" REPORT: To indicate which one of the four calendar quarters is covered by this Report, place an "X" below the appropriate figure. Fill out both page 1 and page 2 and as many additional pages as may be required. The first additional page should be numbered as page "3," and the rest of such pages should be "4," "5," "6," etc. Preparation and filing in accordance with instructions will accomplish compliance with all quarterly reporting requirements of the Act.

Year: 19______ ◄

REPORT

PURSUANT TO FEDERAL REGULATION OF LOBBYING ACT

P	QUARTER			
	1st	2d	3d	4th
(Mark one square only)				

NOTE ON ITEM "A".—(a) IN GENERAL. This "Report" form may be used by either an organization or an individual, as follows:

(i) "Employee".—To file as an "employee", state (in Item "B") the name, address, and nature of business of the "employer". (If the "employee" is a firm [such as a law firm or public relations firm], partners and salaried staff members of such firm may join in filing a Report as an "employee".)

(ii) "Employer".—To file as an "employer", write "None" in answer to Item "B".

(b) SEPARATE REPORTS. An agent or employee should not attempt to combine his Report with the employer's Report:

(i) Employers subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their agents or employees.

(ii) Employees subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their employers.

A. ORGANIZATION OR INDIVIDUAL FILING:

1. State name, address, and nature of business.

2. If this Report is for an Employer, list names of agents or employees who will file Reports for this Quarter.

NOTE ON ITEM "B".—*Reports by Agents or Employees.* An employee is to file, each quarter, as many Reports as he has employers, except that: (*a*) If a particular undertaking is jointly financed by a group of employers, the group is to be considered as one employer, but all members of the group are to be named, and the contribution of each member is to be specified; (*b*) if the work is done in the interest of one person but payment therefor is made by another, a single Report—naming both persons as "employers"—is to be filed each quarter.

B. EMPLOYER.—State name, address, and nature of business. If there is no employer, write "None."

NOTE ON ITEM "C".—(*a*) The expression "in connection with legislative interests," as used in this Report, means "in connection with attempting, directly or indirectly, to influence the passage or defeat of legislation." "The term 'legislation' means bills, resolutions, amendments, nominations, and other matters pending or proposed in either House of Congress, and includes any other matter which may be the subject of action by either House"—§ 302(e).

(*b*) Before undertaking any activities in connection with legislative interests, organizations and individuals subject to the Lobbying Act are required to file a "Preliminary" Report (Registration).

(*c*) After beginning such activities, they must file a "Quarterly" Report at the end of each calendar quarter in which they have either received or expended anything of value in connection with legislative interests.

C. LEGISLATIVE INTERESTS, AND PUBLICATIONS in connection therewith:

1. State approximately how long legislative interests are to continue. If receipts and expenditures in connection with legislative interests have terminated, ☐ place an "X" in the box at the left, so that this Office will no longer expect to receive Reports.

2. State the general legislative interests of the person filing and set forth the *specific* legislative interests by reciting: (*a*) Short titles of statutes and bills; (*b*) House and Senate numbers of bills, where known; (*c*) citations of statutes, where known; (*d*) whether for or against such statutes and bills.

3. In the case of those publications which the person filing has caused to be issued or distributed in connection with legislative interests, set forth: (*a*) Description, (*b*) quantity distributed; (*c*) date of distribution, (*d*) name of printer or publisher (if publications were paid for by person filing) or name of donor (if publications were received as a gift).

(Answer items 1, 2, and 3 in the space below. Attach additional pages if more space is needed)

4. If this is a "Preliminary" Report (Registration) rather than a "Quarterly" Report, state below what the nature and amount of anticipated expenses will be; and if for an agent or employee, state also what the daily, monthly, or annual rate of compensation is to be. If this is a "Quarterly" Report, disregard this item "C4" and fill out item "D" and "E" on the back of this page. Do not attempt to combine a "Preliminary" Report (Registration) with a "Quarterly" Report.◄

AFFIDAVIT

[Omitted in printing]

PAGE 1◄

NOTE ON ITEM "D."—(*a*) *In General.* The term "contribution" includes *anything of value.* When an organization or individual uses printed or duplicated matter in a campaign attempting to influence legislation, money received by such organization or individual—for such printed or duplicated matter—is a "contribution." "The term 'contribution' includes a gift, subscription, loan, advance, or deposit of money, or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make a contribution"—Section 302(a) of the Lobbying Act.

(*b*) IF THIS REPORT IS FOR AN EMPLOYER.—(i) *In General.* Item "D" is designed for the reporting of all receipts from which expenditures are made, or will be made, in accordance with legislative interests.

(ii) *Receipts of Business Firms and Individuals.*—A business firm (or individual) which is subject to the Lobbying Act by reason of expenditures which it makes in attempting to influence legislation—but which has no funds to expend except those which are available in the ordinary course of operating a business not connected in any way with the influencing of legislation—will have no receipts to report, even though it does have expenditures to report.

(iii) *Receipts of Multipurpose Organizations.*—Some organizations do not receive any funds which are to be expended solely for the purpose of attempting to influence legislation. Such organizations make such expenditures out of a general fund raised by dues, assessments, or other contributions. The percentage of the general fund which is used for such expenditures indicates the percentage of dues, assessments, or other contributions which may be considered to have been paid for that purpose. Therefore, in reporting receipts, such organizations may specify what that percentage is, and report their dues, assessments, and other contributions on that basis. However, each contributor of $500 or more is to be listed, regardless of whether the contribution was made solely for legislative purposes.

(*c*) IF THIS REPORT IS FOR AN AGENT OR EMPLOYEE.—(i) *In General.* In the case of many employees, all receipts will come under Items "D 5" (received for services) and "D 12" (expense money and reimbursements). In the absence of a clear statement to the contrary, it will be presumed that your employer is to reimburse you for all expenditures which you make in connection with legislative interests.

(ii) *Employer as Contributor of $500 or More.*—When your contribution from your employer (in the form of salary, fee, etc.) amounts to $500 or more, it is not necessary to report such contribution under "D 13" and "D 14," since the amount has already been reported under "D 5," and the name of the "employer" has been given under Item "B" on page 1 of this report.

D. RECEIPTS (INCLUDING CONTRIBUTIONS AND LOANS):

Fill in every blank. If the answer to any numbered item is "None," write "None" in the space following the number.

Receipts (other than loans)

1. $________Dues and assessments
2. $________Gifts of money or anything of value
3. $________Printed or duplicated matter received as a gift
4. $________Receipts from sale of printed or duplicated matter
5. $________Received for services (e.g., salary, fee, etc.)

6. $________TOTAL for this Quarter (Add items "1" through "5")
7. $________Received during previous Quarters of calendar year

8. $________TOTAL from Jan. 1 through this Quarter (Add "6" and "7")

Loans Received

"The term 'contribution' includes a . . . *loan* . . ."—Sec. 302(a).

9. $________TOTAL now owed to others on account of loans
10. $________Borrowed from others during this Quarter
11. $________Repaid to others during this Quarter

12. $________"Expense money" and Reimbursements received this Quarter

Contributors of $500 or more
(from Jan. 1 through this Quarter)

13. Have there been such contributors?

Please answer "yes" or "no": ________

14. In the case of each contributor whose contributions (including loans) during the "period" from January 1 through the last days of this Quarter total $500 or more:

Attach hereto plain sheets of paper, approximately the size of this page, tabulate data under the headings "Amount" and "Name and Address of Contributor"; and indicate whether the last day of the period is March 31, June 30, September 30, or December 31. Prepare such tabulation in accordance with the following example:

Amount	*Name and Address of Contributor*
	(*"Period"* from Jan. 1 through ________________, 19____)
$1,500.00	John Doe, 1621 Blank Bldg., New York, N.Y.
$1,785.00	The Roe Corporation, 2511 Doe Bldg., Chicago, Ill.
$3,285.00	TOTAL

NOTE ON ITEM "E".—(*a*) *In General.* "The term 'expenditure' includes a payment, distribution, loan, advance, deposit, or gift of money or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure"—Section 302(b) of the Lobbying Act.

(*b*) IF THIS REPORT IS FOR AN AGENT OR EMPLOYEE. In the case of many employees, all expenditures will come under telephone and telegraph (Item "E 6") and travel, food, lodging, and entertainment (Item "E 7").

E. EXPENDITURES (INCLUDING LOANS) in connection with legislative interests:

Fill in every blank. If the answer to any numbered item is "None," write "None" in the spaces following the number.

Expenditures (other than loans)

1. $________Public relations and advertising services
2. $________Wages, salaries, fees, commissions (other than item "1")
3. $________Gifts or contributions made during Quarter
4. $________Printed or duplicated matter, including distribution cost
5. $________Office overhead (rent, supplies, utilities, etc.)
6. $________Telephone and telegraph
7. $________Travel, food, lodging, and entertainment
8. $________All other expenditures

9. $________TOTAL for this Quarter (Add "1" through "8")
10. $________Expended during previous Quarters of calendar year

11. $________TOTAL from January 1 through this Quarter (Add "9" and "10")

Loans Made to Others

"The term 'expenditure' includes a . . . *loan* . . ."—Sec. 302(b).

12. $________TOTAL now owed to person filing
13. $________Lent to others during this Quarter
14. $________Repayment received during this Quarter

15. Recipients of Expenditures of $10 or More

In the case of expenditures made during this Quarter by, or on behalf of the person filing: Attach plain sheets of paper approximately the size of this page and tabulate data as to expenditures under the following heading: "Amount," "Date or Dates," "Name and Address of Recipient," "Purpose." Prepare such tabulation in accordance with the following example:

Amount	*Date or Dates—Name and Address of Recipient—Purpose*
$1,750.00	7–11: Roe Printing Co., 3214 Blank Ave., St. Louis, Mo.—Printing and mailing circulars on the "Marshbanks Bill."
$2,400.00	7–15, 8–15, 9–15: Britten & Blaten, 3127 Gremlin Bldg., Washington, D.C.—Public relations service at $800.00 per month.
$4,150.00	TOTAL

A. Clarence G. Adamy, 1725 I Street NW., Washington, D.C.
B. National Association of Food Chains, 1725 I Street NW., Washington, D.C.
D. (6) $450. E. (9) $25.30.

A. V. J. Adduci, 1725 De Sales Street NW., Washington, D.C.
B. Aerospace Industries Association of America, Inc., 1725 De Sales Street NW., Washington, D.C.
D. (6) $4,284. E. (9) $1,098.02.

A. Aerospace Industries Association of America, Inc., 1725 De Sales Street NW., Washington, D.C.
D. (6) $9,521.07. E. (9) $9,521.07.

A. Aircraft Owners and Pilots Association, 4650 East-West Highway, Bethesda, Md.

A. Air Transport Association of America, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $2,911.25. E. (9) $6,161.60.

A. George Venable Allen, 4370 Quebec Street NW., Washington, D.C.
B. The Tobacco Institute, Inc., 808 17th Street NW., Washington, D.C.

A. Louis J. Allen.
B. Class I Railroads in Tennessee.

A. Nicholas E. Allen and Merrill Armour, 1001 15th Street NW., Washington, D.C.
B. Music Operators of America, Inc., 128 East 14th Street, Oakland, Calif., and 22 North La Salle Street, Chicago, Ill.
D. (6) $2,137.50. E. (9) $441.60.

A. W. L. Allen, 8605 Cameron Street, Silver Spring, Md.
B. The Commercial Telegraphers' Union, International, 8605 Cameron Street, Silver Spring, Md.

A. Edwin N. Altman.
B. American Maritime Association, 17 Battery Place, New York, N.Y., and 1725 K Street NW., Washington, D.C.
D. (6) $699.99.

A. Amalgamated Association of Street, Electric Railway & Motor Coach Employes of America, 5025 Wisconsin Avenue NW., Washington, D.C.
E. (9) $2,005.19.

A. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. American Committee for Flags of Necessity, 25 Broadway, New York, N.Y.

A. American Farm Bureau Federation, Merchandise Mart Plaza, Chicago, Ill., and 425 13th Street NW., Washington, D.C.
D. (6) $34,128. E. (9) $34,128.

A. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
E. (9) $32,794.74.

A. AFL-CIO Maritime Committee, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $20,496. E. (9) $22,395.81.

A. American Federation of Musicians, 425 Park Avenue, New York, N.Y.
D. (6) $7,463.40. E. (9) $9,613.26.

A. American Hospital Association, 840 North Lake Shore Drive, Chicago, Ill.
D. (6) $5,369.32. E. (9) $5,369.32.

A. American Hotel & Motel Association, 221 West 57th Street, New York, N.Y.

A. American Israel Public Affairs Committee, 1737 H Street NW., Washington, D.C.
D. (6) $3,984.50. E. (9) $3,857.54.

A. American Justice Association, Defense Highway, Gambrills, Md.
D. (6) $2. E. (9) $2.

A. American Legion, National Headquarters, Indianapolis, Ind.
D. (6) $7,937.40. E. (9) $26,697.05.

A. American Life Convention, 230 North Michigan Avenue, Chicago, Ill.
D. (6) $663.71. E. (9) $55.91.

A. American Maritime Association, 17 Battery Place, New York, N.Y., and 1725 K Street NW., Washington, D.C.
D. (6) $1,399.98. E. (9) $35.

A. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
E. (9) $29,480.01.

A. American National Cattlemen's Association, 801 East 17th Avenue, Denver, Colo.
D. (6) $38,362.37. E. (9) $6,958.86.

A. American Optometric Association, Inc., care of Dr. Melvin B. Dunbar, 21 Bank Street, Lebanon, N.H.
D. (6) $7,878. E. (9) $7,878.

A. American Osteopathic Association, 212 East Ohio Street, Chicago, Ill.
D. (6) $606.90. E. (9) $606.90.

A. American Paper & Pulp Association, 122 East 42d Street, New York, N.Y.

A. American Parents Committee, Inc., 20 E Street NW., Washington, D.C., and 52 Vanderbilt Avenue, New York, N.Y.
D. (6) $1,275.14. E. (9) $2,936.79.

A. American Petroleum Institute, 1271 Avenue of the Americas, New York, N.Y.
D. (6) $8,503. E. (9) $12,339.

A. American Pulpwood Association, 220 East 42d Street, New York, N.Y.
E. (9) $111.80.

A. American Short Line Railroad Association, 2000 Massachusetts Avenue NW., Washington, D.C.
D. (6) $1,316.93. E. (9) $1,316.93.

A. American Stock Yards Association, 1712 I Street NW., Washington, D.C.
D. (6) $1,350. E. (9) $900.

A. American Surveys, 2000 P Street NW., Washington, D.C.
B. Certain cement companies.
D. (6) $900. E. (9) $151.63.

A. American Textile Machinery Association, care of E. C. Connor, Foster Machine Co., Westfield, Mass.
D. (6) $13.81.

A. American Textile Manufacturers Institute, Inc., 1501 Johnston Building, Charlotte, N.C.
. D. (6) $10,165.67. E. (9) $10,165.67.

A. American Vocational Association, Inc., 1010 Vermont Avenue NW., Washington, D.C.

A. American Warehousemen's Association, 222 West Adams Street, Chicago, Ill.

A. Jerry L. Anderson, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

A. Walter M. Anderson, Jr., Montgomery, Ala.
B. Alabama Railroad Association, 1002 First National Bank Building, Montgomery, Ala.
D. (6) $90. E. (9) $155.58.

A. W. B. Ardery, Washington, D.C.
B. General Motors Corp., 3044 West Grand Boulevard, Detroit, Mich.

A. Arkansas Railroad Committee, 1100 Boyle Building, Little Rock, Ark.
B. Class One railroads operating in State of Arkansas.
D. (6) $328.60. E. (9) $797.95.

A. Arnold, Fortas & Porter, 1229 19th Street NW., Washington, D.C.
B. Commissioner of Baseball, 30 Rockefeller Plaza, New York, N.Y.
E. (9) $32.20.

A. Carl F. Arnold, 1625 K Street NW., Washington, D.C.
B. American Petroleum Institute, 1271 Avenue of the Americas, New York, N.Y.
D. (6) $2,750. E. (9) $2,081.45.

A. Arthritis and Rheumatism Foundation, 10 Columbus Circle, New York, N.Y.
E. (9) $1,240.90.

A. Associated General Contractors of America, 1957 E Street NW., Washington, D.C.

A. Associated Third Class Mail Users, 100 Indiana Avenue NW., Washington, D.C.

A. Association of American Physicians & Surgeons, Inc., 185 North Wabash Avenue, Chicago, Ill.
D. (6) $375. E. (9) $375.

A. Association of American Railroads, 929 Transportation Building, Washington, D.C.
D. (6) $10,594.39. E. (9) $10,594.39.

A. Association on Broadcasting Standards, Inc., 1741 De Sales Street NW., Washington, D.C.
E. (9) $400.67.

A. Association of Casualty & Surety Companies, 110 William Street, New York, N.Y.
D. (6) $2,544.16. E. (9) $2,544.16.

A. Association on Japanese Textile Imports, Inc., 551 Fifth Avenue, New York, N.Y.

A. Association of Oil Pipe Lines, 1725 K Street NW., Washington, D.C.

A. Atlantic Refining Co., 260 South Broad Street, Philadelphia, Pa.
E. (9) $300.

A. Robert L. Augenblick, 61 Broadway, New York, N.Y.
B. Investment Company Institute, 61 Broadway, New York, N.Y.
D. (6) $100. E. (9) $20.

A. Richard W. Averill, 1615 H Street NW., Washington, D.C.
B. Chamber of Commerce of the United States of America.

A. Harry S. Baer, Jr., 1725 De Sales Street NW., Washington, D.C.
B. National Aerospace Services Association, 1725 De Sales Street NW., Washington, D.C.
E. (9) $107.

A. Charles B. Bailey, Sr., 400 First Street NW., Washington, D.C.
B. Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees.
D. (6) $2,157.35. E. (9) $104.06.

A. J. H. Ballew, Nashville, Tenn.

B. Southern States Industrial Council, Nashville, Tenn.

D. (6) $960. E.(9) $91.49.

A. Richard B. Barker and Jay W. Glasmann, 306 Southern Building, Washington, D.C.

B. Eastman Kodak Co., Rochester, N.Y.

D. (6) $500. E. (9) $16.20.

A. Arthur R. Barnett, 1200 18th Street NW., Washington, D.C.

B. National Association of Electric Companies, 1200 18th Street NW., Washington, D.C.

D. (6) $700.1.4 (9) $253.26.

A. Irvin L. Barney, 400 First Street NW., Washington, D.C.

B. Brotherhood Railway Carmen of America, 4929 Main Street, Kansas City, Mo.

D. (6) $3,600.

A. Osmero L. Bartelli, 1126 16th Street NW., Washington, D.C.

B. International Union of Electrical, Radio & Machine Workers, 1126 16th Street NW., Washington, D.C.

D. (6) $1,250.

A. A. Wesley Barthelmes, 1701 K Street NW., Washington, D.C.

B. Insurance Co. of North America and Life Insurance Co. of North America, 1600 Arch Street, Philadelphia, Pa.

D. (6) $467. E. (9) $126.47.

A. Laurie C. Battle, 918 16th Street NW., Washington, D.C.

B. National Association of Manufacturers.

A. Roy Battles, 532 Shoreham Building, Washington, D.C.

B. Clear Channel Broadcasting Service, 532 Shoreham Building, Washington, D.C.

A. John V. Beamer, 625 Valley Brook Lane, Wabash, Ind.

B. Fine Hardwoods Association, 666 North Lake Shore Drive, Chicago, Ill.

D. (6) $500. E. (9) $1,257.87.

A. J. D. Bearden, 400 First Street NW., Washington, D.C.

B. Brotherhood of Railway and Steamship Clerks, 1015 Vine Street, Cincinnati, Ohio.

D. (6) $1,093.74.

A. Donald S. Beattie, 400 First Street NW., Washington, D.C.

B. Railway Labor Executives' Association, 400 First Street NW., Washington, D.C.

D. (6) $874.99.

A. John H. Beidler, 815 16th Street NW., Washington, D.C.

B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.

D. (6) $3,679. E. (9) $295.16.

A. James F. Bell, 1001 Connecticut Avenue, NW., Washington, D.C.

B. National Association of Supervisors of State Banks, Munsey Building, Washington, D.C.

D. (6) $500. E. (9) $78.16.

A. Ernest H. Benson, 400 First Street NW., Washington, D.C.

B. Brotherhood of Maintenance of Way Employes, 12050 Woodward Avenue, Detroit, Mich.

D. (6) $5,250.

A. William S. Bergman, 132 Third Street SE., Washington, D.C.

B. Committee To Promote American-Made Motion Pictures, 6721 Melrose Avenue, Los Angeles, Calif.

D. (6) $900.

A. William S. Bergman, 132 Third Street SE., Washington, D.C.

B. Dixie Project & Development Association, Inc., St. George, Utah.

D. (6) $300.

A. William S. Bergman, 132 Third Street SE., Washington, D.C.

B. William Radkovich Co., 9133 Garvey, Rosemead, Calif.

D. (6) $60.

A. Charles C. Bevis, Jr., 1741 De Sales Street NW., Washington, D.C.

B. Association on Broadcasting Standards, Inc., 1741 De Sales Street NW., Washington, D.C.

E. (9) $28.20.

A. Andrew J. Biemiller, 815 16th Street NW., Washington, D.C.

B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.

D. (6) $4,680. E. (9) $352.15.

A. Walter J. Bierwagen, 909 F Street NW., Washington, D.C.

B. Division 689, Amalgamated Association of Street, Electric Railway & Motor Coach Employees of America, 900 F Street NW., Washington, D.C.

A. Leon G. Billings, 919 18th Street NW., Washington, D.C.

B. American Public Power Association, 919 18th Street NW., Washington, D.C.

D. (6) $200.

A. Robert J. Bird, 1000 Connecticut Avenue NW., Washington, D.C.

B. Hilton Hotels Corp., 720 South Michigan Avenue, Chicago, Ill.

E. (9) $3.50.

A. John H. Bivins, 1271 Avenue of the Americas, New York, N.Y.

B. American Petroleum Institute, 1271 Avenue of the Americas, New York, N.Y.

D. (6) $605.

A. James C. Black, 1025 Connecticut Avenue NW., Washington, D.C.

B. Republic Steel Corp., Republic Building, Cleveland, Ohio.

D. (6) $600. E. (9) $500.

A. William Rhea Blake, 1918 North Parkway, Memphis, Tenn.

B. National Cotton Council of America, Post Office Box 9905, Memphis, Tenn.

A. W. G. Blewett, 301 Olive Street, St. Louis, Mo.

B. Peabody Coal Co., 301 Olive Street, St. Louis, Mo.

A. William Blum, Jr., 1815 H Street NW., Washington, D.C.

B. Committee for Study of Revenue Bond Financing, 149 Broadway, New York, N.Y.

D. (6) $3,771.25. E. (9) $310.76.

A. Fred F. Bockmon, 405 Luhrs Building, Phoenix, Ariz.

B. Southern Pacific Co., 65 Market Street, San Francisco, Calif., and the Atchison, Topeka & Santa Fe Railway, 121 East Sixth Street, Los Angeles, Calif.

D. (6) $500. E. (9) $615.25.

A. Maurice G. Boehl, 918 16th Street NW., Washington, D.C.

B. National Association of Manufacturers.

A. Eugene F. Bogan, 1108 16th Street NW., Washington, D.C.

B. Investment Company Institute, 61 Broadway, New York, N.Y.

A. Benjamin W. Boley, 734 15th Street NW., Washington, D.C.

B. Western Geothermal, Inc., International Building, San Francisco, Calif.

A. Book Manufacturers' Institute, Inc., 25 West 43d Street, New York, N.Y.

A. Joseph L. Borda, 918 16th Street NW., Washington, D.C.

B. National Association of Manufacturers.

A. Robert T. Borth, 777 14th Street NW., Washington, D.C.

B. General Electric Co., 570 Lexington Avenue, New York, N.Y.

D. (6) $1,300. E. (9) $257.73.

A. G. Stewart Boswell, 1200 18th Street NW., Washington, D.C.

B. National Cotton Council of America, Post Office Box 9905, Memphis, Tenn.

D. (6) $855. E. (9) $31.82.

A. San Boyce, 414 Second Street, Newport, Ark.

B. American Taxicab Association, Inc., 4415 North California Avenue, Chicago, Ill., and National Association of Taxicab Owners, 803 Leader Building, Cleveland, Ohio.

A. Charles N. Brady, 1712 G Street NW., Washington, D.C.

B. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. Joseph E. Brady, 2347 Vine Street, Cincinnati, Ohio.

B. International Union of United Brewery, Flour, Cereal, Soft Drink & Distillery Workers of America, 2347 Vine Street, Cincinnati, Ohio.

E. (9) $192.08.

A. W. Kenneth Brew, 122 East 42d Street, New York, N.Y.

B. American Paper and Pulp Association, 122 East 42d Street, New York, N.Y.

A. Parke C. Brinkley, 1145 19th Street NW., Washington, D.C.

B. National Agricultural Chemicals Association.

A. W. S. Bromley, 220 East 42d Street, New York, N.Y.

B. American Pulpwood Association, 220 East 42d Street, New York, N.Y.

D. (6) $80.30. E. (9) $31.50.

A. Milton E. Brooding, 215 Fremont Street, San Francisco, Calif.

B. California Packing Corp., 215 Fremont Street, San Francisco, Calif.

D. (6) $750. E. (9) $150.

A. Derek Brooks, 1028 Connecticut Avenue NW., Washington, D.C.

B. National Retail Furniture Association, 666 Lake Shore Drive, Chicago, Ill.

D. (6) $600. E. (9) $409.98.

A. Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employes, 1015 Vine Street, Cincinnati, Ohio.

D. (6) $2,700.16. E. (9) $2,700.16.

A. J. D. Brown, 919 18th Street NW., Washington, D.C.

B. American Public Power Association, 919 18th Street NW., Washington, D.C.

D. (6) $100.

A. Brown & Lund, 1625 I Street NW., Washington, D.C.
B. American & Foreign Power Co., Inc., 100 Church Street, New York, N.Y.
D. (6) $750. E. (9) $48.92.

A. Brown & Lund, 1625 I Street NW., Washington, D.C.
B. Electric Bond & Share Co., 2 Rector Street, New York, N.Y.

A. Brown & Lund, 1625 I Street NW., Washington, D.C.
B. Montana Power Co., Butte, Mont.

A. Brown & Lund, 1625 I Street NW., Washington, D.C.
B. National Association of Electric Cos., 1200 18th Street NW., Washington, D.C.
D. (6) $1,500. E. (9) $1,449.30.

A. Robert W. Bruce, 140 New Montgomery Street, San Francisco, Calif.
B. The Pacific Telephone & Telegraph Co., 140 New Montgomery Street, San Francisco, Calif.
D. (6) $748. E. (9) $583.

A. Lyman L. Bryan, 2000 K Street NW., Washington, D.C.
B. American Institute of Certified Public Accountants, 666 Fifth Avenue, New York, N.Y.
D. (6) $25. E. (9) $7.22.

A. George S. Buck, Jr., 1918 North Parkway, Memphis, Tenn.
B. National Cotton Council of America, Post Office Box 9905, Memphis, Tenn.
D. (6) $180. E. (9) $8.93.

A. Norman D. Burch, 1317 F Street NW., Washington, D.C.
B. National Retail Merchants Association, 100 West 31st Street, New York, N.Y.
E. (9) $109.35.

A. John J. Burke, 1062 West Platinum Street, Butte, Mont.
B. Pacific Northwest Power Co., Post Office Box 1445, Spokane, Wash.
E. (9) $525.

A. Burley and Dark Leaf Tobacco Export Association, Post Office Box 860, Lexington, Ky.
D. (6) $25,883.13. E. (9) $395.10.

A. Gustave Burmeister, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, Merchandise Mart Plaza, Chicago, Ill.
D. (6) $1,287.50. E. (9) $13.68.

A. Charles S. Burns, 1102 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $584.50. E. (9) $118.25.

A. David Burpee, Fordhook Farms, Doylestown, Pa.

A. Hollis W. Burt, 1212 Munsey Building, Washington, D.C.
B. National Association of Supervisors of State Banks, 1212 Munsey Building, Washington, D.C.
D. (6) $52.50.

A. Orrin A. Burrows, 1200 15th Street NW., Washington, D.C.
B. International Brotherhood of Electrical Workers, 1200 15th Street NW., Washington, D.C.
D. (6) $3,999.99.

A. Business Committee for Tax Reduction in 1963, 1000 Vermont Avenue NW., Washington, D.C.
D. (6) $67,750. E. (9) $24,876.52.

A. Monroe Butler, 550 South Flower Street, Los Angeles, Calif.
B. Superior Oil Co., 550 South Flower Street, Los Angeles, Calif.
D. (6) $383.56. E. (9) $629.62.

A. Robert B. Byrnes, 1703 Rhode Island Avenue NW., Washington, D.C.
B. National Railroad Pension Forum, Inc., 2403 East 75th Street, Chicago, Ill.
D. (6) $300. E. (9) $42.70.

A. C. G. Caffrey, 1120 Connecticut Avenue NW., Washington, D.C.
B. Textile Manufacturers Institute, Inc., 1501 Johnston Building, Charlotte, N.C.
D. (6) $760.20. E. (9) $90.

A. Carl C. Campbell, 1200 18th Street NW., Washington, D.C.
B. National Cotton Council of America, Post Office Box 9905, Memphis, Tenn.

A. Ronald A. Capone, Room 505, the Farragut Building, Washington, D.C.
B. General Council of British Shipping, 3/6 Bury Court, St. Mary Axe, London, E.C. 3.

A. James R. Carnes, 1825 Connecticut Avenue NW., Washington, D.C.
B. Manufacturing Chemists' Association, Inc., 1825 Connecticut Avenue NW., Washington, D.C.
D. (6) $2,500.

A. Braxton B. Carr, 1025 Connecticut Avenue NW., Washington, D.C.
B. The American Waterways Operators, Inc., Suite 502, 1025 Connecticut Avenue, Washington, D.C.
D. (6) $1,400. E. (9) $270.02.

A. Robert S. Carr, 1220 Pennsylvania Building, Washington, D.C.
B. Hiram Walker & Sons, Inc., 8323 Jefferson Avenue, Detroit, Mich.

A. Carretta & Counihan, 1000 Connecticut Avenue NW., Washington, D.C.
B. Advertising Specialty National Association, 1145 19th Street NW., Washington, D.C., and Advertising Specialty Guild International, 620 North Michigan Avenue, Chicago, Ill.

A. Carretta & Counihan, 1000 Connecticut Avenue NW., Washington, D.C.
B. Bicycle Manufacturers Association of America, 122 East 42d Street, New York, N.Y.

A. H. Allen Carroll, 1730 K Street NW., Washington, D.C.
B. American Telephone & Telegraph Co., 195 Broadway, New York, N.Y.
D. (6) $160.

A. Henderson H. Carson, 600 First National Bank Building, Canton, Ohio; and 744 Pennsylvania Building, Washington, D.C.
B. Con-Gas Service Corp., Four Gateway Center, Pittsburgh, Pa.

A. Clarence B. Carter, Post Office Box 798, New Haven, Conn.
B. Railroad Pension Conference, Post Office Box 798, New Haven, Conn.
E. (9) $18.90.

A. Eugene C. Carusi, 520 Union Trust Building, Washington, D.C.
B. American Committee for Flags of Necessity, 25 Broadway, New York, N.Y.

A. Francis R. Cawley, 1025 Connecticut Avenue NW., Washington, D.C.
B. Lithographers and Printers National Association, Inc., 1025 Connecticut Avenue N.W., Washington, D.C.
D. (6) $337.50. E. (9) $159.84.

A. Alger B. Chapman, Jr., 11 Wall Street, New York, N.Y.
B. New York Stock Exchange, 11 Wall Street, New York, N.Y.

A. Chapman & Friedman, 425 13th Street NW., Washington, D.C.
B. American Taxicab Association, Inc., 4415 North California Avenue, Chicago, Ill.
D. (6) $500. E. (9) $5.52.

A. Chapman & Friedman, 425 13th Street NW., Washington, D.C.
B. Associacion Mexicana de Empacadores de Fresa, AC., Venustiano Carranza 48-50 Piso, Mexico 1, D.F., Mexico.
E. (9) $1.50.

A. Chapman & Friedman, 425 13th Street NW., Washington, D.C.
B. Hawaiian Botanical Gardens Foundation, Inc., 1527 Keeaumoku Street, Honolulu, Hawaii.
E. (9) $9.

A. Chapman & Friedman, 425 13th Street NW., Washington, D.C.
B. Jeppesen and Co., 8025 East 40th Avenue, Denver, Colo.
E. (9) $33.55.

A. Chapman & Friedman, 425 13th Street NW., Washington, D.C.
B. Strohmeyer & Arpe Co., 139-141 Franklin Street, New York, N.Y.
D. (6) $625. E. (9) $95.49.

A. Chapman & Friedman, 425 13th Street Street NW., Washington, D.C.
B. Texas Eastern Transmission Corp., Post Office Box 2521, Houston, Tex.
E. (9) $11.04.

A. Chapman & Friedman, 425 13th Street Street NW., Washington, D.C.
B. Union Nacional de Productores de Azucar, S.A. de C.V., Balderas No. 36-Primer Piso, Mexico, D.F., Mexico.
D. (6) $8,750. E. (9) $18.96.

A. Charitable Contributors Association, 100 Old York Road, Jenkintown, Pa.
D. (6) $750. E. (9) $100.

A. A. H. Chesser, 400 First Street NW., Washington, D.C.
B. Brotherhood of Railroad Trainmen.
E. (9) $250.

A. Christian Amendment Movement, 804 Penn Avenue, Pittsburgh, Pa.
D. (6) $3,123.58. E. (9) $3,123.58.

A. Citizens Committee on American Policy in the Near East, Box 368, McLean, Va.
D. (6) $320. E. (9) $70.

A. Citizens Committee on Natural Resources, 710 Dupont Circle Building, Washington, D.C.
D. (6) $7,140. E. (9) $9,455.75.

A. Citizens Foreign Aid Committee, 1001 Connecticut Avenue NW., Washington, D.C.
E. (9) $6,707.90.

A. Earl W. Clark, 100 Indiana Avenue NW., Washington, D.C.
B. Labor-Management Maritime Committee, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $954. E. (9) $44.67.

A. Robert M. Clark, 1710 H Street NW., Washington, D.C.
B. The Atchison, Topeka & Santa Fe Railway Co., 80 East Jackson Boulevard, Chicago, Ill.

A. Clay Pipe Industry Depletion Committee, 410 Woodward Building, Washington, D.C.
D. (6) $3,000. E. (9) $1,329.06.

A. Clear Channel Broadcasting Service, 532 Shoreham Building, Washington, D.C.

A. Earle C. Clements, 919 18th Street NW., Washington, D.C.
B. American Merchant Marine Institute Inc., 919 18th Street NW., Washington, D.C., and 11 Broadway, New York, N.Y.
D. (6) $1,312.50. E. (9) $242.73.

A. Washington I. Cleveland, 1712 G Street NW., Washington, D.C.
B. D.C. Division, American Automobile Association, 1712 G Street NW., Washington, D.C.

A. Joseph Coakley, 815 16th Street NW., Washington, D.C.
B. Building Service Employees International Union, 316 West Randolph Street, Chicago, Ill.
D. (6) $3,000.

A. Joseph Cohen, National Press Building, Washington, D.C.
B. The National Association of Retail Druggists, 1 East Wacker Drive, Chicago, Ill.
D. (6) $500.

A. Cold War Council, 2301 West Third Street, Los Angeles, Calif.
B. The Mayers Co., Inc., 2301 West Third Street, Los Angeles, Calif.
D. (6) $15.

A. Coles & Goertner, 1000 Connecticut Avenue NW., Washington, D.C.
B. Committee of American Tanker Owners, Inc., 1 Chase Manhattan Plaza, New York, N.Y.
E. (9) $149.76.

A. Collier & Shannon, 1625 I Street NW., Washington, D.C.
B. National Shoe Manufacturers Association, 342 Madison Avenue, New York, N.Y.
D. (6) $1,000. E. (9) $267.45.

A. Collier & Shannon, 1625 I Street NW., Washington, D.C.
B. Tool and Stainless Steel Industry Committee, care of Carpenter Steel Co., Reading, Pa.
D. (6) $625. E. (9) $273.

A. Colorado Railroad Association, 840 Equitable Building, Denver, Colo.
E. (9) $636.68.

A. Committee for Study of Revenue Bond Financing, 149 Broadway, New York, N.Y.
D. (6) $9,700. E. (9) $11,795.52.

A. Committee for Time Uniformity, 1710 H Street NW., Washington, D.C.
D. (6) $900.

A. R. T. Compton, 918 16th Street NW., Washington, D.C.
B. National Association of Manufacturers.

A. Paul B. Comstock, 1771 N Street NW., Washington, D.C.
B. National Association of Broadcasters, 1771 N Street NW., Washington, D.C.

A. John C. Cone, 815 15th Street NW., Washington, D.C.
B. Pan American World Airways, 815 15th Street NW., Washington, D.C.

A. John D. Conner, 1625 K Street NW., Washington, D.C.
B. Book Manufacturers' Institute, Inc., 25 West 43d Street, New York, N.Y.

A. John D. Conner, 1625 K Street NW., Washington, D.C.
B. Corn Starch Industry Committee, 1625 K Street NW., Washington, D.C.

A. George W. Cooley, 1718 M Street NW., Washington, D.C.
B. Medical Society of the District of Columbia, 1718 M Street NW., Washington, D.C.

A. Edward Cooper.
B. Motion Picture Association of America, Inc., 1600 I Street NW., Washington, D.C.

A. J. Milton Cooper, 15th and New York Avenue NW., Washington, D.C.
B. New York Stock Exchange, 11 Wall Street, New York, N.Y.

A. J. Milton Cooper, 15th and New York Avenue, Washington, D.C.
B. R. J. Reynolds Tobacco Co., Winston-Salem, N.C.

A. John Shepherd Cooper, 1730 K Street NW., Washington, D.C.
B. Pacific Gas & Electric Co., 245 Market Street, San Francisco, Calif.
D. (6) $852. E. (9) $2,070.06.

A. Mitchell J. Cooper, 1625 K Street NW., Washington, D.C.
B. Council of Forest Industries, 550 Burrard Street, Vancouver, British Columbia, Canada.
D. (6) $3,500. E. (9) $24.60.

A. Corn Starch Industry Committee, 1625 K Street NW., Washington, D.C.

A. Council of Mechanical Specialty Contracting Industries, Inc., 610 Ring Building, Washington, D.C.

A. Council of Profit Sharing Industries, Munsey Building, Washington, D.C.
D. (6) $530.24. E. (9) $530.24.

A. Donald M. Counihan, 1000 Connecticut Avenue NW., Washington, D.C.
B. American Corn Millers' Federation, 1000 Connecticut Avenue NW., Washington, D.C.

A. Donald M. Counihan, 1000 Connecticut Avenue NW., Washington, D.C.
B. Classroom Periodical Publishers' Association, 38 West Fifth Street, Dayton, Ohio.

A. Donald M. Counihan, 1000 Connecticut Avenue NW., Washington, D.C.
B. Fountain Pen and Mechanical Pencil Manufacturers' Association, Inc., 1426 G Street NW., Washington, D.C.
D. (6) $1,000. E. (9) $1,000.

A. Edsall Lee Couplin, 441 East Jefferson Avenue, Detroit, Mich.
B. Michigan Hospital Service, 441 East Jefferson Avenue, Detroit, Mich.
D. (6) $1,500. E. (9) $6.75.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. Allentown Portland Cement Co., Seventh Street at Throughway, Allentown, Pa., and 13 other cement companies.
D. (6) $42.50. E. (9) $12.15.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. American Machine Tool Distributors' Association, 1500 Massachusetts Avenue NW., Washington, D.C.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. Copper & Brass Research Association, 420 Lexington Avenue, New York, N.Y.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. A. P. Møller, 8 Kongens Nytorv, Copenhagen, Denmark.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. National Machine Tool Builders' Association, 2139 Wisconsin Avenue NW., Washington, D.C.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. Raleigh Industries of America, Inc., 1168 Commonwealth Avenue, Boston, Mass., and the British Cycle and Motor Cycle Industries Association, Ltd., Eaton Road, Coventry, England.

A. Mrs. Warren E. Cox, 3608 North 25th Street, Arlington, Va.
B. The National Congress of Parents & Teachers, 700 North Rush Street, Chicago, Ill.
E. (9) $27.67.

A. A. Harry Crane, 303 New England Building, Topeka, Kans.
B. Southern Railway System, Washington, D.C.
E. (9) $6.71.

A. H. C. Crotty, 12050 Woodward Avenue, Detroit, Mich.
B. Brotherhood of Maintenance of Way Employees.

A. Leo J. Crowley, 840 Equitable Building, Denver, Colo.
B. Colorado Railroad Association, 840 Equitable Building, Denver, Colo.
D. (6) $636.68. E. (9) $636.68.

A. John Curran, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
D. (6) $3,679. E. (9) $970.75.

A. Bryce Curry, 18th and M Streets NW., Washington, D.C.
B. National League of Insured Savings Associations, 18th and M Streets NW., Washington, D.C.
D. (6) $1,400.

A. Bernard Cushman, 5025 Wisconsin Avenue NW., Washington, D.C.
B. Amalgamated Association of Street, Electric Railway & Motor Coach Employes of America, 5025 Wisconsin Avenue NW., Washington, D.C.
E. (9) $86.35.

A. John R. Dalton, 1508 Merchants Bank Building, Indianapolis, Ind.
B. Associated Railways of Indiana, 1508 Merchants Bank Building, Indianapolis, Ind.

A. Louis S. Damiani, Post Office Box 54, Gatun, C.Z.
B. Canal Zone Central Labor Union and Metal Trades Council, Post Office Box 471, Balboa Heights, C.Z.
D. (6) $1,684.35. E. (9) $3,235.

A. John C. Datt, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, Merchandise Mart Plaza, Chicago, Ill.
D. (6) $756.25. E. (9) $39.51.

A. Charles W. Davis, 1 North La Salle Street, Chicago, Ill.
B. Sears, Roebuck and Co., 925 South Homan Avenue, Chicago, Ill.
E. (9) $655.59.

A. Lowell Davis, 601 Ross Avenue, Mart, Tex.
D. (6) $70.50. E. (9) $70.50.

A. Donald S. Dawson, 731 Washington Building, Washington, D.C.
B. C.I.T. Financial Corp., 650 Madison Avenue, New York, N.Y.

A. Donald S. Dawson, 731 Washington Building, Washington, D.C.
B. Hilton Hotels Corp., Chicago, Ill.

A. Dawson, Griffin, Pickens & Riddell, 731 Washington Building, Washington, D.C.
B. Committee on Consumer Finance Companies, 731 Washington Building, Washington, D.C.
D. (6) $6,400. E. (9) $313.45.

A. Dawson, Griffin, Pickens & Riddell, 731 Washington Building, Washington, D.C.
B. C.I.T. Financial Corp., 650 Madison Avenue, New York, N.Y.

A. Dawson, Griffin, Pickens & Riddell, 731 Washington Building, Washington, D.C.
B. Entertainment Law Committee, 731 Washington Building, Washington, D.C.

A. Dawson, Griffin, Pickens & Riddell, 731 Washington Building, Washington, D.C.
B. Laundry Dry Cleaning Association of District of Columbia, 2400 16th Street NW., Washington, D.C.

A. Dawson, Griffin, Pickens & Riddell, 731 Washington Building, Washington, D.C.
B. Virgin Islands Gift and Fashion Shop Association, Inc., St. Thomas, V.I.

A. Tony T. Dechant, 1575 Sherman Street, Denver, Colo.
B. The Farmers' Educational and Co-operative Union of America (National Farmers Union), 1575 Sherman Street, Denver, Colo., and 1404 New York Avenue NW., Washington, D.C.

A. Merritt S. Deitz, 1100 National Press Building, Washington, D.C.
B. Wine Institute, 717 Market Street, San Francisco, Calif.

A. Frank L. Dennis, 1625 K Street NW., Washington, D.C.
B. American Petroleum Institute, 1271 Avenue of the Americas, New York, N.Y.

A. Leslie E. Dennis, 400 First Street NW., Washington, D.C.
B. Railway Labor Executives' Association, 400 First Street NW., Washington, D.C.
D. (6) $420.

A. Mary S. Deuel, 3026 Cambridge Place NW., Washington, D.C.
B. Washington Home Rule Committee, Inc., 924 14th Street NW., Washington, D.C.
D. (6) $1,102.50.

A. Joe T. Dickerson, 1625 K Street NW., Washington, D.C.
B. Mid-Continent Oil & Gas Association, 300 Tulsa Building, Tulsa, Okla.
D. (6) $100. E. (9) $15.

A. Cecil B. Dickson, 1 Farragut Square South, Washington, D.C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $1,687.50. E. (9) $212.28.

A. Timothy V. A. Dillon, 1001 15th Street NW., Washington, D.C.
B. Sacramento Municipal Utility District, 6201 S Street, Sacramento, Calif.
D. (6) $2,785.60. E. (9) $160.60.

A. Timothy V. A. Dillon, 1001 15th Street NW., Washington, D.C.
B. Thurman & Wright, 1208 Latham Square Building, Oakland, Calif.

A. Timothy V. A. Dillon, 1001 15th Street NW., Washington, D.C.
B. Tulelake Irrigation District, Post Office Box 787, Tulelake, Calif.
D. (6) $997.10. E. (9) $97.10.

A. Timothy V. A. Dillon, 1001 15th Street NW., Washington, D.C.
B. Westlands Water District, Post Office Box 4006, Fresno, Calif.
D. (6) $1,830.53. E. (9) $30.53.

A. Disabled American Veterans, National Service Headquarters, 1701 18th Street NW., Washington, D.C.
B. Disabled American Veterans, 1425 East McMillan Street, Cincinnati, Ohio.
E. (9) $6,542.30.

A. Robert H. Distelhorst, Jr., 812 Pennsylvania Building, Washington, D.C.
B. U.S. Savings & Loan League, 221 North LaSalle Street, Chicago, Ill.
D. (6) $275. E. (9) $12.05.

A. District Lodge No. 44, International Association of Machinists, 400 First Street NW., Washington, D.C.
D. (6) $24,469.84. E. (9) $21,804.25.

A. Division 689, Amalgamated Association of Street, Electric Railway & Motor Coach Employees of America, 900 F Street NW., Washington, D.C.
E. (9) $204.97.

A. Thomas Dixon, 1311 G Street NW., Washington, D.C.

A. Robert C. Dolan, 1200 18th Street NW., Washington, D.C.
B. National Association of Electric Companies, 1200 18th Street NW., Washington, D.C.
D. (6) $380. E. (9) $294.30.

A. Paul R. M. Donelan, 1 Farragut Square South, Washington, D.C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $220.50.

A. James L. Donnelly, 200 South Michigan Avenue, Chicago, Ill.
B. Illinois Manufacturers' Association, 200 South Michigan Avenue, Chicago, Ill.

A. Donoghue, Ragan & Mason, 239 Wyatt Building, Washington, D.C.
B. Sea-Land Service, Inc., Post Office Box 1050, Newark, N.J.
D. (6) $900.

A. Donoghue, Ragan & Mason, 239 Wyatt Building, Washington, D.C.
B. Seatrain Lines, Inc., 595 River Road, Edgewater, N.J.
D. (6) $900.

A. Harry J. Donohue, 1025 Connecticut Avenue NW., Washington, D.C.
B. The American Waterways Operators, Inc., 1025 Connecticut Avenue NW., Washington, D.C.
D. (6) $583. E. (9) $6.10.

A. Ronald D. Doremus, 210 H Street NW., Washington, D.C.
B. National Limestone Institute, Inc., 210 H Street NW., Washington, D.C.
E. (9) $15.

A. J. Dewey Dorsett, 110 William Street, New York, N.Y.
B. Association of Casualty & Surety Companies.
D. (6) $150.

A. Jasper N. Dorsey, 1730 K Street NW., Washington, D.C.
B. American Telephone & Telegraph Co., 195 Broadway, New York, N.Y.
D. (6) $2,569.05.

A. C. L. Dorson, 900 F Street NW., Washington, D.C.
B. Retirement Federation of Civil Service Employees of the U.S. Government, 900 F Street NW., Washington, D.C.
D. (6) $2,211.89. E. (9) $271.49.

A. Evelyn Dubrow, 1710 Broadway, New York, N.Y.
B. International Ladies' Garment Workers' Union, 1710 Broadway, New York, N.Y.
D. (6) $2,160. E. (9) $1,640.96.

A. Read P. Dunn, Jr., 1200 18th Street NW., Washington, D.C.
B. National Cotton Council of America, Post Office Box 9905, Memphis, Tenn.

A. William E. Dunn, 1957 E Street NW., Washington, D.C.
B. The Associated General Contractors of America, Inc., 1957 E Street NW., Washington, D.C.

A. Henry I. Dworshak, 1102 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $553.12. E. (9) $2.

A. Eastern Meat Packers Association, Inc., 740 11th Street NW., Washington, D.C.
D. (6) $167.41. E. (9) $124.51.

A. Eastern Railroad Presidents Conference, 1 Exchange Place, Jersey City, N.J.
D. (6) $250.58. E. (9) $250.58.

A. John W. Edelman, 704 17th Street NW., Washington, D.C.
B. Textile Workers Union of America, 90 University Place, New York, N.Y.
D. (6) $2,450.44. E. (9) $431.17.

A. Walter A. Edwards, 1700 K Street NW., Washington, D.C.
B. Chrysler Corp., 341 Massachusetts Avenue, Detroit, Mich.
D. (6) $250. E. (9) $100.

A. J. C. B. Ehringhaus, Jr., Raleigh, N.C.
B. North Carolina Railroad Association, Box 2635, Raleigh, N.C.
D. (6) $3,125.04. E. (9) $630.85.

A. James B. Ehrlich, 1000 Connecticut Avenue NW., Washington, D.C.
B. Air Transport Association of America, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $516.25. E. (9) $50.35.

A. John Doyle Elliott, 808 North Capitol Street, Washington, D.C.
B. Townsend Plan, Inc., 808 North Capitol Street, Washington, D.C.
D. (6) $1,404. E. (9) $917.94.

A. John M. Elliott, 5025 Wisconsin Avenue NW., Washington, D.C.
B. Amalgamated Association of Street, Electric Railway and Motor Coach Employees of America, 5025 Wisconsin Avenue NW., Washington, D.C.

A. Clyde T. Ellis, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
D. (6) $55.

A. Otis H. Ellis, 1001 Connecticut Avenue NW., Washington, D.C.
B. National Oil Jobbers Council, 1001 Connecticut Avenue NW., Washington, D.C.
D. (6) $6,000.

A. Perry R. Ellsworth, 1145 19th Street NW., Washington, D.C.
B. Milk Industry Foundation, 1145 19th Street NW., Washington, D.C.
D. (6) $15.

A. John H. Else, 302 Ring Building, Washington, D.C.
B. National Lumber & Building Material Dealers Association, 302 Ring Building, Washington, D.C.
E. (9) $574.72.

A. Ely, Duncan & Bennett, 1200 Tower Building, Washington, D.C.
B. American Public Power Association, 919 18th Street NW., Washington, D.C.
D. (6) $2,100.

A. Ely, Duncan & Bennett, 1200 Tower Building, Washington, D.C.
B. Coachella Valley County Water District, Coachella, Calif.
D. (6) $1,200.

A. Ely, Duncan & Bennett, 1200 Tower Building, Washington, D.C.
B. Department of Water and Power of the City of Los Angeles, 207 South Broadway, Los Angeles, Calif.
D. (6) $3,200.

A. Ely, Duncan & Bennett, 1200 Tower Building, Washington, D.C.
B. East Bay Municipal Utility District, 2130 Adeline Street, Oakland, Calif.
D. (6) $800.

A. Ely, Duncan & Bennett, 1200 Tower Building, Washington, D.C.
B. Imperial Irrigation District, El Centro, Calif.
D. (6) $2,100.

A. Ely, Duncan & Bennett, 1200 Tower Building, Washington, D.C.
B. Six Agency Committee and Colorado River Board of California, 909 South Broadway, Los Angeles, Calif.
D. (6) $3,360.

A. Myles W. English, 966 National Press Building, Washington, D.C.
B. National Highway Users Conference, Inc., 966 National Press Building, Washington, D.C.

A. Grover W. Ensley, 200 Park Avenue, New York, N.Y.
B. National Association of Mutual Savings Banks, 200 Park Avenue, New York, N.Y.
D. (6) $307.69. E. (9) $34.80.

A. John D. Fagan, 200 Maryland Avenue NE., Washington, D.C.
B. Veterans of Foreign Wars of the United States.
D. (6) $1,875. E. (9) $1,680.

A. Clinton Fair, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
D. (6) $3,679. E. (9) $357.16.

A. Family Tax Association, 2110 Girard Trust Building, Philadelphia, Pa.
D. (6) $1,175. E. (9) $610.69.

A. Farmers' Educational and Co-Operative Union of America (National Farmers Union), 1575 Sherman Street, Denver, Colo., and 1404 New York Avenue NW., Washington, D.C.
D. (6) $46,925.52. E. (9) $29,951.86.

A. Federation of Regular Taxpayers, Route 4, Box 58, Hastings, Mich.
D. (6) $5. E. (9) $44.50.

A. Joseph G. Feeney, 1725 I Street NW., Washington, D.C.
B. REA Express, 219 East 42d Street, New York, N.Y.
D. (6) $2,000. E. (9) $400.

A. Arthur S. Fefferman, 1701 K Street NW., Washington, D.C.
B. American Life Convention, 230 North Michigan Avenue, Chicago, Ill.

A. Bonner Fellers, 1001 Connecticut Avenue NW., Washington, D.C.
B. Citizens Foreign Aid Committee, 1001 Connecticut Avenue NW., Washington, D.C.

A. Maxwell Field, 210 Lincoln Street, Boston, Mass.
B. New England Shoe and Leather Association, 210 Lincoln Street, Boston, Mass.
D. (6) $400. E. (9) $324.57.

A. Herbert A. Fierst, 607 Ring Building, Washington, D.C.
B. Council of the Forest Industries of British Columbia, 400 Forest Industries Building, 550 Burrard Street, Vancouver, British Columbia, Canada.
D. (6) $6,000. E. (9) $2,607.93.

A. John B. Fisher, 1925 K Street NW., Washington, D.C.
B. National Employment Association, 260 Southfield Road, Detroit, Mich.
D. (6) $2,920. E. (9) $90.

A. John B. Fisher, 1925 K Street NW., Washington, D.C.
B. Unitarian/Universalist Women, Care of H. Winslow, 50 Congress Street, Boston, Mass.
D. (6) $1,300. E. (9) $33.50.

A. William J. Flaherty, 1701 18th Street NW., Washington, D.C.
B. Disabled American Veterans, 1425 East McMillan Street, Cincinnati, Ohio.
D. (6) $1,304.

A. Norman A. Flaningam, 425 13th Street NW., Washington, D.C.
B. Con-Gas Service Corp., 30 Rockefeller Plaza, New York, N.Y.

A. Robert R. Fleming, Post Office Box 1055, Indianapolis, Ind.
B. The American Legion.
D. (6) $7,937.40. E. (9) $26,697.05.

A. Roger Fleming, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, Merchandise Mart Plaza, Chicago, Ill.
D. (6) $1,175 E. (9) $23.54.

A. Donald G. Fletcher, 828 Midland Bank Building, Minneapolis, Minn.
B. Crop Quality Council, 828 Midland Bank Building, Minneapolis, Minn.
D. (6) $4,125. E. (9) $592.

A. Florida Citrus Mutual (Legislative Fund), Lakeland, Fla.
E. (9) $1,800.

A. James W. Foristel, One Farragut Square South, Washington, D.C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $1,425. E. (9) $184.99.

A. Ronald J. Foulis, 1730 K Street NW., Washington, D.C., and 195 Broadway, New York, N.Y.
B. American Telephone & Telegraph Co., 195 Broadway, New York, N.Y.
D. (6) $200.

A. John G. Fox, 1730 K Street NW., Washington, D.C., and 195 Broadway, New York, N.Y.
B. American Telephone & Telegraph Co., 195 Broadway, New York, N.Y.
D. (6) $559.75.

A. George R. Frankovich, Providence, R.I.
B. Manufacturing Jewelers and Silversmiths of America, Inc., 207-11 Sheraton-Biltmore, Providence, R.I., and Jewelry Industry Tax Committee, Inc., 919 18th Street NW., Washington, D.C.
D. (6) $6,000. E. (9) $537.98.

A. James H. French, 1625 K Street NW., Washington, D.C.
B. Book Manufacturers' Institute, Inc., 25 West 43d Street, New York, N.Y.

A. James H. French, 1625 K Street NW., Washington, D.C.
B. Corn Starch Industry Committee, 1625 K Street NW., Washington, D.C.

A. Philip P. Friedlander, Jr., 1343 L Street NW., Washington, D.C.
B. The National Tire Dealers & Retreaders Association, Inc., 1343 L Street NW., Washington, D.C.
D. (6) $25. E. (9) $1.

A. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C.
D. (6) $27,049.53. E. (9) $10,863.08.

A. Malcolm H. Frost, 25 West 43d Street, New York, N.Y.
B. Book Manufacturers' Institute, Inc., 25 West 43d Street, New York, N.Y.

A. David C. Fullarton, 2000 Florida Avenue NW., Washington, D.C.
B. National Telephone Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
D. (6) $164.

A. Garrett Fuller, 836 Wyatt Building, Washington, D.C.
B. West Coast Steamship Co., 1210 Standard Plaza, Portland, Oreg.

A. Wallace H. Fulton, 1707 H Street NW., Washington, D.C.
B. National Association of Securities Dealers, Inc.

A. Henry T. Gage, 1100 National Press Building, Washington, D.C.
B. Wine Institute, 717 Market Street, San Francisco, Calif.

A. Lawrence H. Gall, 918 16th Street NW., Washington, D.C.
B. Independent Natural Gas Association of America, 918 16th Street NW., Washington, D.C.
D. (6) $975.

A. M. J. Galvin, 207 Union Depot Building, St. Paul, Minn.
D. (6) $700. E. (9) $975.81.

A. Warner W. Gardner, 734 15th Street NW., Washington, D.C.

B. American Steamship Traffic Executives Committee, 1 Broadway, New York, N.Y.

D. (6) $2,000. E. (9) $168.

A. Warner W. Gardner, 734 15th Street NW., Washington, D.C.

B. Western Geothermal, Inc., International Building, San Francisco, Calif.

D. (6) $200. E. (9) $15.47.

A. Marion R. Garstang, 30 F Street NW., Washington, D.C.

B. National Milk Producers Federation, 30 F Street NW., Washington, D.C.

D. (6) $200. E. (9) $2.40.

A. Gas Appliance Manufacturers Association, Inc., 60 East 42d Street, New York, N.Y.

A. Aubrey D. Gates, 535 North Dearborn Street, Chicago, Ill.

B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.

D. (6) $170.

A. General Council of British Shipping, 3/6, Bury Court, St. Mary Axe, London, E.C. 3, England.

A. J. M. George, 165 Center Street, Winona, Minn.

B. The Inter-State Manufacturer's Association, 163–165 Center St., Winona, Minn.

D (6) $1,500.

A. J. M. George 163–165 Center Street, Winona, Minn.

B. National Association of Direct Selling Companies, 163–165 Center Street, Winona, Minn.

D. (6) $3,000.

A. Joseph S. Gill, 16 East Broad Street, Columbus, Ohio.

B. The Ohio Railroad Association, 16 East Broad Street, Columbus, Ohio.

A. Glen Alden Corp., 1740 Broadway, New York, N.Y.

E. (9) $3,000.

A. Philip Goldstein, Woodward Building, Washington, D.C.

B. Clay Pipe Industry Depletion Committee, 410 Woodward Building, Washington, D.C.

A. Lawrence L. Gourley, 1757 K Street NW., Washington, D.C.

B. American Osteopathic Association, 212 East Ohio Street, Chicago, Ill.

D. (6) $375.

A. Government Employees' Council, AFL–CIO, 100 Indiana Avenue NW., Washington, D.C.

D. (6) $8,978.13. E. (9) $6,949.08.

A. Grain & Feed Dealers National Association, 400 Folger Building, Washington, D.C.

A. Grand Lodge of the Brotherhood of Locomotive Firemen & Enginemen, 318–418 Keith Building, Cleveland, Ohio.

D. (6) $14,429.40. E. (9) $15,394.

A. Gravelle, Whitlock, Markey & Tait, 1032 Shoreham Building, Washington, D.C.

B. Structural Clay Products Industry Depletion Committee, 1032 Shoreham Building, Washington, D.C.

E. (9) $51.17.

A. Cornelius R. Gray, 1712 G Street NW., Washington, D.C.

B. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. Mrs. Edward R. Gray, 3501 Williamsburg Lane NW., Washington, D.C.

B. National Congress of Parents & Teachers, 700 North Rush Street, Chicago, Ill.

E. (9) $47.29.

A. Mrs. Virginia M. Gray, 3501 Williamsburg Lane NW., Washington, D.C.

B. Citizens Committee for UNICEF, 20 E Street NW., Washington, D.C.

D. (6) $412.50. E. (9) $70.88.

A. Jerry N. Griffin, 731 Washington Building, Washington, D.C.

B. C.I.T. Financial Corp., 650 Madison Avenue, New York, N.Y.

A. Jerry N. Griffin, 731 Washington Building, Washington, D.C.

B. Committee on Consumer Finance Companies, 731 Washington Building, Washington, D.C.

A. Jerry N. Griffin, 731 Washington Building, Washington, D.C.

B. Mutual Benefit Health & Accident Association, Omaha, Nebr.

A. Ben H. Guill, 2000 K Street NW., Washington, D.C.

B. National Automobile Dealers Association; American Smelting & Refining Co.; American Zinc, Lead & Smelting Co.

D. (6) $4,750. E. (9) $2,400.

A. Terry Gunn, 2000 Florida Avenue NW., Washington, D.C.

B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

A. Hoyt S. Haddock, 100 Indiana Avenue NW., Washington, D.C.

B. AFL–CIO Maritime Committee, 100 Indiana Avenue NW., Washington, D.C.

D. (6) $3,000. E. (9) $1,410.29.

A. Hoyt S. Haddock, 100 Indiana Avenue NW., Washington, D.C.

B. Labor-Management Maritime Committee, 100 Indiana Avenue NW., Washington, D.C.

D. (6) $954. E. (9) $49.68.

A. Hal H. Hale, 419 Transportation Building, Washington, D.C.

B. Association of American Railroads, Transportation Building, Washington, D.C.

A. Haley Bader & Potts, 1735 De Sales Street NW., Washington, D.C.

B. Association on Broadening Standards, Inc., 1741 De Sales Street NW., Washington, D.C.

A. Harold T. Halfpenny, 111 West Washington Street, Chicago, Ill.

A. J. G. Hall, Detroit, Mich.

B. General Motors Corp., 3044 West Grand Boulevard, Detroit, Mich.

A. E. C. Hallbeck, 817 14th Street NW., Washington, D.C.

B. United Federation of Postal Clerks, 817 14th Street NW., Washington, D.C.

D. (6) $4,500.

A. Hamel, Morgan, Park & Saunders, 808 17th Street NW., Washington, D.C.

B. The Council of Private Lending Institutions, Inc., 1725 K Street NW., Washington, D.C.

A. Hamel, Morgan, Park & Saunders, 808 17th Street NW., Washington, D.C.

B. Standard Oil Co. (Indiana), 910 South Michigan Avenue, Chicago, Ill.

A. Charles A. Hamilton, 777 14th Street NW., Washington, D.C.

B. General Electric Co., 570 Lexington Avenue, New York, N.Y.

D. (6) $300. E. (9) $44.20.

A. W. C. Hammerle, 220 East 42d Street, New York, N.Y.

B. American Pulpwood Association, 220 East 42d Street, New York, N.Y.

A. Harold F. Hammond, 1710 H Street NW., Washington, D.C.

B. Transportation Association of America.

A. Eugene J. Hardy, 918 16th Street NW., Washington, D.C.

B. National Association of Manufacturers.

A. Bryce N. Harlow, 1730 K Street NW., Washington, D.C.

B. The Procter & Gamble Manufacturing Co., 301 East Sixth Street, Cincinnati, Ohio.

E. (9) $125.73.

A. Mildred B. Harman, 212 Maryland Avenue NE., Washington, D.C.

B. National Woman's Christian Temperance Union, 1730 Chicago Avenue, Evanston, Ill.

D. (6) $720. E. (9) $404.20.

A. William B. Harman, Jr., 1701 K Street NW., Washington, D.C.

B. American Life Convention, 230 North Michigan Avenue, Chicago, Ill.

D. (6) $288. E. (9) $11.67.

A. L. James Harmanson, Jr., 1616 H Street NW., Washington, D.C.

B. National Council of Farmer Cooperatives, 1616 H Street NW., Washington, D.C.

D. (6) $4,750.02. E. (9) $150.60.

A. Herbert E. Harris, 2d, 415 13th Street NW., Washington, D.C.

B. American Farm Bureau Federation, Merchandise Mart Plaza, Chicago, Ill.

D. (6) $1,500. E. (9) $32.93.

A. R. A. Harris, 38 South Dearborn Street, Chicago, Ill.

B. Railway Progress Institute, 38 South Dearborn Street, Chicago, Ill.

D. (6) $2,625. E. (9) $18.75.

A. Stephen H. Hart, 500 Equitable Building, Denver, Colo.

B. National Livestock Tax Committee, 801 East 17th Avenue, Denver, Colo.

D. (6) $7,599.75. E. (9) $2,350.38.

A. Paul M. Hawkins, 1701 K Street NW., Washington, D.C.

B. Health Insurance Association of America, 1701 K Street NW., Washington, D.C.

D. (6) $162.50. E. (9) $16.60.

A. Kit H. Haynes, 1616 H Street NW., Washington, D.C.

B. National Council of Farmer Cooperatives, 1616 H Street NW., Washington, D.C.

A. Hays and Hays, 930 Warner Building, Washington, D.C.

B. Motor Commerce Association, Inc., 4004 Versailles Road, Lexington, Ky.

D. (6) $864. E. (9) $238.21.

A. John C. Hazen, 1317 F Street NW., Washington, D.C.

B. National Retail Merchants Association, 100 West 31st Street, New York, N.Y.

E. (9) $69.15.

A. Health Insurance Association of America, 1701 K Street NW., Washington, D.C.

D. (6) $554.97. E. (9) $554.97.

A. Patrick B. Healy, 30 F Street NW., Washington, D.C.
B. National Milk Producers Federation, 30 F Street NW., Washington, D.C.
D. (6) $300. E. (9) $431.64.

A. George J. Hecht, 52 Vanderbilt Avenue, New York, N.Y., and 20 E Street NW., Washington, D.C.
B. American Parents Committee, Inc., 20 E Street NW., Washington, D.C., and Bipartisan Citizens Committee for Federal Aid for Public Elementary and Secondary Education, 4107 Davenport Street NW., Washington, D.C.

A. Hedrick & Lane, 1001 Connecticut Avenue NW., Washington, D.C.
B. Comite de Productores de Azucar, Antonio Miro Quesada 376, Lima, Peru.
D. (6) $2,850. E. (9) $78.70.

A. Kenneth G. Heisler, 18th and M Streets NW., Washington, D.C.
B. National League of Insured Savings Associations, 18th and M Streets NW., Washington, D.C.
D. (6) $950.

A. Edmund P. Hennelly, 150 East 42d Street, New York, N.Y.
B. Socony Mobil Oil Co., Inc., 150 East 42d Street, New York, N.Y.
D. (6) $2,275.91. E. (9) $1,150.91.

A. John K. Herbert, 575 Lexington Avenue, New York, N.Y.
B. Magazine Publishers Association, Inc., 575 Lexington Avenue, New York, N.Y.
D. (6) $766.21.

A. Maurice G. Herndon, 801 Warner Building, Washington, D.C.
B. National Association of Insurance Agents, 96 Fulton Street, New York, N.Y., and 801 Warner Building, Washington, D.C.
D. (6) $175.65. E. (9) $175.65.

A. Hester, Owen & Crowder, 432 Shoreham Building, Washington, D.C.
B. Boston Wool Trade Association, 263 Summer Street, Boston, Mass.
D. (6) $600. E. (9) $66.86.

A. Hester, Owen & Crowder, 432 Shoreham Building, Washington, D.C.
B. National Association of Wool Manufacturers, 386 Fourth Avenue, New York, N.Y.
D. (6) $1,000.

A. Hester, Owen & Crowder, 432 Shoreham Building, Washington, D.C.
B. National Wool Growers Association, 414 Crandall Building, Salt Lake City, Utah.
E. (9) $20.66.

A. Hester, Owen & Crowder, 432 Shoreham Building, Washington, D.C.
B. National Wool Trade Association, 263 Summer Street, Boston, Mass.

A. Hester, Owen & Crowder, 432 Shoreham Building, Washington, D.C.
B. New York Wool Trade Association, 155 West 44th Street, New York, N.Y.

A. Hester, Owen & Crowder, 432 Shoreham Building, Washington, D.C.
B. Philadelphia Wool & Textile Association, Post Office Box 472, Station S, Philadelphia, Pa.

A. Hester, Owen & Crowder, 432 Shoreham Building, Washington, D.C.
B. United States Brewers Association, 535 Fifth Avenue, New York, N.Y.
D. (6) $5,000. E. (9) $67.20.

A. W. J. Hickey, 2000 Massachusetts Avenue NW., Washington, D.C.
B. The American Short Line Railroad Association, 2000 Massachusetts Avenue NW., Washington, D.C.
D. (6) $43.50.

A. M. F. Hicklin, 507 Bankers Trust Building, Des Moines, Iowa.
B. Iowa Railway Committee, 507 Bankers Trust Building, Des Moines, Iowa.
E. (9) $451.06.

A. Robert L. Higgins, 1200 18th Street NW., Washington, D.C.
B. National Electrical Contractors Association, 1200 18th Street NW., Washington, D.C.

A. John W. Hight, 1025 Connecticut Avenue NW., Washington, D.C.
B. Legislative Committee of the Committee for a National Trade Policy, Inc., 1025 Connecticut Avenue NW., Washington, D.C.
E. (9) $75.

A. James A. Hirshfield, 305 Rockefeller Building, Cleveland, Ohio.
B. Lake Carriers' Association, 305 Rockefeller Building, Cleveland, Ohio.

A. L. S. Hitchner, 1145 19th Street NW., Washington, D.C.
B. National Agricultural Chemicals Association.

A. Lawrence S. Hobart, 919 18th Street NW., Washington, D.C.
B. American Public Power Association, 919 18th Street NW., Washington, D.C.
D. (6) $275.

A. Claude E. Hobbs, 1000 Connecticut Avenue NW., Washington, D.C.
B. Westinghouse Electric Corp., 3 Gateway Center, Pittsburgh, Pa.
D. (6) $800. E. (9) $120.

A. Ralph D. Hodges, Jr.
B. National Lumber Manufacturers Association, 1619 Massachusetts Avenue NW., Washington, D.C.
E. (9) $27.66.

A. Home Manufacturers Association, 1117 Barr Building, Washington, D.C.
D. (6) $500. E. (9) $1,000.

A. Edwin M. Hood, 1730 K Street NW., Washington, D.C.
B. Shipbuilders Council of America, 1730 K Street NW., Washington, D.C.

A. Lawrence W. Horning, 1010 Pennsylvania Building, Washington, D.C.
B. New York Central Railroad Co., 230 Park Avenue, New York, N.Y.

A. Donald E. Horton, 222 West Adams Street, Chicago, Ill.
B. American Warehousemen's Association.

A. Harold A. Houser, 1625 I Street NW., Washington, D.C.
B. Retired Officers Association, 1625 I Street NW., Washington, D.C.
D. (6) $2,500.

A. Charles L. Huber, 1701 18th Street NW., Washington, D.C.
B. Disabled American Veterans, 1425 East McMillan Street, Cincinnati, Ohio.
E. (9) $5,238.30.

A. W. T. Huff, 916 16th Street NW., Washington, D.C.
B. Independent Natural Gas Association of America, 918 16th Street NW., Washington, D.C.
D. (6) $275.

A. Luther A. Huston, 1000 Vermont Avenue NW., Washington, D.C.
B. Business Committee for Tax Reduction in 1963, 1000 Vermont Avenue NW., Washington, D.C.
D. (6) $2,440. E. (9) $540.06.

A. Elmer P. Hutter, Post Office Box 2255, Washington, D.C.
D. (6) $5.

A. Elmer P. Hutter, Post Office Box 2255, Washington, D.C.
B. Richard F. Bates, Edward S. Cohen, J. I. Meltzer, James Kousen, Dr. M. Berlin, Washington, D.C.
E. (9) $304.

A. William J. Hynes, 611 Idaho Building, Boise, Idaho.
B. Union Pacific Railroad Co., 1416 Dodge Street, Omaha, Nebr.
E. (9) $584.36.

A. Frank N. Ikard, 1271 Avenue of the Americas, New York, N.Y.
B. American Petroleum Institute, 1271 Avenue of the Americas, New York, N.Y.

A. Bernard J. Imming, 777 14th Street NW., Washington, D.C.
B. United Fresh Fruit and Vegetable Association, 777 14th Street NW., Washington, D.C.

A. Independent Natural Gas Association of America, 918 16th Street NW., Washington, D.C.
D. (6) $1,250.

A. Industrial Union Department, AFL-CIO, 815 16th Street NW., Washington, D.C.
D. (6) $15,230.29. E. (9) $15,230.29.

A. Institute of Appliance Manufacturers, Inc., 2000 K Street NW., Washington, D.C.

A. Institute of Scrap Iron & Steel, Inc., 1729 H Street NW., Washington, D.C.
D. (6) $300.

A. International Union of Electrical, Radio & Machine Workers, AFL-CIO, 1126 16th Street NW., Washington, D.C.
E. (9) $2,750.

A. Inter-State Manufacturer's Association, 163-165 Center Street, Winona, Minn.
D. (6) $2,762.50. E. (9) $5.30.

A. Iron Ore Lessors Association, Inc., W-1481 First National Bank Building, St. Paul, Minn.
D. (6) $135. E. (9) $1,163.85.

A. Charles E. Jackson, 1614 20th Street NW., Washington, D.C.
B. National Fisheries Institute, 1614 20th Street NW., Washington, D.C.
E. (9) $3,518.62.

A. Robert C. Jackson, 1120 Connecticut Avenue NW., Washington, D.C.
B. American Textile Manufacturers Institute, Inc., 1501 Johnston Building, Charlotte, N.C.
D. (6) $2,150. E. (9) $421.

A. Walter K. Jaenicke, 1957 E Street NW., Washington, D.C.
B. The Associated General Contractors of America, Inc., 1957 E Street NW., Washington, D.C.

A. Japanese American Citizens League, 1634 Post Street, San Francisco, Calif.
E. (9) $150.

A. Daniel Jaspan, Post Office Box 1924, Washington, D.C.
B. National Association of Postal Supervisors, Post Office Box 1924, Washington, D.C.
D. (6) $3,725.01. E. (9) $75.13.

A. Philip F. Jehle, National Press Building, Washington, D.C.
B. The National Association of Retail Druggists, 1 East Wacker Drive, Chicago, Ill.
D. (6) $1,000.

A. Joe Jenness, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

A. Charles B. Jennings, 1712 I Street NW., Washington, D.C.
B. American Stock Yards Association, 1716 I Street NW., Washington, D.C.
D. (6) $400.

A. Robert G. Jeter, Dresden, Tenn.
B. H. C. Spinks Clay Co., Paris, Tenn.; Old Hickory Clay Co., Paducah, Ky.; Bell Clay Co., Gleason, Tenn.; United Clay Mines Corp., Trenton, N.J.; Kentucky-Tennessee Clay Co., Mayfield, Ky.
E. (9) $321.36.

A. Jewelry Industry Tax Committee, Inc., 727 Fifth Avenue, New York, N.Y.
D. (6) $10,325. E. (9) $6,670.10.

A. Peter D. Joers, 810 Whittington Avenue, Hot Springs, Ark.
B. Dierks Forests, Inc., 810 Whittington Avenue, Hot Springs, Ark.
E. (9) $315.46.

A. Gilbert R. Johnson, 1208 Terminal Tower, Cleveland, Ohio.
B. Lake Carriers' Association, 305 Rockefeller Building, Cleveland, Ohio.

A. Glendon E. Johnson, 1701 K Street NW., Washington, D.C.
B. American Life Convention, 230 North Michigan Avenue, Chicago, Ill.
D. (6) $347.61. E. (9) $40.99.

A. Reuben L. Johnson, 1575 Sherman Street, Denver, Colo.
B. The Farmers' Educational & Co-Operative Union of America, 1575 Sherman Street, Denver, Colo.; 1404 New York Avenue NW., Washington, D.C.
D. (6) $2,769.40. E. (9) $278.91.

A. Ned Johnston, 4309 Saul Road, Kensington, Md.
B. The Tobacco Institute, Inc., 808 17th Street NW., Washington, D.C.

A. George Bliss Jones, Montgomery, Ala.
B. Alabama Railroad Association, 1002 First National Bank Building, Montgomery, Ala.
D. (6) $144. E. (9) $125.21.

A. James E. Jones, 122 East 42d Street, New York, N.Y.
B. American Paper & Pulp Association, 122 East 42d Street, New York, N.Y.

A. L. Dan Jones, 1110 Ring Building, Washington, D.C.
B. Independent Petroleum Association of America, 1110 Ring Building, Washington, D.C.
E. (9) $25.25.

A. Lyle W. Jones, 912 Barr Building, Washington, D.C.
B. Illinois Association of Consulting Engineers, Post Office Box 1202, Springfield, Ill.
D. (6) $200.

A. Phillip E. Jones, 920 Tower Building, Washington, D.C.
B. United States Beet Sugar Association, 920 Tower Building, Washington, D.C.
D. (6) $100.

A. John E. Kane, 1625 K Street NW., Washington, D.C.
B. American Petroleum Institute, 1271 Avenue of the Americas, New York, N.Y.
D. (6) $2,187.50. E. (9) $892.03.

A. Sheldon Z. Kaplan, 1616 H Street NW., Washington, D.C.
B. Guatemala Sugar Producers Association, Guatemala City, Guatemala.

A. Karelsen & Karelsen, 230 Park Avenue, New York, N.Y.
E. (9) $305.99.

A. Howard B. Keck, 550 South Flower Street, Los Angeles, Calif.
B. The Superior Oil Co., 550 South Flower Street, Los Angeles, Calif.
E. (9) $300.

A. W. M. Keck, Jr., 9864 Wilshire Boulevard, Beverly Hills, Calif.

A. Charles C. Keeble, 1730 K Street NW., Washington, D.C.
B. Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex.
E. (9) $246.67.

A. Eugene A. Keeney, 1615 H Street NW., Washington, D.C.
B. Chamber of Commerce of the United States of America.

A. Francis V. Keesling, Jr., 605 Market Street, San Francisco, Calif.
B. West Coast Life Insurance Co., 605 Market Street, San Francisco, Calif.

A. John T. Kelly, 1411 K Street NW., Washington, D.C.
B. Pharmaceutical Manufacturers Association.

A. I. L. Kenen, 1737 H Street NW., Washington, D.C.
B. American Israel Public Affairs Committee, 1737 H Street NW., Washington, D.C.

A. Harold L. Kennedy, 420 Cafritz Building, Washington, D.C.
B. Marathon Oil Co., Findlay, Ohio.
E. (9) $185.25.

A. Ronald M. Ketcham, Post Office Box 351, Los Angeles, Calif.
B. Southern California Edison Co., Post Office Box 351, Los Angeles, Calif.
D. (6) $1,549.74. E. (9) $2,510.64.

A. Jeff Kibre, 1341 G Street NW., Washington, D.C.
B. International Longshoremen's & Warehousemen's Union, 150 Golden Gate Avenue, San Francisco, Calif.
D. (6) $1,690.13. E. (9) $1,675.95.

A. John A. Killick, 740 11th Street NW., Washington, D.C.
B. Eastern Meat Packers Association, Inc., 740 11th Street NW., Washington, D.C.
D. (6) $12.50.

A. John A. Killick, 740 11th Street NW., Washington, D.C.
B. National Independent Meat Packers Association, 740 11th Street NW., Washington, D.C.
D. (6) $246.25.

A. H. Cecil Kilpatrick, 912 American Security Building, Washington, D.C.
B. Rossmoor Leisure World, Seal Beach, Calif.
D. (6) $475. E. (9) $5.85.

A. Ludlow King, 2139 Wisconsin Avenue NW., Washington, D.C.
B. National Machine Tool Builders' Association, 2139 Wisconsin Avenue NW., Washington, D.C.

A. T. Bert King, 812 Pennsylvania Building, Washington, D.C.
B. United States Savings & Loan League, 221 North LaSalle Street, Chicago, Ill.
D. (6) $725.

A. Clifton Kirkpatrick, 1918 North Parkway, Memphis, Tenn.
B. National Cotton Council of America, Post Office Box 9905, Memphis, Tenn.
D. (6) $630. E. (9) $29.86.

A. James F. Kmetz, 1435 K Street NW., Washington, D.C.
B. United Mine Workers of America, 900 15th Street NW., Washington, D.C.
D. (6) $3,546.

A. George W. Koch, 1612 K Street NW., Washington, D.C.
B. Sears, Roebuck & Co., 925 South Homan Avenue, Chicago, Ill.

A. Robert M. Koch, 210 H Street NW., Washington, D.C.
B. National Limestone Institute, Inc., 210 H Street NW., Washington, D.C.
E. (9) $28.

A. Germaine Krettek, 200 C Street SE., Washington, D.C.
B. American Library Association, 50 East Huron Street, Chicago, Ill.
E. (9) $3,336.92.

A. Lloyd R. Kuhn, 1725 DeSales Street NW., Washington, D.C.
B. Aerospace Industries Association of America, Inc., 1725 DeSales Street NW., Washington, D.C.
D. (6) $3,648. E. (9) $483.05.

A. Labor Bureau of Middle West, 1001 Connecticut Avenue NW., Washington, D.C., and 11 South LaSalle Street, Chicago, Ill.

A. Labor-Management Maritime Committee, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $6,917.12. E. (9) $6,320.84.

A. Lake Carriers' Association, 305 Rockefeller Building, Cleveland, Ohio.

A. Kenneth C. Landry, 1735 New York Avenue NW., Washington, D.C.
B. The American Institute of Architects, 1735 New York Avenue NW., Washington, D.C.
D. (6) $600.

A. Philip M. Lanier, 908 West Broadway, Louisville, Ky.
B. Kentucky Railroad Association, 101 East High Street, Lexington, Ky.
E. (9) $129.38.

A. Dillard B. Lasseter, Post Office Box 381, Washington, D.C.
B. Organization of Professional Employees of the U.S. Department of Agriculture, Post Office Box 381, Washington, D.C.
D. (6) $450. E. (9) $125.

A. Latham & Watkins.
B. Rossmoor Corp., Post Office Box 125, Seal Beach, Calif.
D. (6) $600.

A. J. Austin Latimer, 1001 Connecticut Avenue NW., Washington, D.C.

D. (6) $750.

A. John V. Lawrence, 1616 P Street NW., Washington, D.C.

B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.

D. (6) $563.50. E. (9) $26.50.

A. Thomas B. Lawrence, 917 15th Street NW., Washington, D.C.

B. National Licensed Beverage Association, 420 Seventh Street, Racine, Wis.

D. (6) $650.

A. Warren Lawrence, 1700 K Street NW., Washington, D.C.

B. Standard Oil Co. of California, 1700 K Street NW., Washington, D.C.

D. (6) $125. E. (9) $157.35.

A. Robert F. Lederer, 835 Southern Building, Washington, D.C.

B. American Association of Nurserymen, Inc., 835 Southern Building, Washington, D.C.

D. (6) $29.38. E. (9) $97.46.

A. Leonard F. Lee, 402 Solar Building, Washington, D.C.

B. Tennessee Gas Transmission Co., Post Office Box 2511, Houston, Tex.

E. (9) $79.35.

A. Legislative Committee of the Committee for a National Trade Policy, Inc., 1025 Connecticut Avenue NW., Washington, D.C.

D. (6) $2,237. E. (9) $79.50.

A. G. E. Leighty, 400 First Street NW., Washington, D.C.

A. Richard T. Leonard, 815 16th Street NW., Washington, D.C.

B. Industrial Union Department, AFL–CIO, 815 16th Street NW., Washington, D.C.

E. (9) $495.40.

A. Roy T. Lester, M.D., 1 Farragut Square South, Washington, D.C.

B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.

D. (6) $587.49. E. (9) $891.17.

A. John R. Lewis, 1625 K Street NW., Washington, D.C.

B. Mid-Continent Oil & Gas Association, 300 Tulsa Building, Tulsa, Okla.

A. Hal Leyshon, 122 East 42d Street, New York, N.Y.

B. American Federation of Musicians, 425 Park Avenue, New York, N.Y.

D. (6) $4,999.98 E. (9) $1,432.35.

A. Lester W. Lindow, 1735 DeSales Street NW., Washington, D.C.

B. Association of Maximum Service Telecasters, Inc.

A. David A. Lindsay, 1 Chase Manhattan Plaza, New York, N.Y.

B. Morgan Guaranty Trust Co. of New York, 140 Broadway, New York, N.Y.

E. (9) $62.96.

A. Charles B. Lipsen, 1741 DeSales Street NW., Washington, D.C.

B. Retail Clerks International Association, AFL–CIO, 1741 DeSales Street NW., Washington, D.C.

D. (6) $3,750. E. (9) $1,273.89.

A. Robert G. Litschert, 1200 18th Street NW., Washington, D.C.

B. National Association of Electric Cos., 1200 18th Street NW., Washington, D.C.

D. (6) $573.75. E. (9) $99.47.

A. Norman M. Littell, 1826 Jefferson Place NW., Washington, D.C.

B. Howard International, Inc., 350 Fifth Avenue, New York, N.Y.

A. Basil R. Littin, 1710 H Street NW., Washington, D.C.

B. Continental Oil Co., Box 2197, Houston, Tex.

A. Gordon C. Locke, 1725 K Street NW., Washington, D.C.

B. Association of Oil Pipe Lines, 1725 K Street NW., Washington, D.C.

A. Bernard Locker, 4107 Davenport Street NW., Washington, D.C.

B. American Parents Committee, Inc., 20 E Street NW., Washington, D.C.

D. (6) $2,000.

A. John J. Long, 711 14th Street NW., Washington, D.C.

B. International Printing Pressmen and Assistants' Union of North America, Pressmen's Home, Tenn.

D. (6) $1,300. E. (9) $48.

A. Lord, Day & Lord, 25 Broadway, New York, N.Y.

B. The Metropolitan Museum of Art, Fifth Avenue and 82d Street, New York, N.Y.

A. Otto Lowe, Cape Charles, Va.

B. National Canners Association, 1133 20th Street NW., Washington, D.C.

D. (6) $1,500.

A. James C. Lucas, 711 14th Street NW., Washington, D.C.

B. Retail Jewelers of America, Inc., 711 14th Street NW., Washington, D.C.

E. (9) $80.

A. Scott W. Lucas, 1025 Connecticut Avenue NW., Washington, D.C.

B. Mobile Homes Manufacturers Association, 20 North Wacker Drive, Chicago, Ill.

D. (6) $1,000.

A. Scott W. Lucas, 1028 Connecticut Avenue NW., Washington, D.C.

B. Western Medical Corp., 415–423 West Pershing Road, Chicago, Ill.

D. (6) $1,000.

A. Milton F. Lunch, 2029 K Street NW., Washington, D.C.

B. National Society of Professional Engineers, 2029 K Street NW., Washington, D.C.

D. (6) $750.

A. John C. Lynn, 425 13th Street NW., Washington, D.C.

B. American Farm Bureau Federation, Merchandise Mart Plaza, Chicago, Ill.

D. (6) $2,375. E. (9) $59.33.

A. Breck P. McAllister, 25 Broadway, New York, N.Y.

B. American Committee for Flags of Necessity, 25 Broadway, New York, N.Y.

A. John A. McCart, 100 Indiana Avenue NW., Washington, D.C.

B. Government Employees' Council, AFL–CIO, 100 Indiana Avenue NW., Washington, D.C.

D. (6) $3,365.32.

A. Stanley J. McCutcheon, 315 Fourth Avenue, Anchorage, Alaska.

B. Marathon Oil Co.

A. Albert L. McDermott, 745 Washington Building, Washington, D.C.

B. American Hotel & Motel Association, 777 14th Street NW., Washington, D.C.

D. (6) $250.

A. Angus H. McDonald, 1575 Sherman Street, Denver, Colo.

B. The Farmers' Educational & Co-Operative Union of America, 1575 Sherman Street, Denver, Colo.; 1404 New York Avenue NW., Washington, D.C.

D. (6) $2,446.08. E. (9) $155.63.

A. Joseph T. McDonnell, 425 13th Street NW., Washington, D.C.

B. National Association of Electric Companies, 1200 18th Street NW., Washington, D.C.

A. Joseph B. McGrath, 1625 L Street NW., Washington, D.C.

B. National Association of Home Builders of the United States, 1625 L Street NW., Washington, D.C.

D. (6) $2,596.14. E. (9) $268.47.

A. William F. McKenna, 812 Pennsylvania Building, Washington, D.C.

A. William F. McKenna, 908 Colorado Building, Washington, D.C.

B. National Association of Mutual Savings Banks, 200 Park Avenue, New York, N.Y.

D. (6) $61.64. E. (9) $36.

A. Marvin L. McLain, 425 13th Street NW., Washington, D.C.

B. American Farm Bureau Federation, Merchandise Mart Plaza, Chicago, Ill.

D. (6) $2,187.50. E. (9) $52.90.

A. Patrick H. McLaughlin, 1741 DeSales Street NW., Washington, D.C.

B. Associated Fur Manufacturers, 101 West 30th Street, New York, N.Y.

D. (6) $1,125.

A. Patrick H. McLaughlin, 1741 DeSales Street NW., Washington, D.C.

B. Glen Alden Corp., 1740 Broadway, New York, N.Y.

D. (6) $2,250.

A. William N. McLeod, Jr., 1000 Connecticut Avenue NW., Washington, D.C.

B. Household Finance Corp., Prudential Plaza, Chicago, Ill.

D. (6) $1,200.

A. William N. McLeod, Jr., 1000 Connecticut Avenue NW., Washington, D.C.

B. Republican Statehood Party of Puerto Rico, San Juan, P.R.

D. (6) $200.

A. W. H. McMains, 1132 Pennsylvania Building, Washington, D.C.

B. Distilled Spirits Institute, 1132 Pennsylvania Building, Washington, D.C.

A. C. W. McMillan, 801 East 17th Avenue, Denver, Colo.

B. American National Cattlemen's Association, 801 East 17th Avenue, Denver, Colo.

D. (6) $4,250.04. E. (9) $1,066.39.

A. William P. MacCracken, Jr., 1000 Connecticut Avenue NW., Washington, D.C.

B. American Optometric Association, Inc., Care of Dr. Melvin B. Dunbar, 21 Bank Street, Lebanon, N.H.

D. (6) $4,500. E. (9) $211.54.

A. William P. MacCracken, Jr., 1000 Connecticut Avenue NW., Washington, D.C.

B. United States Plywood Corp., 55 West 44th Street, New York, N.Y.

A. John G. Macfarlan, 1725 I Street NW., Washington, D.C.

B. REA Express, 219 East 42d Street, New York, N.Y.

D. (6) $1,567.50. E. (9) $300.60.

A. James E. Mack, 1028 Connecticut Avenue NW., Washington, D.C.
B. National Confectioners Association, 36 South Wabash Avenue, Chicago, Ill.

A. James E. Mack, 1028 Connecticut Avenue NW., Washington, D.C.
B. Peanut Butter Manufacturers Association, 1028 Connecticut Avenue NW., Washington, D.C.

A. James E. Mack, 1028 Connecticut Avenue N.W., Washington, D.C.
B. Rolled Zinc Manufacturers Association, 1028 Connecticut Avenue NW., Washington, D.C.

A. David I. Mackie, One Exchange Place, Jersey City, N.J.
B. Eastern Railroad Presidents Conference, 1 Exchange Place, Jersey City, N.J.
D. (6) $67.38.

A. H. E. Mahlman, 1025 Connecticut Avenue N.W., Washington, D.C.
B. American Optometric Association, Care of Dr. Melvin B. Dunbar, 21 Bank Street, Lebanon, N.H.
D. (6) $687.50. E. (9) $38.35.

A. Don Mahon, Box 959, Ben Franklin Station, Washington, D.C.
B. National Federation of Independent Unions.
E. (9) $1,708.34.

A. Carter Manasco, 4201 Chesterbrook Road, McLean, Va.
B. National Coal Association, Coal Building, Washington, D.C.
D. (6) $4,800. E. (9) $163.95.

A. D. L. Manion, 2000 Massachusetts Avenue NW., Washington, D.C.
B. The American Short Line Railroad Association, 2000 Massachusetts Avenue NW., Washington, D.C.
D. (6) $537.50.

A. Manufacturing Chemists' Association, Inc., 1825 Connecticut Avenue NW., Washington, D.C.
D. (6) $5,000. E. (9) $3,000.

A. Manufacturing Jewelers and Silversmiths of America, Inc., 207–11 Sheraton-Biltmore Hotel, Providence, R.I.
D. (6) $19,525. E. (9) $5,037.98.

A. Mrs. Olya Margolin, 1637 Massachusetts Avenue NW., Washington, D.C.
B. National Council of Jewish Women, Inc., 1 West 47th Street, New York, N.Y.
D. (6) $2,242.02. E. (9) $120.93.

A. James Mark, Jr., 1435 K Street NW., Washington, D.C.
B. United Mine Workers of America, 900 15th Street NW., Washington, D.C.
D. (6) $4,046.

A. Rodney W. Markley, Jr., Wyatt Building, Washington, D.C.
B. Ford Motor Co., Dearborn, Mich.
D. (6) $750. E. (9) $251.22.

A. Raymond E. Marks, 65 Market Street, San Francisco, Calif.
B. Southern Pacific Co., 65 Market Street, San Francisco, Calif.

A. Robert O. Marritz, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
D. (6) $40.

A. David M. Marsh, 837 Washington Building, Washington, D.C.
B. Association of Casualty & Surety Companies, 110 William Street, New York, N.Y.
D. (6) $150. E. (9) $2.95.

A. Winston W. Marsh, 1343 L Street NW., Washington, D.C.
B. National Tire Dealers & Retreaders Association, 1343 L Street NW., Washington, D.C.
D. (6) $155. E. (9) $2.

A. Fred T. Marshall, 1112 19th Street NW., Washington, D.C.
B. B. F. Goodrich Co., 500 South Main Street, Akron, Ohio.

A. J. Paull Marshall, 925 Transportation Building, Washington, D.C.
B. Association of American Railroads, Transportation Building, Washington, D.C.
D. (6) $256.53. E. (9) $236.77.

A. Paul V. Martenson, 1730 K Street NW., Washington, D.C.
B. Shipbuilders Council of America, 1730 K Street NW., Washington, D.C.

A. Thomas A. Martin, 510 Shoreham Building, Washington, D.C.
B. Socony Mobil Oil Co., Inc, 150 East 42d Street, New York, N.Y.
D. (6) $1,348.78. E. (9) $223.78.

A. Mike M. Masaoka, 919 18th Street NW., Washington, D.C.
B. American Committee on Japan.

A. Mike M. Masaoka, 919 18th Street NW., Washington, D.C.
B. Association on Japanese Textile Imports, Inc., 551 Fifth Avenue, New York, N.Y.

A. Mike M. Masaoka, 919 18th Street NW., Washington, D.C.
B. Japanese American Citizens League, 1634 Post Street, San Francisco, Calif.
D. (6) $150.

A. Walter J. Mason, 815 16th Street NW., Washington, D.C.
B. Building and Construction Trades Department, AFL–CIO, 815 16th Street NW., Washington, D.C.
D. (6) $3,750. E. (9) $1,083.15.

A. David Mathews, Jr., 345 Fourth Avenue, Pittsburgh, Pa.
B. Pittsburgh Coal Exchange, 345 Fourth Avenue, Pittsburgh, Pa.
E. (9) $50.

A. P. H. Mathews, 925 Transportation Building, Washington, D.C.
B. Association of American Railroads, Transportation Building, Washington, D.C.
D. (6) $535.65. E. (9) $497.89.

A. Charles D. Matthews, 1200 18th Street NW., Washington, D.C.
B. National Association of Electric Companies, 1200 18th Street NW., Washington, D.C.
D. (6) $225. E. (9) $67.23.

A. C. V. and R. V. Maudlin, 1111 E Street NW., Washington, D.C.
B. National Association of Secondary Material Industries, Inc., 271 Madison Avenue, New York, N.Y.

A. Henry Mayers, 2301 West Third Street, Los Angeles, Calif.
B. The Mayers Co., Inc., 2301 West Third Street, Los Angeles, Calif.

A. George E. Meagher, 900 F Street NW., Washington, D.C.
B. American Federation of Government Employees, 900 F Street NW., Washington, D.C.
D. (6) $2,552.90. E. (9) $66.50.

A. John S. Mears, 1608 K Street NW., Washington, D.C.
B. The American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.
D. (6) $2,802.60. E. (9) $4.90.

A. Medical Society of the District of Columbia, 1718 M Street NW., Washington, D.C.

A. William R. Merriam, 905 16th Street NW., Washington, D.C.
B. International Telephone & Telegraph Corp., 905 16th Street NW., Washington, D.C.
D. (6) $2,000. E. (9) $3,130.

A. Metropolitan Washington Board of Trade, 1616 K Street NW., Washington, D.C.

A. Michigan Hospital Service, 441 East Jefferson Avenue, Detroit, Mich.
E. (9) $1,505.73.

A. Midland Cooperative Dairy Association, Shawano, Wis., and 912 University Building, Syracuse, N.Y.

A. Milk Industry Foundation, 1145 19th Street NW., Washington, D.C.

A. Capt. A. Stanley Miller, 912 17th Street NW., Washington, D.C.
B. American Committee for Flags of Necessity, 25 Broadway, New York, N.Y.
D. (6) $100.

A. Miller Associates, Inc., 1701 K Street NW., Washington, D.C.
B. The League of New York Theatres, Inc., and the National Association of the Legitimate Theatre, Inc., 137 West 48th Street, New York, N.Y.
D. (6) $1,125. E. (9) $145.30.

A. Dale Miller, 377 Mayflower Hotel, Washington, D.C.
B. Dallas, Tex., Chamber of Commerce.
D. (6) $1,500.

A. Dale Miller, 377 Mayflower Hotel, Washington, D.C.
B. Intracoastal Canal Association of Louisiana and Texas, 2211 South Coast Building, Houston, Tex.
D. (6) $2,625.

A. Dale Miller, 377 Mayflower Hotel, Washington, D.C.
B. Texas Gulf Sulphur Co., Newgulf, Tex., and New York, N.Y.
D. (6) $2,250.

A. Edwin Reid Miller, 1004 Farnam Street, Omaha, Nebr.
B. Nebraska Railroads Legislative Committee, 1004 Farnam Street, Omaha, Nebr.
D. (6) $3,090. E. (9) $293.75.

A. Joseph L. Miller, 918 16th Street, Washington, D.C.
B. Northern Textile Association, Theisen-Clemens Co., and Quinebaug-French Rivers Manufacturing Association.

A. Lloyd S. Miller, 1730 K Street NW., Washington, D.C.
B. American Telephone and Telegraph Co., 195 Broadway, New York, N.Y.
D. (6) $535.75.

A. Claude Minard, 215 Market Street, San Francisco, Calif.
B. California Railroad Association, 215 Market Street, San Francisco, Calif.

A. Othmer J. Mischo, 5025 Wisconsin Avenue NW., Washington, D.C.
B. Amalgamated Association of Street, Electric Railway and Motor Coach Employees of America, AFL–CIO, 5025 Wisconsin Avenue NW., Washington, D.C.

A. Missouri Railroad Committee, 906 Olive Street, St. Louis, Mo.
E. (9) $189.17.

A. M. D. Mobley, 1010 Vermont Avenue NW., Washington, D.C.
B. American Vocational Association, 1010 Vermont Avenue NW., Washington, D.C.

A. Harry L. Moffett, 1102 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $1,537.50. E. (9) $3.35.

A. G. Merrill Moody, 944 Transportation Building, Washington, D.C.
B. Association of American Railroads, 944 Transportation Building, Washington, D.C.
D. (6) $19.80. E. (9) $26.45.

A. Cecil Morgan, 30 Rockefeller Plaza, New York, N.Y.
B. Standard Oil Co. (New Jersey), 30 Rockefeller Plaza, New York, N.Y.

A. Morison, Murphy, Clapp & Abrams, the Pennsylvania Building, Washington, D.C.
B. William S. Beinecke, 114 Fifth Avenue, New York, N.Y.
E. (9) $4.80.

A. Morison, Murphy, Clapp & Abrams, the Pennsylvania Building, Washington, D.C.
B. The Sperry & Hutchinson Co., 114 Fifth Avenue, New York, N.Y.

A. Motor Commerce Association, Inc., 4004 Versailles Road, Lexington, Ky.
D. (6) $2,250. E. (9) $1,091.90.

A. Vincent S. Mullaney, 777 14th Street NW., Washington, D.C.
B. General Electric Co., 570 Lexington Avenue, New York, N.Y.
D. (6) $625. E. (9) $191.46.

A. T. H. Mullen, 711 14th Street NW., Washington, D.C.
B. American Paper & Pulp Association, 122 East 42d Street, New York, N.Y.

A. T. H. Mullen, 711 14th Street NW., Washington, D.C.
B. American Pulpwood Association, 220 East 42d Street, New York, N.Y.

A. Ray R. Murdock, 1725 K Street NW., Washington, D.C.
B. American Maritime Association, 17 Battery Place, New York, N.Y.
D. (6) $699.99.

A. Dr. Emmett J. Murphy, 5737 13th Street NW., Washington, D.C.
B. National Chiropractic Insurance Co., National Building, Webster City, Iowa.
D. (6) $900. E. (9) $900.

A. John J. Murphy, 420 Gardiner Drive, Hillsmere Shores, Annapolis, Md.
B. National Customs Service Association.

A. Robert F. Murphy, 1608 K Street NW., Washington, D.C.
B. The American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.
D. (6) $2,203.20. E. (9) $56.30.

A. William E. Murray, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

A. Kenneth D. Naden, 1616 H Street NW., Washington, D.C.
B. National Council of Farmer Cooperatives, 1616 H Street NW., Washington, D.C.
D. (6) $6,249.96. E. (9) $494.65.

A. Raymond Nathan, 1741 DeSales Street NW., Washington, D.C.
B. Associated Fur Manufacturers, 101 West 30th Street, New York, N.Y.
D. (6) $1,125.

A. Raymond Nathan, 1741 DeSales Street NW., Washington, D.C.
B. Glen Alden Corp., 1740 Broadway, New York, N.Y.
D. (6) $750.

A. National Associated Businessmen, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $798.90. E. (9) $881.20.

A. National Association of Agricultural Stabilization and Conservation County Office Employees, New Boston, Tex., and Jasper, Fla.
D. (6) $4,085. E. (9) $2,125.

A. National Association of Direct Selling Companies, 163–165 Center Street, Winona, Minn.
D. (6) $13,750. E. (9) $23.10.

A. National Association of Electric Companies, 1200 18th Street NW., Washington, D.C.
D. (6) $1,617.86. E. (9) $11,319.49.

A. National Association of Food Chains, 1725 I Street NW., Washington, D.C.
D. (6) $475.30. E. (9) $475.30.

A. National Association of Frozen Food Packers, 919 18th Street NW., Washington, D.C.

A. National Association of Insurance Agents, Inc., 96 Fulton Street, New York, N.Y.
D. (7) $3,500. E. (9) $8,540.21.

A. National Association of Margarine Manufacturers, Munsey Building, Washington, D.C.

A. National Association of Mutual Savings Banks, 200 Park Avenue, New York, N.Y.
D. (6) $2,316.48. E. (9) $2,316.48.

A. National Association of Plumbing-Heating-Cooling Contractors, 1016 20th Street NW., Washington, D.C.
E. (9) $693.90.

A. National Association of Postal Supervisors, Post Office Box 1924, Washington, D.C.
D. (6) $17,000. E. (9) $7,649.10.

A. National Association of Retired Civil Employees, 1625 Connecticut Avenue NW., Washington, D.C.
D. (6) $2,576.95. E. (9) $3,114.

A. National Association of Travel Organizations, 1422 K Street NW., Washington, D.C.
D. (6) $33,757.24. E. (9) $682.50.

A. National Automobile Dealers Association, 2000 K Street NW., Washington, D.C.
D. (6) $8,515.82. E. (9) $8,515.82.

A. National Coal Association, Coal Building, Washington, D.C.

A. National Cotton Compress and Cotton Warehouse Association, 1085 Shrine Building, Box 23, Memphis, Tenn.

A. National Cotton Council of America, Post Office Box 9905, Memphis, Tenn.
D. (6) $8,509.09. E. (9) $8,509.09.

A. National Council of Farmer Cooperatives, 1616 H Street NW., Washington, D.C.
D. (6) $5,399.75. E. (9) $3,506.

A. National Council of the Junior Order of United American Mechanics, 3027 North Broad Street, Philadelphia, Pa.
E. (9) $150.

A. National Electrical Contractors Association, Inc., 1200 18th Street NW., Washington, D.C.

A. National Electrical Manufacturers Association, 155 East 44th Street, New York, N.Y.
D. (6) $730.98. E. (9) $730.98.

A. National Independent Meat Packers Association, 740 11th Street NW., Washington, D.C.
D. (6) $3,687. E. (9) $2,325.54.

A. National League of Insured Savings Associations, 18th and M Streets NW., Washington, D.C.
D. (6) $3,917.42. E. (9) $2,696.84.

A. National Life & Accident Insurance Co., Nashville, Tenn.
E. (9) $21.05.

A. National Limestone Institute, Inc., 210 H Street NW., Washington, D.C.
D. (6) $2,263. E. (9) $2,663.

A. National Livestock Feeders Association, 309 Livestock Exchange Building, Omaha, Nebr.
D. (6) $2,841. E. (9) $2,841.

A. National Livestock Tax Committee, 801 East 17th Avenue, Denver, Colo.
D. (6) $11,359.66. E. (9) $10,354.01.

A. National Lumber Manufacturers Association, 1619 Massachusetts Avenue NW., Washington, D.C.
D. (6) $9,317.06. E. (9) $12,119.26.

A. National Milk Producers Federation, 30 F Street NW., Washington, D.C.
D. (6) $6,228.75 E. (9) $6,228.75.

A. National Multiple Sclerosis Society, 257 Park Avenue South, New York, N.Y.
E. (9) $827.27.

A. National Reclamation Association, 897 National Press Building, Washington, D.C.
D. (6) $17,942.50. E. (9) $11,390.13.

A. National Restaurant Association, 1012 14th Street NW., Washington, D.C., and 1530 North Lake Shore Drive, Chicago, Ill.
D. (6) $6,991.09. E. (9) $6,991.09.

A. National Retail Furniture Association, 666 Lake Shore Drive, Chicago, Ill.

A. National Retail Merchants Association, 100 West 31st Street, New York, N.Y.
E. (9) $7,196.01.

A. National Rivers & Harbors Congress, 1028 Connecticut Avenue, Washington, D.C.
D. (6) $13,534.08. E. (9) $21,436.35.

A. National Rural Electric Cooperative Association, 2000 Florida Avenue, NW., Washington, D.C.
E. (9) $702.75.

A. National Society of Professional Engineers, 2029 K Street NW., Washington, D.C.
D. (6) $44,617. E. (9) $2,206.

A. National Telephone Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
E. (9) $164.

A. National Tire Dealers & Retreaders Association, 1343 L Street NW., Washington, D.C.
D. (6) $228. E. (9) $228.

A. National Woman's Christian Temperance Union, 1730 Chicago Avenue, Evanston, Ill.
D. (6) $2,958.71. E. (9) $1,859.35.

A. Nation-Wide Committee on Import-Export Policy, 815 15th Street NW., Washington, D.C.
D. (6) $6,125. E. (9) $9,568.91.

A. Robert R. Neal, 1701 K Street NW., Washington, D.C.
B. Health Insurance Association of America, 1701 K Street NW., Washington, D.C.
D. (6) $45. E. (9) $4.50.

A. Samuel E. Neel, 1001 15th Street NW., Washington, D.C.
B. Mortgage Bankers Association of America, 111 West Washington Street, Chicago, Ill.
D. (6) $4,999.98. E (9) $2,720.96.

A. New England Shoe & Leather Association, 210 Lincoln Street, Boston, Mass.
D. (6) $724.57. E. (9) $724.57.

A. Mrs. Sarah H. Newman.
B. National Consumers League, 1029 Vermont Avenue NW., Washington, D.C.
D. (6) $1,650.

A. George L. Nichols, 1625 Connecticut Avenue NW., Washington, D.C.
B. National Association of Retired Civil Employees, 1625 Connecticut Avenue NW., Washington, D.C.
D. (6) $1,500. E. (9) $31.14.

A. Stanley D. Noble, Munsey Building, Washington, D.C.
B. Council of Profit Sharing Industries, Munsey Building, Washington, D.C.
D. (6) $307.69 E. (9) $130.78.

A. Charles M. Noone, 1209 Ring Building, Washington, D.C.
B. National Association of Small Business Investment Companies, 537 Washington Building, Washington, D.C.
E. (9) $800.76.

A. T. A. Nooner, Jr., 38 South Dearborn Street, Chicago, Ill.
B. Railway Progress Institute, 38 South Dearborn Street, Chicago, Ill.
D. (6) $3,600.

A. O. L. Norman, 1200 18th Street NW., Washington, D.C.
B. National Association of Electric Companies, 1200 18th Street NW., Washington, D.C.
D. (6) $562.50. E. (9) $51.10.

A. Robert H. North, 1105 Barr Building, Washington, D.C.
B. International Association of Ice Cream Manufacturers, 1105 Barr Building, Washington, D.C.
E. (9) $107.65.

A. Harry E. Northam, 185 North Wabash Avenue, Chicago, Ill.
B. Association of American Physicians & Surgeons, Inc., 185 North Wabash Avenue, Chicago, Ill.

A. Graham T. Northup, 1001 15th Street NW., Washington, D.C.
B. Mortgage Bankers Association of America, 111 West Washington Street, Chicago, Ill.
D. (6) $4,500. E. (9) $2,622.22.

A. E. M. Norton, 30 F Street NW., Washington, D.C.
B. National Milk Producers Federation, 30 F Street NW., Washington, D.C.
D. (6) $300. E. (9) $87.25.

A. Richard T. O'Connell, 1616 H Street NW., Washington, D.C.
B. National Council of Farmer Cooperatives, 1616 H Street NW., Washington, D.C.
D. (6) $3,779.98. E. (9) $86.49.

A. William B. O'Connell, 400 First Street NW., Washington, D.C.
B. Brotherhood of Railroad Signalmen, 2247 West Lawrence Avenue, Chicago, Ill.

A. E. H. O'Connor, 176 West Adams Street, Chicago, Ill.
B. Insurance Economics Society of America, 176 West Adams Street, Chicago, Ill.
D. (6) $10,552.31.

A. John F. O'Connor, 817 14th Street NW., Washington, D.C.
B. United Federation of Postal Clerks, 817 14th Street NW., Washington, D.C.
D. (6) $4,375.12. E. (9) $161.

A. R. E. O'Connor, 122 East 42d Street, New York, N.Y.
B. American Paper & Pulp Association, 122 East 42d Street, New York, N.Y.

A. Ohio Railroad Association, 16 East Broad Street, Columbus, Ohio.

A. Alvin E. Oliver, 400 Folger Building, Washington, D.C.
B. Grain and Feed Dealers National Association, 400 Folger Building, Washington, D.C.

A. Clarence H. Olson, 1608 K Street NW., Washington, D.C.
B. The American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.
D. (6) $3,726. E. (9) $71.75.

A. Samuel Omasta, 210 H Street NW., Washington, D.C.
B. National Limestone Institute, Inc., 210 H Street NW., Washington, D.C.
E. (9) $25.

A. Organization of Professional Employes of the U.S. Department of Agriculture, Post Office Box 381, Washington, D.C.
D. (6) $272.52. E. (9) $984.20.

A. Clayton L. Orn, 539 South Main Street, Findlay, Ohio.
B. Marathon Oil Co., Findlay, Ohio.

A. Morris E. Osborn, Central Trust Building, Jefferson City, Mo.
B. Missouri Railroad Committee.

A. Kermit Overby, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
D. (6) $150.

A. John A. Overholt, 10315 Kensington Parkway, Kensington, Md.
B. National Association of Retired Civil Employees, 1625 Connecticut Avenue NW., Washington, D.C.
D. (6) $1,076.95.

A. J. Allen Overton, Jr., 1102 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $1,500.

A. Vaux Owen, 1737 H. Street NW., Washington, D.C.
B. National Federation of Federal Employees, 1737 H Street NW., Washington, D.C.
D. (6) 4,307.73. E. (9) $20.50.

A. Edwin F. Padberg, 1223 Pennsylvania Building, Washington, D.C.
B. The Pennsylvania Railroad Co., Six Penn Center Plaza, Philadelphia, Pa.

A. Raymond S. Page, Jr., Mill Creek Terrace, Gladwyne, Pa.
B. Campbell Soup Co., 375 Memorial Avenue, Camden, N.J.

A. Walter Page, 912 University Building, Syracuse, N.Y.

A. Everett L. Palmer, 901 Hamilton Street, Allentown, Pa.
B. Pennsylvania Power & Light Co., 901 Hamilton Street, Allentown, Pa.
E. (9) $46.30.

A. Lew M. Paramore, Post Office Box 1310, Kansas City, Kans.
B. Mississippi Valley Association, 1978 Railway Exchange Building, St. Louis, Mo.

A. Holcombe Parkes, 38 South Dearborn Street, Chicago, Ill.
B. Railway Progress Institute, 38 South Dearborn Street, Chicago, Ill.
D. (6) $9,750.

A. James D. Parriott, Jr., 539 South Main Street, Findlay, Ohio.
B. Marathon Oil Co., 539 South Main Street, Findlay, Ohio.

A. Robert D. Partridge, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
D. (6) $197.25.

A. James G. Patton, 1575 Sherman Street, Denver, Colo.
B. The Farmers' Educational and Co-Operative Union of America, 1575 Sherman Street, Denver, Colo.; 1404 New York Avenue NW., Washington, D.C.
D. (6) $1,415.25. E. (9) $1,787.27.

A. J. D. Parel, 944 Transportation Building, Washington, D.C.
B. Association of American Railroads, Transportation Building, Washington, D.C.
D. (6) $103.55. E. (9) $65.

A. Philip C. Pendleton, Second Street Pike, Bryn Athyn, Pa.
B. Charitable Contributors Association, 100 Old York Road, Jenkintown, Pa.
D. (6) $100. E. (9) $86.62.

A. Philip C. Pendleton, Second Street Pike, Byrn Athyn, Pa.
B. Family Tax Association, 2110 Girard Trust Building, Philadelphia, Pa.
D. (6) $500. E. (9) $109.04.

A. Philip C. Pendleton, Second Street Pike, Bryn Athyn, Pa.
B. The Pitcairn Co., 100 West 10th Street, Wilmington, Del.
D. (6) $800.

A. Ervin L. Peterson, 1145 19th Street NW., Washington, D.C.
B. Milk Industry Foundation, 1145 19th Street NW., Washington, D.C.

A. J. Hardin Peterson, Post Office Box 111, Lakeland, Fla.
B. Florida Citrus Mutual, Lakeland, Fla.
D. (6) $1,800. E. (9) $43.50.

A. J. Hardin Peterson, Post Office Box 111, Lakeland, Fla.
B. West Coast Inland Navigation District, Courthouse, Bradenton, Fla.
D. (6) $600. E. (9) $205.47.

A. Pharmaceutical Manufacturers Association, 1411 K Street NW., Washington, D.C.

A. Richard N. Philleo, 1 Farragut Square South, Washington, D.C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $1,200. E. (9) $108.65.

A. Tom Pickett, 944 Transportation Building, Washington, D.C.
B. Association of American Railroads, Transportation Building, Washington, D.C.
D. (6) $153.34.

A. T. E. Pinkston, 101 East High Street, Lexington, Ky.
B. Kentucky Railroad Association.
E. (9) $448.03.

A. Pitcairn Co., 100 West 10th Street, Wilmington, Del.
E. (9) $800.

A. Plains Cotton Growers, Inc., 1720 Avenue M., Lubbock, Tex.
D. (6) $40,025.02. E (9) $1,350.

A. Milton M. Plumb, 400 First Street NW., Washington, D.C.
B. Railway Labor Executives' Association, 400 First Street NW., Washington, D.C.

A. James K. Polk, 522 Fifth Avenue, New York, N.Y.
B. Consolidated Edison Co. of New York, Inc., 4 Irving Place, New York, N.Y.
D. (6) $765. E. (9) $29.65.

A. Ramsay D. Potts, Jr., 910 17th Street N.W., Washington, D.C.
B. Investment Company Institute, 61 Broadway, New York, N.Y.
D. (6) $4,999.98. E. (9) $169.48.

A. Richard M. Powell, 1210 Tower Building, Washington, D.C.
B. National Association of Refrigerated Warehouses, 1210 Tower Building, Washington, D.C.

A. William I. Powell, 1110 Ring Building, Washington, D.C.
B. Independent Petroleum Association of America, 1110 Ring Building, Washington, D.C.
E. (9) $15.40.

A. Thomas W. Power, 1012 14th Street NW., Washington, D.C.
B. National Restaurant Association, 1012 14th Street NW., Washington, D.C., and 1530 North Lake Shore Drive, Chicago, Ill.
D. (6) $2,125. E. (9) $300.

A. William C. Prather, 221 North La Salle Street, Chicago, Ill.
B. United States Savings & Loan League, 221 North La Salle Street, Chicago, Ill.
D. (6) $347.50. E. (9) $166.77.

A. William H. Press, 1616 K Street NW., Washington, D.C.
B. Metropolitan Washington Board of Trade, 1616 K Street NW., Washington, D.C.
D. (6) $6,500.

A. William R. Pringle, 23640 Bryden Road, Cleveland, Ohio, and 744 Pennsylvania Building, Washington, D.C.
B. Con-Gas Service Corp., Four Gateway Center, Pittsburgh, Pa.

A. Purcell & Nelson, 910 17th Street NW., Washington, D.C.
B. Nicaragua Sugar Estates, Ltd., Managua, Nicaragua.
E. (9) $3.36.

A. Ganson Purcell, 910 17th Street NW., Washington, D.C.
B. Insular Lumber Co., 1406 Locust Street, Philadelphia, Pa.
E. (9) $1.35.

A. Luke C. Quinn, Jr., 1001 Connecticut Avenue NW., Washington, D.C.
B. American Cancer Society, Arthritis and Rheumatism Foundation, United Cerebral Palsy Association, National Multiple Sclerosis Society, National Committee for Research in Neurological Disorders, New York, N.Y.
D. (6) $10,749.97. E. (9) $7,103.47.

A. Cushman S. Radebaugh, Box 1928, Orlando, Fla.
B. American National Cattlemen's Association, 801 East 17th Avenue, Denver, Colo.
E. (9) $387.51.

A. Alex Radin, 919 18th Street NW., Washington, D.C.
B. American Public Power Association, 919 18th Street NW., Washington, D.C.
D. (6) $190.40.

A. Edward F. Ragland, 6917 Marbury Road, Bethesda, Md.
B. The Tobacco Institute, Inc., 808 17th Street NW., Washington, D.C.

A. Railroad Pension Conference, Post Office Box 798, New Haven, Conn.
D. (6) $48.25. E. (9) $66.46.

A. Railway Labor Executives' Association, 400 First Street NW., Washington, D.C.

A. Railway Progress Institute, 38 South Dearborn Street, Chicago, Ill.
D. (6) $530.04. E. (9) $530.04.

A. Alan T. Rains, 777 14th Street NW., Washington, D.C.
B. United Fresh Fruit & Vegetable Association, 777 14th Street NW., Washington, D.C.

A. Caroline Cullen Ramsay, 1414 34th Street, Washington, D.C.
B. Women's International League for Peace and Freedom, 120 Maryland Avenue NE., Washington, D.C.

A. Donald J. Ramsey, 1725 K Street NW., Washington, D.C.
B. Silver Users Association, 1725 K Street NW., Washington, D.C.
D. (6) $450. E. (9) $31.39.

A. J. A. Ransford, 1701 Pennsylvania Avenue NW., Washington, D.C.
B. Tidewater Oil Co.

A. Stanley Rector, 520 Hotel Washington, Washington, D.C.
B. Unemployment Benefit Advisors, Inc.
D. (6) $1,000.

A. Robert E. Redding, 1710 H Street NW., Washington, D.C.
B. Committee for Time Uniformity, 1710 H Street NW., Washington, D.C.

A. Robert E. Redding, 1710 H Street NW., Washington, D.C.
B. Transportation Association of America, 1710 H Street NW., Washington, D.C.

A. Otie M. Reed, 1107 19th Street NW., Washington, D.C.
B. National Creameries Association.
D. (6) $2,300.01. E. (9) $3,920.29.

A. W. O. Reed, 6254 Woodland Drive, Dallas, Tex.
B. Texas Railroads.
D. (6) $325. E. (9) $361.45.

A. J. A. Reidelbach, Jr., 1117 Barr Building, Washington, D.C.
B. Home Manufacturers Association, 1117 Barr Building, Washington, D.C.
D. (6) $200.

A. Louis H. Renfrow, 1000 16th Street NW., Washington, D.C.
B. National Coal Policy Conference, Inc., 1000 16th Street NW., Washington, D.C.
D. (6) $6,250.

A. Retired Officers Association, 1625 I Street NW., Washington, D.C.
D. (6) $86,875.15.

A. Retirement Federation of Civil Service Employees of the U.S. Government, 900 F Street NW., Washington, D.C.
D. (6) $9,944.66. E. (9) $8,711.87.

A. F. Marion Rhodes, 60 Beaver Street, New York, N.Y.
B. New York Cotton Exchange, 60 Beaver Street, New York, N.Y.

A. Theron J. Rice, 1615 H Street NW., Washington, D.C.
B. Chamber of Commerce of the United States.

A. James W. Richards, 1000 16th Street NW., Washington, D.C.
B. Standard Oil Co. (Ind.), 910 South Michigan Avenue, Chicago, Ill.
D. (6) $1,133.34. E. (9) $28.88.

A. Harry H. Richardson, 335 Austin Street, Bogalusa, La.
B. Louisiana railroads.
D. (6) $27.50. E. (9) $92.25.

A. James W. Riddell, 731 Washington Building, Washington, D.C.
B. C.I.T. Financial Corp., 650 Madison Avenue, New York, N.Y.

A. James W. Riddell, 731 Washington Building, Washington, D.C.
B. Committee of Consumer Finance Companies, 731 Washington Building, Washington, D.C.

A. James W. Riddell, 731 Washington Building, Washington, D.C.
B. Entertainment Law Committee, 731 Washington Building, Washington, D.C.

A. James W. Riddell, 731 Washington Building, Washington, D.C.
B. Mutual Benefit Health and Accident Association, Omaha, Nebr.

A. James W. Riddell, 731 Washington Building, Washington, D.C.
B. State Farm Mutual Automobile Insurance Co., 112 East Washington Street, Bloomington, Ill.

A. Richard J. Riddick, 1012 14th Street NW., Washington, D.C.
B. Freight Forwarders Institute, 1012 14th Street NW., Washington, D.C.
D. (6) $3,124.98. E. (9) $182.93.

A. Siert F. Riepma, Munsey Building, Washington, D.C.
B. National Association of Margarine Manufacturers.

A. C. E. Rightor, 3300 Rolling Road, Chevy Chase, Md.
B. Committee for Study of Revenue Bond Financing, 149 Broadway, New York, N.Y.
D. (6) $1,050. E. (9) $444.78.

A. Paul H. Robbins, 2028 K Street NW., Washington, D.C.
B. National Society of Professional Engineers, 2029 K Street NW., Washington, D.C.
D. (6) $250.

A. Clyde F. Roberts, Jr., 918 16th Street NW., Washington, D.C.
B. National Association of Manufacturers.

A. Charles A. Robinson, Jr., 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
D. (6) $176.

A. Donald L. Rogers, 730 15th Street NW., Washington, D.C.
B. Association of Registered Bank Holding Companies, 730 15th Street NW., Washington, D.C.
D. (6) $375.

A. Frank W. Rogers, 1700 K Street NW., Washington, D.C.
B. Western Oil and Gas Association, 609 South Grand Avenue, Los Angeles, Calif.
D. (6) $526.

A. T. J. Ross and Associates, Inc., 405 Lexington Avenue, New York, N.Y.
D. (6) $4,500. E. (9) $4,378.23.

A. Edmond F. Rovner, 1126 16th Street NW., Washington, D.C.
B. International Union of Electrical, Radio, and Machine Workers, 1126 16th Street NW., Washington, D.C.
D. (6) $1,250.

A. James H. Rowe, Jr., and Richard C. O'Hare, 1120 Investment Building, Washington, D.C.
B. Haytian American Sugar Co., S.A., Port-au-Prince, Haiti.
D. (6) $3,750.

A. Royall, Koegel & Rogers, 1730 K Street NW., Washington, D.C.
B. Pinkerton's National Detective Agency Inc., 154 Nassau Street, New York, N.Y.
E. (9) $110.53.

A. Albert R. Russell, 1918 North Parkway, Memphis, Tenn.
B. National Cotton Council of America, Post Office Box 9905, Memphis, Tenn.
D. (6) $153. E. (9) $62.23.

A. Oswald Ryan, 528 Barr Building, Washington, D.C.
B. Air Traffic Control Association, Inc., 528 Barr Building, Washington, D.C.
D. (6) $500. E. (9) $36.20.

A. William H. Ryan, 400 First Street NW., Washington, D.C.
B. District Lodge No. 44, International Association of Machinists, 400 First Street NW., Washington, D.C.
D. (6) $2,999.88. E. (9) $60.

A. Kermit B. Rykken, 1712 G Street NW., Washington, D.C.
B. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. Robert A. Saltzstein, 508 Wyatt Building, Washington, D.C.
B. The Associated Business Publications, 205 East 42d Street, New York, N.Y.
D. (6) $2,250. E. (9) $315.12.

A. Satterlee, Warfield & Stephens, 460 Park Avenue, New York N.Y.
B. American Nurses' Association, 10 Columbus Circle, New York, N.Y.
D. (6) $400. E. (9) $129.16.

A. O. H. Saunders, 1625 I Street NW., Washington, D.C.
B. Retired Officers Association, 1625 I Street NW., Washington, D.C.
D. (6) $1,950.

A. Fred J. Scanlan, 1303 New Hampshire Avenue NW., Washington, D.C.
B. Fleet Reserve Association, 1303 New Hampshire Avenue NW., Washington, D.C.
D. (6) $350.

A. William H. Scheick, 1735 New York Avenue NW., Washington, D.C.
B. The American Institute of Architects, 1735 New York Avenue NW., Washington, D.C.
D. (6) $400. E. (9) $300.

A. C. Herschel Schooley, 815 15th Street NW., Washington, D.C.
B. Independent Bankers Association, Sauk Centre, Minn.
D. (6) $3,750. E. (9) $7,669.

A. Hilliard Schulberg, 1346 Connecticut Avenue NW., Washington, D.C.
B. Washington (D.C.) Retail Liquor Dealers Association, Inc., 1346 Connecticut Avenue NW., Washington, D.C.
E. (9) $179.06.

A. Durward Seals, 777 14th Street NW., Washington, D.C.
B. United Fresh Fruit & Vegetable Association, 777 14th Street NW., Washington, D.C.

A. Ben Seaver, 245 Second Street NE., Washington, D.C.
B. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C.

A. Hollis M. Seavey, 1771 N Street NW., Washington, D.C.
B. National Association of Broadcasters, 1771 N Street NW., Washington, D.C.

A. Fred G. Seig, 925 Transportation Building, Washington, D.C.
B. Association of American Railroads, Transportation Building, Washington, D.C.

A. Sessions and Caminita, 917 15th Street NW., Washington, D.C.
B. Wisconsin Packing Co., 215 West Oregon Street, Milwaukee, Wis.
D. (6) $1,000. E. (9) $175.67.

A. Clifford Setter, 55 West 44th Street, New York, N.Y.

A. Leo Saybold, 1000 Connecticut Avenue NW., Washington, D.C.
B. Air Transport Association of America, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $1,125. E. (9) $114.95.

A. Alvin Shapiro, 919 18th Street NW., Washington, D.C.
B. American Merchant Marine Institute, Inc., 919 18th Street NW., Washington, D.C., and 11 Broadway, New York, N.Y.
D. (6) $1,306.25. E. (9) $160.42.

A. David C. Sharman, 1025 Connecticut Avenue NW., Washington, D.C.
B. American Optometric Association, care of Dr. Melvin B. Dunbar, 21 Bank Street, Lebanon, N.H.
D. (6) $1,352. E. (9) $578.25.

A. A. Manning Shaw, 1625 I Street NW., Washington, D.C.
B. National Association of Electric Companies, 1200 18th Street NW., Washington, D.C.
D. (6) $968.

A. Carroll M. Shaw, 6326 Southcrest Drive, Shreveport, La.
B. Amalgamated Association of Street, Electric Railway & Motor Coach Employees of America, 5025 Wisconsin Avenue NW., Washington, D.C.

A. Laurence P. Sherfy, 1102 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $400.75.

A. Max Shine, 900 F Street NW., Washington, D.C.
B. American Federation of Technical Engineers, 900 F Street NW., Washington, D.C.
D. (6) $992.50. E. (9) $20.

A. Richard C. Shipman, 1575 Sherman Street, Denver, Colo.
B. The Farmers' Educational and Co-Operative Union of America, 1575 Sherman Street, Denver, Colo.; 1404 New York Avenue NW., Washington, D.C.
D. (6) $1,188.86. E. (9) $102.

A. Robert L. Shortle, 306 International Trade Mart, New Orleans, La.
B. Mississippi Valley Association, 1978 Railway Exchange Building, St. Louis, Mo.

A. Charles B. Shuman, Merchandise Mart Plaza, Chicago, Ill.
B. American Farm Bureau Federation, Merchandise Mart Plaza, Chicago, Ill.
D. (6) $700.

A. Silver Users Association, 1725 K Street NW., Washington, D.C.
D. (6) $704.50. E. (9) $1,327.50.

A. Six Agency Committee, 909 South Broadway, Los Angeles, Calif.
D. (6) $20,000. E. (9) $3,360.

A. Harold S. Skinner, Post Office Box 2197, Houston, Tex.
B. Continental Oil Co.

A. Carstens Slack, 1625 I Street NW., Washington, D.C.
B. Phillips Petroleum Co., Bartlesville, Okla.

A. Harold Slater, 1 Farragut Square South, Washington, D.C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $1,312.50. E. (9) $75.69.

A. Stephen Slipher, 812 Pennsylvania Building, Washington, D.C.
B. U.S. Savings and Loan League, 221 North La Salle Street, Chicago, Ill.
D. (6) $2,812.50. E. (9) $1.20.

A. Carleton D. Smith, 1725 K Street NW., Washington, D.C.
B. Radio Corp. of America, 30 Rockefeller Plaza, New York, N.Y.

A. Harold Arden Smith, 605 West Olympic Boulevard, Los Angeles, Calif.
B. Standard Oil Co. of California, 225 Bush Street, San Francisco, Calif.
D. (6) $200. E. (9) $45.

A. James R. Smith, 1060 Omaha National Bank Building, Omaha, Nebr.
B. Mississippi Valley Association, 1978 Railway Exchange Building, St. Louis, Mo.

A. Dr. Spencer M. Smith, Jr., 1709 North Glebe Road, Arlington, Va.
B. Citizens Committee on Natural Resources, 710 Dupont Circle Building, Washington, D.C.
D. (6) $2,609.19. E. (9) $1,980.91.

A. Wallace M. Smith, 425 13th Street NW., Washington, D.C.
B. American Mutual Insurance Alliance.

A. Wayne J. Smith, 132 Third Street SE., Washington, D.C.
B. Committee To Promote American-Made Motion Pictures, 6721 Melrose Avenue, Los Angeles, Calif.
D. (6) $900.

A. Wayne J. Smith, 132 Third Street SE., Washington, D.C.
B. Dixie Project & Development Association, Inc., St. George, Utah.
D. (6) $300.

A. Wayne J. Smith, 132 Third Street SE., Washington, D.C.
B. William Radkovich Co., 9133 Garvey Building, Rosemead, Calif.
D. (6) $360.

A. Wayne H. Smithey, 1200 Wyatt Building, Washington, D.C.
B. Ford Motor Co., Dearborn, Mich.
D. (6) $798. E. (9) $251.22.

A. Lyle O. Snader, 944 Transportation Building, Washington, D.C.
B. Association of American Railroads, Transportation Building, Washington, D.C.
D. (6) $176.25. E. (9) $148.

A. Frank B. Snodgrass, 1025 Connecticut Avenue NW., Washington, D.C.
B. Burley & Dark Leaf Tobacco Export Association, Post Office Box 860, Lexington, Ky.
D. (6) $275. E. (9) $120.10.

A. Edward F. Snyder, 245 Second Street NE., Washington, D.C.
B. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C.
D. (6) $1,817.32.

A. J. R. Snyder, 400 First Street NW., Washington, D.C.
B. Brotherhood of Railroad Trainmen.

A. Society for Animal Protective Legislation, 745 Fifth Avenue, New York, N.Y.
D. (6) $3,468.73. E. (9) $4,348.90.

A. Charles B. Sonneborn, 210 H Street NW., Washington, D.C.
B. National Limestone Institute, Inc., 210 H Street NW., Washington, D.C.
E. (9) $20.

A. Marvin J. Sonosky, 1700 K Street NW., Washington, D.C.
B. Sisseton-Wahpeton Sioux Tribe of South Dakota, Fort Totten, N. Dak., et al.

A. J. Taylor Soop, 400 First Street NW., Washington, D.C.
B. International Brotherhood of Electrical Workers, 330 South Wells Street, Chicago, Ill.

A. Southern States Industrial Council, 1103 Stahlman Building, Nashville, Tenn.
D. (6) $21,876.20. E. (9) $4,686.72.

A. William W. Spear, 214 Fremont National Bank Building, Fremont, Nebr.
B. Standard Oil Co. (Ind.), 910 South Michigan Avenue, Chicago, Ill.
D. (6) $729.17. E. (9) $14.09.

A. John F. Speer, 1105 Barr Building, Washington, D.C.

A. John M. Sprague, 1730 K Street NW., Washington, D.C.
B. Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex.
E. (9) $63.50.

A. Mrs. C. A. L. Stephens, Post Office Box 6234, Washington, D.C.

A. Russell M. Stephens, 900 F Street NW., Washington, D.C.
B. American Federation of Technical Engineers, 900 F Street NW., Washington, D.C.
D. (6) $240. E. (9) $20.

A. Steptoe and Johnson, Shoreham Building, Washington, D.C.
B. American Claims in Cuba Committee.

A. Mrs. Alexander Stewart, 120 Maryland Avenue NE., Washington, D.C.
B. Women's International League for Peace and Freedom, 120 Maryland Avenue NE., Washington, D.C.
D. (6) $23,801.37. E. (9) $5,659.11.

A. Menahem Stim, 29 Broadway, New York, N.Y.
B. Rifkin Textile Corp., 566 Seventh Avenue, New York, N.Y., and Irving S. Cohen, Inc., 257 West 39th Street, New York, N.Y.
D. (6) $2,000.

A. Sterling F. Stoudenmire, Jr., 61 St. Joseph Street, Mobile, Ala.
B. Waterman Steamship Corp., 61 St. Joseph Street, Mobile, Ala.
D. (6) $1,222.55. E. (9) $1,579.15.

A. Strasser, Spiegelberg, Fried, Frank & Kampelman, 1700 K Street NW., Washington, D.C.
B. Federation of American Scientists, 1700 K Street NW., Washington, D.C.

A. Strasser, Spiegelberg, Fried, Frank & Kampelman, 1700 K Street NW., Washington, D.C.
B. The Hualapai Tribe of the Hualapai Reservation, Peach Springs, Ariz.

A. Strasser, Spiegelberg, Fried, Frank & Kampelman, 1700 K Street NW., Washington, D.C.
B. Laguna Pueblo of New Mexico, Laguna, N. Mex.

A. Strasser, Spiegelberg, Fried, Frank & Kampelman, 1700 K Street NW., Washington, D.C.
B. Metlakatla Indian Community, Post Office Box 142, Metlakatla, Alaska.

A. Strasser, Spiegelberg, Fried, Frank & Kampelman, 1700 K Street NW., Washington, D.C.
B. The Nez Perce Tribe, Lapwai, Idaho.

A. Strasser, Spiegelberg, Fried, Frank & Kampelman, 1700 K Street NW., Washington, D.C.
B. The Oglala Sioux Tribe of the Pine Ridge Reservation, Pine Ridge, S. Dak.

A. Strasser, Spiegelberg, Fried, Frank & Kampelman, 1700 K Street NW., Washington, D.C.
B. Salt River Pima-Maricopa Indian Community, Scottsdale, Ariz.

A. Strasser, Spiegelberg, Fried, Frank & Kampelman, 1700 K Street NW., Washington, D.C.
B. The San Carlos Apache Tribe, San Carlos, Ariz.

A. Strasser, Spiegelberg, Fried, Frank & Kampelman, 1700 K Street NW., Washington, D.C.
B. The Seneca Nation of Indians, 25 Main Street, Salamanca, N.Y.

A. Strasser, Spiegelberg, Fried, Frank & Kampelman, 1700 K Street NW., Washington, D.C.
B. The Tuscarora Nation of Indians, Lewiston, N.Y.

A. Ronnie J. Straw, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

A. William A. Stringfellow, 6004 Roosevelt Street, Bethesda, Md.
B. National Association of Mutual Insurance Agents, 827 Investment Building, Washington, D.C.

A. Structural Clay Products Industry Depletion Committee, 1032 Shoreham Building, Washington, D.C.
D. (6) $547.10. E. (9) $2,054.04.

A. Norman Strunk, 221 North La Salle Street, Chicago, Ill.
B. United States Savings & Loan League, 221 North La Salle Street, Chicago, Ill.
D. (6) $1,625.

A. Walter B. Stults, 537 Washington Building, Washington, D.C.
B. National Association of Small Business Investment Companies, 537 Washington Building, Washington, D.C.
D. (6) $600.

A. Frank L. Sundstrom, 1290 Avenue of the Americas, New York, N.Y.
B. Schenley Industries, Inc., 1290 Avenue of the Americas, New York, N.Y.

A. Charles P. Taft, 1025 Connecticut Avenue NW., Washington, D.C.
B. Legislative Committee of the Committee for a National Trade Policy, Inc., 1025 Connecticut Avenue NW., Washington, D.C.

A. Glenn J. Talbott, 1575 Sherman Street, Denver, Colo.
B. The Farmers' Educational and Co-Operative Union of America, 1575 Sherman Street, Denver, Colo.; 1404 New York Avenue NW., Washington, D.C.

A. John I. Taylor, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, Merchandise Mart Plaza, Chicago, Ill.
D. (6) $1,437.50. E. (9) $60.85.

A. Mrs. Margaret K. Taylor, 20 E Street NW., Washington, D.C.
B. American Parents Committee, Inc., 20 E Street NW., Washington, D.C.

A. Richard W. Taylor, 245 Second Street NE., Washington, D.C.
B. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C.
D. (6) $230.77.

A. J. B. Thayn, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, Merchandise Mart Plaza, Chicago, Ill.
D. (6) $1,437.50. E. (9) $11.08.

A. Christy Thomas and Barry Sullivan, 536 Washington Building, Washington, D.C.

B. The National Association of River and Harbor Contractors, 15 Park Row, New York, N.Y.

D. (6) $750. E. (9) $114.37.

A. J. Woodrow Thomas, 1000 16th Street NW., Washington, D.C.

B. Trans World Airlines, Inc., 10 Richards Road, Kansas City, Mo.

E. (9) $148.70.

A. Oliver A. Thomas, 125 North Center Street, Reno, Nev.

B. Nevada Railroad Association, 125 North Center Street, Reno, Nev.

D. (6) $100. E. (9) $402.37.

A. William B. Thompson, Jr., 944 Transportation Building, Washington, D.C.

B. Association of American Railroads, Transportation Building, Washington, D.C.

A. Mrs. Phillip Thorson, 7001 MacArthur Boulevard, Washington, D.C.

B. National Congress of Parents and Teachers, 700 North Rush Street, Chicago, Ill.

E. (9) $8.95.

A. John N. Thurman, 1625 K Street NW., Washington, D.C.

B. Pacific American Steamship Association, 16 California Street, San Francisco, Calif.

D. (6) $875. E. (9) $990.84.

A. William H. Tinney, 1223 Pennsylvania Building, Washington, D.C.

B. The Pennsylvania Railroad Co., 6 Penn Center Plaza, Philadelphia, Pa.

A. M. S. Tisdale, 4200 Cathedral Avenue, Washington, D.C.

B. A.S.C. Chamber of Commerce, Vallejo, Calif.

D. (6) $147.50. E. (9) $126.61.

A. Tobacco Associates, Inc., 1025 Connecticut Avenue NW., Washington, D.C.

E. (9) $1,041.

A. H. Willis Tobler, 30 F Street NW., Washington, D.C.

B. National Milk Producers Federation, 30 F Street NW., Washington, D.C.

D. (6) $3,062.50. E. (9) $444.96.

A. John H. Todd, 1085 Shrine Building, Memphis, Tenn.

B. National Cotton Compress and Cotton Warehouse Association, 1085 Shrine Building, Memphis, Tenn.

A. Townsend Plan, Inc., 808 North Capitol Street, Washington, D.C.

D. (6) $12,618.47. E. (9) $2,321.94.

A. F. Gerald Toye, 777 14th Street NW., Washington, D.C.

B. General Electric Co., 570 Lexington Avenue, New York, N.Y.

D. (6) $750. E. (9) $93.35.

A. Trade Relations Council of the United States, Inc., 122 East 42d Street, New York, N.Y.

A. Transportation Association of America, 1710 H Street NW., Washington, D.C.

A. Matt Triggs, 425 13th Street NW., Washington, D.C.

B. American Farm Bureau Federation, Merchandise Mart Plaza, Chicago, Ill.

D. (6) $1,800. E. (9) $50.98.

A. Glenwood S. Troop, Jr., 812 Pennsylvania Building, Washington, D.C.

B. U.S. Savings & Loan League, 221 North La Salle Street, Chicago, Ill.

D. (6) $1,812.50. E. (9) $91.85.

A. Alben W. Barkley Truitt, 1575 Sherman Street, Denver, Colo.

B. The Farmers' Educational and Co-Operative Union of America, 1575 Sherman Street, Denver, Colo.; 1404 New York Avenue NW., Washington, D.C.

D. (6) $1,384.70. E. (9) $156.70.

A. Galen Douglas Trussell, 918 16th Street NW., Washington, D.C.

B. National Association of Manufacturers.

A. Dick Tullis, 307 Maple Terrace, Dallas, Tex.

B. Superior Oil Co., Houston, Tex., and Los Angeles, Calif.

D. (6) $950. E. (9) $925.

A. Ernest A. Tupper, 1420 New York Avenue NW., Washington, D.C.

B. American Can Co., 100 Park Avenue, New York, N.Y.

E. (9) $111.40.

A. John W. Turner, 400 First Street NW., Washington, D.C.

B. Brotherhood of Locomotive Engineers, B. of L. E. Building, Cleveland, Ohio.

A. William S. Tyson, 821 15th Street NW., Washington, D.C.

B. Western Range Association, 375 North Fulton Street, Fresno, Calif.

E. (9) $41.96.

A. Union Producing Co., 1525 Fairfield Avenue, Shreveport, La., and United Gas Pipe Line Co., 1525 Fairfield Avenue, Shreveport, La.

E. (9) $826.33.

A. United Federation of Postal Clerks, 817 14th Street NW., Washington, D.C.

D. (6) $341,656.92. E. (9) $61,405.10.

A. U.S. Savings & Loan League, 221 North La Salle Street, Chicago, Ill.

E. (9) $25,237.38.

A. Arvin E. Upton and James A. Greer 2d, 1821 Jefferson Place NW., Washington, D.C.

B. National Committee on Radiation Protection and Measurement, U.S. Department of Commerce, National Bureau of Standards, Washington, D.C.

E. (9) $3.74.

A. Henry A. S. van Daalen, Jr., 1616 P Street NW., Washington, D.C.

B. Common Carrier Conference—Irregular Route, Inc., 1616 P Street NW., Washington, D.C.

D. (6) $250. E. (9) $10.

A. Theodore A. Vanderzyde, 400 First Street NW., Washington, D.C.

B. District Lodge No. 44, International Association of Machinists, 400 First Street NW., Washington, D.C.

D. (6) $2,326.83. E. (9) $15.

A. W. M. Vaughey, Box 4268, Jackson, Miss.

B. Mid-Continent Oil & Gas Association, 300 Tulsa Building, Tulsa, Olka.

A. Thomas M. Venables, 2000 Florida Avenue NW., Washington, D.C.

B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

A. Venn, Cole & Associates, Inc., McFarlane Road at Main Highway, Coconut Grove, Miami, Fla.

B. The Council of Private Lending Institutions, Inc., 1725 K Street NW., Washington, D.C.

A. Richard E. Vernor, 1701 K Street NW., Washington, D.C.

B. American Life Convention, 230 North Michigan Avenue, Chicago, Ill.

D. (6) $28.10. E. (9) $3.25.

A. L. T. Vice, 1700 K Street NW., Washington, D.C.

B. Standard Oil Company of California, 1700 K Street NW., Washington, D.C.

D. (6) $200. E. (9) $90.

A. R. K. Vinson, 1346 Connecticut Avenue NW., Washington, D.C.

B. Machinery Dealers National Association, 1346 Connecticut Avenue NW., Washington, D.C.

A. B. J. Viviano, 1223 Pennsylvania Building, Washington, D.C.

B. The Pennsylvania Railroad Co., 6 Penn Center Plaza, Philadelphia, Pa.

A. Voice of the People in Action (The Society of the People, Inc.), 621 Sheridan Street, Chillum, Md.

D. (6) $702.50. E. (9) $599.85.

A. Stephen M. Walter, 1200 18th Street NW., Washington, D.C.

B. National Association of Electric Companies, 1200 18th Street NW., Washington, D.C.

D. (6) $298.75. E. (9) $7.65.

A. William A. Walton, 920 Jackson Street, Topeka, Kans.

B. Kansas Railroad Committee, 920 Jackson Street, Topeka, Kans.

A. Washington Home Rule Committee, Inc., 924 14th Street NW., Washington, D.C.

D. (6) $4,114.54. E. (9) $3,962.92.

A. Jeremiah C. Waterman, 205 Transportation Building, Washington, D.C.

B. Southern Pacific Co., 205 Transportation Building, Washington, D.C.

D. (6) $500.

A. Waterways Bulk Transportation Council, Inc., 10 East 40th Street, New York, N.Y.

D. (6) $17,105. E. (9) $3,898.24.

A. J. R. Watson, I.C.R.R. Passenger Station, Jackson, Miss.

B. Mississippi Railroad Association, I.C. R.R. Passenger Station, Jackson, Miss.

E. (9) $404.11.

A. Weaver & Glassie, 1527 New Hampshire Avenue NW., Washington, D.C.

B. The Atlantic Refining Co., 260 South Broad Street, Philadelphia, Pa.

D. (6) $300.

A. Weaver & Glassie, 1527 New Hampshire Avenue N.W., Washington, D.C.

B. Eastern Meat Packers Association, Inc., 740 11th Street NW., Washington, D.C.

D. (6) $38.33. E. (9) $1.50.

A. Weaver & Glassie, 1527 New Hampshire Avenue NW., Washington, D.C.

B. The National Independent Meat Packers Association, 740 11th Street NW., Washington, D.C.

D. (6) $225. E. (9) $29.53.

A. William H. Webb, La Salle Building, Washington, D.C.

B. City of Redondo Beach, Municipal Building, Redondo Beach, Calif.

D. (6) $750.

A. William H. Webb, La Salle Building, Washington, D.C.

B. National Rivers and Harbors Congress, 1028 Connecticut Avenue, Washington, D.C.

D. (6) $2,762.06. E. (9) $340.

A. E. E. Webster, 400 First Street NW., Washington, D.C.
B. Brotherhood of Maintenance of Way Employes, 12050 Woodward Avenue, Detroit, Mich.
D. (6) $3,991.63.

A. Dr. Frank J. Welch, 3724 Manor Road, Chevy Chase, Md.
B. The Tobacco Institute, Inc., 808 17th Street NW., Washington, D.C.

A. William E. Welsh, 897 National Press Building, Washington, D.C.
B. National Reclamation Association, 897 National Press Building, Washington, D.C.
D. (6) $3,750. E. (9) $85.

A. West Coast Inland Navigation District, Courthouse, Bradenton, Fla.
E. (9) $773.17.

A. Donald Francis White, 1616 H Street N.W., Washington, D.C.
B. American Retail Federation, 1616 H Street NW., Washington, D.C.
D. (6) $2,212.50. E. (9) $168.78.

A. John C. White, 838 Transportation Building, Washington, D.C.
B. American Cotton Shippers Association.
D. (6) $1,125. E. (9) $580.90.

A, John C. White, 711 14th Street NW., Washington, D.C.
B. Private Truck Council of America, Inc., 711 14th Street NW., Washington, D.C.

A. Marc A. White, 1707 H Street NW., Washington, D.C.
B. National Association of Securities Dealers, Inc.

A. H. Leigh Whitelaw, 734 15th Street NW., Washington, D.C.
B. Gas Appliance Manufacturers Association, 60 East 42d Street, New York, N.Y.

A. Donald S. Whyte, 1102 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $487.50. E. (9) $58.

A. Louis E. Whyte, 918 16th Street NW., Washington, D.C.
B. Independent Natural Gas Association of America, 918 16th Street NW., Washington, D.C.

A. Claude C. Wild, Jr., 1120 Connecticut Avenue NW., Washington, D.C.
B. Gulf Oil Corp., Pittsburgh, Pa.
D. (6) $1,000. E. (9) $250.

A. Albert E. Wilkinson, Investment Building, Washington, D.C.
B. The Anaconda Co., 25 Broadway, New York, N.Y.
D. (6) $3,250. E. (9) $816.45.

A. John Willard, Box 1172, Helena, Mont.
B. Montana Railroad Association, Helena, Mont.
D. (6) $46.50. E. (9) $36.68.

A. Franz O. Willenbucher, 1625 I Street NW., Washington, D.C.
B. Retired Officers Association, 1625 I Street NW., Washington, D.C.
D. (6) $3,000.

A. Harding deC. Williams, 1300 Connecticut Avenue NW., Washington, D.C.
B. National Association of Real Estate Boards, 36 South Wabash Avenue, Chicago, Ill., and 1300 Connecticut Avenue NW., Washington, D.C.
D. (6) $1,666.66. E. (9) $53.30.

A. Robert E. Williams, 1000 Connecticut Avenue NW., Washington, D.C.
B. Air Transport Association of America, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $950. E. (9) $171.05.

A. John C. Williamson, 1300 Connecticut Avenue NW., Washington, D.C.
B. National Association of Real Estate Boards, 36 South Wabash Avenue, Chicago, Ill., and 1300 Connecticut Avenue NW., Washington, D.C.
D. (6) $4,000. E. (9) $271.01.

A. Kenneth Williamson, 1 Farragut Square South, Washington, D.C.
B. American Hospital Association, 840 North Lake Shore Drive, Chicago, Ill.
D. (6) $433.85. E. (9) $207.55.

A. Wilmer, Cutler, & Pickering, 616 Transportation Building, Washington, D.C.
B. Columbia Gas System Service Corp., 120 East 41st Street, New York, N.Y.

A. Clark L. Wilson, 1145 19th Street NW., Washington, D.C.
B. Consultant to Emergency Lead-Zinc Committee.
D. (6) $2,000. E. (9) $800.11.

A. E. Raymond Wilson, 245 Second Street NE., Washington, D.C.
B. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C.
D. (6) $1,633.33.

A. Henry B. Wilson, 1612 K Street NW., Washington, D.C.
B. Standard Oil Co. (New Jersey), 30 Rockefeller Plaza, New York, N.Y.
E. (9) $27.

A. Richard W. Wilson, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

A. W. E. Wilson, 1525 Fairfield Avenue, Shreveport, La.
B. Union Producing Co., 1525 Fairfield Avenue, Shreveport, La., and United Gas Pipe Line Co., 1525 Fairfield Avenue, Shreveport, La.
D. (6) $600. E. (9) $226.33.

A. Everett T. Winter, 1978 Railway Exchange Building, St. Louis, Mo.
B. Mississippi Valley Association, 1978 Railway Exchange Building, St. Louis, Mo.

A. Venlo Wolfsohn, 1729 H Street NW., Washington, D.C.
B. Institute of Scrap Iron & Steel, Inc., 1729 H Street NW., Washington, D.C.
D. (6) $300.

A. Russell J. Woodman, 400 First Street NW., Washington, D.C.
B. The Order of Railroad Telegraphers, 3860 Lindell Boulevard, St. Louis, Mo.

A. Donald A. Young, 1615 H Street NW., Washington, D.C.
B. Chamber of Commerce of the United States of America.

A. J. Banks Young, 1200 18th Street NW., Washington, D.C.
B. National Cotton Council of America, Post Office Box 9905, Memphis, Tenn.
D. (6) $1,248. E. (9) $50.60.

A. Zimring, Gromfine, & Sternstein, 1001 Connecticut Avenue, Washington, D.C., and 11 South La Salle Street, Chicago, Ill.

REGISTRATIONS

The following registrations were submitted for the second calendar quarter 1963:

(NOTE.—The form used for registration is reproduced below. In the interest of economy in the RECORD, questions are not repeated, only the essential answers are printed, and are indicated by their respective letter and number.)

FILE TWO COPIES WITH THE SECRETARY OF THE SENATE AND FILE THREE COPIES WITH THE CLERK OF THE HOUSE OF REPRESENTATIVES:

This page (page 1) is designed to supply identifying data; and page 2 (on the back of this page) deals with financial data.

PLACE AN "X" BELOW THE APPROPRIATE LETTER OR FIGURE IN THE BOX AT THE RIGHT OF THE "REPORT" HEADING BELOW:

"PRELIMINARY" REPORT ("Registration"): To "register," place an "X" below the letter "P" and fill out page 1 only.

"QUARTERLY" REPORT: To indicate which one of the four calendar quarters is covered by this Report, place an "X" below the appropriate figure. Fill out both page 1 and page 2 and as many additional pages as may be required. The first additional page should be numbered as page "3," and the rest of such pages should be "4," "5," "6," etc. Preparation and filing in accordance with instructions will accomplish compliance with all quarterly reporting requirements of the Act.

Year: 19_______ ◀

REPORT

PURSUANT TO FEDERAL REGULATION OF LOBBYING ACT

P	QUARTER			
	1st	2d	3d	4th
(Mark one square only)				

NOTE ON ITEM "A".—(a) IN GENERAL. This "Report" form may be used by either an organization or an individual, as follows:

(i) "Employee".—To file as an "employee", state (in Item "B") the name, address, and nature of business of the "employer". (If the "employee" is a firm [such as a law firm or public relations firm], partners and salaried staff members of such firm may join in filing a Report as an "employee".)

(ii) "Employer".—To file as an "employer", write "None" in answer to Item "B".

(b) SEPARATE REPORTS. An agent or employee should not attempt to combine his Report with the employer's Report:

(i) Employers subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their agents or employees.

(ii) Employees subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their employers.

A. ORGANIZATION OR INDIVIDUAL FILING:

1. State name, address, and nature of business

2. If this Report is for an Employer, list names of agents or employees who will file Reports for this Quarter.

NOTE ON ITEM "B".—*Reports by Agents or Employees.* An employee is to file, each quarter, as many Reports as he has employers, except that: (*a*) If a particular undertaking is jointly financed by a group of employers, the group is to be considered as one employer, but all members of the group are to be named, and the contribution of each member is to be specified; (*b*) if the work is done in the interest of one person but payment therefor is made by another, a single Report—naming both persons as "employers"—is to be filed each quarter.

B. EMPLOYER.—State name, address, and nature of business. If there is no employer, write "None."

NOTE ON ITEM "C".—(*a*) The expression "in connection with legislative interests," as used in this Report, means "in connection with attempting, directly or indirectly, to influence the passage or defeat of legislation." "The term 'legislation' means bills, resolutions, amendments, nominations, and other matters pending or proposed in either House of Congress, and includes any other matter which may be the subject of action by either House"—§ 302(e).

(*b*) Before undertaking any activities in connection with legislative interests, organizations and individuals subject to the Lobbying Act are required to file a "Preliminary" Report (Registration).

(*c*) After beginning such activities, they must file a "Quarterly" Report at the end of each calendar quarter in which they have either received or expended anything of value in connection with legislative interests.

C. LEGISLATIVE INTERESTS, AND PUBLICATIONS in connection therewith:

1. State approximately how long legislative interests are to continue. If receipts and expenditures in connection with legislative interests have terminated, ☐ place an "X" in the box at the left, so that this Office will no longer expect to receive Reports.

2. State the general legislative interests of the person filing and set forth the *specific* legislative interests by reciting: (*a*) Short titles of statutes and bills; (*b*) House and Senate numbers of bills, where known; (*c*) citations of statutes, where known; (*d*) whether for or against such statutes and bills.

3. In the case of those publications which the person filing has caused to be issued or distributed in connection with legislative interests, set forth: (*a*) Description, (*b*) quantity distributed; (*c*) date of distribution, (*d*) name of printer or publisher (if publications were paid for by person filing) or name of donor (if publications were received as a gift).

(Answer items 1, 2, and 3 in the space below. Attach additional pages if more space is needed)

4. If this is a "Preliminary" Report (Registration) rather than a "Quarterly" Report, state below what the nature and amount of anticipated expenses will be; and if for an agent or employee, state also what the daily, monthly, or annual rate of compensation is to be. If this is a "Quarterly" Report, disregard this item "C4" and fill out item "D" and "E" on the back of this page. Do not attempt to combine a "Preliminary" Report (Registration) with a "Quarterly" Report.◀

AFFIDAVIT

[Omitted in printing]

PAGE 1◀

A. Charles D. Ablard, 1101 Vermont Avenue NW., Washington, D.C.
B. Magazine Publishers Association, Inc., 444 Madison Avenue, New York, N.Y.

A. American Domestic Shipping Committee, 90 Broad Street, New York, N.Y.

A. American Taxpayers Association, Inc., 411 Munsey Building, Washington, D.C.

A. Stanley M. Andrews, 300 Independence Avenue SE., Washington, D.C.
B. Americans for National Security, 300 Independence Avenue SE., Washington, D.C.

A. Arent, Fox, Kintner, Plotkin & Kahn, 1815 H Street NW., Washington, D.C.
B. Western Hemisphere Exports Council, 21 Tothill Street, London S.W. 1, England.

A. Associated Fur Manufacturers, 101 West 30th Street, New York, N.Y.

A. Robert L. Augenblick, 61 Broadway, New York, N.Y.
B. Investment Company Institute, 61 Broadway, New York, N.Y.

A. Baker, McKenzie & Hightower, 901 Barr Building, Washington, D.C.
B. Club Managers Association of America, 1028 Connecticut Avenue NW., Washington, D.C.

A. Baker, McKenzie & Hightower, 901 Barr Building, Washington, D.C.
B. National Club Association, 1028 Connecticut Avenue NW., Washington, D.C.

A. Richard B. Barker, and Jay W. Glasmann, 306 Southern Building, Washington, D.C.
B. Eastman Kodak Co., Rochester, N.Y.

A. Becker & Greenwald, 839 17th Street NW., Washington, D.C.
B. American Bulk Carriers, Inc., 80 Broad Street, New York, N.Y.

A. William S. Bergman, 132 Third Street SE., Washington, D.C.
B. Committee To Promote American-Made Motion Pictures, 6721 Melrose Avenue, Los Angeles, Calif.

A. William S. Bergman, 132 Third Street SE., Washington, D.C.
B. Legislative Council for Photogrammetry, 132 Third Street SE., Washington, D.C.

A. Brown & Lund, 1625 I Street NW., Washington, D.C.
B. Electric Bond & Share Co., 2 Rector Street, New York, N.Y.

A. John K. Buster, 3221 Verona Drive, Silver Spring, Md.
B. Mason Contractors' Association of America, National Electrical Contractors' Association, and Painting & Decorating Contractors of America.

A. Ronald A. Capone, the Farragut Building, Washington, D.C.
B. Committee of European Shipowners, 3–6 Bury Court, St. Mary Axe, London, E.C. 3.

A. Francis R. Cawley, 1025 Connecticut Avenue NW., Washington, D.C.
B. Lithographers & Printers National Association, Inc., 1025 Connecticut Avenue NW., Washington, D.C.

A. Citizens Committee on American Policy in the Near East, Box 368, McLean, Va.

A. Earle C. Clements, 2475 Virginia Avenue NW., Washington, D.C.
B. Superior Oil Co., Beverly Hills, Calif.

A. Committee for Time Uniformity, 1710 H Street NW., Washington, D.C.

A. Donald M. Counihan, 1000 Connecticut Avenue NW., Washington, D.C.
B. Fountain Pen and Mechanical Pencil Manufacturers' Association, Inc., 1426 G Street NW., Washington, D.C.

A. Dawson, Griffin, Pickens & Riddell, 731 Washington Building, Washington, D.C.
B. Entertainment Law Committee, 731 Washington Building, Washington, D.C.

A. Dawson, Griffin, Pickens & Riddell, 731 Washington Building, Washington, D.C.
B. Variable Annuity Life Insurance Co., Washington, D.C.

A. Dawson, Griffin, Pickens & Riddell, 731 Washington Building, Washington, D.C.
B. Virgin Islands Gift and Fashion Shop Association, Inc., St. Thomas, V.I.

A. Michael B. Deane, 1411 K Street NW., Washington, D.C.
B. U.S. Customs Inspectors' Association, Port of New York, 1411 K Street NW., Washington, D.C.

A. Wesley A. D'Ewart, Wilsall, Mont.
B. Montana Reclamation Association, Sidney, Mont.

A. William DuChessi, 704 17th Street NW., Washington, D.C.
B. Textile Workers Union of America, AFL–CIO, 99 University Place, New York, N.Y.

A. Eastern Railroad Presidents Conference, 1 Exchange Place, Jersey City, N.J.

A. Herbert L. Fenster, 1625 K Street NW., Washington, D.C.
B. A. W. Perdue & Son, Inc., Salisbury, Md.

A. William J. Flaherty, 1701 18th Street NW., Washington, D.C.
B. Disabled American Veterans, 1425 East McMillan Street, Cincinnati, Ohio.

A. Robert G. Forbes, 4350 Lee Highway, Arlington, Va.
B. Americans for National Security, 300 Independence Avenue SE., Washington, D.C.

A. Galland, Kharasch, Calkins & Lippman, 1824 R Street NW., Washington, D.C.
B. American Domestic Shipping Committee, 90 Broad Street, New York, N.Y.

A. Joseph Gallegos, 1182 Market Street, San Francisco, Calif.
B. Boilermakers Lodge No. 10, 750 14th Street, Oakland, Calif.

A. Warner W. Gardner, 734 15th Street NW., Washington, D.C.
B. American Steamship Traffic Executives Committee, 1 Broadway, New York City, N.Y.

A. Jay W. Glasmann, 306 Southern Building, Washington, D.C.
B. H. J. Heinz Co., Pittsburgh, Pa.

A. Glass Container Manufacturers Institute, 99 Park Avenue, New York, N.Y.

A. Hamel, Morgan, Park & Saunders, 808 17th Street NW., Washington, D.C.
B. Citizens National Committee for Higher Education, 1506 Merchants Bank Building, Indianapolis, Ind.

A. Hamel, Morgan, Park & Saunders, 808 17th Street NW., Washington, D.C.
B. National Audio-Visual Association, Inc., 1201 Spring Street, Fairfax, Va.

A. Hamel, Morgan, Park & Saunders, 808 17th Street NW., Washington, D.C.
B. Scientific Apparatus Makers Association, 919 18th Street NW., Washington, D.C.

A. R. A. Harris, 38 South Dearborn Street, Chicago, Ill.
B. Railway Progress Institute, 38 North Dearborn Street, Chicago, Ill.

A. Bushrod Howard, Jr., 4433 Lowell Street NW., Washington, D.C.
B. General Cargo Corp., 50 Broadway, New York, N.Y.

A. Bushrod Howard, Jr., Carroll Arms Hotel, Washington, D.C.
B. The Government of the Mutawakelite Kingdom of the Yemen.

A. Luther A. Huston, 1000 Vermont Avenue NW., Washington, D.C.
B. Business Committee for Tax Reduction in 1963, 1000 Vermont Avenue NW., Washington, D.C.

A. Ned Johnston, 1105 Barr Building, Washington, D.C.
B. International Association of Ice Cream Manufacturers, 1105 Barr Building, Washington, D.C.

A. Lyle W. Jones, 912 Barr Building, Washington, D.C.
B. Illinois Association of Consulting Engineers, Post Office Box 1202, Springfield, Ill.

A. K. T. Karabatsos, 1725 K Street NW., Washington, D.C.

A. William J. Kerwin, 18th and M Streets NW., Washington, D.C.
B. National League of Insured Savings Associations, 18th and M Streets NW., Washington, D.C.

A. Edward C. Kienle, 1025 Connecticut Avenue NW., Washington, D.C.
B. The National Waterways Conference.

A. David A. Lindsay, 1 Chase Manhattan Plaza, New York, N.Y.
B. Morgan Guaranty Trust Co. of New York, 140 Broadway, New York, N.Y.

A. Basil R. Littin, 1710 H Street NW., Washington, D.C.
B. Continental Oil Co., Post Office Box 2197, Houston, Tex.

A. Otto Lowe, Cape Charles, Va.
B. Norfolk and Western Railway Co., Roanoke, Va.

A. A. B. Luckey, Jr., 411 Munsey Building, Washington, D.C.
B. American Taxpayers Association, Inc., 411 Munsey Building, Washington, D.C.

A. A. B. Luckey, Jr., 103 G Street SW., Washington, D.C.
B. Menlo Realty Co., 6303 Wilshire Boulevard, Los Angeles, Calif.

A. William N. McLeod, Jr., Columbia, S.C.
B. Household Finance Corp., Prudential Plaza, Chicago, Ill.

A. William N. McLeod, Jr., Columbia, S.C.
B. Republican Statehood Party of Puerto Rico, San Juan, P.R.

A. William P. MacCracken, Jr., 1000 Connecticut Avenue NW., Washington, D.C.
B. United States Plywood Corp., 55 West 44th Street, New York, N.Y.

A. David I. Mackie, One Exchange Place, Jersey City, N.J.
B. Eastern Railroad Presidents Conference, 1 Exchange Place, Jersey City, N.J.

A. James D. Mann, 839 17th Street NW., Washington, D.C.
B. National Association of Motor Bus Owners, 839 17th Street NW., Washington, D.C.

A. Morison, Murphy, Clapp & Abrams, the Pennsylvania Building, Washington, D.C.
B. William S. Beinecke, 114 Fifth Avenue, New York, N.Y.

A. Raymond Nathan, 1741 DeSales Street NW., Washington, D.C.
B. Associated Fur Manufacturers, 101 West 30th Street, New York, N.Y.

A. Raymond Nathan, 1741 DeSales Street NW., Washington, D.C.
B. Glen Alden Corp., 1740 Broadway, New York, N.Y.

A. National Club Association, 1028 Connecticut Avenue NW., Washington, D.C.

A. National FHA Apartment Owners Association.

A. National Football League Players Association, 19th and Walnut Streets, Philadelphia, Pa.

A. William R. Noble, 1317 F Street NW., Washington, D.C.
B. National Farm & Power Equipment Dealers Association, Material Handling Equipment Distributors Association, and National Retail Hardware Association.

A. A. W. Perdue & Son, Inc., Salisbury, Md.

A. Franklin P. Perdue, Salisbury, Md.
B. A. W. Perdue & Son, Inc., Salisbury, Md.

A. Peter T. Posmantur, 485 Lexington Avenue, New York, N.Y.
B. National Football League Players Association, 19th and Walnut Streets, Philadelphia, Pa.

A. Ramsay D. Potts, Jr., 910 17th Street NW., Washington, D.C.
B. Investment Company Institute, 61 Broadway, New York, N.Y.

A. Graydon R. Powers, Jr., 1735 DeSales Street NW., Washington, D.C.
B. Association of Maximum Service Telecasters, Inc.

A. Robert E. Redding, 1710 H Street NW., Washington, D.C.
B. Committee for Time Uniformity, 1710 H Street NW., Washington, D.C.

A. James W. Riddell, 731 Washington Building, Washington, D.C.
B. Entertainment Law Committee, 731 Washington Building, Washington, D.C.

A. Walter W. Roberts, 1608 19th Street NW., Washington, D.C.
B. Partido Estadista Republicano, San Juan, P.R.

A. Royall, Koegel & Rogers, 1730 K Street NW., Washington, D.C.
B. Pinkerton's National Detective Agency, Inc., 154 Nassau Street, New York, N.Y.

A. Dwight H. Scott, 425 Park Avenue, New York, N.Y.
B. National Biscuit Co., 425 Park Avenue, New York, N.Y.

A. Selvage & Lee, Inc., 500 Fifth Avenue, New York, N.Y.
B. The Bourbon Institute, 711 Third Avenue, New York, N.Y.

A. Sessions & Caminita, 917 15th Street NW., Washington, D.C.
B. Floyd A. Segel, 215 West Oregon Street, Milwaukee, Wis.

A. Clifford Setter, 55 West 44th Street, New York, N.Y.
B. United States Plywood Corp.

A. Laurence P. Sherfy, 1102 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.

A. Gerald H. Sherman, 1000 Bender Building, Washington, D.C.
B. Association for Advanced Life Underwriting, 1120 Connecticut Avenue NW., Washington, D.C.

A. Shipley, Akerman & Pickett, 1366 National Press Building, Washington, D.C.
B. National FHA Apartment Owners Association.

A. Mrs. Cornelia Shuford, 400 First Street NW., Washington, D.C.
B. Ladies Auxiliary to Brotherhood of Railroad Trainmen.

A. Leonard L. Silverstein, 1000 Bender Building, Washington, D.C.
B. Association for Advanced Life Underwriting, 1120 Connecticut Avenue NW., Washington, D.C.

A. James E. Smith, 730 15th Street NW., Washington, D.C.
B. The American Bankers Association, 12 East 36th Street, New York, N.Y., and 730 15th Street NW., Washington, D.C.

A. Milan D. Smith, 1133 20th Street NW., Washington, D.C.
B. National Canners Association, 1133 20th Street NW., Washington, D.C.

A. Wayne J. Smith, 132 Third Street SE., Washington, D.C.
B. Legislative Council for Photogrammetry, 132 Third Street SE., Washington, D.C.

A. S. L. Sommer & Associates, 1700 K Street NW., Washington, D.C.
B. Glass Container Manufacturers Institute, 99 Park Avenue, New York, N.Y.

A. Steptoe & Johnson, Shoreham Building, Washington, D.C.
B. American Claims in Cuba Committee.

A. Eugene L. Stewart, 1001 Connecticut Avenue, Washington, D.C.
B. Glass Container Manufacturers Institute, 99 Park Avenue, New York, N.Y.

A. David Teetor, 1346 Connecticut Avenue NW., Washington, D.C.
B. National Aviation Trades Association, 1346 Connecticut Avenue NW., Washington, D.C.

A. Mrs. Phillip Thorson, 7001 MacArthur Boulevard, Washington, D.C.
B. National Congress of Parents and Teachers, 700 North Rush Street, Chicago, Ill.

A. Gladys Uhl.
B. Citizens for State 51.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.
B. Frank B. Rowlett, 143 Chatham Road, Ellicott City, Md.

SENATE

Tuesday, August 13, 1963

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father God, bowing at this wayside shrine where spirit with spirit may meet, we thank Thee for the ministry of prayer through whose mystic doors we may escape from the prosaic humdrum of "day-by-day-ness" and, lifted to a wider perspective, return illumined and empowered.

As today in the setting of his southern home in the State which gave him to the Nation all that is mortal of an honored Member of this body who fell at his post is laid to rest, and as towering figures thus disappear from our sight and side, we pray that from the cloud of witnesses which surround us the mantle of those who refused to barter their convictions for any price that could be offered may fall upon the shoulders of all in the Nation's councils who are striving in the most difficult and dangerous days the Republic has known to make our free land as great in virtue and truth as she is mighty in power.

For Thine is the power and the kingdom, for whose coming we pray. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Monday, August 12, 1963, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on August 8, 1963, the President had approved and signed the act (S. 1122) relating to the exchange of certain lands between the town of Powell, Wyo., and the Presbyterian Retirement Facilities Corp.

EXECUTIVE MESSAGE REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting the nomination of Maj. Gen. Robert Hackett, U.S. Army, to be assigned to a position of importance and responsibility designated by the President, in the grade of lieutenant general, which was referred to the Committee on Armed Services.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, communicated to the Senate the resolutions of the House adopted as a tribute to the memory of Hon. Estes Kefauver, late a Senator from the State of Tennessee.

The message announced that the House had disagreed to the amendment of the Senate to the bill (H.R. 5555) to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. Rivers of South Carolina, Mr. Philbin, Mr. Hébert, Mr. Winstead, Mr. Norblad, Mr. Bates, and Mr. Bray were appointed managers on the part of the House at the conference.

The message also announced that the House had passed a bill (H.R. 7525) relating to crime and criminal procedure in the District of Columbia, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

S. 874. An act to authorize the construction and equipping of buildings required in connection with the operations of the Bureau of the Mint;

S. 1032. An act to exclude cargo which is lumber from certain tariff filing requirements under the Shipping Act, as amended;

S. 1388. An act to add certain lands to the Cache National Forest, Utah; and

H.R. 2192. An act authorizing the readmittance of Walter Sowa, Jr., to the U.S. Naval Academy.

HOUSE BILL REFERRED

The bill (H.R. 7525) relating to crime and criminal procedure in the District of Columbia was read twice by its title and referred to the Committee on the District of Columbia.

LIMITATION OF STATEMENTS DURING MORNING HOUR

On request of Mr. Mansfield, and by unanimous consent, statements during the morning hour were ordered limited to 3 minutes.

COMMITTEE MEETING DURING SENATE SESSION TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be permitted to meet during the session of the Senate tomorrow afternoon.

Mr. KUCHEL. I have no objection. Has the same permission been granted for a meeting of the Foreign Relations Committee this afternoon, too?

Mr. MANSFIELD. Yes; that was done yesterday.

Mr. KUCHEL. Mr. President, I have no objection.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Report on Agreements Under Title I of Agricultural Trade Development and Assistance Act of 1954

A letter from the Administrator, Foreign Agricultural Service, Department of Agriculture, transmitting, pursuant to law, a report on agreements concluded during July 1963, under title I of the Agricultural Trade Development and Assistance Act of 1954 (with accompanying papers); to the Committee on Agriculture and Forestry.

Report on Personal Property Received by State Surplus Property Agencies and Real Property Disposed of to Public Health and Educational Institutions

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, a report on personal property received by State surplus property agencies and real property disposed of to public health and educational institutions, for the quarterly period ended June 30, 1963 (with an accompanying report); to the Committee on Government Operations.

Report on Opportunities for Economies in Certain Aviation Facilities, U.S. Coast Guard

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on opportunities for economies in aviation facility requirements and aircraft utilization, U.S. Coast Guard, Treasury Department, dated August 1963 (with an accompanying report); to the Committee on Government Operations.

Report on Concurrent Payments of Unemployment Benefits and Retired Pay to Retired Members of the Armed Forces

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on concurrent payments of unemployment benefits and retired pay to retired members of the Armed Forces, Bureau of Employment Security, Department of Labor, dated August 1963 (with an accompanying report); to the Committee on Government Operations.

Consolidation of Laws Relating to Easements and Permits Upon Certain Federally Owned Lands

A letter from the Acting Secretary of the Interior, transmitting a draft of proposed legislation to consolidate and simplify laws relating to easements and permits upon certain federally owned lands under the jurisdiction of the Secretary of the Interior and the Secretary of Agriculture, and for other purposes (with an accompanying paper); to the Committee on Interior and Insular Affairs.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A joint resolution of the Legislature of the State of Wisconsin; to the Committee on the Judiciary:

"Whereas under the Constitution of the United States presidential and vice-presidential electors in the several States are now elected on a statewide basis, each State being entitled to as many electors as it has Senators and Representatives in Congress; and

"Whereas the presidential and vice-presidential electors who receive the plurality of the popular vote in a particular State become entitled to cast the total number of electoral votes allocated to that State irrespective of how many votes may have been cast for other elector candidates; and

"Whereas this method of electing the President and Vice President is unfair and unjust in that it does not reflect the minority votes cast; and

"Whereas the need for a change has been recognized by Members of Congress on numerous occasions through the introduction of various proposals for amending the Constitution: Now, therefore, be it

"*Resolved by the assembly* (*the senate concurring*), That application is hereby made to Congress under article V of the Constitution of the United States for the calling of a convention to propose an article of amendment to the Constitution providing for a fair and just division of the electoral votes within the States in the election of the President and Vice President; and be it further

"*Resolved*, That if and when Congress shall have proposed such an article of amendment this application for a convention shall be deemed withdrawn and shall be no longer of any force and effect; and be it further

"*Resolved*, That the secretary of state be and he hereby is directed to transmit copies of this application to the General Services Administration, the Secretary of the Senate, and the Chief Clerk of the House of Representatives of the United States and to the several members of said bodies representing this State therein.

"Robert Haase,
"*Speaker of the Assembly.*
"Kenneth E. Priebe,
"*Chief Clerk of the Assembly.*
"Jack B. Olson,
"*President of the Senate.*
"Lawrence R. Larsen,
"*Chief Clerk of the Senate.*"

A resolution adopted by the United Steelworkers of America, Local 5554, of Houston, Tex., favoring the enactment of civil rights legislation as proposed by the President; to the Committee on the Judiciary.

A radiogram in the nature of a petition from the NATO Parliamentarians Conference, Paris, France, signed by Crathorne, president, expressing sorrow at the death of the late Senator Estes Kefauver; ordered to lie on the table.

By Mr. SALTONSTALL (for himself and Mr. Kennedy):

A resolution of the House of Representatives of the Commonwealth of Massachusetts; to the Committee on Commerce:

"Whereas the Civil Aeronautics Board in Washington has rendered a decision rejecting the application of Northeast Airlines for a permanent certificate to run commercial flights between Boston and Florida; and

"Whereas during the past 6 years Northeast Airlines has operated under a temporary certificate to make this run and has established a successful operational effort. It now carries 60 percent of all Boston to Miami passengers, more than 60 percent of all Boston to Washington passengers, and almost 60 percent of all Boston to Philadelphia passengers; and

"Whereas Northeast Airlines is a definite asset to the economy of all New England, providing 1,600 skilled jobs, an annual New England payroll of $13 million and $2,750,000 in annual expenditures for supplies in New England; and

"Whereas because of the fact that Northeast Airlines has been operating under a temporary certificate, it has been impossible for the company to obtain long-term financing thus adding a drain on its resources; and

"Whereas the granting of this permanent certificate is essential if Northeast Airlines is to continue to operate: Therefore be it

"*Resolved*, That the Massachusetts House of Representatives hereby requests the Civil

Aeronautics Board in Washington to reconsider its decision and grant to Northeast Airlines the permanent certificate to make the Boston to Florida run; and be it further

"*Resolved*, That copies of these resolutions be transmitted by the secretary of the Commonwealth to the Chairman and every member of the Civil Aeronautics Board in Washington, and to the Members of Congress representing the New England States.

"House of representatives, adopted July 31, 1963.

"WILLIAM C. MAIERS,
"*Clerk*.

"Attest:

"KEVIN H. WHITE,
"*Secretary of the Commonwealth*."

APPOINTMENTS BY THE VICE PRESIDENT

The PRESIDING OFFICER (Mr. RIBICOFF in the chair). In behalf of the Vice President, the Chair appoints the following Members of the Senate to the Interparliamentary Union meeting to be held at Belgrade, Yugoslavia, September 12 through September 20, 1963:

The Senator from Oklahoma [Mr. MONRONEY].

The Senator from Montana [Mr. MANSFIELD].

The Senator from Connecticut [Mr. RIBICOFF].

The Senator from Oklahoma [Mr. EDMONDSON].

The Senator from Massachusetts [Mr. KENNEDY].

The Senator from Maryland [Mr. BREWSTER].

The Senator from Massachusetts [Mr. SALTONSTALL].

The Senator from California [Mr. KUCHEL].

The Senator from New York [Mr KEATING].

The Senator from Kansas [Mr. PEARSON].

The Senator from Kentucky [Mr. COOPER].

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BARTLETT:

S. 2038. A bill to establish in the legislative branch of the Government a Congressional Office of Science and Technology to advise and assist Members and committees of the Congress on matters relating to science and technology; to the Committee on Rules and Administration.

(See the remarks of Mr. BARTLETT when he introduced the above bill, which appear under a separate heading.)

By Mr. CASE:

S. 2039. A bill for the relief of the State of Illinois and of the State of New Jersey, the organizers and owners of the First, Second, and Third National Steamship Cos., the depositors of the money herein concerned; to the Committee on the Judiciary.

By Mr. McCLELLAN (by request):

S. 2040. A bill to amend title 35 of the United States Code to permit a written declaration to be accepted in lieu of an oath, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. McCLELLAN when he introduced the above bill, which appear under a separate heading.)

By Mr. GOLDWATER:

S. 2041. A bill to provide annuities payable from the civil service retirement and disability fund in additional cases for certain widows and widowers by eliminating the required period of marriage; to the Committee on Post Office and Civil Service.

RESOLUTION

INCREASED LENDING AUTHORITY OF EXPORT-IMPORT BANK OF WASHINGTON—INSTRUCTION TO CONFEREES

Mr. ROBERTSON submitted a resolution (S. Res. 181) instructing conferees on the part of the Senate on H.R. 3872, the so-called Export-Import Bank Act, which was ordered to lie on the table.

(See the above resolution printed in full when submitted by Mr. ROBERTSON, which appears under a separate heading.)

CONGRESS NEEDS HELP ON SCIENCE, TECHNOLOGY

Mr. BARTLETT. Mr. President, I introduce, for appropriate reference, a bill to establish in the legislative branch of the Government a Congressional Office of Science and Technology.

This proposal, completely nonpartisan in nature, should be of interest to every Senator and will have, I hope, the support of most. I ask unanimous consent that the bill may be allowed to lie on the table for 10 days so that Senators who wish may join as cosponsors. I also ask unanimous consent that the text of the bill be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred, and, without objection, the bill will remain at the desk as requested by the Senator from Alaska, and will be printed in the RECORD.

The bill (S. 2038) to establish in the legislative branch of the Government a Congressional Office of Science and Technology to advise and assist Members and committees of the Congress on matters relating to science and technology, introduced by Mr. BARTLETT, was received, read twice by its title, and referred to the Committee on Rules and Administration.

(See exhibit 1.)

Mr. BARTLETT. The scientific revolution proceeds faster and faster. Fifteen years ago the Congress appropriated $900 million for research and development; 10 years ago $3.4 billion; last year $14.5 billion. The years ahead will see much greater increases. In 1960–61 fully two-thirds of all research and development activities across the Nation were financed by Federal funds. This year Federal participation will be substantially greater.

The President in requesting authority for these vast scientific programs undertaken by the Government and in formulating a consistent Federal policy on science has available to him the full advice and counsel of the scientific community. This is marshaled for him by his scientific advisers: the Office of Science and Technology and the President's Science Advisory Committee. In an orderly and rational manner the President is enabled to keep a comprehending eye on scientific and technological developments, in and out of Government, in and out of the United States.

The Congress has no such help.

The Congress has no source of independent scientific wisdom and advice. Far too often congressional committees for expert advice rely upon the testimony of the very scientists who have conceived the program, the very scientists who will spend the money if the program is authorized and appropriated for. Too often scientific advice is obtained on a catch-as-catch-can basis.

The Congress is uneasy about its role in this growth of federally financed research. The Congress must appropriate the money. The Congress must determine whether requested research projects are indeed necessary; which projects shall have priority at the public purse; and see that research funds are expended in an efficient and effective manner. Voices have been heard recently questioning whether the Congress is doing these things well. Certain it is that these things cannot be done well unless the Congress has access to independent scientific advice.

I have used as a model the legislative counsel of the Congress which has served both this and the other body so well. The legislative counsel of the Senate serves only the Senate. The legislative counsel of the House serves only the House. Legislative counsel provides a completely nonpartisan professional source of expert legal knowledge.

The Congressional Office of Science and Technology—COST—will provide a similar nonpartisan professional service. An Office of Science and Technology of the Senate will serve this body; an Office of Science and Technology of the House of Representatives will serve the other body. There will be a director of each office, men of eminent qualification chosen either by the Speaker or the President pro tempore. There will be sufficient assistant directors for the performance of the tasks of the office. It is contemplated that the permanent COST staff will not exceed three or four professional members in either House. These men will be scientific generalists, generalists who know who and where the specialists are.

The staff shall advise and assist, upon request, committees on questions of science and technology; make such studies as requested by a committee or House; maintain a register of specialists with talent and wisdom, knowledgeable over the full spectrum of science, available for consultation and advice; and prepare upon its own initiative such reports on events in the scientific field which it feels should be brought to the attention of the several committees. The committees would not of course be obligated in any way to utilize the facilities of COST.

COST will act as a clearinghouse; it will help congressional committees and Members find the men with the experience they need. If the committee or Member wishes to employ the services of the expert, compensation will be paid by the Member or committee, not by COST.

It is my intention that COST should be a tool of the Congress. It should in no way reduce the authority of any committee or of either House. COST will operate in a purely advisory capacity to be used or not used as each Member and each committee shall determine.

This is a modest proposal. As science appropriation requests go, its needs will be minute. And yet it could render substantial assistance to the Congress.

It is my hope that each Senator will give careful thought to the challenge which science presents representative democracy. The Congress as a body must equip itself to legislate on technological matters with coherence and comprehension. It is the constitutional responsibility of the Congress to do so. It cannot do less.

The proposal which I introduce today is designed to provide, within the full existing structure of our bicameral legislature and its committee system, a method of obtaining scientific advice.

EXHIBIT 1

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. There is established in the legislative branch of the Government the Congressional Office of Science and Technology, which shall include an Office of Science and Technology of the Senate and an Office of Science and Technology of the House of Representatives, each of which shall be supervised by a Director.

SEC. 2. (a) The Director of the Office of Science and Technology of the Senate shall be appointed by the President pro tempore of the Senate, and the Director of the Office of Science and Technology of the House of Representatives shall be appointed by the Speaker of the House of Representatives. Each Director shall be appointed without regard to political affiliation and solely on the ground of fitness to perform the duties of the office. No person while serving as Director may engage in any other business, vocation, or employment.

(b) The gross annual compensation of each Director shall be $———.

SEC. 3. (a) Subject to the approval of the officer by whom he was appointed, each Director shall employ and fix the compensation of assistant directors and employees, and shall purchase furniture, equipment, books, stationery and other supplies, as may be required by his office for the performance of its duties.

(b) No person may be appointed to or serve in any position in either office until the person has been determined to be qualified to have access to any information classified in the interest of national security as matter which may not be publicly disclosed. Upon written request made by the President pro tempore of the Senate or the Speaker of the House of Representatives, as the case may be, the Director of the Federal Bureau of Investigation shall (1) cause to be conducted an investigation as the Director deems required to determine whether any person considered for service in, or serving in, the Office of Science and Technology of the Senate or of the House of Representatives is qualified to have access to such information, and (2) transmit to the requesting congressional officer a full and complete report of the investigation.

SEC. 4. (a) It is the duty of the Office of Science and Technology of each House of the Congress—

(1) upon request, to advise and assist any Member or committee of that House with respect to matters relating to science and technology;

(2) to make studies concerning matters relating to science and technology as may be directed by that House or any committee thereof;

(3) to maintain a register of scientific and technological consultants who have indicated a willingness to advise and assist committees and Members of that House; and

(4) to transmit to committees of that House reports concerning significant scientific or technological developments which pertain to matters subject to the jurisdiction of such committees.

(b) The Office of Science and Technology of each House to the greatest practicable extent shall furnish to any joint committee of the Congress upon its request information and assistance as the joint committee may require with respect to matters relating to science and technology.

(c) The Committee on Rules and Administration of the Senate and the Committee on House Administration of the House of Representatives shall determine the priority to be given by the Office of Science and Technology of the Senate and of the House of Representatives, respectively, to directions and requests authorized by this section.

SEC. 5. There are authorized to be appropriated such sums as may be necessary to carry out this Act. One half of all appropriations of the Congressional Office of Science and Technology shall be disbursed by the Secretary of the Senate and one half by the Clerk of the House of Representatives.

WRITTEN DECLARATION IN LIEU OF OATH

Mr. McCLELLAN. Mr. President, by request, I introduce for appropriate reference, a bill to amend title 35 of the United States Code to permit a written declaration to be accepted in lieu of an oath, and for other purposes.

I introduce this proposed legislation at the request of the Department of Commerce. A similar bill was approved by the Senate on October 2, 1962 but no action was taken in the other body.

I ask unanimous consent to have printed in the RECORD a letter from the Under Secretary of Commerce requesting the proposed legislation.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 2040) to amend title 35 of the United States Code to permit a written declaration to be accepted in lieu of an oath, and for other purposes, introduced by Mr. McCLELLAN, by request, was received, read twice by its title, and referred to the Committee on the Judiciary.

The letter presented by Mr. McCLELLAN is as follows:

THE SECRETARY OF COMMERCE,
Washington, D.C., February 12, 1963.

Hon. LYNDON B. JOHNSON,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There are enclosed four copies of draft legislation and a section-by-section analysis of a bill to provide for the acceptance of a written declaration in lieu of the oath in connection with various disclosures that are submitted to the Patent Office. A duplicate of this draft legislation was transmitted to the 87th Congress on July 24, 1962. The Senate Subcommittee on Patents, Trademarks and Copyrights held hearings on the bill on September 4, 1962, and the full Committee on the Judiciary approved the bill on September 27, 1962, and it was passed by the Senate on October 2, 1962 (S. 2639 as amended). The House did not consider the Senate bill.

The principal purpose of this legislation is to avoid forcing those who do business with the Patent Office to subscribe to documents on oath or affirmation before a party authorized to administer oaths when existing laws provide comparable penalties for making false statements to Government agencies. The proposed legislation also provides that declarants must be warned of the criminal consequences of false statements and the like.

The Internal Revenue Code of 1939, as amended (26 U.S.C. 3809, which was superseded by 26 U.S.C. 6065, 7206), dispensed with the requirement of an oath in certain revenue matters. More recently, the Customs Simplification Act of 1953 (19 U.S.C. 1486) lodged discretion, similar to that proposed herein for the Commissioner of Patents, in the Secretary of the Treasury as to any law administered by the customs service. Also, quite recently, the Communications Act of 1934 was amended, Public Law No. 87–444, 87th Congress, 2d session (April 27, 1962), to permit a written declaration to be used in lieu of an oath on certain forms required to be filed with the Federal Communications Commission.

The present draft bill, however, provides a statutory safeguard that these other declaration-in-lieu-of-oath laws do not. It requires that any document subscribed to by a written declaration point out the serious consequences which attach under 18 U.S.C. 1001 when spurious representations are made before Government agencies. Just as the formality of the oath was designed, initially, to warn a person of the solemn consequences of his acts, the warning this bill requires will emphasize that representations to any agency of the Government are not to be made lightly.

The Department of Justice was consulted in choosing the language of the present draft bill. We agreed with the views of that Department that a declarant should be warned of the consequences of false statements in documents submitted to the Patent Office. Inasmuch as the Patent Office does not furnish approved forms in blank it seemed wisest to require by statute that the warning be displayed on any document subscribed to on a written declaration.

The Department of Commerce urges early congressional action so that the simplified procedure permitted by the proposed draft bill may be instituted to effect economies for applicants and in the operation of the Patent Office.

The Bureau of the Budget advised there would be no objection to the submission of this draft legislation from the standpoint of the administration's program.

Sincerely yours.
EDWARD GUDEMAN,
Under Secretary of Commerce.

EXTENSION OF LIFE OF EXPORT-IMPORT BANK OF WASHINGTON—INSTRUCTIONS TO CONFEREES

Mr. ROBERTSON. Mr. President, I ask unanimous consent that I may proceed for 3 minutes in addition to the morning hour limitation.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERTSON. Mr. President, the issue of the extension of the life of the Export-Import Bank of Washington is becoming critical. The Bank's charter expired on June 30; more than a month has passed and the conferees of the House and Senate are unable to agree on a means of financing the Bank, and so have not issued a conference report.

Since June 30, the Bank has been in a technical state of liquidation, unable to make new loans or grant new credit guarantees. Because of the deplorable inaction of the Congress, as a result it is estimated that we are losing potential exports at the rate of $100 million monthly. Furthermore, this figure may well rise in the near future to nearly $150 million monthly, equal to an annual rate of $1.8 billion.

There is no question about the success of the Export-Import Bank. It has now concluded more than 29 years of successful operation. Its operations have been profitable, a remarkable record considering the narrow range of risk which the Bank is authorized to cover. It has piled up an extra reserve of $825 million from its own earnings, and this year the Bank declared, in addition, a $50 million dividend, which goes to the Treasury as an unexpected bonus. The operations of the Bank foster U.S. export sales, stimulate U.S. employment in export and related industries, and help solve the U.S. balance-of-payments problem. Since the loans and credits of the Bank are tied to dollar purchases, the dollars paid out or guaranteed by the Bank never leave the country. As one of the most solidly established and respected lending organizations of the U.S. Government, the Bank has a reputation for conservative financial management and financial success throughout the business and banking community of the country.

There is no disagreement among the conferees about the success and importance of the Export-Import Bank. The President of the United States, in his special message on the balance of payments, transmitted to the Congress on July 18, called attention to the importance of the Export-Import Bank as one of the leading instruments of the Government in dealing with the critical balance-of-payments problem.

In view of the acknowledged success of the Bank for more than a quarter of a century, and in view of the critical importance of maintaining U.S. exports in the face of our balance-of-payments problem, what can be the issue that separates the conferees of the Senate and the House and has now continued to separate them for more than a month beyond the expiration of the Bank's charter? It is the issue of back-door financing versus direct appropriations by the Congress.

Mr. President, it would appear that those who are determined to perpetuate the unsound system of back-door financing would rather kill the Export-Import Bank than yield to the reasonable position of those on both sides of the House and Senate who, like myself, deeply oppose a financing method which allows a growing number of Federal agencies to bypass the accepted appropriations procedures of the Congress.

Back-door financing is a loose financial practice which diffuses the financial control of Congress over authorized programs. Such loose financial practice does not make commonsense. The executive branch utilizes the Bureau of the Budget as its focal point for drawing together and adjusting the expenditure proposals of the various departments and agencies. Likewise, it is sound and reasonable for the Congress to draw together all its authorizations through one focal point; namely, the Appropriations Committees of the two Houses.

The bill before the conferees would extend the life of the Bank for 5 years, would increase the Treasury borrowing authority of the Bank from $6 billion to $8 billion, would increase the limitation on the amount of loans, guarantees, and insurance outstanding at any one time from $7 billion to $9 billion, would increase from $1 billion to $2 billion the face value of insurance policies which the Bank may write, and would substitute annual for semiannual reporting by the Bank. Because of the Bank's successful operations and because the Congress has extended its charter for consecutive 5-year terms since its inception in 1934, the Bank now has an estimated $1.5 billion of unobligated borrowing authority. The fact is that the Bank can operate for 1 year, or maybe even 2 years, without additional funds. In any event, using a sound method of financing, the Congress could make a direct appropriation of $100 million to the Bank for fiscal year 1964, and that would be more than ample when added to the Bank's $1.5 billion of unobligated borrowing authority.

The issue of back-door financing is far broader than merely the operations of the Export-Import Bank. The growth of this loose financial practice threatens sound congressional control of Federal agency spending. The total of unused authorizations to expend from debt receipts had reached more than $27.5 billion by May 31 of this year.

The list of agencies which are authorized to use the back door of the Treasury have included the following:

Reconstruction Finance Corporation.

Federal Home Loan Banks.

Home Owners' Loan Corporation.

Federal Deposit Insurance Corporation.

Federal Farm Mortgage Corporation.

Federal National Mortgage Association.

Export-Import Bank.

Rural Electrification Administration.

Public Housing Administration.

Commodity Credit Corporation.

International Bank for Reconstruction and Development.

International Monetary Fund.

Secretary of the Treasury—British loan.

Farmers Home Administration: Farm tenant mortgage insurance fund, and farm housing loans.

Economic Cooperation Administration: General foreign aid loans, loan to Spain, and loan to India.

Urban Renewal Administration.

Veterans' Administration—direct housing loans.

Housing and Home Finance Agency—college housing loans.

Federal Savings and Loan Insurance Corporation.

Agencies administering expansion programs under Defense Production Act.

Federal Civil Defense Administration.

St. Lawrence Seaway Development Corporation.

Community Facilities Administration—public facilities.

International Finance Corporation.

U.S. Information Agency.

Federal Flood Insurance Corporation.

Now, as time goes on, we find new programs proposed such as urban renewal, mass transportation, and area redevelopment, which contain authority to get back-door funds from the Treasury, not only for loans but also for outright grants—which never return to the Federal Government. Thus, we see the ominous growth of a practice of bypassing the Appropriations Committees of the Congress for new spending schemes by Federal agencies which need not even report to the Appropriations Committees what they have done with their funds, and thus leave the Congress with no opportunity to pass on the efficiency of their operations.

The practice of back-door financing should be stopped. Its proponents are using the very success of the Export-Import Bank to justify extending the back-door financing practice far beyond the intent of moderates on both sides of the Congress who have in the past approved back-door financing for the Bank. Its proponents are using the success of the Bank to justify programs of outright Federal grants that begin small, and later balloon into billions of dollars. Under those programs, Federal bureaucrats then use the back door of the Treasury to distribute taxpayers' funds in selected cities and States, without care or concern for the original intent of the Congress or the continuous canons of efficient Federal operations. Soon constituents across the Nation are asking for their share of such funds.

The practice of back-door financing should indeed be stopped, but positive steps should be taken—and soon—to continue the vital operations of the Export-Import Bank. The mounting pressure to expand back-door financing to unsound loan and grant programs has led me to oppose this dangerous method of financing, even for the Export-Import Bank. And I am not alone in this view; many of my colleagues in the Senate who have previously tolerated back-door financing for the Bank are beginning to have second thoughts. And they are beginning to recognize the tortuous reasoning of those who use the success of a conservative institution as support for new and unsound spending schemes.

Moreover, the Export-Import Bank conferees have now had more than a month to test the will of the House concerning back-door financing. Indeed, in truth they have had even longer. On May 1, 1963, the bill, H.R. 3872, to increase the lending authority of the Export-Import Bank, to extend the period within which the Bank may exercise its functions, and for other purposes, passed the House of Representatives. On June 5, the Senate Committee on Banking and Currency held its executive session and voted to report the House bill, as amended, to the Senate floor. Now it is mid-August, and the Export-Import Bank Charter has not yet been renewed.

Mr. President, we cannot sit idly by and permit the destruction of one of the Government's most respected and most successful financial institutions. Neither can we afford to ignore the serious threat to our diminishing gold supply by an adverse balance of payments made measurably worse through our needless failure to continue the operations of the Export-Import Bank.

In order to test the sentiment of the Senate on this vital issue, I have prepared, and now send to the desk, for appropriate action, a Senate resolution to instruct the Senate conferees to yield to the House on the back-door financing issue. That resolution reads as follows:

> *Resolved,* That the conferees on the part of the Senate on the disagreeing votes of the two Houses on the amendment (in the nature of a substitute) of the Senate to the bill (H.R. 3872) to increase the lending authority of the Export-Import Bank of Washington, to extend the period within which the Export-Import Bank of Washington may exercise its functions, and for other purposes, are instructed to recede forthwith from their insistence upon subsection (b) of section 1 of the Senate amendment and concur in subsection (b) of section 1 of the House bill.

The PRESIDING OFFICER. Does the Senator desire immediate consideration?

Mr. ROBERTSON. I do not. Under the rules of the Senate, if any Senator objected, consideration of the resolution would have to go over for a day. I did not have sufficient time to notify the interested parties, and especially the chief conferees on the part of the Senate, of my move. So I merely make that statement. I send the resolution to the desk, and at an appropriate time, which will probably be some time next week, I shall ask that it be laid before the Senate. In the meantime I wish every Senator to have adequate notice. I do not wish to take advantage of any Senator.

The PRESIDING OFFICER. Would it be the desire of the Senator from Virginia to have the measure lie on the table?

Mr. ROBERTSON. I ask that my motion, which under some circumstances would be a privileged motion, lie on the table and be subject to being called up. I shall ask the leadership to give adequate notice before it is called up.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 181) was ordered to lie on the table.

NATIONAL SERVICE CORPS ACT—AMENDMENTS

Mr. THURMOND submitted an amendment, intended to be proposed by him, to the bill (S. 1321) to provide for a National Service Corps to strengthen community service programs in the United States, which was ordered to lie on the table and to be printed.

Mr. PROXMIRE submitted an amendment, intended to be proposed by him, to Senate bill 1321, supra, which was ordered to lie on the table and to be printed.

ADDITIONAL COSPONSORS OF BILLS

Mr. MORSE. Mr. President, I ask unanimous consent to have the name of the Senator from New York [Mr. JAVITS] added as a cosponsor of the bill (S. 1665) to require that all State or local programs supported with Federal funds shall be administered and excuted without regard to the race or color of the participants and beneficiaries, which I introduced on June 4, 1963.

I also ask unanimous consent to have the name of the Senator from Vermont [Mr. PROUTY] added as a cosponsor of the bills (S. 1801) to effectuate the provisions of the sixth amendment of the U.S. Constitution requiring that defendants in criminal cases be given the right to a speedy trial, and (S. 1802) to protect the integrity of the court and jury functions in criminal cases, both of which I introduced on June 26, 1963. Although all of these bills have been printed, the names of these additional cosponsors will be included at their next printing.

The PRESIDING OFFICER. Without objection, it is so ordered.

INCORPORATION OF CATHOLIC WAR VETERANS—ADDITIONAL COSPONSOR OF BILL

Mr. KUCHEL. Mr. President, on behalf of the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN], I ask unanimous consent that the name of the able Senator from Pennsylvania [Mr. SCOTT] be added as a cosponsor of the bill (S. 1914) to incorporate the Catholic War Veterans of the United States of America, at its next printing.

The PRESIDING OFFICER. Without objection, it is so ordered.

INCORPORATION OF JEWISH WAR VETERANS—ADDITIONAL COSPONSOR OF BILL

Mr. JAVITS. Mr. President, at its next printing, I ask unanimous consent that my name be added as a cosponsor of the bill (S. 1942) to incorporate the Jewish War Veterans of the United States of America.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE OF HEARING ON S. 1562, TO IMPROVE THE FINANCING OF THE CIVIL SERVICE RETIREMENT SYSTEM

Mr. McGEE. Mr. President, as chairman of the Retirement Subcommittee of the Committee on Post Office and Civil Service, I wish to announce that hearings on S. 1562 have been scheduled to begin at 10 a.m., Wednesday, August 14, 1963, in room 6202 of the New Senate Office Building. S. 1562 is a bill to improve the financing of the civil service retirement system.

Representatives of the Bureau of the Budget and the Civil Service Commission will be the first to testify. Others wishing to be heard may call Capitol 4-3121, extension 5451.

ANNOUNCEMENT OF HEARINGS—USE OF PESTICIDES

Mr. RIBICOFF subsequently said: Mr. President, I wish to announce that hearings before the Subcommittee on Reorganization and International Organizations on the interagency coordination aspects of the use of pesticides will resume on August 20–21 at 10 a.m. in Room 235, Old Senate Office Building.

To date the subcommittee has heard testimony from various experts in Government, industry, medicine and science on the problems of pesticide use and regulation. Different points of view on complex problems have been aired. The adequacy of existing law and regulation has been examined. The problems of interagency and intergovernmental coordination and cooperation have been discussed. I am pleased to note, Mr. President, that as a result of our inquiry, additional progress is being made.

The Department of Agriculture has established an outside group of experts to review existing pesticide labeling and registration procedures and requirements. At the subcommittee's suggestion, the Department of Agriculture and the Department of Interior met and reached agreement on the question of protecting fish and wildlife under the provisions of Federal law. The Department of Agriculture has reported favorably on legislation to outlaw protest registrations of unsafe or ineffective pesticides and next week hearings on this bill begin in the other body. We are confident of continued progress.

Mr. President, the junior Senator from Kansas [Mr. PEARSON], and all the members of the subcommittee have been extremely helpful and cooperative to me in the conduct of our inquiry. The junior Senator from Kansas personally arranged for the appearance of the five witnesses for next week, all of whom are recognized experts in this field. They include:

Dr. George C. Decker, head, section of economic entomology, Illinois Natural History Survey, Illinois Agriculture Experiment Station, Urbana, Ill.

Dr. Clifford C. Roan, professor of entomology, Kansas State University, Manhattan, Kans.

Dr. Emil Mrak, chancellor, Davis campus, University of California, Davis, Calif.

Mr. L. T. Webster, supervisor, department of natural resources, State of Washington, Olympia, Wash.

Dr. Edward H. Smith, professor of entomology, Geneva Agricultural Extension Station, Cornell University, Geneva, N.Y.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, August 13, 1963, he presented to the President of the United States the following enrolled bills:

S. 874. An act to authorize the construction and equipping of buildings required in connection with the operation of the Bureau of the Mint;

S. 1032. An act to exclude cargo which is lumber from certain tariff filing requirements under the Shipping Act, 1916, as amended; and

S. 1388. An act to add certain lands to the Cache National Forest, Utah.

ADDRESS BY THE PRESIDENT BEFORE RETAIL CLERKS INTERNATIONAL ASSOCIATION, AFL-CIO

Mr. MANSFIELD. Mr. President, delegates to the 75th Anniversary Convention of the Retail Clerks International Association, in Chicago, were privileged to be addressed by the President of the United States.

Because throughout the period of that convention the President was in Europe, reinforcing the bastions of our democracy, his remarks were conveyed on film to the delegates.

Mr. President, each of us should give worthy consideration to President Kennedy's remarks to the fastest growing labor union in America, now the sixth largest union affiliated with the AFL-CIO.

I ask unanimous consent that his address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

Thank you very much. I appreciate the remarks of your president, Jim Suffridge, with whom I've worked for many years.

It is a great pleasure for me to have a chance to address this convention again. On many occasions during the 14 years that I was a Member of the House and the Senate and on the Labor Committees of the Congress I had a chance either in person or by this means to speak to the members of the Retail Clerks Union.

I know this union. I know the contribution it has made to the welfare of its members. I know the fight it has made for legislation improving the hours and the working conditions of its members and all those who labor, and I know that it has always interpreted generously its responsibilities as a leading organization responsible not only to the laboring people of this country, but also to all of our citizens.

Seventy-five years is a long time. This union has come from membership of a few men and women to one of the most important labor organizations in the country, with over 400,000 members. I congratulate you.

I hope you will recognize, as all of us must, the great challenges which still lie before us. There is a good deal of unfinished business in this country.

We have sent a number of proposals to the Hill which I think can improve steadily the economy of this country, cut unemployment, increase opportunity for all—a chance for all to develop their talents.

I hope that all of us will recognize that we must labor for the same causes in our own lives. I commend this union for the fact that it's been open to all people, regardless of race, creed, or color. This has been a fundamental belief of this union from its earliest days.

I urge the members of this union to work in their communities for the same principles of opportunity for all, for a fair chance for all, regardless of the circumstances of their birth.

This is a great country of ours, and it's become great because of the work of dedicated citizens. You have been among them. I congratulate you.

I wish you 75 years more of active service and I can assure you that those of us who are here in Washington will continue to work, and strive, and share, the same goals as the Retail Clerks.

Good luck to you all.

MONTANA GIRL NAMED MISS INDIAN AMERICA

Mr. MANSFIELD. Mr. President, Montana again has the great pleasure of having one of its talented young ladies selected as Miss Indian America. She is Willamette Belle Youpee, of Poplar, Mont., a resident of the Fort Peck Indian Reservation.

Miss Youpee, whose Indian name translated is "mean but kind woman," is a student at Montana State College, in Bozeman, Mont. Willamette Youpee was selected for this honor from among 24 of the most talented and personable Indian girls, and she is very conversant with the affairs of her own Indian people. The Miss Indian America ceremony was the highlight of the annual All American Indian Days, which this year was held in Sheridan, Wyo.

Mr. President, I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks a news story which appeared in the August 6, 1963, issue of the Great Falls Tribune, of Great Falls, Mont.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Great Falls Tribune, Aug. 6, 1963]

MSC STUDENT FROM POPLAR NAMED MISS INDIAN AMERICA IN SHERIDAN

SHERIDAN, WYO.—Willamette Belle Youpee, 24, Poplar, Mont., a student at Montana State College, was chosen Sunday as Miss Indian America. Her Indian name translated is "mean but kind woman."

Her selection climaxed the 10th annual All American Indian Days, a colorful celebration here by most of the Nation's tribes.

Miss Youpee is a full-blooded member of the Sisseton-Yankton Sioux. She will graduate this December from Montana State where she was one of the organizers of the Council of American Indian Students in 1961. Her father is chairman of the Fort Peck, Mont. Assiniboine Sioux Tribal Council.

She was a member of the Montana State delegation to the first National Indian Youth Conference at Brigham Young University at Provo, Utah, in 1962.

She was chosen winner from 24 entries on the basis of talent, intellectual capacity, general character and knowledge of her tribe. All entrants must be at least 50 percent Indian.

Selected first alternate was Norma Jean Bearskin, 19, Chicago, who is three-quarters Winnebago and one-quarter Sioux. She has been active in the youth club of the American Indian Center in Chicago, where thousands of her race reside. She has held the titles of Miss Indian Chicago and Miss U.S.A. of the Chicago International Trade Fair.

Second alternate is Octa Lucy Mitchell, 21, full-blooded Omaha Indian from Macy, Nebr., who is taking nurse's training at Independence, Mo. The third alternate is Nancy Marie Eschief, 19, Fort Hall, Idaho, a Pima Indian who is studying anthropology at University of Idaho.

REMOVAL OF PERCENTAGE LIMITATIONS ON RETIREMENT OF ENLISTED MEN OF THE COAST GUARD

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1194) to remove the percentage limitations on retirement of enlisted men of the Coast Guard, and for other purposes, which was, on page 2, strike out lines 5 and 6, inclusive, and insert "in service on the effective date of this act."

Mr. BARTLETT. Mr. President, I move that the Senate disagree to the amendment of the House to the Senate bill and ask for a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. BARTLETT, Mr. HART, and Mr. PROUTY conferees on the part of the Senate.

MANIPULATION OF THE GRAIN MARKETS

Mr. WILLIAMS of Delaware. Mr. President, today I call attention to another situation wherein the grain markets of this country have either intentionally or unintentionally been manipulated by the Department of Agriculture, with the result that the speculators and grain dealers who were lucky enough to have large inventories of feed grains in their elevators are reaping tremendous profits during the months of July and August. The irony of this situation is that while the speculators have been reaping these large profits those farmers in America who are buying these feed grains to feed their livestock—dairy, poultry, and feeder cattle—are being penalized with an abnormal increase in the price of feeds.

The July and August rise in the price of corn and certain other feed grains results directly from the Commodity Credit Corporation's having practically withdrawn as a seller in the market during these months. These are the months when the farmers who feed their livestock are almost 100 percent corn buyers; farmers who raise corn to sell would have all disposed of their inventories in the prior months. In the late spring and during the summer it is normal for the grain dealers and the Government to hold the inventories. Therefore, during this period when the Government suddenly withdraws from the market as a seller the dealers can establish their own prices.

I shall now outline how the Government by suddenly withdrawing from the market created this vacuum of offerings during this 2-month period and thereby set the stage for abnormal advances in corn and other feed grains.

Corn: The Government's sale of corn in the domestic market for the first 6 months of 1963 averaged over 85 million bushels per month. This was sold at prices ranging from $1.01 to $1.10.

The Government's sale of corn in the month of June was approximately 67 million bushels at $1.03 per bushel. In July it practically withdrew from the market as a corn seller with sales of only 532,000 bushels. This represents a 99 percent reduction in Government sales of corn for July as compared with sales in June. This resulted in an artificial shortage, and, based on the Government's own report, the corn market in July jumped 17 cents per bushel with prices still rising.

Barley: The domestic sales of barley by the Government during the month of June totaled 808,000 bushels at 69 cents per bushel. In the month of July, however, the Government reduced its sales of barley to 81,000 bushels. This represented a 90 percent reduction in Government sales, with the result that the market price for barley jumped from 69 cents in June to 96 cents in July.

Unquestionably, these price rises resulted from the Government's manipulation of the supply of corn and barley.

Grain sorghums: The Government's sales of grain sorghums during the first 6 months of 1963 were at an average rate of 19.3 million bushels per month. In June its sales of grain sorghums exceeded 30 million bushels at $1.02 per bushel, whereas in July the sales were reduced by 80 percent to 5,630,000. While it is true that the market price of grain sorghums did not advance to the extent of other feed grains, nevertheless this curtailment of Government offerings of grain sorghums contributed toward the increased price of other feed grains.

Oats: In June 1963 the Government sold 615,000 bushels of oats at 49 cents per bushel. In July the Government reduced its sale of oats from 615,000 to 20,000 bushels. This was a reduction of over 96 percent. In the face of the Government's almost complete withdrawal of its offerings from the oat market, prices advanced from 49 cents per bushel in June to 70 cents in July.

At this point I ask unanimous consent that there be printed in the RECORD a chart showing a breakdown of the Government's sales of corn, barley, grain sorghums, and oats during each of the first 7 months of this year along with the average market price received by the Government for each commodity.

There being no objection, the chart was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF AGRICULTURE, COMMODITY CREDIT CORPORATION

Domestic sales of feed grains, by month, from January through July 1963

Month	Corn		Barley		Grain sorghums		Oats	
	Sales	Average proceeds received per bushel	Sales	Average proceeds received per bushel	Sales	Average proceeds received per bushel	Sales	Average proceeds received per bushel
	Thousand bushels		*Thousand bushels*		*Thousand bushels*		*Thousand bushels*	
January	54,178	$1.08	20	$1.10	33,200	$0.98	51	$0.80
February	84,843	1.10	66	.86	23,012	1.02	51	.67
March	145,977	1.10	113	.76	6,656	1.04	249	.45
April	90,201	1.08	60	.73	9,005	1.03	142	.47
May	74,481	1.01	136	.71	13,511	1.01	116	.54
June	66,956	1.03	808	.69	30,903	1.02	615	.49
July	532	1.20	81	.96	5,630	1.00	20	.70

Mr. WILLIAMS of Delaware. There can be no doubt but that this arbitrary decision of the U.S. Government practically to withdraw from the domestic market during July and August as a seller of feed grains has been directly responsible for the spectacular rise in the cash price of these commodities.

This decision of the U.S. Government to create deliberately an artificial vacuum in the supply of feed grains during this 2-month period set the stage for spectacular profits for the grain dealers and speculators. The Government has given the storage operators a golden opportunity to dispose of their inventories of grains at substantially increased prices.

At the same time the American dairy, poultry, and livestock farmers, who during the summer months are buying these feed grains, have paid a terrific penalty in higher feed prices.

This attempt by the Department of Agriculture to manipulate the law of supply and demand has cost the dairy, poultry, and livestock farmers millions in increased feed prices while at the same time it has allowed the grain speculators to unload their inventories at tremendous profits. Mixed feed prices for poultry and dairy are today about $5 per ton higher as a result of this manipulation.

This is not the first time that the grain speculators have been rewarded by unsound and arbitrary decisions of the Agriculture Department.

When we consider how the Department of Agriculture's decisions are allowing the grain speculators to reap millions, while at the same time the poultry and dairy farmers are being penalized with higher feed prices, we could very appropriately paraphrase that great English statesman and say that never has there been a Secretary of Agriculture who has done so much for so few at the expense of so many.

And unless this uneconomic policy is reversed, I suggest that at the next annual convention of the grain dealers and storage operators they should nominate Secretary Freeman as the man of the year. Certainly some recognition should be made by the grain speculators of his numerous contributions to their exceedingly profitable operations.

I strongly recommend that the Secretary of Agriculture stop trying to regulate the law of supply and demand and in the future do his selling of feed grains in the domestic market during the months of shortage rather than during the months of harvest.

Not only would such procedure help the American farmers, but it would also save the taxpayers millions in the cost of the agriculture program.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I am glad to yield.

Mr. AIKEN. I compliment the Senator from Delaware for bringing into broad daylight one of the grievous mistakes—although I notice the Senator did not call it a mistake—of the Department of Agriculture, which has been very costly to both farmers and consumers of feed grains in this country. I only wish that the officials of the Department would profit by such mistakes and not continue to make them. We have seen the loss of our cotton export market, which has gone down more than half because of a mistake.

We have seen the dairy situation become demoralized, at least, because of another mistake. Now we see that the increased cost of producing milk, meat, and poultry is chargeable to another mistake of the Department.

I think the Senator from Delaware has performed a real service, and that the Department officials ought to wake up and come to the realization that they first are to serve the producers and consumers of this country, rather than the speculators.

The PRESIDING OFFICER. The time of the Senator from Delaware has expired.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that I may proceed for 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WILLIAMS of Delaware. Mr. President, I appreciate the comment made by the Senator from Vermont. I think it would be well for the Department of Agriculture to profit by its mistakes. Unquestionably, their withdrawal from the markets during the summer months, when the farmers are not corn sellers but are corn buyers, cannot be justified when we take into consideration that the same Department of Agriculture, during the months of October, November, and December of last year—and those are months when the farmer is harvesting corn—was selling 42 million, 33 million, and 37 million bushels, respectively, in those months.

In other words, during the months when the farmer was harvesting corn and trying to sell it on the market, the Government was selling 75 times as much corn as they sold during July and August when the farmers were buyers.

Decisions of the Department of Agriculture, intentionally or unintentionally, have been made to the benefit of the speculators and storage operators, rather than to the benefit of the American farmers. It is time the Secretary of Agriculture stopped taking the taxpayers' money and trying to manipulate the grain markets in such a manner. Definitely such a policy is not advantageous to the American farmer. Unless he does stop, as I said before, I suggest that the storage operators and speculators should nominate him as the "Man of the Year" since he has contributed so much to their profitable operations.

PASSING OF THE SMALL TOWN FROM THE AMERICAN SCENE

Mr. PEARSON. Mr. President, Mr. Fred W. Brinkerhoff, publisher and editor of the Pittsburg Sun, Pittsburg, Kans., is among our senior and most respected newspapermen in Kansas.

Mr. Brinkerhoff spoke at the homecoming fair at Richland, Kans., on July 27, 1963, with an eloquence and an understanding born out of his years of experience, and his intimate knowledge and study of the forces which have given vitality to America. Mr. Brinkerhoff laments the passing from the American scene of the small town as an institution which has promoted much that is good in our way of life. He acknowledges the reasons for urbanization and the growth of our large cities. He speaks of the contribution of these centers to our society but properly, I think, notes that those who live and work in large urban centers are often restricted in the variety of their associations. Such restrictions, he notes, do not prevail in the smaller communities and this, Mr. Brinkerhoff says, limits the expansion of individual thought and understanding.

This is an interesting analysis. I commend Mr. Brinkerhoff's statement to my colleagues' study. I ask unanimous consent that the speech I referred to be made a part of the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

From Speech at Homecoming Fair at Richland, Kans., July 27, 1963, by F. W. Brinkerhoff

Three years ago these words were spoken here as the conclusion of a smalltown soliloquy:

"I am the American small town—the final freehold of American liberties, and the sleepless guardian of America's unrivaled and surpassingly precious way of life."

It was Rolla A. Clymer expressing in eloquent words for the speechless towns their emotions and their pride in the human virtues of wholesome living, tranquil relations, unselfish friendships, and loyalty to God and country. To all of which I ask the privilege of adding my sincere attestation.

The fantastic enlargement of American population centers and the deterioration and even disappearance of American small towns are the prime facets of a tragic transition. The change may not be the paramount menace to the perpetuation of the American way of life but certainly it is a major threat. In this day of innumerable dangers which beset the Nation this is something everywhere noted and to an increasing extent is a cause of national regret. The concentration of population has resulted from economic developments out of which have come material benefits. But along with these advances have appeared losses through social and political changes. They have affected principles that have been the base of the high standard of living the American people have enjoyed. In most of the physical phases the standard has been maintained or perhaps improved. If fine food and modernistic houses are the measurement of the standard of living, then it can be argued there has been no depreciation. But there are other things to be considered in determining the living standard. These include social activities, civic responsibilities, and a dozen other items having to do with the daily lives of the family, all involving human relations. Herein are the changes which affect the welfare of the country. Environment and association always influence the attitude of men and women on the most momentous issues they face.

While persons a man meets in his daily occupation or business have a vital influence on him, regardless of vitality of conviction, for reasons that are perfectly obvious, those who work in large centers are restricted as to variety of associations. This is fatal to expansion of thought and inevitably the tendency is for them to become narrow and prejudiced. They believe themselves highly sophisticated when, in fact, they have become ignorant not because they choose to do so but because of the conditions in which they live. Out of all this comes a lowering of interest in matters determining the national character. Regardless of economic status, whether a man has a prosperous business connection or a precarious one, whether he has a lucrative job or a mediocre one, the demands upon him are such as to deny him the opportunity for adequate contemplation. They destroy his inclination to be properly advised on his responsibilities as a citizen. These are not academc conclusions. They are practical observations on conditions discernible to anyone who gives them even the most casual study.

The great need of those imprisoned in the population concentrations is not the fresh air of small town living but the fresh thinking that goes along with the fresh air.

What is a small town? There is no hard-and-fast rule by which we can define a small town. It may be merely a village without benefit of incorporation. It may be a county seat of a few hundred or maybe a few thousand. Or it may be a larger community which has retained the character of its earlier years with its main street turned into a business section. Let us just say that a small town is one where there are few permanent strangers, where folks meet in church and at lodge sessions, where funerals are largely attended, where character is more important to a banker than collateral and where merchants spend little time reading credit ratings.

Here in Kansas most of our centers of whatever ranking fall in the group just described. Even our beloved State Capital long ago was described, largely because of the friendly attitude of the people there, as an "overgrown country town." That was a tribute to Topeka. It remains a tribute today in spite of Topeka's expansion. Our State's capital benefits from the infiltration of the 160 outsiders who come to town as legislators every year for a period and from the constant flow of outlander Kansans to Topeka on business with the State's agencies. These visitors have done much to keep the town in touch with rural Kansas and this has had an effect on its character.

Out through the State the courthouse squares of most of our 105 county seats are the civic and social centers where the town people and the rural people of the areas around have long been accustomed to talking things over. Other towns of almost every county, many of which once had ambitions to become county seats, have parks and auditoriums where community relations are maintained. In practically every village there are evidences of a civic spirit revealing itself in one thing and another created for the pleasure of the villagers and their guests. Everywhere a sojourner will find school buildings and churches, lighted streets, and waterworks. There will be sewer systems and surfaced streets. There will be splendid stores serving all the needs of the community. There will be beautiful homes, old and new. There will be ragged sections, a few, but there will be no slum sections crowded with disreputable appearing habitations. There will be spacious grassy yards. Likely there will be a public library.

These will be among the physical advantages of residents. Other assets are found in the kinds of people who inhabit these towns. There is something about life in a small town that affects the character of the residents. They develop a kind of sociability among themselves for which there is no substitute in the development of good human relations.

Every resident in a small town has a wide circle of acquaintances. It would not be accurate to say that everyone has a wide circle of friends. Human frailties, human error, and human meanness are not missing in these small towns. Human nature is the same everywhere, and constant. But we are talking about the average person, not the unusual. We can only assess the quality of a small town's population by assaying the average citizen.

Far be it from my intention to maintain the small town is sinless, that every smalltowner obeys the laws of God and man, that morality rules supreme in the hearts of all, that there are no thieves and that no resident would take advantage of a fellow citizen in a business deal. But there are no crime syndicates in the small towns. Hoodlums find no welcome and smart crooks cannot buy protection. There is solid respect for the law and its authority, an attitude that is as natural as the rising of the sun. Patriotism is considered not as an emotion, commendable and conventional, but as an inescapable duty.

Nor can we indict the millions upon millions in the large centers for lack of respect for authority, for pampering the lawless or for active indifference to patriotism. The fact is the great concentrations of humanity are almost entirely beyond the control of good citizens of high ideals and sound moral principles. These Americans are powerless in the unwieldly situations which are perfect for the operations of organizations based on combinations of crime and politics.

By no stretch of imagination can vast concentrations of population be described as "freeholds of American liberties." Nor can they ever be. They are the results of an economy that has changed, spurred by science and invention. They have transferred power to dominate from those capable of thinking, those who adhered to American ideals of living and with true love of country, to those whose motives have no relationship to the American way of life. The ponderous transfer of power continues on its way.

And this is why I call this tragic transition a major menace to our America.

God bless America.

Long live the Richlands.

ADVISORY COMMITTEE REPORT ON STAFFING INTERNATIONAL ORGANIZATIONS DESERVES WIDE SUPPORT AND SPEEDY IMPLEMENTATION

Mr. KEATING. Mr. President, one of the healthiest aspects of current controversies about the United Nations is the constructive manner in which various groups and committees are studying the world body's performance—and making sound proposals for improvement. More and more people have come to recognize that while the U.N. is a vital means for building world peace, it can and must be improved.

With determination, skill and realistic thoroughness many organizations have probed into the workings of the United Nations. The American Association for the United Nations and other public spirited bodies have helped create the climate in which the reports of such groups can gain wide attention and acceptance.

Perhaps the most important committee now studying the United Nations and its work is the State Department Advisory Committee on International Organizations. This distinguished group of experts, under the able chairmanship of Sol M. Linowitz, was named by the State Department last year to ferret out ways and means of improving American participation in various international bodies.

In its first report, issued in April 1963, the committee strongly recommended various reforms in the recruitment and placement of American personnel in the U.N. and other world organizations. Among its 15 recommendations were a number of hardheaded and effective ideas which could do much to insure that qualified Americans play their part in the work of various international organizations.

The suggestions of the advisory committee deserve wide support and I hope they will be speedily implemented in the State Department and throughout our Government.

I am firmly convinced that the placing of more well-trained Americans in international organizations will result in long-range gains for the people of the world. If better qualified personnel run these organizations, they will be greatly strengthened—and their ability to play a prominent role in spurring world progress and security will be greatly increased.

The fine committee which prepared this report—and which will be issuing others in the months ahead—is to be commended for its constructive and realistic approach to these problems. I am hopeful that a more positive, better coordinated system of staffing international organizations will result—and that the people of the world and the cause of world peace will be the winners in the long run.

In order that the report of the advisory committee can receive the wide readership to which it is entitled, I ask unanimous consent that the introduction and major recommendations be printed at this point in the RECORD. I direct particular attention to the membership of the group, which is a strong guarantee of the authenticity and significance of its recommendations.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATE DEPARTMENT ADVISORY COMMITTEE ON INTERNATIONAL ORGANIZATIONS

The United States during fiscal year 1962 contributed over $300 million to the United Nations and other international organizations and programs.

In July 1962, the Department of State and the Bureau of the Budget authorized a major review of the administration of U.S. financial, personnel, and other relationships to the United Nations and other international organizations. Provision was made for a staff to carry on studies under the direction of the Assistant Secretary for International Organization Affairs. Provision was also made for the appointment by the State Department of an Advisory Committee of independent citizens to make available their advice and recommendations with reference to various phases of the relationships with international organizations.

This first report of the Advisory Committee deals with the problem of equipping the country to propose the best qualified Americans for those international organization positions in which U.S. citizens can make a significant contribution.

Members of the Advisory Committee are—

Sol M. Linowitz, Chairman; chairman of the board, Xerox Corp., Rochester, N.Y. Partner—Harris, Beach, Wilcox, Dale, and Linowitz.

Harding F. Bancroft, vice president and secretary, the New York Times, New York City; formerly General Counsel of the International Labor Organization.

Karney A. Brasfield, partner, Touche, Ross, Bailey & Smart, Washington, D.C.; formerly member of the President's Committee on the Foreign Aid Program, 1961.

Andrew W. Cordier, dean, School of International Affairs, Columbia University, New York City; formerly Executive Assistant to the Secretary General of the United Nations, and Under Secretary in charge of U.N. General Assembly Affairs.

Lawrence S. Finkelstein, vice president, Carnegie Endowment for International Peace, New York City.

Ernest A. Gross, partner—Curtis, Mallet-Prevost, Colt, and Mosle, New York City; former Ambassador, Deputy U.S. Representative to the United Nations and Deputy U.S. Representative in the Security Council.

Arthur Larson, director, World Rule of Law Center, Duke University, Durham, N.C.; formerly Director, U.S. Information Agency.

Joseph Pois, professor of public administration, Graduate School of Public and International Affairs, University of Pittsburgh, Pittsburgh, Pa.; formerly Director of Finance, State of Illinois.

Marshall D. Shulman, professor of international politics, Fletch School of Law and Diplomacy, Tufts University, Medford, Mass.; formerly Special Assistant to the Secretary of State.

Francis O. Wilcox, dean, the Johns Hopkins University School of Advanced International Studies, Washington, D.C.; formerly Assistant Secretary of State for International Organization Affairs.

Participants from Federal agencies:[1]

John W. Macy, Jr., Chairman, U.S. Civil Service Commission.

Robert Amory, Jr., Chief, International Division, Bureau of the Budget.

Servicing as staff to the Committee has been a special study group directed by Glenn B. McClelland of the Agency for International Development. Winthrop M. Southworth, Jr., Department of State, and Norman R. Miller, Civil Service Commission have been particularly concerned with this report on Staffing International Organizations. Richard S. Wheeler, Department of State, assisted in the production of the report.

SUMMARY OF MAJOR RECOMMENDATIONS

1. The United States has an obligation under the U.N. Charter to seek to maintain, and where possible, to improve the quality of personnel and of personnel administration in the international agencies.

2. The President should announce a positive policy of assisting international organizations to recruit competent Americans as they may be needed, utilizing to the fullest the resources of all Government departments and of appropriate private organizations.

3. It is recommended that a position of Special Assistant to the Assistant Secretary for International Organization Affairs be set up with the function of developing and directing the execution of a single U.S. recruiting policy. The incumbent would serve as a central information and record point, would evaluate the effectiveness of U.S. recruiting efforts and would coordinate the efforts of U.S. missions. Actual recruitment would be decentralized to U.S. Government agencies which are counterparts of the U.N. agencies. Where counterpart agencies do not exist, responsibility for recruitment would rest with an international recruiting service in the State Department. A coordinating mechanism for international recruitment should be developed to facilitate access to the total personnel operations of the Government, and, particularly in the case of certain special abilities required in technical assistance assignments, full cooperation of business and industry should be encouraged.

4. To serve total U.S. purposes, arrangements should be made to facilitate the cooperative use by the Agency for International Development (AID) and the Department of State of the AID recruiting and placement mechanisms for bilateral aid and the counterpart U.S. Government mechanisms for multilateral aid. There should be a definite U.S. policy that service in either multilateral or bilateral aid organizations is a part of the career ladder for personnel of Government agencies.

5. The United States should support a proposed U.N. study of emoluments for personnel serving in multilateral and bilateral assistance programs in order to establish comparability of information for employment purposes. In addition, the United States should support a coordinated policy for emoluments for all international agency personnel.

6. Government agencies and private industry should be encouraged to release employees for fixed term international organization service in connection with career development programs.

7. The obtaining of adequate vacancy information should be incorporated in the reporting instructions for U.S. missions to international organizations.

8. A current inventory of U.S. personnel serving in international organizations should be maintained by the Department of State.

9. Attention should be paid to the recruitment of junior officers to the extent that career opportunities for them in international service are known to exist.

10. It is recommended that an amendment to Public Law 85–795 be sought to permit: (a) secondment of Foreign Service officers to international organizations when appropriate; and (b) the extension to 5 years of the period during which a Federal employee may serve an international organization while retaining the rights and privileges of Federal service.

11. The United States should adopt an appropriate program of orientation for U.S. personnel selected for service in international organizations.

12. It is desirable and proper that U.S. missions overseas and in New York accord increased recognition to American nationals who are serving in international organizations.

13. There is need for all U.S. agencies concerned with the activities of international organizations to contribute to the identification of posts which as a matter of priority

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[1] Government participants have not been asked to assume responsibility for Committee reports.

must be filled with persons of great professional competence.

14. The Department of State should revise the instructions to missions to international organizations to include an assignment of responsibility in the area of staffing and personnel administration, and to provide that the responsibility be placed with a single top level officer.

15. Appropriate efforts should be made from time to time to inform the American public of the importance the U.S. Government attaches to service in international organizations.

STEUBEN SOCIETY AWARDS

Mr. KEATING. Mr. President, I am very proud of the 72 students in our New York State schools who have recently won the Steuben Awards for outstanding work in the study of the German language. Two hundred Steuben Awards were presented this year by the councils and units of the Steuben Society of America to recognize students of exceptional quality in this field and "to encourage others to pursue the study of this language." The study of foreign languages is very important in this day and age when the world is growing increasingly smaller. The United States is no longer a far distant shore in relation to Europe and the rest of the world. Jets have made Europe a close neighbor. For this reason it is necessary for our young people to know how to communicate in languages other than their own.

Increased contact with Europe politically, socially, and culturally demands a reciprocal interest and respect for one another's heritage of which language is an integral part. The study of language not only broadens one's horizons educationally, establishes firmer relations, but opens up new worlds in the field of literature.

The distinguished Steuben Society must be commended for the fine work done in encouraging the study and interest in the German language and heritage. These New York award winners deserve much praise not only for their fine display of scholarship but also for their potential contribution to better cultural understanding in the world of tomorrow as a result of their proficiency in German language today. Mr. President, I ask unanimous consent to have a list of these New York winners of the Steuben Awards from New York State entered into the RECORD following my remarks.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

NEW YORK STEUBEN AWARD WINNERS IN GERMAN LANGUAGE

Cadet Galen H. Yanigihara at West Point.
Camille A. Vahle at Wagner College.
John Bretschneider at Queens College.
Richard S. Greenwood of Fordham College.
Linda G. Ringle at Bayside High School.
Hannelora Nick at Grover Cleveland High, Queens.
Thomas Winter, Flushing High School, Queens.
Rhoda Emily Lange, William Cullen Bryant, Queens.
Hedy Fischer, Jamaica High, Queens.
Eugene Morozoff, Van Buren High, Queens.
Florence Machold, Richmond Hill High, Queens.
Linda Ulrich, John Adams High, Queens.
Anthony Maneri, Andrew Jackson High, Queens.
Lipwing Chu, Northport High.
Donald Bentley, Lindenhurst High.
George Starkschall, Sachem High.
Winnfried Carr, Northport High.
George Krouse, Sachem High.
Robert Reymers, Huntington High, Suffolk.
George Spanos, Walt Whitman High, Suffolk.
Joseph Gann, Harborfields High, Suffolk.
George Hoschel, Harborfields High, Suffolk.
Annaliese Kaiser, Half Hollow Hills High, Suffolk.
Carolyn Kolb, Irondequoit High, Rochester.
Eugene Alexander, Irondequoit High, Rochester.
Jonathan Stewart, Irondequoit High, Rochester.
Erna Bauer, Benjamin Franklin High, Rochester.
Harvey Edwards, Monroe High, Rochester.
Richard Frye, East High, Rochester.
Thomas Butler, East Ridge High, Rochester.
Richard Cable, Greece Olympia High, Rochester.
Paul Weiner, Pennfield Senior High, Rochester.
JoAnn Kistler, Pittsford High, Rochester.
Timothy A. Clar, Aquinas Institute, Rochester.
Ronald Viavattene McQuaid, Jesuit High, Rochester.
John Kohmesher, Nazareth Academy, Rochester.
Barbara Freeman, Our Lady of Mercy High, Rochester.
Carol Daddagio, St. Agnes High, Rochester.
Robert Schaefer, Sayville High, Long Island.
Patricia Harris, Patchogue High, Long Island.
Warren Hite, West Hampton High, Long Island.
Kathryn Robert, Center Moriches High, Long Island.
Joel Kovariek, H. Frank Carey High, Nassau County.
Ronald Gruhn, H. Frank Carey High, Nassau County.
Christa Ullricht, MacArthur High, Nassau County.
Bruce Jacobson, MacArthur High, Nassau County.
Joan Finkenstadt, Hempstead High, Nassau County.
Edward Ueberall, Hempstead High, Nassau County.
Astrid Merget, West Hempstead High, Nassau County.
Joyce Friedrich, West Hempstead High, Nassau County.
Susan Reichgott, Sewanhaka High, Nassau County.
Lorraine Horn, Sewanhaka High, Nassau County.
John Fagan, Erasmus Hall High, Brooklyn.
William H. Osborne, Peekskill Military Academy, Yorktown.
Larry Morell, Lakeland High School, Yorktown.
Michael Natelson, White Plains High, White Plains.
Frederick Orthlieb, Stepinac High School, White Plains.
Lee Hecht, Valley Stream Memorial High, Valley Stream.
Clement Ward, Valley Stream South High, Valley Stream.
Naola Gersten, Valley Stream Central, Valley Stream.
Jeffrey Schneider, Valley Stream Central, Valley Stream.
Lois M. Leewe, Fort Hamilton High, Brooklyn.
William E. Porter, Coxsackie-Athens Central High, Coxsackie.
Joyce C. Bindl, Coxsackie-Athens Central High, Coxsackie.
Barbara Ann Wend, Gorton High, Yonkers.
Diane R. Azin, Roosevelt High, Yonkers.
Helen Altomare, Lincoln High School, Yonkers.
Judy Ellen Schavrien, Yonkers High, Yonkers.
Lynn Laitman, New Rochelle High, New Rochelle.
Mary Kimura, New Rochelle High, New Rochelle.
Ira Schildkraut, A. B. Davis, Mount Vernon.
Denise Bodie, Edison High, Mount Vernon.

NATIONAL STUDENT FEDERAL AID TO EDUCATION CONFERENCE

Mr. JAVITS. Mr. President, on April 25 and 26 the National Student Federal Aid To Education Conference took place in Washington, D.C., and was addressed by a number of distinguished Cabinet officials, as well as by a Member of Congress.

The students adopted a set of resolutions on Federal aid to education. It so happens that some of the resolutions differ from my own point of view, while others are in line with my own point of view. I think that when students show the initiative to meet and to express themselves, as these students have, and are recognized by important public officials, then what they have resolved should at least be noted as a matter of public interest, whether we agree with individual parts of it or not. I ask unanimous consent that the resolutions may be printed in the RECORD, so that they may be generally known.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

RESOLUTION ON FEDERAL AID TO EDUCATION

We, the delegates to the National Student Federal Aid to Education Conference, assembled in the Nation's Capital on the 26th day of April 1963, adopt the following resolution on Federal aid to education representing a cross section of national student opinion on this vital issue:

I. PURPOSE

Recognizing the traditions and rights of State-sponsored and controlled education and the great efforts made by many States to improve their educational systems, we feel that some States are financially unable to support adequate programs without Federal aid. Consequently, we recognize the need for the participation of the Federal Government in a supplementary manner to the established State expenditures in certain specific areas of education in the United States. We feel Federal aid must not be used to reduce either State or local efforts. It should be a welcome addition to a State's program.

We propose the following policies in which we feel Federal expansion will not interfere with the traditional rights and responsibilities of the State and locally sponsored educational system.

II. EQUALITY OF EDUCATION

Federal aid to education should benefit all Americans regardless of race, creed, religion, or national origin. Therefore, we support the inclusion of an antidiscriminatory clause to provide Federal funds only to school districts, colleges, and universities which have taken positive steps toward desegregation and/or uphold a nondiscriminatory policy with regard to race, religion, creed, or national origin. Furthermore we urge the Federal Government to see that all Federal aid to education is administered in a manner consistent with and leading to the realization of this principle.

We feel that Federal funds should be distributed on the basis of need and not because of political considerations.

III. FINANCIAL ASSISTANCE FOR COLLEGE STUDENTS

Because a significant number of students are deprived of higher education for lack of sufficient means to finance their education, we support title I of the proposed National Education Act of 1963 with the following provisions: (1) An increase in the National Defense Education Act loan ceiling for individual undergraduates from $1,000 to $1,500 per year and a cumulative ceiling of $6,000 in a 4-year period; (2) an extension of National Defense Education Act loan forgiveness to include Peace Corps volunteers; (3) an endorsement of the Student Loan Insurance Act-National Defense Education Act as a corollary to student loans but not as a substitute for them; (4) the addition of a national scholarship program administered through the States of a total of 200,000 4-year scholarships at a maximum per year of $1,000 to be distributed on the basis of need and ability; (5) an extension of the GI education benefits to post-Korean veterans; and (6) the Federal minimum wage standard to apply to student work covered in the proposed National Education Improvement Act of 1963.

IV. HIGHER EDUCATION FACILITIES

The present rate of increase in the school population is placing, and will continue to place, a great strain on existing school facilities. Institutions of higher learning are unable to draw sufficient financial aid from their present resources and may not be able to obtain the necessary matching funds to qualify for sufficient Federal assistance.

Therefore this conference believes that title III, parts A and B, of the National Education Improvement Act of 1963 (expansion and improvement of higher education; higher education facilities, public community college academic facilities) represent only a beginning in this field, that there is a definite need for more funds, and that these funds should be available as grants rather than loans.

V. TECHNICAL EDUCATION, LIBRARIES, GRADUATE TRAINING, AND LANGUAGES

We recognize that the proposals outlined in title II, sections C–F of the National Education Improvement Act of 1963 (expansion and improvement of higher education: college level technical education, college and university libraries, graduate schools, modern foreign language training and research) deal in a positive way with important problems facing this Nation. We feel that these proposals represent only a first approach to these problems and much larger expenditures will be necessary in the future. We support the President's proposal as a first minimal effort.

VI. QUALITY OF EDUCATION

The bettering of educational facilities and the increase of educational opportunities is a prerequisite to improving educational quality in America.

We urge (1) the passage of legislation to broaden the scope of the Cooperative Research Act and (2) that the National Defense Education Act teacher training institutes be expanded to meet the rising need of student-age population.

VII. ELEMENTARY AND SECONDARY EDUCATION

We endorse the provisions of title IV of the proposed National Education Improvement Act of 1963 (strengthening elementary and secondary education) which will aid in improving facilities for instruction in the areas of science, languages, and mathematics because of the value of these subjects as areas for scholarships. We note, however, that these subject areas seem to receive special emphasis because of their relationship to national defense rather than as a part of a general attempt to improve school curriculums. While recognizing the problems of national security confronting the Nation we think that the primary function of aid to education should be improvement of general educational quality.

VIII. GUIDANCE, COUNSELING, AND TESTING

A great need currently exists in American education for increased and improved programs in the areas of guidance, counseling, and testing. Such programs will assist in alleviating the current severe unemployment problem and will help to remedy the extant lack of personnel trained for the suited occupations of the nuclear age. Many local areas of this country do not have the financial resources available to support such programs.

We urge the passage of part C, title IV, of the National Education Improvement Act of 1963 (strengthening elementary and secondary education: guidance, counseling, and testing).

IX. STATES' ECONOMIC NEEDS

We approve the program specified in title IV, part A, of the National Education Improvement Act of 1963, providing aid to public elementary and secondary, schools, and endorse the principle of this section, which calls for relating the amount of aid to the State's economic need. However, we feel the provisions of the States' relations with the U.S. Office of Education are not sufficiently clear on the issue of Federal control. We urge that the language of this section make explicit the criteria which the Federal Government will use in deciding whether or not to approve a State's request for aid.

X. VOCATIONAL AND SPECIAL EDUCATION

In the past the funds appropriated for vocational education have been distributed among the various vocational areas by a set ratio. This present formula for distribution was established when agriculture was still a significant source of employment. Today the economic situation has changed, while the formula has not.

In spite of the obvious dominance of manufacture and service, only 5 percent of public high schools offer distributive education courses, and less than 10 percent have trade and industrial courses. At the same time nearly one-half offer home economics and agricultural courses.

The laudable aspect of title V, part A, of the National Education Improvement Act of 1963 (vocational and special education: vocational education) lies in its endeavor to replace this rigid allocation of funds. This will give the States more latitude in vocational training to meet the increasing demands for trained manpower.

Although the proposed increase in Federal support is 50 percent higher than last year, it will not solve the problems faced by vocational education in this country. We believe there must be increased Federal support in this area to increase the quality of existing programs to extend this training to schools and areas where it is not now offered.

There is a present need for education of approximately 6 million handicapped children. These children need services which are not now available in most all of our schools. Part B (education of handicapped children) provides an initial 3-year program to train teachers to support research and demonstration projection in this area.

The $15 million authorized for fiscal year 1964 can be considered only an initial effort. There must be a considerable increase to insure that children with special problems will receive a quality education.

Twenty-two million Americans over 25 years of age today have less than an eighth grade education. With the advancing complexity of our society, an eighth grade education cannot be considered adequate for a significant role in the community and the economy.

XI. CONTINUING EDUCATION

Title VI of the National Education Improvement Act of 1963 (expansion of continuing education) would establish an initial 3-year appropriation for local adult basis education projects. Research is aimed at determining which methods would best raise the educational level of these functional illiterates. After the methods are identified there will be a strong need for significant Federal support for comprehensive educational programs, and we recommend additional legislation that will provide and insure such support.

In conclusion, we reiterate our position of support in principle of the proposed National Education Improvement Act of 1963 and urge its adoption in this session of Congress.

PATRICK C. CLARY,
Conference Cochairman.
TIM RYLES,
Conference Cochairman.
JOSEPH FALLON,
Presiding Officer.
ERIN M. CLARY,
Secretary.

ADDRESS BY SENATOR KUCHEL BEFORE RETAIL CLERKS INTERNATIONAL ASSOCIATION, AFL–CIO

Mr. JAVITS. Mr. President, the distinguished deputy minority leader of this great deliberative body recently had the honor of addressing the 24th Quadrennial Convention of the Retail Clerks International Association, AFL–CIO, in Chicago.

The senior Senator from California [Mr. KUCHEL] spoke of some of the great issues facing this Congress and our Nation. The distinguished Senator's remarks deserve consideration by every Member of the Senate. I, therefore, Mr. President, ask unanimous consent that the Senator's remarks be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS OF THE HONORABLE THOMAS H. KUCHEL, U.S. SENATOR FROM CALIFORNIA

Senator KUCHEL. Mr. Suffridge, ladies and gentlemen, I am honored to be invited on this occasion, to speak at this diamond jubilee celebration; doubly so, to be introduced by an illustrious, dedicated, and distinguished American, a statesman in the field of labor, and my fellow Californian, your international president, James Suffridge. [Applause.]

I am honored, too, to come as a Member of the U.S. Senate. It was 11 years ago that one of the greatest human beings of this country, and indeed of this globe, then the Governor of California, gave me his faith. I am proud to be a Member of the Senate, first, because the now great Chief Justice of this country, Earl Warren placed me there [applause]; and, secondly, because the people of my State have permitted me to continue to serve them, or at any rate to attempt to serve them.

Together, your forward-looking union and the American people have traveled a fairly steady road of human progress, equality of opportunity, and economic achievement. No longer are Americans—most of them, anyway—asked to live on less than a living wage. No longer are most Americans asked to work under substandard conditions. This great economic emancipation, this change in the direction toward a better America, has come about because men and women of good will in both political parties, in labor, and in management, on the farms and in the cities, have, with heart and purpose, resolved to achieve this progress.

One of the strengths of the people of the United States, all 180 million of them, I think, springs from their heterogeneous character. This country is different from any other nation on the face of the globe. The bloodstreams of every claim and every national state are represented among the people of the United States, black and white, Christian and Jew, rich and poor.

I remember paying my silent tribute as a citizen in the city of Los Angeles, a couple of years ago, when graveside ceremonies were held for an American patriot who wore with pride the American Congressional Medal of Honor and was buried by priests of his church, Buddhists.

That is one reason, I think, why we can look forward happily and hopefully to a chance ultimately to practice what we preach—equal treatment under law.

I must say that some of us in the Congress have a little trouble from time to time. Not the least of my own troubles comes from my unpronounceable name. My late grandfather was an immigrant from across the seas, but who came here like many of you, or your forebearers did, to become Americans. And San Francisco, Calif., was the birthplace of my late, beloved father, whose memory his family cherishes across a gathering chasm of years. And he and his children share the same aspirations of those who came before us.

And I must tell you in connection with my name, one of the difficulties I encountered last year in my campaign.

With my wife, I was traveling along Highway 99 and we came one afternoon to a small town which my fellow citizens from California called Chowchilla. We had a station wagon with a young fellow driving it. Painted on both sides was, "Elect U.S. Senator THOMAS H. KUCHEL."

I told the young fellow, "Stop at the beginning of the next block and I will call on some people," and that he could pick me up several blocks on and we would go on to the next town.

In the second block was a hardware store and I went in and held out my hand, "I am U.S. Senator KUCHEL, and I am running for reelection. I wanted to have the pleasure of meeting you."

He said, "Senator, this is a great day for Chowchilla. We have two Senators here. I just saw Senator "Kuchels" (Cookels) car going down the street." [Laughter.]

Your great president, Jim Suffridge and your active ballot club under the leadership of its able director, Chuck Lipsen, deserve much credit for practicing in their daily activities on your behalf in Washington the finest aspects of the Samuel Gompers philosophy. They have dealt with facts, remembering that when we legislate we must do so with the warmth of humanity and not merely by the coldness of the statistic. They have realized that your union has a responsibility, not alone to those in the American working force who are organized, but also to those—a much larger number—who are unorganized and who often are badly in need of a spokesman, and beyond that a responsibility to the entire Nation and to the best interests of our country.

I must say, I particularly enjoy working with your national leadership, because they adhere, and I want and hope as an American that they continue to adhere, to that sound Gompers dictum, that you should reward your friends and punish your enemies. [Applause.] That is pretty good American doctrine in dealing with any matter. They make their decisions based on the actions of the particular public servant rather than on mere partisan affiliation. No political party owns you. No political party ought to own labor in America. None ever will, nor should, for you have friends in both of America's great political parties, as you should have.

And as a member of the Republican Party which has produced great, courageous, forward-looking American statesmen, I am gratified to be numbered by your membership as a friend. [Applause.] And I might say as a Republican who, within the last year, completed a reelection campaign that was very rugged in California, I am doubly grateful for those in this room, and those alined with them from my State, who perused my record and did not find it entirely unacceptable.

I am grateful, also, for your own enlightened support of a legislative program which will help all Americans; hospitalization insurance, under social security for all those over 65 is but one such example. [Applause.]

You have recognized that when progress has been made in America, it is because men of good will in both political parties have banded together to make that progress. This has frequently been against selfish interests who themselves know no party bounds. This has frequently been against those who promise one thing in a party platform on which they appeal to all Americans, and then practice another thing in semisecret behind the closed doors of the committees and cloakrooms of the Congress.

Just one example comes to mind. A few years ago we had a piece of legislation in which every man and woman in this room was interested; legislation having to do with extended unemployment compensation benefits, when our country faced a critical period of bourgeoning unemployment. Into the Senate of the United States came a Senator, not of my party, who offered an amendment to stultify and to emasculate it. He was defeated by two votes. I am glad that the men on my side of the aisle, as always, banded together with the men on the other side of the aisle in the Senate to pass legislation in the interests of the unemployed American.

An enlightened citizenry can bring performance into conformity with promise. In enlightening your fellow workers, the neighbors who live next door to you, and your friends in the PTA, the church, or your social organization, you and your active ballot club have a citizens' responsibility and a great opportunity, as well. I, for one, believe very deeply that a party platform must not merely be a vehicle to run on, but and more important, it must be a statement of program and principles to act on.

Thus, when in this city of Chicago, almost 3 years ago, the Republican Party unanimously pledged itself to work for "upward revision in amount, and extended coverage of the minimum wage to several million more workers, I took that to include, not exclude, those whose livelihood is earned by working in retail stores in America. That is the basis on which I voted when the Senate considered and finally successfully passed the minimum wage legislation of 1961.

To me, it is unconscionable that in our Nation, where we have the economic bastion of the free world, some men and women should work for less than $50 a week. Yet there were some in the Congress of the United States, in both political parties who believed they ought to continue, at least so far as minimum wage is concerned.

Similarily, when my party resolves that "industrial harmony * * * can best be achieved in a climate of free collective bargaining," and that "Republican policy firmly supports the right of employers and unions to enter freely into agreements providing for the union shop" and then pledge itself to make "recommendations for improvements which experience shows are needed" to make the Taft-Hartley Act and the Landrum-Griffin Act "more effective or remove any inequities," I want you to know I believe that the first change in our Nation's labor policy should be a determination to have one labor policy, not two in America.

A few years ago, I was, I think, the first public servant in California to denounce the so-called right-to-work laws, then being considered for initiative action on our California ballot. [Applause.] I find it not only incomprehensible, but also completely inexcusable to declare by Federal law on the one hand that you may have a union shop in a plant if a majority of your employees so vote and then, on the other hand, to add a not so parenthetical footnote that you may not have a union shop unless your State permits it. How unbelievable this would be if we applied this Calhoun theory of State negation of Federal policy to the field of civil rights. We ought to be, and we must be, either all in the American Nation, certainly not all out of it; nor should we be half in and half out, depending on local whim and local prejudice. This, in justice, must be remedied.

And I pledge to you that when the first bill germane to labor-management relations is reported to the floor of the U.S. Senate, there are some of us, Democrats and Republicans, determined to offer an amendment to repeal section 14-B of the Taft-Hartley Act, misnamed, the right-to-work section. And then, my fellow Americans, we will see which members of both political parties want to stand up and be counted on this issue of simple justice and elementary consistency. [Prolonged applause.]

Your colleagues in the building and construction trades are discriminated against, not only with reference to section 14-B, but, in addition, with reference to their capacity to picket a construction site when one of the subcontractors is nonunion. For almost a decade, such action has been held to be a secondary boycott. Yet a picket line can be placed around an industrial plant where one of the departments is nonunion and this is held not to be a secondary boycott. In my judgment, this is grossly unfair. It was unfair, too, in the opinion of former President Eisenhower.

As long ago as 1954 he recommended that the law be changed so that such peaceful picketing at a construction site will be under precisely the same rules as picketing at an industrial complex.

The last Republican administration repeatedly recommended this reasonable change in the law. Five Democratic Congresses have occurred since that original recommendation, yet no action has been successful in remedying this inequity.

In 1959, with the then Senator from Massachusetts—the present President of the United States—I headed a bipartisan coalition which sought to effect such a change. This year, once again, I have coauthored the necessary legislation with Senator HUMPHREY, my counterpart in the Senate as the assistant majority leader.

I know that the day will come when these problems, those in which your union has a vital interest and those in which your companion members in the labor movement have a vital interest, will eventually be resolved. But that day will come much sooner if you take upon yourself the responsibility to educate your fellow Americans and your elected representatives in both parties to your problems.

And, believe me, we do need an enlightened constituency which understands your problems and the problems of the businessman, whether he be big or little, and of the farmer. Each day, across my desk comes a certain amount of mail—some spewing hate and venom on the former or present President, on their California Republican Senator, or on the State Department, or on the Arms Control Agency or, not infrequently, on all of us together.

I have often said that these deluded people who demand we withdraw from the United Nations, abolish the income tax, and remove American forces from our oversea bases, and from NATO, are doing so much of Khrushchev's work that he should pay their pocket expenses and perhaps a little bonus to boot.

Mr. Khrushchev and the Communists should also pay the expenses of those who prepare that certain amount of frantic mail which spews forth its hate against labor unions and which demands that Congress, among other things, apply the antitrust laws to labor organizations. I wonder if these poor people realize that if we were to do that, we would treat labor as a commodity. The only treatise I know where labor is treated as a commodity is in Karl Marx's "Communist Manifesto"—strange bedfellows indeed.

Those who hate the cause of American labor have been successful, to a limited extent, not because they deal with the uneducated—for the correct, though often irrational, English and embossed stationery reveals frequently an above average level of formal education—but because they deal with the uninformed. They reason from extremes and yet I do not hear them calling for a closing of all the banks because one bank president is found to be an embezzler. Since sometimes a bad apple is found in the labor movement—as bad apples are sure to be uncovered in any section of our economy; some would even say there are one or two in Congress—this small handful of unthinking and unreasoning people wants to cripple all collective bargaining organizations. By spending time with your neighbor and by active participation in the affairs of your community you can make a real contribution to the future of our Republic by demonstrating, through deed and word, the value your union brings to improving the quality of American life.

I like to remind my fellow Republicans who believe as I do, that a basic reason for the success of our country rests on a broadly based division of power within our society; that the trade union movement in our land makes an outstanding contribution to this success and to the promotion of individual freedom and to the equality of opportunity.

You are examples of representative government and democracy in practice. In effect, you have the opportunity to make a contribution to fulfilling the need for individual participation which was made by the New England town meetings of two centuries ago.

Let us remember that where dictatorship has eventually triumphed in the 20th century, it has been not only necessary to destroy the free press as in the Soviet Union under Stalin, in Italy under Mussolini, in Germany under Hitler, and in Communist Cuba under Castro, but also it has been equally necessary to destroy the free trade union movement.

I believe that one of the most notable improvements in America's foreign relations in the postwar period has been the export of American trade union talent and ideas to emerging nations abroad. The active participation of your union, and your president, in the international trade union movement is an act which can be lauded by all who seek to improve international understanding.

Our country faces difficult and challenging days at home and across the seas. We must continue, in the foreseeable future, to aid in bringing the sinews of military and economic defense for those who seek to keep their independence and self-determination in the face of the danger of Communist imperialism. We must continue to seek an improved world trade which will fully utilize the capacity of our industry, its creative management and skilled labor, and of our farms. And most important, we must provide the leadership in expanding the ideas of freedom and equality and a spirit of humanity without which all our other efforts will prove fruitless.

If we are to be successful in accomplishing these international goals for the United States, we must put our own house in order at home. Two great national and very human problems confront our people in this difficult decade. Their equitable resolution will require the best that is in each of us. It needs not only determined effort by the President and by Congress but by you and your fellow citizens in each State and community throughout the land.

These two great domestic problems are the need for adequate employment so that no American who desires to work shall be denied employment, and the need for equality of opportunity so that no American shall be discriminated against because of his caste or creed. You and your colleagues in the Retail Clerks are to be commended for never having condoned discrimination in your local unions. That must become the national pattern, as it certainly shall.

To provide the necessary jobs will require an unleashing of American industry from the unreasonable and irrational tax shackles which now bind it down. New investment in a modernized plant and equipment needs to be encouraged, not discouraged. New sources of investment—the young married couple, the housewife, the worker with a few extra dollars each week in savings—must be developed and their capital attracted to American industry.

Recently a young corporation president who had almost singlehandedly developed a sportswear factory in a small community in my State called at my office. He is a progressive man, with a deep sense of responsibility to his community. Through hard work, he has made several hundred jobs available where few existed before. But he has a dilemma. He can maintain his present level of employment, make a reasonable profit, and all will be well, for the forseeable future. Or, he can exercise his ingenuity, almost double his plant capacity to meet the high demand for his popular product, and, in the process, double the employment opportunities available in his community. But he asks himself: "Should I take the risk?" Under present tax laws, he has little to gain and everything to lose. We discussed his dilemma, and the similar quandary in which other forward looking and enterprising businessmen find themselves. He said: "Senator, what is needed is a job-creating tax credit."

Briefly, those who expand their businesses to provide additional employment opportunities for people (as opposed to machines) would be encouraged in boldly going forward by appropriate changes in Federal tax laws. The result would not be a loss in revenue for the Federal Government, since more people would be working and, thus, more people would be paying taxes. It is an intriguing idea—an idea which I commend to this administration and to your membership.

Needed jobs will be created only when an environment and economic climate are provided in which capital can be invested to expand America's plant capacity and when the men responsible for American industry are encouraged, not discouraged, by our tax laws to make the needed decisions to employ more people. In working for this goal which will improve opportunities for all our people, labor has an equal stake with management.

Both management and labor have an equal responsibility, as do all of us who want to continue to call ourselves Americans, in working as best we can for an equality of opportunity and a better opportunity for all our people. Our Nation and our Government were established to give expression to a deep spiritual belief that all men are created equal and that they are endowed by their Creator with certain inalienable rights. It is sad to note that 187 years after our country's independence, some of our fellow Americans are not able to participate fully in our way of life solely because the guarantees of our American charter are dishonored and shunted aside.

My party, the Republican Party, was established to secure individual freedom and to provide, through law, an equal chance, before the law, for every citizen. The people of the United States, when they adopted the 13th, 14th, and 15th amendments to the Constitution expressed their will on this fundamental proposition. The Supreme Court of the United States, almost a decade ago, applied that rule to the education of our youth. The Court has spoken repeatedly with regard to other public facilities.

In 1960, here in Chicago, the Republican Party stated that: "Equality under law promises more than the equal right to vote and transcends mere relief from discrimination by government. It becomes a reality only when all persons have equal opportunity, without distinction of race, religion, color or national origin, to acquire the essentials of life—housing, education, and employment."

In carrying out this pledge, a group of us in my part of the Senate introduced in the last Congress and early in this one the most comprehensive civil rights program now before the Senate. We sought to carry out the findings and recommendations of the U.S. Commission on Civil Rights dealing with voting, education, jobs, housing, public accommodations, and the administration of justice. We deeply believe that the Attorney General of the United States must have the legal tools at his disposal to seek resolution of racial conflicts in the courts rather than in the dark alleys and in streets. We believe that these questions must be faced and resolved because it is constitutionally right and because it is morally right. We shall support the President of the United States in his attempt to make legislative progress in this difficult area. We urge him to give vigorous leadership to this American cause. Almost 1 week ago today members of both parties in the Senate joined together in coauthoring the civil rights legislation submitted by the President of the United States and promised, generally, in the platforms of the Democrats and the Republicans.

However, if Congress and our Nation are to be successful in accomplishing what is right and what is long overdue in this area, we will need your active support. The question of human and civil rights is not merely one of law. It is a question of morality and of conscience. To build a better America in which all our people can actively participate will require great exertions by each of us. This effort cannot take place in Washington alone. It must take place in every community. It must take place in the South and, equally important, in the East, North, and West as well. The times require not bullheadedness or softheadedness—the times require levelheadedness and good will.

President Suffridge, and ladies and gentlemen, we are born into an intriguing era to live out our lifespan. Great forces are on the move in the world today. We, most of us, will see humankind reach out to touch the moon and the stars and all the while an evil form of slavery, Communist imperialism, continues to be dedicated to the engulfing and to the destroying of man's freedom.

It is something of a paradox that in adversity friends close ranks but after becoming inured to danger, people are inclined to separate and go their own separate ways.

One of the great living works by a living person, in my judgment is the "History of World War II," by Winston Churchill. The last volume is entitled "Triumph and Tragedy," and he describes the theme of that volume in a rather moving sentence. Let me see if I can state it for you: "How the great democracies of the world finally triumphed and emerged victorious and so were able to resume the follies which had so nearly cost them their life."

There are forces in this country of ours who would divide us and instill hate and enmity among us. Our task is to proceed, with God's good grace, to exert our own labors with vision and courage so that the

American people may walk forward together hand in hand, free from bias or hate, and continue discharging their high responsibilities of leading this whole globe forward into a time where every man and every woman and every child may live his life out in peace. [Applause.]

FOREIGN AID AND THE UNITED ARAB REPUBLIC

Mr. JAVITS. Mr. President, one thing, the press reports I think should be called very sharply to the attention of the Senate, since the Foreign Relations Committee is now considering the foreign aid authorization bill. I refer to the rather belligerent expression by President Nasser to the troops returning from the Yemen with respect to the continued posture of Egypt, of complete hostility to Israel. In Monday's newspapers it was reported that the Egyptian President warned his soldiers to prepare for war against Israel. And in Yemen, the air force of the United Arab Republic, serviced and maintained by Soviet Russian technicians, has been raining gas bombs on defenseless Yemeni villages in support of the United Arab Republic's army of 28,000 men in that country.

Mr. President, this has two connotations: First, it demonstrates that when we fail to hold the line rather sharply on interference by Egypt in pursuance of its policy of Arab hegemony under President Nasser in the Middle East, we reap this kind of result. In short, it is widely felt that Egypt's interference with troops in the Yemen was completely unwarranted; that Egypt has failed to withdraw from the Yemen, even under her agreement made with the United States for the removal of her troops under United Nations auspices. It is felt that our assistance only feeds the fire of intransigence and status of war in the Middle East——

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JAVITS. Mr. President, I ask unanimous consent that I may have 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. And, of course, the bellicose statements of President Nasser aggravate this situation.

Let us remember, too, that the air force of the United Arab Republic was maintained by technicians from the Soviet Union, and that there is bombardment of defenseless villages on the Yemen-Saudi Arabian border in support of Egypt's army in the Yemen, totaling 28,000 men.

Secondly, this expression of complete hostility against Israel bears out what I and others have testified to before the Foreign Relations Committee. We have emphasized the absolute necessity for safeguards to prevent the misuse of our economic assistance by such countries as the United Arab Republic which devote their resources to preparations for war and which, by hostile, aggressive actions, threaten the peace and security not only of their neighbors, but of the whole world, and divert the resources of their own country for the purpose of armament preparation along these lines.

I believe it is clear that, when we take up the foreign aid bill, we must consider some restraint on the conduct which I have just described. I hope very much, pursuant to the testimony and submission of proposals and amendments—those which are completely restrictive and those which simply express the sense of the Congress on the subject—the Foreign Relations Committee will include adequate provisions to indicate the attitude and views of Congress on this misuse of our foreign aid program.

I hope very much that it will not be necessary to deal with the situation by amendment on the floor, but if it is, so be it—it must be done. There is no one more devoted to foreign aid than I, and there is no one more devoted to the effort to reform the Arab world, rehabilitate it, and bring it to a modern state of prosperity. But I cannot sit idly by when that aid is distorted and abused for the purpose of adding to the fire of the war danger in the world in the manner in which Egypt has used these resources up to now. I deeply feel we must support this effort in the foreign aid bill, and that is why I trust that the Foreign Relations Committee will give the subject its urgent attention.

It is increasingly clear with every day's events as reported from the Middle East that we are not making any progress with the United Arab Republic toward the objectives of the massive aid program we are conducting in Egypt. Instead of freedom and peace through economic development and political stability, we are confronted by the destruction of private enterprise, by virulent threats and aggressive actions which create fear and disrupt stability, and by an arms race which effectively cancels out the salutary effects of U.S. economic assistance.

The situation calls for a sharp change in our policy toward the United Arab Republic along the lines of the amendment I introduced to the Foreign Assistance Act which will bar our aid to any nation that in effect uses it to endanger world peace. The United Arab Republic's current actions demonstrate that it is pursuing policies which are in direct contravention to the objectives of our foreign aid program. Our assistance is making it possible for these aggressive and disruptive policies to be put into effect, and I believe we can no longer allow ourselves to be in that position. I deeply believe that we must condition our aid to the United Arab Republic on a cessation of present hostilities and the arms race.

I ask unanimous consent to have printed in the RECORD with my remarks the reports in the New York Times of August 12 and 13 concerning the United Arab Republic.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

NASSER CHARGES ISRAEL IS THREAT

(By Jay Walz)

ALEXANDRIA, UNITED ARAB REPUBLIC, August 11.—President Gamal Abdel Nasser greeted troops returning from Yemen today as a fighting force ready and able "to defend Arab nationalist principles."

The United Arab Republic's President said there could be no disarmament in the Middle East until the rights of the "Palestine people" had been restored in Israel. The armed forces must stand as a "national shield" against Israel, he declared.

"We must prepare ourselves to face Israel and the imperialists," President Nasser said, "so long as the situation in Israel exists, any call for disarmament in the Middle East would be a bluff."

"The entire Arab nation thanks you for what you have done" the United Arab Republic President told the veterans.

SIGNED TEST BAN TREATY

"We work for peace and we have signed the treaty to ban nuclear tests," he declared, "but we cannot reduce our army as long as we are threatened by Israeli attack. "The Arab peoples feel safer because of you."

Two transports, carrying 3,000 soldiers and officers, were escorted into Alexandria's new marine terminal by naval units and the harbor's commercial and fishing craft, all with whistles open.

The returning troops were not the first contingent to come back from Yemen, but they were the first to be received at Alexandria and authorities took every measure to make it a noisy welcome.

In his 45-minute address, President Nasser made only oblique references to the military and civil situation in Yemen. He congratulated the troops on "bringing triumph to the revolution in Yemen" but did not disclose plans for withdrawing the armed forces still there.

United Arab Republic forces numbering up to 28,000 men have been in Yemen for most of the last year, supporting the revolutionary Government of Abdullah al-Salal. The United Nations is now trying to disengage the United Arab Republic on one side and Saudi Arabia on the other. The Saudi Arabians have been supplying arms and ammunition to tribesmen fighting to restore Imam Mohamad al-Badr to his throne.

Last Wednesday Field Marshal Abdul Hakim Amer, deputy commander of Cairo's armed forces, reported, "Military operations in Yemen are over."

President Nasser said several times that his forces had fought in Yemen for all Arabs.

"Our responsibility was to the entire Arab world, not just to the artificial borders of one country," he declared. "Our forces were created to defend the whole Arab world. When we cheer for Arab unity, we mean what we say. You have offered your blood and your lives to back up our slogans. Ours is a free nationalist army that wants to liberate Arabs."

President Nasser rejected any suggestion that Egypt might join the Baath Party leaders, who now control Syria and Iraq, in Arab unity.

"We wanted unity with the Syrian and Iraqi people," he said, "not with the Baath Party, which rules through blood and fascism."

CAIRO ORDER NATIONALIZES 240 MORE INDUSTRIES

(By Jay Walz)

CAIRO, August 12.—The process of socializing the United Arab Republic went a step further today with the nationalization of a wide range of light industry and related enterprises.

Informed sources said a new wave of Socialist laws was in the offing. These would establish new limits on individual incomes and company profits. They would also increase taxes and place new restrictions on activity in certain fields of private enterprise.

At least 500 companies and businesses were said to be affected by the new nationalization orders. Dr. Aziz Sidky, Minister of Industry, listed 240 industries that were being taken over.

These included rubber products manufacturers, tanners, textile and flour mills, makers of paints, food processors, including dairies, soft-drink makers and candy manufacturers. Both domestic and foreign companies were on the list.

Service businesses affected included most enterprises engaged in domestic transport, such as trucking companies and Nile River bargelines. These are largely small companies that had escaped the sweeping nationalization orders of 2 years ago.

Government sources said the new measures were in accordance with President Gamel Abdel Nasser's National Charter, promulgated in May 1962. The charter provides that the "tools of production" shall be controlled by the people.

Former private owners of businesses receive long-term Government bonds for their stock holdings.

Three Categories Seized

Cairo, August 12.—Companies subject to today's nationalization order were listed in three categories: those partly nationalized and partly privately owned, companies under sequestration, and private companies. All now will be fully nationalized.

Owners of shares will be paid the nominal value by the Central Bank—up to 1,000 pounds ($2,240) in cash, the balance in 15-year bonds.

Program Begun in 1961

President Nasser inaugurated in 1961 a program of socialism under which most remaining private property and industry was commandeered. Estates of more than 100 acres were sequestered. As of May 1962, 82 percent of business and industry had been nationalized. The Government owned outright all utilities, railways, maritime, bus and air lines, banks and insurance companies.

One effect of this was to stimulate the emigration of foreigners and non-Arab minority groups of city dwellers—Greeks, Italians, and Jews.

Under the new laws, it was forbidden to earn more than $11,500 a year or to accumulate large stockholdings.

The program of Arab socialism has been described as ruthlessly cutting down the rich and risking all on winning political support from the great masses of the poor.

The application of such laws is not always immediately clear. On June 15, a law nationalizing the pharmaceutical industry was promulgated. A spokesman for the Government said it did not apply to foreign companies engaged in joint manufacture with the Egyptian General Organizations for Pharmaceuticals and Drugs. One of these joint ventures is Pfizer Egypt, 60 percent owned by Charles Pfizer & Co., of New York.

LOW INSURANCE RATES FOR KANSAS NONSMOKERS

Mrs. NEUBERGER. Mr. President, the tobacco industry remains, for public relations purposes at least, skeptical of the evidence relating smoking to disease.

On the other hand, the insurance industry, which is hardly noted for setting rates on the basis of insufficient evidence, has apparently concluded that smoking creates a very clear and present danger to its policyholders.

Yesterday's Wall Street Journal reports that the State of Kansas has approved a nonsmokers' policy issued by Great American Reserve Insurance Co. Under its terms the nonsmoker's beneficiary may get as high as a 20-percent bonus. Perhaps this will encourage Kansas ladies to seek nonsmoking husbands.

The Journal points out that Great American is the first substantial insurer to favor the nonsmoker. I am sure that others will follow.

I ask unanimous consent that the editorial from the Wall Street Journal of August 8, 1963, be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Life Insurer Offers Kansas Nonsmokers Lower Rate

Beginning Monday, Kansas residents who don't smoke will have a chance to buy life insurance at cheaper rates than those offered the general public.

The State has approved a nonsmokers' policy brought out by Great American Reserve Insurance Co., a moderate-sized Dallas insurer. The policy offers to pay a nonsmoker's beneficiary 20-percent extra if the policyholder dies in the first 3 years; thereafter the extra amount will be based on actual mortality rates, which the company expects to be lower for nonsmokers than for the general population.

Travis T. Wallace, chairman of Great American Reserve, also is chairman of the executive committee of the American Cancer Society. He says Great American Reserve plans to offer its new policy in other States.

Until now only two small insurers, Executive Life Insurance Co., Beverly Hills, Calif., and Fortune National Life Insurance Co., Madison, Wis., have offered lower rates to nonsmokers.

ADDRESS BY SENATOR HUMPHREY BEFORE RETAIL CLERKS INTERNATIONAL ASSOCIATION, AFL–CIO

Mr. McCARTHY. Mr. President, recently my distinguished colleague, the senior Senator from Minnesota [Mr. Humphrey] addressed the 75th anniversary convention of the Retail Clerks International Association, AFL–CIO.

Senator Humphrey's remarks to the delegates attending that convention were of such consequence that they are worthy of thoughtful consideration by the Members of the Congress.

I, therefore, ask unanimous consent, Mr. President, that the remarks of the distinguished majority whip be printed in the Record at the close of my remarks.

There being no objection, the address was ordered to be printed in the Record, as follows:

Address by the Honorable Hubert Humphrey, Senator From Minnesota

Senator Humphrey. Thank you very much, President Suffridge. I am very pleased to be with my friends from Minnesota, from your respective locals. I want to pay tribute in particular to local 1116 in Duluth, local 2 in St. Paul, and of course, there are others. There is the Minneapolis local. But we have got a lot of organizing work to do up in Minnesota yet and particularly do I want to salute Jerry Richgels and Elmer Foster and Ray Allen, and Eugene Johnson and Elwood Haynes.

Let me just pay my respect here to my colleagues who are present today. There are more Members of Congress here than I have seen for some time. [Laughter and applause.]

I know that you have heard a stirring message from one of the truly great men of the Government of the United States and of this country, and one whose friendship I have been privileged to share and to have as a gift for those many years. And I can think of no man that more honorably and faithfully and courageously represents the ideals of democracy and the commitments to freedom than the senior Senator from the State of Illinois, Senator Paul Douglas.

And then just to make sure that you were in the Promised Land and that nothing could go wrong, and that you would have all the blessings and benefits of now and eternity, you were able to bring to this platform one of our new Senators, but not new in the service of his country, and not new in the service of the Congress, the great Senator from the 50th State in our Union, Senator Danny Inouye. Danny, I heard you did a great job. [Applause.]

I want to say that I am not sure I like Danny too well. He is too young and too good looking. But I guess I ought to overcome those narrowminded shortcomings.

Then I heard too, that your Congressman here from the city of Chicago in the great State of Illinois, a gentleman I have been associated with on other platforms and one that has done very well for his constituency and his district and his country, Roman Pucinski, has also been with us and I want to salute him. [Applause.] Roman, that touch of gray there gives you a statesmanlike look.

It is grand to be with you. I mentioned all these gentlemen because some of you may be asking right now, "What did you come for, Humphrey?"

Well, the real truth is that I just got invited. Chuck Lipsen said, "Take your choice. What would you like to do—a film that will run 30 seconds or a speech that will run 30 minutes?" And I didn't hesitate a minute. I took the speech. [Applause.]

But I want to disavow any intentions, any political ambitions other than the fact that I am here. Somebody said to me, "What are you coming down here for? Do you think it is going to do you any good?"

And I said, well, it reminded me of that story about the fellow that entered his mule in the Kentucky Derby. Some fellow came up to him and said, "Good brief, don't you know that at the Kentucky Derby they have the finest horses in the world, the finest bred, the top runners? Why that mule of yours hasn't got a chance. For goodness sake, what are you entering that mule for?" The fellow said, "I will tell you. I know he doesn't have much of a chance, but I thought the association would do him some good." [Laughter and applause.]

Now I just thought the association with the retail clerks would do me some good. So I thought I would come down here and be with you. [Applause.] And I want to pay my respects right now to one of the truly great men, one of the outstanding leaders, one of the most gifted leaders of the American labor movement, and I am sure you know that I refer to none other than the president of this great international union, Jim Suffridge. [Applause.]

He is a great man. Jim, we have worked with you through the years; it has always been a joy, and you have been a great help to every one of us who walks in what we think is the liberal tradition, in the path of progressive government. I want to express now my personal thanks and appreciation to the president and officers of this great international, one of the largest and indeed, one of the finest and greatest of all in the labor movement. I want to thank you and express my appreciation for the program that you espouse, for the stand that you take on the great issues of our times, for your basic decency and your sense of fairplay and your dedication to democratic principles in the labor movement of the United States. We are deeply indebted to you. Thank you very much, Jim. [Applause.]

Now, I just took off my watch. It doesn't mean a thing. It was just hurting my wrist. Somebody asked me one time, "Why do you do it?" I said, "Well, it does two things; it sort of terrifies the audience and it reassures me, and both of those on some occasions are helpful."

I want to talk to you just a little while about matters which I am sure everybody discussed in a much more intelligent and forcible manner than I can, but repetition is a part of the process of education. These great conventions are not only for the purpose of bringing together the leaders of unions and locals for the purpose of discussing union business, but the fact that you have invited to this platform men of public life indicates to me that you are full citizens in every sense of the word; that you are interested in your country, you are interested in the world of which we are a part and the world that requires our leadership, at least our friendly cooperation and assistance. And I would like to talk to you, not about your union business, because you know more about that than I will ever know, but I would like to talk to you about our business as citizens and as Americans and as people who have a great responsibility today in a very difficult period of human history.

Everybody in Washington is well aware of what we call deficits. The columnists write of deficits. They speak of budget deficits. They speak of the problems of financing our Government and of the possibilities of inflation. The word "deficit" has a very definite meaning to most Americans. It generally relates to a deficit in cash or in income, and in the instance of Government, it relates to a deficit in the Federal Treasury or a budgetary deficit.

I am not here to say that a matter of this nature is of no concern, even though I must say that for a growing nation and for a nation that faces the problem of expansion and employment such as we do, a deficit is not something to be unexpected. Indeed, it is something that we may well face for several years to come.

But I want to talk to you about deficits that we ought to be thinking about even more seriously or at least as seriously as we do the fiscal deficit. I would like to speak about the deficits in education; the deficits that relate to our elderly and their needs; the deficits that relate to our youth; and the deficits that exist in our employment; and the deficits that exist in the fulfillment of the promise of the Emancipation Proclamation. These are the real deficits. [Applause.]

Until the people of the United States understand that these deficits must be overcome, then we will never have this Nation on the high road to prosperity and progress that it so richly deserves and which it must have to maintain world leadership.

Let me first speak to you of the deficit of education. Two out of every three people who are unemployed today, two out of every three who are on the unemployment rolls today, are people that have less than a high school education.

Now, don't misunderstand me. I don't say that it requires a college or even a high school education for a person to succeed. But, on the average, if you take the big picture, and if you remove from that picture just those who are so talented and gifted by God Almighty with innate talent, then I think it is fair to say that in the period ahead, in the decade ahead, education is as essential to job opportunity, to holding a job, to progressing and growing on that job, as the breath of life itself. Two out of every three people today without work are people who have less than a high school education. And of those with a college education, the percentage is so insignificant that it is hardly measurable.

I don't say that if you have a college education you necessarily are a better man. I simply say that your opportunities for your children—now, I am speaking about our children, my three sons, my daughter, your sons and your daughters—I am simply saying if they are going to do well in the generations ahead and the decades ahead, we must see to it that they have a better education. It is just that plain and simple.

There is no ignoring it. And I say to you that the American educational structure today, despite tremendous efforts that have been made at local levels of government and by individuals and by corporations and by private gifts and by churches, despite all those efforts, my fellow Americans, our educational structure is in deficit. It falters.

There are too few teachers, too few good teachers; too few facilities; too few schools; and a tremendous population moving into the university and college area, the likes of which we have never known. As of this day, the 24th day of June, there are 1 million more 16-year-olds in the United States than ever before. The war babies are now of age. Next year there will be 1,400,000 more 16-year-olds than there were this year.

What are you going to do about them? They want to go to school. They are in high schools and the schools are already bursting at the seams and they want to go to the junior college, community college, regular colleges and the universities, and we haven't prepared for it and you know it. Now, population growth is here and it is going to be here in the foreseeable future and we had better start making up our mind that we have to do something about seeing to it that the youth of this land is given an opportunity for the best that modern education can provide.

Let me then offer this suggestion—there is something wrong with our educational structure when you have hundreds of thousands of school dropouts every year. And I think union people ought to be asking the educators of America, what is wrong with education when young people find that it doesn't satisfy their needs? And there are thousands and thousands of school dropouts and a million of them today unemployed.

And listen, here is a fact that will sting you.

Of all the young people in America today between the ages of 16 and 20, 18 percent are without work. And you wonder why they get in trouble? This is tailormade for trouble.

They can't work in their daddy's drugstore because he doesn't own it any more. They can't work in their daddy's grocery store because daddy doesn't own the grocery store. He works for Safeway or A. & P. They don't work in their father's blacksmith shop—who wants a blacksmith? They don't work in their father's filling station or garage because many of those are not privately owned any more.

This is a different country. I can't remake it, but I know what it is. Most young people don't have a chance for work experience any more and they are going to have to get some of this in school, technical schools, vocational schools, and they are going to have to get some of it on the job. We had better take a look at our whole educational structure, because something is wrong with it or it wouldn't be in the trouble it is in today. And then we had better back it up with the resources it needs.

Let me give you another figure that would be of some interest. We have race problems in the country and, in this connection, we know that 38 percent of all the Negroes in the country between the ages of 16 and 20 are unemployed and, therefore, I am sure that you can see why some of these boys and girls get into trouble. They are bubbling over with vitality and they have to express it in some way. Therefore, what are we going to do about that?

Also, what are we going to do about the updating of our education, about recognizing this tremendous flow of new people coming into the school system. This also ties in with the other deficit of unemployment.

You know, in the greatest nation in the world we spend most of our time in figuring out how not to do things. We pay farmers not to produce; we try to find out ways we do not have to produce in our factories at a time when the whole world is crying out for goods and services.

Ladies and gentlemen, this is not only economically wrong, but morally wrong. I say that a nation lives in sin that cannot find the genius and the knowhow and intelligence to utilize the gift that we have, of technology and science, the true opportunities that we have for good, instead of spinning our wheels and finding out how to slow up what we have created. That is wrong and I submit that more important than getting on the moon is trying to find out how we can move goods and services to mankind to meet the needs of a crying humanity before that humanity destroys itself in anguish and in pain and hunger. [Applause.]

Between now and 1970 some 27 million jobs are going to be affected by automation and here is what this means: That you are going to have to find out how to provide 300,000 jobs every month between now and the foreseeable future. It is just that simple. [Laughter.]

However, I want to make it clear that we are going to have to build three new General Motors complexes every month between now and 1980 or we are going to be saddled with unemployment. This is the simple fact and, of course, you cannot stop automation any more than you can stop the tides and apparently you are not going to stop the population.

Therefore, people are here. America is a big country, with a lot of room and it seems to me that we ought to be trying to figure out what we are going to do with our people and with our resources.

However, let me again drive this home—that between now and 1965 you are going to have 5 million more young people between the ages of 16 and 20. What are you going to do with them? And between now and 1970, you are going to have to figure out how to provide 300,000 new jobs every month. And, of course, how are we going to do it?

Of course, a shorter workweek is a possibility, but further, it requires investment, it requires expansion of trade, it requires a whole new idea of economics. It requires the rebuilding of many areas of this country, the expansion of systems of transportation.

People, of course, say, "How can we afford it?" Well, I don't know, but I know that we cannot afford to not afford it. Let me give you the alternatives because I don't think that people ought to be given easy choices. Everyone who asks me, "How can we afford it?" well, I would in turn ask them: "How can you afford not to?" I ask them to think that out and then, when they have the answer to that, then I, in turn, will come back and indicate to them how I think we can afford to do these things.

Of course, if this means that we have to revise our tax laws then, of course, I am for revising them. I say to you that we have to do some real fresh thinking in this country or we are going to find ourselves pinned to the wall by our genius of technology and science.

There is still another deficit. I mentioned the elderly. Why in the name of commonsense can't the richest country on the face of the earth provide a decent life and a decent means of livelihood for the senior citizens of this country? There are many of you in this audience that have traveled the Scandinavian countries. Countries like Sweden, Norway, and Denmark can see to it that their elderly people are well housed, that they have medical and health care, and that they have opportunity for creative service and some opportunities for creative work. If this can be done by these little countries with all the problems that they have, then why cannot America do it?

I think that America, if it is willing to put its values right, can do it, but as long as we pretend that these problems can be shoved aside, just as we are pretending that you can shove the problems of youth aside, then somehow we are never going to get at it.

Let me warn you, modern medicine has made it so that people are going to live longer; they are going to live to an older age and, therefore, you are going to have to do something about seeing to it that they will not merely survive but that they will live—life, liberty, and the pursuit of happiness—not life merely as an existence—not survival for who desires to merely survive. That is hardly a worldly concept for a human being—but life, liberty, and the pursuit of happiness, to which this country is dedicated.

However, in spite of this, we still mess and stumble around with our problems such as medicare. There isn't a person in his right mind who doesn't know that people who reach the age of 60 or 65 have a higher rate of illness with a longer duration in the hospital. Most of all, many of them have a lower earning power and some find their earning power directly cut off entirely.

Now, if some people are opposed to social security hospitalization and nursing-home care because they feel that it is not good, then what is the alternative? I ask them to give me a program that will suffice as one which will meet these needs of the elderly. After all, these people are with us now and they are entitled to the best that modern medicine and hospitalization can provide. Further, they are entitled to decent apartments and homes in which to live. You know that America can afford it and that we should do something about it. [Applause.]

Let me add that any government that is worthy of the trust of the people of this country will see to it that these things are done. I know of only one way to keep America out of the hands of the destructive radicals, and out of the hands of the extremists. That is for people of good faith, good sense, and good intentions to do the right thing. Somebody once said that evil triumphs when good men fail to act. That has been the trouble all along—we wait too long—we wait until the crisis is upon us and then it costs much more than it would have, had we planned a little bit.

Many of us know that you cannot operate this country; that you cannot operate this union; that you cannot operate any business without long-range planning. Therefore, we must look down the road and ask ourselves what we are going to do for our young people who are coming to us in ever-increasing numbers; what are we going to do about our educational systems which seem to be faltering? What are we going to do about our elderly whom we are blessing with long life but with very little living? Then let me ask you, what are we going to do about our unemployed? We know that unemployment is the most deadly cost that any government can have. The cost of unemployment, if it were calculated in lost income; if it were calculated in lost purchasing power; if it were calculated in lost manufacturing and lost business, plus the relief costs, would be fantastic.

Every taxpayer and every community pays through the nose and, worse than that, the individual is insulted by being told that he is not needed. Don't tell me that if countries such as France, Germany, and others can provide full employment—nations that were battered to their knees less than 20 years ago—America, with her great industrial complex and the most fantastic and efficient agricultural economy that the world has ever known, cannot provide an opportunity for any individual or person who really wants a job to have it.

Of course, that may mean retraining and, in many instances, just training so that these people can work. We have many men and women today coming up here from other areas of our Nation, from the agricultural and rural economy where they were never taught anything; people who are coming to our great cities, looking for employment. Many of them are Negroes, our friends, and are people of the Negro ethnic group. What do they have when they come here? They come here with nothing but injustice heaped upon them. They come from areas that provide separate but equal schools, neither school systems being up to standard and all too often, if you please, many of them with no education at all.

I submit that the first duty of this Government is to see to it that those who have been denied the opportunity of an education, be first given the opportunity of catching up and catching up in a hurry and, of course, they can do it if this Government will cooperate, and that also means that you are going to have to cooperate.

Let me then conclude with regard to the final deficit, the worst deficit of all. One hundred years ago this last January Abraham Lincoln proclaimed the Emancipation Proclamation abolishing slavery. It was a promise to a whole group of people in this country that never again would they be second-class citizens; never again would there be two kinds of people, but there would only be one. This Government has one citizenship for all. That is, you are a citizen of the United States of America and that, of course, is what our Constitution states—that is what the 13th, 14th, and 15th amendments promise. Therefore, how in the name of conscience and humanity and human decency did we tolerate 100 years of naked prejudice and discrimination? For a century we have had a group that we call white citizens and another group that we call colored citizens, and in various areas of America we have pinned on the backs of those who could essentially least afford to stand the burden the terrible injustice and inequality of second-class citizenship.

Ladies and gentlemen, it is all over. I think that 1963 will go down in the annals of history just as 1863 did. The proclamation that was a promise will now be fulfilled. The question is not whether it will be fulfilled, because it will. The question is one of "when," and I am sure that it will be fulfilled this year. The only issue is how the Congress, the legislators, and the city councils and other officials will live up to their responsibilities under their oath of office and under the Constitution in order to see to it that at least equal rights privileges and immunities are given to every citizen in this land regardless of race, color or creed. Further, if the Congress fails, then we will invite disaster; we will invite violence; we will be asking for trouble.

Now, the President of the United States has presented to the Congress a minimum civil rights program—not a radical one—not an extreme program—but a minimal program. Some of us on this platform have worked toward this for years and I say to you in all humility, and yet in pride, that I sat in on the conferences for weeks to develop the program. I now ask your help—ask that you see to it that the Congress of the United States passes every single proposal that has been presented to it by the President of the United States. [Applause.]

Surely this union, above all others, can do it because this union has never known prejudice. You have not indulged yourselves in segregation or discrimination; you have lived by the principles of the democratic faith. You can lead because you have proven yourselves. We are going to need the help of the labor movement because all the labor movement of this country is not cleansed of this issue. We cannot tolerate in the ranks of organized labor those who say they believe in the working people, those who say that they believe in those who toil and yet discriminate. We cannot tolerate any form of discrimination or segregation or intolerance and you know it and, therefore, I call upon this union to lead the fight in the AFL–CIO to abolish discrimination.

Sure this may upset old patterns, but this is a time for upsetting patterns. It is already too late. Further, I call upon you in your churches, in your clubs and in your communities to stand up and be leaders—to speak out against the ugly fact of discrimination; to speak out against it every time you have a chance, because then you will be working for your union and your country.

It is not good enough, my friends, just to go along and tolerate this because you want to be a good fellow. The gap in citizenship in this country needs to be closed. Your Government is spending millions of dollars to close the missile gap and you voted for it; your Government is going to spend $35 billion more to close the space gap because we are in a world struggle with the Communists. What are you going to do about closing the citizenship gap? When are you going to see to it that every citizen, regardless of his race or faith, whatever his national origin, has full citizenship? May I suggest that each of the 50 States in the Union could do well to emulate the wonderful example of the State of Hawaii, which has learned how to live with first-class citizenship. [Applause.]

You have been a very gracious, considerate and kind audience. I have come to you to speak about what I believe are the real deficits—the deficits that affect our people—their education, their health, their jobs, their welfare and, above all, their dignity.

We have no right to deny another man that which God alone has given him—his self, his dignity, his own being, his own soul and those who discriminate and practice segregation or prejudice do not only do wrong to a man and human being, but I personally believe that they likewise do wrong to the Infinite power itself.

I believe that the time has now come (as I said 15 years ago) for the American people to walk out of the shadows of States rights and to walk forthrightly into the bright sunshine of human rights and I ask this great international to lead the parade; to carry the standards of humanity and of human dignity, and to carry those standards high.

Thank you very much. [Rising applause.]

ASSISTANCE GRANT BY MINNESOTA MINING & MANUFACTURING CO. TO EDUCATION PROGRAM

Mr. McCARTHY. Mr. President, the Minnesota Mining & Manufacturing Co. today announced its intention of giving $1.5 million worth of visual communications equipment to schools across the Nation.

The company proposes to provide each of 500 schools with $3,000 worth of teaching aids, the schools to be selected on the basis of written proposals detailing plans for the use of the equipment. All schools, both public and private, on all levels will be eligible for the grants, with selection to be made by a committee of leading educators and publishers. Announcement of the awards will be made in December.

Mr. President, I believe that the Minnesota Mining & Manufacturing Co. has set a fine example of social awareness and civic responsibility in making these grants, and it is my hope that other manufacturers, corporations, and foundations will follow the example of Minnesota Mining & Manufacturing Co. in contributing their particular products and special competence to the advancement of education and other desirable social goals.

I ask unanimous consent that the remarks of Mr. Bert Cross, president of the Minnesota Mining & Manufacturing Co., be printed in the body of the Record.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

Remarks by Bert S. Cross, President, the Minnesota Mining & Manufacturing Co., at Announcement of Assistance Grant to Education Program, New York City, August 13, 1963

The last decade has seen a swift and dramatic change of our environment.

Events have whirled about us at a dizzying pace, forcing us to rise to new situations, to accept new challenges hardly imaginable at the end of World War II.

The technological revolution has brought with it a great realization that in order to meet the demands of a fast-changing environment, it would be necessary to take a hard look at our schools. It became apparent that the schools of America had to assume the responsibility of turning out more and better trained students than ever before—students who would not only be our scientists and technicians but students who would provide this country with able and dedicated political, spiritual, cultural, and business leaders in an increasingly complex society.

It has become customary to credit the launching of the first Russian sputnik with the awakening of Americans to the technological challenge of the future. The Soviet satellite did indeed raise a cry of alarm from all parts of the country for a reevaluation of our educational system.

Fortunately for America, the need for change had been recognized and acted upon by leaders within the educational movement long before it became a matter of public concern. As a result, educators, taking advantage of aroused public interest in education created by sputnik, have given the national mentality a new and clear idea of what is needed in modernizing our teaching methods—not just in the physical sciences, but in all areas of learning.

While we must continually match and exceed the performance of the Communist world in scientific pursuits, as a means of defending our freedom, we must not forget that the very spirit of our freedom is contained in our religious and cultural traditions. And for that reason, we cannot permit our educational system to emphasize either area to the detriment of the other.

Today there is a general awareness that education in the United States is facing a double challenge—burgeoning school enrollment and the need to absorb knowledge discovered as recently as yesterday. As was recently stated: "The gap from idea to practice is shrinking fast."—Miss Terry Ferrer, education editor, New York Herald Tribune.

The challenge of educating record numbers of students in the complex facts of a swiftly changing environment places a heavy responsibility upon the teachers of America.

It is the teachers who must assimilate the latest knowledge in their fields and pass it on in a stimulating fashion to their students. Textbooks once regarded as basic are quickly made obsolete. Facts that were once committed to rote must be reevaluated in terms of modern findings.

Teachers can no longer lean on the comfortable facts of rules of yesterday. Rather they must condition their students in the thinking of today which will lead to breakthroughs of tomorrow.

It is the teachers who must organize and communicate their knowledge to the students. And they must do it in a manner that will stimulate the interest, indeed fire the imaginations of our young people.

Much has been written and said about teaching machines in recent years—much of it creating the impression that machines will one day make teachers obsolete. It is my feeling that we should apply all that modern technology can devise to aid in the teaching situation. But I feel strongly that the best teaching machine ever invented is a good teacher.

In our free society, where the supremacy of the individual is paramount, we cannot overlook the importance of the individual in our attempts to mechanize our teaching system. Indeed, the health of our society depends upon the ability of the individual to explore freely whatever paths of knowledge and accomplishments to which his mind will lead him. The teacher must encourage him in that quest. It is this freedom of inquiry that sets our education system and the society it reflects apart from the dogma of the Communist system. America needs a perpetual wellspring of capable, inquiring, well-educated young people to keep our free enterprise system as the dynamic central force of our society in the years to come.

If you'll permit me to use an example that is familiar to me—as the operating head of a growing company that today employs more than 34,000 people, I am dependent upon the teachers of America to turn out the kind of students we will need to propel our company into the future.

As a company that is investing over $33 million in research this year, we at 3M have a personal, vital interest in the development of young people who—well trained in the latest scientific methods, will make their contributions to the development of new and better products. As a company that must produce and sell these products, we look to our schools and to our teachers to send us students who can solve complex production problems and develop creative marketing programs.

As businessmen we are also vitally concerned about the cost of education. In our home State of Minnesota, for example, 53.7 percent of all local and State taxes collected go toward education.

As Minnesota's largest corporation our share of that tax bill is substantial, therefore, we have ample reason for wanting to get the most value for the money spent.

As citizens, we have a further concern since Minnesota's personal income tax, the third highest in the Nation for the average wage earner, is directed entirely toward the cost of educating our youngsters.

I am sure that the costs of education in your communities are just as high, perhaps even higher.

It is apparent, then, that we all have a great stake in our educational system.

For these reasons, and because we feel that private industry must assume an ever-increasing responsibility in assisting our educators, we are establishing the program we are announcing here today.

We are calling it the Minnesota Mining & Manufacturing Co. assistance grant to education program. Its purpose is to encourage the creative use of effective teaching tools in the schools.

The grant program will establish 500 teaching laboratories in schools from coast to coast. These schools will become model installations for the Minnesota Mining & Manufacturing Co. visual communications system.

Principals from every primary, secondary school and college in the country will be invited to make application for one of the grants. The winners will be distributed geographically so that every State will have model laboratories.

In order for each of these schools to truly become a laboratory—a showcase for other schools to emulate—they cannot be restricted to Minnesota Mining & Manufacturing Co. equipment. For that reason we hope that other manufacturers and foundations concerned with education will contribute their equipment and support to these selected schools.

Such a program will, we think, accelerate the acceptance of new methods for teaching—methods which must become commonplace in our schools of tomorrow if they are to meet the dual challenge I spoke of earlier. That is, they will be able to transmit the most up-to-date knowledge to an increasingly large number of students.

Tomorrow's schools will be a far cry from the schools you and I knew. They must be to keep pace with a fast changing society to reduce the timelag between the discovery of knowledge and its inclusion in the curriculum of the school.

And we at Minnesota Mining & Manufacturing Co. hope that our grant program will further the process along by helping our teachers to discover new ways to meet the challenge that has been thrust upon them.

GIRLS' NATION REPRESENTATIVES FROM ARKANSAS

Mr. McCLELLAN. Mr. President, the State of Arkansas was very ably represented at the Girls' Nation which met in Washington recently by two outstanding young ladies: Miss Carolyn Yeldell of Hot Springs, and Miss Polly Rennick of Brinkley. Miss Yeldell was further honored by the girls attending the conclave by being named as their minority leader, giving her a major role in guiding the group through its week's activities.

As you know, the Girls' Nation brings to Washington each year two fine young women from each State and gives them invaluable experience in formulating their own legislative policy and in the principles of good citizenship. I would like to congratulate these young ladies from Arkansas, both for the qualities of leadership which they have exhibited and for their interest in the program.

A COLLEGE WITHOUT FRESHMEN OR SOPHOMORES

Mr. MORSE. Mr. President, Dr. Arthur A. Hitchcock, executive director of the American Personnel and Guidance Association, has kindly brought to my attention an article which appeared in the May 1963 issue of the Junior College Journal entitled "A College Without Freshmen or Sophomores," by Adelaide R. Snyder.

The article tells of the program being carried on at the Florida Atlantic University under the leadership of President Kenneth R. Williams. In reviewing the article I noted particularly Dr. Williams' comments as quoted by the author with respect to the average student. The paragraph reads:

> This does not mean that only the exceptional above-average student will be selected for Florida Atlantic University. Dr. Williams feels that many so-called average students have simply not been challenged, and his goal is "to make learning so exciting and so creative that young men and women will rise above their previous standards. We cannot afford to waste any of the brainpower of our young people if we are to win the struggle now going on in the world for the minds of men. Florida Atlantic University will work to create a climate in which each

young man and women will find his best avenue of achievement."

I heartily echo the sentiments of Kenneth R. Williams as I have frequently indicated in our hearings on the President's comprehensive education bill. I feel that many Senators might find the article of interest and, therefore, I ask unanimous consent that the article be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A COLLEGE WITHOUT FRESHMEN OR SOPHOMORES—FLORIDA ATLANTIC UNIVERSITY BUILDS ON THE JUNIOR COLLEGE MOVEMENT

(By Adelaide R. Snyder)

Florida Atlantic University, currently in its planning and construction stages in Boca Raton, Fla., will be the first institution of higher learning in the Nation to forgo its own freshman and sophomore years, thus acknowledging the major role of junior colleges in the education of the Nation's youth.

Newest in the Florida system of State universities, Florida Atlantic University will offer only the junior and senior years of the undergraduate program and graduate studies in selected areas. It will draw the bulk of its students from Florida's outstanding system of 29 public junior colleges which already bring the first 2 years of college within commuting distance of over 60 percent of the State's high school graduates. Florida Atlantic is located on the populous lower east coast of Florida and is, itself, within an hour and a half drive from five junior colleges, including those of Miami, Palm Beach, and Fort Lauderdale.

The need for another State university to serve the southeast coast was confirmed by a 1956 statewide study. A planning commission laid down the guidelines within which the new university would be developed.

In accepting the post of president in July 1962, Dr. Kenneth R. Williams also accepted a clear mandate to develop a unique institution, unlike any other in the Nation. Florida Atlantic University is scheduled to open on the trimester system in the fall of 1964 with a student body of 2,000 and a faculty of 165. Faith in this new concept of higher education, an upper-division senior university, was confirmed by recent action of the board of control (governing body of the Florida university system) which recommended that another university be projected at Pensacola, Fla., for opening in 1965 and that it, too, be an upper-division institution.

A close working relationship is being developed with the junior colleges to assure that their programs and the Florida Atlantic University courses will dovetail and make for a smooth transition for students. Task forces are coordinating curriculum planning in all subject areas, and joint committees will soon be established in the fields of guidance and counseling also.

The same cooperation is being developed with private junior colleges. Marymount, a 2-year liberal arts college for women, conducted by the Congregation of the Religious of the Sacred Heart of Mary, will open in the fall of 1963 at Boca Raton. Already Dr. Williams and Mother de la Croix, head of Marymount, have pledged mutual cooperation. Facilities of Florida Atlantic University are available to Marymount, and on its part, the junior college has promised to welcome Florida Atlantic University students who need additional preparatory work on the freshman and sophomore level.

A second major departure from tradition will be Florida Atlantic University's emphasis of directed individual study through the use of modern technology. Heart of the campus will be the learning resources center, the automated library, and the educational television studios. Through automation, more information will be available to students at a faster pace than is possible under conventional library methods. In addition, video and audio tapes, programed instructions, recordings, and other aids to learning will be available to students both for class use and for individual study.

"We anticipate a mature student body who come to us because they want to learn," Dr. Williams points out. "With 2 years of college successfully completed, most of the students will have their educational goals well-established. We intend to provide them with rich learning resources and to encourage them to move ahead at as rapid a rate as they are able. We are creating a center for learning rather than a facility for teaching, and we want each of our graduates to achieve depth in his area of specialization and breadth in his awareness that all of knowledge is interdependent."

This does not mean that only the exceptional above-average student will be selected for Florida Atlantic University. Dr. Williams feels that many so-called average students have simply not been challenged, and his goal is "to make learning so exciting and so creative that young men and women will rise above their previous standards. We cannot afford to waste any of the brainpower of our young people if we are to win the struggle now going on in the world for the minds of men. Florida Atlantic University will work to create a climate in which each young man and woman will find his best avenue of achievement."

The academic program at Florida Atlantic University will center around the humanities, the social sciences, and the natural sciences and mathematics. Deans of these areas will supervise both the upper-division undergraduate program and graduate studies as they develop in each area. Institutes in teacher education, in business, and in engineering are planned.

Students preparing for teaching careers will earn the bachelor of arts or of science degrees with majors in their teaching field and will take professional courses in the institute. This follows the basic philosophy of the university which emphasizes the need for excellence in subject areas and acknowledges that today's elementary and secondary teacher must be able to lead pupils down much broader paths than ever before in order to prepare them adequately.

With learning thus emphasized and given the glamour treatment at Florida Atlantic University, athletics will be correspondingly deemphasized. There will be no intercollegiate competition in team sports such as football, but there will be strong programs in swimming, tennis, bowling, golf, and other recreational sports with a strong carryover for adult life. Extracurricular activities will center around academic areas and cultural programs.

The scheduling of classes and of facilities of the learning resources center will be designed to interest commuting students in remaining on campus for a full day's program. The campus is designed to accommodate a 20 percent resident population with 80 percent of the students driving in from a five-county area. There will be student study offices available to the commuters to give them a place of their own.

Currently under construction on the 1,200-acre campus, just 2 miles from the Atlantic Ocean, are five buildings totaling $5.3 million. Scheduled for construction during the 1963–65 biennium are additional facilities at a projected cost of $10 million.

Enrollment will double in 1965 with 4,000 students and a faculty of almost 400. By 1970, Florida Atlantic University will reach a student body of 10,000 and a faculty of 600. Total facilities could eventually house 25,000 students.

As the 2-year community college continues to gain in stature and to broaden its role in the total educational complex, the developments taking place at Florida Atlantic University may well establish the pattern for the next major trend in higher education—the 2-year upper-division university and graduate school.

Mr. MORSE. Mr. President, I commend Miss Snyder and Dr. Williams upon this exposition of the Florida Atlantic University program. I also wish to thank publicly Dr. Hitchcock for having brought it to my attention.

EDITORIAL PROPAGANDA

Mr. MORSE. Mr. President, there was published in the Oregon Labor Press July 5, 1963, an interesting editorial which concerns itself with disclosures by the Senate Committee on Foreign Relations about the abuse of rights and privileges of a free press. The editorial is entitled "Dirty Linen," and I ask unanimous consent that it may be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

DIRTY LINEN

Senate Foreign Relations Committee hearings last month disclosed how certain news wire services have abused the rights and privileges of a free press and of how Madison Avenue image merchants fed large doses of a foreign dictator's propaganda to unsuspecting American newspaper readers.

Purpose of the hearings was to determine how much paid-for foreign propaganda appears in the American press without the public knowing its origin.

The hearings revealed that the old International News Service (INS), a Hearst organization, had a special service department for nonnewspaper clients through which it received $6,000 from the former Trujillo dictatorship in the Dominican Republic for turning out a series of articles on Communist and anti-Communist activity in Latin America. The material was distributed to the newspaper clients of INS as "news." The object was the gilding of Trujillo's public image as a stanch anti-Communist, a factor that was supposed to obviate the fact that he was a scoundrel.

Also exposed by the Senate committee were the machinations of Trujillo's press agents in getting an editorial praising him published in hundreds of U.S. newspapers. It described his regime as "a bulwark against communism, widely cited as one of the cleanest, healthiest, and happiest countries on the globe."

The editorial was written by a public relations firm that received half a million dollars annually in fees from the Dominican Republic Government. By paying only a $175 fee, the Trujillo imagemakers were able to have the piece distributed to a nationwide mailing list of newspapers by one of the firms that supplies "canned" editorials free to editors. These "snow job" operations are financed by fees from clients whose viewpoint and self-interest are promoted in the editorials.

While paying lip service to the qualities of individuality and independent thinking, many editors use canned editorials because it relieves them from the weary chore of thinking, or from having to hire an editorial writer. Presumably these editors are sophisticated enough to know that anything they get free is propaganda paid for by the editorial service's clients, but they use the material anyhow. And the reader thinks the "snow job" editorial is the original product of the local editor's thinking.

(Organized labor is a favorite target of the business-financed propaganda factories. One, E. Hofer & Sons, is located in Portland, from which it blankets the Nation's press with a weekly envelope full of editorials. The company is bankrolled by various reactionary-thinking businesses.)

Another phase of the Senate committee hearing dealt with United Press International (UPI), the product of the 1958 merger of United Press and INS. UPI also has a special service department that assigns the news agency's reporters to gather material for public relations firms, business firms, and other nonnewspaper clients. UPI denied flatly that any of the material compiled at the request of nonnewspaper clients is distributed as news on its wires. But this denial doesn't deodorize the practice.

Senator WILLIAM FULBRIGHT, chairman of the committee, sharply questioned the blurring of the lines between legitimate news gathering and editorial writing and the gimmicks that have been developed to slip special interest propaganda into American newspapers without the readers being aware of what is going on.

Press Associates, Inc., a news service for labor newspapers, said Senator FULBRIGHT's comments constituted a severe indictment of American newspapers that are willing to turn their columns over to the unidentified and raw propaganda of private agencies.

Even Editor & Publisher, the trade magazine of the newspaper industry, voiced concern over the damage the public relations-sponsored practices have dealt to freedom of information. The trade magazine commented: "You can't blame a Government official now if he refuses to talk unless he's given some guarantee he's passing information to a legitimate newsman and not to an intermediary for a foreign dictator's press agent."

Almost as disheartening as the disclosures themselves has been the lack of publicity given by the press to the sins of its own industry. Newspapers never hesitate to point a finger at the malfeasances of others—and seem to have an affinity for putting union officials' woes on page 1—but apparently they prefer to bury their own dirty linen deep in the hamper of unpublished news.

ADDRESS BY THE LATE SENATOR KEFAUVER BEFORE RETAIL CLERKS INTERNATIONAL ASSOCIATION, AFL–CIO

Mr. MORSE. Mr. President, at the recent 24th quadrennial convention of the Retail Clerks International Association, AFL–CIO, in Chicago, my good friend and late colleague, the able senior Senator from Tennessee, Mr. Kefauver, presented some illuminating and startling facts which merit the attention of us all.

Therefore, Mr. President, I ask unanimous consent that Senator Kefauver's address be printed in the RECORD at the close of my remarks. It is a fitting reminder of the statesmanship of this great Senator who has been called from us.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS OF THE HONORABLE ESTES KEFAUVER, U.S. SENATOR FROM TENNESSEE

Senator KEFAUVER. President Jim Suffridge and distinguished officers and delegates to this excellent convention of the Retail Clerks International Association, I want you to know that I was highly honored to be asked to be with you again. This is my third occasion. The last time, as Jim said, was in 1955 in New York.

I notice by some of the speeches I have been reading that Jim Suffridge is being claimed by some other States. I saw where Senator KUCHEL was out here speaking and he said he was especially glad to be here because Jim is from California.

But Jim is one of the finest citizens we have ever produced from the Volunteer State of Tennessee, and we are proud of him, as you are.

I heard that Joe DeSilva tried to top Senator KUCHEL by also claiming Jim as a Californian. Well, Joe is always bright and imaginative and doing things in a way to credit what Tennessee does and he is my old and good friend.

I have been reading the program that you have had at this very wonderful convention. I see where you have had almost every Member of the U.S. Senate, or at least some of the very best ones. I guess your convention is the reason we haven't been able to get a quorum in the Senate for some 10 days. [Laughter and applause.]

And I am happy to be here with my good Illinois congressional friend, KENNETH GRAY. I didn't get here in time to hear his speech. In case you didn't know it, he is not only a good Congressman and a fine speaker, but he is the best magician we have in the Congress and one of the best in the country. The fact is that I am sort of an amateur magician myself. I can make a rope disappear. And KEN and I sometimes put on performances together. Maybe you will give us the chance to perform the next time you invite us.

I think it is wonderful that you are celebrating your diamond jubilee convention. Seventy-five years is a long time in this age. Seventy-five years ago there were more horses than horseless carriages. For one who can remember that far back, like my good friend Jim Suffridge, it is difficult to imagine that in the lifetime of younger folks such as Chuck Lipsen and myself that daily trips to the moon may become commonplace.

Almost everywhere you look there is a remarkable change. Take this very union, for example. When Jim Suffridge took over as president in 1944, it was relatively small. I just want to say parenthetically that this is a fine example for people to follow in connection with the U.S. Senate. I just hope the fine delegation here from Tennessee and all the retail clerks who have been so very wonderful to me in my campaigns will remember I want to be in the Senate as long as Jim has been president of the Retail Clerks International.

Today yours is the sixth largest affiliate of the AFL–CIO and the largest organization in the world exclusively for retail employees. I saw where the Ford Foundation says that you will soon become the first or second largest union in the AFL–CIO, and I expect they are right. This not only speaks eloquently for the fine organizing work of your leadership and the attraction that your high standards and your goals have for those in retailing. It also speaks well of the fine organization that you have.

There never has been any rumor of any dishonesty or any shortcuts among the members of this organization. Jim Suffridge has given you excellent leadership, as have your other officers.

I have observed that in your local organizations you have excellent leadership, not only teaching your people to be good members, but to do a good job in salesmanship, be good citizens in the community, and take part in political activities, whatever their convictions may be. In that regard I want to say that Chuck Lipsen has done a very good job in helping direct this part of your activity.

I think it is typical of your great organization that you have the James A. Suffridge scholarship fund to inspire young people to get an education. This, I want to say, is unionism at its best.

So your progress is due in large part to the fine leadership and to the membership that you have. I want to say that your progress is also an important sign of the vast changes that have taken place in the last few years and that are continuing to take place in our economy and indeed in the entire frame of our lives.

As Margaret Mead has so wisely observed, "The most vivid truth of our age is that no one will live all his life in the world into which he was born, and no one will die in the world in which he worked in his maturity."

In the American society of 75 years ago, when this organization was founded, farming was the primary way of life. Many families represented largely self-sufficient economic units; they grew their own food and made their own clothes. What little they bought, they most likely got from a general store with a limited stock a day's buggy ride away.

Today our way of life is primarily urban. Only about 11 percent of our people now live on farms, and that proportion is less than half what it was in the 1930's. But whether we live in the city or on the farm, however, we now buy virtually all of the necessities and social amenities of life in the marketplace.

And what of the dimensions and nature of that marketplace? The general store, if it exists at all, is a curiosity of the past. Its place has been taken by a vast assortment of retail outlets—supermarkets, discount houses, huge drugstores that sell everything from aspirin to automobile tires.

No longer is the marketplace bounded by the limits of a city, a State, a nation, or even a hemisphere. As many of you know, today's shopper can walk into almost any store and comparison shop not just among two or more American-made products in the same line but also among many competing products made in the Far East or Europe or, in some cases, Latin America.

The impact of these changes is being felt everywhere. But in many areas it is not being dealt with as it should be. I know that all of you are familiar with the Federal-State local program of vocational education in our public schools, particularly that part having to do with the distributive trades. A Presidential panel which studied this program recently reported that we are far behind in training and retraining our people adequately for our changing world of work.

In one study of more than 3,700 high schools, only 5 percent offered distributive education courses. Another study revealed that out of every 200 persons employed in wholesale and retail trade, only 1 had received any formal training in that field. I would recommend that some of you get to the members of the schoolboards in your communities. Moreover, federally assisted programs of distributive education are still limited to those in which students receive a part of their instruction in an actual job; no preemployment programs are aided by Federal funds. I think that they should be. I think that we are missing a bit if we do not tailor these programs to fit the need as well as the opportunities for trained people in retailing.

The demand for such people is expanding. And, as the Presidential panel points out, graduates of these programs are less likely to be unemployed; they do in fact work in the occupations for which they prepare; and the training they receive increases their subsequent earnings.

I know that you, your locals, and your national organization will do a great deal to try to teach and to show the members of your organization to be good salesmen; how to be fair to the customer; how to know the commodities you are selling so you can explain them; but I do think that educational programs in the distributive field would also be of great value.

From the other side of the counter, the consumer's side, there is also a need for action at the Federal Government level. Businessmen have their Department of Commerce; workers have their Department of Labor; and farmers, though their number is dwindling, still have their Department of Agriculture.

Yet, nowhere in the Federal Government is there any official, independent voice for the consumer—and that term applies to just about everybody these days.

When the Interstate Commerce Commission makes a decision on railroad rates, or the Federal Power Commission on gas rates, or the Federal Trade Commission on an unfair trade practice, or the Federal Communications Commission on telephone rates, all of us as consumers have a direct stake. However, the trouble is that these agencies do not speak for the main consumer. The trouble is that these agencies have gotten to be referees between big contesting corporations without very much regard to what effect it is going to have on the consumer.

I am sponsoring a bill, along with 27 other Senators, to establish a consumer council. The idea would be that consideration would be given at the top level of Government to the points of view of the consumer. The viewpoint will be given before the regulatory agencies, before the committees of Congress and even in the courts. What effect action by these groups will have on the consumer will be presented. Here a record would be built that actually would help the consumer. It would be intended that this be a clearinghouse for consumer activities throughout the Nation.

There are other bills intended to help the consumer and the public which I think ought to be passed and some of which I know have been described here. I am sure that the great Senator from Illinois, PAUL DOUGLAS, told you about the truth-in-lending bill.

Somebody selling on credit or on interest should be willing to let you know how much interest they are really charging. I know it is not a very difficult matter to know.

A lot of people buy things by paying exorbitant rates of interest and may not even know that they are doing so. This is just a matter of being fair and open and honest with the customer. These days, if you are like I am, most everything of any importance you purchase is on the installment plan, where we pay interest.

Another bill of great importance is the truth-in-packing bill, which is largely sponsored by Senator HART, of Michigan.

Unfortunately the supermarkets of today do not have enough people in them to explain to the housewife the selections she has in corn flakes or in the various other commodities on the shelf. The container is largely the salesman in many of these supermarkets, and yet we find the number of ounces a bottle contains is written in such fine print that nobody can see it. We find, in connection with cereals and insecticides and many other things, that about half the package contains air.

One manufacturer, for instance, will make a large package and have it two-thirds filled and the rest will be empty. Then another, in order to keep pace and not be taken advantage of, will sometimes have to do the same thing.

We have a "5 cents off" but it doesn't say what it is off of.

We have a big gallon and yet I believe that every gallon is just about the same.

We have 3¾ ounces for 69 cents and 5.2 ounces for 97 cents. You would have to have an IBM machine to figure out which one you were receiving the better buy on.

I think the package ought to contain information which will enable the customer to sensibly decide what she wants to get and where she is getting the best purchase. This is all the truth-in-packaging bill provides.

I am happy to say this measure has been favorably reported on by our Antitrust and Monopoly Subcommittee. I would urge you to give it your favorable consideration.

In discussing the many changes that have taken place in our way of life over the years one cannot overlook the fact that we are living longer and, of course, in relation to this, we can consider many things: better food, better medical care, better housing, better and safer drugs.

As you know, because many of you helped to get it through, the last Congress enacted a very important piece of drug legislation that has become known as the Kefauver drug law. This law does many things that ought to result in better, safer, and more effective drugs.

It imposes strict rules on factory inspections and manufacturing quality. It requires new drugs to be effective as well as safe. It gives the Food and Drug Administration greater latitude in considering new drug applications. It requires that the information which drug manufacturers put out to physicians about drugs be more honest about their harmful side effects, as well as their helpful properties.

Our committee received more complaints about the unreasonableness of prescription price than anything else. Drugs that would cost 50 cents for a person who would have to take several a day, maybe for arthritis, would be less to other individuals.

We found that by whatever test you made, whether by cost of production, whether by comparison with what drugs sell for in other countries or by the way that the Government and the States purchase them, there wasn't any reason whatsoever for any of these drugs being as high priced as they were. I am sorry to say that while some of them have come down many of them still are high priced and unreasonable.

Anyway, we did enact a drug law that has some very good features in it. For instance, whereas medicine given to animals is required to be effective, medicines prescribed for individuals might not contain anything effective or worthwhile at all. For example, if it were pure and would not kill you, such as a glass of water with a little coloring in it, it could be sold as medicine.

We found that factories were not being inspected and that some manufacturers would not allow them to be inspected. We also found that there were a lot of bathtub operations and so now all manufacturers have to register before they go into business.

We found also that many of the companies were not correctly stating what a drug would do and that in many cases the side effects might result in cataracts or even in death under some circumstances. Of course, in many cases, some of the additives contained therein were not stated in the advertisements pertaining to the various drugs. Well, this has now been corrected.

We also require that the generic name be in type half as large as the trade name and that, of course, is very important relative to the purchasing of drugs. Do you know that you can get your doctor to prescribe some drugs by generic name, such as Prednisone, which is for arthritics. That is the generic name. The cost to you will be about 2 cents a tablet. However, the very same material, when purchased by its trade name from one of the larger companies, would cost you 20 or 28 cents per tablet.

Some of you who have high blood pressure purchase Isuprene, which is the generic name of the drug. You can get a thousand tablets for $1.50. However, the very same material purchased at the same place by the trade name would cost you about $39.50 per thousand.

We are making great strides in many places and getting people, States, and hospitals to buy by generic name. However, some drugs are patented. In that case, whether the generic or trade name is used, the price is just the same. For example, it costs about 1 cent to make antibiotic tablets according to Pfizer. This product is sold to the drugstore for about 27 cents. However, you pay 50 cents for the same tablet. Incidentally, they are selling the same thing, even though made here, in some foreign countries for very much less.

I am in favor of people having protection in connection with patents; by the same token, I think the health and the welfare of our people ought to have some consideration.

I have introduced a bill concerning the markup. If markup is more than 500 percent—five times the cost of production plus allocation for research, plus overhead, plus everything else—and they continue to insist on selling it for more than 5 times the cost, then the bill provides for cross-licensing so that other manufacturers can compete upon paying an 8-percent royalty.

The United States, Panama, and Brazil are the only free nations in the world where there is not some way of getting drugs to people that need them, where the price is unreasonable, or where they are not being properly distributed.

Now then, before closing, I want to touch on two matters that I know are of interest to you.

There has been an effort for quite a long time to put the labor people and organizations under the antitrust laws. It sounds simple, easy, and extremely reasonable to say that we will just put the unions under the antitrust laws and there are some bills before the Judiciary Committee for the purpose. I don't think that the public generally recognizes what that would mean.

The antitrust laws were not made to apply to a man's labor. A man's labor, his activity and work, is not a commodity in commerce. That has always been the history and the attitude that we have taken.

Furthermore, if you simply applied the antitrust laws to labor, that would mean two people could not get together in a concert of action for the purpose of trying to get better working conditions or better wages. I don't want any part of that insofar as I am concerned. The labor movement is not going to be destroyed by placing it under the Sherman or Clayton antitrust laws. [Applause.]

I also noted there is a great deal of interest in the so-called right-to-work laws that too many of our States have. For my part, I voted against the Taft-Hartley Act. [Applause.] I voted to strike out the provision that would allow States to have right-to-work laws. [Applause.] There is still a lot of interest in that in the Congress of the United States.

Now, this matter of right to work may sound pretty good. Of course, everyone likes to have a right to work, but this is really just another effort to make it very difficult for you to organize, to suppress labor organizations, to have different rules applicable in different States even though they might be the same manufacturing plants and to allow some to get a free ride even though they contribute nothing in the way of organization and anything in the way of dues. If I were a member of a State legislature, I would certainly vote against a right-to-work law in that State. [Applause.]

I think the Congress could do more or better work if we had better information and if we had better people and teamwork between the legislative and executive branches. I would like to tell you about another effort that some of us are interested in and that is that at the present time we all serve on two committees in the Senate. I cannot even keep up with what is going on in these two committees let alone know about Foreign Relations, Commerce, and the many other committees.

Therefore, we need to have some way so that the Members of Congress can have an opportunity of hearing from the Cabinet members face to face every so often about their problems—asking them questions, getting reports from them—so that we can have better communication. This would be good for the Congress, it would be good for the Cabinet members, and it also would be good for the country because we all need to know more about decisions that are being made—the problems of government and the work of the Congress and the executive branch of the Government.

Sometimes bad legislation slips by and becomes law because Senators and Representatives are not as well informed as they ought to be. I doubt that the communications satellite giveaway bill would have gotten through last summer if the heads of the various agencies concerned had been invited on to the Senate floor to answer questions.

I would like to say that we have a great country; we have made the most remarkable educational and economic growth and development of any people in the world. A large part of that has been due to the free labor union movement, where you have worked for progressive programs, where you have taken an interest in politics and in the affairs of your communities. I congratulate your members and the members of your locals upon the fact that in every town I visit I always find some members of the retail clerks taking part in those efforts for the good of government and for the programs for your people.

This country of ours is blessed with the finest institutions in the world, a democratic government, a prosperous labor movement, and a free enterprise society that has given us things to make our work easier and our free time more pleasant.

However, you know as well as I that the best institutions stay in step with the times. A minimum wage of 75 cents an hour may have been adequate one, two or three decades ago, but everyone agrees this would be far from adequate today and so it is with the other institutions of our society.

The course that I have always tried to follow, and I think that your fine organization follows under your president and your other officers, is the one which reflects the past and tries to carry the good things of the past forward into the present, but it is also the course that recognizes that there is no returning to that which is gone. The problems of the sixties are different from those of the thirties or forties. They require new solutions, new ingenuity, new boldness, new imagination.

In this 75th anniversary year of the Retail Clerks International Association you can look back with genuine pride upon a past of great accomplishment for the benefit of your growing membership and of society generally. At the same time, I am sure that you and your leaders are looking forward to the challenges of the future, setting new goals, planning new achievements.

I congratulate you for what has gone before and extend best wishes for what lies ahead. May your next 75 years be even more successful than the last and I wish you the very best of luck.

Thank you.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

NATIONAL SERVICE CORPS ACT

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the Chair lay before the Senate the unfinished business, S. 1321.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1321) to provide for a National Service Corps to strengthen community service programs in the United States.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Wisconsin?

There being no objection, the Senate resumed the consideration of the bill.

BUDGET UNDERSTATES SPENDING BY $10 BILLION COMPARED TO 10 YEARS AGO

Mr. PROXMIRE. Mr. President, on Monday, July 29, I gave a speech on the floor of the Senate dealing with possible changes that might be made in the Federal budget. The purpose of these changes is to make the budget a more meaningful and useful document for Members of Congress and for the public generally.

In the course of my earlier speech, I referred to a report which was to be issued shortly by the Statistics Subcommittee, of which I am chairman, of the Joint Economic Committee. That report has now been issued unanimously by the subcommittee, and I believe it is the best single statement that has ever been published on the general need for changes in the budget document. To my knowledge, this is the first time, at least in many years, that a congressional committee or subcommittee has examined the Federal budget in terms of its nature and format. I strongly urge all of my colleagues to look at this report and to assess the recommendations that are made within it.

In my speech on the 29th, I discussed the first major recommendation contained within the report; namely, that the budget be presented along program lines as well as by individual agencies. As I indicated, the advantages of such a presentation are that comparisons could be made about the costs and relative benefits being obtained by different programs aimed at the same objective, such as in education, in research, and so on.

I pointed out at that time that no one in the Congress or the executive branch—not the President of the United States, not the chairman of the Foreign Relations Committee—no one can tell the Congress or the American people how much is spent on foreign aid, and that no one can tell us how much is spent on education, because foreign aid programs and education programs are scattered throughout the budget and appear in no one place. It is virtually impossible to assemble them, because there has been no system for doing so.

The second major recommendation in the report is that the scope of the budget be broadened to encompass all of the financial activities in which the Government engages. It will perhaps come as a surprise to many in this Chamber that the budget at the present time is not comprehensive in scope. Yet many types of activities in which the Government engages are now either excluded entirely from the budget document or included only in a partial and superficial way.

Not only is the Federal budget incomplete, but the types of items that are included change over the years. The result of these changes has generally been to reduce the levels of expenditures and receipts shown in the budget.

The fact is that spending programs as now shown in the budget are some $10 billion less than they would be if the budget were as inclusive as 10 years ago.

That is, if we used a comparable basis for fiscal 1964, if the 1964 budget were on the same basis, we would have to increase the spending totals by at least $10 billion, and the amount of Federal spending would be that much more.

This is because of such changes as showing tax receipts net after refunds, the handling of the gas tax and the highway trust fund, and reduction of Defense spending by showing a net figure after the selloff of surplus items.

The result: It is virtually impossible to make meaningful comparisons of budget totals from year to year.

BUDGET BUREAU IMPROVEMENTS

Before commenting, however, on this lack of inclusiveness of the present budget, I think some compliments should be extended to the present Bureau of the Budget. A number of changes have been made in the budget in recent years that have substantially improved the inclusiveness of coverage of the document. First, there has been a shift in emphasis in this year's budget from the classic administrative budget totals to the so-called cash budget. The effect of this change has been to include in the budget totals details of the operations of most of the trust funds, but not all, including the social security operations, highway trust funds, and a number of others.

Another change made by this administration has been the elaboration of a number of special analyses at the back of the budget document. These special analyses include information on public enterprises, on foreign currency, on investment capital outlays, on Federal credit programs, on activities in public works, and on research and development programs. The information in these special analyses includes not only elaboration on some material to be found in the body of the budget, but also a considerable amount of additional material that is extremely informative for anyone interested in the general activities of the Government.

NEED FOR CONSTANT COMPREHENSIVE BUDGET

Both the Congress and the American people should have full and accurate facts on the spending of tax dollars.

To provide this, what is in and out of the budget should remain constant over time so that year-to-year comparisons can be made as to how Government expenditures and receipts are changing.

The only solution to this problem is to have complete comprehensiveness within the budget. Only completeness cannot be changed from year to year.

The failure of the spending by many Government agenices to be included in the budget is made even more serious because in many cases they do not even report expenditures to the Government's disciplinary fiscal arm: the Bureau of the Budget.

Also, it is now impossible to tell from the budget what actions the administration has taken within its own large discretion for fiscal policy purposes.

For example, early in 1961 when the Kennedy administration came into office, a number of administrative actions were taken by the President to stimulate the economy from the depths of the existing recession. It is virtually impossible in subsequent budgets to determine either the nature of these actions or their dollar significance.

The administration can exercise control in a number of ways, such as the rate of spending by agencies and the rate at which contracts are let. Advance information on the estimated use of these controls would obviously be significant in assessing the fiscal impact of Government.

Mr. President, many of the experts who appeared before the subcommittee of the Joint Economic Committee, pointed out that it is extremely difficult with the present budget documents, to obtain any kind of information on Government spending and taxing which is necessary in order to have a useful and accurate prediction of how the economy is to operate. The Government of the United States is an extremely important factor in our economy. It is vital for economists to know how the Government regulates its spending. If the budget could reveal what plans the Government may have to speed up or slow down its spending or to speed up or slow down contract letting, it would be very helpful in planning more efficient Government action.

As I pointed out, the Kennedy administration did exactly this in 1961. It speeded up spending in order to get us out of the recession. However, no estimates were made at the time as to how much the speedup in the spending would involve. The result was that economists and others were not able to use the information for business planning, and the economy was not able to move ahead with the kind of intelligence furnished by the Federal Government, which better organization of the budget would permit.

LOAN AND GUARANTEE PROGRAMS INADEQUATE IN BUDGET

Another area in which additional information could be provided in the budget concerns loan and guarantee programs. Despite the fact that all these programs have been created through legislation and that most of the lending agencies are instrumentalities of the Congress responsible to it, surprisingly little information is available on many of their activities.

The following agencies enjoy this immunized, free-of-scrutiny status: the Exchange Stabilization Fund, the Comptroller of the Currency, the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, the Federal intermediate credit banks, banks for cooperatives, the Federal land banks, the Federal home loan banks, and the Federal Reserve banks.

Mr. President, it should be realized that the budget is not the comprehensive document which many Americans who use the budget constantly assume it is. There is no question that the size of the budget is used regularly by editorial writers, political leaders, and others in pointing to increases in Government spending. However, the budget does not disclose this information. Not only does the budget not disclose the necessary information, but in making comparisons over a period of years it is absolutely inaccurate. That is why the budget should be revised to include all spending by the Government, on a constant basis year after year, so that proper comparisons can be made.

Many other loan and loan guarantee programs are to be found in a halfway house. They are shown in the budget but only by a limited portion of their total operation. Data on loan guarantees of the Export-Import Bank and the secondary market operations of the Federal National Mortgage Association, for example, are seriously inadequate.

The basic problem is that these operations are largely self-financing and the need for additional funds from the Congress is relatively slight. Thus, these agencies are included in the budget only on a partial basis even though they exercise a substantial monetary influence on the economy. A number of us in the Senate and in the House have criticized the Federal Reserve System on its monetary policies. Yet, how many of us have detailed information on the monetary policies of the FHA, or FNMA—the Federal National Mortgage Administration? How many can say what the interest rates and maturities are on loans provided by the Export-Import Bank? In many cases these agencies provide loans that could not be made through private financial institutions. In many other cases, the terms of the loans are subsidized. Yet, we have virtually no measures by which to judge the nature of these subsidies.

Any measure by which to gage, judge, and evaluate the monetary impact is important when such huge Government funds are involved.

PUBLIC ENTERPRISE OPERATIONS CONCEALED IN BUDGET

There is one more type of Government operation that should be incorporated in the budget in greater detail. This third type of operation is the so-called public enterprise. The essence of these public enterprises is that while they do not make loans, they are engaged in providing services for which prices are charged. Information should be in the budget on pricing practices, on cost levels, and on the forms of products or services being produced. Yet, I doubt whether anyone in the Senate could obtain this sort of information from the budget for the Tennessee Valley Authority, the Post Office Department, or the Public Housing Administration, much less for the many smaller public enterprises such as the Inland Waterways Corporation, the Panama Canal Company, the Alaska Railroad, the Virgin Islands Corporation, or the St. Lawrence Seaway Development Corporation. I do not question the appropriateness of the Government being in these businesses. I question rather the inadequacy of Government knowledge about Government business.

This is the type of information that seems to me should be available to a Member of Congress in order that he can do his job most effectively. There is an even more fundamental principle at stake. Information on these operations of the Government should be available in a form such that individual citizens can also learn about the activities of their Government and judge the merits of these activities. Such knowledge seems to me essential for the effective operation of a government in a democracy.

The unanimous report by the Statistics Subcommittee of the Joint Economic Committee, which was compiled by the staff of the Joint Economic Committee, particularly by its very gifted fiscal economist, Dr. Roy E. Moor, is so useful that I have sent copies of it to all members of the Appropriations Committee, and I have asked them to give it their attention. Some members of the Appropriations Committee have already written to me that they are impressed by the report, and that they intend to study it. Some of them indicated that they believe favorable action might well be taken on some of the recommendations made by the subcommittee.

We have also sent a copy of the report to the Bureau of the Budget. The staff of the Joint Economic Committee has been in close touch with members of the staff of the Bureau of the Budget, and has asked them to put some of these recommendations into effect. I report that the Bureau of the Budget has been very encouraging in indicating that it will give these recommendations serious consideration. There is an excellent possibility that the Budget Bureau may, as they often have in the past, act to accept the committee's recommendations.

I hope that Members of Congress will give this subject their attention. It is important that there be as accurate and complete a basis as possible for evaluating governmental spending. It is obvious that we do not now have such a system in the present budget not only in terms of economic policy and fiscal and monetary policies, but also in plain terms of the efficient operation of our Federal Government.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WILLIAMS of New Jersey. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL SERVICE CORPS ACT

The Senate resumed the consideration of the bill (S. 1321) to provide for a National Service Corps to strengthen community service programs in the United States.

Mr. WILLIAMS of New Jersey. Mr. President, the National Service Corps bill will be a direct and practical way of molding the humanitarian concern of this Nation into an effective weapon against the hardship, the misery, and the poverty which still blight the lives of too many of our fellow countrymen. This country has never accepted the dictum of Hobbes that the life of man is "solitary, poor, nasty, brutish, and short," and I hope it never will. Our concern for the well-being of all our citizens and our determination not to rest until the last trace of poverty and misery is driven from our land may be an idealistic goal, but not a sentimental one. The dedicated volunteer corpsmen who will go out across the country, bringing their skills, their knowledge, and, most of all, their good will, will be "seedsmen" of hope and inspiration, not only to those they are helping, but also to others who will be encouraged to devote their time to volunteer work.

The National Service Corps would supply trained, highly motivated volunteers to help local communities to strengthen existing public-service programs or to aid in the establishment of new ones. Beginning with 150 to 300 volunteers, the number of corpsmen would increase in the first year to about 1,000. In 3 years, 5,000 corpsmen, the maximum number permitted by the bill, would be at work throughout the country. The Corps will work with migratory workers, the mentally ill and retarded, with American Indians, with school dropouts, and with the elderly and the disabled.

The National Service Corps is intended to be one among many tools in the fight against hardship and poverty. Obviously, 5,000 men and women cannot solve all the age-old problems of human suffering. But I know that the dedicated energies of these volunteers will inspire others to join in the many volunteer efforts already in progress. They will work with the forgotten and overlooked human beings who make up the world of the invisible poor. In doing so, they will make the Nation aware of the problems which still crush so many of us, and what can be done to help.

One important aim of the National Service Corps will be to encourage and to stimulate local solutions to local problems. The eloquent testimony of the State and city officials, and of representatives of private agencies clearly shows that they will welcome the additional strength the Service Corps will bring to their own efforts. The support the National Service Corps program has received from such groups as the U.S. Conference of Mayors, the National Association of Social Workers, and the National Social Welfare Assembly among others is eloquent proof that men and women in day-to-day contact with the problems which the corps will tackle, see it as a valuable aid to their work.

It is the widespread enthusiasm for this program among people in local government and in the field of social welfare which has convinced me that the Service Corps will be a practical and successful program. For it is the leadership and initiative of the men and women in the local communities which will make the Corps work. It is they who will design the projects and administer the day-to-day tasks of the corpsmen. The bill expressly provides that:

> Projects under this act shall be undertaken only upon local invitation and in cooperation with interested governmental and nongovernmental agencies.

The sponsoring agency must first submit a detailed plan, indicating how and where corpsmen will be used, who will supervise the project and what contribution the local community can make to the project. The Director of the Corps can approve or reject a project, but he cannot on his own motion place corpsmen anywhere he wants to.

To further insure that Service Corps projects will not duplicate or be in conflict with existing State government programs, the bill requires that—

> The President shall request the Governor of each State in which one or more requests for corpsmen have been initiated to consult with the Corps and the groups or agencies making such requests, and submit recommendations to the President concerning each request. Before undertaking a project, the President shall assure himself that any recommendations received from such Governor have been given appropriate consideration and that such project will not displace regular workers or duplicate or replace an existing service in the same locality.

The Service Corps will be a means whereby the local community can draw on the knowledge and skills of the entire Nation. But the program is designed so that these trained volunteers will work with a community, in a program developed by the community itself. A great deal of careful study has gone into this program. More than 50 ideas for projects were submitted to the President's Study Group on a National Service Corps by various State and local, public and private organizations throughout the Nation. Twelve of these suggested projects are outlined in detail in the hearing record. A glance at these projects will show the very practical work that corpsmen would be doing. On an Indian reservation, they could act as instructors for self-help housing programs, run nursery schools and clinics; in a hospital for the mentally retarded they would help regular personnel as teachers aids and recreational aids; working with migrants, they would give basic education to adults and vocational guidance to the youngsters.

It is important to remember that these projects are not the brain children of a bureaucratic planner. They were worked out by men and women of wide experience who know the help that trained volunteers can be to them in tackling the problems of a community.

Mr. President, there are many Americans, young and old, who are anxious and able to help our less fortunate citizens. The Corps will draw not only upon enthusiasm of our young people, but upon the wisdom and experience of retired persons. There are a vast number of people both young and old ready to help if given a way.

Obviously, 5,000 men and women cannot solve all the age-old problems of human suffering. But their example will have an effect far beyond their number. If every corpsman inspires 10 others to work in their own hometowns, or to join the helping professions, the cost of this program will have repaid itself 10 times over.

I know that the dedicated work of the Service Corps volunteers will show that our material success has not blinded us to the sufferings of others. This program will be a true expression of the ideals which have made this Nation great.

The proposed legislation has been considered as carefully as any measure with which I have been associated. I am sure that Senators are familiar with its genesis and the steps that have been taken in developing the program to the point where it is now under general debate in the Senate. In first addressing himself to this noble project, the President called upon members of his Cabinet to develop policy for it. The Cabinet members so selected chose from their departments persons of great talent to undertake the staff work that is necessary to insure that the noble idea would not be emotionalized, but would become hard, tough, and practical in its development. That study group, while small in number, was uniquely dedicated to this cause. Once created, the study group has developed ideas which were embodied in the legislation that came to the Senate. The measure was referred to the Committee on Labor and Public Welfare, and assigned to the Subcommittee on Migratory Labor for further legislative action.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. WILLIAMS of New Jersey. I yield.

Mr. JAVITS. I am a cosponsor of this particular measure. I believe it represents an effort to translate the idealism which has been so prominent in the Peace Corps and which has worked so well abroad to the domestic service of the United States. I am satisfied, too, that the scheme which is proposed to the Congress parallels, as far as is practical, the successful pattern evolved in respect of the Peace Corps, which I believe is one of the more successful initiatives of the United States in the employment, in its foreign aid and foreign development efforts, of the idealism, skill, and interest of young Americans. There is an ample number of projects which can profit greatly from the dedication which the National Service Corps will inspire.

I feel, too, that it will be a very important channel through which volunteer services of young and old alike may go into areas—many of which have been described—of want, need, illness, and underprivilege, which are enclaves of backwardness in terms of economic advance, such as the areas of migratory farm workers. There the volunteers can be of great benefit.

I am very much for the bill. I am a cosponsor, as I said.

I have only two reservations, Mr. President.

I think perhaps, if we needed a description of what is being done, the words "practical idealism" would describe it. I hope very much that the practical idealism which is represented in the National Service Corps will not be marred by asking the dedicated people who will be involved to serve in establishments or institutions which follow a practice of racial segregation.

This is something about which I expressed my deep concern in the committee. It is something which is the subject of an amendment I have had printed, which is on the desk.

I realize that the argument can be made that those who are afflicted should receive help, and that this should be the case even if they are afflicted in a segregated institution. But I think the temper of the times is such that we are engaged in a struggle in which there must be some casualties, and those who are the subjects of segregation are the readiest to accept the "casualty" of being unable to obtain the ministrations of the National Service Corps when there is a pattern of racial segregation.

I hope very much that some way may be found of working out what it seems to me would be so opposite to the patriotic dedication which is represented by the Corps.

The other subject to which I hope my colleagues in the Senate will give a little thought is the possibility that we are dealing domestically—not abroad, as we did with the Peace Corps—with an analogy to the National Guard and the ROTC. We could allow States to undertake some of the responsibility for training corpsmen and using them within the respective States. I have prepared an amendment upon that score.

I hope to hear the discussion in respect to the bill, to determine whether there is a sufficient amount of interest in the Senate, since the amendment was turned down in the committee, to justify my offering the amendment. I think the plan is a very sound one, to allow States to participate in the process of selection and training, and to allow them to retain the trainees within the States, at the same time maintaining the cachet of this elite corp, the National Service Corps, exactly as we do with respect to National Guard officers and men as they relate to the military forces of the Nation.

The advantage would be that we would stimulate a great increase in the number of people who could be trained, the speed of their training, and the speed of their utilization, and we could invoke State as well as national pride in respect to the trainees.

So, with those two reservations, Mr. President, which I have described—which are not, in my opinion, reservations in any way to change the quality and character of the plan—having proved the validity of the idea in terms of inspiration to youth and in terms of its usefulness to those it serves through the Peace Corps, I believe we have arrived at the point where the National Service Corps is the next logical step in terms of undertaking to give our youth an opportunity to show their dedication and their idealism.

I am grateful to my colleague for yielding. I am confident that by the time the vote occurs on the bill we shall have completely closed ranks in full support of it.

Mr. WILLIAMS of New Jersey. Mr. President, I am grateful, indeed, for those comments by the senior Senator from New York. I am grateful also for his strong support of the proposed legislation, his sponsorship of it, and the contributions he made in the committee deliberations.

As the Senator knows, after the bill was drafted 24 Members of the Senate joined in cosponsorship of the proposed legislation.

The subcommittee which received the bill held 9 days of hearings. The record is most complete. Not only did the subcommittee hold formal hearings in the Capitol, but also members of the subcommittee, together with members of a committee from the House of Representatives, went on a field trip, to see for themselves how the program could be useful in certain areas. I am sure that Members of Congress who went on the trip will never forget the experiences we had at Osawatomie State Mental Hospital in the State of Kansas and how, beyond question, it was proved to us that even one volunteer can have a dramatically helpful effect on numerous mentally ill people.

I personally had reservations concerning the application of this program on Indian reservations. But on the same trip we went into the largest Sioux Indian Reservation, and there we learned again how even a few "seedmen" volunteers can, with their good will, inspiration, and enthusiasm, perform practical measures to help in the almost unbelievable poverty, in all departments, on Indian reservations.

Our committee, which has dealt with migratory labor problems, has seen over the years how a few volunteers in migratory labor camps can do so much to bring a bit of needed education to the youngsters—and perhaps even to the adults. They can provide nursery day care for the very young, and assist in state health and sanitation projects also.

I hope all Senators will have an opportunity to look over the hearing record and note the unanimity of views across the country of people with knowledge in the field of social problems. More than 50 organizations have enthusiastically endorsed the bill. They are all listed in the hearings record and on pages 12 to 14 of the committee report. It is significant that those who are most knowledgeable in social work have been most articulate and strong in their endorsement.

Among the groups, church people are prominent. They are hopeful that the legislation will be passed, and that we shall be able to spark, through volunteers, an even greater community response to severe human needs and problems.

Mr. JAVITS. Mr. President, will the Senator yield further?

The PRESIDING OFFICER (Mr. PROXMIRE in the chair). Does the Senator yield?

Mr. WILLIAMS of New Jersey. I am happy to yield.

Mr. JAVITS. I join the Senator in the sentiments he has expressed. If the bill is enacted into law, I hope the President, in considering the appointment of a Director for the National Service Corps, will keep in mind the very excellent example of completely nonpartisan leadership—as high minded as that of those who serve—which has been so heavily responsible, in my opinion, for the success of the Peace Corps.

I thank my colleague.

CIVIL RIGHTS—ADDITIONAL COSPONSORS OF BILLS

Mr. MORSE. Mr. President, will the Senator yield?

Mr. WILLIAMS of New Jersey. I am happy to yield.

Mr. MORSE. Mr. President, I ask unanimous consent that the name of the Senator from New York [Mr. JAVITS] may be added as a cosponsor of S. 1665, to require that all State or local programs supported with Federal funds shall be administered and executed without regard to the race or color of the participants and beneficiaries, which I introduced on June 4.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Mr. President, I ask unanimous consent that the name of the Senator from Vermont [Mr. PROUTY] may be added as a cosponsor of S. 1801, to effectuate the provisions of the sixth amendment of the U.S. Constitution requiring that defendants in criminal cases be given the right to a speedy trial; and S. 1802, to protect the integrity of the court and jury functions in criminal cases, which I introduced on June 26.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Mr. President, although all these bills have been printed, the names of the additional cosponsors will be included at the next printing.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. WILLIAMS of New Jersey. I yield.

Mr. JAVITS. The Senator from Oregon has joined me in his bill to prevent Federal funds from being utilized for State programs which are segregated. I would like to say a word on the subject, because it is becoming quite a raging issue. I have joined the Senator from Oregon on his bill, just as I joined my colleague [Mr. KEATING] on his amendment to the omnibus civil rights bill along these lines, because I feel very deeply that the only hope for civil rights legislation is in bipartisanship; and I want to do everything I humanly can to demonstrate by act and deed my deep feeling on that score.

Neither side alone has the votes to pass civil rights legislation. In my opinion, it is a fact that, in every way open to us, we shall need to keep this bipartisan coalition together so that we may ultimately get somewhere.

I hope very much—and I know how the Senator from Oregon feels about this, but I am putting it in words—that all Members on both sides of the aisle will keep very clearly in mind that this is a burning issue on the domestic scene—as burning an issue as is nuclear testing on the international scene. The only way we are going to get anywhere is by keeping the goal very clear. Call it nonpartisan or bipartisan, the fact is that neither side alone has the votes, and we must be together on the issue.

Mr. MORSE. Mr. President, will the Senator from New Jersey yield to me a moment?

Mr. WILLIAMS of New Jersey. I yield.

Mr. MORSE. In connection with what the Senator from New York has said, it is an honor to be associated with him in his advocacy of civil rights legislation. I know of no peer of the Senator from New York in the civil rights legislation field. But I would have my colleagues take note of the fact that what my bill seeks to accomplish is to prevent the Federal Government from violating the law. If one of us were to ask a Senator to join him in an illegal act, the Senator who was asked would look askance and be horror stricken. But Members of this body, every time they vote for Federal funds for projects involving segregation, in my opinion, are guilty of perpetrating an illegal act, for 9 years ago the Supreme Court declared segregation to be unconstitutional, and therefore illegal. Yet we sit here in the Senate, on bill after bill, and vote millions of dollars of Federal taxpayers to continue an illegality. It is about time that we put Members of the Senate on the spot, and the senior Senator from Oregon intends to do it. He intends to go from coast to coast to call the roll of Members of the Senate who continue to vote to expend illegally Federal taxpayers' money and who continue an unconstitutional act on the part of the Congress.

Members will not be asked to vote on this issue program by program, but on the whole broad issue of funds going into segregated programs and activities.

This issue is becoming one on which we can no longer do any dillydallying. The issue is whether or not the Congress will keep faith with its right hand when its Members take the oath in this body to uphold the law. We cannot justify the appropriation of moneys for the continuation of Federal projects in which there is segregation. Let the people speak in respect to the rollcall that will be made in the Morse bill and similar proposals that seek to bring to an end the illegality that now exists in this country and that has characterized the treatment of civil rights in Federal programs.

As the Senator from New York has heard me say before, the time has come for the white people of America to deliver the Constitution of the United States to the colored people of America; and I do not intend any longer to sit here and permit politicians to get by with what they have been getting by for years in the Senate and covering it with the alibi, when they get back home, "It is the best we could do."

I will tell Senators what the best we can do is. It is to act in accordance with the law; and the Supreme Court has made perfectly clear that segregation is unconstitutional. I intend to do what I can to take that record across this Republic in the months ahead, before the election of 1964. I do not care whether a Senator is a Republican or a Democrat—he ought to be beaten for reelection in 1964—others will be up for reelection in 1966 and others in 1968—if he does not uphold the law as laid down by the Supreme Court.

Mr. JAVITS. Mr. President, if the Senator will yield, I have done precisely that, as recently as last Wednesday in connection with the Labor-HEW appropriations bill. The reason I made the comment about bipartisanship is that I had the feeling that Members of Congress, when they vote, have an idea that party loyalty requires them to stand by the administration—it might have happened just as well on our side of the aisle if our party were in the majority—and that they have to stand by and vote to table this kind of amendment.

I think the Senator from Oregon has, with his eloquence and warmth, highlighted what I have tried to do, but which I am delighted to join him in highlighting—the fact that, of all the things done in the racial field, with all the fuel added to the fire, this is the worst. It is inconceivable for anyone to understand how, in this day and age, we can justify expending the Federal Treasury's money in aid of State segregated programs. It is inconceivable. I pay honor to Senators on the majority side of the aisle who, notwithstanding the party line on this question and the feeling of the administration representatives, voted as they did. I do not criticize the others, but I feel keenly that our only way to win in this field is by a bipartisan effort.

Mr. RIBICOFF. Mr. President, will the Senator yield?

Mr. WILLIAMS of New Jersey. I yield to the Senator from Connecticut.

Mr. RIBICOFF. It is very interesting to me to listen to the comments of the Senators from New York and Oregon. I have been giving considerable attention to the very problem they have touched on. I have drawn from my own experience as former Secretary of Health, Education, and Welfare to come up with a proposal that I think has not yet been suggested either by the administration or by any other Senator. I am ready to talk upon my proposal. I believe the two distinguished Senators may find what I have to say interesting.

The Senator from New York will recall that last week I voted with him on his proposal. So the two distinguished Senators may be interested in a different point of view. I shall be happy to have their comments as I develop it.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. RIBICOFF. I yield.

Mr. MORSE. I am about to leave in order to cross-examine Secretary of Defense McNamara, but I assure the Senator from Connecticut I will read tomorrow's RECORD with great care and I undoubtedly will be talking about the Senator's speech some time tomorrow.

The PRESIDING OFFICER. Has the Senator from New Jersey yielded the floor?

Mr. WILLIAMS of New Jersey. I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

AMENDMENT TO TITLE VI OF PROPOSED CIVIL RIGHTS LEGISLATION

Mr. RIBICOFF. Mr. President, one of the most important provisions of the President's civil rights bill is now beginning to receive the attention it deserves. This is title VI, the provision aimed at ending discriminations in all programs supported in whole or in part by Federal funds. It is an important provision, and I believe it can and should be significantly improved so as to make it a genuinely effective means of ending many instances of racial discrimination.

As one who had the responsibility of administering scores of these programs, I had a chance to look firsthand at the problems confronting the administrator who wants to end discriminations in the programs under his jurisdiction. As I testified before Congress while I served as Secretary of Health, Education, and Welfare, it is essential that Congress pass the necessary legislation to enable Federal administrators to deal with these matters effectively.

Section 601 of the proposed bill seeks to make sure that whoever receives a financial benefit from the Federal Government will not impose racial discriminations. This is a laudable objective. Certainly public benefits, made possible by the taxes of every citizen, should be available to all citizens without regard to race, creed, or color. This is a matter of simple justice. It is very likely also a requirement of the fifth amendment.

The scope of the provision is broad. It is designed to make sure that there is no discrimination when Federal funds are used to build hospitals, to assist land-grant colleges, to support research, to retrain the unemployed, to finance expansion of small businesses and to accomplish a great variety of other tasks.

To reach these worthwhile objectives, section 601 gives Federal administrators one new power to end discriminations in federally financed programs. This is the power to cut off funds. It is important to make this power explicit. There are many federally financed programs where the statutory guidelines are so precise that the administrator must pay out funds even though discriminations will occur. For example, the Hill-Burton Hospital Construction Act and Morrill Land-Grant College Act both specify that funds shall be used for separate but equal facilities. Despite the constitutional invalidity of these provisions, it is not likely that the administrator of these programs has the authority to disregard the plain words of the statutes.

As Secretary of Health, Education, and Welfare, I faced this problem many times. Where I felt I had authority to act, I declined to make funds available unless provision was made for nondiscrimination. This occurred in the summer institute program of the National Defense Education Act and the provisions of the impacted area program providing funds for the education of children living on military bases. But I was without authority to depart from the clear statutory commands of the Hill-Burton Act or the Morrill Act.

Section 601 will correct this situation and make sure that no Federal administrator will be required to extend financial assistance that will promote discrimination.

Last week Senator KEATING and other Senators proposed an amendment to title 6 that would make the power to cut off funds mandatory instead of discretionary. Their amendment also provides judicial review of any fund cutoff, and this is certainly proper.

I agree that the administrator of each program should be required to act to end discriminations, but I do not believe his power should be limited to the single remedy of cutting off funds.

The power to cut off funds, even if made mandatory, will not necessarily end discriminations. In some instances, a recipient will doubtless prefer to end discriminations rather than lose Federal financial support. But if the discriminations continue, the only remedy provided by section 601 is withholding of funds. This will not end the discrimination.

I, therefore, suggest that section 601 be amended to make it at once more effective and more humane. I propose that every Federal administrator be given, in addition to the power to withhold financial assistance, the power to provide for an enforceable requirement that there will be no discrimination by the recipient. This would be provided by rule, regulation, contract, or other enforceable requirement.

My amendment provides a remedy that does not merely encourage desegregation by threat of cutting off funds, it adds the means of assuring an end to discrimination by permitting a lawsuit to make sure that the requirement not to discriminate is complied with. The Government could bring suit based on the requirement not to discriminate, and if the facts support the allegations of discrimination, secure a court order ending discrimination.

Cutting off funds may be necessary, and every administrator of a Federal program should have this power and should be required to use it if there is no other way to end discriminations. But it would be foolish to give an administrator only the power to cut off funds and then require him to use that power in all cases—even those where it will not end the discriminations.

Cutting off Federal funds from a school that insists on staying segregated does not bring about the admission of Negro students; it simply makes less money available to educate the white students.

If a school that receives Federal funds keeps out Negro children, I think it is better to get the Negro children admitted than to cut off funds and impair the education of the white children.

If we give the administrator the added power of providing for an enforceable requirement not to discriminate, then we enable him to act effectively to reach the results we want—an end to discriminations.

With this added power, an administrator who found discrimination in a federally financed program would act as follows:

First. If cutting off funds was the best way of dealing with the situation, he would have the power to do so.

Second. If cutting off funds would not end the discriminations or if it would be unfair to others who benefit from Federal funds, the administrator would bring a lawsuit to require that the discriminations be ended.

Third. The administrator would be required to act one way or the other—either cut off funds or sue to end discriminations. He would not have a choice between action or no action, but he would have a choice between action that might be ineffective or harmful and action that would accomplish results.

The value of the type of lawsuit authorized by my amendment has recently been demonstrated by an action brought in the Federal district court for the Eastern District of Virginia, United States against School Board of Prince Georges County. The case concerned those provisions of the impacted area program that provide for the education of children living off military bases. As Secretary of HEW I was advised that I lacked authority to withhold funds in the event that schools educating these children were segregated. I, therefore, urged the Department of Justice to bring a lawsuit to require desegregation. The Virginia case was that kind of lawsuit. It was based on the assurance required by statute of every recipient of federally impacted area funds that the school will be available to federally connected children on the same basis as State law requires it to serve local children. In Virginia there is a pupil placement law that excludes race as a criterion of assignment. The Federal Government sued to enforce the assurance required by Federal law and secured a court order that the federally connected children would have to be admitted pursuant to State law—that is, without regard to race.

My amendment contemplates a similar type of requirement binding upon every recipient of a Federal benefit. The assurance would explicitly forbid discrimination and like the provisions of Public Law 815 would be enforcible by a civil action brought by the Attorney General.

The advantage of this added provision is especially clear in the situation where the Federal funds are used solely for construction of a building. Whatever value may lie in the power to withhold funds granted annually for maintaining a federally aided program, this power is of no use whatever after funds have been granted to build a school or a hospital. Unless the administrator of such a program has the power to bring suit to enforce a requirement not to discriminate, he is powerless. Section 601 in its present form has absolutely no effect on that situation.

A further advantage of my amendment is that the administrator's action to end discrimination can be much more selective if he is not limited to the power to cut off funds. Under section 601, the administrator might well have to exercise his power to withhold with respect to a State's entire program. This might occur when Federal funds are given to a State which in turn uses them in various local projects. If there was discrimination in one project, section 601 might give the Federal administrator no choice but to cut off all funds to that State, injuring many people being aided on a nondiscriminatory basis in other parts of that State. Under my amendment, the administrator could proceed by lawsuit against the one situation where there was discrimination, leaving the rest of the program in that State unimpaired.

Finally, this amendment improves title 6 even in cases where funds will be withheld. In some instances the recipient will decline to accept financial assistance with a nondiscrimination requirement. When that occurs, the funds will not be given. But the responsibility will be squarely fixed upon the person who insists on continuing to discriminate, rather than upon the Federal administrator. The shoe may pinch, but it will be on the appropriate foot.

In sum, I want to see this provision made more effective and more fair. An antidiscrimination provision should not be a club to punish people. It should be an effective means of bringing about the desired result of ending discrimination. Section 601 does part of the job by authorizing withholding of funds. It will do the job more effectively and fairly if it also includes the power to provide for an enforcible requirement of nondiscrimination.

Mr. President, I submit an amendment to S. 1731, the proposed Civil Rights Act of 1963, and ask unanimous consent that the text of the amendment be printed in the RECORD at this point.

The PRESIDING OFFICER. Without objection the amendment will be received, printed in the RECORD, and appropriately referred.

The amendment was referred to the Committee on the Judiciary, as follows:

On page 35, after line 14, insert the following:

"SEC. 602. In furnishing any financial assistance, described in section 601, the administrator of the program or activity shall provide by rule, regulation, contract, or other enforcible requirement that individuals participating in or benefiting from the program or activity shall not be discriminated against on the ground of race, color, religion or national origin or denied participation or benefits therein on the ground of race, color, religion, or national origin. Such rule, regulation, contract, or other enforcible requirement shall be a condition of receiving the financial assistance and shall be an obligation upon the recipient enforcible in a civil action brought for or in the name of the United States.

"SEC. 603. If the nondiscrimination requirement provided in section 602 is violated the administrator of such program or activity shall act in one of the following ways:

"(a) Withhold all further financial assistance from the recipient until such requirement is complied with, or "(b) Request the Attorney General of the United States to institute for or in the name of the United States a civil action to secure compliance with such requirement."

Mr. KEATING. Mr. President, will the Senator from Connecticut yield?

Mr. RIBICOFF. I am pleased to yield to the distinguished Senator from New York.

Mr. KEATING. I have listened attentively to the distinguished Senator from Connecticut, who speaks from a wealth of experience in this field gained in his capacity as Secretary of Health, Education, and Welfare. I commend the Senator for his remarks and the amendment he has submitted.

Like the Senator from Connecticut, I have felt that the present title VI of the Civil Rights Act, relating to the cutting off of funds, is entirely inadequate.

Under the terms of the present language of the bill, the President would be authorized in his discretion to continue to provide Federal assistance to programs or activities even though they are carried out in a discriminatory manner. As I understand the amendment proposed by the Senator from Connecticut, it would prohibit such Federal payments to any State which insisted upon maintaining segregated practices in the program involved, but would allow suits to be brought to compel compliance with a policy of nondiscrimination.

While the language of the amendment is somewhat different, it really seeks to accomplish the same basic objective as an amendment which I submitted last week with the cosponsorship of a number of other Senators and which is still lying at the desk. This objective, simply stated, is to terminate the condition under which the Federal Government acts as a silent partner to segregation and to establish as a uniform principle a requirement of nondiscrimination under all Federal grant-in-aid programs.

In my judgment, it is illegal and immoral for Federal tax funds collected from the pockets and pay envelopes of all our citizens without regard to race to be used to subsidize programs which do discriminate on racial grounds. This practice must be terminated, but the best procedure for securing compliance with the constitutional requirement of nondiscrimination remains to be determined.

What all of us seek to accomplish is, of course, the administration of these important programs on a nondiscriminatory basis, as I believe is required by the Constitution. We do not want to punish any State, locality, or citizen, and there is nothing vindictive in any sense about these proposals. As I said at the time I submitted my amendment, any hardship which would accompany a policy of nondiscrimination would "result not from any insistence upon compliance with constitutional commands but only if State officials refuse to conform their practices to a standard which is morally and legally required."

My own hope is that no State would be so callous as to deny its schoolchildren, for example, the benefit of the Federal school-lunch program rather than to administer such a program on a basis that deals fairly with all children attending the State's schools.

I also emphasized in my statement at the time I submitted my amendment that the determination of whether a State is acting in a lawful manner "will be determined on a program-by-program and area-by-area basis." Thus, there would be no withholding of all funds under all grant-in-aid programs for a particular State because that State discriminated in its administration of the apprentice training program or in its use of urban renewal funds, to mention specific examples. The amendment submitted by the Senator from Connecticut also would provide for action on a case-by-case basis.

The Attorney General, with commendable candor, said in a recent hearing before the Committee on the Judiciary that he had under consideration the presentation of an amendment to title VI. It may well be that the Attorney General will decide that an amendment combining the best features of the two amendments now pending to title VI would offer the best possibility for improving this title. I believe that such a combined amendment is feasible and will certainly undertake to work out a new amendment along such lines with the Senator from Connecticut.

I close as I began, by commending the Senator from Connecticut for submitting the amendment as a helpful step in the discussion of this serious problem. I am sure that the cause of civil rights will benefit from the action taken today.

Mr. RIBICOFF. Mr. President, I appreciate the comments of the distinguished Senator from New York. It is my feeling that the Senator from New York will continue to play a major role in perfecting a civil rights program. I read with the greatest interest the amendment which the Senator submitted last week. I agree with him that the position taken by the Attorney General on title VI is defective and will not completely do the job.

In trying to formulate a program, I have drawn from my own experience as an administrator who had to wrestle with this problem on a day-to-day basis.

In the final analysis, the entire burden cannot be placed upon the shoulders of the executive branch alone; Congress has a basic role to play. The Administrator who handles the program, when the statutory language specifically states how the money shall be disbursed, must disburse the funds if there is a clear order from Congress. As I have pointed out, under both the Hill-Burton Act and the Morrill Act, in which Congress specifically provides for separate but equal facilities, the Administrator has no alternative. However, there are many instances in which Congress has not made a clear directive. Under those circumstances, I believe the Administrator has discretion to include nondiscrimination among the criteria under which he will administer the funds.

What I believe is needed is a mandatory provision, not quite like the one suggested by the Senator from New York, but one which would take into account alternative ways in which an administrator could act. One of the basic defects in the administrations' proposal as to title VI is that it could itself be discriminatory and could itself punish many areas which do not discriminate.

Let us consider, for example, State X, where there are a number of communities, in some of which a federally aided program is segregated and in some of which the program is desegregated. Under the administration's proposal, the administrator might have to cut off funds from the entire State.

This would certainly be unfair, because if there are a number of communities in a given State which have desegregated schools or desegregated hospitals, by no means should the funds for those facilities be cut off; we should be doing everything we possibly can to encourage other communities to do the same. Therefore, the meat-ax approach by the administration would not accomplish its objective of forcing desegregation but might possibly harm the community that seeks to desegregate.

What we seek to accomplish is to provide the administrator with alternatives, and, by spelling out what he may do, to seek the ultimate objective of not punishing people—not punishing the white, not punishing the Negro—but to do everything we can to be constructive.

During the entire debate on civil rights, in all its phases, one of the greatest responsibilities on the shoulders of all of us is to be constructive. The civil rights problem is filled with emotion. It is a problem filled with politics. It is a problem in which there is not enough clear thought. I believe there is a burden upon every Senator and every Member of the House of Representatives to make certain that he considers this problem carefully and thoughtfully. If there is one thing of which I am certain, it is that many problems face us in the entire civil rights issue, and they go far beyond the way in which we may vote on the bills which are before Congress today.

I agree with the comments of the Senator from New York. I am hopeful that in the days ahead, during the hearings on this proposal, he will study my amendment as well as his own amendment, and question the Attorney General and other members of the executive branch, to see how they look at it and how they view the various alternatives. I submit the amendment I have suggested today, not merely on the basis of my reading, but I have used my own background and my own experience in this field to seek an effective remedy for the problems of segregation.

Mr. WILLIAMS of New Jersey. Mr. President, will the Senator from Connecticut yield?

Mr. RIBICOFF. I yield.

Mr. WILLIAMS of New Jersey. This discussion of title VI of the general civil rights bill, by the distinguished Senator from Connecticut, is very useful. I should like to point out that this discussion developed during debate on the National Service Corps, which projects a program by means of which we seek to reach into the areas of greatest human poverty and suffering—the areas of mental health, school dropouts, migratory labor camps, Indian reservations, and city slums, and similar areas.

So I believe it most appropriate to have the Record reflect, first, that in the selection and training of volunteers under this program, we have the clearest expression from the Attorney General that the President's Executive Order 10925, dealing with discrimination in employment is applicable to corpsmen. Hence, there will be no discrimination in the selection or the training of volunteers in the National Service Corps. So if anyone has felt the need for the inclusion of a provision prohibiting this sort of discrimination, it certainly would be redundant and unnecessary here, because we have the unequivocal assurance of the Attorney General.

Mr. RIBICOFF. I believe that this bill, under the charge of the distinguished Senator from New Jersey—the National Service Corps bill—is a very important part of the entire civil rights program. While not labeled civil rights legislation, it aims at more opportunity; it aims at remedying the conditions of extreme poverty of people, not only Negroes, but whites as well. It is a very important bill which can do much good. It certainly has my support, and I wish to commend the distinguished Senator for his long, arduous, and hard work in this field. I hope that within the next day or so the Senate will overwhelmingly pass this measure, because I think it has a very important bearing upon opportunities for remedying many of the conditions which concern the people of this Nation.

Mr. WILLIAMS of New Jersey. I appreciate the support the Senator from Connecticut has continually given this proposed legislation. In connection with the general question of the application of Federal funds in areas in which discrimination exists, we are fully aware of the immorality of that—and illegality.

I would say the National Service Corps program is truly a people-to-people program—one in which volunteers with skills and with hearts will reach out to help the poor people in this country.

As a matter of fact, we know that some of the poverty exists in institutions, both private and public, where—for economic or other reasons—there may be people of only one nationality or perhaps of only one color. Certainly we know the economic fact that in many of our migratory labor camps only Negroes are resident.

I feel that the immorality which is associated with the use of Federal funds to build an airport with segregated facilities is clear.

The question prohibiting corpsmen from assisting the disadvantaged here is entirely different. We are reaching out, not to help governments as such, but to help people who are undergoing hardship. We do not withhold milk from schools, even though they are part of the Government, because a youngster happens to be attending a school in which all his classmates are colored. Similarly in this program we are striving to aid people, such as migratory workers, who have the disadvantage of earning low incomes.

Even if it happens that through no fault of their own they are segregated, these people should be helped by the National Service Corps. To withhold help from those in need would contradict the aims of the bill.

Mr. MANSFIELD. Mr. President, will the Senator from Connecticut yield briefly?

Mr. RIBICOFF. I yield the floor.

NATIONAL SERVICE CORPS ACT

The Senate resumed the consideration of the bill (S. 1321) to provide for a National Service Corps to strengthen community service programs in the United States.

Mr. MANSFIELD. Mr. President, I should like to ask the chairman of the subcommittee, the Senator in charge of the bill, whether the Domestic Peace Corps, as it is popularly known, is supposed to deal with persistent pockets of poverty and maladjustment in the midst of our general prosperity. Is that correct?

Mr. WILLIAMS of New Jersey. Precisely.

Mr. MANSFIELD. Is it true that the cost of the program for the first year will be approximately $5 million?

Mr. WILLIAMS of New Jersey. That is correct. The best realistic estimates indicate that with the number of volunteers who could be recruited and trained the first year, the cost would be a modest $5 million.

Mr. MANSFIELD. And the number of personnel anticipated as a result of expenditure of the $5 million is approximately 1,000 volunteers?

Mr. WILLIAMS of New Jersey. Yes; by the end of the first year, close to 1,000 volunteers will have been trained and be on the job.

Mr. MANSFIELD. They will receive subsistence pay only.

Mr. WILLIAMS of New Jersey. They will receive subsistence pay, and a modest stipend of $75 a month for what, in general terms, will be a separation allowance.

Mr. MANSFIELD. And they will work primarily in economically depressed areas, in city and in rural slums, in institutions—particularly those for the mentally ill and the mentally retarded, in programs giving assistance to the elderly people of our country, in programs helping dependent children, and in programs on Indian reservations?

Mr. WILLIAMS of New Jersey. Yes. These are the areas of hardship and poverty; these are the areas to which the bill is addressed.

Mr. MANSFIELD. Is it true that if this bill is passed and is enacted into law, these volunteers will not—I repeat, they will not—be forced upon a community?

Mr. WILLIAMS of New Jersey. Absolutely not. In several ways in this bill, we have insured that the volunteers will go only to local projects that have been requested by the local area. Local initiative will bear the burden of the requests. Then the Director will clear the projects through the Governor of the State; then the corpsmen go into the areas which have asked to have them.

Mr. MANSFIELD. In other words, if they go into a community or an area, they will do so on the basis of an invitation?

Mr. WILLIAMS of New Jersey. Absolutely so—on the basis of a request and an invitation.

Mr. MANSFIELD. Is it not true that in the United States there are approximately 8,500,000 persons who have less than 5 years of schooling and that approximately one-third of the children entering the ninth grade become dropouts?

Mr. WILLIAMS of New Jersey. That is my understanding.

Mr. MANSFIELD. Is it not also true that there are approximately 350,000 children who are members of migrant farm families, and that more than half are behind in their schooling from 1 to 4 years?

Mr. WILLIAMS of New Jersey. That is correct. As a matter of fact, the members of the subcommittee which handled this bill (S. 1321) have seen examples of that in many States of the country. The Senator from Montana is correct.

Mr. MANSFIELD. And are there not in the Nation areas such as the Appalachian region, and the permanent pockets of poverty in places such as Detroit, Chicago, and elsewhere, which are in need of this volunteer help?

Mr. WILLIAMS of New Jersey. That certainly is correct. Perhaps much of this poverty is invisible to many of us who live in relative prosperity. Nevertheless, the poverty exists there, and we know it. We know it as a matter of statistics, and more and more we are beginning to know it in human terms, and in terms of the hardship it causes.

Mr. MANSFIELD. This organization sometimes is referred to as the domestic counterpart of the so-called Peace Corps. I think the Peace Corps has done a magnificent job, all things considered. But would not the distinguished Senator from New Jersey, who is in charge of the bill, say it is about time we began to look after our own—to take care of our own children who are in need of help, and to take care of the mentally ill and the mentally retarded who occupy so much of the capacity of our State institutions, and so many of whom are not even able to get into a State institution? And does not the Senator from New Jersey think something should be done about the abject poverty and the lack of opportunity which exist on the Indian reservations?

These are things which could be done for the benefit of the people of the United States. The proposed $5 million program—the 1,000-personnel program—is a good step in the right direction to take care of people who are in need, people who are our fellow citizens, and people whom we forget all too easily.

Mr. WILLIAMS of New Jersey. The purpose of the program could not be more eloquently expressed than the majority leader has just expressed it.

WASHINGTON POST ARTICLE ON BAYARD RUSTIN, LEADER OF MARCH ON WASHINGTON

Mr. THURMOND. Mr. President, I rise to call the attention of my colleagues to the presence of one article in the Washington Post on Sunday, August 11, 1963, by Susanna McBee which attempts to whitewash the deplorable and disturbing record of the man tabbed as "Mr. March-on-Washington himself" and also to the absence of any report whatever in today's issue of the Washington Post on the appearance of Dr. Edward Teller, the noted physicist and father of the hydrogen bomb, who testified yesterday against the President's Moscow test ban treaty before the Senate Armed Services Committee's Preparedness Investigating Subcommittee.

I bring this to the attention of my colleagues in an effort to further demonstrate the bias of a newspaper which arrogates unto itself the moral task of lecturing others on the subject of so-called bias, as the Washington Post views that term. I think it is particularly appropriate that the bias of this newspaper be discussed on the Senate floor today in view of the charge which was made by a number of my Southern colleagues in the House last week that their 2-hour discussion, in biting terms, of Defense Secretary McNamara's directive authorizing communities to be placed off limits to armed services personnel was not reported in the Washington Post, although it made big headlines across the country in hundreds of other newspapers. I have read the Washington Post response to this criticism and its only defense is that an article was carried in its first edition. I understand that the first edition is the one which is placed on the streets the night before publication the following morning and does not in any way represent much of the Washington Post's overall circulation in the District and the surrounding metropolitan area.

As to the point about Dr. Teller's testimony before the Preparedness Investigating Subcommittee on yesterday, I have talked with others who expressed shock that the Washington Post did not, at least in the edition carried to my home, carry a single word on Dr. Teller's opposition to the test ban treaty, even though the chairman of the subcommittee, the Senator from Mississippi [Mr. STENNIS] held a news conference on Dr. Teller's appearance following the subcommittee meeting and I might add that this conference was reported widely on radio and television. The Washington Post did, however, print three articles, in the edition which was delivered to my home, about Secretary of State Dean Rusk's plea, before the joint meeting of the Senate Committees on Foreign Relations and Armed Services and the Joint Committee on Atomic Energy, that the President's Moscow test ban treaty be ratified.

Now, Mr. President, to get back to the story about the article in Sunday's Washington Post on the subject of Bayard Rustin, I want to take a little time today to recite to the Senate and place in the RECORD other articles and materials which show what a whitewash job the Post attempted in favor of Mr. Rustin and what I consider to be his ludicrous record. The article is entitled "Organizer of District of Columbia March Is Devoted to Nonviolence: Friendliness, Not a Gun, Is the Proper Weapon, Veteran of Past Protests Here Believes: Bayard Rustin, a Longtime Pacifist, Says Negroes Must Be Willing To Suffer To Win Rights." This article is a classic example of news reporting because the reporter took a series of ludicrous facts and directed them so that they literally came out smelling like a rose and looking like a gilded lily.

Mr. Rustin's criminal record serves as a good beginning point in demonstrating the distorted and slanted reporting of the Washington Post. Mr. Rustin is reported in the Washington Post article as having served 28 months during World War II as a conscientious objector. The true facts are that he was sentenced for failure to abide by the selective service law. He failed to report for work of national importance and also for physical examination.

The article states that he was convicted in 1953 in Pasadena, Calif., of a morals charge after being arrested with two other men. The words "morals charge" are true. But this again is a clearcut case of toning down the charge. The conviction was sex perversion and a subsequent arrest of vagrancy and lewdness. Mr. Rustin pleaded guilty to the sex perversion charge.

To prove my explanation, Mr. President, I ask unanimous consent that Mr. Rustin's police record be printed in the RECORD at this point in my remarks together with two newspaper clippings from the Los Angeles Times dated January 22, 1953, and January 23, 1953.

There being no objection, the record and articles were ordered to be printed in the RECORD, as follows:

JUNE 2, 1959.

Reference: Current criminal check requested.

Subject: Rustin, Bayard, aka-Rustin, Baynard.

SUBJECT MATTER

As per request of above mentioned reference, a criminal check was made. The Los Angeles Police Department and the Los Angeles County Sheriff's Department revealed the following:

The Los Angeles Police Department shows no record and no wants.

The Los Angeles County Sheriff's Department revealed that Bayard Rustin, 217 Mott Street, New York, in State and county 1 week, born West Chester, Pa., 177 lbs., 6 feet 1 inch, male, Negro, 40 in 1953, occupation, lecturer, black hair, brown eyes, was arrested on January 22, 1953, by Pasadena Police Department on charge of 647.3 PCC. Subject was sentenced to 60 days.

The following is a résumé of subject's arrest record with the Federal Bureau of Investigation, Washington:

January 12, 1944: Bayard Rustin, No. 41488, PD, New York, N.Y., charge: SS—failed to report for work national importance, bail paid January 13, 1944; February 17, 1944, sent to place designated by Attorney General of the United States for 3 years.

January 12, 1944: Bayard Rustin, No. C–37–447, USM, New York, N.Y., charge: Selective Service.

February 28, 1944: Bayard Rustin, No. 42069, FDH, New York, N.Y., charge: SS—Physical examination for CPA camp, sentenced 3 years; March 7, 1944, released to Federal Corrections Institute, Ashland, Ky.

March 9, 1944: Bayard Rustin, No. 2905–AX, Federal Correctional Institution, Ashland, Ky., charge: selective service, 3 years.

August 3, 1945: Bayard Rustin, No. 15050, USP, Lewisburg, Pa., charge: SSA—fail to report for physical examination, 3 years 6–11–46 disch. cond. rel. with Camp CT.

September 15, 1948: Bayard Rustin, No. 318576, WH, Rikers Island, New York, N.Y., charge: DC, 15 days.

March 22, 1949: Baynard Rustin, Camp No. 508, Roxboro, N.C., B. of I., Pr. Div., Raleigh, N.C., No. 234130, charge: viol. bus SS, 30 days, 4–13–49 exp.

October 4, 1949: Bayard Rustin, No. 118388, PD, Washington, D.C., charge: picketing embassy, no disposition.

January 21, 1953: Bayard Rustin, No. 33914, PD, Pasadena, Calif., charge: inv. PC 288A, sex perversion, no disposition given.

January 22, 1953: Bayard Rustin, No. B–254754, SO Los Angeles, Calif., charge: vag. lewd, no disposition given.

February, 1943, religious objector to war; 3 years southern district, New York; information received Bureau of Motor Vehicles, New York, N.Y.

Undersigned was unable to find any arrest record subsequent to January 1953 through local police agencies.

[From the Los Angeles Times, Jan. 22, 1953]

LECTURER JAILED ON MORALS CHARGE

Bayard Rustin, 40-year-old nationally known Negro lecturer, was jailed on a morals charge in Pasadena early yesterday a few hours after he had spoken on the subject of world peace before the American Association of University Women at the Pasadena Athletic Club.

Rustin, who was registered at the Green Hotel is scheduled to address the Pasadena chapter of the American Friends Society on world conditions this evening at the Pasadena First Methodist Church.

He was released on $500 bail pending a plea at 2 p.m. today before Municipal Judge Burton Noble in Pasadena.

When arrested by Pasadena police, Rustin had $427 in cash on his person—which he said included the proceeds from his previous night's speech. He was taken into custody when officers spotted him parked in his automobile at Raymond Avenue at Green Street, Pasadena, in company with Marvin W. Long, 23, of Monterey Park, and Louie Buono, 23, of Rosemead.

All three men were booked on suspicion of lewd vagrancy.

[From the Los Angeles Times, Jan. 23, 1953]

LECTURER SENTENCED TO JAIL ON MORALS CHARGE

Pasadena Municipal Judge Burton Noble yesterday sentenced Bayard Rustin, 40-year-old Negro lecturer, to 60 days in the county jail on a morals charge.

Rustin's attorney, Charles Holloper, failed in an appeal to free his client on the promise that he would leave this State and return to his home in New York.

Rustin pleaded guilty to the charge. He had been arrested by Pasadena police early Thursday in company with two men in an automobile parked near the Green Hotel.

The other men, Marvin W. Long, 23, of Monterey Park and Louie Buono, 23, of Rosemead, were given similar sentences.

A delegation of three members of the American Friends Society appeared in court, but did not testify in Rustin's behalf.

Rustin had been scheduled to address the latter group at the Pasadena First Methodist Church yesterday. Shortly before his arrest, Rustin spoke on world peace before the American Society of University Women at the Pasadena Athletic Club.

Mr. THURMOND. I also request unanimous consent that a copy of the booking slip of the Los Angeles County Jail be printed in the RECORD at this point in my remarks.

There being no objection, the booking slip was ordered to be printed in the RECORD, as follows:

Booking slip—Los Angeles County jail

Date Jan. 22, 1953	Time 2:30 p.m.	Name RUSTIN, Bayard	No. 254754
True name			

ALL FOUR LINES BELOW MUST BE FILLED IN COMPLETE IN PRESENCE OF CUSTODY OFFICER

Charge (state nature of charge) 647.5 POC	Arrested at Pasadena PD	Crime committed at LA Co.

Date of hearing Sent	Time	Court and city	Bail

Department or station making arrest Sheriff—MO Trans	Address
Signature Robert H. Oroen	Title D. S.

Birthplace City, West Chester State: Penn	Race ABN	Age 40	Weight 177	Height 6-1	Male X	Female	Single X	Married

Marks, scars, etc. None	Color of hair Black	Color of eyes Brn

Address (No. and street) 217 Mott	City N.Y.	State N.Y.	Occupation Lecturer	Phone None

Time lived in city 1 wk County 1 wk State 1 wk U.S. Life	U.S. citizen Yes	Remarks Claims no recent illness or injury

In case of illness notify Glenn Smiley	Relationship Friend	Address 830 S. St. Andrews	Phone P1 DU 36801

Memo.	Warrant No.	Commitment No. M-19376	Court Pasadena Mun	Sentence 60 days	Tank 12F2

Name RUSTIN, Bayard	No. 254754	Tank No. B F2

PROPERTY SLIP

Date 1-22-53	Charge 647.5 PCC
Cash 53 cents to inmate	
Property 1 pen	
Booked by S. R. AURTY	Searched by Boron

I hereby authorize the sheriff or jailer to receive and open all my mail while I am confined to the Los Angeles County jail.

Signature (not an acknowledgment suit)
BAYARD RUSTIN

Claims no recent illness or injury.

RELEASE DATA

Date March 13, 1953
(S).

Signature
BAYARD RUSTIN

Now released
EXPIRATION

Released to (officer sign here)

Released by
Grover
Jail Clerk.

Mr. THURMOND. Mr. President, the Washington Post article continues with statements that Mr. Rustin was a member of the Young Communist League and attended the Communist Party convention in 1956 in New York as an observer. It gives a fuzzy explanation that he quit the Young Communist League because he was nonviolent and because the league accepted racial segregation in the Armed Forces after Hitler attacked Russia. There is no mention, however, of his denouncement of Communist ideological dogma.

In 1958, he saw fit to travel to the Soviet Union and meet with the butchers of the Hungarian freedom fighters to participate in Communist propaganda show called "Nonviolent Action Committee Against Nuclear Weapons." Upon his return Rustin organized Martin Luther King's 1958 "march in Washington," which the Worker called a Communist project.

Mr. Rustin was secretary to Dr. Martin Luther King from 1955 to 1960. Mr. President, I have previously placed in the CONGRESSIONAL RECORD on August 2 and 7 articles which show that Dr. King has had another secretary who goes by the names of Jack H. O'Dell and Hunter Pitts O'Dell, an admitted Communist. These articles show that Dr. King supposedly fired Mr. O'Dell at one time, but these articles report further that as of last month Mr. O'Dell was still reported by Dr. King's New York office as being an employee of Dr. King.

Mr. President, these articles can be found in the Record of August 2, 1963, beginning on page 13968 and additional articles on the subject of Communist connections in these demonstrations can also be found in the August 7 Congressional Record beginning on page 14455.

Mr. President, I give particular attention today to Mr. Rustin's record, not only to point up the whitewash job which was attempted by the Washington Post, but also because of the position of prominence which Mr. Rustin commands in the Negro march on Washington, D.C., on August 28. He is listed as vice chairman of the committee which is planning the march. In fact, the leader of the march, Mr. A. Phillip Randolph has stated in an article which I will place in the Record that "Mr. Rustin is Mr. March-On-Washington himself." This point was in effect brought out in the Washington Post article of Sunday. In fact, this is why the whitewash job was attempted, putting the Washington Post in the position of condoning Mr. Rustin's ludicrous record.

I wonder if even Mr. Randolph could really condone the past activities of Mr. Rustin. Perhaps he can, in view of the fact that Mr. Randolph's name appears on the letterhead of the Highlander Center in Knoxville, Tenn., as a sponsor of the Highlander Center. His name appears there with that of Dr. Martin Luther King and the founder of the Highlander Folk School in Monteagle, Tenn., Mr. Myles Horton. Members of this body will recall, Mr. President, that the school at Monteagle was closed by the State of Tennessee on grounds of immorality and this was upheld by the courts. I request unanimous consent, Mr. President, that at this point in my remarks that a letter from Mr. Myles Horton on Highlander Center stationery be printed in the Record, together with an article from the Brooklyn Tablet of August 1, 1963. The article is entitled "Protest Versus Indecency or Riot of Racists?"

The PRESIDING OFFICER (Mr. Ribicoff in the chair). Is there objection to the request by the Senator from South Carolina?

There being no objection, the letter and article were ordered to be printed in the Record, as follows:

Highlander Center,
Knoxville, Tenn., May 15, 1963.

Dear Friend: You will be interested in our new programs. In the words of board of directors chairman, Dr. B. R. Brazeal, "The Highlander idea, like a Phoenix rising from the ashes, has truly been born again in the Highlander Center."

The summer program includes a southwide voter education internship program designed to broaden and deepen the new Negro voter's concept of his rights and responsibilities. Need for this program became clear as we developed the citizenship schools now being spread throughout the South by Dr. Martin Luther King's Southern Christian Leadership Conference and student civil rights organizations. Other Highlander activities to be carried on in Mississippi, the South Carolina Sea Islands, and the Knoxville area are listed in the enclosed schedule.

We are glad to inform you that the Internal Revenue Service has declared contributions deductible for income tax purposes in a ruling retroactive to the date of incorporation. The Highlander Center is now a recognized educational institution with Government approval.

Thanks to the loyalty of our contributors and sponsors, Highlander is preparing for a challenging future. We have also made new friends. A university professor writes: "The entire community has benefited from your work and let us add our names to those Knoxvillians who are happy to have you with us."

We hope to hear that you would like to enroll in a workshop, or to make a contribution to help a brave Mississippi Delta leader participate.

Cordially,

Myles Horton.

[From the Tablet, Aug. 1, 1963]

That North Carolina Incident: Protest Versus Indecency or Riot of Racists?

A citizens' protest against indecency was twisted in news stories to make it appear as an action of racists, according to the editor of a national anti-Communist biweekly published in Staten Island.

Frank A. Capell, editor of the Herald of Freedom and Metropolitan Review and former chief of the Subversive Activities Control Board of Westchester County, reported on the results of a special edition of his publication dealing with Summerlane School and Camp of Manhattan and Rosman, N.C.

NO CENSORSHIP

The special July 3 issue reproduced promotional literature for the camp, widely advertised as integrated, stating that there is no censorship of any kind and no regulation of private behavior of the teenage campers, and that teachers and counselors are not expected to hide their weaknesses from the children.

The issue also contained information on George von Hilsheimer, camp director, whom it described as a former minister who admittedly has engaged in acts of sexual degeneracy, who is a radical and a nihilist. A brochure was quoted saying many of Summerlane's teachers had worked in the Highlander Folk School, cited as a Communist enterprise by the State of Georgia.

Copies of this issue were supplied to the Rosman Chamber of Commerce for distribution to State legislators, judges, prosecuting officers, and civic groups. This was done, Mr. Capell said, to provide documentation on which to base a demand for action by the proper authorities.

Mr. Capell reported that protests were made to the camp operators after complaints of gross immorality at the camp in the form of nude mixed bathing (to which a local Baptist minister was reportedly an eyewitness) and a camp newspaper containing a sexual promiscuity theme (not fit for gentlemen to read, according to the local sheriff).

"The conduct at the camp so incensed the local citizens," Mr. Capell continued, "that residents of the camp were warned not to come into town and to stay in the camp to avoid trouble. The campers disregarded the warning and after several incidents the local citizenry took matters into their own hands. Several hundred people marched on the camp, destroyed the main building and told the campers to get out."

Then, Mr. Capell said, came the newspaper stories which distorted the protest into a mob action prompted by racism.

MOVE TO RED PICNIC SPOT

A check of the local records, Mr. Capell stated, reveals that reports of injuries were grossly exaggerated in news stories. A stabbing turned out to have been the taking of a knife away from one of the camp counselors who was then relieved of the seat of his trousers with it, with no personal injury.

He said the campers have found refuge in a New Jersey camp "well known for the number of Communist activities which have taken place there. Camp Midvale is located at Ringwood, N.J., and has long been a favorite vacation and picnic resort of Communist and Communist-front groups. The Communist paper the Worker holds its annual picnics there."

The article concerning Summerlane in the Herald of Freedom recommended action by the proper authorities and bringing such activities to an end by lawful methods, Mr. Capell pointed out, "However," he concluded, "the invaders of the South goad the normally peaceful and religious people into acts of violence by refusing to obey the law and to cooperate with local authorities for their own protection. Their agitation creates violence."

Mr. THURMOND. Mr. President, the record of the Commerce Committee hearings on S. 1732 contains a tremendous amount of evidence that there is Communist influence in some of the organizations which are directing the Negro demonstrations. In addition, Mr. President, I have placed in the Congressional Records of August 2 and 7 and again today more evidence to this effect. In order to provide even more information, I now ask for inclusion in the Record at this point in my remarks the following articles:

The Washington Post article of August 11, 1963, on Bayard Rustin.

Four articles by Mr. Frank van der Linden.

An Associated Press article in the Nashville Banner dated July 8, 1963.

Two articles from the Evening Star of July 6, 1963, and August 4, 1963.

An advance article from National Review dated August 20, 1963.

An article by Ray Cromley in the Birmingham Post-Herald of August 8, 1963.

A column by Holmes Alexander as published in the Columbia Record of August 9, 1963.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Washington Post, Aug. 11, 1963]

Organizer of District of Columbia March Is Devoted to Nonviolence—Friendliness, Not a Gun, Is the Proper Weapon, Veteran of Past Protests Here Believes; Bayard Rustin, a Longtime Pacifist, Says Negroes Must Be Willing To Suffer To Win Rights

(By Susanna McBee)

New York, August 10.—The man who is organizing what may be the largest civil rights demonstration in the Nation's history is a crusader who passionately believes society can solve its problems only through nonviolence.

He is 53-year-old Bayard Rustin, the tall, graying deputy director of the committee planning the August 28 march in Washington for jobs and freedom, which is expected to attract more than 100,000 demonstrators.

The committee's director, A. Philip Randolph, president of the Brotherhood of Sleeping Car Porters, has given Rustin his absolute confidence in the day-to-day planning of the mass assembly.

ORGANIZED PILGRIMAGE

One of the committee members, the Rev. Dr. Martin Luther King, Jr., called Rustin, "a brilliant, efficient and dedicated organizer and one of the best and most persuasive interpreters of nonviolence."

Rustin organized the 1957 prayer pilgrimage and the 1958 and 1959 youth marches in Washington for integrated schools. He said in an interview today that the essence of nonviolence is willingness to suffer in order to "dominate the forces destructive to the oneness of man."

"Because of this oneness of man, the problems of one group—the Negroes—are the problems of all people," Rustin said.

"White people have a vested interest in seeing that the Negro wins full equality. No white man will have complete freedom until the Negro has his. For example, when all southern Negroes have the right to vote, they will help oust the legislators who deny social welfare programs not only to them but to whites also."

Rustin said Negroes would make a mistake to be concerned only with Negro rights, because "this type of selfishness is incompatible with the philosophy of nonviolence."

MARCH IS FOR ALL

"That's why this August 28 march is more than a march for Negroes," he said. "It's a march for all society. In the area of employment, if there are not more jobs, Negroes and whites will soon be fighting over the few jobs left by automation. That's why our demonstration will support measures for full employment and for an expanding economy."

In practical terms, Rustin said, Negroes must accomplish their goals through nonviolence because "we are a minority trying to integrate with a majority and we can't use guns; the only weapon we can use is friendliness."

He runs the march headquarters from the shabby, four-story community center of Harlem's Friendship Baptist Church not far from busy Seventh Avenue, where each night various black nationalist groups preach race hatred.

Rustin's career reflects his energetic pursuit of ideas and causes connected with peace and social reform.

BEGAN IN HIGH SCHOOL

He began his long protest against racial discrimination when as a high school football player in his home town of West Chester, Pa., he was refused service with his teammates in a restaurant. He continued to sit there for several hours until he was thrown out.

Rustin has no college degree but spent 7 years studying at Wilberforce (Ohio) and Cheyney (Pa.) Colleges, the College of the City of New York, and the London School of Economics.

While at CCNY, in 1936, he joined the Young Communist League because "it was the only campus organization that had anything to say about the race issue." But his Quaker nonviolence "kept banging into their views," he said, and he soon dropped out of the league.

CRITICIZED PARTY

He says he "broke completely" when the league accepted racial segregation in the Armed Forces after Hitler attacked Russia. In 1956, the Communist Party, which he never joined, invited him and such other non-Communist social critics as Norman Thomas and Dorothy Day to attend its convention in New York as observers.

Rustin and several others filed a report criticizing the party for what he called its "dishonest and undemocratic handling of the Hungary question."

In the early 1940's Rustin was CORE's field secretary and was race relations director of the Fellowship of Reconciliation, a pacifist group.

He has been arrested more than 20 times for his civil rights activities. During World War II he served 28 months for being a conscientious objector. Several of his arrests were for making speeches advocating resistance to war and for antidiscrimination activities in New York. He also was convicted in 1953 in Pasadena, Calif., on a morals charge after being arrested with two other men.

In 1947 he helped organize a type of freedom ride to test compliance with the 1946 Supreme Court ban on segregation in interstate travel. Rustin was arrested 18 times on the journey through the South for breaking segregation laws, and he served on a North Carolina chain gang.

SUPPORTS PACIFICISM

In 1952 he became executive secretary of the War Resisters' League, for which he has worked ever since. He traveled through India in 1947 studying the Gandhi independence movement, and also took part in several nationalist movements in Africa.

From 1955 to 1960 he was a part-time aid to Dr. King and helped in the Negro boycott which ended Jim Crow practices on Montgomery, Ala., buses.

His political philosophy defies labeling. Basically, it conceives of a society so organized that "there would be no misery of any kind."

His idealism and organizing experience led Randolph to appoint him deputy director of the August 28 march. Asked once whether he wanted Rustin to resign, Randolph said, "Why, heavens, no. He's Mr. March himself."

[From the Nashville Banner, July 26, 1963]

DESPITE KENNEDY CLAIM THURMOND CITES LEFTIST TIES AMONG MARCH GROUP

(By Frank van der Linden)

WASHINGTON.—Although the Kennedy brothers claim there is "no evidence" of Communist interest in the Negro equality campaign, Senator STROM THURMOND has files that show definite leftwing links among some leaders of the planned August 28 march on Washington.

The New York Times said Thursday that Bayard Rustin is deputy director of the committee planning the Capital march by 100,000 or more Negroes to press for passage of President Kennedy's civil rights bills.

The Daily Worker said a man named "Bayard Rustin" attended the 1957 convention of the Communist Party, U.S.A., according to the files of the South Carolina Senator, the Daily Worker identified Rustin as secretary to Dr. Martin Luther King, Jr., head of the Southern Christian Leadership Conference and a prime mover of the August 28 march and racial demonstrations generally.

Rustin was one of eight "impartial observers" at the Communist Party's 16th national convention, according to THURMOND, and a member of the "American Forum for Socialist Education," cited by the Senate Internal Security Subcommittee December 19, 1957, as a Communist front.

THE 1958 MARCH

Rustin helped Dr. King's 1958 march on Washington, which the Worker called a Communist project. Now Rustin turns up again in New York City as deputy director of the committee making detailed preparations for the mass march on Washington.

The coordinating committee consists of: Dr. King; A. Philip Randolph, president of the Brotherhood of Pullman Sleeping Car Porters and only Negro vice president of the AFL–CIO; Roy Wilkins, executive secretary of the National Association for the Advancement of Colored People; James Farmer, national director of the Congress of Racial Equality (CORE); Whitney Young, Jr., of the National Urban League; and John Lewis of the Student Nonviolent Coordinating Committee.

The Times quoted Dr. King as saying the committee would request a meeting with Kennedy when the marchers converge on the White House, and would ask the President to create a "Federal civil rights police force."

HUAC RECORD

The House Un-American Activities Committee also has a large file on Randolph, showing he has worked closely with various leftwing groups for many years. He has called for a radical labor movement to promote "interracial brotherhood and the cause of the American working class and world peace."

An investigating committee of the Texas House of Representatives in 1961 said that Farmer, the CORE director, and Dr. King, are members of the national board of the Committee for a Sane Nuclear Policy, which advocates that the United States stop all nuclear testing, and "which has many Communist fronters among its guiding personnel."

The Texas legislative report incorporated into the Senate Judiciary Committee's official hearing record on the confirmation of the NAACP lawyer, Thurgood Marshall as a Federal circuit judge last year also said this about Farmer:

"He served as field secretary for the Student League for Industrial Democracy (SLID) visiting many college campuses. The SLID publication Revolt, says "The League for Industrial Democracy is a militant educational movement which challenges those who would think and act for a 'new social order based on production for use and not for profit.' That is a revolutionary slogan. It means that members think and work for the elimination of capitalism and the substitution of a new order."

KENNEDY AIDS WORKING WITH LEADERS OF MARCH—HOPE TO AVOID VIOLENCE SEEN IN TALKS WITH CHIEF OF POLICE

(By Frank van der Linden)

WASHINGTON.—Top aides to Attorney General Robert F. Kennedy are working closely with Negro leaders of the projected civil rights march on Washington August 28 in hopes of preventing violence.

Assistant Attorney General John Douglas, who conferred Friday with the march leaders and Metropolitan Police Chief Robert Murray, said: "We are concerned that everybody realize this is quite an undertaking, and make it as orderly as possible."

Douglas, son of Illinois' liberal Democratic Senator PAUL DOUGLAS, heads the Justice Department's civil division.

Chief Murray said the conferees discussed "minute details" for moving the estimated 100,000 marchers through the Capital City. He has notified all Metropolitan policemen to be on hand for duty that day, and has canceled all leaves. The Third Infantry at Fort Myer, Va., has a battle group of soldiers standing by for emergency calls, if necessary.

A special office will be set up at Washington headquarters of the National Association for the Advancement of Colored People, to register the marchers in advance. The cooperating Negro, labor, and church groups hope by this means to know the identity of the marchers and to screen out any considered undesirables.

The civil rights groups and the Kennedy administration are supersensitive to charges that some integration leaders have links with leftwing or Communist front outfits.

Bayard Rustin, deputy director of the organizing committee for the march, and Cleveland Robinson, chairman of the policy committee, said in New York that they would meet the Attorney General here Friday. Kennedy's office said they would see Douglas, but not Kennedy himself.

"Fellowship," the official publication of the "Fellowship of Reconciliation," printed a profile of Rustin in its January 1963 issue, calling him "executive secretary of the War Resisters League and race relations secretary, F.O.R., 1943–53."

"Milestones in Bayard's later life include his 5-year association with Martin Luther

King, Jr., as secretary, adviser, and organizer; his coordination of two youth marches for integrated schools in Washington, D.C., and a year earlier, a prayer pilgrimage to the same place that drew 40,000; work to establish a center for nonviolence at Dar Es-Salaam, Tanganyika, for the World Peace Brigade, the magazine said.

"To this we might add his participation with Michael Scott and others in a protest team to attempt to stop the French H-bomb tests and * * * opening of a New York office for the Student Nonviolence Coordination Committee."

"Fellowship" calls Rustin a "friend" of Ghana's Communist President Nkrumah.

THURMOND SHOCKED BY PRISON RECORD OF MARCH DIRECTOR

(By Frank van der Linden)

WASHINGTON.—Senator STROM THURMOND, Democrat, of South Carolina, said today he was shocked at the revelation that the deputy director of the massive civil rights march on Washington August 28 admits having a prison record.

The Banner revealed Friday, in a dispatch from the Associated Press in New York, that Bayard Rustin, deputy director of the march, said he served a term on a morals charge in Pasadena, Calif., beginning in January 1953.

Besides his 60-day sentence in the sex case, Rustin also served 28 months in Federal prison on a charge of draft evasion in World War II, according to records of the FBI.

TO KEEP POST

Although Rustin had expressed fear that his record might cost him his job, he apparently will remain in his high place in front ranks of the marchers August 28.

A. Philip Randolph, national chairman of the march and president of the Negro American Labor Council, was asked in New York Saturday about rumors Rustin would resign. Randolph was quoted as saying, "No. Rustin is Mr. March-on-Washington himself."

Senator THURMOND commented today, "If Rustin is 'Mr. March-on-Washington himself' they ought to call off the whole thing."

The South Carolina Senator added, "It is terrible for a man with such a record to be conducting the demonstration and in such close cooperation with officials of the Kennedy administration."

Rustin has told reporters that he is working with high officials of the Justice Department and the Metropolitan Police Department in Washington in preparation for the march by at least 100,000 persons and possibly as many as 150,000.

Rustin was quoted by the New York Times Sunday as saying he expected no violence from the marchers themselves but he said, "I already know that the Fascists have called for 10,000 people to come to Washington."

Rustin had said last week that he would tell the march leaders Saturday about his criminal record and "let the civil rights leaders decide if this part of my background will affect the cause."

WENT TO RUSSIA

Apparently Randolph's remark calling Rustin "Mr. March-on-Washington himself" means that Rustin is being retained as deputy director, despite his record.

The Associated Press quoted Rustin as saying he was one of five Americans who went to Russia in 1958 under sponsorship of a pacifist group known as the Nonviolent Action Committee Against Nuclear Weapons.

Rustin told the Associated Press he had been arrested 22 times in as many States in civil rights fights. He was a conscientious objector in World War II which led to his prison term. He said he was transferred from the Federal prison at Lewisburg, Pa., after organizing a protest demonstration against racial discrimination inside the correctional institution at Ashland, Ky.

The FBI records show that Rustin was assigned to the Ashland prison on March 7, 1944, and transferred to Lewisburg August 3, 1945. He was finally discharged June 11, 1946.

The charge was that he violated the civil service law by failing to report for "work of national importance," to which conscientious objectors were assigned when deferred from the draft.

The Los Angeles Times of January 23, 1953, said Rustin, identified then as a "40-year-old Negro lecturer," was sentenced to 60 days in jail when he pleaded guilty to a morals charge. The Times said he was arrested with two other men in a car parked near the Green Hotel in Pasadena.

Rustin told Associated Press he was secretary to Dr. Martin Luther King from 1955 to 1960 and helped form the Southern Christian Leadership Conference. Senator THURMOND has records showing Rustin attended the 1957 convention of the Communist Party.

[From the Shreveport Journal, Aug. 8, 1963]

NEGRO, ADMITTING RECORD, WON'T QUIT CIVIL RIGHTS JOB

(By Frank van der Linden)

WASHINGTON.—Bayard Rustin, Negro deputy director of the August 28 civil rights march on Washington, said Wednesday he won't quit that job although FBI records show he has served prison terms on a morals charge and for violating the draft law.

FBI records state that Rustin served 28 months in Federal prisons in World War II when he was a conscientious objector but failed to report for work required by the draft law.

Also, the Los Angeles, Calif., police records show that Rustin pleaded guilty to a sex charge there January 22, 1953, and drew a 60-day jail sentence. The Los Angeles Times said he was arrested by Pasadena police with two men in a parked car. The other two men drew similar sentences.

The Associated Press quoted Rustin, in a New York interview last Friday, as admitting his record and saying he would let the civil rights leaders decide whether it should cost him his job. The next day, the march chairman, A. Philip Randolph, said Rustin would stay on because "Rustin is Mr. March-on-Washington himself." (The Nashville Banner requested the AP interview.)

Randolph, Rustin, and Cleveland Robinson, chairman of the administrative committee, briefed Members of Congress Wednesday on plans for the demonstration by more than 100,000 marchers. Randolph said he had great confidence in Rustin and Robinson.

When a reporter asked Rustin if he would resign, Rustin replied, "No. I don't know where that story came from."

Senator STROM THURMOND, Democrat, of South Carolina, said he was "shocked that a man with Rustin's record would be directing the march and making plans for it along with Kennedy administration officials."

THURMOND said his own files show that Rustin attended a 1957 national convention of the Communist Party, U.S.A.; had led a 1958 march on Washington which the Communist newspaper, the Worker, claimed to be a Communist project; and had served for several years as secretary to Dr. Martin Luther King.

The AP quoted Rustin as saying he was one of five Americans who went to Russia in 1958 under the sponsorship of a pacifist group, the Nonviolent Action Committee Against Nuclear Weapons.

This year he opened a New York office of the Student Nonviolent Coordinating Committee, one of the "big six" Negro groups sponsoring the August 28 march on the Capital.

Rustin speaks in a high voice with an apparent British accent. FBI records indicate he is not British but was born in West Chester, Pa., about 50 years ago.

Robinson, a native Jamaican who is secretary-treasurer of a store clerks union in New York, told reporters here Wednesday: "Rustin is the deputy director of the march. On his shoulders rest all the physical responsibility for it."

Rustin said he and Robinson met with an assistant to Attorney General Robert F. Kennedy and with Washington police officials to plan ways of averting violence during the march. Rustin said 2,000 marshals are being trained in Washington, New York, Hartford, and Philadelphia, to monitor the paraders. Army and National Guard units in this area may be called in case of trouble.

[From the Nashville Banner, Aug. 3, 1963]

MARCH LEADER WON'T QUIT

NEW YORK.—An estimated 250,000 persons are expected to join the march on Washington August 28, it was reported today at a meeting of the "big six" civil rights organizations.

A. Philip Randolph, president of the Sleeping Car Porters Union, and president of the Negro American Labor Council, told reporters after the meeting that rumors that the march's deputy director, Bayard Rustin, was resigning were untrue.

"No, Mr. Rustin is Mr. March-on-Washington himself," Randolph said.

Three members of the march committee from Washington disclosed that the proposed march of 100,000 persons could be increased to an estimated 250,000 converging on a special assembly area.

Present plans call for persons from all parts of the Nation to converge on the Washington Memorial and the ellipse area near 17th Street and march to the Lincoln Memorial.

The Reverend Walter Fauntroy, of the Southern Christian Leadership Conference, said that Army logistics personnel said the Washington Memorial area could hold 250,000 persons, allowing 4 square feet per person.

The civil rights leaders fear that if individual delegations try marching to special assembly points there could be an outbreak of violence or other disturbances in the Capital.

Randolph said the Communists could not possibly infiltrate the march.

"We have taken all precautions to prohibit all lunatic fringes from infiltrating our ranks and causing any unrest or possible violence," he said.

"This will be an orderly and effective, nonviolent protest."

[From the Washington Evening Star, Aug. 6, 1963]

BRIEFING SET IN CAPITOL ON AUGUST 28 MARCH—75 LAWMAKERS EXPECTED TO HEAR REPORT ON CIVIL RIGHTS TURNOUT

Seventy-five Congressmen have accepted invitations to meet tomorrow in the Capitol with leaders of the planned August 28 civil rights demonstration, a demonstration leader has announced.

A. Philip Randolph, demonstration director, said in New York that the purpose of the meeting is "to keep Congress fully informed as to the purposes and objectives of the march as well as to answer questions and receive suggestions."

Mr. Randolph, according to the Associated Press, said the meeting was called by Senators DOUGLAS, Democrat, of Illinois; JAVITS, Republican, of New York; and HART, Democrat, of Michigan; and by Representatives CELLER, Democrat, of New York; LINDSAY, Republican, of New York; and ROOSEVELT, Democrat, of California.

RAIN OR SHINE

Sy Posner, director of information for the civil rights march, said in New York that the march "will be held, rain or shine, whether Congress is in session or not."

There had been some signs that Congress might be in recess, but latest indications are that it will be here August 28.

Rev. Walter E. Fauntroy, chairman of the Washington coordinating committee for the march, said in a radio interview yesterday that "I have every confidence that we will not have trouble in Washington."

But in Los Angeles, Rev. Maurice A. Dawkins, a civil rights leader, voiced fears of "wildcat demonstrators."

Mr. Dawkins said: "We are concerned about these wildcat demonstrators, and we wish to eliminate any possibility of violence by those who are not controlled by responsible leaders."

As an added safeguard, Mr. Dawkins said, the marchers will be screened.

EXPECT CHURCH BACKING

At least 100,000 persons from member churches of the National Council of Churches will participate, according to Dr. Anna Hedgeman, coordinator for special events for the council's commission on religion and race.

"We are asking all local and State councils of churches across the Nation to mobilize their own resources and cooperate with Catholic and Jewish groups and civil rights leaders, Dr. Hedgerman said in New York, according to the Associated Press.

In his radio interview, Mr. Fauntroy explained the three requirements for what he regards as successful demonstrations: peaceful demonstrators, effective police, and responsible government officials to hear grievances.

"Where any one of the three ingredients is absent, you're liable to have trouble," Mr. Fauntroy said. He noted that this was what had happened in some Southern States, but he said he did not expect any trouble in Washington because all three elements for "successful demonstrations" are present here.

Mr. Fauntroy announced also that some of the District's Roman Catholic institutions, such as Georgetown University, and some parochial schools are offering their facilities for housing demonstrators who might arrive early and remain in the city overnight.

CIVIL GROUPS SUPPORT MOVE

Endorsement of the march came last night from the Federation of Civic Associations which voted "full support for a peaceful and orderly demonstration."

The Baptist Ministers Conference of the District and vicinity also has endorsed the march. Mr. Fauntroy said the Washington Hebrew Congregation, too, has given its endorsement.

Maj. Gen. W. H. Abendroth, commanding general of the District National Guard, said he had agreed to assist the Metropolitan Police Department with men from the Army and Air Guard units for traffic and crowd control.

[From the Washington Sunday Star, Aug. 4, 1963]

One Hundred and Fifty Thousand Now Expected in Rights March Here

(By Clarence Hunter)

New York, August 3.—Leaders of the August 28 march on Washington for jobs and freedom announced today that "an assemblage larger than we had anticipated" has forced several major changes in the conduct of the demonstration.

March on Washington officials indicated that they are expecting 150,000 whites and Negroes to participate in the demonstration. Previously they had announced that at least 100,000 persons would visit Washington for the 1-day march.

The major change announced by A. Philip Randolph, national chairman of the march, is that the demonstrators will assemble at the Washington Monument Grounds when they arrive in the District. The overflow will spill into the Ellipse.

Originally, the demonstrators had been scheduled to report to 51 staging areas throughout the city such as churches and other large buildings. Each State delegation was to have been assigned a special assembly point where the demonstrators would be visited by their respective Senators and Representatives.

RESERVED SEATS FOR CONGRESS

Another major change is that all Members of the Congress—Senators and Representatives—will be invited to witness the "jobs and civil rights" program at the Lincoln Memorial. Some 500 seats will be reserved for them. Members of Congress will not be asked to speak.

"We have reinterpreted our concept of lobbying," said Mr. Randolph as he explained that the 10 leaders of the march will request a conference with President Kennedy earlier that morning. They also will meet with congressional leaders before the mass assembly so that they can present the marchers' aims to the President and legislative officials.

Mr. Randolph said the "mere presence of 100,000 or more people in the District of Columbia to urge passage of civil rights legislation" is an effective lobbying action.

"The moral significance of the march—of whites and blacks * * * church members and labor groups marching together—will be to stress the great struggle for human dignity," Mr. Randolph said.

He added that he is "immensely satisfied" with national response to the march. He said "the Communists will not infiltrate" the demonstration.

"No lunatic fringe will be involved in this march," Mr. Randolph assured reporters. "We have no fear of anybody infiltrating this march. We have complete control. We know where our people are coming from. This will be an effective and positive effort."

Julius Hobson, chairman of Washington CORE, who is training 500 of the 2,000 marshals who will maintain order among the demonstrators, said it required 95 minutes for 50 of his men to walk the original route of the march yesterday. This trial run apparently was one reason for changing the route.

The route of the march has been changed also.

The demonstrators will proceed from the Washington Monument Grounds to the Lincoln Memorial in two thrusts. One line will walk west along Constitution Avenue to Henry Bacon Drive and to the Memorial. At the same time another column will move west along Reflecting Pool Drive to the Memorial.

The demonstrators then will mass in front of the Lincoln Memorial, east along the Reflecting Pool to the Monument Grounds if necessary. Details of the Lincoln Memorial program are yet to be decided.

There will be no individual delegations of demonstrators visiting Capitol Hill. There will be no demonstrations at the White House, Mr. Randolph reported.

Demonstrators are expected to begin arriving in the District early on August 28 and "as late as 1 p.m. and 2 p.m.," Mr. Randolph said. The movement from the Washington Monument to Lincoln Memorial will begin in the early afternoon, he added.

PROGRAM AT MEMORIAL BRIEF

"The program at the Lincoln Memorial will be brief so the people can leave about 5 p.m.," he said.

Negro leaders planning the demonstration met for 3 hours in their headquarters discussing details of the march.

The national budget for the march is $75,000, including $15,000 to bring the poor and jobless, especially from the South, to Washington for the march, said Bayard Rustin, deputy director of the march.

Staff personnel reported that the march buttons retailing for a minimum of 25 cents each are "selling well." The organization ordered 50,000 buttons initially and more than 42,000 have been sold. Another 80,000 have been ordered.

Among those attending yesterday's meeting were: the Reverend Walter E. Fauntroy, chairman of the Washington coordinating committee for the march; the Reverend Edward Hailes, cochairman of the Washington committee, and Roy Wilkins, executive secretary of the National Association for the Advancement of Colored People.

[From the National Review Bulletin]

On the Left

The Birmingham News reports that Jack H. O'Dell, a "concealed member of the national committee of the Communist Party," was back in the employ of Rev. Martin Luther King's Southern Christian Leadership Conference for several months after he had been kicked out for leftwing activities. King had told reporters earlier that O'Dell had "resigned" when his Communist affiliations were brought to light, and that he had not been reinstated. According to the News, after his supposed resignation O'Dell had represented himself occasionally as an official of the SCLC; had worked on SCLC mailings and fund appeals (this column mentioned a while ago that some SCLC mailings utilized the Communist-lining National Guardian's mailing list and addressing plates); had traveled under SCLC auspices, once with King and other officers; and in at least one instance had been paid by the SCLC. Following these disclosures, O'Dell got the boot from the SCLC for the second time. Jack O'Dell sometimes calls himself Hunter Pitts O'Dell, invoked the fifth amendment in 1956 when asked by the Senate Internal Security Subcommittee whether he functioned as a southern district organizer for the Communist Party. Subcommittee Counsel Robert Morris later said that he had excellent information that O'Dell fulfilled this assignment, primarily in New Orleans, under his own name and the aliases John Vesey and Ben Jones. O'Dell also took the fifth on questions about communism before the House Committee on Un-American Activities.

Another storm blew up over King when two southern Governors charged that he had Communist associations, citing his attendance at a Labor Day gathering at Highlander Folk School in Tennessee in company with several known Communists and radicals. The controversy died down when Robert Kennedy said the FBI had no information to confirm that King was "Communist or Communist-controlled," which did not quite answer the question. At the time of the gathering, King's secretary—or "secretary, organizer and adviser" in one account—was Bayard Rustin, who, to put it mildly, was and is notable for the amount of energy he has had for leftwing causes. Rustin worked closely, often as an officeholder, with: The War Resisters League, the World Peace Brigade, Liberation magazine, the Medical Aid to Cuba Committee, the second General Strike for Peace, the Monroe (N.C.) Defense Committee, the Committee for Nonviolent Action, the Committee to Defend Martin Luther King, Jr., the Greenwich Village Peace Center, and any number of other groups, ad hoc committees, petitions, etc., few of which are arrestingly wholesome. He has founded a Center for Nonviolence in Dar es Salaam, Tanganyika, posed with Nkrumah, protested French atomic development, apologized to the Japanese for U.S. atomic testing, coordinated two youth marches and a prayer pilgrimage to Washington, D.C., attended a Communist Party convention (1957), and even had time for a sex violation in California, all in the last 10 years or so.

Nonviolence is not the way, Mrs. Anne Braden told a mass meeting of Negroes a few weeks ago in racially troubled Danville, Va. Her message to the group, in effect was: "Stay out of the courts and in the streets." Mrs. Braden is the wife of Carl Braden, identified before HUAC as a southern district organizer for the Communist Party; she is herself the editor of Southern Patriot, which has been cited several times as a Communist front and is, in turn, the offshoot of another cited front, the Southern Conference Educational Fund. Her husband is field secretary of the latter group.

[From the Birmingham Post-Herald, Aug. 8, 1963]

REDS TRYING TO INFILTRATE U.S. CIVIL RIGHTS STRUGGLE

(By Ray Cromley)

WASHINGTON.—Secretary Gus Hall and the American Communist Party are making a determined attempt to infiltrate the civil rights struggle.

On July 11, the Communist Party U.S.A. issued secret orders to its members to get in on the August 28 Negro March on Washington. In other communications, Hall and the other party bosses have instructed Communists, white and Negro, to join in Negro demonstrations in their communities.

The information in this dispatch comes from authoritative sources.

The Reds are meeting with resistance. The Daily Worker of July 7 complained in this regard that, "It is also a fact to be reckoned with, that some of the most respected and dedicated of the Negro people's leaders, who are themselves often the target of slanderous Red-smears, continue to indulge in the McCarthyite-age fashion of genuflecting before the sacred symbol of anticommunism."

Some of the major Negro organizations have already taken steps to warn their people of the new Communist approach. The National Association for the Advancement of Colored People has research men who study the Daily Worker and the National Guardian in order to keep abreast of the twists and turns of Communist action.

Just recently, Dr. John Morsell, assistant to NAACP Executive Secretary Roy Wilkins, passed around a memorandum to key personnel outlining the latest Communist approach and writing below it, "For your information—what they are up to now."

Because of this resistance among the national Negro leadership, the Communist Party U.S.A. is now sending specialized Communists to attempt infiltration into the local branches of the Negro civil rights organizations. It is attempting to get its people in on local demonstrations. It is putting a major emphasis on new groups led by young and inexperienced leaders.

These Communists are "sleepers." They have been instructed to keep their party membership and Communist sympathies secret from the public and from the Negroes they are volunteering to work with. These infiltrators have been instructed not to take overly prominent roles in civil rights demonstrations, nor to openly push for violence, for fear they'll be investigated and their Communist identity become known.

This grassroots attempt to infiltrate the civil rights movement is currently, at least, one of the major activities of the Communist Party U.S.A. It is part of a longstanding Communist aim of winning over Negroes. In the past the party has been singularly unsuccessful with the southern Negro. Reports by the Justice Department have consistently shown membership in the South to be slight.

It is too early to tell how successful the Communists will be in their current drive. Reports indicate that so far the number of these secret Communists who have participated in most southern demonstrations have been quite small; usually, it's reported only a handful. Their appearance has been spotty. There were some Communists seen at Cambridge, Md., but not among the leadership. None are known to have been at Danville, Va.

So far, it is also understood that Communist infiltration in local branches of Negro civil rights organizations has not been significant. It has been reported that the Reds are not known, as of now, to have secured important national posts in any of the major Negro civil rights organizations.

Attorney General Robert Kennedy has said that, based on all available information from the FBI and other sources, "We have no evidence that any of the top leaders of the major civil rights groups are Communists or Communist controlled."

Since the Communist infiltrators are sleepers, it is not certain whether they may have, unknown to the Negro civil righters, crept into lesser roles.

The Communist technique is to bide time, build up contacts, friendships, and associations for the future. Though the orders are that communism isn't to be mentioned at this time, the infiltrators do have these instructions:

"To patiently and persistently point out that anti-Negro racism is the ideology of the ruling class. This is the primary task.

"To combat ideologically reformist tendencies, to limit the movement to merely court action, or other tendencies which resist mass actions."

The Communist infiltrators have been instructed to ignore what the Communist Party leadership calls Red baiting by the Negro leaders.

[From the Columbia Record, Aug. 9, 1963]

CUBA IS BASE FOR COMMUNIST INFILTRATION OF THE NEGROES' REVOLUTION IN THE UNITED STATES

(By Holmes Alexander)

It's pretty hard for Attorney General Kennedy to go on pretending that there is no Red tinge in the Negro revolution when Fidel Castro talks as he did as late as last July 26.

"And here we send another message of solidarity and fraternity to the U.S. Negro population which has our sympathy," said Castro, adding, "Let the U.S. Negroes come here * * * to see a population without discrimination."

A SPOKESMAN FOR VIOLENCE

Castro made an overt Communist bid for Negro popularity a few years ago when he visited the United Nations. That was the time he ostentatiously left a downtown Manhattan hotel and moved to one in Harlem.

Today one of his regular broadcasters to the United States is the American Negro, Robert Williams, a fugitive from justice, a spokesman for putting more violence into the Negro revolution. The Williams voice of communism via Havana urges "solidarity" a favorite term in all Red propaganda between black America and Red Cuba.

Then there are the two California attorneys, Rose Rosenberg and Jean Kidwell Pestana. Both were fingered as Communist Party members by FBI undercover agents back in 1952. Last summer Mesdames Rosenberg and Pestana defied the passport restrictions and paid a month-long visit to Cuba. This summer they have been taking part in west coast racial demonstrations.

REFERRED TO ROBERT KENNEDY

Chairman WILLIS of the House Un-American Activities Committee has referred their cases to Robert Kennedy's Justice Department for prosecution. Such action by Justice, of course, would link Soviet Cuba even closer to the Negro revolution. It would take the starch of credibility out of the testimony given by Secretary Rusk to the Commerce Committee and Bob Kennedy. Rusk has belittled any international conspiracy to stir up and subvert our Negro citizenry. Kennedy on the day of the Castro speech wrote Senator MONRONEY of the committee that Communist efforts to crash integrationist groups had proved "remarkably unsuccessful."

MORE LIGHT IS NEEDED

Well, successful or otherwise, this Communist drive to infiltrate the American race movement is something we need to hear more about.

The administration has played it down, much as the presence of Russian men and arms in Cuba was once played down. All of the information thus far about Reds in the race rebellion has come from reporters who have dug, as I have, into material that is public property, or from opponents of the civil rights package who would be against it if there were no Communist connection whatever.

THE PRESIDENT SHOULD SPEAK

These, I say—reporters and opponents—should not do all the work of relating the civil rights cause and the Communist menace.

I would think that the President himself should be warning the Negroes to beware of treacherous leaders who mean them and this country every ill.

I would think that the Attorney General, who certainly knows how often FBI Director Hoover has connected communism and Negro disturbances, should tell Congress when and how these unsuccessful Communist attempts were made to crash the integrationist groups.

I can't imagine why proponents of civil rights—such men as MONRONEY, Democrat, and SCOTT, Republican—would leave all the Red-baiting to the other side.

If it's true, as seems evident, that the Communists are trying to exploit the civil rights issue, the best way to spoil their game is to expose them.

Mr. THURMOND. Mr. President, I am not satisfied and many people across this country are not satisfied with the Attorney General's efforts to whitewash the question of Communist influence or involvement in these Negro demonstrations which have been turning into race riots in various cities in this country. The evidence I have presented here today and on August 2 and August 7, and the evidence which has been presented in the Commerce Committee hearings on S. 1732—which I expect to be printed within the next week or two—have come from public sources and certainly demonstrate the need for a searching and thorough investigation of this entire question by the Congress, before any action is taken on the civil rights legislation which was sent to Capitol Hill as a direct result of these demonstrations.

Mr. President, a more objective newspaper in Washington, D.C., which certainly cannot be considered a racist newspaper, the Evening Star, has editorially raised the point of having a determination made on the question I have posed here today because—to quote the Evening Star editorial of August 5, 1963:

> All concerned—both white and colored—have a right to know just who is working for the Kremlin in this matter.

Mr. President, since preparing this speech, my attention has been called to an excerpt from a hearing by the Internal Security Subcommittee of the Senate Judiciary Committee on February 25 and 26, 1957. This hearing, entitled "Scope of Soviet Activity in the United

States," contains some very interesting testimony by Mr. Frank S. Meyer of Woodstock, N.Y., former member of the Communist Party, on the question of Communist interest in exploiting and taking over Negro organizations and demonstrations in this country. I ask unanimous consent, Mr. President, that Mr. Meyer's testimony begininng on page 3608 of this hearing and ending at the top of page 3609 be printed at the conclusion of these remarks.

There being no objection, the testimony was ordered to be printed in the Record, as follows:

Scope of Soviet Activity in the United States

Generally speaking, to summarize the answer to your question, I feel, from the evidence of the material and the resolutions passed, that all basic questions that were argued rather vigorously in the party during the months beforehand were solved before the Congress opened.

The convention did three things. It made a show of unity, as the Daily Worker and all the last speakers said. Foster did not win, Gates did not win, Dennis did not win. The party won.

The first thing it did was that.

Secondly, it developed a working agreement between the factions by essentially splitting all committees that were so far elected just about equally between them, with the center on top.

Thirdly, it made a record for the courts, or attempted to make a record for the courts, in terms of verbiage but not of fundamentals on its relationship to the American free constitutional process.

And fourthly, on all important questions of program, with one or two exceptions, it passed on to the new national committee the task of making a program, only one or two questions on which I think this convention took concrete action in terms of its immediate program, in looking at it. Most were passed over to the national committee.

There was a point on the agenda, party program, which was totally passed over.

But on one question the stand of the convention is extremely clear in all its resolutions, and that is the main campaign of the Communist Party at this point must be, to use their verbiage, the extension of democratization in the South. That is to say, the main point made by the convention in terms of an immediate program fits in very well with an old line of Communist attitude toward constitutional processes in America.

It goes back, to my knowledge, 15 years or so when I was rather deeply involved in some theoretical work in connection with the so-called Negro question, and it is this: To the Communist Party efforts to utilize mass democratic mob criterion approaches rather than constitutional ones, to attempt to turn elections into plebiscites, and the main obstacle in the structure, the constitutional checks-and-balances structure.

And they have recognized for 15 years, and clearly now recognize, that that point in the country at which this structure of checks and balances has its greatest support is in the Senate of the United States, and specifically in the States rights structure of the Southern States, which bring it about that the Democratic Party cannot be looked at by them as a totally people's party in their terms, totally a laborish kind of party, but split it up.

Hence, the major drive in the sense of putting themselves at the head, or attempting to put themselves at the head, to penetrate the movement of the Negro people in the various forms it has been taking in recent years and previously, has nothing whatever to do with any interest in the aims and desires of the Negro people, but is a realization by the Communist Party that that movement can be used as the most important and strongest cutting edge against the constitutional structure of the United States, by trying to develop a removal of division of power guaranties in the South, and, secondarily, by the fact that they believe, as it is clear from the resolution, that at this time in a prosperous country this is the only place in which serious trouble can possibly be stirred up, in which there are serious possibilities of developing what they call mass struggles, of building up extra-constitutional and extra-legal actions, and so on.

I do want to emphasize, however, that this is not in any sense a humanitarian position. It has nothing whatever to do with any sympathy for the needs of the Negro peoples themselves. But it has to do with a feeling on their part that this is the point of breakthrough in the country at this time.

NATIONAL SERVICE CORPS ACT

The Senate resumed the consideration of the bill (S. 1321) to provide for a National Service Corps to strengthen community service programs in the United States.

ALASKA NATIVES ENDORSE NATIONAL SERVICE CORPS

Mr. BARTLETT. Mr. President, today I speak in behalf of S. 1321, a bill to establish a National Service Corps. I am a cosponsor of this bill. I have supported this proposal from its inception.

We are a wealthy nation, the wealthiest in all history. We have used this wealth with unparalleled generosity to rebuild Europe and to assist the developing peoples across the world. We have used it to stamp out malaria, pellagra, and yaws in cooperation with the World Health Organization. We have used it to save many millions of people from starvation through our food-for-peace program. Our Peace Corps is bringing encouragement, hope, and friendship to the illiterate and poor across the world. We are a generous nation. It is time this generosity was harnessed for the benefit of our own unfortunate.

It is a paradox that within our own borders, in the midst of plenty, there should be American citizens as poor, as hungry, as unfortunate as any on earth. Prosperity has passed these people by. It is true they have not been forgotten entirely. The social worker, the teacher, the clergy, the many selfless dedicated people who devote their lives to the care and help of the disadvantaged—these people have remembered. For too long, however, we Americans have let these dedicated people serve as our conscience. They have borne the burden which rightly belongs to each and every one of us.

The proposal which the Senate is now considering, provides a means by which Americans may assist their less fortunate neighbors and, in so doing, respond in a real sense to the responsibilities of their citizenship. S. 1321 envisions a modest program. It will not solve the problems of the illiterate, the uneducated, or the unemployed. It will, however, show the way to communities and organizations anxious to do something about these problems in their own towns.

It will, as it were, provide an example and an encouragement to local programs for local assistance. It will be a start.

The National Service Corps, although recruited on a national basis, will work closely with State and local government. The Service Corps will come into the community only if it is requested to do so, only if there is clearly work to be done, and only if the community intends to carry on the work on a permanent basis once it is begun.

This proposal, Mr. President, has drawn an immediate response from the less fortunate people of my State.

I have received letters from the leaders of many native villages of Alaska. Senators will remember that I brought several of these letters to the attention of the Senate on the 16th of July. Since that date I have received additional letters, and ask unanimous consent that they be made a part of the Record at this time.

There being no objection, the letters were ordered to be printed in the Record, as follows:

Galena, Alaska,
July 16, 1963.

Mr. William Anderson,
President's Study Group,
National Study Group,
Washington, D.C.

Dear Mr. Anderson: We received a letter from Mr. Bob Bartlett to see if we, the village of Galena, could use aid from the Peace Corps if one was formed.

We here are very much in favor for Congress to pass bill S. 1321.

We could use aid here, also, if the bill is passed, on processing fish, lumber, and produce.

We remain,
Truly yours,
Edgar "Patty" Nollner, Jr.,
President, Galena City Councilmen.

Kotzebue, *July 22, 1963.*

Mr. William Anderson,
President's Study Group,
National Service Program,
Washington, D.C.

Dear Mr. Anderson: Reference is made to a letter received from Senator Bartlett in regard to a bill before Congress for a Domestic Peace Corps for Alaska.

This was brought up before the council at a regular council meeting held the 5th of July, at which time a motion was made and passed unanimously that a request be made for a Peace Corps worker for Kotzebue.

This was brought about by the fact that we are a fourth-class city, with very limited powers and finances. The council has been trying for quite some time to obtain either a youth counselor or recreational director for our community.

At the present we have approximately 380 students attending elementary school, 250 preschool children, and 135 high school children with an anticipated 200 to 250 high school children when the high school is built within the next 2 years.

The city has purchased recreational and playground equipment, but have been unable to make this readily available to the children due to the lack of finances for a recreational director.

The youths at the present have no recreational facilities available, so consequently are at loose ends, which tends to increase our juvenile problems in the community.

Several members of the community have volunteered their services to supervise some of the recreational activities; however, this has not been satisfactory, as their time is limited, and without a full-time director a good portion of the children are excluded.

We sincerely hope that this bill is passed and that the request we are making is seriously considered, as our growing juvenile problems have been of quite concern to the council and the community.

Sincerely yours,

Frank B. Stein,
Mayor.

Shageluk, Alaska,
July 11, 1963.

Mr. William Anderson,
President's Study Group,
National Service Program,
Washington, D.C.

Dear Mr. Anderson: I am writing to you at the suggestion of Senator E. L. Bartlett, of Alaska, to tell you of the ways that a Domestic Peace Corps could help us in our village.

Shageluk is a small village located on the Innoko River about 320 miles northwest of Anchorage. There are 67 adults and 100 children living here and we are all Athapascan Indians. We all live in log houses made of spruce logs with lumber floors and roofs. Most of the houses are small and have only one floor. Our families are usually large so there are quite a few living in each house varying from 14 in the largest to 2 or 3 in some. There are spruce trees available to build new houses and to make lumber, if we had a sawmill. The village does not have electricity, although there is electricity at the Bureau of Indian Affairs Grade School and two families have small light plants of their own. We have a very poor water supply and depend on rainwater for drinking water in the summer and use ice in the winter. We have no fresh water supply; the river and lake water here are not safe to drink. We have many small gardens in the village which produce fairly well. There are very few ways for the men in the village to earn an adequate living. All the men trap in the fall and winter, but that is not enough. There are a few jobs at the school from time to time, but most of the men have to go to Anchorage to find summer work or to the Bering Sea or Bristol Bay fish canneries. There is no real economy in the village itself. The nearest hospital is in Bethel which is about 150 air miles from the village. There are no motor vehicles of any type in the village and we are isolated from all major road and communication systems. We receive mail three times a week by plane and get two freight boats a year. We all hunt and fish to feed our families.

There are several ways in which a Domestic Peace Corps could help us. We have decided to move our village for a number of reasons: we have no fresh water, we have been flooded with from 2 to 3 feet of water for 2 years in a row and are in danger of flooding every spring when the ice goes out, the village is overpopulated and there is no more room and the present site cannot support all our people, sanitation conditions are very bad because of the crowding—the village is on a narrow strip of land bounded on one side by the river and the other by a large lake—we have to go too far for wood since the supply in the immediate area is gone, and the riverbank is wearing away. The Corps could help us to plan our new village, our new houses, teach us sanitation procedures, and could also help us with our gardens and with some adult education, not only in reading and writing, but also vocational training. We have decided to move whether or not we get help from outside the village, but we will welcome advice and help. We plan to move in 1965, preparing the ground and cutting lumber in 1964. The Corps could help us. I hope this information will help help you.

Sincerely yours,

Hamilton E. Hamilton,
Chief.

Point Lay, Alaska,
July 9, 1963.

Mr. William Anderson,
President's Study Group,
National Service Program,
Washington, D.C.:

This is to answer the outlined questions sent by Senator E. L. Bartlett concerning the Domestic Peace Corps.

(1) There are 16 adults and 11 children here.

(2) All houses are made of store-bought lumber and plyboards with insulation and roofing paper. Each house have one to six persons living in each. There are no material near the village to built houses with. All material has to be ordered from the lower States by boat.

(3) Only electricity are by privately owned small generators.

(4) We have our water from a pond 1½ miles from the village. It is hauled by boat in the summer and by dogteam in the winter.

(5) We are not able to grow any vegetable in the village.

(6) Two men are working at the DEW line, one man is a storekeeper, and other men are living by hunting and trapping.

(7) The nearest hospital is at Barrow, Alaska.

(8) This village is too small to make any future plans.

Sincerely yours,

Patrick Tukrook,
President, Village Council.

Mr. BARTLETT. It is clear, Mr. President, that the Eskimos, the Aleuts, and the Indians of Alaska strongly desire the assistance of Service Corps men. There is no doubt that the corpsmen would find much of value to do in the North. And, lastly, there is no doubt whatever that the lessons taught by the corpsmen would be well learned by the Alaska natives.

As a representative of Alaska, I have seen these people make the transformation from a simple, marginal existence to the complex civilization of today. They have the capacity and the strong desire to become full, participating citizens of the 20th century. They will make good use of the lessons taught them by the Service Corps.

The proposed Corps has drawn an immediate response not only from Alaska but also from many groups across the country. I am told that already, many applications have been made for Service Corps projects. Recently I had occasion to point out to William Anderson, consultant to the President on a national service program, the extreme importance of insuring that the Service Corps give ear to the appeals of the truly needy and not just to the slick applications of the better organized, worldly, and Washington-wise groups. Proposals of a highly professional nature have been made, proposals very much more sophisticated than anything the Arctic villages, the Appalachian communities, or the Harlem slums could possibly provide. And, yet, it is the people from these areas who need the help.

I am pleased that my view on this is shared by the Attorney General, by Mr. Anderson, and by the President's study group. I am confident that when this proposal becomes law, and the program becomes action, that the truly needy will receive the priority which they require, which they have been led to expect.

I stand ready to help in every way I can.

Mr. President, I should like, with his permission, to ask the chairman of the subcommittee, the Senator from New Jersey [Mr. Williams], a question or two.

Did I correctly understand the Senator to inform the majority leader a few minutes ago that the first year's program contemplates an expenditure of $5 million?

Mr. WILLIAMS of New Jersey. The Senator is correct.

Mr. BARTLETT. And there would be under the program 1,000 volunteers in the first year?

Mr. WILLIAMS of New Jersey. The goal for the first year is 1,000 volunteers. If the response is in any degree like the response achieved by the Peace Corps abroad, I am sure there will be ample applications for the selection of 1,000 highly qualified persons.

Mr. BARTLETT. Does the Senator believe the 1,000 volunteers—no matter how dedicated they may be, and no matter how efficient they may be—will be sufficient in number to achieve the objective which is sought?

Mr. WILLIAMS of New Jersey. Quite obviously not. It is hoped that in 5 years the program will have 5,000 volunteers. Even that number of volunteers serving in the various areas of hardship would not accomplish all that we hope to accomplish, in terms of helping people in need. They will be, as the President and others have described them, the catalyst to start programs or to expand programs and which will increase the number of community volunteers, for local service.

Mr. BARTLETT. When I testified on this bill before the Senator from New Jersey and the other members of the subcommittee on May 29, I expressed some apprehension about the fact that over the length and breadth of the land there would be only 1,000 workers in the National Service Corps. On reflection, however, I feel that it would be far better to start with a small program. After the Corps has gained some experience we can consider enlarging it.

I believe that if this program becomes effective, and if the bill in the terms now before us is passed, many communities throughout the land will not be able to have any volunteers. There will not be enough volunteers to go around, as the Senator from New Jersey has already said. Even so, I think it is better to start in this way. I am confident that the Senator from New Jersey agrees with me, or he would not have brought the bill to the floor in its present form.

Mr. WILLIAMS of New Jersey. I agree with the Senator from Alaska that the program should start modestly and carefully, because much harm could be done by misplaced good will. The selection of personnel must be a very careful process.

As other Senators have said already, if this program approaches in its development the care and skill that was applied to the Peace Corps abroad, a conservative start will have proven to be worth while here, as it was in the case of the Peace Corps.

Mr. BARTLETT. I referred a while ago to native communities in Alaska. By the term "native" I mean Indian, Eskimo, Aleut villages. I use the term "native" to apply to any or all of those.

Earlier in the year, after this proposal came to Congress, I wrote to many of the leaders of those villages. I was amazed at the response, the interest taken, and the recitals in the letters as to what needed to be done. They indicated a willingness to cooperate locally.

Time after time people in remote villages wrote in and said, "These are the things that we need to have done. These are the things that ought to be done. We do not have in all cases the equipment required or the technical skills. We need leadership. We need guidance."

This is precisely, in my opinion, what the National Service Corps will be able to furnish.

In Alaska alone we could easily use 1,000 National Service Corps men. I am sure that requests will come in from the native villages for at least that many. But if we can obtain one volunteer in each village, and establish pilot programs to demonstrate what can be achieved, we will have done very well. We will have pointed the way to further progress.

The Nation owes a debt of gratitude to the Senator from New Jersey for his leadership in this endeavor. It has a real importance in every State of this Union. This legislation is moving along hopefully toward success. The progress this bill has made is largely due to what he has done and what he is doing for it.

Mr. WILLIAMS of New Jersey. I am not worthy of the generosity of the Senator's comments, but I cannot help but appreciate them. It has been a pleasure over the months to discuss this program with the Senator from Alaska, and to hear from him the responses from the people of his State who are in need. They respond favorably to this program.

The same is true on the Indian reservations. We visited a reservation at Pine Ridge, S. Dak. There, the president of the tribal council, Chief Whirlwind Horse, spent the full afternoon and the early evening with us. It was clear that he had considerable hope for his people under this program. We saw the beginning of the program in a private way in Pine Ridge. A woman from the State of New Jersey, highly motivated, went to the most impoverished place I have been to in my life, a part of this Indian reservation where the houses were hovels and the economic opportunity severely limited. There she set up a nursery for the sickest youngsters in the community. But now living in an atmosphere of cleanliness and kindness, they were some of the happiest little ones I have ever seen. This is what one volunteer is doing for this community on the Indian reservation. Even though the numbers are limited, where there is human suffering even one individual can mean much to many.

While we were at Osawatomie State Hospital, we saw one of the finest demonstration of humanity I have ever seen being enacted there by a very modest man named Fred S. McCarthy. We immediately relaxed with him, and he insisted on being called "Mac." So I will just call him Mac. Mac that day had reached the age of 74 years. We saw him in this setting: An immaculately beautiful room within a mental hospital. Very rarely does one find any beauty, physical or otherwise, in a mental institution, but we did in this one. In this room sat Mac with some youngsters. They called him "grandpa."

He is a volunteer. He comes from town to this hospital two or three times a day and chats with a group of mentally sick teenagers. The results are remarkable.

We need more "Mac's" across our land. This program is one of the ways by which we hope to stimulate more people to service. After the programs are started in various communities many part-time volunteers will be coming in to help.

We saw the other side, the tragic side, of the mental hospitals, where there are no volunteer programs. The door is opened, patients are herded into the room, the door is closed, and they literally rot away in their awful condition of mental disease and mental distress. So a few volunteers can go a long way when it comes to helping others in need.

Mr. BARTLETT. What the Senator has said is most revealing. It demonstrates to me the willingness of Americans to give of themselves for the sake of others. I am sure there are many "Mac's" in this country who would be willing to give their services voluntarily, but who now do not quite know how to go about it. They do not know to whom their offer should be made. They do not know how to go about it. The National Service Corps would provide a rallying point.

I join the Senator from New Jersey in predicting that the number of dedicated Americans who want to help in this manner will far exceed the 1,000 provided for in the bill. It is impossible to calculate how many will apply, in one form or another, during the first year's operations.

Mr. WILLIAMS of New Jersey. I agree with my friend from Alaska. The situation will develop. It is interesting to note the personal reaction of the volunteers after they have devoted themselves to this kind of service. For example, our friend, Mac, at Osawatomie State Hospital, told us, in reply to a question, about his reason for his work. He said, "The biggest thing in my life is to have friends. Now I have many of them."

We hope that he has a long life, because those youngsters certainly know they have a friend in Mac.

There was also a widow at the hospital who drove out two or three times a week a distance of 20 or 25 miles. She has youngsters of her own at home. However, she came to this hospital to teach dramatics, among other things. We saw one of the productions of the youngsters whom she was helping in this way. We asked her how she felt about the work she was doing, and she said, "Maybe I am selfish, but I think I am getting more out of this than the youngsters I am working with. I feel I have something to take home to my family when I leave them."

We know that this has been the spirit of our country. The Senator is absolutely correct. Those who have this spirit of service should have a program to turn to.

Mr. BARTLETT. The country is vast. These people do no know where to get the information they need. I appreciate the feelings of the woman to whom the Senator alluded. I am sure that she is a very unselfish person.

Mr. WILLIAMS of New Jersey. I know she is. Unfortunately, I have forgotten her name. We will find it, and we will put her name in the RECORD. She was an inspiration to us.

Mr. BARTLETT. I believe her name should be in the RECORD, together with the name of the Senator's constituent from New Jersey who is out in South Dakota.

Mr. WILLIAMS of New Jersey. She is going to be quite famous. Her name is in the RECORD at another point.

At this same hospital there was another thing of beauty. We walked across the grounds, and went into a ward where we saw some desperately ill elderly people. They were sitting there. Their illness was obvious. There were about 80 or 90 of them there. They sat in a well-appointed room, clean and beautiful. They were sitting in relative peace in their great illness, and they were being entertained by three delightful teenage girls playing the piano and singing. This is another aspect. Here were three teenage girls, 14 or 15 years of age. It shows the opportunities for persons of every age to express their human interest.

Mr. BARTLETT. When the world was younger and I was younger along with it, the Indians and Eskimos along the mighty Yukon and Kuskokwin Rivers were relatively prosperous, as compared with today. Fur prices were high. They cut wood for the river steamers. They caught salmon for the mail teams. Mail in those days was carried by dogs. They cut wood for the roadhouses. They provided salmon for the roadhouses.

The advent of the airplane changed all that. The river steamers are gone. The roadhouses have disappeared. The villages still remain. Thousands of those people up and down the rivers have no industry now. They have no opportunity for employment. To an extent which distresses them they subsist on Government relief of one kind or another. From the testimony which has come to me, I do not believe that they want to do this. They would prefer to work. They are like people everywhere else who want to make their way in the world. They do not want to live off others. However, there is no alternative. Some of the villagers close to the Arctic Circle are living in communities in which they and their ancestors have lived for generations.

Now they are leaving. They are leaving to go to the larger communities in the hope of finding employment; in some cases the condition of the terrain is forcing them to move their villages.

In such an instance, volunteers from the National Service Corps could be of immeasurable assistance as those people go to build new homes. They will need the guidance that I referred to previously, and they will need help and instruction. This would be a fine setting for the National Service Corps.

I want the Senator to know that when the roll is called on the bill, I will be standing by him and with him and voting on his side.

Mr. WILLIAMS of New Jersey. There is no one in legislative ranks whom I would rather have on my side than the Senator from Alaska. What he has said today demonstrates his humanity. We all know of his forceful advocacy, and what his support means. I have seen the sort of thing he has described. People are living in abject poverty and in desperation in slums. This is true not only in cities, but also on the farms. I am speaking especially of Indian reservations. Then a transformation comes. The man and his wife and family obtain a little economic base. He gets a job. Out in Pine Ridge recently a fishhook factory was brought to the area which employs about 250 or 300 of the residents. Suddenly they have a little money. Good housing has come in. All of it has transformed their lives. As one little girl said with great pride, "How do you like my dress? My father works at the fishhook factory." She was a human being, with new pride and dignity.

Mr. BARTLETT. The Senator tells a moving story. The conditions which the Senator has described and to which I have referred can be found in various parts of the country. As has been said, it is well and good to do what we need to do, and we ought to do abroad; but we also have obligations at home. The bill will enable us, at least in a small measure, to make a start toward meeting our obligations.

Mr. WILLIAMS of New Jersey. I am deeply grateful to my friend from Alaska.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. WILLIAMS of New Jersey. I am happy to yield to the Senator from Wisconsin.

Mr. PROXMIRE. Mr. President, the colloquy between the Senator from Alaska and the Senator from New Jersey emphasizes the human appeal of this subject, which is the driving force behind it, and which is responsible for the great enthusiasm it has inspired.

I should like to ask the Senator from New Jersey some questions relating to objections which I believe can be anticipated tomorrow. One objection I have heard from Senators off the floor and in the cloakrooms is that eventually the program will cost a great deal of money. It will be an expensive project. It will cost $5 million to begin with, but the possibilities of its expansion are almost unlimited.

Is it not true that the Peace Corps has been, among many other things, a very economical program abroad; that it has cost something like $9,000 to maintain a Peace Corps volunteer abroad, compared with $60,000 to maintain an American Army private, and, of course, a great deal more to maintain a fully paid technician? Could the same economy advantage of the Peace Corps be applied to the Domestic Peace Corps, as it is called, or National Service Corps?

Mr. WILLIAMS of New Jersey. Absolutely. This is a service program. The Senator from Wisconsin knows that the volunteers would be given a modest subsistence and, in addition, a $75 monthly stipend. With a ceiling of 5,000 persons in the program, I do not believe we will begin a program of massive spending. Even at maximum operation after 3 years, the whole program would not cost as much as 1 mile of interstate highway built in an urban area, to use another yardstick. No one is thinking in terms greater than $20 million, after the program has reached its peak strength of volunteer personnel.

Mr. PROXMIRE. What about subsistence? Senators have told me that in their view $75 a month could amount to a fairly good wage. Seventy-five dollars is a modest sum; but if a volunteer's room and board are taken care of, and other necessities, as well, such as clothing, $75 of "velvet" is better than most workers in America now enjoy, despite our high standard of living.

Would the program be operated in such a way that perhaps most of the corpsmen would be operating in their home areas? Considering the serious problems which exist in all large cities, especially the problems of juvenile delinquency and of the aged, would it be possible, in cities like New York, Chicago, Cleveland, and Los Angeles, for the corpsmen to be trained within their particular communities, so that the room and board factor could be minimized?

Mr. WILLIAMS of New Jersey. Returning to the first observation about the possibility that volunteers would live in some kind of luxury because room and board were paid for: I remember, as a child on the farm, the hired man working for room and board and $1 a day. We have come a long way from that for everyone who works.

The work in this program is what people are willing to do—in other words, they give up an opportunity for a true living wage to work at a subsistence level. As to administration of the program we are assured that the Director of the Corps will save money wherever possible.

One of the great expenses of the Peace Corps is the long distance traveled between the United States and the missions abroad. The great expense of traveling could be reduced if, after training, the volunteers served close to home and, in some areas, lived at home.

Mr. PROXMIRE. I shall come back to that point in a moment. Has there been any experience with similar programs? Did the hearings bring out any previous experience with this kind of program, which involves serious responsibilities and has great potentialities, which is planned to begin at a very modest level? I am wondering if there has been any experience in this area which might be used as a guide.

Mr. WILLIAMS of New Jersey. Our national history is full of examples of what volunteers can do in areas of poverty. So far as a national program of service of this kind is concerned, I do not know of any similar experience except, perhaps, that after the war our GI's in Italy, Greece, and other places rendered truly remarkable service as volunteers in helping youngsters. Their work is still discussed in Europe. Some of the youngsters who were helped have come to this country, and we have all read of their experiences.

The work in Kansas is probably an example of what a governmental program of recruiting volunteers can accomplish. That is the work I have described at Osawatomie State Hospital.

We have seen mental hospitals close to Washington where such activities have not been conducted, and the results are tragic. So we know what a volunteer can do if he is the right kind of volunteer.

Mr. PROXMIRE. This is a national governmental program. It has its elements of volunteerism and sacrifice; but it is a national program. It is not a State program, as in Kansas; it is not a volunteer program of the kind conducted by the GI's abroad, to which the Senator from New Jersey appropriately referred.

The reason why I am asking this question is that while I commend the Senator for starting the program on a modest level, it seems to me it would be wise to have a limited authorization. As the Senator knows, I intend to offer an amendment to provide for a 2-year program and a dollar limitation. I believe there should be a second look at the program about a year from now, with a view to more closely defining it as a result of the experience gained, however brief the experience may be, the idea being to provide useful and effective guidelines. It is perfectly obvious that the Committee on Appropriations cannot provide that kind of regulation. All that committee can do is to provide money. The authorizing legislation must be recommended by an authorizing committee.

Mr. WILLIAMS of New Jersey. The Senator says "all" the Committee on Appropriations can do.

Mr. PROXMIRE. I know it is very important.

Mr. WILLIAMS of New Jersey. "All" that that committee can do includes the killing of programs.

Mr. PROXMIRE. I appreciate that. It seems to me that during the first 2 years of the program—in fiscal 1964 and fiscal 1965—a $5 million and a $10 million limitation, which is all that is contemplated in the next 2 years, would permit Congress to consider the proposal, which is an excellent one for humanity, but extraordinarily vague, and on the basis of the experience of 2 years provide for a sharper guide; otherwise, I fear we could easily develop a program which would run away from itself.

At the bottom of page 1 of the report, we find the statement:

> Beginning with a small number of volunteers the Corps will work with the health and education needs of migratory farm families, Indians living on and off reservations, and rural and urban slums and depressed areas; the training and education of youth, particularly of school dropouts; and the care

> and rehabilitation of the elderly, the disabled, the mentally ill, and the mentally retarded.

On page 4, we find examples of the types of people who might work in the program, as follows:

> Among men and women aged 60 and over who will soon retire, there are 126,000 schoolteachers, 36,000 lawyers, 3,000 dietitians, and nutritionists, 18,000 college faculty members, 12,000 social, welfare, and recreation workers, 11,000 librarians, 32,000 physicians, and 43,000 professional nurses.

I know that some people might bluntly ask: "So what?" Some might like to see a $1 billion or $5 billion program; and perhaps such a program might be developed. But it seems to me that Congress should decide whether it wants to do that, and not leave the decision to an administrator, or leave it wide open. It is provided in the bill on page 23, lines 14 to 18:

> (d) There are hereby authorized to be appropriated to the President for the fiscal year commencing July 1, 1963, not to exceed $5,000,000 and for each succeeding fiscal year such amounts as the Congress may determine to be necessary to carry out the purposes of this Act.

It is true that the most the Administrator could spend would be the amount the Congress appropriated. But the Committee on Appropriations would have no guideline except the basic law on which we are acting today and tomorrow.

Mr. WILLIAMS of New Jersey. When the Senator from Wisconsin votes for the bill as it is, without amendment, the Senator will be voting for the bill as it reads on page 23, beginning on line 23:

> The number of corpsmen enrolled under this Act shall not exceed one thousand at any time during the fiscal year commencing July 1, 1963—

That means the Senator from Wisconsin will have voted to limit the number of corpsmen to 1,000 through June 30, 1964—

> and shall not exceed five thousand at any time thereafter.

That is what the Senator will be voting for when he votes for the bill. He does not have to amend the bill to change the number of corpsmen. The Senator's limitation is in the bill now.

To limit the duration of the program to 2 years, as the Senator from Wisconsin proposes, would be false economy. I am sure that those who will volunteer for the work will do so in the spirit that they are contributing to something of importance. If Congress approves a program to be tried for only 2 years, the motives of the volunteers will not be understood.

Mr. PROXMIRE. I like the idea of this program. But I see no reason why, for a program this new and this untried, we should try to do something which we seldom do for any other program. We do not do it for the space agency; our authorization for it limits the amount which it can spend in 1 year. We do not do it for the Peace Corps, the SBA, the Youth Corps, foreign aid, most of the programs of the Department of Health, Education, and Welfare; we provide limited authorizations for all these agencies. There are some exceptions—but not many. They are, by and large, only in connection with programs with which we have had vast experience.

It seems to me that in this case we should limit the authorization to the needs in the next year or two.

So it seems especially important that we reconsider the unlimited aspects of this proposal after listening to the criticisms by the Senator from Ohio [Mr. YOUNG] which are set forth in the committee report, and by some of our esteemed friends on the Republican side which I think have some merit. Certainly a 2-year limitation for a new program is no hardship. It does not mean that we are opposed to the program; it merely means that at that time we wish to study it and apply to it the benefits of the experience of 2 years.

Mr. WILLIAMS of New Jersey. I am indeed happy that the Senator from Wisconsin and I stand on the same side of the aisle, and I would be even happier if we could arrange to stand together on this limitation, if indeed one is needed. I believe we shall have an opportunity this evening to consider this matter further, and perhaps we can discuss it informally, inasmuch as I know we shall not take final action on the bill today, because many Senators are away.

Mr. PROXMIRE. Is it not true that one of the great advantages of this program, from its economic aspect, is that it is not viewed as a permanent program in any area? In other words, the Governor of a State would request the Corps to move in; and then the Corps would begin to work on a particular problem in a mental institution, or on an Indian reservation, or in a big city slum area, and it would stay there for a brief period or a limited period. Then, after a few months, or a year or so, the Corps would move out; would it?

Meanwhile, the corpsmen from outside would be replaced by local volunteers who would take over, presumably on a State program basis, a city basis, a voluntary basis, or by means of the program of a religious organization or a charitable institution. In other words, this program would serve as a catalyst. It would serve to inspire, on a practical basis, a far greater amount of charitable work and constructive contributions by many Americans, but not in terms of building in every city or in every State a bureaucracy that would grow and grow. Is that correct?

Mr. WILLIAMS of New Jersey. That is correct. The volunteers would be asked to move into a particular area, and to work in a particular program. After their work in a community was completed the corpsmen would go to work in another area.

Mr. PROXMIRE. Has the Senator had any indication from the Governors as to whether they would use this program? It would seem to me that there would be a great tendency on the part of some groups in many States to ask the Governors not to do it—as a matter of pride. In a certain State, some might say, "After all, we have the necessary people, we have the necessary funds; why cannot we solve our own problems, instead of turning to the Federal Government?" These volunteers will be paid a relatively modest amount. Why cannot we do this work ourselves, instead of looking to Washington?"

What is the answer to that?

Mr. WILLIAMS of New Jersey. The answer is that in many areas they have not done it. They need a little help to get things started. There are many private areas which just do not have the money.

As an illustration, more than 100 young men of Princeton University have created a program of going into the poorer areas, such as those in the city of Trenton, and finding youngsters in school who are retarded in one subject or in a group of subjects; and, as volunteers, they go to Trenton and help these children catch up. Some noble work is achieved. They testified before the subcommittee that university students could be far more effective if they had just one person who would give the work continuity. One person who could give his full time to organizing it, to finding the youngsters, to finding the areas, and who then would organize it on a schedule, could make a great deal of difference.

The Governors—in a direct response to the feeling of community people who want this program—and the Senator has read the hearings, and knows that more than 50 organizations are supporting it, people in government, from mayors to Governors—they have endorsed this program.

At the recent Governors' conference, the committee having jurisdiction over such legislation, reported favorably on the National Service Corps.

Mr. PROXMIRE. Mr. President, will the Senator from New Jersey yield again to me?

The PRESIDING OFFICER (Mr. METCALF in the chair). Does the Senator from New Jersey yield to the Senator from Wisconsin?

Mr. WILLIAMS of New Jersey. I yield.

Mr. PROXMIRE. The Senator from New Jersey has referred to extremely important testimony. It is a very important fact that in the conference the Governors indicated that they need the program and want it.

Mr. WILLIAMS of New Jersey. Yes. Specifically, Governor Brown, of California, and Governor Rosellini, of Washington, gave us ideas in regards to the two programs which have been incorporated in the bill.

Mr. PROXMIRE. Does the Senator from New Jersey contemplate that in cities such as New York, Chicago, or Cleveland, the Corps would send people to do some of this work? It is very difficult for me to understand how a vast city, with very great resources—including its universities, its church organizations, its charitable organizations of various kinds, the city machinery, and so forth—would turn to the Federal Government and would say to it, "We need help for our mental institutions"—or for a youth program or for something of the sort. Does the Senator from New Jersey contemplate, for example, that to New

York City the Corps would send volunteers from Wisconsin, Ohio, California, or Connecticut, to do this work?

Mr. WILLIAMS of New Jersey. In my opinion, in areas where great skill is required—areas where there is need for persons with considerable training, particularly in youth work, and perhaps in hospitals—it would develop that the right volunteer could contribute a great deal. For example, it might develop that in a slum area in New York City, a person from Wisconsin who had the necessary talent could have a real impact.

A member of the Cabinet testified—and I am sure his testimony is to be found in the committee's hearing record—about an area in a major city which is called "Bloody Corner." It was given that name because in that part of the slum area of that great city a group of delinquents, or of young men who soon would have become delinquents, was then to be found. He said that to that gang of young people, who had been the cause of the application of the name "Bloody Corner" to that part of the city, came a woman; I believe she was a schoolteacher. She spent a great deal of time with the boys; she gave them attention and guidance. He said that one woman had so great an effect upon that group of young men that her influence was responsible for changing the entire pattern of their lives—with the result that today those men—who then were youngsters—hold most responsible positions; and he enumerated the positions. Among them are doctors, lawyers, and businessmen; and he said:

> And one of them now sits before you as a member of the President's Cabinet.

So in that part of a great city, 1 person truly directed the great destinies of a group of approximately 25 young men.

Mr. PROXMIRE. Then the Senator from New Jersey contemplates that by means of this proposed legislation, enrolled volunteers, to be paid $75 a month—they will be people very unusually, or in some cases uniquely, skilled in this work—will provide the assistance which is needed in mental institutions, in Indian reservations, or in slum areas; and it is the opinion of the Senator from New Jersey, is it, that in that connection their skills will be so unique that it would be sensible to send them to—for example from California to cities such as New York or Chicago?

Mr. WILLIAMS of New Jersey. That might well be the situation. While perhaps not expressly germane, I hasten to add the observation that a highly placed citizen of our country, in the early stages of the Peace Corps, described that program as a juvenile experiment. I am sure that person came to regret his phrase, because the Peace Corps has been no juvenile experiment. We fully expect retired people to come into the National Service Corps with their talents and with their desire to be active. Experience with the Peace Corps has shown that some who have retired have found themselves suddenly inactive, and it is fully anticipated that there will be many qualified people in that category who would assist in the Corps.

Mr. PROXMIRE. At the same time, I understand that one of the reasons why the proposed legislation provides for pay of $75, room and board, is so that people can be drawn into the program from all ranks, and an elite group would not be selected. The program would not engage only those who are able to afford it—people whose incomes are sufficient so that they could contribute their time without any great sacrifice. I anticipate that people would be drawn from all classes and backgrounds. People without any great inheritance would be brought into it. Very often, particularly in recent years, those who have done good work of the kind proposed, while wonderful people, are necessarily limited economically to a small class, because only they can afford the sacrifice. Other people must work in order to live. They must earn enough to eat, to pay the rent, and so forth. By permitting the payment of the modest amount of $75, room and board, men and women could be drawn into the program from all 180 million Americans. Millions would have a reason or excuse to volunteer. You would not have to be a person whose situation, as a result of fortunate economic circumstances, would permit you to donate your time.

Mr. WILLIAMS of New Jersey. The Senator is correct. If we did not provide for the modest amount of $75 a month, a great many people, who would otherwise be qualified, would not be able to participate in the Corps. We wanted to fix the amount at the point at which we could get volunteers who have no other income and yet not have the amount fixed at a level at which the volunteer aspect would be lost. We desired to preserve the voluntary aspect of the program. The only way in which it can be done is by bare subsistence. That we have done.

Mr. PROXMIRE. Mr. President, I congratulate the Senator from New Jersey. Between now and tomorrow I hope we can get together on an amendment which would provide the kind of limitation which is traditional in congressional legislation, and particularly wise in a brandnew program covering a new area in which we have had no experience.

Mr. WILLIAMS of New Jersey. I thank the Senator from Wisconsin for his significant contribution to the debate. He has a habit of contributing to debate and sharpening the issues. We appreciate his contribution on the present bill. As a starting point for our discussion we might consider the bill S. 1, which would establish a Youth Conservation Corps, which bill was passed by the Senate. That was a new program which contained a 5-year authorization. That bill might be used as a basis for discussion.

Mr. PROXMIRE. As I recall, there was a limitation of 5 years and a limited amount contained in that bill.

Mr. WILLIAMS of New Jersey. Yes.

Mr. PROXMIRE. As contrasted to the bill now before the Senate, which contains no time limitation and no amount limitation.

Mr. WILLIAMS of New Jersey. I thank the Senator again.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WILLIAMS of New Jersey. Mr. President, I ask unanimous consent that further proceedings under the quorum call may be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGE OF THE FLOOR

Mr. WILLIAMS of New Jersey. Mr. President, I ask unanimous consent that additional staff members of the Committee on Labor and Public Welfare may be granted the privilege of the floor during the debate on S. 1321, the National Service Corps bill.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. WILLIAMS of New Jersey. I am happy to yield.

Mr. GOLDWATER. Does the Senator include in the request members of the minority staff, also?

Mr. WILLIAMS of New Jersey. Yes; if the Senator desires them included.

Mr. GOLDWATER. Yes. It has been the practice, but under the language of the request, a question might be raised.

The PRESIDING OFFICER. Without objection, the unanimous-consent request is granted.

NUCLEAR TEST BAN TREATY

Mr. GOLDWATER. Mr. President, one of the areas of gravest concern to us, as we consider the proposed limited nuclear test ban treaty, is that of the so-called next steps that will be taken on the basis of the treaty. I hope to discuss some of the diplomatic next steps on future days and I know that many of my colleagues will join in the debate of them. But today I would like to mention a step which already we may have taken, a step of profoundly serious consequence, and one which I fear may have been taken without any adequate examination by this body or by the American people.

I refer to the President of the United States and his recent public statements regarding a defense against ballistic missiles. The President indicated that we neither can nor should build anti-ICBM's. He has, in a few sentences, seemingly sentenced to death a vital portion of the defense of this Nation. The President, whose most important job is to preserve and protect the United States of America, has said, in effect, that he is convinced we cannot protect this Nation against attack by ICBM's. He has turned this into a reason for supporting the proposed partial nuclear test ban. The suggestion is made that because the development of an anti-ICBM is difficult it is therefore impractical and we do not need to test in the atmosphere and thus can approve this treaty in safety.

In short, he has said that he has already taken one of the next steps some of us fear might be taken under such a treaty—abandonment of defense projects which offer real, not paper, protection to the people of the United States.

In a way, this single matter overshadows even the treaty itself. I ask that the Senate and the American people examine this matter fully on its own merits as well as being part of the overall packaging for this treaty. For if this treaty really means that we must abandon efforts to defend ourselves against attack by ICBM, then I would say that we have a clear challenge to the security of this Nation—a challenge that flatly refutes the President's claim that no segment of our national security will be sacrificed should we approve this treaty.

Further, if to impress this treaty upon the people of the United States, the President has taken on his own any steps to deny the United States the protection of missile defenses, then I suggest that we have taken such a fearful step that we must halt immediately before every defense is dropped and every hope of security imperiled. No treaty could close such a gap in our defenses.

I regret that the President has seen fit to bring our defense capabilities under such question as a part of the test ban treaty discussion. Surely, most of us would hope that there was no question whatsoever of weakening America under such a treaty. But the question has been raised by the President himself and it must be answered.

The President has said that we cannot build a missile defense. Then I ask what we have built in the Nike-Zeus, which has destroyed Atlas missiles? Of course, this could be called a primitive defense against missiles. But it is a defense, and it is a step toward greater defense.

The President says that the Soviets cannot develop an anti-ICBM. Then what are the missile defenses now deployed around Leningrad? Primitive defenses they may be; but, again, they are defenses, and they are steps toward greater defense. And we must never forget that the Soviet move toward such defenses is vastly aided by the successes of their recent atmospheric tests, tests which may have made them more than willing to pause now and revert to underground blasts.

What of our most recent atmospheric tests? Did they give us similar aid toward an anti-ICBM?

Imagine a world, treaty or no treaty, in which the Soviets had achieved a substantial lead in development of an anti-ICBM. Where then would be our deterrence? Where then would be the sword and shield of peace? What then would be the position of the Soviets to back their aggressions, and what would be our ability to stop them?

President Kennedy is fully confident that we can put a man on the moon—no mean feat—and is willing to spend $5 billion a year to do it.

I have talked enough to competent scientists and engineers who believe that a good anti-ICBM, capable of protecting the American people, would be no tougher task. But of course it would require an equal enthusiasm, money, and effort as our moon program does to accomplish. How can we fail to apply anything less than our best efforts to produce it?

In this respect, I have just heard Secretary of Defense McNamara testify that we can develop an antiballistic missile system and that we are in the process of so doing. I asked him, rather facetiously, during the testimony, whether he had visited with the President on this problem, because I think the President and the Secretary of Defense should decide whether we can or cannot or whether we should or should not produce this system which I feel to be a very important and valuable adjunct to our defense.

History is replete with examples of high officials making erroneous statements on technological discoveries and advances. Let us recall a few:

First. "Airships won't fly."

Second. "Battleships won't sink."

Third. "An ICBM can never be built," and so forth.

What would be the position of the United States today if we had followed this advice while an enemy had not?

The question seems to boil down to two points regarding ballistic missile defense: "Can we?" and "Should we?"

"Can we?" is a matter of technical and scientific skill. I need only to remind Senators of the almost unbelievable advances made within our lifetime in all fields of science and technology. And the pace of new discoveries is growing faster, not slower. On the order of 50,000 inventions were made last year, and new inventions are still being patented.

The question "Should we?" has the most unfortunate connotation in the President's statement. He admits that defenses are possible, but states:

> The defense must build huge, complex missile rings around each city or site it wants to save—would cost $20 billion to defend only the largest half dozen cities in the United States leaving the rest of the Nation open to nuclear death.

What this means to me as an American is that if we cannot win the game by a shutout, we should not try to win, particularly, if it is expensive.

To a defense planner it could mean that the President is choosing to ignore the integral part that U.S. national defense plays in our whole deterrent posture.

The ultimate defense against ballistic missiles would be to prevent the ICBM's from being launched.

The next best defense would be to kill each ICBM as it was launched, with some appropriate control or emphasis on collateral damage.

The next succeeding degrees of good defense systems would be to destroy the missile in boost phase, midcourse, or, finally, terminal phase.

To say that anti-ICBM is hopeless is to cover 5,500 miles with a single sentence.

There are three main points of argument with the hopeless premise:

First, an imperfect defense is better than nothing.

Second, there are capabilities in the U.S. inventory for limited defense.

Third, there are feasible capabilities for sophisticated defense systems.

Regarding the first point, even a defense which does not solve the whole problem does have value. It can provide some deterrence, can complicate the enemy's targeting—because unless we tell him, he does not know just how good or poor it is—and will offer a measure of protection to the United States.

Further, a limited defense can have important applications, provided it is designed to be limited, and not just limited by lack of effort. By this I mean to address the President's point of discrimination. Granted it is a difficult task to separate warheads from decoys, it is also a difficult task for the Soviets to design a decoy to give the same radar signature as a 100-megaton warhead. A defense system limited in its design to discriminate and destroy very high-yield warheads seems to me to be of utmost importance.

Second, the Nike-Zeus, although only in development, has demonstrated a kill capability against Atlas missiles launched from Vandenburg Air Force Base. Deployment of a small number of Zeus is feasible. In line with the first point, even one Zeus which destroys one ICBM has earned its way.

Third, the fiscal year 1964 budget calls for $335 million for Zeus and its follow-on, Nike-X. In addition, $100 million for Defender, another anti-ICBM development, given highest national priority in 1962. In Mr. McNamara's words:

> Whether we will be successful [in anti-ICBM development], I can't predict. But I am not prepared to say that there can be no defense against intercontinental ballistic missiles.

In fact, there are at least a half-dozen promising paths of research toward an anti-ICBM system. Now is the time to expand, not close down, the defense patent office.

And now, before it is too late, is the only time we may ever have to make sure that this proposed partial test ban is not opening a possibly fatal gap in our defenses. At very least, the Senate should demand an ironclad assurance that antimissile development will not be inhibited by the treaty or by the President's personal pessimism.

Frankly, I question whether even assurances are quite enough in this crucial matter. Our very life as a nation is at stake in this. We need the fullest inquiry. We need to know the relative status of our and the Soviets' missile defenses and the impact of the treaty upon them as well as the impact of unilateral actions we may be taking under the general assumptions of the treaty negotiation.

Prior to the President's statement about anti-ICBM's it was said that this treaty had little if any implications for our national security. The treaty's proponents said just that. But now we have opened a "Pandora's box of doubt" about our defenses. Those doubts must be resolved and any growing gaps in our defenses closed tightly before, in reason and safety, we can bring this treaty to a vote. We know now that national security is involved. Dreams of peace cannot shut our minds to the nightmare possibilities of an armed and aggressive Soviet Union able to leapfrog our deterrent forces by a breakthrough in defensive capabilities—a breakthrough made possible by their past violations of the test moratorium and then sheltered by the restrictions which this treaty would place upon the free world or its leaders.

I repeat, the President of the United States himself has cast serious doubts upon our defense capabilities and potential as part of his consideration of this treaty. Those doubts must be explored here, fully and finally, lest we vote not for peace but for destruction.

Mr. WILLIAMS of New Jersey. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JAVITS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL SERVICE CORPS ACT

The Senate resumed the consideration of the bill (S. 1321) to provide for a National Service Corps to strengthen community service programs in the United States.

Mr. WILLIAMS of New Jersey. Mr. President, during the debate on the National Service Corps, it might be suggested that the program is vague; and it might also be suggested that perhaps we are not working with a program that is carefully planned, or are not setting out what will be done with the projects that will be developed under it. The President's Study Committee worked long, hard, and realistically with a program that has aroused a great deal of emotion. I ask unanimous consent that there be printed in the RECORD at this point a list of projects which have been described and which have been talked about and have been requested at the grassroots level, to show how specific we have become with the kind of project that will be done by the corpsmen. These are concrete examples of what is and can be done.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

A. OGLALA SIOUX INDIAN RESERVATION MODEL, PINE RIDGE, S. DAK.

The problems

The Oglala Sioux form the second largest Indian tribe in the United States: 8,500 Indians. They live on the second largest reservation in the country in an area almost as large as Puerto Rico. They have enormous problems.

More than half of the people live in old, badly constructed one-room frame or log houses. One percent still live in tents. The South Dakota winters are not kind—the average winter temperature in 1963 was about 22°, with days of −25° not uncommon. The Indians lack construction skills.

Maternal and child mortality rates are very high—almost four times greater for infants than for the non-Indian babies in the area. Conquerable diseases incidence is also high. The single 49-bed hospital had an average daily patient census of 54 in 1962. Home instruction in health and sanitation is badly needed.

The children are frequently retarded culturally when they enter school at age six or seven because they have learned only the Sioux language and customs.

Although an irrigation project was begun years ago, the Indians do not know how to complete it or utilize it. Without adequate water cattle cannot be bred or fed, and the Indians are thus unable to use these potential income producers. Specialists in irrigation and ranching are needed.

The annual tribal governmental budget exceeds $400,000. But almost none of the tribal leaders has any experience in government or business management.

The saddest fact of all is that most of the Oglala community groups do not even realize their problems, or know their goals, or know how to start achieving the goals. There is a serious need for community development, recreation, and adult education.

How corpsmen could help

The Oglala have asked for 21 to 37 corpsmen. If this project were selected, it would be integrated into the programs of the Bureau of Indian Affairs, and administered by the tribal council. Supervision at the job level, where appropriate, would be by the Bureau of Indian Affairs. Here are some of the jobs:

1. Housing: Corpsmen with experience in carpentry, plumbing, and electrical wiring could act as on-the-job instructors in self-help home and community building construction.

2. Home nursing: Nurses could rotate through the community groups, teaching basic health and sanitation hygiene.

3. Nursery school: Corpsmen could help organize and run the first nursery school on the reservation. Indian children could thus learn the English language and American social customs in addition to their own.

4. Agriculture: Corpsmen could act as on-the-job instructors in repairing and using the irrigation project. In addition, corpsmen could institute a cattle feeding program which would create employment and make profitable use of the reservation's resources.

5. Administration: Corpsmen skilled in public administration and business management could teach their skills to both the tribal council and the Indian public.

6. Community development: Corpsmen skilled in community development—adult education, vocational training, recreation—could work with the Indians to instill in them the ambition, desire, and enthusiasm to change their social and economic situation.

B. MASSACHUSETTS MENTAL HEALTH MODEL

The problems

Massachusetts has made tremendous strides in providing for the mentally ill. Through the use of new drugs, treatments, and therapy, State health officials have been able to open many doors in the field of mental rehabilitation. Yet, for four out of every five patients, these doors remain tightly shut. Why? A lack of manpower to put ideas and techniques into action and a lack of ward space for decent living and care:

In a typical back ward, 50 patients are crowded into a physical space which would normally house two typical American families;

Total furnishings comprise 50 beds, 50 wooden chairs, 5 tables, a common toilet, and a television set;

One psychiatrist must be responsible for the entire ward—in addition to seven other wards like it. Total patients: 350; and

The only nonpatient contact the patient has is with his attendant; therapy consists almost entirely of tranquilizing medication.

How corpsmen could help

One important solution to the manpower problem has emerged in the past 15 years: use of part-time unpaid citizens from the community. The citizen contribution has been in time, energy, and humanity, and it has brought marked improvement in the physical conditions and social environments of the wards in which the volunteers have visited. The presence of the volunteers has also accounted for basic personality change in the patients, and has provided the patients with the impetus for substantial recovery.

National Service Corps men could expand considerably the role of the volunteer, and increase the number of participants from the community in that role. Here are some of the jobs corpsmen could do:

1. Service coordinator: The corpsmen could work directly with patients, becoming familiar with their needs and referring them into appropriate professional and volunteer therapeutic programs.

2. Project coordinator: The corpsmen could establish or expand a rehabilitation project, and lead the patients into the project. Some of the possible projects include: physical education program, adult education, community service program where patients can make things for the blind and the deaf, an employment agency, training in special skills, counselling patients' families.

3. Halfway house worker: A corpsman could live in and man a new halfway house—a transitional facility for patients who require supervision, guidance, and support while making the step back to the community.

4. Case aid worker: A corpsman could work individually in case relationships with patients selected by the service coordinator. The corpsman could also work with patients to build supportive "companionship" relationships, lead the patients into new social situations, and guide them in appropriate modes of adjustment.

C. CRAWFORD MOUNTAIN (TENN.) HEALTH MODEL

The problems

On Crawford Mountain in Overton and Fentress Counties in Tennessee, are six unincorporated mining camps. In this isolated and depressed region, 2,430 people are barely subsisting. The average annual family income in the two counties is about $2,000. It is less on the mountain. The median education level in the two counties is less than 8 years. It is less on the mountain.

The total population of the two counties is 27,949. Yet each county has but one public health nurse. The single nurse in Overton County does visit the mountain families—for 2 days each month. The nearest doctor is 25 miles away, a trip that is made only when something very serious comes up. But many families cannot afford to see the doctor.

How corpsmen could help

The mountain community has requested only two corpsmen—but the project could have a tremendous impact in this rural depressed area. Here are the jobs the corpsmen could do:

1. Nurse: A nurse-corpsman would conduct a visiting-nurse program, health clinics, and an educational program. It is felt that the nurse could help prevent deaths which have occurred in the community because the people delayed the trip to the doctor. The nurse could also reduce the need for long hospitalization.

2. Health educator: This corpsman would organize health facilities on the mountain, help develop other community facilities related to health, make people aware of the existing health facilities, and teach them how to use these facilities.

D. SAN CARLOS APACHE INDIAN (ARIZONA) MODEL

The problems

The San Carlos Apache Indian reservation spans a three-county area in east central Arizona. Over 4,600 Indians live on the rough bottomland, arid semidesert, and forest-covered mountains that make up the reservation's 1.6 million acres.

Seventy-five percent are unemployed (compared with the U.S. unemployment rate of 5 to 6 percent).

About three-fourths of the families receive income from a tribal cattle industry—but nearly half of these families receive less than $500 annually, and another one-fourth receive from $500 to $999 annually.

Other tribal enterprises employ seasonal workers for cotton chopping and picking, and cowboy work. This gives some of the tribe a part-time income of $600.

Almost all of the housing is substandard. Housing generally consists of one or two poorly built rooms. Inside, up to 14 persons are expected to cook, eat, and sleep. The houses are cold in the winter, and so oven-like in the summer that the occupants are forced to live outside.

Sanitation is deplorable. Water must be carried long distances. And it must be heated by outside fires for cooking, bathing, and washing.

How corpsmen could help

National Service Corpsmen could demonstrate, teach, and show by example ways for the San Carlos Apaches to better their standard of living. Here are some of the tasks corpsmen could perform to alleviate the tribe's chronic underdevelopment, low wages for those who do work, substandard housing, unsanitary health conditions and practices, and low educational attainment. The jobs would be integrated into programs of the Bureau of Indian Affairs.

1. General construction workers: Corpsmen with experience in the fields of plumbing, wiring, carpentry, and masonry could assist with the construction and maintenance of self-help housing projects.

2. Adult education teachers: Teaching aides could instruct adults in such fields as tribal, State and National Government, academic skills, and tribal and business administration.

3. Farm aid: A corpsman could instruct in vegetable gardening, slaughtering, small machinery maintenance and repair, and 4-H and Future Farmers of America Club projects.

4. Home aid: Corpsmen could also work with the people in self-help housing projects in such fields as nutrition, infant care, preservation of food, home management and housekeeping practices.

E. CLOVER BOTTOM (TENN.) MENTAL RETARDATION MODEL

The problems

Mental retardation today ranks as a major national health, social, and economic problem. It is 10 times more frequent than diabetes, 25 times more common than muscular dystrophy, and 600 times more prevalent than polio.

But most State institutions for the retarded remain understaffed, overcrowded, and can offer little more than custodial care. Budgetary limitations inhibit the training, education, rehabilitation, and community living programs essential to the cure and release of many retardates. One of these State institutions, Clover Bottom Hospital and School in Donelson, Tenn., serves 1,400 mentally retarded children. Under the jurisdiction of the State department of mental health, and enjoying close working relationships with five nearby colleges, Clover Bottom is one of the understaffed and overcrowded. It is unable to meet the total needs of its mentally-retarded patients, who span all age groups, degrees of retardation, and include both sexes.

How corpsmen could help

The Tennessee Department of Mental Health has asked for assignment of corpsmen to help meet Clover Bottom's personnel shortages. Here is what corpsmen could do.

1. Social service workers: Corpsmen could counsel individual and group retardates in management of day-to-day experiences, community adjustment, development of social skills (dress, manners, etc.).

Corpsmen could also serve as "big brothers" and "big sisters" for an individual residential building, and for counseling, advising, and acting as liaison between parents, institution, and patient.

2. Teaching aids: Corpsmen, working in conjunction with the institution's regular teachers, could offer individual classroom attention and assistance in both trainable and educable classes. The corpsmen might eventually help initiate and develop programs in special classes for the mentally retarded in nearby communities.

3. Recreation aids: Corpsmen could work with patients unable to participate in the institution's regular physical recreation activities, develop a total recreation program for a particular residential building, teach intramural sports, and develop indoor activities for inclement weather.

4. Vocational education instructors: Corpsmen could instruct patients in such skills as leatherwork, ceramics, machinery, radio-television repair, and printing. Learning a trade is a vital part of the patient's rehabilitation. Without it, the patient's success as a useful, self-sufficient member of the community will be severely limited.

F. HARLAN COUNTY, KY., RURAL DEVELOPMENT MODEL

The problems

Harlan County, already burdened with an inordinate share of America's poverty and deprivation, was hit by the most disastrous flood in its history in March of 1963. Damage exceeded $21 million. Forty-nine homes were washed away and 1,500 were damaged. Two thousand schoolchildren were isolated for a time as 120 bridges were washed out, and roads were undermined and destroyed.

This natural disaster devastated an historic county in southeastern Kentucky that has suffered from manmade upheavals for too many years.

Coal mining is the county's principal source of income. But coal production has declined and automation has been replacing workers. From 1942 to 1962, production was cut in half. Coal employment dropped from 12,500 men to 3,183 men.

The county's 1950 population was 75,544. It lost more than 21,000 people in the next decade. Almost a quarter of its current population is unemployed. More than $6 million a year is paid out in social security, public assistance, and unemployment insurance benefits.

Twelve thousand people receive surplus farm food.

Even before the flood hit, nearly two out of three housing units were classified as substandard.

The youth in Harlan County suffer incalculable handicaps. Eighty-five percent are undernourished. A majority of the draft-age young men are rejected by the armed services due to bad health and illiteracy. The county has the highest percentage of juvenile delinquents in the State.

School dropouts are an enormous problem. Of the 13,092 youths between 6 and 18 years of age, nearly 20 percent are not enrolled in school. Nearly 60 percent dropped out of high school between 1958 and 1962. Median school years completed in the county is only eight. One-fourth of the adult population has less than a fifth-grade education and is classified as functionally illiterate. Only 18 percent of the residents have completed high school or more. And, not surprisingly, the State's last log schoolhouse can be found in Harlan County.

How corpsmen could help

The cooperating Planning Council of Harlan, Ky.—composed of representatives from civic clubs, agencies, public officials, and institutions throughout the county—has requested National Service Corpsmen to help in the major attacks on the county's massive health, education, delinquency, unemployment and other problems.

Here are the projects and here is what corpsmen could do:

1. Improve the physical and mental health of youths—both in and out of school.

In-school youth would be helped by corpsmen working with teachers to establish good physical fitness and recreational programs, identifying mental health problems and improving mental health, and developing a desire to improve physical and mental health.

Out-of-school youth would be aided by corpsmen working with existing community leaders and agencies to help establish recreational areas and community centers; providing leadership and training in organizing youth club teams, and groups for specific purposes; and enriching the cultural background of young people by providing opportunities for them to learn music, art, etc.

These corpsmen would also contact adults to help provide leadership and build a youth program.

2. Work with recent school dropouts and in the prevention of dropouts.

Specific tasks would include tutoring in the academic areas of grades 7–12; counseling and guidance of youth; providing for a recreation program; teaching crafts; organizing and leading youth groups for work and play; and working with school personnel and existing agencies to enhance youth programs.

3. Develop an educational program for adults.

Corpsmen would provide instruction in adult education in such fields as elementary academic education; subsistence farming to supplement family incomes; training in vocational courses such as typing, home maintenance and renovation, potterymaking, simple crafts, opportunities for senior citizens, and social work with families on specific problems.

4. Stimulate tourism and preserve the county's natural resources.

Other corpsmen are requested to work with local people and agencies in surveying the county for possible tourist attractions; helping train residents in skills needed in building tourism; and helping develop pilot projects as tourist attractions in the scenic mountains.

G. MICHIGAN MENTAL RETARDATION MODEL

The problems

The crippled, mentally retarded child seems destined to be cruelly neglected. His need for help is great—both before and after hospitalization.

In the Detroit, Mich., area, these children are on long waiting lists for institutional treatment. They receive virtually no services whatsoever. Most of their families are poor, and often have little understanding of how they can help their children and themselves.

Result: the retarded child is left completely unattended and uncared for. Even when the crippled, mentally retarded children are treated (frequently including surgery), they require care and training. But they usually receive little of either in their homes. It is extremely difficult for mothers to get their children to the proper State home or agency that could give them the treatments and training required.

Because of a shortage of personnel, no agency is now able to provide services in the home for the unattended retarded child. But the Michigan Department of Mental Health is convinced that nonprofessionals can do effective work in this vital area.

How corpsmen could help

The Michigan Department of Mental Health and the Plymouth State Home and Training School have requested corpsmen for a home visiting program. Corpsmen would visit the homes of a selected list of

Detroit families with crippled, mentally retarded children.

Corpsmen can help these children who are in such desperate need. And they can also help improve the lot of the poor parents of these children—people who are plagued with a multitude of misery. The corpsmen can bring both tangible help and a vital ray of hope. Any by their efforts, they can inspire others in the Detroit area to help and demonstrate to the Nation the usefulness of nonprofessional work with retarded children.

Corpsmen would not have to have specific professional talents. It is more important that they be mature individuals, interested in people and able to work with the lowest socioeconomic portion of the population. Here is what corpsmen can do.

1. Spend a part of each day or week working with the family of the retarded child in meal preparation.
2. Institute general health measures for better hygienic living.
3. Provide recreational and training opportunities for the children.
4. Train the family to provide simple physiotherapy techniques for the children.

H. FRESNO (CALIF.) COMMUNITY MIGRATORY AND SEASONAL FARM LABOR MODEL

The problems

In the southwestern part of Fresno, 2,500 people dwell in a dismal slum. More than half of these are children under the age of 19. Most of the adults are agricultural farmworkers. Some work as domestics and construction laborers. About 90 percent are Negroes. Few enjoy anything approximating the kind of life that has produced the bountiful crops grown just a few blocks away.

Half the dwelling units are classified as substandard.

Average annual income of these families is between $2,000 and $2,500.

About four out of five families receive welfare assistance at some time during the year.

The high school dropout rate is 32 percent. Reducing this rate is viewed as the key to the area's problems: the people do not 'possess enough basic education to benefit from adult education and vocational training. Because there is considerable population stability in this neighborhood, an increase in high school graduates would bring profound long-term benefits to the area.

How corpsmen could help

The North Avenue Community Center, a settlement house serving this area, has requested national service corpsmen for a club and crafts project for children in grades 8 through 12. The project would attack the root cause of poverty, illiteracy, and disease by motivating the students to stay in school. And this would enable the students to acquire the vocational training and basic education necessary to break the depressed-family cycle.

The project could have catalytic effect, not only in stimulating volunteer activity in the Fresno and California area, but in providing a model for the Nation. Here are the jobs corpsmen could do:

1. Corpsmen would work to develop the interest of schoolchildren in specific vocational areas while children are still in school. Club and crafts work would be provided in automobile and farm machinery maintenance and repair, irrigation skills, domestic and homemaking skills, and selected trades, depending on the interest of the school and adult population.
2. Corpsmen would supply limited crafts training in addition to their counseling.
3. They would also contact and visit parents of the children participating in the program to stimulate interest in the development of trade skills by the children and themselves.

Corpsmen would not be expected to inculcate enough skills to enable the students and adults to engage in a vocation or trade. Rather, the corpsmen would create sufficient interest in the acquisition of skills so that the students will remain in school for the duration of the project—36 months. At the end of this term, it is hoped that the community will have received the necessary training facility to enable high school graduates to receive specific training in their desired field.

I. UPPER KENTUCKY RURAL DEVELOPMENT MODEL (PERRY, LESLIE, KNOTT, LETCHER COUNTIES)

The problems

In this Appalachia region of eastern Kentucky, employment in the coal mines has declined by two-thirds since 1950. Almost one-fifth of the counties' 93,000 people were dependent on mining for a livelihood before 1950. Today, only 6,520 are employed in the mines.

As unemployment rose, wages dropped, until now, the average annual per capita income is only $1,066—less than half of the U.S. average.

Educational attainment in the four counties is extremely low. Median school years completed by persons over 25 years of age is only 7.6 years. More than 12,000 of the 41,000 adults are classified as functionally illiterate, below a fifth grade level. Only 2,928 adults over 25 have graduated from high school—indicating a 93-percent dropout rate.

Health and housing problems are enormous. Ninety percent of the individual water systems are unprotected. Seventy-five percent of the population is using unsatisfactory sewage disposal facilities. More than a third of the housing was built 33 years ago. There are but 6 public health nurses for the 4 counties—a ratio of 1 nurse per 15,000 people.

How corpsmen could help

The Upper Kentucky River Area Development Council, in cooperation with county development councils in each of the four counties, has requested National Service Corpsmen to help tackle the area's education, health, and community development problems.

One group of corpsmen could be assigned to public and private agencies in the counties to serve in interpreting, coordinating, and stimulating programs as resource persons, consultants, and expediters. Some of their jobs might include—

1. Adult education instructor.
2. Public health specialists.
3. Business management consultant.
4. Youth development supervisor.
5. Housing and construction instructor.
6. Recreation counselor.

The model calls for a second group of corpsmen to work in small communities on various self-help projects. They would help to stimulate local leadership and would live and work in the localities. The corpsmen might have skills that would enable them to act as public health educators, nutritionists, nurses, and teachers.

J. WASHINGTON, D.C., URBAN COMMUNITY DEVELOPMENT MODEL

The problems

In Southeast Washington, D.C.—in an area bounded by Pennsylvania Avenue, St. Elizabeths Hospital, and the Anacostia River east to the District line—the population has increased 23 percent since 1950. Most of the increase was due to the in-migration of nonwhites.

The Southeast is split into three distinct sections: One of the District's oldest Negro communities, a well-established white community, and a transition section in between the two.

With few opportunities for mutual discussion, the area has been the scene of racial strife and a harbor of criminal activity.

Many in the area are on public assistance and receive surplus food. Many mothers are unwed, and many do not receive prenatal care.

The Southeast Neighborhood House itself is a victim of displacement and community transition. Caught in the path of a projected throughway, it had to vacate its long-time home. Now furnishing staff services from scattered, borrowed quarters, the house nevertheless is attempting a large variety of projects aimed at transforming neighborhood groups into a cohesive, participating community.

How corpsmen could help

The Southeast Neighborhood House and the Washington Urban League have jointly proposed a project asking for National Service Corpsmen to help tackle the area's most pressing educational and community development problems. Here are some of the jobs corpsmen could do:

1. Corpsmen could be assigned to each of the 10 schools in the area to organize special classes for the guidance of those in need. They would give instruction to all ages in basic reading and arithmetic, Negro history, U.S. Government, District of Columbia government, arts and crafts, cooking, and sewing.
2. In addition, corpsmen could give courses in adult education in such fields as credit buying, home repair, the citizen and the law, social agencies in the District of Columbia.
3. Corpsmen, working from the local center, could work with people of all ages on a block-by-block basis to discuss and help resolve family, neighborhood, and other social and economic problems.

In all of these jobs, it is planned that corpsmen would gradually be replaced by local volunteers trained for specific jobs.

K. KANSAS MENTAL HEALTH AND JUVENILE DELINQUENCY INSTITUTIONAL MODEL PROJECT

The problems

Three of the eleven institutions administered by the Division of Institutional Management of the Kansas State Department of Social Welfare deal with (1) persons afflicted with mental illness, (2) mental retardation, and (3) boys convicted of juvenile crimes.

The Boys Industrial School in Topeka contains 200 boys under 16 who have been committed by juvenile courts because of delinquent acts. The school provides an open reeducative community living experience for the boys to develop in them more positive social attitudes and values.

The Ozawatomie State Hospital is one of Kansas' three State mental hospitals. The hospital is a psychiatric center for the treatment of mentally ill persons over 16 years of age. Patients come from a 22-county area of southeastern Kansas. Average inpatient population is 1,000 persons.

Parsons State Hospital and Training Center is one of the State's three institutions for the mentally retarded. Parsons serves the entire State in a multidiscipline program designed to meet the patient's neurological, psychological, social, and cultural needs. Specialists from the Menninger Foundation serve as consultants. The goal at Parsons is to develop the mentally retarded children to the full limits of their inherent capabilities, and to return them to the community as happy, useful citizens—adjusted to their limitations and environments.

How corpsmen could help

The Division of Institutional Management of the Kansas State Department of Social Welfare has requested National Service

Corpsmen to work among the three institutions mentioned above.

The project is designed to provide greatly needed personnel for person-to-person relationships with patients; to alter and improve community attitudes toward the mentally ill, the retarded, and the delinquent; and to orient corpsmen toward future careers in the helping professions. Kansas has also offered to make available the highly developed treatment, training, and research facilities of the Parsons institution as a training site for up to 50 corpsmen at a time—corpsmen who could be assigned not only in Kansas but in other States in the midwest region.

Here are some of the jobs corpsmen could do:

1. Work with patients in wards and in cottages on a one-to-one selected basis.
2. Provide companionship therapy for patients with special needs.
3. Visit patients in their homes during the period of convalescent leave.
4. Assist special education teachers with students who need individual attention.
5. Assist in work with small groups, helping with self-care training such as dressing and feeding and recreation.
6. Assist patients in the development of hobbies such as fishing and games.
7. Assist in Boy Scout movement, and develop an "Explorer Post" at the Boys Industrial School.
8. Assist in music, occupational speech and recreation therapy, and education.
9. Serve as social work aids, carrying out specific assignments under supervision.

L. SAN JOAQUIN VALLEY (CALIF.) MIGRATORY AND SEASONAL FARM LABOR MODEL

The problems

Some of the richest farming land in the world can be found in the southern part of the San Joaquin Valley in Tulare and Kern Counties, Calif.

Some of the most depressed families of migratory and seasonal farmworkers in America can also be found there.

Many of the farmworkers have settled permanently in the area. Typical valley communities have populations of 8,000. But during the growing season, thousands of seasonal local and migratory workers are needed for the harvest; the size of the labor force swells as much as 250 percent. These people come from all parts of the Nation and settle on the fringe of the older communities or on the alkali flats or wherever they can find a patch of land. These workers boost the population of the valley towns by as much as 40 percent.

Quarters are cramped and income is low. The average farmworker's family in the area contains 5.5 persons. His health and that of his family suffer from neglect. Illiteracy, language barriers, ignorance of basic sanitation practices, cultural isolation, a sense of being unwelcome—all these things create a wide gap between the migrant and the communities' permanent citizens.

Local schools, health and welfare agencies—already overburdened—must stretch their services and budgets to cope with the migrants' many problems.

Then, as the growing season draws to a close, competition for the dwindling jobs produces even more friction in the community.

How corpsmen could help

The State of California and a number of public and private organizations in agricultural communities of Tulare and Kern Counties have requested National Service Corpsmen for a community development project. The project has three goals: to help the migratory and seasonal worker and his family to help themselves to improve their homes, neighborhoods, and grow into self-reliant citizens; to improve understanding and good relations between the farmworker and the community; and to set an example of service and demonstrate how volunteer activity may be successfully used by other communities having similar goals.

Here are some of the projects for which corpsmen have been requested:

1. Poplar: A seasonal worker's community of 2,000. Through its improvement committee, chamber of commerce, and two PTA's, Poplar wants corpsmen to work primarily with youth, but also on community development.
2. Teviston: This town came into being when someone sold a worthless alkalai flat to Negro farm families. It is now a community of 300 families. Through its community improvement association, Teviston has requested one corpsman to help on community development.
3. Visalia: Like most of Tulare County, two-thirds of the housing in this community is substandard. Visalia has requested corpsmen skilled in the building and construction trades to help the local farmworkers carry out a self-help housing construction program. The American Friends Service Committee would help with the educational and organizational phase of the project.
4. Visalia, also the site of the Sequoia Farm Labor Association, a worker-owned cooperative with 150 member farm laborers—two-thirds of Mexican-American background—wants corpsmen to teach adults such subjects as basic English, mathematics, government, citizenship requirements, credit and money management, homemaking, and nutrition.
5. Earlimart: Children of farm laborers comprise 75 percent of this community's school enrollment. Through a local committee, corpsmen have been requested to carry on a variety of projects, including teaching farm mothers how to purchase and prepare healthful and economical foods, home maintenance and sewing, raising and preserving much of their food; providing leadership and training in setting up child care centers for mothers who must work in the fields; instruction on setting up cooperative projects; vocational education of farmworkers so they can work in more than one crop area; and helping the local schools to determine the classroom materials most useful with children of farm laborers.
6. Arvin-Lamont Farm Labor Camp and Weedpatch: Through local school, health, labor camp management, church and health-recreation councils, this migrant center, which has up to 3,000 migrants in peak seasons, has asked for corpsmen—including teachers—for remedial work with children who are behind in school or who have language barriers, a recreation leader who will help coordinate and lead a recreation program, particularly for children who presently are left alone while their parents work in the fields; and a community resource worker, who will help the migrants find the existing community resources in time of need.
7. Wasco: This migratory farmworker settlement has requested corpsmen to work with elementary school-age students, both in school and at the migratory camp; to work in setting up a recreation program for young people, to instruct in personal and dental health, and to help teach basic English to youths with language problems.

Mr. SCOTT. Mr. President, I propose to have more to say later on the National Service Corps. There are in it areas of considerable concern to me and to my Commonwealth, particularly with regard to our feeling that such a program would be better administered at the State level. I am further concerned about the cost of the program relative to the number of persons who would become members. We also believe that the national administrative machinery may involve a bureaucracy larger than the Corps itself. I make a definite distinction between the Peace Corps, which I have wholeheartedly supported, and the National Service Corps, which should not be called a Peace Corps. Rather, it is a welfare proposal. We are concerned as to whether or not it may not have the effect of setting up a duplicate department of welfare in each State.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. SCOTT. As to these items, I shall have more to say later.

At this time I ask unanimous consent to have printed in the Record at this point a letter written to me by the secretary of the Pennsylvania Department of Welfare, expressing some of his views in this regard.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Commonwealth of Pennsylvania,
Department of Public Welfare,
Harrisburg, August 7, 1963.

Hon. Hugh Scott,
U.S. Senate, Washington, D.C.

Dear Hugh: The proposal of a National Service Corps is of immediate interest to the Pennsylvania Department of Public Welfare and to the new interdepartmental Governor's Council for Human Services. It is our opinion, based on the serious problems of school dropouts and youth unemployment coupled with the rapid acceleration of economic and social change, that the ideas for volunteer service embodied in the National Service Corps bill are sound.

The problems the proposed Corps sets out to solve are similar to those that this department and the other departments in the Governor's Council for Human Service work on constantly. The critical problems of education, mental retardation and mental illness, dependency, neglect and delinquency, migratory farm children, rural poverty, and the handicaps of slum life, are our intimate and mandated concerns.

However, we have questions about the national administrative machinery which is proposed for the Corps. It seems more logical that the national service idea be implemented in the various States through existing operating State government structures. This Commonwealth could benefit from a national service program which would be integrated into the many and varied State services now being offered.

The Federal Government should provide funds, leadership, ideas and even procedures. However, the development of projects, recruitment and management should be handled by each State. While I recognize that not all States will participate, a State operated program will be more effective than a federally operated one. And the program that results will be integrated into each State's program; will mesh with existing services; will allow for more effective program planning and will provide more of a guarantee for continued effort.

It was good to have the opportunity to chat with you about this program, and I hope that my thoughts on the subject may be helpful.

With warm regards.

Sincerely yours,

Arlin M. Adams, *Secretary.*

Mr. JAVITS. Mr. President, I invite the attention of the Senator to my amendment, No. 138, which I offered in committee and which I propose to offer later. It provides that half of the amount shall be appropriated for the purpose of enabling State agencies to select and train enrollees in the Corps and to administer the projects carried out under the act, the theory being that there be followed an analogy with the National Guard; that half the Corps be State trained and working for the State. I shall spell out the purpose of my amendment in more detail during the debate. It would enable the State to train the people more economically, because it would greatly broaden the governmental agencies which would be engaged in the training. In other words, my amendment would provide that half of the appropriations would be made available to the States to do their own enlisting and training, but in accord with Federal standards of compensation and membership in the corps, very much like the programs under which the National Guard and ROTC operate today.

In view of the Senator's interest, I thought he might want to know that that amendment is printed and available to him.

Mr. SCOTT. I appreciate the comments of the distinguished Senator from New York. What he has said goes in the direction in which I am especially interested. I hope that after it has been fully explained I shall be able to support his amendment as a partial step toward the improvement of the bill, reserving my decision as to final action on the bill.

At this point I wish to comment on the statement made by Mr. David L. Hackett, special assistant to the Attorney General, which appears at page 4369 of the CONGRESSIONAL RECORD, in which Mr. Hackett points out that there are approximately 35 million volunteers in the country and that he feels there is need for many more. Reference is made to the fact that the program might be desirable, among other reasons, because it would have both prestige value and serve as a catalyst in getting people with talent and resources, who are not now involved in community problems, to become interested.

I am struck by the wide disparity between a program calling for 200 or 500 volunteers in the beginning, and contemplating no more than 5,000 over a 5-year period, and a pool of 35 million volunteers.

The program is either good, in which case it is a drop in the bucket; or it is bad, in which case it seems to me the States should properly be entrusted with the solution of the problem.

I shall have more to say on this subject. I thought that at this time I should express my thoughts on the subject.

Mr. WILLIAMS of New Jersey. Mr. President, in terms of the small numbers and the great need, I am sure that the Peace Corps, which the Senator supported and continues to support, might be used as a reference. I understand there are approximately 10,000 people in the Peace Corps abroad, operating in scores of countries. The needs of the world are a little greater than our own. However, the Senator is familiar with the great impact that even 10,000 volunteers have had in countries abroad in meeting peoples' welfare needs.

Mr. SCOTT. I appreciate the Senator's comment. I draw a distinction between the Peace Corps, which is an agency working abroad, and the small domestic service corps, which appears to duplicate, or, at best, mildly supplement the continuing and numerous programs of the Federal and State Governments, with the 35 million volunteers.

One of the big differences is that the Peace Corps goes into undeveloped countries, and behind it is the full prestige of the American Government in offering a type of service which is not yet available in those countries. Those countries, for example, do not have 20 or 25 percent of their people as volunteers already in welfare and charitable programs; also, in most of those countries, there are no programs at all. The members of the Peace Corps are welcome, first, because they do offer an opportunity to teach people how to teach others, to teach farmers how to farm, to teach scientists how to obtain and use laboratories, and to begin at the beginning with matters which we have known for anywhere from 10 to 150 years.

The difference to me also is in the fact that foreign governments would welcome the Peace Corps for the money they bring in, even if they were to accomplish very little. This is not the case. I believe the Peace Corps accomplishes a great deal of good in many parts of the world.

The comparison is not close or particularly apt, since the proposed program is not a peace corps, or domestic peace corps, as it has been called. In the first place, it would not be much of a corps, because it would consist of 5,000 volunteers. Secondly, it has nothing to do with peace, unless it means peace on the city streets by solving some of the problems of dropouts, for example, which it can help to solve, and with respect to which other programs already exist. It is domestic. However, I believe that is the only part of the title that applies. I feel that the use of the term "Peace Corps"——

Mr. WILLIAMS of New Jersey. If I may interrupt the Senator, I believe he is wasting his time, because the title of the bill is "The National Service Corps." It is not a peace corps. There is no reference to it in the bill as the Peace Corps.

Mr. SCOTT. I am aware of the title of the bill. I am sure, though, that many times during the debate the term "Domestic Peace Corps" will appear, as it usually appears in the press, rather than as the National Service Corps.

I am somewhat afraid that this proposal is comparable to a small bird flying on the back of an eagle. It is sought to gain the benefit of some of the good will engendered by the Peace Corps and some of the general approval that the Peace Corps has received, and to apply some of that benefit to a program which is hardly analogous.

I have not said I will finally vote against the bill, because I am really giving it extremely careful consideration. I shall want to consider what the cost of the program may be later; how much it would cost Pennsylvania; the number of volunteers that could be expected from Pennsylvania; and whether or not my State, using it not selfishly or as a sectional argument, but rather as a comparison with other States, would benefit in proportion to the amount of money expended.

The Senator knows that while I am not opposed to the use of Federal funds in aid of the general welfare, and that I support many such programs, nevertheless what I must ask myself, at least, is: Will the program justify the cost? Is it a foot in the door, to become a vast empire, as some other small programs have become? Are we justified at this time, in view of our obligations in other areas, in going ahead with this program? Is it a duplication of other programs?

I recall that the National Science Foundation began as a $10 million program. I remember the debate on it, when I was a Member of the other body. We were assured that that amount would be enough to get the program well underway; and that it would not cost too much more than that in succeeding years. I do not know whether it costs $50 or $100 million more now. I know it does valuable work, but I also know it has grown so large that it occupies huge buildings. It serves a useful purpose, and huge numbers of Federal employees are engaged in its activities.

But my concern is whether a program that will cost from $4 to $6 million now will cost $60 million 3 years from now, or $600 million 10 years from now.

If we are to be guided in the future by the light of the past, there would be some reason for believing that the national service program might never get off the books. So I am trying to approach the question neither from the conservative standpoint, that anything done to help the welfare of the people might be automatically looked upon with suspicion; nor from the liberal standpoint, that all the Federal money we can get to distribute among people is, per se, a good thing; I am caught again in the dilemma of the moderate, who is trying to ascertain whether the bill would serve a good purpose, bearing in mind the cost and the purpose.

Mr. WILLIAMS of New Jersey. I appreciate the Senator's objectivity. I am sure that all the questions to which he has addressed himself are important in his mind. However, I believe the record will help him to reach the conclusion that he will vote for the bill, because it is not a bill to create a bureaucratic empire. It will not establish a $60 million program in from 3 to 5 years, because the bill provides a ceiling of 5,000 volunteers.

Perhaps at a later time a terminal date can be fixed—5, 6, or 7 years. I think these problems can be solved to the Senator's complete satisfaction.

The poverty of the people in many of the areas to which we addressed ourselves in the bill, of which the Senator speaks, is not precisely analogous to the poverty to be found abroad. I do not

know how many migratory farm communities the Senator has visited. I do not know how many Indian reservations he has visited. I do not know how many public mental institutions he has been in——

Mr. SCOTT. The Senator means "he has visited," I suppose.

Mr. WILLIAMS of New Jersey. I assure the Senator that that was an unintentional misstatement.

Mr. SCOTT. The Senator from Pennsylvania, so far as he is aware, has never been in a mental institution; he has visited some of them.

Mr. WILLIAMS of New Jersey. There was no improper meaning behind my statement. As the Senator knows, I paid him a high compliment when we were speaking to a group of young persons from 20 or 30 different countries. I attributed the Senator's education to Harvard. How much more respect could I have shown him? My statement was erroneous, but that shows the respect I have for the Senator.

Mr. SCOTT. I appreciate the comment the Senator made at that time. He was not only incorrect in attributing to me the high virtue and great privilege of attending Harvard; he was even wider of the mark in assuming I would even have wanted to attend Harvard. I am quite satisfied with having attended the University of Pennsylvania, the University of Virginia, and Randolph-Macon College.

I am sure that all the products of Harvard which are showered upon us, unabated and seemingly without limit, are an unmixed blessing.

Mr. WILLIAMS of New Jersey. I knew the day would come when the Senator from Pennsylvania and I would be in complete agreement on something.

Mr. SCOTT. My esteem for the Senator from New Jersey has been enhanced to a great degree in the past few minutes, although I have always had extremely high regard for him. I thank him sincerely.

I am honestly trying to make up my mind on the bill. I shall follow the debate with deep interest.

Mr. WILLIAMS of New Jersey. Again, I thank the Senator from Pennsylvania.

ADJOURNMENT

Mr. WILLIAMS of New Jersey. Mr. President, I move that the Senate adjourn until noon tomorrow.

The motion was agreed to; and (at 3 o'clock and 56 minutes p.m.) the Senate adjourned until tomorrow, Wednesday, August 14, 1963, at 12 o'clock meridian.

NOMINATION

Executive nomination received by the Senate August 13, 1963:

IN THE ARMY

The following-named officer under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as follows:

Maj. Gen. Robert Hackett, O18380, U.S. Army, in the grade of lieutenant general.

SENATE

WEDNESDAY, AUGUST 14, 1963

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

God of all the races and all the nations, our best contrivings, our wisest plans, will stand out as but mute monuments of futility in a valley of dry bones unless upon them all Thou shalt breathe the breath of life.

If, at last, chastened by Thine immutable laws, a sadly sundered world is to leave behind exploitations, recriminations, suspicions, and hatred, and march together, no matter how long the way, toward a fairer earth in which nation shall not lift up sword against nation, nor learn war any more, then only Thy pillar of cloud and of fire can lead to that golden era.

In this high hour of dawning hope, when the fear-haunted eyes of untold millions see above the mushrooming terror a faint rainbow which speaks of deliverance from the threatening scourge, we lift to Thee our fervent prayer, "Send out Thy light and truth, let them lead us; from the city of destruction, let them bring us to Thy holy hill of life and peace."

In the ever-blessed name of the One who came to bring life more abundantly to all who walk His way. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, August 13, 1963, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

LIMITATION OF STATEMENTS DURING MORNING HOUR

On request of Mr. MANSFIELD, and by unanimous consent, statements during the morning hour were ordered limited to 3 minutes.

COMMITTEE MEETING DURING SENATE SESSION TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Foreign Relations Committee be permitted to meet during the session of the Senate tomorrow.

Mr. JOHNSTON. Mr. President, I do not object to the request for permission for the committee to meet tomorrow during the session of the Senate; but I shall appreciate it if the majority leader, when such unanimous consent is requested, will see to it that I am notified at my office. However, at this time, I do not plan to object to such requests for authority for committees to meet during the sessions of the Senate.

COMMITTEE MEETING DURING SENATE SESSION

Subsequently, on request of Mr. HUMPHREY, and by unanimous consent, the Subcommittee on Retirement of the Committee on Post Office and Civil Service was authorized to meet during the session of the Senate today.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, without amendment:

H.R. 7043. An act to amend the act of March 2, 1931, to provide that certain proceedings of the Veterans of World War I of the United States, Incorporated, shall be printed as a House document, and for other purposes (Rept. No. 392);

S. Res. 174. Resolution authorizing the printing of additional copies of the committee print entitled "Staffing Procedures and Problems in the Soviet Union" (Rept. No. 393);

S. Res. 177. Resolution authorizing the printing of additional copies of the joint committee print entitled "The Federal Revenue System: Facts and Problems, 1961" (Rept. No. 394); and

H. Con. Res. 194. Concurrent resolution authorizing the printing of additional copies of the "Pledge of Allegiance to the Flag" (Rept. No. 395).

ADDITIONAL FUNDS FOR COMMITTEE ON LABOR AND PUBLIC WELFARE—REPORT OF A COMMITTEE

Mr. HILL, from the Committee on Labor and Public Welfare, reported the following resolution (S. Res. 182); which was referred to the Committee on Rules and Administration:

Resolved, That the Committee on Labor and Public Welfare hereby is authorized to expend from the contingent fund of the Senate, during the Eighty-eighth Congress, $15,000 in addition to the amount, and for the same purpose, specified in section 134(a) of the Legislative Reorganization Act approved August 2, 1946.

TO PRINT AS A SENATE DOCUMENT CERTAIN MATERIALS RELATING TO RULE XXII (CLOTURE)—REPORT OF A COMMITTEE

Mr. HAYDEN, from the Committee on Rules and Administration, reported an original resolution (S. Res. 184); which was placed on the calendar, as follows:

Resolved, That there be printed as a Senate document certain portions of the compilation entitled "Limitation of Debate in the United States Senate", prepared by the Legislative Reference Service, Library of Congress; together with a memorandum entitled "Legislative History of Paragraphs 2 and 3 of Rule XXII of the Standing Rules of the Senate (Cloture Rule)", prepared by the Office of the Legislative Counsel, United States Senate.

REPORT ENTITLED "THE FEDERAL BUDGET AS AN ECONOMIC DOCUMENT"—REPORT OF A COMMITTEE (S. REPT. NO. 396)

Mr. DOUGLAS. Mr. President, I herewith submit from the Joint Economic Committee a report entitled, "The Federal Budget as an Economic Document." This report was prepared by the Economic Statistics Subcommittee under the chairmanship of Senator William Proxmire and with the expert aid of Dr. Roy Moore, on the basis of a staff study and hearings. The report has been approved by the full committee, and I now ask unanimous consent that it be printed.

The PRESIDENT pro tempore. The report will be received and printed, as requested by the Senator from Illinois.

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. HILL, from the Committee on Labor and Public Welfare:

George E. Bock, and sundry other persons, for personnel action in the regular corps of the Public Health Service; and

Maria Sarrigiannis, and sundry other persons, for personnel action in the regular corps of the Public Health Service.

By Mr. McNAMARA, from the Committee on Labor and Public Welfare:

Howard Jenkins, Jr., of Colorado, to be a member of the National Labor Relations Board.

By Mr. BURDICK, from the Committee on Labor and Public Welfare:

Thomas M. Healy, of Georgia, to be a member of the Railroad Retirement Board.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. INOUYE:

S. 2042. A bill for the relief of Mrs. Angela Alcon Calamaan; to the Committee on the Judiciary.

By Mr. SALTONSTALL (for himself, Mr. Dodd, Mr. Kennedy, and Mr. Ribicoff):

S. 2043. A bill to amend the Antidumping Act, 1921, in order to provide that the foreign market value of imported firearms and ammunition which have been disposed of as surplus by a foreign government shall, for the purposes of such Act, be not less than the constructed value of the merchandise; to the Committee on Finance.

(See the remarks of Mr. Saltonstall when he introduced the above bill, which appear under a separate heading.)

By Mr. HARTKE:

S. 2044. A bill for the relief of Helen (Eleni B.) Pancol; to the Committee on the Judiciary.

By Mr. MILLER (for himself and Mr. Morse):

S. 2045. A bill to amend the Housing Act of 1949 to prohibit the acquisition, disposition, or demolition of buildings which are not substandard; to the Committee on Banking and Currency.

(See the remarks of Mr. Miller when he introduced the above bill, which appear under a separate heading.)

By Mr. MILLER (for himself and Mr. Scott):

S. 2046. A bill to establish an Office of Community Development in the Executive Office of the President; to the Committee on Government Operations.

(See the remarks of Mr. Miller when he introduced the above bill, which appear under a separate heading.)

CONCURRENT RESOLUTION

JOINT COMMITTEE ON INTERNATIONAL TRADE POLICY

Mr. HUMPHREY submitted a concurrent resolution (S. Con. Res. 55) to create a Joint Committee on International Trade Policy, which was referred to the Committee on Foreign Relations.

(See the above concurrent resolution printed in full when submitted by Mr. Humphrey, which appears under a separate heading.)

RESOLUTIONS

ADDITIONAL FUNDS FOR COMMITTEE ON LABOR AND PUBLIC WELFARE

Mr. HILL, from the Committee on Labor and Public Welfare, reported an original resolution (S. Res. 182) providing additional funds for the Committee on Labor and Public Welfare, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. Hill, which appears under the heading "Report of a Committee.")

FUNERAL EXPENSES OF THE LATE SENATOR ESTES KEFAUVER

Mr. GORE submitted a resolution (S. Res. 183) to pay certain funeral expenses of the late Senator Estes Kefauver, of Tennessee, which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. Gore, which appears under a separate heading.)

TO PRINT AS A SENATE DOCUMENT CERTAIN MATERIALS RELATING TO RULE XXII (CLOTURE)

Mr. HAYDEN, from the Committee on Rules and Administration, reported an original resolution (S. Res. 184) authorizing the printing as a Senate document of certain materials relating to Rule XXII (cloture); which was placed on the calendar.

(See the above resolution printed in full when reported by Mr. Hayden, which appears under the heading "Reports of Committees.")

STUDY OF TITLE I OF HOUSING ACT OF 1949 BY COMMITTEE ON BANKING AND CURRENCY

Mr. MILLER (for himself, Mr. Morse, and Mr. Lausche) submitted a resolution (S. Res. 185) authorizing a study of title I of the Housing Act of 1949, on slum clearance and urban renewal by the Committee on Banking and Currency, which was referred to the Committee on Banking and Currency.

(See the above resolution printed in full when submitted by Mr. Miller, which appears under a separate heading.)

AMENDMENT OF ANTIDUMPING ACT OF 1921

Mr. SALTONSTALL. Mr. President, on behalf of myself and Senators Dodd, Kennedy, and Ribicoff, I introduce, for appropriate reference, a bill designed to prevent dumping of foreign government surplus firearms and ammunition. This dumping has become a serious problem for American companies. In its report on the Antidumping Law Amendments of 1958, the Senate Finance Committee states:

> The antidumping feature of our Tariff Act is of considerable importance in protecting domestic industries from inroads of foreign goods sold or offered for sale at less than fair value.

Unfortunately, however, the antidumping law as presently written does not effectively prevent the dumping of foreign government surplus merchandise.

The industry which appears to be most affected by this loophole in the antidumping law is the sporting-arms industry. There has been an increase of 300 percent in center-fire firearms imported since 1956, with the result that low-cost surplus rifles have usurped over 40 percent of the American demand for sporting center-fire rifles. Since 1956, more than 1 million surplus military rifle imports, bearing an average import value of under $4 apiece, less than one-tenth of the least expensive comparable American product, have been dumped in the U.S. market. The rate at which surplus center-fire rifles were imported during the first 4 months of 1963 was 17 percent higher than in the same period last year.

Unless some remedy is provided, the capability of the industry to survive and to meet its traditional responsibilities in a time of national emergency could be seriously weakened. The proposed amendment of the law would bring the antidumping law into operation when foreign government surplus merchandise is imported at a price that is less than its cost of production, as determined in the manner provided by law.

The PRESIDING OFFICER (Mr. McIntyre in the chair). The bill will be received and appropriately referred.

The bill (S. 2043) to amend the Antidumping Act, 1921, in order to provide that the foreign market value of imported firearms and ammunition which have been disposed of as surplus by a foreign government shall, for the purposes of

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such act, be not less than the constructed value of the merchandise, introduced by Mr. Saltonstall (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Finance.

AMENDMENT TO THE HOUSING ACT OF 1949

Mr. MILLER. Mr. President, on behalf of the senior Senator from Oregon [Mr. Morse] and myself, I introduce, for appropriate reference, a bill to amend the Housing Act of 1949 to prohibit the acquisition, disposition, or demolition of buildings which are not substandard. I ask unanimous consent that the bill be printed at this point in the Record and that it remain at the desk through the conclusion of business on Friday, August 16, for possible additional cosponsors.

The PRESIDING OFFICER. The bill will be received and appropriately referred and, without objection, the bill will be printed in the Record, and remain at the desk as requested by the Senator from Iowa.

The bill (S. 2045) to amend the Housing Act of 1949 to prohibit the acquisition, disposition, or demolition of buildings which are not substandard, introduced by Mr. Miller (for himself and Mr. Morse), was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 110(c) of the Housing Act of 1949 is amended by striking out the third sentence and inserting in lieu thereof the following: "For the purposes of this title, the term 'project' shall not include (except as provided in paragraph (7) above) (A) the construction or improvement of any building, or (B) the acquisition, disposition, or demolition of any building other than a substandard building. The term 'redevelopment' and derivations thereof shall mean development as well as redevelopment."

(b) Section 110 of such Act is further amended by adding at the end thereof a new subsection as follows:

"(1) 'Substandard building' means any building other than a building (1) which can be economically improved or modified to meet requirements reasonably established by the local public agency for integration into an urban renewal plan, and (2) whose owner or lessee promptly agrees, and presents satisfactory evidence that he is able, to make such improvements or modifications within a reasonable time limit set by the local public agency."

Mr. MILLER. I should like to say in connection with that bill that it is the outgrowth of the colloquy that developed on the floor of the Senate during consideration of the bill to amend the District of Columbia Area Redevelopment Act. That colloquy appears starting at page 12667 in the Congressional Record for July 16. I would invite attention to my comments which appear starting at that point and extending through page 12672.

The bill incorporates the amendment that I sought to have accepted to the District of Columbia Area Redevelopment Act. It may be recalled that the Senator from Oregon [Mr. Morse] thought that the amendment might more properly be offered to the basic Housing Act of 1949. While I do not agree that that is the only way to handle it—and I still believe that my amendment should have been adopted and I hope it will be adopted during the consideration of the bill by the House—nevertheless I recognize that the basic Housing Act of 1949 should be amended, and I am pleased that the Senator from Oregon has seen fit to join me in sponsoring the bill.

ESTABLISHMENT OF OFFICE OF COMMUNITY DEVELOPMENT IN EXECUTIVE OFFICE OF THE PRESIDENT

Mr. MILLER. Mr. President, on behalf of myself and the distinguished Senator from Pennsylvania [Mr. Scott], I introduce, for appropriate reference, a bill to establish an Office of Community Development in the Executive Office of the President. I ask that the bill be appropriately referred. Mr. President, in addition to asking that the bill be appropriately referred, I ask unanimous consent that the bill be printed at this point in the Record, and also that the bill be held at the desk until the close of business on Friday, August 23, to enable other Senators who may wish to join in sponsoring the bill to do so.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record, and held at the desk, as requested by the Senator from Iowa.

The bill (S. 2046) to establish an Office of Community Development in the Executive Office of the President, introduced by Mr. Miller (for himself and Mr. Scott), was received, read twice by its title, referred to the Committee on Government Operations, and ordered to be printed in the Record, as follows:

S. 2046

A bill to establish an Office of Community Development in the Executive Office of the President

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

ESTABLISHMENT OF OFFICE OF COMMUNITY DEVELOPMENT

Section 1. There is hereby established in the Executive Office of the President an Office of Community Development (hereinafter referred to as the "Office") under a Director and a Deputy Director to be appointed by the President. The Deputy Director shall perform such duties as the Director may designate, and during the absence or incapacity of the Director or during a vacancy in the office of Director he shall act as Director. The Director shall receive compensation at the rate of $——— per annum, and the Deputy Director shall receive compensation at the rate of $——— per annum.

PERSONNEL AND POWERS OF THE OFFICE

Sec. 2. (a) The Director, with the approval of the President, may appoint in accordance with the civil service laws and the Classification Act of 1949 such additional personnel as he determines to be necessary to carry out the functions of the Office.

(b) In the performance of the functions of the Office, the Director is authorized—

(1) to appoint such advisory committees as he may determine to be necessary for the effective performance of the functions of the Office;

(2) to designate such representatives as he may determine to be necessary or desirable to maintain effective liaison with executive departments and agencies, and with departments, agencies, and instrumentalities of the States which are engaged in activities related to the functions of the Office; and

(3) to use the services, personnel, and facilities of executive departments and agencies and of departments, agencies, and instrumentalities of the States, with the consent of such departments, agencies, and instrumentalities, with or without reimbursement therefor.

(c) Upon the request of the Director, each executive agency shall furnish to the Office such information, suggestions, estimates, and statistics as the Director may determine to be necessary or desirable for the performance of the functions of the Office.

(d) Subject to approval of the President, the Director may—

(1) promulgate such rules and regulations as may be required to carry out the functions of the Office; and

(2) delegate to any other officer or employee of the Office authority for the performance of any duty imposed, or the exercise of any power conferred, upon the Director by this Act.

COORDINATION OF FUNCTIONS

Sec. 3. (a) Subject to the direction of the President, the Director shall take such action as may be appropriate to coordinate Federal programs involving more than one of the various departments and agencies of the executive branch which have a major impact upon the Nation's urban and rural areas. Such programs shall include Federal activities relating to housing, urban and rural development and redevelopment, community facilities, highways and transportation facilities, civil defense, water and air pollution, and such other activities as the Director, with the approval of the President, determines relate primarily to community needs and problems.

(b) In carrying out his functions under this Act, the Director shall (1) establish and maintain close liaison with the departments and agencies referred to in subsection (a), and (2) consult with State and local officials and with interested business, labor, agricultural, and other appropriate groups concerning urban and rural problems and needs.

INFORMATION ON COMMUNITY DEVELOPMENT

Sec. 4. The Director shall establish within the Office a Division of Information on Community Development. Through this Division the Director shall compile and make available to State and local officials and to other interested persons, through such means as he determines to be appropriate, information concerning the Federal programs referred to in section 3. The service provided by such Division shall include assistance to State and local officials in relating such programs to specific urban and rural problems and needs.

RESEARCH AND STUDIES

Sec. 5. The Director shall undertake research and studies with a view to determining what changes should be made in (1) the programs referred to in section 3 in order to achieve a more effective coordination of such programs with State and local programs related to urban and rural problems and needs, (2) the authority of the various departments and agencies of the executive branch over such programs, and (3) the administration of such programs, with a view to avoiding needless duplication and overlapping and achieving maximum economy and efficiency. The results of such research and studies shall be reported from time to time to the President and to the Congress for such action as is deemed appropriate.

REPORTS TO CONGRESS

SEC. 6. Not later than July 31 of each year, the Director shall submit to the President for transmittal to the Congress a report concerning the activities of the Office during the preceding fiscal year.

Mr. MILLER. Mr. President, all of us recall the abortive effort to establish a new Cabinet agency entitled a Department of Urban Affairs. Unfortunately, some highly partisan overtones were connected with this proposal. Moreover, by concentrating on urban areas, to the exclusion of rural areas, the proposal was poorly conceived. Whether people live in urban areas, suburban areas, or rural areas, there are certain functions of the Federal Government related to community development. These include activities of the Community Facilities Administration, the Urban Renewal Administration, the Area Redevelopment Administration, the Small Business Administration, the Rural Area Development Service, and other activities, such as water and air pollution control, highways, civil defense, transportation, and recreation. A Department of Urban Affairs would fall far short of meeting the need to coordinate these functions. However, a problem of coordination exists today. There is no central office or agency which has this important function.

This bill is designed to meet the coordinating need that exists with respect to functions affecting community development, both urban and rural. It envisions the establishment of a relatively small office in the Executive Office of the President—not unlike the Bureau of the Budget—under a director. This office would coordinate Federal programs involving more than one of the various departments and agencies of the Government which have a major impact on our Nation's urban and rural areas; and it would maintain close liaison with departments and agencies of both the Federal Government and State and local governments affected by these programs. Additionally, the office would serve as a centralized information agency for State and local officials and other interested persons with respect to these Federal programs, particularly as they relate to specific urban and rural problems and needs. Finally, the office is to undertake research and studies with a view to determining what changes should be made in these programs, what changes should be made in the jurisdiction of the various departments and agencies over these programs, and what changes should be made in the administration of these programs—all of this in the interest of avoiding needless duplication and overlapping and achieving maximum economy and efficiency which, I regret to say, cannot be attained under our present organizational structure.

A year ago last January, I was privileged to speak at the annual meeting of the National Association of County Officials, in New Orleans. At this meeting, there was a splendid workshop on community development. The title of my talk was "Responsibility of the Federal Government in Community Development." I ask unanimous consent that this speech be printed in the RECORD at the conclusion of my remarks. At the time, I pointed out that the problems of coordination and avoiding duplication and overlapping of activities of various Federal offices working in the area of community development did not necessarily require a new Cabinet Department at all. I suggested that a possible solution would be a Bureau of Community Development—a solution which we had recommended in the Outdoor Recreation Resources Review Commission, in the form of a Bureau of Outdoor Recreation in the Department of Interior. Further reflection has convinced me that it would be most difficult to determine in which department or agency a Bureau of Community Development should be established, and that a coordinating office within the Executive Office of the President is the best solution, and that this can be established at a minimal cost to the taxpayers.

Finally, I should point out that establishment of an Office of Community Development within the Executive Office of the President would not provide for additional control over local affairs, but would, rather, provide the one-stop service which mayors, county officials, and other community leaders need to more efficiently implement the Federal programs affecting their areas of interest.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

RESPONSIBILITY OF THE FEDERAL GOVERNMENT IN COMMUNITY DEVELOPMENT

(By U.S. Senator JACK MILLER, Republican, of Iowa)

Members of the National Association of County Officials in discussing the responsibility of the Federal Government in community development, I propose first to discuss the responsibility already assumed by the Federal Government, then to give you my ideas of what this responsibility should be in the future, including my reaction to the proposed establishment of a Department of Urban Affairs and Housing.

Let me begin by advising you that, as a Republican, I believe in preserving the sovereignty of our States—limited only by constitutional considerations as interpreted by the courts. I will be among the first to recognize the existence of problems affecting the health and well-being of our citizens, and I will remain unsatisfied until these problems are solved. Moreover, I do not believe that the way to solve them is to move slowly in the hope that some of them will naturally fade away. I believe in prompt action. At the same time, however, this does not automatically require me to support solutions which tend to make the States mere political subdivisions of the Federal Government.

Through this splendid workshop on community development, you are familiar with the various programs of the Community Facilities Administration, the Urban Renewal Administration, the Area Redevelopment Administration, and the Small Business Administration. Indeed, many of you have been working on projects in your own counties which involve these Federal agencies. Congress has become increasingly concerned during the last 15 years over the economic and social conditions of the American people. Just as on the international scene there has been a growing unrest of people in the underdeveloped nations for a better standard of living, within our own borders there has been a growing unrest accompanied by increasing demands of our own people for a better standard of living.

Some people blame the States and their legislatures for the situation. Cities are increasingly demanding more home rule. Some columnists assert that the failure of State legislatures to reapportion themselves so that people living in metropolitan areas will have equal voting power (in at least one house of the legislature) to that of their brothers in rural areas gives people in the metropolitan areas no choice but to run to Washington to seek solutions to their problems. In turn, the Federal Government (through the Congress) has taken on the responsibility for improving the standard of living of these people through vast programs, supported by billions of dollars and administered by thousands of Federal officials. Thus far, however, these programs have been couched in language which recognizes State and local government responsibility.

For example, the area redevelopment legislation which Congress enacted last year was "designed to bring all the resources of Federal, State, and local governments to bear on the problems of unemployment and underemployment, affecting one-fourth of all the counties of the United States." The act says: "Maintenance of the national economy at a high level is vital to the best interests of the United States, but some of our communities are suffering substantial and persistent unemployment. This causes hardship to many individuals and their families and detracts from the national welfare by wasting vital human resources. To overcome this problem, the Federal Government, in cooperation with the States, would help areas of substantial and persistent unemployment to take effective steps in planning and financing their economic redevelopment."

These Federal programs also stress the role of private business in their implementation. For example, in the Housing Act of 1949, Congress first declared as follows: "The general welfare and security of the Nation and the health and living standards of its people require housing production and related community development sufficient to remedy the serious housing shortage, the elimination of substandard and other inadequate housing through the clearance of slums and blighted areas, and the realization as soon as feasible of the goal of a decent home and a suitable living environment for every American family, thus contributing to the development and redevelopment of communities and to the advancement of the growth, wealth, and security of the Nation." Then, the act says: "The Congress further declares that such production (of housing) is necessary to enable the housing industry to make its full contribution toward an economy of maximum employment, production, and purchasing power * * * private enterprise shall be encouraged to serve as large a part of the total need as it can; Government assistance shall be used where feasible to enable private enterprise to serve more of the total need."

However, inasmuch as Federal money is involved, all of these programs are accompanied by standards or regulations under which State and local governments are to exercise their responsibilities. The Housing and Home Finance Administrator is directed to give consideration to the extent to which appropriate local public bodies have undertaken positive programs for preventing the spread or recurrence in the community of slums and blighted areas and for encouraging housing cost reductions through the use of new materials, techniques, and methods in land and residential planning, design, and construction, increased efficiency in residential construction, and elimination of restrictive practices which unnecessarily increase housing costs. It is significant that the act spells out what kind of programs these local public bodies are to follow in meeting those objectives: "adoption, modernization, administration, and enforcement of housing, zoning, building and other local laws, codes and regulations relating to land use and adequate standards of health, sanitation, and safety for buildings, including the use and occupancy of dwellings." It is unfortunate that some local governments have not fulfilled their responsibilities in these areas, as a result of which the Congress felt it necessary to write such provisions into the act. However, it is natural to expect that those who appropriate Federal money for community development would want some assurance of reform to make sure that this money would get results. We have a parallel situation in the case of our foreign aid development loan program where interested governments are being required to reform their land, taxing, and administrative systems in order that the development loan program will bring about a higher standard of living for the local people.

This is where we are today. Now where do we go? One step that has been recommended has been the establishment of a new Cabinet-level Department of Urban Affairs and Housing. One of its strongest advocates is Senator JOSEPH CLARK of Pennsylvania, a former mayor of Philadelphia. Here is the case he makes:

"The proposal reflects the magnitude of the task and an impatience with the fragmentary and ineffectual efforts of some States and cities to stem urban blight. Slums are spreading faster than they are being cleared. There are a reported 11 million substandard housing units in American cities. Blight is eroding commercial and industrial real estate, because when deterioration begins; business and industry join the exodus of upper income families, increasing the complexities cities must cope with and decreasing the financial resources they need. Transportation to and from the cities and traffic problems are getting worse. There are problems of pollution, water shortage, police and fire protection, education, welfare and recreation. Juvenile delinquency, the breakdown of the family, incidence of emotional illness continue to rise. * * * Community facilities thus become the responsibility of government. Debt limitations and inadequate tax resources, caused by a shrinking economic base, keep cities from doing the job of urban renewal themselves. It is not the Federal Government whose financial structure is under the greatest strain, it is our State and local governments. Federal debt has risen around 5 percent in the last 14 years, while State and local debt has more than quadrupled, far outstripping the rate at which the incomes of these governments and their citizens have risen. Tax resources are not adequate for the expensive job of urban rehabilitation. * * * Typically, a sizable percentage of the metropolitan area's inhabitants live in the suburbs and come to the city for jobs, forcing the city to supply all manner of services to meet their daytime needs. At night, they return to the suburbs, taking with them their pocketbooks and the tax money that formerly—before the city's spread—would have helped pay for the police and fire protection, the traffic control, the roads, and the bridges that they require by day. * * * The American way of life has changed radically in the past 50 years. It will obviously continue to change in the years ahead. By 1975 three-fourths of all Americans will live in urban areas. * * * It seems incredible that one of the world's oldest democracies, the world's richest industrial nation and the world's No. 1 power should permit millions of its citizens to live in poverty, disease, and misery, but we do. We are a nation of underdeveloped cities, and there is a new frontier of asphalt lying in wait."

This is, indeed, a challenging statement. I agree with it. However, I don't plan to vote for a Department of Urban Affairs and Housing. Granted that there are serious problems; granted that we must do something about them. This doesn't automatically lead us to a Department of Urban Affairs. It would be a sad day if one must accept this solution under penalty of otherwise being against cities. If, indeed, by 1970 three-fourths of the American people will be in urban areas, is there supposed to be one Federal department to look after their interests, leaving the other departments to look after the interests of the other one-fourth of the people? Also, more than downtown urban problems exist. There are the problems of suburbia. There are problems of counties. Indeed, according to the Census Bureau there are 212 metropolitan areas in the United States and of these, 164 are encompassed in 1 country and 28 in 2 counties. There are problems in the small towns and rural areas too, already recognized by the area redevelopment legislation. If there is to be a new Federal agency, it should be responsive to the honest hopes and needs of American citizens living in all of those areas.

Granted that coordination is desirable to avoid duplication and overlapping of activities of various Federal offices working in the area of community development, this doesn't necessarily require a new Cabinet department. We crossed this problem in the work of the Outdoor Recreation Resources Review Commission. Recognizing that some 20 different Federal agencies are involved in one way or another with programs relating to outdoor recreation, and that a coordinating agency was desirable, we merely recommended establishment of a Bureau of Recreation within the Department of the Interior. Similarly, a Bureau of Community Affairs could be established, without resorting to a new Cabinet-level office.

However, I am concerned over the direction our Federal solution to these many problems of community development is heading. My concern is not lessened by this further statement by Senator CLARK: "Fortunately," he says, "we have reached a point with the problems of the cities—as I daresay we have with other national problems, such as education and medical care for the aged—where the obvious need for action outweighs any exaggerated, if not imaginary, concern for the foundations of the Republic."

I say to you that fortunately we have reached the point where there is genuine concern that if we keep on the day is not far off when the cities, the counties, and finally the States themselves will be so dependent on Federal money and Federal administration that they will have become, for all practical purposes, mere subdivisions of the Federal Government. Maybe problems of urban renewal, area development, community facilities, and education will all have been solved—though I doubt it. Perhaps free enterprise will somehow manage to exist—though I doubt it. But there will be no 50 sovereign States to hold in check the power of a centralized Federal Government.

However, we do not have to make such a choice. We do not have to choose between our Republic and a decent, wholesome life for our people. And it is wrong for the Federal Government to put the American people in a position of having to make such a choice.

But even if we were to achieve a perfect arrangement of responsibility and authority among Federal, State, and local governments, a major problem would remain to be solved. That is the ever-present problem of money. It will not do to leave all of the problems of community development and education to the State and local governments, because their taxing and borrowing resources are largely at the saturation point. But this does not mean that money from the Federal Government must go directly to the cities, the counties, and the school districts. There is another way, and that way is to have the Federal money go directly to the States, from whence it was collected in the first place. Tie it down with some reasonable standards, if necessary to get results, but let us have our cities, our counties, and our school districts look to their State capitals for the money—not to Washington.

I realize that my suggestion cannot be carried out overnight. It will not be easy to reverse the present trend. And it will take time to reapportion State legislatures which, in my opinion, is going to have to be a part of the package. However, new programs, such as Federal aid to education, should be cast in the manner I have suggested.

Present programs can be continued for a while, but they should not be administered in such a way as to discourage self-help—and there is considerable room for this. Eventually these programs can be phased out, being replaced by others in which the States, receiving money that has been taken from them by the Federal taxing powers, play the pivotal role in providing decent, wholesome living conditions for their citizens. This is the policy recommended in the report of the Outdoor Recreation Resources Review Commission, where we said: "The States should play the pivotal role in providing outdoor recreation opportunities for their citizens. They are the most logical units to provide the flexible approach required to satisfy varying needs. States can assess their own needs and take action accordingly. They can be particularly effective in stimulating counties and municipalities to take both separate and joint action to meet important problems. Through their regulatory power, the States can also play an effective role in stimulating private enterprise. Finally, they are the most effective avenue through which Federal aid can be channeled to meet varying needs."

Last year, during the debate over the controversial Federal aid to education bill, I offered an amendment which would have followed this policy. Instead of appropriating millions of dollars for a new Federal program, with its accompanying bureaucracy and eventual Federal standards and controls, this amendment would have taken 3 cents of each 8 cents per pack Federal cigarette tax and passed it directly to the treasuries of each State in which this tax money was collected for education purposes. Thus, by one small amendment, a blow for education could have been struck—but the program would have caused school districts to look to their State capitals—not to Washington.

A long time ago, Thomas Jefferson warned that the power to tax is the power to destroy. When he uttered those prophetic words, I doubt that he was thinking only of individuals and businesses. He was thinking of the Republic too.

In closing, let me again express my appreciation for the kind invitation to appear before you. The delegation from my home State will, I am sure, inform you that I have long held a very special place in my heart for county officials. To me you represent government which is close to the people—one of the heritages of the American way of life. And your presence here at this workshop demonstrates that you intend to keep on fulfilling your responsibility to preserve the American way of life.

JOINT COMMITTEE ON INTERNATIONAL TRADE

Mr. HUMPHREY. Mr. President, I send to the desk a concurrent resolution to establish a Joint Committee on International Trade. A few days ago, I expressed my concern about the policy of the French Government regarding the Common Market and agriculture policy.

President de Gaulle summarized this policy at his press conference of July 29:

> It is not worth talking of the European Economic Community if it must be understood that Europe does not obtain its food essentially thanks to its own agricultural products, which can be largely sufficient.

This statement, Mr. President, accompanies by the continued failure to adjust the sharply increased duties on poultry and flour imports from the United States, is an indication that the EEC will be approaching its goal of a common agricultural policy within the framework of narrow, nationalistic interests.

The only hope we have of changing that trend is in firm resistance on the part of the United States and for reconsideration of the policy on the part of our friends and allies in the European Economic Community. Certainly, the future of all international trade rests on the basic decisions which the community is making with respect to agriculture. If this is the direction, then we are witness to a deliberate effort to achieve self-sufficiency in a closed system, not the open competitive system we had visualized.

Therefore, it is important that we use the time between 1963 and 1966 and try to avoid having established a farm policy with relation to agriculture which is inward looking in the Common Market area and which tends to exclude a normal amount of commerce with the outside areas, particularly the United States.

However, no matter what the future may offer, I feel that we in the United States will be faced with tough competition in the Common Market area, and we will be hard put to maintain our share, in terms of historic figures or amounts, of the food consumption of the Common Market countries.

The complexity and the delicacy of our trade relations with the EEC cannot be overestimated. As is obvious from my foregoing comments, it is easy, even for economic partners, to have misunderstandings or to misjudge the effect of their actions on others. I am sure that with fuller understanding, those impediments to fuller cooperation will be eradicated. But the complexity and breadth of the relations between the United States and our European partners will continue to increase. In that situation it becomes all the more necessary to take all possible action to reduce the possibility for miscalculation and misunderstanding. This will become increasingly necessary if present indications of a relaxation in tensions between East and West prove to be correct. I believe that this relaxation will be followed by Soviet attempts to increase their trade with Western European nations.

I discuss this subject briefly again today, because it represents one of the most urgent and important problems confronting us in the field of international trade. Trade relations with Western Europe, trade with Soviet bloc countries, and trade with Latin America are all subjects worthy of more intense study by Congress. I intend to discuss them more fully on another occasion.

In fact, the whole question of East-West trade needs to be reexamined in the light of recent changes in the Sino-Soviet bloc and their reactions with the West. The changing patterns of trade between the United States and Latin American countries as they diversify their economies is another subject requiring intensive study.

The United States has also assumed the initiative in the current round of GATT negotiations in Geneva. This so-called Kennedy round stems from the historic action of last session when Congress approved the Trade Expansion Act of 1962. The action of Congress in passing the legislation was one thing; achieving its full implementation through arduous multilateral negotiations is quite another. Congress cannot now afford to remain totally aloof from these negotiations.

The United States is indeed fortunate to have secured the able and distinguished former Secretary of State and Member of Congress, the Honorable Christian Herter, as chief negotiator in the Kennedy round. We can have the fullest confidence in the wisdom and ability of Ambassador Herter. Nevertheless, Congress also has the responsibility to keep itself fully informed as to the progress of the GATT negotiations and to participate in the formulation of appropriate U.S. policies.

In short, in our trade relations with the EEC, with the GATT signatories, and with other nations of the world, Congress must be prepared to exercise initiative and independent judgment in the shaping of U.S. trade policy. The blunt truth is that today Congress lacks the institutional tools necessary to play such a role in these significant decisions. It is time that Congress developed means of dealing with the broad spectrum of issues to international trade in a unified, systematic, and sustained fashion.

I am proposing today that Congress establish a Joint Committee on International Trade. Such a committee would focus the resources and attention of the Congress on trade problems as the Joint Committee on Atomic Energy is the focus of Congressional attention in the area of nuclear energy.

The Joint Committee on International Trade would be composed of members from the Senate Committees on Foreign Relations, Finance, and Commerce, and from the House Committees on Foreign Affairs, Ways and Means, and Interstate and Foreign Commerce. The committee would have no legislative authority, as such, but would be directed to make a continuous study and investigation of U.S. export trade policies with particular reference to developing and expanding such export trade.

As the economies of nations throughout the world revive, expand, and develop, international trade will become more and more a critical element in the foreign policies of these nations. If the vital interests of the United States are to be fully protected, Congress must be able to exercise a forceful and constructive role in the formulation of American foreign trade policies. This will demand continuous study, investigation, and oversight by Congress and it will take qualified professional staff with the matter of international trade as their principal responsibility. The concurrent resolution I introduce today will provide Congress with these institutional resources.

Mr. President, the concurrent resolution which I now submit will provide an opportunity for the Congress to keep a very careful eye upon the trade policies of the Government of the United States and to coordinate the several committees of Congress that are working on trade policy. Today we have no central jurisdiction for foreign trade in the Congress. It seems to me that a joint committee covering the appropriate committees of both the House and the Senate would be highly desirable.

Members of the new committee would come from the Senate Committees on Foreign Relations, Finance, and Commerce and from the House Committees on Foreign Affairs, Ways and Means, and Interstate and Foreign Commerce.

Congress cannot play a significant role in the shaping a U.S. trade policy unless it develops a unified and systematic method of examining trade problems.

The need for a Joint Committee on Trade is urgent.

The decisions being made now and in the near future by the European Economic Community will affect the whole future of international trade in the free world.

The United States must act forcefully and consistently if it hopes to influence the patterns of international trade and to strengthen and preserve American export opportunities.

The administration alone cannot be expected to develop coherent and effective trade policies.

Congress must be in a position to cooperate with and—if necessary—give encouragement to the administration in its efforts to develop trade policies which advance the national interest and the interests of the free world.

The trade policies of this country will be much stronger if Congress, and not just the administration, is responsible for shaping them.

Recent decisions by the European Economic Community in regard to U.S. poultry exports demonstrates the need for unified and comprehensive action by Congress.

Right now, examination of trade problems and policies is conducted almost at random by several congressional committees. A single, joint committee is needed to give Congress the structure for efficient and forceful work on trade problems.

The joint committee would focus the resources and attention of Congress on international trade in the same way that the existing Joint Committee on Atomic Energy focuses attention and work in the area of nuclear power.

A Joint Committee on International Trade, once established, should immediately begin and then continue a detailed study of U.S. export trade and submit recommendations to expand American exports.

The committee should make intensive studies of such issues as trade relations with Western Europe, with Soviet bloc countries and with Latin America.

Mr. President, I ask that the concurrent resolution be referred to the Committee on Foreign Relations. I ask unanimous consent that the full text of this concurrent resolution be printed in the Record. I also ask unanimous consent that the concurrent resolution remain at the desk for the remainder of this week so that other Senators may add their names as cosponsors if they desire.

The PRESIDING OFFICER. The concurrent resolution will be received and referred to the Committee on Foreign Relations; and, without objection, the concurrent resolution will remain at the desk as requested by the Senator from Minnesota, and will be printed in the Record.

The concurrent resolution (S. Con. Res. 55), submitted by Mr. Humphrey, was received, referred to the Committee on Foreign Relations, and ordered to be printed in the Record, as follows:

Resolved by the Senate (the House of Representatives concurring), That there is hereby established a joint committee which shall be known as the Joint Committee on International Trade (hereinafter referred to as the joint committee). The joint committee shall be composed of nine Members of the Senate, of whom three shall be from the Committee on Foreign Relations, three from the Committee on Finance, and three from the Committee on Commerce, to be appointed by the President of the Senate, and nine Members of the House of Representatives, of whom three shall be from the Committee on Foreign Affairs, three from the Committee on Ways and Means, and three from the Committee on Interstate and Foreign Commerce, to be appointed by the Speaker of the House of Representatives.

Sec. 2. (a) Vacancies in the membership of the joint committee shall not affect the power of the remaining members to execute the functions of the joint committee, and shall be filled in the same manner as in the case of the original selection.

(b) The joint committee shall select a chairman and a vice chairman from among its members. In the absence of the chairman, the vice chairman shall act as chairman.

(c) A majority of the joint committee shall constitute a quorum except that a lesser number, to be fixed by the joint committee, shall constitute a quorum for the purpose of administering oaths and taking sworn testimony.

Sec. 3. The joint committee shall make a continuous study and investigation of all matters pertaining to the international trade of the United States with particular reference to ways in which such trade may be developed and expanded. In fulfilling this function the joint committee shall be authorized to review the operations of the respective agencies responsible for the development and execution of policies with respect to such matters.

Sec. 4. The joint committee shall make, from time to time, reports to the Senate and the House of Representatives and the appropriate committees of Congress concerning the results of its studies, together with such recommendations as it may deem desirable.

Sec. 5. The joint committee or any duly authorized subcommittee thereof is authorized to hold such hearings; to sit and act at such times and places; to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents; to administer such oaths; to take such testimony; to procure such printing and binding as it deems advisable. The provisions of sections 102 and 104, inclusive, of the Revised Statutes, as amended, shall apply in case of any failure of any witness to comply with any subpena or to testify when summoned under authority of this section.

Sec. 6. The members of the joint committee shall serve without compensation in addition to that received for their services as Members of Congress, but they shall be reimbursed for travel, subsistence, and other expenses incurred by them in the performance of the duties vested in the joint committee other than expenses in connection with meetings of the joint committee held in the District of Columbia during such times as the Congress is in session.

Sec. 7. The joint committee is authorized, without regard to the civil service laws or the Classification Act of 1949, as amended, to appoint and fix the compensation of such clerks, experts, consultants, and clerical and stenographic assistants as it deems necessary and advisable. The joint committee is authorized to reimburse the members of its staff for travel, subsistence, and the other necessary expenses incurred by them in the performance of the duties vested in the joint committee other than expenses in connection with meetings of the joint committee held in the District of Columbia during such times as the Congress is in session. The chairman of the various Senate and House committees referred to in the first section of this resolution may assign members of the staffs of such committees to serve on the staff of the joint committee, without additional compensation, except for the reimbursement of expenses incurred by such staff members as prescribed in this section.

Sec. 8. The expenses of the joint committee shall be paid one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives, upon vouchers signed by the chairman of the joint committee or by any member of the joint committee duly authorized by the chairman.

STUDY OF TITLE I OF HOUSING ACT OF 1949

Mr. MILLER. Mr. President, on behalf of the senior Senator from Oregon [Mr. Morse], the Senator from Ohio [Mr. Lausche], and myself I submit, for appropriate reference, a resolution. The resolution is to the effect that the Committee on Banking and Currency, or any duly assigned subcommittee thereof, be authorized and directed under the authority conferred upon it by Senate Resolution 15, 88th Congress, approved March 14, 1963, to make a complete and full study to determine whether in the administration of title I of the Housing Act of 1949, there is a need for certain changes.

I should point out that the outgrowth of the resolution is the report to the Congress of the United States by the Comptroller General dated June 1963, entitled "Premature Approval of Large-Scale Demolition for Erieview Urban Renewal Project I, Cleveland, Ohio."

In the report there is set forth specifically the following:

We—

Speaking of the Comptroller General—

are recommending that the criteria governing the eligibility of areas for large-scale demolition be revised to more clearly define the condition "substandard requiring clearance" and that this condition be related solely to the structural condition of the specific buildings being considered. We are recommending also that (1) if an area does not have a significant number of structurally substandard buildings, expenditure of Federal funds be limited to less costly forms of urban renewal (e.g., rehabilitation and spot clearance) and (2) qualified Housing and Home Finance Agency personnel thoroughly examine the condition of structures in proposed project areas before such areas are approved for large-scale demolition.

I ask unanimous consent that the resolution be printed at this point in the Record.

The PRESIDING OFFICER. The resolution will be received and appropriately referred; and, without objection, it will be printed in the Record as requested by the Senator from Iowa.

The resolution (S. Res. 185) was referred to the Committee on Banking and Currency, as follows:

Resolved, That the Committee on Banking and Currency, or any duly authorized subcommittee thereof, is authorized and directed, under the authority conferred upon it by Senate Resolution 15, Eighty-eighth Congress, approved March 14, 1963, to make a full and complete study to determine whether, in the administration of title I of the Housing Act of 1949 (Slum Clearance and Urban Renewal), there is a need—

(1) to revise the criteria governing the eligibility of areas for large-scale demolition with a view to relating these criteria to the structural conditions of the specific buildings being considered;

(2) to clarify the criteria for Federal participation in proposed large-scale demolition projects with specific reference to less costly forms of urban renewal such as rehabilitation and spot clearance;

(3) to achieve more effective administration, at all levels, of the Urban Renewal Administration policy that the Government will not share in the cost of a project which involves the acquisition or demolition of properties which can be economically improved or modified and integrated into an urban renewal plan; and

(4) to require thorough examination by qualified personnel of the condition of structures in proposed urban renewal areas before projects are approved.

Sec. 2. The committee shall report its findings, together with such recommendations as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1964.

BILLS TAKEN FROM CALENDAR AND RETURNED TO THE COMMERCE COMMITTEE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that Calendar No. 216, Senate bill 684, to clarify certain provisions of part IV of the Interstate Commerce Act and to place transactions involving unification on acquisitions of control of freight forwarders under the provisions of section 5 of the act; and Calendar No. 287, Senate bill 1033, to establish a uniform system of time standards and measurements for the United States and to require the observance of such time standards for all purposes, be taken from the calendar and returned to the Commerce Committee.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL SERVICE CORPS ACT—ADDITIONAL COSPONSOR OF BILL

Mr. WILLIAMS of New Jersey. Mr. President, I ask unanimous consent that the name of the senior Senator from Connecticut [Mr. DODD] be added as a cosponsor of the pending bill (S. 1321), the next time it is printed.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT OF FEDERAL POWER ACT, RELATING TO JURISDICTION OF FEDERAL POWER COMMISSION—ADDITIONAL COSPONSOR OF BILL

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the name of the Senator from North Dakota [Mr. BURDICK] be included as a cosponsor of the bill (S. 2028) to amend the Federal Power Act, as amended, in respect of the jurisdiction of the Federal Power Commission over nonprofit cooperatives, at its next printing.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE OF HEARING ON H.R. 5377, TO AMEND THE CIVIL SERVICE RETIREMENT ACT, RELATING TO EMPLOYEES OF CAPITOL ARCHITECT

Mr. McGEE. Mr. President, as chairman of the Retirement Subcommittee of the Senate Committee on Post Office and Civil Service, I wish to announce that hearings have been scheduled for Friday, August 16, 1963, at 10 a.m. in Room 6202, New Senate Office Building, on H.R. 5377.

This measure would amend the Civil Service Retirement Act in order to correct an inequity in the application of such act to the Architect of the Capitol and the employees of the Architect of the Capitol and for other purposes.

Those wishing to testify may call Capitol 4-3121, Extension 5451.

NOTICE CONCERNING NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

Thomas James Donegan, of New York, to be a member of the Subversive Activities Control Board for the term expiring April 9, 1967—reappointed.

Edward D. Re, of New York, to be a member of the Foreign Claims Settlement Commission of the United States for the term of 3 years from October 22, 1963—reappointment.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Wednesday, August 21, 1963, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

NOTICE OF HEARING ON NOMINATION OF ABRAHAM L. MAROVITZ TO BE UNITED STATES DISTRICT JUDGE, NORTHERN DISTRICT OF ILLINOIS

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Thursday, August 22, 1963, at 10 a.m., in Room 2228, New Senate Office Building, on the nomination of Abraham L. Marovitz, of Illinois, to be U.S. district judge, for the northern district of Illinois, vice Julius H. Miner, deceased.

At the indicated time and place persons interested in the hearing may make such representations as may be pertinent.

The subcommittee consists of the Senator from Illinois [Mr. DIRKSEN], chairman, the Senator from South Carolina [Mr. JOHNSTON], and myself.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. DIRKSEN:

Address delivered by Senator HRUSKA before National Association of Insurance Commissioners, at Seattle, Wash., on June 20, 1963.

By Mr. BYRD of Virginia:

Address prepared for delivery by him on the occasion of the 344th anniversary of the First Legislative Body in America, held at Jamestown, Va., on July 30, 1963.

By Mr. HOLLAND:

Message of greeting sent to the 50th Annual Convention of the National Rivers and Harbors Congress by Mr. MANSFIELD, under date of June 7, 1963.

RESIGNATION OF POSTMASTER GENERAL DAY

Mr. MANSFIELD. Mr. President, I take this occasion to express my deep and personal regret at the resignation of the Postmaster General.

I believe Mr. Day has performed a real service to the Government. In the 2 years and some months during which he has held that office, he has modernized the functions of the Post Office; he has speeded mail delivery; and he has brought into operation more businesslike and efficient methods in the administration of that branch of Government.

I express the hope that whoever succeeds him—I have no idea who he will be—will be as efficient and as businesslike as Mr. Day has been, and will make as worthwhile contributions to the betterment and welfare of the country as Mr. Day has made.

Mr. CARLSON. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. CARLSON. Serving on the minority side, and being for many years the ranking minority member of the Committee on Post Office and Civil Service, I wish to associate myself with the remarks the distinguished majority leader has made regarding the recent Postmaster General, Mr. Day, who has resigned.

It has been a pleasure to work with him. He has rendered outstanding service in the post office field.

However, the point I really appreciate, in connection with the service of the Postmaster General, is that he was always most pleasant and cooperative in connection with the various programs, without regard to whether one was a member of the majority or of the minority.

He has rendered very fine service.

Mr. ENGLE. Mr. President, last Friday a valuable public servant left his Cabinet post to return to private life. I refer, of course, to my good friend, J. Edward Day.

Ed Day brought to the job of Postmaster General a rare blend of humanity and efficiency. The impact of his personality, drive, and imagination will be felt for a long time.

During his tenure a number of very important improvements and innovations were made in our postal service. The persuasive role he played had much to do with getting a pay raise last year for postal workers. But his greatest contribution was in the constructive effect he had on the Department's employee relations. He was largely responsible for the new labor-management agreements with postal employee unions under which extensive collective bargaining rights were granted. He brought about a merit promotion plan for the first time. He stepped up the activities to eliminate job discrimination in his Department.

Ed Day's skill and effectiveness as Postmaster General have no precedent in this country—and it is my hope that his absence from public life is a temporary arrangement.

I ask unanimous consent to place in the RECORD some fine tributes to Ed Day that appeared in the press when his resignation was announced.

There being no objection the tributes were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, July 28, 1963]

MR. DAY'S WORK

In Great Britain, the resignation of a Cabinet Minister can cause a political crisis; here, it prompts a news item. Postmaster General J. Edward Day has now completed his appointed rounds and in a few weeks will return to a private law practice. On the whole, he deserves a well done for his labors in a job that lacks drama but that has pervasive effects on the country. Nothing else the Federal Government does is more familiar—and more taken for granted—than the postman's daily ring.

Under Mr. Day, a needed rate increase was enacted and postal salaries raised. The deficit in the fiscal year just ended was $450 million, in favorable contrast to the $850 million in the last fiscal year of the previous administration. The vexed controversy over employee representation through unions was settled in a referendum, and a merit promotion plan adopted for the first time. The Department has been notably active in eliminating job discrimination. Not least, commemorative stamps were reduced in annual number and greatly improved in artistic quality.

But complaints over service persist, and Mr. Day sometimes seemed beguiled by Madison Avenue razzmatazz in overselling such things as the confusing ZIP service.

It may be that congressional economizing limits improved service, though there is a suspicion that revenues are drained by maintaining an excessive number of post offices. These are, however, chronic complaints, and Mr. Day cannot be blamed for failing to solve everything. And he distinctly deserves praise for refusing to stick a censorious nose into mail that postal censors deemed salacious—there was no farcical banning of Aristophanes from the mailbox.

Rumor has it that Mr. Day's successor may be Benjamin A. Smith, who is chiefly remembered for keeping the President's Senate seat warm until Edward Kennedy was elected. We confess to no passionate feelings on the matter, but in this instance the President might do more for Massachusetts by keeping Mr. Smith in his present Washington job as ambassador for fish.

[From the Washington (D.C.) Star, Aug. 1, 1963]

A POSTMAN BOWS OUT

Few jobs are as exposed to criticism and unsusceptible to praise as that of Postmaster General. If the mail arrives on time, isn't it supposed to? But if there is a hitch in the delivery, well, that fellow in Washington.

So like most of his predecessors, J. Edward Day's satisfaction has been through accomplishment as he and his associates weigh such things. In assessing his service, now drawing to a close, one must conclude that Mr. Day intended his contributions to have lasting value.

This is particularly notable in the employee relations programs he instituted. The average postal worker's lot was made happier by a pay raise. Mr. Day's open-door policy in dealing with union problems led the way to elections through which half a million workers chose bargaining representatives. Contracts were negotiated covering 85 percent of the employees.

Again, for the workers' benefit, Mr. Day introduced a merit promotion plan. Intended to reduce politically inspired promotions in favor of ability and seniority, it was geared to survive administration after administration. One result of the reform already has doubled the number of Negro supervisors in the Department.

Commendably, Mr. Day has not hit the headlines by banning books of the "Lady Chatterley's Lover" ilk. All the same, arrests and convictions of purveyors of truly obscene materials rose nearly 100 percent.

While not uniformly successful, Mr. Day's efforts to improve mail service also has stressed long-range benefits. His emphasis has been on strengthening service to the largest users—2,500 firms sending and receiving 50 percent of the mail. To facilitate this, mail users' councils were set up in 300 cities.

Overall, Mr. Day should be credited with a thoroughly professional job which he undertook without political background or motivation. It may be just as well he is moving on to law practice before the political bug does bite him.

[From the Washington (D.C.) Star, July 28, 1963]

DAY'S RESIGNATION CAUSES REGRET IN VARIOUS LEVELS OF GOVERNMENT

(By Joseph Young)

Postal and Government employee leaders are distressed over the resignation of Postmaster General Day.

Typical was the view expressed by James Rademacher, vice president of the National Association of Letter Carriers.

"He's the greatest Postmaster General the country has ever had—not only from the point of greatly improved employee relations but from mail innovations resulting in much better service to the public," Mr. Rademacher said. "We will miss him greatly."

Representative Olsen, Democrat, of Montana, one of the key members of the House Civil Service Committee, summed up congressional reaction when he said:

"It will be a great loss to the committees of Congress which dealt with Mr. Day on Government and postal employee legislation and postal matters. He was extremely competent, knowledgeable and honest and it was a real pleasure to do business with him. I don't know who his successor will be, but it will be a long time before Congress has the confidence in a Postmaster General that it had in Mr. Day."

Mr. Day played the leading role in the Post Office Department's new labor-management agreements with the various postal employee unions, in which extensive collective bargaining rights were granted.

Also, Mr. Day did much to abolish political influence in postal employee promotions and insisted that merit principles prevail, even in the face of strong opposition of some Members of Congress to the change.

Mr. Day also insisted that Negroes and other minority group employees be given opportunities for appointments and promotions in postal jobs.

In addition, Mr. Day played a major role in persuading President Kennedy to support pay raises for postal and Government workers last year and to support a new Federal and postal pay reform bill which became law.

The Postmaster General was also an ardent defender of Federal and postal employees and repeatedly made speeches throughout the country praising the ability and work productivity of those who work for the Government.

Some postal officials predict that Mr. Day will be succeeded by former Senator Benjamin Smith, a Harvard roommate of President Kennedy's, who served 2 years in the Senate after Mr. Kennedy's election to the Presidency. Among others mentioned for the post are Bill Brawley, former Deputy Postmaster General who resigned after a quarrel with Mr. Day, and former Gov. David Lawrence, of Pennsylvania.

RICHARD B. RUSSELL OF GEORGIA—A SENATOR'S SENATOR

Mr. TALMADGE. Mr. President, there appears in the current issue of Newsweek magazine a cover article concerning my distinguished colleague, the senior Senator from Georgia, Richard B. Russell. The article is principally devoted to his role of outstanding leadership of those of us in the Senate who believe in constitutional government and the right of freedom of association of individuals in the conduct of their private lives.

When the administration's so-called civil rights bill is called to the floor of this body, Senator Russell will be at the forefront, as always he has been, of the battle to preserve individual liberty. And I will be proud to associate myself with him in the upcoming debate over this bill.

Mr. President, I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

SENATOR RUSSELL, OF GEORGIA: DOES HE SPEAK FOR THE SOUTH?

Just after 3 one afternoon last week, portly James O. Eastland squeezed his frame through the revolving door of the Old Senate Office Building and ducked into the stately, dimly lit Armed Services Committee room. Close behind him was his Mississippi colleague, John Stennis, who took a seat at the green-topped table. Harry F. Byrd, in his usual white suit, drifted into the chamber. Florida's George Smathers slipped into his seat. In came Louisiana's fractious Allen Ellender and Alabama's easygoing John Sparkman. Finally, there were 18 Senators around the table. The only Republican present was pint-size John Tower, of Texas. Had not Arkansas's scholarly J. William Fulbright been detained in Moscow, fully 10 of the Senate's 16 standing committee chairmen would have been present. At the head of the table was the leader of this formidable senatorial cluster, Richard Russell, of Georgia.

"Well, gentlemen, let's get underway," said Russell. And the meeting to map southern strategy against President Kennedy's civil rights bill began. For 90 minutes, they weighed their assault on the measure, section by section; considered possible administration maneuvers when the bill reaches the Senate floor—probably not until late next month—and reviewed how best to use their ultimate weapon: the filibuster.

No one doubted they would need it, and the group settled on the same shrewdly refined filibustering technique that bore the Russell stamp in 1960. Could they sustain a filibuster? "We were not without hope," summed up Chairman Russell, who called the meeting's mood one of "grim optimism."

Thus the lines were drawn. The administration, which believes, as one official put it, that "this is already a pretty mild bill," will summon all its guile and clout to win passage. Whether the effort succeeds, and what may be left of the bill's provisions, depends—more than on any single man—upon Georgia's Richard Brevard Russell. And he is the most formidable foe in the Senate.

ESTABLISHMENT HEAD

Richard Russell is at opposite poles from the stereotype some Northerners hold of a Deep-Dixie segregationist—the gallus-snapping, Negro-baiting semiliterate. Senator Russell, 65, is a courtly, soft-spoken, cultured patrician, whose aids and associates treat him with deferential awe. Modest, even shy, in manner, devastatingly skilled in debate, he has a brilliant mind, encyclopedic learning, unrivaled access to the pressure points of senatorial power, and a gift for using them. He is the Senator's Senator, the head of the Senate Establishment, the most influential Member of the U.S. Congress.

When he was Democratic leader, Vice President Lyndon Johnson often remarked to intimates that Russell would be the first choice for President if a majority of his colleagues were asked to name the man best equipped for the job. Harry Truman wrote: "I believe that if Russell had been from Indiana or Missouri or Kentucky he may very well have been President." This estimate is shared by Senator Joseph Clark, the Pennsylvania liberal Democrat who has fought Russell tooth and claw on civil rights issues: "If Russell hadn't come from Georgia, he would have had a better chance to be President than Harry Truman or John F. Kennedy. He's a political animal in the best sense of the word and a first-class gentleman."

SORROW

Such is Russell's stature that even some of his critics speak more out of sorrow than anger. Testifying before the Senate recently, Roy Wilkins, executive secretary of the National Association for the Advancement of Colored People, referred to "the distinguished Senator from Georgia—and except in the field of human rights he is distinguished." And Ralph McGill, the nationally respected publisher of the Atlanta Constitution who is at odds with Russell's intransigent stand on civil rights, cannot bring himself to fault the Senator. With a trace of embarrassment, he says, "I've known the Senator for years, am a friend of his family. I've supported him. * * * I'm too close to him. I really can't comment."

Unlike some of his Southern colleagues, Senator RUSSELL scorns the crudity of depicting the civil-rights movement as a Communist plot or a concoction of "outside agitators." His arguments are far more sophisticated and plausible; and his skill in pressing them home makes him an incomparably more effective adversary.

RUSSELL recognizes that the Nation is in the midst of a "social revolution"; he can speak acutely of the multiple influences sweeping it along; he concedes Negro grievances; he admits that the revolution cannot be reversed or even halted.

TEMPO OF CHANGE

"I believe the Negro has been imposed upon," he says. "He has been subjected to indignities. But we shouldn't upset the whole scheme of constitutional government and expect people to swallow laws governing their most intimate social relations. The tempo of change is the crux of the whole matter. Any realist knows that the 'separate but equal' doctrine is finished. There has been assimilation in the larger towns, but it is just hitting the rural areas. I don't think it is fair or just to ask these people to make these additional changes at the same time.

"Every Negro citizen possesses every legal right that is possessed by any white citizen, but there is nothing in either the Constitution or Judeo-Christian principles or commonsense and reason which would compel one citizen to share his rights with one of another race at the same place and at the same time."

Of Negro demonstrations, RUSSELL says: "I've never believed a campaign of civil disobedience should force a change in law. I'm not challenging the right to picket, but I do challenge their methods. I understand how they feel. They have a perfect right to petition any city or county or State to open up private accommodations—if it can be done—but they do not have the right to lay down and block the use of a person's private facilities.

"I was shocked to hear the President justify, if not encourage, the present wave of mass demonstrations, accompanied by the practices of sitting or lying in public streets and blocking traffic, forming human walls before the doors of legal businesses, and assaulting with deadly weapons officers of the law."

Over and over, RUSSELL emphasizes the point: "No American citizen has the right to select the laws he will obey and those he will disobey."

LEGAL GROUNDS

As for the legislation urged by the administration, RUSSELL finds legal grounds to attack every section, in varying degrees. For example, he sees no need for referees to expedite registration and voting nor for accepting a six-grade education as proof of literacy. "This will strike down the laws in many States which, under the Constitution, have the right to set voters' qualifications," he says.

Of the bill's proposal to allow the Attorney General to bring suits to desegregate school districts RUSSELL argues: "It is wrong to use public money to prosecute the claims of one individual (a Negro) against the claims of other individuals (school boards)."

The provisions that draw RUSSELL's heaviest opposition are title II, opening public accommodations to all, and title VI, granting the President power to withhold Federal funds to areas where discrimination is practiced.

The public accommodations section, RUSSELL contends, "requires the owner of a small cafe to take down his sign, 'We reserve the right to refuse service to anyone.' It is a threatened crime against the whole philosophy of liberty."

GENOCIDE

But he reserves his greatest wrath for what he calls "the genocide clause," or title VI of the bill. This, he says, "would permit the President (in areas where discrimination is practiced) to withhold the payment of veterans benefits, social security payments, aid to dependent children, to the blind, to the old and helpless within an entire State." It is, he charges, "the most inhuman suggestion made in legislation in the history of the Republic."

To his harsher critics, such an approach merely qualifies RUSSELL as the respectable bigot. It is all very well for him to admit Negro grievances, they say, and to seek time for the South to digest change, but he has always been an advocate of the status quo in racial relations—and he has managed to pull the teeth out of every legislative effort to improve the Negro's lot. Moreover, though he has always been above race-baiting demagogery, his tone has occasionally sounded shrill in recent weeks. He has said that the civil rights bill smacks of "Marxism," and warned that the public accommodations measure would lead eventually to letting Negroes into the living room and the bedroom of any citizen."

"That one statement by RUSSELL set race relations in the South back 10 years," said one Atlantan last week. "A lot of people are wavering anyhow and if DICK RUSSELL gives such hysterical threats an air of respectability, they feel OK about being racists. He's a damned villain."

However, RUSSELL is undaunted by civil rights protests, whether private or public—such as the march on Washington scheduled for August 28. The demonstration, he says, "may intimidate a few weak-kneed people. But we've reached the banana-republic stage when we're frightened by the threats of demonstrations." And he adds in summary: "This country has come to a sad pass when the President wants to give people what they are rioting for."

RICHARD RUSSELL is undeniably the chief spokesman for southern leaders in Congress—and much of the sentiment back home. But does he speak for the South as a whole? Some evidence suggests that he is no longer as representative as he once may have seemed:

A recent survey taken by pollster Louis Harris shows that southern whites are growing more sympathetic toward Federal legislation to obtain equal rights for Negroes. Of the sampling taken throughout the South, 54 percent of those polled were in favor of legislation opening public accommodations to Negroes.

Atlanta's Mayor Ivan Allen, who testified on behalf of the accommodations legislation, says: "Senator RUSSELL has had a long, able, and distinguished career in representing Georgia and the Nation in the Senate. He and I differ on the civil rights legislation, but I believe that comes from his lack of understanding of the problem. His view is from Washington, mine is from here in Atlanta. We're closer to it than he is."

But RUSSELL is closer to the wellsprings of legislative influence. Indeed, when the battle is joined, White House aid Larry O'Brien admits, "we will just have to place the prestige and power of the President into the scales to see if they can outweigh DICK RUSSELL."

The unassailable sources of RUSSELL's strength are so assured that in the thick 1963 Congressional Directory chock-a-block with biographical information about his colleagues, the senior Senator from Georgia lists only one line: "RICHARD BREVARD RUSSELL, Democrat, of Winder, Ga." In his 30 years in the Senate—a tenure second only to CARL HAYDEN's 36 years—he has become chairman of the powerful Armed Services Committee (and a leading expert on U.S. military affairs) and ranking member of the Appropriations Committee, the Aeronautics and Space Sciences Committee, and the Joint Committee on Atomic Energy. Thus, RUSSELL plays a central role in dispensing billions of dollars in Government funds.

COMMITTEE-PICKER

He is the only man on both the blue-ribbon Democratic Policy Committee, which decides on all legislation to be presented, and the Democratic Steering Committee, which makes committee assignments for Democratic Senators, old and new. Fledgling Senators desiring the best possible committee to make a name for themselves soon come to realize that RUSSELL can swing 8 or 9 votes on the 15-member committee. When, for instance, Presidential hopefuls John F. Kennedy and the late Estes Kefauver vied for a vacancy on the prestigious Foreign Relations Committee, RUSSELL threw the decision to Kennedy—who still finds him a congenial companion. Similarly, this year when Connecticut's ABE RIBICOFF and Wisconsin's WILLIAM PROXMIRE each sought the opening on the much-desired Finance Committee, RUSSELL gave the nod to RIBICOFF.

When JOSEPH CLARK wanted the Finance, Appropriations, and Foreign Relations Committees expanded in order to liberalize them, RUSSELL crushed every CLARK proposal. "DICK, you're taking the shirt off my back," complained CLARK. "Will you at least let me be assigned to the Rules Committee so that I can do something about liberalizing Senate rules?" "Certainly, JOE," said RUSSELL, and they adjourned to a nearby office to drink on it. Such favors are not soon forgotten by grateful colleagues.

MANEUVER

From these fulcrums, RUSSELL operates not only with an unmatched talent for maneuver but with graciousness, willingness to let others take credit for measures he inspires, and an instinctive feeling for the problems of other Senators.

Outside the Senate, RUSSELL lives a quiet life, almost a recluse. A lifelong bachelor, he prefers to cook for himself in his cooperative apartment in Washington's Foggy Bottom. He has two hobbies: baseball and reading. "If I could have learned to hit a curve ball," he said after one tough legislative session, "I would have been a professional baseball player." RUSSELL is a frequent visitor to D.C. Stadium to watch the last-place Washington Senators. RUSSELL's reading runs to history. Recent selections: "Terrible Swift Sword," by Civil War historian Bruce Catton, and "The World of Herodotus," by Aubrey de Selincourt.

The Senator's roots run deep in public service as well as in his native Georgia. He was one of 13 children of Richard B. Russell Sr., for 15 years Chief Justice of the Georgia Supreme Court, and a lively Bible-quoting mother. At the age of 22, emboldened by a law degree from the University of Georgia, RUSSELL successfully ran for the State legislature. Ten years later he won the governorship and instituted sweeping reforms—including one that dropped his father from two State boards. In 1932, at 35, RUSSELL won his Senate seat and later retained it by beating arch-segregationist Gene Talmadge.

An early admirer of Franklin Roosevelt, RUSSELL was a strong supporter of the New Deal. "I'm a reactionary when times are good," he says. "In a depression, I'm a liberal." But RUSSELL refused to join FDR in his unsuccessful purge of the venerable Southern patriarch, Senator Walter F. George, whose mantle RUSSELL was to inherit, and, as he says, "Roosevelt forgave him, but he never forgave me."

During the Korean war, RUSSELL won widespread praise for his statesmanlike conduct of the Senatorial investigation into President Truman's firing of Gen. Douglas

MacArthur. In 1951 and again in 1953, Russell turned down the offer of the Democratic leadership. "I wanted to be my own man," he says. In 1952, believing the Southern viewpoint should be heard at the national convention, he made a futile stab at the presidential nomination. He snared 294 votes out of 1,230 on the second ballot; a loyal Democrat, he delivered them to Adlai Stevenson.

Russell did not seek the leadership of the Southern bloc; it came to him naturally. In 1944, when a Federal anti-lynching bill was in the works, Russell accepted the leadership of the Southern forces and he has kept it ever since. In his senatorial career, 15 extended battles have been waged over racial legislation, and Russell has won them all by watering down any potent bill.

This time, as he plans his filibuster (a word he abhors, preferring extended debate), Russell recognizes an unprecedented challenge: he faces not only a social revolution but a President who has committed the full weight of his office to the battle. Yet he is determined to make a fight of it—and he thinks he can win at least a rear-guard action. "This social revolution," he says, "is not one they can win overnight. The majority will eventually tire of it and think it ought to be restrained, and the majority will be heard by the politicians."

How would Georgia's Russell meet the Negro's grievances?

MORE JOBS

"The greatest problem confronting the Negro is economic," he says. "Jackie Robinson and Ralph Bunche have no problem pursuing careers. The same goes for the Negro millionaires in Atlanta. You must bring up the low-income groups, but not by forcing them into jobs by forcing the whites out. We've got to provide more jobs for Negroes. Just how, I can't say. I admit it's a difficult problem."

Beyond that Russell believes the people of the South "have been doing a pretty good job" of adapting to social change. The new legislation, he argues, would only create new frictions and a fierce reaction by whites.

Yet he clearly senses that he lacks the final answers—or much long-range hope. At the beginning of the present Senate session, after Russell had defeated northern efforts to pass an antifilibuster rule by the narrowest margin yet, Senator Clark approached him and said: "Dick, here's my sword again. I guess fate has cast me in the role of Robert E. Lee and you as Ulysses S. Grant."

With a sad smile Russell replied: "Dammit, Joe, it's beginning to look like I'm Lee and you're Grant. You're slowly eroding us away."

Indeed, the parallel is worth remarking. Like Robert E. Lee, Richard B. Russell is a man of impressive achievement, of national stature and vast potential. Like Lee, he is burdened with a lost cause and a tragic destiny: to throw his monumental talents against the relentless mainstream of history.

SERVICE OF DISTRICT OF COLUMBIA ENGINEER COMMISSIONERS

Mr. BIBLE. Mr. President, in my capacity over the years as member and chairman of the Senate Committee on the District of Columbia, it has been my pleasure to work with officers of the Corps of Engineers, U.S. Army, in their capacities as Engineer Commissioners of the District of Columbia.

In my judgment, time is overdue for paying tribute to these fine Army officers who are assigned to this great city to act as one of its three governing officials for a brief 3-year span.

The organic act establishing the District of Columbia, set forth the requirement that the Corps of Engineers assign an officer to this city to serve as Engineer Commissioner. Down through the years that has been carried out.

It seems particularly fitting that with Brig. Gen. Frederick J. Clarke's reassignment to the important post of Director of Military Construction, Office of the Chief of Engineers, Washington, D.C., and with the accompanying greater responsibilities, that we take cognizance of the service of these men.

Certainly, they must have the ability to grasp the many diverse problems—social, economical and political—which confront them here in Washington, D.C. General Clarke was an outstanding example of the fortitude, the tact and the perception that many of his predecessors have had and, unquestionably, his successors will have.

Mr. President, I ask unanimous consent that a letter of commendation I have written to the Chief of Engineers, Department of the Army, commending General Clarke, be printed in full at this point in my remarks, as a means of doing him proper honor.

There being no objection, the letter was ordered to be printed in the Record, as follows:

U.S. Senate,
Committee on the
District of Columbia,
August 12, 1963.

Lt. Gen. W. K. Wilson,
Chief of Engineers,
Department of the Army,
Gravelly Point, Va.

Dear General Wilson: It is with great pleasure that I take this opportunity to convey to you the respect and admiration shared by the members of this Committee and by myself for the outstanding tour of duty by Brig. Gen. Frederick James Clarke during his service as Engineer Commissioner of the District of Columbia which term recently terminated.

General Clarke's service stands as a symbol of great progress for not only the Nation's Capital City but the entire Washington metropolitan area. His initiative, strength of purpose, perseverance, and tactful fortitude have left their mark on Members of the Congress who concern themselves with the District of Columbia and certainly upon the citizenry itself.

General Clarke's association with this Committee and, I believe, with the entire Senate in general, was always on the highest plane. His capacity for quiet yet effective accomplishment was demonstrated in an outstanding manner and, in my judgment, his interest was properly broader than merely his specific responsibilities. In a larger sense—with the increasing problems in this third-fastest growing metropolitan area in this country—he demonstrated a grasp of many factors of the interplay of governmental activities.

May I respectfully request that this commendation be made a part of General Clarke's record to show the respect this committee of the U.S. Senate has for his years of effective service.

Cordially,

Alan Bible.

Mr. BIBLE. Mr. President, I know I speak for the entire city of Washington when I wish him well in his future assignments of greater responsibility.

To his successor, Brig. Gen. Charles M. Duke, I also wish him well as he begins to grapple with the many problems of this city. We hope we shall see much of him and his work in the immediate years ahead. He comes to this city with an outstanding record. The many problems of this city offer great opportunities in the months ahead.

Mr. President, I would be remiss if I did not mention another Engineer Commissioner, Maj. Gen. A. C. Welling, who served with distinction as an Engineer Commissioner from 1957 to 1960. General Welling, who assisted in getting through the Congress a major public works program for the District, including some of our new bridges, is now Division Engineer of the Corps of Engineers' South Atlantic Division in Atlanta, Ga. He handles the construction program covering the southeastern sector of the United States, including Puerto Rico, the Virgin Islands, and Panama. His work covers such large construction missions as the National Aeronautics and Space Administration and Air Force space programs at Cape Canaveral. I know General Welling's friends and associates in Congress will join me in applauding his successes in the international continental ballistics program and his new endeavors.

Mr. President, it is a pleasure for me to pay proper commendation to these fine officers who do their bit—and a difficult one it is much of the time—for the Capital of this country.

A CAREER OF ELOQUENCE REFLECTS PHILIP GRAHAM

Mr. BIBLE. Mr. President, the untimely death of Philip Graham has resulted in editorial comment about the inner thoughts that made this relatively young man a driving force in this country. Certainly, the intellect, humor and integrity of Philip Graham were well known to his many friends in both high and low places. Philip Graham had countless friends and admirers in every walk of life in this country and countries across the sea where freedom of thought, speech and action is precious. His newspaper, the Washington Post, on Sunday, August 11, carried some excerpts of Mr. Graham's speeches that he had given in recent years. I ask unanimous consent to have printed in the Record several of these excerpts dealing with his eloquent career and touching on subjects that show the words of a brilliant man, a humorous man and a man of broad comprehensive intellect and a most kind human being.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

DIGNITY AND FREEDOM

(The hundreds of thousands of words that Philip L. Graham produced in an intensely articulate career revealed a constant reaching for ideals and a consistent rejection of ideology. There were only two pieces of doctrine he was willing to embrace and these, perhaps, were only opposite sides of the same coin: All men are children of God; their dignity and freedom are ends in themselves.

(In a speech 13 years ago to the Association of National Advertisers he approached the issue by discussing its antithesis.)

At that year's (1903) conference of the Russian Social Democratic Party, which was held in exile abroad, a delegate asked whether the absolute authority of the party, demanded by Lenin and his associates, was not contradictory with those fundamental liberties which were the avowed end of socialism. He asked whether even the "sacrosanctity of the person" could be violated by the party. The party's answer was that, if the revolution demanded it, everything must be sacrificed. There was no "sacrosanctity of the person."

These doctrines have developed into the terrifying new mark of our times. Up to now, whatever the disagreements between philosophers and politicians as to the answers of questions, there was agreement about the importance of the questions. Questions about what kind of life man should lead, about the existence and meaning of God, about the way man should be governed.

The new mark of Leninism was the assertion that the way to answer questions was by wiping out the questions themselves. This meant what we have come to see in the Soviet Union—the elimination of reason except for narrow practical and technical accomplishments. The aim of the system is to eliminate great questions from the minds of its citizens by propaganda, by terror, by death. Then it is possible to have a state with only one goal, "a smoothly working machine providing for the needs of such of its members as are permitted to survive." When we understand that, we understand the seriousness of happenings that once struck us as strangely odd if not even humorous. Thus, the punishment of Shostakovich for not following the "line" in music. Or the violent insistence on opposition to all established knowledge about genetics.

Here is the complete triumph of security over freedom. It reaches its fullest flowering in that complete degradation of mankind shown by the late George Orwell in his "1984." Implicit in the system is the idea that man was created with a brain not to seek after truth, but just so he could have a somewhat better knack than rhinoceroses in creating material wealth.

It should be obvious then that our peril lies not just in the Russian manifestation of this system but in the broad system itself. The possibility of coexistence, to which Stalin refers with purring calm at intervals that suit his purposes, is obviously inconceivable. The chasm between us is as wide as our belief in the meaning of man. The stakes are not just free enterprise, or the American way of life. They are the stakes of civilization, that period whose name connotes man's emergence from the animal kingdom.

(A year later, in 1951, after discussing the same history, Mr. Graham told a meeting of his old fraternity chapter at the University of Florida:)

The Russians are so dedicated to and fanatical about their totalitarian program that they have created a fear that penetrates more than our international arrangements. They have so awed us with their threats and their evil, that we find spreading suspicion and distrust in our domestic lives. We are adopting some strange habits for a people who have grown great in the pursuit of reason and the search for truth. We are now wondering whether self-preservation does not demand restrictions on thinking and limitations on ideas.

I think much of our present odd behavior comes from the fact that we have taken freedom for granted for so very long that we have failed to remember its qualities. Freedom does not require that a man believe in the Republican Party or white supremacy or the progressive income tax or collective bargaining. What freedom requires is a belief in the importance of man—man as created in God's image—which God, and this is an essence of freedom, some men may deny exists.

Freedom asserts that man's life is important—not just so he can have a Cadillac or a dishwasher or make money—but because his life, the life of every different one of us, is a manifestation of some great and mysterious force.

This is an idea that is immeasurably more powerful than Stalin's 175 or 400 divisions. Because it denies Stalin's ideas that man is just an accidental piece of furniture—something to be fitted into 5-year plans, or fifth column groups, or concentration camps.

Faith in the power of freedom is the real hope for our survival.

(Two years ago, Mr. Graham was called on to speak to the National War College on "Public Support for Cold War Requirements." He quipped that he had a preeminent qualification to do so since he was "beginning to get to be old enough to know that there are seldom any answers to big questions." But his answer was that freedom built public support.)

If I have any slight insight into the problem of achieving public support in times of crisis, it is that we should never cheapen the underlying nobility of freedom—and freedom alone makes the subject of public support relevant to a serious discussion of our serious problems. Too often we do cheapen this aspect of freedom. We are willing to win quick and fleeting public approval by high pressure, by phony emotional appeals.

How many times have you heard this false analogy argued: that since we are a nation of salesmen we ought to be able to sell the system of freedom. As though freedom, which has its roots so deep in the spirit that none of us can ever fully comprehend it, can be cheaply equated to filter cigarettes.

We should all beware of shortcuts, of tricks, of easy ways to gain public support of our Nation's aims. The long, slow process of better education; the difficult building of decent environments which give every man dignity and self-respect and a sense of responsibility; the sustaining of the complex sort of culture in which freedom can flourish and the nobler aspects of the human spirit can unfold—all of these are the essential underpinnings of true popular understanding—of public support which is more meaningful and more powerful than the purported streamlined efficiency of the dictators.

About the future it is not given to man to have knowledge. Man can only have faith.

Paradoxically, my faith has been more rekindled by a citizen of the Soviet Union in recent years than by any other man. For I feel that no one can read the great novel and the poems of the late Boris Pasternak without realizing that a love of freedom is a deeply central part of all human nature.

If you lend your efforts to the constant recreation of an atmosphere congenial to freedom, I have faith that this deep central yearning of the best of mankind will determine the future of mankind. President Kennedy calls it the revolution of freedom—and it is the most revolutionary force on earth. Public support for the cause can be evoked by decent leadership—not only by that of Presidents, but by the sort of leadership you are destined for. And in one of those beautiful circular movements of life, decent leadership evokes decent public response, and decent public response ennobles decent leadership, and the good can continue begetting and enlarging the good.

At least, that can be our faith.

The Activist

(These columns are filled mainly with his ideas and concepts, but Philip Graham spent far more of his time and energy on concrete projects than on philosophizing. The areas of his intense activity were many and only a couple can be illustrated here. One, for which he was perhaps most renowned, was a continuing campaign for the widest mass participation in political financing, for vast numbers of small political contributions instead of a few donations from the "Big Money" interests.

(He launched his thesis before the School of Business of the University of Chicago on June 1, 1955. First outlining the fantastically grave and difficult problems facing the Nation, he offered the following analysis.)

I would like to suggest that in one respect at least we are facing up to this situation as though we were a Nation of lunatics. I would also like to suggest that unless we change our habits we shall probably achieve the fate we deserve.

Now my suggestion has one refreshing aspect. It will not require this assemblage of potential cardiac cases to raise your blood pressure in anger against anyone except yourselves. I do not suggest that we can solve all our problems by denouncing Yalta, 90 percent of parity, the Dixon-Yates contract, Owen Lattimore, or high taxes.

What I put to you is simply this: We face problems that involve life and death for all of us; yet we insist on having the lowest sort of opinion of the very people we entrust with those problems; and we force them to operate under conditions which do everything to repel decent men.

Who are these people who bear this great responsibility, and whom we treat so stupidly? They are, of course, the politicians. They include Dwight D. Eisenhower, Adlai Stevenson, 96 Senators, 435 Congressmen, 48 Governors, the 750,000 other elective officials, and the Cabinet officers and tens of thousands of appointive officials and political workers who must live under our existing system of politics.

These are the people whose day-by-day actions will very largely determine the greatest conflict in the history of the world. Yet how do we tell them we regard them? We tell them that we consider them just a little above outlaws. Thus this spring in a nationwide Gallup poll, 7 out of 10 people with an opinion that they would not like to see their children enter politics as a life's work.

Let us suppose that instead of running a great nation we were running a pickle works and that our pickle sales were dropping every month. Clearly we would not begin by telling our sales department that all salesmen were stupid and crooked and unnecessary. Yet we do treat problems which are rather more urgent than pickle sales in just that fashion. And if we continue to do so we probably have as much chance of survival as the buggy manufacturers had of licking Henry Ford.

But before we discuss the solution, let us diagnose the basic problem in a bit more detail. For the problem is deeper than merely a question of public attitudes. Although they are considerably more esteemed than politicians, nevertheless farmers, labor leaders, industrialists, and even newspaper people are frowned upon by a goodly number of their fellow men. Yet these people at least can operate in an environment permitting them to maintain their self-respect.

So while it is a serious matter that politicians rank close to lepers in the popularity polls, it is a much more serious matter that we force politicians to live in a system which goes a long way toward depriving them of self-respect.

The fundamental defect in our present system of politics—as is so often the case in life—has something to do with money. It has specifically to do with our habits regarding contributions for political campaigns. Even putting the best possible face on the situation, it can only be described as morally squalid, ethically shocking, and spiritually revolting.

As of 1955 the principal characteristics of our system of political finance can be accurately described in the following manner:

(1) We maintain a bold-faced, official lie about the cost of political campaigns and the amount of political contributions.

(2) We almost universally fail to respond to—or even to recognize—the duties of the individual citizen in a free society.

(3) We consequently force politicians to live in close connection with the filthy power of gangsters and the acquisitive power of special interest groups and favor seekers.

The problem then is how to convince millions of Americans of an obvious fact—that good citizenship requires political contributions by each individual to the party or candidates of his choice. Good citizenship requires this just as much as it requires contributions to one's church, one's community fund, the Red Cross, or other causes.

(Another of many fields of his intense personal activity was urban renewal, particularly for Washington. To the Washington Building Congress, Mr. Graham looked, with an accuracy that has stood 11 years of test, at the city's urban problem as it appeared in November 1952.)

The problems are very much more than dollar problems. There are human and social problems being created by the unbalanced migration of upper- and middle-income families out of our city. No city can be a healthy city unless it has a balanced, representative population. And yet the opposite is occurring. This is most graphically shown by statistics on racial components. These show that the ratios of white and colored populations in the entire metropolitan area have been relatively unchanged for 50 years. But this is not true of the District when taken alone, where from 1940 to 1950 the colored population rose from 28 percent of the total population to slightly more than 34 percent. The rise of colored population in our cities is part of the story of the rise of the Negro in America. A great migration from the South has been underway, and the percentage increase of colored population in Washington has been less large than in most other large American cities.

The rise of the Negro, let us be clear, is a matter for pride on the part of all Americans. But that rise will be complicated and not aided if by lack of planning we allow our urban centers to become predominantly places for those who are at the lower end of the economic ladder. Instead we must do our utmost to work toward balanced growth of cities and suburbs to build a strengthened democracy.

The basic problem with Washington as with most of our cities, is thus an unbalanced migration out of the city. It is important that we work for balance—and not against migration. For the growth of the suburbs is in everyone's interest. That growth should make for better and safer and healthier living for us all, and is certainly to be preferred to increasingly congested city living.

Balance in the growth of our city has many aspects. There are two primary ones I would like to single out:

First, we ought to plan our city so that it manages to attract a balanced share of all segments of population. That means we cannot stand by passively and merely let present structures become blighted slums. There are many advantages of downtown living—with air-conditioning it even has perfect weather. By imaginative private projects and by projects under the Redevelopment Land Agency, we must see that we make the most of the advantages of city living and keep a balanced population attracted to them.

Second, we must recognize that a housewife living 15 miles away from our downtown shopping and service area need not be further away in time than was her grandmother who lived on Florida Avenue, that is to say, we can make her close to the downtown area if we are imaginative and resourceful in tackling problems of mass transportation, of traffic control and of parking. If we do not, if we fail in this then we shall have destroyed much of the value and the usefulness of our central city. And if that is destroyed, we shall face a Pandora's box of problems as to how we can ever maintain the city.

(Mr. Graham viewed the same urban problem in more general terms 3 years later, in September 1955, at an Action luncheon in Philadelphia.)

The fact is—depending on how you define city—either a majority or, at least, a very large proportion of our people happen to be born and live and die in cities. Now the obstetrical care in the maternity wards is generally very fine and the same is true in the funeral parlors and the burial grounds. But the in-between period—which we enthusiastically describe as life—is not always a span of shining joy. As I think we all know, the modern urban apparatus often falls far short of providing a support for fostering in man the fullest growth of his finest qualities. Instead, too often it gives a nudge to his weaknesses for delinquency and depravity.

We have learned, I think, that sprawling unplanned cities in the 20th century not only make bad cities, but they make bad people. We are concerned about doing a better job in this area, not to improve the oft mentioned standard of living, but to improve the less mentioned, but more important, standard of the human spirit.

Anybody who is at all remotely familiar with citizens organizations is well aware of the following law of nature: It is 1,000 times as easy to espouse, maintain, and propagandize a so-called principle as it is to work for any constructive accomplishment. Now that law of nature has flourished, particularly in the housing and city planning field. Today we have millions of Americans living in slums which any proud pig would scorn, because thousands of our so-called leading citizens lost themselves for a decade or more in the joys of bombast, epithets, stubbornness and self-righteousness over the pros and cons of public housing instead of doing anything about doing anything. And public housing is only one of a number of issues which among housers and planners has been elevated to such a position of delicacy that one can discuss them just about as freely and objectively as one could conduct a seminar on miscegenation in Charleston, S.C.

The facts are that our cities by and large are pretty miserable places for a lot of people to live in. The further facts are that there is no excuse for this. There is only one explanation, and the explanation is the stubbornness, the obtuseness, and laziness of men. The answers in the main are not only realizable but obvious. The central weakness seems to me to be poor citizen organization and inadequate citizen support.

THE CERTAINTY OF UNCERTAINTY

(Because he rejected ideologies, and because he loathed pretensions, Mr. Graham reserved his strongest vitriol for the concept of certainty. He spoke on the subject at the Founder's Day Dinner of Lincoln University, on February 25, 1952, in Philadelphia.)

My feelings of doubt arose because of a particular quality with which we seem recently to have invested some of the more disputatious areas of life. That quality is the quality of certainty—of dogmatic, unbending sureness. You are familiar with the quality—with this peculiar state of mind. You are told that such and such action must be taken—and taken at once. Not tomorrow—but now. Otherwise, the world will certainly come to an end, and you will be at fault.

Well, it seems to me that we are coming more and more to exhibit that quality about more and more difficult and vexatious subjects. The area of race relations, regrettably but certainly, we must admit remains such a difficult area. Numerous other examples of difficult problems come to mind—many aspects of foreign policy, the problem of academic freedom in our universities, the clash of individual rights and governmental powers, the direction of modern economics, and so forth.

Increasingly, it seems to me, we find an almost mathematical rhythm about such matters. As the complexities and the difficulties of the subject matter increase, the dogmatic certainties of those involved with the problem increase in direct proportion.

For example, in the more detached and rational parts of our mind we recognize that historians are still giving us new light on the sources and direction of our Civil War. And that war ended almost 90 years ago. Yet today we listen to the most positive and pompous utterances pretending to give the exact truth about the Korean war—a war where the guns are not yet even quiet and where the facts are necessarily only partially available.

As another example, take the subject of how we should deal with the vast problems of China and the rest of Asia. It is a problem with the most unimaginable complications. And yet in the town from which I come, there are thousands of noisy people with dogmatic solutions in contrast to only a handful with the patience to study some of the relevant facts.

In a different area, I think most of us realize the enormous complexities arising from modern industrial life. We know that the improvement of institutions to help make it a better life is inevitably a drawn-out job of trial and error. Yet there is almost no indication of that in the outpourings of those who are most articulate. Manufacturers' associations pronounce that the adoption of this or that bit of legislation means inevitable progress down the road to socialism—and probably the road to hell. Simultaneously, great labor organizations indulge in the fraudulent pretension that they can mathematically evaluate the soul of a legislator. They claim they can total up his votes on a few measures, and then grade him in a range that runs from 100 percent virtue to 100 percent evil.

Now that kind of certainty, I suppose, must offer a kind of personal enjoyment. It must become a rather efficient anesthetic, as it dulls the lively pains which doubt and uncertainty can kick up. But it is an anesthetic to which, happily, most of the human race are allergic. Although the attitude of dogmatic sureness seems to be growing, it still remains true that the majority of men cling to the old-fashioned concept that infallibility is a quality reserved for God.

PAINFUL DOUBTS

(As the preceding passages illustrate, Mr. Graham was not one to withhold criticism, even if he acted from his own personal uncertainty principle. But of nothing did he finally become more critical than of his own business, the press. His dissatisfaction with the commonplace in the press developed slowly. It was most clearly expressed in February 1960 at a University of Minnesota seminar.)

What I am feeling, rather than thinking, is that the press is stale and disoriented. Not in techniques for we are encased in and fascinated by techniques. Our staleness and our disorientation is caused rather by our basic assumptions. They are shallow, out of date, and almost entirely unexamined because we, all of us, spend all of our time with techniques.

There is a clue to what concerns me about journalism in a recent British novel, "The Rack," by A. E. Ellis, which deals with the psychology of tuberculosis. In it there are hordes of doctors who, with all the paraphernalia of modern medicine, still cannot cure. And the most articulate of them, speaking with that sense of omnipotence which the lack of power so often evokes, derides the efforts of philosophers. Ah, philosophers, he says in effect, when they are sick they come to doctors; and who has ever heard of a sick doctor going to a philosopher?

In this considerable novel, an ailing man places all his faith in the cures of doctors who cannot cure.

Perhaps we are doing the same in journalism, placing all our hopes in whatever doctoring is fashionable at the moment. We pursue Dr. Flesch who has a cure-all in short sentences, or Dr. Gallup who shows us that many people will choose escape over even mild thinking, or Dr. Neilsen and Dr. Politz who seem to have discovered that everyone has abandoned all work, play, and bodily functions, in order to spend 26 hours a day pursuing the various media.

Those of us in journalism have listened to thousands of hours of discussions of such techniques. We have probably not spent 1 hour asking: What are we doing? Where are we going? Our most passionate energies are expended tinkering with the superstructure, with none left over for contemplating the foundation.

A CHIEF EXECUTIVE WHO EXCELLED

The Washington Post enjoyed the rare fortune of having a chief executive who excelled in the abilities central to fulfilling its purpose.

That Philip L. Graham, as president, should have set the goal, fixed the policy of the newspaper, and headed its business operations was taken for granted—although there was vast admiration for his way of doing it. But what was unique was the fact—accepted without resentment and with great pride by the staff—that Mr. Graham could outsleuth the paper's star reporters, outthink its sagest pundits, outwit its most genial spoofers, and outwrite its fanciest—or most fancied—stylists.

Some selections from what he wrote and said during the 17 years he was head of the Washington Post are presented here as a portrait and measure of the man.

CIVIL RIGHTS LEGISLATION—RESOLUTIONS

Mr. SCOTT. Mr. President, I ask unanimous consent to print in the RECORD three resolutions of the bishops of the Episcopal Church in the United States of America adopted on Monday, August 12, 1963, relating to the pending civil rights legislation which has been introduced in the Senate. These resolutions coincide with the Emergency Conference of Episcopalians on Civil Rights sponsored by the National Council of the Protestant Episcopal Church which brings this week to Washington some 50 clergy and lay members of that church from Connecticut, Delaware, Florida, Indiana, Kansas, Maryland, Massachusetts, Mississippi, New Jersey, New York, Ohio, Pennsylvania, South Carolina, Texas, Virginia, and the District of Columbia. Yesterday's New York Times notes that these resolutions place the whole weight of the moral authority of the House of Bishops of the Protestant Episcopal Church behind a strong civil rights program, and "such as shall fairly and effectively implement both the established rights and needs of all minority groups in education, voting rights, housing, employment opportunities, and access to places of public accommodation."

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

RESOLUTIONS ADOPTED BY THE HOUSE OF BISHOPS, PROTESTANT EPISCOPAL CHURCH

I

Resolved, That the House of Bishops of the Protestant Episcopal Church urges the Congress of the United States to pass such civil rights legislation as shall fairly and effectively implement both the established rights and the needs of all minority groups in education, voting rights, housing, employment opportunities, and access to places of public accommodation.

II

Resolved, That the House of Bishops of the Protestant Episcopal Church, mindful of the church assembly to be held in Washington, D.C., on August 28, 1963, in cooperation with the march on Washington for jobs and freedom—

(a) Recognizes not only the right of free citizens to peaceful assemblage for the redress of grievances, but also that participation in such an assemblage is a proper expression of Christian witness and obedience,

(b) Welcomes the responsible discipleship which impels many of our bishops, clergy, and laity to take part in such an assemblage and supports them fully, and

(c) Prays that through such peaceful assemblage citizens of all races may bring before the Government for appropriate and competent action the critical and agonizing problems posed to our Nation by racial discrimination in employment, in access to places of public accommodation, in political rights, in education, and housing.

III

Resolved, That the House of Bishops of the Protestant Episcopal Church commends to all people the presiding bishop's letter dated Whitsunday 1963, as appropriate and helpful in the present racial crisis; and that we support the presiding bishop in this wise and timely expression of Christian leadership.

KNOWLES DAM

Mr. METCALF. Mr. President, an editorial from the Portland Oregonian of August 4, 1963, emphasizes an additional argument for immediate authorization and prompt construction of Knowles Dam.

I ask unanimous consent that the editorial be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

KNOWLES DAM NEEDED

This newspaper has warned repeatedly that the U.S. Government should proceed with orderly construction of its own upper basin storage dams in the Columbia River system without putting so much dependence upon proposed Canadian storage.

The court decision invalidating British Columbia Premier Bennett's high-handed seizure 2 years ago of British Columbia Electric Co. now makes almost certain long additional delay in implementation of the United States-Canada Columbia River Treaty. The ruling also invalidated the provincial power agency's negotiating for sale of downstream power in the United States and designated to build dams in Canada. The Canadian Federal Government is not likely to attempt to supersede the provincial government in dam building. The treaty remains unratified in Canada.

Libby Dam on the Kootenai River in Montana has been authorized by Congress but it, like the three proposed Canadian dams, cannot be built until the treaty is ratified. Members of the U.S. Senate, however, have voted this session to authorize Knowles Dam on the Flathead River in Montana which would provide usable storage for flood control and downstream power benefits of more than 3 million acre-feet. Initial generation at Knowles would be 256,000 kilowatts, with provision for addition of a fifth 64,000-kilowatt generator. But the importance of the upstream storage is shown by the report that downstream dams could produce 953,000 kilowatts more as a benefit of Knowles storage.

Without upstream storage, the Columbia River Federal system will remain only half effective, subject to seasonal fluctuations in river flows, producing large quantities of non-prime power or allowing it to waste to the sea, and unable to guarantee long-term, firm-power contracts to industries seeking to locate in the area. In view of the Canadian foulup, Congress should go ahead with Knowles as the next and most important step in Columbia Basin multiple-purpose development.

WHAT HAPPENED TO CAPTIVE NATIONS WEEK?

Mr. LAUSCHE. Mr. President, the Wanderer, a weekly newspaper published at St. Paul, Minn., carried an editorial on July 25, 1963, commemorating Captive Nations Week.

I believe this editorial is a most poignant illustration of the growing national concern for the plight of the nations held in captivity by communism.

Mr. President, I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CAPTIVE NATIONS WEEK

THE 1963 FAILURE

The pathetic national observance—or rather nonobservance—of Captive Nations Week in 1963 is an outrage against humanity and a national disgrace.

Pursuant to a congressional resolution the President rather perfunctorily proclaimed Captive Nations Week as extending from July 14 to 20. Anyone having the great powers of the leader of the free world and able therefore to command the attention of people around the globe could have given this occasion greater emphasis.

Radio and TV newsmen took about the same notice of this proclamation that they take of the fact that he went to mass somewhere. (This writer did not hear any mention of Captive Nations Week on either radio or TV—none at all.)

Daily newspapers and weekly news magazines gave little or no attention to this commemoration of the horrible fact that close to a billion human beings are living in prison and misery.

The Register chain of Catholic weeklies did little better. (Look for yourself. Remember, these are Christian publications.)

Contrast this with our observance of the glorious Fourth. We entered so eagerly into the holiday observance of our freedom that, before we were done, we had killed some 450 people on the highways and shattered all previous records for deaths on that occasion.

How contemptible it seems to rejoice so brazenly in our own liberty—like rich men feasting on fine foods while multitudes starve to death outside the castle.

Not only our President but all of us seemed to accept Independence Day congratulations from the bloody-handed No. 1 enemy of independence in the whole world. "We will bury you. But I congratulate you on having escaped—so far—from the terrible fate that awaits you and your children."

CAPTIVE NATIONS YEAR: 1964

Year 1964 will mark the silver anniversary of darkness all over Poland.

Year 1964 is America's election year when all Congressmen, one-third of the Senators, and presidential candidates will seek office.

In the 25 years of Catholic Poland's enslavement a whole generation has been born and lived the half-life permitted by Red Fascists.

Patience, you Poles? Maybe. But we are also reminded of the words of our President speaking nationwide on TV regarding the denial of some rights to Negroes. In effect he said: "After a 100 years of injustice the counsels of patience will no longer suffice."

Ask yourself this question: Would you rather live 25 years in Red Poland, or 100 years as a Negro in America?—if nothing else can help you to decide, simply recall that an American Negro has freedom of worship.

How long must the Poles suffer before they too can be commended for wishing to hear no more of patience?

In 1964 a Captive Nations Week is not enough; it must be a Captive Nations Year.

The situation is grave enough to demand that. It would run from January 1 to election day in November.

Among the major objectives to be hoped for from the observance of Captive Nations Year are these:

1. To renew hope in the enslaved peoples. (Hope dies when it seems that one has no friends left.)
2. To reawaken the consciousness of the free world peoples to the magnitude and danger of the situation.
3. To prick the conscience of the indifferent, to awaken sympathy.
4. To get commitments and action from drafters of party platforms, congressional and presidential candidates, and State Department officials.
5. To humanize ourselves; for when our hearts are softened and inflamed for the suffering, we become less materialistic and more like images of God. Youth seeking for a cause could be the greatest beneficiaries.

ADVANCE PREPARATIONS

If Captive Nations Year is to succeed as it should, work on it should begin in September 1963.

Planning, fund raising, and operational staffs must be decided upon. Literature must be prepared. Goals must be agreed upon.

One probable reason for the fiasco of Captive Nations Week in 1963 is that most people didn't give it a thought till July.

If, in addition to local or regional observances from one end of the country to the other, there is to be one mammoth captive nations rally, the site for it must be selected. Should it be where there are the greatest number of people with relatives in captive countries? In Cleveland? Or in Soldiers Field, Chicago? Or at the Cow Palace in San Francisco?

If there is to be an international aspect to this observance, will it be headed by Sir Arnold Lunn, who seems to be the most faithful friend these forgotten people have?

Who among the prominent and public-spirited citizens will serve on the board of the Captive Nations Year special committee?

Will the services of a public relations firm be enlisted, with the hope of getting better coverage on network TV, Time, Life, etc.?

Which clergy—Protestant, Catholic, and Jewish—will serve on the religious committee?

Obviously, last-minute decisions on these matters could be extremely harmful.

So that all regional observances will not take place simultaneously, a calendar of events would be prepared ahead of time. Conflicts would be foreseen of course: New Orleans during Mardi Gras week, e.g.

Will the "Catholic Hour" cooperate? Will "This Is the Life?" Will "Directions 1964?" If so, they must have ample advance notice.

When will the year's observance "peak"? In midsummer when many people are away fishing and otherwise vacationing? Will it be before or after presidential candidates are chosen? Will it be a week before the national elections?

Can the bipartisan or nonpartisan nature of this observance be made clear in an election year? (That may depend much more on the party leaders than on the leaders of this observance.) Or a more radical question: Need the observance be nonpartisan?

CAPTIVE NATIONS YEAR BEGINS

In all probability it is neither to be expected nor desired that there will be a Congressional resolution or Presidential proclamation announcing Captive Nations Year. There is much to be said for the genuineness of a nongovernmental or grassroots movement. (Cf. the rock-throwing, embassy-storming brigades in slave nations: their obvious lack of spontaneity betrays them.)

The calendar of events might be scheduled along national rather than regional lines; e.g., Hungarians, then Cubans, then Korean escapees, etc.

Native songs, dances, dress and customs could lend considerable news interest.

Hamtramck might be able to make its captive nations observance coincide with some big Polish observance there.

Every Congressman, even those taking a dim view of Captive Nations Year, could well be invited to be a featured speaker in his district. He might also agree to face a questioning panel on a local TV show. Congressmen would of course expect some advance notice, and with plenty of it, it would be harder for them to plead previous commitments.

Senators likewise could be offered the opportunity to say what they intend to do about approximately 902 million helpless slaves. They should have the chance to say that they intend to do nothing, to say they love these people more than anybody else and their heart is just breaking wide open for them, but nevertheless they will sit on their hands and let these people remain in their agony—until the "forces of history" set them free, ha ha.

Cover stories for national secular and religious magazines would be arranged for different weeks, and months in advance.

IMPORTANCE OF SELECTIVITY

Since the possibilities available for promoting Captive Nations Year are so varied and many, control would be necessary to see that the movement does not get out of hand, overshoot its mark, get taken over by lunatics, or become scattershot.

Too much placard carrying can undo the movement.

Too much picketing of the embassies of slave States, likewise.

Too many harsh cartoons, likewise.

Too many contests in schools could make Captive Nations Year a resented nuisance.

Too many letters to the editor, or too violent letters.

Radio or TV presentations ad nauseam.

If there is a Captive Nations Year marching song (comparable to "We Shall Overcome?"), think of the effect if it were dinned into ears morning, noon, and night over radio and TV.

A hanging of the Secretary General of the U.N. or of the American Secretary of State—in effigy—could come close to ending the observance for the rest of the year.

(A more effective hanging in effigy would be the hanging of Rumania, Latvia, etc.—maybe with red rope).

Catholics can, even without the assistance of a particular pastor, gather nightly for a novena to Our Lady of Fatima; a novena of reparation. They can arrange in January for every Mass during Captive Nations Week to be offered for the people in chains. Bishops today are generally receptive to ideas from intelligent laymen, in case a diocesan program is envisaged by the Knights of Columbus, or another group such as the Blue Army. Every Friday during Captive Nations Year can be a day of penance and prayer (in church or in homes) for the deliverance of the captives.

OPPOSITION

"If God is for us, who is against us?" (Romans 8: 31).

We all know that no good movement escaped without denunciation and withering scorn. Shall we therefore turn our back on about 900 million sisters and brothers, to save our own tender skin?

One group in the State Department is certain to react violently. (Another group there will be much heartened.)

As an observant of Captive Nations Year you will be told in effect that the State Department lives "in inaccessible light"; you could not possibly have access to all the facts they have. Therefore you should shut up for you are endangering delicate negotiations with a monster who never keeps a pact; you are going to trigger a nuclear holocaust if you don't be quiet, etc. The charges are all too familiar—and too trite.

O the depth of the riches of the wisdom and the knowledge of the State Department.

By their fruits you shall know them. See how the cancer slowly spreads while the great cancerologists search for ways to make an accommodation with it.

What to expect from candidates for office—in the Congress, the Senate and the Presidency—is problematic. Some caught on the painful horns of their record, may decide to admit that yes, you are right, conditions are different in 1964 and action should now be instituted. Others, similarly caught, may feel their only hope is to brazen it out and expose you as a greater threat to the peace and safety of the world than the Kremlin cock with his arsenal of H-bombs.

In some newspapers and magazines—most of them probably—such attacks on this evil conspiracy (captive nationeers) will get screaming headlines.

SUCH PUBLICITY CAN BE IMMENSELY HELPFUL TO THE CAPTIVE NATIONS

It will hearten them as they pine in the shadow of the valley of death.

Some holy men—the modern Caiaphases and Annases—will also join in the cry: "Crucify them." Some rabbis, priests, and ministers may become purple with rage. They may piously intone that you are being negative (as if their attack on you was positive): You are only trying to undo something instead of doing something, they'll charge.

And, of course, your efforts to free a third of the human race will be denounced as setting back the cause of freedom by at least a century.

Some religious journals will put you in stocks. Not just the Nation; not just Look; maybe also America; Commonweal; Christian Century; Catholic World.

A certain columnist will reveal something positively terrible about you—and it will be exactly 10 days before the election. "It will be denied," he'll begin, "but these facts can now be told."

The establishment elite—who alone know how to govern all others—will fight back angrily at finding ignorant grassroots opposition.

You will be mentioned as a tool of the Communists, and since it is so evidently and totally contrary to fact, this will be believed by some, who will reason that such a charge could never have been made without some foundation.

A liberally oriented Catholic bishop could conceivably sound the alarm about the captive nations group.

Seeing you wearing captive nations black armbands or captive nations buttons in your lapels psychoanalysts will have their fun theorizing.

But when it is all over and the lights have gone on again in places where diabolism reigned, you will be comforted by the words of your Saviour:

"I was hungry and you gave Me food.
"I was thirsty and you gave Me drink.
"I was a stranger and you welcomed Me.
"I was naked and you clothed Me.
"I was sick and you visited Me.
"I was in prison and you came to Me.
"Truly I say to you, as you did it to one of the least of my brethren, you did it to Me."

U.N. DOUBLE STANDARD

Mr. LAUSCHE. Mr. President, why does the United Nations approve of the colonial domination and exploitation by Red Russia of the people of the 13 captive nations on the one hand while it takes a vigorous position against the alleged colonial power of Portugal and other nations in South Africa?

On Wednesday, July 31, the United Nations Security Council, made up of 11 nations, under a vote of 8 to 0, with the United States, Great Britain, and France abstaining, called on Portugal to end alleged repressions in her African territories, and to put these territories on the road to independence.

On June 27, 1963, the United Nations, with the implied approval of our country through its abstention from voting, decided to abandon the proceedings against the illegal Communist Kadar government of Hungary established by the colonialism of Red Russia. The United Nations in 1957 adopted a resolution calling upon the removal of Russian troops from Hungary, the granting of amnesty to the freedom fighters of 1956, and the holding of free open elections on the basis of a people's right of self-determination in choosing their government. The United Nations furthermore refused to recognize the credentials submitted to it by the representatives appointed through the Kadar Communist regency. All of this was undone in 1963. The colonialism of Red Russia in Hungary is tacitly approved as well as over the other 13 captive nations.

Colonial practices by the Communist nations seem to be right while colonial practices by nations hostile to Red Russia are condemned as wrong.

This double standard of meting out justice by the United Nations is obviously wrong. The wrong is accentuated by the fact that our Government is subscribing to this course of conduct.

BACKGROUND MATERIAL ON THE AUTHORS OF THE BROOKINGS STUDY ON THE BALANCE OF PAYMENTS

Mr. ROBERTSON. Mr. President, the report of the Brookings Institution to the Joint Economic Committee which was the subject of hearings on Monday, July 29, 1963, before the committee was to me quite disturbing. It was written by Walter S. Salant as the main author and Emile Despres, Lawrence B. Krause, Alice M. Rivlin, William A. Salant, and Lorie Tarshis. This memorandum is a brief discussion of the views held by each of the authors on subjects related to the Brookings' study. In each case, comment on an author's views is followed by a biographical sketch of the author's education and experience.

WALTER S. SALANT

Mr. Salant was educated at Harvard and Cambridge Universities and has had varied experience in the Federal Government, including the Treasury, the SEC, Commerce, the Council of Economic Advisors, and the OPA. He has also served in the Economic and Finance Division of NATO and as a professor at Stanford.

In 1962, Mr. Salant, in reviewing a study of the postwar European economy, believed that the superiority of European performance in avoiding the recessions stemmed not so much from anticyclical policy as from long-run policies stimulating economic growth. He was then convinced that policies of mild economic restraint in rapidly growing economies could cause severe recessions. Mr. Salant believed that the United States would probably run a balance of payments deficit when it was using its resources fully. He thought that if price stability in exports of the United States were to continue while expansion continues in Europe, that the restraint upon domestic growth of the U.S. balance of payments problem would be reduced faster than most economists might think. He also believed that the return to convertibility of currencies in 1958 would reduce Europe's advantage in pursuing domestic policies of economic stabilization. He argued that the earlier lack of convertibility in the postwar period in Europe allowed European nations greater autonomy of national policy; however, he reasoned, the return to convertibility would revive capital flows that would have a potential disruptive effect upon domestic stabilization measures.

To judge from Mr. Salant's comments in 1962, which are about the latest views of his that are available, it would seem that he is a believer in long-run expansionist policies such as accelerated depreciation allowances, deficit spending, and other policies stimulating investment and consumption rather than being a believer in delicately adjusted monetary policy as the means to achieve long run rapid economic growth.

EMILE DESPRES

Mr. Despres was educated at Harvard in economics and public administration and served at the Federal Reserve Bank of New York, as an intelligence analyst in the OSS, as an economic adviser in the State Department, and as professor of Economics at Williams College and Stanford University. He has advised several international missions, including the Chinese in 1941, the Potsdam Conference in 1945, and has also advised embassies in Yugoslavia and Pakistan.

In 1962, Mr. Despres was strongly convinced that the international monetary and financial framework was inadequate to accommodate the balance-of-payments consequences of what he called "structural changes" in the free world economy. The chief of these structural changes, Mr. Despres thought, was differences among countries in the rate of productivity increases. Mr. Despres thought that such differences would not cancel each other out but would persist for a number of years. He also thought that under conditions of convertibility and relatively free capital movements, that such capital movements would tend to reinforce rather than to neutralize imbalances in payments among the trading countries.

He said however:

> Our international monetary institutions simply do not fit our newly liberalized trading and payments arrangements. This creates a striking lack of symmetry between the reaction of deficit countries and that of surplus countries. As their reserves become deficient, deficit countries find themselves under increasingly urgent pressure to correct their deficits; the pressure on surplus countries to halt the accumulation of redundant reserves, either by increasing their domestic effective demand or by providing the external finance which would permit continued surpluses in their international accounts, is not so urgently felt. This asymmetry introduces a pervasive deflationary bias into the world economy, which first impinges on the deficit countries and then is transmitted by them to the surplus countries both directly and through underdeveloped countries as intermediaries.
>
> The most likely consequence, unless adequate financial mechanisms are created, is international propagation of secular retardation; i.e., sluggish growth.

It is thus clear that Mr. Despres was convinced of the need for reform in the international payments system before he undertook the study for the Brookings Institution dealing with the U.S. balance of payments in 1968.

LAWRENCE B. KRAUSE

Now a senior economist at Brookings, Krause at the time of the balance-of-payments study was professor of economics at Yale. Educated at Michigan and Harvard, he has taught at Harvard and Yale and served as a graduate student research fellow at Brookings.

Mr. Krause has written very little that would indicate his views concerning the adequacy of international liquidity. He does favor increased trade and would substantially change the Reciprocal Trade Agreements Act from its present form in order to obtain large tariff reductions. He favors assistance to domestic firms who are casualties of such massive tariff reductions.

ALICE M. RIVLIN

Miss Rivlin was educated at Bryn Mawr and Radcliffe and has been with the Brookings Institution since she received her Ph. D. in 1958. Before this study, Miss Rivlin had worked on consumer problems and higher education.

In her study of higher education, Miss Rivlin favored increased Federal funds to support instruction and construction through loans and grants, and felt that it would be preferable to continue to apply Federal funds to particular programs of national importance rather than providing unrestricted block grants. She did not favor massive Federal scholarship programs but did favor limited scholarships for bright students in general need as determined by their parents' income and number of dependents. The purpose of such a program would be to reduce the number of talented students not going to college rather than to aid the educational institutions. She favored expanding Federal graduate fellowships and opposed brandnew programs in institutions without previous graduate facilities.

WILLIAM A. SALANT

Mr. Salant was educated at Harvard. He has served at the Federal Reserve Board, the OPA, the White House staff, and the OSS during World War II. He was with the Department of State as Economic Adviser to the ECA from 1946 to 1953, and taught at Brandeis University from 1953 through 1957. Currently, he is a consulting economist.

Mr. Salant is primarily an economic theorist of the aggregate demand school. His contribution to the Brookings study was probably primarily to set up the scheme of analysis. He has no published writings which would suggest his views on international liquidity; however, his interest in aggregate economic analysis probably would lead him to be more interested in intellectual schemes than in institutional and political considerations surrounding the international liquidity problem.

LORIE TARSHIS

Mr. Tarshis was educated at Toronto University and Cambridge, and has been a professor of economics at Stanford since 1946, and head of the Department of Economics since 1947. He is the author of a textbook in money and banking which is well known for its unconventional views in the field of money and banking. Mr. Tarshis is in general critical of the Federal Reserve System and would favor major reforms in the Federal Reserve Act to eliminate member bank borrowing and to revise the current practice of open market purchases and sales of Government securities.

In 1957, Mr. Tarshis felt that Governor Stevenson's welfare program was too small. As an example of his views:

> We have not yet got used to big numbers. That we can gravely ponder whether we can afford such a program, or a decent educational system, or adequate foreign aid, to take some obvious examples proves the point. And yet what are we to have in 1965, if not these, and much else? Thirteen million, instead of 10 million still lower and longer automobiles? Or 15,000 instead of 12,000 new shopping centers? Or what? That Governor Stevenson feels it necessary to answer his question suggests that a shock treatment would have done more good than a dose of public relations syrup.

GENERAL COMMENT

From what I can find out about the authors of the Brookings Institution report, their views are no surprise. Most of them were educated at Harvard and Yale and have had long experience in various Government agencies since World War II. Like many of their academic colleagues, these men, who have been specially trained in economics and have held few positions in which they have had to make policy decisions or operating decisions, resemble their academic colleagues in tending to impatience with the existing state of things and fascination with complicated new intellectual schemes for improving the existing situation. For example, in discussions of the need for a new international liquidity mechanism, the authors of the Brookings Institution study have little to say about the relative bargaining position of the Nation's party to an agreement on the mechanism. They also have little to say about the question of the loss of national sovereignty that might be involved in such a mechanism.

Salant, Walter S., economist; New York City, October 24, 1911; s. Aaron Bennett and Josephine Adele (Scheider) S.; B.S., Harvard, 1933, A.M., 1937, graduate school public administration, 1937–38; student Cambridge University, eng., 1933–34; m. Edna Goldstein, January 25, 1939; children—Michael Alan, Stephen Walter. Research, statistics, Treasury Department, 1934–36; research Wall Street firm, 1936; assistant economics, Harvard, 1938; research Securities and Exchange Commission, 1938–39; mem. sr. staff indsl. econ. div. Office of Sec. Dept. Commerce, 1939–40; head economist Research Division, OPA and predecessor agencies, 1940–45; economic adviser to Economic Stabilization Director, 1945–46, Price Decontrol Board, 1946; economist Council Economic Advisers, Exec. Office Pres., 1946–52; cons. econ. and finance div. NATO, 1952–53 vis. prof. Stanford, 1954, Brookings Institute, 1954; cons. to secretary of treasury, 1961. Mem. Univ.-Nat. Bureau Com. Econ. Research 1956. Mem. Ad. Econ. Assn., Econometric Soc., Royal Econ., Soc., Phi Beta Kappa. Author: (with B. N. Vaccara) Import Liberalization and Employment, 1961. Mem. bd. editors Am. Econ. Rev., 1956–58. Contbr. articles econs. jours. Home: 3921 Idaho Avenue, Washington.

Despres, Emile (dā pr'ā), economist; b. Chicago, September 21, 1909; s. Emile and Irma Helen (Rosenthal) D.; student Riverdale (N.Y.) Country School, 1922–25; S.B., Harvard, 1930, resident consultant Graduate School Public Administration, 1937–38; m. Joanna Hitt Eakin, December 22, 1939; children—Lani, John, Charles. Spl. fgn. exchange analyst, Federal Reserve Bank, New York City, 1930–37, chief fgn. research div., 1938–39; econ. adviser to chmn. bd. govs. Fed. Res. System, Washington, 1939–41; mem. bd. analysts, dir. econ. divs., alternate mem. joint intelligence staff U.S. Joint Chiefs Staff, O.S.S., 1941–44; adviser on German econ. affairs, Dept. State, 1944–45; mem. faculty Williams Coll., 1946–61, prof. economics, chmn. dept., 1950–61; professor of economics, Stanford University, 1961—. Mem. financial adv. mission, Chinese Nat. Govt., 1941; mem. Am. Del. to Potsdam Conf., 1945, office program rev. E.C.A., Paris, summer 1948; attached to Am. Embassy, Belgrade, for econ. aid program to Yugoslavia, summer 1951; fiscal and monetary adviser, Pakistan Planning Bd., 1955–56; vis. research scholar, Carnegie Endowment Internat. Peace. Dir. Guardian Mut. Fund, Inst. Development Econs., Karachi, Pakistan. Home: 5 Grove Court, Portola Valley, Calif.

Krause, Prof. Lawrence Berle, Department of Economics, Yale University, New Haven, Conn. International Economics. Detroit, Mich., December 8, 29; m. 53; c. 2. A.B. Michigan, 51, M.A., 52; fels. & Ph. D. (econ.), Harvard, 58. Asst. statist., Harvard, 52–53. Econ., 56–57; Asst. Prof., Yale, 57–, Soc. Sci. Res. Coun. fel, Brookings Instn., 61–62. U.S.M.C., 54–56, Res., 57–, 1st Lt. Econ. Asn; Economet. Soc. United States international trade; effects of imports and exports on the domestic economy of the United States; impact of the European Economic Community on the economics of excluded countries. "Comparative Cost Determination of Exports of Industrial Countries" and "United States Imports" (Econometrical); "United States Imports and the Tariff" (Am. Econ. Rev.).

Rivlin, Dr. Alice Mitchell, 3505 30th St. NW., Washington, D.C. Economics. Philadelphia, Pennsylvania, March 4, 31; m. 55; c. 2. B.A., Bryn Mawr Col., 52; M.A., Radcliffe Col. 55, Ph. D. (econ.), 58; fel., Brookings Instn. 57–58. Res. Asst. Brookings Instn., 58–61, Res. Assoc., 61—. Res. analyst, Adv. Cmm. Inter-govt. Rel., 61–21. Econ. Asn. Economics of education; consumer and family behavior. "Role of the Federal Government in Financing Higher Education"; coauthor, "Microanalysis of Socioeconomic Systems: A Simulation Study."

Salant, William Aaron, 2 Terrace Lane, Chico, Calif. Economics. New York, N.Y., August 10, 16; m. 57; c. 2. A.B., Harvard, 37, M.A., 41. Asst. economist, int. finance, Fed. Reserve Bd., 37–39; economist, Off. Price Admin., 40–41; asst. gen. econ., White House, 41–42; economist, Off. Strategic Servs., 42–43; asst. chief & adv., German & Austrian Econ. Affairs Div., U.S. Dept. State, 46–48; econ. adv. for. aid., Econ. Co-op. Admin., 48–53; lectr. econ., Brandeis, 53–57; consult. Economist, 57——. U.S.A. 43–46, Maj. Econ. Asn. U.S. balance of payments; theory of international adjustment. "Taxes, Income Determination and The Balanced Budget Theorem" (Rev. Econ. & Statist.); "Saving, Investment and Economic Growth and Stability" (Am. Econ. Rev.); "Foreign Trade Policy in the Business Cycle" in "Readings in the Theory of International Trade."

Tarshis, Lorie, educator; b. Toronto, Canada, March 22, 1911; s. Joseph E. and Ella (Lorie) T.; B. Commerce, Toronto U., 1932; Ph. D., Cambridge U., 1939; m. Inga M. Rappaport, July 19, 1949; children—Susan, Andrew, Janet, Tanya. Prof. econs. Stanford, 1946——, also head dept. Author: Elements of Economics, 1947; International Trade and Finance, 1955. Home: 762 Delores Street, Stanford, Calif.

ECOLOGICAL SOCIETY OF AMERICA ASKS PRESERVATION OF INDIANA DUNES

Mr. DOUGLAS. Mr. President, it has been brought to my attention that the president of the Ecological Society of America, on behalf of that association's 2,400 biological scientist members, has written President Kennedy's science adviser, Dr. Jerome B. Wiesner, urging that the Indiana Dunes be preserved.

In his letter, ESA president, W. Frank Blair, calls attention to the fact that "14 midwestern universities and colleges utilize the superb educational values of the Indiana Dunes by regular class field trips or research studies," while "scientists from throughout the world visit this area of classic biological and geological significance."

He expresses the dismay and disappointment shared by thousands of scientists and hundreds of thousands of citizens that this area of great beauty, recreational potential and scientific value has not yet been preserved for all the people. I ask unanimous consent that the text of Dr. Blair's letter of July 8, 1963, to Dr. Wiesner be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Statement From the Ecological Society of America to Dr. Wiesner, President's Science Advisory Committee

Since the 2,400 members of the Ecological Society of America comprise biological scientists and educators, may we offer our counsel on a current public issue involving a resource of national importance for its scientific and educational value?

The Indiana Dune region is of unique interest to ecologic science because there the principles of plant and animal succession and habitat evolution were discovered by early American ecologists. This fundamental knowledge, comparable to species evolution in theoretical import, has been profitably applied in all countries in practical fields such as forestry, range management, conservation of soil and water, and wildlife management.

Fourteen midwestern universities and colleges utilize the superb educational values of the Indiana Dunes by regular class field trips or research studies. Scientists from throughout the world visit this area of classic biological and geological significance.

The area of the present small State park in the Indiana Dunes is far from adequate to insure the continuation of scientific and educational values in the face of the increasing pressure from another highly legitimate use, public recreation. Where dunes still remain along the south shore of Lake Michigan, no other forms of land use should be given priority over outdoor recreation, scientific study, and the perception of natural forces by visitors either with or without special background for understanding them.

The Ecological Society of America is dismayed and disappointed that a substantial portion of the finest duneland is now being leveled for industry. This would have been a tragedy even if it had been necessary.

The National Park Service deserves commendation for its continued interest despite the local destruction, and for its willingness to modify the boundaries of the proposed national lakeshore area to avoid reduction of the total area.

W. Frank Blair,
President, Ecological Society of America.

NEED FOR AN INCREASE IN THE RAILWAY RETIREMENT PENSION SYSTEM

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the Record a resolution sent to me by Unit No. 58 of the National Association of Retired and Veteran Railway Employees of Roseburg, Oreg., expressing the urgent need for an increase in their annuities under the Railway Retirement Pension System.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

National Association of Retired
and Veteran Railway Employees, Unit No. 58.

Mr. Wayne Morse,
U.S. Senator, Senate Office Building, Washington, D.C.

Dear Sir: At our meeting of NARVE, Unit No. 58 of Roseburg, Oreg., a motion was made and approved: That, due to the increase of living cost, the Railway Employees has had an increase, the Postal Employees has received an increase in their pension. But the last increase that the Retired Railway Employees has had was in 1959. The Railway Employees had paid into this fund before retiring.

We feel that an increase in our annuity is due us, if it will not jeopardize the Railway Retirement Pension System. A large majority of the widows receive less than $100 a month, which isn't really a living.

We surely hope you will give this resolution your most considerate attention, in order that the Retired Railway Employees may enjoy the better way of life.

Sincerely yours,

Bertha Ault,
President.
Murl Spencer,
Secretary-Treasurer.

POLICE ARRESTS FOR INVESTIGATION — UNCONSTITUTIONAL PRACTICE

Mr. MORSE. Mr. President, the report and recommendations of the Commissioners' committee on police arrests for investigation was a notable landmark in law enforcement everywhere in the country, but especially in the District of Columbia. It led to the suspension of this unconstitutional practice in the Nation's Capital, and I hope it is leading to a reexamination of its use elsewhere in the country.

Recently, there appeared in the Harvard Law Review, a book review on the report by Yale Kamisar. Mr. Kamisar is a professor of law at the University of Minnesota, where I received my own law degree. It is an outstanding commentary, not only on the report itself, but on the criticisms that have been made of it.

I ask unanimous consent to have this book review printed in the body of the Record.

There being no objection, the review was ordered to be printed in the Record, as follows:

Book Reviews: Report and Recommendations of the Commissioners' Committee on Police Arrests for Investigation, District of Columbia, 1962—Memorandum on Report and Recommendations of the Commissioners' Committee on Police Arrests for Investigation, by Robert V. Murray,[1] 1962, Pp. 43[2]

"[A] very young Chinese emperor * * * had been asked by his teacher the name of some animals they met while taking a walk through the countryside. The young emperor replied, 'They are sheep.'

" 'The Son of Heaven is perfectly right,' the pedagog said politely. 'I must add only that these kinds of sheep are usually called pigs.' "[3]

Law enforcement officials are well aware that words and phrases fall heir to evil connotations. Thus Brooklyn District Attorney Edward S. Silver recently observed that " 'wiretapping' has become a dirty word. When you say 'prostitute' you get a picture of somebody and you are stuck with it. Now we are stuck with the word 'wiretapping.' "[4] The voice of reason could be heard above the sound and fury of the "do-gooders [who] confuse the public into the belief that this is a problem of civil liberties,"[5] suggested Mr. Silver, if only that bad word "wiretapping" were scrapped in favor of some other language—neutral language, no doubt he would call it—say, "scientific devices to combat crime"[6] or simply "crimitap."[7]

How these proposed substitutes for "wiretapping" will fare remains to be seen, but such wordsmanship has already achieved a substantial measure of success elsewhere. "False imprisonment" and "arrest on suspicion" are dirty words, too, but nicer, cleaner substitutes have done yeoman's service: "arrest for investigation,"[8] or even better—because "arrest" itself is "a blunt word, implying stigma and dramatizing the instant at which the liberty of the citizen is totally subjected to the power of the State"[9]—"detention for investigation"[10] or

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[1] Chief of Police, District of Columbia Police Department.

[2] Mimeographed [hereinafter cited as police answer]. Reprinted in the Congressional Record, vol. 108, pt. 15, p. 20913.

[3] Leoni, "Freedom and the Law," 28 (1961).

[4] Hearings on S. 1086, S. 1221, S. 1495 and S. 1822 before the Subcommittee on Constitutional Rights of the Senate Committee on the Judiciary, 87th Cong., 1st sess. 29 (1961).

[5] Ibid.

[6] Silver, "The Wiretapping-Eavesdropping Problem: A Prosecutor's View," 44 Minn. L. Rev. 835, 850 (1960).

[7] Hearings on S. 1086, supra note 4, at 29.

[8] This report is not concerned with situations which, in literal terms, could be called "arrests for investigation," in which, for example, a police officer may stop a person, against his will on the street or in a car, ask him questions, and, having received satisfactory answers, let him go on his way. For obvious reasons, no records are maintained of such occurrences. Only arrests for "investigation" which result in a person being taken to a police station and "booked" are recorded by the Department, and it is only these arrests which are the subject of this report. (Report and Recommendations of the Commissioners' Committee on Police Arrests for Investigation 4 n.2 (1962)) [hereinafter cited as report].

For penetrating treatment of the less formal variety of "arrests for investigation" see Barrett, "Personal Rights, Property Rights, and the Fourth Amendment," in 1960 the Supreme Court Review 46, 57–65 (Kurland ed.); Foote, "The Fourth Amendment: Obstacle or Necessity in the Law of Arrest?" 51 J. Crim. L., C. & P.S. 402 (1960); LaFave, "Detention for Investigation by the Police: An Analysis of Current Practices," 1962 Wash. U.L.Q. 331, 356–65; Remington, "The Law Relating to 'On the Street' Detention, Questioning and Frisking of Suspected Persons and Police Arrest Privileges in General," in "Police Power and Individual Freedom," II (Sowle ed. 1962).

[9] Foote, supra note 8, at 403.

[10] Sec. 43–3 of the proposed Illinois Code of Criminal Procedure (Tent. final draft 1963), patterned after Uniform Arrest Act sec. 2, empowers police "to detain for investigation for a reasonable period of time" "under reasonable circumstances." The Uniform Act authorizes a policeman to "stop any person he has reasonable ground to suspect"; if the person fails to "explain his actions" satisfactorily, he "may be detained and further questioned and investigated."

The "reasonable circumstances" basis for "detention" in the current Illinois proposal is intended to signify something less than "reasonable grounds" or "probable cause" to arrest—this is the whole point of the proposal—just as the "reasonable grounds to suspect" standard of the Uniform Act is designed to mean something less than "reasonable grounds to believe." See Warner, "The Uniform Arrest Act," 28 Va. L. Rev. 315, 317–24 (1942). But in the Uniform Act's first still better—because still softer—simply "questioning" or "interviewing." [11]

When the requirement of "probable cause" or "reasonable ground" is not the standard for arrest or detention, what is? Can "detentions" or "arrests" on less than probable cause be squared with the constitutional protection against unreasonable search and seizure? How many "arrests for investigation" occur in the District of Columbia? When, where, and why? What is the utility of this type of arrest or detention in the fight against crime? And what is its cost in terms of restraints on individual liberty and privacy?

These were some of the issues confronting the special three-man committee, headed by Charles A. Horsky (now Presidential adviser on National Capital affairs), when it was appointed by the Commissioners of the District of Columbia in March of 1961 "to inquire into the policy and practices of the Police Department that lead to arrests for 'investigation'" (report, p. 1). In July of 1962, after studying the law and practice of less-than-reasonable "reasonable ground" and not-so-probable "probable cause" for 16 months, the Committee issued a 130-page report (including 52 pages of appendixes and tables) which has come to be known as the Horsky report. The Committee's conclusions were that "arrests" (or call them what you will) for "investigation" were unconstitutional, unwise, and unnecessary. "The cost to the community is more than the practice is worth. Legally, the practice cannot be justified. The practice should stop, and stop immediately" (report, p. 69).

The President of the Board of Commissioners, Walter N. Tobriner, hailed the report as "a compelling, persuasive and classic document on the subject." [12] But some lawmakers saw it quite differently. Congressman FRANK J. BECKER, for one, had considerable difficulty understanding why the Committee was "circumventing" local law enforcement by recommending that the police "not be able to pick up a suspect for questioning." [13] He more or less shrugged off the report as the work of "lawyers who usually defend these criminals and attackers" [14]—one of whom had just choked and stabbed his top administrative aid as she was praying in a Capitol Hill church.[15] Congressman L. MENDEL RIVERS shared his colleague's shock and dismay. The Committee, he sighed, "would offer each one of these hoodlums a Congressional Medal of Honor instead of bread and water in the toughest jail in the United States." [16]

Evidently Commissioner Tobriner gave the report the attention it deserves. Congressman BECKER seems not even to have taken the trouble to find out who the individuals were who made up the Committee. Members William B. Bryant and Roger Robb are both distinguished lawyers. How many criminals and attackers (if any) Mr. Robb has defended, I know not, but I do recall that some years ago he represented Chief Robert V. Murray of the District of Columbia Police Department, when the Department was accused of racial discrimination. The third member of the Committee and Chairman, Mr. Horsky, is an extraordinary civic leader—since being named Presidential adviser on National Capital affairs he has resigned from no less than 15 major civic offices [17]—and an outstanding lawyer who gives his very best, which is very good indeed, whether he is representing E. I. du Pont de Nemours & Co. for a fat fee or an indigent criminal defendant as court-appointed counsel.[18]

Since discussion of the conflict between public safety or police efficiency and individual liberties has too long and often been characterized by "opposing, but equally extravagant rhetorics," [19] it is a pleasure to report that the Horsky committee study is something special. It is dispassionate, thoughtful, painstakingly thorough, and scrupulously fair. It is a scholarly document, yet a powerful one. Fortunately, its authors did not—as I fear many in the teaching profession do—mistake straddling, vacillation, and meekness for scholarship. The power of the report stems not from a fiery style or emotive language, but from the force of its sophisticated simplicity, lucid reasoning, and many careful findings.

The report recognizes that a few lower Federal court decisions do "define 'arrest' to exclude some detention of persons for investigation and questioning" (report, p. 28), and concedes, further, that "there may be in these opinions the beginning of a concept which will be new to our criminal and constitutional law," but finds "no basis now for believing that the doctrine will pass muster in the Supreme Court" (report, p. 31). To accept the view that taking a person into custody is not an "arrest," when the police do not intend to make him answer for a specific crime but merely desire to conduct an investigation, is to permit the possibility of infringement of liberty on less than probable cause to turn "on the subjective state of mind of the policeman" (report, p. 32). Moreover, even if this meaning be assigned to "arrest," the fourth amendment prohibits "seizures" without "probable cause." No matter how frequently or deceptively the word "reasonable" is utilized in formulating a standard for detentions or arrests for investigation—"reasonable circumstances," "reasonable suspicion," "reasonable ground to suspect"—"any standard less than 'probable cause' is 'unreasonable' in the constitutional sense" (report, p. 33).

Nor is the committee impressed with the argument that none or little of the stigma which attaches to a "technical arrest" accompanies a "detention" or "arrest for investigation." It notes, for example, that a person "arrested for investigation" must answer "Yes" to a Form 57 Federal employment inquiry: "Have you ever been arrested, charged or held by [any] * * * law-enforcement authorities for any violation of * * * law" (report, p. 68 and n. 74). More fundamentally:

"When we permit arrests on the basis of probable cause we balance the unfortunate consequences to an individual as to whom there is probable cause—even though he may be innocent—against the consequences to society if such a person is not made available to stand trial for the offense of which there is probable cause to believe that he is guilty. This balance has been struck, and the citizen is prepared to pay the price in individual hardship. And this is the balance which the police department should recognize. Where they have probable cause, they may arrest; they need not, of course, if they believe further investigation will change the picture. Where they do not have probable cause, they may not arrest, for 'investigation' or anything else" (report, p. 68).

Finally, the report observes, not only are arrests for investigation irreconcilable with the fourth amendment, but they collide with "other fundamental rights which are constitutionally secured," e.g., bail, the assistance of counsel, the protection against self-incrimination, and the right of habeas corpus (report, pp. 44–45).

The report's appraisal of the legality of arrests for investigation is quite incisive, but its real contribution is to be found in the careful, purposeful inquiry into and analysis of police department practices, quite apart from their legality. For the criticism of David Riesman (who, incidentally, was a law school classmate of Horsky) almost two decades ago still rings true today: "Much discussion in the field of civil liberties * * * remains in the initial stage of casuistry and exegesis, with judicial or constitutional quotations replacing those from the Bible and the maxims of Jefferson or Holmes replacing those of the church doctors. Theory has barely entered the stage of the vigorous positivism with which scientists, shaking their firsts at the cosmos or ignoring it, made phenomenal advances in method and discovery." [20]

It may well be that all the factual surveys and questionnaires man can devise will not solve most, or even many, of the basic problems of our social order, but the findings of the report are so striking, so devastating, that they go a long way toward solving this one. Some examples follow:

1. For the 2 years 1960–61, only 5.7 percent of those arrested for investigation were

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court test, the Delaware Supreme Court equated "reasonable ground to suspect" with "reasonable ground to believe," a construction of the act which "saves its constitutionality at the expense of negating its whole purpose." Foote, supra note 8, at 403.

[11] Prof. Fred E. Inbau, a member of the Illinois subcommittee which drafted the current Illinois detention proposal, has urged legislation authorizing "privately conducted police interrogation * * * of suspects who are not unwilling to be interviewed." Inbau, "Police Interrogation—A Practical Necessity," 52 J. Crim. L., C. & P.S. 16, 20 (1961). If the suspect is "not unwilling" just what is the problem? Does the difficulty lie in the difference between being "not unwilling" and not quite "willing"?

For the view that recent California cases have unduly expanded the concepts of "questioning" or "interviewing" (as opposed to "arresting") and "voluntary consent" (as opposed to "peaceful submission") see Kamisar, "Illegal Searches or Seizures and Contemporaneous Incriminating Statements: A Dialog on a Neglected Area of Criminal Procedure," 1961 U. Ill. L. F. 78, 115–120.

[12] Washington Post, July 10, 1962, p. 1, col. 2.

[13] CONGRESSIONAL RECORD, vol. 108, pt. 11, p. 14853.

[14] Id. at 13872.

[15] Washington Post, July 24, 1962, p. 1, col. 1.

[16] CONGRESSIONAL RECORD, vol. 108, pt. 11, p. 14853.

[17] Washington Post, Sept. 9, 1962, p. B1, col. 1.

[18] Mr. Horsky managed to place one of his indigent clients, a Mr. Griffin, in the Constitutional-Criminal Procedure Hall of Fame. See *Griffin* v. *Illinois*, 351 U.S. 12 (1956); Wilcox & Blousteim, "The Griffin Case—Poverty and the 14th Amendment," 43 Cornell L.Q. 1, 3 n. 14 (1957).

[19] Riesman, "The Present State of Civil Liberty Theory," 6 J. Politics 323, 326 (1944). Since I have cited examples of police-prosecution extravaganza elsewhere, Kamisar, "Public Safety *v.* Individual Liberties: Some 'Facts' and 'Theories,'" 53 J. Crim. L., C. & P.S. 171–72, 176, 178, 184, 188, 190 (1962), I shall content myself here with pointing out the other side: Judge Byron Brewster, an opponent of the exclusionary rule in search and seizure and wiretapping cases, fairly characterized some of the liberal extravaganza in support of the rule when he told assembled delegates that "until last night I never knew nor was I ever taught in American history that when Ethan Allen took Ticonderoga in the name of the great Jehovah, et al., he was motivated by the great impulse of propounding a rule of evidence. Until last night I never knew that the pains of the feet, the frozen feet at Valley Forge were alleviated by abstract considerations concerning illegal exhibits in a courtroom. And I have been expecting to hear this morning that John Brown gave his life at Harper's Ferry to promulgate this rule of evidence." 1 N.Y. Constitutional Convention, Revised Record 507 (1938).

[20] Riesman, supra note 19, at 336.

ever charged; in other words, about 17 out of every 18 so arrested were ultimately released (report, p. 34).

2. Euphemisms about "detaining," "questioning," and "interviewing" to the contrary notwithstanding, in almost every case the person arrested for investigation was searched, and photographed and fingerprinted for the police files (report, p. 4); in over 10 percent of the cases the arrests were made at his home and in almost an equal number of cases at another person's home (report, pp. 14–15); and over 70 percent were held for 2 hours or more and approximately 55 percent were held for more than 4 hours (report, p. 38).

3. Generally, the longer the period of detention the lower the percentage charged. For example, of the 1,356 persons held for 8 hours or more in 1960, only 1.2 percent were charged; of the 690 persons held for more than 12 hours that year, only 1 percent were charged (report, p. 39).

4. Of the 480 persons arrested for investigation in 1961 by the detective bureau, only 1.7 percent were charged; and the narcotics squad made 295 arrests for investigation in 1960–61, only 1 of which resulted in a charge (report, p. 37).

5. It is difficult to say how many—if any—of those few charged with a crime after an arrest for investigation would have escaped detection if the police were unable to utilize a lesser standard than probable cause. For while only 5 to 6 percent of those so arrested were ultimately charged, two analyses of large samples of the "Reason for Arrest" reports indicates that probable cause to arrest actually existed in over 50 percent of the cases (report, p. 58). Thus, the fact that 5 or 6 percent are ultimately charged scarcely provides any argument in support of the practical utility of arrests on less than probable cause.

6. In April of 1961, the first full month of the Horsky committee's existence, arrests for investigation declined almost two-thirds (report, p. 7). I share the committee's view that this decline is quite significant: "It is disturbing to find the police engaged in any practices which they are quick to modify when it is questioned. More importantly, the change in volume of 'investigation' arrests goes very far, in and of itself, to destroy the argument of 'necessity.' * * * [T]he decline in volume was not due to the elimination of what might have been considered the 'fringe' situations. For example, essentially the same proportion of those arrested for 'investigation' were charged in 1960 as in 1961—5.5 percent and 6.2 percent. * * * Whatever the standard for an 'investigation' arrest may be * * * it does not appear to have been tightened up in 1961. Rather, the decline was largely due to police forebearance. It has been a matter of concern to the committee that the practice can be curtailed by two-thirds in the space of months, since by the same token it can also be increased by two or three or many times, if the police conclude that their forebearance has gone too far" (report, pp. 68–69).

I am happy to say that Chief Murray's memorandum in answer to the report does not indulge in the all too common technique, when police powers—more accurately police abuses of power—are being challenged, of swamping us with crime wave statistics.[21] Nor, it should be added, does the Chief's memorandum contest any of the Horsky committee's many findings of fact. Indeed, in some instances, the Chief takes refuge in the Horsky committee's data.

Thus, the "Police Answer" stresses that whereas in the fiscal year 1943 arrests in the "2,700 category" (made up mainly of "arrests for investigation") amounted to 9 percent of the total number of arrests, during the 1943–60 period, "while the total number of arrests more than doubled * * * the number of 2,700 category arrests has been reduced to almost a third * * * of that in 1943 and * * * to a percentage of 1.5 percent" ("Police Answer," p. 7). This gradual decline, concludes the Chief, illustrates police awareness of their responsibility to the citizens of the community ("Police Answer," p. 7). I wish he had considered this question: In light of recent police testimony that (1) "viewed in its relationship to the long-term trend in this city and nationwide, the present rate of crime in the District of Columbia * * * is favorably low" and (2) the Federal City's solution rate for major crimes has increased over the years,[22] how does the gradual decline of arrests for investigation demonstrate the necessity for continuing this practice at all?

Chief Murray also finds comfort in the Horsky Committee's conclusion that in the bulk of arrests for investigation, although the standard of probable cause is not required, such cause actually exists ("Police Answer," pp. 14–15). But if only 1 person out of 18 arrested for investigation is ever charged, and probable cause actually exists in at least 9 or 10 of these 18 cases, why should the standard of probable cause be lowered further? In his eagerness to demonstrate the legality of the "investigative" arrest practice, does not the Chief come perilously close to conceding that the practice has little, if any, utility?

The report suggests that a principal "utility" of the investigative arrest may be that it enables the police to avoid the effect of the requirement that an arrestee be brought before the nearest available magistrate "without unnecessary delay" and that he not be held for interrogation (report, pp. 3, 59–60).[23] Apparently, the District Police operate on the premise that they need not comply with this requirement so long as the arrest is for "investigation," not for a specific crime,[24] a theory the Horsky Committee properly brands "at odds with both the text and the manifest purpose of rule 5(a) [of the Federal Rules of Criminal Procedure]" (report, p. 60).

Although they may harbor other ideas, the District police gain nothing by making an arrest for investigation if probable cause for a formal arrest exists.[25] And if such cause is lacking, they may lose a great deal by making any arrest—for "investigation" or otherwise. For if they do, "the prosecutor cannot introduce in evidence articles taken from the prisoner—not even his fingerprints" (report, p. 60). Moreover, since the decision in *Wong Sun* v. *United States,*[26] handed down some 5 months after the completion of the report, the admissibility of any verbal evidence elicited from an illegally arrested person is jeopardized—especially verbal evidence obtained immediately after the unauthorized arrest.[27]

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[21] It is no great feat to conjure up crime waves. One established method is to pick a low-point year as your base year and take it from there. For example, last year Deputy Police Chief Edgar E. Scott reported a "rise" in District "street crimes," which he blamed partly on the Mallory decision. Washington Post, Mar. 27, 1962, p. B1, col. 2. Chief Scott neglected to point out that his base year of 1957 marked a 10-year low-point in District crime. Nor did he explain why, during the same period, crime increased more rapidly in the surrounding suburbs of Virginia and Maryland—which have no McNabb-Mallory rule. See Washington Post, July 5, 1961, p. B1, col. 6; id., Mar. 11, 1962, p. B5, col. 1.

[22] This and related District police testimony is collected in Kamisar, supra note 19, at 191–92. The District of Columbia's clearance of major crimes is about double the national average. Ibid. This figure seems to refute Murray's contention that his men are overly restricted by court rules. The Chief's answer is that his police force's excellent record has been achieved principally by dint of a great many unpaid hours of overtime work. Washington Post, Aug. 13, 1962, p. B1, col. 2. I cannot improve on the following editorial rejoinder: "This suggests strongly that the police force ought to be enlarged and that overtime pay ought to be provided for those who work extra hours. But it does not suggest that the police force ought to be allowed to cut legal or constitutional corners." Washington Post, Aug. 18, 1962, p. A10, col. 2.

[23] It can also be argued that the "utility" of the practice lies in its "harrassment" effect, not in solution of past crime. However, the Chief agrees that "the [Horsky] committee has * * * properly concluded that the Metropolitan Police Department does not engage in the practice of harassment of known criminals with investigation arrests as a means of driving them out of the city." Police Answer 6. (But see p. 1509 infra.) In any event, as has been pointed out in Foote, Law and Police Practice: Safeguards in the Law of Arrest, 52 Nw. U.L. Rev. 16, 35–36 (1957):

"If harassment has any rationale, it is either (1) that criminals can be so harassed that they are deterred from crime and become law abiding citizens, or (2) that they can be banished by this method so that they will continue their criminality elsewhere. The first involves investing the police with summary power to inflict punishment without judicial intervention, while banishment is unlawful, probably unconstitutional, and certainly unwise and self-defeating from a policy standpoint."

[24] Chief Murray does not explicitly deny that the police operate on the theory that an "arrest for investigation" is not an "arrest" within the meaning of rule 5(a), and he replies: "Knowing police work as I do, I cannot accept the view that members of the Metropolitan Police Department take any prior thought as to whether or not such an arrest will avoid the effect of rule 5(a)." Police Answer 27. True, as the Chief points out, ibid., "investigation" arrests long antedated the Mallory decision, and, for that matter *McNabb* v. *United States,* 318 U.S. 332 (1943). However, the more pertinent inquiry would seem to be whether the practice of "arrests for investigation" where probable cause actually exists antedated these decisions.

[25] As the Horsky Committee points out, in *United States* v. *Killough,* 193 F. Supp. 905, 910 (D.D.C. 1961), not only did Judge Youngdahl treat an "arrest for investigation" like any other arrest for purposes of the McNabb-Mallory rule, but he regarded the fact that the defendant was not arrested for a specific crime "an additional reason" for suppression of the oral and written confessions which preceded his being charged with homicide. Report 27. The confessions were obtained "while he was 'booked' and being held on the 'charge' of 'suspicion.' This was, in legal effect, no charge at all." 193 F. Supp. at 910.

Since the issuance of the Horsky report, Judge Youngdahl was reversed on other grounds, No. 16398, D.C. Cir., Oct. 4, 1962. After the defendant was charged and taken before a U.S. commissioner for a hearing, pursuant to rule 5(a), he "reaffirmed" his earlier confessions. Judge Youngdahl, feeling bound by prior appellate decisions, admitted this postcommitment confession into evidence, but the court of appeals, "sitting now for the first time en banc to consider the problem," excluded this confession, too, as the "fruit" of the earlier inadmissible ones. Id. at 5. Judge Fahy observed that "the excellent opinion of Judge Youngdahl demonstrates the soundness of his exclusion during the trial of the earlier oral and written confessions obtained in stark violation of the rights of the accused," id. at 3, and emphasized that on this issue "all nine members of this court agree with Judge Youngdahl." Id. at 9.

[26] 371 U.S. 471 (1963).

The "Police Answer" does rely on one piece of counter factual research: a police-directed sampling of arrests for investigation signifying that the great majority of these arrestees have "previous criminal records." [28] Reasons the Chief: "The high percentage of persons arrested for investigation who were found to have previous records would indicate that the police officers' judgment was proper in believing that they had committed, or were about to commit, a criminal offense. At least, the previous records indicate their capacity for criminal acts" ("Police Answer," pp. 14–15).

The Chief seems to have forgotten that something more than a "record" of or "capacity" for crime must exist before the liberty of the citizen—any citizen—can be subjected to the power of the State. The two-precinct sampling does not demonstrate the propriety of the challenged practice as much as it demonstrates that the victims of the practice are regarded as "police property." [29] The fact that of the 99 persons in the sampling who were fingerprinted, lo and behold, it turns out 93 had a "previous criminal record" [30] calls to mind a couplet once sung in a Montmartre cabaret:

> "See how Nature had the extreme good sense
> To make the rivers flow exactly under the
> bridges." [31]

The "Police Answer" gathers a number of legal and practical arguments in defense of arrests for investigation, but reflects no awareness that the report has anticipated virtually all of them. It is as if Chief Murray operated on the premise, perhaps not without cause,[32] that those who share his views might take the trouble to read his memorandum even though they hadn't bothered to read the Horsky committee's.

Thus, the "Police Answer" relies on the language of two sections of the District of Columbia Code which use the word "suspect" ("Police Answer," pp. 8–9), but the report points out that the words "just cause to suspect" in the first section have been assumed by the courts to be equivalent to "probable cause" and the second section is directed toward the illegal concealment of information by law enforcement officers, not toward arrests (report, pp. 24–25). The "Answer" also relies on sections of the Uniform Arrest Act, adopted in a few States, which define arrest to exclude detention, and empower an officer to detain a person up to 2 hours where there is "reasonable ground to suspect" him of a crime and he does not "explain his actions to the satisfaction of the officer." [33] Indeed, the Chief urges the District Commissioners to give "serious consideration" to enactment of such provisions ("Police Answer," p. 39). As the report points out, however, the decisions in those States which have adopted the act "leave most uncertain whether their statutes have in fact expanded the power of the police beyond arrests for 'probable cause,' " and if they have "they may fail to survive the due process clause of the 14th amendment when reviewed by the Supreme Court * * *" (report, p. 76). Quite properly the report deems it unnecessary to decide whether the 14th amendment due process clause necessarily embodies the probable cause limitation of the fourth amendment because "there is no doubt that, so far as the District of Columbia is concerned, the fourth amendment applies directly" (report, p. 77).

It might be added that the Uniform Arrest Act, which grew out of the work of the Interstate Commission on Crime of the 1930's, is about as useful today as a restatement of the Federal commerce power drawn up prior to *NLRB* v. *Jones & Laughlin Steel Corp.*[34] and *Wickard* v. *Filburn.*[35] For example, Prof. Sam Bass Warner, the draftsman of the Uniform Arrest Act, once unhesitatingly said of section 6(2)(B)—authorizing arrest whenever the arrestee turns out to have committed a felony, "although before making the arrest the officer had no reasonable ground to believe the person committed it"—what no one would say today: "There seems no ground for attacking the constitutionality of the provision. It can hardly be termed a denial of due process, since a lawful arrest is not one of its essentials. * * * Nor does it seem an 'unreasonable seizure' to arrest one who turns out to be actually guilty of felony." [36] It is now settled, of course, that "arrests on 'suspicion' are unconstitutional at the local, as well as at the Federal, level." [37] And it is equally well settled that local, as well as Federal, police are addressees of the edict that a search or seizure is "good or bad when it starts and does not change character from its success." [38] For "officers should not be encouraged to proceed in an irregular manner on the chance that all will end well." [39] Were it otherwise, the landmark case of *Mapp* v. *Ohio* [40] would be an exercise in futility.

I submit that many of the Uniform Arrest Act provisions were fatally defective as early as *Wolff* v. *Colorado.*[41] As Justice Frankfurter observed on that occasion: "[W]e have no hesitation in saying that were a State affirmatively to sanction * * * police incursion into privacy it would run counter to the guaranty of the 14th amendment." [42] Those States which have adopted the Uniform Act appear to have done just that—unless their courts construe its provisions in disregard of the very purpose of the act. But we need not dwell on whether the Wolf case perfectly equated the substantive protection against invasions of privacy afforded by the 14th amendment with that furnished by the 4th,[43] although it declined to implement this right by excluding evidence obtained in violation of it. For there is *Mapp* v. *Ohio.*[44] Here it is evident, I think, that the Court did equate the substantive protection of the two amendments [45]—at the very least it did strike down those State standards which clash with Federal precedents governing such fundamental concepts as: What is an arrest or search or seizure? What is probable cause or reasonable ground to make an arrest or search? Were it otherwise, the Mapp case would again be an exercise in futility.

Moreover, when these Federal standards are violated, it would seem that 14th amendment due process now calls for the exclusion of verbal, as well as "real" or physical, evidence so obtained. True, Wong Sun was a Federal prosecution, but if "the policies underlying the exclusionary rule" do not "invite any logical distinction between physical and verbal evidence" in the Federal courts, then "the danger in relaxing the exclusionary rules in the case of verbal evidence would seem too great to warrant introducing such a distinction" [46] at the State level, too.[47]

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[27] Although the great weight of authority, both State and Federal, had been to the contrary (see Kamisar, supra note 11, especially cases collected at 81 n. 16) it is now fairly clear that verbal evidence which derives "immediately" from an unlawful arrest will be thrown out as the "fruit" of police illegality. *Wong Sun* v. *United States,* 371 U.S. 471, 485 (1963). It is equally clear, at the other end, that release of the suspect renders the connection between the original arrest and any subsequent incriminating statement the police obtain "so attenuated as to dissipate the taint." Id. at 491. It is unclear whether, if the wrongfully arrested person is simply kept in custody and neither brought before a magistrate nor permitted to see an attorney, the mere passage of time—and how much—"purges" the primary taint of the unauthorized arrest. See id. at 485–86. It may be that District and other Federal law enforcement officials are "boxed in" by Wong Sun, on the one hand, and the McNabb-Mallory rule, on the other, so that a period of time sufficient to "purge" the original illegal arrest amounts to an "unnecessary delay" in bringing the suspect before a magistrate, under Fed. R. Crim. p. 5(a).

[28] Police Answer 14. "Previous criminal record" is not defined. Since almost all persons "arrested for investigation" in the District are "booked," see note 8 supra, and photographed and fingerprinted for the police files, see p. 1506 supra, the question may be asked: Does the fact that a person "arrested for investigation" was previously "arrested for investigation" place him in the category of arrestees with a "previous criminal record"? Cf. p. 1505 supra.

[29] Cf. Caldwell, "Police Efficiency in Law Enforcement as a Foundation of American Life," 48 A.B.A.J. 130, 132–33 (1962), to the effect that the former police commissioner of Chicago reportedly told a crime investigating committee that his "policy has always been to pick up criminals, simply because they are criminals." I suppose that "to the right kind of Americans," as well as "to the right kind of French, the police, like death to small children, is pour les autres. It is all as simply logical as that—the police treat people badly; only bad people get into the clutches of the police; bad people deserve what they get." Bedford, "The Faces of Justice," 242 (1961).

[30] Police Answer 14. During this period, eight persons "arrested for investigation" were not fingerprinted, three because they were turned over to military authorities.

[31] Leoni, "Freedom and the Law," 51 (1961).

[32] See, e.g., p. 1504 supra.

[33] Police Answer I (referring to Uniform Arrest Act, sec. 2). The act is set forth in Warner, "The Uniform Arrest Act," 28 Va. L. Rev. 316, 343–47 (1942).

[34] 301 U.S. 1 (1937).

[35] 317 U.S. 111 (1942).

[36] Warner, supra note 33, at 333–334.

[37] See Douglas, "Vagrancy and Arrest on Suspicion," 70 Yale L.J. 1, 13 (1960).

[38] *United States* v. *Di Re,* 332 U.S. 581, 595 (1948).

[39] *Nueslein* v. *District of Columbia,* 115 F. 2d 690, 694 (D.C. Cir. 1940) (Judge, later Chief Justice, Vinson).

[40] 367 U.S. 643 (1961).

[41] 338 U.S. 25 (1949).

[42] Id. at 28.

[43] For the view that it did, see Kamisar, "Wolf and Lustig 10 Years Later: Illegal State Evidence in State and Federal Courts," 43 Minn. L. Rev. 1083, 1101–1108 (1959).

[44] 367 U.S. 643 (1961).

[45] See id. at 655–658 (opinion of the Court, per Clark, J.); id. at 661–663 (concurring opinion of Black, J.); id. at 669–672 (concurring opinion of Douglas, J.). The dissenters protest that this was not the meaning of Wolf, but they recognize that it is the meaning of Mapp. Id. at 679–680. See also *Elkins* v. *United States*, 364 U.S. 206, 223–224 (1960), as illuminated by the dissent of Frankfurter, J., at 237–238; the Supreme Court, 1959 term, 74 Harv. L. Rev. 81, 147–149 (1960).

[46] *Wong Sun* v. *United States,* 371 U.S. 471, 486 (1963).

[47] Only a few months prior to Wong Sun, New York, in what purported to be a routine application of Mapp, became the first State to extend the exclusionary rule in search

Chief Murray's memorandum ends with a strong appeal "not to implement the recommendations of the [Horsky] Committee * * * until satisfactory alternatives are established to provide the police force with tools to continue an effective war on crime" (Police Answer, p. 43). An appeal, it should be noted, which the District Commissioners, after some halting and balking, did not heed.[48] His memorandum, feels the Chief, manifests "the demonstrated need for such procedure [investigative arrests] for effective law enforcement" (Police Answer, p. 42).

I venture to say that all the Chief's memorandum on "arrests for investigation" demonstrates is that the practice amounts to a side issue. What the Chief really wants—what he must be urging—is nothing less than repeal or modification of the 20-year-old McNabb-Mallory rule, or the half-century old Federal exclusionary rule in search and seizure cases. But the Chief is in the wrong forum; the District Commissioners can do nothing about either. Their judgments "are strictly circumscribed by the rules of the game itself, and it is only in terms of the rules that judgment may be rendered."[49] What, then, is the point of urging the Commissioners not to implement the Horskey Committee's recommendations? How, then, is an arrest for investigation an "effective" weapon in the war against crime? So long as the McNabb-Mallory rule holds sway, such an "arrest" gives the police no more "leeway"[50] to interrogate a suspect than does an arrest on a formal charge. So long as the Weeks rule, reaffirmed and reinforced by "the fruit of the poisonous tree" doctrine,[51] is to be reckoned with, an arrest on less than probable cause yields the prosecution "no evidentiary advantage in building a case against the accused."[52]

Whether the McNabb-Mallory or Weeks rules ought to be modified in the name of "police efficiency"[53] are issues which cannot be afforded the requisite attention in a book review—especially one already so long. However, this much should be said—and has been in the report:

"'[E]fficiency' cannot be the touchstone for criminal procedure. The proudest traditions of common-law criminal procedure hamper efficiency to some extent—because we wish to protect the innocent as well as convict the guilty, and because we wish to treat all prisoners, innocent or guilty, in ways that fit in with the kind of society we want. As Chief Justice Warren has recently stated: 'The methods we employ in the enforcement of our criminal law have aptly been called the measures by which the quality of our civilization may be judged.'

"Professor Sutherland of the Harvard Law School has said: 'You can run an efficient, quick, easy police system a great deal better without the Constitution of the United States, but the purpose of the Constitution of the United States goes to a great deal more than quick and easy police work'" (report, p. 49).

The point can be made another way. What do we mean by "effectiveness" or "efficiency"? These are manifestly value terms which can be judged only by reference to some ends or goals. If "liberty is the aim of law, and order no more than a condition hospitable to its realization,"[54] then talk of "effectiveness" and "efficiency," in the Chief's narrow sense, is not very meaningful.

A "free" or "liberal" society has been viewed as "a system of many centers of powers, many areas of privacy and a strong internal impulse toward the mutual adaptation of the spheres rather than of the dominance or the submission of any one to the others. Each sphere in the liberal society enjoys a partial autonomy and at the same time it influences and is influenced by the other spheres * * * within the pattern of conduct of the individual and in the relations of institutions to one another."[55]

Such requirements as probable cause—a standard which the police sometimes forget is "already a compromise between the needs of the community and the freedom of the individual" (report, p. 33)—pose no serious obstruction if the overall objective is seen as not simply waging "war on crime" but maintaining the balance or equilibrium or pluralism characteristic of a free society. Judged by reference to this goal, when the police—because the police—comply with such requirements, they are being "effective," and their "efficiency" is high, is it not?

"Liberty?" "Freedom?" I realize that "the course of political language has been the bias toward rhetoric" and no other words have been "so much abused in this fashion."[56] "Liberty?" "Freedom?" I am aware that "men of many minds could chant the ritual in unison and then go forth to promote contradictory policies."[57]

The reaction to the Horsky report is as good an example as any. Thus, Chief Murray—poignantly illustrating how the elements of the balance to be struck in a particular case can be so identified "that the statement itself prejudices the decision"[58]—mused: "I often wonder who, besides the police, is concerned about the rights of citizens to be free from attack by criminals?"[59] And one of his allies in Congress queried: "If American citizens cannot visit their seat of government without fear of being attacked and robbed, how can we talk of freedom in this country?"[60]

Moreover, the main thrust of Chief Murray's opposition to the ban on arrests for investigation is that it will destroy his police force's effective freedom of action. "There is no question in my mind," he told a U.S. Senate subcommittee, "but that it will just about put us out of business."[61] The Chief believes, I take it, that those who press for reform are so lacking in firsthand knowledge of police problems that they know not what havoc they will wreak. I suppose, if he thought about it in these terms, the Chief would heartily agree that if we define "absentee management" in this broad sense, "then we may say of it that freedom has no more effective enemy."[62]

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and seizure cases to all fruits, "oral" as well as "real" evidence. *People* v. *Rodriguez,* 11 N.Y. 2d 279, 183 N.E. 2d 651, 229 N.Y.S. 2d 353 (1962) (dictum).

[48] Thurman Arnold was talking about citizen lawbreakers, not government lawbreakers, when he remarked the most unenforced criminal laws "are unenforced because we want to continue our conduct, and unrepealed because we want to preserve our morals." Arnold, "The Symbols of Government," 160 (1935). But this observation is well illustrated by the aftermath of the report.

Senator ROBERT C. BYRD, chairman of the Senate District Appropriations Subcommittee, told Chief Murray: "If you say it is going to put you out of business [Murray's appraisal of the effect of discontinuing "arrests for investigation"], I say it shouldn't be done," Washington Post, July 27, 1962, p. 1, col. 2. "Pointing a pencil toward District officials, including Board of Commissioners President Walter N. Tobriner, BYRD declared: 'I hope no action will be taken to implement this report.'" Ibid.

Some months later, Commissioner Tobriner disclosed that "there is no doubt in any of the Commissioners' minds that such arrests ['for investigation'] are unconstitutional," but he added that the police would be permitted to continue the practice until some "acceptable constitutional substitute" was found. Washington Post, Dec. 17, 1962, p. B1, col. 8; id., Dec. 20, 1962, p. A24, col. 2. Several weeks later, the "long-debated ban on investigative arrests" was finally ordered by the District Commissioners, effective March 15, 1963. This delay was designed to give Congress time to consider legislation alleviating the police force's plight. Washington Post, Jan. 11, 1963, p. 1, col. 1.

A week before the ban was to go into effect, the House District Committee adopted a resolution requesting the District Commissioners to rescind their order and withhold further action until Congress considered legislation increasing police power to interrogate suspects. Washington Post, Mar. 8, 1963, p. 1, col. 1. The Commissioners huddled again and declined to rescind the ban, a decision Representative JOEL T. BROYHILL, ranking Republican member of the House District Committee, labeled "a rude action, a discourteous action, an arrogant action on the part of the Commissioners." Washington Post, Mar. 14, 1962, p. 1., col. 2.

[49] Fried, "Two Concepts of Interests: Some Reflections on the Supreme Court's Balancing Test," 76 Harv. L. Rev. 755, 759–60 (1963).

[50] In a post-Horsky report television interview, Chief Murray remarked: "We're just asking for a little leeway in handling cases." Washington Post, Aug. 13, 1962, p. B1, col. 2. According to a local newspaper editorial, by "leeway," the Chief "made it plain" he meant relief from the McNabb-Mallory rule and the contemplated ban on "arrests for investigation." Id., Aug. 18, 1962, p. A10, col. 2.

[51] See, e.g., *Wong Sun* v. *United States,* 371 U.S. 471, 484–86 (1963); *Nardone* v. *United States,* 308 U.S. 338, 340–41 (1939); *Silverthorne Lumber Co.* v. *United States,* 251 U.S. 385, 392 (1920).

[52] Report 60, quoting from *Bynum* v. *United States,* 262 F. 2d 465, 467 (D.C. Cir. 1958).

[53] As this review goes to press, the Justice Department is reported to be considering legislation which would permit Federal law enforcement officers "perhaps 6 hours" of questioning between arrest and commitment, but would require them to tell the arrestee, at the start, of his right to consult a lawyer and to remain silent. See N.Y.L.J., Mar. 19, 1963, p. 4, col. 3.

[54] Barth, "The Price of Liberty," 193 (1961). See also Foote, "Safeguards in the Law of Arrest," 52 Nw. U.L. Rev. 16, 24 (1957); Schwartz, "On Current Proposals To Legalize Wire Tapping," 103 U. Pa. L. Rev. 157–58 (1954); Weisberg, "Police Interrogation of Arrested Persons: A Skeptical View," in "Police Power and Individual Freedom," 153, 171–72 (Sowle ed., 1962).

[55] Shils, "The Torment of Secrecy," 154 (1956); cf. Fried, supra note 49, at 768, 773.

[56] Catlin, "On Freedom," in "Aspects of Liberty," 49 (Konvitz & Rossiter ed., 1958).

[57] T. R. Powell, "My Philosophy of Law," in "My Philosophy of Law," 269, 271 (1941).

[58] Fried, supra note 49, at 763.

[59] "The Blight in the Nation's Capital," U.S. News & World Report, Feb. 18, 1963, pp. 37, 39.

[60] CONGRESSIONAL RECORD, vol. 108, pt. 12, p. 15999 (Representative CHAMBERLAIN).

[61] Washington Post, July 27, 1962, p. 1, col. 2. The reader who has come with me this far will understand, I trust, why I do not pause to spell out the preposterousness of this statement. Suffice here to recall that 6 years ago Chief Murray warned a House subcommittee that "if the Mallory decision stands, it will result in complete breakdown in law enforcement in the District." The decision did stand, but Murray proved to be a much better police chief than prophet. See generally Kamisar, "Public Safety v. Individual Liberties: Some 'Facts' and 'Theories,'" 53 J. Crim. L., C. & P.S. 171, 190–93 (1962).

[62] Fuller, "Freedom—A Suggested Analysis," 68 Harv. L. Rev. 1305, 1316 (1955).

No doubt more than a few college football coaches would readily concur. At least some would in my part of the country who are so quick to snap at faculty committee members: "How would you like it if we told you how to run your department?"

Is the Horsky Committee engaged in telling Chief Murray how to run his department? Not any more, it seems patent to me, than the faculty committee is substituting its judgment for that of the football coach in the matter of how best to go about winning the conference title next year. The specialist—police chief, college coach, or admiral or general for that matter—who bristles at absentee management too often betrays his failure to pay more than lipservice to the values and goals which these "outsiders" or "amateurs" remind him are supposed to be his guides. Too often, the specialist cannot "internalize" these beliefs and attitudes, so that they are integrated with his own value system, or, at least, too often he has not done so. Too often, they have not become an aspect of his attitude toward his nation and its institutions and traditions, or, as the case may be, his university and its purposes.[63]

"One of the dangers to a liberal society," it has been well said, is "specialization to the point where undertsanding and sympathy for the other realms with which collaboration and a sense of affinity are necessary are obstructed. The skill and knowledge as well as the motive for doing a task up to a moderate level of efficiency can only be produced by specialization.

"Specialization of task and training is often, however, characterized by an absence of concern for the fields outside the area of expertness. The specialist is an excellent caretaker of his own domain, but he is ordinarily not much concerned with the fate of what goes on outside."[64]

From Chief Murray's vantage point, no doubt the Horsky Committee was composed of "amateurs." But then "we have a legal system which entrusts its case-law-making to a body who are specialists only in being unspecialized. Such a body has as its function to be instructed, case by case, by the experts in any speciality, and then, by combination of its very nonexpertness in the particular with its general and widely buttressed expert roundedness in many smatterings, to reach a judgment which adds balance not only, as has been argued so often and so hard, against the passing flurries of public passion, but no less against the often deep but too often jug-handled contributions of any technicians."[65]

—Yale Kamisar.[66]

SEA LIFE PARK IN HAWAII

Mr. INOUYE. Mr. President, I will not take up my colleagues' valuable time with a dissertation on the many attractions which Hawaii has to offer for they are too well known.

But a new attraction is now under construction on the island of Oahu and I think it may be of interest. Mr. Bob Considine, well-known author and commentator, recently wrote a column for King Features syndicate about Sea Life Park on Oahu and what is also to become the Pacific Oceans Institute.

The project is headed by Mr. Taylor A. Pryor, son of Mr. Sam Pryor, vice president of Pan American World Airways, and Mr. Kenneth S. Norris, a prominent marine biologist from UCLA.

I ask unanimous consent to insert the column in the Record at this point.

There being no objection, the column was ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Post, Aug. 2, 1963]

She Goes for Underwater Ride on Dorsal Fin of Porpoise

(By Bob Considine)

Sea Life Park, Makapuu Point, Oahu.—An intrepid child we know, named Debbie, went for a brisk ride today by a somewhat unusual method of transportation. She was hanging on to the dorsal fin of a 6-foot porpoise named Haole.

Both mammals seemed to enjoy the experience. Haole, a former resident of the neighboring Pacific, chatted cheerfully to the three other porpoises in the deep pool.

"This is great," Debbie said, holding on for dear life, "its like——." She would have continued the sentence, but Haole submerged just then and Debbie went under with him. Both reappeared eventually, smiling. In a nearby pool, with no guard net dividing it from the pool in which the girl and porpoises played, sulked a pygmy killer whale, one of the few ever captured alive.

In another pool three pitch-black pilot whales cruised slowly about, oblivious to the clowning of three bottle-nosed dolphins. In still another pool, two magnificent spotted porpoises leaped over a high jump bar and slid back into the water with hardly a sound or ripple.

We had come upon the impressive beginnings of what promises to be one of the wonders of the world, Sea Life Park. These were the training pools of what soon will be the most impressive and extensive marine exhibit in the world. In time, also, the pools will serve as laboratories for the Pacific Oceans Institute, chartered for the purpose of marine research and education.

Sea Life Park and the institute are the dreams come true of a virile young ex-Marine helicopter pilot and shark specialist named Taylor A. Pryor, son of the vice president of PanAm, and Kenneth S. Norris, famed marine biologist of UCLA.

When completed, the park will not be an aquarium. Tap, as Pryor is called, winced at the sound of the word. The 300,000 gallon main pool, designed after Frank Lloyd Wright's coiled-path Guggenheim Art Museum in New York, will permit the strolling visitor to descend from a bird's-eye view of the surface-loving fish to the spooky depths of coral caves infested with razor-toothed morays—without getting wet or, for that matter, devoured.

Dozens of different species will make of the tank a realistic cross section of life in these waters. We asked Tap what would prevent the bigger exhibits from eating the smaller exhibits.

"They will, for a while," he said with a grin. "But after a time this tank will become a kind of welfare state. We'll be feeding all of them so well that they'll prefer to get their food from us rather than by the old strenuous method of going hunting for it."

Elsewhere in the park will be a shark pool, a glassed-in porpoise theater, a big open sea water pool for whales and spinning porpoises like Haole, a pool for seals, sea turtles and sea birds, replicas of the square-rigged ship *Pequod* and the French frigate *Shoal*, and an area where visitors may watch underwater activities off nearby Rabbit Island by a means of television cameras located on the ocean floor.

Pryor and his associates, including two blond-bearded mammal trainers named Chris Varez and Garry Andersen, and a pretty trainer named Dotty Sampson, a tiny girl who swims with tons of blubber; are teaching their pupils astounding tricks.

Porpoises and dolphins, responding to electronically simulated mammal sounds, leap and twist in the air, jump over hurdles, swim together in perfect symmetry.

They are being taught to locate objects as small as a BB shot, though blindfolded. The bottle-nosed dolphins are learning not to expect a fish to be thrown to them after every trick but to accept a large wooden "poker chip" instead, stack the chips until they have 10 of them, then cash them in for a smelt.

They'll be running this State before long.

JOHN DOAR, WISCONSIN FRONT-LINE FIGHTER FOR CIVIL RIGHTS

Mr. PROXMIRE. Mr. President, recently the Milwaukee Sentinel reported that John Doar, of New Richmond, Wis., has been the out-in-front on-the-firing-line leader for the Department of Justice in the historic and dangerous civil rights demonstrations.

The Attorney General has called John Doar, "one of the most outstanding people I've met in Government service—not only in the Department of Justice but in any Government agency."

In a sharp, vivid analysis of John Doar, the Sentinel article demonstrates why this is true.

I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Milwaukee Sentinel, Aug. 12, 1963]

Up Front in Rights Battle—Wisconsinite, Doar, Is Justice Department Troubleshooter

Washington, D.C.—John Doar, a smalltown lawyer from Wisconsin, is in the frontline of the U.S. Department of Justice's battle to protect the legal rights of Negro citizens in the South.

Doar, a native of New Richmond with a Republican background, has been on the scene at almost all of the South's racial trouble spots as one of the top Government officials.

He serves as the first assistant to Burke Marshall, the Assistant Attorney General in charge of the Justice Department's Civil Rights Division.

Doar took the job in the summer of 1960, at the tag end of the Eisenhower administration. He was kept on by the Kennedy administration.

SEES SERVICE IN SOUTH

Asked for an appraisal of Doar, Attorney General Robert F. Kennedy said:

"I think he's one of the most outstanding people I've met in Government service—not only in the Department of Justice, but in any Government agency."

Doar spends almost half his time in the South, primarily in Georgia, Alabama, Mississippi, and Louisiana.

It was in Jackson, Miss., last June that he performed a rare act of personal courage that helped to prevent a massive racial clash.

Funeral services had just been held for Medgar Evers, the murdered Negro leader. A procession of 5,000 Negro mourners moved down the street, away from the funeral home. They were met by solid lines of police.

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[63] See generally, Kelman, "Compliance, Identification, and Internalization: Three Processes of Attitude Change," 2 J. Conflict Resolution 51 (1958).

[64] Shils, op. cit. supra note 55, at 156.

[65] Llewellyn, "The Common Law Tradition: Deciding Appeals," 263 (1960).

[66] Professor of law, University of Minnesota. Member of the District of Columbia Bar.

UNIVERSITY OF MICHIGAN LIBRARIES

White and Negro tempers were at the breaking point. Soda bottles and rocks were being thrown. The crowd seemed to be on the verge of rioting. Many of the Negroes were young people.

Doar, who had come to Jackson to attend the funeral of his friend Evers, watched briefly from the sidelines. Then, in his shirt sleeves, he went through the crowd and pleaded with them to disperse.

"Go back, go back, you can't win this way, break it up," Doar shouted. "Don't throw bottles, that's what they want you to do."

Some of the Negroes recognized the Justice Department official and the crowd began to realize that he was there to help them.

"Yes, he's the boss, he's the big boss," one Negro said.

Although 27 persons were arrested and 14 policemen injured, a much more tragic incident was averted.

Looking back on the incident, Doar said:

"I just happended to be in the right place at the right time and the thing to do was so obvious. It was just natural. It didn't occur to me that it took any particular courage. I thought that some of those people would know me and listen to me. * * *

"It was in the middle of the afternoon—hotter than hell—and the policemen and sheriff's people were lined up with their riot guns. The policemen were getting awful edgy. Bricks and bottles were being thrown around. * * *

"I was concerned about those kids. They were good kids and they didn't realize what they were letting themselves in for. I was sure I could get them to disperse."

What strikes an interviewer about Doar is that he thinks of the civil rights fight in terms of people, not merely in terms of statistics or laws.

GRADUATE OF PRINCETON

Doar grew up in a town where no Negroes live. His first real awareness of racial problems came in his undergraduate days at Princeton University.

"I used to talk to my classmates from the South about Negroes and second-class citizenship. They told me: 'We know we've got a problem, but we can take care of the problem by ourselves. We don't need any outside help.'

"I graduated from Princeton and got my law degree from the University of California. I went off to practice law in Wisconsin and 15 years later, I saw the problem wasn't taken care of by itself."

Doar was offered the Justice Department job in 1960 by Harold Tyler, who was then the Assistant Attorney General for Civil Rights and is now a Federal judge in the southern district of New York. Doar and Tyler had been friends at Princeton.

"In the summer of 1960, nobody else wanted this job," Doar said. "I was aware there was a chance that the Republicans would lose in 1960 and that I'd be out of a job, but that didn't matter. I just wanted to do it."

He left a lucrative law practice in the firm of Doar & Knowles. The firm had been started by his father, W. T. (Tom) Doar. Former Republican Lt. Gov. Warren Knowles is a partner.

Doar's primary duty is to look out for voting rights. When he came into the Justice Department, there had been only four civil rights voting cases filed in court and only one had been completed. He had four lawyers working under him.

Now, Doar has a team of 20 lawyers and there are more than 40 voting rights suits pending in the courts, with many of them already tried.

Doar and his legal team analyze voting records and where discriminatory practices are found that cannot be corrected through persuasion, they file suits.

Another part of Doar's work is being a troubleshooter and observer for the Justice Department.

He was at the University of Mississippi last year when James Meredith's enrollment touched off a riot. He was back there in June when the second Negro peacefully entered the university. He was on hand during the freedom rides in Montgomery, Ala.

REVEALS STRONG FEELINGS

Doar has some strong feelings about the civil rights legislation pending in Congress.

"I can't for the life of me see why everybody isn't for the public accommodations section of the bill—Republicans, Democrats, or Independents—whether they come from Wisconsin or New York or someplace else," Doar said.

"Discrimination is bad for the country, it's bad for the individual, it's bad for the philosophy that cherishes the right of property. It's a myth to say that this bill would interfere with the rights of private property. It would give the greatest protection by restoring faith in the mind of the young Negro in the free enterprise system and in the rights of private property."

Although Doar was a member of the Republican Party in St. Croix County, Wis., and briefly entertained the idea of running for Congress as a Republican in the Ninth District in 1958, he considers that his work now is nonpartisan and he shies away from political questions.

FATHER OF FOUR

A youthful-looking 41, he stands 6 feet 2 inches tall and weighs 185 pounds. He seems to blend in well with the New Frontiersmen of the Justice Department and has nothing but high praise for Attorney General Kennedy and Assistant Attorney General Marshall.

Doar, his wife, Ann, and their four children (Gael, 11; Michael, 7; Robert, 2; and John Burke, 7 weeks) live in suburban Chevy Chase.

He has no special plans for the future.

"I love my work," Doar said. "I believe in what I'm doing and I like the people I work with. My wife says I wear blinders. All I think about is civil rights."

JOINT RESOLUTION ON AGRICULTURAL LEGISLATION

Mr. PROXMIRE. Mr. President, the Wisconsin State Senate and Assembly of the State passed a resolution calling on Congress to cooperate in developing a realistic Federal farm program that will enable Wisconsin farmers and the residents of rural communities to earn their fair share of the national income.

Mr. President, I enthusiastically share these sentiments of my State legislature.

I hope that the mass of legislation which confronts us in this session of Congress will not cause us to forget the needs of the American farmer, whose energy and initiative have contributed mightily to our country's present ascendency on the world scene.

I ask unanimous consent that the resolution be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

JOINT RESOLUTION 46

Joint resolution relating to a plea for a realistic Federal farm program enabling farmers to earn their fair share of the national income without surrendering their constitutional rights of self-determination

Whereas agriculture is a major industry in Wisconsin, providing a livelihood not only for farm families but also for tens of thousands of persons in rural Wisconsin engaged in supply, service and distribution activities relating to agriculture; and

Whereas the economic well-being of entire communities throughout rural Wisconsin is vitally dependent upon the economic well-being of the farmers and agriculture in general; and

Whereas the economic conditions of agriculture have a direct effect even in the industrial areas of the State where the manufacture of farm equipment and machinery is a major industry; and

Whereas the continuing shrinkage of agricultural income is having a grave and debilitating effect upon the rural economy of Wisconsin, creating substandard levels of income and living conditions: Now, therefore, be it

Resolved by the senate (the assembly concurring), That the Legislature of the State of Wisconsin does hereby urge the national administration and the Congress to cooperate in developing a realistic Federal farm program that will enable Wisconsin farmers and the residents of rural communities to earn their fair share of the national income without being forced to surrender their constitutional rights of self-determination in the operation of their farms and businesses; and be it further

Resolved, That the U.S. Department of Agriculture be and it hereby is requested to provide every Federal and State legislator with a report showing the exports and imports by the United States of every agricultural commodity; and be it further

Resolved, That copies of this resolution be sent to the Secretary of Agriculture and to members of the Wisconsin delegation in Congress.

JACK B. OLSEN,
President of the Senate.
LAWRENCE R. LARSEN,
Chief Clerk of the Senate.
ROBERT HAASE,
Speaker of the Assembly.
KENNETH E. PRIEBE,
Chief Clerk of the Assembly.

MICHIGAN STATE BAR ASSOCIATION RESOLUTION ON CIVIL RIGHTS

Mr. HART. Mr. President, some weeks ago President Kennedy met with a group of lawyers and urged them and their colleagues to take a more active role in the civil rights movement.

I would like to call to the attention of my colleagues in the Senate the fact that the Michigan State Bar Association became, on July 19, the first State bar association to create by resolution a committee actively to provide assistance in protecting the civil rights of American citizens wherever they are imperiled. As a member of the State Bar of Michigan, I am proud to bring this action to the attention of the country.

Mr. President, I ask unanimous consent that this resolution adopted by the board of commissioners of the Michigan State Bar Association on July 19, 1963, be printed at this point in my remarks.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION RELATIVE TO CIVIL RIGHTS

Whereas equal protection under the law is a basic and well established tenet of our democratic system and believing that those who take violent issue with this cherished principle gravely jeopardize the concept of order and liberty; and

Whereas the resistance to court orders, decrees and judgments in some parts of our country has replaced the judicial forum for the peaceful resolution of disputes with violence, bloodshed and destruction of property in public streets; and

Whereas the board of commissioners of the State Bar of Michigan, having extensively considered the subject of the role of its members in the current campaign of the Negro for equal justice under law; and

Whereas this board is desirous of informing the approximately 9,300 members of the State bar, who constitute all of the lawyers in Michigan, the results of such consideration by the commissioners: Now, therefore, be it

Resolved,

1. There is hereby created a committee of the State Bar of Michigan, members of which shall be selected by the president, whose function shall be—

(a) To assist the establishment of local governmental human relations committees and provide assistance to them;

(b) To establish or provide for volunteer professional services to civic organizations dealing with civil rights problems;

(c) To assist and cooperate with national, State, or local officials and agencies in programs or specific actions designed to protect civil rights and to maintain law and order;

(d) To urge respect for the judiciary and the legal process and to refute irresponsible and erroneous legal commentary;

(e) To encourage the 75 bar associations throughout the State of Michigan in the formation of civil rights committees to implement these resolutions;

(f) To cooperate with and assist the lawyers committee for civil rights under law;

(g) To encourage and develop programs which will assure that adequate legal representation is available in cases affecting civil rights;

(h) To participate in or to assist in establishing fact-finding, conciliation, and arbitration services in connection with situations involving civil rights problems; and

(i) To compose, recommend and, after approval by this board, implement a plan by which Michigan lawyers will be inspired to furnish their professional services in the defense of clients wherever, by reason of intimidation, harassment, or threat of disbarment of our brother lawyers, adequate local legal representation is unavailable.

2. The legislature of the State of Michigan should be encouraged to provide reasonable and adequate annual appropriations for the effective operation of the civil rights commission established under the new Michigan constitution.

3. Negro and white extremists should be prevented from sowing the seeds of hate and violence and fomenting racial strife. The historical role of the lawyer has been to mold in lawful manner an enlightened attitude on the part of the citizenry in his community concerning religious, racial, or international tensions. Consistently with this tradition, members are exhorted, by any proper means to inspire discussion of the legal and moral aspects of racial discrimination existing in various forms in certain of our States. In this manner, our members will constitute a force in the procurement of equal rights for all citizens through proper and peaceful means.

4. The elimination of the last vestiges of discrimination in the United States depends upon the continued respect for, and adherence to, the rule of law, whether defined by constitution, valid ordinance or statute, or judicial decision.

Members are requested, in any proper manner, to discuss and explain the legal and moral considerations involved in the quest of any minority group for full civil rights.

5. The State of Michigan continues as a leader among the States in the extension and enforcement of equal rights and liberties for all citizens in such fields as public education, public accommodations and facilities, public transportation and employment opportunities.

Our members are persuaded to explore and discuss the development of a valid and suitable concept of open occupancy in this State and, in this connection, aggressively to solicit and consider views of fellow citizens on this subject.

6. Michigan law enforcement officials are urged to continue to pursue the equal protection of the laws provisions contained in the present and prospective constitutions of the State of Michigan and the 14th amendment of the Constitution of the United States and to steadfastly refrain from engaging in any act or practice violative of such constitutional rights.

7. The success of the struggle for equality of the Negro in many States depends upon the continued vigilance of judges in all courts to protect his civil rights. Certain decisions of the U.S. Supreme Court since 1954 have operated substantially to assist the Negro in his campaign for equality. Such decisions now constitute the law of the land. Attacks on the judiciary consequent upon the pursuance of such decisions should be denounced. Such denunciation is consistent with, and a further reiteration of, our resolution of August 24, 1962, condemning unfair criticism of the courts—an action that was the first formal defense of the courts by a major bar association in the country.

Approved July 19, 1963.

IMMIGRATION AND THE UNITED STATES

Mr. HART. Mr. President, to those who would see with their eyes and hear with their ears the story of the immigrant in America is old and familiar.

Yet in recent days there has come across my desk an article which tells the story as only one man could do it. It is marked by that keen insight and talent for striking at the heart of things which has made the Carolina Israelite as refreshing and vital a publication as there is in the United States.

Mr. President, I ask unanimous consent that a portion of the article by Mr. Harry Golden entitled "Immigration and the United States" be printed at this point in my remarks.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

IMMIGRATION AND THE UNITED STATES

(By Harry Golden, Charlotte, N.C.)

The McCarran-Walter Immigration Act, still on the law books, admits 154,647 immigrants a year, under quotas based on the 1920 ratio of foreign-born in the Nation's population. President Truman declared it discriminatory and inadequate for national needs, saying some deportation provisions were so vague as to allow "thought control."

When President Eisenhower urged the revision of the restrictive measures of the act, Congressman Walter succeeded in blocking changes, guarding specifically against changing the restrictive ethnic provisions of the act. These provisions allow almost free access to the United States of immigrants from the Nordic and Anglo-Saxon countries and restrict the number of immigrants from the Mediterranean, Middle East, Balkans, Eastern Europe, and Asian countries.

Thus the McCarran-Walter Immigration Act permits those to come who are apt not to want to, and restricts those immigrants who do want to come.

There were something like 65,000 vacancies last year in the quota because the folks from England, Norway, and Denmark chose to stay at home, while 100,000 people from Italy and Greece could not get visas.

The restrictive features of the McCarran-Walter Act strikes me as paradoxical in a civilization professing Christianity. While we have no state church, one can say nevertheless Christianity is an important factor in the life of most Americans.

Now Christianity became a universal religion precisely because of immigration; the church recognized the value of the foreigner.

Pope Hildebrand believed the Gospel would be spread most effectively by missionaries as dissimilar to the people to whom they preach as possible. It was this Pope's deep understanding of the foreigner's vitality which led to establishing celibacy among the clergy around 1070. The clergy were thus made "strangers" in their surroundings and in its way the prohibition against marriage helped the church seal its tremendous political success.

More to the point is that we can relate the success of Christianity as a universal religion to the success of the United States in its present position as a leader of the free world.

Christianity came at a time when travelers could go from Babylon to York without a passport. Think how this helped to spread an idea.

In the second and third centuries, the highways of Europe and Britain were filled with monks in black robes bearing crosses. By the time of St. Augustine, the missionary work had been accomplished through this freedom of movement and Augustine was able to solidify Christianity by "marrying" it to the arts. Had there been no free movement, however, it is reasonable to believe the people of the northern forests of Europe might have held on to the god Wotan for many more centuries, and Anglo-Saxons might have taken Mithra to their hearts, the god they borrowed from the Roman legionnaires.

Christianity was quick to grasp the significance of the classical stranger in world history. Jesus was born in Bethlehem, a little town the great Greeks and the equally great Romans had never heard of. And a mere handful of strangers, Jews from Judea (St. Paul among them), were able to conquer the great Roman Empire with all its vast works and all its far-reaching institutions. And they did it with an idea.

In the United States as late as 1900, less than one-third of our people traced their ancestry further than a native-born grandfather. Essentially we were all foreigners. Indeed, based on European standards, all Americans even today, in 1963, are foreigners, except the American Indian. What the freedom of movement in the first two centuries did for Christianity, the free access to the United States from its earliest beginnings to 1920 did for America—it made us.

The immigrants, particularly the immigrants after the Civil War, gave America a gulf stream of vitality.

What is the reason? Is the foreigner better than the native? Of course not. In fact the foreigner or the stranger do not think themselves as good as the native and it is this sense of inferiority, this hope to be like the native, that has given him, throughout all ages, a tremendous vitality.

Just as the three great monastic orders in France were founded by a German, a Hungarian, and an Englishman, and Christianity was established in the Anglo-Saxon world by Italians and Spaniards, so were the great industrial, intellectual, and scientific institutions in America founded by foreigners from Scandinavia, Germany, Ireland, Britain, Italy, Poland, Russia, Hungary, Rumania, Greece, Austria, and all the other lands in the world.

It is a vitality we may have lost since the first law restricting immigration in 1920 which was vetoed by President Wilson as vehemently as Mr. Truman vetoed the McCarran-Walter Act. When we become comfortable in our environment and there are few challenges, we lose drive.

The section of our country which is only now entering the industrial age is the old Confederate South; significantly, this is the one section that had no immigrants, no foreigners, no strangers. There was great comfort in the homogeneous society, yet today when the physicist and scientist appear before the Senate committee to discuss the matters which concern the welfare, security, and survival of the United States some of them talk with a heavy accent. One or two even need an interpreter.

Lysander, Sparta's great man, was not a Spartan at all, nor was William who started Britain on her road to glory a Briton, nor Disraeli who made Victoria Empress of India an Englishman. A man is no prophet in his own country. Every land in this world sends its preachers to its neighbor, and receives preachers in return. The millions of immigrants who came to America were "preachers" with a gospel, seeking what the Greeks called the good life.

I write this knowing that President Kennedy has asked the Congress to repeal the quota system and once again admit these immigrants who will preach the doctrine to us of the free life. For it is the immigrant who, finding freedom and opportunity in America, tells us what it is.

Once we had a "peace corps" that cost us nothing. It was composed of foreigners who wrote home about America and linked us to every country, city, town, hamlet, and farmhouse in the world. Who else better extolled the American way of life, who praised liberty, and proved the pursuit of happiness better than the foreigner who described to the folks he left behind him, his new job in Detroit or his butchershop in Milwaukee?

The McCarran-Walter Act robbed us of this. America's vitality comes now from the Negro who, striving to be like others, makes others define what it is they are, what it is they ought to be. Perhaps that is America's good fortune to have always the marginal man struggling to get "in," struggling to prove himself, struggling to enter the open society and "become" an American as quickly as possible.

CIVIL RIGHTS

Mr. HART. Mr. President, this week I find in two rural Michigan weekly newspapers some of the most pointed comments on the civil rights question that I have seen in print.

There is no need for much comment on them by me. They speak eloquently for themselves. I ask unanimous consent that the two articles—one from the West Branch Ogemaw County Herald and the other from the Lapeer County Press—be printed at this point in my remarks.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the West Branch Ogemaw County (Mich.) Herald, July 19, 1963]

THE GREAT AMERICAN ILLNESS

(By Dave Wiley)

The national psychosis:

Last week the Governor of the sovereign State of Mississippi testified before a congressional legislative committee.

After using up virtually all of the shopworn and raggedy arguments traditionally used by white supremists, Ross Barnett bolted party ranks:

He pulled a Joe McCarthy.

Barnett told the committee he had information that integrationist leader Martin Luther King had participated in a training school that was Communist sponsored.

A wave of revulsion swept over me as I heard Barnett's words broadcast; for this type of charge, if embraced by many, foretells a hideous wave of intellectual, and perhaps physical, bloodletting.

The local scene? Herewith, some northern Michigan vignettes:

A Negro entered a local business establishment some months ago and waited for service. A man in the back stared long and hard, and then commented:

"I hope that black S.O.B. is just passing through. We'd make it rough on him if he tried to stay here."

A couple from "down below" (an interesting phrase) launched a resort business, the first of its kind, at a northern Michigan lake.

Oldtimers, fearful of a disturbance of the status quo, began circulating stories that because the new resort would undoubtedly rent to Negroes, other properties would be subject to thievery and vandalism, and land values would plummet.

A West Branch resident returned this week from a southern vacation trip.

"The southern Negro doesn't really want all this change," I was told. "They're content with things as they are."

Oh sure.

"Ol' white marse, he jus' treat us colohed folk so good, we's perfekly happy, har har, har."

Don't you believe it.

A banquet meeting of "civic leaders" somewhere in northern Michigan.

Lucky me. I get stuck across from a loud-mouthed, cigar-chewing, red-faced man who inquires:

"Whaddaya think about the mess all them black so-and-sos are stirrin' up in Alabama?"

For a good 10 minutes I listened to a stream of invective, profanity, and near obscenity—all directed at the black man. He closed with the triumphant observation:

"None of 'em are any good."

I rattled off a list of Negro civic and cultural leaders. But it was no use.

Loud mouth took another chomp on his cigar, shifted it to one side and replied knowingly:

"Show me a nigger who amounts to anything, and I'll show you a nigger with white blood in his veins."

Anybody want to throw up?

"Why we're not prejudiced up here," a local resident told me. "A few years ago we even had a Negro boy attending West Branch High School."

Ah yes, a lone Negro youth. No threat there. Just a convenient community oddity.

"Look, Wiley," you say, "we have no racial problems here. Why write about it? Why make a mountain out of a molehill?"

I write about it because we're conveniently removed from the field of battle, because we're untouched, unhurt, and largely unmoved by it all.

And maybe because I think we should be concerned.

I love my Nation. And I love my State, including West Branch and Ogemaw County, because they're parts of the greater whole.

And what touches Mississippi and Alabama and Washington and Alaska and Hawaii touches us—whether we like it or not.

And, similarly, what we do reverberates throughout the Nation and the world.

And someday, friend, the Negro will get time and money enough to enjoy the lakes and forests of the North and, he too, will begin taking vacations to get away from it all.

How will we react?

Will we foam at the mouth about racial purity and knowing one's place and "nigger blood"?

Will we make collective asses out of ourselves by muttering about Communist support of the civil rights movement?

Let's hope not.

On the bright side:

Midstate theater personnel told me capacity crowds turned out for the academy award winning "To Kill a Mockingbird."

Perhaps we're becoming more aware, more concerned, more compassionate, or, at least more curious about civil rights.

Democratic Senator PHILIP HART, of Michigan, reacted to Barnett's charges of Communist inspiration last week, and, for a change, I found myself in complete agreement with the Senator. He said:

"I would be proud to walk with Martin Luther King. I hope that doesn't make me suspect."

I do too, Senator. And I hope you and your congressional friends are sincere and not simply vote getting.

Because I, too, sympathize with the struggle of my black brother for equality. And if that indicates Communist leanings—color me red.

[From the Lapeer County (Mich.) Press, Aug. 1, 1963]

SKIN DOESN'T MAKE GOOD NEIGHBORS

A letter writer tells us "I doubt if a white family can be found in all Lapeer County who will point to the house next door and says 'Let's start integration here.' So-called liberals always want Negroes moved into some other neighborhood, not theirs."

Phooey. We recently spent a week in the finest motel in Traverse City. In the unit next door were a doctor and his wife and three sons. They were Negroes, real black ones. We visited with all of them and we left wishing we were as intelligent as the father and our children were as polite as his. We'd also be glad to switch our rusty Plymouth for the doctor's white Lincoln.

This black family spent most of 2 days swimming in the fancy pool clearly visible from the highway. If they scared away any business, it wasn't noticeable. The motel was sold out every night.

The point is this: If we lived next door to a crude slob we wouldn't like it, whether he was black, white, pink or chartreuse. If our neighbor is a good neighbor we'll welcome and appreciate him regardless of his complexion.

Picking your neighbors from among strangers is a gamble at best. You have to live next to a man for a while before you discover whether he beats his wife once a week or only on holidays. If we ever take this gamble and lose we pray that we have sense enough to blame it on something other than the color of a man's skin.

VICE PRESIDENT JOHNSON ADDRESSES RETAIL CLERKS

Mr. HARTKE. Mr. President, recently, the distinguished Vice President of the United States addressed the diamond jubilee convention of the Retail Clerks International Association, AFL-CIO, in Chicago.

The delegates to that convention rose up in a body to greet the Vice President with an ovation and demonstration which lasted for a full quarter of an hour, and then, after hearing his stirring and challenging remarks, gave him another rousing ovation.

Mr. President, I believe the Vice President's remarks, which the retail clerks responded to with such enthusiasm, should be shared with my colleagues in the Senate, therefore, Mr. President, I ask unanimous consent that the address of the Vice President be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS BY VICE PRESIDENT LYNDON B. JOHNSON, NATIONAL RETAIL CLERKS UNION, CHICAGO, ILL., JUNE 25, 1963

I am privileged and grateful for the opportunity to meet today with members of America's fastest growing union.

My interest in your union stems directly from my long friendship with and admiring respect for your president, Jim Suffridge. As you know, 2 years ago as a representative of the President of the United States, your president accompanied me on a trip around the world. It was a privilege to witness his effective leadership in meetings with leaders of the labor movement in each of the emerging nations we visited.

Many Americans fail to appreciate how blessed this country is by the responsibility of our own unions and their good, clean, honest, democratic leadership. But throughout the world, workers in other lands do appreciate what American labor stands for—and they are eager for closer contact, guidance, and leadership. This was brought home to me when our mission arrived in Manila.

As we stepped from the plane in that friendly city, a large crowd was present carrying a huge sign of welcome. Needless to say, I was personally gratified. But then I took a closer look at the sign. The message was not exactly what I had anticipated. In big, bold letters was the salutation: "Welcome to President Suffridge."

On that trip, and on other missions I have made abroad as Vice President, I have been impressed over and over with the great disservice rendered to Americans today by those orators and pessimists who spread among us the story of irresistible Communist encroachment upon the free world.

The story of our times is not a story of communism's conquest, but of communism's containment. Communism has been contained by the will and unity of free people everywhere, led by the free people of America.

In southeast Asia—the area Jim Suffridge visited with me in 1961—Communists have started six guerrilla wars since the late 1940's. Five of those wars have ended in victories for freedom, none have been won by communism. The sixth such war goes on in Vietnam, and there the tide is being turned in favor of freedom with the support of America.

In 1962 it was my privilege to visit the lands of Greece and Turkey, Iran and Italy. Fifteen years ago, all these nations, and Western Europe as well, lay weak and prostrate; ravaged by war. The massive Red army of the Soviets stood at the border, ready to strike, ready to engulf those lands and make them part of the Communist empire.

At that critical moment in world history, a line was drawn by America against the aggressor—drawn by that great American President, Harry S. Truman.

That line drawn then and supported since by the efforts of America and our allies remains today exactly where it was 15 years ago—it has never been crossed; it has never been breached; it has never been compromised.

Those who preach the doctrine of America in retreat, of America besieged and beleaguered, of America on the run, are ignoring reality, ignoring truth, and selling short the strongest Nation on earth.

American courage and resolution have preserved freedom and preserved the peace—and behind the shield lifted up by American courage a new day of prosperity and opportunity is dawning for all mankind.

As some Americans sell their country short in the world, there are also those who sell short the strength which has been added for our system by the free labor movement in America.

All over the world the workingman has been the historical target of Communist agitation, subversion, and tyranny. But before the line against Communist aggressions was drawn in Western Europe and the Middle East, responsible American labor unions drew the line at home against Communist infiltration and subversion of organized labor in this land. Communism suffered one of its most decisive defeats anywhere when loyal, patriotic, alert American workingmen repulsed the Communist effort to take over American unions to use them as instruments of Communist purposes.

I do not recall this period of the past merely to pay justified tribute to our responsible trade unions in this country. On the contrary, I speak as I do to lay a predicate for the new challenge which faces you of the labor movement, and all Americans of all occupations and economic levels who care about the future well-being and prosperity of our economic system.

Over the decades of this century many great victories have been won in our country for economic justice, for human rights, and for the dignity of the individual. Many of those things we take most for granted today would have seemed to workingmen of the 1920's or the 1930's, to be entirely beyond reasonable expectation.

But we face a real and demanding challenge today.

We cannot submit to the doctrine that in these prosperous times and with this productive economy the present level of unemployment is an acceptable level.

When an able American man or woman wants to work and cannot find work, his unemployment is never acceptable to him and it is not acceptable to the rest of us.

But this problem goes deeper.

Too many of our unemployed today have been unemployed for too long—and have too little genuine hope of employment in the future.

We have nearly as many unfilled jobs as we have unemployed workers. The workers are not able to fill the jobs because they are not trained, not educated, not prepared for the opportunity offered by today's economy. We cannot afford complacency about this condition because it will not be corrected by time—or by temporizing.

In this decade of the 1960's we must create 26 million jobs for young people entering the job market for the first time. We need to be creating nearly 100,000 new jobs each week. Labor and industry and Government together must do much more to answer this need.

As the new workers flood into the job market, automation and other technological advances wear away the actual number of jobs available. We reject the superficial and superstitious outcries against technological progress as unworthy of a nation which has enriched the life of all its people by a century of such progress. Machines can help us do our work but we must not let the machines do our thinking for us. The real responsibility we face is the responsibility to match our scientific and technological progress with comparable social and political progress to serve mankind.

In the early 1930's it was necessary for us to initiate many new political responses to overcome the neglect accumulated over a period of many decades. Today we are a far more intelligent, far more understanding, far more alert Nation. Surely we need not wait for our problems to rise up and engulf us and force their attention on us before we can intelligently undertake cures for those things which plague our full promise.

I could not agree more strongly than I do with those who say we must be mindful at all times of our world position and our world responsibility. There has never been a time—and there will never be a time—when we could be anything other than prudent and responsible. But prudence and responsibility in fiscal affairs never requires and never justifies imprudence or irresponsibility in human affairs.

We are not prisoners of a world position which prevents us from meeting our responsibilities at home. On the contrary, we cannot honor our world commitments unless we honor our commitments at home.

We won't answer our needs of today merely by calling for more of the same that we have done in years gone by. Our needs are new. Our abilities are greater. Our answers must be both new and better.

Thirty years ago the forgotten man of America was the workingman and the small farmer. Because of the action we took then the workingman and the farmer today are no longer forgotten, no longer left so far behind at the bottom of the ladder.

Now there are others who have been left behind; the Negro, the Puerto Rican on the mainland, the jobless youths, the untrained and unprepared unemployables, the chronically ill senior citizen, and many others. These must not become the forgotten men—or the forgotten women—of the sixties.

Responsible labor together with responsible business and responsible government must put prejudice, partisanship, and pessimism aside to get on with the job of curing the ills and realizing the potentials of our domestic society.

MERCEDES-BENZ SALES, INC., WELCOMES INTERNATIONAL AIR CADETS

Mr. HARTKE. Mr. President, last week young representatives of 21 free and friendly nations left us after having spent some 3 weeks in this country as part of the 16th annual International Air Cadet Exchange.

The officers who escorted these cadets were guests at a reception given by Mercedes-Benz Sales, Inc., of South Bend, Ind. Mr. L. A. Fleener, the president of the firm; Mr. F. L. Armstrong, the executive vice president; Mr. Blaine Dorsett, Washington zone manager, and Mr. Al W. Rausch, counselor of diplomatic sales, were the hosts. Many of this body were present along with representatives of the diplomatic corps for the farewell reception.

Mr. President, I believe Mercedes-Benz Sales has performed a genuine service in extending this hand of friendship to these escort officers and in bringing them together at a social hour with Members of Congress and other Washington leaders. This is the kind of people-to-people diplomacy which will be among the most cherished memories of these distinguished visitors now that they are back in their homes.

All of us who are dedicated to a work of peace through understanding and strength among free world partners should join in saluting the Mercedes-Benz firm for this service.

KEATING: MOSCOW'S TARGET

Mr. HRUSKA. Mr. President, in all the recent talk of the test ban treaty and the easing of cold war tensions, it is important to remember that communism is still an enemy of the American way of life and of everything we hold dear.

In a recent directive from Moscow, the Communist Central Committee revealed its deep scorn for the representative institutions of this Government and for some of our most dedicated public servants. It ordered its supporters to infiltrate existing U.S. parties at the precinct level and single out specific ultraright officials for defeat. Senator KEATING was specifically mentioned as one of the targets of the Kremlin conspiracy.

Mr. President, I think the Senator can be proud to learn he is on the Communist blacklist. He deserves to be singled out for his forthright and determined stand on Cuba, on trade with the Communist bloc, and on other policies of firmness and determination at home and abroad. As long as he and others like him continue to represent the people of the United States in Washington, we can be confident that Moscow's plans for subversion and infiltration in this country will meet vigorous and vocal opposition and get no further than they deserve to.

Mr. President, I ask unanimous consent to include in the RECORD an article by Victor Riesel outlining Moscow's strategy in this attack on Members of the U.S. Senate.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Mirror, July 1, 1963]

MOSCOW'S MESSAGE FOR LOCAL REDS

(By Victor Riesel)

Communist activities in Western Europe and the United States have just received a special directive from the movement's central committee in Moscow to launch drives to purge outspoken anti-Communist leaders from government posts everywhere.

Since the Communist Party in nations such as Britain and the United States obviously is not sufficiently influential to work successfully on its own, it was ordered to infiltrate major parties on the precinct level.

In Britain the Communists have been ordered to take full advantage of the Profumo scandal. Link the peoples movements with the Labor Party, the Moscow strategists say in one document.

In the United States, the directive has no such scandal on which to hook itself, but it orders a "purge" of such adamant anti-Communists as Democratic Senator THOMAS DODD of Connecticut and Republican Senator KENNETH KEATING of New York. The Moscow order mentions these two legislators by name.

Buried in the 5,000-word communique from the Soviet Central Committee to its U.S. section is a specific set of tactics. It calls for the infiltration of both the Democratic and Republican Parties on the lowest precinct level. Immediate action is urged.

Bluntly, the directive says that the "capitalist" nature of the two major parties "should not become a subject of debate." Further, the party's comrades are told "not to split hairs over" the issue of infiltration or whether to work inside the major parties.

"In each State the left should single out specific ultraright officials for defeat—such individuals as KEATING and DODD, as well as a number of others," say the orders.

How could this be done by a small political group?

The communication warns that "the more politically mature left has the responsibility of working" with what it calls people's movements. This must be done by the Communists both in political activities on a day-to-day basis and in the elections.

Therefore, the movements which the Communists have been ordered to infiltrate are the tenants' groups in major cities, minorities, peace organizations, political insurgents, and political action clubs of local labor unions.

The directive says work with them in both parties as swiftly as possible.

I report the specific words here so there can be no doubt of the Communist Party's intention:

"The left must avoid being too late with too little. Hence it must give attention now to the exact political situation in each State, to candidates, program, movements, and trends. For the primaries come early in a presidential year."

This means they will send their political shock brigades, well equipped with money and manpower, into carefully chosen districts. Even if only one friendly Congressman is elected, it would be a major victory for the so-called mature left.

Then, says the directive, after the 1964 presidential election the party would be set "for the creation of a firm foundation for a new political alinement in our country."

This, in the old days, used to be known as the united front from below, or the popular front tactic of submerging the party in mass movements and attempting to lead them from behind. It was successful in France in the thirties—and the French almost did not recover.

RAYMOND M. CROSSMAN—READY TO HELP

Mr. HRUSKA. Mr. President, there appears in the summer 1963 issue of the Kiwanis magazine a touching tribute to the late Raymond M. Crossman, of Omaha, a past international president of Kiwanis International, whose death a few weeks ago deprived his community and his numerous friends of wise and able leadership and counsel.

One phrase in the article has particular meaning for me. It is "Ray was always ready to help where help was needed."

When I began the practice of law in Omaha, Ray Crossman was already one of the leaders of that profession. I turned to him often for advice and assistance. He was a busy man, but never too busy to help an inexperienced colleague overcome the obstacles which loomed so forbiddingly across the horizon of a new career. That friendship remained close down through the years.

Mr. President, I ask unanimous consent to have printed in the RECORD the article by Don I. Parker, a past international trustee of Kiwanis International.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

RAYMOND M. CROSSMAN, 1887–1963

(By Don I. Parker)

On the morning of May 17, Past International President Raymond M. Crossman died following a heart attack at his home in Omaha, Nebr.

The full measure of love and respect that Ray inspired in fellow Kiwanians is best defined by his imposing list of achievements.

In the 43 years since he became a member of the Kiwanis Club of Omaha in 1920, Ray served with equal distinction at local, district, and international levels. His election in 1923 as governor of the Nebraska-Iowa district established him as one of the youngest Kiwanians ever chosen to hold that post. He served well, and at the end of his term he was elected a trustee of Kiwanis International, holding this office until his election in 1927 as international treasurer. Few Kiwanians have moved faster than Ray Crossman, who never stepped down from a job. When Ray moved, he moved up, and just 10 years after becoming a Kiwanian, Ray was elected to the top office in Kiwanis by fellow delegates to the Atlantic City convention of 1930.

Earlier, in 1923, International President Ed Arras, recognizing Ray's exceptional legal ability, put this ability to work for Kiwanis by appointing Ray chairman of the international committee on laws and regulations. He then charged the committee with the responsibility of preparing permanent objects for Kiwanis. Under Ray's leadership, these objects were written and later adopted at the 1924 convention in Denver. They have endured, unchanged, to this day.

As international president in 1930–31, it became Ray's challenging task to guide Kiwanis through perhaps the worst single year of the great depression of the thirties. Numerically and financially, Kiwanis was having rough sledding, along with the rest of North America. But there was a watchword that rang throughout the organization: "Have faith in time of pessimism"—and early in May 1931 Kiwanians showed they had faith by swarming to the convention in Miami, Fla. They showed more than faith. They showed a willingness to fight adversity by presenting a blueprint for attack. The blueprint, a part of the recommendations in the annual report of the international secretary embodied a sound 5-year plan of recovery from the membership and financial losses that had riddled the whole fabric of Kiwanis.

But it was Ray Crossman who reminded the delegates listening to his president's message on May 4 that membership was a qualitative as well as a quantitative matter. "Ten earnestly inspired and well trained men," he said, "can accomplish more than a hundred disinterested and listless persons."

The motivations that fashioned Ray's life were strong. His minister recalls that, as a young man, Ray was riding horseback in the Rocky Mountains with Dr. Daniel Russell, pastor of Rutgers Presbyterian Church in New York City. High on a mountainside, as they viewed the breathtaking splendor of the snowclad peaks around them,, Dr. Russell quoted from Psalm 121: "I will lift up mine eyes to the hills, whence cometh my help; my help cometh from the Lord, who made heaven and earth." Ray was so impressed he said he would never forget that passage, and he never did. Moreover, Ray knew how to communicate his inspirations. For it was in that same president's message at the 1931 convention that he so nobly expressed the ultimate aims of Kiwanis:

"The tree of the orchard raises its branches to the sky not merely that it may stand in beauty, but for the fruit it bears. Men do not gain in the mere living, but for what they live. Organizations that do not respond to these same principles leave no impress worthy of the name."

As he lifted up his eyes in setting the standards for Kiwanis through our permanent objects, so did he set high standards for his own profession. Though always ready with a kind word for young lawyers, he insisted on strict observance of the highest ethics of his profession, which respected and honored him as did Kiwanis. A resident of Omaha all his adult life, Ray was a past president of the Omaha Bar Association, a former treasurer of the Nebraska Bar Association, and a highly regarded member of the American Bar Association.

Ray was always ready to help where help was needed—with anniversary meetings, installations, conferences. There was only one reservation: no Sunday meetings. Sundays were reserved for Ray's family. Otherwise, Ray Crossman was "Mr. Available" at any and all times. And in his final evening on earth Ray was doing what he liked best—having fun at a Kiwanis affair. Kiwanis was Ray's life to the end; Kiwanis, and his family, and his work.

For those of us who knew Ray best—and everyone who met Ray felt he knew him best—there will always linger the pleasant memory of his warm and gracious personality. Ray was never happier than when he could sincerely commend a fellow Kiwanian for a job well done, and it was always his great delight to pay a compliment to a lovely lady.

To Ray's wonderful wife and to a grand family, all Kiwanis extends its heartfelt sympathy. The suddenness of his going was a shock, but may the memories of his wisdom and kindness and understanding give us strength to bear his loss.

LET'S MAKE THE TEST PACT GO FOR US

Mr. FULBRIGHT. Mr. President, I ask unanimous consent to have printed in the RECORD an unusually fine editorial on the test ban treaty. The editorial was published in the current issue of Life magazine.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

LET'S MAKE THE TEST PACT GO FOR US

"From Stettin in the Baltic to Trieste in the Adriatic, an Iron Curtain has descended across the Continent."—WINSTON CHURCHILL, March 5, 1946.

"Yesterday, a shaft of light cut into the darkness,"—JOHN F. KENNEDY, July 26, 1963.

Seventeen years separate these two pronouncements; one by the elder statesman who formally proclaimed the cold war's existence, one by the U.S. President who has just confirmed that the atmosphere of that war has changed. The nuclear test ban treaty is a result, not a cause, of the change. The reason for the change, indeed the reason underlying Khrushchev's desire to negotiate the treaty, is the fact that for several years, in the broad sense, our side has been winning the cold war and communism has been losing it.

The test ban treaty is simple in language and refreshingly short. The Senate should ratify it. In no sense does the treaty suggest an early end to the cold war, but it does signalize a new phase in that struggle. We cannot know what the situation will be a year from now; we know little enough about what goes on in the Kremlin, let alone Peiping. But as of now the test ban treaty affirms Moscow's professed desire to have better relations with the West. This, therefore, is a good occasion for all Americans to take a long look back at the cold war and, most importantly, redefine the nature of our quarrel with world communism.

The United States was slow to recognize that inevitably there was to be a struggle for power between the free world and the Communist world. In 1945 the overwhelming majority of Americans desired amicable relations with the Soviet Union, but Franklin Roosevelt had misjudged Stalin's postwar intentions. Harry Truman and Secretary of State Byrnes did not immediately comprehend the full implications of "nyet"—that is, Russia's rejection of the Baruch plan to internationalize the atom, the spurning of a 25-year U.S. guarantee against German aggression. So the United States relaxed. Eastern Europe went behind the Iron Curtain, and China was fumbled away to communism at a time when even Stalin had no pressing interest in Mao Tse-tung's war.

Then Truman did comprehend the menace; the then Truman doctrine saved Greece and Turkey from communism in those early postwar years. Following the rape of Czechoslovakia in 1948, Americans fully accepted the challenge of the cold war, which has been fought ever since at two levels. One is the level of specific conflict at specific points in the world. The other is the level of fundamental beliefs—what the Communists call ideology.

At the level of specific conflict, Americans with near unanimity supported the Marshall plan and later NATO, simultaneously saving European society and shoring up our own security. The military challenge of communism was accepted in Korea, at the cost of 33,600 American lives, and in the Middle East under the Eisenhower doctrine. The military confrontation still goes on in Korea, where GI's were being murdered by Communist snipers last week, and in Vietnam, where nearly 100 American soldiers have died. This is the grim side of power politics.

There is a brighter side to the picture. The ideological thrust of communism is fragmented by the Moscow-Peiping quarrel, and simultaneously the U.S. policy of firmness over the past dozen years has started to pay dividends. The Cuban situation remains unsatisfactory, but the global balance is in our favor. Underdeveloped countries in Latin America, Africa and the Middle East have been encouraged to effective resistance to communism. Highly developed nations in Western Europe, along with Japan, have, through their own economic vigor, overcome the worst dangers of communism. India has had to look to the West.

Meanwhile good practical statesmanship should be pursued in a continuing effort to eliminate conflicts wherever possible. "It is useful and necessary, in a complex world," George Kennan has written, "to have dealings with enemies as well as with friends." The test ban treaty is one such useful dealing, and in others we should be prepared to explore the things Khrushchev says he wants—e.g., holding down military budgets, the exchange of ground observers to prevent surprise attacks. Simultaneously we should press him to discuss other matters—e.g., broader cultural relations and freer dissemination of information about the United States inside the U.S.S.R. The big solutions like German reunification will take longer, but we should be talking about them, too.

Now it is even more important that all of us should continue to be aware of those beliefs which are fundamental to Western civilization. As long as these beliefs are adhered to, they stand in the way of Communist world domination which, we should note, is a goal even now restated by both Moscow and Peiping. They are antiethical to the Communist philosophy of statism; they involve life, liberty, and the pursuit of happiness. They involve the natural right of man to be a free individual. They involve the elementary civil liberties of speech, press, and assembly, the secret ballot, and freedom from the fear of a policeman's knock on the door. Our dedication to these beliefs was splendidly summarized by Kennedy in his inaugural address: "Let every nation know, whether it wishes us well or ill, that we shall pay any price, bear any burden, meet any hardship, support any friend, oppose any foe to assure the survival and the success of liberty."

In this new phase of the cold war we face the possibility that a relaxation of tensions may dilute our dedication to those ideals. At the same time, though, relaxation is causing an erosion of Communist control. It is draining some of the fervor out of the holy war against the West because Khrushchev, by admitting that capitalists can be trusted on treaties, undercuts the concept of a Communist state encircled and besieged by its enemies. For some years observers have noted a gap between orthodox Communist theology and how people actually behave. Professional or nonparty standards have begun to emerge in fields such as music, science, and plant management. Such deviations Stalin did not tolerate at all, and even Khrushchev tolerates them only up to a point. (This is the root of his quarrel with the writers.) The voice of the individual is now heard in the U.S.S.R.'s power citadel in tones that would have been unimaginable a few years ago.

There is indeed "a shaft of light in the darkness," and the infiltration of Western ideals may yet change the nature of the Soviet society. That is all the more reason, as we actively pursue victory in the cold war, to be steadfast in our loyalty to those ideals.

Mr. MANSFIELD. Mr. President, is there further morning business?

The PRESIDENT pro tempore. Is there further morning business? If not, morning business is closed.

NATIONAL SERVICE CORPS ACT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate resumed the consideration of the bill (S. 1321) to provide for a National Service Corps to strengthen community service programs in the United States.

Mr. McGOVERN. Mr. President, I know of no bill before the Congress through which the Federal Government can accomplish so much for so many for so little.

Only a comparatively small amount of energy is required to open the gates which permit the water of a great reservoir to run through the penstocks and generators at a dam. This small expenditure of energy—opening a valve—triggers the generation of tremendous amounts of power.

The National Service Corps can open the gates of a tremendous reservoir of latent volunteer service in America which can achieve results out of all proportion to our initial investment—results which will improve the quality of democracy in this Nation and set an example of world importance.

The Attorney General, in his initial report to the President on the feasibility of a Domestic Peace Corps, stated:

> The President's challenge to all Americans to ask what they can do for their country has had an initial answer in the exemplary support of the Peace Corps, but for many Americans there is still a paradox—a desire to serve but no clear path to meaningful volunteer commitment. We need to offer visible avenues for service to these people.

One of every five citizens in our democracy lives under conditions comparable to those in the underdeveloped nations of the world. I doubt if there is any Member of this body who is not aware of citizens in his own State—people in slums, people in depressed rural areas, people in inadequately equipped and

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staffed institutions, the poor, the sick, and many others—who are a part of this less fortunate 20 percent of America.

It is characteristic of a great majority of Americans to want to be neighborly—to want to do something for underprivileged people. But they are frustrated by a lack of knowledge of what to do—by an absence of visible avenues of service to these people, as the Attorney General has put it.

The underprivileged people themselves are frustrated by inability to improve their conditions by themselves; by a lack of visible avenues of self-improvement. They could very well be guided and assisted by hundreds of thousands of Americans who have the knowledge, the time, and the spirit to help on a volunteer basis if the door were opened to them.

The concept of a National Service Corps which will provide avenues for volunteer assistance and provide the stimulation and guidance they need to help themselves, is one of the most hopeful proposals which has come before Congress in the years I have been in the Government.

Starting in a small way, I believe that it can enlist a growing corps of volunteer workers who can have more impact on the varied problems of the underprivileged than far more expensive, wholly paid, social and economic programs.

One of my own great interests in the National Service Corps is its potential for service to Indian citizens in South Dakota.

The average Indian reservation is rich in land but poor in knowledge of modern farming techniques.

The Indian population is more subject to disease, eats less well, and suffers more from unemployment than the surrounding white communities. The Indian infant death rate is almost twice that for all races; life expectancy is 20 years less for the continental U.S. Indian population than for the rest of the country; and the incidence of such communicable diseases as measles, tuberculosis, hepatitis, dysentery, and strep throat among Indians is from 4 to 23 times that in the general population.

In his testimony before the Select Subcommittee on Labor in the other body, Henry Black Elk, Jr., of the Oglala Sioux Tribe in my State of South Dakota, described conditions on the Pine Ridge Reservation. I quote him:

> The living conditions on the Pine Ridge Reservation are among the worst of the Nation. Employment is one of the greatest needs of the reservation. On any day of the week, you can see many men standing around the stores and trading posts, idle for lack of work. Almost 45 percent of our labor force is permanently unemployed. Many of our people used to get harvesttime employment picking potatoes in Nebraska. But this type of work is no longer available due to mechanization.
>
> Housing conditions are deplorable. Most of the 1,900 families on the reservation live in one-room log houses and shacks. A few live in tents. Most houses have no electricity, inside plumbing or even a reliable source of good water. Right across from my home, for example, 3 families, totaling 12 people, live in a two-room shack. They cook outside in the summer and on a wood-burning stove in winter. Just last year one of these families lost a newborn baby as a result of contaminated water and poor health practices.
>
> Health conditions generally are very bad. The infant death rate is four times the national average. Tuberculosis, influenza, and dysentery are still great killers of the Oglala Sioux. Another health problem, which has to a large extent been ignored, is mental retardation of children.
>
> The lack of employment, poor housing and high disease rates all contribute to demoralization and frustration. Many people feel there is no way out. This results in apathy and despair. These, in turn, contribute to the problem. Our people are thus looking for a source of help that can break the cycle of poverty, disease, unemployment, and apathy.

What can a National Service Corps do about such problems? According to Henry Black Elk, corpsmen could help immensely by giving technical assistance to those who wish to build or improve their homes, working as health extension workers, teaching nursery schools, giving instruction in truck gardening and other types of farming under irrigated conditions, providing technical assistance in the administration of tribal affairs, and helping in the establishing of community development programs. These programs are all vital if life on the Pine Ridge and other Indian reservations is to progress toward general American standards. The Bureau of Indian Affairs, concerned traditionally only with trustee functions in the narrow sense, cannot assume these responsibilities.

There are many citizens in South Dakota who are eager for an opportunity to aid in any program of assistance to the Indian people, or others in need.

The Student Association at Augustana College at Sioux Falls, S. Dak., has supported a tiny peace corps at the Pine Ridge Reservation. It is only one of many religious and service groups in the State looking for opportunities to render a service to the less fortunate.

Augustana College itself has, in a letter to me, offered its facilities to assist in training and initiating work in our area. The offer typifies a widespread desire to help—a desire to be of service to fellowmen which will be found everywhere in America.

The feeling of many South Dakota Indians was well expressed by Mr. Black Elk when he said:

> We would welcome dedicated volunteers who are interested in helping us to solve our problems. I believe that in addition to the work they can do themselves, they will have a great effect by setting an example for our people to follow. I believe they will teach our people the meaning of volunteer work. The fact that they are serving almost without pay will show our people how we can help ourselves. This can do more than any single thing to break the cycle of despair and apathy.

If the Corps could have this effect on only one Indian reservation, it would more than repay the effort and expense it would cost. But, in fact, the President's study group has found that the need is general and extends to other disadvantaged groups in our population—children in need of care, persons in institutions, the mentally retarded, the mentally ill, those with educational deficiencies, migratory farm workers, Alaskan natives, the elderly, those in economically depressed areas, and many others. In all these cases, a helping hand from fellow Americans would provide a psychological, as well as a practical, benefit that is almost incalculable.

I believe that we have, in the National Service Corps bill, an opportunity to release a great reservoir of assistance to the underprivileged in America which will not only help millions of our fellow Americans to share more fully in the benefits of our democracy, but will give the millions who are privileged to assist them—to help them help themselves—a source of deep satisfaction.

Mr. COOPER. I am a cosponsor of the National Service Corps bill and I have been glad to support it. I shall not repeat the arguments so ably advanced by other Senators in support of the bill, but I should like to state briefly reasons which made me believe the Corps would be of value to our country.

The young people—and those of all ages—who will be members of this Corps will be helping others to help themselves. This tradition is old and well-established in America. There are many areas and communities where these volunteers can do effective work, and both they and the local people will benefit from the exchange of experience.

This program will stimulate those—particularly the young people—in the communities served, and it will provide the participants with the will to undertake more service which will benefit the Nation. I think also, that the projects and the purposes envisioned by this bill can arouse the imagination of many of our people who have wanted to participate more fully in the world around them.

This Corps will be small in numbers, but it should have the opportunity to demonstrate its usefulness where needed and wanted. I feel strongly that it can inspire in our younger generations the knowledge that they have a role to play in helping to solve the diverse problems we find in our country. And I think these young people will stimulate others to shoulder new responsibilities in a more effective manner.

AMERICA NEEDS DOMESTIC SERVICE CORPS TO AID AMERICAN LIFE

Mr. YARBOROUGH. Mr. President, the United States has a definite need for a National Service Corps to attack critical human wants that exist in this time of general prosperity. The National Service Corps, or "Domestic Peace Corps," as it is sometimes called, will provide a cohesive force on a national basis to attack the problems of the hard core unemployables, uneducated, and poor in the areas where they are concentrated. This national program will be firmly grounded in a grassroots approach and will provide aid only at the request of any individual community. The National Service Corps is essentially patterned after the very successful Peace Corps. Both programs provide a catalyst to encourage people to help themselves by utilizing the traditional American idealism and desire to help the deprived, the underdog.

The total cost of the program is small when compared with the vast sums spent abroad to attack the similar problems that still exist to some degree here at home. Something must be done about the illiteracy rate in the United States. Something must be done to help the uneducated and thus unemployable in a country where the average educational level of the work force increased by 2 years in the last decade. The uneducated become more unemployable as the educational level of the work force becomes higher. As long as there are large groups of uneducated in America, there will be a hard core of unemployable poor, a blight in this era of general prosperity. The Domestic Service Corps provides these underprivileged with the possibility of helping themselves to improve their lot and to share in the general prosperity of the Nation. It provides an alternative to a life on the dole, a life without hope.

There are two groups in America who especially require the services of a Domestic Peace Corps. These are the migrant workers and American Indians. The Domestic Service Corps man can serve the migrant workers by mobilizing local leadership to undertake community efforts to improve sanitary conditions and to establish easily organized and simply run day care centers to care for children of migrant workers while their parents are in the field. These projects would be basic and inexpensive, would give the communities of migrant workers a sense of accomplishment, and would help the migrants improve their living conditions.

Another area where Domestic Service Corps men could help the migrant workers to help themselves is by expanding educational opportunities and services for both migrant children and adults and would attack the migrant's main bar to advancement, lack of education. As the high illiteracy rate of migrant workers drops, they will be more easily assimilated into the American scene and may begin to reap the fruits of being American.

Thirdly, corpsmen could serve as liaison between migrant workers and services provided but not utilized by migrants often because the migrants do not know about these services. Corpsmen could also serve to bridge the gap between migrants and communities through which the migrants pass, since mutual distrust and misunderstanding between the two groups often lead to the local community's lack of interest in helping the migrant to improve his condition. By encouraging the migrants to undertake self-improvement projects and by encouraging local residents to sponsor youth clubs and recreational projects as well as other joint programs, corpsmen would bring local community residents and migrants closer together in the realization that improving the lot of the migrant is in the best interest of the community as well as the migrant.

A second group urgently needing the services of the Domestic Peace Corps men are the Indians, both on and off reservations.

They are all but forgotten people; the problems of the American Indian are all but unknown to most of the Nation. Few know that unemployment among Indians often runs as high as 95 percent and that the average Indian unemployment is 44 percent. Few know that 90 percent of housing on Indian reservations would be considered unfit by other Americans, that 80 percent of the Indians have to haul their water 2 miles to their houses, or that 73 percent of water utilized by Indians is not potable. The leadership of Domestic Service Corps men would be invaluable in directing Indian energies to the task of improving their living conditions to a standard most Americans consider merely minimal. Also, corpsmen could help the Indian to begin remedying his other serious problems, a severe lack of education and high illiteracy rate, by serving as aids in Indian schools and by teaching the Indians skills which would allow them to support themselves and would restore their dignity as self-supporting citizens.

Besides aiding migrant workers and Indians, Domestic Service Corps men can be effectively utilized to help the desperately poor of the Nation in both cities and depressed rural areas help themselves. Corpsmen would be invaluable in forming youth groups and training school dropouts. They could serve in urban renewal projects by helping the new residents to become accustomed to their new homes and facilities. Besides helping the hard-to-reach youths and newly relocated families, corpsmen would be able to begin meeting the problems of our senior citizens in a plan of old-age assistance which would make the lives of our senior citizens more enjoyable by doing heavy chores which put such demands on the energies of our older citizens. We have plenty of dedicated and capable people in America who want to serve their fellow Americans. Give them the opportunities and direction and they will do the job. The Domestic Service Corps will give them that direction and opportunity at a minimal cost.

Baltimore has called their program a program of human renewal. The volunteers for the National Service Corps, through their idealism and dedication, will reach the hearts of our underprivileged and renew their hope and faith by helping them to help themselves. Volunteers will work with the health and education needs of migratory workers and Indians, urban and rural depressed areas, the Nation's youth, our elderly, and other groups so sorely in need of the dedicated efforts of trained and idealistic men and women who would volunteer for our Domestic Service Corps to serve at home where they are so vitally needed. This bill would help unleash American idealism. Our foreign aid and our Peace Corps help the world. The National Service Corps would serve America. Let us do for our own at home what we do for others abroad.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, with the consent of Senators concerned, I send to the desk a proposed unanimous-consent agreement which I ask to have read and considered.

The PRESIDING OFFICER. The proposed unanimous-consent agreement will be stated for the information of the Senate.

The legislative clerk read as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That, effective immediately during the further consideration of the bill (S. 1321) to provide for a National Service Corps to strengthen community service programs in the United States, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to 1 hour, to be equally divided and controlled by the mover of any such amendment or motion and the majority leader: *Provided,* That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further,* That no amendment that is not germane to the provisions of the said bill, shall be received, except those already printed or already presented and at the desk.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to 2 hours, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided,* That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

The PRESIDING OFFICER. Is there objection to the proposed unanimous-consent agreement? The Chair hears none; and, without objection, the unanimous-consent agreement is entered.

ORDER OF BUSINESS

Mr. ROBERTSON obtained the floor.

The PRESIDING OFFICER. Before the Senator from Virginia proceeds, the Chair informs the Senator that the Senate is under controlled time.

Mr. TOWER. Mr. President, I ask unanimous consent that the Senator from Virginia may be recognized without the time being charged to either side.

The PRESIDING OFFICER. Is there objection to the request by the Senator from Texas? The Chair hears none; and, without objection, the Senator from Virginia is recognized.

PROPOSED SALARY INCREASE FOR MEMBERS OF CONGRESS

Mr. ROBERTSON. Mr. President, I see large headlines in the afternoon edition of the Washington Evening Star, which state that the Randall Committee has recommended a pay increase of $12,500 for Members of Congress. In my judgment this was an ill-advised recommendation.

The junior Senator from Virginia has never voted, in 30 years, for any increase in salaries of Members of Congress, although he recognizes that Members of Congress are not highly paid.

So far as the present proposed increase of $12,500 is concerned, the junior Sen-

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ator from Virginia will vigorously oppose it. I predict that those who vote for it will not be with us when the Congress convenes in January 1965.

ORDER OF BUSINESS

Mr. KEATING. Mr. President, I ask unanimous consent that I may proceed for 1 minute without the time being charged to either side.

The PRESIDING OFFICER. Is there objection to the request by the Senator from New York? The Chair hears none, and it is so ordered.

HOUSE OF BISHOPS OF THE PROTESTANT EPISCOPAL CHURCH BACKS CIVIL RIGHTS AND MARCH TO WASHINGTON

Mr. KEATING. Mr. President, on Monday of this week the House of Bishops of the Protestant Episcopal Church adopted several resolutions strongly supporting civil rights legislation and the march to Washington for jobs and freedom.

With respect to the march, the resolution recognizes not only the right of free citizens to peaceful assemblage for the redress of grievances, but also that "participation in such an assemblage is a proper expression of Christian witness and obedience."

The support of all our major faiths for action on civil rights underscores the moral foundations on which this movement is based. The house of bishops has expressed eloquently and forcefully the urgency of action to resolve the racial crisis presently confronting America, and I know that its resolutions will be of interest to all Members of the Senate.

I therefore ask unanimous consent that the text of the resolutions may be printed at this point in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

RESOLUTIONS ADOPTED BY THE HOUSE OF BISHOPS, PROTESTANT EPISCOPAL CHURCH, TORONTO, ONTARIO, AUGUST 12, 1963

I

Resolved, That the House of Bishops of the Protestant Episcopal Church urges the Congress of the United States to pass such civil rights legislation as shall fairly and effectively implement both the established rights and the needs of all minority groups in education, voting rights, housing, employment opportunities, and access to places of public accommodation.

II

Resolved, That the House of Bishops of the Protestant Episcopal Church, mindful of the church assembly to be held in Washington, D.C., on August 28, 1963, in cooperation with the march on Washington for jobs and freedom, (a) recognizes not only the right of free citizens to peaceful assemblage for the redress of grievances, but also that participation in such an assemblage is a proper expression of Christian witness and obedience;

(b) welcomes the responsible discipleship which impels many of our bishops, clergy, and laity to take part in such an assemblage and supports them fully; and

(c) prays that through such peaceful assemblage citizens of all races may bring before the Government for appropriate and competent action the critical and agonizing problems posed to our Nation by racial discrimination in employment, in access to places of public accommodation, in political rights, in education and housing.

III

Resolved, That the House of Bishops of the Protestant Episcopal Church commends to all people the presiding bishop's letter dated Whitsunday 1963, as appropriate and helpful in the present racial crisis; and that we support the presiding bishop in this wise and timely expression of Christian leadership.

ORDER OF BUSINESS

Mr. BARTLETT obtained the floor.

The PRESIDING OFFICER. The Chair informs the Senator from Alaska that the Senate is operating under controlled time.

Mr. TOWER. Mr. President, I ask unanimous consent that the Senator from Alaska may be allowed to proceed without the time being charged to either side.

The PRESIDING OFFICER. Is there objection of the request by the Senator from Texas? The Chair hears none; and, without objection, it is so ordered.

PROGRAMS ARE NOT VOTE BUYERS

Mr. BARTLETT. Mr. President, last Wednesday, Mr. Edwin P. Neilan, president of the U.S. Chamber of Commerce, registered his objections to the present administration and to Congress in rather strong terms. It was, of course, almost to be expected that the president of the chamber might find himself in disagreement with the policies of a Democratic administration and a Democratic Congress, but because of the language he used and the labels he applied, his speech cannot be allowed to go unanswered.

Several Senators, including our distinguished majority leader, have made response to Mr. Neilan's attack. I intend to do likewise now, and I have no doubt that others will join in refuting the startling and somewhat ridiculous charges Mr. Neilan felt compelled to make.

The burden of Mr. Neilan's remarks seemed to be that several of our Government programs are simple, but expensive, vote-buying mechanisms. I cannot agree, of course, and I shall cite an example or two which will show that these programs—principally the area redevelopment and accelerated public works programs—do not guarantee large Democratic votes. They were, after all, enacted with Republican as well as Democratic support.

The American people, regardless of how poor or for however long unemployed, are simply not to be bought. Americans are people of integrity and of an independent turn of mind. Mr. Neilan has done all of us a grave injustice, and it is my hope that one day his perspective and good taste will be restored.

Before the November 1962 elections an ARA project went into an Alaskan community. I worked with the applicants because I believed that the project would bring a measure of year-round stability to the community and to the area in which it is located.

Did I buy any Democratic votes by supporting and working for this project? I doubt it. Out of 138 votes cast in the election, 1 Democratic candidate bested his opponent by only 10 votes and another by only 14 votes.

Will the people of the community benefit from the facility and from the work I did on it? I think so. Is the benefit to the people the really important question? Emphatically, yes.

Is it immoral to work to bring private, and I emphasize "private," industry into a community? I defy any member of a chamber of commerce to assert that it is.

Several other ARA projects are underway in Alaska and many more are under consideration. Will all of the pending applications be approved? No, they definitely will not. Several Alaskan applications have already been turned down, and I understand that for every ARA project approved at least one is turned down. Does this buy votes? I have been told in rather strong terms by some of those whose applications have been rejected that I should not count on any votes from them. But again, this is not the important question.

The area redevelopment program has provided Alaska businessmen with a kind of capital—investment capital—never before available. It has brought people in communities together to work on their common problems. Throughout Alaska a good share of the leadership has been provided by members of the chambers of commerce. The chamber of at least one city has provided the ARA committee with office space and assistance.

The reason why chamber members in Alaska work on ARA projects is because they are interested in seeing their towns and cities and their State grow and develop through private investment. And that is what we should consider ARA money. ARA is acting as a bank when the regular lending institutions are unable to make loans at less than prohibitive rates of interest. ARA money is not going to finance Government industries. It is going to finance private industry, a fact Mr. Neilan has chosen to ignore.

Alaska chambers of commerce are not alone in their interest in the ARA program. There are chamber members actively participating in the program all across the country. They know that once industrial investment is made in a community, that community will grow and prosper. According to ARA Administrator William L. Batt, more than 60 percent of projects approved so far were helped on their ways by chamber members.

ARA assistance is not given to all who would apply. It is available only to those areas which need industrial development and expansion and for those projects which are feasible. The program was established because the normal sources of investment capital were not offered to areas of declining economic health. It would seem far more logical to me if Mr. Neilan were to encourage ARA to do its job and then depart.

Mr. Neilan also contended that projects under the accelerated public works

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program should meet the test of national necessity, that anything APW could do, the local communities could do better.

Mr. Neilan does not seem to understand what unemployment means. He does not seem to know what it does to a man when he cannot find a job. He fails to explain what a nation does when millions are unemployed.

Neither does Mr. Neilan understand what communities have not been doing and have not been able to do. The Public Works Acceleration Act became law on September 14, 1962. It authorized a total expenditure of $900 million, of which $850 million have been appropriated. By January 24, 1963, 4 months later, over $1.5 billion in proposed projects had been requested. In consequence, three times as many projects are being turned down as are approved.

By the end of this month probably all of the $850 million will have been put into projects. This money is being invested in people, jobs, towns, cities, and States. This is permanent investment in the well-being of our country. The program is very obviously a national necessity. Is this national necessity immoral? Perhaps it is. Perhaps we have not been meeting our responsibilities adequately. Perhaps we have been guilty of a failure to take proper action. But I submit that the APW program is a very long step in the right direction, and hardly an immoral one.

Several APW projects have been approved in my State and I am delighted to have them. I am proud of anything I might have done to win their approval. I do not consider this buying votes. I consider it work I should do to see that the people of my State are able to acquire some of the basic facilities necessary for future industrial growth.

I want to give Mr. Neilan one example of what the APW program is doing for Alaska.

One of the great red salmon areas of the world is Bristol Bay in southwestern Alaska. This year was supposed to be a good one. The predictions have been proved very wrong. The return of salmon to the bay was less than half of that anticipated. We do not know why. We shall have to learn a great deal more about salmon before we will know why. In the meantime, however, the people from all over western Alaska, and the States of Washington, Oregon, and California, who went to the bay to work on the boats and in the canneries are going to have a very unpleasant, if not tragic, winter. Few, if any, made money. Most lost money and there were not enough fish even for subsistence.

Dillingham, the principal town in the area, has tried for 10 years to acquire a sewer and water system. It is now going to get that system, thanks to an APW grant. Men will be put to work on the project this fall, which will permit them to earn a little money to feed themselves and their families during the winter. When the project is complete, the people of Dillingham not only will be healthier, but also will be able to diversify their economy. They will not have to rely only on the salmon industry. They will have the basic facilities needed for the establishment of processing plants to take advantage of fish and shellfish available all year long. They will be able to build up their tourist industry.

Does Dillingham consider ARA and APW immoral or improper? I doubt it. Will Dillingham vote solidly Democratic? I doubt that. Is it important? No.

Mr. President, the point I am trying to make is that the ARA and APW programs can and do play vital roles in our national economy. They are entirely proper expressions of the Federal Government's place in the maintenance of a healthy industrial climate. Our economy is not a thing apart from our daily, individual lives, and when Government participates in the expansion of that economy, it is exercising its authority in an entirely proper, moral, and responsible manner.

I am proud of these programs. I shall continue to support them.

ANTIMISSILE DEFENSE SYSTEM

Mr. TOWER. Mr. President, yesterday the distinguished Senator from Arizona [Mr. GOLDWATER] had a very interesting exchange with Defense Secretary Robert McNamara on the subject of an antimissile defense system, and subsequently spoke on the Senate floor to warn the American public that the President has in effect served notice that this country will not complete development of an antimissile defense system. The Senator did an excellent job of presenting the case for an antimissile defense system and also in pointing out the hazards which the proposed Moscow test ban treaty would pose to final development of an antimissile defense system for this country.

In further support of the statements made yesterday by the Senator from Arizona, I am pleased to call to the attention of the Senate an article by the Senator from South Carolina [Mr. THURMOND] which appeared in the June 1963 issue of Data magazine. I commend the reading of this article to every Member of this body, particularly in view of the points which have been raised about antimissile defense development by the President, Mr. McNamara, the Senator from Arizona [Mr. GOLDWATER], and others, in the current debate over ratification of the proposed Moscow test ban treaty. I, therefore, ask unanimous consent, Mr. President, that this article by the Senator from South Carolina [Mr. THURMOND], entitled "The Gap in Ballistic Missile Defense," be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE GAP IN BALLISTIC MISSILE DEFENSE

(By Senator STROM THURMOND, Democrat, of South Carolina)

The acquisition of an effective operational defense against ballistic missiles is the most immediate and vital requirement of U.S. military security today. The degree of success and speed with which we meet this requirement might well be the crucial factor which determines whether general war can be deterred and prevented in the next decade.

The superiority of U.S. strategic military forces over the last 15 years has not been the result of a mere quantum increase in static forces. Initially, the composition of our strategic forces was the Strategic Air Command's long- and medium-range manned bombers, armed with gravity-type nuclear bombs. Today, our superiority results from a mixture of manned bombers and ballistic missiles, with the programed shift to ballistic missiles progressing at a rapid rate.

The progress of the transition to ballistic missiles is illustrated by the fact that no strategic manned bomber is now coming off the production line in the United States. On the other hand, the Defense Department recently announced the status of our strategic ballistic missiles as follows: 13 Atlas squadrons, with a total of 126 missiles operational; 54 Titan missiles operational, and an additional 54 to be operational by the end of 1963; 30 Minuteman missiles operational, with a total of 800 to be operational by the end of fiscal year 1965; 9 Polaris submarines with 144 IRBM's operational, with 9 more Polaris subs to be operational by the end of fiscal year 1964, and a total of 41 submarines funded.

The ballistic missile has advantages over a manned-aircraft-and-gravity-bomb system, but there were distinct factors which provided the essential pressures which caused development of the missile so rapidly. Our strategic superiority was clearly challenged by the acquisition of nuclear weapons by the Soviets, together with their substantial strides in manned aircraft. This was one factor which led to the transition. The second, and equally important factor, was the catchup of defensive systems against manned aircraft. Such defense systems, comprised of a combination of interceptors and point defense weapons, has not, even yet, been developed to perfection; but the edge of advantage of the offensive manned aircraft over the antiaircraft defensive systems has narrowed to the point that a superior manned aircraft striking force over that of an enemy striking aircraft force could not alone provide a clear superiority in strategic power.

The art of ballistic missile weaponry is much younger, chronologically, than was its predecessor, manned aircraft, when defense against manned aircraft approached the equalization stage. Despite the short time that ballistic missiles have been operational, however, this form of weapons system has reached relative maturity.

We must assume that the Soviets have matched our efforts, at least from a qualitative standpoint, in ballistic missiles. It is generally conceded that they have an advantage in the application of thrust for their missiles, and they have demonstrated in their space program that they cannot be far behind us in the field of guidance. Their nuclear tests indicate they can produce a payload of nuclear destructive power that is quite sufficient for destruction of the largest targets. They have proved that they are capable of launching ballistic missiles from the ground and from air- and waterborne platforms.

In ballistic missile weaponry, we have reached the point now where our superiority in strategic military force is almost totally quantitative, and the deterrent effect is based on the power of mutual destruction, rather than on the capability of unilateral destruction of the enemy.

The capability of causing mutual destruction is not an acceptable basis of deterrence. A deterrence depends for its effectiveness not only on existing power, but also on the belief by the one sought to be deterred that upon some level of provocation, the deterrent power will be unleashed. The range of provocations against which one can make the threat of unleashing mutual destruction believable is unacceptably limited.

A deterrence consisting of the power of mutual destruction is the necessary result of a relative parity of strategic striking power. An acceptable deterrence, consisting of the power of unilateral destruction of the one sought to be deterred, can only be founded on a superiority of strategic force.

The degree of superiority in strategic military forces, which the United States now holds, derives from a combination of a greater quantity of offensive strike weapons and a mix of various type weapons. This superiority is projected to vanish, as we must assume an approaching parity in ballistic missiles.

There are two ways or approaches by which a clear strategic superiority can be maintained by the United States.

A quantitative breakthrough to a radically new type of strategic striking weapon could provide the basis for another transition in composition of our nuclear strike force. Unfortunately, no such breakthrough is in sight for the near future, for our concentration of resources and talents on the development and production of ballistic missiles—although producing remarkable results in an unbelievably short time—has limited research and development in new weaponry, such as manned military space systems, to little more than a token effort.

The road to continued superiority can also lie in the development and deployment of an effective ballistic missile defense system. Indeed, either side which achieves such a defense capability first will gain superiority for at least a temporary period of time.

Although a number of approaches have been investigated, the most promising U.S. ballistic missile defense system to date is the Nike-Zeus system. The capability developed for this system now includes the potential for successful defense against the types of ballistic missiles which we now have deployed. It does not have the proven capability, in its present stage of development, of defending against missiles which employ penetration aids or other devices to complicate the defense system, such as are now in the planning stages of U.S. development.

From a developmental standpoint, we have made surprising progress on a defense against ballistic missiles; but between development and the beginning of deployment there is a minimum time lag of 48 months.

Officials at the decisionmaking level have refused to exercise the option to deploy a defensive system founded on current development. Development of a more advanced system, called the Nike-X, has been authorized, but to proceed at a measured pace. The more advanced system is not capable of initial deployment before 1969, at the earliest.

Despite the crucial urgency for the earliest possible deployment of a defense against ballistic missiles, there has been no crash program for the system, such as has been mounted for our nonmilitary, man-in-space moon exploration program. To date, about $1.5 billion has been spent on the Nike-Zeus system, and $335 million has been authorized for both Nike-Zeus and Nike-X together for fiscal 1964. NASA, on the other hand, has spent about $8 billion on nonmilitary space activity to date, and the budget request for fiscal 1964 has jumped to $5.7 billion from the $1.8 billion appropriated for 1963.

The general lack of urgency which has confronted the Army's efforts to proceed more rapidly, and with a higher priority, on the Nike-Zeus program has prevailed under two administrations. Attempted explanations of the high level lack of enthusiasm are unimpressive. We are aware that the Soviets have attached a high level of priority to the development and deployment of an antiballastic missile system. The press has reported the deployment of an initial system around Leningrad. We are not unaware that the Soviets have devoted a considerable part of their nuclear testing to the field of ballistic missile defenses. Although no one in the free world can be sure of the capabilities of the system which the Soviets have begun deploying, the very fact that they have initiated deployment of some type of system indicates beyond doubt that the Soviets are racing frantically to achieve superiority in strategic power through this approach, and are making very substantial progress toward that end. Their system is not, in all probability, as advanced as our research model of the Nike-Zeus, and almost assuredly not nearly as potent as the so-called Nike-X which we have in the planning stages.

This comparison can be misleading, however, for it compares a Soviet system on which deployment is in progress with a U.S. system which we could hopefully begin deployment no sooner than in 1969. In view of the fact that the Soviets will have the advantage of experience with some type of deployed, operational system in the next 5 years, there is every reason to believe that they will be capable of improving their system at a rate at least equal to that which the United States can achieve with its exclusively developmental system. Indeed, in the absence of a much greater sense of urgency in the U.S. program, the Soviets may well accomplish for a period their frantically sought goal of strategic superiority by this means.

Although a defense against ballistic missiles would make the difference in strategic striking power between superiority and parity—or possible inferiority—there are cogent indications that the Department of Defense does not even consider the problem to be within the context of our strategic forces. This negative attitude was demonstrated in presentations to Congress on U.S. defense posture, in which Department of Defense spokesmen broke down major U.S. military forces into three major categories for discussion—Strategic Retaliatory Forces, General Purpose Forces, and Continental Air and Missile Defense Forces. Although ballistic missile defense systems are the balance between superiority and inferiority of strategic military power, they were not included in the strategic category of first priority.

The coolness toward ballistic missile defense systems exhibited at the decisionmaking level of two administrations suggests more than the normal difference in enthusiasm flowing from the different connotations of offensive and defensive weapons. In a period when Government, regardless of the administration in power, could hardly be accused of fiscal frugality, official witnesses, other than the military, have been extraordinarily distressed of the costs of a ballistic missile defense system. Actually the dollar cost of a ballistic missile defense system is high—but so is the cost of any major weapons system. Had the decision been made to begin production of component parts of the Nike-Zeus system in 1963, so that deployment of a defense system could have begun in 1967, the total costs of the system, defending about 26 points, would have been $15 to $20 billion, including operation and maintenance costs of the system through 1973. If the decision is made to begin production of components next year, deployment could begin, possibly in 1969 of the so-called Nike-X system, with a cost for the system through 1973 of some $1.5 to $2.8 billion less. The decreased costs for the latter alternative stems from the fact that operations and maintenance, including salaries of operational service personnel would not be required for the 2 years in the late sixties with the latter system, for under this alternative no system will be deployed in these 2 years.

From the standpoint of military power acquired, the cost of a ballistic missile defense system is not excessive. It would cost about one-third what the Strategic Air Command cost in the decade 1950–60; about one-third what Continental Air Defense cost in the decade 1950–60; about one-half the cost of our ICBM's and IRBM's through 1966; and less than the cost of Polaris.

In resisting recommendations for immediate production of component parts for a ballistic missile defense system—in 1958, 1961, and again in 1963—the decisionmaking level in the Government stressed that the Nike-Zeus system had not yet been developed to perfection. Witnesses before Congress repeatedly alluded to the fact that the Nike-Zeus had no proven capability for discrimination on incoming objects as between penetration aids or decoys and actual warheads, nor the capacity to give 100 percent protection against massive attacks by ballistic missiles against a single target.

Such arguments discount the fact that penetration aids, decoys, and multiple warheads are still very much in the planning stages, and the United States has no such devices operational. If the Soviets have made developmental progress on such devices, they have at least not yet equipped their operational missiles with such devices. From our own research, we know that a program to refit or replace existing ballistic missiles with such modifications would be a major undertaking for either the United States or the Soviets, in resources, scientific and engineering manpower and time.

Also discounted by such arguments is the fact that a decision to begin production of component parts to cut time for deployment of an AICBM would not freeze the system at its present stage of development. During the minimum of 4 years from beginning of production of component parts to the beginning of deployment, improvements in the system could continuously be incorporated into the system.

Production of component parts of a system long before completion of final development is neither novel nor unproved. Such a procedure was in large part responsible for the fact that we now have nine Polaris submarines on station, for had not production of components of this system been begun in the early stages of development of the Polaris system, the program would have been substantially delayed.

If deployment is to await perfection of an AICBM system, we will never deploy. Antiaircraft defenses have been under development since World War I, and such great strides have been made that the manned aircraft carrying gravity bombs can no longer be relied on exclusively; but the fact remains that perfection has not yet been reached, for at least some percentage of an attacking manned aircraft force can still penetrate antiaircraft defenses and reach any given target—if the attacking force is willing to pay the price. It is not feasible to wait for 100 percent exclusion for ballistic missile defense systems, any more than it would have been to await a capability of 100 percent exclusion before deployment of antiaircraft defenses.

At the present time, the Nike-Zeus has far more proven capability of performance than do our operational ICBM's. The Nike-Zeus has been subjected to operational tests, a majority of which have been successful. On the other hand, neither Atlas, Titan nor Minuteman, all of which are operationally deployed, has been subjected to an operational test firing by the service crews.

The fact that current capabilities of the Nike-Zeus system do not include effective defense against "massive" attacks of ballistic missiles on a single target is just as misleading as the stress on lack of capability of the system against sophisticated penetration devices which are still on the planning boards. The Soviets undoubtedly have a very creditable array of ballistic missiles, including ICBM's and submarine launched missiles, which should under no circumstances be underestimated. There is no basis for belief that the Soviets have a sufficient number of ballistic missiles, however, to permit a massive attack on each of a large number of first priority targets. If deployment of a defensive system against ballistic missiles were to do no more than to create a requirement for the Soviets to achieve a ratio of seven missiles for each primary target, the defensive system would be worth the cost, for this requirement could severely strain Soviet resources, and possibly exclude other major military projects.

Even more specious arguments have been advanced in official testimony against a decision to deploy an anti-ballistic-missile system. Congress was told that a problem existed by virtue of fallout from the detonation of the AICBM warhead, whereas, in fact, no such problem exists. There is a serious question as to what effect the detonation of a warhead on the intercepting missile would have on the total defense system, and we have not ascertained an answer because we have declined to engage in nuclear tests in the atmosphere. Surprisingly, little or no emphasis has been placed on this unknown, which is, in fact, the major uncertainty connected with the existing AICBM system.

Official witnesses have indicated the extent of their lack of enthusiasm about deployment of a defensive system against ballistic missiles, even the so-called Nike-X which will have sophisticated discrimination capabilities, by the injection of highly specious belittlements of antimissile systems. They pointed out, for instance, that even were the defensive system so perfected that it could successfully accomplish 100 percent exclusion of attacking ballistic missiles from the defended or target area, the enemy could aim for a point outside the defended area and depend on radioactive fallout to spread over the target area and thereby accomplish a high level of fatalities. Forcing an attacking power to such a choice would constitute a major accomplishment of relative strategic power, for this would involve a major degrading of the capability of the attacking force. All of the destructive blast and heat effects of nuclear weaponry would be lost to the enemy; and even to obtain radioactive casualties, the enemy ballistic missile force would be at the mercy of shifting winds and air pressures. As a practical matter, and particularly in view of the state of the art of chemical bacteriological warfare, an enemy would be most unlikely to utilize ballistic missiles at this minimum level of potential destructiveness.

There are evidences of increasing concern, and even alarm, at the lack of emphasis which is being placed on the development and deployment of a ballistic missile defense system. Efforts in Congress this year to override the administration's decision not to go forward now with production of component parts of an improved Nike-Zeus system for deployment in 1967 were unsuccessful. If deployment of the Nike-X is to begin even in 1969, however, a decision by the administration and the concurrence of Congress must come in the fiscal 1965 weapons authorization bill, which Congress must act on in the spring of 1964. There is every reason to believe that Congress will be adamant in demanding a decision for deployment of the Nike-X.

Only time will tell whether we have already procrastinated too long; but judging by any objective standard, the absence beyond spring of 1964 of a decision to proceed on a crash basis with deployment of the best possible system for defense against ballistic missiles will preclude strategic superiority for the United States for the coming years.

NATIONAL SERVICE CORPS ACT

The Senate resumed the consideration of the bill (S. 1321) to provide for a National Service Corps to strengthen community service programs in the United States.

Mr. TOWER. Mr. President, I yield myself 10 minutes from the time on the bill.

The PRESIDING OFFICER. The Senator from Texas is recognized for 10 minutes from the time on the bill.

Mr. TOWER. Mr. President, I invite the attention of Senators to the minority views on the National Service Corps bill, which set forth in clear and lucid language and in a reasonable and rational fashion, the reasons for defeating the measure.

I particularly invite attention to the reproduction in the minority views of the speech by the distinguished Senator from Ohio [Mr. Young], in which he points out that this is not only an unnecessary program, but also a wasteful program.

I believe that the bill would be of very questionable effectiveness.

Mr. William Anderson, when he testified—he testified very ably, and has devoted a great deal of work to the measure—stated that the bill is not designed to give help in a material way to those who need it, but to provide services for those who need help. In other words, rather than a handout of money, we are asked to put social service workers into the field.

Others who testified noted that the bill would not be a panacea, or a substitute for current welfare measures.

In my opinion, the program would duplicate many functions which are now carried out by other agencies and organizations. There are more than 12,000 Federal fieldworkers in each of the Indian Bureau and the Bureau of Medical Service of the Department of Health, Education, and Welfare, and there are many other agencies and bureaus. Thirty thousand Federal employees in this field, I would say, is a rather conservative estimate.

The U.S. Department of Labor Survey of 1960 shows 116,000 social workers in the United States, 62 percent of whom are in the field.

In addition to Federal, State, and local agencies, there are many private organizations and agencies currently in the field of operation which is comprehended by the National Service Corps bill.

The American Association of Fund Raising Counsel, Inc., in its publication "Giving, U.S.A." states there are 45 to 50 million volunteers in some kind of philanthropic endeavor, 15 million are in church work, 21 million are in voluntary national agencies, 2 million are in the Red Cross.

It is proposed that 5,000 social service workers be put in the field under the auspices of the Government of the United States. Let us take note of the fact that about 2 million Americans give their services voluntarily to the Red Cross alone. That is only one agency. It is perhaps the largest agency in the field, but it is only one agency. There are many others. These 2 million Americans give an estimated 100 million hours annually to the Red Cross. That is the Red Cross alone.

I point out that if the 5,000 people comprehended by the bill in the National Service Corps put in 300 10-hour days in the course of a year—and that would be considered an outside estimate as to the amount of work in terms of man-hours—the total would amount to 15 million hours a year, or 15 percent of the man-hours expended by voluntary workers for the Red Cross alone. Obviously, it would be merely a drop in the bucket.

I believe the bill would be a financial waste, also. The ratio of administrative to field personnel is very high. In the committee testimony it was brought out that the administrative ratio would be 1 to 10; that is to say, administrators compared to actual field personnel, persons operating in the field.

The ratio would be approximately 1 to 10. This is a very high administrative ratio. It is not in line with the ratio of various other volunteer agencies which apparently do a much more efficient job in terms of ratio of rear echelon personnel to front line personnel, so to speak.

The Red Cross, for example, has a ratio of about 1 to 154. The United Givers Fund and its associated agencies have a ratio of better than 1 to 1,500.

Mr. Anderson, in his testimony, said the proposed corps would start at a ratio of 1 to 10, or worse, but that it would strive for a ratio of 1 to 20. This is well below the ratio of most Government agencies. It would seem questionable whether or not they would be able to raise the National Service Corps ratio, because the present Peace Corps is operating at a ratio of about 1 to 8.6, and is endeavoring to reach a ratio of 1 to 10, even after 2 years of operation.

It was testified that about 30 percent of the cost of the program would be administrative cost. The Red Cross, which last year spent about $100 million, had an administrative cost of 13.1 percent. Government agencies tend to operate far less efficiently than do voluntary agencies doing similar work.

The bill before the Senate is poorly and loosely drawn. The proponents give little thought to pilot projects officially authorized, or details. It was apparent in the hearings that the people who are interested in the bill or who favored its passage had little understanding of what the specifics of the bill were, if any, Some projects have been undertaken. Under whose auspices, we have not yet been able to determine.

On page 44 of the minority views of the committee report, a New York-Harlem project is mentioned. Secretary Celebrezze seemed to know nothing about it. Health, Education, and Welfare Department money was used. No full report was made to the committee.

There are other instances which would indicate that the left hand does not know what the right hand is doing in this enterprise.

A Domestic Peace Corps plan was proposed to be put into operation in the Anacostia section of Washington, but little thought was given to the wishes and needs of the citizens of the proposed project area.

I ask unanimous consent to enter into the Record at this time two newspaper items from the Washington Star which appear on page 45 of the committee report.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Star, June 26, 1963]

ANACOSTIA CITIZENS HIT AREA PEACE CORPS PLAN

The Naylor Good Hope Citizens Association last night denounced an attempt to put Domestic Peace Corps workers in the Anacostia area.

The President's Study Group on a national service program recently had described the Anacostia area's juvenile crime rate as the highest in the city. In a protest to the White House, the Naylor group characterized this statement as vilification bordering on libel. They were joined by three other local citizens associations.

Although the 11th precinct, which includes the Anacostia area, accounts for 5 to 7 percent of the juvenile arrests for felonies, robberies, and misdemeanors, the precinct contains more than 10 percent of the city's population, Lt. John C. Gibboney of the 11th precinct told the group last night.

Joseph L. Rauh, Jr., vice chairman of Americans for Democratic Action, reportedly was scheduled to defend the administration-sponsored Study Group. Mr. Rauh did not appear, and an hour after he was supposed to speak, Homer F. Gable, president of the Naylor group said, "Mr. Rauh has stood us up."

A complaint was also voiced at the meeting calling "dirty, biased, and unfair" the alleged practice of District building inspectors overlooking substandard housing when such housing is inhabited by Negroes.

[From the Washington (D.C.) Star, June 30, 1963]

ANACOSTIA GROUPS HIT PLEA FOR PEACE CORPS

The presidents of four Southeast Washington citizens' associations have denounced testimony given before a Senate subcommittee favoring a Domestic Peace Corps for the Anacostia area.

In a letter to Senator BURDICK, Democrat, of North Dakota, the citizen leaders asked that testimony of Ralph D. Fertig of Southeast Neighborhood House "be expunged from your considerations * * * as being completely untrue as well as viciously maldescriptive."

Mr. Fertig, the Neighborhood House's executive director, had asked for the Peace Corps in an area between Pennsylvania Avenue and St. Elizabeths Hospital from the Anacostia River east to the District line.

The letter, drafted yesterday, was signed by Charles J. Piper of the Anacostia Citizens Association; Morris H. Clarke of Randle Highlands, Homer F. Gable of Naylor-Good Hope, and John Zolyak of Summit Park.

The presidents took issue with testimony that the crime rate in the Anacostia area is high, "that the swimming pool incidents publicized in the testimony are mild, and that the statement that the perpetrators of the Thanksgiving and April stadium incidents were from this area is maliciously used because of the uncontrovertible fact that they were from two other areas of the District."

The plan to put a total of 80 Domestic Peace Corps men in the Anacostia area to bridge the gulf between Negro and white residents was presented to the White House and Congress after being found feasible by the President's Study Group on a national service program.

Mr. Fertig said last night that he spoke on behalf of the pilot project "out of respect for the Anacostia community and with no intent to damage the community."

He added that his testimony on June 18 reflected not only his views but "grew out of conversations with leaders of schools, churches, civic associations, and youth service organizations, all of whom have been a part of the Anacostia community for many decades."

Mr. TOWER. In these articles it is stated that many responsible and public-spirited citizens in the Anacostia area protested the idea of activities of a Domestic Peace Corps project in that area. They felt it was a reflection on the area, and they did not want it. So apparently no thought was given to the desires of the people involved.

Also, there is a question as to the constitutionality of the bill. The bill would enable the Federal Government to further interfere with and violate the rights of the States under the 10th amendment, or at least rights which we thought they had under the 10th amendment. Those rights seem to be decreasing all the time. The Governor of a State would have no real power over what was done in his State by the National Service Corps.

If the bill is passed, it should include an amendment such as the one intended to be proposed by the Senator from South Carolina [Mr. THURMOND], which would prevent interference with the operation of these programs.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. TOWER. I yield myself such additional time as I may need, under the time allotted to the bill.

In summation, there are very strong reasons for the defeat of this measure.

It is alleged that the bill would automatically call the attention of the general public in the United States to areas of need, and dramatize it in some unusual way, so that the public would become more welfare conscious.

I cannot see that, for already there are millions of workers, both professional and volunteer, in that field This does not include clergymen, teachers, members of police departments, but persons actually involved in voluntary social service work.

The implication is that of an insult to the fine voluntary agencies already in the field, which have brought such needs to the attention of the general public. It is asserted that a domestic National Service Corps, with 5,000 cursorily trained workers, operating under the auspices of a benevolent Uncle Sam, would automatically call public attention to the need.

It should be pointed out that this proposal is only a drop in the bucket. It could not really go very far in fulfilling the real needs of the country in the welfare and social field. It must be simply propaganda, aimed at calling the need to the attention of the public. A good deal of money could be spent in publicity. But I point out that a great deal of publicity has been given to the voluntary agencies already in the field. They are doing a fine job. The net effect of this proposal would be to put the Federal Government into a field where it does not belong.

In the eyes of some persons, it might be an attempt by the Federal Government to preempt a field now served by the various States and local agencies, as well as many fine voluntary, nonprofit organizations already in the field.

Therefore, I hope Senators will seriously consider the measure and vote against it.

Mr. WILLIAMS of New Jersey. Mr. President, will the Senator yield?

Mr. TOWER. I yield to the Senator from New Jersey.

Mr. WILLIAMS of New Jersey. I refer to the Senator's last statement—the possibility that the program would preempt the field, and, I suppose, displace present activities of a social nature. That statement rather startled me, because I thought, only moments before, the Senator had said that the program amounted to only a drop in the bucket.

Mr. TOWER. Let me clarify my position for the distinguished Senator from New Jersey. This program is a drop in the bucket, but it could also be a foot in the door. This is an area in which the Federal Government would operate. The program would start with 5,000. It might eventually go much further. It seems to me to be a little inconsistent for an administration that would advocate a reduction of 5 percent of tax forgiveness for contributions to charitable organizations, for which there is such a crying need, to want to put the Federal Government so far in the door to do a job which I think is best done by agencies already in the field that have the background, training, and efficiency necessary to do the job.

Mr. WILLIAMS of New Jersey. If it is both a drop in the bucket and a foot in the door, I think we are discussing a new disease. I have heard of water on the knee. I think there is now a dangerous condition of water on the foot, and I shall worry about it. But I do not believe a program with 5,000 volunteers, which is accurately described, perhaps, as a drop in the bucket, should alarm the Senator into believing that there is to be a massive Federal social voluntary program.

Mr. TOWER. The Senator is familiar with the growth of Federal bureaucracy over the past 75 years. A program starts with a small agency, with a small number of employees, but it continues to grow. I remember when I was last confronted by the Senator from New Jersey, in connection with the mass transportation bill. It was noted at that time by the proponents of the measure that the amount of money authorized to be appropriated under the bill would not be enough; that it would be a drop in the bucket; that it was the intention to ask for more; it was only a beginning. So I think there is ample precedent for concern over what might become of the National Service Corps program.

Mr. WILLIAMS of New Jersey. I believe the record is replete, from yesterday's debate and from the legislative history itself, that in this instance, uniquely, a ceiling is provided on the program by specifying that no more than a thousand volunteers will be provided during the first year, and no more than 5,000 volunteers in the whole program. even after it has reached its optimum amount.

Mr. TOWER. I assume that I have the assurance of the Senator from New

Jersey that he will not come back at some subsequent date and ask that the size of the Corps and the amount of expenditures be expanded. Is that correct?

Mr. WILLIAMS of New Jersey. There will probably be a limitation suggested in the bill, to terminate the program after 5 years. It is my personal hope that I shall be here at that time to consider the program with the Senator. I assume that he hopes to be present for that purpose.

Mr. TOWER. Five years from now?

Mr. WILLIAMS of New Jersey. Yes.

Mr. TOWER. An election will intervene in that period. I hope I shall return, but I will not make any promises in that regard. I believe the Senator from New Jersey also has an intervening election.

Mr. WILLIAMS of New Jersey. I believe the RECORD will show that I said I am sure that it is the Senator's hope that he will be here 5 years from now.

Mr. TOWER. That is my current plan. However:

> The best-laid schemes o' mice an' men
>   Gang aft agley,
> An' lea'e us nought but grief an' pain,
>   For promis'd joy.

Mr. President, I should like to call up an amendment, but before I do so, I should like to discuss it for a moment, because it is my understanding that the distinguished majority leader will move to table the amendment. I intend to ask for the yeas and nays on his motion to table, should he so move. I believe that the subject should be discussed before it is laid to rest.

I suggest the absence of a quorum.

Mr. HUMPHREY. Mr. President, will the Senator withhold that request for a moment?

Mr. TOWER. I withdraw it, and I yield to the Senator from Minnesota.

CIVIL AIR PATROL INTERNATIONAL AIR CADET EXCHANGE

Mr. HUMPHREY. Mr. President, earlier this month Washington was honored by the visit of almost 140 young men representing 22 nations. They were participants in the International Air Cadet Exchange, sponsored by the Civil Air Patrol.

This is an effective and progressive program of international understanding. For 16 years, the Civil Air Patrol has arranged for CAP cadets to visit other countries in an exchange program which has brought their counterparts to the United States.

These young men are chosen for their outstanding qualities of leadership, character, and citizenship, and for their academic achievements.

The CAP exchange is effective for many reasons. First, it begins with young men who already have a basic, common area of understanding and interest—aviation. Second, the CAP cadets do not just visit the District of Columbia and New York; they go into all parts of our Nation to visit our great cities and the people in them. Third, the CAP exchange, although conducted with the full cooperation of the U.S. Air Force, is essentially a voluntary and private program strengthened by the support of many individual citizens, organizations, and business firms.

For many years, I have been an active supporter of the CAP International Air Cadet Exchange program. I have worked closely with Col. Barnee Breeskin, who is in charge of arrangements in Washington for the program. Several times, I have been privileged to address the cadets in the annual farewell dinner in Washington.

Several Members of the Senate from both sides of the aisle have helped to make the program a success. This year, Senators VANCE HARTKE, WILLIAM FULBRIGHT, HIRAM FONG, A. WILLIS ROBERTSON, EVERETT DIRKSEN, and FRANK CHURCH were particularly helpful to the cadets and the program.

Many distinguished citizens and leaders contributed their efforts and energies to the success of this year's CAP exchange program. They include F. Joseph Donohue, former Chairman of the Board of Commissioners, and former wing commander of the Civil Air Patrol in the metropolitan area of Washington, who acted as toastmaster of the dinner; Col. Paul G. Ashworth, U.S. Air Force, national commander of CAP; Col. Paul W. Turner, chairman of the board of CAP; Lt. Col. Foley D. Collins, Jr., U.S. Air Force, project officer; Tom Porter, managing editor of the CAP Times; Mr. Norman Blake and Mr. Samuel F. Pryor, Jr., of Pan American World Airways; Mr. F. L. Armstrong, vice president, Mercedes-Benz; and Mr. L. A. Fleener, also of Mercedes-Benz.

Mr. President, on August 2, the foreign cadets met for a dinner in Washington before their return home. I was scheduled to address them but was called to join the Senate delegation to the signing of the nuclear test ban treaty in Moscow. Senator VANCE HARTKE, of Indiana, kindly agreed to take my place at the dinner.

I ask unanimous consent that the brief text of Senator HARTKE's speech, plus a news release on the International Air Cadet Exchange and an editorial by Colonel Ashworth which appeared in the August CAP Times, be inserted in the RECORD.

There being no objection, the material ordered to be printed in the RECORD as follows:

SPEECH OF SENATOR VANCE HARTKE TO THE FAREWELL DINNER FOR THE INTERNATIONAL AIR CADET EXCHANGE, AUGUST 5, 1963

Toastmaster, Jiggs Donohue, Senator FONG, distinguished colleagues from the House of Representatives, my other good friends, visiting cadets, clergymen, and others who have gathered here to say goodby to cadets from 20 free countries of the world.

I am here in an unusual role tonight. Senator HUBERT HUMPHREY was to have been your speaker. He has, instead, gone to Moscow. His mission there, as most of you know, is to be one of those representing our Government at the signing of the treaty banning tests of atomic weapons.

I am sure all of us here wish all of those at the Moscow signing Godspeed.

Their pleasant task these days is to bring new hope to your unborn children that they may eat food that is clean of unnecessary radioactivity, drink water that is clear of this poison and, indeed, have a chance to come into the world as healthy human beings.

There is another reason why I am pleased that Senator HUMPHREY has important business to take him away from Washington. It gives me the opportunity of being here and speaking with you for a few minutes.

Mostly, I want to say "thank you."

First, this is a good opportunity for me, on behalf of all of you, to say thank you to Sam Pryor, Jr., of Pan American Airways. You cadets and escorts from other countries may not know it, but Mr. Pryor dedicates himself to civic work, especially among young people. We are indebted to him for this continuing work—and especially for this dinner tonight.

I want to say thank you for myself and for our Government, and for you to Col. Barnee Breeskin, the special assistant for the International Air Cadet Exchange for the Washington area. This means that Barnee runs the show here. He is the one most responsible for everything you have done here and will do in the remaining hours before you leave for your homes.

And, finally, I wish to thank you visiting cadets and escorts from 20 free nations of the world.

I wish to thank you for coming to our country. We have learned from you. I fully expect that when I am next in Indiana in a few days that I will be served shashlick or baklava by someone who learned it from someone who learned it from the Turkish cadets who were there.

There is undoubtedly a little of Turkey in Indiana now. There is, I hope, a little of Indiana—and the United States—going back to Turkey with Major Kadir and his five cadets. And this is the way this program works.

The International Air Cadet Exchange of the Civil Air Patrol is 16 years old this year. It is not an abstract idea for international good will. It is a fact of international learning and understanding.

There is a saying that "the truth shall set you free." In this case, I believe we can say that "the truth will keep you free." What I mean is the truth you learn about us and we learn about you.

In taking part in this international program of exchange, you take part not only in a gesture toward better understanding through experience and knowledge, you participate as a link in the air age. As air-minded young adults, you are a very likely part of one of the keys of the modern world—transportation, air transportation. From your ranks will come the pilots and navigators not alone of the air age, but the space age.

In your own countries, you will have a chance now to share the knowledge and experiences you gathered here in America. Unlike some of our other exchange programs where the foreign students sometimes tend to forget why they came here and try to stay on instead of going home, you are all leaving tomorrow.

While we hate to see you leave because we are pleased to have the kind of guests you young men of the sky are, we are, in a much larger sense, glad to see you go.

At home, you can tell our story. You can tell the story of the air age in the United States. You can tell how Civil Air Patrol has grown all over this vast land. You can tell how it is growing, especially fast, in small communities. You can tell how a 4-acre plot is all that is needed to establish a CAP. You can tell the great good that is being done here in this country by this wonderful organization. And you can promote similar activity at home.

What I am really saying is that you can share. You can share what you have seen, what you have learned, what you have tasted, what you have felt and smelled. Share the

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fellowship, leadership, and understanding you have gained on this trip.

Soon our cadets will return from Istanbul and Tel Aviv, Buenos Aires and Brussels, Brasilia and Bonn. I hope that they have given as you have so that others elsewhere may learn of us through these cadets. And I hope they bring back to our citizens, our cities, our land a new understanding of our free world neighbors.

Thank you for sharing yourselves and your experience with us. Thank you for taking some of us and our ideas back home with you. Thank you for letting us have you among us for these 3 weeks.

When you can, come back. Visit more of our country. Meet more of us. And, when you do, come to the Capitol; come and see me and the rest of us in the Congress. And share your other experiences with us. Then, I will again be grateful to you; and I will have had demonstrated to me anew that the International Air Cadet Exchange is a real step toward understanding around the world—to each of you ambassadors of good will.

I salute you.

International Air Cadet Exchange, July 14–August 10, 1963

Twenty-two foreign countries will exchange civilian air-minded young men with the United States this summer during the International Air Cadet Exchange. The exchange is sponsored by the Civil Air Patrol (CAP), a civilian auxiliary of the U.S. Air Force. This is the 16th consecutive year the U.S. CAP cadets have participated in the exchange and is one of the national highlights of CAP special activities.

One hundred and forty CAP cadets selected from the 50 States, Puerto Rico, and the District of Columbia will visit in 22 free nations. Great Britain will exchange 25 cadets with CAP, Canada 15, and all other countries will exchange groups of 5. Each teenage cadet group is escorted by two male adult members of its sponsoring Air Force or aero club activity.

Participating countries in the exchange and State CAP hosts are:

COUNTRY AND CAP HOST WING

Argentina—West Virginia.
Belgium—Virginia.
Brazil—Michigan.
Canada—Maryland.
Chile—Nevada.
Costa Rica—Florida.
Denmark—Texas.
Ecuador—Iowa.
El Salvador—Utah.
France—Massachusetts.
Germany—South Dakota.
Great Britain—Idaho.
Greece—Wisconsin.
Israel—New York.
Netherlands—Arizona.
Norway—California.
Peru—New Mexico.
Portugal—Montana.
Spain—Connecticut.
Sweden—Delaware.
Switzerland—Illinois.
Turkey—Indiana.

Purpose of the exchange is to foster international understanding, good will and fellowship among the youth of the free world. The CAP cadets and their counterparts from the foreign countries are selected for their extraordinary leadership, character, academic achievement, and good citizenship merits. Many of today's aviation leaders are former participants of the International Air Cadet Exchange.

Twenty-seven nations and more than 4,650 persons will have participated in the exchange by the end of this summer, including nearly 2,000 CAP cadets and 2,000 foreign youths. Only Alaska and Hawaii, because of their prohibitive distances, have not been hosts to a foreign contingent in past exchanges.

Cost of the exchange in this country is borne by the Civil Air Patrol and by the U.S. Air Force. The Air Force provides the major portion of the necessary airlift for the exchange, including use of commercial airlines for stateside travel.

Visits both here and abroad are for approximately 3 weeks and will permit CAP cadet groups to visit such places as London, Paris, Tel Aviv, Istanbul, and Brasilia, the new capital of Brazil. They will soar in the Swiss Alps, cross the Arctic Circle in Norway, meet heads of state in various countries, and visit the Acropolis in Athens or the Colosseum in Rome. The Europe-bound cadets will arrive in Washington, D.C., on July 14 and depart for their foreign exchange countries July 16. Those visiting Latin American countries leave from Charleston, S.C., on July 15.

Visiting foreign youth, using the same Air Force airlift, will arrive in New York City July 19 for 3 days of sightseeing and entertainment, after which they leave for their 22 host States about July 22. Elaborate itineraries have been arranged by the CAP wings in those States. The cadets will reassemble in Washington, D.C., August 2 for a 4-day visit in the Nation's Capital prior to leaving for their homelands on August 6. Planned highlight of this visit is a tour of the White House and possible meeting with the President.

Civil Air Patrol cadets returning to the United States will arrive in Washington and Charleston August 9 en route to their homes.

Homeward Bound

(By Paul Ashworth)

One hundred and thirty foreign cadets from 20 foreign countries took their leave of Washington, D.C., this week as they boarded U.S. Air Force (MATS) aircraft at Andrews Air Force Base August 6 en route to their homelands.

With their departures, the 16th consecutive International Air Cadet Exchange came to a close, and except for the return flights bringing CAP cadets back to the United States, another highly successful CAP-sponsored program is history.

Last minute changes in July saw Brazil drop out, and Argentina, although unable to send its cadets to the United States did host CAP cadets. CAP cadets originally scheduled to go to Brazil went to Canada when Canada agreed to host an additional 5 cadets, making a total of 20 visiting our neighbor to the north.

These changes and hundreds of other minor problems were handled efficiently and routinely by Lt. Col. Foley Collins, national headquarters project office, and his staff, resulting in a very smooth operation. Outstanding assistance in the overall program was provided by Lt. Col. William H. Schuelie, CAP, and his New York committee; Col. Barnee Breeskin, CAP, and his Washington, D.C. committee; Air Force base personnel at Rhein/Main Air Base, Frankfort, Germany; Charleston Air Force Base, S.C.; and Albrook Air Base and Howard Air Base, Canal Zone; the airlift by Military Air Transport Service; the many sponsors who annually support the IACE; and the CAP personnel who provided the excellent itineraries in the host wings.

Abroad, the IACE success was due largely to the tremendous support given by participating countries' air forces and aero clubs, U.S. Embassies, and the many individuals in the host countries who traditionally welcome CAP cadets to their respective lands.

The list of people, agencies, and sponsors who again helped CAP to stage a successful IACE program is far too long to include here, but I would like to take this opportunity, on behalf of CAP, to express my deep appreciation to everyone who contributed to the success of the 1963 IACE, both in the United States and abroad.

I made it a point to be on hand in Washington in the middle of July to see the CAP cadets off on their visits to 21 foreign countries. Civil Air Patrol can be justly proud of the caliber and appearance of the CAP cadets who were selected to represent CAP abroad. I also was on hand in New York City July 19 to welcome the foreign cadets to the United States, and to participate with them in some of the many activities scheduled for them by the host New York Wing, commanded by Col. Jess Strauss, CAP. Again I was well impressed with the appearance and caliber of the young men who had been selected to visit the United States. These young men represent the finest examples of youth from the participating countries. I saw them off on their visits to 20 of CAP's host wings where extensive plans had been made to entertain them for the next 10 days.

Just a few days ago, I watched you, the foreign cadets, return to Washington, D.C., on the last leg of your U.S. visit. Here you were hosted by the National Capital Wing, commanded by Col. Daniel E. Evans, Jr., CAP. I listened to your comments and talked individually with many of you. After hearing of your personal reactions and impressions gained while in this country, I am convinced that CAP's International Air Cadet Exchange has once again served its primary purpose—that of promoting and fostering international understanding and good will.

As you return to your homelands, I hope that each of you will again have the opportunity to visit the United States. Our CAP cadets will be returning in a few days, and I wish to commend all of you—CAP and foreign cadets—for your "junior ambassador" role in the 1963 Exchange.

STATEMENT IN SUPPORT OF S. 1732—PUBLIC ACCOMMODATIONS PROPOSAL

Mr. HUMPHREY. Mr. President, the Commerce Committee has recently concluded a thorough and comprehensive schedule of hearings relating to President Kennedy's proposal to guarantee equal access to public accommodations to all Americans regardless of race, color, or religion. The distinguished chairman of this committee [Mr. Magnuson] and the distinguished acting chairman [Mr. Pastore] has given both proponents and opponents of this legislation full opportunity to develop their respective cases before the members of this committee. The entire membership is to be complimented for the constructive nature of these hearings.

I have submitted a written statement supporting prompt approval of S. 1732. I ask unanimous consent that this statement be printed at this point in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement by Senator Humphrey

Mr. Chairman, I would like to compliment you and your committee for the diligent, fair, and comprehensive examination of S. 1732. All sides have been given full and fair opportunity to voice their opinions to the Congress. All positions have been set forth for your careful consideration.

The significance of your work and the importance of this portion of the civil rights bill cannot be overestimated. The eyes of

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the country and of the world have been centered on this committee during the weeks of these hearings. The bill that you report to the Senate will reflect, I am sure, the dedication of your labor.

A great deal of time has been expended in attempting to determine the efficacy and constitutionality of basing the public accommodations section of the administration's civil rights bill on the commerce clause (art. I, sec. 8) rather than on the 14th amendment to the Constitution.

As far as the efficacy of this particular bill is concerned, some of those who have testified before this committee have contended that prejudice and intolerance cannot be legislated against and that it makes little difference, therefore, whether this bill passes or not. They say that it will not be easy to erase the memories of centuries of custom and that attempting to impose a solution from outside will merely exacerbate the situation. I agree that there is no easy or entirely pleasant way in which to change the mores and customs of a nation. This difficulty should not deter us.

It was not easy to colonize this country; nor to establish our Constitution; nor to defend the freedom of our seamen; nor to abolish slavery; nor to make the world safe for democracy; nor to oppose Nazi racism and tyranny; nor to conduct a cold war. We have done those things, though, either through necessity or because we thought they were right.

There are those that contend that those battles entitle us to self-righteousness and repose. They contend that we have achieved perfect democracy and need fight no more difficult contests. Some want to know why we cannot leave this problem of inequality alone and stop filling the Negroes with dangerous ideas. It is my contention that God filled man with the desire to be free and that there is very little that we here in Congress can do to counteract it. Freedom and equality are the birthright of every American. We cannot give or withhold it from anyone, or any class, or any race. These ideas of equality and opportunity are heavy brews. The Founding Fathers drank deep and we can still intoxicate the world with their dreams. Abraham Lincoln let American Negroes taste of the cup 100 years ago; now it must go fully round.

There will be opposition to legislation requiring the sharing of this right of equal access. Basing this bill on the commerce clause will not make it more popular than any other means. I am convinced, though, that it will be effective and that such a decision can be logically grounded on precedent and experience. I wish that no action were necessary on this subject; I would prefer that every State would equitably solve its own racial problems; recent events make it painfully clear that that is not the case.

However, since there has been considerable debate among those sincerely interested in seeing a meaningful bill over whether we should rely on the commerce clause or the 14th amendment, I support the suggestion that the bill be based on both. There is ample precedent for this; the Tennessee Valley Authority, for example, was based on three constitutional powers. I believe that the Supreme Court would uphold the constitutionality of this public accommodations provision if we relied upon both the interstate commerce clause and the 14th amendment. My reasons for so thinking are based on Supreme Court decisions concerning the 14th amendment, the commerce clause, and our common law heritage.

I believe that many of those who contend that this bill is revolutionary would find, through reference to history, that this is not the case. The principle of free public access to business establishments is rooted deep in the Anglo-Saxon law. Throughout the 13th century, and for hundreds of years thereafter, the duty to serve all who come to public establishments was covered by criminal statute. Reference to legal precedent will reveal that even in the South it was common practice to serve all who might come. Unfortunately, after the civil rights cases of 1883, many laws were passed which denied this right to some. This was a departure from accepted practice and custom.

Interestingly enough, in those decisions of 1883 the Supreme Court specifically referred to those powers obtaining to Congress under the commerce clause:

"Of course, these remarks do not apply to those cases in which Congress is clothed with direct and plenary powers of legislation over the whole subject, accompanied with an express or implied denial of such power to the States, as in the regulation of commerce * * * among the several States * * *. In these cases Congress has power to pass laws for regulating the subjects specified in every detail, and the conduct and transactions of individuals in respect thereof."

More recently, the Court's findings in the case of *Wickard* v. *Filburn*, in which the farmer's action, though indirect and trivial, was held to be illegal, and *NLRB* v. *Reliance Oil*, where it was decided that the restrictions of the commerce clause applied even though the oil in which Reliance was dealing had come to rest within the State prior to its purchase by them, indicate clearly the opinion of the Court on the "reach of Congress" in relation to the regulation of interstate commerce.

The fact that the Supreme Court, in 1883, held some civil rights laws based on the 14th amendment unconstitutional should not deter us, in 1963, from also basing this legislation on that amendment. Recent decisions, like the restrictive covenant cases, *Shelly* v. *Kraemer*, and the Delaware restaurant case, *Burton* v. *Wilmington Parking Authority*, indicate that the present Supreme Court views the 14th amendment from a perspective considerably removed from the one which existed in 1883. These decisions, as well as the other epochmaking actions of the Court in the field of civil rights, lead me to conclude that the 1883 civil rights decisions may well be overruled in the same manner as *Plessy* v. *Ferguson* was overruled in 1954.

There is nothing unique or potentially threatening to our liberties in the letter or intent of this bill. It only requires that those who have practiced discrimination against customers, purely as a matter of racial prejudice, will be required to extend the right of access and service to all. To the vast majority of Americans there is no question about the reasonableness or rectitude of this requirement. As an example of national opinion on this issue, it should be noted that 31 States have already, voluntarily, enacted public accommodations laws. And despite the fact that some of these laws have been far more stringent than the measure we are here considering, there has been no evidence of the economic and constitutional disasters conjured up by opponents of this bill. In some of the 19 States not having equal accommodations statutes, the business community is restrained by State law from opening its doors to all customers. Such laws, I should add, are clearly proscribed by the 14th amendment. I am sure that many businessmen in those States would welcome the opportunity to serve this large market which is presently barred to them, especially if they could cite law and uniform practice as their reasons for so doing.

Finally, in reply to the assertions and implications I find hardest to understand and countenance, I would like to comment on the remarks which have attempted to link this honest effort to give constitutional rights to Communist influence.

My contention has always been, and remains, that the most effective way which we can combat communism is to demonstrate positively the superiority of our free enterprise system. Segregation is obviously an impediment to us in this contest. The Communists are desirous of fomenting discord on this subject only so long as we do nothing about the situation. As we act to eliminate areas of discrimination and thus strengthen our democracy, we also progressively reduce the number of situations available to Communist propagandists in their campaigns of ridicule. Therefore, even if the weight of moral and philosophical rectitude were not on the side of this measure, I would still say that it is mere sophistry to contend that the exposure of this problem aids the Communists. The solution of the civil rights crisis will be a historic setback to the Communists throughout the world.

The very essence of this bill is anticommunistic and anticollectivistic. Its raison d'etre is the stimulation of private enterprise and the freer distribution of the products of a free society, produced by free businesses.

NATIONAL SERVICE CORPS ACT

The Senate resumed the consideration of the bill (S. 1321) to provide for a National Service Corps to strengthen community service programs in the United States.

Mr. PROXMIRE. Mr. President, I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 23, line 16, beginning with the word "and" it is proposed to strike out all through the word "Act", in line 18 and insert in lieu thereof the following "and for the fiscal year commencing July 1, 1964, not to exceed $10,000,000."

Mr. PROXMIRE. The amendment I am offering provides for a 2-year limitation on the authorization for the National Service Corps.

The PRESIDING OFFICER. How much time does the Senator allot to himself?

Mr. PROXMIRE. I yield myself such time as I may require.

The amendment provides for the full amount which the author of the bill and others have indicated will be needed for 2 years.

I agree with the intent of the National Service Corps Act. However, I am not satisfied that this intent can be achieved economically under the present legislation. The bill is loosely drafted with no specific legislative language telling us on what projects the corpsmen are to work. We are merely given a list of possible activities which covers almost all situations and even this language is not limiting. There is no limit on the level of authorizations in future years—the only limitation under the act being a ceiling on enrollment of 5,000 corpsmen. There is no provision for congressional review of the program other than a required Presidential report.

The pending legislation would change the usual procedure. It would, by act of Congress, and by signature of the President later, create legislation without any review whatever, the only action by Congress being through its appropriation committees.

My amendment would help solve this vagueness. First it would require that the accomplishments of the Corps be given thorough examination after 2 years of operation. In going through the authorization process again after 2 years the Corps would have to demonstrate the concrete accomplishments of its experience. Review would disclose whether or not the efforts of the corpsmen had been dissipated over too large an area of activity or had, on the contrary, materially benefited certain groups or communities.

Second, my amendment would put a ceiling on the funds that could be used for these activities. Further consideration by the authorizing committee would be needed for an increase in this ceiling. Although there is a limit of 5,000 corpsmen in the bill, expenses of the corpsmen could balloon considerably in future years with allowances being made for training, travel, leave allowances, housing, transportation, supplies, equipment, subsistence, clothing, health, and dental care.

I call attention to the very excellent document which has been prepared by the personnel of the study group and made available to Senators by the subcommittee. The budget estimates are contained in one of the finest analyses of a bill that I have ever seen come before the Senate. It seems to me to support the need for the kind of amendment I have offered. I wish to read only the third paragraph which discusses the cost of the bill:

> BUDGET ESTIMATE
>
> Since the National Service Corps is not operational, there is no operations experience on which to base budget estimates. Hence the following figures are based on projections and on estimates of persons and organizations who have had experience in the fields in which the Corps would operate. Accordingly, it may well be necessary to modify these cost estimates in the future.

Mr. President, if the proposed legislation is enacted, there will be no opportunity for the Senate or the House to modify these estimates in the future. The only action that it will be possible to take will be with respect to the amount to be appropriated.

In addition, under my amendment, it would be possible to see what kind of return we were getting on our investment, how much local communities were contributing in supplies and local funds, and so forth.

Finally, and most importantly, the National Service Corps would be forced to make a thorough accounting to an authorization committee of Congress of their activities—more thorough than the required Presidential report would give. The authorizing committee, which has expertise in this area, would carefully analyze the program and then decide what its future should be and what basic legislative changes should be made. This the Appropriations Committee can under the rules not do.

Of all the bills that have come before the Senate this year, this, most of all, requires a limited authorization, because this is a brandnew program and also there is no precedent for it. We have had no experience with this kind of program. None. It is a proposed program with less experience background than was the case with the Peace Corps, and yet we provided for a 1 year authorization for that program.

The pending bill would provide $5 million for the first year, and the sky would be the limit after that, ad infinitum. There is a limitation of 5,000 on the number of corpsmen who could be enrolled, but there is no limitation on the amount to be provided for subsistence, or on the amount of $75 that advisers can be paid. This program could continue indefinitely without any congressional review. The proposal is almost unprecedented.

This is a very bad precedent. For the Peace Corps, for example, for 1962, there was provided a definite, specific amount. The amount was $40 million for 1962. For 1963, it is $63,750,000.

Consider, for example, the highway program.

This is a program which is to some extent self-financing. The moneys are raised from gasoline taxes and other automotive taxes. It is a program with which we have had vast experience. Yet Congress has insisted on a year-by-year authorization in order to limit the amount. The limit for 1963 is $2.4 billion; for 1964, it is $2.6 billion; and so on, through the year 1971.

Consider the Small Business Administration. It is a program with respect to which there has been 10 years experience. It grew out of the Smaller War Plants Corporation and the Reconstruction Finance Corporation. There has been many years' experience with this program. Congress has always insisted not only on appropriations, but also on authorizations. The limit now is $1,666 million. Furthermore, it is loan money; it comes from a revolving fund. Yet Congress has said there should be year-by-year limitations with specific amounts.

Only last week the Senate passed the authorization for NASA. It was a 1-year authorization for a specific dollar amount.

Mr. MILLER. Mr. President, will the Senator from Wisconsin yield for a question?

Mr. PROXMIRE. I will yield in a moment. I wish to complete this phase of my statement.

The Committee on Armed Services, which considers needs for national defense, approves specific authorizations which are required for construction, procurement, and other areas of national defense which need money.

For atomic energy requirements, authorization limitations must be approved yearly.

For educational legislation, definite, specific amounts must be authorized.

When a new program such as this is proposed, a program which I believe has wonderful possibilities, which could energize and catalyze the charitable instincts of the American people, which could augment some of the excellent programs conducted by the States and cities and to a large extent help some of the religious programs, we should make it possible for Congress to examine it every year.

The Senator from New Jersey [Mr. WILLIAMS] has performed a superb service in handling the bill and in writing the report. The program has great merit. But to adopt a program which is brand new, with which there has been no experience, and ignore the clear precedents of Congress and proceed to provide no limitation whatsoever, except the 5,000-volunteer limit, but with no time limitation would in my judgment be a serious mistake. That is why I offer my amendment.

I now yield to the distinguished Senator from Iowa.

Mr. MILLER. Mr. President, I thoroughly agree with much of what the Senator from Wisconsin has been saying. Do I correctly understand the thrust of his amendment to be that the program would not go into effect during the fiscal year starting July 1, 1963?

Mr. PROXMIRE. No. The thrust of the amendment is that the program would go into effect in the same way as was contemplated originally by the drafters of the bill; that the fiscal 1964 limitation would be as it now is—$5 million; and that in the subsequent fiscal year, 1965, the limitation would be $10 million, which is exactly what the President's committee proposed should be the limitation. That is what the amendment of the Senator from Wisconsin would accomplish. But that would be the end of the authorization.

On page 23 of the bill, as the Senator can see, $5 million is authorized for the first year, together with such moneys as Congress appropriates from then on. In other words, there is no limitation.

Mr. MILLER. So if the Senator's amendment were adopted, there would be a provision to authorize $5 million for the current fiscal year—the year in which the Government is now operating—and $10 millon for the following fiscal year?

Mr. PROXMIRE. That is correct.

Mr. MILLER. Inasmuch as the bill provides that during the first year the number of enrollees shall not exceed 1,000, and inasmuch as $5 million is authorized, it appears that the per capita cost would be $5,000.

Mr. PROXMIRE. Yes; the costs are pretty well broken down in the President's compilation. The direct cost would vary from $2,700 or $2,800 per enrollee to $4,000. In a new program, particularly, there are substantial indirect or overhead costs, in order to get the organization moving. I think that would account for this figure. Also, I believe there should be some leeway in the program. It should not be operated in such a way as to prevent appropriate adjustments if unforeseen costs should develop.

Mr. MILLER. But the fact remains that allowing for direct and indirect, or overhead, costs, including the salary of the director, expert consultants, and such other members of the hierarchy as might become a part of the program, we can say that under the bill the program will cost, apparently, about $5,000 for each enrollee to get the program into operation for the first fiscal year.

Mr. PROXMIRE. I think that is correct.

Mr. MILLER. If that is so, and the Senator's amendment, starting in fiscal 1965, raises the ceiling to 10,000 volunteers, and provides $10 million, it would seem by rule of thumb that apparently the program could increase to 2,000 enrollees, or thereabouts .

Mr. PROXMIRE. That is correct.

Mr. MILLER. Is it the intention of the Senator from Wisconsin to have the program grow gradually and perhaps jump from 1,000 enrollees in the first year to 2,000 enrollees in the second year, rather than to jump from 1,000 in the first year to 5,000 in the second year?

Mr. PROXMIRE. No. Frankly, my intention is to follow the recommendations of the President's Committee and the Senate committee, so far as the growth of the agency is concerned.

My amendment would provide that next year Congress could take another look at the program and decide whether it should be modified in view of 1 year's experience. As I understand the plans of the Senator from New Jersey and others who have conceived the program, the number of enrollees next year would be about 2,000. In the third year the number would increase to 3,000 or so; in the fourth year it might move to its maximum size of 5,000. I have no quarrel with that particular plan.

Mr. MILLER. In other words, the Senator from Wisconsin is merely using the figures which indicate a cost of about $5,000 per enrollee, and is saying that if it is proposed to have 2,000 enrollees in the program next year, the program should be such as to raise the amount to $10 million.

Mr. PROXMIRE. Yes. I am saying Congress should take a look at the program next year. There has been no experience with a program of this type. It seems clear to me that on the basis of 1 year's experience Congress should reconsider the program. The committee, without much action, might next year be able to authorize an extension of the program for 2 years. But at that time, the Senate should insist that at least an opportunity be afforded to consider what has taken place under the program.

The junior Senator from Ohio [Mr. YOUNG] has written a challenging, provocative argument against the bill. It should be considered. There should be some question about a program which has had no trial before and which, on the basis of all precedents, should be limited to a 1-year or a 2-year authorization.

Mr. MILLER. That is important. If the proponents of the legislation say it is planned to have 1,000 enrollees during the first year, another thousand in the second year, and possibly an increase in the third year, rather than to go from 1,000 in the first year to 5,000 in the second year, the Senator from Wisconsin apparently is saying, "That is all right with me; all that it is necessary to do to obtain a reasonable authorization is merely to double the number of enrollees in the program during the first year, and double the authorization of $5 million, so as to make it $10 million for the second year, so as to accommodate, roughly, 2,000 enrollees."

Mr. PROXMIRE. The Senator is absolutely correct.

Mr. MILLER. If that is so, I cannot understand how there could possibly be any objection by the proponents of the measure to the amendment offered by the Senator from Wisconsin.

While we are talking about taking a look at the record of performance, would the Senator suggest that after 1 year's trial it might be that the Senate would reach the conclusion that perhaps the program should not have been started in the first place, and ought to be eliminated?

Mr. PROXMIRE. That is perfectly possible. Certainly the Senate should have an opportunity to decide. The way the bill is drafted, the Senate would never have such an opportunity, unless the program were killed in the Committee on Appropriations—and that almost never happens. I do not recall any instance in which, after Congress had authorized funds for an agency, the Committee on Appropriations had killed the program.

In dealing with a new program I think the Senate should have an opportunity to reconsider what it has done, after a year or two, and that is what this amendment does.

Mr. MILLER. Until I have heard a little more discussion about this matter, I am not sure whether I shall support the bill; but regardless of whether I support it, I think the Senator from Wisconsin has a reasonable amendment.

Mr. PROXMIRE. I thank the Senator from Iowa very much.

I should like to say one more thing in support of my amendment, Mr. President, I believe one of the virtues of this proposal is that, as the Senator from New Jersey [Mr. WILLIAMS] has so well described, and as the committee report describes, the corpsmen would move into a community or into a State, to do a specific job for a limited period of time—perhaps for a few weeks, perhaps a few months, perhaps longer; but they would not stay there permanently. They would then move out. If there is any economy in this kind of stimulation, this is where it would be.

I believe there would be a tendency, because of the need for this kind of work, especially in mental institutions and on Indian reservations, for the corpsmen to move into an area and stay there. It seems to me that an annual review, or at least a biennial review, of such legislation would enable Congress to reassert, if necessary, in clear legislative language how long a particular project could continue in a particular community or a State. I believe that might be constructive action, which could not be undertaken if we had eternal authorization, as contemplated in the bill as presently drafted.

Mr. President, I reserve the balance of my time.

Mr. WILLIAMS of New Jersey. Mr. President, will the Senator from Wisconsin yield?

Mr. PROXMIRE. I am happy to yield.

Mr. WILLIAMS of New Jersey. If Congress enacts this proposed legislation as it is now written, does the Senator from Wisconsin believe that thereafter Congress would be powerless to review and repeal the program, if it found, in its wisdom, that it should be repealed?

Mr. PROXMIRE. The fact is that the Senate and the House are free at any time to end any program, and can reduce agencies in a variety of ways. But that is almost never done. There is almost no precedent for Congress, of its own volition, to end a program if it does not come up for consideration under the authorization process.

The Senator from New Jersey knows how very busy Senators and Representatives are and how the committees are swamped with reauthorizations which have to be made in existing programs. In short, the authorizing committee tends to forget such a program. The appropriations for it will be made; but no further action will be taken on the program itself, unless the champions of the program feel there should be further action to expand the program.

Mr. President, I reserve the remainder of my time.

Mr. WILLIAMS of New Jersey. Mr. President, I yield myself as much time as I may need.

Mr. BIBLE. Mr. President, will the Senator from New Jersey [Mr. WILLIAMS] yield to me, to enable me to call up a conference report?

Mr. WILLIAMS of New Jersey. I am glad to yield to the Senator from Nevada.

AUTHORIZED FEDERAL PAYMENT TO DISTRICT OF COLUMBIA AND DISTRICT OF COLUMBIA BORROWING AUTHORITY—CONFERENCE REPORT

Mr. BIBLE. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 6177) to amend section 2(a) of article VI of the District of Columbia Revenue Act of 1947 relating to the annual payment to the District of Columbia by the United States. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings for August 19, page 15315.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. BIBLE. Mr. President, the report is on the so-called Federal payment and borrowing authority proposed legislation dealing with the District of Columbia.

In my considered judgment, the conferees reached a fair and reasonable solution of the problem presented to them. As between the Senate Members and the House Members, there was a difference of opinion as to whether this problem should be met on a so-called formula basis, or whether the arrangement should be on the basis of a flat sum authorization.

Personally, as chairman of the Senate Committee on the District of Columbia, I preferred the formula approach as proposed by President Kennedy. Frankly, there were some problems in connection with moving into this area. Some problems arose because some felt that a precedent might be established. However, it seemed to me that there was ample precedent in other fields of legislation.

The formula approach is one which I have long advocated, and I hope it will be considered at a future time by the Congress. I believe it will realistically meet the unique money problems of this Capital City.

I think the amount of the Federal payment arrived at by the conferees is a fair one, and represents approximately the amount which would have been secured if the formula bill had been enacted and had been applied to the coming fiscal year.

The formula would have secured, by way of authorization, approximately $53 million as the Federal share to be authorized for the District of Columbia.

The amount agreed upon was $50 million, or $5 million greater than the flat sum arrived at by the House of Representatives, and $3 million less than the amount which would have been arrived at by means of the formula. I think this sum can be completely justified.

I express the hope that, as the Senate Appropriations Committee moves forward with its hearings on the District of Columbia appropriation bill, it will vote for the appropriation of the full amount, or substantially the full amount, because I am sure the hearings before the Senate Appropriations Committee will fully justify such a substantial payment.

The amount arrived at in the conference is $18 million greater than the presently authorized limit on the District of Columbia Federal payment.

The borrowing authority was increased from $150 million, the amount voted by the House, to $175 million, as a compromise figure—or $100 million greater than the present borrowing authority available to the District of Columbia Commissioners in their long-range planning for capital improvements. I believe this figure, too, is a fair one.

I urge that the Senate approve the conference report. It was agreed upon unanimously by the House conferees and also by those of the Senate conferees who were present.

Therefore, Mr. President, I urge the adoption of the report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. BIBLE. Mr. President, I thank the Senator from New Jersey for his kindness in yielding to me for this purpose.

Mr. WILLIAMS of New Jersey. I am always happy to accommodate our most respected and beloved friend the Senator from Nevada.

NATIONAL SERVICE CORPS ACT

The Senate resumed the consideration of the bill (S. 1321) to provide for a National Service Corps to strengthen community service programs in the United States.

Mr. WILLIAMS of New Jersey. Mr. President, my time is on the amendment, is it not?

The PRESIDING OFFICER. That is correct.

Mr. WILLIAMS of New Jersey. I wish to speak briefly in opposition to the amendment offered by the Senator from Wisconsin. A limit of $5 million for the first year, and $10 million for the second year, would be the end of the program, unless Congress again enacted or extended it.

When there are abundant reasons to oppose an amendment such as this one, it is always difficult to know where to begin—although I believe perhaps in this instance the best way is to thank the Senator from Wisconsin for the personal mention he made of the work I have done on the bill. I am very grateful. Also—and more important—I desire to express my gratitude to the Senator from Wisconsin for recognizing the needs we are trying to meet—the needs of the poor, desperate, deprived people—through this program of dedicated volunteers. It is an honor to our Nation to have a national program of response to human needs which, perhaps in the past, we have found invisible, although now they are being made visible—on the farms, in the slums of our cities, in the darkness of mental hospitals, and in the far-off areas of the Indian reservations.

So now that the Senator from Wisconsin has accepted the need and has expressed support, I believe it fair to say that for this we are grateful. I know we are grateful, too, to his magnificent State and for the expressions by its chief executive, Gov. John W. Reynolds, who has said, in part:

> I think the need for such a program is evident. The personnel apparently are available, and I think the entire philosophy of a voluntary service program such as this will capture the imagination of public-minded citizens. My office will be happy to cooperate with such a program in any way possible.

That is the end of the quotation from Governor Reynolds.

I must confess that I have been somewhat derelict in my duties. I should have called the Governor and told him that one way in which he could possibly help us would be to talk with the senior U.S. Senator from his State. I forgot to do so. I apologize to the Governor of the State of Wisconsin as I thank him for his support.

On the amendment itself, I do not wish to appear crass in appealing to a material aspect of the Senator's background. Not only do we know him as one of the ablest legislators, but we know he is a man of great business acumen. We know him in that role historically. I hope that he will reach back into his experience and think in terms of efficiency. If one undertakes to do something, he wishes to do it correctly. If one perform his task correctly, he wants to make it work.

I have discussed the subject at length with men who have given all of their hours, days and weeks to the proposed program for months. They have told me that a 2-year approach would be greatly inhibiting in many ways.

What are we asking people to do in response to the program? We would ask them to give up their settled, perhaps secure, lives to enter a voluntary service in which the returns are not in money but in the rewards of helping poor people. To be good at that job, we hope people will think ahead to the time when they might be available, order their lives accordingly, and improve themselves so that they might be volunteers. If we put the program on an annual basis, I think anyone would be foolish indeed to spend a great deal of money in thinking, hoping, and working toward volunteer service. If he knew that every year the Congress could terminate his career, particularly in an infant program such as the one proposed, he would be reluctant to enter it. What I have said applies to volunteers. But it applies also to the small group of administrators which would be needed. We ask topflight people to wrench their lives and to come to Washington or to the field to be members of the professional staff.

Such changes have been accomplished. I know people who have changed the course of their lives, and, of course, we know one who has significantly changed the course he was on. Capt. William Anderson was on a course 90° north. He came from the *Nautilus*, the first submarine skipper to go to the North Pole. He gave up the important work of the submarine service to come to the project about which we are speaking pretty much as a volunteer. We could not attract such people if we were to have a congressional wrangle every year, with a possibility that the program would be "slit right across the throat."

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. WILLIAMS of New Jersey. I yield.

Mr. PROXMIRE. Is it not true that the Peace Corps has been a smashing success? Has it not been one of the greatest successes of the present administration, a program widely accepted by Democrats and Republicans alike? There has been no trouble in obtaining volunteers and excellent career people in administrative positions. Is it not true that the Peace Corps is authorized annually, and that the authorization does not inhibit people from joining or participating in the Peace Corps operation?

Mr. WILLIAMS of New Jersey. The Peace Corps has been most successful. It is a part of our foreign operations. With great wisdom the Congress annually reviews its foreign assistance programs, whether they be the Peace Corps, AID, the Alliance for Progress, or any other.

International events that affect our foreign relations programs are subject to change without notice. The misery that we see in response to the need for the bill will not be changed without notice. People in the mental hospitals and migratory workers will be just as sick next year, the year after, and the year after that if they do not receive help. But our relations with foreign nations of the world are, of course, in constant flux, and the Congress must annually review the wisdom of particular policies. There is all the difference in the world.

Mr. PROXMIRE. Mr. President, will the Senator yield further?

Mr. WILLIAMS of New Jersey. I yield.

Mr. PROXMIRE. Is it not true that there is regular review of other similar programs? Is there not regular review of the Small Business Administration, the Atomic Energy Commission, and a number of the educational programs, which must be renewed at regular intervals—sometimes every year, and sometimes every 2 or 3 years? Is it not customary and an established procedure which has been employed by the Congress in the past? Why should the proposed national service program be an exception?

Mr. WILLIAMS of New Jersey. We gave the Youth Conservation Corps a 5-year period.

Mr. PROXMIRE. Exactly. The Youth Conservation Corps was given a 5-year period, but the proposed Service Corps program would be given an infinite period. If a 5-year period had been proposed for the National Service program, I think the Senator might have a strong argument. A 5-year period has not been proposed. The authorization is for infinity—forever.

Mr. WILLIAMS of New Jersey. Is the Senator from Wisconsin proposing a compromise?

Mr. PROXMIRE. No. I merely say that the Youth Conservation Corps proposal, which had a precedent in the 1930's in the Civilian Conservation Corps, had such a limitation. I am only saying that the bill would be far better if it had such a limitation.

Mr. WILLIAMS of New Jersey. I might be open for a compromise proposal.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. PROXMIRE. The Senator from New Jersey has the floor, but I am delighted to yield at the Senator's sufferance.

Mr. WILLIAMS of New Jersey. I yield.

Mr. TOWER. I point out that there has been no pilot project. We do not know whether the program would work. In fact, when a project was requested for Anacostia, a number of citizens complained. Apparently, the wishes of the citizens were not taken into consideration. So we do not really know whether the proposal would work. If it should work and prove to be the success that many think the Peace Corps has been, the Congress would be disposed to renew the program. But why not initially make it in the form of a pilot project, so that we would know from experience whether it would work?

Mr. PROXMIRE. The Senator is absolutely correct. It is particularly important since, as the Senator has so well said, the proposal is a new program. There has been no precedent and no experience for this kind of program. The only example which the Senator could adduce was a State program in Kansas and GI voluntary work overseas after World War II. There is no precedent for the kind of Federal program proposed. That is exactly why we need a 2-year authorization rather than an unlimited authorization. If the program had been in effect for 2 years, the argument of the Senator would be quite different. But it is a new program, and we should be able to take a second look when there is some basis for evaluating the program.

Mr. WILLIAMS of New Jersey. Anything in its infancy must struggle to succeed. That is true of ideas. A program of the kind proposed needs protection from disease and death. The Senator would place us in a position so that the project could be ended in 2 years.

I appeal again to the business judgment of the Senator from Wisconsin. Suppose the Congress should decide that $5 or $10 million should be invested in the project, and then another Congress of a different constitution should consider the program at that time. Perhaps those of us who believe in the program would not be here. What waste there would be. I ask that the program be given a chance to succeed. It will take 3 to 4 years for the project to reach the grassroot needs that we are trying to reach.

Mr. PROXMIRE. To answer the Senator from New Jersey, the last thing the Senator from Wisconsin would ever want to do would be to prevent a future Congress from working its will. That is exactly what we would be inclined to do in the proposed legislation. I hope that both the Senator from New Jersey and the Senator from Wisconsin are Members of the Congress 2 years from now. Perhaps neither of us will be.

At any rate, the people will have spoken. They will have indicated the kind of Congress they desire. Then, if representative democracy means anything, those people should have an opportunity to take a look at the program. They can look at it far better than we can now, because they will have something to look at. They will then have tangible evidence and examples of how the program is proceeding. They can decide whether it should continue. I might think it should continue; others might think it should not. But the Senate, 2 years from now, will be in a position to judge, on the basis of experience, as to whether it has worked or not.

Mr. WILLIAMS of New Jersey. That involves the question as to who will be in Congress then. Perhaps one of us is talking himself out of the Senate now.

Sam Rayburn once said, "No man was ever defeated by a speech he did not make." We are doing a great deal of talking now.

While I am further discussing the amendment, I invite the intention of both Senators who have addressed themselves to the amendment to some information which is in the CONGRESSIONAL RECORD for today. It shows nearly 100 organizations of great dignity in this country which have expressed themselves for the program.

By examining that list, Senators can see which groups are for the program and which States are for the program.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. WILLIAMS of New Jersey. I yield.

Mr. TOWER. Did any great number who testified in behalf of the bill have any real knowledge of the specifics of it, or how it would operate? Is it conceivable that some might have some erroneous concepts as to exactly how it would work?

I feel that many thought it would be a social service corps.

Mr. WILLIAMS of New Jersey. These are the agencies which deal with social service. They live with the problem. They know there is a great gap between the volunteers and paid staff and the need.

The National Association for Mental Health knows a little about what can be done in regard to mental health. All these organizations have knowledge. The mayors of all the great cities, and the Governors of States, have knowledge in this regard.

With respect to the Governors and the various organizations, they must come to the Service Corps with a request for volunteers. The Service Corps, under the proposed law, could not go out looking for people it wanted to serve. Those who needed service would have to come to the National Service Corps.

If the States know that they are gearing up for a program which can be slashed in the middle, I suggest they will find it far less useful.

Perhaps, during a quorum call, we could call Governor Reynolds of Wisconsin, to see if I have misstated the Governor's approach to finding the program useful.

Mr. PROXMIRE. Governor Reynolds is not only a fine Governor, but also a very close friend of mine and an able man. If Governor Reynolds had an opportunity to study it, my guess is he might favor the Proxmire amendment.

But no one really knows what Governor Reynolds, Governor Combs, Governor Dalton, Governor Dempsey, or any other Governor who has endorsed the program would do in regard to the amendment.

In my judgment, the majority of the organizations to which reference has been made, would support this kind of amendment. After all, we would give to them twice as much as we gave to the Peace Corps, and that program was a brilliant success.

I cannot see why an amendment to provide for a second look 2 years from now would kill the bill or slash the bill, or why it would be opposed by the fine people who support the program, which I am inclined to do myself.

Mr. WILLIAMS of New Jersey. I know where Governor Hughes stands on this question. He was chairman of the Governors' Committee which dealt with health and welfare problems, and he has given the program his strong support.

Mr. PROXMIRE. Let me be honest and say to the Senator from New Jersey that though I like and admire Governor Reynolds, and though I respect his judgment, nothing that the Governor could say would change my mind on this amendment. That is true of any other Governor. I have studied the amendment. They could not have given to it the time I have given to the amendment. Any telephone call to a Governor or to any other organization would not sway the Senator from Wisconsin.

Mr. WILLIAMS of New Jersey. The suggestion was not made in any way to further a hope that it would move the rock of the Senator's conscience in regard to the amendment. I merely say that I believe at the State level the Governors and the State welfare agencies, and even the private welfare groups, would be less likely to make their contributions to a program which could be cut in the middle than they would be to make contributions to a program they knew would have continuity of more than a few months. That is all I say. I do not attempt to change the Senator's mind. I merely support the statements I made.

Mr. PROXMIRE. The intention of the Senator from Wisconsin is not to end the program after 2 years. I feel that the program will continue.

The least we should do is to give Congress, 2 years from now, an opportunity to look at the program, to see how it has worked, to modify it, improve it, and change it. I can see no reason why this would not be perfectly proper, in view of the fact that it is exactly what Congress has done in respect to program after program, virtually without exception.

The PRESIDING OFFICER. Who yields time?

Mr. PROXMIRE. Mr. President, I yield 1 minute to the senior Senator from Ohio [Mr. LAUSCHE].

The PRESIDING OFFICER. The senior Senator from Ohio is recognized for 1 minute.

Mr. LAUSCHE. Mr. President, I shall support the amendment of the Senator from Wisconsin. I shall do so because this is an experiment which is being urged. We ought to take a look at the program at the end of 2 years.

Moreover, I feel that a 2-year limitation should be placed upon the program, because the provisions in the bill now would provide a limit of $5 million for the fiscal year 1964, with no dollar limit thereafter, which is indicative of the prospect that the program would be sought to be heavily expanded. The $5 million provision is a mere "bait"; and in that "bait" is the hook of an interminable program for the future which would run into countless millions of dollars.

The PRESIDING OFFICER. The time of the Senator from Ohio has expired.

Mr. LAUSCHE. Mr. President, will the Senator yield me 1 additional minute?

Mr. PROXMIRE. I yield 1 additional minute.

Mr. LAUSCHE. Why was the small sum of $5 million suggested for the first year, with no limitation in respect to subsequent years? It is a "bait" thrown at Senators, to invite them to vote for the bill. Then, in the years of the future, without limitation, without coming back to Congress, except for appropriations, there would be attempts to expand the program.

In my judgment, it is a political program and will prove to be so as time goes on.

The PRESIDING OFFICER. The time of the Senator from Ohio has expired.

Mr. WILLIAMS of New Jersey. Mr. President, will the Senator from Ohio yield?

Mr. LAUSCHE. I do not have more time.

Mr. PROXMIRE. Mr. President, I yield 3 minutes to the junior Senator from Ohio [Mr. YOUNG].

The PRESIDING OFFICER. The junior Senator from Ohio is recognized for 3 minutes.

Mr. YOUNG of Ohio. Mr. President, without a doubt the objective of this legislative proposal is good. However, in the past I have voiced certain objections to this particular bill.

Without doubt, the objective of the amendment offered by the Senator from Wisconsin is an excellent objective.

It is my hope that the amendment will be accepted. I intend to vote for the adoption of the amendment.

Since I have objections to other aspects of the pending bill, I may vote for other amendments which may be offered.

I have heretofore voiced some of my objections.

I have studied the hearings and have read the committee report and have read the bill.

In the hearings the statement is made:

> The National Service Corps—

In that connection, that is a "catchy" phrase. It was thought up by someone. "National Service" makes one think of GI insurance or service in the Armed Forces. There is also the "catchy" phrase of "Domestic Peace Corps."

When I first read the bill and saw some objections to it, the thought occurred to me that the best thing about the bill was the name "Domestic Peace Corps." In the hearings the statement was made: "The National Service Corps would not go anywhere except by local invitation. They would send corpsmen to localities which have sufficient local programs," and so forth.

Regarding the statement as to austerity of the so-called corpsmen, they will be entitled to stipends at rates not to exceed $75 a month. But that is not all. They shall be provided with supplies, equipment, subsistence. A corpsman and his wife who are sent to some locality in the United States will each receive $75 a month, but also receive subsistence. Subsistence, I believe, means an allowance for expenses incurred in performance of duties while temporarily away from one's residence or home. They will also receive clothing, health and dental care, and other expenses. In addition, council members will receive $75 a day, not to exceed 20 days a year.

There is a catch-all provision to which I seriously objected. The Corps may employ as many special consultants as it wishes, at a rate not to exceed $75 a day. If the consultants work 10 days a month, that will involve a great deal of money.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. YOUNG of Ohio. I am afraid that a bureaucracy is being created that will continue to grow. I hope the amendment will be adopted.

Mr. PROXMIRE. Mr. President, will the Senator from New Jersey agree to a quorum call without the time being taken from either side?

Mr. WILLIAMS of New Jersey. The Senator from Alaska [Mr. BARTLETT] wishes to speak.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

How much time is yielded to the Senator from Alaska?

Mr. WILLIAMS of New Jersey. As much time as is left under the amendment.

Mr. BARTLETT. Mr. President, I rise in opposition to the amendment. It seems to me, if adopted, it would have a crippling effect upon the entire program, perhaps a very serious crippling effect. I can well conceive that many communities would lose interest, even before anything had been done, if they thought it were all to end in 2 years.

Indeed, if this bill became law today, it might take a year, in many cases, for the National Service Corps to move into a given area. We hope the time will be shorter, but some places to be served will be far distant. Persons will have to be trained. It will all take time.

I have enough faith in the judgment and wisdom of the Congress to believe that, if the legislation achieves the purpose which is intended and it has done the job, the Congress will terminate it; that it will not go on and on and on at a steadily increasing cost if its purpose has been fulfilled.

However, my personal judgment is that it will take a long time to accomplish the tremendous task which faces our Nation. In all likelihood, the program would cost more money than is contemplated for the first year, $5 million. It would require more than 1,000 volunteers to be recruited initially to do a minimum of the tasks which are now before the administration in the form of requests which have come in from all sections of the country. There is an enthusiasm for this program throughout the Nation. People back home know that much remains to be done within our own borders. According to my mail, this program is seen as an opportunity to make a worthwhile start.

I for one will not mind it if the program grows in the years ahead. Indeed, I hope it will. And I for one will not mind in the slightest if I am required to vote for an appropriation in excess of $5 million for the National Service Corps, because that is little enough for a bare start, considering the tremendous backlog that confronts us.

It costs money to recruit and train and keep people, who act very much in a voluntary capacity, for $75 a month. It takes money for administration. It takes money for other purposes. But this is a small price to pay for the wonderful achievements which I believe the National Service Corps is capable of attaining, and will attain. I think it would be no less than devastating if a terminal point of 2 years were to be applied to the bill now under consideration.

I hope the amendment will not be accepted.

Mr. WILLIAMS of New Jersey. Mr. President, I suggest the absence of a quorum——

Mr. PROXMIRE. Mr. President, I join the Senator from New Jersey in his request, and ask unanimous consent that the time not be taken from either side.

The PRESIDING OFFICER. The time of the Senator from New Jersey has expired. The Senator from Wisconsin has 8 minutes remaining.

Mr. PROXMIRE. Mr. President, for the purpose of bringing to the Chamber enough Senators so that a request for the yeas and nays may be considered, I ask unanimous consent to have a quorum call without the time being taken from either side.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PROXMIRE. I ask for the yeas and nays on the pending amendment.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from Wisconsin has 8 minutes remaining.

Mr. PROXMIRE. Mr. President, I shall be very brief in summing up. All that the amendment provides is that there shall be a 2-year limitation. Every function which is asked for by the President's report and which is asked for by the authorizing committee would be included in the amendment.

There is virtually no precedent for a program of this kind not having some kind of time limit on the authorization and some kind of money limit authorization. This is a brand new program. It has never been tried. It makes sense to me that the precedent be observed of requiring the authorizing committees and the Appropriations Committees of Congress in the future to function as they should function, and be able to take a look at the programs very carefully and to decide whether they should be continued, and, if so, in what way.

I yield back the remainder of my time.

The PRESIDING OFFICER. All time for debate has expired.

The question is on agreeing to the amendment offered by the Senator from Wisconsin to the committee amendment. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MONRONEY (when his name was called). On this vote I have a pair with the Senator from Indiana [Mr. BAYH]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I withhold my vote.

Mr. GORE (when his name was called). On this vote I have a pair with the Senator from Missouri [Mr. LONG]. If he were present and voting, he would vote "nay." If I were permitted to vote, I would vote "yea." I withhold my vote.

The rollcall was concluded.

Mr. HUMPHREY. I announce that the Senator from Idaho [Mr. CHURCH], the Senator from Connecticut [Mr. DODD], the Senator from Oklahoma [Mr. EDMONDSON], the Senator from California [Mr. ENGLE], the Senator from Missouri [Mr. LONG], and the Senator from Missouri [Mr. SYMINGTON] are absent on official business.

I further announce that the Senator from Indiana [Mr. BAYH] and the Senator from Washington [Mr. MAGNUSON] are necessarily absent.

I further announce that, if present and voting, the Senator from California [Mr. ENGLE], the Senator from Missouri [Mr. SYMINGTON], and the Senator from Idaho [Mr. CHURCH] would each vote "yea."

On this vote, the Senator from Connecticut [Mr. DODD] is paired with the Senator from Oklahoma [Mr. EDMONDSON].

If present and voting, the Senator from Connecticut would vote "nay," and the Senator from Oklahoma would vote "yea."

Mr. KUCHEL. I announce that the Senator from New Mexico [Mr. MECHEM] is necessarily absent.

The Senator from Delaware [Mr. WILLIAMS] is necessarily absent to attend the funeral of a friend.

The Senator from Kansas [Mr. CARLSON] and the Senator from New Jersey [Mr. CASE] are detained on official business.

If present and voting, the Senator from New Mexico [Mr. MECHEM] and the Senator from New Jersey [Mr. CASE] would each vote "yea."

The result was announced—yeas 51, nays 34, as follows:

[No. 132 Leg.]

YEAS—51

Aiken
Allott
Beall
Bennett
Bible
Boggs
Byrd, Va.
Cannon
Cooper
Cotton
Curtis
Dirksen
Dominick
Eastland
Ellender
Ervin
Fong
Goldwater
Hickenlooper
Holland
Hruska
Jackson
Johnston
Jordan, N.C.
Jordan, Idaho
Keating
Kuchel
Lausche
Long, La.
McClellan
McIntyre
Miller
Morton
Mundt
Muskie
Pearson
Prouty
Proxmire
Robertson
Russell
Saltonstall
Scott
Simpson
Smathers
Smith
Stennis
Talmadge
Thurmond
Tower
Young, N. Dak.
Young, Ohio

NAYS—34

Anderson
Bartlett
Brewster
Burdick
Byrd, W. Va.
Clark
Douglas
Fulbright
Gruening
Hart
Hartke
Hayden
Hill
Humphrey
Inouye
Javits
Kennedy
Mansfield
McCarthy
McGee
McGovern
McNamara
Metcalf
Morse
Moss
Nelson
Neuberger
Pastore
Pell
Randolph
Ribicoff
Sparkman
Williams, N.J.
Yarborough

NOT VOTING—14

Bayh
Carlson
Case
Church
Dodd
Edmondson
Engle
Gore
Long, Mo.
Magnuson
Mechem
Monroney
Symington
Williams, Del.

So Mr. PROXMIRE's amendment to the committee amendment was agreed to.

Mr. PROXMIRE. Mr. President, I move that the vote by which the amendment to the amendment was agreed to be reconsidered.

Mr. DIRKSEN. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

Mr. THURMOND. Mr. President, I call up my amendment, which has been printed. I ask unanimous consent that the names of the senior Senator from South Carolina [Mr. JOHNSTON] and the junior Senator from Texas [Mr. TOWER] be added to the amendment, as cosponsors.

The PRESIDING OFFICER (Mr. INOUYE in the chair). Without objection, it is so ordered.

Mr. SALTONSTALL. Mr. President, will the Senator from South Carolina be so kind as to add my name as one of the cosponsors of his amendment?

Mr. THURMOND. I shall be pleased to do so; and, Mr. President, I so request.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THURMOND. Mr. President, I think it will be possible to dispose of this amendment in about 5 minutes.

The PRESIDING OFFICER. The amendment of the Senator from South Carolina to the committee amendment will be stated.

The LEGISLATIVE CLERK. At an appropriate point in the committee amendment, it is proposed to insert the following new section:

> Nothing in this Act shall authorize the implementation of any program by the National Service Corps or any activity of the National Service Corps within the confines of any State in the United States unless, and until, the Governor of the particular State has so requested in writing to the President of the United States.

Mr. EASTLAND. Mr. President, will the Senator from South Carolina include my name among the cosponsors of his amendment?

Mr. THURMOND. I shall be glad to do so; and, Mr. President, I so request.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SIMPSON. Mr. President, will the Senator from South Carolina include my name among the list of cosponsors?

Mr. THURMOND. I shall be glad to do so; and, Mr. President, I so request.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of Virginia. Mr. President, will the Senator from South Carolina include my name among the cosponsors?

Mr. THURMOND. I shall be glad to do so; and, Mr. President, I so request.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CANNON. Mr. President, will the Senator from South Carolina include my name among the cosponsors?

Mr. THURMOND. I shall be glad to do so; and, Mr. President, I so request.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JORDAN of North Carolina. Mr. President, will the Senator from South

Carolina include my name among the cosponsors?

Mr. THURMOND. I shall be glad to do so; and, Mr. President, I so request.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. THURMOND. Mr. President, earlier this year the General Assembly of the State of South Carolina adopted a concurrent resolution expressing the opposition of the general assembly to the creation of the Domestic Peace Corps. This resolution stated, in one portion:

> The members of the general assembly believe that a Peace Corps for domestic purposes is wholely unnecessary and may involve the expenditure of large sums from the Public Treasury which will be sorely needed to balance the national budget.

Mr. President, I wholeheartedly agree with that observation. The General Assembly of South Carolina requested the congressional delegation to propose an amendment to this bill, in the event its enactment became inevitable. The amendment they suggested provides that no member of the Domestic Peace Corps may be sent into any particular State, except upon express invitation from the Governor of that State, in writing, to the President of the United States.

I submitted this amendment, and it was referred to the Labor and Public Welfare Committee, and was considered by that committee in its deliberation on Senate bill 1321. I am pleased that my colleague [Mr. JOHNSTON], joined as one of the original sponsors of the amendment, and I am also pleased that other Senators have now joined in sponsoring it.

The committee has adopted an amendment, which can be found in section 3(c), calling for a consultation with the Governor of any State before corpsmen are sent into that State. I believe this is a very worthwhile amendment; but, at the same time, it falls short of the one we have proposed.

It is our view that the corpsmen should not be sent into a State unless its Governor approves. We believe the Governor of a State should have veto power which is not specifically given in the bill as it is presently worded.

Mr. President, I believe this is an important matter. If a State desires to have the Peace Corps go into it, that is one thing; but if the Governor objects to having the Corps go there, we do not think they should be imposed upon a State. Therefore, we think that in that event, they should not be allowed to go in.

Mr. President, the amendment is a very simple one, and I shall not take further time to discuss it.

Mr. JOHNSTON. Mr. President, will my colleague yield 3 minutes to me?

Mr. THURMOND. I yield 3 minutes to my colleague.

The **PRESIDING OFFICER.** The senior Senator from South Carolina is recognized for 3 minutes.

Mr. JOHNSTON. I think the pending amendment would do no more than give the local residents an opportunity to state whether they want the Domestic Peace Corps to go into their State.

Naturally, I believe in States rights; and, therefore, I have advocated measures which leave as much choice as possible to the various States of the Union.

This amendment was studied by the committee when it was studying the bill; so the amendment is not new, insofar as the committee is concerned or insofar as each Senator is concerned.

In my opinion the amendment would give the various States a right to state whether they want the Peace Corps to go into their States.

I am very much in favor of this amendment. I hope Senators will give it careful consideration and, if they believe it wise, will vote for it. If Senators study the amendment closely, I believe they will decide that it should be adopted.

Mr. MANSFIELD. Mr. President, I yield myself 3 minutes.

The **PRESIDING OFFICER.** The Senator from Montana is recognized for 3 minutes.

Mr. MANSFIELD. Mr. President, on page 14836 of the CONGRESSIONAL RECORD, I am shown as having had a colloquy with the distinguished Senator from New Jersey [Mr. WILLIAMS] in regard to the proposed legislation now under consideration. The RECORD shows the following:

> Mr. MANSFIELD. Is it true that if this bill is passed and is enacted into law, these volunteers will not—I repeat, they will not—be forced upon a community?
>
> Mr. WILLIAMS of New Jersey. Absolutely not. In several ways in this bill, we have insured that the volunteers will go only to local projects that have been requested by the local area. Local initiative will bear the burden of the requests. Then the Director will clear the projects through the Governor of the State; then the corpsmen go into the areas which have asked to have them.

It is my understanding that they will go into areas only on the basis of requests or, more specifically, invitations.

In view of what the bill provides, and in view of the colloquy I had on yesterday with the Senator from New Jersey [Mr. WILLIAMS], it appears to me that there is very little difference between what the Senator from New Jersey said and the amendment which the Senator from South Carolina [Mr. THURMOND] now seeks to have the Senate accept.

Therefore, I ask the Senator from New Jersey whether he will give serious consideration to acceptance of the amendment.

Mr. WILLIAMS of New Jersey. Mr. President, I appreciate the observations of the distinguished majority leader.

The language now in the bill was evolved from conferences with Governors and from the Governors gathered at their annual conference. They wish to have a role and a part in these voluntary programs; and that is what we developed in this bill, as an amendment.

As was explained yesterday, it is our feeling that there will, and should be, clearance through the Governors.

If there is any question as to whether there is a degree of difference, I believe we could accept the amendment, which states our intent.

Mr. THURMOND. Mr. President, do I correctly understand the Senator from New Jersey to state that he will accept my amendment?

Mr. WILLIAMS of New Jersey. Yes.

Mr. THURMOND. I thank the Senator from New Jersey for accepting it, and thus avoiding the necessity of a yea-and-nay vote.

The **PRESIDING OFFICER.** Do the Senators in charge of the time on the amendment yield back the remaining time available to them?

Mr. WILLIAMS of New Jersey. Mr. President, there is only one question. As I understand, Indian reservations—not being within the jurisdiction of the States or their Governors—would be an exception to this gubernatorial provision.

Mr. MANSFIELD. I assume that the Senator from South Carolina would accept that language.

Mr. THURMOND. Provided they are confined solely to Indian reservations that are interstate.

The **PRESIDING OFFICER.** Do Senators yield back the remainder of their time?

Mr. THURMOND. I yield back the remainder of my time.

Mr. WILLIAMS of New Jersey. I yield back the remainder of my time.

The **PRESIDING OFFICER.** All time having been yielded back, the question is on agreeing to the amendment offered by the Senator from South Carolina [Mr. THURMOND] to the committee amendment.

The amendment to the amendment was agreed to.

Mr. JAVITS. Mr. President, I desire to offer an amendment. First, I yield to the Senator from Texas.

Mr. TOWER. If the Senator from New York will indulge me, I should like to offer an antidiscrimination amendment. But I should first like to suggest the absence of a quorum because a number of Senators desire to be present in the Chamber when I offer the amendment.

Mr. JAVITS. The amendment I was about to offer was an amendment to the substantive aspects of the bill. The Senator will agree that it might be better to handle such an amendment first. I am willing to defer to the Senator, but it seems to me that the amendment relates to the substantive character of the bill, and it may therefore be well to deal with it at the same time we are dealing with other substantive points.

Mr. TOWER. Mr. President, I defer to the Senator from New York.

Mr. JAVITS. Mr. President, I call up my amendment No. 138 and ask that it be stated.

The **PRESIDING OFFICER.** The amendment of the Senator from New York to the committee amendment will be stated.

The LEGISLATIVE CLERK. On page 23, in the committee amendment, at the end of section 3, it is proposed to insert the following new subsection:

> (e) Of the sums appropriated in subsection (d) of this section not exceeding one-half may be used for payments to State agencies for (A) selecting and training enrollees in the corps and (B) administering projects carried out under this Act. Any State applying for funds under this subsection shall submit to the Director a plan which shall fulfill the purposes of this Act and shall

specify the priorities of projects to be undertaken within the State under this Act. Enrollees in the corps selected under this subsection shall be subject to the provisions of sections 4, 9 and 10 of this Act.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New York.

Mr. JAVITS. Mr. President, I can explain the amendment very briefly.

The PRESIDING OFFICER. How much time does the Senator from New York yield to himself?

Mr. JAVITS. I yield myself 10 minutes.

The PRESIDING OFFICER. The Chair recognizes the Senator from New York.

Mr. JAVITS. Mr. President, the purpose of the amendment is to provide that the States may recruit and train members of the National Service Corps who will serve in the Corps upon the same theory that members of the National Guard are members of the armed services of the United States.

I should like to repeat that statement, because the idea is a very simple one. Up to one-half the sums appropriated—in the judgment of the Administrator—will be devoted to State programs for training and recruiting National Service Corps men, according to the national plan and pattern, but on a State level, so that there would be an analogy with the National Guard in terms of the National Service Corps. The same relationship that the National Guard bears to the Armed Forces of the United States would be borne by the State trainees to the total National Service Corps.

I am for the bill. I am one of its cosponsors. The amendment is designed to improve it. It is not designed in any way to hurt it. The reason for the measure that I have proposed is as follows:

First, States would be entitled to utilize their own resources within a national pattern in a matter of this kind, in my judgment, in order to obtain some State benefits from the aggregate of effort. In addition, I have little doubt that if we took that action, we would very much more speedily realize the full potential of the Corps, both in terms of recruitment and in terms of use. We would also enlist the cooperation of the States far more actively if an element of this Corps were within each State, or at least within the possibility of each State.

Each of the States, as is shown clearly by the support of the amendment offered by the gentleman from South Carolina [Mr. THURMOND], prides itself upon what it can do with this elite, dedicated, Service Corps. That is all the more reason for encouraging the particular State within the national pattern to find its own young people or older people who might be interested in order to enlist them within the State and as close to home as possible in projects which are eligible for the kind of service which the Corps is ready to give.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. SALTONSTALL. Members of the National Guard could be called into the Federal service at any time. As I understand the amendment of the Senator from New York, half the money appropriated by the Federal Government would be subject to the command of the Governor of the State in enlisting a corps within his State and performing the services within his State that he believed to be of the greatest help.

Mr. JAVITS. The Senator is exactly correct—again with the practicability of incorporating these same people into the National Service Corps, just as in the National Guard, if that should be deemed desirable.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. TOWER. In the light of the fact that we have adopted an amendment which would place a $5 million limitation on the first year of operation and a $10 million limitation on the second year of operation, during the first year of operation it would mean that $2.5 million would be allocated to States. If that sum were divided by 50, would not the action result in too much of a dilution?

Mr. JAVITS. That would not be so, for two reasons. First, the amount specified in my amendment is a maximum, to be utilized up to that amount only. Naturally, not all States may find themselves ready to utilize it.

Second, the program is beginning. The pattern which we outline now is likely to be the pattern which the program will follow.

I am fully cognizant of the fact that we have cut down the amounts involved and the duration. But I still feel that if we are starting a pattern, we ought to start the right pattern. I agree with the Senator that if we cut up the authorization into $50,000 bits, it would not amount to anything. But we know, as a practical matter, that that would not be so. Not all States would go into the program. Not all States are ready. At the same time we are conducting, as it were—and I think very clearly that is what this is—a pilot plant operation. Let us conduct a pilot plant operation upon a plan which, to my mind, makes more sense than the plan of merely concentrating the program in the Federal Government and having a Federal Government elite corps as the sole entity with which our people deal. That is the reason.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. SALTONSTALL. Does the amendment provide that the Director of the National Service Corps could call upon any of the people in a State, subject to the order of the Governor in that State, for service in the National Service at any time?

Mr. JAVITS. I hope that precisely that kind of program will be possible. In other words, the analogy to the National Guard idea would be complete. If there were underutilization in a State, people in the program would be available to the centralized national corps.

Mr. SALTONSTALL. I thank the Senator.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. AIKEN. I ask the Senator from New York if his amendment would apply to section 7 regarding the employment of experts and consultants. Would the States be permitted to employ any of the $75-a-day year-round consultants, or would they all be restricted to Presidential appointment?

Mr. JAVITS. My amendment would not affect that particular section.

Mr. AIKEN. All of the potential $20,000-a-year jobs would rest in the hands of the President?

Mr. JAVITS. The amendment I am proposing to the Senate does not affect that aspect of the bill.

Mr. AIKEN. The Senator is aware that section 7 would authorize the employment of consultants at $75 a day on a yearly basis, is he not?

Mr. JAVITS. Yes; I am very well acquainted with that provision.

Mr. AIKEN. Neither the Governor of a State nor any other State official would have any part in the filling of these very high-paying positions?

Mr. JAVITS. My amendment would not affect that particular section at all.

Mr. AIKEN. It seems to me that some amendment ought to affect it.

Mr. JAVITS. The Senator has great influence in this body. If he desires to do so, the Senator might offer such an amendment.

Mr. AIKEN. It would be very difficult for me. There are no restrictions on the number of such employees that could be employed at that very high salary by the President, are there?

Mr. JAVITS. Except the appropriation. Whatever the appropriation might be, that would be the restriction.

Mr. AIKEN. From $5 million he could spend $4 million to hire $20,000-a-year men. It would be difficult for me to vote for the bill with such wide-open authority for the President to hire all those consultants, as they are called. Of course, everybody is called a "consultant," regardless of the purpose for which he is hired.

Mr. WILLIAMS of New Jersey. Mr. President, will the Senator yield?

Mr. AIKEN. I hope that the States might at least have some of those $20,000 a year jobs, if they are to remain in the bill.

I may have misinterpreted the meaning of the language.

Mr. WILLIAMS of New Jersey. This is not an uncommon provision in legislation, is it?

Mr. AIKEN. It is not an uncommon practice in Government, but it ought to be more uncommon than it is.

Mr. WILLIAMS of New Jersey. What limitation can the Senator suggest which might be reasonable as to the number of consultants to be permitted?

Mr. AIKEN. I would limit it to so many days a year; perhaps 50 or 100 days a year, if people are employed on a consulting basis. As I read the provision, it merely requires that the contract be renewed at the end of each year.

I would restrict that, because it is an open invitation to spend money in a way perhaps not intended by the Congress.

Mr. WILLIAMS of New Jersey. I suggest to the Senator that there will be time later today to think that problem through. It does not apply to the amendment, as I understand it.

Mr. AIKEN. I understand the amendment of the Senator from New York does not apply to that aspect at all. It seems to me there is a wide-open provision which ought to be closed a bit.

Mr. JAVITS. Mr. President, while Senators are in the Chamber, I ask for the yeas and nays on my amendment.

The yeas and nays were not ordered.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. JAVITS. I thank the majority leader.

Mr. President, I proposed this same idea to the Attorney General of the United States, who was the principal protagonist of the bill before the committee. Incidentally, I am a member of the committee, and a member of the subcommittee which considered this particular subject; and at all stages I proposed the amendment I am now proposing.

The Attorney General made certain comments. I think what he said is most important in the consideration of the amendment.

THE PRESIDING OFFICER. The 10 minutes the Senator yielded have expired.

Mr. JAVITS. Mr. President, I yield myself an additional 10 minutes.

Mr. President, the Attorney General said:

> As indicated in more detail below, we believe each of the proposals has merit.

He referred to this and the other proposals I had made. The Attorney General then commented specifically as follows:

> Specifically, the first proposal would establish the Service Corps on a basis similar to the National Guard.

The Attorney General then went on to give as a reason for not preferring the amendment the following:

> Before undertaking a project, the views of the Governor or his designee must be obtained and full consultation with local and State agencies is required. The subcommittee also amended the bill to provide for local supervision of corpsmen, making explicit the President's intention as indicated in the course of the hearings.

Since then the bill has been amended to give absolute power to the Governor to keep corpsmen out, if he wishes.

The Attorney General also said:

> Initially, in order to set the example and create the impact which should stimulate the States to create their own corps, the National Service Corps will require all the resources provided for in the bill. To begin with 50 separate State corps would require a sizable additional expenditure for administration and much duplication of effort. In our judgment, the best way to achieve the State corps which you propose is to go forward promptly with establishment of the National Service Corps provided in the bill. In any event, a National Service Corps is best equipped to deal with many pressing problems which are interstate in nature, such as those posed by migratory workers, and to afford a means of providing skills available in some States to meet the needs of others where these skills are unavailable.

In short, what the Attorney General really said is that he does not like this idea now—perhaps later, but not now.

The difficulty with that position is that we are not, in this particular situation, passing a bill which will put into effect a full-blown, broad National Service Corps plan, very much as was done with respect to the Peace Corps. We are proposing an experiment.

There are some analogies between the National Service Corps and the Peace Corps, but they are by no means complete analogies. One area of difference lies in the fact that the Peace Corps men serve abroad in underdeveloped countries, which have no establishments of their own to do what the Peace Corps members are doing. A National Service Corps would be serving in the United States, where many States have excellent establishments for the purpose of doing many things the Peace Corps does.

Those of us who are for this measure feel that the inspiration, the morale, the capability of giving young people outstandingly dedicated service to do will be inspiring enough to warrant this expense and this form of organization. It is really a kind of leadership, important for these kinds of efforts, many of which are philanthropic in character in the United States.

That is fine. We are not dealing with underdeveloped countries. We are dealing with highly developed and effective States, with their own resources, which are capable of doing their own training according to a national pattern and which should be given an inducement to supplement the total program, and to keep some of these people for their own service in their own States.

Since this is a pilot plan operation, let us try out every phase of it. I respectfully submit that this is a critically important and helpful phase.

As I said in response to the question by the Senator from Texas [Mr. TOWER] as to the amounts involved and the question of splitting the money up into small segments, only a few States will be interested in the first year. The program has only 2 years to run. The State aspects of the experiment will be just as effective and just as important aspects of the experiment, as such, as will be the centralized Federal aspect alone.

If the Senate fails to adopt the amendment at this time, we shall really be determining that there will be no State echelon in respect to this program, to help us understand better whether it is a good thing and will succeed.

I feel that the chances for success will be enhanced if we allow the States some participation. The National Guard example is complete upon that score.

I invite the attention of Senators to the fact that the amendment provides that any State which wishes to participate must submit a plan, "which shall fulfill the purposes of this act." Under the plan, the director of the National Service Corps could provide for the federalization of the State echelons of the National Service Corps, should by amendment take effect.

This program is experimental. Let us have a complete experiment. Let us see what States can do. Let us see what the National Government can do, so long as the plan provides for the intimate coordination of the two, as I have pointed out my plan would provide.

Mr. WILLIAMS of New Jersey. Mr. President, the suggestion made by the senior Senator from New York was considered by the Committee, and there was a discussion about it. The Senator reserved the right—which of course he has—to bring up the subject in the Senate. By a substantial vote, the opponents prevailed.

We said at the time that the National Guard analogy did not apply to this situation. Since the Committee action, I have talked with certain colleagues who are high in the echelons of the military and know the history of the National Guard and how it developed at the State level. They have advised me that it does not duplicate the situation we are now considering.

As has been said many times, we are starting a new program of national effort. It must have national standards of qualification and content. That is what the State Guards of the National Guard have. They have national standards for their training and their various practices. These were evolved by the U.S. Army, the U.S. Navy, and the U.S. Air Force. In the beginning there were no State Guards; there was the Army, or the Navy, at the national level, creating a program which it could apply to a State situation.

That is only one of the reasons why I feel deeply that this would be a truly desperate mistake. This is a modest program—$5 million the first year, $10 million the second year. If there is an opportunity for each State to create its own program, I cannot imagine a more wasteful duplication of the effort in recruitment and training.

It is anticipated that there will be only 250 professional staff employees operating this national program. If 50 States come into it, the professional staff that will be needed will be multiplied many times, and the resources will be dissipated into pure administration, and not devoted to the effort to help the poor people we are trying to reach. As the Senator from Texas [Mr. TOWER] has indicated the funds would be dissipated drastically.

To be brief and final, the committee has seen how a great national resource can be used at the Osawatamie State Hospital where we visited, where as fine work is being done in mental care and health as I have seen or heard of in the Nation, with consultation—and here the consultation has been magnificent—of the Menninger Clinic and their professional personnel.

They have already made the offer to be a training institution for those volunteers who will be coming to mental institutions under this program. In Indian affairs and migratory labor, rather than 50 training programs, why not have a few and have the best, and save money in the effort? I believe that to fractionalize the program would be to put it into extinction.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. WILLIAMS of New Jersey. I yield to the Senator from Florida.

Mr. HOLLAND. Is it not true that if the bill were enacted, any State that wanted to do so, without any intervention of the National Service Corps, would have a complete right to originate and assemble a corps to serve in its own State in community programs there? So what is the real value of including this kind of provision in the act?

Mr. WILLIAMS of New Jersey. I gather the Senator from New York thinks it has the value of giving the States, on an equal allocable basis, $50,000 each.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. WILLIAMS of New Jersey. I yield to the Senator from Montana.

Mr. MANSFIELD. I hope the Senate in its wisdom, will not agree to the amendment proposed by the Senator from New York. It has been brought out that this amendment was considered in the Committee on Labor and Public Welfare and was defeated. I think this doctrine of dispersal can be carried too far. As has been pointed out by the Senator from Texas [Mr. Tower], the funds might be diluted to such an extent that the end result would be negligible.

As the Senator from Florida [Mr. Holland], pointed out, if the States want to inaugurate their own programs, there is nothing to stop them. They can do it on their own. They can do it now, and they can do it in the future. But I hope the Senate will not agree to an amendment that would dissipate the funds to such an extent that, in my opinion, enactment of the program would be of very little value.

Mr. JAVITS. Mr. President, I yield myself 3 minutes.

The two arguments which have been made against the amendment are, first, that the funds would be fractionalized and, second, that any State could inaugurate its own corps if it chose to do so. I regard the answers to those two questions as decisive.

On the question of the States' participation, I point out that this figure is only a maximum. To demonstrate that the program does not have to be fractionalized, I point out that not every State will participate. We know from past experience that in the first year we shall be fortunate if two or three States participate. We had a similar experience under the Manpower Training Act, under which only two or three States exercised their option to participate. So we cannot assume that on the Federal level there will be full participation.

The point made negates the proposition that the Corps should have uniform concepts, uniform morale, uniform training, a uniform approach, and a uniform idea. That is what animates the amendment. That is why I am trying to keep the program together. That is the reason for the amendment. The reason why we do not have a home guard in this country is that we are worried about what some States may do. That is why we have a National Guard, which falls within a State, but which is under the control and general organization of and is supplied by equipment from the Federal Establishment and the Armed Forces.

The analogy is exact. It is for that reason that the arguments are not valid. I think the argument is superior that, if we are to offer such a program, we should offer it in the form of organization which can really prove it can work—not a Peace Corps abroad, but a National Service Corps in the United States. Therefore, it should have bases in States which are very well able, by tradition and experience, to operate the program.

I offer the amendment as a friend of the bill, not its enemy, because I want to see it succeed, and I believe this is another way to give it success.

Mr. WILLIAMS of New Jersey. Mr. President, I yield myself 1 minute.

My emphatic opposition to the amendment offered by the Senator from New York, I hope, will not be interpreted in any degree as a dilution of the respect I have for him and the gratitude I have to him for the development of this basic act. I think all that needs to be said in opposition has been said. I yield back the remainder of my time.

Mr. JAVITS. I yield back my remaining time.

The PRESIDING OFFICER. All time on the amendment has been yielded back. The question is on agreeing to the amendment of the Senator from New York to the committee amendment. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from Connecticut [Mr. Dodd], the Senator from Arizona [Mr. Hayden], and the Senator from Missouri [Mr. Long] are absent on official business.

I further announce that the Senator from Indiana [Mr. Bayh] and the Senator from Washington [Mr. Magnuson] are necessarily absent.

I further announce that, if present and voting, the Senator from Indiana [Mr. Bayh], the Senator from Connecticut [Mr. Dodd], the Senator from Missouri [Mr. Long], and the Senator from Washington [Mr. Magnuson] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from New Mexico [Mr. Mechem] is necessarily absent.

The Senator from Delaware [Mr. Williams] is necessarily absent to attend the funeral of a friend.

The Senator from New Jersey [Mr. Case] and the Senator from Kentucky [Mr. Cooper] are detained on official business.

On this vote, the Senator from Kentucky [Mr. Cooper] is paired with the Senator from New Mexico [Mr. Mechem]. If present and voting, the Senator from Kentucky would vote "nay" and the Senator from New Mexico would vote "yea."

On this vote, the Senator from New Jersey [Mr. Case] is paired with the Senator from Connecticut [Mr. Dodd]. If present and voting, the Senator from New Jersey would vote "yea" and the Senator from Connecticut would vote "nay."

The result was announced—yeas 30, nays 60, as follows:

[No. 133 Leg.]

YEAS—30

Aiken
Allott
Beall
Bennett
Boggs
Carlson
Cotton
Curtis
Dirksen
Dominick
Fong
Goldwater
Hickenlooper
Hruska
Javits
Jordan, Idaho
Keating
Kuchel
Miller
Mundt
Pearson
Prouty
Proxmire
Saltonstall
Scott
Simpson
Smith
Talmadge
Tower
Young, N. Dak.

NAYS—60

Anderson
Bartlett
Bible
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Church
Clark
Douglas
Eastland
Edmondson
Ellender
Engle
Ervin
Fulbright
Gore
Gruening
Hart
Hartke
Hill
Holland
Humphrey
Inouye
Jackson
Johnston
Jordan, N.C.
Kennedy
Lausche
Long, La.
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
McNamara
Metcalf
Monroney
Morse
Morton
Moss
Muskie
Nelson
Neuberger
Pastore
Pell
Randolph
Ribicoff
Robertson
Russell
Smathers
Sparkman
Stennis
Symington
Thurmond
Williams, N.J.
Yarborough
Young, Ohio

NOT VOTING—9

Bayh
Case
Cooper
Dodd
Hayden
Long, Mo.
Magnuson
Mechem
Williams, Del.

So Mr. Javits' amendment to the committee amendment was rejected.

EXPENSES FOR ATTENDANCE AT FUNERAL OF LATE SENATOR ESTES KEFAUVER

Mr. GORE. Mr. President, I send a resolution to the desk and ask for its immediate consideration. I ask unanimous consent that the time for its consideration not be charged to either side.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution will be stated.

The Legislative Clerk read the resolution (S. Res. 183), as follows:

Resolved, That the Secretary of the Senate is hereby authorized and directed to pay from the contingent fund of the Senate the actual and necessary expenses incurred by the Committee appointed to arrange for and attend the funeral of the Honorable Estes Kefauver, late a Senator from the State of Tennessee, on vouchers to be approved by the Chairman of the Committee on Rules and Administration.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and unanimously agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House insisted upon its amendment to the bill (S. 1194) to remove the percentage limitations on retirement of enlisted men of the Coast Guard, and for other purposes, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. Bonner, Mr. Gar-

MATZ, Mr. LENNON, Mr. GLENN, and Mr. GOODLING were appointed managers on the part of the House at the conference.

NATIONAL SERVICE CORPS ACT

The Senate resumed the consideration of the bill (S. 1321) to provide for a National Service Corps to strengthen community service programs in the United States.

Mr. TOWER. Mr. President, I call up my amendment No. 146 and ask that it be read.

The PRESIDING OFFICER. The amendment to the committee amendment will be stated.

The LEGISLATIVE CLERK. On page 28, line 4, in the committee amendment, it is proposed to add, following the period: "No such contracts, leases, and agreements shall be entered into with any agency, organization, or political subdivision that exercises discrimination on account of race, color, creed, or ethnic origin."

The PRESIDING OFFICER. How much time does the Senator from Texas yield to himself?

Mr. TOWER. I yield myself 5 minutes.

Mr. President, this is an antidiscrimination amendment of the type with which the Senate is familiar by now, so it does not require much discussion. The Attorney General of the United States, Hon. Robert F. Kennedy, commented on my amendment in this fashion:

> While the benefits of this program should unquestionably be available to eligible recipients without regard to race, color, or creed, any such sweeping mandatory requirement would, I believe, threaten the welfare of those in need, including the very minority groups which I assume Senator TOWER seeks to assist. Under the provisions of the bill, corpsmen would be assigned to work only with persons in critical need. To deny those persons this opportunity to help themselves because, through no fault of their own, some form of discrimination remains would be a callous disregard of the human problems presented to the Service Corps.

Mr. President, the argument advanced against my amendment is that it is not consistent with the arguments advanced for the adoption of the administration's civil rights package. I should like to read from title 6 of S. 1731, which is the administration's civil rights bill:

> SEC. 601. Notwithstanding any provision to the contrary in any law of the United States providing or authorizing direct or indirect financial assistance for or in connection with any program or activity by way of grant, contract, loan, insurance, guaranty, or otherwise, no such law shall be interpreted as requiring that such financial assistance shall be furnished in circumstances under which individuals participating in or benefiting from the program or activity are discriminated against on the ground of race, color, religion, or national origin or are denied participation or benefits therein on the ground of race, color, religion, or national origin. All contracts made in connection with any such program or activity shall contain such conditions as the President may prescribe for the purpose of assuring that there shall be no discrimination in employment by any contractor or subcontractor on the ground of race, color, religion, or national origin.

My amendment would seek to accomplish in connection with S. 1321 what the President's civil rights package seeks to accomplish in connection with the general range of Federal programs. I think it would be a step in the right direction to adopt the amendment. It is possible that this provision of the President's civil rights proposal will not be adopted; in that case it would be doubly necessary that an amendment such as mine be included in this bill.

Mr. MANSFIELD. Mr. President, it is my intention to move to table the amendment. If the Senator from Texas desires to discuss the amendment further, I shall be glad to delay my motion.

Mr. TOWER. Mr. President, I should like to give any Senators who wish to discuss the amendment time in which to do so.

Mr. GOLDWATER. Mr. President, I should like to inquire of the majority leader, if he cares to tell us, why he wants to table such amendments as this. We tried to have this language included in the bill in committee. Had the practice been followed, even in the years I have been a Member of the Senate, of adding an antidiscrimination clause to each bill of this type, the troubles in which the country finds itself today would probably not be with us now or would be greatly diminished. If the Senator from Montana has a good, plausible reason for wishing to table the amendment, I should like to hear it.

Mr. MANSFIELD. Mr. President, I am waiting for Senators who favor the amendment to finish speaking; then I shall make my argument.

Mr. GOLDWATER. I merely asked a question; I have no desire to speak further.

Mr. MANSFIELD. If the Senator from Texas will yield back the remainder of his time, I will yield back all except 3 minutes of my time.

Mr. GOLDWATER. Mr. President, will the Senator from Montana answer my question?

Mr. MANSFIELD. I will.

Mr. TOWER. I do not believe I can yield back the remainder of my time now. One or two other Senators wish to speak on the amendment.

Mr. MANSFIELD. Then, when I finish speaking, I shall move to table the Senator's amendment. I put him on notice.

Mr. TOWER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Texas will state it.

Mr. TOWER. Is a motion to table in order before the time on the amendment has expired or before the time has been yielded back?

The PRESIDING OFFICER. Under the precedents, the Senator has a right to utilize his time, if he desires to do so.

Mr. TOWER. Mr. President, I yield 5 minutes to the distinguished Senator from New York [Mr. JAVITS].

Mr. JAVITS. Mr. President, I should like to address myself to this particular amendment because it represents a key difference between many of us and the administration and the Attorney General. As the Senator from Texas [Mr. TOWER] has explained, the question involved is whether there should be service by corpsmen to establishments or institutions which are themselves segregated. I have some question about the language that is used in the amendment of the Senator from Texas, but that is not very critical, because it can be straightened out in conference, if the amendment should be adopted.

However, the amendment poses a critical question which should be separated from the other part of the question, which is the provision that recruitment and training shall be nonsegregated. There is no question about that. I am satisfied that that will be so in the National Service Corps.

But the other part, as to whether corpsmen shall serve in segregated institutions or establishments, is very much in argument, because the Attorney General in his testimony made it clear that that is precisely what is intended to be done. The administration's argument, which differs sharply from the point of view of people like myself and the author of the amendment, comes down to this: The administration says that as to institutions which will be served by corpsmen, even if the institutions are segregated or are operated on a pattern of segregation—let us say, to be very practical, because this is actually the case, a nursing home which is segregated, and segregated, incidentally, by the authority of the Surgeon General of the United States under the Hill-Burton Act, which question I discussed in the Senate the other day—corpsmen can serve in them. The administration says that the residents of such a home are unhappy, unfortunate people who need help and should not be denied help because they are in a segregated institution.

Segregation must be ended. However, that does not mean that a State cannot give service to these people, or that a charity cannot do so. But when we are dealing with a National Service Corps, a great elite corps to aid the morale of America and to serve as an inspiration to its youth, we should not be only maudlin in dealing with that objective. Negroes themselves say they do not want such help in a segregated situation; they say that would be against their own fundamental interests. From this point of view, we believe the corpsmen should not be permitted to serve in such segregated establishments.

This is an essential argument which goes to the points which were made by Senator KEATING, Senator SCOTT, Senator MORSE, and other Senators; namely, that the President shall withhold money from segregated establishments. The President says that although these are unfortunate people, they will be worse off in such situations. So the President says, "I would be sorry to order our aid withheld but in such circumstances I will order it withheld, rather than permit violations of the Constitution"—which is precisely what we would be doing if we utilized these corpsmen in ways which this amendment seeks to prevent.

It is often said that an antisegregation amendment is gratuitous. But in this case it is clearly not. The Attorney General testified that, according to his view of this matter, the corpsmen may be assigned to institutions which are in a segregated situation. But that is exactly what this amendment is designed to prevent. Therefore, this amendment is not what one could call the usual type of antisegregation amendment—one designed to throw a block and so prevent something from happening. This is an effort to deal with exactly what the Attorney General says he will do. If we are going to stop him, we must adopt this amendment.

I have appealed to the Attorney General, and now I appeal to my colleagues. I rather suspect that the Senator from New Jersey may very well agree with me. We appealed to the Attorney General to give us some assurance that the corpsmen will not serve in segregated situations. However, we can get no such assurance from him, because he says expressly the contrary.

So we are not dealing with a vain antisegregation amendment—something put in to kill the bill or something put in to labor the obvious. We are dealing with an amendment directed to what the Attorney General says he will do unless we stop him, unless we declare our policy. I deeply feel that if we mean what we say about this question of constitutional rights, we cannot say to an elite corps of fine young people in the United States, "We are going to have you serve in situations which violate the Constitution of the United States."

I think that responsibility is paramount to any other; and I hope very much that the amendment will be agreed to.

Mr. HART. Mr. President, will the Senator from New York yield?

The PRESIDING OFFICER. The time available to the Senator from New York has expired.

Mr. HART. I should like to ask a question of the Senator from New York.

Mr. TOWER. I yield to the Senator from Michigan.

Mr. HART. I apologize for not having been on the floor when this debate began. Do I correctly understand that the pending amendment is amendment No. 151 of the Senator from Texas?

Mr. TOWER. It is No. 146.

Mr. JAVITS. If I may refer to page 58 of the testimony given by the Attorney General at the committee hearing, it shows as follows:

> Senator JAVITS. And they will be sent wherever their talents will be best utilized, whether or not the local social structure demands segregation which we are all suffering with right now?
>
> Mr. KENNEDY. That is correct.

The policy could not be made any clearer than that. So this is an issue of policy as between persons like myself who take this view and those who oppose the amendment.

Mr. HART. I agree with the Senator from New York as to the principle involved.

In weighing the questions involved—and it is not easy to resolve them—I feel that we should decide in favor of giving assistance to nonsegregated institutions. However, I believe that is much broader than the pending amendment, because, as I read the amendment now pending, even if an institution which sought to obtain assistance from the Corps were operating on a nonsegregated basis, if it were a part of a political subdivision which discriminated in some other aspect of its affairs, such a grant to the institution would be barred by this amendment. Is my understanding of the amendment correct?

Mr. JAVITS. As I said at the beginning of my remarks, I am worried, too, about the breadth of the language used, because I am concerned that it might be directed at an agency which, although it might not have segregation in the locality in which the corpsmen would serve, might have segregation in connection with other activities.

My amendment provides:

> No corpsmen shall be assigned to any project in which there is followed a policy of segregation on account of race, creed, or color, contrary to the laws and policy of the United States.

Under the amendment, not only would there be a rifle shot at the particular installation, but the amendment also would exclude problems in connection with Indians or sectarian institutions, and so forth, in view of the fact that the amendment uses the words "contrary to the laws and policy of the United States."

As I have said, in dealing with such an amendment, we understand that we are dealing with its fundamental thrust. If the basic part of the amendment is adopted, thereafter in the conference process we can deal with any detailed matters in regard to the intent of the Senate. So I did not wish to confuse the issue by suggesting the addition of certain words to the amendment of the Senator from Texas; instead, I confined my remarks to the fundamental principle involved.

Mr. HART. But it seems to me that there is so much difficulty in establishing the fundamental principle involved that it would be better to focus our attention particularly on the principle involved, rather than on the particular words used, about which some Senators may be unhappy. So I hope the target will be made more precise.

Mr. JAVITS. Mr. President, I have asked the Senator from Texas [Mr. TOWER] whether he would accept the language of my amendment as a modification of his own amendment. He says he will.

As thus modified, his amendment will provide for the insertion of the following:

> On page 22, line 14, immediately after "(b)" insert "(1)".
>
> On page 23, between lines 3 and 4, insert the following new paragraph:
>
> (2) No corpsmen shall be assigned to any project in which there is followed a policy of segregation on account of race, creed, or color, contrary to the laws and policy of the United States.

Mr. TOWER. Mr. President, I accept the substitute proposed by the Senator from New York.

Mr. President, a parliamentary inquiry: Is it necessary for me to frame that in the form of a motion?

The PRESIDING OFFICER. No; it is not necessary to do so. The Senator from Texas has a right to modify his own amendment; and his amendment will be modified accordingly.

Mr. CLARK. Mr. President, will the Senator from Texas yield for a question?

Mr. TOWER. I yield.

Mr. CLARK. Is the amendment, as modified, substantially different from the amendment the Senate accepted in connection with the youth opportunities bill?

Mr. TOWER. It is somewhat similar, but perhaps the modified amendment now pending is a little more stringent than the amendment which was accepted in connection with the youth opportunities or youth occupation bill.

Mr. President, I am prepared to yield back the remainder of the time available to me.

Mr. HUMPHREY. Mr. President——

Mr. MANSFIELD. Mr. President, let me ask how much time the Senator from Minnesota desires.

Mr. HUMPHREY. I should like to have 5 minutes.

Mr. MANSFIELD. Mr. President, I yield 5 minutes to the Senator from Minnesota.

The PRESIDING OFFICER. The Senator from Minnesota is recognized for 5 minutes.

Mr. HUMPHREY. Mr. President, it has been stated by the Senator from New Jersey, who is in charge of the bill, that the recruitment of corpsmen for the National Service Corps will be handled on a nondiscriminatory basis—with recruitment on the basis of merit, recruitment within the structure of the Executive order of the President of the United States relating to Federal employees—because these corpsmen are, for the purposes of this act, classified as Federal employees.

This amendment provides that the persons to be benefited by the corpsmen are to be denied that benefit if the State in which the potential beneficiaries live has a policy of segregation.

We would punish the very people who ought to be helped. We would deny the benefits of the program to the very people who need the benefits the most.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. TOWER. We have substituted for the language I proposed the language suggested by the Senator from New York [Mr. JAVITS]. I believe the substitution would remove the objection as to the amendment having a shotgun effect. It would deny the use of the program in States in which segregation existed in any field. The amendment specifies that no corpsman shall be assigned to any project in which a policy of segregation is followed.

Mr. HUMPHREY. The project, then, would relate to the policy of the State; and despite the language that has been added, which might refer only to Indian reservations, the substance or meaning of the original amendment would not be changed. While the amendment ostensibly is designed to prohibit discrimination, it would really have the effect of denying benefits. It would prohibit corpsmen from assisting certain displaced and disadvantaged Americans in institutions and areas, which for one reason or another are limited to persons of a particular nationality, race, or color.

Whether the provision would refer to a State or to a project is of little or no consequence. The fact is that if there is a project such as a mental hospital in which the patients are of one color or one race, the amendment would deny the benefits incident to the corpsmen coming to that project. I do not know why we would want to do that, insofar as the program is concerned. The National Service Corps would be recruited on the basis of full equality of treatment, nondiscrimination, but the corpsmen would work with people who needed help. The purpose of the program is to help the helpless, to help the needy, regardless of race, color, creed or national origin. It seems to me that we would be literally cutting off our noses to spite our faces if we were to deny the help of the corpsmen because of a particular practice in a particular area or on a particular project. It is obvious that in many areas and institutions, such as mental institutions, migratory labor camps, homes for the aged, and others, there are frequently instances in which people are grouped by nationality, creed, or color.

Despite the purported objective of this amendment, its actual effect would be to deny assistance to persons most in need—a result that is in direct conflict with the goal of the National Service Corps.

The Chairman of the President's Study Group on the National Service Corps, Robert F. Kennedy, characterized this proposed amendment as follows:

> While the benefits of this program should unquestionably be available to eligible recipients without regard to race, color, or creed, any such sweeping mandatory requirement would, I believe, threaten the welfare of those in need, including the very minority groups which I assume Senator TOWER seeks to assist. Under the provisions of the bill, corpsmen would be assigned to work only with persons in critical need. To deny those persons this opportunity to help themselves because, through no fault of their own, some form of discrimination remains would be a callous disregard of the human problems presented to the Service Corps.

It is most obvious that in many areas and institutions, such as mental institutions, migratory labor camps, Indian reservations, and homes for the aged, people are often grouped by nationality, race, or color. We know that migratory labor camps are frequently inhabited by persons of Mexican descent or by Negroes; we know also that mental institutions in some parts of the country are sometimes limited to persons of a particular race or color.

Moreover, these very people are often the most disadvantaged members of our population. And to deprive them, in the guise of fairness, of the assistance they so desperately need would actually aggravate existing hardships to which they may already be subject, and over which they have no control.

Mr. President, as Senator WILLIAMS said a few days ago, this would be like refusing to save a drowning man because he happened to be drowning in the wrong lake. In short, Mr. President, the name of fairness cannot be used to impose hardships on our disadvantaged citizens.

Mr. President, an omnibus civil rights bill is presently before Congress dealing with the overall problem of discrimination. This measure would provide the minority groups of this country the dignity and equal opportunity which they need and deserve, and which for too long they have been denied.

Unlike the omnibus civil rights bill, the amendments offered ostensibly to prevent discrimination in Corps activities will merely trade clarity for confusion and blunt the overall effectiveness of the National Service Corps.

The impact of the amendment would merely be to provide that the corpsmen who are selected and trained to help the needy in that instance would not be sent to a particular project because the project was segregated. The thing to do is to change the basic law of the land to do away with segregation, to change the basic law of the State to do away with segregation, and not deny the benefits of the program. That would be exactly the same as saying that a U.S. Public Health Service doctor could not go into an institution and offer medical care to someone who was ill or in need of medical care if the project were segregated. In other words, we would deny healing from the doctor to the sick and permit the sick to die on the basis that we were standing by the principle of nonsegregation. I do not think it adds up to very much, and I hope the amendment will be rejected.

Mr. TOWER. Mr. President, I point out that title VI of the administration's civil rights bill, of which my distinguished friend the Senator from Minnesota is a cosponsor, would affect many—virtually all—of the programs as we propose to affect one Federal program.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. TOWER. I yield.

Mr. JAVITS. The Senator has made the classic argument, which I repeated.

But he failed to note that the amendment is now designed so that it is a rifle shot solely at the segregated institution. It would no longer affect a housing development which happened to be occupied largely by Negroes. The amendment provides that it must be segregation contrary to the policy or laws of the United States, and the U.S. policy and laws are not against sectarian institutions, Indian reservations, and so forth.

The second point is that the amendment is one of degree. Certainly a doctor would not stand outside a segregated institution and refuse to go in and help a patient. We all understand that he must act pursuant to his Hippocratic oath. We are talking about a National Service Corps, an elite corps of new people dedicated to the finest concepts of freedom. All we say is that we will not permit the corpsmen to aid establishments—and we have made it a rifle shot—which are following a segregated policy contrary to the laws and policies of the United States.

Mr. HUMPHREY. Mr. President, will the Senator yield further?

Mr. TOWER. I yield.

Mr. HUMPHREY. Our Peace Corps is working abroad with exclusive religious groups. It works with groups that have positions and cultures contrary to what we believe are in the national interest of our country. But we are working with people.

I recognize the point made by the Senator from New York. I am generally in sympathy with his purpose on these questions, and commend him for the valor of his purpose and the courage of his position. But it is one thing to say that because the national policy on housing provides for no segregation and therefore the corpsmen can go in even though there is segregation in a project; and it is another thing if there is a project at a county level in some area of our country in which there are people who are sick mentally or physically, or confronted by other problems, and they happen to be in an area in which local funds are provided, or where there may be a voluntary group, and the people in that area are segregated on a racial, religious, or ethnic basis, to deny a corpsman of the National Service Corps the right to go in and help those people. It seems to me that such a policy would not benefit anyone. It would injure those who are in need. It would place the National Service Corps in the position of a policeman, as it were, to force policy changes.

The policy of the National Service Corps would be to help people. We shall deal with the other question of changing the fundamental basic social policy which was mentioned a moment ago when we consider the civil rights bills. That issue will be dealt with at that time. I do not believe we should tinker with the National Service Corps proposal, because if we should open the bill to the kind of amendment proposed, there would be no end to similar proposals, and there would be no National Service Corps.

Mr. TOWER. If the Senator from Montana is prepared to make his motion, I am prepared to yield back the remainder of my time.

Mr. MANSFIELD. Mr. President, I yield back the remainder of my time, except for 3 minutes.

It has been very interesting to see the combination of the Senator from Texas [Mr. TOWER] and the Senator from New York [Mr. JAVITS] working in tandem. It has been interesting to see the troika come into being. The Senator from Arizona [Mr. GOLDWATER] has been on one side—on the right, I believe. The Senator from New York [Mr. JAVITS], has been on the other side—on the left, I believe. The Senator from Texas [Mr. TOWER], has been in the middle, I believe.

I have never seen so many crocodile tears shed as I have seen today from the so-called champions of civil rights. I know that the heart of the Senator from Texas bleeds for civil rights. On several occasions he has told us that even if the civil rights amendments which he offered were accepted, he would still vote against the proposed legislation to which they were being offered. So I give him credit for being a consistent critic. But I believe his tactics are open to question.

The Senator from Arizona [Mr. Goldwater] asked about the efforts being made in the Committee on Labor and Public Welfare to make the proposal more civil rights minded. Perhaps such efforts were made. Supposedly the committee is a liberal committee. Evidently the votes were not present, and the bill which came before the Senate is the bill which a majority of the members of the committee reported to the Senate.

I am becoming used to pious protestations. I am becoming used to the fact that every time a civil rights amendment is offered to some other kind of legislation some Senator says, "I have written a letter to Mr. Celebrezze, Mr. Kennedy, or someone else, and I have not received an answer." Perhaps he will never receive an answer. But we ought to recognize that the Senator from Texas is consistent. He is consistently against proposed legislation of the kind before the Senate, even though he offers amendments which seek to rectify a situation which he thinks should be given serious consideration.

The purpose of the amendment of the Senator from Texas is purely dilatory, and represents an effort by which the Senator from Texas is hopeful of killing this very meritorious measure.

It is the hope of the Senator from Montana that the Senator from Texas will join him in supporting the President's civil rights bill, which includes a title which will take care of any discrimination when Federal funds are expended.

Mr. President, I move that the amendment offered by the Senator from Texas [Mr. Tower] be tabled; and on that motion I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to table the Tower amendment. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from New Mexico [Mr. Anderson], the Senator from Connecticut [Mr. Dodd], the Senator from Arizona [Mr. Hayden], and the Senator from Missouri [Mr. Long] are absent on official business.

I further announce that the Senator from Indiana [Mr. Bayh], and the Senator from Washington [Mr. Magnuson] are necessarily absent.

On this vote, the Senator from New Mexico [Mr. Anderson] is paired with the Senator from Indiana [Mr. Bayh].

If present and voting, the Senator from New Mexico would vote "yea" and the Senator from Indiana would vote "nay."

On this vote, the Senator from Arizona [Mr. Hayden] is paired with the Senator from Connecticut [Mr. Dodd].

If present and voting, the Senator from Arizona would vote "yea" and the Senator from Connecticut would vote "nay."

On this vote, the Senator from Washington [Mr. Magnuson] is paired with the Senator from Missouri [Mr. Long].

If present and voting, the Senator from Washington would vote "yea" and the Senator from Missouri would vote "nay."

Mr. KUCHEL. I announce that the Senator from New Mexico [Mr. Mechem] is necessarily absent.

The Senator from Delaware [Mr. Williams] is necessarily absent to attend the funeral of a friend.

The Senator from Kentucky [Mr. Cooper] is detained on official business.

If present and voting, the Senator from Kentucky [Mr. Cooper] and the Senator from New Mexico [Mr. Mechem] would each vote "nay."

The result was announced—yeas 49, nays 41, as follows:

[No. 134 Leg.]

YEAS—49

Bartlett
Bible
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Church
Clark
Eastland
Edmondson
Ellender
Ervin
Fulbright
Gore
Gruening
Hill
Holland
Humphrey
Inouye
Jackson
Johnston
Jordan, N.C.
Kennedy
Long, La.
Mansfield
McCarthy
McClellan
McGee
McGovern
McNamara
Metcalf
Monroney
Morse
Moss
Muskie
Nelson
Neuberger
Pell
Robertson
Russell
Smathers
Sparkman
Stennis
Talmadge
Thurmond
Williams, N.J.
Yarborough
Young, N. Dak.

NAYS—41

Aiken
Allott
Beall
Bennett
Boggs
Carlson
Case
Cotton
Curtis
Dirksen
Dominick
Douglas
Engle
Fong
Goldwater
Hart
Hartke
Hickenlooper
Hruska
Javits
Jordan, Idaho
Keating
Kuchel
Lausche
McIntyre
Miller
Morton
Mundt
Pastore
Pearson
Prouty
Proxmire
Randolph
Ribicoff
Saltonstall
Scott
Simpson
Smith
Symington
Tower
Young, Ohio

NOT VOTING—9

Anderson
Bayh
Cooper
Dodd
Hayden
Long, Mo.
Magnuson
Mechem
Williams, Del.

So Mr. Mansfield's motion to lay on the table the amendment of Mr. Tower to the committee amendment was agreed to.

Mr. MANSFIELD. I move to reconsider the vote by which the motion to table was agreed to.

Mr. WILLIAMS of New Jersey. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. TOWER. Mr. President, I yield myself 5 minutes on the bill.

For the benefit of the record, and for the benefit of the distinguished majority leader, as to my position on civil rights, I have not always opposed all civil rights measures. Indeed, I voted for the extension of the life of the Civil Rights Commission. I have voted for the confirmation of the nominations of citizens who are Negroes to high public offices, including Federal judgeships. I have supported various amendments aimed at eliminating discrimination.

I have opposed a great many civil rights measures, not because of any discriminatory attitude toward people of various ethnic origins, but because I believed that most of such proposed legislation had some rather sinister implications that went far beyond the issue of civil rights.

However, I do believe that if the Federal Government is, out of its bounty, to extend aid to various programs and projects over the country, there should be no discrimination involved in Federal funds that are being used where there is Federal assistance.

As to my attitude on welfare measures, I am consistently opposed to them, because I believe their ultimate effect is to reduce the people of the country to the status of dependents of the Federal Government so far as their sense of initiative and responsibility is concerned.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. TOWER. I yield 2 minutes on the bill to the Senator from New York.

Mr. JAVITS. As my name was mentioned by the majority leader, I should like to express myself briefly. I have offered or joined in offering, as I did in this case, amendments directed toward a specific evil. I know of few civil rights amendments which were as sharp and clear as this one in expressing the views of people who think as I do and of the administration. Nothing has been more pointed.

The administration proposes to aid segregated situations on the excuse that such aid is needed in order to succor people who are unhappy and unfortunate. People like myself say they will be even more unhappy and unfortunate if they are to spend all their lives dealing with a Federal Government which does not hesitate to use Federal taxpayers' money to support segregated situations. The practice must end some time, and this is the time.

So, whatever may be the motive of the Senator from Texas [Mr. Tower], he accepted language designed to resolve the issue between ourselves and the administration. This issue will be brought out in connection with the so-called part VI of the Civil Rights Act, or in any way open to us. The issue is still clear. I say it is wrong to have the National Service Corps, this elite, idealistic corps of Americans, serve in segregated situations.

Mr. MANSFIELD. Mr. President, I yield myself 1 minute.

It is heartening to listen to this strange and unusual discussion. It is heartening indeed to hear the protestations to the extent that we have heard them. I hear the words, but I also read the Record occasionally and I read what has been said on previous occasions. I only hope that, instead of looking for ways out, both these distinguished Senators will now work together and will do what they can to give strength and stability to the President's civil rights proposals and join Democrats in putting a good program into effect. I am sure that they will do so wholeheartedly.

Mr. TOWER. Mr. President, I yield myself 2 minutes.

The cooperation between the Senator from New York [Mr. Javits] and myself is a typical demonstration of Republican Party unity. There are not the broad range political differences existing in our party that exist in the opposite party.

Mr. MANSFIELD. I do not believe it does any good for either kettle to call the other black, because of the divergencies within our parties. However, I was interested to read in a conservative publication the other day, after praising the Senator from Texas for his outstanding record as a Senator—and his record is outstanding—that, in effect, the publication had to rub its eyes because it could not believe what the Senator from Texas had said about the Senator from New York [Mr. JAVITS], because the Senator from Texas being in the same party and they being, in effect, bedfellows, indicated that there was a degree of unity in the Republican Party which none of us had suspected up to that time.

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. TOWER. I yield 2 minutes to the Senator from Pennsylvania.

Mr. SCOTT. The Senator from Texas has made a very important point; namely, that on this side of the aisle there is virtual unanimity that Federal programs be administered on an integrated, rather than segregated basis. Our beloved and distinguished majority leader has had far more difficulty with his side; he has demonstrated once more the uncloseable rift which exists, whereby a segment of his party says it wants to integrate the National Service Corps, and the other segment says it wants a segregated National Service Corps.

Then the majority leader rises, having succeeded with a segregated Service Corps, and cheers the result.

I congratulate the majority leader on his powers of ingestion. He has suffered what is certainly a defeat for equal justice under law, but finds within the defeat some causes for gratification.

So I say to the Senator from Texas and the Senator from New York that, united as we are, and happy in our union, we extend our condolences and commiseration to the majority leader for the plight in which he finds himself now, heretofore, and, I fear, hereafter.

Mr. MILLER. Mr. President, I send to the desk an amendment to the committee amendment, and ask that it be read.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The **CHIEF CLERK.** On page 21, line 5 it is proposed to strike all after the word "on" down to the word "reservations" in line 6.

On page 22, line 20, strike the words "and off".

The PRESIDING OFFICER. How much time does the Senator yield himself?

Mr. MILLER. I yield myself 3 minutes.

I have a series of three amendments which are designed to help the bill. I understand informally that they will be acceptable to the Senator in charge of the bill. I point out that the first amendment relates to a situation concerning Indians. The bill provides for projects relating to Indians living on reservations and off reservations.

I believe that the provision relating to Indians living on reservations is proper, because all of us recognize that these are situations which involve serious conditions, which call for prompt attention. However, with respect to Indians living off reservations, I suggest that once they are off a reservation they not only want to be but they are, in fact, the same as any other American citizen, and should be treated accordingly. If they find themselves in a situation which calls for attention under the act, I believe they should have it. However I do not believe that we should single out a particular group for special treatment merely because they happen to be off a reservation.

Therefore I suggest that my amendment is very much in keeping with the intention of the proponents of the bill. At the same time, it would avoid possible criticism by reason of encouraging a segregated type of treatment.

I reserve the remainder of my time.

Mr. WILLIAMS of New Jersey. Mr. President, I yield myself 2 minutes. I have had an opportunity to discuss the amendment with the Senator from Iowa. It is the purpose of the bill to deal with a group of depressed people living on Indian reservations. This is what the language spells out. I accept the amendment.

Mr. MILLER. I yield back the remainder of my time.

Mr. WILLIAMS of New Jersey. I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Iowa [Mr. MILLER] to the committee amendment.

The amendment to the amendment was agreed to.

Mr. MILLER. Mr. President, I send to the desk an amendment which I ask to have read.

The PRESIDING OFFICER. The amendment will be stated.

The **LEGISLATIVE CLERK.** On page 31, line 5, in the committee amendment, after the word "the", it is proposed to insert "applicant is of good moral character and that".

Mr. WILLIAMS of New Jersey. Is this the amendment dealing with the requirement that the volunteers be of good moral character?

Mr. MILLER. Yes. I yield myself 2 minutes.

Mr. WILLIAMS of New Jersey. I can agree to that amendment without the Senator taking 2 minutes to explain it.

Mr. MILLER. I point out that the amendment is designed to help the bill. The matter of good moral character was considered on the floor during consideration of the youth employment opportunities bill, and such an amendment was agreed to. I point out that the place for the amendment is properly in section 9 of the bill, which provides:

> All persons employed or assigned to duties and all corpsmen enrolled under this act shall be investigated, in accordance with standards and procedures established by the President, to insure that the—

I would insert there the language of the amendment—

> applicant is of good moral character and that—

Then the language in the bill continues—

> employment, assignment, or enrollment is consistent with the national interest.

I believe that the proper person to establish such standards is the President. I hope the amendment will be acceptable to the Senator from New Jersey.

Mr. WILLIAMS of New Jersey. Mr. President, I yield myself 1 minute.

I agree with the purpose of the amendment. I do not believe that such a provision applies in all parts of the Federal establishment. I do not believe that even Members of Congress must pass such a test. If there is a gap in the proposed legislation, the Senator is filling it. We will fight for it very hard in conference.

Mr. MILLER. I thank my friend from New Jersey. I yield back the remainder of my time.

Mr. WILLIAMS of New Jersey. I yield back the remainder of my time.

The PRESIDING OFFICER. All time for debate has been yielded back. The question is on agreeing to the amendment offered by the Senator from Iowa [Mr. MILLER] to the committee amendment.

The amendment to the amendment was agreed to.

Mr. MILLER. Mr. President, I send to the desk another amendment to the committee amendment, which I ask to have stated.

The **LEGISLATIVE CLERK.** On page 22, strike all in line 4 and insert in lieu thereof the following: "American citizens and Cuban refugees for service,".

Mr. MILLER. Mr. President, I yield myself 3 minutes.

As the bill is worded at present, it would provide not only for the enrollment of American citizens in the corps, but also qualified foreign nationals. I cannot quite see the need for enrolling foreign nationals. If it is necessary to have foreign nationals as advisers or assistants in the program, which is what was covered when the foreign Peace Corps was considered, I suggest that the situation is already provided for in the bill. I read from page 28 of the bill:

> The President may employ such persons as he deems necessary to carry out this Act.

So the President may employ foreign nationals, if necessary, to carry out the purposes of the act. But when it comes to the membership of the Domestic Peace Corps, I suggest that foreign nationals are not needed, as a general rule.

I understand, informally, that the reason for this provision is to enable the employment in the Domestic Peace Corps of Cuban refugees. I believe that most Senators would agree with that purpose. Accordingly, I have worded my amendment so that those who may be enrolled may be American citizens or Cuban refugees.

I reserve the remainder of my time.

Mr. WILLIAMS of New Jersey. Mr. President, the Senator from Iowa has accurately stated the reasons for the parenthetical expression on page 22: "including foreign nationals." The amendment of the Senator from Iowa relates to the specified purpose intended by the developers of the bill. In my judgment, the amendment should go to conference. I accept the amendment.

The **PRESIDING OFFICER.** Do the Senators yield back the remainder of their time?

Mr. **MILLER.** I yield back the remainder of my time.

Mr. **WILLIAMS** of New Jersey. I yield back the remainder of my time.

The **PRESIDING OFFICER.** All time has been yielded back. The question is on agreeing to the amendment of the Senator from Iowa to the committee amendment.

The amendment to the amendment was agreed to.

Mr. **ALLOTT.** Mr. President, I send an amendment to the desk and ask that it be read.

The **PRESIDING OFFICER.** The amendment to the amendment will be stated.

The Legislative Clerk. On page 30, line 8, after "annually," it is proposed to insert a comma and add: "*Provided further*, That not more than 2 percent of the moneys authorized herein or appropriated hereunder shall be used for compensation and expenses of such consultants."

Mr. **ALLOTT.** Mr. President, I yield myself 2 minutes. Earlier this afternoon, the distinguished Senator from Vermont [Mr. Aiken] and the distinguished Senator from New Jersey [Mr. Williams] were discussing this subject. This amendment grew out of that colloquy. I believe the amendment would cause many Senators to feel that the employment of consultants would not be abused. I have cleared the amendment, or at least have discussed it, with the distinguished Senator from New Jersey [Mr. Williams], who is in charge of the bill. I submit the amendment on its merits. There is nothing complicated about it. I have nothing to add to what I have just stated.

Mr. **WILLIAMS** of New Jersey. Mr. President, this subject was discussed earlier with the distinguished Senator from Vermont and the distinguished Senator from Colorado. When the bill came to the floor, the area covered by the Senator's amendment was one about which I had reservations. The provision to limit funds for consultants to 2 percent would materially improve the bill. I commend the Senator from Colorado for offering the amendment.

The **PRESIDING OFFICER.** Do the Senators yield back the remainder of their time?

Mr. **ALLOTT.** I yield back the remainder of my time.

Mr. **WILLIAMS** of New Jersey. I yield back the remainder of my time.

The **PRESIDING OFFICER.** All time has been yielded back. The question is on agreeing to the amendment of the Senator from Colorado to the committee amendment.

The amendment to the amendment was agreed to.

The **PRESIDING OFFICER.** The committee amendment is open to further amendment.

Mr. **TOWER.** Mr. President, I yield 10 minutes to the distinguished Senator from Florida.

Mr. **HOLLAND.** Mr. President, the bill seems to be built on the peculiar concept that the way to make people interested in their local problems and willing to solve them on a local basis is to send ambassadors from Washington to tell them what to do and how to do it. I read from the report three quotations which disclose this clearly idealistic but grossly mistaken contention:

> The National Service Corps is predicated on the concept that local communities should utilize their own resources in meeting their problems and that a local response to a local problem is one of the most efficient methods of achieving effective solutions.

That is a philosophy in which I believe implicitly. However, I do not believe it can be cultivated by sending out from Washington bureaucrats from a highly centralized government, such as our Federal Government, to inculcate in local citizens an interest in their local affairs. That is exactly what would not happen if such representatives were sent from a highly centralized national government.

I quote again, this time from the bottom of page 3 of the report:

> The individual expression of public concern—that is what the National Service Corps will bring to our deprived citizens. In this way, these citizens may know and understand the meaning of self-respect so crucial to self-reliance and individual initiative.

Mr. President, if ever I heard a non-sequitur, it is contained in that last sentence. I read it again:

> In this way, the citizens may know and understand the meaning of self-respect so crucial to self-reliance and individual initiative.

It is proposed to send Federal representatives to cause local people to discover the important fact that "self-respect" is "so crucial to self-reliance and individual initiative."

The third quotation is a gem. Whoever wrote the report certainly hit the nail on the head in the drafting of this paragraph, which is at the bottom of page 5:

> The National Service Corps offers a new dimension of service at home. By providing an opportunity for Americans to serve their nation in peace as they do in war, the corps will reemphasize the traditional American precepts of neighborly concern and the value of local solutions to local problems.

I do not see how there could possibly be more clearly stated the mistaken idealistic view which is embraced in this proposed legislation; namely, that all we need to do to awaken local people to local responsibility is to send representatives from Washington, from this highly centralized, highly bureaucratic Government, to tell them that by awakening to certain needs, they may solve their local problems. I repeat the last sentence:

> By providing an opportunity for Americans to serve their Nation in peace as they do in war, the Corps will reemphasize the traditional American precepts of neighborly concern and the value of local solutions to local problems.

In drafting this particular sentence—"The National Service Corps offers a new dimension of service at home"—the proponents of the bill are evidently talking about the fifth dimension. I do not believe any such dimension is known to arithmeticians or mathematicians, or to anybody else, which is explainable or is really existent, as a "dimension of service at home," which is dependent upon sending representatives from Washington to awaken local people to their responsibilities "and the value of local solutions to local problems."

In my opinion, the whole concept of the bill is wrong. I do not question the idealism of Senators who support the bill, but they could not be more mistaken than to come to the conclusion that the way to awaken citizens to the responsibility for the local initiative to solve local problems is by sending officials paid by Washington, selected by Washington, and answerable to Washington, to awaken them to the importance of their local problems. I hope the bill will be defeated.

Mr. **TOWER.** Mr. President, I yield 3 minutes to the able Senator from Ohio.

Mr. **LAUSCHE.** Mr. President, I shall vote against the measure. I shall do so because I envision an army of Federal agents moving into local communities to tell the people what to do. The strong arm of the Federal Government, composed of 5,000 agents, would be stretched into the different States, admittedly to tell the States what they should do with regard to the management of their government. I can hear citizens throughout the country saying, "Uncle Sam, stay out of our States. Let us operate our own government. Why do you think you can tell us what to do better than we can decide for ourselves? You have sent into our State your agents, who tell us to increase wages, to employ more people, to adopt new programs, to run our government according to the judgment of those in Washington."

Mr. President, I think that is wrong. I think citizens throughout the Nation should have the right to say, "Stay out. Let us operate our own government. Let us decide what should or what should not be done."

I agree with what the Senator from Florida [Mr. Holland] said a moment ago when he quoted the last paragraph on page 5:

> The National Service Corps offers a new dimension of service at home. By providing an opportunity for Americans to serve their Nation in peace as they do in war, the Corps will reemphasize the traditional American precepts of neighborly concern and the value of local solutions to local problems.

But that is the very thing that will not be done. These agents will tell the local people what they shall do. They will provoke; they will agitate; they will demand the institution of programs which the Federal Government dictates.

Mr. President, I believe in local solutions to local problems. But the technique adopted by this bill would do the very opposite. So this bill should not be passed. One of the reasons for refusing to pass it is that it begins with an innocuous provision for the spending of $5 million. Twenty-five advisers would be employed, at $75 a day—to work not more than 20 days a year. Why employ such advisers? Why is there need for 25 of them? The bill would create more jobs for lame ducks, to be paid $75 a day.

Another part of the bill provides for the hiring of consultants at $75 a day. That is wrong, and it should not be done. Eventually it will grow to proportions that will cost, not $5 million, but many millions of dollars.

Why this humble sum of $5 million for the first year? It is a bait. And within that bait is a hook. The innocent States and the innocent citizenry would say: "Here we are getting something for nothing. But when they took that which was given for nothing, they would be hooked with something very expensive.

Mr. President, I urge defeat of the bill.

Mr. TOWER. I yield the remainder of my time to the distinguished minority leader.

Mr. DIRKSEN. Mr. President, I shall speak in my own right, because I move that the bill be recommitted.

The PRESIDING OFFICER. Let the Chair ask whether the Senator from Illinois wishes to have the committee amendment as amended agreed to prior to the offering of his motion to recommit.

Mr. DIRKSEN. I have no objection to having that done, because that is only a technical point.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment, as amended, in the nature of a substitute.

The amendment, as amended, was agreed to.

Mr. DIRKSEN. Mr. President, I move that the bill be recommitted to the committee. On that motion, I request the yeas and nays.

The yeas and nays were ordered.

Mr. DIRKSEN. Mr. President——

The PRESIDING OFFICER (Mr. BREWSTER in the chair). The Senator from Illinois is recognized.

Mr. DIRKSEN. Mr. President, in Kipling there is a little couplet which somehow rolls around in my head. If I can reconstruct it—I have not seen it for years—it is as follows:

This is the law of the jungle,
  As old and as true as the sky;
And the wolf that keeps it shall prosper,
  And the wolf that breaks it shall die.

In the bureaucratic jungle, there is a bureaucratic law, "Grow, or die; vegetate, or decay." That is the history of the functions that are set up in the Federal pattern.

If I need a classic example, Mr. President, I point out that in 1961 the President recommended establishment of the Peace Corps; and, by transfer, a very modest sum—namely, $5 million—was used to initiate it. But when it finally came to Congress for action, the appropriation the first year for the Peace Corps, to bring skills and knowledge to people abroad, was $30 million. In the second year, Mr. President, the request was larger; and when the committee then got through with the Peace Corps, its appropriation was, not $30 million, but $58 million. And in the third year, Mr. President, when we got through with the Peace Corps appropriation, it was not $30 million, not $58 million, but $108 million. So, like Topsy, the Peace Corps "growed and growed." This is typical of the Government.

It is interesting to speculate as to what the Peace Corps will ask for the fiscal year 1965. If, in that short space, its appropriation jumped from $30 million to $58 million to $108 million, it is a fair assumption that next year the Peace Corps will be asking perhaps $150 million or $200 million. So it is like the rolling stone: it does gather some moss as it goes. And that is true of any one of these new functions.

Now we have a new one. This is the Domestic Service Corps. The interesting thing is that construction of the building was begun and the choir was hired before there even were plans to build the church—because long before we ever got a bill, down on Jackson Place there was an office with clanking typewriters, tinkling telephone bells, and people armed with application blanks; and before there was any authority, one could go to an office on the second floor of 728 Jackson Place, just a stone's throw from the White House, and get a blank and start enrolling in the Domestic Service Corps.

That is a novelty in my book, if I ever saw one. This is documented; people have gone there and have obtained application blanks, before there was any legal authority to consummate anything in this field.

This bill proposes a very modest beginning; its proponents are not asking for very much. Neither did the proponents of the Peace Corps ask for very much—at first. In the first year, 484 persons. But in the second year, 3,578 persons; in the third year, 9,000 persons; and in the following year, 13,000. So it has followed the rule, "Grow, or die; vegetate or decay." Certainly this agency has no intention—I say to my distinguished friend, the Senator from Virginia [Mr. BYRD]—of dying. They will grow and move up. The program will require people and money from the Federal Treasury regardless of what may be consummated.

I should like to tell the Senate about the departmental picture. In 1963 there was an estimate of 661 persons in Washington engaged in the Peace Corps program to give direction to activities all over the world. The administrative expense estimate was $9,865,000. What is it now? Downtown are 771 fine, talented, skilled American citizens giving direction to this business all over the world at an administrative cost of $11 million.

We are asked to duplicate that kind of program in the proposed National Service Corps. It is as inescapable as anything I can think of.

The proposal was first called the "Domestic Peace Corps." Then it received the new name of National Service Corps. Volunteers from the age of 18 on up would be accepted. I read every line of the report of the Advisory Committee to the President, and noted that at first it was suggested that from 150 to 300 people would be required. Then the estimate went to 1,000 the first year. Then the provision read "Not to exceed 5,000 at any one time." Does anyone for one moment believe, if he knows anything about the pageantry, the growth, and the acceleration of functions in the Nation's Capital, that the program would stop there?

Let us go back and consider the development of the Peace Corps. His experience will be like that of the young fellow in jail in my hometown. As I cut across the courthouse yard, I saw him and said, "What are you in there for, Joe?"

He said, "Well, I am in here because they think I am a vagrant."

I said, "What are they going to do with you?"

He said, "They are going to send me down to the penal farm."

I said, "For how long?"

He said, "From now on."

From now on. Let no one be misguided or fooled. If the measure should get through the Senate and pass the other body, we would discover that we had started something which would be with us from now on. As the Senator from Ohio [Mr. LAUSCHE] said, "There will be that many more Federal agents going through the country."

A line in the bill reads, "on request, and by authority of, the President." The corpsmen could go to a city on request. They would become agents of the President, to decide who shall get them and what they would do. That is the language of the bill.

What would they do? There are five or six different kinds of work. They would teach irrigation to the Indians, a little farming, how to build houses, skills, how to improve police and court systems—as if the people in South Dakota, North Dakota, and in Wisconsin who live with the Sioux and the Menominees, or out West where live the Utes and the Kiowas, or down where the Cherokees live do not have a better estimate of what is necessary to provide some training for the Indian population that is still there. But that will be one of the purposes of the bill.

Can Senators imagine sending a youngster out in that territory, where he would have to learn as much of the tribal language as would be necessary if they do not speak English? He would take Indians by the hand and say, "Now, I am going to teach you something about irrigation, how to build a hayshed, how to build a chicken coop, and all the other necessary things that are involved."

I cannot conceive of the Federal Government entering into this line of endeavor. Was it not Thomas Jefferson who said that when we direct from Washington when to sow and when to reap, that is the day that government starts down hill.

The corpsmen would do some work among the mentally ill. They would measure progress, teach therapy, and stimulate community volunteers—as if we did not have people to do that.

Do Senators know that there are 1,520,000 teachers in the United States? Think of it—one million and a half teachers diffused among the 3,075 counties of the United States. Is this to be one of those great uplifting, crusading undertakings? Can they not get the training back home? What about the teachers who are back there? There are

133,000 social workers. How much can a thousand youngsters, divided between Indians, the mentally ill, those who move into city slums, and engage in rural community development and work among migrant workers, accomplish in the face of so great an army of 133,000 social workers plus 1,500,000 teachers?

What else do we have? We have 280,000 enforcement officers in the country. I am sure that, from their identity with government at the local level, they know a little something about it and can generate a volunteer effort at the local level. But no. The youngsters from the Peace Corps are coming to Winchester. They are coming to Richmond. They are coming to the great Commonwealth of Virginia to tell the people something about farming where it is needed. If irrigation is possible, they will tell the farmer about that. If the farmer has some migrant workers from Mexico or Jamaica, they will probably be there to tell the farmer about that situation. When the Senator from Virginia [Mr. BYRD] gets ready to pick his great apple harvest, it will be wonderful. The corpsmen may never have seen an apple or picked an apple in their lives, but they will be on hand to take care of that business.

The bill would provide for rural community development among the mountain people. That is one for the books. All we have to do is to let the hillbillies down in the mountains of southern Illinois, Kentucky, Tennessee, and elsewhere alone, and somehow they get along pretty well. They have found their Maker. They know how to read their Bibles, and they know how to till the soil without having a young agent from the great white dome of the Capitol come to tell them about technical assistance, health information, library projects. There are 50 million who would wish that they had the energy and vitality of those mountain people, and especially young fellows who take a bead on a squirrel maybe 200 feet away and knock him out of a tree. And the youngster knows how to skin him when he has knocked him out of the tree. That is a part of his business.

Then we think about newcomers in the city slums. I am referring to the Commission's Report to the President. One morning I sat up until 1 o'clock reading the report and thought, "This is for me. I must find out what this Domestic Peace Corps would do." One never knows. He might have to call them in on an emergency basis. They would work with the Indians, the mentally ill, the migrant farm workers, on rural community development projects, and among the newcomers in the city slums. It is alleged that hundreds of thousands go from rural areas to city slums and are bewildered. They must be informed about hospitals, schools, housing, job opportunities, and recreation programs.

It seems to me, Mr. President, that those who come from the outside, from the rural areas to the cities, are like Sears and Roebuck, a couple of "country kids" who made good in town. One does not have to take them by the hand to show them the nearest school. I would bet my chips on the country boy, his diligence, and his devotion to work. I would bet on his ability to find himself a job. I do not think it would be necessary to pick him out of a slum. And, if it were, it would have to be done by somebody with more stature and more competence than one could get under the Peace Corps program.

Speaking of older people, I go back to the 1½ million teachers. I go back to the 133,000 social workers. They all have their Ph. D.'s. They are on hand and can do the job. I speak of the clergy, 200,000 in number, who give themselves out of a fervent heart to this kind of work.

But this is to be the Peace Corps, which is to take them by the hand and say, "Look. We are from the outside, but now we have been invited in. You have just moved from Bingville into Washington, so we must take you around. We must show you where the hospital is and how to get into it. We must show you what housing there is here, and what it takes to get a cubicle in that housing. We are going to show you the job opportunities. We are going to show you how to advertise in the want ad columns, if necessary. We are here to help you."

That is what the Peace Corps is going to do.

Finally, there is to be education for neglected urban youth. We are supposed to help them with their emotional problems, with special clinics, with tutoring, and with counseling.

Mr. President, if we emphasized a little more the necessity of a little tutoring and a little spiritual counseling at home it would be infinitely better. If this country ever breaks down it will be from neglect in the home.

Let every community send its social workers, its ministers, and its school teachers in to see what is wrong.

When I played hooky and failed to show up at school, the next day the school teacher was there knocking on the door, and a very frugal and austere mother, who had difficulty giving me an education, thought so highly of it that when I would get home at night—and I kept regular hours, to make sure they did not find out—I would be confronted at the door with, "Why weren't you in school today, my son?" I could think up the fanciest excuses which ever came into a juvenile mind, but they did not score with my saintly mother.

She had the remedy. She did not say, "My son, come into the parlor. These bearded ancestors look down from the walls, with a great scripture in the centerpiece, but sit on this horsehair sofa, I am going to counsel with you now."

No, that was not the way, Mr. President. Behind the kitchen door was a strap, and it was administered, and the people did not go in for some of the nonsense we have today.

But now a few youngsters are to come in to say, "Let your emotional problems subside. Let all the passion which is welled up in you subside. We are to have a laying on of hands, in the latest psychiatric technique. All will be well. The spirit will be whole and the mind will be whole."

That is what we are to have, because, it is said, the corpsmen are going to solve emotional problems with special clinics, tutoring, and counseling.

There we have it, Mr. President. I go back to the point where I started, with the old bureaucratic law, "Vegetate or decay—grow or die." That is the bureaucratic jungle law.

We can take our lesson from the Peace Corps—$30 million the first year; $58 million the second year; $108 million for fiscal year 1964. I would lay a little wager, if it were not unlawful to do so on Government property, as to what the cost will be in fiscal year 1965.

So there is in this bill a modest sum. Five or six million dollars, or thereabouts. What a modest sum. That would not keep the Government in clothes and food for 15 seconds, if we consider the whole structure of Government.

But wait until fiscal year 1965. Then we can look at those columns in the budget, which is as thick as a Sears, Roebuck catalog. It weighs 7 pounds on the scale. I know, because I have weighed it. It is filled with intricate entries.

There we will find the National Service Corps, in January, but it will not be in the amount we are now talking about. It will grow, as Topsy "growed" long ago.

Do Senators want to start on this course? This is the place to start on it. This is the place to give the program a push. This is one of the new functions we have been talking about.

Oh, how we lament. As a member of my party, when we had a press conference in the conference room this morning, I laid it on pretty thick. I castigated the Democrats from one end of the deck to the other about spending, huge budgets, accelerating debts, and all that sort of a thing.

This is the way to do it. This is an addition. This is a new baby in the Federal crib, and, like all new babies, the new baby will have to have a bottle, and there will have to be something in the bottle. That something will be the pap that they will get out of the Appropriations Committees of the House and the Senate, if the President will sign the bill.

I am not willing to start down this road. It is that simple.

For that reason, and for the other reasons I have recited, the bill ought to go back to the committee. It ought to go back with the feeling that we have finished with it now, and had done with it.

I can think of no more reassuring message which the Congress could give to the country this wonderful, cool afternoon, when the temperature is 76 degrees, and thousands upon thousands of people from all parts of the country are here vacationing. Let us give them a cheering message. Let us give them a reassuring message that at long last, like new sailors with a new deck under them, we have suddenly found our sea legs, we have found our maritime reorientation, and we are prepared to send the bill back to the committee, where it belongs.

And then in proportion as we follow with other good works, so I think we shall reassure the hopes of our people that we can yet keep this country sound and solvent.

Mr. President, I hope the motion to recommit the bill to the committee will prevail.

Mr. MANSFIELD. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Montana is recognized for 5 minutes.

Mr. MANSFIELD. Mr. President, I express the hope that the motion to recommit the bill will not prevail. I express the hope also that we will not send a message out to the people who are vacationing in all parts of this country at the present time, but that rather we shall send out a message to those people who are in need—the mentally ill, the mentally retarded, the people on Indian reservations who need help, the youngsters in our cities, the people in our depressed rural and urban areas, and others for whom we can do a great deal.

Reference has been made to the Peace Corps, and in effect, a comparison has been attempted, but there is a great deal of difference between the Peace Corps, which operates in foreign countries for the benefit of foreign people, and the present legislation, which seeks to bring about the creation of a National Service Corps to work among our own people in our own country, among people and groups who are in great need.

The distinguished minority leader has referred to an incident in his youth when he played hooky and the next day the schoolteacher came, knocked on the door, passed the necessary information on, and in turn his mother took things into her own hands. I make that statement literally. This is not the "good old days" when he and I were youngsters, because the population of this Nation since that date has advanced from approximately 65 or 70 million to pretty close to 190 million today.

Times have changed considerably; and we must change with the times, whether we like to or not. Frankly, I am not one of those who like change, but I have no choice. I have to change if I want to live, so I change.

Mr. President, this is not a "grow-or-die" proposition. This is not another bureacracy starting off on a great, high plateau, as perhaps the Peace Corps did. This is a modest $5 million program, involving a modest number of people, 1,000. It is curbed by the Proxmire amendment. It must come back here year after year. If it is any good, it should be put into operation. If it does not perform as we want it to, we ought to cut it off next year. We have the power, the authority, and the responsibility, if we wish to exercise them.

I say to my good friend from Ohio that there is no force in this bill so far as the States and communities are concerned. We ought to keep that fact pretty well in mind. Nor is there any infringement on the rights of the States, because, contrary to what has been said here, the volunteers will go into the various States on the basis of requests made. They must be invited by the localities and communities.

I invite the attention of Senators to certain statements made in discussion with the distinguished Senator from New Jersey, who is so ably handling this bill. We bring out the fact that the amount asked for is $5 million. The number of employees required is 1,000. The amount these people will receive is $75 a month. The cost of paying them is considerably less than that of paying the volunteers in the Peace Corps.

The Peace Corps works overseas, to help foreigners; and this group will work in this country, to help our own people, our own people who are in need and who deserve our assistance. They will work primarily with youngsters, and I am glad there are young people who are willing to go out in areas like these. They will work in economically depressed areas in cities and rural slums. They will work in institutions to help the mentally ill and mentally retarded. They will work to help educate children. They will work on Indian reservations. These people will be volunteers, and they will be invited and requested to come into various areas.

I point out to my colleagues that we can send money and send people overseas, to help educate and train people in those areas, but, so far as our own people are concerned, in this, the richest and greatest country on the face of the globe, there are approximately 8,500,000 who have had less than 5 years of school.

Approximately one-third of the children entering the ninth grade become dropouts. This bill looks after dropouts. As a dropout in my own time, I think I have a fairly good idea of what good can be accomplished in this field.

Also there are approximately 350,000 children who are members of migrant farm families.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MANSFIELD. I yield myself 2 more minutes.

Those children are behind in their school by from 1 to 4 years because of the conditions under which they live and the fact that they have to travel from place to place in search of their work.

Then there is a mountain area which needs help, the so-called Appalachian region. There many people have been thrown out of their means of livelihood because of the decline in the coalmining industry, and because of other factors. Why should we not help those people? They are independent, God-fearing, and they want to get by on their own. In this way the people would be helped to a greater degree than they are at the present time. These are factors we ought to consider.

I say to Senators that I hope that we may think of our own for a change, think of the mentally ill and retarded, dependent children, people who live in pockets of poverty, in big cities, in mountain areas, people who live on Indian reservations, and who live under conditions of poverty. In doing so, we will be thinking as well of our country.

I hope very sincerely the motion to recommit does not carry.

The PRESIDING OFFICER. Is the remainder of the time yielded back?

Mr. DIRKSEN. I yield back my time.

Mr. MANSFIELD. I yield back my time.

The PRESIDING OFFICER. All time on the motion is yielded back. The question is on the motion of the Senator from Illinois [Mr. Dirksen] to recommit the bill. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ENGLE (when his name was called). On this vote I have a pair with the Senator from Indiana [Mr. Bayh]. If he were present and voting he would vote "nay." If I were at liberty to vote, I would vote "yea." I withhold my vote.

The rollcall was concluded.

Mr. HUMPHREY. I announce that the Senator from Missouri [Mr. Long], and the Senator from Arizona [Mr. Hayden] are absent on official business.

I further announce that the Senator from Indiana [Mr. Bayh] is necessarily absent.

I further announce that, if present and voting, the Senator from Missouri [Mr. Long] and the Senator from Arizona [Mr. Hayden] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from New Mexico [Mr. Mechem] is necessarily absent.

The Senator from Delaware [Mr. Williams] is necessarily absent to attend the funeral of a friend.

The Senator from Kentucky [Mr. Cooper] is detained on official business.

On this vote, the Senator from New Mexico [Mr. Mechem] is paired with the Senator from Kentucky [Mr. Cooper]. If present and voting, the Senator from New Mexico would vote "yea," and the Senator from Kentucky would vote "nay."

The result was announced—yeas 45, nays 47, as follows:

[No. 135 Leg.]

YEAS—45

Aiken
Allott
Beall
Bennett
Boggs
Byrd, Va.
Carlson
Case
Cotton
Curtis
Dirksen
Dominick
Eastland
Ellender
Ervin
Goldwater
Gore
Hickenlooper
Holland
Hruska
Johnston
Jordan, N.C.
Jordan, Idaho
Kuchel
Lausche
Long, La.
McClellan
Miller
Morton
Mundt
Pearson
Prouty
Robertson
Russell
Saltonstall
Scott
Simpson
Smathers
Smith
Stennis
Talmadge
Thurmond
Tower
Young, N. Dak.
Young, Ohio

NAYS—47

Anderson
Bartlett
Bible
Brewster
Burdick
Byrd, W. Va.
Cannon
Church
Clark
Dodd
Douglas
Edmondson
Fong
Fulbright
Gruening
Hart
Hartke
Hill
Humphrey
Inouye
Jackson
Javits
Keating
Kennedy
Magnuson
Mansfield
McCarthy
McGee
McGovern
McIntyre
McNamara
Metcalf
Monroney
Morse
Moss
Muskie
Nelson
Neuberger
Pastore
Pell
Proxmire
Randolph
Ribicoff
Sparkman
Symington
Williams, N.J.
Yarborough

NOT VOTING—7

Bayh
Cooper
Engle
Hayden
Long, Mo.
Mechem
Williams, Del.

So Mr. Dirksen's motion to recommit was rejected.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Illinois will state it.

Mr. DIRKSEN. Do I correctly understand that the adoption of the committee substitute is tantamount to the third reading of the bill?

The PRESIDING OFFICER. So far as the amending process is concerned, that is correct. No further amendment is in order.

Mr. DIRKSEN. Mr. President, on the passage of the bill, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. DIRKSEN. Mr. President, on the bill, I yield 15 minutes to the distinguished senior Senator from New York.

Mr. JAVITS. Mr. President, I intend to address myself to a subject other than the bill under consideration. Therefore, if it would be more convenient to have the Senate vote on the bill, I am willing to wait until after the rollcall, with the assurance of the majority leader that I will be recognized at that time.

Mr. DIRKSEN. If the Senator from New York will forbear with his remarks until after the vote on the passage of the bill, it will be appreciated.

The PRESIDING OFFICER. Do the Senators yield back the remainder of their time?

Mr. MANSFIELD. Mr. President, I yield 2 minutes to the distinguished Senator from Connecticut.

Mr. DODD. Mr. President, I shall support the bill.

Mr. DIRKSEN. Mr. President, will the Senator from Connecticut yield to permit me to propound an inquiry of the majority leader?

Mr. DODD. I yield for that purpose.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, while a large number of Senators are in the Chamber, I should like to inquire of the majority leader what is proposed to be taken up tomorrow and, if he can tell us now, what the program will be for the remainder of the week?

Mr. MANSFIELD. Mr. President, it is the intention of the leadership to have the Mexican workers bill laid before the Senate today. Some speeches may be made on the bill, although I doubt it, because other Senators, who have been waiting patiently all day, have speeches to make. However, the bill will be the pending business tomorrow. I hope it will be possible to conclude action on it tomorrow; if not, the Senate will come in on Friday; otherwise, we will go over until Monday.

NATIONAL SERVICE CORPS ACT

The Senate resumed the consideration of the bill (S. 1321) to provide for a National Service Corps to strengthen community service programs in the United States.

Mr. DODD. Mr. President, I urge Senators to vote for the passage of the bill. It would establish a National Service Corps. It is a modest and limited attempt to do for our people some of the things we are doing for people all over the world. The bill provides for $5 million, initially, to set in motion a program that will involve 1,000 corpsmen in the first stage, and ultimately 5,000.

This program, in its organization and in its concept, is patterned on the Peace Corps, and if it can make the contribution at home that the Peace Corps has made abroad, it will be a significant and beneficial program indeed.

The volunteers will serve full time for a nominal stipend of $75 a month. They will be carefully selected, trained and then set to work in setting up programs of self-help among Indian families, among migrant farm laborer families, among the mentally ill and the mentally retarded, among the disabled, the aged, and among school dropouts who may be on the verge of falling into delinquency. These are the people for whom, by and large, no one has time; yet their conditions represent the worst blights upon our national life.

No National Service Corps operation will be set up anywhere until it is requested by local authorities. Its chief function, wherever it goes, is to serve as a nucleus, a catalyst, around which locally staffed and locally run programs will be built.

The National Service Corps will effectively channel the efforts of those many thousands of Americans, young and old, who wish to help their less fortunate citizens in some organized and dramatic way.

It will extend a helping hand to the forgotten.

It will translate into organized, coherent action, the principle of neighborliness, of concern for our fellow Americans, which is an old and precious national tradition.

It will introduce the corpsmen, and the vastly multiplied numbers with whom they will work, to the field of social work, a field where new recruits are desperately needed to cope with mounting social problems.

All of the arguments that were made against the Peace Corps and other enlightened measures are being brought to bear against this bill.

To those who say that it merely duplicates the work in existing agencies, we point to the provision in the bill barring any duplication; we point to those many tragic situations where nothing is being done and we ask that this program be given a chance to fill the void.

To those who say that the program is too small to accomplish any significant goals, we say "let us give it a start and if it does a good job we can make it larger."

To those who are afraid of the interference of Federal programs in local communities, we point out that the National Service Corps will appear in any community by invitation only.

To those who say that the concept is not well thought out and needs more study, we recall that some of us have been thinking of a program of this kind for 30 years, since the establishment of the National Youth Administration, which, in some of its aspects resembled the program before us. The pending program has in back of it the experience gained during the depression, the experience of the Peace Corps, the experience being gained under the Juvenile Delinquency and Youth Offenses Control Act of 1961, and the experience of its own pilot program under the direction of Captain Anderson.

It is time to get this organization underway as a working program; that is the way to conquer any lack of experience that might exist.

We have before us a very small program with a very great potential. We seek to accomplish, in an organized way and at minimum cost, an experiment in putting people who are anxious to serve in contact with those who most desperately need help. If it fails, little harm will have been done and we will have learned something from the failures; but if it succeeds, great good can flow from it. Based upon past experience, the odds are that it will succeed and that it will serve the American people well.

I urge that the Senate vote favorably on this measure.

THE NEED FOR A NATIONAL SERVICE CORPS

Mr. HUMPHREY. Mr. President, one hears a great deal these days about deficits. Budgetary deficits, Treasury deficits, deficits in our balance of payments—these all are deficits about which the American citizen is asked to concern himself.

But there are other less well publicized deficits in American society—deficits in education, vocational training, and employment; deficits in the care afforded the elderly, the mentally ill, and the underprivileged minorities; deficits that relate to our youth. These human deficits are, to my mind, at least as significant as the financial deficits with which we have become so familiar.

We have before us today a bill—S. 1321, to establish a National Service Corps—that seeks to reduce some of the most serious of these human deficits. I hope my economy-minded colleagues will grant it the same careful attention they bestow upon measures to reduce our fiscal imbalances.

Because it seeks to tap the great store of selfless energy and good will in our citizens, the proposal to establish a National Service Corps is sometimes characterized as the Peace Corps idea hastily and uncritically transferred to a domestic setting. Let it be said right at the start that the idea of governmental encouragement of self-help among the needy is not so novel in this country as that criticism implies. Such criticism also fails to take into account the many hours of investigation and careful planning that have gone into the designing of this bill.

In two very important respects, however, the suggested analogy is apt. The proposal for a National Service Corps arises from the perception that there are not only abroad but in our own country as well large numbers of people who are in desperate need of training in self-help and whose needs are not at present being met. And like the Peace Corps, the organization of the National Service Corps is based upon the presumption that many highly qualified Americans are willing to volunteer their services at little or no financial return to themselves in order to meet these needs.

That there are such needs is very largely, I think, beyond dispute. The grim tally of unresolved domestic evils—of mental institutions where inmates are caged like animals for lack of staff; of Indian reservations where the inhabitants live in squalor while the unemployed, untrained, despairingly apathetic heads of families wonder what to do about it; of otherwise promising juvenile delinquency programs that threaten to flounder for lack of trained personnel—all these evils, I am sure, weigh heavily on the conscience of all of us. Already the demand for help—help not in the form of Government payments and capital equipment but in the form of people who can show the needy how to make use of their existing resources—has outrun the maximum proposed number of National Service Corps members. We can draw little satisfaction from that fact.

The only serious question, then, is not whether unfulfilled needs exist. It is whether the institution of a National Service Corps is the right way to go about meeting these needs.

It is true that if one looks at the massive internal problems by which this country is faced, one can feel little confidence in the ability of a corps of 5,000 members to solve them all. But then, no one has ever seriously suggested that it could. The overall problems of unemployment and social unrest will have to be dealt with through longrun measures altering the basic structure of our economic and social environment. Meanwhile, if there are steps we can take to restore the confidence of our less fortunate citizens in their ability to cope with their hardships, we can hardly refrain from so doing on the ground that other programs are needed as well.

It is frequently asserted that a National Service Corps would drain away talents otherwise available to already existing volunteer organizations. Apart from the fact that the contemplated size of the Corps would be a mere 5,000 members, this difficulty seems largely hypothetical. As the administration has made clear, the policy of the Corps would be to recruit new members to initiate self-help projects in areas where there was nothing underway. Certainly volunteer charitable and social work organizations in the field have not expressed any fear of duplication of function and competition for talent. On the contrary, the list of private social welfare agencies supporting this bill is one of the most impressive arguments for its passage.

So much has been accomplished in this country through the efforts of private service organizations that it is difficult to see their inherent limitations. Yet the time has come to face these limitations frankly. These organizations are most likely to come into existence, and to function at their best, when the social evils at which they are directed can be found in the same community. It is another matter when the need arises on an Indian reservation, or in an Eskimo village, or at a remote mental institution, or in the jungle of some urban slum. There can then be no guarantee that these problems will come automatically to the attention of some charitable organization, much less that someone will be free to travel out there and devote 24 hours of his time 7 days a week to helping the people in need of help.

It is under such circumstances that the need for supplementary efforts by a National Service Corps becomes apparent. Even a relatively small staff could give dramatic focus to the systematically neglected members of our society and their problems such as no private agency could attain. Its central position would enable it to make a more comprehensive survey of needs, to set priorities, to give aid where it was not otherwise available, and to carry out projects beyond the reach of an auxiliary two-afternoons-a-week staff.

Inevitably, we will hear voices expressing grave concern at the possibility of administrative waste and bureaucratic aggrandizement under this program. But let us remember what it is we are being asked to do. We are not being asked to underwrite a program requiring hundreds of thousands of employees and hundreds of millions of dollars. The question is whether to approve the creation of a corps of no more than 5,000 members—a corps with a statutory limit of 1,000 members for the coming fiscal year and a gradual buildup thereafter as its administrators learn from experience. Of course there will be some waste in the initial stages of the program. I have yet to see an experimental program in Government—or in private business, for that matter—that has begun without any mistakes whatsoever. As to the well-known propensity for bureaucratic expansion, it should be emphasized that the 5,000 members of the National Service Corps be sent only to those areas where their services have been requested and where a specific program for phasing out the corpsmen has already been designed.

THE YOUTH EMPLOYMENT ACT AND THE NATIONAL SERVICE CORPS

In some discussions of this bill I sense a certain confusion between its objectives and those of the Youth Employment Act. The two programs are altogether different. The Youth Employment Act is directed at providing constructive employment opportunities for disadvantaged young people whose lack of vocational skills has made it nearly impossible for them to find work. The National Service Corps, on the other hand, will draw its members from those fortunate people, young and old, whose special talents and training have equipped them to initiate service programs where they are most needed. The one program will enroll those who most need help; the other, those who are best able to give it.

Mr. President, there will always be those who believe that the greatness of America lies in its technological achievements and its armed might. Whatever one may think of that standard of judgment, there is one area in which I believe American democracy cannot afford to be found wanting. We cannot afford to have it said that in this affluent and powerful Nation we have failed to come up with any way of using the strength of democratic government to dry up the cesspools of human misery. Small in itself, this program is a start in that direction.

GOVERNOR ROLVAAG ENDORSES NATIONAL SERVICE CORPS

Mr. President, since the Senate will soon consider the legislation to create a National Service Corps, S. 1321, as introduced by the distinguished Senator from New Jersey [Mr. WILLIAMS], I call to the attention of the Senate a letter from the Honorable Karl Rolvaag, Governor of Minnesota, to Senator WILLIAMS supporting enactment of this bill.

Governor Rolvaag emphasizes the need for voluntary programs to alleviate human suffering and deprivation in a number of critical areas. In particular, the Governor raises the importance of expanded technical and welfare assistance to Indians. Minnesota has recently created a State commission on the problems of the Indians that would stand ready to work closely with the National Service Corps. Programs of community service in other related areas of human need would be welcomed and effectively used.

Mr. President, I ask unanimous consent that the full text of the letter from Governor Rolvaag to Senator HARRISON WILLIAMS endorsing the National Service Corps be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

STATE OF MINNESOTA,
EXECUTIVE OFFICE,
St. Paul, Minn., July 24, 1963.

Senator HARRISON A. WILLIAMS, JR.,
Senate Office Building,
Washington, D.C.

DEAR SENATOR WILLIAMS: It has come to my attention that you are now considering H.R. 5625 concerning creation of a National Corps, and I hope you will allow me to share with you a few thoughts concerning this legislation.

There are areas of critical human needs that have to be met in all of our States. At the same time, there are thousands of dedicated, well-qualified citizens willing and eager to volunteer of their time and talents to help. What is vitally needed is a well coordinated program to mobilize these skills and channel them into areas of priority needs.

Such needed community services include technical assistance to Indians living both on and off the reservations; coordinated supplemental services (such as health and education needs) for families engaged in migrant farmwork; young persons living in urban slum areas of our large cities where minority group problems exist; and care and rehabilitative work for the aged, the mentally ill, and the mentally retarded.

Much can be done to alleviate hardship conditions and to upgrade the level of services in all of these areas if this legislation is enacted.

Minnesota stands ready to do its part in this great effort. Our legislature recently created a State commission on the problems of the Indians, and we intend to intensify and develop a program of concerted services in this area. We are endeavoring to do all that is possible in other areas of need as far as our financial resources will allow.

Another direct advantage to this problem is that it will expose to dedicated young men and women the problems that exist in these areas of great social need. This will stimulate many of them to further their education for the threshold of a professional career in social work.

This legislation has many excellent byproducts for society and can make possible the fulfillment of the hopes, dreams, and aspirations of thousands of Americans for a meaningful future. Your support for this measure is most earnestly solicited.

Sincerely yours,

Karl F. Rolvaag,
Governor.

The **PRESIDING OFFICER**. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

The **PRESIDING OFFICER**. The bill having been read the third time, the question is, Shall it pass? The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. **ENGLE** (when his name was called). On this vote I have a pair with the junior Senator from Indiana [Mr. Bayh]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I withhold my vote.

Mr. **SMATHERS** (when his name was called). On this vote I have a pair with the junior Senator from Missouri [Mr. Long]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I therefore withhold my vote.

Mr. **HUMPHREY**. I announce the Senator from Missouri [Mr. Long] and the Senator from New Hampshire [Mr. McIntyre] are absent on official business.

I further announce that the Senator from Indiana [Mr. Bayh] is necessarily absent.

I further announce that, if present and voting, the Senator from Missouri [Mr. Long] and the Senator from New Hampshire [Mr. McIntyre] would each vote "yea."

Mr. **KUCHEL**. I announce that the Senator from New Mexico [Mr. Mechem] is necessarily absent.

The Senator from Kentucky [Mr. Cooper] is detained on official business.

On this vote, the Senator from Kentucky [Mr. Cooper] is paired with the Senator from New Mexico [Mr. Mechem]. If present and voting, the Senator from Kentucky would vote "yea" and the Senator from New Mexico would vote "nay."

The rollcall was concluded.

Mr. **DIRKSEN**. Mr. President, is it in order now to call for the regular order?

The **PRESIDING OFFICER**. (Mr. Brewster in the chair). The regular order has been called for.

Mr. **DIRKSEN**. Mr. President, I insist upon the point of order.

The **PRESIDING OFFICER**. The Chair rules that Senators have the right to vote until the vote is announced.

The result was announced—yeas 47, nays 44, as follows:

[No. 136 Leg.]

YEAS—47

Anderson
Bartlett
Bible
Brewster
Burdick
Byrd, W. Va.
Cannon
Church
Clark
Dodd
Douglas
Edmondson
Fong
Fulbright
Gruening
Hart
Hartke
Hayden
Hill
Humphrey
Inouye
Jackson
Javits
Keating
Kennedy
Magnuson
Mansfield
McCarthy
McGee
McGovern
McNamara
Metcalf
Monroney
Morse
Moss
Muskie
Nelson
Neuberger
Pastore
Pell
Proxmire
Randolph
Ribicoff
Sparkman
Symington
Williams, N.J.
Yarborough

NAYS—44

Aiken
Allott
Beall
Bennett
Boggs
Carlson
Case
Cotton
Curtis
Dirksen
Dominick
Eastland
Ellender
Ervin
Goldwater
Gore
Hickenlooper
Holland
Hruska
Johnston
Jordan, N.C.
Jordan, Idaho
Kuchel
Lausche
Long, La.
McClellan
Miller
Morton
Mundt
Pearson
Prouty
Robertson
Russell
Saltonstall
Scott
Simpson
Smith
Stennis
Talmadge
Thurmond
Tower
Williams, Del.
Young, N. Dak.
Young, Ohio

NOT VOTING—8

Bayh
Byrd, Va.
Cooper
Engle
Long, Mo.
McIntyre
Mechem
Smathers

So the bill (S. 1321) was passed, as follows:

An act to provide for a National Service Corps to strengthen community service programs in the United States

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

Section 1. That this Act may be cited as the "National Service Corps Act".

DECLARATION OF PURPOSE

Sec. 2. The Congress finds that the United States today, while enjoying the greatest general prosperity of any nation in history, is still faced with a lengthy catalog of critical human needs; that community services designed to meet these needs are seriously undermanned; that at the same time human resources for strengthening such community services exist in abundance; and that greater citizen action for the general welfare would be stimulated by a National Service Corps, composed of a limited number of carefully selected men and women of all ages to be made available to serve for a limited time in projects directed toward the critical human needs of our countrymen. The Congress finds that these needs include the health and education needs of migratory workers and their families, Indians living on reservations, and residents of depressed areas and rural and urban slums; the training and education of youth, particularly of "school dropouts"; and the care and rehabilitation of the elderly, the disabled, the mentally ill, and the mentally retarded.

It is therefore the purpose of this Act (1) to arouse more citizens throughout the country to volunteer for public service in their own communities and to provide increased opportunities for such service; (2) to aid local communities to initiate or improve worthwhile public service programs by providing voluntary personnel; (3) to awaken popular concern over the want and deprivation that persists even in prosperous times; and (4) to inspire more citizens to choose and to prepare themselves for careers of public service.

In carrying out these purposes, the National Service Corps will not only contribute to a nationwide citizens' effort to eliminate want and alleviate suffering, but will also demonstrate how citizens seeking to aid their country may serve the common good.

ESTABLISHMENT OF A NATIONAL SERVICE CORPS

Sec. 3. (a) There is hereby established a National Service Corps, in which the President may enroll qualified American citizens and Cuban refugees for service, and through which he shall carry out projects under this Act. The President may appoint, by and with the advice and consent of the Senate, a Director of the Corps, whose salary shall not exceed $20,000 per annum. The Director may perform such functions in connection with the Corps as the President may prescribe, may promulgate such rules and regulations as he may deem necessary or appropriate to carry out such functions, and may delegate to any of his subordinates authority to perform any of such functions.

(b) Projects under this Act shall be undertaken only upon local invitation and in cooperation with interested governmental and nongovernmental agencies and may include, without being limited to, projects designed to make corpsmen available for work in meeting the health and education needs of migratory workers and their families, Indians living on reservations, and residents of depressed areas and rural and urban slums; the training and education of youth, particularly of "school dropouts"; and the care and rehabilitation of the elderly, the disabled, the mentally ill, and the mentally retarded. To the extent possible each project carried out under this Act shall provide for supervision by, and contributions from, the cooperating agencies.

(c) The President shall request the Governor of each State in which one or more requests for corpsmen have been initiated to consult with the Corps and the groups or agencies making such requests, and submit recommendations to the President concerning each request. Before undertaking a project, the President shall assure himself that any recommendations received from such Governor have been given appropriate consideration and that such project will not displace regular workers or duplicate or replace an existing service in the same locality.

(d) Nothing in this Act shall authorize the implementation of any program by the National Service Corps or any activity of the National Service Corps within the confines of any State in the United States unless, and until, the Governor of the particular State has so requested in writing to the President of the United States.

(e) There are hereby authorized to be appropriated to the President for the fiscal year commencing July 1, 1963, not to exceed $5,000,000, and for the fiscal year commencing July 1, 1964, not to exceed $10,000,000.

NATIONAL SERVICE CORPSMEN

Sec. 4. (a) The terms and conditions of the enrollment, training, and service of corpsmen shall be exclusively those set forth in this Act and those consistent therewith which the President may prescribe. The number of corpsmen enrolled under this Act shall not exceed one thousand at any time during fiscal year commencing July 1, 1963, and shall not exceed five thousand at any time thereafter.

(b) Corpsmen shall be entitled to receive stipends at a rate not exceeding $75 for each month of satisfactory service. Corpsmen leaders may be selected from among corpsmen for supervisory or other special duties and may, at the discretion of the President, receive a stipend at a rate exceeding that of corpsmen. Such stipends shall be payable to the corpsman during or at the termination of his service, or to others, as the President may determine. In the event of a corpsman's death any unpaid stipend shall be paid in accordance with section 1 of the Act of August 3, 1950 (5 U.S.C. 61f), and funeral and burial expenses, including transportation expenses incident thereto, are authorized.

(c) Corpsmen shall be provided with such training and such living, travel, and leave allowances, housing, transportation (including transportation to and from the place of enrollment, training, or termination of service), supplies, equipment, subsistence, clothing, health and dental care including examinations and immunizations, as the President deems appropriate.

(d) Corpsmen may be made available to any entity referred to in section 5(1), on such terms as the President deems appropriate and pursuant to a contract or agreement which shall not extend at any time for more than twenty-four months.

(e) The service of a corpsman may be terminated at any time at the pleasure of the President.

(f) Corpsmen shall take the oath prescribed pursuant to section 1757 of the Revised Statutes of the United States, as amended (5 U.S.C. 16). Corpsmen shall not be deemed to be in the service or employment of, or holding office under, the United States, except that—

(1) Corpsmen shall be deemed employees of the United States for purposes of (A) any Federal tort liability statute; (B) section 595 of title 18 of the United States Code; (C) section 9 of the Act of August 2, 1939, as amended (5 U.S.C. 118i); (D) the Internal Revenue Code of 1954; and (E) title II of the Social Security Act;

(2) Corpsmen shall be deemed employees of the United States for the purposes of the Federal Employees' Compensation Act (39 Stat. 742, as amended): *Provided*, That—

(A) in computing compensation benefits for disability or death, the monthly pay of the corpsman shall be deemed to be the lowest rate of grade 7 of the general schedule of the Classification Act of 1949, as amended;

(B) entitlement to disability compensation payments and other benefits under the Federal Employees' Compensation Act shall commence on the day after the date of termination of service; and

(C) if an injured corpsman, or his dependents in case of death, receive any payment (including any allowance, gratuity, payment under an insurance policy for which the premium is wholly paid by that organization, or other benefit of any kind) on account of such injury or death from the entity to which the corpsman was made available under this Act, the amount of such benefit, if on account of injury or disability, shall be credited against any disability compensation payable under the Federal Employees' Compensation Act, and if on account of death, shall be credited against any death compensation payable under such Act.

(3) For any period of satisfactory service under this Act, corpsmen shall be credited in connection with subsequent employment with a like period of civilian employment by the United States—

(A) for purposes of the Civil Service Retirement Act, as amended (5 U.S.C. 2251 et seq.), section 852(a)(1) of the Foreign Service Act of 1946, as amended (22 U.S.C. 1092 (a)(1)), and every other Act establishing a retirement system for civilian employees of any department or agency of the United States; and

(B) except as otherwise determined by the President, for purposes of determining rights and privileges based upon length of service under all Acts establishing or governing terms and conditions of service of civilian employees of any department or agency of the United States: *Provided*, That service of a corpsman shall not be credited toward completion of any probationary or trial period or completion of any service requirement for career appointment.

For purposes of paragraph (3)(A) of this subsection, corpsmen shall be deemed to be receiving compensation during their service at the rate payable under section 4(b) of this Act.

GENERAL POWERS AND AUTHORITIES

SEC. 5. In furtherance of the purposes of this Act, the President may—

(1) Enter into and perform contracts, leases, and cooperative agreements with and make payments (in advance, by transfer, or otherwise) to any department or agency of the United States or of any State, or political subdivision thereof, the District of Columbia, and any private person or organization.

(2) Utilize voluntary services including services on the National Service Corps Advisory Council (notwithstanding the provisions of 31 U.S.C. 665(b)), and accept and dispose of gifts of money or any form of property.

(3) Employ such persons as he deems necessary to carry out this Act, and pay expenses of attendance of meetings concerned with the purposes of this Act, including (notwithstanding section 9 of the Act of March 4, 1909 (31 U.S.C. 673)), expenses in connection with meetings of persons whose employment is authorized by section 7(a) of this Act.

(4) Obligate and expend under this Act any moneys received by the Corps from any State or political subdivision thereof, the District of Columbia, or any private person or organization.

(5) Provide and make payment for printing and binding without regard to section 11 of the Act of March 1, 1919 (44 U.S.C. 111).

(6) Adopt, alter, and use an official seal or emblem of the Corps of such design as he shall determine, which shall be judicially noticed.

NATIONAL SERVICE CORPS ADVISORY COUNCIL

SEC. 6. The President may establish a National Service Corps Advisory Council of twenty-five persons representative of health, welfare, and rehabilitation agencies; of educational institutions; of business, farm, labor, and other public and private organizations and groups; and of individuals interested in the programs and objectives of the Corps, to advise and consult with the President on policies and programs of the Corps. Such members shall serve at the pleasure of the President and meet at his call. Council members who are not officers or employees of the United States shall be compensated at a rate not exceeding $75 per day, not to exceed twenty days in any fiscal year, including travel time, and while away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 73b-2) for persons in the Government service employed intermittently.

EXPERTS AND CONSULTANTS

SEC. 7. (a) Experts and consultants or organizations thereof may, as authorized by section 15 of the Act of August 2, 1946, as amended (5 U.S.C. 55a), be employed by the President for the performance of functions under this Act, and individuals so employed may be compensated at rates not exceeding $75 per day, and while away from their homes or regular places of business they may be paid travel expenses, including per diem in lieu of subsistence, in accordance with section 5 of said Act (5 U.S.C. 73b-2), while so employed: *Provided*, That contracts for such employment may be renewed annually: *Provided further*, That not more than 2 per centum of the moneys authorized herein or appropriated hereunder shall be used for compensation and expenses of such consultants.

(b) Service of an individual as a member of the Council authorized to be established by section 6 of this Act or as an expert or consultant under subsection (a) of this section shall not be considered as service or employment bringing such individual within the provisions of section 13 of the Civil Service Retirement Act, as amended (5 U.S.C. 2263), section 212 of the Act of June 30, 1932, as amended (5 U.S.C. 59a), section 872 of the Foreign Service Act of 1946, as amended, or any other law limiting the reemployment of retired officers or employees or governing the simultaneous receipt of compensation and retired pay or annuities.

REPORTS

SEC. 8. The President shall transmit to the Congress, at least once in each fiscal year, a report on operations under this Act.

SECURITY INVESTIGATIONS

SEC. 9. All persons employed or assigned to duties and all corpsmen enrolled under this Act shall be investigated, in accordance with standards and procedures established by the President, to insure that the applicant is of good moral character and that employment, assignment, or enrollment is consistent with the national interest.

AMENDMENTS TO EXISTING LAWS

SEC. 10. (a) Section 205 of the National Defense Education Act of 1958 (20 U.S.C. 425) is amended by deleting the word "or" immediately preceding clause (iii) of section 205(b)(2)(A) and by adding immediately after that clause the following: "or (iv) not in excess of three years during which the borrower is in service as a corpsman under the National Service Corps Act: *Provided*, That this clause shall apply to any loan outstanding on the effective date of the National Service Corps Act only with the consent of the then obligee institution."

(b) Subsection (j) of section 3 of the Civil Service Retirement Act, as amended (5 U.S.C. 2253), is amended to read as follows:

"(j) Notwithstanding any other provisions of this section or section 5(f) of the Peace Corps Act or the National Service Corps Act, any military service (other than military service covered by military leave with pay from a civilian position) performed by an individual after December 1956 and any period of service by an individual as a volunteer under the Peace Corps Act, or as a corpsman under the National Service Corps Act, shall be excluded in determining the aggregate period of service upon which an annuity payable under this chapter to such individual or to his widow or child is to be based, if such individual or widow or child is entitled (or would upon proper application be entitled) at the time of such determination, to monthly old-age or survivors benefits under section 202 of the Social Security Act, as amended (42 U.S.C. 402) based on such individual's wages and self-employment income. If in the case of the individual or widow such military service or service under the Peace Corps Act or the National Service Corps Act is not excluded under the preceding sentence, but upon attaining age sixty-two, he or she becomes entitled (or would upon proper application be entitled) to such benefits, the Commission shall redetermine the aggregate period of service upon which such annuity is based, effective as of the first day of the month in which he or she attains such age, so as to exclude such service. The Secretary of Health, Education, and Welfare shall, upon the request of the Commission, inform the Commission whether or not any such individual or widow or child is entitled at any specified time to such benefits.

DEFINITIONS

Sec. 11. (a) The term "United States" as used in this Act includes the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and all other places, continental or insular, including the Trust Territory of the Pacific Islands, subject to the jurisdiction of the United States.

(b) The term "corpsman" includes, except for the purposes of section 4(f)(3), applicants for enrollment during any training period.

CONSTRUCTION

Sec. 12. If any provision of this Act or the application of any provision to any circumstances or persons shall be held invalid, the validity of the remainder of this Act and the applicability of such provision to other circumstances or persons shall not be affected thereby.

Passed the Senate August 14, 1963.

Attest:

Felton M. Johnston,
Secretary.

Mr. MANSFIELD. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. HUMPHREY. Mr. President, I move that the motion to reconsider be laid on the table.

Mr. ERVIN. Mr. President, on this question, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion to reconsider.

Mr. HUMPHREY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Minnesota will state it.

Mr. HUMPHREY. Do I correctly understand that on this question, if a majority of Senators vote "yea," that will conclude all action by the Senate on the bill?

The PRESIDING OFFICER. If a majority vote in favor of agreeing to the motion to lay on the table the motion to reconsider, all action by the Senate on the bill will be concluded.

Mr. HUMPHREY. A very good idea, Mr. President.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion to reconsider the vote by which the bill was passed.

On this question, the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ENGLE (when his name was called). On this vote I have a pair with the junior Senator from Indiana [Mr. Bayh]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I therefore withhold my vote.

The rollcall was concluded.

Mr. MANSFIELD (after having voted in the affirmative). On this vote I have voted "yea." I have a pair with the senior Senator from North Dakota [Mr. Young]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I therefore withdraw my vote.

Mr. HUMPHREY. I announce that the Senator from Louisiana [Mr. Ellender], the Senator from Missouri [Mr. Long], the Senator from Virginia [Mr. Robertson], the Senator from Florida [Mr. Smathers,] and the Senator from Georgia [Mr. Talmadge], are absent on official business.

I further announce that the Senator from Indiana [Mr. Bayh] is necessarily absent.

On this vote, the Senator from Louisiana [Mr. Ellender] is paired with the Senator from Missouri [Mr. Long].

If present and voting, the Senator from Louisiana would vote "nay" and the Senator from Missouri would vote "yea."

I further announce that, if present and voting, the Senator from Virginia [Mr. Robertson], the Senator from Florida [Mr. Smathers], and the Senator from Georgia [Mr. Talmadge], would each vote "nay."

Mr. KUCHEL. I announce that the Senator from New Mexico [Mr. Mechem] is necessarily absent.

The Senator from Kentucky [Mr. Cooper], and the Senator from North Dakota [Mr. Young] are detained on official business.

The pair of the Senator from North Dakota [Mr. Young] has been previously announced by the Senator from Montana [Mr. Mansfield].

On this vote, the Senator from Kentucky [Mr. Cooper] is paired with the Senator from New Mexico [Mr. Mechem]. If present and voting, the Senator from Kentucky would vote "yea" and the Senator from New Mexico would vote "nay."

The result was announced—yeas 49, nays 39, as follows:

[No. 137 Leg.]

YEAS—49

Anderson
Bartlett
Bible
Brewster
Burdick
Byrd, W. Va.
Cannon
Church
Clark
Dodd
Douglas
Edmondson
Fong
Fulbright
Gore
Gruening
Hart
Hartke
Hayden
Hill
Humphrey
Inouye
Jackson
Javits
Keating
Kennedy
Long, La.
Magnuson
McCarthy
McGee
McGovern
McIntyre
McNamara
Metcalf
Monroney
Morse
Moss
Muskie
Nelson
Neuberger
Pastore
Pell
Proxmire
Randolph
Ribicoff
Sparkman
Symington
Williams, N.J.
Yarborough

NAYS—39

Aiken
Allott
Beall
Bennett
Boggs
Byrd, Va.
Carlson
Case
Cotton
Curtis
Dirksen
Dominick
Eastland
Ervin
Goldwater
Hickenlooper
Holland
Hruska
Johnston
Jordan, N.C.
Jordan, Idaho
Kuchel
Lausche
McClellan
Miller
Morton
Mundt
Pearson
Prouty
Russell
Saltonstall
Scott
Simpson
Smith
Stennis
Thurmond
Tower
Williams, Del.
Young, Ohio

NOT VOTING—11

Bayh
Cooper
Ellender
Engle
Long, Mo.
Mansfield
Mechem
Robertson
Smathers
Talmadge
Young, N. Dak.

So the motion to table the motion to reconsider was agreed to.

AMENDMENT OF TITLE V OF THE AGRICULTURAL ACT OF 1949, AS AMENDED

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 367, S. 1703, which is to be made the unfinished business.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The Legislative Clerk. A bill (S. 1703) to amend title V of the Agricultural Act of 1949, as amended, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion by the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Agriculture and Forestry with an amendment in line 3, after the word "section", to strike out "509" and insert "510"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 510 of the Agricultural Act of 1949, as amended, is amended by striking "December 31, 1963", and inserting "December 31, 1964".

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, for the information of the Senate, there will be no further business tonight. On the basis of the agreement made, I hope that the Presiding Officer will recognize the Senator from New York [Mr. Javits]; I hope also that at the conclusion of the remarks of the Senator from New York consideration will be given to recognizing the Senator from Michigan [Mr. McNamara] who has waited patiently all day to make some very pertinent remarks about the 40th anniversary of the distinguished chairman of the Committee on Labor and Public Welfare [Mr. Hill], and the Senator from Oregon [Mr. Morse], who likewise has been waiting patiently all day.

The PRESIDING OFFICER. The Senator from New York is recognized.

Mr. JAVITS. Mr. President, I ask unanimous consent to yield to the Senator from Delaware [Mr. Williams] without losing my right to the floor.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New York? The Chair hears none, and it is so ordered.

The Senator from Delaware is recognized.

MANIPULATION OF THE GRAIN MARKETS

Mr. WILLIAMS of Delaware. Mr. President, yesterday I called the attention of the Senate to the fact that the Government, in its sales of corn, was either intentionally or unintentionally manipulating the grain markets. To support this conclusion I called attention to the fact that during the month of June the Government sold approximately

67 million bushels of corn, whereas in July the Government reduced its sales to 532,000 bushels.

Later an aide to Secretary Freeman was quoted in the Washington Post as taking exception to these figures. I quote from the Washington Post:

> An aide to Secretary of Agriculture Orville L. Freeman said that the Government sold 16 million bushels of corn in July compared with 28 million bushels in June.

He went on to say that he could not explain the discrepancy between his figures and those used in my statement. Neither can I, because I got my figures from the Department of Agriculture also.

Mr. President, I do not know whether the Secretary of Agriculture has two sets of books or not. I do know that a couple of weeks ago we discovered that the Department had lost 24 million bushels of corn which was to have gone to Austria, but they do not know where it went.

The figures I used yesterday came from the Department of Agriculture. At this point I ask unanimous consent to have printed in the RECORD my letter of August 5 requesting a report of Government sales of corn along with their reply dated August 6, 1963, signed by E. A. Jaenke, Associate Administrator, and its enclosures. In his reply of August 6 Mr. Jaenke stated that he was including all figures except those for June and July 1963, which figures would be forwarded in a few days. Two days later, on August 8, I received the report which appears as chart No. 2 giving the sales of corn, barley, and grain sorghums for those 2 months.

There being no objection, the letter and enclosures were ordered to be printed in the RECORD, as follows:

AUGUST 5, 1963.

Hon. ORVILLE L. FREEMAN,
Secretary of Agriculture,
Washington, D.C.

MY DEAR MR. SECRETARY: Will you please furnish me with a monthly total of the Department's domestic sales of feed grains (corn, barley, oats, and grain sorghums) during each month beginning with May 1961 and including July 1963.

I am not asking that this report be broken down as to individual transactions but merely show the monthly totals of each commodity disposed of domestically (either by sales or grants) along with the approximate average price received by the Government for such sales during each monthly period.

Yours sincerely,
JOHN J. WILLIAMS.

U.S. DEPARTMENT OF AGRICULTURE,
AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE,
Washington, D.C., August 6, 1963.

Hon. JOHN J. WILLIAMS,
U.S. Senate.

DEAR SENATOR WILLIAMS: Enclosed is a tabulation showing the information you requested in your letter to the Secretary of August 5 for corn, barley, and grain sorghums through May 31, 1963.

Similar information for oats and data for June and July 1963 will be sent to you in a few days.

Sincerely,
E. A. JAENKE,
Associate Administrator.

U.S. DEPARTMENT OF AGRICULTURE, COMMODITY CREDIT CORPORATION

Domestic dispositions of selected grain commodities, by month, from May 1961 through May 1963

Period	Corn			Barley			Grain sorghum		
	Sales	Average proceeds received per bushel	Donations [1]	Sales	Average proceeds received per bushel	Donations	Sales	Average proceeds received per bushel	Donations
	Thousand bushels		*Thousand bushels*	*Thousand bushels*		*Thousand bushels*	*Thousand bushels*		*Thousand bushels*
1961									
May	33,506	$0.91	545	950	$0.96		1,584	$0.95	2
June	81,014	.96	674	652	.87		6,370	.99	
July	4,486	.85	234	336	.90		4,141	1.05	
August	11,368	1.01	491	621	.91		8,307	1.05	
September	21,506	.95	476	991	.91		8,604	1.01	
October	30,897	.96	721	1,330	.91		24,195	.95	147
November	38,091	.97	511	1,404	.71		18,876	1,00	96
December	66,946	1.00	489	3,306	.85		14,484	1.01	
1962									
January	104,157	1.02	885	2,588	.68		19,425	1.01	96
February	108,030	.99	476	1,870	.70		11,634	1.04	59
March	208,085	.97	524	3,605	.66		12,603	1.02	9
April	149,644	.99	674	5,309	.81		14,762	1.06	16
May	76,377	.98	387	3,415	.80		14,178	1.03	
June	59,593	.93	685	3,335	.78		19,062	1.04	
July	2,680	.94	192	294	.88		9,306	1.03	
August	11,715	.98	425	676	.72		11,473	1.03	
September	16,915	.95	349	245	.80		15,888	.99	
October	42,488	.90	559	182	.80		26,524	.99	
November	33,409	1.02	471	73	.85		17,594	.99	
December	37,234	1.03	469	174	.88		17,829	.96	
1963									
January	54,178	1.08	490	20	1.10		33,200	.98	
February	84,843	1.10	705	66	.86		23,012	1.02	
March	145,977	1.10	670	113	.76		6,656	1.04	
April	90,201	1.08	328	60	.73		9,005	1.03	
May	74,481	1.01	327	136	.71		13,511	1.01	
Total	1,587,821	1.01	12,757	31,701	.79		362,223	1.01	425

[1] Includes cornmeal.

NOTE.—All dispositions shown on this table are on a delivered basis.

Domestic dispositions of selected grain commodities, for months of June and July 1963

Commodity and month	Sales	Average proceeds received per bushel	Donations [1]	Commodity and month	Sales	Average proceeds received per bushel	Donations [1]	Commodity and month	Sales	Average proceeds received per bushel	Donations [1]
1963	*Thousand bushels*		*Thousand bushels*	*1963*	*Thousand bushels*		*Thousand bushels*	*1963*	*Thousand bushels*		*Thousand bushels*
Corn:				Barley:				Grain sorghum:			
June	66,956	$1.03	587	June	808	$.69		June	30,903	$1.02	
July	532	1.20	167	July	81	.96		July	5,630	1.00	

[1] Corn donations include cornmeal.

NOTE.—All dispositions shown on this table are on a delivered basis.

Domestic dispositions of oats, by month, from May 1961 through July 1963

Period	Sales	Average proceeds received per bushel	Donations
	Thousand bushels		*Thousand bushels*
1961			
May	113	$0.50	----------
June	232	.60	----------
July	484	.61	----------
August	65	.58	----------
September	95	.58	----------
October	110	.49	----------
November	325	.42	----------
December	364	.43	----------
1962			
January	338	.40	----------
1962—Continued			
February	347	$.42	----------
March	499	.47	----------
April	1,017	.53	----------
May	834	.55	----------
June	2,498	.62	----------
July	902	.69	----------
August	879	.62	----------
September	138	.56	----------
October	305	.70	----------
November	129	.69	----------
December	400	.68	----------
1963			
January	51	$.80	----------
February	51	.67	----------
March	249	.45	----------
April	142	.47	----------
May	116	.54	----------
June	615	.49	----------
July	20	.70	----------
Total	[1] 11,318	.57	----------

[1] Consists of 4,153,000 bushels of livestock feed sales for which the average proceeds received were $0.43 per bushel, and 7,165,000 bushels of domestic dispositions for which the average proceeds received were $0.65 per bushel.

NOTE.—All dispositions shown on this table are on a delivered basis.

Mr. WILLIAMS of Delaware. Mr. President, these reports furnished by Mr. Jaenke state that the Department of Agriculture sold during the month of June 66,956,000 bushels of corn, and not 28 million as the unidentified aide to the Secretary said. Also, the report shows that they sold 532,000 bushels in July, and not 16 million bushels as the mysterious aide claims.

I am not getting into an argument with any aide to the Secretary of Agriculture who is ashamed to give his name as to which figures are correct.

I repeat, these figures were furnished to me officially in response to my request as to what the sales for this period were. I have every right to expect them to be accurate, and I have very little patience with a department which denies its own figures.

This is further evidence of the need for an investigation of the entire sales program of the Department. Frankly, they do not seem to know what they are doing. They sold 24 million bushels of grain to be shipped to Austria, but it did not get there. They admit that they do not know where it went. Now, they furnish me a set of figures under date of August 6, 1963, and then a few days later an unidentified Department aide denies them and says the figures are not accurate.

I should like to know what is going on in the Department of Agriculture.

Have they reached the point where they not only do not know what is going on, but care less?

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. HUMPHREY. Will the Senator tell us the figure he is relating for June? What was the amount?

Mr. WILLIAMS of Delaware. Sixty-seven million bushels of corn.

Mr. HUMPHREY. Did that include cash sales and Public Law 480 sales?

Mr. WILLIAMS of Delaware. These are all domestic sales, not Public Law 480 sales.

Mr. HUMPHREY. They are all domestic sales?

Mr. WILLIAMS of Delaware. These are all domestic sales.

Mr. HUMPHREY. Does this relate to any payment-in-kind under the feed grain program?

Mr. WILLIAMS of Delaware. These are domestic sales and donations.

U.S. DEPARTMENT OF AGRICULTURE,
COMMODITY CREDIT CORPORATION.

Domestic dispositions of selected grain commodities, for months of June and July 1963.

Mr. HUMPHREY. May I say "dispositions" are different from "sales." I am not arguing the point with the Senator.

Mr. WILLIAMS of Delaware. No.

Mr. HUMPHREY. I know the Senator wishes to be accurate. I respect the Senator from Delaware for his sense of fairness. I was wondering whether they were sales or whether they were disposals.

Mr. WILLIAMS. These are sales in the domestic market. That is what I asked for, and that is what the Secretary is commenting on. His report also includes the smaller totals of donations, but I was discussing sales. I was trying to find out how much corn was being sold into the domestic market. I was told they sold 532,000 bushels in the month of July as compared to nearly 67 million bushels during the month of June.

The first 6 months of this year the domestic sales of corn averaged about 85 million bushels.

I called attention yesterday to the fact that, in addition, during the months of October, November, and December 1962—the harvest period—the Government was selling nearly 75 times as much corn as it was selling in July.

The report furnished me specifically says "sales." It refers to sales of corn, barley, and grain sorghums in the domestic market.

Mr. HUMPHREY. When the Senator says "this says sales," what does the Senator mean?

Mr. WILLIAMS of Delaware. It is the Commodity Credit Corporation's report of sales of these grains in our domestic market. These are the figures which I put into the RECORD yesterday. These are the figures which this "aide" to the Secretary of Agriculture was asked to comment on. These are the figures which this unidentified spokesman for the Department said were incorrect. If they are incorrect the Department must have two sets of books. I was only quoting from their records, and if they have two sets of books I want to see them both.

If the Senator or I were to report to the Treasury Department that we had *x* amount of income and then went out and boasted in the newspapers of different figures, somebody would do some checking. I most respectfully say to the Secretary of Agriculture that he is creating a great deal of interest on my part as to what they are doing downtown.

When first they lose track of 24 million bushels of feed grains, and now, 2 weeks later I find them using two sets of figures to report their domestic sales of corn, it is time our investigation got underway.

Mr. HUMPHREY. Mr. President, will the Senator yield further?

Mr. WILLIAMS of Delaware. I yield.

Mr. HUMPHREY. I am convinced that the Secretary of Agriculture is giving us honest figures. There may be a misunderstanding as to what the figures should apply to, because the Commodity Credit Corporation disposals may be involved. There are a number of ways in which these things can be interpreted. There are Public Law 480 sales.

Mr. WILLIAMS of Delaware. The Public Law 480 sales have nothing to do with domestic sales. These are domestic sales.

Mr. HUMPHREY. I understand. There are also dispositions in the domestic market, which are not sales.

Mr. WILLIAMS of Delaware. Those are listed in separate categories, under donations, and have nothing to do with these sales figures.

Mr. HUMPHREY. Very good. I too, have made a request of the Secretary of Agriculture, because of the statement I saw in the morning newspaper, as to the statement by the Senator from Delaware. I requested that the Secretary give me a complete breakdown as to the figures which the Senator from Delaware has announced and the figures which the Secretary has announced.

I am interested in the effective and sensible use of the Commodity Credit Corporation. I do not want to see the Commodity Credit Corporation being used to manipulate markets. I do not want to see the Commodity Credit Corporation being used to dump and force down prices. I do not want to see the Commodity Credit Corporation take over the duties or responsibilities of what is the private sector in the American grain trade field. But simply to make accusations based on sales that have been made and to indicate that the sales have been made to rig the market, is not sufficient. I want all the facts presented to the Congress of the United States.

Right now, the Department of Agriculture is being accused of market manipulation. I believe before that accusation can gain credence, we ought to wait for the facts to be brought in to the appropriate body, or committee, or the Senate of the United States, through one or more Senators.

I shall tomorrow, if the Senate is in session—and I understand it will be—present to the Senate what is the report of the Department of Agriculture. I asked for that report this morning.

This is a very sensitive matter. If the Senator from Delaware is right, the Department deserves to be chastised, and criticized, and whatever else is necessary. But if he is wrong, he ought to correct his statement, because far too many times accusations are made without all the facts being in.

Mr. WILLIAMS of Delaware. I will not further intrude on the time of the Senator from New York. I merely state again that my report was furnished by the Department of Agriculture. If the Department of Agriculture furnished the wrong figures in response to my request I too want to know it, and I also want to know who is responsible.

I have already asked that the letter and figures furnished by Mr. E. A. Jaenke, Associate Administrator, under August 6, be printed in today's Record. They support in their entirety the statement I made yesterday. I shall look forward to hearing the Senator from Minnesota tomorrow cite figures which will either confirm the accuracy of my remarks of yesterday or tell us about the Department's second set of books.

I thank the Senator from New York for yielding.

AMENDMENT TO OMNIBUS CIVIL RIGHTS BILL

Mr. JAVITS. Mr. President, I send to the desk, for appropriate reference, on behalf of myself and Senators Case, Fong, Keating, Kuchel, and Scott, an amendment to strengthen the omnibus civil rights bill, now pending, by authorizing the Attorney General to bring civil injunction suits to protect all rights guaranteed by the 14th amendment.

The amendment constitutes the broadest and most inclusive version of the part III proposal, which, since its deletion from the 1957 Civil Rights Act and its piecemeal use in every civil rights measure since, has remained the most significant of all civil rights legislation proposals.

The spotlight today is on a public accommodations bill; and it is a necessary and meaningful civil rights measure; but even it does not give the comparable coverage which enactment of a general part III section would have in insuring strong Federal protection of the constitutional rights of U.S. citizens in every section of the Nation.

I deplore the present trend of discussion, which appears fixed on watering down the omnibus civil rights bill. We who have been through previous civil rights struggles have seen the pressure for compromise mount steadily as the Senate approached the crucial test of cloture. The results of past compromises have always been far short of what was needed to meet our responsibilities, and, I am sad to say, certainly far short of what might have prevented the current racial crisis.

Instead of discussing ways to weaken the administration's civil rights bill, let us begin discussing ways to strengthen it, for the administration's package is only a minimum program which contains wide gaps, the most important of which are the failure to seek general authority for the Attorney General to bring suits in civil rights cases, and fair employment practices legislation, and, I think it may be fair to add, legislation to prevent the Federal Government's spending Federal moneys in aid of State segregated programs.

The part III concept has had a long history; it was partially used in the measures enacted in 1957 and 1960 to secure the voting right and is in the current omnibus bill in the sections on public school desegregation and public accommodations. Most State civil rights laws employ this concept, too. It is therefore a concept that has had mature consideration and considerable experience in the Nation and in the States.

Unlike prior versions of part III, which would have enforced only the equal protection clause of the 14th amendment, the amendment introduced today seeks to protect all rights guaranteed by the 14th amendment, including, most importantly, those guaranteed by the due process clause. It is the due process clause that the Supreme Court, in a long series of cases culminating in the Edwards case early this year, has repeatedly stated protects against State action to deny or improperly to limit the first amendment's rights of assembly and petition for the redress of grievances. These traditional rights are the rights of U.S. citizens involved in the peaceful demonstrations throughout the country in this summer of Negro discontent which have been a major factor in bringing the need for civil rights legislation to its present sense of urgency in the Nation, in the administration, and in the Congress. It is these rights which State and municipal laws and practice in a number of Southern States have sought to negate.

The administration's omnibus civil rights bill has only partially recognized the long struggle for part III. The administration's bill includes a similar, but more conditional, enforcement procedure in the public accommodations section and in the public school desegregation section. There is no question about the fact that these would be most vital laws. But two other vital areas are ignored entirely by the administration bill.

One is the protection of first amendment rights, which involve the demonstrations for civil rights. The significance of Federal protection of demonstrations which are peaceful and in conformity with local police regulations as are proper can hardly be underestimated. The total inability of the Attorney General to act in these situations under existing law is manifest and conceded by the Attorney General himself. During the Birmingham, Ala., crisis, where thousands of Negro demonstrators were arrested, the Justice Department made it patently clear to a number of Members of Congress that, short of wholly informal compliance efforts, the Department had no statutory authority to place the matter in the Federal courts where it belonged. This incapacity persists and becomes aggravated as demonstrations spread throughout the country. Thousands of demonstrators are arrested in city after city although they have complied with local police regulations insofar as they are appropriate under decisions of the U.S. Supreme Court. But to prove this now involves either a long period in jail awaiting trial and appeal through the State courts, and ultimately to the Supreme Court of the United States, or the highly expensive posting of bail during that long process. The problems of raising bail are enormous and tax not only the civil rights advocates themselves, but the trade unions which seek to help.

Even where the most flagrant violation of the first amendment is involved in this police suppression of the right to demonstrate peaceably, the Attorney General can do little more than express sympathy. The enormous cost of the process of appeal must be borne by the defendants and by private organizations. The Federal courts are of little or no help though the law be on the side of the defendants until the State procedures have been exhausted. Yet Federal rights, guaranteed by the 1st amendment to the Constitution and by the due process clause of the 14th, have in many of these cases been violated by the States. Despite this clear frustration of Federal rights, the Attorney General takes the position, in a recent answer to a letter I sent to him about part III, that this provision is not necessary.

It is no wonder that Negroes demonstrate in the streets when they are frustrated in this way in the enjoyment of the basic right to demonstrate peaceably.

The second major area which the administration bill ignores entirely is that of police action in particular and the administraton of criminal justice generally. The U.S. Civil Rights Commission in its 1961 report devoted almost an entire volume to this crucial field. Its more than 100-page report on this subject is a monument to the urgent need for a broad part III provision enabling the Attorney General to step into cases of unlawful official violence about which the Commission made the following unanimous findings, which I ask unanimous consent to have printed in the Record at this point in my remarks.

There being no objection, the findings were ordered to be printed in the Record, as follows:

FINDINGS

Unlawful official violence

1. The actions of most policemen demonstrate that effective law enforcement is possible without the use of unlawful violence.

2. Nonetheless, police brutality by some State and local officers presents a serious and continuing problem in many parts of the United States. Both whites and Negroes are

the victims, but Negroes are the victims of such brutality far more, proportionately, than any other group in American society.

3. While police connivance in violence by private persons is becoming less of a problem than in the past, such denials of equal protection still occur.

4. American citizens in some places live in fear of police violence and of mob violence with police connivance.

5. State and local officials—police commanders, prosecutors, and others in positions of authority—who have the immediate responsibility and most effective means for preventing such abuses sometimes do not use their powers, police commanders at times take a protective attitude toward miscreant officers, and local prosecutors rarely bring criminal actions against them.

The professional quality of State and local police forces

6. The most effective "remedies" for illegal official violence are those that tend to prevent such misconduct rather than those which provide sanctions after the fact. The application of professional standards to the selection and training of policemen is one such preventive measure.

7. Complaints rarely are made against Federal police agents, in part because these officers have had professional training and have been selected according to professional standards.

8. The professional level is high in some State and local police forces also, but in many others it is low due to low pay, ineffective recruit selection standards and ineffective training programs.

9. The establishment of professional standards for police forces can be aided by such positive programs as good pay, high recruit selection standards, and training in scientific crime detection, in human relations, and in police administration. These programs would be encouraged by Federal financial assistance to police departments that seek the development of more effective selection standards and training courses.

Federal criminal remedies for unlawful official violence

10. Although many acts of violence by policemen are violations of constitutional rights and of Federal statutes, the Federal criminal sanctions for such misconduct have not proved to be effective remedies. This is due to difficulties inherent in the cases such as the problem of proof; to the policies and procedures of the Department of Justice; and to weaknesses of the statutes.

11. Among the policies and procedures of the Department of Justice that have hampered Federal criminal prosecutions for unlawful official violence have been excessive reliance on signed complaints from aggrieved individuals despite the fact that many victims of police misconduct are unaware of their rights, or fearful to press them; a tendency to close some cases without complete investigation; and deference to State authorities which results in withholding any investigation pending State action even at the risk of allowing evidence to grow stale.

12. FBI agents, charged with the duty of Civil Rights Acts investigations, are sometimes placed in a difficult position when they must investigate allegations of misconduct against local policemen. The cooperation of local officers is essential to the FBI in investigating and apprehending those who violate Federal criminal statutes not related to civil rights. Moreover, victims and witnesses of police misconduct are sometimes hesitant to give information to Federal authorities because of the cooperative relationship between the FBI and local policemen.

13. Since section 242, the principal criminal Federal Civil Rights Act, defines only a misdemeanor, prosecution can be instituted by information (a sworn statement setting out the specific charges against the defendant) as well as by grand jury indictment. The former method avoids the delay and the hazard of one more hostile jury, involved in a presentment to a grand jury, and allows the facts to be brought to the attention of the affected community in a public trial. An information has been used by the Department of Justice only once and then successfully.

14. Difficulties also arise from the language of section 242, as interpreted by the Supreme Court in *Screws* v. *United States*. The requirement of "specific intent"—as opposed to the usual general criminal intent—for conviction under the statute severely limits the statute's applicability. Moreover, there is a confusion among judges, jurors, and lawyers as to the meaning of "specific intent." Some Federal trial judges have issued instructions to juries which seem to interpret "specific intent" more narrowly than is required by the Screws decision.

15. A more specific statute supplementary to section 242 spelling out certain conduct proscribed by the 14th amendment would more effectively protect the constitutional right to security of the person against official misconduct.

Federal civil remedies for unlawful official violence

16. The Federal Civil Rights Act providing civil liability for unlawful official violence have not proved to be effective remedies. Relatively few suits are filed under the principal civil statute, section 1983, which allows suits by the victims of police brutality against officers for monetary damages. Successful suits are rare.

17. One deterrent to the filing of civil suits is the fact that even if a victim of official violence sues successfully, few police officers are able to satisfy a substantial money judgment. This can be corrected by an amendment to section 1983 which would render counties, cities, and other local governmental entities liable for the misconduct of their policemen.[1]

Discriminatory exclusion of minority groups from jury service

18. The practice of excluding Negroes from juries on account of their race still persists in a few States. The burden of combating such racial exclusion from juries now rests entirely on private persons—almost invariably defendants in criminal trials.

19. Only criminal remedies are available to the Federal Government to combat unconstitutional jury exclusion. The Federal Government has successfully invoked a criminal statute only once, in the late 1870's.

20. Civil actions instituted in the name of the United States would constitute a more effective method of preventing discriminatory exclusion from juries.

Mr. JAVITS. Mr. President, one of the Commission's unanimous recommendations to the Congress to remedy this situation was that it consider the advisability of empowering the Attorney General to bring civil proceedings to prevent the exclusion of persons from jury service on account of race, color, or national origin. Again, in spite of this unanimous finding by the Civil Rights Commission, the administration's bill entirely ignores the field of administration of justice and the Attorney General takes the position that part III is not necessary. We do not agree—and propose that the Congress shall have every opportunity to face and deal with this issue on the pending civil rights bills.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. JAVITS. I am glad to yield to my colleague from New York.

Mr. KEATING. Mr. President, the need for this amendment is clearly illustrated by an exchange of correspondence which I had with the head of the Civil Rights Division of the Department of Justice, Assistant Attorney General Burke Marshall in April of this year. In view of the significance of these letters, I request unanimous consent that the texts of the letters be printed following my statement in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. KEATING. Mr. President, in brief, my original letter to Mr. Marshall dated April 15, 1963, expressed my view that every necessary step should be taken by the Federal Government to protect the rights and safety of citizens involved in civil rights activities and requested a report on the situation from the Department.

In a reply dated the very next day, April 16, Mr. Marshall outlined the steps which the Department had initiated and stated that every reported case was being investigated as rapidly as humanly possible. At the same time, and this is most pertinent in connection with this amendment, Mr. Marshall pointed out that "these cases are difficult, however, for the reason that we are required to prove that the defendant's purpose was to interfere with registration and voting."

In view of this statement, I wrote to Mr. Marshall again on April 22, 1963, more than 3 months ago, asking his comments on whether the situation would be improved by legislation authorizing the Attorney General "to institute civil injunctive suits in all civil rights cases, and not just voting cases, and whether the Department would favor such legislation."

To date no reply has been received to my April 22 letter. I hasten to say that I do not say this critically because I am aware of the many problems which the Department of Justice has and know of the efforts which Mr. Marshall personally is making to help resolve these issues. He is an able and dedicated lawyer, and I am certain that he is doing the best he can with the means available to him to carry out his responsibilities.

There is, however, a glaring gap in the legal arsenal of the Federal Government if the Department cannot institute suits to protect Negro citizens peaceably demonstrating for equal rights from being set upon by dogs, doused with water hoses, and subjected to mass arrests.

Recently the Senate unanimously approved so-called public defender legislation. I was a cosponsor and strong supporter of this legislation. But what about a public defender for law-abiding citizens attempting to enjoy their rights under the Constitution? Men, women, and children struggling for equal protection of the law certainly deserve and need the help of their Government at least as much as suspected criminals attempting to beat a rap. Let those who think we have moved too far in the field of civil rights consider for a moment the contrast between what the Federal Government does to prosecute unfair trade practices and unfair labor practices with what it does to protect against deprivations of civil rights of the most outrageous and shocking character.

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[1] *Lincoln County* v. *Luning*, 133 U.S. 529 (1890); *Hopkins* v. *Clemson Agricultural College*, 221 U.S. 636 (1911); *Frame* v. *City of New York*, 34 F. Supp. 194 (S.D.N.Y. 1940). Some States have statutes providing that the victims of mobs may sue the State in local courts for damages so incurred. An example is Ill. Rev. Stat., ch. 38, secs. 512–517 (1959). It is doubtful if liability could be extended by congressional action to State governments. *Hans* v. *Louisiana*, 134 U.S. 1 (1890); *Palmer* v. *Ohio*, 248 U.S. 32, 34 (1918); *In re State of New York*, 256 U.S. 490, 497 (1920); *Monaco* v. *Mississippi*, 292 U.S., 313, 328–30 1934).

In 1957, while I was a Member of the other body, the House approved a civil rights bill which included a provision to give the Attorney General the authority needed to deal with all violations of all 14th amendment rights and not just violations of voting rights. Unfortunately, that provision was rejected in the Senate and a watered-down bill was all that could be enacted. As a result, 6 more crucial years have been lost in equipping the Federal Government with the jurisdiction it must have to enforce the 14th amendment to the Constitution.

The proposed Civil Rights Act of 1963 (S. 1731) would extend the civil injunctive procedures now limited to voting cases to school desegregation and public accommodations cases. This certainly is a step in the right direction, but there is no reason for the Federal Government to deal with this subject in such a qualified and reluctant manner. Nothing is more likely to encourage resort to the self-help measures deplored by the opponents of civil rights as the inadequacy of legal remedies for the enforcement of constitutional rights. This amendment would do much to strengthen the proposed bill and its inclusion in S. 1731 is essential if we intend to take meaningful action on civil rights during this session of Congress.

I can think of no provision of greater importance to include in the civil rights act than the so-called part 3 provision.

I commend my colleague from New York for the leadership he has taken in this field.

Mr. JAVITS. I am grateful to my colleague, who has been a great force in these endeavors ever since he was a Member of the other body.

EXHIBIT 1

EXCHANGE OF CORRESPONDENCE WITH DEPARTMENT OF JUSTICE

APRIL 15, 1963.

MY DEAR MR. MARSHALL: A number of my constituents have written to me in protest against the tactics being used to intimidate prospective Negro voters in Alabama and Mississippi.

I am deeply concerned about this situation and believe that every necessary step should be taken by the Federal Government to protect the rights and safety of these citizens. I would be grateful for a report from the Department on this matter.

Your cooperation, as always, is deeply appreciated.

Very sincerely yours,

KENNETH B. KEATING.

APRIL 16, 1963.

DEAR SENATOR KEATING: In reply to your letter of April 15, I am happy to furnish you the following information:

During the past 3 years the Department has established the principle that regardless of the form which a threat or intimidation takes, the Department is authorized to act to remedy the effect of the intimidation on Negro citizens. Thus economic sanctions such as evictions and the closing of the channels of trade have been held to be violations of section 1971(b). In addition, we have engaged in considerable negotiation and litigation to establish the principle that the use of the State criminal processes can likewise be a violation of section 1971(b), and the State can be restrained from proceeding with a trial or continued confinement until the matter has been thrashed out fully and finally in the Federal court. This principle was most recently utilized in Greenwood, Miss., where we were able to obtain the release of eight persons who had been found guilty of disorderly conduct and had been sentenced to 4 months in jail and $200 fines each. As a result of action instituted by the United States, the city of Greenwood and Leflore County agreed to release these students pending a full hearing and final decision on the merits of the case in the U.S. district court. In addition, we received assurance that there would be no further interference by the police with voter registration.

In several other instances in Mississippi and Georgia, we have been able to obtain dismissals of State charges and the return of bond money after having demonstrated that the arrests and convictions were for the purpose of interfering with the rights of Negroes in the area of registering to vote.

In the Greenwood case, we have asked the court to hold that the right to register without interference includes the right peaceably to assemble and protest grievances which arise out of efforts of Negroes to register. I expect that we will have a hearing on this question in Mississippi early next fall.

At the present time there is under consideration by the Court of Appeals for the Fifth Circuit the question of whether or not a school board can refuse to rehire a schoolteacher apart from any question of contract arrangements or of tenure if the refusal to rehire was for the purpose of interfering with the right to register to vote. In that case, the district court found against us and we took the appeal. If we are successful, we maintain that an integral part of the relief includes reemployment and back pay.

In every single instance that has been reported to me, we have investigated the matter as rapidly as humanly possible. These cases are difficult, however, for the reason that we are required to prove that the defendant's purpose was to interfere with registration and voting. This is not an easy burden.

So far our investigation does not show that the recent events in Birmingham are related to registration and voting.

If I can be of any further service to you, please let me know.

Sincerely yours,

BURKE MARSHALL,
Assistant Attorney General,
Civil Rights Division.

APRIL 22, 1963.

DEAR MR. MARSHALL: Thank you for your prompt reply to my letter with regard to action by the Federal Government to protect Negro citizens from intimidation.

Your letter indicates that cases of this nature are difficult "for the reason that we are required to prove that the defendant's purpose was to interfere with registration and voting." In view of this comment, I would appreciate your advice as to whether any of the bills introduced to implement the proposals in the President's special message on civil rights would affect the burden which is now imposed on the Government. If not, I would like to know first, whether the situation would be improved by legislation authorizing the Attorney General under appropriate conditions to institute civil injunctive suits in all civil rights cases, and not just voting cases, and secondly, whether the Department would favor such legislation.

With personal regards,

Very sincerely yours,

KENNETH B. KEATING.

The PRESIDING OFFICER. The amendments will be received, printed, and referred to the Committee on the Judiciary.

FORTIETH ANNIVERSARY OF CONGRESSIONAL SERVICE OF SENATOR HILL

Mr. McNAMARA. Mr. President, I rise to take note of a significant milestone in the career of the distinguished senior Senator from Alabama.

It was just 40 years ago today, on August 14, 1923, that LISTER HILL first came to Washington as a Member of Congress from his State. After 15 years of service in the other body, he resigned to accept appointment to the Senate and it was in January of this year that he observed 25 years of service in this body.

Since first coming to the Senate in January 1955, it has been my privilege to serve on the Committee on Labor and Public Welfare under the chairmanship of Senator HILL.

As ranking majority member of that committee, I have considerable personal knowledge of the tremendously effective manner in which Senator HILL has served the committee, the Senate and the Nation.

The important legislation he has sponsored and seen enacted into law stands as an enduring monument to this service, and the many honors he has received add further testimony.

While I shall not attempt to detail here either the legislation that bears his name, or the honors that have come his way, let it suffice to say that the United States of America is a healthier country today, thanks in considerable measure to the dedicated service of the senior Senator from Alabama.

I know that all of my colleagues, on both sides of the aisle, join me in saluting Senator HILL on the 40th anniversary of his entering the Congress—and in wishing him many more years of fruitful service.

Mr. SPARKMAN. Mr. President, I am highly pleased that the Senator from Michigan has taken note of this eventful date in the life of my colleague [Mr. HILL] and in the life of the Senate. In January we took note of his 25th anniversary in the Senate. Today marks his 40th anniversary in Congress. In January, I called attention to the fact that he had been in Congress for a long time. I felt that perhaps I had stressed that point too much, and that some might get the idea that he was beginning to be an old man.

I suppose it will bear repeating. Lister Hill entered the House of Representatives in 1923. He was then the youngest Member of that body, barely over the constitutional age limit. So while he has been in Congress a long time, he has not grown old.

I said in January, and I repeat today, that Senator Hill is one of the most youthful Members of the Senate—youthful in mind, youthful in heart and purpose, and always moving ahead. There is no more effective legislator in the Senate than Lister Hill. He is effective in anything he undertakes.

He has ably handled many important programs during his years of service in Congress. When some of them were considered, people said they could not be done. I have in mind, for example, the Rural Telephone Act. I remember when he first proposed the Rural Telephone Act. There were few believers in it. There were those who thought it would be a good thing, but few persons believed such a law could be enacted. But Lister Hill kept working on it, and he was successful in having the law enacted.

We have seen almost miraculous things happen in the past few years with respect to programs for salvaging human beings—health and mental care and the overcoming of devastating diseases that have baffled mankind down through the ages, through the broader, coordinated use of Federal, State, and local facilities, and Federal, State, and local funds. It has been an almost perfectly coordinated program across the board. I believe the whole country recognizes that Lister Hill is entitled to credit for the wonderful programs which have been established.

I join the Senator from Michigan [Mr. McNamara], in extending greetings and congratulations to the young man on his 40th anniversary. I wish for him many more years of continued happiness and success in the Senate.

Mr. McNAMARA. Mr. President, other members of the Committee on Labor and Public Welfare are in the Chamber. The Senator from Oregon [Mr. Morse] has served on that committee as long as I have. I am happy to yield to him at this time.

Mr. MORSE. Mr. President, I am happy to join the chairman of the Subcommittee on Labor of the Committee on Labor and Public Welfare [Mr. McNamara] in expressing our congratulations, high compliments, and appreciation to the chairman of the full committee, Lister Hill, who came to Congress in 1923. That was the year that I was graduated from college. Take a look at him, Mr. President. He has almost as much hair on his head, still, as I have, in spite of the lapse of years.

All facetiousness aside, I am pleased to pay tribute to Senator Hill. I do not care which monument of his statesmanship we wish to point to, whether it be the Hill-Burton Act, as a result of which thousands of beneficiaries have received greater happiness by reason of the statesmanship of this great benefactor, with millions more to come in the history of our country; or whether it be Lister Hill's record in the field of protecting the natural resources of the country, resources which belong to all the people. This courageous man from Alabama is one of the giants who stood up and pointed out that the rivers of the country do not belong to the private utilities, but belong to the people, and ought to be developed in great river basin projects such as TVA, for the benefit of all of America; whether we take his work in the field of rehabilitation or mental care, mentioned by his colleague from Alabama [Mr. Sparkman]; or whether we take this statesman's contributions in the field of labor legislation.

Monument after monument spells out his statesmanship as really the only tribute we need to pay him by simply pointing to those monuments.

I want to tell the Senator from Alabama [Mr. Hill] what a great pleasure it has been for me to serve under his leadership on the Committee on Labor and Public Welfare. I wish for him many more years of service in the Senate of the United States.

Mr. McNAMARA. Mr. President, I yield to the distinguished Senator from Texas.

Mr. YARBOROUGH. Mr. President, I congratulate the distinguished ranking majority member of the Committee on Labor and Public Welfare for calling this anniversary to the attention of the Senate and for his courtesy in yielding to me.

This morning, at the meeting of the Committee on Labor and Public Welfare, I made the following motion:

> Whereas today, August 14, 1963, is the 40th anniversary of the coming to Congress of our esteemed and beloved chairman, Lister Hill, I move that this committee, assembled in executive session, pay tribute to Senator Hill for his long, faithful, dedicated, meritorious, courteous, distinguished, and gallant service for the last four decades, by a rising ovation.

Mr. President, that proved to be the most popular motion that I have made in a committee or on the floor of the Senate since I became a Member of this body. The committee rose and gave our beloved chairman, Lister Hill, a 5-minute standing, applauding ovation.

Mr. President, Senator Lister Hill's great humanitarian interest in the health of the human race has brought books of beneficial laws to fruition through Congress in the fields of hospitalization, public health, and medical and health research. Millions of lives will be saved, and the physical and mental pains of tens of millions of persons who will never know that Lister Hill was their benefactor will be eased.

The honorary degrees bestowed on Lister Hill by eight different universities are only a yardstick of the many honors conferred on him in many areas of public recognition.

His four decades in Congress have been beneficial to all the people of the Nation.

He has earned a position as one of the alltime great Senators of the United States. The proud Alabama senatorial names of Clay, Bankhead, and Underwood must move over to make a place for Lister Hill. He is second to none ever to have come here from his State. The surprising thing to me is that he looks so young.

Mr. McNAMARA. Mr. President, I yield to the Senator from West Virginia [Mr. Randolph].

Mr. RANDOLPH. Mr. President, it is with the deepest sense of affection and respect that I join with our colleagues in tribute to the senior Senator from Alabama [Mr. Hill] on his 40th anniversary of service in the Congress of the United States.

I had the opportunity, and the privilege, of serving with the Senator from Alabama for 5 years in the House of Representatives, until 1938 when he entered the Senate. In my fifth year of service with him and under his outstanding chairmanship of the Senate Labor and Public Welfare Committee, I bear happy witness to this legislative leader of reasoned and seasoned ability.

Thus, my association with this gracious and gallant gentleman has spanned 30 of his 40 years in Congress. During each of these years my esteem and high regard for his accomplishments have grown.

The four decades of service of Lister B. Hill have been decades rich in accomplishment. And the honors and recognition that have come to him during these years have been the product of his own dedication and devotion to his fellow man. Emerson wrote that "Honor is ancient virtue," meaning that the honor of a man is an achievement, not a gratuity. Of no man can this more truly be said than of our colleague from Alabama.

The beneficiaries of the services of Senator Hill cannot be numbered. The citizens of his congressional district, of the State of Alabama, and of the Nation are in his debt. And, through his sponsorship and support of medical and scientific research, so will generations yet unborn be grateful for his work. Lister Hill has made America and the world a better place in which to live.

Mr. McNAMARA. Mr. President, I yield to the distinguished Senator from Rhode Island.

Mr. PELL. Mr. President, I thank the Senator from Michigan for this opportunity to offer my own personal tribute to Lister Hill and to express my gladness not only to have him as a friend and colleague, but also to a member of a committee of which he is the chairman.

Senator Hill has wisdom combined with firmness and gentleness, and has a remarkably fine sense of honor.

Moreover, many times in the past he has carried the banner for great liberal causes. His leadership and his committee have been responsible for the passage of many national measures which have reduced areas of disease, squalor, and illiteracy in the United States. Until the millenium, when these cancers are extirpated from our body politic, I know that Senator Hill will continue to do so. I wish him good luck, long life, and, particularly, continued long presence in this body.

Mr. HUMPHREY. Mr. President, I am not a member of the Committee on Labor and Public Welfare, although I was at one time. It was a rare privilege to serve on that committee and to serve with the distinguished senior Senator from Alabama, our good friend, LISTER HILL.

The Senator from Alabama knows of my personal esteem for him. On many occasions, I have conveyed to him my admiration and my respect for him.

Not only is the Senator from Alabama known for his work in the field of education, social welfare, health, hospitalization, and the general betterment of mankind; he is also one who understands the great social and political forces at work today in the world. His record in Congress in support of such important legislation as the North Atlantic Treaty Organization and our commitments to the United Nations and to peace, security, and freedom, are matters of public record, and, I am confident, of personal pride and honor to him.

I join the Senator from Texas [Mr. YARBOROUGH] in commenting upon the youthful looks of this distinguished statesman who now has served some 40 years in Congress. Not only is he a man of youthful countenance and youthful appearance; he also is young in heart, constantly filled with new, good, and constructive ideas, and with courage and vigor—and I use the word "vigor," in this administration, with new meaning and impact. He has the vigor and the force to put his ideas into action.

So I salute him. I wish I could have been present to join in the ovation. I am sure that if I had had that privilege, the ovation would have lasted 6 minutes, not 5. I should have liked very much to have had the privilege of cosponsoring that resolution, because I have never been able to cosponsor a resolution that was so popular.

So, Mr. President, at this late moment, I join with the Senator from Texas in saluting the Senator from Alabama.

Mr. BARTLETT. Mr. President, will the Senator from Michigan yield?

Mr. McNAMARA. I am glad to yield to the Senator from Alaska.

Mr. BARTLETT. Mr. President, I rise somewhat reluctantly, because I note that the senior Senator from Alabama is blushing after hearing the many fine statements that have been made concerning him—all of which are absolutely true. He is deserving of each and every compliment and congratulation which has been offered.

At the outset of this day, I had not known that it was such a wonderful anniversary. I knew it was the anniversary of V-J Day; and I had been alerted to the fact that the lady who is now my wife married me on this day some years ago; but I had not realized that there was another event which makes this a very important anniversary day.

I am glad to be here. I am not a member of the Committee on Labor and Public Welfare; but even though I am not, I had an intimation some time ago—before coming to the Senate—of the wonderful work Senator HILL has done, not only for the people of Alabama, but for all the people of this Nation. My knowledge of that subject has been notably increased and enlarged during the last several months, because it is my high privilege to serve with him, and under him, as a member of the Appropriations Subcommittee on the Department of Health, Education, and Welfare and on the Department of Labor appropriations. If ever certification were needed, it has been provided there for me as to his deep interest in and his great knowledge of the medical needs of this country.

It would be useless to try to estimate how many people, now living, would today be dead, had it not been for the constructive work of the Senator from Alabama in leading the fight to provide funds for important work in the field of medical research. What he has done, what he is doing, and what I know he will do and will continue to do in that field for many years to come will constitute an enduring and a great memorial to one whom I consider a great American statesman.

Of course, as has been mentioned this afternoon, his contributions in other fields, as well, have been many and very considerable.

In addition—and to conclude on a personal note—he is a wonderful man to know, and a fine man to call friend.

On this occasion—his anniversary—I salute him.

Mr. MANSFIELD. Mr. President, will the Senator from Michigan yield?

Mr. McNAMARA. I yield to the distinguished majority leader.

Mr. MANSFIELD. I wish to join my colleagues in what they have said and in what they are saying about a great Senator, a great American, and a great friend.

Although LISTER HILL has served for 40 years in the two bodies which comprise the Congress of the United States, he has not served in vain, for he has left behind and he will leave behind many contributions and many monuments in the form of the good he has done for all people, of all races, in all sections of the United States.

I deem it a singular and a personal honor to have this opportunity to join my many colleagues on the floor of the Senate this afternoon in saying to a man of the character, the integrity, and the ability of LISTER HILL, "Well done, thou good and faithful servant."

Mr. HILL. Mr. President, will the Senator from Michigan yield to me?

Mr. McNAMARA. I yield to the Senator from Alabama.

Mr. HILL. My good friend, the Senator from Alaska [Mr. BARTLETT], spoke of my blushing. I must plead guilty to doing that, Mr. President, for I am rather overwhelmed by the very kind and most generous words which have been spoken about me by my colleagues and my friends. I only hope I may in some small measure, at least, deserve them.

I am most grateful to the people of Alabama for keeping me in Congress these 40 years. In all these long years of service, nothing has been more gratifying to me or more satisfying than my association with my colleagues who have spoken this afternoon, my friendship with them, and the friendship they have given me and the help which at all times they have given me whenever we have been working in a common cause. It has been wonderful to have the friendship, the help, and the support of my colleagues.

I suppose that on this 40th anniversary, the best I could wish is that each and every one of my colleagues who have spoken this afternoon will have, not 40 years of service, but at least 50 years of service. I hope they will be here to celebrate their golden anniversary of service.

From the depths of my heart I thank them and express to them my gratitude and deep appreciation.

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate concludes its business tonight, it adjourn until 12 o'clock noon, tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROTECTION FOR RESOURCES WITHIN OUR TERRITORIAL WATERS

Mr. BARTLETT. Mr. President, an Associated Press dispatch from Tokyo last week quotes remarks of certain Japanese fishery agency officials concerning S. 1988, a bill I introduced on August 6. The bill clarifies the rights of the United States to the fishery resources of the territorial sea and Continental Shelf, and sets up enforcement procedures and penalties for foreign vessels which violate those rights. The officials stated that they regard the bill as "a manifestation of unfriendly sentiment against Japanese fishermen."

I am astonished by the sentiments these officials express. The proposed legislation I have introduced is not vindictive, nor is it aimed at any specific nation exclusively, or at all. The bill simply clarifies our jurisdiction over resources to which we have a clear right under international law and sets up the enforcement machinery necessary to make those rights meaningful. My bill resembles closely Canada's Coastal Fisheries Protection Act—1953—a statute which prohibits foreign fishing vessels from entering Canadian territorial waters, provides for the inspection, seizure, and forfeiture of vessels which violate the statute, and sets up appropriate penalties. It should be noted that the regulations enforced by Japan's neighbors, Korea, China, Russia, Australia—and indeed by most coastal states around the world—provide similar protection for fishery resources within their jurisdiction.

It may be assumed, as the Japanese officials went on to say, that Japanese fishing operations will not be "directly affected" by this legislation, insofar, that is, as it is also assumed that such operations will be confined to areas which may legitimately be exploited under international law. Insofar as the operations of the fishermen of Japan or of any other nation encroach upon our rights to our Continental Shelf and territorial sea resources, these operations will most certainly be "affected." They should have been "affected" long ago.

Mr. President, no one is more aware than I of the desirability and mutual necessity of our maintaining friendly relations with Japan. Our partnership with Japan on many fronts represents a vital element in the present and future prosperity and security of the free world. But, Mr. President, this partnership can take place only in an atmosphere of mutual respect—respect for the legitimate claims and prerogatives of the other nation. Such respect is undercut by the kind of criticism of our domestic legislation reflected by the remarks of these fishery officials. I sincerely hope that these harsh statements will be explained and reconsidered by those responsible for making them.

It is in the light of this concern, Mr. President, that I have written a letter to His Excellency, Ryuji Takeuchi, Ambassador of Japan. The letter quotes in full the Associated Press dispatch from Tokyo, and further expresses my reaction to the reported statements. I ask unanimous consent that the letter be inserted in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

His Excellency RYUJI TAKEUCHI,
Ambassador of Japan,
Washington, D.C.

DEAR MR. AMBASSADOR: I quote to you an Associated Press dispatch which originated in Tokyo:

"Japanese fishery agency officials said Thursday proposed U.S. legislation for permitting U.S. seizure of Russian and Japanese fishing boats in Alaskan territorial waters will not directly affect Japan's fishing operations.

"Senator E. L. BARTLETT, Democrat, of Alaska, who introduced the legislation, Tuesday told the Senate that vessels of both nations were sighted last month within 3 miles of the Alaskan coast. Officials here asserted Japanese fishermen never violated Alaskan territorial seas and well understand it is illegal to enter such an area. They said they regarded the bill as just a manifestation of unfriendly sentiment against Japanese fishermen. 'The bill will have no real significance to the Japanese,' they added.

"The bill was aimed at further tightening measures against foreign vessels found in territorial waters. It would provide a fine of up to $10,000 or imprisonment of up to 1 year, or both for any master or other person in charge of a ship seized in territorial waters, while under the present law the Coast Guard can only stop and board a foreign vessel and order it to leave the area."

For your information, there are enclosed copies of S. 1988, introduced by me August 6 in the Senate of the United States.

I make no comment on the Tokyo statement denying that Japanese fishermen have ever violated Alaska territorial waters. It is needless to do so. I do reject out of hand but emphatically, the contention that the bill is just a manifestation of unfriendly sentiment against Japanese fishermen. It is no such thing.

The bill is merely intended to do that which should have been done long ago; namely, to give effective protection to vital American interests. I have never heard it claimed that Canada is unfriendly to Japan, because it has long had a law providing penalties for the violation of Canadian territorial waters.

Sincerely yours,
E. L. BARTLETT.

Mr. BARTLETT. Mr. President, the need for the proposed legislation I have introduced continues to be pointed up almost daily. The protection of our fishing industry and our fishery resources and the interests of our national defense demands prompt action. The Coast Guard informed me, this morning, that over 200 Soviet trawlers were sighted only yesterday immediately off our North Atlantic coast, and that a number of these vessels were fishing within 10 miles of Cape Cod. I understand that photographs were taken of the vessels and that a Coast Guard surveillance has been initiated. No vessel was sighted within our territorial waters; but we all recognize that when such an armada is present, within such close range of our territorial waters, an intrusion can be anticipated.

I know that this Russian fishing effort has been present off the Atlantic Coast States for the past several months, and I know also that the Senators from these States have been very alert to the problem.

The fact that such offshore concentrations of Soviet fishing vessels represent a consistent and distinct pattern of development is borne out by an article by Hanson W. Baldwin, published on page 3 of the New York Times of August 11. Mr. Baldwin reports that Soviet submarine activity off our coasts has been reduced significantly since the Cuban crisis. But he goes on to cite a substantial increase in trawler activity:

> A continuous increase in the size of the Soviet fishing trawler fleet is the most significant and noticeable aspect, near the coasts of the United States, of the growth of Soviet sea power. From the Grand Banks south to the Caribbean hundreds of Soviet trawlers, most of them legitimate fishing vessels, ply their trade. Halifax, Nova Scotia, is a port of call for many of them.
>
> SOME SPECIALLY EQUIPPED
>
> Among these trawlers are some equipped with special antennas, electronic gear and recording equipment manned by Soviet technicians and naval personnel. The Russians maintain at least one trawler of this type at all times anywhere from the 3-mile limit to 100 miles off the U.S. east coast. It monitors and records U.S.—particularly naval—transmissions and detects radar pulse rates and radio frequencies.

Mr. President, anxiety over the increasing activities of foreign fishing vessels off our shores is not an idle concern—from any of a number of standpoints. Legislation to prohibit the presence of the vessels in our territorial waters and to prohibit the taking of our territorial sea and Continental Shelf resources is the sine qua non of our effective confrontal of the situation. The Senator from Washington [Mr. MAGNUSON] has joined me in recognizing the urgency of this situation, and has assured me that the bill now lying on the table for cosponsors will very shortly receive hearings before the Commerce Committee.

In light of the urgency of the situation I have described, let me express again the hope that this proposed legislation will receive speedy and favorable action.

TRIBUTES TO THE LATE SENATOR ESTES KEFAUVER

Mr. MORSE. Mr. President, Mr. Jack Anderson, in his column published in today's issue of the Washington Post, paid one of the most beautiful and moving tributes to the late Senator Estes Kefauver that I have heard or read. The article is entitled "The Tall Man From Tennessee." It is an appropriate title for Mr. Anderson's eulogy, because it might very truly be said that Estes Kefauver was a giant oak in the forest of humanity. When it crashed to earth, like all other trees, it could not rise again.

Estes Kefauver is irreplaceable. He was a giant statesman among us. Jack Anderson in his column has paid to him a tribute more eloquent than any words that I could phrase. Therefore I ask unanimous consent that Mr. Anderson's eulogy of Estes Kefauver be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE TALL MAN FROM TENNESSEE

(By Jack Anderson)

If President Kennedy should choose to expand his book, "Profiles in Courage," I suggest he write about the only man who ever bested him in politics, the man who took the vice presidential nomination away from him in 1956: the late Estes Kefauver, Democrat of Tennessee.

This Lincoln of a man, homespun, ungainly, often stood alone in the U.S. Senate. But he stood tall.

Consider these flashbacks:

In 1956: Kefauver dug deep into his own pocket, mortgaging his home and hiring out as a lecturer, to pay off old campaign bills. Yet as a presidential candidate in 1956, despite his campaign poverty, he refused a $10,000 contribution with strings attached.

All he had to do was condemn, in a public speech, a United Nations pronouncement against Israel. This would be worth $10,000 to his campaign, he was told. But Kefauver, though pro-Israel, refused to bargain for his contributions.

In 1954: The late Senator Joe McCarthy threatened to attack Kefauver in Tennessee, painting him as a political pink, if Kefauver accepted an invitation to speak against McCarthy in Wisconsin.

Estes took up the warning with his staff, listened silently as each one begged him not to pick a fight with McCarthy on the eve of the Tennessee elections. He thanked them for their advice, then quietly announced his decision: "McCarthy is bad for the country. I reckon I'll have to say so."

In 1954: Stung by charges they were soft on communism, Democratic Senators introduced a bill to outlaw the Communist Party and dared the Republicans to vote for it. This would have subjected people to prosecution because of their political beliefs.

The Republicans accepted the challenge and lined up unanimously with the Democrats for the bill. Only Kefauver, refusing to play politics stood against it.

His anguished political advisers warned that his stand would be misinterpreted back home, that he would be called a Red.

"The least you can do," begged a friend, phoning from Tennessee, "is duck out on the vote."

But the final rollcall was 81 to 1; Kefauver was the lone dissenter.

(Later, the bill was pigeonholed after FBI Chief J. Edgar Hoover joined Kefauver in warning that it not only would be unconstitutional but would drive the Communists underground.)

In 1952: In the presidential race, Kefauver bucked the party bosses, beat all comers in the primaries, and entered the Democratic convention with the most pledged delegates.

Still, he needed more support to win the nomination.

Texas Gov. Allen Shivers, boss of the big Texas delegation, chose this crucial moment to pay a secret call on Kefauver. Shivers wanted to know how the Senator felt about turning the tidelands over to the States, so the big oil companies could drill for oil.

Would Kefauver agree to let Congress decide the issue and not use the veto if he were elected President? No, said Kefauver. Would Kefauver agree to turn offshore oil over to the States within a 3-mile limit? No, Kefauver said again.

Thus Texas slipped irretrievably from his grasp. And he lost the nomination on the third ballot after leading on the first two.

In 1950: Digging into organized crime, Kefauver turned over a compost pile of gangland-political connections. Deep in the pile was a $2,500 contribution that Crime Czar Frank Costello had given to the Democratic National Committee in 1947.

"Is this to be brought out at the public hearings?" demanded Democratic leaders.

"It is," said the Senator. And it was.

In 1949: Though a southerner, Kefauver managed to stir up the mighty wrath of the South by supporting civil rights legislation. When a resolution was offered to curb Senate filibusters, Kefauver at once announced support for it.

Thus the Senate was treated to the unusual spectacle of a Senator speaking with southern accent against the filibuster.

In 1920: Kefauver came out of the Tennessee hills to the University of Tennessee, a straw suitcase in one hand, a cap perched atop his head. Tightly drawn against his huge bulk was an ill-fitting suit, which seemed red in one light, green in another. Across his chest in a neat row were all the ribbons Estes had accumulated for perfect attendance at Sunday school.

From this unlikely beginning, Estes Kefauver went on to become editor of the college newspaper, president of the junior class, president of the All-Students Club, president of the Southern Federation of College Students, and a football star who earned the affectionate nickname, "Old Ironsides."

He continued on to Yale and academic glory. He became a corporation lawyer, a Congressman, a Senator, and a presidential candidate.

But he never lost touch with the Tennessee hills, with the everyday people who make up the backbone of America.

They are the ones now who will miss him the most.

Mr. MORSE. Mr. President, today I received a letter from Clarence Streit, a moving spirit in the international movement for Atlantic Union, in which he comments on the leadership and the inspiration that Estes Kefauver gave to him and to the Atlantic Union group.

I ask unanimous consent that Mr. Streit's letter be printed at this point in the RECORD as an additional fitting tribute to this great, tall statesman from Tennessee.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

INTERNATIONAL MOVEMENT FOR
ATLANTIC UNION,
Washington, D.C., August 13, 1963.

DEAR WAYNE: In the tributes paid thus far to Estes in the Senate and House, I have been shocked by the omission of any reference to the pioneering leadership he gave to Atlantic Union. I have noted with no less astonishment a similar silence in the New York Times, the Washington Post and other papers—with the notable exception of an article in the Daily News by Edward Meeman, of the Memphis Press-Scimitar. He concluded:

"Senator Kefauver's exposure of gangsters and his fight on monopoly were spectacular. But I will wager that he will have a great place in history as the statesman who more than any other, pioneered in behalf of the Federation of the Free."

I say "Amen." From the start of his Senate career in 1949 when he was chief sponsor of the Atlantic Union resolution, he remained a prime mover for Atlantic unification. He reintroduced that resolution twice. Then, because he felt it would help to have the leadership come from a member of the Foreign Affairs Committee, he stepped aside when the resolution was introduced the last time, and helped energetically from the ranks to secure its adoption in 1960. He led no less in founding and building up the NATO Parliamentarians Conference.

When Estes entered the Senate there was no talk I heard there of even such things as "the Atlantic Community." It is a measure of his courage, vision, and steadfastness that such talk is now commonplace, and that President Kennedy, speaking at Frankfurt June 25 could say that "we look forward to a United Europe in an Atlantic partnership" and could see eventually taking shape "a new great Union of us all." Meanwhile on the Republican side Governor Rockefeller has come out for uniting the free by the "Federal idea," Richard Nixon has urged transforming NATO into a "political confederation," and in the Telstar discussion July 10 former President Eisenhower agreed with former Prime Minister Eden that Atlantic federation is "the final objective."

To join in ignoring, in these circumstances, the trailblazing leadership of Senator Kefauver will not add to the Senate's luster when the history of the United States of Atlantica comes to be written. I hear that the Senate is setting aside time soon for tributes to Estes, and I am sure your own statement then will show a much better sense of values then any of the eulogies I have yet read in the CONGRESSIONAL RECORD.

With warmest regards.

Sincerely,

CLARENCE STREIT.

THE RAILWAY CRISIS

Mr. MORSE. Mr. President, I now rise to discuss two emergency topics. In keeping with my practice for some years of cooperating with the leadership of the Senate by postponing my speeches until the other business of the day has been disposed of, once again I wish to speak for the RECORD. But I am honored and complimented by the fact that time and time again Senators make clear to me that they not only appreciate the cooperation that I extend in connection with this parliamentary practice, but they take note of the RECORD and read it.

Today I speak not only to Senators for the RECORD, but also to my country. I shall discuss in the first subject the pending railway crisis in the United States, for August 29 is not far away. When the understanding was reached that there would be a 30-day postponement in the posting of new working rules, and thereby a postponement of 30 days on the part of the brotherhoods in calling a railroad strike, it was hoped that the parties to this critical dispute would reach an amicable settlement between them through the processes of mediation and collective bargaining. The information which I received at a late hour today indicates that the possibility of such an amicable settlement is becoming more and more remote.

Mr. President, together with the majority leader, the Senator from Montana [Mr. MANSFIELD], the acting chairman of the Committee on Commerce, the Senator from Rhode Island [Mr. PASTORE], and other Senators, I have been in close contact with the administration and the Secretary of Labor ever since this dispute reached its critical stage several weeks ago.

Having participated in those conferences, I feel that I owe it to the parties to the dispute to make these few comments this afternoon, late though the hour is, in the hope that they will still recognize their public responsibility, and that both sides to the dispute will exercise a degree of industrial statesmanship which will make it unnecessary for the Congress to take jurisdiction over this dispute on August 29.

I speak only for myself, but I say to the parties to the dispute that I have been in this body for many years and have seen other disputes handled in times gone by. I am satisfied that legislation will be passed if the parties do not reach an amicable solution of their differences by August 29.

It would be a great mistake on the part of both the carriers and the brotherhoods to follow a course of action which would make it necessary that legislation be passed, for in my judgment legislation is never the best solution for the determination of a specific major labor dispute which involves the welfare of the Nation. The conditions and circumstances and public attitudes which exist at the time such legislation is under consideration and passed do not augur well for the most desirable solution of any given dispute.

But if legislation should become necessary in the settlement of this railway labor dispute, it should be clearly understood that the parties to the dispute assume 100 percent of the responsibility for making it necessary for Congress to act.

PRESIDENT'S LEGISLATIVE PROPOSAL

There has been a great deal of misinformation circulated with regard to the President's proposal, Senate Joint Resolution 102; and the heads of the railway brotherhoods are responsible in no small part for the dissemination of such misinformation.

I say to the railroad brotherhoods and to the carriers, "You have no better friend in public life today in this country than the President of the United States, Mr. John F. Kennedy."

The carriers and the brotherhoods must remember that he has a sacred trust, which is, as President of the United States, to follow whatever course of action is necessary, in dealing with any national problem of such import as the railroad dispute, to protect the public interest.

The people of the country have the right to expect the Congress to support the President in protecting the public interest in connection with the railroad dispute.

It is not too late, as I shall point out in greater detail later in this speech, for the two sides to this dispute to propose on a voluntary basis their own procedure for a determination of the issues involved in this dispute on their merits.

The senior Senator from Oregon raises the question, "Are you afraid of the merits involved in the dispute?" Has the refusal of the brotherhoods to resort to voluntary arbitration been based in any part upon uncertainty as to the merits of their position on the substantive issues? The American people will ask that question of the leaders of the brotherhoods. And I tell the leaders of the brotherhoods who else will ask the question—their own rank and file members. They are beginning to ask that question already.

If it should become necessary to enact legislation to govern these issues for an interim period, as called for by the President's proposal, let both sides of the dispute understand tonight that the senior Senator from Oregon will support the President's resolution.

As Secretary of Labor Willard Wirtz pointed out in his testimony before the Senate Committee on Commerce on July 23 of this year, Senate Joint Resolution 102 must be analyzed in terms of the environment which produced it. The dispute is in its fourth year and although there are dozens of issues involved, ranging from firemen manning issues to pay and other fringe issues, the failure of the parties thus far to develop an approach to the engine crew issue has been the major factor in stymying effective bargaining on the other issues. Secretary of Labor Wirtz reported that the bargaining in the mediation centered almost entirely on the two issues of engine crew and train crew and that there had been relatively little discussion of the other nonmanning issues in the case. He also reported that there had been no significant bargaining in the 3½ years of the dispute until the issuance of the report of the Rosenman Emergency Board on May 13 of this year. Within a few weeks these negotiations foundered, at which time the Secretary of Labor entered the case in an unsuccessful effort to mediate.

It was on this basis that the administration concluded that continuation of mediation without providing for some definite basis for resolution was no longer warranted. Secretary Wirtz also pointed out that the remedy of seizure was not justified in the circumstances of the negotiations and that compulsory arbitration was entirely unsatisfactory because it would have wrecked the entire structure of collective bargaining in this industry.

SEIZURE AND COMPULSORY ARBITRATION ALTERNATIVES

Rank-and-file members of the brotherhoods write me, "Why do not you support seizure of the railroads?" My answer is, "Because there is no justifiable basis for seizure of the railroads." In my professional work in the field of labor relations before I came to the Senate of the United States, I was the compliance officer as well as a public member of the War Labor Board. It was my job to carry out the seizure orders of the U.S. Government during the war when it became necessary in some instances to seize various industries and plants to protect the public interest.

In those seizures we ran up the American flag as a token of seizure and ordered management to stay behind the desks and workers to work in the interest of a successful prosecution of the war. We applied, on a temporary basis, such terms and conditions, such working rules, as the facts presented to us seemed to justify under the circumstances, until the industry could be returned to the owners following an agreed upon settlement of the issues in dispute.

But, as I said earlier in this speech, this dispute is almost 4 years old. If the Government should seize the railroads, as too many in the leadership of the brotherhoods have wanted since the beginning of the crisis, the first obligation of the Government, as the then trustee of the stockholders of the railroads, would be to put into effect the work rules that, in its opinion, were called for in order to protect the interest of the stockholders.

That is why I say, under the facts and circumstances of this case, that in my judgment, from the standpoint of the brotherhoods, it is not an appropriate case for seizure. It is the last thing they ought to be asking for.

As I said on the floor of the Senate earlier in this crisis, when that seizure comes and the flag is over the railroads, do not forget, members of the brotherhoods, that the Norris-La Guardia Act does not apply against your country's flag. You will be subject then to the injunctive processes of the courts, carrying out what your Government, under seizure, decided would be necessary for rules and policies, in line with the legitimate interests of the stockholders of the railroads, during the period of Government operation necessary.

So I am at a complete loss to understand why at any time the spokesmen for the brotherhoods have even hinted at the suggestion that perhaps the Government ought to seize the railroads. Aside from its obligation to the stockholders, the Government would also have an obligation to the American people in whose name it would seize the roads. Do the brotherhoods think the American people would tolerate for 1 minute a Federal operation of the carriers without change in the work rules?

Likewise, in my judgment, compulsory arbitration would be an equal mistake; and I have opposed it, and shall continue to oppose it.

Before I finish with this speech, I shall make my record in answer to the propaganda of the chiefs of the brotherhoods that the President of the United States is seeking to impose upon them compulsory arbitration. They wrong the President by the suggestion. They wrong their own rank and file. They do a disservice to their own leadership.

Therefore, I repeat, Secretary Wirtz pointed out that the remedy of seizure was not justified in the circumstances of the negotiations and that compulsory arbitration was entirely unsatisfactory because it would have wrecked the entire structure of collective bargaining in this industry.

He also stated his complete personal conviction that the case will eventually be settled by collective bargaining of the parties and that it was "unlikely that any action which the Interstate Commerce Commission would take under Senate Joint Resolution 102 would foreclose that possibility."

The legislative problem which the administration faced in drafting Senate Joint Resolution 102 was to provide a procedure which would preserve collective bargaining but which at the same time would provide the assurance that there would be a resolution of the dispute through voluntary action of the parties without resort to a work stoppage.

Senate Joint Resolution 102 attempts to do this by identifying the engine-crew and train-crew issues as matters which are closely comparable to railroad mergers, amalgamations, and coordinations, as well as mass transit modernization, with respect to their impact upon employment security. It was pointed out that not only are job security problems identical in these related areas but that the proposed rule changes with respect to the manning of the engine and train involve matters generally subject to regulation by the Interstate Commerce Commission with specialized knowledge of the railroad industry, including factors such as public service and safety which are so intimately involved in the current dispute. These were the considerations which prompted the administration to develop an ad hoc procedure designed to remove the clots which had been blocking the channels of bargaining.

The second key to the administration proposal was to develop a system within the ICC framework for the development of interim rules governing the engine and train crew issues for the time being.

It is in the light of these interim rules that Senate Joint Resolution 102 would encourage and stimulate the parties to continue to bargain in order to develop final solutions of these and of all other remaining issues.

This is what the Secretary of Labor meant when he stated that the procedures contemplated by Senate Joint Resolution 102 did not constitute compulsory arbitration, but, on the contrary, were designed to preserve collective bargaining within the limitations established by the background of these long overdrawn negotiations.

Thus, section 1 of Senate Joint Resolution 102 provides that changes in the work rules involving the manning of train or engine crews shall become effective only upon application to and approval on modification by the Interstate Commerce Commission under section 5 of the Interstate Commerce Act. It appears to be the intention in this section, read in the light of the scheme of the resolution and of the legislative background, that these rules will provide a basis for the manning of the trains for the interim period only.

Stated conversely, the resolution does not authorize the Commission to approve rules which are dispositive of the entire manning issue for the indefinite future. The emphasis is on interim work rule procedures to be effective only until such time as the parties reach agreement regarding the entire matter or 2 years following the date the interim rule goes into effect, whichever occurs sooner.

Mr. President, I wonder if we may have order, either from the Press Gallery or any other place where there is not order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. MORSE. If there are any in the Press Gallery who do not want to hear my speech, I welcome their leaving.

Section 3 emphasizes that the Commission, in acting upon application to approve the proposed work rule changes within the limitations already developed, shall take into account considerations of safety and public interest and shall give due consideration to the recommendations of the Presidential Emergency Board and to the narrowing of the areas of disagreement developed in the negotiations following the Emergency Board report.

No matter what the Commission does in this connection, it is required to provide fair and equitable job security arrangements provided by section 5(2)(f) of the Interstate Commerce Act—the so-called Washington agreement procedures—protecting the jobs of employees and providing for the insurance against any worsening of the position of employees in consequence of the interim rule change.

Secretary Wirtz suggested that the decisions of the Commission would be subject to review in the same manner as are the orders of the Commission under section 5 of the Interstate Commerce Act.

The parties are enjoined to bargain collectively with respect to the unresolved issues covered by the notices, other than the manning issues governed by section 1. However, if the parties fail to agree on any such issue within 60 days following the effective date of Senate Joint Resolution 102, either party may submit the proposal to the Interstate Commerce Commission for disposition by special procedures adopted by the Commission after consultation with the parties, including, but not limited to, such procedures as were recommended by the Emergency Board.

Thus, the resolution is designed to avoid compulsory arbitration as the term is generally understood and to provide in its place for the development of some interim basis for creating an atmosphere conducive to collective bargaining without the crisis pressures which have been built up as of this time. This is accomplished by the device of the so-called interim procedures.

WASHINGTON AGREEMENT SUPPORTED IN PAST BY BROTHERHOODS

Mr. President, basic in the procedures and principles adopted by the President in the suggested proposal for legislative action is the Washington job protection agreement in the Mass Transportation Act. Those of us who have been consulting with the administration in regard to the railroad dispute crisis were not parties to the drafting of Senate Joint Resolution 102. It was presented to us for consultation after the officers of the executive branch of the Government had prepared it and believed that it warranted favorable consideration. We talked about its pros and cons. Many suggestions were considered. Finally, the administration decided that it ought to be considered in this form. The record should be clear that under those circumstances we said we would support the resolution. Neither the consultants nor those who drafted the proposal—and although I cannot speak for him, I can express the opinion that it also applies to the President of the United States himself—took the position that under no circumstances should Senate Joint Resolution 102 be modified by amendment or by substitution if a better program could be proposed, first, to protect the public interest; and, second, to protect the legitimate interests of the carriers and the brotherhoods.

However, it would be a great mistake for the brotherhoods to assume that Senate Joint Resolution 102 would be materially changed, should it become necessary to enact legislation to protect the public interest from a railroad strike on August 29 or thereabouts. In my opinion, the greatest disservice that could be done to the railroad brotherhoods would be to give them any false cause for believing that they will not get the President's resolution or the principles of the President's resolution almost intact if they make it necessary for Congress to deal with the railway dispute by way of legislation.

I shall give careful consideration, as I am sure the members of the executive branch of the Government will do, to any proposal which is offered for a modification of Senate Joint Resolution 102. I may well suggest some perfecting amendments myself.

However, any proposal that seeks another postponement will not receive the support of the senior Senator from Oregon. There has been enough postponement. The American public is entitled to have established now a procedure that will lead to a final determination of the substantive issues on their merits.

I believe it would also be a disservice to the brotherhoods to encourage them into thinking that Congress, through some formulation of a so-called legislative watchdog committee, can be substituted for the Interstate Commerce Commission to supervise collective bargaining or mediation in the railway labor field. In my judgment, it is not the proper function of Congress; and, in my judgment, Congress is not qualified to perform that function.

The brotherhoods seem to raise questions as to the qualifications of the Interstate Commerce Commission, which moves and has its being at all times within the field of railway economics and railway problems. I cannot think of a more unwise precedent, legislatively speaking, than for us to adopt a proposal which would seek further delay in a determination of the substantive issues involved, and establish a so-called watchdog legislative committee of Congress, to supervise further negotiations in regard to this controversy. I say to Congress: Start that precedent, make that mistake, and every major labor dispute which will arise in the years ahead will cause one side or the other which thinks it has the most to gain by that kind of political approach to labor or economic problems involved in labor disputes to say, "You did it in the railway case in 1963. What justification do you have for not doing it in our case?"

In my judgment, that would produce a chaotic condition in industrial relations in the United States.

Therefore, I say to the railroad brotherhoods and to the carriers that I am not in favor of that approach.

I say, too, that if we are to analyze Senate Joint Resolution 102, it is important to keep in mind the philosophy of the so-called Washington agreement.

THE WASHINGTON JOB PROTECTION AGREEMENT AND MASS TRANSPORTATION ACT

(At this point Mr. McGEE took the chair.)

Mr. MORSE. Mr. President, the extensive history of legislation in the field of railway labor relations establishes beyond any question the policy of Congress to provide just and reasonable treatment of railroad employees as an essential element in the maintenance of an efficient service uninterrupted by labor disputes.

The basic Federal policy with regard to the nature and extent of job protection of railroad workers is substantially the same in general outlines as that developed by the great majority of railroads in May 1936 in collective bargaining with the 21 labor organizations representing railroad employees. This document is called the Washington agreement.

This agreement was signed by 219 of the carriers at that time after prolonged negotiations with the 21 labor organizations.

Prior to the development of the Washington agreement, the Interstate Commerce Commission itself had consistently taken the position that a system of dismissal compensation should be developed in the interests of railroad service. Recommendations along these lines were made in the Sixth Annual Report of the Interstate Commerce Commission in 1892 and in the annual reports of 1935 and 1936.

The Washington agreement applies to employees affected solely by or in anticipation of a coordination which, stated generally, refers to consolidations or mergers or pooling of facilities or operations or services.

It provides three types of protection: First, dismissal allowances for employees who are deprived of employment; second, displacement allowances for employees who are placed in lower paying jobs; and, third, moving allowances for employees who are required to change their place of employment.

1. DISMISSAL ALLOWANCES

If deprived of employment, an employee is entitled to 60 percent of a test period average compensation ranging from 6 months' compensation for service from 1 to 2 years to 60 months' compensation for service 15 years and over, less other railroad compensation such as railroad unemployment insurance or railroad retirement. If an employee has worked less than 1 year, he would receive 60 days lump-sum payment. Employees may elect to take in lieu of the above a lump-sum separation allowance ranging from 3 months' pay for the 1- to 2-year employee to 12 months' pay for service of 5 years or more.

2. DISPLACEMENT ALLOWANCES

If the employee is displaced—that is, moved to a lower paying job—he is entitled to receive the difference between the test period average compensation not exceeding 5 years from date of adverse effect and current earnings—a very important protection gained by the brotherhoods in the Washington agreement.

3. RELOCATION ALLOWANCES

If an employee is retained in his classification but is transferred to a new location, he is entitled to relocation benefits consisting of expenses for moving household and personal effects as well as traveling, including living expenses up to 2 days' pay. The carrier will also reimburse the employee for any losses sustained in the forced sale of his home on account of relocation.

Other benefits include free transportation, pensions, and hospitalization.

The Interstate Commerce Commission has an additional basic formula which it uses in merger and acquisition cases known as the Oklahoma conditions. This additional formula varies in one degree or another the patterns which were developed in the Washington agreement. For example, the Oklahoma conditions would guarantee an employee who has been dismissed on account of merger or acquisition 100 percent of his test period average compensation for 4 years less other railroad compensation. If the employee has been downgraded as a result of a merger or acquisition, he will receive under this formula the difference between current earnings and test period averages up to 4 years from the date of the ICC order. His relocation benefits are the same as the Washington agreement.

The New Orleans conditions provide for a further and somewhat complicated variation.

These various formulas have been incorporated into section 5 of the Interstate Commerce Act by amendment to the Transportation Act of 1940, which in effect directed the Interstate Commerce Commission to require a fair and equitable arrangement to protect the interests of railroad employees in approving any transaction involving a merger or consolidation under that act. Section 5(2)(f) of the Interstate Commerce Act, as thus amended, now provides that the Commission "shall include terms and conditions providing that during the period of 4 years from the effective date of such order such transaction will not result in employees of the carrier or carriers by railroad affected by such order being in a worse position with respect to their employment."

The application of these longstanding policies to the Mass Transportation Act of 1963 was a matter which was thoroughly debated in the Senate in early April of this year during consideration of S. 6. The Morse amendment which was adopted by the Senate by a vote of 52 to 41 incorporated the provisions of section 5(2)(f) into the protective arrangements required by that act. Under the Morse amendment approval of projects under the Mass Transportation Act can be made only upon guarantees of fair and equitable arrangements for the protection of employees affected by the plan, including "the protection of individual employees against a worsening of their positions with respect to their employment which shall in no event provide benefits less than those established pursuant to the provisions of section 5(2)(f) of the Interstate Commerce Act."

These are the rights which have been covered for so many years by the Washington agreement with all of its variations, culminating in the section 5(2)(f) provisions of the Interstate Commerce Act. The Washington agreement has become the cornerstone of railway labor relations governing layoffs and position downgrading in the federally regulated transportation industries, and it has been plied by the Presidential Commissions under the Railway Labor Act in their recommendations on job disputes involving these grave questions of job security such as that facing the Nation today in the current negotiations between the railroads and the railway brotherhoods. It was contained in the recommendations made by the Presidential Railroad Commission in February 1962 and by the Roseman Commission in its report and recommendations of last May.

The President, when he explained his proposal to the group of us who were called for consultation, laid great stress on the procedures of the Washington agreement and the Morse amendment to the Mass Transportation Act of 1963. I do not quote the President, because one never does; but there is no question that the President took cognizance of the procedure that has existed in the railroad industry in connection with the protection of job security in all the job relationships that arise in dispute under the Washington agreement.

Under the section of the Interstate Commerce Act which has become section 5(2)(f), I say most respectfully that I never heard any representative of the railroad brotherhoods cry out that the Washington agreement proposed compulsory arbitration. I never heard any member of the railroad brotherhoods cry out that the Washington agreement principles written in the Interstate Commerce Act under section 5(2)(f) constitute compulsory arbitration. Of course, we can take judicial notice that primary in the present dispute is the issue of job security. I do not see how anyone can escape the fact that the issues that pale all other issues into insignificance in connection with the pending dispute are issues that involve job security, layoffs, and dislocation of employment.

I defend my President in the decision he made that under these circumstances, and for an interim 2-year period, the Interstate Commerce Commission is as well qualified as any other body anyone can mention to pass upon the problems of labor economics within the railroad industry.

These are not final. Sometimes as I read some of the material I get from the brotherhoods, I wonder whether they discharged all their lawyers—although, of course, I know they have not.

Mr. President, the legal rights and the review privileges available to the carriers and to the brotherhoods are not taken away from them under Senate Joint Resolution 102, any more than they are taken away from them under section 5(2)(f) of the Interstate Commerce Act. So I think it most unfair that the heads of the brotherhoods seek to give their membership the impression that the President of the United States is seeking to shackle them with compulsory arbitration.

Let me say to the heads of the brotherhoods that they can make it necessary for Congress, in carrying out its duty to protect the public interest, to use whatever Government compulsion which might be necessary in order to keep the railroads running.

I do not know how one can advise the brotherhoods more sincerely and urgently than many of us have been advising them when we have said, "Do not lead your membership into a strike over these issues, for if you do, you will lose. You will lose the strike, and I fear that you will lose many other values that you have been building up for decades. You will surely lose the support of the final arbiter—public opinion."

JOB SECURITY ISSUE A GENERAL PROBLEM

The President in his proposal has pointed out that we have a problem, not limited to the railway industry, but involving all of the American economy in connection with job dislocations resulting from automation and from the great advances of technology. As I have said so many times in my discussion of this dispute, these problems cannot be solved on a picket line. They can be solved by analyzing the facts, asking what they show, and proceeding to deal with the public-policy question of how much of the losses that accrue from job disjointures caused by technological advances and automation should be borne by the given employer in a given industry, by the workers in that industry, and by the general public. Let us not forget that the general public has a stake in the benefits of automation, and the general public has no right—and I emphasize this point—to exploit workers by taking the position that it is just too bad if the advance of automation throws thousands of fellow workers out of work—workers untrained to do anything else that will return to them a substantial income. If the public were to take that position, it would be guilty of exploiting the more unfortunate members of our citizenry who are thrown out of work as a result of the dislocations caused by automation.

In making his proposal, the President has called attention to this problem by proposing the creation of a Presidential Council on Automation. It first would make a very careful research study as to the facts in regard to economic dislocations and job dislocations caused by automation; and, second, it would make recommendations for whatever legislation needs to be enacted in order to handle this problem in the best interests of the public as a whole.

I say to the railroad brotherhoods that I do not think they are giving nearly enough weight to the value of the proposal contained in the recommendations of the President. But I am afraid, Mr. President, that animosities in the industry and between the parties to the dispute have reached such a point that now there is a rather remote chance that the parties will settle the dispute by means of collective bargaining. They have had 4 years to do it. They started in 1959. Charges and countercharges as to who has been bargaining in good faith and who has not have been hurled back and forth between the parties. But the fact is that collective bargaining has not settled the dispute. Mediation has not settled the dispute. There have been third party mediators, and it is perfectly clear that they share the point of view that there has not been a great deal of will on the part of either side to reach an amicable settlement of the dispute. The President cannot let this situation continue.

Without going into all the details, let me say that I think I should put into the RECORD at this point at least a few broad brush strokes of statistical facts as to what would confront the American people if we just stood by and let the carriers post their working rules and let the workers strike.

The President pointed out to us many details. He said a 30-day railroad strike would cost the economy of this country a minimum loss of $1 billion. I wonder whether the railroad brotherhoods really think the public will stand by and will permit a railroad strike that would cost our economy, at this critical time, a minimum loss of $1 billion in 30 days. If they really think so, they are suffering a serious lapse of good judgment. Furthermore, they would then be ignoring the fact that within 2 weeks a minimum of 6 million of their fellow workers would be thrown out of work, the fact that unemployment would continue to rise week by week, the fact that irreparable damage would be done to businesses engaged in the handling of perishable products. Moreover, coming in the midst of the harvest—the farmers, who already this year are not doing very well—would suffer further great losses.

It is unthinkable that the leaders of the railroad brotherhoods should be so heedless as to follow a course of action of using economic force in order to try to force not only on the carriers, but on the country, a railroad shutdown.

It may be asked, "Does not the Senator from Oregon agree to the right to strike?" I certainly do. I yield to no one in the Congress in my determination to protect the right to strike exercised under legitimate circumstances.

The existence of the brotherhoods is not at stake in a strike. This is not a case in which the railroad carriers are seeking to destroy the right of labor to organize and bargain. This is not a case in which the legitimate rights involving the existence of organized labor are involved.

This is a dispute basically over working rules. It calls for a determination of the economic facts in respect to the operation of the present working rules, a determination of whether the great changes which have occurred in American industry, including the railroad industry, in recent years, justify the continuance of the job positions which the railroad brotherhoods are insisting should be continued. I do not know what the merits of those contentions are; but the best way to prove the merits is not on the picket line, but in the judicial atmosphere of either a mediation hearing or a voluntary arbitration procedure.

POSSIBILITY OF VOLUNTARY ARBITRATION REMAINS

I have said to the brotherhoods before, and repeat tonight, that in my judgment the wisest policy they could follow in the best interests of the brotherhoods and their membership and in the best interests of organized labor in this country as a whole—and they have responsibilities to the rest of organized labor, too—would be to say to the President, "We have reluctantly come to the conclusion that we would be willing to accept a seven-man board."

I do not care whether the number might be seven, five, nine, or any other number. But speaking hypothetically, I would suggest a seven-man board composed of two representatives of the brotherhoods, two representatives of the carriers, and three representatives of the public, and the carriers and the brotherhoods would try to agree upon the three men in the middle. If they could not after a reasonable period of time agree upon those three, the President of the United States would appoint them or appoint whatever number the others had not been able to agree upon. The parties would submit their case on the merits to a voluntary arbitration decision, and it would be understood that the railroads would continue to operate under present rules until that arbitration board handed down its decision, which should not take more than a few weeks at the most.

In 1941 we took testimony in Kimball Hall in Chicago for 6 weeks on a railway labor dispute that was much more major than the present one. That dispute involved many times the issues that this one involves. To all intents and purposes that dispute involved the whole contract, the whole agreement.

Following the taking of that testimony we eventually settled the dispute—the day before Pearl Harbor, interestingly enough. Would we not have been in a nice mess in this country if on Pearl Harbor all the railroads had been shut down on a strike? But that dispute was settled the day before Pearl Harbor.

I do not care what the brotherhoods and the carriers call the procedure which was used for settling that dispute. It was referred to as mediation. But our original procedure was under the Railroad Labor Act. We sat as an Emergency Board. I had the honor of being Chairman of the Board. The Emergency Board operated as a board of arbitration. I was the mediator who followed the proceedings of the Board.

Again, I am not interested in an argument over semantics. But we settled that case by procedures that amount to voluntary arbitration. So I am slightly at a loss to understand the attitude taken by the brotherhoods against arbitration.

Arbitration has been involved in the settlement of disputes in the railway industry in one way or another for a long time, no matter what labels the proceedings have been given. Following the major case in 1941 the Brotherhood of Railway Clerks and the carriers recommended that the Senator from Oregon, then a professor of law, be appointed to arbitrate the dispute that had arisen in connection with the vacation issue.

We arbitrated it. We took the evidence. We applied the rule of a decision based upon a preponderance of the evidence, and a vacation allowance was granted. For the first time in the railway industry there was established the principle of vacations with pay. It spread in the industry. I did not hear anyone among the brotherhoods object to that arbitration.

I have already related the part that I played in 1947 when in my office early in the morning of the day that the President of the United States appeared before a joint session of Congress—there was signed and delivered to the White House by 10 o'clock that morning the terms of surrender on the part of the brotherhoods. They were written by me in the presence of the representatives of the brotherhoods. Later in the day, the President recommended that striking railroad workers be drafted into the Army. I vigorously opposed that recommendation. The next day, in fairness to the President, I was constrained to extend to him my apologies for the colorful language I had used, but the action I have described caused me to say that his speech was never necessary, because by the time he made the speech, the brotherhoods had terminated the strike on the basis of the letter and the terms of the letter I had dictated that morning.

So although there are many among the brotherhoods who are now very unhappy—or think they are—with the senior Senator from Oregon, because I am not supporting them in the position they are taking in this case procedurally, I am satisfied that the time will come when they will appreciate the fact that the advice I am giving them in this speech this afternoon is in their own best interests, in the best interests of organized labor in this country, in the best interests of industry, and without question in the best interests of the public.

I sincerely hope that without further delay the leaders of these great American citizens who constitute the workers of the railway industry will decide that, even though they may not prefer the procedure, even though they would rather find some other way of settling the case short of arbitration, they should voluntarily, on their own, propose that a board of voluntary arbitration be established under some such procedure as I have outlined in this speech.

It would be a most unhappy event, and an uncalled-for disservice to the workers in the railway industry and to their families, to lead these men into a strike the day after August 29. They deserve better than that.

Who are the railway workers? They are our neighbors. They send their children to the same schools attended by our children or our grandchildren. They go to our churches. They belong to our clubs and lodges. No group of workers in America represents a higher level of patriotic citizenry than do the railroad workers of America.

It pains me to see them following a course of action which in my judgment does an injustice to them. I plead with them, before it is too late, to recognize, in view of the fact that apparently they cannot settle their dispute with the carriers by negotiation, that they should voluntarily propose to submit the dispute to arbitration.

They cannot put the responsibility on the backs of the carriers, although I am satisfied, as some of the mediators have pointed out, that the carriers, along with the brotherhoods, have not engaged in the degree of good faith collective bargaining and mediation that should have been participated in by both sides. But that is behind us.

The record I know about is clear. There has been collective bargaining, but not enough. There has been mediation, but not enough give and take by the parties.

It would appear, from the information I have about the case, that one could characterize the position of the brotherhoods as a position of insisting upon the status quo, or pretty close to the status quo, with some little give here and there in a rule, but an unwillingness to come to grips with all the economic problems involved in the issues. There has been some tendency on the part of the carriers to give a little, but not very much, relying upon their hope that they can get it best settled by legislation.

I think both are wrong. I think neither the carriers nor the brotherhoods will find the best solution to this problem is through the channels of legislation. They ought to stay as clear of the Capitol as they stay clear of the plague, for they have a precious right of freedom. As free employers and free workers they have the precious right to engage in free collective bargaining. When the channels of free collective bargaining reach a roadblock, they also have the freedom of exercising a voluntary decision to bring in third parties to hear their case from the evidence and to settle the dispute between themselves, leaving the Government out of the picture.

That is important, in my judgment, to the preservation of economic freedom in this country in relationships between employers and workers. If there is any employer group which thinks any form of government compulsion in the long run is in the best interests of American employers, in my judgment, they could not be more dead wrong. Nor could any workers be more wrong than those who feel that in an economic crisis such as this they can justify throwing the economy into an economic tailspin which would result from a railroad strike at this time. A strike is not necessary to a settlement of the dispute on the merits. The dispute, in the public interest, should be settled on the merits.

I close my comments on this issue by expressing my plea and hope that they will follow some such procedure as I have outlined in this speech.

Mr. President, in fairness to members of the brotherhoods of my State who obviously do not share my view, I shall read into the Record at this point a letter dated July 25. It shows that members of the brotherhoods in my State have accepted what I consider to be the misinformation and misrepresentation that has been given to them with regard to the President's proposal by considering it compulsory arbitration. They say:

July 25, 1963.

Re the recent request by President Kennedy of Congress to enact legislation allowing the Interstate Commerce Commission to act as an arbitrary body in settling the current work-rules dispute confronting the railroad industry.

The Honorable Wayne Morse,
The Honorable Maurine Neuberger,
The Honorable Edith Green,
The Honorable Robert Duncan,
Washington, D.C.

Before the Senators and Congressmen from Oregon commit themselves to any course of action, we sincerely hope they will be mindful of the following opinions. We also hope they will face the issue squarely, remembering their primary duty is to their country, and that the possible action taken will set a precedent that will prevent this country from continuing as a democracy as it has been known for over 200 years.

Compulsory arbitration in any form is very nearly as intolerable a course of action as a crippling nationwide strike. However, since the two factions in this particular situation have refused to compromise or come to any terms, perhaps arbitration to a small degree should be considered.

We feel that the Interstate Commerce Commission is not a fit body to arbitrate this issue and should not be allowed to do so. Consider the record: Almost without variation this body has allowed certain carriers to merge against the wishes and ignoring protests from railway workers, private and public officials and the general public. They have allowed railroads to discontinue passenger service to and through communities and States, again over these same protests, even though a condition of franchise is to provide these communities and States with every facet of railway service. They have allowed abandonment of railway service over large areas and over vigorous protests. Their very rules of safety so flagrantly ignored by many railroads are justified by a comparative small "slap on the wrist" type of fine that never varies. They have allowed the abandonment of hundreds of miles of vital block signal systems, resulting in death and injuries to countless employees.

In short, we feel that the Interstate Commerce Commission is nothing short of a puppet of the Association of American Railroads and if they are allowed to arbitrate this work-rules movement, the stain on the record of anyone responsible for this action will be irremovable.

There are two main points to consider in this issue: First, if we the operators of an industry so important to the economy of the Nation are deemed important enough for congressional action at the request of the President of the United States, then it seems that we should be considered important enough not to be shunted off in a unique manner to a body as weak as the one under consideration. Secondly, we the operators feel that the problem is not of such magnitude that it is insolvable. We feel that both the carriers and the brotherhoods have not only been dragging their feet, but have firmly planted those feet, for two primary reasons: (a) The carriers have nothing to lose, any one of the many proposed changes will benefit them; (b) the heads of the brotherhoods have refused to accept automation or in any way be responsible to their membership for the signing of a contract that would result in the loss of a single member.

Not only do we feel that collective bargaining has not been exhausted but we feel that the surface has not even been scratched.

If at the conclusion of your investigation, you still feel that compulsory arbitration is the only solution, then demand that it be arbitrated in a realistic manner, by men interested and affected, and by an arm of the Government that in the past has proven by its actions that the Association of American Railroads has considerable influence on its decisions.

In addition, be ever mindful of the fact that the labor force of America will be affected by your decision, in a matter handed to you by persons supposedly dedicated to resolving these issues. The very life of this phase of democracy is in your hands.

Sincerely yours,

H. E. DeLong, Frank L. Zepf, John B. Woodward, Fred Dompier, Gordon Jacobson, Leo E. Seidl, J. L. Graham, B. H. Ward, J. D. Dunn, C. A. Fisher, W. D. Hargrove, D. P. Birran, C. E. Baucland, J. L. Whetstine, all of Eugene, Oreg.

Thomas E. Burnham, A. A. Malstron, G. E. Heldt, Eugene, Oreg.; D. F. Williams, C. P. Vineyard, Springfield, Oreg.; E. R. Kief, Albany, Oreg.; G. F. Kennedy, J. H. Sherman, C. B. Dick, R. O. Bray, C. R. Vanderpool, L. Townley, T. W. Swain, Eugene, Oreg.; L. L. Freewole, Junction City, Oreg.; N. B. Dilley, Eugene, Oreg.; D. J. Rogers, Springfield, Oreg.; V. L. Dowhower, C. L. Nutten, V. S. Muman, A. L. Henderson, Jr., G. L. Walthers, L. Waisaner, Eugene, Oreg.; H. E. Davenport, Springfield, Oreg.; Harold C. Barker, Eugene, Oreg.; Wm. W. Hupfer, Milwaukee, Oreg.; Don L. Martinson, Springfield, Oreg.; Glenn Ross, Joe McCowen, A. K. Huston, Eugene, Oreg.; G. D. Burgoyne, Klamath Falls, Oreg.; R. E. Brown, G. R. van Horn, Eugene Oreg.; D. S. Martinson, Springfield, Oreg.; H. E. Aban, Eugene, Oreg.; M. Harris, Creswell, Oreg.; W. W. Linde, F. E. Bruce, W. R. Hyde, R. H. Barney, E. R. Lawrence, R. E. Casey, E. D. Larsen, M. L. Swain, Eugene, Oreg.; J. H. McCormick, J. R. Loney, Klamath Falls, Oreg.; Richard C. Elofson, S. R. Crosley, F. E. Epperson, B. O. Christensen, C. P. Spencer, Eugene, Oreg.; D. H. Guibble, Portland, Oreg.; W. J. Bryan, Eugene, Oreg.

L. E. Tate, Portland, Oreg.; Clifford Limo Gruen, David N. Mobley, Maurice L. Lee, Paul Parrish, Robert V. Gillett, J. G. Poepe, Eugene, Oreg.; Bert T. Hellard, Albany, Oreg.; W. B. Sears, J. F. Hardy, Sam E. Pynes, S. A. Bashor, Eugene Oreg.; B. P. Hayden, Crescent Lake, Oreg.; R. B. Putman, F. R. Woaherlan, W. C. Scharen, S. L. Hebard, S. E. Evenson, D. F. Lambert, Howard C. Leonard, Wayne B. Kendall, J. W. Brabham, Eugene Oreg.; Eugene D. May, E. A. Schodrow, R. L. Sheely, Portland, Oreg.; M. A. Hopkins, R. D. Phillips, H. W. Markham, W. H. Ordaker, R. Felts, Eugene, Oreg.; C. T. Merrill, D. L. McCaskry, Klamath Falls, Oreg.; A. H. Spalinger, Eugene, Oreg.; M. L. Ellmaker, Portland, Oreg.; D. L. Covisey, Eugene Oreg.

Mr. President, one cannot receive such a letter, signed by the very large number of petitioners whose signatures are attached to the letter, without realizing that he is hearing from wonderful American citizens. I disagree with the characterization of the President's proposal as compulsory arbitration, but I am deeply moved by the sincerity of this letter and the desire of these fellow citizens to find a course of action for the settlement of the dispute short of economic action.

Because I have been moved by this case, I have given a great deal of thought and time and consideration to it. That is why I have suggested a proposal for a panel of seven, two from the carriers, two from the brotherhoods, and three from the public, to consider the issues on their merits and weigh the evidence supporting the contentions of the two sides to the dispute. I know of no more rational way of handling it.

I cannot speak for the signers of this letter, but I think I know American working people well enough to cause me to say, "Give them the choice and I have not any doubt as to what their final verdict would be. They would accept my proposal. They would take their chances, within a voluntary arbitration procedure, on the merits."

In closing I say to them, "I think you are unduly alarmed and unjustifiably disturbed about the consideration the case will receive if it becomes necessary to enact the President's proposal, for I think the Interstate Commerce Commission also will be bound by the evidence." I have a great deal of difficulty in accepting the contention of these constituents that they have no chance of getting a so-called square deal from the Interstate Commerce Commission, because the representatives of the workers in industry themselves negotiated the Washington agreement. The Washington agreement is carried out under section 5(2) (f) of the Interstate Commerce Act, which places the determination of job security issues that are involved in connection with mergers and dislocations in industry within the jurisdiction of the Interstate Commerce Commission.

Therefore, I think the President of the United States was quite logical and quite fair when he suggested in his recommendation that the agency of the government that has jurisdiction over the railroads should be the agency to hand down, not final determinations, but interim determinations, covering a 2-year period, until the parties to the dispute themselves work out modifications and agreements in respect thereto.

If it becomes necessary to consider legislation on this subject matter, in the Senate, I want the carriers and the brotherhoods to know that, so far as the senior Senator from Oregon is concerned, the presumption is in favor of the President's proposal. Anyone who seeks to modify that proposal will have the burden of proof to show that his modification would better protect the public interest than the draft of the President's proposal which was introduced in the Congress.

I am confident that that point of view would likewise be shared by the President, in that if anyone could show that the public interest would be better protected by a modification of the President's proposal, he would be the first to favor such a modification. But I have not heard of one yet; and the substitutes which have been introduced thus far will not receive my support, because, in my judgment, they would not protect the public interest nearly as well as would the President's proposal. They would establish a precedent which, in my judgment, would rise to plague the legislative process of the Congress.

I turn now to the second matter.

THE NUCLEAR TEST BAN TREATY

Mr. MORSE. Mr. President, the hearings to date on the proposed test ban treaty have been reassuring to me on nearly every point on which they touch.

I have been deeply impressed by the case made for it by Secretary Rusk, Secretary McNamara, and Chairman Seaborg of the Atomic Energy Commission.

But there is one problem arising from it on which I have heard little clarification and no assurance at all. This concerns the section of the treaty relating to nuclear tests by others, and the statement of policy by President Kennedy that the United States seeks to discourage the spread of nuclear weapons.

This statement of policy of the President of the United States was made in a television speech to the Nation. It was a great speech. I said it was one of his greatest. I said at the time, and I repeat tonight, that the President's speech was good news for mankind. It was good news, not for the American people alone, but also for all mankind. That speech, in my judgment, sought to carry out the great challenges of idealism the President enunciated in one of the greatest inaugural speeches ever delivered by any President of the United States.

In this speech to the Nation, the President made very clear that he was going further than article I, section 2 of the treaty goes when it declares that the parties shall not assist other nations in conducting nuclear tests. The President in his speech went further by saying:

> All four nuclear powers have a great obligation to use whatever time remains to prevent the spread of nuclear weapons, to persuade other countries not to test, transfer, acquire, possess, or produce such weapons.

The four nuclear powers to which he was referring are Great Britain, Russia, the United States, and France. In the opinion of the senior Senator from Oregon there has developed in our hearings on the test ban treaties an area of uncertainty as to what the American policy is. The American people are entitled to know what the American policy is in connection with the sharing of nuclear information, nuclear materiel, nuclear design, and nuclear weapons.

A treaty is not limited to its liberal language. A treaty carries with it its spirit and intent. I do not believe the spirit and intent of the test ban treaty can possibly be interpreted as being inconsistent with the President's statement to the Nation which I have just quoted.

EFFECT OF TREATY ON TESTING BY NONSIGNERS

This raises the question of the nuclear policies of the United States vis-a-vis the nuclear policies of France. I do not want to see my Nation write a chapter in the history of this treaty by which the Communist bloc will ever have the slightest basis for a charge that at the very time we signed the treaty it was a scrap of paper. I do not want to see my country put in a position in the annals of history where Khrushchev would have the slightest basis for an alibi to abrogate the treaty by a charge at the very time the United States signed the treaty. We planned and intended and were participating in an arrangement with France, which apparently will be a nonsignatory to the treaty, to aid France either by supplying of nuclear information helpful to France in a continuation of testing that is outlawed by the signatories to the treaty as far as their own conduct is concerned, or making available to France weapons or designs as an inducement not to test. I want to know, before I come to vote on the treaty. I say to the President and to the Secretary of State that in my judgment, every American citizen is entitled to know what the policy of the U.S. Government is vis-a-vis the United States and France in respect to nuclear power and policy.

I have asked Secretary Rusk and Secretary McNamara, and this morning I asked Commissioner Seaborg, what the policy of the United States will be toward nuclear testing by others, and what our policy will be regarding the transfer of nuclear weapon design information to other nations.

That is the key language. Let us not overlook that language—"transfer of nuclear weapon design information."

If we give France or any other nation nuclear weapon design information, we do not have to give the weapons; the other nations can build them themselves. If France is going to be a nonsignatory to the treaty, then it is unconscionable for the United States to give nuclear weapon design information to France. I wish to know if the United States intends to do so. If the United States intends to do so, the treaty is already a scrap of paper. I am not interested in bargaining with De Gaulle. I am never interested in being a party to international blackmail. If De Gaulle wants to go it alone, let him go. If De Gaulle does not want to sign the treaty, he has the sovereign right as the head of a sovereign state to follow that course of action. But he should receive not one iota of nuclear information from the United States, not one dollar of American taxpayer money through the Government of the United States to help him build up a nuclear power, for it would not be in the interest of the peace of the world and would give an excuse to Khrushchev, any time he wanted to use it, for abrogating the treaty.

As we know, section 2 of article I of the draft treaty prohibits the signatories from "causing, encouraging, or in any way participating in, the carrying out of any nuclear weapon test explosion, or any other nuclear explosion, anywhere which would take place in any of the environments described."

Because the one major nation that has declined to sign the treaty and is still testing nuclear weapons is France, I have sought clarification of what our policy toward the French testing will be. Secretary McNamara expressed the view that to extend any assistance whatever to France in the conducting or carrying out of these tests would be a violation of the treaty. He said he would recommend against such assistance.

But it is also true that there is no such prohibition in the McMahon Act, as amended, which presently governs our nuclear sharing policy. In referring to the McMahon Act, I refer to that great Senator from Connecticut, Brien McMahon, who died an untimely death in his early prime. I shall never forget the historic day when he stood on the floor of the Senate and made a great speech in regard to the control of atomic energy for warmaking purposes. His vision on the subject of nuclear energy was a great boon to the world. He has been sorely missed on this earth, and he is missed today.

Out of the recommendations of the McMahon speech there grew what has become known as the McMahon Act. It has been amended, but the heart of it is still the recommendations of the great speech of the Senator from Connecticut on the floor of the Senate which led to the drafting, the historic debate, and the passage of the McMahon Atomic Energy Act. Therefore, I should like to have an expression from the Kennedy administration whether it considers the language of section 2, article 1, to be, in effect, an amendment of the McMahon Act. Is it assumed that if the treaty becomes effective, the United States will no longer aid other nations in nuclear testing programs, whether or not they have made the "substantial progress" required in the McMahon Act for dissemination of information?

POLICY SEEMS TO GO BEYOND LANGUAGE OF TREATY

But there is an even more significant aspect of this. It is the policy statement made by President Kennedy in his address to the Nation, in which he said that the nuclear powers must use whatever time remains to "prevent the spread of nuclear weapons, to persuade other countries not to test, transfer, acquire, possess, or produce such weapons."

That is sound national policy. In that speech the President made a commitment to the American people. That is why I raised the question yesterday, and again today. In fact, I raised it to a degree in my cross-examination of Secretary Rusk 2 days ago; went into it in greater detail yesterday with Secretary McNamara; and discussed it again this morning with Chairman Seaborg. We must know, if we ratify the treaty, whether it is the national policy of our Government to do what we can to "prevent the spread of nuclear weapons, to persuade other countries not to test, transfer, acquire, possess, or produce such weapons." If that is our policy—and I pray to God it is—we cannot justify making available to De Gaulle any nuclear weapon design information.

It will be said, "But France is a nuclear power. We already have some agreements with her." In my judgment, we do not have any agreements with France, under international law, that deny to us the right, in keeping with what we consider to be the spirit and intent of the treaty to which we have attached our signature, and are asking the Senate to ratify, to decline to give any nuclear information to any country, much less to one that refuses to be a signatory to that treaty.

It will be pointed out in the debate that, of course, under the McMahon Act, as amended, we can make available weapons to another nuclear power; but under the law, the proposal to do so must come to Congress, remain here for 60 days, as I recall the law; and if Congress does not act to deny the President the authority to transfer the weapons, he may do so.

I would assume that in view of the statement the President made to the American people in his historic speech on the treaty over television, we will not be getting any proposals to transfer weapons, because as one of the four nuclear powers, according to the President's language—and I completely agree with him—we have a strong obligation to use whatever time remains to "prevent the spread of nuclear weapons, to persuade other countries not to test, transfer, acquire, possess, or produce such weapons."

Now is the time to determine these questions of policy before the treaty is ratified.

The President referred to "all four nuclear powers." I suppose he meant the United States, Great Britain, the Soviet Union, and France. Secretary McNamara yesterday referred to there being "four nuclear powers."

Under questioning this morning, Dr. Seaborg, Chairman of the Atomic Energy Commission, testified that France had made that substantial progress referred to in the act that would qualify her as a nuclear power and, therefore, to be eligible for information.

But that eligibility deserves careful analysis and comment. It does not follow that because a country becomes a nuclear power within the definition of the act, particularly the section which uses the definitive language "substantial progress" in the development of atomic power, it is entitled, as a matter of right, to weapon design information from the United States. It does not follow that under the laws enacted by Congress, such weapon design information automatically should be made available to a nuclear power; nor does it follow, Mr. President—and this is the touchiest point of all, in my judgment—that any agreement made with France—if an agreement has been made with her—to provide her with any nuclear power information, vests France with any right to continue to get that information, irrespective of any treaty obligations into which we enter.

So if we are going to carry out the sound idealism and the public policy of the President's speech to the Nation, and the time has come to make clear to De Gaulle that he is not going to get any nuclear help of any kind or description—financial, information-wise, or by way of materiel; in fact, the time has come to stop the building up of nuclear powers.

The testimony before our joint committees leaves no room for doubt, in my mind, that we have the potential nuclear kill power to destroy Russia; and I am afraid Russia has enough potential kill power to destroy us—or at least to make it obvious that after such a nuclear war, the question of whether the United States would remain a power in the world would be academic.

With those stockpiles possessed by Russia and by the United States, I find it difficult to escape the conclusion that at the moment the world is in balance, as regards the nuclear kill power in the possession of the two great nuclear powers, Russia and the United States.

In my opinion, Mr. President, a form of deception is being practiced, if it is being assumed that France is to receive nuclear information from us, despite our signature to this treaty, and despite the President's call for a halt in the dissemination of nuclear weapons and information. If France really is a nuclear power, I do not believe she needs any information from us. If she is not yet a nuclear power for practical purposes, I do not see how the United States can make her one, but still deny that we are encouraging the spread of nuclear weapons.

I want the record to show that I am no more willing to have France acquire nuclear weapons than I am willing to have Red China, West Germany, East Germany, the United Arab Republic, Israel, or any other country acquire them. I want the record to show that I no more trust De Gaulle than I trust Khrushchev, insofar as the interests of the United States are concerned. If any nation, working alone, develops nuclear weapons, that is her sovereign right; but we cannot give any other nation nuclear information—on any basis, or for any reason—and remain within President Kennedy's declared policy of preventing the spread of nuclear weapons.

I do not understand why the administration is to date unwilling to express unequivocally its intent on this point. France is the instant case. If we share nuclear weapons information with her, ever if we do so with the understanding that she will not test, and will sign the treaty, we shall be proliferating nuclear weapons. Worse still, we shall be inviting the Soviet Union to turn over nuclear weapons to various nations of her own choosing, on the ground that by so doing she is preventing them from testing.

DISTRIBUTION OF NUCLEAR WEAPONS MAY BE INCREASED

I know it is possible to make suppositions about future possibilities that are too tenuous to justify a vote either for or against the treaty. But I can assure Secretary McNamara that when he says there are only four nuclear powers, he is saying so, first, on the assumption that France is a nuclear power within the meaning of the McMahon Atomic Energy Act, as amended; and he is saying so, second, on the assumption that the definition in the McMahon Act is an authoritative one; and third, he is saying that as of today there are only four nuclear powers.

I invite him and the President to look ahead, 5, 6, and 7 years. We may find West Germany desiring nuclear weapons, regardless of whether she signs the treaty. We may find she has made "substantial progress" within the meaning of the Atomic Energy Act. We may find ourselves giving her the information she needs for an operational nuclear weapon, so she will not have to break the test ban treaty. After all, if we do that for France, why not do it for West Germany; and if for them, why not for the United Arab Republic—or for India, if it appears that India needs nuclear weapons to protect herself against attack by Red China?

Mr. President, a policy of making available either the nuclear design information or the weapons themselves will constitute, in my judgment, a subterfuge for evading the principle and the intent of the treaty. Certainly it cannot be at all reconciled with the President's statement of the obligations of nuclear powers. I think we should make very clear to the American people that certainly we do not propose to give support to any nation that is not a signatory to the treaty; and we should consider a long, long time before we give assistance to any nation in the development of nuclear power. After all, a treaty which bans testing only by the signatories to it, and thus leads us to think that by turning over to any country which wants to become a nuclear power our own designs or materiel, or in some instances our weapons, we would avoid the need for testing, is not much of a treaty.

It becomes a much less meaningful piece of paper than would be the case if the United States seized this glorious opportunity to announce to the world that we are signing the treaty and that we intend to follow a policy consistent with the President's words which were great when delivered, but which will remain great only by the test of practice. History will be interested in the performance on the part of the United States as a matter of national policy, in keeping with the ideals set forth by the President when he said that:

> All foreign nuclear powers have a great obligation to use whatever time remains to prevent the spread of nuclear weapons and to persuade other countries not to test, transfer, acquire, possess or produce such weapons.

If we and Russia start distributing nuclear design information or weapons themselves to countries that want to join the nuclear club but are not now members, then I do not think the treaty remains a very meaningful instrument.

It will be meaningful in that it at least will stop the pollution of the atmosphere. It will be meaningful in that it will reduce the cost of testing. It will be meaningful in that it still will be a first step toward the day that all should hope for; namely, the day of enforcible total disarmament.

But it will be a much shorter step. It will not be a league stride. It will not be as great an advance toward the ultimate protection of mankind that mankind must have if mankind is to survive. I want to see my country take the longest stride in this first step that it can take. That is why I pray that my Government will announce its policy in regard to the immediate case before us and then apply it to future cases, that no nuclear aid will be supplied to a nonsignatory to the treaty.

In addition to Britain, the one nuclear power that the witnesses testified meets the definition of a nuclear power under the McMahon Act, as amended, is France. Therefore, I called upon the Secretary of Defense and Chairman Seaborg and have asked to have the Secretary of State recalled to see if we can get a clear unequivocal statement as to what our Government's policy is in this very vital issue.

If we proceed to supply information to nations becoming eligible for it, we can be sure that the Soviet Union will also find grounds for giving nuclear weapons to nations she believes have made "substantial progress." Does the Soviet Union agree right now that there are only four nuclear powers? Does the Soviet Union recognize our right to give nuclear information to France? Or can we expect that if we do so, there will be repercussions along the line of seeing the Soviet Union give nuclear weapons to one or more of her Warsaw Pact satellites?

I ask the administration if there is not a real danger that this test ban treaty might promote, rather than discourage, the proliferation of nuclear weapons? I ask further whether by giving France nuclear information we do not promote the likelihood that nuclear weapons sharing will become the practice rather than the exception, as a means of avoiding testing in the prohibited environments? I fear that we do promote that likelihood by giving nuclear information to France.

I recognize that these are matters of policy. They are not covered by the language of the treaty. But I would think the administration would want Senators to know what its policy is going to be on this issue, and specifically with respect to France, before we are asked to cast a vote for or against the treaty.

I ask unanimous consent to have appear in the Congressional Record at this point the letter I addressed to Commissioner Seaborg on this matter, under date of August 2, 1963, and the reply I received from him this afternoon.

There being no objection, the letters were ordered to be printed in the Record, as follows:

August 2, 1963.

Mr. Glenn T. Seaborg,
Chairman, Atomic Energy Commission, Washington, D.C.

Dear Dr. Seaborg: Much is being said these days about the possibility of the United States making available to France the information she needs to perfect her nuclear weapons without need for further atmospheric testing.

I would appreciate knowing from you just what the criteria are under the McMahon Act which determine when a country has sufficient nuclear capacity to participate in nuclear sharing with the United States.

Second, I would also like to have as good an estimate as can be given of nuclear capacity outside the United States, Russia, and Britain—among countries in the free world and the Communist world.

Third, is it likely, in your opinion, that in the near future the Soviet Union may find it possible to apply the same criteria under which we share nuclear secrets to her allies in the Communist bloc, and make available these secrets say, to East Germany and perhaps even to China, on the basis that by so doing she is eliminating their need to test in the atmosphere?

Sincerely yours,

Wayne Morse.

U.S. Atomic Energy Commission,
Washington, D.C., August 12, 1963.

Hon. Wayne Morse,
U.S. Senate.

Dear Senator Morse: The following is in reply to your letter of August 2, 1963, concerning the United States making available to another country the information needed to perfect nuclear weapons.

The Atomic Energy Act requires that before information concerning the designs of atomic weapons can be transmitted to another country under section 144c, or parts of atomic weapons transmitted under section 91c, the receiving nation shall have made "substantial progress in the development of atomic weapons," as well as have met the other requirements of the act.

The question of what constitutes "substantial progress in the development of atomic weapons" was discussed by the Joint Committee on Atomic Energy in Report No. 1849 to accompany H.R. 12716. The enclosure to this letter contains an excerpt from that report discussing the intended meaning of the above phrase.

In view of the intelligence nature of your questions concerning the nuclear capabilities of other countries and the relations of the Soviet Union with Soviet bloc countries, we have referred the last two questions of your letter to the Director, Central Intelligence Agency, for direct response to you so that you might have the best possible estimate.

Please let us know if we can be of further assistance.

Sincerely,

______ ______,
Acting Chairman.

CRITERIA FOR "SUBSTANTIAL PROGRESS" AS USED IN SECTIONS 91C AND 144C OF THE ATOMIC ENERGY ACT

With regard to the words "substantial progress" in the second proviso of subsection 91c(4)[1] it is intended that the cooperating nation must have achieved considerably more than a mere theoretical knowledge of atomic weapons design, or the testing of a limited number of atomic weapons. It is intended that the cooperating nation must have achieved a capability on its own of fabricating a variety of atomic weapons, and constructed and operated the necessary facilities, including weapons research and development laboratories, weapon-manufacturing facilities, a weapon-testing station, and trained personnel to operate each of these facilities. It is intended that full information shall be provided the Joint Committee as to the basis of any such determination. In reaching the conclusion as to the intended meaning of "substantial progress," and the types of material and the conditions established under subsection 91c, the Joint Committee relied heavily upon the good faith

[1] The identical requirement for "substantion progress" is required by sec. 144c of the Atomic Energy Act of 1958.

Source: H. Rept. No. 1849, titled "Report of the Joint Committee on Atomic Energy" (to accompany H.R. 12716) for 85th Cong., 2d sess., dated June 5, 1958, p. 12.

of the executive branch in its assertion in the January 27, 1958, letter forwarding the proposed amendments that "it is not intended that manufactured nuclear components of weapons could be transferred under this amendment, nor that we promote the entry of additional nations into the field of production of nuclear weapons."

Mr. MORSE. As I told the chairman before I went to the hearing this morning, I checked with my office and I had not received a reply to my August 2 letter at the time I went to the hearing. After I had gone from the hearings to the floor and then back to my office the letter had arrived. Chairman Seaborg told me this morning the letter had been sent 2 days ago. I agreed with him that my letter and his reply to the letter should be a part of the record of the committee hearings this morning. I think it is only fair that the two letters should be a part of my speech at this point in the RECORD.

I note that he has no opinion on the question I posed of whether our sharing of nuclear information with France would lead to further nuclear sharing by us and by the Soviet Union. I hope there is someone in the administration who is willing to speak up and give an answer to this question.

I close by saying to my President, the Secretary of State, the Secretary of Defense, the Chairman of the Atomic Energy Commission, and the other great and dedicated leaders of our Government in the executive branch of the Government that I think this test ban treaty is the greatest accomplishment of American foreign policy in many a year. The potentialities of it and the implications of it are great. But I wish to see that we get the greatest advance toward permanent peace from it. I do not want it unnecessarily restricted in its workability or its application by our following a nationalistic course of action in respect to supplying nuclear design information to France or to any other country. We have an opportunity here to make a great stride for it, not merely a step.

I sincerely hope that my President, Secretary of State, Secretary of Defense, and others who have this grave responsibility of developing American nuclear policy will give very carefully consideration to the points I have raised in regard to this issue which has arisen in connection with the hearings on the treaty.

I want my President to know that I want to vote for this treaty, for I think it is a great step forward. I hope that the policy which is finally enunciated by the administration with respect to the problems raised by the senior Senator from Oregon will make it possible for me to vote for it.

ADJOURNMENT

Mr. MORSE. Mr. President, I move, under the previous order, that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 8 o'clock and 21 minutes p.m.) the Senate adjourned, under the previous order, until tomorrow, Thursday, August 15, 1963, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate August 14, 1963:

IN THE AIR FORCE

The following-named officers for promotion in the Regular Air Force, under the appropriate provisions of chapter 835, title 10, United States Code, as amended. All officers are subject to physical examination required by law:

LIEUTENANT COLONEL TO COLONEL

Line of the Air Force

Abbitt, Charles W., 10623A.
Abdallah, William P., 9215A.
Abramson, Charles E., 8853A.
Adams, Bill R., 10648A.
Adams, George M., 9264A.
Amann, John R., 8086A.
Anderson, Oscar S., Jr., 9411A.
Andresen, Malcolm K., 11175A.
Arakelian, Edward J., 9701A.
Ard, Roswell W., 8168A.
Ariano, Richard A., 8609A.
Arnold, Richard T., 8540A.
Artiglia, Aldo, 8560A.
Ashton, Alfred J., Jr., 14661A.
Austin, Oscar E., 5119A.
Baker, Charles C., 9178A.
Baker, Norman N., 9409A.
Baker, Raymond H., 32959A.
Baril, Charles A., 32933A.
Barnes, John W., 8716A.
Barton, James R., 9142A.
Battalio, Samuel T., 7079A.
Baucom, George E., Jr., 6734A.
Bennett, Warren A., 10712A.
Biberstein, Arthur L., 8617A.
Bicknell, June E., Jr., 7720A.
Binks, William P., Jr., 10626A.
Blackburn, James R., 33024A.
Blanco, Ira J., 6992A.
Boyd, Howard T., 9394A.
Boyer, Max W., 11039A.
Bradford, Oscar A., Jr., 7109A.
Bridges, Dewey R., 8274A.
Briscoe, Carroll D., 8507A.
Broadaway, Cecil V., 33014A.
Brooks, Donald L., 10341A.
Brosnan, Cornelius G., 9454A.
Brown, Dean B., 9624A.
Brown, Harvey N., 7495A.
Brown, James J., 5108A.
Brown, Ralph L., 8494A.
Brundage, Robert S., 10510A.
Burcky, Claude N., 32895A.
Busby, Douglas R., 7767A.
Bush, William K., 6588A.
Buskey, Paul G., 9260A.
Butts, Earl A., 8557A.
Cabral, William M., 6692A.
Campbell, William A., 8593A.
Carey, Max R., 32893A.
Carlson, Robert E., 9101A.
Carpenter, John W., 6649A.
Carss, Walter L., 9026A.
Carter, William P., 9519A.
Caselli, James L., 32891A.
Chalfant, John S., 51700A.
Chatfield, Stanley E., 9539A.
Chessington, James B., Jr., 7002A.
Child, John E., 32938A.
Classen, Thomas J., 7618A.
Cobb, James B., 9769A.
Cody, Howard E., 8805A.
Cogswell, James S., 7519A.
Colia, Ned I., 32926A.
Collie, Robert L., 10855A.
Colson, William B., 7778A.
Conques, Lawrence, 9536A.
Converse, William W., 4027A.
Cooper, Harold D., 8515A.
Crabtree, Jean E., 9204A.
Cravens, Samuel C., 33010A.
Creasman, Floyd R., 32961A.
Creyts, Harold G., 19548A.
Crist, David S., 32948A.
Davis, Dale D., 7713A.
Davis, William F., 11043A.
Debord, Robert L., 10694A.
Deitch, Raymond R., 11040A.
Derck, Walter F., 10504A.
Dickens, Thomas N., 6400A.
Dietrich, Calvin G., 8969A.
Dillon, Francis J., Jr., 11102A.
Dimel, James J., 8728A.
Donahue, John J., 20028A.
Donahue, Vincent J., 4665A.
Draper, Frederick A., Jr., 8766A.
Dwyer, Harry R., 9595A.
Eby, Robert R., 6309A.
Eddy, Harvey W., 10912A.
Edelen, Henry H., Jr., 6576A.
Elder, Harold W., Jr., 6817A.
Ervin, Davis F., Jr., 10511A.
Estes, Chandler B., 8202A.
Fancher, Robert E., 10507A.
Farrell, John E., 2d, 10288A.
Farwell, Robert H., 7640A.
Feicht, Edward R., 10625A.
Feller, Frederick J., 6348A.
Fellows, Walter S., Jr., 7513A.
Fields, Melvin E., 8318A.
Finan, George K., 7146A.
Finton, James R., 10679A.
Fleming, William H., Jr., 10707A.
Fowler, John R., 11251A.
Free, Lucius L., 32965A.
Gammon, William J., 8430A.
Gay, Robert E., 10599A.
Gaygan, Jack A., 10541A.
Gaylor, Don G., 6656A.
Gebhart, Harold J., 8743A.
Giblin, Richard T., 9568A.
Gill, Richard M., 32955A.
Gilmore, Byron H., 7718A.
Gilmore, James R., 10554A.
Glaisyer, Herbert B., Jr., 4845A.
Gooch, Ritchie B., 7003A.
Goodfleisch, Don M., 7237A.
Goodwyn, Marvin W., 20030A.
Gosnell, Emmett, 10430A.
Gotchey, Robert E., 6812A.
Grace, James D., 8830A.
Gregory, James M., Jr., 8119A.
Gremban, Walter A., 32945A.
Grimwood, Don M., 10698A.
Gunn, Raymond D., 9501A.
Haas, Chester R., 6855A.
Hadley, James A., 9316A.
Hall, James H., 5107A.
Hanes, William E., 32998A.
Haning, William F., Jr., 7912A.
Harrell, Mason D., 6336A.
Harrelson, Jay B., 10574A.
Harriger, Robert L., 7707A.
Harrington, William M., 32946A.
Harris, Shelby J., 9575A.
Hastings, Vernon L., 8737A.
Haydon, Edward R., 9580A.
Hayes, Burgain G., 10819A.
Heck, Frederick B., 7367A.
Heiser, Sherwood W., 8344A.
Henderson, Daniel E., Jr., 11828A.
Herron, Thomas J., 4564A.
Herway, Loren W., 9573A.
Herweg, John B., 10579A.
Hill, John T., 6707A.
Hill, William C., 9244A.
Hilliard, Ray M., 32989A.
Hilton, James B., 9587A.
Hinchee, Robert L., 7596A.
Hoffman, John M., 8556A.
Hoke, Peter J., 6458A.
Hopfenspirger, Thomas W., 10660A.
Hornsby, Joseph D., 8777A.
Hosman, Richard S., 7662A.
Hunter, James H., 6781A.
Jack, Chester A., 8324A.
Jackson, Frank D., 9443A.
Jackson, T. J., Jr., 32939A.
Jernigan, William L., 8186A.
Johnson, Raymond F., 10700A.
Jones, Dorrie E., 8726A.
Jones, Robert J., 10564A.
Jones, Thomas O., Jr., 7394A.
Kaspereen, Frank R., 8568A.
Kee, Harrison E., Jr., 33035A.
Keefer, Norman J., 10198A.

Keithley, George J., 9686A.
Kendig, Robert L., 10291A.
King, John R., 9028A.
Kirkpatrick, Charles E., 9039A.
Kirsch, George A., 32979A.
Knapp, Joseph M., 8552A.
Knox, Robert B., 4970A.
Kochel, Michael J., 6903A.
Kodis, John W., 4108A.
Kolodzey, Joseph J., 33032A.
Kortemeyer, Henry A., 9424A.
Lear, Homer W., 32942A.
Lee, Robert E., 32976A.
Legg, Paul A., 7608A.
Lingo, Jack W., 8412A.
Lipscomb, Woodrow W., 4870A.
Lown, Franklin D., Jr., 8439A.
Lueke, Kenneth L., 6844A.
Lynn, Roland R., 9401A.
Macklin, John D., Jr., 8867A.
Mahon, August C., 7049A.
Marshall, Henry C., Jr., 10701A.
Martin, John G., Jr., 10674A.
Martin, Joseph M., 5215A.
Marvel, Alden L., 8477A.
Matelski, Erwin F., 32915A.
McAnally, Paul E., 20581A.
McCarty, Billy S., 8833A.
McClung, Ray S., 8511A.
McCreery, Jack H., 32957A.
McFadden, James N., 5131A.
McGuire, Thomas C., 6935A.
McIntosh, Wayne W., 7046A.
McLaughlin, Burl W., 10624A.
McWilliams, Calvin E., 8654A.
Mecke, Harold J., 9275A.
Meeker, Everett R., 8220A.
Meyer, Erwin A., Jr., 10723A.
Midkiff, Richard L., 8638A.
Miller, Carl L., 7132A.
Milner, Robert S., 10740A.
Mirock, George C., 9269A.
Mitchell, John T., Jr., 9576A.
Mitchell, Mack A., 8080A.
Mlotkowski, Henry F., 10973A.
Moberly, Caleb P., 8708A.
Morgan, Roy, 7887A.
Mueller, Glen E., 10620A.
Nau, Henry F. R., 33016A.
Nelson, Douglas T., 11124A.
Nestor, Vergil N., 8256A.
North, Charles A., 11196A.
Nudenberg, Rodney, 32929A.
Obley, Philip R., 32985A.
Oliver, Ralph L., 8177A.
Osher, Ernest K., 5208A.
Otten, Leonard J., Jr., 7610A.
Packard, Peter L. M., 7434A.
Parkerson, Eugene C., 11233A.
Parsons, Herman O., 8736A.
Parsons, Irvin M., 8183A.
Past, Sheldon J., 9274A.
Patch, Dwight D., 6892A.
Patton, James D., 8778A.
Pawlowski, Harold I., 8770A.
Peddy, Thomas E., 32944A.
Perry, Paul L., 10376A.
Perry, William D., Jr., 10503A.
Peterson, Clayton L., 32943A.
Phaneuf, Eugene O., 6484A.
Pickett, Lawrence J., 8190A.
Plocher, Martin E., 11047A.
Plourd, Webster W., 6789A.
Potter, Thomas K., Jr., 9633A.
Pratt, Leonard E., 9406A.
Price, Thomas J., 8396A.
Price, Weston H., 9160A.
Quesada, Anthony, 7040A.
Rahn, Gilbert F., 8135A.
Ramsaur, Robert T., 9556A.
Rasmussen, Darwin E., 8724A.
Rea, Kenneth R., 10595A.
Redfield, Tyler A., 10798A.
Reed, Donald A., 11092A.
Reeves, Vernon H., 6294A.
Renfro, William G., 7239A.
Rex, Edward M., 8706A.
Rhode, Storm C., Jr., 6542A.
Rhodes, William J., 8683A.
Richard, Delos E., 6265A.
Ricks, Thomas J., Jr., 7742A.
Riddick, James W., 6654A.
Riemondy, Augustus A., 51698A.
Riley, Martin E., 10643A.
Risher, John R., 6439A.
Robertson, Raynor E., 8160A.
Robinson, James B., 3d, 10822A.
Roddy, Edward F., 8077A.
Rogers, Herbert J., 8262A.
Rogers, Max W., 32954A.
Rose, John B., Jr., 8946A.
Roth, Myron A., 10843A.
Rowland, Dwight R., 20023A.
Rudolph, Bestow R., 8718A.
Ruettgers, John J., 7570A.
Rulien, Donovan W., 10437A.
Rushforth, Robert G., 8460A.
Russell, Roy D., 7636A.
Ryan, Joseph A., 32935A.
Ryan, Lloyd M., 9118A.
Saliba, Ernest J., 10890A.
Sampson, Allan T., 10650A.
Sanders, Frederick A., 5158A.
Sartor, Samuel O., 9037A.
Saunders, Clason B., 8513A.
Sawyer, Charles W., 7453A.
Scanlan, John F., 10752A.
Scanlan, Joseph W., 18067A.
Schaffer, Glenn J., 10669A.
Schlamersdorf, Oscar E., 18079A.
Schlie, Walter, 9158A.
Schlukbier, Alvin G., 6909A.
Schmidt, Ralph F., 32940A.
Schott, Carl V., 6802A.
Schwartztrauber, E. P., Jr., 7067A.
Schweiger, Walter J., Jr., 9261A.
Schwikert, Frank D., 6311A.
Selman, Rupert L., 32919A.
Sheldon, John W., 10807A.
Shinners, John W., 9258A.
Shirley, Fred A., 7971A.
Shotwell, William B., 6915A.
Siler, Fred L., 7858A.
Sime, Thomas, Jr., 32968A.
Simonetti, Lino D., 6444A.
Sirney, John A., 6613A.
Slaton, Howard W., 8942A.
Small, Richard D., Jr., 9085A.
Smith, Alan B., Jr., 8016A.
Smith, Leslie A., 7478A.
Spencer, Charles F., 9266A.
Spencer, Gordon A., 7991A.
Spohn, Clifford A., 6727A.
Stambaugh, Claude K., 7419A.
Standifer, Lee R., Jr., 10686A.
Stanley, Richard E., 11099A.
Stellenwerf, William A., 8104A.
Stephens, Paul W., 32928A.
Stephens, William H., 10715A.
Stewart, William R., Jr., 9835A.
Stiles, Lowell A., 9058A.
Stone, Arthur C., 33036A.
Stone, Stephen A., Jr., 32958A.
Symes, Isaac M. B., 7138A.
Tankersley, Carl R., 7256A.
Tarbet, Dale F., 9273A.
Tarbutton, Jean D., 9481A.
Taylor, Dayton R., 9339A.
Thomas, Glen J., 10369A.
Thomasson, Samuel M., Jr., 20025A.
Thompson, Donald M., 10548A.
Thompson, Francis N., 8018A.
Thompson, Harry M., 7648A.
Tiernan, Thomas J., 9144A.
Tisone, Albert A., 10607A.
Treacy, Norbert C., 5143A.
Trimble, Harry B., 10645A.
Trzyna, Casimir J., 8738A.
Turnipseed, Felix M., Jr., 8978A.
Tyler, John T., 7955A.
Vandeveer, Lawrence E., 9186A.
Vernon, Elmer H., 8855A.
Vitunac, Walter C., 10655A.
Voigt, Jack P., 8985A.
Voyles, James H., Jr., 10710A.
Walker, Richard L., 9341A.
Wallace, Eugene D., 8146A.
Wallace, Jackson S., 32974A.
Walsh, James D., 6269A.
Ward, Joseph L., 9001A.
Ward, Oliver C., 8478A.
Warthman, Jack D., 6537A.
Watkins, Thomas G., Jr., 10500A.
Watrous, Frank T., Jr., 19892A.
Watters, John F., 10525A.
Weeks, James B., 9239A.
Wells, John P., 7311A.
Wesson, Frederick J., 5168A.
Westbrook, Eria O., 32978A.
Westmoreland, Lonnie Q., 8618A.
White, George G., 10475A.
White, William T., 8571A.
Wilde, Linn E., Jr., 7780A.
Williamson, George A., 10837A.
Willms, Gene C., 9324A.
Wilson, Carl W., 10687A.
Wilson, Walter J., 7238A.
Wood, Willis H., 10297A.
Wooten, Clyde C., 7607A.
Work, Robert E., 7261A.
Worthington, Roy H., Jr., 8964A.
Wright, William J., 8604A.
Yoder, Harry D., 6658A.
Yundt, Robert W., 8124A.
Zeigler, Carl E., 8649A.
Zweig, Louis E., Jr., 10409A.

Medical Corps

Bear, Stanley H., 20826A.
Evans, Allan C., 19317A.
Gilliland, Jack M., 21844A.
Green, Harry C., Jr., 20838A.
Grunwell, John R., Jr., 19193A.
Hekhuis, Gerrit L., 19270A.
Hernquist, William C., 32558A.
Kurland, Anthony M., 19277A.
Lett, James E., 19258A.
Mays, Oliver A., 19332A.
Norcross, John A., 21759A.
Osetinsky, Venedict M., 19334A.
Parish, Herman S., Jr., 24109A.
Quashnock, Joseph M., 25487A.
Schafer, George E., 19345A.
Spiegel, Frederick S., 21842A.
Troxell, John R., 21682A.
Webb, Hamilton B., 19307A.
Whitehouse, Wesley C., Jr., 22545A.
Wilkins, John H., 19295A.

Dental Corps

Benhart, Sherwood F., 18926A.
Bienvenu, Patrick X., 18956A.
Brandt, Alfred E., 18933A.
Crofut, Vincent E., 18922A.
Dybowski, Eugene L., 18964A.
McEvoy, John R., 18907A.
Rock, George W., 18953A.

Veterinary Corps

Bills, William E., 18996A.

Medical Service Corps

Bovee, Clifton W., 19459A.
Fulton, John D., 19452A.
Hall, Austin S., 19486A.
Kelley, John R., 48901A.
Payne, Robert B., 19439A.

Nurse Corps

Bryant, Frances L., 20945W.

Chaplain

Clark, William L., 48578A.
Murphy, Francis X., 48560A.
Reny, Roland C., 48568A.
Terry, Roy M., 21429A.
Wilson, George S., 55103A.

(NOTE.—Dates of rank of all officers nominated for promotion will be determined by the Secretary of the Air Force.)

IN THE ARMY

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3299:

To be major

Gappa, Casimer S., O58401.

To be captain

Kurdziolek, Fred W., O75228.

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3298:

To be first lieutenants

Absher, Donald E., O93106.
Adams, Dennis W., O91146.
Adams, Elcie, O93108.
Adcock, Jerry W., O89661.
Adelsperger, David L., O90079.
Albertson, Tom L., O97275.
Allison, William T., O89670.
Alpern, Stephen I., O92285.
Alvarez-Garcia, Luis, O89672.
Anchor, Leonard J., O95205.
Anckaitis, William H., O94909.
Anderson, David W., O94435.
Anderson, James Y., Jr., O89679.
Anderson, Warren D., O93111.
Apfel, Paul W., O91744.
Arthofer, Robert J., O93112.
Atkins, George C., O96940.
Atkinson, Richard R., O89695.
Aust, George W., Jr., O89874.
Authier, Edward E., Jr., O91748,
Baldwin, Joseph A., O94844.
Bartay, Tandy E., O94437.
Bartels, Steven E., O94438.
Becker, Harvey A., O94846.
Beird, William H., O89711.
Beitzel, George D., 3d, O90575.
Bender, Joseph F., O91752.
Bentz, William A., O93357.
Besemer, Ellsworth A., O90324.
Biemeck, John F., O95578.
Bird, Jo W., O92333.
Bird, William W., O90621.
Blackburn, John T., O92224.
Blair, Robert H., O96736.
Blake, William, O94276.
Bloch, Harold H., O89736.
Bolton, Peter A., O95429.
Boreski, Leonard A., O90591.
Bosking, John K., O91164.
Boyce, John P., O95435.
Brannon, John D., O92352.
Breiten, John A., O92355.
Brinkley, Ulyus O., O90632.
Brock, Willie E., O89849.
Brooks, Lawrence D., O90492.
Brown, John L., O95639.
Brown, William K., Jr., O89771.
Browning, Robert W., O91172.
Bryan, Joe S., O89775.
Bryans, Wallace A., O91776.
Buckles, Harvey I., O91778.
Buford, James A., Jr., O93136.
Burch, Edgar F., 3d, O92371.
Burdick, Raymond C., Jr., O89780.
Burns, John W., O89782.
Callender, William E., O89797.
Cameron, James E., O92379.
Carney, Roger F. X., O89802.
Carollo, Samuel A., Jr., O91179.
Carson, Robert A., O85498.
Carter, Randall O., O94447.
Child, John, O90519.
Childress, Robert L., O92393.
Chin, James R., O91793.
Chisholm, Leonard H., O91568.
Christophersen, Frederick N., O89818.
Clingan, Patrick A., O92400.
Cole, Warner B., O96956.
Collins, Francis C., O89837.
Colwell, Edison T., O91797.
Connell, Thomas R., Jr., O91660.
Conner, Jon C., O90091.
Cooksey, James K., O93148.
Copeland, Richard L., O89700.
Copeland, William C., Jr., O92407.
Corry, Neil L., O89845.
Coseo, David P., O91703.
Coston, Morris L., O92408.
Cote, Donald L., O96959.
Cox, William W., O89749.
Craig, Norton W., 2d, O89979.
Crampe, Jerry G., O89851.
Crowell, Norman T., O96960.
Cuccaro, Joseph, O89861.
Culp, Clovis R., O89863.
Curcio, Anthony J., Jr., O90009.
Daily, Jerry R., O89869.
Damm, Robert H., O89870.
Danielson, Jeris A., O90340.
Davis, Charles L., Jr., O89875.
Davis, Thomas J., O92427.
DeOrbeta, Enrique R., O90389.
DePrie, Michael C., O97299.
DeSantis, Edward, O91381.
Diehl, Milton H., O91211.
Doak, Peter, O92442.
Dow, Richard H., O92446.
Dreska, John P., O91464.
Duff, John A., O89909.
Duncan, Garrett E., Jr., O94924.
Duncan, Jerry G., O89911.
Dunham, John M., O96455.
Durham, Robert S., O92451.
Durian, Ronald S., O89915.
Earle, Richard H., O96368.
Earle, Robert R., O91934.
Earp, Curtis D., Jr., O89919.
Easterday, Louis D., O91218.
Edwards, Robert T., O91814.
Eisenhart, Newton E., Jr., O90208.
Elfman, Charles B., Jr., O91817.
Elledge, Don T., O92186.
Estep, Bobby G., O89934.
Evans, Donald L., O96801.
Eveland, Edward L., O95316.
Farris, Marion T., O92461.
Faist, David O., O89935.
Fenlon, James A., O91821.
Fenn, Harlin LaV., Jr., O89941.
Fernandes, Peter S., O93167.
Fernandez, Robert V., O89943.
Fields, Dwight G., O92472.
Fisher, John W., O89947.
Fitzsimonds, Roger L., O91226.
Flanagan, Joseph J., O97117.
Flanigan, Desmond W., O92476.
Foley, LaVelle M., O93170.
Fonken, Stanley L., O92479.
Forrest, George G., O97060.
Fox, Louis W., O91587.
Funderburk, Ronald N., O92329.
Gallagher, Donald M., O92005.
Gallo, Anthony J., Jr., O96969.
Garcis, Manuel, O91836.
Garth, Robert W., Jr., O94194.
Gates, Daniel J., O92495.
Gedney, Larry D., O89980.
Ghiselin, Richard G., O92497.
Glabus, Edmund J., O92500.
Goff, Gordon D., O92503.
Gole, Henry G., O93040.
Golvach, Duane J., O92504.
Gonzalez-Cruz, Francisco, O89991.
Gooding, Warren M., O93177.
Goodloe, Gail E., Jr., O91591.
Goodrich, James M., O91253.
Graham, Michael F., O91848.
Grant, Lawrence M., Jr., O95648.
Gray, Peter A., O92510.
Green, Grant S., Jr., O90002.
Greenberg, Harold, O93180.
Griffith, Ronald H., O94755.
Gripkey, Edward M., O91853.
Grosskurth, Alfred J., O93421.
Guffey, William R., O90014.
Guiler, Douglas C., Jr., O90016.
Hass, Kenneth W., Jr., O91854.
Halbleib, Duane W., O92516.
Hall, Edward Y., O91856.
Hall, Jerry B., O91857.
Hamby, Larry B., O93433.
Harrell, Charles J., O93425.
Harriman, Alan B., O91597.
Harris, Benny R. S., O89687.
Harris, Benjamin T., 3d, O91860.
Harris, David J., O91861.
Harris, Robert N., O93190.
Harrison, Joseph J., Jr., O97127.
Hawkins, John W., 3d, O90618.
Hayes, John H., O96978.
Heaton, Larry C., O91266.
Hendrick, Thomas G., 3d, O89706.
Henk, Harold A., O92539.
Herndon, Doyle L., O92541.
Hibbs, William N., O92544.
Higgins, Murray C., O91869.
Hightower, Thomas K., O89905.
Hill, Wilmer D., O92067.
Hiller, Herbert L., O92546.
Hilliker, John B., O91870.
Hodgson, George G., O92551.
Holmes, Artemas L., O90087.
Hoover, Phillip E., O91607.
Howard, James R., O90097.
Huff, Daniel P., O92564.
Hunt, John W., O93516.
Hunscher, William H., O90104.
Hutchinson, Thomas W., O90108.
Ingram, Kenneth A., O91611.
Jacko, Victor W., O94472.
Jackson, Robert R., O96990.
Jacobson, Joseph D., O91881.
Jansen, Edward M., O91283.
Jarman, Edward E., O92424.
Javorka, Frank H., O92073.
Jewett, Clarence E., Jr., O90125.
Jobe, Kenneth D., O96687.
Johnson, Douglas W., O91886.
Johnson, James G., O90126.
Johnson, Ronald A., O92584.
Johnston, William D., O96689.
Jones, Albert F., Jr., O95049.
Jones, Charles F., O89777.
Jones, Robert E., O90134.
Kaiser, Robert A., O91615.
Karsteter, Robert B., O96367.
Kasa, Stephen J., O91616.
Keene, Kurt L., O90144.
Kemp, Robert F., O90141.
Kerscher, Thomas E., O92601.
Killebrew, Ben E., O91898.
Kincaid, William T., O93216.
Kleese, Lee F., O91621.
Knox, Dean W., O92609.
Korhonen, John E., O92612.
Koury, Edward N., O92082.
Krol, Stanley, Jr., O95349.
Kroll, Gerald, O90172.
Laird, David G., O91905.
Laird, Kenneth W., O90250.
Lampshire, Bradford G., O92627.
Larkins, Aaron J., O92633.
Larson, Robert A., O90186.
Lasater, Gerald D., O90187.
Laursen, Ott D., O97148.
Lavigne, Norman A., O91440.
Leatherwood, Thomas L., Jr., O92085.
Leidenheimer, John L., Jr., O92642.
Letteney, Ronald L., O94610.
Leverette, Thomas E., O94103.
Lewis, Charles L., O93053.
Lewis, Robert D., O91910.
Lind, Alan D., O90338.
Lindroth, George A., O97003.
Lipson, Elliot S., O91445.
Lynn, Clyde D., O92662.
MacArthur, Graham, O97153.
Maccracken, James C., 3d, O90225.
MacKinnon, William N., O92475.
Maddox, David, O90228.
Maertens, Darrell B., O91917.
Mahr, Bruce C., O97008.
Mallette, Alfred J., O90414.
Manolakis, John J., O97155.
Mavroudis, Antonio M., O90247.
McBride, Byron A., O91637.
McCord, Chancey K., O90456.
McDuffy, Clifford, O92690.
McInnis, Irby N., Jr., O91330.
Meador, Jay B., O90284.
Metscher, Theodore A., O92710.
Metz, Leon B., Jr., O90295.
Michie, Richard LeR., O96913.
Middlebrook, Paul R., O97163.
Miller, Garrett S., O93249.
Miller, Lewis J., O91939.
Miller, Richard W., O92716.
Minshall, Charles W., O92718.
Mitchell, Donald G., O94621.
Moltz, John M., Jr., O91941.
Moore, David G., O91943.
Moore, Jack D., O92732.
Moore, Michael E., O91944.
Moore, Virgil C., O92733.
Morehead, William C., O92736.
Morgan, John R., O90314.
Moss, Donald W., O91947.
Moss, George D., Jr., O91948.
Mullally, John S., O92746.
Mullett, John A., O97337.

Mullins, William R., O90326.
Mulvanity, Thomas W., O96707.
Myers, Nathan J., O90541.
Mylks, Herbert W., O96681.
Nagel, Karl F., O91472.
Naughton, Richard L., O92751.
Neale, Larry W., O97173.
Needham, Walter D., O92498.
Neely, Richard C., O91955.
Nelson, Marvin D., O91957.
Nevotti, Thomas E., O91656.
Northquest, William J., O91959.
Noteboom, Donald A., O91960.
O'Hara, William D., Jr., O90353.
Ohmart, Robert D., O92769.
Okeefe, Robert W., O93263.
Okumoto, Stanley K., O92770.
Olsen, Kenneth J., O90559.
Olszewski, John P., O93484.
Oneal, William F., O91964.
Outlaw, James F., Jr., O90592.
Owen, Dean M., O92109.
Ozga, Richard J., O91347.
Palletti, Lawrence H., O90364.
Paneque, Anthony L., Jr., O95374.
Paolino, Michael A., O90366.
Pearcy, Charles G., O91666.
Pedersen, Richard E., O91972.
Pell, Richard F., O97245.
Penrod, James L., Jr., O91667.
Peterson, Frank W., O91974.
Peterson, Robert D., O90634.
Phelps, Arland E., O90635.
Phillips, John C., Jr., O92800.
Phipps, Oren P., O92801.
Pilanski, Paul L., O90385.
Pirkle, Jerry D., O91978.
Pitcher, Rudolph A., Jr., O90386.
Pitts, Riley L., O96787.
Poelker, Richard J., O91980.
Porterfield, Edward G., O90388.
Pratt, Joseph, O91147.
Pressley, Ronnie J., O86663.
Provasi, Donald R., O91486.
Pugh, Howard G., O90395.
Pursch, William C., O91984.
Purtill, Michael S., O92816.
Quinn, Larry G., O97348.
Rainold, Emile A., 3d, O90403.
Rautter, Ernest H., O90409.
Raymond, Conley T., O92822.
Reed, Jean D., O91494.
Regan, Carl J., O94126.
Reilly, Martin D., O97251.
Rekowski, James A., O91497.
Rench, Larry A., O93074.
Rentschler, George A., Jr., O90421.
Richfield, Robert F., O92830.
Riekenberg, Warren G., O97190.
Riddick, Larry G., O92832.
Ringmacher, Nelson E., Jr., O92836.
Rivard, David L., O95383.
Robinson, Ronald M., O91992.
Roche, Terrence L., O91993.
Rogers, Martin M., O94210.
Rogers, Rufus B., O93288.
Rollins, George N., O92842.
Roney, James A., O92844.
Rose, Thomas L., O90435.
Ross, Arnold L., O90437.
Ross, Richard H., O97028.
Runnion, Lawrence G., O92851.
Russell, Jerry W., O90445.
Ryan, Terrance W., O91504.
Ryland, William J., O90450.
Sabino, Anthony P., O91998.
Samojlowicz, Adrian A., O91712.
Sanders, John P., O91377.
Sang, James H., O91679.
Satterfield, Hammon H., O92863.
Savage, William G., O92003.
Shock, Norville H., O91682.
Schultz, Theodore D., O91507.
Scott, Peter F., O97352.
Seavey, Richard M., O96797.
Semester, James S., O92869.
Sheek, Alton J., O92010.
Sheffer, Ronald G., O89632.
Sims, Jackie D., O95649.
Sinkler, Paul F., O97207.
Skeins, Harry, Jr., O89399.
Smith, Charles D., O92896.
Smith, David K., O92795.
Smith, Douglas W., O92900.
Smith, Horace M., O94892.
Smith, James C., O90499.
Smith, Paul L., O92013.
Smith, Thomas J., O91688.
Smith, Wade C., O6800.
Smith, William H., O90502.
Snyder, Charles R., O92908.
Soderstrom, Robert C., O92803.
Sparks, Jerry D., O94647.
Spiller, Winton, Jr., O97041.
Sprague, Ronald K., O91515.
Spreha, Henry A., Jr., O92915.
Sproul, Hugh B., 3d, O91633.
Spunzo, Raymond A., O90516.
Stahl, Edward W., O92017.
Stanley, Richard P., O92916.
Stewart, Michael McF., O92926.
State, Donald L., O90517.
Strand, Ronald R., O92930.
Staples, Thomas F., O97262.
Stubblefield, Joel R., O91433.
Stupka, Michael B., O91698.
Stutesman, James L., O91699.
Suhanin, William R., O92020.
Summers, James B., O92936.
Sutton, William F., O92569.
Tang, Douglas B., O92130.
Tapparo, Frank A., O90540.
Taylor, Edwin F., O92131.
Taylor, Stephen R., O93521.
Thomas, Jerry A., O93524.
Thompson, Claude S., O92953.
Thornquist, Ronald H., O93319.
Thurman, James D., O90550.
Timmermeyer, Richard P., O92955.
Tittle, Grady F., Jr., O91405.
Tomlinson, Gary V., O92026.
Tracy, James L., O92027.
Troche, Alfonso, O93144.
Udick, Ralph A., O92964.
Vahrenkamp, Marvin W., Jr., O92029.
Vegvary, Robert G., O92031.
Vinci, Frank, Jr., O96515.
Vurlumis, Chris C., O93535.
Wagner, Clifford C., Jr., O92972.
Walinski, Samuel H., O94259.
Washington, Raleigh B., Jr., O96723.
Waterman, Arleigh D., O94660.
Webb, Gary A., O97371.
Weimer, Robert E., O91417.
Weisner, Richard R., O90593.
Wells, True F., O90596.
Werner, David R., O92145.
Wernitznig, Ronald E., O91533.
West, William A., O94508.
Whipple, Berkley A., O90601.
Whisenhunt, J. Dee, O90599.
Whitaker, Lewis H., Jr., O91719.
Whitley, Lee R., O92991.
Wice, Leonard P., O93335.
Wicker, Wayne M., O91724.
Wiley, John D., O92044.
Wilkie, Robert L., O92994.
Willard, Jack T., Jr., O96812.
Williams, Lyons H., 3d, O91726.
Wilson, Robert B., O93004.
Wilson, John F., Jr., O92919.
Windom, Jackson T. O. P., 3d, O94265.
Winterbottom, Rodney L., O94357.
Wisdom, Thomas E., Jr., O97220.
Witten, John D., O93005.
Wolf, Gerald S., O93006.
Wolff, Robert R., O90622.
Wood, James B., O93008.
Woodall, Thomas J., O90624.
Woodson, William B., O92052.
Woolcock, Miles A., O94906.
Wunsch, Harold J., O92053.
Young, Leon F., O93344.
Zakas, Louis H., O92055.
Zouzalik, Ervan E., O92058.

To be first lieutenants, Women's Army Corps

Bradford, Loyce A., L614.
Frisk, Helen E., L616.
Perkins, Suzanne M., L613.
Watson, Donna, L609.
Weber, Donna M., L610.

To be first lieutenants, Medical Service Corps

Anderson, Charles H., O93223.
Anderson, Ralph L., O96664.
Arkinson, Thomas E., O89898.
Beinhacker, Neal D., O91516.
Benson, Warren D., O94046.
Bingham, James H., Jr., O91758.
Bouchelion, Horace C., O94568.
Briggs, Duncan D., Jr., O94569.
Brown, Donald W., O92166.
Brunsell, Rolland H., O91774.
Cauble, John R., O89809.
Christianson, Lloyd D., O89946.
Clark, Charles F., O91794.
Delane, Charles E., O89808.
Dickson, Richard N., O91811.
Duvall, Ward B., 3d, O93393.
Fitzgerald, Barry E., O94078.
Fourneir, Arthur R., O91234.
Fuller, Gary L., O94081.
Fulton, Robert C., O92485.
Fulton, William R., Jr., O94298.
Garrett, Richard L., O94459.
Gilchrist, Robert E., O94083.
Gore, James L., O89995.
Hall, Joseph A., O90092.
Hamilton, John C., O90024.
Hanson, Thomas M., O94587.
Harbin, Robert L., Jr., O92521.
Harris, Carlos, O90033.
Harris, Cecil B., O90034.
Harris, Jesse J., Jr., O94758.
Hausler, George W., O91863.
Hennessy, Albert G., O96982.
Holmes, Garth H., O94591.
Hoxsey, George E., O95043.
Jackson, Johnnie A., O90114.
Janke, Thomas A., O92574.
Kash, Steven N., O96992.
Lerro, Richard McF., O95180.
Lombard, James E., O93054.
Longley, Karl E., O94943.
Lopez, Ramon M., O94770.
Loucks, James R., O94612.
Lund, Nelson H., O91447.
McKee, Terry L., O94945.
McLean, John M., O97160.
Meiers, Richard E., O91331.
Monk, Merrill E., O94113.
Newman, Ronald G., O94625.
Osborne, Edward J., O90359.
Powell, Ronald M., O93071.
Reich, Jerome C., O91361.
Roach, Roy S., O90428.
Schultz, Claron G., O94645.
Schumacher, Leonard C., O91684.
Shain, Walter E., O91510.
Stone, Leland M., O92256.
Turner, John W., Jr., O90562.
Waters, George A., Jr., O96724.
Webber, James A., O94800.
Weidner, Douglass S., O94967.
Welch, Kenneth R., O91418.
Wergeland, David A., O92144.
Young, James R., O92054.

To be first lieutenants, Army Nurse Corps

Irvine, Leona R., N3112.
LeBel, Rita A., N3106.
Norton, Frances L., N3083.
Phelps, Carol L., N3101.
Powers, Kay S., N3087.
Prellwitz, Patricia K., N3088.
Rolle, Agnes O., N3113.
Schumacher, Carol Y., N3094.
Williamson, Elaine G., N3053.

The following-named persons for reappointment to the active list of the Regular Army of the United States, from the temporary disability retired list, under the provisions of title 10, United States Code, section 1211:

To be colonels

Crabb, Frederick G., O18172.
Wertz, George M., Jr., O18357.

The following-named person for appointment in the Regular Army by transfer in the grades specified, under the provisions of title

10, United States Code, sections 3283, 3284, 3285, 3286, 3287 and 3288:

To be captain

Dacus, Lester H. (MSC), O74149.

The following-named persons for appointment in the Regular Army of the United States, in the grades specified under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287 and 3288:

To be captains

Binney, Charles W., O4058126.
Carlile, Cecil O., O4006783.
Colburn, Edward A., O4074590.
Doucette, Roger A., O1931872.
Driver, Owen J., Jr., O2262215.
Johnson, Dean D., O2300718.
Kramer, Ronald T., O4069058.
Kunze, Melton H., O1925090.
Martin, Ephraim, III, O1893108.
Rogers, Norvel G., O4059604.
Seeright, James M., O4060609.
Williams, George E., O4005536.

To be first lieutenants

Gailey, William, O2309603.
Kersting, Don T., Jr., O5301876.
Nelson, Hugh R., Jr., O5308998.
Pond, Kenneth S., O5304054.
Scanlon, Charlie F., O5309131.
Stout, Stephen P., O5304160.
Taylor, Harry, Jr., O5002296.
Tredinnick, Richard E., O5000473.
Weber, Victor A., O5304080.
Wingenter, Anthony J., Jr., O5409524.

To be second lieutenants

Bedford, Ben C., Jr., O5313796.
Boyce, Donald A., O5311414.
Brown, Richard L., O5513581.
Butler, Irvin S., Jr., O5310327.
Clark, Herman J., O5310548.
Davis, David W., O5705779.
Debastiani, Richard J., O5215338.
Giboney, John N., O5705136.
Hooper, Donald M., O5009353.
Hunter, Starling D., Jr., O5207722.
Ippolito, Richard, O5825031.
Kobylarz, James M., O5216966.
Lyon, Charles H., III, O2307390.
MacKenzie, Thomas S., O5515308.
Manners, William E., Jr., O5310433.
McGill, James J., O5214884.
Ranc, Richard D., O5215698.
Shannon, James T., O5213556.
Sones, Richard A., O5409658.
Tucker, Henry B., O5309675.
Wakefield, Samuel N., O5309967.
Wolters, Robert A., O5510531.

The following-named persons for appointment in the Regular Army of the United States, in the grades and corps specified, under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287, 3288, 3289, 3291, 3292, 3293, 3294, and 3311:

To be captains, Medical Corps

Corless, Joe D., O5703232.
Davis, Thomas E., O4070895.
Harrell, James E., O1880920.
Hobbs, Crit, O5216892.
Kerr, Lawrence M., O2295426.

To be captains, Army Nurse Corps

Felton, Geraldine, N804099.
Moynahan, Hannah S., N902306.
Rigdon, Alma L., N1912812.

To be captains, Chaplain

Brandt, Richard A., O5500623.
Straub, Frederick W., O2297881.

To be captains, Dental Corps

Lauttman, Richard J., O5213026.
Wells, John G., O5518326.

To be captains, Judge Advocate General's Corps

Baldree, Charles J., O4036212.
Holdaway, Ronald M., O5504416.

To be captain, Army Medical Specialist Corps

Leonard, Betty L., M2305801.

To be first lieutenants, Medical Corps

Anderson, William D., O5703596.
Baker, Dudley P., O5408382.
Berman, Howard H., O2305311.
Campbell, Peter M., O5408379.
Cashman, Thomas M., O5002017.
Flair, Robert C., O5303762.
Gay, John H., O5408365.
LaPiana, Francis G., O5209992.
Navin, James J., O2305519.
Nomura, Fred M., Jr., O2305518.
Rymut, August F., Jr, O5507077.

To be first lieutenants, Army Nurse Corps

Latchford, Marie M., N2296596.
Quinn, Patricia F., N5407262.

To be first lieutenants, Dental Corps

Hillis, Robert E., O2297552.
King, David L.

To be first lieutenant, Veterinary Corps

DePaoli, Alexander, O2305968.

To be first lieutenants, Chaplain

Banks, Dallas C., O2303948.
Crick, Robert D., O5306959.
DeSantis, Michael M., O2306614.
Gray, George H., O5206019.
Hanson, James E., O5501599.
Lembke, Paul W., O3060489.
Millard, Harry L., O2304999.
Petersen, Gordon H., O5501040.
Silliman, Edwin T., O2304223.

To be first lieutenants, Judge Advocate General's Corps

Babcock, Charles S., O2310186.
Hansen, Donald W., O5505483.
Lymburner, John F., O5000796.

To be second lieutenant, Women's Army Corps

Ferrell, Rena M., L2305156.

The following-named distinguished military students for appointment in the Medical Service Corps, Regular Army of the United States in the grade of second lieutenant, under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287, 3288, and 3290:

Clapp, Charles R.
Gulstrand, Rudolph E., Jr.
Lederer, Roger J.
Maykuth, Paul B.
Mitchell, Charles H.
Moore, William E.
Pierce, Gerald P.
Richardson, Stephen B.

The following-named distinguished military students for appointment in the Regular Army of the United States in the grade of second lieutenant, under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287, and 3288:

Allee, James N.
Bauer, William L.
Bayer, William K., III
Beimdiek, George S., III
Berry, Donald K.
Besselieu, William D., Jr.
Black, Robert G.
Bowman, Gary F.
Boyd, James P.
Brandon, Ramey J.
Brost, Fredric B.
Brown, William C.
Bryant, John H., Jr.
Byron, Charles W., Jr.
Chambers, Howard L.
Chavanne, John H.
Christensen, Marth H.
Clayton, Robert O., Jr.
Coggeshall, John
Coke, Alfred M.
Cook, Harlan D.
Coradine, Arthur J.
Coyle, John D.
Curtis, Danny D.
Darsey, Ralph J.
DeHanas, Jack M.
DeHart, Wallace K., Jr.
Deka, David J.
Durbin, Harlin N., Jr.
Ehrhardt, John C.
Elliott, Randall T.
Familetti, Robert J.
Franklin, Robert B., Jr.
Frazier, Thomas J.
Gambolati, Ronald L.
Glashagel, Barry B.
Goff, Edward L.
Goodyear, Russell H.
Graber, John P.
Griffith, Willie E.
Groves, Lane H.
Hailey, Gerald W.
Hamley, Barry N.
Harvill, Edwin G.
Henderson, Robert, III
Herkenhoff, Walter E.
Hodge, Warren F.
Holleman, Gerald W.
Horn, David M.
Hrdlicka, Richard G.
Hurelbrink, Merle G.
Irving, John W., Jr.
Itzoe, Charles S.
Jackson, Robert H.
Jamison, William S.
Johnson, Fred T.
Johnson, Frederick W., Jr.
Johnson, Ross A.
Kaczor, George R.
Keller, Clyde R.
Kinsey, David L.
Kopec, Ronald J.
Kwieciak, Stanley, Jr.
Larsen, Carleton A.
Lee, William H.
Long, Joseph H.
Looney, Harold, Jr.
Luton, John B.
Maher, Thomas R.
Majure, James C.
Martin, Robert T.
Merritt, Gordon L.
Mitchell, Thomas H., Jr.
Moore, Gary K.
Mudarra, Pedro M.
Nash, Kenneth H.
Olmstead, James L.
Olsen, Neil C.
Pearlman, Nathan L.
Pettit, Roland L.
Pinsky, Martin J.
Pittson, Eugene R.
Potter, Clifton A.
Powers, Robert L.
Price, Edward R. W.
Rudy, James J.
Sampson, David R.
Schmidt, George C., III
See, Frederick W.
Shoemaker, David J.
Siglin, Donald J.
Smith, Carl W.
Smith, Myles G.
Stanley, Richard A.
Studdard, Walter C.
Suttle, Thomas H., Jr.
Tate, James L.
Thomson, John M.
Uicker, Joseph B.
Warner, John P.
Watkins, James M.
Weaver, John W.
Weber, Gary L.
White, George C., III
Wilde, Gary D.
Wilde, Ronnie L.
Williams, Rowdy L.
Williams, Russell A., Jr.
Zettler, Hugo F.

HOUSE OF REPRESENTATIVES

WEDNESDAY, AUGUST 14, 1963

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Joshua 23: 11: *Take good heed therefore unto yourselves, that ye love the Lord your God.*

Almighty God, our Creator and gracious benefactor, Thou art our refuge in the stillness of the night and our strength in the struggles of each new day.

Thy thoughts concerning us are those of loving kindness and daily we dwell under the canopy of Thy goodness and are sheltered by Thy divine providence.

Grant that our minds and hearts may be immunized by Thy Holy Spirit against feelings of anxiety and fear.

Gird and arm with power, patience, and perseverance our President, our Speaker, and our chosen representatives as they strive to stem the tide of the forces of evil which are storming the citadels of righteousness.

May nothing impede the progress of humanity as it slowly and surely marches toward those lofty altitudes where love and peace have their eternal abode.

In the name of our blessed Lord we offer our prayer and petitions. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate disagrees to the amendment of the House to the bill (S. 1194) entitled "An act to remove the percentage limitations on retirement of enlisted men of the Coast Guard, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints

Mr. Bartlett, Mr. Hart, and Mr. Prouty to be the conferees on the part of the Senate.

The message also announced that the Presiding Officer, pursuant to 49 Stat. 425, as amended by Public Law 85-474, had designated the following delegates to the American group at the Conference of the Interparliamentary Union to be held in Belgrade, Yugoslavia, beginning September 12, 1963: Mr. Monroney, Mr. Mansfield, Mr. Ribicoff, Mr. Edmondson, Mr. Kennedy, Mr. Brewster, Mr. Saltonstall, Mr. Kuchel, Mr. Keating, Mr. Pearson, and Mr. Cooper.

RETIREMENT OF ENLISTED MEN OF THE COAST GUARD

Mr. BONNER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 1194) to remove the percentage limitations on retirement of enlisted men of the Coast Guard, and for other purposes, with a House amendment thereto, insist on the House amendment, and agree to the conference requested by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina? The Chair hears none, and appoints the following conferees: Messrs. Bonner, Garmatz, Lennon, Glenn, and Goodling.

PRICE OF SUGAR

Mr. VANIK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. VANIK. Mr. Speaker, the orbiting price of raw sugar finally came back to earth this week. In fact, it plowed right into the ground.

On Monday, for the first time this year—for the first time since last December 28—the quoted price of raw sugar was as low as 6.6 cents a pound, which is the so-called normal price under the Sugar Act. Between those two dates it had soared to 13.2 cents. But now it is back to normal. Actually, it is lower than that—yesterday it fell to 6.5 cents a pound. Moreover, sugar futures were available yesterday for delivery any time between September of this year and November of 1964 for prices between 6 and 7 cents a pound. For the foreseeable future, the bubble in sugar prices seems to have burst.

But what of the price of sugar in the stores? It went up with a whoop early this summer from 53 cents for 5 pounds to 89 cents, after raw sugar prices went up, but it has been coming down very slowly—grudgingly—since the downturn in raw sugar. Last January 3, when raw sugar prices were higher than they are now, the local chains advertised refined sugar in 5-pound bags for 53 cents. Yesterday, the same 5-pound bag was selling for 67 cents. Why should not the retail price return to 53 cents if there is not an attempt to profiteer on the price advances of last spring?

Every housewife should inquire why she should have to pay a price now for sugar which reflects not the cost of the raw material but the excesses of the speculative spree last spring.

In the Subcommittee on Consumer Affairs of the Committee on Banking and Currency, we have established that the price increases of April and May were materially influenced by excessive speculation in sugar futures—gambling on the world sugar market. We also learned that the food chains and other big users were buying up sugar in the same way as the speculators were buying sugar futures.

Why should the housewife still be paying for these shenanigans?

AUTHORIZED FEDERAL PAYMENT TO DISTRICT OF COLUMBIA AND DISTRICT OF COLUMBIA BORROWING AUTHORITY

Mr. WHITENER submitted a conference report and statement on the bill (H.R. 6177) to amend section 2(a) of article VI of the District of Columbia Revenue Act of 1947 relating to the annual payment to the District of Columbia by the United States.

HIGHER EDUCATION FACILITIES ACT OF 1963

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution (H. Res. 483), and ask for its immediate consideration.

The Clerk read the resolution, as follows:

> *Resolved,* That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R 6143) to authorize assistance to public and other nonprofit institutions of higher education in financing the construction, rehabilitation, or improvement of needed academic and related facilities in undergraduate and graduate institutions. After general debate, which shall be confined to the bill and shall continue not to exceed three hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. BOLLING. Mr. Speaker, I ask unanimous consent that a printing error in the resolution may be corrected. On line 8, on the first page, after the word "institutions" there is a comma. It should be a period. I ask unanimous consent that the correction be made accordingly.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio [Mr. Brown] and, pending that, such time as I may consume.

Mr. Speaker, the rule is an open rule and provides for 3 hours of general debate on a bill which has been considered a number of times by the House. I am not aware of any serious controversy on the rule and, therefore, reserve the balance of my time.

The SPEAKER. The Chair recognizes the gentleman from Ohio [Mr. Brown].

Mr. BROWN of Ohio. Mr. Speaker, as the gentleman from Missouri [Mr. Bolling] has explained, this resolution, House Resolution 483, makes in order, under an open rule with 3 hours of general debate, the consideration of the bill H.R. 6143, a bill to provide certain Federal aid and grants for construction of higher educational facilities in the various States and subdivisions of this country.

The bill carries an authorization for a program of 5 years of Federal aid for college and university facilities.

Actually it authorizes appropriations for only the first 3 years of the 5-year program, leaving the authorization for appropriations for the last 2 years of the program to be made later. During the first 3 years of the program the bill authorizes appropriations of $230 million annually for the purpose of making grants for construction of undergraduate academic facilities. This includes both tax supported colleges and universities, and private and church supported colleges and universities. It provides certain formulas for the allotment of these funds to the various States according to the number of high school students to be enrolled in the States, the number of persons engaged in the pursuit of higher education in colleges and universities, and so forth. It provides that plans shall be provided by the State commissions set up for that purpose and that the Commissioner of Education must give each State commission reasonable opportunity to be heard in connection with State plans made under this law.

It provides the Federal share of the cost of any project to be included under this act, if it becomes law, shall be matched by the State or local authority, or the school itself, and in no event shall the Federal share exceed one-third of the development cost, that is, of the cost of the project, whether it is a new library, a new laboratory, or a new dormitory.

Then there is further provided in title I of the bill, for a judicial review so that any State may appeal from the Commissioner's final decision on a State plan for administering grants, or gifts, from the Federal Government as provided under title I of the bill. This action must be brought in the U.S. court of appeals. It is a safeguard to guarantee that there will be no arbitrary rulings by the Federal authorities, but instead that the rights of each State and State commission will be protected by Federal court decisions.

Title II of the bill would grant authority to the Federal Government to make grants for the construction of graduate academic facilities to the various States of the Union, and would provide for $25 million in Federal funds to be distributed for these purposes during the fiscal year

1964, and $60 million annually, during the fiscal years 1965 and 1966; and, as provided in title I, the same arrangement shall prevail whereby the grants of Federal money for these projects cannot exceed one-third of the total development or project cost, which means, of course, that the school or the State agency participating shall pay two-thirds of the cost of that particular project or program. The grants may also be made by the Commissioner of Education to these higher education institutions and to cooperative graduate center boards. The Commissioner shall not approve any grant without the advice of an advisory committee established by this legislation. You can find that arrangement spelled out in the bill.

No more than 12 percent of any of these funds carried in the bill may be spent on projects in any one State.

Title III provides for loans, not grants, to be made for the construction of academic facilities at the rate of $120 million a year, on a 50-year basis; that is, the loans are to be repaid over a period of 50 years.

Again, the educational institutions, in order to be eligible, whether they be tax-supported institutions or private higher education institutions, must put up not less than one-fourth of the cost of the project, from non-Federal sources. They must borrow any other money they need from other sources on equally favorable terms, and construction must be on an economical basis as approved by the Commissioner. That means the overall cost of this program for the first 3 years, if my arithmetic is correct, would be at $1,150 million, and for the following 2 years, if the same appropriations as set forth in this bill are later authorized for the last 2 years of the program by some succeeding Congress, as undoubtedly they will be if we pass this bill, will be $880 million, based on the same rate as set up for the first 3 years, but could be, of course, substantially more.

The Federal Government has never embarked upon a Federal-aid program, either for grants or loans, for the construction of facilities for colleges and universities, except that we have had for some time, under the general Public Housing Act, provisions whereby colleges and universities may obtain long-term loans for certain college housing construction such as dormitories. That law, of course, has been in effect for some time.

Frankly, Mr. Speaker, I am very much concerned over this particular piece of legislation. I realize there is a great need for it. At the same time I realize it starts a new program of Federal aid, something that has caused the Committee on Education and Labor, by the way, considerable trouble. There is a divided committee report on this bill. I suggest that everyone read the report carefully, both the majority and minority views.

The total amount to be expended, by the way, under this bill would be less than proposed in other legislation supported by the administration, and submitted to Congress, some $600 or $700 or $800 million less than proposed in other bills which have been submitted to Congress with administration approval. The approval of this legislation will probably mean that other more costly Federal-aid-to-education legislation will probably not be given any consideration by this Congress. In other words, this bill would take the place of some of the more expensive proposals which have been floating around Congress for some time.

Mr. Speaker, there is no question but there is great need for legislation of this kind and, yet, there is also the problem of just how a program of this sort can be financed, and whether or not we should be embarking upon it now in the light of the present fiscal situation of the Federal Government. There is also the question of the almost certain probability every dollar of the money expended on this program will have to be borrowed, added to our national debt for our children and their children's children yet unborn to pay.

Mr. Speaker, I reserve the balance of my time.

Mr. BOLLING. Mr. Speaker, I yield 4 minutes to the gentleman from Indiana [Mr. MADDEN].

Mr. MADDEN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. MADDEN. Mr. Speaker, the pending bill, H.R. 6143, is a too-long delayed piece of legislation which will greatly aid our institutions of higher education in expanding necessary building construction in order to accommodate the ever-increasing number of students seeking admission to our institutions of higher learning.

This bill provides for matching funds for construction, rehabilitation, or improvement of needed undergraduate academic facilities. Twenty-two percent of the funds involved will be reserved for facilities for junior colleges and technical institutions. Two hundred and thirty million dollars annually will be authorized for this purpose extending over a 3-year period; also a program of matching construction grants for the establishment or improvement of graduate schools or of cooperative graduate centers in institutions of higher education.

For this program, appropriations of $25 million are authorized for the first year, and $60 million for each of the succeeding 2 years.

Also loans to higher educational institutions are provided for the construction, rehabilitation, or improvement of academic facilities in the amount of $120 million annually for 3 years.

This bill provides for a 5-year program of financial assistance, but it only authorizes appropriations for the first 3 years in order that the Congress may review the operation of the entire program at the end of the third year. If at that time, in the opinion of the Congress, the crisis in school space for higher education still exists, a determination can be made for the continuation or expansion for a longer period.

In the next 7 years the number of students seeking admission to institutions of higher learning will be almost doubled the total campus enrollments of 1960 due chiefly to the increase in the number of young people of college age. The Bureau of the Census reports that the population of young people aged 18 through 22 rose from 11,784;000 in July 1960 to 13,044,000 in July of 1962. In a 2-year period the increase alone is 1,260,000.

Mr. Speaker, the following is an excerpt from yesterday's Gary (Ind.) Post Tribune revealing the rapid increase of the annual student load which will continue to apply at colleges in future years:

> Why the big increase in the Gary school budget?
>
> School officials say it will cost about $4 million more to educate Gary's children next year, not including money to be spent on bond interest and redemption and capital outlay.
>
> It cost only $8 million to educate the city's children in 1956. The cost last year was about $21 million. Cost next year, if the preliminary budget stands, will near $25 million.
>
> Why the big increase?
>
> Well, school officials explain, there were only 34,914 students in 1956. By 1963 the figure grew to 45,845, and more than 49,000 are expected to be in school next year.
>
> That's an enrollment increase of about 3,070 but an increase in the cost of educating them of 300 percent.
>
> The growth, they say, is about 3.8 percent in 1 year. In the past few years it has averaged 4 percent a year, the officials say.

Mr. Speaker, the hearings which have been held over a long period of time by the Committee on Education and Labor reveal that the Nation is in a critical college facilities crisis today with the present number of students applying for admission to our institutions of higher learning. It does not take much imagination to realize that unless legislation like the pending bill is enacted into law, each year thousands of students will be turned away from our institutions of higher learning because of inadequate accommodations.

I have received telegrams from dozens of institutions of higher learning, not only in Indiana, but throughout the Nation, calling for aid and help to relieve this crisis in our accommodations for students who desire college and university education.

I am satisfied that after Members of Congress during this debate learn the facts which have been revealed in the hearings conducted by the Committee on Education and Labor this necessary legislation will be enacted into law by a substantial vote.

Mr. BROWN of Ohio. Mr. Speaker, I yield 5 minutes to the gentleman from Kansas [Mr. AVERY], a member of the Committee on Rules.

Mr. AVERY. Mr. Speaker, there is no need to again recite the provisions of the bill. I think all of the Members of the 87th Congress became quite familiar with this bill last year, because it is essentially the same bill as the House approved last year, only later to be defeated on the conference report.

The slight changes in the bill have been pointed out by the two speakers who have preceded me.

Actually, Mr. Speaker, when we put this proposal into a fine perspective today, there are only about two issues, really, and these issues are related. It is on these two issues that I want to address the House briefly here this afternoon.

Mr. Speaker, No. 1 is the matter of judicial review. Frankly, I have not been able to clearly understand the legislative history as to why a judicial review, a rather comprehensive judicial review, provision was written into the bill and then part of it was stricken out. I am not sure just quite where this leaves the bill in that respect if it should pass in its present form.

I note that the chairman of the subcommittee, the gentlewoman from Oregon [Mrs. GREEN], is present. If I could address a question or two to the gentlewoman, I would appreciate the gentlewoman's response.

Now, as I understand the legislative situation this afternoon, Mr. Speaker, there is a pending committee amendment, expected to be adopted, which will strike out the section identified in the bill on page 15 as (b).

Mrs. GREEN of Oregon. That is correct.

Mr. AVERY. And, still, that would leave as far as the judicial review section of the bill is concerned, the language on page 14 and 8 lines on page 15?

Mrs. GREEN of Oregon. The gentleman is right.

Mr. AVERY. Am I correct in making this analysis, that the difference between the judicial review language that is left in the bill and the portion that has been stricken out is to the venue, or as to how the question of Federal aid to nonpublic schools could find itself in court? Is that the distinction?

Mrs. GREEN of Oregon. The part of the judicial review provision which is in the bill, beginning on page 14, line 8, is the usual language that is found in almost every education bill. It is a review of the commissioner's findings.

Mr. AVERY. But if the gentlewoman would respond further, if I understand correctly the language remaining in the bill, it would be incumbent and would be possible only for a State to initiate this action?

Mrs. GREEN of Oregon. Yes, that is correct.

Mr. AVERY. Whereas, if the entire section had remained in the bill as originally written and introduced, then any institution that was participating in the program or that thought they should be eligible to participate in the program could have initiated this suit?

Mrs. GREEN of Oregon. The part of the bill that has been stricken would have allowed an institution to have brought an action against the Commissioner. The subcommittee considered this very carefully. It will be discussed during general debate today.

I may say to the gentleman from Kansas that after very careful consideration, after hearing from many attorneys, after consulting with attorneys from the Justice Department, after consulting with the chairman of the Judiciary Committee of the House, it was the unanimous opinion of the subcommittee that we would submit this as a committee amendment, striking the language beginning on page 15, line 9, and extending through page 16, line 21.

Mr. AVERY. I come back to this one point: If the committee amendment is adopted then a State as such will be the only party that could become a plaintiff in a suit to initiate this action, of course, which brings into court this whole question of Federal aid to nonpublic institutions.

Mrs. GREEN of Oregon. If I understand the situation, and this will be discussed by the lawyers, this is not necessarily true. But I would yield to one of the lawyers on the committee, since I am not a lawyer.

Mr. AVERY. I am glad to hear what the lawyers have to say, but I am interested in what the gentlewoman has to say about this.

Mrs. GREEN of Oregon. The statement made by the gentleman is not entirely accurate.

Mr. AVERY. May I yield to the committee's spokesman, then?

Mr. GIBBONS. Mr. Speaker, if the gentleman will yield, I will attempt to answer the question.

I believe that, under this law, as under any law, if a case or a controversy could be made then anyone can bring a suit and develop a case or controversy. It was the feeling of the subcommittee and of the committee as a whole that it would not be wise to invite the Supreme Court to pass judgment on a controversial point because in other legislation that we have had here we would be setting a precedent to enlarge the jurisdiction and the power and the action of the Supreme Court, which none of us thought we wanted at this time.

The SPEAKER. The time of the gentleman from Kansas has expired.

Mr. BROWN of Ohio. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. AVERY. Mr. Speaker, I would agree in part at least with the gentleman. Certainly I do not want to have any part in expanding the jurisdiction of the Supreme Court. Further, I do not believe that we want to delegate a policy matter to any other branch of the Government. It is something that the House should determine for itself. Actually, Mr. Speaker, we will be making a determination by the way we vote on this bill today, because as the bill is written certainly nonpublic schools will be eligible to participate in these benefits flowing from the pending legislation the same as would a public institution. I presume there is no use in delving into this further at the present time. The gentlewoman from Oregon has indicated this will be debated in general debate by the lawyers later this afternoon.

One more point, Mr. Speaker. I want to remind the House, as I mentioned a minute ago, essentially this same bill passed the House last year by an overwhelming vote.

Most Members know what happened. The other body struck out the grant section in the bill and inserted in lieu thereof individual scholarship grants. I want to repeat that for clarity, now. The other body struck out the grant section in the bill and inserted in lieu thereof scholarship grants. The House has gone on record as opposing scholarship grants. I cannot speak for the House, I can speak only for myself, but certainly I want to advise the House that I am still opposed to individual scholarship grants. If the other body insists on making this same substitution this year, I certainly would object to the bill's going to conference. I would hope that the spokesmen for the majority and minority would come back before the Committee on Rules and reassure us that they would sustain the position of the House. If I may again have the attention of the distinguished gentlewoman from Oregon, would she reassure the House at this time that she would insist on the position of the House being sustained in conference if this same situation developed again this year?

Mrs. GREEN of Oregon. This is certainly a hypothetical question. All I can say to the gentleman from Kansas is that at any time I am a conferee on any bill approved by the House I do my level best to defend the House position on it.

Mr. AVERY. I appreciate that this was a hypothetical question I asked, but I do not think it is hypothetical in the sense it is beyond comprehension, because it did occur last year. I am not attempting to read the mind of the other body, but I would hope the gentlewoman from Oregon could assure the House in her remarks to be made here later this afternoon beyond what she has and put this on a little more firm basis than just a simple categorical basis.

Mr. Speaker, I would urge that the rule be adopted.

COMMITTEE ON VETERANS' AFFAIRS

Mr. BOLLING. Mr. Speaker, I yield to the gentleman from Texas [Mr. TEAGUE] for a unanimous-consent request.

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent that the Committee on Veterans' Affairs may have until midnight tonight to file reports on sundry bills.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, I yield the remainder of the time on this side to the gentleman from Illinois [Mr. ANDERSON].

CALL OF THE HOUSE

Mr. HAYS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 125]

Aspinall
Auchincloss
Baring
Belcher
Brock
Casey
Celler
Collier
Cramer
Curtis
Daddario
Davis, Tenn.

Diggs
Fraser
Hoffman
Kilburn
Kyl
Lankford
Martin, Mass.
Miller, N.Y.
Montoya
Murphy, N.Y.
O'Brien, Ill.
Pilcher
Rivers, S.C.
Rogers, Tex.
Schenck
Shelley
Stubblefield
Taft
Thompson, La.
Thompson, N.J.
Tollefson
Trimble
Van Pelt
Willis

The **SPEAKER**. On this rollcall 396 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

HIGHER EDUCATION FACILITIES ACT OF 1963

The **SPEAKER**. The Chair recognizes the gentleman from Illinois [Mr. ANDERSON].

Mr. **ANDERSON**. Mr. Speaker, I rise in opposition to H.R. 6143. Certainly no one can quarrel with the statement in section 2 of this bill under "Findings and Declarations of Policy" that "the security and welfare of the United States require that this and future generations of American youth be assured ample opportunity for the fullest development of their intellectual capacities." However, it does not follow from our appreciation for this need that the means prescribed in this bill are either wise or necessary. Instead, after a careful reading of the report which accompanies it, I am completely unconvinced that the assumptions upon which this case for a Federal program rests have been established by clear and positive proof. Once again the proponents of this legislation in their sincere desire to advance the cause of higher education have assumed from the fact that there is a need in this area that it can only be met by a program of Federal grants and loans. This I do not believe.

I think it is particularly unfortunate that we are considering this bill less than 2 weeks before we will be called upon to act on a proposed reduction in Federal revenues of between $10 and $11 billion a year. I further think that it is unfortunate that we are called upon to act on this program within the context of a Federal budget which is the biggest in the peacetime history of our Nation. As I understand it, the latest revision of the President's tax program as presented by Secretary of the Treasury Dillon, calls for a somewhat larger overall tax reduction than that originally planned. Reportedly the Secretary of the Treasury has given as a reason for this the fact that Congress has reduced to some extent the January budget requests that were made by the President. If this is so, it would seem to follow that if we could only cut the President's budget still further it would then be possible to give the taxpayers of this country an even greater reduction. Obviously, however, we will not accomplish this purpose if we enact H.R. 6143 and inaugurate a brand new Federal spending program which has an initial price tag of $1.2 billion. I emphasize the word "initial" because I am firmly convinced that it will not be many years before the annual cost of this program will be far in excess of the costs that is now projected over the 3-year life of this initial authorization.

There are reasons other than a mere slavish adherence to the principles of economy in government that impel me to express my opposition to this bill. Again, I would emphasize the fact that my opposition to this measure is not predicated on any disdain for higher education or the benefits that it can bring to our society, and I am convinced that we should in fact be devoting a larger share of our national effort than we are now presently doing to advance the cause of higher education. My quarrel with the proponents of this measure lies entirely with the means that they would employ to achieve this objective. President John Howard, of Rockford College, recently delivered an address entitled "Federal Aid to Education: Stampede to Disaster," in which he undertakes, and I think very successfully, to answer an article which appeared not long ago in the Princeton Alumni Weekly by Mr. McGeorge Bundy, entitled "The Blessing That Is Federal Aid." The first point that is invariably made by advocates of Federal aid to education is that Federal funds for education have been productive. President Howard wisely points out that the real question to which we should address ourselves is not "Have Federal funds been productive?" Rather it should be "How productive in contrast to the same amount of money from other sources and what have been the byproducts?"

Recently the Committee on Education and Labor undertook an investigatory study of education programs in which the Federal Government is involved. The report is excellent reading and should be required reading for every Member of this body. In the letter of transmittal by the distinguished gentlewoman from Oregon which accompanies this report, it is suggested that the questions now to be debated are:

How well and effectively is this aid being administered?

Is there overlapping in some areas?

Is the best possible return being received for the dollar spent?

Are there urgent needs in other educational areas?

Is it in the national interest for the Federal Government to help meet them?

The report indicates that the Federal Government is currently spending on the order of $2.2 billion a year in support of educational activities and that approximately $1.2 billion of that total is being spent in direct support of education. The report further states that more than 40 different Federal agencies are involved in a host of grant and loan programs. I could not help but receive the distinct impression as I studied this report that there certainly is overlapping in many areas and that there is a grave question as to how well and effectively much of the money is being spent. In addition to posing a number of questions, the letter of transmittal accompanying said report also suggests serious consideration for some very important procedural and substantive reforms in this area. I think it is highly unfortunate that before this report has even received the wide currency in governmental and educational circles that it should have, and certainly long before any of the suggested reforms have been inaugurated, that we are about to launch a new Federal program which in total dollar amount for the first 3 years will double the amount of direct support now being given to education annually in this country by the Federal Government. Surely, this is a most unbusinesslike and thoughtless manner in which to proceed if we have any regard at all for the work which the committee has done in making its survey of the present involvement of the Federal Government in education.

I am opposed to the program contemplated by this legislation because I think that the pluralistic development of both public and private colleges and universities in our country is in a large part responsible for the progress that we have achieved in this field. I feel, and in this I am joined by many responsible educators, that this bill represents merely the initial step in a program designed to substitute a standardized type of Federal education in lieu of the diversity in higher education which we enjoy today. Even the authors of this bill seem to recognize this uncertain future by their inclusion of a section which attempts to negate the idea that many of the programs to be carried out will involve Federal control or supervision of personnel, curriculum, methods of instruction, or administration of any educational institution to whom funds have been given under this act. How completely inconsistent this statement is with the title of the bill dealing with the establishment of junior colleges. Section 401 (F)(5) of title IV reads in part as follows:

> If the Commissioner determines there is no nationally recognized accrediting agency or association qualified to accredit such institutions, he shall, under section 402(c), appoint an advisory committee, composed of persons specially qualified to evaluate training provided by such institutions, which shall prescribe the standards of content, scope, and quality which must be met in order to qualify such institutions for assistance under this act and shall also determine whether particular institutions meet such standards.

What could possibly be clearer than that in indicating that Federal dollars inevitably involve Federal control no matter how sincerely or eloquently the protests to the contrary. The college or university that insists that it will not sacrifice complete freedom of voice in exchange for Federal dollars will be like Julia, who according to Byron's Reports "whispering 'I will ne'er consent,' consented."

I think there is a very cogent argument that can be used against reliance on Federal support to higher education. In the address by President John Howard to which I referred earlier, he tells of an incident where he wrote to the president of a large well-known university inviting him to join a group of college presidents in making known the arguments against the ever-growing Federal subsidies in education. The college president replied that although he was in complete agreement that subsidies were not in the long-range best interests of the colleges or the country, his own university was now so completely dependent upon funds from Washington that he could not exercise his rights as a citizen on this issue without jeopardizing the university he served. What a strange anomaly it is that some of those who are loudest in their support of this bill are also those who would profess the most concern at any encroachment on academic freedom in this country. I think that we may have already reached the stage in this country where a certain segment of the academic community, largely those in the area of administration, are now literally afraid to speak their minds because of the fear that their particular school would thereby suffer financial loss. It seems to me that we do not have to look ahead very far to the possibility that when colleges and universities become dependent upon certain subsidies, that those in the classroom as well might find their voices muted in fear of offending their Federal benefactors.

Mr. Speaker, I shall ask unanimous consent to include the entire text of the address by Dr. John A. Howard, president of Rockford College, entitled "Federal Aid to Education: Stampede to Disaster," at the conclusion of my remarks.

There is yet another reason why I feel obliged to raise my voice in protest against the enactment of this bill. I feel that this legislation raises some very serious constitutional questions in that particularly under the grant provisions of the bill there may be a violation of the establishment of a religious clause of the first amendment to the United States Constitution. I have no great desire, Mr. Speaker, to raise the religious issue. It is all too easy to expose oneself to the obloquy of those who will charge religious prejudice whenever this question is discussed. However, I cannot in good conscience be deterred from a brief analysis of the reservations that I feel in this regard. This bill will make both loans and grants available not only to publicly supported institutions of higher learning, but private colleges which are church related in nature. The bill has sought to obviate any possible constitutional objections by stating that funds granted may not be employed for the construction of any facility used or to be used for sectarian instruction, or as a place of religious worship. There is a further prohibition against the use of funds for the construction of any facility to be used primarily in connection with any part of the program of a school or department of divinity. I think that this provision falls far short of meeting the constitutional objection so well stated in the case of *Everson* v. *Board of Education of the Township of Ewing, et al.*, 330 U.S. 1. In this case, Justice Black, in delivering the majority opinion of the Court, said:

> The establishment of religious clause of of the first amendment means at least this: Neither a State nor the Federal Government can set up a church. Neither can pass laws which aid one religion, aid all religions, or prefer one religion over another.

Mr. George R. La Noue, in an article entitled "Religious Schools and Secular Subjects," published in the Harvard Educational Review, volume 32, No. 3, summer 1962, has said:

> It had always been assumed that churches made the sacrifices a separate parochial school system entails because they believed that education must be placed in a uniquely religious context which the public schools could not supply.

He quotes in support thereof a very forthright statement in support of that position by Pope Pius XI's encyclical entitled "The Christian Education of Youth":

> For the mere fact that a school gives some religious instruction * * * does not * * * make it a fit place for Catholic students. To be this, it is necessary that all the teaching and the whole organization of the school, and its teachers, syllabus, and textbooks in every branch be regulated by the Christian spirit.

This position is not one that is peculiar to the Roman Catholic Church.

Mr. Speaker, I think that I am entitled to draw on my personal experience in support of that statement. I am a member of the Board of Christian Education of Trinity College, a church-related liberal arts school founded and supported by the religious denomination of which I am a member. As a member of the board of Christian education of that college, I am well aware that likewise in this Protestant school a concerted effort is made to weave the thread of evangelical Christianity into the entire fabric of knowledge that is being gained by the students who are there enrolled. This is an entirely legitimate purpose in a church-related school. I support it, and I do not feel that it in any way derogates from the value of the academic training which the students will receive at these schools, be they Protestant or Catholic. Nevertheless, I do think that we should be completely forthright and honest in our recognition of the fact that a church-related school cannot be compared to a publicly supported institution where this effort at religious indoctrination is clearly not present. I do not think that the church-related college of my denomination or of any religious denomination or creed is entitled to support from the Public Treasury.

In the article by Mr. La Noue to which I have referred, he points out numerous instances of where even wholly secular subjects are impregnated with religious doctrine and philosophy through the manner in which they are taught and by means of the teaching aids that are employed.

The State Superintendent of Public Instruction of North Carolina, and president of the Council of Chief State School Officers, in testimony before the Joint Committee on Education of the House Committee on Education and Labor, in its hearings on H.R. 6674 and others, said, and I quote:

> In my testimony I quoted from a number of liberal arts college catalogs and scores of others which could be obtained would say the same thing, that a component of the religion pervades the entire institution. This is the theory, it is the reason for the establishment of the separate church school.

I am fully aware that the argument will be made that the Federal Government is presently engaged in a whole host of programs which involve grants to church-related schools. However, in "Memorandum on the Impact of the First Amendment to the Constitution Upon Federal Aid to Education," prepared by the General Counsel for the Department of Health, Education, and Welfare, as published in Senate Document No. 29, 87th Congress, 1st session, it is pointed out that because of the rule of law in *Massachusetts* v. *Mellon*, 262 U.S. 447, that existing Federal aids to education have presumably been immune to attack in the courts on the grounds that they violate the Constitution. This is because the requirement for a "case or controversy" which is imposed upon the courts by article II of the Constitution cannot be met by litigants who might otherwise seek to attack Federal spending legislation which has conferred benefits upon sectarian educational institutions. The General Counsel of the Department of Health, Education, and Welfare therefore says:

> There is therefore no significance to be attached to the fact that the existing programs have not been litigated. We can regard them as precedents only for what the Congress and the President, not the Supreme Court, regard as within the first amendment.

Mr. Speaker, I find it ironic that only 1 year after the decision in Engle against Vitale which declared a 22-word prayer composed by the board of regents of New York State and recited on a voluntary basis by public school students an offense against the establishment of religion clause of the first amendment to the Constitution that we find it so convenient to sweep the church-state issue completely under the rug. I did not agree with the Supreme Court decision in that case nor in the Bible-reading decision by the Court this year. However, the fact remains that this is the law of the land.

As I understand it, the Attorney General is not in favor of enacting a Civil Rights Act based exclusively on the 14th amendment because such a statute would be repugnant to a decision of the U.S. Supreme Court back in 1883. It would seem infinitely more perilous from a legal and constitutional standpoint to enact this legislation presently under consideration and fly directly in the face of Supreme Court decisions in 1962 and 1963. The only excuse for doing so would be a reliance on the rule laid down in *Massachusetts* v. *Mellon* (262 U.S. 447) that prevents a taxpayer from obtaining an adjudication of this issue on the grounds that there is no case or controversy which the Federal courts may decide. However, it scarcely seems as if a deliberate irreverence for the Constitution is any basis on which this Congress should legislate even if it appears that it might do so with impunity.

Mr. Speaker, I began these remarks by expressing the wish that we could channel a greater share of our national income into education generally and higher education in particular. The statistics on what America spends annually for liquor, tobacco, and various forms of amusement serve to illustrate that we are all too vulnerable to the charge of following a epicurean philosophy at the expense of this vital function of our society.

In May of this year the presidents of 20 liberal arts colleges from all sections of our country joined in a statement suggesting an alternative approach to financing the needs of our colleges and universities. Mr. Speaker, at an appropriate time I shall ask leave to submit their entire statement for the RECORD. It serves to disabuse us of the notion that all of the voices of higher education are unanimously demanding a Federal-grants program of the type embodied in the proposal we are considering here today. They constitute some of the most respected men in academic circles in our land. They reject a philosophy of federally planned and federally centralized higher education. They suggest in a very practical way that there is a system of tax credits which could be employed in conjunction with tax deductions to stimulate increased giving by both individual and corporate donors; to provide parents with not only the incentive but with the tax relief which they need to send their children to the college or university of their choice.

At this very time we are about to consider revisions in our Internal Revenue Code—revisions recommended by the President and his Council of Economic Advisers to stimulate economic growth and promote investment demand as the base for a more lasting and heightened prosperity. What better way of promoting investment in our colleges and what better way of strengthening our economy and building for the future than by channeling huge additional sums directly into education without paying any middleman or brokerage fee and without first shrinking those dollars by laundering them in the Federal bureaucracy. Here in brief is what the educators proposed then and what I propose now:

Enact amendments to our tax laws which will supplement the present provisions which merely provide for a deduction for a gift to an educational charity and allow both individuals, corporations, and business associations direct credits against payment of Federal personal and corporation income taxes as follows:

First. For tuition paid for a dependent studying at any educational institution, public or private, up to perhaps $300 per student per year.

Second. For contribution by an individual to any educational institution whose tax-exempt status is recognized by the Internal Revenue Service, up to a total, for example, of $100 a year or 20 percent of the individual's total Federal income tax obligation, whichever should be smaller.

Third. For contributions by corporations to any educational institution whose tax-exempt status is recognized by the Internal Revenue Service, up to a possible total of $5,000 or 5 percent of the corporation's total Federal income tax obligation for the year, whichever should be smaller. The ceilings here proposed are suggestions only and could not be established until the necessary research is completed to predict losses of tax revenue that would be commensurate with the amounts now considered appropriate under proposed programs of grants and loans.

Tax credits for tuition and for contributions could in a very short period of time channel funds, I believe, on an absolutely unparalleled and unprecedented scale into our schools both private and public. At the same time the donee institutions would be free to apply these funds wherever they are most needed. As the statement of these experienced and knowledgeable college administrators points out, that is very often not into buildings and facilities at all but into teachers' salaries and other current operating expenses. What a contrast with the rigidity of the program of loans and grants called for in H.R. 6143 which demands that all of these funds be employed for development and construction of so-called academic facilities.

Yes, Mr. Speaker, there is another way, another road that we can follow if we are willing to unshackle our thinking and cast off the doctrinaire counsel of those who say that there is only one formula to solve this equation—that of direct Federal subsidy. I hope that this House of Representatives will have the boldness of spirit and the vision to see the advantage of moving away from Federal control of education and in the direction which will enable us to retain our heritage of freedom and diversity in higher education even as we see it expand and move forward.

FEDERAL AID TO EDUCATION: STAMPEDE TO DISASTER

(Address by Dr. John A. Howard, president of Rockford College, before the 27th annual conference of the Central States Group, Investment Bankers Association of America, Chicago, Ill., March 13, 1963)

We are being rushed into ill-advised remedies for education which violate the nature and neutralize the vitality of the educational system that has ably served this country's needs under circumstances the most various. If our Nation permits our educational machine to be circumscribed and distorted as the agricultural machine has been, well, shame on us. The qualities of the educational system, strength or weakness, wisdom or folly, diversity or uniformity will inevitably be reflected in the society some years later. As we may undermine the effectiveness of our schools and colleges, we circumscribe the potental of our society.

The title of these remarks, "Federal Aid to Education: Stampede to Disaster," makes use of strong terms. They are intentionally arresting. It is my belief that we as a Nation are unwittingly placing in jeopardy our entire system of education and that the tocsins of alarm must be sounded so loudly and so frequently that the people and their Representatives in Congress and even the educators, themselves, will think through the consequences of the course we now pursue and change its direction.

What is a stampede? It is a rapid mass movement. It is engaged in thoughtlessly. It is caused by fright. It is dangerous, and it is exceedingly difficult to stop. The press toward Federal subsidy of education, in my judgment, meets precisely each of these qualifications.

Except for a few lonely voices, the men and women in our Federal Government when they turn their attention to education are discussing not whether the U.S. Treasury shall pay more of the costs of education but rather which costs and in what manner. On January 29 of this year President Kennedy issued a White House Message on Education. "Our concern as a Nation for the future of our children," said the President, "and the growing demands of modern education which Federal financing is better able to assist—make it necessary to expand Federal aid to education beyond the existing limited number of special programs." The requested expansion is set forth in a single comprehensive bill entitled "The National Education Improvement Act of 1963" of which the purpose is "strengthening, not weakening, the independence of existing school systems, and aimed at meeting our most urgent education problems and objectives, including quality improvement; teacher training; special problems of slums, depressed and rural areas; needy students; manpower shortage areas such as science and engineering; and shortages of educational facilities." The program proposed seeks Federal funds to meet all of these problems and more besides. Shortly after the President's message, the Republican members of the House Committee on Education and Labor reported in a news conference that they would propose legislation of their own to provide Federal funds to meet the problems of education. Even before the President's message more than 120 bills affecting education had been introduced in this Congress. The most influential educational associations of this country are all on record repeatedly urging the Federal Government to provide money for buildings, scholarships, research, and many other items including, in some cases, faculty salaries. The mass movement aspect of the Federal aid stampede is an assertion that will be readily granted.

The charge that it is a thoughtless movement will require more elaboration. Let us take an example of what passes for thinking among the advocates of Federal subsidy of education. Recently there appeared in the Princeton Alumni Weekly an article entitled "The Blessing That Is Federal Aid." It was written by McGeorge Bundy at the behest of Princeton's President Goheen. Mr. Bundy, you will recall, had served for some years as a Dean at Harvard before joining the White House staff of advisers. If anyone is in a position to phrase convincingly the argument for Federal subsidy of education, it is this man who is one of the key formulators of national policy and who has the perspective of substantial academic and administrative service at our most renowned university. His proof of the blessing rests on four points. The first is that Federal funds for education have been productive. No one would be foolish enough to contradict his statemnt that Federal funds have been productive. They have indeed been productive. Who could spend a billion and a half dollars a year on anything without producing quite a lot of something? The question is not "Have Federal funds been productive?" It is instead, "How productive in contrast to the same amount of money from other sources and what have been the byproducts?" A claim that much has been accomplished begs the issue.

Dean Bundy's second point is no more relevant than his first. He states that Federal funds produce freedom in education because if the scientist and the scholar do not have the funds to carry on their work their poverty limits their freedom. The Federal monies certainly do liberate scholars to practice their profession. Again the logic is incontrovertible, but the argument completely misses the mark. The Federalness of the money which is presumably the bone of contention, is totally unrelated to the fact that the funds received by the scholar free him to do his work. Any money, regardless of source, does as much.

Mr. Bundy's final two efforts to prove the benefits of Federal educational subsidy are one, the claim that the restrictions governing the use of Federal funds are fewer than those that govern the use of money from other sources, which is errant nonsense, and two, that the method of determining the specific details of Federal educational programs is more in keeping with the great academic tradition than is the method of determining the scope and the nature of programs paid for by funds that come from other places. Here he refers to the fact that representatives from a number of educational insitutions are consulted in the planning of programs subsidized by the Federal Government. This process assures that the standardized programs subsidized by government represent the best thinking, or at least the best compromises, that can be obtained from the most highly regarded scholars in a given field. An admirable practice it is if you must have standardized programs, but it is certainly not in the American academic tradition in which each college or university plans its own programs according to its own specific opportunities and limitations.

These four points constitute the proof offered by Presidential Adviser Bundy that Federal aid is a blessing. If this were an isolated example of justification for Federal aid by something less than thought, I would need to support further my contention that the Federal aid movement is an unthinking stampede. However, it is about as effective a case as has been made and Princeton's president must have so judged it for he presented it to his alumni apparently in an effort to qualm their fears about Federal funds. Except in the case of those people who candidly seek to centralize all functions of society, there is not any sound argument for using Federal funds in preference to other funds.

The third characteristic of a stampede is that its cause is fright. Here our postulate needs little in the way of support. A whole new Federal invasion of education was launched in response to the great fear that struck on October 4, 1957. Sputnik I sent a chill into the hearts of all of us. The startling realization that Russia had outdistanced us in space technology rocked us as a nation. We were suddenly willing to grant new powers to government and suppress historic and well-reasoned objections to certain Federal activities, out of plain, old-fashioned fear. The National Defense Education Act of 1958 put into being vast new programs some of which can be labeled "defense" only by an interpretation of the word so broad as to render it meaningless. Furthermore, it seems as if the fright is being perpetuated by many who are committed to the Federal support of education. The President's message already referred to closes with the recitation of Soviet superiority in the number of scientists produced each year. The implication is clearly that we cannot hold our own in the cold war if the legislation is not enacted. The Federal aid movement is urged on by scare techniques and the stampede gains momentum.

Before we consider the consequences of this movement, let us turn back the clock 15 years when President Truman proposed a similarly sweeping program of Federal legislation to pay educational costs. The storm of protest he aroused, although now largely forgotten, demonstrated a degree of unanimity on the part of educators at all levels seldom witnessed before or since. Typical of the comments of that era was a statement by President Gould, of Carleton College:

"I miss no opportunity to reiterate my opposition to Federal aid for education. As a matter of fact, the more I talk about it and the more I think about it, the more serious does that threat become. It is almost stupefying that intelligent people cannot see what may happen if we continue to promote movements in that direction."

Joining Dr. Gould in the opposition were the presidents of Columbia, Northwestern, Stanford, Brown, Beloit, Grinnell, and a host of others. These were not the narrow-minded reactionaries of the period but the most highly respected statesmen of their profession. Theirs was not a newly conceived attitude. Listen to another statement issued in March 1945:

"The first purpose of this document is to warn the American people of an insidious and ominous trend in the control and management of education in the United States.

"For more than a quarter of a century and especially during the last decade education in the United States, like a ship caught in a powerful tide, has drifted ever farther into the dangerous waters of Federal control and domination.

"This drift has continued at an accelerated rate during the war. Present signs indicate that unless it is sharply checked by an alert citizenry, it will continue even more rapidly after the war.

"It is the deliberate and reasoned judgment of the two educational commissions who join in the appeal which this document makes to the people of the United States that the trend toward the federalizing of education is one of the most dangerous on the current scene.

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"Education should be placed high on the list of services to be continued under State and local control. The ability to make distinctions as to what should and what should not be centralized permits some nations to preserve their liberty."

The quotation comes from a joint report issued by the problems and policies committee of the American Council on Education and the educational policies committee of the National Education Association. These two committees were speaking, in effect, for the whole power structure of American education.

It is to be wondered what has taken place in recent years to bring about a complete reversal of the firm position of the education leadership of our country. The principles which underlay earlier objections remain intact. No new discoveries have outmoded the principles. I am suggesting here that the principles have been lost sight of in the stampede and that we will be a people of little wisdom if we do not return to principles as the basis for action in meeting educational problems.

The new thinking which buttresses the clamor for Federal subsidy cheerfully rejects principles as an all-important consideration. In a book published last spring, "The Federal Interest in Higher Education," the authors candidly recite a list of fictions which were introduced by the Congress in order to obtain the passage of educational legislation. Several brief quotations from that volume illustrate this astonishing point.

"In general, the potentially divisive character of the issue has been avoided by the creation of a number of polite fictions which allow the substance of the legislation to be considered without too much argument over its implications for the separation of church and state. Such adjustments are not made without a price being exacted somewhere. Sometimes the price has been the excision of program elements that could not be covered by the agreed-on fictions, and at other times the price has been the setting of precedents that encumber future action. Some examples will help make this point clearer.

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"As we have said, there is nothing inherently wrong with such fictions. Indeed, in cases like the one just cited, they allow implementation of what a majority feel to be desirable social policy by providing an honorable way to avoid a contentious issue. The difficulty is that ruses good for one set of circumstances may not be good for—indeed, may be positively obstructive to—another set.

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"In a broader sense, it is surely true that no society—in the world, at least—has ever been able to afford the luxury of facing squarely all the issues that divide its people. The use of fiction as an instrument of cohesion is an indispensable social tool."

Now let us examine some of the reasons which underlie the traditional rejection of the Federal Government as the means of support for education. In the first place as the Federal Government becomes the largest single source of funds for college after college, and there are a number already in this category, the institution becomes beholden to the Government. This is not a chimera born of a doctrinaire distrust of government. Recently I wrote to the president of a large well-known university inviting him to join a group of college presidents in making know the arguments against the ever-growing Federal subsidies of education. He replied that although he was in full agreement with our position that the subsidies are not in the long-range best interests of the colleges or the country, his own university was now so dependent upon funds from Washington that he could not exercise his rights as a citizen on this issue without jeopardizing the university he served.

Think about that answer, if you will. The mere flow of the money has silenced the opposition. This loss of freedom on the part of those who depend on government for their income was the reason for refusing suffrage to the residents of the District of Columbia.

Let us project the Federal aid programs ahead, not too many years the way things are going, to the time when all colleges and universities will receive the largest part of their budget from the U.S. Treasury. Is it possible that all faculty members in that day will feel some obligation to vote for whichever party promises the largest amount of additional educational subsidies regardless of other partisan differences? This is not an unlikely result. Political freedom is sacrificed by those who depend upon government resources. Can we afford to sacrifice the political freedom of the whole academic community?

Earlier we referred to the byproducts of Federal programs of education. First let us be quite clear that there is no need to depend upon conjecture for ascertaining the effects of Federal funds in education. I recently received a manual of almost 800 pages devoted to a brief description of each of the educational programs in which the U.S. Government now engages. As a matter of fact, college executives may now subscribe to a periodical solely devoted to the presentation of new Federal programs, and new interpretations or new changes in old programs. Indeed the scope of current Federal programs offers plenty of opportunity for observation.

The current issue of Nation's Business contains an article describing the overlapping, the inconsistencies, the distortions and the general confusion which characterize the aggregate of government educational programs. The source of information for that article is John F. Morse who has just completed a 9-month study for the Higher Education Subcommittee of the House of Representatives. I commend to you Mr. Morse's statements. The inescapable conclusion seems to be that we must have a Washington superauthority to make plans for the academic segment of our society and to coordinate as well as pay for education through a central bureaucracy. This will be the disaster referred to in the title.

The predominant characteristic of American higher education has been its diversity.

Each collegiate institution has its own particular nature, totally distinguishable from every other. The degree to which spiritual concerns affect the student during his undergraduate years ranges on different campuses from predominance to insignificance. Similarly the political impact upon the student varies from pure conservatism at one college to extreme liberalism at other institutions. The curricula are varied to a much greater extent than is generally recognized. Scripps College in California and St. John's in Baltimore place primary emphasis upon the humanities. Antioch in Ohio and Northeastern University in Massachusetts plan studies to support directly intermittent vocational experience. The programing of class schedules, the division of the academic year into time units, the presence or absence of fraternities, the size of the town, the percentage of students who carry jobs, the mores prevalent on the campus, and the strength of the student government are just a few of the many variables which color and mold student attitudes and vary the scope of student knowledge, totally apart from the nature and persuasiveness of the particular teachers in whose classes the student enrolls.

As graduates of these various institutions come together in any enterprise bringing with them their own views, their own bands of knowledge, their prejudices, and their experiences, that enterprise is the livelier and the more creative for the variety in its constituent personnel. I subscribe to the hypothesis that it is this convergence of diversely educated people in a free interchange of thought that has been the one condition which more than any other has enabled our Nation to make the achievements it has in commerce, in culture, in comfort, and in all the other aspects of our society.

What fosters this diversity? Principally it is the autonomy of the various institutions. As a college executive conceives or receives a new idea that seems promising, he has to sell it to only his own faculty and board of control. If he can convince them that it is a sound project and can find the financial resources to implement the plan, it is tried. The innovations of each college will arise out of its own peculiar circumstances, the particular strengths of the faculty, the philosophical objectives, the limitations or the advantages of the facilities, and, yes, the personal biases as well as the imagination and courage of the president and his governing board. It is the independence of each collegiate body which fosters diversity.

Each new educational undertaking of the Federal Government reduces the diversity of American education. Indeed I do not know of one college executive who would not quickly agree that those programs now supported on our campuses by Federal funds could be carried on at least as effectively by a comparable amount of funds from other sources, and in many, many cases could be conducted with more creativity, more imagination, more flexibility, less bother and at a much lower cost if the funds came from the traditional sources. Given such an agreement, why then do not the same executives oppose Federal aid. The answer is money.

Money is a good servant but a dangerous master. The reason that it is so difficult to justify Federal aid to education is that except for the few who admit to a philosophical commitment to the centralization of the services of society, the only justification for Federal aid is money, and the awkward, ugly fact is that the Federal Government is far more prodigal with its funds than are other sources. If only the proponents of Federal aid would come right out and state this fact we could face the issue head on and measure what the easy money buys against what we must sacrifice in order to obtain it from Washington.

It is undeniable that our increasingly technical society requires an increasingly skilled and knowledgeable population and to accomplish this end a larger part of the gross national product must be invested in education.

The issue is whether this urgent objective is to be achieved through congressional action—which forces the people to pay more for education and at the same time diminishes the diversity and circumscribes the creativity of the separate colleges—or whether the Nation can be persuaded to provide the necessary funds through the traditional sources and thus preserve the freedom and the strength of American education.

The latter course takes hard work. Fundraising is often a frustrating and thankless task, but no priceless asset is earned or retained without labor and sacrifice.

I cannot believe that my colleague in college administration would so readily forfeit the full potential of their respective institutions, nor would shirk the task of local financing if they fully realized what was at stake. As black as their financial future may appear to them, it cannot be the reason for abandoning integrity. The course of educational statesmanship is to protect the greatest creative potential and the greatest institutional individuality. I don't believe that course lies via the Federal Treasury.

The college executives and the officers of government who may have a part through their silent or vocal support of Federal subsidy will have to answer to history for the consequences of their work.

May this Nation recognize in time the stake it has in keeping education decentralized and unfederalized. If these views make sense to you, I urge you to do everything in your power to defeat any forthcoming educational subsidy bills and also to increase the flow of funds to higher education through other channels. The accomplishment of both objectives is essential to the strength and vitality of the Nation.

A Proposal for Aid to Education (Public and Private) Through Tax Credits, May 16, 1963

There is a remarkable degree of unity in the United States today about the urgent need to enlarge and to improve our educational services. There is a broad measure of agreement about the need to allocate a larger percentage of our gross national product to education. There is no real national consensus, however, about how these needs can best be met. The great number and variety of bills dealing with education which have been introduced into this Congress is one proof of the complexity of this problem and the diversity of viewpoint about how it can be handled. This same wide-ranging diversity of viewpoint exists among the supposed experts in this field, the educators themselves.

It is true that numerous national educational organizations have officially endorsed a particular plan, the administration's original omnibus education bill, H.R. 3000 and S. 580. There can be no doubt that most, if not all, of the national educational organizations will also support any and probably all of the original components of that proposed legislation which may now be offered in separate bills.

It would be a grave error for the public or the Congress to assume, however, either (a) that American education does speak with one voice in support of this particular legislation, or (b) that all possible alternatives to such legislation have been adequately explored and rejected. Within such bodies as the American Council on Education and the Association of American Colleges, for example, there are numerous college and university administrators who oppose this legislation, and even among those who have agreed to go along in an effort to present a united front on some kind of national approach to the financial problems of higher education, there are those who have grave reservations about the wisdom of this legislation or its efficacy in meeting the needs of education today and who would prefer to see other and better solutions attempted, if they could be found.

This statement, prepared by a group of college presidents who represent only themselves, but who believe they speak the convictions of many people across the land who are concerned about the future of American education, is presented to suggest what some of the other and better solutions might be.

Ultimately there are only two possible justifications for Federal aid to education. One is a philosophical commitment to the centrally planned society wherein the Central Government decides what education must accomplish, collects taxes, and distributes money to the educational institutions to carry out the Government's plans. Since most advocates of Federal aid agree that Federal aid is not intended to bring Government control, we may eliminate this justification for Federal aid from present considerations.

The only other reason for Federal aid is a judgment that the individual educational institutions are unable to obtain from present sources of revenue sufficient funds to meet future demands for their services. Those services are of extraordinary diversity in purpose, in character and in clientele served and this very diversity is widely recognized as one of the most beneficial characteristics of American higher education. One of the serious limitations inherent in programs of Federal grants and loans is that they cannot meet equally well the needs of the vastly diverse educational institutions, for each college has its own set of requirements for additional funds. It therefore seems appropriate to recommend that the Federal Government seek a wholly new approach to providing financial assistance to higher education.

Specifically, we urge that Congress adopt, to supplement the present provisions of tax deductions for educational philanthropy, new legislation amending the current Internal Revenue Code to allow direct tax credits—

(a) For tuition paid for a dependent studying at any educational institution, public or private, up to perhaps $300 per student per year;

(b) For contributions by an individual to any educational institution whose tax-exempt status is recognized by the Internal Revenue Service, up to a total, for example, of $100 a year or 20 percent of the individual's total Federal income tax obligation, whichever should be smaller; and

(c) For contributions by corporations to any educational institution whose tax-exempt status is recognized by the Internal Revenue Service, up to a possible total of $5,000 or 5 percent of the corporation's total Federal income tax obligation for the year, whichever should be smaller.[1]

Although the tax credit legislation is proposed as supplementary to existing legislation regarding deductions for educational philanthropy, it is not intended that the taxpayer should receive double relief for the amount of tuition and/or gift recognized as a tax credit. Such tax credits would reduce the ceiling on deductions for the individual taxpayer in the exact amount recognized as tax credit.

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[1] The ceilings here proposed are suggestions only and could not be established until the necessary research is completed to predict losses of tax revenue that would be commensurate with the amounts now considered appropriate under proposed programs of grants and loans.

The case for this legislation we believe rests on the following grounds:

1. It would release increased funds which could be used for those purposes most directly related to the real needs of each institution, public or private. In most cases the most urgent financial needs have to do with the paying of salaries and other operating costs.

2. It would help to preserve the diversity and flexibility of the whole American educational system which, we believe, is important in maintaining the freedom and pluralism in our national life.

3. It would offer a solution to the grave constitutional question which casts a dark shadow over the whole issue of aid to private, independent, and church-related colleges. Such tax credits would offer an acceptable means of channeling greatly enlarged new funds into education, tax-supported or privately supported, State-controlled or independent, secular or religious—and within the framework of a policy long established by the Congress of giving incentives to taxpayers to make voluntary contributions for the support of educational services of all types of organization, philosophy, and control.

4. The independence of action of each institution would be strengthened and enhanced.[2]

For these and many other reasons we commend to the Congress a new approach to the financial problems of higher education, the enactment of a program of tax credits for tuition and for gifts to institutions of higher learning.

SIGNERS

Aurora College (Illinois), President James Crimi.

Bates College (Maine), President Charles Phillips.

Beloit College (Wisconsin), President Miller Upton.

Brigham Young University (Utah), President Ernest Wilkinson.

Claremont Men's College (California), President George C. S. Benson.

Dakota Wesleyan University (South Dakota), President Jack J. Early.

Earlham College (Indiana), President Landrum Bolling.

Franklin College (Indiana), President Harold Richardson.

Hanover College (Indiana), President John Horner.

Hillsdale College (Michigan), President Donald Phillips.

Indiana Central College (Indiana), President I. Lynd Esch.

King College (Tennessee), President R. T. L. Liston.

Lake Erie College (Ohio), President Paul Weaver.

Principia College (Illinois), President David K. Andrews.

Rockford College (Illinois), President John A. Howard.

Stetson University (Florida), President J. O. Edmunds.

Texas Christian University (Texas), Chancellor M. F. Sadler.

Ursinus College (Pennsylvania), President D. L. Helfferich.

Wabash College (Indiana), President Byron K. Trippet.

Wheaton College (Illinois), President Raymond V. Edman.

Mr. FINDLEY. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON. I yield to the gentleman from Illinois.

Mr. FINDLEY. Mr. Speaker, I want to congratulate my colleague, the gentleman from Illinois, for this very excellent, lucid, and helpful statement. I am particularly impressed by his analysis of that portion of the bill which relates to grants to private church related institutions and would deny them from facilities in which religious instruction occurs. I would like to ask the gentleman if he has any idea as to how the courts would define the term "facility"? Would it define it as a building or would it be a classroom or could it possibly be an entire campus?

Mr. ANDERSON. I am not sure the legislative history makes that clear. Of course, the gentleman, I think, is referring to an argument made in committee by those who support the constitutionality of this bill. They say: Well, look at all the programs that the Federal Government is already involved in. I think the report was prepared by the subcommittee of the gentlewoman from Oregon, and a very excellent report it is, and they say the Federal Government today is involved in education to the tune of about $2.2 billion. Of that I think about $1.2 billion is in direct support of Federal aid to education and much of it in support of direct payments and in the form of grants and loans. Then they say: What about all this, and I would reply: In this country for 150 years we were told that it was constitutional for them to read the Bible and recite the Lord's Prayer in the public schools of this country. Then, all of a sudden one day, we woke up and found that the Supreme Court had declared it was unconstitutional. The Supreme Court may well do exactly the same thing with respect to this bill and say that it is an unconstitutional provision to make a grant, an outright grant to a church related school.

Mr. MATTHEWS. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON. I yield to the gentleman from Florida.

Mr. MATTHEWS. Mr. Speaker, I would like to thank the gentleman for bringing this information to us and to tell him I am very much concerned about this same matter. This matter was discussed by the House last year. I had to oppose this bill because it began a new program of grants to other than public institutions. I may say to the gentleman, I have an amendment which I hope to offer under the 5-minute rule which will give us a chance—if the gentleman has not prepared a similar amendment—to express our opinion on this matter.

Mr. ANDERSON. I am grateful to the gentleman for his support.

Mr. BOLLING. Mr. Speaker, I yield to the gentleman from New York [Mr. POWELL] for a unanimous-consent request.

Mr. POWELL. Mr. Speaker, I ask unanimous consent that, immediately following the remarks of the gentleman from Illinois, there be inserted a statement of Federal programs under which institutions with religious affiliations receive Federal funds through grants or loans.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The material referred to is as follows:

FEDERAL PROGRAMS UNDER WHICH INSTITUTIONS WITH RELIGIOUS AFFILIATION RECEIVE FEDERAL FUNDS THROUGH GRANTS OR LOANS

Attached is a description of Federal programs under which educational institutions with religious affiliation receive Federal funds through grants or loans. The following should be kept in mind in using this material:

1. Payments to institutions for which the United States receives a quid pro quo in a proprietary sense are outside the scope of the attached listing. However, Federal programs are so diverse that a clear line in this respect is not always possible, and many programs, not listed here because the Federal Government receives such a quid pro quo, are frequently of benefit to institutions.[1]

2. Programs to pay institutions for training Government civilian or military personnel are not included here. See, for example, 5 U.S.C. 2301 for a Government-wide employees' training program.

3. Except as noted under item 3 of the description of programs of the State Department, and in the case of payments for the education of Indian children, institutions with religious affiliation participate in all of the programs listed.[2]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education

A. National Defense Education Act Programs

1. National defense student loan program (National Defense Education Act (Public Law 85-864), sec. 201 et seq.; 20 U.S.C. 241 et seq.):

Funds are made available by the Commissioner of Education under title II of the National Defense Education Act to enable public and private, nonprofit institutions of higher education to make low-interest loans to needy students.

The Federal Government advances up to 90 percent of the capital needed for a loan fund at an institution.[3] In any fiscal year, the Federal capital contribution at any institution may not exceed $250,000. The loan to an individual student may not exceed $1,000 for a fiscal year and no student may borrow more than $5,000 for all years. Special consideration must be given in providing loans to students with superior academic backgrounds who express a desire to teach in elementary or secondary schools (not necessarily those which are public) and students with strong academic backgrounds in science, mathematics, engineering, or a modern foreign language, but other students may also receive loans. Each note must provide that up to 10 percent of the loan (plus interest) will be cancelled for each year of service as a full-time teacher in a public elementary or secondary school, but not more than 50 percent of a loan can be cancelled in this manner.

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[2] It is not here proposed that existing programs of loans and grants be discontinued. Such programs are so generally incorporated into the operations of colleges and universities that any quick termination or reduction of them would result in severe hardships and dislocations for educational institutions and their students.

[1] 42 U.S.C. 1891-1893 provides that authority to contract for basic scientific research at nonprofit institutions of higher education shall be deemed authority to make grants for that purpose. Furthermore, authority to make grants or contracts for basic or applied research at such institutions provides authority to vest in the institution title to equipment purchased with grant or contract funds, without further obligation to the Government.

[2] No statute has been found where authority to deal with non-public institutions excludes dealing with those with religious affiliation, except 25 U.S.C. 278, 279. That law declares "the settled policy of the Government to make no appropriation whatever out of the Treasury of the United States for education of Indian children in any sectarian school." Subsistence and clothing are provided for some children in such schools. 25 U.S.C. 280 authorized the Secretary of the Interior to issue a patent to religious organizations for lands used by them prior to September 21, 1922, for mission or school purposes.

[3] The Commissioner may make loans to institutions to help them finance their required 10 percent advance to the loan fund, where such funds cannot be secured from non-Federal sources upon terms and conditions deemed reasonable by the Commissioner. The term is up to 15 years with interest at such rate as the Commissioner determines will cover all costs to the Government, including probable losses.

2. National defense fellowships (National Defense Education Act (Public Law 85-864), sec. 404; 20 U.S.C. 464):

Graduate programs in institutions of higher education are given quotas by the Commissioner of Education for the award of graduate fellowships. The Commissioner awards 1,500 fellowships per year for periods of study in such programs, not in excess of 3 academic years. The individual receiving the fellowship receives $2,000 to $2,400 per year, depending on the year of study, plus an allowance for dependents. In addition, the institution which the individual attends receives the portion of the cost attributable to such individual's study not to exceed $2,500 per fellowship holder per academic year.

3. Loans to nonprofit private schools (National Defense Education Act (Public Law 85-864), sec. 305; 20 U.S.C. 445):

Title III of the National Defense Education Act is designed to strengthen science, mathematics, and modern foreign language instruction in elementary and secondary schools. The title contains provisions for grants to strengthen State supervisory services for public elementary and secondary schools and for grants to enable public elementary and secondary schools to acquire science, mathematics, and modern foreign language equipment (and to remodel space used for such equipment).

Twelve percent of each appropriation for the acquisition of science, mathematics, or foreign language equipment (or minor remodeling of space for such equipment) is required to be allotted by the Commissioner of Education for loans to private, nonprofit, elementary, and secondary schools. Affiliation or nonaffiliation with a religious organization is immaterial. The loans are authorized to enable the borrowing school to acquire equipment of the types referred to above (and do minor remodeling) and must bear interest at one-fourth of 1 percent above the current average yield on all outstanding marketable obligations of the United States, adjusted to the nearest one-eighth of 1 percent. Such loans must mature within 10 years.

4. Testing students in secondary schools (National Defense Education Act (Public Law 85-864), sec. 504(b); 20 U.S.C. 484(b)):

Under title V of the National Defense Education Act grants to State educational agencies may be used, among other things, for testing students in secondary schools, public or private. The Federal participation through the State grant is one-half the cost of such testing. The section cited above provides that in any State with an approved State plan which is not authorized by law to pay for the cost of testing students in one or more secondary schools, the Commissioner of Education shall arrange for the testing of such students and pay one-half the cost thereof (for the first fiscal year of the program the payment for testing was the full cost). In carrying out this provision during the 1960-61 school year, the Commissioner arranged for testing students in private secondary schools of 40 States. (For purposes of the act the Virgin Islands, Puerto Rico, the District of Columbia, and Guam are treated as States.)

The provision for the Commissioner to arrange testing was inserted in the law because of the knowledge that in some States the State educational agency would not have authority to make payments toward the testing of students in nonpublic schools, particularly those with religious affiliation.

5. Institutes for training secondary school counselors and institutes for training modern foreign language teachers (National Defense Education Act (Public Law 85-864), secs. 511, 611; 20 U.S.C. 491, 521):

The Commissioner of Education is authorized to contract with institutions of higher education for summer and regular academic year training programs to improve the qualifications of counselors in secondary schools and modern foreign language teachers. The teachers from public, sectarian, or any other types of private schools receive the opportunity for training without tuition costs. However, the act authorizes the Commissioner to pay a stipend for subsistence only to those who are to teach in public schools.

Although the instruction is conducted under a contractual arrangement pursuant to statute, it is included in this listing because the effect is very similar to that of a grant. The contract finances educational services by which the participating institutions serve a segment of people whom it would be their normal function to train.

6. Language and area centers (National Defense Education Act (Public Law 85-864), sec. 601(a); 20 U.S.C. 511(a)):

The Commissioner of Education is authorized to arrange through contracts with institutions of higher education for the establishment and operation by them of centers for the teaching of certain modern foreign languages and studies related to the cultures in which such languages are used. The languages are confined to those for which trained individuals are needed in business, government or education. While the statute authorizes only "contracts" for payment of one-half the cost, the program has all the earmarks of a grant situation.

7. Language fellowships (National Defense Education Act (Public Law 85-864), sec. 601(b); 20 U.S.C. 511(b)):

The Commissioner of Education is authorized to pay stipends to individuals undergoing advanced training in any modern foreign language with respect to which he determines there is a special need in business, government or education. No payment is made to the institutions of higher education, although the stipend is so computed as to include an amount which will enable the individual to meet his tuition and subsistence needs.

8. Foreign language research (National Defense Education Act (Public Law 85-864), sec. 602; 20 U.S.C. 512):

The Commissioner of Education is authorized to contract for studies and surveys relating to the need for improved instruction in modern foreign languages and research in effective methods of improving such instruction. While the statute provides for a contractual arrangement, the program has many of the attributes of a grant situation.

9. Research and experimentation in more effective utilization of television, radio, motion pictures, and related media (National Defense Education Act (Public Law 85-864), sec. 702; 20 U.S.C. 542):

In carrying out his authorization to make grants or contracts for research, experimentation, and dissemination of information in the development of methods for utilizing new media of communication for educational purposes, the Commissioner of Education has frequently paid for research, experimentation and dissemination activities of institutions of higher education without regard to religious affiliation.

B. Grants for teaching in the education of mentally retarded children (Public Law 85-926, sec. 1, as amended by Public Law 86-158 at 73 Stat. 346 (20 U.S.C. 611):

The Commissioner of Education makes grants to public or other nonprofit institutions of higher education to assist them in providing training of teachers in fields related to the education of mentally retarded children. These grants may be used both in connection with the costs of instruction and for establishing and maintaining fellowships. This is a new program under which grants have been made to only 19 institutions. One of these is known to have religious affiliation.

C. Cooperative research on problems in education (Public Law 531, 83d Cong., sec. 1; 20 U.S.C. 331):

The Commissioner of Education is authorized to contract or make other jointly financed cooperative arrangements with institutions of higher education for studies and research on problems in education. In practice all arrangements have been made through contract. The program is listed here, however, because it has many of the attributes of a grant situation.

Public Health Service

A. Health research project grants (Public Health Service Act, sec. 301(d); 42 U.S.C. 241(d), Public Law 660, 84th Cong.; 33 U.S.C. 466 et seq., Public Law 159, 84th Cong.; 42 U.S.C. 1857 et seq.):

Grants are authorized to defray the cost of research projects relating to the causes, prevention, treatment, or control of the physical and mental diseases and impairments of man, and also relating to the cause, control, and prevention of air and water pollution.[4]

B. Construction of hospitals and other medical facilities (Public Health Service Act, title VI; 42 U.S.C. 291 et seq.):

Grants are authorized to meet from one-third to two-thirds the cost of construction of general hospitals and other medical facilities. Such other facilities include hospital-related housing for nurses and nursing homes.

C. Construction of health research facilities (Public Health Service Act, title VII; 42 U.S.C. 292 et seq.):

Grants are authorized to meet up to 50 percent of the cost of construction, remodeling, or equipping of facilities for the conduct of research in the sciences related to health.

D. Categorical training grants and traineeships (Public Health Service Act, secs. 403, 412, 422, 433 (a) and 303; 42 U.S.C. 283, 287a, 288a, 289c, and 242a):

Grants may be made to training institutions to meet the costs of providing specialized, technical or advanced training with respect to particular diseases of public health significance (cancer, heart disease, mental health, etc.) or with respect to air or water pollution (42 U.S.C. 1857; 33 U.S.C. 466). One example of such grants were those by the National Institute of Mental Health to schools of divinity of the three major faiths to develop on a 5-year pilot basis improved instruction in mental health. Authority is also provided for awarding traineeships to individuals, selected either by the training school or by the Public Health Service, to provide them subsistence support and expenses during their period of categorical training (42 C.F.R., pts. 63 and 64).

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[4] A recent amendment (Public Law 86-798) has also authorized the use of up to 15 percent of the amounts appropriated for health research projects for grants to nonprofit universities or other institutions for the general support of their health research and research training programs. While no such grants have yet been made, present plans are to make awards without regard to the religious affiliation of the grantees.

E. Research fellowship grants and awards (Public Health Service Act, secs. 301(c), 433(a); 42 U.S.C. 241(c), 289c):

Authority is provided to award fellowships to individuals selected by the Service, or to make grants to institutions to permit them to award fellowships, for the purpose of providing subsistence support and expenses to an individual in his conduct of research or in his acquisition of research training (42 C.F.R., pt. 61).

F. Traineeships for Professional Public Health Personnel (Public Health Service Act, sec. 306; 42 U.S.C. 242d).

Authority is provided for awards either directly to individuals or by means of grants to the training institution to cover the cost of the individual's tuition, fees and subsistence during his graduate or specialized training in public health for physicians, engineers, nurses, and other professional health personnel.

G. Advanced training of professional nurses (Public Health Service Act, sec. 307; 42 U.S.C. 242e):

Authority is provided for the award of traineeships by grants to training institutions to cover the cost of tuition, fees, stipends and allowances of professional nurses being trained to teach or to serve in an administrative or supervisory capacity.

H. Project grants for graduate training in public health (Public Health Service Act, sec. 309; 42 U.S.C. 242g):

Project grants are authorized to be awarded to schools of public health, nursing or engineering to meet the costs of graduate or specialized training in public health for nurses or engineers and for the purpose of strengthening or expanding graduate public health training in such schools.

I. Indian health—aid in construction of community hospitals (Public Law 85-151; 42 U.S.C. 2005):

Grants are authorized to aid in the construction of community hospitals based on the proportion of construction costs attributable to the health needs of the Indians in the community.

J. Cancer control grants (Public Law 86-703):

Under authority of the current Department of Health, Education, and Welfare Appropriation Act (Public Law 86-703), grants are made to hospitals, universities or other such institutions, for the conduct of cancer prevention, control, and eradication programs.

Office of Vocational Rehabilitation

A. Grants for research, demonstration and training projects related to vocational rehabilitation (Vocational Rehabilitation Act (Public Law 565, 83d Cong.), sec. 4(a); 29 U.S.C. 34(a)):

The Secretary of Health, Education, and Welfare is authorized to make grants to public and other nonprofit organizations for paying a part of the cost of projects for research and demonstrations in the field of vocational rehabilitation and training of individuals in professional fields which provide services to physically handicapped individuals. Many of the grants for research and demonstration are made to institutions of higher education, and most of the grants for training are made to such institutions. The training grants include an amount to enable the institutions to pay stipends to persons in training.

B. Vocational rehabilitation fellowships (Vocational Rehabilitation Act (Public Law 565, 83d Cong.), sec. 7(a)(3); 29 U.S.C. 37(a)(3)):

The Secretary of Health, Education, and Welfare is authorized to provide training in technical matters relating to vocational rehabilitation services, including the establishment and maintenance of research fellowships with stipends and allowances. Pursuant to this a limited number of research fellowships are awarded for study and research at various institutions of higher education.

Social Security Administration

A. Cooperative research or demonstration projects (sec. 1110 of the Social Security Act, as added by sec. 331 of Public Law 880, 84th Cong.; 42 U.S.C. 1310):

The Secretary of Health, Education, and Welfare is authorized to make grants to or contracts with public and other nonprofit organizations for paying part of the cost of research or demonstration projects relating to public welfare and social security matters. While the enabling legislation was effective for fiscal year 1957, appropriations were first available to carry out this program during the 1961 fiscal year; $350,000 has been made available for this purpose, and it is anticipated that one-third to one-half of that amount will be for financing projects at institutions of higher education. In the approval of such projects no distinction is made because of religious affiliation of an institution.

B. Children's Bureau—special projects relating to crippled children and maternal and child health services (secs. 502(b) and 512(b) of the Social Security Act, as amended by secs. 707(b)(1)(A) and 707(b)(2)(A) of Public Law 86-778; 42 U.S.C. 702(b) and 712(b)):

The Secretary of Health, Education, and Welfare is authorized to make grants to State health agencies and nonprofit institutions of higher education for special projects in the field of services for crippled children and maternal and child health. Up to now such projects have been financed by State agencies as the result of receiving grants from the Federal Government. In the future, however, grants will be made directly from the Federal Government, and no distinction is planned with respect to sectarian institutions.

Office of Field Administration

Surplus property utilization program (Federal Property and Administrative Services Act of 1949 (Public Law 152, 81st Cong.), as amended, secs, 203(j) and 203(k); 40 U.S.C. 484 (j) and (k)):

Under these provisions the Secretary of Health, Education, and Welfare is authorized to allocate surplus personal property for transfer by the Administrator of General Services to State agencies for distribution to educational, health, and civil defense organizations. Surplus real estate assigned by the General Services Administrator is transferred by the Secretary of Health, Education, and Welfare for educational and public health purposes at a public benefit discount which can be as much as 100 percent of the appraised fair value. The institutions which receive real and personal property include public and private nonprofit elementary and secondary schools and institutions of higher education.

ATOMIC ENERGY COMMISSION

Aid for nuclear equipment and loan of nuclear materials to colleges (Atomic Energy Act of 1946 (Public Law 585, 79th Cong.), as amended, secs. 3(a), 5(c)(2); 42 U.S.C. 2051, 2111):

The Atomic Energy Commission operates a variety of programs under which support is given for activities in institutions of higher education. For purposes of this listing these programs are grouped as follows:

1. Special fellowships for study at institutions of higher education under which payments are made to individuals to cover tuition and subsistence costs for students in nuclear science and engineering and for graduate work in the atomic energy aspects of the life sciences.

2. Grants to institutions to enable them to acquire (a) nuclear laboratory equipment, (b) research reactors, and (c) teaching aids and laboratory equipment for radioisotope technology.

3. Loans of materials for instruction in nuclear fields and for research reactors.

4. Support of research in institutions of higher education through grants or contracts in various fields involving atomic energy.

5. Summer institutes in institutions of higher education to train teachers in various fields relating to atomic energy. Instructional costs are defrayed by the Atomic Energy Commission; stipends to teachers, who may be from schools with religious affiliation are paid by the National Science Foundation. (cf. National Defense Education Act counseling and foreign language institutes where, because of statute, stipends are paid only to public school teachers.)

VETERANS' ADMINISTRATION

A. Vocational rehabilitation (veterans' benefits (Public Law 85-857), ch. 31, secs. 1503, 1504; 38 U.S.C. 1503, 1504):

Training is purchased from educational institutions of all types, including those with sectarian affiliation, for the rehabilitation of war veterans with service-connected disabilities. In addition, a subsistence allowance is paid the veteran.

B. Educational benefits for World War II and Korean veterans (veterans' benefits (Public Law 85-857), ch. 33, sec. 1601 et seq.; 38 U.S.C. 1601 et seq.):

Educational benefits for veterans of World War II were included in Public Law 346, 78th Congress. Under the original arrangement, a tuition payment was made directly to the school which the veteran attended, and this could include a theological school. In addition, a subsistence payment was made to the veteran. The arrangement for payment of tuition directly to the school was changed by Public Law 550, 82d Congress, which authorized a payment to the veteran and left it to him to take care of any tuition charges. The program for World War II veterans ended in July 1956, except for a small number of persons who were entitled to training benefits beyond that date. The present program authorized by Public Law 85-857 provides for an education and training allowance directly to the veteran. Small allowances are paid to each educational institution to reimburse it for the cost of making required reports to the Veterans' Administration regarding the veterans in attendance (38 U.S.C. 1645).

C. War orphans educational assistance (veterans' benefits (Public Law 85-857), ch. 35, sec. 1701 et seq.; 33 U.S.C. 1701 et seq.):

This program provides educational opportunities for children of wartime veterans who died from a service-incurred disease or injury. The student must be pursuing an approved program of education in an institution of higher education or in a vocational school below the college level. Payments are made directly to the student to meet in part the expense of his tuition and subsistance. The Veterans' Administrator is required to pay each educational institution $1 per month for each eligible person enrolled to assist in defraying the cost of preparing and submitting reports (38 U.S.C. 1765).

NATIONAL SCIENCE FOUNDATION

(National Science Foundation Act of 1950 (Public Law 507, 81st Cong.), secs. 3(a) (2), (3), (4) and (b), 11(c) and 14, as amended by Public Law 85-510, sec. 2 and Public Law 86-232, sec. 1; 42 U.S.C. 1862 (a), (2), (3), (4) and (b), 1870(c) and 1872a(b)):

Pursuant to broad statutory authorizations to foster research and education in scientific fields, the National Science Foundation provides the following support for activities in institutions of higher education:

1. Fellowships for various types of graduate studies include allowance for tuition and subsistence and permit study at any accredited nonprofit institution of higher education in the United States or abroad.

2. Summer, academic year and in-service institutes are financed at institutions of higher education through stipend and tuition payments to improve the qualifications of high school and college teachers in science and mathematics. Stipends are paid without regard to the fact that the teacher is from a school with religious affiliation. (Cf. National Defense Education Act counseling and foreign language institutes (supra) where, because of statute, stipends are paid only to public school teachers.)

3. Special projects in science education are financed to provide the experimental testing and development of promising new ideas for the improvement of science instruction.

4. Programs are financed to improve course content and supplementary teaching aids in science.

5. Grants are made for basic research in the sciences, including funds for the use of graduate students as research assistants.

STATE DEPARTMENT

The State Department supports educational activities to a considerable extent by a variety of programs for international exchange, improvement of cultural relationships and rendering of technical assistance to foreign countries. Basically, under the programs students from this country are permitted to attend educational institutions abroad and students from foreign countries are permitted to attend educational institutions in this country. In either case payments are made to cover the cost of instruction and subsistence. For the education of foreign students in this country, the State Department makes contractual arrangements with the Institute of International Education, a private nonprofit organization in New York City, which in turn sponsors and makes specific arrangements for educating the foreign students. Training for a profession in religion is not financed but schools with religious affiliation are used. In performing this service IEE gives financial aid to the students to cover tuition and other related students costs.

The State Department has also made direct financial arrangements with universities and charitable organizations in this country to provide student leader seminars, high school training for teenagers, and English language classes for foreign students. In addition, the State Department has a variety of exchange and other educational programs by which foreign individuals are able to study in this country with the assistance of other Government agencies and private educational organizations. Examples of programs are:

1. U.S. Information and Educational Exchange Programs (22 U.S.C. 1991 et seq.).

1. U.S. information and educational exchange programs (22 U.S.C. 1991 et seq.).

Under 22 U.S.C. 1448 a program has been implemented for technical cooperation in the form of assistance to schools abroad founded or sponsored by citizens of the United States and serving as demonstration centers for methods and practices employed in the United States in certain areas of training. A specific limitation of this program established by the State Department is that no funds may be channeled to a school operated under religious auspices.

DEPARTMENT OF DEFENSE

The Department of Defense has a number of training and research programs which finance activities at institutions of higher education. Research contracts fall under the procurement authority of each of the three branches of the Armed Forces. Thus, research is supported because of benefits to be received by the Defense Department and training is paid for because it improves the qualifications of military and civilian personnel. Such arrangements have also been made on a grant basis to institutions pursuant to 42 U.S.C. 1891–1893, which specifies that the authority to contract for certain scientific research at nonprofit institutions of higher education shall be deemed to be authority to make grants.

SMALL BUSINESS ADMINISTRATION

Business management research (Small Business Investment Act of 1958 (Public Law 85–699), sec. 602(c); 15 U.S.C. 636(d):

The Small Business Administration is authorized to make grants to various organizations including colleges, universities and schools of business for research in the field of business management and finance. Grants have been made in prior years including those to institutions with religious affiliation. No funds are available to conduct this activity for the 1961 fiscal year.

DEPARTMENT OF AGRICULTURE

A. National school lunch program (National School Lunch Act (Public Law 396, 79th Cong.), as amended; 42 U.S.C. 1751 et seq.):

The purpose of this program is to improve the health and well-being of the Nation's children by providing funds and foods to States and territories for use in serving nutritious midday meals to children attending schools of high school grade and less. The Federal assistance is through payments to the educational agency of each State which then channels the aid to participating schools. However, 42 U.S.C. 1759 provides that in any State where the State educational agency is not permitted by law to disburse the funds to nonprofit schools they shall be disbursed directly to such schools for program purposes. In more than half of the States the educational agency has considered that it could not make the funds available to nonprofit private schools and as a result in those States the Secretary of Agriculture makes funds available directly to such nonprofit schools, including those with religious affiliation.

B. Special milk program (Agricultural Act of 1954 (Public Law 690, 83d Cong.), sec. 204(b); 7 U.S.C. 1446(c)):

Under this program funds of the Commodity Credit Corporation are used to increase the consumption of fluid milk by children in nonprofit schools of high school grade and under, in nonprofit nursery schools, child care centers, etc., devoted to the care and training of children.

C. Forestry research (Public Law 466, 70th Cong., sec. 1; 16 U.S.C. 581):

The Secretary of Agriculture is authorized to conduct research relating to reforestation and forest products through arrangements with outside organizations. A part of this program is conducted through cooperative arrangements with colleges and universities, and at least one such arrangement has been made with a university with religious affiliation.

D. Use of national forests (30 Stat. 36; 55th Cong.; 16 U.S.C. 479):

The act of June 4, 1897, cited above, authorizes a group of persons residing in the vicinity of national forests to occupy not exceeding 2 acres of forest land for the erection of a school and not exceeding 1 acre for the erection of a church; 163 schools were on forest land on June 30, 1959. Information is not available as to possible religious affiliation, but it is believed that few if any of such schools have religious affiliation. There is, however, no rule to prevent erection of a school because of such affiliation.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

University research program (National Aeronautics and Space Act of 1958 (Public Law 85–568), sec. 203(b)(5); 42 U.S.C. 2473 (b)(5)):

Research is conducted through contract with institutions of higher education in matters within the scope of interest of the National Aeronautics and Space Administration. The agency has also made grants to institutions with religious affiliation pursuant to the provision of 42 U.S.C. 1891–1893, which provides that authority to contract with institutions of higher education for certain types of research shall also include the authority to make grants.

DEPARTMENT OF THE INTERIOR

Education of Indian children: 25 U.S.C. 278 declares it "to be the settled policy of the Government to make no appropriation whatever out of the Treasury of the United States for education of Indian children in any sectarian school" (see *Quick Bear* v. *Leupp* (1908), 210 U.S.C. 50, holding that a similar prohibition did not apply to an appropriation from funds held by the United States in trust for a tribe); 25 U.S.C. 279 authorizes the Secretary to provide Indian children in missions with the rations and clothing to which they would be entitled under treaty stipulations if living with their parents.

The Bureau of Indian Affairs arranges for the placement of Indian children in schools with religious affiliation only because of special circumstances. In such cases they make no payment toward instructional costs but do use welfare funds to pay the institution for other needs of the children.

HOUSING AND HOME FINANCE AGENCY

College housing loan program (Housing Act of 1950 (Public Law 475, 81st Cong.), sec. 401 et seq.; 12 U.S.C. 1749):

The Housing and Home Finance Administrator is authorized to make construction loans to assist public and private nonprofit institutions offering at least a 2-year program of higher education and public and private nonprofit hospitals operating student nurse or internship programs so that they may provide new or improved housing and other related facilities (such as dining rooms, student centers and infirmaries) for students and faculties. Under this program, loans are made only where the institution is unable to secure funds for such purposes from other sources upon equally favorable terms and conditions. The loans can cover up to the full cost of construction and have a maturity of up to 50 years, with interest one-fourth percent above the average interest rate on all outstanding Federal obligations.

Mr. BOLLING. Mr. Speaker, I move the previous question.

The previous question was ordered.

The **SPEAKER.** The question is on agreeing to the resolution.

The resolution was agreed to.

Mr. POWELL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 6143) to authorize assistance to public and other nonprofit institutions of higher education in financing the construction, rehabilitation, or improvement of needed academic and related facilities in undergraduate and graduate institutions.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 6143, with Mr. THORNBERRY in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. POWELL. Mr. Chairman, I cannot open my remarks today without paying tribute to the gentlewoman from

Oregon [Mrs. Green], the chairman of the subcommittee that handled this legislation, who has done a remarkable job in this field and in related fields during the 3 years we have worked together. I would also like to pay tribute to my colleagues, both Democratic and Republican, because this bill comes before you with bipartisan support.

Mr. Chairman, I rise in support of H.R. 6143, a bill to authorize assistance to public and other nonprofit institutions of higher education in financing the construction, rehabilitation, or improvement of needed academic and related facilities in undergraduate and graduate institutions. This is a bricks-and-mortar bill. I would like to inform this body that the bill comes out of the Committee on Education and Labor with bipartisan support.

American higher education is a priceless asset fundamental to the national purpose. Opening enrollment for the academic year of 1962 was 4,175,000—17 percent increase over 1960. By 1965, it is estimated that the figure will have increased 46 percent over 1960. An opening enrollment of almost 7 million is projected for 1970—an increase of 94 percent over 1960. To meet this situation, institutions of higher education, even with the most effective use of the staff and plant they now have, must enlarge their facilities, and expand classroom and student housing facilities, and can do it only with Federal help.

The pressure of new knowledge on colleges and universities requires new and expensive research facilities and equipment. Our Nation cannot afford to let its institutions fall behind in the search for new and better knowledge. To move ahead, we must expand and strengthen graduate education, including postdoctoral study, for the purpose of advancing knowledge of all kinds as well as for advancing learning on all levels. Throughout our educational system, in brief, we shall have to do a bigger and better job. Achieving this objective will be costly; falling short of it will be even costlier.

For the first time in history American higher education is faced with the possibility that it will have to deny an opportunity for higher education to some young men and women simply because there is no place for them in our existing academic institutions. Already some State universities which, by policy, and in some States, by law, have admitted any graduate of a high school in the State are now finding it necessary to be more selective in admitting resident students in terms of academic qualifications.

Since there is a lag of approximately 2 years between the authorization and contracting of an academic building and its completion for student use, the crisis of increasing enrollments is more real than illusory. Furthermore, although the test of providing needed additional facilities is ominous enough, that is not the whole story.

Conservative estimates indicate that at least 12 percent of existing facilities are so substandard that they need to be replaced and that another 8 percent are particularly in need of rehabilitation to meet current standards. It is not known how much of this neglect of facilities has been forced upon institutions in their efforts to keep up with the rising educational and general expenses connected with increasing enrollments.

The fact remains that we need not only to expand facilities sufficiently to accommodate increasing enrollments, we need also to replace or renovate approximately one-fifth of our existing facilities, even to accommodate enrollments at the present level.

In its document entitled "Physical Facilities Needs of American Higher Education, 1961–70," released by the Office of Education, the estimated cost for such instructional facilities would total $12.9 billion by 1970. Moreover, if buildings were replaced according to need, there would be an additional amount of $1 billion. This is largely due to the fact that many institutions are still using buildings donated by the Federal Government for temporary use after World War II. In fact, it is estimated that these buildings constitute about 10 percent of all buildings currently in use on college and university campuses.

As a result of the study made by an Advisory Committee on Education of my Committee on Education and Labor, chaired by the gentleman from Indiana, Congressman John Brademas, the following recommendation was made:

> That a program of Federal grants to the States be authorized to stimulate the establishment and expansion of technical institutes and the training of semiprofessional technicians at the college level.

This recommendation was the outcome of extensive conferences with outstanding educators and professional engineers who reported that there was an alarming shortage of semiprofessional technicians and scientists available for meeting the needs of space technology.

Experts maintain that we should be training at least one engineering technician for each graduating engineer, whereas we are actually producing only about one such technician for every four engineers.

Not only is such preparation germane to space technology, but to the many essential activities of industry and Government, whose technical complexity is growing and changing every day. We can hardly afford such obsolescence if we are to keep pace with space and move forward in the conquering of ignorance and misunderstanding.

As we view the figures of institutions of higher learning and their growth, one is consciously aware that in this last year alone, 15 new junior colleges were born. Such junior colleges have absorbed much of the increase in student enrollments in recent years and may be expected to assume a greater share in the years ahead. These institutions serve a unique function by providing greater opportunity for young people who otherwise may not be able to attend college to do so because of the existence of a community college within commuting distance. Recognition of these important needs led to the provision in this bill for 22 percent of the States' allotments for any year to be reserved for construction of academic facilities for junior colleges and technical institutes.

Neither can we be led astray by faulty statistics regarding the availability of academic facilities. Two of the prevalent misconceptions about the college classroom shortage are: First that there is a college, somewhere, for every student who wishes to go; and, second, that if institutions would make more efficient use of existing facilities, there would be no serious shortage of academic facilities.

These ideas were largely spread by a brief report released by the Prudential Insurance Co. of America entitled "Facing Facts About College Admissions." The publication refers to college crowding today and offers suggestions to the student who "will be one of more than a million asking to be admitted to institutions, some of which have a faculty shortage and limited space."

The Prudential report notes that "although many colleges are overcrowded and students are being turned away from some, estimates indicate that there are 25,000 to 50,000 more places in colleges around the country than are actually being used."

If these figures are to be taken at their face value, it is important to look at facts related to their full interpretation. First of all, even the larger of these two figures—50,000—is only 1.2 percent of the 1962 opening fall enrollment—4,175,000. Obviously, even if the mechanics of matching students with institutions could be refined to the point of filling each vacancy assignment of 50,000 additional places, it would accommodate only a small portion of the enrollment increase in a single year—1 out of 80.

In our voluntary system, students are free to choose institutions and programs appropriate for their needs and within their financial and geographic reach. Likewise, the institutions are free to limit the programs they offer and the students they admit.

In choosing a college, a student raises the following questions:

First. Can I afford the cost of attending the institution, including the cost of transportation to and from home?

Second. Will the institution admit me?

Third. Does the institution provide an educational program consonant with my career aims?

I should like to suggest to the House that the increasing pressure for admission to college comes from the students trying to answer these three questions honestly, and not from any rush to attend a small handful of prestige institutions. The prestige institutions, whether they be State universities or under private control, have in effect already set limits on their growth. The pressure is really on the institutions in those States where there is a high density of population, where students are seeking an institution reasonably close to home, and where the tuition fees are within the ability of the student and his parents to pay.

In order to more adequately come to grips with the perplexing problems presented in articles such as that which appeared in the Better Homes and Gardens for June 1963, entitled "Two Hundred and Sixty Colleges That Want More Students," and to provide better service to students, measures are being developed to assist in matching students and institutions on the basis of other factors in addition to intellectual competence. These factors include motivation, persistence, creativity, and numerous other qualities which contribute to the direction and success of student progress. At least three college admissions assistance centers have been established to help qualified students locate institutions which have room for them.

What about the possibilities for more effective space utilization? Wide attention has been given to a study published some months ago, under the auspices of the Ford Foundation, which deals with the utilization of classroom facilities by 60 small liberal arts colleges. I should like to assure the Congress that public institutions are acutely aware of the problem of space utilization and are undertaking through a variety of means to assure that classrooms and laboratories are used fully during the week and throughout the academic year. Let me cite a few examples.

Beginning this academic year, the University of Kansas is starting classes at 7:30 a.m. and running them through the noon hour or into the evening, thus giving continuous use of the facilities.

Clemson College in South Carolina and the State University of Iowa are extending their summer sessions from 9 weeks to 12 weeks, thus putting their operations on virtually a year-round basis. Wayne State University in Detroit has gone on the quarter system as has North Carolina Agricultural and Technical College.

Florida State University uses the trimester plan for year-round operation as do three other State universities of Florida. Yes, the colleges and universities are doing their part.

And then in response to those who would raise the question regarding the Federal Government's role in such activities, I would remind you a century of experience with land-grant colleges has demonstrated that Federal financial participation can assist educational progress and growth without Federal control. In the last decade, experience with the National Science Foundation, with NDEA, and with other programs has further demonstrated that Federal support can benefit education without controlling its contents and method.

Likewise, the question may be raised regarding Federal grants to nonpublic institutions of higher education. The answer to this, too, goes back 100 years when in 1862, the Morrill Act was passed creating land-grant colleges. At this time, Brown University, a Baptist College, was made the land-grant college for Rhode Island and received Federal funds.

Federal contributions to nonpublic institutions, even church-related institutions, have continued throughout these 100 years. In fact, public institutions are insufficient in number to handle the load of students at the college and graduate levels. Therefore, to the extent that Congress wishes to encourage expansion of national facilities for higher education, it must be free to build upon what we have, the private as well as public institutions. Of the 2,100 institutions of higher education in the United States in 1962, only 743 were controlled by State, district, or city governments. The remaining 1,357 were privately controlled, either independent—515—or church related—842. Thus, it is obvious that the largest number of institutions have traditionally been nonpublic.

In a recent study made under the direction of the gentlewoman from Oregon, Congresswoman EDITH GREEN, on "The Federal Government in Education," it was noted that Federal research funds were concentrated in 10 leading institutions, 6 of which were nonpublic. More specifically, then, there has been no differentiation made between public and private colleges in the allocation of Federal funds for programs deemed necessary for the growth and development of our Nation.

In illustration of this fact, may we note the Federal contributions to three church-related institutions: Emory University, located in Atlanta, Ga., with a student body of 4,664, received in 1962 the following grants from the Federal Government: National Science Foundation institutional grants, $8,168; National Science Foundation undergraduate instructional scientific equipment program, $25,000; National Science Foundation facilities grants, $5,300; National Science Foundation basic research contracts, $68,360; National Science Foundation grants for institutes programs, $106,390; National Defense Education Act title II loans, $406,385; Atomic Energy Commission research contracts, $91,756; college housing loans over a 10-year period, $1,617,000; National Institutes of Health general research support, $166,129; and National Defense Education Act language institutes, $134,526.

The University of Notre Dame, located in Indiana, a private Catholic institution with an enrollment of 6,607, received in grants in 1962 from: The National Science Foundation institutional grants, $17,000; National Science Foundation undergraduate instructional scientific equipment program, $17,210; National Science Foundation basic research, $245,000; National Science Foundation grants for institutes program, $522,800; National Defense Education Act title II, $715,098; Atomic Energy Commission research grants, $424,350; college housing, $1 million; and National Defense Education Act language institutes, $67,599.

Baylor University in Waco, Tex., a Baptist institution with 5,709 enrolled, received in 1962 from National Science Foundation institutional grants, $5,515; National Science Foundation basic research, $15,300; National Science Foundation grants for institutes program, $77,000; National Defense Education Act title II, $750,467; Atomic Energy Commission equipment grant, $10,000; Atomic Energy Commission research contracts and grants, $67,742; college housing, $5,769,000; and National Institutes of Health general research, $286,615.

An example of a private nondenominational institution is the record of Columbia University, which reveals that, with an enrollment of 13,500 in 1962, she received Federal funds as follows: National Science Foundation institutional grants, $50,000; National Science Foundation undergraduate instructional scientific equipment, $44,420; National Science Foundation facilities, $680,900; National Science Foundation basic research, $1,576,025; National Science Foundation grants for institutes program, $153,900; National Defense Education Act title II, $1 million; Atomic Energy Commission equipment, $14,548; Atomic Energy Commission research contracts, $3,655,478; college housing, $3,732,000; National Institutes of Health general research support, $426,672; National Institutes of Health facilities, $3,616,740; National Defense Education Act foreign language fellowship, $588,777; and National Defense Education Act language area centers, $160,357.

The State institution receiving the largest support was the University of California which, in 1962, enrolled 54,975, and received from National Science Foundation institutional grants, $206,341; National Science Foundation undergraduate instructional scientific equipment, $48,260; National Science Foundation facilities, $3,040,100; National Science Foundation basic research contracts, $6,118,000; National Science Foundation grants for institutes programs, $580,060; National Aeronautics and Space Administration facilities, 1963, $1,990,000; National Aeronautics and Space Administration traineeship grants, 1963, $132,000; National Defense Education Act title II, $3,517,435; Atomic Energy Commission equipment, $38,000; Atomic Energy Commission research contracts, $3,250,758, 1963; college housing, $54,940,000; National Institutes of Health general research, $681,003; National Institutes of Health facilities, $5,849,572; foreign language fellowship program, $455,214; and National Defense Education Act language area centers, $206,843.

In like manner, I could list institutions controlled by Presbyterians, Episcopalians, Jewish, and other groups which have profited from Federal support. In Texas alone, the following Baptist colleges have received over $13 million in recent years from Federal grants—Baylor University, Bishop College, East Texas Baptist College, Marshall College, Butler College, Jacksonville College, Mary Hardin-Baylor College, University of Corpus Christi, Hardin-Simmons College, and Howard Payne College. In short, there are 41 Federal programs under which educational institutions with religious affiliation received Federal funds through grants or loans.

And so, without a doubt the Federal Government has not only maintained faith in education as a major strategy of peace and the development of our country, but has contributed to its support and development.

If education is truly to be the keystone in the arch of freedom and progress, we must provide the necessary facilities for our youth to obtain the level and quality of education demanded by our challenging times. We can no longer afford the serious manpower shortages we suffer in engineering, science, mathematics, and other areas. We must act favorably upon this legislation for the sake of our children, for the sake of our Nation.

I would like to yield to the gentlewoman from Oregon, the distinguished subcommittee chairman, and the authoress of this bill.

Mrs. GREEN of Oregon. Mr. Chairman, I yield myself such time as I may desire.

Mr. Chairman, first may I thank the chairman of the full committee for his kind words and also for the wonderful support he has given this subcommittee as we have tried to draft legislation which would meet with the approval of the membership of this House. As the chairman has said, this is a piece of legislation that is very similar to H.R. 8900, which was approved by this body in January of 1962 by a vote of 319 to 79. This is a bricks and mortar bill. It provides nothing except academic facilities for the colleges and universities of this country.

As the chairman also noted, this bill comes to the floor today with bipartisan support. It has had bipartisan support during the years I have been the chairman of this subcommittee. It was recommended by the subcommittee and every member of that subcommittee approved it on both the Democratic and Republican sides of the aisle. Every single member of that subcommittee had a major part in drafting the legislation. Both the gentleman from Minnesota [Mr. QUIE] and the gentleman from New York [Mr. GOODELL] were on the subcommittee last year when we considered H.R. 8900. They had, as I said, a very major part in drafting the various titles of this bill. The gentleman from Indiana [Mr. BRADEMAS] conducted a study of the technical schools and junior colleges in this country and he also contributed greatly to this bill that is before us today.

The gentleman from New York [Mr. ROOSEVELT] and the gentleman from Maryland [Mr. SICKLES] also have been much concerned about the junior colleges that are growing by leaps and bounds. And we were very glad, also, to welcome to the subcommittee this year the gentleman from Florida [Mr. GIBBONS], who was the chairman of the higher education committee in the legislature of that State, for a period of years and therefore comes to the committee with a wealth of information and knowledge.

The vote in the full committee was 25 to 5 which again showed the very strong support that it had.

Mr. ALBERT. Mr. Chairman, will the gentlewoman yield?

Mrs. GREEN of Oregon. I am pleased to yield to the distinguished majority leader.

Mr. ALBERT. Mr. Chairman, I hope this is an appropriate place to say that I want to commend the distinguished gentlewoman for the devotion, the industry, and the leadership she has put into this matter, and to commend her subcommittee and the Committee on Education and Labor. In my own opinion we have an opportunity today to pass one of the most important measures that will be before this House during this Congress.

Mrs. GREEN of Oregon. I thank the majority leader for his most gracious comments. May I also say that this legislation has the support of every major higher education organization in this country. I think that this kind of support says something for the bill. It comes out of the subcommittee by unanimous vote and out of the full committee by a vote of 25 to 5 and has the support of every major organization concerned with higher education.

Why is this legislation before you? For one simple reason. It is because the needs of our colleges and universities of this country are so great that we feel we cannot adequately train the needed personnel for the space program, for the defense requirements of this country, for the teachers in our colleges and universities, unless we help to provide the facilities. We have an explosion, not only in the college population, but we also have an explosion in knowledge, making it mandatory to have high quality education to go along with the explosive growth in enrollments.

Let me talk first, if I may, about the growth in the college population. In 1960 the number of young people enrolled in our colleges and universities was 3,600,000. By 1965 it will be over 5,200,000, a growth of 46 percent in 5 years. And by 1970 that number will increase to 7 million, or a growth of over 90 percent.

The American Council on Education said that the crisis long predicted in the capacity of our institutions to meet the demands upon them is no longer something in the future; it is now. At the same time this crisis must also be considered as other than a tremendous national asset when we look to our requirements for educated manpower.

In regard to this explosion of knowledge, the nature of our society has changed as much in the last decade as it once changed in a century. The National Science Foundation appeared before our committee and gave us this startling statistic: That of all of the scientists who have ever lived since the dawn of history, over 80 percent are living and working today. And that of all of the scientific knowledge that has ever been produced, over 50 percent has been produced since 1950.

Mr. Chairman, this is the kind of a fast-moving age in which we live. This pressure of new knowledge requires new and expensive research facilities and equipment. Yesterday's brand of education is not good enough for these days when we talk about laser beams, space exploration and communication satellites, when we talk about biomedical research and the scientific breakthroughs in many, many areas.

Mr. Chairman, one of the witnesses who also appeared before our committee, Dr. Frederick Terman, who is on the President's Science Advisory Committee's manpower panel and who is also the vice president of Stanford University, told us all the graduates for the next few years in engineering and mathematics and the physical sciences could be used by the space program alone, with nothing left over for the civilian economy, for the defense needs or for the teachers in our colleges and universities. The success of that $5 billion space program which we voted not many weeks ago will ultimately depend on whether or not we have adequate numbers of trained personnel. The success of our defense program will also depend on whether or not we have trained personnel.

Mr. Chairman, one other figure to show the great need for these facilities is this: The president of the American Library Association said that out of the 2,000 colleges and universities in this country less than 100 had adequate libraries.

By 1970 we expect to have from private sources an increase in funds, more money from private foundations, and we expect to have an increase in alumni gifts.

We expect to have an increase in State appropriations for our colleges and universities. We anticipate an increase in the college housing program for dormitories. There is also likely an increase in tuition. Already tuition and fees have increased 75 percent in the last 10 years.

But, Mr. Chairman, if we consider all of these additional revenues, the experts tell us that we will still fall short by $2.5 billion in our requirements for the needed facilities for our colleges and universities.

Mr. Chairman, this bill is simply designed to try to help meet this crisis. When we talk about private and public schools, may I remind the members of the committee that over two-thirds of the colleges and universities in this country are private and in my judgment, we cannot meet the requirements of higher education unless the private colleges are given assistance the same as the public colleges.

Mr. Chairman, we have very carefully written provisions into the legislation so that no funds can be used for any buildings or any classrooms where there is sectarian instruction, where there is religious worship, or where there are schools of divinity.

May I explain, briefly, what this bill does. In title I there is provision for a 5-year program with authorizations for 3 years. It provides $230 million a year for each of the 3 years for classrooms, libraries and laboratories. For years this House and this Congress have helped to provide Federal funds for dormitories, for lounges, for bowling alleys, for dining halls, for public and private colleges, places where students can eat and sleep. But we have never as a matter of national policy helped to provide the places where they could work—classrooms, libraries and laboratories.

Mr. Chairman, this is desperately needed. Of the amount in title I, there is a reservation of 22 percent for the junior colleges and technical schools.

Mr. Chairman, title II of the bill provides for graduate facilities. There is provision for an amount of $25 million in the first year and $60 million for each of the next 2 years for graduate centers and for cooperative graduate centers.

Title III of the bill provides $120 million in loans for each of 3 years. Any university might be able to obtain both the loan and a grant, but 25 percent of the cost of a project must be from non-Federal funds.

Mr. Chairman, I think with that short explanation I shall reserve the balance of my time. I should like to insert here copies of four telegrams I received this morning in support of H.R. 6143:

WASHINGTON, D.C.,
August 13, 1963.

Hon. EDITH GREEN,
House Office Building,
Washington, D.C.:

On behalf of American Council on Education, respectfully urge your support of H.R. 6143, higher education bill, scheduled to come to floor August 14. All major organizations in higher education support H.R. 6143 and we know of no organization broadly representative of colleges and universities that opposes it.

LOGAN WILSON,
President, American Council on Education.

WASHINGTON, D.C.,
August 13, 1963.

Hon. EDITH GREEN,
U.S. House of Representative,
Washington, D.C.:

Association of American Colleges as national organization of liberal arts colleges both public and private joins with all other national organizations representing colleges and universities in urging passage of academic facilities bill, H.R. 6143, and earnestly bespeaks your support of bill in floor action scheduled for Wednesday, August 14.

HURST R. ANDERSON,
President.

WASHINGTON, D.C.,
August 13, 1963.

Hon. EDITH GREEN,
Chairman, Special Subcommittee on Education, U.S. House of Representatives, Washington, D.C.:

The Association of State Universities and Land-Grant Colleges respectfully requests your support of H.R. 6143 which has the support of all major organizations in the higher education field.

FRED H. HARRINGTON,
President, University of Wisconsin.

WASHINGTON, D.C.,
August 13, 1963.

Hon. EDITH GREEN,
House of Representatives,
Washington, D.C.:

On behalf of the executive committee of the Association for Higher Education, we urge the passage of H.R. 6143, Higher Education Facilities Act of 1963.

H. T. MORSE,
Dean, the General College, University of Minnesota.
G. KERRY SMITH,
Executive Secretary, Association for Higher Education.

Mr. BALDWIN. Mr. Chairman, will the gentlewoman yield?

Mrs. GREEN of Oregon. I yield to the gentleman from California.

Mr. BALDWIN. May I ask if the funds authorized in this bill for the fiscal year 1964 are within the budget amount submitted to the Congress by the President in January for higher education?

Mrs. GREEN of Oregon. They are in the President's budget. The actual funds would be included in a supplemental appropriation. They have been approved and they are less than was originally put in the budget.

Mr. BALDWIN. I thank the gentlewoman.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, in answer to the question just asked with respect to whether or not the President's budget request includes an amount sufficient to cover the amounts recommended in this bill, may I say that there is a total for the fiscal year 1964 of $650 million requested by the President in the general field of higher education. This would indicate that the $375 million proposed is substantially lower.

That $650 million, I may say, is broken down as follows: The President suggests that $400 million be made available for loans, grants for technical institutes $20 million, grants to graduate schools $40 million, grants to libraries $40 million, grants to National Science Foundation for science and engineering $100 million, grants for community colleges $50 million. This bill would take care of most of those needs.

Mr. Chairman, the remarks already made indicate quite clearly that this bill has substantial bipartisan support. I am thankful we have reached firm agreement on a bill which will be of considerable significance.

Mr. Chairman, just 8 days ago the House passed and sent to the other body a vocational education bill which represents a landmark in the field. That bill, H.R. 4955, will transform and modernize vocational education as we know it today. The passage of the bill before us today, H.R. 6143, will be an event of comparable significance. One reason this will be significant is that it will provide aid to nonpublic institutions as well as public. Aid to both, I believe, is essential.

My own approach to any proposal for Federal involvement in education is a cautious one. I recognize the fundamental value and necessity of keeping the responsibility for education at a State, local, and private level. This conservative approach is in the best interest of education, and has also a positive value for the democratic process. At the same time, I believe strongly that the Federal Government has an important role to play in the field of education. Fundamental national interests must be considered as we determine policy.

As we soberly weigh national interest, we must recognize, in this age, that our national survival itself depends upon the quality of our educational establishment. This does not at all mean that the Federal Government must intervene to correct every real or imagined fault in our educational system. It does mean, however, that we must not hesitate to act when the alternatives prove unacceptable.

The vital fact which we must not forget in this debate is that our colleges and universities face a genuine and deepening crisis. The crux of their problem is this: in 1960 there were 3.57 million students enrolled in American colleges and universities; in 1970 that number will exceed 7 million. This means that by 1970—aside from all the requirements for increased faculty—these institutions must virtually double their physical plant. If they do not, they will necessarily deny higher education to hundreds of thousands of qualified applicants.

There is no point in questioning projections of enrollments. When I introduced legislation in February 1959 to carry out President Eisenhower's recommendations for this type of aid to colleges, I did so on the basis of 1956 enrollment projections. These projections proved to be inaccurate, but only because they were too conservative. They forecast that, by the fall of 1962, enrollments would reach 3,969,000. Actually, last fall's enrollments were 4.5 percent higher than the estimates, or 4,159,000.

Action, in my opinion, is long overdue. It is regrettable that we did not act favorably in 1958 or 1959 upon the recommendations of President Eisenhower. It is regrettable that we were unable to enact the bill passed by the House last year. It takes 3 years to plan and build a college facility, so that we are now considering aid which will be effective in 1966. By that time nearly 6 million students will be in college.

This is a strong and effective bill. As most Members know, a substantially similar bill was approved by the House in January 1962 by an overwhelming vote. In 1961 the Kennedy administration had proposed an ineffective bill, recommending loans to construct academic facilities. Thirty-five or forty States have legal restrictions which would make it difficult or impossible for public institutions to use loans for nonrevenue facilities. Private institutions—comprising two-thirds of all our colleges and enrolling one-half of all students—could not amortize heavy debt without raising tuitions out of sight for most students and their families.

The response of this House was to write its own bill—H.R. 8900—which is very similar to the bill before us today. We passed that bill by a vote of 319 to 79. It was a bipartisan vote. Voting for the bill were 201 Democrats and 118 Republicans; against it, only 36 Democrats and 44 Republicans. I am confident that similar bipartisan support exists for this program today.

Mr. LAIRD. Mr. Chairman, will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentleman from Wisconsin.

Mr. LAIRD. The gentleman referred to the bill that was considered by the last Congress with respect to college facilities. I note in this bill there is authorization for the 3-year period at a higher level than the authorization that was approved by the House in the 87th Congress. It will surprise me if this legislation will be effective by the third quarter of the year 1964. I intend to offer an amendment which will provide for a lower authorization in the fiscal year 1964 as far as titles I, II, and III are concerned. It seems to me that the figures for fiscal 1964 in this bill are not realistic. We will have only two quarters in which to operate. From the viewpoint of the Subcommittee on Appropriations, it makes our job much more difficult if we lead the public to think that the amount of money which is authorized in this bill could possibly be expended. I would like to find out what the gentleman's opinion is regarding such an amendment.

Mr. FRELINGHUYSEN. I would hesitate to join in predictions as to whether the other body will act with undue haste. This body has been slow in authorizing this program. Perhaps we might not be able to distribute the money in the volume contemplated in the first fiscal year program.

I would suggest that would be a matter for the Committee on Appropriations to decide, if they think it be wise. I, myself, feel this is an indication of the need. If it is possible for plans to be developed in sufficient detail to use this money, we ought to go ahead and have it available. I, myself, do not know how rapidly it is going to be possible to develop applications which are in sufficiently definite form to give Federal funds, but I would hope we would not have to cut back on the authorization. When the level of appropriations is being considered, the decision may be that a lower level of spending would be necessary because of the difficulty of getting the plans in shape for final action.

Mr. QUIE. In further answer to this, the bill also provides that if the full authorization of the first year cannot be utilized and the appropriation is not made, the authorization carries over to the next fiscal year so that the Committee on Appropriations then can look at the need for higher education and find, perhaps, in that second year that they will want to utilize more than the authorization provides for the second year, and for that reason it carries over. We feel that we have set the correct amount for 3 years.

Mr. FRELINGHUYSEN. I am glad the gentleman from Minnesota has pointed out this carryover provision. This is advisable, to have this authorization remain available, even though it is not actually used in the year for which it is first funded.

Mr. LAIRD. I might point out to the gentlemen, however, that that only applies to the authorization and does not necessarily apply to the appropriation made as a result of this authorization.

Mr. FRELINGHUYSEN. I recognize the power of the Committee on Appropriations. I might say to the gentleman, if he feels that that power should be exercised in such a way as to reduce substantially the amount we consider advisable, that is the prerogative of the Committee on Appropriations. However, I do not think there is any likelihood or any possibility that we could waste money if the plans are not in condition for immediate action. There is not any way in which this money can be spent hastily.

I do not think we would gain much by cutting back the present authorization bill. The Commitee on Appropriations has not been able to take a look at how much might wisely be spent, and they may feel we should cut back vigorously in the coming fiscal year. However, the needs are here. The needs for college buildings and facilities will be greater in 1966 and we are not improving it by postponing the erection of these buildings.

Incidentally, it might be interesting to point out that of the 319 Members who voted for a college academic facilities bill in January 1962, 268 are still in Congress. Adding to this the number paired for the bill last year or recorded as in favor, 280 Members were in favor of that bill. Of those who opposed the bill last year, 66 are still in Congress; in addition 3 more were paired against that bill. No one can foretell just how the 68 new Members will vote. However, it would seem that a 280–69 margin would be decisive.

H.R. 6143 is a bill forged in the House of Representatives, on a bipartisan basis. It will help meet a critical challenge to the intellectual vitality of the United States. There is nothing new, however, in the policy which this bill represents. Since 1950 the Federal Government, under the College Housing Act, has provided assistance to over 70 percent of the Nation's colleges for the construction of dormitories and other revenue-producing facilities. This aid thus far has totaled some $2 billion. In 1961 this program was extended for 5 years at an annual rate of $300 million.

It should be pointed out, Mr. Chairman, that H.R. 6143 does not follow the recommendations made by the President in 1963, as our committee failed to follow his advice in 1961. Had our committee followed his advice, the program, in my honest opinion, would be of little significance. Mr. Kennedy for some reason urged that the primary emphasis be on loans rather than grants. Apparently his advisers failed to read the testimony of experts before our committee. Whereas in other areas, the administration, unhappily, has ignored the suggestions of Republicans, in this case they ignored completely the deliberations, and the conclusions reached last year, by the legislative branch of the Government.

The fact of the matter is that a loan program, without substantial grants-in-aid, could not achieve Mr. Kennedy's objective of significantly accelerating the construction of needed academic facilities.

H.R. 6143 provides only $375 million for each of 3 years, despite the fact that academic facilities today are needed more than dormitories. If we are even to approach meeting the needs of this decade for college facilities, the annual expenditures for this purpose must be at least $2.3 billion. The current expenditures are running at $1.3 billion. This bill would barely make up the deficit for 1 year.

This much, therefore, the Federal Government should do in the national interest. The rest of the effort will have to come from vastly increased State, local, and private expenditures. It is to be hoped that the requirement of matching the Federal funds will stimulate these efforts. Increased contributions will be needed much greater than the rate in past years. There will have to be accelerated efforts to utilize existing facilities more effectively. There will have to be monumental efforts to recruit and retain fully qualified faculty members, and to use them to the maximum advantage. In these demanding tasks the Federal Government can offer little assistance. This bill—after all these precious years of delay—is the means by which the Congress can provide needed help in an entirely appropriate way.

I urge enactment of H.R. 6143.

Mrs. GREEN of Oregon. Mr. Chairman, I yield 10 minutes to the gentleman from Indiana [Mr. BRADEMAS].

Mr. BRADEMAS. Mr. Chairman, I rise in support of H.R. 6143. In doing so, I want to congratulate the distinguished chairman of our subcommittee, the gentlewoman of Oregon, to whose persistent and able leadership the legislation we are today considering owes so much.

I want also to pay tribute to members of our subcommittee on both sides of the aisle for we have worked hard together and without partisanship to develop this bill.

Mr. Chairman, I believe that colleges and universities in Indiana and throughout the Nation are counting on Congress to pass legislation today to help them build the facilities they need to meet rapidly expanding student enrollments. This bill will help colleges and universities, both public and private, construct the classrooms, libraries, and laboratories essential to educating young Americans for leadership in every field of activity.

I have received messages of strong support for this bill from officials of many Indiana institutions, Protestant and Catholic as well as State supported. Bethel College, St. Mary's College, Goshen College, and Notre Dame and Purdue and Indiana Universities are only some of the Hoosier institutions whose presidents or deans have told me of the urgent need for this legislation.

In the daily CONGRESSIONAL RECORD of yesterday, at pages A5132 and following, my colleague, the gentleman from Minnesota [Mr. QUIE], has inserted a number of telegrams and letters which members of our subcommittee have received from officials of colleges and universities in our own States and from elsewhere urging passage of H.R. 6143, and a number of messages I have received are among those included in the gentleman from Minnesota's [Mr. QUIE] remarks.

Mr. Chairman, I want to address myself to two aspects of this legislation in particular.

First, I want to say a word about the importance of this bill in enabling our country to meet the increasingly intense requirements for highly trained manpower.

The other day the able U.S. Commissioner of Education, Dr. Francis Keppel, told our subcommittee that the fastest growing category in our labor force is that of highly trained professional jobs requiring 16 or more years of education.

In the last decade, he pointed out, jobs in this category have grown from 4.5 to 7.5 million.

The second fastest growing category in our labor force is technical and semiprofessional jobs requiring 1 to 3 years of post secondary education—and we have had a growth of 40 percent in the number of new jobs of this type in the past 40 years.

For the fact is that we need highly trained people in nearly every field of activity in this country, Mr. Chairman. There are times that I believe we in Congress, when we cast our votes in favor of billions of dollars for defense and space and other programs vital to our national security, fail to ask ourselves where we are going to get the trained and educated men and women required to perform the programs for which we vote the money. To put the point another way, I believe we are going to have to start thinking in terms of manpower budgets as well as dollar budgets.

Here are just a few specific examples of the Nation's manpower requirements which the passage of this legislation today can help immensely to meet.

Only a few days ago, on August 4, the National Science Foundation issued a study entitled "Profiles of Manpower in Science and Technology," which indicated that specialized manpower in science and technology is now about 3.6 percent of the labor force, is expected to become 4.7 percent by 1970, and is now growing at a rate of 4.3 percent annually.

The President's Science Advisory Committee, concerned with the national needs for manpower in the fields of engineering, mathematics, and the physical sciences, has recommended that the number of doctor's degrees being awarded in these three fields should be increased to 7,500 by 1970—more than double the 3,400 degrees awarded in 1962.

Commissioner Keppel has estimated that we need at least 406,000 new college teachers during the next 10 years.

The Department of Labor's report on manpower requirements earlier this year shows an annual shortage of 8,400 elementary and secondary schoolteachers in every year between 1960 and 1970.

The same survey forecasts a deficit of 23,900 engineers for each year during this decade.

An interim report of the President's Science Advisory Committee's Panel on Scientific and Technical Manpower warned of the necessity of a substantial increase in the number of semiprofessional technicians to assist our scientists and engineers.

The Wall Street Journal, on August 9, 1963, published a significant article which provides more evidence of the increasingly serious shortage in this country, of trained manpower. The title of the article was "Scientist Shortage in Space, Military Work Cutting Into Research for Civilian Economy."

The article warns that Government-sponsored programs in space and defense are making such a great demand on the available supply of scientists that too few are available for research and development in the civilian sector of our economy.

I could go on, Mr. Chairman, to cite similar shortages in many other fields where educated young men and women are essential if America is to maintain our position of leadership in the world.

The President's Science Advisory Committee makes clear the link between these shortages and the bill we are today considering with the statement in its December 1962 report:

> Because the leadtime is long and present facilities will be inadequate to meet growing student enrollments, increasing the support for buildings and equipment is the first order of business toward meeting the proposed goals.

And of course, the committee was here speaking only of the need for increasing the number of students in engineering, mathematics, and physical sciences alone.

Having offered these observations about H.R. 6143 and the Nation's manpower requirements, I now want to speak of a particular section of the bill.

I refer to title I, which provides for grants for the construction of undergraduate academic facilities.

For the 1964, 1965, and 1966 fiscal years, appropriations of $230 million annually are authorized.

I want to draw particular attention to that provision in title I which sets aside 22 percent of the funds, approximately $50 million annually, for facilities for junior colleges and technical institutes.

We now know, on the basis of figures supplied our committee, that much of the great increase in college student enrollments in recent years have been absorbed by the 2-year junior college. Indeed, there is every reason to believe that junior colleges are playing an increasingly important role in providing an opportunity for a higher education for many young Americans.

For example, junior college enrollments last fall showed a 13.7 percent increase over 1961 although the overall increase for all higher education institutions was 8.1 percent.

I have already spoken of the serious shortage of scientists and engineers. By setting aside funds for junior colleges and technical institutes, we will be taking a significant step ahead toward encouraging 2-year programs for the training of semiprofessional technicians for work in engineering, scientific, and other technological fields.

In recommending a program of grants for technical education, President Kennedy in his education message this year took note of the shortage of these semiprofessional technicians and said:

> This shortage results in an inefficient use of professional manpower, the occupation of critically needed time and talent to perform tasks which could be performed by others, an extravagance which cannot be tolerated when the Nation's demand for scientists, engineers, and doctors continues to grow.

Last year the then Under Secretary of Labor, Mr. Wirtz, came before our committee to testify on a technical education proposal introduced by me and several other members of our committee, both Democrats and Republicans. What Mr. Wirtz said then about the need for training more semiprofessional technicians is just as significant today in relation to that section of H.R. 6143 which reserves funds for junior colleges and technical institutes.

Here is what Mr. Wirtz told our committee:

> We must do some drastic rethinking about manpower in this country * * * time is running out, we can no longer afford the luxury of waiting for the supply of trained personnel to catch up with the demand. Our particular need is for semiprofessional personnel who can assist engineers, scientists, and other professional workers.
>
> The manufacture of missiles and spacecraft has not only created an increasing demand for scientists and engineers, but it has also stimulated a tremendous need for supporting personnel * * * Congress will make a major contribution to this Nation's manpower posture in the space field when adequate legislation is enacted to enable this country to produce these highly trained supporting personnel.
>
> The workers who would be training under the bills being considered today, constitute a group of relatively new semiprofessional occupations which have come about because of industry's concentration on research and development, the increasing complexity of industrial production methods and products, the accelerating application of scientific inventions and discoveries to manufacturing processes, and our emphasis upon missile and spacecraft work. These workers are trained to assist engineers, scientists, and doctors through the application of basic knowledge in engineering, mathematics, or the physical and biological sciences.
>
> Our studies show that these sub-professional engineering and scientific occupations have been among the fastest growing occupational fields in recent decades and that at the present we do not have enough persons with the requisite education. There is every indication that these occupations will continue to grow rapidly in the years ahead and that if future requirements in this field are to be met, a considerable increase in the number of persons who receive the necessary education will be necessary.

I think Mr. Wirtz' analysis of the impact of our space program on the supply of semiprofessional personnel is particularly significant.

Here is what he said:

> The requirements of this Nation's accelerated space program alone will substantially increase the demand for scientists, engineers, and semiprofessional supporting personnel. Some of the published estimates of the costs involved in carrying out the proposed manned lunar landing and other space programs show expenditures reaching a level of $5 to $6 billion a year by 1970. Translated roughly into requirements for technical personnel, an increase of $4.7 billion could mean an increase of nearly 100,000 engineers and scientists and possibly 70,000 semiprofessional supporting personnel between now and 1970 for this program alone. Most projections show expenditures for the space program building up sharply through the late 1960's and then leveling off. If this occurs it would mean that a large part of the increase in technical manpower must occur within the next 3 to 5 years.

I want to emphasize here Mr. Wirtz' conclusion that we need to produce a "large part of the increase in technical manpower" within "the next 3 to 5 years":

> Studies by the Bureau of Labor Statistics show a projected increase between 1960 and 1970 of over 75 percent for those occupations which support engineers and scientists, and about 20 percent for those supporting physicians and other doctors. Altogether, this means that we will need over 1,450,000 of

> these workers by 1970, an increase of over 600,000 more than were employed in 1960, or an average annual increase of about 60,000 over the decade. Add to this an estimated need for about 17,500 persons a year to replace those who die, retire, or transfer out of the field, and the average annual need could be about 78,000.

Another extremely valuable statement on this proposal was made last year by Paul H. Robbins, executive director of the National Society of Professional Engineers. Making reference to a number of surveys concerning the utilization of technicians, Mr. Robbins told us that these surveys generally conclude that for the maximum utilization of our professional engineering and scientific manpower, we should have 400 to 500 technicians for every 100 professional personnel.

Today—

He said—

> the overall industry ratio is 73 technicians for every 100 engineers and scientists.
>
> There is virtual unanimity of agreement among manpower specialists both in and out of Government that the shortage is extensive. Unless there is an immediate and significant expansion of technical institute programs, we may well be underutilizing our professional engineering manpower by anywhere from 50 to 75 percent.

Mr. Chairman, I have already noted that the members of the President's Science Advisory Committee are concerned about an effective Federal program to encourage the training of more technicians.

In the first report of the President's Science Advisory Committee, published on December 12, 1962, and addressed specifically to the problem of graduate training in engineering, mathematics, and physical sciences, the President's Committee called for a concentration of efforts in three ways for the production of more scientific and technical manpower. One of these ways was, in the words of the Committee report:

> Increase the number of qualified technicians and use them more effectively. Technicians and subprofessional assistants in all fields of science and technology can conserve professional skills and thus enhance total manpower resources.

A task force of the President's Science Advisory Committee charged with the responsibility of considering technical education programs is expected shortly to issue a report with some specific suggestions for achieving this goal, with particular emphasis on the role of technicians who work with scientists and engineers.

I should like to call the attention of this subcommittee to certain relevant passages from an unpublished interim report of the President's Science Advisory Committee on Scientific and Technical Manpower, which passages were included in the report on graduate training in engineering, mathematics, and physics.

Said the interim report:

> Without an adequate supply of technicians, employers frequently use bachelor level personnel on semiprofessional tasks that lessen their full potential. Thus, an increase in production of technicians would not only foster the improved utilization of engineers and scientists to help immediate technical manpower requirements, but would also upgrade the entire manpower resource to meet needs over the long run. Equally important, increased access to technician training would tend to alleviate some of the problems of technological unemployment, which are especially pronounced in that sector of our population lacking in special skills or training.
>
> Although exact numerical requirements for technicians are difficult to forecast, a substantial increase is necessary. Nevertheless, the panel finds that only about 11,000 graduates from full-time studies and 3,400 from part time may be expected this academic year from formal engineering programs. Evaluated in the light of an estimated graduation this June of 35,000 B.S. level engineers, the new technician supply will be less than half that of the too small supply of engineers themselves. Physical scientists also draw on this same limited supply of technician graduates.
>
> Consequently, the panel believes that the problem of educating qualified technicians in sufficient numbers is critical enough to warrant Federal attention and Federal legislation especially to assist and otherwise stimulate the growth of educational facilities.
>
> Such a program would have the important quality of rapid payoff, thus meeting partially, even within the next 2 to 3 years, urgent national requirements such as these represented by our space effort for more technical personnel. Emphasis on the importance of this educational channel would elevate the status of technicians and, in turn, attract to this occupational category many competent youngsters who would otherwise either not begin or fail to complete training beyond high school. Programs offering 2 years of collegiate-level training would not only support the Nation's effort in science and engineering, but would also allow the many persons drawn from lower income groups of depressed areas to realize a much greater share of their potential.

If I may, Mr. Chairman, I would like to review somewhat more specifically some of the reasons we need to educate far more semiprofessional technicians than we are today producing.

First. Research and development: The greatly enhanced role of research and development in the American economy has caused increased demands not only for scientists and engineers but for technicians as well. A few weeks ago the National Science Foundation publication entitled "Federal Funds for Science XI," notes:

> The fiscal year 1963 Federal estimates for research and development and research and development plant represent the largest outlays for any one year of the Nation's history. These expenditures were expected to more than triple the research and development outlays made by the Government during the entire 5 years of World War II.

For 1963, the Federal Government is expected to obligate over $14.4 billion for research and development and research and development plant and to expand $12.3 billion.

The conclusion should be obvious: More research and development means more technicians.

Second. Defense: I think no great array of statistics is necessary to prove the argument that our vast defense efforts mean we have a far greater demand for scientific and technical skills in this area, both for direct military activity as well as for supporting and related civilian activity.

Defense, too, means we need more technicians.

Third. Space: I have already recited to you Secretary Wirtz' warning that for the achievement of our ambitious goals in space, we shall need a substantial increase in technical manpower.

Congress has appropriated vast funds for these new space programs but the authorization and appropriation of dollars are no guarantee at all that the trained manpower necessary to perform these programs will automatically be forthcoming.

Our project to land a man on the moon and return him safely to earth, our proposal for accelerating the development of the Rover nuclear rocket, our plans to increase the use of space satellites for worldwide communications and to develop worldwide weather observation satellites, all mean a broadened array and increased depth of new demands upon our limited supply of scientific and technical talent.

It came as a surprise to me to learn that NASA, in its own laboratories, right now employs more than 5,000 engineering technicians. And the significance of technicians in our space program may become even more obvious when I tell you that approximately 85 percent of NASA funds are allocated to contractors.

The conclusion should be clear. We need more technicians as well as scientists and engineers if we are going to achieve the great goals in space which the Nation has set for itself through the actions of the President and Congress.

Fourth. Civilian industry: The requirements of civilian industry and technology are another reason for the increased demand for technicians.

As I indicated earlier, the Federal Government is today the main source of financial support for research and development in the United States. As President Kennedy has noted, the defense, space, and atomic energy activities of the country now absorb about two-thirds of the trained people available for exploring our scientific and technical frontiers. Certainly their brilliance and talent have paid off handsomely in these areas but the fact is that we have paid a price for these results by sharply limiting the amount of our scarce scientific and engineering resources which might otherwise be available to the civilian sector of the American economy.

Today the number of scientists and engineers engaged in civilian-oriented technology in Western Europe and England combined is greater than that in the United States. This is at least one of the reasons the rate of increase of our gross national product per worker is substantially less than the rate of increase of almost all other industrialized nations in the world.

To enable our critically short supply of engineers and scientists to make a greater contribution to the civilian economy, we must back up our professionals with more semiprofessional technicians.

It was for all these reasons then, Mr. Chairman, and for others which could be cited, that a number of members of our committee, both Democrats and Republicans, last year developed this proposal to encourage the education of more college level semiprofessional technicians, a proposal which is now included in H.R. 6143.

For as Dr. W. G. Torpey, of the Office of Emergency Planning, in the Executive Office of the President, said earlier this year:

> Of all the sources of technicians, evidence indicates that, on the whole, 2-year college level technician education programs—offered primarily through technical institutes and junior and community colleges—produce the highest quality technician personnel, having a basic but broad technical orientation and able to contribute to present as well as future technical work challenges. One national trend which has been accelerated during the past 2 years is the growing role of junior and community colleges as a vehicle for educating technicians, not only in engineering and related fields but in nonengineering areas as well.

And so, Mr. Chairman, I believe the argument is compelling that by setting aside 22 percent of the grant funds in this bill for these kinds of institutions, we will be taking a significant step to make clear the national interest in encouraging junior colleges and technical educational programs and in increasing the supply of college level, semiprofessional technicians.

Mr. Chairman, let me conclude my remarks on H.R. 6143 by saying to the House what a distinguished philosopher, Alfred North Whitehead, said in a noble address some 45 years ago, for what Whitehead said in 1917 is directly relevant to the situation of our own century in 1963. Said Professor Whitehead:

> In the conditions of modern life, the rule is absolute—the race which does not value trained intelligence is doomed. Not all your heroisms, not all your social charm, not all your wit, and not all your victories on land and sea, can move back the finger of fate. Today we maintain ourselves; tomorrow, science will have moved forward yet one more step. And there will be no appeal from the judgment which will then be pronounced on the uneducated.

Mr. Chairman, I hope this higher education bill is passed by an overwhelming bipartisan vote.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 15 minutes to the gentleman from Minnesota [Mr. QUIE].

Mr. QUIE. Mr. Chairman, I rise in support of H.R. 6143. In my opinion, this is one of the most important pieces of legislation and, perhaps, the most important piece of legislation which the Congress will consider this year.

Mr. Chairman, what we do in the area of higher education in this country is going to have a greater effect on our future and the future of other peoples of the world than any other legislative decision we make this year. Therefore, I think we ought to consider seriously what we are doing today.

Mr. Chairman, in my consideration of this legislation I think we have a superior bill to that of last year. We have a superior bill to that which was recommended by the administration. In my opinion, it needs no amendments. It should be reported to the other body as is.

Mr. Chairman, because of the great need we have in this country for high level brainpower, we should provide the facilities in which we can give the opportunity to our young people who are capable of receiving this training to receive it.

Mr. Chairman, we have all noted the competition in which our Nation finds itself right now, not only in maintaining the highest standard of living that any country of the world has ever known, but also in the field of technological advancements and scientific discoveries in which we must surpass any other nation.

Mr. Chairman, in this country when substantial unemployment exists—and we can see this as reflected in the want-ad sections of our newspapers all over the country—it is very obvious that one of the great needs we have is that of college-level training all the way from the Ph. D. level to the 2-year college level from which group come those whom we could call technicians.

Mr. Chairman, there is a tremendous need in our country for individuals of this type training and unless we fulfill this need we are going to be far short in providing for the advancement of the Nation's needs.

Mr. Chairman, on the Subcommittee of the House Education and Labor Committee which had the responsibility of providing for a higher education bill this year we had complete support for this legislation. No Member, be he Democrat or Republican, on that subcommittee opposed the legislation. In fact, they gave it full support and agreement.

Mr. Chairman, may I point out the members of that subcommittee. On the Democratic side we had the gentlewoman from Oregon [Mrs. GREEN], the chairman; the gentleman from Indiana Mr. [BRADEMAS], the gentleman from California [Mr. ROOSEVELT], the gentleman from Florida [Mr. GIBBONS], and the gentleman from Maryland [Mr. SICKLES]. On the Republican side we had the gentleman from New York [Mr. GOODELL], the gentleman from Michigan [Mr. GRIFFIN], and I, who were privileged to serve on the subcommittee.

Mr. Chairman, the Republican leadership of the House of Representatives from time to time has indicated its support of this legislation, giving it the kind of bipartisan support which I believe will give the field of higher education the opportunity to meet the needs that exist and provide education at a high level for our young people.

H.R. 6143 will authorize needed assistance to higher education institutions in financing the construction, rehabilitation, or improvement of needed academic facilities. The bill is designed to help meet the needs of the rapidly expanding college enrollments which will face our colleges and universities in the 1960's. Although the bill authorizes a 4-year program, it authorizes appropriations for only the first 3 years. This will allow Congress to review the operation of the program at that time. Assistance would be available to both public and private institutions of higher education and the bill includes junior colleges, technical institutes, graduate schools and cooperative graduate centers as well as 4-year colleges and institutions.

Authorizations for grants for construction of undergraduate academic facilities total $230 million annually for 3 years with the amount for the succeeding 2 years to be determined later. One-half of these funds shall be allotted on the basis of the relative college and university enrollment in the State and one-half on the basis of the relative enrollment of high school students in the State.

State commissions will determine the priorities for construction projects submitted by applicant institutions. These State commissions or agencies may be either existing or newly established, but they must be broadly representative of the public and all types of higher education institutions covered by the act. The commissions must submit an acceptable State plan of administration. In the plan, not less than 22 percent of the funds allotted to the State for any one year must be reserved for junior colleges and technical institutes.

To be eligible for a grant, the construction project must, either alone or with other projects substantially expand the institution's student enrollment capacity. The Federal share of the cost of the project may be determined by the State commissions, but in no event could it exceed one-third of the total development cost of the project. Final approval of any plan lies with the Commission of Education, but he must give State commissions reasonable opportunity for hearing before finally disapproving a plan. A State may appeal the Commissioner's final decision on its State plan for administering grants. The action is to be brought in the U.S. court of appeals.

Grants for "graduate academic facilities" will be made available both to individual graduate schools and joint projects of two or more graduate schools. The bill authorizes $25 million for fiscal year 1964, $60 million annually for 1965 and 1966. Authorized amounts for the succeeding 2 years will be determined later. Again grants for the projects cannot exceed one-third of the development cost.

The bill authorizes $120 million annually for 3 years for loans for construction of academic facilities. Again, the authorization for the last 2 years will be determined later. Loans must be repaid within 50 years. The interest rate will be determined by the Commissioner of Education, but cannot be less than one-fourth of 1 percent above the average annual interest rate on all Government obligations forming part of the public debt. To be eligible for a loan, the applicant must show that first, not less than one-fourth of the cost of the project will be financed from non-Federal sources; second, it is unable to borrow from other sources on equally favorable terms; and third, construction will be economical. Loans will be made by the Commissioner of Education. For both the grants for graduate facilities and the loans for general academic facilities, not more than 12½ percent of the total may be used for projects in any one State.

The act defined "academic facilities" as classrooms, laboratories, and libraries and essential maintenance, storage, and utilities facilities.

Five classifications of facilities are excluded from assistance under the act. These are: First, any facility intended primarily for events for which admission is to be charged; second, any gymnasium or other facility specially designed for athletic or recreational activities, other than physical education courses; third, any facility to be used for sectarian instruction or religious worship; fourth, any facility to be used primarily for a program of a school or department of divinity; and fifth, any facility to be used by a school of medicine, dentistry, osteopathy, pharmacy, podiatry, nursing, or public health.

The exclusion of the last classification is designed to avoid duplication with the medical facilities bill which was passed by the House earlier this year.

The need for this legislation was never more acute. When the legislation originated under the Eisenhower administration, President Eisenhower stated:

> It will be deeply disappointing if Congress should fail to authorize such programs.

The Congress did fail in 1960 in authorizing the program. Again in the 87th Congress, college academic facilities aid legislation did not reach the President's desk.

Predictions of increase in college enrollments made in 1960 have been surpassed. Latest predictions are that 4.2 million students presently attending college will swell to 7 million by 1970; 25 percent of this increase will be in college in 1965. Congress can delay no longer in taking action.

Mr. Chairman, just as last year, I would like to go over questions that some of the Members of the House might ask such as why is this a Federal responsibility? Why should the Federal Government get further into education than it has in the past? We all know when some say that they are against Federal aid to education, that if they were really true to the cause, they would introduce legislation to repeal all of the present laws which give aid to education.

With reference to higher education this country has felt for a long time that there is a Federal responsibility. It began in a substantial amount in 1862 when the Land Grant College Act was passed. Incidentally, at that time it was also given not only to public institutions but to Cornell, a private institution as well. When one looks at aid at the present time one will realize that MIT, which is also a private institution, considers that 80 percent of the money to be coming from the Federal Government because of the number of research grants which MIT receives.

But one might also say how can the gentleman from Minnesota now speaking be so strong in his opposition to broad Federal aid to elementary and secondary schools, as he has indicated in the past and yet so wholeheartedly support this bill? It is because I feel if education is going to progress at the rate it should we need to pass this legislation. If the Federal Government is going to assume the responsibility it has to maintain the strength of this Nation, this must be passed.

I say that for this reason: In elementary and secondary education a political subdivision has the responsibility for the education of the young people in its community. Perhaps some of the students are going to a private institution or parochial school. But the people in the community, through their school districts, have the responsibility, any shirking of that responsibility would be harmful to them as well as to their State and the rest of the Nation because elementary and secondary education is necessary for everyone. However, higher education and special education will not be utilized by all people and not all parts of the country provide employment for people with that training and skill.

One might say, "Well, the States have it. If the private institutions and if the junior colleges are not providing it, the States have the responsibility."

To those of us who come from the Midwest or the West, this seems to be true, because in the western part of this country 80 percent of the students in higher education go to a public institution while 20 percent go to a private institution. However, just the reverse is true in the eastern part of this country, where 80 percent of the students in higher education go to private institutions, and 20 percent go to public institutions. Also, 35 percent of the institutions of higher learning in this country are public and 65 percent are private.

There is no specific political subdivision with complete responsibility in higher education. Because of this, we provide that the grants and loans can go to any institution that is accredited in a State, be it a junior college or community college, a private college, a college level technical institute, or one of the State universities and colleges that we have in most States. We believe that in this way we can best improve the kind of higher education and training that has worked so well in this country and which I believe has put us ahead of every other country in the world, even the Soviet Union.

This bill is not only necessary because of the huge enrollment anticipated in higher education, but also because the Federal Government needs a tremendous number of professionally, scientifically, and technically trained people for direct Federal employment. The Federal Government will undoubtedly secure sufficient personnel with adequate training. However, if they do so, based on present manpower projections, the private sector of our economy will be greatly depleted in the area of professionally, scientifically, and technically trained individuals. In order to meet this need, we must make certain that at least the facilities will be available in which to train our young people.

The Federal Government cannot do less. I am happy to say that in meeting this responsibility, H.R. 6143 provides that Federal assistance will be made available for all academic facilities rather than limiting them to certain categories in the scientific field.

In this age when we are constantly reminded of the glamour of science and technology, there are many other disciplines in education which are of basic importance to both the training of our youth and the welfare of our country. One of the best expressions of this idea which I have seen, appeared in a report by Msgr. James Shannon, president of St. Thomas College, St. Paul, Minn., published in the Minneapolis, Minn., Star, March 1, 1963, from which I now quote:

> With the present-day necessity for maintaining and extending our highly specialized technology and our expanding economy, our universities must constantly foster the basic and applied research on which our economy is based. External forces, such as the threat of communistic domination of the world, also increase this pressure toward specialization and professional education.
>
> To answer this crucial but transient challenge by sacrificing our education in the liberal arts would be a tragic blow to the Western civilization we wish to save. Hence we are committed to an increasingly serious effort to expand and improve the caliber of our liberal arts teaching at the same time that we expand our technology and our specialized research. Both tasks are necessary.

I agree wholeheartedly with Monsignor Shannon's statement. We must avoid the danger of directing a majority of our educational efforts into a narrow channel, thus permitting one discipline to control the curriculum of our schools. Our American education system is founded on the ideal that every individual should be given an opportunity for maximum development of his abilities, and this must continue if we are to produce citizens responsive to the political needs of their time. We have a need for a wide variety of human talents, and we must recognize that some of our best minds should be encouraged to achieve excellence in the social sciences, others in the humanities.

I believe that there is an indispensable relationship between education, as the enlargement of the intellect, and the political needs of a self-governing democracy. The men who wrote the Constitution and the leaders of our country were products of the enlightened age. These men were great humanitarians, and it is from the foundation they laid as evidenced in many documents, but most specifically in the Constitution, that we have been able to have our present form of government and economic system. If we are going to continue to have a form of government and economic society within which the hopes and strivings of people can be realized, and if we are to further the development of our Constitution, laws, and our social and cultural way of life, we have a grave obligation to provide education which will give man a clear, conscious view of his own opinions and judgments, a truth in developing and questioning them eloquence in expressing them, and force in urging them. Only if we capture the basic qualities of human freedom and dignity in our program of liberal arts education, can we hold out our greatest strengths to other countries of the world and pave the way for a better understanding of each other.

I do not in any way mean to imply that we should reduce our present efforts in the field of science and math. These must be continued and strengthened, but in doing so, we cannot neglect other areas. Our colleges and universities should be given every opportunity to fulfill the vast educational needs of our country. Because of this grave need, I do not think that the Federal Government can say that a certain type of academic facility is the only one in which it has an interest. I believe very strongly that the decision of which buildings are going to be constructed should be made by the institution itself rather than by the Federal Government in any way, and it would be my sincere hope that any person in higher education who applies for this money would make a very good choice, one that will not jeopardize the program which he feels will best fit the needs of this country.

I believe this is the kind of legislation all of us can wholeheartedly support. I think this legislation gives Federal assistance in the area of higher education in a way that protects academic freedom. I can see no encroachment by the Federal Government in this legislation over and above any we may have at the present time. The institutions of higher learning hold dear above everything else their right to make their own decisions and when all of them come out in support of this legislation it is significant. I have not received a letter from one institution this year in opposition, so I think we are on the right track.

The vocational education bill passed the other day was extremely important for the immediate future of our country. However, in the long run, this college academic facilities bill will turn out to be one of the most important pieces of legislation considered this year. America has a shortage of trained brainpower. We need to have higher education opportunities provided for all students who have the capability to benefit from education beyond the high school level. This bill will help to provide those opportunities.

Mr. Chairman, rather than going any further into the various sections of the bill, which the gentlewoman from Oregon [Mrs. GREEN] has done and which the members of the committee fully understand, I shall instead go into some questions that might arise in debate and attempt to explain to the members of the committee why I say they should support this legislation.

Mr. Chairman, first is the question of the budget. That has been brought up already. The question is: Is this within the President's budget? Yes, it is.

Mr. Chairman, when one looks through the various proposals having to do with higher education and which are in the President's program which is comparable to this program, we find that the administration's higher education program would cost $650 million in this next fiscal year. This bill provides for $375 million.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield at this point?

Mr. QUIE. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. The gentleman has just said that this proposed program was within the President's budget for higher education.

Mr. QUIE. That is correct.

Mr. WAGGONNER. If the gentleman will yield further, I have in my hand a partial transcript of a press conference which was held on March 1, 1961, on the subject of the needs for aid to parochial schools, and this question was asked the President:

> Question. Mr. President, sir, in view of the criticism that has occurred could you elaborate on why you have not recommended Federal aid to public—to private and parochial elementary and secondary schools?

To which the President replied:

> Well, the Constitution clearly prohibits aid to the school, the parochial school. There is no doubt about that. The Everson case, which is probably the most celebrated case, provided only by a 5-to-4 decision was it possible for a local community to provide bus rides to nonpublic children. But all through the majority and minority statements on that particular question there was a very clear prohibition against aid to the school direct. The Supreme Court made its decision in the Everson case by determining that the aid was to the child, not to the school. Aid to the school is—There isn't any room for debate on that subject. It is prohibited by the Constitution, and the Supreme Court has made that very clear. Therefore, there would be no possibility of our recommending it.

Will the gentleman comment on that?

Mr. QUIE. We have taken this up, and I think every member of the subcommittee would agree with that statement that aid to elementary and secondary parochial schools is unconstitutional. After the press conference to which you refer the Senator from Oregon, Mr. MORSE, asked the Department of Health, Education, and Welfare to work up a brief on the whole question. With the help of the Justice Department they sent this to us and we came to the conclusion it would be unconstitutional for elementary and secondary parochial schools to receive Federal aid. However, higher education is different.

Mr. WAGGONNER. What is the difference? Will the gentleman please explain that?

Mr. QUIE. It is compulsory for a young person to go to elementary and secondary schools, therefore it would be unconstitutional to provide aid for schools which were church operated. However, in higher education institutions there is no compulsion for the student to go to the institution. If the student wants to go to an institution of higher learning he can choose any institution in the country. Also in order to make certain we were on safe constitutional grounds we placed prohibitions in this legislation against using this money for the construction of any facility which would be used for sectarian instruction or religious worship or to any school which might be called a school of divinity. That is, a school that would train a person to find employment in full-time churchwork.

We feel this bill is clearly constitutional. We went back into the history of Federal assistance to education and found where the Government assisted higher education never once has it been limited to public institutions. You can go down through the various programs and find that is true. Some people come up with the suggestion the Federal Government is buying services. That is true in connection with many of our research programs, that is, the Federal Government is buying services. In this way it may not be interested in whether the institution is public or private. However, there are Federal grant programs which are not in payment of services. For instance, the National Science Foundation provides institutional grants. These go to institutions for upgrading their education wherever they need it in connection with science. Fifty-eight percent of that money is going to private institutions. Church-related institutions receive 22 percent.

Mr. WAGGONNER. Did the President in his recommendations recommend this aid now for parochial schools at the college level?

Mr. QUIE. Yes, this year he did. This year he provided in his omnibus education bill a recommendation for grants to all institutions for the construction of libraries. The libraries, very definitely, can be used for purposes other than science, it is true. There was a recommendation for grants to build laboratories and science classrooms under the National Science Foundation and these you know include some social science work. Those two programs are clearly the same as we are recommending here. The third one he recommended is that for assistance to technical institutions.

Mr. WAGGONNER. It is difficult for me to understand how we can stretch our imagination to the point that Federal aid to colleges and to graduate institutions is not unconstitutional. I just cannot follow that line of reasoning. Federal aid is Federal aid, and I think it is unconstitutional.

Mr. QUIE. I was not able to follow that reasoning either until I became a member of the committee, and studied the question.

I am seriously convinced that this is the case.

Mr. CAHILL. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from New Jersey.

Mr. CAHILL. I should like to associate myself with the remarks of the gentleman in the well as far as the constitutionality of grants to institutions of higher education is concerned, but I do not think we ought to let go unchallenged the categorical statement and the opinion of the gentleman who just engaged in a colloquy with the gentleman to the effect that aid to parochial schools on the elementary or high school basis is in itself unconstitutional. While it may be the opinion of the gentleman in the well and of the other gentleman that this is so, I would respectfully call the attention of the gentlemen to the fact that there are men of great renown in constitutional law that have expressed an opposite opinion. I would also remind the House that it is my recollection that just a year ago the gentleman who now is the Speaker of the House of Representatives circulated throughout the House an opinion by a constitutional lawyer of great renown to the effect that such aid would indeed be constitutional. So I would say that I disagree with my learned friend there in challenging what this gentleman has said in the well, that it is certainly a constitutional enactment. I compliment the gentleman on his statement and associate myself with it.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from New York.

Mr. GOODELL. I think in view of the record made here with reference to the religious issue that it should be pointed out that this is not a question of aid to parochial schools. In the first place, among the 2,000 or so institutions of higher education, some 1,300 are private schools.

Most of them are not parochial, they are not Catholic. A great number of them are private institutions that are unaffiliated with any religious group. There are more Protestant institutions of higher education than there are Roman Catholic institutions of higher education. I believe the gentleman in the well has those figures, and it might clarify the Record if he put them in at this point.

Mr. QUIE. That is right. Sixty-five percent of all the institutions of higher learning are private institutions. 512 are nondenominational, 475 Protestant, 308 are Roman Catholic, and 24 are of other denominations.

Mr. GOODELL. The question was raised as to the attitude of the President on this legislation. This should be clarified that the President's statement at the time was in the context of the constitutionality of the general aid to education bill. The President has never indicated it was unconstitutional to give grants or loans to higher educational institutions. There should not be any confusion on this question. The gentleman has very ably presented the legal view that is developed by the President and the Congress, stating that they feel it is quite distinct legally as far as the constitutionality is concerned from the general aid bill.

Mr. AVERY. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from Kansas.

Mr. AVERY. I would first like to observe that I think the reason the gentleman from Minnesota has been so articulate on explaining the constitutionality of this issue is that he is a farmer rather than a lawyer, and that might be helpful to anybody trying to delineate between all of these fine constitutional questions. My purpose in asking the gentleman to yield does not relate to this particular matter. I do not want to interrupt his discussion with the gentleman from New York, which is on another matter. Does the gentleman from New York wish to ask the gentleman a question?

Mr. BECKER. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from New York.

Mr. BECKER. Referring to the colloquy between the gentleman in the well and the gentleman on the other side of the aisle in connection with the constitutionality of aid to private and parochial schools, the question of constitutionality is in the minds of the people as expressed by the President and the Solicitor General, I believe, but I do not believe that at any time in history there was a decision by the Supreme Court dealing with Federal aid for primary and secondary schools as being unconstitutional. Is that correct?

Mr. QUIE. In direct relationship to this legislation, that is correct.

Mr. BECKER. Not this legislation, any aid to primary and secondary schools. Is that correct?

Mr. QUIE. That is correct.

Mr. BECKER. The gentleman knows my position is well established of being opposed to Federal aid to education for primary and secondary schools, and I maintain that position. The question of constitutionality has not been determined by any court, or by the Supreme Court to my knowledge, in respect to aid to private and parochial schools. I just want to make that clear.

Mr. POAGE. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman.

Mr. POAGE. I do want to ask the gentleman his opinion on constitutionality. I guess each one of us will draw our own conclusions. I would like to ask the gentleman as to a question of fact because he is on the committee and has studied the bill. The bill does give authority to make grants to church-related institutions, does it not?

Mr. QUIE. That is correct.

Mr. POAGE. I thank the gentleman.

Mr. QUIE. That is correct; any institution of higher education, whether it is private, nonchurch related, church related or public, can qualify if it provides for increases in enrollment and is needed and it is determined by the State commission it has the priority of needs so that it does qualify and that it will be able to build its facilities within that Federal share which cannot be more than one-third of the total cost and that its construction will be economical and that they do not want to use the building for purposes where the general public is charged admission, not for a gymnasium or recreational purposes or to be used for sectarian instruction or religious worship or a school of divinity. As I explained before, it had to fit into these criteria in order to qualify.

Mr. LANDRUM. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman.

Mr. LANDRUM. Is it not true in order to qualify for a grant that the church-related school must qualify through the State commission which is authorized in the State to administer the grants allocated by the Commissioner of Education?

Mr. QUIE. That is correct. The school must first qualify with the State commission, the State commission being the representative of all the institutions in the State. If it qualifies, then the institution can go to the Commissioner and receive the money. I might also point out for you people who are worried about supporting the legislation that provides grants for church-related institutions, I think you need only to look back, those of you who supported H.R. 12, to remember that 13 medical schools in this country that will get money are private institutions and 11 dental schools are private institutions, and many are church related. I point that out to you people who were willing to support H.R. 12 earlier this year.

Mr. AVERY. Perhaps I had better accept the gentleman's invitation to yield at this moment because I do not know how we are getting along on the matter of time.

I am sure the gentleman was on the floor, when I made some comments on the adoption of the rule, and I recited the history of this legislation last year, particularly in respect to the changes which were made by the other body when the grant exclusion was stricken from the bill and in lieu thereof there was inserted a scholarship grant. The gentlewoman from Oregon [Mrs. Green] gave me such assurances as she felt she was able to give, that in the event this same procedure took place this year and this bill comes back to us with individual scholarship grants in lieu of grants to institutions, would the gentleman in the well who has been so articulate and so persuasive on this bill assure the House that he would resist this amendment if it is added by the other body and insist upon the position of the House?

Mr. QUIE. I will assure the gentleman, I will insist on the position of the House because I learned my lesson last year well. I know this House will not support grants to students whether we call them scholarship grants or nonreimbursable loans. I can assure you I will not fall for that again even if they are called nonreimbursable loans. I would also like to say that the administration requested no scholarships this year. There was no request for grants for students in any way at the undergraduate level. There was no such provision at all this year so I think also we can have the assurance the administration is not going over to the other body and ask them to put in scholarships this year.

I think this year we will be traveling a different road from last year.

Mr. AVERY. I appreciate the gentleman from Minnesota's remarks.

Mrs. GREEN of Oregon. Mr. Chairman, I yield such time as he may desire to the gentleman from Kentucky [Mr. Perkins].

Mr. PERKINS. Mr. Chairman, I rise in support of this legislation. I certainly wish to compliment the gentlewoman from Oregon [Mrs. Green] and the entire subcommittee for bringing this important legislation to the floor. It is long overdue and is greatly needed in this country today.

Compared to the States from which many of you come, Kentucky is not very rich in such things as per capita income and tax resources out of which to pay for education. But we have no shortage of brains and talent and we are using them to plan wisely and budget judiciously so that we can continue to make progress. In 1960, our per capita personal income was only 69.2 percent of the national average, but that was better than the 64 percent it was in 1950. In 1960, only 4.9 percent of our population 25 years or over had 4 or more years of college, compared to 7.7 percent for the Nation as a whole, but that, too, was better than the 3.9 percent it had been in 1950.

Industry and large cities have come late to the South, and we are mustering our resources to solve problems which are different but no less difficult than those some of you face in the urban centers. In every case, progress depends upon education to develop our human resources as a base for developing just about everything else worth while.

Compared to the United States as a whole, Kentucky—indeed most of the South—has a smaller percent of urban population. In this connection, it is important to remember that the proportion of college going is measurably higher when institutions are within commuting distance of students. Between 1950 and 1960, the national urban population rose from 64 to 69.9 percent. In Kentucky, it rose from 36.8 to 44.5 percent. This, in itself, contributes to difficulties in reaching all students capable of higher education.

In actual dollars expended for State operational support of higher education, Kentucky in 1961–62 was spending four times as much as a decade earlier, whereas the national dollar figures had tripled during that period. In terms of percentage increase of State funds for operating expenses of institutions of higher education between 1959–60 and 1961–62, Kentucky and New York increased their appropriations faster than any other States—64 and 48 percent respectively, compared to 21.9 percent in the United States as a whole and 17.6 percent in the South. In other words, Kentucky is trying hard and we are moving ahead.

While this is an indication of how fast we are moving, I do not mean to suggest that we are approaching the ideal. In 1960–61, the national average of enrollment as a percent of college-age population—18 to 21—was 39.2 percent; in the South it was 28.7; in Kentucky, 27.6. Even so, between 1950–51 and 1961–62, college enrollment in Kentucky had increased 79.3 percent—from 28,878 to 51,784—while it was increasing 69.4 percent nationally. If the trend forecast by Southern Regional Education Board continues, by 1970–71 Kentucky will have surpassed the other Southern States—39.6 percent in Kentucky, compared to 37.9 in the South as a whole. This is approximately today's national level, and is considerably below the enrollment of 51.2 percent of college-age population predicted for the Nation as a whole by the end of this decade.

There are several reasons why Kentucky and other Southern States, and some States in other sections of the country, are hard pressed to do as much as they should and would like to do for higher education. A limited resource base is the major problem, but this is complicated by other factors. As you know, there has been a national trend toward an increasing proportion of enrollment in public higher education during the past decade. By 1960, nearly 60 percent of the college students in the United States were in public institutions, compared to only about 50 percent a decade earlier. But the South already had 60.3 percent of its students in public colleges and universities in 1951. It took then and still takes more of the taxpayers' personal income to pay this bill.

Furthermore, progress of the Nation as a whole depends upon what happens in the individual States, just as the progress of Kentucky depends upon what happens in the separate districts and in the towns and communities within those districts. Our rapidly accelerating technology, the increasing complexity of society, and the mobility of our population have blurred State lines. In 1958, for example, one Kentucky undergraduate in five and half of our graduate students were attending colleges in other States. That same year, an almost identical number of students in Kentucky colleges were nonresidents of the State.

It is no longer enough simply to educate our youth for the community in which they were born and the jobs their fathers had. The same factors which brought demands for secondary education a generation ago now demand an increasing amount of higher education so that our youth are prepared for new jobs and new responsibilities wherever they may live or work throughout their lifetime.

There is ample evidence that Kentucky is not dragging her feet in terms of effort—and progress—in higher education. We still have a long way to go, but we have studied what is needed and believe we are moving in the right direction. Our council on public higher education was created in 1952 to coordinate all State higher education. In 1957, the council sponsored comprehensive surveys of our education needs and made projections of college enrollments through 1970. In 1961, a special commission further studied the need for and placement of additional institutions and centers. In recent years, we have undertaken expansion of educational opportunities through establishment of branches of the university at strategic points throughout the State. In 1962, legislation provided for the establishment of the University of Kentucky community college system and of four additional community colleges as soon as funds are available. One of these, I am happy to say, is to be at Prestonsburg, where such an institution is desperately needed to provide educational opportunity for those in the surrounding area.

The establishment of these institutions will do much to bring higher education within the geographic—and hence, financial—reach of a greater proportion of Kentucky students. We still need to enlarge and broaden the programs of these institutions for greater variety of post-high-school vocational education to accommodate the developing industries and contribute to their expansion. The same facilities which are used with our youth throughout the State can be used for continuing education and retraining programs for adults. This is especially important in carrying out 1962 legislation for an occupational qualification development program for residents of the State.

The degree of expansion of educational opportunities which Kentucky needs and must have in order for her young people to fulfill their responsibilities in the Nation's future is not something that can be accomplished by enlarging existing classes and crowding existing buildings. The gap between what we have been able to do in the past and what we must do in the present and near future is too great for that. H.R. 6143 will give us a helping hand in stretching our limited resources so that we can move farther and faster toward carrying our share of responsibility in higher education. We have the framework for the improvements the bill is designed to bring about. Recent and current efforts in Kentucky show how much the people really want opportunities in higher education and the extent to which they are willing to go to get them. H.R. 6143 will help us overcome some of the handicaps of heavy claims on limited resources.

Unpublished data from the Office of Education show that, in 1961–62, Kentucky completed 31 higher education facilities projects, including new construction and rehabilitation. The total value was $17,694,000, representing 11 projects at public institutions, $12,779,000, and 20 projects at private institutions, $4,915,000. Included were instructional, residential, research, general, and other auxiliary facilities. Compared to expenditures of this magnitude, the estimated annual Kentucky allotment of $3,403,254 under title I of the bill before us is modest, indeed.

Mrs. GREEN of Oregon. Mr. Chairman, I yield such time as he may desire to the gentleman from Oklahoma [Mr. EDMONDSON].

Mr. EDMONDSON. Mr. Chairman, I would like to join my good friend from Kentucky [Mr. PERKINS], who just addressed the committee, in complimenting the Committee on Education and Labor and the very able chairman of the subcommittee in charge of this bill, for the fine bill which they have brought to the floor of the House. I am pleased to support the legislation.

Mr. Chairman, this bill carries with it a recognition of our approaching crisis in higher education, and the only program available and attainable to help deal with that crisis.

While I concede the existence of a constitutional question in the assistance provisions, I am convinced the committee has conscientiously sought to limit assistance in ways to prevent clearly unconstitutional use. It is also noteworthy that the States will retain the right to determine priorities among institutions, and Federal interference in educational matters is strictly prohibited by the bill.

Finally, I am also convinced that judicial review will be available on the constitutional question, and I have no doubt such a review will be expeditiously sought. I do not believe we can afford as a nation to delay further the needed provisions of this bill, because of deep differences which exist among us on the constitutional question. If no judicial review were in prospect or possible, I might feel differently on this issue.

In conclusion, Mr. Chairman, and in further support of the bill, I offer the following letters from two of Oklahoma's leading educators, Dr. G. L. Cross, of Oklahoma University, and Dr. Oliver S. Willham, of Oklahoma State University.

In addition to the persuasive character of the letters from Dr. Cross and Dr. Willham, I have been impressed by the views of the able president of Northeastern State College in Oklahoma, Dr. Harrell Garrison.

One of the fastest growing institutions of higher education in the Southwest, Northeastern is the only 4-year college in the district which I serve. In the view of Dr. Garrison, this bill is absolutely essential to the growth needs of Northeastern.

The bill's provisions in aid of construction at junior colleges are an added argument for its adoption. I hope and trust the splendid junior colleges located in Oklahoma's Second District, which have been struggling valiantly to meet the demands of growing enrollment and student requirements, will be enabled by adoption of this measure to meet their great responsibility.

Under leave to extend, the letters from Dr. Cross and Dr. Willham follow:

THE UNIVERSITY OF OKLAHOMA,
Norman, Okla., July 25, 1963.

The Honorable ED EDMONDSON,
U.S. House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE EDMONDSON: I am writing to you to express my interest in the early consideration and passage by the House of Representatives of H.R. 6143, MRS. GREEN'S academic facilities aid bill for higher education. I believe this to be an excellent bill, one which will, if enacted by the Congress, provide a type of facility aid which will be beneficial to not only higher education in Oklahoma, but to all States.

The bill contains no provisions which have been the subject of controversy and I would think that it is now in a more favorable position for action than it will be later, should other educationally related bills be considered first.

I urge you to carefully and favorably consider H.R. 6143.

Cordially yours,

G. L. CROSS,
President.

OKLAHOMA STATE UNIVERSITY,
Stillwater, Okla., July 27, 1963.

Hon. ED EDMONDSON,
U.S. Representative,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN EDMONDSON: It has come to my attention that House bill 6143, "higher education facilities aid," was approved by the House committee some time ago. It has also been indicated that this House bill might be brought up for vote in the reasonably near future.

I would like very much to see this bill passed if at all possible, because we are in dire need of providing more facilities for higher education throughout the United States. This bill would encourage a stronger local effort in my estimation. If our predictions come true, we could still get most of the facilities ready in time to take care of the larger enrollments for 1965. It would help us to take care of the larger numbers without having to build temporary buildings again.

We appreciate the excellent work that you are doing for all of us. Many thanks.

Sincerely yours,

OLIVER S. WILLHAM,
President.

Mrs. GREEN of Oregon. Mr. Chairman, I yield such time as he may desire to the gentleman from California [Mr. COHELAN].

Mr. COHELAN. Mr. Chairman, I would like to congratulate and compliment the distinguished Member from Oregon [Mrs. GREEN], and the members of her committee for their substantial efforts in bringing this important bill to the floor of the House.

The problems confronting our institutions of higher education today are enormous and have been thoroughly documented in the hearings held by the committee. As a Member who has the privilege of representing a district which contains the home campus of the great University of California and Oakland's excellent City College, I can personally testify as to the magnitude of this problem and its immediacy.

In brief, Mr. Chairman, the many studies conducted by agencies of the Federal Government, by State commissions and by independent organizations are in substantial agreement as to the great need in this field.

During this decade—the decade of the 1960's—college enrollments are in the process of nearly doubling. Between the fall of 1960 and the fall of 1962 they increased by 17 percent. By 1965 they are expected to rise to 5.2 million; a 46 percent gain over 1960. And by 1970 the number is expected to reach 7 million; a 94 percent increase within 10 years.

If we are to accommodate this projected enrollment, college facilities must be expanded; $23 billion of new facilities will need to be constructed, more than three times the amount built in the 1950's.

Almost without exception, however, the studies reveal that traditional sources of income—student tuition and fees, grants, and alumni contributions—are already being stretched to their maximum limit. But the gap remains; a gap which the Federal Government, in recognition of its well-established role in this field, and in recognition of the importance of higher education to our security and welfare, must necessarily fill.

Mr. Chairman, I am disappointed that no provision has been made in this bill for undergraduate scholarships. One of the great traditions of this country is the opportunity for all to be educated, regardless of ability to pay. Nevertheless, each year more than 60,000 of our most able and gifted high school graduates are unable to attend colleges for financial reasons. This is a resource which our country cannot afford not to develop, and I am hopeful that legislation providing scholarships for qualified but needy students can be considered and enacted at an early date.

Finally, Mr. Chairman, higher education in the United States is confronted with a crisis and a challenge which this bill will materially help to meet. It is a bill which is vital for the future development of our country and which is completely consistent with our tradition of Federal assistance to higher education dating back to the Morrill Act of 1860.

I urge that it be approved by the House today.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 5 minutes to the gentleman from Nebraska [Mr. MARTIN].

Mr. MARTIN of Nebraska. Mr. Chairman, first, is the financial assistance of the Federal Government necessary to meet the legitimate needs of the colleges and universities?

The Federal Government derives its income from the people, either receiving it from them in current taxes or borrowing against future taxes. Consequently, it has no funds available to it that are not available to the people themselves. As the Government inaugurates new programs, it must obtain more money from the people to carry out these programs. In short, the people can, through private gifts or through lower levels of government, support any increased domestic educational programs just as extensively as the Federal Government can.

The issue, therefore, is whether the people will choose to support specific educational endeavors and to what extent. It stands to reason that the private sources that support independent education, and the State or local governments that support public education, are in more direct touch with the educational institutions which they support than the Federal Government could possibly be. They are therefore in a better position than the Federal Government to judge what instructional and what building programs genuinely deserve more funds and how much.

Ultimately, the only necessity for the Federal Government to underwrite higher education arises if the people do not choose to make funds available of their own accord, and Congress decides it is a better judge of what the people ought to do than they themselves are.

Congress has, in the past, enacted legislation to resolve major problems that face us as a nation. It has directed funds to those educational activities of which the expansion was believed to be critically important for the safety or the development of the Nation. Such, indeed, has been the reason to support the establishment of the foreign language and science programs under the National Defense Education Act.

Now, the Federal Government proposes to advance from the provision of assistance in particular fields to a general outlay for all institutions of higher education in their building programs. This transition—from the particular to the general—is a drastic change of national policy, and should not be undertaken without the most thorough evaluation of the consequences. I believe that the destructive results of this course will far outweigh the benefits.

Second, what effects would Federal grants for buildings have upon individual colleges and universities?

In the first place it may be assumed that such a program once begun will continue to expand indefinitely. It is not in the nature of political reality for

Members of Congress to withdraw, once it is established, a large-scale program of financial assistance while the need persists. On the contrary, Congress will be under continuous pressure to increase the volume of aid and increases will be voted. Therefore, more Federal tax dollars will be collected to be spent on education, and less dollars will be available to education from other sources, provision for tax-deductible gifts notwithstanding, since gift dollars are only partly offset by tax savings. As the Federal Government shoulders this burden, not only will there be less money available to other sources of support, but there will naturally follow a diminishing of the sense of need to provide funds for education on the part of State or local governments and private individuals or groups.

At the present time, the variety of sources of funds for colleges and universities reinforces the diversity of educational programs and educational philosophies among the various institutions: one college now attracts funds because of the religious nature of its program, another because of its freedom from religious influences, one for its conservative views, another for its liberalism. It is generally agreed that the diversity of our educational institutions is a principal cause not only for the advanced state of educational services in the United States, but also for the vitality and success of our economy, our culture and our political system.

As the various colleges turn more and more to a single source of revenue—the Federal Government—the differences that set one college apart from the next will inevitably be reduced. The tendency toward sameness will result both from the enabling legislation itself and from the judgments and interpretations of the people who administer the programs.

Any legislation which gives money away must have some restrictions to insure that the money is spent for the intended purpose. These restrictions, however broad and reasonable they may be, cannot fail to diminish the variety and the flexibility of the internal operations of the separate educational institutions.

Totally apart from the provisions of the laws, the human factors that are active in the seeking and dispensing of enormous sums of money will also bring about conformity among colleges. Any successful manufacturer tailors his product to the personal inclinations of the public which buys his product; any successful salesman shapes his sales talk according to the known bias of his customer. In this instance, the Federal Government, which proposes to underwrite a third of the cost of construction will become in one congressional vote the largest single customer of all private colleges and a substantial customer of all public ones, a customer in the sense that the Government will decide whether to buy for the Nation the services of each college, with its Federal grants.

College executives, however, determined they are to maintain independence of planning and programing for their institutions, will find it necessary to tailor their education programs to meet the legal requirements of governmental subsidy on the one hand, and the personal views of the men who designate the recipients of Government grants, on the other.

Third, is not this line of reasoning based in part on an assumption that the officers of Government will be less than objective, honest, wise, and fair?

No, the honesty or the ability of those who administer the funds may be assumed, but is irrelevant unless the plan is to dispense funds with an absolute evenhandedness, with like shares for the excellent, the mediocre, and the questionable. We cannot believe the intention would be to support the good and the bad with equal grants. Therefore, at some points in the law and at many points in the administration, value judgments will be made which will fit some institutions as they are and bend the others to the pattern.

Fourth, are there other cautions in considering a general Federal subsidy of higher education?

Yes, there are many, but the one of paramount importance is the effect upon the individual citizen of the philosophy of this Federal-aid program, that the Government will take care of our educational needs and solve our educational problems, and thus relieve each citizen of the responsibility to judge what is good in education and to provide through private gifts and State and local taxes the funds to operate successfully the kind of education he believes in.

The ultimate strength of our Nation is in direct proportion to the degree to which the individual citizen accepts responsibility for his own welfare and his own behavior, and rises to assume a responsibility for what happens to the group. As the people of a nation are led to believe that their wants and needs will be met by a paternalistic government, they are relieved of the compulsion to take action of their own accord. It is a proven fact that most of our colleges and universities in the United States today are not operating their physical plant at full capacity. In fact, it has been stated that our institutions of higher education are operating at only 30 to 35 percent of capacity as far as classrooms are concerned. Let me point out this fact to you. Many of our colleges have their heavy schedule for classroom work in the mornings; not so many classes are held in the afternoon and none in the evening. Many of our colleges, also, do not have classes on Saturday. And then we have 3 months in the summertime in which many of our institutions are not even used.

Millions and millions of dollars have been invested in these physical plants and yet are only actually used about one-third of the time. Now, I realize that our educators are looking into this field and I realize that these institutions are not making full use of their capacities. But until they do so I maintain that we do not have this desperate need as presented to us today by some of the members of the committee.

Mr. Chairman, while this encouragement to the citizen to divest himself of responsibility is generally dangerous to the State as well as to the character of the citizens, it is critically so with regard to education.

At the present time a college must compete with its sister institutions for money, for faculty, and for superior students. The stature and vitality of its educational program and the efficiency and harmony of its operation affect directly its capacity to attract funds and able personnel. Competition in this instance breeds excellence and encourages pioneering endeavors. A college administrator with a new educational plan seeks out a source of funds which regards that plan as worthy of investment.

As the Government becomes the main dispenser of funds, the tendency will be to refrain from innovation and to hold to those programs which have in the past elicited Federal grants, or to experiment only in those directions which are known to be well received by the agents who pass Federal judgment. In the selection of college executives, the candidate's ability to please the keeper of the Federal purse will become an increasingly important consideration. In short, the continued success of a college will no longer depend on the character of its educational program to the same extent, but rather upon its ability to get its share of Government handouts.

This statement I believe to be a wholly positive action to protect our institutions of higher education from a cure for problems, a cure which may appear to be the easiest one, but a cure which I believe will deform the patient—if it does not kill him.

The National Government must concern itself profoundly with the extent and the character of educational services, but the general underwriting of higher education by the Federal Government I regard as wholly contrary to the best interests of the separate educational institutions and therefore hostile to the welfare of our people.

I trust, in conclusion, Mr. Chairman, that this legislation will be defeated.

Mrs. GREEN of Oregon. Mr. Chairman, I yield such time as he may consume to the gentleman from Connecticut [Mr. GIAIMO].

Mr. GIAIMO. Mr. Chairman, I rise in support of H.R. 6143, the Higher Education Facilities Act, or the "bricks and mortar" bill as it has been called. Before addressing myself to the bill itself, I would like to commend the gentlewomen from Oregon [Mrs. GREEN] for her tireless efforts in behalf of this legislation. Seldom has this House witnessed such an outstanding example of leadership and courage in the advocacy of a legislative proposal as has been demonstrated by our distinguished colleague. It is a pleasure to join with her in an effort to pass this badly needed bill to help expand our Nation's higher educational institutions. I should also like to pay my respect to the other members of her subcommittee, with whom I have worked for many years.

Although I am no longer a member of the Education and Labor Committee, I served on that committee during the 86th and 87th Congresses. Last year I was one of the House conferees on H.R. 8900, the higher education bill passed by the House and Senate early last year, but which was unfortunately killed shortly before adjournment. Members will recall that the conference report was rejected by this body last September. The compromise version of H.R. 8900, painstakingly worked out by the conferees through many weeks of meeting spanning over 4 months, was a good bill. The bill we are debating here today is likewise a good bill. Last year, conferees on both sides of the aisle worked long and hard to resolve the complex and controversial sections of the 1962 measure. Unfortunately—tragically for higher education—our efforts failed.

We have already lost a precious year as a result of the failure of the last Congress to approve a higher education bill. We are now considering a bill that seeks to solve one of the pressing problems confronting higher education. It is a construction bill, requiring considerable leadtime in making plans, obtaining approval of individual projects, letting contracts, and the actual construction itself. The need for this bill is urgent, we must act affirmatively, here and now, so that additional time will not be lost.

Mr. Chairman, I would take issue with those who say, as the gentleman preceding me just said, that there is adequate space for students in American institutions of higher education. I do not know what schools the gentleman checked, but I can assure the members of the committee that in my own State of Connecticut where we have several large-sized schools, there is need for additional facilities. I can cite individuals who have qualified to enter college but who cannot be admitted because of the fact that there is a dire shortage of facilities to house them and to put them into classrooms. This is so at several of the larger institutions which, indeed, are trying to utilize their space more effectively than they have in the past, as was questioned by the preceding speaker.

Mr. Chairman, I would like to mention one other subject that has come up today, and that is the question of constitutionality, this question of whether or not we should assist the private colleges and universities.

Mr. Chairman, I think we render education in the United States a disservice if we commingle two entirely different problems; one, the problem of aid to elementary and secondary schools, and the other, the problem of assistance to our colleges and universities.

Mr. Chairman, I would like to compliment my good friend, the gentleman from Minnesota [Mr. QUIE], who went into the matter in detail and who explained the difference. I think that in one case we have a public school system which has been traditionally and historically the tax-supported system in the United States. Whatever the argument may be as to constitutionality insofar as that problem is concerned, it should not be brought into the area of aid to higher education, where historically and traditionally we have had just the opposite kind of a system, namely, a diversity of schools—mostly private—as the gentleman from Minnesota stated when he used the figure of 65 percent. There we have had the growth of private diversified type of colleges.

Mr. Chairman, I think that we as a people should assist these colleges, be they public or private, denominational or nondenominational, as long as they qualify within their States as institutions of higher education. This, in my opinion, is our function and this is what I think we should try to accomplish here.

Mr. SNYDER. Mr. Chairman, will the gentleman yield?

Mr. GIAIMO. I yield to the gentleman from Kentucky.

Mr. SNYDER. The gentleman from Nebraska advises me that he was quoting from U.S. News & World Report magazine of last week in regard to the need question.

Mr. GIAIMO. In regard to which question?

Mr. SNYDER. The need for additional space.

Mr. GIAIMO. In that regard he perhaps quoted from U.S. News & World Report, but I can quote to the gentleman from President Kennedy, President Eisenhower, from the various Secretaries of the Department of Health, Education, and Welfare in both administrations, to the effect that there is a shortage of facilities and that there will be a greater need for them in future years.

Mr. SNYDER. If the gentleman will yield further for a question, I would like to ask the gentleman if the gentleman could enumerate for the members of the committee any buildings constructed on a college campus in the last 10 years which give the appearance of having been built under an austerity budget?

Mr. GIAIMO. I do not know whether they were or not. I cannot give the gentleman specific instances, but I am sure if the gentleman would look into it, such figures could be ascertained.

Mr. SNYDER. I would appreciate it if the gentleman would obtain that information. I do not profess to have checked all of the buildings built on college campuses in the last 10 years, but I would say the few I have seen do not give the appearance of having been built under a very tight budget.

Mr. GIAIMO. The question of a tight budget, of course, is one that is debatable, as to what is adequate and what is not. There we may find ourselves in agreement or disagreement, as the case may be. But the fact is that both administrations, both Secretaries of the Department of Health, Education, and Welfare, have come before us and before this committee and have projected the needs for the next 10 years.

They have shown what the projected amount of money to meet these needs would be and what the universities and their facilities themselves can raise. They all unanimously indicated there would be a deficit and that this deficit will have to be made up by the public and by the Congress of the United States.

Mr. MARTIN of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. GIAIMO. I yield to the gentleman from Nebraska.

Mr. MARTIN of Nebraska. The gentleman was in error when he said my information came from the U.S. News & World Report. What I have from the U.S. News & World Report is an article of this week in which it stated that in New York State alone there will be vacancies in September for 4,369 students. In other words, New York State colleges and universities will be able to accommodate 4,369 additional students because they are not filled to capacity.

I would like to point out to the gentleman further that there are many colleges throughout the country that have tried to sell students on attending their universities because they do not have enough applicants to operate at 100 percent capacity.

Mr. GIAIMO. I have worked with the gentleman, I have high respect for him, but I question the accuracy of the figures he is using. I think it is common knowledge in America today that many of our schools and universities are not operating at less than capacity but that actually they are overcrowded. I think any of us, and many of us have, who have tried to help young people in obtaining admission to colleges and universities know how difficult it is. This is due to the fact that we have a large population, that babies born during the Second World War are now reaching college age. The problem is going to increase in the next few years rather than decrease, so I would seriously question those statistics.

Mr. PUCINSKI. Mr. Chairman, will the gentleman yield?

Mr. GIAIMO. I yield to the gentleman from Illinois.

Mr. PUCINSKI. Would the gentleman from Nebraska look at page 4 of the committee report? There may be 4,369, or whatever number the gentleman used, vacant seats in the universities of New York State next September; but the table on page 4 of the committee report shows that by 1965, there will be an increase of more than a million students looking for admission into our Nation's institutions of higher learning and by 1970, which is only 7 years from now, there will be almost 2.5 to 3 million more youngsters who are going to be trying to get admission to colleges. College facilities are not created overnight. It takes planning, it takes construction, the recruitment of professors and a staff. I think Congress is wise in looking at this today rather than waiting until we are faced with a crisis in 1965 or 1970.

Mr. GIAIMO. I thank the gentleman.

One other point should be made. Because of the shortage of space in our colleges, we are finding that only the honor students, only the students with the highest grades can obtain entrance into the colleges. There are many others, the average students, who will go on into adult life and succeed in the occupations in which they engage, but we have to make sure these people are not deprived of a college education, because they can be of great service in the coming years.

Mr. Chairman, I would like to repeat that I favor passage of this bill. There is little doubt as to the urgency of the crisis facing our colleges and universities. In his education message last January President Kennedy pointed out:

> The long-predicted crisis in higher education facilities is now at hand. * * * Even now it is too late to provide these facilities to meet the sharp increases in college enrollment expected during the next 2 years. Further delay will aggravate an already critical situation.

We need only to look at the rapid increases in college enrollment during the past 2 years and the projected increases in the next several years to understand the impact it will have on our higher educational system. Between 1960 and 1962, we had a 17-percent increase in student enrollment at colleges and universities. By 1965, experts predict that there will be a 46-percent increase over 1960, and by 1970 we will have 7 million young men and women in colleges, an increase of 94 percent during the decade of the 1960's.

Members of the Education and Labor Committee have already explained the major provisions of H.R. 6143, so I will not repeat the categories of loans and grants authorized to the various higher educational institutions. I merely wish to restate my view that this is a good bill, a comprehensive measure that will meet the crisis in higher educational facilities head on, and that it will make it possible for such institutions to expand so as to provide higher educational opportunities for the millions of eager young people coming of college age in the next several years. It is on this group that much of our Nation's destiny depends, for these college-trained men and women will be the scientists, teachers, engineers, business leaders, and statesmen of tomorrow. Let us act affirmatively by passing this bill without further delay.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 10 minutes to the gentleman from Indiana [Mr. BRUCE].

Mr. BRUCE. Mr. Chairman, the hard, cold truth is that the old cow is dry and we are going to wean the calf or the cow and the calf are both going to die. There just is not $1.2 billion of Federal funds that are available. We do not have $1.2 billion of Federal funds for education or anything else in this area.

I am amazed that a couple of weeks ago we sat here on the floor and watched and listened to a battle on whether or not we should increase the debt ceiling and keep it at the $309 billion. The fact is that our indebtedness now is way in excess of $300 billion. The interest on the debt we have now exceeds $10 billion a year. The fact remains we have just finished a fiscal year where we ended up with a deficit of $6.8 billion. The estimated deficit for the next year is set, and it is guesswork, at around $11 billion.

I have sat here now for 2½ years and listened to many wonderful speeches and many wonderful presentations on all sides of many issues from the well of this House. I sat here for 2 hours the other evening and listened with careful detail, although I did not agree with every point that was made, to a group of my colleagues talking about the invasion of State responsibility, talking about the encroachment of the Federal Government, talking about the mass of the bureaucracy, even using such terms as dictatorship, throwing in the names of Adolf Hitler and Nikita Khrushchev to compare with what has happened in the United States. I am afraid their phrases may be overdrawn, but the fact remains that a group of men did this on the floor of the House and very obviously were concerned with the expansion of the Federal bureaucracy and the invasion of the Federal Government into the rights of the individual States.

How on earth can we in consistency carry on a battle which says we are going to try to hold down the debt ceiling and keep our economy in some sensible position, then say the Federal Government should, without knowing where it is going to get the money, spend $1.2 billion for a bigger and greater educational program?

What money does the Federal Government have? Where does it get it? It can only get it from the citizens, the citizens who are part of our State and local communities as well. We are concerned with aid to education within a free enterprise system. Why are we not revising our tax structure to provide initiative so that money will be available for aid to education? Why do we not talk about positive proposals without the danger of Federal control here in this Congress?

We talk about the poor youngsters, and I have heard it said again today, who cannot get into college perhaps for financial reasons. That is not part of this bill but part of the total picture.

There has been legislation submitted in our last Congress and this one for tax deduction for parents who have children in school, for tax credits. What has happened to that? We do not hear a word about it.

I think the irony of it is summed up in press wires in two instances today in connection with school aid. One slugged UPI–7 read:

> The House today took up a $1.2 billion Federal school-aid measure that bulged with political controversies. The bill is expected to pass anyway.

I suspect that is right.

The next one is UPI–8:

> The House Ways and Means Committee is expected to start voting today on the biggest tax cut in history.
>
> Key Democrats said they believed the committee would wind up approving almost all of the $10.6 billion in tax relief recommended by President Kennedy.

How on earth can we approve a $1.2 billion increase and expend it on a new program and at the same time say we are going to support a $10 billion tax cut? It just plain does not make sense.

Mrs. GREEN of Oregon. Mr. Chairman, will the gentleman yield?

Mr. BRUCE. I yield to the gentlewoman.

Mrs. GREEN of Oregon. Did I understand the gentleman to say that we do not have $1.2 billion for this kind of educational program?

Mr. BRUCE. Not with the deficit running as it is.

Mrs. GREEN of Oregon. Did I understand the gentleman to say he favored a tax deduction?

Mr. BRUCE. No, you did not. I said we ought to be discussing it here.

Mrs. GREEN of Oregon. May I inquire whether you do favor a tax deduction?

Mr. BRUCE. I would favor a tax deduction for college education—yes.

Mrs. GREEN of Oregon. May I point out to the gentleman that if we approved the bill introduced by the gentleman from Nebraska which would allow an income tax deduction of $1,000 for every student who attends college, the cost to the Federal Government would not be $375 million a year, with $120 million of it in loans, as this bill is, but it would be a cost to the Federal Government of $650 million for the first year and in 1970 the cost would go up to $1 billion, which would be lost to the Federal Treasury in taxes. So it would be a far more expensive and extensive program than the program which we are considering today, and in addition to that it would not get one student into a college or university who could not go to college otherwise.

Mr. BRUCE. I suggest to the gentlewoman from Oregon that I couple that with the suggestion that we ought to reduce our tax structure as well so that individuals and corporations could make contributions and get consideration for such contributions in the tax structure. Tax laws can be revised so that colleges could issue construction bonds much on the same basis as municipal bonds. They would sell as fast as they could be printed. I do not believe we can continue to pile appropriation upon appropriation and program upon program at the Federal level and solve these problems. We have not solved them at all. That is why we keep coming back every year with a new aid program and every year they say this is the last one and it is going to solve the problem and not one has been solved yet. I think it is about time to quit kidding ourselves. Let this power rest with the communities and the States and individuals and be solved in the traditional American way and under the traditional American system.

May I conclude with a pragraph called the "Cycle of Freedom," by Dr. John Stambaugh of Vanderbilt University. May I say before I give it, you might agree with it or disagree with it, but I think it is provable historically.

The paragraph goes like this:

> Out of bondage comes spiritual faith.
> Out of spiritual faith comes courage.
> Out of courage comes freedom.
> And out of freedom comes abundance.
> And then comes the waning.
> From abundance to selfishness.
> From selfishness to apathy.
> From apathy to dependency.
> And from dependency right back to bondage again.

Mr. Chairman, we are making ourselves a nation of dependent people. I suggest it is time we change our course.

Mr. ASHBROOK. Mr. Chairman, will the gentleman yield?

Mr. BRUCE. I yield to the gentleman.

Mr. ASHBROOK. I would certainly like to commend the gentleman for his statement and associate myself with it, and make a couple of extra points. I think one of the interesting things about this bill is the demonstrated fact that a major part of this money will go to tax-supported institutions. If we are going to take over the responsibility of aiding tax-supported institutions, in my own State and in the other 49 States, one wonders where are we ever going to stop? I could not help but note also that my alma mater—and I usually do not admit that I went to Harvard—but I got a telegram yesterday morning from the university asking me to support this bill. Now if Harvard University, which is one of the richest universities in the country and the last time I paid any attention to it, I think the endowment was about $50 million a year, and yet Harvard University is on record in behalf of a bill like this. Now if Harvard University needs Federal aid to education, what is going to be done about the many other colleges not even approaching that type of affluence. Also, I would like to mention the State of Illinois, for example, and I noticed my friend, the gentleman from Illinois [Mr. PUCINSKI], talking about this bill, only a few months ago the State of Illinois dedicated a brandnew grandiose building at a cost of between $7 and $8 million, which is largely a sports arena and for shows. I think this is the very point which the gentleman from Kentucky [Mr. SNYDER] mentioned. If the University of Illinois can spend $7 or $8 million on one building that by all standards is probably one of the most expensive and one of the most lavishly furnished buildings of any college in the country, it ill behooves them to come to our committee and ask us for grants and aid so that they can go ahead to meet their educational needs. If it is their judgment that they can afford buildings of this type why should they then look to the Federal Government? I point this out because I think they ought to make their own decisions and face their own responsibilities. I simply want to associate myself with the very fine statement made by the gentleman from Indiana and add my opposition to this bill. Members who vote for this $1.25 billion can hardly go home and take the stump for economy. This is an additional strain on our already oppressed and forgotten taxpayers.

Mr. MACGREGOR. Mr. Chairman, will the gentleman yield?

Mr. BRUCE. I yield to the gentleman from Minnesota.

Mr. MACGREGOR. Mr. Chairman, today as we give our attention to the Higher Education Facilities Act of 1963 I want to call attention to the efforts of private business in this country toward providing a proper kind of encouragement and assistance for the quality education we all want for America's young people.

Too often we hear the statement that local government and private sources are not capable of providing for our educational needs. Too often, in our eagerness to improve educational standards, we tend to overlook what progress is being made by nongovernment sources, and too quickly come to believe that the Federal Government must step in as the only source of competence.

I am sure that some Federal Government participation in education is justified in the national interest. We all know of excellent programs that are being carried out today—programs that could not be duplicated without Federal Government assistance of one kind or another.

But a balanced viewpoint requires that we note what is happening elsewhere. For example, the Minnesota Mining & Manufacturing Co., of St. Paul, Minn., is announcing a $1.5 million assistance grant to education.

The company will select 500 schools representing all parts of the country, and will make an outright gift to each school of a $3,000 visual communication system. Each system will consist of 11 classroom projectors, two transparency makers, and materials with which to use the machines.

All types of schools will be included in the program: colleges, high schools, and elementary schools—both public and private. The selections will be made on the basis of proposals prepared by the schools themselves, and there are no qualifications or strings attached to the grants.

Minnesota Mining's president, Mr. Bert Cross, is very much aware of the increasing costs of education facing each and every community across the country, and he feels a real need for private industry to assume an increasing responsibility to provide help.

Neither Mr. Cross nor any of us here believe that machines or dollars alone can give us the excellence we want in our education programs. It is still the teacher who must organize and perform the basic communication of knowledge.

But with the proper and constructive kind of attitude on the part of business, on the part of local government and individual school boards, and on the part of those of us in the Federal Government, we can all combine our efforts and produce the finest possible education system.

Mrs. GREEN of Oregon. Mr. Chairman, I yield 7 minutes to the gentleman from Maryland [Mr. SICKLES].

Mr. SICKLES. Mr. Chairman, I rise in support of H.R. 6143.

I wish to commend the chairman of the subcommittee, the gentlelady from Oregon [Mrs. GREEN], for the outstanding manner in which she has handled this very important bill and particularly for her many kindnesses to me, a freshman, in the deliberations. I must also express my great respect for the other members of the subcommittee from both sides of the aisle who contributed so much time and effort, always in a constructive manner. I shall confine my remarks to the subject of junior colleges.

One out of every four students beginning work in higher education today is doing so in a junior college. The estimate is for as many as 3 out of 4 in some States by 1970. Of the 90 new colleges established in this country during the past 5 years, 69 are junior colleges.

Recognizing the increasing importance of the junior college, which brings educational opportunities within the financial and geographic reach of the many, the administration's proposals, as embodied in H.R. 3000, made specific recommendations for their aid. This principle has been carried forward in the bill which we are considering today—H.R. 6143—by including junior colleges in the definition of "institution of higher education"—which, in turn, makes them eligible for grants under title I, and loans under title III. It should be noted, and this is the key provision, that specific provision is made that junior colleges, together with technical institutes will be eligible to receive not less than 22 percent of the $230 million granted each year to the States under title I of the act. There is no such earmarking of the loan funds provided for in title III of the act.

While the current bill continues to recognize the need for assistance to these institutions as outlined in the administration proposal, it has done so in a manner giving more flexibility to the States in determining their own particular needs. The funds provided for junior college and college level technical institutions have been combined rather than specified in separate programs, and funds which are earmarked for their use are subject to the general reallocation features of the bill.

When we speak of junior colleges, we include both public and private institutions, and include those commonly recognized as 2-year colleges with a program for full credit toward a bachelor's degree, sometimes referred to as community colleges by virtue of their location, or their purpose of meeting community needs, as well as the 2-year extension centers of 4-year colleges or universities, by whatever name called as for example, "the commonwealth centers" of Penn State University.

Approximately 90 percent of the current junior college enrollment, which is rapidly approaching the 1 million student mark—as compared to approximately 75,000 students in 1930—consists of students enrolled in the 452 public junior colleges. New institutions are being established at a rate of about 30 annually, and these are primarily public community colleges.

This means then that by aiding junior colleges:

First. We are recognizing the rapidly growing importance of the junior college in our educational system.

Second. We are helping to relieve the pressure upon those institutions which have absorbed much of the increase in student enrollment today, and are destined to continue to do so. For example, in 1962, junior college enrollments showed an increase of 13.7 percent as compared with an increase of 7.2 percent in the 4-year institutions.

Third. We are relieving the enrollment pressures on 4-year colleges and universities during the critical freshman and sophomore years.

Fourth. We are minimizing the need for dormitories with its expense to the institution, and, in turn, to the student, which could be the very reason a student may be unable to secure a college education.

Fifth. We are recognizing the need for locating many of our institutions in areas accessible to students. The likelihood of going on to college on the part of a high school graduate who lives within 20 to 25 miles of a college, is 50 percent greater than it is for the student who lives beyond commuting distance.

Sixth. We are encouraging the establishment of programs to prepare students for careers at a low cost. These are people who have both the desire and the ability to continue their education. They are young people that this country needs if it is to survive in a complex, competitive world. They are young people that should be given the opportunities to develop themselves and realize their full potential.

Seventh. We are providing the means to meet the dramatic increase in college enrollment in the most economical and expeditious way.

Perhaps this pressure on facilities and resultant need for increased capital investment is best illustrated by citing the experience of a specific State. In my own State of Maryland, a recent report of the commission for the expansion of higher education predicted a fivefold enrollment increase for the 12 existing Maryland community colleges between 1961 and 1975. According to Maryland estimates, an average of $4,000 for each full-time student is required for facilities and construction costs. Based on this amount, Maryland will have to expend approximately $58 million in capital funds over the next 12 years to accommodate just the enrollment increase expected in existing public junior colleges. Many other States are undergoing similar growing pains, and the funds provided for in this title will certainly help them to provide adequate educational facilities within the financial and geographic reach of our young people.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. FINDLEY].

Mr. FINDLEY. Mr. Chairman, in good conscience we can criticize and oppose this bill and still be for good education. And to underscore that observation I would like to mention that I graduated from a church-related private liberal arts college in Illinois, which I hold in high esteem, and happen to serve that college on the board of trustees at the present time. So I feel that I can come before you with clean hands in behalf of good education and still be in opposition to this bill.

This is presented as a "bricks and mortar" idea as if, perhaps, "bricks and mortar" is a one-time expenditure, a one-time obligation. Such is not the case. The need for construction, for bricks and mortar, for facilities, never ends, and we are involved here in a fateful first step that will involve ever-increasing requests and demands and appropriations in time to come. So we should act realizing what is certainly ahead if this first step is taken.

Despite the disavowal in the language of the bill itself this proposed grant of Federal money does involve Federal control. There are conditions of eligibility. Some relate to labor standards, a form of Federal control.

Some relate to the economy of construction, and this requires determinations and controls.

Mr. Chairman, may I remind the Members of the Committee that the President does have authority which he used under the Housing Act to withhold Federal funds from facilities which are racially discriminatory. So, there is the possibility of Federal control of these funds in that respect too, and I might add that I think withholding of funds in such circumstances is certainly justified.

Mr. Chairman, mention was made by my colleague, the gentleman from Illinois [Mr. ANDERSON], of the church-state issue. Here again I point to the possibility of Federal control being brought about in the administration of this act. The exact character of control is at present in doubt. No one knows truly what the President would do in making available to sectarian institutions funds herein authorized.

Mr. Chairman, this bill is bad for education. It would place new hardship on institutions of higher learning in the private field as contrasted with the public field, because most of the funds under this program would go to tax-supported institutions. My college, for example, charges about $800 a year tuition. This compares with about $300 a year for tuition at the University of Illinois. This disparity is caused by the fact that the tuition which students at the State university pay comes only within $1,000 a year of meeting the total cost of that education. Each student is subsidized by the taxpayers to the tune of some $1,000 a year.

Of course, Mr. Chairman, a proposal of this kind would tend to widen that disparity and impose new hardships on the private schools.

It would entice the private institutions to seek and to lean more and more heavily on Federal financing. Thus, they would themselves be helping to sow the seeds for their own destruction, because to the extent that they lean on Federal dollars, they become less private in their character.

Already, Mr. Chairman, the universities of the Nation, both public and private, are leaning to the extent of some $2 billion on the Federal Treasury. We have all had experiences, I am sure, of presidents and deans and faculty members of tax-supported State universities coming to Washington, at public expense, to lobby for new proposals for Federal aid to colleges and universities. Federal aid is an enticement which is hard for any college, whether public or private, to resist.

I know from my own experience with Illinois College that adequate endowment and adequate grants can be secured outside of the tax field. It is not necessary for universities and colleges to rely upon grants from the Federal Government. If those in charge of the finances of the colleges will do their legwork and their missionary work they can raise the money and thus protect their valued independence and their valued private character.

Mr. Chairman, this bill would set in motion pressures which will multiply and increase endlessly. States will use these funds as a crutch, an opportunity to shift a burden to Washington. This happened in impacted school aid.

Almost every institution—private and public—will dip its hands in the pot to try to stay even. If private institutions are worth preserving—and I strongly believe they are—then the trend toward Federal financing must be reversed.

The siren song of Federal aid is too strong, too alluring for all but the most stalwart to resist. The responsibility lies upon those of us who are asked to write the legislative music for the siren.

Let us reject the bill and silence the siren.

Mrs. GREEN of Oregon. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. ROOSEVELT].

Mr. ROOSEVELT. Mr. Chairman, I rise in support of H.R. 6143, the Higher Education Facilities Act. I believe that this legislation is vital to the future growth and welfare of our Nation.

Mr. Chairman, I want to commend our distinguished chairman of the subcommittee, the gentlewoman from Oregon [Mrs. GREEN], for the very fine job she has done in leading the way to working out a bill which has such strong bipartisan support.

Mr. Chairman, I also wish to join my good friend from Indiana in expressing pleasure that under title I substantial support is given to junior colleges. These institutions play an ever-increasing role in our educational system.

Mr. Chairman, as President Kennedy stated in his education message to the Congress last January:

> The long-predicted crisis in higher education facilities is now at hand.

This crisis results from two factors: First is the growth in our population of young people; and second is the increasing demand on the part of industry, business, the Government itself—in fact upon all aspects of our economy—for college-trained personnel. Professional jobs are increasing at a more rapid rate than jobs in any other category. The increase amounted to 42 percent from 1954 and 1961. As a result, more and more of our young people are seeking a college education in order that they may fill this demand.

It has often been noted that the number of college students will almost double during the decade of the 1960's. The student enrollment was 3.6 million in 1960. And by conservative estimates, it will climb to 7 million by 1970. This, of course, can occur only if there is room in the colleges and universities for these young people.

Mr. Chairman, in my own State of California we are particularly conscious of the mushrooming number of college students. In California we have more students in college than in any other State—over half a million of them last fall. By 1965—only 2 years away—there will be nearly 700,000 college students in California, and by 1970, the number will rise to over 900,000. In California, we have been making tremendous efforts to provide facilities for all of these students. But even so, these efforts are not enough.

As President Clark Kerr, of the University of California, stated:

> [H.R. 6143] would make possible marked acceleration of construction of needed instructional facilities to meet the tremendous enrollment explosion now upon California institutions which cannot be met from State or private funds alone.

Across the Nation, colleges and universities will need $23 billion worth of new facilities during this decade if they are to accommodate the growing number of young people seeking a higher education. This is more than three times the amount spent on construction during the preceding decade.

H.R. 6143 would help to meet this tremendous challenge by providing grants and loans for the construction of urgently needed classrooms, laboratories, and libraries. It would not, by any means, meet the entire needs. But it would assist the States, the communities, and private sources to meet the enormous burden they face.

If we do not provide classrooms for them, many students will be denied an opportunity to attend college in the coming years. That, I believe, would be unthinkable. It would be a denial of the American dream that each person may go as far as his abilities will take him. And to deny able and willing youths a chance for a college education would mean an economic loss that the Nation could ill afford.

Therefore, Mr. Chairman, I urge the passage of H.R. 6143.

Mrs. GREEN of Oregon. Mr. Chairman, I yield such time as he may consume to the gentleman from Iowa [Mr. SMITH].

Mr. SMITH of Iowa. Mr. Chairman, I rise in support of this measure. I do have one special criticism of it. I wish it included loans to college students.

Loans to college students should be one of the very best ways in which we could use Federal funds today to accomplish overall national objectives.

We are graduating about 800,000 students per year but about 200,000 students with college ability are unable to go because they need an average of $700 in additional funds. They can, through one method or another, secure about $1,300 each, but they need to borrow another $700. During the first year that this student is in college, he has cost us much less than the cost for the retraining of an unskilled worker that he probably would have replaced and it permits an unskilled worker to have a job. There is no way that we can receive more for our money than we get when we add one job by loaning $700. This money would be repaid and the net cost of this is almost nothing. There are jobs waiting for students who are college graduates but there is a constant accumulation of unskilled workers without jobs.

The National Defense Education Act loans are entirely too limited and the repayment provisions are too inflexible. In spite of the inflexibility of the repayment provisions, Drake University, in Des Moines, Iowa, last year had a demand for $260,000 in loans compared to the $45,870 that they received with which to make these loans. If they had had the money to loan, they would have loaned six times as much as they did.

We hear a lot about the problem of dropouts in high school. When we spent a weekend talking to juvenile delinquents in New York City, we found that time and again the child who dropped out of high school would say, "Why should I go on through high school when I can't go to college anyway?" Many of these boys and girls would go on through high school if they knew that upon graduation, with above average marks and the right attitude, they could get a loan to help finance a college education. When they know they will not be able to be either in the top 5 percent who receive scholarships or secure enough money otherwise, it causes many of them to think that they may just as well drop out as soon as they can secure a job. Money loaned to college students would cost the people of the United States much less than does the problems which are created by the dropouts, both in terms of taxpayers' costs and social problems.

We have various types of public work programs to try to create some new jobs. A public works job, whether it is through one of the loan programs or one of the construction programs, costs the Federal Government much more than the $700 that some of these boys and girls need for a year to train for a job that is waiting for them.

I would not like to think that it would be necessary for us to choose between the provisions in this bill and a broad loan program, but if it were necessary, the loan program should have a higher priority instead of a lower one. The majority of students can pay an additional $50 per year tuition for these colleges and universities to finance the new facilities. The colleges and universities of the United States would not be so reluctant to increase tuition by $50 per student if they knew that the students who could not afford the increase could borrow an additional $50 for this purpose. In other words, loans to college students can provide a way to finance some additional facilities, but financing additional facilities does not provide loans to additional college students.

I support this bill; I think we need the facilities, but I deplore the fact that the parliamentary situation has been created whereby loans to college students cannot be taken up as an amendment to this bill or being considered concurrently with this bill. To say that it can become a part of the national defense education bill is not an answer because the national defense education bill is too fraught with controversial provisions that need not be involved in a student loan program which would be difficult to get rid of unless there is another student loan program available.

My bill, H.R. 939, provides that the student can choose to repay the money by using 5 percent of his taxable income each year. He can also use a fixed rate similar to the repayment provision of the National Defense Education Act if he wants to. Requiring the repayment of a fixed sum per year is unfair to those who go into low-income jobs compared to those who go into high-income jobs. In an effort to deal with this, the national defense education bill forgives 50 percent of the loan if one becomes a teacher, but there is no forgiveness for the person who majors in social work to deal with our juvenile delinquency problem, even though they will be lower paid. At the same time, we, in effect, have a scholarship provision in the National Defense Education Act through the forgiveness clause. We do not have enough money provided to loan students who want to borrow money and would gladly pay it back.

A clear-cut loan bill that will provide enough loans so that some of the average students in the country who need financial help can borrow the money and pay it back at a later date would surely be in the interest of everyone.

The National Defense Education Act has, by giving a priority to students following certain courses of study, overemphasized these areas in many of the colleges and universities compared to some other areas of study that are also badly needed. This interferes with the universities balancing the curriculum. By having a broad loan program instead of following the same National Defense Education Act program with these shortcomings, there would be more freedom of choice for the student and universities and we would quit diverting students from their preferred course of study to another by making it almost impossible for them to get a loan unless they become teachers or major in science, math, engineering or a foreign language.

By assuring more of the average students in America an opportunity to go to college, and by refraining from practically excluding those students who prefer the humanities as their course of study, we would be recognizing that we need a balanced America and that many of our best citizens and most gifted and talented leaders bloom late, that their talents cannot be measured solely by the grades they secured in high school, and that the reason their high school grades did not reflect their potential in a particular field is that they were well-balanced students, interested in many fields at that stage of life, and building a better foundation on which to specialize in a particular field. Thomas Edison and Albert Einstein would not have been admitted under the standards most colleges and universities have today. The National Defense Education Act provision for priorities to teachers, math, science, engineering, and foreign language and limiting the funds so much limits the loans available to those who show they have done well in one of a few courses of study.

By having only one-sixth enough money available, they tend to emphasize the grades secured in high school or upon a college entrance examination in the particular field that has a priority and this does not give the latitude that we really need for the selection of a better balanced group of students who have a better and broader foundation upon which to build.

If this bill passes the House, I hope the Senate will add to it a provision for loans to students similar to my bill, H.R. 939, which includes a flexible repayment provision. I feel sure that if a straight loan-to-college-students provision is added to this bill without any gimmicks in it, this House will accept it when it gets an opportunity to vote upon the conference report.

I know that the gentleman from Minnesota [Mr. QUIE] has been for loans to college students in the past. I hope his answer in response to a question from the gentleman from Kansas to the effect that he would oppose grants to college students would not apply to loans to students and that he will not vigorously oppose loans in the conference.

Mr. QUIE. That is correct. I would not oppose loans to college students. In fact, I very strongly supported section II of the National Defense Education Act, and I hope we will do that before long.

Mr. SMITH of Iowa. I thank the gentleman.

Mrs. GREEN of Oregon. Mr. Chairman, I yield 1 minute to the gentleman from Michigan [Mr. RYAN].

Mr. RYAN of Michigan. Mr. Chairman, the greatest asset in America is its youth. The greatest natural resources in America are the youth of today. The educated youth of America can lead our country to greater heights than ever before. We are fortunate in this country to have so many splendid colleges and universities located throughout this wonderful land. Because of the great increase of those desiring higher education, the institutions of higher learning must be expanded and enlarged to take them in.

The purpose of H.R. 6143 is to assist the Nation's institutions of higher education to construct needed classrooms, laboratories and libraries in order to accommodate mounting student enrollments and to meet demands for skilled technicians and for advanced graduate education. This is to be accomplished through a program of providing assistance through matching grants for construction of academic facilities for colleges and universities, matching funds for improvement of graduate schools, and loans to higher educational institutions for the construction and improvement of academic facilities.

It is estimated that by 1970 the number of students seeking admission to these institutions will be almost double the total campus enrollments of 1960, due chiefly to the increase in the number of young people of college age.

Federal activity in the field of education dates back to the land ordinance of 1785, enacted by the Continental Congress. This act, in turn, found precedent in the numerous grants by colonial legislatures of land, and proceeds for sales of land for educational purposes. This activity, however, has reached major proportions since the onset of World War II, and has been increasing ever since.

According to a study made by the Central Michigan School Administrations Research Association, it is estimated that total Federal expenditures for the major programs of education aid since 1785 amounts to approximately $18 billion. Two-thirds of this amount, totaling more than $12 billion, has been expended in programs which have been initiated within the past 20 years.

Why this increased activity now? If our country is to survive and if our cause is to succeed, Americans in this decade must undertake a dedication to higher education that is without parallel in world history. Changing times bring changing needs. The responsibility thrust upon our teenagers has never been greater. The need for an educated citizenry is more crucial today than ever before. The world has entered an era of great instability, filled with dangers and promises. Great changes are taking place daily and are shaping the future world which our children will inherit.

Currently, the United States is attempting to improve its educational system so as to provide the educated, skilled trained manpower needed for the space age.

Mr. Chairman, the provisions of this bill will be of tremendous assistance to the colleges and universities throughout the land of America. It will help them enlarge their educational facilities so vitally needed. No representative of any college or university opposes the bill, to my knowledge. In fact, most universities and colleges look forward with more than usual anticipation to favorable action by this House on this legislation. This is because they see in this legislation a potential solution to the lack of adequate classroom and laboratory facilities in many areas of greatest need.

Colleges and universities have experienced an extraordinary growth in enrollment since World War II and, due to a combination of many circumstances, have never been in a position to construct the academic facilities they should have to provide adequately for all of their students, or to realize this research potential fully. The problem grows more acute with the passage of years, and with enormous increases in enrollment in prospect there is no practicable possibility of the needed help except by passage of this bill.

I know what a boon this legislation will be to the colleges and universities, and I am sure that we in Congress will give this legislation our wholehearted stamp of approval.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa [Mr. SCHWENGEL].

Mr. SCHWENGEL. Mr. Chairman, I have mixed feelings about this bill. I have listened to the debate and discussion and I want to say to you I am not enthusiastic about the proposition before us.

Let me say, however, that I have a genuine interest in resolving the problem of education. I had to work my way through college. A desire was created in my mind for the need of a college education by some good friends and some former teachers and therefore I know something about its cost. I became a teacher for 7 years. Later I served as chairman of the education committee in the State of Iowa Legislature for 10 years. I led the fight there for State aid. I was ranking member of the committee on appropriations and I also fought for the appropriations in the legislature. I fought for money for the institutions of higher learning. So I think I have demonstrated beyond question that I do believe in education.

But I have not been enthusiastic about the proposals that have been offered here in Congress. I voted against the National Defense Education Act when it was enacted into law, which was hard for me to do because I live in a district that has more different opportunities for higher education than almost any district in the United States. So I had to explain to the people in my district, but after I explained to them they apparently were well satisfied. I explained I voted against it because it did have controls in it.

With the passage of that legislation we admitted we in the Congress know more about education and its needs than educators. And from what I know about the responsibilities of Congressmen, I should say if we have reached that point the education system in the United States is indeed bad.

I also voted against it because it required a loyalty oath on the part of the students that we did not require of anyone else.

Before I make up my mind on this, I have some questions I would like to ask on points that have not been covered and need to be made a part of the record. I address them to the ranking member on my side, and to the gentlewoman from Oregon [Mrs. GREEN] on the other side.

First, what about the accent on science, math, and language as compared to the help that may be given in the general area of humanity?

Mrs. GREEN of Oregon. The gentleman from Iowa, I am sure, knows that I think there is an overemphasis on the sciences. At the present time three-fourths of the research funds referred to a few minutes ago go to the Department of Defense and the National Institutes of Health, and most of that has to do with science. This bill does not say that all of the money has to go to science and engineering. I think there is a very strong feeling on the part of the House Members that the humanities need funds as much as the sciences. We need more libraries. I think it was said a moment ago that only 100 out of 2,000 colleges have adequate libraries.

Mr. SCHWENGEL. I thank the gentlewoman. Then it is my understanding that the control of this rests entirely with the educators in the States, and they make the decisions?

Mrs. GREEN of Oregon. The gentleman is absolutely correct. The State commission is appointed, if it is not already in existence, and it is to be representative of the public and the institutions of higher education. They are the ones who draw up the State plans and determine the priorities within the State.

Mr. SCHWENGEL. There is no chance that the Federal Government or any department of the Federal Government directly or indirectly can control any phase of its program.

Mrs. GREEN of Oregon. In my opinion, there is absolutely no possibility of Federal control.

Mr. SCHWENGEL. The second question is, the gentlewoman from Oregon makes the statement that two-thirds of our colleges in the United States are private colleges. I think that is a correct figure, but will the gentlewoman tell us what percentage of the students go to private colleges? I think that ought to be made a part of the record for our consideration.

Mrs. GREEN of Oregon. We have about 2,100 colleges in the United States. Of those over 1,300 are private. Of those 482 are Protestant, 335 are Catholic. As to the percentage of students, 40 percent of the students go to private colleges and 60 percent go to the public colleges. However, may I add that of the degrees that are granted, the private colleges grant 45 percent of the degrees and 48 percent of the graduate degrees.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 2 additional minutes to the gentleman from Iowa [Mr. SCHWENGEL].

Mr. SCHWENGEL. I thank the gentleman from New Jersey.

I want to take this time to say that in my opinion those who are the leaders in handling this bill have come a long way in moderating the proposals made several years ago, and there is some reason for this legislation.

But I want to point out that this really does not meet the problem and we should not hold this out as the best or the only answers to education. I think we need other answers and we need better answers and answers that will help take the load off the parents and the students who have to finance their own education opportunities.

There are over 150 Members, according to my last check, in this House who want to help parents and students. And because I want to present this phase of the story on the floor of the House, I am going to take some time in the near future, to discuss the Iowa plan and I hope all of you who have an interest in education and all of you who have other plans, such as plans for deductions or tax credits, will be on hand to listen to some propositions and some ideas that we have worked out which I think make a lot more sense and which are designed to arouse the interest of the people at the grassroots, such as a tax credit plan that will put more money in the private sector of our economy to be dedicated to education than any plan that has ever been considered.

I want to say this will reduce tax income, but we have some ideas about some taxes that can be adopted to take care of the cost of the program which I think would be necessary.

I hope all of you will be on hand when we have this special order to discuss this matter in what I call a new, bold and different idea to meet the needs of education in America.

Mr. DON H. CLAUSEN. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DON H. CLAUSEN. Mr. Chairman, I want to compliment the gentleman from Iowa for his thought-provoking questions and the expression of concern regarding this legislation. Where many of us do not have the opportunity of serving on the Education and Labor Committee, the many bills introduced thus far by various Members of this body relating to education, certainly indicate an overwhelming interest and concern about this matter.

Although I am fundamentally opposed to Federal aid to education, there are some limited programs of assistance which are obviously needed, and which I therefore support. The plan for aiding federally impacted areas, for example—Public Laws 815 and 874—properly recognizes the Government's responsibility in school financing problems which arise directly from Federal activity.

I am opposed to the basic principle of Federal support and control of our educational process—however I recognize that problems and needs exist in the field of education now and will continue in the future, but we can solve them and, indeed, must solve them at State and local levels.

Nationally, we are already exceeding the goal set in 1960 by President Kennedy of 600,000 classroom units for this decade—60,000 per year—without Federal aid. During the 5-year period, 1956–61, we built classrooms at the rate of 70,000 per year, 10,000 more than the President's goal.

There are poorer States that find it absolutely impossible to bring their facilities up to a minimum acceptable level. In these less-fortunate areas, the poor education available is a positive detriment to the entire country. For these relatively few States some Federal help is no doubt justified, providing careful inspections reveal these States have exhausted every effort to meet their own financial responsibility. In any event, aid should only be extended until the minimum standard of education is met.

My reasons for opposing general Federal aid are threefold:

First. As stated above, it is not needed in most States and hence would mean a waste of Federal funds and a squelching of local initiative.

Second. With the problems of education already being met at State and local levels and with the Federal Government already in much worse financial condition than most State governments—$300 billion in debt—it would be foolish to give the Federal Government the responsibility for a costly new program which should be financed and controlled at a level of government more responsive to the needs and wishes of the people.

Third. Federal aid leads inevitably to Federal control over education, a situation which is counter to all of our educational traditions.

Even such acceptable programs as aid to federally impacted areas involves certain controls, with the Federal bureaucracy having the final say on design standards and wage provision for construction workers.

In giving my reasons for opposing this measure, however, I would like to cite specifically the broader factors which occurred to me. The broadest, of course, is that the measure would create another vested interest—another group which the Government would hook by giving it an easy way to solve its problems—Federal money. We all know this has been done with group after group. Also, we know this tends to make the members of the groups become supporters of the Government that will continue the flow of manna from heaven.

One of the most effective steps the Federal Government could take in assisting education would be to revise the Federal tax structure to release tax sources to the State and local taxing units, making it possible for the latter to solve the problem of financing education at the local level.

This could very logically involve the abolition of Federal excise taxes, which last year took $13 billion from local communities. Federal estate and gift taxes took another $2 billion. These moneys could go far, indeed, toward financing local educational needs without ever involving the Federal Government.

I have every confidence that given the opportunity and the tax source—the States and local school districts will adequately meet demands much more responsibly and expeditiously.

In protecting our American educational institutions, our heritage, and our individual liberty from the evils of a powerful centralized government, we must recognize the long-range consequences. A decentralized educational system in America is our only guarantee against this threat.

This is a consideration in which there can be no compromise. The developing countries of the free world are looking to the United States for leadership in this field; they are looking to us for an example to follow. Soviet Russia directs the educational policy and provides the funds from a central government source. Are we going to provide these people who seek guidance with a choice based on our system or are we going to say, we have failed and are now adopting the parallel procedure of our ideological adversaries?

Mrs. GREEN of Oregon. Mr. Chairman, I yield such time as he may desire to the gentleman from Florida [Mr. GIBBONS].

Mr. GIBBONS. Mr. Chairman, I rise in support of this bill. I think the need for it has been well explained today. I believe when we take all of the factors into consideration that help make America great, when we read our history and wonder what has made this land so wonderful, we recognize clearly that we have made better use of our natural resources and particularly our human resources than has any other nation in this world. It is because of the wonderful education system, and particularly our higher education system, that has enabled us to develop our human resources so successfully. As a nation we have been fortunate and have almost had a monopoly and no competition in higher education for many years. During this time our country has progressed and we have become the world leader. We no longer possess that monopoly. Other nations have caught on to the reason for American success and the educational competition grows greater. There is a strong national need for this program. The States are doing a fine job and the private institutions are doing a fine job, but they do not have the resources to keep up with the worldwide competition ahead of us. I believe it is necessary that our Federal Government at this time representing all America take this needed constructive step to bring about a better, finer, and expanded program of higher education. It is for that reason I support this bill.

Mr. WATSON. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. WATSON. Mr. Chairman, I rise to speak against the passage of this bill. Certainly, we shall need greater school construction in the coming years. The question is how this need is to be met.

It is my opinion, Mr. Chairman, that through State efforts, through private donations and college fundraising drives these needs can be met. This will be especially true if we reduce Federal spending on new programs and if taxes are reduced, thereby releasing greater private funds for such purposes.

Also, Mr. Chairman, the integrity and freedom of our vigorous higher education system will be impaired by the injection of greater Federal funds. I say "greater" because the Federal Government is presently spending about $2 billion annually on our colleges and universities. The strength of our educational system depends on its independence. Although there is a clause in the bill protecting this independence, there is no guarantee that a coercive Executive order will not be issued immediately, thereby corrupting the intent of this present legislation. This fear is not farfetched, for such coercive orders are already in existence.

One need not favor segregation to see the despicable nature of all such legislation—legislation designed to control the private lives and freedom of the citizens of our country. We Southerners have learned what such controls mean. It is difficult for us to look on this as one of paternalistic beneficence.

Also, Mr. Chairman, this bill is clearly unconstitutional in that it authorizes Federal funds for the construction of academic facilities at religious colleges and universities. We, in effect, would be supporting particular religious faiths or denominations. This is in clear violation of our time-honored principle of the separation of church and state. The President himself has cited the Everson case in classifying such legislation as unconstitutional. This is a matter of principle, Mr. Chairman. As long as we have our Constitution—and I hope that will be forever—we should obey it faithfully as the expressed will of the people.

How can we sit here and with equanimity consider another vast Federal spending project in view of our present budget deficit, and the predicted deficit for fiscal 1964 is something many of us here today cannot fully understand. We are discussing education today. Education is supposed to teach responsibility and engender confidence. The passage of this bill would be irresponsible financially and would further destroy confidence in our economy, in the dollar, and in this Congress.

It is my hope, Mr. Chairman, that there are enough of us here today who see the dangers of the unconstitutionality, the lack of necessity, and the absence of responsibility included in the passage of this bill. It is my hope that we can defeat it, thereby preserving the basic structure of American education and constitutional government.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. HORTON].

Mr. HORTON. Mr. Chairman, I thank the gentleman from New Jersey for yielding. I also wish to express appreciation to the members of the Education and Labor Committee for the fine work they have done on this bill.

Mr. Chairman, I have listened very carefully to this debate. I want to indicate my full support of H.R. 6143. I also want to comment on a statement made by one of the earlier speakers with reference to the fact that there were vacancies existing for entrance into colleges in the State of New York. I do not know from whence the speaker got this information. But I do know in my community of Rochester, N.Y., all of the institutions of higher learning are expanding their facilities. The University of Rochester is in the process of expanding its facilities to meet additional needs. The Rochester Institute of Technology is moving from a downtown situation into a campus type of facility in order to accommodate additional students and to expand its physical plant. There has been recently established within the last 2 years, a 2-year community college by the board of supervisors. A parochial university in the area, St. John Fisher College, is expanding its facilities. So it seems to me, at least in the community which I represent, all these institutes are expanding their facilities to meet additional needs. I feel this is very good legislation and I believe it will bring about an effective increase in higher education facilities.

Mr. Chairman, by 1970, the number of students seeking admission to the Nation's colleges and universities will be almost double the total campus enrollments of 1960. This prediction is based on the increase in the number of young people of college age and the increasing proportion of high school graduates entering college.

The total enrollment of college students climbed from 3.6 million in the fall of 1960 to 4.2 million in the fall of 1962, a 17 percent increase. Within the decade, the figure is expected to reach approximately 7 million, a 94-percent increase.

I take particular interest in this subject because New York State, in which my congressional district is located, has the Nation's second largest college enrollment. There are more than 395,000 students enrolled in New York State institutions of higher learning. The 1970 projection puts this number close to 660,000.

The rapid growth in the country's college-age population coupled with the higher proportion of young people desiring a college education has confronted educational centers with an urgent need to expand their classroom capacity. Let there be no doubt that the need is clear and present. American higher education is at the point of having to deny admission to some young men and women simply because there is no room for them in existing college facilities.

I believe the Federal Government has a very definite responsibility to assist the Nation's colleges and universities in meeting this crisis. Quite obviously, the search for new and better knowledge is in the national interest and is worthy of Federal encouragement.

The bill now before us, H.R. 6143, is intended to provide Federal assistance for the construction of much needed classrooms, laboratories, and libraries on the campuses of undergraduate and graduate schools, junior colleges and technical institutes.

Mr. Chairman, I would like to comment briefly on each of the bill's three principal provisions:

First. For the construction of undergraduate academic facilities, there is included an annual authorization of $230 million in matching grants. These funds would be administered by State commissions, representing the public and higher education institutions.

The eligibility requirement in this provision seems very well drawn, insisting as it does that any grant substantially expand student enrollment capacity. Also, limiting the Federal share of the cost of each project to one-third of the total will act as a stimulus to the expenditure of State, local, or private funds that otherwise might never be channeled into education.

I am also impressed with the reservation this section provides for assistance to junior or 2-year colleges and technical institutes. Expansion of these 2-year institutions will place post high school educational opportunities within reach of additional thousands of our Nation's youth. The serious shortage of technicians in engineering, science, and medicine can be alleviated, too, by encouraging expansion of technical institutes.

Second. Just as the grants program for undergraduate facilities is desirable, I also endorse the authorization of matching grants for graduate academic facilities. The dollar amount here is $25 million for the first year of the program and $60 million for each of the 2 succeeding years.

To meet the Nation's needs in the fields of engineering, mathematics, and the physical sciences alone will require more than a two-fold increase by 1970 in the number of master's and doctor's degrees awarded annually in these subjects.

I feel we must strengthen existing graduate centers, develop new centers, and aid the creation of centers by two or more colleges to offer graduate work that would be beyond the means of the institutions separately.

Again, in this section, I am satisfied the expenditure of Federal funds will both promote the ends I have cited and stimulate considerable financial support from States, localities, and the private sector of our economy; since the Federal share is limited to one third of the cost of any given project.

Moving ahead educationally necessitates expanding and strengthening graduate education, including postdoctoral study, for the purpose of advancing knowledge of all kinds.

Third. In this section dealing with Federal loans for the construction of academic facilities, there are many features similar to those I support in the grants sections. Included among these is the requirement that the borrowing school would have to finance at least one-fourth of the project from non-Federal sources.

The low-interest, 50-year loans which are provided for in this bill I find are patterned after the loan provisions of the college housing program. This has been a most successful venture in Federal assistance to our colleges and universities. Since its enactment in 1950, some 900 institutions, enrolling 85 percent of the total national college student population, have participated in the program.

The college housing program has helped build the facilities where the students eat and sleep. This bill will help build the facilities where they learn.

The bill provides for a 5-year program of financial assistance, but authorizes appropriations only for the first 3 years in order that Congress may review the operation of the entire program in the third year.

All public and other nonprofit institutions of higher education are eligible to participate in the bill's programs. Excluded from the bill are any facility intended primarily for events where the public is charged an admission, any gymnasium not designed for physical education instruction, and any facility used for sectarian instruction or religious worship.

The bill expressly prohibits the Federal Government from exercising any control over the colleges awarded funds under this legislation.

I fully support this bill, Mr. Chairman. I urge my colleagues to vote for its passage, too.

It is my belief that this bill will be instrumental in assuring that our colleges will be able to accommodate mounting student enrollments in the days ahead and that millions of young people will be afforded the education necessary to qualify them for the professional and semiprofessional positions required in our increasingly complex society.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 2 minutes to the gentleman from Vermont [Mr. STAFFORD].

Mr. STAFFORD. Mr. Chairman, I support the passage of the Higher Education Facilities Act of 1963. It is essential legislation. Indeed, the House recognized this fact when it passed quite similar legislation in January 1962. I am gratified to note that this bill is nearly identical with legislation in this field which I introduced last January.

The Nation's college-age population is growing very rapidly which, in turn, is developing an urgent need for additional higher educational facilities. By 1970 it is anticipated that the number of students seeking an education at the college level will nearly have doubled. My own State of Vermont will be no stranger to such growth. Total college enrollment of Vermont students was 11,123 in the fall of 1962. It is projected to be 18,539 by the fall of 1970.

As science and technology make rapid advances in the sum total of human knowledge, the necessity for education at the college and graduate level becomes ever more paramount.

There can be no doubt but that the future of America depends not only upon the excellence of our educational system, but also upon its availability to qualified students who can profit from it.

This program of loans and grants will spur expansion of our higher educational facilities.

Furthermore, the assistance of the Federal Government in this field can be accomplished without intrusion upon the independence of educational institutions or the prerogatives of State and local government.

The language of the bill prohibits any Federal department or officer from exercising any control or supervision over the curriculum or administration of any institution of higher learning.

To doubly insure that this portion of the bill is not violated by indirection, the program under this act is to be administered by State commissions, thus insuring their control of the situation.

I have often said, in criticizing the spending habits of the administration, that it should establish priorities for the myriad programs it has recommended. This bill should be high on the list of priorities. We should enact it now and put off less important matters to some future time.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. GOODELL].

Mr. HALLECK. Mr. Chairman, does the gentleman from New York yield to me?

Mr. GOODELL. I yield to the gentleman from Indiana, the minority leader.

Mr. HALLECK. Mr. Chairman, I have asked the gentleman from New York to yield to me in order that I might make my position in respect to this bill clear. Before I do that, however, I would like to say of the Committee on Education and Labor that it very obviously has had some of the greatest responsibilities of this session of the Congress and will continue to carry great responsibilities in the field under its jurisdiction. It is certainly with no disparagement of any of the Members on the other side of the aisle that I say that I commend the Members on our side of the aisle for their diligent attention to the business of the committee. It is no surprise that our members on this committee are not always in agreement as to the measures that are reported and acted upon, but whatever those disagreements may be, they are disagreements of people of good will who happen to have different views about what ought to be done.

The subcommittee people on our side, as I understand it, are the gentleman from New York [Mr. GOODELL], who has the floor, the gentleman from Minnesota [Mr. QUIE], and the gentleman from Michigan [Mr. GRIFFIN]. Again with no reflections on anyone I want to commend them for the work which they have done.

As far as I am concerned, I supported this bill before. I am going to support it this time. I just express the hope that when this measure is passed here in the House of Representatives, as I am quite sure it will be, and then goes to the other body for consideration, that they will not see fit to load it up, as we say, to the point where the very desirable objectives of this legislation will be lost. That is what happened last year. I just hope it does not happen this year, because in my opinion this is a meritorious measure as it stands now, and I trust it can finally become law.

Mr. GOODELL. I thank the gentleman from Indiana, and may I say in that connection I think we will have a bipartisan solid front in conference, if and when this legislation reaches conference, to try to adhere to the basic outline of this legislation as it has been written in this body, and particularly to try to keep from this legislation the controversial issue of any kind of student assistance.

In this connection I would like to pay particular tribute to the chairman of the subcommittee, the gentlewomen from Oregon [Mrs. GREEN]. We have proceeded in the consideration of this legislation on a completely nonpartisan basis. There has been no question of even bipartisanship; no question of having to consider members of the subcommittee from the viewpoint of whether they are Republican or Democrat. We have approached it purely from the viewpoint of what is the best thing and what is the necessary thing for the welfare of our country.

Speaking to the Republican side of the aisle for just a moment, let me emphasize that there is a substantial part of this legislation that has emanated from the Republican side. Remember that the President sent up here the first of the year an omnibus education bill and that we unanimously on our side of the aisle attacked this. This bill today is not in omnibus form.

We have brought forth an aid to higher education bill purely and distinctly directed to the needs of our country without adding a great deal of the other types of aid that were put into the omnibus bill in the hope that the good things could carry the bad.

We have a tradition in our party of support for education. Federal assistance to higher education began in substance with our party, with the Land Grant Act under Abraham Lincoln. We have, I think, consistently since that date supported a balanced Federal role in higher education.

It is imperative I think at this stage in our Nation's history that we rise above partisanship and recognize the needs of our country. Some of us toured the Soviet Union 2 years ago to look at their educational system. We saw the emphasis there that was given to education, particularly in the sciences and mathematics. There was very little waste of brainpower that was capable of moving to a higher level of education in the Soviet Union. We do not want to try to move along the same path as the Soviet Union. This is an attempt to write legislation within the framework of our free system, giving the emphasis and the stimulation that is needed to meet our great defense burden and our great space burden. Above all else in those programs we need the human products of higher education.

We need trained individuals of high intellect. We need them at the very highest level not only in mathematics and in the sciences but across the board in the social sciences. This is a program which involves a maximum of one-third Federal help in grant form. The other two-thirds must be provided from other sources. This is a program that requires that the States set up their own commissions to approve these programs and to make their own plans. This is a program completely consistent with our present system which divides the authority over education into many multiplicities of authority.

We should, I think, support this legislation because we have written into it the kind of protection that should be in a Federal program for assistance to our colleges.

Mr. BECKER. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield to my colleague from New York.

Mr. BECKER. Mr. Chairman, will the gentleman agree with me, while I accept the statement that this program is needed, that money and entrance into college is not the answer to education; that certainly we need much higher standards in our educational system if we want to improve and do what the gentleman is saying. It is not merely more money, it is not merely more classroom space.

Mr. GOODELL. I would certainly be the first to argue for improving the standards of education. I would be the last one to argue, and I am sure the gentleman asking the question and suggesting this would be the last one to argue, that the Federal Government is the one that should set those standards. We have to provide the bricks and mortar, the facilities and equipment whereby the people in education can raise their own standards, the wherewithal that is necessary. It is not for us certainly to set standards here in the Federal Government.

Mr. BECKER. Mr. Chairman, if the gentleman will yield further I introduced legislation many years ago which would have required that the Federal Government not interfere with the standard of education. But, certainly, they ought to come up with a standard of education that could be used voluntarily so that children graduating from primary and secondary schools throughout the country would then have an equal opportunity to enter any college because of such standards and they could accept that on a voluntary basis.

Would the gentleman agree with this?

Mr. GOODELL. I would not agree with this. I do not think the Federal Government has any business in setting standards or putting standards before our people.

Mr. BECKER. If the gentleman will yield further, I am sorry that the gentleman misunderstood me.

I will say to the gentleman that I agree with Adm. Hyman Rickover. He has also advocated this.

Mr. GOODELL. He goes further than I would in this respect in setting a national standard.

Mr. BECKER. If the gentleman will yield further. I do not advocate setting national standards. Admiral Rickover indicated, in his testimony before the Committee on Appropriations, that certainly our department of education could evolve a voluntary set of standards so that the children throughout the Nation have an opportunity to enter the various universities, which they have not been able to do because of a lack of better standards.

Mr. GOODELL. I respect the views of the gentleman from New York [Mr. BECKER]. I think, probably, we could come to an agreement on the importance of having an educational standard to which we could adhere and repair in America. However, I think our professors and academicians are perfectly capable of setting this standard without the Federal Government's involvement. Unless the gentleman has some other comment which he would like to advance, I would like to conclude.

Mr. BECKER. I thank the gentleman.

Mr. GOODELL. Mr. Chairman, there is one other issue which I would like to call to the attention of the committee, and that is the question of aid to private schools, sectarian schools, or whatever you want to call them. I have deep respect for those who have raised this question. But let me say to you that I do not think it is properly involved here today.

We have written, many, many times, legislation that has given aid to various private institutions. It has never been questioned that this is constitutional. There is a proposal here that we should try to set up a new legal framework for permitting or encouraging or asking the Supreme Court to review the constitutionality of this question. I say to you that we are jealous of our prerogatives here in the Congress and we should be very careful about passing our own prerogative of interpreting the Constitution to the Supreme Court. Do we want to ask the Supreme Court to perhaps destroy further the balance of powers that exist in our Government and to tell us what we can do in a field that now is subject only to the Congress in interpreting its constitutionality?

Finally, Mr. Chairman, on the issue of private schools we have never had a bill before the Congress which was so carefully written, so thoughtfully designed by our staff and our members to be sure that none of the aid that we are granting goes for religious, sectarian purposes in any form. Careful restrictions are written in this legislation. Such provisions have never been written in any previous legislation when this issue perhaps could have been involved.

Mr. Chairman, may I conclude with a tribute to my colleague, the gentleman from Minnesota [Mr. QUIE]. There are few people in this Congress for whom I have greater respect. He did a magnificent job in the writing of this legislation. He did a magnificent job in presenting it here today. He is an earnest and sincere individual. I pay tribute to his arduous labor that rose far above partisanship in constructing this legislation with only the best interests of our country in mind.

Mr. Chairman, this is truly the Green-Quie bill and as such it should have bipartisan support.

Mrs. GREEN of Oregon. Mr. Chairman, I yield 1 minute to the gentleman from New York [Mr. CAREY].

Mr. CAREY. Mr. Chairman, I rise in support of this legislation and urge all the Members of the House who are truly interested in education to join me in supporting this legislation.

Mr. Chairman, I particularly commend the members of the subcommittee and the staff. Without their energies and their perspective and their dedication we could not have truly arrived at a fine compromise bill, this fine piece of legislation which is before us today.

Mr. Chairman, I join my colleague, the gentleman from New York [Mr. GOODELL], in saluting our colleague, the gentleman from Minnesota [Mr. QUIE], for his great contribution to this legislation. But I hold, because of her dedication and her particular zeal in writing this legislation, the chairman of the subcommittee, the gentlewoman from Oregon [Mrs. GREEN], will be known after the passage of this bill as America's perennial college queen, and I do not object to having Mr. QUIE as her consort.

Mr. Chairman, this bill is both timely and provident. It is timely because a welcome crisis in higher education is upon us. That crisis arises because 1965 will see a 40 percent increase in the number of young Americans who will seek a college, a 40 percent increase over the figure for college entrance last fall.

On December 15, 1962, Prof. Logan Wilson of the American Council on Education wrote to the President of the United States:

> The crisis long predicted in the capacities of our institutions to meet the demands upon them is no longer something in the future. It is now.

This is a welcome crisis because it portends the growing American appetite for higher education and its promise of opportunity and advantages. Only one agency has the power, the responsibility, and I trust the will, to meet the problem. The Congress must act.

Higher education is a national resource. It transcends State and local concerns because our colleges and universities enroll a migration of citizens from all over the Nation.

The Federal Government depends on the institutions of higher education to supply its personnel for domestic, foreign, and military service and because of that dependence it should supplement conventional resources. The Federal supplement will yield a fair return in uniformly higher talent from college ranks.

In addition, many useful and necessary research and development in scientific, military, and health programs are critical requirements of government which only higher education institutions can supply. That supply demands that government do its financial part to insure the adequacy of facilities.

Federal assistance now is provident because the academic buildings, and libraries, and laboratories, for the sciences must break ground without delay. To rest the burden of construction on presently strained college financial sources is a risk with two unwelcome results. If colleges must look to increased tuition for new construction they will price higher education out of the reach of millions of deserving Americans. The alternative, to build nothing or not enough, is unthinkable in a nation with our traditional dedication to growth in education.

Historically, and in this bill, the Federal Government draws no line of discrimination between public and private institutions of higher education either when utilizing them in the national interest or financing their growth. The Federal Government has provided grants to both public and private institutions for construction of research facilities; the Federal Government has granted funds to both public and private institutions under the National Defense Education Act. In these and other ways we have ample precedence for our action today.

I urge the House to pass this bill as a timely, provident, and fair answer to the millions of young Americans who want to do their part to assure to future generations that our Nation will ever be a land of opportunity.

As a member of the Committee on Education and Labor I want to commend my colleagues on both sides for their diligent and effective efforts in behalf of this legislation. In particular, the distinguished gentlelady from Oregon, the chairman of the subcommittee, Mrs. EDITH GREEN of Oregon, is truly deserving of great praise for her indomitable dedication.

As the Member of Congress who has the highest college enrollment of any district in the Nation and on behalf of the 60,000 college and graduate students in Brooklyn's universities, I urge the passage of the bill.

Mr. DONOHUE. Mr. Chairman, in these days of continuing crisis, few, if any, legislative subjects will be presented to this body more vitally important to the national welfare than this bill, to authorize assistance to higher education institutions in financing the construction, rehabilitation, or improvement of their academic and related facilities.

In the light of the current and increasing Communist challenge, there is nothing more obvious, to meet and turn back this challenge, than our national need to perseveringly produce more and better trained scientists, engineers, doctors, teachers, and other educated personnel.

This measure before us is designed precisely to provide this Nation with the most urgent and essential services of these specially trained and disciplined people in the various sciences and arts.

The only possible source from which such personnel can come are institutions of higher education, and the authoritative testimony that has been revealed clearly shows they cannot do the job with their current resources; they need material help and encouragement to provide for the tidal wave of new enrollments that is just over the horizon.

In my own State of Massachusetts alone, the college enrollment figure for 1962 was 155,647. The State educational authorities estimate that this number will increase, during 1965, to 194,606 and by 1970 will reach a projected figure of 259,438. The cold statistics, for the Nation, show that the current college enrollment of some 3.9 million students is destined to increase by more than 1 million in the next 5 years and by 1970 it is estimated that this number will increase to the neighborhood of 7 million.

To meet the pressing demands of today, and prepare for the enrollment crush of tomorrow, these higher educational institutions must rehabilitate and expand their academic facilities or else they will be forced to turn away thousands of qualified applicants and deprive the Nation of their trained talents during the most perilous hour of our history.

To avoid such catastrophe, this measure authorizes assistance, in the form of loans and grants, to these higher educational institutions for the construction and improvement of classrooms, laboratories, libraries, and related facilities fundamental to the operation of modern collegiate and graduate institutions and production of technically trained personnel.

The loan provisions of this measure have been patterned substantially after the loan provisions of the college housing program which has already contributed so much to our national progress in this area. The eligibility requirements are clearly defined and in the exact vein of programs already tested and accepted.

The prohibitions against any attempt or form of Federal control in the methods of instruction or administration of any educational institution involved are clearly defined and amply sufficient to prevent any Federal interference. That is certainly what practically all of us want to closely guard against, and the language of this measure surely accomplishes it.

The objectives of this bill, and the means defined to accomplish them, are firmly in accord with the foundation traditions of American policy and progress, and I earnestly hope the bill will be approved without crippling amendment or extended delay in the national interest of this day and forever after.

Mr. LINDSAY. Mr. Chairman, I would like to state my enthusiasm for this bill, and also my regret that we in Congress can only find it possible to deal with higher education. The importance of higher education cannot be overstated, but we should not by our action today satisfy ourselves that we have made a dent on the basic educational needs of our country. Primary and secondary education are the areas of greatest need, especially in our cities.

The bill we consider today, H.R. 6143, is important because of the rapid growth of our college-age population. It is estimated that by 1970 there will be a 94-percent increase in college enrollments over 1960. In numbers, this is an increase from 3.6 million in the fall of 1960 to 7 million by 1970. In other terms, the Bureau of the Census reports that whereas the population of young people aged 18 through 22 was 11,784,000 in July 1960 the same age groups will be 17,806,000 by 1970.

As was said by one leading educator, the president of a great private university:

> For the first time in history, American higher education is faced with the possibility that it will have to deny an opportunity for higher education to send young men and women simply because there is no place for them in our existing academic institutions.

The bill provides matching grants for construction, rehabilitation, or improvement of undergraduate academic facilities; matching construction grants for graduate schools created by two or more higher education institutions, and construction loans. This is a 5-year bill, but with appropriation authorization for 3 years.

It must be remembered that this is almost the same bill as passed the last Congress, but which was defeated in conference when the Senate and House could not agree on different versions. It is to be hoped that the bill in this Congress will not meet the same fate.

Mr. JOELSON. Mr. Chairman, I intend to support the Higher Education Facilities Act, but I wish the measure went much further than it does. Although it provides for loans and grants for our colleges and universities to construct classrooms, laboratories, and libraries, it fails to do anything to provide for additional scholarship loans and grants to needy students.

We are only doing half the job when we provide bricks and mortar for expanded facilities, but fail to insure that the brainpower of American youth is utilized to the limit of its potential.

Our national scholarship program must be regarded as inadequate so long as capable young men and women are denied higher education because of the ever-expanding cost. I hope that the day is not too far distant when we will face up to our responsibility to these financially pressed young people and their families.

Mr. ST GERMAIN. Mr. Chairman, one of the greatest crises facing this Nation today is the crisis which is occurring in higher education. By 1970, the enrollment of our colleges and universities will be double what it was in 1960. The problem is becoming more and more difficult with each passing day.

The assault by young Americans on the gates of our institutions of higher education is both encouraging and tragic. It is encouraging because, as President Kennedy said in his education message to the Congress last January, "Education is the keystone in the arch of freedom and progress," and higher education represents the greatest investment one can make in promoting the welfare of our country.

This assault is also tragic because we presently lack adequate facilities to fully provide the high quality education that the challenges of our time and the needs of the United States call for. The total enrollment of degree candidates in higher education rose from 3.6 million in 1960 to 4.2 million in 1962, an increase of 17 percent. It is expected that by 1970 the figure will rise to 7 million, or 94 percent over 1960. A consideration of these figures along with a knowledge of existing higher education facilities is cause for genuine concern. It is to this very real concern that the Higher Education Facilities Act of 1963 is addressed.

Title I of the bill authorizes grants for construction of undergraduate academic facilities. Since tremendous numbers of young people are collegebound, this phase of the measure touches millions of American homes in a very special way. The fulfillment of the educational aspirations and goals of these youthful citizens is intimately connected with the action which is taken on the legislation now before us and the similar bills we shall consider in the future.

Of special interest to Rhode Island is the provision of title I which sets aside 22 percent of the title's funds for junior colleges and technical institutes. In view of our hope to establish a badly needed State junior college in the near future, the enactment of this bill will be welcomed by the citizens of my State.

While undergraduate studies form the basis of higher education and must be strengthened in every possible way, we must not lose sight of the great importance which graduate studies have for the Nation. In its testimony on behalf of this bill, the American Council on Education stated:

> Our Nation cannot afford to let its institutions fall behind in the search for new and better knowledge. To move ahead, we must expand and strengthen graduate education, including postdoctoral study, for the purpose of advancing knowledge of all kinds.

The matching grants for the constrution of graduate academic facilities which are authorized in title II of the bill will be of particular assistance in maintaining and expanding high quality graduate school education in this country.

The first two titles of this bill, along with the provision for loans to construct academic facilities which is contained in title III, make the Higher Education Facilities Act of 1963 a significant partial answer to the crisis in American higher education. The legislation deserves the affirmative vote of every Member of this House.

The State of Rhode Island has long possessed a tradition of educational excellence. The universities and colleges of my small State have an outstanding reputation throughout the country. The citizens of Rhode Island are extremely proud of these schools of higher learning and are vitally interested in their continued progress and improvement. For this reason and because of my firm conviction that education is a major answer to the problem of world peace and security, I am voting for the Higher Education Act of 1963. To my mind, it points the way to a bright and hopeful future for Americans and free people everywhere.

Mr. ROBISON. Mr. Chairman, I support H.R. 6413—the Higher Education Facilities Act of 1963—as I did its forerunner, H.R. 8900, in the 87th Congress, and I earnestly hope that this bill will be accepted by the other body without amendments of other than a perfecting nature. I say this, because this will make the second occasion that the House has—and I am confident of our eventual decision this afternoon—giving its strong endorsement of both the need and the propriety of a new Federal aid program such as this to stimulate the construction of urgently needed academic facilities by institutions of higher learning.

If the other body continues to believe that there is an equal need for some new program of Federal scholarships, as well—which I do not think is presently a majority view here in the House—then I would hope that the other body would, this year, see fit to consider that problem as a separate issue and, if it will, send us a separate bill thereon for our consideration.

Any other action, on their part, would—just as a year ago—render the future of this legislation to be extremely doubtful, and I think the hour is already rather late for action in this area.

I am not going to attempt to repeat the arguments of others as to the need for this program; suffice it to say that I believe the need to be clear, our institutions of higher learning facing, as they do, unprecedented anticipated enrollments—which must be accommodated if educational opportunity is not to be curtailed—and facing, too, an ever-mounting demand for specialized competence in research and educational leadership in order to gird the very proper national interest in science, in the professions, and in the many other areas of civilian service in which the welfare of our Nation has become so entwined.

Let me, instead, Mr. Chairman, address my brief remarks to two of the specific objections raised in the minority views as set forth in the committee report; namely, the contention that the Federal Government should not become further involved in the field of higher education, and the corollary argument that this field is not one of the proper functions of the Federal Government, and, second, the contention that the budgetary disciplines under which we must now operate—disciplines which I fully recognize—are such that we cannot now afford this additional investment in pursuit of intellectual excellence.

Taking these in order, it seems to me that the question of whether or not an interest in aid of higher education is a proper function of the Federal Government was decided for us long ago. As much as anything else, that decision was made for us at the time of the enactment of the first Morrill Act—the centennial of which we celebrated last year—although there are ample precedents for Federal interest in higher education dating considerably further back than that. In any event, with the enactment of the first Morrill Act, I think it can properly be said that the interrelationship between the Federal Government and our institutions of higher learning began to take on new dimensions—dimensions that have emerged with even more clarity in the last several decades as we have moved through periods of war and spasmodic economic and educational crises of one kind or another, all of which have only served to further emphasize the depth of our national—and, hence, Federal—self-interest in the quality of higher education.

Is there anyone here, Mr. Chairman, who truly thinks that we either can or should turn back this clock—particularly when one considers the productive nature, so far, of the partnership relationship that has been developed, in the Nation's welfare, between the Federal Government and our colleges and universities in the operation of such programs of more recent vintage as the college housing loan program and the National Defense Education Act.

Now, I am not so naive as not to realize that it takes a good deal more than Federal dollars, and what we have come to call "bricks and mortar," to maintain the strength of our colleges and universities at a level consistent with our national needs; but, by and large, I think our institutions of higher learning have more than met, so far, the intellectual challenge of the time in which we live. Our interest, today, is and should be in doing what we can to insure that they go on doing so—to close the financial gap between what they can reasonably and responsibly be expected to accomplish, with private and other forms of public assistance, through proper husbandry of such capital resources and funds as they now have, through student fees at a level commensurate with but not above the ability to pay, and so on, and their inevitable need for new and more adequate academic facilities as our crop of "war babies" comes of college age.

Whether or not that gap can be closed without the use of Federal dollars is clearly a matter of opinion, and I respect the opinion of those who argue that it can. However, my own study of the wealth of statistics and statistical projections that are available leads me to conclude that there will be a gap—of undeterminable proportions—which cannot be closed without Federal action, unless we wish to run the very decided risk of failing to keep the doors of opportunity open to all our Nation's youth and of failing to meet fully the educational expectations imposed upon us, as a people, in this ever more competitive world.

In so saying, Mr. Chairman, I find that I have automatically gotten into the second point of objection that I wish to discuss; namely, whether or not we can, at this particular time, "afford" this particular additional Federal expenditure. This, again, is a matter of opinion and, while I respect the views of those who may disagree with me, I have concluded that this is an investment that we really cannot afford not to make.

Richard Storrs, a prominent clergyman of the late 19th century, wrote:

> A nation grows in power as its citizens become enlightened.

Clearly, the truth of this—which has been amply demonstrated down through the pages of history—ought today to be especially apparent to us, as we continue on into what seems to be developing into a new and uncharted phase of the cold war struggle with communism, in which it will be of ever more vital importance, if our society is to survive, that we, the people comprising that society, constantly renew and deepen our knowledge of the basic principles upon which a free society is founded and strive daily to find new ways and means for putting those principles into practical and productive use.

Therefore, Mr. Chairman, I am entirely willing to lend my support to this important piece of legislation—H.R. 6143.

In so saying, I would like to add that, in some respects, I think it has been improved over last year's version and that it is a considerable improvement—as the result of bipartisan effort on the committee—over the original Presidential proposal this year, in the ill-fated omnibus bill. One thing is, of course, sadly lacking in this bill, and that is a section aimed at insuring that the benefits which will accrue under this program will be available to all our citizens, without regard to race or color. If such an amendment is offered, I shall, of course, support it, but our experience of last week unfortunately demonstrated that there is not a majority in this House willing to stand up for their convictions along these lines. About all that could be further said here is that racial discrimination at the level of higher education is not as serious a problem as it is at, say, the level of vocational or of primary and secondary education; nevertheless, it still exists, of course, and I shall continue to look forward to the day when we will be willing to meet that fact head on, and not try to paint the motives of those who are presently willing to do so with the brush of "politics."

Two more points, Mr. Chairman, and then I will be done.

First, I must admit that I am bothered—as are others, here—by the thorny question of Federal grants to private and church-related institutions. In recent days, the meaning and intent of the first amendment to our Constitution has assumed new importance. Surely, thereunder, Congress is forbidden to establish a religion directly; and, I think, under its public trust capacity, it is forbidden to distribute public money in such a way, and without such examination or controls, that there is a danger that such funds might indirectly establish or strengthen a religion or a church. I think the burden of this prohibition is quite clear at the lower school level; but when we move into the higher education level we get into a very fuzzy area, one in which it may well be the responsibility of the Congress to determine, itself, this question, as a matter of policy.

There are some clear differences between the lower school and the college or university in this connection; the first involves compulsory attendance, the latter does not, and, except for schools of divinity and so on, religious instruction is usually much more of an optional study course at the college level than one of the paramount reasons for being, as it normally is in the case of parochial schools. In any event, if we are now to determine that it is in the national interest to encourage the physical expansion of college and university facilities, I think we have to build on what we have—that is, on both the private as well as the public institution, and then do the best we can to write into the law such safeguards as we can devise to preserve inviolate the prohibition of the first amendment. The safeguards designed to serve this purpose in the bill before us are the result of long study on the part of the committee, which feels—or a majority thereon feels—that they are adequate. Let us hope that they prove to be such.

Lastly, there is the question of Federal controls. I know that a prohibition against this is written into H.R. 6143, and that the majority on the committee, again, believes this to be adequate. Again I say, let us hope it proves to be such, for it is of extreme importance that our colleges and universities retain their independence and diversity. Federal money can be a good servant—as we hope it will be in this connection; but it can also be a dangerous master. If this program becomes law, our institutions of higher learning must, I think, remain constantly on the alert against any resultant trend toward Federal intervention into the control and management of higher education, and I am sure that this Congress will be anxious to assist them in warding off such an unwelcome possibility.

Mr. BOLAND. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BOLAND. Mr. Chairman, I rise in favor of H.R. 6143, the Higher Education Facilities Act of 1963. This bill absorbs the principal features of my bill, H.R. 1896, to authorize assistance to public and other nonprofit institutions of higher education in financing the construction, rehabilitation, or improvement of needed academic and related facilities, to authorize student assistance for study in such institutions, and to provide financial assistance to the States for the construction of certain public community college facilities.

Mr. Chairman, I received telegrams and letters, urging the passage of this legislation, from the presidents and professors of the great institutions of higher education in my Second Congressional District and throughout the Commonwealth of Massachusetts, including Mount Holyoke College in South Hadley, the College of Our Lady of the Elms in Chicopee, American International College in Springfield, Western New England College in Springfield, Springfield College, Massachusetts Institute of Technology in Cambridge, College of the Holy Cross in Worcester, Tufts University, the University of Massachusetts, Boston College, and Boston University.

The time has come when we can delay no longer in recognizing the fact that our institutions of higher learning are pressed beyond capacity. They are soon going to fall behind badly in being able to accommodate high school graduates who merit and who desire a college education. In fact we have already lost valuable time. Already thousands of young people may have suffered delay or been severely inhibited in pursuing their goals.

The statistics are not in dispute and they are overwhelming. It will take a 100-percent increase in a decade, in the capacities of our colleges and universities, to accommodate the students who will be coming to them. This is only for "normalcy," to stay even as it were, to keep a kind of status quo. It does not allow for any improvement in our total educational system, or any increase in the percentage of high school students needing college and capable of it.

When we look at the shifts taking place in the labor force, with the trend to the requirement of more skills, we know that new provisions must be made. When we see the rising demand for a citizenry to be competent, flexible, and adequate, not only to automation, but also to the complex political issues of a rapidly changing world, we see that new demands are made upon us. We cannot stand still and even maintain, much less extend our leadership in the free world. We must advance or perish. We must anticipate the future or lose it before it arrives.

Mr. Chairman, I support this bill because it means we are looking forward. It cares for the whole spectrum of higher education, public and private. It particularly enables a rapid advance in the development of junior colleges and technical schools. Its combination of matching grants and loans will be stimulative of other public and private sources of finance, all of which, of course, must support this national effort.

This bill supports a national interest in two ways: First. It serves the economic, defense, and political well-being of the Nation. As our own freedom is secured, so is that of the entire free world strengthened, for we are leaders in it. We should act the role. Second. The welfare of our people as individuals, mentally, morally, and spiritually, will be served by the opportunities this bill will help make possible. No one wishes more than I that the pursuits of our people be peaceful, their leisure generous and creative, and their lives be free from want and fear. Knowledge is essential to these things. It may even be more so to the development and security of the arts of peace.

States and local governments, and private sources of giving have tugged heavily upon their bootstraps already to meet this challenge of the sixties in the field of higher education. They will continue to do so. However, they need some help to get over the hump. They have a right to expect that their Government will give them not only moral support, but tangible help and leadership at a pivotal time. What we do now is crucial for the capacities of the next generation. The next generation is crucial to the last half of this century.

I do not want us to fail them, fail our heritage, or fail the future. We must do all we can to provide the tools of a better education. It is not time to put on the brakes when we are going uphill. The time to act is now, so I urge passage of this bill.

Mr. HALPERN. Mr. Chairman, I rise in enthusiastic support of H.R. 6143. As one of the more important pieces of legislation, my identical bill at this session being H.R. 7988, I hail the measure as one of the more important pieces of legislation that will come to our attention in the 88th Congress. In the last decade the American public has convincingly demonstrated that it supports the right to a better education for our youth. At the public and elementary school level this Nation's investment in education has risen from an estimated $5.8 billion a little over a decade ago to an estimated $15.6 billion in 1960. In higher education, investment in construction of public facilities has risen from $1.13 billion in 1950 to $3 billion in 1961.

Yet, the cold figures with which we are all familiar show us that this is not enough. The committee report on H.R. 6143 informs us that by 1970, the number of students seeking higher education will be almost twice that of the total enrollments in 1960. The reason for this is simple—the population of young people in the 18 to 22 years old age group is increasing rapidly. Now at 13,044,000, it is expected to reach 17,806,000 by 1970. To meet this tremendous increase, to affirm this Nation's commitment to the education of its youth, we must take immediate action to see that the facilities of our institutions of higher education are able to support the new demands upon them. We must do so at the Federal level because the situation is urgent, because the problem has become too great to be handled solely by our State and local governments—though they have risen valiantly to the task—and because we must squarely face up to the fact that this country must outproduce, outthink, and outplan the Communist bloc countries who are themselves committed to universal education as a means of outdistancing the Western World.

For years now there have been cries of an imminent crisis in our higher educational facilities. This has not been an example of crying "wolf, wolf" by those favoring Federal aid to education. Those predictions of crisis were based on estimated population figures, on tremendous increases in our school-age group. It is today evident that those estimates have come true. As the President noted in his education message of January of this year:

> The long-predicted crisis in higher education facilities is now at hand.

It is time for us to act now, before the crisis deepens, before we permanently deny higher education to those demanding education now, who cannot wait for us to get around to passing such legislation in the next session, or the next or the next. It is time for us to listen to the mood of the American public—a mood, which as I have stated, wholeheartedly supports measures to increase our higher education facilities.

The bill on the floor today, H.R. 6143, is a good bill and a necessary bill. I am privileged to have joined with the able gentlewoman [Mrs. GREEN], and other Members of this House in cosponsoring the legislation. It provides matching grants for construction of undergraduate and graduate academic facilities as well as loans for such construction. It is a 5-year program, calling for new appropriations and congressional review after 3 years—thus, it is not a shortsighted, one-shot proposition. In no situation will the Federal share of a project exceed one-third the total cost—thus State and local incentive and initiative is stimulated, not destroyed.

There are those who say this bill is unconstitutional, that it violated the separation of church and state that the Founding Fathers held so dear, or that it encroaches upon the rights of the individual States. I, for one, disagree with such contentions. I believe that our power to provide for the general welfare of the people of the United States and the security of this Nation is sufficient for us to act in this manner. And I believe that the situation is sufficiently serious to require us to act now.

But, I do not want to argue constitutional issues here. Those of us who believe in our hearts that this measure is within the bounds of our Constitution must then proceed to vote in favor of this bill. If we have overstepped our bounds, there will be sufficient opportunity for judicial review and a future ruling by the Supreme Court. The ultimate decision of constitutionality rests in that body. Let us, Mr. Chairman, leave the decision in its hands and proceed here and now to pass legislation that is vital to the welfare and security of our country.

Mr. WELTNER. Mr. Chairman, it was with great reluctance that I cast my vote against H.R. 6143, The Higher Education Facilities Act of 1963. Its purpose is indeed a laudable one—assisting institutions of higher learning throughout the Nation. However, Mr. Chairman, with the failure of the proposed amendment that would limit funds to public schools only, I could not, on principle, support the bill. We have a Constitution that assures the separation of church and state. In my opinion, the allocation of public funds for instructional facilities for private schools, which would include denominational and sectarian schools, runs contrary to this great principle. Religious education is a vital element for the strength of our country. But my support for religious education must come as a private citizen, not by the voting of public funds.

Mr. GALLAGHER. Mr. Chairman, in ratio to our total population, an increasing number of young Americans seek college educations. There are vastly more potential stay-ins in the educational pipeline than there are potential dropouts.

While the problem of the dropout is critical and of concern to education, the administration and the Congress, the problems of many stay-ins are critical also. In too many instances, there is no place for them to stay.

College facilities in the United States, although they have been tremendously expanded in the past 18 years, are still nowhere near adequate to accommodate anywhere near the number of qualified high school graduates seeking admission.

By 1970 these facilities, even if expanding at the present rate, will only be able to accommodate 75 percent of the eligible applicants. The question is, should these 25 percent be turned away? In my opinion the answer is "No."

It is no exaggeration to say, as has been so often stated, that a crisis in education has come upon us. H.R. 6143 will not resolve this crisis, it will merely ease it. This is not a giveaway program—but even if it were, I would support it for I can think of nothing to which I want to contribute more than to education. The bill authorizes grants of matching funds and loans repayable with interest. The States and other agencies will be required to participate.

My special concern has been for some time the failure of so many of us to consider the average student who is as equally entitled to higher education as his more brilliant classmate.

So long as there are severe shortages of college facilities, standards of admission will remain abnormally high and only the brainy high school graduate will be accepted. The great many lesser qualified, but still competent graduates must be turned away.

The principal Government college loan program authorized by the National Defense Education Act favors the specialist in science, education and engineering.

Favored treatment for the highly qualified student and a continuing severe shortage of college facilities combine to deny higher education to very large numbers of young people who should be given the opportunity for a college degree. This is not, in my opinion, in the best interest of the country.

Our aim should be college and post graduate educations for every qualified student who seeks it.

As our society becomes even more complex in every area—government, science, business, education; it demands better educated citizens to qualify in high skill positions.

We must be mindful also that our system of government is challenged by a system that seeks to dominate us, to rule the world and to impose its will and its ways on all people.

If we are to preclude eventuality, we must program for advanced education of the greater percentage of our high school graduates. We cannot hope to maintain our position of world leadership if we fail to keep pace, or better still, to keep ahead in education.

The bill being considered is one means of helping to assure that the crisis in education will in the reasonably near future be resolved.

Mr. MATSUNAGA. Mr. Chairman, equality of opportunity is a feature of our system of government which, perhaps more than any other single feature, has distinguished our system of society from all others, and which has contributed to the greatness of our Nation.

Equality of opportunity necessarily involves the availability of the necessary education for the development of one's capabilities to the maximum possible extent. The evidence as presented to the Committee on Education and Labor clearly indicates that higher education is not being made available to all who seek it in this our "land of opportunity," not because those who seek it are unqualified, but because there are inadequate facilities to accommodate them all. Our Nation's existing institutions of higher education have not been able to keep up with the rapid growth in our college-age population.

The record clearly shows that our country's colleges and universities need immediate assistance if they are to provide college education for what has been termed "the tidal wave" of students seeking admission. The predictable increase in enrollment is an irreducible factor, and as Dr. Mason Gross, president of Rutgers State University of New Jersey stated, "for the first time in history, American higher education is faced with the possibility that it will have to deny an opportunity for higher education to some young men and women simply because there is no place for them in our existing academic institutions."

This is indeed a sad commentary, but it would be sadder still if we were to do nothing about correcting the situation. H.R. 6143, the Higher Education Facilities Act of 1963, presents us with the opportunity to do something about it. Its passage and enactment into law will help to put real meaning into that cherished ideal of ours, "equality of opportunity."

Mr. Chairman, I urge a favorable vote on H.R. 6143.

Mr. WHALLEY. Mr. Chairman, I ask unanimous consent that the gentleman from Kentucky [Mr. SNYDER] may extend his remarks at this point in the RECORD and include an article.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SNYDER. Mr. Chairman, as we consider this additional proposal for Federal aid to education I would like for the House to have the benefit of an editorial appearing in the August 1961 edition of Farm and Ranch magazine:

STRAIGHT TALK

(By Tom Anderson)

Why I am for Federal aid to education:

I am for Federal aid to education because the Federal Government is the only government which can print money and thus has an inexhaustible supply of it; and because the Federal debt is already far greater than the combined debt of all State and local governments.

I'm for Federal aid to schools because it will relieve local citizens of the responsibility of educating their children, since the Federal Government will take care of everything and everybody equally. I'm for Federal aid to education because Ralph McGill and Sammy Davis, Jr., and Frank Sinatra and Mrs. Roosevelt and Martin Luther King and Bobby Kennedy are for it. How could it be wrong?

I'm for Federal aid to education because this would bring on more uniformity and efficiency in textbook selection, and students all over the country would have equality of books and authors. For instance, all students could learn American history out of the same book. If there were no book available which the Federal Director of Textbooks thought suitable, he could get Harry Truman to rewrite one. He is unexcelled at rewriting history. And it looks as though he now needs a new way to cash in on the Presidency.

I'm for the Federal aid to education bills because they contain a sentence or two assuring non-Federal interference which anyone can find just by scanning through the dozens of pages spelling out restrictions and requirements which must be met. I'm for Federal aid to education because bricks and mortar, auditoriums, gymnasiums, and escalators are what make a school; because Federal aid is promoted by teachers who want higher salaries; promoted by parents who would rather pay strangers $1.30 than to pay local people $1 to run the schools; and promoted by local officials who want to be spared the necessity of going to the voters and pleading for a local tax increase.

ALL SCHOOLS MUST BE CREATED EQUAL

I'm for Federal aid to education because private schools are, and always have been, generally superior, at every level, to public schools. And that's not fair. All schools must be created, and maintained, equal. Even if private and parochial schools have to be taxed out of existence. We can't have private schools and complete integration. The Warren Court has driven one-fourth of the Nation to private schools. We must not allow that, because it gives those students an advantage.

Teachers who're hired arbitrarily by a private headmaster and measured nonpolitically by what they can teach, without regard to degrees, length of service, and political considerations, place a roadblock in front of the national planning establishment. Schools like this breed dangerous new ideas, noncomformity, undemocratic desires to excell, to rise above the mass. The multimillion-dollar mortgaged palaces which cost more and more and teach less and less are good enough for all or for none. The only education clothed with holy sacraments must be public education.

"Save our schools?" Yes, save them by making them more than mere educational institutions, by making them babysitting dance halls, sports palaces, and social adjustment clinics. Save them by offering the same opportunity and recognition to the intellectually superior children as to all their brothers. Save them by making all students take the "loyalty oath"—to the United Nations.

Save them by instituting a national merit system of hiring and firing teachers, and raising their salaries, based on length of service, not on merit and results. Save them by demanding equal morality of all school employees, even the football coach, with our elected officials.

What better way to completely socialize a nation than for the Socialist planners—such as our New Frontiersmen—to take over the school system? It is difficult to socialize 50 sovereign States and thousands of independent school districts.

Federal aid to education won't bring Federal control, any more than Federal aid to agriculture has. Secretary Freeman has said that we may have to have "land reform" in this country. Like in Russia, Yugoslavia, China, Cuba. But firing squads are not contemplated, yet.

I'm for Federal aid to education because it's not fair to have socialized farming without socializing other segments of our society. Education, like agriculture, and medicine, and electricity, and Mrs. Roosevelt, is a national responsibility.

EQUAL ACRES AND EQUAL SCHOOLS

Remember back—$50 billion ago—when the Federal farm program was first put in? Federal aid to farmers wasn't going to take freedom to farm away from anybody, remember? It was only going to "help the poor little farmer" get "parity" with the other elements of our society. The Freeman-Cochrane program of supply-management, equal shares, and planned poverty may, according to middle-of-the-roader Henry Wallace, require more controls than they have in the other Socialist nations.

Remember way back when the shortsighted New Deal planners said that TVA was essentially a flood control project, of which power was only a byproduct? TVA, which is socialism at its finest, having lost hundreds of millions of dollars, is now preparing to go into the coal business. It has recently bought 59,000 acres of coal land in five counties and has 53,000 additional acres under option. The vicious charge that the Tennessee River runs through 3 States and drains the other 45, is demonstrably false—73 of Tennessee's 95 counties have been put under the depressed areas bill and will drain the other States in that way. Why shouldn't TVA, which belongs to all the people, produce coal? And generators, and electric appliances, farm equipment, automobiles, fertilizer and farm products?

We must keep up with Russian education? We don't really have to worry about catching up with the Communists.

That great authority on communism, Adlai Stevenson, has recently stated that we have less to fear from communism than from the complexities of modern life. (Mr. Stevenson's life has indeed been complex.) In evaluating the Communist menace, Mr. Stevenson's perception is comparable to that of the drunk who stumbled upon a man barbecuing a chicken over the rotary spit on his patio: "Hey, buddy, watsa matter? Your organ ain't playin' and your monkey's on fire."

INVESTMENT IN EDUCATION

Mr. RYAN of New York. Mr. Chairman, I support H.R. 6143, the Higher Education Facilities Act of 1963.

At last we have before us a bill to provide critically needed aid for academic facilities at the level of higher education in the United States. We have a bill which has the support of educators and professional education associations as well as meeting the major concerns and proposals of the present and previous administrations.

It is none too soon. Where construction is involved, legislation even after passage has a lead time of a year before it produces results. Our institutions are suffering now. Or rather our youth are.

I wish to review briefly the need for this legislation, to emphasize the Federal responsibility in this area, and particularly to emphasize it as an investment.

Much has been said about the great influx of students to the colleges and institutions of higher learning. The President has said simply that enrollments in 1970 will be nearly double those of 1960. Perhaps the effect of this "tidal wave" can be made more vivid, if we realize that to cope with it requires enormous expansion. Hypothetically, it amounts to doubling the size of all existing colleges and universities, and in addition, establishing a thousand more institutions with an average enrollment of 2,500 students.[1]

We may expect that not only will there be more students of the 18–24 year age group, but we may expect them to be in school longer. Projections of the increase of students presume only a modest improvement in cutting the dropout rate in school, and we must do better than that. Further, we may expect a higher percentage of the high school graduates to qualify for higher education and to want it. There is nothing about this problem that is going to get less urgent.

Figures do not tell the whole story on the profound changes which lie ahead for the American worker as a result of the changes taking place in the workforce. We know, for example, that the only category which is in decline and which will continue to decline is unskilled labor. The professional technical and kindred workers are increasing rapidly. By 1980 these will double. There will be striking increases in other skilled groups. There is a challenge not only to produce more numbers of graduates for these fields. There is also a challenge to have more broadly educated citizens to meet and solve the problems of the social and political structure arising out of automation, accelerated economic growth and change, and the deep-seated changes going on around the world. As one commentator has put it:

> What may look at first glance like a greatly expanded need for a utilization education, may turn out on second and third glance, to be a desperate need for an education calculated to develop the mind.[2]

We can expect not only to see more young people entering into higher education, but we can expect to see more of them staying with it longer. In short, there will not be the same turnover in space to which we have been accustomed. New facilities must not only accommodate more people. They must be used longer for a larger percentage of a given group.

Projections calculating the influx of more students to college are based upon the birth rate increase and past percentages of youth going to college. This does not account for our making any significant improvements upon the dropout rate from school, or growth in the percent of high school students being able and wanting to go on to higher education. There will have to be changes in both of these. We are going to cut the dropout rate because we have got to. A few days ago this House passed the Vocational Education Act of 1963. In support of it at that time, I noted that we expected to keep many of our dropouts in school. I further expressed the belief that some, who found themselves related to education once again through the reality of something they found useful and economically meaningful, would want to pursue it further. Surely this will be so in the technical fields. This bill, H.R. 6143, includes construction grants for technical institutes. It will dovetail with what we have done in vocational education. My point is that I think we are going to get more people seeking higher education out of a group we have not heretofore been counting on. This demonstrates the need for additional facilities over and above the figures usually cited.

Our population is not only growing. It is coalescing more and more into urban centers. The population should reach 285 million by 1985 and by that time or earlier, approximately 70 percent of it will be in urban areas.[3] Add to this the fact that studies have shown that the likelihood of a student going to college is 50 percent greater for a high school student who lives within 20 to 25 miles of a college than for the graduate who lives beyond commuting distance.[4] This fact is putting a premium upon the extension of the junior college institution, but the very extension of it will mean that more than the present 20 percent of high school students will be going on to higher education.

We are more than just a growing Nation in which some standard percentage applied will produce a simple figure of increase of students in higher education to be provided for. We are a shifting population. We are undergoing profound changes in the character of our working force. The problems of the Nation and the world are demanding of us the development of new competence and flexibility. Our preparation for it, that is to say, our education is a paramount concern.

There are those who argue that the rapid expansion of our facilities for higher education does not require the support of the Federal Government. Yet the Federal Government has a vital role to play.

There are only three sources of support otherwise: Student fees, State and local taxes, and private foundation or individual philanthropy support.

There is little more to be expected from student fee support. High as these fees are, they amount to only a fraction of the operating costs, without calculating in the costs of buildings.[5]

State and local governments have enormously expanded their contributions to higher education in recent years. They may be expected to do more. Indeed to match grants and to take up the loan provisions of H.R. 6143, they must do more, even though their tax bases and sources may not change. Projections show that the bulk of the increase of students in higher education will go to the public institutions. There will be an increase of students going to private institutions, but the private institution percentage of the whole will drop.[6] The Federal Government will be giving necessary assistance to a much greater effort which State and local governments will have to make.

Giving from individuals, corporations, and private foundations has increased rapidly in recent years. Of course, this must continue. Federal participation may stimulate private contribution by making it more effective in adding to the quality of programs when the burden of college construction is eased.

Mr. Chairman, the national needs in this area today must be more clear than they were one hundred and one years ago when the Land-Grant Act was passed. Perhaps the Congress then was not so aware of the value of the land it dispensed.

However, the incomparable value to the Nation and its people could not have been foreseen.

Seldom, if ever, does anyone wish to repeal past action or pull out of programs of proven merit. Yet someone is always wanting to foreclose the future. Yet history shows that those in the past who looked to the future, anticipated its needs and prepared for them—who honored the future with hope and courage—were the ones who enabled this Nation to progress as far as it has in internal welfare, prosperity, and leadership of the world.

Finally, Mr. Chairman, I wish to emphasize that this is an investment program. A statement by the American Council on Education has put it well:

> American higher education is a priceless fundamental to the national purpose. It cannot be spoken of simply in terms of the value of buildings and equipment, the total number of persons served, the teacher's involved, the research performed. The Nation's colleges and junior colleges, universities, research institutes, and professional schools are all of these things, but something more. Broadly conceived, higher education constitutes a precious national resource essential to the achievement of great national goals and to the achievement of worthy aspira-

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[1] Logan Wilson, "A Better Partnership for the Federal Government and Higher Education," the Educational Record, April 1963, p. 142. American Council.

[2] Wolozin, Harold. "The Outlook for Higher Education—Underlying Economic and Demographic Projection." Prepared for Sidney G. Ticknor: The Fund for the Advancement of Education, March 1963. CONGRESSIONAL RECORD, June 6, 1963, p. 10255.

[3] Wolozin, op. cit.

[4] Rept. No. 310 to accompany H.R. 6143, House of Representatives, 88th Cong., 1st sess.

[5] Harrington, Fred Harvey. "The Federal Government and the Future of Higher Education," the Educational Record, Apr. 1963, p. 158.

[6] Wolozin, op. cit.

tions of individual citizens. It is a resource also in the sense that given favorable conditions, it is as capable of self-renewal as is a properly conserved national forest.[7]

The total expenditures from all sources for higher education in the United States are actually small. Expenditures, less research, represent 0.8 percent of the gross national product for 1962. Of course, expenditures have to go up if the institutions of higher learning are to do the job that is being asked of them in the years immediately ahead. It is projected that the percent of the gross national product to be spent on higher education will rise to 1.3 by 1972.[8] Even should this prove conservative, it is most modest.

In this decade of the sixties, Mr. Chairman, we are in a period of maximum need in effecting a major transition. Delay may cause millions of American youth to miss out on their educational birthright. It does not require great courage for us to meet this challenge. It principally requires commonsense. Let us not gamble with the talents of our youth and the future of our society. Let us make a sound investment in them.

Mr. Chairman, at the proper time when H.R. 6143 is open to amendments I intend to offer an amendment which will provide simple justice for individuals, families, and small businessmen who may be affected by the expansion and development of our institutions of higher learning under this bill. When the Federal Government finances construction and development—be it urban renewal, highway construction, or facilities—it has an obligation in my opinion to protect those who are displaced as the result of such Federal action. So I will recommend to the Committee that we adopt in this program the relocation benefits which are applicable in the urban renewal and highway construction programs. I have urged that we make this sound investment in our youth. At the same time I urge that we recognize the impact of institutional expansion upon our urban communities and provide some assistance at least for those who will suffer from the progress this bill promotes.

The CHAIRMAN. If there are no further requests for time, the Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Higher Education Facilities Act of 1963".

Findings and declaration of policy

SEC. 2. The Congress hereby finds that the security and welfare of the United States require that this and future generations of American youth be assured ample opportunity for the fullest development of their intellectual capacities and that this opportunity will be jeopardized unless the Nation's colleges and universities are encouraged and assisted in their efforts to accommodate rapidly growing numbers of youth who aspire to a higher education. The Congress further finds and declares that these needs are so great and these steps so urgent that it is incumbent upon the Nation to take positive and immediate action to meet these needs through assistance to undergraduate and graduate institutions of higher education in providing classrooms and other academic facilities.

TITLE I—GRANTS FOR CONSTRUCTION OF UNDERGRADUATE ACADEMIC FACILITIES

Appropriations authorized

SEC. 101. (a) The Commissioner of Education (hereinafter in this Act referred to as the "Commissioner") shall carry out during the fiscal year ending June 30, 1964, and each of the four succeeding fiscal years a program of grants to institutions of higher education for the construction of academic facilities in accordance with this title.

(b) For the purpose of making grants under this title, there is hereby authorized to be appropriated the sum of $230,000,000 for the fiscal year ending June 30, 1964, and each of the two succeeding fiscal years; but for the fiscal year ending June 30, 1967, and the succeeding fiscal year, only such sums may be appropriated as the Congress may hereafter authorize by law. In addition to the sums authorized to be appropriated under the preceding sentence, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1965, and the succeeding fiscal year, for making such grants the difference (if any) between the sums authorized to be appropriated under the preceding sentence for preceding fiscal years and the aggregate of the sums which were appropriated for such preceding years under such sentence.

(c) Sums appropriated pursuant to subsection (a) of this section shall remain available for reservation as provided in section 107 until the close of the fiscal year next succeeding the fiscal year for which they were appropriated.

Allotments to States

SEC. 102. (a) Of the funds appropriated pursuant to section 101 for any fiscal year (1) one-half shall be allotted by the Commissioner among the States so that the allotment to each State under this clause will be an amount which bears the same ratio to such one-half as the number of students enrolled in institutions of higher education in such State bears to the total number of students enrolled in such institutions in all the States; and (2) the remaining one-half shall be allotted by him among the States so that the allotment to each State under this clause will be an amount which bears the same ratio to such remainder as the number of students enrolled in grades nine to twelve (both inclusive) of schools in such State bears to the total number of students in such grades in schools in all the States. For the purposes of this subsection, (A) the number of students enrolled in institutions of higher education shall be deemed to be equal to the sum of (i) the number of full-time students and (ii) the full-time equivalent of the number of part-time students as determined by the Commissioner in accordance with regulations; and (B) determinations as to enrollment under either clause (1) or clause (2) of this subsection shall be made by the Commissioner on the basis of data for the most recent year for which satisfactory data with respect to such enrollment are available to him.

(b) The amount of each allotment to a State under this section shall be available, in accordance with the provisions of this title, for payment of the Federal share (as determined under sections 106(b)(3) and 401(d)) of the development cost of approved projects for the construction of academic facilities within such State by institutions of higher education. Sums allotted to a State for the fiscal year ending June 30, 1964, shall remain available for reservation as provided in section 107 until the close of the next fiscal year, in addition to the sums allotted to such State for such next fiscal year.

(c) All amounts allotted under this section for the fiscal year ending June 30, 1965, and the succeeding fiscal year, which are not reserved as provided in section 107 by the close of the fiscal year for which they are allotted, shall be reallotted by the Commissioner among the States on the basis of such factors as he determines to be equitable and reasonable. Amounts reallotted under this subsection shall be available for reservation until the close of the fiscal year next succeeding the fiscal year for which they were originally allotted.

State commissions and plans

SEC. 103. (a) Any State desiring to participate in the grant program under this title shall designate for that purpose an existing State agency which is broadly representative of the public and of institutions of higher education (including junior colleges and technical institutes) in the State, or, if no such State agency exists, shall establish such a State agency, and submit to the Commissioner through the agency so designated or established (hereinafter in this title referred to as the "State commission"), a State plan for such participation. The Commissioner shall approve any such plan which—

(1) provides that it shall be administered by the State commission;

(2) sets forth, consistently with basic criteria prescribed by regulation pursuant to section 105, objective standards and methods (A) for determining the relative priorities of eligible projects for the construction of academic facilities submitted by institutions of higher education within the State, and (B) for determining the Federal share of the development cost of each such project (unless such plan provides for a uniform Federal share for all such projects);

(3) provides that not less than 22 per centum of the funds allotted (or reallotted) for any year to the State will be available only for use for the construction of academic facilities for junior colleges and technical institutes;

(d) provides (A) for assigning priorities solely on the basis of such criteria, standards, and methods to eligible projects submitted to the State commission and deemed by it to be otherwise approvable under the provisions of this title; and (B) for approving and recommending to the Commissioner, in the order of such priority, applications covering such eligible projects, and for certifying to the Commissioner the Federal share, determined by the State commission under the State plan, of the development cost of the project involved;

(5) provides for affording to every applicant, which has submitted to the State commission a project, an opportunity for a fair hearing before the commission as to the priority assigned to such project or as to any other determination of the commission adversely affecting such applicant; and

(6) provides (A) for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the State commission under this title, and (B) for the making of such reports, in such form and containing such information, as may be reasonably necessary to enable the Commissioner to perform his functions under this title.

For the purposes of this subsection, the term "junior colleges and technical institutes" means institutions of higher education which are organized and administered principally to provide a two-year program which is acceptable for full credit toward a bachelor's degree or a two-year program in engineering, mathematics, or the physical or biological sciences which is designed to prepare the student to work as a technician and at a semiprofessional level in engineering, scientific, or other technological fields which require the understanding and application of basic engineering, scientific, or mathematical principles or knowledge, and, if a branch of an institution of higher education offering four or more years of higher education, is located in a community different from that in which its parent institution is located.

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[7] "Higher Education as a National Resource" quoted in Wilson, op. cit.

[8] Wolozin, op. cit., table 15.

(b) The Commissioner is authorized to expend not exceeding $3,000,000 during each of the first two fiscal years of the program under this title in such amounts as he may consider necessary for the proper and efficient administration of the State plans approved under this title, including expenses which he determines were necessary for the preparation of such plans.

Eligibility for grants

SEC. 104. An institution of higher education shall be eligible for a grant for construction of an academic facility under this title only if such construction will, either alone or together with other construction to be undertaken within a reasonable time, (1) result in an urgently needed substantial expansion of the institution's student enrollment capacity, or (2) in the case of a new institution of higher education, result in creating urgently needed enrollment capacity.

Basic criteria for determining priorities and Federal share

SEC. 105. (a) As soon as practicable after the enactment of this Act the Commissioner shall by regulation prescribe basic criteria to which the provisions of State plans setting forth standards and methods for determining relative priorities of eligible construction projects, and the application of such standards and methods to such projects under such plans, shall be subject. Such basic criteria (1) shall be such as will best tend to achieve the objectives of this title while leaving opportunity and flexibility for the development of the State plan standards and methods that will best accommodate the varied needs of institutions in the several States, and (2) shall give special consideration to expansion of undergraduate enrollment capacity. Subject to the foregoing requirements, such regulations may establish additional and appropriate basic criteria, including provision for considering the degree to which applicant institutions are effectively utilizing existing facilities, provision for allowing State plans to group or provide for grouping, in a reasonable manner, facilities or institutions acocrding to functional or educational type for priority purposes, but, in view of the national objectives of this Act, in no event shall an institution's priority be adversely affected because of its readiness to admit out-of-State students.

(b) The Commissioner shall further prescribe by regulation the basic criteria for determining the Federal share of the development cost of any eligible project under this title within a State, to which criteria the applicable standards and methods set forth in the State plan for such State shall conform in the absence of a uniform statewide Federal share specified in or pursuant to such plan. The Federal share shall in no event exceed 33⅓ per centum of the development cost of a project covered by an application approved under this title.

Applications for grants and conditions for approval

SEC. 106 (a) Institutions of higher education which desire to obtain grants under this title shall submit applications therefor at such time or times and in such manner as may be prescribed by the Commissioner, and such applications shall contain such information as may be required by or pursuant to regulation for the purpose of enabling the Commissioner to make the determinations required to be made by him under this title.

(b) The Commissioner shall approve an application covering a project for construction of an academic facility and meeting the requirements prescribed pursuant to subsection (a) if—

(1) the project is an eligible project as determined under section 104;

(2) the project has been approved and recommended by the appropriate State commission;

(3) the State commission has certified to the Commissioner, in accordance with the State plan, the Federal share of the development cost of the project, and sufficient funds to pay such Federal share are available from the applicable allotment of the State (including any applicable reallotment to the State);

(4) the project has, pursuant to the State plan, been assigned a priority that is higher than that of all other projects within such State (chargeable to the same allotment) which meets all the requirements of this section (other than this clause) and for which Federal funds have not yet been reserved.

(5) the Commissioner determines that the construction will be undertaken in an economical manner and will not be of elaborate or extravagant design or materials; and

(6) the Commissioner determines that (in addition to the assurance required by section 403 and such assurance as to title to the site as he may deem necessary) the application contains or is supported by satisfactory assurances—

(A) that Federal funds received by the applicant will be used solely for defraying the development cost of the project covered by such application,

(B) that sufficient funds will be available to meet the non-Federal portion of such cost and to provide for the effective use of the academic facility upon completion, and

(C) that the facility will be used as an academic facility during at least the period of the Federal interest therein (as defined in section 404).

(c) Amendments of applications shall, except as the Commissioner may otherwise provide by or pursuant to regulation, be subject to approval in the same manner as original applications.

Amount of grant—Payment

SEC. 107. Upon his approval of any application for a grant under this title, the Commissioner shall reserve from the applicable allotment (including any applicable reallotment) available therefor, the amount of such grant, which (subject to the limits of such allotment or reallotment) shall be equal to the Federal share (ascertained by him under section 106(b)(3)) of the development cost of the project covered by such application. The Commissioner shall pay such reserved amount, in advance or by way of reimbursement, and in such installments consistent with construction progress, as he may determine. The Commissioner's reservation of any amount under this section may be amended by him, either upon approval of an amendment of the application covering such project or upon revision of the estimated development cost of a project with respect to which such reservation was made, and in the event of an upward revision of such estimated cost approved by him he may reserve the Federal share of the added cost only from the applicable allotment (or reallotment) available at the time of such approval.

Administration of State plans

SEC. 108. (a) The Commissioner shall not finally disapprove any State plan submitted under this title, or any modification thereof, without first affording the State commission submitting the plan reasonable notice and opportunity for a hearing.

(b) Whenever the Commissioner, after reasonable notice and opportunity for hearing to the State commission administering a State plan approved under this title, finds—

(1) that the State plan has been so changed that it no longer complies with the provisions of section 103(a), or

(2) that in the administration of the plan there is a failure to comply substantially with any such provision,

the Commissioner shall notify such State commission that the State will not be regarded as eligible to participate in the program under this title until he is satisfied that there is no longer any such failure to comply.

Judicial review

SEC. 109. (a)(1) If any State is dissatisfied with the Commissioner's final action with respect to the approval of its State plan submitted under section 103(a) or with his final action under section 108(b), such State may appeal to the United States court of appeals for the circuit in which such State is located. The summons and notice of appeal may be served at any place in the United States. The Commissioner shall forthwith certify and file in the court the transcript of the proceedings and the record on which he based his action.

(2) The findings of fact by the Commissioner, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make new or modified findings of fact and may modify his previous action, and shall certify to the court the transcript and record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence.

(3) The court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in title 28, United States Code, section 1254.

(b)(1) Any institution of higher education which is denied a grant or loan under this title or title III of this Act or which has had the amount of such a grant or loan it receives reduced because of the lack of funds available in a particular year may bring a civil action to obtain a review of the decisions of the Commissioner extending grants or loans, as the case may be, to other institutions of higher education insofar as the other grants or loans are claimed to be invalid under the first amendment to the Constitution of the United States.

(2) Any action brought under the preceding paragraph of this subsection must be commenced within sixty days after the final decision of the Commissioner. Such action shall be brought in the district court of the United States for the District of Columbia. Upon the commencement of such action the Commissioner shall file in the court the record of the proceedings upon which the findings or decision complained of are based. The bringing of an action under this subsection shall not, pending the determination thereof, affect the powers and duties of the Commissioner under this title or title III of this Act. The district court of the United States for the District of Columbia shall have jurisdiction to hear and determine any such action, and the court shall have power to enter, upon the pleadings, and record of proceedings, a judgment affirming, modifying, or reversing the decision of the Commissioner. The findings of the Commissioner as to any fact, if supported by substantial evidence, shall be conclusive, but all rulings of law, conclusions of law, and mixed conclusions of fact and law shall be subject to unlimited judicial review. Any party to such action aggrieved by a final order entered therein by the district court shall be

entitled to a review thereof by the Supreme Court through the filing in that court, within sixty days after the entry of that order, of an appeal therefrom. Any action instituted in accordance with this section shall survive notwithstanding any change in the person occupying the office of Commissioner or any vacancy in such office.

TITLE II—GRANTS FOR CONSTRUCTION OF GRADUATE ACADEMIC FACILITIES

Appropriations authorized

SEC. 201. In order to increase the supply of highly qualified personnel critically needed by the community, industry, government, research, and teaching, the Commissioner shall, during the fiscal year ending June 30, 1964, and each of the four succeeding fiscal years make construction grants to assist institutions of higher education to improve existing graduate schools and cooperative graduate centers, and to assist in the establishment of graduate schools and cooperative graduate centers of excellence. For the purpose of making grants under this title, there is hereby authorized to be appropriated the sum of $25,000,000 for the fiscal year ending June 30, 1964, and the sum of $60,000,000 for the fiscal year ending June 30, 1965, and the succeeding fiscal year; but for the fiscal year ending June 30, 1967, and the succeeding fiscal year, only such sums may be appropriated as the Congress may hereafter authorize by law. Sums so appropriated for the fiscal year ending June 30, 1964, shall remain available for grants under this title until the end of the next succeeding fiscal year.

Grants

SEC. 202. (a) Grants under this title may be made to institutions of higher education and to cooperative graduate center boards to assist them to meet the development costs for projects for construction of academic facilities for graduate schools and cooperative graduate centers. Such grants may be made only upon application therefor at such time or times, in such manner, and containing or accompanied by such information as the Commissioner finds necessary to determine eligibility for the grants and the amounts thereof.

(b) Grants under this title for construction of academic facilities may not exceed 33⅓ per centum of the development cost of any such construction project.

(c)(1) The Commissioner shall not approve any application for a grant under this title without the advice of the Advisory Committee established under section 203.

(2) In determining whether to approve applications for grants under this title, the order in which to approve such applications, and the amount of the grants, the Commissioner shall give consideration to the extent to which such projects will contribute to achieving the objectives of this title and also to the extent to which they will aid in attaining a wider distribution throughout the United States of graduate schools and cooperative graduate centers.

(d) Notwithstanding the other provisions of this title the total of the payments from the appropriations for any fiscal year under this title made with respect to projects in any State may not exceed an amount equal to 12½ per centum of such appropriation.

Advisory Committee

SEC. 203. (a) There is hereby established in the Office of Education an Advisory Committee on Graduate Education, consisting of the Commissioner, who shall be Chairman; one representative from the Office of Science and Technology in the Executive Office of the President; one from the National Science Foundation; and eight members appointed, without regard to the civil service laws, by the Commissioner with the approval of the Secretary. Such appointed members shall be selected from leading authorities in the field of education, at least three of whom shall be from the field of the humanities, with at least one of these three from a graduate school of education.

(b) The Advisory Committee shall advise the Commissioner (1) on the action to be taken with regard to each application for a grant under this title, and (2) in the preparation of general regulations and with respect to policy matters arising in the administration of this title, including the development of criteria for approval of applications thereunder. The Advisory Committee may appoint such special advisory and technical experts and consultants as may be useful in carrying out its functions.

(c) Members of the Advisory Committee and special advisory and technical experts and consultants appointed pursuant to subsection (b) shall, while serving on the business of the Advisory Committee, be entitled to receive compensation at rates fixed by the Secretary of Health, Education, and Welfare, but not exceeding $75 per day, including travel time; and, while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2) for persons in the Government service employed intermittently.

TITLE III—LOANS FOR CONSTRUCTION OF ACADEMIC FACILITIES

Lending authority

SEC. 301. The Commissioner may, in accordance with the provisions of this title, make loans to institutions of higher education or to higher education building agencies for construction of academic facilities.

Loan limit for any State

SEC. 302. Not more than 12½ per centum of the funds provided for in this title in the form of loans shall be used for loans to institutions of higher education or higher education building agencies within any one State.

Eligibility conditions, amounts, and terms of loans

SEC. 303. (a) No loan pursuant to this title shall be made unless the Commissioner finds (1) that not less than one-fourth of the development cost of the facility will be financed from non-Federal sources, (2) that the applicant is unable to secure the amount of such loan from other sources upon terms and conditions equally as favorable as the terms and conditions applicable to loans under this title, and (3) that the construction will be undertaken in an economical manner and that it will not be of elaborate or extravagant design or materials.

(b) A loan pursuant to this title shall be secured in such manner, and shall be repaid within such period not exceeding fifty years, as may be determined by the Commissioner; and shall bear interest at a rate determined by the Commissioner which shall not be less than a per annum rate that is one-quarter of 1 percentage point above the average annual interest rate on all interest-bearing obligations of the United States forming a part of the public debt as computed at the end of the preceding fiscal year, adjusted to the nearest one-eighth of 1 per centum.

(c) The Commissioner shall, during the fiscal year ending June 30, 1964, and each of the four succeeding fiscal years, make loans to institutions of higher education for the construction of academic facilities in accordance with the provisions of this title. For the purpose of making loans under this title, there is hereby authorized to be appropriated the sum of $120,000,000 for the fiscal year ending June 30, 1964, and each of the two succeeding fiscal years; but for the fiscal year ending June 30, 1967, and the succeeding fiscal year only such sums may be appropriated as the Congress may hereafter authorize by law. In addition to the sums authorized to be appropriated under the preceding sentence, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1965, and the succeeding fiscal year, for making such loans the difference (if any) between the sums authorized to be appropriated under the preceding sentence for preceding fiscal years and the aggregate of the sums which were appropriated for such preceding years under such sentence.

General provisions for loan program

SEC. 304. (a) Such financial transactions of the Commissioner as the making of loans and vouchers approved by the Commissioner in connection with such financial transactions, except with respect to administrative expenses, shall be final and conclusive on all officers of the Government.

(b) The Commissioner is authorized (1) to prescribe a schedule of fees which, in his judgment, would be adequate in the aggregate to cover necessary expenses of making inspections (including audits) and providing representatives at the site of projects in connection with loans under this title, and (2) to condition the making of such loans on agreement by the applicant to pay such fees. For the purpose of providing such services, the Commissioner may, as authorized by section 402(b), utilize any agency, and such agency may accept reimbursement or payment for such services from such applicant or from the Commissioner, and shall, if a Federal agency, credit such amounts to the appropriation or fund against which expenditures by such agency for such services have been charged.

(c) In the performance of, and with respect to, the functions, powers, and duties vested in him by this title, the Commissioner, notwithstanding the provisions of any other law, may—

(1) prescribe such rules and regulations as may be necessary to carry out the purposes of this title;

(2) sue and be sued in any court of record of a State having general jurisdiction or in any district court of the United States, and such district courts shall have jurisdiction of civil actions arising under this title without regard to the amount in controversy, and any action instituted under this subsection by or against the Commissioner shall survive notwithstanding any change in the person occupying the office of Commissioner or any vacancy in such office; but no attachment, injunction, garnishment, or other similar process, mesne or final, shall be issued against the Commissioner or property under his control, and nothing herein shall be construed to except litigation arising out of activities under this title from the application of sections 507(b) and 2679 of title 28 of the United States Code and of section 367 of the Revised Statutes (5 U.S.C. 316);

(3) foreclose on any property or commence any action to protect or enforce any right conferred upon him by any law, contract, or other agreement, and bid for and purchase at any foreclosure or any other sale any property in connection with which he has made a loan pursuant to this title; and, in the event of any such acquisition (and notwithstanding any other provisions of law relating to the acquisition, handling, or disposal of real property by the United States), complete, administer, remodel and convert, dispose of, lease, and otherwise deal with, such property: *Provided*, That any such acquisition of real property shall not deprive any State or political subdivision thereof of its civil or criminal jurisdiction in and over such property or impair the civil rights under the State or local laws of the inhabitants on such property;

(4) sell or exchange at public or private sale, or lease, real or personal property, and sell or exchange any securities or obligations, upon such terms as he may fix;

(5) subject to the specific limitations in this title, consent to the modification, with respect to the rate of interest, time of payment of any installment of principal or interest, security, or any other term of any contract or agreement to which he is a party or which has been transferred to him pursuant to this section; and

(6) include in any contract or instrument made pursuant to this title such other covenants, conditions, or provisions (including provisions designed to assure against use of the facility, constructed with the aid of a loan under this title, for purposes described in section 401(a)(2)) as he may deem necessary to assure that the purposes of this title will be achieved.

TITLE IV—GENERAL PROVISIONS

Definitions

SEC. 401. As used in this Act—

(a)(1) Except as provided in subparagraph (2) of this paragraph, the term "academic facilities" means structures suitable for use as classrooms, laboratories, libraries, and related facilities necessary or appropriate for instruction of students, or for research, or for administration of the educational or research programs, of an institution of higher education, and maintenance, storage, or utility facilities essential to operation of the foregoing facilities.

(2) The term "academic facilities" shall not include (A) any facility intended primarily for events for which admission is to be charged to the general public, (B) any gymnasium or other facility specially designed for athletic or recreational activities, other than for an academic course in physical education or where the Commissioner finds that the physical integration of such facilities with other academic facilities included under this Act is required to carry out the objectives of this Act, (C) any facility used or to be used for sectarian instruction or as a place for religious worship, (D) any facility which (although not a facility described in the preceding clause) is used or to be used primarily in connection with any part of the program of a school or department of divinity, or (E) any facility used or to be used by a school of medicine, dentistry, osteopathy, pharmacy, optometry, podiatry, nursing, or public health. For the purposes of this subparagraph, the term "school or department of divinity" means an institution, or a department or branch of an institution, whose program is specifically for the education of students to prepare them to become ministers of religion or to enter upon some other religious vocation or to prepare them to teach theological subjects.

(b)(1) The term "construction" means (A) erection of new or expansion of existing structures, and the acquisition and installation of initial equipment therefor; (B) acquisition of existing structures not owned by the institution involved; (C) rehabilitation, alteration, conversion, or improvement (including the acquisition and installation of initial equipment, or modernization or replacement of built-in equipment) of existing structures; or (D) a combination of any two or more of the foregoing.

(2) The term "equipment" includes, in addition to machinery, utilities, and built-in equipment and any necessary enclosures or structures to house them, all other items necessary for the functioning of a particular facility as an academic facility, including necessary furniture, except books, curricular and program materials, and items of current operating expense such as fuel, supplies, and the like; the term "initial equipment" means equipment acquired and installed in connection with construction as defined in paragraph (1)(A) or (B) of this subsection or, in cases referred to in paragraph (1)(C), equipment acquired and installed as part of the rehabilitation, alteration, conversion, or improvement of an existing structure which structure would otherwise not be adequate for use as an academic facility; and the terms "equipment", "initial equipment", and "built-in equipment" shall be more particularly defined by the Commissioner by regulation.

(c) The term "development cost", with respect to an academic facility, means the amount found by the Commissioner to be the cost, to the applicant for a grant or loan under this Act, of the construction involved and the cost of necessary acquisition of the land on which the facility is located and of necessary site improvements to permit its use for such facility, but excluding any cost incurred before, or under a contract entered into before, the enactment of this Act. There shall further be excluded from the development cost—

(1) in determining the amount of any grant under title I or II of this Act, an amount equal to the sum of (A) any Federal grant which the institution has obtained, or is assured of obtaining, under any law other than this Act, with respect to the construction that is to be financed with the aid of a grant under title I or II of this Act, and (B) the amount of any non-Federal funds required to be expended as a condition of such other Federal grant; and

(2) in determining the amount of any loan under title III of this Act, an amount equal to the amount of any Federal financial assistance which the institution has obtained, or is assured of obtaining, under any law other than this Act, with respect to the construction that is to be financed with the aid of a loan under title III of this Act.

(d) The term "Federal share" means a percentage (as determined under the applicable State plan) not in excess of 33⅓ per centum of the development cost of a project covered by an application for a grant for the construction of an academic facility under title I of this Act.

(e) The term "higher education building agency" means (1) an agency, public authority, or other instrumentality of a State authorized to provide, or finance the construction of, academic facilities for institutions of higher education (whether or not also authorized to provide or finance other facilities for such or other educational institutions, or for their students or faculty), or (2) any corporation (no part of the net earnings of which inures or may lawfully inure to the benefit of any private shareholder or individual) (A) established by an institution of higher education for the sole purpose of providing academic facilities for the use of such institution, and (B) upon dissolution of which all title to any property purchased or built from the proceeds of any loan made under title III of this Act will pass to such institution.

(f) The term "institution of higher education" means an educational institution in any State which—

(1) admits as regular students only individuals having a certificate of graduation from a high school, or the recognized equivalent of such a certificate;

(2) is legally authorized within such State to provide a program of education beyond high school;

(3) provides an educational program for which it awards a bachelor's degree, or provides not less than a two-year program which is acceptable for full credit toward such a degree, or offers a two-year program in engineering, mathematics, or the physical or biological sciences which is designed to prepare the student to work as a technician and at a semiprofessional level in engineering, scientific, or other technological fields which require the understanding and application of basic engineering, scientific, or mathematical principles or knowledge;

(4) is a public or other nonprofit institution; and

(5) is accredited by a nationally recognized accrediting agency or association listed by the Commissioner pursuant to this paragraph or, if not so accredited, is an institution whose credits are accepted, on transfer, by not less than three institutions which are so accredited, for credit on the same basis as if transferred from an institution so accredited: *Provided, however,* That in the case of an institution offering a two-year program in engineering, mathematics, or the physical or biological sciences which is designed to prepare the student to work as a technician and at a semiprofessional level in engineering, scientific, or technological fields which require the understanding and application of basic engineering, scientific, or mathematical principles or knowledge, the Commissioner shall prescribe the standards of content, scope, and quality which must be met in order to qualify the institution for assistance under this Act: *Provided, however,* That the requirements of this paragraph (5) shall be deemed to be satisfied in the case of an institution applying for assistance under this Act, if the Commissioner determines that there is satisfactory assurance that upon completion of the project for which such assistance is requested, or upon completion of that project and others under construction or planned and to be commenced within a reasonable time, the institution will meet such requirements. For the purposes of this paragraph the Commissioner shall publish a list of nationally recognized accrediting agencies or associations which he determines to be reliable authority as to the quality of education or training offered.

(g) The term "cooperative graduate center" means an institution or program created by two or more institutions of higher education which will offer to the students of the participating institutions of higher education graduate work which could not be offered with the same proficiency and/or economy at the individual institution of higher education. The center may be located or the program carried out on the campus of any of the participating institutions or at a separate location.

(h) The term "cooperative graduate center board" means a duly constituted board established to construct and maintain the cooperative graduate center and coordinate academic programs. The board shall be composed of representatives of each of the higher education institutions participating in the center and of the community involved. At least one-third of the board's members shall be community representatives. The board shall elect by a majority vote a chairman from among its membership.

(i) The term "high school" does not include any grade beyond grade 12.

(j) The term "nonprofit educational institution" means an educational institution owned and operated by one or more corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

(k) The term "public educational institution" does not include a school or institution of any agency of the United States.

(l) The term "State" includes, in addition to the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa.

Federal administration

SEC. 402. (a) The Commissioner may delegate any of his functions under this Act, except the making of regulations, to any officer or employee of the Office of Education.

(b) In administering the provisions of this Act for which he is responsible, the Commissioner is authorized to utilize the services and facilities of any agency of the Federal Government and of any other public or nonprofit agency or institution in accordance with appropriate agreements, and to pay for such services either in advance or by way of reimbursement, as may be agreed upon.

(c) The Commissioner, with the approval of the Secretary of Health, Education, and Welfare, may appoint one or more advisory committees to advise and consult with the Commissioner with respect to the administration of any of his functions under title I or III of this Act. Members of any such committee, while attending conferences or meetings of the committee, shall be entitled to receive compensation at rates fixed by the Secretary of Health, Education, and Welfare, but not exceeding $75 per day, including travel time; and, while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2) for persons in the Government service employed intermittently.

Labor standards

SEC. 403. (a) The Commissioner shall not approve any application for a grant or loan under this Act except upon adequate assurance that all laborers and mechanics employed by contractors or subcontractors in the performance of work on construction assisted by such grant or loan will be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a–276a–5), and will receive overtime compensation in accordance with and subject to the provisions of the Contract Work Hours Standards Act (Public Law 87–581); but, in the case of any nonprofit educational institution, the Commissioner may waive the application of this subsection in cases or classes of cases where laborers or mechanics, not otherwise employed at any time in the construction of the project, voluntarily donate their services for the purpose of lowering the costs of construction and the Commissioner determines that any amounts saved thereby are fully credited to the educational institution undertaking the construction.

(b) The Secretary of Labor shall have, with respect to the labor standards specified in subsection (a) of this section, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267), and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

Recovery of payments

SEC. 404. (a) The Congress hereby finds and declares that, if a facility constructed with the aid of a grant or grants under title I or II of this Act is used as an academic facility for twenty years following completion of such construction, the public benefit accruing to the United States from such use will equal or exceed in value the amount of such grant or grants. The period of twenty years after completion of such construction shall therefore be deemed to be the period of Federal interest in such facility for the purposes of this Act.

(b) If, within twenty years after completion of construction of an academic facility which has been constructed in part with a grant or grants under title I or II of this Act—

(1) the applicant (or its successor in title or possession) ceases or fails to be a public or nonprofit institution, or

(2) the facility ceases to be used as an academic facility, or the facility is used as a facility excluded from the term "academic facility" by section 401(a)(2),

the United States shall be entitled to recover from such applicant (or successor) an amount which bears to the then value of the facility (or so much thereof as constituted an approved project or projects) the same ratio as the amount of such Federal grant or grants bore to the development cost of the facility financed with the aid of such grant or grants. Such value shall be determined by agreement of the parties or by action brought in the United States district court for the district in which such facility is situated.

Method of payment

SEC. 405. Payments under this Act to any State or Federal agency, institution of higher education, or any other organization, pursuant to a grant or loan, may be made in installments, and in advance or by way of reimbursement, and with respect to grants or loans with necessary adjustments on account of overpayments or underpayments.

Administrative appropriations authorized

SEC. 406. There are hereby authorized to be appropriated for the fiscal year ending June 30, 1964, and for each fiscal year thereafter, such sums as may be necessary for the cost of administering the provisions of this Act.

Federal control not authorized

SEC. 407. Nothing contained in this Act shall be construed as authorizing a department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over, or impose any requirements or condition with respect to, the personnel, curriculum, methods of instruction, or administration of any educational institution.

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

COMMITTEE AMENDMENT

On page 7, line 2, insert "State" immediately before "commission".

The committee amendment was agreed to.

Mr. POWELL. Mr. Chairman, I ask unanimous consent that the committee amendments be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN. The Clerk will report the committee amendments.

The Clerk read as follows:

COMMITTEE AMENDMENTS

Page 7, line 4, insert "State" immediately before "commission".

Page 8, beginning in line 5, strike out "each of the first two fiscal years" and insert in lieu thereof "the first fiscal year".

Page 10, after line 6, insert the following:

"(c) Section 4 of the Administrative Procedure Act shall apply to the prescription of regulations under this section, notwithstanding the provisions of clause (2) thereof."

Page 14, line 5, strike out "(1)".

Page 14, line 15, strike out "(2)" and insert in lieu thereof "(b)".

Page 14, line 24, strike out "(3)" and insert in lieu thereof "(c)".

Page 15, beginning with line 5, strike out everything down through line 16 on page 16.

Page 23, beginning in line 5, strike out ", notwithstanding the provisions of any other law,".

Page 23, line 7, strike out "may be" and insert in lieu thereof "are".

Page 26, line 7, after "divinity" insert the following: "(For the purposes of this subparagraph, the term 'school or department of divinity' means an institution, or a department or branch of an institution, whose program is specifically for the education of students to prepare them to become ministers of religion or to enter upon some other religious vocation or to prepare them to teach theological subjects.)"

Page 26, beginning in line 9, strike out "For the" and all that follows down through line 15.

Page 30, line 23, strike out "the Commissioner" and all that follows down through "Act" in line 1 on page 31, and insert in lieu thereof the following: "if the Commissioner determines there is no nationally recognized accrediting agency or association qualified to accredit such institutions, he shall, under section 402(c), appoint an advisory committee, composed of persons specially qualified to evaluate training provided by such institutions, which shall prescribe the standards of content, scope, and quality which must be met in order to qualify such institutions for assistance under this Act and shall also determine whether particular institutions meet such standards".

Page 36, strike out lines 16 through 21, and insert the following:

"SEC. 407. No department, agency, officer, or employee of the United States, shall exercise any direction, supervision, or control over or prescribe any requirements or conditions with respect to the personnel, curriculum, methods of instruction, or administration of any educational institution with respect to which any funds have been made available or expended pursuant to this Act."

AMENDMENT OFFERED BY MR. ANDERSON

Mr. ANDERSON. Mr. Chairman, I offer a perfecting amendment to the text of the bill which the committee amendment proposes to strike out on page 15, line 9.

The Clerk read as follows:

Amendment offered by Mr. ANDERSON as a perfecting amendment to the text of the bill: On page 15, beginning with line 9, strike out everything down through line 21 on page 16 and insert the following:

"(b)(1) The Commissioner's approval or disapproval of an application for a grant under title I or loan under title III shall be effected by an order which shall be conclusive except as otherwise provided in this subsection. Notice of such order shall be published in the Federal Register and shall contain such information as the Commissioner deems necessary to effectuate the purposes of this subsection.

"(2) Any institution of higher education which is or may be prejudiced by the order of the Commissioner making such a loan in a particular year to another institution of higher education, or such a grant in such year to another institution of higher education in the same State, by virtue of the fact that the making of such loan or grant serves to reduce the amount of funds available for loans or grants in such year to the institution which is or may be prejudiced, may bring a civil action of declaratory relief to determine whether the order of the Commissioner extending the loan or grant to such other institution is consistent with the first amendment to the Constitution of the United States. Defendants in such action shall be the Commissioner and the institution whose application has been approved. Such an action may be brought no later than 60 days after the publication of the order of the Commissioner in the Federal Register.

"(3)(A) Any civil action under the preceding paragraph shall be brought in the district court of the United States for the District of Columbia, and such court shall have jurisdiction without regard to the amount in controversy. Any such action pending before the district court or court of appeals for hearing, determination, or review shall be heard, determined, or reviewed at the earliest practicable time and shall be expedited in every practicable manner. All process, including subpenas, issued by the district court of the United States for any such district may be served in any other district. No costs shall be assessed against the United States in any proceeding under this subsection. In all litigation under this subsection, the Commissioner shall be represented by the Attorney General.

"(B) The judgment of the district court shall be subject to review as provided in sections 1291 and 1254 of title 28 of the United States Code.

"(4)(A) After receipt of notice of the institution of an action under this subsection, the Commissioner shall, pending final determination of such action, make no payment on a grant or loan pursuant to the order which is claimed to be invalid in such action.

"(B) When and if any judgment becomes final that declares invalid an order of the Commissioner under this subsection, the institution receiving the grant made by the Commissioner pursuant to such order shall refund the same, and if a loan has been made pursuant to such order it shall be refunded with accrued interest at the rate fixed therefor, for credit to the appropriation from which it was paid. The Commissioner may in his discretion permit deferment for a reasonable time of repayment of the grant or loan including interest thereon.

"(C) If the Commissioner's order in favor of a defendant institution is finally set aside pursuant to a judgment under this subsection and the Commissioner has determined that, but for such order, the plaintiff institution's application would have been approved for a grant or loan chargeable to the same grant allotment or loan appropriation, such allotment or appropriation shall be available for making such grant or loan to the plaintiff except to the extent that payments therefrom have been made to the defendant institution and are not recovered under this subsection."

Mr. ROOSEVELT. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. ROOSEVELT. Mr. Chairman, is not the effect of the gentleman's amendment to wipe out all of the committee amendments, not just the one to which he refers? And secondly, Mr. Chairman, would it not therefore be in order for the gentleman to withdraw his amendment at this time and offer it afresh after the adoption of the committee amendments?

The CHAIRMAN. In answer to the parliamentary inquiry of the gentleman from California, the gentleman from Illinois can offer the amendment at this time if he so desires.

The gentleman from Illinois is recognized for 5 minutes.

Mr. ROOSEVELT. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON. I yield to the gentleman.

Mr. ROOSEVELT. May I ask the gentleman whether he would not, therefore, withdraw his amendment until we can act on all the committee amendments when it will then be in order for the gentleman to reoffer his amendment?

Mr. ANDERSON. I really have no objection to that procedure. I have checked with the Parliamentarian of the House and I understand it would be better before we actually considered the committee amendments.

Mr. ROOSEVELT. The only trouble is then it would wipe out all the other committee amendments that are very valuable such as the one to insert the word "State". That is a very important amendment.

Mr. ANDERSON. I would, of course, want to be sure I am protected in my right to offer the amendment at the proper time.

Mr. ROOSEVELT. Then, Mr. Chairman, may I make a parliamentary inquiry?

The CHAIRMAN. The gentleman will state the parliamentary inquiry.

Mr. ROOSEVELT. Is the gentleman protected to offer his amendment following the adoption of the committee amendments?

The CHAIRMAN. The Chair will state that the gentleman from Illinois [Mr. ANDERSON] is offering a perfecting amendment to the text of the bill which the committee amendment proposes to strike out and the gentleman's amendment does not affect the other committee amendments except this particular amendment. The gentleman's amendment takes precedence over just this one committee amendment.

Mr. ROOSEVELT. I thank the Chairman.

Mr. ANDERSON. Mr. Chairman, this is essentially with some modifications the amendment which the committee proposes to strike by its committee amendment. I refer, of course, to the language beginning on line 9, page 15, through line 21 on page 16.

The language originally in the bill provided that it would apply to any institution of higher education which was denied a grant or a loan, and I have changed this by the language of the perfecting amendment which I have offered to read "That any institution of higher education which is or may be prejudiced by the order of the Commissioner making such a loan in a particular year has the right to bring a declaratory judgment action; that is, to bring a civil action in the Federal district court."

I want to say at the outset, the reason I have been prompted to offer this particular amendment is, as I stated, during the time I took under consideration of the rule, because I feel there is a very serious constitutional question involved in this legislation, and I am anxious that it be reached at the proper time and in a proper setting by the courts. I was influenced in this decision by reading the memorandum prepared by Mr. Wilcox, General Counsel for the Department of Health, Education, and Welfare, as it is set forth in Senate Document No. 29 which was printed in the first session of the 87th Congress.

Mr. Wilcox points out in this memorandum that:

> The constitutionality of existing Federal legislation which confers some incidental benefits upon sectarian educational institutions has never been tested in the courts. Federal spending legislation ordinarily carries no provisions for judicial review.

He goes on to point out in his legal opinion:

> The Federal rule wth regard to standing to sue on the part of a taxpayer was established (way back) in 1923 in the case of *Massachusetts* v. *Mellon*.
>
> The Federal courts are similarly barred from considering an appeal from a State court where a taxpayer's interest is not substantial.

He goes on to recommend and I am quoting directly from the memorandum of the General Counsel of the Department of Health, Education, and Welfare:

> If Congress wishes to make possible a constitutional test of Federal aid to sectarian schools, it might authorize judicial review in the contest of an actual case or controversy.

He goes on to say:

> The same legislation would also provide for a hearing on a written record of any application rejected and a statement of findings by the Commissioner.

That is precisely what I am attempting to do by the amendment I am offering. This is a serious question. It is one, I think, which ought to be passed on by the courts. I must confess I cannot quite buy the argument raised by my very good friend, the gentleman from New York, that somehow the Congress is surrendering a part of its constitutional power as a coordinate branch of the Federal Government in stating that this question ought to be adjudicated. It seems to me, as I said earlier this afternoon, if we have spent billions of dollars over many years and are currently spending in direct support of education at the Federal level $1.2 billion, we ought to know whether or not that is a constitutional expenditure and we should not be obliged to stand aside for now and evermore and wonder whether or not this issue is going to be resolved in one way or the other.

I had the privilege of looking over, just before I took the floor, a memorandum prepared by Deputy Attorney General Katzenbach, which the gentlewoman from Oregon was kind enough to show me, in which he suggests that the possibility may exist under the legislation as proposed by the committee to bring about this kind of court test.

I would say, if it is possible under the language, why not make it absolutely sure that we have a test in a proper set of circumstances? I can see no objection whatever to the committee's accepting and the House's accepting this particular amendment so that we can adjudicate and settle this very important question.

Mr. POFF. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON. I yield to the gentleman from Virginia.

Mr. POFF. It occurs to me some may be concerned that if such a court test is authorized and if the court should rule that this individual provision was unconstitutional, it might strike down the entire act. To those who hold such fear, I suggest it would be possible later in the bill to incorporate what has come to be known as a severability amendment which would provide if the court should find any part of the bill unconstitutional, it would not adversely affect other parts of the bill.

Mr. ANDERSON. I thank the gentleman from Virginia. I am sure his suggestion is correct, and it would, in all probability, be accepted, I am sure, by the committee.

Mr. GOODELL. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I think it should be made clear here that the Constitution of the United States in article III defines the judicial power, and it places that judicial power in the Supreme Court of the United States. It says that the Supreme Court shall have original jurisdiction in certain specified cases involving Ambassadors, ministers, consuls, and actions by the States. Then it goes on to say that appellate jurisdiction is subject to the power of Congress to regulate.

It is my own view—and I think it is shared by many of the people who are actually proponents of this judicial review amendment—that the Supreme Court has perhaps gone too far already in destroying the balance of powers that exists in this Government. It is not my view that we in Congress should abdicate our authority to interpret the Constitution any further. That is what this amendment does. It says that we in Congress do not interpret the Constitution; we do not determine whether this is a constitutional expenditure of funds. We ask the Supreme Court to tell us whether it is constitutional or not. Is that what we really want to do at this stage in our history?

I think the balance perhaps is already out of proportion and we should not move further in that direction. The Congress has in the past made the decision in the expenditure of funds as to the constitutionality of the expenditure of those funds. I do not think we ought to now tell the Supreme Court that we are uncertain in this field for the first time and ask them, "Will you please come in and tell us whether we are doing right or wrong?"

The issue was raised as to why, if it is now legal, if it is now possible to have a review of this kind of expenditure, we are opposed to placing it specifically in the law. There is grave legal question as to whether it is now permissible to have a review of this kind of expenditure of funds taken to the Supreme Court. This is because of the constitutional provision that there must be a case or a controversy, and no litigant can come into court unless there is a case or a controversy in which he himself is involved. If there is not a case or a controversy, it is pretty clear that Congress cannot create that case or controversy by act. It is up to the Supreme Court to decide, if there is a case or controversy. There are many judicial experts who say that this case can be brought under proper circumstances into the courts, and the Supreme Court can review it.

I do not think we ought to get into muddying these waters at this stage in such a fashion. This amendment, I think, is a rather clumsy amendment, as prepared in our committee, and this is why we are opposing it now.

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman.

Mr. ALBERT. Is it not true that we might not only be putting ourselves in the position of abdicating legislative responsibility but of meddling in the judicial authority by such an amendment?

Mr. GOODELL. I think that clearly the action that we take here by passing such an amendment would have reverberations and ramifications that most of us are not even thinking about today; and it might very well shake the foundations in ways that we have not anticipated.

Mr. ANDERSON. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield.

Mr. ANDERSON. Mr. Chairman, I want to say that I am certainly happy to hear the expressions on the part of Members of this body that they are worried about the abdication of legislative responsibility. It is about the first time I have heard anything like that during this session of Congress. It seems to me that if, as the gentleman attempts to argue, we possibly may be able to do it now under the legislation that the committee offers, what possible wrong, what possible harm can come from this Congress making it absolutely definite and clear that we want a judicial expression? Certainly the Supreme Court is the final arbiter of what the Constitution means.

Mr. GOODELL. I would say to the gentleman that it is not the first time he has heard it from my lips in this session of Congress, that we should not abdicate legislative authority. I agree completely with the gentleman's philosophic view in this respect.

Secondly, I say to the gentleman that we should not enter into this field with this kind of an amendment which tries to grant to the Supreme Court authority which many experts feel it does not have now. If we do do this we will not be able to judge the consequences for years ahead. Let us not do it at all.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois to the committee amendment.

The amendment was rejected.

The CHAIRMAN. The question is on the committee amendments en bloc.

The committee amendments were agreed to.

AMENDMENT OFFERED BY MR. MATTHEWS

Mr. MATTHEWS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Matthews: Beginning with line 11 on page 2, strike out everything down through line 21, on page 16, and insert the following:

"TITLE I—GRANTS FOR CONSTRUCTION OF UNDERGRADUATE ACADEMIC FACILITIES

"Appropriations authorized

"Sec. 101. (a) The Commissioner of Education (hereinafter in this Act referred to as the 'Commissioner') shall carry out during the fiscal year ending June 30, 1964, and each of the four succeeding fiscal years a program of grants for the construction of academic facilities of State and other public institutions of higher education in accordance with this title.

"(b) For the purpose of making grants under this title there is hereby authorized to be appropriated the sum of $230,000,000 for the fiscal year ending June 30, 1964, and each of the two succeeding fiscal years; but for the fiscal year ending June 30, 1967, and the succeeding fiscal year, only such sums may be appropriated as the Congress may hereafter authorize by law. In addition to the sums authorized to be appropriated under the preceding sentence, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1965, and the succeeding fiscal year, for making such grants, the difference (if any) between the sums authorized to be appropriated under the preceding sentence for the preceding fiscal years and the aggregate of the sums which were appropriated for such preceding years under such sentence.

"(c) Sums appropriated pursuant to this section shall remain available for reservation as provided in section 105 until the close of the fiscal year next succeeding the fiscal year for which they were appropriated.

"Allotments to States

"Sec. 102. (a) Of the funds appropriated pursuant to section 101 for any fiscal year (1) one-half shall be allotted by the Commissioner among the States so that the allotment to each State under this clause will be an amount which bears the same ratio to such one-half as the number of students enrolled in State or other public institutions of higher education in such State bears to the total number of students enrolled in such institutions in all the States; and (2) the remaining one-half shall be allotted by him among the States so that the allotment to each State under this clause will be an amount which bears the same ratio to such remainder as the number of students enrolled in grades nine to twelve (both inclusive) of schools in such State bears to the total number of students in such grades in schools in all the States. For the purposes of this subsection, (A) the number of students enrolled in State or other public institutions of higher education shall be deemed to be equal to the sum of (i) the number of full-time students and (ii) the full-time equivalent of the number of part-time students as determined by the Commissioner in accordance with regulations; and (B) determinations as to enrollment under either clause (1) or clause (2) of this subsection shall be made by the Commissioner on the basis of data for the most recent year for which satisfactory data with respect to such enrollment are available to him.

"(b) The amount of each allotment to a State under this section shall be available, in accordance with the provisions of this title, for payment of a portion of the development cost of approved projects for the construction of academic facilities within such State by State or other public institutions of higher education. Sums allotted to a State for the fiscal year ending June 30, 1964, shall remain available for reservation as provided in section 105 until the close of the next fiscal year, in addition to the sums allotted to such State for such next fiscal year.

"(c) All amounts allotted under this section for the fiscal year ending June 30, 1965, and each of the three succeeding fiscal years, which are not reserved as provided in section 105 by the close of the fiscal year for which they are allotted, shall be reallotted by the Commissioner, on the basis of such factors as he determines to be equitable and reasonable. Amounts reallotted under this subsection shall be available for reservation until the close of the fiscal year next succeeding the fiscal year for which they were originally allotted.

"State plans

"Sec. 103. (a) Any State which desires to receive payments under this title shall submit to the Commissioner through a State officer or agency a State plan which—

"(1) provides that the State officer or agency which submits the plan (hereinafter referred to as the 'State higher education agency') will be solely responsible for administering the plan, "(2) sets forth a program under which funds paid to the State will be expended solely for projects for the construction of academic facilities for State and other public institutions of higher education which are approved by the State higher education agency,

"(3) provides that each project constructed will result in urgently needed substantial expansion of the institution's undergraduate student enrollment capacity or, in the case of a new institution, result in creating urgently needed undergraduate student enrollment capacity,

"(4) provides that the construction will be undertaken in an economical manner and will not be of elaborate or extravagant design or materials,

"(5) provides that not less than 22 per centum of the funds allotted (or reallotted) for any year to the State will be available only for use for the construction of academic facilities of State and other public junior colleges and technical institutes,

"(6) provides an opportunity for a hearing before the State higher education agency to any applicant for assistance under this title for the construction of a project,

"(7) provides for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the State under this title,

"(8) provides that the State higher education agency will make such reports to the Commissioner, in such form and containing such information, as may be reasonably to enable the Commissioner to perform his duties under this title.

For the purposes of this subsection, the term "junior colleges and technical institutes" means institutions of higher education which are organized and administered principally to provide a two-year program which is acceptable for full credit toward a bachelor's degree or a two-year program in engineering, mathematics, or the physical or biological sciences which is designed to prepare the student to work as a technician and at a semiprofessional level in engineering, scientific, or other technological fields which require the understanding and application of basic engineering, scientific, or mathematical principles or knowledge, and, if a branch of an institution of higher education offering four or more years of higher education, is located in a community different from that in which its parent institution is located.

"(b) The Commissioner shall approve any State plan and any modification thereof which complies with the provisions of subsection (a), but shall not finally disapprove any State plan or modification thereof without first affording the State higher education agency reasonable notice and opportunity for a hearing.

"(c) Whenever the Commissioner, after reasonable notice and opportunity for hearing to the State commission administering a State plan approved under this title, finds—

"(1) that the State plan has been so changed that it no longer complies with the provisions of section 103(a), or

"(2) that in the administration of the plan there is a failure to comply substantially with any such provision,

the Commissioner shall notify such State commission that the State will not be regarded as eligible to participate in the program under this title until he is satisfied that there is no longer any such failure to comply.

"(d) The Commissioner is authorized to expend not exceeding $3,000,000 during the first fiscal year of the program under this title in such amounts as he may consider necessary for the proper and efficient administration of the State plans approved under this title, including expenses which he determines were necessary for the preparation of such plans.

"Applications for payments

"Sec. 104. Payments under this title shall be made to those State higher education agencies which administer plans approved under section 103 and which make applications to the Commissioner in accordance with this section. Each such application shall (1) set forth one or more projects approved by the State higher education agency under the plan, (2) set forth the estimated cost of each such project, (3) state the amount requested for each such project, (4) contains satisfactory assurances that sufficient funds will be available to meet the non-Federal portion of the development cost of the project and to provide for the effective use of the academic facility upon completion, and (5) contains satisfactory assurances that the facility will be used as an academic facility during at least the period of the Federal interest therein (as defined in section 404). The Commissioner shall approve any application, and any amendment thereof, which meets the requirements of the preceding sentence.

"Amount of grant—Payment

"Sec. 105. Except as provided in section 106, upon his approval of any application for a grant under this title, the Commissioner shall reserve from the applicable allotment (including any applicable reallotment) available therefor, the amount requested in the application. The Commissioner shall pay such reserved amount, in advance or by way of reimbursement, and in such installments consistent with construction progress, as he may determine. The Commissioner's reservation of any amount under this section may be amended by him upon approval of an amendment of the application covering such project.

"Matching by States

"Sec. 106. The Commissioner may issue or modify a commitment under section 105 with respect to any project only if the amount to be reserved under the commitment, plus any amounts paid or to be paid under other commitments previously issued under this title to the same State higher education agency, does not exceed 33⅓ per centum of the sum of (1) the development cost of such project and (2) the total development cost of the projects for which such other commitments have been issued. Until the actual development costs are available, determinations under this section shall be made on the basis of the estimates furnished under section 104(a)(2) and revised estimates furnished in compliance with section 103(a)(8).

"Judicial review

"Sec. 107. (a) If any State is dissatisfied with the Commissioner's final action with respect to the approval of its State plan submitted under this title or with his final action under section 103(c), such State may appeal to the United States court of appeals for the circuit in which such State is located. The summons and notice of appeal may be served at any place in the United States. The Commissioner shall forthwith certify and file in the court the transcript of the proceedings and the record on which he based his action.

"(b) The findings of fact by the Commissioner, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make new or modified findings of fact and may modify his previous action, and shall certify to the court the transcript and record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence.

"(c) The court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in title 28, United States Code, section 1254."

Mr. MATTHEWS (interrupting the reading of the amendment). Mr. Chairman, in view of the fact that this is a lengthy amendment and attempts to do a very simple thing, I ask unanimous consent that the amendment be considered as read and that I be permitted to offer a precise statement concerning the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MATTHEWS. Mr. Chairman, this amendment proposes to strike from title I of the bill grants to schools other than public institutions. It is just that simple. If this amendment should pass I have a similar amendment to title II which likewise proposes to strike from that section grants to institutions other than public institutions. If that amendment be passed I have another amendment to title III which would make it impossible to give loans under this bill to institutions other than public institutions. And if that amendment be passed I have a fourth amendment which is a simple corrective amendment.

Mr. Chairman, may I say that I want to congratulate the members of the House Committee on Education and Labor on the tremendous amount of study that they have given to this legislation. I regret very much that I find I must offer these amendments. I am not sanguine about their passage, Mr. Chairman, but I do feel that I have an obligation according to my conscience to present this matter to the Committee so they will have a chance to take a vote on this particular issue.

Mrs. GREEN of Oregon. Mr. Chairman, will the gentleman yield?

Mr. MATTHEWS. May I continue, please, and if I have time left I shall be delighted to yield.

Mr. Chairman, some of my colleagues may recall that last year I opposed this similar measure because it had a new program of grants for the first time, a new program of grants to institutions other than public institutions.

Mr. POWELL. Mr. Chairman, will the gentleman yield?

Mr. MATTHEWS. I will yield. I wish I could continue, but I cannot refuse to yield to the chairman of the committee.

Mr. POWELL. The gentleman I know is saying it is a new field, but the Federal Government has been and is making grants to private institutions right now as the gentleman is speaking.

Mr. MATTHEWS. May I say that this is a new program, a new program of grants. As I understand it, this is something that is different from the National Defense Education Act. It is different from the various contracts into which we have entered.

May I please continue and then if I have a minute or two I shall be glad to yield to the distinguished gentlewoman from Oregon [Mrs. Green], because I do not want to make an error.

Mr. Chairman, I have felt that I had to oppose this measure. Perhaps, I cannot look at this matter objectively. I must be honest. I like to look at southern history objectively from the southern point of view. I am frank about it. I have been a public school teacher. I have been a public school principal and a member of the administrative staff of a State university. I believe in public education in the United States. However, I fear the proliferation of the demands on tax money if we embark on this new program.

Mr. Chairman, we have wonderful junior colleges. We have wonderful public institutions of higher learning. We have wonderful private schools. We have wonderful church schools. May I emphasize again and again too, that we Protestants have many more church schools than our Catholic or Jewish brethren. I am glad to see that this measure is bipartisan in its support and also bipartisan in its opposition. But I just simply cannot believe, Mr. Chairman, that if we embark on this new program we are going to have enough money to take care of the legitimate demands of the public institutions of this country which I know we all must agree have at least somewhat of a priority demand on the taxpayers' money, irrespective of what the Supreme Court may do.

Mr. Chairman, now I do have some concern about the constitutionality. Certainly a Court which has declared that a simple, bland prayer, "Almighty God, we acknowledge our dependence upon Thee and we beg Thy blessings upon us, our parents, our teachers, and our country," a Supreme Court that has declared that is in violation of the Constitution because it establishes a religious establishment, certainly that Court, in my opinion, might look with disfavor upon this new measure.

Mr. Chairman, permit me to hasten to add that I am not a lawyer. I have heard many learned arguments in contradiction to what I have said. But I still am concerned about that particular aspect of it.

Mr. Chairman, briefly, if the members of the committee vote for this amendment, they will be saying they do not want to give this new program to other than public institutions. And, if you vote for the first amendment, I have a second one and then a third one and then the fourth one.

Mrs. GREEN of Oregon. Mr. Chairman, will the gentleman yield?

Mr. MATTHEWS. I yield to the distinguished gentlewoman from Oregon [Mrs. GREEN], for whom I have the highest regard.

Mrs. GREEN of Oregon. I thank the gentleman.

I would like to have a clarification of what the gentleman means with reference to new grants.

Mr. MATTHEWS. Is not this the first time—in fact, it has got to be the first time, because we presented the bill last year and it was defeated. It was passed overwhelmingly by the House, and I am reasonably confident it will be passed today. But after it went to the Senate and went into conference it was defeated. Is it not the first time that this type bill will have been passed in which we have this new kind of grant for other than public institutions? Is not this a new program, in other words?

Mrs. GREEN of Oregon. If the gentleman will yield further, this is not a new kind of a program. Is this what the gentleman is talking about?

Mr. MATTHEWS. I am talking about a new program.

Mrs. GREEN of Oregon. A new program? It is the first time we have tried to provide adequate facilities——

Mr. MATTHEWS. No.

Mrs. GREEN of Oregon. Of course, we have housing loans to higher education institutions at the present time.

Mr. MATTHEWS. Let me say to my dear friend I agree with that but again and again, this is a new program. It is piling it higher and higher, if you please. That is my worry about it. You proliferate the demands on the tax dollar for public institutions.

Mr. POWELL. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I do not know whether the gentleman from Florida is a Baptist, Methodist, or Presbyterian. But I would like to point out that in the gentleman's own home State, just to give examples of Federal funds spent there in the way of grants and/or loans in recent years. There is no Presbyterian college there.

Mr. MATTHEWS. There is one.

Mr. POWELL. Maybe we should have an amendment that the Presbyterians shall get more money. But let me point out that Stetson University, a Baptist college, has received $2,594,621; the Florida Southern University, Methodist, $921,254; the Edward Waters College, a Negro school, AMEZ, $80,000; Barry College, a Catholic school, $29,587 in past years in grants and/or loans.

I have in my hand here a record of 41 different laws passed by this body giving grants or loans to private institutions of higher education. It so happens that private institutions of higher learning constitute the background of American education. Only one-third are private and 45 percent of all our colleges and universities are church related; 24 percent of all our colleges are Protestant and funds have been flowing to them.

This would, as I said, be pulling the rug out from underneath higher education.

If we have been correct in passing laws in the past, giving funds to institutions of higher education that are private and church related, then we must continue now because the need is so tremendous and time is so short. The population explosion will be upon us, as I said the other day, so that our colleges will have twice the enrollment in 1970 that they had in 1960.

So I ask the defeat of this amendment even though I know it comes with the best of intentions from my good Presbyterian friend.

Mr. QUIE. Mr. Chairman, I rise in opposition to the pending amendment.

Mr. Chairman, even if one would want to set a national policy in favor of Federal assistance only to public institutions, this is not a good amendment. This amendment will handle loans in an inequitable manner so far as the States are concerned. It provides that one-half of the money would be allocated to the States based on one-half the number of students enrolled in State and other public institutions of higher education in the State.

Let us look at different parts of the country and the percentage of students who attend private and public higher education institutions on the west coast as compared with the east coast. On the west coast they would get a higher percentage of the money because there 80 percent of the students attend public institutions of higher learning. The reverse is true on the east coast. In the Eastern States 80 percent of all the students in higher education go to a private institution of higher learning. It would not be equitable.

It would be an unwise public policy, in my opinion, to limit assistance only to public institutions because if we did this we would no longer recognize the great job that private schools have done.

Let us look at one private institution that began better than 100 years ago insofar as receiving Federal aid is concerned. I refer to the Massachusetts Institute of Technology. This institution is a land-grant college and according to the records we received in our committee, received 80 percent of its money from the Federal Government. If we were to begin this policy now in the legislative branch of our Government, the only consistent way we could approach the matter is to deny Federal funds that now amount to a billion and a half or $2 billion to all private institutions of the country. The $1½ to $2 billion of course refers to all institutions.

What would happen to the great strength of America if that occurred? What would happen if the legislative branch and the judicial branch joined together in eliminating this in the name of the first amendment to the Constitution. It will mean, if you carry it out to its ultimate conclusion, those of us who are members of a Christian church would not be allowed to be a Member of Congress, and especially people who are of the clergy on both sides of the aisle.

In addition, I do not think we ought to begin now denying a group of institutions who in every case in the past have been recipients of Federal assistance made available to higher education. Private institutions have not been eliminated in any previous law. Colleges which qualified under this bill should receive the money and provide for the Federal need. The Federal need now is for additional academic facilities for higher education. I think some private colleges can qualify for them. I think this is an unwise amendment and should be defeated.

Mr. POWELL. Mr. Chairman, I ask unanimous consent that all debate on this amendment close in 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. PUCINSKI].

Mr. PUCINSKI. Mr. Chairman, I should like to point out to my distinguished friend from Florida that this bill is neither a giveaway nor an intellectual pork-barrel bill. I hope he will realize that while we will provide $835 million in Federal grants in the next 3 years to undergraduate and graduate schools, the recipient schools—both public and private—will have to raise from their own resources an additional $1.6 billion to match these Federal grants-in-aid. This is not just a giveaway of Federal money, these are matching grants on a 2-to-1 basis. These schools have to raise $1.6 billion before they can become eligible. As for the loan program in this bill, we have the same program in the National Defense Education Act passed in 1958. We already allow Federal loans for language and scientific laboratories for private schools under the National Defense Education Act.

In this bill before us today before a school can become eligible it must first demonstrate that it has 25 percent of the money it needs from its own resources for new construction before this loan program can become operative.

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Would not the adoption of this amendment mean we adopt in this House one policy for general higher education and a different policy for aid to medical education?

Mr. PUCINSKI. That is exactly correct. But the point I want to state here to my colleague from Florida is that this is not an outright handout from the Federal Government. These institutions have to make a monumental effort to raise their own money from their own resources before they can qualify.

If we look at it from that standpoint, I hope we can impress upon the gentleman that this is not an outright handout but merely a Federal program of grants-in-aid.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. POAGE].

Mr. POAGE. Mr. Chairman, earlier this afternoon, I asked a spokesman of the committee if this bill made tax money available to church-related institutions. He very frankly and fairly answered that it does.

Now, it was my privilege to attend Baylor University, a private church-supported institution—the kind that is defined by this bill as "other nonprofit institutions of higher education." I look on Baylor University as one of the greatest centers of real education in our country. I believe in the maintenance of church-supported institutions. As an individual I help maintain them. I believe they do a great work. I think they contribute much to the strength of America, but to the extent that they are instrumentalities of religious denominations, it seems to me that it is improper for the Federal Government, or any government, to make grants for their support.

To me such use of tax money is a plain and flagrant perversion of the proper function of government. In my judgment, neither my church, nor your church, nor our church-related schools should be supported by tax money.

In the long run, no church can accept governmental support without accepting governmental control; and as far as I am concerned, I do not believe in government support of my church or any other church—neither do I want any church to be able to dictate to the Government on sectarian matters. I know of the needs of our institutions of higher education, both public and private, but if the public will care for the needs of public institutions, I believe we can count on the devoted church members of our country to support their own schools. I cannot, therefore, vote for this bill unless the Matthews amendments are adopted.

The CHAIRMAN. The gentlewoman from Oregon [Mrs. GREEN] is recognized.

Mr. POWELL. Mr. Chairman, will the gentlewoman yield?

Mrs. GREEN of Oregon. I yield to the gentleman.

Mr. POWELL. Mr. Chairman, I would like to say for the benefit of this body that the alma mater of the distinguished gentleman from Texas who just spoke, Baylor University, at Waco, Tex., a Baptist institution, has received in the past 4 years, $6,200,000 from the Federal Government.

Mrs. GREEN of Oregon. Mr. Chairman, this precedent has been established for over 100 years. Colleges, both private and public, have been receiving Federal funds.

I received a letter last week which I think is very pertinent to this matter. It says:

> There is so much argument and controversy over the separation of church and state that it may keep us from meeting our mutual responsibility of church and state in this hour of history.

Mr. Chairman, H.R. 12 was approved by the House several weeks ago. The gentleman from Texas voted for the bill. It was pointed out during the debate that the medical school at Baylor University could receive funds under H.R. 12.

May I conclude by quoting from the president of the University of Illinois who said:

> Debating Federal aid is dealing with a strawman—an irrelevant oversimplification. What we should be asking the American people is, Do you want teachers in your schools? Do you want lawyers in your courts? Do you want doctors at your bedside? Do you want us to continue the fight on cancer in our medical research? Do you want a place for your daughter or son or your granddaughter or grandson at some college of his or her choice?

Mr. Chairman, I think that is the issue today, and not whether we should have Federal aid to private colleges, which is a matter that was settled over 100 years ago. It is not a question of whether we have enough money to spend on this. It is a question of whether or not we are going to have the personnel we need, and whether we are going to have the highly educated people in our country so that we can win this cold war and retain our position as leader of the free world.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Florida [Mr. MATTHEWS].

The question was taken; and on a division (demanded by Mr. MATTHEWS) there were—ayes 62, noes 136.

So the amendment was rejected.

Mr. CELLER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise to point out to the Members something in the nature of a legal review on the judicial review provisions of the bill now pending concerning academic facilities.

I address myself to two provisions of the bill. One provision was stricken and concerned providing legal redress from administrative action insofar as such action was claimed to be violative of the first amendment of the U.S. Constitution. The other provision, which remains in the bill, involves the right to judicial review in a circuit court of appeals by any State dissatisfied with any final action by the Commissioner.

The stricken provision—section 109 (b)(1), page 15, lines 9 to 18—which provided that colleges that were actual or prospective grantees under title III could challenge the administrator's grants to other institutions insofar as they were alleged to be violative of the first amendment, was superfluous. Its deletion in no way affects the standing nor the justiciability of a constitutional challenge of administrative action raised by an aggrieved party.

The surviving provision—section 109, pages 14 to 15—is a fairly standard judicial review section. Identical language is found in other educational grant-in-aid programs administered by the Commissioner of Education that involve approval of State plans. Its enactment makes it unnecessary to determine whether the judicial review provisions of the Administrative Procedure Act would apply (5 U.S.C. 1009). While under this bill such review would not include a trial de novo it would be concerned with the validity of the application of statutory criteria by the administrator, and with whether the final decision of the agency was supported by substantial evidence. It does provide that the Court may remand the case to the agency to obtain further factual information. This is the standard scope of judicial review of administrative agency decisions.

Title III of H.R. 6143 provides for loans to private and church-connected as well as publicly financed colleges for construction of academic facilities. The stricken provision—section 109(b)(1), page 15—provided that an actual or prospective grantee under title III, to whom a grant is denied or reduced because of unavailability of funds, could obtain judicial review of grants made to others on grounds of invalidity under the first amendment.

The first amendment provides:

> Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.

It is likely that the stricken provision was intended to assure judicial redress to those desirous of challenging Federal grants to church-connected colleges as violative of the first amendment.

The law is clear that one legally injured can challenge a Government official's action on the grounds that it is either beyond the administrator's statutory authority or that it is taken pursuant to an unconstitutional enactment. See *Larson* v. *Domestic & Foreign Corp.*, 337 U.S. 682, 689–690 (1948). It is also necessary that one who challenges such official action suffer legal injury, otherwise his suit is not raised to the level of a "case or controversy." See *Frothingham* v. *Mellon*, 262 U.S. 447 (1923); see also *Perkins* v. *Lukens Steel Co.*, 310 U.S. 113 (1940); *Tennessee Electric Power Co.* v. *Tennessee Valley Authority*, 306 U.S. 118 (1939).

The stricken provision merely described those parties—prospective grantees whose loans were denied or actual recipients whose loans were reduced because of loans to others—who would, in any event, be deemed parties aggrieved even absent the provision. Thus, the deletion of the provision does not prevent attacks on the program's administration based on its alleged unconstitutionality.

Moreover, if the provision is read to limit the challenge to first amendment repugnancy; that is, "insofar as other grants or loans are claimed to be invalid under the first amendment," it ineffectively deprives aggrieved parties of their inherent right to raise all relevant constitutional objections.

The remaining provision—section 109, pages 14 and 15—is fairly standard in educational grant-in-aid programs involving the submission of State plans and administration by the Commissioner of Education. Substantially identical provisions are found in Vocational Education Act, 20 U.S.C. 15cc(d); area vocational education program, 20 U.S.C. 15eee(d); national defense education program, 20 U.S.C. 585; The Vocational Education Act of 1963, section 5(d), which passed the House on August 6, 1963, CONGRESSIONAL RECORD, page 14284; Hill-Burton Act, 42 U.S.C. 291j(b)—Surgeon General is administrator; the conference report on H.R. 8900—predecessor to H.R. 6143—in the last Congress contained a judicial review provision identical to that in H.R. 6143, House Report No. 2435, 87th Congress, 2d session, page 20; see also Library Services Act, 20 U.S.C. 356 and School Construction in Areas Affected by Federal Activities Act, 20 U.S.C. 641—where the provisions of the Administrative Procedure Act are made applicable.

Under this section a State dissatisfied with the final action of the Commissioner of Education with respect to its plan may obtain judicial review in the circuit court of appeals. The section provides that findings of fact made by the Commissioner shall be conclusive if supported by substantial evidence; but the court may, for good cause, remand the case to the Commissioner to take further evidence who may thereupon make new or modified findings.

The court will also review the validity of the application of statutory criteria. Section 106(b) of H.R. 6143, pages 10 to 12, sets out six conditions all of which must be present if the Commissioner is to approve an application for a grant. Of these, four appear to contain objective criteria—section 106(b) (1), (2), (3), and (4)—and two seem to be subjective—section 106(b) (5) and (6).

Enactment of the surviving section 109 will assure review of the Commissioner's application of the objective or nondiscretionary criteria. It is less clear, however, that the Commissioner's determinations of matters committed to his discretion would be reviewable except insofar as they might be found to be arbitrary, capricious or based on insubstantial evidence.

In the absence of section 109, a similar scope of review would appear to be likely under section 10 of the Administrative Procedure Act, 5 U.S.C. 1009. Under the Administrative Procedure Act all agency action is subject to review except where specifically precluded by statute or where it is "by law committed to agency discretion," 5 U.S.C. 1009(c). However, again, the possibility of judicial review of arbitrary or capricious decisions would be present.

Mr. POWELL. Mr. Chairman, I move to strike out the necessary number of words.

Mr. Chairman, in all fairness to the gentleman from Texas, our distinguished colleague [Mr. POAGE], I would like to break down the amounts that Baylor University received. In the National Science Foundation research contracts, $15,300 in 1961 to 1962; again in 1962, $77,000 for NSF grants for institutes program. Federal contribution to the National Defense Education Act, title II, student loan fund, $750,467. Equipment grant from the Atomic Energy Commission last year, $10,000. This year 1963 AEC research contracts and grants, $67,742. National Institutes of Health general research support, $286,615. College housing loans, $5,769,000—1950 to 1961)—and $5,515 from NSF for institutional grants in 1962.

AMENDMENT OFFERED BY MR. FINDLEY

Mr. FINDLEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FINDLEY: Add a new section on page 38 to read as follows: "SEC. 408. The authorization for an appropriation contained in this Act shall not be effective until such time as—

"(a) the receipts of the Government for the preceding fiscal year have exceeded the expenditures of the Government for such year, as determined by the Director of the Bureau of the Budget; or

"(b) the budget submitted to the Congress by the President under the Budget and Accounting Act, 1921, reveals that the estimated receipts of the Government for the fiscal year for which such budget is submitted are in excess of the estimated expenditures of the Government for such fiscal year."

Mr. FINDLEY. Mr. Chairman, this might be described as the pay-as-you-go amendment. We really do not have the money for new spending proposals like this. We have the somber prospect of a $10 billion to $11 billion deficit next year.

Mr. Chairman, we recently authorized a debt ceiling in excess of $300 billion and have a certainty of a big deficit in the current fiscal year and a probability of a still bigger deficit next year.

So what we are in effect acting upon today is a proposed new burden upon future generations. Future generations, of course, have no vote in this body today, but our vote can place new burdens on them.

My proposal is that the carrying out of this spending be delayed until after a fiscal year in which the Federal budget is in balance or until a Director of the Bureau of the Budget will certify that the budget for the coming year is in balance.

It is not a novel or untried idea. I refer to 1954 when both Houses of Congress passed an identical amendment as a limitation on an authorization bill. The President signed it and it became law.

Here is an opportunity for those who believe in fiscal responsibility, in pay as you go, those who oppose rising debt ceilings, to vote their convictions.

Mr. ASHBROOK. Mr. Chairman, will the gentleman yield?

Mr. FINDLEY. I yield.

Mr. ASHBROOK. I detected only one mistake that the gentleman has in his amendment. What are we going to do if, as in 1961, there was an anticipated surplus of $500 million, when no reasonable person thought there would be a surplus, and we ended up with a $6.8 billion deficit?

Mr. FINDLEY. I realize that that is a weakness. My reason for using this exact language is that I wanted to present an amendment whose language actually had been considered, had been discussed and debated and had been enacted into law previously.

Realizing that the amendment does have this loophole, I still think it would be a substantial improvement over the language of the bill as it is now before the House.

Mr. JENSEN. Mr. Chairman, will the gentleman yield?

Mr. FINDLEY. I am glad to yield to the gentleman from Iowa.

Mr. JENSEN. Mr. Chairman, I would like to compliment my good colleague who has just offered this amendment. Certainly this amendment should receive deep and serious consideration by the Members of this House when we know that every American family today is called upon to pay something in the neighborhood of $200 a month in seen and unseen taxes. There must be an end to this spending spree sometime and when that time comes such legislation as this will be in order. But certainly it is not in order today in view of the condition of our Federal Treasury and in view of the fact that almost every nation across the seas that sends goods to us today is demanding gold instead of dollars. Why? Because they have lost confidence in the stability and value of the American dollar.

Every nation in this world, according to recorded history, that went the full spending road on which we have been traveling at breakneck speed for nigh onto 30 years came to financial destruction and bankruptcy, currency inflation as well as commodity inflation, to the point where their money was hardly worth the paper it was written on. Let us do some good, sound, American thinking now and support this amendment.

Mr. POWELL. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 2 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. POWELL. Mr. Chairman, I yield to the gentlewoman from Oregon [Mrs. GREEN].

Mrs. GREEN of Oregon. Mr. Chairman, I simply rise in opposition to the amendment. If we are going to do this, I think what we had better do is end the program we just voted a short while ago, the NASA program amounting to $5 billion. I do not know how the gentleman from Illinois voted on that, but on extending the Federal impact program and the National Defense Education Act he voted in favor of the legislation. I do not know what the difference is in his approach on these two.

Mr. HAYS. Mr. Chairman, will the gentlewoman yield?

Mrs. GREEN of Oregon. I would be very glad to yield to the gentleman from Ohio.

Mr. HAYS. I was just curious to know if this amendment was offered to that $20 million duck pond bill that we had up here a while back and which was written up in Life magazine?

Mr. JENSEN. All right——

Mrs. GREEN of Oregon. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. All time has expired.

Mr. JENSEN. Mr. Chairman, since the gentleman from Ohio has mentioned my name, I think I should be permitted to answer. I never did——

Mr. HAYS. A point of order, Mr. Chairman. I did not mention the gentleman's name.

Mr. JENSEN. I never did ask for $20 million for duck stamps or anything else.

Mr. HAYS. I did not mention the gentleman's name.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Illinois.

The question was taken; and on a division (demanded by Mr. FINDLEY) there were—ayes 74, noes 120.

So the amendment was rejected.

Mr. POWELL. Mr. Chairman, might I inquire if there are any amendments at the desk; and if so, how many?

The CHAIRMAN. The gentleman from Wisconsin [Mr. LAIRD] has one amendment, and there are a few others.

Does the gentleman from Wisconsin [Mr. LAIRD] seek recognition?

AMENDMENT OFFERED BY MR. LAIRD

Mr. LAIRD. Mr. Chairman, I have three amendments at the desk that deal with one item of funding in the bill.

I ask unanimous consent that they be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. LAIRD: On page 2 strike out line 22 and insert in lieu thereof "$150 million for the fiscal year ending June 30, 1964, and $230 million for".

On page 17, lines 14 and 15, strike out "$25 million" and insert in lieu thereof "$15 million".

On page 22 strike out all of line 10 and everything on line 11 preceding the semicolon and insert in lieu thereof "the sum of $80 million for the fiscal year ending June 30, 1964, and $120 million for each of the two succeeding fiscal years."

Mr. LAIRD. Mr. Chairman, when this bill on higher education facilities was before the 87th Congress, I supported it. I want to support this legislation here on the floor of the House today. As ranking minority member on the Appropriations Committee for Health, Education, and Welfare, I cannot conscientiously support a higher funding authorization than I can support in the Appropriations Committee. The funding authorization in this bill for fiscal year 1964 cannot be justified under any condition. An appropriation request at such a level for 1964 will not even be forthcoming from the executive branch or the Office of Education.

When we considered this bill in the 87th Congress the President anticipated a financial situation in our Federal Treasury which would provide for a $500 million surplus at the end of that fiscal year. This year we are anticipating a deficit of over $9 billion and, according to the testimony of Secretary Dillon before the Committee on Ways and Means on yesterday, the anticipated deficit for fiscal year 1965 will be at least $9.8 billion.

The amendment which I have offered merely brings this bill in line with the funding authorization of the bill which we considered in the last Congress. The bill which we considered in the last Congress provided an authorization of $150 million less than the bill that is before the House today.

I would also like to point out another very interesting point, as far as my amendment is concerned. This bill for the first time makes the authorization available on a carryover basis. Any authorization provided for the fiscal year 1964 can be carried over into fiscal year 1965 and into 1966. That is not true of any appropriation that is made in 1964, 1965, or 1966. But it only applies to the funding authorization. Personally it would be more useful if authorization was granted to carry over appropriations rather than funding authorization.

If the amendment which I propose is adopted there will be adequate funds to carry out and to fund every request that can possibly be approved for institutions of higher education throughout the United States in fiscal year 1964. It should be pointed out that one quarter of the fiscal year 1964 has already gone by. It will be at least the third quarter of fiscal year 1964 before this program can go into operation.

My amendment does not affect fiscal year 1965 or fiscal year 1966, but merely affects the authorized appropriation for fiscal year 1964 and puts this bill in line on a funding basis with the legislation which the House passed in the 87th Congress. I can assure the House that should this amendment pass I will give this legislation my support.

I would like to point out again to my colleagues in the House, that as we consider this legislation today we are anticipating a deficit of over $9 billion in 1964 and a deficit, according to the testimony of Secretary Dillon yesterday of over a $9.8 billion deficit in fiscal year 1965. When we considered this legislation in the 87th Congress we anticipated a surplus of $500 million.

My amendment will provide every dollar that can possibly be expended in the balance of fiscal year 1964, according to the most liberal spending estimates of the Department of Health, Education, and Welfare. The Department of Health, Education, and Welfare does not anticipate that funds appropriated in excess of the amount specified in this amendment could possibly be expended in the last two quarters of fiscal year 1964.

I hope the House of Representatives will go along with this reasonable and responsible amendment.

Mr. QUIE. Mr. Chairman, I rise in opposition to the pending amendment.

Mr. Chairman, we took this matter up in committee. It was not possible for us at that time to determine what authorization would be needed for the remainder of the fiscal year, whenever this legislation will finally be enacted. So we provide an authorization in this bill for the amount of money that was needed over 3 years that we could see is needed in the program. We also provided, anticipating that perhaps it would not be possible to appropriate the full authorization, that there would be a carryover, that the authorization next year would be in the case of grants $230 million plus what was not appropriated for this year because we feel that the program is just for 3 years. We feel that the program needs this amount for 3 years whenever it is possible to start. Unfortunately, that is the case.

The situation is different from the situation in which the Republicans in their supplemental views on the vocational education bill indicated their support for one-half of the authorization. We did this because the President at that time had recommended only a $23 million authorization for vocational education. We wanted to stay within the budget. However, when he came out with a supplemental request, connected with the civil rights message, of $108 million for the first year, we felt the $45 million was fully within the amount justified. In this case I pointed out earlier the President in a comparable request for higher education wanted $650 million. Therefore, the amounts in this bill are in accordance with the President's request. For that reason, we want them to set aside this amount for each year, to be left there. Then the judgment of the gentleman from Wisconsin and other members of the Committee on Appropriations can come to bear and they can allow as much as is needed for grants for public schools and private schools throughout the coming year. Then they can look at the second year and see if they want to go up to the full mark for that year.

Mr. LAIRD. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from Wisconsin.

Mr. LAIRD. What is the difference between the fiscal year 1964 as compared with the fiscal year 1962 that would lead the gentleman to believe that our financial situation is better in 1964 than it was in 1962?

Mr. QUIE. It was not very good in either case. In the fiscal year 1962 or the fiscal year 1963, even though the President's budget did not indicate the deficit that it indicated in January of this year, it was very evident to all of us there would be a substantial deficit. Last year we skidded close to $9 billion. So the sum we had in the bill last year was $300 million rather than $375 million in this bill.

Mr. LAIRD. The gentleman will agree that the amounts of money provided in this amendment are more than sufficient to fund any requests for 1964?

Mr. QUIE. Yes; I feel it is more than enough to fund the requests for this fiscal year we are in right now. However, the years thereafter you would not have as much authorization under your amendment.

Mr. LAIRD. I had hoped your committee would review this program on an annual basis.

Mr. QUIE. It looks like we will do this in 3 years.

Mr. BRADEMAS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I want to associate myself with the remarks of the gentleman from Minnesota. It seems to me if the gentleman from Wisconsin is anxious to make economies in the bill, the place to do it is in the appropriations bill under the appropriations process. It was the purpose of our committee to meet the need for increased facilities to meet the expansion movement in the colleges and universities. We sought to authorize enough funds in this bill for that purpose.

I have a letter from the President of Indiana University, who tells me there is a backlog of some $34 million in construction funds for the next biennium in that single university in my State, which funds have not been appropriated by the legislature. I have a letter from another president of another great university in my State who warns that we must look down the road a couple of years ahead, because it takes time to build the facilities necessary to meet the enrollment. So I hope we defeat the amendment offered by the gentleman from Wisconsin.

Mr. PEPPER. Mr. Chairman, I shall not be able to be on the floor of the House when the vote is cast on this bill. May I ask to enter for the record my statement that I support this bill and were I able to be here at the time the vote is cast on the bill, I would vote for it.

Mr. PUCINSKI. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I believe the Members of the House should be aware of the fact that this legislation now before the House provides $375 million for the first year, as against $465 million originally recommended by the administration. We already have a $90 million cut in this bill. Furthermore, the original legislation that we had before the committee left the second and third year as an open-end proposition. This committee has written into this bill a maximum of $415 million in grants for the second year and $415 million for the third year. It would appear, therefore, that those who are interested in economy, and certainly I am sure we all are interested in economy, should recognize the fact that we have already trimmed the request by $90 million.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. I yield to the distinguished Speaker of the House, the gentleman from Massachusetts [Mr. McCormack].

Mr. McCORMACK. Mr. Chairman, I want to congratulate the chairman of the full committee, and the chairlady of the Subcommittee on Education and Labor, as well as the members of the full committee and members of the subcommittee for the wonderful work they have done in connection with this bill.

This bill has been under consideration in one form or another for at least 5 years. The full Committee on Education and Labor and the subcommittee has worked very hard in holding both public hearings and executive sessions.

The bill that has been reported out by the committee is a sound and constructive bill and one that is for the best interests of our country, in strengthening our institutions of higher education. As I have said, the bill is a sound and constructive measure and I hope the amendment offered by the gentleman from Wisconsin will be defeated and that the bill, as reported by the committee, will pass.

Mr. PUCINSKI. I thank the distinguished Speaker for his remarks.

Mr. Chairman, I would like also to associate myself with the remarks of our distinguished Speaker of the House.

This committee has worked out in a bipartisan approach this formula and has given much consideration to the amount of money to be provided in this bill. I believe the amounts included in this bill are the results of the best judgment and the sound judgment of the committee and of the members of the committee on both sides.

Mr. MILLER of California. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I want to associate my remarks with those of Mr. McCormack, the distinguished Speaker of the House. I feel this bill is important to the country; that education is the foundation of democracy, as has been set forth by no less an authority than Thomas Jefferson. And if you will read Jefferson's recommendations on education, you will find that the type of bill that is proposed here follows the plan that he set forth over 180 years ago. It is high time, Mr. Chairman, that we get on with this legislation if we are to preserve and enrich democratic processes in our country.

Mr. JENSEN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, there are still quite a few Members on both sides of the aisle of this House of Representatives of the United States of America who are greatly concerned about the reckless spending route we have been traveling at breakneck speed for nearly three decades.

Of course, we are generally outnumbered by the spenders, but we are going to continue to fight to preserve that which millions of our brave American youth have served, fought, bled, and died to protect and preserve, which, as all know, is our American way of life.

Every time an economy speech is made on the floor of this House, you can glance around, always to the opposite side from where I sit, and see some cloudy faces, and you know they are saying to themselves, "I wonder what good he thinks he is doing." In fact, sometimes it hurts such Members to the point where they like to stick the blade into us by innuendo, as the gentleman from Ohio [Mr. Hays] has just attempted to do to me.

Now, let us keep the record straight. I am not thinskinned, but I resent left-handed innuendos which are expressed solely for the purpose of trying to embarrass me. Now, I hesitate to pay much attention to what the gentleman from Ohio says or the innuendo which he directed at me, but I do want everybody in this world to know that I did not ask that one single dime be appropriated for duck nesting in Canada or any other place. All who will take the time to read the discussion in the Interior hearings for fiscal year 1964 between Secretary of the Interior Mr. Udall and myself will find that I simply asked him to draw a bill which would provide that the needed funds for duck nesting in Canada be paid out of duck stamp funds, all of which are derived from hunting licenses, ammunition, and so forth.

Mr. Chairman, I could not let a false innuendo, such as has just been directed at me, go unanswered.

Mr. HAYS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I think the record tomorrow will stand for itself, and I am sure that it will prove that the gentleman from Iowa is not thinskinned, because all I said in the brief moment that the gentlelady yielded to me was, I wondered if this amendment were offered last year when the duck fund money was being asked for. I did not mention anybody's name, and I do not know exactly why the gentleman from Iowa got so excited about it. He says he is not thinskinned, and I am sure he is not. I agree with him. But I was just trying to make a point that if we ought to be saving money on college aid, we ought to be saving money all up and down the line. Why pick out this particular bill? I would not mention anybody's name because I would not want to embarrass them. I would not mention the name of the person who got money to build a bridge across the Missouri River. Then a flood came along and changed the channel and that same person came back and tried to get money to put the channel back so the water would run under the bridge where no water was running.

Mr. JENSEN. Mr. Chairman, will the gentleman yield?

Mr. HAYS. No; I am not mentioning anybody's name and I do not want to get anybody upset. I just thought I would mention that.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin.

The amendment was rejected.

Mr. POWELL. Mr. Chairman, I ask unanimous consent that all debate on this bill close at 5 o'clock.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. DERWINSKI].

AMENDMENT OFFERED BY MR. DERWINSKI

Mr. DERWINSKI. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DERWINSKI: Page 21, beginning in line 20, strike out "a rate determined by the" and all that follows down through line 3, on page 22, and insert the following: "the rate of 2 per centum per annum."

Mr. DERWINSKI. Mr. Chairman, even though this is a relatively simple amendment I am afraid we will not have time to discuss it thoroughly in view of the limitations just adopted on further debate. All it proposes to do, however, is to set a flat rate of 2 percent on loans for construction of academic facilities, in place of the rate set in the bill, which is one-quarter of 1 percent above the annual interest rate on the national debt. Under normal circumstances I would describe this amendment as a reasonably noncontroversial liberal amendment. But anticipating the attitude of the House I am afraid I am too optimistic. However, the point that I wish to dramatize is that as long as we have established a rate of 2 percent for the REA co-ops, as long as we fixed other rates without any regard to the going rate on the national debt, there is no reason why we could not have a rate of 2 percent on these loans that we propose to approve under this act. For that reason the amendment is offered.

Mr. POWELL. Mr. Chairman, will the gentleman yield?

Mr. DERWINSKI. Yes, I yield to the gentleman from New York.

Mr. POWELL. In other words, the gentleman wants to lower the amount of interest paid on moneys borrowed from the Federal Treasury?

Mr. DERWINSKI. That is right. That is why I call it a liberal amendment. I wish to lower the rate below that set in the bill, and I point out to the gentleman from New York that there is ample precedent in housing legislation and especially as I have emphasized in present REA rate structure, and in foreign aid legislation. Incidentally, may I point out to the House that next week when the House considers the authorization bill for foreign aid, many millions of dollars being allocated for development loan funds bear an interest rate of only three-fourths of 1 percent.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken; and on a division (demanded by Mr. DERWINSKI) there were—ayes 9, noes 97.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. RYAN OF NEW YORK

Mr. RYAN of New York. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RYAN of New York: Page 38, after line 19, add the following new section:

"RELOCATION PAYMENTS

"SEC. 408. The Commissioner shall not approve any application for a grant or loan under this Act unless he shall have first obtained adequate and enforceable assurances that the institution, board, or agency to which such grant or loan is made will pay, to persons displaced from their places of residence or business by or as a result of the construction to be financed with the proceeds of such grant or loan, amounts covering the moving expenses and direct losses of property incurred by such persons as a result of such displacement within the same monetary limits and subject to the same conditions as those applicable to the relocation payments provided for under section 106(f) of the Housing Act of 1949."

Mr. RYAN of New York. Mr. Chairman, the amendment which I have offered simply requires that grants or loans shall not be approved by the Commissioner unless he is assured that persons displaced from their places of residence or business as a result of construction or development financed under H.R. 6143 will receive moving expenses and direct losses of property to the same extent as provided in section 106(f) of the Housing Act of 1949. In other words, the relocation payments provided for in the urban renewal program will be applicable here. That is, reasonable and necessary moving expenses and actual direct losses of property. Such payments do not exceed $200 for an individual or family or $3,000, or, if greater, the total certified actual moving expenses, in the case of a business concern or nonprofit organization.

Mr. Chairman, while I agree about the urgency of expanding the enrollment capacity of our institutions of higher education, we must at the same time be mindful of the health, safety, and welfare of the tenants, residential and commercial, who may be affected seriously by the expansion programs involved. The uprooting and displacement of human beings may be the price of progress, but we have a responsibility, and the institutions which we assist in this program have a responsibility, to cushion the impact.

It is fair and just that people have some measure of protection if they are to be displaced. This is a bedrock principle which should be written into every bill which provides for construction and development programs financed by the Federal Government. Congress has written it into urban renewal and highway construction programs. The effect upon the individual is no different if he is bulldozed in the interest of higher education.

Mr. Chairman, I might point out that some 52 colleges and universities have made use of the urban renewal program for the acquisition of land. Recently there have been numerous articles and statements deploring the thoughtlessness of some of these institutions in carrying out their expansion programs. However, where urban renewal is used, Congress has at least given consideration to those most severely affected by redevelopment programs through the requirement of compensatory payments to displaced businesses and relocation assistance to homeless former residents.

We are considering a bill which has the same effect. Yet, it imposes no responsibility on the institutions, which would make use of these funds, to those who will be most directly affected. The tenant or the businessman displaced under the higher education facilities construction program will suffer a loss as a result of Federal action. It is inconsistent for those displaced by university expansion under urban renewal to receive payments while those displaced by the higher education facilities construction program will not. It is inequitable to provide some people relocation payments because of Federal action and yet ignore others.

This amendment is concerned with tenants, both residential and commercial. Imagine, if you will, a scene which I have observed too often. An apartment building is sold, and suddenly hundreds of people are homeless, evicted from a familiar setting to the streets with little or no prior notice. Having barely managed to pay their rent before, they are now forced to stretch their funds to cover all the expenses of dislocation including the costly process of searching for new residences. The proprietor of the local business fares no better. Not only must he find a new location, but he must once again cultivate the goodwill and friendship necessary to build the loyal clientele upon which all small businesses depend—an achievement which involved many years of service at his former location.

Mr. Chairman, my amendment asks only the bare minimum. It is very similar in purpose and application to the relocation assistance provisions of the Federal Highway Act of 1962, section 133, which require that State highway departments give satisfactory assurance to the Secretary of Commerce that relocation assistance will be provided for those displaced by acquisition or clearance of rights-of-way for Federal-aid highway programs. This amendment asks only that, in order to qualify for Federal grants or loans, the universities and colleges guarantee the same relocation payments to those displaced as they would receive under urban renewal. It does not provide anything approaching the full relocation assistance now being given by many of the local relocation agencies in the urban renewal program.

I believe that an institution has a public responsibility to make this small investment in the community of which it is a part. In our cities the growing isolation of the university from its neighborhood must be halted. Everywhere the university's backyards are spreading and merging with the slums. Too often the university seeks to remain aloof as a privileged community, thus creating very real class divisions. We can only hope that all universities will some day develop a social conscience in regard to the communities in which they reside. Now we can do our part and consider the human problems involved as a result of joint Federal-university action to expand academic facilities.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. RYAN].

The amendment was rejected.

Mr. ROOSEVELT. Mr. Chairman, I ask unanimous consent that the gentleman from New Jersey [Mr. DANIELS] may extend his remarks at this point in the RECORD and include extraneous matter.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DANIELS. Mr. Chairman, I wish to address myself today to the distress of our Nation's institutions of higher learning. I am in wholehearted support of H.R. 6143. I believe that this legislation is both reasonable and urgently needed.

It is essential that our colleges and universities expand to meet the needs of our growing college age population. This bill authorizes the vital assistance necessary to adequately finance new construction, rehabilitation, and other improvements so desperately required. Federal aid will be made available to both public and nonprofit institutions.

College enrollment increased by 8.1 percent between 1961 and 1962. In the fall of 1961 total college enrollment was 3,860,643. In 12 short months, by the fall of 1962, total college enrollment had jumped to 4,174,936. The rise is expected to continue as the "war babies" of the 1940's reach college age. By 1970 it is estimated that the number of students seeking admission to colleges and universities will double the 1960 enrollments.

Many more of our high school students find that they must continue their education to compete for the highly technical and professional positions needed in our increasingly complex society. They do not stop at the bachelor's degree any longer but continue into graduate training. This bill wisely authorizes assistance to both undergraduate and graduate institutions. Testimony before the Committee on Education and Labor has shown the inadequacies of the present state of affairs. I was appalled as I sat listening. Dr. Mason Gross, president of Rutgers, the State university of New Jersey, stated during these hearings:

> The predictable enrollment increase is an irreducible factor. We cannot wish these young men and women away.
>
> For the first time in history, American higher education is faced with the possibility that it will have to deny an opportunity for higher education to some young men and women simply because there is no place for them in our existing academic institutions.

We are all aware of the needs in this area. The present situation is deplorable. We must act on this measure with the utmost speed. By providing opportunities for the youth of our country we are providing opportunities for our country itself.

H.R. 6143 provides the means to this end. Title I will make grants for construction of undergraduate academic facilities. It will provide 3 years of public assistance by paying one-third of the costs for constructing new academic facilities. If Congress desires it may extend this program for another 2 years should it feel that project to be wise and efficient. Twenty-two percent of the funds will be reserved for junior colleges and technical institutes. Junior colleges are becoming more and more important because of the overcrowding in limited colleges. They have absorbed much of the increase in enrollment in recent years and may be expected to continue to do so.

Title II authorizes $25 million in 1964 and $60 million in 1965 and 1966 for grants to pay one-third of the costs of construction of graduate academic facilities. This will repay in some measure the debt of the country and the Government to the centers of learning that provide the many experts, the mathematicians, physicists, engineers, and so forth, who have contributed so much to our national security. These grants will not only add new facilities to post-graduate education but it is hoped that they will encourage the development of new graduate centers throughout the country. In this instance the Congress may decide to continue this program also for 2 additional years.

Title III of the bill expands the successful operation of the college housing loan program by authorizing a 3-year program of $120 million for Federal loans to construct college and university academic facilities. Congress will, of course, retain its right to investigate the State programs and may, if they see fit, extend them another 2 years. A low interest rate will prevail combining the Federal belief in self-help and the Government boost via funds.

Up until now the grants for academic facilities and equipment were related to scientific research and training, except for some Federal support for construction at Howard University and Gallaudet College in the District of Columbia.

Most liberal arts colleges receive little if any assistance from the Government. It is time this situation was rectified. Only by raising the general educational level will we be able to meet the challenge of the future. We are going to spend a great deal of money on this program, over $1 billion but it is indeed a reasonable amount in relation to the task which must be accomplished.

The problem of inadequate facilities in institutions of higher learning must be solved. Attempts to provide Federal aid to improve conditions have been at a standstill since the end of World War II. It is vital to the economy and the security of our country to give immediate aid to our educational institutions. What greater purpose do we have than to educate our young people so that they will become useful citizens? It is socially and economically essential that construction of classrooms, school libraries, and laboratories keep up with our growing university population.

In the words of Thomas Jefferson:

> Laws and institutions must go hand in hand with the progress of the human mind. * * * As new discoveries are made, new truths discovered and manners and opinions change * * * institutions must advance also to keep pace with the times.

Mr. O'HARA of Illinois. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Chairman, seldom have I listened to a debate on a higher plane of intellectual poise and in a purer nonpolitical climate than that of today. This would indicate to me that there is a general awareness in the Congress that this country of ours cannot survive in its position of world leadership if we do not build and strengthen our colleges of learning to meet the requirements of an exploding population.

I was interested in an amendment, offered I am sure with good intentions, that would have delayed the effective date of this legislation until all of the present national debt had been wiped out. The thought ran through my mind, as I am sure it did with most of my colleagues on both sides of the aisle, that this was a proposal to free this generation of its debt responsibility by condemning the children of tomorrow to the chains and slavery of ignorance.

It would have meant just that because if at this time we do not provide the facilities of higher education to accommodate all of our qualified youth we are condemning those who cannot be accommodated in our classrooms to a handicapped existence.

Without the education for which they are qualified, without the education that can give to their lives the fullest expression and confer upon their country and the world a benefit of incalculable value, they will become drags upon progress and not vital and vibrant contributors thereto.

This generation cannot buy its own ease and comfort at the price of the intellectual slavery of the young men and women of following generations. This would be contrary to every concept of the American people. American parents for generations have sacrificed their own comforts, and often have plunged themselves into debt, in order that their children might enjoy a higher education than had been their privilege. They never took the position that they could not even discuss the business of the education of their children until their own household budgets were in order. I am thankful to providence that that has been the case. I have the confidence that it will ever continue to be the guide in the thinking and the planning of the people of our country.

Mr. Chairman, I have always admired the gentlewoman from Oregon [Mrs. Green]. She is one of the outstanding Members of this body. At this moment my hat is off to her and waving with a greater enthusiasm of admiration than ever before. She has drafted and handled this bill today with outstanding ability and with the dedication that always has marked her service to causes that to her were precious. My hat also is off to the distinguished gentleman from Minnesota [Mr. Quie]. He has done a magnificent job, and after his presentment in the general debate I rushed to him to shake his hand and to offer very sincere congratulations.

The gentlewoman from Oregon is a loyal Democrat. The gentleman from Minnesota is a loyal Republican. In cooperation together, forgetting differences in political philosophies, in a joint effort to save the children of tomorrow from the chains and slavery of ignorance, they have earned the thanks of their colleagues and of the Nation.

To the chairman of the full committee, the gentleman from New York [Mr. Powell], to the ranking minority member, the gentleman from New Jersey [Mr. Frelinghuysen], and to the other members of the subcommittee and of the full committee, even to those who were in sincere disagreement, I extend my commendation for the industry and the thoroughness with which they have drafted and presented to the committee this vital legislation.

Mr. Chairman, I would join with others in urging that this Congress give a tax reduction to the parents for the money spent solely for the education of their children, from the primary grades to the undergraduate and graduate courses in our universities. This is something that must come.

The expense to the parents of the education of their children has reached a figure that is backbreaking. It is not fair that this money that is spent in the public interest, should not be tax deductible. If a businessman has an allowance for entertainment for the promotion of his own business, certainly parents should have deductions for the money that they have spent in making their child more useful and a better citizen. This is money spent in the public interest.

Again I say Mr. Chairman, that our beloved country cannot survive in world leadership if we depart from the principle upon which we built our democracy, that representative government is dependent upon an educated and informed citizenry.

There is much more to be done in the field of education. This is a good bill. I am sure it will pass in this body by a large majority, and I hope and pray that it will receive favorable consideration in the other body. But it is only the beginning. There is much more to be done. Tomorrow's children in their struggle in a world of competition to keep our United States of America the bulwark of democracy must not be handicapped by stingyness and lack of vision in this generation.

Mr. GROSS. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Chairman, although the Government is borrowing billions of dollars, this bill proposes to initiate still another educational program at a cost over the next 3 years of $1,195 million. From what source the money is to be raised and how it is to be raised seems to be of little or no consequence to the proponents. This is, of course, in addition to the millions being spent annually by the Federal Government on the institutions of higher learning throughout the country.

Moreover, the more than $1 billion authorized in this bill is to be spent on private as well as public institutions—upon denominational as well as public schools. Approval of this bill means that those who support it approve the use of Federal funds, directly or indirectly, for institutions which provide religious instruction. Thus there is a grave question as to constitutionality, but this, as well as the huge amount of money involved, seems to mean little or nothing to those who are determined to enact the legislation.

Mr. Chairman, for the reasons here stated as well as others, I cannot support H.R. 6143, and I want my position made clear in the event there is no record vote.

The CHAIRMAN. Under the rule the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. Thornberry, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 6143) to authorize assistance to public and other nonprofit institutions of higher education in financing the construction, rehabilitation, or improvement of needed academic and related facilities in undergraduate and graduate institutions, pursuant to House Resolution 483, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment?

If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. BRUCE. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. BRUCE. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Bruce moves to recommit the bill, H.R. 6143, to the Committee on Education and Labor.

The SPEAKER. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

Mr. BRUCE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were refused.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

Mr. BRUCE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 287, nays 113, answered "present" 1, not voting 32, as follows:

[Roll No. 126]

YEAS—287

Adair
Addabbo
Albert
Arends
Ashley
Avery
Ayres
Baker
Baldwin
Barrett
Barry
Bass
Becker
Beckworth
Bell
Bennett, Fla.
Bennett, Mich.
Blatnik
Boggs
Boland
Bolling
Bolton,
  Frances P.
Bolton,
  Oliver P.
Bow
Brademas
Bray
Bromwell
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Ohio
Broyhill, Va.
Buckley
Burke
Burkhalter
Burton
Byrne, Pa.
Byrnes, Wis.
Cahill
Cameron
Carey
Cederberg
Celler
Chamberlain
Chelf
Chenoweth
Clark
Cleveland
Cohelan
Conte
Corbett
Corman
Curtin
Daddario
Daniels
Dawson
Delaney
Dent
Denton
Derounian
Derwinski
Diggs
Dingell
Donohue
Dulski
Duncan
Dwyer
Edmondson
Edwards
Elliott
Ellsworth
Everett
Evins
Fallon
Farbstein
Fascell
Feighan
Finnegan
Fino
Flood
Ford
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Gallagher
Garmatz
Giaimo
Gibbons
Gilbert
Gill
Glenn
Gonzalez
Goodell
Grabowski
Gray
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Grover
Gubser
Hagen, Calif.
Halleck
Halpern
Hanna
Hansen
Harding
Hardy
Harris
Harrison
Harsha
Harvey, Ind.
Harvey, Mich.
Hawkins
Hays
Healey
Hébert
Hechler
Hemphill
Holifield
Holland
Horan
Horton
Hosmer
Ichord
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Wis.
Jones, Ala.
Karsten
Karth
Kastenmeier
Kee
Keith
Kelly
Keogh
King, Calif.
King, N.Y.
Kirwan
Kluczynski
Knox
Kunkel
Landrum
Langen
Latta
Leggett
Lesinski
Libonati
Lindsay
Long, La.
Long, Md.
McDade
McDowell
McFall
McIntire
Macdonald
MacGregor
Madden
Mailliard
Martin, Mass.
Mathias
Matsunaga
May
Meader
Miller, Calif.
Milliken
Minish
Monagan
Moore
Moorhead
Morgan
Morris
Morrison
Morse
Morton
Mosher
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nelsen
Nix
O'Brien, N.Y.
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neill
Osmers
Ostertag
Patman
Patten
Pelly
Perkins
Philbin
Pike
Pillion
Pirnie
Powell
Price
Pucinski
Quie
Randall
Reid, N.Y.
Reifel
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Rich
Riehlman
Rivers, Alaska
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Rostenkowski
Roudebush
Roush
Roybal
Ryan, Mich.

Ryan, N.Y.
St Germain
St. Onge
Schneebeli
Schweiker
Schwengel
Senner
Sheppard
Shipley
Shriver
Sibal
Sickles
Sikes
Sisk
Slack
Smith, Iowa
Springer
Staebler
Stafford
Staggers
Steed
Stephens
Stratton
Sullivan
Taft
Thompson, N.J.
Thompson, Tex.
Thomson, Wis.
Thornberry
Toll
Tollefson
Tupper
Udall
Ullman
Van Deerlin
Vanik
Vinson
Wallhauser
Watts
Weaver
Westland
Whalley
Wharton
White
Wickersham
Widnall
Willis
Wilson, Bob
Wilson, Charles H.
Wright
Wydler
Wyman
Young
Younger
Zablocki

NAYS—113

Abbitt
Abele
Abernethy
Alger
Anderson
Andrews
Ashbrook
Ashmore
Battin
Beermann
Berry
Betts
Broyhill, N.C.
Bruce
Burleson
Cannon
Clancy
Clausen, Don H.
Clawson, Del
Colmer
Cooley
Cunningham
Dague
Davis, Ga.
Dole
Dorn
Dowdy
Downing
Findley
Fisher
Flynt
Foreman
Forrester
Fountain
Fuqua
Gary
Gathings
Gavin
Goodling
Grant
Gross
Gurney
Hagan, Ga.
Haley
Hall
Henderson
Herlong
Hoeven
Huddleston
Hull
Hutchinson
Jensen
Johansen
Jonas
Jones, Mo.
Kilgore
Kornegay
Laird
Lennon
Lipscomb
Lloyd
McClory
McCulloch
McLoskey
McMillan
Mahon
Marsh
Martin, Calif.
Martin, Nebr.
Matthews
Michel
Mills
Minshall
Murray
Norblad
Passman
Poage
Poff
Pool
Purcell
Quillen
Rains
Reid, Ill.
Roberts, Ala.
Roberts, Tex.
Rumsfeld
St. George
Saylor
Schadeberg
Scott
Selden
Short
Siler
Skubitz
Smith, Calif.
Smith, Va.
Snyder
Stinson
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Tuck
Tuten
Utt
Waggonner
Watson
Weltner
Whitener
Whitten
Williams
Wilson, Ind.
Winstead

ANSWERED "PRESENT"—1

Devine

NOT VOTING—32

Aspinall
Auchincloss
Baring
Bates
Belcher
Bonner
Brock
Casey
Collier
Cramer
Curtis
Davis, Tenn.
Fogarty
Hoffman
Kilburn
Kyl
Lankford
Miller, N.Y.
Montoya
O'Brien, Ill.
Pepper
Pilcher
Rivers, S.C.
Rogers, Tex.
Schenck
Secrest
Shelley
Stubblefield
Thomas
Thompson, La.
Trimble
Van Pelt

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Kyl for, with Mr. Devine against.

Mr. Auchincloss for, with Mr. Collier against.

Mr. Van Pelt for, with Mr. Kilburn against.

Mr. Cramer for, with Mr. Hoffman against.

Mr. Shelley for, with Mr. Baring against.

Mr. Bonner for, with Mr. Casey against.

Mr. Stubblefield for, with Mr. Rivers of South Carolina against.

Mr. Fogarty for, with Mr. Rogers of Texas against.

Until further notice:

Mr. Thompson of Louisiana with Mr. Schenck.

Mr. Secrest with Mr. Miller of New York.

Mr. Pepper with Mr. Belcher.

Mr. Davis of Tennessee with Mr. Bates.

Mr. Aspinall with Mr. Brock.

Mr. Lankford with Mr. Trimble.

Mr. Montoya with Mr. O'Brien of Illinois.

Mr. Pilcher with Mr. Curtis.

Mr. DEVINE. Mr. Speaker, I have a live pair with the gentleman from Iowa [Mr. KYL]. However, he was unavoidably detained but if he were present he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. BATES. Mr. Speaker, I was not in the Chamber when my name was called. Had I been present, I would have voted "aye" on the bill just passed, H.R. 6143.

GENERAL LEAVE TO EXTEND

Mr. ROOSEVELT. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on the bill just passed, H.R. 6143.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

AIR FORCE DISCUSSION OF TEST BAN TREATY

Mr. DEVINE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. DEVINE. Mr. Speaker, on yesterday I advised the House about an Air Force order, dated August 5, 1963, which said in part:

> We have been directed by higher headquarters not to discuss, comment on, or otherwise express our opinion, officially, or unofficially, on the current subject of the nuclear test ban.

A letter was directed to General LeMay yesterday requesting a full explanation and the source of "higher headquarters." As of this time, no explanation has been forthcoming why such an order was issued, although the President on July 26, urged all American citizens to openly and freely discuss this issue.

Meanwhile, various news media have contacted the Air Force on this matter and report the following position:

> While negotiations were underway at Moscow, looking to a test ban treaty, the Department of Defense requested all elements of the Defense Establishment to withhold public comments until the U.S. representatives had initialed an agreed document. Upon successful completion of the negotiations with the U.S.S.R. and the United Kingdom, the guidance no longer applies.

The above reads like a reasonable explanation except this request was issued on July 26—more than 24 hours after the proposed test ban treaty was initialed by the official representatives of the United States, the United Kingdom, and the U.S.S.R.

This purported explanation is certainly a lame effort to explain away an embarrassing revelation that was not supposed to be put on paper. And it is further compounded by the date of the order issued at Lockbourne SAC Base on August 5, 1963, which is 10 days after the initialing of the proposed treaty.

This has all the earmarks of muzzling of the military, which is not unique these days, and violates the inherent right of American citizens to freedom of expression. Does one lose his rights as an American citizen when he is serving his country in the military service? Again, we are greeted by a loud silence from the various civil liberties and civil rights advocates that are so vocal in other areas.

I am looking forward to the official explanation from the Defense Department, or the Air Force, with a great deal of interest.

FOREIGN AID AS ONE OF THE PRINCIPAL SOURCES OF FREE WORLD STRENGTH IN THE STRUGGLE AGAINST COMMUNISM

Mr. STAEBLER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. STAEBLER. Mr. Speaker, next week the House will consider the foreign aid authorization bill for the current fiscal year. For many weeks it has been the object of considerable attention, mostly in connection with its shortcomings and errors.

It is quite appropriate that Members of Congress take a critical look at foreign aid and any other Government operation. But it would be most unfortunate if our attention were devoted wholly to the negative aspects of foreign aid. It is important to point out mistakes, but it is still more important to judge a program in its entirety.

Next to our armed services, foreign aid has been the single greatest element in the protection of the free world and the United States.

It has protected us not in a passive way but through the positive stimulus it has given to people and nations who want to achieve or preserve their independence.

It has given a worldwide impetus to the ideas and principles of freedom and the democratic process for which we stand.

And it has been one of the principal sources of free world strength in the hot war and cold war struggles which have burdened the globe continuously since World War II.

In the worldwide, ideological struggle, we find on one side those who despair of the capacity for self-government and who become willing to surrender individual freedom for totalitarian controls as a quicker route to solution of national problems.

On the other side we have those who believe that progress can best be secured through encouragement of individual initiative, through the invigoration of democratic processes and through the healthy balance of governmental and individual participation in the economy.

Many nations—and particularly the new and emerging nations—face a choice between these two sides. A large share of the people of the world are trying desperately to make up their minds which route to take.

Foreign aid, from the United States and from other free world countries, may well be the deciding factor which determines the choice of many countries—and in turn the future of mankind.

History has demonstrated the important role foreign aid has played in helping determine the future of nations.

Europe is a good example.

Two-thirds of our past expenditures in foreign aid have been made in Europe.

Today Europe's economy is booming. And our contribution through the aid program to Europe's economic progress is completed. Our aid in this area is now limited to military assistance.

The effects of Europe's economic recovery are tremendous and dramatic.

But let's recall the beginning of foreign aid—the beginning of the Marshall plan.

This was the end of World War II and Europe was devastated—a prey to political and social disintegration.

Vast amounts of plant and equipment had been demolished or stripped by enemy forces. What remained was badly outmoded and in need of repair or replacement. For the area as a whole, industrial production stood at 10 to 15 percent below the prewar level, with Germany, the most incapacitated, only capable of reaching 35 percent of previous output. Agricultural production had fallen off by 20 percent. Distribution facilities were incapable of handling even this drastically reduced level of economic activity.

The monetary systems of each country were rapidly succumbing to inflationary pressures. The dollar shortage was crucial and gold and foreign exchange reserves approached exhaustion. In spite of an urgent need for food, as well as for industrial goods to get factories running again, governments were forced to suppress total imports below prewar levels thus compounding the already dangerous social and political situation. With increasing hunger, unemployment, black markets, and strikes, the Communists stood ready to gain major victories in France and Italy. It was at this critical moment in history that Secretary of State George C. Marshall offered the assistance of the United States for rebuilding the shattered continent.

The Marshall plan was born. Success came quickly. Economies which had been functioning far below prewar levels developed with such rapidity that by 1952 production of industrial goods increased 35 percent and agricultural production increased 15 percent over prewar rates. During the same period, exports increased to such an extent that the trade deficit with the United States and Canada was reduced from $6 to $1.7 billion by 1950, and the total dollar gap was reduced from $8.5 to $1 billion. In support of this astounding achievement, American aid covered one-quarter of Europe's total imports of goods and services during the period 1947–50, or almost two-thirds of its merchandise imports from the dollar area. These figures gain significance if it is recalled that the United States was the major source of Europe's import requirements and virtually the only supplier of specific capital goods essential for reconstruction.

Seen in perspective, the Marshall plan not only enabled Europe to get back on its feet, but also established new forms of cooperation within Europe and between the United States and Europe. Wartime had introduced an unprecedented degree of cooperation between the Western nations, but in the disruptive years after victory, there was an increasing danger that the individual countries would return to the narrow nationalism of the thirties to solve their pressing economic and political problems. In this context, the Marshall plan was much more than a recovery program. The needs of Europe after the war involved not only the physical reconstruction of the economy, but, more significantly, the changing of attitudes toward economic and political life. By easing the strains during the critical years and promoting cooperative planning for the future, the United States aided Europeans in moving from nationalistic, sheltered, monopoly production characterized by small markets, protectionism, and restriction, to modern, large-scale, competitive industry based on increased multinational cooperation and interdependence.

Secretary of State Marshall had insisted that the Europeans themselves seize the initiative in planning and coordination. This led to the establishment of the Organization for European Economic Cooperation, run by the Europeans themselves, which in turn laid the foundation for the European Payments Union, the Coal and Steel Community, and the Common Market.

American investment in the future recovery of Europe has paid inestimable mutual dividends. By 1952, when economic assistance declined to the $1 billion level, the European nations were able to sustain a defense expenditure of $11 billion and in succeeding years have increased this to almost $17 billion. Since 1948, trade between the United States and Europe has increased by 290 percent and still provides a $2 billion surplus of goods and services on current account. With a decade of prosperity behind them, the European nations have now been induced to provide a major part of free world assistance to the underdeveloped areas—$1.8 billion in 1961 or 39 percent of total bilateral assistance in that year. In addition, since 1952, European repayments to the United States have averaged over $400 million a year and in the past 2 years have reached $900 million level. More important, after almost two decades of economic cooperation, Europe is now in a position to provide positive support to current U.S. fiscal policy and to possible new international financial institutions which may become desirable.

Through aid to Europe we helped the Europeans overcome the narrow economic nationalism which was a primary cause of World War I and World War II.

And through the European Economic Community we have given communism some of the greatest blows it has yet sustained. One of the foundations on which the Communist appeal has been based for 50 years is the prediction, seemingly borne out by World War I and World War II, that the fight for markets and raw materials in the capitalist system inevitably leads to war.

Now the European Economic Community has demonstrated its capacity to overcome the hazards of national competition and to blend competition and cooperation in a new approach toward the solution of the area's economic problems.

The Marshall plan had its critics. There were skeptics then, as there are now. The fainthearted said it would ruin us economically. The pennypinchers railed against adding to the national debt. The narrowminded complained about helping our competitors. The superpatriots protested spending our money on foreigners. Where are the critics and the skeptics now? What has happened to the doubters and complainers; to those who opposed the Marshall plan; to those who voted against the bill when it came up on the floor of this House?

They are still with us. And they are still singing the same sad song. The tune has changed, but the lyrics are the leftover lines of 15 years ago. Of course the Marshall plan succeeded. But the Marshall plan, they say, was different. Foreign aid to Europe worked; foreign aid to other parts of the world is predestined not to work. Foreign aid to developed Europe was justified; foreign aid to underdeveloped Latin America is a waste of money. A recovery program makes sense; a development program is beyond our means and capabilities.

History has not been kind to the doubters, the handwringers who said foreign aid would not work. If experience has taught us any one lesson, it is that progress is made by those who look ahead, who have a vision of the future, who have the courage to attempt the difficult.

What we commonly call foreign aid is one of the most difficult enterprises ever conceived by man. It is one of the biggest, most ambitious, and most vexing undertakings in history. And it is probably one of the most valuable.

RECLAMATION IS MONEY IN THE BANK

Mr. KIRWAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. KIRWAN. Mr. Speaker, the current issue of Life magazine contains an article featuring a lot of pictures that are supposed to illustrate how the taxpayers' money is being shamefully wasted on a lot of unneeded and unwanted public works projects. The text of the article is a quite remarkable collection of words, a mixture of expressions of righteous indignation and revelations of tortured ignorance.

The ignorance and lack of understanding revealed in this article stand out most clearly when it aims its blasts against the Bureau of Reclamation. How such guff came to be published is more than I am able to account for. Perhaps the editors of Life had a file of unused photographs on water resource developments and figured they had to use them somehow. And of course, it is good journalism—in a way—to criticize rather than give credit. You get more attention that way.

I suppose I am proving the truth of that axiom right now. It is about the only provable concept in the entire article.

The U.S. Government—the Congress—has invested a good deal of money in reclamation projects. I said invested. From 1902, when reclamation began, through fiscal year 1963, Congress appropriated almost $4.4 billion to the Bureau of Reclamation for its construction and rehabilitation and betterment programs. The total benefits that have accrued—and are accruing—from these investments are almost incalculable.

If you read Life magazine—and are gullible enough to accept its mouthings as gospel truth, you would conclude that these investments are a total and cynical waste of the taxpayers' money. But when the editors of Life chose the works of reclamation as an example of public extravagance, they tried to beat the wrong horse. Reclamation is no example of pork barrel philosophy, no dole, no irresponsible frittering away of public funds. Reclamation is an investment in the future of America. Reclamation puts to work the renewable—and precious—resource of water, water that is the key to life and prosperity, particularly in the entire western half of our country.

Water resource development by the Bureau of Reclamation in the 17 arid Western States has been the greatest factor in establishing the West as an asset to the Nation rather than a dependency. And reclamation is that rarest of all gems in the roster of Federal programs: it pays for itself. Life magazine either does not know this, or does not care to mention it. The fact is that 92.2 percent of the cost of all authorized projects is repaid to the Government. Less than 8 percent—representing flood control, fish, and wildlife, and recreation benefits—has been declared by Congress to be in the public interest and nonreimbursable.

In addition, the tax revenues from farmers and businesses in reclamation areas amount to about $400 million a year. These revenues now total $5.1 billion—more than the total cost of all the reclamation projects that have ever been built.

I want to list some of the bounties that have come from Federal investment in reclamation projects. They have provided facilities for irrigating 7.2 million acres of rich western land which would otherwise have laid idle—an untapped resource of no value whatever to the Nation. The reclamation program has provided about 130,000 farming opportunities and sustains a farm population of 530,000 people. In 1962, $1.2 billion worth of choice crops were produced. For each worker on an irrigated farm, two additional jobs are generated in the local towns.

The argument that reclamation should be stopped because of the crop surplus is made either in ignorance or without considering the facts. I want to lay the ghost of that shibboleth to rest once and for all right now. Here are the facts:

Three-quarters of the surplus problem involves wheat and feed grains. How much of the wheat held in surplus supply by the Commodity Credit Corporation is grown on reclamation projects? To hear the ill-informed critics carry on, you would think it was a staggering amount, but the truth is it is hardly enough to put in your hollow tooth; less than one-fourth of 1 percent of the wheat produced comes from reclamation projects. And feed grains grown on reclamation projects are less than one-half of 1 percent of the surplus. The small amount of these crops grown on irrigation farms is necessary for a balanced crop rotation and to feed the farm livestock. This grain does not go into commercial markets.

Under irrigation farming, you get flexibility and the ability to shift from surplus crops to production of cash crops in high demand. This is an essential part of the stability and efficiency of irrigation agriculture. It is the kind of farming recommended by the Department of Agriculture, which has plans for land use adjustment including the irrigation of 8.7 million additional acres of land by 1980. This is what is needed to meet our growing Nation's food and fiber requirements.

Secretary Freeman, who has a broad knowledge of agricultural needs and potentials, has said:

> It is unsound to suggest that the current imbalances which exist in some crops could be corrected by squeezing off water resource development in one section of the country. * * * As we look into the longtime future there is no question but that reclamation and irrigation must go forward.

So much for the misguided notion that irrigation agriculture is a waste and is no longer needed.

Continuing with my list of reclamation's benefits to the Nation:

It supplies water for the municipal and industrial needs of more than 10.1 million persons. It provides electric power equivalent to the needs of about 7.5 million persons. Last year it provided 27 million days of recreational enjoyment. A good way to judge the worth of the reclamation program is by population growth. In 1960 the population of the 17 Western States was four times greater than in 1900, just before reclamation began. This is about twice the population growth in the Eastern States during this same period.

Predictions are for continuing greater population gains in the West—and these people must have water, more and more water. There is only one way they can get this water—and that is by greater and greater efforts in the field of water conservation and development such as the undertakings of the Bureau of Reclamation. It is hard to understand how the editors of Life can sneer at these programs. It would appear that they neither know nor care about the western half of their own country.

They do not even know much about the eastern half of their country. Recent studies show that for each dollar spent at the construction sites of these developments, another dollar goes to purchase materials and equipment. These dollars are spent all over the country—in States far removed from the construction sites. Just considering my own home State—more than 3 percent of the reclamation dollars spent for materials and equipment goes to Ohio businesses. To put it in dollars, Reclamation's construction program comes to about $300 million a year. Some $5 million of this goes to Ohio businesses. My constituents may not know what reclamation projects do for the West, but you can be sure they know the value of orders from the contractors who build these reclamation projects. These orders generate jobs in Ohio factories, and they generate more jobs in our service trades. The same thing happens in all of the other States of our Nation, where materials and equipment of many kinds go into the completion of these reclamation projects.

I want to read you a few sentences from an editorial that appeared a few years ago in the Wenatchee Daily World in Washington State. The editorial refutes those shortsighted people who object to spending the taxpayers' money anywhere except where they happen to live. It quotes from a letter written by a Yakima farmer—where, incidentally, the Bureau of Reclamation has developed a highly successful and beneficial irrigation project—and the farmer is describing a day in his life. Here is what he says:

> Wakened at 5 o'clock by an alarm clock from Connecticut, I take the milk pails (Pennsylvania tin) and wend my way to the barn, while the wife prepares breakfast on a range from Kalamazoo, Mich. The breakfast, likely as not, will consist of grapefruit from Florida, breakfast food from Minneapolis, bacon from Omaha or Cedar Rapids, Iowa, served on table china from Ohio or New Jersey, silverware from New York, sugar from Louisiana, etc.
>
> I go out to spray the orchard, using lead arsenate from Missouri, sulphur from Texas or Louisiana. My spray rig is made in Michigan, the tractor in Wisconsin.
>
> When I go to town it is in a car from Indiana and Detroit, with tires from Ohio, Bakelite for accessories from New Hampshire. My car insurance goes to Baltimore, life insurance to Des Moines and Omaha, fire to Hartford, Conn. Shoes for myself and family come from Boston and St. Louis, clothing from New York or Chicago, cotton goods from Georgia, South Carolina, or Mississippi.

The farmer's list goes on, covering just about everywhere in the United States. He ends by saying that when this day of his—and the rest of his days—are over and done with he will be placed in the kindly Yakima earth, and at the head of the little mound will be set a stone of Vermont granite.

Under unanimous consent I insert this excellent editorial in the CONGRESSIONAL RECORD at the conclusion of these remarks.

I also ask consent to insert a second article in the RECORD—one that demonstrates how people thousands of miles away from the scene of Reclamation's activities are able to recognize its outstanding merits, even though these merits are lost on the dim-visioned editors of Life magazine.

This is an article in the New England Farmer, and it is called "Don't Damn the Dams—Ask the Man Who Uses One," and it was written by a farsighted citizen named Carleton I. Pickett. Mr. Pickett had visited Roosevelt Dam, on the Salt River project in Arizona, Grand Coulee Dam in Washington which, he writes, has "made livable and tillable approximately half a million acres of desert of volcanic ash," and the Colorado-Big Thompson project in Colorado, which has been worth $126 million to the northern part of that State and which brought vital water to about $41 million worth of crops a year in the drought years of 1954, 1955, and 1956. After inspecting the "Big T," as this outstanding project is often called, Mr. Pickett writes:

> Now we in the East do not like Government in business very well nor do we like to pay taxes for some projects.
>
> But we share in the wealth of America and the "Big T" increases it. I am no apologist for public power but you have to see this to understand the gigantic task of harnessing the multiple uses of our natural resources. Try telling these farmers, who voted Republican mostly, that they should wait for private enterprise.
>
> Maybe this all comes under the heading "Government should do for the people those things which they cannot well do themselves."

Mr. Pickett closed his article with a reference to the coming Fryingpan-Arkansas project, which Congress authorized overwhelmingly last year, and which will bring vast benefits to southeastern Colorado, similar to the benefits being brought to northern Colorado today by the "Big T."

The new project—

Writes Mr. Pickett—

> will bring supplemental irrigation waters to the Rocky Ford area as well as to all of southeast Colorado.
>
> This project will take 13 years to finish, cost $170 million, help irrigate 280,600 acres of land, boost the water supply of 10 municipalities, generate over 500 million kilowatt-hours of electricity annually and bring growth and progress to a tremendous area.
>
> It will provide water, food, fun out doors, and new opportunities for the enterprise of ingenious Americans.
>
> Whatever the implications of public versus private power may be, I am ignorant. This I do know: taken as a whole, the project will make this country a still better place to live.
>
> In the next 13 years we will have added this to our eternal assets.

The Fryingpan-Arkansas project happens to be one of the three particular Reclamation developments that the editors of Life singled out as targets for their unenlightened scorn. They say the project will make Colorado water "that now flows west flow east and $170 million will flow out of U.S. taxpayers' pockets." I suppose they thought they had turned a phrase. They made a pun out of the word "flow," and I guess they thought that was clever and why bother checking up the facts?

I cannot tell you yet exactly how much money will flow as a result of the Fryingpan-Arkansas project. The returns are not in yet. But I do know its worth will be comparable to that of the "Big T," and it will be many millions of dollars a year, especially in years of drought (and we are having one of those in Colorado right now)—and these millions of dollars will be flowing into the taxpayers' pockets, not out.

Life magazine also takes a few careless potshots at the Colorado River storage project and at the Glen Elder unit of the Missouri River Basin project. Its editors contend that Glen Elder will place a flood control dam too far upriver to control any floods and will irrigate Kansas land that is not needed for crops. The point that Glen Elder would be useless for flood control just is not true. Even the unit's opponents never made such a claim when testifying against the project. The only conclusion I can reach is that Life's reporters and editors must have passed this judgment all by themselves.

As for Glen Elder bringing irrigation to land not needed for crops, this statement only proves that Life did not take the time to study up on the project. The unit will take 20,000 acres for Glen Elder Reservoir out of production. This is 20,000 acres that is now producing wheat and sorghums—both surplus crops, incidentally, there has been no recommendation for constructing an irrigation system for the Glen Elder unit. The project was proved to be fully justified without irrigation. Irrigation of downstream lands is no more than a possibility that is being studied, and there are no plans for developing any irrigation, in the foreseeable future, connected with the unit it will only come about when the people want it enough to join together and enter into repayment contracts, and when future conditions of need warrant such development.

The third Reclamation item that Life sees fit to squabble about is the Colorado River storage project, that vast development that is bringing lifegiving water to five great Western States. They claim that Flaming Gorge Dam, one of the four major power units of the project will produce power at a cost greater than its selling price. I can almost see them leaning back in their chairs after writing those words, just as if they had slain a dragon.

This item of news is neither news nor is it startling. Power rates in any system, whether private or Federal, are based on average costs. Some units cost more, some cost less. This is only sound business. Life did not mention that Flaming Gorge, by providing river regulation in conjunction with Glen Canyon Dam, permits valuable irrigation developments upstream. Nor did it mention that Flaming Gorge will pay for itself, as will the entire project. By the end of the payout period, over $900 million of surplus power revenues will be available to the Upper Colorado River Basin States to assist in developing needed and worthwhile additional units.

I could go on and on proving how reclamation is good business, and how the people who put together this hodgepodge of an article are being grossly unfair to Reclamation and to their own reading public.

Let me just remind you that for each million dollars spent, there is some 65 man-years of employment at the construction sites, and at least another 65 man-years of employment at distant places all over the country where the materials and equipment are manufactured. And of the nearly $4.4 billion that Congress has appropriated for Reclamation's construction and rehabilitation and betterment programs over the past 61 years, Congress has authorized chargeoffs totaling only $38 million. This is less than 1 percent of the Bureau's construction program. What business anywhere has a record of such a small loss as this?

To repeat: Reclamation is one of the very few Federal programs that provide for the return to the U.S. Treasury of the dollars spent. More than 2,000 water service and repayment contracts are in force totaling almost $1.5 billion. Hydroelectric power revenues now amount to some $77 million annually. Taxes alone that have been generated in reclamation areas have returned more than the entire cost of all projects ever built under the program. This is big business, and it is good business. We need more such, not less. When a magazine tries to affix the tag of "pork barrel" to the reclamation program, it is doing the public it is supposed to serve a great disservice.

DON'T DAMN THE DAMS—ASK THE MAN WHO USES ONE

(By Carleton I. Pickett)

It is possible to have some doubts about the direction of public power. It is even easy to criticize the seeming paradox of a policy which pays farmers to control production yet opens millions of acres to better production. But I doubt if anyone who has ever spent any time in the region of any multiple-purpose water resource development of any size and importance can ever dismiss it as creeping socialism.

Some years before World War II, I visited Roosevelt Dam some 80 miles east of Phoenix, Ariz. Built in 1902 under the first reclamation act of Congress, it seemed a tremendous experiment in progress. A couple of years ago I had occasion to see the results of this precious water but it didn't seem so big.

The Grand Coulee Dam was later being built between Spokane and Seattle, Wash. It was practically completed but not yet in use when some of us visited it one December morning. I recall a hard-bitten conservative New Englander on that cold, frosty morning saying to me "You have to see it to believe it. If it is going to get done, government must do it." You can argue that, but the fact remains, government did do it. And I often wonder which one of these tremendous projects would the opponents tear down if they could?

That same Grand Coulee made livable and tillable approximately a half million acres of desert of volcanic ash. During a 10-year period many thousand people were to come there. When the war broke out the gigantic aluminum industry was spawned there. Presently it has made possible the great Hanford atomic energy plant and has put the Columbia River Basin to use for the benefit of the Nation.

A television news flash the other night mentioned the beginning of the Fryingpan-Arkansas project. There is coming into being another dream of years which I have heard talked about in Colorado.

The Fryingpan-Arkansas project and the Big Thompson, called the "Big T" are worthy of understanding by those of us who have so much water.

Water is probably the most important thing on earth. In the whole West it is recognized. Vast areas are tremendously productive with water and useless without it. Men have fought and killed over water and irrigation. It has been stolen. It has been held privately and released exorbitantly when the needs were greatest.

There lies along the foothills of the Rockies one of the finest valleys in Colorado. Sugar beets, feeder cattle, dairy, and cannery crops do well there. This is country I know, conditions I have seen. There has never been enough water to satisfy the needs of the cities and towns, the power, the irrigation for the farms. To correct this the Big T was undertaken.

THE BIG T

The Big T is one of the most intricate systems of integrated water projects I have ever seen and parts of it I still have not visited.

A 9-foot-9-inch-diameter tunnel was bored through 13.1 miles of the Continental Divide to bring water from the western slope. The water, 300,000 acre-feet per year is lifted to the tunnel from near the head of the Colorado River just east of Grand Lake. A great reservoir has been built to protect western slope supply and a gigantic pumping plant lifts 600 cubic feet of water per second some 100 to 180 feet into Shadow Mountain Lake.

Since there are 100 separate engineering projects tied into this Big T such as the Estes Park aqueducts and power system, Granby Dam and Reservoir, Carter Lake, the the St. Vrain supply canal, and the Boulder Creek supply canal to mention a few, it would be impossible to detail this colossal undertaking. Work started in November 1938 and was completed about July 1959. Meantime much of it was in operation at various dates after October 1943.

The Denver Post under a Loveland, Colo., dateline November 23, 1955, credits the Big T with being worth $126 million to northern Colorado. During the drought of 1954, 1955, and 1956, about $41 million a year in crops got water.

From Boulder, through Longmont, to Greeley, the farmers had water for the sugarbeets, the alfalfa, poultry, dairy, and feeder cattle.

The counties of Larimer, Boulder, Weld, and parts of others not only have seen a little of the gamble taken out of production of agriculture, but have enjoyed a growing industrial economy and more homes and schools.

Fishing, camping, and boating, have gained tremendously. This already scenic wonderland has had added to it numberless new facilities for enjoyment.

The industrial East is finding expanded markets for machines, tools, and manufactured goods. Little of this adds to the Nation's agricultural surplus. When water comes the expansion is in perishables and meat.

Some fish and game people have said, "Don't damn all dams." We say—go out and see them, take time doing it, and ask the man who lives there.

A couple of years ago after a visit in Arizona, I spent a week in the valley at the foot of the Rockies and another in nearby Denver.

Here is how we saw it then—

From the Valley of the Sun we flew across the desert and the mountains into near zero weather and a foot of snow. Here, nestled at the foot of the Rocky Mountains, Longmont and the fertile valley around it seemed to us less changed than most places.

The crops had been good. The sugarbeet crop reached an average of 18 tons to the acre and the canning crops, the alfalfas, and the dairying were also thriving.

Yet there had been no rain from early June to late September.

In the old days water was a racket. The source of supply was limited and often controlled by moneyed interests and when drought came water has sold as high as fifty dollars a running foot. Water was diverted, stolen, fought over, even involved shooting.

Uncle Sam moved in and created the Big T including a string of seven giant holding lakes and a vast system of water supply. There was plenty of water around $7 a foot, I was told.

Power and light were also cheap where too often before rural families couldn't get it and private companies are alleged to have wanted as high as $500 per pole of installation.

Now we in the East do not like government in business very well nor do we like to pay taxes for some projects.

But we share in the wealth of America and the Big T increases it. I am no apologist for public power but you have to see this to understand the gigantic task of harnessing the multiple uses of our natural resources. Try telling these farmers, who voted Republican mostly, that they should wait for private enterprise.

Maybe this all comes under the heading "Government should do for the people those things which they cannot do well themselves."

THE FRYINGPAN-ARKANSAS RIVER

The Continental Divide passes close to Leadville, Colo. On the western slope the Fryingpan has plenty of surplus water. On the eastern slope the Arkansas River flows from Mount Elbert which rises 14,431 feet, the highest point in Colorado. The Arkansas turns and twists for 340 miles and draws 26,150 square miles of land in a 170-mile-wide basin.

I have been particularly interested in the fact that the new project will bring supplemental irrigation waters to the Rocky Ford area as well as to all of southeast Colorado.

At an altitude of 10,000 feet, the Continental Divide will be pierced by a 5.3-mile tunnel to bring water to the eastern slope.

This project will take 13 years to finish, cost $170 million, help irrigate 280,600 acres of land; boost the water supply of 10 municipalities, generate over 500 million kilowatt-hours of electricity annually, and bring growth and progress to a tremendous area.

New areas of fishing and camping will be created and the plans the Department of Interior were kind enough to send me indicate a perfect maze of power canals, reservoirs, transmission lines, conduits, and irrigation systems.

This not only helps the region, it provides economic growth for the Nation. It takes little imagination to understand the impact on the market areas and industrial potentialities.

It will provide water, food, fun outdoors and new opportunities for the enterprise of ingenious Americans.

Whatever the implications of public versus private power may be, I am ignorant. This I do know, taken as a whole, the project will make this country a still better place to live.

The Fryingpan-Arkansas will create or enlarge reservoirs which in effect become lakes. West of Leadville an 800-acre reservoir will be expanded to 1,550 acres. Twin Lakes Reservoir will be of 4,160 acres and Pueblo Reservoir 6,700 acres. You have to see it to believe it.

Here is an area of such scenery as one seldom sees, a wonderful place to live, to fish, to grow crops, or to do business.

In the next 13 years we will have added this to our eternal assets. We will have a real story here before too long.

[From the Wenatchee Daily World, Sept. 6, 1955]

A Farmer Answers Irrigation Critics

Federal reclamation is under as heavy an attack as it has been for some time. There have been critics of the program of bringing new land under irrigation ever since the program was initiated on a national basis in 1902 but the harpooning of today comes largely from within; that is, certain groups vitally interested in reclamation are fighting developments in areas in the same river basin other than their own. Specifically, the fight by California against projects in the upstream Colorado River States is an instance.

One of the damaging techniques being used is to break down the cost of the project and make an itemized list showing how much of the taxpayers' money to pay for the development would come from each State. This attack not only hurts the individual project being fought but also the entire Federal reclamation program as a whole, for critics fail to mention the investment is eventually paid back.

Unfortunate, too, is the fact that no figures to combat this propaganda are available to show how much benefit each State receives from transformation of western wasteland into fertile, irrigated farms.

To these Congressmen who ask why should they vote taxpayers' money for irrigation and power development in the West because it is of no benefit to their own district might get a little education as to the straight of things by reading a letter written by a Yakima farmer to his Congressman some years ago. He said:

"Wakened at 5 o'clock by an alarm clock from Connecticut, I take the milk pails (Pennsylvania tin) and wend my way to the barn, while the wife prepares breakfast on a range from Kalamazoo, Mich. The breakfast, likely as not, will consist of grapefruit from Florida, breakfast food from Minneapolis, bacon from Omaha or Cedar Rapids, Iowa, served on table china from Ohio or New Jersey, silverware from New York, sugar from Louisiana, etc.

"I go out to spray the orchard, using lead arsenate from Missouri, sulfur from Texas or Louisiana, nicotine from West Virginia (my smoke is a blend from North Carolina, Kentucky, and West Virginia), my spray rig is made in Michigan, the tractor in Wisconsin.

"When I go to town it is in a car from Indiana and Detroit, with tires from Ohio, bakelite for accessories from New Hampshire. My car insurance goes to Baltimore, life insurance to Des Moines and Omaha, fire to Hartford, Conn. Shoes for myself and family come from Boston and St. Louis, clothing from New York or Chicago, cotton goods from Georgia, South Carolina or Mississippi. In season, we buy grapefruit and oranges, early fruits and vegetables from Florida and Texas.

"We ride over roads graded with machinery from Illinois or Iowa and paved by pavers from Wisconsin or Ohio. My plow comes from Moline, Ill., electric refrigerator, radio, and other appliances from New York, Pennsylvania, or Detroit, furniture from Grand Rapids, bed springs from St. Louis, rugs from Philadelphia, my watch from Illinois, books and magazines from a dozen eastern cities.

"An occasional bottle of snakebite preventative comes from Maryland or Kentucky, from Tennessee or Florida, the ore that went into the making of the aluminum kitchenware, from Maine, codfish and sardines, from Delaware, dyes, paint, rayon and cellophane in numerous articles of daily use. The wife and daughter are strictly modern. Their cosmetics from New York, Pittsburgh

> or St. Louis amount to several ducats during the year.
>
> "School books, toys, bicycles for the youngsters, like almost everything else, come the long trail from the eastern industrial centers and on all of these, as on the apples I shipped east, we pay freight that helps to maintain railroad service and dividends for eastern stockholders.
>
> "The hardware and plumbing and heating plant in my home are all eastern products. The sawmill machinery that sawed and milled the lumber, the freight cars on which it was hauled and the rails over which they traveled all are eastern products—part of our annual cost-of-living bill.
>
> "And when I make my last move to the little 3 by 6 plot on the hillside, I will doubtless be carried there on an eastern-made casket, born by an eastern-made hearse. The kindly Yakima earth will be shoveled back over me with an eastern-made shovel and at the head of the little mound will be set a stone of Vermont granite."

EXTENSION OF THE LIFE OF THE EXPORT-IMPORT BANK OF WASHINGTON

Mr. PELLY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PELLY. Mr. Speaker, as one who favors the constitutional appropriations procedure and who strongly opposes the back-door method of financing Federal agency programs I have followed with close interest the progress of H.R. 3872, to increase the lending authority of the Export-Import Bank.

When the House bill was drafted it contained a provision for $2 billion of increased borrowing authority or, as it is called, back-door spending.

During the House Committee on Banking and Currency hearings I submitted a joint letter over the signatures of 85 Members of the House urging the substitution of a provision for direct Treasury appropriation. However, the committee reported the bill as originally introduced with back-door financing in it.

On May 1, when H.R. 3872 was considered by the House, the distinguished gentleman from Texas [Mr. Patman], who managed the bill, announced that he would offer an amendment to require that the financial operation of the Bank be by the appropriations process instead of by back-door borrowing.

As will be recalled, Mr. Speaker, at that time the distinguished House majority leader stated that in view of the fact that after this bill had been reported by the Committee on Banking and Currency the Secretary of the Treasury, Mr. Dillon, had advised one of the committees of the House that the purposes of this legislation could be accomplished through the appropriations process, it had been decided to recommend the procedure which the gentleman from Texas [Mr. Patman] had described.

During consideration of the House resolution providing for a rule on H.R. 3872 the transcript of Mr. Dillon's testimony was included. This shows that our colleague, the gentleman from Virginia [Mr. Gary], asked this question:

> Why could not the increase be in the form of a direct appropriation?

To which Secretary Dillon replied that it could.

To make a long story short, Mr. Speaker, on a voice vote, H.R. 3872 with the amendment to provide for financing by an appropriation, passed the House. However, the other body saw fit to replace this direct financing with a back-door provision as contained in the original House bill.

Consequently, I objected when the chairman, the gentleman from Texas [Mr. Patman], asked unanimous consent to send H.R. 3872 to conference with the Senate. This was to assure the House an opportunity at the proper time to consider a motion to instruct the House conferees. Otherwise the House could have been placed in the position of voting the bill up or down without a separate vote on the method of financing.

In due course a rule was granted to send the bill to conference and immediately following its adoption by the House, the gentleman from Virginia [Mr. Gary] moved to instruct the conferees to adhere to the House position against back-door financing. During consideration of this motion, the gentleman from Virginia [Mr. Gary] clearly set forth that as far as he knew not a single Member of the House had any objection to the increase in the Bank's capital. As he said, it was only a question of how this was done.

When the question was taken, on a division, the vote to instruct the conferees to adhere to the House position was ayes 110, noes 0.

The House-Senate conferees subsequently failed to reach an agreement and accordingly the issue was brought up in the House again on July 30, 1963, when the gentleman from Texas [Mr. Patman] offered a resolution that the House insist on its disagreement to the amendment of the Senate and ask for a further conference. On this motion by record vote there were yeas 379, nays 11, and 1 present.

Since then the conferees, as shown by the Congressional Record, have met on a number of occasions without reaching an agreement.

In this regard I want to express my gratification that the House conferees have not yielded and have consistently stood by the position of the House.

Meanwhile, Export-Import Bank officials have been contacting personnel of corporations who have had occasion to use the loan facilities of the Bank to finance their sales abroad and have enlisted the aid of interested customers and bankers in trying to support pressure Members of the House to support back-door spending. In this connection, Export-Import officials as far as I can tell, have failed to tell such users that adequate funds are available to continue the Bank operations for a year without the additional capital provided in H.R. 3872. The impression has been given that the existence of the Bank is threatened and the facts are withheld that a simple resolution to extend the charter of the Export-Import Bank would suffice. And I may add that this lobbying by the Bank's officers is not winning them friends, even if it gains them a few votes.

A new development occurred yesterday, Mr. Speaker. In the other body a very distinguished Member of the Senate discussed the impasse among the House-Senate conferees, and his remarks are worth reading. He strongly supported the House position against back-door spending and in order to test the sentiment of the Senate on this vital issue introduced a Senate resolution to instruct the Senate conferees to yield to the House.

Mr. Speaker, I have no means of knowing what the sentiment of the Senate will prove to be when this resolution is considered, but if the Senate is adamant I suggest that the Congress extend the charter and next year the issue of increasing the Bank's capital can be considered separately without endangering the existence of the Bank. Some Members of the House are fighting this issue on principle and in a showdown vote some of us will vote in the negative even if it means the defeat of the other provisions of the bill.

Again, I commend the House conferees and urge all Members of the House to read the excellent statement of Senator Robertson which appears in the August 13, 1963, Congressional Record at pages 14810–14812.

STATESMANSHIP ON THE PART OF THE GENTLEMAN FROM NEW YORK, MR. POWELL

Mr. ROOSEVELT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, I was delighted as an individual that the House was not faced on this occasion with the necessity of voting on the so-called Powell amendment to H.R. 6143.

Mr. Speaker, I feel this reflected the highest order of statesmanship on the part of the gentleman from New York that this came to be. However, it does not in any way relieve us from the responsibility of facing this issue, and I trust that in the bill that comes from the Committee on the Judiciary we may therefore have a full, comprehensive, and thoroughly strong measure upon which to vote.

Mr. Speaker, on July 31, I appeared before the House Committee on the Judiciary to testify as a cosponsor in support of the proposed Civil Rights Act of 1963, H.R. 7152, which is both urgently needed and morally justified. The American dream, the vision that our forefathers had in mind when they drafted and signed the Declaration of Independence and the Constitution of the United States, can and will not be fulfilled until all of the rights and privileges due all of our citizens can be equally enjoyed. The moral, social, and economic fabric of our Nation can no longer afford the discriminatory polices that still prevail within our Nation. The time for Congress to act affirmatively is now.

Certainly my support for the Civil Rights Act should be of no surprise to my fellow colleagues. My main effort, however, is not just to express my broad support for the Civil Rights Act, but to urge that the Congress consider and support my proposal to include in the omnibus bill by committee amendment the substance of H.R. 405, a bill to prohibit discrimination in employment because of race, religion, color, national origin, or ancestry. Now pending before the Rules Committee, the provisions of the Equal Employment Opportunity Act were thoroughly reviewed and discussed during the extensive hearings and executive sessions of the General Subcommittee on Labor and the full Committee on Education and Labor, and received substantial bipartisan support. The report on the bill, House Report No. 570, includes the supporting views of several Republican Representatives. A part of their statement reads as follows:

> This is a bipartisan bill, with substantial bipartisan support. Many Republican amendments were adopted in subcommittee and full committee, significantly improving the legislation. Although some important suggestions were rejected by the Democrats, we feel that the bill in its present form would be fair and effective. * * * We urge its passage without delay and with minimal partisan rancor.

It may well seem strange that the committee and author of a bill as important as the Equal Employment Opportunity Act would make a request that another committee include their product as part of an overall package. In this instance, we believe better legislation will result, more conserving of time for the full House membership, and far more effective as a method for presenting all major elements of civil rights legislation simultaneously. I, therefore, submit for consideration the following presentation which I made before the House Committee on the Judiciary last week:

> On June 19, the President delivered an address to the Congress encompassing the administration's civil rights proposals for 1963. In part III of that message the President turned to the problem of fair and full employment. The President described how unemployment falls with special cruelty on minority groups and how it tends to create an atmosphere of frustration, resentment, and unrest which does not bode well for the future. He further related the direct relationship of this problem to delinquency, vandalism, gang warfare, disease, slums, and the high cost of public welfare and crime. Also cited were last month's labor difficulties in Philadelphia which the President perceptively indicated could be only the beginning if more jobs were not found in the larger Northern cities in particular. Further events have proven the President's forecast to be accurate as a cursory examination of daily news reports will demonstrate. One more persuasive point which the President made with respect to the importance of fair employment was its major role in determining whether the other civil rights measures which he was recommending would be meaningful. There is little practical value in securing the right to frequent public accommodations for the individual who has no cash in his pocket and no job.
>
> Having described the problem of unemployment and its impact upon minority groups, the President stated emphatically, "Finally racial discrimination in employment must be eliminated." Nine position statements follow this explicit declaration. It is to two of these that I wish to turn the committee's attention.
>
> Paragraph (A) requests a permanent statutory basis for the Committee on Equal Employment Opportunity, under the chairmanship of the Vice President. Paragraph (I) reiterates the President's support of Federal fair employment practices legislation, applicable to both employers and unions. "Federal legislation is desirable," the President stated, "for it would help set a standard for all the Nation and close existing gaps." The first point relating to the President's Committee is encompassed in title VII of H.R. 7152, the proposed Civil Rights Act of 1963. The second point is covered by a bill which I introduced, H.R. 405, to prohibit discrimination in employment because of race, religion, color, national origin, or ancestry. This bill has been reported from the Committee on Education and Labor with substantial bipartisan support. Five of the twelve Republican members of the committee urge passage of H.R. 405 without delay, describing it as a fair and effective bill. Two additional Republican members support this legislation in principle, but advocate a modified enforcement procedure. H.R. 405 is now before the Committee on Rules, where, to be frank, I am not optimistic over further progress along the route to the floor.
>
> Upon reflection, I now strongly urge that this committee give favorable consideration to the proposal that the substance of H.R. 405 be included in the omnibus civil rights bill by committee amendment. Fair employment practices are an inextricable part of civil rights. The goal of full civil rights for all of our people will be only partially attained should we obtain universally uniform voting rights, free and equally accessible education, and integration of all public facilities—only to discover that qualified persons are being restricted in opportunities for employment due to irrational and obstinate policies of discrimination. This is a most fundamental problem. If not solved, it will result in economically perpetuated segregation even should all other vestiges of prejudicial discrimination disappear. Educated, trained, and skilled members of minorities are rejected from their rightful place in the labor force, and are justifiably bitter and understandably frustrated. Unskilled members of these same groups are placed below similarly untrained white workers, and suffer first and most extensively from unemployment. Passage of legislation to prohibit such discrimination is a necessary and vital part of a realistic civil rights program.
>
> I have sought to establish the integral relationship of H.R. 405 to other civil rights legislation. I have pointed to the fact that the subject matter of discrimination in employment is presently contained in title VII of H.R. 7152. I now wish to point to an area of overlapping between H.R. 7152 and H.R. 405 with respect to employment discrimination. Title VII of H.R. 7152 would apply to certain discrimination in employment by employers who are Government contractors or subcontractors or who participate in activities receiving Federal financial assistance. H.R. 405 would also apply to such employers if they have over 25 employees and engaged in interstate commerce. Thus both Commissions would have jurisdiction over many of the same employers, though with different remedial procedures. Further, H.R. 405, section 15, prescribes a policy for employment practices of Government agencies, an area also covered by title VII of H.R. 7152. Moreover, to add to the possible confusion, the agency created by Mr. CELLER's bill would be called the Commission on Equal Employment Opportunity, whereas the agency created by my bill would be known as the Equal Employment Opportunity Commission.
>
> Your committee could easily make the two bills both effective and compatible, eliminate confusion, and avoid unwarranted duplication and cost, and report out a truly meaningful and effective bill, by incorporating into the omnibus civil rights bill the provisions of H.R. 405. I propose an amendment, accompanied by an offer of assistance and cooperation by the staff of the Committee on Education and Labor who could work with your committee staff on this proposal and present our committee's position with regard to the enforcement provisions of H.R. 405, as developed through the bipartisan efforts of our Members. I also believe that I can assure you the support and cooperation of the members of the Committee on Education and Labor in this effort.
>
> Due to the length of the amendment I shall not read it, but, rather, submit it for the hearing record and consideration by this committee. I shall also submit a copy of House Report No. 570 from the Committee on Education and Labor. This report details the background of H.R. 405 and provides an analysis of its provisions.
>
> Very briefly, H.R. 405 establishes an Equal Employment Opportunity Commission with defined authority to prevent discrimination in employment by certain employers, labor organizations, and employment agencies. The bill prescribes both informal and formal remedial procedures with emphasis upon education and informal methods of conference, conciliation, and persuasion. The Commission may ultimately issue cease and desist orders following a hearing in conformity with the provisions of the Administrative Procedure Act. Such orders are without force or effect unless enforced by a court of law following judicial review. Specific directives require the cooperation of the Commission with State agencies and require that the Commission withdraw from activities in a State which has effective power to eliminate such discrimination and is effectively exercising such power.
>
> The amendment which I am today proposing to H.R. 7152 would authorize the President to establish an Equal Federal Employment Opportunity Agency with such power as the President may confer upon it to prevent discrimination in Government employment. Nothing in this amendment, however, is intended to infringe upon or affect in any manner the Government's inherent right to regulate or control the granting, terms, or supervision of public contracts.
>
> The integral relationship of the subject matter of H.R. 7152 and H.R. 405 supports my contention that they should be considered together as one bill. The overlapping, duplication, waste, cost, and inefficiency which would emanate if both bills became law betokens their simultaneous consideration by this committee to eliminate such consequences. The opportunity and benefits to be gained through focusing attention upon civil rights legislation at one time rather than in a fragmented fashion points to a joining of the two bills. The bipartisan support that H.R. 405 has received should substantially aid in the passage of H.R. 7152 which, also, indicates the advisability of combining the two bills into a single package. For these reasons, I earnestly suggest that such action be taken.
>
> As my final word before you today, I would like to state as sincerely and forcefully as I am able my firm conviction that equal employment opportunity legislation cannot be conscientiously rejected at this time. Whether the wisest tactical approach is by amendment to the bill before you, at

this stage of the legislative process or at a later stage, I leave to your judgment. However, I do strongly urge that, should you reject the tactic of amendment, you use your offices to attempt to bring these issues to the floor at about the same time. I would offer 100 percent cooperation in such an effort. I believe this would contribute enormously to the prospect of passage of both proposals. Further, it should be known that support of one bill or the other will not be recognized as a satisfactory contribution to a solution of the civil rights problem. Half of a remedy is insufficient. Both proposals must be supported and passed to progress toward an acceptable resolution of the problems we, as a Nation, face.

Mr. Speaker, I sincerely hope that all of the Members who believe in the fundamental principles of equal employment opportunities will indicate to the members of the Judiciary Committee their approval of my efforts. I will be most willing, and indeed, delighted to answer any questions that may arise as to the technicalities and/or propriety of the proposed amendment.

CONSIDERATION OF H.R. 7885

Mr. O'NEILL, from the Committtee on Rules, submitted the following privileged resolution (H. Res. 493, Rept. No. 686), which was referred to the House calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 7885) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes, and all points of order against said bill are hereby waived. After general debate, which shall be confined to the bill and continue not to exceed five hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

HOW MUCH MORE FOREIGN AID CAN WE AFFORD?

Mr. FOREMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FOREMAN. Mr. Speaker, I have, today, received reliable information indicating that part of the equipment being idled by the closing of the 17 long-range radar stations and 6 Sage centers across the United States, some of them in west Texas, is being shipped to India as part of our foreign aid program to that country.

If this information is correct, and I believe it is, this is a deplorable and almost unbelievable situation, indeed, when our Government is willing to close down our own military centers and ship our equipment to any country, much less a Socialist country such as India that has continually played footsie with the Communists.

Apparently, it was not enough for us to try to outdo Russia in aid to India by building them a steel mill with U.S. taxpayer dollars, we now must give India our radar equipment to try to compete with Russian military gifts.

U.S. State Department officials have told India that any intermixture of United States and Soviet arms aid would create both military and foreign policy problems between the two Governments. U.S. officials say they do not want to have U.S. radar equipment intermixed with Soviet radar equipment, or to have the two aid programs intermixed. Officials noted that the U.S. military equipment and Soviet equipment are not built to the same standards.

One solution to such a problem might be for us to immediately stop shipment of all U.S. equipment to India and then it would be more difficult for it to be intermixed with the Soviet equipment.

There is a real possibility that India will receive both ground-to-air missiles and radar equipment from the Soviet Union. The Indian shopping list was also said to contain some ground-to-ground missiles, transport planes and other items, including training facilities for Indian personnel.

This kind of giveaway program coupled with the announcement yesterday that Secretary of Agriculture, Orville Freeman, on his around-the-world junket, committed us for $50 million in U.S. taxpayer aid to Tito's Yugoslavia is typical of the fuzzythinking New Frontier diplomats and programs that the U.S. taxpayers are about to get a gutfull of.

EAST EUROPEAN MINORITIES BEGINNING TO STIR

Mr. WHALLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, in conjunction with our annual Captive Nations Week observances and the special interest evidenced in the creation of a special House Committee on the Captive Nations, I have repeatedly pointed to the nationalistic spirit which exists behind the Iron and Bamboo Curtains. This nationalistic spirit has constituted the fundamental weakness of the Communist structure.

I wish to include in the RECORD at this point, as part of my remarks, an article which appeared in the August 11 edition of the Washington Post, reporting on the increasing signs of complications the Communist governments face from the nationalistic groups of Eastern Europe:

EAST EUROPEAN MINORITIES ARE BEGINNING TO STIR

(By Edward Crankshaw)

LONDON, August 10.—The national minorities within the Soviet Union's eastern satellites are beginning to stir.

For nearly two decades—first under Hitler, then under Stalin—the hopelessly intermingled peoples of Central and Eastern Europe had no thought but for their own physical survival. Now, they are thinking again in terms not only of their individual destinies but also of long-standing internal problems, largely involving minorities within their borders.

The Czechoslovak situation is very much a case in point. Here the struggle of the would-be liberalizers among the Czechoslovak Communists is stimulated by the open revival of Slovak national consciousness in defiance of the dominant Czechs.

It is an affair of extreme complexity. The conflict between the two groups no longer is a simple matter of agrarian Slovakia, Catholic and reactionary, dourly resisting the pretentions of the radical, industrialized Czechs.

Today the Slovak intelligentsia is appealing, not in vain, to all those Czechs who are struggling against the dead hand of Stalinism. And the struggle is being waged within the Communist Party itself. The official Slovak party newspaper, Bratislava Pravda, is echoed in its bold championing of the new liberalizing line by Czech individuals in Prague.

BACKWARD HALF SETS PACE

The backward half of the realm, in a word, is setting the pace for the progressive half.

This is not to suggest that old-fashioned nationalism is likely soon to become a major force in Eastern Europe. But it is certainly a complicating force—and there is no doubt at all that ancient national ambitions, rivalries, and resentments, for long held down by the iron hand of two tyrannies, are far from dead.

In Yugoslavia, the Hungarian minority is permitted a strong cultural life of its own and a good deal of local autonomy. But in Rumania, the Hungarians of Transylvania are being subjected to heavy denationalizing pressures—just as, half a century ago, when Transylvania belonged to Hungary, its Rumanian minority was oppressed by Budapest.

Hitherto the main stabilizing feature of Eastern Europe (apart from Russian power) has been Tito's remarkable success in making a going concern of the Yugoslav federation.

Whereas in Yugoslavia, between the wars, Serbs and Croats were at each others' throats, Tito has succeeded in making his various nationalities work together, not without much grumbling, in profitable harness, at the same time, he has protected the rights of the small minority peoples.

BIG QUESTION MARK

One of the big question marks is whether any successor to Tito can hope to hold the country together. If, when he dies, it begins to fall apart, if the ancient antagonisms begin to reassert themselves, if the Slovenes and the Croats get tired of paying for the great development projects designed to raise the standard of living in the backward areas of Macedonia and Montenegro, then almost anything may happen.

Certainly Yugoslavia's neighbors, above all Bulgaria (to say nothing of an Albania supported by the Chinese) will show a renewed interest in their own nationalistic ambitions at the expense of Belgrade.

These ambitions do not lie far beneath the surface. There is little love lost between Czechs and Poles, none at all between Poles and East Germans.

Ten years ago, to understand what was going on in the satellites, one had to know what was going on in Russia. Today, to understand what is going on in Russia, one has to know what is happening in Eastern Europe. It is time to get out the old maps.

Mr. Speaker, this nationalism, partially described in this article, for years represented the true reason the Soviet Union has been handicapped in its economic and military expansionist policies, since it is faced with the continual problem of attempting to suppress the nationalistic groups within its empire.

It is necessary for us to continually point to the Soviet Union as a vast colonial empire with legitimate nationality groups, histories, cultures, and traditions and aspirations of their own, suffering the economic, political and military regimentation of Soviet colonialism .

At this period when our State Department officials are increasingly addicted to coexistence with communism, it would be practical for us to ponder on the true facts of life behind the Iron Curtain.

NASA ELECTRONICS RESEARCH CENTER

Mr. WHALLEY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. WYDLER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WYDLER. Mr. Speaker, the NASA authorization bill, H.R. 7500, has recently been passed by the Senate. Every single word of the bill passed by the House of Representatives was struck out. This included the language of the bill regarding an electronics research center.

The Senate received certain testimony in the course of its hearings in which statements were made justifying the site selection for the Electronics Research Center on the basis of degrees conferred in the area. Great importance was given this by the witnesses from NASA.

Today I have received a report of Robert C. Sellers & Associates, management consultants, challenging the facts presented by NASA.

The grave charges made call for clear and forthright answers. The report follows:

A REPORT COVERING EVALUATION OF AREAS CONSIDERED FOR PROPOSED NASA ELECTRONICS RESEARCH CENTER

This report challenges the misrepresentations made by NASA officials to the Senate Aeronautical and Space Sciences Committee relative to reasons why they recommended Boston, Mass., as the site of the proposed NASA Electronics Center.

NASA recommended the location of such a center in the Boston area primarily because of the presence of outstanding university and industry electronic research capabilities there. Following a request from the committee, NASA prepared an evaluation breakdown showing nine locations considered among which was the New York area.

This report represents a rebuttal to NASA's citations, and questions the depth and integrity of their position in light of the fact that all of the statistics cited herein are from readily available published data.

As Lord Keynes is one of the present administration's philosophers, we hope that they accept this report in the light of one of his key observations: "There is no harm in being sometimes wrong, especially if one is promptly found out."

Engineering degrees, 1961

Institution	B.S.	M.S.	Ph.D.	Total
MASSACHUSETTS				
Harvard	28	67	19	114
Lowell Technological Institute	105	11		116
Massachusetts Institute of Technology	438	508	97	1,043
Northeastern University	386	120		506
Tufts University	130			130
University of Massachusetts	140	9		149
Worcester Polytechnic Institute	196	24		220
Total	1,423	739	116	2,278
NEW YORK				
Alfred University	58	10	1	69
City College (New York)	512	70		582
Clarkson College of Technology	176	10		186
Columbia University	90	186	31	307
Cooper Union	93			93
Cornell	274	86	22	382
Manhattan College	180			180
New York University	287	352	16	655
Polytechnic Institute of Brooklyn	377	134	14	525
Pratt Institute	46	3		49
Rensselaer Polytechnic Institute	444	197	13	654
Syracuse University	102	56	5	163
Union College and University	58	8		66
University of Rochester	39	15		54
Webb Institute of Naval Architecture	10	4		14
Total	2,746	1,131	102	3,979

Source: Journal of Engineering Education, February 1962.

Enrollment for advanced degrees

	Chemistry	Physics	Mathematics
BOSTON METROPOLITAN AREA			
MIT	192	105	95
Harvard	102	131	116
Tufts	13	14	
Northeastern	130	154	105
Boston College	28	16	130
Boston University	29	37	36
Brandeis	19	40	21
Total	513	597	403
NEW YORK METROPOLITAN AREA			
Stevens	109	113	55
Adelphi	50	130	331
Brooklyn College	97		52
City College (New York)	20	12	55
Columbia	111	218	162
Fordham	60	33	21
Hofstra		66	
Hunter	20		49
Manhattan			15
New York University	199	303	639
Polytechnic Institute of Brooklyn	349	120	48
Queens	1		24
St. John's	47	24	45
Yeshiva			183
Total	1,063	1,059	1,609

Advanced degrees, engineering, 1961–62 school year

	Masters	Doctorates
BOSTON METROPOLITAN AREA		
MIT	462	111
Harvard	53	17
Northeastern	153	
Total	668	128
NEW YORK METROPOLITAN AREA		
City College (New York)	80	
Columbia	157	29
New York University	351	11
Polytechnic Institute	144	27
Pratt	8	
Stevens	153	
Newark	147	3
Total	1,040	70

COMMENTARY

In NASA's statements: "Boston, while in general, balance is maintained between undergraduate and graduate curriculums, heavy emphasis is placed on graduate research. As a result, this area produces the greatest number of graduate degrees in engineering and physics, including the engineering doctorate level."

Later, covering the same point with respect to New York, they deliberately misrepresented the facts in stating: "Universities in the area have in the past concentrated the greatest percentage of their curriculums on undergraduate education in these fields, but the number of graduate degrees awarded each year is high and increased emphasis is being placed on graduate curriculum."

How, in light of the statistics cited, Boston came out first is hard to understand unless there was deliberate intent to disregard these same statistics by factors generally classified under the term "politically motivated."

It is long recognized that in any highly scientific or technical program, the national interest (not regional) is best protected by placing major technical programs in areas where the combined academic and industrial climate is readily available one to the other. This same alliance of industry and education (or more properly, industry and research) has generated an emergency of new thinking that prompts site-seeking industries or Government agencies to locate near institutions with appropriate research and development facilities.

While industry and Government agencies are moving increasingly toward this alliance, more educational institutions are thinking of expanding their facilities into science centers. Civil leaders and industrial planners, as well as educators, are joining forces to expand institutes that can be of service to industry and governmental entities, and which can bring new industry within the proximity of the institution.

Over the years since 1945, the Federal Government's sponsorship of research in colleges and universities has been in the main beneficial and much good research has resulted. There is, however, much to be asked and questioned as to when and where the research efforts of the university begin and end and where that belonging properly in the industrial sphere begins and ends.

We have all become too prone to waving names about such and such an institution and expecting public recognition that here is the beginning and the end of all real technical brainpower in America. Certainly, in the Boston area MIT has made a major contribution to technology in America and no one denies it. Yet, in the New York area in separate institutions an equal contribution exists. The joint efforts of the Federal

Government and the universities to increase our national competence in science and technology, while keeping the universities intellectually vigorous and administratively independent, are deserving of the earnest attention of all of us.

Many will also argue that much of MIT's Project Lincoln organization (in itself a major industrial center) could and perhaps should come about via contracting to a taxpaying corporation. Actually, underlying it was the premise that technology was too new and that no industrial firm was competent to handle the program at the time. Yet, in retrospect, we are sure that had this program been broken out to industry on the same open-end contract basis, this program would have progressed as it did in the hands of MIT.

There is an excessive lashup of Government research interests to MIT which deserves further congressional scrutiny. Is what we are doing in the best interests of the overall university complex available in the Nation? Is it wise to build major technical control around one institution?

NASA makes a major point in its exposition to the committee stating: "The area [Boston] is well known for its concentration on electronics research in terms of the university and the industrial research laboratories." Further, they state: "The Air Force maintains two technical facilities at Hanscom Air Force Base, Bedford: The electronics system division (system development and integration) and the Cambridge Research Laboratories."

This is an interesting point; has anyone questioned the existing workload (without further expansion) that the industrial complex has? Certainly, for example, there is no large single industrial organization in the Boston area whose workload is as low in relation to past performance and existent capability than the Sperry Gyroscope Division of Sperry Rand here on Long Island. In our opinion, based upon past comparisons, this organization has about 50 percent of the sales they are capable of handling without expansion. Also local is the Arma Division of the American Bosch Arma Corp. and the Electronics Division of Republic Aviation Corp., all of whose current and pending workloads are suffering.

All outside factors—available site space, availability of power, housing, etc., show that Long Island offers more than can be found in the Boston area. In addition, as a result of population mass in the metropolitan area, the essential welfare demands more research effort in this area to allow fallout in scientific and technical areas that can assist in the massive relocation and economic disruptive effects that industry changeovers foretell for any major metropolitan center.

CONCLUSIONS

1. NASA's statistics on graduate educational capability in the Boston area do not stand up as against that of New York.

2. NASA's inference that the industrial complex in the Boston area offers potential benefits does not stand up in light of the current backlogs in that area without expansion of existing organizations, as against New York's Long Island area.

3. In reviewing NASA's statements, the Senate and House committees should also ask: After seeing overexpansion's disruptive effects in other areas of the Nation, is it good planning to create a new situation when other areas can support their needs with minimal expansion?

FEDERAL POWER COMMISSION JURISDICTION OVER COOPERATIVES

Mr. WHALLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. LANGEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. LANGEN. Mr. Speaker, I am today introducing a bill to amend the Federal Power Act to prohibit the Federal Power Commission from extending its activities into the field of rural electric cooperatives.

It is unfortunate that this legislation has to be introduced, but it is necessary because of the belligerent and self-serving attitudes exhibited by some members of the Federal Power Commission.

On July 22, 1963, the FPC issued an order against Dairyland Power Cooperative, Minnkota Power Cooperative, and South Central Rural Electric Cooperative to show cause why they should not comply with the Commission's regulations on rate schedule filing, accounting, and reporting. The legislative history of public power in this country makes it clearly evident that these cooperatives do not come under the Federal Power Act, and all that the Commission's order does is to force these three cooperatives to assume the costly burden of proving the point through lengthy hearings and litigation.

Rural electric cooperatives never have been under the control of the Federal Power Commission. They have always been under the control of the Rural Electric Administrator, and this system has worked admirably through the years.

Let us look at the history of the Federal Power Act and enactment of the rural electrification program. The Federal Power Act was passed in 1935, giving the FPC jurisdiction over privately financed electric companies. Congress established the rural electric cooperative movement the very next year, in 1936, and created an Administrator to oversee its activities. If Congress, in setting up the rural electrification program, had intended the new program to be covered by the act of 1935, it could have said so in 1936 by amending the previous act or by specific provisions in the REA Act. The Congress did neither of these things.

Commissioner Morgan, in his dissenting views on the FPC order, said:

> I believe Congress assumed that to carry out the objectives of rural electrification, cooperatives located almost exactly on the border between two States (such as Minnkota Cooperative and Dairyland Cooperative named in the order) would engage in interstate commerce in the course of electrifying or supplying the immediately contiguous rural area in the adjoining State. And naturally, Congress assumed that in purchasing its power supply from a private company, a cooperative (such as the South Central Cooperative named in the order) might buy from a private profit company subject to regulation under part II of the Federal Power Act. But there is no evidence that Congress intended that nonprofit rural electric cooperatives which found themselves in such positions were to be subject to regulation under part II of the Federal Power Act.

Mr. Speaker, it is interesting to note that the limitations of staff and other resources already prevent the FPC from solving problems in areas where it now has jurisdiction. I cannot understand why they want to expand their sphere of influence except for self-gratification. It is up to the Congress to stop this type of usurpation and bureaucratic expansion.

I am also disturbed over the way the FPC went about this. The Commission did not come to the Congress, did not conduct a thorough study of the matter. Instead, it issued a show-cause order that puts the burden on the cooperatives, which are already operating in the public interest.

Rural electric cooperatives have provided low-cost power to the sparsely settled areas of this country, and have done a tremendous job. It is unfortunate that they now must be harrassed by an agency that seeks to expand its jurisdiction at the cooperatives' expense.

Past attempts to extend FPC jurisdiction over cooperatives have failed in the Congress. This bill expressly forbids FPC to extend its activity to the co-ops and I urge your support of it. The FPC has enough work to do in connection with the regulation of the large utilities and I respectfully suggest the Commission get busy at it.

NORTHEAST AIRLINES—CONTINUING OUTRAGE

Mr. WHALLEY. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, continuing concern in New England over the plight of Northeast Airlines as a result of the outrageous CAB decision depriving it of its flights to Philadelphia, Washington, and Florida is reflected in two fine editorials published by newspapers in my district. The editorials are temperate but, if read carefully, devastating in their indictment of the illogical and incredible CAB ruling which threatens to ruin Northeast and deprive New England of desperately needed air service. It is significant that the two editorials are from papers published in cities served by Northeast.

Mr. Speaker, the concern of these satisfied customers is proof that Northeast has given good service on its unprofitable short runs just as their good service has made them so successful a competitor on the south-of-New York flights. Both of the editorials which follow compare Northeast's service to that proposed by the airlines who have offered to take over the New England routes. One is from the Lebanon (N.H.) Valley News, the other from the Keene Evening Sentinel.

I commend to the attention of my colleagues the fine editorials which follow:

[From the Lebanon (N.H.) Valley News, Aug. 12, 1963]

THE NORTHEAST RULING

Late in July the Civil Aeronautics Board decided—by a 3 to 2 majority—to deny

Northeast Airlines its permit to operate its profitable Florida run, and to return it to its former status of a federally subsidized regional carrier.

The decision apparently was based on two primary factors: Northeast's so-called shaky financial situation, and the belief that in the public interest only two carriers, National and Eastern Airlines, were needed to handle the Florida traffic.

The decision is not in the best interest of New England. It's a step backward, not forward; and knowledgeable people in the northern tier of States regard it with dismay.

Northeast may be a New England institution, yet operating its regional service alone, it was not and won't be self-supporting. But with the dollars made on its lucrative Florida run, where during the first quarter of this year it reportedly handled 63 percent of all business done by the three airlines, it was getting by without Federal aid. Only days before the CAB ruling was announced, Northeast had taken a giant step toward easing its financial strain when the Hughes Tool Co., in effect, lifted $26 million of debt from the line's books while adding to its stock ownership.

Further, none of the other lines which might possibly replace Northeast in New England has offered anything approaching the frequency and quality of Northeast service.

The CAB's ruling is not logical. It would take away from the line doing the most business its only profitable operation. Then it would offer a subsidy to the same line to continue its regional, unprofitable, operation.

Such paternalism is eating the heart out of our free enterprise system.

The CAB's ruling should be reversed.

[From the Keene (N.H.) Evening Sentinel, July 31, 1963]

BACK NORTHEAST

Passengers who have flown to and from New York on Northeast Airlines jet-prop Viscounts appreciate their speed and comfort. Regular travelers on the line also appreciate the vastly improved schedule inaugurated earlier this summer.

As a result of these moves, Keene is getting the best air service it has ever had, for along with Northeast's improvements we are also getting good schedules and comfortable equipment from Mohawk Airlines.

In short, until last Saturday, our air transportation picture looked brighter than it had in a long time. Then came news of a decision by a majority of the Civil Aeronautics Board to deny Northeast its permit to operate between New York and Florida and to return it to its former status of a subsidized regional carrier.

The 3-to-2 verdict was all the more shocking because, only days before it was announced, Northeast had taken a major step toward easing its acute financial difficulties. The Hughes Tool Co., in effect, lifted $26 million of debt from the line's books while adding to its stockownership.

It was widely believed that this would put Northeast in a much stronger position to retain the Florida run and to meet its commitments to the New England communities it serves. Its competitors, in trying to knock Northeast out of the Florida business, had repeatedly cited its shaky financial situation.

The initial reaction of knowledgeable New Englanders to the CAB decision was one of dismay. For despite their differences with the line in the past, almost all believe Northeast offers the best hope of adequate air service in the region, and they wanted the line to hold its Florida run.

To appreciate how good Northeast's present Keene service is, one need only compare it to that which one of its competitors has proposed, if it should replace Northeast in New England.

Compared to Northeast's present three round trips to and from New York every day, National Airlines has proposed one. And the National schedule calls for a very early morning departure from New York to Keene, followed by a return morning flight to New York.

Such a schedule would make it impossible for a person to make a round trip to or from New York on the same day; moreover, many of the proposed flights in and out of Keene would have to be canceled because of the early morning ground fog which plagues our airport.

Finally, National's proposal calls for a stop at Hartford on each flight while two out of Northeast's present three flights are nonstop.

This newspaper has often been critical of Northeast. But the line is giving us excellent service now, and it deserves local support and patronage so long as it continues to do so.

Under these circumstances, we share the view of many others in New England that the CAB decision should be reversed. We hope New Hampshire officials and organizations will lend whatever assistance they can to the line's efforts to achieve that result.

"I WILL BE HAPPY TO DENY PICKING LULU," PIERRE SALINGER WRITES, "IF SOMEBODY WILL ONLY ASK ME"

Mr. WHALLEY. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. WIDNALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WIDNALL. Mr. Speaker, I have always known that the lot of the Presidential Press Secretary is a hard one, but I had no idea until today how lonely it can be.

For the past week, the Nation's press has been telling the public of Pierre Salinger's alleged role in discovering an obscure "pops" singer, LuLu Porter, in Beverly Hills last May, and her subsequent selection by the State Department to participate in an international song festival in Poland.

I called this to the attention of the House on August 8, and questioned the propriety of avoiding the selection method established by Congress in the Mutual Educational and Cultural Exchange Act of 1961.

In the mail today I received a letter from the Presidential Press Secretary, Mr. Salinger, informing me that he had nothing to do with the assignment of LuLu Porter to the third Polish International Festival of Songs and, in fact, had never discussed it with either the State Department or the U.S. Information Agency.

In fact, the Presidential Press Secretary wrote me:

> It is of some interest to me that with all the stories written on the LuLu Porter matter not one single reporter has yet to ask me what my role was, if any.

I am appalled. The Presidential Press Secretary's position is to communicate with the press, and the top-drawer press, radio, television, and motion picture news people are constantly in touch with him. Yet he has not been asked by one single reporter yet as to what his real part was in selecting LuLu Porter.

I commented on these press stories myself, and I feel that it is incumbent on me to do what I can to straighten this matter out. As I pointed out in my statement on this subject on August 8, the matter was first brought to my attention by the Washington, D.C., Post of August 8 which reported that LuLu Porter "was suggested for the assignment by Presidential Press Secretary Pierre Salinger, who saw her act in a coast nightclub earlier this year."

In the Washington Post on Friday, August 9, a 3-column story was headlined: "Pierre Found Poland a LuLu." Other stories have appeared in Time, Newsweek, and many other publications, including the New York Times.

Mr. Salinger's letter follows:

THE WHITE HOUSE,
Washington, August 12, 1963.

The Honorable WILLIAM B. WIDNALL,
Member of Congress,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN WIDNALL: I read with some interest the report by the Associated Press of a statement you are alleged to have made concerning the assignment of Miss Lulu Porter as the American representative to the Polish International Song Festival.

It is of some interest to me that with all the stories written on the LuLu Porter matter not one single reporter has yet to ask me what my role was, if any.

You may be interested in the facts: I did hear Miss Porter sing in Beverly Hills in April of this year. The next I heard that she had been assigned to go to Poland was when I read a story about it in the New York Times last week. I had nothing to do with her assignment and I did not discuss it with either the State Department or the USIA.

Sincerely yours,

PIERRE SALINGER,
Press Secretary to the President.

I can assure Mr. Salinger that I am deeply interested in the facts in this case, and, since I am sure the press is also, I feel especially privileged to help the Presidential Press Secretary in this matter at this time, since he apparently is reluctant to inform the press directly himself.

The first question which occurred to me when I received Mr. Salinger's letter was why he had not complained when all those expansive stories came out about his central role in securing LuLu Porter's appointment. Also, I wondered why he took this roundabout way of getting this matter straightened out. So far as I have been able to determine, Mr. Salinger's letter is the first statement he has made on the subject. This is not at all like him, and in view of his normally outstanding ability to make himself heard on other matters in which he is deeply involved, his reluctance to talk to the press in this case is somewhat puzzling, to say the least, even if the reporters do not talk to him first.

One possible explanation which has occurred to me is that since every good artist gets stage fright at one time or another, it may be that Mr. Salinger, who is reputed to be an excellent pianist, became frightened of the press in this matter, and is only now, in his letter to me, getting over his fright.

There is one thing more in connection with this whole subject which I feel should be straightened out at this time, and it is this. When I spoke on this matter for the first time on August 8 I said in part:

> Some of our American artists have had a great deal of difficulty trying to go abroad under the broad authority of the Mutual Educational and Cultural Exchange Act of 1961.
>
> For a number of years, under President Eisenhower, this Nation's exchange program in the arts was managed by the American National Theater and Academy, and this fine organization made an outstanding contribution to our foreign policy by its management of this cultural exchange program for the State Department.
>
> The Mutual Educational and Cultural Exchange Act of 1961 continued the Advisory Committee on the Arts created under section 10 of the International Cultural Exchange and Trade Fair Participation Act of 1956, the members of which are appointed by the Secretary of State.
>
> If the choice of artists has now been moved from the American National Theater and Academy and the State Department to the White House, and the personnel in these programs is to be selected, not by an impartial advisory committee on the arts made up of distinguished cultural leaders widely recognized for their ability in the arts, but by important administration officials who have no real expertise in the arts at all, then this program has fallen on very evil days indeed.
>
> I think the Mutual Educational and Cultural Exchange Act of 1961 has, as its great purpose the development of friendly relations with other peoples.
>
> This is only to say that when selections are made by a high official of the White House rather than by the Advisory Committee on the Arts established by law, then questions are bound to be asked, for the important cultural exchange programs established and expanded by the Mutual Educational and Cultural Exchange Act of 1961 may be greatly harmed if the procedures authorized by Congress in law are ignored. This law is not the private domain of any high official, and this great act of the Congress will be irreparably harmed if it is ignored in our Nation's cultural exchanges with other nations, and, especially, if it is ignored by the White House.

I want to assure my colleagues on both sides of the aisle that I have not and do not intend to retreat one inch from my statement of August 8, and the reason may be found in an article in Newsweek magazine of August 19, 1963, page 54, which reports that when LuLu Porter heard she had been selected as the official U.S. representative at the third annual International Song Festival in Poland she asked:

> We have so many good singers now. Why pick me over Fitzgerald or Horne?

The answer, or part of the answer, according to Newsweek magazine, is as follows:

> Part of the answer is that the State Department couldn't get a name singer, though it tried unsuccessfully to enlist Joan Baez, Polly Bergen, Anna Maria Alberghetti, and Sandra Church. But the real Prince Charming in LuLu's story may have been portly Pierre Salinger, President Kennedy's press secretary, who heard her hard-selling singing at Ye Little Club in Los Angeles last May. In his party was Pat Newcombe, Marilyn Monroe's last press agent. Salinger particularly like the way LuLu belted out "Swanee" and "Come Rain or Come Shine," and told her so. A few weeks later, when the State Department was casting about for a singer to go to Poland, Pat Newcombe—by then a department employee with the USIA—suggested LuLu Porter, and the deal was made.

If Newsweek magazine is to be believed, and its connections in the Nation's Capital are many and its reports usually accurate, then it turns out that both Mr. Salinger and Mr. Newcombe had a hand in selecting LuLu Porter for the Polish festival.

In any event, I have been assured by State Department officials in charge of implementing the Mutual Educational and Cultural Exchange Act of 1961 that they did not have anything to do with selecting LuLu Porter and that "we do not know anything about it."

FREEMAN'S OFFER TO KHRUSHCHEV

Mr. WHALLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Nelsen] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. NELSEN. Did Secretary of Agriculture Orville Freeman offer U.S. aid to Russia to improve its agriculture? The nationally syndicated column by Robert S. Allen and Paul Scott says that Freeman made such an offer to Khrushchev on his visit to Moscow. This would call for some explaining by the Secretary when he gets around to reporting on his visits beyond the Iron Curtain. I include in the Record the Allen-Scott column:

Freeman's Mission

(By Robert S. Allen and Paul Scott)

Washington.—On Agriculture Secretary Freeman's recent trip to Moscow, he discussed with Khrushchev the possibility of U.S. aid to improve the Soviet's long-bumbling agriculture.

Khrushchev replied as if he had expected to get such an offer of help. He stressed particularly that Russia now has the money to buy whatever the U.S. is willing to sell.

"We are going to divert money from arms to agriculture," the Kremlin ruler told Freeman. "We are going to increase the proportion of capital investment in agriculture. We have the money to buy from you. We need fertilizer plants; we need livestock feed mixing plants. You have the plants. If you want to sell them, we will buy them. We already have contacts with your businessmen and they want to sell. All that is needed is the approval of your Government."

Freeman promised to cable President Kennedy at once recommending that such trade negotiations be opened without delay.

In Freeman's mission to Moscow, he was carrying out one phase of administration disarmament policy as outlined in an arms control and disarmament agency study being circulated by the White House.

Prepared by the Institute of Defense Analyses, headed by Richard Bissel, onetime official of the Central Intelligence Agency who had a major hand in the ill-fated Bay of Pigs invasion, this backstage document propounds the following:

"The United States should be prepared to reduce its restrictions on trade with the Soviet Union.

"The possibility of U.S. assistance in the development of Soviet agriculture should be explored.

"The United States should accept the spread of western technology in the Soviet Union as being in the long-run interests of the United States.

"The United States should seek to expand interaction with the Soviet people in areas such as art, games, and tourism.

"The United States should also seek to draw the Soviet Union into greater participation in coordinated and multilateral arrangements for assistance to developing areas."

This highly significant policy paper, titled "Common Action for the Control of Conflict," is among the most widely read in top administrative circles. Both Freeman and Secretary of State Rusk carried copies with them on their trips to Moscow.

Since Bissell became connected with the Defense Analyses Institute, it has received some $8 million in Pentagon contracts. He draws a salary of $45,000 a year.

In Freeman's meeting with Khrushchev, he suggested that Russia join this country's food-for-peace program. Khrushchev replied, "Give me time to think that over."

PERSONAL EXPLANATION

Mr. WHALLEY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Robison] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. ROBISON. Mr. Speaker, during the week of July 28, last, and specifically on July 30 and 31, as well as August 1, my attendance was required, as the ranking minority member on the Select Subcommittee on Real Property Acquisition of the Committee on Public Works, at certain hearings then being held by that subcommittee at Knoxville and at Paris Landing, Tenn., and I am accordingly recorded as being "absent" on certain rollcall votes that were taken in the House on those days.

In this connection, I wish to announce that had I been present and voting on rollcall No. 106—a motion to insist on the disagreement on the part of the House to a Senate amendment to H.R. 3872, a bill to extend the life of the Export-Import Bank of Washington, and for other purposes, and to ask for a further conference—I would have voted "aye"; that had I been present and voting on rollcall No. 108—a vote on House Resolution 453, waiving points of order against the conference report on H.R. 5207, to amend the Foreign Service Buildings Act—I would have voted "nay"; that had I been present and voting on rollcall No. 110—a vote on House Resolution 467, the rule on H.R. 7500, making appropriations for the National Aeronautics and Space Administration—I would have voted "aye," and that had I been present and voting on rollcall No. 111—a vote on final passage of H.R. 7500—I would also have voted "aye."

CORRECTION OF SOCIAL SECURITY SYSTEM INEQUITY

Mr. WHALLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Morse] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MORSE. Mr. Speaker, today I am introducing for appropriate reference a bill which would correct an inequity which has existed in the social security system for far too long. The bill would provide for social security coverage of public officers who are paid on a fee basis by the individuals who contract for their services.

In my own State of Massachusetts, constables, for example, are public officers, but they are employed on a job-by-job basis and are paid by the people who use their services. Therefore, they cannot qualify for coverage under State retirement plans because they are not paid by the State or local governments. Under present law these officers have not been able to qualify for coverage as self-employed individuals because "public officers" are excluded from the definition of "trade or business" under the Social Security Act. This legislation would amend section 411(c) of the Social Security Act and section 1402(c) of the Internal Revenue Code and make the exclusion of public officers from the "trade or business" definition inapplicable to officers paid on a fee basis by persons other than State or local government.

I urge prompt attention to this bill so that public officers operating on a fee basis may be covered by social security long enough to receive benefits when they reach retirement age.

ONE OF OUR NEGLECTED FRONTIERS

Mr. WHALLEY. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Talcott] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. TALCOTT. Mr. Speaker, 71 percent of the earth's surface is water. We know much less about the water element than we know about the earth's soil formation. In fact, we know more about the space which surrounds us than the sea water. We have spent many millions more time, energy, and money investigating and studying the space than the water.

The potential benefits to mankind from the water would appear much greater than the potential benefits from space. Our major future supply of food and fresh water could come from the oceans.

Although we know many of the secrets of space hundreds of miles up, we know practically nothing about the water more than 100 feet down.

We can monitor rather minute objects hundreds of miles out in space, but we cannot even find the *Thresher*. We spend literally millions to develop and perfect equipment, materials and techniques to follow imperceptible needles in outer space, but apparently not one cent toward testing equipment and materials which have any chance of locating a nuclear submarine costing many millions of dollars and, far more importantly, entombing 149 American men.

I believe, but would be pleased to retract my statement if anyone will prove me incorrect, that we lose more than a million dollars worth of equipment each day in the ocean. We have never developed even rudimentary equipment or materials for oceanic recovery or mooring. We can develop a space station and satisfactorily anchor it in space; but we cannot even anchor or moor a vehicle 15 miles out at sea with any certainty that it could survive a rough sea or be recovered if it became disengaged.

We spend millions for devices to record and monitor the earth and water close to the surface, yet still use ancient and totally inadequate moorings so that losses are more likely than recoveries. Many anchors for ships, buoys, and other surface and undersea devices are no better than those used by the ancient mariners.

Materials are available today which could be used in salt water depths to replace chain for lifting or mooring purposes which weigh only a fraction of steel chain but which can support more than steel. These materials can survive many of the unknown elements and conditions of sea water—pressure, current, temperature, chemistry, life—many times longer than steel, but the United States has no laboratory to study, develop, test, experiment, and perfect the needed equipment and materials to function in the deep salt water environment.

We should immediately appropriate funds and authorize a deep sea materials testing laboratory. This is a crucial frontier which is being grossly neglected.

INCOME TAX DEDUCTION OF CHARGES LEVIED BY LOCAL GOVERNMENTS

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Fascell] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. FASCELL. Mr. Speaker, I take this opportunity to call to the attention of my colleagues in the House, a bill I am introducing today to allow our taxpayers to deduct for income tax purposes all charges levied by a municipality, county, or other local government.

These charges include any tax, special assessment fee, or other service charges which are established and imposed by the local government for the performance of a service or to provide for local improvement, which the taxpayer has no option to reject. Such public services include sewage disposal, garbage-trash collection, water, recreation, utilities, roadbuilding, welfare, and other services deemed necessary or desirable.

Recent survey results indicate that some cities finance public services through general revenue collections; others by imposition of service charges for the individual items, some by a combination of both methods. In all cases, the rate of taxation or assessment varies widely, and only one common factor is evident—the charge is imposed by the local government, the taxpayer having no option to reject it.

Recently, the City Commission of Coral Gables, Fla., an area which I am privileged to represent, adopted a resolution calling on the members of the Florida delegation to support passage of legislation which would allow a taxpayer to deduct for income tax purposes such charges or special assessments levied against him. I, of course, am pleased to concur in this request, having introduced similar legislation in the 86th and 87th Congresses.

Under existing law, taxes paid which tend to increase the value of the property assessed are not deductible from income tax. On the other hand, taxes paid directly under the classification of "real property taxes"—which in some cities support all or most of the public services—are tax deductible. Therefore, in those communities where the real property tax is substantial and there is little or no use made of the so-called service charge or assessment, the taxpayers residing therein enjoy a tax deduction for the payments.

In other cities, where the tax rate on real property is low and the revenue to finance public services is collected through individual service charges or fees, the residents are not allowed such a tax advantage on the theory that such taxes tend to increase the value of the property assessed. This policy unduly penalizes the citizens of those communities where the local government is forced to levy these assessments in order to equitably distribute the cost of municipal services and public improvements.

We have witnessed in the last 20 years a tremendous growth in our communities with the resultant demand for more and better roads, hospitals, sewage systems, water supply facilities, and so forth. With the wide range of revenue sources already tapped by the Federal Government, local governments are sorely in need of taxing sources in order to provide and support such services. Therefore, the service charge method has gained in popularity as a means to furnish these needed services.

It appears to me that it should make no difference to the Federal Government whether or not local services are financed under the general taxation method or the special taxation method. The primary consideration should be that all taxpayers are treated fairly and equitably.

In 1954, Congress took a step in this direction when the law was amended to allow a deduction for taxes assessed by special districts for debt retirement and capital purposes. To be deductible, the assessment must be levied annually at a uniform rate on the same assessed value of real property in the district, including improvements, as is used for purposes of the real property tax generally. Deduction was also allowed for the amount of local taxes properly allocable to maintenance or interest charges.

With the wide variations in the rate of taxation or assessment and with the different methods of collection in common use, I believe the Congress should seriously consider this legislation making all charges imposed by municipalities tax deductible. Then the local governments could collect for these functions in the manner best suited to its own individual situation.

The Treasury Department may once again voice its opposition to the bill because of the anticipated loss of revenue; however, I feel that justice to all taxpayers and the interest this Government has in the development of our communities will outweigh any such objection by far.

RESPONSIBLE THINKING

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. STAGGERS. Mr. Speaker, this is a time for positive thinking. A number of vital decisions must be made by the Congress and the American people within the next few days. The issues involved must be made clear. And we must stick to real issues, not manufactured ones. The real issues may be confused if we attempt to impute to individuals unpatriotic motives and underhanded purposes which in fact they do not hold or support.

Some of the problems facing us may seem small in comparison with the enormous one of defending a free world surrounded by communism. But small problems, like tiny germs, cause fatal diseases. We must identify the specific germ, and find some way to fight it.

A number of our problems have been with us for a long time, and no final disposition has been made of any one of them. A list would include crime, unemployment, adverse balance of payments, high taxes, Cuba, Vietnam, speculation in the stock markets, and so on. Proposals to do anything about any one of them meet with accusations that the initiators are interested in promoting big government, or that they lean toward communism, or that they are hopeless mossbacks who want to return to the 19th century. The real needs and interests of the Nation at this hour in history are lost sight of. We must get started on the solving of these issues.

However, some of our problems demand immediate attention. One of these is the railroad situation. We cannot solve this one by charges and countercharges. I introduced a joint resolution which would provide a new and hitherto untried method of resolving differences between management and labor. It would work in other disputes as well as in the railroad dispute. It is today receiving wide support. It focuses attention on the real issues in the dispute, and avoids name calling and false accusation.

Another problem which looms in the near future is the proposed nuclear test ban treaty. To accept a test ban is not to establish eternal friendship with the Russians. They have said that they will overwhelm us if they can. They have not renounced that purpose. We must guard ourselves with all our strength. I, of course, do not know whether or not the treaty will be ratified. However, I am confident that those who vote on it will want to be assured there are no hidden strings in the treaty, that America will have adequate detecting devices, that our military will remain strong, and that we will keep our testing equipment ready for use immediately if Russia should break the treaty.

We do know, furthermore, that Russia has troubles more fearsome than those with the West. She has been overrun repeatedly in past centuries by the yellow race, and economic conditions as well as ideological differences favor another incursion. For the present, at least, it may be in her national interest to provoke no further antagonism in the West.

So, in considering a possible test ban, it does no good to impute subversive motives to those who favor it or who are against it. Similar false accusation is a tactic used in all history to gain adherents and to establish power. What extremists know to be a deliberate lie is employed if it seems to further their purpose. Fascism and nazism have used it as well as communism. This is alien to American tradition and principle. We are normally open and aboveboard; we do not conceal our real motives behind a facade of misrepresentation. An expression of opinion by any responsible citizen, official, or civilian must be assumed to be an honest conviction unless it can be openly exposed as false.

An outbreak of subversive activity and defection from one side to the other of the Iron Curtain has aroused suspicion again in America. The detection of a subversive is not a job for an amateur. His detection and exposure is a job for professionals. Fortunately, this country possesses expert professionals, the best on earth—the Federal Bureau of Investigation.

Any citizen having valid reason to suspect subversion should submit his information to the police or directly to the FBI. To do otherwise is more likely to divert suspicion from the real culprit. That, too, is a tactic of subversives everywhere. Some clear thinking is needed before we point the finger of suspicion at any American who happens not to agree with our own way of thinking.

One additional matter deserves some clear thinking at this point. The recent decision of the Supreme Court in regard to the use of the Bible and prayer in the public schools has been accorded acceptance in many circles—yet it leaves us with profound uneasiness.

Religion is a normal fact in human life. The founders of this Republic almost to a man believed in a Supreme Being and in the existence of a moral law as well as physical law in the universe. They held to the Judaic-Christian tradition, and they had but one name for their Supreme Being. They knew that there were sects among both Jews and Christians, and always had been. They determined that government should make no distinction between sects. They further acknowledged the presence among us of adherents of different traditions, and even of those who professed allegiance to no faith. So they wrote the first amendment.

The use of the sacred writings of the Jews and Christians has been as profusive among us through all our history as the air we breathe. The book in which they are recorded is found everywhere, even among those who reject its teachings. It is a necessary adjunct to an oath in court, and to the installation of any public official. How can we dispense with it anywhere?

No obligation that any man can take upon himself in any matter can be considered as binding upon him if he denies the existence of a Supreme Being. Therein lies our complete distrust of communism. The absence of any moral responsibility frees a Communist, in his own mind, from obligation to carry out any agreement.

In this country, action on many matters under consideration has been urged on the ground of morality as well as on the ground of strict and literal legality. How in the name of high heaven can we appeal to morality if we reject the prime exponent of morality? To most Americans, that exponent is the Bible.

It is not a question of whether or not the public schools should teach the Bible or any interpretation of it. They never have. The real issue is whether or not it shall be on evidence in the principal place where young people acquire most of their intimations of morality.

I have therefore introduced a resolution calling for an amendment to the Constitution which will permit the reappearance of the Bible and prayer in the public schools.

All of the issues can be, and should be, kept clear. They are neither political nor ideological. We must attack these as Americans—not as Democrats or Republicans, colored or white, Protestant, Catholic, or Jew. We should attack, not only with deliberate speed, but with vision—vision as to how the solution will affect our Nation and the world 10, 20, or 50 years from now.

Indeed, I feel we must use all of our ingenuity as elected Representatives and as individuals in working out the problems facing us today and those we shall be meeting tomorrow. With all of us working together, I feel confident we can work out the very best solutions. Needless to say, we do need the advice and assistance of those persons back home who have placed their confidence in us.

DISTRICT OF COLUMBIA OMNIBUS CRIME BILL

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. RANDALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. RANDALL. Mr. Speaker, not very often a Member not serving on the reporting committee and who has not participated in debate, finds it necessary to set out his reasons for being for or against a certain bill.

This is not true of H.R. 5725, because if a Member does not preserve his reasons for voting for the general motion to recommit, it may later be suggested that he was not interested in good law enforcement in the District of Columbia or that his vote to recommit this bill meant that he was in favor of laxity or softness toward criminals or even those that circulate indecent publications.

Of course, every Member of the Congress is interested in reducing the volume of crime in this Capital City and it may be that amendments to the criminal code are necessary but certainly not many of the provisions of H.R. 5725. Every Member wants to be tough with criminals but at the same time we cannot write off all the procedural and constitutional protection that has been erected over the course of many years as a part of the framework of our legal system. As someone has put it, "crime is not going to be curbed by cutting constitutional corners."

I firmly believe that if H.R. 5725 becomes law it would be a terrible blow to the freedoms the people of the District of Columbia are entitled to under our Constitution. Members of Congress are pledged to eradicate crime not only in our Nation's Capital, but in the cities of our own congressional districts. This bill, if enacted into law, would set a precedence that certainly should not be followed nationwide. The bill would make the District of Columbia an exception among all the States and would leave it standing out alone among all other Federal jurisdictions. Before going on let us admit that Washington has serious problems in juvenile delinquency and adult crime, but this so-called tough bill will not solve these problems. Rather, the solution lies in better working conditions and better relations within the community and improved schools and housing. Crime prevention is not as simple as passing a law which is vindictive in many of its provisions. The only permanent solution is a much more expensive one involving better living, learning, and working conditions.

Title I would nullify the Mallory case and repeal rule 5(a) of the Federal rules of criminal procedure which provide that confession obtained from an arrested person before his arraignment will not be received in evidence at criminal trial if obtained during a period of unreasonable delay. Remember the Mallory case was decided by a unanimous decision of the U.S. Supreme Court and while efforts to legislate away the Mallory rule have been successful in former years in the House, the other body has very wisely refused to concur.

Title II seeks to reverse the Durham rule and results in a complete but questionable revision in the law of criminal responsibility because of insanity.

Title III reinstates investigative arrests upon which a ban was imposed a few months ago by the District of Columbia Commissioners. It would provide that the District of Columbia police could pick up a person suspected of having committed a crime, and could even pick up a person suspected of being a witness to a crime and hold that person incommunicado for a period of 6 hours without placing a charge against him. We believe that such arrests for investigation may be unconstitutional because the fourth amendment requires probable cause. The bill would permit the police to subjectively determine whom they wanted to detain and under what circumstances without the participation of a judicial officer. Such arrests would of course deny the person detained the opportunity to get his liberty by seeking bail and would deny him the right of habeas corpus or the right of assistance of counsel. Such procedure may be a violation of the sixth amendment which guarantees to the accused the right to have the assistance of counsel for his defense. If the drafters of this bill were really and sincerely interested in the police having the tool of arrest for investigation which would stand the test of constitutionality then they might have reduced considerably the 6 hours in the bill and provided that questioning be done in the presence of a court monitor. Then they could have set up a provision that a judicial officer of some kind be present to advise the respondent of his right to make no incriminating statement. Further the proponents should have included a provision for the verbatim recording of all questions, answers and statements to be available at the time of trial.

Title IV alone in all the bill seems to be without objection because it simply makes the crime of robbery one of the crimes of violence as defined in the present District Code.

Title V deals with a multiplicity of things including mandatory minimum sentences and provisions relating to indecent literature. For our part, we do not believe that this Congress should abrogate the important principle of judicial discretion in sentencing. This effort to make mandatory the imposition of certain sentences will not accomplish its announced objective as a crime deterrent. If the penalties are too severe and the sentences are mandatory, the juries will be most reluctant to convict. The result of this effort instead of strengthening the enforcement of laws could well mean the weakening of law enforcement in the District of Columbia. This provision could also produce bad results in that it deprives prosecutors of the useful lever to secure cooperation from a few criminals that will cooperate and help to convict other criminals. The imposition of severe and rigorous minimum sentences made mandatory can result in fewer convictions instead of a greater number of convictions. It would be most unwise to take away the latitude courts now have by making the sentences mandatory.

As to the matter of suppression of indecent publications, our thoughts go back to the efforts of former Congresswoman Kathryn Granahan when she was a member of the Post Office and Civil Service Committee. We were all then and are now in favor of the restriction of indecent and pornographic literature and publications. But if you look closely at H.R. 5725 you will see it would authorize what might be called prior censorship. It also authorizes the seizure of the personal property of a bookseller, newspaper publisher or theater owner and could even by injunction prevent him from using his building and land. Members should realize this might mean that either one or both of our two major newspapers here in the District of Columbia could have their presses confiscated because some portion of the paper is alleged to be obscene. This could result in a ridiculous legal situation. Whether the provision of this bill as to obscene publications was just inadvertently worded or came about as the result of careless or poor drafting, it is hard for anyone who has ever engaged in the practice of law to believe that it is constitutional to confiscate property in advance of trial.

Summarizing my opposition to the provisions of this bill, let me repeat that for too long a time the instrument of confession has been used as a substitute for other police tools, such as police training and police efficiency. The bill would allow for the prolification of mandatory sentences and go a long way toward disrupting the rehabilitation procedures now provided by the District of Columbia Parole Board. The arrest for investigation, as now provided in the proposed bill appears to violate at least one and perhaps two of our constitutional amendments. A lot more could be said about this proposed bill but railroading it through to passage will not solve the basic crime problem of the District of Columbia.

It is interesting to note that the Bureau of the Budget, the District Commissioners, the Department of Justice, and the District of Columbia Bar Association have found serious fault with some parts or all of this proposed bill.

Justice is something which should be made equal. How can we as a Congress enact severe penalties to apply only to the Nation's Capital which are completely out of step and out of proportion to penalties in the other States of the Union? As an illustration, under section 823 of the bill, a person could be convicted of the theft of some small item of personal property that would result in the mandatory sentence of prison for not less than 5 years and up to 15 years, while the same offense in nearly all the jurisdictions in the United States would be classified as only a misdemeanor carrying a jail sentence or a fine.

The bill has inspired several descriptions. An editorial in one of our leading papers calls it a "monstrous bill." In the minority report it was referred to as an "unrelated conglomeration of legislation." One of the committee members in the report labeled the measure an "unconsidered shotgun approach." During the floor debate another Member found it to be "backward step in jurisprudence." We are not prepared to say that H.R. 7525 should be described in such fond terms, yet with such a complete lack of affection. But whatever the description, there is only a slight chance that this bill will ever become law in its present form. It would be erroneous to say that there is no good at all in the bill but its many bad provisions far outweigh the few good provisions.

FREEDOM OF INFORMATION BASIC TO DEMOCRATIC GOVERNMENT

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. FASCELL] may extend his remarks at this point in the RECORD.

The **SPEAKER.** Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. FASCELL. Mr. Speaker, I am today introducing a bill which is a companion measure to S. 1666 recently introduced in the Senate by Senator LONG and others. It amends and enlarges section 3 of the Administrative Procedure Act, which deals with the publication of agency rules, regulations, opinions and organization and the access of the general public to the same.

Before I place before you the provisions of this measure, I would like to bring to your attention my reasons for feeling that such a bill should be passed by Congress.

We are all aware that of all the peoples on earth, we are the most blessed in having a functional government based on the needs and desires of the people. Fulfillment of the concept of a government "of the people, for the people, and by the people" with its requirements of freedom of speech and information, becomes increasingly difficult as government grows in size. The numerous executive, administrative, and regulatory agencies grow in size and number.

The historic tendency of bureaucracies is to become self-contained units repelling, as much as possible, any outside interference. Mistakes, if any, made within the agency, procedures, masses of statistics, reports and general information garnered and utilized in the administration of the specific agency, are frequently treated as if military secrets and guarded with excessive restrictions. Much of this is a misguided effort to make the individual agency and its administrators look good in the eyes of the incumbent administration and in the general public. That is to say, Madison Avenue "image projection" has become a large factor in the conduct of bureaucratic affairs. This, of course, mitigates against the well-informed public which is inherent in the democratic ideal and an absolute necessity if constitutional government is to remain strong and healthy.

To be truly informed, the public cannot depend solely on occasional, brief newspaper releases issued by the various agencies. Billions of taxpayers' dollars each year are controlled by the various government agencies, and many more billions of consumer dollars are controlled by regulatory agencies. Mistakes in judgement have been made in the past, and will be made in the future, in handling of the taxpayers' money. Some of these have been disclosed, but many have been concealed from the public by secretive practices. In order to perform its proper functions of control and guidance, the public has the need and the right to examine agency records of all rules, transactions, and opinions. To suppress these in any way as a method of avoiding public criticism is a direct violation of public interest. Criticism, when constructve and well-founded, is one of the most useful and protective means of advancing the public good. The "classified" label is too frequently applied to avoid just criticism, when its use should rightly be rigidly restricted to protection of matters affecting national defense and security.

Freedom of information is a subject which has aroused increasing concern and interest of recent years striking, as it does, at the very heart of the democratic process. Vitally concerned and active in the effort to obtain news availability have been members of the American press, the national professional journalism fraternity, Sigma Delta Chi, and the American Society of Newspaper Editors. Continued efforts to pass the proper legislation have been made by the American Bar Association.

At the present time, Government agencies have been following the requirements of the existing Administrative Procedure Act. The measure I have introduced would make information more readily available to the public. It makes the following changes in the law:

First, no person would legally be bound "or adversely affected by any organization, procedure, or other rule, statement, or interpretation thereof required to be published in the Federal Register and not so published";

Second, an index of opinions, orders, rules or statements, and so forth shall be maintained and available for public inspection and copying and no final order, opinion, rule, and so forth, may be relied upon against any private party unless so indexed, made available, or published;

Third, agencies will be required to specify times, places, and procedures, for the inspection of their records which shall be made promptly available; and

Fourth, the votes of individual members in every agency proceeding shall be available for public inspection.

The bill provides for three principal exceptions: First, where there is a statute providing for exemption; second, where a matter relates solely to internal workings of an agency; third, where secrecy is vital to the national defense.

Mr. Speaker, I commend this bill to the earnest consideration of my colleagues in the sincere belief that it will not only fulfill the requirement of freedom of information so that the public may be fully informed at all times on all matters of public interest, but also will contribute to a more orderly, more efficient, and more economic governmental operation.

JUSTICE, AMERICAN STYLE

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. STAGGERS. Mr. Speaker, the greatness of a political society appears more in little things than in dramatic and highly publicized events. The story of Lincoln's pardon of a young soldier sentenced to death for sleeping on his sentry post is one of those little things. Today we saw another. Six high-ranking officers of the Army, headed by a two-star general, met to consider the case of one poor little private. For some 2 hours or so they listened with the utmost courtesy and consideration. The case had really been settled in accordance with military law 14 years ago. The soldier had been AWOL, not once, but three times, for extended periods. He had been given an undesirable discharge. At the hearing today, there was nothing new to present in extenuation of his offense. The only thing new was that he had lived a clean and useful life in the years since his discharge, that he was bringing up a nice family in the way it should go, and he feared it would be a handicap to his children to go through life with the knowledge that their father had been unfaithful to his trust at a time when that father's judgment was not fully matured. The appeal to the military court was for mercy today, a mercy that could be justified on the grounds of prolonged repentance for the soldier's error and of evident rehabilitation.

A country and a military machine that will go to all this trouble over a matter that happened years ago can be trusted. If that soldier had served Hitler, he would have been shot after the second offense, if not the first. If he had been in the Communist ranks, once would have been too often. In this great land, he could err, and reform, and have his case reopened. That fact assures us that mercy actively seeks an opening through the steel bars of strict justice when the future of a humble citizen is at stake. The military claim that they will take our boys and make men of them. Today we believe them, because we see that they are men themselves. What a prestige for the mightiest military power in all history to carry.

THE PRESIDENT OF THE U.S. CHAMBER OF COMMERCE

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, several Members of this august Chamber have already taken exception to the tirade delivered last Wednesday by the president of the Chamber of Commerce of the

United States before the National Press Club. That tirade was an attack leveled at the very basis of our democratic system of government and remarkable in its malevolence and its groundlessness.

It was malevolent to attribute to the great people of this Nation public immorality; it was malevolent to accuse the elected representatives of our Government of being "bagmen," willing to pay hard cash for ballots; it was malevolent to use sly innuendos in an attempt to somehow implicate the American public in the recent scandals in Great Britain; and it was malevolent to label the area redevelopment assistance program as one instance of vote buying.

Yet, no facts were adduced in support of these wild claims, no evidence was offered. Of course, such evidence does not exist. The facts are that we live in a prosperous and peaceful country, among a generous and a good people.

I have had some experience with the local chamber of commerce in my own community, in San Antonio, Tex. I have always found this useful organization to be composed of local businessmen of the highest moral character with a real sense of responsibility to their city, their State, and their country. I believe that the great majority of the chambers of commerce across the Nation are similarly constituted. In fact, Members of the Senate and the House have documented this by showing that approximately 600 members of chambers of commerce in more than 35 States and in the Virgin Islands and Puerto Rico have participated in the ARA program. I cannot believe that these people are immoral because they are trying to help their nighbors. And so the accusations turn out to be groundless.

Epithets come easy to this man, and evil is often in the mind of the beholder. One wonders whether the psychological principle of projection may be in play, whether the ugly motives may be in the accuser rather than the accused.

On August 10, 1963, the distinguished gentlemen from my home State of Texas sent a letter to the chairman of each of the 20 committees of the House of Representatives as a result of the speech I have been discussing. This letter sets forth positive recommendations and I think it appropriate to include it in the RECORD at this time:

DEAR MR. CHAIRMAN: I am taking an unusual step to call your attention to a most unusual matter. It is a speech delivered last Wednesday by Mr. Edward P. Neilan, president of the U.S. Chamber of Commerce, before the National Press Club here in Washington, a copy of which is enclosed.

The views expressed in this speech question the morality of the Congress of the United States and, indeed, the morality of representative government. As I said on the floor of the House last Wednesday, the views expressed in this speech seem to me to border on the subversive.

Since your committee doubtless receives frequent petitions from representatives of the Chamber of Commerce on pending legislation and other proposals, I wonder if it would not be appropriate for each committee chairman to ascertain whether or not these representatives share the views of Mr. Neilan, and also whether or not these representatives are petitioning the committees of Congress with motives similar to those that Mr. Neilan attributes to other individuals and groups who petition their Congress.

Perhaps I am wrong in this, but it seems to me that the president of the Chamber of Commerce of the United States has done a great disservice to the great majority of American businessmen, as well as to his country. If this is the voice of American business, it is a very ugly voice, and one which can only cause American business to be despised around the world. I would hope, therefore, that other businessmen coming before the committees of Congress will be given a special opportunity to help correct the impressions which this man has given.

Sincerely yours,

WRIGHT PATMAN,
Chairman.

DEDICATION OF RECLAMATION PROJECTS IN EASTERN OREGON

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that the gentleman from Oregon [Mr. ULLMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. ULLMAN. Mr. Speaker, I have just returned from participating in the dedication of two reclamation projects in eastern Oregon, with Commissioner Floyd Dominy of the Bureau of Reclamation. While in Oregon, the Commissioner and I also met with representatives of three of my counties, each of which is greatly interested in an important reclamation project there. It was a real privilege to be able to participate in these events with Mr. Dominy and I wish to pay tribute to him for the outstanding work he and and his Bureau are doing to reclaim potential farmland in the Western States.

Mr. Speaker, it was pointed out often during our trip that many Members of Congress from the eastern part of the United States are not familiar with reclamation, its justifications and its tremendous importance to the economic health of the West and of the country. By referring to the present experience of all of us, perhaps a clearer understanding can be achieved.

Most Members, particularly those with any farm background are aware that in the area surrounding Washington, D.C., we have had this summer what the farmers call a very dry year. Since May 1, we have had an average rainfall in areas near here ranging from 5 to 12 inches. The area with the lowest recorded average, Lynchburg, has had 5.4 inches, about 48 percent of normal.

Washington itself has had 10 inches, about three-fourths of a normal fall for the growing season. I thought it may be helpful in enabling Members to visualize the problems of waters we have in the West, to point out that in counties we visited over the weekend, the wettest county can expect only 3½ inches of rain from May 1 to the end of August, and in the wettest year gets barely over 4. The driest of the counties we visited never gets 3 inches during the May to September growing period, and often gets barely over 2. This county, Malheur, has one of the biggest diversified food crops in Oregon—made possible only by the irrigation water from reclamation projects.

Mr. Speaker, these figures paint an even more graphic picture when one realizes that over one-third of the summer rainfall in these areas comes in May and in fact, less than 1 inch falls during all of July and August in every place. I ask my colleagues to ponder what farmers would do in Virginia and Maryland with less than an inch of rainfall in the growing months of July and August. It rained yesterday and the Weather Bureau said that more than one-half an inch fell in 1 day. Mr. Speaker, not one of the three farm counties Commissioner Dominy and I visited gets a half inch of rain during the entire month of August, and 2 of the 3 get only that much during all of July and August put together.

I would point out, Mr. Speaker, that were any one of those counties to have as much rain during the months of May, June, July, and August as we have had during a "dry" year, they would call it a record wet year. In fact, the record lows at Lynchburg would be record highs in my district. Mr. Speaker, Commissioner Dominy aptly pointed out that reclamation of arable lands in the West is very soon going to be recognized as absolutely vital if we are to meet the food demands of our own country, let alone the rest of the free world. Many people do not realize that some of the most fertile land in the world is to be found in these reclamation areas—all they need is sure water. The water is there, as snow in the mountains in winter, and running to the sea in the summer. With reclamation, this water is put on the land where it is needed. I warn my colleagues if we neglect our water supply west of the Mississippi, there will soon come a time when we will deeply regret our failure as we face serious food shortages. I therefore hope, Mr. Speaker, that every Member will imagine what it would be like to raise food in a land where people would call the 1963 Washington summer wet instead of dry. I would hope that when they hear of corn crops outside of Washington being burned up this year they would imagine what it is to grow corn with one-fourth or one-eighth of the rainfall here. Then as important reclamation programs are brought before the Congress, as Commissioner Dominy in his normal brilliant fashion explains the need for these projects, I hope they will lend a sympathetic ear, so that we may go forward in providing for the needs of our generation, and of generations to come.

CHICAGO CORE HEAD SUBMITS RESIGNATION

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. WAGGONNER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, I was pleased to read in the Shreveport Times recently that at least one of the leaders of the street riots and sit-in demonstrations has arrived at the commonsense conclusion that deliberate violations of the law should not be permitted and has resigned from his position.

Sam Riley, president of the Chicago chapter of CORE blasted that organization and its policies when he resigned by stating that he was sick of sit-ins and picket lines and opposed to the violence they bring about.

His successor apparently had no such reservations because Chicago suffered its worst racial disorder last week. It took 100 squads of police to quell the riot. Forty-seven persons were arrested and four policemen injured before the pitched battle could be stopped.

I sincerely hope that the intelligence shown by Riley will spread to others in the racist movement and that reason and common sense may yet prevail. I cannot hold out too much hope, however, since more recent statements by integration leaders say that they are not at all satisfied with the entire civil rights bill and that they want something stronger.

It may not yet be too late for some of the otherwise responsible men in Government to realize that there is no limit to the demands and nothing less than control of the entire Federal establishment will satisfy the race-mixers.

You cannot appease a mad dog by giving him steak. He will settle for nothing less than the whole animal, bones and all.

The article follows:

[From the Shreveport (La.) Times, July 24, 1963]

Opposed to Violence: Chicago CORE Head Submits Resignation

Chicago.—The leader of sit-in demonstrations against alleged segregation in public schools resigned Tuesday to make way for "more dynamic" leadership and called simultaneously for greater discipline among racial protesters.

Sam Riley, president of the Chicago chapter of the Congress of Racial Equality (CORE), announced he had submitted his resignation because he had failed to achieve his goal to bring an end to "school segregation in Chicago."

Riley denied that a rift had developed in demonstrators' campaign to wipe out "de facto segregation" in schools and indicated there was a chance he would reverse his decision if he were pressed to do so by CORE members at a meeting Tuesday night.

A civil rights coordinating council meanwhile predicted "a massive wave of sit-ins, picketing and selective buying campaigns" in Chicago.

The Reverend Arthur M. Brazier, convener of the Coordinating Council of Community Organizations (CCCO), said demonstrations will hit hospitals, shopping centers, factories, offices, schools and construction projects which practice discrimination.

Riley organized the local chapter of CORE and had been its president for 2 years. He said he was resigning because he had not lived up to his own goals and "I thought CORE could be more dynamic and move to a swifter conclusion if it had a younger leader."

A Chicago newspaper, the American, quoted Riley as saying "I'm sick of sit-ins and picket lines. I prefer to plan and to negotiate."

At a news conference, Riley told newsmen "I'm opposed to violence. * * * I believe there should be greater discipline in CORE." Then he added:

"I'm in favor of any demonstration that will bring about an equal society."

Milton O. Davis, South Side vice chairman of CORE and mentioned as a possible successor, said:

"CORE will be no less militant if I succeed Mr. Riley. As long as we have segregation problems there can be no such thing as too many demonstrations."

The Reverend Brazier said "early targets" of the threatened wave of demonstrations would be a South Side shopping center, a radio-television manufacturing firm and the Chicago office of Senator Everett M. Dirksen, Republican, of Illinois.

The Senate minority leader has come under fire from integrationist groups because of his stand on President Kennedy's civil rights program.

"This is just the beginning," the Rev. Brazier said. He said the anti-bias groups would take "direct action until we achieve a just settlement."

Edwin C. Berry, executive director of the Urban League, said "Chicagoans should not be disconcerted by the presence of pickets and sit-ins."

"It is a healthy sign," he said. "It shows that we are beginning to fight a disease which has too long afflicted our city—discrimination."

Riley was quoted as objecting to "the ultramilitant tactics of the kids" who took part in an 8-day sit-in at school board offices to protest school boundaries which Negroes contend set up "de facto segregation."

The sit-in ended last week after 13 demonstrators were arrested and five persons were injured. It resumed Monday but was called off when board President Clair Roddewig agreed to meet with the protesters Thursday.

FOREIGN AID AND THE BALANCE-OF-PAYMENTS PROBLEM

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Hawaii [Mr. Matsunaga] is recognized for 60 minutes.

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. MATSUNAGA. Mr. Speaker, some time next week or shortly thereafter, we will be voting on a bill to continue our foreign aid program.

A great deal of misinformation has been circulated, with or without design, and as a consequence there is much confused thinking on this vital national issue. For example, in discussions of our balance-of-payments problem our foreign aid program is given the bulk of the blame for our deficit. Some antagonists have gone so far as to say that if we eliminated foreign aid our balance-of-payments problem would be solved once and for all.

In the hope that I might contribute toward clearing up the muddied waters so that we might better be able to see what really lies beneath the surface, I would like to discuss just one phase of our foreign aid program; that is, as it relates to our balance-of-payments problem.

There is understandable confusion about the cause of the balance-of-payments problem, as well as the extent to which foreign aid is responsible for the problem. This confusion arises out of the mistaken general assumption that because foreign aid goes outside of the United States, the entire foreign aid program should be listed on the debit side of the balance-of-payments ledger. Even the eminent New York Times recently erred in making this assumption. In an editorial of July 21, 1963, the Times showed foreign aid as a $3.5 billion "debit" on a tabulation of our 1962 $2.3 billion balance-of-payments deficit.

Mr. David Bell, the able Administrator of our foreign aid program, replied in a letter to the Times that—

> An unwary reader could easily have drawn the inference that all we need to do to remove the deficit would be to cut economic aid by $2.3 billion. Such an action would, of course, be ineffective.

I ask unanimous consent to insert Mr. Bell's letter in the Record at the conclusion of my remarks.

The fallacy in the New York Times editorial, as Mr. Bell points out in his letter, is that it overlooks the fact that most foreign aid money is spent right here in the United States. This money does not leave the country and so does not contribute to the balance-of-payments deficit.

In 1962 more than 80 percent of our total foreign aid expenditures, including surplus agricultural commodities under Public Law 480, and regular military and economic assistance, was spent in the United States. This represented nearly $4 billion worth of contracts for the U.S. business community.

Because 8 or 9 out of every 10 foreign aid dollars stay in the United States, severe cuts in foreign aid would not be an effective way of correcting the balance-of-payments problem. As Mr. Bell goes on to say in his letter:

> It can be said as a rough approximation that a $1 billion cut in economic aid would reduce U.S. exports by $900 million and the deficit in the balance of payments by only $100 million.

It is true, of course, that the foreign aid program does cause some dollar drain when foreign aid is spent outside the United States. This amount, however, represents only a fraction of total foreign aid expenditures.

In recent years steps have been taken to reduce to a very minimum the amount of foreign aid spent outside of the United States. It is estimated that in 1964 only $685 million will be spent outside the United States, and by 1965 only $500 million in foreign aid money will be spent offshore.

Even these declining amounts do not represent total dollar losses. The Brookings Institute has estimated that of the fraction of foreign aid money spent outside the United States, about 40 percent eventually returns to the United States in payment for goods and services purchased from American businessmen by private importers in the developing nations.

Another highly important point overlooked by the critics is the contribution being made by the foreign aid program to long-range improvements in the balance-of-payments situation through both the expansion of U.S. exports and earnings from U.S. foreign investments.

In the long run, the entire foreign aid program stimulates increased U.S. exports and increased U.S. commercial exports reduce the balance-of-payments deficit. Foreign aid money spent in the United States acquaints foreign nations with U.S. goods and services and ties foreign consumers to U.S. markets for future purchases of parts and replacements. Foreign aid money spent abroad stimulates developing economies, and prosperous nations buy more from the United States than do poor ones. Japan, now our second best customer, is a good example of the direct returns in trade produced by foreign aid.

Foreign aid, then, represents an investment which will increase U.S. commercial exports and further reduce the U.S. balance-of-payments deficit.

As the facts become better understood, it becomes clear that "foreign aid" has been wrongfully blamed for the balance-of-payments deficit. One of the most significant statements in this regard is contained in the report on the foreign aid bill just issued by the Foreign Affairs Committee. This is what our own committee, after carefully examining the situation, has to say about foreign aid and the balance-of-payments problem:

> The committee has again considered the U.S. balance-of-payments problem and the continued decline of U.S. gold holdings in view of charges that the foreign assistance program is a major cause of the loss of gold by the United States.
>
> Although the U.S. gold supply continues to decline and the U.S. balance of payments remains unfavorable, it is clear that factors other than foreign aid are primarily and directly responsible and that the elimination of the foreign aid program would neither balance the U.S. payments nor have a significant bearing on the underlying causes.

The committee further states:

> Most U.S. foreign aid money has always been spent in the United States, thus having no effect on the balance of payments, and the proportion has increased in recent years as a result of the inauguration of a "buy American" policy. It is estimated that 81 percent of the economic assistance funds obligated in fiscal 1963 will be spent in the United States. In the case of military aid for fiscal 1963, only $262 million was spent outside the United States. In fact, U.S. military aid resulted in U.S. procurement amounting to more than 100 percent of total expenditures because foreign governments procured in the United States components of airplanes and other equipment which they are now manufacturing for themselves. The United States received more for such orders than our oversea expenditures for such projects to make the overall balance of oversea expenditures for military assistance $87.2 million in favor of the United States.

The committee report goes on to suggest that the fundamental causes of the balance-of-payments deficit are, first, the restoration of strength and stability to the major industrial and trading nations of the world with resulting demands on their monetary reserves and on the mechanisms for financing a greatly expanded world trade; and second, a substantial and increasing rate of private investment by U.S. citizens in foreign countries.

Foreign aid is not the culprit and should not be blamed for our difficulty in maintaining a favorable balance of payments. Why, even that well-known figure in Europe, the American tourist, is more to blame than foreign aid. As a matter of cold fact the American tourist is twice as responsible as foreign aid for the problem. It may come as a surprise to the uninformed that U.S. tourists spent $2 billion overseas in 1962, compared to only $1.1 billion of foreign aid spent abroad. And while the amount of foreign aid spent overseas is rapidly declining, the amount of tourist spending continues to climb faster than ever. Military expenditures overseas, too, amounted to twice as much as foreign aid overseas spending in 1962, and private investments in foreign countries amounted to $2.5 billion, more than twice the foreign aid spending in the same year.

The balance of payments problem must be solved, but the way to solve it is not by cutting our foreign aid program. Foreign aid is a sound investment in our own future security.

JULY 22, 1963.

The EDITOR, THE NEW YORK TIMES,
New York, N.Y.

DEAR SIR: Some of your readers might have drawn incorrect inferences from figures you published in your edition of July 21 regarding the relationship of economic aid to the balance of payments of the United States. You showed economic aid as a debit in the U.S. balance of payments for 1962 amounting to $3.5 billion—in a year in which the total deficit was $2.3 billion. An unwary reader could easily have drawn the inference that all we need to do to remove the deficit would be to cut "economic aid" by $2.3 billion.

Such an action would of course be ineffective. "Economic aid" as shown in your figures includes the outflow of surplus agricultural commodities under Public Law 480 (about $1.3 billion in 1962), plus the outflow of goods and services—and dollars—financed by loans and grants under our foreign aid programs. With the policies that are now in effect, more than 90 percent of total "economic aid" represents U.S. goods and services—not dollar outflow. Under these circumstances, a cut in congressional appropriations would principally reduce U.S. exports—without affecting the balance-of-payments deficit substantially.

Recognizing the difficulty of estimating precisely the effects of a change in a single factor in the balance of payments, it can be said as a rough approximation that a $1 billion cut in "economic aid" would reduce U.S. exports by $900 million and the deficit in the balance of payments by $100 million. (If the hypothetical cut were assumed to affect what is ordinarily called foreign aid—and not to affect Public Law 480 and the Export-Import Bank—the proportions would be about $800 million reduction in U.S. exports, and $200 million in the U.S. balance-of-payments deficit.)

The conclusion is clear. Under present policies, with economic and military assistance to other countries almost entirely taking the form of U.S. goods and services, almost no gain to the balance-of-payments deficit can be achieved by reducing our foreign aid programs. Moreover, a foreign aid cut made on the mistaken assumption it would have a major impact on our payments deficit would instead serve chiefly to reduce the amount of U.S.-produced goods and services purchased for use abroad.

I should also like to point out the positive gains to the United States from the establishment of progressive, growing economies abroad—which is the main purpose of our economic assistance. U.S. exports to the Marshall plan countries more than doubled from 1953 to 1962. Our exports to Japan more than tripled from 1950 to 1962. In many of the countries of Asia, Africa, and Latin America, where our economic aid goes today, aid-financed U.S. exports are finding acceptance and becoming familiar to consumers—which will enhance our normal commercial export markets in the future as those countries increase their incomes and their international purchasing power.

Sincerely yours,

DAVID E. BELL.

Mr. MATSUNAGA. Mr. Speaker, I yield to the gentleman from West Virginia [Mr. HECHLER].

CHANGING OBJECTIVES OF FOREIGN AID

Mr. HECHLER. Mr. Speaker, in the past 2 years there have been a number of changes in the foreign aid program. There are new working concepts and a new set of tools is being used. This new concept is twofold—first, emphasis is placed upon long-term assistance based upon comprehensive country programing by our own Government in coordination with the plans of receiving countries. Less attention is given to unrelated short-term projects and more attention to major projects justified on the basis of their relationship to a total plan for a long-term development. Second, each receiving country is asked to redouble its own efforts, and assistance is provided by the United States in proportion to each country's degree of self-help and capacity for development.

The structure and functions of the Agency for International Development have been shaped in accordance with this new approach. Although changes are still being made, the foreign assistance program is far more effective as a result of these improvements.

To meet changing needs, certain significant modifications have been made in the content of the aid program since the establishment of the Agency for International Development in 1961. First, there has been increasing emphasis on internal security in order to meet the serious threat of communism subversion in key countries. Second, there has been increasing use of international arrangements. Groups of nations have joined together for helping key less developed countries such as Pakistan and India. A new partnership has been formed between the United States and the International Monetary Fund in devising stabilization programs for less developed countries suffering from inflation. Third, there has also been an increased emphasis on the human factor in development programs. This remains the most troubling and difficult aspect of development, but encouraging progress is being made toward solving the problem.

After careful analysis of the state of development of each less developed country, and its capacity to absorb outside assistance, priorities have been established for the allocation of aid. Out of more than 80 receiving countries, 14 are considered good prospects for major assistance. Two-thirds of all development funds are being allocated to these nations.

There has also been a significant shift in the allocation of funds to various regions. Europe, which received 75 percent of all aid money in 1950 and 10 percent in 1960, received only 5 percent in 1962. The Far East received about 14 percent in 1950, slightly over 20 percent in 1960, and 14 percent again in 1962. The Near East and southeast Asia, which received only 5 percent of foreign aid funds in 1950, and was receiving 46 percent in 1960, received 41 percent in 1962. Africa, with less than 1 percent in 1950, and 6 percent in 1960, received 9 percent in 1962. The greatest change between 1960 and 1962 occurred in Latin America, which after receiving only 4 percent in 1950 and 11 percent in 1960 was allocated 25 percent of the total in 1962.

In order to make more efficient use of available resources, as well as to accelerate the rate of development, a "strategy" is being formulated for each country. For countries at a more advanced state of development, a long-range assistance strategy is constructed. For countries at an earlier state, a country assistance program is devised. The purpose of having an assistance strategy for each aid-receiving country is threefold. First, it helps to emphasize that the purpose of an economic assistance program is not just to provide funds, but to encourage beneficial changes. Second, a strategy statement helps to highlight ways and means, other than funds provided by the United States, which can be used for promoting development, such as self-help, or the contributions of international institutions. Third, a strategy statement helps to bring key elements of a development plan into focus, and to avoid a project-by-project proliferation of activities.

These changes in the conception and organization of foreign aid have vastly improved the design and operation of the program. Under the able leadership of the Honorable David E. Bell, the foreign aid program is now in better shape than it has been for many years.

Mr. Speaker, I pause to pay tribute to the bold and imaginative leadership of David E. Bell. From a combat record in the Marine Corps in World War II, Mr. Bell served his governmental apprenticeship as a clerk in the Bureau of the Budget. He rose in prominence and influence until his talents were called to the attention of the President of the United States in the 1940's. President Truman appointed him Administrative Assistant to the President, where he performed tireless and outstanding service. After a period in the academic world, he brought his clear-eyed talent back to Federal service in 1961 when President Kennedy tapped him to be Director of the Budget. He has since been named to head the Agency for International Development.

Although there are still a number of problems to be ironed out, the new program is working as well as can be expected under the circumstances. In contrast to the lack of priorities and of focus, the confusion of purpose, the virtual absence of systematic analysis and application of conditions which characterized the program in earlier years, we now at last are moving toward a foreign aid program designed not only for the needs of the sixties, but designed to work effectively.

Mr. MATSUNAGA. I thank the gentleman from West Virginia [Mr. HECHLER] for his contribution.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. MATSUNAGA. I am happy to yield to the gentleman from Oklahoma.

Mr. EDMONDSON. I thank the gentleman from Hawaii for yielding. I think the entire membership of the House owes an obligation to the gentleman from Hawaii for bringing to the floor of this body a new perspective on a problem that has concerned many of us.

Mr. Speaker, it is a simple thing when one looks at the balance-of-payments problem and when one reflects upon its seriousness insofar as this country is concerned, to jump to the conclusion that by taking the course of action of a reduction in foreign aid we could solve this problem. I think the gentleman has certainly demonstrated here with some very fine authority for it that the problem is not that simple and that whatever the defects and whatever the difficulties may be in our foreign-aid program, it certainly cannot be demonstrated by any process of true logic that it is at the root of our difficulty with regard to the balance of payments.

Mr. Speaker, I was very much surprised recently in connection with a Conference on World Understanding which was held at one of the major colleges in the State of Oklahoma, to discover just how very definitely and very deeply the benefits of the foreign-aid program were reaching into the district which I have the honor to represent in the House of Representatives. Ordinarily, one would not think that in a relatively small district in the State of Oklahoma a program of this type would reach into as many communities as it does. But I discovered, with very little research into the question, that we had major industries in just about every part of my district which were benefiting directly and very substantially through contracts operated under the AID program. They ranged from chemical fertilizer, which was a principal product of one community in the area, to optics, to glass production, to fabricated iron and steel products, coal and petroleum products, and agricultural products, both processed and unprocessed, and they resulted very definitely in economic gains and employment for literally thousands of people located in the Second Congressional District of the State of Oklahoma.

Mr. Speaker, I am certain that this is a story which is duplicated all over the country in many districts where the Representatives of the people would be surprised to discover just how much in economic benefit there is if they researched into the question.

Mr. Speaker, one further point which I think needs to be mentioned in this area, because so many people cry out for an end to foreign aid and who attack the problem of foreign aid, are also very obviously and sincerely concerned about the Communist danger and devote a great deal of their time and energy and attention to this question, and properly so. But I think they fail to recognize the fact that in a cold war or any kind of a war for that matter, there is more than one way to conduct an offensive and that foreign aid represents a genuine American tool and a genuine American weapon in the cold war.

Mr. Speaker, perhaps the best American authority on the subject of communism and how to deal with it is the man who has served as the head of the Federal Bureau of Investigation since 1924, J. Edgar Hoover. When Mr. Hoover testified before the Senate Committee on the Judiciary in 1961 on the subject of communism, he said some very significant things and they are reprinted in Senate Document No. 59 of the 87th Congress, 1st session, entitled "The Communist Party Line." These words from Director J. Edgar Hoover will bear remembering as one evaluates the foreign-aid program. He said:

> Unfortunately, there are those who make the very mistake the Communists are so careful to avoid. These individuals concentrate on the negative rather than on the positive. They are merely against communism without being for any positive measures to eliminate the social, political, and economic frictions which the Communists are so adroit at exploiting.
>
> These persons would do well to recall a recent lesson from history. Both Hitler and Mussolini were against communism. However, it was by what they stood for, not against, that history has judged them.

Mr. Speaker, when the United States takes a stand for aid to underdeveloped countries, when it attempts to meet the problem of social, political and economic frictions which are exploited in those areas so adroitly by the Communists, it is conducting a perfect offensive in the cold war.

Mr. Speaker, I thank the gentleman for yielding time to me on this occasion.

Mr. MATSUNAGA. I thank the gentleman from Oklahoma.

Mr. EDWARDS. Mr. Speaker, will the gentleman yield?

Mr. MATSUNAGA. I yield to the gentleman from California.

Mr. EDWARDS. Mr. Speaker, I would like to discuss one of this Nation's wisest investments—our foreign aid program.

Foreign aid cannot, of course, employ a large staff of publicists and salesmen to sell it to the public. There is no Madison Avenue public relations firm to draw up a brochure showing the return that will be realized from funds wisely invested, no skilled staff of effective salesmen to convince the public of the soundness of their investment. All too often the very real value of this program is obscured, distorted, or ignored.

The public is the investor in foreign aid, and the public is the ultimate recipient of the benefits reaped from the program. But how many people are aware, for instance, of the great impact which foreign aid funds have on our own economy?

How many voters realize that 80 percent of this foreign aid appropriation means dollars spent in the United States to obtain the materials to be sent overseas? Who has told the public of the boost given to industry and the jobs created by these appropriations?

Has anyone told the public of the contract that the General Electric plant in Schenectady, N.Y., or the Railway Tie Corp., in Mobile, Ala., or the United States Steel Corp., in Gary, Ind., or the Clayton Manufacturing Co. in El Monte, Calif., received as a part of the foreign aid program?

Who will tell the people of New Jersey of the more than $8 million job-creating dollars spent in their State in the first half of 1963 as a part of the program—or the people of Louisiana of the more than $3½ million spent in their State—or the people of Texas of the more than $8 million spent in their State? Or who will tell the people of Texas of the fact that a billion dollars has been spent in their State alone in the past 10 years.

How many people are aware that since 1954, foreign aid has pumped more than $5 billion into our economy?

Who knows that approximately 550,000 workers, not including those employed by the Government, could trace their jobs to the foreign aid program in 1962 alone?

How many people are aware that this year's foreign aid appropriation will mean about 650,000 jobs for American workers?

These are important facts—facts that should be put before the American taxpayer during the debate over foreign aid.

The public frequently hears that foreign aid is a sinkhole for U.S. dollars. The impression is given that our money, once spent, is gone forever.

Rarely are the people reminded that most of our programs are of a temporary nature and self-terminating. Rarely are they told of the new markets and increasing trade between ourselves and those countries which have been strengthened by our aid programs. Almost never are they reminded that nations which formerly received our aid are now paying back their debt to us and sharing with us the burden of aiding the less fortunate nations.

The people have a right to know that Europe has repaid $5 billion of post-war loans plus interest. More important, our sales to Europe have doubled in the past decade, reaching a total of $7 billion and these sales have made possible a favorable balance of trade with Europe of some $3 billion.

Moreover, Europe now plays an important part in sharing the burden of aiding the underdeveloped nations. She supplies something like a quarter of the aid to Latin America and three-quarters of the aid to Africa.

Only a few years ago Japan was the recipient of large amounts of American aid. Within the last decade, thanks to the aid we once extended, our exports to Japan have increased fourfold.

Only a few years ago—for basically humanitarian purposes—the United States donated large quantities of milk and wheat to Japan. Subsequently, Japan purchased additional quantities of milk, wheat, and corn products with its own currency.

Now that aid program, undertaken for humanitarian purposes, has yielded unexpected financial returns. That program changed a nation's eating habits, and today Japan is the largest single customer for American agricultural products. The school lunch program which started as a U.S.-donated effort has been continued by the Japanese with commodities purchased from the United States and other nations. Recently Japan bought—for dollars, at concessional prices—the largest single purchase of U.S. surplus milk in history to extend this school lunch program.

Once the facts are known, the conclusion is unescapable—far from being a sinkhole for U.S. dollars the foreign aid program has become a sound investment paying incalculable dividends.

We also frequently hear the charge that foreign aid is too rich for our blood, and that if we eliminated the foreign aid program we could solve the balance-of-payments problems.

Such charges and claims simply are not true.

The claim that the balance-of-payments problem could be solved by eliminating our foreign aid program is based on the false assumption that most of the funds involved in the programs represent dollar outflow. But, this is not so. In fact, the situation is quite the contrary.

As David Bell, head of the Agency for International Development, has pointed out, more than 90 percent of our total economic aid represents U.S. goods and services rather than dollar outflow.

This being so, a cut in the foreign aid program of, say, a billion dollars would reduce U.S. exports by $900 million and the deficit in the balance of payments by only $100 million. Rather than having a major impact on our balance-of-payments deficit such a cut would merely serve to reduce U.S. goods and services purchased for use abroad.

The public is told that this Nation cannot afford its large foreign aid program.

Rarely is it told that the total of our foreign aid programs amounts to less than 1 percent—0.7 percent to be exact—of our total wealth as measured by the percentage of the gross national product. The relative burden of our assistance programs has been steadily reduced—from 2 percent of our gross national product at the beginning of the Marshall plan to today's low figure—an amount, incidentally, which is less than our citizens donate to charity each year.

Even more rarely are we told that an ever-increasing portion of our foreign aid program consists of loans—money that will eventually be returned to us. During the Marshall plan we gave 90 percent of our aid to Europe in the form of grants. In the legislation now before this body, by contrast, loans account for almost 60 percent of the amount requested for economic assistance.

But even if the amount we spend on foreign aid, considered in light of our total wealth, compares favorably to the amounts most people donate to charity, our aid program is definitely not a charity—it is an investment in our own, and the entire free world's, security.

Who can deny the important role which our aid funds have already played in the cold war? Fifteen years ago Winston Churchill asked "What is Europe now? It is a rubble heap—a charnel house, a breeding ground of pestilence and hate." Predictions were made that the Marshall plan would leave the United States prostrate, that Europe was doomed to chaos, poverty, and eventual Communist domination.

Fifteen years later both the Marshall plan and the remarkable rebirth of free Europe are a part of history. While the Soviets continue to prop up their satellites and build a wall to keep their people in, a strong and prosperous Europe provides us with a favorable trade balance and helps us shoulder the burdens of defending the free world from the menace of communism.

Meanwhile our aid program has shifted its emphasis to a new arena in the struggle for world domination—the underdeveloped nations. And here, the European countries which formerly received our aid our now joining us in extending aid.

Our aid continues to go to help those nations which stand on the periphery of communism remain strong and free. Eighty percent of all economic assistance funds are concentrated in 20 countries; our military assistance programs are concentrated even more heavily.

The $1.4 billion requested for military assistance as a part of the foreign aid program is only 3 percent of the total defense budget. But, as Secretary McNamara has warned:

> Any significant curtailment of the military assistance program might result in a deterioration of the free world common defense posture which, in turn, would lead to developments involving a drain on our own military resources far more costly than our entire investment in military assistance since the beginning of the program.

Surely it is a sound investment to help build up the military establishments of those nations on the periphery of communism. As the Korean experience should have taught us—if we fail to do so the price we will have to pay, in American lives as well as American dollars, will be infinitely more expensive.

Our aid program is also helping many of the underdeveloped nations to see that America and freedom, not communism and tyranny, hold the key to a short cut to the future. A nation where only 2 percent of the farms were electrified 40 years ago and where 98 percent are now; where a century ago 1 farmer could produce food enough for only 4 or 5 people but today can produce enough for 27 people; a nation with our technological know-how surely has much to offer to an underdeveloped nation which must choose between the ways of the East and the West.

Of course, America would make the investment in foreign aid even if there were no cold war. The traditions of this Nation are rooted in the struggle against poverty, ignorance, and tyranny. America has always moved with history, and met the challenge of the times. During these long twilight years of struggle in the mid-20th century we will be judged by whether we had the vision, strength and courage to meet the challenge.

That we shall be judged and not found wanting—this is perhaps the most important return from our investment in the foreign aid program.

Mr. COHELAN. Mr. Speaker, will the gentleman yield?

Mr. MATSUNAGA. I yield to the gentleman from California.

Mr. COHELAN. Mr. Speaker, progress is a difficult thing to measure, especially when we are dealing with the complexities involved in evaluating the economic and social progress of nations. But an attempt has recently been made by the Agency for International Development to gage the progress that has been made in the 41 nations of the free world in which the United States, since the end of World War II, has invested major sums of foreign aid. This analysis has turned up some significant facts.

Our foreign aid program has been directed at three general types of situations in the countries where it has served as a major part of our overall foreign policy. In each of these situations our goals have differed.

The first involves that group of nations to which we have administered aid primarily because there was an open threat of Communist subversion or aggression. In Vietnam, Korea, Laos, and the Congo—all nations included in this group—the goal of U.S. foreign aid has largely been the maintaining of internal security and stability; the bolstering of defense in order to check attempted Communist inroads. Most of our supporting assistance has been used in security programs for these threatened nations.

A second area involves about 45 nations where the United States is only a minor aid contributor—where development efforts are being carried out primarily with the help of Western European nations or international institutions. Our main goal in these nations, many of them newly independent, is to demonstrate U.S. interest in their development through limited amounts of foreign aid. Twenty-seven of the nations in this group are in Africa. Many are former colonies where limited U.S. aid is used to ease the transition from colonialism to responsible independence, and to help prevent Communist penetration in the early stages of independence.

The third and final area where U.S. aid has been directed involves that group of nations in which our goal has been the promotion of solid and lasting economic and social institutions as part of our long-range program to increase the strength and security of the free world. This group includes 41 nations each of which have received more than $300 million or, for countries with less than 10 million people, $30 per capita in aid since 1945. It is in this group of 41 nations where our major development efforts have been made, and where we are particularly justified in asking: "What progress has been achieved?"

In an attempt to answer this question, the Agency for International Development has established three general yardsticks of progress:

The first yardstick attempts to measure whether the economic growth of these countries has been substantial. Taking a per capita national product growth of at least 1.5 percent per year for at least 5 years as a minimum measure of success, we find that 33 of the 41 nations have achieved substantial economic growth. Six of the eight countries which have not achieved this degree of economic success are in Latin America where major U.S. aid efforts have begun relatively recently and where economic gains have been largely offset by the drop in export markets.

The second yardstick of progress measures the degree of self-sufficiency that has been reached by each of these 41 nations, for we are interested not only in economic growth but also in the degree to which need for outside aid is diminishing. The long-range self-sufficiency goal recently adopted by the Alliance for Progress requires that 80 percent of a nation's total investment be from domestic sources, leaving at most 20 percent to be covered by foreign assistance. Using this as a minimum measure of success, we find that 14 countries have achieved complete self-sufficiency, while another 11 have achieved adequate self-sufficiency with less than 20 percent of their total investment presently being covered by foreign aid.

Finally, we want to make, if we can, a third measurement of progress. We want to determine the degree to which economic growth has been accompanied by social and political progress. This, of course, is the most difficult measurement of all. But on the basis of performance we can generalize that progress seems substantial. In all 24 of the countries which have displayed both substantial economic growth and adequate self-sufficiency, democratic institutions have been strengthened and less democratic institutions significantly liberalized. We cannot, of course, rule out the possibility of "political backsliding," but there is no clear case of this in any of the nations to which we have extended substantial amounts of economic assistance. As AID Administrator David Bell has testified, "While there is no guarantee that improved political institutions will follow in any automatic way, it seems clear that without economic progress the chances for strengthening democratic processes in the less developed countries would be greatly diminished."

Progress is an American byword. The desire and willingness to change is one of the qualities which has made our Nation strong. It is natural for us, therefore, to take steps to insure that the funds we are investing in foreign nations are achieving the kinds of economic, political, and social progress to which we as a nation are dedicated.

Despite the difficulties in making such evaluations with any great precision, and despite the difficult and substantial problems which remain and lie ahead, encouraging progress is clearly being made; progress for the free world and progress for mankind.

Mr. Speaker, I encourage our colleagues to critically review and consider any proposals which would seriously impair these efforts.

Mr. COHELAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include a table.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

ECONOMIC GROWTH AND SELF-SUFFICIENCY OF 41 COUNTRIES WHICH HAVE RECEIVED SUBSTANTIAL AMOUNTS OF AID [1]

A. Successfully completed programs: Austria, Belgium-Luxembourg, Denmark, France, Germany, Iceland, Ireland, Italy, Japan, Lebanon, Netherlands, Norway, Spain, and United Kingdom.

B. Substantial growth (over 1.5 percent per year per capita over 5 years) and adequate or increasing self-sufficiency: Colombia, Greece, India, Iran, Israel, Mexico, Philippines, Taiwan, Thailand, and Venezuela.

C. Substantial growth with continuing external dependence: Bolivia, Brazil, Guatemala, Jordan, Liberia, Pakistan (substantial growth since 1959), Panama, Turkey, and United Arab Republic.

D. No substantial growth (less than 1.5 percent per capita); Argentina, Chile, Costa Rica, Indonesia, Nicaragua, Pakistan (substantial growth since 1959), Paraguay, Peru, and Tunisia.

Mr. MATSUNAGA. I thank the gentleman from California for his contribution.

Mrs. HANSEN. Mr. Speaker, will the gentleman yield?

Mr. MATSUNAGA. I yield to the gentlewoman from Washington.

Mrs. HANSEN. Mr. Speaker, I, too, wish to compliment the gentleman from Hawaii for taking this hour to present and explain some facts and facets of foreign aid. There is no more widely debated program in the American legislative body or in American society than the program of foreign aid. I particularly would like to bring to the attention of the House some of the various aspects and facets of foreign aid programs of other free world countries. Very often we hear it said that we alone are maintaining a program. Other nations among our free world allies are also participating—not as much as they should, true, but let us examine a small part of the record.

Americans are justly proud of helping to bring about economic recovery and growth in Europe and Japan. Having helped these countries it is only natural for us now to expect them to carry their fair share of the responsibility for aiding the underdeveloped countries. There is encouraging progress in this direction.

Over the past several years, the total amount of foreign assistance given by Japan, Western Europe, and Canada, has increased. It has increased relative to their gross national products. More important, increased emphasis and priority have been given to foreign aid by these countries in relation to other governmental activities.

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[1] Includes all countries in which (a) economic development has been a primary objective of U.S. assistance, and (b) U.S. economic assistance from all sources since 1945 has amounted to $300 million or (for countries having less than 10 million people) $30 per capita. Excludes countries to which substantial amount of U.S. aid have been administered for special military or political reasons: Korea, Vietnam, Laos, Cambodia, Libya, Morocco, Yugoslavia, and Poland.

The progress made by our free world allies is a matter of public record. Statistics recently released by the Development Assistance Committee of the Organization for Economic Cooperation and Development show that grant aid and official lending for maturities exceeding 5 years rose from $4.3 billion in 1958 to $6 billion in 1962. Non-U.S. aid in this period rose from $1.8 billion to almost $2.5 billion. During this same time, West Germany's contributions went from a low of $278 million to a high of $589 million, and France's contributions went from $832 to $966 million. Altogether, overall free world contributions have increased roughly 10 percent a year since 1956.

As a percentage of gross national product, participation by the other free world countries has been very significant—in fact, the record indicates that it has exceeded our own. In 1960, we spent 0.56 percent of our GNP on foreign aid, and in 1961, 0.66 percent, while in the same period the average percentage of GNP expended on foreign aid by our NATO Allies and Japan rose from 0.62 percent to 0.71 percent.

This important barometer of a nation's efforts—the percentage of its economic resources devoted to accomplishing a given task—clearly indicates that, on the average, our free world allies are beginning to pull their weight in the foreign aid field.

These statistics demonstrate that our allies have increasingly recognized, partly as a result of U.S. leadership, the importance of helping other countries to meet the rising expectations of their people.

Several criticisms are, nevertheless, leveled at the aid programs of our free world allies. The first is that our allies are really only aiding their former colonies and dependent territories.

While it is still true that two-thirds of the recipients of British and French foreign assistance are former colonies and those with whom they have special economic ties, there has been a great improvement over the situation of 5 years ago, when the figure was close to 100 percent. And while it is still true that a great percentage of Japan's assistance to the underdeveloped Far Eastern countries is in the form of war reparations, the Japanese have also given direct aid in Latin America and the Near East and south Asia. West Germany, on the other hand, assisted 40 countries in 1961 and 47 in 1962, throughout the world. None of these had been a German colony or dependent territory in recent modern history.

The second major criticism leveled at our Western Allies has been that other free world foreign aid is given largely in the form of hard loans, with high interest rates and short terms of maturity. This is becoming less and less the case.

The report of the Chairman of the Development Assistance Committee, recently released, describes the progress which has been made. It says:

> It is important to realize that DAC members have * * * been making considerable progress in their respective aid programs in easing the financial terms. At the present time, the major part of gross official bilateral capital flows (two-thirds, in fact) is already provided either in grants or in forms which do not require servicing in foreign currencies. The possibilities of any softening are therefore limited to the remaining one-third of such flows provided in loans which do require foreign currency servicing. Belgium, France, Canada, the Netherlands, Norway and the EEC Development Fund made upward of three-quarters of their 1962 commitments in grant form. * * * The United Kingdom commitments were * * * more than one-half in grants. * * *
>
> (The past few years have seen a considerable softening in loan terms.) In 1962 only about 40 percent of new loans committed by DAC members carried interest rates of 5 percent or more as compared with over 70 percent in 1961, while the proportion of loans at a rate of less than 3 percent rose from 18 percent of the total to about 40 percent during these 2 years. * * * There was, in addition, a lengthening of repayment periods; the proportion of loans committed for 20 years or more rose from about one-third of the total in 1961 to over one-half in 1962.

More important than these statistics is the fact that all of the member nations of the Development Assistance Committee have fully recognized the need for providing softer loans and have established a special working group to deal with the problem.

The most commonly voiced criticism of the foreign aid programs of our allies is that they are leaving us to carry the burden in those areas where the problems to be solved are most immediate and the menace of communism is the greatest. Again, encouraging progress is being made.

Four major international consortia have been established for large-scale, concerted assistance to countries where economic problems have reached crisis proportions. The Indian Consortium is by far the most successful. Non-U.S. aid pledges for 1963 and 1964 have reached $539 million. This is the more remarkable because non-U.S. free world aid to India—largely in the form of loans—has already totaled $1.5 billion since 1958. The Pakistan Consortium has already received pledges of $445 million for the second 5-year plan from Western Europe, Canada, and Japan. Final figures on the Turkish and Greek consortia have not yet been determined, but thus far all indications are that our free world allies will be assuming a large part of the burden of assisting these two vital members of NATO.

In the Far East, America is no longer carrying by itself the burdens of assistance. France, West Germany, and Japan have extended substantial assistance to Thailand, Cambodia, and Vietnam; and Britain has assisted us in Laos. West Germany recently made a long-term loan for economic development in Vietnam. A significant program in the Mekong River Delta which will benefit both Thailand and Cambodia is being financed largely by funds from free world sources other than the United States.

This is not to say that our allies are doing all they can or should. Interest rates are still too high, and repayment periods too short. There is not enough concern for problems in Latin America and southeast Asia. The United States is still carrying a disproportionate share of the cost of defense. But considerable progress has been made by our free world allies in improving their foreign aid programs. Having helped these nations to get on their feet, it behooves us to continue providing leadership for assistance to the less-developed countries.

Mr. MATSUNAGA. Mr. Speaker, I thank the gentlewoman from Washington for bringing to the attention of the House a far too seldom discussed facet of our foreign aid program.

Mr. FOREMAN. Mr. Speaker, will the gentleman yield?

Mr. MATSUNAGA. I yield to the gentleman from Texas.

Mr. FOREMAN. Mr. Speaker, I am surprised to hear the plaudits paid our irresponsible and wasteful foreign aid giveaway program to foreign countries, most of them socialistic and many of them Communist, today.

I point to the country of Brazil as one outstanding example of this giveaway program to Communist infiltrated and Communist tinted and tinged countries. It was not but a few weeks ago, when they were holding the World National Congress of Communist Organizations in Brazil, the United States of America asked Brazil not to allow this Communist congress to meet there. But they did. At this very time, Brazil had their representatives here in Washington, D.C., asking for U.S. Federal foreign aid in the amount of $398 million for this country that is going Communist, a country that is infiltrated at the top of its government with Communists. In fact, there are so many Reds down there that they say they are so pink on the inside with communism and so green on the outside with U.S. foreign aid, that they call them watermelons. Incidentally, they got the $398 million they came after, because, as our State Department put it, "They promised to be do better in the future."

I point to another example, which I mentioned earlier on the floor here today, of aid to India, another pro-Communist nation.

Only today, I received reliable information indicating that part of the equipment being idled by the closing of the 17 long-range radar stations and 6 SAGE Centers across the United States, some of them in West Texas, is being shipped to India as a part of our foreign aid program to that country.

It is a deplorable and almost unbelievable situation indeed when our Government is willing to close down our own military centers and ship our equipment to any country, much less a Socialist country such as India that has continually played footsie with the Communists.

Apparently, it was not enough for us to try to outdo Russia in aid to India by building them a steel mill with U.S. taxpayer dollars, we now must give India our radar equipment to try to compete with Russian military gifts.

U.S. State Department officials have told India that any intermixture of United States and Soviet arms aid would create both military and foreign policy problems between the two governments. U.S. officials say they do not want to have U.S. radar equipment intermixed with Soviet radar equipment, or to have the two aid programs intermixed. Officials noted that the U.S. military equipment and Soviet equipment are not built to the same standards.

One solution to such a problem might be for us to immediately stop shipment of all U.S. equipment to India and then it would be more difficult for it to be intermixed with the Soviet equipment.

There is a real possibility that India will receive both ground-to-air missiles and radar equipment from the Soviet Union. The Indian shopping list was also said to contain some ground-to-ground missiles, transport planes and other items, including training facilities for Indian personnel.

This kind of give-away program, coupled with the announcement yesterday that Secretary of Agriculture Orville Freeman, on his around-the-world junket, committed us for $50 million in U.S. taxpayer aid to Tito's Yugoslavia, is typical of the fuzzy-thinking New Frontier diplomats and programs that the U.S. taxpayers are about to get a gutfull of.

For those of you who say we are stopping communism with this foreign aid program, I ask you to point out one instance—point out one instance—where we have stopped the spread of communism with our foreign aid program. All around the world we are seeing communism spread and we are seeing Socialist countries become Communist countries. We are seeing them take our aid and laugh in our faces and bite our hands if we do not keep them full for them to eat out of.

I say to you, why do we not give some aid to the taxpayers of America who bear the burden of paying the cost of this program? The families all across this country whose Federal income tax goes for providing giveaways to Communist countries.

Mr. Speaker, I say at a time when we have millions of hungry and uneducated Americans in our own country, according to President Kennedy, why do we not give them some aid? How about feeding them and educating them, first? Why do we not look after our own family before we start trying to raise the living standards of the world?

Mr. Speaker, I say it is an unforgiveable disgrace indeed for a country with a national debt greater than the next 28 countries combined still to tax our people to give away our goods to try to buy friends among people who are biting our hands when they go empty.

I thank the gentleman.

Mr. MATSUNAGA. The gentleman from Texas apparently has not taken heed of what has been said relative to the fact that foreign aid is for our own security. The facts would indicate by proper study that many nations without foreign aid which we have given would have turned Communist even before now.

Mr. FOREMAN. Will the gentleman yield? Name one of them.

Mr. MATSUNAGA. Look at the African nations. India, the bulwark of democracy in the East. Do you suppose India would have stood up without aid from us up to now?

Mr. FOREMAN. India has taken aid from the Soviets and is becoming more Communist every day. The African nations are becoming more Communist every day.

Mr. MATSUNAGA. Is it the gentleman's opinion that India is Communist today?

Mr. FOREMAN. It is my opinion they are more Communist than they are democratic. And it is my opinion that our foreign aid is not going to buy them away from becoming communistic.

Mr. MATSUNAGA. Is communism and democracy intermingable?

Mr. FOREMAN. I do not think they are.

Mr. MATSUNAGA. Then why does the gentleman say that India is a state of mixed communism and democracy?

Mr. FOREMAN. I do not say they are mixed. I say they are closer to communism than they are to democracy.

Mr. MATSUNAGA. That definitely is an indication that it is mixed.

Mr. FOREMAN. No; I think not.

Mr. MATSUNAGA. I thank the gentleman.

Mr. FOREMAN. I thank the gentleman for yielding.

Mr. MATSUNAGA. I would suggest to the gentleman that on tomorrow under a special order taken by Mr. FRASER much of the questions raised will be answered by the speakers who are prepared to bring out statistics.

Mr. FOREMAN. I would very much appreciate it. I am looking for some answers and I think the American people are looking for some answers.

Mr. MATSUNAGA. Mr. Speaker, I now yield to the gentleman from California [Mr. LEGGETT].

Mr. LEGGETT. Mr. Speaker, I thank the gentleman.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and also to insert at the conclusion of my remarks a speech made by the Honorable Chester Bowles before the University of Texas in Austin, Tex., on April 24.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

FOREIGN ASSISTANCE POLICY RESTATED AND REJUSTIFIED

Mr. LEGGETT. Mr. Speaker, in a few days or weeks the Congress will be presented for approval or rejection the Foreign Assistance Act of 1963, H.R. 7885, the considered end product of 6 months of study and deliberation by the Foreign Affairs Committee. The projected fiscal year 1964 authorization in the amount of $2.4 billion is reduced from the executive request by nearly $½ billion. The effect of the reduction will be to limit the fiscal year appropriation to $4 billion, including $1½ billion previously authorized funds.

In light of statements by responsible congressional leaders and one presidential aspirant that all foreign aid is a hopeless boondoggle and should be immediately terminated, we are here called upon to justify the program.

Why do we worry about our neighboring countries? Are we concerned first with helping them, helping ourselves, or just flighting communism? Why are we playing big brother to the world and can we afford to give away our wealth? Is not loss of gold undermining the dollar? Are we not spreading our wealth so thin that the benefits are completely illusory and intangible? It is said we cannot buy friends—is not our foreign aid really dollar diplomacy? Can we not get more benefits with the Peace Corps than with all this dollar extravaganza? Are we not helping nations who either refuse to help themselves or who fail to tax themselves at the high rates prevalent in America?

To answer the last question first, the program is not getting bigger all the time—the House Appropriations Committee has held assistance to the $2½ billion level for a number of years, plus $1½ billion of military assistance. While these expenditures constitute 4 percent of the national budget, they are partially immediately justified as national defense. The figures include the budget for the Peace Corps, international finance agencies, the Export-Import Bank, better than $200 million in Public Law 480—food for peace—plus administrative expenses for operating the USIA, Department of State, Arms Control Agency, Tariff Commission, and Foreign Claims Settlement Commission.

It is claimed that the United States spent better than $100 billion since World War II. Have we gotten our moneys' worth?

If you correlate all of the countries that received more than $400 million of aid in the post World War II period with the countries with which we traded better than $100 million gross exports last year, the figures are as follows:

[In millions]

Country	Foreign aid, 1945–61	Export trade, 1961
Austria	$1,101	$58
Belgium	697	420
France	5,266	[1]564
Germany	3,076	1,075
Italy	2,974	794
Netherlands	916	696
Spain	858	269
United Kingdom	6,575	1,130
Yugoslavia	1,471	153
Poland	823	74
Greece	1,539	78
India	2,158	482
Iran	620	92
Israel	672	146
Pakistan	1,160	195
Turkey	1,132	141
United Arab Republic	406	161
China (Taiwan)	1,865	135
Japan	2,557	1,739
Korea	3,056	162
Philippines	998	332
Vietnam	1,440	67
Brazil	1,005	486
Mexico	418	796
Colombia	228	244
Venezuela	$45	$509
Peru	195	173
Chile	335	226
Argentina	302	48

[1] 1962, $774,000,000.

Figures here shout louder than a thousand words and show simply that for every substantial foreign investment we have made, we have received back $100 million worth of annual trade. With many of the countries obligated, in addition, to make repayments in the future, the overall transaction could hardly be better.

While it is true that some of the countries we have assisted are not all out to mimic the American way, let us not forget that 80 percent of our foreign aid has been extremely successful.

Have the American people assumed the big brother attitude realistically toward the rest of the world? I think we have. While it is true we have lost some gold in the last few years, we still have 40 percent of the world supply with Germany at 8 percent the closest competitor. We have assumed the status of the world banker with free world countries basing their wealth not only on gold but also on 24½ billion worth of American dollars. Do we have enough dollars left? I think so—domestic deposits and currency stood at $137 billion last week.

How about other indicia of wealth? From 1940 to 1960 American foreign investments grew from $12 billion to $71½ billion, while foreign investments in the United States grew only from $13½ billion to $44½ billion. American gross national product at $500 billion plus is greater than Europe, Africa, and most of free Asia combined. We have more telephones, televisions, radios, and send more letters than the rest of the world combined. Our exports exceed our imports by near $6 billion yearly, including foreign development sales. Remember—these figures are after 20 years of foreign aid. While it is true the American public debt stands $300 billion to $200 billion for the rest of the free world, I believe these figures realistically reflect our world stature.

Is it any wonder then that we should have assumed 32 percent of the United Nations yearly operations cost? Soviet support has realistically been set at 13 percent, with the United Kingdom at 7½ percent and France at 6 percent.

In summary, I think the facts substantiate that we have the right to play big brother and we should not be coerced to retract all our operations within our borders for fear of Communist infiltration of the State Department.

Why do we assume this superworld position—to help ourselves or the world? If we selfishly have to claim justification for base personal financial motives, then I think we are acting better than we know. Chester Bowles recently set forth the complete rationale when he stated that America takes the right actions but makes the wrong sounds. Imagine how it sounds to the natives down in lower Slobovia when they receive aid in kind and perhaps repayable development grants on the one hand, and hear statements from our country indicating that Slobovians do not have the capacity to govern themselves and perhaps never will—or that all this aid is a waste of time—let us elect a new President and stop it all. It is no wonder that this gift horse America occasionally gets knocked square in the teeth.

WHAT STANDARD OF ASSISTANCE SHALL WE ASSUME FOR OUR AID PROGRAM?

Obviously, we cannot bestow our helping hand to every corner of the globe. Realistically we can only really help substantially those countries who have shown a trend toward stability, ability to self-govern and an ability to assume some independent stature among the community of nations based on a philosophy of peace and freedom. This is a tough subjective standard and its lack of consistent application has led some leaders to be despondent.

We have recently engaged in a $1 billion per year Alliance for Progress with Latin America. In most of the Latin American countries, however, it is ridiculous to extend funds unless efforts are made to realistically stabilize those countries by land and tax reform. Eisenhower recognized this dilemma and Ike's brother, Milton, recently wrote that "revolution in Latin America is inevitable—the revolution can either be violent or peaceful." In reality, the southern Americas want one thing—change. As a young Chilean recently stated to me:

> How can you have the bulk of the wealth in the 100 families with deposits in Swiss banks when 600,000 people in Santiago are living like animals. We don't want communism but the country has to have a change—the Communists are the only ones offering this commodity—how can you effect change with the Alliance for Progress program when all of the transactions are not made people-to-people, but through the 100 families. We have now about 24 percent Communists and I am fighting them, but they get members for the asking.

The tragic thing about Chile is that this country similarly situated to California south of the Equator might go Communist by election. The point, of course, is not to hopelessly give up but get some real "brass knuckle" negotiators on the Alliance team and certainly do not give 1 dime to make the rich richer because this only makes the Communist more Communist.

Is not loss of gold undermining the dollar and for this reason should not we drop foreign aid? I do not think so. We carried on an extensive foreign aid program through 1957 and maintained gold levels at $23 billion through that period for 17 years in spite of $1 billion annual payment deficits. Under Ike we lost $2 billion per year in gold for 3 years and Kennedy has checked the loss to $228 million for the first half of calendar 1963. Our gold loss is coming under control and, moreover, over 80 percent of our economic aid assistance is spent domestically. All of our military assistance results in corresponding domestic purchases. Considering the effect of aid on our foreign trade stimulation, the gold drain issue is here strictly a false argument. As a practical matter, our loss of gold is not strictly correlated to our balance of payments but is primarily related to the demands for gold convertibility of the holders of 25 billion short-term foreign dollar holdings. A termination of foreign aid might check our balance of payments in the short run, but it also might stimulate a demand for convertibility or deplete our favorable balance of trade in the long run.

Finally, is not the Peace Corps satisfying all of our pro bono publico obligations to the rest of the world? I think the Peace Corps is great but obviously youthful people slightly trained in diplomacy, not capitalized, on low salary, many times not technically trained or bilingual, and many times not of sufficient quantity to effect a real impression or inspiration leaves something additional to be desired. The present aid program of grants and loans is partially helpful but I believe the area of technical, bilingual foreign assistance needs tremendous stimulation.

The Russian system of long-term bilingual technical infiltration, many times at little cost to Moscow, is worthy of partial emulation. Our stimulation must be to convince our youth, by example, not dogma, that America has an exportable brand of democracy which has a theme of peace and freedom and which may or may not be a carbon copy of 174 years of synthesis of American Government and enterprise. Our real future in foreign affairs lies in technically training those youth such that they might go forward from our shores in a bulwark of freedom and truth and show the world by leadership and example the American way of life. In this, parenthetically, lies our security both in trade and in maintaining peace.

A final thought strikes me as fundamental, that our youth might better be sold on the "freedom of opportunity" fundamentals of our Constitution were we in truth and fact to provide such to our citizens. I cannot worry about the good old days when northern Communists did not infiltrate the South and concern black folks with the fact that they could not vote or get a proper education or buy a dinner in the restaurant downtown. Likewise, it does not do any good to think about what a great country this would have been if the Jews, Catholics, and Negroes had not been brought over here. Of course, we would still have the problem of taking the land away from the Indians, but that would be no problem.

As a practical matter, we have this country, conceived on compromise, and it has all kinds of people in it that the Constitution refers to generally as Americans. We were not always great. Probably only a few of the landed male gentry ratified the Constitution and things got so lousy in the middle of the last century that Lincoln and the majority frankly said that they would rather blow up the Union than continue half free and half slave. This Nation has been a long time in incubating but eventually we gave rights to people and later even extended those rights to women. We shortly will be called upon to determine whether we should see if our Constitution can validate a law which will require persons who make substantial sales to persons traveling in interstate commerce be subject to a rule precluding discriminatory treatment of brown or white travelers. Some will call this un-American, a violation of a State's right to treat Americans unequal—even Americans that belong to that State—in such a manner that millions of young brown people must be taught every year that they should not expect too much in a white America.

What I am saying is that effective foreign relations begin first at home—in every hometown and city—and only when we have the kind of nondiscriminatory system that we can put on the front page of every newspaper will we then have a truly, exportable form of democracy.

I would ask permission to reprint the words of Chester Bowles who expresses many of these concepts in a statesmanlike fashion:

WHY FOREIGN AID

(Address by Hon. Chester Bowles, President's Special Representative and Adviser on African, Asian, and Latin American Affairs, at the University of Texas, Austin, Tex., April 24, 1963)

It is a pleasure to be here in Texas; a State where people are accustomed to speaking their minds frankly and with commonsense.

Perhaps it is fitting that my subject tonight is one on which we Americans have lately expended all too little commonsense. I refer to foreign aid—the program of U.S. assistance to less developed nations.

This spring the foreign aid program is once again undergoing its annual drubbing on Capitol Hill and in certain elements of the Nation's press.

As has become their custom, many frustrated legislators and editorial writers are once again attacking the program on every possible score while many others who have been among its most loyal friends appear to be on the defensive.

Yet there is a paradox in this situation. On the basis of recent Gallup polls, the program's popularity in the country as a whole is at the highest level since its inception. According to Mr. Gallup, 58 percent of the American people are in favor of it, with only 30 percent opposed.

What is more, most of those who remain opposed to foreign aid grossly overestimated its cost, with the majority of guesses ranging anywhere from 10 to 50 percent of our budget.

In fact, of course, foreign assistance amounts to less than one twenty-fifth of our annual Federal expenditures, and even this percentage may be reduced further as our national wealth increases and our loans are repaid.

Now how are we to explain this paradox: the clear contradiction between apparent public approval and vocal political opposition?

I believe that the answer lies largely in our inadequate efforts in the last 10 years to explain the real objectives of our aid program to the American people and to their Congress.

The official reasons offered in support of the program during the 1950's were often contradictory, inaccurate, or irrelevant. The upshot has been widespread public confusion on the program's real objectives and widespread disillusionment when it fails to achieve the false goals so often proposed.

For instance, the program has been most widely presented in terms of simple anticommunism. Since a major U.S. objective is to stop communism, this implies that if communism did not exist, there would be little or no reason for the program itself.

For many years this negative perspective was actually written into the preamble of the enabling foreign aid legislation through language suggesting that the program would be necessary only as long as the Communist conspiracy threatened U.S. interests.

For developing countries seeking aid, such a view also ironically turned communism into a valuable natural resource, such as oil or uranium.

By the logic of the argument, any developing nation devoid of a powerful Communist neighbor or a noisy Communist minority becomes per se a poor candidate for U.S. economic assistance. It has been suggested sardonically that a developing nation which lacked a Communist minority should plant and nourish a small but vocal Communist movement and then implore the United States to provide the funds to squelch it.

Since even Communists are sometimes blessed with a sense of humor, it is not surprising that Soviet spokesmen talking to the people of Asia and Africa have said:

"The Soviet Union offers you loans and technicians to speed your development. For this you are grateful. But you should be equally grateful to Moscow for whatever aid the Americans give you. They are quite frank in saying that if they were not so frightened of us Communists, they would give you nothing."

In 1959, as a member of the House Foreign Affairs Committee, I introduced an amendment to the preamble of the foreign aid bill which outlined the purposes of the aid program in the affirmative terms of our traditional dedication to freedom and opportunity. Although my amendment was approved overwhelmingly, our thinking on aid is still bound in major degree by the same narrow, self-limiting anti-Communist obsession.

A second fallacy in our past presentation of foreign aid is the claim that the program will bring us military allies, win us votes in the United Nations, or gain us support against Cuba and the Red Chinese. In other words, it is assumed that the program's primary objective is to make friends and buy votes.

This argument is equally hollow and futile. It is no more possible to buy the long-term loyalty of a nation than it is to buy the enduring loyalty of a friend. To attempt to do so can lead only to frustration and antagonism.

Suppose a wealthy resident of the Texas town in which you live should offer to build a swimming pool for your children, a new library, and an extension to your town hall—provided only that you and your neighbors agree to support his political views on public questions.

What would you do? You would invite him to take his money and go live elsewhere.

Unfortunately, in the past we Americans have inadvertently placed ourselves often in the position of the richest man in the world community, naively trying to buy friends and supporters for our views. Yet commonsense and a knowledge of human nature should tell us that foreign aid will not make us love our neighbors, make our neighbors love us, or win international popularity laurels for us—and we should not expect it to do so.

Finally, it has often been wrongly assumed that the success or failure of the aid program should be judged by purely and simply the rate of economic growth in the recipient country.

Obviously increased agricultural and industrial production is of the utmost importance. Yet the record shows that when the added production is badly distributed, it only widens the gap between rich and poor—and, in the process, inevitably erodes the political stability which we are striving to create.

There are many examples. Some of the most productive countries of Latin America, for instance, already have per capita incomes greater than several European countries. Yet because the privileged minority at the top may be getting rapidly richer while the impoverished embittered masses at the bottom of the ladder are making little or no progress, these nations can be as politically explosive as the poorest African or Asian country whose per capita income may be no greater than $100 a year.

In view of our past failure adequately to explain the program, it is a tribute to our national commonsense that so many Americans have continued to give tacit support to foreign assistance for basically humanitarian reasons.

This leads us back to the basic question: If the purpose of our aid program is not simply to combat communism, and if it cannot be expected to buy friends or votes, and if faster economic growth alone is no sure cure-all, what exactly is foreign aid good for? What will it do?

The answer to this question is deceptively simple to state: A wisely administered U.S. aid program can help build nations that are increasingly prepared to defend their independence against totalitarian enemies—external or internal, overt or covert—and increasingly willing to work with us as partners on common projects which may lead the world a little closer to peace.

In other words, the purpose of our aid program is to develop independent nations able and willing to stand on their own feet—and thereby to share with us a dedication to peace and freedom.

To put the question more sharply, we have a critical choice: We can help to guide the economic and social upheaval now sweeping Asia, Africa and Latin America into constructive, peaceful channels. Or we can sit back nervously and ineffectually, while the revolution of rising expectations in Asia, Africa, and Latin America slips into the hands of reckless extremists who despise everything we stand for—and a succession of Red Chinas and Red Cubas comes into being.

Within this more realistic framework of achievable objectives, let us now consider to what extent our aid program has thus far succeeded—and to what extent it has failed.

In the years since 1946, the most dramatic success of the foreign-aid program has come, of course, in Western Europe.

Following World War II a political and economic vacuum existed in Europe. Bombed out industries lay in ruins, and each nation's economy was scarred by inflation, vast unemployment, and utter hopelessness.

In the United States, meanwhile, shortsighted political leaders of both parties led a mad scramble to disband our victorious armies and draw back into our isolationist shell.

With most of Eastern Europe already overrun by the Red armies, with large and well organized Communist Parties in France, Italy, and elsewhere, and with nearly 200 battle-tested Soviet divisions still under arms, Stalin was confident that communism could quickly fill the entire European vacuum.

Yet his efforts failed. Soviet pressures toward the Mediterranean through Greece and Turkey were forestalled by the prompt counteraction of a massive military and economic assistance program under the Truman doctrine.

Within months, Marshall plan aid was provided to rebuild the war-torn economies of Western Europe, followed by the creation of NATO as an effective military shield between our Allies and the Communist world.

Although the Communist danger was obviously on our minds, Secretary of State Marshall was careful to present our aid effort within an affirmative framework. Its objective, he stressed, was not negatively to oppose some other ideology or ism, or to win subservient satellites but positively to create prosperous, independent European nations capable of standing on their own feet and making their own decisions.

It is noteworthy that in the 15 years since the Marshall plan got underway, and quite contrary to Stalin's confident expectations, there have been no Communist territorial gains anywhere on the European Continent. Indeed, Western Europe has achieved a measure of political stability and economic prosperity unparalleled in its history.

There were many of our fellow citizens who charged at the time that the $13 billion we invested in the Marshall plan was a "giveaway"—just as there are many today who describe our present aid program in Asia, Africa, and Latin America as a giveaway.

Yet the wisdom of this investment becomes all the more apparent when one compares the dismal Soviet record in Eastern Europe with the booming economic and political conditions of Western Europe today.

While the Kremlin is still forced to bolster many of its East European satellites with economic loans, U.S. economic aid to Western Europe has ceased and we are now selling well over $6 billion worth of American goods each year to former recipients of Marshall plan aid. Even the diehards must admit that that is a remarkably good return on our postwar investment in Europe's recovery.

What we have witnessed in Europe—what our foreign assistance program has helped to create there—is nothing less than a new economic and political renaissance.

To be sure, for the moment some of the symptoms of Europe's new vitality can be irritating to us. Nevertheless, our aid program to Europe brilliantly accomplished what it set out to do and today we are dealing with prosperous, independent allies. Would any thoughtful man prefer that we deal instead with the chaotic Europe of 1947?

In many other parts of the world foreign aid has also been a major success.

Let us consider, for example, what has happened in less than a generation in India, an underdeveloped country of 450 million people, equaling the combined population of Africa and Latin America—a country which I know well.

Since I left India as U.S. Ambassador in 1953 Indian national income has increased by 42 percent, with food-grain production up by 56 percent. In 1947 it was estimated that 100 million cases of malaria developed annually; now this debilitating disease has nearly disappeared. Life expectancy in India in 1947 was 27 years; it is now 42.

In a country that was only 10 percent literate 15 years ago, 60 percent of all Indian children under 12 now go to school. Indian industrial production is expanding by 10 percent annually, one of the highest rates in the world.

In its first years of independence India developed a constitution that combined features of both the U.S. and British experience. Since then India has held three national elections—each the largest exercise of the democratic privilege in the world—in which a higher percentage of people voted than in the United States.

India has freedom of speech, freedom of religion, freedom of the press, and a private enterprise sector that has been chalking up sizable gains.

India's success has been in large measure due to its own efforts. The Indian people have worked hard, developed able leadership, learned by hard experience, and maintained a sound civil service based on solid British training.

But the Indians would be the first to agree that the outlook for the success of Indian democracy would not be so bright today had it not been for generous assistance from the United States.

In the last 15 years we have granted or loaned India $3.9 billion in economic aid. Approximately 55 percent of this assistance was in the form of "surplus" commodities—wheat, cotton, corn, etc. Another 42 percent was in dollars for the purchase of materials—steel, railroad transportation equipment and machinery, manufactured mostly in the United States and produced by American workers. The remainder went for technical advice and instruction.

India's record of achievement is of great significance to that nation's future and security. Yet, this record is also profoundly important to our own security.

Only through a free India, with growing strength and confidence, can we expect to see the development of a political and military balance to Communist China in Asia. What is more, a successful, expanding India demonstrates to all of the doubters and the faint hearted in Asia, Africa, and Latin America that democracy is more than an impractical Western political luxury; it is a realistic political and economic system that actually works in practice, that produces results.

The Indian third 5-year plan proposes that within the next 10 years the need for foreign assistance will begin to be reduced; and it foresees its eventual end as India's take-off point of self-sustaining growth is finally reached.

But India is by no means the only dramatic example of successful aid use outside Western Europe. In the same subcontinent, Pakistan is taking equally impressive strides toward national development with U.S. assistance. Together, these two nations hold the key to the future security of south Asia against pressures from Communist China.

These south Asian examples, moreover, are matched in other parts of the world. In Japan, Greece, Formosa, and Israel, our aid program has either accomplished its purpose and has been terminated, or is in the process of being phased out. Indeed, Japan and Israel are already extending such assistance to others. In Nigeria, Colombia, Tunisia, and many other countries steady progress is being made.

Therefore, the record shows that foreign aid, when handled wisely, can succeed in doing what it sets out to do—it can help to create viable independent nations.

On the other hand, where the program has not been handled wisely, the results have naturally not been so good. Similarly, where our expectations have been unrealistic and grandiose, we have inevitably met disappointment.

In regard to the wise handling of economic assistance, we have learned some hard lessons from our Latin American experience in recent years; and today we are now attempting to apply these lessons through tightened standards for aid distribution through the Alliance for Progress.

The primary lesson that we must learn from Cuba is that the United States cannot afford to support, or even to tolerate, corrupt, oppressive regimes, of whatever ideological base, which deny the basic aspirations of their own people for human dignity and a better life. As President Kennedy has himself pointed out on more than one occasion, we wouldn't have Castro if it had not been for Batista.

Reactionary right wing governments constitute the weakest defense against totalitarianism of the left. They are sitting ducks for the Castro Communists because they deny the dignity and rights of the majority of people—and their eventual overthrow through violence is inevitable as the economic and political pressures intensify.

What is the nature of these pressures? Consider these facts:

In Latin America today 1½ percent of the people—those with 15,000 or more acres each—are said to own half of all agricultural land. Only a handful of countries have an effective income tax. In several countries local capital is being accumulated in Swiss banks for safekeeping at the same time that U.S. aid is requested, while scarce foreign exchange goes for perfume and Cadillacs instead of for machinery, tools, and fertilizer plants.

In many Latin American countries the reforms needed to produce prosperity and stability are dangerously overdue. Yet because the essential economic and social revolution in many cases has not yet taken place, great wealth continues to exist explosively side by side with abject poverty.

What is important about the new AID program is the fact that its administrators now have the will to use it as a lever to induce reform and not, as so frequently happened in the past, as a backstop for the doomed status quo. In the broadest political and human sense, we intend to use this program to prevent situations getting so far out of hand that we are forced to make the impossible choice between the Castros and the Batistas of this world.

Those countries that are unable or unwilling to curb luxury spending, to stop the flight of capital, and to undertake far-reaching social and economic reforms should be dropped as aid recipients; or, in some cases, I believe our assistance should be limited to a modest U.S. presence through the Peace Corps and technical assistance programs.

There will, of course, be inevitable exceptions in those situations where overwhelming strategic or political considerations make continuance of a dole necessary for our own security.

In such exceptional instances, however, let us at least frankly admit that our purposes are political, and not confuse these exceptions with the constructive development policies, operations and standards of the rest of the program.

So much for the lessons of our 15-year aid program. What must we Americans do here and now, as the annual aid debate begins to rage again?

What we need to do now, as citizens and as a government, is to strengthen the program, to support it and explain it, and to recognize it as a basic arm of American foreign policy without which we would be sorely, perhaps fatally, handicapped.

In this regard, I believe that we should keep in mind five clear sets of objectives:

First, we have an overriding responsibility to explain to ourselves and to others what the program can and cannot do. We should never fall prey to the tired old fallacies that have previously distorted our views of aid's possibilities.

Properly administered foreign assistance can do one thing, and one thing only: It can help to build independent nations capable of standing on their own feet and making their own free choices. And if we can do that, we can help create a rational world in which communism is steadily declining in influence—a world that holds some prospect of peace.

Second, we are now establishing and publicizing clear working criteria for the distribution of economic aid. The need for such criteria has been strongly implied in the Act for International Development as passed by Congress and the recent Clay report has reemphasized this need.

Let us remember that the Congress has directed us to do precisely what experience has taught us must be done if our oversea assistance effort is to succeed. For instance, the act says:

"Assistance will be based upon sound plans and programs, be directed toward the social as well as economic aspects of economic development; be responsive to the efforts of the recipient countries to mobilize their own resources and help themselves; be cognizant of the external and internal pressures which hamper their growth and should emphasize long-range development assistance as the primary instrument of such growth."

In the spirit of the congressional legislation, we are now posing for ourselves some searching questions in regard to all requests for assistance from abroad.

These questions relate to the applicant's present per capita income and its distribution:

The competence of the government, and its sensitivity to the needs of the population;

The existence of well-conceived, long-range national economic development plans;

The adequate distribution and collection of the nation's tax burden;

The priority given to the vast majority of citizens who live in the rural areas; the development of equitable land distribution and the creation of an integrated approach to community development;

The existence of a favorable climate and adequate incentives for foreign and domestic private investment; and

The maintenance of effective controls over the expenditure of foreign exchange for luxury imports.

Most important of all, we are asking ourselves whether a government which seeks our assistance exists with at least the general consent of its own population; in other words, is it sufficiently rooted in public support to assure the broad backing of its people necessary for a bold program of economic and social development?

Although obviously no nation could respond affirmatively on all these counts, these are objectives that we must stress in developing priorities and standards for distribution of assistance.

Now let us consider a third general objective—the need for improvement in the planning and integration of the foreign aid program, not only within our own Government, but in connection with the wide and complex variety of international agencies and other countries that also operate in this field.

The U.S. Government provides unilateral aid through the Export-Import Bank, which helps the underdeveloped nations finance the purchase of industrial goods in the United States; the Development Loan Fund, which provides long-term loans on easy terms payable in both dollars and soft currencies; U.S. technical assistance, which offers a wide range of specialists in planning and technology; the Peace Corps, which provides several thousand volunteers trained in teaching, nursing, rural development, and the like; and food for peace, which distributes U.S. surplus farm products, including wheat, rice, powdered milk, and cotton.

But economic assistance for the developing nations is not solely an American enterprise. Loans and technical assistance are available from many international agencies. These include the World Bank, which provides loans payable in "hard currencies"; the International Development Association, which provides "soft loans"; the International Monetary Fund which helps stabilize currencies; and the so-called specialized agencies of the U.N.—the World Health Organization, Food and Agricultural Organization, and UNESCO.

Finally, West Germany, France, Britain, Canada Australia, Japan, Switzerland and Israel also provide unilateral economic assistance on a generally similar basis.

The staggering number of sources to which the developing nations can turn for assistance inevitably creates confusion and some overlapping of effort. This suggests the need for careful planning to make sure that the right kind of aid is made available, and that its use is effectively coordinated with the resources of the developing country itself.

Now let me emphasize a fourth basic consideration of particular importance: orderly political growth in the developing nations is dependent in large measure upon what happens in the rural areas where 80 percent of the people live.

When the rural areas are oppressed with poverty, exploitation and injustice, they are easy targets for Communist infiltration. Moreover, it is impossible for any developing nation to increase its industrial output rapidly if four-fifths of its people lack the purchasing power to buy its factory-produced goods.

Our aid program therefore should be more and more closely related to the improvement of agriculture, the encouragement of land reform, the creation of rural extension services, and the building of rural schools, roads, and clinics.

Fifth and last, let us take an imaginative approach to questions of public and private ownership, developing new mixed forms to meet management problems.

This question is one of practically, not morality. We Americans are wedded to a system of private ownership which has done so much for us. However, as a matter of pure realism the overburdened governments of the developing nations have enough to do without taking on the multiplicity of economic problems inherent in government management of production.

Twenty years of Government service have made me increasingly aware of the limits of government. As long as they are getting results, it is not our prime responsibility to impose our ideas on the recipients of our aid. To do so would be to open a Pandora's box of imperialistic charges and to contribute to a less effective utilization of our own aid.

In summing up, there is no question but that our foreign aid program is an absolutely vital instrument of American foreign policy, and that it has already made an enormous contribution to our national security.

The frustration that so many Americans seem to feel with this program has resulted partly from inevitable mistakes in new areas of effort, partly from the complexities of the cold war, but more than anything else from the unbalanced presentation in recent years of what the aid program can and cannot do.

Yet it would be folly to allow our frustrations to thwart our capacity to deal with the present-day world. The fact is the program in spite of many errors has on the whole been a brilliant success, and its continuance is essential if we are to develop the kind of peaceful world community in which we ourselves can prosper.

We Americans have one peculiar national habit: We tend to act much better than we sound. Why this is so I shall leave to the psychologists.

However, the fact of the matter is that we are likely to give the worst reasons for some of our most noble acts.

Thus we argue that the time has come to grant our Negro citizens first-class citizenship not because they have been waiting 180 years since the Declaration of Independence asserted that "all men are created equal" but because the colored majority of mankind in Asia and Africa is said to be breathing down our necks.

In order to win public support for urgently needed scholarships to our universities, we call the legislation the "National Defense Education Act" and we fit it out with reassuring anti-Communist disclaimers.

Through our fears and frustrations of this disorderly new world, we have come to act as though our chief national purpose is not to maintain and extend our basic American commitment to human dignity, but to thwart the Russians and Chinese in whatever they decide to do.

And while we strive to outfox the Communists abroad, we concentrate on keeping up with the Joneses at home. Politicians, journalists, businessmen—even college professors—increasingly give the most cynical reasons for their most high-minded activities.

We smile with a knowing self-assurance as we explain that scandals in high places and the misuse of positions of national trust simply go to prove that politics is politics.

Northern office seekers assure their Southern colleagues that they vote for Negro rights only because of the political pressures back home.

Businessmen contributing to boys' summer camp funds and hospital-building drives rush to cover up their decent motivations by pointing out that it is good publicity for their business—and after all, isn't it tax deductible?

In regard to foreign aid we indulge ourselves in the same labored, cynical rationalizations instead of proudly presenting this crucially important program for what it is—an earnest unprecedented effort to help new nations ease poverty, illiteracy, and disease so that they can remain free within their own cultures—we explain that our real purpose is to buy friends and supporters in the United Nations, or to keep restless peasants and workers from asking hard questions, or to fill empty bellies on the mistaken assumption that well-fed peasants will more easily tolerate the injustices and harassments of the feudal societies in which they live, and thus joyfully join us in support of the status quo.

The constructive leadership of America is now challenged, not simply to stand up to the Russians, but to understand the nature of our revolutionary world, to explore the forces at work in Communist societies and to put itself in touch with the aspirations of the people in between—the men, women, and children of Asia, Africa, and Latin America who see our planet as something more than an arena for Soviet-American conflict.

As we move to meet this challenge, we may be reminded of the words of Woodrow Wilson who once told a graduating class at Annapolis:

"There have been other nations as rich as we; there have been other nations as powerful; there have been other nations as spirited; but I hope we shall never forget that we created this Nation, not to serve ourselves, but to serve mankind. * * * No other nation was ever born into the world with the purpose of serving the rest of the world just as much as it served itself."

Mr. MATSUNAGA. I thank the gentleman from California for making a great contribution to the discussion this afternoon.

Mr. MATHIAS. Mr. Speaker, will the gentleman yield?

Mr. MATSUNAGA. I yield to the gentleman from Maryland.

Mr. MATHIAS. Mr. Speaker, I thank the gentleman from Hawaii for yielding. I think it is a very good thing taking this time this afternoon to discuss this question, which demands the thoughtful attention of the entire country.

DEVELOPING PRIVATE ENTERPRISE THROUGH FOREIGN AID

We take for granted our economic system based on free private enterprise, where individual initiative and the entrepreneurial spirit are seen at every hand. In many countries, where these concepts are not as readily understood or practiced, our foreign aid program is fostering the growth of private business.

Take Taiwan, for example, which has one of the fastest rates of growth in the underdeveloped world. Through development institutions such as the China Development Corporation, the islanders have been assisted to start new ventures and help to improve and expand existing enterprises. This has required a modest amount of dollar aid. The China Development Corporation has obtained $10 million for relending to qualified local borrowers. But the impact of that relatively small amount of money has been felt throughout the economy of Taiwan. Private investment opportunities in Taiwan are now so promising that a number of U.S. companies are making investments, frequently on a joint venture basis with local interests. In some cases AID has made Cooley local-currency loans to these companies to assist them to meet the high initial costs of production. The gradual phasing out of our aid program to Taiwan is in no small part due to the success of our private enterprise program in that country.

India, with thousands of small businessmen as well as a few large ones, is another case in point. These businessmen need both capital and technical know-how. Given necessary help, India promises to be not only a great democracy, but also an economic showcase. Besides having a substantial private business community, India has abundant natural resources, stable government, and the largest population in the free world. These are the ingredients of a large and prosperous free market economy.

Recognizing India's free enterprise potential, AID is working closely with the Indian Investment Center—a private group which brings Indian businessmen together with U.S. businessmen for the establishment of joint ventures. Indian private enterprise is also being assisted through loans to U.S. subsidiaries operating in India. Just during the past year, there have been 20 local-currency loans to such companies. Seven loans for expansion amounting to $68 million also have been made during the year to Indian companies, principally in the automotive and machine tool industries. The Export-Import Bank has also made many Indian loans. Also, the huge commodity loans which our Government has made to India are being used to provide dollars to local importers for badly needed equipment and commodities from the United States. Much of this aid is going to help the private sector of India.

The fact that the private sector of India has exceeded its targets in every one of the Indian Government's 5 year plans is evidence that private initiative is very much alive in India today. It is more than alive. It is the proven most effective way of progress.

Pakistan is another good example. With the help of AID, a U.S. consulting firm has been engaged to establish an Investment Advisory Center in Karachi, Pakistan, for training Pakistanis to analyze investment proposals from private firms. This supplements the development bank in Pakistan, established by a U.S. loan, which has been effectively lending to many Pakistan firms and to joint ventures in which U.S. investors are involved.

In the Alliance for Progress a number of steps have been taken to channel much of our aid to the private sector. In Colombia alone a private investment fund has been set up to channel more of the counterpart funds generated by U.S. assistance to private sources. This technique may well be applied in other Latin countries where local currencies are in tight supply.

AID has also made encouraging progress in carrying out other private enterprise programs authorized by the Foreign Assistance Act. A modest new program—surveys of investment opportunities—has resulted in about 30 U.S. firms or individuals, many of them smaller or medium sized, analyzing investment opportunities in such varied industries as prestressed concrete forms in Argentina, a dairy in Colombia or industrial diamond drill bits in Taiwan or Korea.

If an investment is made as a result of these surveys, the investor pays the full cost of the survey. This program is only costing us about $1 million. The returns for U.S. private investment, as well as in the development of underdeveloped countries, could be many times this amount.

One of the greatest problems in getting more American companies to invest in the underdeveloped countries is the added risks in some of these countries. This is the significance of the U.S. Investment Guarantee program, administered by AID which is now available in about 55 underdeveloped countries. Since this program started 14 years ago, guarantees of over $900 million have been issued. There has been a sixfold increase in dollar volume guarantees during the past year. These are impressive figures, but we have only begun to take advantage of available opportunities for assisting with economic development through the guaranteeing of U.S. private investments.

I am convinced that AID should do more to encourage and assist local private enterprise in other countries as well as to make greater use of the U.S. business in our development effort. But I am encouraged by the progress which is now being made on both of these fronts in the private enterprise program of AID. And I was heartened indeed by the President's statement in his Foreign Aid Message that encouraging the investment of private capital in underdeveloped countries will be the "primary new initiative in this year's foreign aid program."

I believe that foreign aid is essential for our own security and that it must continue. I also believe that we must find new ways to gear our private businessmen into this great effort to help others to develop their own business communities, to invest in their own economies, and to create a climate where private initiative can prosper and grow.

Mr. MATHIAS. I thank the gentleman from Hawaii for yielding to me.

Mr. MATSUNAGA. I thank the gentleman from Maryland for his remarks.

H.R. 21: MEDICAL CARE

The **SPEAKER** pro tempore. Under previous order of the House, the gentleman from Ohio [Mr. Bow] is recognized for 30 minutes.

Mr. BOW. Mr. Speaker, in my discussion today of my plan to assist retired Americans with the cost of medical care, I want to make it plain that this is only one of many problems that face the growing number of citizens who have passed age 65.

Perhaps the greatest of these problems is the organized effort to make our retired citizens dependent upon government for housing, pensions, health care, recreation, and every other social need.

Throughout the country we have seen recently the development of a healthy interest in our older citizens centering around the organization of special clubs and civic programs that offer recreation, companionship, an opportunity to develop new friends and new interests.

Simultaneously, we have witnessed the development of what I consider to be a completely cynical effort to turn these senior citizen activities into a political movement. Like the slogan "I can get more for Massachusetts," the New Frontier politician promises "I can get more for the old folks." Careful analysis reveals that what the "old folks" will get is a status of complete dependency upon the Federal Government, and for this they are asked to exchange their votes en bloc.

The administration's health care program is a good example. It is described in glowing generalities as a "medicare" program that will take care of all older citizens. What it really boils down to is a compulsory tax on every wage earner in return for which those who reach 65 may expect very limited hospital, diagnostic and nursing care services—services which altogether add up to about one-third of the predictable annual medical care expenses of a man or woman over 65. Like most of the programs that are supposed to make citizens "secure," the King-Anderson bill guarantees a heavy additional tax in exchange for deplorably inadequate services and the promise that these services may be improved over the years if the beneficiaries thereof continue to vote right.

The Republican Party since its inception has been the champion of individual liberties against those who would regiment the lives and business of the American people.

The Republican Party must now champion the independence and liberty of Americans who reject the idea of a managed society based upon age.

The Republican Party can fashion programs that will help individual retired persons solve the problems of advanced age under the free enterprise system.

In so doing, I know that we will be joined by many Americans who bear the label of the other party but who reject the concept of the managed society that now predominates in that party.

I can say this with confidence, for there is certainly no partisanship in the enthusiastic response with which H.R. 21, my proposal for medical care for the elderly, is being greeted in every section of the country.

SUPPORT IS GROWING

Though I lack any formal organization to publicize the bill, and have no labor union or political party support, information concerning my bill is being circulated widely and each day's mail brings some statement of support from an elderly person, a club of senior citizens, a physician or a citizen who is interested in helping our older citizens meet the high cost of adequate medical care.

This response demonstrates that Americans are still a people who believe in freedom of choice; who wish to help themselves and to be independent so long as they are able; who are willing to assist others; and who believe in private enterprise with the least possible Government control or interference.

Each nation follows its own traditions to find solutions to social problems. Most of the nations of Europe have settled upon some kind of compulsory health care involving state control of hospitals, nursing homes, drugs, and the medical profession. But Americans reject that kind of program and welcome a voluntary, free enterprise, self-help solution to what most of us now agree is a serious problem affecting in some degree each of our 18 million citizens past 65 and their families.

The most interesting and encouraging letters come from individuals who had supported the King-Anderson bill because it was the only one they knew. Conscious of the problem, they accepted the King-Anderson approach despite misgivings about its financing, the limited benefits, and the Federal control, because they knew of nothing better.

Having been introduced to the much more comprehensive provisions of the Bow medical care program, appreciating its voluntary nature and its incentives, they write to me enthusiastically.

PHYSICIANS SUPPORT H.R. 21

Also interesting and encouraging are the letters from physicians all over the Nation who absolutely reject the King-Anderson bill but have been hoping for a proposal they could support. These are doctors who are not content with the position of the AMA. They recognize a problem not solved by any current legislation. They believe it must be solved in a manner that preserves the independence and integrity of the medical profession and the right of each individual to free choice in matters of health care.

I was greatly pleased by a letter from a high school girl who gave me credit for her "A" in debate class. Using the Bow bill as the basis for her arguments, she won every debate against the advocates of King-Anderson and similar plans. She reports to me that her opponents eventually abandoned King-Anderson and began developing their own proposals in an unsuccessful effort to overcome her strong position.

I hope it may prove to be that way in Congress, for I am convinced that the Bow bill contains the outline of the best possible system for providing comprehensive protection against the high costs of health care for citizens who are retired and cannot meet such costs from their own limited resources.

As you know, H.R. 21 is based upon a tax incentive, but it does not stop there. All of us recognize that many older citizens have no Federal income tax liability and many have no near relatives who may be of assistance. For them, the Bow bill proposes an outright government assistance to permit them to select, as individuals and in the same manner as any other person, a comprehensive medical care insurance program to protect them in the event of illness.

AN INCENTIVE PROGRAM

The basis of the incentive program is a tax credit of not to exceed $150 for each individual over 65 who pays the premiums for a medical care insurance policy at least as comprehensive as those outlined in the legislation. This benefit would be available to anyone whose income is less than $4,000 per year. In the case of a married couple, each would be entitled to the credit of $150 or a total of $300 if their combined income is less than $8,000.

The tradition of American life has been that children are both willing and eager to assist their parents and other older relatives. Supporters of the King-Anderson bill claim that the young people of today are groaning under the burden and eager to push it off upon the Federal Government, but I do not believe that is the case. My bill would help young people to do what they want to do, that is, to help their older relatives. It would do so by offering the taxpayer a tax credit of up to $150 equal to the cost of premiums paid on a comprehensive medical care insurance for a relative over 65.

The third incentive feature applies to the relationship between employers and their retired employees. As all of us know, the continuation of group medical care insurance for retired employees has become a feature in collective bargaining. In the auto, meatpacking and steel industries, a retired employee is no longer cut off from the health insurance he enjoyed during his working years. It is continued for him by the industry. By offering the employer the same tax incentives available to a relative, my bill would encourage and strengthen this new practice.

More than half of the people past 65 now have some kind of health insurance. Most of it is only partial coverage because the retired individual cannot afford all of the insurance he should have. The Bow bill would encourage and assist these men and women to improve the protection they now enjoy.

EVERYONE PROTECTED

I am convinced that medical care insurance would be provided for the great majority of our citizens over 65 through the operation of these incentives.

I have already mentioned that there are those who pay little or no income tax and who will not have a relative or employer who takes advantage of the incentive. My bill would provide protection for these men and women. Each would be given a medical care insurance certificate which could be used to pay the premiums up to $150 for an approved program of protection, and the Treasury would redeem these certificates from the carrier for cash.

This program is designed to preserve the free choice and protect the dignity of every individual.

Those who oppose the Kerr-Mills Act have made a remarkably successful campaign against it on the grounds that it contains a means test. My bill contains no means test other than the standard income tax return which most Americans must file annually with the Internal Revenue Service.

The income tax return is a confidential matter between an individual and his Government.

At the present time many older people do not file an income tax return because they have no income tax liability. If the Bow bill became law, every older person who wished to participate in the insurance program would file an income tax return whether or not he owed a tax. If his return showed no tax liability, he would receive automatically the medical care insurance certificate, provided, of course, he wished coverage. He could take it to the carrier of his choice, and he would get his protection to the same degree as an individual who had received the $150 tax credit.

INSURANCE IS AVAILABLE

I am including with my remarks the text of H.R. 21. Even a casual reading of the benefits provided by either of the two basic insurance plans will show that they are far more comprehensive and provide more protection than the limited hospital, nursing home, and diagnostic benefits in the King-Anderson bill.

Many of my correspondents ask whether they can buy insurance of this kind for $150. I believe they can. In drawing the bill, I had the advice of experts in the insurance industry who said that these benefits could be provided for $150 or less. They said further that the competition between those who provide insurance, if this bill opens to them a market of 18 million people, would probably result in greater benefits for the same amount of money.

Let me point out that we are in a period of almost spectacular growth and improvement in health insurance.

Both the insurance companies and the Blue Cross-Blue Shield agencies deserve great commendation for their efforts to expand and improve the protection offered.

For example, Blue Cross-Blue Shield recently announced a new plan for Ohio people over 65 which may be available for $125.40 per year in my congressional district. The plan is described in the following article from the Akron Beacon-Journal:

> A low-cost health and hospitalization insurance plan for senior citizens in northeastern Ohio was opened for enrollment today by Blue Cross and Blue Shield.
>
> Opportunity to enroll in all or part of the program will continue until June 18. This is the third time the plan has been opened for enrollment since 1960.
>
> Monthly cost for subscribers in Summit, Medina, and Portage Counties is $12.45—$9.95 for the hospital coverage under Blue Cross and $2.50 for the medical and surgical coverage under Blue Shield.
>
> Cost in Wayne and Ashland Counties is $10.45—$7.95 for Blue Cross and $2.50 for Blue Shield.
>
> The program is open to any person 65 and older, provided the applicant is not in a hospital or nursing home at the time coverage goes into effect. No physical examinations or health statements will be required and there will be no exclusions or waiting periods for present or past health problems.
>
> Coverage will be provided under individual contracts. In the case of husband and wife, each must purchase his or her own contract.
>
> The Blue Cross plan will provide up to 70 days of semiprivate hospital care with no cash limits on any of the benefits. The plan will cover virtually all regular hospital services except the cost of blood plasma.

> The Bue Shield plan in Summit, Medina, Portage, Wayne, Ashland, and Richland Counties will be offered by Ohio Medical Indemnity, Inc.
>
> It will provide up to $300 for surgery, payments for anesthesia and payments for up to 70 days of in-hospital medical care, as well as X-ray therapy benefits.
>
> The medical-surgical plan will be offered by Medical Mutual of Cleveland, Inc. in Ashtabula, Cuyahoga, Geauga, Lake, and Lorain Counties. Monthly cost for both programs in Cuyahoga County is $13.15.
>
> The Blue Cross plan is being offered by Blue Cross of northeast Ohio. Those who enroll during the 15-day period will be covered for admissions to the hospital which occur on and after August 1.
>
> Enrollments for either Blue Cross or Blue Shield, or both, will be by coupons to be carried in advertisements in the Beacon-Journal. Coupons also will be available at all Blue Cross offices.

You will note that this compares favorably with the basic plan outlined in the Bow bill and I am certain that the advantages of the Bow bill could be made available to persons insured under the Ohio indemnity plan and most of the 5 million retirees who now have a Blue Cross plan.

The Health Insurance Institute has published a list of all policies made available to older people. I am told that a new list is now being compiled, but if you refer to the list published in the RECORD for March 5, 1962, by the gentleman from Missouri [Mr. CURTIS], you will be impressed by the reasonable fees and the comprehensive benefits offered older citizens.

One of the most popular today is the plan offered through the facilities of the American Association of Retired Persons. The American Association of Retired Persons insurance program would qualify as a satisfactory program under my bill, and many others would be encouraged to get this kind of comprehensive coverage.

My bill requires that the insurance must be written on a guaranteed renewable basis. Many policies now carry this provision. It means that the policy cannot be cancelled by the carrier because the individual becomes a poor risk, but will be renewed at the end of each contract period.

My bill also provides that the policy must be made available to any individual over 65 regardless of physical condition or prior medical history. This, too, presents no problem, for many, many policies are available on these terms. Two of the most widely advertised contain only the reservation that the insured individual will not be covered for an existing ailment until the policy has been in effect 6 months. After that, all conditions are covered whether or not they preexisted.

What I am endeavoring to point out is that the participating organizations such as Blue Cross and Blue Shield as well as the insurance carriers can provide protection so thorough that there is absolutely no reason to set up a competitive Government-financed social security system which could not begin to do as good a job for the citizens of the United States.

KING-ANDERSON IS UNSOUND

In that connection, let me explain some of my reservations about the social security hospitalization program.

First, the question of cost. We have heard it said time and again that a young man going to work now will be guaranteed hospital care when he is 65 if he will only pay in 25 cents a week for all of the 40-odd years he is going to be an active worker. Has anyone questioned whether the social security fund, encumbered with this financially unsound hospital program, will be in any position to take care of anyone 40 years hence?

The King-Anderson bill would increase the rate of social security taxation and the base on which that tax is levied from $4,800 to $5,200.

The chairman of the House Ways and Means Committee, who is certainly an authority on the subject, has recently introduced legislation to increase the social security tax base $600, from $4,800 to $5,400, because he says the program is unsound with its present benefits and the taxes must be increased this much, without any thought of hospital programs, just to pay out what is already promised the beneficiaries of the system.

And on this same subject, let me say that I consider most of the present benefits of the social security system are woefully inadequate and if any additional burden is to be placed on the fund, it should go to increase the pitifully small annuities now received by the average woman, whether she is a widow or unmarried.

On another subject, let me point out that every new program proposed in the King-Anderson bill is described with a proviso that the hospital or other agency concerned must meet "such other conditions of participation as the Secretary may find necessary in the interest of the health and safety of individuals who are furnished services by such agency."

This is one of the provisos that opens the door to Federal control of the hospitals and nursing homes of this Nation, and to the doctors and nurses who work therein, and to the entire health care establishment of the United States if the sponsors of this legislation are able to enact it in this Congress and broaden its benefits, as they have promised their people, in each succeeding Congress. Some people complain if we call it socialized medicine, but most certainly it would be medicine completely under Government control. It would be medicine operated by Federal bureaucrats. It would be bad medicine for the people of the United States.

These are some of the reasons I am opposed to the King-Anderson bill or to any other bill that places the hospital care of our older citizens under the control of the Secretary of Health, Education, and Welfare.

TAX INCENTIVE PRINCIPLE

I have made reference to the distinguished chairman of the Committee on Ways and Means and I recognize that he is not usually in favor of legislation which attempts to use the tax system as a means of carrying out a social program. The purpose of our tax structure is to provide for the collection of revenue and it is not wise to use it as a means of accomplishing other purposes no matter how commendable. I would hope, however, that he would agree with me that the only reason for various proposals which attempt to use the tax structure in this fashion, by granting credits or deductions for various meritorious purposes, is the fact that taxes constitute so tremendous a burden on our people. The tax burden makes it difficult for your people to extend the help they would like to give the older members of the family. The tax burden has made it difficult for anyone now 65 or older to accumulate an amount sufficient to take care of his needs in retirement. And when we are confronted with a very serious social need such as the problem we face with respect to the high cost of medical care for elderly people on the reduced income of retirement years, I think an exception is in order. We have already provided special treatment of retirement income. We have declared that the floor under medical expenses for purposes of income tax deduction does not apply when one reaches 65. And it is only a logical extension of this sound principal to provide a tax credit and incentive to solve the medical care problem.

SUPPLEMENTS KERR-MILLS

I am often asked by colleagues and by friends in medicine whether I am dissatisfied with the Kerr-Mills program and intend to supplant it with H.R. 21. I hasten to say that this is not the case. H.R. 21 would strengthen Kerr-Mills, not replace or repeal it.

The Kerr-Mills Act is and has been useful legislation, and I am glad I voted for it. The Kerr-Mills Act was intended to supply medical care for the medically indigent, and it is fulfilling this purpose admirably in those States where it has been implemented properly. For example, I have a recent letter from Governor Smylie of Idaho who comments that the Kerr-Mills Act has been "made to work to our great benefit." However, Governor Smylie, like many others, recognizes that Kerr-Mills is designed to deal with the medical problems of a specific group of old people. It is not nor was it intended to be the solution to the problems of those who are not now medically indigent but may become so if serious illness exhausts their resources. Why should we be content with a situation that permits a retired couple to be reduced to indigence by the cost of illness if, as I propose, we can afford them protection against this catastrophe?

As I view the problem, H.R. 21 would supplement Kerr-Mills wherever it is in effect. H.R. 21 would provide the basic protection most people need and in so doing it would reduce greatly the amounts that must be spent by the States and the Federal Government under the Kerr-Mills program. But if the protection afforded by H.R. 21 did not pay all of the bills, the Kerr-Mills program could move in and assume the balance of the obligation. It seems to me it is a major advantage of my bill that it will save considerable money. The insurance protection will ease the burdens that now must be carried by the States and the Federal Government under various programs.

KING-ANDERSON COST PROHIBITIVE

As I have said, under the provisions of the King-Anderson bill, the cost of the program would be financed by an increase of one-half percent of the social security tax on an increased base of $5,200 to be paid equally by employer and employee. This would bring the entire social security tax up to a total of 9¾ percent by 1968. Former Secretary Ribicoff is on record as having said that any increase of the social security tax above 10 percent would not be tolerable.

The fact is that in all probability the amount of money expected to be received by the increase of one-half of 1 percent—which it is expected will yield $1.3 billion annually—will not be enough to meet the cost of the limited King-Anderson plan for even the first year. The Department of Health, Education, and Welfare estimates that the initial cost would amount to only $1.06 billion annually.

The assumptions upon which this estimate was based are open to the most serious challenge. For example, the estimated cost of hospitalization was arrived at on the strength of house-to-house visits by social security workers upon 5,000 elderly people between the ages of 65 and 80 who were asked to recall when they were last in a hospital, how long they stayed and how much they paid. Reliance was placed upon the doubtful recollections of these old persons. I is submitted that this is an unscientific and undisciplined approach which cannot be accepted as a trustworthy foundation for a reasonably accurate estimate. On the other hand, the health insurance industry has made certain calculations of cost based upon the claim experience of several hundred companies over a period of years. It has submitted an estimate that gives the first year's cost at over $2.2 billion, or more than twice the estimate submitted by the Department of Health, Education, and Welfare.

Projecting these estimates over a period of time, HEW has arrived at an approximate cost of $2.3 billion by the end of 30 years, whereas the insurance companies have come up with a figure of $5.4 billion at the end of 20 years. If the figures of the insurance companies are accepted, it is apparent that the proposed increase of one-half of 1 percent in the social security tax would be totally inadequate to meet the expenses of the King-Anderson plan. The deficit would have to be made up in all probability by further increases of the social security tax greatly exceeding the 10-percent limit which former Secretary Ribicoff has stated is all that the traffic will stand.

It might be pointed out that if the King-Anderson plan goes forward, there will be nearly 20 million persons eligible for benefits who have never contributed a cent to the cost of the program. The total expense of meeting the benefits to which this group is entitled will approximate $35 billion.

It should also be noted that the method of financing the King-Anderson plan places the greatest burden upon the shoulders of the workers in the lower income brackets. This is because the tax is not graduated and does not fall on earned incomes over $5,200. Moreover, it does not attach to any unearned income, so that the well to do would contribute little directly to the cost. On the basis of the plan as contemplated, it is estimated that by 1968 a worker with an average-sized family who is making $5,000 a year would be paying more in social security than in income taxes at present levels.

The probable cost of H.R. 21 is about the same as the HEW estimate of first-year costs for the King-Anderson program. Disregarding the fact that the HEW estimate is politically motivated and actuarially unrealistic, let me ask why we should wish to spend $1.2 billion next year to provide our retired people with 90 days of hospital care, possibly followed by nursing care, and limited diagnostic services if for the same amount we can provide them with a first-class comprehensive insurance program that will give them hospital care, plus surgeon's fees, plus home calls by their physician, plus nursing home care.

A comparison of the meager benefits that can be offered by the Government with a program offered by the free enterprise health insurance system of this Nation is dramatic evidence of the superiority of the free enterprise approach, the historically correct approach for this country.

POLITICAL FACTS

Let us turn for a moment to the practical political situation that faces us in Congress today.

I believe it is a good thing to air, at least occasionally, the gossip and conjecture that surround speculation on the legislative chances of enacting a medical care program for the aged.

We know that our good friend and able colleague, the gentleman from Arkansas, has said that he opposed the King-Anderson bill. He has made this statement in public several times. We know, also, that the Committee on Ways and Means which he chairs so ably has been preoccupied with tax and debt matters throughout this long session. We may assume that there will be considerable pressure on the committee to act on the King-Anderson bill once the tax matter is disposed of.

I am convinced that this House sooner or later will debate and act upon medical care for the aged and I believe in my heart that it would be disastrous for the senior citizens of America and for the future welfare of this Nation if we enter that debate unprepared to offer a substitute for King-Anderson that is generally understood and capable of winning the support of all who are genuinely interested in solving this problem.

Some of my friends have said that I am rocking the boat by my efforts to publicize my medical care bill. Perhaps I am rocking the boat, but I believe my friends are rather naive to suppose that the calm seas in which medicare is sailing at present will remain calm. I am sorely afraid that they will be shipwrecked if they do not join me in my efforts to win acceptance for a program that will really help retirees meet the costs of medical and hospital care.

I have been most fortunate to have had the opportunity to address two meetings sponsored by the American Academy of General Practice this year, and the response to my explanation of the Bow bill has been heartwarming. I have been able to correspond with several hundred leaders of clubs and chapters of retired people, and they have been very responsive. This speech today is only one of many other efforts I will be making in my campaign to win acceptance of my opinion.

The other Members of Congress who have introduced this or similar legislation are conducting individual efforts to the extent that their responsibilities permit. They are the gentlemen from Minnesota [Mr. Nelsen and Mr. MacGregor], the gentleman from Pennsylvania [Mr. Saylor], the gentleman from Michigan [Mr. Knox], the gentleman from Oregon [Mr. Norblad], the gentleman from Florida [Mr. Cramer], the gentleman from Wisconsin [Mr. Van Pelt], the gentleman from Illinois [Mr. Collier], the gentlemen from California [Mr. Lipscomb, Mr. Hosmer, and Mr. Mailliard], the gentlemen from Kansas [Mr. Ellsworth, and Mr. Shriver] and the gentlemen from New York [Mr. Barry and Mr. King].

AN URGENT NEED

The problem we are discussing is real, a solution is urgently needed, and the welfare of the 18 million older people of this Nation is not served by political maneuvering. The administration has held out its hospitalization program as the golden carrot with which it hopes to lure all older citizens into the ranks of the New Frontier. The years go by and the talk goes on and the hospital bills still are not being paid.

Mr. Speaker, I ask leave to have the text of H.R. 21 printed at this point in my remarks.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Health Insurance Benefits Act of 1963".

FINDINGS AND DECLARATION OF PURPOSE

Sec. 2. (a) The Congress hereby finds that (1) many elderly Americans have resources inadequate to meet the expenses of major illness, (2) that more than one-half of all citizens who have reached the age of sixty-five have taken advantage of the growing opportunity to insure against such expenses, (3) that health and medical care insurance can be made available to all citizens regardless of previous medical history, (4) that health insurance coverage of all citizens who have reached age sixty-five is a desirable national objective, (5) that this coverage should be extended without Government interference on a voluntary rather than a compulsory basis, and (6) that it is in the public interest to provide Government assistance and encouragement to elderly Americans who seek the protection of medical care and hospitalization.

(b) The purpose of this Act is to make it possible for every citizen of the United States who has reached age sixty-five to obtain comprehensive medical care and hospitalization insurance of his choice, subject to minimum standards designed to protect against the costs of the customary illnesses of old age as well as major medical expenses, on a guaranteed renewable basis regardless of prior medical history, with direct Government assistance for all who are otherwise unable to obtain such protection, and with tax incentives for elderly citizens, their relatives or former employers who are able to provide such protection, utilizing the facilities of the voluntary health insurance carriers of the United States in a manner consistent with the dignity and independence of each individual and the historic ability of the American people to solve social problems through their own initiative and enterprise, making certain that the Government will not control the individual's free choice nor interfere in his selection of a physician or hospital.

Sec. 3. (a) Part IV of subchapter A of chapter 1 of the Internal Revenue Code 1954 (relating to credits against tax) is amended by redesignating section 38 as section 39, and by inserting after section 37 the following new section:

"SEC. 38. COSTS OF MEDICAL CARE FOR THE AGED.

"(a) Definition of Qualified Medical Care Insurance Program for the Aged.—As used in this section, the term 'qualified medical care insurance program for the aged' means a program, offered by one or more insurance carriers operating in accordance with State law, providing protection, without regard to any preexisting health condition, under guaranteed renewable insurance for individuals 65 years of age or over against the costs of medical care (as defined in section 213(e)) through a system of benefits including either—

"(1) a plan providing benefits which may not be less than:

"(A) hospital room and board charges equal to the hospital's customary charges for semiprivate accommodations, for confinements not to exceed 90 days in a calendar year;

"(B) $120 for hospital ancillary charges in any calendar year including any such charges in connection with surgery or emergency treatment on an outpatient basis;

"(C) $6 for convalescent hospital room and board charges per day of confinement and $186 for all days of confinement in any one calendar year, immediately following confinement in a general hospital;

"(D) surgical charges according to a fee schedule with a $300 maximum;

"(E) $5 per call for physicians' services, and $75 for all such services in any one calendar year; or

"(2) a plan providing payment at the rate of not less than 75 percent of the following covered medical expenses after a deductible and subject to a maximum as specified in (B) below:

"(A) covered medical expenses must include at least the following:

"(i) hospital room and board charges equal to the hospital's cusomary charges for semiprivate accommodations;

"(ii) hospital ancillary charges including any such charges in connection with surgery or emergency treatment on an outpatient basis;

"(iii) $6 for convalescent hospital room and board charges per day of confinement immediately following confinement in a general hospital and $540 for all days of confinement in any one calendar year;

(iv) surgical charges according to a fee schedule with a $300 maximum;

(v) $5 per call for physicians' services, other than for surgery or postoperative care;

"(vi) $16 for professional private duty nursing charges per day and $480 for all days in any one calendar year;

"(vii) charges for drugs and medicines which require a doctor's prescription; diagnostic X-rays and other diagnostic and laboratory tests; X-ray, radium, and radioactive isotope treatment; blood or blood plasma not donated or replaced; anesthetics and oxygen; and rental of durable medical or surgical equipment such as hospital beds or wheelchairs; or

"(B) payment of benefits for the foregoing charges may be subject to a deductible of not more than $200 in a calendar year and a lifetime maximum of not less than $10,000;

If a medical care insurance program which is otherwise qualified under the provisions of this section offers protection for individuals under age 65 as well as those 65 and over, such program shall be considered a 'qualified medical care insurance program for the aged' for purposes of this section but only with respect to beneficiaries who are 65 years of age or over.

"(b) Definition of Carrier.—'Carrier' means a voluntary association, corporation, partnership, or other nongovernmental organization which lawfully offers a health benefits plan.

"(c) Allowance of Credit.—There shall be allowed to an individual, as a credit against the tax imposed by this subtitle for the taxable year, an amount equal to the aggregate of the premiums paid during the taxable year by such individual under one or more qualified medical care insurance programs for the aged (as defined in subsection (a)), to the extent that the aggregate of such premiums does not exceed $150 for any one person covered by such program or programs, plus

"(d) Individuals Eligible for Credit.—The credit under subsection (c) shall be allowable to a taxpayer only if—

"(1) he is the beneficiary of the medical care insurance program involved and is 65 years of age or over, and his income does not exceed $4,000 or $8,000 in combined income with his spouse in his last taxable year, or he files a sworn statement that for the taxable year in which he applies for the credit his income will not exceed these limits, or

"(2) each beneficiary for whom the premiums were paid under such program is a person 65 years of age or over who bears any of the relationships to the taxpayer defined under section 152(a).

For purposes of this section, an individual shall be considered to be 65 years of age or over throughout any taxable year if he has attained such age by the close of such year.

"(e) Coverage Certificates.—Each insurance carrier offering a qualified medical care insurance program for the aged (as defined in subsection (a)) shall issue, to each individual who is covered under such program, a medical care coverage certificate setting forth the name of the insured, the amount of the premium, and a certification that the coverage meets the requirements of this Act. The credit provided by subsection (c) shall be allowed for any taxable year only if such certificate or a copy thereof is attached to the taxpayer's return for such year.

"(f) Credit in Case of Certain Employers.—Under regulations prescribed by the Secretary or his delegate, if any employer provides protection against medical costs for its retired employees who are 65 years of age or over by purchasing coverage for such retired employees under one or more qualified medical care insurance programs for the aged, such employer shall be entitled to a credit against the tax imposed by this subtitle equal to the amount of the credit to which it would be entitled under subsection (c)(1) if it were an individual taxpayer and such retired employees were persons described in subsection (d)(2).

"(g) Individuals Not Deriving Full Benefit From Credit.—In the case of any individual—

"(1) who is 65 years of age or over,

"(2) whose tax under this subtitle for the taxable year will be less than $150 (as estimated in accordance with regulations of the Secretary or his delegate), and

"(3) who is not the beneficiary of a qualified medical care insurance program for the aged, the Secretary shall upon application by such individual issue to him a medical care insurance premium certificate which may be used by him in purchasing coverage under such a program and will be redeemed for cash by the Secretary when presented by an insurance carrier who certifies that it was accepted in payment of the premiums on such a program. The amount for which any certificate will be redeemed under the preceding sentence shall be the amount of the premiums payable on the program for the year or $150, whichever is less, reduced by the amount (if any) of the individual's tax for such year as estimated under clause (2) of such sentence and further adjusted (unless such an adjustment would be inequitable or impose undue hardship) to take account of any amounts by which benefits made available to such individual under this subsection in previous years were greater or less than they would have been if the estimate under such clause (2) for such years had been correct. No certificate under this subsection shall be issued to any individual for any taxable year unless he furnishes the Secretary with satisfactory proof of his compliance with clauses (1), (2), and (3) of the first sentence.

"(h) Credit Not To Cause Refund of Tax.—The credit allowed by this section shall not exceed the amount of the tax imposed by this chapter for the taxable year, reduced by the sum of the credits allowable under sections 33 (relating to foreign tax credit), 34 (relating to credit for dividends received by individuals), 35 (relating to partially tax-exempt interest), and 37 (relating to retirement income).

"(i) Regulations.—The Secretary or his delegate shall prescribe such regulations (including regulations providing for the application of this section in the case of joint returns) as may be necessary or appropriate to carry out the provisions of this section."

(b) The table of sections for such part IV is amended by striking out

"Sec. 38. Overpayments of tax."

and inserting in lieu thereof

"Sec. 38. Costs of medical care for the aged.

"Sec. 39. Overpayments of tax."

Sec. 4. Section 213 of the Internal Revenue Code of 1954 (relating to deduction for medical, dental, etc. expenses) is amended by adding at the end thereof the following new subsection:

"(h) Exclusion of Amounts Allowed as Credit.—Any expense allowed as a credit under section 38 shall not be treated as an expense paid for medical care for purposes of this section."

Sec. 5. The amendments made by this Act shall apply only with respect to taxable years ending after the date of the enactment of this Act.

Mr. Speaker, as I see it, the major problem we must solve is that of some nine million retired people who live modestly, perhaps frugally, and have equipped themselves to meet the normal expenses of retirement including the expenses of minor illness. They cannot afford adequate health insurance, as can the three or four million at the top of the over-65 income scale, nor are they eligible for the assistance under old age assistance or Kerr-Mills, available to the five or six million who are in the lower income levels. Unfortunately, under present circumstances any member of this middle income group can be wiped out financially if he or his spouse has a major illness. The retiree or his survivor may be pushed down into the ranks of the indigent by the costs of a major illness. This is the situation I deplore and wish to correct.

Of course, as I have pointed out, the Bow bill will take care of the indigent as well, and it will relieve these millions of good Americans of the constant fear of medical expense which now casts a cloud over what otherwise might be happy and productive years.

H.R. 21 is superior to any other approach I have seen because:

First, it is voluntary.

Second, it provides generous coverage to take care of major medical expenses, to the maximum possible extent.

Third, it does not require a new Federal bureaucracy to administer the program.

Fourth, it would not permit Federal control or interference in health care.

Fifth, it will provide for everyone who cannot afford to take care of himself, but does not provide unneeded benefits for wealthy persons.

Sixth, it will be supported by all of the people of the United States who pay taxes, just as almost every other national need is satisfied out of national income—rather than impose all of the burden on wage earners covered by social security.

Seventh, it will encourage family responsibility toward older people.

Eighth, it will remove this issue from the realm of partisan politics once and for all.

Mr. Speaker, I hope that all of us can give this issue our most sympathetic attention and try to deal with it effectively at this session of Congress. Let us lay aside partisanship and abandon the repetition of arguments pro and con the social security approach to his problem. It must be obvious that we will not reach agreement on the social security formula and all of its implications. I urge that we move ahead to the consideration of my proposal. I am confident that all men and women of good will can support H.R. 21 and that we will win the lasting gratitude of the older citizens of this country if we enact a constructive program now.

PROPOSED NUCLEAR TEST BAN TREATY

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Missouri [Mr. HALL] is recognized for 60 minutes.

Mr. HALL. Mr. Speaker, on Friday, July 26, President Kennedy called for a national debate over the advisability of entering into the proposed partial nuclear test ban treaty now before the U.S. Senate.

The concept of a truly national strategy understood by all American citizens was suggested by the House Republican policy committee in its studies on American strategy and strength, issued in June of 1960. Inherent in this concept is the necessity for public debate on strategic questions prior to the adoption of a firm decision.

We thus welcome the President's call for such a debate.

It is, however, impossible to conduct a meaningful national discussion of this highly complex subject unless the real significance of a partial nuclear test ban agreement with the Soviet Union is made clear to all Americans.

In arriving at this national debate on the question of signing of the nuclear test ban treaty, I think the American people ought to have direct access to the treaty itself, which, after all, is quite short and would not occupy over a few columns of newspaper space. I hope and urge that the daily newspapers in the country will print the proposed treaty in its entirety so that the people can make their decision, according to their best judgment, on an informed basis.

I think our committee is in agreement that the treaty should not be prejudged until all the facts are in, and until we have heard from our military spokesmen, not their alleged sayings, who bear such a heavy responsibility for our survival. Certainly I have not prejudged it and I want to emphasize that, even if it were the House that was responsible for giving its advice and consent, I have not made up my own mind whether the treaty should or should not be ratified. We must hope and pray for success and peace, and so forth. Surely we are mature enough as men and humanitarians to sit down and figure out how to use our awesome knowledge. I have faith in informed peoples' judgment.

About one provision in the treaty I am particularly concerned, however, even though it is in the preamble, paragraph 2 thereof, and not in the main body.

I find that many people do not even know there is a preamble to this treaty. Others say it is of no importance. But think of the significance that we attach to the preamble of the Declaration of Independence. After all, looking back on that great document of all time, the preamble remains the most significant part and its importance cannot be overemphasized.

A careful reading of the second paragraph of the preamble to the proposed test ban treaty reveals we are committing the United States to a program of speedy, progressive, and complete disarmament under the supervision of the United Nations.

Let me read it. In establishing the original parties to the treaties, it says in paragraph 2 of the preamble:

> Proclaiming as their principal aim, the speediest possible achievement of an agreement on general and complete disarmament under strict international control in accordance with the objectives of the United Nations which would put an end to the armaments race and eliminate the incentive to the production and testing of all kinds of weapons, including nuclear weapons.

Aside from the question of the nuclear test ban itself, I am not at all convinced that we are ready or that we should commit the Congress and the American people to a program of complete disarmament under the United Nations supervision. I do not have that much faith in the United Nations as a police force—certainly, not at this time nor in the foreseeable future after Katanga, after Laos, and after many of the other failures that it has undergone. I do not feel that Korea has been a success.

But by agreeing to paragraph two of this preamble, this provision that I have read, I can furthermore see where we can enable Mr. Khrushchev to put increasing pressure on us to accept total disarmament, of all arms, by virtue of our total commitment in this treaty.

I, for one, would like to see the administration explain this commitment; and the press, to pursue the reasons for its inclusion.

There are many serious questions that can be asked about the treaty that may be asked about the treaty as a whole, and this subject in particular:

First. The wisdom of any agreement with the Soviet Union which has long had a history of abrogating treaties when it so suits them to do.

Second. The advisability of limiting the development of nuclear weapons.

Third. The very effects approval of this treaty may have need to be fully debated.

Its effect upon our position in the cold war.

The whole subject has been clouded by the mists of uncertainty and lack of reason and emotion and most certainly, perhaps, misinformation or withholding information. Before any genuine debate can be undertaken, therefore, these mists must be disspelled by the warm sunlight of facts and reasons.

In keeping with this goal, my colleagues, the gentleman from Kansas, Representative GARNER SHRIVER; the gentleman from Nebraska, Representative RALPH BEERMANN; the gentleman from Florida, Representative ED GURNEY; the gentleman from Texas, Representative ED FOREMAN; and the gentleman from Utah, Representative SHERMAN LLOYD, join with me in discussing the many facets of the vexacious problem.

I see a member of the Space and Atomic Energy Joint Committee of the two bodies on the floor and I would like to yield to that gentleman from California, Hon. CRAIG HOSMER, at this point.

Mr. HOSMER. Mr. Speaker, I want to extend my congratulations to the gentleman in the well and others who will follow him for responding so ably to the President's request that this treaty be debated fully and that it be understood; and that its limitations be clearly defined; and that a piercing examination be made of it—not only of the words and not only as to what might be between the lines but between the words themselves—because this embarks the United States of America on a new and possibly dangerous course in the history of our Nation. We face, I think, as the President, as Dean Rusk, as William Foster—almost everybody—admits a strong, aggressive, and determined enemy.

That enemy is the international Communist conspiracy, which, according to Marxist-Leninist dogma, has dedicated itself to world domination and must so dedicate itself so that communism will be safe. So long as there are competing systems it fears its possibilities of survival are less than those which would be tenable to their leaders.

Now, for the last 15 years the international Communist conspiracy as led by the Soviet Union has been restrained from achieving its objectives of universality by the presence of a very strong American nuclear deterrent. To venture into seeking world domination by the explosive use of nuclear weapons would mean an instant retaliation by the United States of America, a retaliation which would inflict such deadly damage upon the Soviet homeland, the base of Communist aggression, that Communist leaders cannot afford to risk it.

That American nuclear military superiority and our capability to deter nuclear attack has been achieved and has been maintained by American scientists in our own nuclear laboratories under conditions of open competition. Now those conditions are to be changed. New ground rules are to be adopted by this treaty. The scientists' hands are going to be tied in the sense that they are restricted in their experiment status to the one environment of the underground. Is it possible that America can still maintain its nuclear superiority—maintain the shield that protects us from explosive attack under these conditions? Perhaps it is. The President believes it is. The Secretary of State believes it is. However, there is a substantial body of opinion in this country that believes it is not possible. Such men as Dr. Edward Teller, who have devoted almost a lifetime to the development of this very kind of weaponry, say no. They say that under these conditions people of talent, of topnotch ability, will drift away from our laboratories over a period of time and that our efforts in this field will be carried on by second-rate individuals while the efforts of the Soviet Union will be carried on by topflight scientists.

The President himself on March 2, 1962, in announcing the resumption of U.S. atmospheric testing so stated that it would be impossible under circumstances where experiments cannot be brought to fruition and where programs are in a category of deadend programs waiting for somebody else to break a treaty—under those conditions, said the President, we could not keep topflight scientists at work. That was Mr. Kennedy in 1962. I think that the Nation is entitled to an explanation, a strong explanation, from his own lips as to why this situation does not pertain in 1963.

Also, I think the people of the United States are entitled from the President's own lips to a very strong explanation as to another statement, a statement he made during the present Congress on February 7, 1962, in which he addressed himself to the problems of an atmospheric treaty and he pointed out that the Iron Curtain prevents us from determining what is going on behind the Iron Curtain. It is possible that under an atmospheric treaty such as is before the other body very massive preparations for an extensive testing program could be made in secret. Then the Soviet Union would suddenly abrogate the treaty and carry out such a program and achieve a quantum jump ahead in nuclear weaponry, a jump ahead which might give them nuclear superiority.

Speaking to that situation in February of 1962 the President said an atmospheric treaty without provisions for inspection inside the Soviet Union to discover such secret preparations would be extremely vulnerable. Those are the President's words of 1962—"extremely vulnerable." Yet in 1963 he presents to the U.S. Senate for ratification that very treaty which he heretofore described as extremely vulnerable. Therefore, I say these inconsistencies are of such import that they require a full, fair, complete, and satisfactory explanation.

Some attempts have been made to justify this treaty on the basis that it is the same treaty offered by President Eisenhower to Premier Khrushchev in March of 1959. Actually the words are the same, but the conditions under which the offer was made are entirely different. In 1959 the Soviet Union did not possess the capability to manufacture and place in arsenals 100-megaton bombs. Its capacity to produce nuclear explosives with high yield at that time was much less than ours. Also in 1959 the Soviet Union had no antimissile-missile capability. This year Premier Khrushchev claims to have such a capability based upon atmospheric testing, a long series of atmospheric tests conducted by the Soviet Union in 1961 and 1962. He is ahead, then, in antimissile missilery. He is ahead in high-yield weapons. The development of both these weapons requires atmospheric testing.

Whereas the 1959 treaty would have frozen us ahead in these fields, the 1963 treaty freezes the Soviet Union ahead in these fields. There is no dispute that the United States today is ahead in the field of tactical nuclear weapons. But this is a field which does not require atmospheric testing. Progress, all kinds of progress in tactical nuclear weaponry can be made easily with underground tests. The treaty does not prohibit underground testing. Therefore the Soviets are free to catch up with us in this field and they are offered a 50-50 chance by some breakthrough to achieve superiority over us in this field.

These are the worrisome aspects militarily of the partial test ban treaty that should concern every American.

Now, Mr. Speaker, I heard the gentleman remark about the duty of Americans to debate this matter. I heard the gentleman express the hope that the news media of America would assume a strong responsibility to inform the public so that its debate on the matter could be informed. I also noticed, as a practical matter, that insofar as the newspapers in the metropolitan areas of New York and Washington are concerned practically nothing is contained in either the news or the editorial pages of these newspapers by way of information to Americans on anything but the so-called advantage of such a treaty.

Mr. Speaker, it is my opinion that these newspapers are not executing their responsibility. It is notable that only yesterday in order for any such information to see the light of print in a Washington newspaper, a gentleman of South Bend, Ind., had to go to the expense of buying a full-page advertisement in order to reprint a speech on this subject by Adm. Chester Ward who is an authority not only in the field of nuclear weaponry but in the field of international law.

Mr. Speaker, it is notable, too, that even at the Conference in Moscow the delegation sent by the United States did not include any recognized expert in the field of international law. It did not include any military people to advise on the military implications.

Now, Mr. Speaker, what does this mean? It simply means that when the chips are down in the future, when somebody wants to know what the words of this treaty mean, it will be the interpretation of the men in the Kremlin and not the men in the administration of the United States of America that control. Therefore, it is a Russian treaty, it is a Kremlin treaty, it is a treaty of the Soviet Union and not a treaty of the United States of America.

Mr. Speaker, I thank the gentleman for so generously yielding to me of his time.

Mr. HALL. Well, I thank the gentleman for contributing to this discussion, to this vexatious problem, and again compliment the gentleman on his dedicated, intensive, perceptive research.

Mr. HOSMER. Mr. Speaker, will the gentleman yield further?

Mr. HALL. I am delighted to yield further to the gentleman from California.

Mr. HOSMER. On August 7 of this year an extremely informative statement was made orally to well over 100 Members of this body by Dr. Stefan T. Possony, the director of the Hoover Institution on War, Revolution, and Peace. Dr. Possony has kindly placed these remarks in written form and for the information of all Members of the Congress, I ask unanimous consent to insert them in the Record at this point.

The SPEAKER pro tempore (Mr. Miller of California). Is there objection to the request of the gentleman from California?

There was no objection.

The matter referred to follows:

Summary Statement and Amplification of Remarks on the Nuclear Test Ban Made on August 7, 1963, to Members of the House of Representatives by Dr. Stefan T. Possony, Hoover Institution

The test ban, as presently written, will allow the Soviet Union to achieve massive military superiority over the United States.

The Soviets now enjoy superiority in big-yield weapons—they probably have a deliverable 30-megaton warhead, they claim to possess a 100-megaton warhead and also a 160-megaton bomb. There is no intelligence methodolgy through which these claims can be disproved dependably. Accordingly, the yield of American missiles—and therefore the yield-to-weight ratio—must be increased by a factor of 5 to 10 or even more. Substantial yield increases also are necessitated to keep pace with the hardening of Soviet missile sites, which was disclosed by Secretary McNamara.

The treaty prohibits the proper development of American antimissiles by precluding the determination of the phenomenology of nuclear blasts at various altitudes; the development of warheads optimal for interception, including neutron devices; the determination of the effects of nuclear blasts in various yields on warning, radar, and other electronic systems.

(Note that an effective antimissile system may require large and preferably clean large-yield weapons. Note further that the Soviets may be in the process of deploying an initial antimissile system now: apparently they have conducted most of the tests they need to achieve antimissile technology. According to Hanson Baldwin, they were able to intercept two missiles with one large antimissile warhead.)

The treaty prevents the United States from developing defensive weapons through which superyield and possibly gigaton warheads placed in orbit could be neutralized or destroyed.

(Note that for the Soviets to install a space delivery system, additional nuclear tests may not be necessary: most additional testing will bear on space vehicles and support operational equipment.)

The treaty precludes atmospheric plowshare shots, despite the fact that such shots would be used only if they did not entail fallout.

(Note that despite the economic potential of plowshare for virtually all countries, the treaty is for an indefinite duration. It does not even contain a clause authorizing mutually and fully supervised plowshare explosions.)

The test ban treaty jeopardizes the traditional American strategy aiming at the deterrence of nuclear war. It does so by precluding the establishment of a genuinely invulnerable and at the same time effective second strike force.

Our missile bases are designed for a certain degree of hardness. Yet their real capability to withstand nuclear blasts of various yields has never been tested experimentally and therefore remains unknown. It is to be supposed that the Soviets know the precise vulnerability of their own hardened sites and possess excellent experimental data to evaluate the hardness of U.S. sites.

The vulnerability of Polaris submarines against nuclear underwater explosions has not been determined.

The United States has never tested a full weapons assembly, i.e., an Atlas together with its nuclear warhead. There is every reason to believe that the Soviets have executed such tests. (Note that experimental shots of this type could be carried out with clean explosives.)

Contrary to allegations, the treaty is not self-enforcing. For example, shots in deep space cannot presently be detected and their origin cannot be verified. (Also the stipulations concerning nuclear assistance to other countries are not self-enforcing.)

Small-yield shots in near space may escape detection and verification. Note that while space launches may be detected, the detection of nuclear blasts in space requires a system based on earth sensors, on satellites in near orbits, and on satellites orbiting around the sun. Only parts of such a system exist today. The whole system could be designed but would be extremely expensive, and its dependability would have to be determined by experimental shots. Even if the system were fully developed, cheating probably would remain feasible.

(Note further that the argument according to which testing in space, being "too expensive," can be disregarded, is meaningless: tests designed to discover effects in a space environment must necessarily be held in space. Furthermore, tests with extremely high yields must necessarily be held in deep space.)

Though the treaty authorizes underground tests, it does not provide for the possibility that an accident may occur and some radioactivity may be vented. If such venting were to occur, the accident may be construed as a violation. Conversely, to prevent such a development, the U.S. Government may reduce the number of underground tests, restrict the program to minimal yields, and perhaps stop the entire underground program.

The treaty does not contain a definition of such terms as "nuclear explosions" or "tests."

The test ban treaty may be a vehicle through which states which are presently unrecognized, may obtain recognition by implication.

The treaty seems to authorize every signatory to undertake underground tests. Therefore, the treaty which is praised as an instrument to prevent proliferation, in reality authorizes such proliferation.

There is a type of agreement which would be a genuine contribution to the control of nuclear weapons, and which at the same time would be compatible with U.S. security interests. This treaty would have the following broad features:

A convention to restrict and to the extent practical, eliminate fallout. This would imply an agreement to test in the atmosphere only with clean weapons; or, in the case of necessity, use only weapons with reduced fallout.

Such a treaty also could put a limit on the yields for each single shot.

The treaty would authorize underground shots as well as shots in isolated lakes.

The treaty would authorize space shots and perhaps include provisos for yields and distances.

The treaty would formulate a procedure for atmospheric plowshare shots.

The treaty would provide for a procedure to handle the accidental venting of underground shots; and obligate all signatories to register underground tests. (The latter stipulation may help to take care of Senator JACKSON's observation that henceforth our intelligence of Soviet nuclear weapons may deteriorate.)

As a corollary to the test ban agreement, the administration should commit itself to the following course of action:

Utilization of underground testing for the purpose of achieving all-fusion, neutron and clean weapons, including the utilization of underground testing in vacuum, for the purpose of developing antimissile warheads.

Development of underground test techniques to determine hardness of sites and equipments, vulnerability of submarines, and sensitivity of electronic equipment.

The administration must commit itself also to maintain and constantly increase the firepower of the United States, and for this purpose shelve plans for the curtailment of the production of fissile materials as well as activate plans for the procurement of carriers suitable to deliver large-yield warheads or bombs.

The administration must commit itself to carry out, if necessary, such atmospheric tests that are required to preserve American military superiority and our second-strike capability.

The United States must commit itself to provide select allies with nuclear know-how, components and weapons needed for the activation and continuing effectiveness of NATO. Specifically, measures must be taken to deter aggression in Europe by providing (or help to provide) antimissile and antiaircraft defenses and deploy adequate number of tactical weapons to prevent ground invasion.

(Note that tactical weapons may be needed in large numbers and very small yields. Technology must be improved to allow the cheap procurement of such weapons. Note further that the treaty will necessitate a partial change in U.S. strategy, and that this change must include the establishment of effective deterrents in Europe. Note lastly that a multilateral retaliatory force is not enough to achieve such deterrence but that defensive and tactical weapons are perhaps even more important.)

The test ban treaty corresponds to the following Soviet strategic developments.

The Soviets presumably have done most, if not all, of the testing required for the development of the next generation of their weapon systems. Since we have not done so, the test ban is to their unilateral advantage.

The adoption of a more radical Soviet strategy is suggested by the recent appointment of Marshal Biryuzov as chief of staff. Except for their superyield devices which presumably could be used for the deployment of orbital bombs in the 200- to 500-megaton range, the new strategy probably cannot yet be implemented and must await the development of further difficult and complex advances in space vehicles, missile interception, etc. Consequently, the test ban treaty helps the Soviets to gain time.

Indirectly, the test ban helps the Soviets to perpetuate their present unilateral MRBM threat against Europe.

The test ban treaty will help to delay or block American developments and notably delay improvements in the yield-to-weight ratio. Consequently, the acquisition of superyield weapons as well as very small ICBM's, tactical weapons, space capabilities, antimissiles, etc., will be delayed or impeded and the Polaris and Minuteman systems as well as our second strike strategy will remain ineffective. In addition, the treaty will tend to weaken and perhaps destroy NATO. The application of plowshare techniques to accelerate economic progress and increase the value of our aid programs will be precluded.

Politically, the test ban treaty helps Khrushchev by posing as an apostle of peace before the Russian people and the world, while at the same time, he is able to convince his opponents within the party that he does succeed in entrapping the imperialists.

The most amazing aspect of the current debate is that we indulge in estimates about Soviet intentions and explain the ban as an attempt by the Kremlin to isolate Red China, and perhaps reduce economic burdens. All these motivations exist, but they are of a temporary nature.

But there are other factors to consider. For example, we virtually ignore the Soviet record in violating treaties of strategic significance. We refuse to acknowledge that long or infinite duration treaties cannot be concluded with nations whose constitution (art. 49–0) allows the instantaneous repudiation of any treaty and whose government, in the absence of a firm succession procedure, lacks continuity and responsibility. How long is Khrushchev to rule? Who will succeed him?

But perhaps the most discouraging aspect of our performance is that we do not even discuss whether or not this treaty is a deliberate ruse, a strategic trap, or a stratagem, as it must be if the Kremlin follows the prescriptions of Lenin.

My estimate is that this treaty constitutes a ruse of war designed, in Lenin's spirit, to disarm the bourgeoisie and arm the proletariat. I maintain further that without such a treaty the Soviets can never hope to achieve that measure of supremacy that is needed to neutralize, blackmail, attack, defeat, and destroy the United States.

The treaty is a ruse of war to destroy U.S. superiority by political means and facilitate the Soviet strategy to complete the world revolution with a minimum of risk and within the limitation of the material capabilities of the Soviet bloc.[1] The treaty is indeed an ambush.

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[1] Marshal V. D. Sokolovsky, "Military Strategy, Soviet Doctrine and Concepts," New York, Praeger, 1963, p. 387, has disclosed this strategy in slightly deceptive language: Soviet military doctrine considers war to be the inevitable outcome of imperialism and considers that wars will finally disappear only with the destruction of imperialism. At the same time, the Communist Party draws the conclusion that war is not fatally inevitable in the modern era, when political and economic potentials to prevent a world war are being created, even though imperialism still holds out in a part of the world. These potentials are determined, first and foremost,

The test ban fits entirely with the strategy of the Kennedy administration which aims at a reduction of tension and a substitution for a strategy of deterrence through superiority by minimal deterrence and a balance of terror. This strategy of concealed gradual unilateral disarmament is characterized by decisions, or trends, to cut the production of fissile materials; to stop the development of new and heavy weapons carriers (e.g., bombers and very large missiles, or large yield warheads in present missiles); to forgo the development of military space capabilities and instead push a diversion toward the moon; unwillingness to move along with new types of nuclear weapons; reluctance to develop effective defenses, on the incomprehensible ground that antimissiles may be provocative; refusal to arm our allies and subterfuge to achieve their de facto disarmament (e.g., the Skybolt affair); partial withdrawal of tactical nuclear weapons from Europe; extremist precautions against the imaginary danger of accidental war to a point where in case of attack the utilization of our weapons may be inhibited; and the reorientation of the American military effort toward arms that were usable during World War II but which can hardly deter, let alone win, world war III.

Ratification of the test ban treaty would ipso facto ratify the strategy of unilateral American disarmament. It would constitute the greatest Soviet victory since the fall of China.

Mr. HALL. Mr. Speaker, we shall take no partisan position on this issue, for to do so would be to open the debate before all of the facts are in. We shall, however, make every effort to set forth the factors which must be considered before any decision on the question can be made in a rational manner.

The foundations of the national debate on this subject must be laid upon the bedrock of one fundamental question, Is a nuclear test ban with the Soviet Union at this point in the cold war truly in the national interests of the United States?

Any treaty arrived at between two opposing powers must be based upon the belief that the mutual interests of both will be improved. A treaty which gives greater advantage to one of the parties is essentially not a treaty at all but is, in actuality, a concession one side has made to the other. Moreover, such a treaty carries within itself the seeds of its own destruction since the mutuality of the agreement is at best momentary.

It is thus of prime importance to regard the proposed agreement in the light of this fact. If this treaty fits into this category it can never be more than a mere piece of paper.

Mr. Speaker, I will now yield to my colleague, the gentleman from Texas, Representative FOREMAN, who will discuss the more technical aspects of nuclear weaponry and their effects upon the position of the United States in the cold war.

Mr. FOREMAN. I thank the gentleman.

Mr. Speaker, I want to compliment the gentleman from Missouri [Mr. HALL] for bringing this discussion before this body and before the American people today. I appreciate this opportunity to participate in this discussion and to raise at least some of the questions I know the American people have on their minds today.

Mr. Speaker, before the wisdom of the nuclear test ban treaty with the Soviet Union can be intelligently debated, it is imperative that the American people understand the effect of such a treaty upon the state of readiness of our nuclear deterrent.

The purpose of the existence of our nuclear force is as a deterrent to attack. If the United States is ever attacked, then our deterrent force has been a failure. The only way that our nuclear force can continue to be effective as a deterrent is if it is maintained at a level superior to that of the Soviet Union. As long as our force is at such a level, the Soviet Union would never be suicidal enough to launch an attack on us which would lead to their destruction.

In the light of this consideration, what would be the effect of a treaty ban on our ability to maintain our superior position over the Soviet Union?

By the terms of the treaty initialed in Moscow, all atmospheric testing of nuclear weapons is banned. It is an acknowledged fact that such testing is absolutely necessary in the development of large-yield nuclear devices. It is known that the Russians, through the use of atmospheric testing, have developed a 57-megaton bomb. The President, in his speech on July 26, stated that the United States has not attempted to develop weapons with such a high yield. He thus dismisses the argument that we must test if we are to maintain superiority over the Soviets in nuclear weaponry, since we have no intention or need to develop such large-yield weapons.

The terms of the treaty absolutely preclude the development by the United States of a super bomb—a weapon that the Soviet Union already has in its possession.

What are the full implications of this ban which, over and above preventing the United States from moving ahead in the area of nuclear weaponry, even prevents us from catching up?

We know that the Russians have a 57-megaton bomb. They have tested such a weapon, and we recorded these tests. They claim to have a 100-megaton bomb, which they have never tested. Although the accuracy of this claim may be disputed, the chances are good that they do have a bomb with a yield in excess of 57 megatons. The United States, on the other hand, does not have in its possession a weapon with a greater yield than half that of the Russian warhead. Furthermore, we have not developed, are not developing, and, according to the President, do not plan to develop a weapon of any greater size. What does this mean? Simply this: the United States must harden its retaliatory missile sites to be able to withstand an attack by weapons with a force equal to or greater than 57 million tons of TNT, while the Soviet Union has to harden its second strike missile bases enough to hold up under an attack of only 20 to 30 million tons of TNT. Thus we must put more time, money, and resources into the defense of our missile bases than the Russians must, giving the Soviets, thereby, vital leadtime over us in this area.

There is a second point concerning the employment of big bombs—bombs of the size the Russians have produced. A bomb in the 20- to 30-megaton range is perfectly adequate for the total destruction of any city in the world. For destructive purposes alone our weaponry is adequate. But there is a widespread feeling that a weapon in the 50-megaton range is capable of destroying, or at least temporarily disabling, the vital communications and detection systems of the country.

We do not have sufficient information on this fire-ball blackout which affects communication and detection systems. We do not have full information about the effects of a nuclear environment on incoming missiles or if they can penetrate a blackout area. We do know that a nuclear environment has adverse effects on the Minuteman guidance system at great distances. A country without its communications and detection systems would be almost totally crippled, and the attacking nation would be able to continue its attack almost at will. The Soviet Union has this capability. We do not. Should not this be a matter for consideration?

The development of an effective antimissile defense depends on atmospheric testing. The idea behind the anti-missile-missile is not one of hitting a big missile with a smaller one. This would be somewhat like trying to shoot down a bullet with another bullet. Rather the principle of a missile defense is an atmospheric explosion by the antimissile missile which would destroy the incoming missile. The development of this art requires atmospheric testing so that it may be ascertained what type and size explosion is the most effective as an antimissile defense.

It should hardly be necessary to point out that the nation which first develops an effective missile defense holds the trump card in the cold war. If Russia first gets a defense against missiles, all of the nuclear deterrence the United States possesses will be useless. They could attack at will, at little or no danger to themselves.

In the area of tactical nuclear weapons it also seems possible that the United States is being led up a blind alley. We have a lead over the Soviet Union in this field. But this is one area where, under the terms of the treaty, the Russians would be allowed to test and develop, since there is no limitation on underground testing. So while still adhering to the terms of the treaty the Russians would be able to repair their deficiency in this area, and possibly surpass us in this field. If we are not adequately prepared for a limited nuclear war with the employment of tactical nuclear weapons, we would have to make a decision between total defeat and total nuclear war. And,

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by the great military power of the socialist camp, which is already an insuperable obstacle to the unleashing of a new world war by imperialist madmen." Note the phrase: "political * * * potentials to prevent a world war are being created." "Prevent war" means in Communist semantics, "induce the surrender of the opponent."

if the Russians had an effective missile defense, and we had none, the probable result should be clear to anyone.

We cannot be certain that any weapon will work until it has been tried. Nuclear experts have testified that an antiballistic missile cannot be developed without atmospheric testing. It could be put on the pad, but we would not know until it was fired if it would work.

In the light of all these considerations, this treaty would seem to be placing us in the position of allowing the Russians to perfect their tactical nuclear capability, their one weak point, while we are unable to undertake development of big bombs and an antimissile missile, our weakest and their strongest points.

Another important point worthy of consideration in these discussions involves the exchange of correspondence and various letters between President Kennedy and Khrushchev recently. What, if anything, did these letters have to do with test ban negotiations? Was this really a prenegotiated treaty? What commitments, if any, have been made to the Soviets in this exchange? Are all the terms of this treaty spelled out or are some implied?

These are points which the American public, and we, as representatives of the public, must be considering in the weeks ahead. Are we being led up a nuclear blind alley? Will this treaty allow the Russians in the future to confront us with an absolute superiority in tactical nuclear weapons, and an effective antimissile system? Or does the administration feel that our smaller bombs and our missile force, adequately hardened, will remain as an effective deterrent to the Soviet might? Let us all consider these questions well before we make up our minds concerning the advisability of this test ban treaty.

Mr. HALL. I thank the gentleman from Texas for his very stimulating remarks.

Mr. Speaker, I now yield to the gentleman from Florida [Mr. GURNEY].

Mr. GURNEY. Mr. Speaker, it does me great honor here to join my colleagues in this great debate which so affects the national security of the United States, and also that of the free world.

Mr. Speaker, my colleagues have discussed some of the consequences the test ban treaty may have upon our national security. I would like to address myself to the general question involving the danger of entering into treaties with the Soviet Union.

We must ask "On what basis should we consider ratifying treaties with the Soviet Union?"

The Soviet Union has sworn to conquer us. They have not yet indicated any change of heart either by word or by deed. Thus I believe that we can accept as valid, my colleague's suggestion that the Soviets are willing to sign this treaty because they believe that it will, in a variety of ways, assist them in their efforts to dominate the world.

If the Soviets had shown any real concern over the cold war and a genuine desire to end that war the proposed treaty would be an excellent idea. In fact it could be broadened to cover underground testing as well. But they have not shown that they desire to end the cold war. I believe that we must always remember that the cold war is not merely a dispute between two great powers but is, in actuality, a struggle born of the Communist desire to conquer the world and our justified determination to resist enslavement.

Let us just look for a moment at Khrushchev's vaunted "peaceful coexistence." What does it mean? It obviously does not mean that both East and West could exist peacefully side by side, for Soviet subversion and aggression never cease.

We are supposed to be benefiting from peaceful coexistence at this very moment. But we certainly are not benefitting from it in Cuba where there are thousands of armed Soviet troops. Nor are we benefiting from it in Latin America where Soviet terror and subversion threaten to overcome the entire continent. In Laos, South Vietnam, and last week Korea again, there is armed Communist aggression.

If this administration is signing treaties with the Soviet Union and perhaps even now negotiating with the Communist enemy for a nonaggression pact as was stated by Mr. Harriman in an interview with the New York Journal American on August 11, 1963, then our conditions should be more than meek acceptance of Soviet demands. They can and must include, for a beginning, the withdrawal of Soviet troops, equipment, and influence from Cuba. Only by this method can our interests be guarded in negotiations for treaties, pacts, and deals today.

In other words, let the United States gain some advantage out of a treaty for a change, which would in turn, in this specific case of Cuba, ease tension in this hemisphere, and in the world.

Mr. Speaker, in March of 1930 a top Soviet official, Dimitry Z. Manuilsky told students at the Lenin School of Political Warfare: "War to the hilt between communism and capitalism is inevitable. Today of course we are not strong enough to attack. Our time will come in 20 or 30 years. To win we shall need the element of surprise. The bourgeois will have to be put to sleep. So we shall begin by launching the most spectacular peace movement on record. There will be electrifying overtures and unheard of concessions. The capitalistic countries, stupid and decadent, will rejoice to cooperate in their own destruction. They will leap at another chance to be friends. As soon as their guard is down we shall smash them with our clenched fists.

This is also the goal of Mr. Khrushchev, the present head of the Soviet Government. He has indicated so on many occasions. I recall his ringing words of doom for Western civilization a few years ago when he said, "We will bury you." In January of this year, in East Berlin he said to Western newspapermen:

> Your time has past. You wait for [East Germany] to vanish. We, however, wait for you to vanish from the surface of the earth.

It is a mystery to me why this New Frontier administration thinks Mr. Khrushchev has changed from the roughneck who was leading the anti-United States booing section in the United Nations just a few years ago, by beating on his desk with his shoes.

Mr. Speaker, I believe that the paramount question facing us is simply this: by signing the proposed test ban treaty are we "cooperating in our own destruction"? This question must be answered before we go one step further.

I fervently pray that the Senate will take their time on ratification, and explore every possible pitfall for the United States in this proposed treaty.

Mr. Speaker, am I for a test ban? Are my Republican colleagues for a test ban? I most certainly am and I think I speak for them when I say they are for a test ban. But a meaningful test ban treaty is one of the vital goals for this United States to achieve. But it should be the kind of a treaty which safeguards this Nation and the free world.

But why sign a treaty with an enemy which we know is out to destroy us, when, in the words of Secretary Rusk, "There are elements of dangers in this treaty for us."

A treaty? Yes. Let us have a treaty. And I believe now is the time for it because, for some reason which we do not know, Russia wants one.

But let us have a treaty which safeguards the United States and the free world. Let us have one which will not permit Russia to cheat on tests in the atmosphere.

For once, let us not be fools. Have we learned nothing from Yalta, Teheran, Potsdam and all the long, sad examples of Communist lies and broken treaties?

Mr. HALL. Mr. Speaker, I yield to the gentleman from Kansas [Mr. SHRIVER].

Mr. SHRIVER. Mr. Speaker, while we as Members of the House of Representatives will not be recorded either "aye" or "nay" on the ratification of the nuclear test ban treaty with the Soviet Union, it is in the interest of our constituencies that we rise today to pose certain questions which Americans in all parts of this Nation are asking in regard to this agreement.

The President in his recent address to the Nation rightfully urged the American people to participate in a historic and constructive debate. I believe there are many questions which must be answered. I am confident that the Members of the other body will secure those answers from our diplomats, our military experts, our scientists, and other responsible citizens in the course of the hearings now underway.

Americans everywhere long for peace. They look forward to the day when there can be a relaxation of the international tensions which affect our daily lives. A treaty for a nuclear test ban is in the interest of every American if it can be had without endangering our safety or security.

The major consideration, in the debate now underway, must be the guarantee of the safety and security of the United States. We have made great sacrifices in lives and in our resources throughout our history to preserve our freedom and security.

I am privileged to join my colleagues today in discussing certain phases of the test ban treaty which we believe are deserving of deliberation and consideration.

One of the aspects of the proposed test ban treaty is that which deals with the sincerity of the Soviet Union. Is the Soviet Union making the overture for a test ban because it is genuinely desirous of seeking a relaxation in its relationships with the West?

We have been told that we are entering a new phase in the cold war—a phase which means that the Soviet is mellowing.

But we have seen the Soviets mellow before. In 1955 it was called the spirit of Geneva. That ended with new Soviet aggressiveness. In 1959 we had the "spirit of Camp David" and that too faded away. I think that it would be valuable to recall these two so-called thaws in the cold war.

THE SPIRIT OF GENEVA

The Russo-American relaxation of 1955 was preceded by two significant events: the resignation of Malenkov and the Western decision to restore West German sovereignty and to rearm her. The Communist response was oblique, taking the form of a new willingness to accept a neutral Austria. Whether a similar neutralization of Germany would have been acceptable to Khrushchev or not—as a way station to its final communization—is a moot point; the potential analogy with Austria was sufficient to stir discord in the Western Alliance, particularly in British politics, and gave the Soviets, under the cover of their new de-Stalinized respectability, access to the neutral nations. Although some cultural exchanges did grow out of the Geneva Summit Conference, no Western political proposals were adopted and Dulles and Adenauer successfully defended West German rearmament against the neutralizers. The most important lasting result was neutral acceptance of the Soviet Union as the moral, political, and power equal of the United States. This had a particularly powerful effect on India.

Although the West did not regard the spirit of Geneva as dead until the East European repressions began in 1956, the Communists obviously began their "attack" phase much earlier, with the granting of sovereignty to East Germany and the sale of arms to Egypt, both in September of 1955.

One great advantage to the Soviets in the carrot-and-the-stick approach is the time lag before public opinion in the West finally realizes that a turnabout has actually taken place. The Soviets are thus free for a time to pursue aggressive policies while the West is still thinking and talking about peaceful coexistence.

The Geneva spirit also permitted a reunion with Tito in the Communist camp.

THE SPIRIT OF CAMP DAVID

While the relaxation in relations of 1955 may have been caused by Soviet concern over Germany, that of 1959 was brought about by American concern. The proximate causes were the Russian threats towards West Berlin and Khrushchev's desire to probe Western resistance in the postsputnik, post-Dulles era. The Communist aim here seems to have been to create an atmosphere of good fellowship which would make it more difficult for the United States to continue a strong stand on the Berlin problem.

This particular detente came to an untimely end with the shooting down of Francis Gary Powers' U-2 on May 5, 1960. It is probable that this ended the peace offensive sooner than Russian strategists may have been planning for—they got no real Berlin concessions out of the spirit of Camp David—but they were again able to undermine U.S. prestige in the Orient, notably, Japan and it is conceivable that this period of relaxation was at least in part designed by the Soviet Union as a cover for the communization of Cuba under Castro.

The moment for relaxing tensions seems to be chosen when there is a Soviet desire to test our Western strengths and weaknesses on some particular issue. Both previous Khrushchev peace offensives have had at their root some aspect of the German problem. In neither period under the Eisenhower Administration, however, were these relaxations useful to the Communists in making any direct gains on the German problem. Their primary utility lay in calming the West sufficiently to mask new Soviet initiatives in other areas, in the first instance India and the underdeveloped world in general; in the second, perhaps the Cuban takeover. They also had an important marginal utility in strengthening the neutralist sentiment in Western Europe and thus increasing the strains on the NATO alliance.

With the Kennedy administration now in power, an administration with many spokesmen who have in the past advocated giving Khrushchev recognition on his East European control, the Russians apparently feel justified in again probing Western resistance here. Their past experiences have taught them that American resistance is at its weakest during a peace offensive, that if direct threats do not produce results, as they have not in Berlin, the softer approach is more likely to be useful. The nonaggression pact which apparently is eventually to accompany the test ban treaty is evidently designed as another step in eventual U.S. recognition of a Communist East Europe. East German ratification of the test ban treaty itself is a possible opening gambit. It is also possible that the old issue of disengagement may again be brought up in the discussions on a nonaggression pact as a way of again increasing neutralist feeling in West Europe and of causing trouble in NATO. The Kennedy administration's record of making secret accommodations with the Russians—Greek and Turkish missile bases—make negotiations even more inviting to the Russians—they increase West European jitters on a sellout since it is now impossible to know just how far Kennedy will go or has already gone in his desire to please the Soviet Union and make an accommodation with it.

Mr. HALL. Mr. Speaker, I thank the gentleman from Kansas.

Mr. Speaker, I yield to the gentleman from Nebraska [Mr. BEERMANN].

Mr. BEERMANN. Mr. Speaker, I thank the gentleman from Kansas for his excellent discourse on the dangers of a test ban treaty taken from the standpoint of the state of our nuclear deterrent. I believe that he has made a valuable contribution to the national debate.

It is my intention to discuss the effects of the proposed treaty upon our foreign policy as it relates to the cold war.

The first question we must ask is "Why do the Soviets favor a test ban treaty at this moment in history?"

I do not have the answer to this question and I seriously doubt that anyone in the administration does either.

It is very obvious, however, that the Soviets would not favor this treaty if they did not expect to get something valuable out of it; if they did not believe that it would advance their fortunes and aims.

What are the fundamental aims of the Soviet Union? Most schoolboys could readily answer that question. The fundamental aim of the Soviet Union is world conquest. Since the Soviets have never done anything prior to this time that has proven to be inconsistent with this aim I think that it is of vital importance for the American people to ask themselves if in the case of the test ban treaty the Soviets have not somehow found another means by which they can advance this aim.

Mr. Speaker, we can speculate endlessly over the various reasons why this treaty can help the Soviets "bury us" as Khrushchev has put it, because there are many such reasons. The gentleman from Kansas has just told us of one reason: it can limit our ability to maintain an effective nuclear deterrent. There are other reasons which come readily to mind.

Has Mr. Khrushchev agreed to a test ban treaty in a part of a quid pro quo?

In his East German speech, when he called for such a treaty Mr. Khrushchev coupled his offer with a demand for negotiations over a proposed nonaggression pact between NATO and the Warsaw Pact nations. Apparently the Kennedy administration is prepared to discuss this pact with the Soviets despite the fact that it has been amply demonstrated that such a pact would have grave consequences to the Western alliance.

The East German Government has offered to sign the test ban treaty. Would not our signature alongside of the odious Walter Ulbrecht's give de facto recognition to the East German slave state? And is this not exactly what we have promised we would not do?

Another question that must be asked: Would not the signing and ratification of a test ban treaty give some respectability to Khrushchev's oft-repeated falsehood that he is a "peace-loving man?"

There are, as I have said, endless questions of this nature which can be asked. I do not intend to outline them here. But I do hope that I have opened an area for speculation that will enliven the debate over the test ban treaty.

One final question which I think we must ask: Will this treaty not have the effect of opening the door to negotiations which will require concessions on our part that we simply cannot consider? Will it not have the effect of lulling our statesmen to sleep in the face of the ever-present danger of Soviet aggression?

I hope that the Nation will consider these questions carefully. We must not and we cannot rush into the signing of this treaty until all of these many questions have been answered.

Mr. HALL. Mr. Speaker, I thank the gentleman from Nebraska.

I yield to the gentleman from Utah [Mr. LLOYD].

Mr. LLOYD. Mr. Speaker, the previous participants in this speech series have stressed various aspects of the cold war and of test ban negotiations which we feel should be explored and debated in an effort to reach a true bipartisan consensus as to the wisdom of adopting a limited test ban at this time and as to the exact, precise, and carefully drawn wording such an agreement should contain if it is to be approved. I would like at this time to summarize some of these questions in order to point out to my colleagues and to the public issues which must be fully resolved during the subsequent hearings before the proposed treaty is signed and ratified.

Surely we cannot take a position against a limited test ban of this nature at this time—nor would we wish to predetermine our stand without the national debate which President Kennedy has advocated. I am pleased to note that the Senate will hold this type of hearing in the next few weeks' time, and I hope that in their deliberation they would see fit to raise the following questions in order better to inform the American people as to every aspect and implication of the treaty which has been proposed.

First. In the formulation and negotiations leading to the treaty and its terms, were all five members of the Atomic Energy Commission consulted? Also, were the Joint Chiefs fully consulted prior to initialing the treaty? There is some information to indicate that the Joint Chiefs were opposed originally to the test ban and are now changing their position as a result of administration entreaties. Should there not be full disclosure of the evolution of opinions of the Joint Chiefs of Staff?

Second. Would article III of the proposed treaty give Cuba a back-door clearance to test underground by becoming a member of those supporting the treaty by unilateral action at some future time? Would the same section allow back-door clearance to East Germany to become recognized in the family of nations through the same actions?

Third. Would the United States stand to lose more than she would gain by cessation of testing in that we could not develop an antimissile missile nor test adequately the nuclear warheads of our long-range missile system?

Fourth. Would the terms of the treaty leave the way open for the Soviet Union to perfect its tactical nuclear capability and thus improve its weakest posture of nuclear weaponry?

Fifth. Would the treaty enable Khrushchev to deceive the world that he is a peace-loving man? Is it probable that the Soviet Union would not have proposed nor signed any treaty unless they felt it had some advantages to them and that the treaty may well open the door to further negotiations which will require concessions on the part of the United States?

Sixth. Do we give acquiescence to Soviet troops in Cuba, the Berlin wall, Soviet subversion in Latin America and aggression in Laos and Vietnam by negotiating and dealing with the Soviet Union on other issues before these instances of aggression are resolved?

Seventh. Is the entire matter of negotiations over a limited test ban treaty passing into the area of emotion rather than hard, cold facts about the danger of radioactive fallout, and are there not greater risks to mankind inherent in a Soviet conquest of the world as compared to the danger of fallout? Is it not better to think of our grandchildren in terms of their survival in freedom rather than in terms of mere survival alone?

Eighth. Are we overlooking the entire history of Soviet aggression, the long record of treaties they have broken, and the alternate periods of thaw and attack which followed earlier supposed examples of Soviet mellowing in 1955 and 1959 in trusting that they are sincere in accepting even this limited nuclear test ban? Are we not substituting the spirit of Moscow for the spirits of Geneva and Camp David?

Ninth. Does the limited treaty now proposed continue to give the Soviet Union the right to test without detection underwater in their inland lakes without any provision for the on-site inspection so necessary to detect and halt such violations?

Tenth. Considering the questions already raised, and asking the question as to whether this treaty, as all treaties should, improves the mutual interests of both parties, is a nuclear test ban with the Soviet Union at this point in the cold war which has been thrust upon us by an enemy sworn to bury us truly in the national interests of the United States?

Mr. HALL. I thank the gentleman from Utah.

Mr. Speaker, in our opening remarks we of this committee have set out the tenets for the discussion. We have asked that the news media publish in fact the test ban treaty so that informed judgment of the people may enter into the national debate for which the President has called.

We discussed the technical aspects of the nuclear weaponry problem and its effect on our position in the treaty, and what it will do to our policy of deterrents.

We are discussing the effects of the treaty on our foreign policy, the cold war, our national security and whether or not we should deal with the Soviet Union because another member of the committee has discussed the question and reviewed the sincerity of the Soviets—of the Communists.

Then we have discussed finally the effects of the treaty on our foreign policy and how it might effect such things as foreign aid and the armed services.

In summary we have suggested positively 10 questions that might well be confronted by every thinking citizen of the United States in the hope that they will convey their considered and informed opinion to their Representatives and to the Senate who, indeed, must advise and consent.

In closing I would say, we feel this is timely as it is being heard in the other body and the various executive department witnesses are testifying and being queried concerning the advantages and disadvantages of possibly signing this treaty at this time. Because we, the Representatives of the people, who handle appropriations and are elected and reelected directly have an obligation to keep these people informed as well as to govern here and to represent always.

This is for the common weal and the good of the entire Nation and we pray the success of the deliberations of the other body, the Representatives of the various States of the Union who by our Constitution do advise and consent with the President on matters of the treaty. May they have all success and may the outcome be good.

Mr. Speaker, I yield back the balance of my time.

BALLOT BRIBERY AND BAGMEN

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Washington [Mr. PELLY] is recognized for 30 minutes.

Mr. PELLY. Mr. Speaker, I have noted with some considerable interest the storm of righteous indignation on the part of some Democrats in Congress that has arisen in connection with the address to the National Press Club on August 7 by Edwin P. Neilan, the new president of the Chamber of Commerce of the United States.

On the heels of that forthright speech certain leaders of the majority party of Congress immediately spoke out in outraged anguish to the "billions for ballot bribery" remarks of Mr. Neilan. Strong exception has been taken at the very idea of otherwise respectable citizens turning elected representatives into "bagmen."

Mr. Speaker, I have been reading the text of the speech which offended some of my sensitive colleagues so deeply. In Mr. Neilan's remarks he said his speech was no indictment of many Members of Congress, and indeed I can think of a number of my colleagues who regularly resist the selfish pressures from back home. But anyone who piously maintains that pressure tactics and political considerations are not inherent under our system, in my opinion, either has not been around very long or is speaking with a minimum absence of hypocrisy.

Painful as it is for me to say so, I find it impossible to refute the charge of Mr. Neilan. This administration and its talented politicians understand full well the technique of using Federal handouts to influence people and elect friends. Without pointing the finger at any one public servant or impugning the motives of any Member of Congress I can only say from years of observation that seduction by subsidy, deplorable as it is, has expanded from year to year in almost the same proportion that the budget of this Nation has grown. Furthermore, right now, as Mr. Neilan described them, those same talented politicians controlling this year's $100 billion budget never overlook the oncoming 1964 campaign. Like Mr. Neilan, I, too, wonder who is so naive as to believe accelerated public works, urban and rural redevelopment, defense, space contracts, to name only a few, are not directed in such a way as to influence the outcome of certain congressional elections. I agree with Mr. Neilan that the spoils system is more sophisticated and more sinister than ever before.

His calling a spade a spade and at times being unnecessarily blunt hardly qualifies the accusation that Mr. Neilan's remarks border on subversion. Certainly a detailed tabulation and objective analysis of individual congressional voting records documented with pressure group propaganda and other material could be quite enlightening. My guess is such a study would completely sustain the contention that we operate under a sophisticated spoils system which is neither new nor moral. Candidate Kennedy in 1960 campaigning for a Democratic administration certainly inferred in his speeches in various areas that support of him and his party would not go unrecognized and the $50 million electronic research center now being steered to the Boston area is evidence that a recent campaign pledge in the last senatorial race in Massachusetts is in the process of being redeemed. Is this morality? Neither is the suggestion that a solution would be to establish two instead of one such research center.

A recent and rather classical case of logrolling and political immorality such as charged by Mr. Neilan was cited by the Washington Post in an editorial on August 1, 1963. As this paper pointed out in order to try and pass the area redevelopment bill which was intended to reduce "pockets" of unemployment, informally the bill was linked with a cotton bill to get Southern votes and also to win more votes certain areas not clearly in distress were added, so as this newspaper commented it resulted in too high a price to pay for passage of the original bill. Is this morality?

It has been my privilege to work for several years with Mr. Neilan as chairman of the Chamber's Government Operations and Expenditures Committee. I was personally pleased when the Nation's largest business organization chose him as their president at their last annual convention. He is a sincere and dedicated man and to attempt to tar his remarks as "bordering on subversion" is hardly responsible. Of course, when we dig beneath the surface a little bit we can see just what prompted some of the oratory.

ARA COUNTERATTACK

On the day before Mr. Neilan's speech at the Press Club, the Area Redevelopment Administration chose to issue a press release expressing "deep appreciation" to local chamber of commerce officials for active leadership roles they played in the Area Redevelopment Administration program. Realizing that Mr. Neilan was going to hit the ARA program hard at his Press Club speech, this was an obvious attempt to discredit Mr. Neilan through the old device of claiming that he did not represent the views of his members. In addition to the press release itself, Mr. William L. Batt, Jr., the Administrator of the ARA released a list of names and addresses of 558 chamber of commerce officials who, he alleges, have been actively promoting the ARA programs. It was not particularly surprising either that following Mr. Neilan's speech the Secretary of Commerce Luther H. Hodges attacked the Neilan speech and stoutly defended the ARA program and again cited the more than 500 "local chambers of commerce, bankers, professional and businessmen," who are supporting the ARA program. A glance at the list prompted me to request that the national chamber perform a quick spotcheck of this list to see if, in fact, the case was as Mr. Batt presented it. The national chamber has informed me that this quick spotcheck has "shot full of holes" Mr. Batt's claim. There were so many glaring errors that Mr. Neilan released a statement citing some of them and I quote his statement in part:

> ARA's list of "participants" is found to include local chamber officials who are actively opposing the Federal encroachment into local efforts to obtain industry. On the list, are persons who went to one ARA meeting to protest or to observe; names of nonexistent chambers or chamber officials; and names of local chamber officials long since departed. This despite the fact that ARA said its report was prepared April 20, 1963.
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> Mr. Neilan announced the following results from the National Chamber's spotcheck, which ended today:
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> "Dudley Jewell is listed as a participant and is identified as executive vice president of the Greater Erie, Pa., Chamber of Commerce. Mr. Jewell has been gone from Erie for more than a year and is now manager of the chamber in St. Petersburg, Fla. He said that in 1961 the Erie Chamber was invited by the mayor to send representatives to a meeting to discuss industrial development. The meeting was conducted by an ARA official. Mr. Jewell said that at the meeting he strongly opposed the ARA program and that this opposition is in the minutes of the meeting. The Erie Chamber was and still is opposed to ARA, he said.
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> "The list of Kentucky 'participants' includes the name Bill Narr and he is identified as president of the Knox County Chamber of Commerce at Barbourville. No one by that name lives in the area. There was a Bill Nau who was president of the Barbourville Chamber of Commerce, but that chamber became extinct 3 years ago.
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> "In South Carolina, W. W. Kirkpatrick is listed as manager of the Orangeburg Chamber of Commerce and is named as a participant. T. S. Taylor is listed as president of the chamber and also a participant. Actually Robert Metrokos has been manager of the chamber for the past year and William Cartright, president. The Orangeburg Chamber is officially opposed to ARA.
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> "In Wisconsin, Carl Wallace, secretary-manager of the Stevens Point Area Chamber of Commerce, is listed as a participant. Mr. Wallace said he did serve on the Portage County Area Development Committee to explore the local economic situation. In 1960 Portage County was listed as a depressed area. Later the listing was found to be in error and the county was removed from the ARA list. Mr. Wallace says the development committee no longer operates and that on April 29, 1963, the Stevens Point Chamber sent a letter to ARA Administrator William L. Batt, Jr., opposing ARA.
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> "Also in Wisconsin the list erroneously names the La Crosse County Chamber and the city chamber of commerce at La Crosse as participants. Actually there is only one chamber—the Greater La Crosse Chamber of Commerce—and it is not participating with ARA even though Don J. Petruccell, the chamber's general manager, is an ex officio member of the La Crosse County Industrial Development Council which has applied for an ARA loan.
>
> "James E. Boling, manager of the Sumter, S.C., Chamber of Commerce, who is listed as a participant, says his organization is on record as opposing ARA and that he joined the Sumter County Economic Development Committee just to observe what ARA is trying to do.
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> "In Mississippi, ARA lists the Lincoln County rural areas development program as a participant and notes that 'this is the chamber for this area.' Actually, the chamber is the Brookhaven-Lincoln County Chamber of Commerce. The chamber set itself up as the ARA committee for the area in order to keep control of the situation, and is not a 'participant' in the ARA program, according to Victor Becker, president of the local chamber.
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> "The Huntsville, Ala., Chamber of Commerce reports that Mr. W. E. McBride, who is listed as a participant in the Northeast Alabama Rural Areas Development Committee and Technical Panel, is a staff member of the local chamber who was sent as an observer but not as a participant at the panel's organizational meeting. The chamber is on record as opposing the expansion of ARA.
>
> "In Alaska, Thomas E. Kelly, of the State chamber of commerce, is listed as 'participant.' Mr. Kelly left for Texas several years ago."

Mr. Speaker, I think my colleagues will agree that a list which can be so quickly discredited indicates the bureaucratic irresponsibility which surrounds the ARA today and reflects knowledge of the growing legitimate criticism of the program in the Congress.

In my own congressional district the Seattle Times in an editorial dated August 5, 1963, cited the ARA projects in West Virginia to construct tourist facilities which will cost well over $23 million and produce about 785 jobs, or to say it another way, for each job produced there will be an initial outlay of approximately $30,000. I have also heard of many other ARA programs to build ski resorts, and other recreational facilities, one of which only promises to produce one full-time job and possibly six seasonal jobs.

Mr. Speaker, Federal money has been poured into areas for "studies" which are not designated as depressed. This type of expenditure is permitted under the ARA which has some "blue sky" provisions which seem to permit the administration to put money wherever it may choose and I suggest it could well be for political advantage.

LIFE MAGAZINE ARTICLE ON PORK BARRELING

If President Neilan needs any defense in the way of specific examples of what he referred to as ballot bribery, it came in a most timely article in this week's

Life. It is entitled "Now—See the Innards of a Fat Pig." It quotes the distinguished chairman of the House Appropriations Committee as saying last year Congress spent $8.2 billion of the taxpayers' money that need not and should not have been spent. Incidentally, as Life points out each billion spent unwisely costs $5.30 for each man, woman and child in the land—after taxes.

In the next few days the Members of this House will be hearing from outraged constituents who have read this damning article in Life and who oppose the use of Federal funds for political advantage. I predict all Members will receive such protests at too much money being spent foolishly.

As for me, I intend to respond to such indignant voters when they write to me by sending each one the tabulation of the Americans for Constitutional Action showing its analysis of how each Member of Congress has voted.

Meanwhile, I know some of my colleagues who feel impelled to do so will take the Floor, as was done in criticism of Mr. Neilan and criticize the Life magazine article. Personally, I think it a sorry story, but true, and the truth often hurts as witness the reaction to Mr. Neilan's speech.

DEMOCRATIC NATIONAL COMMITTEE REACTION

One of the most telling reactions to Mr. Neilan's admittedly hard-hitting speech was that of Mr. John M. Bailey, chairman of the Democratic National Committee. Mr. Bailey chose to characterize Mr. Neilan as a sort of Rip Van Winkle character who had been asleep for many years and who was not up with the times. Stated another way, what Mr. Bailey was saying was that Mr. Neilan was being naive and just does not understand the way things work today. I would like to point out to my colleagues that there are all too few Ed Neilans in this country, who are willing to stick their necks out and subject themselves to attack for stating their beliefs. This point was well made in a recent article by David Lawrence which appeared in the Washington Evening Star. He said that maybe Mr. Neilan stretched his metaphor too far in his comparison of political immorality and the British sex scandal, but Mr. Lawrence added that it was time more emphasis is given to governmental affairs. In this connection, Mr. Neilan, it seems to me has rendered a real public service.

In closing, Mr. Speaker, I want to pay tribute to my colleagues on both sides of the aisle who have risen to defend both Ed Neilan as an individual and as the president of the U.S. Chamber of Commerce. If I may take a thought from the gentleman from Texas' [Mr. FOREMAN] comments last week, while Mr. Neilan's remarks may step on some toes in the Congress so there were cries of anguish, I am convinced that he expressed an opinion that is widely shared around the country and that it may be well for all of us to consider as future votes come up on such programs as the ARA. Perhaps also some members of the press will help settle this argument by evaluating the voting records of Members of Congress in relation to the pork barrel bills which contain self-interest legislation. How many of us are in a position to throw the first stone or challenge the outspoken allegations of President Neilan and the U.S. Chamber of Commerce? Not very many and with continuing and planned Federal deficits it is time the facts came out.

A NEGRO ALLIANCE FOR PROGRESS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from California [Mr. McFALL] is recognized for 30 minutes.

Mr. McFALL. Mr. Speaker, Mrs. Margaret L. Washington is a teacher in the Stockton, Calif., schools system. Stockton is the largest city in the 15th Congressional District, which I am privileged to represent.

She has written a thoughtful article which I wish to bring to the attention of the House. Mrs. Washington has suggested the establishment of a Negro Alliance for Progress, which is similar in concept to the proposed National Service Corps.

May I point out that the general plan is something which could be made applicable not only to help Negro families who leave rural areas to make their homes in cities, but also to others, regardless of race, who are faced with serious adjustment problems when they encounter totally new environments in large population centers.

The article deserves the careful consideration of all Americans who are interested in social progress for the people of our great Nation.

I am pleased to insert Mrs. Washington's work at this point:

A NEGRO ALLIANCE FOR PROGRESS

(By Mrs. Margaret L. Washington)

Momentous changes are the order of the day throughout the world—changes that affect every area of human life. But most people are so comfortable with the status quo that they have not taken cognizance of them. The change that people have resisted most is social change. Yet, social change is our most pressing problem—the granting of first-class citizenship to the Negro.

Halfway measures will never do. Although it has been worked at piecemeal for decades, the problem is far from a solution and is growing in magnitude, especially in the Nation's largest cities. A coordinated and concerted attack on a broader front than has ever been undertaken must be made if any solution is to be achieved.

According to the 1960 census, 73 percent of the nearly 19 million Negroes live in cities. One-third of these urban-dwellers live in the 25 largest American cities. Significantly, only four of these cities are in the South, pointing up the fact that decades of Negro migration was and is to northern cities.

Stating the problems of the cities succinctly, Charles E. Silberman writing in Fortune, points out that the chief problem facing the large cities should be given immediate consideration: "When city officials are talking about spreading slums, they are talking in the main about the physical deterioration of the area inhabited by Negroes." Also, he continues, "When they are talking about juvenile delinquency, the burden of welfare payments, or any of a large list of city problems, officials are talking principally about the problems of Negro adjustment to city life."

Negro leaders may give valid answers to this or they may simply say that since the whites got the Negroes into this predicament, they should get them out. Inasmuch as the whites have had 100 years to do the job, and the Negro is still a second-class citizen, the time has now arrived for the Negro to take the lead and work to secure for himself all the rights enjoyed by other citizens.

Since the Negro masses in the city ghettos have to depend upon the business, political, and professional members of their community for leadership, there is a paucity of dedicated, selfless leaders. For the businessmen, politicians, and a majority of professionals have a stake in the ghetto. It is there that they gain their livelihood and prestige. Therefore, the thinking of many Negro leaders about integration resembles that of most white integrationists. The Negro, they feel, should have adequate housing, equal treatment in public accommodations, equal opportunity for employment and education. This clearly is not enough. Equality means full participation by the Negro in everything that goes on in the larger community.

Moreover, a great many Negro leaders are not in touch with the masses in the Negro world, but are concerned principally with their own position in American society. They are busy getting as many status symbols as possible and gaining the acceptance of the whites. Such leaders, in thinking they are securing equality, are merely deluding themselves. Two recent and noteworthy incidents illustrated this delusion. One was the refusal of the Washington, D.C., Cosmos Club to accept as a member Carl T. Rowan, Deputy Assistant Secretary of State. Another was the refusal by a New York tennis club to accept the son of Dr. Ralph Bunche to its membership.

The truth is that Negroes in general do not wish to belong to white social clubs, exclusive or otherwise. It is the fact that those who apply for membership are so often rejected, regardless of their qualifications, that counts. Equality and complete acceptance will be achieved when the value standards, habits, and attitudes of the majority of Negroes approximates those of the whites.

Negro leaders must face up to the challenge of competing in a white world. No Negro business that is sound need fail because of integration. The same is true of the professions. I am not patronizing my dentist because he is a Negro, but because he is an excellent dentist. There is no basis in fact that Negroes would not continue to use the same services that have proved satisfactory for them just because they move out of the ghetto. There will, most certainly, be difficulties to surmount. Negro leaders, however, must rise to the occasion and work for a fully integrated society.

In calling attention to the dualism that obtains in Negro communities, Gunner Myrdal said in a recent address to the graduating class of Howard University, "I should not be fully candid with you if at this point I did not stress another implication of the integration of the Negro in the wider American society; namely, that the Negro professional middle and upper class will have to surrender economic monopolies which they have held, and are now holding, on the basis of prejudice." He then pointed out one of the main roadblocks in the Negro's path to first-class citizenship. "You cannot cry for the breaking down of the walls of segregation and discrimination," he continued, "while at the same time hoping to retain petty monopoly preserves among Negro clientele to give you a comfortable and uncontested economic safety." And, urging the Negro to strive for excellence, he said, "You must have the courage to choose a harder life in which your abilities will be tested against the norms established in the wider American society and, indeed, in the whole world."

As yet, it is only a minority of whites who favor the Negro's total participation in every area of American life, witness the school struggles that are going on in many cities of the North and West. The continued flight of the whites to the suburbs as the Negro communities in the large cities expand, point up the fact that limited integration is all that is desired by most whites who favor integration.

The findings of Professors Harry Sharpe and Leo Schnore, two University of Wisconsin sociologists, have serious forbodings for America's largest cities. Writing in Land Economics, a university journal, they said that nonwhites are well on the way to outnumbering whites in 50 of the Nation's largest cities. They predict that if the pattern continues, our large metropolitan areas may eventually consist of white rings surrounding nonwhite cities.

To halt these trends and solve the Negro's problems will require the undertaking of bold, new, and untried methods by both white and Negro leaders.

One way would be to promote wider communication and better understanding among whites and Negroes. The average white knows very little about the Negro. He not only knows practically nothing about his social life, church, home life, or aspirations, but in far too many cases, entertains an entirely erroneous conception of them.

An indication of misunderstanding and poor communication is shown in a study of racial integration made by the Connecticut Civil Rights Commission under the direction of Dr. Harry Stettler. This study showed that of the 556 white and 527 Negro respondents, only 10 percent of the whites thought the Negro wanted more integration, while 80 percent of the Negroes actually expressed a desire for more. About 45 percent of the white group thought that "things are satisfactory as they are," contrasted with the figure of 12 percent for Negroes. Also, 84 percent of the Negro group thought there should be more contact between the races. The corresponding figure was 35 percent for the whites.

It is the Negro's responsibility to invest in his own future. If he would be free he must take the initial action in his community. He must show that he has both the discipline and the ability to carry on in his own behalf, even though he cannot do the job alone. Help must come from the local, State, and Federal agencies. The agencies' help, however, to do the most good for the greatest number, must be administered in cooperation with or through Negro self-help organizations.

The U.S. Civil Rights Commission observed in its 1961 report, that the Government should not bear the exclusive or even the initial responsibility for the achievement of equal opportunity for all. "Nevertheless," says the Commission, "it bears a heavy responsibility, and one that—despite great strides—it has not yet discharged."

There is an immediate need for the Government to use some of its undischarged responsibility to help raise the standards of millions of disadvantaged Negroes who are crowded into the ghettoes of our large cities. In order to give effective help, I propose the Government set up a Negro Alliance for Progress. It should train people just as if they are to serve in the Peace Corps; train them to go into Negro communities to help in each such district to work with the masses in the slum areas, to give them purpose, motivation and incentive to improve their lot.

A Negro Alliance for Progress will not conflict in any way with the work of the NAACP, CORE, or the Urban League. It will be a self-help organization. Its leaders will work with the masses to help them prepare to use the rights that have been won for them, and to inform them of present and future opportunities. In some instances it would probably supplement some phase of work being done by other established organizations, especially the Urban League.

Dr. Eli Ginzberg says in the Negro Potential that Negro leaders must somehow convince the members of the race that equality cannot be bestowed; it must be earned. "Negroes must learn," he says, "how to utilize the opportunities now open to them. Only if they do so will they achieve the equality they seek." A community organized under a Negro Alliance for Progress will afford the average Negro slum-dweller the opportunity to earn equality.

A community Negro Alliance for Progress organization should be widely based. To form its official family, the leaders must reach out into the Negro community for representation from as many clubs, institutions, and organizations as possible. It must operate in community centers—those that are in existence now and those that should be set up by the Alliance. Its financing must come mainly from the participating organizations and the community at large; but the government should contribute to maintenance of staff and experts. It must carry on its work through a number of departments and committees. It must have an executive officer.

There should be departments of education, civic affairs, family life, child care, culture, and recreation. All workers must give volunteer service; its professional help being drawn from teachers, counselors, social workers, and college students within the community.

Since education is the surest way out of the slum, special stress must be put on this phase by the Alliance. At least two evenings per week should be given over the basic instruction in reading, arithmetic, and English, for those who cannot profit by attending the established adult education schools operated by city school boards. In this connection, the Alliance can give to the individuals counseling and guidance about the type of training that they need to secure technological employment and about the place to get such training.

The departments of the Alliance should carry on activities designed to help raise the standard of the community by promoting voter registration and neighborhood cleanup and beautification campaigns, family night get-togethers at the center, workshops and group discussion on housing, employment, education and respect for the law. Plays and talent shows should be sponsored, as well as a year around recreation program in which community youths can participate in wholesome activities.

The Alliance should sponsor a cooperative child-care center staffed by volunteers so that more able-bodied women, whose only reason for not working is caring for one or more small children, can participate. As there are many broken homes in the Negro community where boys, in particular, who need a father are growing up without one, the Alliance should sponsor a "big brother" guidance program in which men of good community standing take the responsibility of guiding a boy who has no father in his home.

An important function of the Alliance should be to give help to individual families. For example, a true instance which came to the personal attention of the writer involved a family of eight who moved to a western city from the rural South last year. Not only did they find many of the problems that they had hoped to have left behind, but they also found new and even more complex ones.

For 2 months they were obliged to live with relatives in an already overcrowded tenement apartment. At the end of that period the father, who has only a fifth-grade education, found work as a laborer with a construction company. He immediately moved into a four-room apartment in the same slum area. The children, five girls and one boy, range in age from 3 to 14. Four of the children attend school.

After 3 months the father was laid off from work and is now on State aid. The Alliance could bring this family into a self-help program by getting the father to take its basic training which would prepare him to get a skilled or semiskilled job. It could also assist him in finding a job that he could perform and thereby getting the family off relief.

They could then be guided in getting adequate housing in a low-rent housing project. The mother, through the homemaking classes of the Alliance would become a better and more economic manager of her household. Having finished elementary school, she could give assistance in child care as a matron on a part-time basis. She would be taught how to handle groups of children and how to maintain the program.

In this family, which serves here as a demonstration of many in various states of being, it could give the 14-year-old boy the counseling which he so badly needs. (He has been sent home from school twice for misbehavior and is becoming a problem.) He could through the Alliance be found an after-school job to assure him that he is a needed useful person. The lack of such assurances is the cause of much of the delinquency among Negro youth. He could be brought into the recreation program of the Alliance through membership in a youth club of his own age group, and the Alliance could provide youth sponsors to get the three school age girls into recreation clubs.

This family has not united with any church. An alliance to sponsor them would provide a welcome into the church of their choice. If the family has no choice, the family sponsor could introduce them to representative members of community churches, thereby helping them to become a churchgoing family with new ideals and aspirations. It can through the family sponsor get the father and mother to become registered voters, to join the PTA, and to become members of some of the departmental committees.

In this manner all families such as this one just cited could gain a sense of belonging not only to the Negro community, but also to the larger community. In that way the Negro would be solving his own problems.

It would not be the purpose of the Alliance to isolate the Negro community; the leaders must cooperate with white leaders in keeping the channels of communication open and work for Negro participation in all the affairs of the larger community.

The major solution to the Negro problem lies in the cities. Indeed, the major new frontier for civil rights today is in the Northern and Western cities. It is in these cities that the Negro Alliance for Progress should begin its fight against segregation and discrimination, by helping the masses to help themselves.

The Negro-city problem is America's problem. The extent to which its solution is hastened has implications for our well-being at home, and our success or failure as the leader of the free world.

END THE WORK MEASUREMENT SYSTEM IN THE POST OFFICE

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. HALPERN] is recognized for 15 minutes.

Mr. HALPERN. Mr. Speaker, the work measurement system imposed by post office officials on postal clerks has caused a furor, and rightly so. Postal unions and individual employees have protested strongly to me and to many other Members of the Congress concerning the stress caused by this speedup program. I am convinced that these protests have merit and have introduced H.R. 1799 which would prohibit continued use of this type of system. Many of my colleagues have introduced similar measures.

We are all concerned with the adverse effect this onerous system has had on the health and morale of postal clerks. It is an attempt to speed up the work of distributing the mail to arbitrary levels, to levels that should not be expected to apply to all individuals under all circumstances. It is an attempt to apply an industrial engineering device to what is essentially a public service. The Post Office is not a factory and it does not have a standard product. Letters, circulars, postcards vary in size and thickness. The legibility and completeness of the addresses vary. There can be no true measurement of the work content, only an estimate. And this estimate can differ by a wide margin. For example, a tray 2 feet long is the standard measure. This tray is supposed to hold an "average" number of letters. Yet this average can vary by as much as 200 pieces of mail.

Furthermore, this haphazard system places great emphasis on speed of performance. Undoubtedly, it does increase to a certain extent the speed at which some of the work is accomplished. But this increase is only accomplished at the expense of another, more important aspect of the job—accuracy. In the mad dash to accomplish as much as possible as quickly as possible, the percentage of misdirected mail grows higher and higher. In the long run, the time factor required in redirecting misplaced mail negates any earlier speed gains. In the long run, the citizen whose mail is delayed because of sloppy handling is the loser. In the long run, the postal employee, who loses pride and interest in his work, is the loser. I ask you then, who is the winner in this race? I, for one, see none in sight.

And this is a wasteful system besides. To get their estimated counts, the Post Office must use a veritable army of counters and analyzers. Employees assigned as dividers or group leaders spend their time walking back and forth in an aisle or through a section estimating how much mail is in each tray placed in front of each distributor. The estimate continues through the distribution process to the sacks of packages and pouches with the tied bundles of mail.

A methods handbook has been compiled by the Post Office Department for the operation of the work measurement system and individual offices have also compiled their own handbooks. Furthermore, some 15 different forms must be filled in for submission to the region and to the Department by each participating installation. In addition, individual offices also make up their own forms. To compile and review statistics and generally watch over the whole complicated system, methods and standards officers, analysts, comptrollers, and other management personnel are required. At a minimum this costs the Department $11 or $12 million annually.

What is the purpose of this multimillion-dollar statistical system? The Postal Manual says that:

> The work measurement system provides a uniform method for furnishing postal management with essential information on the relationship between mail distribution workload and manpower for the control of manhours.

In the first place, how uniform is the system? The Post Office Department has admitted that nationwide standards have proven unsatisfactory and local standards are being developed. And, as I have mentioned previously, individual post offices are developing their own handbooks and forms to be used in the operation of work measurement.

In the second place, and more important, how essential is the information developed? Mr. Belen, Assistant Post Master General, Bureau of Operations, has stated that 99 percent of the postal employees are doing a good job. It is difficult to see, then, why an elaborate device is needed for "control of manhours" of the vast majority of productive workers. What is controlling the manhours devoted to the nonproductive operation of the work measurement system?

Even the Bureau of the Budget, which is noted for its emphasis on increased productivity, saw little point in continuing indefinitely a costly measurement system. In a recent report on the work measurement system made at the request of the House Appropriations Subcommittee on Treasury and Post Office, the Bureau of the Budget said:

> If, even under engineered standards, it develops that individual performance at an office or for a work center within an office is at or above the minimum for an overwhelming proportion of the employees involved, we would see little justification for continuing to incur the costs of individual measurement on a continuing basis so long as the work center or office efficiency indicates that high production is being maintained.

Since, according to Post Office spokesmen, high productivity is being maintained by an overwhelming percentage of its employees, an elaborate individual work measurement system is redundant. No service-disrupting performance standards are necessary to distribute the mail efficiently. Alert supervision can spot problem areas. Post Office supervisors have been promoted from clerical positions and have acquired thorough familiarity with the various operations. I am sure that they can maintain high productivity without the mechanical aid of dubious standards.

In fact, these standards most likely hurt productivity. They increase nervousness and hypertension on the part of the employees, eventually cutting down on the efficiency of the men and the service. What is worse is the resulting illness that befalls the overtense worker. And let us not forget that illness requires sick leave and sick leave is taken at great expense to the Government. Machines will not suffer fatigue or tension when overworked; they will just break down and stop. Men will start to break down in less apparent ways, but they are harder to fix and replace. And it is costly to retrain new men to replace the old.

A work force with a high morale is the most important factor and it should be obvious from the unanimous cries of protest against this system on the part of the postal employees that this system is stifling the high spirit of a dedicated and hard-working group of men. I daresay that this system is repugnant enough to cause persons to retire earlier, out of disgust with a job they once enjoyed. And when this happens we are all the losers because men with years of valuable experience are lost—men who in years past have made the Post Office run smoothly and accurately. And how fair is this system to older employees, or handicapped persons? In the worship of the god of speed, these loyal and accurate people are judged on the same basis as everyone else and get a lower rating. Why? Because the rating is based solely on speed and not on accuracy. Because the rating is a mechanical monster that has no heart in which to weigh or balance human factors.

Is this the way to maintain high morale among the postal workers? The answer is "no; no; no." In the long run, will the work measurement system give us a more efficient postal service? I contend that it will not. I contend that it will hurt the postal service, and what is more serious, hurt the men in the service.

The case is clear. Our course of action is clearly defined. Let us remove the bludgeon of work measurement from the Post Office's bag of management tools.

MEDALS IN COMMEMORATION OF NEW YORK CITY NATIONAL SHRINES

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. FARBSTEIN] is recognized for 30 minutes.

Mr. FARBSTEIN. Mr. Speaker, during the remainder of this year and during 1964, the National Park Service of the U.S. Department of the Interior will be engaged in the restoration and completion of three national historic shrines in downtown Manhattan, all located within the 19th Congressional District of New York City which I represent in the Congress. It is most important that these long-neglected historic landmarks be readied during the period while millions of visitors will be coming to New York over the next 2 years, when the New York City World's Fair of 1964 and 1965 will be one of the Nation's world-advertised attractions.

Next year commemorates the 300th anniversary of the city of New York. It was on September 8, 1664, that the British captured the then Dutch settlement of New Amsterdam from the Netherlands Government. On that date when the surrender took place at Fort Amsterdam the British acting governor penned a proclamation naming the new Province and the occupied city as "New York," to honor the then Duke of York, James, younger brother of the reigning British monarch, King Charles II.

The New York City World's Fair has been scheduled to open in April of 1964 so as to commemorate the 300th "birthday anniversary year" of the city, our Nation's first Capital under the Constitution now frequently referred to as "the capital city of the world today." The three national historic shrines, as created by previous acts of Congress, will be completed during the New York Fair years unquestionably if additional support therefore is given by the Congress. I am respectfully asking for this support. It will not require any additional financial expenditure by the Federal Government.

Mr. Speaker, I am proposing that the Secretary of the Treasury be authorized by the Congress to strike and furnish to the New York City National Shrines Advisory Board, as desired by that official group, a so-called Liberty Series of three different commemorative historic medals. The three national historic shrines involved are, namely: Federal Hall National Memorial, Castle Clinton National Monument, and Statue of Liberty National Monument American Museum of Immigration.

The New York City National Shrines Advisory Board was created by act of Congress in 1955 to consist of 11 members appointed by the Secretary of the Interior. Its official report was made to the then Secretary of the Interior, the Honorable Fred A. Seaton, on January 31, 1957, recommending a national fundraising campaign under the Advisory Board direction in order—and I quote: "To further public participation in the rehabilitation and preservation of these historic properties in the New York City area that are of great national significance." My quotes are from the congressional act approved August 11, 1955, creating the Advisory Board (Public Law 341, 84th Cong., 1st sess., S. 732). The Advisory Board report was approved by the Secretary of the Interior.

Earlier this year the Advisory Board submitted to the U.S. Department of the Treasury a request for its support in obtaining the minting of commemorative coins to further aid in obtaining funds for use by National Park Service. This inquiry was made of Mr. James A. Reed, Assistant Secretary of the Treasury, on May 14, 1963. Mr. Robert A. Wallace, Assistant to the Secretary of the Treasury, in charge of the Bureau of the Mint, on June 7, 1963, addressed a memorandum to Assistant Secretary Reed in which he said in part, and I quote:

> For many years, the Treasury Department has opposed legislation authorizing the minting of commemorative coins. * * * The Treasury Department has long favored medals instead of coins for commemorative purposes. A medal lends itself more readily to an artistic design, because the relief of a medal does not have to be restricted as it does on a coin. Commemorative medals manufactured by the Bureau of the Mint must be authorized by an act of Congress.

Mr. Reed, on June 11, 1963, addressed a letter to Mr. L. Porter Moore, secretary of the New York City National Shrines Advisory Board, and I quote one most pertinent paragraph therefrom which states as follows:

> You will note that he [Mr. Wallace] states that the Treasury Department has long favored medals instead of coins for commemorative purposes. I wonder if this would be the means by which you could achieve your goal?"

The New York City National Shrines Advisory Board, I am informed, has resolved that this proposed "liberty series" of three different commemorative medals; if sanctioned, will aid greatly in achieving its goal. I am so convinced. I feel it my duty to introduce a bill in the House of Representatives to be acted upon, which I trust will enable the Congress to authorize the Department of the Treasury to mint such a series of commemorative medals.

Through the Honorable Stewart L. Udall, Secretary of the Interior, I am also advised that these commemorative medals are approved by that Federal department as planned for and are desired by National Park Service for the purpose outlined.

Mr. Speaker, no better time than the present could be chosen to mint such a proposed "liberty series" of commemorative historic and patriotic medals for offering to the public and collectors of medals and medallions throughout the world. New York City National Shrines Advisory Board has presented its plan to officials of the Treasury Department and the Bureau of the Mint for a series of three correlated commemorative medals, with the face of all three identical in design to present the Statue of Liberty National Monument, as "Liberty Enlightening the World," which was Auguste Bartholdi, the French sculptor's theme. On the reverse sides three different designs would be created, which have been described to me as follows:

No. 1, if issued, would depict the Federal Hall as first Federal Capitol Building under the Constitution where Gen. George Washington was inaugurated as first President of the United States, the first congressional sessions were held during 1789–90, and our Departments of Government were first organized, including the Treasury Department.

No. 2 would depict Castle Clinton as the last of a series of forts, from the time of the Dutch settlement in 1624, which guarded lower Manhattan, and was headquarters of Gen. Winfield Scott during the War of 1812, which 150th anniversary period is now being observed.

No. 3 would depict the American Museum of Immigration now being constructed so as to complete the base of the Statue of Liberty National Monument, which museum is to tell the story of the making of the United States by men and women who have come to our shores from all over the world to seek and find the blessings of life, liberty, and the pursuit of happiness.

I believe that no similar series of U.S. commemorative historic medals such as this proposed liberty series has ever before been requested of or issued through the Bureau of the Mint of the Treasury Department. I am aware that proper officials there have expressed their unqualified interest and approval if the Congress will take the necessary legislative action at this time.

Completion of the three New York National Historic Shrines involved has been estimated by National Park Service of the Department of the Interior to cost approximately $5,200,000. Of this sum, congressional action has authorized that National Park Service can make use of up to $2,600,000 of its budgeted funds amounting to 50 percent of the cost, matching dollar for dollar an equal amount or $2,600,000 when and as the sum is raised by the New York City National Shrines Advisory Board and its cooperating groups.

As of August 1, 1963, the shrines board reported through Rear Adm. John J. Bergen, chairman of its national fundraising committee, that it must still obtain subscriptions of approximately $1,500,000 to meet it quota.

Mr. Speaker, I believe that the approval of this bill would materially aid toward achieving completion of these three great historic landmarks by the target dates during the New York World's Fair as desired by the New York City National Shrines Advisory Board and National Park Service of the Department of the Interior. I hope that this bill will be passed.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. VANIK, for 15 minutes, today, and to revise and extend his remarks.

Mr. PELLY, for 30 minutes, today, and to revise and extend his remarks.

Mr. LINDSAY, for 1 hour, on tomorrow.

Mr. MCFALL (at the request of Mr. HALEY), for 30 minutes, today, and to revise and extend his remarks.

Mr. BLATNIK (at the request of Mr. EDMONDSON), for 120 minutes, on Monday, August 19, 1963.

Mr. EDMONDSON, for 30 minutes, on Monday, August 19, 1963, to immediately follow the special order of Mr. BLATNIK, of Minnesota.

Mr. PUCINSKI, for 30 minutes, tomorrow, August 15, 1963.

Mr. HALPERN (at the request of Mr. WHALLEY), for 15 minutes, today.

Mr. HALPERN (at the request of Mr. WHALLEY), for 10 minutes, on Thursday, August 15.

Mr. FARBSTEIN (at the request of Mr. STAGGERS), for 30 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. FLOOD (at the request of Mr. STAGGERS), for 60 minutes, on Thursday, August 22; and to revise and extend his remarks and include extraneous matter.

Mr. VANIK (at the request of Mrs. HANSEN), for 15 minutes, on August 19; and to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL

Record, or to revise and extend remarks, was granted to:

Mr. Fino in two instances and to include extraneous matter.

Mr. Edmondson and to include two letters following his remarks in Committee of the Whole on the consideration of H.R. 6143.

(The following Members (at the request of Mr. Whalley) and to include extraneous matter:)

Mr. Broomfield.
Mr. Martin of Nebraska.
Mr. Wilson of Indiana.
Mr. Morse.
Mr. Sibal in two instances.
Mr. Schwengel in three instances.

(The following Members (at the request of Mr. Staggers) and to include extraneous matter:)

Mr. Fisher.
Mr. Powell.
Mr. Moorhead.
Mr. Nix.

BILL PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on August 13, 1963, present to the President, for his approval, a bill of the House of the following title:

H.R. 2192. An act authorizing the readmittance of Walter Sowa, Jr., to the U.S. Naval Academy.

ADJOURNMENT

Mrs. HANSEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 10 minutes p.m.) the House adjourned until tomorrow, Thursday, August 15, 1963, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

1131. Under clause 2 of rule XXIV, a letter from the President of the Board of Commissioners of the District of Columbia, transmitting a draft of a proposed bill entitled "A bill to provide that the Commissioners may accept or permit the acceptance of the performance by volunteers of services for and on behalf of the municipal government of the District of Columbia" was taken from the Speaker's table and referred to the Committee on the District of Columbia.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WHITENER: Committee of conference. H.R. 6177. A bill to amend section 2(a) of article VI of the District of Columbia Revenue Act of 1947 relating to the annual payment to the District of Columbia by the United States (Rept. No. 664). Ordered to be printed.

Mr. WILLIS: Committee on the Judiciary. House Joint Resolution 626. Joint resolution granting the consent of Congress to the establishment of an interstate school district by Hanover, N.H., and Norwich, Vt., and to an agreement between Hanover School District, New Hampshire, and Norwich Town School District, Vermont; without amendment (Rept. No. 674). Referred to the House Calendar.

Mr. TEAGUE of Texas: Committee on Veterans' Affairs. S. 330. An act to amend chapter 35 of title 38, United States Code, to provide that after the expiration of the Korean conflict veterans' education and training program, approval of courses under the war orphan's educational assistance program shall be by State approving agencies; without amendment (Rept. No. 676). Referred to the Committee of the Whole House on the State of the Union.

Mr. TEAGUE of Texas: Committee on Veterans' Affairs. H.R. 221. A bill to amend chapter 35 of title 38, United States Code, to provide educational assistance to the children of veterans who are permanently and totally disabled from wartime service-connected disability; with amendment (Rept. No. 677). Referred to the Committee of the Whole House on the State of the Union.

Mr. TEAGUE of Texas: Committee on Veterans' Affairs. H.R. 5250. A bill to amend section 411(a) of title 38, United States Code, to increase the rates of dependency and indemnity compensation payable to widows of veterans dying from service-connected disabilities; with amendment (Rept. No. 678). Referred to the Committee of the Whole House on the State of the Union.

Mr. TEAGUE of Texas: Committee on Veterans' Affairs. H.R. 5691. A bill to amend title 38 of the United States Code to allow the Administrator of Veterans' Affairs to delegate to the Chief Medical Director in the Department of Medicine and Surgery, authority to act upon the recommendations of the disciplinary boards provided by section 4110 of title 38, United States Code; without amendment (Rept. No. 679). Referred to the Committee of the Whole House of the State of the Union.

Mr. TEAGUE of Texas: Committee on Veterans' Affairs. H.R. 8009. A bill to amend title 38, United States Code, to provide certain veterans with urgently needed nursing home care and nursing care facilities while reducing the cost to the United States of caring for such veterans, and for other purposes; with amendment (Rept. No. 680). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROGERS of Texas: Committee on Interstate and Foreign Commerce. House Joint Resolution 220. Joint resolution consenting to an extension and renewal of the interstate compact to conserve oil and gas; without amendment (Rept. No. 681). Referred to the Committee of the Whole House on the State of the Union.

Mr. O'NEILL: Committee on Rules. House Resolution 493. Resolution for consideration of H.R. 7885, a bill to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes; without amendment (Rept. No. 686). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. KING of New York: Committee on the Judiciary. S. 1230. An act for the relief of Carlton M. Richardson; without amendment (Rept. No. 665). Referred to the Committee of the Whole House.

Mr. SHRIVER: Committee on the Judiciary. S. 1489. An act for the relief of J. Arthur Fields; without amendment (Rept. No. 666). Referred to the Committee of the Whole House.

Mr. LIBONATI: Committee on the Judiciary. H.R. 1221. A bill for the relief of Nick Masonich; with amendment (Rept. No. 667). Referred to the Committee of the Whole House.

Mr. KING of New York: Committee on the Judiciary. H.R. 1452. A bill for the relief of Marvin D. Nells; with amendment (Rept. No. 668). Referred to the Committee of the Whole House.

Mr. SHRIVER: Committee on the Judiciary. H.R. 1526. A bill for the relief of Mrs. Nathalie Iline; without amendment (Rept. No. 669). Referred to the Committee of the Whole House.

Mr. LIBONATI: Committee on the Judiciary. H.R. 4505. A bill to confer jurisdiction on the Court of Claims to entertain, hear, and determine a motion for a new trial on the claim of Robert Alexander; without amendment (Rept. No. 670). Referred to the Committee of the Whole House.

Mr. LIBONATI: Committee on the Judiciary. H.R. 4768. A bill for the relief of Mrs. Gertrude Reskin; without amendment (Rept. No. 671). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 5743. A bill for the relief of Capt. Paul W. Oberdorfer; with amendment (Rept. No. 672). Referred to the Committee of the Whole House.

Mr. KING of New York: Committee on the Judiciary. H.R. 6807. A bill for the relief of H. W. Robinson & Co., Inc.; with amendment (Rept. No. 673). Referred to the Committee of the Whole House.

Mr. SENNER: Committee on the Judiciary. H.R. 4088. A bill for the relief of the Industrial Tractor Parts Co., Inc.; without amendment (Rept. No. 675). Referred to the Committee of the Whole House.

Mr. RODINO: Committee on the Judiciary. H.R. 1345. A bill for the relief of Peter Carson; with amendment (Rept. No. 682). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H.R. 1347. A bill for the relief of Mrs. Katarina Pezelj; with amendment (Rept. No. 683). Referred to the Committee of the Whole House.

Mr. MOORE: Committee on the Judiciary. H.R. 2757. A bill for the relief of Woo You Lyn (also known as Hom You Fong) and Lyn Fong Y. Hom; with amendment (Rept. No. 684). Referred to the Committee of the Whole House.

Mr. CHELF: Committee on the Judiciary. H.R. 3384. A bill for the relief of Tommy Lee (also known as Lee Shue Chung); with amendment (Rept. No. 685). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BELCHER:

H.R. 8043. A bill to fix certain fees payable to the Commissioner of Patents; to the Committee on the Judiciary.

By Mr. CELLER:

H.R. 8044. A bill to amend section 302 of the Federal Aviation Act of 1958 to provide for the establishment of an Aircraft Noise Abatement Service within the Federal Aviation Agency, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. CLEVELAND:

H.R. 8045. A bill to amend the act providing books for the adult blind so as to make books also available to quadriplegics and the near blind; to the Committee on House Administration.

By Mr. FASCELL:

H.R. 8046. A bill to amend section 3 of the Administrative Procedure Act, chapter 324, of the act of June 11, 1946 (60 Stat. 238), to clarify and protect the right of the public to information and for other purposes; to the Committee on the Judiciary.

H.R. 8047. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer to deduct for income tax purposes certain special assessments and other charges made against him or his property under local law without regard to whether they tend to increase the value of such property; to the Committee on Ways and Means.

By Mr. FINO:

H.R. 8048. A bill to amend the Immigration and Nationality Act to provide for loss of U.S. citizenship by members of the Armed Forces of the United States convicted of certain misconduct during any period when United States is at war or engaged in armed hostilities, and for other purposes; to the Committee on the Judiciary.

By Mr. GLENN:

H.R. 8049. A bill to prohibit transportation in interstate or foreign commerce of articles to or from the United States aboard certain foreign vessels, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mrs. GRIFFITHS:

H.R. 8050. A bill to amend the Internal Revenue Code of 1954 to provide tax-exempt status for nonprofit nurses' professional registries operated by nurses' professional associations; to the Committee on Ways and Means.

By Mr. HAGEN of California:

H.R. 8051. A bill for the relief of the city of Bakersfield, Calif.; to the Committee on the Judiciary.

By Mr. HALPERN:

H.R. 8052. A bill to provide under the social security program for payment for hospital and related services to aged beneficiaries; to the Committee on Ways and Means.

H.R. 8053. A bill to amend section 203 of the Social Security Act to provide that the amount of an individual's medical, dental, and related expenses shall be subtracted from his outside earnings before determining under such section the amount of any reduction in his benefits by reason of such earnings; to the Committee on Ways and Means.

H.R. 8054. A bill to amend the Internal Revenue Code of 1954 to allow a deduction for income tax purposes of expenses incurred by an individual for transportation to and from work; to the Committee on Ways and Means.

H.R. 8055. A bill to amend the Internal Revenue Code of 1954 to provide that the deduction for medical expenses shall be allowed a taxpayer whether he takes the standard deduction or itemizes his deductions; to the Committee on Ways and Means.

By Mrs. HANSEN:

H.R. 8056. A bill to make permanent the provisions of law authorizing certain suspension of section 27 of the Merchant Marine Act, 1920, with respect to the transportation of lumber; to the Committee on Merchant Marine and Fisheries.

By Mr. JOELSON:

H.R. 8057. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. LANGEN:

H.R. 8058. A bill to amend the Federal Power Act, as amended, in respect of the jurisdiction of the Federal Power Commission over nonprofit cooperatives; to the Committee on Interstate and Foreign Commerce.

By Mr. LIPSCOMB:

H.R. 8059. A bill to prohibit transportation in interstate or foreign commerce of articles to or from the United States aboard certain foreign vessels, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MACDONALD:

H.R. 8060. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. RAINS:

H.R. 8061. A bill to extend and broaden the authority to insure mortgages under sections 809 and 810 of the National Housing Act; to the Committee on Banking and Currency.

By Mr. ROONEY of Pennsylvania:

H.R. 8062. A bill to amend the Antidumping Act, 1921; to the Committee on Ways and Means.

By Mr. RYAN of Michigan:

H.R. 8063. A bill making Columbus Day a legal holiday; to the Committee on the Judiciary.

By Mr. SAYLOR:

H.R. 8064. A bill to amend title 38, United States Code, to provide certain veterans with urgently needed nursing home care and nursing care facilities while reducing the cost to the United States of caring for such veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SIKES:

H.R. 8065. A bill to amend the National Firearms Act to eliminate the Federal occupational and transfer taxes on certain firearms which are chiefly collectors' items; to the Committee on Ways and Means.

By Mr. WIDNALL:

H.R. 8066. A bill to establish in the legislative branch of the Government the Congressional Office of Science and Technology, which shall include an Office of Science and Technology of the Senate, and an Office of Science and Technology of the House of Representatives, which will provide professional services to Members of Congress in the same way that the Office of Legislative Counsel, and the liaison offices of the Department of Defense, do; to the Committee on House Administration.

By Mr. WILLIS:

H.R. 8067. A bill to amend titles 10 and 37, United States Code, to codify recent military law, and to improve the code; to the Committee on the Judiciary.

By Mr. YOUNGER:

H.R. 8068. A bill to amend section 403(b) of the Federal Aviation Act of 1958 to permit the granting of free transportation to guides or seeing-eye dogs accompanying totally blind persons; to the Committee on Interstate and Foreign Commerce.

By Mr. BETTS:

H.R. 8069. A bill to amend the National Firearms Act to eliminate the Federal occupational and transfer taxes on certain firearms which are chiefly collectors' items; to the Committee on Ways and Means.

By Mr. ASPINALL:

H.R. 8070. A bill for the establishment of a Public Land Law Review Commission to study existing laws and procedures relating to the administration of the public lands of the United States, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BARING:

H.R. 8071. A bill for the establishment of a Public Land Law Review Commission to study existing laws and procedures relating to the administration of the public lands of the United States, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. KYL:

H.R. 8072. A bill for the establishment of a Public Land Law Review Commission to study existing laws and procedures relating to the administration of the public lands of the United States, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. UDALL:

H.R. 8073 A bill for the establishment of a Public Land Law Review Commission to study existing laws and procedures relating to the administration of the public lands of the United States, and for other purposes: to the Committee on Interior and Insular Affairs.

By Mr. EDWARDS:

H.R. 8074. A bill to amend the National Defense Education Act of 1958 in order to permit funds appropriated under title III of that act to be used for the acquisition of equipment for use in teaching the English language to students whose primary language is not English; to the Committee on Education and Labor.

By Mr. FARBSTEIN:

H.R. 8075. A bill to provide for the striking of three different medals in commemoration of the Federal Hall National Memorial, Castle Clinton National Monument, and Statue of Liberty National Monument American Museum of Immigration in New York City, N.Y.; to the Committee on Banking and Currency.

By Mr. PEPPER:

H.R. 8076. A bill to assist cities and States by amending section 5136 of the Revised Statutes, as amended, with respect to the authority of national banks to underwrite and deal in securities issued by State and local governments; to amend the Home Owners' Loan Act of 1933, as amended, to authorize Federal savings and loan associations to invest in State and municipal securities, and for other purposes; to the Committee on Banking and Currency.

H.R. 8077. A bill to provide for humane treatment of animals used in experiment and research by recipients of grants from the United States, and by agencies and instrumentalities of the United States, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. SCHWENGEL:

H.R. 8078. A bill to amend the act of July 26, 1956, to authorize the Muscatine Bridge Commission to construct, maintain, and operate a bridge across the Mississippi River at or near the city of Muscatine, Iowa, and the town of Drury, Ill.; to the Committee on Public Works.

By Mr. MORSE:

H.R. 8079. A bill to provide social security coverage as self-employed individuals for State and local public officers, not otherwise covered under Federal-State agreement, who are paid on a fee basis by persons other than the State or local government; to the Committee on Ways and Means.

By Mr. ULLMAN:

H.R. 8080. A bill to authorize the Secretary of the Interior to prepare a roll of persons eligible to receive funds from an Indian Claims Commission judgment in favor of the Snake or Paiute Indians of the former Malheur Reservation in Oregon, to prorate and distribute such funds and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HALPERN:

H.R. 8081. A bill to amend the Federal Firearms Act; to the Committee on Ways and Means.

H.R. 8082. A bill to amend section 302 of the Federal Aviation Act of 1958 to provide for the establishment of an Aircraft Noise Abatement Service within the Federal Aviation Agency, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 8083. A bill to amend title 38, United States Code, to provide certain veterans with urgently needed nursing home care and nursing care facilities while reducing the cost to the United States of caring for such veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BARRETT:

H.J. Res. 648. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. GROVER:

H.J. Res. 649. Joint resolution authorizing the continued shipment of the drug Krebiozen in interstate commerce in order to insure the continued availability of such drug for the treatment of patients now being treated with such drug and for terminal cancer patients; to the Committee on Interstate and Foreign Commerce.

By Mr. MORTON:

H.J. Res. 650. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. PEPPER:

H.J. Res. 651. Joint resolution providing for a study of the possibility and desirability of establishing a University of the Americas; to the Committee on Foreign Affairs.

By Mr. CEDERBERG:

H. Res. 491. Resolution creating a standing Committee on Small Business in the House of Representatives, and to grant it full authority in certain legislative matters; to the Committee on Rules.

By Mr. FINO:

H. Res. 492. Resolution creating a select committee to conduct an investigation and study of the advisability and feasibility of a governmental lottery; to the Committee on Rules.

By Mr. MORSE:

H. Res. 494. Resolution to create a select committee to investigate expenditures for research programs conducted by or sponsored by the departments and agencies of the Federal Government; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII,

The SPEAKER presented a memorial of the Legislature of the State of Massachusetts, memorializing the President and the Congress of the United States relative to the decision of the Civil Aeronautics Board in Washington to reject the application of Northeast Airlines for a permanent certificate to run commercial flights between Boston and Florida, which was referred to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BAKER:

H.R. 8084. A bill for the relief of Donald E. Reed; to the Committee on the Judiciary.

By Mr. EDWARDS:

H.R. 8085. A bill for the relief of Roy W. Ficken; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 8086. A bill for the relief of Maggiorina Civetta; to the Committee on the Judiciary.

By Mr. FRIEDEL:

H.R. 8087. A bill for the relief of Peitrina Del Frate; to the Committee on the Judiciary.

By Mr. GREEN of Pennsylvania:

H.R. 8088. A bill for the relief of Dr. Margot R. Sobey; to the Committee on the Judiciary.

By Mr. HEALEY:

H.R. 8089. A bill for the relief of Sarolta Szentmiklosi; to the Committee on the Judiciary.

By Mr. JOELSON:

H.R. 8090. A bill for the relief of Maria Perel Kot; to the Committee on the Judiciary.

By Mr. McMILLAN (by request):

H.R. 8091. A bill for the relief of William Temes; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 8092. A bill for the relief of Antonio Lo Iacono; to the Committee on the Judiciary.

By Mr. REIFEL:

H.R. 8093. A bill for the relief of Mary G. Eastlake; to the Committee on the Judiciary.

By Mr. ROSTENKOWSKI:

H.R. 8094. A bill for the relief of Stella Sellas (nee Christofilogiannis); to the Committee on the Judiciary.

By Mr. STRATTON:

H.R. 8095. A bill for the relief of Gerald Levine; to the Committee on the Judiciary.

By Mr. WIDNALL:

H.R. 8096. A bill for the relief of Fedele Oliveri; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

236. By the SPEAKER: Petition of E. Lee North, chairman, Conservative Party, Islip Town, N.Y., relative to three petitions concerning Gen. Perez Jimenez; to the Committee on Interstate and Foreign Commerce.

237. Also, petition of W. J. Nankeman and others, Malta, Mont., relative to requesting that the Reclamation Act of 1902 remain the same as when it was established relating to 160 acres; to the Committee on Interior and Insular Affairs.

238. Also, petition of Henry Stoner, Canyon Station, Wyo., relative to requesting that Congress do not pass the farm labor bill; to the Committee on Agriculture.

239. Also, petition of Henry Stoner, Canyon Station, Wyo., requesting that Hon. John B. Martin, Ambassador to the Dominican Republic, be censured for un-American beliefs expressed as reported in the CONGRESSIONAL RECORD of July 24, 1963, pages 13193–13194; to the Committee on Foreign Affairs.

240. Also, petition of Henry Stoner, Canyon Station, Wyo., requesting that there be offered an amendment to the bill H.R. 6237, relating to the publication of documentary source material significant to the history of the United States, in reference to Elliot's Debates of U.S. Constitutional Ratification; to the Committee on Government Operations.

241. Also, petition of Henry Stoner, Canyon Station, Wyo., requesting that there be published as a U.S. House document a research paper on former mental patients who have made good; to the Committee on House Administration.

242. Also, petition of Henry Stoner, Canyon City, Wyo., requesting that there be required by law that all Government Printing Office products which carry the note, "not printed at Government expense," be appended by the words, "and not printed at a profit"; to the Committee on House Administration.

243. Also, petition of Henry Stoner, Canyon Station, Wyo., requesting that the U.S. Government Printing Office be required to publish and place on sale the unabridged Budget of the U.S. Government, as it did up until about a year ago; to the Committee on House Administration.

244. Also, petition of Henry Stoner, Canyon Station, Wyo., relative to praising the Attorney General and the Director of the Federal Bureau of Investigation in their great efforts to eliminate the Mafia menace; to the Committee on the Judiciary.

245. Also, petition of Henry Stoner, Canyon Station, Wyo., relative to censuring David Lawrence for stating in his syndicated column that the 14th amendment to the Constitution "was never legally adopted"; to the Committee on the Judiciary.

246. Also, petition of Henry Stoner, Canyon Station, Wyo., requesting amendment of the Rules of the House of Representatives to provide that no Member in debate on the House floor or in committee may make statements that bring a whole race of mankind into contempt; to the Committee on Rules.

247. Also, petition of Henry Stoner, Canyon Station, Wyo., relative to a news item as reported in the Salt Lake Tribune of August 1, 1963, relating to current activities of the Communist Party in southern California and the reaction of the U.S. House Committee on Un-American Activities thereto; to the Committee on Rules.

248. Also, petition of Henry Stoner, Canyon City, Wyo., relative to requirements in any curriculum relating to any Freedom Academy; to the Committee on Un-American Activities.

249. Also, petition of Henry Stoner, Canyon Station, Wyo., requesting that the Committee on Un-American Activities declare Adolf Hitler "the chief anti-Communist of this century"; to the Committee on Un-American Activities.

250. By Mr. RYAN of New York: Petition of Daniela Aponte, secretary-treasurer, Puerto Rican Political Women Association, Inc., and Maria Gonzales and 72 others to increase the personal income tax exemption from $600 to $1,000; to the Committee on Ways and Means.

EXTENSIONS OF REMARKS

Greetings to 50th Annual Convention of National Rivers and Harbors Congress

EXTENSION OF REMARKS
OF
HON. SPESSARD L. HOLLAND
OF FLORIDA
IN THE SENATE OF THE UNITED STATES
Wednesday, August 14, 1963

Mr. HOLLAND. Mr. President, I would like to insert in the RECORD the message of greeting sent to the 50th Annual Convention of the National Rivers and Harbors Congress by the distinguished majority leader, Senator MANSFIELD, on June 7, 1963. I ask unanimous consent that the majority leader's message be printed in the RECORD.

There being no objection, the message was ordered to be printed in the RECORD, as follows:

WASHINGTON, D.C.,
June 7, 1963.

To Mr. HENRY H. BUCKMAN, *President, National Rivers and Harbors Congress, Greetings from the Senate of the United States:*

It is with sincere regret that I am unable to attend the 50th annual convention of the National Rivers and Harbors Congress. However, I want to assure you that I will be with you in spirit as your organization discusses topics of vital concern to us all. I have long told the constituents of my State—especially the youth, who are our real hope for the future—that the most precious natural resource in this great land is water. Your fine organization is to be commended for focusing the attention of the Nation on this important fact.

As the oldest and most comprehensive organization devoted to the orderly development of our water resources, the National Rivers and Harbors Congress has been of inestimable value to the Members of Congress in their legislative deliberations. The presence of several members among your leadership, including that of my counterpart in the Senate, minority leader EVERETT DIRKSEN, is proof of our mutual concern over our water resources. Let me assure you of our deep and continuing appreciation for this partnership of effort toward a common goal.

With best personal wishes, I am,

Sincerely yours,

MIKE MANSFIELD.

Government Lotteries of Ireland, Puerto Rico, Russia, Yugoslavia, and Mexico

EXTENSION OF REMARKS

OF

HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 14, 1963

Mr. FINO. Mr. Speaker, for the past several months I have brought to the attention of the Members of this House the various government-run lotteries conducted in many foreign countries. Today, I would like to draw the House attention to the lotteries conducted in Ireland, Puerto Rico, Russia, Yugoslavia, and Mexico. These 5 countries bring the total number of foreign government-run lotteries to 77.

Ireland is one of the 77 foreign nations where lotteries are legal and proper and where the gambling urge of its inhabitants is tied in with the need for revenue. In 1962, the gross annual receipts came to over $45½ million. The net profit which was transferred to hospitals came to over $8 million.

Puerto Rico has a profitable lottery which flourishes on American soil. Last year, the total gross annual receipts was almost $52 million. The net income to the government was almost $11 million which was used to help finance local public health programs.

Russia considers all of its Soviet lottery information confidential. However, the Soviet Union has several lottery forms. A straight lottery in which a person can buy a ticket for a chance on winning an automobile or other valuable merchandise. A second form of lottery consists of state bonds sold in denominations of $11 paying 3 percent interest. Bondholders holding winning numbers receive interest in cash prizes.

Yugoslavia operates a national lottery. Last year's gross annual receipts came to almost $7½ million. The total annual net income to the government came to almost $2¼ million which was used for orphanages, hospitals, disabled veterans, and the blind.

Mexico, like the other nations of Latin America, realized the merits of lotteries long ago. Unfortunately, the Mexican Government continues to treat as confidential all figures concerning the proceeds of the lottery. The last figures available reflect the 1956 returns. At that time the gross receipts were almost $56 million of which the government received almost $15 million.

Mr. Speaker, it is time that we in the United States overcome outdated prejudices and biases to take the proper view of gambling and its relation to the Government. We can shut off the flow of billions of dollars now siphoned off by underworld in the United States by adopting our own national lottery which can bring into our Government over $10 billion a year in added revenue which can be used to cut our taxes and reduce our national debt.

Independence of Pakistan

EXTENSION OF REMARKS

OF

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 14, 1963

Mr. POWELL. Mr. Speaker, today the Republic of Pakistan celebrates the 16th anniversary of her independence, and we wish to take this opportunity to send warm felicitations to His Excellency the President of the Republic, Mohammed Ayub Kahn; and His Excellency the Pakistani Ambassador to the United States, G. Ahmed.

Sixteen years ago the name of Pakistan appeared for the first time on the map of the world. On August 14, 1947, the new state was formed amid great rejoicing by millions of Moslems of the former British India. At the time, there was speculation that Pakistan would not survive the first few years of its life. The country emerged as two widely separated areas, each containing about half of its population. At no time in previous history had the two wings of Pakistan shared a common identity, whether ethnic, political, linguistic, or economic. There was only one feature in common—a population that was predominantly Moslem.

Pakistan has, indeed, experienced more than its share of trouble and turmoil. The period after independence was one of bloodshed and massacre as 6 million people fled from India to Pakistan and a similar number in the opposite direction. The relations between Pakistan's two wings have not always been easy. There have been serious difficulties between Pakistan and India over the continuing flight of refugees, the quarrel over Kashmir, and the waters of the Indus River.

In October 1958 the Pakistan Army seized power in a swift coup d'etat. Corruption and inefficiency almost everywhere had brought political and economic chaos to the country. There were many people who were disillusioned with Pakistan's attempt to create a parliamentary democracy and were relieved to see Gen. Ayub Khan take over the leadership of the country. The nation was placed under martial law but little evidence of that was visible. There were no troops about, no conspicuous military precautions, no evidence of apprehension, no executions or liquidations.

Ayub Khan is still Pakistan's leader and exercises the powers of government with almost no restrictions. There is grumbling in the country about the freedom of the press, about the treatment of the political parties, about the abandonment of the constitution, about the departure from parliamentary forms—but these are only murmurs which are scarcely audible in the chorus of national approval for President Ayub Khan and his changed order.

President Ayub Khan, as Pakistan's leader and statesman, is attacking the problems of his country in all directions at once. At the same time, he is giving Pakistan a new political structure, a new social order, a new economic policy, an industrial revolution and a new capital city. There is a fair prospect of success in several of these directions.

At the outset Pakistan was handicapped by almost every conceivable disability. Pakistan has survived as a state and with each passing year has shown greater stability and strength. It is possible now to regard Pakistan as one of the countries of the developing world where the combination of leadership, trained personnel, and resources makes success in the future a reasonable expectation. The people of Pakistan deserve credit for their record of accomplishment.

Union Monopoly Power

EXTENSION OF REMARKS

OF

HON. DAVE MARTIN

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 14, 1963

Mr. MARTIN of Nebraska. Mr. Speaker, the current labor dispute in the railroad industry is a very disturbing situation to the public, the Congress and our economy. We have witnessed this deplorable situation as a perfect example of what constitutes union monopoly power.

It is obvious that congressional makeshift solutions based in each arising labor crisis is not sound legislative procedure. What is needed is a complete study of union monopolies, and the eventual enactment of sound corrective legislation which will curtail future national labor disputes such as in the steel, maritime and now the railroad industry. How many times does this Nation have to be faced with virtual economic blackmail by a few labor leaders before they will awaken to the fact that a serious national issue must be solved?

I am encouraged that this Congress might be moving in the appropriate manner. Recently several of our distinguished Congressmen have proposed the creation of a Joint Congressional Committee to study and report on problems relating to industrywide collective bargaining and industrywide strikes and lockouts. This, at the very least, should be supported by every Member of Congress and I heartily endorse any measure which will create a national policy of sound labor-management relations.

Union monopoly power is not a newly created monster—it has been with us for a long time; it has come back to haunt the Congress, who basically created the privileges and immunities that a few labor leaders now maintain.

The major elements advancing union monopoly power are:

First. Immunity from the antimonopoly laws of the Nation.

Second. Industrywide bargaining power of unions.

Third. Compulsory unionism.

Fourth. Use of secondary boycotts.

Fifth. Featherbedding and other restrictive work practices.

Sixth. Violence in labor disputes.

Seventh. Lack of State and judicial authority over labor disputes.

There are a number of other important elements which go into the monopoly power of unions but I call these dozen points to the attention of Congress as a starting outline for any committee or individual who desires to make, as I have, a study of this subject. Some of these points are only outward manifestations of the basic root of the problem, which can be called union's diplomatic immunity from laws applicable to the rest of our economy.

Unless Congress seeks to control the basic cause of this problem, rather than hacking at the limbs, union monopoly power will continue and will even develop new and better ways of gaining further power.

In this regard, I respectfully call to the attention of Congress a bill which I introduced shortly after the opening of the 88th Congress. H.R. 333 is the identical bill introduced in the 87th Congress in 1961 and which has been referred to the House Judiciary Committee. This bill is composed of 15 pages of careful detailed solutions to this national problem.

H.R. 333 is a two-pronged approach. First my bill would eliminate a national emergency labor dispute by requiring that for bargaining purposes, no union could be larger in scope than a single employer with certain necessary exceptions. In this way an entire industry could not be closed down nor could an international union whipsaw one employer in an industry against another. Nor could several international unions gang up on an industry or employer to seek a common wage package.

This bill, therefore, gives back control to the local union best able to respond to the membership and better able to bargain and reach agreement in the light of the individual union member's needs and circumstances.

The second portion of H.R. 333 specifically describes those activities which would be a restraint against trade under the antitrust laws. Such union activities as featherbedding, controlling prices, interfering with production and restricting the number of employees entering a trade would all be prohibited.

Thus, national labor disputes of the proportion we are faced with today would never occur. Yet, all these objectives are accomplished without curtailing unions' right to strike, or further Government intervention such as compulsory arbitration.

Although my bill at present would not be applicable to the present labor crisis, it would, however, negate future national labor disputes from being created. It is for these future situations which I bring this bill to your attention.

I would welcome congressional bipartisan support for this measure and would hope that the House Judiciary Committee could conduct hearings on this measure. If constructive alternatives to my proposal are presented by any Member of Congress, I will do all I can to support such a measure. I do urge that Congress meet its responsibility to the Nation by seeking the necessary labor reform legislation.

Answers to Questionnaires—An Accurate Cross Section of Public Opinion

EXTENSION OF REMARKS

OF

HON. O. C. FISHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 14, 1963

Mr. FISHER. Mr. Speaker, I recently sent a questionnaire, including 12 questions, to the voters of the 21st Congressional District of Texas. The response from the nearly 300,000 people who live there was very gratifying. More than 20 percent of those mailed out were returned, and I understand this approaches being a record, as compared with the experience of others.

Because of this widespread response, coming from every one of the 27 counties in the district, including people from every walk of life, it can be safely assumed that the results of the tabulation reflect a fairly accurate cross section of public opinion in the area covered. The results of the tabulation follow:

1. Do you approve of the President's civil rights proposals?

	Percent
Yes	8.9
No	85.1
No opinion	6.0

2. The President has proposed cuts in income taxes, but at the same time has submitted a $12 billion budget deficit for the current fiscal year. Should Congress—

(a) Cut taxes regardless of the deficit?

	Percent
Yes	6.3
No	54.2
No opinion	39.5

(b) Cut taxes only if spending is reduced?

	Percent
Yes	45.7
No	17.6
No opinion	36.7

(c) Reduce spending, balance the budget, and then consider a tax cut?

	Percent
Yes	78.1
No	5.7
No opinion	16.2

3. Do you favor the President's proposed Federal aid for mass transportation for cities, initially costing $500 million in grants and loans?

	Percent
Yes	4.0
No	84.9
No opinion	11.1

4. Do you think our foreign aid program, which now approximates $4 billion a year, should be reduced this year?

	Percent
Yes	91.0
No	5.0
No opinion	4.0

5. In view of the continuing Cuban crisis, do you believe the United States should—

(a) Continue its present policies?

	Percent
Yes	9.6
No	44.2
No opinion	46.2

(b) Prohibit any ship that trades in a Cuban port from thereafter entering a U.S. port (which I have proposed)?

	Percent
Yes	80.5
No	4.9
No opinion	14.6

(c) Take whatever steps are necessary, including military action, to overthrow the Castro regime?

	Percent
Yes	55.6
No	11.4
No opinion	33.0

6. Do you favor increasing your social security taxes to finance hospital and nursing home care for those over 65?

	Percent
Yes	17.5
No	74.0
No opinion	8.5

7. Do you favor a Domestic Peace Corps?

	Percent
Yes	17.0
No	64.7
No opinion	18.3

8. Do you favor a pending bill which would create a Youth Conservation Corps similar to the CCC of the thirties, at a cost of $100 million the first year?

	Percent
Yes	14.2
No	73.8
No opinion	12.0

9. Do you favor a bill which I introduced requiring secret ballot before a strike can be called?

	Percent
Yes	90.0
No	3.1
No opinion	6.9

10. Do you feel the United Nations is an effective force for world peace?

	Percent
Yes	32.0
No	55.5
No comment	12.5

11. What is your opinion of the President's record on—

(a) Foreign affairs?

	Percent
Good	16.9
Poor	71.3
No opinion	11.8

(b) Domestic affairs?

	Percent
Good	10.1
Poor	80.3
No opinion	9.6

12. If you should like to indicate a preference at this time, who among the following who have been mentioned for President in 1964 would you prefer? (Your expression will be treated confidentially.)

	Percent
Kennedy	11.5
Rockefeller	3.1
Goldwater	57.3
Romney	8.9
No opinion	19.2

Mr. Speaker, these views are from God-fearing, taxpaying citizens—people who are devoted to our form of government and its preservation. They are the sort of people who believe that two and two still make four, and that all that glitters is not necessarily gold.

These people are understandably skeptical of unsound projects and Federal handouts that are manifestly unnecessary and unjustified, because as taxpayers they know that every dollar that is received from Washington must be paid for by them or borrowed and later paid by their children or grandchildren, with interest added. They know that the Government has no money and no way of obtaining money except the dollars that are extracted from the people in taxes.

My constituents are deeply concerned about modern trends away from basic concepts of good government. Most of them insist that they are today getting more government than they need and more government than they want. They are dedicated, devoted people—folks who put the welfare of their country ahead of petty partisan considerations. I share that viewpoint.

SOLIDLY OPPOSED TO CIVIL RIGHTS PROPOSALS

At the outset it will be noted that the people in the 21st District are solidly opposed to the President's civil rights program. This is particularly significant in view of the fact that there are relatively few Negroes living in that area. Those people are tolerant minded, free of racial prejudice, and are devoted to the principle of equal rights and equal justice, under the law and the Constitution, for all Americans, regardless of race or creed.

But they are opposed to special rights and special privileges for any one group, particularly when it deprives them of their own basic rights and freedoms under the Constitution.

By their answers and numerous comments they raise many serious questions concerning recommendations which the President has submitted to the Congress and otherwise advanced on this subject. One citizen, commenting on the public accommodations provisions, points out that any traveler can decide not to stay at a certain inn or motel because he does not like the owner, his mustache, his accent, his race, religion—or lack of religion—or his other customers.

This citizen wants to know why that innkeeper or motel owner should not have precisely the same right to refuse to serve that traveler? After all, it is his own business, his own private property, the fruits of his own labors and investment that are involved.

Another query points out that the U.S. Supreme Court in 1883 held a similar Federal law to be unconstitutional, and this citizen wonders why the Congress would consider violating the Constitution by passing such a law, in view of our oaths to protect and defend the Constitution.

Another timely comment reminds that the Constitution protects three basic American rights—life, liberty, and property. These rights and their reasonable enjoyment are fundamental, deeply enmeshed in our free enterprise system, and the very soul of Anglo-Saxon civilization. And they can be lost through a process of nibbling and erosion. It is indeed seldom in the history of any people that liberty is lost all at one time.

Other comments question the President's recommendation for the establishment of a fair employment practice commission which would give that agency the arbitrary power, by the use of jails, to force a merchant to hire, fire, or promote a man, where questions of race or creed are raised by a disgruntled complainant. Not even a jury trial would be allowed. It is felt that this is more power than any good man should want, and more power than any bad man should have.

Still another comment refers to the President's request for authority to withhold Federal funds from any State which the President should decide is practicing some form of racial discrimination. This request, which one says smacks of dictatorship, is known as the genocide provision. Under it, a President would be given the arbitrary power to withhold from such a State, and from any and all of its citizens, Federal funds for payment of social security benefits—benefits which a citizen is entitled to by virtue of his own contributions, in a good faith contract with the Federal Government.

Or, a President would have the power to withhold funds for old-age assistance, aid to dependent children, the blind, and for any and all other purposes where Federal money is involved.

These are but a few of many questions raised by my constituents. The objections are valid and sound, and I wish to associate myself with them.

DISPLEASED WITH HANDLING OF CUBAN CRISIS

It will be noted that the vast majority of my constituents are displeased with the way the Cuban crisis has been handled. More than 8 out of every 10 of them think well of my suggestion that our Government should prohibit any ship that trades in one of Castro's ports from thereafter entering a U.S. port. This plan could be further implemented until we could effectively cut off trade with Cuba by any country except the Iron Curtain nations, and it would even put some of them in a squeeze. Castro's economy is known to be very weak, and it is believed that this move would go a long way toward putting him out of business. Many countries would have to decide which country they want to continue to trade with—the United States or Cuba.

PEOPLE FAVOR RETRENCHMENTS

It will be noted that the overwhelming majority of the people in the 21st District are opposed to the medicare program, which would give aid only on hospital bills, the mass transportation aid for cities, the Domestic Peace Corps, and the Youth Conservation Corps. Faced with a huge deficit, they feel the Congress should forego these new ventures in more Federal spending.

More than 90 percent want foreign aid reduced, and I heartily agree with them. We are reminded that the U.S. balance-of-payments deficit has been widened in the second quarter of this year to a $5.2 billion annual rate. This trend is admittedly dangerous, and could lead to national disaster. Yet we go merrily along depleting our gold reserves with excessive imports of oil that are not needed, and vast outlays in foreign aid that are not necessary. There should be a drastic reduction.

Being realistic, nearly 80 percent of my constituents think we should reduce Federal spending, balance the budget, and then cut taxes. If we would but set our minds to this task it can and should be accomplished this year. But it cannot be done, on a sound basis, if the Congress continues to create new spending programs, adding hundreds of thousands more to the Federal payroll, expanding old programs, without regard to the financial jam we are in.

Mr. Speaker, a little more than a year ago I sent out another questionnaire to the people whom I represent. It included several issues which, to save space and avoid repitition, were omitted from this one. I shall here report the results of a few of them, because the issues are still with us and the answers are current.

It was then found that 7 out of every 10 opposed Federal aid for school construction, and 8 out of 10 were against Federal aid for teachers' salaries.

A total of 93.16 percent favored right-to-work laws, and 81.4 percent were for legislation requiring labor unions to conform with antitrust laws.

Let me respectfully urge my colleagues, and our national leaders, regardless of party affiliations, to give heed to the voice of the American people. Let us rededicate ourselves to the task of preserving our constitutional rights and our great heritage, cut out wasteful spending, then give the people some tax relief, and place the welfare of this country ahead of political considerations.

Dr. Charles Seymour

EXTENSION OF REMARKS
OF

HON. ABNER W. SIBAL

OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 14, 1963

Mr. SIBAL. Mr. Speaker, Connecticut and the Nation both have lost an outstanding citizen in the death of Dr. Charles Seymour. As president of Yale, he led a great university through depression, war, and the vast problems of the postwar period. He did it all with grace, courage, and foresight. We probably will remember him most for his inflexible defense of academic freedom which he coupled with a recognition of the tremendous responsibilities which such freedom carries. From his high position as head of one of the free world's great universities, he consistently warned against dangers of governmental encroachment on academic freedoms. In one of his last speeches as president, he declared:

> We insist upon the importance of our independence from external control, whether,

> as in early days, it was threatened by clerical or denominational influence, or today, as we recognize the perils implied in a system of governmental grants. We cannot carry forward our special mission unless we are free to do so in our way.

It is certain that Dr. Seymour fulfilled his special mission magnificently. We have lost a wise gentleman whose influence will long survive him to the lasting benefit of American education.

Waste in Military Procurement

EXTENSION OF REMARKS
OF

HON. EARL WILSON

OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 14, 1963

Mr. WILSON of Indiana. Mr. Speaker, they are at it again. The Army Electronics Materiel Agency, Philadelphia, issued June 11, 1963, a sole-source—no competition—document for the procurement of 85 interference blanker subassemblies priced at $156 each. They tried to justify this purchase on the grounds that there were no drawings available to make competitive bidding possible.

Mr. Speaker, drawings are available and I have proven this with the help of Brig. Gen. Allen T. Stanwix-Hay, commanding officer of the Army Electronics Materiel Agency. Not only are drawings available, but also there is a stockpile of these equipments on hand to fill present needs. This was also proven with General Stanwix-Hay's help.

As a result of these disclosures, this sole-source procurement has been canceled—pulled off the street if you please—and the taxpayers have been saved thousands of dollars that would have been poured down the drain through a sole-source buy. Additionally, I have General Stanwix-Hay's word that future purchases of this equipment will be made through competitive bidding.

When this set is purchased competitively, it is my prediction that the $156 price tag will be cut by at least one-third. This will again illustrate what I have been saying on the floor of the House for over 2 years now and that is that truly competitive bidding will save billions of dollars of military hardware.

To further prove this theory, I am going to show today how just such a modest savings as the one I am speaking about here today triggered a widespread study of many equipments by the Army Electronics Command. This study could save more thousands of taxpayers' dollars in the future.

Mr. Speaker, an interference blanker subassembly is a small part of a radar set known as the AN/FPS 6.

Upon spotting this purchase in my study of bid sets which I have picked up daily at the Small Business Administration I noticed the old bugaboo of "no drawings available." I immediately set out to look behind the forms and the redtape to get at the truth. A call was made to the Pentagon June 12, requesting full information on the purchase. On June 14 the answer came back and it was typical Pentagonese which said nothing. Putting it mildly, it was totally unsatisfactory.

That same day—June 14—I decided to go to the source and called General Stanwix-Hay. He was asked to investigate closely whether or not drawings were available and was told he would probably find them in the Air Force. An answer to the question "How could such a sole-source purchase be routinely approved without a thorough check being made by responsible officials?" was also requested.

Just 3 days later General Stanwix-Hay wrote to me stating that he had, indeed, found manufacturing drawings for this equipment in the Air Force. He also supplied me with the Determination and Findings signed by Maj. Gene C. Pickett, contracting officer, which sought to justify the sole-source purchase on the grounds that sufficient manufacturing data and drawings and plans were not available.

Think of it. It took General Stanwix-Hay only 3 days to knock down the technical fairy story it took engineering bureaucrats weeks and months to rig.

After receiving General Stanwix-Hay's letter, I again wrote him, trying to find out how such scatterbrained tactics could be allowed to go on and asking him to make sure that any future procurement for the equipment would be competitive.

That letter was answered last week. General Stanwix-Hay said he learned of the existence of manufacturing drawings for the equipment on June 17, 1963—3 days after we talked. At the same time, he found a present stockpile of 52 of these very items on hand and on July 1, 1963, he canceled the entire procurement, stating it is very probable that future procurement, when needed, will be made by competitive bidding.

When, and if, such a procurement is undertaken for this equipment, the price will fall dramatically under the force of competitive bidding, and there will be many thousands of dollars that will remain in the U.S. Treasury.

I want to say here, Mr. Speaker, that General Stanwix-Hay has given me close cooperation in the past. Working together, we have made considerable progress in the procurement of items for the Army Electronics Command. The $10.2 million saved on the AN/PRC 25 some weeks ago is just one example.

It was General Stanwix-Hay who canceled procurement of three attitude indicators—equipments that visually indicate the flight attitude of an aircraft—some months ago. He did this after my questions turned up huge stockpiles of the overstocked, overpriced, and almost obsolete equipments.

As a result of my additional questions, a full scale study of procurement of similar and allied items was undertaken at the direction of General Stanwix-Hay. Last week, I received a letter telling me this full review is underway "to preclude the possibility of any such occurrences" such as the waste that was stopped by cancellation of the ID-998, 999, and 1000 "in the future."

Although the investigation is not as yet complete I can state to you today that Army Materiel Agency people at Fort Monmouth, N.J., are checking out 13 fuel measuring devices, 7 fire detection devices, 2 temperature transmitters, 2 oil temperature indicators, 2 temperature indicators, and a test set to induce competition into future purchases.

This is how the stopping of one small purchase can spread out—like a rock in a millpond—and save the taxpayers thousands.

Mr. Speaker, this is just another example of the incompetence and waste in military procurement and how it can be stopped if the Congress rides herd on Pentagon procurement activities through enactment of my bill, H.R. 4409, which will set up a joint blue ribbon watchdog committee to maintain a close surveillance over all sole-source and negotiated purchases. Such waste and incompetence can also be corralled through enactment of my H.R. 5258 which will give the General Accounting Office authority to pass on sole-source procurement such as those I have been describing here on the floor of the House.

We are spending over $50 billion a year for defense. It is time we started pulling the Federal purse strings as tight as we do at the city, county level, and in our private lives.

A Resolution Proposing a Study of the Feasibility of a National Lottery

EXTENSION OF REMARKS
OF

HON. PAUL A. FINO

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 14, 1963

Mr. FINO. Mr. Speaker, for 11 years, I have urged the Congress to remove its blinders and accept my proposal for a national lottery as a means of painlessly raising additional billions of dollars in revenue to cut the heavy taxes shouldered by our American wage earners. However, the Ways and Means Committee has consistently and stubbornly refused to give this bill a fair hearing.

I have also suggested, Mr. Speaker, a referendum on the question of whether the Federal Government should sponsor a national lottery. Althought several nationwide polls have shown that a majority of the American people favor a U.S. Government-run lottery as a means to cut taxes, the Ways and Means Committee has refused to give the voters an opportunity to express their feelings on this important matter.

Mr. Speaker, I have today introduced a resolution to create a select committee composed of 15 Members of this House, appointed by the Speaker, authorizing and directing this committee to conduct a full and complete investigation and study to determine the advisability and feasibility of using a Government-run lottery as a means of raising additional revenue for tax relief.

Mr. Speaker, I doubt whether anyone will question the fact that our present rate of taxation is discriminatory and unconscionable. Our Federal, State, and local taxes have reached the point of saturation and a level which has evoked resentment.

I believe, Mr. Speaker, that the time has come to be logical and realistic, as well as sensible, about this matter. Only an important study and investigation, as recommended by my bill, can furnish the true answer to our fiscal problems and high taxes. I hope that this bill will receive serious and favorable consideration.

Republicans Take Issue With Recommendations of Prof. Kenneth Kofmehl on Committee Staffing

EXTENSION OF REMARKS

OF

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 14, 1963

Mr. SCHWENGEL. Mr. Speaker, in the Record of the proceedings of the other body on Monday, July 22, I noticed several complimentary book reviews of the recent book by Prof. Kenneth Kofmehl, "Professional Staffs of Congress," which appeared in the 1963 Kansas Law Review, the Washington Star of April 21, 1963, and the Christian Science Monitor of January 18, 1963.

I recently had occasion to reply to these book reviews and a similar one which appeared in the Harvard Law Review, April 1963; since it appears to be so timely, I respectfully submit the text of that letter, which follows, to your consideration:

July 30, 1963.

Letters to the Editor,
Harvard Law Review,
Gannett House,
Cambridge, Mass.

To the Editor:

Prof. Kenneth Kofmehl in his recent book "Professional Staffs of Congress," has indeed performed an interesting task by studying in detail the operation of the congressional committee staffing system in its formative years after the Legislative Reorganization Act of 1946. However, both Professor Kofmehl and your reviewer (Harvard Law Review, April 1963) seem to have ignored several important problems in the area of minority staffing.

Professor Kofmehl's fifth basic premise (p. 14) which relates directly to his subsequent recommendations on committee staffing, assumes that the main function of Congressmen is to act as intimate agencies for their constituents, and that therefore the principal danger is excessive staffing which will lead to the overinstitutionalization of Members of Congress.

However, since Congressmen are delegates to a national legislature, their function is to deal with national problems in the national interest as seen from their districts, not to be mere errand boys for those districts. It is true that historically Congress has often served in the latter capacity, but now, in the mid-20th century, with national problems growing more and more complex, our Nation can no longer afford this luxury, and the realization is growing among Congressmen that if Congress is to retain its constitutional role in our governmental system, it must equip itself to deal more effectively with national problems. This has initiated a fresh interest by Congress in congressional reform. It is scarcely believable that a political scientist would wish to discourage this attempt at reform and reconsign Congress to a role it wrongly acquired and is attempting to discard. Minority staffing is only a single facet, though an important one, of the entire problem of increased congressional staffing to equip the Congress to better fill its proper, and in this age necessary, role.

Increased congressional staffing, and especially minority (presently Republican) staffing, is imperative today to correct a situation in comparison with which the danger of overinstitutionalization of Congressmen pales into insignificance. The executive branch today is this country's largest pressure group. Every Federal department and agency is a lobby with a vested interest in successfully acquiring new appropriations, continuing old and initiating new programs. Administrative staffs unavoidably reflect this bias. Especially when the Presidency and both Houses of Congress are controlled by the same party; that is, when the same party controls both the congressional and also the vast resources of the administrative staff, it becomes imperative for the minority party in Congress (now the Republicans) to have adequate staff resources responsible to it, in order to fulfill the obligations of a responsible minority party to the Nation—to be informed, to criticize constructively, to propose soundly researched alternative legislation.

To imply, as Professor Kofmehl does, that congressional staffs can be nonpartisan, simply ignores political reality. Obviously staff members will have an allegiance to those members of a committee (the now Democratic majority) who hire and fire, promote and demote them, and have first claim on their time.

Professor Kofmehl also finds minority staff unnecessary and undesirable, because he incorrectly assumes cleavages within the parties which are more severe than the split between parties (p. 66) and which result in bipartisan support for most measures. Upon examination at the empirical level, Mr. Kofmehl's assumption breaks down. In the House of Representatives, where current demands for minority staff are strongest, many highly partisan committees may be identified, among them Education and Labor, Public Works, Agriculture, Banking and Currency, and Government Operations. Taking major items of legislation, partisanship in committee and on the floor of the House cannot realistically be assumed away. Prof. V. O. Key, of Harvard University, regards party affiliation as the factor most influential in the determination of a legislator's vote.

However, Professor Kofmehl goes a step further than assuming that nonpartisanship and the cleavages which cause it are empirically true; he also assumes they are theoretically desirable. This is a rather large assumption as it tends to become a self-fulfilling prophecy; minority staff should be denied because cleavages exist, whereas in many instances minority staff would tend to be an integrating factor, speeding the current trend toward more intraparty cohesion.

In dealing with this whole area one must ask two key questions. Is not the proper function of committees, as servants of their House, to expose issues for full floor debate? If so, partisanship is desirable as an aid to full debate. Can the minority perform any constructive functions if it is denied staff resources either through partisan abuse or through congressional understaffing in general? If not, the minority, and the committees as a whole, should be provided with enough staff to deal with the complex issues of our times and to act as a genuine check on the executive branch. The most disappointing aspect of Professor Kofmehl's book is that he does not answer these questions. He does not even ask them. He simply assumes them away.

We in the Congress who have to operate the existing system cannot do this, however. We have to work with a situation in the House of Representatives and in the Senate where Democrats outnumber Republicans 3 to 2 and 3 to 1, yet staff responsible to the Democrats outnumbers staff responsible to the Republicans 10 to 1 and 11 to 1 respectively. We see firsthand that this situation injures both the Congress and the people, whom it represents. To deal with the problem we have formed the House Republican Conference Committee on Increased Minority Staffing, whose members are Congressmen Thomas Curtis, of Missouri; Charles Goodell, of New York; Robert Griffin, of Michigan; John Lindsay, of New York; John Rhodes, of Arizona; Paul Schenck, of Ohio; John Anderson, of Illinois; James Cleveland, of New Hampshire; Catherine May, of Washington; Robert McClory, of Illinois; Albert Quie, of Minnesota; and myself as chairman; and the Joint Ad Hoc Committee on Increased Minority Staffing including Senator Hugh Scott, of Pennsylvania, chairman, Congressman Thomas Curtis, of Missouri, vice chairman, Senators Carl Curtis, of Nebraska, Winston Prouty, of Vermont, Congressman Glenard Lipscomb, of California, and myself. These committees belie Professor Kofmehl's contention of intraparty cleavages. Their members come from every part of the country and represent the full liberal-conservative spectrum. But they are all Republicans.

Minority staffing is not a partisan issue. Republicans will not always be the minority and Democrats the majority. It is therefore strange that Democrats, who claim to speak for all the minorities, neglect so sadly the cause of the minority in Congress.

Sincerely yours,
Congressman Fred Schwengel.

The reviews to which this letter constitutes an answer were placed in the Record by a liberal Democrat. It is inconceivable to me that Members of the Congress of the United States should wish to reduce their own professional committee staffs and shackle themselves to the executive branch.

On serious reflection, I am sure, all Members of Congress desire a strong and effective Congress and will not wish to yield their constitutional prerogatives to the Executive as Professor Kofmehl suggests.

Hon. Eduardo Uribe-Botero

EXTENSION OF REMARKS

OF

HON. WILLIAM S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 14, 1963

Mr. BROOMFIELD. Mr. Speaker, the Government of Colombia has always been well represented in Washington by conscientious and able Ambassadors who have strengthened the friendly relationship which has existed for so many years between our respective governments.

We are fortunate in having with us the new Ambassador to the United States from Colombia, the Honorable Eduardo Uribe-Botero, who brings with him an outstanding background in public affairs and service to his nation.

Dr. Uribe-Botero was born in La Ceja, Department of Antioquia, Colombia, on March 3, 1910. He attended primary school at the Colegio de Varones at Rionegro, Department of Antioquia, and completed his secondary studies at the Colegio de San Ignacio, a Jesuit school in the city of Medillin. He was awarded the degree of bachiller in November 1929.

He studied law at the University of Antioquia and received his degree in 1934. He has continuously practiced law since 1936 except while he was holding public office.

Dr. Uribe-Botero has served as councilman of the city of Medillin; deputy to the assembly of Antioquia; Secretary of the Interior of Antioquia; Member of the Colombian House of Representatives; Governor of the Department of Antioquia; and Minister of Government, a position he held until his recent appointment as Ambassador of Colombia to the United States.

I am sure my colleagues join in welcoming this distinguished gentleman to Washington, and we are certain that he will continue to further the cooperation and understanding between our two nations.

National Young Republican Federation Adopts Resolution Stressing Need for Staff Members Responsible to Minority on Congressional Committees

EXTENSION OF REMARKS

OF

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 14, 1963

Mr. SCHWENGEL. Mr. Speaker, in a resolution stressing the need for minority staffing of congressional committees, the National Young Republican Convention pointed out a situation which found 8 percent of the committee staff members responsible to House Republicans whereas some 40 percent of House membership is Republican. In the Senate, a similar ratio of 7 to 34 percent exists.

The convention strongly asserted that its minority rights could not be protected nor could its organization function in Congress unless a fixed percentage of each committee's budget be apportioned to the minority for the purpose of the employment of an adequate minority staff on each committee if the Republican members so request. This plank, if implemented, would give the GOP the help it so badly needs to formulate and enunciate sound, positive principles as related to legislative issues in this and in future Congresses.

The "be it therefore resolved" clause of the resolution follows:

Therefore be it resolved, That the convention supports, as all fairminded Republicans and Democrats should support, the allocation of a fixed percentage of each committee's budget to the minority for the employment of minority staffs on each congressional committee, provided the majority of the minority members of a committee so request.

The Gesell Report Is Outstanding

EXTENSION OF REMARKS

OF

HON. ROBERT N. C. NIX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 14, 1963

Mr. NIX. Mr. Speaker, on June 22, 1962, President Kennedy appointed a study committee to look into and make recommendations concerning equality of treatment and opportunity for Negro military personnel stationed within the United States. The President's Committee on Equal Opportunity in the Armed Forces consists of seven distinguished American citizens, chaired by Washington attorney Gerhard A. Gesell. On June 13, 1963, the Committee issued its initial report, including its several recommendations; and on June 21, 1963, the President urged the Secretary of Defense to give the report his prompt attention. At that time, President Kennedy requested that the Secretary's review and report on the Committee's recommendations be completed within 30 days or by August 21, 1963.

The Gesell report, as the Committee's presentation is called, is a remarkable document in many respects. It is frank and hard hitting. It is concise and thorough. It is temperate and thoughtful. It justifies fully the President's confidence in the members of the Committee and its reflects the depth and intensity of his sincere concern for the problem with which it deals.

The substantive aspects of the report are the results of exhaustive investigatory efforts over the better part of the past 9 months. During this period, members of the Committee observed, at first hand, the situations at and near numerous bases and other military facilities and talked with base personnel at all levels. Some of the findings were gleaned from reports from installations, the Defense Department, interested Federal departments, the Commission on Civil Rights, and the President's Committee on Equal Employment Opportunity. However, the Gesell Committee did not encroach upon the jurisdictions of other agencies and committees and its relations with them were cordial.

The Committee's June 13 report consists of 93 pages of data and considerations dealing objectively with the opportunities and treatment of Negro military personnel and their dependents. It examines conditions both on and immediately surrounding military facilities of many types in all of the armed services. It deals with recruitment, assignment, promotion, communications and facilities within installations, and off-base racial discrimination in education, housing, personal services, recreation, transportation, and public accommodations. In short, all race-related factors which affect the efficiency and morale of Negro military personnel were looked into both thoroughly and objectively.

If the implication is that Negro servicemen are being given special attention, it is only a reflection of the undeniable fact that such attention is merited by the gravity of the situation. It is an injustice that these Americans, whatever their circumstances, are denied basic human rights. It is a further imposition upon Negro servicemen and their families that they are required to make far greater sacrifices as to both service-connected and personal circumstances than are required of virtually all other members of the Armed Forces. As if it were not enough that they must be in danger of losing their lives and limbs in defense of the Nation and all of its people, they and their dependents are accorded grossly discriminatory treatment amounting to humiliation, degradation, and injustice both on base and in virtually every civilian community off base all over the country—North, South, East, and West.

Neither the report nor my own views concerning the problems with which it deals are at all primarily negative. Tremendous progress toward complete racial integration in the armed services has been made over the past 15 years since 1948 when President Truman issued the initial order regarding Armed Forces desegregation. Still more developments are unfolding, under the sincere and persistent leadership of the President of the United States, John F. Kennedy, and the resolute actions of the Secretary of Defense, Robert S. McNamara. However, an equally important phase of the desegregation job is still largely undone. This concerns effective and immediate action toward bringing about the desegregation of civilian communities adjacent to and dependent upon military installations. So acute is this problem that Negro servicemen and their dependents frequently have to travel 20 or more miles from their bases to attend public schools and to eat in a civilian restaurant, to mention only two of the major inconveniencies.

As of September 30, 1962, the Armed Forces of the United States contained 198,582 Negroes, constituting 8.2 percent of all armed service personnel. Negroes constituting the following totals and percentages in the individual services: Army enlisted men, 12.2 percent, officers, 3.2 percent, total, 106,753; Air Force: enlisted men, 9.1 percent, officers, 1.24 percent, total, 47,864; Navy: enlisted men, 5.22 percent, officers, 0.24 percent, total, 30,584; Marines: enlisted men, 7.59 percent, officers, 0.21 percent, total, 13,383. Of the total number of Negroes in the Armed Forces, 193,926 are enlisted personnel and only 4,656 are officers; or, percentagewise, only 2.8 percent of all Negroes in the Armed Forces are officers. This excludes almost entirely the very top rank of general and admiral in all Army services; the top four ranks above captain in the Marine Corps, and the top two ranks of captain and admiral in the Navy. Only the Air Force has a Negro general in the very top rank.

While the Gesell report views these statistics as reflecting disparities between the percentages of military personnel by rank and the overall Negro population percentage in the United States, the fact of racial discrimination in promotions and commissions is patently clear from any point of view. This comparison, however, provides a relatively concrete standard in the form of the ratio of Negroes to white persons in the total population. Nevertheless, racial equality is not a numbers game. What the data reflect is the fact that Negroes are not being promoted and commissioned according to merit and, therefore, present practices are contrary to national policy. The percentage of Negro officers is ridiculously low by any standards of measurement; a fact which the Gesell report makes obvious without any semblance of acrimony.

These data partially reflect one inservice problem, but the more flagrant examples of lack of opportunity and unreasonable discrimination occur in civilian communities immediately adjacent to military installations in every section and State in the country. It has come to my attention that in one far northern locality, Negro service personnel and their dependents must travel at least 250 miles—from Minor, N. Dak., Air Force Base—for off-base accommodations in restaurants, bars, theaters, hotels, and the like. This is 100 miles farther than regulations permit personnel to travel on a weekend pass. Thus, Negro personnel at this Air Force base are confined to the installation by virtue of the segregated nature of the off-base community. In the South, there is no choice either, since public facilities adjacent to military installations in that section are segregated thoroughly, in most cases, solely because of race. If freedom of choice is an American right, and I submit that it is, it must be equally available to the Negro in every section and community in the Nation.

The extent of local segregation, as it affects Negro military personnel and their dependents, is illustrated by the fact that public schools are racially segregated in communities adjacent to 48 Army, 143 Navy, and 53 Air Force installations; restaurants and bars adjacent to 68 Army and 238 naval bases; theaters adjacent to 26 Army and 223 naval facilities; bowling alleys adjacent to 32 Army and 194 naval establishments; golf courses adjacent to 38 Army and 164 naval bases; hotels and motels adjacent to 12 Army and 252 naval operations; and residential housing everywhere. Public school segregation affects between 15,000 and 20,000 school-age Negro military dependents. All military installations covered by these statistics have 100 or more assigned personnel.

All of these facts are set forth in the wholly constructive Gesell report, which concludes:

First. That on-base operations and activities of any sort whatever must conform to national policies of nondiscrimination;

Second. That positive sanctions must be applied to segregated civilian communities, including termination of all military activities near those towns where discrimination is particularly prevalent;

Third. In view of the obvious inadequacies and negative predispositions of base commanders, that base commanders place the welfare and equal treatment of their men above considerations of a false sense of security, establishing biracial local committees and taking other positive steps to bring an end to racial segregation in towns adjacent to military bases;

Fourth. That overall responsibility for equal opportunity and treatment of service personnel and their dependents should be under a full-time Defense Department official—which has been done—and each service should have an officer charged with such responsibility;

Fifth. That, since 74,250 service families live in inadequate quarters; that another 27,284 must live too far away from the base; and that 23,859 cannot get housing at all; responsible base officials should engage in serious and continuous efforts to secure equal housing opportunities and facilities for Negro military personnel and their families;

Sixth. That school-age dependents of Negro service personnel should not be discriminated against either on or off the bases and should not be compelled to engage in or await costly and time-consuming litigation in order to achieve equal educational opportunities; and

Seventh. That, while the Armed Forces should continue to compile and make use of racial data, sufficient controls should be employed to insure its proper use so that, for example, such data should not be used in relation to ratings, assignments, or promotions as a basis for discriminatory treatment unfavorable to Negroes.

The Gesell report represents one of the most constructive efforts in the current drive to remove obstructions which deprive Negroes of equality of opportunity and treatment in the United States. Some of the Committee's recommendations have been implemented—before the final report was issued in a few cases; since then in others. It is encouraging that the present administration shows determination and conviction in seeing that democracy's promise is made a reality in this great Nation. Thus, I wish to express my sincere appreciation and commendation for the job which the Gesell Committee has done and is doing and for the manner in which the administration has moved steadily and courageously ahead in promoting all things essential to liberty, justice, and equality for all Americans regardless of race, creed, color, or national origin.

William H. Flaherty

EXTENSION OF REMARKS

OF

HON. F. BRADFORD MORSE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 14, 1963

Mr. MORSE. Mr. Speaker, last week Woburn, Mass., lost one of its most distinguished and inspiring citizens. William H. Flaherty, totally blind since 1938, died unexpectedly at the age of 59 after a life filled with dedicated service to his family and his community. Bill Flaherty never considered blindness a handicap; it was merely an inconvenience. At the time of his death he was clerk of the city council of Woburn and veterans' agent for the city. He was a former city councilor and school committeeman.

He raised a fine family of 4 daughters and a son and leaves them and his devoted wife and 12 grandchildren.

Bill Flaherty's death was a shock to us all, but he will live on as an inspiration not only to those who suffer severe physical handicap but to all of us who are tempted to bear much lighter burdens with far less grace and courage.

The 344th Anniversary of First Legislative Body in America

EXTENSION OF REMARKS

OF

HON. HARRY FLOOD BYRD

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Wednesday, August 14, 1963

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a speech I prepared for delivery on the occasion of the 344th anniversary of the First Legislative Body in America.

This celebration was held at Jamestown, Va, on July 30, 1963, and was sponsored by the Jamestown Foundation, of which my friend, the Honorable Lewis J. McMurran, Jr., is chairman.

By reason of the sudden and serious illness of Mrs. Byrd, I was unable to be present and my address was read by the Honorable THOMAS N. DOWNING, Member of the House of Representatives from the First Virginia District.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE 344TH ANNIVERSARY OF FIRST LEGISLATIVE BODY IN AMERICA

(NOTE.—Speech by Senator HARRY F. BYRD, Democrat, of Virginia, prepared for occasion of the 344th anniversary of the First Legislative body in America, Jamestown, Va., delivered in absence of Senator BYRD by Hon. THOMAS N. DOWNING, Member of House of Representatives from the First Virginia District.)

It is a pleasure to be here today with so many friends to commemorate the anniversary of the first legislative body in America, which was convened 344 years ago on July 30, 1619.

The efforts of the Jamestown Foundation in arranging these ceremonies, in cooperation with the Association for the Preservation of Virginia Antiquities, and the National Park Service, are appreciated.

Jamestown is part of the heritage of all Americans, wherever they are, and it is appropriate that the Commonwealth of Virginia, the Federal Government, and individuals through the APVA should work together for its preservation.

It is an honor to participate in these ceremonies with my friend Lewis McMurran and the trustees of the Jamestown Foundation, along with representatives of the government of Virginia, and others who are here.

I could never come to Jamestown without expressing my gratitude to the APVA for its untiring and invaluable work, over the years. I doubt if we would be here today, had it not been for the early interest of that organization.

And I am always delighted to be in company with Conrad Wirth, Director of the National Park Service. I regard him as one of the most able men in public life, and I think the Park Service is one of the most worthwhile of Federal agencies.

I suspect that it was more than coincidence that Mr. Wirth chose the site where our Nation has its roots for the beginning of the Park Service Mission 66 under which the Service has made such fine progress.

With Jamestown as a symbol, areas included in the National Park System mirror both the Nation and the history of its people. It is preserving the scenic areas such as Yellowstone, and the scientifically wonderful areas such as the Grand Canyon.

And then there are the cherished historical areas, numbering about 100, with Jamestown at the beginning of the list. The cooperation between the APVA, the Park Service, and the State here at Jamestown is a source of great pride.

It has been noted here that this year marks my 30th anniversary in the Senate of the United States. I am sincerely grateful to you and all of the people of Virginia for this high privilege.

Over these years we have witnessed some epic events. Tremendous changes have occurred in the world. Some national governments have fallen. Many new nations have been created.

But under a system of government envisioned at Jamestown, the United States has grown great and to a position of world leadership. I want the life of this Nation to be the longest and the best.

But we are showing signs of weakness: staggering national debt, continuing Federal deficits, widespread civil disorder, and disregard for economic and fiscal discipline. These are matters of deep concern.

Our early crises were met and mastered on this sacred spot beginning in 1607. It may be appropriate for us today to turn to the stalwart men who have gone before us for the stern guidance needed in our time.

Historically, basic moral and political issues have appeared time and again in different form. Toynbee, the historian, says the manner in which a civilization meets its challenges determines whether it stands or falls.

What are the lessons for us to be drawn from the experiences of those who founded the first permanent English settlement in the new world here at Jamestown? I am thinking of at least three we should never forget.

Too many of those first settlers, despite the hazards of the Atlantic, looked to Mother England for provision of their food and clothing; and many of them died needlessly in the starving time winter of 1609–10.

The wiser men had realized that the sooner the company became self-sufficient, the better the chance to survive and prosper; they needed fisheries, food crops, and tobacco for trade in England. And their wisdom finally prevailed.

This is Jamestown's first lesson: man's first duty to himself is to be as independent and as self-sufficient as possible. John Smith and John Rolfe knew that survival accepts no substitute for work.

Successful culture of tobacco for export, and other developments, attracted new settlers, and as the colony grew the people became restless under harsh martial-type rule. And this leads to Jamestown's second lesson.

The London Co., influenced by Sir Edwin Sandys, granted the so-called Great Charter for Virginia. This abolished the company ownership of land and tools, and substituted rule of law for martial restriction.

As we know, much more was to happen; but it was this action by the London company which permitted the colonists to elect their own representatives and participate with the company in making the laws for their own government.

Sir George Yeardley, as Governor, called the first elected representatives in the new world into their first assembly on July 30, of the old calendar, 1619, here at this place on the banks of the historic James River.

When they arrived from their respective settlements along the river, they met with the Governor and his council of advisers in the old wooden church, and for the next 5 days—without the benefit of air conditioning—they made history.

This set the precedent for all succeeding British colonies in America to share in the making of laws, levying taxes, and other local matters. Dr. Charles M. Andrews, the historian, says:

"The principle was finally laid down that a royal colony should be, in part at least, a self-administering community, with a Governor and council appointed in England and a representative assembly chosen by the freemen or freeholders of the colony * * * a factor of vast consequence in the development of American political practices."

The blessing of freedom which can be gained under representative government is the second lesson of Jamestown. But success depends upon sound economic conception and individual responsibility toward government.

We have seen regimes in Central and South America and elsewhere go by the board because they lacked sound fiscal basis, or the willingness, or capability to accept responsibility for honest efficient government.

There is one more Jamestown lesson on my mind today. Popular government had been in effect in Virginia only 16 years when relations between the Governor and the assembly came to a critical point in the colony's affairs.

As we know, the separate but equal status of legislative, executive, and judicial branches is fundamental to our system of government. It provides the balance, and establishes the checks against usurpation of power.

Like more recent experiences with executives, the colonists in 1635 had difficulty with Governor John Harvey who sought to override the will of the assembly. As matters grew worse, the assembly met and forced him out.

Although Governor Harvey partially cleared himself in London and returned to Virginia, his experience stood forever as a warning to colonial governors that they were answerable to the people of the colony.

History might have been different if this warning had been heeded by Governor Berkeley in 1676, or King George III a hundred years later. They should have known the people of Virginia would resist arbitrary rule.

It is not necessary here to trace the spread of representative government. Ours is not a pure democracy, but it is a brilliant and practical approach to it; and Virginians take pride in their contributions to its development.

The people of no colony had a greater role in the growth of our political institutions than the people of Virginia. And when the Federal Union was constructed after the Revolution, Virginia could offer the unsurpassed skills and talents of George Mason, George Wythe, George Washington, Edmund Pendleton, Thomas Jefferson, James Madison, Edmund Randolph, and John Marshall.

The lessons of Jamestown are still clear for those who will accept their guidance. They provide a lodestar to set the course for good government in the United States.

If we would practice the lessons in the power of freedom and self-government we learned at Jamestown, I would have no fear for the future. We would meet the challenges of today—at home and abroad—firmly and justly.

We would recognize our weaknesses and correct them.

We would recognize the virtues of prudence and industry.

We would protect our people against civil disorder.

We would provide for our national security.

We would promote our enterprise system.

We would preserve our form of government and our freedom.

Let me conclude with the words of His Majesty's Council for Virginia to the settlers as they departed in 1606: "The way to prosper and achieve good success is to make yourselves all of one mind for the good of your country and your own, and to serve and fear God, the Giver of all Goodness."

We need frequent recurrence to fundamental principles, and the courage to put them to good use.

Civil Rights Act of 1963

EXTENSION OF REMARKS

OF

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 14, 1963

Mr. MOORHEAD. Mr. Speaker, certainly the President's civil rights program, as contained in H.R. 7152 is one of the most important and significant issues to be considered by the Congress this year. On July 12, 1963, I testified before the House Judiciary Committee in support of this bill and in support of two bills which I have introduced, H.R. 6300 and H.R. 6301. My testimony is included herewith, as a record of my endorsement of this program:

STATEMENT OF WILLIAM S. MOORHEAD, MEMBER OF CONGRESS, ON H.R. 7152, CIVIL RIGHTS ACT OF 1963, JULY 12, 1963

Mr. Chairman and fellow colleagues, I am grateful for the opportunity to appear before you and offer to you my wholehearted support for the strongest Civil Rights bill which can be passed by the Congress this year.

On this basis I support H.R. 7152, but I hope that this committee will also consider by way of strengthening amendments some of the provisions in certain bills which I have introduced—H.R. 6300, H.R. 6301, and H.R. 7502.

I particularly request the committee's consideration of the bill, H.R. 6300, which as nearly as legislatively possible embodies all of the recommendations of the 1960 Democratic Party platform. H.R. 6300 has a symbolic number—because it expresses the 100 years that have elapsed between 1863 and 1963 and the shame that so little has been done in these 100 years.

One hundred years after 1863, when American citizens are courageously struggling for their constitutional rights and are being shot, beaten, jailed, and harassed for doing so, it is imperative that the Congress take all possible steps to eliminate discrimination.

Does H.R. 7152 meet this test? I hope that before this committee reports H.R. 7152 it consider some additional proposals. H.R. 7152 does not include a Fair Employment Practices Commission, which is so vital in providing economic rights for minority groups. In the district which I represent Negroes are too economically deprived to exercise their right to equal use of public accomodations to which they are legally entitled in Pennsylvania. The extent to which economic deprivation is a problem becomes quite evident when one looks at a statistical picture of the people involved. According to the 1960 U.S. census, the median family income in Pittsburgh was $5,605. Yet 51 percent of all Negro families had incomes of less than $4,000. Almost 25 percent made less than $2,000. Such an income generally qualifies a family under the criteria for publicly subsidized housing. For every white person in Pittsburgh looking for a job there are two nonwhites.

Part of the barriers which created this situation has been taken down, I am pleased to say, with the Monday, July 8, announcement from Mayor Joseph M. Barr, that any residue of discrimination in the building trades would be eliminated. In announcing this agreement, Mayor Barr said that it "represents a significant beginning in a concerted and genuine effort by all parties to provide equal opportunity for employment in the local construction industry to all persons." The mayor continued: "Some persons regard these days as dark and dangerous ones because of the ever-present threat of racial unrest. It seems to me there is a more positive way of looking at this moment in history. Never was there a time in the past 100 years when the possibility for achieving real equality of opportunity has been greater."

I ask permission to insert the entire statement of the mayor, including the interim report of the subcommittee involved in the agreement.

H.R. 7152 does not adequately expand the power of the Attorney General to bring legal action against all forms of unlawful discrimination. In the field of school desegregation, a time compliance is not mentioned, only a 2-year situation report. These and several other constructive suggestions are embodied in various proposals I have submitted to the Judiciary and Post Office and Civil Service Committees, namely, H.R. 6300, H.R. 6301, and H.R. 7502.

But I think we can go a small part of the way, through enactment of H.R. 7152, toward building the legal foundations of integration and providing all citizens with the peaceful weapons they need to fight their way to the freedom they were promised a century ago.

It is in the field of public accommodations that I feel we must pass the moral divide in guaranteeing this freedom. To those who contend that freedom would be diminished by this law, I submit the eloquent statement of the Secretary of State, Dean Rusk, on the subject: "I could not agree that such a law would diminish freedom. The purpose of law in a free society is to enlarge freedom by letting each know what kind of conduct to expect from the other. And it is through our laws that personal freedom is not only protected but constantly enlarged, so we can pursue our orbit with a minimum of collisions."

Mr. Chairman, all Americans of all racial and national orgins are proud. They are more interested in the possession of a right than in the exercise of that right.

Once the pseudolegal basis for the denial of a constitutional right is abolished, the importance of the exercise of that right is minimized.

I would like to cite Pennsylvania as a State which has been successful in its accommodations law.

The history of Pennsylvania shows that we were like many other States in the development of its relations to Negroes. Although the number of Negroes involved was never large, Pennsylvania had its slave practices and codes, too, until checked in 1780 by an act for the gradual abolition of slavery. This act was the first of its kind passed anywhere in America and was due directly to the splendid efforts of John Woolman, of the Friends Society, and of the first abolition society in America, of which Benjamin Franklin later became president.

In 1780 the old laws relating to the Negro were abolished, the restrictions placed upon him were removed, and after that time he stood upon a plane of legal equality with the white man, except that the State constitution did not give him the right of suffrage, and that acts of the legislature denied him the right of becoming part of the State militia. This latter was no serious hardship, while his right to vote had as yet been neither urged nor questioned. He was now tried in the same courts, punished with the same penalties, and given the same civil rights as a white person.

Nothing approaching real legal equality, however, was achieved until the Pennsylvania Legislature, on the 19th of May, enacted a measure to assure civil rights for all people, regardless of race or color. This was a criminal measure declaring "that any person, company, corporation, being owner, lessee, or manager of any restaurant, hotel, railroad, street railway, omnibus line, theater, concert hall, or place of entertainment or amusement, who shall refuse to accommodate, convey, or admit any person or persons on account of race or color over their lines, or into their hotel, or restaurant, theater, concert hall, or place of amusement, shall upon conviction thereof be guilty of a misdemeanor, and be punished by a fine not less than $50 nor more than $100" (Pennsylvania Laws 1887, p. 130).

This statute has been explicitly upheld as within the constitutional power of the legislature. The Dauphin County court, in upholding this act against a contention of invalidity in the case of *Commonwealth* v. *Athens George,* 18 Dauph. 40 (1914), relied upon the Supreme Court case of *Munn* v. *Illinois,* 94 U.S. 113, 126 (1877), wherein the Court reviewed the historical and jurisprudential bases for governmental regulation of the use of private property. "When", Chief Justice Waite declared, "one devotes his property to a use in which the public has an interest, he, in effect, grants to the public an interest in that use, and must submit to be controlled by the public for the common good, to the extent of the interest he has thus created."

The Pennsylvania court also followed the reasoning of the New York court in *People* v. *King,* 18 N.E. 245 (1888). The court there held that where, in the judgment of the legislature, the public has an interest to prevent race discrimination between citizens on the part of persons maintaining places of public amusement, the quasi-public use to which the owner of such a place devotes his property gives the legislature, acting under its police power, the right to prescribe regulations as to its use.

On appeal from the judgment of guilty entered in this case, the Pennsylvania Superior Court reiterated the doctrine that the statute, as a proper exercise of the police power, is not an arbitrary deprivation of property without due process of law. "In the enactment of laws under the police power, there is always a certain amount of interference with property rights, but laws are not condemned on that account, unless this interference amounts to a practical confiscation." *Commonwealth* v. *George,* 61 Pa. Sup. 412 (1915).

In construing this act making the refusal to admit a person on account of his color a misdemeanor, the Pennsylvania court, under the influence of the then prevailing separate-but-equal doctrine, espoused by the Supreme Court in *Plessy* v. *Ferguson,* 163 U.S. 537 (1896), held that the owner of a theater with a segregated section for Negro patrons had not violated the 1887 statute. It should be noted that the statutory language now reads that all persons are entitled to free and equal accommodations.

In 1935, the 1887 statute was amended. Pennsylvania laws 1935, page 297. First, the act affirmatively stated that all persons within the jurisdiction shall be entitled to the full and equal accommodations of public places, subject only to conditions and limitations applicable alike to all persons. Secondly, it was declared that no person, directly or indirectly, was to refuse, withhold from, or to deny such accommodations on account of race or color, or to advertise to that effect or to the effect that the patronage of persons of a particular race was unwelcome. The production of any such advertising was declared to be presumptive evidence in a criminal proceeding. Thirdly, places of public accommodation were broadly defined. It was expressly stipulated that the act did not apply to places which were distinctly private in nature, nor did it prohibit written communications sent in response to a specific written inquiry.

Finally, the act recited that any person violating, aiding, or inciting another in the violation of any provision should for each violation be fined from $100 to $500, or imprisoned from 30 to 90 days, or both.

This act, as amended, was upheld as a valid exercise of the police power of the State. *Commonwealth* v. *Moore,* 45 Dauphin 364 (1938). The act, as amended, did not specify that the violation thereof was a misdemeanor, as had the original measure. Nor did the act specify that the penalties were to be imposed upon conviction of violation. The Moore case held that, notwithstanding these omissions in the amendatory act, the only reasonable construction is that the violation thereof is a misdemeanor and that the penalties are to be imposed upon conviction. Ibid.

In 1939 the act was amended to correct these deficiencies and to change the fine to a maximum of $100; Pennsylvania laws 1939, page 782, section 654, title 18, section 4654.

The Pennsylvania courts have held that the fact that the statute enumerates some 40-odd places which "shall be deemed" places of public accommodation does not imply that only the places thus mentioned are within its purview; *Commonwealth* v. *Figari,* 70 A. 2d 666 (1950); *Everett* v. *Harron,* 110 A. 2d 383 (1955); *Commonwealth* v. *Gibney,* 9 Chest. 152 (1959).

The 1887 act as amended is a part of the penal code of Pennsylvania and therefore permits an aggrieved person to initiate a prosecution against a violator of the act. It has been held that an aggrieved person is entitled to redress the grievance thereby suffered by bringing a civil action for damages. *Everett* v. *Harron,* 110 A. 2d 383 (1955). The statutory basis for this decision was the statement in the act that the production of any communication prohibited therein "shall be presumptive evidence in any civil or criminal action." Further, the statute has been interpreted as conferring a right to equitable relief. In the Everett case, supra, operators of a recreation park with a swimming pool were held to be properly enjoined at the suit of a private individual from excluding the complainant, on the sole ground of race or color, from the use of the pool. And in *Commonwealth* v. *Gibney,* supra, the statute was further construed to permit the Attorney General to file a complaint in equity to seek a preliminary injunction and ultimately a final decree enjoining the defendant from refusing the accommodations of his business on account of race or color. (Citing *In re*

Debs, 158 U.S. 584, holding that the Federal Government may apply to its courts to enjoin actions which would jeopardize the public welfare.)

Thus the remedies available under the statute include (1) a criminal action instituted by the aggrieved preson, (2) a civil action for damages, (3) a civil action by the aggrieved person for an injunction, (4) an action by the Attorney General for an injunction.

In addition to this provision of its penal code, Pennsylvania has another relevant provision. In 1961 the Fair Employment Act (Pennsylvania Laws 1955, p. 744) was amended so as to embrace discriminatory practices in housing and public accommodations, as well as those in employment. Sections 953, 954(1), 955 are relevant. This act creates the human relations commission in the department of labor and industry, defines its functions in hearing complaints of discrimination, provides for procedures of education and conciliation, establishes enforcement procedures, provides for judicial review and enforcement, and imposes penalties.

Thus Pennsylvania has the dual approach to the problem of racial discrimination in places of public accommodation endorsed by Konvitz and Leskes, "A Century of Civil Rights" (1961) in their analysis of the operation of State public accommodation statutes.

Mr. Chairman, I would like to request permission to include in my testimony section 4654 of title 18 of the Pennsylvania Penal Code and pertinent sections of title 43, the Pennsylvania Human Relations Act.

To continue, as a result of the 1961 law, for the first time, there was created efficient machinery for proper administration of public accommodation complaints. During the annual report year 1962 (ending February 28, 1962), a total of 50 complaints were filed by individuals or the commission. The type of respondents are as follows:

Hotels, motels, 13; eating, drinking places, 13; retail stores, 1; recreation, amusements, 17; personal services (barber shops, beauty salons, etc.), 4; resorts, lodges, 1; other, 1.

Of these seven cases were found as charges and adjusted, seven cases were found to have no specific charge; the other 36 had adjustment pending.

The important thing to note here, I think, Mr. Chairman, is the amazingly small number of cases in a year's time. Pennsylvania has a total of 864,616 nonwhite residents, or over 7 percent of the population and relatively speaking these individuals would not fail to lodge a complaint should the need arise. This seems to point out to me that public accommodations laws have not resulted in chaos, in legal confusion, or in governmental bullying. I have neither seen nor heard any objections from the vast majority of businessmen of our State who have responded admirably to the law in point.

In the city of Pittsburgh we have had a Commission on Human Relations since 1955. I ask leave to include as part of my testimony a letter and report to me from Mr. Louis Mason, Jr., executive director of the commission. In his letter, Mr. Mason based on his experience in this field says: "None of the fears expressed by respondents such as loss of business, customer objection, etc., were ever realized in the adjustment of our cases. I sincerely hope that Congress sees fit to make the question of public accommodations a national public policy through the enactment of adequate civil rights legislation."

It seems absurd to me that someone like the U.N. Russian diplomat, Sevastyanov, recently arrested for spying, could have eaten nearly anyplace he wished and plot his machinations against the United States, while Ralph Bunche, another U.N. official, and a famous American and patriot, could be refused accommodations at the same places.

Oh the irony that a democratic nation whose political parties are philosophical descendants of Thomas Jefferson and Abraham Lincoln could permit such a travesty of justice.

Our Nation by its very motto—"In God We Trust"—recognizes the fatherhood of God. Can we who believe in the fatherhood of God dispute the brotherhood of men?

Mr. Chairman and members of the committee, as you thoughtfully and prayerfully undertake the consideration of this difficult and controversial legislation I hope that you will have before you as your text the 26th verse of the 17th chapter of the Book of Acts where it is said "God hath made of one blood all people to dwell in all the earth."

Minority Staffing and Victory in 1964

EXTENSION OF REMARKS

OF

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 14, 1963

Mr. SCHWENGEL. Mr. Speaker, on July 12, 1963, my colleague on the House Republican conference committee on increased minority staffing, the gentleman from Arizona, Congressman John J. Rhodes, gave an excellent speech on minority staffing to the Human Events Political Action Conference at the Statler Hotel.

Congressman Rhodes' speech, which he gave twice, each time to half the conference, and the fruitful question-and-answer sessions which followed each presentation were enthusiastically and thoughtfully received by the participants at the conference. In fact, within 30 minutes of the time he finished speaking, a constituent was in my office to tell me of the excellent minority staffing presentation at the Human Events Conference.

Such a fine speech merits the attention of all thoughtful people, in the Congress and in the country. Therefore, I respectfully submit the full text of this speech and commend it to your attention:

Minority Staffing and Victory in 1964

You all know that the Republican Party is in the minority in Congress at present. You also probably all know that each committee of the Congress has a professional staff to do research, draft reports, arrange witnesses for hearings, do background studies of new fields, and so forth. The controversy over minority staffing has come to the fore because some Republicans in Congress this year have stood up and said what all have known for a long time—that the minority members of most committees need several members of the committee's staff responsible to them. The present situation is that almost all staff members are hired and fired, promoted and demoted by the chairman of the committee; naturally, then, their first allegiance is to the majority on the committee. They haven't the time or the inclination to work on minority projects.

Here is what we're up against: Democrats outnumber Republicans in both Houses less than 3 to 2. Yet professional committee staff responsible to the Democrats outnumbers staff responsible to the Republicans 11 to 1 in the House and 12 to 1 in the Senate.

Action is being taken which we hope will remedy this incredible abuse. The House Republican conference, by unanimous vote, has formed a subcommittee, of which I am a member, on minority staffing. We are working to expose, on the floors of Congress and to the public, the loaded dice the Democrats are using. Senator Winston Prouty and Congressman Fred Schwengel have submitted resolutions proposing a 60–40 percent division of staff on Senate and House committees, with 40 percent of the staff responsible to the Republicans.

However, the Democrats, who bleed for all minorities, are determined to thwart this attempt to give the minority in Congress a real voice. Last year Senator Carl Curtis submitted an amendment providing simply that the minority on the Aeronautics and Space Sciences Committee, which, incidently, oversees the $5.7 billion budget of the civilian space agency, NASA, be entitled to appoint 1 staff member for every 10 appointed by the majority. Every single Democrat in the Senate who voted on that rollcall voted against this proposal.

I know from experience how tough it is to buck the system. I am a member of the House Appropriations Committee. Last year I offered an amendment to the legislative appropriation bill for 1963 which allocated approximately 35 percent of the funds for staff salaries exclusively to the minority to hire minority staff. My amendment never reached the floor. It was killed in committee by the united efforts of the Democratic members.

When the Democrats refuse to give us adequate staff they are really saying, "We're afraid our programs aren't good enough to stand up against the real scrutiny you could give them if you had more staff." The fact that they are thwarting the processes of responsible, representative government doesn't seem to bother them. The function of the minority is supposed to be to draft sound, constructive alternatives to legislation proposed by the majority so that genuine debate can take place and the best solution be found, or the two sides can be presented clearly to the voters. But Congressmen don't have time to do all this themselves. Minority reports haven't been drafted on many pieces of New Frontier legislation, not because there is no minority objection but because there isn't minority staff to do the job.

Senator Barry Goldwater devoted an entire article in his syndicated column this Spring to the importance of minority staff. He said, in part:

"Insufficient minority staffing makes legislation more dependent than ever upon the statistics, the witnesses, the proposals of the Democratic administration as transmitted through the majority. * * * Just because a President sends a message to Congress and follows it up with specific legislation doesn't automatically assure that this is the best thing that could be enacted for the people. * * * Because of this, the minority effort is extremely important. It definitely should be supported by the best staff work available."

The situation as it exists now is also wasting your tax money. An important function of congressional committees is to carry on investigations to keep the executive branch honest, to prevent padding and waste in the vast administrative bureaucracy, in short to check the executive branch as our Constitution provides. Naturally enough, however, the Democrats in Congress are often reluctant to initiate investigations of New Frontier agencies and projects. And we Republicans haven't enough staff to make these investigations, or even to make the background studies which prove that an investigation is necessary. Cuba and Billie Sol

Estes are two areas which you can be sure would have had much fuller investigation if the minority had more staff.

And finally, the lack of minority staff keeps the Republican Party politically weak. Because of it we Congressmen are too often reduced to sniping blindly at New Frontier proposals instead of presenting constructive alternatives. This doesn't give the voters a clear-cut choice. Furthermore, when organizations of all kinds come to Washington to testify they are met by majority staff aids who direct them to the Democrats. The result is that they come to believe that only the Democrats are interested in them. If we are not going to settle permanently for being the minority party, we had better act now.

This problem can be worked into an excellent campaign issue for 1964. The Democratic Party claims to care for all the "persecuted minorities" and to speak for the "little man," but it refuses to take steps to correct the most glaring injustice to that minority which is the very backbone of our free government, the minority party in Congress.

But we can't afford to wait until 1964 to act. We need minority staff now in order to make further conservative gains in the 1964 election. We have to present a constructive program to oppose the nonsense the New Frontier has been grinding out. But the bright ideas of where and how to attack develop in committee hearings, and good ideas have to be backed up by good research. Only staff loyal to the minority can do this job.

Minority staff aids are also essential for communications between the grass roots and Washington. They are an important contact with new ideas and new people who come to Washington and who, otherwise, the minority might never know about.

Furthermore, if we do not have minority staff aids now, what will happen when we control Congress? We won't have the staff talent we need to be an effective majority either. Loyal and professionally competent staff members can't be discovered overnight. They need time and experience to become good. It's not a simple matter of just electing more conservatives in 1964. We have to begin now to lay the groundwork which will help them be effective when they are elected.

What can you do? Our goal is to pass the Schwengel and Prouty resolutions, calling for a 60–40 percent division of staff, on the floors of Congress, or something similar to them. Here is where you can help. The most important thing, as always, is to write letters to your Congressman. Letters will encourage Republicans to fight harder because they see a better chance for success. This has already been proved by the greater effort which has resulted from the volume of letters our subcommittee has already received. It is more effective though to write to individual Congressmen.

Letters will also make Democrats fear repercussions back home. The Landrum-Griffin Act comes to mind here. I know many Democrats who would have said beforehand that they would never support such a bill but who voted for it because pressure from their districts was so strong. So, write to Democrats, too. Make it clear that you understand that they are preventing the operation of an effective Congress and of responsible representative government. They will respond if we make it hot enough for them.

Discuss this issue with your friends, neighbors, conservative clubs, business and civic groups. Tell them how the lack of minority staff prevents effective legislation, costs the taxpayers millions of dollars in poor or unnecessary programs, and strangle the voice of the 49 percent of the American people who didn't vote for the Democrats and the Kennedy administration.

The right of the minority to a voice in the government of our Nation is a hallowed tradition based on every principle inherent in our Constitution. When the minority can no longer be heard we are well on the road to dictatorship. By acting now and demanding adequate staffs responsible to the minority we can help to create a victory for conservatism in 1964 and to insure that the principles of free, representative government will endure as the basis for the practice of government in this great Republic of ours.

Address by Senator Hruska to National Association of Insurance Commissioners

EXTENSION OF REMARKS

OF

Hon. EVERETT McKINLEY DIRKSEN

OF ILLINOIS

IN THE SENATE OF THE UNITED STATES

Wednesday, August 14, 1963

Mr. DIRKSEN. Mr. President, the senior Senator from Nebraska [Mr. HRUSKA] addressed the National Association of Insurance Commissioners at its annual convention held in Seattle, Wash., on June 20, 1963.

His comments on the role of the Federal Government in the regulation of the insurance industry have been well received by members of State regulatory agencies, officials of insurance companies, and legal scholars in the field of insurance regulation.

Senator HRUSKA's speech evidences his deep conviction that there is no need for Federal encroachment into the area of insurance regulation, which was given to the States under the terms of the McCarran-Ferguson Act of 1945. Because of the pertinence of the Senator's remarks, I ask unanimous consent that the text of his remarks on that occasion be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS TO NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS

(By Senator ROMAN L. HRUSKA, of Nebraska)

My overly generous introducer, Mr. Hayes, president of this association; my Nebraska commissioner, Frank Barrett; officers; members and friends of the National Association of Insurance Commissioners, I am very happy to meet with your group here today. Many of my years have been spent in the general practice of law and in the field of insurance, so I have become familiar, at least in some respects, with the many facets of your industry. I must say it was a very happy, interesting, and fascinating experience.

Since coming to the Congress of the United States, I have, from time to time, been brought into contact with legislation having to do with your industry. I am happy to appear on the same forum that was occupied just 48 hours ago by my good personal friend and colleague, Senator DODD, of Connecticut. Our friendship was formed when we served together in the House of Representatives. His office was right across the hall from mine. It was then that I learned that he had served with distinction in the FBI as a member of the War Crimes Commission and in several other capacities. He has since served with distinction in the Senate. So it is with pleasure that I follow him on this forum. On occasion our political and philosophical views have differed. This is one of those occasions. I am happy to report to you, however, that it never has had any effect upon our personal friendship. For that I am very grateful.

The Supreme Court's Southeast Underwriters' decision of 1944 accomplished at least two things which were beneficial to the industry. First, it emphasized the importance of the insurance industry to America and to the American economy. Secondly, it emphasized the necessity of preserving the role of the States in the regulation of this industry.

A Supreme Court decision is not necessarily the final word on any subject. Although we cannot repeal those decisions, we can limit their scope by granting exceptions and exemptions. If Congress hadn't taken such corrective action, the Court's decision in the Southeast Underwriters' case would have meant that insurance—having been declared interstate commerce—would have been subject to Federal jurisdiction and thus to Federal regulation. State regulation and taxation would have been superseded and discarded.

Those of us who followed the decision can recall the confusion and the turmoil which resulted when Congress that year failed to pass a law such as the one which was embodied in the McCarran-Ferguson Act of 1945. The decision of the Southeastern Underwriters was announced in February of 1944. An effort to correct it was made during the calendar year, but it was not until the following year that the job was completed. Public Law 15 is founded on the principle, as you well know, that the insurance business ought to be regulated and taxed by the States. It provides that no act of Congress shall be construed to invalidate or supersede any State law regulating the business; that the Sherman, Clayton, and Federal Trade Commission Acts should be applicable to the insurance business only to the extent that it is not regulated by State law. There were exceptions in the cases of coercion and boycott, but other than that, the act actually preserved the right of the States to regulate the insurance industry.

The Congress was convinced at that time that the States could perform an adequate job of regulation. Because of the nature of the business and the proximity of the supervisory officials to the people affected, it was felt that the States were in a better position to regulate than was the Federal Government. Furthermore, the States already had adequate statutes, established procedures, and trained personnel located in all the States. And, in addition to these compelling reasons, there was the broad and vital philosophical consideration of preserving the federal character of our Republic. If complete centralization is to be prevented, a firm stand must be taken whenever our Federal system is challenged. It is just as important for the State to preserve its own sovereignty as it is for it to protect its role as a component part of our Federal system. In fact, the two are inseparable.

Now, the McCarran-Ferguson Act embodied a sound principle and concept in 1945. The point I want to make today is that the law is equally appropriate and applicable today.

The judgment of the Congress that the States would take prompt and effective action was fully justified. State legislatures, State commissioners of insurance, and the industry joined in devising a strong system of regulation in conformity with the Southeastern Underwriters' decision.

It has now been nearly 18 years since the McCarran-Ferguson Act was implemented, but it was not long before efforts were made to dilute its force and effect. The most direct attempt to date is to be found in the bill that was introduced a week ago today, S. 1705. It is designed to supplement existing provisions of law by prescribing the extent to which antitrust laws are applicable to the business of insurance.

In due time, hearings will be held and testimony taken by the Senate Judiciary Committee, of which I am a member. Without expressing final judgment, I should like to share with you some of the thoughts and discuss some of the points which likely will be explored during those hearings.

Since the McCarran-Ferguson Act is sound law today, a heavy burden rests upon those who now advocate revision. A clear case for such amendment must be made. It must be demonstrated that any resulting advantage which any new bill might bring will outweigh the loss suffered by impairment of the system and its principles. Included in such a showing must be substantial evidence that there is no other non-Federal way of accomplishing the desired purpose.

There are grave dangers in adopting any amendment to this law, however nominal, disarming, limited in character or meritorious it may appear on the surface.

First of all, a precedent for amendment would be established. And as soon as a breach is made, it will be easy to point to in advancing other amendments and changes. The Dodd bill, S. 1705, seems limited in scope—applying only to alien insurers. Yet it is no secret that other areas in the insurance business are being covetously regarded by those with ravenous appetites for Federal jurisdiction. I will read to you from the speech of my good colleague from Connecticut:

"This is not the only problem area in insurance regulation today," namely, the alien insurer. "In such fields as mergers, rates, and forms, and domestic non-admitted insurance, there are presently serious questions concerning the adequacy of State regulation. The McCarran-Ferguson Act is by no means sacrosanct, and it is entirely reasonable to expect Federal action in any area of the insurance industry where the public interest requires action but the States are either unable or unwilling to do the regulatory job adequately."

Two days ago you heard those words spoken by the author of this bill. If those words do not label the bill as being a forerunner of other attempts to amend the McCarran-Ferguson Act, then we cannot understand the English language.

Secondly, by the very nature of the legislative process, consideration of any bill, however nominal, or limited in scope it might appear to be, is hazardous because the final product of that bill is uncertain, uncontrollable, and unpredictable. To say otherwise would mean that the introducer of a bill has complete control of the minds and votes of all of his colleagues of both Houses. This, of course, is never the case. Once a bill is introduced, it can be amended in many ways. It can and often does happen that a seemingly restricted and innocent-appearing measure is transformed into one which is distinctly different in nature, scope, and intent.

Thirdly, the proposed measure makes a system of Federal regulation of the insurance business inevitable as to the licensees. This is true in spite of the express language inserted to negate such results. Notwithstanding the express language of the Dodd bill, the fact remains that Federal regulation of the licensees necessarily follows.

Consider that the Secretary of Commerce is vested, under the terms of the bill, with power to suspend summarily a license and to revoke it, if in his judgment the licensee has failed to comply with the terms and conditions of the bill.

What does the phrase "in compliance with any requirement imposed by or pursuant to this section" embrace?

First of all, there must be a showing of financial solvency, as well as a reasonable ground for belief that such insurer will continue in the future to be able to fulfill its financial responsibilities under its contracts of insurance. The bill goes on to say that the license issued shall "contain such other terms and conditions as the Secretary shall determine to be required to provide assurance that such insurer (a) will continue to be financially responsible; (b) will fulfill his lawful obligations under contracts of unregulated insurance. * * *"

So you see there will be a continuing responsibility resting upon the Secretary of Commerce to keep the financial condition, operation, and affairs of each licensee under constant review.

Those who are familiar with the insurance business know what this means. But let me quote the 1961 minority report of the Judiciary Committee on the Insurance Industry to illustrate:

"A substantial practice has grown up over the years relating to the form, substance, and the means by which State insurance departments assure themselves of the solvency of insurance companies. These practices vary from the submission of detailed reports on a quarterly basis to some States and the submission of an extremely detailed annual statement by an insurer to every State in which it is licensed, to and including periodic examinations by examiners representing the several insurance departments. These inquiries are extremely searching and may, in a substantial company, require many months by a team of examiners."

There is no question that the Secretary will get into all aspects of the regulations, rates, forms, reserves, investment policies, and the like. If he suspends a license or threatens to do so, the licensee will come to him to ascertain what corrective steps can be taken to remain in good grace. A man with the power of life and death of a business in his hands may say any number of things. He could say, for example, "Your finances show that your rates are too low. Increase them and I will refrain from revocation." Or he may say, "It is plain that your coverage and exposure are too broad. They will financially involve you very soon in my judgment. They will impair your financial situation. Change the form and I will not revoke your license." Or he may say, "Your reserves are not high enough. Increase them and I will not revoke your license."

And what does that imply, ladies and gentlemen? It implies regulation and supervision right down to the end.

Similar illustrations could be given that would not stretch the imagination. It is to no avail that the bill contains express language to the contrary; namely: "(f) Nothing contained in this title shall confer upon the Secretary authority to prescribe or otherwise regulate (1) the form, terms, or conditions of any contract of insurance, or (2) the rate or premium to be charged or collected under any contract of insurance."

That is assumed to guarantee that there will be no regulation. But if we expect the Secretary of Commerce to do the job which is assigned to him, he is going to have to move into the area field which is referred to in this subsection (f).

The bill would also create disparities which would build up already existing pressures for further erosion and the ultimate destruction of the McCarran-Ferguson Act.

One ready example is this: domestic nonadmitted insurers will be in a status different from alien nonadmitted insurers. Here we have a disparity. How long will it be before there will be a bill, a successor to S. 1705, which will say it is not fair to treat alien nonadmitted insurers differently from domestic? It is not difficult to conceive of the time when Congress will be faced with another request to further modify the McCarran-Ferguson Act in this situation or in a similar situation. Again, we have the dangers of another bill, simple in its original form and purpose but unpredictable in its final results, unpredictable because of the complexity of a legislative process which involves two Houses and 535 people.

The net effect will be disastrous if the McCarran-Ferguson concept is allowed to be mutilated. Disastrous for each State, disastrous for the insurance-buying public, and disastrous for the Nation generally.

I have made reference several times to the unpredictable processes which completely transform a bill to one hardly recognizable from its original form and intent. Is this just a figment of imagination? Is it a sort of a false notion thrust before you to terrify and intimidate you? Most decidedly not.

First of all, you already have Senator Dodd's very candid declaration:

"This is not the only problem area in insurance regulation today. In such fields as mergers, rates and forms, and domestic nonadmitted insurance, there are presently serious questions concerning the adequacy of State regulation. The McCarran-Ferguson Act is by no means sacrosanct, and it is entirely reasonable to expect Federal action in any area of the insurance industry where the public interest requires action but the States are either unable or unwilling to do the regulatory job adequately."

Secondly, let us turn to the 1960 majority report of the Subcommittee on Antitrust and Monopoly. A large part of that report is devoted to a "Critique of the structure of State supervision." Approximately 140 closely printed pages of this report contain analyses and severe criticisms of the present State statutes, regulations, and practices. In the "Summary and Conclusions," its authors undertake to advise the States as to how their duties should be discharged.

And the 1961 report of the subcommittee has a corresponding statement in the majority portion.

Now, I say to you this is not only presumptuous and officious, it is a disregard and invasion of State sovereignty that goes far beyond mere form or good taste.

Significantly, included in the Critique of the 1960 report is the enumeration of 10 points from the final report of the Temporary National Economic Commission report of 1941, which the Critique says, "parallel, and in various respects duplicate, the conclusions of this subcommittee's report."

Among other proposals similar to the TNEC report was the proposal of Senator Joseph O'Mahoney of Wyoming for national charters for all corporations engaged in interstate commerce. While it received some support, it was emphatically rejected. It was reintroduced in later Congresses but never made progress. The reason for this was well stated by Senator O'Mahoney:

"It has been rejected because of an inherent fear that it would lead to political domination of the States by the Federal Government."

He was understanding the cause; he was quoting it accurately but mildly. For to require national charters for companies doing interstate business would not merely dominate the functions of the States, it would result in their complete preemption. Our Republic of federated States as we know it today would be consigned to oblivion. Our form of Government would be completely changed without the necessity of a constitutional amendment. The basic principle of a federated Republic would be destroyed. The States would loose all of their meaning. They would become mere ministerial performers of local duties.

But, it is protested, the TNEC report was made 20 years ago. So it was, but its devotees are still active. The citation of the 10 points in the 1960 report brings us evidence of this. And there are several current examples of this disturbing trend. One example was the original proposal for the drug reform bill of last year. The bill required that all manufacturers of pharmaceuticals must be licensed by the Federal Government. Not registered but licensed by it, with the power held by the Federal Government to summarily and instantly terminate their license.

That proposal was flatly rejected, and rightly so.

Now comes another proposal in S. 1705 along with a declaration of more problem areas to be dealt with in the scope of the McCarran-Ferguson Act, itself described as being "by no means sacrosanct."

The proponents of this concept are shrewd enough to recognize that a frontal attack is obviously foredoomed to failure. Hence, their skillful resort to an approach by segments so the tail will be severed inch by inch until, behold—no more dog.

No well-established concept of freedom can be destroyed by an open, all-inclusive attack. Rather, it is eroded and eventually lost by a series of movements, no single one of which seems of sufficient size to warrant resistance or to raise any suspicion.

The unwary will be caught by surprise and soon dismayed at the tardiness of their attempts to preserve their liberties.

But what are the non-Federal alternatives to S. 1705? Are there any? The members of the National Association of Insurance Commissioners have an accumulated experience and store of wisdom which will serve well in this regard. We can have every confidence in the joint judgment of the commissioners and directors of the 50 States.

The activities of the Committee on Unauthorized Insurance of the past couple of years or so could be well reviewed. Certainly, the present concept of a "Nonadmitted Insurers' Information Office" has merit, as it includes all nonadmitted insurers. There are other avenues and approaches which should be explored if it is found that the situation calls for additional measures. I, for one, have complete confidence in an association as imaginative, aggressive, and resourceful as yours, to find even more and better alternatives. We must bear in mind that your industry is a dynamic industry To put such an industry into the inflexible strictures of the Federal Government and its bureaucracy would be an unpardonable sin.

In all of these and similar situations, the central, immediate theme should never depart from the counsel of one of America's insurance authorities when he wrote:

"Administration and supervision of insurance at the national level would never approach the equitable solution of problems which will inevitably arise, with variation, by States, districts, and areas."

With such thinking, solid contribution would be made to the cause of those who firmly and deeply believe that this country does not belong to the Government. This country belongs to the people. Let's keep it that way.

I want to thank you for inviting me here. I hope that you now better understand some of the thinking that exists in the Senate and in the Congress of the United States. There is substantial feeling in agreement with you; and if by my appearance I have served in some small way to bring new heart to your cause, my journey across the continent has been not only a very pleasant one but one that has been more than worthwhile. Thank you very much for your attention.

The 25th Anniversary of Shimshon, Youth Organization of Congregation Ahavath Achim in Fairfield, Conn.

EXTENSION OF REMARKS
OF

HON. ABNER W. SIBAL

OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 14, 1963

Mr. SIBAL. Mr. Speaker, I am delighted today to call the attention of the House to the 25th anniversary of Shimshon, the splendid youth organization of Congregation Ahavath Achim in Fairfield, Conn. Members from the age of 8 to 14 have, during this period, participated in an inspiring program of patriotic and civic activities. This wonderful group has helped to shape young lives and direct them along the finest paths of Jewish tradition, teaching love of family, love of country, and love of God. Shimshon deserves the highest praise and congratulation for its work in the formation of strong character and good citizenship. I am proud to offer my congratulations and heartiest good wishes for its continued success. In particular, I want to salute the newly elected president, Jerry Busker, son of Mr. and Mrs. Bernard Busker, of 114 Poplar Street, Bridgeport; Mrs. Sylvia Kaplan, of 1585 Melville Avenue, Fairfield, the president of the mothers council; and the Honorable Samuel Mellitz who, as honorary president of the synagogue, has installed the youth officers for 25 years.

HOUSE OF REPRESENTATIVES

THURSDAY, AUGUST 15, 1963

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

I Thessalonians 5: 21: *Prove all things: hold fast that which is good.*

Most merciful and gracious God, may Thy servants daily sense Thy presence and power in this Chamber, as they seek to discharge their duties and responsibilities with wisdom and understanding, with fidelity and fortitude.

We humbly beseech Thee that when moods of doubt and anxiety lay hold upon us we may be assured that Thou will strengthen and guide us in our efforts and endeavors to safeguard our heritage of freedom and share it with all mankind.

Show us how we may be channels of inspiration and instruments of help and hope to all who are longing and laboring for the dawning of that brighter and better day when a nobler and more magnanimous spirit shall rule the mind of man and all nations shall follow the ways of reason and righteousness.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 1321. An act to provide for a National Service Corps to strengthen community service programs in the United States.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 6177) entitled "An act to amend section 2(a) of article VI of the District of Columbia Revenue Act of 1947 relating to the annual payment to the District of Columbia by the United States."

PROGRAM FOR NEXT WEEK

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, I ask for this time in order to inquire of the majority leader if he will kindly inform us as to the program for next week.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, in response to the gentleman's request, the program for next week is as follows:

Monday, Consent Calendar day. There are five bills to come up under suspension of the rules.

First, H.R. 7405, increase in authorized capital stock of International Bank for Reconstruction and Development.

Second, H.R. 7406, increased U.S. participation in the Inter-American Bank.

Third, H.R. 5250, to provide increased payments for widows of veterans dying from service-connected disabilities.

Fourth, H.R. 221, to provide educational assistance to children of veterans permanently and totally disabled from wartime service-connected disability.

Fifth, House Joint Resolution 220, consenting to an extension and renewal of the interstate compact to conserve oil and gas.

For Tuesday and the balance of the week:

Tuesday is Private Calendar day.

Then H.R. 7885, the Foreign Assistance Act of 1963, which will come in under an open rule with 5 hours of general debate.

This announcement is made, of course, subject to the usual reservations that conference reports may be brought up at any time and that any further program may be announced later.

Mr. Speaker, I would like to advise that we will doubtless have at least two conference reports next week.

I would like to state also that the suspensions announced may not necessarily be brought up in the order in which they were announced.

Mr. COLMER. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman from Mississippi.

Mr. COLMER. I should like to inquire of the majority leader concerning the so-called cotton resolution. I heard no reference to it. That resolution was reported out of the Rules Committee some 2 weeks or more ago. Since I was instructed by the committee to handle that rule, the time having now expired—7 legislative days as well as the 3 days for filing—I was wondering if the distinguished majority leader could give us some idea when this matter may be programed.

Mr. ALBERT. Mr. Speaker, if the gentleman will yield, I am not able to advise when this matter will be programed. The gentleman will have observed from the announcement of the program that the Foreign Assistance Act with 5 hours of general debate, under an open rule, will be before the House next week. It is a matter of major importance and will, of course, consume a major portion of the week.

Mr. COLMER. Mr. Speaker, I just want to say to the distinguished majority leader that I like to cooperate; and, of course, I feel some responsibility for that resolution.

Mr. ALBERT. If the gentleman will yield further, I should like to respond by saying that I am certainly aware of the importance of the cotton bill. I am not only interested in programing it, I am interested in passing it when it is programed.

Mr. COLMER. Mr. Speaker, I hope that it may be programed very shortly.

ADJOURNMENT OVER UNTIL MONDAY, AUGUST 19

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. GROSS. Mr. Speaker, reserving the right to object, in view of the snail's pace with which this Congress is proceeding, I wonder if any attention or thought has been given to Christmas decorations for the House of Representatives.

Mr. ALBERT. Mr. Speaker, I would say to the gentleman that, of course, the snail's pace is something that he has manufactured, that I know nothing about. But if we are here at Christmastime I would be willing to join in designating the gentleman to be in charge of decorating the House of Representatives. The gentleman gives so much attention to everything else I know that he could do that job well, too.

Mr. GROSS. Since even at a snail's pace we are dealing pretty roughly with the taxpayers, giving them a pretty good ride in the matter of spending, I wonder if the gentleman would join with me in a modest contribution toward those decorations?

Mr. ALBERT. I might be willing to do that.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS NEXT WEEK

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule may be dispensed with on Wednesday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. BROWN of Ohio. Mr. Speaker, reserving the right to object, I do so in order to make a small comment. If I may, Mr. Speaker, I want to express the hope that if we do have a Christmas party here that the leadership of the House will not arrange matters so that my good friend and colleague from Iowa will be Santa Claus. Knowing how closely he holds onto the taxpayers' dollars I am afraid we would have a very skimpy Christmas. Therefore, I hope the leadership will select some other person to be Santa Claus.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. FULTON of Pennsylvania. Reserving the right to object, you know when some of us here find that Christmas is being made partisan, a few of us hope that Santa Claus just comes down as usual, down the center of the aisle and there are no politics.

Mr. Speaker, I withdraw my reservation.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

THE WAR IN VIETNAM: TRUTH VERSUS MISREPRESENTATION

Mrs. KELLY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Mrs. KELLY. Mr. Speaker, for 9 years, since the partition of Vietnam at the conference table in Geneva, the government of that country has been engaged in a deadly struggle with the Communist Vietcong guerrillas. For 9 years, the United States has shown concern for the survival of freedom and independence of Vietnam—and, in a larger sense, for the survival of the rest of Indochina and the total Far East—by providing assistance to the government of President Diem. The volume of this assistance is considerable, and it has not been limited to commodities and equipment purchased with dollars. Thousands of American personnel are providing military instruction, logistic support, and technical assistance to the free Vietnamese. Many of these men have given their lives in the discharge of their duties. It is no wonder, therefore, that the people of the United States are deeply concerned about developments in Vietnam. Our people want to know what is happening there, how our help is being used, what progress is being made in the struggle with the Communists, and when will our boys be able to return home to the United States.

The American press is fully aware of this public interest. There is hardly a day that we do not find an article on Vietnam in our newspapers and our magazines. Unfortunately, the impression conveyed by most of those articles serves only to deepen our concern. We are given to understand that our assistance is poorly used, and little appreciated, by an inept, dictatorial government of President Diem which thrives on nepotism, practices religious intolerance, and ignores our best advice on the conduct of the war with the Communist guerrillas.

This is the picture conveyed by most of the articles in our press. Every flaw of the Diem government, every incident involving members of his family, every criticism or protest—no matter how flimsy or unsubstantiated it may be—is seemingly seized upon, magnified, and used to discredit that government, to shake the American public's confidence in the course which we are pursuing with respect to Vietnam.

Almost no one bothers to point out that, faced with insurmountable obstacles, with his country torn apart and overrun by Communists, bandits and warring sects, President Diem has not only managed to survive for 9 years but has made considerable progress in bringing order, freedom, justice, and opportunity for a better life to most of his nation. No one also bothers to point out that without him, the one element of stability present in Vietnam could disappear, plunging Vietnam and all of Indochina into chaos, completely undermining the position of the free world in that strategic part of the globe.

This truth, these facts, are constantly ignored. Like a swarm of horseflies, the reporters seem more interested in pestering the Diem government than in helping to defeat the Communist menace. In so doing, they give poor service to the cause of freedom for which our own boys, and the free Vietnamese, are dying each day.

Most recently, our newspapers have been full of stories about the alleged persecution of Buddhists by the Diem government. The demands of certain Buddhist spokesmen, and the charges which they have levelled at the Diem government, received considerable publicity. Buddhist demonstrations have been covered in detail. The picture of a Buddhist monk who set himself on fire was printed by many newspapers. The grievances of certain Buddhist spokesmen relating to the display of their flag received prominent mention.

The articles that I have seen said little if anything about the position of President Diem's government in this matter. It was repeatedly pointed out, of course, that Diem is a Catholic, that his brother is a Roman Catholic archbishop, and that there are other Catholics in Diem's government and among the high command of the Vietnamese Army. The reader was left, therefore, with the distinct impression that the vast majority of the people of Vietnam belong to the Buddhist religion; that this majority has serious grievances against the Diem government; and that the Diem government, being Catholic dominated, is showing callous disregard for the rights of the majority of the Vietnamese by preventing them from exercising their religious convictions.

I know something about Vietnam and about its President. And I can state here that the articles I just mentioned convey an entirely erroneous picture of the situation in Vietnam. By presenting only part of the facts, but making the presentation seem like it covers the whole, our journalists contribute to a distortion of the truth.

We have been told, for instance, that the Diem government will not permit Buddhists to display their flag, that it discriminates against them by according special status in ordinance No. 10, to Catholic missions, that it interferes with their religious exercises and persecutes the followers of Buddha.

What are the facts?

Fact No. 1 is that in Vietnam—like in many other countries of the world, including the United States—the emblems of religious organizations must yield a legitimate precedence to the national flag in public places. As early as 1957, two Government orders were promulgated on this subject in Vietnam. Furthermore, Government regulations pertaining to flag displays were first invoked not against the Buddhists but against Catholics. At the dedication of a new Catholic church in Hué early this year, some papal flags were flown in contravention of governmental regulations. They were ordered removed and replaced with national flags. The Catholics, according to all reports, complied. The same cannot be said for the Buddhists who, instead charged the Government with discrimination and persecution.

Fact No. 2 is that ordinance No. 10, defining the legal status of private associations, religious and other, with respect to the acquisition, holding, use, and disposal of real property, was promulgated under Bao Dai on August 6, 1950. A reserve clause in that ordinance announced that special status would be prescribed later for Catholic and Protestant missions, as well as for Chinese congregations and other bodies having an international character. This reserve clause was never implemented and in the 13 years which have elapsed since ordinance 10 was promulgated, it had not aroused any controversy until it was seized upon by some Buddhist leaders this summer. In an effort to preserve peace, the Diem government recently agreed to remove all religious organizations from the jurisdiction of ordinance No. 10, and seek the enactment by national assembly of separate legislation defining their status.

Fact No. 3 is that the Diem government has not been promulgating laws or decrees which deny the Buddhists the right to exercise their religious convictions. Neither has that government engaged in the persecution of Buddhists for being Buddhists. Ambassador Nolting's blunt statement on this subject certainly deserves our consideration. The composition of Diem's government furnishes another assurance that religious discrimination would not be tolerated by that government.

Finally, there are several other facts which seldom receive press coverage here, but which have a bearing on this issue. For instance:

One, out of 4,766 pagodas now existing in Vietnam, 1,275 were constructed, and an additional 1,295 restored, during the last 8 years under the Diem administration;

Two, in spite of governmental policy which prohibits subsidies to religious groups, the government contributed over 9 million piasters to these projects, including 5 million piasters for pagodas in the Hue area;

Three, less than one-fourth of the ministers in Diem's government are Catholics;

Four, only one-sixth of the generals in the Vietnamese Army are Catholics.

It galls me to see these facts omitted from press reports on the Buddhist problem in Vietnam. Such omissions represent very poor reporting at best, or at worst, a deliberate attempt to discredit and undercut the Diem government.

Everything that I have said about the lack of persecution of the Buddhists by the Diem government has been fully supported by Ambassador Nolting and other observers. Ambassador Nolting, in a recent statement said:

> I myself—I say this after almost 2½ years—have never seen any evidence of religious persecution.

This is not the only time that Ambassador Nolting made this statement. He was questioned recently at length on this subject during his appearance before the Committee on Foreign Affairs. He firmly stated that, to the best of his knowledge, the Diem government had not engaged in any persecution of the Buddhists or of any other religious group.

An even more flagrant example of distortion was contained in a full-page advertisement which appeared recently in some of our newspapers. Some of the language used in that advertisement was reminiscent of the type one would expect to find in a piece of Communist propaganda—not in an advertisement signed by respectable, thoughtful members of a free society. The type of reaction this misguided advertisement evoked from people conversant with the facts in Vietnam is exemplified by the open letter written to the Ministers' Vietnam Committee by Mr. Harold P. Erickson, who is currently living and working in Vietnam. I would like to place this letter in the Record at this point, and express my hope that it will be read by all persons interested in finding out the truth about what goes on in Vietnam.

The letter follows:

OPEN LETTER TO MINISTERS' VIETNAM COMMITTEE

MAJESTIC HOTEL,
SAIGON, VIETNAM,
July 15, 1963.

Rev. Dr. DONALD S. HARRINGTON,
Secretary, Ministers' Vietnam Committee,
New York, N.Y.

DEAR DR. HARRINGTON: I was shocked and dismayed by your full-page advertisement headed, "We, Too, Protest," in the New York Times international edition of June 28, 1963.

I have been in Vietnam for 4 months, working as a technical writer on a private research institute contract with a U.S. Army unit whose function is to observe, interpret, and report on military operations in Vietnam. Since the military and political aspects of the counterinsurgency war being fought here cannot be separated, I find that I deal with as much information of a political nature as I do that of a military nature.

The sources of the information I receive are in Saigon, in the strategic hamlets, and in the countryside where the war is being fought. They are military and civilian; Vietnamese and American; Catholic, Protestant, and Buddhist. I have been with the operating forces in the field, have visited the residents of the strategic hamlets, and have interviewed many informed people in Saigon. For the most part, these sources are reliable. They are, at least, on the scene.

I can honestly, and with the authority based on factual evidence, state that all four enumerated points in your protest are gross misrepresentations, tantamount to unjust and inflammatory propaganda that can benefit only the cause of communism.

Your first protest: "Our country's military aid to those who denied him (the Buddhist monk who set himself on fire) religious freedom" indicates a simple unawareness of the facts of the case. The self-immolation of the Venerable Thich Quang Duc did indeed take place, and photographs of the burning monk had an electrifying effect on world opinion. But the motives behind the act are obscure. The tragedy was heightened by the fact that the sacrifice was needless. There is not now, nor has there ever been, any denial of religious freedom to Buddhists in Vietnam.

The first demand by the General Association of Buddhists (the organization that staged the recent Saigon demonstrations) was that the Buddhists be permitted to fly their own flag. In the first place, there is no recognized flag of Buddhism, as such; the flag in question is that of the General Association of Buddhists, an organisation that by no means represents Buddhism in general, or Vietnamese Buddhism in particular. Since 1957 there has been a Government order with respect to the precedence of the national flag over all other flags (similar to the traditional, formal treatment of the American flag). This order was first invoked against Catholics in Vietnam. At the dedication of a new Catholic church in Hué early this year, papal flags were flown. They were ordered to be hauled down and replaced by national flags. The Catholics acquiesced.

Another of the General Association of Buddhists' demands was "freedom of worship." There has, in fact, been no suppression of Buddhist services or observances, private or public. It is also interesting to note that one-fourth of all the existing Buddhist pagodas in Vietnam have been built since the Diem government came to power; another fourth have been rehabilitated during this time; and the Diem government has granted 9 million piastres ($125,000 U.S.) for these projects. The President himself donated 600,000 piastres ($8,300 U.S.) toward construction of the Xa

Loi Pagoda in Saigon (the very pagoda to which the charred body of the Venerable Thich Quang Duc was taken). This is indeed a strange way to "deny religious freedom."

Religious freedom also presumably implies the absence of discrimination in political and military appointments. A footnote to your advertisment, taken from a New York Times editorial of June 17, 1963, states that most high government officials and military officers are Catholics. Another error in fact. The majority of high government officials, including the Vice President and Secretary of State, are Buddhists, not Catholics; of the 19 generals in the Vietnamese Army, only 3 are Catholic.

Your second protest: "The immoral spraying of parts of South Vietnam with crop-destroying chemicals and the herding of many of its people into concentration camps called 'strategic hamlets'" shows a callous disregard for the true significance of these projects. The crop-destroying chemicals are used for two purposes: (1) selective destruction of crops in areas known to be occupied only by Vietcong guerrillas, and (2) of greater importance, as a means of clearing dense vegetation from either side of arterial roads in Vietnam in order to cut down the opportunities for Vietcong guerrillas to hide and ambush highway traffic.

I'm sure you are aware of the high incidence and brutality of these ambushes. Innocent civilians (including Protestant missionaries, Catholic priests and nuns, and schoolchildren) as well as military personnel in convoys have been killed on the roads leading to and from Saigon. Thanks to the crop destroying chemicals, these same roads now are relatively safe. It is indeed unfortunate that such a measure must be taken, but without any doubt it has saved hundreds of lives, and at the expense of a band of vegetation 100 yards or so deep on either side of some roads. (Our own freeway projects do infinitely more damage to the landscape, crops, and roadside businesses.)

As for the strategic hamlets, your statement that they are concentration camps is absurd. The strategic hamlet program is a truly inspiring patriotic effort on the part of all who are involved in their construction, and they may well be the deciding factor in this very real war against communism. For the first time, the people of rural Vietnam have some security against the Vietcong terrorists who, before the strategic hamlets came into being, roamed the countryside at will, living off the defenseless farmers. The hamlets deny the Vietcong access to one of its primary sources of food supply.

Apparently it must be pointed out that the strategic hamlets are built and fortified by the people who live in them; no one is forced to move into these villages; and the inhabitants are free to come and go as they please. Typically, the farmers who live in the hamlets tend their fields or rice paddies outside the hamlets in the daytime, and retire at night to the hamlets, with their harvested crops, for security.

Other benefits accrue: Because of the community life to which some of these agrarian people have, for the first time, been exposed, a real grassroots democracy is being formed. The residents of the hamlets are electing their own officials and making their own laws. Public welfare projects are being given a practical focus formerly impossible for the scattered rural population. With American material aid and technical assistance, wells are being dug, bridges built, and dispensaries and schools constructed. These are concentration camps?

Your third protest: "The loss of American lives and billions of dollars to bolster a regime universally regarded as unjust, undemocratic, and unstable" is fatuous. What, precisely, does the term "universally regarded" mean? Obviously, there is opposition in Vietnam to the Diem government. But my experience and observations have been that this opposition is by no means universal here, where it matters most. And what of the attitude of our own Government? If opposition to the Government of Vietnam were truly universal, it seems illogical that the representative Government of the United States would "bolster" it. And certainly your committee would be the first to admit that the Diem government is at least tolerated by the Catholic Church, the most numerous of Christian denominations.

Then we should examine the words "unjust," "undemocratic," and "unstable."

Most certainly we could find examples of gross injustice in the Diem government—or any other government; or any other human institution, for that matter. We can also find examples of justice and wisdom and a dozen other virtues. It is useless to debate the point here.

As for "undemocratic," the Government of Vietnam is quite definitely not a democratic form of government as we know it, but it does not pretend to be. It is known as "personalism"—a term little known or understood by Americans. A personalistic government is to the right of center politically and to the left of center economically. It might well be the most effective and most desirable form of government for this new nation at this particular stage of its development. In any event, personalism is compatible with the basic tenets of democracy, of Christianity, of Buddhism, and of Judaism. It is not compatible, however, with atheistic communism.

"Unstable?" The Diem government has been in power for 9 years—since Vietnam was divided by the Geneva Accord in 1954. There is no sign, in Vietnam at least, that the Government is on the verge of collapse. Describing a government as unstable, when it has been in power the equivalent of more than two of our own presidential terms, seems irrational. It might be of interest to point out here that early this year (February) the Diem government proclaimed a national policy of "open arms" (chieu hoi) to induce defections from the ranks of the Vietcong. In less than 5 months more than 7,300 people have returned from the Communist fold. Defections in the opposite direction during the same period have been negligible. Quite an accomplishment for a tottering government.

Your fourth protest: "The fiction that this is 'fighting for freedom'," is morally reprehensible. If the fight against communism—and, therefore, for freedom—is going on anyplace in the world today, that place is Vietnam.

Mr. Roger Hilsman, Assistant Secretary of State for Far Eastern Affairs, has said: "Vietnam is the testing ground for Communist guerrilla strategy. * * * Vietnam's twilight war may rank as one of the decisive battles of world history. * * * An effective counter against these guerrilla tactics could be quite decisive to Western strategy in southeast Asia and eventually in Africa and Latin America."[1]

It is apparent to those of us living in Vietnam that the American troops who are risking their lives in support of this counterinsurgency war realize, quite literally, that they are "fighting for freedom."

Sincerely yours,

(Signed) HAROLD F. ERICKSON.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION APPROPRIATIONS FOR FISCAL YEAR 1964

Mr. MILLER of California. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 7500), an act to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations; and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from California?

Mr. FULTON of Pennsylvania. Mr. Speaker, reserving the right to object, the question is on sending to conference the space authorization bill for 1964. A question has come up as to whether some Members of the House would like a further opportunity to emphasize and state the position of the House.

Under those circumstances, I see nothing really wrong in referring the matter to the Committee on Rules first, with a resolution by the chairman of the committee which would permit 1 hour of debate on the floor of the House which time could be used by Members of the House who would like to go into this legislative authorization further for the Space Administration request for appropriations for fiscal year 1964.

Does the gentleman from California, chairman of the Committee on Science and Astronautics, see any real fundamental objection to that course of action?

Mr. MILLER of California. If the gentleman, as stated, merely wants this time in order to make a record, I think there are other ways in which this could be put into the RECORD, through extensions of remarks or other avenues.

I can only say to the gentleman that the fiscal year has passed and that the gentleman knows that this committee very thoroughly went into all of these things and also that any further delays affect the space program.

If the gentleman wants to take that responsibility, I cannot help the gentleman further.

Mr. FULTON of Pennsylvania. My comment in answer to that would be that I believe we could get a resolution through the Committee on Rules at a hearing sometime next week and it could be scheduled with the legislative session of the coming week. So, I, therefore, object.

Mr. ALBERT. Mr. Speaker, will the gentleman yield before he objects?

Mr. FULTON of Pennsylvania. Mr. Speaker, I withhold my objection.

Mr. ALBERT. Does the gentleman also realize that a major appropriation bill is involved in this matter and that appropriation bills certainly rank very high on the list of items that are essential to the expeditious disposition of the business of the House?

Mr. FULTON of Pennsylvania. I believe, sir, based upon the schedule which has been announced for next week, we will be able during the coming week to dispose of this matter during the first part of the week.

Mr. Speaker, we have already had some meetings among Members and various others have various views that they want to express and emphasize.

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[1] Washington, June 28 (UPI).

Under the circumstances, Mr. Speaker, I believe I am constrained to object, and I do.

The **SPEAKER**. Objection is heard.

PERMISSION TO FILE CONFERENCE REPORT ON EXPORT-IMPORT BANK

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that the conferees have until midnight tonight to file a report and statement on the Export-Import Bank legislation.

The **SPEAKER**. Is there objection to the request of the gentleman from Texas?

There was no objection.

WHY A TEST BAN TREATY WITH THE GANGSTER KHRUSHCHEV?

Mr. DORN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DORN. Mr. Speaker, the Communists, a generation ago, are reported as having said, "The road to Paris is the road through Peiping." The only full scale war the United States has fought with Red communism was with Red China in Korea. The Communists won the war in Korea, consolidated their shaky position in China, and secured the Peiping leg of the road to Paris.

Now it will further the cause of world communism to develop a nuclear arsenal in Red China. A Khrushchev test ban treaty with the United States will greatly help Red China in its bid to become a nuclear power. This test ban treaty will definitely aid the cause of world communism or else Khrushchev would never have signed it. A Russian-United States test ban treaty will handicap American nuclear scientists while enabling Red China to step up her program and on the side use Communist scientists from Russia. Many American scientists will simply be idle while Russian and Chinese scientists work overtime. Then, when Red China launches her attack, as she has sworn to do against Singapore, Hong Kong, Formosa, and India, Russia will simply remain neutral or attack Western Europe. If Russia remains neutral, the United States will be hopelessly involved with China. On the other hand, if Russia should move into Western Europe, the United States will be caught in a two-front nuclear war which would be suicide.

The only hope for the United States to retain its position of leadership is through its science and technology. We are outnumbered; therefore, we must rely upon nuclear superiority and conquest of space.

Though vastly outnumbered, England survived for centuries through science and technology. The United States is vastly outnumbered and, therefore, must rely upon our scientific advantages for survival. A test ban treaty with Russia is the road to slavery, liquidation, and national disaster.

ST. STEPHEN'S DAY

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, in the annals of history a king who combined the qualities of statesman and saint is a rarity. Such a king was St. Stephen I, the founder and architect of the Christian kingdom of Hungary.

Stephen was the first true Christian in the dynasty which ruled the Hungarian tribal confederacy, and when he succeeded his father he set about to build an independent Christian state. He overcome the opposition of the pagan tribal leaders, and in A.D. 1000 the Pope conferred upon him the title of king.

St. Stephen's long reign was devoted to the political and religious consolidation of his kingdom. He transformed the tribal land holdings into a semifeudal system in which the nobles administered their "counties" but were not powerful enough to challenge the authority of the king. He gradually established episcopal sees and built churches and monasteries.

Despite his elevated rank Stephen was always close to the people of his realm, and listened to their complaints, especially those of the poor. It is said that he was distributing alms in disguise one day when a troop of beggars crowded around him, knocked him down, pulled at his hair and beard, and took away his purse, seizing for themselves what he intended for the relief of many others. Stephen took this indignity humbly and with good humor, happy to suffer in the service of his Savior. Despite the concern of his nobles, he renewed his resolution never to refuse alms to any poor person who asked him.

Stephen was canonized 45 years after his death, and he has become patron saint of the Magyars. On the occasion of his feast day I join with all Hungarian-Americans in commemorating this great Christian monarch and saint.

CIVIL RIGHTS DEMONSTRATION

Mr. ROUSH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ROUSH. Mr. Speaker, I suppose it a little unusual for a northern Democrat to speak out against something which is designed to aid the cause of civil rights. However, I must say I am opposed to the demonstration that is planned for August 28.

Mr. Speaker, I am opposed to the demonstration planned for August 28. I have no argument with the intentions and sincerity of most of those who are promoting this demonstration; however, their best intentions cannot control an emotion-filled atmosphere. These same intentions cannot control the extremists who, at this very hour, are planning or, perhaps it would be better to say, plotting disaster for this demonstration.

I really believe this demonstration is fraught with danger. Although I recognize the right of peaceful assembly, when that peaceful assembly threatens the peace and quiet of a neighborhood or a city or when it causes emotions to be aroused and when lawlessness can use such an assembly for its own cause then reasonable restraint must be the order of the day.

I believe in the cause of civil rights. It is my present intention to vote for the civil rights legislation. I feel that this demonstration is hurting the very cause it seeks to promote.

EXEMPTION FROM THE BONDING REQUIREMENTS OF SUBSECTION 13(a) OF THE WELFARE AND PENSION PLANS DISCLOSURE ACT

Mr. ROOSEVELT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include a letter from the Secretary of Labor and material from the Federal Register.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, I am in receipt of a letter from the Secretary of Labor, the Honorable W. Willard Wirtz, announcing the granting of an exemption from the bonding requirements of subsection 13(a) of the Welfare and Pension Plans Disclosure Act whereby arrangements with the underwriters at Lloyd's, London, will satisfy the bonding requirements of the act.

This exemption, a copy of which I am placing in the Record for the acquaintance of my colleagues, received the most careful consideration of the Department of Labor. The issue had been under advisement since February 9 of this year when notice was first published in the Federal Register that a petition for exemption was under consideration. All interested persons were invited to comment upon the petition.

In addition to the letter from the Secretary I would also like to include a copy of the document published in the Federal Register on August 14 of this year granting such exemption.

I have had a particular interest in this matter, believing that the Congress intended the powers of section 13(e) be used for this purpose, and have introduced a bill which would accomplish this same result.

U.S. Department of Labor,
Office of the Secretary,
Washington, August 13, 1963.

Hon. James Roosevelt,
House of Representatives,
Washington, D.C.

Dear Congressman Roosevelt: Last April you wrote to me concerning the position of the National Association of Insurance Agents, Inc., and giving me your opinion that the Congress intended that the Secretary's powers under section 13(e) of the Welfare and Pension Plans Disclosure Act should be exercised to permit the use of underwriters at Lloyd's, London, as a surety on bonds required by that statute.

After the most careful consideration of the problem and all the comments filed with respect to this petition we have granted an exemption which permits the use of underwriters at Lloyd's. Enclosed is a copy of a document scheduled for publication in the Federal Register on August 14, 1963, which grants such exemption.

Yours sincerely,

W. WILLARD WIRTZ,
Secretary of Labor.

(Enclosure.)

TITLE 29—LABOR

CHAPTER XI—OFFICE OF WELFARE AND PENSION PLANS, DEPARTMENT OF LABOR

Part 1307—Exemption from bonding requirements

Bonds Placed With Underwriters at Lloyd's, London

On February 9, 1963, the Office of Welfare and Pension Plans of the Department of Labor published notice in the Federal Register (28 F.R. 1322) that it had under consideration a petition for exemption from the requirements of subsection 13(a) of the Welfare and Pension Plans Disclosure Act (76 Stat. 39) (hereinafter referred to as the act) which would permit the placing of bonds for administrators, officers, and employees of welfare or pension benefit plans covered by the act with underwriters at Lloyd's, London.

All interested persons were invited to comment upon the petition for exemption. Upon consideration of the comments received from such persons and for the reasons stated in the petition, I find that bonds placed with underwriters at Lloyd's, London, which otherwise satisfy the requirements of section 13 of the act and regulations thereunder (29 CFR 1306), would provide adequate protection for the participants and beneficiaries of welfare and pension plans covered by the act.

Therefore, pursuant to the authority of section 13(e) of the Welfare and Pension Plans Disclosure Act (76 Stat. 39), Secretary's Order No. 15–62 (27 F.R. 4977) and 29 CFR 1307.1 to 1307.11, the requested exemption is granted, effective on publication in the Federal Register, title 29 CFR, chapter XI, part 1307, is hereby amended by adding a new subpart C to read as follows:

SUBPART C—BONDS PLACED WITH UNDERWRITERS AT LLOYD'S, LONDON

Sec.
1307.31 EXEMPTION.
1307.32 CONDITIONS OF EXEMPTION.

Authority: Sections 1307.31 and 1307.32 issued under section 13(e), 76 Stat. 39; 29 U.S.C. 308 D; Secretary's Order No. 15–62, 27 F.R. 4977; 29 CFR 1307.1—1307.11.

§ 1307.31 EXEMPTION.

An exemption from the bonding requirements of subsection 13(a) of the Welfare and Pension Plans Disclosure Act is granted by this section whereby arrangements (which otherwise comply with the requirements of section 13 of the act and the regulations issued thereunder), with the underwriters at Lloyd's, London, will satisfy the bonding requirements of the act.

§ 1307.32 CONDITIONS OF EXEMPTION.

(a) This exemption obtains only with respect to the requirements of section 13(a) of the act that all bonds required thereunder shall have as surety thereon, a corporate surety company, which is an acceptable surety on Federal bonds under authority granted by the Secretary of the Treasury, pursuant to the act of July 30, 1947 (6 U.S.C. 6–13).

(b) This exemption is granted on the following conditions:

(1) Underwriters at Lloyd's, London, shall continue to be licensed in a State of the United States to enter into bonding arrangements of the type required by the act.

(2) Underwriters at Lloyd's, London, shall file with the Office of Welfare and Pension Plans two copies of each annual statement required to be made to the commissioner of insurance of those States in which underwriters at Lloyd's, London, are licensed. Copies of annual statements shall be filed with the Office of Welfare and Pension Plans within the same period required by the respective States.

(3) All bonding arrangements entered into by underwriters at Lloyd's, London, under section 13 of the act shall contain a "service of suit clause" in substantial conformity with that set forth in the petition for exemption.

Signed at Washington, D.C.
This 9th day of August 1963.

FRANK M. KLEILER,
Director,
Office of Welfare and Pension Plans.

WE SHALL OVERTHROW

Mr. HUDDLESTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. HUDDLESTON. Mr. Speaker, in the August 13, 1963, issue of the Montgomery (Ala.) Advertiser there appears an editorial entitled "We Shall Overthrow," which deals with the leadership being provided for the so-called marchers who will descend on Washington on August 28.

This editorial follows:

WE SHALL OVERTHROW

Bayard Rustin, deputy director of the civil rights demonstrations to be held in Washington August 28, has been glorified by associates as "Mr. March on Washington."

The 53-year-old Negro, a former secretary to Dr. Martin Luther King, has been arrested, by his own admission, more than 20 times and his police record is as loathsome as it is long. Furthermore, despite Attorney General Kennedy's assurance that his office has found no inkling of Communist influence in the leadership of the planned demonstrations, Rustin has displayed a remarkable affinity for Communist causes.

During World War II, while millions of Americans of both races fought the enemy, Rustin occupied a safe, dry cell at the Federal prison at Lewisburg, Pa.—a convicted draft dodger.

On January 21, 1953, he pleaded guilty in Pasadena, Calif., to a charge of sex perversion and was sentenced to 60 days. The story of his arrest and conviction was carried in the Los Angeles Times on January 23:

"Pasadena Municipal Judge Burton Noble yesterday sentenced Bayard Rustin, 40-year-old Negro lecturer, to 60 days in the county jail on a morals charge.

"Rustin's attorney, Charles Halloper, failed in an appeal to free his client on the promise that he would leave this State and return to his home in New York.

"Rustin pleaded guilty to the charge. He had been arrested by Pasadena police early Thursday in company with two men in an automobile parked near the Green Hotel.

"The other men, Marvin W. Long, 23, of Monterey Park, and Louie Buono, 23, of Rosemead, were given similar sentences.

"A delegation of three members of the American Friends Society appeared in court, but did not testify in Rustin's behalf.

"Rustin had been scheduled to address the latter group at the Pasadena Methodist Church yesterday. Shortly before his arrest, Rustin spoke on world peace before the American Society of University Women at the Pasadena Athletic Club."

During the same lecture tour, Rustin was booked in Los Angeles on a charge of sex perversion and again, on a charge of vagrancy and lewdness.

Apparently, Rustin believes life begins at 40. When, at the request of the Nashville Banner, Rustin was recently quizzed in Washington about the Pasadena sex conviction, the Negro leader explained: "I was a very young man at the time and I do not care to elaborate on it."

More menacing, if not as repulsive, are Rustin's leftist leanings. He is a professional pacifist, and ban-the-bomber. Files of the Daily Worker, the Communist organ, list a "Bayard Rustin" as having attended the 1957 convention of the Communist Party, U.S.A., and he was further identified as a member of the "American Forum for Socialist Education," cited by the Senate Internal Security Subcommittee on December 19, 1957, as a Communist front.

Rustin was also one of five Americans who went to Russia in 1958 under the sponsorship of a pacifist group known as the Nonviolent Action Committee Against Nuclear Weapons.

Such is the record of the man who will lead and shape the march in Washington, D.C., this month—the march of which President Kennedy said on July 17:

"I think that is in the great tradition. I shall look forward to being there."

TAX REFORM: A NEW DIMENSION IN FOREIGN AID

Mr. CAMERON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CAMERON. Mr. Speaker, it gets pretty cold in the high mountain ranges of Chile and Peru, and the United States, with its wealth of material resources, might be able to reduce hardships considerably by sending shipments of fuel to the people of the Andes. The great problem is, though, that, what with the extremities of the weather, the requirements for adequate heating, and the barrenness of the terrain, a cord of firewood would probably get burned up pretty quickly in the Andes. In fact, we could keep sending shipments of fuel indefinitely, and a week after the last shipment the people would be just as cold as they were before the first.

The dilemma of foreign aid has always been this: How can the United States live up to its tradition of humanitarian ideals and its world leadership in the cause of freedom—freedom from hunger, disease, and ignorance as well as from political oppression—without casting itself as the mere administrator of a vast welfare program, pouring endlessly from the American cornucopia into the bottomless gulf of world needs?

The question, although not an easy one to answer, is by no means too tough a nut for American resourcefulness to crack. It has taken some years of experimentation, some floundering, and some mistakes—after all, the principle of foreign aid as initiated by this country after World War II is entirely without precedent in the history of nations.

But we have succeeded in molding a definition which is the only possible solution to the aid dilemma: a definition in which the concept of foregn aid is inextricably interwoven with the concept of self-help.

What if, instead of reporting how much American firewood had been burned up by the Chileans this year, our foreign aid administrators came back with a report that Chile had increased its income $80 million from purely internal sources in the last 2 years, as a result of American advice?

That picture is not the fabrication of a starry-eyed zealot of foreign aid. It is in fact what has happened in Chile since U.S. Internal Revenue men, in connection with the Alliance for Progress, arrived in Santiago 2 years ago to spur programs of tax reform.

One of the most widely known cliches about Latin America is that it is a continent of economic extremes. It is a continent where for centuries the very rich have lived alongside of the destitute. And, because the ruling power is almost invariably in the hands of the moneyed aristocracy, Latin America has long been a land where the rich get richer and the poor get poorer.

Tax reform is one of the most difficult but important questions facing these less-developed countries. It is a difficult question because taxes represent decisions about the distribution of wealth among various income groups in the population. In a country run by a ruling class, where political decisions are made by and for the benefit of an oligarchy, there is very little interest in changing the existing system of taxation. Tax reforms, in the sense of decisions to change the amount of taxes levied on various income groups, occur only when competing political groups are able to bring enough pressure to bear on the oligarchy. This is happening in many less-developed countries, but the situation probably will not improve very rapidly. One only has to examine the long and bitter history of major tax changes in the United States to realize that even under the best of circumstances this kind of tax reform will be a slow process.

More limited tax reforms can sometimes be achieved, however, in countries run by ruling elites. These reforms, such as more modern methods of tax administration, can play a vital part in the development of the country. Not only can they enable a government to collect additional revenue for essential development projects, but they can also help strengthen public support for the country's political institutions. Lack of public confidence in institutions of government is a fundamental problem in developing nations.

One of the most promising changes in our foreign aid program since the establishment of the Agency for International Development is the emphasis now being placed on tax reform. This is reflected in the Act of Bogotá and the Charter of Punta del Este, the founding agreements of the Alliance for Progress, which emphasize the importance of self-help through tax reform.

The Charter of Punta del Este specifically requires self-help in the field of taxation by "more effective, rational, and equitable mobilization and use of financial resources through the reform of tax structures, including fair and adequate taxation of large incomes and real estate, and the strict application of measures to improve fiscal administration."

This new emphasis on tax reform is now being implemented by a program of U.S. technical assistance, directed primarily at Latin America, inaugurated by AID in cooperation with the Treasury Department.

AID Administrator Bell, and Secretary of the Treasury Dillon, recently announced an interagency agreement which places the technical resources of the Internal Revenue Service at the disposal of the foreign aid program. IRS personnel and, wherever necessary, tax consultants from State and local governments, universities, and private businesses will be made available both in this country and overseas for three broad categories of assistance:

First, on-the-spot help and advice will be provided to countries desiring to modernize, strengthen, and otherwise improve their tax administration;

Second, IRS will plan and conduct training programs for foreign tax officials and other government personnel both here and abroad; and,

Third, IRS will serve as a general resource office for special studies, technical assistance, and progress appraisals in the tax administration field.

This agreement continues and greatly expands tax assistance programs which have been carried out on an informal basis. Since late 1961, for example, more than 200 foreign tax officials have visited the United States for study and observation of Federal, State, and municipal taxation systems.

Latin America is one of the areas of greatest need for tax reform, and also the region where the most progress has been made. Major tax reform programs are underway in 11 countries: Argentina, Bolivia, Brazil, Colombia, Chile, Costa Rica, Dominican Republic, El Salvador, Mexico, Panama, and Venezuela. Seven other countries have improved their tax systems and administration or have fiscal reform legislation pending.

Accomplishments in Chile are an excellent illustration of how much can be achieved through U.S. technical aid. For the last 2 years, nine U.S. Internal Revenue men have been working out of Santiago. Since they arrived, tax collections in Chile have increased between $30 and $50 million a year. Tax collections are expected to jump twice that next year.

Before our men arrived, hardly anyone had ever been tried in Chile—or all Latin America for that matter—for tax fraud. In whole regions of Chile, not a single person ever had filed an income tax return. Now, with American assistance the Chileans have closed loopholes, modernized procedures, and cracked down on chiselers. They have taken 2 persons to court, have 2 others awaiting trial, and are investigating an additional 50. Auditing has increased fivefold. Two thousand eight hundred revenue agents have been employed and a genuine esprit de corps is growing daily throughout Chile's tax administration system.

This is not an isolated success story, by any means. The Government of Argentina has added 215,000 new income taxpayers to its rolls during this last year, and introduced further revenue measures and rate increases estimated to yield about $100 million. In Bolivia, internal revenue collection was up 15 percent in 1962 over 1961, and customs revenues were up 35 percent in the same period. In Brazil, recent tax reforms and improved collection methods are expected to result in a $300 million increase in government revenues in 1963. There has been an 18-percent increase in the number of tax declarations in Colombia during 1961 and 1962. In Mexico, an important series of tax reforms went into effect last year which raised an additional $50 million in 1962. Income tax rates have been made more progressive and new taxes have been imposed on rental income from real estate, on capital gains, and on interest income from bonds.

Encouraging progress is now being made toward stimulating and assisting tax reforms in the developing countries. Basic changes will come slowly, and will come only if countries are determined to help themselves. But at least there are some signs of improvement and it is gratifying to know that our own foreign aid officials are now taking steps to make available U.S. knowledge and experience to those countries which want to move ahead.

It has become clear from this short but enormously profitable venture into the field that tax reform represents a whole new dimension in foreign aid. And the new dimension may become the greatest dimension, the link that brings together the two most important teams in the developing world: on the giving end, the team of American altruism and economic astuteness; on the receiving end, the team of foreign aid benefits and self-help.

PROGRESS IN EDUCATION

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. EDMONDSON. Mr. Speaker, since there has been some comment here today about the snail's pace at which this Congress is said to be proceeding, I think it is in order to take note of the fact today that this House of Representatives has already passed in this session more important and far-reaching legislation in the field of education than any House in the past decade. We have seen action already ranging across the field from vocational education to medical education and medical training to the bill which was acted on yesterday to advance the cause of higher education. This House of Representatives has moved in a more constructive way in the field of education than any House in the memory of most of us who serve today in this body. This is at least a partial answer to those who say that nothing constructive is being accomplished by this Congress.

Of course, Mr. Speaker, there are other bills involving education on which we are still working, and it is far too early to claim that the job has been completed.

At the same time, no honest critic can support the charge of a snail's pace in the field of education, on the record of this House.

A GOVERNMENT-RUN LOTTERY IN THE UNITED STATES

Mr. FINO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FINO. Mr. Speaker, for the past several months, I have brought to the attention of the Members of this Congress the government-run lotteries conducted in 77 foreign nations. All of these countries have found that lotteries not only yield high revenues but also help eliminate undeworld problems. In all of these 77 countries, the gambling spirit of the people is legally recognized and capitalized on by their governments.

Unfortunately, we in the United States stand virtually alone among the nations of the world in our hypocrisy in refusing to establish a national lottery in the United States.

Mr. Speaker, it is difficult for our taxpayers to understand our Government's sanctimonious attitude about gambling, especially when we know that gambling in this country is a $50 billion a year business which is the chief source of revenue to the underworld crime syndicates.

A Government-run lottery in the United States, like in Puerto Rico, Ireland, Australia, France, Italy, and the other foreign countries, would not only satisfy the American thirst to gamble but would shut off the flow of billions of dollars now siphoned off by the underworld and by many of these foreign-run lotteries. More importantly, it would produce over $10 billion a year in new revenue which could be used for needed tax cuts and reduction of our national debt.

In 1962, the 77 foreign countries listed below took in gross receipts of over $1,900 million from the government-run lotteries. The total profits accruing to the governments in question came to almost $659 million which was used for public and medical programs, hospitals, schools, housing, welfare, charity, culture, science and other worthwhile projects.

Mr. Speaker, is it not time that we demonstrated similar wisdom and courage here in this country? Is it not time that we removed the blinders and recognized the obvious fact that the urge to gamble is a universal human trait which should be regulated and controlled for our own welfare and benefit? When are we going to be sensible and realistic about our gambling problems and tie it in with our need for additional revenue?

Why can we not profit from the experiences of all of these 77 foreign countries? Why can we not grasp this financial wisdom of our friends? When are we going to face up to the fiscal facts of life and capitalize on the natural gambling spirit of our American people? Why can we not follow the lead taken by New Hampshire? Let us stop being reckless with the tax and revenue advantages offered by a national lottery.

Mr. Speaker, I am happy to list the 77 foreign countries which recognize that gambling is a fact of life and channel these gambling moneys to work for the public good rather than against it:

Country	Gross receipts	Net income	Purposes used
1. Argentina	$39,063,000	$17,000,000	Public and medical programs.
2. Australia	88,657,000	27,255,000	Construction of Sydney Opera House, hospitals, welfare, mental institutions.
3. Austria	13,800,000	4,500,000	General purposes.
4. Belgium	17,454,000	6,000,000	Belgian Social Welfare Fund.
5. Bolivia	870,000	128,000	Red Cross, public health, and welfare programs.
6. Brazil	5,356,000	536,000	Schools, hospitals, housing.
7. Bulgaria	7,700,000	3,850,000	General purposes.
8. Burma	6,947,000	2,550,000	Social welfare, housing.
9. Cambodia	13,700,000	4,100,000	Social and economic projects.
10. Ceylon	1,448,000	464,000	Health services.
11. Chile	20,275,000	3,166,000	Colleges. public health, and hospital construction.
12. China (Nationalist).	3,689,000	1,916,000	General fiscal purposes.
13. Colombia	33,360,000	11,416,000	Blind, hospitals, poor, and aged.
14. Costa Rica	9,948,000	3,243,000	Mental institutions and hospitals.
15. Cyprus	1,988,000	894,000	Development purposes.
16. Czechoslovakia	8,367,000	2,500,000	Factories, hospitals, and culture.
17. Denmark	7,812,000	652,000	General fund of treasury.
18. Dominican Republic.	34,258,000	6,367,000	General fund.
19. Ecuador	2,897,000	906,000	Charitable organizations.
20. El Salvador	5,900,000	936,000	Social and welfare purposes.
21. England [1]	111,000,000	68,000,000	Treasury.
22. Ethiopia	800,000	138,000	Charitable projects.
23. Finland	6,153,000	2,175,000	Science, arts, opera, and national theater.
24. France	144,000,000	46,000,000	General purposes.
25. Germany	395,000,000	160,000,000	Youth activities, sports, and health.
26. Ghana	756,000	311,000	General revenue.
27. Gibraltar	1,776,000	417,000	Homes for people.
28. Greece	17,932,000	3,828,000	Education, welfare, science.
29. Guatemala	2,633,000	681,000	National theater and culture.
30. Haiti	3,000,000	600,000	Social welfare and assistance.
31. Holland	9,800,000	1,100,000	General revenue.
32. Honduras	15,000,000	2,500,000	Health centers and clinics.
33. Hong Kong	1,195,000	479,000	Social welfare.
34. Hungary	73,365,000	40,000,000	Housing and sports.
35. Iceland [2]	950,000	283,000	University Research Institute.
36. India [3]	6,600,000	-----------	Treasury.
37. Indonesia	8,000,000	2,000,000	Social welfare projects.
38. Iran	8,000,000	2,000,000	Hospitals and schools.
39. Iraq	$1,700,000	$800,000	Hospitals and philanthropic purposes.
40. Ireland	45,566,000	8,354,000	Hospitals.
41. Israel	16,000,000	5,000,000	Hospitals and schools.
42. Italy	79,491,000	43,698,000	Education, charity, and treasury.
43. Jamaica	851,200	180,000	Hospitals.
44. Japan	12,147,000	4,497,000	Schools, hospitals, roads, and bridges.
45. Lebanon	3,000,000	250,000	Red Cross, schools and libraries.
46. Luxembourg	1,480,000	372,000	Charity, welfare and medicare.
47. Malaya	11,200,000	3,820,000	Social welfare purposes.
48. Malta	1,317,000	200,000	General purposes.
49. Mexico [4]	56,000,000	15,000,000	
50. Morocco [5]	2,000,000	500,000	Charitable purposes.
51. Nepal	53,288	20,000	TB & Funeral Association.
52. New Zealand	13,300,000	3,808,000	Youth, community, and charitable projects.
53. Nicaragua	4,239,000	779,000	Hospitals and social assistance.
54. Nigeria [6]	140,000	-----------	Treasury.
55. Norway	17,300,000	5,400,000	General purposes.
56. Panama	38,754,000	6,156,000	Hospitals, orphanages, and welfare.
57. Paraguay	900,000	187,000	Mother-child care program.
58. Peru	2,506,000	406,000	Hospital and medical services.
59. Philippines	12,113,000	4,231,000	Hospitals and health centers.
60. Poland	53,378,000	18,138,000	Housing and cultural activities.
61. Portugal	25,507,000	6,565,000	Public assistance.
62. Puerto Rico	51,825,000	11,000,000	Public health program.
63. Republic of Congo.[7]	-----------	-----------	
64. Rumania [8]	-----------	-----------	Government Treasury.
65. Russia [8]	-----------	-----------	Do.
66. Sierra Leone [9]	6,000,000	1,500,000	Schools and hospitals.
67. Spain	112,098,000	32,380,000	General purposes.
68. Sweden	52,000,000	31,000,000	Cultural activities.
69. Switzerland	6,240,000	1,719,000	Public buildings and transportation.
70. Syria	1,050,000	655,000	Damascus International Fair.
71. Thailand	34,286,000	9,238,000	Charity, housing, and welfare.
72. Trinidad	1,000,000	200,000	General revenue and charity.
73. Turkey	8,900,000	3,800,000	General treasury.
74. Upper Volta [10]	-----------	-----------	Charity work.
75. Uruguay	18,000,000	5,000,000	General purposes.
76. Venezuela	28,000,000	2,500,000	Charities.
77. Yugoslavia	7,408,000	2,223,000	Orphanages, hospitals, etc.
Total	1,905,198,288	658,468,000	

[1] Premium bond lottery used.

[2] Privately sponsored.

[3] Prize bond lottery used.

[4] 1962 figures unavailable; 1960 figures used. Government holds figures confidential.

[5] Lotteries are foreign owned and operated but Government collects 25 percent of total sales.

[6] Premium bond lottery used. Figures reflect 1st 3 months of 1963.

[7] Plans underway for a national lottery.

[8] Figures are not available. Considered confidential.

[9] Just started. Figures are Government estimates.

[10] Lions Club conducts lottery once a year.

SCHOOL DROPOUTS

Mr. GOODLING. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD, and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GOODLING. Mr. Speaker, too often in Government we ignore the cause and concentrate on an inadequate, unsatisfactory, and costly cure.

Suggestions have come to this Congress which are not designed to determine the cause but rather attempt a cure at a cost of more bureaucracy with an accelerated expanding Federal payroll.

The following report is concrete evidence that there are communities which recognize a problem and do something about its solution. There is no sensible or logical reason why this experience could not and should not be duplicated in every school district of our 50 States. Do-good programs at the Federal level too often result in costly nightmares.

Can the dropout rate of high school pupils be reduced in any important degree? The Red Lion Area School of York County, Pa., has reduced its dropout rate from 15 percent of the student body in the 1955–56 term to 3 percent of a larger student body during the 1962–63 school term.

Individual scheduling of a greatly increased variety of subjects following countless individual conferences with pupils and parents by a team of genuinely interested guidance counselors, and an overall policy that pupils will not be allowed to quit except for at least near-emergency reasons, are the administrative tools by which this noteworthy result has been accomplished.

During the 1955–56 school term, with an enrollment in grades 7 through 12 of not quite 1,400, more than 200 boys and girls quit school, a loss of about 15 percent. (Records from those earliest days immediately after the formation of this school system do not provide full details.)

During the just-ended 1962–63 school term, with an enrollment in grades 7 through 12 of 1,731 pupils, only 59 boys and girls (29 boys and 30 girls) quit school, a loss of less than 3 percent. And 27 of the 59 (13 boys and 14 girls) were at least 17 years of age, beyond Pennsylvania's high legal requirements for school attendance. And these figures include all who quit during the summer, not just those who dropped out during the school term.

Unquestionably, much of this greatly increased holding power has been generated by the development of a greatly expanded program of studies which offers work suited to the capacities and interests of nearly every type of teenage personality. The labels of "academic," "college preparatory," "commercial," "vocational," "industrial," "agricultural," etc., have been abandoned. The school now offers individual pupil scheduling of individual subjects instead of "courses" or "curriculums" for arbitrarily formed groups.

However, this greatly expanded work program could not be translated into individual pupil scheduling of individual subjects without a forward-looking and truly interested group of teachers and guidance counselors. These men and women spend many hours, often working evenings and weekends, with each pupil and with many parents in a continuing effort to convince families of the great need for more schooling. A carefully integrated program of subjects that seem to be best for him is carefully worked out for each pupil and is frequently reviewed in later conferences about his progress.

But the greatly increased course offerings and the continuing efforts of the staff would probably still be not enough to reduce the dropout rate to 3 percent. The Red Lion Area School plays it safe by maintaining an administrative policy that pupils not yet 17 years of age will not be allowed to quit unless extraordinary conditions (usually of an emergency or near-emergency nature) make the pupil's continuation in school virtually impossible for him or her.

It has been by these devices that, in the face of a continually increasing total pupil enrollment, this primarily residential, rural school system has, during the past 7 years, achieved these remarkable results in lowering its dropout rate.

FRYINGPAN-ARKANSAS PROJECT

Mr. CHENOWETH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. CHENOWETH. Mr. Speaker, I received a letter from Mr. Morton B. White, assistant to the publisher of Life magazine, under date of August 6, calling my attention to an article which appeared in the August 16 issue of Life relative to "pork barreling." Mr. White invited me to comment on this article which I am happy to do. I am writing to Mr. White and I call his attention to some incorrect statements and misrepresentations in the article on the Fryingpan-Arkansas project in Colorado. I had the pleasure of sponsoring this project which was authorized by the House last year.

I feel it is very unfortunate that this attack should be made upon the irrigation and reclamation and flood control programs of this country, which have had the support of Congress. I do not believe that these projects should be included in the category of "pork barrel." In my letter to Mr. White I confine my remarks to the Fryingpan-Arkansas project, as I am personally familiar with the details of this project. I do discuss the other projects, but if the same inaccuracies occur in the statements on the other projects, then no credence should be given to any portion of the article. The article is very misleading and deceptive in its approach, and very unfair in its attack on programs which are so important to the growth and development of our country.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. CHENOWETH. I yield to the gentleman.

Mr. EDMONDSON. I am very happy that the gentleman brought up this subject because on Monday next, the gentleman from Minnesota [Mr. BLATNIK] who is chairman of the Rivers and Harbors Subcommittee has a 2-hour special order in which a number of public works projects and a number of other programs that were maliciously libeled in the Life magazine article to which reference has been made will be discussed. I hope the gentleman from Colorado will be here to participate in that discussion which is to take place on Monday next.

Mr. CHENOWETH. I thank the gentleman from Oklahoma. I include in my remarks a copy of my letter to Mr. White, as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., August 15, 1963.

Mr. MORTON B. WHITE,
Assistant to the Publisher,
Life, Time and Life Building,
New York, N.Y.

DEAR MR. WHITE: I have your letter of the 9th in which you call attention to the pork barrel article in your issue of August 16. I appreciate your invitation to comment on the same. I have some observations which I am pleased to submit herewith.

In the first place, it is unfortunate that you have characterized the projects mentioned in the article as belonging in the pork barrel category. I refer particularly to the irrigation, reclamation, and flood control projects. I will confine my remarks to the Fryingpan-Arkansas project in Colorado, as I sponsored this project from its inception, and am familiar with its history.

The article is unfair and misleading. It is obvious that many of your readers will be deceived by the pork barrel charges which are manifestly unfounded so far as these projects are concerned.

It is obvious that those who wrote the article are either completely unfamiliar with the history of reclamation in our Western States, or have deliberately refused to recognize the many benefits which this program has brought, not alone to the West, but to the entire Nation. The original Reclamation Act was passed in 1902, since which time the importance of reclamation has been recognized by every administration, and by every Congress.

The development of our water resources is most essential to the economy of our Nation. The threats of water shortage constantly loom in many parts of our Nation, and every effort is being made to find and develop additional supplies of water. I cannot agree that the development of our water resources is pork barrel politics.

Some of the statements on the Fryingpan-Arkansas project are misleading and others are entirely false. The writers state "water that now flows west will flow east and $170 million will flow out of U.S. taxpayers pockets." They fail to tell the readers of Life that all of this money will be returned to the taxpayers, with the exception of about $19 million which is allocated to flood control and fish and wildlife, which are nonreimbursable items. The balance will be paid back to the U.S. Treasury, with interest, except about $66 million allocated to irrigation, which will be repaid in full, but without interest as provided by the Reclamation Act.

I want to make it crystal clear that this is not a handout from the Federal Government, but is a good investment for the American taxpayer. Most of this money will be repaid, as I have indicated, to say nothing of the additional Federal income taxes which will be paid because of the stabilized crops made possible by this project. This has been the history of all reclamation projects, and the Fryingpan-Arkansas will be no exception.

The article states "there is serious doubt the benefits will equal the cost." This project received the most careful study of the

Bureau of Reclamation and independent water engineers over a period of many years. There was never any doubt about the project being feasible. The project has a cost benefit ratio of 1.65 to 1. In other words, for every $1 spent on this project there will be a return of $1.65 in benefits from this project.

The statement that the "House Rules Committee three times refused to clear the bill" is absolutely untrue. As a matter of fact, the Rules Committee cleared this project four times. The committee never at any time refused to approve the bill for consideration by the House.

The writers also state that the "Reclamation Bureau altered its estimate of benefits." There is no foundation for this statement, as the Bureau of Reclamation at no time made any substantial change in its estimate of benefits which would accrue under this project.

The article also comments on the fact that the production of alfalfa in Colorado will be increased, and mentions that there is now "a million acres of alfalfa in the soil bank that no one is allowed to cut." This is not true, as there is now a shortage of alfalfa in Colorado, due to severe drought conditions in our State. Hay has been selling at an unusually high price, and in many cases is not available at any price.

I want to again emphatically protest against this article as being completely misleading and unfair so far as the Fryingpan-Arkansas project in Colorado is concerned. I thank you for the opportunity to express these comments, and I hope that in a future issue of Life your readers will be given the true facts on this project.

With every good wish, I remain,

Cordially,

J. Edgar Chenoweth,
Member of Congress.

U.S. INTERNATIONAL EMPLOYEES SOCIAL SECURITY OPTION BILL

Mr. LINDSAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. LINDSAY. Mr. Speaker, I introduce today for appropriate reference a bill to make social security coverage for U.S. citizens employed by certain international organizations who are serving in the United States optional instead of compulsory. I want to explain the reason for the bill and the solution presented by the bill.

The United Nations has its own social security system. It is mandatory. Some 676 U.S. citizens, three-quarters of the U.S. citizens employed by the U.N., are compelled against their preference to set aside more than 12 percent—in the near future it will be more than 15 percent—of their net income for both U.N. and U.S. social security purposes. These people are being required to pay for more protection than they need.

These employees object to being subject to two mandatory security programs, U.S. social security and the U.N. program. Coordination of the two retirement plans is impossible, as long as both of them provide for mandatory coverage.

The U.N. cannot alter its social security program without adverse effect on the many non-U.S. staff members serving that multinational body with no home-nation program equivalent to U.S. social security.

The proposed bill makes participation in the U.S. social security program by these employees nonmandatory. This is done by amending the operating definitions for self-employment to add an exemption clause for U.S. citizens employed in the United States by certain international organizations. Under the proposed amendment these employees may opt out of the U.S. tax. Their election to file a certificate of withdrawal from the U.S. social security program extends 1 earning year after this bill comes into effect.

I urge the Congress to support this bill.

PROVIDING MORE ADEQUATE FINANCING OF RAILROAD RETIREMENT SYSTEM AND RAILROAD UNEMPLOYMENT INSURANCE SYSTEM

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HARRIS. Mr. Speaker, I have introduced today a bill to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, the Railroad Unemployment Insurance Act, and the Temporary Extended Railroad Unemployment Insurance Benefits Act of 1961 to increase the creditable and taxable compensation, and for other purposes.

It is the purpose of this bill to provide more adequate financing of the railroad retirement system which has an actuarial deficit of $77 million a year or 1.79 percent of taxable payroll, and the railroad unemployment insurance system which has an actual accounting deficiency of more than $300 million.

The bill would improve the financial condition of the railroad retirement system by amending the Railroad Retirement Act and the Railroad Retirement Tax Act to increase the maximum monthly creditable and taxable compensation with respect to the railroad retirement system from $400 to $450 for each employee. This amendment would net the railroad retirement account about $31 million a year on a level basis. The additional revenue to the system would amount to about $71 million a year on a level basis, and the cost of additional benefits resulting from the increase in the compensation base would be about $40 million a year on a level basis. The difference between the two—$71 million, $40 million, or $31 million—would reduce the deficit from $77 million to $46 million a year on a level basis.

The bill would revise the provisions of the Railroad Retirement Act with respect to the crediting of military service toward benefits under the Railroad Retirement Act. These amendments will remove the objections of the Bureau of the Budget to appropriations of amounts totaling about $160 million now due the railroad retirement system for credits for military service rendered in the past. Such appropriations to the railroad retirement account would net the railroad retirement system about $5 million a year on a level basis. This would reduce the deficit further by $5 million a year—$46 million minus $5 million—to $41 million.

Finally, the bill would retain as a minimum guarantee the present 3-percent interest rate on special obligations issued to the railroad retirement account and provide a new formula for determining the interest rates on such special obligations. This formula would provide a yield in line with current market yields on marketable obligations of the United States which do not mature before 3 years. In addition, the bill would require the Secretary of the Treasury to convert, upon the enactment of the bill, the present 3 percent special obligations into special obligations bearing interest rates determined under the new formula. This formula is substantially the same as is provided for other trust funds.

These amendments would result in the railroad retirement account receiving an additional $25 million a year on a level basis. This would further reduce the deficit from $77 million a year to—$77 million minus $31 million minus $5 million minus $25 million—$16 million a year on a level basis.

Upon the enactment of the bill it will be appropriate for the Railroad Retirement Board to assume that the special Treasury obligations in the railroad retirement account would earn interest at the rate of 3.43 percent on a level basis. This 3.43-percent rate includes 0.05 percent from the retention of the 3-percent minimum guarantee and 0.07 percent from the immediate conversion of the present 3-percent special obligations into special obligations bearing interest rates determined under the new formula. Were it not for these two provisions, the board would have to assume an interest rate on such special obligations of 3.31 percent instead of 3.43; and this would result in a projected loss to the railroad retirement account of $8 million a year.

The proposal in the bill to provide the railroad retirement system with a guaranteed rate of 3 percent on interest earned by its special obligations is clearly in accordance with a congressional policy of long standing. Such minimum guarantee has been in the Railroad Retirement Act since 1937 when the prevailing investment yield on general Government obligations was well below this rate. The railroad retirement system has reduced considerably the cost of the Government's relief program, during the depression years 1937–40, by paying then in benefits to railroad employees $282 million more than was paid by the social security system. The 3-percent floor on the interest rates to be earned by the special obligations in the railroad retirement account was apparently the congressional recognition of this burden—through high taxes—on railroad employers and employees, which, in turn, reduced the cost of the Federal relief program. This longstanding congressional policy of providing a 3-percent floor on the interest to be earned by the special obligations in the railroad retirement account, should not be nullified simply because the Congress would now provide the special obligations in the railroad retirement account with the same formula for earning interest rates as it provided for other trust funds.

The provision in the bill for immediate conversion of the special 3-percent obligations now in the railroad retirement account into special obligations bearing interest rates determined under the new formula is reasonable and equitable. The rates of interest earned by obligations newly issued to the social security system and the civil service retirement system are determined from obligations having 4 or more years to run, while the rates provided in the bill for the special obligations in the railroad retirement account would be determined from obligations having 3 or more years to run. This places the railroad retirement funds at a disadvantage in comparison with the other funds. Moreover, for the past 7 or 8 years the Federal Government has gained at the expense of the railroad retirement system from paying only 3 percent on the special obligations in the railroad retirement account when it paid more than that on funds borrowed through general obligations.

The equities are clearly in favor of retaining in the bill the provisions for the 3-percent minimum guarantee and for the immediate conversion of the 3-percent special obligations now in the railroad retirement account into special obligations bearing interest determined under the new formula.

The bill would improve the financial condition of the railroad unemployment insurance system by increasing the maximum contribution rate for the system from 3¾ to 4 percent, effective with respect to compensation paid after December 31, 1963. The additional revenue to the system from this amendment would be $10.8 million a year.

Next, the bill would amend section 3 of the Railroad Unemployment Insurance Act to increase the amount of compensation required for a base year required for an employee to qualify for benefits from $500 to $750 and, if the employee is a new entrant into the system, such compensation must be paid with respect to not less than 7 months in the base year. The savings to the system from this amendment would amount to about $6 million a year.

The bill would amend section 4(a-2)(i) of the Railroad Unemployment Insurance Act to revise the provisions of the act with respect to disqualification for days of unemployment of employees who voluntarily leave work. The effect of this would be to disqualify employees for more days which would otherwise be days of unemployment for which benefits would be payable. The savings to the system from this amendment would amount to about $3.5 million a year.

Finally, the bill would provide sufficient funds for administration of the Railroad Unemployment Insurance Act.

The amendments to the Railroad Unemployment Insurance Act would improve the financial condition of the railroad unemployment insurance system by—$10.8 million plus $6 million plus $3.5 million—about $20.3 million a year. It is expected that these improvements will make unnecessary further borrowing of funds from the railroad retirement account for the payment of benefits under the Railroad Unemployment Insurance Act, and will leave some excess of funds to begin a gradual repayment of the more than $300 million the system owes the railroad retirement account. It is highly important that the need for borrowing funds from the railroad retirement account be brought to an end. In addition, these amendments will make available sufficient funds for administration of the Railroad Unemployment Insurance Act.

Mr. Speaker, I am happy to say that this bill is of, for, and by the railroad industry. It has been carefully worked out as the result of an agreement between the Association of American Railroads, representing substantially all class 1 railroads in the United States, and the American Short Line Railroad Association, representing approximately 250 common carriers by railroad, on the one hand, and the Railway Labor Executives' Association, representing substantially all railroad employees in the United States, on the other. It is indeed gratifying that in the midst of the current disagreements between representatives of railroad labor and railroad management, they are in complete agreement on this bill to improve the financial condition of the railroad retirement system and the railroad unemployment insurance system.

I was very pleased when by a joint letter of a few days ago these three railroad organizations requested me to introduce this bill and I am indeed very glad to do so.

TWENTY-FIVE STATES RECEIVE FOREIGN AID ORDERS IN EXCESS OF $1 MILLION IN 7 MONTHS

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. MATSUNAGA. Mr. Speaker, yesterday I called to the attention of the House the fact that 80 percent of foreign aid dollars is spent right here in our own United States. The Agency for International Development has reported that during the first 7 months of this year, 25 States received procurement orders in excess of $1 million each under the U.S. foreign aid program. These States are: New York, Massachusetts, Pennsylvania, Ohio, Texas, Illinois, New Jersey, Michigan, Maryland, California, Alabama, Louisiana, Colorado, Connecticut, Florida, Georgia, Indiana, Mississippi, Missouri, North Carolina, South Carolina, Virginia, Washington, West Virginia, and Wisconsin.

Private firms in 47 of the 50 States shared in $175,398,616 worth of orders recorded during the period from January through July 1963. The total represents procurement directly traceable to the State of production. For this reason and for the further reason that reporting is based on letter-of-credit transactions exceeding $10,000, the figure is far less than the full national total of AID-financed business. The geographic impact of such purchases are, however, indicated.

The orders cover a wide variety of industrial and agricultural products and materials purchased in developing countries for use in particular projects or promoting economic growth. Purchases are financed by U.S. development loans or grants, terms of which direct most procurement to American suppliers.

Value of orders recorded during the month of July was $28,852,373. Leading States last month were Maryland with a $3.9 million total consisting largely of iron and steel orders, New York with $3.2 million total from a wide range of industrial orders, and Mississippi whose $2.9 million total involves a large order for fertilizer material.

Amounts for all States in July and the first 7 months of this year are presented in the table below:

U.S. commodity procurement under foreign aid program

[Detailed listing of cities and individual firms not available]

State of production	July 1963	Cumulative January–July 1963
Alabama	$1,841,704.40	$5,365,706.95
Alaska	41,505.15	294,247.20
Arizona	11,890.38	37,317.82
Arkansas	----------	6,799.55
California	731,298.94	5,534,672.74
Colorado	16,708.43	1,248,670.53
Connecticut	376,189.15	2,034,015.41
Delaware	104,816.50	335,929.75
Florida	3,477.39	3,278,155.02
Georgia	46,720.00	2,309,553.03
Hawaii	----------	----------
Idaho	----------	16,460.64
Illinois	1,475,163.75	9,672,173.61
Indiana	279,994.96	4,394,737.71
Iowa	41,193.63	561,536.89
Kansas	6,867.34	105,863.78
Kentucky	61,447.48	926,420.31
Louisiana	1,653,727.42	5,234,426.48
Maine	----------	8,410.00
Maryland	3,957,500.39	8,650,436.39
Massachusetts	474,513.75	14,721,157.15
Michigan	1,892,950.77	8,762,063.74
Minnesota	31,520.97	698,876.92
Mississippi	2,904,265.00	3,173,985.81
Missouri	146,257.92	1,224,918.01
Montana	----------	124,000.00
Nebraska	----------	8,988.00
Nevada	----------	----------
New Hampshire	----------	2,040.00
New Jersey	1,450,057.16	9,416,635.33
New Mexico	----------	183,079.51
New York	3,287,577.06	35,472,001.13
North Carolina	----------	1,050,099.14
North Dakota	----------	----------
Ohio	2,500,707.73	10,476,854.84
Oklahoma	330,104.21	954,016.46
Oregon	43,714.25	646,111.67
Pennsylvania	722,217.23	14,110,798.57
Rhode Island	35,500.34	187,443.20
South Carolina	147,043.31	1,241,477.80
South Dakota	----------	15,439.80
Tennessee	----------	623,212.10
Texas	2,158,983.92	10,474,212.57
Utah	6,600.00	120,506.68
Vermont	----------	45,659.32
Virginia	468,675.87	1,648,927.89
Washington	743,171.60	4,727,283.68
West Virginia	683,637.83	3,271,825.57
Wisconsin	171,027.42	1,990,340.37
Wyoming	3,641.95	11,127.70
Total	28,852,373.60	175,398,616.86

FOREIGN AID BILL

The **SPEAKER.** Under previous order of the House, the gentleman from Minnesota [Mr. FRASER] is recognized for 60 minutes.

Mr. FRASER. Mr. Speaker, yesterday the House was privileged to hear a number of our colleagues discuss the foreign aid bill. They discussed at length certain questions which have been raised about the program, and demonstrated that we are making progress in achieving our objectives.

Mr. Speaker, we in Congress are considering this year appropriations totaling $50 billion to secure the defense of our Nation. There is no higher nor more pressing concern for this Congress than to provide the military strength necessary to deter aggression against us. We have met and are continuing to meet this challenge successfully.

Nevertheless, the requirements for an adequate military establishment are continually changing as the world changes. Countries rise and fall in their capacity to make war, alliances shift and the balance of power is constantly in flux. The number of nations which today are capable of engaging in modern warfare is limited. There are only two major nuclear powers, and we have, for the time being, struck an uneasy balance of power.

Mr. Speaker, the world is changing every day. Before too many years there will be more nations capable of engaging in modern warfare. The newly independent and underdeveloped countries of this world will be growing stronger. Thus we must think about our Nation's security, not just in the context of the military and economic power which exists today, but also in the context of the emerging patterns which will result from a changing world. We have only 6 percent of the world's population. We cannot live and survive alone in a hostile world. The independence and freedom of other nations must be of direct concern to us.

Our national security, therefore, requires that we seek to influence the changing patterns so as to create a favorable environment in the world—an environment which is not hostile but friendly to the concepts of freedom and independence.

This is one of the principal reasons why the United States must continue in partnership with its allies to provide assistance to other nations of the world. This is why I strongly support the Foreign Assistance Act of 1963. I believe that this program together with the food-for-peace program and the Peace Corps and related programs provide the only tools with which the Executive can seek to influence and shape events abroad. It would be tragic for us to abandon this effort and thus default to the Communist efforts to spread their system throughout the world.

Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. MOORHEAD].

Mr. MOORHEAD. Mr. Speaker, I thank the gentleman for yielding to me. First I would like to commend the gentleman for his very careful and penetrating analysis of our foreign aid program. I think he is rendering, as he has done since he joined this group, a real service not only to the Congress but to the Nation as well. I think that the gentleman has been very timely in bringing this problem of foreign aid to our attention when we consider that the foreign aid bill will be before us next week.

Mr. Speaker, it has been said that success has a thousand fathers and failure is an orphan.

Annually, the foreign aid bill is given orphan treatment by the U.S. Congress.

Is this because the program has been a failure or is it because its recipients are not voting constituents?

As we consider the foreign aid bill next week and consider whether or not it is a successful weapon in the cold war, let us not look exclusively to the turmoil of the present but with the perspective of history. Let us see where foreign aid made the vital difference.

Japan, Israel, and many countries in Europe can be pointed out as successfully completed foreign aid programs. However, the most dramatic analogy to today's troubled situations is the nation of Greece in 1946.

In the fall of 1946, Greece, a small nation with limited resources, but a love of freedom that has stretched across 2,000 years and more, was in desperate straits. She had been at war almost continuously since 1940. She had almost no funds to maintain her Government, feed her people, and fight the threat of a Communist-directed guerrilla war. All of her major ports were destroyed, as were 90 percent of her railroads. Only 138 ships of all kinds were left in the Greek commercial fleet, which before the war numbered 10 times that many. National income was 41 percent and industrial production 35 percent of prewar rates. The country's economy was being engulfed by inflation.

Communist guerrillas had started an all-out civil war as part of a drive to take Greece, Turkey, and Iran. Neighboring Communist nations gave them heavy support. Guerrillas moved freely over the borders into Yugoslavia, Albania, and Bulgaria. At the height of the conflict, Communist guerrillas penetrated to within 20 miles of Athens and raided the outskirts of Salonika.

As Greece's situation became more desperate, her means for handling it were diminishing. The relief provided by UNRRA ended in December 1946. The military and economic assistance provided by the British was inadequate and the British had advised us they would not be able to continue their aid any longer. The decision to aid Greece was squarely up to the United States. Fortunately, those in power knew what the collapse of Greece would mean to the free world. On March 12, 1947, President Truman came before the Congress to rally the country behind what came to be called the "Truman doctrine." Congress responded to the call by approving $400 million in aid to Greece and Turkey and the first shipments of military and civilian supplies arrived in Greece in August of that year. The Communist guerrilla superiority in weapons was lost. American military advisers, headed by Gen. James A. van Fleet, soon arrived to help in the Greek national army's training program. As in Vietnam today, American troops worked closely with national forces both in training camps and in the field, sharing the hardship and, on many occasions, exposing themselves to enemy gunfire.

Tito's break with Moscow closed the border to insurgents and speeded the tipping of the scales. The rest was largely a mopping-up operation.

The guerrilla war had taken a heavy economic and human toll, and the ask of rebuilding was greater in 1949 than at the end of World War II.

Economic aid took over where military aid left off. With U.S. help, a broad program of economic rehabilitation and development began. The results speak for themselves.

Over the past 10 years the gross national product in Greece has risen at an annual rate of 6 percent. Per capita income has grown more than 5 percent a year. Between 1950 and 1961, agricultural output rose 73 percent and industrial production 150 percent.

In 1961, Greece was still importing more than she exported, but the $195 million trade deficit was more than covered by remittances from emigrants and the inflow of private capital and intergovernment loans. I would say here that no group has been more helpful to their loved ones left behind than our 10,000 Greek people in the city of Pittsburgh. Their leaders have also been very active in civic and community enterprises.

To continue, Mr. Speaker, total U.S. aid to Greece has equaled 18 percent of gross investment for the period 1950–61 and accounts for 37 percent of the net inflow of foreign capital during the period. Aid from the United States was highest between 1949 and 1953, averaging roughly $140 million a year. Since then it has dropped steadily; both development grants and technical assistance programs were ended as of June 1962.

Military aid from the United States has equaled economic assistance in amount, and released Greek resources for development rather than defense support.

A steady increase, since 1956, in domestic savings and the opening of new sources of external financing and reduced Greek dependence on U.S. assistance to finance its continued growth. If the Greek economy can continue its past rate of growth, the ratio of domestic savings to total investment should also improve and the country should continue to attract foreign capital.

It is to the advantage of American business to help these nations strengthen their economy. For example, the Export-Import Bank has approved, since the war, a total of $33.3 million of loans in Greece. Of that amount $16.8 million have actually been disbursed with the provision that only American equipment and goods may be purchased with this money. Six million dollars have already been paid back in hard currency and, here is the kicker, $5.8 million has been repaid in the form of interest and commissions. This $5.8 million is a very healthy sign for our balance-of-payments situation for we may expect to see this continued in a positive way as more and more of our loans come due. Greece by now will receive no more grants but will enable us to continue in our position as banker of the world by applying for hard loans.

U.S. aid was the prelude to the closer identification of Greece with the free world and with Western Europe. As the Greek Government said in memorandum to the U.S. Government, "without your assistance, the maintenance and independence of the country would have been problematic." Greece has been a member of NATO since the fall of 1951. She was also admitted to the Common Market in January 1963, as an associate member, and plans are being laid for a Greek aid consortium.

Greece today has not changed its place on the map. It is still an outpost of freedom. It is meeting its NATO obligations. It spends, for a small country, an unusually large part of its budget for defense. Yet its cost per man is only one-tenth that of what it would take the United States to station a man there. It maintains a well-trained army and air force and a small but capable navy. The percentage of their country's manpower in uniform is the highest in NATO and even tops the United States. There was no question of her absolute and complete support during the Cuban crisis.

Greece is a good example of the results which can be achieved by foreign aid. We sometimes despair about the seeming lack of progress in helping countries to become self-supporting. Yet who would have thought that within the span of 15 years, Greece not only would have escaped the yoke of communism but made such remarkable strides in economic development. Foreign aid made the vital difference.

Mr. FRASER. Mr. Speaker, I want to thank the gentleman from Pennsylvania for his excellent presentation of one of the real success stories of our foreign-aid policy. I know that the gentleman has recognized the value of this program by his actions in the past. I think that this story he has told us today adds to the record.

Mr. Speaker, at this time I should like to yield to the gentleman from Hawaii [Mr. GILL].

Mr. GILL. Mr. Speaker, next week we are scheduled to consider foreign aid. This is a bad year for the foreign aid program. It has no constituents as such; its effect is indirect and little understood; it is an easy first victim of any economy drive.

The purpose of these remarks is to demonstrate in a small way that foreign aid is not only a humanitarian effort, but also an essential tool of our foreign policy. If you disregard human values, this is the way we wage a cold war. There are those who counsel nuclear war to solve our problems, but fortunately they are few and beyond the fringe; there are those who counsel surrender, and happily they are of little importance. The only alternative we have is active and effective competition with the Communist bloc, largely on the world economic front. This economic warfare, if you will, would have to be carried on in some form regardless of whether we have an AID program or not. It so happens that AID is our weapon at the moment. Let us use it sensibly and well. First, let us try to understand it.

Now to specifics. I hope to spend the next few minutes exploring in more detail aid to India—one of the largest and most important of our AID programs.

We may expect that the attack on foreign aid as such will center on India. Why? India is an easy mark. We know little about this country. There are few voters of Indian extraction. India's foreign policy, at least until very recently, has made us extremely uneasy. Many have neither understood nor approved their neutralism. It was easy to use the black or white approach in foreign relations and say, "If they are not for us they must be against us." It is also possible that some of us subconsciously recoil from the thought of a nation of hundreds of millions of dark-skinned people. Of course, there are others whose adverse reactions are sparked by an Indian government that often speaks in the vernacular of the Fabian Socialists.

While aid to Indian is easy to attack—and such attacks may even be worth votes at home—we cannot overlook the vital importance of this tremendous nation in the world and particularly in Asia. Here is a subcontinent with 450 million souls, whose numbers are growing at the rate of 9.5 million people per year. Here is 15 percent of the world's people; here are half of the people in non-Communist Asia.

India is destined to become a massive economic pivot between the West and Communist China. It has a mixed economy. Private production is 85 percent of its total production. Those who repeat the cant of private enterprise should note that only 84.2 percent of our country's total production is private. Taiwan, often the darling of those who disapprove of socialist inclined foreign countries, has, according to Fortune magazine, only about 60 percent of its total investment in the private sector. However, today the economy of India is tiny by our standards. Her gross national product was only $36 billion in 1960—about 7 percent of our GNP that year.

Politically, India is a democracy in the Western sense. Perhaps its greatest legacy from the British has been a democratic political structure and a workable civil service. Over half of India's eligible voters cast their ballot in the 1962 election—a tremendous achievement considering India's 24-percent level of literacy and her diversity. India's judicial system, like ours, draws from the Anglo-Saxon concept of individual rights; there are not many nations in Asia, or in the world for that matter, about which the same can be said.

The democratic trend in Indian politics has been strong from the beginning. The dominant Congress Party, in the first general election in 1952, won 362 out of 489 seats in the lower House of Parliament; the Communists won 16 seats and a variety of parties the balance. In the second election in 1957 the picture was similar: The Congress Party took 371 out of 494 seats, the Communists took 27, and the balance went to other minor groups. In the last or 1962 election the picture was roughly similar with the Congress Party taking almost three-fourths of the seats and the Communist Party taking only 29.

The attitude of the Indian Government toward the Communist Party of India is instructive. In 1948 to 1950, when the "line" of the Indian Communist was armed violence, the Nehru government suppressed the violence with determination and, at one time, had between 4,000 and 5,000 Communist leaders in jail. In 1957 when the Communists, though they had only 35 percent of the vote, split the opposition and gained control of the state government of the State of Kerala, the efforts of Nehru and the citizens of the State led to the collapse and dismissal of the Communist State government in 1959 and their subsequent defeat at the polls the following year.

Of course it is common knowledge now that the Communist Party of India is not only in disrepute because of the Chinese invasion but badly split because of the current ideological dispute between China and Russia. They will continue to be a threat, but their main hopes of success lie in either a Chinese military victory or in internal economic collapse of India. If the present Government of India, hopefully with our help, maintains its present vigor, the chances of either occurrence are limited.

It seems obvious to me that the preservation and development of this new nation, in its present pattern, is one of the most important tasks in the free world today. You may choose the humanitarian reason that we should raise the hopes and the lives of 450 million people from the slough of poverty, famine and disease; you may choose the selfish national reason that we cannot afford to allow almost half a billion people to slip behind the Communist curtain. You may choose what reason you will, but the answer is still the same: we must participate in the development of India.

What are we being asked to do? Simply put, we are being asked to contribute to the building of India's basic tools so that she may stand firmly on her own economic feet; we are being asked to insure against her possible collapse as a nation in the face of serious Chinese pressure; we are being asked to promote her political independence so that she will not fall under the domination of the Soviet bloc. If we fail in any respect,

FOREIGN AID BILL

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Nevertheless, the requirements for an adequate military establishment are continually changing as the world changes. Countries rise and fall in their capacity to make war, alliances shift and the balance of power is constantly in flux. The number of nations which today are capable of engaging in modern warfare is limited. There are only two major nuclear powers, and we have, for the time being, struck an uneasy balance of power.

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Economic aid took over where military aid left off. With U.S. help, a broad program of economic rehabilitation and development began. The results speak for themselves.

Over the past 10 years the gross national product in Greece has risen at an annual rate of 6 percent. Per capita income has grown more than 5 percent a year. Between 1950 and 1961, agricultural output rose 73 percent and industrial production 150 percent.

In 1961, Greece was still importing more than she exported, but the $195 million trade deficit was more than covered by remittances from emigrants and the inflow of private capital and intergovernment loans. I would say here that no group has been more helpful to their loved ones left behind than our 10,000 Greek people in the city of Pittsburgh. Their leaders have also been very active in civic and community enterprises.

To continue, Mr. Speaker, total U.S. aid to Greece has equaled 18 percent of gross investment for the period 1950–61 and accounts for 37 percent of the net inflow of foreign capital during the period. Aid from the United States was highest between 1949 and 1953, averaging roughly $140 million a year. Since then it has dropped steadily; both development grants and technical assistance programs were ended as of June 1962.

Military aid from the United States has equaled economic assistance in amount, and released Greek resources for development rather than defense support.

A steady increase, since 1956, in domestic savings and the opening of new sources of external financing and reduced Greek dependence on U.S. assistance to finance its continued growth. If the Greek economy can continue its past rate of growth, the ratio of domestic savings to total investment should also improve and the country should continue to attract foreign capital.

It is to the advantage of American business to help these nations strengthen their economy. For example, the Export-Import Bank has approved, since the war, a total of $33.3 million of loans in Greece. Of that amount $16.8 million have actually been disbursed with the provision that only American equipment and goods may be purchased with this money. Six million dollars have already been paid back in hard currency and, here is the kicker, $5.8 million has been repaid in the form of interest and commissions. This $5.8 million is a very healthy sign for our balance-of-payments situation for we may expect to see this continued in a positive way as more and more of our loans come due. Greece by now will receive no more grants but will enable us to continue in our position as banker of the world by applying for hard loans.

U.S. aid was the prelude to the closer identification of Greece with the free world and with Western Europe. As the Greek Government said in memorandum to the U.S. Government, "without your assistance, the maintenance and independence of the country would have been problematic." Greece has been a member of NATO since the fall of 1951. She was also admitted to the Common Market in January 1963, as an associate member, and plans are being laid for a Greek aid consortium.

Greece today has not changed its place on the map. It is still an outpost of freedom. It is meeting its NATO obligations. It spends, for a small country, an unusually large part of its budget for defense. Yet its cost per man is only one-tenth that of what it would take the United States to station a man there. It maintains a well-trained army and air force and a small but capable navy. The percentage of their country's manpower in uniform is the highest in NATO and even tops the United States. There was no question of her absolute and complete support during the Cuban crisis.

Greece is a good example of the results which can be achieved by foreign aid. We sometimes despair about the seeming lack of progress in helping countries to become self-supporting. Yet who would have thought that within the span of 15 years, Greece not only would have escaped the yoke of communism but made such remarkable strides in economic development. Foreign aid made the vital difference.

Mr. FRASER. Mr. Speaker, I want to thank the gentleman from Pennsylvania for his excellent presentation of one of the real success stories of our foreign-aid policy. I know that the gentleman has recognized the value of this program by his actions in the past. I think that this story he has told us today adds to the record.

Mr. Speaker, at this time I should like to yield to the gentleman from Hawaii [Mr. GILL].

Mr. GILL. Mr. Speaker, next week we are scheduled to consider foreign aid. This is a bad year for the foreign aid program. It has no constituents as such; its effect is indirect and little understood; it is an easy first victim of any economy drive.

The purpose of these remarks is to demonstrate in a small way that foreign aid is not only a humanitarian effort, but also an essential tool of our foreign policy. If you disregard human values, this is the way we wage a cold war. There are those who counsel nuclear war to solve our problems, but fortunately they are few and beyond the fringe; there are those who counsel surrender, and happily they are of little importance. The only alternative we have is active and effective competition with the Communist bloc, largely on the world economic front. This economic warfare, if you will, would have to be carried on in some form regardless of whether we have an AID program or not. It so happens that AID is our weapon at the moment. Let us use it sensibly and well. First, let us try to understand it.

Now to specifics. I hope to spend the next few minutes exploring in more detail aid to India—one of the largest and most important of our AID programs.

We may expect that the attack on foreign aid as such will center on India. Why? India is an easy mark. We know little about this country. There are few voters of Indian extraction. India's foreign policy, at least until very recently, has made us extremely uneasy. Many have neither understood nor approved their neutralism. It was easy to use the black or white approach in foreign relations and say, "If they are not for us they must be against us." It is also possible that some of us subconsciously recoil from the thought of a nation of hundreds of millions of dark-skinned people. Of course, there are others whose adverse reactions are sparked by an Indian government that often speaks in the vernacular of the Fabian Socialists.

While aid to Indian is easy to attack—and such attacks may even be worth votes at home—we cannot overlook the vital importance of this tremendous nation in the world and particularly in Asia. Here is a subcontinent with 450 million souls, whose numbers are growing at the rate of 9.5 million people per year. Here is 15 percent of the world's people; here are half of the people in non-Communist Asia.

India is destined to become a massive economic pivot between the West and Communist China. It has a mixed economy. Private production is 85 percent of its total production. Those who repeat the cant of private enterprise should note that only 84.2 percent of our country's total production is private. Taiwan, often the darling of those who disapprove of socialist inclined foreign countries, has, according to Fortune magazine, only about 60 percent of its total investment in the private sector. However, today the economy of India is tiny by our standards. Her gross national product was only $36 billion in 1960—about 7 percent of our GNP that year.

Politically, India is a democracy in the Western sense. Perhaps its greatest legacy from the British has been a democratic political structure and a workable civil service. Over half of India's eligible voters cast their ballot in the 1962 election—a tremendous achievement considering India's 24-percent level of literacy and her diversity. India's judicial system, like ours, draws from the Anglo-Saxon concept of individual rights; there are not many nations in Asia, or in the world for that matter, about which the same can be said.

The democratic trend in Indian politics has been strong from the beginning. The dominant Congress Party, in the first general election in 1952, won 362 out of 489 seats in the lower House of Parliament; the Communists won 16 seats and a variety of parties the balance. In the second election in 1957 the picture was similar: The Congress Party took 371 out of 494 seats, the Communists took 27, and the balance went to other minor groups. In the last or 1962 election the picture was roughly similar with the Congress Party taking almost three-fourths of the seats and the Communist Party taking only 29.

The attitude of the Indian Government toward the Communist Party of India is instructive. In 1948 to 1950, when the "line" of the Indian Communist was armed violence, the Nehru government suppressed the violence with determination and, at one time, had between 4,000 and 5,000 Communist leaders in jail. In 1957 when the Communists, though they had only 35 percent of the vote, split the opposition and gained control of the state government of the State of Kerala, the efforts of Nehru and the citizens of the State led to the collapse and dismissal of the Communist State government in 1959 and their subsequent defeat at the polls the following year.

Of course it is common knowledge now that the Communist Party of India is not only in disrepute because of the Chinese invasion but badly split because of the current ideological dispute between China and Russia. They will continue to be a threat, but their main hopes of success lie in either a Chinese military victory or in internal economic collapse of India. If the present Government of India, hopefully with our help, maintains its present vigor, the chances of either occurrence are limited.

It seems obvious to me that the preservation and development of this new nation, in its present pattern, is one of the most important tasks in the free world today. You may choose the humanitarian reason that we should raise the hopes and the lives of 450 million people from the slough of poverty, famine and disease; you may choose the selfish national reason that we cannot afford to allow almost half a billion people to slip behind the Communist curtain. You may choose what reason you will, but the answer is still the same: we must participate in the development of India.

What are we being asked to do? Simply put, we are being asked to contribute to the building of India's basic tools so that she may stand firmly on her own economic feet; we are being asked to insure against her possible collapse as a nation in the face of serious Chinese pressure; we are being asked to promote her political independence so that she will not fall under the domination of the Soviet bloc. If we fail in any respect, we will incur, inevitably, far greater economic burdens than we now contemplate.

We are asked to help India, but is India helping herself? The following chart indicates clearly that India has done, is doing, and plans to do most of her development out of her own resources.

India is financing its development program largely from domestic resources, as shown in the following table:

[Billions of dollars]

	1st plan, 1951-56	2d plan, 1956-61	3d plan, 1961-66
Total investment	7.1	14.2	21.8
Financed from:			
Domestic sources	6.7	11.9	17.2
Foreign aid	.4	2.3	4.6
Percent financed from:			
Domestic sources	94.0	84.0	79.0
Foreign aid	6.0	16.0	21.0

In summary, this chart shows that during India's first 5-year plan from 1951 to 1956, out of a total investment of $7.1 billion, India supplied 94 percent; in her second 5-year plan of development, from 1956 to 1961, out of a total investment of $14.2 billion, India financed 84 percent; in her projected third 5-year plan, from 1961 to 1966, India proposes to invest $21.8 billion and to contribute 79 percent of this herself.

India has done well to this point. Considering her great difficulties, she has done amazingly well. She has managed to keep her rate of national growth a modest step ahead of her population growth. To continue to do this, and to reach the modest goals she has set, she needs the help of other countries. We are being asked to participate.

Mr. CONTE. Mr. Speaker, will the gentleman yield?

Mr. GILL. I yield to the gentleman from Massachusetts.

Mr. CONTE. Could the gentleman give me that figure of what the United States contributed to India during this period of time?

Mr. GILL. During the period of the first two 5-year plans from 1951 to 1961 the United States contributed $3.3 billion in development money. Of course, there was food in addition to that.

Mr. CONTE. I think the gentleman will find, if you go back to 1946 and inspect all of these spigots of foreign aid, for example, Public Law 480, development loans, special assistance, technical assistance and so forth, the United States has contributed about $11 billion to India.

Mr. GILL. The figures I gave were for development money for the two 5-year plans from 1951 to 1961. If the gentleman has other supplemental figures I will be glad to look at them.

What part have we in the free world played in the development of India to date? In the first two 5-year plans, from 1951 to 1961, the free world contributed $5.2 billion, of which $3.3 billion came from the United States. The Soviet bloc contributed less than $1 billion in this same period. I include at this point a table which gives the individual contributions of the various countries involved in both the free world and the Soviet bloc:

TABLE A.—*Total free world and Soviet bloc assistance to India during first and second 5-year plans (ending Mar. 31, 1961)*

[Millions of dollars equivalent]

Free world:	
United States	3,308.2
IBRD	682.0
IDA	60.0
United Kingdom	425.6
West Germany	339.6
Canada	226.0
Japan	79.0
Switzerland	22.9
Austria	14.0
Yugoslavia	40.0
Norway	3.5
Colombo plan	34.6
Subtotal	5,235.4
Soviet bloc:	
U.S.S.R.	809.5
Czechoslovakia	73.1
East Germany	3.0
Rumania	11.7
Poland	30.0
Hungary	16.5
Subtotal	943.8
Grand total	6,179.2

What do we expect to do in the future? In the third 5-year plan now underway, it is anticipated that the free world will contribute more than $5 billion in development money. This will include more than $2 billion from the United States, not counting surplus farm commodities. The Soviet bloc is expected to contribute about $900 million. The table, which I now include, shows this picture in greater detail for the first 2 years:

TABLE B.—*Free world and Soviet bloc commitments to the first 2 years of India's third 5-year plan, starting April 1961*

[Millions of dollars equivalent]

Free world:	
United States	[1] 980.0
IBRD and IDA	[1] 450.0
United Kingdom	[1] 266.0
West Germany	[1] 364.0
Canada	[1] 58.0
Japan	[1] 105.0
France	[1] 60.0
Switzerland	23.0
Austria	14.0
Yugoslavia	40.0
Subtotal	[2] [3] 2,442.0
Soviet bloc:	
U.S.S.R.	500.0
Czechoslovakia	48.5
Poland	30.0
Hungary	16.5
Total	595.0
Grand total	3,037.0

[1] Committed by members of India consortium.

[2] In addition to the above commitments, the United States has already undertaken to assist India's third plan by making available surplus commodities in the amount of roughly $300 million annually.

[3] Excludes $200 million IMF drawing right extended February 1957 and $250 million drawing right extended July 1961.

This is a lot of money. However, when you consider that our gross national product is increasing every year, and now runs at the rate of over $550 billion a year, what we may contribute to the price of the long range development of India is a relatively small amount.

There is one particular point in our aid to India which bears special consideration, if for no other reason that it may be the focal point of attack. This is the so-called Bokaro steel mill project. This proposal, which has been under study by the United States Steel Corp., at the behest of the U.S. Government, may be the working bar by which some hope to tear down aid to India in particular and the AID program in general.

What is this suggested project all about?

First, let us look at the need. At present, India has two private steel mills and three Government steel mills. Both the private and the Government sector have about equal shares of the present approximately 6 million metric ton steel capacity. By 1976 the Indians plan to increase their present plant to produce around 11 million metric tons annually. Even so, they expect to have a deficit of almost 6 million tons. Obviously, they need new plants with new capacity.

The estimate is that Bokaro can produce about 4 million metric tons by 1976 and thus cure more than half of the anticipated deficit.

How much will Bokaro cost? The total cost, based on U.S. steel figures, is about $1.5 billion. The proposal calls for almost $900 million from Indian sources. It is proposed that the United States will loan about $512 million to cover the foreign share of the first stage. The proposal further states that the plant will be built by U.S. firms, using our materials, and will be managed by U.S. technicians for about 10 years. I think we can all see the advantage to us of having our people using our tools in the largest steel plant in India during this formative industrial period.

The specter of socialism has been raised. It will be raised many times to defeat this project. However, the facts are that the responsible leaders of India's private steel industry have expressed their support for Bokaro as a project run by the Government of India; I am informed they have also made clear their inability to handle a project of this magnitude on a private basis without cutting back on their own planned expansion.

In all the ideological confusion, one thing is clear: India needs the steel that Bokaro will produce to build her industrial base and to give life to the many private firms in the Indian economy that need steel to grow.

In summary, we are being asked to invest in our own future as well as the future of the almost half a billion people of the Indian subcontinent. India is a vital key to the future of Asia. India is a proud nation of proud people. Their inclination is to the West; many of their traditions are our traditions. It behooves us to move forward with them toward a more peaceful and stable world.

Mr. FRASER. I thank the gentleman from Hawaii for his excellent presentation concerning India. I think the gentleman has brought out very forcefully why we cannot abandon this country and leave it to its fate without aid from the United States and its allies, this country which occupies such a strategic position in the subcontinent and which has a total population larger than the combined populations of the continents of South America and Africa.

Mr. Speaker, I now yield to the gentleman from Michigan [Mr. O'Hara].

Mr. O'HARA of Michigan. Mr. Speaker, a major criticism of our foreign aid program is its alleged lack of selectivity. It is said that the program is not selective enough in its choice of programs and projects; that the requirements which aid recipients must meet are not extensive or strict enough; that the program is wasteful and inefficient by the very fact that it aids so many countries; that it has spread itself too thin to be effective. These criticisms are usually backed up with the single statistic that the United States is giving foreign aid to about 107 nations of the free world.

Some of the criticism is justified, particularly in hindsight. The aid program has been handicapped because of a lack of proper planning and programing. Recently, however, the picture appears to have improved considerably. Greater selectivity is now being introduced in the foreign aid program through the use of three major criteria in determining the form and amount of assistance the United States should furnish a given country.

The first of these is self-help—the extent to which a country is using its own resources for development. Experience over the past 15 years has demonstrated that outside assistance can be effective only if recipient countries provide local energy, initiative, and leadership, as well as capital and technical skills. Accordingly, the extent of self-help on the part of the recipient country is now a primary factor in the allocation of U.S.-aid funds.

The second selective criterion is other possible sources of aid. The United States is not alone in providing capital and technical assistance.

The success of past aid programs in Europe and Japan now enables those nations to provide more than 40 percent of the world's total aid to less-developed countries. European nations, for example, contribute 73 percent of all aid to Africa. The availability of aid from outside the United States—from other nations or from international organizations—is a major determinant in the allocation of U.S.-aid funds.

The third selective criterion is that of U.S. interests. The overriding objective of all U.S. assistance is to strengthen the security of the free world. The nations which are to receive U.S. aid, and the form and amounts they will receive, are selected and determined, to a large extent, on the basis of the relationship of such assistance to the security of the United States and the free world.

The strict use of these selective criteria has resulted in a proposed foreign aid program for 1964 whch shows a high degree of selectivity: 50 countries will receive more than 80 percent of all aid funds, military and economic; 20 countries have been selected to receive 80 percent of our total economic assistance for 1964; 10 countries will receive 80 percent of our total military assistance; 6 countries will receive 80 percent of our development loan funds; 6 countries in Latin America will receive 80 percent of our Alliance for Progress loans; and 7 countries will receive 80 percent of our supporting assistance.

These statistics, which illustrate the very high degree of concentration of U.S.-aid funds in a relatively small number of nations, provide one of the best indicators of the degree of selectivity now being applied in our foreign aid program.

What, then, accounts for the large number of countries receiving aid? What is the answer to the allegations that we are giving foreign aid to 107 countries? The answer is that 79 countries and 7 territories, a total of 86, received economic aid in 1962—this is the total number of countries and territories which received U.S. foreign aid from the State Department. In addition, 5 countries received only Public Law 480 and military assistance, 7 countries received only military assistance; 9 countries received only Public Law 480 assistance, making 107 countries and territories which received, during 1962, some form of assistance.

A large number of the 86 countries getting economic aid receive only very limited assistance, however.

Forty-five nations will receive 10 percent of our total economic assistance and 7 percent of our military assistance in fiscal year 1964. These 45 countries are for the most part newly independent countries where our aid consisted chiefly of technical assistance or limited capital loans; 27 of these 45 nations are in Africa.

Although the amount of aid we are supplying to these nations is small, it serves highly important ends. And the returns we reap for our small investments are considerable. Limited aid to these 45 nations serves to demonstrate our interest in their progress. Small amounts of aid also help to counter Soviet bloc influences or to maintain a U.S. presence pending changes favorable to free world interests.

It is these 45 nations—receiving less than 10 percent of our total aid effort—which swell the total number of nations receiving economic aid. To stop limited aid to these nations would sacrifice the vital interests of the United States and the free world without producing any substantial savings in the total cost of the program.

Foreign aid is also more selective as a result of better planning and programing, both by our Government and by recipient governments. For years, one of the greatest weaknesses of the aid program has been the lack of a comprehensive U.S. approach to the problems of a country, as well as the lack of planning by the countries being aided. Until recently, most aid has been given on a project-by-project basis. There was very little intensive and systematic analysis of the situation in each country, together with analysis of ways in which the United States could most effectively assist with development of the country. The procedure now being used by our aid officials is a great improvement over the old system. Careful studies are made of each country, and comprehensive plans are set forth to maximize the effectiveness of U.S. assistance. Except where urgent political considerations are involved, aid is given according to development priorities established for each country. Careful studies are made of a country's progress in order to make sure that U.S. aid is achieving maximum results, and that the country is undertaking satisfactory self-help measures.

We are now also encouraging and helping countries to study their problems and to formulate their own development plans.

In the case of the Alliance for Progress, every Latin American country is required to submit development plans to an expert committee of the Organization of American States for review and recommendation.

A third way in which greater selectivity has recently been introduced into our foreign aid program is through agreements on conditions or requirements which must be met before aid is forthcoming. We labored for many years under the mistaken assumption that such conditions or strings on aid constituted interference in the domestic affairs of other countries, and, therefore, were wrong. By contrast, it is now recognized that in order for U.S. assistance to be effective, agreement has to be effective, agreement has to be reached between the United States and the recipient country on conditions which must be met before aid can be made available. This is one of the most hopeful and outstanding improvements made in the foreign aid program since the Agency for International Development was established in 1961.

These, then, are the three means through which foreign aid has now been made more selective: First, use of most aid money for the concentrated number of nations showing the greatest potential for development; second, a more comprehensive approach to the development of a country, including the establishment of priorities, through better United States and local development planning; and third, agreement on conditions which a country must meet in order to receive aid.

Selectivity will remain a problem in the administration of foreign aid. The aid program still serves a number of different and sometimes conflicting purposes. This fact, together with the complexities of development and the difficulties inherent in a human undertaking of this magnitude, will continue to make foreign aid less selective than we might like. But great enterprises are not always tidy and efficient, and although greater selectivity is important, with foreign aid as with war, it is the final result that counts.

Mr. FRASER. I thank the gentleman from Michigan for his excellent statement on the technique of administering our foreign aid program.

Mr. SICKLES. Mr. Speaker, will the gentleman yield?

Mr. FRASER. I yield to the gentleman from Maryland.

Mr. SICKLES. Mr. Speaker, at this time I would like to address a few remarks with respect to the subject of foreign aid, particularly as it affects foreign trade. Although the foreign aid program is not directly responsible for promoting U.S. exports, there is, of course, a direct tie-in between foreign aid and foreign trade.

The greatest potential for expanding our markets in today's world is within the very countries we are now helping with foreign aid. These countries contain more than 50 percent of the population of the free world. As they achieve stability and economic growth, a vast market will be created for our industrial and agricultural products.

We have just barely scratched the surface of the world's demand for U.S. goods and services.

What are some of the specific opportunities which our foreign aid program offers to U.S. business aside from the obvious opportunity to sell to countries which would lack the necessary foreign exchange if they did not have U.S. aid?

Any real expansion of U.S. exports depends upon five conditions. These are: consumer demand, purchasing power, access to markets, competitive prices, and quality merchandise.

Right from the start, the foreign assistance program creates new purchasing power and, in turn, greater consumer demand, by financing development projects requiring the importation of goods and services.

Foreign aid also helps to open up foreign markets to U.S. business. In many of the newly emerging countries the United States has largely been excluded from access to markets because of tariff barriers, quota restriction against dollar imports, bilateral trading arrangements, or existing relationships with European colonial powers. By requiring U.S. procurement, the foreign aid program can open some of these doors. Once U.S. goods and services have begun to flow into these markets, continuing demands will be created for U.S. products. Having been started through aid, trade will then be able to continue in the normal commercial manner after the end of the aid program.

Price competition is the fourth condition. Again, foreign aid helps U.S. business in several ways. By concentrating on financing project needs or commodities which U.S. industry can supply on a competitive basis, the foreign aid program, through the requirement of U.S. procurement, helps to open markets for U.S. industry where we can compete on equal terms with other countries. Once the quality of U.S. goods and services has been established, price also may be less of a factor than before.

This is why the fifth of the conditions essential to market expansion; namely, quality merchandise, is so important. The intrinsic quality of most U.S. products is second to none. But it is not enough for a product to be intrinsically sound. It must also meet the particular requirements for which it is intended, and these may be quite different in some countries than in the United States. And once sold, products must be satisfactorily serviced.

We have proven we can be a great producing nation. Our challenge now is to apply our zeal and inventiveness to becoming better traders—and show our willingness to adapt to the varying conditions that must often be met in new markets.

Foreign aid also helps to promote the export of goods from the most productive of all our industries—the American farm.

Under Public Law 480, which is closely tied into the foreign aid program, a key purpose is the expansion of international trade among the United States and friendly nations and the stimulation of the expansion of foreign trade in agricultural commodities produced in the United States. Surplus agricultural commodities serve this purpose through the use of local currency proceeds of Public Law 480 sales for agricultural market development. Other proceeds may be loaned or granted for economic development, which in turn is related to the expansion of our export market.

The aim of foreign aid is to succeed in developing other countries to the point that it can eventually be replaced by foreign trade. This happened in Europe, where the Marshall plan sparked the economic boom that has once again made Europe our most important market. It also happened in Japan, which is now our second largest customer. It can happen, and will happen in other parts of the world if we continue along our present course. As the world's greatest economic power, the United States has a vital stake in bringing this prospect into full reality.

I commend the gentleman for securing this special order on this timely subject and I thank him for yielding to me.

Mr. FRASER. Mr. Speaker, I want to thank the gentleman for that very excellent and penetrating analysis. I think that this statement which the gentleman has just given us is further proof of the need to continue with a strong and adequate foreign aid program.

At this time I would like to yield to the gentleman from California [Mr. CAMERON].

Mr. CAMERON. Mr. Speaker, I want to thank the gentleman for yielding to me at this time and to join with the several others here in congratulating him on having made arrangements for this special order today. Certainly as the foreign aid bill will be coming before the House next week, this is a timely and necessary thing that Mr. FRASER has done for the benefit of the membership.

I plan to address my remarks to the aspects of foreign aid as an antidote to communism. I have long held the position that we really have but three alternatives in approaching our continuing struggle with the U.S.S.R. The first, of course, is surrender, which, is totally unacceptable to us.

The second would be to engage in a nuclear holocaust. In light of the general world acceptance of the limited test ban agreement that has recently been negotiated, it seems obvious that nearly the entire world joins with us in rejecting a confrontation in nuclear warfare as a solution.

The third alternative, which is the one we have chosen to adopt, is that of waging an economic offensive in competition with the U.S.S.R.

The necessity for the United States to pursue a direct economic offensive, is a result of World War II drastically changing the balance-of-power situation in world politics. Power vacuums were created in most of Asia, Africa, and the Middle East by the withdrawal of British and French influence and military strength; Europe, devastated by war, was not even capable of defending itself. Russian troops had overrun all of Eastern Europe, and were drawn up on the line dividing Germany and Austria into East and West.

In the several years immediately after the war, the power balance was in grave danger of shifting to the Communists. The loss of China to the Communists made the situation even more perilous. Besides the danger of Soviet Russia in Europe and the Middle East, there was also increasing Communist pressure on free countries of Asia.

In this situation, the United States, which had emerged from World War II as the leader of the free world, was faced either with moving into the power vacuum left by the war, or leaving these areas exposed to Communist attack.

The decision was made to throw U.S. power into the breach, not only in Europe through NATO and the Marshall plan, but in the Middle East through the Greek-Turkish aid program, and in Asia. The Korean war, which, besides the Berlin blockade, was the major attempt made by the Communists to test U.S. determination and power, strengthened our resolve and capacity to stand up to the Communists.

More recently, the United States has had to come to the defense of nations such as Vietnam, where Communist terrorism and subversion are a major threat to security and progress.

Vietnam has its problems. But today in Vietnam the ricefields are controlled by the Government, and the people of the villages are beginning to think about increasing their rice yields and sending their children to school. A year ago those ricefields were controlled by the Vietcong, and the chief government official in the area could not venture a mile outside town unless escorted by troops. The Vietcong are still in the hills, but they come down only at night, to shout propaganda into the now protected villages.

U.S. foreign aid, both material and technical assistance, has been a key factor in bringing about this change. The Vietnamese Army, advised by American officers, has conducted vigorous offensive operations against Vietcong jungle camps, destroying much of their food stocks and other supplies.

With U.S. help, villages have been organized into what are called strategic hamlets. Bamboo stakes or barbed wire were established around each village. Young men were given arms and enough military training to serve as village guards. A radio was placed in each village so that army troops could be called if the Vietcong attacked. Military patrols protect the ricefields at harvest time.

The strategic hamlet system is proving very effective. Vietcong attacks on the defended villages have been beaten off by villagers themselves with the help of army units. And without access to the villages the Vietcong have lost their sources of food, supplies, and recruits.

U.S. foreign aid has provided the barbed wire, the weapons, and the radios. The villagers have provided the manpower, organization, the energy, and, above all, the will to defend themselves.

The strategic hamlet program in Vietnam is going well. It is far too soon to claim decisive results, but the combination of aggressive army attacks on the Vietcong, protected village defense against Vietcong attack, and a strong village uplift program to give the villagers an increasing stake in the progress and independence of their country looks like a winning combination. If the Vietnamese Government continues to work strongly in this direction, and if the United States continues to provide support, Vietnam, which 2 years ago seemed to be ripe for plucking by the Communists, will be on the way to becoming a securely free nation with early prospects for achieving economic independence.

In each of these cases, the United States, as the leader of the free world, was faced with having to use sizable resources to combat communism. We would have preferred not to worry about the Communists. There was and is so much positive, constructive work to be done. But if we had not grasped the nettle, vast areas of the world, now free, would be under Communist domination.

If our foreign aid program had accomplished nothing, by way of helping the developing nations to move ahead, we could still look back with deep satisfaction on the contribution made by foreign aid toward stopping the Communists. This was done at no small cost. Few people realize that more than a third of the $100 billion of foreign aid since World War II has been direct military assistance.

By helping to preserve the security of the free world, foreign aid has made possible the positive and constructive steps now being taken toward development.

Having helped to secure certain areas, we have been able in the past several years to shift from spending foreign aid primarily for security purposes, as we did in the years of the Korean war, to primarily development purposes.

In 1949, only one-tenth of $1 billion of U.S. economic and military aid was spent for development purposes rather than for security or recovery. This was only a small percentage of the total aid program. The amount spent for development increased steadily, until by 1962 over $4 billion, which is a high percentage of the total aid program, was spent for development purposes.

Because communism is bred by poverty, hunger, sickness, and lack of hope, the development side of foreign aid is just as important in fighting communism as the security part of the program. Stopping the Communists militarily or through internal security measures, is essential. But it does little good to block Communist aggression and subversion unless steps also are taken to develop among threatened peoples a spirit of freedom and resistance to totalitarianism.

The determination of a nation to defend its independence is the indispensable ingredient. And nations possess the determination to defend themselves only where there is basic acceptance of things as they are—of the system of life as it stands. When there is such despair, such rejection of the existing system that there is no will to defend it, totalitarianism, and especially communism, is an ever-present danger.

This is the reason the social progress trust fund was established in 1961 to spearhead the new foreign aid program in Latin America. Mass dissatisfaction and unrest had increased to the danger point. Immediate and tangible social and economic progress was essential in order to stave off revolution and totalitarian takeover of vital areas.

The situation is still critical in Latin America, as well as in other less-developed areas of the world. Progress is so slow, and the problems of development are so difficult and so vast that the future course of events is uncertain. Meanwhile, the gap between the developing world and the developed world continues to increase.

We have been very successful, partly through our foreign aid program, in preventing the Communists from taking over vulnerable areas of the less-developed world. Now the challenge, while continuing to prevent Communist aggression and subversion, is to move ahead fast enough with a positive and constructive program of development to prevent the Communists from taking over by default. Foreign aid has been an effective preventative in maintaining security against the Communists. Now we must redouble our efforts to use foreign aid as an antidote to communism, by counteracting the evils of communism through positive good.

Mr. Speaker, I again want to thank and congratulate the gentleman from Minnesota for the service he has performed for the House today.

Mr. FRASER. I want to thank the gentleman from California for his excellent analysis of the role played by foreign aid in combating the threat of communism. It has been said that even were the Communist threat to disappear from the face of this earth, we would still have a moral obligation to help our brethren around the world. But, certainly, the threat of communism and the conflicts that have been breaking out lend urgency to the foreign aid program as one of the means available to us with which to combat this threat.

Mr. LINDSAY. Mr. Speaker, will the gentleman yield?

Mr. FRASER. I yield to the gentleman from New York.

Mr. LINDSAY. Mr. Speaker, I thank the gentleman from Minnesota for yielding to me. I want to say just a few words in support of the foreign aid program and in support of the foreign aid bill and almost all of its provisions as it will come to the floor of the House at this session of Congress.

Mr. Speaker, I had intended to speak in this fashion during the general debate on the floor of the House on this subject matter and indicate my support for this program which I think is needed. However, I am happy to say a few words now at this stage in this special order.

In view of the fact that special orders have gone forward today and yesterday, it is important that there be some minority party statements in support of the foreign aid bill in order to make the RECORD absolutely clear that this program has bipartisan support as it had in the past.

I have been a Member of this body for 5 years, and I have consistently supported the program. Indeed, in the past I have voted against amendments which were designed to cut it back or to so hamstring the executive branch in the program's administration as to go over the borderline into that area of foreign policy where the Congress should hesitate to tread.

In speaking today on behalf of the program I not only wish to reflect the importance of bipartisan support for the program in general but also I wish to indicate that my own support of the bill is not doctrinaire, it is not inflexible, it may not be permanent, and is done with a high degree of awareness of the weaknesses of the program and its shortcomings. We know that administration has been faulty from year to year. We know that the best men have not always been recruited, both at home and overseas, especially overseas. We know there are difficulties with the balance-of-payments problem that the country is faced with. We do not kid ourselves in taking note of the fact that the foreign aid bill to some extent contributes to the difficulties of balance of payments. We know there has been a tendency not to select areas of great priority and to discard low priority areas. But we know too that efforts have been and are being made to strengthen and correct each of these deficiencies.

I think some of the criticisms that have been made of the foreign aid program, which have been valid ones, have been met with sincere and effective attempts on the part of the Administrators of the program to bring about reforms. I am happy to report that in my judgment, Mr. Bell, Administrator of the program under this administration, is doing an excellent job. I commend him for continuing the improvements that were begun under the Eisenhower administration in all three of the areas I mentioned—selectivity, administration, and the problem of balance of payments.

Generally speaking, all of the top men in the aid program over the past 10 years have been high-caliber men who know what they were doing and who knew the weaknesses of the program as well as we, in fact, better. I have been persuaded in my meetings with Mr. David Bell, that every effort is being made to see to it that the program is made more selective, that the balance-of-payments problem is pinpointed and corrected wherever possible by seeing to it that buy-American rules are enforced and that greater emphasis is placed on loans rather than grants. Again, this is a continuation of reforms begun under the Eisenhower administration. Phaseouts were then started, personnel was cut down and caliber improved, development loans were emphasized as being far more effective than grants-in-aid.

I think, too, that the Clay Committee has performed a most useful service. From a tactical point of view, the speed with which the Clay Committee report was adopted by the White House and made administration policy may possibly result in greater damage to the bill on the floor of the House by its opponents than General Clay or anyone else expected, or wants. That is one reason why I am speaking now. As time goes on we find fewer and fewer friends for the foreign aid program. It is very easy to speak against it.

Indeed, it is increasingly popular to speak against it. One reason I am constrained to speak now is that those few people who will speak for the program really have to be heard from because if those few are not heard from there will be nobody to speak for it.

I am particularly interested in those aspects of the program that work directly with people; not the great, massive projects which are vastly expensive and which consist of concrete and steel and which sometimes result in showplaces. I am delighted to be told that those kinds of projects are being given lower and lower priority as we move along.

I think it is understood that the most useful area of commitment for the United States is in those areas that deal in the basic commodities of life: health, housing, education, and agriculture. I have seen health being tackled in the subcontinent—India and Pakistan—on a personal visit, and I was impressed with what was being done. The same in the Middle East. I have studied a good deal of the work in Africa, and one day I hope I may be privileged to take a long and, I hope, constructive and not too hasty trip to the newly emerging countries of Africa in order to get a better idea of what these countries are doing with our help, both Government and non-Government assistance programs.

My friend, William Attwood, until recently our Ambassador to Guinea, and I, have spent many hours discussing the problems in that country, and from what I have heard from him and others about the effectiveness of the U.S. technical assistance program in that country, it seems clear that we can point to this country as an example of the practical value of foreign aid in the cold-war context. It can be substantiated that but for the effort made by the U.S. Government and voluntary groups in Guinea to help this young, French-speaking country, a former French colony, to establish itself in the community of nations, that country may well have gone under and become a Communist country. The Soviet Union made a major effort in that part of the world, and largely through our efforts in the area of agriculture, education, and health, contrasted with the rather clumsy Soviet efforts to build a few large and expensive showplaces which were apparently useless to the people of Guinea, the United States eventually emerged as the country to which the leadership of Guinea turns for advice, guidance, and council. Soviet interference was rejected out of hand.

We know, too, that in the Sudan 325,000 people, it is estimated, are being reached by agricultural programs sponsored by the aid program.

In Ghana several thousand farm families have been reached directly by agricultural programs. In Morocco extensive agricultural programs, largely in the field of irrigation, have done a good deal toward settling several thousand families on new farms which had never been tillable before.

This kind of thing has gone on in other countries in the continent of Africa. If it is pinpointed, if it is managed by people who know what they are doing, technical assistance programs can be of enormous strength and value in any country where poverty is a way of life and where just a little bit more food, basics in education, and decent shelter over one's head will make the difference between a country moving as a responsible member into the community of nations and a country which might slip into the ways of "puppetdom"—if I may coin a phrase—and domination from the Soviet Union.

I should like to say in closing, Mr. Speaker, that during the course of the hearings on the foreign aid bill, the chairman of the committee and the members were gracious enough to listen to me for over an hour of testimony. I appeared before the committee in order to ask for a rather simple amendment in the foreign aid bill, and I am gratified to say that the amendment was later adopted by the committee, thanks largely through the efforts of our colleague, the gentleman from Massachusetts [Mr. Morse], who saw to it that the amendment was incorporated in the bill. It is quite a simple amendment, Mr. Speaker, and yet vastly important. Under the loan provisions of the foreign aid bill, pertaining both to development loans and the Alliance for Progress, there are several criteria and guidelines that are fixed in the law by the Congress which are intended to guide the Administrators in their decisions as to whether or not a development loan should go forward.

For example, they are to canvass international lending agencies such as the World Bank first in order to see whether or not the same kind of thing can be done by an established international lending agency before the United States moves in on the project on a bilateral or unilateral basis. Nowhere in the act has there been an additional criteria, which is to canvass the possibilities that the same development loan could be done by private sources within the United States before committing the U.S. Government to a governmental loan. That was the amendment which I offered to the main body of the Development Loan Fund section and also to the Alliance for Progress.

As I said a moment ago, I was deeply gratified that the committee accepted the amendment and, apparently, at least I must assume that, the administration has also agreed that this is a reasonable and fair precondition to the granting of development loans.

This amendment, I may say very frankly, is designed, over a long period of time—and I suppose it will be a very long period of time—to phase the foreign aid program into the nongovernmental arena of the American economy. It is designed to gear in the free enterprise system to aid objectives. It is designed to bring private, nongovernmental, managerial, administrative, and technical talent to aid objectives as well as nongovernmental resources.

You cannot reverse these things overnight. I am satisfied that adjustments have been made and are being made that will strengthen and pinpoint this program. But, even if I thought it were time to bring the foreign aid program to a grinding halt, it cannot be done and should not be done—because any sudden change of that kind in our relations with these newly emerging countries, and combines holding on by their teeth on the edge of tyranny, as in southeast Asia, would, in my judgment, result in disaster. That is why I think the program is deserving of support in the House of Representatives this year.

I think there will be a very vigorous effort made on the floor and certainly by the appropriations route to cut the program down to proportions which are probably unwise. These efforts should be examined with great care and, if overdone, they should be resisted. Those of us on the minority side of the aisle who have watched and followed this program with interest over the years and who have seen its benefits as well as its shortcomings will be prepared to assist in a bipartisan way to see to it that the program goes forward for the benefit of the United States and of the entire free world.

The SPEAKER pro tempore (Mr. Roybal). The time of the gentleman from Minnesota has expired.

FOREIGN AID BILL

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. Lindsay] is recognized for 60 minutes.

Mr. LINDSAY. Mr. Speaker, I yield 10 minutes to the gentleman from Minnesota [Mr. Fraser].

Mr. FRASER. Mr. Speaker, I yield to the gentleman from West Virginia [Mr. HECHLER].

Mr. HECHLER. Mr. Speaker, I wish to compliment the gentleman from New York [Mr. LINDSAY] for his contribution and for his remarks concerning the foreign aid program. I was particularly interested in the gentleman's remarks concerning the newly emerging nations of Africa and in particular with what he was saying with reference to the experience that we have had with Guinea. Here is a nation which at one time had decided leanings toward communism, yet we had the foresight and confidence to extend Guinea the technical assistance which enabled that nation to resist communism. The question I would like to address to the gentleman from New York concerning his remarks is this: In view of the experience that we have had with Guinea and some of the newly emerging nations with technical assistance, is this not a pretty clear indication that we cannot afford to put a piece of litmus paper in the mouths of these nations to test their political loyalty at particular times before we extend foreign aid to them?

Mr. LINDSAY. I would agree with the gentleman that American insistence that the ways of life in other countries, including the political ways of life, conform on all fours to American practices, can be carried to a dangerous extreme. There is a delicate dividing line, as the gentleman knows. In the Alliance for Progress, the whole program is bottomed on the principle that those governments which are not basically committed to the proposition that the people come first are under considerable pressure from our Government to reform their ways. That is a pressure with which I am in agreement. We have to do this and I think we are entitled to do this. We do not have to provide the aid. On the other hand, to be so doctrinaire in our own approach that we would insist on a total conformity to what we think of normally as better western principles can be an error.

Mr. HECHLER. I think that experience proves what the gentleman from New York just said. I want to thank the gentleman from Minnesota [Mr. FRASER] for yielding to me and compliment him for taking the leadership to bring this problem to the attention of the House.

Mr. FRASER. Mr. Speaker, I want to thank the gentleman from New York for his very balanced presentation and for bringing forcefully to our attention the fact that the foreign aid program has had bipartisan support, not only during this administration but during the last administration as well, and for pointing out that while we should recognize the shortcomings of our foreign aid program, we must also look for ways to strengthen the program.

I recall when the gentleman was before our committee. He made an excellent presentation. He is correct in stating that as a result of his presentation there were changes made in the bill.

At this time I would like to recognize the gentleman from Indiana [Mr. BRADEMAS].

Mr. BRADEMAS. Mr. Speaker, I want to commend our colleague, the gentleman from Minnesota [Mr. FRASER], for the leadership he has given in arranging this special order and also to salute both my colleagues on this side of the aisle and the gentleman from New York [Mr. LINDSAY] for their statements concerning the positive contributions which the foreign aid program has made to the security of our own country and to the encouragement of freedom and democratic societies in other parts of the world.

During the last 5 years I have had the opportunity, as a member of the Committee on Education and Labor, to travel to a number of countries which have been recipients of our foreign aid. Only a few weeks ago I had the great experience of serving as a delegate to the Asian-American assembly in Kuala Lumpur, the capital of Malaya, to discuss ways of improving cultural and educational relations between the United States and the countries of Asia.

During that visit to southeast Asia I was able to spend a few days in Indonesia, as well as Thailand and there I saw something of the very useful effects of the American foreign aid program. With all of the difficulties that we know are encountered in administering a program of this complexity it is nonetheless very clear to me, after having gone out on the spot to see something of the results of our foreign aid program, that it is an investment from which we have derived very substantial dividends.

If I may, Mr. Speaker, I want to say just a few words about the importance of our foreign aid program in Latin America, because I have been interested in Latin America since the time I was a boy and worked on a work camp in the mountains of Mexico with the Aztec Indians. More recently I have had the opportunity to visit a few countries in Latin America; in Peru, in 1959; earlier this year in the Dominican Republic; and a couple of years ago with our colleague, the gentleman from Connecticut [Mr. GIAIMO], I went to Argentina to make a study of the potential role of the universities of Latin America in the Alliance for Progress. And so I speak with some personal interest and a little bit of experience about this particular field.

I think it is fair to say that in his great Alliance for Progress speech of March 13, 1961, President Kennedy in effect rediscovered Latin America, for the President made clear that the people of the United States were willing, in cooperation with their neighbors in Latin America, to undertake together a campaign to fight the poverty, the disease and hunger, the illiteracy, and political unrest that have for centuries beset the countries of Central and South America.

I fear too many Americans are laboring under the misapprehension that the Alliance for Progress was set forth as a kind of overnight panacea for all the ills of Latin America, and I think it ought to be made very clear that this is not the purpose of the Alliance for Progress program. Rather, the President's program, which has enjoyed bipartisan support here in Congress, is a long-range program for hemispheric development and one which is based not simply on investment of public funds, both U.S. and Latin American, but is directed toward encouraging private investment as well.

It is also essential to our understanding of the Alliance for Progress program that we should realize that it is based upon the principle of self-help, and that it is not a one-way street whereby capital investment simply flows out of the United States to the countries of Latin America.

For I think we have seen developments in the last few weeks which have been announced by the able Administrator of the Alliance for Progress program, Mr. Teodoro Moscoso, which make very clear that the United States is going to continue to insist that the countries of Latin America engage in their own programs of self-help and economic and social reform if they are to receive the funds which we here in the Congress vote.

Mr. Speaker, I would like, if I may, to make reference to an excellent editorial—which I ask unanimous consent may be included at this point in my remarks—from the latest issue of Life magazine, the issue of August 16, 1963, entitled "The Latin Sky Is Brighter." As the editorial points out, the Alliance for Progress passed its first anniversary in deliberate silence because the coordinator of the program, Mr. Moscoso, did not see very much to celebrate or to talk about.

But this year Mr. Moscoso told his staff:

> We have reason to observe an anniversary this year—not with the hoopla that marks a triumph, but with the satisfaction of builders who have dug the foundation and have begun to pour the footings.

So, Mr. Speaker, as the Life editorial notes:

> There are signs of hope in Latin America, not all due to the Alliance by any means, but generally supporting Moscoso's confidence that the Alliance is on the right track.

Mr. Speaker, I think this editorial is one of the best brief summaries of the nature of the Alliance for Progress program that I have seen, and I call it to the attention of the Members of the House.

The **SPEAKER** pro tempore (Mr. ROYBAL). Is there objection to the request of the gentleman from Indiana?

There was no objection.

The editorial referred to follows:

THE LATIN SKY IS BRIGHTER

The Alliance for Progress passed its first anniversary in deliberate silence because Coordinator Teodoro Moscoso saw nothing to celebrate. That was a year ago; now he has more to talk about. Said he to his staff last week, "We have reason to observe our anniversary this year—not with the hoopla that marks a triumph, but with the satisfaction of builders who have dug the foundation and begun to pour the footings." There are signs of hope in Latin America, not all due to the Alliance by any means, but generally supporting Moscoso's confidence that the Alliance is on the right track.

The Alliance is a very ambitious long-term program agreed on by the United States and 19 Latin Republics. Its goals are nothing less than to raise the incomes, diversify and integrate the economies, reform the tax and land structures, improve the health, housing, and schooling and enlarge the freedom of 200 million people in the next 8 years. Unlike the Marshall plan, which rebuilt a damaged but going concern, the Alliance aims to shape a society and an economy that have not existed before. To this revolutionary goal the United States has committed about $1 billion a year, which the Latin Americans first naturally thought of as a huge pork barrel. Now they are beginning to accept Moscoso's insistence that the United States is the junior partner in a joint effort, the key to which is Latin American self-help.

By North American standards these efforts at self-help are slow and spotty, but they exist. Central America, the Alliance's showcase, is consolidating its own common market, diversifying its crops and enjoying more economic ebullience and political stability than in many years. Recent (though inadequate) tax reforms in almost all countries will increase total Latin American income tax receipts by 15 percent this year. Schools and textbooks are multiplying (though not fast enough). A new class of progessive-minded businessmen and agriculturists is sprouting among the tough old stalks of the landed gentry. Even political discussion is changing character and shifting its focus from the next dictator to the next election. For example, although Brazil remains a scandalous example of misgovernment, the rich Argentine, which used to be cited as an example of political hopelessness, has just emerged from turmoil into what could be 6 years of stable and prosperous democracy.

David Rockefeller cited other hopeful signs in a recent speech in Mexico City. Private investment in Latin America, both local and foreign, is rising. Exports are generally rising and commodity prices are stabler. Manufacturing is more diversified, and its growth is hastening regional integration. All this despite a political climate that is still clouded by leftwing violence and residual hostility to private enterprise. The automakers in Argentina and Brazil struggle with inflation, exorbitant excise taxes, bureaucratic harassment, low volume and meager profits; yet they are increasing their investments each year. If the climate were more hospitable, the boom in the private sector—which now generates 80 percent of all Latin American income—would be spectacular. Such a boom is the key to the Alliance's goal of a faster growth rate.

"Revolution in Latin America is inevitable. Only the form it takes is uncertain." This is the message of Milton Eisenhower's recent book, "The Wine Is Bitter," a sober assessment of Latin America. The revolution can take either violent form, on the Castro pattern, or peaceful, as blueprinted in the Alliance for Progress. Milton Eisenhower, like many other experts on Latin America, is in doubt whether the Alliance did not come too late. The question will be answered by the rate at which Latin American governments, by fostering stabler currencies, freer markets and saner politics, continue to earn the confidence of private capital and enterprise—their own and that of the free world. The more they earn that, the more peaceful the inevitable revolution will be.

Mr. BRADEMAS. What I should like to do now for just a few minutes, Mr. Speaker, is make particular reference to just one example—and one could cite others—of an effective program of economic cooperation within the Western Hemisphere, an example if you will of the kind of constructive results which have resulted in Latin America from the use of the tax funds of the American people in the foreign aid program. I refer to the so-called Social Progress Trust Fund, a key part of the Alliance for Progress program.

The fact of the matter is that only after long years of neglect did the United States finally decide to undertake a large-scale aid program in Latin America. When we did so, we were confronted with a critical situation. Popular unrest had increased almost to the point of a social explosion. Rapid economic development alone obviously would not suffice. Immediate and visible social progress was imperative. This was the background of an urgent conference called at Bogotá, Colombia, in late 1960, where the United States joined its Latin American neighbors in launching a program for social improvement and economic development.

The Act of Bogotá, which resulted from this Conference, was basically a call for immediate and dramatic action to improve critical social conditions, and to give the people of Latin America greater hope for the future.

Specific social improvement measures were set forth in the Act of Bogotá under five categories: First, the improvement of conditions of rural living and land use; second, the improvement of housing and community facilities; third, the improvement of educational systems and training facilities; fourth, the improvement of public health; and fifth, the mobilization of domestic resources. These are all fields which do not attract substantial private investment capital because they are of a more social nature.

In order to carry out these measures, the Latin American governments and the United States agreed in 1961 to establish an action agency, subsequently called the Social Progress Trust Fund, to be administered by the Inter-American Development Bank. Under the Act of Bogotá, this Fund was charged with contributing both capital and technical assistance in any or all of the five fields to Latin American countries prepared to help themselves.

Shortly after the Bogotá Conference, Congress passed bills authorizing and appropriating funds for implementing the Act of Bogotá. Three hundred and ninety-four million dollars was used to set up the Fund. This sum is now almost completely obligated, and in this year's foreign aid legislation the administration is requesting an additional appropriation.

As the recent report of the Committee on Foreign Affairs on the Foreign Assistance Act of 1963 says:

> It is essential to the attainment of United States objectives in Latin America that the Social Progress Trust Fund, utilizing the services of the Inter-American Development Bank, be continued. The nations of Latin America regard the Inter-American Development Bank as their Bank and a majority of the Bank's executive personnel come from these countries. The administration and supervision of assistance projects by the Bank facilitates the development of attitudes and institutions and the acceptance of responsibilities by the recipients which are essential to economic and social progress.
>
> Despite the importance of this Fund, it should be pointed out, however, that the success of the Alliance for Progress depends primarily on the Latin American countries rather than on the United States. The American Republics must develop themselves. The job cannot be done for them by the United States or any outside organization or institution.

Indeed, in establishing the Social Progress Trust Fund, care was taken to protect U.S. interests. As the major contributor to the Fund, the United States, with 41.8 percent of the managing stock, has a veto on all loan authorizations by virtue of a two-thirds voting requirement. This means that the U.S. representative to the Fund can table any loan application when, in his opinion, it will not make a substantial contribution to the overall development of the country concerned, or when the application does not reflect satisfactory self-help on the part of the applicant.

The Trust Fund has been flooded with applications—over a billion dollars worth. The Bank has had to discourage new applications and slow down the approval process because of the demand. Only $37 million remains of the original $394 million, and this will be loaned within 2 months. There is a backlog of some $300 million in good project applications on top of those presently under consideration for the remaining unobligated funds.

The reason for the excellent response to the Fund is simple. Not only does it meet the great need for this type of assistance, but also the Latin Americans realize that it is basically their show; 75 percent of personnel administering the program are Latins.

Accomplishments of the Fund are impressive. To date new homes are being constructed for 160,000 low-income families; water supply or sewerage services are being constructed for 15 million people; 30,000 low-income farmers are being helped under agricultural development programs; and advanced educational and training facilities are being established in 10 countries and 18 institutions for providing the trained manpower for social and economic development. Social Progress Trust Fund loans for housing and rural credit have also been aimed at strengthening trade union and cooperative institutions as part of the overall Alliance for Progress program to develop institutional structures in Latin America. Loans of this type have already been made to such countries as Peru, Chile, Argentina, and El Salvador. Success of the Fund in stimulating self-help is revealed by the fact that recipients of loans from the Fund are making an average contribution of 60 percent to the projects concerned.

One sign of the support of major groups in the United States for the Social Progress Trust Fund is the fact that both the AFL–CIO and the chamber of commerce have voiced their strong support for the Fund and for additional appropriations as requested in this year's foreign aid legislation.

The Social Progress Trust Fund has become an effective way of stimulating Latin American countries to undertake self-help reforms. It has proved particularly useful in the development field as related to giving greater hope and a greater feeling of satisfaction to low-income groups. The programs started by the Trust Fund have succeeded in many cases in establishing the necessary institutional structure—such as savings and loan banks, housing cooperatives, agrarian reform institutes, and sewage and sanitation agencies—which will in time be able to continue solely through their own resources.

The Trust Fund also has been able to engender confidence and cooperation between the divisions of the Inter-American Bank and respective departments in the Latin American governments. This is an extremely important step in the overall development of the Alliance for Progress, because it better enables officials of the Bank to assist and advise Latin American governmental agencies and private institutions to establish proper administrative procedures and priorities for development. This has been effective in cutting many useless expenditures out of national budgets and streamlining operating procedures.

The Social Progress Trust Fund has also been successful in promoting the development of medium-sized industries. Cement, lumber, and foundry industries, are all byproducts of him, and sewage-sanitation construction. This is an important phase of economic development.

Most importantly, the Social Progress Trust Fund has helped to convince Latin Americans that the Alliance for Progress is a hemispheric program, and not just a program of the United States.

There are still many areas in Latin America, of course, that have not felt the impact of the Alliance for Progress. It is to these areas, and to the countries which have not accepted and responded to the Alliance for Progress, that the Social Progress Trust Fund must now direct its social development program.

EL SALVADOR: A SUCCESS STORY OF THE ALLIANCE FOR PROGRESS

Mr. Speaker, I now want to speak of one example of the kind of fruitful and positive results that have come from our investment in the Alliance for Progress.

I speak of the little country of El Salvador, which has become one of the shining lights in the Alliance for Progress. El Salvador has received support and assistance from the Social Progress Trust Fund as well as from other sources.

Before the Alliance, El Salvador was typical of the Central American Republics. Military governments, in cooperation with the landed aristocracy, had kept the country in a semifeudal condition; 75 families controlled 90 percent of the wealth, with the country's 2.7 million people working primarily on the large fincas of the great landlords.

El Salvador began immediately to implement the Charter of Punta del Este, which established the Alliance for Progress. In early 1961, steps were taken to halt the flight of capital. A stabilization program was developed in cooperation with the International Monetary Fund in order to correct the balance-of-payments deficit and strengthen the country's currency. As a result of these controls, El Salvador now has a favorable balance of payments.

El Salvador continued its economic reform program by raising, in September 1961, the progressive income tax rates. These are now among the highest tax rates in the hemisphere. As a result, revenue receipts have increased over 40 percent. In 1 year governmental revenues were increased by $10.5 million. Other tax reforms followed. Measures were taken to increase the amount of tax paid for consumption and luxury goods. Tax collecting procedures were simplified and improved.

Hand in hand with administrative reforms new planning machinery was established. A National Council of Economic Planning and Coordination, composed of El Salvador's leading economic specialists, was created to spur economic activity and prepare long-range program budgets.

Recognizing that economic development must be coordinated with social development to provide a balanced approach for the overall well-being of the people, Alliance for Progress officials in El Salvador also tackled the social problems of the country. In early 1962 an agency was created for providing supervised production credit to small farmers. In little more than a year, nearly 6,000 agricultural credit loans have been made; 7 health centers to serve 150,000 people were constructed in 1962. In addition, a mobile rural health program was begun, designed to serve 300,000 persons a year.

The National Housing Agency of El Salvador has already constructed 1,500 home units since the start of the Alliance. Just recently a national home-building mortgage agency was created, modeled after our own FHA, for stimulating greater investment in housing. This is a major step forward in the housing field, which is generally recognized as one of the most important aspects of social reform.

Education now consumes 22 percent of the national budget. In October 1962, apprenticeship training legislation was enacted. By December, some 300 apprentices were registered in training. A Domestic Peace Corps has been organized in El Salvador to perform adult education and community development work.

El Salvador's economic growth is now greatly improved. In 1962, for example, industrial production rose over 20 percent from the previous year.

Another good sign of the economic vitality of El Salvador is the increasing amount of outside private capital being invested in the country. A combination of Esso and Shell already has an investment of more than $10 million; Phelps Dodge is building a $2 million copper and aluminum wire and cable plant. The Phillips Co. of the Netherlands is constructing a $600,000 electric light bulb and appliance plant. Italian and U.S. interests are establishing a $300,000 pencil and office supply plant.

Under the able hand of President Julio Rivera, and with the cooperation of Alliance for Progress officials, El Salvador is demonstrating to Latin America and to the world the effectiveness of the Alliance for Progress. El Salvador is not the only Alliance success story. Venezuela, Mexico, Argentina, Colombia are all moving ahead of the anticipated schedule for the Alliance for Progress.

Latin America looks a good deal better than it did last year, and I hope that the situation will be even more favorable in 1964.

The **SPEAKER** pro tempore. The time of the gentleman from Minnesota has again expired.

ERADICATING MALARIA: A FOREIGN AID SUCCESS STORY

Mr. **FRASER**. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. **FRASER**. Mr. Speaker, another of the success stories of foreign aid concerns our battle against malaria. Of all the ills afflicting mankind, few have taken a higher toll than malaria. It has been a part of human existence since prehistoric times. Again and again it has erupted in epidemics as terrible as the plagues of the Middle Ages. Today it still disables more people and exacts a higher material cost than any other disease. It continues to be a serious deterrent to the development of countries where it is prevalent.

Several years ago an international campaign was mounted to eradicate malaria all over the world. Ninety countries joined in a common effort, along with the World Health Organization, the Pan American Health Organization, and the U.N. Children's Fund, to stamp out the disease wherever it is found. The United States is one of the chief sponsors of this campaign. Through direct contributions from our foreign aid program, we have worked with 27 different countries as well as with the WHO, Pan American Health Organization, and UNICEF, contributing a total of $180 million since 1958. For fiscal year 1964, $29 million is being requested by the administration for continuing the campaign.

The results so far are very encouraging. During the past 15 years the number of cases has been cut from a worldwide total of 350 million to fewer than 100 million. In some countries eradication is 100 percent complete. In others, substantial progress has been made.

Approximately 1,472 million persons live in areas of the world which are or which have been recently malarious, excluding Communist China, North Korea, Mongolia, and North Vietnam about which no information is available. Of these, 329 million—22.4 percent—now live in areas already freed of the disease and another 243 million—16.5 percent—in areas where spray operations have been withdrawn and eradication is expected to be confirmed soon. An additional 461 million—31.3 percent—people are being protected by insecticides and other antimalaria measures. Plans are developing for including 33 million more people under protection in the near future. However, there are still 405,800,000 people—27.5 percent—exposed to malaria who are not yet included in the program. This unprotected population is largely in Africa—45 percent—where the administrative, financial, and manpower resources necessary for eradication have not yet been adequately developed.

In the 18 countries throughout the world receiving bilateral assistance from the United States through the foreign aid program, 805 million people live in areas recently malarious. Included among these countries are some of the most difficult problem areas from the point of view of malaria eradication—for example, India, Indonesia, Pakistan, Brazil, Thailand, and Vietnam. Approximately 624 million people in AID project countries are being protected at present. Approximately 148,800,000 people—18.4 percent are living in malarious sections of these countries where no program is yet underway. Most of these live in Indonesia, Brazil, and Pakistan where the size of the areas involved requires development of the program by stages over several years.

The United States contributes men, money, and materials to the campaign against malaria. American scientists are employed to give technical and administrative guidance to other countries. There are some 80 located in the 18 countries receiving U.S. assistance.

Training of national government personnel is an important aspect of the U.S. program. The principal U.S.-supported training program is the Malaria Eradication Training Center in Kingston, Jamaica, with another international training center being established in Manila, Philippines. In Jamaica, 280 persons from 57 countries have been trained in malaria eradication techniques since 1958. This cooperative venture between AID, the Pan American Health Organization and the Government of Jamaica has done much to alleviate the world shortage of both senior and junior malaria experts.

The greatest part of U.S. malaria funds is spent for commodities. Although sprayers, vehicles, laboratory equipment and drugs are purchased in sizable quantities, insecticides are the major item. More than 70 million pounds of DDT were purchased by AID during fiscal year 1962, nearly one-third of all the DDT manufactured in this country and 70 percent of U.S. DDT exports.

Research and development studies have been an important aspect of our malaria eradicating program. Most of this work is done by the Communicable Disease Center of the Public Health Service by contract with AID.

The U.S. role in this historic campaign against one of mankind's greatest natural enemies has already become one of the greatest of all foreign aid success stories.

Within the next few years, malaria will be almost completely wiped out. Even at this stage, remarkable economic results have been achieved in many areas apart from the humanitarian and other benefits of the program. In countries where eradication has been most successful, such as Venezuela, Sardinia, and Taiwan, there have been striking increases in cultivation, productivity, industrialization, tourism, and the utilization of natural resources.

These are a few examples of the economic benefits already reaped as a result of the malaria eradication program:

CEYLON

For the 9-year period 1939–47, it was possible to develop a total of 146,773 acres at an annual average of 16,306 acres. During the period 1948–56, after malaria was brought under control, the total acreage development was 467,268, for an annual average of 63,032. Three-quarters of the most productive portions of the country are now habitable and producing crops—an impossibility 10 years before because of the heavy incidence of malaria.

IRAN

The Ministry of Agriculture reports that wheat cultivation between 1945 and 1949 increased 8,000 hectares. Between 1949 and 1953 after malaria control began, the wheat acreage went up 758,000 hectares, an increase of 27.3 percent.

NEPAL

In the Rapti Valley area an estimated 50,000 acres of new land has been put into cultivation since the malaria eradication program began. Whereas before families were ekeing out a subsistence living on 2 to 4 acres of land, the average farm has now grown to some 10 to 14 acres, and rice, sesame, and mustard oil are being exported for the first time.

CAMBODIA

In one Province in 1953 there were approximately 15,000 people farming in a rich area of 210,000 acres. This land was capable of several crops annually, but because of malaria it was only producing one; some of the land was not even being cultivated. By 1957, following malaria control activities, the population had increased to 45,000 and the land was in full use.

PHILIPPINES

Twenty-one new land districts have been opened for agricultural purposes as a result of malaria eradication. In seven of these the area planted with rice increased 20.53 percent and the area planted with maize jumped by 27.95 percent, raising production of these two crops for all of the Philippines by more than 30 percent each.

INDONESIA

In one area of Indonesia production of rice increased 50 percent because of malaria control. This increase alone amounted to the equivalent of 9 million Indonesian rupees per year, in contrast to the 350,000 rupees spent on controlling malaria in the area.

INDIA

Independent studies have estimated that in several areas of India the return on money invested in spraying operations is about 50 to 1 in industrial production increases. The studies estimated that this would increase the Indian gross national product by some $500 million each year.

In 1953, India recorded 1 million deaths from malaria, and more than 75 million cases. At the most conservative estimate, these 75 million cases meant a loss of more than 1 billion man-days of work.

Malaria cases accounted for nearly 11 percent of all diseases in 1953; by 1961, this had dropped to 1 percent. The effect is most noticeable in increased output from Indian coal mines, where malaria incidence and absenteeism were always high; in the completion of railroad and irrigation construction projects delayed for decades in malarious areas, and in the rich, tea-growing areas of Assam and West Bengal where as late as 1947, 20 to 25 percent of the total population reported sick with malaria each month during the height of the tea-packing season.

Until 1949, malaria prevented the development of a rich region in northern India. As malaria disappeared in the area cultivated land increased by 400 percent; production of food grains rose by 130 percent; industrial enterprises rose in number from 11 to 29; construction of a hydroelectric plant brought electric power to villages; and many new homes and schools were built.

By comparison to other foreign-aid activities, the amount of money spent on malaria control has not been large. But it has been well spent and effectively used, and the program is proving to be one of our best investments in the improving of life for the millions of less fortunate peoples in the less developed nations.

Mr. FRASER. Mr. Speaker, I ask unanimous consent that the gentleman from Oregon [Mr. DUNCAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

FOREIGN AID AND EDUCATION

Mr. DUNCAN. Mr. Speaker, the educational challenge posed by the developing nations presently receiving U.S. assistance is immense. In these nations live about 1.2 billion people—nearly 40 percent of the total world population. Only about 25 percent of them are literate. Less than a fourth of the children of school age are in school, and less than 2 percent ever complete secondary education. Pupil-teacher ratios of 100 to 1 are common, compared to about 25 to 1 in the developed countries.

To help meet this challenge, the United States, through the Agency for International Development has established cooperative educational programs in 58 nations. In each the goal is the same: To train people who in turn can train teachers, prepare suitable texts and teaching aids, and themselves develop a strong educational program in their respective countries. Assistance is provided for all levels of education—primary, secondary, and higher education; for all age groups and types of schools—vocational and technical as well as general education; and for construction and equipment as well as for technical assistance.

In 1962, AID obligated $93 million in U.S. funds plus an additional $98 million in U.S.-owned local currencies to assist the developing nations in meeting acute educational problems.

In Bolivia, AID projects are being carried out to improve commercial education. Libya, a program in vocational training for farmers, tradesmen, and handicraft artisans is in progress. In Iran, U.S. aid helped to establish an entire vocational education system for the Iranian armed forces.

In Pakistan, an AID team taught Pakistani railwaymen—few of whom spoke the same language or dialect—how to operate diesel locomotives.

With independence approaching in Kenya, an AID-assisted special project has begun to train 47 local government officials for positions of high responsibility in the government when independence is granted.

A fascinating example of an AID project covering several levels of education is the program in Nepal.

Nepal's first teacher-training center was established in 1954 under the direction of the University of Oregon. In 1956 mobile teaching teams were organized to carry teacher training to the remote provinces.

A college of education was established and a staff trained to educate up to 2,000 teachers a year. A bureau of textbook publication was established and several of its Nepalese staff members were sent to the United States for special training. The bureau printed 55 different titles and 225,000 pieces of educational literature in its first 5 years of operation.

More than 2,400 part-time teachers were trained for literacy education, and they in turn taught more than 1,000 adults to read and write in their first year in the field.

Nepal's first national university was established with colleges of liberal arts and sciences, agriculture and forestry, education, law, nursing, and medicine.

Before the AID program began, Nepal had no national university, no teacher-training institutions. Only 1 child in 200 was in school, and only 2 percent of the Nepalese people could read and write. At the end of the first 5 years of the education project, more than 1,500 new primary classrooms had trained teachers, 200 new schools were receiving financial aid, and 20 new primary texts had been published. Nearly 200 secondary teachers had received bachelor of education degrees and 45 high school teachers had undergone a 1-year course for the improvement of English instruction. In addition, Nepal's entire secondary school curriculum had been revamped to include vocational instruction urgently required in agriculture, home economics, commercial education, and industrial arts.

A program similar to the one in Nepal is now being carried out in India with the assistance of U.S.-AID education teams from Ohio State University and the Teachers College of Columbia University.

In Cambodia a teacher-training program has been under way for 5 years. Prior to 1958 Cambodian students with a sixth-grade education were given a summer of training and then pressed into service as elementary school teachers. Under the AID contract Cambodia's first teacher preparation center was established and has already become the largest educational institution in the country. Each year the center trains 200 elementary school teachers. Another similar institution is now being established with AID assistance to train secondary school teachers.

Television represents a potentially valuable educational medium for the developing nations. In Nigeria, for example, AID has provided an experienced American educational television executive as an adviser to the Nigerian staff of a new educational television station. From 1960 to 1962 the station has telecast more than 700 different programs for a total of 350 hours of instruction to 100 village schools equipped with television sets supplied by the Nigerian Ministry of Education.

Not only teachers, but also classrooms are in short supply in most underdeveloped nations. AID has encouraged the building of new schools and classrooms in many countries by providing technical help and materials while local residents provide the construction labor on a volunteer basis.

The Guatemalan Government launched a self-help school construction program in partnership with AID in 1960. AID and the Guatemalan Government agreed to share equally any costs not absorbed by the local communities. At the beginning of the project, it was expected that volunteer labor would cover about one-third of the cost of construction. In fact, it has accounted for nearly 44 percent of construction costs. During the 3 years since the pilot project began, self-help schools have been built and are now operating in every province of Guatemala. More than 1,100 classrooms in 300 schools have been completed. The enthusiastic turnout of villagers for each school dedication symbolizes the impact of such AID assisted projects on the lives of the people.

Self-help school construction programs like the one in Guatemala are now underway in Chile, Liberia, El Salvador, Haiti, and Honduras.

Another serious educational problem facing many developing nations is that of adult literacy. In Turkey a unique approach to the problem has been instituted with U.S. aid. Literacy training has been given to more than 150,000 Turkish soldiers and an additional 120,000 are expected to complete training each year.

In addition, more than 3,000 primary school teachers have gained literacy teaching experience at the military centers. This group will form the teaching nucleus of a planned civilian literacy program. The goal is to reduce illiteracy in Turkey from 70 to 30 percent by 1975.

In the Turkish project, as in most literacy projects, U.S. experts help local educators prepare training materials, texts, and followup reading materials for use by the newly literate.

As of 1962, the Agency for International Development had undertaken projects to increase the supply and improve the quality of primary and secondary school teachers in 33 Latin American, African, and Asian nations. In Afghanistan, U.S. aid is the only bilateral assistance permitted by the Government in the sensitive area of education.

Because English has become the nearest thing to an international language in many underdeveloped nations, AID has been providing technical assistance for the teaching of English in 14 Asian and African countries.

Finally, 75 American universities and colleges are working under AID contracts in the establishment and improvement of facilities for higher education in more than 26 Asian, African, and South American countries.

Of the many needs of the developing countries none is more critical than the need for education, in the broadest sense of the word. And of the many parts of our foreign aid program none is more in keeping with American ideals, and the aspirations of Americans for their fellow men around the world, than educational assistance.

INTRODUCTION OF RESOLUTION FOR THE ESTABLISHMENT OF A JOINT COMMITTEE ON FOREIGN INFORMATION AND INTELLIGENCE

The SPEAKER pro tempore (Mr. ROYBAL). Under previous order of the House, the gentleman from New York [Mr. LINDSAY] is recognized for 60 minutes, 10 minutes of which have already been consumed by the previous presentation of the gentleman from Minnesota [Mr. FRASER].

Mr. LINDSAY. Mr. Speaker, I rise today to introduce a resolution for the establishment of a Joint Committee on Foreign Information and Intelligence. I propose that the committee be constituted roughly along the lines of the Joint Committee on Atomic Energy and that it have its own funds and staff resources. I propose also that it make continuing studies in the whole area of our foreign information and intelligence programs.

In my remarks this afternoon, however, Mr. Speaker, I do not intend to dwell at great length on the precise terms of this particular resolution. I think it is a good resolution but I am perfectly ready to be persuaded that a better one might be devised. The question of the exact structure and composition of this committee seems to me significantly less important than the more general questions of principle involved. I rise today, not to make propaganda on behalf of a particular proposal of mine, but rather to raise a matter which I think is in need of the widest possible and most intelligent public discussion.

As most Members are aware, the proposal of a Joint Committee on Foreign Intelligence is not a new one. In one form or another it has been introduced into this House in each of the last 10 sessions; in 1955 it was the subject of a 2-day hearing by the Rules Committee. In the Senate the Committee on Rules and Administration reported on it favorably in 1956, and for 2 days it was debated on the floor of that body. Nor is it partisan in nature. Back in 1959 resolutions similar to mine were sponsored in the House by eight Democrats and four Republicans. Earlier this year the matter was brought to our attention by a member of the other party, the distinguished gentleman from Florida [Mr. Rogers]. Moreover, when Mr. Mansfield's resolution came to a vote in the Senate in 1956, the minority in favor included many Members on both sides of the aisle. On that occasion one of those who voted in favor was the then junior Senator from Massachusetts, now the President of the United States.

If the proposal for a Joint Committee on Foreign Intelligence has come up so often and been supported by so many Members, why has it never been adopted? Frankly I do not find that question easy to answer, particularly since some of the arguments against it seem to me so feeble. Take, to begin with, the argument about secrecy. It is an argument that has been advanced every time the proposal has been discussed. During the Senate debate in 1956 the chairman of the Senate Armed Services Committee, Mr. Russell, went so far as to say that, rather than have a committee set up and information made available to Members of Congress, "it would be better to abolish the Central Intelligence Agency and, by doing so, to save the money appropriated and the lives of American citizens." A former Vice President, Mr. Barkley, took the same view in the same debate.

Now no one denies that CIA and other intelligence agencies must conduct a very high proportion of their operations in secret. Secrecy is of the essence of their work; without it they could not function, and the security of our country would be jeopardized. No one denies that. But what is true of the intelligence community is also true in many other areas of government: in the fields of atomic energy, weapons development, and foreign policy, for example. But does this mean that Congress is to have no effective authority in these areas? Of course it does not. Congress has always asserted its right to concern itself with even the most sensitive areas of Government. And, where matters of the highest secrecy have been involved, Members of both Houses have shown themselves perfectly capable of exercising the utmost restraint. This was never more clearly demonstrated than by the experience of the Manhattan project during World War II, when members of the two appropriations committees were kept fully apprised of the progress of the project without on any occasion breaking security. And I am sure all Members of the House will agree that the record of the Joint Committee on Atomic Energy in this connection has been impeccable.

As in the case of the Atomic Energy Committee, I take it for granted of course that much of the work of the new committee—perhaps almost all of it—would be conducted in private and that the results would be made public only after a close screening by the appropriate Government agencies. Nevertheless, I admit that particular concern might still be felt about CIA, since breaches of security involving CIA might endanger the lives of American operatives in other countries, and also the lives of agents of other nations working in cooperation with us. I think this is a legitimate concern, but I hope to show later in my speech that there are many important aspects of intelligence work which could usefully be studied without any need to inquire in detail into the activities of particular persons and units in the field.

So much for the moment for secrecy. I find myself in even less sympathy with another argument that has also been advanced frequently in discussions of this question—namely, that the intelligence community exists solely to serve the President and the National Security Council, and that therefore we in the Congress have no right to seek a jurisdictional position. This doctrine was stated in an extreme form in 1956 by Mr. Hayden in the Senate. He said at that time:

> The Central Intelligence Agency is an arm of the President. Under the Constitution, I feel we have no right to attempt to regulate an agency which is designed solely to provide the President, who, under the Constitution, is responsible for our foreign relations, with information to enable him to make decisions.

I, for one, cannot accept that doctrine. As every Member knows, these two branches of our Government, the executive and the legislative, are not watertight compartments separated by steel bulkheads; the material between them is flexible and porous. There are any number of congressional committees which keep a watch over the executive agencies. In this House we have, to name only two, the Foreign Affairs Committee which inquires constantly into the policies and actions of the President and his agents, and the Government Operations Committee which closely scrutinizes the entire organization of the executive branch. The Senate has a subcommittee whose area of operations borders on the very area I am discussing: the Subcommittee on National Security Staffing and Operations.

If we are going to refrain from looking into the affairs of executive agencies, even agencies which report directly to the President, than I fear we are going to have to disband a large number of our committees, or at least to curtail severely their activities. Of course we in the legislature cannot and should not intervene in areas beyond our competence. But in my view we have not only a right but a duty to maintain a general surveillance over agencies like the Central Intelligence Agency, which are established by statute and sustained by funds voted by the Members of these two Houses.

These arguments—concerning secrecy and the exclusively executive nature of the intelligence community—are at least consistent. But strangely enough those who oppose resolutions similar to this have often attempted to maintain, not that for these reasons Congress should abstain entirely from overseeing the intelligence community, but that on the contrary congressional oversight is already more than adequate. Senator Russell made this claim in the debate already quoted, and it was reiterated by Mr. Allen Dulles, the former Director of Central Intelligence, in his recent article in Harper's magazine. What is in fact the extent of congressional surveillance at the moment?

In both the House and Senate the bodies responsible for overseeing the intelligence community are small subcommittees of the Appropriations and Armed Services Committees. Neither the House Foreign Affairs Committee nor the Senate Foreign Relations Committee has jurisdiction in this area despite their obvious interest in intelligence matters. This might not matter were it not for the fact that the surveillance exercised by the four existing subcommittees is almost certainly both cursory and sporadic. For example, last year during a debate in the Senate the distinguished senior Senator from Massachusetts, my friend, Mr. Saltonstall, was asked how much time the Armed Services Subcommittee devoted to the CIA affairs. Mr. Saltonstall was perfectly frank. He said:

> I say on the floor of the Senate that we spend several hours and go into many details of operations, of expenses, of administration, and so on.

I ask Members to note the phrase "several hours"—not weeks or even days, but hours. The members of one of the most important committees in the other House devote only hours to the affairs of one of the most important agencies of our Government. The reasons for this are surely clear. The members of the four subcommittees lack any staff specialized in these matters; they themselves can have little time or thought to devote to them. But even if these subcommittees do have more time for intelligence, nevertheless the disadvantages of having responsibility for the intelligence community divided up among four different subcommittees would, I think, be obvious to everyone. I maintain that congressional surveillance of the intelligence community is not now adequate, and cannot be adequate as long as it continues to be organized as it is at present.

A moment ago I referred to the Central Intelligence Agency as one of the most important agencies of our Government. What is true of CIA is, of course, even truer of the intelligence community as a whole. Yet from time to time those who maintain that intelligence operations fall exclusively within the executive sphere—those, in other words, who are opposed to the establishment of a joint congressional committee—try to persuade us, despite all we have heard and seen during the past few years, that nevertheless CIA is a purely advisory body, that it is not directly concerned with the making of national policy. Mr. Allen Dulles himself remarked several years ago:

> CIA is not a policymaking Agency: we furnish intelligence to assist in the formulation of policy.

Senator Russell during a debate in the other body was even more blunt:

> Some Senators who addressed themselves to the resolution on Monday last, seemed to hold the opinion that the CIA was a policymaking agency. That theme ran all through the remarks which were made in advocacy of the adoption of the resolution.
>
> Mr. President, the Central Intelligence Agency is far from being a policymaking agency. It makes no policy.

The distinguished Senator went on to say that CIA was merely a coordinating and information-gathering body whose function was simply to present its findings to the actual policymaking body, the National Security Council.

Senator Russell said all this in 1956. In my view it was scarcely plausible even then. Now in 1963, after our experiences in Cuba, Laos and elsewhere, to say that CIA is in no sense a policymaking body is to say something that is palpably untrue. The National Security Act, under which CIA operates, does not, of course, formally assign it policymaking functions. But CIA is a policymaking body, and we all know it. The reasons have been well put by Prof. Harry Howe Ransom, our leading lay student of intelligence affairs. In his study "Central Intelligence and National Security," published as early as 1958, he has this to say:

> Certainly the CIA has no policymaking responsibility. Yet policy making is not a simple static action. Rather it is a dynamic process. A key element in this process is the information available to policymakers. The man, or group, controlling the information available to policymakers does in fact play a major if indirect role in policymaking.

A few pages later Professor Ransom adds:

> It would be unrealistic to suggest that the bright young men of CIA, by training, talent, and personality, do not hold strong views on controversial issues of national security policy. If it is granted that knowledge is indeed power, it will be recognized that in reality the CIA, through an increasing efficiency—and consequently rising credit with responsible decision makers—has come to play a major role in creating national security policy.

Surely those statements can no longer be regarded as anything but the simple truth. In fact even Senator Russell appears to have come round. Last year, during the hearings on the confirmation of Mr. John McCone to be Director of Central Intelligence, Senator Russell remarked:

> In this period through which we are passing, this office is perhaps second only to the Presidency in its importance.

A few moments later he repeated the point. I am inclined to agree with Senator Russell. And I submit to you that one does not describe a man as holding an office "second only to the Presidency in its importance" if the agency of which he is the head is not itself a policymaking agency of the very first order of importance.

Up to this point, Mr. Speaker, I have been mainly concerned to clear the ground, as it were—to state as clearly as I could my objections to the arguments most commonly used by opponents of the proposal I am supporting. Only by implication have I suggested positive reasons why I think a Joint Committee on Foreign Information and Intelligence should be established. I want now to address myself to the central questions: why do I think such a joint committee is necessary? And, equally important, what work do I think it might usefully undertake?

But first I have to make one further point. The Central Intelligence Agency, and indeed the entire intelligence community, is highly—and necessarily—secretive in its mode of operations. For this reason outsiders like myself have no alternative but to rely for their information on newspaper reports, on the occasional published hearings on House and Senate committees, on the work of scholars like Professor Ransom, and on a miscellaneous variety of other sources. In the very nature of things our comments and criticisms cannot be authoritative. We are working in the dark, or at least in the semitwilight. Nevertheless, I think we do know enough to have reasonable grounds for supposing that all is not well within the intelligence community. Even more important, I think we know enough to be certain that we need to know more—and by "we," of course, I mean not necessarily the general public nor even every Member of Congress, but those Members who would serve on the kind of committee I have in mind.

Why, then, do I think such a committee should be established?

I have two general reasons. The first concerns the extraordinary number of specific criticisms that have been leveled over the years against the Central Intelligence Agency and, by implication, against the intelligence community as a whole. Admittedly, as Mr. Allen Dulles recently pointed out:

> You cannot tell of operations that go along well. Those that go badly generally speak for themselves.

And I would not want for a moment to deny that the Central Intelligence Agency has scored a number of quite spectacular successes—the U-2 overflights, for example, and the overthrow of the Mossadegh regime in Iran. On balance it is almost certainly true to say that the intelligence community has served the Nation well. But the fact does remain that on occasion the community has blundered seriously, and that for its blunder the citizens of the United States have paid a heavy price.

Let me refer to just a few instances. Back in 1950, as Mr. Dulles himself has tacitly admitted, the intelligence community failed to anticipate the Chinese Communist intervention in Korea. We are still living with the consequences of that particular failure. A few years later an incident involving the CIA caused us serious embarrassment in the Middle East and may have contributed indirectly to the Suez affair. In July 1956 President Nasser of Egypt claimed in a speech at Alexandria that he had been strongly advised by a U.S. Government official to ignore an important message that he was about to receive from the State Department. It was subsequently confirmed that the official in question had been the regional representative of CIA.

More recently, of course, we had the fiasco of the Bay of Pigs. Chief responsibility for that lamentable affair must rest with the President of the United States. However, there can be no question but that the Central Intelligence Agency was deeply involved in the whole affair, and that its actions and advice had a decisive effect on the eventual outcome. Surely most Members of the House will agree that it would be in the national interest to know whether such incidents were merely particular aberrations or whether, in fact, they form a pattern that is likely to be repeated in the future.

My second general reason for pressing for the establishment of this committee I can state quite briefly. It is this. I abhor government by secrecy. I regard it as inimical to the effective functioning of our institutions. I regard it as alien to our American way of life. Above all, I regard it as a threat to our fundamental liberties. I fully realize, of course, it should be clear from what I have said already that a high degree of secrecy is essential to the workings of the intelligence community.

But I fear that with respect to the intelligence community we are often the victims of secrecy for secrecy's sake. Things are done to us and in our name which we know nothing of. I do not wish to see the legitimate secrets of the intelligence community reported in the press and on the air. Of course I do not. But it does seem to me of enormous importance that a few selected representatives of the people, chosen by the two Houses of Congress, should be continuously aware of what the intelligence community is doing and of the way in which it is going about doing it. The American people have at stake, not merely their liberties but their lives.

Despite all I have said so far, there would, of course, be little point in establishing this joint committee unless we had some fairly clear idea of what we thought it should do, of what subjects we thought it should study. I propose, therefore, to continue by discussing four questions, all of high importance, which I think might usefully be investigated: first, the relations between the Central Intelligence Agency and the State Department, especially overseas; second, the relations between intelligence-gathering on the one hand and so-called special operations on the other; third, the selection and training of intelligence personnel; and fourth, the whole question of intelligence evaluation. I propose to deal briefly with the first three of these questions and to say rather more about the fourth.

First, the relations between CIA and the State Department.

The problem here has been posed succinctly by Henry Howe Ransom in the book I have already cited. On page 216 he writes:

> The operation by the U.S. Government of a farflung secret apparatus for intelligence gathering and political action could have widespread diplomatic ramifications. There may be a basic incompatibility between the maintenance of accredited diplomatic missions in some 78 foreign posts (as of 1958)—

The number would be considerably greater now—

> and the existence of American secret agents in most of these same foreign areas. Greatest care must be exercised in keeping U.S. diplomacy separated from spying and backstage political maneuvering, at least on the surface, yet the diplomats probably should not be completely in the dark as to the activities of American secret agents.

The possibly disruptive effect of having, on the premises of American embassies abroad or in the field, agents who owe allegiance to someone other than the ambassador and to an organization other than the State Department and who may be engaging in activities running counter to expressed State Department policy, scarcely needs spelling out in detail.

Nor are these dangers merely speculative. It seems, for example, that toward the end of the Chinese civil war remnants of Chiang Kai-shek's Nationalist Army moved into parts of northern Burma. These troops claimed to be eager to harass the Communists across the border, and CIA accordingly supplied them with large quantities of money and arms. But according to available reports the Chinese had long since tired of fighting. Instead of attacking the Communists, they proceeded to settle down, to occupy much of the best agricultural land in northern Burma, and to cultivate opium—all with the assistance of U.S. funds.

This would have been a melancholy episode in any case. But what made it worse was the fact that our Ambassador in Rangoon apparently had not the faintest idea of what CIA was doing. When the Burmese Government formally complained to the United States, the Ambassador issued a categorical denial; he said the United States had nothing to do with the activities of the Nationalist Chinese. Our Ambassador of course believed he was telling the truth. But what he was saying was in fact not true, and naturally the Burmese were shocked by this apparent evidence of American duplicity. What was the upshot of this episode? The American Ambassador resigned, the U.S. Government was deeply embarrassed, and the Government of Burma threatened for a time to break off diplomatic relations.

Admittedly, this incident was particularly ludicrous. But it is not without parallel. Our policy in the early stages of the Laotian crisis appears to have been constantly bedeviled by a lack of effective coordination between the CIA and the State Department. Similarly with Cuba prior to the Bay of Pigs invasion. Mr. Tad Szulc and Mr. Karl Meyer, in their able account of that affair, describe how, on its own initiative, CIA established close working relations with exiled supporters of the former dictator Batista. They add:

> This decision marked the inauguration of what, in effect, became its independent foreign policy toward Cuba, in cavalier disregard of the thinking in the White House and the State Department.

Note that all this occurred despite the efforts of an earlier Secretary of State, Mr. Christian Herter, to regularize relations between the State Department and CIA. Since then the Herter-Allen Dulles agreement on the relations between Ambassadors and CIA personnel in the field has been reaffirmed by Mr. Rusk and Mr. McCone. And by now we have reason to hope that the responsible foreign policymakers—the President and the National Security Council—have reasserted their authority over the Central Intelligence Agency. I agree that to a considerable extent this is a problem of particular persons and particular situations. But it is also the case that, as long as both State Department and CIA personnel are working in the field, as long as both agencies are responsible for the collection of information, and—perhaps most important—as long as CIA continues to be responsible for special operations, the problem of integrating the Central Intelligence Agency into our general foreign policy apparatus will remain difficult and will remain worthy of close and continuous examination. The exercise of surveillance in this field I conceive to be one possible function of a Joint Congressional Committee on Foreign Information and Intelligence.

A moment ago I alluded to the conduct by the CIA of so-called special operations; that is, the fomenting of opposition against hostile governments, the arming of insurgents, the provocation of enemy action, and so on. The question of housing these special operations—or additional services or other functions or whatever you want to call them—under the same roof as the CIA's purely intelligence-gathering operations has, of course, long been a matter of controversy, and it is this question that I suggest might usefully be the second of the new joint committee's areas of study.

I do not suppose we need to be reminded of the importance of this question. The Bay of Pigs invasion was only the most spectacular and best publicized of CIA's special operations. There was the Iranian affair in 1953, and the following year the overthrow of the Arbenz regime in Guatemala. CIA also appears to have had a hand in the main risings in Eastern Europe, in East Berlin and Hungary. Operations of this sort, unless carefully supervised and controlled by responsible political officers, could unwittingly involve the United States in a major international crisis, possibly in war. If this was not clear before the Bay of Pigs, it ought to be clear now.

The institutional danger here is readily apparent and has often been stated. As Professor Ransom puts it:

> To mix the two functions—

That is, of information gathering and special operations—

> involves the danger that foreign agents collecting facts and trying at the same time to bolster or cause the overthrow of a foreign government in America's apparent interest may develop a less than objective sense for distinguishing between fact and aspiration.

Messrs. Szulc and Meyer make the same point apropos of Cuba:

> The CIA men were not only shaping, in effect, foreign policy, but were exempt from any meaningful outside checks on their activities. Indeed, they were in the enviable position of both organizing a clandestine operation and preparing the intelligence data through which the validity of the venture could be judged.

The obvious solution to this problem would, of course, be to deprive CIA entirely of its special operations function. Unfortunately the people in the most favorable position to collect clandestine information are often also the people best placed to engage in subversive political activities. In addition, a total divorce between the two functions might lead, in Ransom's words, to "competition, duplication, and even outright conflict."

For a time the Maxwell Taylor Committee, appointed by the President to inquire into the Bay of Pigs affair, appears to have toyed, at least, with an alternative idea—the idea of transferring the bulk of CIA's special operations to the Defense Department. But this solution would have had the equally obvious disadvantage of ensuring that the uniformed military—and hence the credit and prestige of the U.S. Government—would become involved as soon as any paramilitary operation became a matter of public knowledge.

In the event, it seems that routine covert operations have been left in the hands of CIA, with control to be transferred to the Pentagon only if a particular project becomes so big as to warrant open military participation. Mr. Hanson Baldwin in the New York Times summed up the matter thus:

> The general rule of thumb for the future is that the CIA will not handle any primarily military operations, or ones of such size that they cannot be kept secret. However, each case will apparently be judged on its merits; there is no hard-and-fast formula that will put one operation under the CIA and another under the Pentagon."

All of us, I think, will agree that this is an area in which hard-and-fast formulas are not appropriate and in which, in the nature of things, organizational gimmicks cannot solve the major difficulties. As in the case of relations between CIA and the State Department, much depends on particular people and particular situations. But largely because the problem is of this sort, because it is a problem which can never finally be solved, I feel very strongly that continuing congressional surveillance is urgently required. If a joint committee had been in existence in the early stages of the first Cuban crisis, and if it had had cognizance of this matter, would the Bay of Pigs fiasco have occurred? I think it is at least possible that it would not.

Discussion of the Bay of Pigs leads me naturally to the third of the questions I think a joint committee might investigate: the whole question of recruitment and personnel within the intelligence community. For it seems to me perfectly clear that one of the things that went wrong with the abortive Cuban invasion—not the only thing, but one of the things—was that much of the CIA personnel responsible for the operation consisted of the sort of people who could not distinguish between the reactionary and the democratic elements in the anti-Castro camp, between the opponents of Castro who were acceptable to the Cuban people and those who, as former supporters of Batista, were anathema to them.

Let me quote again from Szulc and Meyer. In their book, "The Cuban Invasion," they write:

> Thus the CIA established contacts in Miami with pro-Batista organizations and with exile groups whose entire political philosophy was dedicated to the return to the pre-Castro

> status quo in Cuba. * * * These factions were placing themselves not only against Castro but against history; whether or not the CIA operatives were aware that total regression is impossible, the contacts with the rightist factions ran counter to official U.S. policy, aimed at encouraging social reform in Latin America."

A few pages later they remark that the activities of the CIA agents reflected a desire to promote anti-Castro groups which they could manipulate. They continue:

> It also reflected an attitude of hostility to left-of-center exile groups by second-rate field operatives. This in turn affected the top level of the agency and resulted in a lack of understanding at the top. It is not clear to what extent the CIA attitude was ideologically motivated or was simply a response based on the agent's view of what was practical or realistic.

This tendency on the part of the CIA to seek out and support the most anti-Communist groups in the field, regardless of whether or not such groups are politically viable, has of course been manifested on a number of other occasions—in Laos as well as in Cuba, and apparently in Algeria and the Congo as well. It is a persistent tendency, and one that on occasion has had a damaging effect on our policy. I suspect it has something to do with the kinds of people the Central Intelligence Agency gets to work for it.

Is it wise, for example, to rely to the extent CIA seems to do on the services of retired service officers? One would suppose that retired service officers, though almost always men of great ability, would have an instinctive tendency to take a rather narrow, strictly "operational" view of the problems confronting them. Similarly, is it wise to rely too heavily on the services of political exiles and refugees? It seems reasonable, for example, to suppose that an exile from Ruritania, especially someone who has passionate convictions about what course events in his homeland ought to take, may not be the best person to assess what course events in his homeland actually are taking, especially if what is actually happening is not to his taste.

Please do not misunderstand me. I do not mean to impugn the enormous amount of valuable work being done by retired service officers and by exiles and refugees in the CIA. Without their help, the organization simply could not function. Altogether the Central Intelligence Agency undoubtedly commands some of the ablest minds in the U.S. Government. And of course I do not mean for a moment to suggest that CIA should be staffed with "soft-liners" or people who have had no personal experience of the countries in question. That would be absurd.

But what I do think is that we have to be sure that what we are getting are actually the facts, and not what we would like to be the facts. This is not a matter of personal preference one way or the other. It is a matter of finding out what is actually taking place—and personal preferences enter only as they may color one's judgment. I suspect that the judgment of the CIA is sometimes colored by the preference of its employees. I suspect that CIA ought to take special care to recruit and employ men and women of widely differing backgrounds, temperaments, and opinions. I suspect that in these kinds of situations one gets at the truth only when a wide variety of inclinations is brought to bear. But remember that these are my feelings only. I have little data at my command. All I am saying is that I have a hunch that CIA recruitment policy has had an effect on CIA's performance. I may be wrong, but I submit that the only way we in Congress can find out is by ourselves conducting an inquiry into the subject.

The whole question of personnel and recruitment is, then, the third of the areas I would like to see a joint committee study. I would only add that of course no investigation need inquire into the names and histories of particular individuals involved; there need be no breaches of security or secrecy. The matter we are concerned with is one of general policy.

Finally, I want to turn to what is perhaps the most difficult of the four questions I referred to earlier: the question of how best to organize the evaluation of the enormous amount of material collected every day by the various agencies of the intelligence community. Obviously evaluation of some sort takes place at every echelon within the community, but I am particularly concerned with the top-level U.S. Intelligence Board and its auxiliary bodies.

Probably a few words are in order on how these agencies are organized. I think the following description is roughly accurate, though the Central Intelligence Agency refused to provide me with authoritative information so I have had to rely on data from published sources.

By the phrase "intelligence community" I mean the numerous agencies within the executive branch concerned with intelligence collection and evaluation: the CIA, the new Defense Intelligence Agency, the State Department, RAND, and so on. The community as a whole is responsible for producing the national estimates—described by Professor Ransom as "these vital building blocks of national security policy." With the exception of the ultrasecret net estimates which are produced by special machinery within the National Security Council, most estimates are prepared under the aegis of the so-called Board of National Estimates.

This Board consists of a small number of intelligence experts—soldiers, diplomats, and scholars—who, to quote Ransom again, "preside as a kind of planning general staff for the intelligence community." The Board can initiate the preparation of an estimate, though it usually does so only on request from the President, the Director of Central Intelligence, or some other member of the National Security Council. In all cases, the Board of National Estimates sets the terms of reference, breaks the problem up into feasible components, and assigns appropriate tasks to the various agencies. The resulting staff studies are collated by the small Office of National Estimates. The Board then drafts either a straight estimate—that is, one which attempts to assess a foreign nation's intentions or future policies with implicit assumptions as to future U.S. policy—or a general estimate—that is, one involving stated assumptions concerning possible changes in U.S. policy. After the draft estimate has been returned to the participating agencies for their comments and criticisms, it is submitted, possibly with dissents, to a committee which used to be known as the Intelligence Advisory Committee but is now named the U.S. Intelligence Board.

If the Board of Estimates is the planning board for the intelligence community, the Intelligence Board is its board of directors. As Ransom puts it, it is the "final forum for the professional intelligence community." It resolves jurisdictional disputes within the community and is finally responsible for forwarding the national estimates to the National Security Council. Invariably the attempt is made to produce agreed estimates, and usually the attempt is successful; but on occasion dissenting opinions will be submitted. The Intelligence Board meets usually once a week. It consists of the leading intelligence officials of the community and is chaired by the Director of Central Intelligence.

Two aspects of this process in particular are worth noting. The first is the central role of the Central Intelligence Agency. A high proportion of the intelligence community's fact gathering is done by CIA. The Board of National Estimates functions as a part of CIA. The chairman of the U.S. Intelligence Board is Director of CIA. And, of course, the intelligence community's spokesman on the National Security Council itself is also the CIA Director. The second thing worth noting, however, is the duality of CIA's role. Under the National Security Act the Agency is not only one of the participants in the intelligence community, it is also the chief agency responsible for coordinating it. In other words, at many points in the process of evaluation, CIA is both player and umpire, both witness and judge. This ambiguity is implicit in the title of the Director who is formally not the "Director of the Central Intelligence Agency" but simply "Director of Central Intelligence."

Now the danger here is clear. It is that the Central Intelligence Agency will become—perhaps it has already become—not merely the chief intelligence agency but the dominant intelligence agency, and that it will develop persistent institutional tendencies, biases, and even policies. This type of problem is, of course, not peculiar to the American intelligence community but is characteristic of any complex administrative apparatus. That is the reason it has constantly to be guarded against.

Sherman Kent, a Yale professor and a World War II intelligence officer, put the point this way:

> Almost any man or group of men confronted with the duty of getting something planned or getting something done will sooner or later hit upon what they consider a single most desirable course of action. Usually it is sooner; sometimes, under duress, it is a snap judgment of the top of the head. I cannot escape the belief that under the circumstances outlined, intelligence will

> find itself right in the middle of policy, and that upon occasions it will be the unabashed apologist for a given policy rather than its impartial and objective analyst.

Szulc and Meyer, writing of the Bay of Pigs, conclude:

> Yet CIA was not behaving idiotically; it was in many senses responding to the insulated rationalism that infects a sheltered bureaucracy. Indeed, if there is an institutional villain, it is bureaucracy itself—that hulking, stubborn giant that seemingly can only look where it has been and not whither it is tending.

Professor Ransom calls it simply the problem of "feedback."

Naturally in the early months of 1961 the administration addressed itself to this problem. After the Bay of Pigs it could scarcely do otherwise. In particular it reactivated a watchdog group set up by President Eisenhower in 1956, originally called the President's Board of Consultants on Foreign Intelligence Activities and now named the President's Foreign Intelligence Advisory Board. This Board, under the chairmanship of Dr. James R. Killian, Jr., of the Massachusetts Institute of Technology, studied the question of evaluation and apparently forwarded one or more reports to the President in the course of the year.

These reports have not been made public, but I think it is possible to piece together from newspaper reports roughly what happened. It seems that the Killian committee, or at least some of its members, were unhappy about the dual role being played by CIA. They proposed that in future the Director of CIA should be more of a technician, and that a new post should be created, probably attached to the White House, with some such title as Coordinator of Intelligence. The new coordinator would be in a position to analyze and assess the results achieved by the intelligence community without having any bias in favor of CIA. Reports to this effect appeared frequently in the press in June and July 1961. In August Mr. Cabell Phillips of the New York Times stated that the new post had actually been offered to Mr. Fowler Hamilton.

Either these reports were inaccurate, or the administration changed its mind, or they could not find anyone to occupy the new post, because in September 1961 the President announced that Mr. John A. McCone had been named Director of Central Intelligence without any major change being made in the structure of the intelligence community. Subsequently, however, in January 1962 one such change was announced. Henceforth the Director of Central Intelligence was not to function both as Chairman of the U.S. Intelligence Board and also as CIA member of the Board. Instead, although the Director was to remain Chairman of the Board, his deputy was to act as representative of the CIA. In a letter to Mr. McCone, the President noted this change with approval. He added:

> As head of the Central Intelligence Agency, while you will continue to have overall responsibility for the Agency, I shall expect you to delegate to your principal deputy, as you may deem necessary, so much of the direction of the detailed operation of the Agency as may be required to permit you to carry out your primary task as Director of Central Intelligence.

Clearly there was a dilemma here. On the one hand, it was evident that CIA's intelligence gathering and operational functions could conflict with its coordinating function—and, of course, what was true of the Agency was also true of its Director. On the other hand, the President and his advisers were almost certainly aware that an independent coordinator, who was not himself the head of a major agency, might find himself weak, even powerless, in the face of the vast intelligence bureaucracies. Independence in theory might mean impotence in practice. So a compromise was struck, and the duties of the Director of Central Intelligence merely redefined.

How successful this compromise has been it is probably too early to say. But from all that I have said, it ought to be obvious that the problem of evaluation, like the other problems I have already mentioned, is a continuing one, and not one that can be spirited out of existence by merely institutional gimmickry. It is also obvious that the problem of evaluation is an enormously important problem, probably the most important confronting the intelligence community. For these reasons, I think that it, too, should be a continuing subject of scrutiny by a well-qualified and well-staffed committee of Congress.

Mr. Speaker, I do not wish to detain the House further. I have spoken at considerable length, yet I am only too well aware that I have only skimmed the surface of this extraordinarily complicated and difficult subject. There are any number of further questions that I might have posed—for example, concerning the apparently increasing concentration of authority within the intelligence community, or about the role of the U.S. Information Agency. And, of course, I must repeat that this has been essentially an outsider's analysis. I have been trying merely to suggest what kinds of inquiry a joint committee might undertake, not to anticipate what the results of those inquiries would be.

Nor as I remarked at the outset, do I wish to insist that the resolution I am introducing today provides the only possible way of proceeding. Perhaps the joint committee should be given rather different terms of reference. Or perhaps a body should be established comprising private citizens as well as Members of Congress. I do not want to be dogmatic about this. My purpose in speaking today has been to reopen public discussion of an issue that has too long been dormant, and moreover to reopen it at a time of relative tranquillity, when the intelligence community is not in the public spotlight; at a time therefore when these matters can be considered soberly and dispassionately.

But we in Congress should not be too timid about putting ourselves forward. I wonder how many Members of this House are aware of the enormous body of opinion in favor of the creation of a congressional joint committee. Both the Hoover Commission and its special intelligence task force favored congressional intervention. The New York Times has consistently supported the idea in its editorial columns. Two years ago the distinguished military analyst, Mr. Hanson Baldwin, stated that one of the lessons to be drawn from the Bay of Pigs was "the necessity of keeping all secret intelligence activities and operations under constant top-echelon surveillance and review." He noted that the machinery for achieving this would be greatly strengthened by the creation of a joint congressional watchdog committee.

Finally, Mr. Speaker, I should like to quote just once more from the writings of Professor Harry Howe Ransom who, as I have already said, is our country's leading lay student of intelligence affairs. I think his comment deserves all the greater consideration because it comes from a member of the political science profession—a profession which, as we all know, has always had a strong bias in favor of the executive branch of government. On page 206 of "Central Intelligence and National Security" Professor Ransom remarks:

> It is common experience for security policymakers, military and civilian, to find their fear of congressional interference changed into gratitude for congressional support, frequently more effective support than has been accorded on the executive side of Government. No executive agency today reveals everything to congressional committees with jurisdiction over its operations. Officials of Central Intelligence may be expected to reveal even less. But more advantages are to be gained than lost from establishing a more institutionalized system for congressional surveillance.

I agree with that, Mr. Speaker, and I hope that what I have said today will be given earnest and thoughtful attention by my colleagues on both sides of the aisle.

Mr. NORBLAD. Mr. Speaker, will the gentleman yield?

Mr. LINDSAY. I yield to the gentleman from Oregon.

Mr. NORBLAD. Mr. Speaker, I want to associate myself with the gentleman's remarks. I think we should have had a joint committee to monitor the CIA when it was first established. I have had a little experience in the matter as a member of the Committee on Armed Services. As you may know, we have a subcommittee on the CIA. I was a member of that committee for either 2 or 4 years. We met annually—one time a year, for a period of 2 hours in which we accomplished virtually nothing. I think a proposal such as you have made is the answer to it because a part-time subcommittee of the Armed Services Committee, as I say, which meets for just 2 hours, 1 day a year, accomplishes nothing whatsoever. I want to compliment the gentleman on his proposal.

Mr. LINDSAY. I thank the gentleman from Oregon and appreciate the contribution he has made. He knows wherein he talks. He is an expert on the subject and is a member of the Committee on Armed Services and was a member of the subcommittee supervising the CIA—in theory—and what he says dovetails entirely and agrees with the experience, and the statements made in the other body as well.

Mr. LINDSAY. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Morse] may extend his remarks at this point in the Record.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MORSE. Mr. Speaker, I rise to commend my distinguished colleague, the gentleman from New York [Mr. Lindsay], on the step he has taken in introducing his resolution. The gentleman from New York [Mr. Lindsay] has taken the initiative in remedying a serious inadequacy in our foreign policy making process. His efforts merit our thoughtful attention and solid support.

I have joined the gentleman from New York [Mr. Lindsay] in filing a companion resolution which, by establishing a Joint Committee on Foreign Information and Intelligence, would fill what is now a gaping hole in the congressional mechanism for the formulation of foreign policy. At present, intelligence matters are handled simultaneously by several committees on both sides of Capitol Hill. Not only confusion but omission as well result from this decentralization of supervision. Our proposals, which would apply to any intelligence or information agency, not only the CIA, would remedy this situation.

First, the proposed joint committee would give Congress the machinery it must have to exercise its responsibility for the oversight of the Nation's intelligence activities. The present lack of congressional supervision in this area is itself a serious omission in view of the work required of the foreign policy committees of both Houses. A variety of congressional committees now handles the Nation's ever widening range of intelligence activities. Effective coordination of congressional supervision is impossible.

The proposed committee would have a comprehensive view of the intelligence and information aspects of foreign affairs. A single committee of this nature would provide the existing foreign policy committees with more direct and efficient service. The agencies under its supervision would benefit as well. A prime target of the joint committee's efforts would be the improvement of their operations and policies. Studies of the agencies' problems and programs would, of course, be considerably more extensive and complete when conducted by a committee with single responsibility of intelligence oversight.

Ultimately, I believe, both Houses of Congress would benefit from the establishment of the proposed joint committee. The Senate and House would be afforded a broader opportunity for careful consideration of foreign information and intelligence matters. The agencies involved would similarly benefit from the committee's studies and recommendations.

Therefore, Mr. Speaker, I hope the House may act promptly on our proposal. It would fill a vital gap in our foreign policymaking process. It would streamline existing efforts in the areas of foreign information and intelligence. This is an area in which congressional responsibility is long overdue.

ESTABLISHING MINIMUM STANDARDS FOR OPERATION OF CIVIL SUPERSONIC AIRCRAFT

The SPEAKER pro tempore. (Mr. Roybal). Under previous order of the House, the gentleman from Illinois [Mr. Pucinski] is recognized for 30 minutes.

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PUCINSKI. Mr. Speaker, I have today introduced legislation designed to deal with a most serious problem which will confront our Nation in the very near future. Specifically, Mr. Speaker, my legislation would establish certain limits of tolerance associated with the advent of the supersonic civil transport plane now being developed by aircraft manufacturers in France and England and being purchased by several American airlines. Similar efforts to develop a supersonic transport are now underway in the United States.

This is a problem which we no longer can ignore. I have introduced this legislation at this particular time, in order to give airplane manufacturers both in our own country and abroad ample opportunity to make sufficient changes in the design of their powerplants to avoid future distress to millions of Americans. The supersonic jet powerplant of the future must be developed and designed with appropriate consideration for noise abatement.

This is far-reaching legislation, But I submit, Mr. Speaker, that we can no longer ignore this problem. The United States and the entire world failed to properly plan ahead in the development of our present subsonic jet transports and, as a result, millions of people throughout the world have had their lives drastically changed by the unbearable noise which today's jet transports produce at airfields near large urban areas.

My own district lies just east of O'Hare Field, the world's busiest airport. It would be literally impossible for me to fully describe the deafening noise which thousands of my constituents suffer every day from conventional subsonic jets either arriving or departing O'Hare Field. It cannot be said that these people shouldn't have built near the airport; these people were there before the airport was built.

I believe it is tragic that airplane manufacturers of the world did not take these consequences into consideration when they developed the subsonic jet transport during the past decade.

I was not a Member of Congress in those days, but I feel it is not only my duty but the duty of every Member of this Congress both in the House and in the Senate to recognize the fact that we cannot repeat this error on the threshold of the supersonic air transport era.

FAA

We must do everything possible to insure that this new type of supersonic aircraft—which is being developed from scratch—does not repeat the tragic mistake of its subsonic jet predecessor, FAA.

The legislation which I have introduced today would prohibit the operation of any civil supersonic aircraft in air transportation through the navigable airspace of the United States which would generate sonic boom overpressures exceeding 1.5 pounds per square foot on the ground directly beneath the flight path.

This legislation would further make it unlawful to operate any civil supersonic aircraft into or out of U.S. airports unless it can be demonstrated that ground noise level generated by such civil supersonic aircraft is substantially lower than that generated by long range subsonic jet aircraft.

I am not at all persuaded by the argument that you cannot stop progress. Certainly we all are for progress. But we cannot blindly state that we are for progress when we know that such progress can seriously impair the health and emotional stability of great numbers of Americans. Nor can we say blindly we are for progress when we are faced with the prospect of seeing huge belts of destruction criss-crossing the United States from sonic booms generated by supersonic aircraft.

It is my belief, that unless Congress deals with this subject matter at this time, we may conceivably see such havoc wrought upon this country from sonic booms, that millions of dollars in damage to property and a serious threat to the health of many of our people may ensue.

My bill limits sonic boom overpressures not to exceed 1.5 pounds per square foot on the ground directly beneath the flight path.

The best available information on sonic booms indicates that anything under 1 pound per square foot in overpressure by a supersonic aircraft flying at an altitude of 70,000 feet creates no damage to ground structures and no significant public reaction. Anything under 1.5 pounds per square foot in overpressure creates no damage to ground structures but does produce some probability of public reaction to moderate sonic booms. Overpressures between 1.5 pounds per square foot and 2 pounds per square foot produce significant public reaction day and night but no damage to ground structures.

I hope my colleagues from the rural areas will take into account the fact that sonic booms which create significant public reaction day and night in this category will also have significant reaction on farm livestock.

Overpressures exceeding 2 pounds per square foot but under 3 pounds per square foot at an altitude of 70,000 feet create damage to glass and plaster and produce widespread public reaction day and night. Overpressures exceeding 3 pounds per square foot produce widespread window and plaster damage, minor structural damage to frame and walls, and profound public reaction.

The U.S. Air Force can produce significant figures showing damage claims paid by our Government for losses due to sonic booms created by our military aircraft. You will note that my bill does not apply to military aircraft because we can certainly recognize the fact that in the area of national defense, we must be prepared to suffer some discomfort.

Furthermore, the Air Force has carried on an intensive program of rigid control in the production of sonic booms so that every effort has been made to keep the damage to a minimum. I am sure this will not be the case when private airlines begin competing against each other with supersonic air transports.

The other part of my proposal today would prohibit flights of civil supersonic aircraft into or out of U.S. airports unless it can be demonstrated that ground noise generated by such supersonic aircraft is substantially lower than that generated by present long-range subsonic jet aircraft.

At first blush this may seem like a harsh and unreasonable proposal, but I hope those who would criticize this proposal will take into consideration the fact that we are now only on the threshold in the development of supersonic airframes and powerplants. Unlike the development of the subsonic jet transport, which was developed in the first instance as part of the military defense system when no consideration was given to noise levels in the development of powerplants, in the development of supersonic powerplants we have time and we know from experience the necessity for taking noise into consideration in the development of such powerplants.

This legislation is designed to put the whole airplane industry, both in the United States and in other nations of the world, on notice that the people of the United States do not intend to perpetuate the folly of permitting air transports to be developed with no consideration being given to noise abatement.

There is no logical reason why the development of supersonic air transports for civilian use must be based on some foolish notion that a race exists between developer nations. I am more interested in which nation will be first to develop a supersonic civilian transport which meets the standards of noise abatement rather than which nation develops a supersonic transport which will actually knock the world's brains out with deafening noise. I am convinced the nation which develops a relatively quiet supersonic transport will ultimately get most of the world's business.

The city of San Francisco recently recognized the tremendous noise problems that supersonic air transports will produce. Belford Brown, manager of the San Francisco International Airport, in a letter dated July 18, 1963, to Mr. Robert Murray, Jr., vice president of Pan American World Airways, stated San Francisco's concern regarding the supersonic aircraft noise problem. This letter should be of particular interest since San Francisco has in the past adhered to a policy of no operational restrictions on air carriers.

Mr. Brown wrote as follows:

> Recent publications within the air transportation industry and nationwide newspaper reporting indicate that Pan American World Airways is contemplating the purchase of Concorde supersonic commercial transports which have been developed by the Anglo-French combine. The airport department at San Francisco understands from the planners of one European supersonic airport that the landing configuration of this particular aircraft is such that it is expected to create a noise level approximately 16 decibels higher than now being experienced by American subsonic jet aircraft.
>
> As president of the San Francisco Sound Abatement Center you are aware of the noise problems and community resistance to the airport's operation at San Francisco International Airport and of the legal actions now pending and in the hands of our legal counsel. You are also aware that San Francisco International Airport has never instituted an operational restriction on the air carriers or aircraft operating into and out of San Francisco International Airport. We have relied wholly upon our preferential runway systems, airport runway extensions, and community enlightenment on noise through the sound abatement center.
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> On July 9, 1963, the Public Utilities Commission of the City and County of San Francisco passed Resolution No. 23074 (copy attached hereto) setting forth the city's official position concerning supersonic transport planning. In effect, it states (1) that supersonic jet transports should be able to operate from the existing and currently planned major civil air terminals; (2) that the design of these transports should require no greater landing or takeoff distances than present-day subsonic jet aircraft; and (3) that the ground level noise created by supersonic jet transports should be no greater in the airport environs than the levels now being experienced.
>
> The purpose of this communication is to advise Pan American World Airways of the city's official position in this matter, and further, to inform you that if facts stated in this communication as to the noise characteristics of the Concorde are correct, we will have to forgo our previous policy and give serious consideration to imposing operating requirements which will control the noise levels of aircraft operating in and out of San Francisco International Airport.

Mr. Speaker, I should like to call particular attention to the statement which indicates that supersonic aircraft are expected to create a noise level approximately 16 decibels higher than now being experienced by American subsonic jet aircraft. This is incredible. This 16 decibel increase is like firing a cannon next to a 22-caliber rifle. I submit that if Congress fails to adopt this legislation or some similar restrictions on the degree of noise level which we will tolerate at our major airfields from supersonic aircraft, we will be creating an absolutely inhuman situation for thousands upon thousands of families living in the vicinity of America's major airfields. I submit, Mr. Speaker, that a 16-decibel increase over the present level of noise generated by a landing jet, will create conditions which will be completely unbearable to the human ear and brain. I submit this situation, if true, could have serious psychological effects on vast numbers of Americans.

Subsonic jets now operating in this country produce noise levels both on departure and arrival dangerously close to the maximum human tolerance of perceived noise decibels. To permit the operation of supersonic transports which will produce noise 16 decibels higher than now being experienced by American subsonic jet aircraft is, in my judgment, Mr. Speaker, to invite disaster for large segments of our American population.

I submit, Mr. Speaker, this is a problem which must be dealt with by the Federal Government. It is not fair to leave to the individual airports of America the responsibility of developing their own respective standards.

Such a policy could bring about a wide divergence of rules and regulations and standards which could affect the entire configuration of air travel in America. I believe in fairness to all the major airfields of this Nation. The Congress should establish one uniform standard. This would insure against unnecessary economic pressures upon the individual airport operators.

Mr. Speaker, this is a matter which we can no longer ignore. Continental Airlines recently signed a $30 million-plus contract to purchase three British-French mach 2.2 jet airliners which, when delivered, will provide the first supersonic service within the United States. These supersonic transports would be capable of flying from Los Angeles to Chicago in less than 2 hours.

This is the second supersonic air transport order placed by an American firm. Pan American World Airways ordered six similar planes for use on its oversea routes.

It is estimated that the first Concord ordered by Continental should make its maiden flight in 1966, with delivery date in 1969. The Concord is a joint venture between France's Sud Aviation and England's British Aircraft Corp. It will carry 104 passengers at speeds up to 1,450 miles per hour.

I mention these two orders and call attention to the fact that these airplanes are not scheduled to make their maiden flight until 1966, and will not be available for production runs until 1969, to emphasize that there is still ample time to insist that the designers of these supersonic jets, whether they be in the United States or in Europe or any other part of the world, alter the basic design and engage in extensive research to deal with the problem of sonic booms and deafening noise before they invest billions of dollars in the production of aircraft which will not be permitted to operate within the rich travel market of the continental United States.

There are those who claim that the sonic boom will have little effect because these supersonic jets will operate at exceedingly high altitudes. I submit, Mr. Speaker, that there has not been sufficient research conducted on this subject as yet to prove conclusively such an assertion. Nor are aviation experts in agreement as to what will be the full consequences of the supersonic jet age on the world's population. There are also those who claim dangers of radiation if the supersonic jets attempt to operate at sufficiently high altitudes to avoid sonic booms.

Dr. Bo Lundberg, director of Sweden's Aeronautical Research Institute, seriously questions whether the whole idea of time saved in supersonic transports is really worth while.

He states without equivocation that his own studies of this subject indicate that life in New York, Chicago, Detroit, and for that matter, in nearly two-thirds of the United States, will become unbearable with the introduction of supersonic jets on existing U.S. air routes.

At the conclusion of my remarks, I shall include a paper which Dr. Lundberg prepared in 1961, entitled "Civil Supersonics: Too Much Hurry?" His thesis is a dramatic plea for a more rational approach to this entire problem of supersonic transports, particularly as they relate to the tragic consequences of sonic booms.

Permit me at this time merely to reflect on one of Dr. Lundberg's observations. This distinguished Swedish scientist suggests that an 80-ton mach 2 or 3 airliner—and please keep in mind that mach 1 is the speed of sound, or 663 miles per hour air speed; mach 2 is 1,326 miles per hour air speed; and mach 3 is 1,989 miles per hour air speed—flying at 70,000 feet and presumably carrying some 100 passengers—would sweep the earth's surface with a thunderlike noise along its entire flight path, the effect being a rattling—and often shattering—of windows and the awakening of sleeping people within a band of disturbance some 70 miles wide.

The August issue of Air Force and Space Digest, in an article by Geoffrey Norris entitled "What Is Ahead for the Supersonic Transport?" carries the following observation on the British-French Concord and its relationship to the sonic boom:

> On the subject of noise, the attitude of BAD-SUD appears to be that people must eventually grow accustomed to sonic booms, but that the Concord's design will take advantage of the extensive research that has been conducted in Britain and France, as well as in the United States, into this problem. In addition, by following certain operational techniques, including not flying faster than mach 1 below certain altitudes, disturbances can, it is hoped, be kept to a minimum.

The people of my district, Mr. Speaker, including myself, are getting somewhat fed up with these assertions by aircraft manufacturers and airline companies that we must get used to jet noise. This is unadulterated bunk. It is incredible for anyone to suggest that in order to save perhaps an hour or two of time for those who travel long distances, millions of people throughout this world must completely alter their existence.

I wonder what the insurance companies of America will have to say on this subject if all of those glass skyscrapers we are building in the major cities of America from coast to coast, suddenly start pouring tons of glass upon the people below. I wonder if the stockholders of these companies will take kindly to the remark that "people must eventually grow accustomed to sonic booms."

And what about the millions of people who may become victims of this sudden deluge of damage and destruction created by sonic booms?

Mr. Speaker, I firmly believe we cannot permit this whole project to go unchecked. I believe this legislation should be adopted as quickly as possible. If indeed the manufacturers of supersonic jets can lick these problems, then they have nothing to fear in this legislation.

On the other hand, I say it will be tantamount to criminal negligence on our part to let this situation continue without serving notice upon the producers of supersonic jets that this country intends to give its citizens the full degree of protection under the law.

I say that we here in Congress should deal with this problem forthwith so that American investors and other investors throughout the world will proceed with the future purchase of supersonic jet transports under the rules of caveat emptor. If indeed they insist on pushing ahead in the development of supersonic aircraft in the light of the adoption by Congress of this legislation, then certainly they have had sufficient notice that this Nation at least, will not tolerate widespread sonic booms.

We are today suffering indescribable hardships in many communities of America—old and established communities—because of the advent of the jet age. The communities in my own district which today are suffering deafening noise from subsonic jet aircraft were established several decades before O'Hare Field was built. You cannot dismiss these people's complaint with the mere assertion that they should not have built their homes in the proximity of a jet airfield because their homes were built there long before anyone thought of building a jet airfield in Chicago.

The same situation is true in many other communities in America. The subsonic jet requires a much longer area for a final approach and also creates a wake of unbearable noise for a much longer distance during takeoff. But because this country permitted millions of dollars to be invested in subsonic jet transports, with no consideration to the noise factor, it is extremely difficult today to impose severe restrictions to cure the problem of jet noise being suffered by millions of Americans.

Mr. Speaker, I wish to emphasize that my legislation would not bar the operations of supersonic jets. What it does is impose strict limitations and conditions under which such aircraft can be operated within the continental limits of the United States. I am certain that adoption of these limitations, which do not bar the operation of supersonic jets in the United States, would prod aircraft designers to develop powerplants which could be used both in flights overseas as well as flights over the United States and other continents without disastrous results. I doubt whether it would prove economical, from the standpoint of initial investment in supersonic aircraft, for a carrier to use the additional speed of these jets only over oceans and be forced to return to conventional operations while flying over the continental United States. But I stress that this legislation is designed to encourage better development of supersonic jets rather than to blanketly bar their operations in the United States.

We are doing everything possible to develop new landing techniques, new departure techniques, various other noise abatement programs consistent with the highest safety standards to bring these victims of the jet age in the vicinity of major airports some degree of relief. But these people continue to pay for the fact that American engineers did not have the foresight to build into the original jet transport powerplant designs which would reduce jet noise.

Certainly we owe it to the American people and to American investors not to repeat this tragic mistake, and it is for this reason I hope the Congress will adopt my proposal.

Favorable action on this legislation will also serve notice on American airplane producers that rather than slap together a supersonic jet transport in order to meet the competition from abroad, we should take the time necessary to develop a supersonic jet which will meet the needs of fast travel, on the one hand, and protect the communities touched by such travel to the highest degree, on the other hand.

To those who would argue that we cannot stop progress, let me remind them that just the other day virtually the whole world agreed to join in the signing of the limited nuclear test ban treaty. Certainly nuclear development comes within the scope of progress, and yet when the world discovered the disastrous effects of nuclear fallout produced by atmospheric testing, man finally came to his senses and agreed to interrupt the pace of progress in nuclear development because the adverse effects outweighed the benefits. The world has reason to rejoice that mankind has indeed come to its senses, and I have heard but a few voices suggest that we should discard this agreement in order not to impede nuclear progress in atmospheric testing.

It appears to me, Mr. Speaker, that the situation regarding supersonic jet aircraft is somewhat analogous. Can man really defend the argument that the lives of millions of people must be adversely affected in order to save air travelers a little time in their travel? I submit that the American people should not be exposed to this experience. This is not to say that we do not want to develop supersonic jet transports. I am fully confident that if the Congress of the United States will adopt these restrictions, the ingenuity of the world's engineers will produce in due time a supersonic jet transport which indeed will trim air traveltime between continents to a minimum, and at the same time meet the noise abatement needs of our society.

It may take a little longer, but I say I would rather wait now than be sorry for our impetuosity tomorrow.

I am fully confident that if the United States will have the courage to take this decisive action in dealing with this problem of supersonic jets and sonic booms, the other nations of the world will quickly follow.

Mr. Speaker, I should like to include at this point a copy of my proposed bill and two articles prepared by Dr. Lundborg on this subject of sonic booms.

The material follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 610 of the Federal Aviation Act of 1958 (49 U.S.C. 1430) is amended by adding at the end thereof the following new subsection:

"PROHIBITIONS REGARDING SONIC BOOMS AND EXCESSIVE NOISE IN CIVIL SUPERSONIC AIRCRAFT OPERATIONS

"(c) It shall be unlawful for any person to operate any civil supersonic aircraft in air transportation through the navigable air space of the United States which would generate sonic boom overpressures exceeding 1.5 pounds per square foot on the ground directly beneath the flight path.

"(d) It shall be unlawful to operate any civil supersonic aircraft into or out of United States airports unless it can be demonstrated that ground noise level generated by such civil supersonic aircraft are substantially lower than those generated by long-range subsonic jet aircraft.

"(e) Exemptions provided in section 601 (c) shall not apply to section 610 (c) and (d) of this act."

(b) That portion of the table of contents contained in the first section of the Federal Aviation Act of 1958 which appears under the heading "SEC. 610. Prohibitions." is amended by adding at the end thereof the following:

"(c) Prohibitions regarding sonic booms and excessive noise in civil supersonic aircraft operations."

[From Flight, Mar. 16, 1961]

CIVIL SUPERSONICS: TOO MUCH HURRY?

(By Bo Lundberg, Director, the Aeronautical Research Institute of Sweden)

That the development of the supersonic airliner should take second place to an intensive program for enhancing the safety and efficiency of subsonic transport was the theme of a paper given by Mr. Bo Lundberg, eminent Swedish authority, at the recent Air Safety Seminar held by the Flight Safety Foundation. Mr. Lundberg's air research started with test-piloting and design work. Bo Lundberg began his lecture by examining two of the major questions of supersonic flight, the sonic-boom problem and its implications for people on the ground, and the cosmic ray hazard with its possible effects on those in the air.

There is general agreement [said the lecturer] that all technical design and operational problems involved in supersonic commercial aviation—at a mach number anywhere between 2 and 3.5—can be solved in the near future, even if they are not solved today. The topical question widely discussed is, therefore, when this kind of aviation should be introduced.

With regard to two specific problems of a fundamental nature and which are completely new to civil aviation, I am not yet convinced that they can ever be solved in a way compatible with economic operation. I maintain, therefore, that the first question to be answered concerns not when but if we are to have supersonic aviation.

The two problems are those of sonic booms and cosmic radiation.

In order to indicate the severity of the sonic-boom problem it might be mentioned that an 80-ton mach 2 or 3 airliner flying at 70,000 feet and presumably carrying some 100 passengers, would sweep the earth's surface with a thunderlike noise along its entire flight-path, the effect being a rattling (and often shattering) of windows and the awakening of sleeping people within a band of disturbance some 70 miles wide.

JUST AS IMPORTANT

Let us imagine the inaugural night flight from New York to Los Angeles with such an aircraft; supposing that no restrictions in operation are imposed, then several millions of U.S. citizens will be awakened from their sleep and pleasant dreams. Never before in history will have so many been disturbed so much by so few. Is it justifiable that millions of passengers on our spacecraft Tellus should be disturbed in this way to enable 100 passengers flying from New York to Los Angeles to gain a couple of hours in flight time? My answer to this question is "No." Even with the strongest belief in, and enthusiasm for aviation, I do maintain that people on the ground are as important in all respects as those who are temporarily in the air.

However, a single flight will by no means indicate the severity of the vast problems confronting us. We just have to look far into the future to consider what supersonic aviation will look like many decades from now. Let us be quite clear about two facts: (a) once supersonic aviation has been introduced, it will grow and continue to grow indefinitely—if it is at all an economically sound proposition; (b) once introduced, but ultimately found to be a mistake because of protests of the public, it will not be possible for the airlines to turn back to pure subsonic civil aviation without economic disaster.

One just cannot wake up to a delayed state of commonsense and declare that all the huge, sleek, and beautiful aircraft, masterpieces of science and engineering, which were bought for several billion dollars, were quite nice to have for a while, but have now become so disliked by the world's population that we had better scrap them all. The point I therefore wish to make is that we have arrived at one of the most important crossroads in history, not merely for aviation people but for all mankind.

We just cannot—or at least should not—bombard larger and larger portions of the earth's surface with ever-increasing sonic-boom thunder without giving, in advance, full consideration to all the implications. It might be argued that all means of transportation (railroads, trucks, airports) are noisy. That is true; but the very big difference is that whereas it is physically possible to move away from railways, highways, and airports, hundreds of millions of people would never be able to move away from the ever-increasing areas and frequency of sonic-boom thunder. Another significant difference is that sonic bangs are sudden and unexpected, whereas airport noise is of a gradual character which the neighbors can to some extent get used to.

It would, of course, be possible to impose restrictions on supersonic aviation—for instance, limitations to daytime or to oversea operation. Obviously this would considerably limit the supersonic market, with adverse effects on the economics; yet I doubt whether even with such restrictions supersonic aviation would be justifiable from sociological, medical, and legal points of view. People should have a right to enjoy quietness even in daytime. It should even be remembered that quite a few people are dependent on undisturbed sleep during the day, for instance, because of work at night.

Furthermore, there will be tremendous legal problems. Who will pay the damages arising from hardships inflicted on people because of decreased sleeping time or from losses on account of reduced working capacity? And can one neglect the possibility of, for instance, people with weak hearts being killed by sudden sharp sonic bangs?

A MATTER OF DIMENSIONS

For medical and sociological reasons, supersonic aviation—be it by day or night, over sea or over sparsely populated areas—should be permitted only if the operators can guarantee that the sonic booms will be below a specified limit of intensity. This should be so low that light sleepers will normally not be awakened. But in the present state of the art, and in the foreseeable future, such a requirement cannot be satisfied economically, as it would limit the aircraft size to fighterlike dimensions.

The question of the acceptable intensity of sonic booms is, in my opinion, not an issue that should be determined on the basis of number of complaints. Such an attitude could result in concentrating supersonic civil aviation over sparsely populated areas or over sea, because only, say, hundreds of thousands of people and not tens of millions would then be afflicted. The obvious thing to do is to conduct extensive test flights with existing military supersonic aircraft in various countries so as to assess the relationship between sonic bangs and their effects on people. Such test flights should be made at various heights so as to create a range of intensities and the aircraft should be flown—with different frequencies—both at night and day over various typical districts such as cities, densely or more sparsely populated countryside areas, and seas frequented by shipping. The tests should be supervised and evaluated, not least by medical experts. Although public reaction in the form of complaints and Gallup investigations should be assessed, the disturbance effect, in particular as regards sleep, should also be determined on a scientific medical basis.

The opinion has been expressed that if the en route sonic boom noise is not any worse than the present tolerable airport noise, then it would—or must—be accepted by the public. I am convinced that if supersonic aviation were to be launched upon us on the basis of such a complete misjudgment of what is at stake it would cause severe public pressure, probably leading to extensive prohibition of this new form of civil aviation.

Turning now to the other problem—cosmic radiation. It is well known that the so-called total ionization has its maximum around 70,000 feet, i.e., the very altitude at which the planned supersonic aircraft will fly. At this height the intensity is 200 or 300 times stronger than at the earth's surface. It is also a fact that the so-called primary radiation begins around 60,000 feet (the altitude probably varying geographically) and reaches values which are not negligible at and above 70,000 feet.

Some medical scientists seem to maintain that there is probably no danger at all. Others seem to be more dubious, stating (a) that one cannot neglect the possibility that the risk of developing cancer might increase for passengers who often fly at the heights in question and (b) that the danger might be greater to future children of the passengers, due to genetic effects.

The impression obtained is that an appreciable amount of uncertainty exists among the experts. The only point I wish to make in this connection is the following: We have to be absolutely certain, before we enter into the supersonic adventure, that harmful biological—in particular genetic—effects due to cosmic radiation at the "supersonic" altitudes are nonexistent.

It would not be sufficient if an increasing number of medical experts were to state that they "believe" that the danger is probably negligible. It would be wrong to say that only if we get proof to show that there is a danger shall we refrain from building supersonic civil aircraft. What the potential supersonic passenger has the right to demand is that it must be proved beyond doubt that the danger is nonexistent.

Thus "burden of proof" with respect to the radiation hazard falls on those who advocate supersonic aviation, and on no others. If there remains an appreciable uncertainty with regard to the radiation danger, the supersonic passengers might just not appear to the extent needed for profitable operation. It must be emphasized that it will take a considerable time before the genetic effects can be satisfactorily assessed, even if rats and monkeys were used to simulate the human beings.

Life and man have developed during the course of millions of years on the so excellently designed spacecraft *Tellus* under the shield of its atmosphere, which protects the surface from cosmic radiation. Why, then, this extreme hurry to get above the major portion of this protection in less than a decade from now? Would we be any worse off if we waited a few more decades for supersonic aviation so as to have time to acquire knowledge rather than beliefs about the hazards of cosmic radiation?

I believe that progress in aviation should be defined as implying the greatest possible gain in time for as many passengers as possible, with the least possible disadvantage to people on the ground. This concept puts emphasis on a large volume of aviation with low-noise-level aircraft—as well as on short ground travel time to airports—rather than on extreme speeds.

LIMITED MARKET

One of the main laws of transportation is that the volume of transportation, computed in passenger-miles, rapidly increases as the travel distances decrease. If one plots passenger- or ton-miles versus range for any one kind of total transportation—such as commercial scheduled intercity traffic, or freight transportation, or ordinary traveling by private cars—one finds a curve which from a high maximum at a very short distance rapidly and continuously falls off with increasing range. Thus many more people and goods move around over short distances than over longer ones, even in respect of produced passenger- and ton-miles. Supersonic aviation, which must mainly be long-range, can, therefore, offer only a limited market.

With regard to scheduled passenger transportation, subsonic aviation in many countries (for instance, United States) has already practically absorbed the market on long distances and is the dominating means of transport in the medium-range bracket; and the same development is underway in other countries. The percentage encroachment of aviation upon the commercial short-haul market (say below 500 miles) is, however, rather meager even in the United States; and if we consider the "short short-haul market" (say below 100 miles), it is practically nonexistent. Thus the biggest transport market, short-haul traffic, remains to be conquered by aviation or, at least, to be appreciably encroached upon. This applies also to private traveling and to freight transportation.

As will be appreciated, great advances in short-haul aviation can only materialize by means of efficient V/STOL (vertical and short takeoff and landing) aircraft. Construction of economical V/STOL types—which definitely is within the possibilities of the present state of the art—is, therefore, a much more urgent and profitable line of development than supersonic civil aviation will ever be.

There are, of course, a great number of other possibilities of development that are equally important, such as laminar boundary layer aircraft (implying low passenger fares); ground-effect machines; airport noise abatement; blind landing and takeoff systems; building of large numbers of fairly small "V/STOL airports," within or close to city boundaries in order to save groundtravel time; and last, but by no means least, safety, this including such increasingly important issues as traffic control and anticollision devices required, above all, to make the intense future V/STOL traffic around cities sufficiently safe.

SAFETY TARGET

Safety in aviation is of tremendous importance. I believe that 40 to 50 years from now commercial and general aviation—including private flying—all over the world may have a volume in passenger miles some 50 to 100 times as big as the present volume of commercial passenger aviation for the world (excluding Russia and China). With the present fatality rate we would then have about 100,000 passengers killed each year, implying at least five air accidents every day, which would be quite intolerable.

In my opinion we have to set as a target that the absolute number of accidents per year must not increase appreciably. For compliance with this requirement we have to improve safety at the same rate as the growth of aviation and this would mean an improvement by a factor of 50 to 100 by the turn of the century. In view of the fact that no appreciable improvement in the fatality rate has been attained for many years in spite of all efforts, a raising of the safety level even by a factor of 5 to 10 is indeed a formidable task. Such improvements can certainly not be attained without some radically new approaches to the aviation safety problem, employing, inter alia, the most advanced electronic devices compatible with the state of the art at any one point of time.

If the Western World were to postpone the supersonic adventure two decades—or longer, if necessary, in order to assess and overcome the sonic boom and cosmic radiation hazards—and the vast sums of money thus saved were instead spent on all the other avenues of aeronautical research and development just indicated (with safety, V/STOL and low-fare subsonic jet transports at the top of the priority list), we could expect a tremendous and sound expansion of civil aviation, and one much greater than would be obtained by concentrating on the limited supersonic market.

Finally, what about the prestige aspect? It has been stated that the free world must fly supersonically before the Russians do it. I doubt it. If we have to think in terms of a race with Russia, let us engage in a race of commonsense instead of a supersonic race. Let us compete for the highest level of safety and for low-fare high-speed subsonic aviation, implying commercially sound and profitable mass air-transportation of people and freight. This would indeed be one of the most efficient means conceivable for increasing the standard of living of the Western countries and for welding them together culturally and economically.

EXCERPTS FROM ARTICLE "IS SUPERSONIC AVIATION COMPATIBLE WITH SOUND DEVELOPMENT OF CIVIL AVIATION?"

(By Dr. Lundberg, issued by Aeronautical Research Institute of Sweden, p. 12, 1962)

SONIC BOOM

Regarding the sonic boom I think it highly important for all those advocating an early introduction of SST's to realize that civil aviation is now—for the first time in its history—facing a situation where aviation people will in the long run have little, if any, influence on the decisions if, where and how to fly; this will largely be decided by the general public of all the countries to be overflown, whether we like it or not. It is, of course, possible to launch supersonic flying with its sonic booms on hundreds of millions of innocent people, but they will eventually decide whether the activity will be permitted to continue and, if so, the limitations to be imposed.

For this reason it is, obviously, in the interest of aviation to find out how the general public in all the countries to be affected (and that would eventually be every country in the world) are likely to react to various sonic boom intensities and frequencies and what basic principles enlightened people are likely to adopt and fight for. My estimates and views with regard to the sonic boom problem are as follows:

(1) The acceptable sonic boom intensity must be based on considerations quite different from those hitherto applied to airport noise or, in fact, to any other kind of noise disturbance experienced by man up to now.

This is because the extent of the sonic boom carpet is incomparably bigger than that of any other noise source—be it noise from airports, low flying aircraft, railroads, railway stations, highways, factories, or city traffic—as it extends along the whole supersonic flight path and has a width which will normally exceed 60 and might be as much as 100 miles for the SST projects contemplated.

Unless very severe geographical restrictions are imposed on a supersonic operation, the boom carpets will not only cover a great number of cities and smaller communities but also very large portions of the open countryside. It might be observed, for instance, that the British Isles will be almost completely covered by sonic boom carpets.

With these enormous boom carpet areas, the requirements for permissible disturbance must obviously be considerably more stringent for sonic booms than for airport noise. Not only is the background noise around airports usually rather high, but, more important, it is, after all, possible for most inhabitants of cities to live—or move—away from the airports, whereas people in general, including sick, nervous and old people, would hardly ever be able to escape the sonic boom thunder.

(2) The following statement by ICAO seems to be a sound basis for the establishment of an appropriate criterion for acceptable boom intensity created by any supersonic aircraft:

"It must not cause serious trouble to the public living in the vicinity of air routes owing to the impact of the sonic boom."

I feel strongly that in the interpretation of this guiding rule, the rights of each individual in accordance with basic democratic and humanitarian principles must be recognized. This means that, in principle, every single person, who has chosen to live in peaceful areas, should have the right to continued quietness.

There can be no question of basing the intensity criterion on "number of complaints" in any one area of the world, as it would be ruthless to legalize harmful effects on people merely because they are few in number or have given up complaining because it has no corrective effect.

This implies that sonic boom disturbances are no more justified over sparsely inhabited areas or over oceans frequented by ships than over densely populated districts.

(3) Considering these basic principles, it appears that sleep disturbance at a low background noise level should be the main basis for an acceptable boom intensity criterion.

As there are many people all over the world, both in communities and in the open country—shift workers, elderly and sick people—that are dependent on undisturbed sleep in the daytime, there should be little or no difference in acceptable boom intensity level between day and night.

There is, thus, an obvious need for research in order to establish the relationship between boom intensity and sleep disturbances. Steinicke has carried out awakening tests with 350 persons exposed to varying noise levels for a 3-minute period. On the basis of a few quite crude experiments it seems possible that the corresponding curve for sonic booms of about one-tenth of a second, or less, will fall somewhere within the area indicated to the right of the figure. When such a curve has been established, it remains to decide what percentage of people sleeping in a low background noise environment (and with open windows) should constitute the point of acceptable intensity. In my opinion it should not exceed about 10 percent. However, even if it were thought to be morally justified that 50 percent be awakened and provided that the estimate were roughly correct my previous estimate of the lower limit for sleep interference of not exceeding about 0.1–0.2 pound per square foot would be confirmed.

It might be added that, when judging sleep interference, one must consider the fact that the individual might be adversely affected even without being actually awakened because a deep sound sleep might be changed to a lighter and less restful one.

(4) Besides sleep disturbance, other adverse effects of the sonic boom must be considered such a disturbance to patients in hospitals and serious harm to animals being bred at fur farms. In particular it must be realized that it will never be possible to plan routes so as to avoid hospitals. It is therefore necessary to conduct special research with regard to the effect of sonic bangs with various intensity and frequency in hospitals. It is not improbable that the "hospital criterion" might prove to be even more severe than the "sleep interference criterion."

(5) An important factor that makes the problem still worse is the great unpredictability of the boom intensities. From military experience it is known that "super bangs" can often be produced which greatly exceed estimates, based on existing theory. These might result from such factors as focusing effects due to deviations from a steady level flight path, unusual temperature distributions in the atmosphere, echoing effects, etc. But even disregarding the probably rare occasions of extremely severe "super bangs" the normal scatter, above and below the intensities according to theory, is quite appreciable and necessitates an adequate "bang safety factor," which probably has to be of the order of 1.25 to 1.5.

(6) Even disregarding such a safety factor, reduction of the SST gross weight to some 50,000 pounds would not, by far, be sufficient for compliance even with such a liberal criterion for sleep interference as 0.5 pound per square foot. Such an aircraft would not be economically feasible.

(7) Even their strongest proponents are agreed that for SST's to be economically feasible they will need to have gross weights of 300,000 to 400,000 pounds, which summarizes some observations made by NASA, shows strikingly how difficult it will be to operate such aircraft without the sonic booms' causing extensive damage to property, let alone sleep interference. It should be quite clear that frequent damage to property will not be tolerated by the public: Civil supersonic banging cannot be excused by calling it the bang of freedom.

(8) For the reasons indicated it is obviously essential that comprehensive sonic boom tests are made with existing military supersonic fighters and bombers. Such tests should preferably be made in all countries owning military supersonic aircraft so as to get the reactions of various people.

(9) Finally, I think it is most important for all people interested in civil supersonic aviation to realize that it is in their own interest to insure that the governments and peoples of all affected countries be given full information in advance regarding the anticipated sonic boom disturbances enabling the governments to make decisions regarding boom limitations. Otherwise unexpectedly severe national requirements in this respect are likely to be imposed at a late stage, for instance when the SST's are in series production or being delivered.

On this point I wish to quote ICAO:

"If supersonic airliners not satisfying these conditions (one being that they must not cause serious trouble to the public owing to the sonic boom) are placed on the market * * * they would meet with such great resistance from government and airport authorities that it seems unlikely that they could be operated at all between ICAO contracting states."

I think it would be almost suicidal for airlines and aircraft industries to launch a supersonic program before we have collected all necessary sonic boom data, presented them to all affected countries and have received the opinions of the peoples and governments of those countries. This is bound to take several years.

The tentative conclusions that can be drawn even at this stage are:

(a) the sonic boom intensity (considering normal scatter but disregarding severe but more rare superbangs) likely to be produced by an SST of a size required for profitable operation—say at least 200,000 pounds—appears to be some 5 to 10 times greater than the intensity level acceptable with regard to sleep interference at a low background noise level, as well as disturbance of hospitals.

(b) as it does not seem possible, on the basis of present knowledge, to bring about a reduction of the sonic boom intensity by a factor of 5 to 10, it seems quite justifiable to refrain from civil supersonic aviation merely for this reason until, of course, the sonic boom problem has been solved by a basic innovation not foreseeable today.

(c) if supersonic aviation is nevertheless introduced, it is likely to be so severely opposed as to cause extensive prohibition in many countries.

(d) in view of this, it lies in the interest of the proponents of supersonic aviation to ask competent authorities, such as the World Health Organization (WHO), to establish—on the basis of criteria such as sleep interference and hospital disturbance—the limits for the maximum sonic boom intensity that are certain to be accepted by all countries likely to be overflown by SST's when supersonic aviation has reached extensive and worldwide application.

WASTE OF TAX DOLLARS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. HALPERN] is recognized for 15 minutes.

Mr. HALPERN. Mr. Speaker, I would like to make a few brief remarks on legislation which I consider to be of vital interest to the taxpayers of our country. With many of my colleagues, I am deeply concerned with runaway spending by executive agencies of the Federal Government, operating without effective checks on spending by the legislative branch of the Government. This is in keeping with the intent of the Constitution which provides a system of checks and balances.

Mr. Speaker, I am firmly convinced that the Congress has an obligation to provide the necessary safeguards to prevent needless waste of tax dollars. We simply cannot afford to tolerate misuse of this money. Our stability as a nation is at stake.

To provide an effective check on possible misuse of tax dollars, a number of my colleagues and I are sponsoring legislation to create a joint committee of the House and Senate to analyze and fully evaluate the budgetary requests of the agencies.

The committee, to be known as the Joint Committee on the Budget, would be composed of 14 members; 7 from the Senate and 7 from the House. All would be members of the Appropriations Committees of the Senate and House. The political complexion of the committee would be four from the majority party and three from the minority party of each House.

Mr. Speaker, under the terms of the bill, the joint committee would be charged with the responsibility of informing itself on all matters relating to the annual budgets of the U.S. Government. The committee also would have the duty of providing the Appropriations Committees of both the Senate and the House with an analysis of the financial requests made by the various agencies. Further, the measure would authorize the committee to make such changes in existing laws as may effect greater efficiency and economy in Government.

Under the terms of the bill, the annual Federal budget shall henceforth include a special analysis of all active long-term construction and development programs and projects authorized by the Congress, showing for each the total estimated costs, and the actual or estimated expenditures during prior fiscal years, the current fiscal year, the ensuing fiscal year, and subsequent fiscal year.

Mr. Speaker, I feel that this proposed legislation, if enacted into law, will fill a great need in providing relief to the American taxpayer. I wish to call it to the attention of my colleagues and express my fervent wish that it may soon receive favorable committee and floor action.

NEED FOR PUBLIC HOUSING

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. FARBSTEIN] is recognized for 30 minutes.

Mr. FARBSTEIN. Mr. Speaker, apparently the many other problems besetting the Congress have caused it to overlook the present dearth of low-rent public housing.

New York State has completely exhausted its authorization because it has reached the 15-percent limit for any one State, and other progressive States are close to the shutdown point. Today, throughout my State and in New York City, public housing planning has virtually come to a halt, even though the dire need continues. This has and will continue to affect adversely and delay our public works planning and programs. Urban renewal, roads, and other clearances that are essential to the growth and progress of any city and State must, in some instances, await new public housing authorization in order to relocate the families in standard housing.

I can say, without question, that the cessation of public housing, due to exhaustion of the authorization, will mean in my city and State that thousands of low-income families will continue to live in rat-infested slums; thousands of low-income old people will continue to live in old buildings, many of them accident and fire hazards; and thousands of children will know only the slum neighborhood as their environment and the pattern of life this country affords.

An article in the New York Times of August 8 gives precise statistical evidence of New York City's housing shortage. It shows that the city's rental vacancy rate is only 1.79 percent, although a rate of at least 5 percent is considered normal and desirable. These figures are for nonslum dwellings. Thus, they accurately indicate the great scarcity of adequate housing. The housing shortage is so acute that the rent and rehabilitation administration has recommended that rents continue to be controlled, in order to keep them from becoming prohibitive for those in the lower and middle-income brackets.

Yet, the need for housing is not a recent development. Since 1932, homes for the people of this country have been a concern to all of us. In 1933, Congress legislated to assist families to buy their homes through the FHA insurance program; to retain their homes even in the midst of a depression through the HOLC. At the same time through the PWA, and later, under the Housing Act of 1937, Congress legislated to assist low-income families to move from the slums into decent, safe, and sanitary homes through the public housing program.

It is on the status of this latter program that I speak briefly today. When the Housing Act of 1961 was before us, we noted that in the quarter century of this effort to serve the crucial housing needs of low-income families, less than 500,000 such dwellings were provided. Yet the 1960 census showed 8.5 million occupied substandard dwellings in our country—occupied for the most part, needless to say, by low-income families, by the elderly on small fixed incomes, and by the handicapped. In addition, many of the disgracefully blighted abodes were occupied by minority groups whose skills and employment opportunities were limited.

When the present dwellings are completed, we will have a total public housing program of approximately 700,000 units. This, gentlemen, is roughly 1 percent of the housing supply of this country. Despite the continuous opposition of a powerful lobby group, the Congress, in its wisdom, discharged its responsibility for the housing needs of all groups and authorized a continuation of this program vital to the low-income families and the elderly. It also made possible the exploration and development of new approaches and methods.

Specifically, in 1961, the Public Housing Administration was permitted to use the balance of the authorization remaining from the Housing Act of 1949 to produce approximately 100,000 additional low-rent dwellings. No time limit was placed on this authorization. Now, in 1963, 2 years later, not only is the authorization just about exhausted, but applications from 159 cities and towns have not yet been given allocations; and they continue to pour in. These applications will in the next few months completely exhaust the authorization and the Public Housing Administration will be able to honor them only to the extent of cancellation of units already in the pipeline. The need for public housing is demonstrated by the demand during the past fiscal year, when more contracts were signed with local communities than for several years past.

It is important to point out that the problem of decent shelter does not relate only to large cities. Indeed, since January 1961, some 270 new localities have entered the public housing program in this country. The size of these new communities indicates a significant shift in emphasis; and a genuine effort by smaller communities to improve their housing standards.

I should like to call to the attention of my colleagues from the less populous States and communities—from the South and the West—that today, the public housing program is active in 1,917 cities and towns. So there will be no misunderstanding that this program is for large cities alone, let me restate the involvement today of the smaller communities in terms of population of the 1,917 communities:

Places with PHA programs (Mar. 31, 1963)	1,917
Population less than 5,000	937
5,000 to 24,999	597
25,000 or more	383
Total	1,917

Put in another way, there are 360 local housing authorities operating public housing programs of less than 50 dwellings; there are 297 local housing authorities operating programs with 50 to 99 development units; there are 549 local housing authorities operating programs from 100 to 500 development units; and finally, 218 local housing authorities operating programs in excess of 500 development units. Only three States do not have enabling legislation.

I need not tell the Congress that the economic and social atmosphere of today is not that of 1937 when the public housing program was first established by the Congress. Today, relocation of families in the lowest income brackets, who generally inhabit the slums, is making its demand; today, we have an increasing number of elderly persons, a group growing faster than any other age group in the population, not only one generation of elderly, but two, and sometimes three. For this group the need is for housing within their financial reach. Again the majority have low incomes. I am glad to see that of the 182,000 units of public housing in development today, over 67,000 have been earmarked by communities for senior citizens. In addition, some 119,000 of the existing units are occupied by elderly families or indviduals. This is a truly commendable contribution to a serious area of housing need, which even the opponents of public housing have not averred they can serve. But with over 3 million elderly couples with incomes under $3,000 per year, and 2 million single elderly, mostly women, with incomes under $2,000 per year, the current rate of public housing is fulfilling only a small part of the need and demand. Through the use of public housing subsidy, we can and must provide housing for more of the elderly in the lowest income sector. Both our conscience and our sense of responsibility demand a broadened scope of action.

When, on February 21, the President delivered his message on the elderly to the Congress, he outlined another area of responsibility of the Public Housing Administration jointly with the Department of Health, Education, and Welfare. While the present public housing program provides individual apartments for independent living, he took note of the fact that there are many older people who could live independently, provided meals, housekeeping aids, and other supportive services were available. The Public Housing Administration with the Department of Health, Education, and Welfare will very shortly launch the first of its group residences for these older people. The Governors of three States see this as a happier and more economical solution than building vast State-supported institutions.

As pressing as is the need for elderly persons and families, equally important is the need of large low-income families with growing children. The need for family housing, particularly for the very large families who live in deplorable conditions in my city and every large city with substantial deprived minority group populations, is desperate and hopeless without governmental assistance. The effect on children living in these conditions, evidenced by poor school records, by dropouts, and by delinquency, is too well known and understood to require elaboration. The solution of this problem is particularly difficult because the larger dwelling units required do cost substantially more. Yet the far higher cost to our Nation and our communities, in cash alone, to cope with the maladjustments created by the conditions in which these children are brought up, let alone the cost to our conscience, places in pale comparison the cost of providing decent shelter. The investment is multiplied by each child that benefits, and by each child of that child.

Another facet of the public housing program today is bringing relief to the deplorable housing conditions on Indian reservations. In the past 2 years some 30 tribes have organized tribal housing authorities, and already in South Dakota and Montana these citizens have decent low-rent housing, occupied, or under development. The Seneca Nation in New York State also has a contract for 60 public housing dwellings. In addition to the conventional rental program, the Public Housing Administration has worked out a mutual-help program for the Indians whereby they will contribute labor, land, and materials and, under supervision, construct their own modest homes. This program will supplement the conventional rental units and was devised to meet the housing needs for those whose incomes are too low even for the regular public housing program.

The rehabilitation and use of existing dwellings, particularly for large low-income families, is another present-day approach. By this use of public funds, we have seen older neighborhoods revitalized and again become of interest to the private investor. Thus we retain the values of older neighborhoods as part of the public effort to provide housing. This effort should be expanded. In other instances, defaulted FHA and VA houses have been purchased for low-rent use.

In addition to these efforts to have a diversified program, the Public Housing Administration is emphasizing good design in order that its developments will promote good living environments that are an asset to the community and fit naturally into the overall housing growth.

While I have directed your attention to the efforts of the Federal agency and the local housing authorities to meet the present-day physical needs, notice should be taken of efforts to meet human needs brought about by the pressures of rapid urbanization. In 1937, the public housing occupants generally were a cross section of the employed, low-income families on the way up. Today, the great majority are still these families, but we must also recognize the increased number who have problems of social, educational, and economic advancement, and some decrease, therefore, in rent paying ability. The more than 520,000 dwellings occupied today show an average rent, including heat and all utilities, for all families of $43 per month—for the elderly, $32 per month. Of the more than 520,000 families, 48 percent are minorities; 45 percent are on assistance or pensions; at least 35 percent of families with children are 1-parent families.

The local housing authorities of this country, therefore, have faced up to the starkest need of our people and have reached down to serve a most needy group. In addition, all over the country and in Washington, the need for social services to help in the rehabilitative work that will insure independence and usefulness of more deprived people has developed hand in hand with the housing. It is my belief that good housing affords the base from which these services may begin to attack the complex effects of poverty. Certainly, within an atmosphere of slum degradation, we cannot expect aspirations to blossom or ambition always to overcome such an adverse environment. Thus, the public housing program makes possible social and economic dividends far beyond the physical structure.

Let me make it clear that I am a firm supporter of our successful private enterprise system in housing and all other fields. I am also convinced, however, that when this process, on which the greatness and prosperity of our country rests, cannot reach far enough down in the cost scale to serve the needs of our fellow human beings, we not only should, but must, take public action to supplement their efforts. Indeed, I would go further and say that the private building industry should be housing many more of our low-income citizens and insist that public action join private if, otherwise, the job cannot be done. The income facts and the housing costs facts of today leave no doubt that, if the needs of low-income families are to be met, there is a need for public action.

To me it is tragic that private builders, operators, or lenders who use help from the Federal Government to insure their own risks should, at the same time, oppose a program that would supply their noncustomers with decent places to live. Thus they place themselves on the side of the slum owner and slum perpetuator instead of working to demonstrate their belief in a decent standard of housing for all American families. One cannot help but wonder at the good faith of publicists who will parade any antisocial behavior in a public housing project as condemnation of the entire effort and its positive values, completely ignoring worse antisocial manifestations in privately operated housing where the tenants do not even have the hope and promise of rehabilitation that decent shelter provides. I hope the day will come when, before this Congress, the official voice of the private homebuilder and lender will be clearly heard for, and not against, a housing policy reaching all areas of need and using whatever tools are necessary and workable to that end.

Mr. Speaker, I have seen and know the benefits of public housing to millions of American families who have benefited from it to become homeowners. While I support present efforts to find diversified answers to low-income housing, the basic formula is still sound and workable and must continue if we are to have a housing policy in this country that reaches the most disadvantaged as well as the more advantaged. Anything less than this would be a violation of the democratic principles upon which this country is based.

It is my sincere hope that the Congress will take cognizance of both the demand for public housing in this country today in large and small places and the present exhaustion of this vital program. I speak not only for my city and State, which has exhausted its quota of the program and awaits our action, but also for the villages and crossroads, as well as the other great cities which are now marking time instead of getting on with the job of providing decent housing, of undertaking city improvements, and of fulfilling the heavy demands of today's urbanization process. Although public housing is only one small piece of the municipal mosaic, it is a vital, necessary, and essential piece which cannot and must not be overlooked by the Congress.

In summary, I am proposing that if, in accordance with the goal pronounced in 1949, we are to provide a decent home for every American family, we must have a greatly expanded public housing program, using a diversity of methods and plans to serve a broader segment of low-income families. We must make it possible to restore and preserve stable neighborhoods for low-income use, as well as to continue and increase the conventional program. If we are to meet the needs of the communities, we must, above all, provide for a continuous public housing effort that will eliminate the delays and crises of today, transforming them into the adequate housing of tomorrow.

SMALL BUSINESS—TO WHOM IT MAY CONCERN

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. BARRY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. BARRY. Mr. Speaker, today, I am introducing a House resolution creating a Standing Committee on Small Business and giving it legislative authority to develop germane amendments to the Small Business Act and the Small Business Investment Act of 1958. This resolution is similar to one introduced by our distinguished colleague from Delaware [Mr. McDOWELL].

The House should move this year to make permanent our Small Business Committee. Action is needed for the following reasons:

First. The House Select Committee To Conduct a Study and Investigation of the Problems of Small Business is hampered by a lack of legislative authority.

Second. The House of Representatives should be willing to give the Nation's 4½ million small businessmen the same recognition and aid given them by the Senate.

Third. The needs of small business require permanency and continuity in the House. The present situation raises doubts as to the continuing interest of this great body on small business matters.

Fourth. The select committee is limited to making recomendations to the various permanent committees. Often the permanent committees find they are unable to take full advantage of such studies because they are not as familiar with the problems of small business.

My resolution is moderate in scope. It does not cut across the vital areas of interest of the standing committees of the House. Only germane amendments to the Small Business Act and the Small Business Investment Act of 1958 are covered.

Moreover, I believe this measure serves to carry out the intent of Congress. For instance, the Small Business Act—Public Law 536, 85th Congress—in section 10(b) provides the following:

> The Administration shall make a report to the President, the President of the Senate, and the Speaker of the House of Representatives, to the Senate Select Committee on Small Business, and to the House Select Committee To Conduct a Study and Investigation of the Problems of Small Business, on December 31 of each year, showing as accurately as possible for each such period the amount of funds appropriated to it that it has expended in the conduct of each of its principal activities such as lending, procurement, contracting, and providing technical and managerial aids.

In addition, section 10(e) of the same act provides:

> The Administration shall retain all correspondence, records of inquiries, memorandums, reports, books, and records, including memorandums as to all investigations conducted by or for the Administration, for a period of at least 1 year from the date of each thereof, and shall at all times keep the same available for inspection and examination by the Senate Select Committee on Small Business, and the House Select Committee To Conduct a Study and Investiga-

> tion of the Problems of Small Business, or their duly authorized representatives.

The foregoing sections of the Small Business Act suggest permanency. They require annual reports to the House Select Committee on Small Business. Here we have a situation requiring the Executive to report annually to a committee of Congress and we are not certain whether or not there will be a committee to receive them. The day may come when these reports will have to be addressed "To Whom It May Concern." I hope not.

Small businesses are a vital part of our free enterprise economy. Their continued ability to produce goods and services is indispensable to America's future growth.

Efforts to make the Small Business Committee permanent are bipartisan. Distinguished colleagues on both sides of the aisle have introduced resolutions designed to reflect the interest of most Members in the problems of small business. I ask my colleagues to introduce similar resolutions so that we may have prompt action, action this year.

LEGISLATION THROUGH EXECUTIVE ORDER

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. LIPSCOMB] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. LIPSCOMB. Mr. Speaker, questions relating to what authority is vested in the Office of the President to, in effect, legislate through issuance of Executive orders has been raised and discussed on many occasions over the years ever since the adoption of the Constitution.

It is a matter that has aroused considerable concern in the minds of many interested in preserving and strengthening constitutional government in the United States and avoiding potential abuse of the authority which could lead to autocratic government.

Recent events have underscored the seriousness of the matter and in my view have made it imperative that the Congress at this time take a sharp, penetrating look at what is going on in this area.

Authority to issue Executive orders places in the hands of the President extensive power, for Executive orders founded on authority of the Constitution or statute may have the force and effect of law. Yet, there appears to be no real agreement as to the exact definition of Executive orders, or, for example, precisely what authority exists on the part of the President to issue them or to what extent the practice of issuing Executive orders may violate the prerogatives of the Congress under the Constitution.

Thousands of Executive orders have been issued since the adoption of the Constitution based generally on authority granted to the President under article II of the Constitution. Executive orders are however not defined in the Constitution nor have they ever been defined by the Congress. Varying theories have been put forth as to the extent of Presidential power to issue orders. Some have claimed there are certain inherrent Presidential powers based on article II of the Constitution. Others have claimed there exists in the hands of the President under the Constitution an aggregate of powers, powers implied from those expressly set forth. No real clarification has been made. Executive orders are issued, in a sense, on a trial and error basis.

Many Executive orders are essentially innocuous and are merely for the purpose of taking care of housekeeping chores. And on occasion the Congress itself has directed that certain things are to be carried out through Executive order. The right to issue orders, however, is open to abuse because of the uncertainty as to the limits of the authority. A President can and on occasion has in effect made law through such orders. I believe it is time for Congress to look into the matter.

Last week, on August 7, Members of the House discussed the administration move to place into effect through Executive order the recommendations contained in the so-called Gesell report relating to Department of Defense policy with respect to off-base discrimination. Regardless of the substance of the report and its merits or demerits, there are many Members of the House who strongly believe that this actually amounts to making law and comes within the cognizance of the authority of the Congress to legislate under the Constitution.

The Peace Corps, for example, was initially set up by Executive order, on March 1, 1961. On November 20, 1962, the President by Executive order promulgated the equal opportunity in housing regulation which in the view of many amounts to legislation.

In February of this year, a number of Executive orders were issued assigning to various agencies responsibilities with regard to preparing national emergency plans. These plans could have far-reaching significance and many grave doubts have been voiced concerning them.

Are these in fact examples of lawmaking? Unfortunately there are no clear-cut guidelines. We do know that the power to issue Executive orders has been unduly extended at times in the past and that action has been taken to counteract the effect of such orders.

Congress has on various occasions set aside Executive orders. In certain cases the courts have also set aside Executive orders. Probably the most notable has been the steel industry seizure case in which the Supreme Court held, in 1952, that the President was without constitutional or congressional authority to issue the seizure order.

Overall, however, the attention given this problem appears to have been relatively limited except on those occasions when some particular order gives rise to discussion and concern about its impact and questions are raised about it. No real effort seems to have been made by Congress to consider thoroughly this matter with regard to its significance to constitutional government and of possible violations of the principle of separation of powers established by the Constitution.

What other safeguard is there against usurpation by the executive branch of the authority of Congress to legislate except the vigilance of Congress? There indeed appears to be none. Congress, speaking for the people, as a practical matter is the only body which can take up and assess the problem with a view toward taking corrective action where required.

I have introduced a resolution in the House today calling for the creation of a Joint Committee on Executive Orders. The committee would be comprised of six Members of the Senate and six Members of the House of Representatives.

Following is the heart of the resolution, and I shall quote from the text:

> The joint committee shall conduct a full, complete, and continuing investigation and study of all Executive orders issued by the President, and of practices, procedures, and policies relating to the issuance of such Executive orders for the purpose of keeping Congress fully informed with respect to the issuance of Executive orders, and to advise Congress whether such orders are issued in conformity with the authority vested in the Office of President by the Constiution.

The resolution would require the President and the departments and agencies of Government to keep the joint committee fully informed concerning issuance of Executive orders. Bills, resolutions, and other matters relating primarily to practices, procedures, and policies in issuing Executive orders would be referred to the committee. The committee would report its recommendations to the House and Senate from time to time, by bill or otherwise.

It is a well-known fact, borne out by history, that attempts at exercising power occur in areas where a vacuum exists. Congress, I believe, in the interest of protecting, maintaining, and strengthening constitutional government in the United States, and in the interest of avoiding, by acquiescence, allowing legislative authority to be exercised by the executive branch of Government, must give this matter its serious attention.

I believe an appropriate way to go about this is through the creation of a joint committee which can maintain a continuing study of Executive orders. When and where legislation is appropriate and needed, the committee could so recommend.

I sincerely hope that the Congress will give this measure every consideration, because in my view we need it in the interest of preserving freedom and constitutional government in the United States.

WOOL IMPORTS—PETITIONS PLEA—PRESIDENT TO KEEP PROMISES

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, as wool imports continue to increase, New Hampshire's wool industry, employing thousands of people, is in danger. For 2 years the President has been promising to take action to protect wool manufacturers, as has been done for the cotton industry. But imports increase and mills continue to close, and there is no word from the White House. This week more than a thousand people in the area of Claremont and Enfield, N.H., have sent to the President petitions asking him to keep his promises and give the wool industry equal treatment.

Mr. Speaker, it is difficult to reconcile the administration's frequent words on the importance of jobs and their expensive proposals for make-work projects with their reluctance to take action to save thousands of existing jobs in the wool industry. I have once again written to the President, urging him to consider these petitions and save these people's jobs and the economic health of their communities.

COMPETITIVE BIDDING SAVES TAXPAYERS $300,000

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. Wilson] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. WILSON of Indiana. Mr. Speaker, it has taken 6 months to force the Navy to purchase competitively the AN/DRW–29 drone radio, but the taxpayers can today claim a saving of $300,000 as a result of a successful campaign. A radio for a Navy drone aircraft, which cost $1,584.66 when bought via sole source June 26, 1963, was bid in at $702.98 under competitive bidding conditions yesterday at the Navy Purchasing Office.

The Navy is going to buy 309 of these radios. Simple arithmetic proves a saving of almost $300,000 when the two prices are compared.

The opening of competitive bids for manufacture of this radio wraps up this case I have been studying since February 26, 1963. For the information of my colleagues, I have spoken twice before about this very equipment and my efforts to see that it was purchased competitively.

The first speech I made on this subject was on April 10, 1963. You will find it on page 6198 of the Record for that date. The second speech I made was on June 20, 1963. You will find that on page 11244 of the Record for that date. I wish you would read both of them for background information.

These two speeches, plus the remarks I shall make today, will prove what I have contended all along—that the Navy has been spending more than twice as much as necessary for this radio.

I am also going to show here today that the Navy wasted over $145,000 in a sole source purchase of this same radio on April 18, 1963, and I think it is time some agency of our Government started out to recover some of this wasted tax money.

Mr. Speaker, the one single individual who is responsible for this latest example of Navy waste and inefficiency is Kenneth M. BeLieu, the Assistant Secretary of the Navy for Installations and Logistics. To say that he gave me a difficult time as I tried to force this procurement into the clean air of competition is to be kind to him.

This is not the only contract Mr. BeLieu has approved that has cost the taxpayers dearly. He has put his name on hundreds of deals like this—many of them just as phony. He should be fired at once for this incredible waste of the taxpayers' money.

Hundreds of thousands of dollars could have been saved by BeLieu on the purchase of this and other equipments in the past year, but he is too stubborn and egotistical to admit his mistakes. Even after I proved adequate manufacturing drawings and information existed to allow competitive bidding, this chairborne paper-shuffler kept certifying that only one company could build this radio. Even after he assured me future procurement would be competitive, he rammed through a last sole-source deal.

Mr. Speaker, this man should be fired for not looking behind the facade of paperwork which shrouds such sole-source outrages as this. The contracting officers and the engineers involved should also be investigated.

I do not care if this man BeLieu is one of Lyndon Johnson's fair-haired boys. I do not care if he did work for the Vice President on a Senate committee. He is too expensive a luxury for the taxpayers and any administration to tolerate.

The results of the competitive bid opening that went on at the Navy Purchasing Office at 10:30 a.m. today, show how much fat there has been in this deal all along, just as I have contended. This is another reason why the appropriate committees of this Congress should open a full-scale investigation into electronics procurement, especially in the Navy. It is also another reason why my two bills, H.R. 4409 and H.R. 5258 should be enacted to give the Congress some authority over these autocratic blunderers in the Pentagon.

Mr. Speaker, lean back and listen, here is another example of the way in which taxpayers are being bled white and made to pay through the nose for military hardware that could be bought at a lower price with no sacrifice in quality.

The case of the AN/DRW–29 came to my attention early this year. Sources inside Navy told me the radio was being bought by sole source but could just as easily be purchased through competitive bidding.

On February 15, 1963, the Navy issued a sole source procurement document calling for 342 of these radios to be built by the Babcock Radio Co., of Costa Mesa, Calif. The bid was to be closed March 4, 1963.

On February 26, 1963, I asked the Navy for a copy of the procurement document. I also asked for the determination and findings that justified the procurement and for a complete set of plans and drawings.

Later that same day I was told by the Navy that no D. & F. had been signed and that no drawings were available for the equipment. I had my staff check into past contracts for the equipment and they found that drawings had been ordered, paid for and delivered to the Navy under terms of an earlier contract.

On February 27, 1963, I challenged the Navy's statement of no drawings and on the same day I was told by Capt. John Scott that he had been "dead wrong" the day before. Now, he said, the Navy had found drawings and they would be supplied.

At that I requested the bid opening be delayed until March 25, 1963, and my request was honored. In the ensuing time I had the drawings for the radio checked by industry. It was the opinion of several engineers that there is nothing complicated about the radio. Given plans and drawings, any competent manufacturer can make it, I was told.

I also learned during that time that, in issuing a procurement document unsupported by a determination and finding, Secretary BeLieu violated Public Law 87–653.

During this interim period, I again stated my belief this radio should be bought competitively instead of by sole source.

Secretary BeLieu wrote me on April 16, 1963. He said he thought the sole source procurement was proper and was going to go through with it. He also promised the remainder of the fiscal 1963 requirements would be bought competitively.

At that time, I again stated my conviction the DRW–29 should be bought through competitive bidding, and I so stated in a letter sent to BeLieu on April 22, 1963.

Four days before, however, the Navy had issued a contract to Babcock for the manufacture of this set. It called for delivery of 300 radios at a total cost of $358,020.77 and a unit price of $1,186.47. Using the figures I supplied earlier, you will see there was over $145,000 wasted in that purchase.

Mr. Speaker, I have tried from that day to this to get the figures I just mentioned. I made telephone calls to the Navy people responsible for the procurement and tried other ways. I finally succeeded in getting the information at 3:15 p.m. yesterday and only after a great deal of pressure had been applied.

Mr. Speaker, I think the Navy wants this thing shoved under the rug.

You will recall Mr. BeLieu's pledge of April 16, 1963, to buy the radios competitively. For your information, Rear Adm. W. T. Hines made the same commitment concerning both fiscal 1963 and 1964.

I want to report here today what these men said and what they did are two different things. Navy's pledge and Navy's performance compare sadly to say the least.

On June 26, 1963, after making these pious pledges of competition, the Navy bought more DRW-29 drone radios sole source from Babcock and this time at a unit price of $1,584.66.

Finally, on July 12, 1963, the Navy came out in the open on the DRW-29, but even then it couldn't play the game by the rules.

It issued a bid set on July 12 for 309 of the DRW-29 drone radios, but it didn't distribute the bid set until July 15, 3 days later. The bid set carried a closing date of July 26, 1963, giving industry only 10 days to get it through the mail, study it, evaluate it, make a proposal and get the proposal back to the Navy.

In addition, technical material was located at the Naval Avionics Facility, Indianapolis, Ind., and only 4 days were allowed to inspect this material, the cutoff date for that inspection being July 19.

Mr. Speaker, this procurement, called a competitive procurement, was rigged to shut out as much competition as possible. I decided to try and get a break for the American taxpayer as well as for industry.

On July 16, I contacted Capt. Paul Jeffries and later Mr. James O'Connor, both naval personnel. Captain Jeffries is in the Office of the Chief of Naval Material. Mr. O'Connor is the Bureau of Weapons liaison officer. I told both that in my opinion the bidding time was entirely too brief and the period for looking at technical material was also designed to discourage bidding.

One hour after my first conversation, Mr. O'Connor called to say the bid period had been extended to August 2. This didn't satisfy me. Thirty days is the usual bidding period for a competitive procurement.

I wrote a stiff letter at that point to Mr. BeLieu and asked that the bid period be extended to August 15—30 days from date of issue. In my letter I made the statement:

> The way in which this competition is being arranged is indeed a farce, if not an outrage against American industry and the American taxpayer.

The extension I asked for was granted the following day by Mr. BeLieu.

The rest of the story is welcome history for those of us who would cut down the staggering Federal budget.

Industry had a real chance. There were 13 bidders. Five were below the last sole source price. Babcock, itself, bid less than it did in a recent sole source transaction.

Mr. Speaker, this proves what I have contended. American industry, given a real and honest chance to bid, can save money for the taxpayer on military hardware in case after case. But as long as Navy people like BeLieu continue to channel fat-cat contracts to favored companies we are going to see our tax money flushed down the drain.

Until Congress ties a tight rein on these Defense Department wasters and maintains a close check on the purse strings, progress will not be as rapid as would otherwise be possible.

GO SLOW ON TEST BAN RATIFICATION

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Findley] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. FINDLEY. Mr. Speaker, signing of the test ban agreement by United States, British, and Soviet representatives brings to mind a bit of advice by a veteran of many legislative wars.

He once warned a group of farmers lobbying vigorously for a new agricultural program:

> Be careful what you ask for. You may get it.

For years—since 1947 as a matter of fact—U.S. diplomats have been asking for a ban on the atmospheric testing of nuclear devices.

High Soviet officials finally agreed to terms. The treaty has been signed, and the U.S. Senate now has the responsibility of ratifying or rejecting it.

It is a sobering moment in which all Americans may reflect on the legislative warrior's advice. We are on the eve of getting a test ban. Now that we have it in hand, were we wise to ask for it?

The reflection comes late. In the eyes of some, the hour for second thought has passed. We have gone too far to back out, they argue. We are committed.

Fortunately, reflection and second thought are not foreclosed. There is still time for full consideration of this proposal in all its fascinating, frightening, and fortuitous facets.

Until the impending treaty is ratified by vote of the Senate, reflection and second thought is very much in order.

Dr. Edward Teller, one of the foremost scientists in developing the U.S. thermonuclear weapons system, states that the danger of nuclear atmospheric testing has been overemphasized. Radiation fallout produced by nuclear testing gradually deteriorates in the atmosphere. Both Russia and the United States could do adequate testing without pushing the radiation level to the danger point for human beings, according to the famed nuclear physicist.

Dr. Teller warns of a much greater danger. When the Soviets broke the last testing moratorium to conduct an intensive series of tests in 1961-62, they overtook the United States in the development of both superpowered weapons and, even more important, antimissile defense weapons. The antimissile missile has been called the only defense from the existing danger of devastating nuclear destruction.

The present treaty would freeze U.S. development in these two critical areas where the Soviets hold superiority. But yet it would permit the underground testing needed for the development of tactical nuclear weapons, an area in which the Soviets are behind the United States. Will the treaty make permanent the Soviet's advantage and United States disadvantage? Will it widen the missile gap? Without even taking into consideration the U.S. record of abiding by agreements and Russia's failure to abide by treaties, the strong likelihood that the Communists will gain and we will lose by the President's treaty.

Dr. Stefan Possony, of Stanford University, offers an alternative treaty which does not gamble with human lives and the security of the free world. His proposal calls for a World Convention for the Establishment of Safe Limits on Nuclear Fallout. This Convention would permit only nuclear testing which did not exceed the safety limits. Testing which would endanger health would be banned, and violations could easily be detected. The development of clean weapons—ones with little fallout—would be encouraged.

Let us hope that the Senate seriously considers the critical alternatives to the test ban treaty. The decision may be the most momentous in our diplomatic history.

ADDRESS OF GEN. DWIGHT D. EISENHOWER BEFORE THE UNIVERSITY OF CALIFORNIA AT LOS ANGELES

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. Schwengel] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. SCHWENGEL. Mr. Speaker, in a recent address before the University of California at Los Angeles, our distinguished former President, Gen. Dwight D. Eisenhower, made some very interesting comments which deserve the careful study of the membership of the Congress and the press. Because, unfortunately, the full text of President Eisenhower's remarks are no longer carried in the newspapers, I thought it would be valuable to include the text as it was made available to me:

UCLA Charter Day Speech by General Eisenhower

President Kerr, Chancellor Murphy, members of the regents, distinguished guests, ladies, and gentlemen of the UCLA family, I am delighted to have the privilege of participating in this Charter Day ceremony at UCLA, and am highly complimented by the award, from the distinguished statewide University of California, of its honorary doctorate.

Standing on this still relatively young campus I look out upon its vast complex of buildings, completed or under construction, and sense in a very concrete way, the dedication of the people of California to maximum educational opportunity for the youth of this State. Because of this dedication California is today one of the most productive agricultural, scientific, and industrial forces in the United States and in the world. Moreover, with this conviction of the importance of education it is only natural that California should look to the future with confidence in its continued economic and cultural growth.

With good reason, growth is, these days, much on the minds of Californians. This has become the most populous State in the Nation, a development that is probably greeted with mixed emotions, for as a myriad of problems is inevitably created by rapid population increase, so also can be identified a whole range of opportunities that will result from the intelligent solution of these problems. The increasing need for trained and educated minds becomes both obvious and urgent. For it is through knowledge and disciplined and clear thinking that complex problems are solved and great opportunities developed.

During 8 years in the White House, I had responsibility of guiding this Nation through a segment of the complex and revolutionary postwar world. That experience taught me—if nothing else—that the great issues of our times, both here as well as elsewhere in the world, are not amenable to quick and impulsive attack. With special emphasis this applies to our international relationships. Such problems are best solved by the application of reason, patience, study and understanding, and moral courage. America, openly menaced by a hostile ideology must give earnest attention to her need for security from potential attack—a security that depends upon the adequacy of our moral, intellectual, economic, and military strength. But this attention must conform to fact, logic, and human judgment—it must not be responsive either to hysterical fear or to unjustifiable complacency.

I believe that if we are to avoid fighting our way to oblivion, or in the name of security, overspending for armaments to the point of bankruptcy, we must, with others, think and reason a way to a practical and honorable modus vivendi. The conduct of negotiations to this eventual result is, of course, the responsibility of governments. But governments—at least free governments—cannot negotiate effectively unless they can be assured of the support of their populations. People—all peoples—must become more enlightened, more understanding of themselves and of each other or they will risk a catastrophe beside which all of the past will be less than child's play. Education, therefore, is mandatory; in a very real sense America's first line of defense runs through her university campuses. Likewise, they are the shock troops in the battle for peaceful solutions of the world's troubles.

Here is one compelling reason why the quality and character of our educational institutions have become more important than ever before. It is in these institutions that motivated and gifted minds must be honed to the degree of sharpness and competence that will fit them, as they are later tempered and tested by experience, for the posts of leadership they will be called upon to fill. They will be the ones to help this world find a path to progress and to lead it away from the routes that could bring humanity to stagnation and civilization to disaster.

At home, the difficulties created by the increasing urbanization of our society become ever more pressing. Important ones are air and water pollution—public transportation—human delinquency—and architectural sprawl and squalor. All are ultimately responsive to the application of reason and intelligence. Surely we must work to prevent our cities from becoming brutalizing forces, and it is to our colleges and universities that we must look for the trained minds and the knowledge to help us get on with the task.

Our economic future and our productive capacity are intimately geared to the vitality of college and university classrooms and laboratories. They generate much of the knowledge that leads to new products, new industries and new jobs for an expanding population. They become daily more useful to business management; indeed, they provide a principal source of leadership in our Nation's productive life.

The State of California and its colleges and universities have effectively responded to these responsibilities. The accumulation here of Nobel Prize winners and members of the National Academy of Sciences attests to the contributions that California and its universities make to the Nation's intellectual, economic, and military future.

But well we know that man also recognizes values other than the material and utilitarian. The vigor of his intellectual achievement and vitality of his biological being must be leavened by the richness of his emotional components. The creation of beauty, whether by the poet, the sculptor, the painter, the musician or the playwright, and the capacity to respond to this beauty, are essential elements of a complete society. It is evidence of national maturity that an even larger number of our people are demonstrating a growing preoccupation with the arts and all that they have to give us.

But one word of warning seems appropriate: because it is a law of life that nothing stands still, a growing maturity must not be confused with, or allowed to degenerate into, decadence.

The ideals, aspiration, and institutions of our Nation, the sturdiness and initiative of the people that have brought us to a position of world leadership—all these must be respected, sustained and daily revitalized. This suggests the need for constant self-examination by the teacher, the student, the university, and by every citizen. Aside from the concepts of personal liberty, even-handed justice and human dignity and rights, America was established as a self-governing people. No matter what else may preoccupy any individual or any institution, a fundamental concern must be to make this form of government truly and continuously effective.

The American system, we must remember, is still an experiment; it is even today being tested. Each of us must comprehend his proper relationship to government, his duty to it, and his authority over it. Unless he does so he has forfeited his right to and his opportunity for self-government: he allows others to govern him.

Educators rightly place high value on, and fiercely defend, academic freedom. But this freedom is only one of a group that includes also political, economic, religious, and personal freedoms. They are mutually interdependent—if any falls, the others will eventually be destroyed. They are the most precious possessions of a free citizen.

Colleges are necessarily concerned with producing excellence in many fields; to do so they indulge in specialization. This work is mandatory to progress, but in my view there is one mission even more important.

Speaking of universities, Dr. Deane Malott, president of Cornell, recently remarked: "There is too little time for comparative government, for world history, for Western civilization, for adequate facility in foreign language, for human relations, and for all of the cultural exposures, which provide assurance and poise, judgment, and the selection of the best in life." In that expression "the best in life," Dr. Malott must have had in mind, among other things, the priceless values of human dignity and freedom.

We might well ponder a quotation from the late Judge Brandeis: "Experience should teach us to be more on our guard to protect liberty when the Government's purposes are beneficient. Men born to freedom are naturally alert to repeal invasion of their liberty by evil-minded rulers. The greatest dangers to liberty lurk in insidious encroachment by men of zeal, well-meaning, but without understanding."

And listen to words of Lincoln, always applicable and even more specific in describing the understanding we need: "You cannot bring about prosperity by discouraging thrift. You cannot strengthen the weak by weakening the strong. You cannot help the wage earner by pulling down the wage payer. You cannot further the brotherhood of man by encouraging class hatred. You cannot help the poor by destroying the rich. You cannot establish sound security on borrowed money. You cannot build character and courage by taking away man's initiative and independence. You cannot help men permanently by doing for them what they could and should do for themselves."

If we love freedom—if we want to live as free men and women—we must never forget that its price, everyday, is always the same, eternal vigilance. To teach the essentials of this vigilance, everywhere and all the time, is true Americanism: if neglected all else will be lost.

I have no doubt that, as California continues to grow and her influence increases, her public and private educational systems themselves not merely with the excellence of the student's preparation for professional life, but will inculcate in him an understanding of the duties, rights, and responsibilities of the citizen as such. So long as her public and private educational systems devote themselves to the development of great scholars and good citizens—this largest of our States is certain always to be a bulwark of human freedom, a model of successful democracy in the world, a leader in the ceaseless search for an enduring peace, with justice.

PRESIDENT EISENHOWER'S HERSHEY CITIZENS SPEECH

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. SCHWENGEL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. SCHWENGEL. Mr. Speaker, President Eisenhower spoke out forcefully and clearly about the state of affairs before the Republican National Citizens Committee of the United States, in Hershey, Pa., June 13, 1963. Because unfortunately the full text of General Eisenhower's remarks are no longer carried by the press and only brief press excerpts are used, it seems worthwhile that Members of Congress and the press, as well as other careful readers of the RECORD, may have available to them the full unedited text of what General Eisenhower said. His message was very well received, and deserves the careful attention of all Americans. I join with these who heard General Eisenhower in expressing the wish that he will speak out out forcefully in the months ahead.

The full text of our former President's speech follows:

REMARKS BY GEN. DWIGHT D. EISENHOWER BEFORE CITIZENS WORKSHOP OF REPUBLICAN CITIZENS COMMITTEE OF THE UNITED STATES, HERSHEY, PA., JUNE 13, 1963

Good evening. I would like to read you an excerpt from a letter.

"The republican is the only form of government which is not eternally at open or secret war with the rights of mankind."

The letter was written to Mr. William Hunter in the year 1790 by Thomas Jefferson.

As a permanent haven for citizen participation, the Republican Citizens Committee is one of the most potentially fruitful innovations in American politics in many years.

Its prospects as an instrument for better government seem limitless.

I see this workshop as having its roots in the colonial town meeting where citizens participated enthusiastically in the affairs of their government.

Each making his small contribution to the deliberations which eventually decided the course of action.

I hope this town meeting is the forerunner of many, many more across the country by different citizens groups—all of which will make their contribution toward the growth of Republicanism.

Among our initial objectives are these:

To offer assistance and cooperation to the regular Republican organization—and, when invited supplement the regular campaigning efforts in behalf of specific candidates.

To cooperate in forming a nationwide network of State and local Republican citizen organizations which, in turn, will mobilize the front line troops for the political battles ahead.

Citizens organizations hope to make it attractive and relatively easy for political volunteers to take as active a role in political affairs as they can whether or not they are party professionals.

Basing our hopes on the experience of long established local volunteer organizations in Los Angeles and elsewhere, we think it practicable that through closely coordinated and expanded operations to establish a string of recruitment agencies for the Republican Party.

The party's regular State and local organizations in most cases would unquestionably welcome massive infusions of fresh brains and muscle. These can be provided by citizens who choose to move on to the regular party organizations, after becoming attuned to Republican goals by experience in the citizens groups.

Another citizen organization objective—a most urgent one—is to create widespread respect for Republican positions, programs and aspirations.

To meet this need, citizens groups are forming and expanding units of specialists to cope with one of the Republican Party's most critical and exasperating deficiencies—that of communicating with others.

The citizens committee could more than justify its existence by improving Republican communications.

Consider this: Notwithstanding election returns and the ratio of officeholders, ours is, in conviction, the majority party.

There can be no question but that a majority of Americans share our belief in such basic Republican doctrine as responsible progress and a good life through individual opportunity and initiative.

This is vastly different from the Democrat Party doctrine of reliance on government above all else.

Why we Republicans have not succeeded in these recent years in translating our majority beliefs into majority votes is a multipronged dilemma.

And the business of communications—spreading the truth in understandable terms, presenting it as a vote-getting package—is at the heart of that dilemma. This, then, we must solve.

Next, some eyebrow raising was to be expected from party oldtimers who, for one reason or another, are allergic to citizen movements.

It would have been surprising indeed if the organization had achieved its first birthday without having at least a few belittling snorts directed its way by individuals who, for some strange reason, adjudge the words "idealist" and "amateur" to be politically disparaging.

It seems to me that at this point in history, when cynicism, mistrust of the people, and contrived political imagery are the vogue in the Nation's Capitol—our body politick could stand a hefty dose of idealism.

And as for political "amateurs"—they bring verve, sparkle, and fresh ideas which perk up a political party the way a well-advertised medicine does tired blood.

Another thing, many of today's finest public officials and party organization leaders were yesterday's "political amateurs."

Possibly "idealists" and "amateurs" oftentimes cause headaches and short tempers, merely by getting underfoot.

But a political party without a steady supply of them is likely to become inbred—and decay.

If you will permit a personal note—I am partial to so-called amateurs.

Dedicated nonprofessionals—mostly young men and women whose only previous political interest was to vote on election day—were to a considerable extent responsible for my decision in 1952 to enter the political arena.

By admiring and encouraging the amateurs and idealists in politics one does not thereby reflect unfavorably on the professionals.

Many distinguished veteran politicians also are idealists.

After all, the formula for successful service to the Nation calls for a meld of idealism and practicality.

I have profound respect for the art-science of politics—and for most politicians with whom I have been associated.

On the whole, they are sincere, conscientious public servants.

Yet now, as we approach the 21st century, politicians and nonpoliticians alike must awaken to the realization that, like it or not, government is becoming ever-more important in our lives.

In turn, that makes it increasingly imperative for citizens to stand guard aggressively, if need be, over their freedoms—and delineate with unmistakable clarity the line of principle beyond which government may not step.

Politics is becoming far too important in our individual and corporate lives to be monopolized by politicians.

I am told that a tough, old political boss of Jersey City took pride in revealing the secret of how he managed for years to dominate his community, his county, and the New Jersey Democrat Party.

In essence, he would put it this way: "My organization never lets up * * * we keep at it 24 hours a day, 7 days a week, 52 weeks a year * * * 'good people,' he said, 'start their movements every now and then * * * but they never stick at it. They always quit * * *.' "

Though his purposes were selfish—often blatantly so—yet his organizational and operational methods were so efficient that he maintained his hold over an enlightened citizenry for three decades.

Many of the Nation's most populous cities are even now as tightly boss-controlled as ever—and some, even more so.

While the political apparatus in most instances has a modernized facade to conform with the times, the main secret of success is identical to the letter to that of the old Jersey City boss.

And as is too well known, the clue to Democrat Party victories for years on end has been the incredible majorities delivered on call by those city bosses.

There is in these experiences a lesson that the Republican citizens organizations, functioning for good purposes in scores of communities, should learn well.

Let it be known here and now that this movement of what machine political bosses refer to derisively as good people does not have the word "quit" in its lexicon.

This permanent Republican citizens organization is here to stay—and to serve.

The foresight, dedication and spirit of those who conceived, formed, and are advancing this novel political enterprise will have the confidence of all who share our deep belief in fundamental principles and purposes of Republicanism.

Incidentally, it took boldness and a sure sense of competent optimism for the national citizens organization to start right off with a full 5-year operating schedule.

Now, on the eve of the first birthday, it is heartening to see that the original 5-year agenda already has been extended. Plans are being projected for increasingly productive activities extending through the foreseeable future.

There is an array of essential chores that all citizens groups and every Republican must face boldly.

To me, the most pleasant one of all is expounding, clarifying and advocating, with all my heart, fundamentals of Republican beliefs, keyed to an abiding faith in the American people.

Another crucial task is to point up repeatedly and endlessly the very real and significant differences between the Republican concept and that of the Democrat Party's current leadership.

Still another duty before us—one that I do not relish, but will deal with because it is as important as any other—requires we call the roll, clear and loud, on the opposition's record—the sorry record that stands naked to behold, when the cunningly manipulated veneer of imagery is peeled off.

For the sake of its future, the American electorate should become reintroduced to now no longer disguised incidents of the recent past. It should become fully aware of the political connivance that is a way of political life for those who avidly seek power at any cost—and having won it—reach out for more and more.

The rollcall—a long record of glowing promises and anemic deliveries—would include such campaigning catch phrases as "missile gap," "stroke of the pen," "strong Presidency," "get the country moving again," and so on.

What man or woman in America, if fully acquainted with the cold facts, could fail to feel ashamed of the deliberate effort to elevate that kind of political connivance to a level of full acceptability?

Thousands and tens of thousands of Democrats and Independents share our concern over what has been going on. Rather, they are disturbed by the nonaction and headlong retreat on matters of national survival and domestic well-being on which were promised firm, unequivocal decisions and action.

Now we Republicans are no paragons. We have many shortcomings, far too many.

But without pretence, we strive to improve.

And I cannot imagine any Republican official of standing, proclaiming the reverse of a standard Democrat slogan of the 1960 campaign.

The claim—that "the worst Democrat is better than the best Republican"—was first heard at the western conference of Democrat leaders in Albuquerque, N. Mex., in February 1960.

This would seem difficult for even the most ardent Democrat to believe. But listen to this story about one of the most avid endorsers of this ridiculous assertion.

He was a Democrat Member of the Congress, a committee chairman with extensive powers and prerogatives.

In his campaign for reelection he claimed brazenly that his seniority in Washington was money in the bank for the home State.

Subsequently, when it became evident that this politician was being hard pressed in the campaign and help was badly needed, he ran speedily to Washington for assistance.

In double-quick time, the Defense Department, of all places—with the Federal Treasury footing the bill—undertook a political rescue operation.

In the politically distraught Senator's State was an Air Force base which had been declared unnecessary and was being shut down.

In this time of trouble the campaigning Senator announced he would demonstrate his influence with the administration.

He was invited to a conference. Immediately after it, the candidate for reelection announced, and the administration confirmed, that the Defense Department was reversing itself and was reopening the useless air base.

Thus the Senator proved that his political seniority was like money in the bank, and it had the desired impact.

The Senator, one of those better than the best Republican, was reelected. Shortly thereafter the base was closed.

I cite this example from the campaign last year because it symbolizes an intrinsic difference between the two parties.

We Republicans have concentrated our attention on principles and programs and service to the Nation.

Our opponents appear to devote their energies to the cold and calculating realities of partisan politics—and their eyes are everglued to the end product, power.

To Republicans, the rights of men is a living doctrine.

To our opponents it is a campaign catchphrase, a political gimmick to be cunningly exploited as part of the great mosaic which presents a public but deceitful image known, far and wide, as concern for the common man—protector of the poor—champion of the people.

The facts are altogether different from the image.

Republican ideology today, as in Lincoln's time, is based upon the dynamic concept of government by the people, as well as of and for them.

It enthrones the individual—with his love of liberty and opportunity: his self-confidence and self-reliance, his initiative and his human desire to help himself and his family and his country—as the key to social and economic progress of the Nation; in the practice of this faith the entire nation has grown in strength, capacity, and influence.

On the other hand, the philosophy of those presently controlling the Democratic Party is based essentially on the contention that the answer to most of the Nation's problems is more government, more executive power, and ever-more spending of public funds.

This ideology sees the individual in terms of a vote—and something to be patronized.

It is barren of faith in the people.

It arrogates to a personally selected few the capacity for government.

It is devoid of appeal to all that is best in human nature, particular to those traits of individual character that have accounted for America's progress.

There is still another significant clash of concepts between the two parties.

We proudly espouse the simple, but dynamic virtues of America and its people.

To us, "pariotism" is a word that throbs with great meaning.

But to those who dominate and set the tone for the opposition party, such cherished American virtues as "reliance in self," "pride in work," "devotion to education," "Faith in self and God," are considered plain, low-brow corn, and not to be taken seriously.

I would like to point out to them that if our forefathers had not taken "corn seriously, we would not be here today.

And now, let us look at a few of the pertinent facts in the credo of Republicanism that need to be emphasized and re-emphasized.

Our fundamental concept of the dignity of the individual and of Government as the protector of his freedom is, even today, the world's newest political philosophy—a fresh, invigorating idea based on faith in an enlightened people.

By contrast, the concept of the omnipotent, omniscience state, presently advertised as sophisticated political philosophy, is as old and as ugly as sin.

The contention that man's destiny must be centrally controlled is as old as human history.

It existed for centuries before the dawn of freedom.

It cannot be repeated too often that our freedoms are inseparable.

Economic freedom, personal freedom, political freedom—these are all parts of a unit.

The loss of any would mean, eventually, the loss of all.

To preserve our freedoms, to grow ever stronger in their defense, we Republicans face a great challenge—and an even greater opportunity.

Unity is essential to our success.

As for me, if any proposal or program tends to divide those who support Republican principles, then I will have no part of it.

But I will support to the limit of my ability that which fortifies our unity.

It is our responsibility as citizens to help preserve and strengthen the fabrics of American freedom—to insure our Nation's progress—to establish individual responsibility as a keystone in our very way of life, personal and governmental—to assure equal opportunity for all.

Again, I salute those whose dedication to the public good and whose foresight brought about this organization.

It is not unlikely that a few years hence political scientists will trace the coming resurgence of Republicanism—the return to power of Republican ideals implemented by Republican officials—to the founding of this Republican Citizens Committee.

And now, as I close, I would like to read once more the words of Thomas Jefferson: "The republican is the only form of government which is not eternally at open or secret war with the rights of mankind."

Thank you, and good night.

CRUSADE FOR CANCER COMMEMORATIVE STAMP

Mr. LIBONATI. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. FASCELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FASCELL. Mr. Speaker, today it has been my privilege to introduce a bill authorizing and directing the Postmaster General to issue a special commemorative postage stamp on April 1, 1964, commemorating the crusade against cancer. The bill provides that the stamp shall be first offered for sale to the public in Washington, D.C.

On March 7, 1963, in furtherance of congressional authorization, President Kennedy issued the annual proclamation setting forth April 1963 as Cancer Control Month and invited the Governors of the States, the Commonwealth of Puerto Rico, and other areas subject to the jurisdiction of the United States to issue similar proclamations.

In his proclamation, the President also asked the medical and allied health professions, the communications industries, and all other interested persons and groups to unite during the appointed month in public reaffirmation of this Nation's efforts to control cancer.

It is well that my colleagues and I be reminded that today cancer is second only to heart disease as the leading cause of death. It has been predicted by the American Cancer Society that during 1963—280,000 Americans will die of previously diagnosed or recently detected cases. Another 815,000 will be under medical care, and 530,000 new cases will be diagnosed during the year.

In 1937, the National Cancer Institute was established by the act of Congress, with every U.S. Senator joining as a sponsor. Its forerunner had been the American Society for the Control of Cancer, founded in 1913. At that time only one out of every seven victims of cancer could be saved. Today early detection and modern medicine could save one cancer patient in two.

The issuance of a special commemorative postage stamp commemorating the crusade against cancer will arouse public interest and aid in stimulating early visits to doctors so that prompt diagnosis and treatment may save many of the 88,000 American lives needlessly lost to cancer each year.

It is my hope that my colleagues will join me in support of this most worthwhile measure.

THE GESELL REPORT: AN INDIVIDUAL COMMENT

Mr. LIBONATI. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. STRATTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. STRATTON. Mr. Speaker, the other day on this floor a number of us spent some time discussing pro and con the merits of the so-called Gesell report, recommending that the Defense Department take action to end segregation practices in areas adjacent to our military installations.

Some Members denounced the report in sweeping terms. I was among those on the other hand who pointed out that actually the Gesell report was only continuing a practice which the three armed services have been following for years, of trying to eliminate, both on and off military bases, those practices which are harmful to the morale and the efficiency of our fighting men in uniform.

Segregation and discrimination against men in uniform, because of their color, is one such harmful practice. The extent of the damage which this segregation policy, when followed in areas surrounding our military bases, can do, is clearly indicated in the following letter which appeared in the New York Times for August 15, and which I am most happy hereby to bring to the attention of my colleagues:

"OFF-LIMITS" STAND BACKED: DEFENSE DEPARTMENT MOVE RELATING TO SEGREGATED AREAS UPHELD

To the EDITOR OF THE NEW YORK TIMES:

Senator BARRY GOLDWATER is reported as having attacked the Defense Department for having authorized military commanders to place off limits any area near their bases where segregation is practiced.

I was stationed at Fort McClellan, Anniston, Ala., for nearly a year. I was Assistant Chief of Staff, G–2, of the 27th Infantry Division.

In training at this post was also a quartermaster unit composed of Negroes. They were a fine lot. When they went on pass, their appearance and conduct put to shame many of our white soldiers.

This was the organization that, after an invasion of France, operated the famous Red Ball Express, carrying essential supplies from the beaches to the front, driving their trucks across France day and night under the most difficult and dangerous conditions, and by their almost superhuman endurance of fatigue and lack of sleep winning universal admiration. Without them the rapid, victorious advance of General Patton's 3d Army could not have been maintained.

And yet every time one of these splendid soldiers entered the bus from Fort McClellan to Anniston he was rudely ordered by the driver to move to the last six rows of seats. After he reached town he was subjected to further humiliation.

The Defense Department is absolutely right in taking measures to insure respect for the American uniform. My criticism would be that the move is too long overdue, and does not go far enough. Instead of authorizing post commanders to place off limits the areas where discrimination is practiced, they should be ordered to do so.

Appeals to communities where discrimination exists, based on patriotism or common decency, are futile. It is only by threatening the profits of local business that results can be obtained. This is the jugular vein, as Senator GOLDWATER knows. The time has come to go for it.

JOHN REYNOLDS.

NEW YORK, *August 2, 1963.*

IT IS 1 MINUTE TO MIDNIGHT IN LATIN AMERICA

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Delaware [Mr. McDOWELL] is recognized for 15 minutes.

Mr. McDOWELL. Mr. Speaker, just a few days from now this body will be asked to consider the Foreign Assistance Act of 1963, which the Committee on Foreign Affairs has recommended for passage.

Since the early days of the Marshall plan foreign aid has been growing in scope and spirit, until today it is one of the strongest arms actively implementing U.S. foreign policy.

One of the most crucially important aspects of the foreign aid program in 1963 is also one of the youngest. Born only 2 years ago, the Alliance for Progress will take up about 20 percent of this year's proposed foreign aid appropriations. Why has Latin America so suddenly and so swiftly shot into the foreground of U.S. concerns abroad? Jose Figueres, former President of Costa Rica, stated it succinctly when he said, "It is 1 minute to midnight in Latin America."

"There is no time for dialectical exercises or philosophical musings," adds Teodoro Moscoso, U.S. Coordinator of the Alliance. "The United States and its Latin American allies must commit their material and spiritual resources with all deliberate speed."

Although a comparable state of urgency prevails in our foreign aid commitments throughout the world, it is Latin America that has served as the real eye-opener in the last few years. Boiling in revolution against poverty, illiteracy, and social injustice, constantly assailed by a barrage of Castroite propaganda, Latin America has been singled out by President Kennedy as the most critical underdeveloped area in the world. If the United States fails her sister-continent now, we will have failed ourselves and the cause of democracy everywhere.

Following are some excerpts from Mr. Moscoso's description of the Alliance's program and goals; these observations, brief though they are, pointedly reinforce his assertion that the Alliance for Progress will succeed—because it must:

> During its short existence the Alliance for Progress has stimulated many questions, but the question which most people ask is: "Will it succeed?" It is a legitimate question. It is also obviously the crucial question about this enormous cooperative effort. It is a question asked in every country in Latin America, sometimes in hope, sometimes in disbelief. It is properly asked by people in the United States whose tax money will provide such an important stimulus for the Alianza. It is asked in Moscow, where the Soviets realize quite as much as we that the future of democracy in the Western Hemisphere is riding on the success of the Alianza.
>
> There is only one possible answer. I can promise you that the Alianza will succeed. It will succeed in part because it must succeed. It must succeed as D-day, in Normandy had to succeed, and as the Marshall plan had to succeed—because failure would mean disaster. But it must also suceed as the American Revolution had to succeed—because powerful historical forces propel it.
>
> You will hear me use the word "revolution" a great deal today. It is the only appropriate word, and certainly not a word of which any American need be afraid. Today Latin America is clearly in the midst of a far-reaching revolution. It is not a Communist revolution or even Communist inspired, though the Communists are exerting every effort to ride it for their own purposes. It is a revolution against poverty, illiteracy, social injustice, and human despair. It is, also, in many places, a telescoping into a few years of many revolutions which North America and Western Europe have absorbed over a period of nearly two centuries.
>
> To varying degrees, you can find strong elements of the French Revolution, with its land-hungry peasantry, and of the American Revolution, with its rejection of aristocracy in favor of a democratic middle class. The industrial revolution is also taking hold in many parts of Latin America, often spawning urban slums where poverty is accompanied by rootless despair. And on top of these upheavals, which the United States assimilated over many decades. Latin America is feeling the tremendous force of a growing social revolution, not unlike that which the United States has been absorbing gradually since the early days of the New Deal. This social revolution is welling up in tremendous force, because restless millions no longer accept ignorance, poverty, and disease as an inevitable way of life.
>
> The Communists can only seize and pervert these revolutionary forces if we in the United States, and the real democrats in Latin America, abdicate our responsibilities and our traditions. There is nothing in the aspirations of the great masses in Latin America to which we in the United States cannot subscribe. They are aspirations which commend themselves to our consciences, to our democratic instincts, and to our sense of history. Indeed, the Charter of Punta del Este, which established the Alliance for Progress, is essentially an agreement for a peaceful revolution on a hemisphere scale.
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> For the United States, there can only be one possible course: to assist this peaceful revolution wholeheartedly with our resources and skills, with our political and moral backing, and then to see that it is not perverted or derailed en route.
>
> The Alliance for Progress is already launching its programs and gathering momentum. No one in his right mind, least of all myself, would pretend that the task will be easy. Even if the situation were not so volatile, the sheer scale of the economic job is staggering. Latin America's rate of population growth is probably the greatest in the world. Today there are nearly 200 million people in Latin America. By the end of the century—in only 38 years—there will be 600 million, twice as many as in the United States at that time. Which means that Latin America will have to run very fast just to stand still, even in terms of today's living standards which are so desperately low.
>
> Per capita income statistics smack of the cold detachment of the economist, but they are worth projecting in human terms. The average per capita income in the United States is $2,300; in Latin America it is $270. In other words, the average Latin income per person is about one-eighth as much as that in the United States. But even this figure does not render the true extent of poverty. For in many parts of Latin America, so much of the income is concentrated in the hands of a few rich, and so little in the hands of the many poor, that most people don't even come close to earning the average per capita income. In a country with a per capita income of $200, for example, this may mean that millions are living with an income of $100 a year or less; in fact, within a few hours flying time from Florida, tens of millions of Latin families are living for a year on a sum which a middle class U.S. family might easily spend in a few days of a winter vacation.
>
> Against the background of tremendous population growth and desperate poverty, the scale of the task ahead is admittedly awesome. In a story in the New York Times recently, Tad Szulc stated:
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> "Little as it is still known to most Americans, the Alliance for Progress exceeds in scope and imagination the postwar Marshall plan for Europe. As a cooperative enterprise involving U.S. capital and know-how and Latin American effort, courage, sacrifice and sinew, it has no parallel. For the years of the 'Decade of Progress' its financial cost is estimated at $20 billion. The investment in human talent, imagination, devotion, enthusiasm—and frustration—is obviously beyond calculation."

KENTUCKY HAS LOST ANOTHER OUTSTANDING CITIZEN, EDGAR F. ARNOLD, SR.

Mr. NATCHER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. NATCHER. Mr. Speaker, it was with deep regret that I learned of the death of my friend Edgar F. Arnold, Sr., one of Kentucky's finest newspapermen.

He was dedicated to the theory that a newspaper existed in order to disperse news with sincerity and truth, and to serve as a forum for public debate and expression. As a great newspaperman he stood out for his personal traits of energy and magnetism. As a member of the fourth estate he excelled in vivid characterization, rhythmic prose, rich and flowing style, keen wit and knifelike thrusts in expressing his views. In this day of standardization, it is unlikely that we will have another Edgar F. Arnold, Sr.

He was president of the Madisonville Publishing Co. which operates the Messenger. There was never any doubt in anyone's mind about how Mr. Arnold felt on any subject, but fairness of mind always left the columns of the Messenger open to the other side. This newspaper has always been published in a fair and impartial manner; a newspaper with an outstanding editorial page—one that takes a firm stand and vigorously maintains its position.

It is a distinct pleasure to read the Messenger. Newspapers such as this one make this country a better place in which to live and give a deeper meaning to freedom of the press.

My friend, Edgar F. Arnold, Sr., was always cognizant of his responsibilities as a newspaper editor and publisher and the power of the press was never misused by him. His editorials were quoted far and wide and they always reflected his crusading spirit and desire for improvement. On more than one occasion I have been commended on editorials from this splendid newspaper which I inserted in the Appendix of the RECORD. Today I am inserting in the Appendix three of the last editorials appearing in the Messenger prior to the death of Mr. Arnold.

Mr. Arnold was always devoted to his family and he was a symbol to plain people. He was kind and considerate and always a good listener.

It is with deep sorrow that I mourn the death of a true and steadfast friend. The Commonwealth of Kentucky will feel this loss deeply. The people in Madisonville and Hopkins County are fortunate to have Edgar Arnold, Jr., the copublisher of the Messenger, ready to carry on the traditions of integrity and high principle which were established by his father.

Mr. Speaker, an abiding tribute to this great newspaperman will be the continued existence of the Messenger as a responsible voice of the community, continuing to follow its motto written by Byron:

> Without or with offense to friends or foes
> I sketch your world exactly as it goes.

ELECTRIC COMPANIES IN PENNSYLVANIA PLAY KEY ROLE IN WORLD'S LARGEST POWER POOL

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, the July 22 issue of Electrical World printed a story which should, in my view, be brought to the attention of my colleagues.

This issue of the magazine is particularly notable because a map on its cover locates seven electrical tie points recently constructed by the Pennsylvania Electric Co., West Penn Power Co., Metropolitan Edison Co., and Potomac Edison Co. in or adjacent to Pennsylvania's 22d Congressional District, which I have the privilege to serve.

It is a matter of great public and congressional interest that these electrical ties placed in synchronous operation 70 percent of the Nation's generating capacity and established the benefits of interconnected grid operation for electric customers in 41 States and 2 Canadian Provinces.

There is nothing in the world to equal this achievement in size or scope and the investor-owned utilities which brought this to fruition are entitled to the thanks of the entire Nation. Electrical World pays justifiable tribute to this accomplishment by saying:

> Thus was created the world's largest electrical grid—one which, if laid over Europe, would reach from Lisbon to Moscow and from Murmansk to Tunisia. It not only emphasizes the substantial lead which the United States has over Russia in electric generation and transmission, but attests to the vision and perception of utility managements.

Also it should be noted that this represents positive action by investor-owned utilities to extend the world leadership which the United States already possesses in providing a dependable and economic energy supply to all customers wherever they wish it. It is indicative of their willingness to provide electrical facilities on their own initiative and with their own funds. Certainly, this is refreshing and pleasing at a time when Congress has so much difficulty finding funds to support the essential functions of Government to say nothing of the proliferating demands for assistance from other sources.

Mr. Speaker, it should be further noted that even with this tremendous development by these farsighted electric companies, the industry is not resting on its laurels. The accomplishments mentioned here today are not the end but are actually only milestones in their march to meet the future. The tying together of the Pennsylvania-New Jersey-Maryland interconnection with the interconnected system group serving these 41 States and 2 Canadian provinces is one of many steps that will gradually bring the whole Nation into one vast power pool. According to plans now being made by investor-owned electric companies in several areas, by 1966—just 3 short years from now—the entire Nation from coast to coast will be tied together with high voltage transmission lines for the benefit of every American.

The article, to which I have referred, follows:

SYNCHRONIZING THE WORLD'S LARGEST POWER POOL

(Power systems from the Rockies to the Atlantic Ocean and from Canada to the Gulf of Mexico operate in parallel when seven ties in Pennsylvania and Maryland are closed.)

Closing a breaker in a substation in northwestern Pennsylvania at 10:11 a.m., November 1, 1962, forged into 1 giant 146-million-kilowatt grid the electrical facilities of 41 States and 2 Canadian provinces.

The world's largest power pool was thus established by placing in parallel through West Penn Power Co.'s Burma substation, facilities of the interconnected systems group and, through Pennsylvania Electric Co.'s Piney substation, facilities of the Pennsylvania-New Jersey-Maryland and the Canadian-United States-Eastern interconnections.

Nearly 70 percent of the Nation's power supply was interconnected and the way opened for overlaying United States and Canadian power systems with one electrical high voltage grid.

Additional ties were quickly closed between Allegheny Power System and General Public Utilities Corp. At 10:12 a.m., ties were closed between Blairsville and Loyalhanna substations, 55 miles to the south; just 60 seconds later, ties were closed between Roxbury and Guilford substations in southeastern Pennsylvania. Then followed closings between Lincoln substation in southern Pennsylvania and Carroll substation in eastern Maryland; at Shingletown in the center of the Keystone State; and finally, at 10:17 a.m. at Garrett substation in western Maryland.

At 11:25 a.m., the next day, a seventh switch was closed at Brookville in northwestern Pennsylvania.

Thus was created the world's largest electrical grid—one which, if laid over Europe, would reach from Lisbon to Moscow and from Murmansk to Tunisia. It not only emphasizes the substantial lead which the United States has over Russia in electric generation and transmission, but attests to the vision and perception of utility management.

PENNSYLVANIA-NEW JERSEY-MARYLAND STARTED IN 1926

Organized in 1926 to simplify load dispatching and interconnection accounting, Pennsylvania-New Jersey-Maryland has grown to serve a 48,000 square-mile area in Pennsylvania, Maryland, New Jersey, and Washington, D.C. Installed capacity is 17 million kilowatts and population of service areas is about 17 million.

The pool operates as a coordinated, integrated supply system with energy being interchanged on a free-flow basis. Demands are met from the lowest cost unit regardless of location. Each utility shares costs of an interconnection office which functions under a management committee. An operating committee establishes operating and accounting procedures. Each company retains control over its facilities and has first call on their use.

All savings from pooling are shared by companies on an equitable basis. Installed capacity transactions are computed on a weekly basis; operating capacity transactions on a daily basis; and energy transactions on an hourly basis.

INTERNATIONAL SYSTEMS GROUP STARTED IN 1928

A voluntary association of utilities which began in 1928, international systems group has grown to a transmission network in 32 States covering all the central and much of the eastern part of the country. It includes industrial, Federal, State, municipal, cooperative, and investor-owned utilities.

Operations include control of 60-cycles-per-second frequency and automatic emergency assistance. International system group extends from the Rocky Mountains to the Atlantic coast and from Canada to the Gulf of Mexico. Generating capacity is about 100 million kilowatts.

Since each system retains its identity and does not contract with all other systems, interconnected systems group is an interconnection of utility systems rather than a pool. There are, however, a number of pools within interconnected systems group, and most systems contract with at least one and usually several neighbors. Cooperation between systems, not under contract to each other, is voluntary.

Because of the wide area and the many systems interconnected, interconnected systems group is divided into four geographic regions.

COORDINATE ADJACENT COMPANIES

A new benchmark in voluntary cooperation by investor-owned utilities was established when Allegheny Power System and General Public Utilities Corp. coordinated engineering and planning resources to extend benefits of power grid service to seven fringe areas.

Both had fringe areas served only by radial lines because geographical conditions made line construction difficult, and economic conditions did not warrant expensive dual service. Both were presented with difficult decisions when load growth made more reliable service to these areas highly desirable.

In seven such locations, the neighboring system had backup facilities reasonably near. By interconnecting facilities on an intersystem basis at these points, Allegheny Power System and General Public Utilities Corp. raised service reliability and found a new way to solve service problems efficiently and economically.

The chronology of efforts which led to synchronizing the two systems is an interesting study of management dedication to an idea, and persistence in bringing it to fruition.

TIE-LINE STUDIES STARTED IN 1959

Both Allegheny Power System and General Public Utilities Corp. were about to embark on construction of new lines into growing load centers at the end of radial lines when it became apparent that backup could be more easily supplied from adjoining companies than it could from their own.

Engineering studies, started in 1959, indicated seven such areas and showed that a joint expenditure of $5 million could eliminate construction of $11.5 million and defer sizable other expenditures. In addition to reinforcing local power supplies, the ties would provide for interchange of emergency power, help with peak diversity, and reduce loadings on certain lines where relief would be needed soon.

ESTABLISH NEW PARAMETERS

While engineers completed blueprints and specifications, accountants and planners developed parameters for the project which opened a new vista in voluntary sharing of facilities between two of the Nation's largest electric systems.

To facilitate construction and reduce costs, West Penn, Potomac Edison, Penelec, and Metropolitan Edison engineers worked out standards for transformers, switches, and hardware; and agreed to place telemetering equipment at the most advantageous locations on the tie instead of duplicating equipment at each end.

SEE BROADER PICTURE

At this point, the proposal that the ties serve to create an international power grid was considered by Allegheny Power System and General Public Utilities Corp. General Public Utilities Corp. had been steadily pushing its interconnections westward, first by tying into Pennsylvania-New Jersey-Maryland and then by building the first electrical tie across Pennsylvania—a "kilowatt turnpike" from the Atlantic Ocean to Lake Erie. Allegheny Power System which had the only major ties between electrical facilities in Pennsylvania, West Virginia, and Ohio, had pioneered in network operation with the Midwest through interconnected systems group.

Nearly twoscore meetings were held in the ensuing 18 months to bring into harmony operating procedures, planning, and aspirations of member companies of Pennsylvania-New Jersey-Maryland and interconnected systems group. One major point was the wide frequency variation allowed by Pennsylvania-New Jersey-Maryland in adjusting load to generation in contrast to interconnected systems group's close control. Interconnected systems group held frequency to two one-hundredths cycle deviation in contrast to Pennsylvania-New Jersey-Maryland's allowing frequency to deviate one-tenth cycle or more.

Also involved were: Need to install automatic control equipment in the Pennsylvania-New Jersey-Maryland interconnection office to maintain its concept of operating as one party; problems of incremental loading, free flow of energy, and accounting after the fact; and allocation of reserve capacity and energy savings.

During this period, General Public Utilities Corp. contracted with Niagara Mohawk Power Corp. to back up Penelec's Erie area with a 230-kilovolt line from Dunkirk Station. Four emergency ties between General Public Utilities Corp. and New York companies were made permanent and an agreement was made between Pennsylvania-New Jersey-Maryland and Canadian-United States-Eastern to operate in parallel.

Here again the problem of balancing load and generation within narrow limits arose and other members of Pennsylvania-New Jersey-Maryland agreed to cooperate with General Public Utilities Corp. and install automatic load control. This step toward unification of operating philosophies encouraged an understanding on other points. Finally, an agreement for what may well become known as the international power system was filed with the Federal Power Commission on October 1, 1962.

As General Public Utilities Corp. and Allegheny Power System had already completed the seven ties and were using them on an emergency basis, it was possible to begin operation of the Nation's three great power pools in parallel 30 days later.

HARMONIZE FACILITIES AND COSTS

Realizing that efforts to provide quality service to fringe areas by using facilities of neighboring companies was a new step in intercompany operation, Allegheny Power System and General Public Utilities Corp. based engineering on these premises:

Tielines, substations, and equipment should be allocated so that costs between General Public Utilities Corp. and Allegheny Power System subsidiaries would be equal.

Equipment would be standardized to achieve maximum purchasing economies.

Metering and control equipment would be installed on the basis of joint needs.

Each company would maintain interconnection facilities within its territory.

Equality of capital investments was obtained by first selecting substation sites most suitable for the service required in the specific area and then allocating miles of line on a compensating basis.

Data transmitting equipment was standardized so that only one set is installed at each interconnection, yet each participant receives desired information.

"SYNERGIZE" OPERATIONS

In operating the interconnection, all subsidiaries of Allegheny Power System are considered as one group and all members of Pennsylvania-New Jersey-Maryland are a second group. The two groups operate in parallel, with each controlling generation to maintain tie line flows at predetermined amounts. Frequency is maintained at 60 cycles per second with maximum variation of four one-hundredths cycle.

Allegheny Power System also operates in parallel with interconnected systems group and maintains interconnection relations with the East. Interconnected systems group in turn maintains parallel operations with Texas integrated systems, Rocky Mountain Power Pool, Southwest Public Service Co. system, and New Mexico Power Pool.

In all these systems and pools, the individual companies do, or will, assist in frequency regulation, schedule generation and arrange for economy interchange and operating capacity on an individual basis. Except in emergencies, all energy interchanges are made on a schedule basis.

Pennsylvania-New Jersey-Maryland, which is a control area insofar as operating on an interregional basis is concerned, maintains a free-flow interchange of energy, where power from the lowest cost generating units meets the loads. Records of flow and fluctuating costs are maintained at the Philadelphia Interconnection Office which coordinates generation so that interchange between Pennsylvania-New Jersey-Maryland and Allegheny Power System is maintained on a scheduled basis.

Participation of Canadian-United States-Eastern is by means of ties between General Public Utilities Corp. and Niagara Mohawk Power Corp., New York State Electric & Gas Corp., and Central Hudson Gas & Electric Corp.

CREATE NEW OPPORTUNITIES

Quite often a quantum advance is followed by a flow of benefits. This is resulting from closing the seven switches between Allegheny Power System and General Public Utilities Corp. As soon as Pennsylvania-New Jersey-Maryland adopted flat frequency and installed automatic control equipment, every power pool in the country was on a comparable basis, and the door opened for firmer ties leading to the day when every U.S. utility system will operate in parallel.

In addition, the experience and confidence required to obtain industrywide acceptance of an overlaying electrical high voltage grid was more easily provided by General Public Utilities Corp. and Allegheny Power System willingness to operate the first interregional ties at commonly accepted voltages. The belief that electrical high voltage lines would come easier if problems of parallel operation were solved initially rather than as part of an electrical high voltage package has been proved by announcements of five additional major interconnections.

A firm foundation for the cooperation required to utilize economies inherent in electrical high voltage transmission and large units was created by the harmonious relationships and, the broadgaged thinking, and the mutual understanding reached during the many conferences at all management levels.

Now removed are restrictive bonds from the imagination of engineers planning power systems of tomorrow. Available is more freedom in choosing between mine mouth, nuclear, gas- and oil-fired stations, and greater latitude in shaping an electrical system which will best serve interests of customers, investors, and employees and which will make maximum contribution to the Nation's economic strength.

Ties Achieved by Allegheny Power System and General Public Utilities Corp. on November 1, 1962, Produced the Following Benefits

Reinforced and protected service to seven fringe areas.

Established basic parameters for bringing every power pool in the United States and Canada into parallel operation.

Created a substantial and reliable grid for 41 U.S. States, the District of Columbia, and 2 Canadian provinces.

Developed a new benchmark for voluntary coordination of facilities, policy, and procedures by neighboring utilities.

Intertied 70 percent of the Nation's electrical capacity for the convenience and benefit of 80 percent of the Nation's population.

Made available to each other the capacity of adjacent companies, thus reducing reserves each company need maintain.

Smoothed the way for larger generating units closer to more economical fuel supplies.

Demonstrated that investor-owned utilities have ability, financial strength, desire, and willingness to create an ocean-to-ocean grid and are best equipped to do it in the fastest and most efficient manner.

Paved the way for spreading benefits of low-cost fuel and economies of large-sized units.

Coordinated power pools previously geared to different concepts of how far frequency could drift.

Provided backup against catastrophies.

Spread benefits of load diversity from seasonal and time differences over a wider geographical area.

Expanded long-range planning on a larger intercompany basis to pave the way for extensive economies.

Some Interregional Ties for Next 5 Years

A 500-kilovolt transmission system from western Pennsylvania and West Virginia to the eastern seaboard.

Elmira-Towanda line to complete a substantial loop along the entire length of southern New York State and northern Pennsylvania.

Erie-Cleveland line along the southern shore of Lake Erie will provide a substantial tie between power facilities in northern Pennsylvania and Ohio.

A major tie between Consolidated Edison Co. and Public Service Electric & Gas Co. of New Jersey will form another path for power flow between the extreme eastern section of the two vital power pools.

A Virginia-West Virginia line will form a more southerly east-west interconnection.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Farbstein (at the request of Mr. Albert), for 30 minutes, today, to revise and extend his remarks and include extraneous matter.

Mr. Ryan of New York, for 20 minutes, on Wednesday next, August 21, 1963, to revise and extend his remarks and include extraneous matter.

Mr. Burton (at the request of Mr. Beermann), for 30 minutes, on Tuesday, August 20, 1963.

Mr. McDowell (at the request of Mr. Libonati), for 15 minutes, today, to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

(The following Members (at the request of Mr. Libonati) and to include extraneous matter:)

Mr. Moss.

Mr. Powell in six instances.

Mr. Minish.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1321. An act to provide for a National Service Corps to strengthen community service programs in the United States; to the Committee on Education and Labor.

ADJOURNMENT

Mr. LIBONATI. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 44 minutes p.m.), under its previous order, the House adjourned until Monday, August 19, 1963, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1132. A letter from the Chairman, U.S. Tariff Commission, transmitting the seventh supplemental report on the tariff classification study, pursuant to the Tariff Classification Act of 1962; to the Committee on Ways and Means.

1133. A letter from the Secretary of Commerce, transmitting a report relating to providing aviation war risk insurance for the period as of June 30, 1963, pursuant to the Federal Aviation Act of 1958; to the Committee on Interstate and Foreign Commerce.

1134. A letter from the executive secretary, the Military Chaplains Association of the United States of America, transmitting a report of the financial statement for the year 1962 for the Military Chaplains Association of the United States of America; to the Committee on the Judiciary.

1135. A letter from the Secretary of Commerce, transmitting the quarterly report of the activities and transactions of the Maritime Administration of the Department of Commerce from April 1, through June 30, 1963, pursuant to the Merchant Ship Sales Act of 1946; to the Committee on Merchant Marine and Fisheries.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PATMAN: Committee of Conference. H.R. 3872. A bill to increase the lending authority of the Export-Import Bank of Washington, to extend the period within which the Export-Import Bank of Washington may exercise its functions, and for other purposes (Rept. No. 688). Ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FEIGHAN: Committee on the Judiciary. H.R. 5083. A bill for the relief of John Stewart Murphy; without amendment (Rept. No. 687). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CAMERON:

H.R. 8097. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. DENT:

H.R. 8098. A bill to amend the Federal Trade Commission Act to require that motion pictures photographed outside the United States, and any advertisements thereof, shall set forth the country of origin; to the Committee on Interstate and Foreign Commerce.

By Mr. FASCELL:

H.R. 8099. A bill to provide for the issuance of a special U.S. postage stamp in commemoration of the crusade against cancer; to the Committee on Post Office and Civil Service.

By Mr. HARRIS:

H.R. 8100. A bill to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, the Railroad Unemployment Insurance Act, and the Temporary Extended Railroad Unemployment Insurance Benefits Act of 1961 to increase the creditable and taxable compensation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. LINDSAY:

H.R. 8101. A bill to amend title II of the Social Security Act and chapter 2 of the Internal Revenue Code of 1954 to place social security coverage on an individual option basis for U.S. citizens performing service in the United States as employees of international organizations; to the Committee on Ways and Means.

By Mr. MATTHEWS:

H.R. 8102. A bill to amend the Federal Property and Administrative Services Act of 1949, as amended, to provide for the donation of surplus property to State agencies for use by volunteer firefighting organizations; to the Committee on Government Operations.

By Mrs. MAY:

H.R. 8103. A bill to make permanent the provisions of law authorizing certain suspension of section 27 of the Merchant Marine Act, 1920, with respect to the transportation of lumber; to the Committee on Merchant Marine and Fisheries.

By Mr. PUCINSKI:

H.R. 8104. A bill to amend section 610 of the Federal Aviation Act of 1958 so as to establish minimum standards for operation of civil supersonic aircraft through the navigable airspace of the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. ROSENTHAL:

H.R. 8105. A bill to provide an elected mayor, city council, and nonvoting Delegate to the House of Representatives for the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. ST. ONGE:

H.R. 8106. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mrs. SULLIVAN:

H.R. 8107. A bill to strengthen the agricultural economy; to help to achieve a fuller and more effective use of food abundances; to provide for improved levels of nutrition among economically needy households through a cooperative Federal-State program of food assistance to be operated through normal channels of trade; and for other purposes; to the Committee on Agriculture.

By Mr. HAGEN of California:

H.R. 8108. A bill to strengthen the agricultural economy; to help to achieve a fuller and more effective use of food abundances; to provide for improved levels of nutrition among economically needy households through a cooperative Federal-State program of food assistance to be operated through normal channels of trade; and for other purposes; to the Committee on Agriculture.

By Mr. MATTHEWS:

H.R. 8109. A bill to strengthen the agricultural economy; to help to achieve a fuller and more effective use of food abundances; to provide for improved levels of nutrition among economically needy households through a cooperative Federal-State program of food assistance to be operated through normal channels of trade; and for other purposes; to the Committee on Agriculture.

By Mr. ROSENTHAL:

H.R. 8110. A bill to strengthen the agricultural economy; to help to achieve a fuller and more effective use of food abundances; to provide for improved levels of nutrition among economically needy households through a cooperative Federal-State program of food assistance to be operated through normal channels of trade; and for other purposes; to the Committee on Agriculture.

By Mr. WHARTON:

H.R. 8111. A bill to provide that private aircraft may travel between the United States and Canada or Mexico without requiring the owners or operators thereof to reimburse the United States for extra compensation paid custom officers and employees; to the Committee on Ways and Means.

By Mr. HALPERN:

H.R. 8112. A bill to adjust the rates of basic compensation of certain officers and employees in the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. KARTH:

H.R. 8113. A bill to amend the Public Buildings Act of 1959 to require separate contracts to be entered into for the performance of mechanical specialty work required in certain construction and alteration of public buildings; to the Committee on Public Works.

By Mr. WALLHAUSER:

H.R. 8114. A bill to authorize and direct the Architect of the Capitol to construct the third Library of Congress building in square 732 in the District of Columbia, to provide that such building shall be designated the "President James Madison Memorial Library," and to provide that additional facilities for the Library of Congress shall be built in squares 637 and 691 in the District of Columbia in order to render unnecessary the construction (at a cost of $39 million) of a special memorial to President James Madison, and for other purposes; to the Committee on Public Works.

By Mr. LIPSCOMB:

H.J. Res. 652. Joint resolution to create a Joint Committee on Executive Orders; to the Committee on Rules.

By Mr. LINDSAY:

H.J. Res. 653. Joint resolution to establish a Joint Committee on Foreign Information and Intelligence; to the Committee on Rules.

By Mr. MORSE:

H.J. Res. 654. Joint resolution to establish a Joint Committee on Foreign Information and Intelligence; to the Committee on Rules.

By Mr. BARRY:

H. Res. 495. Resolution creating a standing Committee on Small Business in the House of Representatives, with authority to report germane amendments to the Small Business Act and the Small Business Investment Act of 1958; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII,

Mr. BYRNES of Wisconsin presented a memorial of the Legislature of the State of Wisconsin relative to the calling of a convention under article V of the Constitution for the purpose of proposing an amendment to the Constitution providing for a fair and just division of the electoral votes within the States in the election of the President and Vice President which was referred to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. MADDEN:

H.R. 8115. A bill for the relief of George Crokos; to the Committee on the Judiciary.

By Mr. MARTIN of Massachusetts:

H.R. 8116. A bill for the relief of Mr. Eddie Mah and Mrs. So Har Lee Ma (Mah); to the Committee on the Judiciary.

By Mr. O'NEILL:

H.R. 8117. A bill for the relief of Nikolaos Vrotsos; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 8118. A bill for the relief of Mrs. Carmen Prado; to the Committee on the Judiciary.

H.R. 8119. A bill for the relief of Yeghia Yeghiaian, George Dibbini, Siroun Dibbini Yeghiaian, Bishara Dibbini, and Stella May Dibbini; to the Committee on the Judiciary.

By Mr. THOMPSON of New Jersey:

H.R. 8120. A bill for the relief of Annunziata Achilli and Raffaella Achilli; to the Committee on the Judiciary.

By Mr. WALLHAUSER:

H.R. 8121. A bill for the relief of Eleanora Ptaszek; to the Committee on the Judiciary.

By Mr. BROYHILL of Virginia:

H.R. 8122. A bill for the relief of Jose M. Angueira Francis; to the Committee on the Judiciary.

SENATE

Thursday, August 15, 1963

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Eternal Spirit, as another dawn has grown into the fullness of noontide, so let Thy light banish all shadows of doubt and fretful unrest from our own hearts, that, as we turn to the urgent calls that wait at our elbows, we may find and follow Thy purpose for our lives throughout this day. May we be strong to do the things worth doing and to put aside those that are unworthy, belittling, or base.

Give us, we pray, a compelling sense of the oneness of all humanity, so that the decisions made here may never have to be reversed by those who come after us. Thus, at last, may we be counted by grateful generations who will inherit a kindlier earth among the architects of the final parliament of peace and plenty, in which every race and kindred and tongue will find their rightful place.

We ask it in the Redeemer's name. Amen.

THE JOURNAL

On request of Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, August 14, 1963, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed a bill (H.R. 6143) to authorize assistance to public and other nonprofit institutions of higher education in financing the construction, rehabilitation, or improvement of needed academic and related facilities in undergraduate and graduate institutions, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 6143) to authorize assistance to public and other nonprofit institutions of higher education in financing the construction, rehabilitation, or improvement of needed academic and related facilities in undergraduate and graduate institutions, was read twice by its title and referred to the Committee on Labor and Public Welfare.

LIMITATION OF STATEMENTS DURING MORNING HOUR

On request of Mr. Mansfield, and by unanimous consent, statements during the morning hour were ordered limited to 3 minutes.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. Mansfield, and by unanimous consent, the Permanent Subcommittee on Investigations of the Committee on Government Operations was authorized to meet during the session of the Senate today.

COMMITTEE MEETING DURING SENATE SESSION TOMORROW

On request of Mr. Mansfield, and by unanimous consent, the Committee on Foreign Relations was authorized to meet during the session of the Senate tomorrow.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business, to consider the nominations on the Executive Calendar.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORT OF A COMMITTEE

The following favorable report of a nomination was submitted:

By Mr. BYRD of Virginia, from the Committee on Finance:

Robert A Wallace, of Illinois, to be an Assistant Secretary of the Treasury.

The PRESIDENT pro tempore. If there be no further reports of committees, the nominations on the Executive Calendar will be stated.

NATIONAL LABOR RELATIONS BOARD

The Chief Clerk read the nomination of Howard Jenkins, Jr., of Colorado, to be a member of the National Labor Relations Board for the term of 5 years expiring August 27, 1968.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

RAILROAD RETIREMENT BOARD

The Chief Clerk read the nomination of Thomas M. Healy, of Georgia, to be a member of the Railroad Retirement Board for the term of 5 years from August 29, 1963.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

PUBLIC HEALTH SERVICE

The Chief Clerk proceeded to read sundry nominations in the Public Health Service.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of all these nominations.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

TRIBUTE TO SENATOR KEFAUVER

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the body of the RECORD an article entitled "He Was a Symbol to Plain People." The article, written by Charles Bartlett, was published in the Washington Evening Star of August 13. I can add nothing to the article; it speaks for itself.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HE WAS A SYMBOL TO PLAIN PEOPLE—SENATOR KEFAUVER'S LIBERALISM VIEWED AS AN INSTINCT TO HELP THE LITTLE MAN

(By Charles Bartlett)

Senator Estes Kefauver combined oxlike strength with an extremely gentle spirit, and his sudden death at 60 is a testimony to the demanding rigors of American public life.

Senator Kefauver played his political role with far more drive and thoroughness than most politicians. His campaigns in the presidential primaries of 1952 and 1956 set a pace that none of his competitors could emulate. He applied awesome stamina and bold daring to achieve a degree of national support that astounded the hierarchy of the Democratic Party.

He became in these travels a symbol to plain people in small towns who had been attracted by his crusade against the mobsters and found assurance in his unadorned, halting manner. He was one of them who had left his own small town and gone forth to slay the dragons in the cities.

The significance of Senator Kefauver's grueling forays into national politics lay less in his ultimate capture in 1956 of the Democratic vice-presidential nomination than in his awakening of many small people to the potential of their strength in politics. He set a pattern of handshaking through the grassroots and passing along the factory workbenches which has since been emulated by a majority of the successful candidates for office.

His untimely death is almost certainly a consequence of these exertions, which became a physical ordeal of massive proportions as he moved from State to State to contend, with bare financial backing, against the party organizations. An incredibly robust man when he began, Estes Kefauver never seemed as hearty after it was over.

His odysseys underlined the points that running for President is forbiddingly expensive and that the present random pattern of primaries is a haphazard method of selecting nominees for the highest office in the land. His experiences will have been the initiating force if Congress someday enacts a national presidential preference primary.

Senator Kefauver did not succeed in national politics because he was a loner, invariably withdrawn in the company of his colleagues, and because he was more liberal than his time. He carried with him a mountaineer's reserve which balked at easy congeniality and often masked a very deep and sincere kindliness.

He seemed to like doing things for people more than he liked talking to them and he never pulled back from the chance to perform a gentle act or remember a friend. Few of his colleagues knew him well, but many of them regarded him as a uniquely human and admirable individual.

His liberalism seemed to stem from an instinct to help the little man and a partiality to causes. He was dogged in his causes and stubborn in pressing them in a hostile climate. He was a populist in his tilts againt varying elements of the status quo and he brought qualities of persistence and courage to these ventures which distinguished him among liberals.

At the start of his presidential campaign in 1952, an overzealous supporter brought a live and angry raccoon in a cage to a Kefauver rally. The coon was his campaign symbol and the photographers pressed around. "Estes reach in and take him out," someone cried.

No one would cheerfully have braved those teeth for the doubtful advantage of a photograph. But the Senator compressed his lips in a characteristic expression and complied. This was, like the Presidential race itself and many other chapters in Estes Kefauver's career, the gesture of a man who could not bring himself to turn his back on a challenge.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT ON PROVISION OF AVIATION WAR RISK INSURANCE

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report on the provision of aviation war risk insurance, as of June 30, 1963 (with an accompanying report); to the Committee on Commerce.

VOLUNTEER SERVICE ON BEHALF OF GOVERNMENT OF DISTRICT OF COLUMBIA

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to provide that the Commissioners may accept or permit the acceptance of the performance by volunteers of services for and on behalf of the municipal government of the District of Columbia (with an accompanying paper); to the Committee on the District of Columbia.

REPORT ON TARIFF CLASSIFICATION STUDY

A letter from the Chairman, U.S. Tariff Commission, Washington, D.C., transmitting, pursuant to law, the seventh supplemental report on the Tariff Classification Study (with an accompanying report); to the Committee on Finance.

TRANSFER OF CERTAIN CANAL ZONE PRISONERS TO CUSTODY OF ATTORNEY GENERAL

A letter from the assistant to the Governor, Canal Zone Government, Washington, D.C., transmitting a draft of proposed legislation to authorize the transfer of certain Canal Zone prisoners to the custody of the Attorney General (with an accompanying paper); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, and referred as indicated:

By the PRESIDENT pro tempore:

Resolutions of the House of Representatives of the Commonwealth of Massachusetts; to the Committee on Commerce:

"Whereas the Civil Aeronautics Board in Washington has rendered a decision rejecting the application of Northeast Airlines for a permanent certificate to run commercial flights between Boston and Florida; and

"Whereas during the past 6 years Northeast Airlines has operated under a temporary certificate to make this run and has established a successful operational effort. It now carries 60 percent of all Boston to Miami passengers, more than 60 percent of all Boston to Washington passengers, and almost 60 percent of all Boston to Philadelphia passengers; and

"Whereas Northeast Airlines is a definite asset to the economy of all New England, providing 1,600 skilled jobs, an annual New England payroll of $13 million and $2,750,000 in annual expenditures for supplies in New England; and

"Whereas because of the fact that Northeast Airlines has been operating under a temporary certificate, it has been impossible for the company to obtain long-term financing thus adding a drain on its resources; and

"Whereas the granting of this permanent certificate is essential if Northeast Airlines is to continue to operate: Therefore be it

"*Resolved*, That the Massachusetts House of Representatives hereby requests the Civil Aeronautics Board in Washington to reconsider its decision and grant to Northeast Airlines the permanent certificate to make the Boston to Florida run; and be it further

"*Resolved*, That copies of these resolutions be transmitted by the secretary of the Commonwealth to the Chairman and every member of the Civil Aeronautics Board in Washington, and to the Members of Congress representing the New England States."

A resolution adopted by the convention of Italian-American War Veterans of the United States, Inc., at Chicago, Ill., relating to the denial of national life insurance to certain veterans; to the Committee on Finance.

A resolution adopted by the convention of Italian-American War Veterans of the United States, Inc., at Chicago, Ill., favoring the enactment of legislation to grant pensions to World War I veterans; to the Committee on Finance.

A resolution adopted by the convention of Italian-American War Veterans of the United States, Inc., at Chicago, Ill., favoring the enactment of legislation to provide a national cemetery in the State of Massachusetts; to the Committee on Interior and Insular Affairs.

A resolution adopted by the convention of Italian-American War Veterans of the United States, Inc., at Chicago, Ill., favoring an amendment to the Constitution of the United States relating to prayer in public schools; to the Committee on the Judiciary.

A resolution adopted by the convention of Italian-American War Veterans of the United States, Inc., at Chicago, Ill., favoring an amendment of the Constitution of the United States relating to Bible reading in public schools; to the Committee on the Judiciary.

A resolution adopted by a convention of Italian-American War Veterans of the United States, Inc., at Chicago, Ill., relating to Bible reading and prayer in public schools; to the Committee on the Judiciary.

A resolution adopted by a convention of the Italian-American War Veterans of the United States, Inc., at Chicago, Ill., favoring the establishment of a Senate standing Committee on Veterans' Affairs; to the Committee on Rules and Administration.

A resolution adopted by the section of antitrust law of the American Bar Association, of Chicago, Ill., expressing sorrow at the death of the late Senator Estes Kefauver; ordered to lie on the table.

CONVENING OF A CONSTITUTIONAL CONVENTION—JOINT RESOLUTION OF WISCONSIN LEGISLATURE

Mr. PROXMIRE. Mr. President, I present, for appropriate reference, pursuant to article V of the Constitution of the United States, a joint resolution of the State of Wisconsin calling for a constitutional convention to amend the Constitution. The amendment proposed would provide for a fair and just division of the electoral votes within the States. One of the principal inequities which I hope such an amendment would correct is the practice of giving all of a State's electoral votes to a presidential candidate no matter how slim his margin of victory. As has been noted often before, this could result in a candidate winning the Presidency, even though his opponent received a greater popular vote. I myself have supported a similar constitutional amendment in the past.

There being no objection, the joint resolution was referred to the Committee on the Judiciary and, under the rule, ordered to be printed in the RECORD, as follows:

JOINT RESOLUTION 80, A

Joint resolution petitioning the Congress of the United States to call a convention for proposing an amendment to the Constitution of the United States, unless Congress shall sooner have submitted such an amendment, to provide for the election of the President and Vice President in a manner fair and just to the people of the United States

Whereas under the Constitution of the United States presidential and vice-presidential electors in the several States are now elected on a statewide basis, each State being entitled to as many electors as it has Senators and Representatives in Congress; and

Whereas the presidential and vice-presidential electors who receive the plurality of the popular vote in a particular State become entitled to cast the total number of electoral votes allocated to that State irrespective of how many votes may have been cast for other elector candidates; and

Whereas this method of electing the President and Vice President is unfair and unjust in that it does not reflect the minority votes cast; and

Whereas the need for a change has been recognized by Members of Congress on numerous occasions through the introduction of various proposals for amending the Constitution: Now, therefore, be it

Resolved by the assembly (the senate concurring), That application is hereby made to Congress under article V of the Constitution of the United States for the calling of a convention to propose an article of amendment to the Constitution providing for a fair and just division of the electoral votes within the States in the election of the President and Vice President; and, be it further

Resolved, That if and when Congress shall have proposed such an article of amendment this application for a convention shall be deemed withdrawn and shall be no longer of any force and effect; and, be it further

Resolved, That the secretary of state be and he hereby is directed to transmit copies of this application to the General Services Administration, the Secretary of the Senate and the Chief Clerk of the House of Representatives of the United States and to the several Members of said bodies representing this State therein.

ROBERT HAASE,
Speaker of the Assembly.
JACK B. OLSON,
President of the Senate.
KENNETH E. PRIEBE,
Chief Clerk of the Assembly.
LAWRENCE R. LARSEN,
Chief Clerk of the Senate.

FLORENCE ANN SEYMOUR—REPORT OF A COMMITTEE

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported an original resolution (S. Res. 186); which was placed on the calendar, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Florence Ann Seymour, widow of Robert T. Seymour, an employee of the Senate at the time of his death, a sum equal to 1 year's compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

REPORT ENTITLED "IMPACT OF CURRENT TAX PROPOSALS ON SMALL BUSINESS"—INDIVIDUAL VIEWS—REPORT OF A COMMITTEE (S. REPT. NO. 397)

Mr. SPARKMAN. Mr. President, on behalf of the Select Committee on Small Business, I submit a report entitled "Impact of Current Tax Proposals on Small Business," together with the individual views of the Senator from Oregon [Mr. MORSE] and the Senator from Vermont [Mr. PROUTY], and request that they be printed.

This report represents the findings and conclusions of the Subcommittee on Taxes of the Senate Small Business Committee, as concurred in by a majority of the members of the full committee. It is the result of hearings held by the able and distinguished chairman of the subcommittee, the Senator from Nevada [Mr. BIBLE].

Under the leadership of the Senator from Nevada [Mr. BIBLE], the Subcommittee on Taxes has been instrumental over the years in ferreting out and correcting those parts of our tax code which have been unduly burdensome to the small businesses of the country. In reviewing and substantially endorsing the administration's tax program this year, the subcommittee has again demonstrated its keen insight into the peculiar problems of small business in the field of Federal taxation. As chairman of the Senate Small Business Committee, I want to take this opportunity to express my appreciation to the Senator from Nevada and to the members of his subcommittee for the outstanding job they have done for American small business.

The PRESIDING OFFICER. The report will be received and printed, as requested by the Senator from Alabama.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WILLIAMS of Delaware:

S. 2047. A bill to amend title II of the Social Security Act to include Delaware among the States which may obtain social security coverage, under State agreement, for State and local policemen and firemen; to the Committee on Finance.

By Mr. METCALF (for himself, Mr. McGEE, Mr. MANSFIELD, and Mr. SIMPSON):

S. 2048. A bill to provide for the establishment of the Big Horn Canyon National Recreation Area, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. METCALF when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON (by request):

S. 2049. A bill to authorize the Secretary of Commerce to accept gifts and bequests for the purposes of the Department of Commerce;

S. 2050. A bill to amend section 202(b) of the Federal Power Act with respect to the interconnection of electric facilities;

S. 2051. A bill to amend section 204 of the Communications Act of 1934, in order to extend the period during which the Federal

Communications Commission may suspend proposed tariff schedules and to place the burden of proof on the carriers to justify all new or revised tariff schedules; and

S. 2052. A bill to amend subsection (b) of section 310 of the Communications Act of 1934, as amended, in order to give the Federal Communications Commission greater flexibility with respect to the transfer and assignment of construction permits and licenses for broadcast stations; to the Committee on Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bills, which appear under separate headings.)

By Mr. BIBLE (for himself, Mr. BURDICK, Mr. ENGLE, and Mr. MCGEE):

S. 2053. A bill to provide for the acquisition of rights-of-way for canals and ditches; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. BIBLE when he introduced the above bill, which appear under a separate heading.)

By Mr. BIBLE (by request):

S. 2054. A bill to eliminate the maintenance by the District of Columbia of perpetual accounts for unclaimed moneys held in trust by the government of the District of Columbia; and

S. 2055. A bill to repeal the District of Columbia Credit Unions Act, to convert credit unions incorporated under the provisions of the act to Federal credit unions, and for other purposes; to the Committee on the District of Columbia.

By Mr. BURDICK:

S. 2056. A bill to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, the Railroad Unemployment Insurance Act, and the Temporary Extended Railroad Unemployment Insurance Benefits Act of 1961 to increase the creditable and taxable compensation, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. BURDICK when he introduced the above bill, which appear under a separate heading.)

By Mr. LONG of Louisiana:

S. 2057. A bill to amend the Internal Revenue Code of 1954 to allow a deduction to professional athletes for depletion of their physical strength, stamina, or skills; and

S. 2058. A bill to amend the Internal Revenue Code of 1954 to provide a 10-year net operating loss carryover for losses arising from expropriation, intervention, or confiscation of property by governments of foreign countries and to specify the tax treatment of the recovery of such losses; to the Committee on Finance.

(See the remarks of Mr. LONG of Louisiana when he introduced the above bills, which appear under separate headings.)

By Mr. McINTYRE:

S. 2059. A bill for the relief of Rosina Amato and Salvatore Amato; to the Committee on the Judiciary.

By Mr. HARTKE:

S. 2060. A bill to amend title II of the Social Security Act to permit certain fully insured individuals who are unemployed and have exhausted their unemployment compensation benefits to become entitled to old-age insurance benefits at age 60, to the Committee on Finance.

(See the remarks of Mr. HARTKE when he introduced the above bill, which appear under a separate heading.)

By Mr. GRUENING:

S. 2061. A bill for the relief of George Orfanoudis; to the Committee on the Judiciary.

By Mr. LONG of Louisiana:

S.J. Res. 112. Joint resolution establishing a Joseph Eugene Ransdell Memorial Award and a Joseph J. Kinyoun Distinguished Research Award; to the Committee on Labor and Public Welfare.

CONCURRENT RESOLUTION

PRESIDENTIAL COMMISSION ON POPULATION

Mr. CLARK (for himself and Mr. GRUENING) submitted a concurrent resolution (S. Con. Res. 56) relative to population growth and requesting the creation of a Presidential Commission on Population, which was referred to the Committee on Labor and Public Welfare.

(See the above concurrent resolution printed in full when submitted by Mr. CLARK, which appears under a separate heading.)

RESOLUTION

FLORENCE ANN SEYMOUR

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported an original resolution (S. Res. 186) to pay a gratuity to Florence Ann Seymour; which was placed on the calendar.

(See the above resolution printed in full when reported by Mr. JORDAN of North Carolina, which appears under the heading "Reports of Committees.")

BIG HORN CANYON NATIONAL RECREATION AREA

Mr. METCALF. Mr. President, on behalf of the senior Senator from Montana, the distinguished majority leader [Mr. MANSFIELD], my colleague; the Senators from Wyoming [Mr. McGEE and Mr. SIMPSON], and myself, I introduce a bill to create a Big Horn Canyon National Recreation Area.

The proposed area has outstanding scenic and recreation value. It is located along the Big Horn River, straddling the Montana-Wyoming border, about 110 miles east of Yellowstone National Park.

The river at that point runs through the Big Horn Canyon, which is a narrow precipitous gorge extending some 47 miles. It is a spectacularly beautiful canyon with walls rising from 800 to 2,200 feet above the river. The Bureau of Reclamation is now constructing the Yellowtail Dam, near the north end of the canyon. The primary purposes of the dam are to supply hydroelectric power and provide flood control, downstream irrigation releases, sedimentation storage, fish and wildlife conservation, and recreation. Scheduled for completion in 1966, the dam will create a reservoir 71 miles long with a shoreline of 195 miles.

Our bill will set aside 63,287 acres as a national recreation area, primarily on the west bank of the canyon. Within this area 29,216 acres are being acquired by the Bureau of Reclamation for dam and reservoir purposes. Of the remainder, 26,394 acres are in the Federal land reserve, 719 acres are State-owned, and 6,418 acres are privately owned. The State-owned acres all lie within Montana, of the private ownership, 4,560 acres are in Montana, 1,858 in Wyoming.

Boundaries of the proposed recreation area have been carefully drawn to avoid including private lands not absolutely necessary. I should also emphasize that the proposal does not include any lands owned by the Crow Indian Tribe of Montana. The Crow Reservation will border about two-thirds of the Yellowtail Reservoir. The addition of certain of these Indian lands would greatly enhance the recreation area, but they will not be included without the consent of the tribe. Discussions are underway with the National Park Service and the initial reaction of the Crow council appears favorable. We are hopeful that a mutually acceptable solution benefiting both the Indians and the public will soon be reached.

In addition to acquiring the necessary private and State lands, the Secretary of the Interior will be authorized to coordinate administration of the recreation area with the other purposes of the Yellowtail Reservoir project and to regulate hunting and fishing on lands and waters under his jurisdiction within the area, in accordance with the appropriate laws of Montana and Wyoming.

Mr. President, our proposal for a Big Horn Canyon National Recreation Area is based on an extensive feasibility study conducted by the National Park Service in 1961–62. And we believe our proposal meets the criteria drawn up by President Kennedy's Recreation Advisory Council. I think it would be useful to review the main features of the Big Horn proposal in light of the council's recommendations for national recreation areas.

First. National recreation areas should include at least 20,000 acres of land and water surface. The Big Horn area will embrace 63,287 acres.

Second. Areas should have a high carrying capacity and should have interstate patronage. The Park Service estimates that regional use of the area will amount to about 154,000 visitor-days annually by 1970 when initial recreation developments are expected to be in operation. An additional 406,000 visitor-days are attributed to visitors from beyond the local zone. Depending on future road construction, the area might be on a main east-west tourist route taking in the Custer Battlefield and Yellowstone Park.

Third. Areas should be beyond the scope of development by the States, and should be impossible without Federal involvement. Both Montana and Wyoming have indicated that the Big Horn project will be more than they could handle. Federal participation will not, however, preclude the involvement of State fish and game agencies in regulation matters.

Fourth. Areas should be no more than 250 miles from urban population centers. Billings, a city of 63,000, is about 100 miles from the area by present routes. There is a population of 178,608 within 100-mile radius of either end of the Yellowtail Reservoir.

Fifth. There should be no duplication of programs within a region. South-central and southeastern Montana have few large bodies of water. The same is true of upper Wyoming.

Sixth. Outdoor recreation should be the main purpose of recreation areas. At this point, Mr. President, I should like to detail the outstanding recreational opportunities afforded by the Big Horn proposal.

Starting at the north end of the area there will be a major development at Yellowtail Dam. This will include the visitor center, administrative headquarters, the dam overlook and scenic drive, boat excursion facilities, campgrounds, picnic areas and lodging and eating facilities. The historic Old Fort Smith location will be preserved. Just above the dam, in the afterbay area, excellent fishing is predicted by the Bureau of Sports Fisheries and Wildlife.

Going southward up the canyon, a minor development will be at the Dry Head area on the west. Camp and picnic grounds will be accessible only to boat travelers.

Next on the west side of the canyon will be Barrys Landing, a major development with boat launching facilities, lodging and eating places, camp and picnic grounds. The Devils Canyon Overlook, the next area, will involve only minor development.

The last major development will be at Horseshoe Bend, a location outside the canyon where the reservoir will be wider and shallower. In addition to the usual facilities, there will be a swimming beach here. A minor development at Kane Bridge on the east side of the reservoir completes the plan.

These facilities will make possible sightseeing boat trips, pleasure boating, camping, hiking, horseback riding, pack trips, swimming, fishing, and possibility winter sports. Boaters will have a total of 70 river miles and 12,000 surface acres of water for use.

The Park Service estimates that basic acquisition and development cost to the Government will be about $7.7 million. When full recreation use is reached, the Park Service says the Government can expect annual monetary benefits of $1,011,600, and this, they say, is a conservative estimate.

Beyond the basic developments installed by the Park Service, private concessions will be encouraged. There is a need for a variety of lodges, cabins, trailer villages, and eating facilities. The Crow Indian Tribe can develop many beneficial and profitable concessions.

Mr. President, the Recreation Advisory Council also has a number of secondary criteria, which are largely met by the Big Horn project. There are some problems, no doubt. Access to the area, for instance, will not be all that some might wish immediately.

There is little problem with primary access. Both U.S. Highway 87 on the north and Wyoming State Highway 14, on the south, are heavily used by vacation travelers. Once in the canyon area, however, the steep and rugged terrain puts some limitations on access. The development plan for the recreation area calls for major improvements of a dirt road which runs along the west side of the canyon. From this road spurs would lead into the canyon area at half a dozen places. Deep and long tributary canyons make road access on the east bank virtually impossible. There will, however, be access by boat if the Crow Indians join in the recreation area.

Mr. President, our bill to create a Big Horn Canyon National Recreation Area is a worthy proposal. It has strong support from the people of Montana and Wyoming. Conserving some of our still unspoiled terrain for recreation use by this and succeeding generations is part of a wise and farsighted policy of land use. There are few areas which can match the Big Horn Canyon for providing so many benefits so easily and so inexpensively.

The PRESIDING OFFICER (Mr. Inouye in the chair). The bill will be received and appropriately referred.

The bill (S. 2048) to provide for the establishment of the Big Horn Canyon National Recreation Area, and for other purposes, introduced by Mr. Metcalf (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

Mr. SIMPSON. Mr. President, will the Senator from Montana yield?

Mr. METCALF. I am delighted to yield to the Senator from Wyoming.

Mr. SIMPSON. I wish to concur in the remarks of the distinguished junior Senator from Montana and in his statement that he and the Senators from Wyoming, as well as the majority leader, the senior Senator from Montana, are very much in accord in regard to this bill.

The area involved is supremely beautiful, and extends into the high mountain country, where, as numerous writers state, the canary birds sing bass, and where all nature constantly impresses the eye with its glories.

Mr. MANSFIELD. Mr. President, will my colleague yield?

Mr. METCALF. I am glad to yield.

Mr. MANSFIELD. I wish to join my distinguished colleagues [Mr. Metcalf], the senior Senator from Wyoming [Mr. McGee], and the junior Senator from Wyoming [Mr. Simpson] in the introduction of this bill. We think it will be of great benefit to that part of the country; and we hope most sincerely that the appropriate committee will give the bill the consideration it deserves, and that Congress will agree with the views of the four Senators from these two great States.

ACCEPTANCE OF GIFTS AND BEQUESTS BY SECRETARY OF COMMERCE

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to authorize the Secretary of Commerce to accept gifts and bequests for the purposes of the Department of Commerce. I ask unanimous consent that a letter from the Secretary of Commerce requesting the proposed legislation be printed in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the Record.

The bill (S. 2049) to authorize the Secretary of Commerce to accept gifts and bequests for the purposes of the Department of Commerce, introduced by Mr. Magnuson, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter presented by Mr. Magnuson is as follows:

THE SECRETARY OF COMMERCE,
Washington, D.C.

Hon. Lyndon B. Johnson,
President of the Senate,
U.S. Senate,
Washington, D.C.

Dear Mr. President: There are enclosed four copies of a draft bill "To authorize the Secretary of Commerce to accept gifts and bequests for the purposes of the Department of Commerce" and four copies of a statement of purpose and need in support thereof.

We are advised by the Bureau of the Budget that, from the standpoint of the administration's program, there would be no objection to the submission of this proposed legislation to the Congress.

Sincerely yours,

Luther H. Hodges,
Secretary of Commerce.

(Enclosures.)

STATEMENT OF PURPOSE AND NEED

The purpose of this legislation is to authorize the Secretary of Commerce to accept gifts and bequests for use in furtherance of the work of the Department of Commerce.

To accomplish this purpose, specific authorizing legislation is required, since the Comptroller General has ruled that agencies may not accept gifts and bequests for assisting them in carrying out governmental functions in the absence of such specific authorization (36 Comp. Gen. 268).

A number of executive agencies now have statutory authority to accept gifts and bequests on a departmentwide basis. These include State Department (22 U.S.C. 809), General Services Administration (40 U.S.C. 298a), National Aeronautics and Space Administration (42 U.S.C. 2473(b)(4)), Federal Aviation Agency (49 U.S.C. 1344(c)), the Post Office Department (40 U.S.C. 298a), the Peace Corps (22 U.S.C. 2509). In addition, 50 U.S.C. 1151, authorizes acceptance of gifts for defense purposes by General Services Administration or Treasury Department, and 50 U.S.C. 1151 authorizes acceptance of gifts to reduce the public debt by the Treasury Department. However, the Secretary of Commerce presently has authority to accept gifts only on behalf of selected units within the Department of Commerce, i.e., the Bureau of Standards (15 U.S.C. 278a), the Coast and Geodetic Survey (33 U.S.C. 883g) and the Merchant Marine Academy (46 U.S.C. 1126(g)).

The U.S. Travel Service, Department of Commerce, has recently been offered as a gift a number of travel movie films which it desires to accept for showing abroad, to stimulate interest on the part of foreign viewers in visiting the United States. Authorizing legislation is necessary if this gift is to be accepted. However, in view of the evident undesirability of seeking such authorizing legislation piecemeal whenever the need arises, and in view of the broad authorizations previously granted to other agencies, it seems appropriate to seek departmentwide authorization which would empower the Secretary to accept gifts for the use of any part of the Department.

AMENDMENT OF FEDERAL POWER ACT RELATING TO INTERCONNECTION OF ELECTRIC FACILITIES

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to amend section 202(b) of the Federal Power Act so as to give the Commission authority to direct the interconnection of electric facilities. I ask unanimous consent to have printed in the Record a letter from the Chairman of the Federal Power Commission, requesting the proposed legislation.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the Record.

The bill (S. 2050) to amend section 202(b) of the Federal Power Act with respect to the interconnection of electric facilities, introduced by Mr. Magnuson, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter presented by Mr. Magnuson is as follows:

Federal Power Commission,
Washington, D.C., August 1, 1963.
Hon. Lyndon B. Johnson,
President of the Senate,
Washington, D.C.

Dear Mr. President: I transmit herewith for the consideration of the appropriate committee 20 copies of a draft bill to amend section 202(b) of the Federal Power Act so as to give the Commission authority to direct the interconnection of electric facilities not only upon application as now provided in the subsection but also on its own motion.

Under the subsection, the Commission (subject to several provisions to insure that interconnection will not impair a utility's ability to serve its existing customers and maintain its financial integrity) may direct a public utility to establish physical connection of its transmission facilities with the facilities of one or more other persons engaged in the transmission or sale of electric energy and to sell to or exchange energy with such persons. However, the Commission can act only upon application of a State commission or a person engaged in the transmission or sale of energy.

The subsection thus provides a remedy to prevent or relieve a situation in which, for any reason, the public interest requires such interconnection and sale or exchange of energy. But the relief cannot be given by the Commission unless application be made to it. Our proposal, if enacted, would permit the Commission to take the initiative where it believes the public would be benefited by ordering such interconnection.

That would be the only effect of the amendment. The provisions for notice and opportunity for hearing remain unchanged. Other standards of the subsection likewise remain the same. Thus the Commission must find that no undue burden will be placed upon the public utility affected. Nor may it compel the enlargement of generating facilities or compel the sale or exchange of energy when to do so would impair the utility's ability to render adequate service to its customers.

We believe that the ability to grant relief in a situation which comes to our attention but which might not otherwise be applied for is clearly in the public interest. Not only will there be situations where the Commission will have information not available to any person within a class who could apply under the existing law, but there may well be situations where interconnection would serve the broader public interest, but where neither of the potential parties to such interconnection will feel it to be in their private interests to make application to the Commission. We therefore urge that this additional authority be afforded the Commission.

Sincerely,
Joseph C. Swidler,
Chairman.

AMENDMENT OF COMMUNICATIONS ACT OF 1934, TO EXTEND PERIOD DURING WHICH THE FEDERAL COMMUNICATIONS COMMISSION MAY SUSPEND PROPOSED TARIFF SCHEDULES

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to amend section 204 of the Communications Act of 1934, in order to extend the period during which the Federal Communications Commission may suspend proposed tariff schedules and to place the burden of proof on the carriers to justify all new or revised tariff schedules. I ask unanimous consent that a letter from the Chairman of the Federal Communications Commission, requesting the proposed legislation, together with an explanation of the proposed amendments, be printed in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter and explanation will be printed in the Record.

The bill (S. 2051) to amend section 204 of the Communications Act of 1934, in order to extend the period during which the Federal Communications Commission may suspend proposed tariff schedules and to place the burden of proof on the carriers to justify all new or revised tariff schedules, introduced by Mr. Magnuson, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter and explanation presented by Mr. Magnuson are as follows:

Federal Communications Commission,
Washington, D.C., July 20, 1963.
The Vice President,
U.S. Senate, Washington, D.C.

Dear Mr. Vice President: The Commission has adopted as a part of its legislature program for the 88th Congress a proposal to amend section 204 of the Communications Act, to extend from 3 months to 9 months the period for which the Commission may suspend proposed tariff schedules and place the burden of proof on the carrier to justify all new or revised tariff schedules (47 U.S.C. 204).

The Commission's draft bill to accomplish the foregoing objective was submitted to the Bureau of the Budget for its consideration. We have now been advised by that Bureau that from the standpoint of the administration's program there would be no objection to the presentation of the draft bill to the Congress for its consideration. Accordingly, there are enclosed six copies of our draft bill and explanatory statement on this subject.

The consideration by the Senate of the proposed amendment would be greatly appreciated. The Commission would be happy to furnish any additional information that may be desired by the Senate or by the committee to which this proposal is referred.

Yours sincerely,
E. William Henry,
Chairman.

Explanation of Proposed Amendments to Section 204 of the Communications Act of 1934, as Amended

The Federal Communications Commission recommends to the Congress the consideration of legislation to amend Section 204 of the Communications Act of 1934, as amended, with respect to two matters:

1. To extend from 3 months to 9 months the period for which the Commission may suspend proposed tariff schedules; and

2. To place the burden of proof on the carrier to justify all new or revised tariff schedules rather than just those involving increased charges.

With regard to the extension of the suspension period for tariffs, the amendment is recommended because it is generally impossible to complete a hearing and decision on tariff schedules under the present time intervals involved in the various procedural steps required by the Administrative Procedure Act and implementation in the Commission's rules. Under the Administrative Procedure Act, the Commission is required to give reasonable notice (generally interpreted administratively as 30 days) of the time and place for hearing. Following the close of hearing and prior to issuance of an initial decision, the Administrative Procedure Act requires that parties be given reasonable opportunity to file exceptions to initial fact and conclusions or reasonable opportunity to file exceptions to an initial decision. The Commission's rules provide a 20-day period for the filing of proposed findings of fact and conclusion after the close of the record (which is often inadequate and must be extended); and a 30-day period for the filing of exceptions to an initial decision (which is also often extended at the request of the parties). Considering the time required to hold the hearing itself and to prepare the initial and final decisions, it is readily apparent that the present statutory suspension period of 3 months is now an inadequate length of time in which to reach a determination on a tariff in issue.

Three major tariffs filed by A.T. & T. during the fiscal year 1961 requiring Commission determination of tariff issues illustrate the difficulty in certain cases of rendering an initial decision, much less a final one, within the 3-month period presently provided in section 204 for tariff suspensions.

For example, in docket No. 14251, a tariff was filed providing for volume private line rates (Telepak). A notice of hearing was issued on September 7, 1961, and the tariff was suspended to December 8, 1961. Although more than a year has expired since the suspension of the tariff, the Commission, because of the various procedural steps required by law, has been unable thus far to render an initial decision.

In docket No. 14154 a development tariff was filed that will provide a wide area data service (WADS). On June 7, 1961, the Commission ordered the tariff suspended until September 8, 1961. Again, more than a year has passed since suspension of the tariff. Compliance with procedural requirements of law has not permitted the Commission thus far to render an initial decision.

Finally, in docket No. 13914, a tariff was filed on December 16, 1960, providing for wide area telephone service (WATS), and it became effective January 15, 1961. Although the Commission denied suspension requests in January of 1961, more than 1 year has elapsed since this denial. Compliance with procedural requirements has also delayed the issuance of an initial decision.

Even though the Commission has always attempted to complete tariff hearings in as short a time as possible and will continue to do so in the future, it is apparent from the foregoing examples that the Commission needs the flexibility its legislative proposal will give it in dealing with the more complex and lengthy cases where a 3-month suspension period allowed under present law has proven to be inadequate.

Other Federal regulatory bodies dealing with utilities or carriers have suspension periods ranging from 5 to 7 months. The Natural Gas Act[1] and the Federal Power Act[2] provide for suspension periods of 5 months.

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[1] 15 U.S.C. 717(c).

[2] 16 U.S.C. 824(d).

The Civil Aeronautics Act[3] provides for a 90-day suspension period with an additional period of 90 days if the proceeding has not been concluded. The Interstate Commerce Act,[4] on which this part of the Communications Act is based, provides for a 7-month suspension period.

Some States provide for a suspension period of 4 months which may be extended for periods not to exceed 6 months.[5] In addition, some other States provide for suspension periods of 9 months or longer. For example, Rhode Island has a 9-month suspension period;[6] Washington, 10 months;[7] North Dakota, 11 months;[8] and New Hampshire has a 12-month suspension period.[9]

The present wording of section 204 places the burden of proof on the carrier in the case of increased charges, but is silent with respect to tariff proposals not involving an increase. However, it is clear that new tariff filings may be unlawful even though they do not involve increased charges; for example, they may create unlawful discriminations. In any case, the facts pertaining to the justification for any tariff proposals are peculiarly within the knowledge of the carriers proposing them. Therefore, if the Commission is to effectively regulate the carriers, then the carriers must have the burden of proof in all cases involving new tariff proposals. In this connection, it should be noted that a similar provision in the Interstate Commerce Act, from which our provision was taken, had been construed to impose the burden of proof on the carrier only in the case of increased rates [*Anchor Coal Co.* v. *U.S.*, 25 F. 2d 462 (1928)]. In 1940, the Interstate Commerce Act was amended to place the burden of proof on the carrier in any hearing involving a change in a rate, fare, charge, or classification, or in a rule, regulation, or practice. (49 U.S.C. 15(7).)

The Commission accordingly urges the amendment of section 204 to extend the period for which the Commission may suspend proposed tariff schedules and to place the burden of proof on the carrier to justify all new or revised tariff schedules by the enactment of this proposed legislation.

AMENDMENT OF SUBSECTION (b) OF SECTION 310 OF COMMUNICATIONS ACT OF 1934

Mr. MAGNUSON. Mr. President, by request, I introduce, for reference, a bill to amend subsection (b) of section 310 of the Communications Act of 1934, as amended. I ask unanimous consent that a letter from the Chairman of the Federal Communications Commission, requesting the proposed legislation, be printed in the RECORD, together with an explanation of the proposal.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter and explanation will be printed in the RECORD.

The bill (S. 2052) to amend subsection (b) of section 310 of the Communications Act of 1934, as amended, in order to give the Federal Communications Commission greater flexibility with respect to the transfer and assignment of construction permits and licenses for broadcast stations, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter and explanation presented by Mr. MAGNUSON are as follows:

FEDERAL COMMUNICATIONS COMMISSION,
Washington, D.C., June 27, 1963.
The VICE PRESIDENT,
U.S. Senate,
Washington, D.C.

DEAR MR. VICE PRESIDENT: The Commission has adopted as part of its legislative program for the 88th Congress a proposal to amend section 310(b) of the Communications Act of 1934 to give the Commission greater discretion to adopt flexible procedures for considering how the public interest will best be served in considering applications for transfer or assignment of a construction permit or license for a broadcast station.

The Commission's explanation and draft bill to accomplish the foregoing objective were submitted to the Bureau of the Budget for its consideration. We are now advised by that Bureau that from the standpoint of the administration's program there would be no objection to the presentation of the draft bill to the Congress for its consideration. Accordingly, there are enclosed six copies of our draft bill on this subject and six copies of an explanatory statement with reference thereto. Commissioner Bartley has prepared a separate statement, six copies of which are also enclosed.

The consideration by the Senate of the proposed amendment would be greatly appreciated. The Commission would be happy to furnish any additional information that may be desired by the Senate or by the Committee to which this proposal is referred.

Yours sincerely,
E. WILLIAM HENRY,
Chairman.

EXPLANATION OF PROPOSED AMENDMENT TO SECTION 310(b) OF THE COMMUNICATIONS ACT OF 1934, AS AMENDED

The Commission recommends that Congress enact legislation amending section 310(b) of the Communications Act of 1934, as amended, by deleting the portion of the last sentence of section 310(b) following the semicolon. The language which would be deleted reads as follows: But in acting thereon (i.e., on an application for assignment or transfer of a construction permit or license) the Commission may not consider whether the public interest, convenience, and necessity might be served by the transfer, assignment, or disposal of the permit to a person other than the proposed transferee or assignee."

For some time now, the Congress and the Commission have both been concerned with problems involving the transfer or assignment of station licenses or construction permits. A number of steps have already been taken to strengthen the Commission's procedures governing transfers and assignments.

The former House Subcommittee on Legislative Oversight, for example, held extensive hearings during 1958 on various facets of transfer problems, such as trafficking in licenses and the adverse effects on the public interest of the statutory provision quoted above. Following its hearings, the Legislative Oversight Subcommittee twice formally recommended the repeal of the language quoted above.[1] Legislation to implement this recommendation first appeared as a part of H.R. 11340, 86th Congress, introduced by Chairman HARRIS of the House Committee on Interstate and Foreign Commerce. This bill proposed fairly extensive revisions in section 310(b) of the Communications Act. H.R. 11340 died with the 86th Congress, but a bill containing an identical proposal to amend section 310(b), H.R. 1165, was introduced in the 87th Congress. This bill died with expiration of the 87th Congress.

Insofar as we have been able to do so within the framework of existing law, the Commission has also taken measures to correct abuses in the transfer area. We have wholeheartedly supported the congressional proposal to implement the recommendations of the Legislative Oversight Subcommittee regarding necessary amendments to section 310(b). And, independently of congressional action, we have taken steps to correct possible abuses in this area. For instance, following a study of trafficking problems, the Commission adopted a new broadcast rule (effective March 23, 1962) pertaining to applications for the voluntary transfer of licenses or construction permits which have been held for less than 3 years. Under the new rule, with certain exceptions which recognize that legitimate changes in circumstances may create hardships necessitating the sale of a station, a hearing is required on applications for voluntary assignments or transfers of AM, FM, or TV stations which are proposed to be sold within 3 years of acquisition thereof. We think this new rule will prove highly beneficial in discouraging trafficking in licenses.

As another part of our program to strengthen our authority to deal with transfer problems, the Commission is here proposing the repeal of that part of section 310(b) referred to above.

The language to be repealed was added as a part of the 1952 amendments to the Communications Act. As shown by the legislative history, the main purpose of this language was to annul the Commission's former Avco procedure, which, it will be recalled, provided for publicizing transfer applications and inviting new applications for consideration on a comparative basis. (S. Rept. No. 44, accompanying S. 658, 82d Cong., 1st sess., p. 8.) As further indicated by the legislative history, the Commission had already abandoned its Avco procedure several months before enactment of this amendment to section 310(b). (S. Rept. No. 44, supra, p. 9.)

Practical experience gained from operation under this provision has demonstrated rather conclusively that the effect of the 1952 amendment has been considerably broader than merely to bar the adoption of Avco procedures. For, under the clear and unequivocal language of this provision, the Commission is barred from giving any consideration to other possible applicants who may be interested in applying for the facility covered by a license or construction permit which is to be transferred.

In all other instances involving licensing functions, the Federal Communications Commission has the authority to choose the best qualified applicant. This is assured chiefly through comparative hearings, which serve the public interest by permitting the selection of the best qualified applicant. It is true, of course, that under section 310(b), the public interest, convenience, and necessity is still the standard by which a proposed transfer must be judged before it can be approved. But, in determining where the public interest lies, the Commission is expressly forbidden by the present language of section 310(b) from considering whether someone other than the proposed transferee may be better able to serve the public interest in the community involved. In some cases, this means that a person with minimal qualifications who has actually lost a comparative hearing, or could not prevail against better-qualified applicants, is the only person whose qualifications the Commission can consider.

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[3] 49 U.S.C. 1482(g).

[4] 49 U.S.C. 15(7).

[5] California Public Utilities Code Annotated, sec. 455; Smith-Hurd Illinois Annotated Statutes, ch. 111⅔, sec. 36; McKinney's Consolidated Laws of New York Annotated, book 47, sec. 92.

[6] General Laws of Rhode Island, vol. 3, sec. 39-3-11.

[7] Revised Code, Washington Annotated, 80.04.130.

[8] North Dakota Century Code, 49.05-06.

[9] New Hampshire Revised Statutes, vol. 3, 378:6.

[1] H. Rept. No. 1258, 86th Cong., 2d sess. (1960), pp. 39-40; and H. Rept. No. 2711, 85th Cong., 2d sess. (1959), p. 11.

Thus, for all practical purposes, the effect of this provision has been to permit a licensee to choose his successor. And since the transferor is more often than not influenced primarily by the amount the purchaser will pay rather than the purchaser's qualifications to be a broadcast licensee of the type of service he plans to offer, the public interest may be subordinated to the private interests of the transferor and transferee.

This narrowing of the public interest standard to be applied in transfer cases is in marked contrast to other provisions of the Communications Act. Thus, section 307(d) limits the term of a licensee for a broadcast station to 3 years, the renewal of a license being conditioned on the Commission's finding that the public interest would be served; and there is no restriction on the Commission's public interest determination similar to that in section 310(b). Section 309(a) authorizes the issuance of licenses of construction permits only on a finding that the public interest will be served thereby, and again with no such restriction as in section 310(a).

The repeal of the present limitation on our authority in transfer and assignment proceedings will serve the public interest in several ways.

Most importantly, it will restore to the Commission the discretion it had in transfer proceedings prior to the 1952 enactment of the present language of section 310(b). While we wish to make it clear that the Commission would not regard the repeal of this provision as a mandate to reinstitute the former AVCO procedures (which, as stated, had been abandoned by the Commission before the enactment of the 1952 revision), nevertheless, there are situations in which the public interest might better be served by the transfer of a station to someone other than the transferee proposed by the transferor. There is, for example, the situation where it is proposed to transfer a station in a community which enjoys multiple commercial service but which has no educational service and in which an educational group would be willing to purchase the station for educational broadcasting for roughly the same price offered by the proposed transferee. At a very minimum, the Commission should have the authority to consider the application of the educational group to determine whether the public interest would better be served by a grant to the educational group rather than to the person selected by the transferor. Presently, however, even the bare minimal authority to consider competing applications is precluded by section 310(b).

There may also be other unique situations in which the public interest aspects of a proposed transfer would justify the consideration of a transferee other than the one proposed by the transferor. Because of the multitude of possible factual situations, we cannot at this time say just what those unique situations might be. We stress, however, our belief that such situations would be the exception and not the rule. In short, the Commission should have authority to deal with particular factual situations as the public interest—without restriction thereon—may require. Repeal of this provision would accomplish that end.

Further, this amendment would also conform the public interest standard of section 310(b) to the statutory scheme inherent in other sections of the Communications Act, thus eliminating the present anomaly of requiring the Commission to apply a different and more restrictive standard in transfer cases than it does in other licensing proceedings. And finally, repeal of this provision will implement the recommendations of the former House Subcommittee on Legislative Oversight, which, as previously noted, has twice recommended the repeal of this provision.

In light of these considerations and the general agreement on the need for repeal of this provision, we urge that separate legislation be introduced to accomplish this objective. A draft bill setting forth the proposed changes in section 310(b) is attached.[2]

STATEMENT OF COMMISSIONER ROBERT T. BARTLEY

I believe the proposed amendment of section 310(b) is desirable as far as it goes. However, I am of the opinion that additional provisions should be enacted to safeguard the public from derogation of service as a result of the buying and selling of broadcast stations.

The amendment, as proposed, would merely authorize the Commission to consider assignments and transfers of broadcast stations to persons other than those specified by the assignor or transferor. But the Commission's basic consideration in each sale is whether the person who is considered can be expected to bring about an improved broadcast structure, and, thus, whether the public is benefited by the transaction. If the sale will not effectuate improvement, how can it be held to be in the public interest, convenience and necessity?

Thus, I favor the adoption of an amendment which would, (1) require a finding in all requests for assignments and transfers of broadcast stations (except pro forma and involuntary cases) that the transaction could be expected to bring about an improvement in the general structure of broadcasting, and (2) provide that the Commission may grant its consent, without hearing, if the assignee or transferee meets the burden of establishing such expectation by an affirmative showing of overall superiority to the assignor or transferor in a consideration of the following public interest areas: (a) licensee responsibility, (b) integration of ownership and management, (c) local residence, (d) diversification of control of mass media, (e) fostering competition among broadcast stations, (f) participation in community affairs, (g) direct supervision of the station, (h) public service responsibility, (i) and, a continuing awareness of and attention to the needs of the area to be served. Thus, if the showing is meritorious and the applicant is qualified in all other respects, consent could be granted without a hearing. Otherwise, the application would be designated for hearing to determine, on the basis of issues then obtaining, whether consent to the assignment or transfer would serve the public interest, convenience and necessity.

Accordingly, I urge the following revision of section 310(b) of the Communications Act:

DRAFT OF BILL PROPOSED BY COMMISSIONER BARTLEY

"A bill to amend subsection (b) of section 310 of the Communications Act of 1934, as amended

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b) of section 310 of the Communications Act of 1934, as amended (47 U.S.C. 310(b)), is amended to real as follows (language to be added is in italics, and language to be deleted is in black brackets):

"(b) No construction permit or station license, or any rights thereunder, shall be transferred, assigned or disposed of in any manner, voluntarily or involuntarily, directly or indirectly, or by transfer of control of any corporation holding such permit or license, to any person except upon application to the Commission and upon finding by the Commission that the public interest, convenience, and necessity will be served thereby. *In all assignments or transfers of broadcast stations, except pro forma and involuntary cases, this finding shall include, but not be limited to, an affirmative determination that the transaction could be expected to bring about an improvement in the general structure of broadcasting. The Commission may grant its consent, without hearing, if the assignee or transferee meets the burden of establishing such expectation by an affirmative showing of overall superiority to the assignor or transferor in a consideration of the following public interest areas:* (a) *licensee responsibility,* (b) *integration of ownership and management,* (c) *local residence,* (d) *diversification of control of mass media,* (e) *fostering competition among broadcast stations,* (f) *participation in community affairs,* (g) *direct supervision of the station,* (h) *public service responsibility, and* (i) *a continuing awareness of and attention to the needs of the area to be served. If such affirmative determination cannot be made from the showing in the application, it shall be designated for hearing pursuant to section 309(e) to determine, on the basis of the issues then obtaining, whether consent to the assignment or transfer would be consistent with the public interest, convenience, and necessity.* Any such application shall be disposed of as if the proposed transferee or assignee were making application under section 308 for the permit or license in question, [but in acting thereon the Commission may not consider whether the public interest, convenience, and necessity might be served by the transfer, assignment, or disposal of the permit or license to a person other than the proposed transferee or assignee]."

RIGHTS-OF-WAY FOR CANALS AND DITCHES ON FEDERAL RECLAMATION PROJECTS

Mr. BIBLE. Mr. President, on behalf of myself and Senators BURDICK, ENGLE, and MCGEE, I introduce, for appropriate reference, a bill "to provide for the acquisition of rights-of-way for canals and ditches."

The purpose of the bill is to authorize the Secretary of the Interior to acquire by purchase or eminent domain proceedings rights-of-way for canals and ditches on Federal reclamation projects without regard to the act of August 30, 1890.

At the present time, the Secretary is permitted to make reasonable payments for rights-of-way or severance damages on lands for which title was obtained prior to the August 30, 1890, enactment. On all lands west of the 100th meridian which were patented after that date, he is not permitted to make any payments but is required to take whatever is needed for rights-of-way without compensation to the owner. In the construction of large reclamation distribution systems, rights-of-way for canals frequently require a strip of land over 1,000 feet wide. I do not believe that acquisitions of this size were anticipated in 1890.

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[2] The Commission believes that it is unnecessary to delete the last sentence in its entirety, and that the portion which would be left simply specifies the processing procedures for the Commission in the transfer situation (e.g., as to obtaining information on citizenship, character, and financial, technical and legal qualifications of the transferee or assignee (see secs. 308 (a) and (b)). The remaining portion would not, in and of itself, give any person the right to file a competing application and obtain a comparative hearing with the transferee or assignee. As stated, whether or not such a competing application could be filed would be left to the discretion of the Commission under the public interest standard).

Enactment of this bill would permit the Secretary to make just payment for lands taken, irrespective of the location of the lands or the date of patent.

Mr. President, because this problem is present in many of the Western States, I request that the bill lie on the table for 1 week so that other western Senators who are interested may join in the sponsorship.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will lie on the table, as requested.

The bill (S. 2053) to provide for the acquisition of rights-of-way for canals and ditches, introduced by Mr. BIBLE (for himself and other Senators) was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

AMENDMENT OF RAILROAD RETIREMENT, RAILROAD RETIREMENT TAX, AND RAILROAD UNEMPLOYMENT INSURANCE ACTS

Mr. BURDICK. Mr. President, I introduce, for appropriate reference, a bill to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, the Railroad Unemployment Insurance Act, and the Temporary Extended Railroad Unemployment Insurance Benefits Act of 1961 to increase the creditable and taxable compensation, and for other purposes.

This bill is designed to improve and strengthen the financial condition of the railroad retirement system and the railroad unemployment insurance system.

The railroad retirement system has an actuarial deficit of $77 million a year or 1.79 percent of taxable payroll. The railroad unemployment insurance system has had to borrow funds from the railroad retirement account, under authority provided by law, for the payment of benefits under the Railroad Unemployment Insurance Act, with the result that it now owes the railroad retirement account more than $300 million. It is thus apparent therefore that the financial conditions of these two systems must be improved without delay. There is no prospect of an adequate improvement in the financial condition of either system without immediate legislative action.

In order to accomplish such improvement for the railroad retirement system, the bill would:

First. Increase the limit on taxable and creditable compensation with respect to the railroad retirement system from $400 to $450 a month for each employee;

Second. Revise the provisions of the Railroad Retirement Act in regard to the crediting of military service, the effect of which would be to remove the basis for objections by the Government for appropriations of about $160 million now due the railroad retirement system for credits for military service rendered in the past;

Third. Retain as a minimum guarantee the present 3 percent interest rate on special obligations issued to the railroad retirement account and provide a new formula for determining the interest rates on such special obligations. This formula would provide a yield in line with current market yields on marketable obligations of the United States which do not mature before 3 years. In addition, the bill would require the Secretary of the Treasury to convert, upon the enactment of the bill, the present 3 percent special obligations into special obligations bearing interest rates determined under the new formula.

The increase in the maximum compensation base from $400 to $450 a month would net the railroad retirement account about $31 million a year on a level basis. The additional revenue would amount to about $71 million a year on a level basis and the cost of additional benefits resulting from such increase in the compensation base would be about $40 million a year on a level basis. The difference between the two—$31 million—would reduce the deficit from $77 million a year to $46 million a year on a level basis.

The effect of the appropriations to the railroad retirement account of amounts totaling $160 million now due the railroad retirement account for past military service credits would net the railroad retirement account about $5 million a year on a level basis. This would reduce the deficit further by $5 million a year—$46 million minus $5 million—to $41 million.

The amendments relating to the interest rates would result in the account receiving an additional $25 million a year on a level basis. This would further reduce the deficit from $77 million a year to—$77 million minus $31 million minus $5 million minus $25 million—$16 million a year on a level basis.

The amendments which the bill would make with regard to interest rates would permit the Railroad Retirement Board to assume that the special Treasury obligations in the railroad retirement account would earn interest at the rate of 3.43 percent on a level basis. This includes .05 percent from the retention of the 3 percent minimum guarantee and .07 percent from the immediate conversion of the present 3 percent special obligations into special obligations bearing interest rates determined under the new formula. In the absence of these two provisions the board would have to assume an interest rate on such special obligations of 3.31 percent instead of 3.43; and this would result in a projected loss to the railroad retirement account of $8 million a year.

The policy of the Congress to provide the railroad retirement system with a guaranteed rate of 3 percent on interest earned by its special obligations is clear. Such minimum guarantee has been in the Railroad Retirement Act since 1937 when the prevailing investment yield on general Government obligations was well below this rate. Through the depression years 1937–40, the railroad retirement system reduced considerably the cost of the Government's relief program by paying in benefits to railroad employees $282 million more than was paid by the social security system. The Congress apparently took cognizance of this burden—through high taxes—on railroad employers and employees, which, in turn, reduced the Federal relief program, and provided a 3-percent floor on the interest rates on railroad retirement reserve funds. The mere fact that the Congress would now provide the special obligations in the railroad retirement account with the same formula for earning interest rates as it provided for other trust funds, is no reason for nullifying the long standing congressional policy of providing a 3-percent floor on the interest to be earned by the special obligations in the railroad retirement account.

For the same reasons, the provision in the bill for immediate conversion of the special 3-percent obligations now in the railroad retirement account into special obligations bearing interest rates determined under the new formula is equally equitable. For the past 7 or 8 years the Federal Government has gained at the expense of the railroad retirement system from paying only 3 percent on the special obligations in the railroad retirement account when it paid more than that on funds borrowed through general obligations. Moreover, obligations newly issued to the social security system and the civil service retirement system earn interest at rates which are determined from obligations having at least 4 years to run, while the rates provided in the bill for the special obligations in the railroad retirement account would be determined from obligations having at least 3 years to run. This places the railroad retirement funds at a disadvantage in comparison with the other funds.

It is quite obvious to any one concerned with equitable considerations that the provisions in the bill for the 3 percent minimum guarantee and the immediate conversion of the 3 percent special obligations now in the railroad retirement account into special obligations bearing interest determined under the new formula should be retained in the bill.

For the railroad unemployment insurance system the bill would:

First, increase the maximum contribution rate for the railroad unemployment insurance system from 3¾ percent to 4 percent;

Second, amend section 3 of the Railroad Unemployment Insurance Act to increase the amount of compensation for a base year required for an employee to qualify for benefits from $500 to $750 and, if the employee is a new entrant into the system, such compensation must be paid with respect to not less than 7 months in the base year;

Third, amend section 4(a–2)(i) of the Railroad Unemployment Insurance Act to revise the provisions of the act with respect to disqualification for days of unemployment of employees who voluntarily leave work. The effect of this would be to disqualify employees for more days which would otherwise be days of unemployment for which benefits would be payable; and

Fourth, provide sufficient funds for administration of the Railroad Unemployment Insurance Act.

The increase in the maximum contribution rate from 3¾ percent to 4 percent would add $10.8 million a year to the railroad unemployment insurance system.

The savings to the system from the amendment of section 3 of the act with regard to the base year would amount to about $6 million a year.

The savings to the system from the amendment of section 4(a–2)(i) of the act with regard to the disqualification for voluntary leaving work, would amount to about $3.5 million a year.

Mr. President, these three proposed adjustments in the structure of the railroad unemployment insurance system would produce more than $20 million per year for the insurance account. This additional income should be sufficient to place the insurance account on a self-sustaining basis. Barring any future developments unforeseen at this time, it should no longer be necessary for the railroad unemployment insurance account to borrow funds from the railroad retirement account. There should be a sufficient surplus to make it possible for the insurance account to begin a gradual repayment of its $300 million debt to the railroad retirement account. Finally there will be ample funds to provide for the administration of the Railroad Unemployment Insurance Act.

The sad condition of this account has caused concern among railroad employees as well as the carriers throughout the country. I cannot overemphasize the urgency for enactment of the remedial measures which I am now proposing.

The proposals contained in the bill which I am now offering represent the final step in a long series of painstaking negotiations between all of the interested parties and represent months of careful and precise analysis and reexamination of the structure and policies of the railroad retirement system as well as the railroad unemployment insurance system. Of particular importance is the fact that this bill has been accepted by the Association of American Railroads, who represent all but a few of the class I railroads in the United States; the American Short Line Railroad Association and the Railway Labor Executives Association, acting on behalf of most of the railroad employees who have a direct stake in the two systems. There were, of course, a number of alternative procedures by which these accounts could have been stabilized, but the task was to develop those procedures which could accomplish this objective in the fairest and most equitable manner, balancing the obligations of all of the parties including the Federal Government and at the same time preserving the rights of the beneficiaries who are covered by these systems. This is precisely what the parties have done, and they are now in complete agreement that this bill represents a fair accommodation of all of these elements.

It is my fervent hope that the determination and the spirit which enabled the parties to arrive at an agreement with respect to this bill will express itself in the negotiations involving the work rules dispute which is foremost in the minds of all of us whenever the word "railroad" is mentioned during these difficult days for the industry.

This spirit of harmony and cooperation which has marked the relationships of the parties over the long history of labor-management relations in railroading is expressed in the joint letter which I received from the Association of American Railroads, the American Short Line Association, and the Railway Labor Executives Association advising me of their agreement upon this bill.

I ask unanimous consent that this letter be inserted in the RECORD at this point in my remarks.

Mr. President, it is my hope that the Congress will be able to act on this measure with all possible speed.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 2056) to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, the Railroad Unemployment Insurance Act, and the Temporary Extended Railroad Unemployment Insurance Benefits Act of 1961 to increase the creditable and taxable compensation, and for other purposes, introduced by Mr. BURDICK, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

The letter presented by Mr. BURDICK is as follows:

WASHINGTON, D.C., *August 13, 1963.*

The Honorable QUENTIN N. BURDICK,
Chairman, Railroad Retirement Subcommittee, Senate Committee on Labor and Public Welfare, U.S. Senate, Washington, D.C.

DEAR SENATOR BURDICK: We, the Association of American Railroads (representing substantially all class I railroads in the United States), the American Short Lines Railroad Association (representing approximately 250 common carrier railroads), and the Railway Labor Executives' Association (representing substantially all railroad employees in the United States) have agreed on recommending to the Congress the enactment of a proposed bill, a draft of which is enclosed, to provide more adequate financing of the railroad retirement and the railroad unemployment insurance systems. We would appreciate an early introduction of this bill and a prompt favorable report thereon in order to provide urgently needed improvements in the financing of the two systems, as shown below.

DEFICIT IN THE RAILROAD RETIREMENT SYSTEM

There is now an actuarial deficit in the railroad retirement system of about $77 million a year or 1.79 percent of taxable payroll. This does not mean that there are not enough funds available for benefits currently payable under the act; it does mean that unless appropriate measures are taken to eliminate this deficit the some $4 billion reserve in the account now would be exhausted in several decades and thereafter funds would not be available for the payment of benefits. The bill would reduce this deficit to well within the range of actuarial tolerance, namely, to $16 million a year or, 0.34 percent of taxable payroll. This reduction would be accomplished (1) by increasing the taxable and creditable maximum monthly compensation from $400 to $450, (2) indirectly from certain changes in the military service provisions of the Railroad Retirement Act, and (3) by providing a new formula for interest rates on special obligations, issued by the Treasury to the railroad retirement account.

INCREASE IN THE MAXIMUM MONTHLY COMPENSATION

The bill would increase the limits on taxable and creditable compensation from $400 to $450 a month with respect to compensation paid for months after the month of enactment. This extension would increase annual revenue to the system on a level basis by $71 million, and increase benefit costs by $40 million a year, resulting in a net reduction in the deficit of $31 million a year. It is estimated that one-fourth of the employees would pay nothing more since their monthly wages do not exceed $400. Others would pay various amounts ranging from a low of a few cents a month up to a high of $4.56 additional per month based on the tax rate of 9⅛ percent to go into effect in 1968. Under the present rate of 7¼ percent the high will be $3.63 per month where the compensation reaches the new monthly limit of $450.

One-half of the $71 million additional revenue will be paid by the employers and one-half by the employees. The employees' share will, of course, be $35.5 million, but they will receive additional benefits costing $40 million, or $4.5 million more than they will have paid in additional taxes.

A year of work under the higher base at full compensation will add 83½ cents to the monthly annuity amount of an employee. The increase can add only $54.75 to an employee's annual taxes at the highest scheduled rate of 9⅛ percent which would go into effect in 1968. Under the rate now in effect of 7¼ percent there can be added only $43.50 a year. Thus, in the case of a man who works under the higher limit only 1 year, the approximate yearly increase of $10 in his annuity because of that year will, over a period of about 13 years, which is the life expectancy of a man at the retirement age of 65, add an average of about $130 to his total annuity payments. The compensation limit increase will therefore be to the advantage of the average employee. This comes about obviously from the fact that the employer pays taxes equal to that of the employee. In any event, under section 5(f)(2) of the Railroad Retirement Act, a lump sum slightly in excess of the total taxes paid by an employee under the Railroad Retirement Tax Act, minus all benefits paid to him or to others on the basis of his service, is payable after his death to his designee or survivors. This is clear assurance against any loss of railroad retirement taxes paid by an employee.

To summarize, the increase in the monthly taxable and creditable compensation from $400 to $450 for the railroad retirement system will result in additional worthwhile benefits to employees, and will reduce the actuarial deficit in the system from $77 million a year to $46 million a year.

MILITARY SERVICE CREDITS

The Railroad Retirement Act provides for crediting toward annuities and lump sum benefits all months of certain military service. With respect to such service rendered prior to 1937, the Federal Government reimburses the railroad retirement account for that part of the cost of his annuity based on his military service. The amount of the Government's obligation in such case is neither determined nor paid before the benefit (on the basis of such military service) is awarded. The life expectancy of the person entitled to monthly benefits based in part on military service and the amount of such benefits attributed to military service determine the amount to be paid by the Government. Such determination is not subject to change regardless of whether the individual dies before or after his assumed life expectancy.

With respect to military service rendered after 1936 and before 1957, the Federal Government reimburses the railroad retirement account on a current tax basis, that is, the Government pays an amount equal to the employer and employee taxes (payable by covered employers and employees under the Railroad Retirement Tax Act) on $160, the amount a railroad employee is deemed to earn in each month of creditable military service. With respect to creditable military service in this period, the Government owes the railroad retirement account about $160 million. Because of the Government's obligation to the social security system for the same military service, the Bureau of the Budget has opposed an appropriation of the amount owing the railroad retirement account.

With respect to military service rendered in the period after 1956, the Government's obligation is also on a current tax basis, except that the amount owing the railroad retirement account is reduced by the amount payable to the social security system for the same military service.

In order to remove the objections of the Bureau of the Budget to appropriations to the railroad retirement account of amounts totaling about $160 million due the account, this bill would amend section 4(n) of the Railroad Retirement Act. The amendment provides that with respect to military service rendered after June 30, 1963, the Government's obligation for the crediting of such service toward benefits under the Railroad Retirement Act would be on an additional cost basis, the same as with respect to military service rendered before 1937, except that with respect to military service rendered after June 30, 1963, the amount which the Government will have to pay into the railroad retirement account as additional cost—determined the same as with respect to military service rendered before 1937—will be increased by an amount sufficient to cover a proportionate share of the administrative expenses and the interest charges on the unfunded liability of the railroad retirement system. This additional amount would be computed from the ratio of the level costs of the system to the portion thereof remaining after the deduction of administrative expenses and interest charges on the unfunded liability as modified for the effects of the financial interchange with the social security system. On the basis of the last actuarial valuation, this additional amount would come to about 25 percent. Another amendment in the bill would remove all possibilities of duplicate payments by the Government to the railroad retirement system and the social security system for the same military service credits.

The Railroad Retirement Board, which administers the Railroad Retirement Act, has been assured by the Bureau of the Budget that upon the enactment of these amendments, the Bureau will no longer object to appropriations to the railroad retirement account of amounts totaling about $160 million, with interest, due the railroad retirement account. This appropriation will result in an additional income to the railroad retirement account of $5 million a year. This will reduce the deficit in the railroad retirement system of $46 million a year left after the effect of the increase in the compensation limit ($77 million minus $31 million) to $41 million a year.

INTEREST RATES

More than three-fourths of the funds in the railroad retirement account are now invested in special obligations of the Treasury which earn 3 percent interest. The bill would require that special obligations issued to the railroad retirement account bear an interest rate equal to the average investment yield of all marketable Treasury obligations having an unexpired maturity of 3 or more years. The bill would retain the present 3-percent rate as a minimum guarantee. This new formula would produce a rate at the present time of about 3⅝ percent. The bill would also require the Treasury to convert, upon enactment of the bill, the 3-percent special obligations now in the railroad retirement account into new special obligations with interest determined under the new formula.

This change in interest rates, including the retention of the 3-percent rate as a floor, and the immediate conversion of the present 3-percent special obligations into the new obligations, would add to the railroad retirement account about $25 million a year on a longrun basis. This will reduce the deficit in the railroad retirement system of $41 million a year left after the effect of the increase in the compensation limit and the appropriation resulting from the revision of the military service provisions ($77 million minus $31 million minus $5 million) to $16 million a year, which is well within the limits of actuarial tolerance.

THE 3-PERCENT MINIMUM GUARANTEE

It is very important for the railroad retirement system that the present 3-percent rate be retained as a minimum guarantee. Section 15 of the Railroad Retirement Act requires the Railroad Retirement Board to make actuarial valuations of the railroad retirement system once every 3 years. Upon enactment of this bill, the Board would assume that the special Treasury obligations in the railroad retirement account would earn interest at the rate of 3.43 percent a year on a level basis. If the 3-percent guarantee were eliminated from the bill, the Board would have to take into account the possibility that the average market yield would sometimes fall below 3 percent (even though this is very unlikely) and assume an interest rate of 3.38 instead of 3.43 percent. The congressional policy to aid the railroad retirement system to the extent of providing for it a 3-percent guarantee is evident from the fact that such guarantee has been in the act since the beginning of the system in 1937, when the prevailing investment yield on general Government obligations was well below 3 percent. The railroad system began paying monthly benefits from its inception, as contrasted with social security which began paying only in 1940, and even then in very limited amounts. With a payroll only 6⅓ percent that of OASI in 1940, the railroad system paid nearly twice the benefits of OASI that year. For the 4 years 1937–40, inclusive, the railroad system paid $282 million more than OASI in benefits. The Federal expenditures for relief, during those early years in particular, were less by many millions by virtue of the fact that the railroad industry, to the added burden both of the employees and carriers, paid high contributions to take care of its retired persons, many of whom would have otherwise been on relief. This was recognized by the Federal commitment in the Railroad Retirement Act putting a 3-percent floor on the interest the Government would pay for the use of the railroad retirement reserve funds. This commitment should continue to be kept. Nothing has happened to warrant the assumption that this considered attitude of Congress toward the railroad retirement system has changed in this respect.

IMMEDIATE CONVERSION OF SPECIAL 3-PERCENT OBLIGATIONS INTO OBLIGATIONS WITH INTEREST RATES UNDER THE NEW FORMULA

It is equally important that the provision in the bill for the immediate conversion of the present 3-percent special obligations into the new special obligations bearing interest under the new formula be adopted. In the absence of such immediate conversion, the board would have to assume an interest rate on the funds in the special obligations in the railroad retirement account of 3.36 instead of 3.43 percent. Moreover, if, in addition, the 3-percent minimum guarantee were not adopted, the board would have to assume an interest rate of 3.31 percent instead of 3.43; and this would result in a projected loss to the railroad retirement account of $8 million a year.

In view of the heavy burden on the taxpayers who support the railroad retirement system, as evidenced by their taxes being substantially greater than those assessed under the social security system as well as the fact that legislation further increasing such railroad taxes is now needed, it seems only equitable that the railroad system discontinue as soon as possible what in effect amounts to a subsidy to the Federal Government resulting from the Government's using railroad retirement funds and paying less than the going rate of interest. Immediate conversion of the railroad retirement account is entirely appropriate.

The obligations newly issued to the social security system and the civil service retirement systems have, for several years, earned interest at rates equal to the average market yield on obligations which are not due or callable for 4 years. The provision in this bill as to maturities of 3 or more years, places the railroad retirement account at a disadvantage in comparison to the two other funds, the interest rates of which are determined from obligations having 4 years to run. The retention of the 3-percent rate as a floor, and the immediate conversion of the present special obligations in the railroad retirement account, as provided in this bill, would have no adverse effect on the social security and the civil service systems. Special consideration should be given the railroad retirement system because the railroad retirement account has lost, ever since 1956, to the same extent that the Government has gained from the fact that the Treasury paid no more than 3 percent on the special obligations in the railroad retirement account, but had to pay more on funds borrowed through general obligations.

We submit that upon consideration of all the equities involved, the 3 percent guarantee and the immediate conversion provisions in the bill should be adopted.

SUMMARY OF TITLES I AND II OF THE BILL

(1) The additional income to the railroad retirement system from the change in the maximum creditable and taxable monthly compensation from $400 to $450, would amount to $31 million a year.

(2) The income to the system from the resulting appropriations to the railroad retirement account for military service, would be $5 million a year.

(3) The new investment policy, including the 3-percent minimum guarantee and the immediate conversion of the present 3-percent special obligations into obligations earning interest under the new formula, would net the system $25 million a year.

The result of the amendments provided in titles I and II of the bill would be that the $77 million deficit in the railroad retirement system would be reduced by $61 million ($31 million plus $5 million plus $25 million) to $16 million a year.

THE RAILROAD UNEMPLOYMENT INSURANCE SYSTEM

The benefits provided under the Railroad Unemployment Insurance Act are financed through contributions payable exclusively by employers. The current contribution rate is 4 percent on compensation up to $400 a month per employee, consisting of 3¾ percent imposed by section 8 of the act and one-fourth of 1 percent imposed by the Temporary Extended Railroad Unemployment Insurance Benefits Act of 1961. This one-fourth of 1 percent, however, will not apply to compensation paid after December 31, 1963.

For the past several years, the railroad unemployment insurance account has had to borrow funds to meet the obligations of the Railroad Unemployment Insurance Act. This borrowing was pursuant to authority vested in the Railroad Retirement Board by Public Law 86-28, to borrow funds from the railroad retirement account for the payment of benefits under the Railroad Unemployment Insurance Act. At the present time, the amount owing from the railroad unemployment insurance account to the railroad retirement account is more than $300 million.

In order to make it unnecessary for further borrowing of funds from the railroad retirement account, and to permit gradual repayment of the indebtedness to the account, the bill would increase the contribution rate from the maximum 3¾ percent to 4 percent of payroll up to $400 a month per employee effective with respect to compensation paid after December 31, 1963. While the maximum taxable and creditable compensation base would be increased from $400 to $450 a month for the railroad retirement system, there would be no increase in the base for the railroad unemployment insurance system.

It is estimated that the increase in contribution rate from 3¾ percent to 4 percent would bring to the railroad unemployment insurance system additional revenues amounting to $10.8 million a year.

The bill would amend section 3 of the Railroad Unemployment Insurance Act to increase from $500 to $750 the amount required to qualify for benefits under the act. In addition, a new entrant, in order to qualify, would have to have been paid "compensation" for not less than 7 months in the base year. These amendments would be fully effective with respect to base years after 1963. With respect to the base year 1963, they would be applicable only in cases in which the Board finds that the employee had less than $500 compensation in that portion of the base year 1963 preceding the first day of the month next following the month of enactment. To illustrate:

(1) An employee's base year compensation (including pay for time lost) is the first compensation he ever had in the service of an employer under the act. In such case, beside earning the qualifying amount of at least $750, he must have some of his compensation paid with respect to not less than 7 separate months in the base year. If, however, the employee has had compensation at any time before the base year, he would not be a new entrant in that base year, and thus only the qualifying amount of $750 would apply and it would be immaterial in how many months he earned compensation.

(2) Assume that the bill is enacted in August of 1963. If the employee had been paid such compensation of not less than $500 in the period January 1–August 31, 1963, he would qualify for benefits in the benefit year 1964–65 regardless of whether additional compensation was paid him and, if he was a new entrant, regardless of whether compensation was paid him with respect to not less than 7 months in 1963. But if, as of August 31, he had compensation of less than $500, he could not qualify in the 1964–65 benefit year unless during the 1963 base year he had at least $750 of such compensation and, if he was a new entrant, he also had the compensation paid with respect to not less than 7 months in 1963.

It is estimated that these amendments would result in savings to the railroad unemployment insurance system of about 6 million a year.

The bill would also amend section 4(a-2) (i) of the Railroad Unemployment Insurance Act to provide that an individual who voluntarily leaves his work without good cause shall not be considered as having days of unemployment for a period beginning with the day he so left and continuing until he has been paid compensation of not less than $750 with respect to time after the beginning of such period. With respect to unemployment after he has had such compensation, the employee would be in exactly the same position in which he would have been if he had not been disqualified. For example, an individual left his work without good cause. He applied for benefits under the railroad system. Benefits would be denied unless after such leaving he had subsequent employment covered by the railroad system and was paid total compensation (including pay for time lost) of at least $750 with respect to that employment.

The disqualification described in the preceding paragraph will not apply if the Railroad Retirement Board finds that the employee left work voluntarily with good cause, except that in such case, the employee would not be considered as having days of unemployment under the Railroad Unemployment Insurance Act with respect to any day in a registration period if such period includes a day which is in a period for which he could receive benefits under an unemployment law other than the Railroad Unemployment Insurance Act. This amendment would be effective with respect to an employee who leaves work voluntarily after the enactment date of the bill.

Under present law, an individual who leaves work voluntarily is not considered as having days of unemployment with respect to any of the first 30 days after he so quit if the Board finds that he left work voluntarily without good cause. The amendment would completely disqualify such an individual from having a day of unemployment with respect to any day after he so left until he has been paid at least $750 in compensation for services rendered, including time lost, after he so left. Moreover, even if the Board finds that he left work voluntarily with good cause he would not be considered as having a day of unemployment under the Railroad Unemployment Insurance Act with respect to any day after he so left without first exhausting his rights to unemployment benefits under any other unemployment law. To illustrate:

An employee left railroad work voluntarily with good cause, and after working in employment covered under a State unemployment compensation law, he is laid off. Even though he was laid off from his nonrailroad job without fault on his part, he could not be considered as having a day of unemployment under the Railroad Unemployment Insurance Act with respect to any day after he so left without first exhausting whatever rights to benefits he may have under the State law whether on the basis of his last work or some other work covered under the State law. If, however, he left his last employment covered under the State law without good cause, he would be disqualified from having a day of unemployment under the Railroad Unemployment Insurance Act with respect to any day after he so left unless and until he has been paid compensation (including pay for time lost) of $750.

Section 4(a-2)(i) as amended by the bill would broaden the scope of this section to lengthen the disqualification period. As amended, this section would require investigation of any claim disclosing a possible voluntary leaving of work either with or without good cause unless the disqualification period had been terminated as above described. In case of a finding that such leaving was for good cause, unless the claimant certifies that he lacks qualifying work to receive, or has exhausted, his rights to benefits under any other law and there is no evidence to the contrary, this matter would also require investigation. Consequently the findings, claim forms, and guidelines for administering this section, will require appropriate detailed revisions, in conformity with revised provisions of the section.

It is estimated that the amendment of section 4(a-2)(i), as above described would save the railroad unemployment insurance system $3.5 million a year.

The additional revenues of $10.8 million plus the $9.5 million savings ($6 million and $3.5 million) would improve the railroad unemployment insurance system by $20.3 million a year. This, it is estimated, would provide sufficient funds for current benefits under the act and some excess for gradual repayment of the indebtedness of the railroad unemployment insurance system to the railroad retirement account.

Section 10(d) of the Railroad Unemployment Insurance Act provides that the amounts borrowed from the railroad retirement account shall be repaid from the railroad unemployment insurance account with interest at the rate of 3 percent per annum. In view of the new formula for interest rates to be borne by the special obligations in the railroad retirement account, the bill would substitute for the 3-percent rate, the rates that would generally equal the rates borne by the new special obligations in the railroad retirement account. This amendment would be effective with respect to interest on amounts owing after June 30, 1964.

Section 8(f) of the Railroad Unemployment Insurance Act provides that such part of the contributions collected under the act as equals 0.2 percent of total compensation on which the contributions are based shall be deposited in the railroad unemployment insurance administration fund for administrative expenses. This has proved to be insufficient and the bill would change the 0.2 percent to a 0.25 percent effective as to all contributions collected by the board after 1961.

AMENDMENTS TO THE TEMPORARY EXTENDED RAILROAD UNEMPLOYMENT INSURANCE BENEFITS ACT OF 1961

The last sentence of section 4 of the Temporary Extended Railroad Unemployment Insurance Benefits Act of 1961 provides for repayment to the Treasury of the amounts borrowed by the board to finance the temporary benefits provided by this act. The bill would repeal this sentence effective with respect to contributions collected on compensation paid after December 31, 1963, and provide, instead, that such part of such contributions as equals one-fourth of 1 percent of the compensation on which the contributions are based shall be applied by the board exclusively for such repayment.

SUMMARY OF TITLE III OF THE BILL

(1) The additional income to the railroad unemployment insurance system from the increase in the maximum contribution rate payable by employers from 3¾ percent to 4 percent of payroll up to $400 a month, would amount to $10.8 million.

(2) The savings to the system from the amendment of section 3 of the Railroad Unemployment Insurance Act would amount to $6 million.

(3) The savings to the system from the amendment of section 4(a-2) (i) of the Railroad Unemployment Insurance Act would amount to $3.5 million.

(4) The additional income to the railroad unemployment insurance administration fund from the amendment of section 8(f) of the Railroad Unemployment Insurance Act would be about $2 million a year.

The expected result of the amendments provided in title III would be that no further borrowing of funds from the railroad retirement account would be necessary for the payment of benefits under the Railroad Unemployment Insurance Act, gradual repayment of the amount due the railroad retirement account from the railroad unemployment insurance system would be possible, and sufficient funds would be available for administrative expenses of the Railroad Unemployment Insurance Act.

It is essential that the amendments proposed by this bill be enacted in this session of Congress in order (1) to place the railroad retirement system in substantially sound financial condition, (2) to make unnecessary further borrowing from the railroad retirement account for the payment of benefits under the Railroad Unemployment Insurance Act, (3) to permit a gradual repayment of the more than $300 million indebtedness of the railroad unemployment insurance system to the railroad retirement account, and (4) to make available urgently needed funds for administration of the Railroad Unemployment Insurance Act.

Sincerely yours,

D. P. Loomis,
President, Association of American Railroads.

T. E. Leighty,
Chairman, Railway Labor Executives' Association.

D. L. Manion,
President, the American Short Line Railroad Association.

DEDUCTION TO PROFESSIONAL ATHLETES FOR DEPLETION OF THEIR PHYSICAL STATUS

Mr. LONG of Louisiana. Mr. President, I introduce, for appropriate reference, a bill to amend the Internal Revenue Code of 1954 to allow a deduction to professional athletes for depletion of their physical strength, stamina, or skills.

I am introducing this bill because for some time I have been sympathetic to the problem of the professional athlete whose source of income is in his unusual stamina, exceptional coordination, and muscular strength—all of which are assets of a limited duration. The average playing life of many professional athletes may be only 4 to 5 years. He is earning the bulk of his income in this relatively short period of time and, consequently, he must suffer the hardship of heavy taxation during these high income years.

When the professional athlete has "depleted his natural resource of physical prowess" and he must quit his playing career, he oftentimes enters the business world without the benefit of any previous commercial experience. In most cases, he has spent all his early life preparing for or participating in professional sports. Therefore, many of these athletes find themselves at a later stage of life competing in the world of commerce with men many years their junior, or else men their own age but with much more experience, and the former athletes often find themselves without funds to supplement their reduced income during the beginning years in commerce. Due to their advanced age, they have the additional expenses, in most cases, of a wife and growing family and other obligations which are normally incumbent upon a man who has been a public figure during his early years.

My bill sets up a formula whereby a professional athlete is allowed as a deduction for a taxable year an amount which bears the same ratio to the income derived by him during the taxable year as the number "one" bears to the number of years in the career span of the sport in which such athlete participates. The term "career span" is defined to mean the average number of years in which individuals who participate as players or contestants in a particular sport have the physical strength, stamina, and skill required to perform services regularly as a professional athlete.

For example, a professional football player's career span is approximately 4 years, while a professional baseball player's playing life may be 8 years, and a professional golfer's career span could well be 20 years. The exact number of years for each career span would be set by Treasury Department regulations, which I am sure would take into account the testimony and records of experts in each sport. In the case of a 4-year career span, the deduction, of course, would be 25 percent, while, in the case of a 20-year career span, the deduction would be only 5 percent. These percentages are computed by dividing the number of years of the career span into the figure one, as set forth in the formula in my bill. What it means, in fact, is that a professional athlete over the years would receive 1 year's income tax free. This is little enough, I feel, to allow to these men and women who provide so much enjoyment and excitement to millions of Americans and, in the process, rapidly "burn out" their moneymaking faculty.

My bill limits this deduction in the following manner: If an athlete had been entitled to a deduction for the number of taxable years equal to his career span, whatever it may be in a particular sport, he would then no longer be entitled to any deduction for any additional year unless he paid back into the Treasury the tax, together with interest thereon, for a prior year in which he claimed this "depletion deduction."

To illustrate this limitation in the bill, let us use the case of a baseball player with an 8-year career span. If this baseball player had taken his deduction for 8 years, in the 9th year he would no longer be eligible for such deduction unless he elected to pay back the tax, together with interest thereon, which would have been payable if no deduction had been allowed for one of those 8 prior taxable years. A player can continue to elect to accept the deduction for any taxable year after his career span has elapsed if he continues to pay the tax plus interest thereon for which he received a deduction in a prior year.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred.

The bill (S. 2057) to amend the Internal Revenue Code of 1954 to allow a deduction to professional athletes for depletion of their physical strength, stamina, or skills, introduced by Mr. Long of Louisiana, was received, read twice by its title, and referred to the Committee on Finance.

AMENDMENT OF INTERNAL REVENUE CODE OF 1954, RELATING TO CERTAIN LOSSES ARISING FROM CONFISCATION OF PROPERTY BY GOVERNMENTS OF FOREIGN COUNTRIES AND TAX TREATMENT OF RECOVERY OF SUCH LOSSES

Mr. LONG of Louisiana. Mr. President, I introduce, for appropriate reference, a bill to amend the Internal Revenue Code of 1954 to provide a 10-year net operating loss carryover for losses arising from expropriation, intervention, or confiscation of property by governments of foreign countries and to specify the tax treatment of the recovery of such losses. I ask unanimous consent to have printed in the Record a statement prepared by me in explanation of the bill.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred; and, without objection, the statement will be printed in the Record.

The bill (S. 2058) to amend the Internal Revenue Code of 1954 to provide a 10-year net operating loss carryover for losses arising from expropriation, intervention, or confiscation of property by governments of foreign countries and to specify the tax treatment of the recovery of such losses, introduced by Mr. Long of Louisiana, was received, read twice by its title, and referred to the Committee on Finance.

The statement presented by Mr. Long of Louisiana is as follows:

Statement of Senator Long in Introducing Bill Relating to the Treatment of Losses Arising From Expropriation, Intervention, or Confiscation of Property by Governments of Foreign Countries and Recoveries of Such Losses

The present law allows the deduction of losses of U.S. taxpayers arising from expropriation, intervention or confiscation of property by governments of foreign countries but does not provide equitable treatment with respect to carryover of such losses and to recoveries of such losses. The proposed bill is drafted so as to correct these inequities by (1) modifying the net operating loss provisions to permit election of a 10-year carryover without carryback; and, (2) allowing elective treatment of recoveries of foreign expropriation losses similar to that accorded war loss recoveries in the present law modified to permit spreading of noncash recoveries over a limited period of years.

1. MODIFICATION OF THE NET OPERATING LOSS PROVISIONS TO ALLOW AN ELECTIVE 10-YEAR CARRYOVER

At the present time, the Internal Revenue Code of 1954 allows net operating losses in a given year to be carried to 8 other years by means of a 3-year carryback and a 5-year carryover. The proposal is to allow election of solely a 10-year carryover.

In the past, Governments of Cuba, Brazil, Argentina, Communist China, and other countries expropriated, intervened, or confiscated property of U.S. taxpayers. In many cases, no compensation has been received from these unlawful acts. Many U.S. taxpayers have a problem because the losses incurred are of such magnitude that such losses will more than offset income in the years to which they may be carried under the existing law. Further, where losses have occurred over a series of years, carrybacks do not provide effective relief.

Therefore, it is recommended that taxpayers be permitted to elect to have the period of utilization of foreign expropriation losses increased by 2 years and allowed as a carryover. Such carryover would be limited to losses of the type that are deductible as ordinary losses under the present law, and would not include losses treated as capital losses.

This recommendation is a logical projection of the existing law. The net operating loss carryback and carryover provisions may be traced back to section 204 of the Revenue Act of 1918. At that time, the United States was emerging from World War I and Congress was concerned with the fact that during years of transition from wartime to peacetime economy businesses would incur losses which would under the then existing law be deductible only in the year incurred so that the income upon which tax would be paid during the years 1918 through 1920 would actually be greater than the aggregate economic income of some taxpayers during these years. To remedy this condition, a provision was enacted permitting losses incurred in taxable years beginning after October 31, 1918, to be carried back 1 year and carried over 1 year. The law specifically included losses on facilities constructed to produce articles contributing to the prosecution of the war. The purpose was to provide equity in taxation. In the report of the Committee on Finance, Senate Report, No. 617, 65th Congress, 3d session (Dec. 6, 1918), it was stated with respect to the proposal:

"But it [the existing law] does not adequately recognize the exigencies of business, and, under our present high rates of taxation, may often result in grave injustice" (1939-1 (pt. 2) C.B. 117, 122).

Similarly, in World War II the net operating loss provision was modified to provide equitable treatment. Immediately prior to the Revenue Act of 1942, the law permitted corporations to carry over net operating losses for 2 years but did not allow any carryback. It was pointed out in the report of the Committee on Finance that carryover provisions were of benefit only in periods of increasing business activities and that such provisions would not provide relief in periods of declining profits as might occur at the close of a war economy; Senate Report No. 1631, 77th Congress, 2d session (Oct. 2, 1942), 1942-2 C.B. 504, 546. To provide relief in these hardship cases, the Revenue Act of 1942 at section 153 enlarged the period to which such losses could be carried to include a 2-year carryback.

In 1962, the period of net operating loss carryback or carryover was extended to provide fair treatment in two situations in which unusual economic losses might be incurred that would exceed income in the years to which such losses could be carried under existing law (3 years carryback and 5 years carryover). In Public Law 87-794, the Trade Expansion Bill of 1962, a 5-year loss carryback was allowed taxpayers who would suffer losses because of foreign competition made possible by international trade agreements, etc.; and in Public Law 87-710 a 7-year loss carryover was allowed regulated transportation corporations who are currently suffering unusual losses.

In the case of taxpayers whose properties have been taken over by foreign governments, the economic loss is also unusual in nature. But this loss cannot be reflected in the case of some taxpayers unless the period of loss utilization is extended. To alleviate this inequity, the proposed bill would provide such taxpayers with an additional 2 years to give recognition to their loss. The consequence of the nonrecognition of such loss is to subject some taxpayers to income tax even though, from an economic point of view, the loss of such taxpayers over a period of years exceeded their income.

This proposal would have little or no effect on tax revenues prior to 1965. It is anticipated that the first major losses to be affected are those resulting from expropriations of properties of U.S. taxpayers by the Castro government of Cuba. Although the aggregate Cuban losses by U.S. taxpayers have been estimated by the State Department to be $956 million (letter of May 7, 1962, from Mr. Frederick G. Dutton, Assistant Secretary of State to Senator J. W. FULBRIGHT; S. Rept. No. 1535, 87th Cong., 2d sess.), it would appear that the amount of losses which could be carried over to the years 1965-70 would be relatively small.

2. RECOVERIES WITH RESPECT TO PROPERTY EXPROPRIATED BY THE FOREIGN GOVERNMENTS

At the present time, the Internal Revenue Code at sections 1331 through 1337 provides for treatment of recoveries of war losses incurred in World War II. The proposed bill would allow elective relief, similar to that presently accorded recoveries of war losses, to recoveries with respect to losses which arise as a consequence of expropriation, intervention or confiscation of properties by foreign governments. If elective relief similar to that recorded recoveries of war losses is not provided for recoveries of foreign expropriation losses, many taxpayers who realize such recoveries will pay U.S. income tax substantially in excess of the reduction in tax resulting from prior deduction of such losses.

If the proposed election were not allowed, the taxpayer would be required to compute the tax on recoveries with respect to foreign expropriation losses in accordance with section 111 of the Internal Revenue Code of 1954. This section provides for exclusion from gross income of recoveries of bad debts, prior taxes and delinquency amounts which, when deducted, did not reduce the taxpayer's tax. However, as applied to recoveries of foreign expropriation losses, this section is inadequate and fails to take into consideration the problems that arise in the case of foreign losses which involve both net operating loss carryovers and carrybacks and foreign tax credits. For example, under the Treasury regulations interpreting section 111, recoveries must be included in ordinary income even though such recoveries are with respect to deduction of losses for prior years that reduced income upon which no U.S. income tax would have been paid for the reason that the tax on such income would have been offset by foreign tax credits. Further, it appears to be the present interpretation of section 111 that recoveries with respect to deductions allowed in prior years must be reported as ordinary income even though such deductions reduced capital gains.

Under the proposed bill a taxpayer would be permitted to include in income only the recoveries of losses on foreign expropriations, the deduction of which in fact reduced the taxpayer's tax. A simplified formula is provided for computing the aggregate amount of such deductions. Under this formula the reduction in tax in prior years attributable to such losses is divided by the tax rate in such prior years which results in the income upon which such tax would have been computed. It is the reduction of such income by foreign expropriation losses which is treated as the aggregate amount of deductions in prior years that in fact reduced the taxpayer's tax.

In addition, the proposed bill provides for spreading the noncash portion of a recovery over a period of years. This would ordinarily apply to the part of a recovery in the form of long-term obligations of a foreign government or to the part in the form of restored property. The noncash portion of the recovery would be treated as having been received over a period of years equal to the period in which the taxpayer deducted the foreign expropriation loss including net operating loss carrybacks and carryovers.

The purpose of this provision is to provide a minimum of relief to taxpayers who obtain noncash recoveries and must pay U.S. income tax prior to the conversion of such recoveries into cash or receiving income generated by such recoveries. Under the present law the tax must be paid even though the taxpayer has no cash to pay it. It is equitable to give the taxpayer an opportunity to realize cash from the recovery before he is required to pay his tax.

Should the recovery be in the form of long-term obligations of a foreign government, it is anticipated that taxpayers will be able to use amortization payments received on the obligations to pay part of their tax liabilities. This will help to reduce the possibility that taxpayers may be forced to liquidate at substantial losses the obligations received by them in order to pay their U.S. income taxes, thereby imposing hardship on such taxpayers and impairing the credit standing of governments of foreign countries. Should the recovery be in the form of property, the taxpayer would be faced with the necessity of rehabilitating facilities in a rundown condition. Further, the taxpayer would be given some opportunity to convert the property into cash or to earn income from the property in order to pay the tax.

It is appropriate to permit a taxpayer to pay the tax on the recovery over the same number of years that the foreign expropriation loss was deducted. In the case of a taxpayer whose loss was small in relationship to his other income, the loss would have been deducted in the year it occurred or carried to a relatively small number of years and the tax on the recovery would be paid in 1 year or over the same relatively small number of years. In the case of a taxpayer whose loss was larger in relationship to his other income, the loss would have been carried to a relatively larger number of years and the tax on recovery would be paid over the same relatively larger number of years. In this way all taxpayers are treated equally in relationship to the impact of foreign expropriation losses on their incomes.

These proposals are reasonable and would not decrease U.S. revenues in a substantial amount.

AMENDMENT OF SOCIAL SECURITY ACT RELATING TO RETIREMENT OF UNEMPLOYED AT AGE 60

Mr. HARTKE. Mr. President, I introduce, for appropriate reference, a bill to amend title II of the Social Security Act to permit certain fully insured individuals who are unemployed and have exhausted their unemployment compensation to retire at age 60.

In view of the serious unemployment facing our Nation and of the severe discrimination facing older workers as they look for a job, the need for such a provision in our social security program is urgent.

The position of any unemployed person is critical, but when an older person is unemployed, the crisis is particularly distressing. Our older citizens find that they are the first to be laid off, the last to be recalled. When they lose a job, the loss is often a permanent one, for employers want younger workers. And in today's labor market, an employer finds younger applicants plentiful.

The bill I introduce provides that an applicant for social security retirement at this earlier age must have exhausted his unemployment compensation 120 days prior to filing for social security and must meet all social security retirement provisions.

The need to provide for these unfortunate older citizens is urgent from their own personal standpoint, as we might well understand. But the need to provide them with buying power with which to buy the goods they need to sustain themselves is urgent from the standpoint of our national economy. Our current economic problem is not one of lack of production, lack of resources, or lack of desire for goods and services. It stems from a lack of personal buying power.

By allowing our older citizens to use their prepaid social security retirement benefits we can provide this personal buying power and thus stimulate the economy so that unemployment in all groups is reduced.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2060) to amend title II of the Social Security Act to permit certain fully insured individuals who are unemployed and have exhausted their unemployment compensation benefits to become entitled to old-age insurance benefits at age 60, introduced by Mr. HARTKE, was received, read twice by its title, and referred to the Committee on Finance.

AMENDMENT TO AUTHORIZE TOTAL SET-ASIDES OF DEFENSE CONTRACTS FOR FIRMS IN DISTRESSED AREAS

Mr. HUMPHREY. Mr. President, I submit for printing and for appropriate reference, an amendment to the Defense Department appropriation bill, H.R. 7179, to allow total set-asides of defense contracts to firms in distressed areas.

Cosponsors of the amendment include the Senator from Alaska [Mr. BARTLETT], the Senators from West Virginia [Mr. BYRD and Mr. RANDOLPH], the Senator from Pennsylvania [Mr. CLARK], the Senator from Michigan [Mr. HART], the Senator from New York [Mr. JAVITS], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Oregon [Mr. MORSE], the Senator from Wisconsin [Mr. NELSON], the Senator from Ohio [Mr. YOUNG], the Senator from Pennsylvania [Mr. SCOTT], and the Senators from Rhode Island [Mr. PASTORE and Mr. PELL].

I ask unanimous consent that the amendment be permitted to remain at the Secretary's desk until Tuesday, August 20, so that interested Senators may add their names as cosponsors.

The PRESIDING OFFICER. The amendment will be received, printed, and appropriately referred; and, without objection, the amendment will lie on the desk, as requested.

The amendment was referred to the Committee on Appropriations.

Mr. HUMPHREY. Mr. President, this amendment seeks to promote the placement of defense contracts in areas of persistent and substantial labor surplus and other regions encountering economic difficulty from shifts in defense spending.

President Eisenhower and President Kennedy have stated, time after time, that the placement of defense contracts in distressed areas must be encouraged. For example, as a candidate, the President stated on September 19, 1960:

> Economists tell us that an unemployment rate of 6 percent is a danger signal. When a community passes that point it is officially regarded as an area of "substantial labor surplus." If it remains there, it is entitled to special Government help through defense procurement and other programs.

This policy was officially promulgated in Defense Manpower Policy No. 4. Congress, in the Defense Production Act of 1950, and the Department of Defense, in its directive 3005.3 of 1954, have also adopted this policy of strengthening the economy, maintaining the mobilization base, and dispersing defense production through the judicious placement of contracts and defense facilities.

How effectively has this avowed national policy of placing defense contracts in distressed areas been implemented? The record shows that this important program has been an almost complete failure. Despite the fact that 12.5 percent of the Nation is contained in areas of persistent and substantial labor surplus, only 4 percent of defense prime contracts are let in these areas. That is, only one-third of the defense spending which would be proportionally expected goes to distressed areas. The primary reason for the failure in the implementation of this vital national policy can be found in the tool through which Defense Manpower Policy No. 4 is supposed to be carried out, the partial set-aside program. Only one-quarter of 1 percent of defense contracts go to areas of persistent and substantial labor surplus through partial set-asides. Anyone who carefully studies the workings of the partial set-aside will clearly see that it is intrinsically ineffectual because of its complexity and inapplicability to almost all purchases.

Partial set-asides must now be used instead of the potentially more effective total set-asides as proposed in this amendment because of the General Accounting Office's interpretation of section 523 of the Defense Appropriations Act. Section 523 forbids the payment of a price differential in order to avoid economic dislocation. On the grounds that any restriction in the number of bidders, as in the case of total set-asides or negotiated contracts, might potentially result in a higher price being paid, GAO has forbidden the use of total set-asides to distressed areas. Certainly, total set-asides are no more likely to result in the payment of a price differential than negotiated contracts; yet 85 percent of all defense moneys are now let by negotiation.

Furthermore, this amendment contains a provision protecting our national security by allowing total set-asides to be applied only to purchases where the needs of the defense effort would be fulfilled at a fair price. According to this provision, set-asides may be made only in those cases when a finding has been made that "there is a reasonable expectation that bids or proposals will be obtained from a sufficient number of responsible concerns so that awards will be made at a fair and reasonable price." Though there is no language in this amendment which limits the amount of set-asides to be made, this finding can be reached only on a limited number of contracts.

Though it may be a legal fact that total set-asides could result in the payment of a price differential, it is an economic reality that, if they are made after a finding that there will be sufficient competition, total set-asides result in practically no higher price being paid. Assistant Secretary of Defense Thomas Morris stated recently that, when such a finding is made before employing small business total set-asides, they do not cause the payment of a price differential. Thus, total set-asides, if made under the conditions provided for in this amendment, would result in little or no price differential being paid.

In addition to assisting distressed areas by helping their firms gain defense contracts, this amendment would encourage the dispersal of new privately owned plants in deprived regions. Furthermore, the enactment of this amendment would encourage distressed area firms to compete more vigorously for non-set-aside contracts. The increased income for regions of high unemployment would both provide jobs, and, in addition, act as a pump primer in the rebuilding of these areas.

Moreover, by making other regions encountering difficulty from shifts in defense spending eligible for labor-surplus-area set-asides, this amendment would mitigate the impact of these shifts.

As such, total set-asides would result in an overall saving to the Government by lessening the need for unemployment compensation and redevelopment programs.

I have long been concerned with the possible economic repercussions of arms control and disarmament. The judicious placement of defense contracts would tend to disperse our military production and thus mitigate the impact of a cutback in defense spending on any one part of the country.

I ask unanimous consent to have the amendment and a list of the number of persistent and substantial labor surplus areas in each State printed at this point in the RECORD.

There being no objection, the amendment and list were ordered to be printed in the RECORD, as follows:

> On page 37, line 16 immediately after the colon, insert the following: "*Provided further*, That upon a determination and finding made by the head of procurement agencies in the Department of Defense (including the Director of the Defense Supply Agency) or their designees, that there is reasonable expectation that bids or proposals will be obtained from a sufficient number of responsible concerns so that awards will be made at fair and reasonable prices, set-asides of individual procurements or classes of procurements (including total set-asides) may be made for participation by suppliers in areas of persistent and substantial labor surplus, or for participation by suppliers in areas encountering economic difficulty resulting from Defense adjustments:".

AREAS OF PERSISTENT AND SUBSTANTIAL LABOR SURPLUS, JULY 1963

Alabama, 15.
Alaska, 23.
Arkansas, 23.
California, 11.
Colorado, 9.
Connecticut, 3.

Florida, 5.
Georgia, 21.
Idaho, 7.
Illinois, 29.
Indiana, 12.
Iowa, 2.
Kansas, 1.
Kentucky, 43.
Louisiana, 18.
Maine, 10.
Maryland, 7.
Massachusetts, 9.
Michigan, 43.
Minnesota, 16.
Mississippi, 13.
Missouri, 6.
Montana, 8.
Nevada, 1.
New Hampshire, 1.
New Jersey, 5.
New Mexico, 8.
New York, 11.
North Carolina, 16.
North Dakota, 3.
Ohio, 12.
Oklahoma, 30.
Oregon, 7.
Pennsylvania, 32.
Rhode Island, 1.
South Carolina, 3.
Tennessee, 22.
Texas, 10.
Utah, 8.
Vermont, 1.
Virginia, 4.
Washington, 12.
West Virginia, 37.
Wisconsin, 6.
Wyoming, 4.

Mr. HUMPHREY. Mr. President, I submit the amendment after having conducted hearings in the Select Committee on Small Business for some time. A report will soon be issued on the effects of defense spending on the economy. One might also say it will refer to the ineffectual aspects of defense spending when research and development contracts are not properly distributed.

Mr. President, I am hopeful that the Appropriations Committee will give favorable and prompt consideration to the amendment, which is cosponsored by 12 Senators, several of whom serve on the Appropriations Committee and many of whom serve on the Committee on Armed Services.

AUTHORITY FOR COMMITTEE ON JUDICIARY TO FILE REPORTS DURING ADJOURNMENT

Mr. DIRKSEN. Mr. President, I ask unanimous consent that, notwithstanding the adjournment of the Senate over the weekend, the Committee on the Judiciary be permitted to file reports on S. 49, S. 1828, Senate Joint Resolution 87, S. 1914, and S. 1942.

The PRESIDING OFFICER. Without objection, it is so ordered.

POSTPONEMENT OF SMALL BUSINESS LEGISLATION HEARINGS

Mr. PROXMIRE. Mr. President, as chairman of the Subcommittee on Small Business of the Senate Committee on Banking and Currency, I wish to announce that the additional hearing on S. 298, a bill to amend the Small Business Investment Act of 1958, scheduled for August 21, 1963, in order to receive testimony regarding possible self-dealing by SBIC's has been postponed until September 5, 1963.

The hearing will begin at 10 a.m., Thursday, September 5, 1963, in room 5302, New Senate Office Building.

All persons who wish to appear and testify on this matter are requested to notify Mr. Reginald W. Barnes, assistant counsel, Senate Committee on Banking and Currency, room 5300, New Senate Office Building, Washington, D.C., telephone Capital 4-3121, extension 3921.

THE NUCLEAR TEST BAN TREATY

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a letter, which the leadership received from Dr. I. I. Rabi, relative to the test ban treaty and the position of certain of his colleagues who are Nobel Prize winners.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NEW YORK, N.Y., *August 14, 1963.*

Hon. MIKE MANSFIELD,
Majority Leader, U.S. Senate.

DEAR SENATOR MANSFIELD: I am sending you the results of a poll on the test ban treaty which I, together with colleagues, Drs. P. Kusch, of Columbia University, Owen Chamberlain, of the University of California at Berkeley, and others have conducted amongst the American Nobel Prize winners in all fields. The intervention of the summer holidays prevents the poll from being more complete, but we do have a majority of the Nobel Prize winners on record.

Each prize winner was asked if he approved of and was willing to sign the enclosed statement with the understanding that it would be submitted to the President of the Senate, the chairman of the Foreign Relations Committee, and the majority and minority leaders of the Senate. It was also understood that the statement would have such additional distribution as may be appropriate and, in this connection, I plan to release the statement to the press at 1 p.m. this afternoon.

The overwhelming majority of replies were positive. We had no negative letters. Of those queried by telephone five declined to sign. Some gave no reason, others stated that they did not feel in a position to make such a public statement, although they would agree privately to the opinions expressed in the statement.

I append a list of the names of those who agreed to the statement, their affiliations and the field for which they received the Nobel Prize.

Yours respectfully,

I. I. RABI.

One of the early Nobel Prize winners of the United States, I. I. Rabi, of Columbia University, together with some of his colleagues has recently polled all of the U.S. Nobel laureates to ascertain their feelings about the nuclear test ban treaty now under consideration by the U.S. Senate. Thirty-four of these Nobel Prize winners have so far expressed approval of and a willingness to sign the attached statement. There have been no replies indicating disapproval.

The statement, together with the list of signers to date, has been sent today to the President of the Senate, to the chairman of the Foreign Relations Committee, and to the majority and minority leaders of the Senate.

The attached list of signers of the statement includes information about their affiliations and the field of science in which they received their Nobel Prize. The group includes some of America's most eminent scientists; their fields of endeavor range from pure physics to clinical medicine.

STATEMENT BY NOBEL LAUREATES

We the undersigned wish to make public our approval of the test ban treaty recently negotiated in Moscow by representatives of the United States, the United Kingdom, and the Soviet Union. We believe that this treaty marks a significant if minimal first step in reducing the tensions of a continued nuclear arms race, thereby enhancing the security of the United States. We hope that this treaty will be approved by the Senate of the United States as a concrete expression of our country's desire for peace.

Carl David Anderson, professor of physics, California Institute of Technology, Nobel Prize in physics, 1936; Gold Medal, American Institute, 1935; Cresson Medal, Franklin Institute, 1937; member of National Academy of Sciences; fellow, Physical Society; Philosophical Society; X-rays, gamma rays; radioactivity; cosmic rays.

Walter Houser Brattain, Bell Telephone Laboratories, Murray Hill, N.J., Nobel Prize in physics, 1956; Stuart Ballantine Medal from the Franklin Institute, 1952; John Scott Award, city of Philadelphia, 1955; fellow, American Physical Society; member of American Academy of Arts and Sciences; Franklin Institute, National Academy of Sciences, coinventor of transistor, specializes in study of semiconductors.

Felix Bloch, professor of physics, Stanford University, Stanford, Calif., B. Zurich, Switzerland, Nobel Prize in physics, 1952; fellow, American Physical Society; American Academy of Arts and Sciences; National Academy of Sciences; war research, Los Alamos, 1942–45; atomic physics.

Owen Chamberlain, physics department, University of California, Berkeley. Noble Prize for physics for discovering antiproton, 1959. Civilian physicist, Manhattan District, Los Alamos, 1942–46; Guggenheim fellow, 1957–58; Loeb lecturer at Harvard, 1959.

Andre F. Cournand, 1361 Madison Avenue, New York, N.Y.; born Paris, France, naturalized 1941. Nobel Prize in medicine and physiology, 1956; Lasker Award, USPHS; fellow, Royal Society of Medicine; member, National Academy of Sciences; American Physiology Society; Association of American Physicians; British Cardiac Society.

John Franklin Enders, professor, Children's Hospital, Harvard Medical School, 300 Longwood, Boston, Mass. Nobel Prize in medicine and physiology, 1954; Ameron prize, University of Edinburgh, 1960; Lasker Award, 1954; fellow, American Academy of Arts and Sciences; member, National Academy of Sciences; American Philosophical Society; Society General Microbiology; viral infections; virus and rickettsial diseases.

Joseph Erlanger, 5127 Waterman Avenue, St. Louis, Mo., Nobel laureate in physiology, 1944; member, American Physiological Society (president 26–29); Association American Physicians, National Academy of Sciences, American Medical Association; physiologist.

Edward Adelbert Doisy, St. Louis University School of Medicine, St. Louis, Mo., professor of biochemistry; shared Nobel Prize in physiology and medicine, 1943, with Dr. Henrik Dam; Gold Medal, St. Louis Medical Society, 1935; Willard Gibbs Medal, 1941; member, American Society of Biological Chemists; American Chemical Society; National Academy of Sciences; American Philosophical Society; sex hormones and antibiotic compounds.

James Franck, physics department, Duke University, Durham, N.C., professor of physics and chemistry; Nobel Prize in physics, 1925; Rumford Medal, American Academy of Arts and Sciences, 1955; Max Planck Medal, German Physical Society, 1953; member, National Academy of Sciences, American Philosophical Society, molecular physics and application to chemistry.

Donald A. Glaser, radiation laboratory, University of California, Berkeley, Calif., physicist. Nobel Prize in physics, 1960; Henry Russell Award, 1955; Guggenheim fellow, 1961–62; fellow American Physical Society.

Robert Hofstadter, professor of physics, Stanford University, Stanford, Calif. Nobel Prize for physics with Dr. Moessbauer 1961, for work on atomic nucleus; Guggenheim fellow, Ford Foundation, 1958–59; California Scientist of the Year, 1959; fellow, American Physical Society; Physical Society London; National Academy of Sciences; American Association University Professors; infrared spectra; photoconductivity; nuclear and nucleon charge distributions.

Arthur Kornberg, head, department of biochemistry, Stanford University, Stanford, Calif. Corecipient Nobel Prize in medicine, 1959; recipient Paul-Lewis Award in enzyme chemistry, 1951; member, American Society of Biological Chemists, American Chemical Society; National Academy of Sciences.

Polykarp Kusch, Columbia University, physics department, New York, N.Y.; Nobel Prize in physics, 1955; born Germany, naturalized 1922; fellow, American Physical Society; member National Academy Sciences; research in atomic, molecular and nuclear physics.

Willis Eugene Lamb, Jr., Carendon Laboratory, Oxford, England; Nobel Prize in physics, 1955; Guggenheim fellowship 1960–61; fellow of American Physical Society; Physical Society, London, National Academy of Sciences.

Tsung-Dao Lee, professor of physics, Institute for Advanced Study, Princeton, N.J.; physicist; Nobel Prize in physics, 1957; Albert Einstein Award in Science, Yeshiva University, 1957; member, American Physical Society.

Fritz Albert Lipmann, Rockefeller Institute, New York, N.Y.; biochemist; Nobel Prize for medicine and physiology, 1953; Mead Johnson & Co. award for outstanding work on vitamin B-complex, 1948; Carl Neuberg Medal, 1948; fellow, New York Academy Sciences, Danish Royal Academy Sciences; National Academy of Sciences.

Hermann Joseph Muller, professor of Zoology, Indiana University, Jordan Hall, Bloomington, Ind.; Nobel Laureate in physiology, medicine, 1946; Darwin Medal, 1959; member, American Academy of Arts and Sciences, American Philosophy Society; American Society Zoologists; American Genetic Association, Royal Society London.

William Parry Murphy, physician; 1101 Beacon Street, Brookline 46, Mass.; Nobel Prize in Medicine, 1934; Gold Medal of Humane Society of State of Massachusetts, 1935; National Order of Merit; Diplomate in Internal Medicine, 1937; member, American Medical Association, Association of American Physicians, New York Academy of Sciences; anemia in practice, pernicious anemia.

Severo Ochoa, New York University, College of Medicine, 550 First Avenue, New York, N.Y.; biochemist; Nobel Prize 1959 in medicine with Arthur Kornberg; fellow, New York Academy of Sciences, American Academy of Arts and Sciences; Society for Experimental Biological Medicine; born Spain, naturalized, 1956.

Linus Carl Pauling, professor of chemistry, California Institute of Technology, Pasadena, Calif.; Nobel Prize in chemistry, 1954; Fermat Medal, Pasteur Medal, medal with laurel wreath of International Grotius Foundation, 1957.

Isidor Isaac Rabi, Columbia University, Department of Physics, New York; Nobel Prize in physics 1944; Barnard Medal, Nat. Acad. Sciences, 1960; Elliot Cresson Medal of Franklin Inst. 1942; Medal for Merit 1948; King's Medal (British) 1948; fellow, Amer. Phys. Society (Pres. 1950); member, Amer. Philos. Society.

Dickinson W. Richards, 180 Fort Washington Avenue, New York, N.Y.; Nobel Prize in medicine and physiology 1956; director, first Medical Division, Bellevue Hospital, N.Y., since 1945; member, Association, American Physicians; research on problems of pulmonary and cardiac physiology.

Glenn Seaborg, Chairman, Atomic Energy Commission, Washington, D.C.; Nobel Prize in chemistry, 1951.

Emilio Segre, University of California, Berkeley, Calif.; Nobel Prize in physics 1959; Guggenheim fellow, 1959; group leader, Los Alamos, 1943–46; fellow, American Physical Society; codiscoverer slow neutrons, also elements technetium, astatine, plutonium, and of antiproton.

William Bradford Shockley, Shockley Transistor Unit, Clevite Transistor, Stanford Industrial Park, Palo Alto, Calif. Physicist; Nobel Prize in physics 1956; Fellow of American Phys. Soc. (Buckley Prize); Amer. Academy Arts and Sciences; Institute Radio Engineers (Morris Liebmann Prize); inventor of junction transistor; awarded Medal for Merit.

Wendell M. Stanley, University of California, Berkeley, Calif., Department of Virology; Nobel Prize in chemistry 1946; Gibbs Medal of Chicago Sec. of Amer. Chem. Society, 1947; Isaac Adler Prize by Med. School Harvard, 1938; Copernican Citation by the Copernican Quadricentennial Nat. Com. 1943, Certificate of Merit 1946; American Cancer Society Award 1959; member, National Cancer Inst., Amer. Assn. Immunologists, Amer. Philos. Society; Amer. Chemical Society.

Otto Stern, 759 Cragmont Street, Berkeley, Calif.; Nobel Prize in physics, 1943.

Albert Szent-Gyorgyi, biochemist, Marine Biological Laboratory, Woods Hole, Mass.; Nobel Prize in medicine 1937 and 1955; Lasker Award, Heart Association 1954; born, Hungary; naturalized 1955; member, National Academy of Sciences; muscle research, submolecular biology.

Edward Lawrie Tatum, Rockefeller Institute, 66th Street and York Avenue, New York, N.Y.; biochemist; Nobel Prize for medicine and physiology, 1958; member, American Chemical Society; American Society of Biological Chemists, National Academy of Sciences.

Harold Clayton Urey, professor of chemistry at large, University of California; home, 7890 Torrey Lane, La Jolla, Calif.; Nobel Prize in chemistry in 1934; Priestley Award 1955; Davy Medal Royal Society of London; Distinguished Service Award, Phi Beta Kappa, 1950; member, American Chemical Society, National Academy of Sciences, American Geopyhsics Union; discoverer of hydrogen atom of atomic weight two; research for production heavy water and U^{235} for atomic bomb.

Georg von Beckesy, Harvard University, Cambridge, Mass.; Nobel Prize for medicine for research on how the human ear hears, 1961; Gold Medal, American Otological Society, 1957; Achievement Award, Deafness Research Foundation, 1961; fellow of Acoustical Society of America; member National Academy of Sciences.

Selman Abraham Waksman, Rutgers University, New Brunswick, N.Y.; Nobel Prize in medicine 1952; born, Kiev, Russia; naturalized 1916; member, Society American Bacteriologists; American Chemical Society; National Academy of Sciences; decorated commander, French Legion of Honor; soil microbiology; actinomycetes and their antibiotics, microbes.

James Dewey Watson, professor of biology, Harvard University, Cambridge, Mass.; biochemist, educator; Nobel Prize 1963; John Collins Warren Prize, Massachusetts General Hospital 1959; Eli Lilly Award in biochemistry, American Chemical Society, 1960; Albert Lasker Award 1960; member, American Academy Arts and Sciences, Society of Biological Chemists; research on bacterial virus, molecular genetics, protein synthesis.

George Hoyt Whipple, pathologist, University of Rochester, Rochester, N.Y.; Nobel Prize in medicine, joint award 1934; William Wood Gerhard gold medal 1934; Rochester Civic Medal, 1943; member, American Association Pathologists and Bacteriologists, National Academy of Sciences, American Philosophical Society.

Edward Mills Purcell, professor of physics, Harvard University, Cambridge, Mass.; Nobel Prize in physics 1952; member, President's Science Advisory Committee; member, National Academy of Sciences, American Physics Society, American Academy Arts and Sciences; microwave phenomena, nuclear magnetism, radiofrequency spectroscopy.

PUBLISHER LUCE STATES THE CASE FOR THE RULE OF LAW

Mr. McGOVERN. Mr. President, one of the most significant articles of recent times appears in the current issue of the American Bar Association Journal. Written by Mr. Henry R. Luce, editor in chief of Time, Inc., the article is entitled "The Rule of Law: Its World Implementation Is Man's Hope."

> A few years ago, there was practically nothing to be said, nothing to report, about the advancement of the rule of law in world affairs. Today there is; and this is a good time to say it.

Writes Mr. Luce.

And, indeed, Editor Luce states the case for "liberty under law" with a rare combination of tough-minded realism and inspired idealism.

Recalling the maxim that "nothing is so powerful as an idea whose time has come," the distinguished Time-Life founder hails the American Bar Association and its former president, Charles S. Rhyne, for launching in 1957 a determined campaign to achieve "World Peace Through World Law."

Mr. Luce's article is of twofold significance. First, it is a powerful, moving document in its own right. Second, its author has a breadth of experience, wisdom, and influence which gives his words unusual importance. I hope every Member of Congress will read carefully this superb article. I ask unanimous consent that it be printed at this point in the CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE RULE OF LAW: ITS WORLD IMPLEMENTATION IS MAN'S HOPE

(By Henry R. Luce)

A few years ago there was practically nothing to be said, nothing to report, about the advancement of the rule of law in world affairs. Today there is; and this is a good time to say it—a good time to invite the attention of leading citizens everywhere to this subject.

For we have come to something of a pause in the cold war. The cold war goes on, of course. It goes on bloodily in the rice fields of Vietnam and it goes on in other forms throughout the world. Still, there is something of a pause in the intensity of global conflict. Without being in the slightest degree complacent, I think we can say that in the last few years the balance of advantage has shifted to the free world.

Last Christmas, President Kennedy told us that, surveying the world situation, we had a great deal to be thankful for. He was speaking not only of recent developments, but also of all that has happened in the 15 years since the cold war began when the rubble of World War II was still piled high in the cities of Europe and Asia. He was paying his respects, it seemed to me, to Presidents Truman and Eisenhower, to all the statesmanship, to all the determination, to the efforts of brains and brawn, to all the sacrifice of blood and treasure which together, over the last 15 years, have held Communism in check and have brought forth a free world, freer and stronger and more prosperous than any global society which ever before existed.

Again, without complacency and without forgetting shameful realities such as poverty and disorder in many places, I think we can say that Communist power is in at least momentary retreat. Thus there is a pause in the cold war. "A thaw," Lord Home, the British Foreign Secretary, calls it. "Very slowly," says Lord Home, "very slowly—but I think perceptibly—the processes of the thaw in international life have begun. * * * If imperialism is being thrown out of the window, so is Marx—and good riddance, too.

TIME TO TAKE STOCK IN THE COLD WAR

So, this is a good time, at this pause, or in this thaw, to ask ourselves: What do we do now? Where do we go from here?

In 1960, there was a great nationwide discussion in the United States on national goals. The subject was taken up in a series of hearings by a committee of the U.S. Senate. And our presidential election of that year was characterized by a competition by both candidates and both parties to express adequately the sense of purpose of the United States. There was not so much disagreement as there was competition to express the U.S. determination to meet and overcome the challenges of 20th century history. One very simple way of summarizing our purpose was and is to say that we were and we are determined to win the cold war. "Why Not Victory?" says Senator GOLDWATER in the title of his book.

I subscribe to this purpose of winning the cold war. But the difficulty is in definition—What does one mean by winning the cold war? What would victory be?

Now that the tide of conflict seems to be moving our way, it is more than ever useful to ask ourselves that question. And here is where the advancement of the rule of law comes in. Where do we go from here? We can go forward to the advancement of the rule of law and to build a world of peaceful change—a world of progress without holocaust, a world in which disputes and clashes of interest are resolved by law rather than by the arbitrament of war.

That sounds utopian, and so it is. But the story I am going to tell is not the story of the pursuit of an illusion; it is the story of a movement, now gathering momentum, which step by step will provide alternatives to war, and bind men and nations to institutions of justice and order.

The story begins in London, only 6 years ago, in 1957. Until that time practically nothing had been done to make use of the law as a means of peace in a world racked by quarrels and fearing destruction. The International Court of Justice was, for example, the least used court in the world. Every sort of instrument was being used in the world struggle—money, armaments, propaganda, subversion, even prayer—everything but the law. And then—London, 1957.

What was it? Nothing momentous had been planned. It simply happened that that was the 80th anniversary of the founding of the American Bar Association and 3,000 or 4,000 American lawyers thought it would be fine to take themselves and their wives to London, to Great Britain, to the home of our Anglo-Saxon law tradition. It was of course a most distinguished gathering. The British welcome was provided by the Lord Chancellor, the most eminent of Her Majesty's judges, and Winston Churchill in about his last major speech. The Chief Justice of the United States led the American lawyers, amply supported by the Attorney General and other of our dignitaries. When the speeches began, perhaps no one thought anything would happen—except more speeches thankfully relieved by more genial and appetizing fare. But somehow the speeches caught fire, oratory took on a touch of profundity. The Americans and the British found (and, by the way, it was when the wounds of Suez were still smarting) what deeply united them, something deeper than words, something which through all their history, centuries or thousands of miles apart, they had been fighting for—liberty under law. Through Westminster Hall the words of Chief Justice Coke to King James must have echoed like the roar of the sea: "Sir, the King ought not to be under any man, but under God and the law."

WORLD PEACE THROUGH LAW IS ASSOCIATION THEME

So those days in London in 1957 were inspiring days. But nothing might have happened except for a little-known American lawyer named Charles S. Rhyne, who that year was the president of the 80-year-old American Bar Association. His turn to speak came at Runnymede, the site of Magna Carta. There he spoke, gathering up as it were all the great words of the famous men who had spoken before him. And then Charles Rhyne went back to the United States—and went to work. During his year as president, the American Bar Association put at the top of its agenda and flew at the top of its mast the rubric—"World peace through law." And it has kept it there ever since. That is why there is a story to tell today.

What has happended in these less than 6 years? First of all, the lawyers of the United States, thousands of them, have decided that they and their profession have a responsibility for world peace—that they can do something about it. Throughout the United States, scores of State and city bars have taken up the work. Law schools and universities are giving attention to international law as never before. President Eisenhower proclaimed May Day as Law Day throughout the Nation and President Kennedy enthusiastically maintains this new tradition. One authority writes that "more has been constructively written and said about a world rule of law in the last 6 years than in the whole history of man."

Many may wonder why, if so much is going on of such vital importance to human destiny, why they do not already know about it. Why do I venture to tell about it as a thing unknown? If many otherwise well informed persons are not particularly aware of the movement of world peace through law, then as an editor I have to offer some explanation for the apparent failure of the press to keep you informed. The simplest explanation is, of course, that the kind of thing that has been going on is not the kind of thing that makes front-page headlines. This is partly because the story is not melodramatic; it is not yet as dramatic as it may become in the next few years. Also, this lack of press coverage is because the work is so technical. In fact, the great thing is that lawyers as lawyers have set to work to make the technical tools of their trade the practical plowshares of peace.

REGIONAL CONFERENCES ARRIVE AT CONSENSUS

Charles Rhyne and the American Bar Association World Peace Through Law Committee, having dedicated themselves to this cause, set out to enlist the lawyers of every country in the world. They began by sending a detailed questionnaire to 10,000 leading lawyers in 74 countries to ascertain how much agreement there could be on the principles of law and its practical uses. Encouraged by the response, they planned a series of regional meetings. In 1961 a conference of Western Hemisphere lawyers was held in Costa Rica. Later in 1961 a similar conference of Asian lawyers in Tokyo. That was followed by a meeting of African lawyers in Lagos. Finally, last year, a great meeting in Rome of European lawyers. At Rome one distinguished lawyer said: "I came wondering what this was all about. Now I know I have a job to do."

As a result of the extraordinary impact of the regional meetings—over 100 countries were represented in Latin America, in Asia, in Africa, and in Europe—the foundations were laid solidly for a world conference of lawyers and judges, held this summer in Athens. The World Conference on Peace Through Law defined a program for action for lawyers and governments throughout the free world, a program based on the consensus that has been discovered in scores of nations big and small. Lawyers from behind the Iron Curtain were invited, but only Yugoslavia had a registered delegate present.

Now let us try to understand just what it is that the lawyers and law scholars of so many nations agree on and wish to pursuade all their governments—and all the people of the world—to accept as the sure foundations of peace. I shall paraphrase for you the essential passage in the report of the Rome Conference. The words may sound somewhat dull and heavy, but they are worth listening to, for upon them may depend the future of our children and our world.

The best legal brains of Europe began by affirming that the first proposition of their consensus is that international agreements must be honored. Let me comment briefly. What they are saying there is the most ancient rule of law: Pacta servanda sunt. Agreements must be kept. That is the basis of all law as distinct from anarchy or tyranny. The rules may be changed, agreements may be changed, but the law as it stands at any moment must be honored. In 1914 the German Government violated the neutrality of Belgium, declaring that the solemn treaty guaranteeing Belgium's neutrality was only a scrap of paper. That was the end of 19th century civilized Europe. That brutal cynicism took American youth to Château-Thierry and Canadian youth to Vimy Ridge and Passchendaele. Now 50 years later are we in sight of restoring a new, stable civilization in Europe and the world. Pacta servanda sunt.

Second—to go on with the consensus—the subjects of international law, namely both nations and individuals, must settle international disputes by peaceful procedures and may appear before international tribunals—courts—as parties to disputes.

Third, there must be community sanctions to enforce international obligations, but community sanctions may not be enforced without third-party adjudication.

Fourth, international tribunals must have the normal power to determine what matters are within their jurisdiction. That simply means that while all lawyers and all governments want to maintain control over their purely domestic affairs, this cannot be used as an excuse to evade the jurisdiction of international courts.

Finally, other basic principles include the rule that all subjects are equal before the law, that international courts must be independent and impartial, and most important of all, that individuals must have legal protection in their fundamental human rights.

Here, then, in brief summary is what world peace through law is all about. In the next few years, thoughtful, educated and responsible persons in the free world will be asked to put their personal weight behind the practice of these principles.

TRADE ARRANGEMENTS SPUR LEGAL WORLD ORDER

This is clearly a crusade—a crusade led by hardheaded, worldly wise lawyers and judges. We recall the famous maxim that nothing is so powerful as an idea whose time has come. Has the time come for the idea of world law? Many signs point to the conviction that it has. Let us quickly mention some of the truly great developments of our time.

First, I cite the European Common Market. The Common Market necessarily has a court. If you are going to make commercial arrangements for 225 million people in an advanced economy, naturally you have to have law, and courts to decide cases under the law. So there is a Common Market court. So far it has decided almost 100 cases, many of them involving a dozen subcases, and in every case, the loser, usually a sovereign nation, has accepted the judgment. In addition to the Common Market, more and more economic arrangements are being made throughout the free world, bilaterally, regionally and otherwise. More and more a worldwide economy is being structured and all this tends to link nations and peoples together in legal compacts and general principles of law. What we are pointing to here is institutional development. Law develops institutions and institutions develop law.

The final example to be given is the United Nations. Like it or not—and in many ways I don't—the United Nations contributes to the institutional structure of a legal world order. My main objection to the United Nations is that it itself has low-rated the importance of law and of principles of justice. Peace is the work of justice: Pax justitiae opus. Too often the United Nations has sought peace by expediency—peace by political bargains and auction—rather than peace through justice and law. But more and more, I believe the United Nations comes to recognize the importance of law. This will become evident as its nation-members of the United Nations put greater emphasis on the World Court.

RULE OF LAW INVITES ADHERENCE OF ALL NATIONS

Let me deal with the most difficult question about world peace through law. Some people say: What use is it to try to advance the rule of law when you know perfectly well that the Communist world will never accept the ideas of law common to free and democratic society? My answer is twofold. First, the advancement of the rule of law, more than anything else, will unite all free and democratic nations—and all nations wishing to be free and democratic. The need for deeper unity is apparent at this moment. Second, if there is ever to be any achievement of genuine agreement on anything between the free world and the Communist world, it can only be in terms of well-established rules of law which both worlds can, in part, accept. Disarmament is the striking case in point. You cannot have mutual disarmament, in any degree, without a solemn agreement covering it, a solemn agreement to be made effective by prior agreement on some basic rules of law—as, for example, that agreement must be kept: Pacta servanda sunt.

As the nations of the free world develop their understanding of law and adherence to it, they build a truly international community. And, in so doing, they build a world community that holds forth a clear and perpetual invitation to all countries, including Communist, to join.

INTERNATIONAL COMMISSION OF JURISTS LAUDED

My statement that nothing much had been done to advance the rule of law until London, 1957, needs to be qualified—and especially in one notable particular. There is one other organization, small but very distinguished which deserves the highest salute. That is the International Commission of Jurists. This extraordinary body of preeminent international lawyers of East and West, barely 10 years old, grew out of a 1952 conference in West Berlin called to discuss the shocking violations of the rule of law in East Germany. Judge Learned Hand and Judge Harold Medina were among the American jurists who engaged the active cooperation of the American bar, and Judge Joseph T. Thorson, President of Canada's Exchequer Court, became the leader of this historic and heroic group.

In 1955 these men organized an International Congress of Jurists in Athens, from which came the Act of Athens—a ringing declaration that the state is subject to the rights of the individual, and that effective means for the enforcement of these rights must be provided. Four years later, from India, came the declaration of Delhi refining and elaborating the legal and procedural underpinnings required to establish and maintain the rule of law.

During these busy 10 years the commission also put forth a stream of studies and conclusions with respect to violation of human rights across the world: Hungary, Ceylon, Liberia, Tibet, South Africa, the Dominican Republic, and Cuba. All these and many more have come under the commission's watchful eye from time to time.

PUTTING THE ATHENS CONFERENCE IN PERSPECTIVE

The meeting in Athens this summer—the historic first World Conference on Peace Through Law—was the culmination of a massive effort to get all the lawyers of the world to work together to advance and to strengthen international law. Will this great effort succeed? What will the world be like 10 or 20 years from now? Will our children experience a world, not utopian, but much more consciously governed by the rule of law?

Let me try to put this subject in the perspective of man's past and of what we glimpse of his future.

The effort to establish law has been the mark of civilization ever since it began. It has even been said that civilization *is* law. The more highly civilized people felt themselves to be, the more they identified themselves with the evolution and refinement of law. A high point in this feeling came in the years before World War I. In 1899 the Czar of all the Russias was acclaimed throughout the Western World for his call to settle all disputes through law rather than by war. The Hague Tribunal was founded and attempts were made to make it a real court of arbitration. Optimism, what seemed to be reasonable optimism, reached its high point in 1910 when Andrew Carnegie set up his Carnegie Endowment for International Peace. These are the opening lines of Andrew Carnegie's letter of transmittal to his trustees:

"GENTLEMEN: I have transferred to you as Trustees of the Carnegie Peace Fund, Ten Million Dollars of Five Per Cent First Mortgage Bonds, the revenue of which is to be administered by you to hasten the abolition of international war, the foulest blot upon our civilization. Altho we no longer eat our fellow men nor torture prisoners, nor sack cities killing their inhabitants, we still kill each other in war like barbarians. Only wild beasts are excusable for doing that in this, the twentieth century of the Christian era, for the crime of war is inherent, since it decides not in favor of the right, but always of the strong. The nation is criminal which refuses arbitration and drives its adversary to a tribunal which knows nothing of righteous judgment."

Well, there was the high point of what we now call Victorian optimism. A few years later came the shot at Sarajevo and the tearing up of that scrap of paper about Belgium. It was then, in 1914, that the Foreign Minister of Great Britain, Lord Grey, said: "The lamps are going out all over Europe; we shall not see them lit again in our lifetime."

But the first decade of this century in America and in Europe was not the only time that history has seen the great hope of establishing the rule of law over a large area. We recall, as one famous example, the Pax Romana, a considerable success over a long period, and one which left its mark in the consciousness of Western man—even until now.

Now once again the lights have been lit in Europe. They are reinforced and augmented by the lights of the Western Hemisphere. Now something entirely new in history has been added—namely, a sense of man's global interdependence, a sense of destiny shared by all mankind. Once again, and now on a scale never before envisioned, the effort begins again to establish lasting peace through law.

HISTORY'S CONTEXT IS TOO SMALL FOR TODAY

Today we must see ourselves in a context even larger than what we call history. We have to see ourselves in terms of the human species, in the perspective of geologic time and of astronomical space. This is the new vision which is now beginning to flood the earth.

The key word in this new vision is man. The word and the concept have been around for thousands of years in the abstract language of philosophers and in the common man's daily gossip about himself and his neighbors. But the word "man" is striking now with a force and a compulsion far beyond anything ever known before. When will man reach the moon—or Mars, or Venus? Will man destroy himself? This is the typical language of our times.

What compels this kind of thought and language is far more than atomic bombs and rocketry and spacemanship. What compels us to a new feeling about man is the massive and mounting knowledge in all branches of modern science. The explosion which dominates man's life today is not an explosion at Hiroshima or at Canaveral; it is the daily explosion of knowledge everywhere. The nature of man himself—biologically, genetically, psychologically—is a field of knowledge bursting faster than any springtime flood. It is seriously proposed that within a very short time—say 20 or 30 years—man will be able to control his own behavior. Or some men will be able to control the most personal behavior of all men. A horrible thought, perhaps, and one inevitably thinks of Orwell's terrible little book, "1984."

Man must be seen—that is, you and I and our children and all our fellow men now living and yet to be born—must all be seen as a species which more and more has the knowledge and power to direct its own destiny. We must see man in terms of all the sciences—biology, paleontology, anthropology, psychology, and of course, all the subcategories of physics, chemistry, and all the semisciences like economics and sociology.

What has all this to do with the law? Does it not outmode all our age-old notions about law and justice and liberty and democracy? On the contrary, it means that the hard-won notions of justice and liberty must in the coming decades be taken with a greater life-and-death seriousness than ever before. Because the eternal question remains: Who does what to whom and how?

Here we confront the picture of man having the knowledge and power to shape his destiny—his very character, his mind, his soul. But that is a false picture. Man will not do it. Men will do it—men and women. Men—actual individual men and women, be they scientists or politicians or plain citizens—will decide how power over the human species will be used and for what end.

It is in the context of what we may call a fantastic future now rushing at us that we are summoned to establish on a global scale the guidelines of justice and of law—the guidelines, the rules, the habits and customs of lawful and democratic behavior, one to another and to all men.

Given a deeply implanted bias for the habits of lawfulness and for the institutions of law, we can then proceed without panic or paralysis to consider how all the new knowledge and power may be used to shape man's destiny. The habits and rules of law do not themselves provide the answer, they do not dictate our inspirations or aspirations. They only give us the means of realizing our various aspirations without destroying each other in the inevitable clash of ideals and aspirations and interests.

That splendid and humane philosopher, William Ernest Hocking, has said that "Justice is a second-class virtue." The supreme virtue, he would say, is love. There is much in the universe to confirm the proposition that love is at the heart of creation. We may well say that our inspirations or aspirations can only properly spring from love—love of our fellow beings, enlightened self-love, love of beauty, love of liberty, love of truth. But at the level of human history the answer to Hocking is that in the social organization of men, justice is the highest practical expression of love.

Looking at the explosions of knowledge and power which mark the present and future history of man, let us be determined that the methods of justice as elaborated in law shall be in the midst of us, assuring us that we shall make our way into the future with rational discourse, with mutual trust and, therefore, with joy and gratefulness for the gift of life.

THE ADMINISTRATION'S CIVIL RIGHTS BILL

Mr. TALMADGE. Mr. President, never before in the history of the United States—indeed, not in the history of any free and civilized people—has such vicious legislation been proposed as that part of the administration's so-called civil rights bill which would enable the Federal Government to excommunicate sovereign States, to in effect, banish them from the Union.

I refer to title VI of the civil rights bill now pending before this body, S. 1731, which reads in part as follows:

> Notwithstanding any provision to the contrary in any law of the United States providing or authorizing direct or indirect financial assistance for or in connection with any program or activity by way of grant, contract, loan, insurance, guaranty, or otherwise, no such law shall be interpreted as requiring that such financial assistance shall be furnished in circumstances under which individuals participating in or benefiting from the program or activity are discriminated against on the ground of race, color, religion, or national origin or are denied participation or benefits therein on the ground of race, color, religion, or national origin.

Under this provision, Mr. President, the executive branch of our Government would be given carte blanche authority to withhold Federal funds paid to the States in grants-in-aid programs or to cancel Federal financial participation in contracts, loans, insurance, and guarantees.

Without any notice, without any hearing, without a judicial proceeding of any kind, and without any appeal or other safeguard against abuse, entire States could be starved out of the Federal Treasury.

By alleging discrimination in connection with any Federal aid program, the Executive would have unrestrained control over the expenditure of funds appropriated by the Congress for direct or indirect assistance to the States.

No court test to determine whether discrimination was actually being practiced would be required.

This proposal is so broad that whole States could be punished for voting wrong, if discrimination were alleged as an excuse.

Title VI is aimed of course at the States of the South, in a brazen attempt to legislate social reform and to blackmail law-abiding citizens to go against that which they believe to be in the best interests of everyone.

However, I would emphasize that no State in the Union would be secure against the wrath, whims or caprices of a Federal bureaucrat armed with the unlimited power of title VI.

A person of oriental or Mexican descent, for example, could apply for a bank loan in California or a highway job in Arizona, and be refused as a poor credit risk or as not competent for the job.

On the basis of a claim of discrimination, a Federal official could cause the cancellation of all FDIC insurance on all California banks or the loss of all Federal highway funds for the entire State of Arizona.

By the same token, the citizens of whole States receiving welfare benefits could be denied their old-age assistance or aid to the disabled.

Needy children could be deprived of food they now receive under the school lunch program.

Civil defense programs, so vital to the security of our country, could be halted in States which lost the favor of some Federal bureaucrat.

States could be denied Federal aid in hospital construction; funds for research in such critical areas as heart disease, cancer, and mental health could suddenly be cut off.

The ultimate effect of this iniquitous proposal would be to destroy our republican form of government.

Power to expend the funds it appropriated would be wrested from the Congress and handed over to the Executive.

Sovereign States would have to toe the administration line.

I submit, Mr. President, that title VI is totally unjustified and unwise, as the President himself said last April, when the Civil Rights Commission suggested that Federal funds be denied Mississippi. He said:

> I don't have any power to cut off the aid in the way proposed by the Civil Rights Commission, and I would think that it would probably be unwise to give the President of the United States that kind of power.

I favor the full enjoyment of every American citizen of all rights guaranteed him by the Constitution. I know of no one who has claimed a deprivation of rights who has gone to court under existing statutes and has not had his rights granted him in full.

But I do not believe that a certain privileged group should be granted special rights and benefits to the extent that the rights of others are lost.

And, it is my opinion, Mr. President, that a majority of the citizens of the United States share this view.

GOVERNMENT LOSSES OF AGRICULTURAL COMMODITIES—REFINED SALAD OIL

Mr. WILLIAMS of Delaware. Mr. President, on July 16, 1963, I called the attention of the Senate to the fact that under Public Law 480 our Government had entered into a barter agreement with Austria for the disposal of 40 million bushels of feed grains but that out of this 40 million bushels only approximately 16 million bushels ever arrived in Austria, and the other 24 million bushels were diverted while en route, destination unknown.

Just how our Government could lose track of 24 million bushels of grain over a 3-year period without someone knowing it, is as yet unexplained.

To determine who, if anyone, among our Government officials or the exporters may have been a part of the conspiracy to arrange this illegal transaction I introduced Senate Resolution 171, the purpose of which was to conduct a full-scale investigation of all transactions under Public Law 480.

The Government of Austria has already indicted seven Austrian individuals for their part in this illegal conversion of 24 million bushels of grain. I did not see how this fraud could have been perpetrated without cooperation on this side of the Atlantic. I regret that thus far the Senate Agriculture Committee has not seen fit to approve this resolution authorizing the investigation.

Today I wish to discuss another example of a loose transaction under our disposal of agriculture commodities. This transaction likewise raises serious questions as to the propriety of the manner in which these programs are being handled. This is a further example of the type of transactions which need the careful examination of a congressional committee.

In 1961 the Department of Agriculture contracted for the procurement of 500 million pounds of refined salad oil and shortening—primarily soybean oil—at a time when they had projected requirements for only about half that amount.

This oil was purchased under the excuse of removing surplus soybean oil from the market; however, it is significant that at the time the purchases were approved soybeans were selling 50 cents per bushel over the support price and there was an exceptionally strong market for oils.

In announcing the first purchase under this program, February 3, 1961, the Acting Administrator stated:

> As oil supplies from the 1960 crop move to market within the next few months, the relatively strong current situation may well be changed.

Apparently the administration wanted to be sure the Government did its buying at the peak market prices, and accordingly 100 million pounds of vegetable oil products were purchased at the time and set aside for foreign relief donations under our food-for-peace program.

Subsequently this procurement was extended to 500 million pounds of refined salad oils and shortening at a total contract price of about $90.4 million. Officially the Department of Agriculture justified this action as being necessary to support the price of the cottonseed and soybean market. Just how this could be reconciled with the fact that soybeans at that time were selling far in excess of the support prices is unexplained.

Another attempted justification was that they needed this large quantity to fill the requirements of the volunteer relief agencies under food for peace programs.

That explanation, too, falls flat in view of the fact that at the time they had no such estimates of projected requirements, nor did any such estimates materialize in the succeeding months.

Not only was this 500 million pounds of oils bought at a time when the market for soybeans was far over the support price and at a time when the oil itself was selling at peak prices, but 87 percent of the last 400 million pounds of this oil was furnished by two contractors who, based on their previous record of deliveries in connection with other contracts, had been barred "from participating in any programs financed by CCC."

These two corporations are the Shortening Corp. of America, Inc., 542 Henderson Street, Jersey City, N.J., Mr. Anthony De Angelis, president; and the Scarburgh Company, Inc., 26 Broadway, New York, N.Y., Mr. Jakob Isbrandtzen, president. Both of these companies participating in this program will be discussed at a later point.

After buying about 87 percent of this last 400 million pounds of oils from this previously established irresponsible source, the Government again got hooked, as should have been expected.

Practically all of this 400 million pounds of salad oil bought from this irresponsible source was delivered to the Government in faulty containers, leaky cans, and so forth, with the result that as of the most recent report much of this material had been declared unfit for human consumption and was still lying in the warehouses in this country or on the wharves scattered in the ports throughout the world.

Some of the countries to which this had been shipped under our food-for-peace program are refusing to allow the oil to be distributed to their people on the basis that it is rancid and unfit for human consumption.

I would like to quote excerpts from some of the correspondence which the Department of Agriculture received as early as 1961 complaining about the leaking and damaged containers of salad oil as it arrived overseas:

November 3, 1961, India:

> The Vegetable Oil * * * has been the subject of appreciable damage due to insecure packing.

February 28, 1962, India:

> The various types of vegetable oils being shipped to India are packed so badly that heavy losses are being incurred. The last shipment * * * was in such bad condition that the Port Commissioners refused to allow the shipment to be landed in the sheds.

April 17, 1962, Brazil:

> * * * We have found that the tin cans in which oil is packed are quite weak, and that we are experiencing substantial loss. * * * the loss is due to the tins cracking at the seams and leakage from the pouring opening at the top. * * *

April 18, 1962, Brazil:

> The tin container had a very light material and when bumped would spring leaks. Sometimes these metal staples—on top of the cardboard box in which the cans were shipped—were not overlapped completely in the inside of the box and when pressure of weight of other boxes was placed on the box, the staple pierced the oil container. The tin container had a little round cover cap from which to pour the oil on the top of the can. As the pressure of weight of other boxes was placed on it, the cap would spring out causing leakage. If the cap is used at all it should be soldered on.

April 25, 1962, Greece:

> It was noted that the metal caps which seal the containers jar loose very easily during the course of what appeared to be normal handling. The caps are not soldered but merely wedged into position and can be pried loose with very little effort.

August 2, 1962, India:

> * * * late in May * * * I reported to your office in Washington about the great number of cardboard cartons in the port at Madras from which oil had leaked to saturate other cartons so that coolies would not carry them and railroads declined to transport the containers.

During all this period the Government kept on accepting this inferior merchandise from this contractor whom they, themselves, had declared as irresponsible, and they kept shipping it abroad without any regard as to the projected needs of the respective distributing agencies in the various countries.

India: For example, in India in late 1961 and early 1962 the Department shipped 24 million pounds of shortening for distribution in that country.

Yet according to the Department of Agriculture's own records, after this shortening arrived overseas the Indian Government advised that it could not be distributed in India in its then present form because the shortening did not meet India's standards for human consumption.

As of September 30, 1962, they still had a total of about 15 million pounds of shortening left in storage in India, or enough to last another 4 years.

On October 10, 1962, the Department of Agriculture received the following letter from India:

> You undoubtedly know that some of these shipments have been lying in storage in Bombay since January, in Calcutta since February and in Madras since March. Thus these commodities have been subject to the extensive heat of the warmest season in India. In addition to this, there is a question in our mind as to the condition of the shortening and oil because of the many broken tins and stained cartons. This inferior condition of the package makes any railroad transport from port to inland distribution point practically impossible. This same packaging condition also creates a doubt in our mind whether or not the commodities are fit for human consumption.

Korea: Our Government approved a donation program of 9 million pounds of vegetable oil for distribution in Korea for fiscal year 1962. On April 11, 1962, an AID official in Washington informed our representative in Korea that the program amount would be reduced by 2.7 million pounds because the AID mission in Korea believed that the planned program amount was excessive.

About 6.3 million pounds of vegetable oil was then shipped. But as of the last report 5.3 million pounds of this was still in inventory. On June 11, 1962, our AID officials in Washington were notified that the Korean Government were refusing to give clearance permits on shipments of this vegetable oil for distribution under our food-for-peace program.

On June 11, 1962, our AID mission in Korea informed Washington AID officials that the Korean Government had resolved to cancel imports of fats and oils required by voluntary relief agencies for fiscal year 1963 because some of the donated commodities were being found in the local Korean markets.

The latest estimate was that even assuming the oil had been in good condition there were more than enough salad oils in inventory in Korea to last at least another 2 years.

Republic of Congo: There were 3.4 million pounds of salad oil approved for shipment to the Republic of Congo, but only 1.6 million pounds were shipped. Yet as of June 30, 1962, 892,000 pounds, or over half of this oil, were still in the warehouses, undistributed. On August 10, 1962, our AID officials in Washington received a letter from the Congo stating that:

> The excess supply of * * * oil not yet distributed can be traced directly to the lack of inland transportation funds forthcoming from the Government of the Congo, and the slow customs clearance.

These are but a few of the many examples demonstrating that officials of the Department of Agriculture, the officials of our AID program, and the administrators of the food-for-peace program were all aware of the situation, yet they were doing nothing about it.

On October 10, 1962, this situation had reached such alarming proportions that the Administrator of the Agriculture Stabilization Commodity Service sent an interagency memorandum to the Assistant Secretary of Agriculture as follows:

> We have previously planned to obtain reports from recipient agencies overseas as to the extent of leakage on lots shipped earlier this year and had already started in this direction. However, because of the test sampling on selected lots now being planned, we have not proceeded in this direction with any degree of rapidity lest we interfere with the undertaking of the test sampling or any settlement on the leaking cans of oil in store. We will hasten our efforts along these lines just as soon as the domestically stored oil situation appears to be in hand.

In this memorandum the Administrator of ASCS was advising the Assistant Secretary of Agriculture that they were aware of the situation wherein large amounts of these salad oils were being held at the ports and in the warehouses throughout the world unable to move due to poor packaging, leaky containers, and oversupply, but he explained that they had not been able to proceed with correcting this situation due to the fact that they were too busy examining the condition of the same commodity which still remained in domestic warehouses.

They had a reason to be concerned. Here again the oil which was being purchased and stored in domestic warehouses had likewise been accepted in unfit delivery conditions, faulty packages, leaky containers, etc. Yet the Government kept right on accepting delivery of this faulty merchandise that was being purchased from a contractor who has a deplorable record of previous faulty deliveries. The contractor had also been on the barred list of the Department of Agriculture.

The Government is now trying to salvage some of its loss by storing this oil in air-conditioned warehouses to prevent further spoilage. This action represents additional and what should have been unnecessary storage costs to the Government.

I shall not take the time to outline the condition of this salad oil as it was being stored in domestic warehouses, but I shall quote one interdepartmental memorandum dated May 25, 1962. I quote:

> In the main, however, we believe that most of the trouble at Bayonne is caused by improper sealing of the Neuman cap by the automatic sealer. * * * The company emphasizes high-speed production, and has several lines running at the same time. They have two common laborers at each automatic sealing machine, and two at the conveyor belt placing the cans in the cases. * * * This appears to be a matter of poor quality control of packaging by the company.

I shall not discuss further the deterioration of this commodity in our domestic warehouses, but merely state that the conditions which I am discussing here today have been well known by the Agriculture Department, the State Department, and the food for peace administration officials over the past years, and the only major effort which I have detected wherein they expressed any concern was to keep this covered up.

I shall next discuss the background of the suppliers who furnished such a large percentage of this 500 million pounds of oils and who were responsible for practically all of the poor packaging and deterioration.

They are Shortening Corp. of America, Inc., 542 Henderson Street, Jersey City, N.J.; and Scarburgh Co., Inc., 26 Broadway, New York, N.Y.

During the calendar year 1961 the Commodity Credit Corporation awarded 69 contracts to 25 different companies for the procurement of 500 million pounds of salad oil and shortening. The records of the Department did not show the identity of the contractors suppliers in connection with the first 100 million pounds purchased; however, their records do show that the Shortening Corp. of America, Inc., did as a subcontractor supply Commodity Credit Corporation's contractors with over 347 million pounds, or about 87 percent of the 400 million that the Commodity Credit Corporation contracted for in October and December 1961.

The Agriculture Department's files show that the Shortening Corp. and its president have been involved in a number of transactions which were the subject of investigations by the Department of Agriculture, and as a result this corporation, its president and certain other companies were suspended on July 14, 1961, from participating in any programs financed by the Commodity Credit Corporation.

The Scarburgh Co., Inc., another firm subsequently awarded a prime contract for supplying salad oil in 1961, was included in that suspension.

At the time the suspension notice was sent to the affected parties by the Department of Agriculture, civil frauds action was pending against the affected parties or their affiliated firms.

The case resulting in these suspensions involved alleged violations of the False Claims Act—31 U.S.C. 231—in connection with a shipment of soybean oil to Spain financed by CCC under title I of the Agriculture Trade Development Assistance Act of 1954, as amended.

The suspension was terminated on July 24, 1961, after a monetary settlement of about $1.5 million with the Department of Justice, and within a few weeks they were back in again with another Government contract wherein the Government was the loser.

These same companies against whom civil fraud actions had been filed—companies who had been suspended from participating in any program that was financed by the Commodity Credit Corporation—were now back in business as a preferred supplier to the Government. It was these same firms who received contracts to supply 87 percent of the 400 million pounds of oils that the Government was buying in October and December 1961.

Should anyone have been surprised that the Government again was the loser on about $70 million worth of rancid oil.

Practically all of the oil purchased from these disreputable sources is either lying in domestic warehouses or at ports throughout the world, deteriorating.

I conclude with this summarization:

First. This 500 million pounds of oil was bought by the Department of Agriculture under the excuse that the Government was trying to support the soybean market, but the facts are that at the time the purchase was authorized soybeans were already selling 50 cent per bushel above the support price.

Second. Another excuse was that the 500 million pounds of oil was needed to meet our requirements under the food for peace program. The record shows that at the time the purchases were made they had estimates for no such amounts nor did such requirements ever develop.

Third. The bulk of the purchases were made from disreputable companies who had already been barred from the list as being eligible to participate in any program financed by the Commodity Credit Corporation.

This is a further example of what happens when an agency gets too much money, and it points up again the need for Congress to launch a full-scale investigation of our disposal of these agriculture commodities under Public Law 480 and our food for peace program.

I have received from the Scarburgh Co. a communication in which they explain their company's participation in this program. At their request, I ask unanimous consent that their statement be printed at this point in the CONGRESSIONAL RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The letter is as follows:

NEW YORK, N.Y.,
August 16, 1963.

Hon. JOHN J. WILLIAMS,
Senator From Delaware,
New Senate Office Building,
Washington, D.C.:

The facts which we (Scarburgh Co.) respectfully submit for your consideration regarding Scarburgh's participation are as follows:

1. Of the total CCC vegetable oil and shortening program of approximately 1 billion pounds, Scarburgh provided 14,570,000 pounds—3.64 percent of the last 400,000 pounds contract to which you specifically refer. This is the only business done by Scarburgh with the CCC at any time.

2. Neither at the time the tender for this oil was submitted nor at any time since has Scarburgh or any affiliates been barred from doing business with the CCC or with any agency of the U.S. Government.

(ADDED NOTE: They were reinstated July 24, 1961.)

3. Of the 14,570,000 pounds supplied by Scarburgh, 2,570,000 pounds were in 5-gallon tins and 12 million pounds in 1-gallon tins. There were no complaints regarding the 5-gallon tins. Of the 1-gallon tins, a maximum of 3 percent were alleged to be stained or damaged. Although these tins were certified as acceptable by USDA inspectors both at the time of packing and later on receipt at warehouse, the packer negotiated with the USDA and where necessary repacked and provided new containers at no cost to the U.S. Government.

4. Scarburgh's responsibility ended with the delivery of the oil to the CCC but Scarburgh is unaware of any complaint being made at any time by any consignee regarding the condition of the oil which had been provided.

With sincere thanks.

SCARBURGH CO., INC.

MONTANA CENTENNIAL

Mr. METCALF. Mr. President, Montana, the Treasure State, is in the process of preparing for its territorial centennial in 1964. In connection therewith, Jeanne Beaty has written an excellent article which was carried in the New York Times on Sunday, August 11, 1963, entitled "Montana Girding for Its Centennial."

The article points out the use by the territorial centennial commission of the 78-year-old Governor's mansion which was abandoned in 1959, and the restoration of it as a museum by the Montana Historical Society in connection with the centennial. This three-story brick structure was erected as a private residence in 1885 at an estimated cost of $85,000. After being sold to the State in 1913, it was used as the Governor's mansion until 1959 when it was abandoned for a more modern structure two blocks from the capitol building.

Other centennial plans include participation in the Tournament of Roses Parade in Pasadena, California on the first day of 1964.

Also set to go is an expedition of 300 cowboys, Indians, musicians, State officials and other representatives by train to the New York World's Fair in early April. The schedule consists of a 2-day stopover in several cities, including Washington, and a presentation of rodeo tricks, Indian dancing, parades and the like at each stop.

Exhibit cars containing a display of paintings and bronzes by Charles M. Russell and other Montana artists, a sports and travel show and an exhibit of fish and wildlife by the State fish and game commission will be included in the train on this eastward journey. These will be left behind as part of the Montana exhibit at the fair, the second day of which—April 23—has been set aside by the fair officials as "Montana Day."

Other centennial events include an Indian powwow by the Blackfeet Tribe at Browning, Mont., a logging competition at Libby, an air show at the Air Force Base in Great Falls and several musical events including an opera by Arthur Nevin about the Blackfeet Indians.

A pageant, entitled "The Montana Story" and including a cast of several hundred will be presented in 12 different Montana communities.

All these events, which point to the biggest powwow the West has ever had, are set forth with greater detail by Miss Beaty in her article.

Mr. President, also at this time, on behalf of the people of Montana, the senior Senator from Montana [Mr. MANSFIELD] and myself, I would like to extend to all my esteemed colleagues in the Congress, an invitation to visit the "Land of the Shining Mountains" during the centennial next year, and to attend "Montana Day" at the World's Fair in New York City on the 23d of April 1964.

Mr. President, I ask unanimous consent that the August 11 article from the New York Times be printed at this point in the RECORD.

There being no objection the article was ordered printed in the RECORD as follows:

MONTANA GIRDING FOR ITS CENTENNIAL

(By Jeanne Beaty)

HELENA, MONT.—An old house that has stood empty for 4 years is once again a center of activity in Montana's capital city. Abandoned in 1959 as the Governor's mansion, it has been reopened as the headquarters for the commission appointed to coordinate activities during next year's Territorial Centennial. It is also on its way to complete restoration as a museum.

The State is losing some of its finest old mansions and buildings to interstate construction and commercial ventures. As a result, the Montana Historical Society, in connection with the centennial celebration, has started to rehabilitate the old Governor's mansion. Private donations of money and furnishings are aiding the society's cause.

An open-air, motorized train, The Last Chancer, which tours points of historical and cultural interest in Helena during the summer season, now stops at the old mansion four times a day. Tourists thus will have a chance to see not only an old frontier home but also the commission at work.

THREE-STORY STRUCTURE

The three-story brick and terra cotta structure was erected as a private residence in 1885 at a cost of approximately $85,000. It was sold to the State in 1913 and, after serving a succession of Governors for 46 years, was abandoned in 1959 for a modern mansion. The latter is two blocks east of the capitol.

The ornate interior woodwork is still in good condition. The woodwork in one parlor is mahogany; in the other one, it is cherry. The house has 7 fireplaces and 20 rooms.

Restoration of the front parlor is now complete, and it contains an estimated $30,000 worth of antiques. The most interesting accessory here is a kerosene lamp hung as a chandelier. The parlor is open to the public.

Other downstairs rooms, including the dining room, which is paneled in elephant hide, serve as offices for the chairman of the centennial commission and for a representative of the Rogers Co., of Fostoria, Ohio. The company was hired to give professional assistance.

By the time Montana became a territory on May 26, 1864, it already was something of a haven for Southern sympathizers. Resentment of Federal authority was evident among large groups of Montanans. The Virginia City newspaper customarily referred to the rest of the Nation as "America," and once spoke of an expedition down the Yellowstone River as "weighing anchor to sail to America."

While a residue of this feeling can still be detected in the State, the centennial commission is planning to send two expeditions out "to America" next year. Their purpose is to spread an interest in the anniversary and in Montana as a recreation area.

The first of these involves participation in the Tournament of Roses parade in Pasadena, Calif., on January 1.

The second expedition will consist of a trainload of cowboys, Indians, musicians, State officials, and other representatives. They will head east from Billings on April 5, 1964, with the New York World's Fair among their destinations.

TRAIN ROUTE

The train's route will take it through Omaha, Kansas City, St. Louis, Louisville, Cincinnati, Washington, Baltimore, Philadelphia, New York, Pittsburgh, Cleveland, Chicago, Milwaukee, and Minneapolis. The schedule includes a 2-day stopover in each city for parades, Indian dancing, rodeo tricks, and the like.

Fair officials have set aside April 23, the second day of the exposition, as Montana Day, and have arranged for the train to be parked near the fair's administration building. Exhibit cars containing a display of paintings and bronzes by Charley Russell and other Montana artists, a sports and travel show and an exhibit of fish and wildlife by the State fish and game commission will be aboard the train during its journey eastward. They will be left behind as the Montana exhibit at the fair.

All the space on this train, which has a capacity of 300 people and 60 horses, already has been sold out.

In addition to the attractions that the State regularly turns out for the summer visitors, special events already on next year's calendar include an air show, "From Kitty Hawk to the Moon," at the Air Force Base at Great Falls; an Indian powwow at Browning, headquarters for the Blackfoot Tribe, a logging competition at Libby, lumbering center of the State, and several musical events.

Three musical festivals are being planned under the direction of a former dean of the school of fine arts at Montana State University. In addition, the university will help stage the U.S. premiere of an opera, "Poia."

BLACKFOOT LORE

The opera, which was written in the early 1900's, is about the Blackfoot Indians. Its composer, Arthur Nevin, brother of the more celebrated Ethelbert, spent some time among them and based his work on the folklore he collected. The opera will be presented in an outdoor setting in Blackfoot country next July.

The Rogers Co. has charge of staging a pageant, "the Montana Story." It will be presented in 12 different Montana communities during the year. The pageant is described as a historical spectacle, with a cast of 500 to 1,000.

Meantime, visitors to the State this summer will find a preview of next year's activities at Virginia City. The old mining town is celebrating its centennial this year.

TRIBUTE TO ARCHBISHOP JOSEPH STROSSMAYER

Mr. SCOTT. Mr. President, Slavonic people in general and the Croats in particular hold in great esteem the memory of the well-known Archbishop Joseph Strossmayer, who has been mentioned by historians in connection with the Vatican Ecumenical Council. The council will reconvene in the near future because of the decision by Pope Paul VI to carry on the great work begun by the late John XXIII.

Archbishop Strossmayer was greatly admired by many Americans almost a century ago. His activities are described in an article by Mr. John C. Sciranka, an American-Slovak journalist who often writes on the Slavonic nations and their history. I ask unanimous consent that Mr. Sciranka's article be made part of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ARCHBISHOP JOSEPH STROSSMAYER ENDEARED HIMSELF TO AMERICANS A CENTURY AGO

(By John C. Sciranka)

With an opening of a second session of Vatican Council on September 29, 1963, by Pope Paul VI, American bishops will again meet in the Eternal City for this historical conclave begun by the late Pope John XXIII.

In this historical year of the 11th centenary of arrival of SS. Cyril and Methodius to what is now Slovakia, a tribute should be paid to the famous Archbishop Joseph Strossmayer of Croatia, now Yugoslavia, who endeared himself to our Americans almost a century ago.

His great work was begun under the pontificate of Pope Pius IX, who summoned the First Vatican Council and whom the Slovaks remember as being most generous to them by elevating two of their worthy sons to the dignity of cardinals: Alexander Cardinal Rudnay and the other is the eminent George Cardinal Haulik, whose full name is de Várallya and who was born in Trnava, better known as Rome of Slovakia in 1788. He was consecrated bishop in 1837 and became first archbishop of Zagreb, the capital of Croatia, and predecessor of famous Cardinal Stepinac in 1853. He was made cardinal by Pope Pius IX in 1856. Haulik also became a bán, which title equals to Governor of Croatia. He is known as a great philanthropist, who established many cultural and educational institutions in Croatia, which even now benefit the entire Yugoslavia. He also established many scholarships which aided the poor students.

In 1850 and 1853, three volumes of his literary works entitled "Selections Encyclicate Litterae et Dictiones Sacrae" were published in Vienna.

Cardinal Haulik died in 1869 and Croatia remembers him as its greatest adopted son and leader, who enriched the nation's history and raised many of its young leaders from obscurity to a place of prominence.

The third eminent leader in our reflections is the famous Archbishop Joseph George Strossmayer, born at Essegg in Croatia-Slavonia on February 4, 1815. He came from a family of German peasants who had immigrated to Croatia and settled in Diakovar, where their son later became bishop. Strossmayer studied in Budapest seminary, where he obtained the degree of doctor of philosophy when only 20 years of age. In 1838, he was ordained priest and for 2 years was vicar at Peterwardein. The Catholic Encyclopedia lists his rich career. We cite briefly that in 1840 he went to the Augustineum at Vienna and in 1842 obtained the degree of doctor of theology, and was then made professor at Diakovar. In 1847, he became court chaplain, prefect in the Augustineum, and professor of canon law at the University of Vienna. On November 18, 1849, when Europe and especially Slovakia had revolutions, he was appointed bishop of Diakovar, and was consecrated on September 8, 1850. At the same time, he was apostolic administrator of Belgrade-Semendria in Servia. In 1898, Pope Leo XIII conferred the pallium upon him.

At the Vatican council, summoned by Pope Pius IX, he was one of the most notable opponents of papal infallibility, and distinguished himself as a speaker. The Pope praised Strossmayer's "remarkable good Latin," writes Klemens Loffler, his biographer for the Catholic Encyclopedia, and continues that "a speech in which he defended Protestantism made a great sensation." Afterward another speech, delivered apparently on June 2, 1870, made him internationally famous.

Strossmayer was admired by our American bishops and endeared himself especially to then the youngest bishop at the Vatican council and later famous Cardinal Gibbons.

Strossmayer issued a famous pastoral letter on February 28, 1881, on SS. Cyril and Methodius, whose 11th centennial we are now observing. It was through his influence that Pope Leo XIII issued his famous "Grande Munus" encylical on September 30, 1880, during the third anniversary of his pontificate on the important mission of SS. Cyril and Methodius. At that time, Strossmayer expressed his devotion to the papal see and his submission to the Pope, according to historians "in extravagant language."

Strossmayer was a great Panslavist and admirer of famous Ján Kollár, a Slovak leader and archpriest of Panslavism. They met in Budapest, where Strossmayer studied and Kollár was a Lutheran minister. Strossmayer was an active supporter of the Croatian National Party and Panslavism. He exerted himself to advance his people in civilization, yet he strengthened national hatreds by his political agitation, which should be a lesson to us even now. He used the large revenues of his diocese to found primary schools, a seminary, the Academy of Southern Slavs, now known as Yugoslavia at Agram, in 1867, the university in 1874, and a picture gallery also at Agram. Under his direction, Augustin Theiner edited the "Vetera monumenta Slavorum meridionalium" in 1863.

During 1866–82 he built a fine and splendidly ornamented cathedral. He sought to win the Serbians who were not Uniats for Rome by the use of the Old Slavonic liturgy, which is still used in Croatia.

Strossmayer was loved and admired by the American Slovak leaders, namely Father Furdek and Peter V. Rovnianek. The latter met him personally as a student in Vienna and later proposed that Archbishop Strossmayer and famous Slovak historian, Rev. Dr. Francis V. Sasinek, be honored by the National Slovak Society of U.S.A., which bestowed honorary membership on both. This is recorded in the annals of this oldest Slovak organization in America. The society held its most successful 23d national convention in New York City during the week of September 2, 1962.

Considering the fact that Pope Pius IX elevated two Slovaks, Archbishops Haulik and Rudnay as cardinals, also that he was the predecessor of the famous Cardinal Stepinac, known as martyr of our era under communism; further, that Archbishop Strossmayer played such a great role during the Vatican Council almost a century ago and advocated the cause of SS. Cyril and Methodius, therefore, these great leaders are remembered by us and will continue to be remembered, we are certain, even by the future generations.

Archbishop Strossmayer died on April 8, 1905. His death was mourned by all the Slavs for it was through his great oratory and love for SS. Cyril and Methodius that in 1861 over 80 million Slavs observed their millennium.

SENATE INQUIRY ON NUCLEAR TEST BAN TREATY

Mr. McGEE. Mr. President, too often in the course of history we see instances of the progression of facts and circumstances and the stalemate of ideas. In our debates on national issues we often apply the cliches of yesterday to the problems of today.

Mr. President, in the Washington Post of August 11, Chalmers M. Roberts presented a very refreshing example of the ability to confront the issues of the test ban treaty in today's terms. I ask unanimous consent that this article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Senate's Rare Chance To Advise

(By Chalmers M. Roberts)

The immediate object of the Senate inquiry beginning Monday on the nuclear test ban agreement is to provide information on which the Senate can decide whether to advise and consent to the treaty.

But if the committee hearings and the subsequent debate on the Senate floor are truly to fulfill the legislative responsibility the discussions should turn to the broad backdrop for the treaty—the cold war itself.

It has now been more than 17 years since Winston Churchill coined the phrase "Iron Curtain" to describe the line Josef Stalin drew down the center of Europe once he decided to end the wartime coalition with the Western Powers.

In the subsequent years the world has moved toward the brink of catastrophe more times than one can count. Yet less than 10 months after the most hair raising of all these crises, the Senate is now asked to give its consent to a treaty with the Soviet Union.

It is this seeming turnabout by the Kremlin, one of many in the 30 years since the United States recognized the Soviet regime, which raises doubts in many a senatorial mind. And legitimately so.

But to cite only the record, to say only that the Soviet Union has broken 50 of 52 agreements, as Senator Barry Goldwater said the other day, is not to get at the root of the matter. Change is the law of life and vast changes have been taking place both within the Communist bloc and in the Soviet Union itself.

What the Senate should most profitably do, then, is to examine the Communist attitude. It should consider not just Communist slogans and the ideological writings but the realities of Communist life. It should try to produce an American understanding of how the Soviet leaders, the satellite leaders, and the Red Chinese leaders understand today's nuclear facts of life.

In short, the Senate should explore the realpolitik of communism which has led to the Sino-Soviet break, to the increasing polycentrism in the rest of the Communist bloc and to Nikita Khrushchev's decision to accept a limited test ban treaty which he had previously rejected.

But all of this, however useful it would be for the Senate and the Nation, is only half the task. The other half is to do what President Kennedy, in his American University speech of June 10, advised Americans to do: "Reexamine our own attitude—as individuals and as a nation—for our attitude is as essential as theirs."

The President called for a reexamination of American attitudes toward the possibilities of peace, toward the Soviet Union and toward the course of the cold war.

A wise observer commented the other day that those who worry over the test ban suffer from either a Pearl Harbor psychology—fear of creating a situation in which the Soviets could gain the power for a sneak strike at the United States—or a Yalta psychology (fear of being doubledealt in a treaty which we would live up to but which they would not keep).

These are indeed deep-seated American fears not confined to Senators. But are they valid today? Is the nature of today's weaponry, or tomorrow's, such that one side can gain sufficient advantage over the other to pull a nuclear Pearl Harbor?

Is it really true that the Soviets have broken 50 of 52 agreements? What has been the fate of the Austrian treaty, the last East-West agreement and the only one prior to the test ban in which Khrushchev played the leading role on the Soviet side?

It might be worth while to consider Soviet psychology, too. A number of Senators are concerned about the "overkill" issue. They might consider how that looks from the Kremlin's viewpoint. It would be worth examining action and reaction between Moscow and Washington in the postwar years of the arms race.

It might be well, too, to examine the growth of polycentrism in the Atlantic Alliance as well as in the Communist bloc. Have we accepted the fact of Western European economic and political maturity any more than we have accepted the fact of a Soviet Union changing from a have-not, underdeveloped nation to the category of an advanced technological nation whose citizens at last see the possibility of the affluent society?

There are endless ways to go about such explorations of the new circumstances of life in today's world. But the central point is that the U.S. Senate will not be doing its duty unless it does explore them. A lot of people have said that the Senate has abdicated its responsibility. Here is a major opportunity for Senators to live up to the best traditions of their great institution.

SO-CALLED LIBERTY AMENDMENTS TO THE CONSTITUTION

Mr. McGEE. Mr. President, on several occasions I have addressed myself to the inability to face up to reality evidenced by those who swallow the political snake oil peddled by those who claim that they, and they alone, have discovered the solution to all our problems.

Such a panacea is the so-called liberty amendment which in one action not only relieves us of the necessity of paying income taxes but solves as well all other of the economic problems that plague us.

Mr. President, the Laramie Boomerang, an excellent newspaper in my hometown, recently carried an editorial which exposes the liberty amendment for the pipedream that it really is. I ask unanimous consent that this editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Laramie Boomerang, July 28, 1963]

DOWN WITH THE UNITED STATES

Half a dozen States have approved the so-called liberty amendments to the U.S. Constitution, which would abolish the Federal personal income tax and other levies while prohibiting the Government from competing with private business.

These proposals also have been introduced in Congress in hope the amending process might get started there.

When the States initiate a constitutional change, two-thirds of them must approve before Congress goes into action. Wherever a measure begins, it ultimately requires endorsement by three-fourths of the States.

The amendment that would eliminate the U.S. personal income tax plus levies on estates and gifts is framed so that it would not take effect unless and until the companion plan was already approved—the removal of the Federal Government from private competition. A 3-year gap between effective dates is provided.

The notion here is that savings resulting from this latter action, and the predicted rise in business earnings with parallel gains in business tax revenues, would be an important offset to the revenue losses incident to ending the personal levies.

Yet there is no contention that the offset would be more than partial. Drastic budget cuts would be required to bring the budget ino balance and produce a surplus.

The proponents of the liberty amendments make no secret of it. They would chop $23 billion out of defense. They would wipe out all foreign aid and other "international" outlays to the tune of more than $2.5 billion. And they would slash $2.1 billion from "natural resources," which include atomic energy outlays.

From agriculture expenditures they would peel off $5 billion, from welfare costs some $4.3 billion, from "commerce and housing" another $2.5 billion.

The question Americans must ask is: Just how realistic are the prospects that such cuts could be made?

Leave out of account the proposed slash of some $12 billion from various Federal activities in the domestic field. These of course would affect materially the lot of the U.S. farmer, the growth of our cities, the handling of our underprivileged.

The really stunning blow is to defense and atomic energy. Today outlays in these areas run between $50 and $60 billion. It is being suggested that they be reduced by half.

What kind of Military Establishment would this leave us? What would this do to our effort in the nuclear arms competition? The effect could hardly be less than catastrophic.

Yet many of the same people who favor the liberty amendments not only want the United States strong militarily, but demand that it undertake the conquest of Cuba and other foreign adventures where Communists are pressing hard.

The 3-year Korean war, not exactly a massive conflict, added $11 billion to the Federal debt above and beyond outlays which could be offset by tax revenues. Costs are higher today.

Set against the harsh facts of life in 1963, the liberty amendments must surely strike most Americans as the sheerest fancy.

U.S. TRAVEL SERVICE

Mr. McGEE. Mr. President, in recent years many of the world's people have come to believe, quite unfairly, that the American citizen is a very materialistic person who is neither gracious nor kind but concerned only in his material well-being.

An excellent means of erasing that impression is a visit to this country and I would like to commend the U.S. Travel Service for its very effective job of encouraging foreign visitors to these shores. Of course, the fact that these visitors at the same time ease the balance-of-payments problem and contribute to our local economies is another reason to praise the work done by the Travel Service and its enthusiastic and effective Director, Mr. Voit Gilmore.

Mr. President, the Washington Sunday Star carried an excellent interview with Mr. Gilmore that describes just how the Travel Service is benefiting the Nation and I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FOREIGNERS LIKE OUR COWBOYS, INDIANS

(By John Sherwood)

Our national parks, Disneyland, and cowboys and Indians are among the big attractions for the oversea visitor. Voit Gilmore, Director of the U.S. Travel Service, said yesterday.

Comparing the first 6 months of 1961 (when the Travel Service was organized) with the same period of 1963, travel from overseas to this country jumped 49.2 percent, Mr. Gilmore said in a copyrighted interview with the Washington Star, the Detroit News, Newark News, and the St. Louis Post-Dispatch.

He said the Travel Service apparently has helped cut into the dollar outflow, although foreign travel for Americans is increasing all the time. In 1962, for instance, the travel dollar represented two-thirds of the $2.4 billion deficit.

DISTRACTED BY NOISE

Mr. Gilmore noted that foreign visitors seem astonished at the poor housekeeping in our cities and are sometimes distracted by the noise and hustle.

On the other hand, they praise the hospitality, our national wonders and parks and supermarkets. San Francisco is the city they want most to visit again.

The European does not spend as much money here as does the American going abroad, but there are better travel bargains in this country, according to Mr. Gilmore.

He mentioned the ninety-nine-dollar 99-day bus travel package and an automobile firm that is preparing a bargain package with a motel chain to provide transportation and lodging.

TEXT OF INTERVIEW

Following is the transcript of the interview:

"Question. Mr. Gilmore, your U.S. Travel Service has been in existence now for almost 2 years with the twin hope of bringing more people into this country to spend their money, and winning new friends for the United States. How are you doing?

"Answer. We are very proud of the results. In the first 6 months of 1963, travel from overseas to the United States is up 49.2 percent over the 6 months of 1961 which immediately preceded the establishment of U.S. Travel Service.

"Question. How does that translate into numbers of visitors here?

"Answer. In the first 6 months of 1963, this meant 331,464 oversea visitors. The average visitor stays an average of 17 days and spends $375 over and above the cost of his transportation here and back."

EUROPEANS SPEND LESS

"Question. Does the European spend more over here than the American does when he goes to Europe?

"Answer. No, he does not. Interestingly enough, we are finding that through private enterprise the visitor is getting better travel bargains here than the U.S. visitor gets in other countries.

"There have been incredible rates offered in this country to the visitor from abroad. To cite examples, the $99 99-day unlimited travel package that the two major bus companies are offering; a similiar 30-day offer by some local airlines; the major hotel chain that offers a $6-a-day lodging, two persons to a room.

BREAK-EVEN POINT

"Question. Has your program had a good effect on the balance-of-payments problem?

"Answer. It has. Americans are traveling abroad at an ever-increasing rate. Without such a program, we would have an even more critical problem in connection with the dollar outflow. Except for foreign aid and military spending abroad, the U.S. travel dollar represents the greatest drain we have. In 1962 it represented two-thirds of the $2.4 billion deficit.

"Question. The travel imbalance was $1.4 billion. Do you anticipate a time in the future when we might break even?

"Answer. We hope for the day, but we don't see it.

"Some knowledgeable economists say that in the next 2 decades travel is going to be the world's biggest business. Americans are still going to constitute a very large share of the international market, but remember the rest of the world is gaining on us in income and purchasing power. Their desire to travel can give us a tremendous market that we have just barely tapped.

"Question. Are these people from other countries who visit the United States generally happy about their travel experiences here?

TASTES SURPRISE

"Answer. Yes. We make a survey of people in major markets for U.S. travel before they come here, and then after they have left. Some things that we thought would be popular turned out not to be so.

"Question. Can you give some examples?

"Answer. Well, major cities. The desire of visitors to spend a lot of time in cities is not nearly as great as we had supposed.

"They want to get out and see all of our country—the natural wonders like Niagara Falls, the Grand Canyon, and even Disneyland. You must remember that most of these people come from terribly overcrowded parts of the world. Arizona is about the size of Great Britain, yet Great Britain has 53 million people and Arizona has only 1 million.

"Surveys we have made of departing visitors have given us interesting insights.

"For instance, before people come over to the United States the city they want most to visit is New York, and afterwards it is San Francisco they want most to return to.

"The thing that is most consistently objected to is the noise, dirt and hustle of the American city. They seem astonished that we take such poor care of our cities.

"The thing that impresses them most is the genuine hospitality of the American people. One person said, 'I think the difference between an American when he gets out from behind the counter and when he is in front of the counter is tremendous. There seems a sense of hostility when the man is behind the counter, but when he is in the street, and I am lost, or wish to change my money, the American is the most hospitable man in the world.'"

ORIGIN OF VISITORS

"Question. Obviously our visitors must come from the more prosperous countries? Are we getting many visitors from Africa?

"Answer. The U.S. Travel Service didn't go abroad until we had surveyed our real potential. This survey resulted in our establishing overseas offices in London, Paris, Frankfurt, Rome, São Paulo, Bogotá, Mexico City, Sidney, and Tokyo. Out of these 9 offices we serve 45 countries.

"We find that working out of these offices we are tapping some countries that are proving valuable. Venezuela, for example, which we serve from our Bogotá office, produced 24,000 visitors in 1962.

"Africa is not productive. Less than 2 percent of the visitors to the United States are coming from the African republics. We would welcome more. We constantly stress that they will be welcome and be treated with great American hospitality.

"Question. The tourist traditionally is a sucker who is vulnerable to sharpsters wherever he goes. Is this a problem for you?

"Answer. Well, there are two basic factors working for us on that. First, the innate honesty of the American. As an example, the customs section of the Treasury Department now accepts at Honolulu and Miami and Idlewild the oral declaration on customs. That means the inbound traveler, be he American or foreign, who has anything dutiable to declare is taken at his word.

"Customs declarations are holding about steady, despite the fact that this would increase the opportunity for travelers to fudge a bit on their statements.

"Second, we have found there is a particular inclination by Americans who handle visitors from overseas to take a little bit of extra care of these people.

"Question. Has your program had any added benefit in encouraging Americans to see more of their own land?

"Answer. The answer, of course, is we distribute our literature abroad. As a result, not many U.S. citizens have seen it.

"We are finding that as we enlist the interest and the help of Americans in this program, both in the travel industry and the general public, they are becoming fascinated by what the foreign visitor is finding of interest in this country.

"It is frequently encouraging Americans to go out and explore things that they haven't shown an interest in before. As we said, the American now finds that he is the picturesque native other people want to take pictures of.

"As an example, we had a fascinating poster of a Maine lobsterman. Foreigners turn up with that picture, and want to meet that man. We have an Indian on a poster from Wyoming. Visitors don't want to meet just any Indian, they want to meet this one from Thermopolis, Wyo."

INDIANS ARE GREATEST

"Question. Are they surprised when they see these Indian reservations for what they actually are?

"Answer. We know this, they still think the Indians and cowboys are almost the greatest thing in the United States.

"In May we had a group of 130 Italian textile people. They had to see Indians. This was an absolute requirement. So, they were booked into the Cherokee Reservation in western North Carolina.

"Their itinerary, prepared by an Italian travel agent, said: 'On Tuesday we will visit a supermarket in Asheville, N.C., and push our own carts through the supermarket and buy our own rolls and hotdogs. We will then go back aboard the bus and go to the Indian reservation at Cherokee, and we will cook our own hotdogs and rolls, and watch the Indians dance.' This was the highlight of the whole trip.

"Question. How much is your current budget?

"Answer. The budget for fiscal year 1963 was $3.35 million. That was for everything, including a total of 69 employees.

"That is less than several cities' budgets to promote travel. The most encouraging thing is the fact that private enterprise has added, since we came into existence, at least $7 million a year in new advertising money backing up the "Visit U.S.A." campaign.

"U.S. air lines, steamship companies and railroads in many cases have doubled or tripled efforts to bring people here.

"In the past, the lack of detailed knowledge overseas about travel in the United States has been serious. For example, we found many travel agents who couldn't tell people how to get from Washington to Mount Vernon. Now, they have this sort of information in depth—what is the schedule of ski lifts in Mount Rose in Nevada—and this alone has made selling travel to the United States a 500 percent easier job than it was before."

TWO MAJOR POINTS

"In this business of attracting more visitors from abroad two things should be said.

"First, in objective market studies in principal countries, we have found that more people would rather come to the United States than to go to any other destination. Second, they immediately counter that by saying they think it is either too far or too expensive.

"We are trying to overcome this. In helping to overcome this, we have got this great thing of American enterprise.

"One automobile firm is now putting together a package with a major motel chain so that for a fixed price per day a person will not only have an automobile, but all his lodging covered, and yet be completely independent, which is what they like to be."

BIGOTRY OF CHRISTIAN CRUSADE AGAINST COMMUNISM

Mr. McGEE. Mr. President, last year I was pleased to place in the RECORD an incisive series of articles on the extreme right wing that appeared in the Oklahoma Courier, a Catholic newspaper published in Oklahoma City.

The type of know-nothing hysteria that is generated by the apostles of hate and discord is even further revealed by an article that appeared in the August 9, 1963, issue of this newspaper.

I am sure that most people who read this article will be dismayed at the hatred and bigotry displayed by the followers of this movement and amazed at the credulity of those who take such pride in their lack of faith in their country and the democratic system.

Mr. President, I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A CHRISTIAN CRUSADE

(By Stanley Twardy)

It could, and perhaps it should have been billed as the greatest show on earth. Instead, it was called the Fifth Annual Convention of the Christian Crusade Against Communism. It was held this weekend in Oklahoma City's Skirvin Hotel.

Somehow, the crusade struck me as being neither very anti-Communist, nor very Christian. But a crusade it was—against reason, commonsense, respect for the President and Congress of the United States, and the vast majority of Christian churches of all denominations, which, according to some of the speakers, if not always Dr. Billy James Hargis himself, had become "traitors and tools of the international Communist conspiracy."

I found it difficult to believe that supposedly sane people could be brought to the verge of frenzy by assertions that four Communists in succession have been Presidents of the United States. The audience obviously believed that the only true patriots left in America today are Dr. "Billy," ex Gen. Edwin Walker, Robert Welch, and the adherents of the John Birch Society, the Christian Crusade, the mushrooming organized Friends of General Walker, and some other rightist organizations.

The crusade was not the greatest show on earth, but it certainly struck me as the most sickening exploitation of religion for fund raising and the cause of extreme rightwing political lunacy. During the 3 days I was exposed to the top brass of the self-styled superpatriots I found out that they are almost to the man opposed to every institution of organized government.

While paying lip service to democracy, they struck me as being just as fanatic and dangerous to freedom as Communists. They seem to be equally determined that they alone know what is good for America and are bent on imposing their extremist views on the country; by constitutional means if possible, by force and violence if necessary.

They see Communist spies and agents secreted in all the attics, closets, and drawers of the White House, the State Department, the Pentagon, the Central Intelligence Agency, American churches, newspapers, and civic organizations. The only thing that eluded me almost completely after all their vituperation was the discovery of what exactly do the superpatriots stand for, and what they would do after throwing out Kennedy, and the U.N., invading Cuba, and atom bombing Russia and China. That is, if they were still around to do anything.

By misrepresenting their nauseating spectacle of calumnies, wild charges, and unsubstantiated smears as anti-communism, these superpatriots could not do more to help communism than if they were paid agents of the Kremlin. It was clear to me that genuine opposition to communism was being discredited and ridiculed by these rantings, and responsible anti-Communists forced to shun these self-styled crusaders like pest.

Although Dr. Hargis told me that ex-General Walker is not formally associated with the crusade, the former paratrooper clearly dominated the entire anti-Communist gathering. I got my first glimpse of him at a press conference where the twitching, bleary-eyed ex-soldier took a defensive position before a battery of TV and newspaper cameras. Photographers have not always done justice to the general's martial postures, and an associate explained that flashbulbs and strobe lights "drive him crazy."

Mr. Walker sees the triumph of communism epitomized in "that man Kennedy" and in the Negro "troublemaking and agitation."

"The best thing for the niggers, for their own good, is to be separated," he says. He thinks that President Kennedy's civil rights bill now before Congress is a piece of "Communist legislation," and that the President and his three predecessors in office were all Reds. After Kennedy and "niggers," the greatest menace to America, according to Mr. Walker, is Walter W. Rostow, the State Department's chief policy planner. "I reserve the right to call him a traitor before I call him a Communist," the ex-general screamed from nearly bursting lungs. The audience roared, cheering and applauding.

The Congress of the United States fared only a shade better when the super patriot sneered that "these turncoats deserve your pity." He poured out a bleeding heart for the Armed Forces, which are being "dismantled and rendered ineffective by the contemptuous Kennedy brothers and sadistic Harvard associates who are the temporary administrators, but not the Government of the United States."

The ex-general lashed out in the same breath against Castro, Dwight Eisenhower, and John F. Kennedy. "Any idiot can be President. Only give him a brother. Look at Raoul, Milton, and Bobby," he said. The audience went wild. "The Supreme Court," Mr. Walker said, "is a tool of communistic and atheistic conspiracy to destroy America." More cheers followed.

Ex-General Walker also singled out psychiatrists as a great menace to the United States. Referring to the doctor who questioned his own sanity and sent him to a mental hospital, the ex-soldier shouted angrily "this man's father was born in Russia, and you know what that means." Mr. Walker also charged that military psychiatrists are making heroes out of beatniks, undermining military discipline, and restricting "patriotic activities" of servicemen. He described the military psychiatric service as a conspiracy.

"It is a miracle that he got away from them," a reporter murmured in the press gallery.

As a cure against treason and psychiatrists the former soldier recommended "hard-hitting brainwashing, I would call it a mental massage." He wants to prepare the platform for more patriotic Americans as candidates for the Presidency. He lambasted the Rockefellers, the Nixons, and the Kennedys, but declined to name his own candidate; nor would he say if he personally would run for the Presidency.

In contrast to the fighting demagoguery of Edwin Walker, Robert Welch, the avuncular founder and director of the John Birch Society, sounded like a retired candy salesman (which he is) giving a travelogue to his hometown folks.

Peppered by poisonous comments about the Kennedys, the Eisenhowers, and the Trumans, the important message Mr. Welch brought to the audience was that "all governments are stupid," and that "the tendency of increasing swollen, overextended government constitutes the greatest tragedy of the 20th century."

He said that governments led people to war, but Christians should have no scruples about exterminating Communists, because "if they are truly Communists, they cannot be thought of as being human beings." The prologue of the Welch travelogue was that America is now "the most hated nation on earth." Throughout it all Mr. Welch was fumbling in his pockets to find anecdote No. 16, and he almost repeated twice the anecdote on card No. 8 "The reason I seem so confused is that I am confused," he told the audience.

But the audience was patient with its hero. A handful of people marched out in disgust. Even ex-General Walker got tired listening to the rambling speech, left and nervously paced the hall.

As a public speaker, Robert Welch, the mastermind behind the extreme right wing in America, was singularly ineffective. But the storehouse of good will which his organization commands with the "Christian" crusaders was more than enough to compensate for his fumbling, bumbling, and mumbling from the rostrum.

After the meeting I shook hands with Mr. Welch, because it is not every day that I have an opportunity to meet such a character. But before he allowed himself to be photographed with me, Mr. Welch glimpsed my lapel button. "A Catholic newspaper," he said. "We have many Catholics in our movement." I thought how unfortunate it was that his lunatic fringe had succeeded so well where the teachings of Christ had failed to make any inroads.

The Alice in Wonderland stories and economic theories of ex-Maj. George Racy Jordan kept the audience in raptured suspense. He told how he single-handedly tried to prevent the Russians from robbing the United States blind during World War II, and how, on orders from "traitors in Washington" he delivered to Russia uranium to build the first Soviet atom bomb, and money plates so the Soviets could print their own dollars to buy American goods. The adult audience listened spellbound.

Mr. Jordan said that the United States should isolate itself from all the "begging communistic and atheistic countries" and that America should make sure that only U.S.-made goods and especially American-mined gold from California is sold in this country.

"This international do-goodism is ruining this country and Americans are sure as hell getting fed up subsidizing Moscow by buying Russian gold and storing it at Fort Knox for General de Gaulle and other foreign creditors." Mr. Jordan thinks that the price of gold should be set at between $90 and $100. Before isolating America from the rest of the world, he suggests, "we better throw the U.N. out of this country." He points to himself as an example of how a loyal American was used by the Roosevelt administration to perpetrate treason while in uniform and under military discipline.

I was frankly surprised to find a man like ex-Gen. Richard Moran associating with the maniacal rantings of ex-General Walker, the sometime preacher Dr. Poling, and the inimitable ex-Major Jordan. But here he was in flesh and blood, the one-time associate of Gen. Mark Clark, one of the first American officers to set foot in Italy. As a student of history, Mr. Moran believes that the United States, to be strong, should be armed to the teeth. If he is not as fanatic in his denunciation of the United Nations, he intensely dislikes the world organization as a tool of communism and an instrument of hoodwinking America into complacency and disarmament.

General Moran is a devout Catholic and a member of the Knights of Columbus. He loves America and he sees his new vocation as a rightwing campaigner as a continuation of his military career and renewed opportunity to serve his country. Because the Joint Chiefs of Staff are "muzzled" by politicians who are "soft on communism," General Moran pleaded with the audience to send more Birchite literature to the men in uniform to help awaken them to the dangers facing America both at home and abroad. He is expected to accept the John Birch Society's nomination to run as a conservative candidate against Senator YARBOROUGH in Texas.

Unquestionably the star performer of the "crusade" was the dapper, suave Dr. "Billy." He had much to say about Christianity as the backbone of American heritage, which according to him is now being destroyed by leftist churchmen and red politicians. He urged a return to "oldtime religion." But his most impassioned plea was reserved for financial contributions, because "money for freedom is cheaper than blood and because massive blood is the alternative to what we ask."

In response, the audience of 500 forked out $18,000. With the skill of a superauctioneer waving arms and dispensing "God bless you in the back there," and "how much?" and "wonderful there," Dr. "Billy" first pleaded for a single heroic $10,000 contribution. When nobody stood up he wanted two $5,000 donations. There was still complete silence and the goal descended to a mere $2,500 per person. Still, no "crusaders." Instead of a dozen donors of $1,000 apiece, only six emerged. Instead of at least 20 people who would give $500 each, 3 came forward, including a candy truck driver from Texas who already shares his salary with the "crusade" and the John Birch Society.

At the $250 level there was a farmer who recently sold his farm to pay for anti-Communist broadcasts. To inspire more people to giving, even Mrs. Hargis offered a donation. "Honey, where are you going to get the money?" Billy asked. Among 40 willing to contribute $100 apiece were ex-General Walker and Dr. Hargis' own father. The $50 donations were described as "widow's mite" and 13 people came forward. The $25, $10, and $5 "pittances" accounted for the balance.

In his report on anti-Communist crusading Dr. Billy lashed out against newspapers, including the Oklahoma Courier, the Saturday Evening Post, Columnist Drew Pearson, and the Communist Worker. "Wherever I go newspapers big and small are smearing and slandering our crusade," he moaned. "It is a shameful hour for America when a member of the John Birch Society is considered as the lowest human being," the speaker complained. Dr. Hargis said that in the first 7 months of 1963 his revenue declined by $74,000 compared with last year.

While the Saturday Evening Post claimed that he was a millionaire, Dr. Hargis contended that when he read the article he only had $35 to his name. He said that fund raising was "the most important part of the meeting" because without immediate financial assistance his conservative crusading would have to be curtailed, and 11 out of 57 radio stations would cease to broadcast his programs. He claimed that the Christian Crusade magazine now has a circulation of 75,000 and that the next step in his crusading will be "angry young men" touring the country on behalf of conservatism.

His twosome tour with ex-General Walker just concluded 40 meetings in 25 States and netted 10,000 new adherents to the Christian Crusade. At the rate of $10 a crusader this will add another $100,000, or the amount needed for 1 month of operation. Because of financial anemia the crusade is currently operating on a monthly budget of only $60,000, Dr. Hargis reports. His breakdown shows 38.6 percent for radio and TV; 19 percent for staff salaries; 16 percent for an average of 250,000 pieces of literature a month; with the balance accounting for debt retirement, office rent, supplies, etc.

I asked Dr. Hargis about his own views. Although he shares the platform with the wildest extremists, and sometimes sounds like one of them in public, in the quiet of his hotel suite, where I interviewed him, Dr. Hargis proved an affable gentleman with a surprising grasp of world affairs. His personal views sounded much more reasonable and moderate. Unlike Mr. Walker, he readily admits that the racial crisis is not the only product of Communist agitation. (When trying to say so in public, Dr. Hargis was rudely interrupted by the ex-general who shouted that there were no two sides to the racial problem: "It is all a Communist plot.") Dr. Hargis would like to see the racial strife settled peacefully at the conference table on the local level without Federal or foreign pressures.

Like most of his crusaders he is a great admirer of Senator BARRY GOLDWATER, but he feels that his personal views should not be mixed with the crusaders' stand. He is hesitant to endorse anyone publicly for the Presidency. He dislikes socialism and liberalism, two labels which he applies almost indiscriminately to so many institutions that it is virtually impossible to tell if there is still any institution in the world not dominated by these "conspiracies."

He is proud of the fact that he has never tolerated any anti-Catholic or anti-Semitic outbursts and claims to have many Catholics among his followers.

In the area of international relations he would like to get rid of the U.N., break off diplomatic relations with Russia and all the satellites, and tell the Communists exactly where to get off. Domestically he is against big governments and he believes that charity and the care for the aged, orphans and sick should be left to churches rather than assumed by a socialistic state. Religiously, he preaches what he describes as "fundamentalist Christianity," and that, in his opinion, also includes Catholicism, because "you people also believe in the virgin birth and the physical resurrection of the body."

How effective is this crusade?

In sampling audience reactions, it seemed to me that very few, if any, had ever seen the inside of a college. They were frustrated, middle-aged fanatics, roused to hate, who had found in their dull life a new vocation—to save the United States.

A Texas automobile salesman told me that America could be saved only if somebody got rid of "the damned Kennedys," and "if the niggers were shipped back to Africa" and "if we deported to Russia all the Jewish bankers from Wall Street." His wife, an otherwise affable woman, began to hiss poisonously when she spoke about Adlai Stevenson, the U.N. and the late Mrs. Roosevelt. When I reminded her that Mrs. Roosevelt was already dead, this only provoked a fresh torrent of abuse.

An Arkansas farmer who sells agricultural machinery is sure that "the Communists and the niggers are out to take over the country." He said if the "black monkeys" came to his house he would shoot them. An insurance salesman from Colorado and his wife were seconded by a teenage daughter in their outbursts against the White House, the State Department and the Pentagon. It was obvious that none of them knew much about the Government, and their entire knowledge about such "traitors" as the Kennedys, Walter Rostow in the State Department, and Adam Yarmolinsky in the Pentagon was memorized from John Birch literature.

"They are spies, I am telling you," the man shouted angrily. He was shocked at my incredulity. If I did not believe that the President is a traitor, then obviously, I too must be a Communist. His wife read my name and the Courier's on my lapel button, shook her head and they all walked away.

Several people told me that the crusade was the most marvelous experience. Some said they would form new chapters of the Christian Crusade in their hometowns. Others indicated that they would pray that God should strike dead Earl Warren and "the nigger lovers" on the Supreme Court, and virtually everybody said that they would vote for a certain Senator.

A lady with a sign "Walker for President, he is our honest Abe" was clearly disappointed when Newsman Fulton Lewis, Jr., asked all the conservatives to rally behind GOLDWATER, forgetting marginal candidates. When the conservative Mr. Lewis said that he opposes the abolition of the United Nations, some people in the audience were visibly angered. Mr. Lewis regained their favor when he said that he advocates a complete reorganization of the world body so that a man with a ring in his nose, representing a tribe of savages in Africa, would not have the same voice in the U.N. as the United States.

His speech and his question-and-answer period had little to do with Christian crusading. It was a political rally for Senator GOLDWATER, and the audience loved it.

In sum, it seemed that the banners of "Christian crusading" and extreme conservatism have rallied a lot of malcontents, ignoramuses, and well-meaning fundamentalist Christians. It was a pity that instead of Christian love, the "crusaders" spouted only hatred and instead of a genuine effort to understand and oppose communism, there was so much character assassination, irresponsible name calling and lunatic ranting.

MAPHILINDO FEDERATION

Mr. McGEE. Mr. President, in the excitement over the test ban treaty and other events in Europe an event in the Far East which is of real significance to this Nation has gone all but unnoticed. I refer to the proposed partnership of Malaya, the Philippines, and Indonesia. This federation would provide stability in an unstable area and is an example of how Communist doubledealing can work to our advantage.

Mr. President, an interesting column on this federation appeared in the Sunday Star on August 11 in a column written by William R. Frye. I ask unanimous consent that this column be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

INDONESIA'S TURN TO THE WEST

(By William R. Frye)

UNITED NATIONS, N.Y.—An event last week which almost escaped notice in the Western world could have profound impact on the political and military balance of power in southeast Asia.

That event was the formation in Manila of an embryo confederation—a loose working partnership—among Malaya, the Philippines, and Indonesia. The confederation is to be known as Maphilindo.

Maphilindo is a remarkable achievement in many ways.

It marks a very substantial moderation, if not elimination, of the feud between Indonesia and Malaya—a feud which was so red hot 4 months ago that it seemed headed for small-scale warfare.

It removes a set of pressures which 4 months ago were driving Indonesia deep into the arms of Red China.

It promises to erect a buffer against Red Chinese expansion southward. Indonesia now has promised to cooperate to this end with Malaysia, the imminent federation of Malaya, Singapore, Sarawak, and North Borneo.

It builds a bridge over which President Sukarno of Indonesia could one day join the West.

CHINA'S BELLIGERENCE

All this is such a dramatic change from the situation that existed this spring, when I was in Malaya, Singapore, and Indonesia, that it is scarcely believable.

The explanation almost certainly lies in Red China's increasing belligerence. Peiping is driving Indonesia—with nearly 100 million people and one of the four biggest military establishments in Asia—into the arms of her pro-Western neighbors.

Liu Shao-chi, the titular Chinese head of state, visited Indonesia in April. The visit represented Sukarno's final, supreme effort to moderate Chinese policy.

He showered Liu with hearts and flowers, lulled him with Balinese dancing maidens, and talked of being "comrades in arms." Privately he tried to talk Liu into ending China's quarrel with India.

We now know that all of this failed. Liu refused to moderate this hostility for India, refused to accept a compromise basis for peace talks, refused to agree to peaceful coexistence. He went on to break with Moscow on essentially the same issue.

The rebuff was a humiliation and a warning for Sukarno. Tunku Abdul Rahman, the Malayan Prime Minister, either saw the opportunity or was persuaded to see it. Rahman went to Japan in May while Sukarno was there and buried the hatchet with him.

BACK OF RECONCILIATION

Their reconciliation, prepared in part by C. V. Narisimhan, an astute Indian aid of U.N. Secretary General U Thant, and by imaginative Western diplomacy, led to last week's Manila accord. Philippine President Diosdado Macapagal also made a significant contribution.

The U.N. added a critical missing link. It agreed to provide Sukarno what amounted to a face-saving way to withdraw his earlier opposition to the federation of Malaysia—opposition which had been long and loud.

Mr. Thant is to determine whether the people of Sarawak and North Borneo favor joining Malaysia, and hence whether the federation is in accord with the principle of self-determination. The Secretary General is sending teams of experts to study the implications of recent elections in the territories and is expected to report in the affirmative.

This will give Mr. Sukarno a convenient out, a way to explain his change of position to domestic critics including the strong and dangerous Indonesian Communist party.

The net effect is to remove the last major political irritant in relations between Indonesia and the West. Earlier, Indonesia's longstanding quarrel with the Dutch over West Irian had been resolved.

SHIFT IN POLICY

Economic pressures, meanwhile, are also pushing Indonesia toward the West. Inflation and lack of foreign exchange have put crushing burdens on the Indonesian people. The Communist bloc does not have the resources available to meet these needs. The West does.

A shift in Indonesia's policy from left-oriented neutralism to genuine nonalinement and eventually to Western-oriented neutralism is not likely to be a rapid or smooth process.

Strong forces, both domestic and foreign, are pulling in the opposite direction, and Sukarno is not so secure that he can ignore them. He was still talking last week about "battling imperialism and colonialism," still insisting on writing into the Maphilindo accord provisions which could counter in advance the expected Communist criticism in Indonesia.

HISTORICAL IMPLICATION OF TEST BAN TREATY

Mr. McGEE. Mr. President, a few blocks from this building, on the wall of the National Archives Building is the motto, "What Is Past Is Prologue." It is to be hoped that our generation will learn from and not repeat the mistakes of preceding generations.

On August 11 the Washington Post carried an excellent column by Roscoe Drummond analyzing some historical implications of the test ban treaty now under consideration by this body. I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

UNITED STATES DARE NOT MISS THE CHANCE

(By Roscoe Drummond)

The committee hearings and the floor debate on the nuclear test ban treaty will be only a faint carbon copy of the color and drama, the conflict and personalities, when the Senate made the fateful decision in 1919 to keep the United States out of the League of Nations.

There is no single, stalwart opponent of the test ban with the force and dynamism and prestige of the elder Henry Cabot Lodge, who, in the end, was fighting a bedridden and failing Woodrow Wilson.

There is no crucial issue of principle in the test ban debate as there was when "the little band of willful men," as Wilson called them, fought and defeated the League covenant—the issue of whether the United States should return to a policy of isolationism after World War I or join with its allies in trying to prevent World War II.

The most arresting and significant statement in the President's message asking that the Senate give its "advice and consent" to the nuclear treaty, is this:

"It is rarely possible to recapture missed opportunities to achieve a more serene and peaceful world."

And if the opportunity does return, it comes only after a horrible calamity.

The Senate of the United States did have the opportunity to help create the United Nations after it stood aloof from the League. But only after a war tenfold more terrible than World War I. Who can say how great was our "missed opportunity" in 1919? It struck from our hands the possibility of averting World War II.

No one can say how great would be the missed opportunities if the Senate should advise the President that he must inform the world the United States cannot join with the Soviet Union and Great Britain in ending about 90 percent of all nuclear weapons tests.

But we know that the missed opportunities would haunt us for years because the largest value of the test ban in the cause of a better world is its potential for the future, not its practical value for the present.

The truth is that the test ban does not begin any serious arms reduction. It could pave the way to a beginning.

The truth is that the test ban does not remove the risks of nuclear war but it could produce further steps which would greatly reduce the risk.

The test ban does not dissolve any of the causes of tension between the Soviet Union and the West which have led to the frantic arms race, but if Khrushchev now wishes to dissolve them, the test ban may well be the beginning.

The arguments against the test ban are almost wholly imponderable. Some say no treaty of any kind with Russia is desirable because we can't trust the Communists. I share the view that if the test ban rested on trust only, it should be rejected. But it rests on the capability to detect violations if there are any.

At the very least the ending of tests in the atmosphere will halt the hazard to human life from radioactive fallout. This is why 105 of 117 nations in the world have shown themselves highly favorable to the treaty.

But should the United States be the Nation which casts aside the opportunity to discover what the potential of the test ban really is? The unanswered question is whether the Soviet Union has now reached a point, for whatever reason, that it wants to tackle seriously the "unfinished business of peace." It can only do so, not by easing tensions, but by removing the causes—and some of the consequences—of the cold war.

SIZE OF OUR ATOMIC ARSENAL

Mr. McGEE. Mr. President, the problem of determining just what size we need in a Military Establishment is indeed a perplexing one. And too often, when confronted with problems of this nature we tend to drift along with the status quo.

My colleague and good friend, the Senator from South Dakota [Mr. McGovern] has performed a real service in asking some extremely pertinent questions concerning the size of our atomic arsenal. Mr. President, an editorial on Senator McGovern's action appeared in the Washington Post on August 11. I ask unanimous consent that that editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

The Question of Overkill

Senator George McGovern, of South Dakota, has spoken for many troubled Americans in raising questions on the size of the defense budget and the wisdom of accumulating nuclear weapons at the present rate when an overkill capacity already exists. It may be that there are satisfactory answers to the Senator's questions. But to date at least, the Department of Defense has been reluctant to speak in any but the most general terms about this very specific problem.

In testifying before Congress last February, Secretary of Defense McNamara asserted: "Allowing for losses from an initial enemy attack and attrition en route to target, we calculate that our forces today could still destroy the Soviet Union without any help from the deployed tactical air units, or carrier task forces or Thor or Jupiter IRBM's."

Commenting on this, Mr. McGovern understandably wondered what possible advantage there can be to the United States in appropriating additional billions of dollars to build more missiles and bombs when we already have excess capacity to destroy the potential enemy; how many times is it necessary to kill a man or kill a nation?

The maintenance of an adequate defense is, of course, an ever-changing problem, and the arms budget is enormously complex. It may be that Mr. McNamara can justify every penny in it in terms of strengthening American security. Certainly no American would begrudge dollars used to protect the country from all potential enemies by the most effective means. Yet it seems reasonable to assume that at some point procurement of additional Minuteman missiles and Polaris submarines may drain the budget without appreciably adding to security.

Congress has not only a right but also a duty to inquire into this possibility. It is also a legitimate, indeed, imperative, legislative function to consider the long-term impact of defense spending on the economy as a whole. Both questions would present matter for discussion if there were no prospect for disarmament whatever. But the fact that the test ban treaty has offered a ray of hope for future steps toward arms control makes responsible debate all the more important.

The Senate leadership has not set a date for consideration of the defense budget. When the date is set, however, it would be appropriate for such qualified Senators as Richard Russell, chairman of the Armed Services Committee, to respond to the questions raised by Mr. McGovern on the floor and by many others in books and articles. Too often in the past, Congress has abdicated its critical role in weighing defense appropriations. This time debate would not only be welcome, it would be highly in order.

THE TYRONE GUTHRIE THEATER, MINNEAPOLIS, MINN.

Mr. HUMPHREY. Mr. President, the unprecedented success of the Tyrone Guthrie Theater in Minneapolis is setting an example for communities throughout America. It has demonstrated the benefits which both citizens and professional artists enjoy when they join together in the interest of artistic and cultural achievement. Not only has the Guthrie Theater brought great art and exciting entertainment to the people of the upper Midwest, but also it has given a new and powerful stimulus to the "fabulous invalid" of the performing arts throughout the entire Nation.

A respected commentator on theatrical events, Richard L. Coe, drama critic of the Washington Post, bestows the highest praise on the Guthrie Theater and its three productions that have been presented in its premier season. Coe writes that this new theater has given him "the most stimulating, wonderful experience I have had in years of theatergoing."

This showcase of the performing arts has accomplished much more than critical acclaim. It has brought living theater to thousands of citizens, many who have never before experienced the thrill and excitement of first-rate professional theater.

As Coe reports, "Here is what the theater should be like and it's a pleasure to report the Minnesotans—and travelers from all over the country—clearly agree." The Guthrie Theater seems to have succeeded in capturing the elusive dual accolades of critical approval and popular acclaim.

Although this theater and its productions have proved a magnificent success in Minneapolis, unfortunately most communities are not sufficiently fortunate to have the driving leadership supplied by Tyrone Guthrie or the generous support of several foundations and countless individuals that made this theater possible. New ventures of this kind are needed all over the country, not merely in the theater but in all the arts.

For many years I have actively supported the idea of a program of Government encouragement of the arts and culture. This in no way implies a Government controlled and directed culture. Our aim has been to provide assistance and support for the creation of other projects like the Guthrie Theater throughout the country.

This year Senators Clark, Cooper, Javits, Long of Louisiana, Metcalf, Pell, Randolph, Ribicoff, Scott, and I have introduced S. 1316, the National Arts and Cultural Development Act of 1963. This bill provides for a National Council on the Arts and a National Arts Foundation.

President Kennedy has recently established a National Advisory Council on the Arts by Executive order. My bill would create a similar council by statutory authority and, in addition, create the vitally important National Arts Foundation.

In a notable address on "Government and the Arts" Arthur Schlesinger pointed out that our culture and our ideals are our greatest weapons in the worldwide struggle for men's minds. He said:

> We will win the world to an understanding of our policy and purposes not through the force of our arms or the array of our wealth but through the splendor of our ideals.

The National Arts Foundation and the National Council on the Arts would play a large role in helping to bring about such splendor of American ideals and culture.

The Guthrie Theater provides an example of the type of project that might receive support by the trustees of the National Arts Foundation. As we salute its success, let us remember the work that remains ahead of us in other areas of the Nation and in other fields of the arts. Let us make the success of the Guthrie Theater symbolize the beginning of a new age of American greatness in the arts, rather than the laudable and remarkable exception it represents today.

I ask unanimous consent that Richard L. Coe's review published in the Washington Post noting the highlights of the Guthrie Theater's first season be printed in the RECORD. I also ask unanimous consent that Mr. Schlesinger's address, "Government and the Arts," be printed in the RECORD.

There being no objection, the review and address were ordered to be printed in the RECORD, as follows:

REVOLUTION IN MINNEAPOLIS FORGING A NEW TRADITION

(By Richard L. Coe)

MINNEAPOLIS, MINN.—The American theater's wave of the future is rolling gloriously.

Now that the Minnesota Theater Company's first four plays are being performed in repertory, it is possible to assess what could not have been assured at last May's opening of the electrifying new Tyrone Guthrie Theater.

Quite apart from the fabulous building—its stage sticking out into the audience like a tongue, with none of the 1,400 varicolored seats more than 52 feet from the stage—the quality of performance and the audience's involvement are the striking factors.

The choice of plays—with each member of the company appearing, generally, in at least three—is rich: Shakespeare's "Hamlet," Chekhov's "The Three Sisters," Moliere's "The Miser," and Arthur Miller's "Death of a Salesman." Dr. Guthrie staged the first two, Douglas Campbell the latter.

In each production is apparent a totally different approach. Vaguely contemporary (I say "vaguely" because it doesn't hit you in the face), this is a crystal clear, uncut "Hamlet," the excitement of the story leading to a finale of dazzling effectiveness.

"The Three Sisters" explores individual depths of even the most seemingly trivial characters. It is a veritable orchestration, even to the voices, of this elusive human comedy.

"Death of a Salesman" is conceived within starkly self-imposed limitations, a daring concept of Miller's complex masterpiece which eschews the settings, lighting props and music of Elia Kazan's original to accent the craggy, perhaps previously unexpected, poetic quality of Miller's words.

Wholly different in concept, the Moliere is played as sheer, lush bravura, highly stylized, great walloping splotches of color, masks, prop men and prop girls, all choreographed around the central, raging jewel of the title role.

Thus, here are four distinctive approaches to four recognized, vastly different classics. The experience of seeing them successively rolled across this handsome wooden platform, before the curiously changing yet basically same irregular back wall of Tanya Moiseiwitsch, is the most stimulating, wonderful experience I have had in years of theater going. Here is what theater should be like and it's a pleasure to report that Minnesotans—and travelers from all over the country—clearly agree.

The concept is of two distinct values, for apart from such varied plays, the three-quarter staging is dynamically contemporary, thus bringing to all four the excitement of immediacy, the aim of all theater.

Thus, from the directors, designers, and players, range and discipline are demanded and given.

Heading the company, Hume Cronyn, Jessica Tandy, and George Grizzard lead a group that is remarkable for its respect to the works at hand. The actor's understandably erratic ego is subjugated to the whole and as each production has increased in performances, there has been a noticeable refinement, I am told, in effectiveness. The constantly changing schedules serve to freshen the playing and audiences appear to have accepted readily the convention of different plays on successive days.

To their sorrow, those who have tried the repertory scheme in New York and along the east coast have found the system too much for the nerve-wracked minds who always want to see "the good one" of any such parading of plays, which is, of course, an absurd premise since none of these plays is comparable in content or style.

The "Hamlet" was the May opener. As is his especial genius with whatever script he is staging, Dr. Guthrie has encouraged each player, no matter how minor, to find some key of individuality for each role. Thus, one sees some delicious minor bits: John Cromwell (yes, the longtime film director) and his wife Ruth Nelson, are the Player King and Queen, refreshing concepts of a slightly seedy touring company, luggage laden, and accompanied by a marvelously observant flute player, Carol Emshoff, who mouths, in dulled bemusement, the Player King's lines.

The contemporary approach—elegant gowns for Miss Tandy's Queen, a pistol for Nicholas Coster's rebellion-minded, avenging Laertes—blandly admits a few obvious irrelevancies, then breezily goes on to prove its value as a dustchaser for a story which reels headlong, reminding us that much of the play occurs within a matter of days. Thus, instead of being an affront to tradition, the dress merely serves to remind us that Shakespeare's Hamlet, of course, was a contemporary of his audience.

And here is the value of Grizzard's finely reasoned Hamlet, an approach to the hundred-faceted role which makes his character and adventure crystal clear. It is his inability to take action which says something to today's world, the nerve-racking need to commit oneself, an anguish highlighted by his awareness. Grizzard's Hamlet is ever aware, to the point of surprising humor, of the scurrying for status in this troubled kingdom and there is a fine touch of religious acceptance when he realizes he cannot kill the praying Claudius.

Beginning with finely reasoned bits and pieces, Grizzard starts putting them together with the "O, what a rogue and peasant slave am I" soliloquy. The sweep and mounting excitement is accented by a swift exit of courtiers and players an instant before the "Now I am alone" speech and the famous shoring up of dead bodies for the final scene is for once breathtakingly exciting and completely reasonable with the dazzling, believable Hamlet-Laertes duel.

Around Grizzard is grouped a sweeping set of individuals: Lee Richardson's shrewd Claudius, Robert Pastene's unctuous Polonius, Ellen Gree's way-out mad woman, Coster's forceful Laertes, Graham Brown's rich-voiced Horatio; Ken Ruta's imperious ghost, Ed Preble's gravedigger and, above all, Miss Tandy's Gertrude.

What a joy it is to see this finely attuned, intelligent, and lovely woman in three contrasting roles. As the queen who begins by hugging her new king's arm, she ends great spaces away from him, eying him with awakening horror.

But Miss Tandy's Olga of "The Three Sisters" must surely be her major achievement, a role which often seems shadowy alongside the reckless Masha and the sunny Irina. Now, Olga is a complete person and as she arranges the leavetaking of Marsha and Col. Vershinin (Rita Gam and Robert Pastene), this rare play reaches heartbreak. Marsha is Miss Gam's major role and she makes its climatic scene exactly what it should be.

If I could say one of these four productions was my favorite, it would be the Chekhov, for I never have felt the elusive play so fully achieved. Again, each individual is realized: Cronyn's infinitely weary Dr. Tchevutykin; Claude Woolman's pitiably earnest Baron; Grizzard's wholly unrecognizable, irritating Solyony; Clayton Corzatte's smug schoolmaster; Zoe Caldwell's wildly devouring Natasha; Richardson's stanch Roday; Coster's puffy lieutenant and, a real gem, Miss Nelson's silent, huddled old nurse. As in the "Hamlet," the humor is dashingly used, the eternally effective link across time and national boundaries. And humor, too, is wryly there in Miller's American tragedy, reminding us that one cannot, should not try to categorize. Humor is the glue which lets us stick to living. The recognition of this, in all his productions, has been Dr. Guthrie's most particular genius.

After I watched the Philadelphia premiere of "Death of a Salesman," I wondered in print how, without Mielziner's setting, North's music and Kazan's use of lighting, one would have known the differences between Willy Loman's tortured memories and the incidents we watch occur. Director Campbell, stripping away everything but a kitchen table, shows us.

The effect is made but because this is only a few performances old in the repertory I don't think it yet comes off ideally. The very starkness brings us to the nub of Miller's writing and it is better writing, I suspect, than most of us have thought. Slipping back and forth in time and in and out of varied memories, the play is a maze of incidents and I should think the whole would benefit from more defined lighting. Without the crutch of North's music we have no facile guide across the boundaries of fact and memories. It is good to expect the audience to work along with the players but in a sense, the work sometimes keeps us behind the action, not with it.

At all events, however, this production serves to accent versatility in style. Here again, Miss Tandy is longing, loving, and she does the great "Attention must be paid" speech in a reading of concerned spontaneity. Cronyn's Willy Loman, even with the memory of a half dozen others, achieves its own uniqueness, indeed takes us, as the program observes into "the mind of Willy Loman." Richardson and Coster, as the two sons, again accent these actors' versatility, the one broken but questing, the other a wise-guy, smoother version of his father. Paul Ballantyne's Charley is one of that able actor's finest and I much admired Ruta's definition of the successful Bernard, a marvel of adept timing. And, to the small part of the bartender, Michael Levin ("Hamlet's" cool Guildenstern) brings a sharply engaging quality.

Finally, "The Miser." I had assumed this would be Miles Malleson's adaptation, for this actor's Moliere versions are actor-minded. One "George Gravely" (reputed to be director Campbell) is the "translator" and he has chosen a play within a play effect, a style as far out in the other direction as the stark "Salesman" is in its. Why not? It's amusing, colorful, and it works.

This is Cronyn's particular triumph and scurrying right after him is the young Australian actress, Zoe Caldwell, who will, I'm certain, become a major and highly distinctive star. Playing the matchmaking Frosine, Miss Caldwell is nothing short of a riot. She has an indefinably unique voice, something like a sawing machine equipped with a whisky purr. Miss Caldwell camps around under a wild, red, fright wig and if she sometimes recalls Ruth Gordon's classic Matchmaker, no matter.

Thus, when Miss Caldwell perches herself and her beauty-marked, spilling bosom on a sofa while Cronyn's Miser thinks he sees a fly on her milky femininity, we have wild, boisterous fun. Sitting, however, is too placid an activity for Cronyn's racing, raging Harpagon. As he oozes unrestrained passion over his precious gold pieces, we have a comedic portrait in bold, slashing colors to long remember.

Campbell's "The Miser" is, indeed, the dessert to this four-play menu, a wildly saucy exercise in style. In it, again, are some striking figures, notably Woolman's splendidly handsome, richly spoken Valere, Miss Gam's arch Elise, Corzatte's bedecked Cleante, Judith Doty's madly sweeping Dame Claude and Cromwell's Anselme, a figure of audacious aplomb.

From the above, it will be seen that viewing all four works is the only true way to gage the company's effectiveness. There will be things in all four plays which could be better and without a catholic taste in drama one particular play or one particular approach may be infinitely more welcome to an individual viewer than another. Adventurousness, even the right to fail, is the quality of life in art.

But the point of the idea and its essential value is to put playmaking on another plane than the one which has become the Broadway, hence American, tradition.

It would, for instance, not be possible in our theater as it is today to see in a single season, let alone in successive performances, Miss Tandy's Gertrude, her Olga, and her Linda Loman. It would hardly be likely to see Grizzard as the vengeful, assured captain, the aware but indecisive Hamlet and a masked "Miser" court stenographer, or Cronyn as three such varied fellows as he gives us here. Nor would it be possible for the lesser known artists to prove they are actors, not cardboard figures to be put in a single slot only.

It is in the variety of their skills that actors exist. This is the essence of their art. By subjugating brand name personalities they become artists.

Thus, Dr. Guthrie and the hundreds of people who have made this new American theater possible must be judged not on a single performance (nor ultimately, a single season), but on the concept of the actor as the vessel through which the playwright is heard. This is when show business becomes art and when it does, show business couldn't offer anything finer, more true, more alive.

This is the spirit so electrifying to audiences in Minneapolis.

If you have not yet made your vacation plans, you might get some ideas by writing the Tyrone Guthrie Theater for its information brochure at 725 Vineland Place, Minneapolis, Minn. A week in that lovely, lake-studded city will give you playgoing experience to treasure for a lifetime. This rebellious break with our tired traditions is bound to spread and in time will achieve the revolution our theater must have or die.

Government and the Arts

(By Arthur Schlesinger, Jr.)

(Note—A speech delivered on the occasion of the annual meeting of members of the American Federation of Arts, held at the Caspary Auditorium of the Rockefeller Institute, New York, on April 12, 1962.)

At President Kennedy's inauguration, Robert Frost forecast "the glory of a next Augustan age a golden age of poetry and power; of which this noonday's the beginning hour." In the year since, this genial prediction has excited widespread hopes of a new and lustrous alliance betwen government and the arts; and these hopes have been reinforced by the evident hospitality of the White House to artists and by the evident concern of the President and his wife with the level of national taste. At the same time, the idea of "a golden age of poetry and power" may also have given rise to misunderstandings and to exaggerated expectation. It seems useful today to step back for a moment and to consider both the limits and the potentialities of a relationship between government and culture.

The first point to understand is that the source of art is the artist. This sounds obvious enough. Yet, in a day when patrons of the arts sometimes seem to act as if the source of art were an institution—a university, say, or a foundation—it is no wonder that some go on to suppose that in the future the source of art might be the government itself. Universities and foundations are splendid institutions, and so too is government. But art results from the confrontation of experience by a disciplined, sensitive, and passionate individual, possessed of an intense interior vision and capable of rendering that vision in ways which heighten and deepen the sensibility of others; and it is this individual—the artist—who must always remain in the forefront of our consideration.

There is no reason to suppose that the artist will thrive under the ministrations of government—that poetry will always enjoy a congenial relationship with power. In many cases, the contrary is true. The serious artist is often the man who, while deeply committed to the world in which he lives, is detached from it; who may, indeed, be in a fundamental sense at odds with it. His sacred possession is the integrity of his vision. This is something which he must assert against his friends, against the institutions which wish to patronize him, against the culture which wishes to absorb him, against the state itself. In an alliance between poetry and power, poetry is apt to be the fragile partner. A government which cares deeply about the artist must remember that each man kills the thing he loves.

Yet the artist can be killed by neglect as well as by love; he can be starved as well as suffocated. In industrial society, with people everywhere at the mercy of circumstances beyond individual control, government has been obliged to enlarge its circle of concern and to take new responsibility for conditions of life and labor. If the businessman, the worker, the farmer, all benefit from the efforts of government to improve the circumstances in which they work, it is surely conceivable that government may also be capable of doing things which would give new freedom and opportunity to the artist. Not major things: In a free society, except for the overriding obligations of defense, employment and civic freedom, the impact of government in the individual will be marginal. Still, it is not possible that there may lie within the power of government the capacity to affect conditions in a way which would give the serious artist a better chance of self-realization?

Nor does this arrogate to government new and unprecedented functions. After all, the Declaration of Independence consecrated this Nation to life, liberty and the pursuit of happiness; and the arts make an indispensable contribution to what August Heckscher has called "the public happiness"—that is, the quality of civilization which a society makes available to its members. Over a century and a quarter ago, John Quincy Adams thus defined the obligations of the national state: "The great object of the institution of civil government is the improvement of the condition of those who are parties to the social compact, and no government, in whatever form constituted, can accomplish the lawful ends of its institution but in proportion as it improves the condition of those over whom it is established. Roads and canals * * * are among the most important means of improvement. But moral, political, intellectual improvement are duties assigned by the author of our existence to social no less than to individual man. For the fulfillment of those duties governments are invested with power, and to the attainment of the end—the progressive improvement of the condition of the governed—the exercise of delegated powers is a duty as sacred and indispensable as the usurpation of powers not granted is criminal and odious."

John Quincy Adams' effort to awaken the Nation to the responsibility for intellectual improvement failed—and it failed for reasons which would have been evident to him if he had recalled a letter which his father wrote to his mother nearly half a century before. "I must study politics and war," John Adams said, "that my sons may have liberty to study mathematics and philosophy. My sons ought to study mathematics and philosophy, geography, natural history and naval architecture, navigation, commerce, and agriculture, in order to give their children a right to study painting, poetry, music, architecture." The arts logically occupy a secondary place in the priorities of national development. A nation must achieve its independence and begin its economic takeoff before it can begin to devote serious attention to the quality of its culture.

But in the century and a quarter since Adam's first annual message we have as a nation fulfilled these conditions. We have long since secured our political identity and our economic momentum. We have long since reached John Adam's third phase. And today we stand, in addition, at a critical point in our cultural history. For there hangs over American culture in the mid-20th century a peculiar and ominous threat—the threat of leisure. The imminence of this age of leisure gives the question of how we propose to fill the vacant hours of our lives a high place on our national agenda.

Several factors create the problem of leisure. One is the steady increase in the productivity of our economy: man-hour productivity has been growing for a considerable time at the rate of about 3 percent a year. In the past we have taken about half these increases in productivity in increased income, and about half in increased leisure. Thus the workweek in the time of John Quincy Adams ran often from dawn to dusk 6 or even 7 days a week—a schedule which left little time for the cultivation of the arts. Today the workweek is down to around 40 hours. And—especially if some form of stabilization should ever come in international affairs—we may expect a continued decline in working hours in the future. At the same time, people are starting to retire at an earlier age than ever before. And, in addition, the life expectancy of our citizens is steadily increasing: it was 47 years in 1900 and it is almost 70 now. This convergence of factors could produce a phenomenon hitherto unknown to history—a population which will spend more of its life at leisure than at labor.

The onset of this phenomenon has given rise to two schools of thought about our cultural future. The pessimists predict that leisure will ruin us. Already, they point out, more leisure time is spent in watching television than in doing anything else; and the impending age of leisure, they assert, will place at the mercy of the mass media an ever-increasing share of the population for an ever-increasing share of their lives. The mass media, they say, are obliged for commercial reasons to aim at the average taste; they prosper by providing the mass audience with a standardized fantasy life; and the consequence of their monopoly of communications, it is argued, will be to convert the average taste to the only taste. The ultimate impact will be to destroy people's capacity for individual emotional response, equipping a vast audience with a set of prefabricated and mass-produced reactions for every conceivable situation. The pessimists agree with Max Frisch that technology is "the knack of so arranging the world that we don't have to experience it." By inundating the mass audience with substitute gratifications, the media corrupt the ability of people to have a felt and particular personal experience of their own. Life is thus reduced to a series of shared cliches. People lose their sense of identity, become passive and empty, crave mediocrity and pull American civilization down with them. Those who seek to buck mass culture will either feel guilty, because they are different, or else despairing, which leads to indiscriminate rejection and beatnik revolt.

The pessimist's vision is of a Milltown civilization, where people sit in darkened rooms hypnotized by what Henry Fairlie has called the "idiot box." Passivity, they go on, leads to social apathy and boredom; it is not only culturally but politically dangerous. Thoreau, writing of the America of Adams and Jackson, said, "The masses of men lead lives of quiet desperation. A stereotyped but unconscious despair is concealed even under what are called the games and amusements of mankind." Today, in what Winston Churchill has called "this age of clatter and buzz, of gape and gloat," we lead lives of noisy desperation—and Thoreau's note of warning should sound all the more clearly.

Thus the pessimists. The optimists survey the same scene and emerge with opposite conclusions. Their expectation is that our society is on the brink of a new renaissance. They are not to be dismayed by comic books or television. Every age, they say, has its quota of delinquents and ignoramuses. But the fact is, they contend, that in our age high culture has penetrated downward more than in any time in history. We are, they say, in the midst of the greatest cultural explosion the world has ever known. They cite a multitude of statistics to prove their case. Secretary Goldberg reported the other day that America has some 5,000 community theaters—more theaters than radio and television stations; that there are more than 500 opera-producing groups and over 1,000 symphony orchestras. In 1960 books became for the first time a billion dollar business; and the spread of the paperback has made it possible for everyone to acquire the greatest works of literature and scholarship for his own library. The long-playing records has brought on a boom in classical music; Americans spend more money each year going to concerts than to baseball games. The number of museums has quadrupled in the last 25 years. Television may be terrible much of the time; but, when NBC put on Oliver's Richard III, it was seen by more people in that one evening than by all the audiences put together since opening night in 1593.

Thus the optimists. The pessimists remain unimpressed. They object that statistics confuse quantity with quality; that most of the activity celebrated by the optimists is of a spectatorial or else of a do-it-yourself variety, justified only by the disarming theory that what is worth doing is worth doing badly; that there may, for example, be 500 opera-producing groups, but the number of companies capable of putting on a distinguished professional production of a serious opera can be numbered on a single hand. They argue that complacency about the cultural explosion blurs the distinction between the aspiring amateur and the trained professional, and that the result in the stampede is to obliterate standards of craftsmanship and lose all sense of what it means to be an artist. They predict that we will end up with an enormous, hopeful, and undiscriminating market consuming the simulacrum of art under the illusion that they are getting the real thing. "It seems," writes W. McNeil Lowry of the Ford Foundation, "that we are to have the audience before we have the creators and performers."

One could reproduce the give-and-take of this debate for a considerable time. But, the more one hears the arguments, the more one feels that neither the pessimists nor the optimists can make a conclusive case—and that this is so because the cultural situation itself is inconclusive. If inconclusive, it can still go in one direction or another; it can land us all in a swamp of mediocrity, or elevate us all to new heights of civilization.

It is the inconclusiveness of this situation, in my judgment, which makes it appropriate for us now to revive the vision of John Quincy Adams. If the onset of leisure portends a cultural crisis, if our civilization is poised, so to speak, between vulgarization and fulfillment, then we would be remiss in not doing what we can for our country in the realm of culture, as in the realm of defense or employment or civic freedom.

Yet, as we say this, we must always recall that the source of art is the individual artist; and that, when the state does anything which forgets this vital fact, it defeats its own objective. The role of Government must therefore continue to be marginal. Art flourishes in conditions of individuality and diversity. It recoils from bureaucracy. It shuns organization. It even flinches from organizing itself, because it knows by experience that any establishment tends to succumb to the conventional wisdom and prefer the academic to the radical. I dislike the idea even of committees of artists seeking to administer the artistic impulses of the country. Only recently the Commission on Fine Arts turned down a proposed design for the Franklin D. Roosevelt Memorial in Washington. I did not much like the design myself, and I would not speculate about the motives of the members of the Commission; but the episode shows how much mechanisms could become the means by which orthodox taste vetoes novelty. Creativity cannot be institutionalized; and there is no point, in culture or anywhere else, in enshrining the past at the expense of the future. The notion of a Department of Fine Arts, I must confess, fills me with horror. I agree with John Sloan who is said to have welcomed the idea because "then we'd know where the enemy is."

Yet need all Government encouragement to the arts be thus pompous and ponderous—as pompous and ponderous, for example, as Russell Lynes supposes in his recent cautionary article in the New York Times magazine? Even at present, one can imagine a number of ways in which Government can help the arts without making culture a subbranch of politics, or transforming Congressmen into cultural commissars, or setting up an elaborate Federal bureaucracy, or establishing the old and successful artists as final arbiters of their art, or invading the privacy and integrity of the individual artist.

This is a delicate matter, requiring thoughtful and sympathetic exploration. Recognizing this delicacy, President Kennedy recently asked August Heckscher of the 20th Century Fund to come to Washington to serve in the White House as a part-time Consultant on the Arts. Mr. Hecksher's commission is to survey the manifold areas where Government policy has impact on the arts and to consider the possibilities for a coherent cultural program. Mr. Heckscher is exceptionally qualified for this exacting assignment. His essay on "The Quality of American Culture" in the report of President Eisenhower's Commission on National Goals contains the most discriminating analysis of the problem of government and the arts that I know. He is vividly aware both of the conditions of artistic creation and the obligations of national policy; and any detailed statement of an administration view on these matters must await the conclusion of his inquiry.

Nonetheless it is possible even now to indicate certain broad areas where Federal action may stimulate and encourage artistic life. The Government has already begun, for example, by showing that American society, as symbolized by the Presidency, welcomes and honors artistic creation. In an executive mansion where Fred Waring and his Pennsylvanians once flourished, one now finds Isaac Stern and Pablo Casals, Stravinsky and the Stratford Players—and all this represents a revolution in the status of the serious arts in our national society. The President and Mrs. Kennedy have conceived it part of their official function—as well as of their personal enjoyment—to express on behalf of all Americans the appreciation we feel toward those among us who attain the highest standards of artistic excellence.

Much can be done to extend this recognition of the value society should place on the artist. We might well, for example, look into the possibilities of national competitions in music, painting, sculpture, and architecture, not only to seek specific government commissions, but to encourage and exhibit the new talent of the country. I would hope that we will not leave it to the Soviet Union to uncover the Van Cliburns of the future. We have a National Cultural Center underway; and I can imagine no more fitting place for the artists of the Nation to display their capacities in such national competitions.

I mentioned Government commissions a moment ago. The Government is the biggest builder in the land. I can see no reason why it should not build well rather than poorly; no reason why it should erect monstrosities, like the new State Department, when it can also erect so lovely a building as Edward D. Stone's new American Embassy in New Delhi. Buildings require decoration, and decoration is a means of giving fruitful employment to the skills of our painters and sculptors. Najeeb Halaby, the Administrator of the Federal Aviation Agency, has, for example, perceived that airports have esthetic possibilities and is making a quiet and systematic effort to call on the best artistic advice in matters under his jurisdiction. It is just as easy to issue a handsome coin or stamp as an ugly one. These matters do not enlarge the present prerogatives of Government nor should they disturb the slumber of Mr. Lynes. They are part of the everyday business of Government—and at the same time they may influence the taste and set the style of the Nation.

Government affects the arts in many other ways. I would hope that we will soon have systematic reconsideration of tax policy to see how it bears upon the arts and how it might be revised to make life easier for museums, symphony orchestras, and the theater, as well as for that most neglected of all artists, the serious writer, whose period of literary gestation is so badly out of cadence with the annual requisitions of the Bureau of Internal Revenue. Postal rates have significant impact on the transmission of books and magazines. Tariffs affect the import and export of cultural items. Television and radio mold the tastes and values of the Nation every day—and here we must pay tribute to that most gallant and undaunted champion of cultural diversity and taste, the Chairman of the Federal Communications Commission, Newton Minow. All these things are again part of the everyday business of Government—and there is no reason why they cannot be carried out in ways which improve rather than ignore the cultural needs of our society.

Beyond the realm of existing government action, there is the whole realm of established and productive cultural enterprises.

Attractive as amateur symphony orchestras and local opera groups are, it seems to me of prior importance to strengthen the existing centers of professional achievement; for it is these institutions which enforce discipline and maintain standards. Moreover, all too few of our major artistic institutions are established on a sound financial basis. In 1961-62 the Metropolitan Opera played to 96 percent of capacity—but emerged with a deficit of $840,000. Perhaps it could have avoided the deficit by raising its prices; but I am not sure that we want to make opera an art exclusively for the rich. The Ford Foundation reports, "Administrators and directors of various artistic institutions are today frustrated by their inability to find the money with which to satisfy a growing popular interest in the arts."

There are those, I reluctantly suppose, who would say that, if a cultural institution cannot pay its way in a free market then it has no economic justification and, if no economic justification, no social justification. This argument implies that only those things in society which can "earn their way" in the competition of the market are worth having. A moment's reflection shows how absurd this argument is. One can almost argue the reverse more persuasively: that the most precious institutions in society—our schools, our hospitals, our clinics, our churches—are precisely those that do not pay their way. This does not mean that unpopularity can be taken as a sure mark of aesthetic achievement; the greatest art is great because it interprets simple and complex experience simultaneously and can thus appeal to people at many levels. But it does mean that an affluent society, running the grossest national product known to history, can afford to divert some of its abundance to the support of activities which enrich and benefit the Nation even if they do not meet the box office test.

Nor need we fear that the act of subsidy is per se stultifying. The argument that political pressure is bound to win out in any relationship between government and intellectual endeavor is refuted every day by experience. Such agencies as the National Science Foundation and the National Institutes of Health show that it is possible for government to make an intelligent contribution in fields as notorious for internal jealousy and factionalism as the arts themselves. Other countries, moreover, have subsidized the professional arts without introducing political regimentation or preventing artistic innovation. Covent Garden receives half a million pounds a year from the British Government. The French Government helps the Comédie Francaise. Obviously the main support for cultural institutions in the United States will continue to come from the box office and from philanthropy. The foundations, one hopes, will play an increasing role; the Ford Foundation has already made a valuable start in this area. Still, when the survival of a serious opera company or symphony orchestra or art museum hangs in the balance, or when it can survive only by charging prices which exclude the poor, then a case may well exist for public attention.

Public support need by no means always come from the National Government. Indeed, most supporting activity has come—and should come—from local government. This is a new area of government activity, and it requires administrative invention. I imagine, for example, that the National Government may wish to explore the possibilities of matching grants as a means of Federal participation in support of the arts; certainly self-help must be an essential part of any plan of public subsidy. Some people find it odd that the Government sends our arts and artists every day to Brazil and Russia and India but never to Vermont or Arizona or Idaho. In due course, after we understand more than we do at present of the problems and possibilities of Government's relationship to the arts, the Congress may want to consider the establishment of an agency comparable to the National Science Foundation. In the meantime, the artistic institutions already in existence will probably serve as the best means of mediating between Government and the individual artist.

Then danger remains of favoritism on the part of artistic institutions. Government must guard against this by recognizing the diversity of artistic expression and by declining to surrender discretion to cabals or cliques. This, of course, raises another danger—foolishness or Philistinism on the part of government. In the end, there is no way of eliminating the factor of choice; these matters cannot be turned over to computing machines. In the cultural field, as in every other area of public policy, the role of government ultimately depends on the kind of people elected to national responsibility and the kind of advice these people seek. It is conceivable that in a more tranquil future, when the harsher issues begin to recede from popular attention, a presidential candidate will have to state his views on cultural policy, as he does on policy toward education or community development or conservation. The problem of government's relationship to the arts requires, in short, careful reconnaissance and ingenious planning. But it is surely nonsense to suppose that this Nation cannot work out ways which will help the arts without harming the artist.

We do not know whether or not Robert Frost's vision of "a next Augustan age" will be vindicated. We do know that whether it is vindicated or not depends on the citizenry—on the citizenry as individuals creating and enjoying the arts and as voters concerned with producing the climate of support and discernment essential for artistic flowering.

Nor is the vision of "a next Augustan age" irrelevant to the harder considerations of national policy. Mr. Frost's coupling of "poetry and power" is not an accident. Our times require greatness as well as bigness—and greatness is a matter, not of the arsenal or of the pocketbook, but of the spirit. We will win the world to an understanding of our policy and purposes not through the force of our arms or the array of our wealth but through the splendor of our ideals. Let us never forget the wise reminder of the President's Commission on National Goals: "In the eyes of posterity, the success of the United States as a civilized society will be largely judged by the creative activities of its citizens in art, architecture, literature, music, and the sciences."

Mr. HUMPHREY. Mr. President, the article refers to the unprecedented success of the Tyrone Guthrie Theater in Minneapolis. This sets an example for communities throughout America.

The Guthrie Theater is enjoying success not only in terms of community acceptance and professional quality in the arts, but also profitwise. We in the Twin Cities area of Minnesota are proud that this outstanding theater is doing much better than some of the more widely heralded theaters on Broadway.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. HUMPHREY. I am happy to yield.

Mr. JAVITS. I compliment the Senator's home city of Minneapolis—and the Senator himself, in terms of his association with this effort—on the Tyrone Guthrie Theater.

We know all about it in New York. It is a fine thing to move out in the broad reaches of the country with the efforts of quality and distinction of this particular theater. I join with many thousands who know and approve of what has been done in Minneapolis, and congratulate the city, through its distinguished senior Senator, on that achievement.

TRIBUTE TO SECRETARY OF STATE DEAN RUSK

Mr. HUMPHREY. Mr. President, I wish to draw attention to an editorial, entitled "The Accomplishful Mr. Rusk," which appeared in yesterday's New York Times. The editorial relates to our distinguished Secretary of State. I believe every Member of the Senate who was privileged to hear the Secretary of State testify on the nuclear test-ban treaty came away with renewed admiration and respect for this outstanding public servant. I have never observed a man who did a better job in answering very difficult questions and at all times giving frank and candid responses to the penetrating questions and the thorough inquiry of the Members of the Senate of the three committees in attendance.

I wanted to pay tribute to the Secretary, as I am sure several other Senators have done, and will want to do in the days ahead.

I ask unanimous consent to have the editorial to which I have referred printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE ACCOMPLISHFUL MR. RUSK

For a generation nurtured in the tradition of such forceful Secretaries of State as George C. Marshall, Dean Acheson, and John Foster Dulles, there has always seemed something pallid about Dean Rusk as chief administrator of American foreign policy. This image of a capable but dull executive, ill suited to the exigencies of high-level negotiation in a period of world tension, is in obvious need of revision in the light of Secretary Rusk's accomplishments in the last week.

He lost a badminton match to Premier Khrushchev, but he acquitted himself with extraordinary skill in everything else he undertook. Moscow observers were enthusiastic over his handling of all the diplomatic talks that surrounded the signing of the nuclear test-ban treaty there. He swung Chancellor Adenauer to acceptance of the treaty, then did an equally effective job of salesmanship before the Senate Foreign Relations Committee. He also found time to make the right decision on authorizing the extradition of Venezuela's former dictator, Gen. Marcos Perez Jimenez. The Rusk ouster order ended 4 years of legal maneuvering and foot-dragging in the courts and at the State Department. All in all, this deserves to go down as the Secretary's best week—and a good one for the country.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. LAUSCHE. I wish to add a word to what the Senator from Minnesota has said. Candidness, and direct, uncolored presentation of information and facts is one of the great tributes conspicuously possessed by the Secretary of State. There is no effort to twist, no effort to evade; direct, sincere answers are given, whether they are helpful to what he is trying to put over or not.

SHOE INDUSTRY PROBLEMS

Mr. KEATING. Mr. President, several weeks ago I spoke up on the problems of the shoe industry and its thousands of workers, which in recent years have undoubtedly been aggravated by increasing imports. At that time, I inserted in the Record a letter from the Department of Commerce which minimized the effect of imports on domestic shoe manufacturers.

There has very naturally been a significant reaction in the shoe industry to this correspondence. Shoe manufacturers have written to me from a number of different parts of New York State—and elsewhere—to make clear the difficulties they face, and particularly the added difficulties caused by imports.

Mr. Warren J. Reardon of Dolgeville, N.Y., has given an excellent exposition, making the point, for instance, that rubber footwear, even though classified separately from leather footwear, is directly competitive; or, to put the problem in the most elementary terms, it is impossible for anyone to wear more than one pair of shoes at a time. Thus, people wearing sneakers cannot at the same time wear shoes. With sneakers and similar shoe types included, statistics show that imports add up to as much as 12 percent of the market in 1962 instead of 8 percent, as stated by the Commerce Department.

Mr. Reardon also points to the seasonal peaks in shoe production, the highly competitive nature of the industry, and the serious concern manifested by those who are in a position to see at first hand the industry's problem. I have asked the Commerce Department to comment on the points raised in this letter. Mr. President, I ask unanimous consent that the text of this excellent letter appear following my remarks in the Record.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

(See exhibit 1.)

Mr. KEATING. Furthermore, Mr. President, there has also been some lack of sympathy toward other efforts to limit shoe imports. In a recent letter to me the President's Special Representative for Trade Negotiations took a negative view toward the possibility of quantitative limitations on imports, although he did suggest that a petition be filed under section 301 of the Trade Expansion Act asking the Tariff Commission to determine whether increased imports have caused or threatened to cause serious injury to the domestic industry concerned. I also ask unanimous consent that the text of that letter be printed following my remarks in the Record.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

(See exhibit 2.)

Mr. KEATING. Finally, Mr. President, although I am not in a position to make any final recommendations to solve the problems that do indeed face the shoe industry, I strongly believe that a better case can be made by our Government for increased opportunities for U.S. shoes in other parts of the world. For instance, the foreigner shipping shoes to our country pays, on the average, far less duty than U.S. shippers do in trading with other countries.

In the Common Market countries and Japan additional taxes are added to the duty-paid value of our shoes when they enter these countries. The two taken together, duty and surtaxes, combine to make the net barrier which we have to hurdle. In Common Market countries and Japan this runs between 19 percent and 53 percent. At the same time, the average U.S. duty paid by foreigners shipping nonrubber footwear in 1960 amounted to 12.6 percent.

In addition, I am informed when the foreigner ships to our country, he is rebated any taxes, such as escalator taxes, in France and Italy. Thus, a $3 shoe made here and shipped to France by our manufacturer may have to retail there as high as $7.95 in order to cover duty and taxes. But when a $3 shoe made in France is shipped to our country, this shoe, owing to the lower duty and rebate of taxes to the French manufacturer, may sell for a dollar or more cheaper in this country. In effect, the tax rebate subsidizes the French manufacturer. In our country, where most of the tax burden is in the form of income tax, the cost of this tax gets right into the cost of our shoes, and, of course, there is no rebate of whatever this tax amounts to.

Mr. President, I ask unanimous consent to include following my remarks a table comparing foreign duties with U.S. duties on shoes in 1960 which illustrates this point very well.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

(See exhibit 3.)

Mr. KEATING. Mr. President, there are a number of different avenues that must and should be pursued to ease the difficulties facing the shoe industry and their workers today, and I am once again calling this matter to the attention of the appropriate authorities in the Department of Commerce and the Department of State requesting further studies of the situation:

Exhibit 1

Daniel Green Co.,
Dolgeville, N.Y., July 22, 1963.

Hon. Kenneth B. Keating,
U.S. Senate,
Washington, D.C.

Dear Senator Keating: We are very interested in the Department of Commerce letter sent to you by Mr. James F. Collins of their Office of Trade Adjustment, which you were kind enough to forward to me. We are grateful for past Commerce help and look forward to more of it. We have been living with our problems, however, and we think we understand them; many of the figures quoted by Commerce give a misleading picture.

Certainly, we do have other serious problems in our industry, just as did the cotton textile manufacturers of this country. These other problems were recognized by the administration and covered by the President's seven point program for textiles. This did not mitigate the fact that about 7.5 percent of the textile market in the United States had been taken over by imports, which was sufficient to arrange for an array of quotas for the domestic cotton textile industry.

In 1962, competitive foreign footwear represented far more than the 8.2 percent presented in the Commerce letter to you. Lengthy discussion with Customs, Tariff, and industry officials indicate that in order to reflect more accurately the impact of footwear imports, certain competitive nonleather types must be taken into account. In 1962, for example, sneaker imports totaled over 29 million pairs. With sneakers and other competitive nonleather types added, imports amounted to over 12 percent of the total market.

The shoe industry capacity figures cited in the Commerce Department letter grossly exaggerate the actual capacity of our industry. The true capacity of our industry is about 750 million pairs or approximately 150 million more pairs over the 600 million pairs actually produced during each of the past few years, as leading shoe machinery manufacturers will attest. Very little of this capacity can be regarded as idle capacity. Rather, it is extra capacity required to take care of seasonal peaks in production. For example, in August 1962 our industry produced 59.3 million pairs or 21 percent more than was produced in September when only 48.9 million pairs were produced. An increasingly tighter machine capacity condition also militates against the production capacity figure advanced by the Commerce Department.

There has been an increase in productivity through technological improvement in recent years, but this increase is by no means chiefly responsible for the decline in employment cited by Commerce. Much of the so-called increase in productivity results from a change in production to easier-to-make footwear, resulting in fewer machines and workers. The critical fact is that the U.S. shoe manufacturing industry is now, as it has been, the most productive footwear producing industry in the world; and it nevertheless cannot overcome the foreign wage advantage.

We are well aware of the problem we are having in increasing per capita consumption. However, Commerce cites this as being a weakness in the industry. Actually, with the highest consumption rate for shoes of any nation in the world, it is not surprising that at some point in time the increase in per capita consumption was bound to taper off.

The Commerce letter cites the large number of firms in the industry that make it difficult to get coordinated market stimulation by the firms. This appears to us to be rather a strange comment. The Department of Justice seems to want this kind of competitive structure, and Commerce assigns to it part of the blame for our situation today. Do we want to preserve a competitive structure in shoes or not?

As Mr. Collins points out, there is a correlation between the decline in industry profits and the increase in imports. With this we certainly agree. His table shows a drop in the percent of profits on net sales after taxes of nearly 50 percent from 1956 to 1961. On profits as a percent of equity, the drop has been nearly 40 percent between the 2 years. At the same time, imports increased 450 percent. A number of our companies are ground out each year by stiff competition, and low wage shoes from abroad are helping do it more effectively. It is against this type of industry that low wage imports are particularly devastating.

A number of Administration officials have indicated that they recognize the seriousness of the industry problem, and further, 235 Congressmen have signed a petition asking the President to stop the increase of footwear imports into this country.

I earnestly request, Senator Keating, that you give the contents of this letter your serious study and that you have it reproduced in the Congressional Record so that others may develop a better understanding of our problem.

Sincerely yours,
Warren J. Reardon.

EXHIBIT 2

EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF THE SPECIAL REPRESENTATIVE FOR TRADE NEGOTIATIONS,
Washington, D.C., August 2, 1963.

Hon. KENNETH B. KEATING,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: Your letter to the President of July 25, 1963, has been referred to this Office for reply. In your letter you request the President to consider entering into negotiations with principal foreign supplying nations to establish quantitative limitations on shoe imports.

There are only three provisions of law that expressly delegate to the President authority to negotiate agreements with other countries providing for the imposition of quotas on imports into this country.

The first provision is section 204 of the Agricultural Act of 1956, as amended. It is under this section that the Short-Term and Long-Term Cotton Textile Agreements were concluded. It should be noted, however, that aside from textiles or textile products, this section covers only agricultural commodities and products manufactured therefrom. Because shoes are removed by a number of stages of processing from the original agricultural commodity, there is a serious question that they can qualify under section 204.

The second provision is section 201(a) of the Trade Expansion Act of 1962. This section authorizes the President to enter into trade agreements providing for the imposition of U.S. import restrictions, including quotas. There are two fundamental difficulties, however, in trying to use this authority. First, since such quotas can be imposed only pursuant to trade agreements, the other countries concerned would have to agree to their imposition. It is very unlikely that they would be willing to do so. Moreover, if they could be persuaded at all, it would only be at the price of offering very substantial compensatory concessions on other imports competitive with domestic domestic items. The domestic shoe industry would be accordingly assisted only at the price of substantially reducing the tariff protection available to other domestic industries.

The third provision is section 352 of the Trade Expansion Act of 1962. This section authorizes the President to enter into orderly marketing agreements with other countries and covers all commodities. Indeed, it was enacted by the Congress largely in recognition of the problems of the domestic shoe industry. The President may invoke his authority under section 352, however, only after the Tariff Commission has found under section 301 that increased imports due to trade agreement concessions have caused or threatened to cause serious injury to the domestic industry concerned. The invocation of section 352 is an alternative to the exercise of authority under section 351, whereby the President may, consistent with international obligations, unilaterally impose import restrictions, including quotas. The availability of unilateral action under section 351 could enhance the President's power to persuade other countries to enter into orderly marketing agreements under section 352.

In the light of the foregoing, the domestic shoe industry may want to give serious consideration to the filing of a petition with the Tariff Commission under section 301 of the Trade Expansion Act of 1962.

Most sincerely yours,
CHRISTIAN A. HERTER,
Special Representative.

EXHIBIT 3

Foreign duty-tax rates on U.S. footwear versus actual 1960 duty paid on footwear imported into the United States

Country	Duty (percent rate) [1]	Other taxes (percent) [2]	Net duty plus taxes (percent)	U.S. duty (percent paid) [3]
Common Market:				
Belgium	16.0–21.6	12.0	30.0–36.0	6.7
France	16.0–22.3	25+2.0	48.0–53.0	11.4
West Germany	12.5–16.0	6.0	19.0–23.0	8.6
Italy	[4] 18.0	5.8	24.8	13.8
Netherlands	16.0–21.6	5.0	22.0–27.0	16.6
Luxembourg	16.0–21.6	4.0	21.0–26.0	(5)
Japan	20.0–30.0	20.0	40.0–50.0	18.8
Hong Kong	(6)	(6)		16.3
United Kingdom	(7)	5.0	11.5–36.5	7.2
Canada	[8] 27.5	11.0	41.5	9.7
All countries	(5)	(5)	(5)	12.6

[1] Based on c.i.f. or landed cost values, except for Canada.

[2] Applied to duty paid value. This results in net duty plus taxes being greater than mere addition of duty plus tax rates.

[3] Based on 1960 foot wear imports, f.o.b. shipping point values. Duty actually paid.

[4] Maximum of 720 lire duty per pair.

[5] Not available.

[6] Free port.

[7] 3 shillings per pair or 10 to 30 percent, whichever is higher.

[8] Applied to U.S. market value or invoice whichever is higher.

Source: NSMA, based on Customs' schedules and reports from U.S. Embassies, U.S. Department of Commerce

EXTENSION OF TIME FOR STATES TO ELIMINATE BILLBOARDS UNDER INTERSTATE HIGHWAY ACT

Mr. LAUSCHE. Mr. President, several weeks ago my colleague, the Senator from Ohio [Mr. YOUNG], and I joined in the sponsorship of a bill which, if passed, would extend for 2 years the time within which States could qualify to participate in the financial benefits provided by the Interstate Highway Act for the elimination of billboards along the right-of-way.

My initial reasons for joining in the sponsorship of that bill remain unchanged. I believe it is essential, not only for reasons of esthetics, but for the comfort and safety of travelers, to eliminate billboards to the maximum degree on the borders of the 42,000 miles of interstate highways that we now have. But there is an additional reason why I urge the adoption of the bill. Ohio qualified, but the bill passed by the Legislature qualifying the State has been declared unconstitutional by one of our lower courts. The subject will be taken for review to higher courts, but it is obvious that the review will not be completed within the time now allowed for qualification.

I invite the attention of the committee before which this bill is pending to the fact that it is a vital matter. Hearings ought to be held on it. It ought to be brought before the Senate.

WORLD PEACE THROUGH RULE OF LAW

Mr. JAVITS. Mr. President, I invite the attention of Senators to what I consider to be an extraordinary and historic event, about which I learned through the report of the Special Committee on World Peace Through Law of the American Bar Association headed by Charles Rhyne, former president of the American Bar Association.

Mr. Rhyne submitted a report at the annual meeting of the ABA now in progress in Chicago, concerning the meeting held in Athens, Greece, from June 30 through July 6 of this year, where representatives from 105 countries met to conduct the First World Conference on World Peace Through the Rule of Law.

In addition to the many outstanding participants in the conference, I believe it is a great honor for the United States that the Chief Justice of the United States, Earl Warren, addressed this great meeting, as did also Henry R. Luce, the head of Time and Life, and John J. McCloy, who is the former High Commissioner of Germany, and a very great American.

It is most important that we understand the many difficulties surrounding the implementation of the concept of world peace through rule of law while we are considering the nuclear test ban treaty. Let us remember what a small step it is, compared with the steps that must be taken, and that only through a rule of law are we likely to survive the overhanging danger to mankind and the terrible strain of the atomic bomb.

One of the basic problems confronting such an effort is the institutional framework in which a world legal system may be developed, and to adapt that framework, so far as it is possible, to the relationship of law to the state in the Western World, as compared with its relationship to the state in the Communist world.

Mr. President, the four documents which I ask unanimous consent to have included in the RECORD as a part of my remarks consist of the Proclamation of Athens; the Declaration of General Principles for World Rule of Law, stating certain general principles upon which a world rule of law could be based; the Lawyers' Global Work Program To Advance a World Rule of Law; and, very importantly, the resolutions creating the World Peace Through Law Center, to which all lawyers in the United States may belong.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

REPORT OF SPECIAL COMMITTEE ON WORLD PEACE THROUGH LAW

RECOMMENDATION THAT THIS COMMITTEE BE CONTINUED

The past year has been devoted to planning and conducting the First World Conference on World Peace Through Law. Held in Athens, Greece, June 30 through July 6, 1963, this conference was a tremendous success. Many newspaper editorials and stories have praised this association's sponsorship of this conference as demonstrating foresight, leadership and acceptance of an important role of public responsibility on mankind's No. 1 problem of world peace. And while it took 5 years of constant work, a pace which to some seemed slow, your committee believes the end results amply justify this most careful approach in planning this great meeting of law leaders of the world.

Direct results of the conference are set forth in the four documents adopted at the final plenary session, copies of which are attached to this report: (1) The Proclamation of Athens, (2) the general principles upon which a world rule of law can be based, (3) the global work program suggested for the legal profession, and (4) the resolutions creating the World Peace Through Law Center to which all lawyers of all nations can belong, World Law Day and World Law Year.

These four documents represent vital steps toward an effective effort by the lawyers of the world to make a significant contribution toward eliminating the reasons for war through increased use of law rules and legal institutions.

Intangible results of the world conference are just as noteworthy as the printed documents. One such result is a new feeling of friendly unity and comradeship among those who participated in the conference. This unity has developed an understanding and agreement which is of immense value in furthering the worldwide cooperative activity initiated at the conference.

The world conference was addressed by King Paul of Greece, the Prime Minister of Greece, the Chief Justice of the United States, the Chief Justices of the Supreme Courts of India and the Central African Republic, ministers of justice and justices of other nations, the Presidents of the American and Athens Bar Associations, Henry R. Luce, John J. McCloy, and many other leaders of the law from throughout the world. Dimitrios Zepos and Spyros Pallis, the Greek cochairmen of the conference, and Greek Government officials and Greek lawyers were most generous in their hospitality and in their assistance to the conference.

Messages from 76 heads of state were sent to the conference. These messages commended the legal profession for its public service on the great issue of peace. They also attest to the worldwide belief by heads of nations in the rule of law as a credible road to a peaceful world.

ATTENDANCE

The president of the association invited the leaders of the legal profession from 113 nations to come to Athens. Lawyers from 110 nations accepted, and over 1,000 delegates and observers from 105 nations attended. The participants in the Athens Conference were a particularly outstanding group with present and former bar presidents, prime ministers, ambassadors, chief justices, attorneys general, ministers of justice, and deans of law schools represented among their number. It should be expressly noted that all attended in their personal capacity rather than as governmental officials.

At the last moment those who had accepted from the Communist countries did not show up, with the exception of Yugoslavia. Interestingly, attachés from the embassies and legations of Communist countries accredited to Greece attended some press briefings and some sessions of the conference.

The conference was therefore participated in by lawyers from all over the world including nearly every race, creed, and religious belief as well as every form of government now utilized by man. These differences in legal, cultural, and geographic backgrounds made all the more remarkable the broad agreements by the delegates on general principles and program.

THE WORK SESSIONS

Guided by a 200-page working paper which was printed in French, English, and Spanish, and facilitated by simultaneous translation of discussions into French, English, Spanish, and Greek, the work sessions were the real highlights of the conference. The rapporteurs' reports summarizing the ideas, speeches, and discussions at these sessions were the basis of the global work program, the general principles, the creation of the new center, and the ideas contained in the proclamation. The broad scope of the many papers and reports presented is indicated in the subjects mentioned in these final documents of the conference. Specialists in international law serving as consultants were present at all sessions to supply expert guidance. In most work sessions, 20 or more persons were able to express their ideas and recommendations. The debates were frank and vigorous as participants did not hestitate to express their ideas freely or to support their convictions with every argument they could muster. These broad-ranging, fact-to-face discussions on an international level will undoubtedly contribute to the solution of the many problems that exist.

THE PLENARY SESSIONS

The plenary sessions afforded delegates an opportunity to express their views on all phases of the promise and potential of world peace through law. The final two sessions were especially noteworthy for the discussions and debates which took place. At those sessions the delegates worked over the four proposed final conference documents in detail and made certain that they reflected a consensus of their opinions and views. Many ideas were voted in, or voted out, in this process and in the end the final votes of approval were largely unanimous.

THE FUTURE

The new World Peace Through Law Center is now to be set up with all members of the legal profession of all nations eligible for membership. The attached documents indicate the potential scope of its work. No decision as to the location of the center has yet been made by the executive committee chosen to carry forward the center's activities.

It is recommended that this special committee of this association be continued to provide a means of cooperation between this association and the new center as well as to continue the other work encompassed in this committee's assignment from this house of delegates:

"(1) To explore and report on what lawyers can do of a practical concrete character to advance the rule of law among nations; and

"(2) To stimulate interest and activity among lawyers and laymen for the advancement of world peace through extension and expansion of the rule of law."

CONCLUSION

The Athens Conference is of outstanding historic importance because it was the first time in the history of the world that leaders of the legal profession of so many nations were ever assembled for the purpose of cooperative action on a worldwide scale to further world peace. It is significant because it created a permanent world organization of lawyers to help achieve peace by using the law and its institutions to eliminate the reasons for war. Throughout the conference it was pointed out that where law rules and legal institutions are in use (as in the European Common Market, for example) the reasons for war are minimized or eliminated. Creating worldwide public recognition of this fact was stressed as one of the difficult tasks which the legal profession must now tackle.

Success in Athens came through coordinated teamwork. Each member of this committee undertook the task of coordinating one or more of the work sessions. Other difficult assignments, all-important to the operation of the conference, were cheerfully undertaken and carried out through long and tedious hours of dedicated effort. President Sylvester C. Smith, Jr., President-Elect Walter E. Craig, President-Elect-Nominee Lewis F. Powell, Jr., and Chairman of the House of Delegates Edward L. Wright acquitted themselves with distinction in their speeches and as presiding officers at important functions.

In Athens progress was made in both thought and action, and in ideas and organization. Through the new center the legal profession of the world will grow in strength, capacity, and influence as cooperative efforts increase. In summarizing the conference one newspaper editorialized: "A great new force for peace has indeed arisen in Athens if the legal profession carries out the work there envisioned."

The new World Peace Through Law Center can become the nerve center of the legal community of the world. It can insure adequate participation by jurists, teachers, and practicing lawyers in the almost limitless effort which is required to build a sound world legal system. It was pointed out in Athens that the great new source of energy and fresh ideas is the practicing lawyer who is insisting upon a meld of idealism and practicality in the international field of law as it affects the day-by-day activities of his clients more and more.

We sincerely believe that the American Bar Association will always look back upon its sponsorship of the Athens Conference as one of its greatest public service contributions. There are few programs which the American Bar Association can sponsor which will bring it—and the legal profession generally—more approbation than this concrete work on specific steps to substitute law for force as the controlling factor in the fate of humanity.

Respectfully submitted.

Charles S. Rhyne, Chairman; Erwin N. Griswold, Joseph Harrison, William J. Jameson, Philip H. Lewis, David F. Maxwell, J. Wesley McWilliams, Miriam T. Rooney, William Reece Smith, J. Cleo Thompson, William S. Thompson, Lyman M. Tondel, Jr., E. Blythe Stason, Robinson Verrill.

I. PROCLAMATION OF ATHENS, ADOPTED BY THE FIRST WORLD CONFERENCE ON WORLD PEACE THROUGH LAW, ATHENS, GREECE, JULY 6, 1963

This Conference of members of the legal profession from more than 100 nations throughout the world, being well aware of and deeply concerned with the fact that violation of the rule of law in international affairs by nations can only lead to disturbance of the peace and destruction of mankind through nuclear holocaust, has concluded and hereby proclaims that law must replace force internationally as the controlling factor in the fate of humanity.

We firmly believe that a world ruled by law is attainable by those to whom this proclamation is addressed—the 3 billion people who inhabit the earth.

We recognize and willingly accept our special responsibility as professional men technically trained in procedures for the just and peaceful resolution of disputes, to create and support effective and equitable means for the peaceful settlement of transnational differences between men and nations.

We have adopted at this Conference a global work program for developing and strengthening rules of international law and international legal institutions and procedures, and we solemnly pledge ourselves to carry it forward with dispatch, enlisting the joint efforts and resources of the 1 million members of the legal profession of all nations. The urgency of the need and the determined leadership now available as a result of this Conference, make us confident that our program of research, education, and action will cause the force of law to replace the law of force in the world community.

We call on the people of all nations throughout the world, and especially their governments, to support this "Proclamation of Athens" to the end that the program here adopted can be translated from idea to reality thereby assuring mankind that the ever-accelerating arms race and the threat of annihilation by war may be ended forever.

II. DECLARATION OF GENERAL PRINCIPLES FOR A WORLD RULE OF LAW, ADOPTED BY THE FIRST WORLD CONFERENCE ON WORLD PEACE THROUGH LAW, ATHENS, GREECE, JULY 6, 1963

In order to establish an effective international legal system under the rule of law which precludes resort to force, we declare that:

(1) All States and persons must accept the rule of law in the world community. In international matters, individual, juridical persons, states and international organizations must all be subject to international law, deriving rights and incurring obligations thereunder;

(2) The rule of law in international affairs is based upon the principle of equality before the law;

(3) International law and legal institutions must be based on fundamental concepts of fairness, justice, and human dignity;

(4) International law and legal institutions must be capable of expansion, development or change to meet the needs of a changing world composed of nations whose interdependence is ever on the increase and to permit progress in political, social, and economic justice for all people;

(5) All obligations under international law must be fulfilled and all rights thereunder must be exercised in good faith;

(6) A fundamental principle of the international rule of law is that of the right of self-determination of the people of the world, as proclaimed in the Charter of the United Nations;

(7) Each individual is entitled to effective legal protection of fundamental and inalienable human rights without distinction as to race, religion, or belief;

(8) Those who are subject to international law must resolve their international disputes by adjudication, arbitration, or other peaceful procedures;

(9) International obligations, including decisions of international tribunals, must be enforced by appropriate international community action;

(10) The United Nations organization is the world's best hope for international peace under the rule of law and must be supported and strengthened by all possible means, and to this end we reaffirm our support of the principles of the Charter of the United Nations.

III. LAWYERS' GLOBAL WORK PROGRAM TO ADVANCE A WORLD RULE OF LAW, ADOPTED BY THE FIRST WORLD CONFERENCE ON WORLD PEACE THROUGH LAW, ATHENS, GREECE, JULY 6, 1963

This work program for the lawyers of the world is based upon the ideas expressed and objectives described at the First World Conference on World Peace Through the Rule of Law, held in Athens from June 30 to July 6, 1963. It is not intended to constitute, in any sense, a summary of the papers which were presented during the Conference but rather a list of some of the subjects lawyers should study in their world wide joint and cooperative efforts to strengthen world law rules and world legal institutions. While by no means intended to be exhaustive this program is designed to suggest some of the many steps which may be taken, studied, or supported by the proposed World Peace Through Law Center and by lawyers and jurists throughout the world to help achieve a just and enduring peace under the rule of law. The order in which the items appear below has no significance other than that they were discussed in this order at the Conference.

We, therefore, refer to the center the following subjects which have been raised at Athens and urge the executive committee of the center to consider them and establish priorities having regard to the work being done by other international and national organizations, the intention being to support and avoid interference with such organizations.

I. With respect to the International Court of Justice, the work program should include studies which will:

(1) Encourage states to refer international disputes for adjudication by the International Court of Justice or other international courts, particularly by means of the inclusion in treaties of a provision that disputes relating to their interpretation shall be decided by the International Court of Justice or such other appropriate international tribunals as may be established.

(2) Encourage the respective states to accept the compulsory jurisdiction of the International Court of Justice or, if such jurisdiction has been accepted with reservations, to withdraw reservations which reserve to the respective states the right to determine whether a matter is within their domestic jurisdiction.

(3) Further the establishment of regional chambers of the Court, sitting from time to time at locations more convenient to the litigant states.

(4) Consider the question of rights of appeal from decisions of regional chambers of the Court to the International Court of Justice.

(5) Consider the modification of the Court's present composition in view of the changes which have occurred in the world since the Court's establishment.

(6) Consider whether the various states should adhere to treaties or adopt laws under which decisions of the International Court of Justice, and other international courts, can be enforced through local judicial procedures.

(7) Consider amendment of article 34 of the Statute of the International Court of Justice to permit certain international organizations to have direct access to the Court as parties on a basis of equality with states.

(8) Encourage greater use of the International Court of Justice by the United Nations itself, particularly through requests for advisory opinions.

II. With respect to regional and specialized courts the work program should include studies on:

(1) The feasibility of the establishment of regional courts for the principal geographical regions of the world, and specialized courts with jurisdiction over specific subject matter.

(2) Whether there should be a right of appeal from decisions of either or both such court systems to the International Court of Justice.

III. With respect to the promotion and protection of foreign investments the work program should include studies on:

(1) The establishment by intergovernmental action of institutional facilities for the settlement through conciliation, mediation, and voluntary arbitration of international investment disputes in those cases where adjudication is not yet practicable or desirable, perhaps under the auspices of the International Bank for Reconstruction and Development.

(2) The means for and the establishment of effective procedures for the impartial resolution of international investment disputes.

(3) The recognition of the special rights and needs of the developing nations.

(4) The use of multilateral treaties for the clarification of rights and obligations with respect to foreign investments.

(5) The elimination of double taxation, and the adoption of the principles of due process of law in all matters, including those with respect to taxation.

(6) The repeal of laws that discriminate against foreign investors.

(7) The problems involved in expropriation or nationalization and the provision of prompt, adequate, and effective compensation with due consideration of the varied interests involved.

(8) The work of the International Law Commission in this area.

(9) The principle that international investors should be independent of international politics.

(10) A model international investment code.

(11) Creation of domestic foreign investment committees, composed at least in part of lawyers, to make recommendations and take action in this field.

IV. (a) With respect to the development of international trade and international economic associations the work program should include studies to:

(1) Stimulate and encourage greater cooperation on trade and economic matters among the more newly developing nations.

(2) Current legal obstacles to the expansion of international trade, and recommendations for their removal.

(3) Support organizations working on the unification of private international law, especially, but not exclusively, in the areas of arbitral awards, arbitral procedure, contracts, international judicial cooperation, recognition and enforcement of foreign judgments, and sales.

(4) Support the establishment and expansion of common markets whenever appropriate.

(5) Develop international law codes in the areas of law that relate to international business.

IV. (b) With respect to the international protection of industrial property, the work program should include studies to:

(1) Encourage states which have not adhered to the Paris Convention for the International Protection of Industrial Property of March 20, 1883 (as revised to date) to join with the 80 states which are now signatories.

(2) Develop uniform laws in the field of industrial property.

(3) Support the establishment of a system of central examination for novelty of inventions to encourage investment and promote international licensing of patents.

(4) Support the creation of a central notification and search office to identify company names and trademarks as well as common denominations.

(5) Encourage governments to promote international cooperative efforts in the industrial property field in order to remove obstacles to international trade.

(6) Develop a uniform law for the protection of know-how in order to encourage communication of technical knowledge and manufacturing secrets on an international basis and particularly to newly developing countries.

V. With respect to arbitration, conciliation, and related means of resolving international disputes the work program should include studies to:

(1) Promote through research and study the use of nonjudicial means of settling disputes (advisory opinions, conciliation, conferences, good offices, mediation, arbitration, etc.), whenever their use seems appropriate.

(2) Encourage the use of the Permanent Court of Arbitration created by the Hague Conference of 1899.

(3) Further the proposed establishment of continental international arbitration tribunals composed of men of high repute.

(4) Support the principle that fair and effective arbitral clauses should be inserted in all treaties that do not accept the compulsory jurisdiction of the International Court of Justice or its equivalent.

(5) Encourage the reporting of public and private arbitral decisions effectively and universally, and effective enforcement measures with respect thereto.

(6) Encourage the study and possible use of the model rules on arbitral procedure adopted by the United Nations International Law Commission.

VI. With respect to disarmament and peacekeeping the work program should include studies to:

(1) Educate lawyers themselves, everywhere, and government officials of their respective states, concerning the complex problems involved in establishing an effective disarmament program.

(2) Establish committees to draft a comprehensive disarmament treaty for submission to the various states for adoption.

(3) Study the nature, scope, and functions of an international disarmament agency.

(4) Consider and recommend appropriate peace-keeping machinery which would take effect during the process of disarmament, to protect disarming states from attack.

VII. With respect to outer space and space communication the work program should include studies to:

(1) Encourage states to support the following principles adopted by the United Nations General Assembly.

(a) International law, including the Charter of the United Nations, applies to outer space and celestial bodies; and

(b) Outer space and celestial bodies are free for exploration and use by all states, in conformity with international law, and are not subject to national appropriation.

(2) Clarify the legal problems arising from the exploration and use of outer space, including liability for space vehicle accidents, responsibility of states with regard to assistance to and return of astronauts and space vehicles, and space communications.

(3) Assist in the immediate orderly inauguration of a global system of communications by satellite which will meet the present needs of states and will provide ample opportunities for planned expansion of the services to all states, without now burdening those states having no immediate demand justifying their joining the system at this time.

VIII. With respect to the United Nations and regional political organizations as sources of law rules and legal institutions the work program shall include studies to:

(1) Clarify the role of law and legal institutions in the United Nations and their relationship to political factors such as the veto.

(2) To improve the climate or professional attitude toward the United Nations with a view to attracting to it more general support and cooperation from practicing lawyers and judges throughout the world.

(3) Encourage more rapid codification and development of international law by various organs of the United Nations.

(4) Support, in particular, an increase in the work of the International Law Commission by lengthening its sessions and equipping it with additional staff able to prepare preliminary drafts with supporting documentation and commentaries.

(5) Support the use of regional political organizations for developing new rules of international law and legal institutions needed to deal with regional problems, on occasion, or where appropriate, with other problems for which United Nations action would not be appropriate or feasible.

(6) Bring to the attention of the lawyers of the world the new rules of law and legal institutions being developed by the United Nations, its specialized agencies and regional organizations, as an example of the dynamism and constant development of the international legal system.

(7) Encourage and support a thorough historical study and analysis of the utilization of the various articles of the United Nations Charter.

IX. With respect to international cooperation on legal education and research the work program shall include studies to:

(1) Encourage law schools and bar examiners to require from all law students a background in international law.

(2) Encourage and support comparative studies throughout the world of the quality and extent of international law training, and prepare recommendations for improvements.

(3) Encourage expanded programs for exchanges of lawyers, law professors, law students, and law books and materials.

(4) Encourage and support the creation of an International Research Center in order to proceed with the numerous research projects which the Conference has approved.

(5) Encourage and support the creation in the various countries of international law research centers.

X. With respect to international unification of private law the work program shall include studies to:

(1) Encourage and support the worthwhile work of existing organizations and institutions, including the United Nations, that are active in this field.

(2) Encourage and support studies designed to select areas of law most suitable for unification, especially where there are common principles, and in particular in fields of commercial law; to unify the law in such areas; and to develop means of avoiding divergence of interpretation of uniform laws.

(3) Encourage and support studies of the difficulties and obstacles in the way of making certain branches of law uniform and seek means of avoiding or removing them where unification seems wise.

(4) Encourage and support studies of the needs of the more recently developing countries insofar as they relate to possibilities of unification.

(5) Encourage the appoinment of permanent national committees of lawyers to study problems of unification and make appropriate recommendations with respect thereto.

(6) Consider the establishment of a permanent top level international consultative committee for the selection of law subjects suitable for unification.

(7) Develop better and broader means, including regular information bulletins, for informing the lawyers and jurists of all countries concerning efforts being made for unification of laws.

XI. With respect to organizing lawyers internationally for effective cooperative action the work program shall:

(1) Establish a permanent World Peace Through Law Center to further the objectives of the conference in the fields of research, education, and action. Such program should include determination of methods of financing, adoption of a charter and bylaws, selection of a headquarters, employment of necessary personnel, and formulation of policies and programs.

(2) Establish regional World Peace Through Law Centers in the major geographic areas of the world.

(3) Foster the creation of national bar associations in every country and work to aid and strengthen those national bar associations not presently active and strong.

(4) Urge national bar associations to establish committees on world peace through law.

(5) Encourage religious organizations of all faiths to express to their followers the concept of world peace through the rule of law.

(6) Organize periodic regional conferences on world peace through law.

(7) Promote a program of technical assistance in the field of law, by exchanging lawyers between developed and developing countries for education and training, exchanging law books, and furnishing financial assistance.

XII. With respect to the problems of stating the general principles of international law the work program shall include studies which:

(1) Support research efforts to determine the general principles of law recognized by the community of nations as well as general principles of international law.

(2) Encourage studies and research in support of the work of the United Nations with respect to the principles of international law concerning friendly relations and cooperation among States, as recommended by Resolution 1815 (XVII) of the General Assembly of the United Nations of December 18, 1962.

RESOLUTIONS CREATING THE WORLD PEACE THROUGH LAW CENTER, ADOPTED BY THE FIRST WORLD CONFERENCE ON WORLD PEACE THROUGH LAW, ATHENS, GREECE, JULY 6, 1963

This world conference convened at Athens, Greece, on July 1, 1963, in which delegates and observers from more than 100 nations participated,

Resolves:

I. To adopt the Proclamation of Athens, the Declaration of General Principles, and the work program in the form attached to these resolutions;

II. To participate vigorously in the work program adopted by this conference so as to achieve worldwide acceptance and application of the rule of law in international relations; and to that end

III. To encourage the formation and activity of national committees on World Peace Through Law within associations of lawyers and jurists.

In order to implement the foregoing resolutions, and recognizing the need for immediate and specific action, this conference further:

Resolves:

IV. (1) The World Peace Through Law Center is hereby created to unite the members of the legal profession of the world for the purpose of furthering world peace through law.

(2) The present executive committee of this conference under the continuing chairmanship of the conference general chairman shall prepare and adopt, the charter, and bylaws, designate the first governing board, select the headquarters, the country of incorporation, employ the initial personnel, and take any and all necessary action to accomplish the purposes, objectives, and resolutions of this conference.

(3) The charter shall include, but not be limited to, the following:

(a) All members of the legal profession and specially invited guests participating in this conference shall be charter members upon their written acceptance and in accordance with the charter and bylaws. Appropriate and additional memberships, and dues shall be determined by the executive committee.

(b) The center shall establish a clearinghouse and information center relative to the activities of the legal profession of all nations concerning the progress, ways, means, and implementation of world peace through law.

(c) Without duplicating the work of other international or national organizations, the center may engage in research, conferences—international, regional or national—and other constructive activities in all phases of international law and especially the rule of law in international affairs, together with available institutions and procedures for the settlement of international disputes.

(d) The center shall cooperate with existing organizations of the legal profession, law schools, legal centers, the judiciary, and other established organizations engaged in the improvement, research and study of international law and legal institutions.

(e) It shall encourage the teaching and study of international law; recommend and assist exchanges of students, scholars, jurists, and other leaders of the legal profession, especially with the newly independent and emerging nations.

(f) Disseminate the results of such international studies and research through appropriate means and publications to its members, cooperating organizations and all governments.

(4) The center shall limit its efforts and objectives to the improvement and use of international law and international legal institutions to the end that international disputes shall be prevented and settled through judicial or legal processes.

V. That the lawyers here assembled approve the establishment of "World Law Day," and declare their support of it.

VI. That the lawyers here assembled approve a "World Rule of Law Year" during which the lawyers of the world will make a concentrated effort to advance the rule of law in international affairs through a coordinated program of research, education, and cooperative action, utilizing existing national and international institutions and organization, and establishing such new institutions and organizations as may be desirable for the fulfillment of the objectives and purposes of the world peace through law program.

Mr. JAVITS. Mr. President, among its many accomplishments, the conference agreed to establish a new organization entitled "The World Peace Through Law Center" as the nerve center of the legal community of the world to coordinate research and teaching in international law, issue publications, and encourage the exchange of students, scholars, and judges.

There is a group on Capitol Hill, called Members of Congress for World Peace Through Rule of Law, which holds luncheons periodically and endeavors to inculcate these very ideas. The group was much inspired by the Senator from Pennsylvania [Mr. Clark], and Representative Fulton of Pennsylvania, Representative Fraser of Minnesota. Senator Church and I are members of its steering committee.

I believe that our generation and future generations will hold in reverence all who have anything to do with developing the world rule of law, to replace what man has known since time immemorial as the world rule of force.

I hope very much that, with the knowledge which inspired us to advance upon this subject, our country, with its vision and its dynamism and pioneering spirit, may take its part in building a structure of law which will maintain peace for all mankind, at long last, after so many centuries of suffering and danger.

FAITH IN THE SURGEON GENERAL

Mrs. NEUBERGER. Mr. President, the Reader's Digest calls it a "storm brewing"; the Wall Street Journal, "a loaded shotgun." You can choose your metaphor but the substance of their concern is identical: the pending report of the Surgeon General's Committee on Smoking and its impact on the health and economy of the Nation.

The deliberations of the Surgeon General's committee have been the object of dark rumor and turgid speculation ever since the day, June 7, 1962, that the Surgeon General announced his intention to form a committee to end all committees on the medical aspects of smoking. Critics charged, without foundation, that the committee was packed with scientists secretly sympathetic to the tobacco industry. It was rumored that the committee was simply another device by the agencies charged with the responsibility for the Nation's health to add to the already interminable delays in coming to grips with the evidence incriminating smoking. Others suspected that the committee would be more sensitive to the stock market than to the medical evidence.

Perhaps such rumor and suspicion was natural in an area in which the economic stakes are so high and the past performance of the affected industry, so reprehensible.

Fortunately, both Reader's Digest and the Wall Street Journal have now produced perceptive and enlightening articles placing the committee's deliberations in an objective perspective.

Thus, Lois Mattox Miller and Tom Monahan in the Reader's Digest observe:

> Most medical men accept [the delayed publication of the committee's report] as an encouraging sign that the committee is working hard, digging deep, avoiding hasty judgments.

And the Journal concludes:

> Most scientists look for a strong, clear statement.

Today, we have fresh evidence of the good faith and the determination of the Surgeon General to deliver a definitive, unbiased analysis of the case against smoking: The Surgeon General has just announced the appointment of Dr. Eugene H. Guthrie as staff director of the committee.

Dr. Guthrie will take leave from his position as Chief of the Services Division of Chronic Diseases, a post equivalent to that of director of one of the National Institutes of Health. Dr. Guthrie, both by training and disposition, is admirably suited to the task of administering the study. I am confident that the report will be concluded expeditiously under his supervision.

Again, both the Wall Street Journal and the Reader's Digest articles note two facts of great significance: First, evidence, not only statistical but pathological, implicating cigarettes in a wide variety of diseases, is accumulating at an accelerating pace, and, second, the public endorsement of this evidence by medical bodies is rapidly approaching unanimity. In 15 States, medical societies have now adopted an official position condemning smoking and there is good reason to believe that the governing body of the AMA will be disposed to endorse the report of the Surgeon General's committee.

In short, Mr. President, I have great faith in the Surgeon General and in his committee and I am convinced that the committee's forthcoming report will herald the development of a national program responsive to the evidence.

I ask unanimous consent that the article from the Wall Street Journal of August 8, entitled "A Loaded Shotgun," be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Wall Street Journal, Aug. 8, 1963]

A Loaded Shotgun: Cigarette Makers Fear Double-Barreled Blast on the Health Issue—Surgeon General's Group, AMA May Link Smoking to Cancer, Heart Diseases—But How Strong Is the Case?

(By Herbert G. Lawson)

New York.—The tobacco industry today is looking into the business end of a loaded, double-barreled shotgun, wondering not so much if it will go off as when.

Already hurt by a number of research studies linking smoking with cancer and other diseases, cigarette producers are braced for two additional, probably highly damaging blasts. First will come a report of findings by a special committee of scientists working under the U.S. Surgeon General; appointed to clarify the cigarette and health controversy, this committee will be heard from by the year's end. Then the American Medical Association will almost surely take a stand on cigarettes once the Government-sponsored report is issued; most observers look for the AMA to act at its annual meeting next summer.

No one knows for sure, of course, that these two pending events will result in an all-out indictment of cigarette smoking. It's possible, for instance, that the Government-sponsored report will emphasize the lack of conclusive evidence rather than the implications of the circumstantial evidence available. The AMA could do the same thing.

However, most authorities agree that the ever-stronger case against cigarettes makes it far more likely that the Surgeon General's group will declare that cigarettes are a probable cause of lung cancer and other lung disease and that they contribute to heart disease and higher mortality rates in general. If so, these authorities add, the AMA undoubtedly would take a strong antismoking stand for the first time.

CONSUMPTION ALREADY OFF

For the 62 million Americans who smoke cigarettes, these twin moves would be a nasty shock. As a leading scientist with the National Cancer Institute puts it, "When the Government and the AMA both go on record on the dangers of smoking cigarettes, the public should no longer be confused." Even without the reports, U.S. cigarette consumption per capita dropped by 27 cigarettes last year to 3,958, or just under 198 pack for every person over 15 years of age. This reversed the trend of the previous 5 years in which per capita consumption rose an average 108 cigarettes a year.

The economic effects of a troubled tobacco industry would be considerable. The livelihoods of more than 3.5 million workers in the United States are dependent at least to some extent on the industry. And consider these figures for 1962: The crop value of tobacco produced in this country was over $1.3 billion; total expenditures by consumers for tobacco products came to more than $7.8 billion; and Federal, State, and municipal excise taxes on tobacco yielded over $3.2 billion.

The Government-sponsored Committee, composed of 10 leading university scientists and Surgeon General Luther Terry as its official Chairman, is tightlipped about its progress. But there have been hints of things to come.

For one thing, Dr. Terry has announced that a second Committee will be formed after the first Committee reports. The second Committee, according to Dr. Terry, will consider recommendations for action. One tobacco executive notes ruefully that "presumably the Surgeon General wouldn't have anticipated the need for a second Committee if he didn't think the first would come up with a report describing some reasons for action."

EDUCATED GUESSES

Scientists who have presented research data to the committee have educated guesses as to the conclusions of the report. Significantly, even those scientists who believe no definite link has been proven between cigarettes and diseases such as lung cancer are convinced that the report will be unfavorable to the cigarette industry.

"We don't think there is any possibility that the committee will completely vindicate cigarettes," declares one scientist associated with the tobacco industry point of view. At best, he says, "we hope the committee will issue a balanced report pointing to some of the uncertainties and the inconclusiveness of much of the evidence."

A report of this nature is not out of the question. According to scientists close to the committee, the Surgeon General is pressing hard for a unanimous conclusion, with no dissenting minority views. "To get a lot of people to agree to anything, you have to avoid extremes," one researcher asserts. Another scientist, who has strong anticigarette views, predicts "a long, detailed report that somewhat obscures the fact that the committee comes to the same conclusion I've come to."

But most scientists look for a strong, clear statement. "I would be flabbergasted if, in the face of what they've heard, the committee members come out with anything but a strong report against smoking," declares one scientist who personally presented his research data to the committee. "No one on the committee questioned any of my findings; there was no skepticism." Adds another scientist: "The bulk of the research points to the dangers of smoking. Committee members would be risking their professional reputations if they didn't endorse the majority view of the researchers."

Whatever stand the committee takes, neither side in the controversy will be able to charge that the committee was loaded in favor of one faction or the other. The tobacco industry and the anticigarette groups each had the power to blackball any nominee to the committee. Thus, the final membership was acceptable to both sides.

THE INDUSTRY'S POSITION

The tobacco industry and a minority of researchers in the field do not agree that the evidence against cigarettes is so one sided. The industry's view is that the acknowledged statistical relationship between cigarette smoking and higher death rates from many diseases—principally heart disease and lung cancer—may be coincidental; that is, it does not prove that smoking causes the higher death rate. The industry has pointed out repeatedly that no researcher has been able to produce lung cancer in animals with cigarette smoke.

The evidence implicating cigarettes is largely of two kinds, pathological and statistical. More than half a dozen statistical studies in the United States, Canada, and Great Britain over the past decade all have come to the same conclusions: Regular cigarette smokers have an increased risk of dying from lung cancer, coronary artery disease and a wide range of other ailments than do noncigarette smokers. Pipe and cigar smokers, who generally do not inhale, have only a slightly higher mortality rate than nonsmokers.

One statistician estimated that the studies, if extrapolated to the general population, mean that in the United States each year about 250,000 smokers die whose lives would be longer if they did not smoke. Over half of these deaths are linked to heart disease, while lung cancer accounts for only about 13.5 percent. However, lung cancer is rare among nonsmokers while heart disease is not. Some scientists contend that 80 percent to 90 percent of the 40,000 annual deaths in the United States from lung cancer might be avoided if everyone stopped smoking.

Pathologists have found that microscopic examination of lung tissue and blood vessels in the lungs shows evidence of damage that correlates closely with smoking habits.

No scientist claims that all the bits to the smoking puzzle have been fitted together. But, increasingly, researchers and doctors have been concluding that smoking is a health hazard and more and more agencies and medical groups have been condemning the practice.

The California Board of Public Health review of research on the effects of smoking a couple of weeks ago found that cigarettes have "such a profoundly harmful effect on health that they should be abandoned." The American Heart Association in early June stiffened its opposition to cigarettes as a contributory factor in heart disease. For the first time it urged educational campaigns to discourage smoking, particularly among teenagers and those adults with a high risk of coronary disease.

GROUPS WITH SIMILAR WARNINGS

Other groups which have issued similar warnings of a probable relationship between smoking and lung and heart diseases include the American Cancer Society, the American Public Health Association, National Tuberculosis Association, the American College of Chest Physicians, a 1960 study group of the United Nations World Health Organization, the Canadian Medical Association, the Royal College of Physicians in Great Britain, the Research Council of Sweden and the Health Council of Holland.

With this list lengthening steadily, pressure grows on the AMA to take a stand. Already almost one-third of the delegates in its governing body come from State medical societies on record against cigarettes. The chairman of the AMA trustees, Dr. Percy Hopkins, said recently he believes there is a causal relationship between smoking and disease. Says one AMA staff member: "I don't think the people in the AMA who are dragging their feet can do so much longer."

TRUTH IN PACKAGING

Mrs. NEUBERGER. Mr. President, a discomforting question is posed by Wall Street Attorney William F. Zabel, in an incisive and carefully documented article in this month's Harper's:

> Is there any real doubt that the American housewife buying soapflakes or rice or salt is entitled to the same protection against deceptive packaging as our laws give her husband when he buys his whisky?

Of course not, concludes Mr. Zabel, and the catalog of consumer snares and pitfalls which he unfolds cannot fail to convince even his most hardened reader that packaging and labeling delinquency must be curtailed—in the interests of the consumer's pocketbook.

Mr. Zabel chronicled the misfortunes of five housewives who participated in a test conducted by the California Office of Consumer Counsel, in which the hapless subjects, each with the benefit of college training, were turned loose in an average supermarket with money and directions to buy 14 staple foods simply upon the basis of the greatest quantity for the lowest price.

Despite the fact that these test shoppers hovered over their purchases with far more care and precision than the ordinary housewife can ever muster, they failed miserably.

Mr. Zabel describes their difficulties:

> None could identify the least expensive rice or toilet soap. Three could not find the least expensive can of tuna or package of salt. In fact, these college-trained women, trying as hard as they could to save money and taking far more time than the average shopper can allot, failed 34 out of 70 times to make the correct purchase.

The solution endorsed by Mr. Zabel is the prompt passage of the truth-in-packaging bill, the handiwork of the consumer's good friend and servant, the junior Senator from Michigan [Mr. HART]. I am proud to be a cosponsor of this enlightened legislation.

Mr. Zabel lays to rest exaggerated fears that the truth-in-packaging bill might stifle the free play of packaging initiative and imagination:

> It allows them [the packagers] to help set their own standards. It provides extensive procedural protection of their rights, it affects only the quantity of consumer goods.
>
> Luckily, there are a good many ways for a package to be attractive though honest.

I ask unanimous consent that the article entitled "What's in the Package?" from the August issue of Harper's magazine be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHAT'S IN THE PACKAGE—LESSONS IN PRACTICAL DETECTIVE WORK FOR SUPERMARKET SHOPPERS

(By William D. Zabel)

One of these days—with a little luck and some prodding on Capitol Hill—the packagers of soapflakes are going to be forced to adopt the high moral standards of bourbon distillers. It will be a glad day for the most exploited American consumer, the supermarket shopper, whose plight was recently dramatized by a group of California housewives.

Five anonymous housewives were selected for a study conducted by Helen Ewing Nelson, director of the California Office of Consumer Counsel. Three were college graduates; the others had completed 2 years of college. Each woman was given money and sent to buy 14 staple foods in an average supermarket solely on the basis of the largest quantity for the lowest price.

They spent an average of 43 minutes, not including checkout time, in the effort—according to market surveys, over 50 percent more time than the average shopper would have taken. In general, the result of their efforts was failure. None could identify the least expensive package of rice or toilet soap. Three could not find the least expensive can of tuna or package of salt. In fact, these college-trained women, trying as hard as they could to save money and taking far more time than the average shopper can allot, failed 34 out of 70 times to make the correct purchase. Imagine the ordinary housewife's chances of success, with two small children screaming, laughing, and sampling goods in and around the shopping cart. She may as well close her eyes and pick a package at random. She probably often does just that.

The most pampered American consumer has no such problems in his liquor store, where shelves hold bottles in standard sizes—half pints, pints, and fifths. The fifth of one brand of bourbon at $4.80 is really less expensive than a competitor's fifth at $5.10. There are no "economy-size" fifths or "giant half quarts," and no one labels his bottle a "full fifth." The bottles are not "slack filled," with hollow bottoms or planned excess airspace. Your favorite Scotch does not say "5 cents off" 1 week and "10 cents off" the next, while the real price remains the same. In short, the liquor store shopper has no difficulty making rational purchases based on price comparisons of different brands.

But how is the housewife to tell when she looks at boxes of detergents, whether 20 ounces for 35 cents is a better buy than 24½ ounces for 40 cents? And if she wants to buy potato chips she has to cope with 71 different package sizes—all under 3½ pounds. Shopping computations have become so difficult that a company on the east coast is now marketing a "valumeter" designed to compute the price per ounce or per pint for various products. For the same purpose, a Berkeley, Calif., consumers' cooperative distributes a special shopper's slide rule to its members.

Congress will, I hope, end this absurd situation by passing a truth in packaging bill recently proposed by Senator PHILIP A. HART, of Michigan, who headed an exhaustive 2-year inquiry by the Senate Antitrust and Monopoly Subcommittee into deceptive packaging and labeling practices in the sale of goods in the supermarket. There is now no comprehensive statute regulating the packaging of the nearly 8,000 items on the average supermarket's shelves. Consumers spend about $70 billion a year on these market-basket commodities. If passed, the bill would be a landmark in the history of legislation protecting consumers—guaranteeing them the right to know what they are buying and for how much, by removing many of the psychological traps, confusions, and outright deceptions confronting them in the supermarket.

What kinds of deception did the subcommittee uncover? Perhaps I can answer that question, as an atypical supermarket shopper who might be called a professional consumer. In college, I wrote a thesis on planned obsolescence, and problems of the consumer—the man without a lobby—have fascinated me ever since and caused me to watch closely all legal and political developments which affect him. (I was, of course, one of the first users of the new stainless steel razor blades.) This avocation, and especially my current interest in deceptive packaging, makes me a slight nuisance to my wife. I often rummage through her grocery bag in search of deceptive packages, which I then expose in considerable and dramatic detail. Equally irritating, I suppose, is my habit of appropriating, as the need arises, a cereal box, a can of cleanser, or a hair spray container for use as visual aids in my lectures to various groups interested in consumers' problems.

But deceptive packaging is itself much more annoying to my wife than is my expropriation of her purchases, and indeed it is probably today's most serious headache for consumers. In almost every case, the parties responsible for this headache are the product manufacturers. Many manufacturers gather ideas from packaging designers and consultants. But the ultimate decision on the nature of the package—its label, shape, size, and contents—is made by the manufacturer himself. If the package misleads, it is because he wants it to.

HOW BIG IS THE JUMBO SIZE?

Packaging is used today as part of a company's competitive strategy. Package designers, manufacturers' sales and packaging executives, market researchers, behavioral scientists, and public relations men all work in hopes that their package on the supermarket shelf will yield ever greater sales and profits.

Some of their handiwork—frozen fruits and vegetables, for instance—is a boon to consumers. And other packaging "advances" may be simultaneously good and bad. For example the new "slim hipped" bottle of Wesson Oil helps the housewife because it is easier to hold and pour. (The packaging psychologists also hope that this pinched-in-waist bottle—with its suggestion of a trim feminine figure—might make shoppers forget about the calories inside.) At the same time, the new Wesson Oil bottle contains only 28 ounces instead of a quart, which is clearly no help at all.

Deceptive packaging, however, has absolutely no justification, though it may, and often does, increase profits. When a manufacturer slack-fills his cereal or spaghetti box (sometimes containers are almost half empty), he makes a few extra pennies on each sale, and when he sells several million boxes of that item, those pennies mount up to quite an impressive figure. If Senator HART's bill becomes law, industrywide limits on "headspace" can be set for particular products and slack-filling may have to end.

Perhaps the worst thing about deceptive packaging is that it is as contagious as the plague. When one company—by disguising the true cost of its product in one way or another—makes rational price comparisons impossible, competing companies usually feel they have to imitate the practice. More and more, manufacturers compete by means of advertising or premiums, rather than by cutting prices.

What's the point of reducing prices to win new customers? They won't recognize the bargain anyway, since they often can't even compare the price of the honest package with that of the deceptive.

Deceptive packagers use various methods to obscure the true cost of their wares. One of the most common is hiding the net weight. This is accomplished easily enough by (a) printing on transparent labels in the same color as the food in the bag, (b) using reflecting metallic paper so that the print cannot be read except in a favorable light, (c) printing the necessary information on the part of the label that is folded under, and (d) using microscopic type. What is worse, many products don't simply hide the net weight or content information; they omit it altogether. For sheer frustration try to discover the comparative cost of two brands of toilet soap.

The truth-in-packaging bill requires that the net weight or contents of every consumer commodity be conspicuously displayed on the front panel of its package. The bill directs the Food and Drug Administration (for foods, drugs, and cosmetics) and the Federal Trade Commission (for other consumer commodities) to establish minimum standards for the prominence of net-weight statements, including type size and face. Government officials and manufacturers, working together on a product-by-product basis, can also set standards to designate the quantitative contents of a package for which a statement concerning net weight or number is not meaningful. For example, laundry detergents vary greatly in density and percentage of cleaning agents, and might be labeled in terms of the number of "average" wash loads they can clean. "Average" (within the product category) would have the same meaning wherever it was used.

If the true price of a product is often hard to discover, certain other information (or misinformation) is all too obvious. Look, for instance, at the present size labels. You will notice at once that the word "small" is taboo. A tube of Colgate toothpaste marked "large" is the smallest size there is (at least in my store); the others being "giant," "king," and "family" size. Crest's smallest tube is labeled "medium." A jar of Prell shampoo which might accurately be called "midget" size is labeled "personal." Detergent sizes generally start with "regular" and work up through large, giant, king, jumbo, and home laundry—but a test of seven leading brands showed that the largest regular (24½ ounces) was bigger than even the largest of the large sizes (21¾ ounces).

The truth-in-packaging bill provides for standardization of nomenclature on an industrywide basis. Its passage may mean a return to the long-forgotten standards of size terminology—small, medium, and large. Instead of 19 sizes of instant coffee, industry representatives and Government officials may agree on 3 standard sizes with names that really mean what they say.

Packagers are masterful neologists. Their currently popular terms include the "giant half-quart" (a pint), and the "jumbo" quart, which is a quart adorned only with an adjective and not an extra measure. Today, wherever there is a malpractice you can always find a psychologist or sociologist to explain its necessity in the scheme of things. Thus, motivational researchers assure the packagers that the consumer is irrational and would rather buy a package labeled only "jumbo" than a larger package unimaginatively labeled "quart." In defense of such terminology, one witness told Senator HART's subcommittee that his company might be forced to package their fruit cocktail in a can labeled "full 16 ounces" because his competitors' nearly identical cans of fruit cocktail now contain only 15 ounces or less.

The packagers' motivational researchers stress the psychological approach in the supermarket. (Admittedly, many consumers—driven to the brink of madness—might appreciate a couch in every other aisle so they could lie down and collect their tempers.) The trick is to have a package that attracts and hypnotizes the woman shopper. For various reasons, the "MR men," as they are known, claim that red and yellow packages achieve this effect better than other colors. They also emphasize placing "symbols that have a dreamlike quality" on the package. And pictures on packages or their labels often turn out to be merely a figment of their imagination. A can of mushroom chow mein shows a serving covered profusely with mushrooms, while inside the can there are only three small pieces of mushroom surrounded by a mass of chow mein. And, as another example, the illustrations on cans of mixed nuts deceptively emphasize the expensive cashews, brazil nuts, and pecans while the cheaper peanuts actually predominate inside.

Sometimes the package promises, "serves four generously." One witness displayed a can of pears with this legend. It contained two pear halves, or one pear. Some brands of precooked rice and frozen vegetables serve four in a manner which would leave two ordinary people hungry. The question becomes, serves four what? Vogue models? Pygmies? Under the truth in packaging bill, absurd qualifying adjectives and misleading illustrations are prohibited. In addition, industrywide serving standards ("serves two, four, etc.") may be formulated for commodities which claim to contain a specific number of servings.

THE MYSTERY OF THE MISSING NAPKINS

Senator HART's bill could also spell death for the "economy size" package—the packagers' equivalent to Pavlov's bell. We have been conditioned to believe that an "economy size" saves us money but actually it is often economical only to the seller. An "economy size" can of a well-known brand of tuna containing 12½ ounces sells at a special price of 59 cents. But two regular 6½-ounce cans (13 ounces altogether) sell for the same 59 cents. Recently, the FDA seized thousands of jars of the "giant economy size" jar of a famous instant coffee. The economy size jars contained 10 ounces of coffee for $1.44 or 14.4 cents per ounce. But the regular 6-ounce jar for 75 cents cost only 12.5 cents per ounce.

First cousins to the economy size are the "giant special value" package (the well-known hair spray that sells at the same special price for years) and the "cents off" deal. Packagers and manufacturers employing this latter device are sometimes referred to as the "Wizards of Off." The labels on their packages read "Save, 10 cents off" or "5 cents off." The question then is, off what? A price marked up over the usual sale price? The price this product usually sells for in this store? What is the regular price? A consumer can pick up two identical jars of the same brand of coffee and find that one says "15 cents off" while the other says "10 cents off"; both say, "you pay only," and stamped in ink is the identical price—59 cents. In this case, the coffee manufacturer switched to 10 cents off before the grocer had sold his stock of the same product labeled 15 cents off.

"Cents off" promotions are seldom used for the valid purpose of introducing a new product. Instead, they seem designed to confuse the customer totally by making it impossible for him to tell the new price, the old price, or the regular price of the item he wants to buy—or even to tell whether all these prices are not, in fact, the same. "Cents off" deals and "economy size" packages that give the consumer no price savings are proscribed by the truth-in-packaging bill.

Fortunately, a good many shoppers are already suspicious of this sort of label. Some other kinds of packaging deception, however, are much harder to spot. For instance, manufacturers often reduce the net contents of their packages without either lowering prices or changing package size. This is known as packaging to price. Sometimes it also involves redesigning the package to make it look even bigger and labeling it "New and Improved."

To keep their products within acceptable price brackets in recent years, the makers of one brand of applesauce reduced their package size from 19 to 14.63 ounces; a hair oil went from 5 to 4 ounces; an instant coffee has appeared in a "new economy" 5-ounce size, selling for the same price as the old "new economy" size containing 6 ounces. The list, I'm sorry to report, could go on indefinitely. Soft drinks, candy bars, frozen vegetables, shortenings, and razor blades are only a few of the products which are often packaged to price. The device is so popular because its hidden aspect tends to keep customers buying the product they are accustomed to using, instead of switching to lower priced private brands (like A. & P.'s Ann Page) at a considerable savings. This may help to explain why private label products of standard or premium quality make little headway in the supermarket even when offered at as much as one-third below the effective price of nationally advertised brands.

The art of packaging to price takes patience as well as ingenuity. Witness the history of a popular brand of table napkins. The old box contained 80 napkins, with "80" prominently displayed on the front of the package. Then, although the box still held 80 napkins, the number 80 was removed from the front to the back, where it appeared in tiny print. Thus, if the consumer noticed a change and checked, he was pleased to find that the package still held 80 napkins. His pleasure was destined to be shortlived. For a little later, retaining the same package size, the company reduced the number of napkins in the box to 70—a 12.5-percent content reduction without any decrease in price—and probably without any loss in sales. One witness suggested that this reduction was necessary to compete with other table-napkin manufacturers, including one which used a "cellophane package fluffed up to look bigger * * * and which contained 20 less napkins."

Still more sophisticated means than packaging to price can increase product turnover. One paper company, for instance, enlarged the size of the individual towel in its roll of paper towels while leaving the roll itself the same size, thus forcing the user to exhaust the roll sooner and, of course, to buy a new one more often. This ingenious packaging device is lawful now and would be lawful also under Senator Hart's bill, which is not overly paternalistic toward the consumer. We will, even if the bill passes, still have to watch the packager with care. The manufacturer defends his change as a response to "consumer demand," explaining that the new and larger, but fewer per roll, individual towels were sized with such precise awareness of consumer needs that now one towel mops those special spill jobs that previously required two.

Other packagers have other justifications to offer. A few, in effect, seem to consider deceptive packaging a positive good. Ernest Dichter, president of the Institute for Motivational Research, told Senator Hart's subcommittee that the public doesn't "really want to know what is inside the package." Price boosts cause consumers anxiety, the reasoning goes, but the housewife can be calm and contented if her favorite bag of candies remains at 29 cents—even though it only holds 12 ounces instead of the former 15. If the truth in packaging bill were to bring standardized packaging to the supermarket, manufacturers who find their costs creeping up would either have to absorb the cost increase or actually and openly raise their prices, just as today sellers of milk, butter, flour, or liquor—all sold in standard sizes—must do. I am confident consumer psyches will survive the blow.

WHO NEEDS IT?

Will the bill pass? Anyone who has fought the exasperating fight against the packagers knows that such legislation is needed. Is there any real doubt that the American housewife buying soapflakes or rice or salt is entitled to the same protection against deceptive packaging as our laws now give her husband when he buys his whisky? And it is quite clear that the cost of telling the shopper what he needs to know is not prohibitive. As Saul Bass, one of this country's leading packaging designers, explained: "Changes on the label, of a nature (such as 'cents off' deals) not stimulated by legal requirements, are frequently necessary. Therefore no more than the necessary yet economic amounts—in terms of printing costs—are usually printed at any one time. If timing requirements for the changeover are reasonably set, it will be possible, with rare exception, for the manufacturer to make the changeover without discarding quantities of otherwise usable labels."

Moreover, the bill has some strong supporters: the Kennedy administration, every organization of significance in this country which speaks for the consumer, and most State weights-and-measures officials and State agricultural department heads. In addition, leading package designers, such as Saul Bass and Robert S. Dickens (past president of the Package Designers Council), and a number of manufacturers and industry representatives indicated support at the hearings for various provisions now in the bill. Opponents—manufacturers and their spokesmen—are not as numerous as one might expect. In fact, some large manufacturers, apparently at the behest of their public-relations men, have refused to appear and fight the bill directly. Concerned perhaps for their public image, they have let their trade associations and other handmaidens speak for them.

The NAM, the U.S. Chamber of Commerce, the Soap and Detergent Association, the Association of National Advertisers, and the Grocery Manufacturers of America—plus a few large concerns such as Procter and Gamble, and Scott Paper Co.—were among those who did appear to oppose the bill. They argued that proper enforcement of existing laws would prevent deceptive packaging.

But according to Paul Rand Dixon and George P. Larrick, heads of the FTC and the FDA respectively, the case-by-case approach now open to them simply cannot stop the widespread deceptive packaging in today's marketplace. As another witness testified, it would take 10 to 15 years of assiduous application of current legal tests to packaging practices to obtain judicial affirmation of the much-needed standards which Congress can establish easily, clearly, and directly by passing this bill. Furthermore, even the most imaginative interpretation of existing law could not give these agencies the authority to standardize sizes, size terminology, or even the location and prominence of net-weight statements.

To the surprise of no one, the manufacturers also charged that the bill imperiled the free enterprise system and perhaps even the Republic. Standardized sizes, however, have not harmed the milk, butter, flour, or liquor industries. And other industries have weathered such legislation as the Wool Products Labeling Act, the Fur Products Labeling Act, the Textile Fiber Products Identification Act, and the Poultry Products Inspection Act. None of these has noticeably weakened the country or the individual industry; nor have they depressed imagination, hamstrung invention, and put creativity in a straitjacket—as one business executive fears the Hart bill will do. Luckily, there are a good many ways for a package to be attractive though honest.

As a matter of fact, the bill is relatively easy on the packagers in several ways. It allows them to help set their own standards; it provides extensive procedural protection of their rights; it affects only the quantity of consumer goods; and it omits many suggested regulations. It does not demand, for example, that manufacturers list price per ounce or per pound of the product on the front of the package. It does not even attempt to deal with the real and serious problems of quality standards and grade labeling. Even if it passes, a manufacturer remains free to produce four different packages of detergent of the same size and quality, differentiated only by their trade names.

On television, as everyone knows, the "good guys" always win, but on Capitol Hill life is more complex. Consumers, by definition, include all of us. We are the largest economic group in the country, but we are also the least effectively organized. Hence, our views are not often heeded. Whether our voice will be heard by enough Members of Congress to push the bill through remains in doubt. Manufacturers have powerful and skillful lobbies. Consumers, on the other hand, must depend primarily on tenacious men like Senator Hart to wage their battles for them. We may yet win the fight. Meanwhile, there is nothing to stop us from resorting to self-help. We might start by turning upside down all deceptive packages we find on our supermarket's shelves. Let the packagers beware.

CONSERVATION AND POLITICS

Mr. BARTLETT. Mr. President, on July 22 of this year Honorable John A.

Carver, Jr., Assistant Secretary of the Interior, addressed the Association of State Foresters, meeting in Anchorage, Alaska. Mr. Carver discussed a subject which is of interest to all who are concerned with the development and utilization of this Nation's natural resources. As he acknowledged during the course of his remarks, the title might better have been the politics of conservation.

I think Mr. Carver's treatment of this subject gives an insight into the complex problems and conflicting interests faced by the Interior Department as manager and protector of our national resources. For this reason, I ask unanimous consent that his July 22 address be printed in the Record at this point and I highly recommend its reading to my colleagues.

There being no objection, the address was ordered to be printed in the Record, as follows:

CONSERVATION AND POLITICS

I was pleased to be invited to participate in the meeting here in Anchorage of the Association of State Foresters. The non-Federal public segment of America's resource managers has no more capable and responsible representative than this association.

In a way, I undertook special preparation for this appearance. Week before last I was one of the fortunate participants in the well-known Idaho Land Board Tour, in my own State. Under the able leadership of the veteran head of the Clearwater Timber Protective Association, Mayor Bert Curtis, of Orofino, more than a hundred men from every sector of public and private life concerned with resource management floated the North Fork of the Clearwater River on rafts.

Roger Guernsey, our State forester, Hardy Glascock, my colleague on this program, and others well known to you, participated in a seminar on land use in a beautiful setting of this great white pine area. The Corps of Engineers is building a flood control, hydroelectric, and log navigation facility, the Bruces Eddy Dam, and their officials were there. The U.S. Forest Service joined with Interior, and the commercial landowners and with county tax officials to discuss the management of the area to accommodate to this project. Our legislature was there in numbers, and many of our constitutional officers. Private and public recreation interests and organizations contributed, and the protection of the game and fish resource was a matter of common concern.

A comparable experience in Alaska followed. Yesterday and the day before, Alaska's Director of Natural Resources, Phil Holdsworth, its State lands director, Roscoe Bell, and its attorney general, George Hayes, have conferred on Alaska's special problems with the Federal Government in carrying out its land selection with me, with the State BLM director, and with the Indian Bureau's Area Director.

The point I make is that of such experiences—which get down to specific cases in the actual physical environment involved—comes understanding, accommodation, and inspiration for good conservation.

Eighteen months ago I spoke to your colleagues of the Washington, D.C., chapter of the Society of American Foresters on the subject of "Political Forestry." I carried it off well enough, I guess, because I chose to talk in my terms—emphasizing the political rather than the forestry.

I'm going to try again today, to expose a few thoughts on the subject of "Conservation and Politics." Perhaps it would be better to call it the politics of conservation, for I have no intention of dealing with conventional or partisan politics.

We're in Alaska. Those of you whose forest resources have developed through the public domain route—from grants of public land in your Statehood Acts—cannot fail to make comparisons of the early experiences in your State with those presently being experienced here.

For example, I doubt that any State admitted up to 1912 got the running start of professionalism in its forest and land program which Alaska is demonstrating to you, so soon after admission.

But a good land law and a professional staff of unexcelled ability does not remove the conservation task from the workings of politics, internal or external. The very essence of political significance of conservation issues is concentrated here. Alaska, sparsely populated and disciplined by a rigorous climate, is rich in land area and resources but short on the capital and industrial capacity to exploit its inestimable natural wealth. In my earlier discussion of "political forestry" one of the examples I used was the policy issue of exporting round logs to Japan. How do we weigh the economic, social, international relations and other factors involved in that highly political question? Harvesting mature timber is surely conservation in the most lofty sense and Alaska is not even fractionally close to meeting that goal. Japan offers an almost inexhaustible market—if delivered in round log form. Export might tend to lure Japan away from Soviet supplies. But to do so would deprive some Alaskans of jobs, which are already scarce, because existing Japanese-financed mills would close. Moreover, such a policy would be at the expense of Pacific Northwest exports of finished lumber.

This is an aspect of conservation issues in politics. A decade or a generation or even a century ago, the same elemental conflicts of values were presented. Conservation is a philosophy of resource management. But so is economic development of a region or State. Depending on a number of variables, the two need not be in conflict. But the degree to which the partisans of one or the other attitude stakes out a claim to exclusive virtue—to that extent political temperatures rise.

Even experienced and sophisticated veterans of public resource management react in a conditioned way to the verbal stimuli which are a part of our political tradition. A few sentences ago I used the word "exploit" in reference to Alaska's economic development needs. I used it consciously and purposefully. No one jumped up to object. But you might have. This is a bad word in conservation lexicon—not for any etymological or philological reason, for words are neutral. But this one exudes the colorful symbolism of our political environment. "Exploit" means "spoil"; "conserve" means "save," In this context, one doesn't even need to write down the moral propositions that create the differences. Generations of holy crusade have produced the glandular reaction—"exploiter," evil; "conservationist," virtuous.

This Pavlovian reference has no other purpose than to illustrate how deeply conservation issues have cut into national thinking. So some will say: "Isn't this good? Shouldn't people react righteously without having to ponder? Let's not equivocate with evil." Of course, all of this begs the question, for it assumes that the labels and catch phrases, the campaign slogans, have been correctly assigned: that there is some divine guidance, some intuitive gift, that permits ready identification of an infidel or heathen cause. For the purist, there are no gradations of virtue—no compromises between ideal and reality.

But beyond this intellectual exercise of defining and sorting "good guys" and "bad guys," there is a very great danger that past habits of oversimplification may lead us into serious error. Many in this room will participate in making the social decisions that must be made to meet the demands of 300 million people for living space, food and fiber, and all of the other resource requirements of an almost unimaginable technology. Conservation and resources promise to become the most critical domestic political issue as we approach that social milestone. Any attempt to answer the challenge with cliches must fail—and with it our basic values, quite possibly our whole political system and our existence as a democratic society.

You may well protest that these examples of conservation symbolism are so utterly crude as not to be taken seriously in this age of sophisticated communication. If so, I fear that you have not had the dubious pleasure of being caught between range users who want fences to hold their cattle and hunters who decry any interference with the free migration of deer or antelope. Or the contending views of those who insist that spraying is critical if thousands of acres of timber are to be saved, matched against the dire warnings of geologists concerning malathion's effect on essential animal life.

But we need not stop with such crude examples. Professional conservationists have many sophisticated phrases. The appeal of "sustained yield" has been sufficient to turn many a tide. And "multiple use" comes close to being the universal solution to all demands, even though it provides no effective assistance in adjudicating incompatible demands. The mere suggestion of "give away" is enough to stop any resource transaction in its tract—at least temporarily. Such slogans are high-powered weapons of the political arsenal.

They are the current manifestations of a long tradition. Resource issues have been political issues since the earliest days of the Republic. Jefferson and Hamilton's ideological struggle had as one of its ingredients the policies which should govern in settling western lands. The "Mississippi Bubble" was the major political issue of its decade. John Wesley Powell made the settlement of arid lands a bloody battleground long before those lands had any real value. Of Theodore Roosevelt and Pinchot I shall speak in a moment—but in their wake came Teapot Dome and the New Deal's major political assets—CCC, TVA, Soil Conservation, Bankhead-Jones, and a dozen others that you can name without my help. In the last decade, Al Serena held center stage while the pressures for more open space, better recreation facilities, more and purer water piled up. This accumulation is our political inheritance, the unfinished agenda of our generation.

The techniques of achieving political goals for conservation have never been more effectively exhibited than they were at the hands of the first Roosevelt and his chief lieutenant, Gifford Pinchot. Roosevelt accomplished with a stroke of the pen what his predecessors had declined to do out of timidity or lack of interest or both. He made his name synonymous with conservation and he met both the "interests" and their legislative spokesmen head on.

He set aside public lands for forest purposes while enrolled enactments of Congress prohibiting such Executive action sat out the constitutional waiting period on his desk. Forestry, reclamation, and wildlife protection became main functions of the Federal Government under his tutelage. He convened the first White House Conference on Conservation—the next President to do so was John F. Kennedy in 1962.

Roosevelt took the conservation movement out of the polite conversation of drawing rooms and off the platforms of the lecture circuit. An ideal, clothed with Victorian respectability, became an objective of public policy—of Government activity. Conservation was made an object of political contest—where it has been ever since, not only at the Federal level but in the States as well.

Pinchot presents an even more interesting case study in the development of political conservation and conservation politics, which is equally significant. Pinchot is something of a rarity among all public figures: a pioneer in an emerging profession and respected for that in itself; masterful politician, good enough to quarterback many of Roosevelt's most daring forays, and to be elected Governor of Pennsylvania twice; but above all, superlative bureaucrat. With a singleness of purpose that would have been disastrous in one of lesser ideals, Pinchot used a small and ineffectual office in the Department of Agriculture as the nucleus for concentrating most of the Federal forestry activities into one of the largest and most powerful of all Federal bureaus—one that could dominate Cabinet officers and challenge a President of the United States.

Pinchot's zeal to become the dictator of conservation values and morals led, of course, to his split with Taft and his accusations against Secretary of the Interior Richard K. Ballinger, whom Taft appointed to replace Pinchot's friend and collaborator, James Garfield. The congressional hearings (on an Alaska coal land withdrawal, as it happened) marked one of the bitterest episodes in the history of conservation politics. The stakes were high—the Office of the President becoming eventually involved. Ballinger was eventually exonerated of any intentional wrongdoing, but it was found that certain of the evidence submitted in his behalf had been misrepresented as to time of preparation. Press and public alike remembered only this tarnishing fact—Ballinger was publicly guilty, though innocent.

This incident in one man's bureaucratic war on those who opposed him did lasting harm to a major conservation department of the Government. Pinchot—although out of office—never lost an opportunity to remind the country of Interior's faults, as if Ballinger had been found guilty. Not until Harold Ickes took over a quarter century later did the Department retrieve the public respect so necessary to discharge its conservation mission.

My discussion to this point has covered conservation and politics in a general or abstract sense—the insertion of conservation issues into partisan programs. And I have tried to emphasize the tremendous part played by the politics of bureaucratic contest. If we are to see the whole picture the politics of the conservation movement itself must be considered, too. By this I do not mean the internal manipulation of organizations, but the interplay of powerful forces among those who have a rightful claim to be called conservationists.

Theodore Roosevelt's task in establishing the conservation ideal was difficult because it ran across the grain of traditional thinking. He had to first establish waste as something close to immoral—and then work on the public conscience to see that it reacted accordingly. The substantive issues of his day were, however, relatively uncomplicated. Techniques of forest protection were direct, elementary and easily comprehended; power generation and transmission had potential for the future, but comparatively little current relevance; demands upon land and water resources were confined to single uses, uncomplicated by competing needs incompatible with each other.

Now our population has almost doubled and its mobility multiplied fivefold or tenfold. A disturbing percentage of our land area must be devoted to concrete ribbons strung with the beads of metropolis, suburb, and town. Technology has made possible and created forms of land use which were impossible a half century or even a decade ago. The protective barriers to the wilderness have been breached. The alternatives of 1900 were black and white; conservation or exploitation, public or private development; friends and foes were readily labeled by the choices they made. The conservation movement was a homogeneous gathering of the like minded and the high minded. Their specific interests might differ—from wildlife to scenic grandeur to power potential—but their central objectives were consistent.

William Howard Taft had hardly vacated the White House, however, before the first clatter of discord disturbed this paradise of righteous contentment. Hetch Hetchy gave warning that one conservationist's ideal could be another's desecration—that the recriminations among friends under stress could match those that drew blood from sworn enemies.

As the cities of central California and the bay area grew they rapidly outstripped readily available supplies of water; a similar situation in power could be foreseen due to their great distance from conventional energy sources. To those who were thoroughly steeped in Theodore Roosevelt's premise that "conservation is the great fundamental basis for national efficiency," it was elemental that the rivers of the Sierras should be harnessed to provide the water and power requirements for a growing prosperity. From almost every standpoint of economy, efficiency and engineering convenience, the ideal site for dam construction was in the Hetch Hetchy Valley of the Tuolumne River. Heated opposition immediately developed from two quarters; from private utility interests, because the project was to be constructed and operated by the city of San Francisco, and from an important segment of the conservation movement itself, because the site was deep in the Yosemite National Park, almost consecrated in the eyes of parks purists.

Hetch Hetchy became a national issue primarily because of its public power aspects. But the contention between conservation values was also very much in the public eye. Labels became mixed and the identity of friend and foe became complicated. If you can conceive of it, John Muir was actually cast in the role of advocate for Pacific Gas & Electric Co., a mouthpiece of "the interests." To those who recount this story from the public power viewpoint, the term "conservationist" is reserved for Hetch Hetchy's proponents—all others fall in the category of "nature lovers" or "power interests." In this, the first clear instance of conflict among national conservation objectives, the charge was also made by one element of the conservation front that their erstwhile friends were being exploited by those having diametrically opposite social values. "Save Yosemite From Destruction" was a rallying cry of the purist school among dedicated conservationists; it was equally available to those who would use every possible device to defeat the reservation of any further lands for park purposes.

This incident was more than a temporary symbol. Hetch Hetchy has returned periodically to haunt successive generations of conservation supporters. When the dam was finished some 20 years later, the city instituted a program of operation which included sale of power for distribution through a private utility. This had been a major issue in 1913 and the legislation specified a wholly public enterprise. Secretary Ickes intervened and enforced the basic conditions through a departmental decision and a later lawsuit. As late as 1961, our Department had to grapple with the sensitive issues of how to correlate improvements in the efficiency of water and power operations with preservation of park values.

Any number of parallel situations may be cited to demonstrate the increasing conflict between and among interests within the conservation family in its broad expanse. The Steamboat Springs project, dear to the hearts of the reclamation branch of the family, foundered upon the unavoidable consequence of flooding a part of Dinosaur National Monument. The Glen Canyon Reservoir is already beginning to fill, but the bitterness over failure to protect Rainbow Bridge against water intrusion is readily evident in our daily mail. Issues such as these find their outlet in the exercise of those highly developed techniques of political pressure which the conservation enthusiasts developed to carry their cause.

Even after projects are in operation for many years with harmony between multiple uses, a conflict of interest can develop through changed conditions. Moisture deficiencies in the northern Rockies sometimes reduce the waters available to Jackson Lake in Grand Teton National Park. These waters are committed to irrigation subscribers to an extent which may draw the lake surface down abnormally. The majority of the park scenery is dependent in part upon the lake reflections. Mud flats destroy this value in addition to the damage done to nearly all forms of water recreation. At this point, practically all of the conservation interests—boaters, fish and wildlife enthusiasts, casual tourists and hikers—make demands for relief which are impossible to satisfy in the face of commitments which cannot be modified.

The issues upon which the conservation community finds itself divided will increase as demands for scarce land increase. Concerted efforts to preserve the remaining wilderness are slowed by the friction between "total preservation" and "wise use" as the guiding principle in conservation philosophy. Unless this dichotomy is reconciled, the eventual winner can only be the interests which want neither preservation nor controlled use of forest and mineral resources. Even more partisan in its nature is the growing tendency toward differences between sport hunting and fishing and other recreational land uses. The States' rights strategy which Pinchot and Roosevelt scotched in their day is inherent in this situation since the States have primary jurisdiction over fish and game regulation. A wedge driven between State and National interests on this ground could penalize the progress of an entire generation toward complementary and supplemental effort.

The political dimension of conservation has therefore expanded in ever-widening circles as our society and our technology have become increasingly complex. The simple "for" or "against" issue of 1900 now has overtones of the bureaucratic contest for policy supremacy. "Multiple use" becomes a slogan to block the preservation of critically needed recreation values; freedom to locate mineral claims argues against inclusion of a public domain tract in either a forest or a park. Parks supporters are accused of "locking up" resources because they regard public hunting incompatible with park objectives. The pluralism of modern life makes extremely complicated the simple faith which motivated Thoreau, Muir, Powell and the other prophets of the good life.

Let us now look to the future prospects for conservation as a political issue. Will it drop out of the field because other problems of modern life demand all of our attention? I am convinced that the exact opposite will be the case. Science and technology can change and multiply and stretch the limits of such resources as food and fiber and energy sources. But eventually we get back to the fundamental elements of land and water. Living space for twice our present population will demonstrate the inelasticity of the land surface. Water problems, both qualitative and quantitative, must be attacked promptly and with every scrap of our imagination—for wars have been fought and civilizations have died for its lack. We face a century of intense competition for these elemental resources. Government must inevitably enter as the arbiter. Conservation issues may therefore become the dominant ones in public affairs, therefore in politics, in our own generation.

The essence of what I have been saying is portrayed rather uniquely in a single edition of your professional journal—the July issue of American Forests. Its prominently displayed editorial announces the calling of the Fifth American Forest Congress to map out the conservation job ahead. That editorial is dominated by a historical account of AFA's justifiably proud history of past influence on conservation policies—and in practically every instance progress is measured by success in the political arena. Then turn, if you will, to the colorful insert which sets forth the draft platform which will serve as the core of the Congress' deliberations. Like the past, AFA leadership projects future objectives in political terms: direct attack on problems of land use, water conservation, outdoor recreation policies, control of mining and other activities which have a potential for resource deterioration—even an intrusion into the highly political field of tax policy as it relates to resource conservation.

One could not ask for a more political document—and a masterful one which contains something for everyone, couched in language most favorably calculated to elicit the desired reaction. Yet the task set forth is a realistic and a critically important one. I only hope that what I have had to say here will be useful to you in your contributions to that Congress—in recalling my prediction that conservation in politics will be a major factor in the job ahead.

DEALING WITH THE SOVIET UNION

Mr. PELL. Mr. President, I take pleasure in calling to our attention a most instructive and illuminating article by Walter Lippmann, published in a recent edition of Newsweek magazine. It is entitled "Dealing With the Soviet Union."

Mr. Lippmann details the growth since 1958 of friction between the Soviet Union and Communist China into deepening conflict. This increasing struggle, which Mr. Lippmann so lucidly sets forth, may well have an important bearing on the direction of Soviet foreign policy today.

The thesis of Mr. Lippmann's article is that the national interests of the Soviet Union are already beginning to surpass its adherence to the doctrines expressed by Lenin, and that the rise in the Russian standard of living has caused that Nation's revolutionary zeal to diminish.

> The ideological quarrel between communism and anticommunism is a religious war like that between Islam and Christendom, between Catholics and Protestants—

Says Mr. Lippmann. He points out that historically religious wars are never won or lost, nor are they ever wholly settled. They simply lessen in intensity, until—in Mr. Lippmann's phrase—"they are no longer matters of life and death."

It seems to me, Mr. President, that this penetrating, long-range view of our relations with the Soviet Union is especially helpful at this time when we are exploring new avenues of coexistence with our Communist adversaries. Such an analysis helps us to see where we may be going.

Mr. President, I, therefore, ask unanimous consent that the full text of Mr. Lippmann's valuable article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DEALING WITH THE SOVIET UNION

(By Walter Lippmann)

It is often much easier to forsee what is going to happen than to predict when it is going to happen. This has certainly been true of the Chinese-Soviet quarrel, which is one of the great events in modern history. We have long known that there would be a quarrel. We have not known when it would reach the point where it altered international relations all over the world.

At the end of the Second World War, some years before Mao and his Communists had won control of mainland China, it was already known to students of the geography of Asia that the vital interests of China and of the Soviet Union were in direct and uneasy contact along the immense land frontier which runs from the Pacific Ocean to the heart of Asia. It was known at the time that Stalin distrusted the Chinese Communists, calling them radishes, "Red on the outside, white on the inside." What he really distrusted, no doubt, was a rival Communist power right on his frontier.

When the Communists conquered the Chinese mainland—without help from the Russians—it was soon seen to be most probable that there would be a Sino-Soviet conflict. When I was in Moscow in October 1958, the official line was still that there could be no national conflict between Communist states. When I broached the subject of China with Mr. Khrushchev, he told me flatly that I would not ask such a question if I knew anything about communism. But on another afternoon when I was having tea with the editors of Pravda, the talk about China was a little less frozen. Finally, I blurted out, not only because I believed it but in order to see how they would react: "What you ought to do is settle the issues with the West and make an alliance with us to keep peace."

There was a long and embarrassing silence which ended with a sigh by one of the editors who then said: "If only you Americans had talked like that 10 years ago." I let the subject drop, not thinking it useful to remind them that 10 years ago we had had Stalin to deal with.

PAST FRICTION

As a matter of fact, in 1958 there was already friction between the two Communist states, and at the end of the year they tried to patch up their differences. They failed, and in the following year, 1959, there came to the surface an open conflict of Chinese and Soviet interests. As Mr. Edward Crankshaw has pointed out, Khrushchev refused to help Mao in his conflict with us over the offshore island, he refused to give him atomic weapons, or to back him in his border dispute with India, or to intervene in the Middle East when the Americans landed in Lebanon and the British in Jordan.

By 1959 it was plain, then, that events were going to justify what had been foreseen at the end of the World War—namely, that despite their being Communist states, the ancient conflict between Russia and China was going to go on.

PRESENT TRUTH

There is a view of the Communist problem which I have long shared. It is that nationalism is a stronger human sentiment than communism and that, therefore, the right way to deal with the Soviet Union is to treat it as a great power in which the national interests of the Russians will prevail over their Marxist-Leninist ideology.

The course of events is, I believe, proving this view to be correct. The vital national interest of the Russians is to check the expansion of the Chinese into Russian Siberia, and, because the Russians are westerners, to make peace with the West.

The basic proposition—that nationalism will prove stronger than communism—has a corollary which is that as a Communist society succeeds in raising the popular standard of life, the original revolutionary zeal will die down. There is now a new generation in the Soviet Union which never knew Lenin.

FUTURE OUTLOOK

In what I believe has been a workable view of how to deal with the Soviet Union, there are, of course, besides the two basic propositions about nationalism, two military propositions as well. First and foremost there is the proposition that there must be the maintenance of a balance of power which cannot be upset without inviting ruination. The other and closely related military proposition has been never to let a military confrontation narrow to the point where the only alternatives are surrender or catastrophe.

So far as I can see the course of events is proving that these four propositions constitute a realistic philosophy. I would add to them a general idea which is that the ideological quarrel between communism and anticommunism is a religious war like that between Islam and Christendom, between Catholics and Protestants. History teaches us that religious wars are never won or lost. They are never wholly and finally settled. They cool down and fade away until they are no longer matters of life and death.

TRIBUTE TO INSPECTOR HOWARD F. MOWRY AND THE METROPOLITAN POLICE DEPARTMENT

Mr. PELL. Mr. President, in recent months there has been much discussion in this legislative body concerning the crime rate in our Nation's Capital and our police protection. I should like at this time to commend our Metropolitan Police Department, which I believe is one of the best in the country. Certainly, all of us recognize the fact that Washington is a unique city and because of this its police department has many unusual problems to cope with.

One of the reasons why I believe the Metropolitan Police has been most effective is because of the high caliber of men who comprise it. I am extremely proud to note that a Rhode Islander, Inspector Howard F. Mowry, has recently been singled out in a national publication for his leadership within the department in the area of human rights.

Sunday, August 4, there appeared a news story in both the Washington Post and the Sunday Star, which I should like at this time to ask unanimous consent to insert into the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Aug. 4, 1963]

FORMER BOXER SEIZED AFTER SHOTGUN THREAT

An armed man threatening to shoot "the first white policeman" was overpowered last night outside a house at 1218 O Street NW., after two volunteer Negro officers spent more than an hour and a half persuading him to surrender.

It took five policemen to subdue former boxer Harold Brown, 30, listed at 1418 Corcoran Street NW., after Insp. Howard F. Mowry emerged from hiding to seize Brown as he left his basement barricade—still carrying a shotgun.

Police said Brown earlier had fired two blasts, one at some children nearby, and one inside the basement. No one was hurt. When police arrived shortly after 8 p.m., they failed to flush Brown out by firing three cannisters of tear gas inside the basement.

The men who persuaded Brown to come out shortly after 10 p.m. were Det. Harold H. Burwell of the robbery squad and Pvt. James S. Kornegay of the second precinct.

Before they approached the basement of the rooming house, police ordered the evacuation of 10 occupants. One was a cripple.

When Brown emerged to follow the two officers, Mowry stepped from behind a tree and grabbed him around the neck. There was a scuffle before he was handcuffed.

The incident was witnessed at a distance by many persons, including Representative Homer E. Abele, Republican, of Ohio and Representative Laurence J. Burton, Republican, of Utah, who had been inspecting the area with police.

Brown was held for mental examination at District of Columbia General Hospital.

Police said Brown's 16-gage shotgun was bought last Saturday. He had been arrested February 20 for carrying a deadly weapon of the same caliber, was sent to St. Elizabeths Hospital for mental observation, and later released.

[From the Washington Sunday Star, Aug. 4, 1963]

Armed Boxer Captured After Basement Siege

Two Congressmen watched last night as police worked with persuasion and tear gas to get an armed prize fighter—who they said had shot at children in an alley—from a basement at 1218 O Street NW.

Lt. Beryl Darr, of second precinct, said the situation developed like this:

Harold Brown, 30, of the 1400 block of Corcoran Street NW. went to visit someone at the O Street address, a three-story rooming house. He carried a 16-gage shotgun.

Brown went wild and holed up in the basement of the house. He fired at youngsters in the alley and also fired inside the basement itself.

TEAR GAS USED

Police were called in about 8:30 p.m. Twenty of them evacuated the ten persons, including a cripple, in the house, and held back hundreds of spectators.

From the basement door facing the alley, Brown, a Negro, shouted that he would shoot the first white policeman who came after him.

Three canisters of tear gas were shot into the basement but Brown wouldn't budge. The drifting gas, however, caused people three houses away to evacuate their homes.

Detective Harold Burwell, of the robbery squad, and Pvt. James S. Kornegay, of second precinct talked with Brown for about 2 hours.

Representatives Burton, Republican, of Utah, and Abele, Republican, of Ohio, who had been riding with policemen to observe District conditions, watched the police operations.

SUBDUED BY POLICE

At 10:10 p.m., Brown was persuaded to walk into the alley. He still carried the shotgun. The two policemen backed away as he walked toward them.

From a hiding place behind a tree, Inspector Howard F. Mowry jumped Brown from the rear and got the gun away. Four other police helped to subdue and handcuff the man.

Brown was taken to District of Columbia General Hospital for mental observation.

Police said he had been charged with carrying a weapon in February, but the case was dismissed by the court.

Lieutenant Darr said Brown had recently fought professionally in Canada.

Mr. PELL. Mr. President, Inspector Mowry, formerly of Smithfield, R.I., demonstrated great valor and great courage in disarming a former boxer armed with a 16-gage shotgun. It is my understanding that Howard Mowry, with whom I am personally acquainted, ran 30 feet up a street, which had been turned into an armed camp, and by force took the loaded shotgun away from this former boxer, who had just left his basement barricade. Earlier this individual had fired two volleys; one at some children nearby, and when the police arrived on the scene and attempted to flush this man out with tear gas, they were unsuccessful. The roominghouse in which he was lodged was then evacuated by the Police Department, and two officers, Detective Harold H. Burwell and Pvt. James S. Kornegay, persuaded this former boxer to come out onto the street. When he emerged, Inspector Mowry fearlessly approached him, scuffled with him, and finally was able to disarm him, and placed him under arrest.

Therefore, Mr. President, I am very proud to commend Inspector Mowry both as a humanitarian and as a police officer, who has a sincere dedication to his work and has the element of raw courage and the ability to be decisive when a threat of bodily harm against the public so abruptly arises.

TRIBUTE TO JAMES L. McDEVITT

Mr. PELL. Mr. President, shortly after the death of James L. McDevitt, director of the AFL–CIO Committee on Political Education, I expressed here on the Senate floor on April 30 of this year my profound sadness on the loss to the labor movement of such a vital, forceful, individual as was James L. McDevitt.

At that time, I also stated that I believed it would be the highest form of tribute to the memory of Jim McDevitt if his deputy and the man indoctrinated in his ideas and views were selected to succeed him as director of AFL–CIO COPE and if he were to be the man who worked so long and closely in kindred spirit and dedication with him—Al Barkan.

Today I read with great pleasure in the newspapers that Alexander E. Barkan had been appointed as the new political director of the AFL–CIO by the administrative committee of the federation's committee on political education.

I know and admire Al Barkan. He is a fine and honorable man and a capable planner who combines imagination and intellectual awareness with practical organization and activities. Mr. Barkan was born in Bayonne, N.J. He was graduated from the University of Chicago in 1933 and taught for 4 years at the Bayonne High School. Later he joined the staff of the Textile Workers Union organizing committee of the former CIO in 1937. He is a veteran of World War II and has been active in labor activities for a quarter of a century.

Al Barkan has been vitally interested in increasing voter registration and lending his efforts to this end.

He is indeed a fine choice. I wish him good luck in his new responsibility.

HAWAII'S DELEGATES TO GIRLS' NATION

Mr. FONG. Mr. President, a citizen of the newest State of the Union was recently elected President of the United States, and another distinguished Hawaiian was named Secretary of the Treasury. All Hawaiians were justifiably proud of their two delegates to the Girls' Nation which was held in Washington July 28 to August 3.

These able and charming young ladies were Miss Kathleen Ann Vorhies, of Wailuku, Maui, who was elected President; and Miss Beryl Leolani Bailey, of Honolulu, Oahu, who was named Secretary of the Treasury.

Both of these young Aloha Staters demonstrated outstanding leadership, a keen sense of responsible citizenship, and a probing interest in the intricacies of our Federal Government.

I congratulate both Miss Vorhies and Miss Bailey, and I wish to express my delight and great appreciation for their representation of our State.

I wish also to commend and congratulate the American Legion Auxiliary for sponsoring this outstanding program locally and nationally each year.

MORAL GUIDELINES FOR THE AMERICAN STRATEGY DEBATE

Mr. GOLDWATER. Mr. President, in the coming debate on the test ban treaty, we are certain to get into periods of discussion concerning strategy in the cold war. It has been my pleasure to read a very interesting paper that touches on this field, "Moral Guidelines for the American Strategy Debate," by Robert D. Crane, of Georgetown University. I would suggest that each of my colleagues read this, because it touches upon an aspect of strategy not often developed—an aspect that should have more attention.

I ask unanimous consent that it be inserted at this place in my remarks in the body of the Record.

There being no objection, the paper was ordered to be printed in the Record, as follows:

Moral Guidelines for the American Strategy Debate [1]

(By Robert D. Crane, Georgetown University, Washington, D.C.) [2]

During the past year there has been increasing evidence of ferment among Soviet political and military leaders and generally within the entire Communist bloc. In the area of military strategy this ferment has caused a definite shift in Soviet military thinking away from traditional doctrinnaire approaches and has introduced a new strategic realism based on increased flexibility and rationality.

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[1] Delivered originally under the title "Pacem in Terris and Arms Control" at the first meeting of the Clergymen's Interfaith Committee for Human Rights, Cathedral of Mary, Our Queen, in Baltimore on June 13, 1963, and in revised form under the present title at the arms control session of the summer meeting of the American Institute of Aeronautics and Astronautics in Los Angeles on June 18, 1963.

[2] Director, Space Research Institute, Duke University; Associate, Center for Strategic Studies, Georgetown University; member Arms Control Committee, Catholic Association for International Peace With Justice and Charity, National Catholic Welfare Conference.

The response of Western statesmen to this internal debate in the Soviet Union has been even more striking than the Soviet debate itself. There have been two main types of response, each based ultimately on opposing estimates of the nature of communism. One response is based on the estimate that communism both as an ideology and as a political movement is essentially offensive in nature and perhaps increasingly so. Supporters of this view believe that Soviet strategy is more sophisticated than it has been in the past, but that Communist leaders are still dedicated to the total elimination of the free institutions and Christian morality of our civilization, and that in this respect communism remains basically unchanged.

The logical conclusion, and the resulting fear of this school, is that if the United States fails to manifest its resolve to counter the political and military use of Soviet force, the Soviets probably will use their new flexibility to move wherever resistance is weakest and, under conditions of reduced risks, to employ whatever level of violence would best promise success. It is further concluded, first, that if the United States succeeds in firming up its resolve, the Soviet hardliners in their new realism will recognize that their plans to expand the Communist empire by military means and by the political use of modern weapons cannot succeed, and, second, that the failure of the Soviet hardliners would help the moderates among the Communists succeed in their attempts to direct Soviet expansionist efforts toward the political and economic arena. According to this view, the United States now has the opportunity, if it uses sufficient imagination, to determine by the policies which it follows what course the Soviet strategists will adopt. According to this view, therefore, the dangers as well as the opportunities for the United States as a result of the strategy debate in the Soviet Union are unprecedented.

The second type of response to this strategy debate is based on the estimate that communism, at least as an existing political movement distinct from allegedly outmoded Communist ideology, is basically defensive. The logical conclusion is that Soviet leaders can be most beneficially influenced by an American policy of conciliation. This response is best typified by the address of President Kennedy at American University in June 1963 on "A Strategy for Peace."

President Kennedy asked the peoples of the free world to reorient their thinking toward communism and to distinguish between Communist ideology and communism as a changing political and social movement. He evidenced his belief that the arms race is caused by lack of trust and by what arms-control specialists call the self-fulfilling prophecy, whereby the arms race is caused less by a real clash of interests than by what President Kennedy termed: "a vicious and dangerous cycle with suspicion on one side breeding suspicion on the other, and new weapons begetting counterweapons." President Kennedy continued: "In short, both the United States and its allies, and the Soviet Union and its allies, have a mutually deep interest in a just and genuine peace and in halting the arms race. Agreements to this end are in the interests of the Soviet Union as well as ours—and even the most hostile nations can be relied upon to accept and keep those treaty obligations * * * which are in their own interest. No treaty * * * can provide absolute security against the risks of deception and evasion. But it can * * * if it is sufficiently in the interests of its signers—offer far more security and far fewer risks than an unabated, uncontrolled, unpredictable arms race." President Kennedy was saying, in other words, that the Soviets consider it in their self-interest to stop the arms race and that it is better to trust the self-interest of the Soviets to guarantee the observance of a disarmament treaty than to let the arms race further escalate. He added that peace is "the necessary rational end of rational men," and that the adoption of policies which risk escalation "would be evidence only of the bankruptcy of our policy or a collective death wish for the world."

It is becoming increasingly clear that the strategy debate in the Soviet Union is at least matched in intensity by the strategy debate which it has helped to evoke in the United States. The two debates seem to differ, however, in the reasons for their intensity. The American debate has grown in intensity to a large extent through the attempt to answer the question how we can best apply moral restraints on the use of military power. This search for moral guidelines has resulted perhaps quite naturally from the fact that any debate over military strategy in the United States must be fundamentally moral in nature, because morality is the basis of our society and of its superiority over communism, imperfect though our society still may be. The Soviet debate also concerns the necessity for restraints on the use of military power, but differs from the American debate in this respect because it is guided by the goal of restraints not as a moral goal in itself, but as another more flexible and sophisticated means to accelerate and assure the expansion of communism.[3]

The two strategy debates seem to differ also in the way they interact on each other. Although the point may be and undoubtedly will be debated, the conflicting sets of guidelines for the two strategy debates seem to have caused each debate to strengthen and consolidate the guidelines for the other. Thus the increased rationality evident in the Soviet strategy debate has seemed to consolidate support for restraints on the development of American military power and strategy. Conversely, the increased emphasis on restraints evident in the American strategy debate may serve to consolidate support for the classical doctrines of Communist expansion. To the extent that the moral context of the American strategy debate may have such an undesirable consequence, it becomes necessary to examine more carefully the moral problems involved in this debate, and to develop moral criteria or guidelines for the further development of American strategy.[4]

Discussion of the morality of American strategy has concerned not so much the fundamental goals which we seek but rather the threats to our achievement of these goals and the response which we should make to these threats. The principal concern has been the threat of destructive war. In terms of moral guidelines, attention has concentrated on the moral demands of charity arising from the need to control the forces of modern weapons technology which threaten to destroy much of what we value. Equally imperative, however, is the threat of Communist encroachment and the demands of justice arising from the need to control and rechannel the forces of Communist expansion which threaten to destroy not only what we value but our values themselves. Morality requires us to face all the possibilities and problems with which we are confronted and to envision the practical consequences of each of our actions. If we let either one of these threats dominate our thinking or if we ignore either one of these threats, we run the risk of increasing the danger of the other.

The most basic requirement for a constructive debate over American strategy therefore is the objectivity to recognize the complexity of the fact situations and problems involved in our national security. The value which we attach to the concept of truth would make such objectivity itself a moral requirement. In a negative sense this criterion of objectivity serves to warn against what the late AEC Commissioner Thomas E. Murray calls the moral fallacy of totalization. According to this criterion those who ignore the morality of the means in the attempt to find an immediate and final solution to either the threat of physical destruction by war or to the threat of Communist domination are equally immoral. The advocates of unilateral disarmament are just as immoral as are the advocates of preventive war.

A related aspect of this criterion of objectivity is the recognition that both of the above threats involve a spectrum or continuum of threats. This is important because it is our attempt to totalize the threat which leads to the attempt to totalize our response.

Concerning the threat of Communist expansion, we should recognize, first of all, that this Communist threat is nonmilitary as well as military in nature. We should recognize, furthermore, that although the Communist threat to our highest ideals and most cherished institutions is total in nature, nevertheless the threat to these ideals and institutions is not totally Communist. The total nature of the Communist threat derives essentially from the spiritual and moral dichotomy which separates the Communist and non-Communist worlds. Until the leaders of countries now dominated by communism replace their militant materialistic drives with a philosophy which provides freedom for men to follow the dictates of their spiritual nature, and until these leaders provide institutional safeguards to protect the individual from the arbitrary demands of the state, the essential nature of the Communist threat will remain. However in bipolarizing the Communist and non-Communist worlds in terms of evil and good, we should avoid simplistic attitudes which fail to recognize the shortcomings in the free world, because the Communists rely on our shortcomings to facilitate their further expansion.

Most basically, perhaps, we should recognize that the principal threat to the security of the free world is the spiritual decline of the West, which has contributed both to the birth and growth of communism. One can interpret this to be probably the most important message of the papal encyclical "Pacem in Terris." In this encyclical, Pope John was not asking the United States and all men of good will to avoid war by blind trust in the good will of all men, but to create attitudes, conditions, and institutions which promote good will and peaceful ordering of human affairs. This approach to the problems of conflict and disunity was central to all Pope John's thoughts and actions, not only in the sphere of international relations, but in interfaith and interrace relations. Pope John did not simply call for a reunion of all Christians, but for the regeneration of the Catholic Church so that its truth could be more easily recognized by all Christians—Catholic, Orthodox, and Protestant—and in fact by people of all faiths. Similarly he was calling not directly for the abolition of discord and war in the international sphere, nor for a world government, but for the regeneration of the free world so that men can peaceably achieve their legitimate aspirations and so that all men, including the leaders of countries now dominated by communism—if they are of good will—can accept the requirements of natural law which Pope John outlines for a peaceful world order.

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[3] See "Nuclear War and Soviet Strategy," edited by Robert D. Crane and W. Onacewicz for the Center for Strategic Studies, with an introduction by Adm. Arleigh Burke (retired), Duell, Sloan & Pearce, New York, ca. 400 pp. 1963.

[4] Failure to do so would only give support to the contention that to some extent the challenges of the post-1945 world "are merely a challenge to American rhetoric," and the belief that "the American moralistic style is a source of disturbance to the world and a cost to the national interest." Walt W. Rostow, "The United States in the World Arena," Harper & Bros., 1960, p. 481.

Similarly we should recognize that the threat to the free world consists not so much in hunger around the world, but in our totalization of the Communist threat in the form of hunger so that we support deterministic concepts and condone autocratic solutions which treat the symptoms and not the causes and which destroy the very values which we are trying to foster. If we are to remove hunger as a Communist weapon, we must first remove the causes of economic stagnation by promoting stability and individual initiative and opportunity, both political and economic, in the underdeveloped countries, with proper consideration for the unique requirements of each country. And we must help teach self-discipline to the people in the underdeveloped countries so that they can channel their discontent into constructive efforts to master the modern technology which under proper conditions can eliminate hunger everywhere. As Admiral Burke has phrased it, we should promote "conditions conducive to a political order, which with evolution rather than revolution, will move toward representative government in which power is balanced, initiative is widespread, and the marketplace is free." [5]

The spectrum of the Communist threat includes therefore both military and nonmilitary elements and elements which are independent of communism itself. We are morally bound to recognize this complex nature of the Communist threat not only in order to avoid the unnecessary use of military means to counter threats which are essentially political and economic, but to counter more effectively Communist encroachments on the free world.

Even more important as a moral criterion to guide our policymakers in shaping a master strategy is the recognition that not merely the threat of communism but the threat of devastation from war is a continuum or spectrum. Perhaps the greatest immorality of all is to totalize the threat of modern war, so that we are faced with a choice between surrender and Armaggedon, because this fear of Armaggedon can only paralyze the mind and make impossible any attempts at basing our national policies on moral principles. It is precisely this great exaggeration of the likelihood of total war in the modern age which has produced a moral vacuum in the field of strategic planning and has caused commentators either to ignore the moral criteria for the use of force or else to ignore the problems of the responsible policymaker who must plan for the use of force in an imperfect world.

In evaluating the likelihood of total war, we must recognize the vast spectrum of force which ranges from so-called paramilitary activities either on earth or in space to what Herman Kahn calls spasm eruption to central war. Unfortunately, many commentators naively write as if the only kind of war still possible is total nuclear war.

Second, we must recognize that the Soviets greatly fear nuclear war, even though they do not totalize this fear as many do in the United States. Although the Soviets believe in the inevitable victory of their system even in a nuclear war, the leading American experts on Soviet military strategy unanimously believe that the Soviets think and plan in terms of limiting war, both conventional and nuclear, just as we do, though probably not with the same sophistication. The Soviets firmly believe that war must never be allowed to expand beyond its usefulness as an instrument of policy. They are confident that they can gain their ends without war and will employ military force only when they think the political gains in a given situation far outweigh the risks of escalation to strategic nuclear war, or if weakness in American foreign policy causes them to miscalculate our resolve, as happened in Cuba.[6]

Third, in order to appreciate the actual likelihood of war and thereby gain sufficient perspective to apply moral criteria to the use of force in the modern world, we must recognize the distinction between the use of force and the threat of force, and between actual and declaratory policies. The Soviets are masters in confusing the distinction between the two. The Soviets have long been inferior to the United States in strategic power and have tried to make up for this inferiority by waging psychological warfare in the area of strategic concepts in an attempt to control the development of the strategic thinking of their opponents, and thereby to reduce the risks of Communist expansionist moves.[7] It is enough to point out that the Soviets try to control our strategies by emphasizing the dangers of automatic escalation from any firm American response to Communist expansionist moves. As another example, the Communists promote the theory that deterrence consists not in the credibility of counterforce strategies but in the shock effect of countervalue war against the opponent's cities.

Soviet emphasis on the upper end of the conflict spectrum and Soviet attempts to base the psychological concept of deterrence even on the threat of mutual suicide serves not only to overcome Soviet inferiority in limited strategic war capabilities and to reduce the need to divert advanced weapons funding into interim weapons systems, but to demoralize policymakers in the West. This strategy of demoralization is destined to weaken American resolve to defend the free world and to destroy the confidence of the free world in the general credibility of the U.S. deterrent and therefore in the reliability of collective defense. Furthermore, this strategy of demoralization serves to convince the peoples and leaders of the world that the future of mankind depends on American acceptance of disarmament without realistic inspection, which could result in unilateral disarmament of the United States through our failure to modernize our weapons arsenal. By emphasizing the dangers of nuclear genocide and, at the same time, by following a foreign policy of tension manipulation to maintain an atmosphere of alternating but permanent crisis, the Soviets capitalize on the peaceful tendencies of the Western peoples and thereby increase the pressures in free societies for accommodation during periods of Communist expansion.

A realistic appraisal of Soviet strategic thinking and of Soviet psychological warfare in this field, particularly as they have developed during the past 2 years, strongly rejects the likelihood of total war. Therefore, if we are to engage in genuine moral encounter with the problems facing our statesmen today, and if we are to engage in constructive debate, we must avoid overconcentrating on the contemplation of extreme failures of policy. Instead we must devote our creative moral energies to our real problems.

The primary moral guideline for the American strategy debate therefore is the necessity to maintain a rational balance in considering the threats to our security and to avoid the simplistic totalization of either one. Using this primary moral criterion as a general guideline it then becomes possible to apply more rationally second-order criteria in our efforts to maintain a moral approach in the actual implementation of our broader policies. In considering second-level moral criteria we should be aware that they compose a continuum ranging from the rather pure realm of moral guidelines to the area of rather pure public policy.

If we are to base our policies on objective moral criteria, we must recognize first of all that the use of force by nations in international affairs cannot be condemned in toto, because in an imperfect world without enforceable world law the complete renunciation of national force would mean the abandonment of justice. Increasingly, also, the maintenance of national armed force by the free world serves not to wage war but to deter other countries and to prevent the necessity for war ever being waged. The chairman of the Arms Control Committee of the Catholic Association for International Peace, James Dougherty, has aptly summed up this aspect of the morality of renouncing the use of force by his statement: "The cause of morality is not very well served by shifting from a situation in which war is deterred to one in which it is not." [8] Force itself and the threat of force are morally neutral and derive moral significance only from the goals which they are to serve and from the prudence with which they are used.

In order to introduce morality into the use of force we must limit our resort to force by the principle that the means we use must be proportionate to the ends we seek. This principle of proportionality of response probably is the most important second-order moral criterion. The greater the magnitude of either the risk or the use of force the greater must be its justification. It may be argued that we must add as a variable the degree of probability that the given use or risk of force will produce the net benefit which we are seeking, and that we must refrain from the use or risk of force unless the chance of net benefit is much higher than the chance of net loss. To this must be added, however, a fourth principle, as stressed by Pope Pius XII, that the comparison of loss and gain must not be restricted to the material order whereby we would risk or tolerate injustice merely because its prevention or repression would be costly in the strictly utilitarian sense. Our equation of proportionality must be in terms of the hierarchy of strictly moral values. We must avoid what John Courtney Murray calls the vulgar pacifism of sentimentalist and materialist inspiration. In crude terms, we must remember that Americans have more both to live for and to die for than do the Communists.

There are other second-order moral criteria related to the principle of proportionality. One of the most important to consider, because it is the one most grievously violated in World War II, is the limitation of our military objectives to one of conditional surrender. The totalization of the concept of victory in a policy of unconditional surrender does not promote peace, because peace is by nature a product of justice. At the same time, morality does not require that our war aims be restricted to the restoration of the status quo ante bellum, because this would merely justify the implementation by the Communists of the principle "two steps forward, one step backward," whereby the Communists continue to press against the free world until they meet armed resistance, and then retreat to the point or not far from the point which they had reached at the outbreak of hostilities.

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[5] Adm. Arleigh Burke (retired), "Latin America, Target for Communist Conquest," "The General Electric Forum," vol. VI, No. 2, April–June 1963, p. 16.

[6] Robert D. Crane, "The Cuban Crisis: A Strategic Analysis of American and Soviet Policy," Orbis, a quarterly journal of world affairs, January 1963.

[7] See discussion of psychostrategic warfare in Robert D. Crane, "Space Arms Control at the Crossroads," 60 pages, in Proceedings of the Arms Control Study Group, Center for Strategic Studies, Georgetown University, 1954.

[8] James Dougherty, "The Political Context," in "Morality and Modern Warfare," ed. William Nagle, Helicon Press, 1960.

Another related principle is the permissive principle of asymmetry between the levels of threat and response, in other words, that the response to any given threat may occur at a different level of the conflict spectrum. It is traditionally asserted, for example, that military force may be used only against armed aggression across national boundaries. In the modern world, however, when the operational end of the conflict spectrum increasingly seems to lie in the area of paramilitary and other unconventional types of warfare, and indeed, when many of the traditional legal distinctions between war and peace have become rather meaningless, the requirements of justice may dictate asymmetry between the levels of threat and response.

This same principle of permissive asymmetry would apply also at the middle and upper levels of the conflict spectrum, though at these levels the pertinence of other moral criteria, such as the requirement of justification, would be greater. At the middle levels of the spectrum this principle would be pertinent to moral evaluation of the advantages and possible disadvantages of initiating the use of either tactical or strategic nuclear force in response to a massive conventional attack on Europe and to the question of whether and when the shift to nuclear weapons might, at least theoretically, constitute a qualitative rather than a mere quantitative increase in the level of force employed.

This principle of permissive asymmetry would bear also on such questions as the relative morality of permitting or encouraging the proliferation of independent nuclear powers or power blocs. It would bear also on the question whether we are morally obliged to structure the defense system in such a way that we reduce its efficiency in order to make impossible an irrational response. As yet higher levels of the conflict spectrum this principle raises the question, for example, whether in order to maintain control in the middle of the spectrum we are morally permitted to threaten escalation to the top.

Regardless of the answers to these moral questions, it would seem indisputable that one cardinal criterion for a moral force structure in the modern era would be the maintenance of sufficient flexibility so that weakness at any intermediate level, for example in conventional forces, does not itself serve as a stimulus to escalation or to any unnecessary asymmetry between threat and response. This requirement would be greatest in the area of advanced weapons development to avoid any "necessity" of countervalue warfare against the opponent's population.

A second permissive moral principle, which is becoming increasingly important, is the principle of permissive asymmetry between national force levels. The importance of this principle derives from the attempt by many students of national security policy to develop the principle that a national policy of military superiority, and particularly of military superiority in outer space, is immoral because it would destroy any hopes of achieving military stability in the world and that international stability therefore requires self-imposed restraints on force levels, for example on the size of hydrogen bombs, and on military research and development.

It is further argued that a policy of superiority based on the acceleration of military research and development efforts or even on their maintenance at existing levels is immoral not only because of its alleged destabilizing effects but because it serves only to increase our capacity for "overkill" and to divert resources badly needed to promote the economic welfare of mankind.

These arguments must be evaluated in terms of the probable potential of future weapons development, because only in this context is it possible to evaluate the interest or lack of interest of the Soviets in restraining their own military research and development and to understand the utility or lack of utility of further improvement in weapons systems. It is true that very soon, probably even during the present decade, further increases in the quantity of our ICBM's will be relatively useless. This will occur, however, not because they will have reached any "overkill" level, but because new weapons systems will have rendered these ICBM's obsolete. The decisive weapons of the future very well may be designed not to deter war simply by massing destructive power, but to destroy the opponent's deterrent capability by advanced weapons of defense. These may be based increasingly in outer space.

After the production of offensive earth-based counterforce weapons approaches the point of diminishing return, and after passive defense measures (primarily missile hardening, mobility, and underwater concealment) begins to obsolesce in the face of new technology, the utility of active defense capabilities, consisting not only in earth-based AICBM's but in advanced weapons systems in space, will increase. If and to the extent that the security of mutual invulnerability decreases either through obsolescence of passive defense or through the growth of active defense measures, superiority in strategic active defense systems, particularly in space, may become critical.

The advanced weapons systems which have been under high priority development in the Soviet Union for many years and have been discussed in recent Soviet writings include not only improved ICBM's and AICBM's but futuristic systems which require much further improvement both in the weapons themselves and in the booster power necessary to inject these weapons into space. These futuristic weapons discussed by the Soviets are based on laser directed nuclear and solar energy, radio-directed ionized gas or ball-lightning, jets of plasma heated millions of degrees into the fourth state of matter, various neutron-flux weapons and even weapons operating through the principle of antimatter and particle annihilation.

The Soviets particularly stress the use of space-based weapons for offensive use in general and limited war, and, according to at least one recent, authoritative Soviet statement, even for tactical use in local war. One of the principal advantages would be in the reduction of "reaction" time from initiation of a strike to impact on target. For the more conventional types of space bombing, advances in propulsion and in deorbiting thrust can reduce response time from deployment orbit to surface impact to as little as 2 minutes. If and when the Soviets perfect the advanced energy or radiation weapons mentioned in their strategic and scientific writings, the near elimination of reaction time and the increases in accuracy and destructive yield of Soviet space weapons might destroy any mutual counterforce stalemate for many purposes almost as effectively as would the perfection of active defense measures. During an era when the psychological value of resolve may surpass the military value of strategic power, increasingly important might be also various space-based environmental countervalue weapons, including weapons for biological warfare, laser guns which can direct gamma or other rays to contaminate selected areas for short periods, and high-megatonnage or even gigatonnage nuclear weapons, which can serve not only to destroy communications, nuclear submarines and other more conventional targets, but to destroy the resolve of an opponent by producing terror blasts in near space or to weaken the opponent's ability to recuperate by burning his crops over large areas of a continent.

The Soviets have emphasized both in their statements and in their actual budgetary allocations a policy aimed at superiority in such advanced weapons systems. For example, Premier Khrushchev keeps a laser-scarred piece of steel on his desk to demonstrate what he calls Soviet superiority in advanced military technology. Much more significant than any writings or statements by Soviet leaders and scientists, however, is the fact that the Soviets allocate the same amount of money as the United States does to military research and development, but three and a half times as much as the United States does to basic military research and development. The Soviet budget for research and development seems to be geared not to achieve a rather meaningless superiority in ICBM's during the present decade, but to achieve a perhaps decisive superiority in advanced weapons at some later date.

Perhaps the most important result of advancing weapons technology in the modern age is that as technology advances the destabilizing effects of new breakthroughs increase. As a consequence it would seem that any military stability based on parity, whether by mutual restraint or otherwise, is becoming increasingly illusory. On the basis of existing information both on the potential of future weapons development and of Soviet intentions in this field, it is therefore at least a tenable proposition that, pending basic changes in the nature of communism, the type of stability which can best prevent the outbreak of war is a stability based on the military superiority of the free world.[*]

It is important to realize that the principle of asymmetry in national force levels is basically a permissive principle and as such is designed to set lower limits to the spectrum of measures which statesmen can use to further the cause of international order. It serves only as a relatively temporary measure to help the free world gain time to solve its own problems while it invites the leaders of Communist countries to take the necessary measures so that such asymmetry is no longer necessary.

A constructive approach to morality in contemporary international affairs goes far beyond the determination of what is just and moral under the actual conditions of international disorder and calls in addition for consideration of means to create and promote ideas, institutions, and conditions for the more effective pursuit of a just and peaceful world order in the future. If we are to emphasize a constructive approach we must augment the permissive principle of asymmetry in national force levels with the much broader principle of subsidiarity, which was developed by Pope John XXIII in both of his leading encyclicals, Mater et Magistra and Pacem in Terris. The principle of subsidiarity calls for the solution or ordering of any problem at the lowest level of society which can effectively solve the given problem. This applies to all levels of society, whether it be a state within a federation or a family within a community, and throughout all spheres of human activity, to the political as well as to the economic and social. This principle of subsidiarity, however, calls also for the international and perhaps even for the supranational solution of problems which cannot be solved effectively in any other way.

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[*] Stefan T. Possony, "Toward a Strategy of Supremacy," in "National Security: Political, Military and Economic Strategies in the Decade Ahead," edited by David Abshire and Richard Allen, Center for Strategic Studies, Preger Publisher, New York, 1,025 pages, 1963.

In the field of military strategy, the moral principle of subsidiarity would require recognition of the fact that national military decisions are acquiring an increasingly wider international impact and that decisionmakers therefore must broaden the base of their moral consciousness to encompass the interests and welfare of other nations and of the world community. The principle of subsidiarity would require objectivity in recognizing that national approaches are decreasingly effective in reaching solutions to some of our problems and that an international and even supranational approach, both on the regional and global levels, might increase our chances of successfully solving these particular problems.

A frequently mentioned corollary of this political internationalization, and one specifically advocated by President Kennedy in his speech of June 11, 1963, at American University, is the application of supranational law. Many scholars argue that throughout history the attempts of each nation to base the use of force on autointerpretation of its own morality has led only to pessimism concerning the existing and potential role of law as a vehicle for the peaceful ordering of international affairs, because each of the contending parties tried to use law as an instrument of self-justification. The proposed remedy for this defect in the international system is the institutionalization of measures to subject national interpretations of international law to revision by the collective judgment of all nations, in other words by the creation and strengthening of world law, supranational courts, and a world police force. If and to the extent that communism disappears from the world, these goals may become increasingly real. Prior to such eventuality, however, the advocacy of these goals as a means to gain initiative in the competition for world opinion should be tempered by the need to educate world opinion toward a realistic appreciation of the complexities of the modern world.

A proper understanding of the principal of subsidiarity and of its various corollaries requires objectivity in recognizing that we now live in a world which does not yet permit reliance on the great ideals of world law and world order. In the field of international law we should recognize that while international morality should develop through an ever closer correspondence to the principles of international law, at the same time international law should develop in the changing conditions of the modern world to correspond to the requirements of international morality. Failure to recognize the complexities of the problems involved, and particularly of Soviet intentions and activities in the sphere of international law, would serve only to help the Soviet Union turn international law into a weapon for Communist expansion.[10]

In the field of world order, we should recognize that the necessity to rely on national solutions for many of our international problems is not a result merely of any deficiencies in our organizational approach. Some commentators have seemed to suggest that instability among nations results partly, or even largely, from the lack of American reliance on international organizations and from our insistence on our national possession of the means for violent resolution of international conflicts. They consider that the solution to the problems of world order is to eliminate national armaments and self-help from the international scene.[11] This is putting the cart before the horse, because the basic cause of disorder in the world is not the existence of material means for the violent resolution of conflict, no matter who owns them, but rather the existence of uncontrolled human beings who refuse to promote conditions and instruments for peaceful change, who promote violence in order to pursue their own immoral purposes, and who seem to regard the United Nations as another form of coalition government to be subverted toward their own expansionist goals.

Another corollary of the principle of subsidiarity is the avoidance of provocation. This is a major requirement for the creation of conditions and instruments for a peaceful world order. Morality requires statesmen to consider the problem of provocation in everything they do, whether it be in reaching decisions on the rapidity of installing fallout shelters or in deciding whether or not to install weapons of mass destruction in outer space. Morality might also suggest that statesmen reduce the allegedly provocative nature of many necessary defense measures by working where feasible toward their internationalization in carefully integrated phases, for example, in the spheres of space to earth observation, on-site inspection in space, and stabilization of space-based command and control systems to avoid accidental war.

Morality, however, equally requires statesmen to avoid provocation by a policy of weakness and vacillation in the face of an aggressive opponent. Until the international Communist movement is clearly no longer offensive in nature, the security of the free world may depend in large measure upon adequate recognition by our leaders that the most dangerous of all forms of provocation is the failure to make it very clear, by actions as well as words, that the offensive policies of the adversary cannot possibly succeed and that these policies, furthermore, will result only in the loss of what the adversary has already gained.

When we try to apply the above second-order criteria during the course of the great American strategy debate we must be guided above all by the two primary moral criteria, which are the necessity to maintain a rational balance in our consideration of the twin threats of Communist encroachment and nuclear destruction and the necessity to recognize the complex nature of both of these threats and in our conceptual approach to avoid the simplistic totalization of either one. Only by such a balanced approach can we convince the Communists, now or ever, that their best interests lie in joining the free world in its efforts to help every individual man to achieve the economic well-being and the personal freedom which alone will permit the kind of individual moral progress necessary for lasting peace.

RESERVE COMMISSIONS IN CONGRESS

Mr. GOLDWATER. Mr. President, during this session of this Congress, suggestions have been made that those of us who hold Reserve commissions in the military of the United States are serving improperly as Members of the Senate. We in this category have maintained that we are not, and I have submitted from time to time, abundant legal opinion on the subject that I believe backs up our contention. In addition to this, I have submitted a resolution calling for the Judiciary Committee to make a determination in this field, but to date no action has been taken on it.

While the writer of the letter I will introduce at the conclusion of my remarks certainly does not have the power to make a determination that I have asked the committee to make, nevertheless, this highly respected citizen's views on the subject should be of interest to all.

Therefore, I ask unanimous consent that a letter written by former President Harry Truman to an inquiring friend, Mr. William Freehoff, Jr., of Kingsport, Tenn., be inserted in the RECORD at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

INDEPENDENCE, MO., *July 31, 1963.*

Mr. WILLIAM F. FREEHOFF, Jr.,
Kingsport, Tenn.

DEAR MR. FREEHOFF: I read your letter of the 22d of July with a great deal of interest.

There isn't any reason in the world why Members of Congress should not keep and maintain their Reserve commissions. I kept mine and was finally the commander of a Reserve regiment. I have never regretted that I did it.

Sincerely yours,

HARRY S. TRUMAN.

PRINCE EDWARD COUNTY, VA., VINDICATED

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD an editorial from the Richmond (Va.) News Leader, which is entitled, "Prince Edward Vindicated."

It will be recalled that Prince Edward County, Va., has been the target of the Supreme Court since 1954, as the decision was then rendered against Prince Edward County for the segregation of its public schools.

The fact that Prince Edward has now been vindicated in its action in setting up a private school system 5 years ago, and that the vindication comes from the recent decision of the Federal courts, is a matter of great significance and should be fully publicized.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

PRINCE EDWARD VINDICATED

As a matter of law, Prince Edward County stands completely vindicated today.

That is the primary significance to be drawn from yesterday's admirable opinion of the U.S. Court of Appeals for the Fourth Circuit. On every major argument advanced by the county in support of its actions, the court majority firmly upheld the county's legal position. And going beyond the narrow confines of this particular case, the court said some things about the 14th amendment that penetrate the murky fog of race law like a blazing shaft of sunshine.

As everyone knows, Prince Edward closed all its public schools in the fall of 1959. It was a tragic decision for this historic old county to take, and no one regretted the taking of it more than the white leadership of the county. But the white parents felt then, and feel now, that under the peculiar circumstances of this small rural district, in which white children hold a minority position, no other decision could have been taken.

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[10] See Robert D. Crane, "Beginnings of Marxist Space Jurisprudence?", "The American Journal of International Law," July 1963; "Soviet Attitude Toward International Space Law," id., July 1962; "Basic Principles in U.S. Space Policy," Federal Bar Journal, summer, 1962.

[11] This goal was succinctly put by the Chairman of the State Department's Policy Planning Council as follows: "It is a legitimate American national objective to see removed from all nations—including the United States—the right to use substantial military force to pursue their own interests. Since this residual right is the root of national sovereignty and the basis for the existence of an international arena of power, it is, therefore, an American interest to see an end of nationhood as it has been historically defined." Walt W. Rostow, ibid., footnote 2 above, p. 549.

It never has been fully understood, outside the South, that "token" desegregation would have been impossible in Prince Edward. No relief could have been found in gerrymandered districts; no "track system," as in Washington, could have been put into effect; there were no suburbs for parents to flee to. With infinite regret, the county chose to abandon its public schools altogether. Tuition grants were made equally available to all parents alike; and the parents were left to their own resources.

The white parents set promptly to work, and with great sacrifice, provided private schools for their children. Said the court yesterday: "Negro citizens at first made no effort to provide schools for their children. They declined proffered assistance in such an undertaking." In the end, some of the Negro children obtained tuition grants, some went to schools in nearby counties, some moved away. Most of them stayed home. They are the pitiful victims of this whole unhappy story.

In the course of time, the NAACP brought suit to compel the reopening of the public schools. The plaintiffs argued that Prince Edward's action was a mere evasion of Federal court orders. They contended that some affirmative right to public education is guaranteed by the 14th amendment. The Department of Justice took the position that the State could not pay out State funds for the operation of local schools anywhere in Virginia so long as Prince Edward's schools remained closed.

With that background, notice what the circuit court said yesterday:

"As to the plaintiffs' contention, it may be summarily dismissed insofar as it is viewed as a contention that the 14th amendment requires every State and every school district in every State to operate free public schools in which pupils of all races shall receive instruction. The negative application of the 14th amendment is too well settled for argument. It prohibits discrimination by a State, or one of its subdivisions, against a pupil because of his race, but there is nothing in the 14th amendment which requires a State, or any of its political subdivisions with freedom to decide for itself, to provide schooling for any of its citizens. Schools that are operated must be made available to all citizens without regard to race, but what public schools a State provides is not the subject of constitutional command.

"The plaintiffs' theory may also be summarily dismissed insofar as it is viewed as a contention that the closure of the schools was a violation of the order of the district court entered in compliance with the direction of this court. The injunctive order, entered when the school board and its division superintendent were the only defendants, required them to abandon their racially discriminatory practices. Without funds, they have been powerless to operate schools, but, even if they had procured the closure of the schools, they would not have violated the order, for they abandoned discriminatory admission practices when they closed all schools as fully as if they had continued to operate schools, but without discrimination."

The court quoted the familiar aphorism of Anatole France that "the law, in its majestic equality, forbids the rich as well as the poor to sleep under bridges, to beg in the streets, and to steal bread." True enough, said the court, but laws that punish vagrancy and theft are not in conflict with the constitutional command of equal protection. "Similarly, when there is a total cessation of operation of an independent school system, there is no denial of equal protection of the laws, though the resort of the poor man to an adequate substitute may be more difficult and though the result may be the absence of integrated classrooms in the locality."

Turning to the Prince Edward School Foundation, the circuit court gave it a clean bill of health. "There is no suggestion that any agency, or official, of Virginia, or of Prince Edward County, has any authority to supervise the operation of the schools of the Prince Edward School Foundation."

On the matter of Virginia's tuition grant program, the court went to great pains to leave the question untouched: "That program has not been attacked in this case. Its constitutionality has not been questioned. Elsewhere, evidently, it has not been utilized to circumvent the segregation of public schools."

Finally, the court ruled that certain key questions of the responsibility for Virginia's public schools must be decided by the Virginia Supreme Court of Appeals. "If Virginia is operating a statewide, centralized system of schools, she may not close her schools in Prince Edward County in the face of a desegregation order while she continues to operate schools in other counties and cities of the Commonwealth."

Any person familiar with Virginia's public school system will get the court's point. Obviously, the State of Virginia has no authority over the opening or closing of schools in any locality. The system is statewide; the actual operation is intensely local. And the payment of State aid is entirely contingent upon the appropriation of local school funds. This is essentially a local option plan, comparable to many Federal programs in which Federal funds are paid out only upon a locality's agreement to participate. Such local option arrangements, said the court, "are constitutionally unassailable."

"When a State undertakes to encourage local conduct of educational or social programs by making matching funds available to participating localities, there is no discrimination against nonparticipating localities. Since every locality may participate if it wishes to do so, and the State funds are available to each upon the same conditions, the State is evenhanded."

It seems to us, reading the opinion over, that the circuit court pretty well construed Virginia State law without actually appearing to do so. The principles here given implicit approval are the very principles the State and county have fought for all along. In our own view, it is vital that these principles be upheld. The alternative is to transfer control of public schools from local officials to Federal judges, whose tyrannical duty it must become to levy taxes without the people's consent, to compel the hiring of teachers and the purchase of equipment, and in every other way to take over administration of local schools.

In our gratification at the court's opinion, we hope not to lose sight of the Negro children of Prince Edward. A position that is legally right may be morally wrong. It is good to have the county's rights vindicated, for these rights of local self-government are important to a proper working of our Federal system. But now that this has been achieved, it would be even better to see the county's wrongs corrected, and Prince Edward's schools reopened for all children who now wish to attend.

FINANCING OF NEW INDUSTRY IN CARROLL COUNTY, ILL.

Mr. DOUGLAS. Mr. President, I ask unanimous consent that the following article from the Dubuque (Iowa) Telegraph hereby describing the great results of the Area Redevelopment Act in Carroll County, Ill., be printed in the Congressional Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

CARROLL COUNTY FINANCING NEW INDUSTRY—DEPRESSED AREA FIGHTS BACK

(By Bob Lawrence)

Savanna, Ill.—What an Illinois official calls "the finest program of its kind yet" has made capitalists out of Carroll County residents and showed their resolve to shuck off a "depressed area" tag.

In some towns, one out of every three households has an investor. One has staked $5,000; two others gave $1 each. The biggest group has 290 persons each investing $100.

They're helping a new, metal-fabricating industry get established at Savanna with the assistance of a hoped-for Federal loan, seven banks and the firm itself paying part of the bill.

The program comes under the Area Redevelopment Administration (ARA), the Illinois Board of Economic Development and the Carroll County Resources Board.

But the action has come from private citizens determined to replace dwindling payrolls caused by Savanna Army Depot and railroad layoffs, closing of the Flexonics plant in Savanna, and consolidation of farms.

Citizens agree those three points basically were what led to Carroll County being designated a "redevelopment area."

Carroll is not alone—one out of three counties in the entire Nation are having to meet the challenge of automation, changing job structures and new social patterns.

If it isn't depression, it's still disturbing.

Carroll County citizens decided to do something about it. They obtained the "redevelopment area" designation first, to qualify for the ARA program.

Then they found a plant which had been buying metal from another firm and wanted to establish its own setup, to cut production costs.

The Savanna Copper Co. plant, which would be located in Savanna, near Wood Products, Inc., and Savanna Fabricators would cover 50,000 square feet and have room for expansion.

It would employ 50–60, mostly semiskilled workers at first, 65 percent of them male and later employ about 100.

If all goes well, ground could be broken Sept. 1 and production started next May 1, sponsors said.

Under ARA requirements, the firm had to have its own machinery and 5 percent of the total needed to set up shop. The community had to provide 10 percent, banking institutions 20 percent, and the ARA a loan for the 65-percent balance.

An organizational meeting was held in Savanna, a city of 5,000, on June 20. Other Carroll County towns were represented—Mount Carroll, Thompson, Shannan, Lanark, Milledgeville and Chadwick.

A goal of $90,000, or 10 percent of the establishing cost of $900,000, was marked out for the seven communities.

Savanna already has raised more than $73,000 (more than its quota of $65,000). Mount Carroll at latest report had $9,300 of its $10,000 in. Thompson residents posted $2,600 of their $3,000 goal.

M. H. Kreimeier, chairman of the Industrial Development Committee, said "We expected to raise the money, but not so easily."

"The response was tremendous," said Nolan Jones of the State Board of Economic Development. "It looks better than any similar project we've had which our State agency has reviewed, since it was set up 2 years ago."

Jones said Springfield has gathered information on how Carroll County went about the fundraising task, to help other communities wanting the information.

Savanna, for example, was split into 50 acres. One hundred volunteers, two to an acre, canvassed homes.

Those investing $100 or more will make 4.5 percent interest on their loans, if the project goes through.

Roger Hook, field coordinator for ARA in Springfield, said things look favorable now for Federal approval of the loan, provided the Small Business Administration audit and other factors to be investigated check out. Hook, too, praised private citizens for the do-it-themselves drive.

Leaders at the meeting said that general communities' feeling was that it was better to look for opportunity than wait for a handout.

They gave this picture of what happened in their communities and farms.

"Our 1,350 farms average 190 acres each. In a 10-year period, an average of 19 farms a year go out of business—being sold, consolidated with others.

"Younger men, and older ones, are looking for jobs in town," said Byron Hutchins, Carroll County farm adviser.

Farming these days is big business, with expensive, power equipment required to make a profit. Farmers can grow more now, but hand labor is as out-dated as steam-powered threshers.

Some farmers simply have not been able to make ends meet. They sell out and look for wages. Younger men who once would have stayed on the family farm find it can not support two or three brothers and their families.

They go to the factories or other firms paying wages.

What do you do if you run out of factories?

Get one of your own, Carroll County citizens decided.

And if all goes as well as it looks now, they will have one—and start looking for more.

THE NUCLEAR TEST BAN TREATY

Mr. THURMOND. Mr. President, recently a large number of editorials was placed in the CONGRESSIONAL RECORD to show the favorable response which has been given to the proposed Moscow test ban treaty by some newspapers in this country. In order to help correct this imbalance and also to present the Members of the Senate with some critical comments on the proposed treaty, I ask unanimous consent to have printed at the conclusion of these remarks the following materials which have recently come to my attention:

A column by Mr. Constantine Brown as printed in the State of Columbia, S.C., on August 13, 1963, and entitled "Test Ban Treaty May Mean End of NATO: Back Door Deals in Fine Print."

An editorial entitled "The Unconverted Kremlin" from the State of August 13, 1963.

A recent editorial from the Shreveport Times entitled "The Nuclear Test Ban Treaty: History's Most Dangerous Step?"

A column by Mr. Russell Kirk printed in the Spartanburg Herald of August 13, 1963, and entitled "Beware—Soviets Don't Want Peace."

Two columns by Mr. George Todt as printed in the Los Angeles Herald Examiner on August 11, 1963, and August 12, 1963, respectively, and entitled "Treaty a Bold Stall" and "Intelligence Report."

A recent column by Thurman Sensing entitled "A Dangerous Ban."

A broadcast editorial by WBTV in Charlotte, N.C., entitled "The Long Gamble" and dated August 6, 1963.

An editorial from the Indianapolis News of July 31, 1963, and entitled "The First Step."

Two editorials from the New York Daily News dated August 5, 1963, entitled "Red Hitler's Piece of Paper" and August 13, 1963, and entitled "The 'Great Debate': And What It Is All About."

A column by Mr. Holmes Alexander as printed in the Times and Democrat of Orangeburg, S.C., on August 13, 1963, and entitled "Is the Soviet Union Buying Time?"

A column by Robert S. Allen and Paul Scott as printed in the Times and Democrat of Orangeburg, S.C., on August 13, 1963, entitled "LeMay Still Opposes Test Ban Pact."

The Dan Smoot report for August 5, 1963, entitled "The Test Ban Treaty."

Two columns by Mr. David Lawrence as printed in the Evening Star dated August 12 and 14, 1963, respectively and entitled "West German Dislike of Treaty": and "Behind the Bright Treaty Facade."

A column by Mr. Richard Wilson from the Evening Star of August 14, 1963, and entitled " Treaty and Khrushchev's Moods."

An advertisement by Mr. Robert B. Dresser as published in the Providence Journal on August 5, 1963, and entitled "The Limited Nuclear Test Ban Treaty Should Not Be Ratified."

An article by Eugene Lyons, a senior editor of the Reader's Digest as published in the August 10, 1963, Columbia Record and entitled "An Inventory of Soviet Perfidy: Record of Broken Treaties Augurs Ill for Ban on Tests."

An article from the August 14, 1963, issue of the State of Columbia, S.C., by Mr. Henry J. Taylor and entitled "Europeans See Ban Pact as Appeasement: Lose Faith in Kennedy's Word."

A news release and copy of a petition by the Young Americans For Freedom, Inc.

An editorial from the Bulletin of Anaheim, Calif., dated August 12, 1963, and entitled "Without Honor."

An editorial from the Nashville Banner of Nashvile, Tenn., dated August 13, 1963, and entitled "Bystanders 'Signing Treaty'—Just How Did These Get Into the Act?"

An article by Senator BARRY GOLDWATER as printed in the August 13, 1963, issue of the Nashville Banner of Nashville, Tenn., and entitled "Not All Senators Buy New Frontier's Picture of Test Treaty."

There being no objection, the matters referred to were ordered to be printed in the RECORD, as follows:

[From the State, Aug. 13, 1963]

TEST BAN TREATY MAY MEAN END OF NATO—BACK-DOOR DEALS IN FINE PRINT

(By Constantine Brown)

BONN.—Is the limited nuclear test ban a prelude to dissolution of the NATO? This is the question asked by many Germans this reporter has talked to in the last few days.

While spokesmen of the Bonn government express a cautious approval of the Moscow treaty, responsible politicians of both parties are concerned over what price Germany has been called on to pay for the relaxation of tensions between Washington, London, and Moscow.

It is generally agreed—even in official Government circles—that there is much in the treaty which should cause real concern for the future of the Bundesrepublik.

Americans have pledged themselves not to accept the partition of Germany. The present division is an arbitrary act by the U.S.S.R. which we have solemnly declared we cannot recognize. There can be no genuine accommodation with Moscow, it was repeatedly stated in Washington unless East and West Germany are reunited.

But the fine print in the treaty shows that the Pankow regime can be recognized by the back door; it provides that any other country can join the Moscow pact by merely indicating its desire to do so. This means, in effect, that the Pankow regime can inform Moscow that it wants to become a signatory and there is nothing we can do about it.

The second step, a nonaggression pact between the NATO and Warsaw military combine, which Premier Khrushchev, insists on, would be another in for East Germany, a member of the Warsaw Pact along with the U.S.S.R. and other satellites. The signing of that agreement would mean an indirect recognition of Soviet occupied Germany.

These two back doors to the legitimate family of nations are canceling out the strong words President Kennedy used in front of the Berlin wall only a few weeks ago. And Germans are beginning to realize that the Washington-Moscow-London understanding can only be achieved if Khrushchev's main objective—the permanent division of Germany—becomes an accomplished fact.

During President Kennedy's triumphal tour of Germany, one of his advisers was overheard by a German dignitary to remark that the United States could not afford to have Germany as its close ally. The implication was that a strong Germany represents the main Soviet fear, and, if there is to be a relaxation of tensions between the United States and the U.S.S.R., this would be a hindrance.

The objective of the NATO was not only to create a barrier against Russia's further advance in Western Europe but it was also dedicated to the eventual reunion of the two Germanys. The Federal Republic has contributed substantially toward the support of the Alliance in the last few years and has complied with most of our requests for more manpower, greater military expenditures and greater preparedness "for any eventuality."

If an accommodation between Washington and Moscow is accomplished, the whole NATO concept will have lost its meaning. Germans conversant with American politics believe that this "final accommodation" will occur a few weeks before the 1964 Presidential elections at the latest.

As soon as there is a nonaggression pact between the NATO and the Warsaw coalition, it will be said in America that the maintenance of large and costly armies in Europe has become unnecessary. Many thinking Germans expect that we may wish to reshuffle the Western coalition because they realize that the NATO, under the new political climate, would have lost its purpose.

Today there are only three actual military powers in Western Europe; United States, France, and Germany. There is no doubt in the minds of Germans that as soon as a nonaggression pact is signed, as a sequel to the partial test ban, Washington will start withdrawal of the bulk of its forces.

The argument that a full division could be flown over the Atlantic in case of an emergency at a much greater speed than a single combat team could be transferred to the battlefield in the last war will be a powerful argument in favor of such a withdrawal.

France, for all intents and purposes, only gives lip service to the NATO, General de Gaulle is prepared, in the event of an aggression, to launch all France's technical and manpower. But he considers the NATO as a has-been.

The Germans, with an acute shortage of labor, are wondering why they should devote so many men to their army and spend upward of $5 billion a year for the upkeep of their armed forces if America and Russia come to terms on the basis of the cementing of their country's partition.

[From the State, Aug. 13, 1963]

THE UNCONVERTED KREMLIN

The change in the Soviet Union which Mr. Harriman reports as reason to enter into the treaty for limiting nuclear weapons development has a long way to go in proving its genuineness, or even its indication.

It is not change when East Germany, Hungary, and other captive nations are kept in a state of stifling retardation and under a cruel police heel from which all who can escape do so. It is not the kind of change the free world would demand when all peoples under the Moscow whip are denied any semblance of the freedom of the ballot. It is the same old game and the same old crowd which maintains the vicious, self-perpetuating oligarchy in the Kremlin.

Mr. Harriman's point of Soviet change is not new and probably not original with him; it has been the administration's line for some time. Formally, it is referred to as "evolution" in Russia. The thesis was attacked by Senator Thurmond the minute it reared its head.

If change is occurring, there will be ample opportunity for the masters of the Kremlin to prove it. A beginning might be a reasonable approach toward the goals of a reunited Germany. That would suggest a change of heart as well as a change of tactics. The so-called test ban treaty would appear to be in the latter field. Mr. Harriman himself notes that Soviet policy is to keep those treaties "in which their interests are involved," meaning those they consider self-serving.

The argument will be made, in behalf of ratification of the treaty, that it would be unreasonable to expect overnight and complete transformation in Russia to free world specifications; that this, indeed, would be impossible. And that is why it will be misleading for administration officials and Senators to give the American people a picture of significant change in Russia.

It is possible that respect for our nuclear power and fear of the destructive force of any use at all of atomic weapons have compelled a Soviet change in policy which is selfishly realistic and therefore believable. In this circumstance there may be justification for our participation in the treaty, but that would not be evidence of fundamental Communist reform.

The men who have run the Kremlin throughout the Marxist era have, none of them, been of a changing or softening nature. They can scarcely afford to be. Even the "moderation" from Stalinism to Khrushchevism hasn't been an alteration of important depth.

All men of good will and sense entertain the hope that the Soviet dictatorship could be converted to the enlightenment of a free Russia and liberated satellites. They even hope that a treaty with the Soviets would contribute to the prospect of peace. But their suspicion of Communist unreliability is not relieved by the contention that organic change is taking place in Russia. They want supporting evidence which hasn't appeared. The Berlin wall still stands. Hungary still shows the scars of a ruthlessly destroyed revolt and bid for freedom; indeed, freedom remains a word to be fearfully avoided behind the Iron Curtain.

And that is not change.

[From the Shreveport Times]

THE NUCLEAR TEST BAN TREATY—HISTORY'S MOST DANGEROUS STEP?

"As the Soviet thermonuclear test series in the autumn (of 1961) grimly underlined, Khrushchev's power to devastate the United States as well as Western Europe is growing rapidly. The day could come when in some future test of nerves, given allies less stanch than Adenauer and De Gaulle, that the West would choose a concealed surrender rather than risk the ultimate terror of thermonuclear war," Stewart Alsop in a Saturday Evening Post article March 31, 1962, analyzing and interpreting President Kennedy's thoughts on Russian aggression after a lengthy private interview with the Chief Executive.

The best thing about the nuclear test ban treaty right now—as President Kennedy turns loose the whole Federal Government propaganda machinery in its behalf—is that it is going to have the most meticulous study possible in the U.S. Senate before it comes to a vote on ratification, which requires a two-thirds majority of those present.

Examination will not be merely partisan, nor anti-Kennedy in its sources. Among those who are expected to take the closest looks are conservative Democratic Senator Richard Russell of Georgia, liberal Democratic Senator Henry Jackson of Washington, formerly chairman of the Democratic National Committee; and liberal Democratic Senator Stuart Symington of Missouri.

Each already has expressed doubt as to the treaty's wisdom, especially at this time.

United Press International reported in a Washington dispatch published in the Times, July 14, that the Joint Chiefs of Staff unanimously opposed a test ban treaty of the type it was known was being prepared.

TREATY MAY GIVE REDS A BIG MISSILE LEAD

The basic fear among these Senators, Admirals and Generals—political office holders of repute and military leaders who earned their stars, along with medals, in bloody combat—is that this treaty will leave Khrushchev and the Soviet supreme in the nuclear field; that Russia's tests in the atmosphere 18 months ago and ever since—referred to by Stewart Alsop in the quotation above—have put her far ahead of the United States; that obviously we cannot catch up under a ban on atmosphere testing; that Khrushchev is so happy over this treaty because he knows it stops the United States from catching up with Russia in ballistic missiles.

It is somewhat awesome now, as a test ban treaty comes into being, to read Mr. Alsop's words—written as reflection of what he looked on as the President's thoughts as far back as March 1962—and to think of the possibility of conditions arising which would necessitate "concealed surrrender," by the United States unless it could be sure of such "stanch allies" as Charles de Gaulle and Konrad Adenauer. De Gaulle has been abandoned—shifted aside—by President Kennedy. Adenauer is on the way out of office. We have no stanch allies of that type now.

There is no way for the Times or any layman to know just where we stand in the field of ballistic missiles, science; whether we are far behind Russia, even, or ahead.

But we do know that such great scientists as Edward Teller "father of the H-bomb," have been saying for months that we are far behind Russia in atmospheric progress and that we must not, for our own security and that of the free world, give up atmospheric testing.

We do know that men selected by Presidents Eisenhower and Kennedy as our most capable military leaders have, in general, taken the same position as Dr. Teller in congressional committee testimony, although they may be muzzled, or permitted to speak only in incomplete manner later.

And we do know that the men who engineered this treaty for the Soviet are proven liars, murderers and treaty breakers. Such a treaty could have values if made with honest leaders of a government of integrity—but not with Khrushchev, Gromyko and their Kremlin gang.

These are the same men who pledged safety, security and peace for Hungary in 1956 even while secretly turning around their supposedly withdrawing tank columns to murder hundreds of men, women and children in the streets of Budapest the next day. Gromyko gave the orders at Budapest; Khrushchev OK'd them.

These are the men who sneaked missiles into Cuba 90 miles from our shores, lying all the time. Gromyko engineered the deal with Castro; Khrushchev OK'd it.

Gromyko sat in the White House even as U.S. planes photographed the missile bases in Cuba and solemnly pledged to Mr. Kennedy in person that there were "no Russian offensive weapons in Cuba." (The President himself so stated in his October speech announcing the blockade.)

Our own State Department records detail scores of instances of breaking of faith by the Russians.

Further, these men of the Kremlin can break this treaty even honorably on 90 days' notice; also its provisions as to where the treaty applies are vague, perhaps purposely in order to be open to interpretation by Russia to meet Russia's needs.

President Eisenhower offered Khrushchev very much the same kind of nuclear test ban in 1958–59 that the Red dictator now is accepting joyfully. But it was rejected then.

President Kennedy offered very much the same deal about a year ago and it was rejected. But now it is accepted with cheers.

MAY BE CIVILIZATION'S MOST DANGEROUS STEP

There can be only one explanation for this Soviet shift: That Khrushchev has gained all the scientific knowledge he now needs from atmosphere testing, but didn't have it when the test bans were offered in the past; so now he's willing to quit, for while at least, knowing that he's ahead. Khrushchev had ample opportunity to forge far ahead during the Eisenhower and Kennedy moratoriums on testing. Dr. Teller says he succeeded.

This simply means that the long gamble the United States will be taking if it finally accepts this treaty may be—could be—perhaps actually is right now—the most dangerous step any nation has taken as to its own security at any time through the whole course of civilization.

For if Khrushchev does have what he wants in atmosphere nuclear science development and we do not, both we and the free world will be at his mercy so long as this treaty is in effect. For he also has these advantages:

He has a huge military base in the Caribbean which we willingly let him keep and help protect from Cuban raiders.

He has Laos under his thumb.

He has Berlin in a position which he calls "Kennedy's sore toe—I can step on it any time and make him yell."

He has our ballistic missiles out of Italy and Turkey and England as he demanded for taking his missiles out of Cuba.

He knows we have dropped the RS–70 type supersonic bomber which he has developed, and that we have dropped the Skybolt missile, of which he is said to have a counterpart.

As for China, the supposed rift could be an ideal camouflage for Khrushchev. China is going ahead with nuclear development.

Would Khrushchev quit nuclear development if he really was mad at China? And would China and Russia ever fight each other? They are Communist. World conquest is the objective of each. They disagree only on the immediate path to be followed. They agree that the United States is the "enemy" that must be destroyed.

When and if the time comes that communism can destroy the United States—the only truly powerful bulwark of the free world—China and the Soviet will stand shoulder to shoulder. That day daily comes closer.

All in all, why shouldn't Khrushchev clap his hands and cheer over this treaty?

(EDITOR'S NOTE.—Write or telegraph your two Senators today to vote "no" when the Nuclear Test Ban Treaty comes up in the U.S. Senate.)

[From the Spartanburg Herald, Aug. 13, 1963]

BEWARE—SOVIETS DON'T WANT PEACE

The representatives of these United States have been to Moscow to talk with the Soviet masters about atomic disarmament. It seems highly improbable that the Communists have made more concessions in their capital—feeling that they have compelled us to negotiate in their own parlor—than they did at Geneva.

Your servant repeatedly is lost in wonder at the fanciful hopes of gentlemen who seem to think that the Soviet leaders really desire peace through compromise and multilateral disarmament.

When the naive democratic powers tried—catastrophically—that approach to the Nazis, it became known as appeasement. It did not work with Hitler, and cannot work with Khrushchev.

Yet such "liberal" hopes spring eternal. Recently a college student asked me, after a lecture of mine on foreign policy. "But can the Soviet Russians really be so bad? After all, they've been indoctrinated only since 1918. They still have a Christian background."

"True," I replied. "And most of the Nazi leaders came from good Christian homes, and had been indoctrinated only 5 or 10 years. Well-meaning gentlemen like Neville Chamberlain decided that Goering and his friends weren't really wicked, because they liked field sports and appreciated good pictures.

"Could the Nazis really do horrid things, with their Christian backgrounds? Well, yes, they could—and they did."

For an accurate review of Soviet diplomacy, I commend to my readers a new book by Dr. Anthony Bouscaren, "Soviet Foreign Policy: a Pattern of Persistence." As Professor Bouscaren makes clear, Communist diplomacy has been successful, most of the time. Some 45 years ago, the Bolsheviks possessed nothing but a room in Zurich. "Today they control one-third of the world's population and one-fourth of the land area of the world."

Just as it would have been possible to predict the Nazi foreign policy if only democratic leaders had taken the trouble to read and believe "Mein Kampf," so it is not difficult to foresee what Khrushchev and his associates mean to do in the Moscow nuclear-weapons conference—if one bothers to read such books as Dr. Bouscaren's.

Soviet foreign policy is not highly imaginative, but it is nothing if not persistent.

The Soviets do not desire world peace: they desire world mastery, more than did Hitler. Talk of peace they employ only to gain time for military and diplomatic maneuvers. When the vacillating West makes one concession, the Soviet diplomats, with redoubled arrogance, demand two or three more. After all, this policy has brought them successes for 45 years.

When 2 years ago, the Soviets brazenly exploded a 60-megaton bomb during the Geneva negotiations, they simply were acting persistently. Did we have a right to expect them to be radically changed?

Yet the Soviets are not invincible ogres to whom fresh concessions must be made seasonally. First of all, it isn't possible to conciliate ogres: they keep on eating people, no matter how politely one treats them. Second, the Soviets aren't invincible: in weapons and in the economy, they are weaker far than we are. They respect only strength: armed strength, and strength in policy (even when it is displayed by so small a state as Finland). But conciliation whets their appetites.

[From the Los Angeles Herald Examiner, Aug. 11, 1963]

TREATY A BOLD STALL

(By George Todt)

"Truth is that which advances communism * * * promises are like piecrusts to be broken."—NIKITA KHRUSHCHEV.

A nuclear test ban treaty or any other kind of supposedly honorable agreement with the Soviet Union is not worth the scrap of paper it is written upon.

Since the murderous and lying lunatic, Lenin, came to power in the U.S.S.R. 46 years ago—wily Ivan has broken 62 of 64 major pacts with the gullible West. When will we ever learn?

Who is so depraved and stupid in ordinary life that he would continue to take checks that bounced from a tinhorn deadbeat that many times?

Would you, dear reader, do it more than even once or twice?

Here is where we came in before. Again we are being asked to jump in bed with Nick and his boys. Boys, indeed. What's the score?

Let us remember, as we are handed glittering, wooden rubles, that the untrustworthy Soviet Union has broken numerous prior treaties of peaceful coexistence, 25-year pacts of nonagression, and convenient cultural exchanges with all her present victims behind the Iron Curtain.

And yet the starry-eyed dreamers in our midst never tire of asking us to give these cheating Marxist neurotics "just one more chance." It should be their theme song.

Recently, the realistic executive committee of the American Military Order of World Wars, meeting in Washington, D.C., on July 27, urged extreme caution by the U.S. Senate regarding the test ban treaty proposal. Why?

In an intelligently worded resolution, MOWW officers pointed out this proposed treaty will effectively paralyze any effort on the part of the United States in the testing of high-yield weapons—where the Soviets are admittedly now superior.

But the treaty will, conversely and also to our detriment, allow the U.S.S.R. unlimited testing in tactical nuclear weapons—a field where we presently lead.

Worst of all, it will prevent our development of a vitally needed antimissile missile. At least, our efforts will be hampered seriously. And right at the time the U.S.S.R. claims to have an AMM of its own.

According to no less an authority than Khrushchev, himself, the Soviet warlords have "solved the problem of antimissile defense."

Furthermore, this proposed test ban treaty appears to be based on secret negotiations of undisclosed scope. Will we ultimately buy a pig-in-a-poke?

MOWW is urging the Senate to withhold ratification of the controversial treaty until extended and thorough hearings determine its effect upon our overall national defense posture for the future.

The well-grounded organization believes members of our Joint Chiefs of Staff should be consulted individually—without censure, retaliation, censorship or strings of any kind—by Congress.

They should be encouraged to speak freely on the advantages and disadvantages of the treaty. And pertinent testimony of men like Dr. Edward Teller, other scientists and military experts ought to be called upon.

We cannot afford to be too careful in this instance. Many who are close to the intelligence picture think they perceive the Red gimmick here.

It is nothing less than a bold stall for time by the Sino-Soviet alliance as it secretly gets ready for a massive showdown with us in 1965.

[From the Los Angeles Herald Examiner, Aug. 12, 1963]

INTELLIGENCE REPORT

(By George Todt)

"I have but one lamp to guide my footsteps, and that is the lamp of experience. I have no way to judge the future but by the past," Patrick Henry, 1773.

Recently I received an astonishing letter and intelligence report from the Korean patriot and superior underground agent, Kilsoo Haan.

I met this gentleman at a press conference in the Rodger Young Auditorium several months ago. He is a close friend of Dr. John Lechner, executive director of the Americanism Educational League (Post Office Box 90593, Airport Station, Los Angeles 9, Calif.; telephone OR 8-1641). The latter introduced us.

I found Haan a brilliant scholar and well-grounded intelligence agent—one who had called the shots correctly at Pearl Harbor and also with reference to Red Chinese aggression in Korea long before these tragic actions took place.

If only we had heeded wisely his advance information then—but that, unfortunately, is now only so much water down the sluices and over the spillways. Too late.

THE GIST

In the next few columns I will give you the gist of his remarks to me. They are his considered opinions about the Soviet-Sino operation against us in the cold war, now being waged on a global scale. Is he to be considered valid?

I don't have a crystal ball and cannot even vouch that we will most assuredly see the day after tomorrow. But Kilsoo Haan rings true to me. After hearing him and questioning him—I believed him. Let's listen to him:

"DEAR MR. TODT: Many thanks for your confidence and support of our stand. I sincerely appreciate the article 'Exploit Red Split.'

"If one would evaluate President Kennedy's press conference comments in reference to Red China versus Communist Russia, it would seem apparent his administration is trying to choose the lesser of two evils.

"However, one cannot understand his reason and logic relating to the threat of nuclear war against us in the 1960s. The direct military threat of Russia to American security is 100 times greater than that of Red China.

"Actually, the Soviet Union provides a bona fide threat, possessing both nuclear war potential and capabilities. In addition, she has planned and adopted a devastating blueprint for war against the United States.

"This is the Korean intelligence agents' evaluation of the highly dangerous situation: The threat of nuclear war by Mao Tse-tung is merely that of a barking dog; whereas Russia's threat is like Hitler-Tojo strategy.

"Russia now needs a breathing spell, a preparation period to organize her war strategy. During this period, she hopes to complete her three top priority nuclear weapons and delivery systems. These are:

"1. Anti-missile-missile defense system. Supermissile 'killers,' somewhat akin to our Nike-X class.

"2. Super-bombs achieved through series of high altitude tests in 1961–62 which, when detonated, can neutralize all electronic systems in enemy territory. In addition, they can neutralize ICBM bases—even to the depth of 280 feet underground.

"3. Space platforms—the ultimate weapon—to deliver up to 100-megaton bombs on enemy territory.

"These three top priority nuclear weapons will not be ready until the fall or winter of 1965. Russia must have this time, which is her critical 'preparatory period.' She will do anything to gain this needed respite—even to making a big propaganda show called 'The Sino-Soviet Split.'

"The present Khrushchev 'peace offensive' is definitely linked with Russian military strategy for the future. This wily war plan contemplates, besides Red Cuba, two or more additional Soviet bases close to the United States.

NEED TIME

"Russia wants the West to be kept busy fighting among ourselves concerning such divisive issues as disarmament and the protracted racial question during the next 3 or 4 years. They want this time to complete their fantastic nuclear armaments.

"Once Russia is ready, President Kennedy will reevaluate the precarious situation and learn quickly that the U.S.S.R.—not Red China—is our No. 1 worry and concern. The former is the real nuclear war threat.

"Red China's menace to us is merely that of more regional wars with conventional weapons. The United States can stop this activity very easily. But when Russia moves—you will have another Pearl Harbor."

So ends my remarkable letter from Mr. Kilsoo Haan.

A DANGEROUS BAN

(By Thurman Sensing, executive vice president, Southern States Industrial Council)

While all Americans want a peaceful world free of the danger of nuclear holocaust, they want first of all assurance that the liberty and independence of the United States will be preserved and that the national security will be fully protected. Because the national commitment must be to security first, the Kennedy administration's proposal for a nuclear test ban agreement with the Soviet Union should not obtain the support of realists in the U.S. Senate.

The test ban negotiated in Moscow by Under Secretary of State W. Averell Harriman is essentially a self-enforcing one. That is to say it is devoid of the arrangements for inspection of nuclear sites that would be essential if the ban were to be a valid one. The ban pact allows Nikita Khrushchev to advertise himself as a sincere advocate of peace, while he suffers no loss of practical advantage in the nuclear field. No one is allowed to look inside Russia to find out what is going on.

Back in 1958, President Eisenhower agreed to a temporary test ban, and it proved a setback for the United States and a golden opportunity for the Soviet Union. The United States, which is an honorable nation, abided by the terms of that agreement. The Soviets, however, cheated on the agreement, as realists warned, and moved ahead in development of sophisticated hydrogen bombs and advanced types of warheads for long-range missiles. Dr. Edward Teller, who pioneered in development of America's hydrogen bomb, recently warned that the Soviets, as a result of their last tests, are ahead of the United States in advanced types of bombs. In view of this, it is not surprising that Nikita Khrushchev would agree to a partial freeze on testing. Any freeze would leave the Communist empire with a superiority in the most important weapon system in the world. During a new ban, one can be sure that Russian cheating would make it possible for the Soviet Union to further refine its weapons.

What lies behind the Kennedy administration's proposal for a test ban treaty is a naive attitude that should shock the American people. Mr. Kennedy says that a ray of sunshine has come into the cold war. He in effect urges the U.S. Senate and the American people to trust the Soviet regime. But how can Americans trust a government and a system that is the embodiment of perfidy, a regime that openly states it will tell lies to achieve its ends? To believe what the Russians put on a scrap of paper is to invite national disaster.

If the long record of the cold war teaches free men anything, it is that the Russians cannot be trusted. This is what sound-thinking Americans have been saying for years.

The Senate and the American people should listen to realistic scientists such as Dr. Edward Teller, not to the peace-at-any-price advocates inside the New Frontier. It should be borne in mind that the test ban agreement is the fruit of the thinking of such men as Dr. Walt Whitman Rostow, the professor turned chief planner for the U.S. State Department. Dr. Rostow has a fixation in his mind. The fixation is that the Soviet Union is mellowing and is about to cease acting like a bad boy. But former Vice President Richard M. Nixon, who has debated with Khrushchev in Moscow and who was attacked by Communists in Caracas, Venezuela, recently followed up a trip to Communist East Germany with the solemn warning that it is "woolly-headed thinking" to believe that Khrushchev is mellowing.

It is to be hoped that another atomic bomb will never be dropped in the history of mankind. But the United States cannot achieve security by closing its eyes to realities, to the evil nature of communism and to the ruthlessness and deceitfulness of the Soviet leaders. The freedom of the American people depends on the strength of the Armed Forces of the United States. We simply cannot allow the Russians an opportunity to cheat and, thereby, to achieve a technological Pearl Harbor in which the liberties of the United States would be destroyed.

[From WBT-WBTV, Charlotte, N.C., Aug. 6, 1963]

THE LONG GAMBLE

As the limited test ban treaty goes before the U.S. Senate, that body is placed in the uncomfortable position of determining one of the longest gambles ever made with the safety of this country.

We sincerely wish we could join in the chorus of hallelujahs stimulated by the conclusion of this pact, but we cannot.

The West is being asked to take on faith an agreement with the country which has broken 50 of the 53 treaties it has made since the Korean war. It is being asked to take the word of a dictator who said in a recent speech, "We do not negotiate on the basis of give and take. We have nothing whatsoever to give."

The Soviet negotiator, Andrei Gromyko, is the same man who gave orders for crushing the Hungarian revolution in 1956, and who made the rocket deal with Castro at the same time he was assuring our President that no such deal had been made.

The American negotiator, Averell Harriman, is the same man who negotiated the coalition that handed Laos to the Communists while he was declaring it would bring peace to southeast Asia.

Nor have we been told what commitments the United States representative may have been directed to make. Khrushchev and President Kennedy have admittedly been corresponding privately for some months. The sudden simplicity of a treaty conclusion after the years of stubborn refusals which have marked Soviet negotiation raises inevitable questions.

Last year, Columnist Joseph Alsop warned against a "concealed surrender" that might come if Western leaders became convinced that Russia had an overwhelming nuclear advantage. He was referring to Khrushchev's boast that by violating the moratorium, the Soviet Union had achieved a bomb of more than 100 megatons. Dr. Edward Teller confirmed recently that the Soviets do have a great advantage in this particular area. He said, "A ban on atmospheric tests would perpetuate this situation."

If this be true, then the Soviet motive might be to freeze their advantage by a test ban which would block us from catching up. Khrushchev has said his scientists are working on a space satellite from which a superbomb could be launched so high that its deadly heat would fan out over a large part of this country. Nothing in the treaty stops Russia from perfecting this vehicle while our own space efforts are diverted to the moon.

Neither political nor psychological considerations should deter our Senators from making a thorough inquiry into such possibilities before taking their calculated risk. We must take positive action—but we must be sure that whatever action we do take is indeed positive, and not a self-delusion. Ban or no ban, Communist ambition remains the same.

[From the Indianapolis News, July 31, 1963]

THE FIRST STEP

In his speech last week in support of the proposed three-power treaty to ban nuclear tests, President Kennedy described the compact as "a first step."

Anyone examining this document and the arguments being used in its behalf will certainly concur. The treaty would indeed be "a first step." The question is—a step to where? Along what road is the President leading us?

The New Frontier's answer is that, by agreeing to this treaty, America will be taking a step "away from war." We disagree. The treaty would be a step toward further American weakness, and further capitulation to world communism.

1. The treaty is badly drafted. It is possible that, if adopted, its terms would commit the United States to abstain from using nuclear weapons in the face of a massive conventional attack by the Soviet Union in Europe. Precisely such a commitment has been the goal of Communist policy for years.

2. The President spoke of detection systems for atmospheric tests as though these were ironclad. They are not. Fallout analysis and acoustic detection can give us only a rough idea of whether a violation has occurred, and where. More importantly, the treaty supposedly commits the signatories not to help other nations to test. Are we to believe the Soviet Union will abide by this? What is to prevent Moscow from testing in, say, Manchuria, and disclaiming all responsibility for what the "unmanageable" Chinese have done?

3. The treaty would thus commit us to reliance upon Soviet good faith. We have tried this previously, including one experiment in cessation of nuclear tests. The result was to impede the development of our atomic project while giving the Communists a much-needed chance to gain in the armaments race.

4. Under the treaty, we would abstain from atmospheric tesing. This kind of testing is urgently needed to perfect tactical atomic weapons, indispensable in throwing back a massive Soviet ground attack. By stopping tests in this area, we gravely weaken our defenses against the superior numbers of the Communist land armies.

5. Because it contains no provisions for on-the-ground inspection, the treaty could not prevent the Soviets from making secret preparations for a series of multimegaton atmospheric tests. This is precisely what they did in 1961, when they unleashed a series of large nuclear explosions. Because our own atomic establishment had lain fallow during the test moratorium, it took us months to get our testing program back in gear.

6. As indicated above, Soviet preponderance in conventional forces—plus their proficiency in subversion, proxy warfare, guerrilla action, and internal revolution—means they do not need superiority in nuclear weapons. A nuclear stalemate fully serves their purposes. If they can simply neutralize our atomic arsenal, then all of their techniques of global takeover can work unimpeded. Even if the treaty is observed in every detail, it would therefore amount to a net loss for America since it would serve to hold all nuclear development at a standstill.

Any one of the foregoing points would be enough to recommend the rejection of the treaty by the U.S. Senate. But there is one objection more important still—the Kennedy theme that, by creating a mood of international amity, the pact would lead to still further agreements in the interest of "easing tensions." In short, it would help perpetuate the illusion that the Communists are people we can deal with.

This fantasy, above all else, is the true enemy of American security. In its pursuit, we have lost half the world to communism and stand in danger of losing much more. If the test ban treaty were perfect on every other score, it should be defeated because, in Kennedy's words, it is suicidally conceived as a step toward "broader areas of agreement."

[From the New York Daily News, Aug. 5, 1963]

RED HITLER'S PIECE OF PAPER

Something called a test ban treaty—solemnly and positively prohibiting nuclear weapons tests in the atmosphere, above the atmosphere and under water, but not those fired off underground—is scheduled to be signed in Moscow today.

Signers will be State Secretary Dean Rusk for the United States, Foreign Minister Andrei Gromyko for the U.S.S.R., and Lord Home for Britain. Other dignitaries will look on hopefully.

In theory, treaties drawn up, signed and ratified by civilized, responsible governments can be of considerable value. They pledge all hands to refrain from war or warlike moves, or oversharp international trade practices or whatever, for a limited or sometimes infinite period.

These international contracts always depend on the good faith of the national officials involved. Our mutual pledges with our good neighbor Canada, for instance, have withstood the test of time and we hope will endure forever.

But how much credence should any realist put in this current, strange, Khrushchev-inspired piece of writing? Should we really believe, as some wildly optimistic ladies of both sexes now are trilling, that maybe the Red Hitler has changed his bloody and brutal ways, that he now realizes that Mao Tse-tung's mob are the bad guys and we of the West are good guys, and that the Butcher of Budapest is sincerely sorry for all those vicious doublecrosses he and Stalin used to pull?

To all of which we say nuts. And, as evidence straight from the grim Red Emperor's own unlovely mug that he still, and literally, hopes to bury us, we present herewith some eye opening excerpts from his real views, as mouthed last June 21:

"We must know that the enemy is now sharpening his poisonous ideological weapon for more bitter clashes with us. It is reminiscent of what the Red Army men said during the Civil War: 'We have one outstanding issue with the White Guards on which we cannot agree, the simple question of land. The White Guards want to bury us in it and we want to bury them. Who will bury whom first?' This is the little outstanding question between us. We have a similar outstanding question with Capitalism."

In short, this murder-obsessed slavemaster still bellows that he is going to be our undertaker and, a few weeks later, coos peace and shoves some bloody flowers at us.

Before you ratify this gent's prize document, good Senators, how about a lot of erudite, statesmanlike discussion on what it's really worth?

Do we hear 1 ruble?

[From the New York Daily News, Aug. 13, 1963]

THE GREAT DEBATE AND WHAT IT IS ALL ABOUT

The great debate, so-called, on the nuclear weapons test ban treaty began yesterday, when Secretary of State Dean Rusk opened the Kennedy administration's drive for fast Senate ratification of this piece of paper.

For those whose information on the subject may be incomplete, we thought we'd explain in detail today what the treaty is and is not.

It is a proposed agreement among the United States, Britain, and Soviet Russia.

The document leads off with a preamble asserting these nation's loyalty to the notion of eventual worldwide disarmament, and their wish to end nuclear contamination of the air at once.

In article 1, they agree to stop testing nuclear arms in the atmosphere, in outer space, and under water. That leaves the three nations—if the treaty becomes binding on them—free to perform nuclear weapons tests only underground. No anticheat inspections are provided for.

All other nations are invited to sign the treaty, which is to be "of unlimited duration"—but any nation may pull out on 3 months' notice if it believes that "extraordinary events, related to the subject matter of this treaty," have endangered its interests.

Any party to the treaty may propose amendments. To become effective, amendments must be "approved by a majority of the votes of all the parties to this treaty, including the votes of all of the original parties."

So much for what the treaty will do if the U.S. Senate ratifies it by the required two-thirds majority. Most important among the things it will not do is the effect it will have on France and Red China.

France's President Charles de Gaulle insists on building his own nuclear fighting force, because he cannot believe the United States will remain forever willing to leap to Western Europe's defense in case of a Soviet attack on Western Europe.

Red China is striving to develop nuclear weapons, and is having no part of this proposed treaty.

SQUEEZE PLAY ON ADENAUER

West Germany was holding off on signing the document, because it feared that Communist East Germany would gain some sort of U.S. recognition by signing. Secretary Rusk put an end to that hesitancy over the weekend, by visiting Chancellor Konrad Adenauer and politely but firmly twisting Der Alte's arm.

This was an unnecessary and humiliating squeeze play, in our opinion, and one which should make many a Senator think a long time and ask a lot of mean questions before voting to ratify the treaty.

There are other objections to the pact.

One big defect, as astutely pointed out Sunday by Gov. Nelson A. Rockefeller, is the fact that Soviet Russia is a party to the treaty. The Kremlin notoriously breaks its promises whenever it will gain by doing so, and we can count on its abiding by this treaty only until it sees some advantage in violating it.

CAN'T TRUST THE SOVIETS

Many U.S. military men fear that Soviet Russia has made some important advances in developing antimissile missiles. They have an idea that the real reason for Khrushchev's jovial willingness to sign this treaty is that he wants to maintain a possible advantage by preventing us from testing in the atmosphere.

There is also a danger that, once the treaty is ratified by the Senate, many Americans will feel that we can safely cut down our armaments and put our trust in the spirit of peace and peaceful coexistence generated by the treaty.

One prime duty of the Senate, it seems to us, is to assure itself that no such pacifistic idiocy will be allowed to cripple our national defense-and-offense forces—and to refuse to ratify the treaty if this assurance can't be had.

Another duty of the Senate is to comb the treaty for fuzzy language and double meanings, and insist that these be disposed of before any ratification is forthcoming.

And so the "great debate" is on. We hope it may help to educate many Americans in matters nuclear and international-political—and that it won't end with Uncle Sam behind some hitherto unsuspected 8-ball.

[From the Times and Democrat, Orangeburg, S.C., Aug. 13, 1963]

IS THE SOVIET UNION BUYING TIME?

(By Holmes Alexander)

WASHINGTON, D.C.—Although the nuclear treaty officially would ban nothing except aboveground testing, the feeling runs on Capitol Hill that the administration may extend the principle to ban all testing everywhere.

There are Senators who would vote for the Treaty if they felt that it would positively give us uninhibited experiments underground. Important work can be carried out in caves on the whole spectrum of tactical weapons—on medium-yield strategic weapons, on abstract applications of antimissile and on the neutron bomb.

True, nothing can take the place of environmental shots. To get an antimissile weapon we need to see how two bodies in highspeed motion can be brought into rendezvous in space. The neutron bomb, although admirably suited to underground testing, will remain theoretical until exploded aboveground. Nevertheless, a number of on-the-fence Senators would accept these limitations—if that were all. But this worrisome thought has been cautiously expressed:

"The soft-headed administration advisers on weapons had already persuaded the President to curtail underground testing. These disarmers argued that even though underground explosions did not poison the air we breathe they did poison the atmosphere in the negotiating councils. Since these councils will continue to sit—and to seek absolute nuclear disarmament—will we, in fact, proceed with all-out testing under the ground?"

That is one largely unspoken and unresolved doubt about treaty ratification. Another is psychological. All three of the atomic age Presidents have vowed to defend this country and the Western World with nuclear arms, if necessary. As late as last October, Mr. Kennedy made this sufficiently clear to Khrushchev in the Cuban confrontation. But does not our eagerness to meet Khrushchev's terms on a partial ban represent a weakening of our will to use the nuclear deterrent?

There is even talk that the Sino-Soviet quarrel, which seemingly caused Khrushchev to offer his terms to the Anglo-Saxons, is a gigantic hoax. Few Senators understand the dialectical deviations which Mao and Khrushchev are fussing about, but they remember that the Russians are very adept at "buying time." They bought it by signing a nonaggression pact with Hitler. They bought it by pretending to go along with the nuclear moratorium which they ended in September 1961. Earl Voss points out in his excellent book "Nuclear Ambush" that the Japanese used time-buying tactics against us by dispatching "negotiators" to Washington in 1941 while synchronizing their strike at Pearl Harbor and throughout the West Pacific.

It is not too much to say that a number of soul-searching Senators are hoping that the scientific-military witnesses before the Armed Services Committee will give them technical reasons for opposing the treaty—reasons that will allow intuitive suspicions and misgivings to go unspoken.

[From the Times Democrat, Orangeburg, S.C., Aug. 13, 1963]

LeMay Still Opposes Test Ban Pact

WASHINGTON, D.C.—President Kennedy personally induced the Joint Chiefs of Staff, with one exception, to switch from opposition to the nuclear test ban treaty to qualified support of it.

This dramatic backstage about-face by the top military leaders was brought about by the President's using both his personal prestige and great power as Commander in Chief.

At this writing Gen. Curtis LeMay, Air Chief of Staff, continues opposed to the pact. He is the only member of the Joint Chiefs adhering to the position all of them originally took in a policy paper they submitted to the Senate Armed Services Preparedness Subcommittee last month.

Gen. Maxwell D. Taylor, chairman, and Gen. Earle Wheeler, Army Chief of Staff, changed their views after lengthy talks with the President. General Wheeler has some reservations, but now is supporting the President.

Adm. David McDonald, who replaced Adm. Robert Anderson as Chief of Naval Operations on August 1, is for the treaty. Admiral Anderson, new U.S. Ambassador to Portugal, joined the other Joint Chiefs in their original disapproval of the treaty.

White House insiders credit the President with winning over Generals Taylor and Wheeler by stressing two points: Their opposition would seriously damage U.S. prestige, and would react against the military services.

The President told them that while he expected their support for the pact, he had no objection to their expressing any misgivings they had in response to congressional questioning—so long as they did not come out against the nuclear accord.

In the President's talks with the Joint Chiefs, he made much of the claim that a careful White House poll of the Senate had shown well over two-thirds favor the treaty. On that ground, the President argued military opposition would only cause disunity and reduce the margin of senatorial approval.

"If by some chance the Senate should fail to ratify this treaty," the President warned, "it would be the worst blow to this country's prestige since the Russians launched their sputnik. It would be a diplomatic Pearl Harbor."

Repeatedly the President assured the Joint Chiefs that he would not let the treaty undermine the country's military strength, pointing out he was firmly against cutting the Defense Department budget.

In pounding home this argument, the President opened one night meeting with the Joint Chiefs by telling them he had conferred by phone with Representative GEORGE MAHON, Democrat, of Texas, Chairman of the House Appropriations Subcommittee on Defense, and had obtained his support to restore $1 billion of the $2 billion slashed from the military budget.

As related by the President, MAHON had agreed to increase defense funds from $47 to $48 billion (approximately $1 billion under the administration's original request) when the budget is considered by the Senate-House conferees. The House-passed measure is now pending in the Senate Appropriations Committee.

The so-called escape clause in the treaty, permitting participants to withdraw 90 days after serving notice, figured prominently in the President's unavailing efforts to win over General LeMay. The President contended this provision gives the United States ample safeguards.

"If convincing evidence is forthcoming that the Soviet has conducted secret nuclear tests or made a breakthrough that threatens our security," the President told the Air Chief of Staff, "we will instantly use this 90-day escape clause and withdraw from the treaty."

"That may be so, Mr. President," replied LeMay unconvinced, "but the Soviet may have made that breakthrough in their last series of super-H-bomb tests. I feel strongly that we should first learn the full implications of those tests before entering into an agreement with the Russians. Otherwise, we are taking a tremendous risk."

But with the other Chiefs of Staff, the President's views won the day. Accompanied by Defense Secretary McNamara, General Taylor will tell the Senate Foreign Relations Committee that he approves the treaty. He will be followed by General Wheeler and Admiral McDonald who will do likewise.

Meanwhile, General LeMay is again to confer with the President before testifying.

TREATY FALLOUT

Dictator Fidel Castro is sounding off about signing the nuclear test ban agreement. The Communist puppet ruler is telling foreign diplomats in Havana that he approves the pact and proposes to have Cuba become a party to it. * * * When Gen. Maxwell Taylor, Chairman of the Joint Chiefs, testifies before the Senate Foreign Relations Committee, he will be asked about private statements that he considers himself a "political" rather than "military" appointee. * * * Despite the President's assurances to the Joint Chiefs that military spending will not be cut, Defense Secretary McNamara is drafting a budget for a $4 billion slash by fiscal 1965. He will ask the Army to slash its outlays by $225 milion, the Navy by $150 million, and the Air Force $310 million. * * * The Air Force will soon withdraw its F–102 jet interceptors from South Vietnam. This will be the first military cutback on the heels of the test ban accord.

[From the Dan Smoot Report, Aug. 5, 1963]

The Test Ban Treaty

In March 1917, the czar of all the Russias was forced from his throne and taken into protective custody by revolutionists under the leadership of Aleksandr Feodorovich Kerenski. In November 1917, the Bolsheviks, a small group of ruthless political gangsters, seized power from Kerenski, murdered the czar, and instituted in Russia a blood bath which horrified the civilized world. Nikolai Lenin and Leon Trotski led this orgy of human butchery.

In June 1918, having terrorized the opposition into silence, Lenin and Trotski attempted to establish formal diplomatic relations with the United States. Their overtures were rejected.

On October 27, 1919, Robert Lansing, Woodrow Wilson's Secretary of State, explained to Congress why it was the policy of the Wilson administration not to recognize the Bolsheviks in Russia:

"The purpose of the Bolsheviks is to subvert the existing principles of government and society the world over, including those countries in which democratic institutions are already established. They have built up a political machine which, by the concentration of power in the hands of a few and the ruthlessness of its methods, suggests the Asiatic despotism of the early czars."

On August 10, 1920, Bainbridge Colby, another Secretary of State under Wilson, explained again our reasons for not recognizing the Soviets:

"We cannot recognize, hold official relations with, or give friendly reception to the agents of a government which is determined and bound to conspire against our institutions; whose diplomats will be the agitators of dangerous revolt; whose spokesmen say that they sign agreements with no intention of keeping them * * *.

"The existing regime in Russia is based upon the negation of every principle of honor and good faith, and every usage and convention underlying the whole structure of international law; the negation, in short, of every principle upon which it is possible to base harmonious and trustful relations, whether of nations or of individuals."

On March 3, 1933, Herbert Hoover's last day in office, Hoover's Under Secretary of State said:

"This Government has taken the position that it would be unwise for it to enter into relations with the Soviet regime so long as the present rulers of Russia persist in aims and practices in the field of international relations which are inconsistent with international friendship. * * * This Government has been of the opinion * * * that any real or lasting benefit to the people of the United States would not be attained by the establishment of relations with Russia until the present rulers of that country have given evidence that they are prepared to carry out in good faith * * * [their] international obligations."

The next day—March 4, 1933—Franklin D. Roosevelt was inaugurated President.

On September 21, 1933, Secretary of State Cordell Hull, in a memorandum to President Roosevelt, said:

"As you know, recognition of the present regime in Russia has been withheld by the Government of the United States, on account of the failure of the Soviet Government to carry out certain international obligations which are considered essential to the maintenance of friendly and mutually advantageous relations between the United States and Russia. The Soviet Government, for instance, has repudiated Russian obligations held by the U.S. Government and by American citizens, and has confiscated the property of American citizens invested in Russia.

"I am convinced, from the experience of other countries, that, unless we utilize every available means of exerting pressure on the Soviet Government in order to obtain a settlement of outstanding problems, there is little likelihood that such problems can be satisfactorily solved."

ROOSEVELT-TRUMAN-EISENHOWER NEGOTIATIONS

Rejecting the lessons of history and the advice of his own State Department, President Roosevelt invited a Soviet representative to Washington. On November 16, 1933 (after 6 days and 6 nights of secret, unrecorded negotiations in the White House with Maxim Litvinov, Soviet Commissar for Foreign Affairs), Roosevelt extended diplomatic recognition to the Soviet Union.

Roosevelt's State Department began trying to negotiate outstanding differences between the Soviet Union and the United States. Among the differences were American claims totaling $628 million against the Soviet Union for confiscation of American property. In February 1934, our State Department offered to accept the equivalent of $90 million in settlement of the $628 million Soviet debts. Litvinov rejected the offer, angrily and with expressions of contempt.

During more than a year of negotiations, Litvinov made only one concrete proposal. He said the Soviet Union would pay $100 million of the $628 million indebtedness, if the United States would give the Soviets an unconditional, no-interest loan of $200 million.

On January 31, 1935, Cordell Hull wrote the final words on our hopeless efforts to settle the debt question:

"In an effort to arrive at an agreement with the Soviet Government with respect to debts, claims and credits for trade, negotiations were begun more than a year ago in Moscow and continued in Washington. * * *

"The Government of the United States indicated its willingness to accept * * * a greatly reduced sum, to be paid over a long period of years. * * * To facilitate the placing of orders in the United States by the Soviet Government on a long-term credit basis, the Government of the United States was prepared to make * * * loans to a very large percentage of the credit granted. * * *

"We hoped confidently that this proposal would prove entirely acceptable to the Soviet Government and are deeply disappointed at its rejection. * * * The negotiations which seemed so promising at the start must now be regarded as having come to an end."

We never collected a penny. Yet, during and after World War II, we gave the Soviets direct aid totaling $11,464,109,000.

President Roosevelt's wartime conferences with Stalin (Tehran in 1943, and Yalta in 1944), and President Truman's conference with Stalin at Potsdam in 1945, gave further proof that it is disastrous for our leaders to make agreements with Communists. As a result of our being bound by agreements which Roosevelt and Truman made at these three wartime conferences—and with the Soviets violating agreements which interfered with their plans—the Communists, since 1945, have enslaved approximately 800 million people in Europe and Asia.

The Communist trick of negotiating agreements which Communists ignore but which handicap the other side, was a principal weapon in their conquest of China during the 1945–49 period. We permitted the Communists to use the same trick against us in Korea. Time and again in Korea, when American forces could have destroyed the Communists, we would stop our men and engage in truce talks—just as our State Department had forced Chiang Kai-shek to do in China 5 years before. Each time, the Communists would use the truce talks as a cover for bringing up fresh forces and supplies for a "surprise" offensive.

In 1953, when we negotiated the final Korean armistice, we knew the Communists had no intention of keeping their pledges, because they had already broken their promise to return all American prisoners.

In 1955, when President Eisenhower was planning a summit meeting with Communist leaders at Geneva, the Senate Internal Security Subcommittee released to the press a staff study which revealed that treaty breaking is an instrument of Soviet national policy:

"The staff studied nearly a thousand treaties and agreements * * * both bilateral and multilateral, which the Soviets have entered into not only with the United States, but with countries all over the world. The staff found that in the 38 short years since the Soviet Union came into existence, its Government had broken its word to virtually every country to which it ever gave a signed promise. It signed treaties of nonaggression with neighboring states and then absorbed those states. It signed promises to refrain from revolutionary activity inside the countries with which it sought friendship, and then cynically broke those promises. It was violating the first agreement it ever signed with the United States at the very moment the Soviet envoy, Litvinov, was putting his signature to that agreement, and it is still violating the same agreement in 1955. * * * It keeps no international promises at all unless doing so is clearly advantageous to the Soviet Union."

On October 31, 1958, representatives of the United States and the Soviet Union met for test ban talks, and agreed to suspend all testing of nuclear weapons, without inspections, while the talks continued. Eisenhower ordered a halt to U.S. testing, accepting Khrushchev's unsupported promise that he would do likewise.

Week after week, month after month, year after year the test ban talks continued, fruitlessly. The Soviets, busy assimilating information already produced by tests, did not need to make any nuclear shots in the atmosphere; but they went right ahead with underground shots and any other testing they pleased, ignoring their agreement to halt all tests for the duration of the negotiations. Secretly, they made preparations for another series of atmospheric tests, to be conducted when they were ready.

Eisenhower kept the agreement, however, permitting no American testing or preparation for tests, during the remainder of his administration. Kennedy continued the ban on nuclear testing.

KENNEDY AND THE NUCLEAR BAN

On August 30, 1961, the Soviets (having completed analyses of their latest series of major atmospheric tests conducted in 1958, just before the "moratorium" began) abruptly announced that they would resume unrestricted testing.

On March 2, 1962, President Kennedy said the Soviets, in their nuclear tests, were pressing hard toward the goal of developing the most desperately needed weapon of our time—a means of destroying attacking enemy rockets before they explode on target. The President said the Soviet tests of 1961 "reflected * * * the trial of novel designs and techniques, and some substantial gains in weaponry." Mentioning the powerful "nuclear attack and defense capability" which the Soviets are developing, the President warned that further Soviet tests would put the free world in grave danger. He said that the United States "cannot make similar strides without testing in the atmosphere as well as underground," and that "in many areas of nuclear weapons research we have reached the point where our progress is stifled without experiments in every environment."

On March 11, 1962, Robert S. McNamara, Secretary of Defense, said the United States has "no reasonable prospect" of developing a successful defense against missiles. At the same time, American officialdom generally was reflecting the expressed conviction of the President that the Soviets may be on the point of developing such a defensive weapon.

In view of all this, it was reasonable to assume that the President would order immediate preparations for massive American testing of nuclear weapons. He did not. He ordered a new series of atmospheric tests to be held in the Pacific beginning in late April 1962—but promised that the tests would not be conducted if the Soviets would sign a nuclear test ban by mid-April.

The Soviets signed no agreements, and a series of American nuclear tests in the atmosphere began on April 26, 1962—the first such tests since 1958. But the testing was timid and halting, hobbled by politics and propaganda. Kennedy permitted only a few tests in the atmosphere before again suspending them.

While continuing their testing and developing of nuclear weapons, the Soviets kept pretending that they really wanted to negotiate a test ban agreement. When the Soviet position would harden, President Kennedy would order preparations for new American nuclear testing; but before any testing occurred, the Soviet position would soften, and President Kennedy would suspend American testing. This ludicrous situation continued until June 1963, when President Kennedy suspended all plans for American testing, indefinitely.

On July 25, 1963, W. Averell Harriman signed, in Moscow, a nuclear test ban treaty which he had negotiated with Khrushchev and with Lord Hailsham, Science Minister of Great Britain. The treaty prohibits nuclear testing in the atmosphere, under water, and in outer space, but permits underground nuclear testing.

Thus, the treaty is made to order to serve the interests of the Soviet Union. Testing in the atmosphere is necessary for development of a defensive weapon against missiles. The Soviets do not presently need to conduct any more atmospheric tests. Having already done incalculably more atmospheric testing than we have done, the Soviets now claim to have a satisfactory missile killer, and American military authorities generally believe their claim. The United States has no such weapon and no hope of developing one without additional, extensive atmospheric testing. The Soviets need, however to continue underground nuclear testing to develop tactical weapons in which the United States presently has superiority.

Kennedy's disarmament experts do not want us to have a defense against Soviet missiles. Such a weapon in American hands, they claim, would cause the Soviets to intensify the arms race. Kennedy has begun a program to disarm the United States of "provocative" weapons (long-range bombers with first-strike capability, and so on) to keep from offending the Soviets and provoking them to further weapons development.

This puts our Nation in grave danger. The Soviets can threaten us with missiles against which we have no defense, but can protect themselves against our missiles. When Kennedy completes the reduction of our manned-aircraft systems of defense and offense, we will be at the mercy of the Soviets. Is this a deliberate program to force the schemes of Kennedy's advisers on the Nation?

If they can make our Nation helpless—render us incapable of making an offensive move or of defending ourselves—we can no longer maintain our national independence. We will be forced to continue foreign aid in the vain and frantic hope of thus buying help from foreign powers. We will be forced to accept disarmament and surrender of our national sovereignty to a world authority. We will be forced to continue the socialization of our economy so that it can be integrated into the economy of a one-world socialist system.

KENNEDY AND CUBA

On July 24, 1963 (1 day before the test ban treaty was signed in Moscow), Cuban refugees confirmed persistent reports that the Soviets have taken over the Isle of Pines and are converting it into a submarine base. The Isle of Pines is a 40-square-mile island in the Caribbean Sea, off the coast of Cuba. It was under American jurisdiction from the end of the Spanish-American War until 1934, when Franklin D. Roosevelt signed a treaty which had the effect of recognizing the island as Cuban territory.

In Cuba, we see once again grim proof of the folly of negotiating with Communists. We also see grim proof of the folly of trusting the Kennedy administration to act in the best interests of the United States, or to tell the people the truth about what is going on.

When Kennedy betrayed Cuban freedom fighters at the Bay of Pigs in April 1961, it was already known that the Soviets were converting Cuba into a missile and submarine base for use against the United States and other nations in the Western Hemisphere. Kennedy, however, claimed to know nothing about this until just before the congressional elections of 1962.

On October 22, 1962—pretending that he had just learned about Soviet missile bases in Cuba—Kennedy ordered what he called a "quarantine" of the island. The quarantine consisted of a request that Khrushchev remove his missiles from Cuba. Khrushchev promised to do so. Kennedy did not permit the boarding and searching of any Communist ships, or allow any other sensible steps, to determine whether Khrushchev was keeping the promise. He accepted the word of Khrushchev and of Castro and of Communist ship captains that Soviet missiles were being taken out of Cuba and that no more were being brought in. Kennedy ignored intelligence information from the Cuban underground (which has been remarkably detailed and consistently accurate) that the Soviets were increasing the strength of their armed forces and offensive weaponry in Cuba.

Caves along the Cuban coast have been converted into bases for submarines which can fire rockets into American cities. Soviet missiles, once visible to our reconnaissance photographers from the air, have been stored underground in the Cuban hills.

While all of this was going on, President Kennedy was negotiating a test ban treaty with the Soviets—and deceiving the American people about what was happening. For example: On January 24, 1963, President Kennedy (asked at a press conference whether there was any truth to the reports of a Soviet military buildup in Cuba) said:

"No, we have been conducting continued surveillance * * * there has not been a military buildup. * * * There is no influx of military equipment * * * our scrutiny of Cuba is daily."

Ten days later—February 3, 1963—Edwin M. Martin, Assistant Secretary of State for Inter-American Affairs, said "it is possible that Soviet military strength in Cuba is 10 times what it was before the missile crisis last October."

THE PROPAGANDA PUSH

The Kennedy administration has organized a propaganda drive to create enough public pressure on the Senate to force ratification of the test ban treaty. The theme of this propaganda is significant. It does not claim that the treaty will do much good, but, rather, assures the people that it will do no harm.

In a joint television interview with W. Averell Harriman, Dean Rusk, Secretary of State, on July 28, 1963, said of the treaty:

"It does not do a great deal. * * * It does not reduce nuclear stockpiles. It does not eliminate nuclear war or the threat of nuclear war. It does not prevent an arms race. But, nevertheless, it helps to impose some limitations and some ceiling upon the arms race. * * * And it may be the turning point * * * in which other questions could be taken up for further exploration."

In permitting the kind of testing which the Soviets need to conduct, while prohibiting the kind the United States desperately needs, the treaty does do a great deal. And there is a great deal more to it than that.

Since the days of Lenin, the Soviets have never considered their treaty promises as binding on themselves. They make treaties for the purpose of hobbling the other side, leaving themselves free to do as they please. As Lenin said: "It is ridiculous not to know * * * that a treaty is the means of gaining strength."

It takes many months to prepare for substantial nuclear testing in the atmosphere. While the treaty is in effect, we will, of course, refrain from making such preparations. Whenever the Soviets anticipate need for further atmospheric testing, they will make preparations. When they are ready they will either test openly, in arrogant defiance of the treaty; or they will perform their tests in Communist China and disclaim responsibility for them.

Here, we may see a reason for the widely publicized "rift" between Communist China and the Soviet Union. Khrushchev and Mao Tse-tung have made a tremendous effort to convince the West that the Communist empire is breaking up, because Khrushchev is mild and reasonable in his attitude toward the West, while Mao is militant and unyielding. All of this could be, and probably is, a hoax to trap Western liberals into open support of Khrushchev, who (when not engaged in playing the role of hero in the farce which features Mao as villain) pushes forward relentlessly with his program to bury the West.

The farce has already caused gullible Western liberals to feel that we can trust Khrushchev and that we ought to please and appease him, to keep him on our side and, thus, widen the split between the Soviet Union and Communist China. Note, for example, W. Averell Harriman repeating Khrushchev's assurance that Communist China is not likely to do any nuclear testing because she does not have the capability and is getting no help from the Soviets. Harriman reported these Khrushchev remarks as if they had come from an honorable man whom the West can believe and trust.

STORM THE SENATE TO REJECT THE TREATY

Secretary Rusk was accurate in saying that the test ban treaty "may be the turning point," opening the way for further negotiations and agreements. This is the main reason why the Senate should not ratify the treaty.

If the treaty is ratified, there will be no consequences perceptible to the public. But there will be a violent rash of propaganda about the "break in the cold war," and the wisdom and hopefulness of further agreements to eliminate the danger and crushing burden of the armaments race. Step by step, Communist overlords will negotiate us into a state of total helplessness, and then force us into total surrender.

If the program were attempted all at once, the people of America might perceive, and would rebel. But if the program is begun through the innocuous-looking test ban treaty, and continued by steps which seem like nothing more than efforts at international understanding, we will have passed the point of no return before the American public realizes it.

The time to act is now. Every American should wire his U.S. Senators and urge his friends to do the same. The public should storm the Senate with demands that it reject the test ban treaty.

Senate refusal to ratify the treaty would save us from this particular trap, and would be a stunning repudiation of what Senator Strom Thurmond calls the Kennedy administration's no-win policy.

[From the Evening Star, Aug. 12, 1963]

West German Dislike of Treaty

(By David Lawrence)

Again the cause of human freedom in the world has suffered a defeat. The West German Government, under pressure from the United States Government, has been required, in effect, to sign a treaty it doesn't want to sign—a treaty that gives a form of diplomatic recognition to the puppet regime established by the Russians in East Germany. This postpones still further the day when the people of Germany can be reunited and set up a single republic of their own.

There were other ways to prevent West Germany from ever engaging by itself in nuclear testing in the air or in outer space or underwater as provided in the new treaty between the East and West signed recently in Moscow. Ironclad pledges against testing could have been given by the West German Government in a separate agreement or treaty made only with Great Britain and the United States. This would have avoided any embarrassment for the West German Government, which now is placed in the humiliating position of signing a treaty with Moscow on a parity with the Soviet satellite in East Germany.

So far as the status of nuclear testing is concerned, it would not have been affected in the least if West Germany had been permitted to deal only with her partners—Great Britain and the United States. But as matters stand now, the peoples of both East and West Germany have suffered a diminution of hope for reunification.

The United States, as a champion of human freedom, could have found an alternative way to accomplish its purpose—namely, to get signed a universal pledge of her own against certain kinds of nuclear testing. As it is, an opportunity to proclaim to the world the interest of the American people in seeing the peoples of the two Germanys given a chance to exercise their right of "self-determination" was sacrificed.

These are days when much is being said about the importance of "civil rights" to human beings everywhere. The United States has given lip service to this ideal in recent years, but almost every opportunity to advance such ideals internationally in a practical way has been passed up by a kind of cringing diplomacy. For, every time it is suggested that the U.S. Government through the Department of State should, for instance, stand up for principles of self-determination, the argument is made, at least where Russia is concerned, that the West must not do anything to displease Moscow because this "might lead to war."

The cry "Do you want war?" is used to answer every plea for the United States to demand that human rights be respected by the Communist dictatorship. The Soviet Government, moreover, has put the United States in a humiliating position in Cuba. More than 15,000 Soviet troops today have control of the Cuban Government. The Cuban people have been deprived of their right of self-determination, but the only answer given hereabout is in the form of a question: "Do you want war?"

Oddly enough, measures short of war are used by the U.S. Government to discipline smaller nations which are too weak to strike back. Thus, the Washington Government is leading the fight to shut off arms to and punish the Republic of South Africa because it maintains racial segregation. The real purpose, of course, is to curry votes-favor with some African nations and to win Negro votes at home. Yet no stringent measures are taken to persuade members of the United Nations to embargo arms and discontinue trade relations with the U.S.S.R. because of the physical segregation established, for instance, by the Moscow Government in East Germany.

Thus, the Berlin wall now is 2 years old. Twenty-eight miles of concrete, steel girders, and barbed wire divide the people of the single city of Berlin into two sectors. More than 11,000 Soviet troops guard the border. Ten thousand citizens of West Berlin who had gardens or houses in East Berlin have lost their property. Gerd Wilcke, in a dispatch from Bonn, Germany, to the New York Times says:

"Nobody in the West knows how many East Germans have tried to climb the concrete slabs to reach the West. But several dozen who did try have died, killed while attempting to flee over the wall or through the minefields and barbed wire barriers of the 830-mile border dividing Germany. About 16,500 men, women, and children have made it, among them enough military and police guards to provide 13 companies of troops."

This shocking situation is being ignored by the Western allies. Instead, the Secretary of State of the United States is pictured in shirtsleeves on the front pages of the newspapers as playing table games at a seaside resort with Premier Khrushchev.

Everything is being done through the current propaganda moves on both sides of the Iron Curtain to give the impression that the United States is willing to let bygones be bygones and that the Soviet conquest of Eastern Europe is accepted as permanent.

Today's defeatism among Western governments amounts to a virtual abandonment of the cause of human fredom in Eastern Europe and is attributable to a supine diplomacy which is really the equivalent of the policies of peace at any price that brought on World War II.

[From the Evening Star, Aug. 14, 1963]

Behind the Bright Treaty Facade: Tightening of the Iron Curtain Is Seen in New Soviet Controls on Information

(By David Lawrence)

Because of a superficial acceptance of the emotional cry that world peace is a step nearer by reason of the treaty limiting nuclear tests, Nikita Khrushchev and his Communist government are getting applause in many parts of the world, including this country. The dispatches from abroad give the impression that some kind of major step has been taken in the cause of humanity. Many Americans also have been led to believe this, since President Kennedy has called the treaty a victory for mankind.

But the real news is to be found in the fragmentary disclosures of what goes on inside the totalitarian government in Moscow. A United Press International dispatch last Saturday night escaped general attention. Is it because Communist censorship, too, is accepted now as normal? The news item didn't make many front pages. But it contains the key to what's going on behind the Iron Curtain and tells more about the danger of war than do the hackneyed phrases of the treaty on nuclear testing. The dispatch says:

"The Soviet Union took the first concrete step toward a planned reform of information media today be setting up a state committee for the press with a little-known Communist official at its head.

"The plan to tighten control over Russian newspapers and publishing houses has been in the works for several months. It was formally announced during the ideology conference of the Soviet Communist Party Central Committee in June.

"The announcement of the new state committee was made in two paragraphs in the government newspaper Izvestia, edited by Premier Nikita Khrushchev's son-in-law, Alexei Adzhubei.

"The June Central Committee meeting on ideology described the Russian press, radio, television and cinema as 'the assault forces of the ideological front.'

"Under the reform plans, Moscow's 30 national and local newspapers were expected to be cut down sharply with the liquidation of specialized newspapers. But the Izvestia announcement gave no indication whether this plan would be carried out. It was expected the new state committee on the press would concern itself with raising the ideological content of Soviet newspapers and inculcating Russian leaders with Marxist-Leninist philosophy."

It so happens that state committees for radio, television and the movies have been functioning in Russia for some time. The addition of a state committee for the press, which has just been announced, merely competes the process of concentrated control of all communications media throughout the Soviet Union.

Thus, a nation of 200 million people, as well as the peoples in other Communist-held countries in Eastern Europe, will not only continue to be deprived of much of the news of the rest of the world, but will be given heavy doses of Communist ideology every day in a massive brainwashing of the public. With only one political party permitted to have names on the ballot and with elections more or less perfunctory affairs, the dictatorship which holds sway in Moscow can at any moment persuade the people that the West is planning a war, that it is aggressive and may launch a surprise attack, and that hence the duty of the Soviet Union is to strike the first blow.

This is the heart of the peace-or-war issue, and no amount of treatymaking to prevent a world conflict will be of avail if there is no free communication continuously between the peoples of the East and the West. To draw the Iron Curtain tighter than before and to erect walls and barriers to the flow of truth is to threaten world peace and to relegate to a position of unimportance all the agreements about nuclear testing in the air and in outer space and underwater. Because there is mutual distrust, both the East and the West will continue testing underground and will build bigger and deadlier missiles.

The truism that dictators and not people make wars has long been obvious, and that's why the sad news which has just come from Moscow is worthy of the attention of free peoples everywhere. For apparently suppression of truth is to be carried on even more comprehensively than before.

There is in this little cause for rejoicing about a victory for mankind. The intensification of the censorship inside Russia and the second anniversary of the building of the Berlin wall certainly give symbolic emphasis to the fact that Western governments have failed to speak out forthrightly for the cause of human freedom. This is really a defeat for mankind.

[From the Evening Star, Aug. 14, 1963]

Treaty and Khrushchev's Moods: Those Who Raise Rational Objections Are Believed Entitled to Respect

(By Richard Wilson)

The moods of Premier Khrushchev are wondrous to watch. They remain vivid in the mind of the witness. There was the Khrushchev in Paris snarling unprintable phrases at West German reporters in the front row of a 3,000-man press conference. The Chairman was explaining why he broke with his "fishy friend," President Eisenhower, and torpedoed the summit conference of 1959 after the U–2 incident.

The benign, paternal Khrushchev was at his best in the parlor of an Iowa farmer, Roswell Garst, handing out gifts and remembrances to his American friends. A couple of days earlier he was bellowing at midnight, because he though he was insulted by the mayor of Los Angeles, and sent a representative to Henry Cabot Lodge, who was sitting around his hotel room in his underwear, to announce that he intended to break off his American tour and fly back to Moscow. He felt better the following day in San Francisco.

The bellicose Mr. Khrushchev practiced verbal assault and battery at the U.N. Those who saw him do it could not really believe afterward that he had actually hammered the desk with his shoe. It looked for a while as if Mr. Khrushchev would never go home but would stay in New York all winter.

Khrushchev, the debater, reached forensic heights in his wordy and menacing wrangle with Vice President Nixon in the exhibit kitchen of the American fair in Moscow. This was the intractable Khrushchev who did not even hesitate to rise later to object to a Nixon statement during a formal public speech.

The reasonable, rational Khrushchev was at Camp David with President Eisenhower. Khrushchev, the good guest, was also with General Eisenhower on the White House lawn, sheepishly and in some trepidation entering a helicopter for the first time for a closeup air tour of Washington's housing developments.

There was everyman's Khrushchev who, welcomed by the President at Andrews Air Force Base near Washington, could find no one to take his hat, so he hung it on a post.

The possessive, proud Khrushchev was at the Moscow airport, dressed in a white embroidered Ukrainian shirt, and just back from a brief holiday. Everything he could see seemed to be his. He patronizingly inspected the American jet that had flown nonstop to Moscow in record time, took a sip of bourbon, and pointed out how much better everything was in Russia than in the capitalistic countries.

The menacing, blunt Khrushchev was in Vienna for face-to-face conferences with President Kennedy. He smiled little then but presented his implacable Slavic countenance to those who saw him publicly, and privately he told President Kennedy he could have war if he wanted it. And we came close to it over Cuba.

Now Mr. Khrushchev is smiling. In all the photographs with Averell Harriman and Secretary Rusk he is beaming. Everyone is sunny. It is almost like the smile festival at Geneva in 1955.

Mr. Khrushchev's changing moods match the Kremlin's shifting policies, a zig here, a zag there—backward, then forward. This, basically, is the reason for the massive distrust in the U.S. Senate on the test ban treaty.

Massive distrust is not an overstatement. Few Senators do not have their fingers crossed in private if not in public. Yet this treaty will be ratified by an overwhelming majority.

Honest objections are being submerged in a wave of public sentiment. Senators who now say they have serious doubts will end up voting for the treaty. They cannot bear the onus of being classed, however wrongly, as prowar and antihumanity. They cannot reject the last best hope, however illusory it may later prove to be.

Yet a rational basis exists for opposition to the treaty. It would be a disservice to truth and fairness if those who hold to their rational objections are pilloried as fellow travelers of Robert Welch of the John Birch Society.

A Senator who wishes to put his mind at rest on why Mr. Khrushchev turned an about-face on this treaty in 6 weeks' time is entitled to a better judgment than that he wishes to spawn nuclear-bred misfits in the human race for untold generations.

The treaty needs to be fully explored and debated. Haste in ratification will not make the first step any longer.

When in the end this treaty is ratified, as it ought to be, those who honestly and rationally object are entitled to respect. No one can know for sure where it will finally lead, least of all those who have watched firsthand the changing moods of Mr. Khrushchev.

[From the Providence Journal, Aug. 5, 1963]

The Limited Nuclear Test Ban Treaty Should Not Be Ratified

(By Robert B. Dresser)

I. FOREWORD

Question for every American.

Every American should ask himself this question and ask it now: "What would I do now if I thought that within several years unless the American people do something about it, Russia will be in a position to offer us 'the choice to surrender or be destroyed?' "

Senator Knowland's Address

In November 1954 Senator William F. Knowland delivered to the U.S. Senate a momentous and prohpetic address from which I quote as follows:

"Are 'coexistence' and 'atomic stalemate' synonymous terms? If they are not, just what is the difference? Is the former merely an inevitable prelude to the latter? And what of our foreign policy and our defense policy, when such an atomic stalemate takes place? Does not 'atomic stalemate' mean inevitable Communist 'nibbling aggression,' rather than peace in our time? How many years remain when we still have some initiative left? These are some of the basic questions before the Government and the people of the United States.

"The survival of this Republic and the possibility of a free world of free men hangs in the balance.

"The civilizations that flourished and died in the past had opportunities for a limited period of time to change the course of history. Sooner or later, however, they passed 'the point on no return', and the decisions were no longer theirs to make.

"Coexistence and the atomic stalemate will result in ultimate Communist victory. * * * We must face up to the fact that the Communist concept of 'peaceful coexistence' means that the United States or other free nations of the world will be allowed to exist only until communism is able to subvert them from within or destroy them by aggression from without.

"It is my belief that the Soviet Union is advancing the Trojan horse of coexistence only for the purpose of gaining sufficient time to accomplish what we may term, 'atomic stalemate.'

"Before our eyes the people of the United States would see nation after nation nibbled away and when the realization finally dawned that this policy would inveitably result in our country becoming a continental Dien Bien Phu in a Communist totalitarian world, the chances of our winning such a struggle would be so lessened and the Soviet world so extended that they then would be prepared for an all-out challenge to us wherein we would be allowed the choice to surrender or die."

Senator Knowland's warning has been ignored.

II. THE PROPOSED TREATY

An Associated Press dispatch from Moscow, published in the Providence Journal for July 26, 1963, stated:

"The United States, Britain, and the Soviet Union agreed in a treaty initialed yesterday to end nuclear testing in the atmosphere, outer space, and under water. They immediately hailed their unprecedented accord as a major breakthrough toward easing cold war tensions."

An Associated Press dispatch the following day stated:

"President Kennedy told the American people" in a radio and television address Friday night, July 26, that the treaty "is a victory for mankind and a step away from a war that could wipe out 300 million lives in less than 60 minutes."

To become binding on the United States, the treaty must be ratified by the Senate. A two-thirds vote is required.

"Let's look at the record"

Before the American people and the Senate are carried away by these extravagant claims, they should "look at the record," as Al Smith would say.

1. Russia bent on world conquest

Russia, the opposing party to the treaty, has always been and still is bent on conquering the world, including the United States.

2. Russian agreements worthless

It is a well-known fact that Russia neither makes nor keeps an agreement unless it is to her advantage to do so. Of the 52 major agreements made with us during the 25 years prior to 1959, she has broken all but 2. You can be sure that she expects by this treaty to make a substantial gain toward her goal of world conquest.

3. Our military superiority is in nuclear power only

Our military superiority over Russia lies in one area only: Nuclear power, and in particular, the striking power of our Strategic Air Command (SAC). Without this superior nuclear power Russia could achieve her objective of world conquest.

It was this striking force (SAC) of which Sir Winston Churchill spoke March 31, 1949:

"I must not conceal from you the truth as I see it. It is certain that Europe would have been communized and London under bombardment some time ago but for the deterrent of the atomic bomb in the hands of the United States."

4. Our previous suspension of nuclear tests

Despite the necessity of nuclear superiority, in 1958, during the Eisenhower administration, when we had clear superiority, we suspended the testing of nuclear weapons in the belief that Russia might eventually sign an agreement to bar nuclear tests. For 3 years, while we were seeking at Geneva to negotiate such an agreement and were suspending our testing, Russia was secretly preparing for nuclear tests in the atmosphere. In the fall of 1961 she started a series of such tests, one of them a huge bomb, much larger than any we had produced. During this period, the progress made by Russia toward closing the gap between her nuclear power and ours must have been very substantial.

5. Present proposal

And now we are asked to ratify an agreement with Russia barring nuclear testing in the atmosphere, outer space, and under water. Nuclear testing underground is permitted. Can it be that during the past 4 to 5 years, while we have refrained from testing in the atmosphere, except recently for a very brief period, Russia has caught up with us or surpassed us in the weapons requiring such testing, and that she now needs to concentrate on underground testing in order to catch up with and surpass us in the weapons requiring that type of testing?

6. Treaty will not prevent nuclear war

The impression which has been given the American public that the treaty will reduce the danger of an all-out nuclear war is utterly false. The treaty will not reduce this danger, but increase it; for it will improve Russia's chances of gaining nuclear superiority.

7. Lack of confidence in our foreign policy

The conduct of our foreign affairs is an executive function performed by the State Department under the supreme control and direction of the President.

For a long time the result of our foreign policy has been one unbroken series of Communist successes, for which there has been no reasonable explanation.

To cite a few examples:

1. The unnecessary and inexcusable loss of China to the Communists.

2. The wholly unnecessary loss of the Korean war with its disastrous consequences.

3. The turning over of Cuba to the Communists in violation of the Monroe Doctrine.

4. The giving of almost $6 billion in foreign aid to Communist Yugoslavia, Communist Poland, and neutralist India, and the continuance of such aid.

5. Our support of pro-Communist Sukarno, of Indonesia, in his attacks upon our friends, the Dutch.

6. Our support of the illegal and outrageous attempt by the United Nations to force Katanga into a Congolese state headed by pro-Soviet leaders, which has at last succeeded.

7. Our Government's attempt to force us into a U.N. world government, with a U.N. police force, which would be controlled by Russia, to be accompanied by the abandonment of our Army and Navy.

8. Meanwhile, we are rapidly disarming, while Russia is continuing to increase her nuclear power. These decisions to disarm by dismantling our bases about the world, scrapping bombers in production, and abandoning the production of the weapons and equipment needed to continue our striking power superiority over Russia are being made by the civilians in the Defense Department, the head of which is Secretary McNamara. They are being made against the advice of the military experts in the Pentagon and against the wishes of the congressional committees which have studied these matters.

In these circumstances, how can the American people place any confidence in the foreign policy proposals of our Government?

8. Internal subversion by Russia continues

During all these years of negotiating with Russia, and right now, she is, through her thousands of agents in this country, continuing to stir up strife and discord and to subvert our people, and this she will continue to do, treaty or no treaty.

9. We are losing the cold war

We are losing the cold war and the Communist noose about us continues to tighten. Already the Communists control Eastern Europe, a large part of Asia, part of Africa, and even a part of the Western Hemisphere, and their control is steadily expanding.

Eighteen years ago, at the end of World War II, we were by far the strongest nation in the world. At that time Communist Russia had only 190 million people under her domination. She was outnumbered 8 to 1 by the free people of the world. Today the Communists control over one-third of the world's population of 3 billion and they are well on the way toward controlling a lot more.

The administration's assertion that the treaty would ease cold war tensions is ridiculous. It is but a repetition of a favorite Government cliche. There are, of course, no cold war tensions except those created by Russia. The only thing needed is for Russia to stop creating them.

One may also seriously question whether the rift between Russia and China is real. It would obviously aid Russia greatly in dealing with the Western Powers to have them believe that such a rift exists. It would not be the first time that Russia has staged a difference with Red China to deceive the Western World.

10. Crucial issue to be faced shortly

It should be evident to anyone that this condition of affairs cannot continue for long without disastrous consequences to the United States.

When Russia acquires superiority in nuclear power, she will deliver and be able to enforce her ultimatum:

"Surrender or be destroyed." There is competent opinion that this may come within the next 3 years.

And the sad part of all this is that it need never have happened, and that the American people have only themselves to blame. Engrossed in their own individual pursuits of business and pleasure, they have refused to believe that this could happen here and have done nothing to stop it.

[From the Columbia (S.C.) Record, Aug. 10, 1963]

AN INVENTORY OF SOVIET PERFIDY: RECORD OF BROKEN TREATIES AUGURS ILL FOR BAN ON TESTS

(NOTE.—Eugene Lyons has done as much or more to expose Soviet treachery than any other writer. He was stationed in Moscow from 1928 to 1934 as United Press correspondent and is the author of several authoritative books on Soviet Russia and communism, among them "Assignment in Utopia," "The Red Decade," and "Our Secret Allies: The People of Russia." Now a senior editor of the Reader's Digest, he was the first president of the American Committee for Liberation which finances broadcasts beamed to the Soviet Union from outside points in Europe.)

(By Eugene Lyons)

Can the Kremlin be trusted to abide faithfully—without overt violations or covert cheating—by agreements it enters into with the West? The signing of the Anglo-American treaty with Soviet Russia for a limited ban on nuclear testing has brought this perennial question to the fore again.

Fortunately it appears to be irrelevant to the new document itself, since its provisions are self-enforcing. Scientists seem convinced that nuclear testing in the atmosphere, outer space, and under water can be readily detected. The agreement does not cover explosions underground precisely because these cannot be automatically monitored, and the Soviets would not agree even to minimal inspections.

TO OPEN NEW PATHS

But Washington, London, and Moscow alike have voiced hopes that the new treaty will open paths to other agreements. Soundings for renewed negotiations to reduce East-West tensions in many areas are already underway, in a mood of dangerously exaggerated optimism.

The issue of how much faith the free world can put in Soviet undertakings, whatever form they may take, has therefore become highly relevant. An awareness of the Kremlin record, and the Communist moral code which it mirrors, obviously is called for.

The Soviet record decidedly does not justify optimism. It is a shocking balance sheet of pledges broken, treaties scrapped without notice, solemn promises made for purposes of deception. In the 45-year inventory of Soviet perfidy, moreover, the Khrushchev period shows no improvement whatsoever over the Lenin and Stalin eras.

In his denunciation of Stalin, Khrushchev has never questioned, let alone repudiate, his predecessors' piled-up violations of treaties and his habitual resort to fraud in dealing with other countries. The changes that have taken place inside the U.S.S.R. since Stalin's death have not affected Kremlin strategy and morality in dealing with the outside world.

THE MISSILE LIE

In the White House last October, Foreign Minister Andrei Gromyko assured President Kennedy with a straight face there were no Soviet nuclear installations in Cuba. The President at that time already had incontrovertible proofs to the contrary. The scene should be kept fresh in memory as a wholesome warning.

Those now negotiating with Khrushchev should bear in mind that the erection of the obscene wall in Berlin was not only inhumane but completely illegal. It violated four-power agreements at the war's end, renewed in subsequent dealings on this issue, which clearly guaranteed the unimpeded movement of inhabitants between the Eastern and Western sectors of the city.

In the fall of 1961 came another shocking Soviet action—the sudden and unilateral breach of the moratorium on nuclear testing. For nearly 3 years, despite objections by our military planners and many scientists, the United States had refrained from testing, in compliance with the explicit gentlemen's agreement.

The series of massive Soviet explosions immediately after Moscow scrapped the moratorium confirmed what many had suspected: that Khrushchev had used the voluntary agreement as a cover for large-scale secret preparations for testing. Washington's naive reliance on his good faith cost this country much of its margins of advantage in the nuclear race.

HUNGARIANS MURDERED

On November 3, 1956, Soviet officials in Budapest induced Gen. Pal Maleter and other military leaders of the Hungarian revolution to meet them to discuss details of the promised withdrawal of all Soviet troops. In defiance of the truce flag, the Hungarians were arrested. Nothing more was heard of General Maleter's fate until his execution was announced some time later.

The prime minister during Hungary's brief independence, Imre Nagy, found asylum in the Yugoslav embassy in Budapest. Tito's government obtained from the Soviets a clear pledge of safe-conduct for their guest to enable him to leave the country. But as soon as Nagy stepped out of the embassy, he was grabbed and in due time also murdered.

These cynical breaches of Soviet undertakings were a repeat performance by Khrushchev of a piece of Stalin trickery in Poland soon after the end of the war.

Sixteen leaders of the Polish underground were given solemn promises of personal safety if they would come out of hiding to negotiate with Soviet occupation officials. Some Western diplomats, indeed, were unwise enough to encourage acceptance of the Kremlin's pledge. When the Poles emerged, they were arrested at once and flown to Moscow. All of them, as far as is known, perished in Soviet prisons and slave camps.

BETRAY WARSAW REBELS

One of the most gruesome chapters in the story of Kremlin duplicity was played out in the summer of 1944, also in Poland. The victorious Red army had reached the outskirts of Warsaw. Soviet radio was urging the people of the city to rise against the Germans. When they did, the Red army halted its march on Warsaw and denounced the rebellion it had asked for.

The Germans were thus given a free hand in drowning the rebellion in blood. They slaughtered an estimated 100,000 men, women, and children. Stalin even rejected appeals by Roosevelt and Churchill to allow British and American planes to use Soviet-held airfields in attempts to airdrop supplies to the Warsaw patriots. As Senator THOMAS J. DODD said recently about this episode, "History records no blacker betrayal than this."

In 1955 the Senate Subcommittee on Internal Security released a carefully documented analysis of nearly a thousand Soviet treaties. It showed that the U.S.S.R. had broken its word to virtually every country to which it ever gave a signed promise.

In late 1957 the magazine U.S. News & World Report published a study of American negotiations with the Soviets in the preceding 15 years, beginning with Stalin in Teheran. Three Presidents, it found, had engaged in 19 high-level talks with Soviet leaders. These produced some 40 agreements—of which 37 were violated.

RUNAWAY OPTIMISM

These figures included the written commitments at the spectacular Geneva Conference in July, 1955, when President Eisenhower and Britain's Prime Minister met with Khrushchev and Bulganin in an atmosphere of runaway optimism. Within a few months Moscow had renounced all the Geneva agreements, the most important of which was "the reunification of Germany by means of free elections."

The entire Soviet empire in Eastern Europe rests on the debris of formal wartime agreements at Yalta, then confirmed at Potsdam, insolently broken by the Soviets. It is a simple but now almost forgotten fact that every one of the satellite regimes was imposed illegally, in definance of explicit Kremlin pledges to the Western allies.

The formal declaration signed by Stalin in Yalta pledged free elections in liberated Central and Eastern Europe, looking to "governments responsive to the will of the people." Pending the formation of such democratic governments, the Allied high commands were to rule those countries jointly. But in one nation after another, the Soviets ignored or expelled the Allied representatives and proceeded to rig elections of its own kind, to the accompaniment of all-out terror and mass deportations.

The Potsdam Conference repeated Yalta promises of free speech and press and equal rights for all non-Fascist political groups. Wherever the Red army was in control, however, it made a shambles of these pledges as one-party dictatorships were established.

CHINA STABBED

Wartime agreements in Cairo, to which the Kremlin subscribed, provided that all Chinese territory seized by Japan would be returned to "the Republic of China." But in withdrawing its occupation forces from Manchuria, Soviet Russia turned over administrative control and vast quantities of Japanese arms to the Communists and gave them full support in their war on the Nationalist Government.

Khrushchev's current proposals for a "nonaggression pact" between NATO and the Warsaw bloc shows a contempt for the historical memory of the West. That type of covenant is a Soviet invention. But Kremlin performance under such pacts has been so shamelessly bad that one marvels at Moscow's gall in reviving this diplomatic device.

Between 1925 and 1937 the Kremlin negotiated nine "nonaggression pacts" with its neighbors. By this instrument it guaranteed the Baltic countries, Poland, Finland, and other East European countries against Soviet aggression. In due time it violated all of these pacts, except the one with Turkey, which showed itself willing and able to resist.

American diplomatic relations with Soviet Russia were established in November 1933, on the basis of written Kremlin pledges to "refrain from interfering in any way in the internal affairs of the United States" and to "prevent the activity on its territory of any organization" engaged in such interference. This clear-cut commitment to abstain from subversive activities against this country, of course, has been systematically broken ever since.

[From the State, Aug. 14, 1963]

EUROPEANS SEE BAN PACT AS APPEASEMENT: LOSE FAITH IN KENNEDY'S WORD

(By Henry J. Taylor)

PARIS.—President Charles de Gaulle's public scorn for the American kiss-kiss in the Kremlin and the test ban treaty is sweet perfumed eau de cologne compared to what he and most continental statesmen are saying behind the scenes.

If these allies of ours appear to be skunks at the Anglo-American-Soviet garden party, it is not because of the test ban per se. It is because, as De Gaulle stated, very much larger issues are in question.

In fact, even in the American interest, the test ban itself is so utterly anemic compared to such issues as requiring Khrushchev to abandon his Cuba lodgement (as he agreed) that continentals wonder how champagne toasts can be gulped so gaily under Kremlin chandeliers by Secretary of State Dean Rusk and our other officials while Khrushchev is at this moment so gallantly selling President Kennedy and the United States down the river in Cuba—and elsewhere.

They ask: Who is being caught? Fish or fisherman?

It isn't that they oppose the test ban, of course. The point is that they know this gambit cost the Soviet absolutely nothing and represents no concession whatever by Khrushchev of a substantive kind.

Yet our kiss-kiss is elaborate, excessive, and sumptuous. (Unfortunately, a beaming Harriman bear-hugging the Red tyrant hit the front pages throughout the NATO area.) Thus continental suspicions about American appeasement of the U.S.S.R. are heightened by the White House's full Madison Avenue treatment of Soviet relations.

President Kennedy's humpty-dumpty performance regarding Cuba, his downhill negotiation of America's vital on-site inspection demand until he finally said, "It's a dead issue, I guess," along with the subsequent removal of the bases in Turkey and Italy (both NATO countries), as Khrushchev demanded, puts U.S. prestige and our official word at an enormous—and tragic—discount.

If integrity goes, everything goes. This is the root of our troubles here, including our pledges about the U.S. dollar in our gold crisis, about Berlin, or anything else. And the fundamental default which no amount of White House alibis has overcome is Cuba.

It is absolutely impossible for the New Frontiersmen to convince continental leaders that we mean what we say about Berlin or Europe as long as we leave our solemn, solemn words unredeemed about Cuba, inside our own defense periphery.

Our continental allies are watching President Kennedy, not listening to him. Only about a month ago he came to Bonn with much fanfare to reassure Chancellor Konrad Adenauer that we're not appeasing the Soviet Union. Now Secretary Rusk is sent there from Moscow to reassure West Germany all over again.

Yet how often did Mr. Kennedy pledge that we wouldn't appease Khrushchev regarding Cuba and that "Communism is not negotiable in the Western Hemisphere"? Are our allies to believe that White House pledges on the far side of the Atlantic are worth any more than the White House pledges to the American people about Cuba, 90 miles from our shores?

Most NATO leaders here are convinced President Kennedy is moving as fast as he can, behind the scenes, to appease Khrushchev with a denuclearized Europe and is sacrificing the Truman-Eisenhower containment policy on this continent in acceptance of Khrushchev's coexistence claptrap.

They point out that this claptrap is, in fact, what Mr. Kennedy has accepted in Cuba.

In a current article in the Revue de Défense Nationale, able French Gen. Pierre Gallois flies the danger signals against that trap and calls America's course fatal.

Gallois also stands appalled by the Kennedy administration withdrawing "the first rungs of the atomic ladder in Europe" and then trying to sell the ridiculed idea of a wishy-washy multicommand Polaris scheme as a substitute.

In truth, we are appeasing Khrushchev and the Soviet Union around the clock. The White House denies it. But continental leaders over here know it. They know it because they see it. Apparently the only people really left in the dark are the American people.

NATIONAL DRIVE AGAINST TEST BAN TREATY ANNOUNCED

WASHINGTON, D.C.—Young Americans for Freedom, a 25,000 member college and community youth organization, today announced a nationwide drive to mobilize opposition to the nuclear test ban treaty now pending in the U.S. Senate. The group has more than 40 Members of Congress on its National Advisory Board.

The young conservative group's national chairman, Robert E. Bauman, called the treaty "a grave threat to the national security of the United States and a threat to freedom everywhere."

Bauman described the group's plans to channel opposition to the treaty by means of a national petition drive, thousands of letters and personal visits to Senators and mass demonstrations.

Bauman outlined the reasons for YAF's opposition to the treaty in these words: "Unlike the nervous politicians in both parties who are afraid to tell the people what this treaty really means, we, as young citizens, have far more at stake here than just the next election. The President and his misguided advisers are playing with our future freedom. They are willing to give in gradually to our avowed Communist enemy in the name of humanity, when in fact this treaty can only lead the free world to either nuclear disaster, or eventual surrender to superior Russian armaments.

"Despite the President's emotional appeals, he cannot obscure these facts; the Russians are ahead of us in nuclear weapons and without further testing we will never catch up. I have personally talked with Dr. Edward Teller, the 'father of the H-bomb,' and he confirms that Russia is indeed ahead of us now. The test ban treaty will assure this Communist superiority.

"As it is written, the treaty prevents the United States from testing the very type of nuclear weapons which we need to test most—large atmospheric explosives. At the same time it allows the Communists to test the very type they need to improve most—small tactical weapons which can be perfected by underground testing.

"This treaty not only calls for eventual total disarmament, it presupposes a nonaggression pact with the Communist bloc nations. Such an agreement could spell the end of the NATO alliance, and already France and West Germany have raised protests against the test ban. With inferior nuclear weapons and without NATO we will be at the mercy of the Russians.

"The Soviets have never lived up to their word when it served their purpose to do otherwise. They broke the last test ban agreement by testing some of the largest nuclear explosives ever tested. They will do the same thing again.

"By far the worst result of this treaty will be the effect it will have on the minds of Americans. Already the President and his backers are lulling us into a sense of security and coexistence with communism when they should be warning us of the very real dangers which this treaty presents.

"National Young Americans for Freedom cannot stand by and watch our country's freedom and honor sacrificed. No politican or party is more important than freedom for all mankind. To insure that freedom, this treaty must be exposed for the fraud that it is and it must be defeated."

YOUNG AMERICANS FOR FREEDOM, INC.

The Nation's largest conservative youth organization invites you to join in the following petition to the Senate of the United States of America:

Whereas the U.S.S.R. has broken 50 of 52 major treaties or agreements with the United States; and

Whereas no scientific evidence has been produced which assures the United States of detecting nuclear tests in the atmosphere by the U.S.S.R.; and

Whereas history has recorded that disarmament proceedings by the United States have encouraged the enemy to increase aggression; and

Whereas the treaty will maintain the Communist (U.S.S.R.) superiority in the field of multimegaton weapons and an antimissile force; and

Whereas an agreement between the Soviet Union, Great Britain, and the United States will imply our trust in the Communist leadership thus rendering our anti-Communist efforts helpless; and

Whereas scientific evidence concludes that radioactive "fallout" from testing is not a danger in the immediate or foreseeable future; be it therefore

Resolved, That we, the undersigned, petition the U.S. Senate to defeat President Kennedy's Nuclear Test Ban Treaty with the Union of Soviet Socialist Republics.

Name____
Address______________________________________
City____
State____

Kennedy, March 2, 1962: "But in actual practice, particularly in a society of free choice, we cannot keep top-flight scientists concentrating on the preparation of an experiment which may or may not take place on an uncertain date in the future. Nor can large technical laboratories be kept fully alert on a standby basis waiting for some other nation to break an agreement. This is not merely difficult or inconvenient—we have explored this alternative thoroughly, and found it impossible of execution."

Lenin, Proletarian No. 20, 1905: "Promises are like pie crust made to be broken."

Stalin: "Words must have no relation to actions—otherwise what kind of diplomacy is it? Words are one thing, actions another. Good words are a mask for concealment of bad deeds. Sincere diplomacy is no more possible than dry water or iron wood."

Khrushchev, September 17, 1955: "If anyone thinks our smiles mean the abandonment of the teachings of Marx, Engels, and Lenin, he is deceiving himself cruelly."

The Swiss Academy of Medical Science, 1960: "The present increase in atmospheric radioactivity and in radioactive precipitation plays no essential part and has no practical importance compared with natural radiation. The values which have been recorded do not in any case constitute a danger to the health of mankind."

Khrushchev, December 15, 1961: "We would be slobbering idiots if we did not carry out nuclear tests."

Humphrey: "My feeling is that if there is ever to be an effective ban on nuclear weapons, Communist China will have to be included."

Woodrow Wilson: "We in America, have stood from the day of our birth, for the emancipation of people throughout the world who are living unwillingly under governments which were not of their choice. * * * so long as wrongs like that exist in the world you cannot bring permanent peace to the world. I go further than that so long as wrongs of that sort exist, you ought not to bring permanent peace to the world, because those wrongs ought to be righted, and enslaved peoples ought to be free to right them."

[From the Bulletin, Aug. 12, 1963]

WITHOUT HONOR

The test ban treaty is for the benefit of Russia and her satellites. It will place the United States in a position that can be utilized to discredit, defame, and coerce this Nation to the point of submission to our strongest enemy.

In the entire history of the present Russian regime she has violated virtually every agreement or treaty entered into with any other nation. During 1955, President Eisenhower was planning a summit meeting at Geneva.

In an attempt to prepare himself for discussion he had the Senate Internal Security Subcommittee make a study of the past performance of Russian treaties. We quote from that report:

"The staff studied nearly a thousand treaties and agreements * * * both bilateral and multilateral, which the Soviets have entered into, not only with the United States, but with countries all over the world. The staff found that in the 38 short years since the Soviet Union came into existence, its government had broken its word to virtually every country to which it ever gave a signed promise. It signed treaties of nonaggression with neighboring states and then absorbed those states. It signed promises to refrain from revolutionary activity inside the countries with which it sought friendship, and then cynically broke those promises. It was violating the first agreement it ever signed with the United States at the very moment the Soviet envoy, Litvinov, was putting his signature to that agreement, and it is still violating the same agreement in 1955 * * * It keeps no international promises at all unless doing so is clearly advantageous to the Soviet Union."

In 1958 the Soviet Union and the United States signed an agreement to stop all testing. The United States honored this agreement from that date until 1961. Russia continued to test underground regardless of the treaty and when she found that it was necessary to go into the atmosphere did so as of 1961.

The United States continued to adhere to the treaty until the general public created sufficient pressures upon the administration based upon the facts that Russia had gained complete atmospheric superiority. In 1962, the United States announced and resumed testing. Since that time this Nation has made sufficient progress to again be back in the lead position.

The present treaty is nothing more than a period of advantage for Russia. A period of time in which she can bring herself up to present U.S. advances. She knows the United States will honor the agreement regardless of what Russia does. She is taking advantage of our stupidity.

Although the United States has committed herself to signing, the treaty must be approved by the U.S. Senate. This is the control point by the people. Write or wire today to Senator Strom Thurmond, Senator Thomas Kuchel, and Senator Clair Engle. Demand that the treaty be rejected.

[From the Nashville Banner, Aug. 13, 1963]

Bystanders "Signing Treaty"—Just How Did These Get Into the Act?

Of nations queuing up to sign the limited nuclear test ban treaty negotiated at Moscow, the overwhelming majority are not even remotely participants in the commitments proposed; and for them to take the pledge is like a calf swearing off jumping the moon.

The parade to this signing ceremony saw 26 of these in line the first day, and a total of 56 indicating that they would initial the treaty for their governments. Admittedly, the effect if not the actual intent of this response, was to "show the Senate some of the worldwide backing for the pact it is called on to judge."

Members of that body surely will bear in mind, however, that the basis of its evaluation—and decision—must be security concern for the United States of America; and not the dimensions of a cheering section unrelated to the agreement submitted.

Three countries are involved—one of them so unworthy of trust that its signature prompts instant and automatic suspicion of anything it is willing to initial. How did these dozens of others get into the act?

Certainly every civilized nation on earth mentally and ideologically accountable, wants peace. Reason backs the desire for an approach to safety-attainable (not foolhardy) disarmament, and enforcible controls on hideous aspects of a race in weaponry. But that does not mean, in and of itself, that the United States can blindly buy just any agreement suddenly acceptable to the Kremlin; or that the "We want this pact" chant by 26 nations, 56 nations, or 114 sovereign governments now listed, obviates the necessity of the Senate taking a factual look at it, and deciding the matter on the strict basis of what it contains, what it would do to U.S. security, and where it leads.

The proposed treaty is between the United States, Britain, and Soviet Russia, which have nuclear power, and possess the weapon. France, with its own nuclear capacity, refuses to sign. Though West Germany is involved at the vortex of the Communist grab for power, it is forbidden from access to this stockpile. In all the remainder of the world, no power is known to have the bomb—though it is rumored that Red China is working on it, and that outlaw land would not, in any event, be bound by the agreement.

America already has been jockeyed far enough off policy and security course by the strategem of consulting "United Nations opinion"—on matters more properly to be decided by deliberation of its own interest and convictions. The idea that the United States must be stampeded into affirmative decision by a rollcall of nations, old and new, around the world, is a fallacy so transparent that it insults the intelligence of a responsible people.

That has all the implications of a medicine show, staged for its noise.

Let the hearings proceed, and the debate. That is the Senate's duty: To investigate and deliberate. That is the only guarantee that the decision finally arrived at will turn expressly on the merits or demerits of the document at hand.

JUVENILE QUARTERS CHANGE NEEDED

Members of the East Nashville Civil Association have read critical reports—including those from recent grand juries—concerning conditions existing at Juvenile Court detention quarters and decided to take a look for themselves. They, like others, found the situation less than desirable and called on Mayor Beverly Briley to use the influence of his office to correct certain "immediate needs."

The group's suggestions—contained in a letter to the Mayor—certainly are worthy of "immediate" attention. In brief, the association proposed:

Physical examination of children on arrival.

Hiring of additional personnel, stating the group found only two workers on duty to care for 24 or more children.

Something more than television for recreation.

Retaining a teacher for remedial reading or arts and crafts to work with children.

With an eye toward "permanent" solution of the problem—on the theory that the situation will worsen as the community grows—the civic association recommended that $200,000 be earmarked for capital improvements; that is, a physical overhaul of the detention quarters.

In their letter, the East Nashvillians also touched on another pressing problem which demands attention. There is a great disparity in ages among juveniles and different reasons for their temporary detention at the quarters.

They may be abandoned children, held until arrangements can be made, or they might be the worst kind of thugs, charged with every conceivable crime.

Certainly the "abandoned" should be separated from the "criminal," and in the case of the latter these should be divided by age groups. A youngster 10 or 12 years old can pick up a lot of "experience" in a few hours from certain 17-year-olds who, except for a year or less, would be eligible for terms either in the State Prison or Metropolitan Workhouse.

There is no place for partisan politics in a situation of this sort. The East Nashville Civic Association is not politically motivated. It has investigated the detention quarters and has issued a constructive report, suggesting certain changes in policy and general operation which, if accepted in the spirit intended, should lay the groundwork for early improvement.

BERLIN WALL—A PRISON IT DOES MAKE

In the past, there have been many "walls" and fortifications built hoping to keep a potential invader at bay. Centuries ago there was the Great Wall of China, guarding old Cathay; more recently there was the Maginot Line, designed to keep French land inviolate.

But never until now has a compound been thrown up to keep a people incarcerated. That is the purpose of the infamous Berlin wall which today is 2 years old.

Prior to construction of the "wall," 3 million East Germans made their way to freedom. And despite the "wall," nearly 17,000 have successfully fled the Communist regime of East Germany. Every day there are escape attempts and at least 65 persons have died trying to escape Communist tyranny. It is interesting to note that 900 of those who successfully "broke out" were East German guards.

You can talk of disarmament treaties all you want, but there for all the world to see stands the Berlin wall—and a prison it does make.

[From the Nashville Banner, Aug. 13, 1963]

Not All Senators Buy New Frontier's Picture of Test Treaty

(By Barry Goldwater)

How would the proposed test ban treaty affect our relations with Soviet puppets, such as East Germany and Cuba?

This is one of the hard questions now being explored by U.S. Senate Members who haven't bought the New Frontier's glowing picture of the treaty as an instrument leading toward peace in the cold war.

Republican leader Everett Dirksen, of Illinois, who is making a careful study of the treaty and its ramifications, urges a careful reading of sections 1, 2, 4, and 5 of article III, which provide the machinery for any nation to automatically become a party to the treaty. All it has to do is simply notify the United States, the Soviet Union and the United Kingdom that it accedes to or has ratified the treaty.

"There is need to examine two possible consequences under this provision," Senator Dirksen said. He listed them as follows:

Since the Soviet Union in 1949 imposed on East Germany its puppet government known as the German Democratic Republic, the United States and the United Kingdom have refused, despite repeated Soviet urging, to acknowledge East Germany as a state because its boundary claims violate the Potsdam agreement.

Under the treaty draft for a partial test ban, East Germany, by the simple expedient and, at present, meaningless act of depositing with the United States and the United Kingdom, instruments of accession to the treaty, would compel them to notify all other signatories that this "state," which neither the United States nor the United Kingdom recognizes as a "state," had become a party to the treaty. There would be no recourse under the treaty's language.

Communist Cuba, by complying with the procedures under article III, would, of course, qualify automatically as a party to the treaty. The treaty would prohibit Cuba from nuclear testing under water, in the atmosphere and in outer space, but would permit—with the

United States as a party to the permission—underground testing in the caves of Cuba.

The United States, which only 9 months ago was on the brink of war because of the presence of Soviet nuclear warheads in Cuba, would then find itself in the role of copartner extending sanction by treaty to the underground development of nuclear warheads by Cuba.

These are only two of the possible ramifications of the test ban treaty which contain danger for the United States. They are highly technical in nature and, therefore, may not receive the exposure to public reaction that they require.

Aside from the technicalities, however, the treaty is highly questionable on other grounds. It raises the question—which has always plagued mankind—of whether nations can abolish wars and armaments through legal instruments and diplomatic maneuvering. Even when the nations are friendly, such attempts have failed in the past.

Why are we to believe that the Soviet Union has suddenly changed its proven practice of perfidy merely because a piece of paper has been initialed in Moscow?

The history of all disarmament moves tells us the story loud and clear. None of these efforts has worked. And this treaty will never become what the New Frontier describes as "a milestone in world peace" until the Russians begin to go beyond the treaties and agreements and prove, through their actions, a genuine desire to reduce world tension. The immediate removal of their troops and equipment from Cuba would go a lot further in this direction than the proposed nuclear test ban treaty.

WASTEFUL SPENDING

Mr. ROBERTSON. Mr. President, the House Ways and Means Committee vote on yesterday, to reduce taxes by a net amount of approximately $10.7 billion, raises again the issue of corresponding spending reductions in the President's alltime high fiscal 1964 budget. Under that budget, Federal agencies in fiscal year 1964 would be authorized to obligate and spend public money to a total of $195.1 billion. This total derives from requested new appropriations and other obligational authority totaling $107.9 billion, plus unspent balances carried over in appropriations and other obligational authority totaling $87.2 billion. Of that $195.1 billion total available to the President to obligate and spend, there is approximately $27 billion of back-door spending, that is, authority for Federal agencies to borrow funds from the Treasury without going through the appropriations process of the Congress. Of the total of $107.9 billion of new spending authority that the President requested in the fiscal 1964 budget, he proposes to spend an alltime high of $98.8 billion. In order to do so, according to latest estimates, the President is likely to incur a budget deficit of approximately $9 billion.

On March 7 of this year on the floor of the Senate, I stated that it would give me great pleasure "to vote to lighten the far too heavy tax load, provided I could do so with a clear conscience." But I further stated that I could not, with a clear conscience, vote to impose a $10 billion tax cut on a deficit approaching the level of $9 to $10 billion. Mr. President, that was my view on March 7, and it remains my view today. I believe that the President's budget can and should be reduced in order to finance the proposed tax cut on a sound fiscal basis. I am convinced that such a sound fiscal policy would contribute more to the Nation's goals of rapid economic growth, monetary stability, and balance-of-payments equilibrium than would the ill-advised policy of a planned deficit during a period of relative prosperity when we are facing a serious balance-of-payments problem. This is why on March 7, I proposed a reduction in spending requests in the fiscal 1964 budget totaling more than $6 billion. This is why I now urge upon my colleagues in the Senate and the House that they give the closest scrutiny to the administration's spending requests during the remainder of this session when crucial decisions are to be made about the size of the budget.

A determined effort on the part of the Congress to reduce governmental expenditures will make many positive contributions. When combined with the corporate tax cut, it will restore and revitalize business confidence and thus stimulate private business investment which is the catalyst and creator of future rapid economic growth. Moreover, the determination of the Congress to demand of the Government that it live within its means will increase the confidence of foreign governmental and financial leaders and foreign dollar holders who today hold short-term claims against the United States of more than $25 billion in the face of our dwindling gold reserves. Finally, a move by the Congress to curb the further growth of Federal bureaucracy will increase the confidence of ordinary Americans in our will to maintain and strengthen the limited constitutional Government which, along with our free enterprise system, has been the wellspring of our past prosperity and vitality.

Not only would reduced spending increase business, consumer, and foreign confidence in the U.S. Government but also the will of its leaders to move forcefully toward our national goals. The alternative of a planned deficit, I am convinced, would most surely lead in the other direction. More and more people are questioning whether tax reduction is a responsible move in the face of a current deficit approaching $9 billion, in the face of increased spending and spending requests, in the face of a national debt exceeding $300 billion, and in the face of a balance-of-payments deficit not much improved since 1959.

In the first place, tax reduction with increased Government spending during this period of relative prosperity points toward continued deficits in the future. In earlier testimony this year before a congressional committee, the Secretary of the Treasury indicated that the budget might not be in balance for 2 more years; one of the Nation's leading economists, Dr. Arthur Burns of the National Bureau of Economic Research, calculated that under the assumptions in the economic report of the President, the Nation would not reach budget balance until 1972. If we cannot reduce Federal spending now, when are we going to reduce it?

In the second place, tax reduction with increased Government spending creates the easy illusion that the government burden is lighter. But the great danger is that when spending is increased, it is quickly translated into higher prices, and the increased purchasing power provided by the tax cut is evaporated into higher prices. If this likely result ensues, the taxpayers' take-home pay may be higher, but it may not buy any more. The threat of a renewed process of inflation being generated by loose fiscal policies is made doubly dangerous because of the balance-of-payments problem. Already, our surplus of commercial exports is too small to support the level of our foreign military and economic aid commitments, our volume of foreign tourism, and our obligations as a key world currency to keep our capital markets free and open to all comers. If domestic prices rise and our exports are further priced out of world markets, the balance-of-payments problem will surely worsen.

In the third place, it is by no means clear that deficits in themselves contribute to economic growth. According to Mr. Heller's theories, the Government deficit puts more into the economy in aggregate demand—spending—than it takes out in taxing. The resulting increased income, so the theory goes, yields a larger tax take that then wipes out the deficit. But the recent history of this Nation and of European nations casts grave doubt upon this theory. For more than 30 years, this Nation has lived with deficits as almost a way of life. These deficits have been so big that the national debt has ballooned twentyfold since 1930: From $16 to over $300 billion. Yet except in World War II, when deficits were unprecedented, there is little, if any, evidence that deficits have promoted economic growth. During the stagnant 1930's when the debt was growing faster than any other peacetime period, we had record unemployment and lagging output. From 1957 until now when Federal deficits have averaged $6 billion per year, we have experienced slower growth than many of our European neighbors. In Europe itself, as a recent study of the National Industrial Conference Board demonstrates, there has been little correlation between budget deficits and economic growth. Already in July, the Federal Reserve Board was forced to increase the discount rate from 3 to 3½ percent in order to contribute to solving the balance-of-payments problem. While heavy flows of savings into the capital markets are expected to keep long-term interest rates down, that action by the Federal Reserve has sharpened the knife's edge on which we walk in seeking to solve the balance-of-payments problem and to achieve more rapid growth predominantly by Federal Government action. How much sounder and more inspiring would it be to unshackle the powerful forces of free enterprise and free consumer choice by tax cuts combined with Federal spending discipline.

On March 7 when I proposed budget reduction of more than $6 billion, I recommended reductions in both nondefense and defense appropriations. More than $2 billion can be saved by eliminating new programs in the fiscal

1964 budget—new programs for Federal aid to education, mass transportation, and a long list of other postponable spending schemes. These include the recent rapid growth of large scale civilian research activities of the Federal Government. Eminent scientists have questioned the rapid growth of the National Institutes of Health programs and asked whether research results are commensurate with their costs. A second source of spending reductions lies in foreign aid which can be cut by $1.8 billion. The President's own adviser, General Clay, reached the conclusion that this program, stretched over more than 80 countries, is confused and scattered. I also urged in March and urge again that civilian employment be reduced by 5 percent across-the-board. Instead of reductions, we have increases in every department of the Government during the next fiscal year, except for the Defense Department. A few examples: Agriculture up 4 percent; Treasury up 5 percent; Interior up 6 percent; Health, Education, and Welfare up 7½ percent; General Services Administration up 9 percent; Commerce up 11 percent; and Labor up 14 percent.

If we do not move to stop it, here before our eyes is the inevitable growth of the Federal bureaucracy. Finally, I urged in March a reduction of spending requests in the Department of Defense totaling $1,259,000,000, and I itemized these reductions.

Chilly March is the season for cold appraisal of the President's newly transmitted budget each year. But what about hot July—what progress has the Congress made in reducing the spending requests of the President? According to a tabulation of the Senate Appropriations Committee, nearly $7 billion of Government appropriations have now passed the Congress. These include the Treasury-Post Office, the Interior Department, and total 1963 supplemental appropriations. The Congress has reduced appropriations below budget estimates by $147 million.

The next few months is a crucial period in this session of the Congress, when the die will be cast in favor of Federal spending discipline or in favor of one more in an almost unbroken line of continued Federal budget deficits. The following is a list of major legislative actions of the 88th Congress, 1st session, which have passed or are pending and which involve decisions concerning increased or new Federal expenditures. I ask unanimous consent to insert the list in the Record at this point and I urge my colleagues to review this list carefully in the light of national priorities and the need for matching spending reductions to offset the pending and desirable tax reduction.

There being no objection, the list was ordered to be printed in the Record, as follows:

ENACTED

H.R. 2440: Authorizes $15.3 billion for procurement, construction of planes, missiles, ships, in fiscal 1964; includes $363.7 million additional for RS–70 manned bombers.

S. 1745: Authorizes $216.2 million for Atomic Energy Commission is fiscal 1964, including $172.5 million for new construction projects.

H.R. 40: Authorities Federal assistance to States, on a matching basis, to help finance additional research facilities for State agricultural experiment stations.

PENDING

H.R. 3872: Extends Import-Export Bank 5 years to June 30, 1968; increases its lending authority from $7 to $9 billion and its authority for guarantees and insurance, under the export credit program, by $1 billion to a total of $2 billion.

H.R. 6500: Authorizes $1.6 billion for construction projects at Armed Forces bases at home and abroad, including 10,000 homes for members of Army, Navy, and Air Force.

H.R. 7500: Authorizes $5.2 billion for National Aeronautics and Space Administration in fiscal 1964, for research, development, construction of facilities, and administration.

H.R. 7885: Authorizes $4 billion for foreign assistance programs for 1964, calls for greater use of loans instead of grants and less aid to nations now capable of self-help.

S. 777: Increases by $20 million authorization for Arms Control and Disarmament Agency for 1964 and 1965.

H.R. 4955: Expands vocational education programs; authorizes annual increases through fiscal year 1966 in scale of grants to States, on matching basis beginning in fiscal year 1965.

H.R. 5131: Authorizes 5-year program to retrain jobless youth of 16 to 22 in Youth Conservation Corps in rural areas or in Community Service Corps in urban centers to prepare them for gainful employment.

S. 1163: Amends Area Redevelopment Act to increase its lending authority and other programs by $355 million.

H.R. 5625: Establishing a National Service Corps of volunteers to aid communities, at their request, with people and problems of social need; limits membership to 1,000 and appropriation to $5 million for fiscal 1964.

H.R. 3881: Authorizes 3-year, $375 million program of grants and loans to help States and communities provide mass transit facilities and service.

H.R. 12: Authorizes 3-year program of $175 million in matching grants to expand teaching and research facilities of medical, dental and related-type colleges, and $30.7 million in student loans to increase health personnel.

H.R. 6143: Authorizes 3-year, $1.135 billion program of loans ($360 million) and grants ($775 million) to aid colleges and universities in financing construction of academic and related facilities.

H.R. 4879: Extends Federal assistance under Library Services Act to urban areas; provides matching grants for construction of library buildings; authorizes $45 million for 1964.

H.R. 7544: Authorizes 5-year, $265 million to increase aid to States for maternal and child health services and for crippled children's programs; provides grants for maternity care and research projects to prevent mental retardation.

H.R. 7161: Provides aid to colleges for training of teachers of handicapped children.

S. 522: Provides Federal aid to States for day-care services to children of migratory farmworkers.

S. 525: Establishes a National Advisory Council on Migratory Farm Labor.

S. 526: Authorizes program to assist farmers in providing more adequate sanitation facilities for migratory workers.

H.R. 5555: Provides $1.2 billion increases in basic pay and subsistence for all members of the Armed Forces and Reserve components, except personnel with less than 2 years service, and for the Coast Guard, Coast and Geodetic Survey, and the Public Health Service; and readjusts retirement pay.

S. 5: Provides educational and other benefits to veterans who served after January 31, 1955, similar to those of World War II and Korean conflict veterans.

H.R. 6016: Increases by $593.5 million authorization for flood control, navigation, and other civil works projects under Army Engineers during next 2 years; adds $16 million for continuing costs of works on Missouri River Basin.

S. 627: Authorizes 5-year, $28-million-a-year program of aid to States for development of commercial fisheries.

Mr. ROBERTSON. Mr. President, some weeks ago, I read an account in a Virginia newspaper of a speech made in the House by Representative Gene Snyder, of Kentucky, describing numerous instances of wasteful spending. Some of the references indicated such astounding wastefulness that I was fearful that the distinguished House Member may have been erroneously informed concerning them. So, I forwarded the newspaper item to the Comptroller General and I ask unanimous consent that his reply be printed in the Record at this point.

There being no objection, the reply was ordered to be printed in the Record, as follows:

General Accounting Office,
Washington, August 14, 1963.

Hon. A. Willis Robertson,
U.S. Senate.

Dear Senator Robertson: Under date of July 18, 1963, you referred to us a clipping from a Virginia paper which quoted the Honorable Gene Snyder, of Kentucky, as citing a number of wasteful expenditures of public funds and requesting us to advise you if the allegations stated in the clipping were true.

Enclosed is a memorandum summarizing our findings on the factual accuracy of the statements in regard to each of the items contained in the clipping. The items are presented in the memorandum in the order in which they were cited in the clipping; and since they involve several agencies, the name of the cognizant agency is shown after the caption of each item.

We trust that you will find the enclosed memorandum fully responsive to your inquiry.

Sincerely yours,
Joseph Campbell,
Comptroller General of the United States.

Response to Request Dated June 18, 1963, by Senator A. Willis Robertson on Newspaper Clipping Citing Certain Expenditures as Wasteful

PURCHASE OF 1,000 TELEVISION SETS TO BE USED IN UNDERDEVELOPED COUNTRIES WHERE THERE IS NO ELECTRIC POWER, $400,000 (AGENCY FOR INTERNATIONAL DEVELOPMENT)

This statement is correct; however, the Agency for International Development (AID) has terminated the contract and is in the process of settling with the contractor. The contract was for $400,000 and the Agency received a settlement proposal from the contractor of about $57,000.

On June 29, 1962, AID contracted with the Warwick Manufacturing Co., of Chicago, Ill., for the purchase of 1,000 battery-operated television sets to be used for research relating to community education programs in underdeveloped countries. This was one of several contracts awarded by AID that were the subject of hearings before the House Subcommittee on Foreign Operations and Monetary Affairs, Committee on Government Operations, in August 1962. The full committee report (H. Rept. No. 2436, dated Sept. 19, 1962) stated, in part, that (1) AID did not utilize competition to obtain the best price available for the television sets, and (2) there was no real urgency for the sets as stated by an AID official, but rather a desire to obligate the funds by June 30, 1962, the end of the fiscal year. The subcommittee also questioned the need for 1,000 sets for a research program.

TO STUDY WHY PATIENTS BREAK APPOINTMENTS AT PEDIATRIC CLINICS, $18,000 (PUBLIC HEALTH SERVICE)

Grant CH-00014 (formerly G-7140), "Appointment Breaking in a Pediatric Clinic" was awarded to the Children's Hospital, Columbus, Ohio, with J. Philip Ambuel, M.D., as the principal investigator. The grant is the responsibility of the Division of Community Health Services, Bureau of State Services, Public Health Service. Community health programs are concerned with improving the health of individuals and groups in their local communities and with encouraging and supporting community-oriented research—partly by means of grants—aimed at (1) the prevention and control of disease among population groups and (2) the development of effective and acceptable health services for the entire community. As stated by the principal investigator in his application the purpose of this grant is to discover ways to reduce the rate of appointment breaking in an outpatient department of a pediatric clinic. He stated that approximately 25 percent of all appointments at his hospital's clinics are broken.

A TOUR OF U.S. DEFENSE PLANTS BY OFFICIALS OF COMMUNIST POLAND, $10,000 (DEPARTMENT OF STATE)

Under the mutual educational and cultural exchange program of the Department of State Grant No. 3580-1 was awarded to a Mr. Stanislaw Kuzinski of Poland on June 21, 1961, providing him with a tour of the United States. The grant was made under the foreign leader phase of exchange program. The specific purpose of the grant was to bring Mr. Kuzinski to the United States to (1) confer with university professors of economics and staff members of other economic research institutions concerning current research in the field of industrial organization and economic planning, and (2) observe and discuss the organization of industrial firms producing agricultural machinery, machine tools, construction machinery, and radio and television receivers, with special emphasis on planning plant expansion and/or the building of new plants, the relationships between producers of component parts and assembling firms, decentralization of production, the organization of the productive process, the organizational aspects of research and development programs and other related questions of industrial organizations.

At the time of the grant, Mr. Kuzinski was a member of the Polish Parliament and Chairman of its Foreign Trade Commission. He was also Deputy Chairman of the Economic Department of the Central Committee of the Polish United Worker's Party (PZPR) and a member of the Economic Council of Ministers. Mr. Kuzinski's visit to the United States extended from March 12, 1962, to June 19, 1962. His itinerary was arranged by the Governmental Affairs Institute, a private organization under contract to the Department of State, and included conferences with various specialists in the fields of economics and industrial management and plant visits. In the New York area he visited the Emerson and Westinghouse plants producing radio and television receivers. He also toured the John Deere Co. plant in Moline, Ill. In addition, he visited General Motors Technical Center and Cadillac Division assembly plant in Detroit, Mich. Other corporation contacts included an office visit to the Koppers Co. in Pittsburgh, an office and plant tour of the Westinghouse electronic generator factory in Pittsburgh, office visits to the Bechtel Engineering Co. and the Crown-Zellerbach Co. in San Francisco, and an office and plant visit to the Joseph Love Clothing Co. in New York. Correspondence in the file stated that all of the grantee's industrial visits were cleared with the Departments of Defense and Commerce and other interested agencies before they were scheduled. It also stated that in one instance, at the Westinghouse Corp.'s Radio and Television Division, some defense work was being done, but the grantee was not allowed to visit this area of the plant. The total cost of the foreign leader's visit, as computed by the Department, including interpreter-escort services amounted to $9,282.

On August 8, 1962, Congressman Lipscomb inserted in the Congressional Record a statement criticizing the grant to Kuzinski. The Department of State thereafter received and answered inquiries from seven Senators and seven Congressmen regarding this grant.

Authority for the conduct of the present Foreign Leader exchange program comes from a series of laws recently codified by Congress in Public Law 87-256, and prominent Poles have visited the United States under this program since 1958. The provisions of this law authorize the President "when he considers that it would strengthen international cooperative relations," to provide for "visits and interchanges between the United States and other countries of leaders, experts in fields of specialized knowledge or skill, and other influential or distinguished persons." The President has delegated this authority to the Secretary of State.

TO ESTABLISH A COLONY OF BABOONS, $61,895 (PUBLIC HEALTH SERVICE)

Grant HE-3834, "Initiation and Support of a Colony of Baboons," was awarded by the National Heart Institute, Public Health Service, to the Southwest Foundation for Research and Education, with N. T. Werthessen, Ph. D., as the original principal investigator. The records of the study section reviewing the grant application indicated that evidence was available of an increased interest in using the baboon as a research animal, and one reason for the interest is the ability of the baboon to form antibodies. The Institute stated that baboons develop arteriosclerosis spontaneously and are also subject to coronary artery disease with typical heart damage after a coronary occlusion.

TO ESTABLISH A COLONY OF MONKEYS, $13,816 (PUBLIC HEALTH SERVICE)

Grant GM-4868, "Establishment and Maintenance of a Monkey Colony," was awarded by the National Institute of General Medical Sciences, Public Health Service, to the University of California at Los Angeles with Donald L. Hutchinson, M.D., as the principal investigator. The application states that the purpose of this grant is to establish and maintain a monkey colony for research purposes and to provide pregnant animals and newborn fetuses for obstetrical research. The application pointed out that part of the research relating to this project is an attempt to learn more about the distribution of various radioactive labeled substances between mother and fetus and other studies relating to physiological exchange processes between mother and fetus.

TO STUDY THE RELATIONSHIP BETWEEN AN INFANT MONKEY AND ITS MOTHER, $1,250,000 (PUBLIC HEALTH SERVICE)

Grant MH-4528, "Comprehensive Behavioral Studies of Monkeys," was awarded by the National Institute of Mental Health, Public Health Service, to the University of Wisconsin, with Harry F. Harlow, Ph. D., as principal investigator. Institute records state that the reasons for supporting animal research are that the subhuman primates are the animals most similar to man in physiology and in mental capacity, and that they react to physical stresses, to disease, and to psychic disturbances in ways similar to humans. The records stated that it is necessary to undertake comparative studies of the behavior of subhuman species to establish what part of man's behavior is unique and what part is common to primates, to mammals, or to animals in general. Also, it was stated that this approach is needed to understand the origin of man's behavior. The aims of the project, as stated by the principal investigator in his application, are not just to study the development of the infant monkey's affection for its mother, but includes also, (1) studies of the maturation of learning abilities in monkeys up to 4 years old, (2) studies of the effects of brain lesions on learned and innate behavior; and (3) studies of the behavioral changes resulting in infant monkeys from induced phenylketonuria, a condition known to cause mental retardation in humans.

The $1,250,000 represents the approximate amounts awarded and provisionally committed for a 7-year period beginning in 1961. The 1961 award was in the amount of $152,881.

DONATION OF A YACHT TO THE MILLIONAIRE EMPEROR OF ETHIOPIA, $3,000,000 (DEPARTMENT OF DEFENSE)

This statement is true to the extent that a renovated seaplane tender was loaned indefinitely to the Government of Ethiopia under the military assistance program. The vessel was also expected to be used as a training ship and flagship for the Ethiopian navy.

This matter was discussed extensively during the 1963 authorization and appropriation hearings before the House Committee on Foreign Affairs and the House Subcommittee on Foreign Operations Appropriations. During the hearings it was brought out that the cost of renovating the vessel was about $3.1 million, including air-conditioning equipment and quarters for Emperor Haile Selassie I of Ethiopia. It was also pointed out that there were political considerations involved in making this vessel available to Ethiopia.

TO PRODUCE A STEREOTACTIC ATLAS OF THE BEAGLE BRAIN, $9,775 (PUBLIC HEALTH SERVICE)

Grant NB-2196, "A Stereotactic Atlas of the Beagle Brain," was awarded by the National Institute of Neurological Diseases and Blindness, Public Health Service, to Northwestern University, with Nicholas Wetzel, M.D., Ph. D., as the principal investigator. According to Institute staff memorandum this project was designed to carefully study the brain of the beagle by the stereotactic technique, which is a technique of electrode placement within the interior of the brain by reference to certain external landmarks, and by means of such electrode placement, brain areas can be stimulated electrically or can be specifically injured in order to determine the function of these areas and their relationship with other areas of the brain. According to the memorandum, (1) it has been by such means that ameliorative surgery for Parkinson's disease has become possible in recent years, (2) dogs are good experimental animals for a great many physiological studies, (3) the use of a pure strain animal (the beagle) will make it possible to develop more accurate stereotactic techniques, and (4) the results of the project eventually will be published as a detailed map or atlas of the brain. Support for this project ended in 1962.

TO STUDY HOW SYNTHETIC DETERGENTS TRAVEL IN PERCOLATING WATER, $20,991 (PUBLIC HEALTH SERVICE)

Grant WP-00207 (formerly G-7474), "Travel of Synthetic Detergent with Percolating Water," was awarded to the University of California at Berkeley with P. H. McGauhey, professor of sanitary engineering, as principal investigator. The principal investigator stated in his application that the purpose of the grant is to develop methods of removal and disposal of froth caused by detergents from waste streams, to determine the degree of detergent removal by soils and water-bearing strata, and to study the effect of detergents on field plants and to determine if these plants will reduce or concentrate these compounds. He pointed out that since World War II, millions of septic tank installations have been concentrated in urban subdivisions, in the environs of cities. He stated that in many cases either the city or subdivision itself draws its water supply from wells and that from 20 to 30 million people now depend on individual household septic tanks for waste disposal with essentially nothing known of the effect of the septic tank on detergents nor of the degradation of detergents in the biologically active zones in septic tank percolation fields. Also, he stated that there has been an increasing appearance of detergents in ground waters in the United States.

TO STUDY BLOOD GROUP GENETICS OF SOUTHAMPTON ISLAND ESKIMOS, $11,500 (PUBLIC HEALTH SERVICE)

Grant GM-6321, "Blood Group Genetics of Southampton Island Eskimos," was awarded by the National Institute of General Medical Sciences, to the University of Wisconsin with W. S. Laughlin, Ph. D., as the principal investigator. The study section records indicated that the application was primarily to study the blood groups and several other traits of these Eskimos to determine gene frequencies and rare blood types, and concluded that it should yield basic information on blood groups of interest to human geneticists.

TO STUDY DISEASES OF THE GIANT SNAIL, $20,092 (PUBLIC HEALTH SERVICE)

Grant MH-2599, "The Social Role of the the Giant African Snail," was awarded by the National Institute of Allergy and Infectious Diseases, Public Health Service, to the University of Arizona, with A. R. Mead, Ph. D., as the principal investigator. Institute scientists informed us that this grant is related to the Institute's programs on parasitic diseases and that a number of species of snails act as the host for a number of disease-causing parasitic micro-organisms, one of which causes schistosomiasis, a disease affecting many millions of people throughout the world. One scientist stated that although the giant African snail is not itself host to these disease-causing parasites, he believes that this grant will serve two purposes: (1) Increase the general biological knowledge of snails, a field of biology which needs more investigation; and (2) further the knowledge of a disease of the giant African snail which has acted as a natural biological control of that snail and which may present research leads on natural controls in parasite-carrier snail species. The study section records pointed out that the giant African snail was a serious pest in many parts of the tropical Pacific including Hawaii.

TO STUDY THE SOCIAL ROLE OF AGING WILD HORSES, $8,205 (PUBLIC HEALTH SERVICE)

Grant MH-2599, "The Social Role of the Aging Wild Ungulate," was awarded by the National Institute of Mental Health, to the University of Colorado with Margaret Altmann, Ph. D., as the principal investigator. The application stated that the project intended to extend previous research by the principal investigator on the social behavior of elk, moose, and bison (ungulates) herds. The study section reported that this grant appeared to be an imaginative attempt to gather unusual information which might yield a unique and significant contribution to problems of comparative social behavior in man. The Director of the Institute stated in a letter relating to this grant that an attempt was made to study these animals for the same reasons that other experimental animals are studied to better understand animal behavior as an approach to understanding the behavior of man. In 1962 further financial support of this project was not recommended by the study section because it was felt that the principal investigator's method of study would never make direct contributions to knowledge of forces underlying the behavioral interactions being studied.

TO STUDY THE INFORMATION THAT MIGHT BE CONTAINED IN ECHOES, $13,837 (PUBLIC HEALTH SERVICE)

Grant NB-2656, "Investigation of Information Contained in Echoes," was awarded by the National Institute of Neurological Diseases and Blindness to the University of Arizona with Howard A. Baldwin as the principal investigator. The application stated that one of the aims of the project concerned an investigation into information believed to be contained in sound echoes (including supersonic frequencies) relative to the distance, direction, size, shape, and surface texture of reflecting surfaces. The application also stated that much information has recently been collected on the ability of bats and sea mammals to see with sound, and the study proposed to utilize this information in an attempt to make such knowledge of use to the blind in a practical sense. Support of this project ended on November 30, 1962.

IN TAIWAN THE UNITED STATES BUILT A SAWMILL THAT COULDN'T HANDLE THE TYPE OF LUMBER PRODUCED THERE (AGENCY FOR INTERNATIONAL DEVELOPMENT)

Apparently this statement refers to the Ta Shu Shan logging and sawmill project in Taiwan. However the statement is incorrect since the proposed sawmill was never built. This project was the subject of an investigation conducted by the House Committee on Foreign Affairs.

This project was approved in April 1956 and involved the procurement of logging equipment and the construction of a sawmill in the Ta Shu Shan area of Taiwan. The House Committee on Foreign Affairs began an investigation of the project in January 1958 and requested that the implementation of the project be deferred until the investigation was completed. In January 1959 the committee completed its review and reported its findings. The committee found that the long delay in implementing the project was caused by administrative mishandling by the International Cooperation Administration (ICA) and recommended that action be taken to prevent this mishandling in other projects. The committee also authorized ICA to proceed with the project.

Although the construction of the sawmill had been delayed, the logging equipment was delivered to Taiwan and placed into operation in 1958. After the completion of the committee investigation in 1959, ICA contracted with an American engineering firm to prepare general engineering specifications for the proposed sawmill, and this work was completed in early 1960. However, in June 1960, ICA decided not to finance the sawmill, and terminated the project.

IN INDONESIA, MILLIONS OF U.S. AID DOLLARS WERE USED TO BUY U.S. GOLD (AGENCY FOR INTERNATIONAL DEVELOPMENT)

In this instance the newspaper apparently misquoted Representative SNYDER. He stated in the CONGRESSIONAL RECORD (p. 3421, Mar. 4, 1963) that Indonesia had received U.S. aid and had also purchased U.S. gold in 1960; however, he did not state that the aid funds were used for this purpose.

Indonesia and other aid recipient countries have purchased U.S. gold, and this matter was discussed extensively during the 1963 appropriation hearings before the House Subcommittee on Foreign Operations Appropriations. The Agency for International Development (AID) submitted a policy statement to the subcommittee regarding this matter. The statement, which appears on pages 455, 456, and 457 of part three of the printed hearings, points out that during the 1-year period ended March 31, 1962, foreign nations and international institutions made net purchases of $745 million of monetary gold from the United States. About $206 million of these purchases were by 18 countries that received aid from the United States.

IN GREECE U.S. AID BOUGHT SUITS FOR GREEK UNDERTAKERS (AGENCY FOR INTERNATIONAL DEVELOPMENT)

This allegation has been made previously and in March 1958 the International Cooperation Administration (ICA), predecessor agency to the Agency for International Development, submitted a statement thereon to the House Committee on Foreign Affairs (see committee print dated March 14, 1958). The statement was made by ICA in response to a request by the Acting Chairman of the Committee, for answers by ICA to a list of questions based on recurring criticisms of the foreign aid program. In his letter to ICA requesting this information, the Acting Chairman stated, in part:

"Some of these questions have been answered by the executive branch previously, but these same criticisms continue to occur in the press and elsewhere. The committee would, therefore, like to have a definitive answer from your agency with respect to each of these charges."

One of the questions asked by the committee was whether the United States had provided dress suits for Greek undertakers under the foreign aid program. ICA's response to this question was as follows:

"Procurement records in Greece show no aid-financed procurement of clothing of any kind with the exception of footwear for the Army. Civilian clothing, as a matter of United States and Greek policy, has been ineligible for United States aid financing in Greece since the inception of the aid program in Greece."

IN KENYA GOVERNMENT OFFICIALS USED U.S. AID TO PURCHASE EXTRA WIVES (AGENCY FOR INTERNATIONAL DEVELOPMENT)

We understand that such an incident did occur in connection with a Kenya Government loan program that has been supported by United States-owned foreign currency. However, Kenya Government officials have stated that the incident occured before United States funds were made available to the program, and that the individual involved was a private citizen rather than a Government official.

The loan program involved is the Traders Loan Scheme, a program administered by the Kenya Government to make loans to traders and small manufacturers. From 1955 through 1962 the United States granted a total of 180,000 pounds sterling (about $500,000) to the Government of Kenya for this program. An official of the Kenya Government has stated that during the pilot phase of the loan program, before U.S. funds were made available, a trader obtained a loan of over £200 and used the loan proceeds to purchase a wife. The official also stated that as far as he knows, it is the only case of its kind although the Government has suspected some misuse of loan funds.

IN LEBANON THE UNITED STATES BUILT A STOCKBREEDING FARM WITH NINE STALLS FOR EACH BULL (AGENCY FOR INTERNATIONAL DEVELOPMENT)

Representative SNYDER's source for this statement apparently was a comment made by the chairman of the House Subcommittee on Foreign Operations Appropriations, during the hearings on the fiscal year 1963 foreign assistance appropriations (page 278 of part three of the printed hearings). During the hearings the chairman stated that he had visited an aid-financed breeding farm in Lebanon and noted that there were about nine stalls for each bull.

An aid-financed stock breeding farm in Lebanon was built in 1953 as part of an animal husbandry project, and it appears that this was the project referred to by the chairman. We were informed that the records for this project have been transferred to storage. However, we noted that the list of questions submitted to the International Cooperation Administration (ICA) by the House Committee on Foreign Affairs (see p. 13) included one inquiry pertaining to the Lebanon project. In its reply ICA stated that the project included (1) a dairy barn, cattle shed, fence, silos, and a barnyard, and (2) the importation of farm equipment and purebred Holstein cattle for upbreeding the local strain. The agency also stated that the project cost about $186,000 and that the United States contributed about $100,000 of this amount.

IN LIBERIA MILLIONS OF U.S. AID DOLLARS WERE DONATED TO REDUCE THE LEVEL OF POVERTY; THIS MONEY WAS USED TO BUILD A LUXURIOUS NEW PALACE FOR THE LIBERIAN PRESIDENT (AGENCY FOR INTERNATIONAL DEVELOPMENT)

In this instance the newspaper apparently misquoted Representative Snyder. In his statement in the Congressional Record (p. 3420, Mar. 4, 1963), Representative Snyder stated that a $10 million palace is being built for the President of Liberia, and that Liberia had received $40 million in foreign aid funds and around $250 million in development loans through fiscal year 1962. He did not say that the assistance funds were used to construct the building, and to our knowledge no aid funds have been used for this purpose.

This matter was brought up during the 1963 appropriation hearings by a member of the House Subcommittee on Foreign Operations Appropriations who had visited Liberia and other African countries in late 1961. A report on the subcommittee member's trip is included in part two of the House hearings on the 1963 foreign assistance appropriations. The subcommittee member's criticism appeared to be that Liberia's limited resources should be better utilized than for the construction of a new residence and office building for the President.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

EXTENSION OF MEXICAN FARM LABOR PROGRAM

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business which will be stated by title for the information of the Senate.

The Legislative Clerk. A bill (S. 1703) to amend title V of the Agricultural Act of 1949, as amended, and for other purposes.

PUBLIC AIRWAVES

Mr. ALLOTT. Mr. President, much has come to the public's attention lately about the control of the airwaves. This control involves a great deal more than just the regulation of frequencies. It is expanding to mean the regulation of editorial policy, the programing, and the business practices of broadcasters and telecasters.

Those who press toward this increasing control maintain that the airwaves—the spectrum, in trade terms—are the public's property and must be jealously guarded by public officials. This is true to a degree. But what they fail to realize is that the airwaves, or spectrum, is also a natural resource just like any other which we have developed, except that it is through the activities of private enterprise, that the airwaves are an expanding, not a depleting resource.

Mr. President, there was an excellent editorial pointing out lucidly, the points which I have just sketched here, which appeared in the August issue of Television magazine. For the benefit of other Senators, I ask unanimous consent that the editorial, entitled "The Myth About the Public Airwaves," be included in the Record at this point.

There being no objection, the editorial was order to be printed in the Record, as follows:

The Myth About the Public Airwaves

The forum was a congressional hearing, and the subject was a bill to circumscribe the authority of broadcasters to editorialize. The committee chairman was questioning a witness who opposed the bill.

"Do you believe that the airwaves are public property?"

"Yes, sir."

"Then you must also agree that all of the people have as much right to speak their opinions on radio and television as any broadcaster has."

The dialog is paraphrased, but it presents the essence of an actual exchange that took place in Washington last month and the essence of the rationale that has been used by all regulators to justify Government intrusion into programing. "The people own the air," said Newton Minow at the beginning of his regime. "I did not come to Washington to squander the public's airwaves." With minor modifications the same cry has been raised by E. William Henry who succeeded to the FCC chairmanship. The cry has been heard since the beginning of broadcast regulation, and it is just about time that it was answered by a description of exactly what it is that the public owns.

The phrase, "the public's airwaves," connotes a natural resource that needs husbanding or a facility constructed at public expense. The spectrum, to call the airwaves by their proper name, is neither.

Oil fields, forests, mineral deposits—all the resources that are subject to conservation controls—have one quality in common: They are depleted by use. The spectrum is permanent and cannot be consumed. Its capacity only expands with advances in technology. In laboratories at this very moment are systems of transmission that will eventually make possible the broadcast of scores of hundreds of television signals in the same spectrum space that now accommodates one.

Neither is the spectrum a facility that was created at public expense. It is a natural phenomenon which, in the broadcast frequencies, has been activated by privately financed transmission systems. To the degree that the public has invested in television by the purchase of receiving sets, the action has been entirely voluntary and individualistic. The commercial television system of the United States was built by private venturers for private gain. Out of this system has come by far the most prolific volume of programing in the world.

The television broadcast service now occupies frequencies that were wholly unexplored when the Government assumed regulatory control of the spectrum in the Federal Radio Act of 1927. The 492 megacycles of "public airwaves" now allocated to television broadcasting existed in 1927, as they had since the dawn of time, but they were utterly worthless to the public until private investors developed the equipment to move pictures and sound from transmitting to receiving points. Right now the television service occupies slightly more than 1 percent of the 40,000 megacycles of spectrum space under FCC regulation. Some 50 percent of the spectrum is reserved for Government use, mostly military. If there is a squandering of the "public airwaves," the place to look for it is hardly in the television service.

The legislation of 1927 was precipitated by the need to introduce technical order to a radio system that in its primitive stage was a bedlam of interference. Congress opted for regulation that would give the Government authority to assign frequencies and supervise their technical use but would deny the Government any right to influence the programing of private broadcasters. A section of the Federal Radio Act of 1927, which is still in the law today, specifically forbade the Government to censor broadcasts or "to interfere with the right of free speech by means of radio communication."

To Congressmen who may now think that television broadcasters are squatters who are defacing public property for private gain, the way is open to correct the situation. They could pass a law reclaiming the television frequencies from private broadcasters and allocating them to a Government television service.

And after the next election, they could look for other jobs.

VIEWS OF THE JOINT CHIEFS OF STAFF ON THE TEST BAN TREATY

Mr. JACKSON. Mr. President, I should like at this time to bring to the attention of the Senate the action taken late yesterday afternoon by the Preparedness Investigating Subcommittee in connection with the appearance of Gen. Maxwell D. Taylor, Chairman of the Joint Chiefs of Staff. I thought all Members of the Senate would wish to be informed on this matter in connection with their consideration of the test ban treaty.

At the Preparedness Subcommittee yesterday a motion which I made was unanimously adopted calling on the Joint Chiefs to supplement their testimony by promptly providing to the Senate Armed Services Committee a statement of the specific requirements to implement the necessary safeguards laid down by the Joint Chiefs in their testimony in order to reduce the risks and disadvantages of the test ban treaty.

This request is being formally transmitted to Secretary McNamara and the administration.

The motion which I made as unanimously adopted reads as follows:

I move that the Joint Chiefs of Staff submit to the Senate Armed Services Committee as soon as possible and in any event prior to committee action on the test ban treaty, a statement of the specific requirements to implement the safeguards proposed by the Joint Chiefs for reducing the risks and disadvantages of the limited test ban treaty, which safeguards are set forth in the statement presented by the Chairman of the Joint Chiefs of Staff to this committee on August 14, 1963, as follows:

"11. Recognizing the foregoing disadvantages and risks, the Joint Chiefs of Staff believe that they can be reduced through certain safeguards. These safeguards include:

(a) The conduct of comprehensive, aggressive, and continuing underground nuclear test programs designed to add to our knowledge and improve our weapons in all areas of significance to our military posture for the future.

(b) The maintenance of modern nuclear laboratory facilities and programs in theoretical and exploratory nuclear technology which will attract, retain, and insure the continued application of our human scientific resources to these programs on which continued progress in nuclear technology depends.

(c) The maintenance of the facilities and resources necessary to institute promptly nuclear tests in the atmosphere should they be deemed essential to our national security or should the treaty or any of its terms be abrogated by the Soviet Union.

(d) The improvement of our capability, within feasible and practical limits, to monitor the terms of the treaty, to detect violations, and to maintain our knowledge of Sino-Soviet nuclear activity, capabilities, and achievements.

Mr. SIMPSON. Mr. President, what the Senator from Washington has said with respect to the resolution adopted by the Armed Services Committee fits in with what I am about to say to the Senate.

SENATOR LISTER HILL

Mr. SYMINGTON. Mr. President, it is indeed a rare privilege to join his friends in the Senate in paying tribute to our colleague, the senior Senator from Alabama [Mr. HILL], on the anniversary of his 40th year in the Congress.

Since his election to the 68th Congress, LISTER HILL's record, first in the House and later in the Senate, has been outstanding in service to the people of Alabama and the Nation.

As chairman of the Senate Committee on Labor and Public Welfare, he has left a lasting imprint on legislation of far reaching benefit to the American people, in the fields of education, of social welfare, and of health.

The Hill-Burton Act named after him, is but one significant example of his leadership and foresight.

No greater reward has come to me in public life than having the privilege of working with LISTER HILL. As much as any man, his work in these fields represents fruition to the hopes and aspirations of millions of Americans.

Mr. SIMPSON. Mr. President, I concur in the remarks the Senator has made about a distinguished colleague in the Senate, the Senator from Alabama [Mr. HILL].

Mr. SYMINGTON. I thank the Senator for his contribution to recognition of this great American.

Mr. BURDICK. Mr. President, yesterday when my colleagues were paying tribute to LISTER HILL's four decades of service in the Congress, I was absent from the floor on other business.

I would like to take this opportunity to join them in expressing congratulations and deep appreciation to LISTER HILL, chairman of the Committee on Labor and Public Welfare, for his many years of service to the people of the United States and Alabama.

Since coming to the Senate in 1960, I have served on the Labor and Public Welfare Committee under Chairman HILL. He has impressed me with his deep understanding of the many and complex problems facing this Nation and his determination to do something about them. If there were one phrase to characterize LISTER HILL, it would be to describe him as a man with a heart. His work in the field of medical research, Hill-Burton funds, TVA, rural telephone development, labor legislation, and the many other areas certainly illustrate this point.

I am pleased to be able to join my colleagues in paying tribute to a great American for 40 years of unselfish service to his country.

I salute LISTER HILL.

STANLEY MUSIAL

Mr. SYMINGTON. Mr. President, in the town of St. Louis, for nearly a quarter of century, we have been very proud of one of our most famous citizens, who also is one of the finest men it has ever been my privilege to know—Stanley Musial.

Now that he is retiring, all America is rising to pay tribute to a great athlete and an outstanding sportsman.

To his devoted wife Lillian—who has been with him all through his long career from the days he was a totally unknown pitcher in the minor leagues—and to his fine children we extend our congratulations.

To Stan the man himself we offer congratulations on a job well done not only as an athlete but also as one who represents everything that is best in the American tradition.

My personal nomination for the greatest of all the awards Stan has ever received is that, despite the fact he is one of the most competitive athletes who ever lived, since the first day he came to baseball until he retires next month, he will never have been thrown out of a game.

Millions of our youth will be hoping that some day they can rival his accomplishments, his character, his ability, his sense of fair play. What more could a man ask for than to be that type of inspiration to the future leaders of our Nation?

Mr. President, I ask unanimous consent that an editorial from the St. Louis Globe-Democrat entitled "Paragon of Ballplayers," another editorial from the St. Louis Post-Dispatch entitled "22 Years for Stan," and an editorial from the Washington Star "Stan the Man," be inserted at this point in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the St. Louis (Mo.) Globe-Democrat, Aug. 14, 1963]

PARAGON OF BALLPLAYERS

The active career of Stan Musial as a Cardinal is ending. This season Number 6 will trot onto the field for the last time. The people of St. Louis will have seen the last diamond performance of the finest ballplayer his generation produced.

No one can tell a St. Louisan of Stan's qualities as a man or his abilities as a ballplayer. Twenty-two years of testimony on and off the field have written them indelibly in the record books, and in the minds of the people of St. Louis and throughout the Nation.

In an age of specialists where oldtimers bemoan the lack of versatility and endurance in the modern ballplayer, they can look in awe back down these 22 years of Musial feats and Musial records.

Stan was unlike the other superstars, about whom a rage of controversy and a host of detractors inevitably gravitated. A fierce competitor, a fine man, he remained a topic about which every fan could agree, a man whom everyone could and does admire.

Let us hear no more talk of "incomparable" heroes of other days in an era that produced Stan Musial.

[From the St. Louis (Mo.) Post Dispatch, Aug. 13, 1963]

TWENTY-TWO YEARS FOR STAN

Stan Musial's retirement is not exactly unexpected, but as with all such events it will be hard to get used to. St. Louis equals the Cardinals and the Cardinals equal Stan—or at least it has been so for these 22 years. Stan in the front office, instead of Stan waggling his hips at the plate, will make an altogether new order of affairs.

The statistics of baseball are more elaborate than those of the stock market, and Stan has established himself at the top of any number of statistical categories. But that is not what endears him to Cardinal fans. He is more than an athlete who safely hit a ball with a stick 3,000 times, played in 19 all-star games, or scored 1,939 runs. Nor is it just longevity, the capacity to keep playing well beyond the ripe old age of 40, that makes him what he is. What St. Louisans have responded to for some years is a certain rare combination of decent character with a perfect suitability to one's calling. Whether in baseball or something else, the flawless matching of person to pursuit is admirable. You couldn't think of Stan Musial as anything but what he is: the man.

We hope he will be spared the flood of sentimentality that comes all too easy at such a time. But he is entitled to the affection and respect that he has plainly earned.

[From the Washington (D.C.) Star, Aug. 14, 1963]

STAN THE MAN

Children have been born, grown up, married, and had children since Stanley Frank Musial pulled on a St. Louis Cardinals uniform for the first time. During these years, in one way or another, he has been almost everybody's favorite ballplayer.

His universal appeal is not hard to understand. Some of it, to be sure, is found in the amazing total of 59 records held or shared, such incredible items as 10,635 times at bat and 3,544 hits. Some of it stems from his 20 all-star game appearances and 3 Most Valuable Player Awards.

But in reality the mass of figures and honors are the product, not the principle cause, of all the factors which have made him the fan's choice. It is the way he has played the game with all his heart, mind, and body, training as rigorously as a Spartan to keep his legs young and eyes sharp. It is the way he has returned measure for measure to the public, the unstinting signer of kids' autographs, the first to cheer them up in hospitals, the man who proved more than any other that a fiery competitor also can excel as a gentleman.

These are the reasons the fans will miss "Stan the Man" who says he is through after 22 years—not because the game is no longer fun, but more likely because a .260 batting average is something a perfectionist cannot live with. A lot of players would be happy with less.

Mr. SYMINGTON. Mr. President, I thank the distinguished Senator from Wyoming for his graciousness in yielding to me.

Mr. SIMPSON. I seem to be concurring in everything the Senator from Missouri has said today. Being an avid baseball fan and having been a semipro ballplayer myself, I subscribe to the Senator's remarks with reference to this great man.

I again thank the Senator for his tribute to my friend.

Mr. HUMPHREY. Mr. President, will the Senator from Wyoming yield to me, so that I may also join with him and the Senator from Missouri [Mr. SYMINGTON], in congratulating and complimenting "Stan the Man," the great baseball player of the St. Louis Cardinals? Would that he were with the Minnesota Twins.

Mr. SIMPSON. The Washington Senators need him more.

Mr. HUMPHREY. I am not going to say anything more about the Washington Senators. I got in trouble one time over them.

NUCLEAR TEST BAN AGREEMENT

Mr. SIMPSON. Mr. President, few Senators with whom I have been in contact relish the imminent vote on the test ban treaty. Like me, they must try to balance the great distrust inherent in this agreement with the overwhelming administration and press support for the accord. Somewhere between executive plaudits and the alarmed voice of the public that has seen communism outwit us for nearly 30 years lies the truth. It is this truth the Senate committees seek, but from hearings this week, I believe the truth is going to prove illusive.

Defense Secretary McNamara's statement Tuesday was frank in most instances, just as Secretary of State Rusk was frank the day before, but not all the answers square with the facts as I understand them or with recent statements by the administration.

The Soviet's development of an antimissile missile is a confused and contradictory passage. Mr. McNamara said in response to questioning that the Soviets are not ahead of the United States in such weaponry.

The members of my staff who attended the briefing by Mr. Harriman and Mr. Fisher in the Senate Building last Thursday tell me that Mr. Fisher, the Deputy Director of our Arms Control and Disarmament Agency, did say, however, that the Soviets "are ahead" of the United States in antimissile development. Where does the truth to this vital question lie? Intelligence requirements being what they are, does anyone know the answers? The Defense Secretary also admitted Tuesday that we cannot test in its final workable form an antimissile missile under the terms of the test ban agreement.

It also seems to me, Mr. President, that we are making a crucial error in assuming that Khrushchev intends to divert part of his military budget to refrigerators and television sets if he gets the test ban. A look at the history of the past 30 years shows us that the Soviets, including Khrushchev, have never been concerned for the well-being of Ivan on the street. It seems to me that we are dealing in one of two contradictions. If we are giving credence to the Sino-Soviet rift, then we must assume that Khrushchev will break a quick path to the underground testing chambers to develop the tactical weapons that he may need in a clash with his Communist rival. If we do not give credence to this Russian-Chinese schism, we are admitting to the fraudulency of one of the basic premises on which we are entering the treaty—that the Communist camp is divided and that fear of Red China will swing Khrushchev toward the West.

Statements have been made alluding to Khrushchev's desire to take rubles out of defense and put them into what the New Frontier calls the "private sector." If there should develop evidence that he has done this, then it should prove to the doubters in our midst that the Sino-Soviet head knocking was a grandstand play for Western edification.

Secretary McNamara, and before him Mr. Rusk, indicated that we do not need the "big bang" weapons. Mr. McNamara said:

> I can state with full confidence that the absence from our arsenal of a bomb greater than the one we can build under the treaty will not impair the effectiveness of our strategic forces.

It has been proved that ten 10-megaton bombs would be more destructive than one 100-megaton bomb because of dispersion and selectivity per unit of power. However, getting many missiles with a combined power of 100 megatons to a Soviet target means penetrating the antiballistics missile shield with 10 carriers rather than 1. Obviously, if we needed, say, 100 megatons of destructive power and had to obtain it through an aggregate of 5- or 10-megaton weapons, we would have to penetrate their antimissile shield, a shield which many reputable sources believe now does exist, with a myriad of weapons. Compare this with one so-called overkill bomb which might be decoyed through to its target.

A superbomb has advantages in its blast perimeter as well as its killing penetration. We cannot say now that there are no Soviet targets contemplated in a nuclear war that would be too small for a 50- or 100-megaton bomb. The difference lies in how much hardware you have to use to penetrate the enemy's defenses—the difference between one big built-for-business bomb or several smaller ones, some of which would be knocked out by enemy attrition.

Two other questions which bother me, Mr. President, and which seem to me to be related are the effectiveness of our testing apparatus and the technological gains made by the Soviets in their moratorium-breaking test series in 1961. The Senate committees have been told that it would not benefit the Soviets to conduct clandestine tests because such testing in the upper atmosphere—above 6 miles—would run a high risk of detection and would not produce commensurate information.

The Secretary said:

> Multimegaton weapons development tests would have to be conducted more than 20 million miles from the earth—80 times as far away as the moon—if they were to have a good chance of escaping detection by a ground base system such as could be installed rapidly with the cooperation of Western and possibly some neutral nations.

The Secretary hopes to convince the Senate that the Soviets could not succeed in a clandestine testing program that would be within their economic grasp. This, however, fails to square with two recent events, one as recent as early July, and the other dating back to March of this year.

The Washington Post reported on July 1:

> The Atomic Energy Commission * * * announced that it had detected suspicious events in Soviet Russia which may be nuclear tests at very low yield, although the evidence that this was the case is slight.

The story continued by saying "the evidence remains inconclusive" and attributed that statement to a "terse AEC announcement." At that time, less than a month and a half ago, there was apparently room for considerable doubt as to the effectiveness of American nuclear blast detection systems.

A series of congressional hearings held this year also failed to produce hard evidence that we had a satisfactory detection system in operation. Together with questioning the realiability of our scientific apparatus, it would also be fair to raise an eyebrow at Secretary McNamara's unqualified praise of our intelligence capabilities in the Soviet Union. Our great proficiency in the "black art" in Russia thousands of miles away comes as quite a surprise in view of our consummate failure to keep abreast of a massive Soviet arms buildup in Cuba only 90 miles from Florida. Activities in Cuba prior to the so-called crisis of last October are enough to cast serious doubt on any pronouncements lauding our intelligence forces.

A question even more germane to this discussion is: Where was our intelligence when Russia arbitrarily suspended the three-power test moratorium in 1961. We were caught flatfooted and basking in the noonday sun. The intelligence apparatus, which is now supposed to alert us to Soviet trickery under the proposed test ban, was oblivious to the many months of elaborate preparations which preceded the first shot of that extensive series.

There are other serious questions in regard to what the Soviets may have gained by their trickery.

The Federal Radiation Council reported this summer that the Soviet Union was 224.4 megatons, or 146 percent, ahead of the United States and Britain, combined, in total power of nuclear weapons tested to that date. The President himself has said: "The Soviet tests of 1961 reflected the trial of novel designs and techniques and some substantial gains in weaponry" realized by the Soviet Union. Yet, in administration pronouncements following the test ban signing in Moscow, we were told that the Soviets made no significant advancement in their technical capability as a result of their moratorium perfidy.

Mr. President, no American desires to see the cold war perpetuated, but neither do we want to see America's vital technological and military superiority compromised.

I am not making these remarks in opposition to the test ban treaty. I concur in the thinking of the Senator from Arizona [Mr. GOLDWATER], that the case on which this treaty will be judged has not yet been built. However, there remain salient questions which must be answered, and answered satisfactorily, if this treaty is to be an instrument for American and free world security. The administration has called this treaty a "first step." From its very nature, it is indeed a first step, but a first step in what direction? It is the responsibility of the Senate to ascertain beyond doubt that this will be a first step forward, not a first step toward the compromise and accommodation which led us into World War II. It is in this context that I have propounded my remarks and questions.

At this time I do not know how I shall vote on the pact, but I sincerely resent attempts by the administration to prejudge the issue and to predict overwhelming ratification.

The administration says mail supporting the treaty is pouring into the White House at a 12-to-1 ratio. This statement surprises me. It is completely contrary to the sentiments of my own mail. It strikes me as rather anomalous that Americans in favor of this accord with the Communists "12 to 1" would not communicate their sentiments to their Senators who alone must make the final judgments on whether this treaty becomes binding on the United States.

My mail is not 12-to-1 in favor; my mail is 5-to-1 in opposition. The treaty's future is out of direct White House control. It seems fair, therefore, to ask why the protagonists do not write their Senators, instead of the White House.

At this point in my remarks, Mr. President, I wish to insert in the RECORD two articles which bear on this discussion. One is by David Lawrence, and is entitled "Behind the Bright Treaty Facade"; the other is by Richard Wilson, and is entitled "Treaty and Khrushchev's Moods." Both articles are relevant to the Senate's discussion.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Star, Aug. 14, 1963]

BEHIND THE BRIGHT TREATY FACADE—TIGHTENING OF THE IRON CURTAIN IS SEEN IN NEW SOVIET CONTROLS ON INFORMATION

(By David Lawrence)

Because of a superficial acceptance of the emotional cry that world peace is a step nearer by reason of the treaty limiting nuclear tests, Nikita Khrushchev and his Communist government are getting applause in many parts of the world, including this country. The dispatches from abroad give the impression that some kind of major step has been taken in the cause of humanity. Many Americans also have been led to believe this, since President Kennedy has called the treaty a victory for mankind.

But the real news is to be found in the fragmentary disclosures of what goes on inside the totalitarian government in Moscow. A United Press International dispatch last Saturday night escaped general attention. Is it because Communist censorship, too, is accepted now as "normal"? The news item didn't make many front pages. But it contains the key to what's going on behind the Iron Curtain and tells more about the danger of war than do the hackneyed phrases of the treaty on nuclear testing. The dispatch says:

"The Soviet Union took the first concrete step toward a planned reform of information media today by setting up a state committee for the press with a little-known Communist official at its head.

"The plan to tighten control over Russian newspapers and publishing houses has been in the works for several months. It was formally announced during the ideology conference of the Soviet Communist Party Central Committee in June.

"The announcement of the new state committee was made in two paragraphs in the Government newspaper Izvestia, edited by Premier Nikita Khrushchev's son-in-law, Alexei Adzhubei.

"The June Central Committee meeting on ideology described the Russian press, radio, television, and cinema as 'the assault forces of the ideological front.'

"Under the reform plans, Moscow's 30 national and local newspapers were expected to be cut down sharply with the liquidation of specialized newspapers. But the Izvestia announcement gave no indication whether this plan would be carried out. It was expected the new state committee on the press would concern itself with raising the ideological content of Soviet newspapers and inculcating Russian leaders with Marxist-Leninist philosophy."

It so happens that state committees for radio, televisions, and the movies have been functioning in Russia for some time. The addition of a state committee for the press, which has just been announced, merely completes the process of concentrated control of all communications media throughout the Soviet Union.

Thus, a nation of 200 million people, as well the peoples in other Communist-held countries in Eastern Europe, will not only continue to be deprived of much of the news of the rest of the world, but will be given heavy doses of Communist ideology every day in a massive "brainwashing" of the public. With only one political party permitted to have names on the ballot and with elections more or less perfunctory affairs, the dictatorship which holds sway in Moscow can at any moment persuade the people that the West is planning a war, that it is aggressive and may launch a surprise attack, and that hence the duty of the Soviet Union is to strike the "first blow."

This is the heart of the peace-or-war issue, and no amount of treatymaking to prevent a world conflict will be of avail if there is no free communication continuously between the peoples of the East and West. To draw the Iron Curtain tighter than before and to erect walls and barriers to the flow of truth is to threaten world peace and to relegate to a position of unimportance all the agreements about nuclear testing in the air and in outer space and underwater. Because there is mutual distrust, both the East and the West will continue testing underground and will build bigger and deadlier missiles.

The truism that dictators and not people make wars has long been obvious, and that's why the sad news which has just come from Moscow is worthy of the attention of free peoples everywhere. For apparently suppression of truth is to be carried on even more comprehensively than before.

There is in this little cause for rejoicing about a "victory for mankind." The intensification of the censorship inside Russia and the second anniversary of the building of the Berlin wall certainly give symbolic emphasis to the fact that Western governments have failed to speak out forthrightly for the cause of human freedom. This is really a defeat for mankind.

[From the Washington Star, Aug. 14, 1963]

TREATY AND KHRUSHCHEV'S MOODS—THOSE WHO RAISE RATIONAL OBJECTIONS ARE BELIEVED ENTITLED TO RESPECT

(By Richard Wilson)

The moods of Premier Khrushchev are wondrous to watch. They remain vivid in the mind of the witness. There was the Khrushchev in Paris snarling unprintable phrases at West German reporters in the front row of a 3,000-man press conference. The chairman was explaining why he broke with his "fishy friend," President Eisenhower, and torpedoed the summit conference of 1959 after the U-2 incident.

The benign, paternal Khrushchev was at his best in the parlor of an Iowa farmer, Roswell Garst, handing out gifts and remembrances to his American friends. A couple of days earlier he was bellowing at midnight because he thought he was insulted by the mayor of Los Angeles, and sent a representative to Henry Cabot Lodge, who was sitting around his hotel room in his underwear, to announce that he intended to break off his American tour and fly back to Moscow. He felt better the following day in San Francisco.

The bellicose Mr. Khrushchev practiced verbal assault and battery at the U.N. Those who saw him do it could not really believe afterward that he had actually hammered the desk with his shoe. It looked for a while as if Mr. Khrushchev would never go home but would stay in New York all winter.

Khrushchev, the debater, reached forensic heights in his wordy and menacing wrangle with Vice President Nixon in the exhibit kitchen of the American Fair in Moscow. This was the intractable Khrushchev who did not even hesitate to rise later to object to a Nixon statement during a formal public speech.

The reasonable, rational Khrushchev was at Camp David with President Eisenhower. Khrushchev, the good guest, was also with General Eisenhower on the White House lawn, sheepishly and in some trepidation entering a helicopter for the first time for a closeup air tour of Washington's housing developments.

There was everyman's Khrsuhchev who, welcomed by the President at Andrews Air Force base near Washington, could find no one to take his hat so he hung it on a post.

The possessive, proud Khrushchev was at the Moscow airport, dressed in a white embroidered Ukrainian shirt and just back from a brief holiday. Everything he could see seemed to be his. He patronizingly inspected the American jet that had flown nonstop to Moscow in record time, took a sip of bourbon, and pointed out how much better everything was in Russia than in the capitalistic countries.

The menacing blunt Khrushchev was in Vienna for face-to-face conferences with President Kennedy. He smiled little then but presented his implacable Slavic countenance to those who saw him publicly, and privately he told President Kennedy he could have war if he wanted it. And we came close to it over Cuba.

Now Mr. Khrushchev is smiling. In all the photographs with Averell Harriman and Secretary Rusk he is beaming. Everyone is sunny. It is almost like the smile festival at Geneva in 1955.

Mr. Khrushchev's changing moods match the Kremlin's shifting policies, a zig here, a zag there—backward, then forward. This basically is the reason for the massive distrust in the U.S. Senate on the test ban treaty.

Massive distrust is not an overstatement. Few Senators do not have their fingers crossed in private if not in public. Yet this treaty will be ratified by an overwhelming majority.

Honest objections are being submerged in a wave of public sentiment. Senators who now say they have serious doubts will end up voting for the treaty. They cannot bear the onus of being classed, however wrongly, as prowar and antihumanity. They cannot reject the last best hope, however illusory it may later prove to be.

Yet a rational basis exists for opposition to the treaty. It would be a disservice to truth and fairness if those who hold to their rational objections are pilloried as fellow travelers of Robert Welch of the John Birch Society.

A Senator who wishes to put his mind at rest on why Mr. Khrushchev turned an about-face on this treaty in 6 weeks time is entitled to a better judgment than that he wishes to spawn nuclear-bred misfits in the human race for untold generations.

The treaty needs to be fully explored and debated. Haste in ratification will not make the first step any longer.

When in the end this treaty is ratified, as it ought to be, those who honestly and rationally object are entitled to respect. No one can know for sure where it will finally lead, least of all those who have watched firsthand the changing moods of Mr. Khrushchev.

Mr. SIMPSON. Mr. President, nowhere have I found a great upsurge of public support for this treaty. I have found, instead, great distrust and great antipathy for the Soviet Union. In countless letters from Wyoming and from virtually every State in the Nation, I have been reminded that the Communist who signed this treaty for the Soviet Union is the same Andre Gromyko who had the perfidy and the unadulterated gall to sit down with our Chief Executive, 4 days before the United States moved to block Soviet weapon shipments to Cuba, and to state unequivocally that Communist aid to Cuba was purely defensive. The Soviet signatory is the same Andre Gromyko who last year stood toe to toe with Britain's Lord Home and said, without batting an eye, that the Russians were not dropping radar interference devices in the Berlin air corridors—when, in fact, they were.

The perfidy of Khrushchev is too well known to be reiterated here; but as to optimistic reports that he may be persuaded to alter the course of communism, let me quote from an open letter of July 14, addressed to his Chinese counterparts. He said:

> We fully stand for the destruction of imperialism and capitalism. We not only believe in the inevitable destruction of capitalism, but we are doing everything for this to be accomplished as soon as possible.

In reviewing the 18-year history of the cold war and the countless documents, treaties, accords, and protocols violated by the Soviets, one naturally wonders whether the "everything" Khrushchev refers to includes this disarmament pact.

This treaty is based on faith, but this sort of faith has seldom been justified. If we sign this time, let us pray Almighty God that, this time, faith will be justified.

Mr. ALLOTT. Mr. President, will the Senator from Wyoming yield?

Mr. SIMPSON. I am happy to yield.

Mr. ALLOTT. I congratulate the distinguished Senator from Wyoming on the remarks he has just made on the upcoming treaty and the vote which, a little later this session, will be cast by the Senate on the treaty.

The Senator from Wyoming has performed a decisive service in calling the attention of the Senate to some of the hard questions the Senate must decide, and which each Senator individually must decide before he casts his vote on the question of approving the treaty.

There are many other questions, and I am sure the distinguished Senator from Wyoming would be the first to agree that he has barely scratched the surface in dealing with these issues.

Many other questions have yet to be answered—such as, what is the real motivation of the Russians in deciding to enter into a written treaty of some kind at this particular moment? This question has particular importance in view of the fact that our representatives sat at the conference table with them for more than 3 years, while trying to get them to enter into some such agreement.

I am not among those who follow the popular theory that at the moment, Khrushchev is in real trouble with Red China, although they do have their ideological differences. But from any information coming to me from any sources, I cannot conclude that the difficulty between them is of such a nature that, either now or in the immediate future, it would be sufficient motivation to cause the Russians to enter into such a treaty now.

There are other questions, one of which the Senator from Wyoming has discussed briefly—namely, the question of how we are to develop antimissile missiles if we are unable to use nuclear weapons to do so.

As I read the treaty, I do not believe that we can develop them or can collaborate with any other country in doing so if we approve this treaty. If we approve it, the difficulty will be that we in America—and I believe our British and our Canadian friends and others also will—will live up to the treaty to the ’nth degree; but I hope none of us is so stupid as to believe the Russians will not utilize the treaty for their own purposes.

There is a motivation on the part of Red Russia which has not been generally discovered or seriously discussed in this country; but it does exist, and it caused the Russians to sign the treaty a week or so ago, and thus raised the hopes of all Americans—not in vain, I hope—that we are thus taking a long, slow step toward peace and toward the end of nuclear war.

I hope this is so, and I hope the Senator from Wyoming thinks so, too.

I do not know how I shall vote ultimately, on the question of approving the treaty; but I believe we owe it to every person in the United States to raise and discuss all these questions and weigh every possible question and implication which can arise from this treaty, and expose them to the light of public knowledge, so that whatever the decision of the Senate may be, in reflecting the will of the people of this country, it will be arrived at after the people have knowledge of the implication and of the real questions involved.

I thank the Senator from Wyoming for making his address. I believe it contributes greatly to the beginning of the discussion of this important matter, which may well be the most important matter the Senate will consider for many years.

Mr. SIMPSON. Mr. President, I thank the Senator from Colorado for his very cogent statement. I also thank him for the contributions he has already made in the Senate, and for those he will continue to make. His misgivings are shared by many Senators on both sides of the aisle.

It is our purpose to obtain all the information we possibly can. I doubt that the people of America want us to go off half cocked—to enter into such a treaty without a thorough hearing in regard to all the matters involved, especially the necessity of hearing from the military.

I am fearful that the treaty—if I have not incorrectly interpreted it—may serve to divorce us from NATO and from our Canadian ally. That would be most dangerous, under any circumstances.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, with the full approval of the acting minority leader, the Senator from Colorado [Mr. ALLOTT], I should like to call up in sequence, beginning with Calendar No. 368, five printing resolutions which have been reported from the Committee on Rules and Administration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will state the resolutions in sequence.

PRINTING AS SENATE DOCUMENT OF CERTAIN MATERIALS RELATING TO RULE XXII

The resolution (S. Res. 184) authorizing the printing as a Senate document certain materials relating to rule XXII (cloture) was considered and agreed to, as follows:

> *Resolved*, That there be printed as a Senate document certain portions of the compilation entitled "Limitation of Debate in the United States Senate", prepared by the Legislative Reference Service, Library of Congress; together with a memorandum entitled "Legislative History of Paragraphs 2 and 3 of Rule XXII of the Standing Rules of the Senate (Cloture Rule)", prepared by the Office of the Legislative Counsel, United States Senate.

PRINTING OF ADDITIONAL COPIES OF COMMITTEE PRINT ENTITLED "STAFFING PROCEDURES AND PROBLEMS IN THE SOVIET UNION"

The resolution (S. Res. 174) authorizing the printing of additional copies of the committee print entitled "Staffing Procedures and Problems in the Soviet Union," was considered and agreed to, as follows:

> *Resolved*, That there be printed for the use of the Committee on Government Operations three thousand additional copies of

the committee print entitled "Staffing Procedures and Problems in the Soviet Union", issued by that committee during the Eigthy-eighth Congress, first session.

PRINTING OF ADDITIONAL COPIES OF JOINT COMMITTEE PRINT ENTITLED "THE FEDERAL REVENUE SYSTEM: FACTS AND PROBLEMS, 1961"

The resolution (S. Res. 177) authorizing the printing of additional copies of the joint committee print entitled "The Federal Revenue System: Facts and Problems, 1961," was considered and agreed to, as follows:

Resolved, That there be printed for the use of the Joint Economic Committee one thousand copies of the joint committee print entitled "The Federal Revenue System: Facts and Problems 1961", of the Eighty-seventh Congress, first session.

PRINTING OF ADDITIONAL COPIES OF "PLEDGE OF ALLEGIANCE TO THE FLAG"

The concurrent resolution (H. Con. Res. 194) authorizing the printing of additional copies of the "Pledge of Allegiance to the Flag" was considered and agreed to, as follows:

Resolved by the House of Representatives (the Senate concurring), That there be printed three hundred and twenty-two thousand five hundred additional copies of House Document Numbered 225, Eighty-fourth Congress, first session, entitled "Pledge of Allegiance to the Flag", of which two hundred and nineteen thousand five hundred copies shall be for the use of the House of Representatives and one hundred and three thousand copies shall be for the use of the Senate.

PRINTING AS HOUSE DOCUMENT OF CERTAIN PROCEEDINGS OF VETERANS OF WORLD WAR I OF THE UNITED STATES, INC.

The bill (H.R. 7043) to amend the act of March 2, 1931, to provide that certain proceedings of the Veterans of World War I of the United States, Inc., shall be printed as a House document, and for other purposes was considered, ordered to a third reading, was read the third time, and passed.

RATIFICATION OF NUCLEAR TEST BAN TREATY

Mr. BREWSTER. Mr. President, within a short time, the Members of the Senate will be called upon to ratify or to reject the treaty banning nuclear weapon tests in the atmosphere, in outer space, and underwater. My vote will be for the ratification of this treaty.

This vote will be cast with both prayerful hope for the future and with the sincere conviction that the ratification of this treaty is clearly in the best interests of the United States.

We all recognize that any agreement with the U.S.S.R. is replete with risks. None of us can or should forget the dreary catalog of Soviet transgressions in the past. Those of us who have been to Berlin and stood before that stark and bleak barrier to freedom have stood in the very shadow of a monstrous monument to Soviet contempt for solemn agreements.

No one has to remind those American soldiers patrolling the 38th parallel in Korea, or those in the jungles of Laos and South Vietnam, that the Soviet Union has not softened its dedication to the eventual defeat of the West.

We have not forgotten the calculated and wanton Soviet violation of the moratorium on nuclear testing in 1961. We fully recognize that Soviet adherence to this treaty may be equally opportunistic and transitory.

None of us can, therefore, gainsay the obvious risks involved, but let us remember that every day of our lives in this complex and troubled world we must face decisions in which the assumption of risk is inherent. No man or woman in this Congress would be here today if he or she had lacked the courage to face an uncertain future.

We must accept this treaty for precisely what it is—a limited agreement which is not an end unto itself, but merely a beginning which offers some hope of slowing the proliferation of nuclear arms, of reducing the hazard of radioactive fallout in the atmosphere, and of eventually leading to further lessening of East-West tensions.

We must reject the false premise that ratification of this treaty is in any way a concession to the Russians, or an act inimical to the security of our country.

On the contrary, we can proudly draw satisfaction from the fact that the successful negotiation of this treaty is manifestly a recognition of the strength of our position.

Mr. President, at this point, it seems appropriate for me to digress slightly for a moment to pay tribute to Under Secretary Harriman for the patient, skillful, and forceful manner in which he represented our country during the negotiations in Moscow. The results reflect great credit on his dedication and ability, and also on the President's judgment in selecting him for this very difficult assignment.

The Senate has a duty and a solemn obligation to inquire into the wisdom of any treaty presented to it for ratification. In this case, the inquiry has been thorough and exhaustive. In my opinion, the questions which have been raised have been fully and fairly answered by the executive branch. The cumulative testimony of Secretary of State Rusk, Secretary of Defense McNamara, and Atomic Energy Commission Chairman Seaborg before the Senate Committee on Foreign Relations should allay any fears that we are merely playing Khrushchev's game by acceding to these test limitations. I have great respect for, and full confidence in, these able men, and I am persuaded by their statements that the security of this country will not be jeopardized by this agreement.

In his eloquent speech to the Nation on July 26, President Kennedy quoted from an ancient Chinese proverb when he said, "A journey of a thousand miles must begin with a single step." On 10 different occasions in our history, this Senate has been required to join in committing our Nation to war. Now circumstances and events have transpired which present this Senate with the opportunity to decide on a first step toward possible world peace.

The history of the world may now be at a crossroads—a point where a single decision by a single man or a group of men can determine the course of all that follows. The world awaits the decision of the Senate.

Two roads are open to us. Both are filled with risks and uncertainty; but one, at least, is blessed with hope. If we do not take this first, limited step, we cannot later take a second. If we do not seize this opportunity, we may not get another. Let us hope that we shall not later lament for "a road not taken."

To reject this treaty and to pursue an ever accelerating and unlimited nuclear arms race would be unthinkable and unforgivable. I am confident that all Senators will join me in accepting the wisdom of this agreement, and reflecting the will of the American people by voting overwhelming ratification of this treaty.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. BREWSTER. I yield to the majority leader.

Mr. MANSFIELD. I extend my thanks and commendations to the distinguished Senator from Maryland for the speech which he has delivered. I know from personal conversations with him that he has given the subject a great deal of study. I know also that he was somewhat adverse to taking the floor of the Senate to make his position known because he thought it would be inadvisable, because of the fact that he has just embarked on a 6-year term, which I know will be both illustrious and good for the country and the State which he represents so ably and so well. But in making what many of us would consider his first major speech of the session, I am glad that he has chosen the topic he did because it is the dominant subject of conversation, consideration, and debate at the moment, not only in the Committee on Foreign Relations, the Committee on the Armed Services, and the Joint Atomic Energy Committee, but throughout the Nation and, I dare say, throughout the world as well. The Senator has performed a public service. I commend and congratulate him. I hope that we shall hear from him often from now on.

Mr. BREWSTER. I thank the majority leader for his gracious remarks.

I yield the floor.

DANGER FROM THE FAR RIGHT

Mr. YOUNG of Ohio. Mr. President, in the past I have said that in my judgment the Fascist John Birch Society and others like it are as serious a threat to our security and way of life as internal communism. Today I shall go even further. I believe that the radical right today is an even deadlier threat to our democratic traditions and institutions than are American adherents to communism.

American Communists try to infiltrate our political parties, our schools, our mass media, our labor unions—all institutions of the free society—in order to further the cause of the international Communist conspiracy. Their ability to achieve their purpose has diminished steadily over the past 15 years through harassment by Government agencies and congressional committees and by exposure in the public press. It is estimated that today there are fewer than 10,000 Communist Party members in the Nation. Of this total number—8,000 to 10,000 estimated by Director J. Edgar Hoover—I assert a considerable number are in reality counteragents—loyal Americans—who report regularly to our Nation's FBI or CIA.

Although the danger from internal communism has been lessening, the radicals of the right—in Europe they would be called Fascists—now pose a dangerous threat in trying to destroy the civil liberties and institutions which are the foundations of freedom. They accuse everyone who disagrees with their brand of "Americanism" of being a Communist or Communist sympathizer. They question the integrity of our Supreme Court. They stir resentment against our participation in the United Nations. They want the income tax repealed.

They try to block all foreign aid programs. They vilify foreign-born and minority-group American citizens. They spread seeds of suspicion in communities throughout the Nation.

The great danger today rises from the fact that millions of well-meaning Americans embrace their programs as valid solutions to the deeply complex problems which confront our Nation in an age of swift change and social upheaval. Under normal circumstances the appeals of demagogs have attraction only to the lunatic fringe. However, during a crisis such as the cold war in which we are now engaged they become a real threat to democracy.

Despite the growing disdain of all thinking Americans, these rabble rousers continue their vicious crusade. If anything, their activities have increased in intensity and they can no longer be dismissed as cranks. They continue to peddle their poisonous package of defective and dangerous goods, hoodwinking honest but uninformed Americans with the sweet elixir of an easy cure for complex problems. In an effort to delude Americans they call their product conservatism, but it is a contaminated conservatism that would conserve nothing, but would destroy and devour basic democratic institutions.

Curiously America has always been fertile soil for rightwing radicalism. Side by side with our democratic traditions has run a persistent mistrust of democratic practice. More than 100 years ago the American Party, better known as the Know-Nothing Party, pricked the vulnerable nerve of anti-foreign sentiment. On an anti-Catholic, anti-immigrant platform, the Know-Nothings elected Senators and Representatives in Congress and controlled State governments for several years. Their presidential candidate in 1856, former President Millard Fillmore, captured one-fifth of the popular vote.

The influence of early American rightist hatemongers has remained in robust good health for a century. Their heirs of the past few decades have been legion. They wore hoods and lynched Negroes as Ku Klux Klan members in the 1920's. They goosestepped among the fascistic silver shirt and Fritz Kuhn's German-American bund and joined Father Coughlin's Christian front in the 1930's. Today they read as gospel Gerald L. K. Smith's hate sheet, the Cross and the Flag, or have been swept into the John Birch Society, in my opinion the most dangerous organization in the United States today. I regret that it has so many members in my State of Ohio.

There are nearly 1,000 radical rightwing organizations in the Nation, many, like Lincoln Rockwell's American Nazi Party, and the Minutemen, number only a few hundred psychopaths and crackbrains each. Others such as Billy James Hargis Christian Crusade, the Manion Forum, the National Economic Council, Fred Schwartz' Christian Anti-Communist Crusade, Americans for Constitutional Action, and Young Americans for Freedom are larger, well financed, and reach millions of Americans through their propaganda and radio and television programs. Many of them regularly distribute massive quantities of wildly irresponsible literature, some of which comes to me in the mail directly and attached to letters from constituents. I know that many of my colleagues receive the same or similar hate pamphlets. Earlier this year, the distinguished senior Senator from California [Mr. KUCHEL] discussed at length in this Chamber his experience in this regard.

Who are the people who believe this propaganda? They are the frightened and the frustrated; the bitter and the vindictive; the twisted zealots and well-meaning cranks; the malicious cynics and confused innocents; the people who have nightmarish fears of a radical bogey, who suspect eggheads, who hated and still hate the New Deal or who hate anyone who differs with their extremist views.

Who are the leaders of the radical rightwing groups? Many are sincere believers in their causes of hate. Others typified by Robert Welch, founder and fuehrer of the John Birch Society, are cold opportunists who have carved lucrative careers by playing on the prejudices of their adherents.

Some years ago, when Welch ran for the nomination for Lieutenant Governor of the State of Massachusetts, he did not even make a respectable showing. Welch and hatemongers such as Fred Charles Schwartz, Gerald L. K. Smith, Billy James Hargis, Kent and Phoebe Courtney, and others have discovered that spreading their messages of hate and utterly false accusations can be a very profitable occupation, indeed. Schwartz grossed $1,250,000 in 1961 and close to a million dollars in 1962. Life membership in the John Birch Society can be bought for the "bargain price" of $1,000. Welch has made it quite clear that he is not to be held accountable for his use of these funds. The number of members and the manner in which their membership dues are expended need never be divulged. Cell meetings of the society are secret.

Is is now obvious that there is something akin to an interlocking directorship of the many lunatic rightwing organizations. Each can no longer be dismissed as just another group of crackpots or fortune hunters. Careful study of rightwing activity reveals that there is constant communication between these groups and that many leaders are either active members or contributors to a whole raft of these organizations. Birchites sit on the national advisory board of "We, the People," a Hargis enterprise. The head of the California Free Enterprise Association served on Hargis' Christian Crusade and on the steering committee of a Fred Schwartz School of anti-Communism, and so on ad infinitum, or perhaps I should say ad nauseam.

Under the guise of jousting with alleged Communists, these groups undermine our basic institutions and try to reshape America into a totalitarian-Fascist state. Their tactics are the big lie and the wanton smear.

Unable to impeach Chief Justice Warren, or convince Americans that former President Eisenhower is a conscious tool of the Communist conspiracy, they are willing to settle, temporarily, for the head of a schoolteacher in California, a clergyman in Texas, or a State legislator in Wyoming. The medicine men of the right sell their followers the diagnosis that internal communism is the disease which causes all ills, and then prescribe local vigilante action as the cure. I do not like people who seek to play God with other people's patriotism.

A Communist, as far as the Birchites and their cohorts are concerned, means anybody who approves of the necessity of paying income taxes, public education, publicly owned post offices, civil rights, the United Nations, labor unions, and so on. Their creed must please the Soviet and Chinese Communists no end, for its essence is a form of unilateral disarmament through the decay of vital national services which would drastically weaken our country, a breakup of Federal authority, and a withdrawal from the international field.

Any American who disagrees with or disputes the dogma of these demagogs of the right is automatically subject to suspicion. In the name of freedom they would stifle debate, smother ideas, and muzzle the American people.

In States such as Wyoming, where rightwingers have recently been particularly active, professors have refused to speak at a seminar to discuss the rightwing movement for fear of losing their jobs. Teachers in our public schools are known to steer away from discussion of even mildly controversial issues for the same reason. In another State, a radio station operator who had expressed anti-Birch sentiment was subsequently forced to close his operation. Rightwing pressure had caused his advertisers to withdraw their business.

This kind of economic intimidation is the most powerful and the most insidious weapon at the disposal of the Birchites. It makes a mockery of the first amendment. It makes a sham of democracy. It makes livelihood the price of liberty. Most of the debris of the witchhunts of the early 1950's has been cleaned up, but it is apparent that some of this rubbish still remains.

If Khrushchev and Mao Tse-tung had hired helpers in their announced task of burying us, they could not have chosen better ones than the Birchites and their fellow traveling radical crackbrain followers. They aid and abet the Communists by creating disunity and distrust and undermining our institutions from within.

Mr. President, the majority of Americans are educated, informed, jealous of their rights, and aware of their responsibilities. Our home grown Fascists have been able to pull the wool over only a few eyes. However, the efforts of the Birchites are unceasing and their resources are often unlimited.

One of the newest techniques for bringing their message of hate and fear to Americans is the mobile library. At this moment, John Birch bookmobiles are moving through the streets of our cities and towns, carrying their propaganda to the doorsteps of those who do not seek it out at secret cell meetings. We are all invited to become "acquainted with the truth," as the radical right defines it in statements such as "Democracy is merely a deceptive phrase, a weapon of demogoguery, and a perennial fraud"; "Foreigners are running the country"; "The clergy is riddled with Communists—pull them from their pulpits if necessary."

I know that the vast majority of Americans will not swallow these lies. However, there is the danger that many well-meaning Americans will embrace the easy answers provided by Welch as valid solutions to confusing and complex problems. There is the further danger that the rest of us will not care enough or be sufficiently aware of the threat from the right to present our opposing views with equal vigor and determination. An organized and vocal minority can, indeed, overcome an unconcerned majority. Unfortunately, we have witnessed this occurring time after time during this century in countries throughout the world.

When I express my conviction that the John Birch Society is the most dangerous organization in America, I perhaps give it an importance it does not merit. I do not think so.

The John Birch Society has introduced a new intelligence to the lunatic fringe by developing a formal structure more sophisticated than any other rightwing group. It has evolved secretive community-level cells, just as the Communists did. Its leader—its "little Hitler"—Robert Welch, maintains rigid control of programs and activities. Because of its secret nature, the society has drawn into its ranks and into its leadership ultrarespectable business and industrial leaders who shun participation in the more clamorous rightwing groups. They have money and influence and are willing to use both for the organization. The monetary support of these business leaders, plus that of the the ordinary John Birch Society members, brings the society an estimated income of more than $1,500,000 a year. Since its founding in 1958 the society is believed to have attracted more than 60,000 members.

Mr. President, America has enough headaches in finding a course of action to meet the encroachments and challenges of international communism and Soviet and Red Chinese imperialism. We do not need the radical right to complicate matters. Every picture of a race riot, North or South, fomented by rightwing extremists, every American smeared by fellow Americans for his political beliefs, every reckless charge against responsible Government officials by the demagogues of the right does more to serve the aims of international communism than 5,000 American Communists could hope to do.

Speaking of the radical right, J. Edgar Hoover, warned that—

> Attributing every adversity to communism is not only irrational but contributes to hysteria and fosters groundless fears. * * * The way to fight it is to study it, understand it and discover what can be done about it. * * * This is neither the time for inaction nor vigilante action.

I am reminded that Dr. Hutchins, when chancellor of the University of Chicago, was asked by a rightwing lady, "Dr. Hutchins, do you really teach communism in the University of Chicago?"

He said, "Yes, lady; and we also teach cancer in our medical school."

There is plenty of room in the United States for responsible conservatism. What a dull country it would be if we were all progressives and liberals. However, the groups I have described, and the vicious methods they employ, are irresponsible and destructive.

They do not grow because of the attractiveness of their aims. Few Americans would choose fascism over Democracy. They grow because of the unawareness, the apathy, and the fear of many Americans. Too many may laugh or shrug these rabble rousers off as mere mischiefmakers or annoyances. Too many may remain unaware of the proposals which they push through State legislatures and of the lies which they spread. Too many may ignore the economic weapons which they wield. Meanwhile, these self-appointed vigilantes are hard at work.

Mr. President, unfortunately today all American taxpayers are indirectly financing many of these vicious organizations. Although our laws do not grant tax-exempt status to an organization, a substantial part of whose activities is carrying on propaganda, there is increasing evidence, as the distinguished junior Senator from Oregon [Mrs. NEUBERGER] has pointed out, that dozens of these groups are masquerading as educational and religious organizations, flooding the country with partisan political propaganda, and are financed by tax-free contributions from businessmen.

Unfortunately some of these contributors are also retired and softbrained generals and admirals. In 1961 a score or more of these lunatic rightwing oriented propaganda organizations took in more than $5½ million in tax-free contributions.

Mr. President, how is it that such a flagrant abuse of the charitable deduction provisions of the income tax law is permitted to exist? What justification do Internal Revenue Service officials give for allowing this situation to continue?

I do not propose that committees of Congress caravan about the country conducting investigations into the activities of the radical right. I believe we have had enough investigations into the political beliefs of free American citizens. However, I do propose that corrective action be taken to close this tax loophole favoring these book burners and witch hunters.

It is time to put an end to this tax loophole; and I hope that this will be done later, when tax legislation is considered.

Mr. President, the radicals of the extreme right are at odds with the very purpose of our Nation—freedom and democracy. If they are to be restrained and to be prevented from giving further solace and comfort to our Communist adversaries, they must be subjected to constant exposure and relentless publicity. We must continue to show them as the demagogs they are. America is last with them.

EXTENSION OF MEXICAN FARM LABOR PROGRAM

The Senate resumed the consideration of the bill (S. 1703) to amend title V of the Agricultural Act of 1949, as amended, and for other purposes.

Mr. HOLLAND obtained the floor.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield to the distinguished Senator from Colorado.

Mr. ALLOTT. It is my understanding that the Senate is about to proceed with the consideration of the so-called bracero bill. It is a very important bill to a great many States in the Union. I wonder if the Senator from Florida will yield to me for the purpose of suggesting the absence of a quorum, so that the membership of the Senate may be notified.

Mr. HOLLAND. I am glad to yield to the Senator provided that I have the unanimous consent of the Senate for that purpose, without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALLOTT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ALLOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CLARK. Mr. President——

Mr. HOLLAND. Mr. President, I have the floor, do I not?

The PRESIDING OFFICER. The Senator from Florida has the floor.

Mr. HOLLAND. Mr. President, I am glad to yield to the Senator from Pennsylvania to bring up a conference report. He and I have an understanding that if opposition to the consideration of the report develops, he will yield the floor back to me, so that we may proceed with the bill. However, he does not anticipate such opposition.

EXPORT-IMPORT BANK ACT EXTENSION—CONFERENCE REPORT

Mr. CLARK. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3872) to increase the lending authority of the Export-Import Bank of Washington, to extend the period within which the Export-Import Bank of Washington may exercise its functions, and for other purposes. I ask unanimous consent for the present consideration of the report.

The **PRESIDING OFFICER.** The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of August 19, 1963, p. 15309.)

The **PRESIDING OFFICER.** Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. CLARK. Mr. President, I ask unanimous consent that the statement of the managers on the part of the House may be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF THE MANAGERS ON THE PART OF THE HOUSE

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3872) to increase the lending authority of the Export-Import Bank of Washington, to extend the period within which the Export-Import Bank of Washington may exercise its functions, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

EXPLANATION

The bill as passed by the House and the bill as amended and passed by the Senate have certain features in common:

Both versions of the bill would extend the charter of the Bank to June 30, 1968.

Both versions would raise by $2 billion the total amount of loans, insurance, and guarantees the Bank is authorized to have outstanding at any one time.

Both versions would raise (within the overall limit for loans, guarantees, and insurance) the amount of export credit insurance and guarantees, which the Bank may have outstanding against a 25-percent reserve, from a present maximum of $1 billion to a new maximum of $2 billion.

In addition, the House and Senate versions of the bill are similar in that both would provide for a $2 billion increase in the funds available to the Bank—to match the $2 billion increase being made in its lending authority—but the two versions are dissimilar as to the methods which would be used to finance the $2 billion of additional funds. As passed by the House, the bill would authorize to be appropriated the $2 billion of increased financing. As passed by the Senate, the bill would authorize the Bank to obtain the additional funds under its present method of financing, which is to borrow the funds as needed from the Treasury.

The conference agreement adopts those provisions of the bill which are identical in both the House and Senate versions. More specifically, the agreement provides that—

(a) the life of the Bank be extended to June 30, 1968;

(b) the aggregate amount of loans, guarantees, and insurance which the Bank may have outstanding at any one time be increased by $2 billion; and

(c) the aggregate amount of export credit insurance and guarantees which the Bank may have outstanding against a 25 percent reserve be increased from the present maximum of $1 billion to a maximum of $2 billion.

The conferees further agreed, however, that no additional funds are to be provided at this time for financing the Bank's operations. The principal disagreement between the House and the Senate—indeed substantially the whole of the disagreement—is over the method by which the additional funds for the Bank are to be provided. The agreement of the conferees does not resolve this dispute one way or the other, either in favor of the appropriations method or the Treasury financing method. On the contrary, the agreement postpones a resolution of the issue until such time as the Bank is in greater need of additional funds.

Such a postponement of the issue is made possible by the fact that the Bank has available for its loan, guarantee, and insurance operations certain funds other than those made available by its authority to borrow from the Treasury. These additional funds, as of June 30, 1963, consisted of (a) approximately $810 million of surplus; and (b) approximately $520 million which have been borrowed in effect, from private banks through sales of "participation certificates" in certain of the Bank's assets.

By reason of these funds derived from sources other than Treasury borrowing, it is anticipated that the Bank now has sufficient funds available to it to meet its anticipated needs for a reasonable period of time.

Finally, the bill as passed by the Senate contains a provision not in the House bill which would require that the Bank make a report to Congress only once a year, rather than on a semiannual basis as required by present law. The conference agreement omitted this provision of the Senate bill, upon the belief that the more frequent reporting to Congress is appropriate.

Mr. CLARK. Mr. President, the differences between the two Houses on the different bills passed by the Senate and the House have reference only to the method of providing additional money for the operations of the Export-Import Bank. Both the House bill and the Senate bill extended the charter of the Bank until June 30, 1968; both bills raised by $2 billion the total amount of loans, insurance, and guarantees the Bank is authorized to have outstanding at any one time; and both versions raised, within the overall limit for loans, guarantees, and insurance, the amounts of export credit insurance and guarantees which the Bank could have outstanding against a 25-percent reserve, from the present maximum of $1 billion, to a new maximum of $2 billion. In all these respects the Senate and the House bills were identical.

Both the Senate version and the House version authorized $2 billion of additional funds for the Export-Import Bank, but the methods of providing these additional funds were radically different. The Senate version called for a continuation of the system of Treasury financing which has been in effect ever since the Bank was organized in the 1930's. We have, in point of fact, followed the method of financing banking operations in which the Government had an interest that has been used ever since the founding of the First Bank of the United States, in the days of the Washington administration, when Alexander Hamilton was Secretary of the Treasury. However, the House determined to scrap that traditional method of financing and to substitute the appropriations method of financing for the additional money to be provided. It was on this disagreement that the conferees broke.

As I recall, the conference committee held eight meetings at which no satisfactory solution of this dilemma could be reached. One reason was that the problem of Treasury financing versus appropriations financing runs into deep divisions in points of view in the House and Senate. Certain groups in the House and virtually all of the Senate have felt that in this banking operation and in certain other operations Treasury financing is infinitely preferable to appropriations financing. The Senate view was based upon the fact that it is impossible, or if not impossible, at least very difficult, indeed, for a bank such as the Export-Import Bank to conduct normal long-term operations if it is never known what funds will be available in any year until the Committees on Appropriations so declare.

On the other hand, the House felt that the method of Treasury financing could be referred to as "back-door financing" and, in effect, bypass the Committees on Appropriations.

After the eighth of the nine conferences, a suggestion was made by the President of the Bank, Mr. Harold J. Linder, that we simply defer the whole question of making any provision for additional borrowing on the part of the Bank. Mr. Linder revealed then what a great many of us had not appreciated before—although the distinguished Senator from Colorado [Mr. DOMINICK], whom I see on the floor, was more astute than the rest of us in discovering—that the Bank already had a considerable amount of unused borrowing authority. The report of the managers on the part of the House referred to this fact in very general terms. Because the President of the Bank does not wish this matter to be made more specific, I shall honor his request. All I can say is that I am now satisfied of the fact, of which I was not satisfied when we heard the testimony before the Senate committee, that there are a good many billions of dollars of additional borrowing authority unused and available to the Bank; and that, in addition to the unused borrowing authority, there are a good many billions of dollars which can be utilized to make it possible for the Bank to continue its operations without resorting to further loans from the Treasury or to appropriations.

When that fact became clear, rather late in the day, it seemed wise to solve the problem merely by not giving the Bank any more money, and thus resolve the dilemma between the two Houses. That is what the conferences report does.

As a matter of legislative history, I wish to make it abundantly clear that the nine Senate conferees—Republicans and Democrats alike—were as one in refusing to yield to the House on the subject of appropriations financing. We did not do it; we would not do it. In the words of the distinguished Senator from Alabama [Mr. SPARKMAN], we were adamant on that subject. I wish to make it very clear indeed that there was no intention, so far as I know, of the Senate conferees yielding on this point. So if and when the time will come when the Export-Import Bank will have to ask for additional money, there can be nothing in the conference agreement which would lead anyone to believe that the Senate would recede from the position which it took on the floor of the Senate by a vote of 73 to 1, a position which all the Senate conferees took in conference. We will have to cross that bridge later. There is no decision on the part of the Senate to recede from Treasury borrowing; there is no disposition on the part of the House to recede from insisting on appropriations financing. That question is left in abeyance.

I am happy to yield to the Senator from Texas.

Mr. TOWER. Mr. President, for the sake of the record, would the Senator from Pennsylvania clarify this point, or at least make note of it; namely, that had we had earlier the knowledge that there was a substantial amount of billions of dollars available for additional lending on the part of the Export-Import Bank, this compromise could have been effected much earlier?

Mr. CLARK. That is correct.

Mr. TOWER. In that way we would not have been put to the trouble of holding nine meetings.

Mr. CLARK. Yes; we should have paid more attention to the great ability of the Senator from Colorado, who suspected this all along—although I suspect he did not realize how large the existing authority was.

Mr. TOWER. I thank the Senator from Pennsylvania.

Mr. DOMINICK. Mr. President, will the Senator from Pennsylvania yield?

The PRESIDING OFFICER (Mr. NELSON in the chair). Does the Senator from Pennsylvania yield to the Senator from Colorado?

Mr. CLARK. I yield.

Mr. DOMINICK. The chairman of the Senate conferees, the Senator from Pennsylvania [Mr. CLARK], did a very excellent job in working out the report. He did so under what at times were most difficult circumstances.

Immediately after the first conference, after I had suggested a compromise of this kind, I called the head of the Bank. I reached his deputy. I asked him whether he would send me a letter in which he would agree that the Bank could continue under this type of operation. He said he would prefer not to send such a letter, because he hoped we would get around to giving the Bank the additional borrowing authority. But at no time did he suggest that this additional amount was available; and I did not know of it until yesterday's meeting.

Mr. CLARK. Does the Senator from Colorado agree that in view of the facts we now know, the conference report is a sound one and would permit the Bank to resume its desired operations in connection with American export trade?

Mr. DOMINICK. I agree.

At one point the House conferees returned to the House, to ascertain whether their instructions from the House were still firm; and on this point a vote was taken by the House. I believe the vote was 379 to 11 to stand firm on their decision against the so-called back-door-spending proposal. So the House was quite adamant.

I believe this problem has not been finally resolved. If it comes again before the two bodies, I believe a specific vote on the problem should be taken, without being encumbered by the other items, so that the Senate may vote specifically on this one question. Many Senators think this is a desirable type of financing for this Bank, but in general are opposed to this type of financing.

Mr. LAUSCHE. Mr. President, will the Senator from Pennsylvania yield?

Mr. CLARK. I yield to the Senator from Ohio.

Mr. LAUSCHE. Has there been any disclosure of the amount of additional borrowing authority the Export-Import Bank still has?

Mr. CLARK. Yes; and I shall be glad to communicate it to the Senator from Ohio. However for reasons which I think sufficient, the President of the Bank has asked that that information not be disclosed publicly.

Mr. LAUSCHE. Has the position of the Senate conferees been predicated on the proposition that the Export-Import Bank still has funds with which to operate, or has that position been taken on the basis that Treasury borrowing should be the method of financing the Bank will utilize?

Mr. CLARK. First, the Senate conferees were motivated in reaching this agreement by the fact that they were convinced that ample borrowing authority remained.

In stating their position, they point out that Treasury financing for this particular institution is superior to backdoor financing.

Mr. LAUSCHE. Then do I correctly understand that the final motivation for reaching the decision was the fact that the Export-Import Bank can continue under its present borrowing authority?

Mr. CLARK. That is correct.

Mr. LAUSCHE. Does the Senator from Colorado agree?

Mr. DOMINICK. I completely agree with the Senator from Pennsylvania. The amount of money available for the Export-Import Bank in its ordinary and normal operations is considerably more than anyone in the House or any one in the Senate had any idea about. It was only when we put this all together at the last minute that we found out how much it was, and were so informed by the President of the Bank. I have no doubt that it can continue operations without any more borrowing authority.

Mr. LAUSCHE. Who initiated the movement for the granting of the additional authority?

Mr. CLARK. The Bank.

Mr. LAUSCHE. The Bank?

Mr. CLARK. Well, let me say that is only part of the story. The charter of the Bank expired the first of July; therefore the Bank had to have legislation to extend its charter. Then, in addition, to asking for extension of the charter, the Bank asked for increased borrowing authority, increased lending authority, and increased authority to issue insurance and guarantees.

Mr. LAUSCHE. What position did the Bureau of the Budget take on this matter? Did it recommend extension of the authority?

Mr. CLARK. The Kennedy administration, including the Bureau of the Budget, supported the position of the Senate in favor of increased borrowing authority under Treasury financing.

Mr. President, I shall have something to say, a little later in the day, with reference to a speech on this matter made on the floor by the chairman of the Banking and Currency Committee, the Senator from Virginia [Mr. ROBERTSON] a day or two ago. But I do not wish to delay consideration of the conference report at this time.

Mr. DOMINICK. Will the Senator from Pennsylvania yield for one more statement?

Mr. CLARK. I am glad to yield.

Mr. DOMINICK. Let me say to the Senator from Ohio that by virtue of this sudden access to knowledge which was not previously imparted to either body, we receded from the provision the Senate had added, which required only annual reports, as opposed to semiannual reports; and we agree that we want semiannual reports continued. In fact, we say, "Since you have not told us what you had before, perhaps we should call for reports more often than that." But we did not include such a provision; and the report calls for only semiannual reports.

Mr. CLARK. I agree with the Senator from Colorado. Without impugning the Bank's position, I do think we should be more careful in the future than we were in the past. We must be sure we get all the basic facts before we legislate.

Mr. LAUSCHE. Mr. President, I commend the conferees for the fine job they have done. It is refreshing to note that finally one is able to dig down into the depths and really find out what the facts are. I am, however, alarmed that there may be many other instances in which we find ourselves similarly led to reaching a judgment, without knowing all the facts.

Mr. CLARK. I yield the floor, Mr. President.

I ask for a vote on the conference report.

Mr. JAVITS. Mr. President, the conference committee, of which I was a member, made the best practical resolution of the problem. We have every assurance that the Bank will be able to carry on its indispensable function. At a time when the exports of the United States, in the interest of the Nation and in the interest of our imbalance of international payments—its correction demanding the expansion of our exports—it was inexcusable to have permitted the Bank to remain in the upset condition of not having a charter. I know the great feeling of conscience on the part of the chairman of the conference committee, the Senator from Pennsylvania [Mr. CLARK], which induced him, notwithstanding his deep devotion to giving the Bank full capacity to do its job by borrowing from the Treasury, finally to agree to the conference report. I congratulate him on the way in which he handled that conference.

Harold Linder, the President of the Bank, is a New Yorker whom I have known for many years both as a banker and a friend. He has done an extraordinary job with the Bank.

The fact that he is willing to carry on his work, even under some disadvantages, as will be the case with the law that he must now operate under, convinces me, if anything needed to convince me, of his dedication to the public service. I am confident he will do the best humanly possible with what is put in his hands. I am confident, too, that the confidence which the operations of the Bank under his direction will engender in the Congress will make it possible for him and for the insurance companies, banks, exporters, and others who do business with the Bank to look forward with confidence. I am confident in my own heart that the Congress will do whatever is required to see that the Bank is able to do its job and to make its contribution to a material expansion of the American export trade.

The PRESIDING OFFICER. The question is on agreeing to the report.

The report was agreed to.

Mr. MILLER. Mr. President, I was deeply concerned over the outcome of the conference report, not so much in the results, but in the information which was revealed.

I note that in the report of the House committee it is stated that the President, the Secretary of the Treasury, the Bureau of the Budget, the Board of Directors of the Bank, and the Bank's Advisory Committee all unanimously requested approval of the bill, which provided for a $2 billion increase in borrowing authority. The Senate committee also pointed out that it was necessary for the Bank to have that $2 billion increase. Then the conference committee came out with the information that they had discovered now that by reason of funds derived from sources other than Treasury borrowing, it is anticipated that the Bank now has sufficient funds available to meet its anticipated needs for a reasonable period of time.

The Senator from Pennsylvania [Mr. CLARK], the Senator in charge of the bill, pointed out that after the ninth conference by the conferees a suggestion was made by the President of the Export-Import Bank, Mr. Harold F. Linder, that no additional borrowing be provided.

> Mr. Linder revealed what a great many of us had not appreciated before—

Said the Senator from Pennsylvania [Mr. CLARK]—

> that the Bank had already had a considerable amount of unused borrowing authority.

The Senator from Pennsylvania said:

> I am now satisfied of the fact that there are a good many billions of dollars of additional borrowing authority unused and available to the Bank; and that, in addition to the unused borrowing authority, there are a good many billions of dollars which can be obligated to make it possible for the Bank to continue its operations without resorting to further loans from the Treasury or to appropriations.

Later, in a colloquy with the Senator from Ohio [Mr. LAUSCHE], the Senator from Pennsylvania [Mr. CLARK] said:

> For reasons which I think sufficient, the President of the Bank has asked that information of the amount of additional borrowing authority of the Bank not be disclosed publicly.

I appreciate very much the information that the Senator from Pennsylvania has brought out in that connection. I do not question anyone's good faith on the committee, but I do think it is very unfortunate that the Bank asks that certain information not be made public.

Mr. President, I desire to go on record as hoping that the information that was requested will be made public and will be transmitted to me so that all may know exactly why the two committees of Congress were apparently misled into believing that an extra $2 billion of borrowing authority was necessary when billions of dollars were already available.

EXTENSION OF MEXICAN FARM LABOR PROGRAM

The Senate resumed the consideration of the bill (S. 1703) to amend title V of the Agricultural Act of 1949, as amended, and for other purposes.

Mr. HOLLAND. Mr. President, this bill would extend the Mexican Farm Labor program without change for 1 year, through December 31, 1964.

The committee did not hold hearings on this bill for several reasons. First, because it is a simple extension, without change, of a law that has been in effect now for some years. Second, because the House Committee on Agriculture had held hearings in March of this year, and those hearings had been printed and were available to the committee and to the Senate. Third, the hearings in the House indicated that the issues were similar to those which were heard and fully considered by the Senate Committee on Agriculture and Forestry at the time of the last extension of this program. Fourth, the principal proponents of changes in the program agreed that in general the program has been working well, and that the amendments adopted the last time the program was extended had gone far toward improving the program. Finally, hearings were held by the Subcommittee on Migratory Labor of the Senate Committee on Labor and Public Welfare on July 30. The committee felt that any further hearings would simply be wasteful of public funds.

The Mexican farm labor program provides an orderly, regulated method of recruiting needed Mexican farmworkers. Under it the Secretary of Labor, pursuant to an agreement with Mexico, recruits Mexican workers; receives and houses them at reception centers in the United States; furnishes them transportation between such reception centers and recruitment centers in Mexico; provides them with necessary subsistence, emergency medical care, and burial expenses during such transportation and reception; assists them in negotiating contracts with employers; and guarantees performance by the employers of their obligations as to wages and transportation. All expenses of the program, except compliance costs, are borne by the employers.

I wish that to be very clear. All expenses of the program, except compliance costs, are borne by the employers.

The agreement with Mexico and the standard work contract required to be agreed to by employers contain many provisions designed to assist and protect the Mexican workers under this program.

The program is designed to provide workers to do jobs for which there are not sufficient domestic workers, and every reasonable precaution is required to prevent the program from having an adverse effect on domestic workers.

The legal authority for the program was provided in 1951 by Public Law 78, 82d Congress, which amended the Agricultural Act of 1949. This authority was originally limited to the period ending December 31, 1953. It was subsequently extended to December 31, 1955, June 30, 1959, June 30, 1961, December 31, 1961, and December 31, 1963. The program is one that has been frequently reviewed and extended by Congress.

The number of Mexican workers required to supplement our domestic agricultural labor force has been declining. On page 30 of this year's hearings before the House Committee on Agriculture, Senators will find a table showing that the total number of Mexican workers admitted under Public Law 78 declined gradually from 445,197 in 1956 to 437,643 in 1959; and since 1959 has declined rapidly to 315,846 in 1960, 291,420 in 1961, and 194,978 in 1962. The program is rapidly phasing out, but it is still needed. Last year 33,214 farms in 21 States used nearly 195,000 workers recruited under the program. These users consisted of 2,264 individual employers, 57 food processors, and 231 associations comprised of 24,492 members.

Some of the workers performed necessary agricultural labor, of course, on more than one farm, since some of the workers were recontracted. The number of contracts and recontracts in 1962 was 226,948, and I ask unanimous consent to have printed in the RECORD at this point a table prepared by the Bureau of Employment Security of the Department of Labor showing the number of Mexican workers contracted and recontracted by State for the years 1959 through 1962.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Number of Mexican workers contracted and recontracted, by State, 1959–62

State	1959	1960	1961	1962
U.S. total	506,003	380,381	349,055	226,948
Arizona	29,779	24,557	21,352	16,906
Arkansas	44,780	42,443	34,073	12,410
California	152,746	127,658	113,169	127,002
Colorado	9,281	9,517	10,549	10,372
Georgia	1,094	1,264	777	0
Illinois	219	375	95	113
Indiana	558	710	780	587
Iowa	75	134	212	174
Kansas	42	17	145	142
Kentucky	436	269	57	0
Michigan	11,693	11,301	14,880	13,327
Minnesota	144	139	55	39
Missouri	1,203	504	0	0
Montana	2,210	2,438	2,640	1,814
Nebraska	2,144	2,289	2,162	2,119
Nevada	153	222	83	66
New Mexico	19,253	11,336	8,311	2,144
North Dakota	0	45	0	0
Oregon	418	350	327	365
South Dakota	217	240	252	98
Tennessee	1,228	1,139	703	165
Texas	225,498	140,308	135,515	36,289
Utah	582	523	415	640
Washington	0	60	0	0
Wisconsin	1,090	1,238	954	778
Wyoming	1,160	1,215	1,549	1,398

Source: Administrative reports, Bureau of Employment Security.

Mr. HOLLAND. As pointed out by Mr. Matt Triggs of the American Farm Bureau Federation at page 31 of the House hearings, the number of farms using Mexican labor does not fully indicate the importance of the program. In a particular county there may be 200 farmers who employ braceros, but there may be 2,000 farmers who would be drastically affected by the labor shortage if the program were terminated. In the areas where Mexican farm labor was needed the program was essential. The Secretary of Labor found and certified that domestic workers were not available to do the work. The crops could not have been planted and harvested; and these farms, the consumers of these crops, and all those engaged in handling them from farm to market would have suffered. It is probable that a smaller number of farms, consumers, and others will be affected next year, but as long as the need for supplemental labor exists it ought to be met. In recommending a year's extension the Secretary of Labor testified at the House committee hearings:

> Several factors persuade us of the wisdom of this approach. First, we have a genuine concern for the needs of growers in many areas for an augmented labor force at peak periods to cultivate and harvest our crops. As long as this need continues, it must be met. A year's extension will meet this need fully and adequately.

The purpose of Public Law 78 is to provide an orderly method of supplying needed agricultural workers, subject to adequate safeguards, and with due regard for the interests of Mexico. Without it the workers could still come in, but their entry would be subject to less regulation and there would be less protection for the domestic workers. The table on page 47 of the hearings in the House, which was submitted by the Immigration and Naturalization Service, shows that during the fiscal year ending June 30, 1951—12 days before the enactment of Public Law 78 on July 12, 1951—115,742 Mexican agricultural workers were admitted legally and 500,628 Mexican aliens were located in an illegal status, a total of 616,370. For the fiscal year ending June 30, 1962, 282,556 were admitted legally and only 30,272 were located in an illegal status, a total of 312,828. The representative of the Immigration Service at page 48 of the House hearings attributed the drop in illegal entrants to a strong enforcement program, the fact that the workers are made available on a legal basis to the employers who wish to use them, and possibly other factors.

The method by which Mexican workers might be brought into the United States legally under sections 214 and 101 (a)(15)(H) of the Immigration and Nationality Act in the absence of Public Law 78 is explained at page 49 of the House hearings.

I emphasize that point because so many people mistakenly think that the only way Mexican laborers can get into this country to till farms is under this act, Public Law 78, whereas, quite to the contrary, other less desirable acts are available under which Mexican laborers can come into this country and under which they would have nothing like the protection that they, the country, or the producers who use them have under Public Law 78.

From 1948 until enactment of Public Law 78, Mexican agricultural workers were brought in pursuant to an agreement with Mexico without recruitment by the Federal Government. A number of difficulties were encountered. Employers, desiring to recruit labor as cheaply as possible, did their recruiting as close to the border as they could. Mexicans desiring work often walked many miles from central points in Mexico. They converged on the border in great numbers and created serious problems for the border towns and the Government of Mexico. Many crossed the Rio Grande into this country illegally. As illegal entrants they accepted substandard wages with consequent adverse effects on domestic wage rates, and they created serious problems for our Spanish-speaking citizens, the Immigration and Naturalization Service, and welfare agencies. Frequently those who entered legally returned to Mexico without notifying the Immigration and Naturalization Service, giving employers problems with departure bond forfeitures. The Mexican Government desired that the workers be recruited from areas of heavy unemployment, so that the economy of Mexico would be helped rather than harmed by the program. Because of these difficulties, it was suggested at a conference between Mexico and this country that rather than continue the private recruitment of farmworkers in Mexico by employers, an agency of the United States should recruit such workers and guarantee compliance with the individual work contract. Public Law 78 was enacted to provide such authority. It has worked well and during the remaining year that a substantial number of Mexican workers appear likely to be needed, continuation of this program is preferable to a return to the old inadequately regulated system.

Public Law 78 is designed not only to provide Mexican workers to perform necessary work for which domestic workers are not available, but it is designed to protect domestic workers from unregulated or illegal entry of Mexican workers to fill jobs for which domestic labor is available. Those who, according to the minority views, oppose Public Law 78 because of its adverse economic and social effects on domestic migratory labor are in error if they believe that the old private recruiting methods, involving both legal and illegal entrants, affords greater protection than does the controlled Government recruiting provided by Public Law 78.

There are of course always differing views as to how a program should be carried out. Eleven members of the Senate Committee on Agriculture and Forestry voted to report the pending measure from committee. Five members voted against reporting it. Four of those five have signed the minority views, which appear at the back of the report. I should like to take up those views in order and attempt to answer them.

First, they contend that interested parties should have had an opportunity to present their views. The House committee held hearings for 3 days at the end of March and the testimony covers 349 pages, so all interested parties have had such opportunity and their views are known. In addition, a subcommittee of the Senate Committee on Labor and Public Welfare held hearings on July 30. The Secretary of Labor testified at the House hearings, and the Under Secretary of Labor testified at the Senate hearings. The Department of Agriculture has reported to the Senate Committee on Agriculture and Forestry that it supports a 1-year extension as proposed in the Secretary of Labor's statement at the House hearings. This would include approval of the amendment proposed by the Secretary of Labor, which had been rejected by the Congress in 1961 and which was rejected again by the Committee on Agriculture and Forestry at this session.

Second, they contend that certain questions relating to the protection of domestic workers need to be answered in the light of the experience of the last 2 years. Those questions are answered by the Secretary of Labor in his testimony at page 3 of the House hearings, where he describes the administration of the program, with particular reference to the last 2 years, as follows:

> This committee is cognizant of the conflicts inherent in the administration of this program. On the one hand, responsibility is placed upon the Secretary of Labor to provide supplemental labor when it is needed to assure the production of foods and fibers required for our own consumption and for our international commitments. On the other hand, the law under which the program operates, Public Law 78, provides that the Secretary of Labor when supplying such needs shall not make Mexican workers available unless he determines that their employment in the United States will not adversely affect the wages and working

> conditions of domestic agricultural workers similarly employed.
>
> In 1961, the administration proposed amendments to Public Law 78 designed to establish more specific legislative standards for protecting domestic workers against the undermining influence of the large scale use of Mexican workers. Some of these amendments were adopted, while others were not.

I digress to say that a substantial number of the amendments then requested by the Secretary of Labor were adopted 2 years ago, and those which were not adopted—now again being urged by the Secretary of Labor—were rejected by substantial votes within the committee and on the floor; and were again rejected this year as being unreasonable, impractical, and for other reasons not desirable.

Mr. PROXMIRE. Mr. President, will the Senator yield to me on that point?

Mr. HOLLAND. I am glad to yield.

Mr. PROXMIRE. The Senator did not mean to imply that the amendment proposed by the Secretary of Labor was rejected in the Senate committee this year, did he?

Mr. HOLLAND. Yes. The Senate committee declined to consider it.

Mr. PROXMIRE. Is it not true that the amendment was not acted upon?

Mr. HOLLAND. Counsel for the committee has reminded me that, after discussion of the amendment and the whole situation, no Senator even assumed to offer the amendment this year, because we knew that it had been previously rejected almost unanimously.

I note that the sponsors of S. 527, now pending in Congress, offered by certain of the advocates of the position taken by the Senator from Wisconsin, recognized the unreasonable nature of the amendments offered by the Secretary of Labor by framing the bill in such words as to try to avoid some of the impractical features in the suggestions of the Secretary of Labor.

Mr. PROXMIRE. Then the Senator from Florida concedes that no action was taken in the committee on this amendment? The amendment did not come before the committee for a vote. Actually, though some of us pleaded for hearings so that we could get the position of the Secretary of Labor as of now, 1963, before the Senate—the House having killed the bill—the Senator from Florida and the majority of the Senators on the committee prevailed, and there was no opportunity for hearing the Secretary support his amendments.

Obviously, under those circumstances, since we were defeated even as to having hearings by a two-vote margin, it was clear that it would not have been worthwhile to press for the amendment of the Secretary of Labor. The committee was not even willing to listen to him, let alone to agree to his amendment.

Mr. HOLLAND. The Senator admits that the amendment was discussed and well understood by the members of the committee.

Mr. PROXMIRE. I am sure the committee members understood the amendment.

Mr. HOLLAND. The fact is that no Senator offered the amendment, because it was so very clear that the amendment was unacceptable to the committee—now, as it was 2 years ago.

Mr. PROXMIRE. The Senator is putting it differently now. The committee did not actually reject the amendment. The committee had no opportunity to vote on the amendment. The amendment was not offered, and the amendment was not acted on.

Mr. HOLLAND. I could not agree with the Senator that the committee had no opportunity to vote on it. Five members of the committee made it clear that they favored the amendment. They had a perfect right to offer the amendment. The amendment was discussed. The amendment was well understood. Neither the Senator from Wisconsin nor any of his four "soldiers" offered the amendment.

Mr. PROXMIRE. Is it not true that the Secretary of Agriculture, to whom we look for expert advice in this regard, had not at that time made a report to the committee? He has since done so. He favors the amendment of the Department of Labor. So both the Department of Agriculture and the Department of Labor favor the amendment the Senator from Minnesota is offering. The Senate committee has not acted pro or con on it, although the Senator is absolutely correct in saying it was not brought up by Senators who favored it.

Mr. HOLLAND. The Senator is correct. I know perfectly well that the Secretary of Agriculture "goose stepped" right along with the Secretary of Labor in support of the amendment, though Senators of the same persuasion as the distinguished Senator from Wisconsin, in offering a separate measure to take care of this situation, S. 527, decided to rewrite the language so as to try to meet some of the objections which have been made to the amendments offered by the Secretary of Labor.

I continue the quotation of the testimony by the Secretary of Labor:

> In signing the legislation as finally enacted by the Congress, the President directed the Secretary of Labor to use the full scope of his authority under the law to institute policies which would safeguard domestic workers against adverse effect resulting from the use of Mexican workers.
>
> The administration of the new amendments and new policies instituted since 1961 has, in my judgment, been reasonably successful in carrying out the purposes of Public Law 78 and meeting our responsibilities under it.

I want it clear in the RECORD that I am still quoting the Secretary of Labor, who said that the act had operated reasonably well. To use his language again, the program has, and I quote:

> been reasonably successful in carrying out the purposes of Public Law 78 and meeting our responsibilities under it.

Meaning the responsibilities of the Secretary of Labor.

I continue to quote the testimony given by the Secretary of Labor:

> While the use of Mexican workers has dropped from approximately 291,000 in 1961 to 195,000 in 1962, at the same time, employment opportunities of domestic farmworkers have been preserved. Although the average seasonal employment of all farmworkers declined about 5 percent from 1961 to 1962, virtually all of the decline was in the employment of Mexican nationals, and domestic worker employment remained almost unchanged.

That testimony by the Secretary of Labor is particularly worthy of attention because it shows that while, because of the use of more machinery on the farm, the use of hand labor has been declining, that decline has been almost entirely among those who comprise the Mexican labor group, and not at all among the domestic workers, the number of whom, as the Secretary says, has remained practically unchanged.

I quote the Secretary's words again:

> Domestic worker employment remained almost unchanged.

Third, the minority points to current unemployment figures, the low annual income of migratory workers, and the fact that Americans can and do perform stoop labor in certain sections of the country. None of these appears to constitute a valid argument against extension of the program. No worker can be made available under the program in any area unless the Secretary of Labor has determined and certified, first, that sufficient domestic workers who are able, willing, and qualified are not available at the time and place needed to do the work; second, that wages and working conditions of domestic workers will not be adversely affected; and third, that reasonable efforts have been made to attract domestic workers at wages, hours, and working conditions comparable to those offered the foreign workers.

The Secretary of Labor recognizes his duty to see that domestic workers are not supplanted or adversely affected. His statement at the House hearings which I have just quoted attests that this duty is fully observed, and I believe that all fairminded persons recognize that that is the case. The fact, then, that there may be unemployment in other areas, that similar work may be performed by domestic workers, and that the annual income of these seasonal, unskilled workers is low does not present any reason for not extending the program. The work will not get done if there is no one willing and able to do it at the time and place it is to be done. Unemployment at planting time cannot be helped by refusing to make workers available at harvesttime. If domestic workers are not available to do the work, failure to furnish Mexican workers cannot advance the interests of domestic workers. In fact, if farmers cannot be sure of having sufficient workers at peak demand periods, such as at harvesttime, they may be unwilling to hire domestic workers to do the planting or cultivating, and there will be fewer commodities to be handled by domestic workers engaged in processing and marketing. It is to the advantage of all that supplemental labor be available when needed. It is to the advantage of the Mexican Government and the Mexican economy that the workers be brought from areas of high unemployment in Mexico rather than from areas where the workers may be needed locally, as was the case before this bill passed.

And it is to the advantage of all that such supplemental labor be made available through a Government-controlled program, rather than by the more or less catch-as-catch-can private recruitment which prevailed prior to the passage of Public Law 78.

The Secretary of Labor has said we will need supplemental labor for another year. Let us fulfill our responsibility to make such labor available in a well-regulated manner, to the best interests of all.

I would like to conclude with a word about the hearings before the Senate Labor Subcommittee on July 30. The Under Secretary of Labor there stated that he would oppose extension of Public Law 78 unless certain amendments were adopted. Those amendments would give the Secretary powers which Congress had made "abundantly clear"—and I quote the Under Secretary when I use the words "abundantly clear"—the Secretary should not have. The Under Secretary was quite specific on this point, stating at page 4 of the hearings:

> The legislative history of that law makes it abundantly clear that the Congress did not intend to permit the Secretary of Labor to require, as a condition of obtaining Mexican workers, that all of the same terms and conditions afforded Mexican workers be offered first to domestic workers. It is for this reason that we would oppose any further extension of Public Law 78 without amendments which would bring the required job offers made to Mexicans and to domestic workers to an approximate level.

Now a word as to the amendments demanded. The amendments demanded by the Secretary would empower him to require employers to provide domestic workers with housing, transportation, and insurance comparable to that provided workers recruited under the act. Congress has denied the Secretary these powers in the past because they are vague, extensive, and unnecessary. They are also impractical and unreasonable.

The Mexican is a single male far from home for whom barracks-type housing is quite adequate; and that is what is supplied, as a rule.

Now, what will be comparable housing for the domestic worker, who lives in the neighborhood, may be male or female, may be accompanied by his family, and may work for a day or the year around? Quite frankly, the committee did not know, the Congress did not know, the Secretary of Labor does not know, and the Under Secretary does not know. The Secretary of Labor, at page 5 of the House hearings, says he could require the employer to pay the domestic worker more money. He says, "Equivalent allowances could be offered." The Under Secretary makes an identical statement at page 6 of the hearings before the Senate Labor Subcommittee. So what is really being asked here is higher pay for the domestic workers. But the Mexican agreement requires that the Mexicans be paid the prevailing rates. If domestic rates are raised to include a housing allowance, will the Mexican rates have to be raised also? This Mexican agreement would so require.

As for transportation, the employer would have no assurance that the employee would work even 1 day after the transportation had been furnished. The Under Secretary states, at page 7 of the Senate Labor Subcommittee hearings, that this experience can be minimized by establishing better employer-employee relationships; but this hardly answers the problem, particularly for the employer who has paid the transportation for workers who have decided to go elsewhere.

So long as there are laws throughout the United States, both Federal and State, against peonage, against forced work by people who are employed, it is idle, impracticable, and unreasonable to compel a domestic employer to pay transportation costs, perhaps across two or three State lines, for workers who may not do a lick of work when they arrive, and who do not have to do so under the law. After they start working, perhaps they are offered more in an adjoining county or community, or they may decide that the fishing is better in an adjoining community, and go there, leaving the farmer holding the bag, without any chance to be reimbursed for the cost of transportation.

In this regard, I note that the bill, S. 527, introduced by Senators who say they favor the adoption of the amendment offered by the Secretary of Labor tries to meet this issue by providing, in effect, that when this happens to a farmer, he shall have the right to collect from the U.S. Government, and that the U.S. Government must proceed against the worker. This might constitute some improvement over the Department's proposal.

Mr. President, how impractical and unreasonable can people become in the name of social welfare as to make this requirement for the producers of perishable commodities all over this country? That is what we are talking about now; we are talking in the main about commodities which must be harvested when they are ripe or be lost, not merely to the producer, but lost to the whole farming industry, the consumer, the country, and the whole economy. The imposition of arbitrary and unreasonable requirements on the obtaining of needed labor for these crops can only result in great losses to farmers, workers, and others. Before any necessary laborers can be obtained under the agreement with Mexico, and Mexico is perfectly willing to send workers here, they must be recruited from areas of unemployment—and I believe that is a reasonable requirement on the part of the Mexican Government—then they are safeguarded so far as type of housing is concerned, and treated well. Those are reasonable requirements. But it is not reasonable to prohibit that labor from being made available unless the farmer first pay transportation charges for anyone who says he is willing to work, but who may never perform a minute's work. Under the Department's proposal, a farmer would be required to pay the transportation cost from the place of procurement of the labor to the place of employment, knowing perfectly well that he may not get an hour's work out of the laborers for whom he is expending sizable sums. Such a requirement is not reasonable.

The next point: Occupational hazard insurance is of course a State matter appropriate for State regulation. Some of the States could meet this condition in their agricultural economies. Others could not. It is idle to say that there should be a Federal law applicable to all, on the verge of the seasons when the employees are to be used in more than 25 States, and that they should all have to meet a condition which can be met in only a small number of States.

Assuming then, that the Senate once again determines that housing, transportation, and occupational insurance for domestic workers are matters that should not be covered by Public Law 78, the question is, Should Public Law 78 be extended?

It is inconceivable to me that the Senate, the House, or the Congress should approve this idealistic, impractical amendment suggested by the Secretary of Labor, which, on the very face of it, does no justice to the situation, but does great injustice to the producers of perishable commodities in that great part of the country where Mexican labor is used.

The question is, Would it provide more protection for the domestic workers than does the law that would otherwise be applicable to the importation of Mexican farmworkers? It was passed to provide precisely such protection; and the Under Secretary of Labor makes it quite clear at page 19 of the Senate Labor Subcommittee hearings that it does, as follows:

> Mr. HENNING. This is another system of importation of foreign workers lacking, in general, the safeguards that are in Public Law 78, although there is a test feature involved here where domestic labor is not supposed to be available before West Indians or Canadians or other foreigners can enter.
>
> For example, they can be used to break strikes, whereas those coming in under 78 cannot. There are sharp differences in the conditions and I would say 78 is a better law than 414.

Mr. ALLOTT. Mr. President, will the Senator yield for a question on that particular point?

Mr. HOLLAND. I yield to the Senator from Colorado.

Mr. ALLOTT. The Senator has had a great deal of experience in this area over the years. Is there any question in his mind that if Public Law 78 were not extended, the opportunity for imported employees to be used as strikebreakers would be far greater than it would be under the present circumstances?

Mr. HOLLAND. The opportunity would exist under Public Law 414. It does not exist under Public Law 78.

Mr. ALLOTT. There is no question in the Senator's mind, in accordance with the Secretary's statement, that imported employees cannot be used in any way for that purpose, that is as strikebreakers.

Mr. HOLLAND. I am sure that is the case under Public Law 78. Under Secretary of Labor Henning testified on this subject before the Senate Labor Subcommittee on July 30, as I recall.

> For example, they can be used to break strikes, whereas those coming in under 78 cannot. There are sharp differences in the conditions and I would say 78 is a better law than 414.

He makes that very clear. I believe he is completely correct, that those coming in under Public Law 414 can be used to break strikes, and that they cannot be used under the particular law that is under discussion at this time.

I know a great deal about Public Law 414. In our State not even one Mexican laborer is imported under Public Law 78. We operate under the other law, Public Law 414. I know a good deal about the operation of that law. I have been to Nassau and have seen how very carefully applicants are screened. I have observed the careful screening tactics used by the colonial government in finding men—they come in, of course, without their families—who are family men, who have no criminal record, not even a conviction for drunkenness, and who are willing to make substantial assignments to their wives and children back home, before they will be permitted to come, first to my State, because the need for their work comes earlier in the year, and then to the other States farther up along the seaboard. So far as we are concerned, the other law, Public Law 78, must be continued, or there will not be satisfactory conditions, because there is no sea between the States and Mexico, and because prior experience shows that more than 500,000 would come in under other conditions, whether legally or illegally; and experience also shows that the Mexican Government itself is not willing to have Public Law 414 continue to apply to the importation of Mexican laborers.

I served on the same committee under the leadership of the distinguished chairman, the Senator from Louisiana [Mr. ELLENDER], who is now present in the Chamber, when the bill was enacted. I served on the subcommittee which held the hearings. I talked with Mexican officials. I talked with our State Department officials. I talked with the agricultural producers involved. I know perfectly well—and I am sure my chairman will bear me out—that the Mexican officials made it plain that, rather than to have a condition continue under which labor was being drained out from areas immediately across the border, sometimes illegally, and with the laborers being unfairly treated, they would prohibit any workers coming into the United States, because they could not put up with the system that was then operating. They insisted upon a law to meet that condition.

New England uses labor from Canada, and there is no problem there. We, along the lower parts of the east coast, use labor from the British West Indies. They are English-speaking laborers. The Colonial Government is jealous about safeguarding its people.

We want that program to continue under the law that we have.

The Bracero Act was passed to assure conditions of availability of workers and to meet the specific demand and requirements—and I thought they were legitimate requirements—of the Mexican Government, because many of their people were being abused under the old system.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. ALLOTT. If Public Law 78 should not be extended, there would be nothing to prevent employers in the western part of the country from using Public Law 414 for the importation of labor. Is that correct?

Mr. HOLLAND. Nothing at all, until such time as the abuses might again become so evident that perhaps the Mexican Government would take the same position it did prior to the enactment of Public Law 78.

Some do come in every year under Public Law 414, even from Mexico. That is another thing that our friends in the opposition do not seem to understand. Thousands can come into this country under that law.

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. McCARTHY. Will the Senator explain who in the opposition does not understand about Public Law 414?

Mr. HOLLAND. Does the Senator from Minnesota mean that he understands that thousands come in every year from Mexico?

Mr. McCARTHY. I certainly do.

Mr. HOLLAND. I withdraw my statement as to the Senator from Minnesota. I do not withdraw it as to some other Senators.

Mr. PROXMIRE. Mr. President, I hope the Senator will withdraw it so far as the Senator from Wisconsin is concerned. I am thoroughly aware of the situation and have been for some time. I also know that the Labor Department has cracked down on the program very stringently. The Labor Department is now following a policy far different from the past policy. The expectation is that the number of Mexicans who will come into the country in the future under Public Law 414 will not reflect any diminution in the number that would come in under Public Law 78.

Mr. HOLLAND. I wonder if the Senator agrees with the statement of Mr. Henning, Under Secretary of Labor, when he said that Public Law 78 is a better law than Public Law 414.

Mr. PROXMIRE. I agree that Mr. Henning made that statement.

Mr. HOLLAND. Does the Senator agree with the conclusion?

Mr. PROXMIRE. In answer to the statement of the Senator from Florida, in the first place, I would like to eliminate Public Law 78. Then it would be possible, under present policies which have been followed by the Department of Labor since June of this year, to limit the number coming in under Public Law 414, to provide for the legitimate need for additional Mexican workers.

We have not made our case as yet, but I think we can show that those who believe in free enterprise in America, who believe in the law of supply and demand, should not support a governmental policy subsidized by the American taxpayers that imports foreign workers at a time when there is considerable unemployment, and when the effect of the importation is to keep the wages of domestic workers from rising.

I am shocked that the Senator from Florida and other Senators, who are sincere and able advocates of free enterprise, are championing a bill that requires our Federal Government to interfere so grossly in the free play of supply and demand. This bill can have no other effect. It does not depress wages, because the law provides that it cannot do that. But it does not permit wages to increase, as they obviously would have to increase if the Mexican braceros did not come in—200,000 of them—to do work which Americans admittedly will not do, in some cases, in some parts of the country, at low wages, at stoop wages. But give them a dollar and a half or $2 an hour, and they will respond. And this is exactly, precisely the way free enterprise is supposed to work; is it not?

Mr. HOLLAND. I appreciate the sincerity of the distinguished Senator from Wisconsin. I know that the facts that have been developed in the adjoining State of Michigan show rather conclusively that large numbers of unemployed persons, who have worked in the various industries, have not been, for the most part, willing to work at stoop labor, for which Mexican labor is imported, as I understand, to the extent of about 20,000 at the maximum. As I read last year's figures, approximately 13,000 came from Mexico to Michigan.

I invite the Senator's attention to several statements in the Mexican farm labor program hearings in the House of Representatives. The first one is on page 106, a statement made by Mr. Richard Walker, representing the National Pickle Growers Association, Grand Rapids, Mich. I hope the Senator will bear with me while I read several brief paragraphs:

> A brief review seems in order respecting our efforts to recruit domestic labor. For many years we have been increasing our efforts in this direction. The Labor Department and the Bureau of Employment Security people, at both the Federal and State level, have cooperated, assisted, and encouraged us in these recruitment efforts. The record shows that each year more strenuous efforts are made, but the record also shows beyond any doubt whatever that in the pickle harvest, available and willing domestic labor does not exist in sufficient supply to harvest this crop.

The Senator knows that the labor is used almost on a hands-and-knees basis to go over the cucumber vines and pick the tiny cucumbers when they are about the size of one's small finger, or smaller. I continue to quote from the statement of Mr. Walker:

> Even though there is a considerable amount of unemployment in the country, we are simply unable to get a sufficient number of domestics who are willing to perform this labor. The harvest of pickles is stoop labor. It may seem strange that people are unemployed and yet we cannot induce them to pick cucumbers. The answer is that the domestic laborer is unwilling and often physically unable to do this work.

Going to page 107, I shall read one paragraph there. The Senator from Wisconsin can then place in the RECORD anything else he wishes:

> I might add that I would be content to submit this entire matter on the simple

> question of whether the pickle industry has been fully cooperative with the Secretary of Labor in helping improve all of these conditions. We would be glad to have the Congress of the United States examine carefully our record of cooperation in upgrading living conditions, housing, pay, and the other matters.
>
> From the viewpoint of our industry, this program is absolutely mandatory for survival. It must be continued until such time as the research efforts we have been making can achieve success.

Let us consider the testimony of a representative of the cherry-picking industry, a distinguished national employer of agriculture, Mr. Richard T. O'Connell, secretary of the National Council of Farmer Cooperatives. The Senator from Wisconsin knows that that is a great group of cooperatives. I shall not attempt to quote all of Mr. O'Connell's remarks, but there are many others on the same subject:

> We believe the Michigan study indicates conclusively the employment of Mexican braceros does not impair the position of domestic workers, particularly those classified as hard-core industrially unemployed; the hard-core industrially unemployed find agricultural work unappealing; and the failure to extend the Mexican program for at least 2 years will cause hardship on farmers who need willing and qualified workers to cultivate and harvest their crops.

At another place in the testimony, the witness makes it clear that large sums of money are spent in an effort to employ domestic workers; that it is preferred to have domestic workers because they are close by; but that most of them will remain for only a few hours or, at most, a day or two, and then be gone. The farmers would then be without a supply of labor.

All that is clearly shown, if the distinguished Senator from Wisconsin will read the statements of the two witnesses from whose testimony I have quoted only in part. There is a serious problem.

I believe our distinguished friends are not recognizing the perilous situation in which they would leave hundreds of thousands of producers of highly perishable crops in that part of the Nation served by Mexican braceros if they either defeat the extension of the act or succeed in their effort to extend it only with the impractical and unreasonable amendments suggested by the Secretary of Labor.

Mr. PROXMIRE. Mr. President, what is the Senator from Florida saying? He is saying that in Michigan it is not possible for the pickle industry to obtain pickers from Detroit, Pontiac, or other big automobile centers—people who, when they had a job, had been accustomed to working for $2.50 or more an hour. It is not possible to get such urban unemployed—and that is a large part of the unemployment problem in Michigan—to work as agricultural workers at a wage which is a fraction of what they had been making before. They have to leave their homes, transport their families, and support their families on disgracefully low wages. And they simply cannot do it.

Obviously, a man who has been an automobile worker in Detroit, or who has had almost any kind of job in industrial America, cannot be expected to work at such wages. That is why it is said that it is impossible to get Americans to work at stoop wages. But this is exactly the way our free enterprise system works. If we want something in short supply we must pay more for it. If we want wage earners in short supply, we pay more for them. What is wrong with that? That is the way wages should increase, according to those who, like the Senator from Texas [Mr. TOWER], the Senator from Florida [Mr. HOLLAND], and I, are champions of the free enterprise system. We want to keep Government out of these programs as long as we can.

But if we wish to have good economic conditions, we must recognize that there will be periods of transitional difficulty, when it will be necessary for wages to increase quite rapidly. But this program prevents wages from going up—and that is what is done when Mexican braceros are brought into this country to do this kind of work. This is an unwarranted, unfair, uncapitalistic, and anti-free-enterprise method of interfering with our economy.

Seven and three-tenths percent of this country's agricultural workers are out of work. Many of these farmworkers do not live in Michigan. Many of them live in the southern and western parts of our country. Why should they migrate to Michigan for only 70 or 80 cents per hour? They are experienced workers, who have picked these crops before and who are willing to pick them; but in order to induce them to migrate to Michigan to pick pickles or tomatoes, it will be necessary to pay them more than is paid now.

This is the simple law of supply and demand that the present bill now before the Senate would interfere with.

There is no question in my mind that if it were not for the bracero program wages would go up. I cannot approve of the Federal Government adopting a policy of providing tomatoes, pickles, or any other commodity at the expense of the American migrant farmworker, under a system which provides for a most unfortunate condition for the Mexican migrant who comes into this country.

Mr. HOLLAND. The Senator from Wisconsin is undoubtedly in good conscience in his position; I do not question it. But I invite his attention to two points. First, we do not pay the same rate for picking small cucumbers for pickles that is paid to mechanics who assemble automobiles in automobile factories. If the Senator from Wisconsin is suggesting that that can be done, he is suggesting something that is earthshaking to the whole system of private enterprise and the economy which he has just said he supports.

Mr. PROXMIRE. My position is that if they are paid——

Mr. HOLLAND. Mr. President, have I the floor?

The PRESIDING OFFICER. The Senator from Florida has the floor.

Mr. HOLLAND. I ask the Senator from Wisconsin to desist, please, until I have finished my statement.

Second, if the Senator means that the Department of Labor is satisfied by the mere recruitment of labor among nearby areas of industrial unemployment, again he is completely mistaken. In the case of my own State, which operates under Public Law 414, but with the same requirements on recruitment, we are required to maintain recruiting offices, and have been required to go as far as Missouri, Oklahoma, Maryland, and Virginia—and the Senator knows what the distances are between those States and the State of Florida. We do not just go to the urban centers of unemployment but we find that the best labor we get is from the unemployed rural laborers, and we prefer to employ them, if they are good workers—for reasons that are quite obvious. But when we cannot get them—and in many cases we have been unable to get them—we believe that the Senator from Wisconsin himself would feel that precious perishable crops should not be allowed to go to waste, thus driving the small farmers—in particular—out of their calling. But that is what is happening in many areas.

I think the Senator from Wisconsin would feel that the Department of Labor has been very aggressive in asserting and enforcing the provisions of these two laws on the recruitment problem.

I think the record shows abundantly two things: First, that there is no available supply of workers of any kind to meet these peak periods of the production of perishable crops; second, that it is clearly shown that those who are used to industrial employment on assembly lines simply will not stay on these farm jobs. They come down by the thousands; but—as we glean from the records for Michigan alone—they soon go back, and leave a void in this employment which must be filled quickly, or else the crops cannot be harvested.

Mr. President, I promised to yield to the Senator from Texas, if he is still in the Chamber.

Mr. PROXMIRE. Will the Senator from Florida yield?

Mr. HOLLAND. I yield.

Mr. PROXMIRE. I thought the Senator from Florida said the Secretary of Labor or the Assistant or Under Secretary of Labor—perhaps I misunderstood him—indicated that if this bill were not enacted in some form, it would be impossible to get workers to do this job. Is that the position taken by the Senator from Florida?

Mr. HOLLAND. I so interpreted the testimony of both those distinguished witnesses.

Mr. PROXMIRE. On page 16 of the hearings held on July 30, appears the response to my question about this matter:

> Speaking personally I feel that the labor supply will be adequate at that time when the growers decide to meet the conditions of American work. An unemployed farmworker does not have a chance of a health and welfare plan; he has no pension plan available to him in agricultural labor; he has no union rights because farmworkers are exempted from or I should say denied, the protections of the national labor law; he has no unemployment insurance; he has no disability insurance. So, he is definitely a disadvantaged citizen, and until the day comes

> when the growers of this Nation are willing to recognize the humanity of the farmworkers of the Nation, there will be a shortage.

A little later——

Mr. HOLLAND. I believe this shows with complete clarity the fact that this bureaucrat, in a high appointive position, has not the slightest understanding of the problems of the producers of perishable commodities. I regret that is the case.

Mr. PROXMIRE. Let me say to the Senator from Florida that I was taking the word of the witness he selected to support his position.

Mr. HOLLAND. I rely on the official testimony of the witness. The distinguished Senator from Wisconsin has quoted his witness when he said he was speaking wholly on a personal basis. That is his personal opinion, not his opinion when speaking in an official capacity. I think there is a considerable difference.

Mr. PROXMIRE. In the hearing before the Senate Labor Committee I interrogated the Under Secretary of Labor on exactly the question the Senator from Florida and I are debating. I asked the Under Secretary whether it was his conclusion that if the bill were not changed as proposed by means of this amendment, there would be any serious shortage of workers in 1964. He replied that there would be "a transitional difficulty of a character that I could not anticipate; but I think the law of supply and demand would quickly take care of that situation."

I point out that this is the witness the Senator from Florida has cited.

Mr. HOLLAND. Again I point out that the witness was testifying personally, in response to a question rather than from a prepared statement, second, he admits there is going to be a transitional difficulty of a character that he could not anticipate.

Well, I cannot anticipate it, either. And the poor devil who is producing a highly perishable crop, such as strawberries—which must be picked no later than the day after they become ripe—cannot anticipate it. So in view of the fact that Mr. Henning, the witness the Senator from Wisconsin has picked out—testified on this point on a personal basis rather than from an officially cleared statement, and said he cannot anticipate what that difficulty will be, I am wondering how he expects the farmers to anticipate it.

Mr. PROXMIRE. I do not know whether that was his personal testimony or his official testimony. He was there as the Under Secretary of Labor, and he made his official position clear.

He appeared at the request of the subcommittee headed by the Senator from New Jersey, he was there, not as Mr. Henning, but as the Under Secretary of Labor.

I understand, Mr. President, that the majority leader wishes to propound a unanimous-consent request. Thereafter, I should like to return later to this point, if I may.

Mr. HOLLAND. First, Mr. President, I should like to quote from the statement of the Secretary of Labor; it appears at the top of page 6 of the House committee hearing:

> However, it appears there will be a definite need for foreign workers in the next year in spite of this desirable trend.

So the Secretary of Labor, when testifying officially, had a sounder view of this matter than did his deputy, when his deputy was testifying personally.

Mr. President, I ask that the committee amendment, which is a purely technical one, be agreed to at this time. It merely changes the number of the section which is to be extended.

The PRESIDING OFFICER. The committee amendment will be stated.

The LEGISLATIVE CLERK. On page 1, in line 3, after the word "section," it is proposed to strike out "509" and to insert in lieu thereof "510".

Mr. HOLLAND. Mr. President, this amendment merely involves the substitution of one number for another.

I ask that the amendment be adopted.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

Mr. MANSFIELD. Mr. President, will the Senator from Florida yield to me?

Mr. HOLLAND. I yield.

Mr. MANSFIELD. I send to the desk a proposed unanimous-consent agreement, and request its immediate consideration.

The PRESIDING OFFICER. The proposed agreement will be read.

The proposed agreement was read, as follows:

UNANIMOUS-CONSENT AGREEMENT

> *Ordered*, That effective immediately, during the further consideration of Senate bill 1703, Calendar No. 367, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to 1 hour, to be equally divided and controlled by the mover of any such amendment or motion and Senator HOLLAND: *Provided*, That in the event Senator HOLLAND is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further*, That no amendment that is not germane to the provisions of the said bill shall be received.
>
> *Ordered further*, That on the question of the final passage of the said bill debate shall be limited to 1 hour, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided*, That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

Mr. PROXMIRE. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. PROXMIRE. Does the proposed agreement call for 1 hour on each amendment, and 1 hour on the bill?

Mr. MANSFIELD. Yes; 1 hour on each of the amendments, and 1 hour on the bill.

Mr. PROXMIRE. One hour—to be divided equally between the two sides—on the bill?

Mr. MANSFIELD. Yes.

Mr. PROXMIRE. I have no amendment to offer, but I should like to have half an hour in which to speak. I may not use all that time.

Mr. MANSFIELD. We shall do our best to accommodate the Senator from Wisconsin.

Mr. PROXMIRE. However, if I speak for half an hour, no other Senator on that side of the question will have time in which to speak.

Mr. MANSFIELD. I mean time to speak on the bill. Perhaps all other Senators on that side will agree that the Senator from Wisconsin may speak for half an hour.

Mr. PROXMIRE. Perhaps I can present my views in 15 minutes; I shall do my best.

The PRESIDING OFFICER. Is there objection to the proposed unanimous-consent agreement?

Mr. DIRKSEN. Mr. President, reserving the right to object to the proposed agreement, I understand that the distinguished Senator from Wisconsin [Mr. PROXMIRE] does not have an amendment to offer. Is that correct?

Mr. PROXMIRE. I have no amendment to offer.

Mr. DIRKSEN. However, I understand that there are three amendments, two of them technical. Has the Senator from Wisconsin any information on that score?

Mr. PROXMIRE. The Senator from Minnesota and the Senator from New Jersey have an amendment; and I understood that the Senator from Oregon and the Senator from New York had an amendment. But I am not sure.

Mr. DIRKSEN. Mr. President, I am thinking in terms of Senators who have commitments out of town, and who may have to leave the Senate by 6 o'clock today, or even before then. I was going to suggest to the majority leader that he propose the allowance of 30 minutes on each amendment—15 minutes to each side—and then 1 hour on the bill—which probably would be ample time, and still would make it possible for Senators who have commitments out of town—and by that, I mean committee meetings out of town, such as the meeting of the Subcommittee on Banking, which is to hold a hearing in New York—to go to the out-of-town meetings, but to vote on the bill this evening, before they leave.

So I respectfully suggest that the agreement provide for 30 minutes, rather than 1 hour, on each amendment.

Mr. MANSFIELD. Mr. President, I modify the unanimous-consent request along the lines suggested by the distinguished minority leader. I include in the request that there shall be one-half hour on each amendment, 15 minutes to a side, and 1 hour on the bill.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

Mr. ALLOTT. Mr. President, reserving the right to object, I was engaged in a colloquy with the Senator from Florida [Mr. HOLLAND]. I should like to have the terms of the request repeated.

Mr. MANSFIELD. One-half an hour on each amendment, 15 minutes to a side, and 1 hour on the bill.

Mr. ALLOTT. Mr. President, I shall not object.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The unanimous-consent agreement, subsequently reduced to writing, is as follows:

Unanimous-Consent Agreement

Ordered, That, effective immediately, during the further consideration of the bill S. 1703, Calendar No. 367, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to one-half hour, to be equally divided and controlled by the mover of any such amendment or motion and the Senator from Florida [Mr. Holland]: *Provided,* That in the event the Senator from Florida [Mr. Holland] is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further,* That no amendment that is not germane to the provisions of the said bill shall be received.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to 1 hour, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided,* That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

Mr. HOLLAND. To sum up:

First, as long as the need for supplemental labor continues, it must be met, and the Secretary of Labor has recommended a 1-year extension of Public Law 78 to accomplish that end.

Second, the Secretary of Labor has asked for authority to require employers to furnish domestic workers with housing, transportation, and insurance. Congress has previously rejected this request and the Secretary's testimony makes it clear that in reality this is a request for authority to require employers to pay domestic workers some indefinite amount above prevailing wage rates.

Third, Public Law 78 provides safeguards not present in Public Law 414. Failure to extend Public Law 78 will remove these safeguards.

Upon the basis of these facts, I believe the only reasonable conclusion that can be drawn is that Public Law 78, and the safeguards it provides for domestic workers, should be continued for the remaining year that a substantial volume of supplemental labor appears needed. It would be foolhardy, indeed, to do away with the safeguards provided by Public Law 78 and fall back on Public Law 414, simply because Public Law 78 does not contain every provision, wise or unwise, which someone might regard as an additional safeguard.

BRACEROS AND CROPS

Mr. ENGLE. Mr. President, I am convinced, as I think most people are, that the bracero program has to come to an end sooner or later. But I do not think we should try to accomplish this by jerking the rug out from under the California growers who have been dependent upon it. That is why I am going to vote for this bill (S. 1703) to extend Public Law 78 for 1 more year.

There are several reasons why I say that eventually the program must end. One is that I favor the employment of American farmworkers over Mexicans to plant, cultivate, and harvest our crops. Another reason is that I believe American agriculture should not become or remain dependent on any foreign labor supply—Mexican or otherwise.

The question is, as I see it, are we prepared to reach this objective this year? I very much doubt it. I am not yet convinced that we can adequately meet the demands for workers to promptly harvest such seasonal crops as lettuce, tomatoes, asparagus, melons, strawberries and the like when these perishable products are ready for harvest—if we are limited to the existing domestic farm labor supply.

Agriculture in California is taking positive steps to solve the labor supply problem. Let me tell you about what we call the Tulare experiment. In Tulare County, in the heart of the great San Joaquin Valley, the growers have banded together—about 1,200 of them, large and small—in an official association. The association has undertaken a four-point program: First, to train domestic farmworkers; second, reschedule the timing of farm operations—such as planting and harvesting—in order to spread out labor requirements as much as possible on a year-round basis; third, change crop patterns to help accomplish the same thing—that is, reduce the labor peaks of highly seasonal crops and thereby extend employment; and, fourth, coordinate these activities among association members in the interest of diversity and efficiency.

The Tulare experiment is a good example of local enterprise toward achieving the goals I mentioned earlier. It is evidence of our own voluntary attack on the problem. Obviously it takes time.

Incidentally, California is not the only State that uses braceros. According to the Department of Labor, 32 States utilize foreign agricultural workers from one source or another.

Furthermore, Mr. President, I hope no one thinks that California farmers employ only braceros. Last year during the peak month of September braceros totaled 73,000 out of a total hired work force of 258,000 on California farms. That was the peak. By December our bracero employment had dropped to about 14,000. The average employment of braceros in California during 1962 was about 32,000, which represents a steady decline for the sixth year in a row from the 1957 average of 52,000.

I am sure this trend will continue. But in order to adjust our overall farm labor supply in California and other States to the seasonal demands of our perishable crops, I think we need more time—1 year at least—to phase out the bracero program. The bill, S. 1703, would permit this by extending Public Law 78 to the end of calendar year 1964.

The Administration supports this legislation. The evidence of this is the letter from Secretary of Labor Wirtz printed on page 5 of the Senate committee report on the bill. I represent one of the States most directly concerned. I urge that the Senate accept the favorable recommendations of our Committee on Agriculture and Forestry.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. McCARTHY. Mr. President, I offer an amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment of the Senator from Minnesota will be stated.

The Legislative Clerk. The Senator from Minnesota [Mr. McCarthy] has proposed an amendment in the nature of a substitute in which it is proposed to strike out all after the enacting clause and insert in lieu thereof the following:

That clause (3) of section 503 of the Agricultural Act of 1949, as amended, is amended by striking out "comparable to those offered to foreign workers" and inserting in lieu thereof ", including workmen's compensation or occupational insurance coverage, housing, transportation, and work period guarantee comparable to that provided foreign workers".

Sec. 2. Section 509 of such Act is amended by striking out "December 31, 1963" and inserting in lieu thereof "December 31, 1964".

Sec. 3. The Secretary of Labor shall, prior to December 31, 1964, take such action as he deems appropriate to insure the availability of domestic agricultural workers after such date in such numbers as may be necessary to continue to assist farmers of the United States in the production of agricultural commodities and products.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Minnesota. The Senator from Minnesota has 15 minutes on his amendment. How much time does he yield himself?

Mr. McCARTHY. I yield myself 15 minutes from the time which I control on the bill.

The PRESIDING OFFICER. The Senator from Minnesota controls the time on the amendment, but not the time on the bill.

Mr. McCARTHY. The majority leader yielded the half hour which he controls to me. The majority leader is present. I thought that was established.

Mr. President, I ask unanimous consent that a correction be made following section 2 of the amendment. The language should read "Section 510" instead of "Section 509."

The PRESIDING OFFICER. Without objection, the correction will be made.

Mr. McCARTHY. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. McCARTHY. Mr. President, the amendment which I offered was offered on behalf of myself, the Senator from New Jersey [Mr. Williams], the Senator from Wisconsin [Mr. Proxmire], the Senator from Oregon [Mrs. Neuberger], the Senator from South Dakota [Mr. McGovern], the Senator from Illinois [Mr. Douglas], the Senator from Minnesota [Mr. Humphrey], the Senators from New York [Mr. Javits and Mr. Keating], the Senator from Pennsylvania [Mr. Clark], and the Senator from Rhode Island [Mr. Pell].

Congress is being asked for the sixth time to extend a law which was enacted December 31, 1953, but over the years as a temporary measure in 1951. At that time it was presented and approved to meet an emergency shortage of agricultural workers resulting from the manpower demands of the Korean conflict. The act was then scheduled to end on December 31, 1953, but over the years it has been extended again and again. It was extended to December 31, 1955, then to June 30, 1959, to June 30, 1961, to December 31, 1961, and to December 31, 1963. When the program was adopted in 1951 its merits were questioned by many. If there was any justification for it then, that justification has disappeared in this year of 1963. A great many changes have taken place—changes which affected the justification for the original act. For the past 12 years there have been changes in the composition of the labor force in the United States. There have been changes in the cost of living, changes in the wage rate in industry, and certainly great changes in methods of agricultural production in relation to the crops on which these workers are employed. But there has been little or no change in the status of the relative economic position of the most neglected and most underprivileged group in our economy—our domestic migratory farmworkers. The migratory farmworkers who come in from Mexico have had their condition improved; and I suppose that if one were to make any justification for the continuation of the program, it would rest in the fact that the principal vehicle we have had in the past 10 years for bringing about some improvement in the treatment of American migratory workers has been that we could argue that we ought to treat them at least as well as we treat the Mexicans who are brought in. But we have not been able to close the gap between the treatment of Mexican nationals who are brought in and that accorded American migrants. Mexican nationals are treated better than American migratory workers are treated. But in any case, using this program as a kind of standard, we have had some slight success in improving the conditions of American workers who are employed either on the same crops or in the same general areas.

In effect, we have had a situation in which the standards, such as they are, for American migratory farmworkers are standards which for the most part have been established in Mexico City. There has been a slight transfer—a kind of trickle-down, so to speak—of benefits and protection for American workers. That trickle-down has come from standards which have been insisted upon by the Mexican Government with respect to their nationals who are brought in to work on crops in the United States. Some improvement in migratory labor standards and practices has occurred. But on the whole their economic and social conditions remain one of the great problems faced by the Congress, if not the most serious.

Several factors contribute to the seriousness of the problem. But it is almost the unanimous conclusion of the various religious, civic, labor, and humanitarian groups which deal with American migrants and are concerned about the welfare of the migratory American citizens that Public Law 78, the one with which we deal today, has had an adverse effect upon the well-being of domestic workers and an adverse effect upon the efforts which have been made to improve those conditions. The law has prevented or greatly limited the economic and social progress which should have taken place, and which might have taken place in the past 12 years if the law had not been on the statute books.

I should like to review a few of the major considerations which lead my colleagues and me to the conclusion that the law should not be extended—and should not even be considered—without writing into the law additional specific amendments to protect the rights of domestic American workers.

First, the rate of unemployment in 1951 was one of the lowest in the history of the country. When Public Law 78 was enacted, and in the following 2 years, the rates were: In 1951, 3.3 percent; in 1952, 3.1 percent; and in 1953, 2.9 percent.

The national rate of unemployment has averaged more than 5.5 percent for the past 5 years. The rate among hired farmworkers is even higher. Estimates made by the Department of Agriculture are that unemployment and underemployment among the rural population at the present time is the equivalent of 4 million workers.

Last year several of the States in which Mexican nationals were employed were among the States which had the highest number of unemployed in the country.

In California 127,000 Mexican nationals were brought in and either contracted for or recontracted for in 1962. At the same time the estimated annual number of unemployed domestic workers in the State of California was 395,000.

Texas brought in 36,000 Mexican nationals, while at the same time Texas had 174,000 domestic workers listed as unemployed.

Twelve thousand Mexican nationals were contracted for in Arkansas, which had an average of 42,000 domestic workers unemployed at the same time.

This does not mean that all the unemployed have the skills or the stamina to perform the tasks which are performed by imported farm workers; but unless some steps are taken to insure that domestic workers will be offered terms comparable to those not only offered but also guaranteed to Mexican nationals, it will never be possible to determine how many domestic workers could be employed; or how many of those who are unemployed in Detroit would respond to the demand for workers to pick cucumbers or cherries or other fruit and vegetable crops if the conditions of work were at least comparable to those offered to Mexican nationals; and, beyond that, if the conditions and terms were reasonably comparable to the terms and conditions offered to industrial workers in a city of that State.

There is no reason—unless we wish to commit agriculture generally and agricultural workers in particular to a kind of second-, third-, or fourth-class economic citizenship—why we should not be concerned to see to it that such workers receive comparable wages and have working conditions comparable to those provided Mexican nationals brought in to work in the fields, and also wages and conditions comparable to those under which American citizens work in the factories and offices of this land.

Studies, inquiries, and experience indicate clearly that citizens with agricultural skills have left the agricultural work force or are unemployed. They might well be available if the terms of employment were favorable.

The number of hired farmworkers in 1962 averaged 4 percent less in 1961. The number of family farmworkers was down by 3 percent. The Department of Labor projections show that employment in agriculture will decline 22 percent, according to their best estimate, in the decade of the 1960's.

Agriculture is the only major occupational group in the U.S. labor force which is expected to decline in total numbers between 1960 and 1970.

I ask unanimous consent that a table showing this projection be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE I.—*Employment by major occupational group, 1960–75*

Major occupational group	Actual, 1960		Projected, 1970		Projected, 1975		Percent change		
	Number (in millions)	Percent	Number (in millions)	Percent	Number (in millions)	Percent	1960–75	1970–75	1960–75
Total	66.7	100.0	80.5	100.0	87.6	100.0	21	9	31
Professional, technical, and kindred workers	7.5	11.2	10.7	13.3	12.4	14.2	43	16	65
Managers, officials, and proprietors, except farm	7.1	10.6	8.6	10.7	9.4	10.7	21	9	32
Clerical and kindredworkers	9.8	14.7	12.8	15.9	14.2	16.2	31	11	45
Sales workers	4.4	6.6	5.4	6.7	5.9	6.7	23	9	34
Craftsmen, foremen, and kindred workers	8.6	12.8	10.3	12.8	11.2	12.8	20	9	30
Operatives and kindred workers	12.0	18.0	13.6	16.9	14.2	16.3	13	4	18
Service workers	8.3	12.5	11.1	13.8	12.5	14.3	34	13	51
Laborers, except farm and mine	3.7	5.5	3.7	4.6	3.7	4.3	....	....	....
Farmers, farm managers, laborers, and foremen	5.4	8.1	4.2	5.3	3.9	4.5	–22	–7	–28

Source: "Manpower Report of the President and A Report on Manpower Requirements, Resources, Utilization, and Training" by the U.S. Department of Labor, transmitted to the Congress March 1963, p. 100.

Mr. McCARTHY. Mr. President, all the evidence shows that the real need for farm and rural people is for more employment opportunities, rather than continued importation of foreign workers as provided in the bill now before the Senate. The time to discourage and stop this movement of unnecessary workers into the U.S. agricultural economy is now.

A second factor which relates to the distress of American migratory workers is that of low wages. In part this is related to the importation of Mexican nationals and in part is a reflection of conditions in the agricultural economy which are deserving of attention, whether we are to have this program or not.

The great need among American farm workers and migratory farm workers is for sufficient income to enable them to improve their conditions of life and secure a standard of living comparable to that enjoyed by other Americans.

During the past 5 years the number of Mexican nationals brought into this Nation on an annual basis has been as follows: In 1958, 432,857; 1959, 437,643; 1960, 315,846; 1961, 291,420; and 1962, 194,978.

This large number of imported workers competes in respect to the hiring of the agricultural workers in the United States, which last year totaled on an average basis only 1,817,000 persons. In other words, even in 1962, a year in which fewer than 200,000 migrant workers were brought in from Mexico, those workers constituted approximately 10 percent of the hired agricultural labor force of the United States and, of course, a larger percentage of the migratory farm labor force.

I think it is quite clear that a 10 percent increase in importation of agricultural workers constitutes serious competition, both with those who are in the agricultural work force or with those who might be inclined to go into it. This has prevented the normal wage adjustments which could be expected to operate under the law of supply and demand.

The Senator from Wisconsin [Mr. PROXMIRE] pointed out in his earlier remarks that this injects a force which interferes with proper and genuine competition, which would be reflected in higher wages to be paid to those workers. As a result, the wages of migratory farmworkers have been depressed.

The wages earned by male migratory workers in America in 1961 were less than their average wages in 1952, when the Mexican farm labor program began. In a period of approximately 10 years male migratory farmworkers in America are now receiving lower wages than they received in 1952, when the Mexican farm labor program began.

In 1952 migratory workers averaged $7.35 a day. By 1960 the daily wage was down to $6.85. In 1961 it was $6.70 a day—or 65 cents a day less than in 1952, when the Mexican farm labor program was started.

Annual income, including wages for both farm and nonfarm work, in 1952 was $1,101, according to the Departments' estimate, and in 1961 was $1,039, a loss after 10 years of the Mexican farm labor program—and 10 years of generally rising economy in the United States of America—of $62 a year.

Mr. President, I ask unanimous consent that a table from the Agricultural Economic Report No. 36 of the U.S. Department of Agriculture, dealing with the hired farm working force, may be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE II.—*Average days worked and wages earned at farm and nonfarm wage work by persons who did 25 days or more of farm wage work, by migratory status and sex of worker, selected years, 1949–61*

Year, migratory status, and sex	Farm and nonfarm			Farm			Nonfarm		
	Days worked	Wages earned		Days worked	Wages earned		Days worked	Wages earned	
		Per year	Per day worked [1]		Per year	Per day worked [1]		Per year	Per day worked [1]
1949:	*Number*	*Dollars*	*Dollars*	*Number*	*Dollars*	*Dollars*	*Number*	*Dollars*	*Dollars*
Migratory	119	594	4.95	89	448	5.00	30	146	4.80
Male	135	739	5.50	98	549	5.60	37	190	5.20
Female	82	234	2.85	67	198	2.95	15	36	2.35
Nonmigratory	173	719	4.15	148	574	3.85	25	145	5.85
Male	190	818	4.30	165	655	3.95	25	163	6.65
Female	102	291	2.85	76	224	2.95	26	67	2.55
1952:									
Migratory	124	884	7.15	87	600	6.90	37	284	7.75
Male	144	1,101	7.60	99	731	7.35	45	370	8.15
Female	65	259	4.00	53	222	4.20	12	37	3.10
Nonmigratory	169	911	5.40	140	698	5.00	29	213	7.40
Male	195	1,074	5.50	161	815	5.05	34	259	7.70
Female	68	265	3.90	58	234	4.00	10	31	3.20
1954:									
Migratory	156	1,033	6.60	124	794	6.40	32	239	7.35
Male	166	1,160	6.95	135	899	6.65	31	261	8.30
Female	117	565	4.80	81	410	5.05	36	155	4.25
Nonmigratory	169	972	5.75	145	800	5.50	24	172	7.05
Male	187	1,119	5.95	161	919	5.70	26	200	7.60
Female	91	344	3.75	75	287	3.80	16	57	3.45
1956:									
Migratory	143	1,178	8.25	116	935	8.05	27	243	9.15
Male	157	1,369	8.70	126	1,069	8.50	31	300	9.55
Female	91	500	5.55	81	458	5.70	10	42	4.35
Nonmigratory	162	958	5.90	140	776	5.55	22	182	8.10
Male	189	1,188	6.30	163	958	5.90	26	230	8.95
Female	86	295	3.40	73	254	3.45	13	41	3.25
1957:									
Migratory	131	859	6.55	115	745	6.45	16	114	7.25
Male	148	1,045	7.05	129	900	7.00	19	145	7.55
Female	80	304	3.80	75	280	3.75	5	24	4.45
Nonmigratory	147	898	6.15	127	737	5.80	20	161	8.05
Male	168	1,095	6.50	145	895	6.15	23	200	8.70
Female	78	270	3.50	67	233	3.45	11	37	3.55
1959:									
Migratory	143	911	6.40	119	710	6.00	24	201	8.40
Male	156	1,025	6.60	128	782	6.10	28	243	8.70
Female	88	447	5.05	81	418	5.15	7	29	4.05
Nonmigratory	165	1,063	6.45	142	852	6.00	23	211	9.10
Male	188	1,278	6.80	162	1,019	6.30	26	259	9.95
Female	85	314	3.70	72	271	3.75	13	43	3.25
1960:									
Migratory	157	1,016	6.50	123	819	6.65	34	197	5.90
Male	174	1,170	6.70	138	949	6.85	36	221	6.10
Female	90	444	4.95	66	336	5.05	24	108	4.55
Nonmigratory	170	1,143	6.75	142	889	6.25	28	254	9.20
Male	190	1,339	7.05	160	1,040	6.50	30	299	10.05
Female	96	427	4.45	76	335	4.45	20	92	4.00

See footnote at end of table.

TABLE II.—*Average days worked and wages earned at farm and nonfarm wage work by persons who did 25 days or more of farm wage work, by migratory status and sex of worker, selected years, 1949–61*—Continued

Year, migratory status, and sex	Farm and nonfarm			Farm			Nonfarm		
	Days worked	Wages earned		Days worked	Wages earned		Days worked	Wages earned	
		Per year	Per day worked [1]		Per year	Per day worked [1]		Per year	Per day worked [1]
	Number	*Dollars*	*Dollars*	*Number*	*Dollars*	*Dollars*	*Number*	*Dollars*	*Dollars*
1961:									
Migratory	136	902	6.65	109	677	6.25	27	225	8.40
Male	144	1,039	7.20	115	774	6.70	29	265	9.20
Female	101	340	3.40	82	280	3.40	19	60	3.25
Nonmigratory	160	1,083	6.75	139	919	6.60	21	164	7.75
Male	183	1,306	7.15	160	1,112	6.95	23	194	8.60
Female	83	326	3.95	67	265	4.00	16	61	3.85

[1] Rounded to the nearest 5 cents.

Mr. McCARTHY. The average income of all migratory farmworkers in 1961, both male and female, was $902 from all employment.

These are economic facts which, in themselves, should be sufficient to justify the rejection of this program by the Senate. In addition to these considerations, there are certain social and community considerations—I suppose they might be called basically human and moral considerations—which ought to be taken into account.

The Mexican farm labor program has been opposed by nearly every religious and civic group which has shown any interest in it. I should like to quote from a few of the letters which I have received from these groups, opposing the passage of the bill.

Rev. Cameron P. Hall, executive director of the Department of the Church and Economic Life of the National Council of Churches of Christ, has pointed out the concern expressed by the general board of the National Council in 1960 when it adopted a resolution, which reads as follows:

> The importation program has injurious effects on the family and community life both of the Mexican nationals who are imported and of the domestic workers who, because of the presence of Mexican nationals, are deprived of employment or find it necessary to migrate in search of employment.

In his letter of July 29, 1963, Reverend Hall states:

> This resolution, adopted in February 1960, reflects the long experience of the National Council of Churches through its ministry to migrants. This led us to the conviction that the Mexican farmworker importation program, introduced as a wartime emergency measure and continued year after year long after the emergency had ceased, should be gradually eliminated during a specified phaseout period.
>
> Since that time the widespread introduction of mechanization has resulted in an automatic phaseout process in which the number of braceros brought into the country has decreased each year. This fact, together with the widespread and increasing unemployment among both farm and other workers in this country, has reenforced the conviction that the importation program should not be again extended.

Rev. Ralph J. Duggan writes for the Catholic Bishops Committee for Migrant Workers, a committee which includes Cardinal Meyer, of Chicago; Archbishop Lucey, of San Antonio, who is close to the problem of Mexican migrants; Archbishop Vehr, of Denver, Colo., a State where migrant workers are used in considerable numbers; Bishop Woznicki, of Saginaw, Mich., a State in which a large number of these workers are employed; and Bishop Schenk, of Duluth, Minn., who before that was located in Crookston, in the Red River Valley, in which Mexican migrants used to be employed but where now domestic migrant workers are employed in relatively large numbers. These are the men on the committee. They are men who are close to the problem. They are not writing from their libraries or theological seminaries. They are men who have had to deal with the day-by-day problems of migrants and persons who have been displaced because of the influx of migratory workers. This is the position of the committee on which these distinguished clergymen serve.

They say:

> Our committee is united with many other civic and religious groups, labor organizations, etc. that have fully studied and fought against Public Law 78.
>
> We urge your cooperation in bringing justice to American workers by holding the line against any further extension of this law.

The Congress has become increasingly critical of the Mexican farm labor program in recent years and at this session, the House has already refused, by a vote of 174–158, to approve a 2-year extension.

In 1961 I introduced a bill to extend the program for 2 years, but also to provide several safeguards for domestic workers. The Committee on Agriculture held hearings and reported a bill which included some of the amendments in my bill which would confine the work of Mexican nationals to temporary or seasonal occupations and exclude them from work on power-driven machinery. The committee did not accept the major amendment in my bill, which would have required employers seeking Mexican nationals to pay 90 percent of the average farm wage of the State or the Nation, whichever is the lesser, but this amendment carried on the floor of the Senate. I think it was unfortunate that the conference committee eliminated this Senate amendment, since it would have provided a practical test of whether wages of domestics were adversely affected or not—a test to whether American workers were available to perform these tasks.

It is significant to note that Americans in other parts of the country were able to perform the very work which it is said Americans will not perform in areas which use large numbers of Mexican nationals.

In my State a considerable number of cucumbers are grown for pickles. These cucumbers are produced without employment of Mexican nationals. I do not understand why Americans in Minnesota should be willing to pick cucumbers, but on the other side of Lake Michigan, it should be considered un-American for Americans to pick cucumbers for pickles. In the State of Minnesota, Americans are willing to perform this kind of work. When I was there recently, high school students were being used on special pieces of equipment to harvest cucumbers. There seemed to be no difficulty.

In my State of Minnesota there is a substantial acreage of sugarbeets. They are harvested with American labor. Why is American labor willing to perform this task in Minnesota, whereas it appears there are States where Americans cannot be obtained to work in the sugarbeet fields?

I assure any Senator whose State may have sugarbeet acreage, and who feels it is difficult to find workers to harvest the crop, that Minnesota will be glad to have 30,000 or 40,000 more acres devoted to sugarbeets and guarantee that they will be harvested by Minnesotans, if other States will yield their sugarbeet acreage to us.

The case is made for tomatoes. Apparently some Americans are willing to pick tomatoes. There is testimony that something like 64 percent of the tomatoes harvested in America are harvested by Americans. Why is it that we can have 64 percent of the tomatoes produced in America harvested by Americans, but, suddenly, 44 percent will not be touched by Americans?

I think these inconsistencies and contradictions should be explained away before we are asked to extend the legislation for another year.

The statement has been made that the program is for the benefit of hundreds of thousands of producers. I think we ought to set the record straight on this point. Mexican nationals are not employed by hundreds of thousands of growers. The total number, as the record shows, involves something like 33,000 growers, less than 1 percent of the farm operators in the Nation.

On the basis of the legislative history in the debate of 1961, the Secretary of Labor has held public hearings and made economic analyses regarding the adverse effect on the wages of domestic workers, and established a scale of wages as the minimum for which Mexican nationals could be hired. The rate varies from 60 cents per hour in Arkansas and 70 cents per hour in Texas to $1 per hour in California and several other States.

The products which are produced with labor which is paid 60 or 70 cents an hour, are thrown into the national market to compete with products produced by workers paid $1 or $1.50 an hour or more. We Americans ought to stop worrying so much about the European Common Market, and give some attention to developing a genuine common market in America.

The amendments adopted in 1961, along with mechanization in cotton, resulted in a decrease in the use of Mexican nationals in 1962 and some general improvement in the overall program.

If adequate hearings had been held in the Committee on Agriculture and Forestry, a number of questions might have been cleared up; an even more certain presentation might have been made today.

I ask unanimous consent that the table marked table III, which reports on the man months of Mexican labor by States from 1959 to 1962, be inserted at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE III.—*Man-months of Mexican labor, by State, 1959–62*

State	Man-months				Percent change, 1959–62
	1959	1960	1961	1962	
U.S. total	1,630,950	1,358,058	1,148,800	716,426	−56
Texas	733,724	569,177	496,702	188,409	−74
California	560,690	487,680	406,255	378,570	−32
Arizona	110,608	104,078	86,810	61,666	−44
Arkansas	84,689	78,436	52,988	18,664	−78
New Mexico	81,368	60,362	46,783	17,888	−78
Michigan	22,776	21,381	23,788	18,361	−19
Colorado	15,747	16,112	19,192	19,690	+25
Montana	3,257	3,376	3,122	2,644	−19
Nebraska	2,733	2,712	2,474	2,715	−1
Wyoming	1,816	1,852	2,423	2,010	+11
Georgia	1,812	1,806	1,454	0	−100
Wisconsin	1,496	1,531	1,340	1,327	−11
Utah	1,837	1,804	1,276	1,850	+1
Tennessee	2,474	2,283	1,060	330	−87
All others	4,945	4,013	1,835	2,302	−53

Source: In season farm labor reports, Bureau of Employment Security.

Mr. McCARTHY. The benefits of this program are restricted to a very few growers, as I indicated, and to a very few States.

In Texas, for example, the number of man-months of work by Mexican nationals was 492,702 in 1961. It was reduced to 188,409 in 1962. This is a reduction of more than 300,000 man-months.

Yet the economy of Texas did not collapse, and Texans continued to produce and market such products without the use of the great number of Mexican nationals who had formerly been brought in. In Arkansas, the figure was 52,988 in 1961, and 18,664 in 1962. In New Mexico, it went down from 46,783 man-months in 1961 to 17,888 in 1962.

The Senate committee held no hearings this year on the extension of this program, but it does not appear that this major reduction in the use of Mexican nationals brought serious economic consequences to growers. I suggest that on the basis of the general statistics, which show a reduction of 300,000 in Texas between 1961 and 1962, a reduction from 188,000 to zero, which would be a significantly smaller reduction, might very well be absorbed by the economy of this State, and would not be reflected in any serious disturbance in the economy of the United States.

The record indicates that the program adopted last year resulted in the employment of more domestic workers who are willing to work because of the somewhat better terms required by the amendments we enacted in 1961 and because of the interpretation of the intent of Congress by the Department of Labor. I believe we are required this year to provide even further safeguards for our citizens if this program is to be extended even for a year.

Mr. John F. Henning, Under Secretary of Labor, recently stated the position of the Department of Labor about the need for additional protection for domestic workers. I ask unanimous consent that his statement, made on July 30, be printed in the RECORD at this point in my remarks.

There being no objection, the testimony was ordered to be printed in the RECORD, as follows:

> This situation exists basically because of the limited authority vested in the Department of Labor under Public Law 78. The legislative history of that law makes it abundantly clear that the Congress did not intend to permit the Secretary of Labor to require, as a condition of obtaining Mexican workers, that all of the same terms and conditions afforded Mexican workers be offered first to domestic workers. It is for this reason that we would oppose any further extension of Public Law 78 without amendments which would bring the required job offers made to Mexicans and to domestic workers to an approximate level.

Mr. McCARTHY. The amendment which we are proposing today includes the recommendations which the Labor Department has set as a minimum for even a 1-year extension; that is, that before employers can be certified as eligible for Mexican nationals under Public Law 78, they must offer domestic workers, first, occupational insurance or workmen's compensation coverage; second, housing; and third, transportation comparable to that required to be furnished to Mexican nationals under the international agreement. In this case we are asking only that Americans be given treatment comparable with that given Mexican nationals who have been brought into the country under this agreement.

In this case, the Americans will be used on the same crops, under the same conditions. Consequently, the argument that their employment is entirely different is an argument against the facts. They will be used in the same areas and on the same crops under the same conditions. It seems to me that we should be resourceful enough and wise enough to develop procedures and practices under which American migrants can receive treatment comparable with that given Mexican nationals. In addition, our amendment provides for another benefit, that of offering "work period guarantees" comparable to those now provided to Mexican nationals who are brought into the country under the present program.

In my judgment, this is a moderate and reasonable amendment. It would not require employers to offer all the benefits now guaranteed Mexican nationals, but only those which are essential to an effective effort to recruit domestic workers. The Mexican nationals would continue to receive better treatment than that accorded American migrants.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. McCARTHY. I yield myself 5 additional minutes.

The Mexican nationals would still have protection and advantages over and above those required to be offered to American citizens before the growers can be certified to import Mexican nationals. These benefits include the right of the Mexicans to have their own organizations to bargain collectively, and the requirement that the spokesmen for this group be recognized by the employers.

Mexican nationals must be provided with nonoccupational accident and health insurance. We do not propose to require that with regard to domestic migrants. The employers are required to furnish tools and equipment to Mexican nationals. They would not be required to do so for American migrants. They are also required to furnish potable drinking water. We do not require that the American migrants be furnished decent drinking water, unless local sanitation laws require it. The employer must also undertake to give Mexican nationals some protection from immoral influence, and to provide the Mexican worker with meals at cost, and not to exceed $1.75 for three meals a day. All of these are additional benefits—and there are more—which are required to be provided for Mexican nationals, but which we do not require to be furnished to the American migrant in our amendment.

The sponsors of the amendment merely wish to provide that American migrants be offered benefits for housing, transportation, workmen's compensation, and work period guarantees comparable to those offered Mexican nationals.

These proposals are not new. They have been recommended before. The amendment is similar to the one offered by the distinguished Senator from New York [Mr. Keating] in 1961. It incorporates the recommendations made as far back as 1959 by the Special Committee of Consultants, appointed by Secretary of Labor Mitchell, who, it will be remembered, was Secretary of Labor in the Eisenhower administration. The recommendations were supported by a distinguished panel of consultants, including former Senator Thye of Minnesota; Dr. Rufus von Kleinsmid, chancellor of the University of Southern California; Glenn E. Garrett, chairman of the Texas Council of Migrant Labor; and Msgr. George Higgins, director of the Social Action Department of the National Catholic Welfare Conference.

They stated in 1959 that Public Law 78 has an adverse effect and that their support for a temporary renewal was conditioned on substantial amendments.

I ask unanimous consent that a part of their statement be incorporated at this point in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

> The law should direct the Secretary of Labor not to certify as to the unavailability of domestic labor unless (a) employers have undertaken positive and direct recruitment efforts in addition to the efforts of the public employment offices. Such efforts should be made sufficiently in advance of the need. They might include, but not be restricted to, publicizing needs, participation in day hauls, providing adequate housing and transportation; (b) employment conditions offered are equivalent to those provided by other employers in the area who successfully recruit and retain domestic workers; (c) domestic workers are provided benefits which are equivalent to those given Mexican nationals; i.e., transportation, housing, insurance, subsistence, employment guarantees, etc.; (d) employers of Mexican nationals offer and pay domestic workers in their employment, no less than the wage rate paid to Mexican labor.

Mr. McCARTHY. Our amendment does not make excessive demands, nor does it involve any new or untested procedure. The Department of Labor and employer associations have had long experience with recruitment under these conditions. They have dealt with hundreds of thousands of Mexican nationals over the past 12 years.

In his statement regarding the Department's recommendations for comparable housing, transportation, and occupational insurance, Secretary of Labor Wirtz made a statement which I ask to have printed in the Record at this point.

There being no objection, the statement was ordered to be printed in the Record, as follows:

> None of its provisions would require employers to incur any greater expense in obtaining domestic workers than they are now assuming in obtaining and utilizing Mexican workers. The costs of obtaining domestic workers under this proposal would be substantially less than the costs of obtaining Mexican workers.

Mr. McCARTHY. I believe we must have confidence in the Department to administer this act fairly, as has been done for many years in contracting Mexican nationals.

The question of comparable benefits was discussed by Secretary Goldberg in his testimony before the Senate committee in 1961. He stated:

> For example, take the housing situation. The Mexican laborer coming to the United States comes up himself; he doesn't bring his family. We wouldn't want this to happen to us; we want a man to live with his family as much as possible, and not leave his family stranded somewhere, usually on relief. The impulse to move his family is an impulse to support his family with dignity. So it would be unfair to the growers to insist that they provide housing for a family when they only provide housing for a single worker under the system which operates under the Mexican labor program.
>
> But we can do this. We have reliable statistics which demonstrate what the cost of providing that single housing is and we can give the domestic worker the financial equivalent of that cost so he can apply it toward the housing of his family.

Mr. President, I ask unanimous consent that additional remarks by Secretary Goldberg before the Subcommittee on Agricultural Research and General Legislation, in 1961, be printed in the Record at this point.

There being no objection, the testimony was ordered to be printed in the Record, as follows:

> Take the transportation allowance. Today in most instances, as I pointed out, the domestic worker must pay for his own transportation.
>
> Now, we could allow the domestic worker the same transportation allowance which now is being paid by employers to bring in Mexican labor.
>
> Now, I read the record—you can take some horrible examples—and I found the statement made, "Well, this means that the Secretary will require that a grower who will want labor will recruit it in North Carolina and have to pay the expenses of bringing labor from North Carolina up to the State of Washington."
>
> This is the case, the horrible example.
>
> Well, in the first place, that is an extremely unlikely occurrence, as you, Senator, can testify better than anybody, your workers are not going to uproot themselves from your fine State and go wandering all the way across the face of the Nation.
>
> However, it is very interesting that when our farmers, when some of these growers wanted Mexican labor, they sent them across the face of the Nation and paid for them.
>
> Our figures show that transportation allowances were paid for Mexican labor at that and even greater distances.
>
> But if we get this amendment, as I hope we will, I can say to you quite categorically that we are going to administer it in the spirit of reasonableness, that we are going to issue regulations—and this is a firm commitment in this record—that will assimilate the cost on a sensible basis comparable to what is being paid by employers for Mexican labor. And here, too, that is a statistical matter, and we can easily work out how this is to be done.
>
> Now, I have also seen the objection raised that there are safeguards in the Mexican labor program to see to it that if a worker does not fulfill his commitment, the transportation allowance is refunded to the employer. There is no reason why we cannot work out arrangements which we have worked out by voluntary agreement in our annual workers plan whereby our employment services—our Federal Employment Service, together with our State employment services—now recruit people and send them considerable distances. And we work out arrangements, under those plans, to protect the employer by reserving the transportation allowance and providing if there is a breach that it is deductible from the amount of compensation which is available to the worker. And this is not hard to do. And I would be perfectly willing to work out our regulations so that we can take care of this particular problem.

Mr. McCARTHY. Mr. President, this amendment does not require anything of any farmer in the Nation. It does not impose anything. All it does is to provide that if an American grower wants to import foreign workers, then he must make an effort—not an equal effort, but a comparable effort in certain specific areas such as transportation—to provide domestic workers with some of the guarantees that he now provides Mexican nationals.

I believe the amendment should be adopted.

Mr. President, I reserve the remainder of my time.

Mr. HOLLAND. Mr. President, I yield 2 minutes to the distinguished Senator from Texas [Mr. Tower].

Mr. TOWER. Mr. President, the distinguished Senator from Minnesota has offered an amendment, section 3 of which is, for the most part, redundant. Already, the Secretary of Labor has authority to certify that no domestic migratory labor—or any kind of domestic labor—is available for any specific job in which braceros may be employed.

Section 3, as it has been framed by the Senator from Minnesota, provides that the Secretary may take the initiative to bring domestic labor into an area. But by that time much of the crop may have perished in the fields.

The provisions relating to workmen's compensation, housing, transportation, and the like, are covered in S. 527, which is at present pending before the Subcommittee on Migratory Labor of the Committee on Labor and Public Welfare. The subcommittee is still holding hearings on this issue. It is a highly controversial issue, one in which there is great interest on the part of growers, farmers, farm organizations, and labor organizations. I think we should wait until all the hearings have been completed and all the testimony taken and we have had an opportunity to weigh these issues carefully before we legislate.

The PRESIDING OFFICER. The time of the Senator from Texas has expired.

Mr. HOLLAND. Mr. President, I yield the Senator from Texas 1 more minute.

Mr. TOWER. Mr. President, I suggest that we not act on matters of this sort now, but wait until S. 527 is reported. It is a more comprehensive bill than the one which is now before the Senate. Let us wait until we have completed our deliberations, instead of acting hastily now.

Mr. ALLOTT. Mr. President, will the Senator from Florida yield 2 minutes to me on the amendment?

Mr. HOLLAND. I shall gladly do so, but I was preparing to yield, first, to the chairman of the full committee.

Mr. ALLOTT. I am happy to defer to the chairman of the full committee.

Mr. HOLLAND. Mr. President, I yield 5 minutes to the chairman of the Committee on Agriculture and Forestry, the Senator from Louisiana [Mr. ELLENDER].

Mr. ELLENDER. Mr. President, I oppose the amendment. If adopted, it will kill the bill. The same forces that have been opposed to this legislation from its inception are now at work.

The Mexican farm labor program was designed to provide an orderly means of supplying needed supplemental agricultural labor without adversely affecting domestic farmworkers. If Public Law 78 is not extended, Mexican farmworkers will be free to come in as nonquota immigrants, or as nonimmigrants, under the Immigration and Naturalization Act; but some of the safeguards of Public Law 78 will have been lost.

Prior to its enactment, Mexican farmworkers came in under the general immigration laws pursuant to an agreement with Mexico. The employers did their own recruiting, and in order to keep expenses down, they recruited at the border if they could. The Mexicans were anxious for the work and traveled many miles in any way they could from the interior to the border. When they arrived at the border they frequently were far from home, had few resources with them, and were willing to take any job that was offered. If nobody hired them, they faced a long trip back emptyhanded, or the economic pressure to cross the border illegally. In the fiscal year ended June 30, 1951, just prior to passage of Public Law 78, 115,742 entered this country legally, and 500,628 were located in an illegal status. As might be expected, this created serious problems on both sides of the border. The Mexican border towns were filled with those coming to look for work. The Immigration and Naturalization Service was busy rounding up and returning those who crossed illegally. Welfare agencies in this country had to help those who turned up stranded. Those who came in legally frequently neglected to advise the Immigration and Naturalization Service of their return to Mexico, and employers had their troubles with departure bond forfeitures.

Those who entered illegally had no protection. They faced deportation if found, and were forced to work for anything they could get; no matter what the adverse effect on domestic workers, or the grief they brought to our Spanish-speaking citizens who might be confused with them.

Because of these difficulties, representatives of this country and Mexico met in a conference beginning January 26, 1951. I was an adviser to the U.S. delegation at that conference. Mexico gave notice that it was terminating the 1949 agreement; and it was suggested that private recruitment be replaced by recruitment by an agency of the United States which could guarantee compliance with individual work contracts. I introduced S. 984, which was enacted as Public Law 78, to authorize such recruitment.

Congress has reviewed and extended the program from time to time. The purpose of the program has always been to provide supplemental unskilled labor to perform work for which Americans were not available. In 1961, to assure that the program would be restricted to that purpose, Congress made several changes in the law. It prohibited employment of workers recruited under the act in other than temporary or seasonal occupations, or to operate or maintain certain power-driven machinery, except in certain cases when necessary to prevent undue hardship. It amended the definition of agricultural employment to eliminate use of workers recruited under the act for certain work which had previously been regarded as agricultural. It required employers to furnish the same working conditions to domestic and Mexican workers. It considered and rejected, however, proposals by the Department of Labor which would have set requirements for housing, transportation, and insurance for domestic workers.

The amendment proposed by the Senator from Minnesota would require employers, as a condition of obtaining Mexican workers, to offer domestic workers occupational insurance, housing, transportation; and work guarantees comparable to those required to be furnished Mexican workers. It would also give the Secretary of Labor carte blanche to take any action he deemed necessary to insure the availability of domestic workers. This would undoubtedly include all the authority provided by S. 527, a bill which has not been reported from the Senate Committee on Labor and Public welfare, as well as authority for many other actions provided for by existing bills and bills which no one has yet thought of.

As I said, Congress considered this proposal thoroughly in 1961 and rejected it in favor of alternative proposals, which the Secretary of Labor admits have been reasonably successful.

The wisdom of Congress in adopting the 1961 amendments, which the Secretary has deemed reasonably successful, is clear.

The Mexican workers brought in under the program are all single males. As the Secretary pointed out in the House hearings, the housing required to be furnished them under the Standard Work Contract is of the barracks type. The domestic worker may be a local boy or girl, a college student, or a migrant, who may desire work for a day or a week or a year, or may move with the crop. The domestic worker may live on an adjoining farm, or a nearby town, or may move his trailer with him. He may have his wife and children with him, or he may be alone. The barracks-type housing is obviously unsuitable for many of these domestic workers.

What then is comparable housing? Could comparable housing be constructed before the program ends when the extension is for only 1 year?

The Mexican worker enters the country to do agricultural work pursuant to a standard work contract. He cannot freely change employers or jobs and stay in this country. He can be transported with other workers in the farmer's own transportation or by contract carriers. But, the important point is that he must remain in the employ of the farmer furnishing the transportation or he is sent back into Mexico.

With the domestic worker, however, there is no compulsion whatever that he remain in the employ of one person, notwithstanding the fact that a particular employer may have spent considerable funds in providing housing or transportation. The domestic worker may change jobs from day to day if he wishes. He may walk off the job at any time.

Therefore, the farmer has no assurance that any expenditure will result in a steadily employed worker. Quite the contrary, he may have made these expenditures in vain.

Occupational hazard insurance is a matter that properly falls within the jurisdiction of the States and varies from State to State. The fact that Mexico has required it for its citizens, who are far from home in a foreign land, does not mean that the policies adopted by the individual States with respect to domestic workers are unwise and should be superseded by superior Federal judgment.

While the amendment provides for housing, transportation, and insurance, and I have, therefore, discussed those subjects, I would like to make it clear that what is really concerned here is an equivalent allowance in cash.

I would like to insert in the RECORD at this point, and I ask unanimous consent therefor, an outline furnished by the Department of Labor dated March 22, 1963, showing that free housing is currently furnished to most migrant workers throughout the country, particularly single migrants.

There being no objection, the outline was ordered to be printed in the RECORD, as follows:

INFORMATION OBTAINED FROM REGIONAL OFFICES ON EXTENT OF FREE HOUSING PROVISIONS FOR MIGRANTS, MARCH 22, 1963

I. Boston: In all States in this region free housing is provided to all migrants (Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont.)

II. New York:

(a) New Jersey, 95 percent.

(b) New York, 85 to 90 percent.

III. Chambersburg:

(a) Virginia, 80 percent.

(b) West Virginia, 85 to 90 percent.

(c) North Carolina, 90 percent.

(d) Delaware, 100 percent.

(e) Pennsylvania, 90 percent.

(f) Maryland, 90 percent.

IV. Atlanta:

(a) Alabama, all housing free.

(b) Tennessee, all housing free.

(c) Georgia, all housing free.

(d) South Carolina, 50 percent received free housing. The remainder paid 50 cents per person per week.

(e) Florida, 80 percent free housing.

V. Cleveland: All States (Kentucky, Michigan, and Ohio), 95 percent.

VI. Chicago: All States (Illinois, Indiana, Minnesota, and Wisconsin), 100 percent.

VII. Kansas City: Free housing is given to all workers in all States (Iowa, Kansas, Missouri, Nebraska, North Dakota, and South Dakota).

VIII. Dallas: In all States in this region free housing is provided to all migrants (Arkansas, Louisiana, Oklahoma, and Texas).

IX: Denver:
(a) Colorado, 94 percent.
(b) Montana, 95 percent.
(c) New Mexico, 100 percent.
(d) Wyoming, 100 percent.
(e) Utah, 85 percent.
X. San Francisco:
(a) Arizona:
1. Singles, 95 to 100 percent.
2. Families, free housing limited.
(b) California:
1. Singles, 95 to 100 percent.
2. Families, 5 to 10 percent.
(c) Nevada, 95 to 100 percent.
XI. Seattle:
(a) Washington, 70 percent.
(b) Oregon, 75 percent.
(c) Idaho, 40 percent.

Mr. ELLENDER. Mr. President, for instance, in California and Arizona, the Department advises that 95 to 100 percent of the single migrants are provided with free housing, while in Texas and Arkansas all migrants are furnished free housing. In discussing this outline, I would like to emphasize that this outline relates to migrant workers. It does not refer to local workers who may live across the road or on the adjoining farm. The amendment, on the other hand, requires that housing be furnished to the worker who permanently resides across the road. The Secretary of Labor at page 5 of the House hearings; the Administrator of the Bureau of Employment Security at page 12 of the House hearings; and the Under Secretary of Labor at page 6 of the Senate Labor Subcommittee hearings tell us what the real purposes of the amendment is. They each state that under it the employer could be required to pay an equivalent amount in lieu of the housing which they recognize would often be entirely inappropriate. This amendment, then, provides for the payment of an indefinite cash allowance, and has the effect either of dividing the wage into two parts or of providing compensation in excess of the prevailing wage. This brings us to this question: The agreement with Mexico provides that the Mexicans must be paid not less than the prevailing rate. What happens to the prevailing rate if a housing allowance is provided separately, instead of being included in the prevailing rate as at present? Does this provide for continuous automatic escalation of wage rates? Nothing, except confusion, is accomplished by dividing the amount paid a worker into two parts, and calling one part a housing allowance.

The amendment has the same purpose, insofar as transportation is concerned. While the amendment would require the employer to furnish transportation comparable to that furnished the Mexicans, the Secretary of Labor, in his letter to the President of the Senate, set out in the committee report, says that it would require the furnishing of transportation expenses comparable to those required to be furnished the Mexican workers. It is not tied to the actual and necessary expenses of the domestic employee, but to those required to bring a Mexican from the border. Once again the domestic employee may have lived all his life on an adjoining farm, and this amendment is intended to divide his wage into two or more parts, one of which would be a transportation allowance.

The regulations already provide for housing and transportation for domestic workers who must be brought from a distance. I ask unanimous consent to insert at this point in the RECORD Employment Service program letter No. 892, dated June 6, 1958, setting out Department of Labor policies.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF LABOR,
BUREAU OF EMPLOYMENT SECURITY,
Washington, D.C., June 6, 1958.

To: All State employment security agencies.
Subject: Statement of policies applicable to agricultural labor program.

The increase in unemployment during recent months and the accumulated experience in operation of foreign labor programs have emphasized the need for revising policies, programs, and procedures in order to intensify recruitment and to insure that the fullest possible utilization is made of domestic agricultural workers. To this end, the following revised policies, programs, and procedures should be placed in effect immediately. This letter supplements (1) general administration letter No. 412, April 2, 1958, agricultural manpower policy; (2) general administration letter No. 413, April 4, 1958, basic requirements for certification of foreign workers; and (3) Employment Service program letter No. 885, May 21, 1958, piece-work rates yielding to Mexican workers (employed under Public Law 78) average hourly earnings lower than 50 cents.

1. PREFERENCE IN EMPLOYMENT FOR DOMESTIC WORKERS

It is the policy of the Department of Labor that preference in employment be given to qualified domestic workers. A domestic unemployed worker or a domestic employed worker seeking a job at a higher skill or for higher wages shall have preference over foreign contract workers in employment for which he is qualified.

A domestic worker seeking a job for which foreign workers may be employed may not limit his availability to a specific place of employment but can specify the type of activity and general location in which he is seeking employment and for which he is qualified.

In the case of Mexican national workers, an employer who refuses to employ a domestic unemployed worker on a job for which he is qualified or to employ a domestic worker who is employed elsewhere and who is seeking a job for which he is qualified at a higher skill, or which should increase his earnings, will not be permitted to use Mexican national workers. Refusal would constitute a violation of section 503 of Public Law 78.

A local employment office or an association referring domestic workers to its members shall refer such workers to employment nearest their places of residence, unless it is determined by the workers to be to their advantage to accept employment elsewhere. In making referrals the local office or the association shall refer families or groups of workers to a single employer or employers in the immediate vicinity to permit the workers to utilize transportation facilities available to them.

2. RESPONSIBILITY OF ASSOCIATIONS TO PROVIDE CONTINUITY OF EMPLOYMENT TO DOMESTIC WORKERS

As a condition of eligibility to employ foreign workers, associations will be required to assume the responsibility for insuring the greatest possible continuity of suitable employment for the domestic workers employed by any of its members. (Associations at present are providing continuity of employment for the foreign workers and can reasonably be expected to provide the same continuity of employment to domestic workers.)

As a practical matter, the local employment office may prefer to obtain orders from, and to make direct referrals to, employers conveniently located to the local office and otherwise to participate in giving effect to the association plan. Such cooperation on the part of the local employment office, while highly desirable, does not relieve the association of its responsibility for providing continuity of employment for the domestic workers employed by its members.

3. ENFORCEMENT OF PREFERENCE AND CONTINUITY OF EMPLOYMENT POLICIES

The primary responsibility for carrying out the domestic worker preference policy and the continuity of employment policy as stated above has been given to State employment security agencies.

In the case of Mexican nationals, State agencies, short of actual termination of Mexican workers' contracts, shall take such steps as are necessary to give full force and effect to these policies. When employers fail to give preference in employment to domestic workers, either by the refusal to hire such workers or by failing to retain domestic workers while employing Mexican nationals, the State agencies through their local offices should require immediate corrective action by the employer.

Whenever it is brought to the attention of the Bureau's foreign labor service representatives that the State agency has been unable to resolve complaints that these policies have been violated, the foreign labor representative will take all steps necessary to obtain corrective action. To give full meaning to these policies for domestic workers, final resolution and corrective action must be achieved while the domestic workers are still available. Accordingly, such actions shall be given top priority by the foreign labor service representative.

4. DIFFERENCES IN USER AND NONUSER DOMESTIC WAGE RATES

If the wage rates paid by users or foreign labor are significantly (one or more customary intervals) lower than the rates paid by nonusers, this fact shall be considered as an indication of adverse effect.

In the case of Mexican contract workers, upon the completion of a wage survey an analysis will be made of the distribution of the wage rates of domestic workers paid by those who employ both domestics and Mexican contract workers (users) and those who employ domestic workers only (nonusers). In such cases, authorization to employ Mexicans at less than the rate prevailing among nonusers would require special review and determination that, in the particular circumstances, the nonuser wage is not a reasonable standard for evaluation of adverse effect.

5. SHIFTING OF METHODS OF MAKING WAGE PAYMENTS TO MEXICAN CONTRACT WORKERS

The standard work contract requires that Mexican workers be paid for employment in any activity in the manner traditionally paid for such activity. This precludes switching from piece rates to hourly rates, or vice versa, where the practice would result in a reduction of workers' earnings.

6. APPLICABLE WAGE RATES IN DOMINATED AREAS UNDER PUBLIC LAW 78

In areas or activities dominated by foreign workers, no valid prevailing wage finding can be made. In such cases the applicable wage rate for Mexican national workers will be based on the wage rates for similar work in the nearest nondominated area. Wherever practicable, nondominated areas selected will be within the State.

7. TRANSPORTATION OF DOMESTIC WORKERS

To give effect to the Department's policy of requiring all employers of foreign labor to extend every reasonable effort to recruit domestic workers, such employers will be required to conform to the practices of other employers in the area or in other areas under comparable conditions with respect to furnishing transportation for domestic migratory workers. This policy will apply also in areas where employers have not recruited domestic workers in areas of supply in recent years, because of the general shortages in the labor market.

8. HOUSING

It is the policy of the Department of Labor to require that new housing built by users of foreign workers provide facilities for domestic family groups, or be capable of conversion to such use.

It is the further policy of the Department to leave with farm employers responsibility for the housing arrangements, private or public, needed to permit their employment of available domestic workers.

Where such available housing is not adequate to house the domestic labor, Federal, and State officials will assist employers and communities in every way possible to meet their housing requirements. However, lack of such housing will not be accepted as a sufficient basis for failure to employ domestic workers, except for a temporary period pending completion of adequate housing arrangements.

9. INDIVIDUAL EMPLOYER CERTIFICATE

Each employer requesting foreign workers will be given a statement containing the U.S. Employment Service recruitment policies and the certification standards of the Secretary of Labor. The employer will be required to certify on form ES-366, "local office authorization to contract * * *" that he has informed himself of the present certification policies and standards and that he has, to the best of his knowledge, reasonably fulfilled all of these requirements. The local offices will affirm that the employer has met these standards.

10. STATE CERTIFICATION

The State agency will certify to the number of supplementary foreign workers required and that the employment of such foreign workers will not adversely effect wages or other working conditions for domestic workers similarly employed.

These policies should be initiated as soon as possible except in the case of 9 and 10 above which are contingent upon the issuance of Employment Security Manual materials.

Sincerely yours,

ROBERT C. GOODWIN,
Director.

The PRESIDING OFFICER. The time of the Senator from Louisiana has expired.

Mr. HOLLAND. Mr. President, I yield 2 additional minutes to the Senator from Louisiana.

Mr. ELLENDER. Mr. President, I would like to read the policies dealing with transportation and housing of domestic workers which are items 7 and 8 on page 3.

7. TRANSPORTATION OF DOMESTIC WORKERS

To give effect to the Department's policy of requiring all employers of foreign labor to extend every reasonable effort to recruit domestic workers, such employers will be required to conform to the practices of other employers in the area or in other areas under comparable conditions with respect to furnishing transportation for domestic migratory workers. This policy will apply also in areas where employers have not recruited domestic workers in areas of supply in recent years, because of the general shortages in the labor market.

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Those policies are still in effect and have been in effect since 1958. They have also been embodied in regulations. Section 602.10(a) of title 20 of the Code of Federal Regulations provides for furnishing Mexicans only after the interstate clearance process of the Wagner-Peyser Act has been used to obtain all available domestic workers. That clearance process provides for housing and transportation for domestic workers as follows, and I read from 20 Code of Federal Regulations 602.9(d) and 602.9(e):

No order for recruitment of domestic agricultural workers shall be placed into interstate clearance unless there are assurances from the State agency that—

* * * * *

(d) The State agency has ascertained that housing and facilities (1) are available; (2) are hygienic and adequate to the climatic conditions in the area of employment; (3) are reasonably calculated to accommodate available domestic agricultural workers; and (4) conform to the requirements of the applicable State, county, or local housing and sanitary codes or, in the absence of such applicable codes, have been determined by the State agency to be such as will not endanger the lives, health, or safety of the workers. In making such determinations the State agency shall give full consideration to the applicable recommendations of the President's Committee on Migratory Labor with respect to housing and related facilities.

(e) The State agency has ascertained that the employer has offered to provide or pay for transportation for domestic agricultural workers (1) at terms not less favorable to the workers than those prevailing among the domestic agricultural workers in the area of employment recruited from the area of supply; or (2) in the absence of such prevailing practice in the area of employment, at terms not less favorable to the workers than those which prevail among the domestic agricultural workers recruited by out-of-State employers who recruit domestic agricultural workers from the area of supply, as determined by the State agency in the State requested to supply the workers.

So we see that housing and transportation are now required to be offered to domestic workers who must be recruited from outside the area of employment before any Mexicans can be recruited. The difference between the existing regulations and the proposed amendment is that the proposed amendment would require housing and transportation allowances for those living in the area of employment, or who have other housing or transportation available to them. The amendment is not needed, does not purport to provide for what the Secretary of Labor says it would do, is indefinite in the extreme, would serve to distort the prevailing wage standard, and would lead to all sorts of confusion and trouble.

I hope that the amendment will be rejected.

Mr. HOLLAND. Mr. President, I yield 5 minutes to the distinguished Senator from Colorado.

Mr. ALLOTT. Mr. President, it is difficult to understand this amendment or the opposition to the bill, in view of the remarks of the Secretary of Labor on March 27, of this year, before the Subcommittee on Equipment, Supplies, and Manpower of the House Committee on Agriculture. On page 4 of the hearings, the Secretary said:

Faced with these indications of growing problems in our labor market, and in view of the dramatic changes taking place in the utilization of agricultural labor, including the Mexican worker, we are not prepared to project our judgment regarding the need for continuation of the Mexican labor program beyond a limited period.

A 1-year extension through December 31, 1964, which we are recommending—

Mr. President, I repeat the words "which we are recommending"—

in itself requires us to look forward 20 months into the future to forsee our needs in the face of a highly volatile employment situation. We think both the Congress and the administration should have the opportunity to reexamine the need for continuation of the program in the light of further and now unpredictable developments in the labor market situation.

I think another point needs to be answered; namely, that, as the distinguished Senator from Florida has so ably pointed out in his main presentation; it is completely impractical to apply to a man who is in this country as a single man, the same principles that are applied to migrant workers who travel not only with their wives, but, also many times with their children, and also with the grandparents, and sometimes with grandparents on both sides of the family.

If this proposal were made applicable, the entire law would become meaningless and unworkable.

Of course, I have no doubt that that is what the Senator from Minnesota had in mind when he offered this amendment.

I also wish to point out that the amendment provides, at line 8 "including workmen's compensation" and other benefits. The Secretary of Labor is now requiring these benefits for migrant workers, under self-anointed power, under the laws of this country, by refusing to allow farmers the right to use the Employment Services unless the farmers assure the Secretary that the living conditions of the migrant workers are up to certain standards.

So, Mr. President, on this basis, I believe the amendment should be rejected. It has no merit. No damage will be done by continuing this program for another year.

At another time I hope to discuss the damage which will be done if it is not continued.

I yield back the remainder of the time yielded to me by the distinguished Senator from Florida.

Mr. HOLLAND. Mr. President, how much time is available on the question of agreeing to the amendment?

The PRESIDING OFFICER (Mr. McGovern in the chair). Four mintues.

Mr. HOLLAND. I yield those 4 minutes to the distinguished Senator from Kentucky [Mr. Cooper]; and if he needs additional time, I shall yield him from the time available on the bill.

Mr. COOPER. Mr. President, I believe I shall need only 2 minutes.

As a member of the Committee on Agriculture and Forestry, I voted in favor of the extension of this program for 1 year.

I hope the program can be terminated, but the question before us is on agreeing to the pending amendment.

In the past I have voted against amendments of this type, and I will vote against this amendment. I do so for the basic reason that through this type of amendment the Department of Labor is attempting to attach to farm labor, minimum wages and other types of social measures. There are direct methods of considering such proposals—legislation dealing with migrant labor which I have supported and any proposals for minimum wages should be addressed directly to the committee which has jurisdiction—the Committee on Labor and Public Welfare.

I have objected, and I still object, to these efforts of the Department of Labor; I have opposed its efforts to come through the back door to obtain minimum wage laws and other types of controls on farm labor.

I have supported minimum wages for industrial workers, but I do not think they are appropriate for farm labor at this time. The conditions under which farmers work are wholly different from the conditions under which industrial workers perform their work.

This amendment constitutes an attempt by the Department of Labor to get a foot in the door, toward the application of minimum wage provisions for farm labor. And I believe the amendment is intended by some as a step toward the eventual unionization of farm labor. I do not favor it.

Mr. President, I oppose the amendment.

Mr. McCARTHY. Mr. President, if the Senator from Kentucky has those fears, he should oppose the program, because those things are inherent in the Mexican labor program.

Mr. COOPER. I understand the amendment of the Senator from Minnesota and what it proposes. I say it is a step in the door, and I do not want to have this first step taken.

Mr. McCARTHY. My amendment is not the first step; this Mexican farm labor program is the first step.

The PRESIDING OFFICER. All time on the pending amendment has expired.

Mr. HOLLAND. Mr. President, the yeas and nays have been ordered on the question of agreeing to this amendment, have they not?

The PRESIDING OFFICER. That is correct.

Mr. HOLLAND. Mr. President, I ask unanimous consent at this time there may be a quorum call, to continue for a few minutes.

Mr. PROXMIRE. Mr. President, will the Senator from Florida withhold that request?

Mr. HOLLAND. Yes.

Mr. McCARTHY. Mr. President, most of the time I used was time on the bill, not time on the amendment.

The PRESIDING OFFICER. All time on the amendment has been used.

Mr. McCARTHY. But I yielded myself 15 minutes of the time available on the bill, and then yielded myself 5 minutes of the time available on my amendment.

The PRESIDING OFFICER. The Senator from Minnesota used 15 minutes of the time available on the amendment and 21 minutes of the time available on the bill.

Mr. McCARTHY. The Chair did not advise me when I had used 5 minutes on the amendment.

Mr. HOLLAND. Mr. President, I am glad to yield 1 minute on the bill to the Senator from Wisconsin.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized for 1 minute on the bill.

Mr. PROXMIRE. Mr. President, I thank the Senator from Florida for his kindness in yielding this time to me.

I shall be brief.

First, the amendment is supported by the Secretary of Labor; and Senators on both sides of this debate have been quoting him as the authority. He supports the McCarthy amendment. The Secretary of Agriculture—our outstanding authority in the well-being and welfare of the farmers—has made it clear to the Senate Labor Committee that he supports this amendment.

My other point is that certainly on the basis of the statement made by the President of the United States, we must realize that he supports the amendment, because when he signed the last extension of the law, he said:

> The adverse effect of the Mexican farm labor program as it has operated in recent years on the wage and employment conditions of domestic workers is clear and cumulative in its impact. We cannot afford to disregard it. We do not condone it. Therefore, I sign this bill with the assurance that the Secretary of Labor will, by every means at his disposal, use the authority vested in him under the law to prescribe the standards and to make the determinations essential for the protection of the wages and working conditions of domestic agricultural workers.

Mr. President, I say that is exactly what the Secretary of Labor is doing in recommending the adoption of the McCarthy amendment on which we are about to vote.

The PRESIDING OFFICER. The time yielded to the Senator from Wisconsin has expired.

The question is on agreeing to the amendment of the Senator from Minnesota.

Mr. McCARTHY. Mr. President, I yield myself 1 minute from the time available on the bill.

The PRESIDING OFFICER. The Senator from Montana is in control of the time available on the the bill.

Mr. McCARTHY. Mr. President, I thought I had persuaded the previous Presiding Officer that the majority leader gave me control of that time.

Mr. HOLLAND. Mr. President, I see that the Senator from Montana is not in the Chamber at the moment; therefore, I am glad to yield 1 minute of the time on the bill to the Senator from Minnesota.

The PRESIDING OFFICER. The Senator from Minnesota is recognized for 1 minute.

Mr. McCARTHY. Mr. President, the Senator from Texas has said my amendment is redundant, and that authority to do these things should not be provided.

The chairman of the committee said that if the amendment were adopted, it would kill the bill.

In my opinion, both of them cannot be correct.

Furthermore, in response to the statement of the chairman of the committee, who indicated that the program had had great effect in reducing the number of wetbacks who came into this country, I point out that statement does not square with the judgment of the former Commissioner of Immigration, Mr. Swing, who said the enforcement of the law was what discouraged them from coming in.

I note, by way of a circumstantial argument, that in 1954, the third year the program was in effect, over 1 million wetbacks were apprehended in violation of our immigration laws—the largest number by far in the last 12 years.

The PRESIDING OFFICER. The time yielded to the Senator from Minnesota has expired.

Mr. WILLIAMS of New Jersey. Mr. President, will the Senator from Florida yield to me?

Mr. HOLLAND. Mr. President, I yield 1 minute to the Senator from New Jersey; but I hope no other Senator in opposition to the bill will request further time from the limited amount of time available to Senators who support the bill.

Mr. WILLIAMS of New Jersey. Mr. President, the generosity of the Senator from Florida is most appreciated. It has been said that domestic workers are not available in sufficient number for the work that must be done at harvest time. It has also been said that domestic workers will not work at what we call stoop labor. Studies show that 94 percent of the harvest of cotton in Texas and

Arkansas is done by domestics. In some States the entire crop is picked by domestics. Other studies show that if conditions similar to the conditions stated in the amendment should prevail, significant numbers of additional American domestic workers would be available.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD some of the findings of two local employment surveys.

There being no objection, the findings were ordered to be printed in the RECORD, as follows:

STATEMENT ON QUESTIONNAIRE

The Labor Department is now making a survey of its local offices to determine how far our supply of domestic migratory labor could be increased if more favorable terms and conditions of employment were available. The first results of this survey, which are just now coming in, provide important factual support for the pending amendment.

From two farm labor service local offices in the bootheel area of Missouri—Sikeston, and Caruthersville—the following estimates were made. The estimates were based on assumed employment conditions very similar to those that would be provided by the pending amendment, including paid transportation, minimum standard housing, workmen's compensation, and a minimum amount of employment.

The Sikeston, Mo., local office, which serves a four-county area, and now recruits about 3,300 farmworkers for employment away from home, estimates that with better employment conditions an extra 700 workers would become available for work during the period June 15 to October 1. Of these additional workers—who represent about a 20-percent increase—about half would be single workers. The other half would be traveling as families, but generally the children and other nonworkers are left at home.

These additional workers, in the judgment of the Sikeston local office managers, would accept any type of work except pickle harvesting. About 90 percent of them would complete their employment contracts and otherwise prove satisfactory to the employer. Half the workers, at least, would be willing to travel any distance to get work; the other half would be willing to go 500 to 600 miles.

As to wages, the local office manager pointed out, no workers would be willing to leave the area for less than 60 cents an hour. But if $1 an hour were available, almost all the workers would migrate even without free transportation.

These estimates were made with reference to a harvest period peaking in mid-September. During the winter, an unlimited number of workers could be recruited from the area.

Caruthersville, Mo., was the other farm labor service office from which results have been received. From this area there are now about 1,200 workers—40 crews of single workers—who already migrate annually. Under the improved employment conditions I have mentioned, an additional 400 to 600 workers could be recruited. All these would be single workers.

The additional workers—a 50 percent increase over the number now recruited—would be willing to travel any distance; and they would do any type of work except pickle harvesting. Three-quarters of these workers, it was thought, would complete their employment contracts and otherwise prove satisfactory to the employer. Most of them would migrate for wages as low as 60 cents an hour.

Mr. HOLLAND. Mr. President, I yield myself 2 minutes to make one point clear.

The Senator from New Jersey, who is dedicated to this cause—and I commend him for his general dedication—forgets that the proposed legislation exists principally not for the benefit of pickers of cotton, but for those who harvest the perishable crops. In my own State last year, where the same conditions as to recruiting of labor is required under the law applicable to us, one single strawberry grower lost several hundred thousand dollars due to the spoilage of strawberries in the field because he did not have sufficient labor and because the Department of Labor had not been sufficiently efficient in appraising the situation before that time. We are talking about perishable crops, about emergency conditions, and about the economic life of several hundred thousand people who are in business and who are affected equally, whether they employ braceros or not, because they draw from the same domestic labor pool that the employers of braceros have to exhaust before they can get braceros.

Mr. President, I hope that the amendment, as impractical and unreasonable as it is, will be rejected, and that the Senate may then proceed to the consideration of the bill.

Mr. KEATING. Mr. President, it is not necessary to go into the history of this legislation. We all know it was an emergency measure, enacted at a time when American boys were entering the armed services in large numbers. We also know that that emergency has long since passed, that the American boys have returned home and that they need the jobs which are presently filled by Mexican farm laborers.

In testimony before the Senate Migratory Labor Subcommittee yesterday, Under Secretary of Labor Henning pointed out that the present rate of unemployment in this country is 5.7 percent. He also told the committee that in 1962, 127,000 Mexican workers were hired in a State where 395,000 American workers were unemployed. In another State, 12,410 Mexicans were working while 42,000 American workers were idle. We can see from these figures, that the continuation of the Bracero program is not only unwarranted, but is actually detrimental to the welfare of the American worker.

Supporters of the bill contend that the Mexicans are needed to perform stoop labor which, they say, Americans are unwilling to undertake. We might well ask why Americans are unwilling to take these jobs under present conditions. Certainly, Mr. President, we as a nation, have never been known to shirk a job because it involved hard work. This country was not built by men and women who were afraid to labor in the fields and put in a full day's work. Perhaps these particular jobs are not attractive because in some parts of this country, farm laborers are paid wages as low as 54 cents an hour. I am happy to point out that in New York where no Mexicans are working in competition with America farm laborers, farm wages average $1.21 an hour, certainly not a high wage, but more generous than in many sections of the country.

Perhaps the reason for difficulty in hiring Americans is that they do not feel 54 cents an hour is a living wage. Perhaps we here in the Senate should draw an analogy between securing Mexican labor to work at these low wages and putting a band-aid on a cancer. Both methods merely cover up the problem ineffectively, while the real menace continues to rage unchecked. The real menace in the farm problem is the condition of the domestic farmworker. We must improve his lot first instead of trying to hide the problem behind the cover of cheap labor from abroad.

The amendment which we offer today is not new. Back in 1960, I introduced a similar amendment which was suggested by Secretary of Labor Mitchell. Senator MCCARTHY and I spoke up with the same suggestion in 1961 when the bracero program was last extended. We were assured at that time that the program was just phasing out and that no further extensions would be proposed. And yet, here we are again—in spite of a resounding defeat of this bill in the House, in spite of the overwhelming opposition of organized labor and a host of religious and welfare organizations, in spite of the high unemployment figures reported by the Labor Department, and in spite of the strong opposition of the last two administrations—faced with still another extension of the program.

Mr. President, I want to go on record right now as opposing any further extension of this program unless American farmworkers are placed on equal footing with the Mexicans. Unless our citizens too can expect workmens' compensation or occupational insurance coverage, housing, transportation, and guaranteed work periods, I refuse to endorse any legislation which would continue to guarantee these benefits to foreign workers. Although the 1961 amendments made considerable progress in guaranteeing "comparable working conditions" to American workers, that phrase was not defined so as to include the items which our amendment would now cover.

The President of the United States has said:

> The adverse effect of the Mexican farm labor program as it has operated in recent years on the wage and employment conditions of domestic workers is clear and cumulative in its impact. We cannot afford to disregard it.

I call for bipartisan support of this amendment as a means of demonstrating that we in the Senate refuse to disregard the welfare of our own citizens and pledge ourselves to improve the working conditions and standards of living of America's forgotten man—the domestic migrant farmworker.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Minnesota. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from Oklahoma [Mr. EDMONDSON], the Senator from Michigan [Mr. HART], the Senator from Missouri [Mr. LONG], the Senator from Oregon

[Mr. MORSE], and the Senator from Florida [Mr. SMATHERS] are absent on official business.

I further announce that the Senator from Indiana [Mr. BAYH] is necessarily absent.

I further announce that, if present and voting, the Senator from Oklahoma [Mr. EDMONDSON] would vote "yea."

On this vote, the Senator from Missouri [Mr. LONG] is paired with the Senator from New Mexico [Mr. MECHEM]. If present and voting, the Senator from Missouri would vote "yea," and the Senator from New Mexico would vote "nay."

On this vote, the Senator from Indiana [Mr. BAYH] is paired with the Senator from Florida [Mr. SMATHERS]. If present and voting, the Senator from Indiana would vote "yea," and the Senator from Florida would vote "nay."

On this vote, the Senator from Michigan [Mr. HART] is paired with the Senator from Oregon [Mr. MORSE]. If present and voting, the Senator from Michigan would vote "yea," and the Senator from Oregon would vote "nay."

Mr. KUCHEL. I announce that the Senator from Iowa [Mr. HICKENLOOPER], the Senator from New Mexico [Mr. MECHEM], and the Senator from Massachusetts [Mr. SALTONSTALL] are necessarily absent.

On this vote the Senator from Missouri [Mr. LONG] is paired with the Senator from New Mexico [Mr. MECHEM]. If present and voting, the Senator from Missouri would vote "yea," and the Senator from New Mexico would vote "nay."

The result was announced—yeas 45, nays 45, as follows:

[No. 138 Leg.]

YEAS—45

Bartlett
Beall
Bible
Boggs
Brewster
Burdick
Cannon
Case
Church
Clark
Dodd
Douglas
Fong
Gore
Gruening
Hartke
Humphrey
Inouye
Jackson
Javits
Johnston
Keating
Kennedy
Magnuson
Mansfield
McCarthy
McGee
McGovern
McIntyre
McNamara
Metcalf
Monroney
Moss
Muskie
Nelson
Neuberger
Pastore
Pell
Proxmire
Randolph
Ribicoff
Smith
Symington
Williams, N.J.
Young, Ohio

NAYS—45

Aiken
Allott
Anderson
Bennett
Byrd, Va.
Byrd, W. Va.
Carlson
Cooper
Cotton
Curtis
Dirksen
Dominick
Eastland
Ellender
Engle
Ervin
Fulbright
Goldwater
Hayden
Hill
Holland
Hruska
Jordan, N.C.
Jordan, Idaho
Kuchel
Lausche
Long, La.
McClellan
Miller
Morton
Mundt
Pearson
Prouty
Robertson
Russell
Scott
Simpson
Sparkman
Stennis
Talmadge
Thurmond
Tower
Williams, Del.
Yarborough
Young, N. Dak.

NOT VOTING—9

Bayh
Edmondson
Hart
Hickenlooper
Long, Mo.
Mechem
Morse
Saltonstall
Smathers

So Mr. MCCARTHY's amendment was rejected.

Mr. DIRKSEN. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. ALLOTT. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion to reconsider.

Several Senators asked for the yeas and nays.

Mr. DIRKSEN. Mr. President, I withdraw the motion.

The PRESIDING OFFICER. The motion has been withdrawn.

The bill is open to further amendment.

Mr. McCARTHY. Mr. President——

Mr. HUMPHREY. Mr. President, has the motion to reconsider the vote been withdrawn?

The PRESIDING OFFICER. The motion to reconsider the vote has been withdrawn.

Mr. McCARTHY. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. KEATING. Mr. President, I move to lay that motion on the table; and on that question I ask for the yeas and nays.

Mr. HOLLAND. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator will state it.

Mr. HOLLAND. The Senator from Minnesota is not in a position to make such a motion.

Mr. McCARTHY. Mr. President, I can object to the withdrawal of the motion.

Mr. KEATING. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. HOLLAND. Mr. President, a point of order. The Senator from New York is not qualified to make such a motion.

The PRESIDING OFFICER. The Senator from New York is not entitled to make such a motion since he did not vote with the prevailing side.

Mr. DIRKSEN. Mr. President, I call for the regular order.

Mr. JAVITS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from New York will state it.

Mr. JAVITS. When an amendment has failed by virtue of a tie vote, is not a Senator from either side—that is, a Senator who voted either "yea" or "nay"—entitled to move to reconsider the vote on the ground that the amendment failed because of the tie vote?

The PRESIDING OFFICER. Since the amendment did not carry, a Senator who voted "yea" did not vote with the prevailing side, and therefore cannot make a motion to reconsider.

Mr. DIRKSEN. I call for the regular order, Mr. President.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

Mr. McCARTHY. Mr. President——

The PRESIDING OFFICER. The junior Senator from Minnesota is recognized.

Mr. McCARTHY. Mr. President, since I could not have a motion to reconsider acted upon, I send to the desk another amendment, which I ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Minnesota will be stated.

The LEGISLATIVE CLERK. It is proposed to strike out all after the enacting clause and insert in lieu thereof the following:

> That clause (3) of section 503 of the Agricultural Act of 1949, as amended, is amended by striking out "comparable to those offered to foreign workers" and inserting in lieu thereof ", including workmen's compensation or occupational insurance coverage, housing, transportation, and work period guarantee comparable to that provided foreign workers".
>
> SEC. 2. Section 509 of such Act is amended by striking out "December 31, 1963" and inserting in lieu thereof "December 31, 1964".

Mr. McCARTHY. Mr. President, I make the same modification which I made in connection with the previous amendment, that in section 2 the figure "509" be changed to "510." It is a purely technical modification.

The PRESIDING OFFICER. The Senator has the right to modify his amendment.

How much time does the Senator from Minnesota yield to himself?

Mr. McCARTHY. Five minutes.

The amendment which I have just offered is the same as the amendment which was previously considered, with the exception of section 3, which instructed the Secretary of Labor, prior to December 31, 1964, to take such action as he deemed appropriate to insure the availability of domestic agricultural workers after such date in such numbers as might be necessary to continue to assist farmers of the United States in the production of agricultural commodities and products.

The only argument made against my measure that I thought had substance was that which made reference to the current consideration of the bill, S. 527, which has to do with the general problem of recruitment of migratory workers in the United States. Since it can be assumed that Senators who raised that point as an argument against action on my own proposal at this time are speaking in good faith, in the hope that S. 527 will be favorably considered by the committee and brought before the Senate for action, it is not necessary to act on section 3 of my amendment at this time.

The remainder of my amendment relates only to the question of competition of Mexican nationals imported into the United States with American farmworkers, either those who are currently farmworkers or those who might become farmworkers if decent conditions of employment were offered to them.

The issue now before the Senate is simple. It is whether or not we would like to have American migratory farmworkers, either actual or potential, offered conditions which approach the conditions which are insured and guaranteed to Mexicans by international agreements and which are sustained and supported by an act of Congress.

It is not proposed to have Americans treated as well as Mexicans are, but we would like to have the gap closed in respect to housing, transportation, and a few other benefits.

I have explained that the proposals which I make have all been recommended by the Department of Labor, and supported by the Department of Agriculture; they were recommended and supported by the former Secretary of Labor, Mr. Mitchell, under President Eisenhower; by the former Secretary of Labor Mr. Goldberg, when he testified on this general problem; and by the current Secretary of Labor, who spoke through the Under Secretary. They were supported also by the special consultants appointed by Secretary Mitchell, and were supported also by the religious groups which have given continuous attention to this problem.

As I said in my earlier statement, it is not a question of mere economics, though if we were to consider the economic question alone, we would have a case against it.

The **PRESIDING OFFICER.** The time of the Senator has expired.

Mr. McCARTHY. I yield myself 1 additional minute.

The moral aspect of the program is of serious concern to religious groups, who testified or submitted their views. They testified that this program has had disrupting effect on the family life of the Mexicans who are brought into this country, and there was an indication that a substantial number of the men who came into this country under this program did not return to their families in Mexico.

That moral problem should be of more concern than the problem of whether we are to have cheap tomatoes or pickles. Moreover, the program has had a disrupting effect on American farmworkers.

I reserve the remainder of my time.

Mr. HOLLAND. Mr. President, I yield myself 3 minutes.

Mr. President, this amendment, if I understood it correctly—and I ask to be corrected if I am wrong—reads exactly like the first two sections of the amendment just voted on, but section 3 is stricken out.

Mr. McCARTHY. I did not hear the Senator.

Mr. HOLLAND. Is it not correct that the amendment proposed repeats sections 1 and 2 of the amendment just voted on, and strikes out section 3?

Mr. McCARTHY. Yes.

Mr. HOLLAND. I invite attention to the fact that section 3 is the one section of the original amendment that showed sympathy with the problems of the producers of perishable products from one end of the country to the other. That section read:

> The Secretary of Labor shall, prior to December 31, 1964, take such action as he deems appropriate to insure the availability of domestic agricultural workers after such date in such numbers as may be necessary to continue to assist farmers of the United States in the production of agricultural commodities and products.

I cannot conceive of an attitude so heartless that the only provision in the amendment previously voted on that directed the Secretary of Labor to try to keep in order the house of agricultural labor supply in this country in the year 1964 is now stricken from it and nothing is found in it but the amendment offered by the Secretary of Labor.

I am now told by counsel for the committee that there is one thing in the amendment offered which goes beyond what the Secretary of Labor requested, and that is the requirement that farmers must guarantee work periods comparable to those provided foreign workers.

That means that no small producer in the field of perishable commodities can possibly qualify to obtain one Mexican worker. As I see it, it is a completely inconsiderate addition even to what was requested by the Secretary of Labor, and that was inconsiderate enough, because it required producers of perishable crops from one end of the country to the other to advance transportation costs, for example, from the State of Missouri to Florida, for the worker and his family, without any assurance to the farmer that he could get 1 minute of work when the worker arrived.

That is not a reasonable, practical, or workable provision, and it does not fairly show considerations which I think every Senator would want when he knew the problems that beset the farmers from one end of the country to the other in the production of perishable crops. I do not think any Senator who understood them would vote for it.

Mr. McCARTHY. Mr. President, I yield myself 1 minute.

The language is not in addition to what has been offered. It imposes nothing which is not already imposed upon the growers with respect to Mexican migrants. It is already imposed upon the small grower who seeks Mexican nationals. All we ask is that before he qualifies to employ Mexican nationals he must give due regard to potential American migrant employees. It is wholly comparable with what is required in connection with his effort to obtain Mexican labor.

Mr. HOLLAND. Mr. President, I yield back the remainder of my time.

Mr. McCARTHY. Mr. President, I yield back the remainder of my time.

I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

The **PRESIDING OFFICER.** The question is on agreeing to the amendment offered by the Senator from Minnesota [Mr. McCARTHY]. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ANDERSON (when his name was called). On this vote I have a pair with the junior Senator from New Mexico. If he were present and voting he would vote "nay." If I were at liberty to vote I would vote "yea." I withhold my vote.

The rollcall was concluded.

Mr. HUMPHREY. I announce that the Senator from Nevada [Mr. BIBLE], the Senator from Oklahoma [Mr. EDMONDSON], the Senator from North Carolina [Mr. ERVIN], the Senator from Michigan [Mr. HART], the Senator from Missouri [Mr. LONG], the Senator from Florida [Mr. SMATHERS], and the Senator from Ohio [Mr. YOUNG] are absent on official business.

I further announce that the Senator from Indiana [Mr. BAYH] is necessarily absent.

I further announce that, if present and voting, the Senator from Nevada [Mr. BIBLE], the Senator from Indiana [Mr. BAYH], the Senator from Michigan [Mr. HART], and the Senator from Oklahoma [Mr. EDMONDSON] would each vote "yea."

On this vote, the Senator from Ohio [Mr. YOUNG] is paired with the Senator from North Carolina [Mr. ERVIN]. If present and voting, the Senator from Ohio would vote "yea," and the Senator from North Carolina would vote "nay."

On this vote, the Senator from Missouri [Mr. LONG] is paired with the Senator from Florida [Mr. SMATHERS]. If present and voting, the Senator from Missouri would vote "yea," and the Senator from Florida would vote "nay."

Mr. KUCHEL. I announce that the Senator from Iowa [Mr. HICKENLOOPER], the Senator from New Mexico [Mr. MECHEM], and the Senator from Massachusetts [Mr. SALTONSTALL] are necessarily absent.

The pair of the Senator from New Mexico [Mr. MECHEM] has been previously announced.

The result was announced—yeas 44, nays 43, as follows:

[No. 139 Leg.]

YEAS—44

Bartlett
Beall
Boggs
Brewster
Burdick
Cannon
Case
Church
Clark
Dodd
Douglas
Fong
Gore
Gruening
Hartke
Humphrey
Inouye
Jackson
Javits
Johnston
Keating
Kennedy
Magnuson
Mansfield
McCarthy
McGee
McGovern
McIntyre
McNamara
Metcalf
Monroney
Moss
Muskie
Nelson
Neuberger
Pastore
Pell
Proxmire
Randolph
Ribicoff
Scott
Smith
Symington
Williams, N.J.

NAYS—43

Aiken
Allott
Bennett
Byrd, Va.
Byrd, W. Va.
Carlson
Cooper
Cotton
Curtis
Dirksen
Dominick
Eastland
Ellender
Engle
Fulbright
Goldwater
Hayden
Hill
Holland
Hruska
Jordan, Idaho
Jordan, N.C.
Kuchel
Lausche
Long, La.
McClellan
Miller
Morse
Morton
Mundt
Pearson
Prouty
Robertson
Russell
Simpson
Sparkman
Stennis
Talmadge
Thurmond
Tower
Williams, Del.
Yarborough
Young, N. Dak.

NOT VOTING—12

Anderson
Bayh
Bible
Edmondson
Ervin
Hart
Hickenlooper
Long, Mo.
Mechem
Saltonstall
Smathers
Young, Ohio

So Mr. McCARTHY's amendment was agreed to.

The **PRESIDING OFFICER.** The question is on the engrossment and the third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. HOLLAND. Mr. President, I yield 5 minutes to the distinguished Senator from Arkansas [Mr. FULBRIGHT].

Mr. FULBRIGHT. Mr. President, I deeply regret the vote which has just taken place, because I think it very materially alters the bill. Nevertheless, I should like to speak about the bill, even in its changed state, in the hope that perhaps something may be salvaged from it.

I introduced another bill, one which would phase out the program over a 3-year period. I much prefer a 3-year period for the phasing out of the program; but the bill which the committee reported, providing for a 1-year period to phase out the program was, of course, acceptable, and would give farmers an opportunity to phase out the program without undue difficulty and expense to them.

I deeply regret that Senators who oppose the program have seen fit to accept an amendment such as has just been adopted by a majority of one. I am afraid it will destroy the program altogether.

Every Member of this body would, of course, like to improve the conditions of domestic migrant workers. Everyone recognizes the need to improve their living conditions. The real question is how to accomplish this worthy goal. To improve their lot and enable them to enjoy more of the better things in life now available every day to the average American will not be achieved merely by cutting off the Mexican labor program. I fail to see how eliminating the Mexican labor program will have any appreciable effect on the wages or conditions of employment for domestic farmworkers. Ample statutory and regulatory safeguards have been erected to prevent the use of Mexicans to replace domestic workers or their having any adverse effect on wages and working conditions. It makes little sense to cut off this program as a meaningless gesture of sympathy to the domestic migrants.

The justification for continuation of the Mexican labor program is that sufficient domestic labor is not available in the place and at the time it is needed by the farmers. Mexicans do not replace domestic workers, they supplement them. I feel sure that most users of Mexican labor would prefer to produce and harvest his crop either with domestic labor or by machinery if it were possible in view of the redtape and extra expense involved in getting braceros. The farmers in my State who have in the past used Mexican labor for cotton picking and chopping are now mechanizing their operations rapidly because of the difficulties encountered in getting sufficient hand labor and the continued uncertainty for extension of this program.

To make this change will take time, and the bill in its original form provided for a more orderly transition and minimized the difficulties.

Mechanization is drastically reducing the need for hand labor. Ten years ago practically all of the Arkansas cotton crop was picked by hand. Last year well over one-half of the crop was picked by machine. Machines and chemicals are replacing hand labor in many other phases of production in cotton and other crops and the trend will no doubt continue. This is true in farming areas throughout the country. New machines, taking away more farm jobs are being developed constantly and the average farmworker is more than likely a skilled machine operator rather than one whose value depends on his brawn. Automation has come to the farm as well as the factory. But in spite of these technological advances manual or "stoop" labor is still an essential element in production and harvesting of some crops, particularly fruits and vegetables.

However, as an indication of the decrease in the demands for hand labor in Arkansas, I point out that in 1959 nearly 85,000 man-months of Mexican labor were used. In 1962 this had decreased to less than 19,000 man-months, a drop of 78 percent in only 3 years. It is possible that no Mexican labor will be needed in my State next year for cotton picking, but there will still be a need for some braceros for cotton chopping and for the harvesting of fruits and vegetables, to supplement domestic labor available. There is simply not enough domestic labor available at a price the farmer can pay to do some of the most distasteful farmwork. Between 1900 and 1960 there was a 6.5-percent decrease in population in Arkansas, and 57 percent of this decrease was in the 18 counties of eastern Arkansas where 80 percent of the State's cotton is produced.

It should be remembered that the Mexican labor program is important to our good neighbor to the South also, and that by abolishing it we will have cut off her second most important source of dollars. If Congress lets this program expire as scheduled at the end of this calendar year there would no doubt be requests made to the Congress to increase foreign aid to Mexico in order to fill the gap. In considering the question of extending this program, Senators should also consider the very favorable balance of trade that we have with Mexico. Our exports were $792 million last year compared to imports of $578 million—a balance in our favor of $214 million. The dollars paid for the services of Mexican laborers are eventually returned to this country for purchase of American goods and services. This is not a program of charity toward our less fortunate neighbor. It is one that is in the best interests of both countries.

I wish that we could bring about a substantial improvement in the wages and living conditions of the migrant worker. It is a hard and bitter life with little contact with the creature comforts making up what we have come to think of as the American way of life. Migrant workers deserve better treatment, but they will not get it merely by cutting off the Mexican labor program. Mexican workers compete with machines, not with domestic workers. Farmers must have much better prices and expanded markets before they can pay wages comparable to those paid in industry.

The Government of Mexico through its Ambassador presented its views on this matter to our Government in a note dated June 21, 1963, following the rejection of a 2-year extension bill by the House of Representatives. Because of the significance of this note to the debate on the pending bill, I ask unanimous consent to have the full text printed in the RECORD following my remarks.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

(See exhibit 1.)

Mr. **FULBRIGHT**. Mr. President, I shall not read the entire note, but I wish to quote excerpts pertaining to this program in relation to the previous "wetback" problem:

> The Governments of Mexico and the United States have for many years been faced with the problem of the illegal entry of Mexican workers into United States territory in search of work. The maximum number of arrests made by the Immigration Service of the United States reached 803,618 in 1953, a year in which only 201,380 workers were contracted. Since that time the efforts of the two Governments to eliminate illegal entries, at the same time leaving the door open under the legal procedures of the international migrant labor agreement of 1951, produced the desired results, the number of arrests having been reduced to 31,106 in 1959, during which year 437,643 workers were contracted.
>
> It was precisely the presence of the "wetbacks" in the fields of the United States that created a situation undesirable from every standpoint, since these persons had not even the most elementary kind of protection and were the victims of exploitation in respect of wages, because they were forced to accept whatever pay was offered to them, and domestic workers were unable to compete and found themselves compelled to move to other areas. The lack of an agreement to facilitate contracting as long as there is a shortage of farm labor, which the Mexican workers have been covering, would tend to bring about a return to that situation.

Mr. President, it seems to me that the way the Senate has killed this bill, by adoption of the amendment of the Senator from Minnesota [Mr. McCARTHY], is very unfortunate. The Senate was not allowed to have a direct vote on the bill itself. I deeply regret that the Senate has acted as it has.

My arguments for the bill as it was reported by the committee would not apply to the bill as it now stands. Although I shall vote for the bill, because I believe my vote would be misunderstood if I voted against it, I think the amendment of the Senator from Minnesota [Mr. McCARTHY] has effectively destroyed it, and has made it very probable that the bill will not be enacted at all. I think it is unfortunate that this indirect method has been used to destroy a bill which was of great importance—to a few States, it is true, which have this problem; they include Florida, California, Arkansas, and Texas. I think this is a very unfortunate development, and I deeply regret the vote of the Senate on that amendment.

EXHIBIT 1

EMBASSY OF MEXICO

The Ambassador of Mexico presents his compliments to His Excellency the Secretary of State and has the honor to inform him of the position of the Government of Mexico with respect to the decision taken by the House of Representatives of the Congress of the United States on May 29 last, rejecting the bill that would have authorized the executive branch of the United States to extend the international migrant labor agreement that expires on December 31 of this year.

The Government of Mexico considers that there would be no call for any observation whatever concerning the aforesaid action, had the need for Mexican labor that has existed for a number of years among the farmers in various parts of the United States disappeared, or if systems other than those used so far were available to meet that need.

It is not to be expected that the termination of an international agreement governing and regulating the rendering of service by Mexican workers in the United States will put an end to that type of seasonal migration. The aforesaid agreement is not the cause of that migration; it is the effect or result of the migratory phenomenon. Therefore, the absence of an agreement would not end the problem but rather would give rise to a de facto situation: The illegal introduction of Mexican workers into the United States, which would be extremely prejudicial to the illegal workers and, as experience has shown, would also unfavorably affect American workers, which is precisely what the legislators of the United States are trying to prevent.

The Governments of Mexico and the United States have for many years been faced with the problem of the illegal entry of Mexican workers into U.S. territory in search of work. The maximum number of arrests made by the Immigration Service of the United States reached 803,618 in 1953, a year in which only 201,380 workers were contracted. Since that time the efforts of the two Governments to eliminate illegal entries, at the same time leaving the door open under the legal procedures of the international migrant labor agreement of 1951, produced the desired results, the number of arrests having been reduced to 31,106 in 1959, during which year 437,643 workers were contracted.

Despite the fact that in 1960 the number of contracted workers began to decrease markedly, the number of illegal workers did not increase, the conclusion being that the Mexican workers have understood and accepted the fact that if they cannot obtain work by contract, it is because they would not obtain it either by entering the United States illegally. Here are some pertinent data:

Year:	*Contracts signed*	*Deportation*
1960	315,846	28,492
1961	291,420	31,350
1962	194,978	19,283

In the last 3 years there has been a considerable increase in the number of Mexican farmworkers who have applied for and obtained residence visas to come to the United States, through letters issued by farmers and growers in the United States who have offered them employment. It is estimated that no less than 32,000 farmworkers obtained their documents in 1961 and possibly some 40,000 in 1962. The statistics on the contracting during the last 5 years show that there were barely 50,000 jobs for the workers during the 12 months of the year, open at various times during the year and in various States, so that in order to be able to work without interruption during the entire year, it would be necessary for the workers to move from one place to another. Since it is impossible to achieve precision and coordination even with the means available to the two Governments, it is concluded that the aforesaid increased number of resident farmworkers do not have permanent work but in fact continue in their status as seasonal workers, working for an employer for 6 or 8 weeks and then returning to Mexico in the hope of being called upon to work for another short period—an operation that is repeated two or three times a year. As may easily be seen, this situation will create problems for both Mexico and the United States, since during the jobless seasons the worker with a residence visa will burden the economy on one of the two countries, with the same consequences of accepting ill-paid work, obtaining official assistance, etc.

There is good reason to believe that the absence of an international agreement governing temporary employment of farmworkers will lead to an increase in the types of migration pointed out above.

Finally, it should be considered that on various occasions when at international meetings on migrant worker problems representatives of the Government of the United States have indicated their purpose of decreasing the contracting until the elimination point is reached, the Mexican representatives have requested that an attempt be made to make the decrease gradually, in order to give Mexico an opportunity to reabsorb the workers who have habitually been working in the United States and thus to stave off the sudden crisis that would come from an increase in national employment. The stoppage of the contracts at the start of 1964 would have approximately 200,000 persons out of work.

It is not considered that the contracting of Mexican workers under the international agreement has produced unfavorable effects on American workers. Quite the contrary. The benefits granted the contracted braceros, in the matter of insurance covering occupational accidents and illness, the extremely careful regulations on lodgings and transportation, and the constant inspection of food have provided a pattern that can be followed for domestic workers who lack such protection. And with regard to the wage increase obtained for Mexican workers on various occasions, chiefly in the year 1962, what was obtained through the effort of the Mexican Government and the cooperation of the Department of Labor of the United States, to such an extent that in some localities the wages are higher than those paid to domestic workers, represents the reason why this type of work is now looked upon as acceptable by the American workers.

It was precisely the presence of the "wetbacks" in the fields of the United States that created a situation undesirable from every standpoint, since those persons have not even the most elementary kind of protection and were the victims of exploitation with respect to wages, because they were forced to accept whatever pay was offered to them, and domestic workers were unable to compete and found themselves compelled to move to other areas. The lack of an agreement to facilitate contracting as long as there is a shortage of farm labor, which the Mexican workers have been covering, would tend to bring about a return to that situation. And although Mexico would make efforts to prevent it, as was indicated by the Secretary of Foreign Affairs of Mexico at a press conference on June 5, the willingness of American employers to give work to the wetbacks explains why in many cases the Mexican workers violate the law of the United States, and it is very important for the Government of this country to solve this problem.

The virtual extinction of discrimination against and segregation of persons of Mexican nationality in areas of the United States where such practices once existed can decisively be attributed to the contracting of Mexican workers under international agreements. The need for labor which only the Mexican could supply but which was not authorized for localities where special schools were maintained for Mexicans, or where they were segregated in restaurants, theaters, etc., and discriminated against in respect of wages, etc., led the authorities concerned to put an end to that situation.

There is no doubt that this has been a firm foundation for the good relations between the peoples of the two countries.

In this connection, it is appropriate to note that in September 1954, the President of Mexico stated in his annual message to the Congress that efforts were being made to solve the difficult problem caused by the exodus of Mexican farmworkers, "acting in full and friendly cooperation with the Government of the United States in this task, in order that those who go to work may do so under the protection of existing agreements." And if indeed the contracting should come to an end, it is hoped, as the Secretary of Foreign Affairs said during the press conference mentioned above, that the two Governments will act vigorously and determinedly to prevent the illegal traffic of workers, which benefits neither Mexico nor the United States and is a constant point of discussion between the two Governments and the communities where the braceros who enter illegally work.

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WASHINGTON, D.C., *June 21, 1963*.

The PRESIDING OFFICER. The time yielded to the Senator from Arkansas has expired.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry: How stands the remaining time?

The PRESIDING OFFICER. The proponents of the measure have used all their time; the opponents have 30 minutes remaining.

Mr. DIRKSEN. Mr. President, I yield myself 1 minute on the bill. I do so only to ask the distinguished majority leader about the schedule for the remainder of the day and for the rest of the week, and also as to what is likely to be set for consideration early next week.

ORDER FOR ADJOURNMENT TO MONDAY

Mr. MANSFIELD. Mr. President, in response to the question which has been raised, I ask unanimous consent that when the Senate concludes its business today, it adjourn until Monday next, at 12 o'clock noon.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. MANSFIELD. Following the disposition of the pending business, it is the intention to call up for consideration Calendar No. 244, Senate bill 979, to amend section 332 of title 28, United States Code, in order to provide for the inclusion of a district judge or judges on the judicial council of each circuit. It is anticipated that on Tuesday next the Senate will consider the debt-limit legislation.

EXTENSION OF MEXICAN FARM LABOR PROGRAM

The Senate resumed the consideration of the bill (S. 1703) to amend title V of the Agricultural Act of 1949, as amended, and for other purposes.

Mr. HOLLAND. Mr. President, I yield 2 minutes to the Senator from California [Mr. KUCHEL].

The PRESIDING OFFICER. The Senator from Florida has no time to yield.

Mr. KUCHEL. Mr. President, will the distinguished minority leader [Mr. DIRKSEN] yield to me?

Mr. DIRKSEN. I yield 5 minutes on the bill to the distinguished Senator from California [Mr. KUCHEL].

Mr. KUCHEL. Mr. President, I share the feelings of the Senator from Arkansas [Mr. FULBRIGHT]. This has been a good program. Senators in this Chamber today have indicated that not one national of any country comes into the

United States to replace any American citizen who is available to do farmwork.

According to the 1960 census I represent the most urbanized State in America. Eighty-six percent of the residents of California live in urbanized areas. Yet, California is also the leading agricultural State in our Nation. Since 1950, California continuously has ranked first among the States in the value of agricultural commodities produced which go to all parts of our Nation and the world. Farming in my State is over a $3 billion annual business.

I am deeply concerned about the welfare of workers not only in industry but in agriculture. For a long time, I have been shocked by the plight in which the so-called excluded American, the domestic migrant worker, finds himself. Consequently, Mr. President, I supported earlier this year as I did in the previous Congress those worthwhile proposals which have been reported to the Senate by the Subcommittee on Migratory Labor. These measures included S. 521, the Migrant Agricultural Employees and Children Educational Assistance Act; S. 522, providing for day-care services for the children of migrant agricultural workers; S. 523, dealing with agricultural child labor; S. 524, the Farm Labor Contractor Registration Act; S. 525, which would establish a National Advisory Council on Migratory Labor; and S. 526, which would amend the Public Health Service Act to establish a program to assist farmers in providing and constructing adequate sanitation facilities for migratory farm laborers.

These measures passed the Senate on June 10 and 11. They are now before the responsible House committees. I hope, as I am sure do all concerned Americans, that these measures will at long last be enacted into law.

In the last Congress we passed the Migrant Health Act which authorized Federal grants to assist State medical services for seasonal farmworkers. Two years ago, California established the Farm Workers Health Service which has done an outstanding job in this area. California was ready last year to proceed with an excellent program under the act. As a member of the Senate Committee on Appropriations, I was delighted that I was able to help secure inclusion of sufficient funds to carry out the purposes of this act. Unfortunately, in the closing days of the session, as the Senate will recall, the needed appropriations were put off until this year.

I believe that much more remains to be done. I favor a national agricultural minimum wage, congressionally sanctioned, which would apply equally to all areas of our land regardless of the prevailing wage which might exist in a particular area.

As each of us knows, Mr. President, if we have dealt in any detail with agriculture, there is not just a farm problem, but rather there are many farm problems depending on the commodity we are talking about and the section of the country in which it is grown. So, too, there is not one farm labor problem, but there are many farm labor problems. Each demands treatment appropriate to its nature.

Before us is a measure to extend once again, this time for a period of 1 year, Public Law 78, which authorizes the Mexican farm labor program. This program originated because of a need to provide supplemental labor which could not be procured domestically to prepare and to harvest crops during relatively short periods of time. To delay for a day in certain field or fruit crops can mean a loss of millions of dollars not only to the farmer but to consumers throughout America. We all know that the farmer cannot control his production as can the industrial manager. One does not roof over a field whether it ranges in extent from a few acres to many thousands of acres and then control the environment underneath.

California's foreign-worker employment averaged 32,800 in 1962, of which 1,300 was Japanese. Most of the remainder were Mexican. They were primarily utilized in the harvesting of fruit and vegetables. The peak employment of 73,000 in September was about 6,000 higher than the 1961 peak mainly because California's tomato crop was approximately one-third larger than the year before. Foreign labor constitutes 90 percent of the seasonal workers utilized in the harvesting of tomatoes. As a whole, foreign-worker employment was 3,000 lower than in 1961 because of smaller employment in citrus fruits, lettuce, and cotton.

Interestingly enough for the United States as a whole, according to the official report of the U.S. Department of Labor, domestic-worker employment averaged 631,000 in 1962, virtually the same as in 1961. Meanwhile average foreign-worker employment, at 71,000, was a third lower. For example, while domestic-worker employment in cotton declined less than 5 percent between 1961 and 1962, foreign-worker employment in cotton was down 77 percent.

During the last 5 years, average foreign-worker employment as a percent of average seasonal employment has declined from almost one-third of the labor force in 1958 to less than a quarter of the labor force in 1962.

Most revealing, I think, is the decline in the man-months of Mexican labor which has taken place between 1959 and 1962. In 1959, California, according to the Department of Labor, utilized 560,690 man-months of Mexican labor. Within 4 years this had declined by 32 percent to 378,570 man-months of Mexican labor.

The peak employment of Mexican and domestic seasonal agricultural workers in California in 1959 was 249,000 of which 165,500 was domestic and 82,000 was Mexican. By 1962, the peak employment was 235,000 of which 163,500 was domestic and 71,700 was Mexican.

California pays the highest wages in America for domestic and foreign farm labor. In 1960, the California average hourly farm wage rate without room or board was $1.23. Now it is $1.33. Meanwhile, the national average was 97 cents. Mr. President, to show the relationship between the 1962 piece rate earnings of Mexican nationals brought in to California under Public Law 78 and the hourly wage rates for various jobs in the industrial sector, I ask unanimous consent that a table based on statistics prepared by the U.S. Department of Labor be printed at this point in my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

COMPARISON OF CERTAIN INDUSTRIAL WAGE RATES AND CERTAIN CALIFORNIA BRACERO EARNINGS

	Per hour
Sawmills and planing mills	$1.71
Wooden containers	1.57
Miscellaneous wood products	1.72
Household furniture	1.77
Toys	1.75
Costume jewelry	1.70
Cotton woven fabrics	1.56
Silk and synthetic fabrics	1.65
Knitting	1.51
Yarn and thread	1.50
Women's underwear	1.45
Footwear except rubber	1.59
Leather products	1.58
Apparel stores	1.47
Women's ready to wear	1.31
Drug stores	1.43
Hotels-motels	1.10
Laundry and drycleaners	1.24

The above rates do not include housing, utilities, or transportation to job.

(Industrial wage rates from the U.S. Dept. of Labor Monthly Labor Review, January 1963.)

	Per hour
Load carrots	$2.80
Prune strawberries	2.03
Thin celery	2.01
Pick rhubarb	1.92
Pick watermelon	1.70
Pick dates	1.67
Pull-top rutabagas	1.61
Thin-hoe multi crops	1.58
Pick peaches	1.57
Pick peppers	1.55
Thin miscellaneous vegetables	1.52
Harvest raisins	1.49
Bag dates	1.46
Spinach	1.44
Pick tangerines	1.40
Pick oranges	1.18
Thin lettuce	1.33
Load peaches	1.68

The above earnings are statewide averages. In addition they receive housing, utilities, to job transportation and meals at $1.75 per day. Same conditions were available to domestic workers.

Piece rate earnings of Mexican nationals in California for year 1962 taken from U.S. Department of Labor, Region X Annual Report.

Tobacco manufacturers	$1.67
Textile mills	1.66
Apparel	1.56
Leather and products	1.61

Average hourly earnings of production workers in manufacturing by major industry taken from U.S. Department of Labor's Monthly Labor Review for January 1963, volume 86, No. 1.

Mr. KUCHEL. Mr. President, we have heard a lot about the fact that less than 1 percent of the farms in the United States use some foreign labor. What is important is that 52 percent of our farms use no hired labor, either domestic or foreign, because of the nature of their operations.

And next, we must ask the question, what percentage and what type of the Nation's agricultural produce are represented by the 1 percent of the Nation's farms which use foreign labor? In the case of California, the expansion of field crops is the most important agricultural development which has occurred in my State in the last three decades. Total output has more than doubled since the 1930's. California now ranks second to Texas in cotton production. In 1958, California contributed 8.2 percent of the national total of cash receipts from farming with only 2.6 percent of the farms and 3.3 percent of all the land in farms.

Mr. President, a subcommittee of the House Committee on Agriculture held 3 days of hearings earlier this year regarding the extension of the Mexican farm labor program. A record of 349 pages was compiled. Mr. Charles Paul, the able director of agriculture for the State of California accompanied by Don Larin, deputy director of the California Department of Employment, and Dr. John W. Manner, extension economist for the University of California at Berkeley, appeared on behalf of Governor Brown to recommend extension of this program.

At that time, Mr. Paul noted that for the past 3 years, the value of California farm production has exceeded $3 billion annually and that the trend is upward. My State produces over 200 different crops in commercial quantities. We are first in the Nation in 35 of these commodities and we produce practically the complete national supply of almonds, prunes, walnuts, apricots, cling peaches, dates, figs, and raisins, among others.

Among the 200 California crops, there are many which do not require much farm labor and that in such crops as grain, hay, and cotton, there is almost complete mechanization. Under the aegis of the University of California, my State has probably led the Nation in the development of automatic harvesting equipment and other farm machinery.

But, Mr. President, I am not here to boast about the glories of California. I am here to try to the best of my ability to illustrate that there is a crucial farm labor problem in California and that this problem cannot be met by domestic farmworkers alone. There are domestic farm labor opportunities in California and these are being utilized. But our concern is with the high demand for a large amount of labor to be used in a short period of time. In brief, labor which must be available within a few days to harvest tomatoes, lettuce, strawberries, lemons, oranges, sugarbeets, melons, asparagus, celery, and snap beans if they are not to rot in the fields or on the tree.

Mr. President, I ask consent that a table outlining the principal crops using Mexican nationals in California with the importance of the crops and the degree of Mexican labor used, as well as the status of laborsaving equipment as related to the harvesting of those crops be included at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Product	California acreage	California as percent of U.S. production	California farm value	Mexican labor in major seasonal tasks		Status of laborsaving equipment, especially for harvesting
				Man-weeks	Percent of total	
Tomatoes	200,900	54	$130,114,000	449,990	72	Feasible but 8 to 10 years away.
Lettuce	106,400	59	87,510,000	185,590	68	Some mechanization now. Reduce labor by 50 percent by 1968.
Strawberries	10,500	40	36,500,000	177,820	61	Little mechanized equipment; none in sight.
Lemons	50,000	94	33,440,000	149,120	76	Little mechanization; none in sight.
Oranges	59,544	13	87,398,000	78,300	42	Do.
Sugarbeets	241,000	26	54,890,000	65,600	38	Substantially mechanized now.
Melons	85,550	25	37,787,000	63,880	45	Some mechanization for loading, none for picking.
Asparagus	66,600	54	27,531,000	57,300	48	Experimental machine developed but has not proved practical because of wastage.
Celery	13,500	52	31,703,000	42,950	55	Some equipment used in past; too expensive for small growers.
Snap beans	8,500	7	8,182,000	33,890	54	Not feasible for pole beans.
Total, 10 crops above	842,494	32	534,965,000	1,304,500	61	
All crops (not including dairy, livestock, and poultry).			1,967,877,000	1,843,400	26	

Mr. KUCHEL. Now, Mr. President, we have heard the accusation that the use of foreign labor to meet peak harvest needs means that American workers who want farm employment are shunted aside and we also hear that the Mexican labor program is immoral in light of the high level of domestic unemployment. Mr. President, this is like adding apples and oranges and saying you have "x" number of apples. The cessation of the Mexican farm labor program will not mean a new job opportunity for the unemployed worker who has been let go at the automobile plant in Detroit. It will not mean a new job opportunity for the unemployed metalworker on an airframe assembly line in Los Angeles. We cannot solve the problems of a stagnant economy by halting a needed program. We can solve the problems of a stagnant economy by devising tax policies which will promote, not discourage, economic growth. We can solve the problems of a stagnant economy by encouraging an expansion of educational opportunities for all of our people, both young and old, black and white.

On this question of adverse affect by this program on domestic employment opportunities, let me quote California Governor Brown's Director of Agriculture. In his testimony before the House committee, Mr. Paul stated:

> I know the Governor is terrifically concerned about the unemployed people in our State, as well as the unemployed in other States, and I believe that I can say to you generally from the Governor and from most of the California farmers that if this foreign labor program, this Public Law 78, was keeping even a small percentage of our own people from obtaining employment, that none of us would be willing to support it, Mr. Chairman.
>
> "But, based on the testimony that was given this morning by the Secretary of Labor, that we do not even qualify for the foreign labor unless we can certify and have proven that we have offered employment and are willing to employ all the domestics available, it seems to me that it is a pretty broad area of administration.
>
> We cannot employ braceros by any stretch of the imagination unless all of the domestics that are willing to work on this job are employed.
>
> That is the way Mr. Larin and his people administer the law, as established by the Department of Labor, and I think that that, in itself, is proof that, even if we did not want to, that the administration of the law forces us to seek out the domestic labor that is available for this work, and only then do we qualify for braceros to come into the agricultural areas to work.

Above all, California does not have an agriculture dominated by absentee landlords. Whereas three-quarters of California's farms were operated by owners and part owners in the 1930's by the decade of the 1950's this ratio had increased to almost nine-tenths. The farmer's continued livelihood is dependent on his ability to harvest his crop and his ability to attract both domestic and foreign workers to aid him in that task.

I do not believe that a single foreign worker should be imported into this country if it adversely affects our domestic work force.

If, in the implementation of the Mexican labor program, domestic workers are being adversely affected, then there is something wrong not with the Congress but with the administration of that program by the Department of Labor. The Secretary of Labor is not to certify and authorize the use of foreign labor if such importation would adversely affect the employment opportunities for domestic workers.

Article 15, "Wages," of the Migrant Labor Agreement of 1951, as amended, entered into between the Governments of Mexico and the United States of America, already provides, in part:

> The employer shall pay the Mexican worker not less than the prevailing wage rate paid to domestic workers for similar work at the time the work is performed and in the manner paid within the area of employment, or at the rate specified in the work contract, whichever is higher. The determination of the prevailing wage rate shall be made by the Secretary of Labor.

The passage a short time ago of the amendment offered by the Senator from Minnesota [Mr. MCCARTHY] would require employers who seek Mexican nationals to offer domestic workers housing, transportation expenses, and occupational insurance comparable to that which such employers must furnish Mexican workers under the international agreement. In reality, the passage of that amendment would mean the adoption of an escalator device through use of the Mexican labor program which would maintain the present farm labor cost inequalities which exist in various parts of our land.

I think that the adoption of the procedure suggested by the Senator from Minnesota is not appropriate in terms of what he seeks to achieve. I think it would mark a setback and an excuse for inaction in what is truly needed which is a nationwide minimum wage standard for agriculture. I support such a national agricultural minimum wage. The Republican Party of California in a recent statewide convention announced its support of a national agricultural minimum wage of $1 an hour. What is needed is to remove the exemption for agriculture from the Fair Labor Standards Act. This is a matter which should be rapidly and, in my opinion, favorably considered by the Senate Committee on Labor and Public Welfare. But we do not need a pseudominimum wage which operates only where foreign labor is utilized and which is "hidden" in housing and transportation costs.

Why should the Secretary of Labor be permitted to set labor costs for the farmworker through the vehicle of the Mexican labor program, when he cannot set them for the industrial sector of our economy under the Fair Labor Standards Act? While it is true that Congress has given the Secretary the authority to determine the prevailing wage for an area under the Davis-Bacon Act when Federal construction contracts are involved and for an industry under the Walsh-Healey Act when Federal supply contracts are involved, it is also true that it has not given the Secretary of Labor the authority to set minimum wages in the guise of an escalated percentage formula or to include so-called fringe benefits, which occupational insurance would be, as a part of the prevailing wage.

What might be needed, besides appropriate action by the Committee on Labor and Public Welfare, is a more carefully defined criteria of adverse effect by the Department of Labor and its Bureau of Employment Security so that the hundreds of local employment office officials who must participate in the process of authorizing the importation of foreign labor would have a clearer idea of what is meant by the term. Are local domestic workers adversely affected based merely on the total number of unemployed in a particular area or in an adjacent State? There is substantial evidence to indicate that domestic workers willing to work are hired and the number of foreign laborers in an area reduced when the domestic workers become available.

Mr. President, regarding the amendment authored by the Senator from Minnesota [Mr. McCarthy], I ask consent that a portion of the majority report pertaining to this amendment be included at this point in my remarks.

There being no objection, the report was ordered to be printed in the Record, as follows:

> The Secretary also proposed amendments to the program to require employers to offer domestic workers occupational insurance coverage, housing, and transportation expenses comparable to those required to be furnished the Mexican workers.[1] This committee and Congress very carefully considered similar proposals in 1961 and, after thorough debate, agreed upon the additional safeguards described above. At that time this committee stated at page 5 of S. Rept. 619, 87th Congress:
>
> "Section 2 of the bill amends clause (3) just quoted to include 'working conditions' along with wages and standard hours of work. The term 'working conditions' is intended by the committee to refer to the physical conditions under which the work is performed, such as those concerned with sanitation and safety, and not to include terms of employment such as housing, transportation, subsistence, insurance, and work guarantees. Mexican nationals enter this country under an international agreement in accordance with the terms of a standard work contract. They are not free agents in this country. Because of this, a responsibility to remain with the employer with whom they contract is imposed upon them. They do not bring their families with them. They enter this country to do a particular job after which they return home. Domestic workers, on the other hand, are free to come and go as they please. They may seek other employment in or out of agriculture if they wish. It is not intended, therefore, to require guarantees from farmers as to housing, payment of transportation, and periods of work for workers who may not fulfill their end of the bargain."

Mr. KUCHEL. Mr. President, I agree that it is inconceivable that we treat foreign workers better than we treat our domestic farmworkers. I would add that to me it is inconceivable that we treat domestic farmworkers differently than we treat industrial and service workers of comparable education, experience, and skill. I would hope that the Senate might tackle this great problem on its own merits and explore it in the manner in which it deserves to be explored following the necessary hearings and action by the Committee on Labor and Public Welfare. Realistic and necessary action will have my wholehearted support.

Furthermore, I point out that earlier this year I had the honor, together with a number of my Democratic colleagues and my Republican colleagues, to go to the Mexican-American Parliamentary Conference in Mexico. The Mexican people are a proud and a great people. They are friends of the people of the United States. I was assigned to a committee of Mexican Senators and Deputies, and to a committee of American Senators and American Representatives, who met around the conference table to discuss the problems of the bracero program. Discuss them at length we did.

At the end of several hours, Mr. President, every Mexican representing a district or a state in Mexico and every American there—both the Democrats and the Republicans—voted unanimously that it was in the best interests of both countries that this program be continued.

I was rather hopeful that the U.S. Senate would continue it in the fashion in which it came from the committee to the floor. I was hopeful that we would not suddenly and abruptly deny an available source of temporary farm labor to American farmers living in States in which the governments of the States, and thereafter the Government of the United States, both found that no American citizens were available to harvest the crops.

I wish to see the bill passed by the Senate—although a grievous mistake was made. Then let the House of Representatives do what it can with the proposed legislation; then let us see whether—as we hope—we may be able to continue this program into the future—although again I refer to what the Senator from Arkansas [Mr. Fulbright] said a moment ago—that it is too bad that at a time when Senators whose votes would have made all the difference were absent from the Chamber, the Senate by a majority of one vote adopted an amendment which undermines, stultifies, and to a great extent makes a mockery of a program that has been of benefit to Americans, and also has helped our good neighbor to the south of us.

Mr. FULBRIGHT. Mr. President, will the Senator from California yield?

Mr. KUCHEL. I yield.

Mr. FULBRIGHT. When I was speaking, there was so much confusion in the Chamber that one Senator asked me, after I concluded my remarks, "Do you mean to say that the Mexican Government favors this?"

I had read an official communique from the Mexican Ambassador, in which he said his government does favor it.

So I am sure there was great misunderstanding among Senators at the time when the vote on the amendment was taken. However, Senators were not willing to listen. I read the communique into the Record, and I know the Senator from California has a copy of it.

Mr. KUCHEL. Yes, I have.

Mr. President——

The PRESIDING OFFICER. The time yielded to the Senator from California has expired.

Mr. KUCHEL. Mr. President, may I have 1 more minute?

Mr. HOLLAND. I yield 1 more minute to the Senator from California.

The PRESIDING OFFICER. The Senator from Illinois controls the remaining time. Does he yield additional time to the Senator from California?

Mr. ALLOTT. Mr. President, the Senator from Illinois has allowed me to control that time. I yield 1 minute of it to the Senator from California.

The PRESIDING OFFICER. The Senator from California is recognized for 1 more minute.

Mr. KUCHEL. I thank the Senator from Colorado.

Mr. President, these annual meetings between representatives of the United States Government and representatives of the Mexican Government have been very fine and most important. Certainly, Mr. President, in the weary world in which we live we should do everything we possibly can to improve and to cement our relationships with our good neighbors to the north of us and with our good neighbors to the south of us.

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[1] While the Secretary refers in his letter to "transportation expenses" the draft bill submitted by him would have required the employers to make the transportation itself available.

It is obvious that the Senator from Arkansas [Mr. FULBRIGHT] is entirely correct.

At the conference in Mexico, the official representatives of the legislative branch of the Mexican Government were in unanimous agreement with those of us who were official representatives of the legislative branch of the U.S. Government in adopting the report from which I am about to read; and let me state that I was the rapporteur for the group:

> Where American agriculture has been unable to obtain sufficient assistance in harvesting its crops from American citizens, Mexico, by agreement, has provided American farmers with Mexican nationals for temporary periods of time. We believe—

And this was the view of all those who were in attendance at the conference—

> this is a good program, to the mutual help of both countries. Many of the problems involved have been solved. Others remain. There was unanimous agreement that the program should continue.

So, Mr. President, the Senator from Arkansas [Mr. FULBRIGHT] is entirely correct. The members of the Mexican group hope this program will be approved by the U.S. Congress. So do I.

Mr. President, I ask consent that various editorials from California newspapers in support of the extension of Public Law 78 be included at the conclusion of my remarks.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the San Francisco Examiner, June 3, 1963]

THE FARMER'S CRISIS

The California farmer, whose enterprise and industry contribute $3¼ billion annually to the State's prosperity, is a worried man—and rightly so.

When the House of Representatives, by a fairly close vote, killed the extension of the "bracero program," it raised the possibility that many California crops would not be harvested next year.

It also raised the possibility that some California land would be taken out of production and that some crops now grown in California might be raised in Mexico instead.

The bracero program, which has been in operation for many years, brings Mexican farm laborers into California. At the conclusion of the working season they are returned to Mexico.

It is estimated there is a shortage of 60,000 farm laborers in California. Many of the California crops such as lettuce, asparagus, tomatoes, melons, and berries are "stoop" crops. Native workers here for the most part will not work these crops. The bending over all day long in the hot sun is simply too much for the native worker. But the Mexicans have been happy to do the work and take back to their homeland the money they received.

A recent survey by the Giannini Foundation indicates it will be at least 8 to 10 years before mechanical means can be developed for picking these "stoop" crops.

Lettuce, incidentally, accounts for $87 million of California farm production, tomatoes $131 million. Grapes account for 5 percent of the total $3.25 billion crop production.

But without pickers the farmers will be in a desperate situation. Many California farmers fear that Mexico will embark on a large tomato and lettuce growing farm program if California is not able to pick its crops. There is plenty of land and plenty of workers.

The State's congressional delegation and the administration must be made aware of the critical picture that could develop here. California is a bright spot in the Nation today.

But if its agriculture is weakened, it could be a mighty unhappy area.

[From the Los Angeles Times, Apr. 17, 1963]

BRACERO FARM HELP STILL NEEDED

California farmers, with the qualified backing of Governor Brown and Labor Secretary Wirtz, are seeking extension of the Federal law which permits employment of Mexican workers (braceros).

We believe they have made a good case for continuation of this program, at least until the need for such emergency fieldhands no longer exists.

State Employment Director Albert Tieburg told a congressional hearing that California's agricultural industry would "face rather serious labor shortages in many crop activities if Congress fails to extend the (bracero) law."

And a University of California survey indicates the State may require more seasonal farm laborers at peak periods 5 years hence than it does now—despite an increase in automated harvest methods.

Meanwhile the State legislature has received a proposed bill that would, growers say, sharply curtail use of braceros by forcing the extension of benefits to U.S. workers comparable to those which Mexican contract labor now receives. Included are such items as free transportation, low-cost housing, guaranteed employment over defined periods, and payment to the State for each domestic worker recruited.

With considerable validity, the Agricultural Council of California argues that application of a minimum wage to farm labor here—as the bill demands—would place our State at a disadvantage with other States.

Moreover, the council contends that there simply aren't enough farm laborers to fill jobs at peak harvest seasons. Here it finds support from Governor Brown.

On balance, the growers appear to have a strong case. The Federal law extending the use of braceros should be passed, and the California proposal defeated. If, in the future State agriculture can be assured of adequate harvest hands under conditions which don't jeopardize our competitive status the Federal program might then be brought to a sensible close.

[From the Fresno Bee, June 5, 1963]

CURB ON BRACERO LABOR WOULD HIT FARMERS HARD

The failure of the House of Representatives in Congress to extend the bracero program permitting farmers to hire Mexican nationals for field labor puts California's rich truck crops in serious jeopardy.

There are three circumstances which reflect badly upon the House in this action: 102 Members were absent when the vote was taken not to continue the bracero program beyond 1963; the House acted against the best advice of the U.S. Department of Agriculture and the expert testimony from several vitally concerned Western States, particularly California; and the Eastern States by voting so strongly against the bracero use, indicated scant consideration for the real plight this will pose to farmers.

In effect, the House as much as said it cares not whether the California farmer gets help in the quantity he needs to harvest his crops. All those vitally concerned only can hope Congress will reconsider, that it more patiently will hear the valid testimony which so strongly argues the case for the use of braceros. Congressman E. C. GATHINGS, of Arkansas, chairman of an agricultural subcommittee which recommended passage of the extension, is confident Congress will reconsider as it most assuredly should.

Meantime, this is the dilemma in which California finds itself.

Fact No. 1: Without braceros, California is short by 60,000 laborers in the number needed to harvest its crops. This becomes especially significant when it is considered this lack of labor seriously endangers a $3.25 billion a year industry, and the $14 billion agriculture contributes to the total State economy through allied services and industries.

Fact No. 2: American farm laborers will not hire out for stoop labor. How many farmers have complained they just could not recruit domestic help for this kind of labor, however much they offered?

Fact No. 3: The agitation by organized labor opposing the bracero program is built upon myth and quarter truths. The bracero does not take labor away from the domestic workers; he merely fills a job nobody else will do.

At stake in California are a $180 million tomato crop, a good part of the $348 million annual cotton crop, the multimillion dollar beet crop, the $36 million strawberry crop, the $38 million melon crop, the $28 million asparagus crop. These and others, as well as cannery and processing businesses depend upon these crops and the employment in those allied industries.

If bracero labor is denied, then surely production will diminish. The House of Representatives not only is gambling with the destiny of tens of thousands of farmers; it is gambling with local economy as well, for it is a truth of economics that when there are cutbacks in basic farm crops the shudder can be felt down the line right to the local corner filling station operator.

[From the Bakersfield Californian, June 1, 1963]

BRACERO BAN HITS CALIFORNIA AGRICULTURE

The action by Congress against renewing the bracero program is a serious blow to California agriculture, and one that will result in vigorous efforts to introduce new measures aimed at restoring the supply of labor provided by the importation of Mexican farm labor.

Farm leaders in the San Joaquin Valley are united in their opinion that cancellation of the bracero program will do grave damage to the agricultural industry. Many crops depend for their harvest upon the labor that comes from Mexico through the Federal program. The type of work that is done by these workers is not attractive to American workers and it is difficult to recruit labor here for such jobs, together with the difficulty of meeting the competition in wage-and-hour conditions offered by other employment.

It is a fact that in spite of the great advance of mechanization, the large scale farming in California depends a great deal upon "stoop" labor and certain crops cannot be harvested mechanically yet. The jobs that are taken by the braceros are not greatly in demand by native labor, and the displacement in job opportunities is not serious.

The California Legislature is at present studying resolutions urging Congress to renew the program for 1964, and there are other moves that are being considered in the legislation to meet the new crisis in the farm labor field. One is a farm labor bill sponsored by Assemblyman Song of Monterey

Park, which would establish a State farm labor program involving the use of American farm labor similar to the law that established the Federal bracero program. The bill would provide requirements for transportation, housing and guaranteed work periods similar to the requirements set forth in the Federal law covering braceros. Whether these would stimulate the recruitment of native labor remains to be seen, however.

The situation is serious for the California growers, however, since they have established their operation in melons, fruit and vegetable crops which cannot, if they are to survive, continue without the necessary labor supply at harvest time. The bracero program had been operating satisfactorily in California; it offered excellent opportunities for Mexican workers to get jobs at more pay than they could earn in their homeland and the standards set by the Federal law were also beneficial for them. The program also prevented the accumulation of workers that were compelled to go without employment when the crops were harvested and then became in many cases public charges. It is hoped that Congress will change its mind on the bracero program.

[From the Riverside (Calif.) Daily Enterprise, June 4, 1963]

Farm Economists Report: Loss of Bracero Program Will Hit California Farm Crops Hard

(By Pat Keeble)

SACRAMENTO.—Last year the State board of agriculture called in experts from the Giannini Foundation of Agricultural Economics and asked this question:

What would happen to California agriculture if the Mexican bracero program were suddenly dropped?

When Congress refused to renew the program last week, the foundation's report was brought into focus.

The economists found that while the use of Mexican nationals in California had declined steadily for several years, their importance to certain crops could not be denied.

They said impact would vary from crop to crop, but would be most severe "upon the operators of those crops that have heavily depended on foreign labor and in which there is no apparent possibility of substituting machines or other laborsaving technology for the human hand."

The State department of employment identified tomatoes and strawberries as those crops using the most braceros. More than 46,000 were used in the tomato crop last year, while strawberries took nearly 12,000. Other top users were lettuce, lemons, asparagus, snap beans, melons, sugarbeets, grapes, cotton, valencia oranges and celery.

The report gave this summary of what might be expected in 1964 if Congress doesn't change its mind:

Tomatoes: A $130 million crop with 80 percent of its harvest workers coming from Mexico. The report said that it was doubtful that mechanization of the harvest operation could be achieved for the major portion of the crop in less than 8 to 10 years. If seasonal labor should be abruptly curtailed, tomato growers would be left with little choice but to greatly curtail production. A large reduction in the acreage of tomatoes would reduce the employment opportunities for domestic workers in canning, processing and packing plants.

Strawberries: A $36 million crop. About 61 percent of strawberry workers last year were braceros. There is very little mechanical equipment available for harvesting strawberries and no innovations on the horizon. If supplemental seasonal labor became unavailable, large commercial growers would probably have no choice but to greatly reduce their acreage, with production dropping an estimated 50 percent. In time a much smaller industry built around small-scale operations would probably develop, working back up to about 75 percent of current production.

Lettuce: An $88 million crop. Harvest workers would first make an all-out effort to obtain added domestic labor and to adopt mechanical methods. If these failed lettuce acreage would be sharply reduced. This would tend to increase prices to consumers so that reduction in income would be less than the reduction in acreage.

Melons: A $38 million crop. About 44 percent of the harvest workers last year were braceros. Development of a mechanical harvester is difficult because the fruit does not ripen uniformly. If seasonal labor were curtailed, growers would find it very difficult to produce cantaloups and would have to reduce their acreage.

Grapes: A $168 million crop. Only 3 percent of the grape workers last year were braceros. If the labor force were curtailed, either through elimination of the bracero program or because of competition for domestics with other crops, development of mechanization would accelerate, but a reduction of 10 to 15 percent in grape acreage would occur.

Asparagus: A $28 million crop. About 50 to 55 percent of asparagus workers last year were braceros. If they were not available, planting would be cut an estimated 25 to 30 percent. Mechanical harvesters could be used for green asparagus, but small growers would shift to other crops because they could not afford mechanization. Production of white asparagus would tend to disappear, with consumption going to an imported product.

Mr. DOMINICK. Mr. President——

Mr. ALLOTT. Mr. President, I yield 5 minutes to my colleague.

The PRESIDING OFFICER. The junior Senator from Colorado is recognized for 5 minutes.

Mr. DOMINICK. Mr. President, I appreciate the courtesy of my colleague in yielding this time to me.

I desire to express my appreciation of the remarks of the Senator from California [Mr. KUCHEL].

As a sponsor of the pending bill, in view of the present condition of the bill I now have some reluctance in leaving my name attached to it as a sponsor, because it is obvious that the effect of the amendment the Senate adopted a few minutes ago is to make it almost impossible for the Secretary of Labor to certify that any area is available for bracero help under the provisions of Public Law 78.

The effect may well be to stimulate the further immigration of Mexican nationals under Public Law 414, which is the one law which the Mexican Government did not like and the U.S. Government did not like, and which created all the problems for the Immigration Service.

So in the process of adopting the amendment, the Senate has substantially crippled the very effort we were trying to make.

I should like to quote a statement that was made by Robert M. Sayre, acting director of the office of Caribbean and Mexican Affairs before the House Subcommittee on Equipment, Supplies and Manpower during the consideration of the very bill now before the Senate. It bears on the same point that the Senator from California was making.

The statement is as follows:

> The second international consideration I should mention is the importance of the program to the economy of Mexico. Mexico has long been rightly proud of its ability largely to pay its own way in the financing of its industrial and social development. To do this it depends in great part on loans which it repays with interest out of its dollar earnings. Mexico also regularly has a considerable trade deficit with the United States. Remittances home from the braceros, estimated to average at least $100 per worker and possibly twice this amount, not only have often substantially supported their families and relatives, but have contributed notably to cover the Mexican deficit in its trade and in repaying its loans. The Bank of Mexico estimated these remittances at $37 million in 1962.
>
> The program also provides an important source of temporary employment for many thousands of Mexican workers. When it is recognized that the annual per capita income in many of the areas from which the Mexican workers come is approximately $100, it can readily be seen how important this supplemental income can be to Mexican workers. This temporary program has thus fulfilled mutually satisfactory objectives: American farmers have been able to obtain temporary agricultural laborers and Mexican workers have been able to earn a fair income under labor conditions satisfactory to both Governments.

The acting director said also:

> But I would also want to note that the sudden loss of the dollar income of Mexican workers would be a serious blow to their family income and constitute a significant loss of foreign exchange to Mexico.

So the State Department has unequivocally said that this was a good temporary program, the cutoff of which would substantially hurt not only the American farmers, but Mexico itself. In my opinion, the Senate has done that indirectly instead of doing it directly.

I should also like to quote at this point an article which was published in the Arkansas Valley Journal, Arkansas Valley, Colo., in order to show the effect that the loss of the program would have on agriculture in our country:

> If it is allowed to stand, the action of the House of Representatives in Washington last week in refusing to extend the braceros program beyond the end of this year will strike a body blow at Arkansas Valley economy.
>
> The problem of seasonal field labor, viewed from any angle, is not an easy one to solve.
>
> The importation of Mexican national fieldworkers under rigid treaty control has provided a great portion of the Southwest, including the Arkansas Valley, with its only dependable supply of field labor.
>
> Remove the possibility of securing this bracero labor as needed, and many a hard-pressed small farmer—

About which so many of us bleed—

> already ground down almost beyond endurance by the cost-price squeeze and the drought, will be forced to quit planting those high-cost, potentially high-return cash crops that require field labor.

So again we have a situation in which we are taking reverse action on the question of trying to solve problems with which we have been dealing for many years. It does not seem to me to make very much sense for the Senate to try to solve agricultural problems, to be of assistance to small farmers, and to try to take action in the field of foreign relations which would help our neighbors and our friends.

One of the most frequently heard arguments against this program is that Mexican laborers are imported into this country to do work which could otherwise be accomplished through the utilization of domestic laborers. The assumption here is that the growers slip quietly down to the border, whisper to some contact there that the crops are almost ripe and somehow smuggle hordes of unsuspecting Mexicans into their fields before the domestic workers know what has happened. This is a very popular inference made by the opponents of this program, but, of course, it is just not true. Critics of the bracero program comes up for extension. I do not believe that the facts would bear out these inferences. In fact, the Secretary of Labor, Mr. Wirtz, in the hearings before the House committee answered these contentions as follows:

> So I say to you that in general my answer to your question is that this program is not to date substantially displacing American workers, given the present set of circumstances.

It is true that we have an increasing unemployment problem in this country. However, I believe that we must recognize that the elimination of the bracero program will have little or no affect on this situation. The braceros perform stoop labor and we just cannot get adequate domestic labor to replace them even though there are pockets of unemployment close to areas using the braceros. In the first place, those who are on unemployment insurance or other relief programs cannot be induced to perform this type of labor. You just cannot get an unemployed coal miner, or bricklayer or carpenter or steelworker to go out and work all day in the hot sun weeding beets.

The fact of the matter is a great deal of effort has been made in the past and continues to be made to insure that domestic laborers are not displaced. Under the provisions of this program, which I might add has the sanction of the Department of Labor, the use of Mexican workers is restricted to instances or areas where they will not compete with domestic labor. Prior to hiring braceros, the Secretary of Labor is required to certify that first, domestic workers, able, willing and qualified are not available; second, the employment of Mexican workers "will not adversely affect the wages and working conditions of domestic agricultural workers similarly employed"; and third, reasonable efforts have been made to attract domestic workers at comparable wages, hour and working conditions. Surely these conditions do not lend themselves toward encouraging, nor even allowing, the situation of the rich plantation farmer taking advantage of the downtrodden peasant as the opposition would have us believe.

The farmer, over the years when the bracero program has been in effect, has been able to better himself in his crop yield. However, the type of crops where bracero labor is utilized does not generally lend itself to increased productivity per man-day. Although great strides toward automation have been made, crops such as tomatoes, lettuce, strawberries, sugarbeets, lemons, oranges, melons, asparagus, celery, and snap beans must still be picked by hand. I might add that they are cash crops and do not contribute in any way to our agricultural surpluses. However, the farmer has little control over the eventual market price. Typically, he cannot pass on his labor costs to the consumers.

In his letter to Congress of March 26, 1963, the Secretary of Labor advises that it is true that the need for Mexican workers has decreased in recent years. He points out that under this program, peak Mexican employment reached 291,000 in 1959, but was only 114,200 in 1962. Overall contracting for them declined from a high of 445,200 in 1956 to 195,000 in 1962. The Secretary then concluded that, in spite of this trend, there will be a definite need for foreign workers in the next year.

I think this is a very valid point, which deserves the attention of all Senators. There is a need for these Mexican workers. The Secretary of Labor did not say it would be desirable, nor convenient, nor economically expedient, but that at the present time there is a need for such supplemental farm labor in some areas. The bracero program is not something which has been confined to just a few Western States. During the course of the program, it has been utilized by about 25 States. These States are:

Arizona, Arkansas, California, Colorado, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oregon, South Dakota, Tennessee, Texas, Utah, Wisconsin, and Wyoming.

The abundant availability of canned and fresh fruit and vegetables in the larger States in the eastern seaboard are to some extent dependent upon the utilization of bracero labor in other States which produce these vital commodities.

There is also some discussion as to whether or not farmers participating in this program should provide housing and transportation for domestic workers as they do for Mexican laborers. I should like to call the Senate's attention to a statement in the Agriculture Committee's report on this bill which goes into this point. The committee, in considering this point, reported:

> Mexican nationals enter this country under an international agreement in accordance with the terms of a standard work contract. They are not free agents in this country. Because of this, a responsibility to remain with the employer with whom they contract is imposed upon them. They do not bring their families with them. They enter this country to do a particular job after which they return home. Domestic workers, on the other hand, are free to come and go as they please. They may seek other employment in or out of agriculture, if they wish. It is not intended, therefore, to require guarantees from farmers as to housing, payment of transportation, and periods of work for workers who may not fulfill their end of the bargain.

Therefore, the hiring farmer would be placed at a distinct disadvantage should he be required to provide the same transportation and housing facilities for domestic workers, without the same assurances of available labor.

In view of these facts, and reminding the Senators of the unmistakable economic hardship facing the growers, I strongly recommend passage of this bill.

By taking the action it has taken, the Senate has effectually killed a program which has done good in all three fields. That is exactly what has been accomplished by the adoption of the amendment. I hope that despite the action, the bill may still reach the House, and that Members of the House will have an opportunity, by reading the debate today, to change their position in connection with the amendment and to pass the bill without the amendment.

Mr. ALLOTT. Mr. President, does the Senator from Colorado yield back the remainder of his time?

Mr. DOMINICK. I yield back the remainder of my time.

Mr. ALLOTT. I yield 4 minutes to the Senator from Texas.

Mr. TOWER. Mr. President, I am deeply sorry that the amendment has been adopted, because it does grievous violence to the bill. However, the bill still should be passed. I should like to express my thanks to the distinguished Senator from Arkansas [Mr. FULBRIGHT] and to the distinguished Senator from California [Mr. KUCHEL] for noting the fact that the failure to pass the bill might hurt American-Mexican relations. A routine study of Public Law 78 would reveal that there are already adequate protections in that bill for domestic farmworkers. What we are doing now is denying the Mexican people their second most important source of dollars.

We are denying a number of underprivileged Mexican people work that they need and desire.

I know that my friends on the opposite side of the aisle who oppose the measure are motivated by humanitarian considerations. I wish they could only stand in the bracero processing center in Monterrey and see there the shrine to Nuestra Senora Guadalupe—Our Lady of Guadalupe—and see the poor Mexican people who have been accepted for bracero work in the United States go before that shrine of Our Lady of Guadalupe and take from their pockets all of their money, their few pitiful centavos, and drop them into a box which is near the shrine—everything that they have—in gratitude because now they have work, they can earn, they can eat, and they will have lodging. If we should kill the program we would deny the satisfaction of a great need to people who should be our best friends—the people of the great Republic of Mexico.

Mr. President, I have prepared some rather lengthy remarks in support of Public Law 78. I ask unanimous consent that they be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR TOWER

The Senate Migratory Labor Subcommittee, of which I am a member, held hearings on the effect of the Mexican national program on the wages and job opportunities of the American farmworkers. Numerous statements were made that the program has a detrimental effect on domestic workers, and that it has outlived its usefulness. It is my intention to answer point by point the objections of the opposition to the extension of the Mexican national program, and to show the need for continuing the program in certain areas of the country.

First, the need for the program. We could perhaps dismiss this point by referring to the recommendation of the Secretary of Labor that the program be extended for 1 year. However, to determine the real need it is necessary to look at the farm labor force.

The average hired farm labor force has declined from 2,329,000 in 1950 to 1,817,000 in 1962. The most striking feature of the hired farm labor force is its seasonal variation which in 1962 was as follows:

Hired workers on farms

January	811,000
February	995,000
March	1,233,000
April	1,593,000
May	1,992,000
June	2,627,000
July	2,719,000
August	2,651,000
September	2,689,000
October	2,202,000
November	1,385,000
December	902,000

The hired farm labor force consists of permanent workers and seasonal workers. During 1962, the composition of the seasonal labor force was as follows:

[In thousands]

Month	Local domestic workers	Migrant domestic workers	Foreign workers	Total seasonal
January	228.6	42.9	53.8	325.3
February	222.4	40.6	47.3	310.3
March	226.9	38.4	45.8	311.2
April	284.9	48.8	47.4	381.1
May	549.9	116.4	76.9	743.1
June	823.7	212.5	98.3	1,134.6
July	871.5	277.4	70.6	1,219.5
August	726.8	249.5	78.9	1,055.2
September	846.4	228.5	113.9	1,188.8
October	782.7	207.2	112.5	1,102.4
November	364.5	87.3	59.0	510.8
December	228.3	43.3	42.8	314.4

This seasonality as indicated by the foregoing tables is one of the basic reasons for the Mexican National program. The majority of seasonal workers are local people. But in most places the number of local people available for harvesting activity is limited, necessitating the employment of either domestic or foreign migrant workers.

Mexican Nationals are employed primarily on crops requiring the greatest amount of hand labor. For example, every spear of asparagus, every head of lettuce, every head of cauliflower, every shoot of broccoli, every tomato, cucumber, stalk of celery and every strawberry must be harvested by hand to say nothing of other crops such as sugarbeets, oranges, lemons, and cotton which also employ some Mexicans. At the same time of peak labor requirements, there is simply insufficient domestic labor to meet needs.

Furthermore, in areas that are heavily mechanized, there remains a need for some hand labor. In Texas where irrigation water is piped, workers are needed to move the pipe. Where mechanical strippers are used to harvest cotton, workers are used in trailers following the stripper to assure an even and full trailer load of harvested cotton. For these jobs there is an inadequate supply of domestic labor which I shall discuss subsequently.

But the most valid indicator of the need for this program is that the Secretary of Labor found and certified a need for 195,000 Mexican Nationals in 1962 and has himself testified to the need for continuing the program for 1 more year. The administration does propose an additional amendment to grant it further control over the farm work force, but it nonetheless has testified to the need for continuing Public Law 78.

The employment of Mexican Nationals is not inexpensive. Furthermore, their employment is surrounded by numerous restrictions. If there were not a need for Mexican Nationals, farmers would not employ them under the conditions which they must meet to be eligible to contract braceros. To terminate the program at this time or to add any more burdensome amendments or regulations would have a severe and drastic effect upon many farmers. The need for the program will continue as long as there is a need for hand labor.

WAGES PAID FARMWORKERS

The average farm wage rates paid in 1962 compared with the latest available figures are as follows:

Farm wage rates	Average annual, 1962	July 1, 1963
Composite rate per hour[1]	$0.856	$0.872
Per month with house	200	215
Per month with board and room	155	159
Per week with board and room	37.00	39.00
Per week without board and room	47.75	51.00
Per day with house	5.60	5.70
Per day with board and room	6.70	7.40
Per day without board and room	6.90	7.00
Per hour with house	.92	.98
Per hour without board and room	1.01	1.09
Indexes:[2]		
1910-14=100	658	681
1957-59=100	112	117

[1] Weighted average of all rates on a per-hour basis.

[2] Indexes are adjusted for seasonal variation.

Despite the low level of farm income and the increase in farm costs, farm wages have increased substantially over the past several years.

In 1950 the index of composite of farm wage rates was 432; today it stands at 681, an increase of almost 58 percent. Farm labor wages have increased substantially in all States in which Mexican nationals are used. These are shown in the following table:

Composite wage rate per hour

State	1950	1962	Increase	
			Percent	Cents per hour
Michigan	$0.606	$0.908	50	$0.302
Arkansas	.427	.740	73	.313
Texas	.554	.796	44	.242
Colorado	.647	.975	51	.328
New Mexico	.531	.831	56	.300
Arizona	.629	.984	56	.355
California	.884	1.310	48	.426

Basic to the question of the farm wage rates for workers is productivity. Notwithstanding sharp increases in production per worker in American agriculture, labor input per unit of production for many of the operations still performed by hand has not been significantly reduced. An example of such activity is picking fruit. It is in this type of work that most Mexican nationals and for that matter, most seasonal workers are employed.

Because of the relative stability of productivity in these operations, it is surprising that farmers have been able to increase wages paid such workers to the extent that they have, and while these wage rates may not be high when compared with industrial wage levels, they are generally high in relation to the workers' productivity and in relation to what the farmer makes by employing such workers.

It is this last factor that is providing a substantial incentive for farmers to mechanize their farming operations to the greatest extent possible.

And in this connection, it should be pointed out that if farmers are forced into a crash program of mechanization, the net result will not be more employment for domestic workers. A two-row cotton picker, for example, can do the work of 50 to 60 hand pickers. This machine replaces jobs not only of Mexican nationals but of domestic workers. Termination of the Mexican national program could well mean a crash program of mechanization in those areas and among those farmers able to afford to mechanize.

Not all farmers, however, could afford to mechanize their farming operation. The shift from hand to mechanical harvesting is a major change in operating a farm. A two-row cotton picker, for example, costs $18,000. Aside from this large investment other matters must be considered such as size of farm operation and land topography.

Of course, mechanization is going to occur in any event. In cotton, for example, 34 percent of the 1958 crop was picked mechanically. Of the 1962 crop, 70 percent was harvested mechanically. Mechanization offers farmers the opportunity to achieve real savings in production costs. It brings efficiency to all of agriculture. But it will make a great deal of difference to farmers and related industries as well as to workers if the adjustment is made gradually and on a sound basis rather than forced and premature.

THE EMPLOYMENT OF MEXICAN NATIONALS IS NOT HARMFUL TO SMALL FARMERS

Small farmers would actually be more seriously affected than large farmers by ending the Mexican national program, or making it more restrictive than it already is. It is the crop which a farmer produces that determines the need for labor, not so much the size of his operation. Crops with a high labor requirement, demand hired labor virtually without regard to the size of the farm. Fruits and vegetables are in this category.

Any shortage of farm labor would, therefore, affect small farmers more adversely than larger farmers. This is true because whenever costs of production rise, farmers, where possible, convert to mechanization. The smaller farmer would have more difficulty in obtaining capital for mechanizing his operation. Furthermore, the cost of mechanization per unit on a small volume of production would be prohibitive.

The Department of Labor points out that 33,214 farms employed Mexican nationals in 1962. This, however, does not mean that the program is important only to those farmers. In a given area, there may be 100 farmers who employ Mexican nationals, but there may be 2,000 farmers who would be seriously affected if the program would be terminated by the resulting labor supply situation.

THE MEXICAN NATIONAL PROGRAM IS NOT RESPONSIBLE FOR SUBSTANTIAL UNDEREMPLOYMENT AND UNEMPLOYMENT OF DOMESTIC FARMWORKERS

Under Public Law 78, supplemental workers cannot be contracted until all available domestic workers have been employed. Certification for the employment of supplemental Mexican national workers must be obtained from the State Employment Service, as well as the U.S. Department of Labor. All domestic farmworkers' jobs are protected.

The question here is one of time and place. During the period of the year in which most Mexican nationals are employed, there is a general shortage of farmworkers in all areas. Virtually all qualified workers looking for jobs are employed. Though there may be unemployed farmworkers during the winter, there can still be a major shortage in the fall. Also, there frequently is and can be a shortage of farmworkers in the areas in which Mexican nationals are needed even though there may be at the same time unemployed farmworkers in other areas.

THE CURRENT HIGH LEVEL OF GENERAL UNEMPLOYMENT IN UNITED STATES DOES NOT MEAN MEXICAN LABOR PROGRAM SHOULD BE TERMINATED

There is general agreement that all domestic workers who are willing to accept and are available for farm employment should be given a priority for such employment.

The Department of Labor has required employers of Mexican nationals to employ any and all qualified workers referred to them. There are occasional complaints that domestic workers are unable to find jobs because of the employment of Mexican nationals. There is no basis for these complaints. All the worker has to do is to visit the local employment office and he will be employed.

Public Law 78 requires the Secretary of Labor, before an employer is certified for Mexican nationals to determine and certify that—

1. Sufficient domestic workers who are able, willing, and qualified are not available at the time and place needed to perform the work;

2. The employment of such workers will not adversely affect the wages and working conditions of domestic agricultural workers similarly employed; and

3. Reasonable efforts have been made to attract domestic workers for such employment at wages and standard hours of work comparable to those offered to foreign workers.

To the extent that domestic workers are or may be available, these provisions assure they will receive priority.

It is inconceivable that a sufficiently large number of domestic workers will be available so that Public Law 78 may be discontinued without drastic impact upon farmers.

Most of the work at which Mexican nationals are employed may be properly described as "stoop labor." Most U.S. citizens are not interested in this kind of work except as a last resort.

U.S. citizens are interested in permanent jobs, involving permanent residence, rather than the temporary and intermittent employment of the type performed by Mexican nationals.

In connection with the argument that American workers are willing to perform "stoop labor," the statement of Mr. Max Henderson submitted to the House Subcommittee on Equipment, Supplies, and Manpower during the 1961 hearings on the extension of the Mexican labor program, is particularly appropriate. Mr. Henderson quoted the remarks of former Congressman Bentley during the hearing before the subcommittee in 1958 as follows:

"Mr. Chairman, one of the popular fallacies in today's unemployment situation is the belief that somehow industrial unemployment contributes to the agricultural labor supply. In my State of Michigan, as I said, we have been harder hit by industrial layoffs than any other area in the country. I think our percentage of unemployment now is roughly 18.5 percent of the employable labor force. In spite of this, there has been no appreciable increase in the number of local workers ready, willing, and able to undertake agricultural employment.

"A specific example is the following account of the recruitment program carried out jointly by the Michigan State Employment Service and a large growers' organization within the State—Michigan Field Crops, Inc.—just 3 weeks ago in Detroit.

"An order for domestic workers was placed by this growers' organization with the Michigan Employment Service. The number of workers needed was 4,600. I might remind the committee that Detroit was a city which was reported at mid-April to have 275,000 persons unemployed.

"In line with usual procedure, the employment service carefully reviewed their files and assembled for interviewing 365 men who by their own statement at the time of application for work had indicated some farm background or experience. The employer's representative talked to these men as a group, explaining what the work would consist of—in this case the thinning of sugarbeets—and requested those still interested to remain for a personal interview. Of the 365, 184 stayed on to be interviewed personally.

"Of the 184 interviewed personally, 86 were tenatively accepted for employment. Those who were rejected fell into the following categories:

Obvious bums, had been drinking prior to interview	2
Parolees, only agricultural experience was on prison farms	9
Over 50 years of age, experience has shown that men above 50 cannot satisfactorily perform the admittedly strenuous work of thinning beets	3
Under 18 years of age, unattached males under 18 have proved worthless in all past experience	4
Claimed agricultural experience, but in response to key questions were found to have had none	13
Claimed no agricultural experience of any kind on personnel interview	42
Rejected for various reasons not detailed in a personal way but based on the judgment of the interviewer	25
Total	98

"Of the 86 accepted for work, 12 were experienced beet workers with a background which made them quite desirable. The remaining 74 were sent letters advising them when and where to appear to be transported to their place of employment. Of these, 39 actually appeared on the day to be transported. Of these 39, 15 worked 1 day and left the next morning. The remaining 24 are presently at work and are accomplishing about 15 percent of the work output per day per man that experienced workers average.

"The above example does not recite the man-hours of effort on the part of the Michigan Employment Service and on the part of key personnel in the growers' organization during the experiment. Neither does it set forth the sizable amounts of money spent by the employment group to send personnel to handle the interviews and to furnish transportation, some of which was never used."

Mr. Henderson added:

"Our job offer to domestics is equal to or better than that offered by other crops in the Midwest. Transportation is paid gratis from point of recruitment to place of employment. Housing is provided gratis and meets any reasonable standards which have so far been advanced. Starting this year domestic workers will be covered by hospital and medical insurance, with the worker paying the nonoccupational portion and the employer paying the occupational portion in the same manner as insurance is provided for Mexican nationals. Wages for sugarbeet work in our area have always been in excess of those determined by the Secretary of Agriculture to be fair and reasonable. This determination is made annually after hearings at which all interested groups are heard."

THE MEXICAN FARM LABOR PROGRAM IS IMPORTANT TO MEXICO

The State Department estimates that remittances home from braceros averaged at least $100 per worker and possibly twice this amount. The Bank of Mexico estimates these remittances at $37 million in 1962. This money has contributed to a great extent to cover the Mexico trade deficit and has enabled Mexico to repay its loans. But the importance of the bracero program extends beyond this. It offers an opportunity for Mexicans to learn new skills and cultural practices. Many of the most prosperous farmers in certain areas of Mexico owe their success in large part to the skill and experience gained as a bracero in the United States.

Mr. TOWER. I yield back the remainder of my time.

Mr. ALLOTT. Mr. President, I yield 2 minutes to the distinguished Senator from Arizona [Mr. GOLDWATER].

The PRESIDING OFFICER. The Senator from Arizona is recognized for 2 minutes.

Mr. GOLDWATER. Mr. President, when Senators from the Far West and the Border States are asked to vote on a measure which would have no particular effect on us, we take particular pains to ask Senators from those areas of the country whom the proposed legislation might affect how the vote would best help them. I suggest in all sincerity, in all respect to the honesty of Senators, that many are voting today who do not understand the problem that we on the Mexican border and near it face. Farmers in the Far West and Southwest cannot obtain stoop labor. Farmers are competing with industrial plants in a fast-growing industrial complex. We would not have had crops if it were not for the Mexicans who come into our country. Several Senators have alluded to that. I reemphasize it because I have been in Mexico many times. I have seen what the money obtained by Mexicans under the program has done in States like Sonora and Coahuila. I know the braceros, because for many a day in my home city of Phoenix I was one of the few people who spoke Spanish, and they came to me to cash their checks.

As I traveled in Mexico, I made it a point to see what had been done with the money. This money has established many braceros as farmers in Mexico. It has enabled many to improve their standards of living.

I have yet to meet a Mexican official who has not told me that this is the most constructive thing the United States has ever done to better the relationship between our countries.

If there is to be a final vote on the question of passage of the bill, I hope that many Senators who have voted to work a hardship upon the western and southwestern farmers will repent and think a little of their brethren in the Senate and of the plight of the farmers in our particular section of the country.

Mr. GORE. Mr. President, I ask for the yeas and nays on the question of passage of the bill.

The yeas and nays were not ordered.

Mr. ALLOTT. Mr. President, I yield to the distinguished Senator from Louisiana [Mr. ELLENDER], the chairman of the Committee on Agriculture and Forestry.

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

Mr. ELLENDER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. ELLENDER. What is the status of the bill?

The PRESIDING OFFICER. The bill has been read the third time. The question is, Shall it pass?

Mr. ELLENDER. Mr. President, I was not aware that the bill had been read the third time. I never heard it. I have been sitting at my desk all this time.

I now move to reconsider the vote by which the bill was read the third time.

The PRESIDING OFFICER. The question is on agreeing to the motion to reconsider the vote by which the bill was read the third time.

Mr. McCARTHY. Mr. President, I move to lay that motion on the table.

Mr. ELLENDER. Mr. President, on that question I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. Under the unanimous consent agreement, the Senator from Louisiana has 15 minutes on the motion to reconsider; does he yield back his time?

Mr. GORE. A point of order, Mr. President. A motion to lay on the table is not debatable.

The PRESIDING OFFICER. Under the unanimous consent agreement, the motion to lay on the table is not in order until the Senator from Louisiana has utilized his time or yielded it back.

Mr. GORE. Mr. President, would the Presiding Officer restate that.

Mr. ELLENDER. Mr. President, I yield back my time.

The PRESIDING OFFICER. The Senator from Louisiana has yielded back his time. The motion to table is in order.

The question is on agreeing to the motion to lay on the table the motion to reconsider the vote by which the bill was read the third time. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from Nevada [Mr. BIBLE], the Senator from Oklahoma [Mr. EDMONDSON], the Senator from Michigan [Mr. HART], the Senator from Missouri [Mr. LONG], and the Senator from Florida [Mr. SMATHERS] are absent on official business.

I further announce that the Senator from Indiana [Mr. BAYH] is necessarily absent.

I further announce that, if present and voting, the Senator from Oklahoma [Mr. EDMONDSON], the Senator from Indiana [Mr. BAYH], and the Senator from Michigan [Mr. HART] would each vote "yea."

On this vote, the Senator from Nevada [Mr. BIBLE] is paired with the Senator from Florida [Mr. SMATHERS]. If present and voting, the Senator from Nevada would vote "yea," and the Senator from Florida would vote "nay."

On this vote, the Senator from Missouri [Mr. LONG] is paired with the Senator from New Mexico [Mr. MECHEM]. If present and voting, the Senator from Missouri would vote "yea," and the Senator from New Mexico would vote "nay."

Mr. KUCHEL. I announce that the Senator from Iowa [Mr. HICKENLOOPER], the Senator from New Mexico [Mr. MECHEM], and the Senator from Massachusetts [Mr. SALTONSTALL] are necessarily absent.

On this vote, the Senator from Missouri [Mr. LONG] is paired with the Senator from New Mexico [Mr. MECHEM]. If present and voting, the Senator from Missouri would vote "yea," and the Senator from New Mexico would vote "nay."

The result was announced—yeas 45, nays 45, as follows:

[No. 140 Leg.]

YEAS—45

Anderson
Bartlett
Beall
Boggs
Brewster
Burdick
Cannon
Case
Church
Clark
Dodd
Douglas
Fong
Gore
Hartke

Humphrey
Inouye
Jackson
Javits
Johnston
Keating
Kennedy
Magnuson
Mansfield
McCarthy
McGee
McGovern
McIntyre
McNamara
Metcalf

Monroney
Moss
Muskie
Nelson
Neuberger
Pastore
Pell
Proxmire
Randolph
Ribicoff
Scott
Smith
Symington
Williams, N.J.
Young, Ohio

NAYS—45

Aiken
Allott
Bennett
Byrd, Va.
Byrd, W. Va.
Carlson
Cooper
Cotton
Curtis
Dirksen
Dominick
Eastland
Ellender
Engle
Ervin

Fulbright
Goldwater
Gruening
Hayden
Hill
Holland
Hruska
Jordan, Idaho
Jordan, N.C.
Kuchel
Lausche
Long, La.
McClellan
Miller
Morse

Morton
Mundt
Pearson
Prouty
Robertson
Russell
Simpson
Sparkman
Stennis
Talmadge
Thurmond
Tower
Williams, Del.
Yarborough
Young, N. Dak.

NOT VOTING—9

Bayh
Bible
Edmondson

Hart
Hickenlooper
Long, Mo.

Mechem
Saltonstall
Smathers

So Mr. MCCARTHY's motion to lay on the table Mr. ELLENDER's motion to reconsider the vote by which the bill was read the third time was rejected.

The PRESIDING OFFICER. The question now recurs on the motion of the Senator from Louisiana to reconsider the vote by which the bill was read the third time.

Mr. MOSS. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from Nevada [Mr. BIBLE], the Senator from Oklahoma [Mr. EDMONDSON], the Senator from Michigan [Mr. HART], the Senator from Missouri [Mr. LONG], and the Senator from Florida [Mr. SMATHERS] are absent on official business.

I further announce that the Senator from Indiana [Mr. BAYH] is necessarily absent.

I further announce that, if present and voting, the Senator from Indiana [Mr. BAYH], the Senator from Oklahoma [Mr. EDMONDSON], and the Senator from Michigan [Mr. HART] would each vote "nay."

On this vote, the Senator from Nevada [Mr. BIBLE] is paired with the Senator from Florida [Mr. SMATHERS]. If present and voting, the Senator from Nevada would vote "nay" and the Senator from Florida would vote "yea."

On this vote, the Senator from Missouri [Mr. LONG] is paired with the Senator from New Mexico [Mr. MECHEM]. If present and voting, the Senator from Missouri would vote "nay" and the Senator from New Mexico would vote "yea."

Mr. KUCHEL. I announce that the Senator from Iowa [Mr. HICKENLOOPER], the Senator from New Mexico [Mr. MECHEM], and the Senator from Massachusetts [Mr. SALTONSTALL] are necessarily absent.

On this vote, the Senator from Missouri [Mr. LONG] is paired with the Senator from New Mexico [Mr. MECHEM]. If present and voting, the Senator from Missouri would vote "nay" and the Senator from New Mexico would vote "nay."

The result was announced—yeas 45, nays 45, as follows:

[No. 141 Leg.]

YEAS—45

Aiken
Allott
Bennett
Byrd, Va.
Byrd, W. Va.
Carlson
Cooper
Cotton
Curtis
Dirksen
Dominick
Eastland
Ellender
Engle
Ervin

Fulbright
Goldwater
Gruening
Hayden
Hill
Holland
Hruska
Jordan, N.C.
Jordan, Idaho
Kuchel
Lausche
Long, La.
McClellan
Miller
Morse

Morton
Mundt
Pearson
Prouty
Robertson
Russell
Simpson
Sparkman
Stennis
Talmadge
Thurmond
Tower
Williams, Del.
Yarborough
Young, N. Dak.

NAYS—45

Anderson
Bartlett
Beall
Boggs
Brewster
Burdick
Cannon
Case
Church
Clark
Dodd
Douglas
Fong
Gore
Hartke

Humphrey
Inouye
Jackson
Javits
Johnston
Keating
Kennedy
Magnuson
Mansfield
McCarthy
McGee
McGovern
McIntyre
McNamara
Metcalf

Monroney
Moss
Muskie
Nelson
Neuberger
Pastore
Pell
Proxmire
Randolph
Ribicoff
Scott
Smith
Symington
Williams, N.J.
Young, Ohio

NOT VOTING—9

Bayh
Bible
Edmondson

Hart
Hickenlooper
Long, Mo.

Mechem
Saltonstall
Smathers

So Mr. ELLENDER's motion to reconsider the vote by which the bill was read the third time was rejected.

Mr. DIRKSEN. I yield 3 minutes to the Senator from Wisconsin.

Mr. PROXMIRE. Mr. President, the Senate should kill any extension of Public Law 78, which provides for the importation of Mexican workers into the United States to work on farm crops under conditions which only the most economically and socially depressed of our own citizens will accept.

Earlier this year the House of Representatives rejected the attempts of a few special interests to perpetuate this system of virtual peonage under which Mexican men are forced by economic necessity to separate from their families for many months and accept whatever hours, wages, and living conditions are imposed upon them. I would hope that this body, in its wisdom, would see fit to vote down this hasty attempt to continue a program which is contrary to all our democratic principles.

I say that this is a hasty attempt. It is. No Senate hearings were held on this legislation, which would extend the bracero program for 1 year. The only departmental communication concerning this matter accompanies a draft bill which would continue the program only on condition that employers seeking Mexican workers "offer domestic workers workmen's compensation or occupational insurance coverage, housing, and transportation expenses comparable to those required to be furnished the Mexican workers." We are, in effect, voting upon this bill with the only substantial recommendations of any kind, pro or con, being contained in testimony by the Department of Labor at a hearing which was convened at the last moment on another bill, S. 527. At that hearing the Under Secretary characterized Public Law 78 as a wretched law that should be buried. In addition, we have a very brief last minute letter from the Department of Agriculture supporting the bill only if amendments are made.

Mr. President, the Secretary of Agriculture should have been requested to appear before the Agriculture and Forestry Committee to explain the full consequences of amending the program as recommended by the Secretary of Labor or of ending the program forthwith this year in accordance with the actions of the House of Representatives.

Why wasn't he requested to appear? He did not appear in the House. His testimony is essential. Was it because it was well known that he would oppose extension of this bill without amendment? Of course.

The Secretary of Agriculture is the Nation's expert on our farm economy. He should, therefore, report to the Senate through the Agriculture Committee on the consequences of these alternatives in terms of farm proprietor income, domestic farmworker income, the effect on harvesting activities of the absence of braceros and the availability of domestic farmworkers in the event of higher wages.

It is said that these Mexican workers are used only because American labor will not do the job. The term applied to this work is "stoop" labor and we are told that it will not be done by U.S. citizens. I will not go into the moral questions raised by using Mexican nationals to perform work which is either so demeaning or so poorly paid that we cannot expect our own citizens to perform it, although, were I Mexican, I would hardly be pleased by this distinction between the citizens of Mexico and the citizens of the United States. This charge needs heavy qualification and could not be sustained if decent wages, working conditions, and living conditions were made available to domestic migrants.

An interesting statement used to bolster the argument that domestic workers will not do the same work is that the "Michigan Employment Security Commission, in attempting to place urban unemployed"—I want to stress those two words, "urban unemployed"—"into seasonal agricultural jobs found fewer than 1 out of 20 stayed on the job long enough to have a successful work completion record." I have no doubt that these figures are so. I have no doubt that if untrained migrants were put to work in a steel mill with no preparation, the job completion record would be equally abysmal. But there was a higher percentage of rural unemployed in this country in 1962, 7.3 percent, than urban unemployed, and it is this group of unemployed that have the background and the experience to harvest seasonal crops. It has been pointed out that students seeking summer jobs cannot bring in the crops fast enough. This is no reason to bring in Mexican labor to perform work which our rural unemployed are willing and able to do.

I will concede that, given present wage scales in agriculture, many Americans would not do seasonal farm labor. But why do we accept this as a reason for bringing in imported farm labor? It has not been accepted in any other business, because American workers would not stand for it. The domestic migrant, however, has no unions, has no cooperatives. He is low man on the economic totem pole, and consequently his rights to compete with other Americans in the marketplace for a living wage can be taken away from him without fear of reprisal or outcry. And, Mr. President, generally he has no vote. He drives from State to State. He does not have a State. Anyone who finds the labor vote hard to understand, there is your answer. The fact of the matter is that the constant threat of an inexhaustible cheap labor force below our borders drives down and keeps down the wages paid to domestic migrants. If seasonal farmworkers were given the opportunity to compete with their fellow Americans for these jobs, the producer might have to pay higher wages to get a sufficient number of workers, but the standard of living and the purchasing power of our domestic migrants would go up, most of the 195,000 jobs filled by Mexican nationals in 1962 would be filled by presently unemployed Americans, and the manpower resources of this country as well as our economy as a whole would be by that degree enriched.

At this point it might be helpful to examine some estimates, taken from the House report on a similar extension bill, which indicate what increased farm labor costs would mean to the American consumer.

A 20-cent-an-hour increase in return for all labor, hired or family, involved in cotton production would increase the average family's expenses for all of its cotton goods by $1 a year.

A 20-cent-an-hour increase for sugarbeet workers would increase sugarbeet costs about one-twentieth of a cent a pound—an amount too small to affect the retail price.

A 20-cent increase in farm labor costs in raising and harvesting lettuce would increase costs by one-fifth of a cent a head.

It is said that under subsection (2) of section 503 of the act permitting the use of Mexican farm laborers the Secretary of Labor must certify that the employment of such workers will not adversely affect the wages and working conditions of domestic agricultural workers similarly employed. However, as I have said, the constant availability of this cheap labor keeps wages down. Moreover, House hearings revealed that many employers of the bracero systematically refuse work to domestic farmworkers or harass them into quitting once they are hired in order to take advantage of the ready supply of cheap Mexican labor. Even the limited efforts of the Secretary of Labor to set wage rates at a minimal level have come under attack. The House report on a similar bill states:

> Congress only intended that he [the Secretary] determine adverse effect on the basis of the prevailing wage. The so-called adverse effect wage orders are presently being challenged in the courts, and it is expected that the courts will in due course curb this unwarranted usurpation of power by the Secretary of Labor.

Thus if this legislation is passed, we can expect to see wage levels for our domestic migrants decrease because of the withdrawal from the Secretary of Labor of the power to set decent wage levels.

Many growers prefer to use braceros because they do not travel with their families, having left them behind in Mexico. Consequently they are easier to house. Because braceros fear being returned to Mexico if they cause any trouble, it is easy to control the movements and work habits of these men, and I might add, easy for unscrupulous growers to shortchange the men without fear of protest. These advantages are gained at the expense of the human dignity of the men themselves and the well-being of their families who are deprived of the head of the household for 6 months at a time. In fact, the Mexican clergy has deplored the effect that the loss of these workers has on the family they have left behind. Many leaders believe that the migration of hundreds of thousands of men each year causes harm to the family structure and village life.

Any supposed advantages to be gained by the legislation under consideration today are by no means nationwide. As a matter of fact, two States, California and Texas, account for 79 percent of the total man-months of Mexican labor. Most of the remaining Mexican labor was confined to farms in the four States of Arizona, Arkansas, Michigan, and Colorado. The Mexican farm labor program serves less than 1 percent of American farmers, and these farmers are usually the large corporation grower. The smaller family farm generally uses no hired farm labor at all. Consequently, the annual migration of large masses of Mexican workers helps the large corporation farm at the expense of the family farm which has for so long been the backbone of our agricultural economy. The low wages prevailing under the braceros program enables the corporation farm to compete unfairly through the subsidy of a Federal Government program. Although family farms are the most efficient producing units in American agriculture today, they are failing because of inadequate capital and the difficulty they have in competing with the farm whose absentee owner offsets his farming losses against profits made in industry or commerce. With increased concern being voiced for the migration of the farmer to urban areas, with all the unemployment problems which this movement creates, the continuation of this program, putting the family farm at a further competitive disadvantage, accentuates an already deepening problem.

The House report on a 2-year extension of the program states that the braceros program has virtually eliminated wetbacks, illegal aliens from south of our borders. The uninformed reader would indeed be surprised to note that wetbacks were reduced from 1,075,168 in 1954 to 242,608 in 1955 and might be inclined to attribute this to the braceros program. However, the fact is that during the years 1954 to 1955 a more stringent border control was set up, preventing great numbers of wetbacks from entering the United States. It might also be noted that although the number of braceros decreased from 437,643 in 1959 to 194,978 in 1962 the number of wetbacks coming into the United States remained approximately 30,000—virtually the same. If we follow the logic of the wetback argument, a decline in braceros should mean an increase in wetbacks.

To sum up, an extension of Public Law 78 for the sixth time would intensify the unemployment problem, perpetuate substandard wages, benefit the large farm at the expense of the small family farm and, most important, sanction government interference with free enterprise determination of wages through supply and demand.

Mr. President, I am opposed to this program because it costs the American taxpayers $870,000 a year.

How in the world can we justify spending nearly a million dollars to import foreign workers when we have 4½ million unemployed in this country?

No country in all history has ever had a government program of importing hundreds of thousands of workers subsidized by its own taxpayers, especially when that country's prime economic problem is unemployment.

Mr. President, the National Association of Manufacturers and the United States Chamber of Commerce should have been before the Congress opposing this program. They missed a mighty good bet in their role as champions of free enterprise and opponents of government interference with business.

What is the Government doing in this program if not interfering with the free forces of supply and demand? Is it not subsidizing a program that keeps domestic farm wages from rising? Of course they will rise if Mexican braceros are not shipped into this country by our Government.

What else could possibly happen to wages of farmworkers if 200,000 Mexican workers working for a few cents an hour are not brought into this country?

Some Senators argue that if this Government subsidized program of low-wage workers is killed, producers will automate.

What's wrong with that?

That means crops will be harvested in effect by factory labor that produces the machines rather than by foreign workers.

Mr. President, this is a simple choice: should American wages be determined by the free play of supply and demand in accordance with the same principles of free enterprise or should they be fixed, artificially depressed by Government subsidized importation of low wage foreign workers.

Mr. President, a vote against this bill is a vote for economy, for free enterprise and for a real, fighting chance for the American farmworker, the man at the bottom of the Nation's economic ladder.

Mr. DIRKSEN. I yield 2 minutes to the Senator from South Dakota.

Mr. McGOVERN. Mr. President, I wish to express my support for the position on S. 1703 which has been taken by my distinguished colleagues on the Agriculture Committee, the Senators from Minnesota [Mr. McCarthy], Wisconsin [Mr. Proxmire], and Oregon [Mrs. Neuberger]. After careful consideration of the testimony and facts concerning the Mexican farm labor program, I can only conclude that an extension of the present law is not in the interest of the American people. Several years ago as a Member of the House of Representatives, I introduced legislation calling for a gradual phaseout of the importation of foreign labor. I think it is unfortunate that my proposal was not accepted then

In signing the last bill to extend Public Law 78, President Kennedy spoke wisely when he said that "The adverse effect of the Mexican farm labor program as it has operated in recent years on the wage and employment conditions of domestic workers is clear and cumulative in its impact. We cannot afford to disregard it. We do not condone it. Therefore, I sign this bill with the assurance that the Secretary of Labor will, by every means at his disposal, use the authority vested in him under the law to prescribe the standards and to make the determinations essential for the protection of the wages and working conditions of domestic agricultural workers."

Mr. John Henning, Under Secretary of Labor, made clear in his testimony to the Subcommittee on Migratory Labor of the Committee on Labor and Public Welfare what the standards should be under which this program might be extended. These include an amendment to Public Law 78 to provide our own citizens with occupational insurance, housing, and transportation benefits comparable to those now guaranteed to Mexican nationals by the growers. As the program now stands, our American migrant farm workers are suffering from unfair competition from imported labor. With several millions of our own citizens unemployed and unable to find jobs, it simply does not make sense to make even worse the lot of the most vulnerable workers in our economy. Nearly 200,000 workers came into the country under the Mexican labor program in 1962 and previously the figure had reached nearly a half million. "In terms of human values, in terms of human necessity," as Mr. Henning testified, "we must place the emphasis of our efforts upon preserving and enhancing the rights of our own workers to job opportunities in this country." Certainly it makes no sense for Americans to subsidize, at the expense of all of us, a program which aggravates the condition of American workers.

I would like to call special attention, Mr. President, to the statement of the Reverend James L. Vizzard, S.J., of the National Catholic Rural Life Conference concerning the impact of this program on our relations with Mexico. Father Vizzard said:

> The final comment I would like to make * * * is that it has been repeatedly emphasized that this is a very appropriate way of carrying on a foreign aid program for Mexico. It has repeatedly been emphasized that those of us who oppose the bracero program are in some way opposed to the Mexican people or are opposed to the advancement of the Mexican economy.
>
> Nothing could be further from the truth. Our record is clean on this, and it is emphatic. We are very strongly in favor of all-out effort on our part to bring economic assistance, technical assistance, and financial assistance to Mexico, and indeed to all the other countries under the Alliance for Progress. We have consistently recommended and fought for adequate appropriations and sound administration of these programs and will continue to do so. We are not antibracero; we are not anti-Mexican. We simply think this purported foreign aid program by which Mexican braceros are allowed to work in this country is the most objectionable.
>
> Why should the poorest people in the United States, our domestic farmworkers, be required to carry a burden of a purported foreign aid program, which if conducted, and it should be conducted, should be paid out of the tax funds of the general citizenry. We are for assistance to Mexico, but not at the cost of the poorest people in the United States.

This is exactly my position, Mr. President—I am for assistance to Mexico and for aiding the braceros, but not at the cost of the poorest people of the United States. I hope that this body will not approve any law that does not contain reasonable safeguards to prevent further adverse effects on the conditions of these citizens, and I favor the amendment of the bill to include such safeguards.

The PRESIDING OFFICER. The question is, Shall the bill pass?

Mr. HUMPHREY. Mr. President, on that question I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. HOLLAND. Mr. President, how much time remains on the bill?

The PRESIDING OFFICER. The Senator from Illinois has 7 minutes remaining.

Mr. DIRKSEN. Mr. President, I yield 5 minutes to the distinguished Senator from Colorado.

Mr. ALLOTT. Mr. President, Senate bill 1703, which I introduced for myself and on behalf of my colleague from Colorado [Mr. Dominick], would extend Public Law 78 for 1 year. It would allow the importation of Mexican nationals for temporary farm labor—the so-called braceros—for 1 more year.

Numerous questions have been raised which I think should be answered at this time. During the last few hours I have heard recitations of statements quoting persons who know nothing about the problem. I suggest to anyone who is interested that if he will consult the hearings held by the House committee on this subject from March 27 to March 29, 1963, he will find that only 5 States are really involved to any extent in this question. They are Arizona, Arkansas, California, Colorado, New Mexico, and Texas. These are the States which largely use the braceros.

First, let us consider whether there is a need for braceros. There is a need. If Senators from other States will visit the States which are involved in this problem, they will soon learn that the situation is as those of us who are from those States have represented them to the Senate.

The Senate has adopted the amendment; there is no use going back over the track again. The amendment makes the bill practically worthless. However, I shall still vote for the bill, in the hope that the House probably can work its will and make it a good bill.

The question has been raised as to whether these particular workers are available. Let me quote a statement by the Rocky Mountain Canners' Association. In a letter to me, the association has set forth its need for the program.

> Should the bracero program terminate on December 31, 1963, it would mean that several thousand domestic farmworkers would have to be recruited in Colorado and Utah if canning crops are to be harvested. This afternoon, I talked to Utah's farm labor employment people who say that such recruitment in Utah is practically an impossibility. The situation in Colorado would be more serious inasmuch as your State uses more Mexican nationals than Utah does.

Mr. President, I could continue with many such quotations, because it is a fact that this particular type of labor is not available in those States. It is not feasible to take a man who has worked at a lathe and is now unemployed, or a man who has worked as a carpenter and is unemployed, and use him, under the employment regulations of this country, for stoop labor in the field. In the first place, most of such persons are not physically equipped, after doing the work for which they are trained, to do the hard type of labor in the fields.

I point out one other item in particular. No matter what anyone may say, no matter how many times other statements are repeated, three things are a fact. First, the law provides that the Secretary of Labor must certify that domestic workers, workers who are willing and qualified, are not available. Surely those who are opposed to the bill do not distrust the Secretary of Labor. Are they saying that they do not trust him? He has worked on the problem. I trust him. I know he has done good work in this respect.

Second, the employment of Mexican nationals will not adversely affect the wages and working conditions of domestic agricultural workers similarly employed. The Secretary of Labor must determine that this program will not adversely affect the wages or working conditions of domestic agricultural workers similarly employed. He does that. He must do it before Mexican nationals can be imported into the United States.

Third, the Secretary of Labor must find that reasonable efforts have been made to attract domestic workers at comparable wages, hours, and working conditions.

I might also add that Mexican nationals are used for hand labor only; they are not allowed to operate machinery. So they do not compete with American labor in any sense of the word.

Congress has placed upon the Secretary of Labor the burden of determining all these facts. He has done so time and time again; in fact, he has been so conscientious about it that crops are known to have spoiled in the field while his determination was awaited.

The program is carried on with the approval of the Mexican Government. There is presently an agreement with Mexico which can be extended. The mechanics of the program are: that it is administered by the Department of Labor; that the Department recruits and places workers for the program, and guarantees their wages. The farmers who use the workers indemnify the Government for the wage guarantee and pay a $15 fee for each worker hired, in addition to paying the wages and transportation. Thus the program is almost entirely self-supporting although administered by an agency of our Government.

The use of Mexican nationals in the type of work under discussion has declined in the last few years, but they are still very much needed in certain areas and for certain crops. Peak employment under the program essentially as it exists today was in 1959, when 291,000 Mexican workers were used in this country. Last year, according to Labor Department figures, the number had declined to 114,200. This may be due to increasing mechanization on our farms, but there are still large numbers of small farmers raising crops which must be tended and harvested by hand who must use this source of labor if they are to get a crop. Berries, peaches, apples, carrots, lettuce, sugarbeets, cotton, tomatoes, pickling cucumbers, and other fruits and vegetables require hand labor at some stage of their development.

Now, I am concerned as is anyone else about our domestic migrant farm laborers. If this program were throwing our own people out of work, or lowering their standards of living, then I would have serious reservations about extending it; but the program is allowed to function only where farmers need help, that is, where hand labor is needed and domestic laborers are not available to perform it.

Further, the program benefits our whole economy. It has been charged that the whole operation is subsidized help for the benefit of a few of our people. This simply is not true. Without it, the crops of many small farmers would not get harvested. Prices of farm products in many cases would be higher to the ultimate consumer, so it is clear that the consumer is the beneficiary of the bracero program. And this is true not only of fresh produce, but of canned items as well. Not only the ultimate consumer, but processors of the food, benefit. The extent of the problem to others than the farmer directly concerned is shown in an editorial which appeared in the Arkansas Valley Journal, published in a part of Colorado which I know intimately. The economy is largely agricultural in the valley, and what happens to agriculture happens in almost the same measure to everything else there. Here is what the Arkansas Valley Journal had to say on the question of extension of Public Law 78:

> The problem of seasonal field labor, viewed from any angle, is not an easy one to solve. The importation of Mexican national fieldworkers under rigid treaty controls has provided a great portion of the Southwest, including the Arkansas Valley, with its only dependable supply of field labor. Remove the possibility of securing the braceros labor as needed, and many a hard pressed small farmer, already ground down almost beyond endurance by the cost-price squeeze and the drouth, will be forced to quit planting those high-cost, potentially high return cash crops that require field labor. Such outfits as the Western Canning Co. at La Junta and the Diven Packing Co. at Fowler, with no assurance that it will be possible to get the crops harvested, many will be forced to close, with resulting increased unemployment throughout the valley.

The Rocky Mountain Canners Association, headquartered in Salt Lake City, strongly favors the extension of the bracero program. In two separate letters to me, the association sets out their need for the program. They say:

> Should the bracero program terminate on December 31, 1963, it would mean that several thousand domestic farmworkers would have to be recruited in Colorado and Utah if canning crops are to be harvested. This afternoon, I talked to Utah's farm labor employment people who say that such recruitment in Utah is practically an impossibility. The situation in Colorado would be more serious inasmuch as your State uses more Mexican nationals than Utah does.

And again:

> The canning industry in the Rocky Mountain area needs a continuation of the Mexican national labor program whereby supplementary farm labor is made available for the growing of canning crops. Without this labor our industry would be in considerable jeopardy. We have made good success with mechanical harvesting of beans and peas but mechanical picking of tomatoes and cucumbers is 5 to 10 years away. Meanwhile, the extension of the bracero program is essential to our survival.

I have received many, many letters from farmers and processors of farm products in my State. I would like to quote from just two letters I have received from what I think are the two largest processors of farm products—other than meat—in Colorado. The Kuner-Empson Co., of Brighton, cans a large amount of vegetables grown in Colorado. They say:

> It has been impossible for us to recruit sufficient local labor or from other State areas for the harvesting of pickles and tomatoes which require hand labor. These two canning crops are among the more important commodities where mechanization is still unable to take over the harvesting jobs. The development of mechanical harvesting equipment for these two crops is presently

> the subject of major research projects. These projects must be correlated with plant breeding in order to develop varieties which are adaptable to mechanical harvesting.

Likewise, the Great Western Sugar Co., the largest processor of beet sugar in Colorado, says that the beet sugar crop is dependent in large measure on the bracero program:

> As you know, we are greatly concerned about the future of the Mexican national agricultural worker program and the effect the loss of these workers would have not only upon sugarbeets but also upon the agricultural economy of Colorado and the Rocky Mountain area. It is our hope that the information contained in this letter will be of value to you in your effort to obtain an extension of the present program.
>
> When sugarbeets were first grown for processing in our area, there were a sufficient number of agricultural workers available locally to handle all of the fieldwork and it was not until 1919 that shortages of workers developed. That year our company first began to assist our growers in obtaining the workers they needed and, except for 2 or 3 years during the great depression, we have annually performed this service.
>
> During the years of World War II when domestic fieldworkers were in such short supply, various agencies of the Government supplemented our efforts and supplied prisoners of war, Jamaicans, British West Indians, and Mexican nationals for beet work. In the years prior to and shortly after that war, we were able to obtain enough domestic workers to fill the shortages. In 1951, however, the supply of workers was insufficient to fill the needs and that year, and ever since, we have been forced to contract Mexican nationals to fill this need.
>
> The recruitment efforts made annually on behalf of our growers have been intensive, well organized, and very costly. They have been nationally recognized. Although most of the domestic workers are recruited in Texas, some come from Arizona, New Mexico, Oklahoma, and nearby States. The Colorado State Employment Service has also recruited workers for our growers for a number of years. Nevertheless, the domestic recruitment efforts have not produced the total number of workers needed. Whereas, 18,000 domestic workers were recruited in 1950, the same intensified recruitment efforts this past spring only produced 3,609 workers plus 542 workers by the Colorado Employment Service. As a result, we were forced to contract 9,061 Mexican nationals to complete the sugarbeet thinning and hoeing operations.
>
> Had it not been for the adoption of labor-saving practices, our annual needs would be far greater. The harvest operations are now completely mechanized. The development of different types of seed has made the thinning job easier, resulting in the need for fewer workers. Our agricultural research department is internationally recognized as a leader in its field but until they, or others, develop a mechanical or chemical method of eliminating weeds, our growers must have fieldworkers.
>
> We know that you are completely aware of the seriousness of our labor supply problem and we certainly appreciate the efforts that you have made in your attempts to obtain an extension of Public Law 78. Please do not hesitate to call upon us if there is any additional information you might need.

Naturally, the largest volume of my mail is from Colorado, but the support for extension of the program is widespread. Secretary of Labor Wirtz testified before the House Agriculture Committee on March 27, 1963, in favor of extending the law for another year. Likewise, Robert M. Sayre, Acting Director of the Office of Caribbean and Mexican Affairs, Department of State, testified before the House committee in favor of this program. The testimony by those two gentlemen shows that the program has been beneficial to the United States and to Mexico, the two countries concerned.

The program is favored by the American Farm Bureau Federation, representing 1.6 million members; the National Council of Farmers Cooperatives, with 3 million farmer members; the Vegetable Growers Association of America, which has 52 affiliated associations representing membership in 30 States, composed of medium-sized, family-operated vegetable farms in the Southeast and the Midwest; the National Cotton Council, an organization of the raw cotton industry; the National Farm Labor Users Committee, representing farmers who are employers of substantial numbers of both domestic and foreign workers; and the National Beet Growers Federation, composed of sugarbeet growers associations in 11 Western States.

There are opponents of an extension of the program. They bottom their opposition on the premise that the Mexican nationals brought in by the Secretary of Labor compete with our own people for the available jobs. However, before any Mexican nationals can be brought into this country, the Secretary of Labor must make the determinations spoken of earlier, which in effect assure that Mexican nationals are not competing with our own people for the available jobs. The Secretary must certify, first, domestic workers, able, willing, and qualified, are not available; second, that the employment of Mexican nationals "will not adversely affect the wages and working conditions of domestic agricultural workers similarly employed"; and third, that reasonable efforts have been made to attract domestic workers at comparable wages, hours, and working conditions. Such an assertion by the opposition is an indictment of the Secretary of Labor for malfeasance of his duty. The Secretary of Labor has the authority to stop the program at any time when it is shown to pose a serious threat to the domestic farm labor market.

The experience of such organizations as the Great Western Sugar Co., the Agricultural Commodities, Inc., and the El Paso Farm Labor Recruiting Agency display statistical proof that recruitment programs have dismally failed to produce reliable domestic farm labor in sufficient quantity to meet the demands for labor required in the cultivation and harvesting of these highly perishable crops.

Agricultural Commodities, Inc., is a central Arizona farmers association comprised of 140 members engaged in the growing and shipping of fruits and vegetables requiring the need of foreign supplemental field labor. In a July 22, 1963, report, they relate:

> Of * * * 4,232 applicants it was determined that 1,716, or 41 percent did not show at the day haul location to be taken to the field; 2,516, or 59 percent, did report, and of this group 83 percent worked from 1 to 15 days, 11 percent worked from 16 to 30 days, and only 6 percent worked over 30 days although there was considerable work left.

The El Paso Farm Labor Recruiting Agency is a fully licensed and bonded organization designed to recruit and transport seasonal farmworkers to their place of employment. Of 213 domestic workers recruited in El Paso and transported to Woodland, Tex., 178 were actually assigned to growers and the rest disappeared upon arrival. To break it down further to the specific crops involved:

Melons: 92 assigned; 2 completed harvest; 2 percent.

Almonds: 88 assigned; 15 completed harvest; 17 percent.

Peaches: 16 assigned; none completed harvest.

Tomatoes: 79 assigned; none completed harvest.

In addition, the Honorable ROBERT L. LEGGETT, from the Fourth Congressional District in California, cited some similar, interesting figures relating to 1,798 domestic workers recruited from the city of Sacramento:

> Out of a total of 1,798, 133 failed to report for work; 938 worked less than 3 days; 561 less than 7 days; 134 worked 14 days or less; 31 less than a month; and only 1 of the 1,798 workers worked more than a month.

The opponents of this extension will point to the fact that farm labor is down over the last few years, but this decline in farmworkers is made up entirely of the reduction in bracero workers. The program is phasing itself out as is shown by the fact that in 1959, 437,000 braceros came to work in the United States, and last year only 194,000 came in. To cut off this program this year is to create more than just a transition difficulty for the growers, but it is to leave the growers high and dry.

No matter what is said, there is in this country a vital group of farmers raising sugarbeets, fruits and vegetables, who depend on this supply of labor to raise their crops, who depend on this supply of labor for their very existence. There is no other available source of help for these farmers. The Mexican nationals whom they hire do not compete with local labor. The Department of Labor will not allow it. The Department of Labor will not allow wages of local workers to be depressed through the use of the bracero labor. No one in this country should deny our farmers the help which they must have, and which passage of this bill will provide.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article and letters and telegrams I have received on this subject.

There being no objection, the article and communications were ordered to be printed in the RECORD, as follows:

[From the Denver Post, June 11, 1963]

BRACERO CUTOFF COULD HURT MEXICO

(By David Weber)

MEXICO CITY.—Mexico could be in serious trouble if the United States closes its doors to braceros, the migratory farmworkers who every year go north of the border to help bring in the crops. The U.S. House of Representatives recently voted to terminate the bracero program at the end of this year.

Although the decision may be reversed it has alarmed many thoughtful Mexicans.

If the bracero is legislated out of existence Mexico's economy and possibly its political stability will suffer. Bracero dollars, about $35 million every year, have traditionally made up one-third of Mexico's favorable balance of payments.

More significant is the burden that these 200,000 workers would add to the already-strained farm unemployment situation in Mexico.

The lack of food, work and land—exaggerated in recent years by persistent droughts and Mexico's inexorable population growth—has turned the docile peasant into an active and angry political factor particularly worrying to the government because of next year's presidential election. If the bracero is added to the huge rural unemployment lists, the situation could be explosive.

Some Mexican leaders are trying to shrug off the possible demise of the bracero program. It hurts their nationalistic pride to see native sons having to go to another country to earn a living.

Braceros themselves have no such compunction. They are all too happy to be among the chosen few who can go over to the other side and work at stoop labor for a few months for U.S. dollars. Often these earnings tide them and their families over the whole year.

"I was up in Texas for 3 months last year," said Indalecio Morquecho, "and made $450. When I got home I invested part of the money here and there and this is what has kept us going, mostly."

Morquecho, 33, has 4 children. Between bracero trips he finds occasional work as a relief driver on a city bus. The pay is $1.40 a day. "This doesn't even pay the rent, but it is something. It has kept me busy until the hiring started again."

The trouble is that for Morquecho and thousands of other braceros, there are no jobs this year. Automation on U.S. farms has steadily cut into the hiring of Mexican farmhands. Then too, there has been pressure from U.S. labor groups. Five years ago, nearly 500,000 braceros crossed over into the United States. Last year, there were fewer than 200,000.

For this reason, every day is a heartbreaking repetition of unopened doors and unsigned contract papers for, literally, thousands of experienced braceros who patiently gather in the shady plaza before the old Ciudadela hiring center in Mexico City. They show up every morning and press in as close as they can to the peeling gray doors which open from time to time to admit a trickle of applicants.

Blue-helmeted police grenadiers armed with clubs and teargas guns keep pushing them back, but as soon as the guard relaxes they push forward again hopefully. All day they wait, until at last they watch the officials come out, get in their cars and drive home. The hopeful braceros drift off then, but the next morning they are back again.

"What else can we do?" said Salvador Perez Carmona, a weathered man who has spent the past five summers in either Texas or California. "It's too late for most of us to learn a new trade. Farming is our work, but there's no work for us now, not even up there, on the other side."

FORT GARLAND, COLO.,
May 31, 1963.

Hon. GORDON ALLOTT,
U.S. Senate, Washington, D.C.:

A vote against extension of Mexican nationalist program will create a great hardship on us. We do not have enough domestic labor available for our needs. Would appreciate all your efforts and support to get this bill brought up again and support enough to pass it. Extension of this program very vital to vegetable growers of San Luis Valley and the State of Colorado. Without ample labor the economy will suffer greatly.

Respectfully,
WAYNE ESCHMAN,
President, San Luis Valley Growers Association.

AUSTIN, COLO.,
July 23, 1963.

Senator GORDON ALLOTT,
Senate Office Building,
Washington, D.C.:

Support Senate bill 1703. Local help not interested in labor. Western reclamation areas, especially sugar beets, dependent on passage.

I. E. WILLIAMSON,
Vice President,
Delta Montrose Beet Growers.

FOWLER, COLO.,
April 25, 1963.

Hon. GORDON L. ALLOTT,
Senate Office Building,
Washington, D.C.

DEAR SENATOR ALLOTT: We would like to encourage your support for the extension of Public Law 78, under which Mexican nationals are brought into this area for seasonal harvesting labor.

We have found that domestic help is no longer available under any condition to do this so-called stoop labor.

Our principal activity is picking tomatoes, and to mechanize this job seems far in the future.

For the seasonal vegetable to survive, Mexican nationals must continue to be available for a number of years and under conditions the canning industry can afford.

We will appreciate your consideration and support of Public Law 78.

Very truly yours,
DIVEN PACKING CO.,
EARL W. DIVEN.

Mr. MORSE. Mr. President, will the Senator yield 1 minute to me?

Mr. DIRKSEN. I yield 1 minute to the Senator from Oregon.

Mr. MORSE. Mr. President, I shall vote for the bill. As chairman of the Subcommittee on American Republics Affairs, I worked hard to help bring about the Mexican treaty. It has been one of the strengthening relationships between the United States and Mexico. I have made a careful study of the labor problems involved. I do not accept the argument made on the floor of the Senate that the treaty is doing injustice to American labor. The fact is that Mexican workers are being supplied in certain agricultural areas where other labor is just not available; American farmers have not been able to get it. It has also been pointed out that safeguards were written into the bill through the Department of Agriculture. This makes it certain that a fair program will be put into effect.

Mr. LAUSCHE. Mr. President, will the Senator from Illinois yield 1 minute to me?

Mr. DIRKSEN. I yield 1 minute to the Senator from Ohio.

Mr. LAUSCHE. The requirements that should be imposed on farmers who hire workers in the States should be decided by the legislatures of the respective States. The members of the State legislatures are in more intimate contact with the problem than are Members of Congress, and therefore are in a better position to determine what should be done. Ohio does not have braceros. Domestic labor is not adequately available for work on the farms. On the one hand, the Congress provides the farmer with subsidies because allegedly, without them, he cannot survive. On the other hand, it contemplates increasing his financial difficulties through the imposition of working and wage requirements. To this conflicting and inexplicable reasoning I cannot subscribe. Involved also is the great problem of our relationship with our neighbor Mexico. I shall vote for the bill in its present mutilated form, hoping that it will be rectified in a possible conference committee.

Mr. MILLER. Mr. President, will the Senator from Illinois yield 1 minute to me?

Mr. DIRKSEN. I yield 1 minute to the Senator from Iowa.

Mr. MILLER. Mr. President, there seem to be three ways to approach the problem. The first is to terminate it entirely and abruptly. I think most of us recognize that that would be catastrophic.

The second way would be to phase out the bracero program over a number of years, in the hope that an intensive recruitment program of our own domestic migrant workers would take place. This approach was favored by the distinguished Senator from Arkansas [Mr. FULBRIGHT]. I favor this approach.

The third way would be to squeeze out the braceros by providing the domestic migrant workers more attractive wages. This would increase farm costs. I suggest that it would also mean that we would lose the migrant workers because of the large amount of mechanization that would then take place. I think this would be catastrophic.

I shall vote for the bill as being better than not having a continuation of the bracero program at all.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article entitled "Migrant Workers Feel Need in North Iowa," written by Robert H. Spiegel, and published in the Mason City (Iowa) Globe-Gazette of July 1963.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MIGRANT WORKERS FILL NEED IN NORTH IOWA—THEY SOLVE PROBLEMS, BUT CREATE SOME

(By Robert H. Spiegel)

The bent backs in the fields belong to the migrant workers.

In north Iowa, the migrants thin and weed beets, onions and potatoes. Others work in the nurseries at Hampton.

They move slowly down the rows, stooped and silent, doing work that nobody else wants to do. The very young work; so do the very old.

Perhaps 300 migrants work in north Iowa fields. All told, about 1,700 of them swarm into the State each year. Non-working family members increase the total to more than 2,500.

Most are from Texas. They are American citizens of Mexican descent. Another 150 or so are the braceros, citizens of Mexico.

These people solve problems. They also create some.

Without them, it would be difficult to do the back-breaking labor demanded in the picking of cucumbers and tomatoes near Muscatine, digging out shrubs, constantly hoeing.

With them, the employer is faced with providing decent housing, wages, and care for family needs. Some provide well; some in sorry fashion.

So far, the need for stoop labor has forced farmers and factories to put up with the problems. Most agree that migrant workers will be needed in Iowa for years to come.

During a personal tour of migrant camps last summer, growers and factory agricultural managers said only mechanization will stop the northward pilgrimage.

Impersonal machines have been built to dig out shrubs and trees, pick tomatoes, thin beets. Many farmers have resisted them, preferring the more careful hand-labor approach.

Another factor has entered the picture.

The House of Representatives recently rejected a 2-year extension of the so-called bracero law under which Mexican workers are imported for the seasonal field work. (About 100,000 braceros join 1 million domestic migrant workers in the United States each summer.)

Church people have opposed the law for years on the grounds that the braceros deprive domestic migrants of jobs and undercut already pitiful wages.

The bill ending bracero migration next December 31 is given a good chance to pass in the Senate.

What effect would it have in Iowa?

Very little as far as the actual use of braceros is concerned. The Mexican people are used only in the Muscatine area to pick cucumbers. There is a reason—even the Texas migrants shun the work.

Joe Maldonado, a young Texan, smiled whitely and gave a quick opinion: "Pepinos (pickles) no good."

A leathery 45-year-old man from Mexico doesn't speak English. He didn't need an interpreter when he said, rubbing his back:

"Mucho cancado (very tired) * * * pepinos."

There are machines to pick cucumbers. They haven't made much of a dent in the Muscatine area as yet. Growers prefer to pay the Mexicans $1 an hour.

There will be some indirect and important effects on migrant labor in north Iowa, however.

John Oliver, agricultural manager for American Crystal Sugar Co. plant here, annually hires 800 migrants for work in Iowa and Minnesota. About 200 of them are employed in north Iowa.

"If braceros can't come to the United States, the law of supply and demand will catch up with us," said Oliver.

"Braceros work for our company in Montana and Colorado, for example, and thousands of others work in California, Arizona, and New Mexico.

"These States will enter the market for migrant workers from Texas. They'll be tough competition.

"We've been trying to prepare for this for the last 5 years," said Oliver, "urging farmers to use machines that can weed four rows at a time.

"We can do 80 percent of the field work with machines if the farmers go for it. So far, many prefer the old way."

The Sam Kennedy farming operation near Clear Lake is held up as a model in many respects by Iowa State Employment Service officials.

Kennedy and his sons employ about 25 migrant workers from Texas. Another 10 family members accompany them year in and year out.

The Kennedys pay between $1.05 and $1.30 an hour for work in the beet, onion, and potato fields. Clean, modern housing is provided.

There is a private insurance program covering injuries and sickness.

For several families who stay the year around, the Kennedys provide a $5,000 life insurance policy and retirement program that pays the worker $50 a month at age 65.

This is far above the average treatment, yet James Kennedy believes passage of the antibracero bill will "chop off a large portion of our labor supply."

"It appears this legislation could pass," he said. "If it does, it means higher pay scales all the way around.

"Ultimately, it will be passed on to the consumer."

Chances are the changing outlook won't keep the Frank Ibarra family from coming to the Kennedy farm as they have for 8 years.

Mr. and Mrs. Ibarra and three sons have worked on the Kennedy farm, making $200 to $250 a week if no rain.

"Good for us to work," said Mrs. Ibarra. "Much better than home."

The PRESIDING OFFICER. All time on the bill has expired. The bill having been read the third time, the question is, shall it pass? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. COTTON (when his name was called). On this vote, I have a pair with the junior Senator from New Mexico [Mr. Mechem]. If the junior Senator from New Mexico [Mr. Mechem] were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I withhold my vote.

Mr. MONRONEY (when his name was called). On this vote, I have a live pair with the Senator from Georgia [Mr. Russell]. If the Senator from Georgia [Mr. Russell] were present and voting he would vote "nay." If I were at liberty to vote, I would vote "yea." I withhold my vote.

The rollcall was concluded.

Mr. HUMPHREY. I announce that the Senator from Nevada [Mr. Bible], the Senator from Oklahoma [Mr. Edmondson], the Senator from Michigan [Mr. Hart], the Senator from Missouri, [Mr. Long], the Senator from Georgia [Mr. Russell], and the Senator from Florida [Mr. Smathers] are absent on official business.

I further announce that the Senator from Indiana [Mr. Bayh] is necessarily absent.

I further announce that, if present and voting, the Senator from Oklahoma [Mr. Edmondson], the Senator from Michigan [Mr. Hart], and the Senator from Florida [Mr. Smathers] would each vote "yea."

On this vote, the Senator from Indiana [Mr. Bayh] is paired with the Senator from Nevada [Mr. Bible]. If present and voting, the Senator from Indiana would vote "nay," and the Senator from Nevada would vote "yea."

Mr. KUCHEL. I announce that the Senator from Iowa [Mr. Hickenlooper], the Senator from New Mexico [Mr. Mechem], and the Senator from Massachusetts [Mr. Saltonstall] are necessarily absent.

The pair of the Senator from New Mexico [Mr. Mechem] has been previously announced by the Senator from New Hampshire [Mr. Cotton].

The result was announced—yeas 62, nays 25, as follows:

[No. 142 Leg.]

YEAS—62

Allott
Anderson
Bennett
Burdick
Byrd, Va.
Cannon
Carlson
Case
Church
Cooper
Curtis
Dirksen
Dodd
Dominick
Eastland
Ellender
Engle
Ervin
Fulbright
Goldwater
Gruening
Hartke
Hayden
Hill
Holland
Hruska
Humphrey
Jackson
Johnston
Jordan, N.C.
Jordan, Idaho
Kuchel
Lausche
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
McNamara
Metcalf
Miller
Morse
Morton
Moss
Mundt
Muskie
Pearson
Randolph
Robertson
Scott
Simpson
Smith
Sparkman
Stennis
Thurmond
Tower
Williams, N.J.
Young, N. Dak.
Young, Ohio

NAYS—25

Aiken
Bartlett
Beall
Boggs
Brewster
Byrd, W. Va.
Clark
Douglas
Fong
Gore
Inouye
Javits
Keating
Kennedy
Nelson
Neuberger
Pastore
Pell
Prouty
Proxmire
Ribicoff
Symington
Talmadge
Williams, Del.
Yarborough

NOT VOTING—12

Bayh
Bible
Cotton
Edmondson
Hart
Hickenlooper
Long, Mo.
Mechem
Monroney
Russell
Saltonstall
Smathers

So the bill (S. 1703) was passed, as follows:

An Act to amend title V of the Agricultural Act of 1949, as amended, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That clause (3) of section 503 of the Agricultural Act of 1949, as amended, is amended by striking out "comparable to those offered to foreign workers" and inserting in lieu thereof ", including workmen's compensation or occupational insurance coverage, housing, transportation, and work period guarantee comparable to that provided foreign workers".

Sec. 2. Section 510 of such Act is amended by striking out "December 31, 1963" and inserting in lieu thereof "December 31, 1964."

Mr. MANSFIELD. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. HOLLAND. Mr. President, I move that the motion to reconsider be laid on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion to reconsider the vote by which the bill was passed.

The motion to lay on the table was agreed to.

INCLUSION OF DISTRICT JUDGE OR JUDGES ON JUDICIAL COUNCIL OF EACH CIRCUIT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that Senate bill 979, Calendar No. 244, be laid before the Senate and be made the unfinished business.

The PRESIDING OFFICER (Mr. Brewster in the chair). Is there objection?

There being no objection, the Senate proceeded to consider the bill to amend section 332 of title 28, United States Code, in order to provide for the inclusion of a district judge or judges on the judicial council of each circuit.

VICTOR BORGE

Mr. RIBICOFF. Mr. President, today, on the steps of the Senate, it was a great pleasure for me and Senators HUMPHREY, NEUBERGER, KEATING, DODD, JAVITS, PELL, and MCGOVERN to pay tribute to a man who is known the world over as a great humanitarian and good will ambassador of the United States, the pianist-humorist, Victor Borge.

The success of Victor Borge is well known. Coming to the United States in 1940, unknown and unable to speak English, Victor has risen to a position of the highest esteem. He is loved and admired, not only by the people of the United States, but of the entire world.

In his travels entertaining in the capitals of Europe and Asia, Victor Borge has always stressed the beauty and greatness of America. He has told our story of democracy, not only to heads of state, but more importantly, to all the people of their nations. He has done immeasurable good.

It would be impossible to estimate the number of people that Victor has reached and influenced and brought closer to our American ideals. He has appeared in England and most of the capitals of Europe and recently returned from an extended tour of New Zealand, Australia, Thailand, the Philippines, and Hong Kong. In each of these places the people were left with a great understanding of these United States through Victor Borge's efforts. His skill is that of an expert but his languages are the universal languages of music and laughter.

NEED FOR FULL STORY ON COST OF FOREIGN AID

Mr. PROXMIRE. Mr. President, the senior Senator from Delaware [Mr. WILLIAMS] has recently performed another of his most excellent services to economy in our Government. He has attempted to determine the total amount of foreign aid funds being provided by our Federal Government. He has discovered, first, that it is impossible to determine such an amount. Second, he has also determined that there are some foreign governments which have never paid any amounts on principal or interest on loans made to them in the past.

These conclusions seem incredible to me, if true. Certainly, we who are required to enact legislation concerning foreign aid should have some knowledge as to the amount of foreign aid and the success of the programs financed by foreign aid.

In late 1962, an energetic and effective colleague of mine on the Joint Economic Committee, Representative MARTHA W. GRIFFITHS, of Michigan, conducted a study for the Joint Economic Committee on economic policies and programs in middle America. The results of her study were published in a report issued in January by the committee. One of the conclusions in this report bears on the subject of foreign aid which Senator WILLIAMS has been working with. In part, the report by Representative GRIFFITHS states, on page 18:

> [The] varied development loan and grant agencies * * * present a maze of alternative sources of getting money—free, or for hire—which results in competitive bureaucracies, delaying effectiveness of the assistance intended, to say nothing of obscuring the total amounts involved to both the borrowing and lending countries.
>
> This complexity is particularly noticeable when one tries [in Washingon or in the field] to learn the total amount of authorizations and outstanding loans or grants made to any one country by all public agencies combined.

Representative GRIFFITHS' report then attempts to assess our foreign aid program in Middle America. Her conclusions show up a number of disadvantages which exist under the present program:

> 1. A great deal of activity and energy in the varied loan and grant agencies goes into looking over each other's shoulder and taking in each other's wash.
>
> 2. Each potential borrower or receiving agency, no matter how worthy its aims and accomplishments, is inevitably impelled, hat in hand, successively to canvass all of the possibilities. We were told not once, but repeatedly, that development projects when rejected by one agency, acting within its special frame of reference, were promptly [or shortly later] resubmitted with or without modification for another agency's consideration and not infrequently approved. The obvious cost involved in such successive "tries" lies of course not only in the delays inherent in resubmission of projects with altered emphasis but in the duplication of paperwork and the hours and trips involved in conference and negotiation.
>
> 3. Each agency must spend considerable energy in ascertaining how the project or loan application under consideration fits in with the type of programs it [and the other agencies] have financed elsewhere.
>
> 4. The diffusion of lending and granting authority tends to dilute the leverage which we have in encouraging the social and economic reforms sought. There is, moreover, the danger that one agency playing—or being played—against another in a competitive ease of loan terms or reforms exacted results in a delay or distortion in achieving the Alliance objective.
>
> 5. The very existence of this array of U.S. and international sources, each with policies and loan requirements which officials of a potential borrowing agency feel obligated to try, tends to divert official thinking from such private investment channels as may be available to a country for a project. It is probably an oversimplification certainly not put forward here as the typical procedure, but one experienced U.S. Representative said: "They [local government officials] run the gamut of applying first to one public loan source and then to another and may finally turn to private financing via Wall Street or San Francisco." This situation may not be as fruitless as it seems at first blush. One of the proper and very useful functions of the public agencies is to assist the would-be borrowers in tightening up the needs and in giving technical advice as to how financing may best be arranged and serviced.
>
> No one would go so far as to suggest that responsible officials in the various agencies are uninformed or in the dark—although it is only too possible that they may be—about outstanding authorizations or the history of the applications or rejections a given project before them may already have been through.

Mr. President, I have given a series of speeches during the last few weeks on the inadequacies of the data that are available concerning budgetary receipts and expenditures. This example that I have just been indicating concerning our foreign aid programs is simply one of innumerable examples that could be provided concerning these inadequacies. I feel, however, that this area of foreign aid is a striking instance of a more general malaise in our budgetary structure.

EXTENSION OF BONNEVILLE POWER TO SOUTHERN IDAHO—A VICTORY FOR ELECTRIC POWER CONSUMERS

Mr. MORSE. Mr. President, it has been 25 years since power was delivered by Bonneville Power Administration to its first customer in Cascade Locks, Oreg. During this quarter of a century, southern Idaho has been excluded from the benefits of low cost power generated at Federal projects in the Columbia River Basin and distributed by Bonneville Power Administration through other parts of the Northwest. The Federal power which has been available in southern Idaho, from isolated Bureau of Reclamation projects, has been very high in cost, and threatens to be in short supply in the near future.

The decision of the Kennedy administration, announced by Secretary of the Interior Udall in May, to extend the BPA service area to this last outpost of the region, is a welcome one. It has already had an impact on the area. Several electric cooperatives have announced that they will put rate reductions into effect as a result of lowered power costs.

The Rural Electric Co. in Rupert, Idaho, has already announced that it will put into effect an initial rate cut of 10 percent when its new contract with BPA takes effect in September.

Everyone in the Northwest is happy about this decision except for a couple of privately owned power companies, grown fat and lazy from lack of sufficient competition, and complacent in the belief that they could maintain their virtual monopoly stranglehold on Southern Idaho.

The fancy advertisements put out by these companies and the editorial columns of their captive press try to create the impression that they are being threatened by what they would have us believe is some kind of Socialist invasion which is intent upon their virtual extinction.

To my very great surprise, some of this private utility propaganda is being repeated right here in the Halls of Congress and is finding its way into the CONGRESSIONAL RECORD. For this reason, I feel that it is my duty to assure my colleagues in the Senate that the cry of anguish emanating from the private utility lobby as a result of the Kennedy administration's wise decision to include southern Idaho in the Bonneville service area, is not the cry of a doomed industry, but of a merely lazy one. This lazy industry hates to have its profitable sleep disturbed, even though the facts show that a little exercise would greatly increase its business and its resultant profits. Even its customers might benefit if the private electric utility industry of the area were to develop some initiative.

Fattened on Federal tax subsidies, coddled with a guaranteed rate of return on all its investments—including the bad ones, like Brownlee, Oxbow, and Little Hells Canyon Dams—it is small wonder that the monopolists of southern Idaho's power industry would have us believe they are being murdered when they are really only being poked awake. We must not let their cries of anguish disturb us, however, because they do not know what is good for themselves, anymore than they care about what is good for their customers.

It is our business here to try in every way we can to shape Federal policies to benefit all of the people, not just the stockholders of a few private power companies. And it is the people of southern Idaho, the people of the Pacific Northwest, who stand to benefit most by the extension of BPA service into this new area.

In answer to the private utility claims that this extension of the Bonneville marketing area will hurt their interests, however, it must be pointed out that it has been the experience of the electric industry in the Pacific Northwest during the past 25 years that volume sales of power at lower cost increase profits over those derived from lesser sales of high-cost power. For example, the net income of Portland General Electric Co. increased from $1.3 million in 1940 to $7.5 million in 1960. A typical customer of Portland General Electric Co. in 1938 would have paid $8.07 for 500 kilowatts of electricity; but in 1961 the cost of the same amount of electricity was only $6.40. It is obvious that in an industry that has a guaranteed rate of return on every dollar invested, increased investment and increased sales are going to lead to increased profits. But this takes a little increased effort, and it is the effort that puts the private utilities into panic.

The Pacific Northwest as a whole has a high percentage of public and cooperative systems selling power to ultimate consumers in competition with the private electric utilities. By making power available at low cost to public and private groups alike, Bonneville Power Administration has set the standard for this competition. It happens that the privately owned utilities actually buy power from BPA at an overall lower cost than the publicly and cooperatively owned agencies. In 1962, publicly and cooperatively owned agencies paid BPA 2.68 mills per kilowatt-hour, while private companies paid only 2.19 mills per kilowatt-hour. Yet, the public and cooperative rates charged to consumers are lower than private rates in any given area of the Northwest. Moreover, public and co-op systems in the Northwest have reduced rates by $30 million since 1950, while in the same period of time the private utilities have increased rates by $25 million. This public competition keeps the private power companies on their toes. Competition is the enemy of too much fat living. The private utilities now raising a ruckus about this extension of service into southern Idaho are fearful of it because it means they are going to have to rely less on the soporific slogans created for them by their hard-working advertising agencies, and more on real performance in order to keep their customers—and the public—with them. The utilities are afraid of competition even thought, if they would meet the challenge it offers to them, true competition would lead them to greatly increased profits.

At least a minimum amount of enterprise is essential to the maintenance of a free enterprise economy. It is impossible to conceive of a more beneficial application of the economic power of our Government than to use it to stimulate real competition in an industry which is, by its very nature, monopolistic.

Everyone will gain from this decision. The administration is to be congratulated for its wisdom in making it.

AGREEMENT WITH INDIA FOR COOPERATION IN PEACEFUL USES OF ATOMIC ENERGY

Mr. GORE. Mr. President, as chairman of the Subcommittee on Agreements for Cooperation of the Joint Committee on Atomic Energy, I would like to advise the Senate of a proposed agreement for cooperation with the Government of India in the field of the peaceful uses of atomic energy, recently submitted to the Joint Committee by the executive branch.

This agreement for cooperation is designed specifically to deal with the proposed Tarapur atomic power station, which the Government of India plans to construct at a site north of Bombay. The Tarapur station is to consist of two nuclear reactors of U.S. design and manufacture, each with an output of 190 megawatts. Financing to cover the dollar cost of the reactors will be provided by the U.S. Agency for International Development.

In negotiating the arrangements for the Tarapur plant, the United States was extremely interested in obtaining the agreement of the Government of India to the implementation of certain safeguards provisions by the International Atomic Energy Agency. The purpose of these safeguards arrangements is to assure that material produced in a nuclear reactor is not diverted to weapons purposes. In a letter from Dr. Seaborg, Chairman of the Atomic Energy Commission, to Senator PASTORE, chairman of the Joint Committee on Atomic Energy, forwarding this proposed agreement, the AEC stated that:

> The inclusion of provisions relating to the transfer of these safeguards to the International Atomic Energy Agency * * * will contribute significantly to the advancement of the U.S. policy of fostering the development of internationally administered safeguards over the peaceful applications of atomic energy.

Mr. President, pursuant to the provisions of section 123 of the Atomic Energy Act of 1954, this proposed agreement for cooperation with the Government of India must lay before the Joint Committee for a period of 30 days. The committee will, very shortly, announce hearings on this proposed agreement for cooperation.

Mr. President, I request unanimous consent to have printed in the RECORD at the conclusion of my remarks the text of the proposed agreement between the United States and the Government of India, together with a letter from the Atomic Energy Commission to the President recommending approval, a letter from the President containing appropriate determinations and authorizing execution of the agreement, and a letter from the Chairman of the Atomic Energy Commission to the chairman of the Joint Committee on Atomic Energy.

There being no objection, the letters and agreement were ordered to be printed in the RECORD, as follows:

U.S. ATOMIC ENERGY COMMISSION,
Washington, D.C., August 8, 1963.

Senator JOHN O. PASTORE,
Chairman, Joint Committee on Atomic Energy, Congress of the United States.

DEAR SENATOR PASTORE: Pursuant to section 123c of the Atomic Energy Act of 1954, as amended, there is submitted with this letter:

(a) An executed agreement for cooperation between the Government of the United States of America and the Government of India concerning the civil uses of atomic energy:

(b) A letter from the Commission to the President recommending approval of the proposed agreement; and

(c) A letter from the President to the Commission approving the proposed agreement, containing his determination that its performance will promote and will not constitute an unreasonable risk to the common defense and security, and authorizing its execution.

The agreement for cooperation, which has been negotiated by the Atomic Energy Commission and the Department of State, pursuant to the Atomic Energy Act of 1954, as amended, provide the legal framework for a cooperative effort under which India will construct a 380 megawatts electrical nuclear power station comprising two boiling water power reactors of American design and manufacture at Tarapur, a site north of Bombay. Through this cooperation, India will be enabled to secure an economical source of power to help meet its rapidly growing electric power requirements. The project will also contribute to the further development of close economic and technical ties between the United States and India, and to the strengthening of our friendly relations. The construction of these reactors, which are the first power reactors to be built in a developing country, will significantly advance interest in the uses of atomic energy for electric power generation in the developing countries, and particularly the use of reactors of American design and manufacture.

Through the inclusion of comprehensive and effective safeguards in the agreement for cooperation, the United States will have ample assurance that the materials and equipment supplied by it will not be used for any military purpose. Further, through the inclusion of provisions relating to the transfer of these safeguards to the International Atomic Energy Agency, the cooperation will contribute significantly to the advancement of the U.S. policy of fostering the development of internationally administered safeguards over the peaceful applications of atomic energy.

The agreement for cooperation is largely patterned after existing U.S. agreements providing for cooperation in nuclear power, but differs in detail since it is designed to accommodate only a single project; that is, the Tarapur station. A résumé of the principal features of the agreement follows.

Article I provides that unclassified information with respect to development, design, construction, operation, and use of the Tarapur station, including research and development related thereto and problems of health and safety connected therewith, shall be exchanged between the parties.

Article II would give effect to the Commission's new policy of assuring foreign operators of enriched uranium reactors of an adequate long-term supply of fuel. Under this article the Commission would sell, and India would purchase, all of the enriched uranium fuel requirements for the Tarapur station during the term of the agreement, subject to an overall ceiling of 14,500 kilograms of uranium 235 contained in uranium enriched up to 20 percent. The United States would not be required to sell enriched uranium to India for fueling of the Tarapur station if construction of the station is not begun by June 30, 1965, thus avoiding any possibility of an unused commitment for the supply of fuel if the Tarapur station is for any reason not undertaken.

Since the Indian Government plans to build its own reprocessing facilities, article II would permit reprocessing of the fuel in India subject, of course, to the safeguards provisions set forth in this agreement and which are discussed below.

Article II also provides that the United States shall have a first option to purchase special nuclear material produced in the Tarapur station which is in excess of the needs of the Government of India for such material in its peaceful uses program. Such purchases would be at the fuel value price of the Commission which may be in effect domestically at such time as the option to purchase is exercised. If the Commission does not exercise its option to purchase, India may, with the approval of the Government of the United States, transfer such materials to another nation or group of nations or international organization. Such a transfer, of course, could be approved only when there existed an appropriate agreement for cooperation with the prospective recipient as stipulated in article VII.

Article V would permit persons under the jurisdiction of the Government of the United States to transfer materials, equipment, and devices and to perform services for the Government of India and persons under its jurisdiction so authorized by the Government of India, subject to the applicable laws, regulations and license requirements of the Government of the United States and India.

Article VI of the agreement, and an annexure, contain a series of safeguard provisions which, while tailored to a single project, are the same in substance as those contained in a number of existing comprehensive power agreements. While noting India's usual position relating to the principle of attaching safeguards to the supply of equipment, the article specifically provides for safeguards on equipment supplied pursuant to this agreement. In addition, the article provides that the Government of India shall have the right, upon prior notice to the United States, to remove from the scope of the agreement (including the safeguard provisions) quantities of special nuclear material, provided India has, pursuant to mutually acceptable measurement arrangements, placed agreed equivalent quantities of the special nuclear material under the scope of the agreement for cooperation. This opportunity for equivalent substitution reflects a principle that is incorporated in the safeguard procedures of the International Atomic Energy Agency.

Under article VII the Government of India guarantees that any material, equipment, or device transferred to India under the agreement will not be used for any military purpose and that they will not be transferred beyond the jurisdiction of India without U.S. approval, which could be given only when the transfer was within the scope of another agreement for cooperation. The United States, for its part, consistent with its announced policy, guarantees that it would not use for any military purpose any special nuclear material produced in the Tarapur station which the United States acquires.

The agreement provides in article VIII that the parties agree in principle that, at a reasonable time after the Agency adopts a system which is generally consistent with the safeguard provisions of the bilateral agreement, the parties will request the Agency to enter into a trilateral arrangement for the implementation of safeguards.

When the negotiations with the Indians were begun more than 12 months ago, the IAEA safeguard system did not cover large reactors, of the size of the Tarapur nuclear power station. On June 19, 1963, the Board of Governors of the IAEA approved, with U.S. support, a proposed expansion of the Agency's safeguard system for consideration by the forthcoming general conference. We, thus, have every expectation that the condition called for by the agreement for cooperation will be fulfilled, enabling the United States and India to request the Agency to implement the safeguards.

While the parties recognize that the trilateral agreement with the Agency should be implemented as soon as practicable, it is agreed in article VIII in order to avoid any dislocation or uncertainty during the period of early operation of the Tarapur nuclear power station, that the Government of India may specify that the agreement with the Agency shall not be implemented until the Tarapur station has reached reliable full-power operation.

Article VIII also provides that the Government of the United States is prepared, in principle, to include appropriate provisions in the trilateral agreement with the Agency which would enable the Agency to apply its safeguards to any special nuclear materials produced in the Tarapur project and returned to the United States. The inclusion of this principle is compatible with the strong support the United States has given to the evolution of safeguards administered by the International Atomic Energy Agency and to the concept that Agency controls should effectively follow special nuclear materials produced in Agency-safeguarded facilities.

This article finally provides, in case the United States and India should for some unforeseen reason not reach a mutually satisfactory agreement on the terms of the turnover agreement with the IAEA, that either party may terminate the bilateral agreement.

The agreement was designed to assure the Indians of a long-term supply of fuel over a 25-year period and since it is anticipated that construction of the station will require from 4 to 4½ years, article X provides that the agreement shall remain in force for a period of 30 years.

As you know, in December 1962 the Commission approved an extension of its existing deferred payment plan for fuel inventories of power reactors, to encompass a total of 1,000 megawatts electrical installed capacity of power reactors constructed in developing countries. The Commission has extended the benefits of this plan to the Government of India to make the enriched uranium in the initial fuel inventory for the Tarapur reactors available on a deferred payment basis. Under this arrangement, India will make interest payments identical to the use charge rates (currently 4¾ percent) paid by U.S. reactor operators on the value of the material during the first 10 years, with repayment of the capital costs plus interest on the unpaid balance during the second 10-year period. Replacement fuel to compensate for burnup will be paid for on a current basis as it is delivered.

The Agency for International Development (AID) has approved an Indian loan request in the amount not to exceed $80 million to cover the foreign exchange costs of the reactors. The loan will fall within the aid commitments already made to India by a consortium of the United States and other lending institutions.

The agreement will enter into force when the two Governments have exchanged written notification that their respective statutory and constitutional requirements have been fulfilled.

Sincerely,

GLENN T. SEABORG,
Chairman.

AGREEMENT FOR COOPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF INDIA CONCERNING THE CIVIL USES OF ATOMIC ENERGY

Whereas the peaceful uses of atomic energy hold great promise for all mankind;

Whereas the Government of India has decided to construct and operate a civil atomic power station near Tarapur in Maharashtra State as hereinafter specified;

Whereas the Government of the United States of America and the Government of India desire to cooperate with respect to the construction and operation of the aforesaid civil atomic power station;

Now, therefore, the parties hereto agree as follows:

ARTICLE I

Unclassified information shall be exchanged between the parties hereto with respect to the development, design, construction, operation, and use of the Tarapur atomic power station, including research and development related thereto and problems of health and safety connected therewith.

ARTICLE II

(a) During the period of this agreement the U.S. Commission will sell to the Government of India and the Government of India will purchase from the U.S. Commission, as needed, all requirements of the Government of India for enriched uranium for use as fuel at the Tarapur atomic power station, it being understood that the Tarapur atomic power station shall be operated on no other special nuclear material than that made available by the U.S. Commission and special nuclear material produced therefrom. The enriched uranium, which shall contain no more than 20 percent U^{235}, will be made available in accordance with the terms, conditions, and delivery schedules set forth in a contract to be made between the parties; provided, however, that the net amount of U^{235} contained in the enriched uranium sold hereunder shall not exceed 14,500 kilograms. The net amount of U^{235} shall be the gross quantity of U^{235} contained in the enriched uranium sold to the Government of India hereunder less the quantity of U^{235} contained in recoverable uranium resold or otherwise returned to the Government of the United States of America or transferred to any other nation or group of nations or international organization with the approval of the Government of the United States of America.

(b) The net amount of U^{235} contained in the enriched uranium to be sold pursuant to paragraph (a) of this article has been agreed upon by the parties on the basis of estimated requirements for fueling the Tarapur atomic power station. If the construction of the Tarapur atomic power station is not begun by June 30, 1965, the United States shall not be required, unless it is otherwise agreed, to sell enriched uranium for fueling the Tarapur station under this agreement.

(c) Within the limitations contained in paragraph (a) of this article the quantity of enriched uranium sold by the U.S. Commission under this article and held by the Government of India pursuant to this agreement shall not at any time be in excess of the quantity necessary for the full loading of the Tarapur atomic power station, plus such additional quantity as, in the opinion of the parties, is necessary to permit the efficient and continuous operation of the station.

(d) The Government of India will retain title to any enriched uranium purchased from the U.S. Commission.

(e) It is agreed that when any special nuclear material utilized in the Tarapur atomic power station requires reprocessing, and recourse is not taken by the Government of India to the provisions of article VI(c) of this agreement, such reprocessing may be performed in Indian facilities upon a joint determination of the parties that the provision of article VI of this agreement may be effectively applied, or in such other facilities as may be mutually agreed. It is understood, except as may be otherwise agreed, that the form and content of any irradiated fuel elements removed from the reactors shall not be altered before delivery to any such reprocessing facility.

(f) With respect to any special nuclear material produced in the Tarapur Atomic Power Station which is in excess of the need of the Government of India for such material in its program for the peaceful uses of atomic energy, the Government of the United States of America shall have the first option to purchase such special nuclear material at the fuel value price of the U.S. Commission which may be in effect domestically at such time as it may exercise its option. If such option is not exercised, the Government of India may with the approval of the Government of the United States of America transfer such excess special nuclear material to any other nation or group of nations or international organization.

(g) Some atomic energy materials which the Government of India may request the U.S. Commission to provide in accordance with this agreement are harmful to persons and property unless handled and used carefully. After delivery of such materials to the Government of India, the Government of India shall bear all responsibility, insofar as the Government of the United States of America is concerned, for the safe handling and use of such materials.

ARTICLE III

Materials needed for use at or in connection with the Tarapur Atomic Power Station, other than source materials or the special nuclear materials required for fueling the reactors, will, when such materials are not available commercially, be transferred by the Government of the United States of America to the Government of India on such terms and conditions and in such amounts as may be mutually agreed; provided, however, that special nuclear material transfers will be confined to limited quantities.

ARTICLE IV

The application or use of any information (including design drawings and specifications) and any material, equipment and devices, exchanged or transferred under this agreement, shall be the responsibility of the party receiving it, and the other party does not warrant the accuracy or completeness of such information and does not warrant the suitability of such information, materials, equipment and devices for any particular use or application.

ARTICLE V

It is agreed that the Government of the United States of America will permit persons under its jurisdiction to transfer and export materials, equipment and devices, other than source or special nuclear materials, to, and perform services for, the Government of India and such persons under its jurisdiction as are authorized by the Government of India to receive and possess such materials, equipment and devices, and utilize such services for the Tarapur Atomic Power Station, subject to applicable laws, regulations and license requirements of the Government of the United States of America and the Government of India.

ARTICLE VI

(a) The parties to this agreement emphasize their common interest in assuring that any material, equipment, or device made available to the Government of India for use in the Tarapur Atomic Power Station, or in connection therewith, pursuant to this agreement shall be used solely for peaceful purposes. The Government of India emphasizes, in contrast to the position of the United States, that its agreement to the provisions of this article in relation to equipment or devices transferred pursuant to this agreement has been accorded in consideration of the fact that, as provided in this agreement, the Tarapur Atomic Power Station will be operated on no other special nuclear material than that furnished by the Government of the United States of America and special nuclear material produced therefrom, in consequence of which the provisions of this article in relation to equipment or devices in any case ensue from the safeguards on fuel.

(b) The following arrangements shall be applicable between the parties:

(1) The parties have reviewed the design of the Tarapur Atomic Power Station and may review any significant modification in this design for the sole purpose of determining that the arrangements provided in this article can be effectively applied. For the same purpose, the parties may review the design of other facilities which will use, fabricate or process any special nuclear material made available pursuant to this agreement or produced in the Tarapur Atomic Power Station. Such a review of the design of these other facilities will not be required if the Government of India, pursuant to mutually acceptable measurement arrangements, has placed an agreed equivalent amount of the same type of special nuclear material under the scope of this agreement.

(2) The parties have agreed that a system of records and reports shall be established to assure the complete accountability of any special nuclear material which is made available to the Government of India pursuant to this agreement or which is produced in the Tarapur Atomic Power Station. This system of records and reports shall be as described in the schedule annexed hereto and marked annexure "A." (3) Any special nuclear material made available pursuant to this agreement or produced in the Tarapur Atomic Power Station, which is surplus to the current needs of the fuel cycle for the Tarapur Atomic Power Station and which is not transferred by the Government of India pursuant to this agreement, shall, unless otherwise mutually agreed, be stored at the Tarapur Atomic Power Station.

(4) There will be consultations and periodic exchanges of visits between the parties to give assurance that the objectives set forth in paragraph (a) of this article and the provisions of this agreement concerning transfers are being observed. To the extent relevant to the accomplishment thereof, personnel designated by the Government of the United States of America, following consultation with the Government of India, upon request of the Government of the United States of America, and personnel designated by the Government of India shall have full access to the Tarapur Atomic Power Station and to conversion, fabrication, and chemical, processing facilities in India at such time as special nuclear material transferred to the Government of India for, or received from, the Tarapur Atomic Power Station is located at such facilities, and at such other times as may be relevant to the accomplishment of the above-noted objectives. Personnel so designated shall also be afforded access to other places and data, and to persons, to the extent relevant to the accomplishment of those objectives. The personnel designated by either party, accompanied by personnel of the other party if the latter so requests, may make such independent measurements as either party considers necessary; and nothing in this agreement is intended to impede the ability of either party to have prompt access to data, places, and persons to the extent relevant to accomplish the above-noted objectives. The Government of the United States of America will keep such access to a minimum consistent with the need for effective verification that those objectives are being observed.

(c) Notwithstanding anything contained in this agreement the Government of India shall have the right, upon prior notice to the Government of the United States, to remove from the scope of this agreement quantities of special nuclear material provided it has, pursuant to mutually acceptable measurement arrangements, placed agreed equivalent quantities of the same type of special nuclear material under the scope of this agreement.

(d) In the event of noncompliance with the guarantees or with the provisions of this article, and the subsequent failure of the Government of India to fulfill such guarantees and provisions within a reasonable time, the Government of the United States of America shall have the right to suspend or terminate this agreement, and require the return of any equipment and devices transferred under this agreement and any special nuclear material safeguarded pursuant to this article.

ARTICLE VII

(a) The Government of India guarantees that the safeguards in article VI shall be maintained and that:

(1) No material, equipment, or device transferred to the Government of India or authorized persons under its jurisdiction pursuant to this agreement, by sale, lease or otherwise, will be used for atomic weapons or for research on or development of atomic weapons or for any other military purpose, and

(2) That no such material, equipment or device will be transferred to unauthorized persons or beyond the jurisdiction of the Government of India except as may be agreed to by the Government of the United States of America and the Government of India, and then only if in the opinion of the U.S. Commission such transfer falls within the scope of an agreement for cooperation between the Government of the United States of America and the other nation or group of nations or international organization.

(b) The Government of the United States of America guarantees that no special nuclear material produced at the Tarapur Atomic Power Station and acquired by it, or an equivalent amount of the same type substituted therefor, shall be used for atomic weapons or for research on or development of atomic weapons or for any other military purpose.

ARTICLE VIII

(a) Recognizing the desirability of making use of the facilities and services of the International Atomic Energy Agency, the parties agree in principle that, at a suitable time, the agency will be requested to enter into a trilateral agreement for the implementation of the safeguards provisions of article VI, in accordance with the following paragraphs. In addition, in accordance with the objectives set forth in the Statute of the International Atomic Energy Agency, the Government of the United States of America is prepared, in principle, to include appropriate provisions in the aforementioned trilateral agreement, for the application of agency safeguards to such special nuclear material produced in the Tarapur Atomic Power Station as may be received in the United States, or to equivalent material substituted therefor.

(b) After the agency has adopted a system of safeguards for reactors of the size of those of the Tarapur Atomic Power Station and at a reasonable time to be mutually agreed upon, the parties will consult with each other to determine whether the system so adopted is generally consistent with the safeguards provisions contained in article VI. If the system is generally consistent with these provisions, the parties will request the agency to enter into a trilateral agreement as referred to in the preceding paragraph. While the parties recognize that the trilateral agreement should be implemented as soon as practicable, it is agreed, in order to avoid any dislocation or uncertainty during the period of early operation of the Tarapur Atomic Power Station, that the Government of India may specify that the agreement shall not be implemented until the station has reached reliable full power operation.

(c) In the event the parties do not reach a mutually satisfactory agreement on the terms of the trilateral arrangement envisaged in this article, paragraph (a), either party may, by notification, terminate this bilateral agreement. Before either party takes steps to terminate, the parties will carefully consider the economic effect of any such termination. Neither party will invoke its termination rights until the other party has been given sufficient advance notice to permit arrangements by the Government of India, if it is the other party, for an alternative source of power and to permit adjustment by the Government of the United States of America, if it is the other party, of production schedules. The Government of the United States of America will not invoke its termination rights unless there has been widespread acceptance, by those nations with whom it has bilateral agreements, of the implementation of safeguards by the agency or of provisions similar to those contained in this agreement. In the event of termination by either party, the Government of India shall, at the request of the Government of the United States of America, return to the Government of the United States of America all special nuclear materials received pursuant to this agreement and in its possession or in the possession of persons under its jurisdiction. The Government of the United States of America will compensate the Government of India for such returned material at the current schedule of prices then in effect domestically.

ARTICLE IX

For the purposes of this agreement:

(a) "United States Commission" means the U.S. Atomic Energy Commission.

(b) "Tarapur Atomic Power Station" means an electrical generating power plant consisting of two boiling water reactors and associated equipment with a combined net output of approximately 380 megawatts electrical, to be located near Tarapur, Maharashtra State, India.

(c) "Equipment and devices" and "equipment or device" means any instrument, apparatus, or facility and includes any facility, except an atomic weapon, capable of making use of or producing special nuclear material, and component parts thereof.

(d) "Person" means any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, government agency, or government corporation, but does not include the parties to this Agreement.

(e) "Reactor" means an apparatus, other than an atomic weapon, in which a self-supporting fission chain reaction is maintained by utilizing uranium, plutonium, or thorium.

(f) "Atomic weapon" means any device utilizing atomic energy, exclusive of the means for transporting or propelling the device (where such means is a separable and divisible part of the device), the principal purpose of which is for use as, or for development of, a weapon, a weapon prototype, or a weapon test device.

(g) "Special nuclear material" means (1) plutonium, uranium enriched in the isotope 233 or in the isotope 235 and any other material which the U.S. Commission pursuant to the U.S. Atomic Energy Act determines to be special nuclear material; or (2) any material artificially enriched by any of the foregoing.

(h) "Source material" means (1) uranium, thorium or any other material which is determined by either party to be source material; or (2) ores containing one or more of the foregoing materials in such concentration as either party may determine from time to time.

(i) "Parties" means the Government of the United States of America and the Government of India, including the U.S. Commission on behalf of the Government of the United States of America. "Party" means one of the above-mentioned "parties."

(j) "Reliable full power operation" shall be deemed to have been reached 1 year after the Tarapur Atomic Power Station has first operated continuously for 100 hours at full power. In computing this 1-year period, periods during which either reactor is not in operation for more than 4 consecutive weeks will be excluded.

ARTICLE X

This agreement shall enter into force on the date on which both Governments have notified each other of compliance with all statutory and constitutional requirements for entry into force of such agreement and shall remain in force for a period of 30 years.

In witness whereof, the undersigned, duly authorized, have signed this agreement.

Done at Washington, in duplicate, this 8th day of August 1963.

For the Government of the United States of America:

PHILLIPS TALBOT.
GLENN E. SEABORG.

For the Government of India:

BRAJ KUMA NEHRU.

ANNEXURE "A"

The parties have agreed that the system of records and reports for the Tarapur Atomic Power Station will consist of the following elements:

(a) With respect to records, information covering the following will be included:

(1) receipts of all nuclear materials,[1]

(2) internal movements of all nuclear materials,

(3) any removal of nuclear materials, including shipments, known losses, and unaccounted for quantities,

(4) inventories of all nuclear materials on hand at the end of each accounting period, showing form, quantity, and location, and

(5) reactor-operating data necessary for determining and reporting on the production and consumption of any nuclear materials and the use of the Tarapur Atomic Power Station.

(b) With respect to reports, information covering the following will be included: (1) All receipts and removals of nuclear materials; (2) any production and consumption of nuclear materials; (3) any known losses and unaccounted-for nuclear materials; (4) all inventories of nuclear materials; and (5) the operation of the Tarapur Atomic Power Station, including unusual incidents; and significant modifications made or to be made in the plant or in the fueling program.

Routine reports covering the foregoing elements shall be submitted to the Government of the United States of America and the Government of India on a monthly basis. Any losses of nuclear materials, however, or any unusual incidents or major changes in the fueling program will be reported as soon as the loss has been discovered or the change has been scheduled.

The parties further agree that if any special nuclear material which is made available to India pursuant to this agreement or produced in the Tarapur Atomic Power Station is placed, in accordance with this agreement, in any facilities in India other than the Tarapur Atomic Power Station, then the principles of the agreed-upon system referred to in paragraph (b)2 of article VI of this agreement and set forth in this annexure will be applied to such a situation.

The records and reports will include such details as may be relevant to the achievement of the objectives of article VI and may be modified by mutual agreement.

In the event of unusual incidents, special reports may be requested, including such amplifications and elucidations as each party considers relevant to the achievement of the objectives of article VI.

U.S. ATOMIC ENERGY COMMISSION,
Washington, D.C., July 12, 1963.

THE PRESIDENT,
The White House.

DEAR MR. PRESIDENT: The Atomic Energy Commission submits for your consideration, in accordance with section 123 of the Atomic Energy Act, the enclosed "Agreement for Cooperation Between the Government of the United States of America and the Government of India Concerning the Civil Uses of Atomic Energy."

The proposed agreement for cooperation, which has been negotiated by the Atomic Energy Commission and the Department of State, generally follows the pattern of previous agreements with a number of other countries providing for a cooperative power reactor program. The agreement with India, however, contains features which reflect the latest Commission policies and it has been designed specifically to deal only with the proposed Tarapur Atomic Power Station which India plans to construct at a site north of Bombay.

The Tarapur Nuclear Power Station is to consist of two nuclear reactors of U.S. design and manufacture. Financing to cover the dollar costs of the reactors will be provided by the U.S. Agency for International Development.

The more significant features of this particular agreement are discussed below.

This would be the first "fuel requirements" agreement and would give effect to the Commission's new policy assuring foreign operators of enriched uranium reactors of an adequate long-term supply of fuel. Thus, under article II, the Commission would agree to supply, and the Indian authorities would agree to purchase, all of the enriched uranium fuel requirements for this plant, during the term of the agreement, subject to an overall ceiling of 14,500 kilograms of U-235 contained in uranium enriched up to 20 percent, provided construction of the station is begun by June 30, 1965.

Since the Indian Government plans to build its own reprocessing facility, article II would permit reprocessing of the fuel in India subject, of course, to the safeguard provisions set forth in this agreement.

Article VI of the proposed agreement, and an annexure, contain a series of safeguard provisions which, while tailored to a single project, are the same in substance as those contained in a number of existing comprehensive power agreements. In addition, the article provides that the Government of India shall have the right, upon prior notice to the United States, to remove from the scope of the agreement (including the safeguard provisions) quantities of special nuclear material, provided India has, pursuant to mutually acceptable measurement arrangements, placed agreed equivalent quantities of the special nuclear material under the scope of the agreement for cooperation. This opportunity for equivalent substitution reflects a principle that is incorporated in the safeguard procedures of the International Atomic Energy Agency.

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[1] The term "nuclear material" as used in this annexure means both source materials and special nuclear materials as they are defined in article IX of this agreement.

Article VII contains the required guarantees on the part of India that materials, equipment or devices transferred to India will not be used for any military purpose and will not, without U.S. approval, be transferred beyond the jurisdiction of India. This article also contains a guarantee by the United States that, consistent with its announced policy, the United States would not use for any military purposes any plutonium produced in the Tarapur reactor which it might acquire from India. Provisions with a comparable effect, in whole or in part, have been included in some of our other agreements, including our agreement with the IAEA.

The proposed agreement would go further than any of our other nuclear power agreements in establishing the principle of application of safeguards by the International Atomic Energy Agency. Specifically, article VIII includes an agreement in principle, by the parties that, at a suitable time, the International Atomic Energy Agency will be requested to enter into a trilateral agreement for the implementation of the safeguard provisions in article VI as follows: After the Agency has adopted a system of safeguards for large scale reactors of the size of the Tarapur Nuclear Power Station, and at a reasonable time to be mutually agreed upon, the United States and India will consult with each other to determine whether the Agency's system so adopted is generally consistent with the safeguard provisions contained in article VI. If the system is generally consistent with these provisions, the parties will request the Agency to enter into a trilateral agreement regarding the implementation of safeguard responsibilities. While the parties recognize that the trilateral agreement with the Agency should be implemented as soon as practicable, it is agreed, in order to avoid any dislocation or uncertainty during the period of early operation of the Tarapur Nuclear Power Station, that the Government of India may specify that the agreement with the Agency shall not be implemented until the Tarapur Station has reached reliable full-power operation.

Article VIII also provides that the Government of the United States is prepared, in principle, to include appropriate provisions in the trilateral agreement with the Agency which would enable the Agency to apply its safeguards to any special nuclear materials produced in the Tarapur project and returned to the United States. The inclusion of this principle is compatible with the strong support of the United States has given to the evolution of safeguards administered by the International Atomic Energy Agency and to the concept that Agency controls should effectively follow special nuclear materials produced in Agency-safeguarded facilities.

The agreement was designed to assure the Indians of a long-term supply of fuel over a 25-year period and since it is anticipated that construction of the station will require from 4 to 4½ years, article X provides that the agreement shall remain in force for a period of 30 years.

The other provisions of this agreement are similar in content to those contained in comprehensive power-type agreements for cooperation which we have with a number of countries.

The Commission, having considered the proposed agreement, recommends that in accordance with the Atomic Energy Act you determine that its performance will promote and will not constitute an unreasonable risk to the common defense and security; that you approve it and authorize its execution. The Department of State supports the Commission's recommendations.

Following your approval and authorization, the agreement will be formally executed on behalf of the Government of the United States of America, by appropriate representatives of the Atomic Energy Commission and the Department of State. In compliance with section 123(c) of the Atomic Energy Act of 1954, as amended, the agreement will then be placed before the Joint Committee on Atomic Energy.

Respectfully yours,

GLENN T. SEABORG,
Chairman.

THE WHITE HOUSE,
Washington, D.C., July 31, 1963.

Hon. GLENN T. SEABORG,
Atomic Energy Commission,
Washington, D.C.

DEAR DR. SEABORG: In accordance with section 123 of the Atomic Energy Act of 1954, as amended, the Atomic Energy Commission has submitted to me a proposed "Agreement for Cooperation Between the Government of the United States of America and the Government of India Concerning the Civil Uses of Atomic Energy," and recommended that I determine that the performance of the proposed agreement will promote and will not constitute an unreasonable risk to the common defense and security; that I approve the agreement and authorize its execution.

The proposed agreement generally follows the pattern of previous agreements providing for a cooperative power program with a number of other countries, although it contains some new features and was specifically designed to deal only with the Tarapur atomic power station which India plans to construct at a site north of Bombay.

The agreement provides that the Commission will sell, and India will purchase, as needed, all of India's requirements for enriched uranium for use as fuel at the Tarapur station, subject to an overall ceiling of 14,500 kilograms of U^{235} contained in uranium enriched up to 20 percent, provided construction of the station is begun by June 30, 1965.

The agreement contains safeguards provisions designed to provide the same assurance as afforded by other power reactor agreements for cooperation that any material, equipment or device made available to India for use in the Tarapur project under this agreement, or special nuclear material produced therefrom, shall be used solely for peaceful purposes.

Under this agreement India shall have the right, upon prior notice to the United States, to remove from the scope of the agreement, including safeguard provisions, quantities of special nuclear material, provided India has placed agreed upon equivalent quantities of special nuclear material under the scope of the agreement.

In article VIII the parties agree, in principle, that, at a suitable time, the International Atomic Energy Agency will be requested to enter into a trilateral agreement for the implementation of the safeguard provisions of article VI, subject to certain specified conditions. The Government of India, however, may specify that the agreement with the Agency shall not be implemented until the Tarapur station has reached reliable full-power operation.

The agreement also provides that the Government of the United States is prepared, in principle, to include appropriate provisions in the trilateral agreement with the Agency which would enable the Agency to apply its safeguards to any special nuclear materials produced in the Tarapur project and returned to the United States.

The term of the agreement is for 30 years. The other provisions of the agreement are similar in content to those contained in comprehensive power-type agreements which the United States has with a number of countries.

Pursuant to the provisions of section 123 of the Atomic Energy Act of 1954, as amended, and upon the recommendation of the Atomic Energy Commission, I hereby:

(a) Determine that the performance of the proposed agreement, enclosed with your letter submitting the proposed agreement, will promote and will not constitute an unreasonable risk to the common defense and security of the United States.

(b) Approve the proposed agreement for cooperation between the Government of the United States of America and the Government of India.

(c) Authorize the execution of the proposed agreement for the Government of the United States of America by appropriate authorities of the U.S. Atomic Energy Commission and the Department of State.

Sincerely,

JOHN F. KENNEDY.

PROPOSED AMENDMENTS TO AGREEMENTS FOR COOPERATION WITH OTHER NATIONS FOR PEACEFUL USES OF ATOMIC ENERGY

Mr. GORE. Mr. President, as chairman of the Subcommittee on Agreements for Cooperation of the Joint Committee on Atomic Energy, I would like to advise the Members of the Senate of four proposed amendments to agreements for cooperation with other nations for the peaceful uses of atomic energy. These amendments were submitted to the Joint Committee by the executive branch on August 12, 1963.

The proposed amendments would modify the following agreements for cooperation on the peaceful uses of atomic energy with the following governments:

First. Government of Ireland: The proposed amendment would extend the date of the agreement for a period of 5 years beyond its expiration date of July 8, 1963;

Second. Government of Japan: The amendment would remove the specific ceiling limitation on research quantities of nuclear materials available for designated research projects;

Third. Government of the Republic of the Philippines: The current agreement with the Philippine Government would be extended for 5 years beyond its expiration date of July 26, 1963, and, in addition, the agreement would be amended to facilitate assumption of safeguards functions by the International Atomic Energy Agency if mutually agreed upon by the parties;

Fourth. Government of Belgium: The agreement would be amended to permit transfers of special nuclear material from other countries to Belgium for the purposes of conversion or fabrication services, or both.

Mr. President, I request unanimous consent to have printed in the RECORD at the conclusion of my remarks the text of the proposed amendments with each of the foregoing nations, together with appropriate supporting correspondence.

There being no objection, the proposed amendments were ordered to be printed in the RECORD, as follows:

U.S. ATOMIC ENERGY COMMISSION,
Washington, D.C., August 12, 1963.

Hon. JOHN O. PASTORE,
Chairman, Joint Committee on Atomic Energy, Congress of the United States.

DEAR SENATOR PASTORE: Pursuant to section 123c of the Atomic Energy Act of 1954, as amended, there are submitted with this letter:

(a) An executed amendment to the Agreement for the Cooperation Between the Government of the United States of America and the Government of Ireland Concerning Civil Uses of Atomic Energy, as amended;

(b) A letter from the Commission to the President recommending approval of the proposed amendment; and

(c) A letter from the President to the Commission approving the proposed amendment, containing his determination that its performance will promote and will not constitute an unreasonable risk to the common defense and security, and his authorization to execute the amendment.

The proposed amendment, which has been negotiated by the Atomic Energy Commission and the Department of State pursuant to the Atomic Energy Act of 1954, as amended, will amend the agreement for cooperation signed March 16, 1956, as amended by the agreement signed on February 13, 1961, by providing for an extension of the agreement for a 5-year period beyond its expiration date of July 8, 1963.

The amendment will enter into force when the two Governments have exchanged written notifications that their respective statutory and constitutional requirements have been fulfilled.

Sincerely yours,

——— ———,
Acting Chairman.

AMENDMENT TO AGREEMENT FOR COOPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF IRELAND CONCERNING CIVIL USES OF ATOMIC ENERGY

The Government of the United States of America and the Government of Ireland,

Desiring to amend the Agreement for Cooperation Between the Government of the United States of America and the Government of Ireland Concerning Civil Uses of Atomic Energy, signed at Washington on March 16, 1956 (hereinafter referred to as the "Agreement for Cooperation"), as amended by the Agreement signed at Washington on February 13, 1961,

Agree as follows:

ARTICLE I

The first sentence of Article XI of the Agreement for Cooperation, as amended, is amended by deleting the phrase "five years" and substituting in lieu thereof the phrase "ten years".

ARTICLE II

This Amendment shall enter into force on the date on which each Government shall have received from the other Government written notification that it has complied with all statutory and constitutional requirements for the entry into force of such Amendment and shall remain in force for the period of the Agreement for Cooperation, as hereby amended.

In witness whereof, the undersigned, duly authorized, have signed this Amendment.

Done at Washington, in duplicate, this 7th day of August 1963.

For the Government of the United States of America:

WILLIAM R. TYLER.
GLENN T. SEABORG.

For the Government of Ireland:

T. J. KIERNAN.

U.S. ATOMIC ENERGY COMMISSION,
Washington, D.C., June 25, 1963.

The PRESIDENT,
The White House.

DEAR MR. PRESIDENT: The Atomic Energy Commission recommends that you approve the enclosed proposed "Amendment to the Agreement for Cooperation Between the Government of the United States of America and the Government of Ireland Concerning Civil Uses of Atomic Energy," determine that its performance will promote and will not constitute an unreasonable risk to the common defense and security, and authorize its execution. The Department of State supports the Commission's recommendation.

The amendment which has been negotiated by the Atomic Energy Commission and the Department of State pursuant to the Atomic Energy Act of 1954, as amended, will amend the agreement for cooperation signed by the Government of the United States of America and the Government of Ireland on March 16, 1956, as amended by the agreement signed on February 13, 1961, by providing for an extension of the agreement for a 5-year period beyond its current expiration date of July 8, 1963.

Although the Government of Ireland was encouraged to join the International Atomic Energy Agency and seek its future requirements through the Agency, that Government replied that it had no current interest in joining the Agency and preferred to extend the existing agreement.

Following your determination, approval, and authorization, the proposed amendment will be formally executed by the appropriate authorities of the Government of the United States of America and the Government of Ireland. In compliance with section 123c of the Atomic Energy Act of 1954, as amended, the amendment will then be placed before the Joint Committee on Atomic Energy.

Respectfully yours,

GLENN T. SEABORG,
Chairman.

THE WHITE HOUSE,
Washington, July 29, 1963.

Hon. GLENN T. SEABORG,
Chairman, U.S. Atomic Energy Commission.

DEAR DR. SEABORG: In accordance with section 123c of the Atomic Energy Act of 1954, as amended, the Atomic Energy Commission has submitted to me a proposed "Amendment to the Agreement for Cooperation Between the Government of the United States of America and the Government of Ireland Concerning Civil Uses of Atomic Eneregy," and recommended that I approve the amendment, determine that its performance will promote and will not constitute an unreasonable risk to the common defense and security, and authorize its execution.

The proposed amendment, which has been negotiated by the Atomic Energy Commission and the Department of State pursuant to the Atomic Energy Act of 1954, as amended, would amend the agreement for cooperation signed by the Government of the United States of America and the Government of Ireland on March 16, 1956, as amended by the agreement signed on February 13, 1961, by providing for an extension of the agreement for a 5-year period beyond its current expiration date of July 8, 1963.

Pursuant to the provisions of section 123c of the Atomic Energy Act of 1954, as amended, and upon the recommendation of the Atomic Energy Commission, I hereby:

(a) Determine that the performance of this proposed amendment will promote and will not constitute an unreasonable risk to the common defense and security of the United States.

(b) Approve the proposed amendment between the Government of the United States of America and the Government of Ireland enclosed with your letter submitting the proposed amendment.

(c) Authorize the execution of the proposed amendment for the Government of the United States of America by appropriate authorities of the United States Atomic Energy Commission and the Department of State.

Sincerely,

JOHN F. KENNEDY.

U.S. ATOMIC ENERGY COMMISSION,
Washington, D.C., August 12, 1963.

Hon. JOHN O. PASTORE,
Chairman, Joint Committee on Atomic Energy, Congress of the United States.

DEAR SENATOR PASTORE: Pursuant to section 123c of the Atomic Energy Act of 1954, as amended, there is submitted with this letter:

(a) An executed protocol amending the Agreement for Cooperation Between the Government of the United States of America and the Government of Japan Concerning Civil Uses of Atomic Energy, as amended;

(b) A letter from the Commission to the President recommending approval of the proposed protocol; and

(c) A letter from the President to the Commission approving the proposed protocol, containing his determination that its performance will promote and will not constitute an unreasonable risk to the common defense and security and authorizing its execution.

The protocol, which has been negotiated by the Atomic Energy Commission and the Department of State pursuant to the Atomic Energy Act of 1954, as amended, will amend the agreement for cooperation between the Government of the United States of America and the Government of Japan signed on June 16, 1958, as amended by the protocol signed on October 9, 1958, by removing the specific ceiling limitation on research quantities of materials, including special nuclear material, available for defined research projects (other than for fueling reactors or reactor experiments), in view of additional Japanese requirements for material for research projects. The protocol provides that such materials may be transferred to Japan on an "as may be agreed" basis. This will bring the agreement into line with other similar comprehensive bilateral agreements.

The protocol will enter into force when the two governments have exchanged written notifications that their respective statutory and constitutional requirements have been fulfilled.

Sincerely,

——— ———,
Acting Chairman.

PROTOCOL AMENDING THE AGREEMENT FOR COOPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF JAPAN CONCERNING CIVIL USES OF ATOMIC ENERGY

The Government of the United States of America and the Government of Japan,

Desiring to amend the Agreement for Cooperation between the Government of the United States of America and the Government of Japan Concerning Civil Uses of Atomic Energy signed at Washington on June 16, 1958, as amended by the Protocol signed at Washington on October 9, 1958, hereinafter referred to as the "Agreement for Cooperation";

Have agreed as follows:

ARTICLE I

Article V, paragraph A, of the Agreement for Cooperation is amended to read:

"A. Research materials

"Materials of interest in connection with defined research projects related to the peaceful uses of atomic energy as provided by Article III and under the limitations set forth in Article II, including source materials, special nuclear materials, by-product material, other radioisotopes, and stable isotopes, will be exchanged for research purposes, other than for fueling reactors and reactor experiments, in such quantities and under such terms and conditions as may be agreed when such materials are not available commercially."

ARTICLE II

This Protocol shall enter into force on the day on which each Government shall have received from the other Government written notification that it has complied with all statutory and constitutional requirements for the entry into force of this Protocol and shall remain in force for the period of the Agreement for Cooperation.

In witness whereof, the undersigned, duly authorized, have signed this Protocol.

Done at Washington, in duplicate in the English and Japanese languages, both texts being equally authentic, this 7th day of August 1963.

For the Government of the United States of America:

ROGER HILSMAN
GLENN T. SEABORG

For the Government of Japan:

RYUJI TAKEVCHI

U.S. ATOMIC ENERGY COMMISSION,
Washington, D.C., June 25, 1963.

The PRESIDENT,
The White House.

DEAR MR. PRESIDENT: The Atomic Energy Commission recommends that you approve the enclosed proposed "Protocol Amending the Agreement for Cooperation Between the Government of the United States of America and the Government of Japan Concerning Civil Uses of Atomic Energy", determine that its performance will promote and will not constitute an unreasonable risk to the common defense and security, and authorize its execution. The Department of State supports the Commission's recommendation.

The proposed protocol, which has been negotiated by the Atomic Energy Commission and the Department of State pursuant to the Atomic Energy Act of 1954, as amended, will amend the Agreement for Cooperation between the Government of the United States of America and the Government of Japan, signed on June 16, 1958, as amended by the protocol signed on October 9, 1958, by removing the specific ceiling limitation on research quantities of materials, including special nuclear material, available for defined research projects (other than for fueling reactors or reactor experiments), in view of additional Japanese requirements for material for research projects. Article I of the proposed protocol will amend article V A of the Agreement to provide for the transfer of such materials to Japan on an "as may be agreed" basis. This will bring the agreement into line with other similar comprehensive bilateral agreements.

In accordance with current U.S. policy the Government of Japan was encouraged to satisfy its future requirements for materials through the International Atomic Energy Agency (IAEA). The Japanese, however, indicated their preference to amend the Agreement for Cooperation.

Following your determination, approval and authorization, the proposed protocol will be formally executed by the appropriate authorities of the Government of the United States of America and the Government of Japan. In compliance with section 123c of the Atomic Energy Act of 1954, as amended, the protocol will then be placed before the Joint Committee on Atomic Energy.

Respectfully yours,

GLENN T. SEABORG,
Chairman.

THE WHITE HOUSE,
Washington, July 29, 1963.

Hon. GLENN T. SEABORG,
Atomic Energy Commission,
Washington, D.C.

DEAR MR. SEABORG: In accordance with section 123 of the Atomic Energy Act of 1954, as amended, the Atomic Energy Commission has submitted to me a proposed "Protocol Amending the Agreement for Cooperation Between the Government of the United States of America and the Government of Japan Concerning Civil Uses of Atomic Energy," and recommended that I approve the proposed protocol, determine that its performance will promote and will not constitute an unreasonable risk to the common defense and security, and authorize its execution.

The proposed protocol, which has been negotiated by the Atomic Energy Commission and the Department of State pursuant to the Atomic Energy Act of 1954, as amended, would amend the agreement for cooperation between the Government of the United States of America and the Government of Japan signed on June 16, 1958, as amended by the protocol signed on October 9, 1958, by removing the specific ceiling limitation on research quantities of materials, including special nuclear material, available for defined research projects (other than for fueling reactors or reactor experiments) and making such materials available to Japan on an "as may be agreed" basis.

Pursuant to the provisions of section 123 of the Atomic Energy Act of 1954, as amended, and upon the recommendation of the Atomic Energy Commission, I hereby:

(a) Determine that the performance of this proposed protocol will promote and will not constitute an unreasonable risk to the common defense and security of the United States.

(b) Approve the proposed protocol between the Government of the United States of America and the Government of Japan enclosed with your letter submitting the proposed protocol.

(c) Authorize the execution of the proposed protocol for the Government of the United States of America by appropriate authorities of the U.S. Atomic Energy Commission and the Department of State.

Sincerely,

JOHN F. KENNEDY.

U.S. ATOMIC ENERGY COMMISSION,
Washington, D.C., August 12, 1963.

Hon. JOHN O. PASTORE,
Chairman, Joint Committee on Atomic Energy, Congress of the United States.

DEAR SENATOR PASTORE: Pursuant to section 123c of the Atomic Energy Act of 1954, as amended, there are submitted with this letter:

(a) An executed amendment to the Agreement for Cooperation Concerning Civil Uses of Atomic Energy Between the Government of the United States of America and the Government of Belgium.

(b) A letter from the Commission to the President recommending approval of the proposed amendment.

(c) A letter from the President to the Commission approving the proposed amendment, containing his determination that its performance will promote and will not constitute an unreasonable risk to the common defense and security, and his authorization to execute the amendment.

The proposed amendment, which has been negotiated by the Atomic Energy Commission and the Department of State pursuant to the Atomic Energy Act of 1954, as amended, would revise in certain respects the agreement for cooperation signed on June 15, 1955, as amended by the agreements signed on July 12, 1956, and July 22, 1959.

Articles I, II, and III of the proposed amendment would eliminate from the agreement for cooperation, as amended, (1) references to the Belgian Congo and Ruanda-Urundi as a result of their accession to independence; and (2) references to the sale by Belgium of uranium and thorium ores and concentrates to the Combined Development Agency, since contracts and agreement provisions for the purchase of these materials have now terminated.

In addition, article II of the amendment adds a new provision to the agreement (art. VII B.2) which would permit transfers of special nuclear materials for performance in Belgium of conversion or fabrication services, or both, and subsequent transfer to another nation or international organization with which the Government of the United States of America has an agreement for cooperation within the scope of which such subsequent transfer falls. The Belgians have the industrial capability to convert special nuclear materials and fabricate such material into fuel element form, and are interested in performing these services for reactor projects in other countries. In 1962, Agreements for Cooperation Between the United States and France, Germany, Canada, Sweden, and Euratom were similarly amended. In addition, the recent amendment to the agreement for cooperation with the United Kingdom, which was submitted to the Joint Committee on June 5, 1963, also would permit the United Kingdom to perform these services.

Article IV of the amendment amends paragraph B(3) of article VIII of the agreement for cooperation in order to site the appropriate paragraph of article VII in view of the renumbering of paragraphs within the amendment of that article.

Article V of the amendment would modify the agreement for cooperation to permit the Government of Belgium to transfer materials, including equipment and devices, or any restricted data received from the United States pursuant to the agreement, as amended, to an international organization, such as Euratom, in addition to such transfers to a single nation and under the same conditions as presently provided for in the agreement for cooperation. This proposed revision is necessary to permit full implementation of the new proposed article VII B.2 of the agreement (art. II of the amendment).

The proposed amendment will enter into force on the day on which each government shall have received from the other government written notification that it has complied with all statutory and constitutional requirements for the entry into force of this amendment.

Sincerely yours,

——— ———
Acting Chairman.

Enclosures: (1) Amendment to Agreement for Cooperation with Belgium; (2) letter from the Commission to the President; (3) letter from the President to the Commission.

AMENDMENT TO THE AGREEMENT FOR COOPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF BELGIUM CONCERNING THE CIVIL USES OF ATOMIC ENERGY

The Government of the United States of America and the Government of Belgium,

Desiring to amend further the Agreement for Cooperation Concerning Civil Uses of Atomic Energy Between the Government of the United States of America and the Government of Belgium, signed at Washington on June 15, 1955 (hereinafter referred to as the "Agreement for Cooperation"), as amended by the Agreement signed at Washington on July 12, 1956 and the Agreement signed at Washington on July 22, 1959.

Have agreed as follows:

ARTICLE I

Paragraph B.1(b) of Article III of the Agreement for Cooperation, as amended, is further amended by deleting the words ", Belgian Congo, or Ruanda-Urundi,".

ARTICLE II

Article VII of the Agreement for Cooperation, as amended, is deleted and the following is substituted in lieu thereof:

"A. The Commission will sell to Belgium under such terms and conditions as may be agreed such quantites of uranium of normal isotopic composition as Belgium may require, and to the extent practical in such form as Belgium may request, during the period of this Agreement for use in research and power reactors located in Belgium, subject to the availability of supply and the needs of the United States program.

"B.1 The Commission will sell or lease to the Government of Belgium under such terms and conditions as may be agreed such quantities of uranium enriched up to twenty per cent (20%) in the isotope U^{235} as Belgium may require during the period of this Agreement for fueling defined research, experimental power, demonstration power and power reactors, materials testing reactors, and reactor experiments located in Belgium which the Government of Belgium, in consultation with the Commission, decides to construct or authorize private users to construct in Belgium and as required in experiments related thereto, subject to any limitations in connection with quantities of such material available for such distribution by the Commission during any year. The Commission may upon request and in its discretion make a portion of the material sold or leased under this paragraph available as material enriched up to ninety per cent (90% for use in research reactors, materials testing reactors, and reactor experiments each capable of operating with a fuel load not to exceed eight (8) kilograms of contained U^{235} in uranium.

"2. In addition to transfers for the purposes provided under paragraph A of Article IV and paragraph B.1 of this Article, the Commission may transfer to the Government of Belgium under such terms and conditions as may be agreed by the Parties, and subject to the limitations contained in paragraph B.1 of this Article, special nuclear material for the performance in Belgium of conversion or fabrication services, or both, and subsequent transfer to a nation or international organization with which the Government of the United States of America has an Agreement for Cooperation within the scope of which such subsequent transfer falls.

"3. It is understood and agreed that although Belgium may distribute uranium enriched in the isotope U^{235} to authorized users in Belgium, the Government of Belgium will retain title to any uranium enriched in the isotope U^{235} which is purchased from the Commission at least until such time as private users in the United States are permitted to acquire title to uranium enriched in the isotope U^{235}.

"4. It is agreed that when any source or special nuclear materials received from the United States of America require reprocessing, such reprocessing shall be performed at the discretion of the Commission in either Commission facilities or facilities acceptable to the Commission, on terms and conditions to be later agreed; and it is understood, except as may otherwise be agreed, that the form and content of any irradiated fuel elements shall not be altered after removal from the reactor and prior to delivery to the Commission or the facilities acceptable to the Commission for reprocessing.

"5. With respect to any special nuclear material not owned by the Government of the United States of America produced in reactors fueled with materials obtained from the United States of America which is in excess of the need of the Government of Belgium for such material in its program for the peaceful uses of atomic energy, the Government of the United States of America shall have and is hereby granted (a) a first option to purchase such material at prices then prevailing in the United States of America for special nuclear material produced in reactors which are fueled pursuant to the terms of an Agreement for Cooperation with the Government of the United States of America, and (b) the right to approve the transfer of such material to any other nation or international organization in the event the option to purchase is not exercised. Belgium agrees not to transfer to any country other than the United States or the United Kingdom any special nuclear materials produced in Belgium unless the Government of Belgium is given assurance that the material will not be used for military purposes, and the Government of Belgium agrees to consult with the United States on the international significance of any proposed transfer of any uranium and thorium ores or special nuclear materials to any country other than the United Kingdom.

"6. Special nuclear material produced in any part of fuel leased hereunder as a result of irradiation processes shall be for the account of the Government of Belgium and after reprocessing as provided in subparagraph 4 hereof shall be returned to the Government of Belgium, at which time title to such material shall be transferred to that Government, unless the Government of the United States of America shall exercise the option, which is hereby accorded, to retain, with appropriate credit to the Government of Belgium any such special nuclear material which is in excess of the needs of the Government of Belgium for such material in its program for the peaceful uses of atomic energy.

"7. Some atomic energy materials which the Government of Belgium may request the Commission to provide in accordance with this Agreement are harmful to persons and property unless handled and used carefully. After delivery of such material to the Government of Belgium, the Government of Belgium shall bear all responsibility, insofar as the Government of the United States of America is concerned, for the safe handling and use of such materials. With respect to any special nuclear materials or fuel elements which the United States Commission may, pursuant to this Agreement, lease to the Government of Belgium or to any private individual or private organization under its jurisdiction, the Government of Belgium shall indemnify and save harmless the Government of the United States of America against any and all liability (including third party liability) from any cause whatsoever arising out of the production or fabrication, the ownership, the lease, and the possession and use of such sepcial nuclear materials or fuel elements after delivery by the United States Commission to the Government of Belgium or to any authorized private individual or private organization under its jurisdiction.

"C. The Commission will sell to Belgium, under such terms and conditions as may be agreed, such quantities of heavy water as Belgium may require, during the period of this Agreement, for use in research and power reactors located in Belgium, subject to the availability of supply and the needs of the United States program.

"D. As may be necessary and as mutually agreed in connection with the subjects of agreed exchange of information as provided in Article III, and under the limitations set forth therein, specific arrangements may be made from time to time between the Parties for lease, or sale and purchase, of quantities of materials, other than special nuclear materials, greater than those required for research, under such terms and conditions as may be mutually agreed, except as provided in Article VIII."

ARTICLE III

Paragraph A.2 of Article VII bis is deleted and the following is substituted in lieu thereof:

"2. In the event the Parties do not reach a mutually satisfactory agreement following the consultation provided in paragraph A.1 of this Article, either Party may by notification terminate this Agreement. In the event this Agreement is so terminated, the Government of Belgium shall return to the Commission all source and special nuclear materials received pursuant to this Agreement and in its possession or in the possession of persons under its jurisdiction."

ARTICLE IV

Paragraph B(3) of Article VIII bis of the Agreement for Cooperation, as amended, is amended by deleting the words "Article VII paragraph C" and substituting in lieu thereof the words "Article VII paragraph B.5".

ARTICLE V

Paragraph C of Article XI of the Agreement for Cooperation, as amended, is amended as follows:

1. The comma is deleted after the word "nation" as said word first appears and the words "or international organization," are inserted directly thereafter.
2. The period is deleted at the end of the paragraph and the words "or international organization." are added directly thereafter.

ARTICLE VI

This Amendment, which shall be regarded as an integral part of the Agreement for Cooperation, as amended, shall enter into force on the day on which each Government shall have received from the other Government written notification that it has complied with all statutory and constitutional requirements for the entry into force of this Amendment.

In witness whereof, the undersigned, duly authorized, have signed this Amendment

Done at Washington, in duplicate, this 7th day of August 1963.

For the Government of the United States of America:

WILLIAM R. TYLER
GLENN T. SEABORG

For the Government of Belgium:

LOUIS SCHEYVEN

U.S. ATOMIC ENERGY COMMISSION,
Washington, D.C., June 25, 1963.

The PRESIDENT,
The White House.

DEAR MR. PRESIDENT: The Atomic Energy Commission recommends that you approve the enclosed proposed "amendment to Agreement for Cooperation Concerning Civil Uses of Atomic Energy Between the Government of the United States of America and the Government of Belgium," determine that its performance will promote and will not constitute an unreasonable risk to the common defense and security, and authorize its execution. The Department of State supports the Commission's recommendation.

The proposed amendment which has been negotiated by the Atomic Energy Commission and the Department of State pursuant to the Atomic Energy Act of 1954, as amended, would revise the Agreement for Cooperation Between the United States of America and Belgium signed on June 15, 1955, as amended by the agreements signed on July 12, 1956, and July 22, 1959.

Articles I, II, and III of the proposed amendment would eliminate from the agreement for cooperation, as amended, (1) references to the Belgian Congo and Ruanda-Urundi as a result of their accession to independence, and (2) references to the sale by Belgium of uranium and thorium ores and concentrates to the Combined Development Agency, since contracts and agreement provisions for the purchase of these materials have now terminated.

In addition, article II of the proposed amendment adds a new provision to the agreement (art. VII B.2) which would permit transfers of special nuclear materials for performance in Belgium or conversion or fabrication services, or both, and subsequent transfer to another nation or international organization with which the Government of the United States of America has an agreement for cooperation within the scope of which such subsequent transfer falls. The Belgians have the industrial capability to convert special nuclear materials and fabricate such material into fuel element form, and are interested in performing these services for reactor projects in other countries. In 1962, Agreements for Cooperation Between the United States and France, Germany, Canada, Sweden, and Euratom were similarly amended.

Article IV of the proposed amendment amends paragraph B(3) of article VIII bis of the agreement for cooperation in order to cite the appropriate paragraph of article VII in view of the renumbering of paragraphs within the proposed amendment of that article.

Article V of the proposed amendment would modify the agreement for cooperation to permit the Government of Belgium to transfer materials, including equipment and devices, or any restricted data received from the United States, pursuant to the agreement, as amended, to an international organization, such as Euratom, in addition to such transfers to a single nation and under the same conditions as presently provided for in the agreement for cooperation. This proposed revision is necessary to permit full implementation of the new proposed article VII B.2. of the agreement (art. II of the amendment).

Following your approval and subject to the authorization requested, the amendment will be formally executed by the appropriate authorities of the Government of the United States of America and the Government of Belgium and placed before the Joint Committee on Atomic Energy in compliance with section 123c of the Atomic Energy Act of 1954, as amended.

Respectfully yours,
GLENN T. SEABORG,
Chairman.

(Enclosure: Proposed amendment to the Agreement for Cooperation With Belgium.)

THE WHITE HOUSE,
Washington, D.C., July 29, 1963.
Hon. GLENN T. SEABORG,
Chairman, U.S. Atomic Energy Commission.

DEAR DR. SEABORG: In accordance with section 123 of the Atomic Energy Act of 1954, as amended, the Atomic Energy Commission has submitted to me a proposed "amendment to the Agreement for Cooperation Concerning Civil Uses of Atomic Energy Between the Government of the United States of America and the Government of Belgium," as amended, and recommended that I approve the proposed amendment, determine that its performance will promote and will not constitute an unreasonable risk to the common defense and security, and authorize its execution. The amendment would modify the Agreement for Cooperation Between the United States and Belgium signed on June 15, 1955, as amended by the agreements signed on July 12, 1956, and July 22, 1959.

Articles I, II, and III of the proposed amendment would eliminate from the agreement for cooperation, as amended, (1) references to the Belgian Congo and Ruanda-Urundi as a result of their accession to independence; and (2) references to the sale by Belgium of uranium and thorium ores and concentrates to the Combined Development Agency, since contracts and agreement provisions for the purchase of these materials have now terminated.

Article II of the amendment adds a new provision to the agreement for cooperation which would permit transfer under terms and conditions as may be agreed of special nuclear material for performance in Belgium of conversion or fabrication services, or both, and subsequent transfer to another nation or international organization with which the United States has an agreement for cooperation within the scope of which such subsequent transfer falls.

Article IV of the amendment amends paragraph B(3) of article VIII bis of the agreement for cooperation in order to cite the appropriate paragraph of article VII in view of the renumbering of paragraphs within the proposed amendment of that article.

Article V of the amendment would modify the agreement for cooperation to permit the Government of Belgium to transfer to an international organization materials, including equipment and devices, or any restricted data received from the United States pursuant to the agreement, in addition to such transfers to a single nation and under the same conditions as presently provided for in the agreement for cooperation.

Pursuant to the provisions of section 123 of the Atomic Energy Act of 1954, as amended, and upon the recommendation of the Atomic Energy Commission, I hereby:

(a) Determine that the performance of the proposed amendment will promote and will not constitute an unreasonable risk to the common defense and security of the United States.

(b) Approve the proposed amendment to the Agreement for Cooperation Between the Government of the United States of America and the Government of Belgium enclosed with your letter submitting the proposed amendment.

(c) Authorize the execution of the proposed amendment for the Government of the United States of America by appropriate authorities of the U.S. Atomic Energy Commission and the Department of State.

Sincerely,
JOHN F. KENNEDY.

U.S. ATOMIC ENERGY COMMISSION,
Washington, D.C., August 12, 1963.
The HONORABLE JOHN O. PASTORE,
Chairman, Joint Committee on Atomic Energy, Congress of the United States.

DEAR SENATOR PASTORE: Pursuant to section 123c of the Atomic Energy Act of 1954, as amended, there is submitted with this letter:

(a) An executed amendment to the agreement for cooperation between the Government of the United States of America and the Government of the Republic of the Philippines concerning civil uses of atomic energy, as amended;

(b) A letter from the Commission to the President recommending approval of the proposed amendment; and

(c) A letter from the President to the Commission approving the proposed amendment, containing his determination that its performance will promote and will not constitute an unreasonable risk to the common defense and security, and authorizing its execution.

The amendment, which has been negotiated by the Atomic Energy Commission and the Department of State pursuant to the Atomic Energy Act of 1954, as amended, will amend the agreement for cooperation between the Government of the United States of America and the Government of the Republic of the Philippines signed on July 27, 1955, as amended by the agreement signed on June 11, 1960, by providing that the International Atomic Energy Agency will be promptly requested to assume responsibility for applying safeguards to materials and facilities transferred to the Government of the Republic of the Philippines. The necessary arrangements will be effected, without modification to the agreement, through a trilateral agreement to be negotiated by the parties and the Agency which may include provisions for the suspension of the safeguard rights accorded the Commission under the agreement during the time and to the extent that the Agency's safeguards apply to said materials and facilities.

The amendment also would provide for a new 5-year term for the agreement which expired July 26, 1963. The special nuclear materials and reactor previously obtained by the Philippine Government under the agreement would, during this interim period, remain subject to the safeguards and guarantees set forth in that agreement in view of their continuing effect, which the Philippine Government has acknowledged, and in view of the Philippine Government's assurance that it will hold that material and equipment subject to the various provisions of the agreement pending the entry into force of the amended agreement.

The amendment will enter into force when the two Governments have exchanged written notifications that their respective statutory and constitutional requirements have been fulfilled.

Sincerely,
——— ———,
Acting Chairman.

AMENDMENT TO AGREEMENT FOR COOPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES CONCERNING CIVIL USES OF ATOMIC ENERGY

The Government of the United States of America and the Government of the Republic of the Philippines, desiring to amend the Agreement for Cooperation Between the Government of the United States of America and the Government of the Republic of the Philippines Concerning Civil Uses of Atomic Energy, signed at Washington on July 27, 1955 (hereinafter referred to as the "Agreement for Cooperation"), as amended by the agreement signed at Washington on June 11, 1960, agree as follows:

ARTICLE I

Article VII(A) of the Agreement for Cooperation is amended to read as follows:

"The Government of the United States of America and the Government of the Republic of the Philippines, recognizing the desirability of making use of the facilities and services of the International Atomic Energy Agency, agree that the Agency will be promptly requested to assume responsibility for applying safeguards to materials and facilities transferred to the Republic of the Philippines under this Agreement for Cooperation. It is contemplated that the necessary arrangements will be effected without modification of this agreement, through an agreement to be negotiated between the parties and the Agency which may include provisions for suspension of the safeguard rights accorded the Commission by article VI, paragraph C, of this agreement during the time and to the extent that the Agency's safeguards apply to such materials and facilities."

ARTICLE II

Article VIII of the Agreement for Cooperation is amended by deleting the date "July 26, 1963" and substituting in lieu thereof the date "July 26, 1968."

ARTICLE III

This amendment shall enter into force on the day on which each Government shall have received from the other Government written notification that it has complied with all statutory and constitutional requirements for the entry into force of such amendment and shall remain in force for the period of the Agreement for Cooperation.

In witness whereof, the undersigned, duly authorized, have signed this amendment.

Done at Washington, in duplicate, this 7th day of August 1963.

For the Government of the United States of America:

Roger Hilsman.
Glenn T. Seaborg.

For the Government of the Republic of the Philippines:

Amelito R. Mutuc.

Certified to be a true copy.

Allan T. Dalton,
Chief, Asian-African-Latin American Branch, Division of International Affairs, U.S. Atomic Energy Commission.

U.S. Atomic Energy Commission,
Washington, D.C., June 25, 1963.

The President,
The White House.

Dear Mr. President: The Atomic Energy Commission recommends that you approve the enclosed proposed "Amendment to the Agreement for Cooperation Between the Government of the United States of America and the Government of the Republic of the Philippines Concerning Civil Uses of Atomic Energy," determine that its performance will promote and will not constitute an unreasonable risk to the common defense and security, and authorize its execution. The Department of State supports the Commission's recommendation.

The proposed amendment, which has been negotiated by the Atomic Energy Commission and the Department of State pursuant to the Atomic Energy Act of 1954, as amended, will amend the agreement for cooperation between the Government of the United States of America and the Government of the Republic of the Philippines signed on July 27, 1955, as amended by the agreement signed on June 11, 1960, by providing that the International Atomic Energy Agency will be promptly requested to assume responsibility for applying safeguards to materials and facilities transferred to the Government of the Republic of the Philippines. The necessary arrangements would be effected, without modification to the agreement, through a trilateral agreement to be negotiated between the parties and the Agency which may include provisions for the suspension of the safeguard rights accorded the Commission under the agreement during the time and to the extent that the Agency safeguards apply to such materials and facilities.

The proposed amendment would also provide for the extension of the agreement for a 5-year period beyond its current expiration date of July 26, 1963.

Following your determination, approval, and authorization, the proposed amendment will be formally executed by the appropriate authorities of the Government of the United States of America and the Government of the Republic of the Philippines. In compliance with section 123c of the Atomic Energy Act of 1954, as amended, the amendment will then be placed before the Joint Committee on Atomic Energy.

Respectfully yours,
Glenn T. Seaborg,
Chairman.

The White House,
Washington, D.C., July 29, 1963.

Hon. Glenn T. Seaborg,
Atomic Energy Commission,
Washington, D.C.

Dear Dr. Seaborg: In accordance with section 123 of the Atomic Energy Act of 1954, as amended, the Atomic Energy Commission has submitted to me a proposed "Amendment to Agreement for Cooperation Between the Government of the United States of America and the Government of the Republic of the Philippines Concerning Civil Uses of Atomic Energy," and recommended that I approve the proposed amendment, determine that its performance will promote and will not constitute an unreasonable risk to the common defense and security, and authorize its execution.

The proposed amendment, which has been negotiated by the Atomic Energy Commission and the Department of State pursuant to the Atomic Energy Act of 1954, as amended, would amend the Agreement for Cooperation Between the Government of the United States of America and the Government of the Republic of the Philippines, signed on July 27, 1955, as amended by the agreement signed on June 11, 1960, by providing that the International Atomic Energy Agency will be promptly requested to assume responsibility for applying safeguards to materials and facilities transferred to the Government of the Republic of the Philippines. The necessary arrangements will be effected, without modification to the agreement, through a trilateral agreement to be negotiated by the parties and the agency which may include provisions for the suspension of the safeguards rights accorded the Commission under the agreement during the time and to the extent that the agency's safeguards apply to said materials and facilities.

The proposed amendment also would provide for the extension of the agreement for a 5-year period beyond the current expiration date of July 26, 1963.

Pursuant to the provisions of section 123 of the Atomic Energy Act of 1954, as amended, and upon the recommendations of the Atomic Energy Commission, I hereby:

(a) Determine that the performance of this proposed amendment will promote and will not constitute an unreasonable risk to the common defense and security of the United States.

(b) Approve the proposed amendment between the Government of the United States of America and the Government of the Republic of the Philippines enclosed with your letter submitting the proposed amendment.

(c) Authorize the execution of the proposed amendment for the Government of the United States of America by appropriate authorities of the U.S. Atomic Energy Commission and the Department of State.

Sincerely,
——— ———.

COMMITTEE MEETING DURING SENATE SESSION ON MONDAY

On request of Mr. Humphrey, and by unanimous consent, the Committee on Foreign Relations was authorized to meet during the session of the Senate on Monday, August 19.

THE IMPORTATION OF FARMWORKER UNEMPLOYMENT

Mrs. NEUBERGER. Mr. President, the Senate Agriculture Committee took an unfortunate action when it voted to report a bill extending the Mexican farm labor importation program without holding any hearings whatsoever on the measure.

The bill as reported would have harmed millions of U.S. farmworkers and family farmers. It would have benefited less than 1 percent of American farms—generally the large corporation-type farms.

Needless to say, the Mexican farm labor importation program or Public Law 78 is highly controversial. Church groups, labor unions, civic organizations, family-farm groups strongly oppose it. In fact, the House of Representatives rejected an extension of Public Law 78 by a rollcall vote of 158 to 174 on May 29, 1963.

It is simply amazing that the committee took such unusual action, to import hundreds of thousands of Mexican farmworkers at a time when there is a great deal of unemployment in rural America. This unemployment is even higher than unemployment in the cities.

An average of 7.3 percent of U.S. farmworkers were unemployed and an additional 9.5 percent were underemployed in 1962. Sharply increasing mechanization reduced agricultural employment in this country by 300,000 last year and the toll is increasing.

Yet the Agriculture Committee would have continued the importation of Mexican farmworkers through 1964 without even holding hearings to find out the facts on the tremendous need for jobs among U.S. farmworkers.

The argument was made that we must phase out Public Law 78. How many times have we heard that before. Only in 1961, we were told that the 2-year extension of Public Law 78 then enacted would be the last extension. Yet here we were given the same arguments all over again.

Mr. President, I am certain that if this 1-year extension is accepted by the House—and I certainly hope that it will not be—we will again hear in 1964 that an "abrupt termination" of Public Law 78 will cause difficulties and we must extend it longer still.

The argument was also made that despite the tremendous unemployment existing among farmworkers, the growers who use Public Law 78 cannot get labor. This is nonsense.

American farmworkers are eager for the jobs. They need them. Of course, growers may have to pay higher wages than 60 cents an hour in Arkansas, but I do not believe it is the function of Congress to maintain substandard wages.

The "lack of labor" argument must appear especially strange to the Senator from New Jersey [Mr. Williams]. He has been holding hearings on a bill based on Public Law 78. This measure, S. 527, would recruit U.S. farmworkers and transport them to areas of labor need. The measure would bring workers and growers together more effectively. It would assure the growers of U.S. labor.

Yet the same grower organizations who make such pitiful pleas about crops rotting, about not being able to get U.S. workers, are bitterly opposing S. 527.

Producers with a financial stake in the bracero program and others who should know better predict that in the absence of bracero labor, prices will skyrocket, and the consumer will be the ultimate loser. The Christian Science Monitor, for example, predicts that termination of the program "may well convert a number of staple foods in your home and mine into luxury items."

This fantasy was laid to rest in an excellent letter I received from Mrs. Sarah H. Newman, general secretary of the National Consumers League.

Mrs. Newman writes:

> Quite frankly consumers resent being given the blame for the atrocious farm-laborer conditions. * * *
>
> * * * Farm labor costs represent less than one-twentieth of the consumer price of vegetables, fruits, cotton and sugar. For exam-

ple, a 20 cents an hour increase in farm labor costs in the cultivation and harvest of lettuce would increase the consumer price by one-fifth of a cent a head.

I cannot believe that the American consumer is unwilling to pay this small price for the economic emancipation of his fellow citizen.

The truth is, Mr. President, that neither growers nor consumers need Public Law 78. There is plentiful U.S. labor. But the Public Law 78-using growers want docile, easily exploitable, and cheap labor.

PROHIBITION AGAINST DISCRIMINATION—FOR MEXICANS, BUT NOT FOR AMERICANS

Mr. President, I call attention to article 8 of the Migrant Labor Agreement of 1951, as amended, entered into between the United States and Mexico pursuant to Public Law 78. This article, entitled "Prohibition Against Discrimination," is an essential part of the program which would be extended by the Allott-Dominick bill, S. 1703. It has established an irrefutable precedent for the President's civil rights legislation.

The article reads as follows:

> Mexican workers shall not be assigned to work nor permitted to remain in localities in which Mexicans are discriminated against because of their nationality or ancestry. Within a reasonable time after the effective date of this agreement and from time and time thereafter, the Mexican Ministry for Foreign Relations will furnish the Secretary of Labor a listing of the communities in which it considers that discrimination against Mexicans exists. If there is concurrence by the Secretary of Labor that there is such discrimination in any such area, he will not issue, or where appropriate will withdraw, the authorization provided for in article 10.
>
> If the Secretary of Labor does not concur, the appropriate Mexican consul may request a statement signed by the chief executive officer or officers or the chief law enforcement officer of the community in which the Mexican workers are to be employed, pledging for the community that:
>
> (a) No discriminatory acts will be perpetrated against Mexicans in that locality; and
>
> (b) In the event that the Mexican consul reports the existence of acts of discrimination against any Mexican because of ancestry or nationality, the local governmental officers who signed the statement will have such complaints promptly investigated and take such community and individual action as may be necessary to fulfill the community pledge.
>
> The Mexican Government will permit employment in such areas if such pledges are furnished.
>
> If, notwithstanding the foregoing, the Mexican consul reports that discriminatory acts have been committed against Mexicans because of their nationality or ancestry in a locality where Mexican workers are employed, the Mexican consul having jurisdiction in the locality may request the representative of the Secretary of Labor to join the Mexican consul in a joint investigation in which event the procedure prescribed in article 30 of this agreement will be followed.

Mr. President, there could be no stronger precedent for the enactment of a civil rights bill than the migrant labor agreement entered into pursuant to Public Law 78. In express, unequivocal language the agreement provides that an agency of a foreign government—the Mexican Ministry for Foreign Relations—may identify communities in the United States which in his opinion discriminate against citizens of his nation; he may submit an inventory of such communities to our Secretary of Labor for concurrence and action.

If our Secretary of Labor agrees that discrimination exists, he cannot authorize Mexican nationals to be employed on farms in the communities in question. If Mexican nationals are already employed in such communities, our Secretary is required to withdraw the authorization for their employment.

If our Secretary of Labor does not agree that discrimination exists, the Mexican Government may bypass the Secretary of Labor and go directly to the officials in the community of the alleged discrimination. The Mexican consul may deal directly with the chief executive officer or the chief law enforcement officer of the community by requesting a signed antidiscrimination pledge on behalf of the entire community. The pledge required to be furnished would bind the community to nondiscriminatory action against Mexicans and would bind the local officials to investigate promptly any complaints respecting discrimination lodged by the Mexican consul. The pledge also expressly requires such community and individual action as may be necessary to fulfill the community pledge.

These procedures quite obviously go far beyond the proposals in the President's civil rights legislation. The President's civil rights legislation prohibits discrimination only by entities that affect interstate commerce. In contrast, the application of article 8 is far broader.

Article 8 prohibits the entire gamut of discriminatory action. Discrimination is prohibited however it arises in a community, whether by the government or local custom, or an individual, and regardless of whether the situation is interstate or wholly local in nature.

In considering the importance of article 8 of the Public Law 78 Migrant Labor Agreement, we should take particular note of the fact that article 8 has been in effect for more than 12 years. It will be in effect for at least 1 more year if Public Law 78 is extended again.

We should also take particular note of the fact that Mexican nationals have been employed in—and, therefore, article 8 has had application to—some areas of our Nation in which we find the greatest resistance to nondiscriminatory policies and practices.

It is an ironic fact, indeed, that the elected representatives from these areas by supporting Public Law 78 have five times endorsed and reaffirmed a policy of nondiscrimination. With this endorsement and legislative history brought to light, perhaps we can hope that some of the representatives from these areas will find their previous position favoring nondiscrimination to be of persuasive effect during their consideration of similar policies for our own citizens. Having taken such a position for the citizens of a foreign nation, surely there will be some eagerness to do as much for our own citizens.

How can we provide less protection against discrimination for our own citizens than this Government has in fact provided for more than 12 years to the citizens of Mexico.

I ask unanimous consent to have printed in the RECORD at this point data from the Department of Labor on bracero discrimination.

There being no objection, the statements were ordered to be printed in the RECORD as follows:

INELIGIBLE COUNTIES UNDER ARTICLE 8, MIGRANT LABOR AGREEMENT

Listed below are the communities which the Government of Mexico continues to consider ineligible for the purpose of contracting Mexican nationals by reason of discrimination against persons of Mexican ancestry in the State of Texas:

Edna, Gonzales, Monahan, Moulton, Port Lavaca, Robstown, Seguin, Sonora, Sterling City, Three Rivers.

The above-named communities are on an ineligible list as of September 14, 1962, provided us by the Mexican Embassy.

Below we have listed several examples of the types of cases involving discrimination and the action taken by the Department in each case.

(1) Slaton, Tex.: This case arose in Slaton, Tex., in the summer of 1960 when the Department, pursuant to agreement article 8, investigated and found that there was discrimination at such places as restaurants, bowling alleys, and the city swimming pool. At that time we concluded the matter satisfactorily without the necessity of removing the Mexican nationals under contract in the area.

In the summer of 1961 we received a formal complaint alleging that the Slaton City swimming pool was being operated on a "white only" basis. This complaint was brought to our attention when some school children of Mexican ancestry were denied the use of the swimming pool. Negotiations with city officials followed our investigation in an effort to eliminate this discrimination.

The Mexican Government requested the immediate removal of all Mexicans working in the Slaton area. Through negotiations with Slaton City officials the situation was eventually resolved in 1962 when the city of Slaton opened its swimming pool to all members of the public who obtained a $5 health certificate and a $1 membership card. These documents were available without regard to nationality.

(2) Levelland, Tex.: In October of 1961 the Department received a complaint involving discrimination against Mexicans in Levelland, Tex. The incident arose as the result of the refusal of the local movie theater to admit Mexicans. This complaint was resolved rapidly when the owner of the theater in Lubbock, Tex., after being advised of the possible sanctions which could be applied under article 8 of the agreement, instructed his local manager to admit all members of the public.

(3) Stamford, Tex.: In September 1961 the Mexican consul in Dallas, Tex., complained that barber shops and beauty parlors in Stamford, Tex., were refusing to serve persons of Mexican ancestry. This complaint was resolved when the mayor of Stamford agreed to take the necessary steps to remedy this situation.

(4) Lea County of New Mexico: In July 1959 complaints were received concerning discrimination against Mexican nationals in Lea County, N. Mex., by law-enforcement officers. Primarily, the complaint involved the arrest and imprisonment of a Mexican national for allegedly stealing his employer's wallet, a charge which was eventually disproved. The complaint involved the treatment accorded the Mexican national in the area by the police and city judge. This situation was resolved when the county and city officials of Lovington, N. Mex., pledged their cooperation to prevent recurrence of

any situation which might suggest discriminatory action against persons of Mexican ancestry or nationality.

TEXAS COUNTIES CONSIDERED INELIGIBLE

After the Migrant Labor Agreement of 1951 became effective the Mexican Government refused to approve the employment of Mexican nationals in a number of counties in Texas where it was charged that discrimination existed against persons of Mexican nationality. Over the years the Department has persuaded many of these counties to alter their policy of racial discrimination toward persons of Mexican descent. As a result of pledges received from city and county officials in many of these areas, the Mexican Government has removed these counties from their ineligible list. Although there is a 1954 joint interpretation of agreement article 8 which provides that the Mexican Government will not include an entire county on the ineligible list, the Mexican Government continues to consider certain counties in Texas to be off limits for employment of Mexican nationals. Many of the counties, however, that remain on the ineligible list have not requested Mexican nationals. In most cases where the Mexican Government still considers a county on the ineligible list we have been able to obtain its removal when county or city officials agree to cooperate.

LEGAL NIHILISM AND THE "STATES RIGHTS" AMENDMENTS

Mr. McINTYRE. Mr. President, on August 12 Mr. Justice Goldberg addressed the section of judicial administration of the American Bar Association in Chicago. On the same day its house of delegates rejected a proposal to reverse the Supreme Court's reapportionment decision. The action of the house of delegates reaffirms a central principle of our constitutional system of jurisprudence, about which Mr. Justice Goldberg had much to say. I am proud to be able to say, as a lawyer, that the vote of the house of delegates gives emphasis to the legal profession's commitment to the achievement of justice among men.

Mr. Justice Goldberg observes that the judge must seek justice under law, with the deep meanings of the Constitution as his guide. That document is the supreme example of popular sovereignty in our history, just as its writ is supreme in law. It is the people's charter upon which their liberties depend. Accordingly I view with intense concern attempts to pull down parts of the overspreading mantle of protection that the Constitution affords to our liberties. This would be unbelievable folly, yet there are those who advocate such a course. When our liberties require sophisticated and immovable defenses against the serious challenge of alien ideologies, I am somewhat embarrassed to take the time of the U.S. Senate to defend the Constitution of the United States and the Supreme Court. The motives of these proposed amendments should condemn them out of hand, and the fatal flaw in the arguments of their proponents should be obvious.

Across the Nation, Mr. President, billboards are springing up with the words "Save Our Republic—Impeach Earl Warren" audaciously, inscribed across the American flag. Hate peddlers are advertising kits of rabid literature about the Chief Justice in the public press. But the attack is not focused on the Supreme Court alone; it extends to the Constitution and the fundamental law of this country in the form of several proposed amendments. One proposal would deny Congress its present supervisory power in the event that two-thirds of the States took the initiative in proposing an amendment to the Federal Constitution. Another would create a Court of the Union to review decisions of the Supreme Court of the United States. The third proposal, which the ABA house of delegates voted down on Monday, August 12, would have deprived the Federal courts of jurisdiction over questions of reapportionment and representation in State legislatures.

Our Federal Union is a complex structure in which State and Federal responsibilities and prerogatives are in delicate balance. In times of increasing pressure upon our National Government, I view with favor attempts to create and preserve a larger role for our 50 States. As Mr. Justice Goldberg observes, this is a difficult area wherein a continuing dialog is to be welcomed. But the proposed amendments would place the power to amend the Federal Constitution in the State legislatures. They would place the interpretation of constitutional guarantees of liberty, due process, and equal protection of the laws in the hands of a Supreme Court of the Union whose judges would be paid by those same State legislatures and occupy offices created by the legislatures. And then they would cap the whole by removing the power of Congress and the Federal judiciary to guarantee the representative character of those State legislatures.

Mr. President, these proposals betray a craven fear of representative democracy. The glittering economy of the Federal Union is based upon the power of the Federal Government to promote interstate commerce and foreign trade, to work for the betterment of its citizens to underwrite freedom abroad while guarding our shores, and to meet the challenges of a changing world. Yet it is precisely these functions that the proposed amendments would cripple. They display a disturbing ignorance of the nature of our political institutions and represent an ugly streak of legal nihilism to which the know-nothings of the extreme rightwing have given their unsavory attention.

The apportionment amendment rejected by the ABA would carve out an exception to the equal protection clause of the 14th amendment, and encourage the rightwing to embark upon a policy of whittling away that vital constitutional guarantee. Regardless of how we may feel about the timeliness and reasoning of the Supreme Court's decision in the reapportionment case, Baker against Carr, how can we justify a step toward diminishing the constitutional guarantees of liberty, justice, and equality? The American Bar Association was urged to approve the amendment as a defense against "an all-powerful, all-pervasive centralized government." What abysmal shortsightedness these words display. The language of the proposed amendment would remove all constitutional restraints upon the quality and extent of representative in State legislatures. One of those constitutional restraints is the 15th amendment, which provides that no State shall abridge the right of citizens of the United States to vote. The amendment would also deprive the Federal judiciary and the Congress of their authority to implement the constitutional guarantee of a republican form of government to each State. Note, too, Mr. President, that the Federal courts are not the only forum in which constitutional rights may be defended, but that the State courts also hear Federal constitutional questions. So not only the Federal courts, but also those of the States, would be denied the power to enforce guarantees against rank racial injustice, imbalance of representation between urban and rural areas, and changes in the form of State government.

This is the measure being offered in the name of liberty by those who have broken faith with the basic tenet of our system of government, which is the ability of the people to provide for their own betterment within the framework of constitutional guarantees. The Constitution, as Mr. Justice Goldberg pointedly states, is not a treaty between the States but a charter emanating directly from the people. In January, Mr. President, I took an oath to support the Constitution of the United States against all enemies foreign and domestic, and to bear true faith and allegiance to it. As Mr. Justice Goldberg states, this oath is the "irrevocable bond of a brotherhood dedicated to the fulfillment of the great promise of our democracy." The people shall proceed to fulfill their destiny, secure in their freedoms and committed to steady progress toward our goal of justice under the law. It is an occasion for sorrow and shame that there are those so shortsighted that they would postpone the justice and deny the freedoms, apparently because they consider them to be frivolous and unnecessary luxuries during a time of serious challenge. No challenge, Mr. President, could be so serious as to render freedom unnecessary; no goal so urgent as to permit a postponement of justice. Indeed the great strength of this country is the enduring character of its commitment to justice, and the lengths to which we are willing to go for the preservation of freedom. No one could doubt this upon reading the address delivered by Mr. Justice Goldberg, which is ennobled by his concern for justice and enlivened by his reserves of humor and understanding. I ask unanimous consent that it be reprinted in the RECORD at the conclusion of these remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REFLECTIONS OF THE NEWEST JUSTICE

(By Arthur J. Goldberg, Associate Justice, Supreme Court of the United States, before the Section of Judicial Administration, Grand Ballroom, Conrad-Hilton)

When a peripatetic Secretary of Labor becomes a sitting Associate Justice of the Supreme Court some do and many would like to inquire about his reactions to the change. I propose tonight to attempt to satisfy this natural curiosity.

One is "elevated" to the Court and consequently, in socially conscious Washington eats higher on the hog, but the Secretary, though protocolly outranked at the table, is driven to dinner in a Government Cadillac, whereas the Justice steers and parks his own car. Who gains by the exchange depends on a value judgment—whether a good chef is to be preferred to a competent chauffeur.

The Secretary's phone never stops ringing; the Justice's phone never rings—even his best friends won't call him.

The Secretary continually worries about what the President and an unpredictable Congress will do to his carefully formulated legislative proposals; the President, the Congress, and the Secretary wonder what the Justice will do to theirs.

The Secretary's infrequent and sporadic vacations are inevitably interrupted by unanticipated strikes; the Justice's publicized long recess by an apparently endless flow of petitions for certiorari, difficult stay applications, and the certitude that if he vacations too obviously he will be "time charted" by Professor Hart and the editors of the Harvard Law Review in the forthcoming November issue.

The Secretary numbers among his several thousand employees doorkeepers to guard his privacy; the newest Justice is, himself, the doorkeeper to protect the Court's.

Both Secretary and Justice need the support that only prayers can give in resolving the grave problems of office. The Secretary can ask freely for yours; the Justice hardly is in a position to do so.

But enough of differences in status, what about functions? The Secretary is expected to mediate labor disputes; the Justice, presumably freed from this role, early in his first term becomes increasingly aware, to quote Professor Black, that "The real problems of law involve not faithful obedience to beauteous maxims but the mediation of competing claims each with a measure of soundness."

There are, of course, many profound differences in the respective mediatory roles. The Secretary deals with conflicts between labor and management. These can be very difficult, as my successor in the Cabinet is, at this very moment, experiencing. But the Justice's mediation is infinitely more complex. It involves conflicts between State and Nation, State and State, the individual and all branches of government both State and National, and the individual and individual.

The Secretary can persuade the contending parties to settle their differences—he cannot compel them to; the Justice must decide the controversy, not merely recommend settlement terms. He cannot escape the inexorable duty of judgment—but a court's decision cannot merely rest upon "it is so ordered," it must also persuade.

Judicial review, as we know it, has become imbedded in the workings of our Government and has survived to this day, notwithstanding attacks and despite imperfections, because the decisions of the final constitutional arbiter, the Supreme Court, have been articulated decisions showing a decent respect for the opinions of mankind. Reasoning and not mere fiat has convinced the people throughout our history that judicial review insures government by law and protects them against arbitrary action by authority. Truly a judgment to endure must be accepted, although not necessarily at once, in the marketplace.

It has been rightly said of our Court that it is a national schoolmaster and of our opinions that they represent the dialog of the participants in a great seminar dedicated to the realization of the goals and values of our constitutional democracy.

The Secretary, as a mediator, inevitably is driven to seeking peace at any price—for him a settlement without any strike, or, at least, without a prolonged strike, is the goal. He can hope that the settlement will prove to be fair and equitable to the public as well as to the involved parties, but this can be no more than a hope, since sanctions are lacking and strong willed parties are involved.

The quest of the justice in resolving conflicts is justice under law. The judge seeks the right settlement, not the expedient one. The Secretary's objective is peace—peace almost at any price. The judicial process assumes peace; it rests upon unreserved acceptance of and compliance with the decisions of the Court of last resort. Democratic government cannot endure if the law is defied by those in or out of authority. Ever since Chief Justice Marshall, 160 years ago, in *Marbury* v. *Madison*, declared that "It is emphatically the province and duty of the judicial department to say what the law is" it has been a permanent and indispensable feature of our constitutional system that, unless changed by the orderly processes of the Constitution, the decisions of the ultimate Court must be respected and obeyed.

Decisions in a democracy are not immune from criticism; they may be changed by legislation or constitutional amendment, or, even reconsidered by the Court itself, but, until and unless so changed, to defy them or obstruct them is to deny the law itself.

No judge or lawyer worthy of the name can attach any constitutional importance to current revivals of the old and discredited doctrine of interposition or nullification. It is too late in our history to deny that the Constitution, as interpreted by the Court, is the supreme law of the land.

It is similarly too late in our history to revive the wholly academic contention that the 14th amendment is unconstitutional. The Court throughout the years, and as recently as last term, has applied the amendment in many cases. It is clear beyond peradventure from an unbroken line of the Court's decisions that the process by which that amendment was ratified does not present a justiciable issue.

Another pervasive difference between judging and labor mediation is that the labor mediator lacks guidelines for settlement of disputes and that no one has been authorized to provide them. Judges, on the contrary, have as their decisional touchstone, the Constitution, provided by the people themselves.

I remember, all too well, the rather tentative attempt of the administration during my tenure as Secretary to suggest guidelines for wage settlements in the Economic Report of the Council of Economic Advisers. Both labor and management joined not only in rejecting them but in challenging the very right of Government to enunciate guidelines, even as suggested goals rather than commands. I had to fall back on Government's right of free speech to defend the suggestions.

For judges the Constitution provides the guidelines. The greatest political document known to man is a brief paper consisting of a preamble and 7 short articles containing in all about 6,000 words. Yet, in it we seek and find the answers to the complex problems of liberty and order in a nuclear age. Although judges often may wish for more precise guidance in groping for decisional light, all surely recognize that the genius of the Constitution rests, in considerable measure, in the flexibility of the document, in the purposeful generality of its eloquent phrases and in the nobility of its stated ideals. This has enabled it to endure to this age and the people willing, will preserve it for ages to come.

One can inquire as to who is the rightful definer of the public interest in labor disputes; no one can legitimately question the source of the Constitution. The Constitution of the United States is an act of the people. Its very first words are "We the people of the United States." It was drafted by a convention, submitted by Congress and ratified not by State legislatures but by special conventions. Under our Constitution the sovereign people are the real sovereignty. This does not gainsay that important powers are reserved by the Constitution to the States, just as others are delegated to the United States. Both Nation and State are vital in our constitutional structure and no judge upholding the Constitution would deny to the States their legitimate rights nor fail to recognize the vital necessity of preserving the States as strong and vigorous Government units.

But reassertion of the fundamental character of the Constitution, not as a treaty between the States, but, rather as a charter emanating directly from the people, is ever necessary in face of assertions, made even to this day, that the States, or rather their legislatures, are to be the final judges of their own powers and those of the National Government.

These echoes of nullification, to which I have already adverted, are denied by the Constitution itself and by our national experience. They have no place in our present day when our unity as a people is indispensable not only for national but for world survival.

State and Federal judges may legitimately differ as to whether particular decisions of our Court correctly apply constitutional principles of federalism and a continuing dialog in this difficult area is to be welcomed. There is no place, however, for differences between State and Federal judges in the basic proposition that the Constitution is the supreme law of the land and is of binding effect on the States, anything in the Constitution or laws of any State to the contrary notwithstanding. All of us, Federal and State judges, Members of Congress and State legislatures, Federal and State executive officers are solemnly committed by oath to support this Constitution.

This oath to support and defend the Constitution is more than a solemn obligation; it is the irrevocable bond of a brotherhood dedicated to the fulfillment of the great promise of our democracy.

The ninth Secretary of Labor of the United States served in an office replete with the excitement of the moment; the 98th Justice serves in one filled with the excitement of the ages. The Secretary left his post having tried, to the best of his ability, to fulfill the statutory mandate of advancing the interests of the wage earners and the industry of the country; the Justice enters upon his judicial office conscious that he has been called upon to do his part in the sacred stir toward justice and with the trembling hope "that the flame will burn bright while the torch is in [his] keeping."

NATIONAL SERVICE CORPS

Mr. WILLIAMS of New Jersey. Mr President, yesterday the Senate passed the National Service Corps bill after many very pertinent statements were made in its support. One eloquent speech, however, was not delivered. The Senator who was to have made it believed in this program with every ounce of his formidable fund of perceptiveness and courage.

That colleague was Senator Estes Kefauver. Death has silenced the voice that was raised so often for so many fine causes. He had meant to participate. He had intended to put himself once more on the record. He had planned to discuss one proposed Corps project in his home State.

Although he could not give this speech, I believe that the record of the Senate debate on the National Service Corps would not be complete without it. I ask unanimous consent, therefore, to have it printed in the Record. The late Senator from Tennessee has left us many fine statements expressing his compassion and humanity. Here is one more that should be read by all who admire him.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Mr. President, when the legislation establishing the Peace Corps was before the Senate, many doubts as to its effectiveness were raised. We now have pending before this body S. 1321, which establishes a National Service Corps, called by many, a Domestic Peace Corps. In view of the success of the Peace Corps on foreign countries, we can readily see how effective a similar endeavor would be within our own country.

Athough the United States is the most affluent country in the world, with a great abundance of human and material resources, it has been estimated that over 30 million Americans are plagued by poverty, deprivation, and despair. That means that one in every six of our citizens lives on submarginal income, and lacks either the skills, the ability or the motivation to overcome his problems.

The National Service Corps would attack these problems. The program would help to bring about a concerted nationwide attack on the cause of this poverty and despair. There are, of course, many programs, public and private, directed at the results of distress. But this program would be a call to all citizens to do something about the causes.

The establishment of the National Service program would not mean Federal intervention in problems which should be the sole concern of the States and local communities. The National Service Corps would respond only to local invitation. At all times it would cooperate with and be supervised by its local sponsoring groups. The Corps would supply and support trained and qualified men and women volunteers, while the local community would bear the primary responsibility for the administration and supervision of a project and the provision of necessary materials.

A proposed project in my State of Tennessee illustrates well the need of this legislation and how effective the National Service Corps could be. In Overton and Fentress Counties, in the Cumberland Plateau in Tennessee, there is a mining area known as Crawford Mountain. All major mines have closed long ago, but the people in the community still try to make a meager living working small doghole mines.

These two counties, with a population of 28,000, have only two public health nurses and the nearest doctor is 25 miles away. With most persons having less than 8 years of education and earning an annual income of less than $2,000, they have very little knowledge of health programs and can afford a doctor only in the case of a very serious illness.

A project proposed by a local group in that area would send into the community a team composed of a public health nurse and a health educator. The nurse could alleviate the problem of insufficient medical care in the community while the health educator could organize health facilities, make the people aware of the existing facilities, and teach the people how to use these facilities.

Mr. President, just two persons, in the opinion of the local leaders who would sponsor the project, would do much to alleviate the serious health problems which now exist in their community. The National Service Corps would be very helpful and is seriously needed in such communities as this, in Tennessee, and across the entire country.

Mr. President, I urge strong support from my colleagues on both sides of the aisle for this program, in order to benefit the millions of our unfortunate citizens who, amid our affluent Nation, struggle with poverty, deprivation, and despair.

TRIBUTE TO SENATOR HILL

Mr. WILLIAMS of New Jersey. Mr. President, yesterday marked another memorable milestone in the long and distinguished career of the senior Senator from Alabama. For 40 years he has devoted his great talents and courageous heart to the service of his country. His achievements during his long and fruitful term of office are the cause of the admiration which we all feel for him. As chairman of the Committee on Labor and Public Welfare he has worked tirelessly for the benefit of all the people. There are millions of Americans from every State who feel a debt of gratitude to him for the work he has done to bring help to the sick and the mentally ill.

As a member of the Labor and Public Welfare Committee, I have had the great privilege of working under the leadership of Senator Hill. It has been inspiring to see, and to learn from, the wisdom, the experience, and the knowledge of this man.

The Senator bears the name of a great surgeon; he has been more than worthy of it. His ceaseless work for the improvement of medical care in this country will never be forgotten. A lesser man might be willing to say, "I have accomplished what I can and now I will rest"; but not the distinguished Senator. In the years ahead, still more will be added to an already great record. Now is a fitting occasion to offer him not only our congratulations but our deeply felt thanks.

COMPLIMENTS TO EDWIN P. NEILAN, PRESIDENT, U.S. CHAMBER OF COMMERCE

Mr. WILLIAMS of Delaware. Mr. President, in the August 9 issue of the Evening Journal, Wilmington, Del., there appeared an article by David Lawrence entitled "Metaphor Was Harsh, but Neilan's Right."

In this article Mr. Lawrence comments upon the very timely address made by Mr. Neilan, the president of the U.S. Chamber of Commerce, in which he called attention to the immorality of using Government funds for vote-buying projects.

Unquestionably this trend toward using public money to underwrite the costs of grants and projects in marginal congressional districts is just as immoral as the buying of votes at the polls on election day.

As one Member of the Congress I compliment Mr. Neilan upon his very timely warning, and I ask that the article written by Mr. Lawrence be printed in the Congressional Record at this point.

There being no objection, the article was ordered to be printed in the Record as follows:

Metaphor Was Harsh, but Neilan's Right

(By David Lawrence)

"Immorality" is such an all-inclusive word that maybe Edwin P. Neilan, president of the U.S. Chamber of Commerce, stretched his metaphor a little too far when he charged in a speech before the National Press Club here that some politicians practice "seduction by subsidy." He said he found it "difficult to rank such conduct higher in the moral scale than the association of politicians, party girls, and spies in Great Britain."

Mr. Neilan was perhaps trying dramatically to draw attention to the bribery and corruption which exist in political Washington and which is consistently ignored. The fact is that morals have reached such a low point nowadays in politics that many things which have been frowned upon in the past are today acquiesced in as normal and natural.

Thus, what is the real difference between the handing over of a bribe to a Congressman by a businessman who wants a certain piece of legislation passed or defeated and the proffer of an appropriation to be spent in a district represented by a Member of the House if he will change his vote or corral votes of others on something deemed very important to an administration in power?

How many Members of Congress have been given hints of possible appointment to the bench, with its life tenure, or a higher post in Government if they will "play ball" with an administration?

How many Members of Congress have been threatened with reprisals through the withholding of projects or programs they want for their districts or States if they fail to support certain administration measures? This is so widespread that it has come to be known in the parlance of Capitol Hill as "arm twisting." These tactics are usually attributed to some administration emissaries on Capitol Hill.

Now, immorality is hardly new in political Washington, but it takes a lot of nerve for any newspaper to call attention to it and give specific instances and risk lawsuits.

What Members of Congress say in their speeches on the floor or in committee reports can be printed without fear of libel, but there is a timidity in the press about naming names. There have been some notable exceptions, and some courageous newspapers in the past have revealed abuses in the spending of Federal funds, as, for example, when Members of Congress placed on Government payrolls relatives who did not do the work or put in the hours that would be required of other employees. There have been exposures, too, of bribery in the executive branch of the Government, as in the famous Teapot Dome scandal of the 1920's.

But, strangely enough, there is not much exposed in connection with the chicanery and immoral methods by which committee majorities are sometimes obtained in Congress through promises of special favors at the taxpayers' expense. For years the phrase "pork barrrel bill" has been used in general conversation and in articles by newsmen about particular appropriations sought by Members of Congress with an eye to winning votes back home. Some of these bills reflect the natural desire of a Congressman or Senator to do the utmost for his constituency, but all too often the expenditure is not justified in the public interest and sometimes, to make way for it, some other measure is sidetracked that is really more beneficial to the Nation as a whole.

There are other practices which are also immoral, if not dishonest, but they are defended with the "everybody is doing it" alibi. Thus, for instance, if a Democrat in one district wants an appropriation passed that isn't worthy, he hopes to get it with administration help, while a Republican in another district has little chance of getting such aid unless a conspicuously distressing set of circumstances demands the appropriation. This leads to campaign appeals for votes with the cry that "I can do more for you with a Democratic President than a Republican can." But who can say it is moral to spend the taxpayers' money in such a manner?

Mr. Neilan may have gone too far in raising even by inference, the question as to where on the ladder of immorality those individuals should be ranked who live off the earnings of dissolute persons in comparison with those politicians who misuse the funds of the taxpayers to get political advancement.

Certainly, leaving aside all comparison, it is time more emphasis is given to the question of immorality in governmental affairs. For evidently many clergymen to whom the public looks for moral guidance are so busy these days engaging in or encouraging others to participate in street "demonstrations" that they don't seem to have the time or inclination to prepare sermons on the subject of immorality in government. Perhaps the taxpayer can claim that, so far as spending his money is concerned, he, too, should have "equal rights"—at least in an honest and fair disbursement of his earnings.

NUCLEAR TEST BAN TREATY

Mr. CLARK. Mr. President, it will be a long time before the last wave of oratory with respect to the test-ban treaty sweeps over this august body. I shudder to think of the flood of words we shall hear and perhaps read.

To my way of thinking, the most succinct comment about the test-ban treaty which is likely to be made in the course of the debate in which we are about to engage came to me from a young lady who lives in Bloomfield, Conn., through the mail yesterday. I quote her letter in its entirety:

> DEAR SENATOR CLARK: I saw you on the "Today" program debating with another man. I asked Mommy who was right. Mommy said, "You tell me." I said that you were right. Mommy was pleased that even a 9-year-old girl could tell that it was a good idea to ratify the test ban treaty.
>
> Love,
>
> ELIZABETH MAY.

TRIBUTE TO SENATOR PROXMIRE

Mr. CLARK. Mr. President, our able colleague, the Senator from Wisconsin [Mr. PROXMIRE] has been one of the most energetic and active Members of this body. Always controversial, not always predictable, he has his own individual philosophy about his duty as a Senator.

I ask unanimous consent that an article outlining the Senator's philosophy and some of the physical manifestations which it occasions, which appeared in the National Observer of August 12, 1963, may be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PROXMIRE PUMPS HANDS APLENTY—AND LISTENS, TOO—HIS 200 PUSH-UPS A DAY HELP SENATE'S CHAMPION CAMPAIGNER STAND PACE

MILWAUKEE.—"Howdy, I'm BILL PROXMIRE." "Howdy, I'm BILL PROXMIRE." "Howdy, I'm BILL PROXMIRE."

The tall, lean, tan, balding man stood near the gate of the AC Spark Plug plant here, shaking hands. He greeted each worker the same way. "I'm your Senator. If there's anything I can do for you in Washington, let me know."

He frowned at his watch. It was shortly after 6 a.m. "OK," he said, "let's go." He hustled to the Cornell Paperboard Products plant. A crowd gathered around him. A reporter standing on the fringes could see his head bobbing up and down and hear the familiar: "Howdy, I'm * * *."

Mr. PROXMIRE's Senate seat is one of 35—26 Democratic and 9 Republicans—which will be up for grabs in the 1964 general election. At the moment, the Nation's attention has been diverted by Republican infighting for the Presidential nomination. But Mr. PROXMIRE's mind is riveted on Wisconsin. An unorthodox Democrat accustomed to doing things his own way, he's out campaigning earlier, faster, and harder than anyone else. His unorthodoxy—and his unofficial title of the Senate's hardest campaigner—make him something of a political phenomenon.

SCHEDULE IS PUNISHING

Mr. PROXMIRE, who has missed only one rollcall vote in the Senate in 2 years, returns to Wisconsin on weekends. His schedule is punishing. On a recent Saturday morning, for example, the telephone rang by arrangement in his motel room at 5 a.m. Instantly, the Senator hurled himself on the floor, where he began the first of 200 pushups and assorted calisthenics. At 47, Yaleman PROXMIRE (class of 1938) is in superb condition. He does not smoke, drinks only an occasional cocktail, and when he's back home campaigning he doesn't touch the stuff—not even beer in this home of hops and yeast.

By 5:55 a.m. Mr. PROXMIRE was at the AC Spark Plug plant gate. He spent the morning touring the factories and the noon hour visiting the downtown stores. Somewhere along the line he ate breakfast. From downtown, the Senator headed for the large Mayfair shopping center in suburban Wauwatosa, where a 4-H fair was being held in the parking lot. He shook hands and talked briefly with shoppers and fair visitors, making it a point to call any woman under 45 "young lady."

"Say," said one woman shopper, "how about getting social security payments started at 55?" She was obviously in her fifties, but the campaigning Senator flashed his boyish smile.

"But that means you'll have to wait 20 more years," he told her.

"YOU ACT LIKE A REPUBLICAN"

In the afternoon, Mr. PROXMIRE visited stores in small neighborhood shopping areas on Milwaukee's northwest side.

"You may be a Democrat," one man told him approvingly, "but you act like a Republican when you get to Washington."

In another store, he shook the hand of a woman and said he was glad to meet her.

"But you just met me a few minutes ago in the dime store," she told him, offended.

The Senator's momentum was halted, but only momentarily.

"Well," he replied, smiling broadly, "that makes us old friends."

TALLIES THE HANDSHAKES

Late in the afternoon, he drove to Slinger, Wis., a small community where the Washington County Fair was being held. He returned to Milwaukee at 9 p.m., stopped off at the Democratic county carnival on the lake front, finally got back to his room at 11. But there was one more chore left after 17 hours of handshaking. Each day he meticulously notes down the number of hands shaken. The day's total—as close as he could estimate it—was 2,700, bringing his total since November 1962 to 197,000, among them the hand of a 9-year-old Wauwatosa girl who told her mother about it afterwards.

"I shook hands with Senator PROXMIRE today," she said. "I told him I was a Republican but he shook hands anyway."

"That's nothing," said her brother, 11, who was listening in. "Anybody can shake hands with old PROXMIRE."

BELIEVES IN A MAXIM

Well, not everybody. Some people have had to be content with a glimpse. In addition to 197,000 handshakes, the Senator figures he has made speeches before 13,000 persons and ridden in parades attended by 721,000, for a grand total of 931,000 contacts—more than half the number of people who voted in 1960's Presidential election. Senator ALBERT GORE, the Tennessee Democrat, once told him that no job was worth that much effort. But Mr. PROXMIRE believes wholeheartedly in an old political maxim: "You can't beat a candidate who shakes 500 hands a day."

Mr. PROXMIRE has been traveling the State for about 12 years. An unsuccessful candidate for Governor in 1952, 1954, and 1965, he won the seat made vacant by the death of Senator Joseph McCarthy in 1957 and was reelected to a full term in 1958. He is obviously very popular, even among segments of the normally Republican business community, and State GOP strategists concede that he will be hard to unseat. In view of all this, one wonders why Mr. PROXMIRE runs so hard.

One reason is that he likes it. He enjoys being a Senator and, unlike some Senators, he enjoys meeting his constituents. In his office last week, the Senator—who was wearing, at the time, an eminently collegiate ensemble of dark blue suit, white tab collar shirt, and a tie with dark blue and red stripes—explained his fondness for 17-hour days on the campaign trail:

"It's not all, 'I'm BILL PROXMIRE, I'm BILL PROXMIRE.' I really like seeing those people, hearing what they have on their minds. You know, you can really get out of touch in Washington. You can begin living in your own little world if you're not careful."

However, Senator PROXMIRE is obviously driven by compulsions other than the desire to "keep in touch" with the folks back home. Wisconsin's voters are full of surprises for favored candidates. The State went for Dewey in 1944, Truman in 1948, Nixon in 1960. In addition, Wisconsin has a nominal GOP majority. Of 32 daily newspapers, 28 are solidly Republican and 4 are independent. In short, Wisconsin is not a sure bet for anybody, especially Democrats.

IT'S ROUGH FOR DEMOCRATS

The sledding is particularly rough for Democrats when the Republicans offer a strong candidate, which they rarely do. Wisconsin Republicans, like lemmings, appear to be seized by a quadrennial death wish, and when election time rolls around they tend to offer up candidates of no visible qualifications. This year, however, Mr. PROXMIRE's likely opponent will be a man he respects greatly—former Lt. Gov. Warren Knowles, an affable gentleman whose name is well known throughout the State.

Mr. PROXMIRE has still another reason for his repeated trips to Wisconsin. It is probably not the most important reason, but in many ways it's the most interesting, partly because it tells a great deal about the Senator himself. As he put it last week:

"These sessions at home not only give me a chance to meet them but it also gives them a chance to get to know me. I am not a bundle of conditioned reflexes who automatically votes the party line. I sometimes go the other way. However, if they think of me as just another Democrat they will always be surprised—even outraged—when I do something else. But if they know me, they'll be able to understand what I do. The trust of my constituents gives me an unusual degree of independence."

DISMAYS THE LIBERALS

Mr. PROXMIRE's "independence" constantly dismays Democratic liberals who demand complete conformity to the administration's program. In 1960, for example, the Americans for Democratic Action's annual voting index awarded Mr. PROXMIRE a 100-percent proliberal rating. By 1962, however, Mr. PROXMIRE's liberal rating had dropped to 66 percent. He has broken with the administration on, among other things, the standby public works program, the distribution of farm surpluses to Poland and Yugoslavia, and a succession of farm bills.

His independence is most noticeable, however, on economic issues. He is almost alone among northern Democrats in opposing the administration's tax program. He believes it would deepen the Federal budget deficit and lead inevitably to inflation.

In a report on the President's tax program by the Joint Economic Commitee, of which he is a member, Mr. PROXMIRE dissented from the position taken by his Democratic colleagues:

"The preeminent economic success of America has been based on individual self-reliance, with minimum Government participation and maximum individual freedom and incentive. * * * All of this suggests that the right prescription should indeed be a tax cut to free the economy's productive forces from the burden of Government taxes. But unless Federal spending is reduced—at least to keep pace with the reduction in Federal taxes—the reduced burden is a mirage." It is a mirage, he argued, because a tax cut without commensurate reductions in Federal spending will simply expand the supply of available money, increase demand, and cause a rise in prices. "The taxpayer's after-tax income may be higher," he argues. "But his income buys no more."

Since Mr. PROXMIRE's notions run directly counter to the administration's belief that a deliberately induced budget deficit is necessary for an expanding economy, his Democratic colleagues spend a lot of time trying to figure out where Mr. PROXMIRE "went wrong." Says one:

"Bill simply didn't get a full exposure to Keynes (British economist who provided the intellectual underpinnings for the theory of deficit spending to boost a nation's economy). He got out of Yale in 1938, and then went to Harvard Business School. I'm certain that he didn't learn anything about Keynes in either place. He just doesn't seem familiar with modern doctrine.

Mr. PROXMIRE retorts that he is well aware of Keynesian economics. He got a full dose of it when, at Harvard after the war, he received an M.A. in government and economics. He simply believes that Mr. Kennedy's economists are misusing Keynes.

"The idea was always to use deficit spending—pump-priming, if you will—during a recession or economic downturn. But now they are telling us that we've got to use it even when the economy is going up—and keep using it until we reach a specific but highly arbitrary 'rate of growth.'"

A PRAIRIE LIBERALISM

It would be a mistake, however, to think that Mr. PROXMIRE's economic views are as conservative as, say, Senator HARRY BYRD's. For example, his monetary views, which call for a general lowering of interest rates and easing of credit, have a prairie liberalism reminiscent of populism.

Nor is he opposed to all Government spending. He opposes what he views as nonproductive Government spending—that which exercises a drag on the economy. He estimates that in any given year there is $5 billion to $6 billion of such wasted spending. But he supports what he calls productive Government spending—that which helps a free economy or strengthens its long-term resources, such as vocational education, manpower retraining, industrial research grants, aid to education. He also takes orthodox liberal views on civil rights, the test ban treaty, foreign aid, and medical care for the aged, all of which he supports.

HIS VIEWS ARE "ON THE BUTTON"

"Bills economic views are pretty much on the button," says an ex aid. "He's one of the few Northern Senators to realize that the Nation's rank and file are not half so liberal as the liberals would like to think."

But the Senator himself does not claim to be an infallible judge of Wisconsin's moods, nor is he always certain—public opinion polls to the contrary—exactly what his voters are thinking. That's why, the other day, he was preparing once again to leave Washington and return home for the weekend.

WIFE SELLS A STORY

"My wife," he said as he was about to leave his office, "has just sold a story to Redbook magazine called 'One Foot in Washington.' Well, you've got to keep one foot in Washington. But that's enough. You keep the other one in Wisconsin."

He waved goodby and closed the door behind him. In 2 seconds the door flew open, and Mr. PROXMIRE reappeared.

"Of course," he said, "my opponents will no doubt accuse me of keeping at least one foot in my mouth."

He flashed his athletic grin, bounded out the door, and was gone. Back for another 2,700 handshakes.

THE DEFENSE BUDGET

Mr. CLARK. Mr. President, a few days ago the able junior Senator from South Dakota [Mr. McGOVERN] made a penetrating speech on the question of the defense budget and the possibility of making reductions in that budget. I hope that this speech will receive the attention it deserves as we move forward in connection with the defense appropriation bill.

Mr. Edward P. Morgan, in one of his evening broadcasts for the American Broadcasting Co., commented most favorably on the speech by the Senator from South Dakota [Mr. McGOVERN]. In the thought that many readers of the CONGRESSIONAL RECORD did not have an opportunity to hear Mr. Morgan, I ask unanimous consent that a copy of the broadcast may be printed in the RECORD at this point.

There being no objection, the broadcast was ordered to be printed in the RECORD, as follows:

The junior Senator from South Dakota, GEORGE McGOVERN, has thrown right into the middle of the test ban treaty discussions a related but politically perhaps an even more complicated issue: the size of our defense budget. A former college professor with more than an academic sense of history—he flew 35 missions against the Nazis as a bomber pilot in World War II—McGOVERN is a loyal New Frontiersman; he once headed President Kennedy's food for peace program. But he thinks the military budget is too high because it is adding nuclear warheads to an arsenal which already contains far more weapons than we ever would or could use even in "total" war.

After a long and careful personal study of the problem, Senator McGOVERN proposed in a major floor speech today selective cuts in expenditures for warheads which would total $5 billion. He would divert this respectable nest egg of savings to peaceful purposes to strengthen the economy and enrich the fabric of American society.

The Senator's formula was inspired, in part, by a study of U.S. strategy made by a group of educators headed by Seymour Melman, professor of industrial engineering at Columbia University. This study has caused something of a flurry in official Washington since it was released 3 months ago because it harps on a controversial concept which strikes at the established pattern of Pentagon planning. In a nutshell, Melman argues, with almost evangelical zeal, that in building up our defenses we have reached, and then proceeded to ignore, a new military condition which the brass calls "overkill." This means that in accumulating between them nuclear weapons with an explosive power of 60 billion tons of TNT, the United States and the Soviet Union are now capable of killing off each other's population not just once but scores of times over. Indeed that 60-billion figure provides enough nuclear dynamite to aim a 10-ton bomb at the head of every human being on the planet.

Melman contends that without moving an inch toward disarmament it is possible to cut between $22 and $23 billion out of the $56.7 billion defense budget and still not weaken national security because the cuts are mostly in the redundancy of nuclear weapons. He would divert this whole huge basket of savings into industrial productivity which he maintains, with some impressive conviction, is being starved by the greediness of military demands robbing the civilian economy of the vitamins of proper industrial growth.

Some responsible Government officials who have studied Melman's plan insist that he has grossly oversimplified the problem; that he hasn't, for example, taken into proper account the additional missiles that might be needed to knock out Soviet missile bases which are now being hardened. Even Defense officials concede, however, that for at least 2 years we have had tens or hundreds of times more nuclear weapons than we would ever use in an all-out war.

Senator McGOVERN didn't think Melman could safely justify his colossal cuts but he and several other Members of Congress have been impressed with the professor's basic argument. However, when McGOVERN and Senator GAYLORD NELSON, Democrat, of Wisconsin, went personally to the Pentagon recently to ask how much actual overkill capacity we already had, they found the going rough. They didn't get the run-around, exactly, but nobody seemed to know the answer. This may have been in part because the Defense Department has dropped the term "conventional weapon" and substituted "general purpose," in the budget. But more and more this classification is coming to cover nuclear weapons for tactical use.

Nevertheless, McGOVERN concluded Congress could cut a billion from the Atomic Energy Commission's $1.8 billion budget item to produce new warheads, and 4 billion more from the Army, Navy, and Air Force retaliatory weapons budgets without reducing the Nation's security. On the contrary, he argued in his speech, it would strengthen it by making more money available for public health, education, conservation, and job retraining. He coupled his cuts with a proposal to oblige major defense contractors to set up operating committees to plan for conversion from military to civilian use when cutbacks come. An "arms economy," he said, "has added to our civilian production costs, decreased our efficiency, undercut our competitive position in international trade, and aggravated the balance-of-payments problem."

There is too much logic and good sense in the Senator's idea for it to have easy sledding. Congress, like almost everybody else, is suspicious of new approaches and slow to change. Furthermore even though the long-term prosperity is more promising, this concept would shrink some defense contracts—enough to give some Congressmen apoplexy.

But now, in the fluidity of East-West relations, is the time to explore new approaches to security and take a wide rather than a narrow view. Senator McGovern himself gave such counsel in his maiden Senate speech last March when he wisely warned against a "senseless fixation on Castro" that was blinding us to the problems of the hemisphere. Now we must stretch our horizons to reach the world's problems whereon, McGovern said this afternoon, "both Americans and Russians must make a choice between the quick and the dead."

This is Edward P. Morgan saying good night from Washington.

SOVIET ANTISEMITISM

Mr. CLARK. Mr. President, last month Pennsylvania religious leaders of the major faiths sent through the Soviet Embassy here a strongly worded cablegram to Premier Khrushchev assailing certain indications of anti-Semitism in Russia, and urging the Moscow government "to lift its official policy of oppression against its Jewish citizens." The western Pennsylvania leaders sharply criticized the "blanket restraints" against all religions in the U.S.S.R.

I ask unanimous consent that the full text of the cablegram and a letter of July 3, 1963, along with the names of the Pennsylvania religious leaders, may be printed in the Record at this point.

There being no objection, the cablegram and letter were ordered to be printed in the Record, as follows:

[Translation of a cable addressed to Chairman Khrushchev on Dec. 7, 1962]

Chairman Nikita S. Khrushchev,
The Kremlin, Moscow, U.S.S.R.:

The Soviet Union declares it is a champion of human dignity and equality. No nation has been more persevering in pronouncing itself a defender of minority rights.

Soviet spokesmen cite your country's Constitution, wherein equality of citizens is guaranteed, as proof that religious discrimination is not countenanced in the U.S.S.R. You yourself have said: "The question of a man's religion is not asked in our country. It is a matter for the conscience of the person concerned. We look upon a person as a person."

But what are the facts?

The Soviet Government's persistent enmity to religion is a matter of historical record. While most faiths are permitted bare necessities, such as requisites for worship, sacred literature, theological seminaries and central bodies, their activities are sternly circumscribed. Devout citizens—Catholic, Protestant, Orthodox—suffer harassment. Nowhere, not even within the walls of church or mosque, is religion secure from surveillance. This is a fact of Soviet life.

It is also a fact that within the narrow framework of permissible religious practice, discrimination is enforced. Jewish citizens of the Soviet Union, numbering close to 3 million, are denied minimal rights.

Hard pressed as they are by blanket restraints, none of the other major religions of the Soviet people, neither the Orthodox, Armenian, Catholic nor Protestant Churches, neither Buddhism nor Islam, have been subjected to the extraordinary disabilities inflicted on Judaism and its followers.

Legally constituted Jewish congregations are isolated from one another. They are forbidden to organize a central body. They are allowed no contact with Jewish religious groups in other countries. Their leaders are singled out for abuse.

Since June 1961, synagogue presidents in six cities have been arbitrarily removed from office; Jewish communal leaders in Leningrad and Moscow have been sentenced to prison for the alleged crime of meeting with foreign visitors to their synagogues.

Scores of synagogues have been closed by the state: The few that remain are served by rabbis who were ordained more than 40 years ago. For more than a generation, Jewish theological seminaries have been banned, except for a lone yeshiva in Moscow, opened in 1956. Its enrollment, never permitted to exceed 20, was reduced to 4 in April 1962.

No Jewish Bible has been printed in 40 years. No articles for Jewish ritual can be produced. This year, for the first time in Soviet history, even the sale of unleavened bread, essential to observance of the Passover, was banned. The prayers of Judaism are said in Hebrew, yet the teaching of that language is prohibited.

Although half a million Jews declared Yiddish as their mother tongue in the Soviet census of 1959, their hundreds of schools, their once-flourishing theaters have been stamped out. Much smaller ethnic or linguistic groups have schools, theaters, books and newspapers in their own languages.

These conditions conjure up memories of the antisemitic Stalin regime, which you yourself have denounced.

According to the United Nations Universal Declaration of Human Rights and the constitutions of enlightened countries, freedom of conscience and expression is vested unconditionally in every human being.

Unless the Soviet Government conforms its behavior to this universal standard and to its own professed principles, it forfeits the confidence of all peoples.

When will synagogues and Jewish seminaries be reestablished, imprisoned synagogue leaders set free, the ban on unleavened bread rescinded, ritual articles and Jewish prayerbooks made available?

When will the Yiddish-language institutions that sustained Soviet Jewish culture and education be restored?

When will Jewish congregations, like those of other religions, be enabled to form a central body, to join in fellowship for the continuity of their faith?

The world awaits your response.

By deeds alone, can your Government confirm that the Soviet Union in truth upholds the rights of minorities and the equal dignity of man.

July 3, 1963.

His Excellency Anatoly F. Dobrinin,
Ambassador of the U.S.S.R.
Washington, D.C.:

We the undersigned citizens of western Pennsylvania, wish to associate ourselves with the growing protest against the mistreatment of Jews in the Soviet Union. We request an answer to the message to Premier Khrushchev sent by 46 clergymen and other leaders on December 7 urging the Russian Government to lift its official policy of oppression against its Jewish citizens. A copy of the message is being sent under separate cover.

Rev. John Baiz, Calvary Episcopal Church; Archbishop Benjamin, Russian Orthodox Greek Catholic Church; Rev. Lester Bumpus, Executive Secretary, Pittsburgh Baptist Association; Rev. Edward Cahill, First Unitarian Church; Rev. James B. Cayce, Ebenezer Baptist Church; Bishop William G. Gunnare, Diocese of Greensburg; Prof. Robert C. Johnson, professor, Pittsburgh Theological Seminary; Vigdor W. Kavaler, Rodef Shalom Temple Executive Secretary; Rev. Robert Kincheloe, executive director, Council of Churches, Pittsburgh; Rev. N. R. H. Moor, Trinity Cathedral; Rev. Joseph Morledge, Sixth Presbyterian Church; Rev. LeRoy Patrick, Bethesda Presbyterian Church; Rev. Howard C. Scharfe, Shadyside Presbyterian Church; Rev. Frederic Schumann, First Trinity Lutheran Church; Rabbi Frederick C. Schwartz, Rodef Shalom Temple; Bishop John J. Wright, Diocese of Pittsburgh.

THE TIME HAS COME TO SPEAK OUT ON THE PROBLEM OF POPULATION CONTROL

Mr. CLARK. Mr. President, I now speak on the topic "The Time Has Come To Speak Out on the Problem of Population Control."

The time has come to let some light into a room the Congress has kept dark for many years.

The time has come to speak out in the Congress of the United States on the controversial subject of population control.

The time has come to speak out in the Congress to give serious study to the writings and speeches of Dr. John Rock, whose book "The Time Has Come" is subtitled "A Catholic Doctor's Proposals To End the Battle Over Birth Control."

Dr. Rock, clinical professor (emeritus) of gynecology at Harvard University, is a dedicated Roman Catholic who has made many notable contributions in the field of human reproduction, particularly as a major contributor to the development of the oral contraceptive pill.

In his book he offers a creative synthesis of the three vital aspects of the problem of population control: First, doctrinal—religious; second, political; third, medical.

He shows that Catholics and non-Catholics are much closer than many suppose in accepting the principles of family planning. Leading Catholic theologians and scholars, he tells us, are as concerned as their non-Catholic colleagues with the consequences of uncontrolled fertility. He argues for a "live and let live" public policy on birth control which respects the convictions and meets the need of all faiths.

In a review of Dr. Rock's book, quoted in the New York Times on April 20, Cardinal Cushing of Boston, who delivered the invocation at the inauguration ceremonies of President Kennedy in 1961, stated:

> The church is not opposed to birth control as such, but to the use of artificial means to control births.

And again:

> Dr. Rock makes an eloquent and much-needed plea for Federal grants to perfect the so-called rhythm system so that it might become a means of controlling births which is not only morally acceptable but also scientifically accurate.

In a speech delivered before the Planned Parenthood Federation luncheon at the Shoreham Hotel in Washington on May 8, 1963, Dr. Rock said that Catholic doctrine today is no obstacle to a massive program of Government action on the population problems; that many Catholic scholars are as concerned with the tragic consequences of overpopulation and the encouragement of responsible parenthood as are non-Catholics; and that authoritative Catholic teaching encompasses a broad approach of toleration toward those areas of public policy on which there are remaining disagreements.

Dr. Rock makes it clear that he does not expect the Catholic Church to reverse its longstanding opposition to artificial contraception, nor does he expect what Catholics call the natural law to change. The religious differences on birth control cannot be wished away and public policy must be predicated on the fact of the important differences between various religious denominations.

But, he says, differences of religious approach do not mean we must be paralyzed:

> In the face of such disagreements, the only democratic solution is enactment of laws and adoption of policies by each public body which respects the deeply held convictions of all groups. Such a policy would remove all restrictions on birth control in public agencies, offering all methods so that communicants of all faiths can choose a method in accord with their beliefs.
>
> This new methodology of family planning can come about only through expanded research in reproduction physiology. And a sound, democratic public policy is essential to attain this objective because the Federal Government is the one conceivable source of research support of sufficient magnitude to attract the scientists and get the job done.
>
> I know of no good reason why the National Institutes of Health should not itself take steps immediately to mobilize scientists from the many relevant disciplines for this effort. The term "Manhattan project" was applied during World War II to the pointed orientation of scientific effort to facilitate production and utilization of nuclear energy. I believe we must regard the threat of overpopulation in exactly the same urgent terms as we regarded the threat of demagogic authoritarianism two decades ago; and act accordingly. * * *
>
> It is a tragic imbalance that the National Institutes of Health can spare but $2 or $3 million a year for fertility research, out of a budget of close to $900 million.
>
> The time has come for the National Institutes of Health to support the creation of at least 10 major research centers committed to the study of human reproduction, where investigators of all disciplines could work on solving this No. 1 public health problem. NIH support has made this kind of broadscale scientific effort possible in such fields as cancer, heart disease, and so on. There is no good reason why NIH support cannot now make this possible in the field of population control.

I agree with Dr. Rock. I support his recommendations. I am sure they will receive widespread support, not only in the executive branch of our Government but also in the Congress of the United States. Let us stop sweeping this critical problem under the rug and get to work at its solution.

In a provocative article published in the Saturday Review several months ago, Stuart Chase commented that the major problems confronting the world today could be summarized as bombs, babies, and bulldozers: Nuclear bombs and missiles which might destroy civilization overnight; an excess of babies which could bring starvation in their train and eventually result in a desperate war by the "have-nots" against the "haves"; and bulldozers which are well on their way to destroy the culture of our metropolitan areas and centers of civilization.

We should remember that two out of every three human beings will go to bed hungry tonight. In the words of Dr. William H. Sebrell, Jr., of Columbia University, population growth threatens famine in many underdeveloped countries. "The world cannot go on indefinitely increasing its population at the rate of 2 million a week," he says.

I return to the cliche we hear so often: Having developed death control, we must now develop a feasible way to bring about birth control.

World food production, Dr. Rock tells us, increased by less than 15 percent in the first 4 decades of this century, while population grew at twice that rate.

It took millions of years for the world population to grow to the estimated 250 million people who were alive in the world at the time of Christ. By the year 1900 the number had increased to 1½ billion. It doubled in the next 60 years so that, today, it amounts to over 3 billion. The growth has been 500 million in just the last decade. If present trends continue world population will have doubled again by the year 2000.

Most of this growth has been and will be in the countries which can least afford it. As stated in a study prepared for the Center for International Economic Growth by Joseph Marion Jones entitled, "Does Overpopulation Mean Poverty?" in most countries of Asia, Africa, and Latin America the population is growing at a rate between 2 and 4 percent annually. The highest rates of population growth in the world are found in tropical America.

As Eugene R. Black, late President of the World Bank, said in his foreword to Dr. Jones' report:

> The difficulties raised by population growth will not be banished by ignoring them. The present surging increase in population, concentrated largely in the poorest countries of the world, affects us now. It threatens directly the success of the greatest enterprise of our day—the international development effort which is attempting to provide tolerable living standards to that two-thirds of mankind which is now almost always in want. And if this enterprise fails, the consequences for our own comfortable civilization will be grave.

Dr. Jones points out that, in addition to widely prevalent hunger and malnutrition, underdeveloped countries have in common: (1) A low per capita income; (2) a low rate of savings and investment; (3) high illiteracy; (4) high proportion of the labor force engaged in agriculture; (5) high percentage of dependent children; (6) low industrial output; (7) poor roads and communications; (8) high incidence of disease which depletes the energy of workers; and (9) very high birth rates.

However, writes Dr. Jones, if birth rates were reduced, all the other adverse conditions could be more easily improved. Economic development and increased levels of living would be speeded. In short, development goals for underdeveloped countries are difficult or impossible to attain with high birth rates.

It is difficult to envision a peaceful, prosperous, and orderly world with the industrial countries growing richer and the underdeveloped countries growing poorer. In fact, because of mounting population pressures, increasing violence and war are in prospect.

Unfortunately, little progress has been made to date in population control. Only Japan has successfully lowered its birth rate. This has been done by an intensive national effort from a postwar high of 2 percent in 1947 to half that rate, or 1 percent annual population growth in 1961.

Other governments, notably those of India, Pakistan, and Tunisia, recognize the problem and are doing their best toward meeting it; so far, however, with little success. Elsewhere in the three continents, the problem is either ignored or accorded only token recognition.

Dr. Jones suggests that the reasons for the pitifully inadequate attention given the population problem are three:

First. The Communists, until very recently, have regarded concern for population growth as a bourgeois excuse for the inadequacies of the capitalistic system and have therefore denied that a world population problem exists. As noted later in these remarks, this attitude has drastically changed in the last year.

Second. The Roman Catholic Church has heretofore, as a matter of moral principle, opposed many methods of birth control. This has been erroneously but widely presumed, both within the church and outside it, to mean opposition to family limitation at all times and by all methods. But this, too, is no longer true, as the comments of Dr. Rock and Cardinal Cushing, earlier referred to, make clear. The problem now is to enlarge the wide areas of agreement between Catholics and non-Catholics and move forward in Catholic, as well as non-Catholic countries, with research in population control along lines which meet the religious views of all concerned. In this connection, it is interesting to note that in every Roman Catholic country in Europe the birth rate is presently so low as not to create a serious problem.

The third reason is that action in the United Nations, or even thorough discussion of the subject, has been inhibited until recently by the opposition of Communist and Catholic countries, and by the timidity of non-Catholic countries. This obstacle also is now breaking down.

The impact of this situation on our foreign aid policy should be obvious. I suggest it be fully discussed when we come later this session to a consideration of the foreign aid bill.

At the same Planned Parenthood Conference on World Population referred to earlier, Gen. William H. Draper, Jr., made a significant speech. General Draper, it will be recalled, headed President Eisenhower's Committee To Study the Foreign Aid Program and, in an important report presented in 1959, urged the United States to move toward world population control by voluntary methods sponsored under the foreign aid program.

In his remarks on Tuesday, May 7, 1963, General Draper applauded the wise leadership of President Kennedy in confronting the grim realities of world population growth. But he expressed his disappointment, which I share, of that "continuing skittishness" of lower ranking Federal officials in the bureaucracy toward implementing the administration's forward-looking policies with substantial programs of assistance and research. General Draper stated that foreign aid and especially the Alliance for Progress in Latin America cannot succeed "so long as present excessive population growth rates continue. If we really want to reduce and some day wipe out the need for foreign economic aid, we had better give every possible help to countries like India in their own efforts to limit population growth."

Referring to the recent report on foreign aid made by the committee chaired by Gen. Lucius Clay, General Draper said:

> I respectfully suggest to General Clay, and to the Congress, that our own long-run financial self-interests would be best served by devoting the 300 million or 500 million, or even $1 billion—whatever sum Congress will this year cut from President Kennedy's foreign aid request—to helping through appropriate international channels, the peoples of developing nations to better understand the problems that accompany rapid population growth, and to seeking, through research, simple, effective acceptable techniques widely usable the world around to control their population growth.
>
> We cannot decide their policy—nor should we. Each nation will decide for itself * * *. This is as it should be.
>
> But we can help them understand the problem—and if they then decide to control their own growth, we can certainly assist them if they want us to. * * *
>
> It is beyond serious question that the major contribution this country can make toward solution of population problems would be for its massive scientific community to greatly increase basic research.

Yet we should not smugly conclude that the population problem is one for the underdeveloped nations alone. Here in the United States our population of 180 million will, if present rates continue, double, or increase to 360 million by the year 2000. Already we are hearing moans and wails from Members of this body about the expansion of the Federal budget and the amount which is being devoted to social services and unemployment relief. At the same time, we hear that local and State governments have exhausted their resources for picking up the tab.

Yet over 5 percent of our work force is presently unemployed. The figures are over twice that high for young people seeking work. The prospect is that this figure will go even higher. Seven million Americans are presently receiving some form of public assistance. Two and a half million of these are children. Can there be any doubt that the growth of population in this country will inevitably result in greater unemployment, higher taxes, and bigger government?

I speak with some knowledge of this subject as chairman of the Subcommittee on Employment and Manpower of the Committee on Labor and Public Welfare. We are gravely concerned with the twin squeeze, which is increasing every day, on employment, which, I fear will continue to increase in the foreseeable future, no matter what happens in terms of expanding our economy and increasing our gross national product.

In the campaign of 1960, President Kennedy said we needed 25,000 new jobs a week to keep up with the then current rate of employment.

That is now an understatement under present conditions of automation, now complicated by what is called cybernation, which means the union of the computer and the assembly line. This joinder will soon increase layoffs of personnel at an expanded rate, because the machine and the computer can now do the job. At the same time, as a result of the bumper baby crop, which resulted when the boys came home from World War II and the Korean war, the number of jobseekers has increased at a rate of about a million a year. It is inevitable, unless we do something promptly, that the conditions of which I speak will become worse.

Our rate of economic growth in the last decade has been disappointingly low. Yet we persist in thinking in terms of spectacular increases in our gross national product, failing to convert these figures into a per capita rate of growth. If we get down to brasstacks, we will have to admit that, because of the constant increase in population, our annual rate of growth since the Korean war has been less than 2 percent per annum, probably the lowest of any of the major industrial countries.

Surely the problem of population control within the United States is one to which we should be giving careful attention.

Fortunately, there is a growing concern about this matter. Everywhere except in the Congress of the United States the lid is off discussion of the population problem. Report follows report. So does serious study by scholars. Here are a few of the recent major contributions to a discussion of the problem:

The Draper report of 1959.

The National Institutes of Health survey research on reproduction released December 1962.

A grant by the Ford Foundation of $2,856,200 for research into the problem, April 16, 1962.

Publication by the National Academy of Sciences, the leading private group in the scientific field, of "The Growth of World Population," April 1963.

The Planned Parenthood Forum on "Man's Future," at which General Draper and Dr. Rock made the speeches referred to earlier, May 8, 1963.

A study recently published by the Princeton University Office of Population Research under the direction of Dr. Charles F. Westoff, professor of sociology, referred to in the New York Times on May 12, 1963.

The announcement, on May 11, 1963, that Harvard University's School of Public Health will establish a center for population studies with the aid of an endowed professorship.

An intelligent and thought-provoking series of articles on "Catholics and Birth Control" published simultaneously last week in the New York Times, and in a distinguished newspaper in my own State, the Pittsburgh Post-Gazette. As the author of these articles makes plain, the subject of birth control, long considered too dangerous even for discussion by many within the church, is now stirring a profound ferment in the Catholic community. The writer states:

> Liberal lay leaders and ecclesiastics of the Roman Catholic Church have begun to focus special attention on ways to perfect—and extend—a church-approved method of birth control in a growing determination to find solutions to the world's population explosion.

Mr. President, I ask unanimous consent that these important and enlightening articles be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. CLARK. Mr. President, the American Assembly's symposium on "The Population Dilemma," held May 2 through May 5, 1963, at Arden House, in Harriman, N.Y., is an interesting document. The list of participants in this 23d American Assembly is an extremely impressive one. It includes leaders from all walks of American life—editors, scientists, businessmen, scholars, diplomats, and labor and religious leaders.

At the conclusion of this assembly, a report and a series of recommendations were prepared which reflect the general consensus of the meeting—although not necessarily the precise views of each individual participant.

I believe that this brief document is worthy of careful study, and I ask unanimous consent that it, too, be inserted in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. CLARK. Mr. President, the report states three principal conclusions arrived at by the conferees:

A. Present and prospective world rates of population growth cannot be maintained indefinitely. Such growth contributes substantially to the perpetuation of low levels of living for two-thirds of mankind, and creates difficult problems of adjustment in the economically advanced nations.

B. World birth rates must be reduced in view of the reductions in death rates already achieved.

C. Reduction of family size would produce important gains for many families as well as for entire nations. Unrestricted fertility tends to damage the health of the mother, impairs family life, and restricts opportunity for adequately rearing and educating children.

In the area of world problems, the assembly recommends that the United Nations and the specialized agencies take the following actions:

> 1. Expand activities in the field of population and demography.
> 2. Expand and strengthen the population staff and the regional population training and research centers.
> 3. Provide direct aid to countries wishing assistance in family planning programs.
> 4. Encourage and support, especially through the World Health Organization, biological and medical research in human reproduction.
> 5. Alert world consciousness to the implications of population growth through educational materials distributed by UNESCO.

The assembly saw important implications for U.S. foreign policy in the population crisis. They recommend that in formulating our foreign aid programs, we give consideration to the way in which developmental plans are affected by population trends. They also suggest that this Government extend assistance to developing nations, who request it, to explore their population problems, and that we support their voluntary fertility control programs. Another necessary development, which the assembly recommends, is the creation by the U.S. Government of administrative machinery for disseminating information about population problems and methods of regulating family size.

In the field of domestic population policy, the assembly noted that the postwar resurgence in population growth has intensified a whole range of problems. It was pointed out that while the number of jobs available in our economy is subject to attrition because of automation and cybernation, the number of young new jobseekers is increasing at a frightening rate as the postwar babies come of age.

The assembly recommends that we therefore intensify our demographic, medical, and biological research, through the U.S. Public Health Service and private agencies, and that we press for the development of a variety of improved methods of fertility control. They recommend also that Federal, State, and local governments assume responsibility for disseminating fertility control information, and for providing services to needy mothers, compatible with the recipient's religious and ethical beliefs.

The assembly also suggests that all of the Nation's religious, educational, and cultural organizations and media take appropriate action to inculcate a sense of the responsibilities of marriage, particularly the bearing and educating of children. Attention should also be given, the assembly says, to the problems of the newcomers to the cities, to removal of discrimination from our immigration policies, to the expansion of our economic growth, and to the danger of irreparable waste to our priceless natural heritage. Finally, the assembly urges the creation of a Presidential commission to study and report on the nature of population problems at home and abroad, and their implications for all aspects of American life and our efforts to promote economic and social progress throughout the world.

The attitude of the American public toward birth control is truly misunderstood. I am confident that the results of a Gallup poll, announced on July 7, 1963, are accurate. In answer to the question: "In some places in the United States it is not legal to supply birth-control information. How do you feel about this? Do you think birth-control information should be available to anyone who wants it or not?" The results were: Yes, 74 percent; no, 17 percent; no opinion, 9 percent. Even more interesting is the fact that 53 percent of the Catholics interrogated answered yes, 39 percent no. Only 8 percent had no opinion.

It is important to recognize that the question had to do only with the dissemination of birth-control data and not approval of particular birth-control methods. Surely the first two steps in an attack on the population problem are further research to find economical and pragmatic methods of population control acceptable to all religious faiths and then the dissemination of this information to everybody who wants it.

In response to the Gallup poll question: "It has been suggested that the United Nations organization supply information on all birth-control methods to the people of the different nations of the world who want this information. Would you favor or oppose this being done? The replies were: Favor, 65 percent; oppose, 21 percent; no opinion, 14 percent.

Another encouraging development is the nonpartisan nature of the support for the attack on the problem of population control. In Dr. Rock's book, former Vice President Nixon is quoted as saying:

> If [other countries] have reached a decision that they want to limit population growth at a certain point and come to us for assistance, we should give it to them.

And in a major speech before the American Society of Newspaper Editors on April 20, 1963, Mr. Nixon said:

> It is time for this Government to take the leadership * * * to develop in conjunction with our foreign-aid programs, population control programs which are consistent, to the extent possible, with the religious traditions of the nations involved.

And President Kennedy, at his press conference on Wednesday, April 24, 1963, responded to questions as follows:

> Question. Mr. President, how do you feel about the recommendations of the National Academy of Science, but also of Prof. John Rock, of Harvard, that the Federal Government should participate actively in an attack on uncontrolled population growth?
>
> Answer. Well, I, I don't know, I'm familiar with the general thesis of Professor Rock. As you know, the U.S. Government today through the National Institutes of Health gives assistance to research in the whole area of fertility and biological studies reproduction and all the rest, which, I think, are important studies, and there's several millions of dollars of Federal funds involved. I think they're very useful and should be continued.
>
> Question. Assertions are that our Government should take the lead and should participate much more actively and strongly than it has done before. You, sir, have never taken a position on this, I believe.
>
> Answer. Well, what is your question?
>
> Question. The question is: Will you accept the recommendation of the National Academy that we should participate in international birth control studies, supply of funds?
>
> Answer. Well, we are participating in the study of fertility and reproduction in the United Nations, which is an international study, at the present time.
>
> Now, if your question is: Can we do more, should we know more, about the whole reproduction cycle and should this information be made more available to the world so that everyone can make their own judgment, I would think that it would be a matter which we could certainly support.

One of the most encouraging recent developments took place at the United Nations on December 18, 1962. A resolution adopted by the United Nations General Assembly on that date marked a turning point in the recognition by the international community of the world population problem. By a vote of 69–0, with 27 abstentions, a major resolution calling for an intensified program of international cooperation in the population field was adopted. Except for members of the Soviet bloc, all of whom abstained (significantly, they did not vote in the negative), countries of every major political, economic, cultural, religious, and geographic identification were among those voting in the affirmative.

Population was on the agenda of the U.N. at the 17th General Assembly because Sweden, supported by a number of other countries, decided to put it there. Ten years earlier a full-scale debate on this subject would have been absolutely unthinkable. But the growing international appreciation of the significance of the population question for the future of mankind broke down the artificial barrier. It resulted from 17 years of hard but unspectacular work within the framework of the U.N. This effort laid the groundwork for enlightened consideration of the economic and social implications of population trends.

As a result, the resolution on population growth and economic development was adopted. It may be summarized under five main heads:

First. The Secretary General was requested to conduct an inquiry among member states concerning the particular problems confronting them as the result of the reciprocal action of economic development and population changes.

Second. The Economic and Social Council of the U.N. was asked to intensify its studies on the interrelationship of population growth and economic and social development.

Third. The Economic and Social Council was directed to report its findings at the 19th General Assembly Session in 1964.

Fourth. U.N. agencies were asked to encourage and assist governments in obtaining basic data and carrying out essential studies of the demographic aspects of their economic and social development problems; and

Fifth. The World Population Conference, already scheduled for 1965, was requested to pay special attention to the interrelationship of population growth with economic and social development, particularly in countries that are less developed.

There was substantial support for an additional section which stated that the United Nations give technical assitance as requested by governments for national projects and programs dealing with the problems of population; 34 votes were cast in favor, 34 against this proposal. There were 32 abstentions. However, as a practical matter, as a result of previous resolutions, the authority is already possessed by the U.N. to grant technical assistance upon request of member nations.

Four different viewpoints were represented during the United Nations debate:

First. Sweden, Ceylon, Denmark, Ghana, Greece, Nepal, Norway, Pakistan, Tunisia, Turkey, Uganda, and the United Arab Republic advocated a major increase in U.N. activity in the population field, including technical assistance in the field of family planning. Note that most of the Mohammedan countries are included in this list, but not a single country from Latin America.

Second. Argentina and Ireland, with the support of a few Latin American countries, questioned the existence of a population problem and challenged the right of the United Nations to discuss it. In other words, these countries feel we could still keep the problem swept under the rug.

Third. France, most of the other countries of continental Europe, some French African countries, and some Latin American countries conceded the existence of population problems but argued that the U.N. should defer action pending further study. How often are useful reforms postponed by the timid, who want to have further study while the problem continues to get worse.

Fourth. The Soviet bloc—this, I think, is extremely interesting—during the General Assembly debate, expounded the traditional Communist position that population problems, if they existed at all, would vanish under communism. This viewpoint was poorly received in the Assembly. A representative of an underdeveloped country chided the Soviets for favoring planning in all sectors of economic life except the human sector, the most important one of all.

As a result of the debate, there was a significant shift in the Communist line. When it came time to vote, the Soviet bloc did not oppose but merely abstained on the General Assembly resolution. What is even more surprising, the Soviet representative, at a recent meeting of the Economic and Social Council, commended the United Nations for its work in the population field, agreed that population growth is an urgent problem in less developed countries and announced the willingness of the Soviet Union to provide technical assistance in the demographic field.

For years it has been known that birth control, including abortion, was widely practiced within the Soviet bloc. Premier Khrushchev has expressed a personal interest in the economic dangers of overpopulation. It would now appear that the Soviet Union is ready to exercise leadership in action programs in the population field.

It is interesting to note that this is one area in which the Chinese-Russian disagreement does not seem to apply. The Russians are coming around to the Chinese view, which is, as all of us know, that rigorous birth control must be practiced in Red China to avoid widespread starvation.

It remains to discuss the policy of the United States.

As noted in an article in the New York Times on April 20, 1963, our policy on birth control has changed. We are now prepared to offer international aid if other nations request it.

The Department of State has issued a pamphlet "Population Growth: A World Problem, Statement of U.S. Policy." This pamphlet consists of statements made by Richard N. Gardner, Deputy Assistant Secretary of State for International Organization Affairs during the debate in the U.N. on the resolution just discussed. In a speech, delivered at the American Assembly symposium earlier referred to, on Saturday, May 4, 1963, Mr. Gardner pointed out:

> There is no significant body of responsible opinion among people of any major religious, ethical, or ideological persuasion which advocates totally unplanned or unregulated fertility. * * *
>
> There is virtually universal agreement on both ethical and practical grounds, that decisions about responsible parenthood can be made only by individual parents themselves in the light of their responsibilities to their children and their society. * * *
>
> The time has come to develop out of this consensus a blueprint for international cooperation which takes account of the politics as well as the economics of the population problem.
>
> The fundamental concept in such a blueprint should be the principle of free choice.

Mr. Gardner pointed out that, despite the growing consensus referred to, there continued to exist differences between religious groups on specific methods of family planning. These differences, he felt, must be respected. He said:

> What we need is an international division of labor, taking account of the comparative advantage, from the political as well as the economic and technical point of view, of the different sources of potential assistance.

With respect to the policy of the United States, the United States will support the following:

First. Information and analysis through both the U.N. and the Agency for International Development, or AID. We will respond to requests for assistance from developing countries in preparing, executing, and analyzing population information, and analyses of social and economic planning.

Second. Medical research. We should continue efforts to find out more about the whole reproduction cycle, and make this information available to the world. This can be done both through our own National Institutes of Health and through the World Health Organization affiliated with the U.N.

Third. Health and social services. A network of health and social services is needed to implement policy at the village level. This should be the object of intensified efforts by governments and private institutions, as well as by U.N. agencies.

Fourth. The implementation of family planning programs. This is the only area in which major disagreements continue to exist. Nevertheless, countries seeking help in the implementation of family planning programs should have access to the wide variety of sources of assistance available throughout the world.

I quote from the U.S. official policy:

> While the United States will not advocate any specific family planning policy to any other country, we can help other countries, upon request, to find potential sources of information and assistance on ways and means of dealing with population problems.

This policy of our country I support. I am confident our policy will be supported by many in the Congress once the basic facts are known.

I conclude with three recommendations for our immediate aims. These immediate aims are limited; nevertheless, I think they are significant.

First. To bring the whole population problem into the open. To discuss it candidly and without embarrassment on the floor of the Senate and the House of Representatives, to determine, as the result of such a continuing debate, the part Congress can play in meeting this frightening problem.

Second. To grant explicit authority for using funds made available for development research under the Foreign Assistance Act of 1961 to conduct research into the problem of controlling population growth and to provide technical and other assistance to cooperating countries in carrying out programs of population control.

This is the purport of an amendment to S. 1276, the foreign assistance bill, offered by the chairman of the Foreign Relations Committee [Mr. FULBRIGHT] in committee, and adopted, without record dissent, by the committee.

I support this provision as a bright ray of light in the murky never-never land of population control; I believe its enactment is essential to the effective and intelligent administration of our foreign aid programs. I trust the amendment will be brought to the floor as a part of the bill. I shall be happy to lend my assistance in having it adopted.

Third. To support substantially increased appropriations for research in population control by the National Institutes of Health and by private organizations and foundations.

Mr. President, I now send to the desk for appropriate reference a concurrent resolution on population growth, jointly sponsored by the Senator from Alaska [Mr. GRUENING] and myself. I hope Members of Congress and their constituents will read this resolution, and give serious and constructive thought to the issues which it raises. I offer the resolution with the thought that it may provide a focus for the debate—so long overdue—on the grave and troubling problem of uncontrolled world population growth, which has been begun today.

The actions called for in this resolution are modest indeed. It would urge the President to implement the proposals which we have already publicly declared to be the national policy of the United States in our Statement on World Population Growth at the United Nations, to which I referred earlier. It would call upon the President to inaugurate substantially increased programs of research in fertility control in the National Institutes of Health. And it would request the President to set up a Presidential Commission on Population to make a complete and wide-ranging study on population problems, foreign and domestic, to educate the American Government and people on these problems, and to recommend appropriate action.

Mr. President, I ask unanimous consent that the complete text of the concurrent resolution be printed at this point in the Record in connection with my remarks.

The PRESIDING OFFICER. The concurrent resolution will be received and appropriately referred.

The concurrent resolution (S. Con. Res. 56), submitted by Mr. Clark (for himself and Mr. Gruening), was received, referred to the Committee on Labor and Public Welfare, and, under the rule, ordered to be printed in the Record, as follows:

Whereas the expected growth of world population, if it does no more than continue at its present annual rate of 2 percent, will double the number of inhabitants of the world, from 3 to 6 billion, by the year 2000; and

Whereas the application of public health measures, and the introduction of modern medical lifesaving and life-prolonging techniques have contributed to a doubling of the annual rate of population growth within the past 18 years, and may be expected to increase it even further; and

Whereas much of this population expansion will occur in the underdeveloped countries of the world, whose inhabitants do not now have sufficient food, clothing, shelter, or the means to industrialize their economies to supply these needs, and who can therefore least afford to share their already scarce resources with the billions waiting to be born; and

Whereas the prospect for such countries, where increases in the gross national product will be largely offset by population increases, is not the prompt reduction of individual deprivation and misery, but rather the indefinite perpetuation of inadequate standards of living; and

Whereas the consequence of this uncontrolled rise in population is to doom to disappointment and angry frustration the newly awakened expectations of the underprivileged people of the world, and thus to heighten the threat of civil strife and world war; and

Whereas the means exist, or can be discovered by further research, to permit those who are charged with the responsibilities of parenthood to exercise freedom of choice, according to the dictates of their own consciences and within the precepts of their ethical and religious convictions, in determining the number of children which they wish to bear, and for which they are willing to accept the obligation of support and education; and

Whereas there is no significant body of responsible opinion among the adherents of any major religious, ethical, or ideological persuasion which advocates the total abnegation of free choice in determining family size; and

Whereas in his summary address to the recent and historic World Food Congress, Dr. B. R. Sen, Director General of the Food and Agricultural Organization of the United Nations, declared that "the time may soon come when not only the nation to which the individual belongs, but also the world as a whole may have to take a more direct and more dynamic role in assisting family planning measures through social education and hygiene"; and

Whereas the Committee on Science and Public Policy of the National Academy of Sciences, the Nation's principal scientific body, in a recent report on "The Growth of World Population" declared, "Other than the search for lasting peace, no problem is more urgent"; and

Whereas President Kennedy has given public support for increased research in fertility and the whole reproductive cycle, and has stated that the results of this research should be made available to the people of the world, so that each may exercise his own judgment; and

Whereas the United States, in a statement before the United Nations, has acknowledged the need for more facts about alternative methods of family planning which are consistent with different economic, social, cultural, and religious circumstances, and has formally declared a policy to "help other countries, upon request, to find potential sources of information and assistance on ways and means of dealing with population problems"; and

Whereas the Secretary General of the United Nations has sent an inquiry to all United Nations members, including the United States, asking for the views of each government concerning problems confronting them as a result of the reciprocal interaction of population growth and economic and social development: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the President be urged speedily to implement the policies of the United States regarding population growth as declared before the United Nations, by inaugurating substantially increased programs of research within the National Institutes of Health and by taking steps to make the results of such research freely available to countries requesting such assistance.

Sec. 2. The President is hereby requested to create a Presidential Commission on Population which shall be charged with the duty to inform, after investigation, the Government and the American people of the nature of population problems at home and abroad, with respect to the implications for all aspects of American life, and the relevance to our efforts, in cooperation with international agencies and other nations, to promote economic and social progress throughout the world, and to make such recommendations as may be appropriate.

Mr. CLARK. Mr. President, in the course of this speech I have tried to sketch the contours of our present objectives. By pursuing these objectives, I am confident that we in Congress can play our part in the solution of one of the most difficult problems today confronting the human race.

EXHIBIT 1

CATHOLICS AND BIRTH CONTROL—GROWING DEBATE

(Following is the first of four articles on the Roman Catholic Church and birth control.)

(By George Barrett)

The subject of birth control, long regarded by members of the Roman Catholic Church as a dangerously sensitive issue to discuss, is today stirring a profound ferment in the Catholic community.

Discussions among both the clergy and the laity turn often to birth control now as increasing numbers of Catholics discover that the issue, which they have looked upon as a matter of faith and morals beyond their right to question, actually falls within their province to examine.

The dialogs, stemming largely from the crises presented by soaring birth rates and by increasing difficulties encountered by parents trying to raise and educate properly more than two or three children, indicate that the so-called Catholic attitude on birth control actually encompasses many attitudes.

It is clear, however, that a shift in emphasis is occurring in large sections of the Catholic Church. The shift is from a traditional church position of almost total condemnation of birth control, a position that derives its moral authority from the story in chapter 38 of the Book of Genesis in which God was said to have killed Onan for spilling his seed upon the ground in protest against marrying his brother's widow.

A recent meeting of three priests of the Catholic Church in the living room of an apartment on lower Fifth Avenue mirrored the kind of candid dialogs that more and more have been marking Catholic exchanges on the subject.

PROMPT DISAGREEMENT

Their black jackets and collar dickies draped across the backs of their chairs, their shirts of two-tone blue and canary yellow standing out in abrupt contrast, the clerics touched on several of the reforms proposed for the church at the next session of the Ecumenical Council in Rome.

As they relaxed under a portrait of the Magdalena, Ribera's kneeling image of sacred and profane love, the young ecclesiastics turned very quickly to the issue that for many Catholics vividly represents the conflict of sacred and profane love—birth control, in its principle and in its means.

There was instant disagreement. One priest observed that if an engaged couple announced plans to build up a family fund and put off having children for a couple of years—using the church-approved rhythm system of birth control under which sexual relations may be confined to the safe period of a woman's cycle—he would refuse to solemnize their marriage.

A second priest looked at him in amazement. He flipped through the pages of the latest copy of Theological Studies. An article in the journal, published for Jesuit theological faculties in this country, instructs priests to stop imposing their theological opinions on parishioners on the issue of planned families.

It stresses that the husband and wife are "almost always the best judges of the reasons they may have for spacing their children or limiting their family."

He noted that the list of valid reasons had been made "quite broad," and he cited other authorities to show that Catholics were no longer under obligation even to consult their confessors whenever they thought it wise to limit the number of their children.

One high cleric, Bishop William M. Bekkers of 's Hertogenbosch, the Netherlands, recently put this quite bluntly in a television interview:

"This is a matter of conscience, which is nobody else's business."

As the second priest spoke, his colleague who had opened the discussion listened in silence. When he replied his voice was taut. He said he did not care what the latest theological analysis held—he intended to refuse marriage to such couples.

The dialog that night, with its clash of opinions, dramatizes the kind of increasingly open expressions that were later disclosed in discussions and interviews with scores of theologians, philosophers, educators, scientists, editors, and other members of the clergy and laity in Catholic centers in New York, Boston, Chicago, Buffalo, South Bend, Washington, and in San Juan and other Puerto Rican communities. The talks covered all shades of Catholic opinion.

The dialog also demonstrates that, while there has been an important shift in attitudes on birth control, great sections of the church remain opposed to liberalizing traditional church policies.

Francis Cardinal Spellman, archbishop of New York, was unavailable for comment about the widening Catholic exchange on the subject. However, Msgr. George A. Kelly, official spokesman on family life for the New York archdiocese, expressed concern that emphasis on limitation of children often tended to become a "computer operation," a philosophy that denies the richness and fulfillment that an "unplanned family" can provide for the individual, the family and the community.

"FUNDAMENTAL RIGHT

"It is obvious that many husbands and wives are justified in practicing the rhythm method for medical, eugenic, economic, or social reasons," he declares. "However, the right of the married couple to have as many children as they choose should not be endangered."

Quoting Pope Pius XII, Monsignor Kelly stresses that "the right of parents to have many children is a 'fundamental personal right' bestowed by God—one with which no human institution should tamper."

Monsignor Kelly also presents an argument that forms part of the basis of conservative Catholic opposition to birth control measures on a mass level in underdeveloped nations.

"While supporters of the contraception movement may have idealistic motives, powerful economic, social, religious, and political factors are also involved—and the other peoples of the world know it," he said. "Latin Americans, Asians, and Africans suspect that they are told that they should stop breeding because they are bringing 'inferior' peoples into the world to outnumber the 'superior' whites."

Some church conservatives contend that more permissiveness, even for the rhythm system, will tend gradually to encourage use of nonapproved birth preventive methods, which in turn would tend to encourage sterilization and abortion.

CONSERVATIVE POSITION

The basic conservative position is keyed to 'Natural Law," which, according to theologians, forbids the use of birth control measures (other than the rhythm system) because they "clearly" interfere with the "natural" God-designed consequences of the marital act. Many conservatives contend that the "natural" purpose of a marriage is to produce as many children as possible.

Three years ago, in the magazine Christ to the World, which is published in Rome under clerical direction, the editors illustrated the conservative position in a footnote at the end of an article on "How to Fight Birth Control." The footnote said:

"Let us note that the obligation laid upon married couples by divine law refers primarily to the procreation of children and normally to the procreation of many children; and it is this duty that we must preach to them. * * * We must, therefore, stress the merit and grandeur, in the eyes of God, of fathers and mothers of big families."

But shifts in Catholic thinking on big families, and birth control have been emerging gradually, often subtly.

It was Pope Pius XI, regarded by some Catholics as strict in his condemnation of birth control, who in 1930 commented that married couples were not acting against nature when they practiced marital relations during the wife's sterile period. A liberalized extension was made by Pope Pius XII. He gave explicit sanction as long ago as 1951 for limiting births (through periodic continence) and even for having no children at all.

VIEWS IN THE PARISH

However, the gap that Catholics occasionally note between statements of the Pope and the prescripts of the parish father has been noticeable on birth control.

Until fairly recently, parish approbation customarily was reserved—in many parishes it still is reserved—for the big Catholic family. Mothers with plans to limit the number of their children have often faced parish censure.

"When the Catholic Mother of the Year turns out to be a woman with three children instead of eight or nine I'll believe the church word has reached down to my level," a mother in Chicago said, smiling.

But new trends in living, new discoveries in medicine and science and increased exchanges with non-Catholic groups have raised fundamental challenges to the traditional Catholic attitudes and customs. Consequently, throughout the Catholic world, increasing numbers of theologians, demographers, moral philosophers and sociologists are pursuing a close, and frequently bold, reexamination of many aspects of birth control.

One development in this expanding Catholic inquiry is the establishment of a population study center at Georgetown University, a Catholic institution in Washington. Working with non-Catholic research centers, the Georgetown group will explore the population problem, including ways to try to perfect the rhythm system. One major goal is to help development of what scientists are now calling the "kitchen test" formula by which a woman can easily and instantly pinpoint the period of 4 or 5 days each month that she is fertile.

IRONIC OVERTONES

There is irony in this. It may well turn out that opposition of the church to artificial contraceptive devices and the consequent resolve to find a simple, sure rhythm method—perhaps involving a quick saliva, urine or skin test—will produce precisely the quick and uncomplicated birth control system that millions of non-Catholics have been seeking.

In fact, some non-Catholic researchers are quick to point out that there are esthetic, practical or medical faults in all artificial contraceptive devices. They now agree that a perfected rhythm-detection system would probably be welcomed as the most natural method and would require a period of sexual abstinence no longer than husbands and wives now usually follow.

The stress these days in Catholic journals and newspapers on the need for birth control techniques that will satisfy theological as well as medical requirements raises the No. 1 question now so often asked of Catholics, a question that plagues and infuriates most of them: "When will the Catholic Church change its stand on birth control?"

The question is resented by Catholics because it obscures the differences between birth control methods; it is resented because it implies that the church has discovered that it has been wrong about birth control and is now seeking a gracious retreat; finally, it is resented because the questioner generally predicts that the church will soon have to accept artificial contraception, which Catholics—virtually unanimously—believe will never happen.

PUZZLED BY MORALISTS

(However, some daring comments have been made by Catholics on this sensitive aspect. Last July, William J. Nagle, a Catholic writer, in an article in the Commonweal, the liberal Catholic weekly, wrote that while he was not himself questioning the validity of the theologians' arguments against artificial contraceptives, he found "somewhat puzzling the head-in-the-sand posture of Catholic moralists on this question." He suggested that the bishops, theologians, and philosophers "take a more careful look" at the theological arguments against contraceptives.)

The question about a change in the church attitude on contraception may never have to be answered. The birth control ferment has underscored a strange discovery: remarkably little is known by man about his own reproductive system. Men in Catholic science suggest that future physiological discoveries, as well as future refinements in birth preventives, may make the whole matter of change unrealistic and even undefinable.

The birth control issue has been stirred by many forces, but the population explosion, probably more than any other single development, has focused widening Catholic attention on the subject.

Catholic literature—and debates in Catholic chanceries and Catholic living rooms—echoes many of the population-growth statistics of the United Nations. These figures tell a staggering tale of permanent hunger for 2 billion of the world's 3 billion men, women, and children and imply a nightmare of global starvation if births continue at the present rate. It was not so long ago that the entire church rejected any notion that there was a runaway population problem.

There are other factors that have plunged areas of the Catholic world into ferment over birth control.

LOSS OF MEMBERS FEARED

For example, in the Catholic press, and in public and private dialogs, Catholics speak with candor these days of the membership "leakage" from the church. Leo Josef Cardinal Suenens, primate of Belgium, who is a leader of the "progressive" group in Rome's Sacred College of Cardinals, has bluntly asked "whether many people, baptized as infants, do not fall away from the church because of birth control?"

Other elements have been accumulating to prod the church. For example, surveys of Western developed countries show that in many cases Catholic societies reflect approximately the same birth rates as non-Catholic societies. Other studies indicate that it is socio-economic-cultural attainment, rather than church canons, that basically determines the size of the family and the user's selection of a birth control method.

Citing France as an example of a Catholic country where birth control methods condemned by the church are widely in use, Cardinal Suenens has observed that "contraception has made a telling incursion into the country's way of life."

Rev. Thomas J. Casey, writing in the American Catholic Sociological Review, says he has no reason to doubt the scientific validity of one study that shows "that, for Catholic couples who were married for at least 10 years and who were still fecund and thus likely to have more children, one out of two of them had practiced a method of birth limitation forbidden by the church."

Birth control has become a problem for many Catholics who stay away from church and even for many who faithfully attend mass. Parish priests report that many Catholics have had to be denied the sacraments because they insist on using artificial contraceptives. Parishioners who cannot afford to have more children, who are afraid to rely on the present rhythm system, are making choices that disturb them and disturb their pastors. They continue to go to church—but they go in guilt.

HIGH ABORTION RATE

Church moralists have become dismayed by the high rate of abortions and sterilizations in some countries, including Catholic countries. Some clerics are now willing to encourage the practice of family planning as the lesser evil.

Medical discoveries, of course, have contributed to the new uncertainty of Catholics on birth control. Studies in human reproduction—and the discovery of such preventives as oral contraceptive pills—have made it more difficult for traditionalist theologians to apply the principle of "natural law" they have been able to invoke confidently against other contraceptive devices.

Finally, it is now a fact in a number of communities that both Catholics and non-Catholics are joining in dialogs in attempts to ward off future battles in the area of community policy. Catholic leaders are urging members of the faith to recognize the moral and civil rights of others in a pluralistic society and to cede gracefully—without surrendering their own moral convictions—to the rule of the majority.

The ferment, and particularly the emergence of differing attitudes on the basic issue of birth control, reflects the new freedom Catholics now feel in discussing the issue.

Neither the issue itself nor its resolution in the teachings of the church has been the subject of an infallible utterance by a Pope.

This is the kind of papal pronouncement that is binding upon all Catholics, without question. One magazine, the Catholic Layman, attempting to stimulate its readers to freer discussion of birth control, assured them last February that "the subject matter, having never been defined as a matter of faith or morals, is well within the bounds of open, intelligent discussion."

ARTICLE OF PROTEST

The magazine staff may have been a little startled, but it printed an article by a Catholic woman strongly protesting the continued Catholic emphasis on big families and quietly noting, not with irreverence: "The Holy Family of Nazareth was a small family. One Child. And if it is said that because this Child was God there was no need for others, it might also be said that 14 children do not add up more nearly to composing God than do four. Or one."

A few weeks ago the Commonweal also reminded its readers that the teaching of the church on birth control and family planning had not been the subject of infallible pronouncement. The magazine criticized Catholic discussion of birth control as being still too restricted. It observed that, unless the Catholic writer on birth control "simply repeats verbatim the formulas in theological manuals, he is likely to arouse hostility, suspicion, or condemnation; the immediate consequence of this pervasive atmosphere of fear is that those most qualified to do some theological probing and questioning shy away from publication altogether—or adopt a stilted, circumlocutionary way of expressing themselves."

To measure the mood of challenge emerging among progressive Catholic groups, go back to the same magazine 20 months ago. Here are some excerpts from that issue:

"The repeated calls by the Church for a major research effort into problems of population growth have all but been ignored. The American Catholic Church—which has the university facilities for such research—has been especially remiss. The related calls for greatly increased work on moral means of family planning have met with only a sporadic and scattered response.

"The far more difficult business of theological work on the morality of family planning has been an equally random affair. But there is, in this area, some important work afoot. To mention only one instance, the view held by many that large families are desirable is being reexamined in our theological journals."

SPIRIT OF CHALLENGE

There are many examples of this spirit of challenge.

A young priest declares:

"I just can't put off real answers to parishioners any more by pointing my finger at my collar and growling, 'There is your answer, that collar is your reason.' "

An eminent church moralist confesses in humility that he and others in his field have sometimes been "too quick on the trigger" to supply answers to questions about birth control by automatic references to medieval revelation theories.

A Catholic demographer, staring out across a great campus, muses: "We know so little about population and about the human physiology, yet we keep making hasty judgments."

A priest, a gentle man, soft in voice, cozily surrounded in his studio by his books, talks of the history of the church, of its famous challengers and fighters, and grins as he says: "What we need, sir, is a new Savonarola!"

When the questioner tries to find out why there has been an apparent upsurge in the spirit of inquiry into birth control matters, the answer is always the same and even the words are very close:

"It's John."

"Credit John."

Or, simply and affectionately:

"John."

While the late Pope John XXIII has not been identified with any strong position on the birth control and population problem, his historic role as the most "tradition-shattering figure ever to occupy the Chair of Peter" (the description is by The Pilot, the Catholic newspaper in Boston) has inspired those in the church who are seeking reforms, including reforms in church attitudes on birth control.

Some say that Pope John cleared the way for the reexamination of the sensitive issue when he convoked the Ecumenical Council. The council, which Pope Paul VI will continue, is expected to make far-reaching adjustments designed to enable the church to cope with the revolutionary scientific, political, social and economic changes sweeping the world.

There have been indications that efforts will be made to bar the birth control question from council debate. However, the Rev. John Sheerin, editor of The Catholic World, has reported that the problem of overpopulation is scheduled to come up at the council, and it is believed that this item cannot be long discussed without reference to the birth control issue.

A woman physician in Belgium, a Catholic mother of five, has reported that she wrote to the Vatican about her confusions over the church's official insistence that it is moral to practice birth prevention through rhythm but sinful to use artificial contraceptives. In her appeal for clarification from the forthcoming Council, she wrote that " in each case the intention is precisely the same" and commented that "God will not be deceived."

She has quoted a reply from the Palace of the Holy Office stating that "the question is under consideration and will certainly be dealt with at at the Council." Many bishops were "well informed of the difficulties," according to the Vatican reply, "so much so that the decision of the Council will certainly be sought as a result."

Conservatives of the church, convinced that any basic changes or official shifts in attitudes on important issues might confuse the faithful and shake loyalties, are expected to offer resistance to many of the proposed reforms. Pope Paul VI, who has pledged to continue Pope John's reform efforts, may ironically turn out to be, initially at any rate, on the side of the conservatives on the birth control issue.

Three years ago, as Archbishop of Milan, he suggested that perhaps it would be better to speak a little more about the "blossoming" of many children and a little less about their "limitation."

But the wish of much of the Catholic world for new and liberalized policies on birth control and a host of other issues has apparently crystallized too firmly now to be denied. This wish for reform was captured in a Vatican incident that is now celebrated among liberal Catholics. When Pope John was asked why he had convoked the Ecumenical Council, he opened the nearest window and remarked: "To let some fresh air into the church."

CATHOLICS AND BIRTH CONTROL: ROLE OF RESEARCH—SCIENTISTS SEEK ACCEPTABLE METHODS OF LIMITING POPULATION INCREASE

(Following is the second of four articles on the Roman Catholic Church and birth control.)

(By George Barrett)

Liberal lay leaders and ecclesiastics of the Roman Catholic Church have begun to focus special attention on ways to perfect—and to extend—a church-approved method of birth control in a growing determination to find solutions to the world's population explosion.

Moving away from the church's traditional position of antagonism toward the whole philosophy of birth control, liberal Catholics point increasingly to mushrooming birth rates in their appeal for new approaches to meet the crisis. But it is not only the statistics that have inspired the concern; it is the human tragedy they encompass.

It is in scenes like these that the tragedies of human fertility are dramatized:

A tubercular mother, soon to die, nurses a tubercular baby, soon to die * * * a boy of 6, curled up on pages of newspaper, tries to sleep past the dark, but he tosses—and cries again—on his bed of doorway stone * * * a girl of 10, four doorways down, no longer weeps, but she stirs uneasily * * * other youngsters sleep in other doorways * * * and burrowed beside the soft-blue cobblestones in Old San Juan * * * and tomorrow they awake to another day of filching and scrounging for food.

The memories of these scenes never left Donald J. O'Connor, a Catholic economist who served as economic adviser to the Governor of Puerto Rico. Shortly before he died 3 years ago, Dr. O'Connor translated his "gut reaction" to the San Juan tragedies into a research project that illustrates the quiet, usually cautious, and sometimes abrupt way the Catholic Church is confronting the population problem.

One rainy September morning in 1959 Dr. O'Connor called on Dr. Benedict J. Duffy, a dynamic, restless, fiercely curious physician at the Department of Medicine in Georgetown University. Dr. O'Connor suggested that the time had come for Catholics to stop minimizing or denying the population crisis. It was time, he insisted, for Catholic clergy, and laity to move in a positive way against the specter of increasing hunger and misery, the specter of mankind's ultimate resort to savagery in order to survive on an overcrowded globe.

Dr. O'Connor's concern, it is clear from scores of interviews and meetings with theologians, philosophers, educators, scientists, editors, and other members of the clergy and laity in several cities, is shared now by many in the Catholic community.

But his proposal for Catholic action, a proposal that has since materialized in a center for population and birth control research in Georgetown University, was highly unorthodox for the time.

Much of the world had already been staggered by the phenomenal rise in birth rates, disclosed by a United Nations compilation of population statistics, since the end of World War II; the annual addition to the world of more than 50 million people (the size of France); forecasts, at the present galloping birth rate, of a world population of 6 billion (double the present total) within 35 years, representing a rate of procreation so fantastic that had this been the tempo of human growth during the past 100,000 years of mankind's existence, the present population of the world would be a figure containing 733 digits.

For an increasing number of scientists, the birth rate represents the No. 1 problem for mankind, overshadowing even the nuclear bomb as a threat to humanity's survival. Some scientists are suggesting that soon there will simply not be enough standing-room on this globe for future generations.

PREDICTION CHALLENGED

But for traditionalists in the Catholic Church, such gloomy predictions were—and still are—gross exaggerations. In fact, 2 months after Dr. O'Connor advanced his proposals, the bishops of the United States issued a statement serving notice that American Catholics would not support any public assistance here or abroad to promote artificial birth prevention. The bishops declared that it was "terror technique" to refer to the population growth as an "explosion."

The conservative Catholic view, partly presented by the Reverend Anthony Zimmerman in his "Catholic Viewpoint on Overpopulation," argues the central thesis that the rapid population growth is inherently temporary, that it is more beneficial to levels of living than harmful because it stimulates economic development; that the world rate of increase will decline to approximately one-fifth of its present level in a few more generations and that emigration, new improvements in food production and worldwide distribution of goods will help mankind meet the challenge of growth without resort to large-scale birth control.

But the Catholic Church, in the words of a church member who knows the axioms of Christ, is a house of many mansions. In point of fact, a few Catholic demographers had begun even earlier to share the distress of scientists outside the church over the crisis. They had started openly to dispute their conservative colleagues on some major points.

The Reverend William J. Gibbons, well-known Jesuit specialist in demography, has offered some specific challenges to traditionalist Catholic thinking on population.

Father Gibbons believes man simply has to face up to the fact that economic progress alone is not enough.

"The quest for a solution has thus led to a quest for ways to slow down the increase in human numbers," Father Gibbons notes. "The only real possibility here is for the reduction in the number of births.

"What about the limitation of birth?" Father Gibbons asks. "This perhaps is the most crucial question of all. * * * In the face of the present trends it can be anticipated that increasing numbers will look to the regulation of offspring by one means or another. In fact, many have already done so, as may be inferred from the demographic situation in areas of European settlements and in some others as well, such as Japan. The Catholic should view these trends in truly Christian perspective—and that certainly is not founded on negations. It implies a positive and balanced view of life and sexuality."

The extent, indeed, to which the ferment in the Catholic Church over the issues of the "population explosion" and birth control has developed is evident in a colloquy between two priests attending a conference on population problems at the American assembly in Arden House.

The Reverend Walter Imbiorski, director of the Cana conference (for marriage counseling) of the Chicago archidocese, held a question-and-answer session with the Reverend John L. Thomas, a leading authority on American Catholic family life and a staff member of the department of sociology at St. Louis University.

Father Imbiorski's questions were direct. Here is one:

"Would you agree that some of the escape hatches which certain Catholic authors have taken [on solutions for the population expansion] are not realistic? For instance, the idea of migration, the idea of economic growth, the idea of better movement of food—it seems to me all of these are going to be helpful but they are not going to solve the problem because they're going to be too late. Does some of our tendency to rely on these secondary factors—which are absolutely necessary but certainly not sufficient—does it come from a feeling of 'Well, let's explore everything before we look to population control'?"

And Father Thomas' reply:

"Yes, and of course they will also throw in the one of total resources in terms of our scientific ability to produce, and in the light of that they will estimate how many people can survive on this planet, which is quite unrealistic.

"In general I think that the advocates of some of these extraneous means of solving the problem have really been refusing to face the fact that we have reached a stage where all the cultures are going to have to regulate family size if they're going to continue their present control of health and their control of death."

Some liberal Catholic retorts to statements of traditional church views are less politely phrased. One young priest, discussing the contention by many church authorities that vast extra supplies of food can perhaps be harvested from the seas to feed tomorrow's billions, called this "that seaweed school."

In a rejection of Father Zimmerman's conservative theses, Dr. Thomas K. Burch, associate director of the new population research center at Georgetown, under Dr. Duffy, called the Zimmerman work "a polemical treatise" and added, "This book reflects the views of a particular segment of the church's membership, whose influence incidentally, seems to be waning."

SMALL VOICE OF PROTEST

But 3 years ago the challenges to traditional church attitudes added up to a very small voice. It took courage for Dr. O'Connor to make his proposal for a Catholic population research project.

He picked a sympathetic man when he approached Dr. Duffy. Dr. Duffy jumped into action. Soon he, Dr. O'Connor and Robert C. Cook, president of the Population Reference Bureau in Washington, were sitting in the office of the Reverend Edward B. Bunn, president of Georgetown University.

Dr. O'Connor presented his idea, including a proposal to seek improvements in the rhythm system of birth control. The rhythm method has been officially approved by the Catholic Church only for those who believe they have "serious" reasons for its use. In actuality, the method has long received no more than reluctant sanction by most Catholic clerics. Moreover, many Catholics—forbidden by the church to use artificial contraceptives—complain that the rhythm system is too complicated and highly unreliable.

Dr. O'Connor had learned that funds for a Catholic program of research in birth control would be available from the Ford Foundation. He put it directly to Georgetown's president: "Father, assuming money could be raised, would you consider it OK if the sources included agencies advocating methods not licit with the church?"

Father Bunn said he saw no problem as long as there was a "reasonable cause" to be investigated.

That was the go-ahead, and the group received an initial grant of $6,000 from the Ford Foundation for an exploratory survey of the demographic and medical aspects of the population expansion. But then, in the words of a group associate deeply committed to the operations, "the lights suddenly went out."

SUPPORT EVAPORATES

The statement in November of the American bishops condemning dissemination of information on contraceptives dampened ecclesiastical support for any project associated with birth control. Misunderstandings developed. Then, Dr. O'Connor died.

But efforts were resumed a few months ago to re-create the research center.

Msgr. Joseph B. Gremillion, director of socioeconomic development programs for Catholic Relief Services of the National Catholic Welfare Conference here, is credited with reviving the project. He has been deeply stirred by his own study of population problems, by human miseries he has seen, for example, in Santiago, Chile, where the "callampas," collections of mud and straw shacks, closet 200,000 men, women, and children so closely that statistically, there are 5.9 persons to a room (and 40,000 more pour in every year from the land).

Early last month, a tidy black-bronze plaque—"Center for Population Research"—was affixed next to the black front door of a converted home in Georgetown. The project, financed again by Ford Foundation and by Georgetown University funds for a total of $225,000, is now embarked on a 3-year program.

The Georgetown researchers are operating within a wide framework. The blueprint states that "although presumably there would be a focus on topics of special interest to Catholics, any exclusive focus on such topics would be detrimental to the status of the center; there is need to foster research on the whole range of questions connected with human population, whether or not they have any particular connection with catholicism."

Although one of the center's first major interests particularly concerns Catholics—the development of a simple ovulation-detection method to perfect the rhythm method—a success here would produce a birth control practice that millions of non-Catholics would welcome over artificial contraceptives.

STUDIES IN BOSTON FOLLOWED

A link has been established with Beth Israel Hospital in Boston, where Dr. Hilton A. Salhanick, obstetrician and gynecologist in chief, has begun laboratory analyses of urine, seeking ovulation signals. Jointly with this project, the center at Georgetown will initiate studies of variations in menstrual cycles.

One of the difficult aspects is to find large numbers of Catholic women needed for the survey; often the impression at the parish level—clerical and lay both—still holds all forms of birth control are wrong except in rare cases.

But campaigns of indoctrination are being conducted. Priests are being called in by some dioceses for briefings on the new affirmative emphasis by the church on family planning and limitation.

The process is not easy. Many parish priests are convinced that, once parishioners are persuaded that one method of birth control has been labeled "moral," they may be inclined more readily to turn to artificial contraceptives. Some priests refuse flatly to take part in programs encouraging any form of birth control.

For most priests the shifting emphasis by the church on birth control is a revolutionary turn. Even bishops find it necessary to introduce the issue cautiously.

Nineteen months ago, the Most Reverend Joseph A. Burke, late bishop of Buffalo, gave approval for a Catholic rhythm clinic, the first in the Nation. In his message to the parish priests, he stressed that "It will take a great deal of courage to respond to the plea of Pope John XXIII, who pleaded with us to adapt the age-old theology of the Catholic Church to conditions as they are in the world today."

He said that the parish fathers must be particularly courageous in these critical times when marriage and the family are being put to such severe tests. He reminded them that, while Catholics no longer needed the permission of the confessor to practice rhythm control, they had nevertheless made it clear in the confessional boxes that they sought information on church-approved regulation of childbirth, information many priests felt they should not have and which Catholic physicians often could not provide.

The bishop offered a list of books and articles for "suggested reading" on the subject and called a conference of priests to thrash out questions.

Gradually the clinic has won approval. A rotating staff of 25 obstetricians and gynecologists give instructions in rhythm control every weekday evening.

It is a small operation, but it has achieved a quiet fame in Catholic circles. Physicians and priests from other dioceses drop in to take a close look.

Since establishment of the Buffalo clinic, a church-sponsored clinic to advise women on rhythm techniques has been set up in Manhattan. The clinic here, in St. Vincent's Hospital in Greenwich Village, is concentrating not only on supplying birth control information but also on trying to determine if the rhythm method can be simplified and perfected.

The clinics, the Georgetown center, the growing frequency of conferences on birth control by Catholic physicians and researchers and priests—and between Catholics and non-Catholics—are some evidences of the new thinking.

It was almost 12 years ago that Pope Pius XII, in an address to Italian midwives that set the pattern of new Catholic thinking on the subject of birth control, stressed his hope that medical science would eventually be able to perfect the rhythm system to enable Catholics to practice birth control with conscience and "on a sufficiently sure basis."

Catholics often note that there sometimes is a great chasm in time between Vatican declarations and parish practices. Yet today Catholic science is trying to catch up with the Pope's thinking on that specific issue, and is prepared now to undertake research into the whole human reproductive process in the belief that it may well find other acceptable—and perhaps more practicable—solutions to the birth control problem.

Catholics and Birth Control: Puerto Rican Clash—Church Opposes Clinic System but Many Parishioners Feel Free to Challenge Clerics

(Following is the 3d of four articles on the Roman Catholic Church and birth control.)

(By George Barrett)

Behind the pastel walls of the Government offices in San Juan, overlooking the sun-baked court and the palm trees seesawing in slow motion, the Health Department spokesman talked guardedly about Catholic doctors who, he said, were still bitterly fighting birth control in Puerto Rico.

He noted that the Caribbean Commonwealth had set up one of the most extensive systems of public and private birth control clinics in the world, to help reduce a fertility rate that has made Puerto Rico one of the most densely packed areas on this globe.

And he also noted aggressive opposition by the Catholic Church to the islandwide birth control services; he complained that the Catholic physician—and the Catholic nurse and the Catholic technician—who worked directly out of the island's many health clinics were in a strategic position to undermine the whole birth control program.

The program, started several years ago to learn whether a large-scale birth preventive project was practicable, welcome and effective with mass populations in underdeveloped societies, is something of a test tube example of the new way—often the unpublicized way—the Catholic Church has been meeting the birth control challenge on the U.S. mainland and in other countries.

The Puerto Rican experience has its parallels and repercussions in points as far distant as Connecticut, Massachusetts, and Illinois.

It is a fact that the Catholic hierarchy in Puerto Rico has had its successes in discouraging the birth-control program—yet for the full story one must leave San Juan.

Travel into the hills, where the machete and the strong arm still do much of the hard labor, where mothers bear 9 or 12 or 15 children; where fathers send their children to school barefooted because they have no money for shoes; talk there to the staff members of a Government health clinic, and another picture comes into view.

At one village clinic the medical director discusses the whole range of artificial contraceptives—all of them banned by the Catholic Church—and says that they have been a boon for some of the poverty-ridden parents who wish desperately to have no more children.

But the devices are not good enough, he adds; they are "too sophisticated" for the uneducated and therefore too unreliable. He speaks of sterilization, a birth-control meassure particularly condemned by the Catholic Church, but widely practiced in Puerto Rico.

"Only sterilization really works," he says. "After 6 or 7 children these people come in here and they agree that sterilization is what they really want."

"But what about the Catholic doctor?" the director is asked. "Isn't it true that the Catholic doctor in Government health clinics discourages all these birth-control services?"

The medical director looks up. There is a quick frown, and then a quick grin:

"What do you mean, Catholic doctors? You're in Puerto Rico. We're all Catholic doctors."

ATTITUDES IN FERMENT

The difficulty of defining "the Catholic attitude" on birth control is nowhere better dramatized than in Puerto Rico, which reflects the same Catholic ferment that was revealed in scores of interviews during a 2-month survey on the U.S. mainland of lay and clerical Catholic thinking on the subject.

Puerto Rico is an island overwhelmingly Catholic. But it is also an island in which much of the populace became incensed when a Catholic political party—vehemently opposed to birth control—was set up 3 years ago, with the support of the bishops, in an effort to defeat the Popular Democratic Party of Gov. Luis Muñoz-Marin.

A principal issue was the Government's birth control program. The Governor's party was under constant church attack as "Godless, immoral, anti-Christian and against the Ten Commandments."

In a pastoral letter addressed directly to the Catholic laity, the bishops prohibited parishioners from voting for the Government party because it was "anti-Christian and anti-Catholic and based on the modern heresy that the popular will and not the divine law decides what is moral and immoral."

CLERICS CHALLENGED

However, great numbers of Puerto Ricans are so naturally committed to Catholicism from European tradition—few attend church regularly, but they are born in the church, they are married in the church, they die in the church—that the Puerto Rican Catholic (unlike many of his faith on the U.S. mainland) feels free, and often morally obligated, to challenge his priest and his bishop on any number of issues, including birth control.

The Catholic Church viewpoint can, of course, be formidable. The Family Planning Association of Puerto Rico recruits professional and volunteer workers with the warning that they "must have the backbone to stand up under attacks" by the Catholic Church and by Catholic community leaders.

Yet, the Population Council's new bulletin, which discusses the current mass distribution in Puerto Rico of free supplies of a foam contraceptive, declares that the "effect of Catholic opposition to birth control in Puerto Rico is difficult to assess [but] studies on the relation of religious beliefs and attitudes to contraceptive practices among couples at lower social-economic levels indicate that Catholic opposition has little impact there." The phrase "Catholic opposition" means essentially the Catholic Church opposition.

An analysis of 1,210 volunteer "leaders" of the Family Planning Association of Puerto Rico shows that they represent at least 10 religious denominations, but 982 of them—more than 81 percent—are Catholics. The volunteers, moreover, represent a socio-economic cross-section of the island: merchants, assistant midwives, teachers, farmers, janitors, three mayors, a legislator, tenders of fighting cocks, housewives and a high priestess of an esoteric sect.

It is a monsignor who tells the story about the Spanish priest in the small Puerto Rican parish. The priest thundered from his pulpit one Sunday about the evils of a Family Planning Association clinic that had been operating in a nearby community.

Many of the women in the church looked in surprise at one another; they whispered, they talked excitedly after the mass about the wonderful new place where they could learn how to prevent babies—and early the next morning many of them were part of the queue at the clinic.

The birth control campaign in Puerto Rico, as in other parts of the world, is still, of course in the starting stage. Its overall effectiveness (a sample survey of 1,097 couples in one rural area reveals a drop of 50 percent in pregnancies) is difficult to measure.

But Mrs. Celestina Zalduondo, executive director of the Family Planning Association, estimates that more than 25 percent of the fertile married women on the island—most of them Catholics, of course—have received containers of a new foam contraceptive "of proven effectiveness and high acceptability."

The story of birth control in Puerto Rico, indeed, illustrates the fact that on the island, and in many parts of the world there is a radically wider range of Catholic views—and Catholic practices—concerning birth control than many non-Catholics realize.

Moreover, a significant development is now under way in Puerto Rico.

The Government's network of health centers has long been the target of the Catholic hierarchy. One parish priest, for example, draped the belfry of his church in black strips for mourning when the birth control program reached his community.

An agreement, however, has just been reached between church and Government under which Catholics may now go to the centers without incurring condemnation by the church.

DATA ON RHYTHM SYSTEM

No formal pronouncement has been made, nor will it be made out of fear that an official public declaration may jeopardize the program, but the agreement calls for the Department of Health to disseminate full information on the church-approved rhythm system of birth control. (Up to now, most of the personnel in the island's health centers have been reluctant to prescribe the rhythm method, which they consider complicated and unreliable.)

In exchange for offering a full and fair presentation of all methods of birth control, and leaving it to each applicant to make the specific choice, the department of health understands that the Catholic hierarchy will cease blanket attacks against the Government's program.

The current moves in Puerto Rico to erase some of the sources of community antagonisms over birth control illustrate a resolve by many Catholic leaders to demand obedience to the church's moral codes on birth control only from members of the faith.

Visitors to the Vatican report that some high prelates have become disturbed over the image the church has cast before much of the world over this aspect of birth control. One major cause of criticism has been a contention by Catholic authorities that the use of artificial contraceptives is a violation of God's law, not merely man's law, and that the Catholic Church is, therefore, under a moral obligation to keep contraceptives not only from Catholics but also from non-Catholics.

But this historical concept is undergoing a profound alteration; the alteration indicates that if the advocates of contraceptive devices genuinely seek a common understanding with Catholic leaders on public-law policy (and they are doing so), there should be a gradual diminishing of the fierce community clashes that have so often engulfed Catholics and non-Catholics over birth control.

The key to the emerging Catholic concept—a concept that essentially accepts the principle that the Catholic is wrong when he attempts to impose his views on non-Catholics—lies in a word that has been appearing with frequency in Catholic literature and Catholic conversation—pluralism. Politically, pluralism means more than one kind of community group; philosophically, it means more than one kind of ultimate reality.

Pluralism is the appeal used by the Rev. John A. O'Brien, research professor of theology at the University of Notre Dame, in asking that birth control be taken out of politics. Father O'Brien says that the time has come for both Catholics and non-Catholics "to realize that, in a pluralistic society with many different religious faiths, the religious viewpoint of any group should not be imposed upon other members of society through the clenched fist of public legislation."

Father O'Brien notes that most married couples in this country are now using contraceptives, reflecting among other things a complete change in Protestant thinking on the morality of birth control, and then he comments:

"For all concerned with social-welfare legislation, the significance of this radical and revolutionary change in the thought and habits of the vast majority of the American people is clear, profound and far reaching [and] to try to oppose the general religious and moral conviction of such a majority by a legislative fiat would be to invite the same breakdown of law and order that was occasioned by the ill-starred Prohibition experiment."

The Rev. Henry V. Sattler, assistant director of the National Catholic Welfare Conference's Family Life Bureau, stresses the new attitude by declaring that the Catholic Church and its members, following their civic duty, must of course insist upon the right to propose their own views and to oppose positions they hold to be wrong, but never to impose their own moral doctrines upon individuals who do not accept the Catholic teaching.

DISPUTES IN TWO STATES

Some of the most bitter exchanges over birth control policy in this country have erupted in Connecticut and Massachusetts, where statutes and legal decisions have created confusion about what is, or is not, legally available in medical contraceptive care.

James O'Gara, the managing editor of the liberal Catholic publication Commonweal, has been among the strong campaigners for a changed Catholic policy on the public law.

"Although Catholic leaders in both Massachusetts and Connecticut say little on the subject for publication," he declares, "everyone concerned in the matter says that Catholic influence is primarily what keeps the law from being repealed. Why this should be so remains a mystery to me and to many other Catholics.

"It is argued that Catholic leaders in the States affected fear their assent to repeal of these laws would give the impression that the Catholic position on artificial contraception has changed. Another argument for standing pat has a sociological flavor. Catholics in New England had their noses rubbed in the dirt by Yankee Protestants for a long, long time, this apologia has it; as a result, they now enjoy being in a position to say 'No' on something like repealing the birth-control laws too much to give it up."

Some members of the Catholic hierarchy in Massachusetts now state flatly that they are against the Massachusetts law, which forbids distribution of anything, by any means, for the purpose of preventing conception. Richard Cardinal Cushing, archbishop of Boston, has declared that when the issue comes before the voters again he will "confer with the best authorities we have to find out how I am obligated in this matter." The action he intends, he said, is "just to explain our position, but not to go on campaigning."

FORCED TO TAKE A STAND

Lay leaders and clergy of the Catholic Church have made decisions deliberately to avoid a battle on the birth-control issue, only to be provoked into open declarations and public stances they had never intended.

Early this year a bitter controversy erupted in Illinois over a proposal to give birth control information to mothers on relief. The Catholic hierarchy had made it clear in advance that, while it disapproved some aspects of the proposal, it did not intend to engage in any knockdown fight.

Suddenly, however, a supporter of the proposal suggested that sterilization might also be offered to welfare mothers who had large numbers of children. Sterilization—and abortion—are among the gravest moral crimes, in the view of the Catholic Church. A protest was issued by Catholic leaders.

It has become axiomatic in Chicago now to speak of "concentrated Catholic pressures" that defeated the birth control proposal. But church leaders express surprise that the protest they issued (which they regarded as mild) should constitute "pressure."

A priest pointed out that, while it is "easy, you know, to generate a lot of letters on this issue," none were generated. Protest meetings and parades are also easy to generate; none were generated. The archdiocese he noted, could have suggested sermons from every pulpit; it did not.

A leader of the Catholic community declared:

"Actually, you know, we have lost the fight, not won it. The principle of state-supported dissemination of birth control information is now in practice in Illinois, and while only a few welfare mothers will receive birth control help this year you can be sure that a bill will be introduced in another year or two extending the program to all those on relief, including the unmarried. We will lose that, too. But we are in a pluralistic society, and we accept the defeats.

"We are trying, however, to lose as gradually and gracefully as we can."

With a wry grin, he added, "Sometimes they just won't let us lose gracefully."

CATHOLICS AND BIRTH CONTROL: SPIRIT OF INQUIRY—THEOLOGIANS AND LAYMEN LESS RETICENT ON THE QUESTION AS DISCUSSION INCREASES

(Following is the last of four articles on the Roman Catholic Church and birth control.)

(By George Barrett)

More than 100 years ago a man named John Henry Newman—scholar of Oxford, writer, philosopher, theologian and later Cardinal of the Roman Catholic Church—was accused of grave fallacy. Many were the charges, but he was denounced particularly for proposing the "heresy" that the laity be consulted in matters of doctrine. For many years John Newman lived sub luce maligna—"under a dark light," as the theologians interpret the Latin—before he was vindicated.

A few weeks ago an eminent priest-theologian of the Catholic Church directed some words of his own to another "heretic"—Dr. John Rock, a pioneer in the development of the oral contraceptive pill and Catholic author of the new book, "The Time Has Come."

The book, published by Alfred A. Knopf, has shocked many Catholics by advocacy of birth control methods challenged by the church and by insistence that the Catholic Church has changed major doctrines in the past and can do so now on the issue of birth control. Dr. Rock has been attacked as a "maverick Catholic," a "mischief maker," a "Catholic renegade."

"Tell John," said the priest-theologian softly, "that there are things I can't put into my writing, but please remind him of Cardinal Newman. Tell him, please, that when things get rough to take courage, to remember the Newmans of the Catholic Church; tell him to remember that there have been others before him in our church who have also had to live sub luce maligna—for a while."

The excitement in Catholic circles over Dr. Rock's book, and in fact Dr. Rock's decision to write it, reflect the ferment that has been stirring the Catholic Church on the subject of birth control, a ferment that has been confirmed in scores of interviews with members of the Catholic clergy and laity in several cities.

However, it is the message from the priest-theologian (who, incidentally, disputes some of Dr. Rock's theses) that indicates the depth of the ferment and reveals the double and triple levels on which birth control is usually discussed these days among Catholics.

It is an intellectual adventure to discover, indeed, that the words used by Dr. Rock's bishop—Richard Cardinal Cushing, archbishop of Boston—in describing Dr. Rock's book are interpreted by the author's severest critics as a condemnation and by his strongest supporters as a commendation.

What Cardinal Cushing intended is, of course, significant in the growing Catholic discussion about birth control. An associate of Cardinal Cushing's agrees with a current description of the Cardinal's remarks as: "A slap on the wrist—and two pats on the back."

Dr. Rock has astounded some members of his faith by minimizing, in their view, the obligation of Catholics to accept the official teaching of the church about artificial contraceptives.

The Rev. Joseph S. Duhamel, writing in the Jesuit magazine America, complained that Dr. Rock's "private interpretation" of the church's condemnation of artificial contraceptives reduces it "to the level of an ecclesiastical law such as the law of Friday abstinence."

A SURPRISE TO DR. ROCK

Msgr. John C. Knott, director of the National Catholic Welfare Conference's Family Life Bureau, wrote of Dr. Rock:

> Whatever his personal life may be, [Dr. Rock] is not a Catholic doctrinally and has no right to speak as one. He has never personally accepted the official Catholic teaching that contraception has been, is now and always will be a moral evil."

Some of this surprises Dr. Rock, who is a devout Catholic, attends mass daily (he is 73 years old) and has studied enough Catholic history and consulted enough church theologians and moral philosophers to be convinced that, while he offers startling challenges to traditional Catholic thinking, he

has a commitment to Catholicism and a relationship with Catholicism that needs no apology.

Dr. Rock makes the point that his whole life has been keyed to one of the highest tenets of Catholic philosophy—fidelity to one's own conscience.

It was on his 14th birthday that the curate of his parish, Father Finnick, took him for a buggy ride and first raised the issue of conscience for him.

At one point in the ride Father Finnick turned to the 14-year-old boy and spoke words Dr. Rock has never forgotten:

John, always stick to your conscience. Never let anyone keep it for you." After a moment's pause, the curate added: "And I mean anyone else."

MUST KNOW TEACHINGS

A fundamental corollary of this concept requires that the dedicated Catholic whose conscience leads him to unorthodoxy on sensitive issues like birth control must be fully aware of the numerous—and intricate—aspects of official church teaching. In discussion this involves a process described deferentially by one Catholic editor as "touching all the bases."

Some of Dr. Rock's critics have charged that he has not "touched all the bases," that he has been too casual about the theological premises behind the official ban against artificial contraceptives, particularly in his suggestion that the use of the new oral contraceptive pill—a pill that prevents ovulation and, therefore, conception—is a "natural method" that should be permitted by the church for the same reasons the rhythm method is permitted.

Several Catholic scholars have commented, however, that Dr. Rock's writings clearly show that he has kept in close touch with church moral philosophy. Visitors to Dr. Rock's gray clapboard house in Brookline, Mass., find church-approved books on philosophy and religion spilling over the desk and chairs in the bedroom-study many of them with critical passages underscored in ink.

Dr. Rock is clinical professor emeritus of gynecology at Harvard University, founder of a fertility clinic at the Free Hospital for Women in Brookline and director of the Rock Reproductive Clinic in Brookline. His work on birth control has long been familiar to his bishop and to his confessors.

In the past when he has made speeches on birth control before medical groups he has received advance clearance from the archdiocese. So much was known to his archdiocese that when he wrote his book, which is a compilation of his experiences, thoughts and previous assertions on the subject, he did not think it necessary to get an imprimatur from Cardinal Cushing. He was surprised, he said recently, when Cardinal Cushing expressed "regret" that he had not sought specific approval for the book.

FAVORABLE LETTERS

Lay Catholics have traditionally avoided debate on the birth control question, but letters to Dr. Rock, most of them from readers who are sympathetic and many of them from grateful Catholics, give evidence of a new spirit of inquiry and challenge:

From a surgeon in Beverly Hills, Calif.—"Your stand is the most heartening thing that has come out of our Roman Catholic faith in years. Believe me, there would be many more faithful if it were not for the nonsensical church position which permits the use of calendar contraception but rejects pills and jellies."

A terse note from Chattanooga, Tenn.—"Be assured that the hopes and prayers of many Catholic parents are behind you."

And from a Catholic mother of four (a fifth expected), in Worcester, Mass.—"God forgive me, but I would terminate this pregnancy if I could. I hope and pray you are able to go ahead with your work. I can't eat or sleep, and I cry all the time. I pray God to help us both."

"VOICES GRIEF OF THOUSANDS"

What Dr. Rock reflects, in terms of attitudes among many members of his faith, is presented in this excerpt from a book review written for the current issue of Jubilee, the Catholic magazine, by Wilfrid Sheed, an associate editor:

"It would be easy to tick off [Dr. Rock's] foibles and run rings around his amateur theology. It would be easy to dismiss his book. But if it is true, as I think it is, that he voices the grief and irritation of thousands, to dismiss his book is to dismiss them."

But the impact of Dr. Rock's views on many Catholics is probably best represented by the reaction of the publication Commonweal, which 2 months ago printed a review charging him with distortions and oversimplifications. But the review concluded:

"He does raise a pertinent question. Is the matter of birth control and family planning such a closed issue that it can no longer be discussed in depth? No theologian seems to claim anything so extreme. The time has come—not to praise or condemn Dr. Rock's book, but for the church and its theologians to confront anew the issues which he raises."

THEORY OF "NATURAL LAW"

For Catholic theology to reexamine the issue of birth control is to travel a highly complex realm. For example, the theory of "natural law" upon which the church bases its objection to artificial contraceptives has been described by a noted ecclesiastic—a Catholic theologian—as a law that is commonly quoted but very rarely understood.

Briefly, the theological definition of "natural law" is keyed to man's essence. Father Duhamel writes: "The natural law is the statement of the inner principles of action, placed in man by God in making man what he is, and demanded by the very nature of man so that his human activity may direct him to that perfection which is proper to his human nature."

Applied to man's several functions, natural law means that in the case of the reproductive powers, as one theologian explains it, "the Divine Legislator has designed them quite obviously for the essential purpose of procreation, for the purpose of replenishing the species."

For the moralist supporting the traditional stand of the Catholic Church the birth control issue is not, then, a matter of the church's simply choosing one preventive over another, but rather a matter of the church's choosing to sanction only that system that places no artificial barriers against the "natural"—the divinely planned—function of the reproductive systems of man.

Msgr. George A. Kelly, director of the Family Life Bureau of the New York Archdiocese, has put it in more graphic terms:

"Contraceptive love makes pregnancy a tragedy and children objects of manipulation, much as one might manipulate the laws of supply and demand in the hog industry."

Monsignor Kelly also declares:

"Many people like to believe that the Catholic teaching on birth prevention can be changed. This error rests on the confusion between the moral and ecclesiastical law. A thousand years from now we may be eating meat on Friday but at that time murder, adultery, and contraception will still be sins. These latter involve God's law and not even the Pope nor a large number of sinning couples can turn wrong into right."

PRECEPT REEXAMINED

The condemnation of birth control methods on the basis of the "natural law" is condemnation on a precept that is itself now undergoing significant reexamination by Catholic thinkers.

Three years ago Dr. Frederick E. Flynn, professor of ethics and philosophy at the Catholic College of St. Thomas in St. Paul, Minn., appeared before the Catholic Physicians' Guild of Southern California and offered an audacious reinterpretation of the "natural law." It is important not only for its revolutionary suggestions (as far as Catholics are concerned) but also because it has become something of a Catholic classic that is being cited frequently these days by the challengers of church tradition.

Noting that the traditionalists looked to St. Thomas Aquinas for their reliance on "natural law," Dr. Flynn remarked that St. Thomas would never recognize his writings in the arguments now presented in his name.

St. Thomas, in fact, Dr. Flynn noted, held that nature and reason were the twin dynamisms in man, at times in partnership, at times in conflict.

"Nature, the spontaneous, the blind—reason, the controlled vision," Dr. Flynn said. "Is man bid to live only according to nature? Hardly, else he would go through life naked, eating uncooked hay, and sleeping in the forest. Live according to reason? Obviously, else why does man clothe himself with an artificial skin of wool, sit in a chair artificially carved from the forest, and eat cooked hay artificially fortified with vitamins?

"Does morality bid man live according to nature? Hardly, nature is neither kind nor cruel, neither benevolent nor malevolent. Nature is blind, irrational, capricious. This is why it is blasphemous to identify God and nature, the supreme Intelligent Creator and His dumb creature."

The story is told in terms of private meetings 5 months ago in the Renaissance chambers of the Vatican between church dignitaries and Donald B. Straus, chairman of the Planned Parenthood Federation. It is told through the off-the-record meeting early this year of Catholic and non-Catholic experts at the University of Notre Dame, a meeting that will be followed up this summer, and again later, with more sessions involving theologians, demographers, political scientists and medical researchers (these meetings, significantly, will probably include some of the Catholic theologians from the great liberal movements in Belgium, France, the Netherlands, and West Germany).

It is told in a closed meeting here a few weeks ago at the offices of the Ford Foundation, where steroid chemists, reproduction endocrinologists and other experts, Catholic and non-Catholic, explored the possibilities of a more effective rhythm method for birth control.

It is told in many quiet ways, like the joint maintenance of the new rhythm clinic at St. Vincent's Hospital in Greenwich Village with funds contributed by the Archdiocese of New York and by an Illinois industrialist who was directed to the project through the Planned Parenthood Federation.

And it is told in a great political irony. When the whole question of birth control was thrown into the last Presidential campaign by the statement of the American bishops that catholics would not "support any public assistance, either at home or abroad, to promote artificial birth prevention, abortion, or sterilization," it was President Eisenhower, a Protestant, who ruled out birth control dissemination as a governmental responsibility, saying, "That's not our business."

Spotlighted, as a Catholic, by the bishops' statement, John F. Kennedy, in his presidential campaign, pledged to deal with such issues as birth control "in accordance with what my conscience tells me to be the national interest, and without regard to outside religious pressures or dictates."

Three months ago the first Catholic President of the United States announced his support for any effort by the Government to provide information on population control to nations requesting it. Specifically, he said that the United States "certainly could support" increased research in fertility and human reproduction and programs to make the results "more available to the world, so that every one can make their own judgment."

GRANT AIDS RESEARCH

Three weeks later the United States announced a grant of $500,000 to the World Health Organization for research into human reproduction.

It was with President Kennedy's specific approval that the Secretary of Health, Education, and Welfare, Anthony J. Celebreeze, gave orders last December to release the long-suppressed report on birth control that had been compiled by the National Institutes of Health.

The report showed that the Federal Government was financing well over half of the known research by public and private agencies of the United States dealing directly or indirectly with birth control. Its release was accompanied by a disclosure that the President shared the convictions of his top advisers that some effort had to be made to come to grips with the accelerated rise in world population.

POPE'S HISTORIC DECISION

The birth control ferment as far as the Catholic Church is concerned is, of course, part of the stirring that the church is experiencing on many levels, a stirring that was crystallized in the historic decision by the late Pope John XXIII to convoke the Ecumenical Council.

The ferment is, in brief, part of the spirit of the "continuing church," as one prelate describes it, in contrast to an unchanging "old church."

It is this spirit that is reflected in the special appeal made 3 months ago by Cardinal Cushing to the Catholic laity to take more active roles in advising the clergy of the church and keeping the priests abreast of new ideas, new discoveries.

"Out of the living church and its supernatural life," said the cardinal, "come new applications of the truths of faith which in each generation are assimilated into that long tradition which is the history of the church. We can imagine fewer illusions of more potential danger to the church than the notion that what was successful at one moment in church history must be, for that reason, institutionalized in a permanent and unchanging fashion. If a reading of the past teaches us anything, it demonstrates unmistakably that human ingenuity, under God's guidance, continually refreshes the Christian life, making possible ever new opportunities for greatness. Those revered heroes of the faith, raised to our altars as saints, were more often than not in times past just the ones guided by the Spirit into new and untried ways for the sake of the Kingdom. The alternative to this kind of change is stagnation and spiritual exhaustion."

EXHIBIT 2

FINAL REPORT OF THE 23d AMERICAN ASSEMBLY

(At the close of their discussions the participants in the 23d American Assembly at Arden House, Harriman, N.Y., May 2–5, 1963, on "The Population Dilemma," reviewed as a group the following statement. Although there was general agreement on the final report, it is not the practice of The American Assembly for participants to affix their signatures, and it should not be assumed that every participant necessarily subscribes to every recommendation.)

Never before in history have the security and welfare of mankind been so indivisible. Never before has man acquired the capability of achieving his own extinction. These circumstances require him to marshal his intelligence, control his emotions, and rise above his traditional thought and action in an unprecedented way. Failure to do so may threaten not only his prosperity, security, and peace, but also his survival.

Among the serious threats to welfare and security, and therefore to peace, is the accelerating rate of world population growth. The less tangible but very real injury to personal development and the maintenance of family life must also be of concern. Rapid population increase and its accompaniments are obstructing economic development, and thereby contributing to frustration, social unrest, and political instability in many areas of the globe. Rapid population growth also contributes to complex problems in the United States.

The 23d American Assembly believes that:

A. Present and prospective world rates of population growth cannot be maintained indefinitely. Such growth contributes substantially to the perpetuation of low levels of living for two-thirds of mankind, and creates difficult problems of adjustment in the economically advanced nations.

B. World birth rates must be reduced in view of the reductions in death rates already achieved.

C. Reduction of family size would produce important gains for many families as well as for entire nations. Unrestricted fertility tends to damage the health of the mother, impairs family life, and restricts opportunity for adequately rearing and educating children.

The time has come for vigorous and coordinated action to alert mankind to the need for a reduced rate of population growth and to develop multilateral and bilateral programs to assist nations which desire to reduce their fertility.

I. WORLD PROBLEMS

A high birth rate obstructs the economic development of low income countries in a number of ways. It diverts resources and hampers economic growth in the less developed economies and makes it necessary to provide for a larger population rather than for a higher level of living. It contributes to imbalance in rural-urban and regional population distribution. It generates an age structure with large numbers of young dependents in relation to workers. It impairs efforts to improve the quality of a population by restricting per capita expenditures for improving health, raising educational levels, and teaching new occupational skills. It reduces natural resources per capita.

Reducing the birth rate and thereby lowering the rate of population increase is of course not the complete solution to the improvement of economic conditions in the less developed areas. It is a major element; but other factors—social and economic—are also involved. These include capital investment, technology, diversification of the economy, distribution of income, occupational skills, entrepreneurship, and attitudes and institutions favorable to innovation and social reform. The expansion of international trade and investment would also contribute to economic advance. More effective utilization of natural resources is required; in the short run world resources are sufficient to permit rising levels of living.

International migration can help many persons and temporarily ease some population pressures. It cannot, however, solve the world's major population problems.

Recommendations

The United Nations and the specialized agencies should:

1. Expand activities in the field of population.

They have significantly improved population data and research. They should now undertake more comprehensive and intensive population research, particularly on the interrelationships of population, economics and social change, and develop more effective programs for the dissemination of its findings.

2. Expand and strengthen the population staff and the regional population training and research centers.

This would enable the agencies better to assist nations to comprehend their own problems and formulate appropriate solutions.

3. Provide direct aid to countries wishing assistance in family planning programs.

The World Health Organization and other international agencies should recognize the consequences of their great achievements in reducing death rates; they should assist nations in dealing with the resultant population growth.

4. Encourage and support, especially through the WHO, biological and medical research in human reproduction.

5. Strive to contribute to the growing world consciousness of the implications of population growth through appropriate revisions of and additions to youth and adult educational materials prepared for world distribution by UNESCO.

II. THE POSITION OF THE UNITED STATES ON WORLD POPULATION PROBLEMS

The "Statement of U.S. Policy," to the 17th General Assembly of the United Nations represents an important step forward. It offers the assistance of the United States to nations, upon request, "to find potential sources of information and assistance on ways and means of dealing with population problems." This policy should explicitly recognize that:

(1) Population growth in all countries affects the destinies of the world's people. It is an international problem of concern to all. (2) Parents everywhere should be free to decide how many children they should have. (3) Sustained progress in economic well-being requires the reduction of population increase.

Recommendations

In view of the relation of population to economic and social development and the need for bilateral as well as multilateral programs of technical assistance, it is recommended that:

1. Since the ultimate objective of foreign aid is to improve living conditions, the United States give consideration to the way in which developmental plans are affected by population trends.

2. The United States extend assistance to developing nations, at their request, for the investigation of population problems and in support of programs to promote the voluntary regulation of fertility.

3. Administrative means be established by the Federal Government for disseminating knowledge about population problems and methods of regulating family size.

Such action is needed to implement the statement by President Kennedy of April 24, 1963, that the Government could support increased research in fertility and human reproduction, and make the results more available to the world so that everyone could make his own judgment.

III. DOMESTIC POPULATION POLICY

There must be a greater concern by our National, State and local governments with our own population problems.

The postwar resurgence in population growth coupled with the growth of metropolitan areas has created complex problems not only at the State and local levels but also on a regional and national basis.

Rapid population growth has undoubtedly contributed to additional effective demand and thus to increased economic growth. Although there are no insuperable economic difficulties in the short run, we see increasing dangers in the continuation of the present rate of growth that would double the population every 40 years with the prospect of constricted social opportunities and progressive crowding.

Accelerated population growth has already intensified problems of urban congestion, education and transportation, and contributed to pollution of air and water and crowding of outdoor recreational facilities. It has required Federal, State, and local governments to provide new and expanded public facilities and services, with consequent increased taxation. Furthermore, the wave of young workers now entering the labor force constitutes a serious challenge to our economy, which is already confronted by readjustment to the advent of automation. These challenges will require special attention.

Recommendations

This American assembly therefore recommends:

1. Intensified investigation of our population trends and problems—including their long-range as well as their short-term implications.

2. Accelerated research through the United States Public Health Service and private agencies, on the biological and medical aspects of human reproduction so that a variety of improved methods of fertility control are developed.

3. Assumption of responsibility by the Federal, State, and local governments for making available information concerning the regulation of fertility and providing services to needy mothers compatible with the religious and ethical beliefs of the individual recipient.

Freedom of decision regarding family size is a basic human right which in practice is now effectively withheld from a portion of the American people. This discrimination would be eliminated by making fully available to all adults through public and private agencies information and service regarding the various methods of family planning which accord with the ethical and religious convictions of those involved.

4. The cultivation with the assistance of schools, religious organizations, and other cultural media, of a sense of responsibility concerning marriage and parenthood, including the responsibility of bringing into the world only those children whom parents are prepared adequately to care for and educate.

5. Recognition that the United States is an economic and social unit, to the end that all of our citizens, no matter what their area of origin or race, are adequately prepared for full participation in the life of any part of the Nation.

Since the end of the war, millions of persons have moved to urban parts of the United States. Many are ill prepared for life in the areas to which they moved. In consequence, problems of accommodation are severe for the migrants and for the communities to which they come.

6. Our immigration policy should be in accord with the following principles:

(a) Selection among applicants without discrimination by race or country or origin.

(b) Total immigration not to exceed the present level except in emergencies.

(c) Exclusion of persons who do not meet established personal standards such as those relating to literacy and health, save under extraordinary circumstances.

(d) Consideration of (1) special skills, abilities, and employment opportunities, and (2) kinship to persons already present in this country.

7. The acceleration of economic growth and increased employment opportunities in view of the current levels of unemployment and the impending increase in the labor force.

8. More research on the resources of the United States and other parts of the world with attention to the lessening of waste and protection of the claims of oncoming generations. (In this connection attention is called to the recent report of the National Academy of Sciences-National Research Council on Natural Resources.)

9. Appointment by the President of the United States of a Commission to inform, after investigation, the Government and the American people of the nature of population problems at home and abroad with respect to: implications for all aspects of American life, and relevance to our efforts, in cooperation with international agencies, to promote economic and social progress throughout the world.

The vast majority of the people of the world, including a large proportion of the people of the United States, do not yet recognize the full implications of present population trends. The 23d American Assembly cannot emphasize too strongly that time is running out for the formulation and implementation of world and national population policy.

To continue to ignore world and U.S. population problems is to ignore the welfare and security of all peoples. We must not remain complacent in the face of a major threat to world peace and survival.

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Since its establishment by Dwight D. Eisenhower at Columbia University in 1950, the American Assembly has held assemblies of national leaders and has published books to illuminate issues of U.S. policy.

The assembly is a national, nonpartisan educational institution, incorporated under the State of New York. It was the official administrator of the President's Commission on National Goals, which reported to President Eisenhower late in 1960.

The trustees of the assembly approve a topic for presentation in a background book, authoritatively designed and written to aid deliberations at national assembly sessions at Arden House. These books are also used to support discussion at regional assembly sessions and to evoke consideration by the general public.

All sessions of the assembly, whether international, national, or local, issue and publicize independent reports of conclusions and recommendations on the topic at hand. Participants in these sessions constitute a wide range of experience and competence.

THE AMERICAN ASSEMBLY

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ADJOURNMENT TO MONDAY

Mr. CLARK. Mr. President, unless there is other business to engage the attention of the Senate, I move that the Senate stand in adjournment, pursuant to the order previously entered, until 12 o'clock noon, on Monday next.

The motion was agreed to; and (at 7 o'clock and 1 minute p.m.) the Senate adjourned, under the order previously entered, until Monday, August 19, 1963, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate August 15, 1963:

FOREIGN SERVICE

General Herbert B. Powell, U.S. Army, retired, of Oregon, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to New Zealand.

DEPARTMENT OF LABOR

Ewan Clague, of Pennsylvania, to be Commissioner of Labor Statistics, U.S. Department of Labor, for a term of 4 years.

COAST AND GEODETIC SURVEY

Subject to qualifications provided by law, the following for permanent appointment to the grades indicated in the Coast and Geodetic Survey:

To be captain

Glenn W. Moore

To be lieutenant commander

Kelly E. Taggart

To be lieutenants

Francis D. Moran
John W. Bricker
Donald J. Florwick

To be ensign

Danford A. Moore

CONFIRMATIONS

Executive nominations confirmed by the Senate August 15, 1963:

NATIONAL LABOR RELATIONS BOARD

Howard Jenkins, Jr., of Colorado, to be a member of the National Labor Relations Board for the term of 5 years expiring August 27, 1968.

RAILROAD RETIREMENT BOARD

Thomas M. Healy, of Georgia, to be a member of the Railroad Retirement Board for the term of 5 years from August 29, 1963.

PUBLIC HEALTH SERVICE

The following candidates for personnel action in the Regular Corps of the Public Health Service, subject to qualifications therefor as provided by law and regulations:

FOR APPOINTMENT

To be senior surgeon

George E. Bock

To be senior assistant surgeons

Arnold Engel
Robert B. Minor
John T. Porvaznik, Jr.
Henry J. Cabeceiras, Jr.
Russell O. Settle, Jr.
James C. Davie
Glenn L. Momberger
Richard A. Plessala
Van R. Williams
Bernard W. Bigley
Dean H. Morrow

To be senior assistant dental surgeons

Edward D. Woolridge, Jr.
Henry Barnaby, Jr.
Donald C. Boggs
William B. Bock

To be senior sanitary engineers

Francis A. Jacocks
Henry C. Steed, Jr.

To be sanitary engineer

Theodore Jaffe

To be senior assistant sanitary engineers

John C. Villforth
Gary D. Hutchinson
John G. Bailey
Robert H. Neill

To be assistant sanitary engineers

Ralph W. Buelow
Malcolm C. Bruce
F. Donald Maddox

To be junior assistant sanitary engineers

James W. Carpenter, Jr.
Kenton Kirkpatrick
L. Russell Freeman

To be assistant pharmacist

Jon R. May

To be senior assistant scientist

Joseph W. Lepak

To be sanitarians

Arthur B. McIntyre, Jr.
William J. Beck

To be senior assistant sanitarian

Patrick A. Thibeau

To be assistant sanitarian

George J. Butler

To be nurse officer

Dorothy L. Bandlow

The following candidates for personnel action in the Regular Corps of the Public Health Service subject to qualifications therefor as provided by law and regulations:

FOR APPOINTMENT

To be senior surgeon

Maria Sarrigiannis

To be senior assistant surgeons

Crittenden E. Brookes
Samuel Dubin
Jan A. Fawcett
Richard L. Gross
Eric J. Hanson
Harvey J. Karten
Kenneth G. Kassebaum
David C. Kay
Elliot I. Morrison
David J. Muller
Edward M. Pattison
Monroe Pray, Jr.
John A. Schremly
Thorbjorg Sigurdson
Leon R. Wanerman

EXTENSIONS OF REMARKS

Independence of Gabon

EXTENSION OF REMARKS
OF
HON. ADAM C. POWELL
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 15, 1963

Mr. POWELL. Mr. Speaker, on August 17, the Republic of Gabon will celebrate the third anniversary of her independence, and we wish to take this opportunity to send warm felicitations to His Excellency, the President of the Republic, Leon M'Ba; and His Excellency, the Gabon Ambassador to the United States, Jules Mbah.

The Gabon Republic, a small country on the West African Coast astride the Equator, is far less well known in the United States than some of the larger countries of West Africa. Few Americans realize that although Gabon is the smallest and most sparsely populated of the countries which make up former French Equatorial Africa, it is also the wealthiest. Gabon has a viable economy with full urban employment, a favorable trade balance, and the prospect of financial independence in the fairly near future. The mainstays of Gabon's burgeoning economy are the country's vast equatorial forests and important mineral deposits.

The first Europeans to explore Gabon were Portuguese traders in the 15th century. The name "Gabon" in fact is of Portuguese origin, for the estuary of the Como River reminded the Portuguese of a gabao, a Portuguese coat with sleeves and hood. French occupation dated from 1882, and in 1910 Gabon became one of the four territories of the Federation of French Equatorial Africa, along with the Middle Congo, Ubangi-Shari, and Chad. In 1946 Gabon became an oversea territory within the French Union, and in 1958 Gabon chose to become an autonomous state in the French Community. Gabon was one of the 16 African states to achieve independence during 1960.

In February 1961 the Government was converted from a parliamentary to a presidential system through constitutional reforms enacted by the Legislative Assembly. Mr. Leon M'Ba, the first Prime Minister of the country, was elected President of the Republic. Gabon's relations with its neighbors and with the rest of the world have been amicable from the outset. Gabon has signed agreements with the neighboring republics of Chad, Congo—Brazzaville—and the Central African Republic providing for a customs union, economic cooperation, and joint administration of services previously performed by the Government of French Equatorial Africa.

Perhaps Gabon's most striking achievements since independence have been in the economic sphere. A serious hindrance to Gabon's economic development at independence was the lack of an adequate transportation system. Recently, however, a 170-mile-long railway system, built as a cooperative enterprise by a British, a French, and an American construction company, has been completed; it provides access to the country's rich manganese deposits deep in the interior. A development scheme, based on a survey by the World Bank and concentrated on the development of oil, uranium, and manganese has resulted in significant increases in the country's mineral production. The value of Gabon's mineral output increased by nearly 70 percent in 1961. A liberal investment code designed to encourage foreign private investment and protect current investors was signed into law in 1961.

Thus, Gabon's economy has expanded steadily since independence, with the most dramatic contributions to the economy coming from the mining and petroleum sector. A most important factor in stimulating Gabon's economic progress has been the Government's maintenance of a liberal political climate, for governmental stability and moderation have given confidence to investors and created a very favorable environment for private business.

We congratulate you, President M'Ba, the members of the legislature, and the people of Gabon, for so wisely directing your country through the first crucial years of independence. We are confident that under your able leadership Gabon's remarkable progress will continue.

Nuclear Test Ban Treaty

EXTENSION OF REMARKS

OF

HON. JOSEPH G. MINISH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 15, 1963

Mr. MINISH. Mr. Speaker, as a member of the International Union of Electrical, Radio, and Machine Workers, AFL–CIO, I am most pleased to call to the attention of the Congress the resolution on nuclear test ban treaty adopted at the meeting of the organization's executive officers and international vice presidents on July 29, 1963. The resolution acclaims the treaty as a most promising "first step" towards the achievement of "mankind's age-old dream: Peace, the abolition of poverty, and the universal fraternity of man." First step that it is, this progress towards averting the threat of destruction that hangs over the world must cause us to redouble our efforts to bring about a worldwide regime of law and order. As the President of the United States wrote Mr. James B. Carey, IUE president, on August 9, the treaty "is a successful effort to negotiate a beginning in the long and tortuous road toward peace."

The resolution and President Kennedy's letter follow:

RESOLUTION ON NUCLEAR TEST BAN TREATY

July 24, 1963, may well mark one of the most crucial turning points in the entire history of humanity.

On July 24 in Moscow mankind took an unprecedented step backward from the brink of the abyss. For the first time in all the years since the Soviet Union's development of its own atomic weapons, there has been a slight—but extremely auspicious—lifting of the threat of global devastation and the annihilation of mankind.

Today, because of the test ban agreement reached in Moscow by representatives of the United States, Russia, and Great Britain, there is for the first time in our nuclear age the hope and the promise that mankind will not destroy itself and that the vast edifice of civilization, its culture, its arts, scientific progress, and spiritual values will survive.

Nothing could be truer than President Kennedy's statement, in his address to the Nation on July 26, that "both sides have come to possess enough nuclear power to destroy the human race several times over." Nor can we, in judging this treaty, permit ourselves to forget President Kennedy's statement:

"If only one thermonuclear bomb were to be dropped in any American, Russian or other city—whether it was launched by accident or design, by a madman or an enemy, by a large nation or small, from any corner of the world—that one bomb could release more destructive force on the inhabitants of that one helpless city than all the bombs dropped during the Second World War."

We agree with President Kennedy that the July 24 test ban treaty has not by any means dispelled the threat of a possible doomsday, but that it does constitute "a first step" and an "opening wedge" in mankind's desperate efforts to avoid the ultimate catastrophe: Now, therefore be it

Resolved, That this meeting of the executive officers and international vice presidents of the International Union of Electrical, Radio, and Machine Workers AFL–CIO–CLC acclaims the test ban treaty as "a first step," but a most promising one, in the direction of disarmament and the achievement of an enduring peace; and be it further

Resolved, That we warmly congratulate and commend President John F. Kennedy and Secretary of State Dean Rusk for this initial accomplishment, and with a special note of praise for the superbly successful work of Under-Secretary of State Averell Harriman, our Nation's chief representative in the Moscow negotiations; and be it further

Resolved, That we strongly urge the Senate Foreign Relations Committee, which today begins hearings on the treaty, to give the agreement its full approval and support, and similarly we urge that the Senate as a whole give overwhelming endorsement to the treaty, and be it finally

Resolved, That we heartily urge President Kennedy, the United States Disarmament and Control Agency, members of the Senate Foreign Relations Committee and the House of Representatives Foreign Affairs Committee to carry forward, with intensified vigor, the achievement of the second step, an agreement on partial or total disarmament which will open the door toward mankind's age-old dream: peace, the abolition of poverty, and the universal fraternity of man.

James B. Carey, President; George Collins, Acting Secretary-Treasurer; Harry Block, Vice President, District 1; Earl Riley, Vice President, District 2; Milton Weihrauch, Vice President, District 3; George Hutchens, Vice President, District 5; David Fitzmaurice, Vice President, District 7; Harold Zeisse, Vice President, District 8; Charles Snodgrass, Administrator, District 9; Charles Copeland, Administrator, District 10; Ken Mueller, Administrator, District 11; William Drohan, Administrator, District 12.

THE WHITE HOUSE,
Washington, August 9, 1963.

Mr. JAMES B. CAREY,
President, International Union of Electrical, Radio, and Machine Workers, AFL–CIO, Washington, D.C.

DEAR JIM: I have your letter and the attached resolution, and I want to thank you and the executive officers and international vice presidents of your organization for your generous expression of support for the nuclear test ban treaty. As I pointed out in my statement, the treaty does not represent the millennium. It does not resolve all of the issues and conflicts that separate the nations of the world. But it is a successful effort to negotiate a beginning in the long and tortuous road toward peace.

Now the Senate and, in the larger sense, the people of the United States must decide whether the treaty should be ratified. The assistance of people like you and your associates will make the process of ratification more expeditious.

With every good wish.

Sincerely,

JOHN F. KENNEDY.

Independence of Korea

EXTENSION OF REMARKS

OF

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 15, 1963

Mr. POWELL. Mr. Speaker, today the Republic of Korea celebrates the 15th anniversary of her independence, and we wish to take this opportunity to send warm felicitations to His Excellency, the acting President of the Republic, Chung Hee Park; and His Excellency, the Korean Ambassador to the United States, Chung Yul Kim.

The Republic of Korea was formed on August 15, 1948, and today the country celebrates the anniversary of that occasion. The 15 years of its life have been a continual test of its strength and will to survive. At the very outset the country was torn by war and its people underwent great hardships. The Communist invasion from the north in 1950 came very close to sweeping across the peninsula. Showing great strength and courage, the Army of the Republic of Korea and the United Nations forces launched a counterattack. After 37 months of rugged fighting they succeeded in repelling the aggression against the Republic of Korea. The efforts to accomplish the unification of all Korea, however, were frustrated by the massive military intervention of Communist China. Finally an armistice agreement was signed in 1953 which formally ended the hostilities.

Ten years have passed since the Korean truce was negotiated at Panmunjom. There has been no more war—but there has been no real peace, either. American, South Korean, and North Korean Communist soldiers still stand guard along the cease-fire line, which is the 38th parallel line. From time to time there are clashes with the enemy. Three Americans were recently ambushed and killed by Communist soldiers in the demilitarized zone. The unprovoked and brutal gunning of these men was a tragic reminder to all of us that the Korean conflict is not yet settled. It was also a reminder that the Republic of Korea is still an important and vital fortress of the free world against communism.

With the assistance provided by the United Nations and the United States, the Republic of Korea has rebuilt its war-shattered land. The positive measures taken by the United States have included a continuous and extensive program of economic aid. The United States has also provided military assistance to maintain the defense capability of the Republic against the hostile Communist regime to the north. The great burden of responsibility, however, is shouldered by the South Koreans, themselves. Over 600,000 Republic of Korea soldiers at this very moment wait in readiness for any sign of attack by the North Koreans.

It is very difficult to know how much longer the Republic of Korea will be in danger of invasion from the north. The recent intensification of Communist activities in the region of the 38th parallel indicate a stepping up of espionage and subversion attempts. It will call for increasing vigilance by the combined American and Republic of Korea forces. A powerful defense posture is still one of the most effective deterrents to aggression. Whatever the answer to the question of time may be, the record of the South Koreans who have been on freedom's firing line for 15 years deserves the salute of the United States and the free world.

Independence of Indonesia

EXTENSION OF REMARKS

OF

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 15, 1963

Mr. POWELL. Mr. Speaker, on August 17, the Republic of Indonesia will celebrate the 14th anniversary of her independence, and we wish to take this opportunity to send warm felicitations to His Excellency, the President of the Republic, President Sukarno; and His Excellency, the Indonesia Ambassador to the United States, Ambassador Zain.

On August 17, 1945, the Republic of Indonesia was proclaimed by a small group of determined men. The next 4 years were marked by extensive but futile efforts by the Netherlands to reestablish its power in Indonesia. The new republic, led by Sukarno and Hatta, resisted the Dutch attempts to regain control. A settlement providing for independence was finally reached in late 1949 at The Hague in discussions between the Dutch authorities and the Indonesian nationalists. Today the people of Indonesia are observing the 18th anniversary of their independence day.

The new state of Indonesia began operations under a provisional constitution that provided for a parliamentary system of government. There was a President, a Vice President, a unicameral legislature, and a cabinet. In the period 1950–59, however, Indonesia had eight cabinets, some of which lasted only a few months; the Constituent Assembly was unable to agree on a new constitution; political parties were fragmented and failed to function effectively; and a general mood of disaffection in the country led to rebellion and revolt against the Government.

President Sukarno and other Indonesian leaders become convinced that the parliamentary form of government was not suited to Indonesia, and in 1959 steps were taken to create a new system of government. The Constituent Assembly was dissolved and the Constitution of 1945, which provided for stronger leadership at the top, was made the country's permanent charter. The strength of the executive was enhanced while the powers of the political parties and the legislature were greatly reduced. President Sukarno filled the role of head of government in addition to the position as head of state. He was widely supported by the Indonesian people in his efforts to strengthen and stabilize the government.

The basic objectives of Indonesia's domestic policy are to mold the Indonesian people into a great nation, to develop the country's resources, and to improve the living conditions by giving the Indonesian people a greater share in the benefits of an expanding economy.

Indonesia's potential for economic development is great. There are large areas of land that have not yet been developed agriculturally, and the islands are rich in untapped mineral resources such as petroleum, tin, and bauxite. An 8-year plan for economic growth was launched in January 1961 as a blueprint for Indonesian development.

The United States has had an interest in Indonesia from the very outset. The United States played an important role in helping Indonesia negotiate its freedom from Dutch rule, and it has continued to encourage the development of a stable and democratic country. The American foreign aid program has helped to strengthen the Indonesian economy and to improve the living conditions of its people. The two countries have established a long record of cooperation and friendship. On the occasion of the 18th anniversary of Indonesian independence, the United States takes the opportunity to express its desire to maintain close and cordial relations with Indonesia on a basis of mutual respect.

A Reply to Life Magazine's Pork Barreling Attack Upon the Congress

EXTENSION OF REMARKS

OF

HON. JOHN E. MOSS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 15, 1963

Mr. MOSS. Mr. Speaker, under unanimous consent I include in the RECORD a letter I have written to the assistant to the publisher of Life magazine and a letter to the editors of Life magazine in reply to a "pork barreling" attack upon the Congress contained in the issue of August 16, 1963. The letters follow:

AUGUST 14, 1963.

Mr. MORTON B. WHITE,
Assistant to the Publisher, Life Magazine,
Time and Life Building, New York, N.Y.

DEAR MR. WHITE: In reply to the invitation extended in your letter of August 9, 1963, I am enclosing a statement on the "pork barreling" article contained in Life magazine, issue of August 16.

I was interested to note that there was no reference in the article to the heavy subsidies enjoyed by the users of the second-class mail such as Life magazine. I shall not mention any specific sum, due to a desire on my part for accuracy, but it is my understanding that during my tenure in the Congress the subsidy enjoyed by the Luce Publications would have constructed at least two ports of Sacramento.

I suppose that since this is a "good" subsidy it doesn't constitute governmental "pork." In case you feel impelled to reply with the old threadbare argument that second-class mail places no burden on the postal system, let me tell you that I have examined this one too thoroughly to buy it. Suffice it to say that second-class mail pays about 30 percent of its costs when all current increases become effective.

Sincerely,

JOHN E. MOSS,
Member of Congress.

AUGUST 14, 1963.

The EDITORS,
Life Magazine, Time and Life Building, New York, N.Y.

GENTLEMEN: I have not had the time to check the accuracy of the other items contained in the shotgun attack on the Congress in the August 16, 1963, issue of Life, but if they are as accurately reported as the project which is characterized as the "42 mile canal to link Sacramento with the sea" they constitute part of a body of massive misinformation. I have difficulty believing that Life deliberately set out to build a story to support conclusions already arrived at, but one suspects that must have been the case.

The Sacramento-Yolo Deep Water Ship Channel was authorized through the efforts of my Republican predecessor, the Honorable

Leroy Johnson, in 1946. It was authorized because it met the criteria rigidly prescribed by the Congress—that of returning more than $1 for every Federal dollar expended on construction. Not mentioned in your article is the important fact of local participation in the project. The local people have overwhelmingly supported the project because of their conviction of its economic soundness in one of the most rapidly growing areas of the United States. The local people have bonded themselves for $13,600,000 for the construction of facilities on the port. The State of California also has spent over $1 million for rights-of-way, easements, and special highway facilities. Local property taxes for the port project have amounted to $4,789,902 since the port district was formed.

The project, along with many other civil works projects, was suspended during the Korean conflict. It was never characterized as unnecessary or undesirable by the Bureau of the Budget. That agency held up planning funds in conformance with a policy of the Eisenhower administration of not resuming any new project starts at that time. However, at my insistence, a restudy of its economic soundness was made prior to an all out effort to secure funds. The restudy, completed in 1954, indicated the Corps of Engineers conviction that the project was economically feasible. The estimate at that time showed the proposed port would return $1.12 for each $1 of Federal money invested. Incidentally, in 1962 the engineers estimated the benefits at $1.80 per $1 invested, and early in 1963 the Corps of Engineers raised their estimate to $2.20 for each $1 of investment. At no time did the Corps of Engineers urge abandonment of the project. It was found desirable by both General Chorpening and General Itschner, former Chiefs of the Army Corps of Engineers. Any inference that the Corps of Engineers desired otherwise is false. It is just as false as your statement, "Now the channel, which can silt up quickly because of its soft banks, will require constant dredging (above) to keep open a port nobody has to have."

Life researchers could have easily acquainted themselves with the fact that one of the strong points favoring the Sacramento deepwater port was that it would experience an absolute minimum of silting and that maintenance would be an insignificant factor. This has been repeatedly attested to by the Corps of Engineers, officials of the port of Sacramento, and others qualified to judge such factors. For your information the port has a minimum of tidal action, characterized as a slack water port, and silting of the channel is not characteristic of this operation.

The picture on page 22 showing a dredger deliberately left the impression that the dredger is in the process of desilting a channel which has barely begun operation. This is not the case. The dredger was not in operation at the time the picture was taken, although there was some cleanup work in progress at that time. The Corps of Engineers can maintain a 30-foot-deep channel in the port at less annual cost than it can maintain a 10-foot channel in the Sacramento River, which formerly was the chief artery of water navigation for the area.

It demeans Life to resort to such shoddy tricks of reporting. As the Member of Congress who proudly claims credit for reviving the project, I suppose I should thank Life for conveying to my constituents the impression that I could twist enough arms, exert enough pressure, to resume work on a project which was totally without merit. But it would be dishonest if such an impression were allowed to remain. The project is sound and meritorious and the investment in both Federal and local dollars will be thoroughly vindicated in the years ahead.

Just this past week one shipper alone estimated he would save $350,000 annually in shipping costs by having a port in Sacramento. It is believed by reliable local officials that annual savings to the 24 county northern California agricultural empire as a whole could total as much as $2 million. It is estimated that a minimum of 300,000 tons of cargo, almost all of it outbound, will be handled at the port the first full year of operation, rapidly accelerating in a few years to more than 700,000 tons.

Sacramento and her people have never been afraid of criticism, honestly and constructively made. Sacramento and her people resent distortion and falsehoods of the type contained in this article.

Sincerely,

JOHN E. MOSS,
Member of Congress.

Independence of Cyprus

EXTENSION OF REMARKS
OF
HON. ADAM C. POWELL
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 15, 1963

Mr. POWELL. Mr. Speaker, on August 16, the Republic of Cyprus will celebrate the third anniversary of her independence, and we wish to take this opportunity to send warm felicitations to His Excellency, the President of the Republic, Archbishop Makarious; and His Excellency, the Cyprus Ambassador to the United States, Zenon Rossides.

Cyprus, the third largest island in the Mediterranean, is one of the oldest cradles of ancient civilization. Its early history is buried deep in the dim and distant ages, but enough is known of its history of the last 4,000 years to make it a most important center of the Mediterranean world. For centuries before our era it served as a steppingstone, a bridge, to conquering and seafaring merchants from the west; ancient Egyptians from north Africa, Assyrians and Persians from western Asia, and the Greeks and Romans from the west. They all fought for its possession and control, and during all that time it was noted as a haven for pirates. It was an important kingdom during the Middle Ages and its inhabitants had their part in the Crusades. Its turbulent and modern history began in the late 16th century when it was conquered by the Ottoman Turks in 1571.

The Turks ruled the Cypriot Greeks with an ironhand. In the course of several centuries thousands of Turks settled in Cyprus, first as government officials and members of the ruling class, and later as part of the settled community of the island. Today the preponderant majority of its people, 480,000 out of 590,000 are Greeks, while the Turks number less than 100,000. Not much love was lost between the majority Greeks and minority Turks at any time, and the British overlordship of the island since 1878 did not change the situation, though the administrative machinery of the government was more efficient and just.

But the relations of the two irreconcilable groups deteriorated since the end of the last war. The majority Greeks felt that their right to self-determination and their hope for eventual union with Greece were being ignored and deliberately delayed by the British. The Turks felt that their only chance of securing and maintaining autonomy and communal self-government lay either in the partition of the island between Greeks and Turks or by the annexation of the island by Turkey. At times these extreme views prevailed and their advocates preached terror and war. For more than a decade the situation seemed out of hand, beyond the control even of the British. Finally and fortunately, however, saner and cooler counsels prevailed. Terror and murders ceased; some order was produced out of a sad chaos; Cypriot Greek and Turkish leaders agreed to be content by proclaiming the independence of the island. The agreement to that effect was signed on August 16, 1960, and on that day Cyprus became an independent republic.

Today these proud and restless citizens of Cyprus—Greeks, Turks, and others; some 600,000 in all—live in relative peace and enjoy the fruits of their labor as astute merchants and keen traders under their own government.

My best wishes go out to these citizens of Cyprus on the third anniversary of their Independence Day.

Independence of the Republic of the Congo

EXTENSION OF REMARKS
OF
HON. ADAM C. POWELL
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 15, 1963

Mr. POWELL. Mr. Speaker, on August 15, the Republic of the Congo celebrates the third anniversary of her independence, and we wish to take this opportunity to send warm felicitations to His Excellency, the President of the Republic, Fulbert Youlou; and His Excellency, the Congolese Ambassador to the United States, Emmanuel Dadet.

Three years ago the Republic of the Congo—Brazzaville—not to be confused with its sister republic across the river, the former Belgian Congo—achieved independence from France after some 80 years of colonial rule. Its accession to independence was far less turbulent than that of the former Belgian Congo, with the result that in general much less is known about the country, its people, and its progress since independence.

The Congo has been said to be the "least favored by nature" of the countries which formerly comprised French Equatorial Africa, but if this is so, its people have more than made up for any natural barriers to progress by their diligence and determination to build a politically and economically viable republic. Its parliamentary government, headed by its able President, Mr. Fulbert Youlou, has already gained a reputation for stability and realistic planning. With its neighbors—Chad, Gabon, and the Central African Republic—it shares a customs union and has agreed upon procedures and organizations for joint administration and development of regional transportation, communications, fiscal matters, research, and other services. The Congo Republic has become one of the stanchest leaders of movements for African unity, and its capital city, Brazzaville, gave its name to the moderate Brazzaville group of 12 French-speaking states. Its relations with other countries on the African continent and with the world at large have been marked by cooperation and clearsightedness.

It is true that nature could have been more generous toward the Republic of Congo. The chief livelihood of the people is agriculture, and the inland Niari Basin is a fertile agricultural region. But except for this area, the land is generally unfavorable. The swampy coastline fades into a sandy treeless plain cut off from the fertile interior by a range of forest-covered mountains. The northernmost part of the country is dense rain forest. The Congo has little mineral wealth to be exploited, but in spite of these obstacles the economy is expanding.

Industry is growing, and output now accounts for 11 percent of the country's gross national product. Food processing, lumber and woodworking, shipbuilding, iron and metal works, soap and cigarette manufacture, and the construction industries are presently the most important. The Congo does have one important natural resource—its forest wealth—which is still just being tapped. Timber and timber products accounted for over two-thirds of the Congo's export earnings in 1962.

Although the terrain makes transportation and communications difficult, the Congo has one of the best transportation systems in Africa. The 320-mile Congo-Ocean railroad links its two major cities, the ocean port of Pointe-Noire and the Capital and Congo River port of Brazzaville. This railroad runs through rugged terrain and dense rain forest, crosses 92 bridges, and passes through 21 tunnels.

The Congo Republic also surpasses many of the other African countries in the fields of education and public health. The Government is spending about one-fourth of its annual budget on education, and school enrollment, encompassing nearly 75 percent of the children of school age, is one of the highest among the French-speaking countries of Africa. The development of medical facilities and a public health program has also been emphasized. The Congo has 2 large hospitals, 13 medical centers, and over 100 dispensaries.

We salute you, President Youlou, and the people of the Congo Republic for your admirable accomplishments since independence. May your future endeavors be equally successful.

Independence of India

EXTENSION OF REMARKS

OF

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 15, 1963

Mr. POWELL. Mr. Speaker, on August 15, the Republic of India celebrates the 16th anniversary of her independence, and we wish to take this opportunity to send warm felicitations to His Excellency, the Prime Minister of India, Jawaharlal Nehru; and His Excellency, the Indian Ambassador to the United States, B. K. Nehru.

Sixteen years ago Great Britain gave up the brightest jewel in the crown of its world empire. On August 15, 1947, India received its freedom and independence and took its place among the great countries of the world. The people of India today celebrate the anniversary of the historic and happy occasion.

Under the great leaders, Gandhi and Nehru, India has achieved a position of influence and leadership in Asia. It has a democratic representative form of government that makes it the most populous democracy in the world. The Indian Constitution provides for universal adult suffrage. A method of simplified and secret ballotting is used during elections. On three occasions India has successfully conducted the largest free elections ever held in the world.

India has made important beginnings in economic growth and social progress and has carefully considered its approach to the problem of development as a whole. The massive 5-year plans have brought an improved standard of living to the people of India. In these efforts to develop its economy, India has respected the will of the people and has not resorted to the totalitarian methods used in Communist countries. India and the Indian people can feel a sense of pride and accomplishment about many things they have done since independence. But there are many problems and difficulties that remain to challenge their ingenuity.

The standard of living in India is still one of the lowest in the world. How can it be raised significantly? Is it possible for India to greatly increase its agricultural yield and, at the same time, to effectively slow down the growth of its population? Can India, largely agricultural and unaccustomed to machines, be rapidly transformed into a modern industrialized country? How can the 80 percent of the Indian people who are illiterate be taught how to read and write, and also how can they be made to fill their roles as responsible members of a democratic country?

These are some of the questions and difficulties that confront India today. But no list is complete that does not include the problem of Communist China. India and China are the two great rivals in Asia. In their development both countries have started at about the same time at the same level. But in their approaches to development there has been a great contrast. Will India and the democratic path to development that it follows produce results as fast as the Chinese Communist totalitarian rule? The leaders in both countries know that the stakes in the contest are very high. The other countries of Asia and the rest of the developing world are watching closely to see whether India or China succeeds best in handling the problems of progress. The outcome will have a profound impact on the future.

The interest of the United States in India centers on the question of whether or not India can remain outside the Communist bloc and can achieve growth and prosperity as a democracy. As the leader of the democratic world, the United States must be sensitive to the needs of the people of India. In the past the United States has contributed generously to India's development. This country should continue to do what it can to help the world's most populous democracy along the path of progress.

SENATE

MONDAY, AUGUST 19, 1963

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Thou great Companion of the sons of men, amid all the things our restless spirits seek, this quiet moment in the midst of the day's demands reminds us that Thou offerest Thyself to be found of us if with all our hearts we truly seek Thee. Give us to see and feel that prayer is yielding ourselves to be invaded, exalted, and commanded by the Infinite One and by standards higher and holier than our own unaided, fitful, faltering lives.

Come to us in the common affairs that entangle us; meet us in the thorny problems that confront us; make Thy highways through the avenues of sense. Clothe Thy glory in the earthen vessels of our feeble flesh; breathe through the things that are seen the peace of the unseen and eternal.

Without stumbling and without stain, may we follow the gleam of Thy will until the day is ended and our work is done. We bring our prayer in the ever-blessed name of the Master who did always the things that pleased Thee. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, August 15, 1963, was dispensed with.

REPORTS OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Under authority of the order of the Senate of August 15, 1963, the following reports of a committee were submitted on August 16, 1963:

By Mr. DIRKSEN, from the Committee on the Judiciary, without amendment:

S. 1828. A bill to amend the joint resolution establishing the Battle of Lake Erie Sesquicentennial Celebration Commission so as to authorize an appropriation to carry out the provisions thereof (Rept. No. 400); and

S.J. Res. 87. Joint resolution providing for the designation of the week commencing September 8, 1963, as "National Public Works Week" (Rept. No. 398).

By Mr. DIRKSEN, from the Committee on the Judiciary, with an amendment:

S. 49. A bill to provide for the establishment of the Alaska Centennial Commission, to cooperate with the State of Alaska to study and report on the manner and extent to which the United States shall participate in the celebration in 1967 of the centennial anniversary of the purchase of the Territory of Alaska, and for other purposes (Rept. No. 399); and

S. 1942. A bill to incorporate the Jewish War Veterans of the United States of America (Rept. No. 402).

By Mr. DIRKSEN, from the Committee on the Judiciary, with amendments:

S. 1914. A bill to incorporate the Catholic War Veterans of the United States of America (Rept. No. 401).

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries, and he announced that on August 15, 1963, the President had approved and signed the following acts:

S. 130. An act to change the name of Fort Randall Reservoir in the State of South Dakota to Lake Francis Case;

S. 131. An act to change the name of the Big Bend Reservoir in the State of South Dakota to Lake Sharpe;

S. 219. An act for the relief of Bernard W. Flynn, Jr.;

S. 280. An act for the relief of Etsuko Matsuo McClellan;

S. 752. An act for the relief of Janos Kardos;

S. 850. An act to change the name of the Bruces Eddy Dam and Reservoir in the State of Idaho to the Dworshak Dam and Reservoir;

S. 1326. An act to provide for the conveyance of certain mineral interests of the United States in property in South Carolina to the record owners of the surface of that property; and

S. 1643. An act to amend the act entitled "An act for the relief of the estate of Gregory J. Kessenich," approved October 2, 1962 (76 Stat. 1368).

LIMITATION OF STATEMENTS DURING MORNING HOUR

On request of Mr. MANSFIELD, and by unanimous consent, statements during the morning hour were ordered limited to 3 minutes.

ORDER DISPENSING WITH CALL OF LEGISLATIVE CALENDAR

On request of Mr. MANSFIELD, and by unanimous consent, the call of the Legislative Calendar was dispensed with.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business, to consider the nomination on the Executive Calendar.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

The PRESIDENT pro tempore. If there be no reports of committees, the nomination on the Executive Calendar will be stated.

TREASURY DEPARTMENT

The Chief Clerk read the nomination of Robert A. Wallace, of Illinois, to be an Assistant Secretary of the Treasury.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of this nomination.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

REPORT ON DELAY IN DEVELOPMENT AND IMPLEMENTATION OF MEDICAL ASSISTANCE FOR THE AGED PROGRAM, DISTRICT OF COLUMBIA GOVERNMENT

The PRESIDENT pro tempore laid before the Senate a letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the delay in development and implementation of medical assistance for the aged program, District of Columbia government, dated July 1963, which, with the accompanying report, was referred to the Committee on Government Operations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSTON, from the Committee on the Judiciary, without amendment:

S. 31. A bill for the relief of Sonja Dolata (Rept. No. 405);

S. 71. A bill for the relief of Mr. and Mrs. Juan C. Jacobe, and their four children, Angela Jdaobe, Teresita Jacobe, Leo Jacobe, and Ramon Jacobe (Rept. No. 406);

S. 198. A bill for the relief of Mother Azucena de San Jose (nee Carmen Hernandez Aguilar) (Rept. No. 407);

S. 202. A bill for the relief of Yom Tov Yeshayahu Briszk (Rept. No. 408);

S. 479. A bill for the relief of Chung K. Won (Rept. No. 409);

S. 561. A bill for the relief of Karolina Rado (Rept. No. 410);

S. 585. A bill for the relief of Agaram K. Sreekanth (Rept. No. 411);

S. 669. A bill for the relief of Vincenzo DeLucia and Angela DeLucia (Rept. No. 412);

S. 789. A bill for the relief of Sister Maria Clotilde Costa (Rept. No. 413);

S. 820. A bill for the relief of Faustino G. Dumaplin, Jr. (Rept. No. 414);

S. 1313. A bill for the relief of Tim L. Yen (Rept. No. 415);

H.R. 1206. An act for the relief of Kazimierz Krupinski (Rept. No. 417);

H.R. 1232. An act for the relief of Asterior Quitoriano (Rept. No. 418);

H.R. 1237. An act for the relief of Clara G. Maggiora (Rept. No. 419);

H.R. 1276. An act for the relief of Federico Lopez-Blanco (Rept. No. 420);

H.R. 1366. An act for the relief of Vagharshag Hovannes Danielian (Rept. No. 421);

H.R. 1393. An act for the relief of Janet Lundie Farmer (Rept. No. 422);

H.R. 1398. An act for the relief of Margaret Barker (Rept. No. 423);

H.R. 1499. An act for the relief of John (Ivica) Veg Farkas and Ann (Anka) Beg Farkas (Rept. No. 424);

H.R. 1731. An act for the relief of Eva Baker (Rept. No. 425);

H.R. 1876. An act for the relief of Mrs. Rita M. Bravi (Rept. No. 426);

H.R. 2207. An act for the relief of Francesco Di Giacomo (Rept. No. 427);

H.R. 2239. An act for the relief of Annunziata Sabatini (Rept. No. 428);

H.R. 2287. An act for the relief of Shin Sook (Renee) Whang (Rept. No. 429);

H.R. 2309. An act for the relief of Luigi Giuseppe Luraschi (Rept. No. 430);

H.R. 2444. An act for the relief of Mrs. Mabel Constance Kennedy (Rept. No. 431);

H.R. 2450. An act for the relief of Lucia Carta Gallitto (Rept. No. 432);

H.R. 2765. An act for the relief of Mirko Jaksic (Rept. No. 433);

H.R. 3218. An act for the relief of Mrs. Kazuko (Joseph James) Kapp (Rept. No. 434);

H.R. 3629. An act for the relief of Pong Yong Jin (also known as Pang Yong Chin) (Rept. No. 435);

H.R. 5094. An act for the relief of Geoffrey Howard Smith (Rept. No. 436);

H.R. 5507. An act for the relief of Michal Goleniewski (Rept. No. 437);

H.R. 5834. An act for the relief of Anthony Joseph Calandi (Rept. No. 438); and

H.R. 6567. An act for the relief of Anthony Harry Giazikis (Rept. No. 439).

By Mr. JOHNSTON, from the Committee on the Judiciary, with an amendment:

S. 212. A bill for the relief of Yoo Sei Chun (Rept. No. 440);

S. 838. A bill for the relief of George Crokos (Rept. No. 441);

S. 1097. A bill for the relief of Despina J. Sanios (Rept. No. 442);

S. 1272. A bill for the relief of Viktor Jaanimets (Rept. No. 443); and

S. 1570. A bill for the relief of Dulcie Ann Steinhardt Sherlock (Rept. No. 416);

S. 1678. A bill for the relief of Margaret Ann Cover (Rept. No. 444).

By Mr. BYRD of Virginia, from the Committee on Finance, without amendment:

H.R. 7824. An act to continue, for the period ending November 30, 1963, the existing temporary increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act (Rept. No. 403).

By Mr. MORSE, from the Committee on the District of Columbia, with amendments:

S. 933. A bill to amend the District of Columbia Practical Nurses' Licensing Act, and for other purposes (Rept. No. 445).

FAVORING SUSPENSION OF DEPORTATION OF CERTAIN ALIENS—REPORT OF A COMMITTEE (S. REPT. NO. 404)

Mr. JOHNSTON, from the Committee on the Judiciary, reported an original concurrent resolution (S. Con. Res. 57) favoring the suspension of deportation of certain aliens, and submitted a report thereon; which concurrent resolution was placed on the calendar, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Congress favors the suspension of deportation in the case of each alien hereinafter named, in which case the Attorney General has suspended deportation pursuant to the provisions of section 244(a)(4) of the Immigration and Nationality Act (66 Stat. 214; 8 U.S.C. 1254):

A–11698851, Kong, Yee Lum.
A–12269433, Lee, Bok Yee.
A–12084199, Ng, Chew Wing.
A–12646075, Yee, Sook Jane.
A–12255181, Doo, Sid-Lin.
A–12255180, Doo, Wai-Lin.
A–10441193, Chan, Kwog Chiu.
A–12617228, Jin, Ock-Tai.
A–11407445, Leong, Poy Fong.
A–12688041, Ng, Gum Foon.
A–12687858, Ng, Kum Tai.
A–12652905, Gee, Ming Dong.
A–12145774, Kin, Cheong Chin.
A–12643730, Wong, King Koon.
A–11410381, Huey, Bon Hom.
A–13121496, Lee, Quen Lim.
A–11813296, Yee, Yick Tong.
A–12125517, Lee, Do Pon.
A–12510515, Wong, Chuck Ming.
A–11598014, Hing, Lau Que.

Sec. 2. The Congress favors the suspension of deportation in the case of each alien hereinafter named, in which case the Attorney General has suspended deportation pursuant to the provisions of section 244(a)(5) of the Immigration and Nationality Act (66 Stat. 214; 8 U.S.C. 1254):

A–3679214, Fun, Leong.
A–1228254, Helenius, Einar Olavi.
A–2742166, Rodriguez, Alvaro.
A–1408824, Rodriguez de Torres, Josefa.
A–2886389, Vargas-Gomez, Ascencion.
A–2886388, Vargas-Gomez, Jose Eladio Jesus.
A–10130301, Tak, Wa Kwok.
A–5063060, Hung, Gay Chin.
A–5686658, Alberti, Antoinette Marie.
A–8961227, Kwai-ing, Wong.
A–15805587, Wo, Chan Lok.

ADMINISTRATION OF CERTAIN LANDS EXCLUSIVELY BY SECRETARY OF THE INTERIOR—AMENDMENT

Mr. MOSS submitted an amendment in the nature of a substitute, intended to be proposed by him to the bill (S. 601) to authorize and direct that certain lands exclusively administered by the Secretary of the Interior be managed under principles of multiple use and to produce a sustained yield of products and services, and for other purposes, which was referred to the Committee on Interior and Insular Affairs, and ordered to be printed.

EDUCATIONAL TAX CREDITS ACT OF 1963—ADDITIONAL COSPONSOR OF BILL

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the junior Senator from Wisconsin [Mr. Nelson] be added as a cosponsor to S. 1677, the Educational Tax Credits Act of 1963. I also ask that his name be included as a cosponsor at the next printing of the bill.

The PRESIDING OFFICER (Mr. Edmondson in the chair). Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF BILLS

Under authority of the orders of the Senate of August 6, 1963, the following names have been added as additional cosponsors for the following bills:

S. 1988. A bill to prohibit fishing in the territorial waters of the United States and in certain other areas by persons other than nationals or inhabitants of the United States: Mr. Ervin, Mr. Jackson, Mr. Kennedy, Mr. Magnuson, Mr. Morse, Mrs. Neuberger, Mr. Scott, Mr. Smathers, and Mr. Thurmond.

S. 2002. A bill to insure to military personnel certain basic constitutional rights by prohibiting influence in courts-martial cases and in certain nonjudicial proceedings, and for other purposes: Mr. Bayh, Mr. Cooper, Mr. Fong, Mr. Hruska, Mr. Humphrey, Mr. Long of Missouri, and Mr. Williams of New Jersey.

S. 2003. A bill to protect the constitutional rights of military personnel by insuring their right to be represented by qualified counsel in certain cases, and for other purposes: Mr. Bayh, Mr. Cooper, Mr. Fong, Mr. Hruska, Mr. Humphrey, Mr. Long of Missouri, and Mr. Williams of New Jersey.

S. 2004. A bill to protect the constitutional rights of military personnel by increasing the period within which such personnel may petition for a new trial by court-martial, and for other purposes: Mr. Bayh, Mr. Cooper, Mr. Fong Mr. Hruska, Mr. Humphrey, and Mr. Long of Missouri.

S. 2005. A bill to afford military personnel due process in court-martial cases involving minor offenses, to insure the right of counsel in such cases, and for other purposes: Mr. Bayh, Mr. Cooper, Mr. Fong, Mr. Hruska, Mr. Humphrey, and Mr. Long of Missouri.

S. 2006. A bill to provide additional constitutional protection in certain cases to members of the Armed Forces, and for other purposes: Mr. Bayh, Mr. Cooper, Mr. Fong, Mr. Hruska, and Mr. Humphrey.

S. 2007. A bill to broaden the constitutional protection against double jeopardy in the case of military personnel: Mr. Bayh, Mr. Cooper, Mr. Fong, Mr. Hruska, and Mr. Humphrey.

S. 2008. A bill to more effectively protect certain constitutional rights accorded military personnel: Mr. Bayh, Mr. Cooper, Mr. Fong, Mr. Hruska, Mr. Humphrey, and Mr. Long of Missouri.

S. 2009. A bill to amend chapter 47 (Uniform Code of Military Justice) of title 10, United States Code, so as to provide additional constitutional protection in trials by courts-martial: Mr. Bayh, Mr. Fong, Mr. Hruska, Mr. Humphrey, and Mr. Long of Missouri.

S. 2010. A bill to implement the constitutional rights of military personnel by providing appellate review of certain administrative board decisions, and for other purposes: Mr. Bayh, Mr. Fong, Mr. Hruska, and Mr. Humphrey.

S. 2011. A bill to insure due process in the case of certain administrative actions involving military personnel: Mr. Bayh, Mr. Fong, Mr. Hruska, and Mr. Humphrey.

S. 2012. A bill to amend chapter 47 (Uniform Code of Military Justice) so as to assure the constitutional rights of confrontation and compulsory process by providing for the mandatory appearance of witnesses and the production of evidence before certain boards and officers, and for other purposes: Mr. Bayh, Mr. Fong, Mr. Humphrey, and Mr. Long of Missouri.

S. 2013. A bill to further insure the fair and independent review of court-martial cases by prohibiting any member of a board of review from rating the effectiveness of another member of a board of review, and for other purposes: Mr. Bayh, Mr. Cooper, Mr. Fong, Mr. Hruska, Mr. Humphrey, and Mr. Long of Missouri.

S. 2014. A bill to provide for compliance with constitutional requirements in the trials of persons who are charged with having committed certain offenses while subject to trial by court-martial, who have not been tried for such offenses, and who are no longer subject to trial by court-martial: Mr. Bayh, and Mr. Fong.

S. 2015. A bill to provide for compliance with constitutional requirements in the trials of persons who, while accompanying the Armed Forces outside the United States, commit certain offenses against the United States: Mr. Bayh, and Mr. Fong.

S. 2016. A bill to further insure due process in the administration of military justice in the Department of the Navy by establishing a Judge Advocate General's Corps in such department: Mr. Bayh, Mr. Cooper, Mr. Fong, Mr. Hruska, and Mr. Humphrey.

S. 2017. A bill to protect the constitutional rights of military personnel by providing an independent forum to review and correct the military records of members and former members of the Armed Forces, and for other purposes: Mr. Bayh, Mr. Fong, Mr. Hruska, Mr. Humphrey, and Mr. Long of Missouri.

S. 2018. A bill to further insure to military personnel certain due process protection by providing for military judges to be detailed to all general courts-martial, and for other purposes: Mr. Bayh, Mr. Fong, Mr. Hruska, Mr. Humphrey, and Mr. Long of Missouri.

S. 2019. A bill to provide additional constitutional protection for members of the Armed Forces by establishing courts of military review, and for other purposes: Mr. Bayh, Mr. Fong, Mr. Hruska, Mr. Humphrey, and Mr. Long of Missouri.

NOTICE OF RECEIPT OF NOMINATION BY COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that the Senate on Thursday last received the nomination of Gen. Herbert B. Powell, of Oregon, to be Ambassador to New Zealand.

In accordance with the committee rule, this pending nomination may not be considered prior to the expiration of 6 days of its receipt in the Senate.

CONSIDERATION OF CIVIL RIGHTS LEGISLATION

Mr. JAVITS. Mr. President, I should like to address a question to the majority leader. Previously, I advised him that I would ask this question; so I am sure he is not caught by surprise.

Yesterday, an Associated Press article, under the byline of Jack Bell—whom we know, and for whom we have great affection, called attention to the fact that the majority leader "outlined in an interview a program calling for Senate action on measures to keep the debt limit at $309 billion, to authorize foreign aid spending, and to permit ratification of the limited test ban treaty before any civil rights measure is brought up."

The headline of the entire article is: "MANSFIELD Sees Delay Until Late September in Taking Up 'Rights.'"

Mr. President, normally, we are rather sophisticated, and what is set forth in a headline or in a newspaper article—much as we may respect the author, and in this case all of us certainly do—does not disturb us particularly; we take it in stride, and go on to what is next.

But there will be what is called a "march" in Washington on August 28, and it involves enormous numbers of people who have deep feelings about civil rights legislation. In a national broadcast the President sounded for the country the note of morality on the highest level; and I think it fair to say that today civil rights is probably the No. 1 domestic issue, at least in terms of public temper and feeling.

So when something is said about delay, it has an influence upon all those who are deeply interested, and may cause them to an intensity of protest far greater than would be called for in the absence of the use of such a word—even if its use is justified by the approach intended.

So I think it would be of the greatest use and service—I make that statement knowing, as I told the majority leader, that he is on our side in terms of the desire to get civil rights legislation—to have his true idea and intentions spelled out. Not that he must do it, but I appeal to him on the ground that it would be of great service to the country, in this tense atmosphere, to know exactly what his plan is, and also to give, if it is possible, the feeling that we do intend to move forward, that we will not be intimidated by the threat of a civil rights filibuster or by the threat that every committee action and every action of the Congress will be held up, but that we will move forward with vigor in order to answer this national problem. I present my question to the majority leader on that basis.

Mr. MANSFIELD. Mr. President, first I wish to thank the Senator from New York for calling me and telling me that he would raise questions this morning.

Second, the story is accurate in every detail.

Third, I was stating the truth as I saw it. I do not believe in twisting the legislative schedule. But I do believe in telling Senators, the people of the country—and reporters, incidentally—the truth as I see it.

The Senator has mentioned the word "threat." So far as the majority leader is concerned, he will not be threatened or intimidated by anyone. He will do his job to the best of his ability. That has always been his intention. That has always been his policy. That is still his intention. That will be his policy today and in the future.

Mr. JAVITS. Mr. President, will the Senator allow me to interrupt him?

Mr. MANSFIELD. Yes.

Mr. JAVITS. I do not recall mentioning the word "threat."

Mr. MANSFIELD. The word "threat" was used in connection with the word "filibuster." The word was also used, I believe, in connection with something else. I thought this was a good time and place to set the record straight so far as the attitude of the majority leader is concerned.

Mr. JAVITS. The Senator is quite correct.

Mr. MANSFIELD. The Senator knows as well as I do that the Senate has a great deal of important proposed legislation to consider. Before I go into that subject, I think I should point out that so far as civil rights legislation is concerned, it is now out of the hands of the Executive and in the hands of three committees of the Congress—two committees in the Senate and one in the House.

It is my further understanding that, insofar as one of the bills in the Senate is concerned—the proposal relating to public accommodations—hearings have been concluded on that subject in the Committee on Commerce. Consideration of the disposition of the measure will begin shortly. When, I do not know. We still must consider the proposed railroad legislation which was sent to Congress by the President several weeks ago, and with respect to which a deadline of August 29 is established.

Hearings on civil rights proposals are being conducted by the Senate Committee on the Judiciary. If my memory serves me correctly, the only witness so far has been the Attorney General of the United States, Robert Kennedy, who has appeared before that committee on 7 or 8 days. Other witnesses are still to be heard. Hearings have been held by the House Committee on the Judiciary under the chairmanship of the distinguished Representative from New York, Mr. EMANUEL CELLER. It is my understanding that those hearings have been concluded and that that committee is in the process, or soon will be, of marking up a bill covering civil rights legislation.

Tomorrow it is the intention that the Senate will take up proposed legislation on the debt ceiling or the debt limit. It is my understanding that the manpower retraining amendments have been ordered to be reported from the committee of which the Senator is a member; and then should be before us shortly.

Proposed legislation having to do with aid to medical and dental schools has passed the House, and I hope that it will come before the Senate in the next several weeks. Other measures relating to education may be reported from that committee to the Senate for consideration.

The question of proposed railroad legislation has not been settled. It is my most sincere hope—and I am sure that I speak for all Members of this body—that the carriers and brotherhoods, which seem to be getting along quite well at the present time, will arrive at a solution based on the outlines carried in the press and over the radio. If that is accomplished, there will be no need for legislation. Personally, I would be most happy if something were done to obviate the possibility of legislation. But if there must be legislation, it will be reported this week, and it will be before the Senate for consideration.

Then, of course, there is the question of the ratification of the test ban treaty, on which question hearings are now being held. It is my hope that shortly after Labor Day that treaty can be brought to the floor of the Senate for consideration.

The foreign aid bill markup was going along quite well until the test ban treaty was referred to the Foreign Relations Committee. The markup of the foreign aid bill will continue after the committee concludes its deliberations relating to the test ban treaty.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JAVITS. Mr. President, I ask unanimous consent that I may proceed for 5 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. I can say what I desire to say in 1 minute.

The land conservation fund measure under the jurisdiction of the Committee on Interior and Insular Affairs is still to be considered. I understand that the tax bill is on the verge of being reported from the Committee on Ways and Means of the House, and will be considered in that body shortly.

Then there are appropriate bills to be acted upon. To date the Senate has passed five appropriation bills; there are eight to go. So I assure the Senator from New York that what we are doing is operating on the same basis as always. We are not delaying any legislation. We do not intend to delay any legislation. But we intend to operate under the rules and procedures of the Senate. Collectively the leadership, in concert, will do the best it can on all these questions at the appropriate time.

Mr. JAVITS. Mr. President, I wish to ask the Senator two additional questions. First, have we any assurance that if the Committee on Commerce reports a public accommodations bill the majority leader will do his best to bring it promptly to the floor of the Senate for consideration?

Mr. MANSFIELD. No, I would not give that assurance, because, frankly, that bill should be used as insurance. I would not like to bring a bill to the floor of the Senate and see it amended to death. I would rather wait for a bill from the House which is a whole bill and, if necessary, meet it at the door, put it on the calendar, and then consider the whole spectrum rather than a part of it. I would assume that a bill passed by the House would have some kind of public accommodations proposal in it.

Mr. JAVITS. I should like to ask the Senator one additional question. Is there any desire to make civil rights the last item on the agenda at this session?

Mr. MANSFIELD. Not unless circumstances force us into that position. But certainly there is no intention to do so. In all frankness it is quite possible, in view of the fact that we will receive the tax bill late, that hearings will have to be held by the Senate Finance Committee and those hearings will very likely take approximately 2 months. That is pretty speedy consideration. That bill might have to go over beyond the consideration of the civil rights bill. But I cannot make a definite commitment at this time. It will depend upon the circumstances and the speed with which committees in both Houses act.

Mr. JAVITS. I thank the Senator for his customary frankness. I would hope that if the Committee on Commerce reported a bill, it would be brought up for debate in the Senate, and that the majority leader would have done his utmost to do that. Of course, he has to run the gamut of his own policy committee. I understand that very well.

Mr. MANSFIELD. Not only that, but I also have to work in accord with the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN], and the Senators whom he represents on the other side of the aisle. If we do not work together, the Senate will not function, and very little in the way of legislation will be passed. The Senator knows that.

Mr. JAVITS. I understand that very well. I happen to be one of those whom the minority leader represents. Before concluding on this subject, I feel that the interests of the country dictate—and this is my own judgment—that when, as, and if the Committee on Commerce reports, we ought to begin the debate, because I think the urgency of the issue is that great.

As I say, this is my judgment. The Senator may disagree with me, as he obviously does.

I do not believe that the best interests of the Nation in this situation would be served by holding off beyond the time when the Commerce Committee reports the bill, because I do not think there is any likelihood of anything coming from the Judiciary Committee in time for consideration.

From what I can tell now, the development of the bill in the other body will require some time.

I also point out that this program was followed once before on civil rights, in 1957, and it worked very well. It is true that the debate continued and did not really get down to legislation until the House bill came over, but a good deal of the underbrush was cleared away by then. A good many Senators had had their say, which they will have anyway, whether it be called a filibuster or not; and a good bit of time had been consumed before the House bill came to the Senate.

I submit that point of view to the leadership.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. MANSFIELD. I appreciate the Senator's point of view. While I do not talk too much on the subject, I am also interested in a good civil rights bill. But I should like to see, insofar as possible, a whole civil rights bill, and not a fraction to which amendments could be offered, and about which there would be a good deal of discussion, delay, and other tactics, which might endanger the possibilities of obtaining a good bill.

Speaking of 1957, I point out, that on that occasion the Republican leader was the one who was in large part responsible for stopping the House bill at the door and bringing it to the floor of the Senate for consideration. I know my colleague does not forget that incident.

Furthermore, I agree with what the Senator says about the Judiciary Committee. I am not at all hopeful that proposed legislation will be reported by that committee. I hope I shall be surprised.

Therefore, on the basis of the two possibilities, the leadership must, in its judgment, do what it thinks best so that if at all possible a good and as whole a civil rights bill as possible, rather than a fragmentary portion, can be brought to the Senate for consideration, debate, and disposition.

Mr. JAVITS. It is my duty to submit my point of view to the Senate, to the country, and to the majority leader. This happens to be a subject about which I know something. I have lived with it a great part of my life.

One of the things which will take the heat out of the public situation most effectively is the fact that the battle will be transferred to the floor of the Senate. Then people will feel—and I think they will have a right to feel—that something is going to happen. Personally, I am confident that something is going to happen anyhow, but I am talking only about the large numbers of people who are, in a sense, confronting each other today in various sections of the country, not merely in the South, and creating very difficult situations not merely in southern cities, but also in New York and Chicago and other major cities of our Nation.

We are not dealing with a vacuum. We are dealing with the most incendiary material on the domestic front. That is why I consider it to be my duty at least to spell out exactly what people have a right to look to; that is my object. As I have given my point of view, others will give theirs. Then at least we shall know the timetable and the schedule.

I am grateful to my colleague, the Senator from Montana [Mr. MANSFIELD], for his customary candor, which in this case I feel will contribute greatly to the public debate and public enlightenment.

Mr. MANSFIELD. Mr. President, the Senator has been most kind and generous. As always, he has been frank and candid in expressing his views.

The remarks which I made were made in my capacity as a Senator from the State of Montana and as a Senator of the United States. I happen to hold, by election of my colleagues, the position of majority leader. I intend, so long as I hold that position, to do the best I can, not only in behalf of my Democratic colleagues, but also in behalf of the Senate as a whole and Senators on both sides of the aisle.

I do not think it would be rendering a service if I were to give some double-talk in answers to the questions raised by the distinguished Senator from New York. All I can do is to "call them as I see them," to tell the truth as I know it, and to let things fall in place as they may.

Mr. DIRKSEN. Mr. President, I think the distinguished majority leader will discover—perhaps he has already discovered—that events and circumstances will continue to dictate the calendar now that the Congress is knee deep in August.

I have forgotten my astronomy sufficiently so as not to be able to remember whether the dog star Sirius is still on the ascendancy. This is the month of "dog days"; and for that reason, I suppose, it is a month which has a rather peculiar effect upon people.

When I speak of events and circumstances dictating the calendar from now on, I am thinking of our earlier action on the debt ceiling. We have a shuffling debt ceiling. It was at $305 billion. It went to $307 billion. Then it went to $309 billion. It is supposed to stay at that figure until August 30.

It was necessary for the committee to meet and report a new debt ceiling bill, to be effective from September through November 30. There will be another session with respect to the debt ceiling.

The fact is that those involved cannot very well compound a debt ceiling yet, not knowing what will happen to the tax bill and not knowing what will happen with respect to appropriation bills.

With respect to appropriations, there seems to be quite a hassel over the method of financing the Export-Import Bank, and many are concerned. The House takes the position that it would rather provide $2 billion under direct appropriations than $1 billion by back-door financing. The Export-Import Bank soon will be out of money, and will be out of authority. As a result, an effort is underway to lift that item out of an appropriation bill; but I doubt whether the Appropriations Committees will consider that kind of approach.

So that problem must be taken care of. Even though we are taking care of the debt ceiling now, we shall have to take care of it later.

The majority leader very properly considers the nuclear test ban treaty to be a matter of high urgency which must have attention. If it comes to the Senate after Labor Day, I assume it will be before the Senate for at least a week.

There will be intervening matters. The Government departments are now operating under interim resolutions with respect to appropriations. That is not a very happy situation, when in theory the appropriation bills should have had action completed on them by June 30. But that has not taken place.

That is another event. That is another circumstance to dictate that the Senate must maintain a rather fluid calendar.

The PRESIDING OFFICER. The time of the Senator from Illinois has expired.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that I may proceed for an additional 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DIRKSEN. Mr. President, I believe matters have jelled now sufficiently. I can see fairly clearly that we shall probably have our Thanksgiving Day turkey dinners in the Nation's Capital, rather than back home, because if it is necessary to pass on the debt ceiling before November 30—and usually the request never reaches us until 2 weeks before the cutoff date—that will mean that the Senate Finance Committee will probably be considering the new Treasury Department estimate of the debt ceiling at that time, in order that no difficulties may ensue when the deadline of November 30 arrives.

I am anticipating that I shall be here and that the Senate will be in session, except for an occasional weekend or 3-day recess, if that can be contrived.

There is a tax bill to consider. So far as I can tell, the witnesses will be many, and probably there will be objection to the Finance Committee meeting when the Senate is in session. That will cause a stretchout of the procedure. Then time will be required for the markup in the committee.

So we might be quite fortunate, indeed, if we have a tax bill for consideration by December, if we get a tax bill at all. That is a matter being determined by the very genial and able Senators who sit around the table in the Senate Committee on Finance, who will determine in considerable measure what our tax destiny shall be.

But every day, every week, a new event, a new circumstance, something else by way of a tangent, strikes the Senate schedule, and then it must be revised.

With respect to civil rights particularly, I heard all the testimony by the distinguished Attorney General. He has honored us with seven appearances, and only one member of the committee has had an opportunity to interrogate him. I have not had my opportunity yet. It will not be extended. I do not expect to be repetitious or redundant about it. But other members of the committee desire to question the Attorney General. I am advised that there is a substantial list of witnesses who will want to be heard; and this list will include the attorneys general of various States, and leaders of various organizations.

The committee must so comport itself that it will devote as much time as possible, consonant with demands on the time of members of that committee with respect to other committees and other responsibilities.

So envisioning all these factors, I should say that the majority leader's estimate is rather realistic.

Mr. JAVITS. Mr. President, will the Senator yield?

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that I may have 2 more minutes.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the minority leader may have 3 more minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. May I ask the minority leader his own view as to whether or not he feels that civil rights legislation ought to be last on the calendar, on our own classic theory that those who are interested stay and those who are not interested go home. I appeal to him as he is the leader on my side, in view of the tense and difficult quality of the human relations which we find in the country today and my deep conviction—I think I have a right to a little expertise on this subject—that the beginning of the debate in the Senate will have a material effect upon transferring from the country to the Senate floor a good deal of the tenseness and heat and struggle which exist in the country.

Mr. DIRKSEN. I think the record will answer my distinguished friend. First, in 1957, I was a part of the interception whereby the House bill was finally brought before the Senate. And in 1960, it was my honor to be an author of the package bill under the prior administration, whereby we finally got some action on four of the six titles of that bill. So I am prepared, at any time within reason, to get out the civil rights package. I do not want to see it delayed.

There is a strong point in what my friend says about a certain indifference that is a part of the attrition of a long session. It is probably natural. It is like the end of the interest when the world's series is over. We get the main things out of the way, but other matters are added. Members of Congress would like to get home. They would like to see their people. They would like to make a few speeches. And we are not unmindful that a rather interesting contest will take place in the following calendar year. There are certain lures, and they are as human as they can be. But I share the Senator's hope that we can get at the civil rights bill and determine what we can do. My own record is clear as crystal, and I am prepared at any time to take up the cudgels for the program, even though there are points in it with which I do not agree. My friend knows how I feel about title II.

Mr. JAVITS. I do.

Mr. DIRKSEN. With respect to the other seven titles, I think my record and my utterances are quite clear.

Mr. JAVITS. I am very grateful to the minority leader as well as to the majority leader for giving us their frank views. I deeply feel that the country will react on the basis of what they have said, which is healthy. It needed to be said. The question of a timetable is important so that the country, for reasons of public order and tranquillity, will know. While I may not agree with the timetable, in any case I commend both the majority and the minority leaders. They have set a model of candor which can only be helpful, whether we agree on details or not. The frankness of the judgments they have described will be helpful to the country. But I would be deceiving them if I did not tell them how I felt. The question of timetable will engender healthy debate. It has been started; and I say that it is helpful to have it started.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. DIRKSEN. Let me add only in conclusion that the best testimony I can deliver in behalf of the sincerity and diligence of the majority leader is, first, that on the calendar this morning there are five bills. Two of them are marked "hold," because Members of the Senate have some particular interest that they want to ventilate. That is the most slender calendar I can think of in any session of the Senate, and it is a tribute to the majority leader.

The second point I wish to make is that only a week ago the majority leader stood in the well of the Senate and fairly entreated the various chairmen of the standing committees of the Senate to get busy on the bills that are pending and to report them for Senate consideration. I think that is an earnest of his good faith, his diligence, and his devotion to get these measures to the Senate for further consideration, the better, probably, to bring the ultimate end of the session of the Senate.

Mr. MANSFIELD. To clear the decks.

Mr. DIRKSEN. Yes. Now I yield to the distinguished majority leader.

Mr. MANSFIELD. The Senator mentioned the fact that he would be eating his Thanksgiving dinner in Washington. That is a reasonable prediction, but I am afraid he is optimistic. If I can see into the future at all, I would suggest that he prepare to have his Christmas dinner here as well, and to spend New Year's Eve within the confines of the metropolitan area.

Mr. DIRKSEN. I am ahead of the majority leader, for we had a full attendance at the Senate Finance Committee last Thursday, and as we approved the House debt ceiling bill I told the Members that I would be happy to take their orders for Christmas trees.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. JAVITS. I hoped the leadership would be inspired by the spirit of Labor Day, even though we may have to stay here until Christmas.

Mr. MANSFIELD. Mr. President, there will be a brief layover on Labor Day. I think as good a time to announce it as any is at the moment. I have discussed this question with the minority leader. It is anticipated that we will have Friday, Saturday, and Sunday off preceding Labor Day, and Labor Day itself. Members of the Senate had better get a little rest while they have the opportunity, because when they come back they will have to man the trenches at least until Christmas.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. JAVITS. I think the Senator misunderstood me. I did not mean to be in session Labor Day. I have an AFL-CIO Labor Day celebration to attend, and I think other Senators do, too. I meant that I hoped the animation of Labor Day would be conveyed, and I hoped we would labor diligently even though we were to be here until Christmas.

Mr. MANSFIELD. I misunderstood the Senator. I am in accord.

Mr. DIRKSEN. Mr. President, I should like to ask the majority leader one question: Does he remember when Henry Ford, Sr., dispatched the so-called Peace Ship in the hope of getting the boys out of the trenches before Christmas in World War I?

Mr. MANSFIELD. I was a little young then, but I remember it.

Mr. DIRKSEN. I am sure he remembers it. I am wondering whether the majority leader sees an iridescent sail on the horizon which might give some hope that we Senators can be gotten out of the trenches by Christmas.

Mr. MANSFIELD. Some hope; but I do not usually believe in mirages.

Mr. HUMPHREY. Mr. President, I am happy to address the Senate after this faint expression of hope, or expression of faint hope, and to carry on with the business of the Senate.

I am one of those who feel that they will hand-deliver Christmas greeting cards this year.

I am fully convinced that once August is behind us everyone will feel much better. August, in the conduct of either public or private business, presents an ordeal. The French are the only ones who have solved the problem. They take off in August. In effect, they cancel August from the calendar. They do this for all public and personal purposes. On the other hand, we grind on and do the best we can.

I join the majority leader and the minority leader in the conviction that Congress will undoubtedly be here for the remainder of the year. This is as it should be.

It is about time that Congress be scheduled on a year-round basis. We should stop deceiving ourselves. We are the victims of traditions in Congress. However, the traditions that we adhere to, relating to the length of sessions of Congress, are anything but realistic. We operate under a law which provides that Congress shall complete its work by July 31. Congress disobeys that law as no citizen in the United States disobeys any law. The Reorganization Act provides that we must complete our work by July 31. As soon as we passed that law we immediately proceeded to ignore it. We should repeal that section of the law. We should predicate our work in Congress on a year-round basis, and plan our work so that we will attend to our duties over a 12-month period, phasing in whatever time we need, just as ordinary, wholesome, decent American citizens do. There is such a thing as planning one's life and planning one's work—everywhere except in Congress.

I am not at all unhappy about the development that has been discussed today, because once we set our minds to the task of scheduling a full year's activities of the Senate, we shall be a much happier and more productive body.

The American people do not realize that most of the work of Congress is done in committees, and not on the floor of the Senate or on the floor of the other body. The committee work of Congress carries on frequently long after Congress has adjourned.

Therefore, the sooner we come with clean hands to the American people and let them know that this is not only a full-time job, but also a double time job, the better it will be for all concerned. Frankly, most Members of Congress work long hours every day and on weekends. Very seldom do we get what we call a moment of privacy. If there is such a moment for any Senator, I wish he would tell me how he gets it.

When I worked in private employment, I found that there was at least a schedule of hours of work, and perhaps a 5-day week, or at most, a 6-day week. Any Member of Congress who does not have to see a few constituents and receive telephone calls, and spend a full day of work on Saturday, is a lucky person, indeed. Therefore, I prefer a 365-day plan of operation for Congress on that basis.

I hope that we shall be able to give some thoughtful attention to setting up an appropriate organizational structure and time scheduling within Congress, for the year 1963 and thereafter. With all the international problems that we face, with all the responsibilities of world leadership, and with all the crises that come upon us, we cannot look upon our job as a part-time job. To the contrary, it is an overtime job.

ADDRESS BY SENATOR INOUYE TO RETAIL CLERKS INTERNATIONAL ASSOCIATION

Mr. MOSS. Mr. President, recently the 24th quadrennial convention of the Retail Clerks International Association, AFL–CIO, meeting in Chicago, was privileged to be addressed by a distinguished array of speakers, several of them Members of this body.

One of the outstanding speakers was my friend and distinguished colleague, the junior Senator from Hawaii [Mr. INOUYE], whose remarks on that occasion are worthy of consideration by every Member of this body.

Therefore, Mr. President, I ask unanimous consent that his address be printed in the RECORD following my remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

A JOB LEFT FOR LABOR

(Address by Senator INOUYE at Diamond Jubilee Year Convention of Retail Clerks International Association, June 24, 1963)

The editorial from the June 1963 issue of your magazine, the Advocate, proclaims that the eyes of the entire Retail Clerks International Association will turn to Chicago on June 24, as this 24th constitutional convention opens. I would like to say that not only are the eyes of RCIA cast in the direction of Chicago in this, your diamond jubilee year, but the collective attention of most of the United States is riveted here in the Windy City.

I say this because a strongly objective study of your union sponsored by the Ford Foundation claims that "by the end of the 1960's, it may well be that the RCIA will be one of the two or three largest, and perhaps the most powerful labor institution in the United States."

I think that both the rank and file members, as well as the top leaders of the RCIA must certainly realize that today is marked not only on their calendars but in the minds of many in the top echelons of business and industry, as well as Government. There is no denying that the RCIA is destined to become one of the most outspoken, most influential, and most responsible unions in this country of free unions.

The record of the RCIA is one of outstanding accomplishment and substantiates the claim made for your organization by the Ford Foundation study. For example, I have no doubt of the claim made by your organization that today retail clerks enrolled under the banner of RCIA are the highest paid group of store employees in the world.

Because of what I have said for the past minute or so, I think that it is especially commendable that you have the kind of leadership which all unions ought to have. This convention as well as others in the past have shown your leaders to be very much concerned about the structure and procedure of union democracy. They have taken pains to permit the free flow of criticism and expression of opinion from the lowest levels of union organization to the highest. Of course, such a commitment to democratic practices ultimately makes for more effective labor unions. In this regard, I might add that you also have one of the smartest set of leaders. Nevertheless, I think it is especially commendable that the union which has been characterized as potentially one of the most powerful in this decade also realizes very clearly its responsibilities.

After these opening remarks, I should realize that I am a little ahead in this game. But politicians are much like union negotiators—we hate to give up an opening. I hope you will bear with me.

I think you will have to agree with me that there is a large number of people whose reaction to increasing labor union activities is, to say the least, unfavorable. Such individuals are not to be found in any particular economic stratum of society. Nor do they predominate among those who have a certain social background. I think it is rather widespread and covers the entire spectrum of American society. What are some of these reactions? Let us try to list them.

1. Labor unions are too powerful: It has often been said that certain of our labor unions have become much too demanding as a result of previous victories won. Labor unions are no longer satisfied with 2 or 3 percent increases but incline toward greater and greater annual increases with the sky as the limit. Unions are too obsessed with lining their own purses and not given to any concern for the health or welfare of the national economy.

2. Labor unions are dominated by rackets and racketeers: As a result of certain evidences uncovered by Senate investigators with regard to a few isolated unions, there is a feeling that unscrupulous practices have been long tolerated throughout the labor movement, a feeling that labor union racketeering is widespread throughout the movement.

3. Labor unions are too strike happy: They strike without provocation. They strike without cause. They strike without regard for the economic consequences to their neighbors. They strike because they want merely to flex their muscles.

Strikes have wreaked havoc on the national economy leading to decreased production and internal debilitation. Strikes have resulted in indefensible loss of man-hours and salaries leading to a generally weakened national economy. If all the lost man-hours and salaries resulting from such strikes were to be added, it would far outweigh any minor gains made by labor unions. Strikes are the bane of the hard-working man as they are the haven of the inveterate loafer.

I do not think it is necessary for any of us here today to feign surprise at what I have just said. If we are honest with ourselves, we must surely realize that such images as I have presented have gained general acceptancy among our fellow citizens more and more in the last decade. It seems to me reasonable to assume that the manipulators of image distortions have not been napping on their jobs. Journalists given to sensationalism have had more than one field day in which they have let their imaginations stray. As a result, many of our citizens have been influenced by such stories as I have cited.

In order to set the record straight, let us analyze these image distortions one by one.

I do not think that I need to spend much time on the argument that labor unions are too powerful or that they are merely self-interested in their own good. Labor unions are restricted as to monopolistic practices in much the same way as are industrial concerns. If labor is not satisfied with 2 to 3 percent annual increases and feels that it deserves more and can substantiate these demands, then it appears to me that it is the responsibility of industry to refute them. Free enterprise was never an exclusive prerogative of industry.

As far as a regard for the national interest is concerned, I need only remind you of the policy resolutions on community service adopted in December 1961 by the AFL–CIO, for example. We find that particular labor organization committed to various community programs for the aging and the aged, rehabilitation for the physically disabled, consumer counseling, elimination of polio, blood banking, and service to children and youth.

That same resolution recorded the position of the AFL–CIO as follows: The AFL–CIO recognizes that unions have a responsibility to the unemployed non-dues-paying member as they have to the employed dues-paying member.

President George Meany expressed labor's interest best by saying: "We look upon the handicapped workers just as we look upon any other group that suffers from prejudice, discrimination, and inadequate opportunity. We want to help them win their full status as citizens." Not only the AFL–CIO but other labor organizations as well have made impressive contributions of both time and money toward the establishment of local rehabilitation centers. Labor has effectively been represented on the President's Committee on Employment of the Physically Handicapped, as well as on various State advisory committees.

Another of the more interesting stereotypes of labor unions is that they are dominated by racketeers and convicted felons. This is a very prevalent image of unions not only in this country but throughout the world. But again, we ought to look at facts and figures.

A specific comparison between losses suffered by companies that furnish bonds to union officials, as well as officers of banks, savings and loan firms, and similar financial institutions has been compiled to provide some very startling information which all of you should know, especially since you may not get them in any other way.

These figures are not of my own concoction but have been obtained from leading bonding companies throughout the country. It shows that millions of dollars are handed out each year to cover thefts by those who are bonded in the various financial institutions of our country. As compared to this, losses are significantly smaller among the thousands of union officials who are now required to be bonded under the Landrum-Griffin Act.

These are the figures: In 1961, premiums paid by banks and other institutions totaled $23,944,000 with losses amounting to $17,095,000 for a loss ratio of 71.4 percent. In the same year, premiums paid by unions totaled $1,462,000 with losses at $257,000 for a loss ratio of 17.6 percent. In 1960, the difference was even greater. Premiums paid by banks and other institutions totaled $21 million with losses at $17 million for a loss ratio of 81 percent. Unions paid a total of $1,402,000 in premiums with losses amounting to $104,000 for a loss ratio of 7.4 percent.

William Botkin, the international secretary-treasurer of the International Woodworkers of America, indicated that labor unions are now compiling figures over a 5-year period including premiums, losses, and the amounts recovered from guilty individuals to support labor's attempts to receive lower rates on bonds for union officials. I am sure that the figures will prove that labor deserves much lower rates on the basis of past, as well as present, performance.

When the Landrum-Griffin Act became effective, bonding companies attached a 50-percent surcharge on the bond premiums of labor officials primarily because of the existing climate of opinion. "Labor corruption" as a tag hung indiscriminately on all union officials apparently led to such an exorbitant surcharge. But that surcharge was later cut in half and now it appears on the basis of facts and figures today that the surcharge is not warranted.

It should not be concluded upon the basis of what I have said that all labor unions are pristine pure and lily white. Continuing effort must be made by labor organizations and labor officials to discharge the public trust fully and honestly. In this sense, we must be our brother's keeper. We must be very much concerned with organizations and officials who have betrayed not only public confidence but the confidence of its members as well.

As to the charge that labor unions are strike-happy and given to irresponsible waste of man-hours and manpower, there are certain pertinent statistics readily available from the U.S. Department of Labor.

Secretary of Labor Willard Wirtz has said that: "Lost time—and production—from strikes has, during the past 3 years, represented a smaller percentage, about one-seventh of 1 percent, of total man-hours worked than during any other years since the end of the last war."

He went on to say that, "More potential man-hours of production were lost in 1962 as the result of involuntary unemployment than have been lost from all strikes in the past 3 years. The public reacts more vehemently to a kick in the shins than to an attack of economic arthritis."

Secretary Wirtz' own department provides us with interesting data. Let's look at the record.

A seemingly awesome total of 19 million man-days were lost as a result of strikes in 1962. But when one considers that this amounts to only .16 percent of the total estimated working time in that year, somebody has managed to make a winter day look like one in summer. This amounts to less than two-tenths of 1 percent of the total.

The purveyors of strike fright have neglected to point out other equally pertinent facts. For example, they conveniently forget than many more man-hours of labor are lost through chronic unemployment as comparted to strikes. The following are the percentages of unemployed in the civilian labor force by years: 5.6 percent in 1960; 6.7 percent in 1961; 5.6 percent in 1962; and 5.6 percent as of May 1963.

In other words, 28 to 33 times more man-days have been lost through chronic unemployment than through strikes in any given year.

Nor do these peddlers of strike-fright inform us of the increase of the gross national product from $482 billion in 1959 to $553 billion in 1962. They do not tell us that output per man-hour of labor in nonagricultural work has increased from 104.8 units in 1960 to 112.1 units in 1962, using the 1957–59 period as parity of 100 units.

Furthermore, they fan the fever of fright by withholding the fact that we have an unused plant capacity of 15 percent. That is the amount of available industrial power which is simply not used.

In view of such incontrovertible facts, I submit that the problem is not one of an excess of strikes. It is one of balancing the supply and demand of our economic resources, especially human resources. This is our most important problem. We simply cannot afford such a high level of unused manpower as represented in unemployment statistics, and we cannot tolerate less than complete utilization of our industrial potential as seen in our 15 percent unused plant capacity.

Lest my statements be misinterpreted, let me assure you that I am not in the least condoning frequent and impulsive resort to strikes as the ultimate weapon of labor dissatisfaction. A fair assessment must be made of the possible detrimental effects to nonparticipants in a strike situation.

Frequently, for example, both labor and industry participants in a strike situation have financial resources built up through the fat years for such eventualities. Strike benefit programs of one kind or another for labor and strike insurance programs of varied types for industry have tided over many a direct combatant manning either side of the barricade.

But the consuming public is often the victim. They have nothing in reserve to cushion the shock of a head-on labor-industry clash. Such victims can fall easy prey to malicious propaganda.

There is a current case which pointedly illustrates how stereotypes are formed and what can be done about them.

As a result of the disturbances in Philadelphia concerning certain employment practices, labor unions are being typed in some quarters as having no concern for civil rights. I think that any objective person will have to admit that certain of our unions, like certain of our commercial enterprises, have not always disregarded the color line. However, the same brush should not be used to tar all labor unions.

Most of the union movements have come of age in the matter of respect for civil rights. But that maturity is in danger of being impaired by the actions of a few and by the ramifications of that action among the people at large.

In the America of today, unions cannot afford the circulation of an image pockmarked by the pits of racial exclusion and inclusion. But please be assured that every effort will be made to cultivate that stereotype unless you speak out with the collective voice of conscience decrying such practices and demanding that the house of labor be cleansed.

The problem, of course, is not only peculiar with labor but cuts across all groups and all regions. But you in labor have a distinctive interest because you are committed to the cause of social and economic justice which you have so widely, and justly, publicized.

Forget this commitment, and you will automatically give license to all those who are only too eager and willing to tarnish the image of labor.

From what I have said, there appears to be no better antidote for the spread of the malady of "antilaboritis" than a healthy dose of facts and figures. This is the most effective prescription which can be administered by anyone interested in the health and well-being of our country.

Those of you in the Retail Clerks International Association are in an especially favorable position to counter the effects of such misinformation. In your almost daily contacts with the public, you can seek to dispell the image which has been wrongfully created. You can do this simply by studying facts and figures which are readily available through organizations such as the Department of Labor and your own research departments.

I need not tell you of the consequences that may derive from a neglect of this essential responsibility. When public tolerance of any institution decreases either through

valid appraisal of facts or through clever distortion of them, then a situation is created which eventually leads to restrictive legislation. I am certain that you can rise to the occasion, as you have done in the past, to man the ramparts of labor.

IMPORTANCE OF POLITICS AND POLITICIANS

Mr. MOSS. Mr. President, Mr. Robert H. Hinckley, of Utah, recently delivered a very important address before the School of Business Administration, Brigham Young University. His address was entitled "The Importance of Politics and Politicians." I think all Senators will be interested in reading the remarks of this distinguished citizen of my State; and therefore, I ask unanimous consent that his remarks be printed in the RECORD at this point.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE IMPORTANCE OF POLITICS AND POLITICIANS

(By Robert H. Hinckley, before the School of Business Administration, Brigham Young University, Provo, Utah)

My theme today is the importance of politics and politicians. This may seem to you an inappropriate subject in a series of executive lectures on business management. If it seems inappropriate it would probably startle you even more if I said politics and politicians could very well be the most important factors in your business lives. I am hopeful that you, students in and of this modern age, have a higher regard for politics and politicians than the general public attitude. I know great progress has been made on this campus in this regard.

When I was here, as a student, President Heber J. Grant would visit us in election years to admonish students and faculty alike to stay out of politics, because he said, "Politics is the stinkingest kind of 'tics' there is." While I did not agree with President Grant, he was in pretty good company, for Thomas Jefferson once said: "Politics is such a torment that I would advise every one I love not to mess with it." So you see, these great men were saying, in effect, the same thing.

One dictionary definition of a politician is: "One who, in seeking or conducting public office, is more concerned to win favor or to retain power than to maintain principles." But the Oxford English Dictionary says that the definition of a politician as a "crude schemer, a crafty plotter, an intriguer," is obsolete; obsolete in Britain, that is.

Oscar Ameringer, an American writer and editor, said: "Politics is the gentle art of getting votes from the poor and campaign funds from the rich, by promising to protect each from the other."

Simon Cameron, Republican boss of Pennsylvania in the last century, said: "An honest politician is one who, when he is bought, will stay bought."

Another dictionary definition of a politician is: "One skilled in political government or administration; a statesman." The definition of a politician being a statesman is interesting, because it's just as difficult for a politician to be a statesman as it is for a businessman or a labor leader to be a statesman. Of course, a politician has to be a very good politician to be a statesman. President Truman used to say: "A statesman is a dead politician." In other words, you only say kind things about the departed. I have discussed with President Truman what might be done to improve the standing and public esteem of politics and politicians. His answer: "There is only one way to do it and that is to improve the breed of politicians." At one time I suggested to him that since politics is the science of government, we might change the name of "politician" to "governmentician"—he thought "governmentician" sounded too much like "mortician" and said: "I will continue to be a politician from Missouri." President Truman thereby put the onus on the politicians for their present low estate and not on the citizens who ignored politics.

I agree with President Truman. To improve politics and politicians, we must select better people to represent us. To do this all citizens should participate in government—then all citizens become, to some degree, politicians, which is as it should be.

You have heard people say, "I wouldn't touch politics with a ten-foot pole." Those same people are willing to spend untold hours in Red Cross work and similar community projects. I was shocked recently to read an attack on politicians by the Reverend Norman Vincent Peale, "Taking them by and large as a breed," he said, "they leave me cold. You wonder how the country survives with these men. I used to think a Governor or Senator was a great man but I long since got over it. He's just cleverer than the next guy, that's all."

In answer to the Reverend Peale, I quote another New Yorker from an earlier day, Elihu Root, who said: "Politics is the practical exercise of self-government and somebody must attend to it if we are to have self-government."

Of course, Reverend Peale would sneer at Mr. Root because he was a politician. He was a Senator from New York. He was Secretary of War under President McKinley. He was Secretary of State under Theodore Roosevelt. Altogether a most respected citizen, but a politician. So, in the reverend's sweeping denunciation, he must be included.

And speaking of politics and business, it was Pericles who said: "We do not say a man who takes no interest in politics minds his own business. We say he has no business here at all."

In this century, Lincoln Steffans said: "Politics is business, that's what's the matter with it. The corruption that shocks us in public affairs, we practice ourselves in our private concerns."

It is not my desire to change your choice of occupation, but whatever that choice is, politics and politicians will be a part of it. For your own good and the good of your community, State and country, you should enter some field of politics.

Since my first experience in Federal Government, I have advocated that all businessmen do a tour in government; the result will only be beneficial. You will make a contribution even though you may not think so. In the Federal Government the playing field is so large it is sometimes difficult to know whether or not you have advanced the ball. But you will have learned something about democratic processes that you could not learn in any other manner, and you will be able to impart this knowledge to your business associates. This is very important because many businesses are operated as dictatorships.

To mention but a few of the national and international problems confronting us, we have:

A lagging economy—our economy is far under its potential.

Unemployment—the technologically displaced by automation and related problems.

Diminishing natural resources—particularly water.

Farm problems—surpluses, prices, etc.

Education—improving our educational systems to where they meet our needs.

Poverty—should be eradicated in a land of plenty.

Civil rights—a 100-year-old problem.

World trade relations—without improvement here there can be no peace.

World population explosion.

Underdeveloped countries, and world-peace—most important of all.

All of these problems and more become the responsibility of politicians because they are political in nature. Only politicians equipped with intelligence, with high integrity and complete dedication can contribute the best answers to these problems.

One of the national discussions of the moment is the tax reduction program offered as a means of improving our lagging economy. Most national leaders, political, industrial, and labor, favor such a program. Many however, favor it only if like reductions can be made in national expenditures.

If there is any lesson to be drawn from this discussion and from the review of other problems confronting us, it seems to me that American businessmen must stretch their minds, lift their sights beyond the horizons of their immediate business concerns, and devote some of their brainpower to the solution of the big national problems of the day through political participation.

They must think more and more in terms of the national welfare. This is a responsibility in a democracy.

We need politicians who understand our economy as a whole, our social structure as a whole, our international relationships as a whole.

We need to have business leaders make the same effort.

We need to have labor leaders make the same effort.

As graduates of business administration, you students are going to be challenged with some gargantuan problems and it will be your responsibility to renounce the shibboleths of the past and make this businessman-politician relationship work for the long-term good of America.

This relationship must have as its overriding consideration the promotion of the general welfare.

Selfish, narrow pressure for any one segment of our society without regard to the general welfare can result only in delay and perhaps defeat.

In our national economy and in our national life as a whole, no business can afford to be "an island entire of itself."

American businessmen cannot afford to be political illiterates any more than they can afford to be economic illiterates. In other words, we must have statesmanship in business, statesmanship in labor, as well as statesmanhip in government. This three-way combination of statesmanship would hasten the day of the general-welfare-first concept.

Now, a political career is not unlike a teaching career in many ways. In my opinion, politicians and teachers are not compensated as they should be and certainly neither group is accorded the public respect to which it is entitled. To be good either as teacher or politician you must be dedicated. "Dedication" is an overworked word today and frequently a misunderstood word. When I talk about dedicated people, I mean people who are doing what they love to do and do it with the zeal of a missionary.

Compensation of politicians is in no way comparable to the income of businessmen. For instance, the President of the United States is paid $100,000 and is given another $50,000 for expenses. Both amounts are taxable. Last year the chairman of General Motors received $791,475. The president of General Motors received $726,100. Two vice presidents received over $600,000 each, and four vice presidents received over $500,000 each.

Our Cabinet officers are paid $25,000, and our Senators and Congressmen receive $22,500. These salaries, of course, are in no way comparable with what can be earned in industry. Moreover, industrialists are not subject to the kind of abuse that is heaped upon public officials. Never have I heard anyone snarl about those characters running General Motors. But I dare say you all have heard disparaging comments about "that man in the White House."

In going through some old files recently I found my last contract as a teacher with North Sanpete High School at Mount Pleasant. It was for $1,200 for the year. Of course, that was a long time ago.

A little over 20 years later, President Roosevelt appointed me a member of the Civil Aeronautics Authority. The legislation creating this agency specified a salary of $12,000 annually. The next Congress discovered this was more than they were being paid—at that time the salary of a Congressman was $10,000—so that became the salary of Civil Aeronautics Authority members. Next year I was promoted to Assistant Secretary of Commerce at $9,000.

My last tour in Government was as Director of Contract Settlement. I was with the Sperry Corp. in New York, when pressured back into Government as Director of Contract Settlement—the office created to settle terminated war contracts. It was near the end of the war, but the war was still on—my children were in it. The President wanted someone with experience in Government and business to organize the Office of Contract Settlement and get it going immediately for as many as 10 million unemployed was forecast for the interim from war work to peace work. I succumbed to the pressure and was again in Government at a salary less than one-fifth of the salary I was then receiving.

An amusing sidelight was the dismay of our friends who could not understand my action on returning to Government service. I had done my share in Government, they contended. When Mrs. Hinckley was asked what was wrong with her husband, she replied: "Well, he's like LaGuardia. LaGuardia runs to fires, while Hinckley runs to Government." At the time Fiorello LaGuardia was mayor of New York City and thought it his duty to attend all fires.

While many thought my return to Government was a great personal sacrifice, it was not. It was one of the most satisfying experiences of my life. The Office was organized with less than 100 people. All terminated contracts were settled by the contracting agencies—a great majority of them in less than 2 years. And most importantly, there was no unemployment in the transition from war to peace.

On the basis of my experience, in and out of Government, my best advice is that all of you at some stage of your career enter the field of politics.

Earlier this month President Dwight D. Eisenhower, speaking on the 95th anniversary of the University of California, on its Los Angeles campus, said: "Our American system, while nearly 200 years old, is still an experiment, and is even today being tested."

President Eisenhower said that to help the system pass this test: "Each of us must comprehend his proper relationship to Government, his duty to it, and his authority over it. Unless he does so, he has forfeited his right to, and his opportunity for self-government. He allows others to govern him."

President Eisenhower further stated, "Educators rightly place high value on, and fiercely defend, academic freedom. But this freedom is only one of a group that includes also political, economic, religious, and personal freedoms. They are mutually interdependent. If any fails, the others will eventually be destroyed."

We are a democracy. Politics is the lifeblood of democracy. We can, as George Bernard Shaw indicated, have politics without democracy, but we can't have democracy without politics or politicians. That's what democracy is all about.

Politics is democracy in action.

Political parties were not even provided for in our Constitution. Indeed many of our Founding Fathers, including the Father of His Country himself, hoped that somehow we might be able to proceed without political parties. But it was quickly seen that this could not be, that all sorts of problems gave rise to all sorts of opinions, and men must take sides to hammer these out in debate, to appeal to the electorate. The electorate must decide and the ultimate solution is usually a compromise. For that is what democracy is—a continuous compromise. Politics has been called "the art of compromise," "the art of the possible," "the middle way."

Those who think or who preach today that we can have a perfectly splendid democracy without politicians are living in a dream world. They remind me of Disraeli's delightful paradox: "Every woman should be married and no man."

Of course, all that I am saying in defense of politics as being the essence of democracy is predicated upon the acceptance of democracy itself. If one doesn't believe in that, then it follows that politics is irrelevant. Strangely enough, at this late date in our national history, we still have citizens popping up to denounce democracy itself.

Extremists and fanatics of the far right and the far left have no use for the democratic process.

Politics is the art of the possible. But this sort of compromise doesn't appeal to the extremists.

The official manual of one extremist group has this to say about democracy: "Democracy is merely a deceptive phrase, a weapon of demagoguery and a perennial fraud." This manual also calls for the impeachment of Chief Justice Warren because of "the unceasing help he has given the Communists."

In a communique called "The Politician," the founder of this semisecret society called Dwight D. Eisenhower a "dedicated, conscious agent of the Communist conspiracy."

Appropos of this sort of thing, let me quote Charles A. Beard, a great American historian who died in 1948. He said: "One of the best ways to get yourself a reputation as a dangerous citizen these days it to go about repeating the very phrases which our Founding Fathers used in the great struggle for independence. All despotisms, under whatever name they masquerade, are efforts to freeze history, to stop change, to solidify the human spirit."

Claude Bowers, in his memoirs recently published, writes, "Nothing stands out more impressively in my memory of the Indianapolis of the nineties, than the general appreciation of fine speaking and the respect for political leaders. This was before totalitarians, Fascists, and Communists taught the people to sneer at politicians, without whom democracy cannot work."

And the great Dictator Franco of Spain said: "We abhor political parties. We are against political parties, and we have none."

This organization in publishing and circulating the tract called "The Politician" is only another effort to derogate politicians and thereby undermine our entire governmental system.

My concern today, though, is not with extremists or the lunatic fringe—some of whom we perhaps will always have with us—but with the overwhelming preponderance of Americans, people who believe in democracy and only hope to see it function more efficiently and more responsively to the needs of the day.

This, after all, was also the hope of our Founding Fathers, and according to their best knowledge, considering that this was a bold experiment, started us off in the right direction.

They could not foresee all of the problems that would arise, all of the further steps that might have to be taken to keep our democracy flexible and serviceable, but they did give us the framework that enabled succeeding generations to do just that.

One of these great developments was the two-party system. Nobody planned it, or devised it—it just grew to meet the necessity. The necessity was to nationalize the issues, to present a choice of two national policies or lines, not 50 conflicting or competing parties and issues, as you find in some other countries.

Your first step will be to decide, probably you already have, whether you will be Democrats or Republicans. There is not much use in being anything else—at least at this period in history.

Note well, that before these parties can go before the country with a platform on the many issues of the day, they have gone through tremendous hurly-burly of conflicting interests. All these, in the end, and somehow to be compromised since they had to represent the national platform of a national party. Herein lies the great nationalizing influence of the two-party system.

The only way a party can survive and attract voters is by presenting an appealing national position—a position which by the very nature of the process of being formulated has to be moderate. There is no place for fanaticism.

Each party has widely disparate elements. But in the end, they know that if they take a walk, or go it alone, they will get nowhere. So the democratic spirit of compromise must prevail. All must put on the best possible face, unite for battle for the electoral votes against the other party—which has had to go through the same, useful, moderating process.

Healthy, vigorous, representative major parties are indespensable to our democracy, to our national progress, to our freedom. The truth of the matter is that these two parties do, in fact—more or less roughly in turn—run the Government.

Now, all this nationalizing of issues, this selection of a candidate to battle for these issues, all this involves politics and politicians.

When the smoke of the battle has cleared, when the electorate has spoken, when one of the parties has won, then the stage is set for further contesting as the issues finally reach the floor of Congress. And again, we have politics and politicians.

This system, whatever its defects, is a system we cannot quarrel with.

The remedy for any malfunctioning is always in our hands. It would be interesting to know how many of those who complain the loudest about politics and politicians are doing their part to make the party of their choice more representative. How many of them are card-carrying, dues-paying members of the party they profess allegiance to?

How many of them are willing to jump in and pull their share of the load? How many of them are willing to start at the bottom and work their way to party influence; start by ringing doorbells as a precinct worker? How many will throw their homes open to neighborhood political meetings?

If more Americans would take their politics more seriously and come to know the cold, practical facts of political organizing, the hard work, sacrifice, the endless electioneering involved, they would have a greater understanding of our political process. And I know they would have a greater admiration for those workers, from the lowest working ranks, to the precinct captains and all the way to the national level.

Voting is not enough.

And it is all very well to study political science in college, to join discussion groups on the issues of the day, to raise your blood pressure by reading newspaper or magazine articles or to battle vicariously with panel discussants on television shows. But that is not what pays off. What pays off is for you yourself, personally, to jump into the political fray at no matter what humble level.

I say advisedly that it pays off. Even if your party loses you have rendered necessary service. Strong opposition parties are indispensable to the best functioning of our two-party system. The party in control needs to be challenged—it needs to be put on its mettle, and kept on its mettle. So well recognized is this principle in Great Britain that the minority party is called Her Majesty's loyal opposition.

Political wallflowers don't make our democracy work. What will make our democracy, our politics, work even better is for all of us to become politicians, to fight for the political leaders we think can best do the job, and further, to fight to select the candidates that best represent our own political thinking.

The successful political leader is one of the hardest working members of our society. And perhaps the most valuable, versatile of all. It is high time that we Americans discarded the stereotype, the caricature concept and started judging our politicians as they really are, not minimizing the faults, but certainly giving full credit where credit is due. This would be a mark of maturity and sophistication.

In these days of world tension and grave national problems, when we need to rely so heavily on our practicing politicians, we owe it to ourselves and to our country to come of age politically.

Adlai Stevenson said: "That 'politics and politicians' have become words of disrepute and abuse—epithets, if you please instead of words of honor and respect—reflects no less on those who apply the epithets than on those to whom the epithets are applied."

Claude Bowers said: "Nothing in the old nobility of England sets it so much apart from that of other nations as its recognition of an obligation to participate in politics as a patriotic duty. The son is not thought vicious and smearing the family name or lowering its prestige by rendering public service in the halls of Westminster."

Senator Hugh L. Scott, Republican, from Pennsylvania, said: "For too long businessmen have been too timid and have been wont to expect others to do the necessary political work for them. Perhaps they feel that politics is a dirty business. If so, the dirtiest thing about it is the failure of decent, responsible people to do their civic duty."

Former Congressman T. V. Smith said: "Disdain of politicians should be left to dictators. Democrats cannot afford the luxury of such malevolence. If most politicians deserve disdain, then our democratic way of life perishes for lack of leadership. If they suffer undeservingly, then our Western way of life perishes for lack of loyalty to its key institution, the legislature."

Politics is not alien to business. Politics is not alien to anything in our national life. Politics is basic. How good everything else is depends on how sound and good our politics and politicians are.

To mention only world peace—the greatest of our problems—when, as and if it is obtained, it will not be the scientists who achieve it—it will not be the theologians who bring it—it will not be the businessmen, unless they be practicing politicians. It will be the politicians. That's why I believe politics and politicians are important—very important—most important.

James MacGregor Burns, in his recent book, "The Deadlock of Democracy," writes: "The cure for democracy, people used to say, is more democracy. A half century of hard experience has shown this cliché to be a dangerous half-truth. The cure for democracy is leadership—responsible, committed, effective, and exuberant leadership."

So, what politics needs is you. What the country needs is you in politics. A transfusion of you and your counterparts from every campus in the land into political participation.

April 30, 1963.

SIERRA CLUB LETTERS ON GLEN CANYON

Mr. MOSS. Mr. President, recently I received from the Sierra Club a superb portfolio of colored photographs entitled "The Place No One Knew: Glen Canyon, of the Colorado." The foreword is written by David Brower, executive director of the club; and it is a worthy and appropriate introduction to a magnificent series of pictures of a canyon endowed with startling beauty. I have visited the Glen Canyon stretch of the Colorado several times, and I shall treasure the portfolio as a reminder of my days on the river.

Mr. Brower included with the portfolio two copies of letters to Secretary of the Interior Udall. The first mourns the immersion of Glen Canyon under the murky waters now backing up behind the Glen Canyon Dam, and then requests that the President proclaim an enlarged Grand Canyon National Monument to withdraw all portions of the Colorado River between Lees Ferry and the Grand Wash Cliffs from development, in order to prevent the Federal Power Commission from giving Arizona and the Bureau of Reclamation authority to construct a dam in Marble Canyon. The second letter again asks that a barrier dam be constructed to protect Rainbow Bridge from the waters of Lake Powell.

Mr. President, both Glen Canyon and the Lees Ferry-Grand Wash Cliffs stretch of the Colorado River are unquestionably scenic. For hundreds of miles, as it proceeds through the States of Utah and Arizona, the river carves one colorful canyon after another out of the multihued sandstones through which its rushing waters flow. Some of the most spectacular of these canyons will be preserved upstream from Lees Ferry and above Lake Powell, in Cataract Canyon and in the proposed Canyonlands National Park, to which the Senate recently gave unanimous approval. The most impressive of the Colorado's great downstream canyons has been preserved as the Grand Canyon National Park.

Perhaps it would seem desirable to some to lock up the rest of the Colorado's canyons—every winding mile of them—in their pristine state. I am sure there are many other stretches, aside from the Glen Canyon stretch, which would yield equally as spectacular pictures if taken from the right angle, and by as gifted a cameraman. But every practical person knows that in this country the time has passed when we can demand that we lock up most of the West for wilderness and scenery only. We must select carefully several of the best examples of each type of scenery, see that these are preserved, and then open the rest for other types of development. Only in this way can the West progress, and only in this way can we continue to create the kind of abundant life to which our mid-20th century standards of living have accustomed us.

Anyone who loves the out-of-doors as I do, and who has hunted and fished and camped as often as I have, can understand the deep reverence the nature lovers have for areas in which the elements have done some special handiwork. I commend the Sierra Club and other similar organizations for their continual fight to conserve our natural beauties and to save from exploitation or waste our heritage of forests and streams and canyons. We all know that many of the national parks and monuments which we now enjoy would not be there were it not for the dedication of men such as Dave Brower and his colleagues in the Sierra Club. We all appreciate the sturdy assistance which its members gave in the 87th Congress, and again in this 88th Congress, when the wilderness bill was under consideration by the Senate and when other conservation legislation has been at bay.

But the measure of true effectiveness of either a person or a movement is the knowledge of when to fight and when to withdraw. Bitter inflexibility is never as productive, in the long pull, as tolerance, as the knowledge of when to give and when to stand firm. Effective intervention also requires a sense of reasonableness and a sense of reality.

The attack of the Sierra Club on the Glen Canyon Dam as unnecessary and its proposal to place all of the Lee's Ferry to Grand Wash Cliffs stretch of the Colorado River in an enlarged Grand Canyon National Monument are, in my estimation, examples of bitter inflexibility. To the Sierra Club, everything seems to be either black or white. What it wants is white, while everything else is automatically black.

We in Utah learned this through sad experience during the long struggle for authorization of the Colorado River storage project. Long before Dinosaur National Monument was established, there was a reclamation withdrawal for development of Echo Park Dam site at the junction of the Green and Yampa Rivers. This withdrawal was recognized in the Presidential order extending Dinosaur National Monument. I was far upstream from the Dinosaur Quarry. Yet the Sierra Club ignored this reclamation withdrawal, in marshalling its opposition, and forced the Colorado River Basin States to surrender Echo Park for a less desirable and less efficient damsite. The water and power users of the Rocky Mountain States will pay for that defeat over the years, just as the same taxpayers would have paid for the high-cost barrier dam to keep Lake Powell out of Bridge Creek had the Congress not supported its appropriations committee in rejecting the Sierra Club's demands. As it now stands, Rainbow Bridge will be completely untouched by any water, and at the same time Lake Powell will open up, for easier and greater public access, the greatest and most beautiful sandstone arch in all America. Many will see and marvel where only a very few came before.

In its testimony on Canyonlands, the Sierra Club has demanded that the park be enlarged many times its proposed size, and that there be an absolute prohibition against any development in the area. There is no doubt that on the fringes of Canyonlands there are many areas and structures which could well be included, and that a pure park would be appropriate; but if I stuck blindly to demands of this type, there would be no bill to create Canyonlands National Park, and we all know it.

As for Glen Canyon, the club is challenging the veracity of some of the greatest engineers and hydrologists in the world today, by its assertions that this dam and reservoir are not needed. It is only by the construction of Glen Canyon Dam and Reservoir that there could be provided the vast storage capacity which would permit the Upper Basin States to fulfill their Colorado River compact commitments to the downstream States, and still have a sufficient supply of water, year in and year out, for upper basin use.

I say we owe a great debt of gratitude to Secretary of the Interior Udall for standing firm against the demands of some of our naturalist groups. I know of no one who is a truer disciple of conservation than Stewart Udall. He is in the tradition of Theodore Roosevelt and Gifford Pinchot in his interest in protection of the public domain and public resources.

But Roosevelt and Pinchot did not advocate locking up all the resources of the West. Gifford Pinchot is primarily responsible for our system of national forests. Should we lock them up for the fortunate few? The national forests are managed under the concept of multiple use—timber, mining, grazing, recreation, and so forth. Theodore Roosevelt visited the Grand Canyon in 1903, and advocated that it be left as he saw it. The Congress responded to his plea by establishing the Grand Canyon National Park. The park embraces a vast area of 645,000 acres of some of the most spectacular area in the world. I would be the last to propose any invasion of it. But we have this great, breathtaking, beautiful area covering many, many square miles. Should we add to it more of the same, for the single purpose of scenery?

The PRESIDING OFFICER. Under the 3-minute limitation, the time of the Senator from Utah has expired.

Mr. MOSS. Mr. President, I ask unanimous consent that I may continue for 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MOSS. Mr. President, the nature lovers would add more, more, and more, at the expense of other users which bolster the national and local economy. Speaking from sad experience in Utah, I warn our good friends from our sister State Arizona not to be taken in by this proposal to create a national monument of all of the Grand Canyon, and then to expect Congress to undo the proclamation and provide for disposal of the area.

Congress has already decided on the use of the Glen Canyon area of the Colorado, and it was a wise decision. Now that the Supreme Court has made a determination on the allocation of water from the lower basin of the Colorado, the States of the lower basin are considering, with the Federal Government, the most suitable plan for the comprehensive development of the remaining water resources on which the economic development of the area depends.

The Colorado River is the key to that economic development. I can only express the hope that no one will be so taken in as to follow the Sierra Club's tortured thinking about the river's future.

Our national parks and monuments are a wonderful institution. No one loves them more than I, and I am proud of those in my own State. But the self-elected guardians of these and similar areas must use judgment. They must live and let live.

What we are really faced with is 1[illegible]0 thinking in a 1960 world. Fifty years ago—or even 25 years ago—who would have dreamed that by 1960 we would be facing a water shortage in several areas of our country, and that by 1980 some of them could actually run out of water? Who would have believed that we would have been seeking more and more hydroelectric powersites on our rivers, so we could use power revenues to pay the costs of putting more water on our land in order to raise enough food for the 200 million people America soon will have? Who would have thought that our economic progress and the continuation of our abundant living standards would rest very greatly on the wise and comprehensive development of our water resources?

But now we know the dimensions of our problems, and we know that, in prudence, we cannot carve out and set aside virtually all of our river gorges to be kept forever inviolate and untouched. We must balance our needs, and must meet first those which are paramount. This will be possible only if conflicting interests will be moderate, tolerant, and broadminded.

CONTINUED PROGRESS IN CIVIL RIGHTS

Mr. HUMPHREY. Mr. President, I wish today to comment on some good news of events that are taking place in America with respect to the issue of civil rights. I mention this because, as I said a few weeks ago, all too often we read or hear about demonstrations and disasters and difficulties, rather than achievements and accomplishments in favor of human rights in the United States. I wish that we could convey this good news to the rest of the world. I wish we could tell the rest of the world about what is happening in this country in terms of the fulfillment of the promise of full citizenship for every American citizen.

For the past several weeks I have been noting a variety of instances relating to encouraging progress in the cause of civil rights, where the struggle for human freedom is going resolutely forward.

Ours is the one country in the world that can truly say it is making progress in the cause of human freedom. We are setting new standards for ourselves and for the world. We ought to be proud of it. We ought to tell the world that the accomplishment of new standards of performance often brings with it some difficulties. We are breaking with customs and traditions, and breaking down barriers. This, in itself, is sometimes a rather difficult and troublesome process. Nevertheless, we are making progress.

This is the kind of news that should be broadcast throughout the world, instead of having the press of America constantly carry ugly stories of disaster and violence. Where are the good stories, and why do they not receive the attention they deserve? Today I have before me some of these good stories that I have been able to glean from the news media, and I intend to put them in the RECORD.

I am not doing this to indicate that President Kennedy's civil rights legislation is not urgently needed, or to suggest that racial prejudice and discrimination do not continue to bring grave social and economic and political injustices. Legislation is needed, and we have serious problems. Rather, I have done this to demonstrate, in a small way, that America is making progress in race relation, and that many millions of Americans are determined to bring the reality of freedom to their fellow citizens, regardless of race or color of skin. I have attempted to provide some perspective to a subject with respect to which reports of violence, discord, and disunity are too often given the headlines by the press, radio, and TV. Too little notice is given to the constructive, unspectacular, and quiet achievements that take place every day in the field of civil rights.

I am convinced that America will eventually solve its racial dilemma. I believe that only in America do we possess the fundamental commitment to human freedom, the tradition of liberty, finally overcome prejudice, discrimination, brutality, and hate. When this day arrives, it should be noted well by future historians. For America will have become the first country of any size and containing any variety of races and nationalities to resolve the hard facts of discrimination and prejudice. Let us never lose sight of this fact: America is the great melting pot of the world; we are the gatherer of races and peoples; we have opened our doors to inhabitants from every continent.

I can say with humble pride that no country at any time has made the progress that the United States of America has made in providing equality of treatment and equality of opportunity for the vast number of people of different races, creeds, and national origins that we have in the United States. While we have our problems, we are facing those problems courageously. We are not running away from them. We must take criticism for it in the foreign press, and even criticism from behind the Iron Curtain; yes, even from Red China, where the most vicious form of brutality is being practiced against the Chinese people by the Communists rulers of that country.

Let the American people be proud of the fact that we are making progress, that we have a record that is not exceeded by any people in the history of the world.

Therefore, when this challenge of racial equality is finally met, it will—in many ways—represent a victory for all mankind. For America will be the first Nation in the history of the world to fashion a society where many races, religions and peoples will live together in freedom, harmony, and peace. This will be an achievement in which every American should take great pride.

Mr. President, the Metropolitan Life Insurance Co., deserves high commendation for their decision to implement a policy of open occupancy in their many residential housing developments throughout the Nation. This decision represents a major breakthrough for equal housing opportunity in northern Virginia since Parkfairfax will be available to all qualified tenants, regardless of race. Other Metropolitan projects affected by this action includes Stuyvesant Town, Peter Cooper Village, and Parkchester in New York City, and developments in Los Angeles and San Francisco. It is most heartening to see such affirmative action by Metropolitan Life.

I also note the hopeful progress that is underway in Nashville, Tenn., where peaceful, voluntary, and constructive citizen action is being taken to create a city truly open to persons of all races. Last Sunday's New York Times magazine contained a most encouraging report of the progress in Nashville. Similar progress is underway in Charleston, S.C.

The South is rising up to meet this kind of racial discrimination. I think we of the Northern States ought to praise these accomplishments. We ought to sing forth the praise of these achievements, because they are difficult assignments; yet they are being undertaken and fully and successfully completed.

There are numerous reports of the deep involvement of the Nation's churches and synagogues in the current civil rights crisis. In the past, the religious institutions have too frequently avoided their full responsibilities in this regard, but their response in the present crisis is most heartening. Denomination after denomination has involved itself directly in this historic struggle. Catholic, Protestant, and Jewish governing councils have issued official pronouncements supporting action on all levels in the life of the church. The three principal faiths are taking an active role in the march for jobs and freedom scheduled for August 28 in Washington.

Finally, there have occurred a number of specific actions by labor unions and employers to improve the economic and occupational status of Negro employees. The New York Times of last Sunday published an excellent editorial detailing the progress that has recently been achieved in the construction industry and the building trades.

Yes, there is good news on the freedom front in the great struggle for human equality. Much remains to be done, but let us not ignore the progress that is being made.

Mr. President, I ask unanimous consent that a variety of articles and editorials attesting to the progress in civil rights that is being achieved be printed at this point in the RECORD.

There being no objection, the articles and editorials were ordered to be printed in the RECORD, as follows:

[From the New York Times magazine, Aug. 11, 1963]

HOPEFUL DIALOG OF THE RACES

(Whites and Negroes set a bright example in Knoxville, Tenn., by establishing a biracial committee to create a truly open city.)

(By Wilma Dykeman and James Stokely)

KNOXVILLE, TENN.—Negroes have served notice on white America that they intend to be part of a community dialogue. The massive resistance to change on the part of whites in the past has led to the massive resistence on the part of Negroes today. If they are not allowed to communicate their deep-seated anger and compelling needs by negotiation, they will communicate them by demonstration. Local leaders everywhere are becoming aware of this fact. To many it is not welcome, but commonsense compels them to act in the face of a challenge that threatens the entire fabric of the American community.

One important answer to this challenge is the formation of biracial committees, examples of which are being created almost daily throughout the South. These committees have a very real function. They offer an alternative to those who shout, "We'll do nothing and we'll do it tomorrow," and those who demand, "We want everything and we want it yesterday." Between these two defiant positions stands the majority group of each race. The biracial committee helps them to create a full, meaningful exchange.

Recent and continuing developments here in Knoxville provide an example of how local leadership and biracial responsibility may mobilize to achieve progress with a minimum of open conflict and its aftermath. Because Knoxville has neither the intransigence of the Deep South nor the complacency of the North, its experience has significance for cities both North and South.

Two facts are fundamental to understanding the situation that existed in Knoxville at the beginning of last May. First, white residents of the city had been served notice that the Negro citizens of the city were not satisfied with the status quo. Lunch counter sit-ins 3 years ago and, more recently, student picketing of segregated restaurants near the desegregated University of Tennessee and demonstrations at a downtown movie theater had pinpointed some of the Negro grievances. They had also shown that Negroes were ready to take direct action if that was necessary to abolish segregation. (Although the lunch counter sit-ins had been resolved when department and variety stores desegregated their counters, the other sources of resentment remained and led to almost nightly demonstrations during the past spring.)

Second, and even more important, Negroes were making their demands known at another level, through conferences among community leaders. The Knoxville Area Council on Human Relations, the interracial Fellowship House and the ministerial association had provided channels for discussing integration and the achievement of certain limited goals of desegregation. The weakness of these groups was that they were not part of the community's economic and political decisionmaking power structure.

Then the violence in Birmingham, Ala., occurred. Faced with a reappraisal of the critical situation throughout the South and in their own city, some 35 white business, political, educational and social leaders of Knoxville came together on May 16 to discuss immediate desegregation.

"We were running scared because of Birmingham," one member of the group admitted, but another added: "Knoxville at least had the sense to profit from Birmingham's experience. We know we couldn't let it happen here."

An editorial which had appeared in the Knoxville News-Sentinel the previous afternoon gave these men confidence. Editor Loye W. Miller had issued this challenge: "Let's Make Knoxville an 'Open City'." Citing its recent award as an All America City, Mr. Miller urged open facilities for all Americans. "'This means admit everybody to every place that caters to the general public—to the movies, the stores, the hotels, motels and to the 'private' hospitals. And let's do it by common consent and not by force. This calls for leadership from Knoxvillians of all races and faiths."

The editorial appealed to civic pride and helped create an atmosphere of what one resident called pragmatic idealism. It paved the way for the statement the 35 civil leaders publicly endorsed the following afternoon: "Believing in the equal rights of all people and what is morally right is economically sound—and in observing the law of the land—we pledge ourselves to work peacefully for the prompt and disorderly desegregation of all public facilities."

Hugh W. Sanford, Jr., an industrialist in the group, concluded: "Getting everyone's name out in the open was important. We wanted to make public opinion public, get leadership focalized out in front.

An executive committee of eight men was named. Besides Mr. Sanford, it included Mayor John Duncan; former Mayor and industrialist George R. Dempster; Dr. Charles A. Trentham, minister of the First Baptist Church; chamber of commerce President E. B. Copeland, Jr., and three other prominent businessmen, Robert G. Chapman, John Hart and W. B. Neill. It met with a committee of the city's Negro leaders—Dr. James A. Colston, president of Knoxville College; Dr. William T. Crutcher and the Reverend Robert E. James.

The first of a series of biracial meetings were held in one of the public assembly rooms of a leading downtown hotel. Most of the participants were already acquainted with one another, but within a few weeks they would realize just how superficial this previous acquaintance had been. "I know I have developed the greatest respect for this Negro leadership," one of the white businessmen says, "since I've seen these men under pressure and witnessed their maturity and judgment and their commitment to the community." And one of these Negro leaders says, "I know working with this executive committee has helped bring problems of white leaders into sharper focus for me. We've all learned a lot."

Although the two groups sat down together in an atmosphere of goodwill, there was tacit understanding that the Negroes were staking their reputations on the good faith and the ability of the white participants to deliver results. If the Negro leaders could not return to their people and say, "Negotiation won us these specific gains," they were in real danger of being shunted aside for leaders who might prefer belligerent protests to less dramatic progress.

They were asked to spell out what the Negro community wanted. As immediate steps toward the ultimate goal of total participation in the life of the city, they listed: desegregation of hospitals, hotels and motels, theaters and restaurants, and improved job opportunities.

"We'll get to work on it," the white leaders promised. But they soon discovered that what was needed as much as better communication between the races was improved communication within the white group. At this point Knoxville began to adapt the workings of the biracial committee to its own local needs. The white executive group became completely flexible in handling each phase of desegregation, working on a biracial basis in its meetings with Negro leaders to learn what Negro citizens wanted in specific instances, operating unilaterally in its approach to certain businesses and white groups which had to be won over to the "open city" idea.

This procedure had the approval of the Negro leaders. "We feel," says one, "that this is the best approach they could have used. These were not crusaders or people of another race asking for something; these were fellow businessmen talking good business and the progress of our city."

The task of talking good business was not easy. Not all of the establishments faced with the demand for immediate desegregation were controlled locally; the owners or regional managers of at least two of the key enterprises were in other States. Attitudes varied sharply from businesslike adaptation to the inevitable to outright hostility toward any discussion of change.

"One fellow was hardnosed as the Devil," a committee member says. "He grew pretty hot on the phone and so did I. 'Look here, I'm not trying to tell you how to run your business,' I finally said to him, 'I'm just trying to help you save it.' He saw our point after a while and agreed to have a talk with us, and now Negroes are welcome in his establishment."

One important result of the first meeting of the biracial committee had been that eroding Negro trust in the good faith of the white community was considerably shored up. This had important consequences for the work of the white executive group. As one member confided recently: "First we found that some businesses wouldn't even discuss desegregation if they were under any pressure. By having the good faith of the Negro leadership, we were able to halt some of the pressure, at least momentarily, until we could talk. One of the businessmen felt that he had been singled out for demonstrations. We could see his point. So, although we had planned at first to start in only one or two fields at a time, we decided we had to attack segregation across the board."

Within a week, three Knoxville hospitals (St. Mary's, Baptist, and Presbyterian) had agreed to desegregate this summer. (The other, University Hospital, already accepted Negro patients.) "We must follow the example of the Great Physician, who ministered to all people, if we are to be consistent in our practice of Christianity," Dr. Trentham insisted.

A few days later, downtown hotels and several major motels announced their desegregation. As public endorsement of the open city declaration began to grow—the chamber of commerce received more than 4,500 signatures within a few weeks—confidence among both Negroes and whites increased.

On June 22 an International Visitors Center for entertaining foreign observers of the TVA was opened in one of Knoxville's leading hotels. (Financed by a grant from the Edgar Stern Family Fund in New Orleans, this center is the first of its kind in the country and has been acclaimed as a symbol of Knoxville's awareness of its role in building or damaging America's image abroad.)

Desegregation of downtown theaters began a little later. As the committee worked on this, one Negro was heard to remark: "I fought in Korea to preserve the ideals of this community. And yet when I go to buy a ticket to 'Ben Hur' or 'The King of Kings,' they turn me down. I don't want to marry the cashier; I just want to learn about the life of Christ." Ex-Mayor Dempster summed it up in committee meetings: "I know a lot of good Christian people who are looking forward to spending 2 billion years in heaven with Negroes but won't spend 2 hours at the show with them."

Opening restaurants to Negroes required considerable negotiation. Without the efforts of the biracial group, no one can even hazard a guess as to when, or at what cost in violence, the city's restaurants might have been desegregated. During the weeks the committee was at work, there were no restaurant demonstrations.

"Even the most radical Negroes knew we were putting our best effort into this," one man says, "and they helped us and themselves by keeping faith with their leaders and providing an atmosphere in which we could negotiate." On July 5 the overwhelming majority of Knoxville's restaurants—about 65—including all major downtown ones, desegregated.

With the municipal auditorium and libraries, city golf courses, parks, the swimming pools, and public schools all integrated without incident, desegregation of Knoxville's restaurants is the latest, but not the last, step in the march toward an open city.

Plans for the opening of the restaurants were no sooner completed than the committee set up a meeting to consider equal employment opportunities. White and Negro members alike agree that this is the longest, hardest step of all. Some progress is being made: Negro sales clerks in certain downtown stores, Negro bus drivers for the city transit system, upgrading of Negroes in industries where they are employed. But as Frank Gordon, a Presbyterian minister and State president of the NAACP, observes: "This committee is opening better opportunities for us to spend our money. Now we need better opportunities to earn money. Before long we want a real breakthrough on jobs."

"I went down to eat in one of the big hotels last week," a Negro student confides, "but I won't be going again soon. I can't afford it, and neither can most Negroes in Knoxville and east Tennessee. What we need is jobs."

But in Knoxville and the surrounding area, many white people are also waiting for a breakthrough. Most of these unemployed are unskilled. It is possible that as the committee searches for a solution to racial difficulties, it will also gain new insights into other problems in the region. To some observers this would involve the healthiest sort of integration: the cooperation of Negro and white citizens in an attack on the common enemies of poverty, inadequate education and cultural deprivation.

A key figure in Knoxville's program has been the chamber of commerce's President Copeland. A native of Birmingham, he is committed to avoiding repetition of that city's upheaval. "What we try to do," he says, "is dig out the reason why a man won't go along on this and then we try to show him where his course is unrealistic or more likely to bring him trouble than orderly desegregation would."

"We haven't got a completely open city yet," another Knoxvillian said last week, "but the door's swinging wider all the time. No matter what anybody says or thinks, there's no magic wand we can wave and solve this problem. What we've all got to do is settle into the harness in our own towns and communities for a long, hard pull. I believe that's what we're doing here and I believe we're getting somewhere."

"Some people say that Negroes must earn the right to participate in democracy," another commented. "Well, we all have to earn that right, and those of us who are white must earn it now by participating in a search for a solution to our racial crisis."

Other cities have noted the Knoxville program. Even Mississippi's Gov. Ross Barnett is aware of its influence. Mayor Duncan tells of a late evening telephone conversation with the Governor. "He asked me what we were trying to do up here," the mayor recalls. "He wanted to know if I was from the South. He said the South had to stick together now. Finally I told him that Mississippi would have to work out its problems and we would work ours out."

Because of their vulnerability and accessibility, both Mayor Duncan and Editor Loye Miller have received most of the anonymous threats and obscene messages from rabid segregationists. There has been little real opposition to this drive for desegregation, however. A White Citizens Council which flourished briefly has sunk into oblivion.

Reports from all parts of the South reveal that biracial committees are achieving solid results in many communities. The most effective committees have certain characteristics in common—small size, informal procedures, unassailable civic figures as members. One factor for success remains constant: Negro members of the committee must be truly representative of the Negro community and not mere reflections of white opinion. An interracial committee exists to listen to ultimate demands and extreme defiance; then it has to work out a course by which both may be kept from tearing the community apart.

"The art of the whole thing," says a philosophic Southern editor in summation, "is recognizing and including the spectrum on this committee and in its thinking. Negroes are fragmented as well as whites. In fact, isn't that the story of our whole civilization today—man's fragmentation, his loneliness?"

[From the New York Times, Aug. 11, 1963]

CHURCH TO ENLIST CATHOLICS HERE FOR CAPITAL CIVIL RIGHTS RALLY—VICAR GENERAL'S LETTER TO BE READ IN ALL 402 PARISHES URGING PARTICIPATION

Roman Catholics in the archdiocese of New York will be asked next Sunday to take part in the August 28 civil rights march on Washington.

A letter from the Most Reverend John J. Maguire, auxiliary bishop and vicar general of the archdiocese, will be read in all 402 parishes in its jurisdiction. Bishop Maguire's letter points out that Cardinal Spellman recently observed that "much—ever so much—remains to be done" in the field of racial justice.

In another development yesterday, the National Council of Churches—comprising 33 Protestant and Eastern Orthodox communions—estimated that more than 40,000 churchmen would take part in the Washington demonstration.

The council's newly formed commission on region and race, it was said, had received reports that State and local councils of churches, national and regional denominational agencies, and individual church congregations in many parts of the country have chartered planes and buses for the trip, exhausting in some instances available facilities.

The council said it would work closely as a cosponsor of the march with the American Jewish Congress and the National Catholic Conference for Interracial Justice.

There were other developments yesterday concerning the civil rights movement here. In one of them Malcolm X addressed a unity meeting of Black Muslims in Harlem that drew 3,000 persons.

A young man and a young woman continued the sit-in at Governor Rockefeller's office, 22 West 55th Street.

QUIET AT MEDICAL CENTER

But everything was quiet at the site of the Downstate Medical Center in Brooklyn, the scene of recent demonstrations over the issue of more jobs for nonwhites in the construction industry.

At the Rochdale Village housing project in Jamaica, Queens, 50 pickets marched for about an hour and a half. But no construction workers were on the job for the weekend, and the pickets left before 10 a.m.

Bishop Maguire's letter to be read next Sunday said:

"You will recall the recent statement of Cardinal Spellman concerning racial justice in which he reminds us, 'But much—ever so much—remains to be done. The great Christian and American principle of equality must be reduced to action in local circumstances and in specific ways. We need civil rights measures enacted into law; but we also need the attitudes of justice and charity to be applied by every person in our society to the concrete problems of housing, employment, and education. This is the challenge which 1963 has set squarely before us and it must at all costs be faced and solved.'

"In line with this we wish to make the following announcements:

"There are many civil rights organizations which are carrying out the objectives which His Eminence describes and are therefore deserving of our support as we follow the principles of Christ and our obligations of good citizenship."

GOOD OUTWEIGHS ILL EFFECTS

"Demonstrations and other activities of these organizations, in which the good that is reasonably expected through these demonstrations outweighs the accidental unfortunate effects, when they are carried out in a responsible and peaceful manner within the bonds of Christian charity and justice, and finally when they are undertaken as a last resort in the struggle to overcome the second-class citizenship of American Negroes, are deserving of the support and participation of Catholic American citizens.

"Notable among these is the 'March on Washington for Jobs and Freedom' scheduled for August 28. You will find an opportunity to support and participate in this major commitment to justice through charity in many organizations, committees, unions, etc. The Catholic Interracial Council of New York will be sponsoring a group in this event. Information can be had at the office of the Catholic Interracial Council, 20 Vesey Street, Re 2-5417."

[From the Wall Street Journal, Aug. 2, 1963]

Churches Take More Active Role in Negro's Fight for Equal Rights—Some Bar Economic Dealings With Segregationists; Nuns Walk Chicago Picket Line—A Crack in Baptists' Dike?

(By William R. Clabby)

The Nation's churches, once content with a back pew in the ever-intensifying civil rights struggle, are becoming increasingly active in trying to break down stubborn segregation barriers.

The arrests early last month of leading Protestant, Catholic and Jewish clergymen who attempted to integrate a Baltimore amusement park, and the startling spectacle of seven nuns manning a racial picket line in Chicago point up the expanding role of U.S. churchmen in the racial crisis. But direct participation in civil rights demonstrations is only one of the more dramatic manifestations of the pressures which U.S. church organizations are unleashing in behalf of integration.

Only a few weeks ago, the United Church of Christ (a million members) voted to impose stringent economic sanctions on member churches which continue to support segregation policies. Meeting at its biennial convention, the church's general synod voted to withdraw financial support from its segregated educational institutions and ordered a halt in loans to new congregations that refuse to open their doors to Negroes.

MAKING UP LOSS OF PLEDGES

Not long before, the 3.3-million-member United Presbyterian Church moved to set up a special commission on racial matters and armed it with $500,000 in church funds to help smooth the way for integration. Among other things, the commission is empowered to reimburse churches that have lost pledges from members as a result of desegregation.

At the same time, the Roman Catholic Church, whose 42 million members make it the Nation's largest religious denomination, is beginning to bring its considerable economic weight into play. Since the first of this year, four major Catholic dioceses have banned the issuance of construction contracts to builders who violate fair employment practices. Catholic leaders predict the ban will spread rapidly. The Catholic church spends about $2 billion annually on construction, more than any other U.S. institution except the Federal Government.

These and similar moves represent a major change in the policies of most churches toward integration. Though individual clergymen have been among integration leaders for many years, most church organizations either have remained silent on civil rights or have limited their support to approving resolutions condemning discrimination.

"But the day of passing pronouncements is ending," declares the Reverend Jay Moore, a member of the newly formed Emergency Commission on Religion and Race of the National Council of Churches. "More and more the churches are deciding the time is long overdue for them to take their place at the receiving end of the firehose."

NOW IS THE TIME FOR ACTION

Much of the organized Protestant effort to eliminate segregation is centered in the National Council of Churches. In a resolution passed in June at the time it set up its emergency commission, the big church association declared: "Now is the time for action—even costly action that may jeopardize the organizational goals and institutional structures of the church."

Already, the council has assigned 8 full-time staff members to the race commission and the Reverend John Regier, the acting director, estimates that 300 paid and volunteer workers will devote themselves to race problems before fall. Besides supplying manpower for racial demonstrations, the commission currently is sending emissaries to racially tense communities across the country in an effort to get local church leaders to play more active roles in the civil rights drive.

In the New York City suburban towns of Chatham, Madison and Summit, N.J., for instance, the Council of Churches is leading drives to overcome discrimination in housing, education and hiring, as well as in the churches.

Local churchmen and lay leaders are asking residents of these communities to sign petitions supporting equal housing opportunities for Negroes; residents also are being asked to declare they won't move away if Negroes integrate their neighborhoods. "We know that the real key to the school segregation problem is the housing problem," says Rev. Colin Williams, a leader of the council's emergency commission. "If we can solve this, then school integration will be advanced."

NEGROES AS ASSISTANT MINISTERS

Working with the National Association for the Advancement of Colored People and other civil rights groups, the council also plans to ask large white churches not only to integrate their congregations but to take on Negroes as assistant ministers. "The Negroes say, and we agree, that it's no good to integrate the pews and not the pulpits," comments the Reverend Mr. Williams.

The council is forging legal weapons to aid Negroes, too. In Tulsa its local chapter joined with the NAACP recently to help collect 10,000 signatures on a petition asking city officials to wipe out segregation in all public places with a city ordinance backed by stiff fines. Speedy approval is predicted for the measure, which also is supported strongly by Catholic and Jewish leaders.

On a broader scale, the Council of Churches, the Synagogue Council of America and top Catholic officials last month drafted and presented to Congress a joint statement backing strong civil rights legislation. The statement marked one of the first important tri-faith stands on civil rights.

Along with such joint efforts, many denominations are charting their own civil rights moves. Last month the Protestant Episcopal Church, with 3.5 million members, summoned all its American bishops to a meeting in Canada August 12 to discuss the U.S. racial crisis. In issuing the call, the Right Reverend Arthur Lichtenberger, presiding bishop of the church in the United States, declared: "There is an urgent need to demonstrate by specific actions what God has laid on us. Such actions must move beyond expression of corporate penitence for our failures to an unmistakable identification of the church at all levels of its life with those who are victims of oppression."

ORGANIZATIONAL OVERHAUL

The Methodist Church will vote next year on a plan to overhaul its organization to eliminate separate jurisdictions for its 10 million white and Negro members. Approval of the plan is expected, though not without determined opposition from Methodists in the South.

The strong feelings many Southern Methodists have against integration is pointed up in the experience of 28 Methodist ministers in Mississippi, who spoke out early this year against segregation. Three of the ministers had their salaries cut off immediately by irate congregations and another minister who was attending college with church aid found his financial support withdrawn. In addition, 15 other ministers were put under such pressure from their congregations that they resigned and left the State.

The church's ruling body, however, stepped in and quickly found new posts for the 15 resigned ministers. And a group of Methodist laymen gathered funds to pay the salaries of the three ministers whose pay was cut off.

But there's been an even more important Methodist reaction in Mississippi to the integration issue. A few weeks ago the ruling board of the First Methodist Church in Tupelo, Miss., voted 40 to 4 to seat Negroes. "This is a big step forward," declares Rev. A. Dudley Ward, general secretary of the Methodist Board of Christian Social Concern in Washington. "The Tupelo move means more than if a dozen churches in New York had voted to admit Negroes."

DESEGREGATING DIOCESES

Church barriers against Negroes are breaking down in other denominations as well. Roman Catholic bishops in Savannah, Ga., Charleston, S.C., Mobile, Ala., and Baton Rouge, La., plan to desegregate part or all of the schools in their dioceses either this year or next and at least one other bishop is expected to take a similar step this fall. "This would leave only 2 of the 148 Catholic dioceses in the country still with completely segregated school systems," reports an official of the National Catholic Conference for Interracial Justice. One of the two remaining dioceses is in Mississippi, where the church is about to begin an educational program aimed at paving the way for integration; the other diocese is in southern Louisiana.

Even in the strongly segregationist Southern Baptist Church the attitude toward integration is beginning to change. In the last few months, four Baptist churches in Texas and one in Arkansas have opened the doors to Negroes—the first white Baptist congregations in those States to do so. "It's a crack in the dike," comments Rev. Donald T. MacGregor, associate editor of the Baptist Standard, official publication of Texas Baptists. "It seems Texas Baptists aren't as segregation minded as we at first thought."

The Baptist newspaper itself asked recently in an editorial: "How much longer will we leave it to other religious groups and to the power of government to do what we Baptists could have led the South to do peacefully many years ago if we had only tried? Now the hour of crisis is upon the Nation and we are in a large measure responsible for it."

MORMONS CONSIDER MOVE

In the Church of Jesus Christ of Latterday Saints (Mormon), where Negroes are barred from the priesthood and positions in church government, desegregation is also being considered by officials. Only a few hundred U.S. Negroes are members of this church out of about 2 million adherents, but the Mormons are preparing to send a mission to Nigeria, where 5,000 Negroes have petitioned the church to become members, and some church leaders believe extension of the priesthood to Negroes is only a matter of time.

But the move is not likely to come quickly. For one thing, the status of the Negro within the church goes to the heart of church doctrine: Mormons consider Negroes to be descendants of Cain and, as such, to bear a curse God put on Cain because he slew Abel. Secondly, such a step might be viewed publicly as a political expedient, designed principally to boost the presidential stock of a prominent Mormon, Gov. George Romney, of Michigan.

Negro leaders view the more active role of churches in the civil rights struggle as an important development. "One of the tragedies of the Negroe's drive for equal rights has been the silence of the churches" declares Clarence Laws, Southwest regional director of the NAACP. "Unfortunately there has been more segregation in this country from 11 to 12 o'clock on Sunday than at any other time of the week.

"But now the churches are moving and it's significant and encouraging" Mr. Laws adds. "While we need laws we also need to do something about changing men's hearts and attitudes, and in this area the church cannot be excelled."

[From the Washington Post, Aug. 1, 1963]

Churches Move To Erase Sunday Morning Shame

(Despite official pronouncements in favor of desegregation, racial bars persist widely at the church door in America—"the shame of Sunday morning," as one saying goes. But a new militancy on the issue is apparent this turbulent summer as individual churches face the problem.)

(By George W. Cornell)

The picture in the Sunday school lesson showed a group of babies in a clinic, two of them Negroes. Another picture showed three children at play, one a Negro. The story discussion said:

"God loves white children, yellow children, brown children. Dorothy's hands are very pale. Her hair is golden. Ben's hands are brown. His eyes are black. Do you think God loves Dorothy better because her hands are white?

"No, indeed not; it would be sad indeed if we all looked alike."

Most American religious bodies, in their official pronouncements and educational materials, have long stressed the equal worth of all human beings, whatever their color, that all were created by God and precious to him.

MOST SEGREGATED HOUR

At the same time, however, the churches have often been described as the most racially segregated major institutions in the Nation's life.

"The shame of Sunday morning," goes an oft-used phrase of self-reproach in church circles. And another: "The most segregated hour of the week is at 11 a.m. on Sunday."

Since church congregations harbor intimate personal relationships among whole families, it has been maintained that once Negro and white mingle fully there, racial barriers will collapse elsewhere.

In that sense, the local church becomes a testing ground, a point of decision, for the whole community pattern.

Churches have long been rallying points for desegregation activity in many instances, and some southern ministers have been roughed up for their parts in it.

On the other hand, the churches themselves in their local compositions have remained predominantly one-color units, even though the number of desegregated parishes has been increasing rapidly of late.

This is the lump in the throat of the churches, the acknowledged gap between their official pleas, and their on-the-spot conditions.

With the racial crisis flaming and with Negroes demanding equity with new vehemence and immediacy, church strategy generally has undergone an extraordinary change in the last few months.

It has switched from talk to action.

As expressed by the National Council of Churches, which includes 33 Protestant and Orthodox denominations with 40 million members, the new method calls for personal "involvement in every phase of the struggle for justice, including negotiations and demonstration."

The new punch in the church stand has showed up in many ways. The United Church of Christ (a merger including Congregationalists) at its general synod in Denver this summer shaped a potent financial weapon.

DIRECT-ACTION PROGRAMS

It moved to make loans for new church construction contingent on nondiscrimination in building work, and on a commitment to an interracial policy by Congregational leaders.

United Presbyterians have adopted a similar policy. The denomination last spring appropriated a half-million dollars to support direct-action programs for desegregation. The Disciples of Christ also made a special allocation for this purpose.

Roman Catholicism was a forerunner in desegregation action. In 1947, Joseph Cardinal Ritter, of St. Louis, desegregated parochial schools there, despite lay resistance, Catholic Bishop Vincent S. Waters did the same in the diocese of Raleigh, N.C., in 1953, ahead of the court decision.

Much of the reinforced church activity was geared for an interfaith approach.

That aspect got its big push last January at the historic and unprecedented "National Conference on Religion and Race" in Chicago, the first time leading Protestant, Jewish and Roman Catholic bodies had joined in tackling the problem.

MOST SERIOUS EVIL

"Racism is our most serious domestic evil," the conference declared. "We must eradicate it with all diligence and speed."

Permanent machinery was set up for continuing interfaith operations.

Among the Nation's Negroes, about 10 million belong to separate all-Negro Protestant denominations—Baptist and Methodist. About 500,000 are Roman Catholics and another 500,000 belong to predominantly white Protestant bodies, although they are chiefly in one-color congregations.

At the national level, in most denominations, and in interdenominational bodies, Negroes have considerable representation.

But the pattern rarely is reflected on the local scene, in the overwhelming white suburban congregations, and in de facto segregated city neighborhoods, North and South.

"Some of the white pastors have been heroic, but the church as a community, allegedly a community of grace, has been woefully lacking in relevance and vitality," says Protestant theologian Reinhold Niebuhr.

BROTHERHOOD PREACHED

In its formal and official preachments, however, the church traditionally has pleaded for interracial brotherhood.

In 1946, nearly a decade before the Supreme Court decision, the Federal Council of Churches, an interdenominational procursor of the National Council, declared that "segregation is a denial of our Christian faith."

After the Supreme Court decision, every major denomination, including the strongest church body in the South, the Southern Baptist Convention, endorsed the desegregation order.

Among those southern preachers who support segregation, some maintain that the idea of interracial mixing is Communist-inspired. Some also argue that the Bible teaches segregation.

"God created the races distinct from one another," declared a southern fundamentalist group. "He scattered the races over the face of the earth at a time when they attempted to integrate" (Genesis 11).

The passage cited tells the story of the Tower of Babel, generally understood as a portrayal of man's arrogant tendency to try to make himself equal to God.

Segregationists often cite the so-called curse of Ham in Genesis 9 as God's decree for separation of black men. It tells of Noah awakening from a drunken sleep and cursing his younger son, Ham, and his Canaanite descendants, who were a Semitic tribe.

On the other hand, desegregationist ministers cite many Biblical passages in support of all men's equality before God, such as Acts 17: 26, saying God made of one blood all nations, and Galatians 3:28, saying men are "all one in Christ Jesus," without divisions of race or status.

[From the New York Times, Aug. 4, 1963]

Savannah Truce Shaped by Priest—A Leading Role in Parleys Taken by Monsignor Toomey

(By M. S. Handler)

Savannah, Ga., August 3.—Msgr. John D. Toomey, the Roman Catholic pastor of St. James Church, is the unsung hero of the interracial truce signed Thursday night by white and Negro negotiators.

Unless the truce is upset by the youth council of the Chatham Crusade for Voters, the most militant of civil rights groups in Savannah, it may open a period of constructive race relations in this handsome Southern coastal city, one of the oldest in the United States.

The youth council leaders have rejected the truce that was arranged as a basis for an agreement principally on the ground that their jailed leaders have not been released. These young people, who organized and led demonstrations here in June and July also reject the agreement on the ground that restaurants have been excluded from the desegregation process that is to begin October 1.

COOLING-OFF PERIOD

The nine Negro negotiators agreed to halt all demonstrations for a 60-day cooling-off period, but the question is whether they can control the people who descend into the streets to demonstrate.

Monsignor Toomey is a tall, thin, gentle priest, with a convincing manner. He volunteered last June with the permission of his Bishop, Thomas J. McDonough, to enter the civil rights struggle with a view to restoring peace and harmony through negotiations. Although the Catholic parochial schools of the Savannah diocese—10 elementary and 1 high school—are totally desegregated, the public school system is to begin desegregation with one class, the 12th, and work downward.

Monsignor Toomey's St. James Parish lies on the edge of the far southeastern suburb of Savannah, an area that was developed with small, well-designed homes that blend into a beautiful landscape with many old trees and shrubbery.

Monsignor Toomey first rallied the city's white Protestant and Catholic clergy and then approached the business leaders. A committee of businessmen organized by the chamber of commerce had made little headway earlier.

With a persistent and convincing optimism Monsignor Toomey won over the leading businessmen, Protestant, Catholic, and Jewish, to the cause of negotiations that he considered inevitable.

RETAIL SALES HURT

His approach to the business community coincided with a substantial loss of retail sales along Broughton Street and other shopping centers. Levy's, a big department store, had quietly desegregated 2 years ago and experienced no disturbance, but the lesson was not followed by other businesses.

A hundred business leaders agreed with the arguments of Monsignor Toomey that justice, tranquility, and good economics, required a serious negotiating effort to end civil rights turmoil.

The businessmen appointed two special negotiating committees. Monsignor Toomey was called in by the businessmen's group as the only clergyman in the preparatory and negotiating periods.

Last Thursday night an agreement was finally signed. All the businessmen agreed to withhold their names from public attention until the details of desegregating hotels, motor inns and bowling alleys were worked out, but Monsignor Toomey's pioneer role is acknowledged by those who have been involved in the civil rights struggle here.

The decision of the business community to end the blight of racial conflict through negotiations was the act of a community conscious of its place in American history, living amid impressive architectural achievements of the 18th and 19th century.

CLIMATE FOR NEGOTIATIONS

Members of old Savannah families who have moved into leading roles in business, banking and industry here have been joined by an aggressive new type of businessmen from other parts of the country, men who see their problems primarily in economic terms and have little time for uneconomic solutions.

The climate for negotiations with the Negroes was present. Monsignor Toomey's faith and energy brought action.

Savannah is a city of the old and new blending into a harmonious whole against the background of old trees, lawns and shrubbery. Even dilapidated sections generaly inhabited by Negroes form part of the picture.

Beyond the old sections of the city houses are set back at a comfortable distance from the sidewalks and surrounded by shade trees and lawns.

The intervening Negro sections of Savannah suffer in comparison with white housing, but they contain some decent streets and some good housing. On balance the Negro sections of Savannah do not produce the impression of utter gloom and hopelessness found in other southern cities and in northern urban centers.

Though fairly prosperous, Savannah has lagged behind Atlanta and other cities in the rate of growth. Many of the heavy industries are owned by out-of-State capital. Road communications have not kept pace with the demands of traffic. The higher educational facilities have not been expanded. One white college offers a 2-year course and one Negro college offers a 4-year course, primarily for teacher training.

Like many southern communities, Savannah is dotted with many churches and chapels of all denominations.

One of the curious anomalies of Savannah is the great number of money-lending companies clustered around Broughton Street, the main shopping thoroughfare. There are more than 70 listed in the telephone directory, and the fierceness of their competition is evidenced in their advertising.

Broughton Street is a lively shopping center, but it is believed that the city has not developed its potential. The unemployment rate is high, particularly among the Negroes. Public works are lagging behind other cities. Opportunities are said to be limited, and a high number of college graduates migrate to other cities to start their careers.

[From the Catholic Herald Citizen, Milwaukee, Wis., Aug. 3, 1963]

Support of Civil Rights Legislation Called Christian Duty in Pastoral Letter

Cincinnati, Ohio.—The archbishop of Cincinnati has called it a Christian duty to support the proposed civil rights legislation before Congress.

Archbishop Karl J. Alter said, "we should urge favorable action on the part of our representatives in enacting this legislative program."

A prominent member of the U.S. hierarchy who has held several national posts in the church, the prelate expressed his views in a pastoral letter in all churches of the archdiocese, Sunday, July 21.

He deplored the grievous injustices which Negroes suffer and said "The fact is that unless there is a redress of grievances now and not merely in the future, the cleavage between our citizens and the resulting bitterness will continue to grow."

The archbishop, whose fellow bishops elected him to six 1-year terms as chairman of the board of the National Catholic Welfare Conference, gave his support to civil rights legislation during a recitation of remedies he proposed to curb racial injustice.

"The first remedy, one of prime importance," he said, "is the passage by Congress of a civil rights bill which will grant all citizens irrespective of race and color, equal rights in voting, in admission to schools on all levels, in employment, in housing, public facilities, and in recreation.

"It is fully recognized that equal social status necessarily rests upon the full use of equal opportunities, and ultimately upon equal qualifications. Our Christian duty at present is to support in an articulate fashion the proposed legislation which is now before Congress."

Other areas in which action is needed, the archbishop said, include:

Fair employment and fair housing legislation at the State and local levels.

New employment opportunities for all citizens, but particularly for Negro workers.

Support of merchants who will remove race restrictions in sales and office jobs and in public facilities.

Removal of white and Negro labels from available homes and integration of neighborhoods in the same ratio as the racial proportions in the cities.

Avoiding panic in changing neighborhoods.

"The duty of the church," he continued "is to safeguard, promote, and sanction the great social virtues, and not only the level of individual action but also on the level of social and community action. Less than this would be to prove false and disloyal to the mandate of Christ."

[From the New York Times, Aug. 11, 1963]

Light in the Building Trades

The walls of racial exclusion that have traditionally stood between Negroes and skilled jobs in the building trades are coming down. The formula jointly submitted to Secretary of Labor Wirtz by construction unions and employers provides the most tangible guarantees the industry has ever given on a national basis for equality of access to apprenticeship programs. Included in the plan is a provision for impartial representation on local appeals boards to guard against the danger of continued discrimination by those who believe job opportunities ought to be determined by inheritance rather than qualification.

This indication of readiness to move toward eradication of the injustices Negroes have suffered so long is doubly welcome because the building trades have been the most troublesome battlefield in the struggle for civil rights in recent weeks. In dozens of Northern cities demonstrators have conducted sit-ins, sleep-ins, and lie-ins, often in defiance of law and good sense, to dramatize their demands for equal treatment. The new procedures deserve a fair test in an atmosphere free of illegal pressure.

The desirability of such a harmonious approach is reinforced by evidence that many local unions are as prepared as their national leaders to accept the inevitability of change. In Cleveland the Plumbers Union has agreed to have representatives of both the Negro community and the Federal Labor Department on its membership review committee. The National Association for the Advancement of Colored People has hailed this arrangement as a national model.

In New York City, where picketing has been carried to the point of disruption, the unions last month set up a biracial screening committee to pass on applicants for apprentice or journeyman status. Appeals may be carried to another committee of Federal, State, and city officials. If there are defects in this system, they should be explored at the conference table. The great problem here and everywhere will be to assure a sufficient expansion of jobs so that Negroes will have places to go to. Equally urgent will be the necessity for equipping them with skills they never before had a real incentive to acquire. These are tasks that can better be carried through by cooperation than by further exchanges of bitterness.

[From the Washington Post, Aug. 1, 1963]

Dan River Mills Eases Color Bar

(By William Chapman)

Danville, Va., July 31.—Dan River Mills, the industrial giant of this Southside Virginia city, has moved quietly to erase its color lines while the general racial stalemate continues, 2 months after Danville Negroes took to the streets.

The big textile firm that employs 10,000 workers has desegregated a cafeteria, removed partitions in restrooms and painted out "colored" and "white" signs at drinking fountains and restrooms.

The moves were made without public comment, but the company's cautious attempts to ease racial tension in broader fields of employment became entangled in the bitter impasse between the city government and demonstrating Negroes.

Two company officials met recently with a demonstration leader, Rev. Lawrence Campbell, and a retired school teacher to discuss the hiring and training of more Negroes and the elevation of others from menial to skilled jobs.

CITY OFFICIALS OBJECT

City officials, who have refused to meet with arrested demonstrators, objected to the discussions. The Danville Register, which reflects the city government's positions in most instances, said editorially that only "serious mischief" could result from the meetings.

"The only way to treat an alleged criminal is to give him his day in court," the Register said.

The city's objections to negotiating with arrested or indicted Negro leaders while demonstrations continue make up half of the racial impasse here. The other half is the Negroes' conviction that no gain will be made unless they stay in the streets.

Moderate businessmen generally line up behind the City's position of not negotiating "while looking down the barrel of a gun" as a leading retailer put it today.

City officials have said privately for several weeks that some of the Negroes demands—specifically the hiring of Negro policemen—would be met if the demonstrations cease. But the city maintains it cannot take a hand in other issues, such as the desegregation of restaurants and motels.

Mayor Julian Stinson's all-white racial advisory committee has met with a group of nondemonstrating Negroes, only to be presented with the same demands made earlier by demonstrators.

The Negro movement, faced with mounting arrests, police harassment and a heavy drain on jail bond funds, has been ground down to a minimum effort in demonstrations.

Sporadic sit-ins and small marches continue, although Sunday's protest drew less than 100 of the 1,000 marchers predicted by Negro leaders.

The buying boycott against white merchants is beginning to pinch, however. There is no official measurement of its effectiveness but one businessman said today he knows of sales losses at some stores ranging between 1 and 20 percent.

The frustration of Negro leaders is heightened by reports that other South Side communities are making rapid concessions to Negro groups far less militant than Danville's.

NEARBY TOWNS ACT

The city council in Martinsville, 30 miles away, agreed this week to appoint a biracial committee after two meetings with a Negro group seeking more municipal and private employment. South Boston, 22 miles to the east, has made similar conciliatory moves.

Rapid desegregation has come in Greensboro, N.C., 50 miles to the south, and in Lynchburg, Va., once regarded as a stubborn center of segregation.

In attempting gains at Dan River Mills, Negroes also have asked the company to use its powerful economic position to exert pressure on the general community. The company has been picketed here and in New York.

Although Dan River's president, William J. Erwin, serves on the mayor's advisory committee, the company has not attempted visibly to move the city government. Once the controlling power in the typical milltown fashion, the company has moved self-consciously away from its paternalistic role in the last decade and so far has resisted pleas for active intervention in the current racial stalemate.

Meanwhile, the Associated Press reported that city attorneys moved yesterday to determine the physical condition of a Negro civil rights leader who failed to appear in court on a subpena. A bench warrant was issued for his arrest.

The leader, Avon Rollins, of Knoxville, Tenn., had written in a published leaflet that blood would flow in the streets if some of the Negroes' demands weren't met. His attorneys said he was ill and could not come to court today.

Earlier in corporation court, attorneys for Danville sought to show that organizations cited by the House Un-American Activities Committee have been involved in the city's 2 months of racial unrest.

The hearing concerns whether a temporary corporation court injunction barring demonstrations shall be made permanent.

Judge A. M. Aiken granted the city's request that it be allowed to send a doctor of its own choice to examine the hospitalized Rollins, a member of the executive committee of the Student Nonviolent Coordinating Committee.

[From the New York Times, Aug. 4, 1963]

CALIFORNIA GETS CODE TO COMBAT DISCRIMINATION—EXECUTIVE ORDER BY BROWN APPLIES TO ALL OF THE STATE'S AGENCIES AND CONTRACTORS

(By Lawrence E. Davies)

SAN FRANCISCO, August 3.—A code of fair practices aimed at abolishing all racial or religious discrimination by California's government and its outside contractors was proclaimed today as official State policy.

Gov. Edmund G. Brown signed a sweeping executive order, covering the first such code in California's history, on July 24, before he departed for a European vacation. Its issuance was delayed until the copies could be printed.

The 15-article code was developed in meetings held by Governor Brown with Attorney General Stanley Mosk and heads of State agencies.

Mr. Mosk is to set up and direct a civil rights task force, the Governor's office announced at Sacramento, "to insure compliance with the code and to coordinate all civil rights activities of the State."

STATE LAWS ARE NOTED

In a preamble, Governor Brown noted that the legislature had enacted laws to prohibit discrimination in employment, housing, schools, and places of business. He continued:

"These laws, enunciating the State's public policy of nondiscrimination, have been supported by executive action and upheld by judicial decree.

"But the laws, court edicts, and official pronouncements are only a beginning. If discrimination and segregation have been legally forbidden, a more subtle, but equally restrictive, de facto discrimination exists and grows.

"Justice demands that we not only banish old forms of discrimination but that we act affirmatively to assure those who contribute fully to our society a chance to share fully in its rewards."

FIRST CODIFICATION

The Governor, in a separate statement accompanying the executive order, said that "although it has long been the policy of this State not to discriminate on the basis of race, color or creed, this policy has never been codified.

"California," he said, "is proud of its fine record of minority group relations and its legislative and judicial record to eliminate discrimination, but new steps are needed.

"The code of fair practices will serve as a guide of conduct to all departments of the State in their relations with minority groups and individuals. I will expect from all departments of State government not only nondiscrimination but affirmative action to assure the quality of opportunity in every activity the State engages in."

The code requires annual reports from all State agencies on programs undertaken during the preceding year to make the code effective. This report, it stated, "shall cover both internal activities and external relations with the public and with other agencies."

All services of every State agency must be performed without discrimination, the code prescribes, and no such agency shall "become a party to any agreement, arrangement or plan which has the effect of sanctioning discriminatory practices."

CLAUSE ON ALL CONTRACTS

"Every State contract and subcontract for public works or for goods or services," another article reads, "shall contain a clause prohibiting discriminatory employment practices by contractors and subcontractors based on race, color, religion, national origin or ancestry.

"The nondiscrimination clause shall include a provision requiring State contractors and the subcontractors to give written notice of their commitment under this clause to any labor unions with which they have a collective bargaining or other agreement."

The article says that "such contractual provisions shall be fully and effectively enforced, and any breach of them shall be regarded a material breach of the contract."

COVERS ALL ACTIVITIES

The code covers employment services, State education, counseling and training programs, private educational institutions chartered by the State, housing accommodations, State licensing and regulatory agencies, public schools, State-administered financial aid programs and other activities.

An article on law enforcement specifies that the Attorney General's office shall encourage local law enforcement agencies to develop special training programs in the field of human relations and "to establish formal procedures for the investigation of citizen complaints of alleged abuses of authority by individual peace officers."

Governor Brown ordered that copies of the code be distributed to all State officials, employees, and to governing boards of all political subdivisions in the State. He directed that it be posted conspicuously in all State facilities.

CHARLESTON STORES END RACIAL BARS—87 FIRMS IN PEACE AGREEMENT; WIN PRAISE OF NAACP

CHARLESTON, S.C., August 2.—An agreement by white businessmen to remove racial barriers in this city today was hailed by a civil rights leader as the most significant breakthrough yet achieved by street demonstrations in the South.

John A. Morsell, assistant executive secretary of the NAACP, issued a statement in New York praising the agreement.

Eighty-seven downtown business firms have agreed to Negro demands ranging from the desegregation of store facilities to an upgrading of job opportunities. Negroes agreed to end their demonstrations, which have been held almost daily since June 9, and boycotts of white firms.

"This is the most significant and productive breakthrough yet achieved as a result of desegregation demonstrations in the South," Morsell said.

White leaders here announced, "The businesses took this step forward as their contribution to the community harmony and a further evidence of good faith in the leaders of the Negro community."

Here are the six points reached in the desegregation agreement between Negro leaders and Charleston businessmen:

Courtesy titles for all Negro customers in correspondence, conversation and accounts.

Equal job opportunities.

Freedom to use previously all-white fitting rooms, rest rooms, lounges, water fountains, and other customer services.

Serve customers in turn as they arrive at a counter.

Allow Negroes to try on hats and clothes.

Pay Negroes as all other sales personnel and attire them in appropriate clothing, when employed.

[From the Washington Post, Aug. 13, 1963]

APARTMENT FOR RENT

At Parkfairfax, for the first time, the suburban garden apartment has been opened to the qualified Negro tenant. The Metropolitan Life Insurance Co.'s announcement has, for this city, a significance that is quite literally incalculable.

Because the turnover in Parkfairfax is not high, the immediate number of new tenants of whatever race will not be large. But Metropolitan's announcement sets a ringing precedent of decency and equity in a field where discrimination bears particularly heavily upon parents attempting to improve the conditions under which they and their children live. Nearly all of the middle-income housing built in Metropolitan Washington since the war has been in the suburbs. The suburbs' general refusal to rent or sell to Negroes has held them in the District, itself, where housing tends sharply toward the extremes of luxury and squalor.

Alexandria, of all the suburbs, is most urgently in need of the opportunity that Parkfairfax now offers. Alexandria has a great deal of low-income housing, with the largest Negro slums in the suburbs and as much public housing, in relation to population, as the District itself. But it contains very nearly no middle-income housing for Negroes, with the unfortunate result that the great majority of the city's Negro professional families, the teachers, ministers, physicians and lawyers, are forced to leave the city altogether in their search for homes. The rapid restoration of the city's oldest neighborhoods is squeezing Negroes out of blocks in the urban eastern end of Alexandria where they have lived for generations. The availability of comfortable and respectable homes in the western and suburban end of Alexandria carries with it, then, an immense symbolic importance.

A sufficient supply of moderately priced homes for Negroes cannot be obtained, and the unhealthy overcrowding of the District cannot be relieved, without the willingness of suburban builders and landlords to deal with Negroes as they deal with everyone else. Both city and suburbs owe the Metropolitan Life Insurance Co. a special debt for its example of sound business leadership.

THE 3M COMPANY PROVIDES FUNDS FOR EXPERIMENTS IN EDUCATION

Mr. HUMPHREY. Mr. President, I wish to direct the attention of Senators to a gesture of unusual magnitude and magnanimity on the part of one of our Nation's foremost business corporations, the 3M Co. of St. Paul. In case anyone does not know the meaning of the symbol "3M," it represents Minnesota Mining & Manufacturing Co. On August 13 the company announced the 3M assistance grant to education program.

Under the provisions of this program 3M will provide a $3,000 visual communication center to each of 500 schools throughout the United States. This is a $1.5 million grant—a figure large enough to be meaningful even to those of us who are accustomed to dealing with the national budget. These schools will be selected first by local selection committees and later reviewed by a national selection committee. Elementary schools, secondary schools and colleges, public and private, are all eligible to submit proposals concerning the planned use of such a center. There are no strings attached. The national selection committee consists of representatives of the various levels of education and the educational press.

Each recipient will receive the "Thermo-Fax" visual communications system. This system includes a complete line of classroom and portable overhead projectors and incorporates an economical method for preparing transparencies for overhead projection.

As Bert S. Cross, president of 3M, stated in announcing the grant:

> It is the teachers who must assimilate the latest knowledge in their fields and pass it on in a stimulating fashion to their students. Textbooks once regarded as basic are quickly made obsolete. Facts that were once committed to rote must be reevaluated in terms of modern findings.

One of the greatest problems in the field of education involves research and experimentation. Local boards of education are so busily occupied with meeting the financial problems involved in providing sufficient classrooms and teachers that money for experimental techniques are rarely considered or approved. It will therefore be particularly beneficial to progress in American education that these demonstration centers are established and we are indeed appreciative of the efforts of 3M in providing for their establishment.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a fact sheet and press release relating to the 3M assistance grant to education program.

There being no objection, the fact sheet and press release were ordered to be printed in the RECORD, as follows:

THE 3M/AGE FACT SHEET

THE 3M ASSISTANCE GRANT TO EDUCATION PROGRAM

The $1.5 million 3M assistance grant to education program will provide a $3,000 visual communication system to each of 500 schools throughout the United States. The selection of the schools will be made following a two and a half month period during which school principals and administrators will be invited to submit proposals briefly describing why their school should receive a grant. These proposals will be reviewed by local selection committees of educators in 180 areas throughout the country. Their selections will be forwarded to a national selection committee of prominent educators and publishers. After proposals are reviewed by the national selection committee, the final 500 selections will be made, and the grants awarded.

WHY

The 3M Co. is aware of the vital problems which confront our schools: The steadily increasing number of students, the tremendous pressure to develop qualified graduates who will become the leaders of government and industry, the need for capable scientists and technicians. These factors demand the continued improvement of classroom teaching techniques. Through extensive research and development, 3M Co. has produced a visual communications system which enables the teacher to communicate better with her class. Through the assistance grant to education program, a complete system will be presented to 500 selected schools. As a result, a teaching laboratory will be established in every area of the country.

The 3M Co. hopes other organizations such as foundations and private firms, will provide these pilot laboratories with other tools to aid in the teaching process. 3M hopes that this grant will be the first step in establishing a pattern of contribution to education by industry. Each of these 500 teaching laboratories will become a workshop to enable teachers to develop their own creative teaching techniques. The roster of grant recipients will be made available to schools of education and any primary or secondary school interested in improving teaching.

HOW THE PROGRAM WILL WORK

The 180 "Thermo-Fax" distributors in the United States will choose a local selection committee, consisting of local school board members, school administrators, curriculum directors, audio-visual coordinators, principals, and teachers. The distributors exercise no vote. Information about 3M/AGE, including the proposal form will be mailed to State and local school administrators and school principals throughout the country. The proposal calls for a detailed description of current and anticipated uses of visual teaching aids in the school. School officials will be asked to elaborate on any research projects underway in this area, as well as any other teaching developments employing visual communication. These proposals will be screened by the local selection committee. The top proposals will then be forwarded to the national selection committee which will meet for the final selection phase in St. Paul, Minn. Awards will be announced December 10, 1963.

THE NATIONAL SELECTION COMMITTEE

The national selection committee consists of representatives from various levels of education and the educational press.

THOSE ELIGIBLE TO APPLY

All schools (public, private, and parochial) on all levels, including college, secondary, and primary, are eligible. In no case will selection of a proposal be contingent upon present or future purchasing of any 3M Co. product. Each "Thermo-Fax" distributor will mail proposals to all educational institutions in his area. Additional proposals will be available on request, either through the dealers or directly from 3M Co. Proposals must be submitted to local selection committees by November 15, 1963.

THE AWARDS

The $3,000 package of modern visual education aids is comprised of the "Thermo-Fax" visual communications system. This system includes a complete line of classroom and portable overhead projectors and incorporates an economical method for preparing transparencies for overhead projection. This includes:

1. Ten model 66 classroom overhead projectors.
2. One model 60 portable overhead projector.
3. Two model 45 4-second transparency makers (produces transparencies in 4 seconds from a variety of source materials such as newspaper articles, students' homework or class assignments).
4. Transparency film—3,100 sheets.
5. "Thermo-Fax" copy paper—500 sheets.
6. A special teacher training workshop in the operation of the visual communication system.

THE 3M AND VISUAL COMMUNICATIONS

Operating on the premise that "The most effective teaching machine ever invented is the teacher," 3M Co. has produced its comprehensive visual communications system to function as an education aid—a tool for the teacher.

Overhead projection is a relatively new and dramatic method of presenting facts and ideas clearly, concisely. It was designed to assist the speaker to communicate with his audience effectively and with the greatest amount of impact.

This new method of teaching has four primary advantages:

1. The teacher employs the projector in front of the class, facing her pupils, thus maintaining eye contact.
2. The room remains well lit. Projected images can be seen clearly under normal lighting conditions.
3. Student attention is easy to control and student participation is stimulated.
4. The equipment is simple to operate.

The ease with which transparencies can be made from virtually any printed or written material enables teachers to employ a host of additional subject materials into her everyday classes. Teaching of such subjects as mathematics, geography, science, art, and music is simplified by this teaching method. This method offers a dramatic means for projecting student work to the class.

Through 3M/AGE, the company will make this equipment available to teachers in 5,500 classrooms in the United States.

New York.—A $1.5 million assistance grant to schools across the country to encourage creative teaching was announced today by Minnesota Mining & Manufacturing Co.

Bert S. Cross, president of 3M, told a press conference here that the grant would provide $3,000 worth of visual communications equipment to each of 500 schools. He said that the company hopes that each of these schools will in fact become a teaching laboratory where new teaching techniques can be developed.

Cross said he hopes other manufacturers, textbook publishers and foundations concerned with education will follow this pattern by contributing their ideas and capabilities to these selected schools.

The schools will be selected on the basis of a written proposal submitted by principals and administrators which will briefly describe techniques of employing visual aids in the classroom, now and in the future.

All schools, public, private, and parochial on all levels, including college, secondary, and primary are eligible.

Through this program, the St. Paul, Minn., firm will present a complete visual communications system consisting of transparency makers and overhead projection equipment to each school selected by a national selection committee of leading educators and publishers.

All proposals must be submitted to the local selection committee no later than November 15. Local selection committees will review these proposals and submit the best to the national selection committee which will meet in St. Paul to make the final 500 selections. Announcement of the grant recipients will be made in December.

In no case will selection of a proposal be contingent upon present or future purchases of any 3M company product. The equipment will become the permanent property of the recipient school.

The 3M company, constantly emphasizing the importance of research throughout its history, has developed a system that enables the teacher to make instant transparencies of virtually any material she wishes to use as teaching aids in the classroom. These can be shown to the class on overhead projectors.

"Of course," Cross noted, "these methods are already in use in some schools. But they will in the next decade become as common as chalkboards."

"Today, there is a general awareness that U.S. education is facing a double challenge—burgeoning school enrollment and the need to absorb knowledge discovered as recently as yesterday. Educating record numbers of students in the complex facts of a swiftly changing environment places a heavy responsibility upon the teachers of America."

Mr. Cross emphasized that this program is based upon the conviction that the teacher is and must remain the dominant force in the education process. He said that to be truly effective, all classroom equipment should be designed to help the teacher do a better job.

He concluded that "3M company hopes that our grant program will further the process along by helping more teachers to discover new ways to motivate and inform their students."

FINANCING EDUCATION

Mr. **HUMPHREY**. Mr. President, another item with important implications for education has attracted my attention—as I think it should that of all Senators. The research council of the Great Cities Program for School Improvement has issued a statement in the form of a brochure entitled "Fiscal Policies to Meet the Needs of Great City School Systems in America."

Their statement notes the dimensions of the problem confronting our local communities in financing their educational systems with the present inelastic tax sources available to them. It also presents guidelines for the solution of these problems. I believe they are particularly well-balanced and recognize the need for local responsibility, as well as the limitations of the sources available to them. These guides may be summarized by the general formula:

> Total cost of budgetary needs—capital and operating budgets—equals share from local taxes, plus share from State sources, plus any needed share from Federal sources.

It further states:

> The share from Federal sources should support those programs which are in the national interest and should also supplement the State and local shares in relation to unmet financial needs.

While the guidelines presented are broad enough to be applicable to all situations, they constitute a framework within which our people can continue to control the education of their children while meeting society's needs for a populace with the necessary technological and social skills and understandings, to permit our Nation not only to maintain our present position, but to move forward with confidence.

I ask unanimous consent that the contents of the brochure be printed at this point in the Record.

There being no objection, the brochure was ordered to be printed in the Record, as follows:

Fiscal Policies To Meet the Needs of the Great City School Systems in America—the Research Council of the Great Cities Program for School Improvement

(Editor's Note.—This statement was produced as the result of a report to the board of directors of the Research Council of the Great Cities Program for School Improvement.)

(Representatives from the great cities: Howard Aker, Milwaukee; Dwight E. Beecher, Buffalo; James D. Berry, Detroit; H. S. Brannen, Houston; Edward Butler, Detroit; Jack P. Crowther, Los Angeles; Bernard E. Donovan, New York; Orlando F. Furno, Baltimore; James K. Helms, 3rd, Philadelphia; Donald Hill, Chicago; Merwin L. Himmler, Pittsburgh; Sam Lawson, St. Louis; Charles J. Lynch, Boston; William H. Ohrenberger, Boston; John P. Schaefer, Pittsburgh; William Simmons, Detroit; Karl O. Suessenguth, Cleveland; and Michael Wach, Cleveland. Consultant, William P. McLure, University of Illinois. Members of the writing and editorial committee were Jack P. Crowther, Bernard E. Donovan, Orlando F. Furno, and William P. McLure.)

"If we were to suppress our educational system for a single generation, our equipment would decay, most of our people would die of starvation and intellectually and spiritually we would slip back 4,000 years in human progress."—Herbert Hoover.

The public school systems of the great cities in America are in serious financial difficulty. Costs of education are rising faster than revenues. The situation is approaching a crisis with harmful effects not only in the cities but also in the Nation at large. Every thoughtful citizen bears the responsibility to give this problem his careful attention.

Cities lack sufficient access to tax resources to provide adequate financial support for their many vital governmental operations. In particular, they are unable to utilize equitably their economic resources for education. The issue is a matter of proper fiscal policy. Steps should be taken so that the desire of the public for a quality program of education may find unequivocal expression in State laws. These laws should contain policies which serve as guides to solutions of this problem.

The great cities, like other communities throughout the Nation, are investing too little of their economic resources in education. Citizens need to take careful stock of the crucial importance of education to their well-being and to give education a high priority among the things they value in our society. The public must take action through their representatives in Government to secure appropriate fiscal policies to remedy the situation.

Fourteen of the great cities in America are conducting studies of fiscal problems in their school systems. The initial findings suggest some policies which could point the way out of the present dilemma in these cities, and possibly in other types of communities as well.

THE PROBLEM

In the great cities, and in other school systems as well, the problem is this: Under present fiscal policies, boards of education do not have enough money to provide the kind and quality of educational program needed for the well-being of our society. Fiscal needs far outrun the potential funds from prevailing revenue sources.

Why has this problem arisen? The increased fiscal needs are chiefly the result of a combination of factors:

(1) rapid increase in the school age population; (2) shortage of qualified teachers prepared to cope with the educational problems of great cities; (3) obsolescent school plants; (4) need for additional plants at ever-increasing site and construction costs; (5) high population density; (6) great population mobility; (7) excessive retardation and failure of pupils; (8) large numbers of dropouts; and (9) performance of functions which are not intrinsically educational.

Boards of education are operating schools with budgets which are inadequate to cope with the problem facing them. Sources of revenue are too restrictive, too inelastic in relation to the fiscal demands of education and the ability of the economy to meet those demands. The property tax is the predominant source of funds. This source is relied upon heavily for other local functions of government. In some States, the city school systems have been given some relief in the form of local nonproperty taxes. These sources, in the main, provide only a partial solution. States that have gone farthest toward a solution of this problem have relied on property taxes at the local level and nonproperty taxes at the State level. However, inadequate financial support persists in varying degrees. No State has put its fiscal policies in complete order on this important issue.

THE SOLUTION

The following policies offer promise as guides for a solution to the fiscal need of the school systems in the great cities:

1. The financial support of public education should be a responsibility shared by all citizens and all levels of government.

In every State the provisions for financing schools are established by the legislature. It is incumbent upon each State legislature to reassess its fiscal system for school support and to adopt measures which are essential to the support of public education. Local school officials cannot act for the citizens beyond the limits set by State law. When the limits on finance make it impossible to operate the schools to obtain a desired quality, the citizens can turn to the legislature which is the source for provisions to remedy the situation. If there are problems which can be solved better through action of the Federal Government, citizens can call upon this Government to participate.

2. The State program for financial support should recognize the complex needs of the city school systems but the determination of the needs should be the responsibility of the local boards of education.

School systems must organize instructional programs and special services for a wide range of students. There are the highly gifted, the physically handicapped, the slow learners, the emotionally disturbed, those who need special vocational training earlier than usual, the dropouts who might be persuaded to return under new circumstances, and older adults who need further schooling. The great cities have a disproportionately large number of pupils who need special guidance and instruction in small groups, if not individually. Special services to meet these needs increase the operating costs. Capital needs for buildings and facilities to maintain up-to-date programs require large expenditures in addition to operating costs. If the State financial program does not include provision for these costs, the local tax base may be overburdened or sufficient funds for effective operation may not be available.

3. The measure of the local school district's ability to contribute to the support of education should be in terms of the total burden of local government cost borne by the local tax base.

The local tax base should not be expected to bear more than a fair burden in the total load that it carries for education and other services of government. A reasonable limit of financial support which the school district should be expected to obtain from the local tax base is dependent upon the burden placed on this base by other local governments. As the amount of local tax for other government goes up, there is less left for education.

4. Local boards of education should be free from unreasonable restrictions in the administration of fiscal affairs, from undue controls by other governmental agencies, and from cumbersome legal procedures at State and local levels which thwart effective expression of citizens.

A great many factors shape the detailed needs of the educational program in a local school district. No two districts are exactly alike. When school boards are hampered in the exercise of their judgment to solve the great variety of problems facing them, the education of individuals suffers. The most serious restrictions on school boards are powers which some legislatures give to officials in non-educational government to: (1) approve the school budget, (2) make supplementary appropriations, (3) set the school tax limit, and (4) exercise accounting control in the administration of the budget.

5. The fiscal procedures for adequate school support should provide the school districts with direct access to taxes which can be administered best locally and indirect access to those which can be administered best at the State level.

The property tax is by far the most important of all tax bases to be administered locally. Some legislatures permit local school districts to levy certain non-property taxes as minor supplements. Generally, non-property taxes on income and business transactions are more suitable for collection by State government and distribution to school districts through objective procedures. Thus through the State government citizens have indirect access to other tax bases which cannot be administered effectively at the local level. The combination of direct and indirect access to taxing ability should provide (1) an adequate amount of funds, and (2) a reasonable equalization of the total tax burden among various tax bases for support of all State and local governmental functions.

6. The State fiscal plan should include objective procedures to provide adequate funds for operating expenses and capital outlay and debt service payments.

The costs of a program of education of adequate quality for all students vary from one community to another depending upon conditions under which schools must be operated. One extreme situation is in rural areas where transportation and small schools add to the cost. Another is in the great cities where high density of population and disparity in the makeup of the school population add extra expense. Unless these overriding costs which are beyond the control of local school boards are taken into proper account in the procedures for distribution of State-collected funds, the educational programs suffer. Objective procedures for this purpose must be tailormade in every State to fit the variety of circumstances among the school districts. In districts with fast-growing school population, capital outlay and debt service costs for replacement and expansion of school plant facilities often reach as high as a third of the operating budget. The State fiscal plan must include adequate provision for essential elements of operating costs and sufficient resources for capital outlay and debt service to avoid crippling the education program.

7. The Federal Government should participate in the support of education when the national interest requires it and when local and State resources are insufficient to provide an acceptable educational program.

There are wide differences of opinion about the role of the Federal Government in the financial support of education. However, two principles relating to unique need seem to be gaining favor among citizens: (1) Support of such activities as special programs for training persons in critical fields and for research and development in strategic areas required in the national interest, and (2) assistance in meeting educational needs which cannot be met with reasonable effort by States and local school districts on their own.

8. The level of financial support of public education should be kept responsive to the fluctuations of inflation and deflation in the price structure of the economy.

School costs vary in accordance with the amount it is necessary to spend for personnel services, consumption of material goods, and capital facilities. The State fiscal plan must be flexible enough to provide appropriate adjustment of these costs as prices change. In periods of economic inflation the quality of education suffers unless school costs are adjusted upward in adequate amounts. In periods of economic deflation these costs, with care, can be adjusted downward without sacrificing attained quality. However, periods of deflation are times to consider possible gains in unattained quality through holding the line on school costs to the extent necessary for this purpose. Insofar as educational needs warrant it, the support program should finance capital needs in periods of deflation to take advantage of lower construction costs which will in turn help stabilize the price structure.

These policies call for dynamic participation of all levels of government in supporting public education; these policies permit citizens complete access to their true economic ability; and finally, they provide for the equalization of tax burden for the support of public education. A summary of these policies may be stated in a general formula as follows: Total cost of budgetary needs (operating and capital budgets) equals share from local sources plus share from State sources plus any needed share from Federal sources.

The basic principles for determining amount of funds for each of the elements in this formula are:

Total cost of budgetary needs

The estimation and justification of fiscal needs are the responsibility of the local board of education. Conditions for providing educational programs of excellence are complex and variable among school districts. Provision should be made in the budgetary costs for proper allowance of all essential components of the educational program.

Share from local taxes

The local share of costs should constitute that proportion of the total budget which can be supported from the local tax base in accordance with ability. A fair tax burden on the local tax base should include the burden of support on this base for noneducational functions of government.

Share from State taxes

The State share, indicated in the formula, should be in proportion to the extent to which the prescribed burden on the local tax base is utilized. The State should set minimum and maximum percentages for sharing in the cost of local budgets. A minimum percentage would provide some State funds to the districts of highest ability. A maximum percentage would set the limit of equalization to the districts of lowest ability.

Share from Federal taxes

The share from Federal sources should support those programs which are in the national interest and should also supplement the State and local shares in relation to unmet financial needs.

THE CONCLUSION

The public school systems in the great cities face a crucial challenge to provide the kind of education that is necessary to meet the social, economic and technological changes taking place today in America. This challenge cannot be met without a renewed determination by the citizens. It cannot be met without adequate financial support to provide the school systems with the necessary vigor to accomplish the task expected of them.

These policies are guides for citizens to take resolute action in ways that they deem appropriate through their local, State, and Federal levels of government. These guides are pointed to the solution of the fiscal problems in the great cities. They possess flexibility for development of procedures to meet the variable problems among these cities. They are applicable to all types of public school systems in the Nation.

TRIBUTE TO THE LATE JACK TOOMEY, OF THE LEWISTON, MAINE, DAILY SUN

Mrs. SMITH. Mr. President, a truly great man of Maine passed away last Thursday. He was a quiet man. He was a kind man. He was not physically large—but he was a giant in terms of journalistic integrity and ability. There was not the slightest shred of unfairness, pettiness, or meanness in him. He always had a smile for everyone—even those with whom he might disagree. He never indulged in needling. He never was afflicted with the opinionated "ivory tower" mental disease that some editors and editorial writers suffer from.

He was a friend of the people. And he was a very dear friend to me. I speak of the late Jack Toomey, of the Lewiston, Maine, Daily Sun. His death is an irreparable loss to me. No one will ever take his place.

NUCLEAR TEST BAN TREATY—RESOLUTION

Mr. JAVITS. Mr. President, I take great pleasure in presenting a resolution of support for the nuclear test ban treaty, adopted by an outstanding U.S. veterans organization, the Jewish War Veterans of the United States, at its recent national convention in Washington, D.C. I ask unanimous consent that the resolution be printed in the Record.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Nuclear Test Ban Treaty

Whereas the U.S. Government, the United Kingdom, and the U.S.S.R. have, through negotiation, finally concluded a treaty to eliminate nuclear testing from the atmosphere, outer space, and under water; and

Whereas President Kennedy has interpreted this treaty as the first step toward a world free from nuclear warfare; and

Whereas this first step will effectively eliminate contamination of the atmosphere which menaces the lives of future generations, as well as the current one; and

Whereas the treaty represents a limited step toward peace without surrendering the means of protecting our own security: Now, therefore, be it

Resolved, That the Jewish War Veterans of the United States of America in 68th annual national convention assembled in Washington, D.C., August 4–11, 1963, commends President Kennedy and salutes Under Secretary of State Harriman for the achievement of a most meaningful step toward a peaceful and tranquil world; and be it further

Resolved, That (1) We support and endorse the treaty; (2) we call upon the U.S. Senate to ratify the treaty; and (3) each Jewish War Veterans member be urged by all echelons, through every means available, to call upon and encourage their Senators to support ratification of the treaty.

THE PROPOSED NUCLEAR TEST BAN TREATY

Mr. LAUSCHE. Mr. President, on Monday, August 12, the Secretary of State, the Honorable Dean Rusk, gave testimony to the members of the Foreign Relations Committee of the Senate and other Senators covering his views about the proposed treaty which, if adopted, would ban nuclear weapon tests in the atmosphere, in outer space, and under water, but not underground tests providing the test produced no radiation fallout upon the people of other nations except those of the nation making the test.

In that hearing I asked the Secretary of State a number of questions to which he gave answer. My mail has been heavy asking me for a recitation of the questions which I put and the answers which were given. Believing that the Members of the Senate and others who read the Congressional Record might be interested in the thoughts impliedly and expressly stated by me and those stated by the Secretary of State on the treaty embodying the nuclear test ban, I ask unanimous consent that that part of the testimony dealing with the exchange of thoughts between the Secretary of State and myself be printed in the Record.

There being no objection, the testimony was ordered to be printed in the Record, as follows:

Senator Lausche. Mr. Secretary, I will try to develop thoughts with respect to the life of the treaty. In the 10 minutes it may be a little bit difficult. I understood you to say this morning that in discussing article IV of the agreement concerning how it might be terminated that the Russian representatives took the position that renunciation is a matter of sovereign right and, therefore, required no delineation in the treaty; is that correct?

Secretary Rusk. Yes, sir; and that has been a rather general approach of theirs to this problem.

Senator Lausche. That is Red Russia takes the position that when it makes a treaty, in the absence of specifying a particular period of time that it is to endure, it has the inherent and sovereign right to terminate it whenever it pleases?

Secretary Rusk. That is a general point of view, sir. I would not want to say that that is flat and comprehensive over every issue. I would have to be advised on that point.

Senator Lausche. If we approve this treaty I am quite certain that the Congress as well as the administration would contemplate executing it in the spirit and in the letter. May I have your opinion on that subject?

Secretary Rusk. I think there is no question about that.

Senator Lausche. And if that is the fact, not only the Congress but the administration and the people of the country should weigh what the probability is of Russia's attitude concerning the fulfillment of the promise.

Secretary Rusk. All right, sir.

Senator Lausche. With that premise laid, I want to recite here Russia's conduct of the past, and I begin on February 2, 1920, when it made separate peace treaties with Estonia, Latvia and Lithuania, recognizing the independence and autonomy of these countries and renouncing voluntarily and forever all rights of Russia over these people.

On June 16, 1940, in the face of that treaty, Soviet troops occupied Estonia, Latvia, and Lithuania.

I go to Iran. There was a tripartite alliance on January 29, 1942, to which Red Russia was a signatory, and it promised to withdraw its forces from Iranian territory.

In 1945 Red Russia equipped the rebels with Soviet arms and Red army uniforms. Iranian forces were neutralized by Red army troops.

In January of 1946 Iran appealed to the United Nations charging the Soviet Union with violating the agreement and interfering with its internal affairs, and nothing was done about it.

I now go to Yalta. We heard so much about it. In the Yalta Agreement, Red Russia, the United States, and the United Kingdom agreed to assist liberated people to form interim government authorities broadly representative of all democratic elements in the population and pledged to the earliest establishment through free elections, and I want to repeat that, free elections, and the right of self-determination of governments responsive to the will of the people.

Now, the violations: In Hungary, acting through the Hungarian Communist Party and its own agencies and armed forces in Hungary, Red Russia suppressed the will of the Hungarian people by installing the minority Communist dictatorship and denied Hungary fundamental freedoms. The same thing was done in Roumania and Bulgaria.

I now go to Poland. In 1932 on July 25 Red Russia signed an agreement that there would be no aggression of Red Russia on Poland and none by Poland on Red Russia. We all remember this stab in the back on September 17, 1939, when Poland was fighting Germany on the west and Red Russia attacked Poland on the east.

I now go to the United States. In 1933 when Red Russia was begging the United States to establish trade relations with Russia, just as Kadar is now doing, and Litvinov wrote a letter to our Government committing himself that on Russian soil no agency would be permitted to exist contemplating intruding communism upon other nations of the world.

In violation of that Litvinov letter undoubtedly about which you know, the Comintern was in existence and they were attempting to communize the world.

No. 10: Finland. There was an agreement that before Russia and Finland were engaged in war that the issue would be submitted to arbitration, and that in no event would resort be made to war until 3 months after the report of the arbitrators. On November 26, 1939, the Soviet Government attacked Finland.

I now come to Hungary of 1956. When those patriots took control of the government and Imre Nagy was in charge, Red Russia said "We will remove the Red Russian troops. Pravda will tell the story."

The story was carried throughout the United States, but while we were relying upon that promise they were bringing in their tanks and their guns and their military men.

No. 12, German reunification. On July 23, 1955, the Foreign Ministers of the Governments of France, United Kingdom, the United States, and Red Russia stipulated, the heads of Government have agreed, that settlement of the German question shall be by means of a free election. That was repudiated and broken.

We now come to China, subject 13. The alliance between the Republic of China and the Union of Red Russia agreed to work together in close and friendly collaboration after the coming of peace following World War II, and to act according to the principles of mutual respect for their sovereignty. That treaty was broken.

Then we come to the very significant Potsdam agreement on Germany. It was promised that Germany would not be scalped and denuded of all its economy. The signatories to that promise kept it except Red Russia, and it carried out everything it possibly could causing us to pour huge sums of money into Germany to reestablish the economy. There were other commitments made in the Potsdam agreement that were broken.

I now come to the Kellogg-Briand Treaty, which is significant. The Kellogg-Briand Treaty outlawed war as an instrument of national policy. The Red army invaded Manchuria on October 12, 1929, 1 year after it promised to outlaw war. Here we are sort of outlawing the nuclear tests. I wonder how long we can rely on that.

Japanese war prisoners. It was agreed by Red Russia that it would return those prisoners. It still hasn't done it.

Korea, item No. 17. It was agreed on December 27, 1945, there shall be set up a provisional Korean Democratic Government. There shall be a Joint Commission to provide a four-power trusteeship of Korea for a period up to 5 years. From the very beginning, the Russian representative refused to collaborate and to act in pursuance to that agreement.

No. 18, the return of German prisoners of war from the concentration camps, it still has not been done. Then we have had the peace treaties with Hungary again and Rumania and Bulgaria also violated.

Now, may I ask, Mr. Secretary, which is the last agreement that Red Russia has violated? I have in mind the Cuban commitment that we would have the right to inspect and ascertain whether the missiles were removed. Am I correct in that or not?

Secretary Rusk. That was a basis for the exchange, basis of the exchange between the President and Khrushchev during the week beginning October 22.

Senator Lausche. That promise was not kept.

Secretary Rusk. That is correct, sir. As you recall, Castro would not accede to that.

Senator Lausche. Yes. That is, the commitment was made that neutral nations would be permitted to go in and see whether the missiles were removed. That commitment was not executed, is that correct?

Secretary Rusk. That is correct, sir; but there were certain alternative arrangements that were made, as you remember.

Senator Lausche. I have a letter here from the State Department saying that we are not bound by the promise not to invade or any of the other promises that we made because the commitment of Khrushchev was not kept to allow us to inspect.

Now, I ask you, in the face of this fragmentary recitation of breaches of commitments, if we are to judge Red Russia in the future by what it has done in the past, what can we expect?

Secretary Rusk. Senator, I am quite familiar with this somber story. I think myself that we should consider whether or not it is the present intention and purpose of the Soviet Union to comply with this treaty without necessarily at this stage trying to guarantee to ourselves that this will be their attitude forever into the future.

I believe that there would be no particular reason for them to enter into this treaty unless they had a present intention of living up to it, for two reasons. One is that violations of this treaty are highly subject to detection, and the cost to the Soviet Union throughout the world in terms of quick signature, and a quick violation would be very high.

Second, they have paid a significant price in their terms for this treaty, because this has precipitated in the sharpest possible form the attack by Peiping on the Soviet Union based upon this treaty, and this has created even deeper divisions and more hostile divisions within the Communist world than had occurred before. But we can't ignore the record that you have exposed here this afternoon.

Therefore, we must ask ourselves whether the interests of the United States are adequately protected in the event of violation. I think that answer is "Yes," but I think this is an answer that the Senate has to find out for itself.

The Chairman. The Senator's time is up.

Senator Lausche. Just one-half minute.

For 5 years in the Foreign Relations Committee, behind closed doors and to questions put to you since you have become Secretary, I argued that there never can be a consortium between the 700 million Chinese and the 240 million Russians. Red China is looking for lebensraum, and its eyes are directed into Russia, and that was inevitable in my judgment, as it will grow worse as time goes on.

THE FIRST NATIONAL EASTERN ORTHODOX RELIGIOUS-CULTURAL FESTIVAL

Mr. SCOTT. Mr. President, Pittsburgh, Pa., will be the host city of two major religious events of the Eastern Orthodox faithful from August 24 through August 31.

Beginning on August 24 the Greek Orthodox Youth of America—GOYA—will begin its 12th annual international GOYA conference under the theme "Unity in Faith and Tradition." Several thousand delegates throughout the United States and the Western Hemisphere will be attending this important religious conclave, which will feature the spiritual leader of the 2 million Greek Orthodox faithful, His Eminence Iakovos, the archbishop of North and South America, and the spiritual leader of the Pittsburgh, Pa., diocese, the Right Reverend Theodosios.

On the last day of the conclave, the first national Eastern Orthodox religious cultural festival will take place, August 31, at the multimillion-dollar Civic Arena in Pittsburgh, where an estimated 10,000 to 15,000 Orthodox Christians will attend. This event is sponsored by the Council of Eastern Orthodox Youth Leaders of the Americas, representing 7 youth organizations consisting of more than 800 chapters with 55,000 members.

There are approximately 6½ million Eastern Orthodox faithful in this country. The honorary chairman of the Eastern Orthodox religious cultural festival will be the Right Reverend Theodosios and the Most Reverend Benjamin.

Mr. President, I wish the Greek youth conclave and the Eastern Orthodox religious cultural festival great success, and ask unanimous consent that the two articles taken from the Chicago Greek Star-Press noting these religious events be inserted at this point in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

Orthodox Youth Groups To Demonstrate Unity at Pittsburgh Festival

The First National Eastern Orthodox Religious-Cultural Festival ever to be held in America, will take place on Saturday, August 31, at 3 p.m. in the multi-million-dollar Civic Arena in Pittsburgh, Pa. This historic and unprecedented event will be a gigantic gathering of an estimated 10,000 to 15,000 Orthodox Christians from across the United States, Canada and Mexico. The festival, sponsored by the Council of Eastern Orthodox Youth Leaders of the Americas, will be primarily a religious service with the highest ranking Orthodox prelates of the Orthodox churches in America attending and participating in a great vespers service. The Most Reverend Benjamin, Russian Orthodox archbishop of the Pittsburgh diocese, will officiate during the vespers service. The Greek Orthodox primate, Archbishop Iakovos, chairman of the standing conference of Orthodox bishops in America and a president of the World Council of Churches, will address the huge throng of Orthodox faithful on behalf of the Orthodox Church. The only other speaker will be Richard G. Joseph of Toledo, Ohio, chairman of CEOYLA.

The festival will be featured on the CBS national network radio program "Church of the Air" on September 1, and the CBS–TV show "Lamp Unto My Feet" on September 8. The Voice of America will beam a special broadcast on the festival to the Iron Curtain countries and to Greece.

The Council of Eastern Orthodox Youth Leaders of the Americas (CEOYLA) represent 7 Orthodox youth organizations consisting of more than 800 chapters with 55,000 members.

The festival program will begin at 3 p.m. with a colorful procession. At least 100 acolytes, 150 Orthodox priests, deacons, and seminarians and the Orthodox bishops and archbishops (or their designated representatives) of the Orthodox churches in America will participate in a beautiful vespers service. The festival will feature a 1,000 voice choir (composed of 7 individual choirs, one from each church jurisdiction, Russian, Greek, Syrian, Serbian, Ukrainian, Carpatho-Russian and Rumanian) which will sing a capella the ancient Byzantine hymns and responses, under the direction of Father Vladimir Soroka of Charleroi, Pa. The vespers will be conducted in several languages: English, Greek, Slavonic, Arabic, and Rumanian.

The United Christian Youth Movement (UCYM) in the United States will sent observers to the festival. The Orthodox youth organizations are members of the UCYM.

Orthodox and Protestant theologians from throughout the world (who will be attending the meeting of the Central Committee of the World Council of Churches in Rochester, N.Y.) are being invited to attend the festival by Archbishop Iakovos as the guests of the standing conference of Orthodox Bishops in America.

The Eastern Orthodox Religious Cultural Festival Committees are: honorary chairmen, the Most Reverend Benjamin, Russian Orthodox archbishop of the Pittsburgh diocese and the Right Reverend Theodosios, Greek Orthodox bishop of the Pittsburgh diocese; National Festival Committee chairman, Ross Chepeleff, Detroit, Mich.; public relations director, Ernest A. Villas, New York City; treasurer, Cornel Cotosman, Chicago, Ill.; religious committee, Allegheny County Orthodox Clergy Association, president, Father Basil Gregory, Pittsburgh, Pa.

After the conclusion of the festival program, a reception open to the public will be held in the Penn-Sheraton Hotel at 8:30 p.m.

Pittsburgh Festival To Be Televised on September 8

Archbbishop Iakovos, primate of the Greek Orthodox Church of North and South America and chairman of the Standing Conference of Canonical Orthodox Bishops in the Americas, will deliver a special message on the national radio program "Church of the Air" over the Columbia Broadcasting System on Sunday, September 7, 1963, at 9:30 a.m., eastern daylight time. On this program, a Serbian and Syrian Orthodox choir will sing traditional religious chants.

The broadcast will emanate from Pittsburgh, Pa., to commemorate a mammoth Eastern Orthodox Religious-Cultural Festival which will be held under the auspices of the Council of Eastern Orthodox Leaders of the Americas (CEOYLA) in the new $20 million civic arena in Pittsburgh, Pa., on Saturday, August 31, from 2:30 to 6 p.m.

The festival which was being planned by Greek, Rumanian, Russian, Carpatho-Russian, Syrian, and Ukranian Orthodox youth groups through CEOYLA for 5 years, will be one of the most historic events of eastern Orthodoxy in America, and is aimed at demonstrating that the Orthodox groups here are united in spirit and intent, as well as in doctrine and belief, and that they represent a major faith in this country with a total membership of over 6 million.

The festival will feature a great vesper service in the civic arena at which Orthodox Hierarchs will be present, and for which a 1,000 voice choir will sing hymns and responses. The program will be open to the public and over 15,000 are expected to attend.

Various ethnic groups of CEOYLA will hold their annual conventions in Pittsburgh from August 24 through the Labor Day weekend. Archbishop Iakovos will make a major unity address at the banquet of the Greek Orthodox Youth of America (GOYA) on Tuesday evening, August 27.

On the following Sunday, September 8, at 10 a.m., eastern standard time, the CBS national TV series "Lamp Unto My Feet" will televise highlights of the festival from films taken on August 31.

CONGRESS NEEDS ACCESS TO SCIENTIFIC ADVICE

Mr. BARTLETT. Mr. President, Senators will remember that last week I introduced a bill (S. 2038) to establish a Congressional Office of Science and Technology. This office will serve the Congress in a purely advisory capacity. It would have no legislative authority. It would in no way diminish committee responsibility or the balance between the Houses. COST, modeled after the legislative counsel, would consist of two small offices of experienced scientific generalists: one office for the Senate, one for the House. COST would maintain a register of responsible talent at work across the whole spectrum of science. The scientists on this register would be available for consultation by letter or on a short-term full-time basis. Should any committee desire to make use of these consultants, it would, of course, be responsible for the financial arrangements. COST itself would act as a clearinghouse in the sciences for the Congress.

It has been suggested that the office be made a part of the Legislative Reference Service of the Library of Congress. It is my thought that COST would serve the Congress in a more effective manner, however, if it were an actual, physical part of each House. It would be useful to have the COST staff immediately and readily available for informal discussion and assistance to Members and to committees' staffs—much in the manner in which legislative counsel works. Certainly in terms of expense it would make little difference whether the office was a part of Legislative Reference or a small highly professional independent operation.

This is, of course, a nonpartisan proposal. COST would serve all Members in either party with impartiality.

I am pleased, therefore, that the proposal has now been introduced on the House side by Congressman William B. Widnall, of New Jersey. Its number is H.R. 8066. Congressman Widnall is a respected member of the Republican Party and I am honored that he has given his endorsement to my proposal.

An interesting article has been brought to my attention in the July 25 issue of Science magazine. This article surveys the relationship between science and Government, calling it truly both "growing and troubled." This article points out that the two areas became "incredibly intertwined before anyone quite realized what was happening."

> The present situation—

The article goes on—

> is that it is probably fair to say that if half a dozen of the Nation's elder statesmen of science should put their influence behind any scientific venture that is not patently absurd, the Congress and the Executive would tag along.

The Executive has developed a means to cope with this growing area of interest; the Congress has not.

> Nevertheless, on a broad range of issues, from fish flour to the supersonic transport, the executive branch has taken effective steps to make certain that left and right hands are in close communication as they shape scientific policy. However, Congress, for a variety of real and manufactured reasons, has not remotely begun to move in the same direction. Its apparatus for dealing with science is pretty much unchanged from the days when the Federal R. & D. budget would not have covered the electric bill at Oak Ridge.

Mr. President, I ask unanimous consent that this excellent article, by D. S. Greenberg, be printed in the Record at the conclusion of my remarks.

I have received several most thoughtful and troubled letters from executives in the research and development industries. To a man they are concerned that we in the Congress are presently unable to give the informed and searching consideration to the administration's scientific proposals which our constitutional responsibilities demand. I ask unanimous consent that these letters may be made a part of the Record at the conclusion of my remarks.

Also, I am pleased to note, Chemical Week, in its August 17, 1963, issue, has endorsed the proposal to establish a Congressional Office of Science and Technology. I ask unanimous consent that this article, too, be printed at the conclusion of my remarks.

This proposal to establish an Office of Science and Technology to serve the Congress is at the desk for cosponsors. Should any Senator be interested in adding his name to this measure, he may do so until the end of the week.

There being no objection, the material was ordered to be printed in the Record, as follows:

News and Comment

SCIENCE AND GOVERNMENT: A SURVEY OF SOME OF THE MAJOR ELEMENTS IN GROWING, TROUBLED RELATIONSHIP

If an observer gets away from the forest floor and gains enough altitude for a broad look at what science and Government are doing to each other in this country, a number of large and interesting contours stand out.

First of all, with the exception of military defense and closely associated areas, scientific research turns out to be more heavily dependent on Federal money than probably any other nationwide activity. Science and Government have been in partnerships of various sorts since the early days of the Republic, but, as far as the division of financing goes, the postwar years have seen the Federal Government become the overwhelmingly dominant partner. The shift in the relationship is perhaps best illuminated by recalling the letter Einstein wrote to Roosevelt, in 1939, to alert him to the explosive potential of the atom. The letter, written at a time when the Federal Government was contributing less than $75 million a year to the sciences, suggested that funds for atomic research might be obtained from "private persons who are willing to make contributions for this cause, and perhaps also by obtaining the cooperation of industrial laboratories which have the necessary equipment."

There was no suggestion that the Government finance the work, for the simple reason that the Federal Government had not yet become the principal source of support for the sciences. Figures for the period are not complete, but it appears that research-and-development expenditures by private industrial firms were in excess of the Government's spending. Today, of course, the situation is markedly changed, and even if military research and development is excluded, Federal spending under the label of R. & D. exceeds the amount spent by industry and other nongovernmental sources.

In the fiscal year that has just ended, support for R. & D. from all sources, totaled some $16 billion. Of this amount, the Government provided about $12.2 billion. In the present fiscal year the Government's share is expected to rise to $14.9 billion, continuing a trend that has produced annual increases of from 10 to 35 percent since 1956.

Along with this affluence there has come a general willingness on the part of political leaders to take the word of scientific leaders on how national resources should be allocated for scientific purposes. The political leaders do not automatically swallow each suggestion, but it is probably fair to say that if half a dozen of the Nation's elder statesmen of science should put their influence behind any scientific venture that is not patently absurd, the Congress and the Executive would tag along.

Thus, it cannot be argued that money problems are plaguing American science today. There are spots here and there where additional funds would be extremely useful, but these are now the object of well-organized surveillance, and improved support in these areas can be confidently expected fairly soon. The problems afflicting science and government are far more subtle than mere money. Basically, they stem from the fact that in the United States the two areas had become incredibly intertwined before anyone quite realized what was happening, and, in large part, the tensions and stresses that are now becoming increasingly painful arise from an effort to define the reciprocal responsibilities and relate the relationship to the traditional political process. All this must be viewed against the fact that the American people and their political leaders have come to accept and demand a flourishing scientific establishment, for everything from better missiles to better cancer drugs, from cleaner rivers to faster commercial transport planes. And despite gloomy forecasts from persons who have been stunned to find some Congressmen suddenly turned skeptical toward scientists, the only rational forecast in the political-scientific relationship is that the Federal investment in science is going to continue to grow, probably at the rate of about 15 percent a year, for a long, long time. It is now about 2.5 percent of the gross national product, compared with about 0.65 percent when Einstein wrote to Roosevelt, and some administration planners feel that it will reach 3 percent before serious pressures develop for a reduced rate of growth.

It appears safe to assume that the money will be there for the continued support and growth of science. But there is little certainty about the circumstances that will govern its use, and there is even less certainty about the willingness of Congress to accept the view that science is a superstructure built on education, that it is ruinous to continue the present policy of nourishing the top with ample funds while the supporting base is deep in poverty. Congress has been slowly—but very slowly—yielding in this regard, with the result, for example, that the National Science Foundation (NSE) is carrying out large summer training programs aimed at improving the competence of high school science and foreign language teachers. But such efforts represent no more than an occasional splash over the dike, and they usually are achieved only in areas that bear a readily visible relation to national security requirements.

CONGRESS AROUSED

Attempts to move from specific to general support for education, even for science education at the graduate level, can generally be counted upon to rouse the ire of Congress. Such was the case last week when members of a Senate appropriations subcommittee expressed doubts about enlarging NSF's program of general support grants for institutions where NSF-supported research is conducted. The program, which is intended to overcome financial imbalances that may result from emphasis on scientific research, is seeking $18 million this year, compared with $8.4 million last year. The committee will probably arrive at a figure somewhere in between, but several members, reflecting a prevalent congressional attitude, were clearly unhappy about putting money into education without specifically earmarking it. This attitude arises from a variety of factors—among them fiscal conservatism, fear of Federal control, and failure to resolve the church-state issue—which result in Congress still standing as a massive barrier to comprehensive Federal aid for education. Its readiness to support graduate science programs is based on the Government's long-standing reliance on universities for mission-oriented research. Out of this tradition has come a willingness to support basic research and training at the graduate level. But below the graduate level the Congress has shown little inclination to give money away for education. While it is possible today for a dull graduate student to receive a generous Federal fellowship, a bright undergraduate finds little Federal assistance available outside of low-interest loans. This situation continues to prevail in the face of the fact that, if only tacitly, Congress has come to accept the principle that, since the Federal Government is the major consumer of scientific manpower, it has a responsibility to assure the supply. Thus, Congress has generally given its assent to proposals for large-scale expansion of graduate fellowship programs. The final verdict is not yet in, but it appears likely that the current session will in large part go along with administration proposals for a still further enlargement of fellowship support. Whether this can go very far without expanded support to enlarge and improve the undergraduate base is a serious question, but the congressional approach is by its very nature a piecemeal, fragmented one (mainly because the committee system spreads jurisdiction all over Capitol Hill, with little reference to the organization of science and education in the real world), and it is not inconceivable that Congress will continue to bloat the graduate levels with fellowships and other forms of support while the lower levels of education continue to suffer.

The situation is altogether different at the executive level, where substantial progress has been made in recent years to develop a comprehensive approach to the Government's relations with science. The effort actually began in World War II, but it died out at the end of that conflict and was revived only after Sputnik demonstrated the need for a continuing, high-quality scientific advisory service within the President's official family. That service is now embodied in several separate but closely connected executive organizations, which, without receiving very much attention, have come to exercise a great deal of power over Federal support for science. The power is by no means unchallenged, and the extent of it is difficult to determine, since it is not exercised at public meetings. But the White House Office of Science and Technology, in cooperation with the President's Science Advisory Committee and the Federal Council on Science and Technology, has become a coordinating point and a clearing house for Federal relations with science. Virtually all proposals involving Federal support of scientific activities pass through these channels en route to the Bureau of the Budget. Where it is felt that there are gaps in existing programs, the advisory bodies exercise the power of initiative. For example, the fellowship proposals that have been incorporated into the Federal budget originated with a PSAC panel that was called together to examine future supply and demand for scientific manpower; the question of which Federal agency is responsible for what in monitoring radioactive fallout was adjudicated at the White House advisory level; similarly, the burgeoning oceanography program, with its multiagency participation, has been subjected to scrutiny by these advisers. Sometimes the issues are trivial, and sometimes they are of major significance; sometimes the White House influence is decisive, and sometimes it has no visible effect, as was the case when the Office of Science and Technology argued for employing an earth rather than a lunar orbit technique in NASA's moon-landing program. OST contended that, since the military potential for space appears to be in the near-earth regions, an earth orbit in the lunar program would help develop techniques that could be adapted for military purposes. That was the "big picture" approach to management of scientific resources. NASA simply argued that it's cheaper and faster to employ a lunar orbit. Ultimately NASA won.

Well-established agencies, with close ties to Capitol Hill, are not always inclined to share the "big picture" approach of the White House. Nevertheless, on a broad range of issues, from fish flour to the supersonic transport, the executive branch has taken effective steps to make certain that left and right hands are in close communication as they shape scientific policy. However, Congress, for a variety of real and manufactured reasons, has not remotely begun to move in the same direction. Its apparatus for dealing with science is pretty much unchanged from the days when the Federal R. & D. budget would not have covered the electric bill at Oak Ridge.

Perhaps the most significant thing about the Federal involvement with science is that, with few exceptions, the Government has reached into the scientific community for advice on what to support and how to support it. The result is that, until recently, the scientific community—through a grand complex of advisory bodies—has written the rulebook, particularly on the now controversial issue of accountability for research funds. However, as the science budget has grown, so has congressional concern over whether the country is getting what it's paying for. It isn't enough for the scientific community to answer that research is essentially an uncertain, unavoidably wasteful process that defies the cost-accounting techniques developed for nuts-and-bolts contractors. The Congress is unhappy—hence the current dispute over NIH's accounting practices—and, in matters of this sort, it is able to turn its unhappiness into concrete regulations. In the matter of education and other facets of science, the easy course for the scientific community is to wail and moan about congressional inadequacy for judging these issues. The difficult, but more productive, course would be for the scientific community to collect its evidence and state its case. Fortunately, the National Academy of Sciences, through its Committee on Science and Public Policy, is moving in this direction. If it fulfills its aspirations, both science and Government are likely to be better off for its efforts.

AMERICAN OIL CO.,
Chicago, Ill., August 13, 1963.

Senator E. L. BARTLETT,
Senate Office Building,
Washington, D.C.

DEAR SENATOR BARTLETT: I appreciated receiving a copy of your July 30 speech, "Needed: A Congressional Office of Science and Technology," which you sent me as a member of the Research Committee of the National Association of Manufacturers. I am most heartily in accord with the objectives of your proposal. I, too, believe that the dangers of an uncontrolled growth of Government-sponsored research and "secret choices" involving critical decisions are very real indeed. While I have not been a party to any of the critical "secret choices," I am closely enough associated with many Government research activities to recognize the need for stronger and more objective controls than have been exercised to date.

If we are to achieve such control, it is certainly necessary that the Congress do its part and do it on the basis of technically informed choices as free as possible from political considerations. Certainly, to do this, it needs to be technically informed. Whether a Congressional Office of Science and Technology is the best means of providing Congress with this information, I do not know. It certainly appears to be a very reasonable possibility. I do know that individual members of the research committee of the National Association of Manufacturers would be happy to cooperate with Members of Congress and to offer their suggestions and counsel as to the most effective means of providing the Congress with the technical information it needs. Many of these men are also members of the Industrial Research Institute, a smaller but somewhat more cohesive organization. Its members include directors of most of the large industrial laboratories of the country. While the institute takes no official stand on legislative matters, its members are well informed and deeply concerned about this overall problem.

If I can be of any further help in support of your proposal, please let me know. By copies of this letter to Senators DOUGLAS and DIRKSEN, I am indicating to them my endorsement of your proposal.

Sincerely yours,

PHILIP C. WHITE.

KENDALL REFINING CO.,
Bradford, Pa., August 8, 1963.

Hon. E. L. BARTLETT,
U.S. Senate, Washington, D.C.

SIR: This letter is in response to yours of August 5. I am glad indeed to accept your invitation to comment on your proposal and I would like to endorse it. I believe that it would be helpful for the Congress to have available to them a large body of consultants such as you propose.

I have in mind that it would be possible for most scientists and technologists to voluntarily contribute their time as might be necessary in this effort. The Government would, undoubtedly, wish to pay the expenses incurred for travel, etc. Most scientists and technologists of my acquaintance are public spirited enough and their companies are also, where they may be employed in industry, to want to do this.

It has occurred to me since reading your letter of August 5 that at least one unsuccessful research project of the Federal Government could have been avoided had an Office of Science and Technology such as you now propose been available. I refer to the attempt made in recent years to fuel a plane with nuclear power. Even though I am not an expert in the field, anyone with a rudimentary knowledge of the shielding necessary and other problems could have foreseen the failure of such an undertaking. It is my understanding that this unsuccessful project cost the Federal Government about $1 billion.

I shall be happy to cooperate with you in any way that may be indicated.

Very truly yours,

F. I. L. LAWRENCE,
Director of Research and Development.

BORG-WARNER CORP.,
Chicago, Ill., August 9, 1963.

Senator E. L. BARTLETT,
Appropriations Committee,
Capitol Building, Washington, D.C.

DEAR SENATOR BARTLETT: Thank you very much for your letter of August 5 to which you attached your remarks to the Senate on the need for a Congressional Office of Science and Technology. You ask for any comments that I may have on the proposal.

I agree thoroughly that something of this sort is needed in order to give Congress the expert consultation that it requires in order to properly evaluate programs which have been developed by the executive department, which has available to it a great number of scientific experts both in and out of Government. Therefore, I would endorse the concept which you are proposing most heartily.

I think the problem has reached serious proportions, and I enclose for your background a talk that I gave recently directed at this problem.

In order to give the group you proposed the impetus and direction that it will need to be a moving force in aiding Congress, I would think it would be a good idea to have it an arm of a specific committee of Congress, say the Appropriations Committee, available to the other specialized committees for their aid. A Congressional Office of Science and Technology without a specific boss could become an orphan.

The Office of Science and Technology should concern itself not only with the evaluation of the specific proposals made by the executive branch with respect to research and development and other technological matters, but in addition should be concerning itself with the overall governmental level of science and technology and its relationship to the privately supported effort in this area, as discussed at greater length in my attached remarks. For this reason it seems logical that the Appropriations Committee is a logical home for it.

Since it will concern itself with economic values associated with the conduct of our country's technological effort, I would recommend that the Office be directed by a person who has had experience in the direction of industrial research and development, since that background has had to concern itself with evaluating the attractiveness of the scientific aspects of problems against the practical matters concerned with its economic impact, both on the short and long range picture. I would feel that if Congress were to look for someone who was an elder statesman (either recently retired or reaching that stage in his life), they could acquire someone of high caliber and great experience in this area. I further believe that the Office of Science and Technology can operate with a relatively small permanent staff, who are then able to call upon a large body of consultants with specialties in a broad spectrum of sciences so that they can bring to bear the best and most experienced minds on any particular problem on which they make a recommendation to Congress.

I appreciate your thoughtfulness in sending the material, which I found of great interest.

Sincerely,

DONALD W. COLLIER,
Vice President, Research.

CRUCIBLE STEEL CO. OF AMERICA,
Pittsburgh, Pa., August 19, 1963.

The Honorable E. L. BARTLETT,
U. S. Senate,
Washington, D.C.

DEAR SENATOR BARTLETT: I was pleased to receive a copy of your interesting and very timely remarks to the Senate on July 30, 1963, regarding a Congressional Office of Science and Technology.

One instinctively resists the proliferation of bureaucracy, and I think that my first reaction to adding another organization in the Government was negative. However, your July 30 remarks, as recorded in the CONGRESSIONAL RECORD, clearly establish the need for such an organization and rather fairly state and dispose of objections and alternatives to your recommended solution of COST.

We at Crucible have had some experience through the years with similar organizations to this group which you propose "would have a small, highly skilled, permanent, professional staff and a large body of consultants, available to the Congress to furnish advice, evaluations, and reports."

A number of us have served on what I consider to be somewhat similar organizations, such as the National Advisory Committee for Aeronautics and the Materials Advisory Board. From these experiences I can assure you that the skilled, professional, compact permanent staff which you envision would have full and valuable support from consultants both from the academic and industrial fields, and I agree with you that this is not only the most efficient but probably the only reliable way with which the Congress could acquaint itself with the needed background properly to consider the scientific and technologic aspects of many vital pieces of legislation with which the present and future Congresses will have to deal.

Sincerely,

E. S. MARCH,
Vice President, Technology.

[From Chemical Week, Aug. 17, 1963]

CONGRESS NEEDS SCIENCE ADVICE

"It is disturbing but true that at the present time the Congress does not understand science and it is also true that science does not understand Congress."

Thus did Alaska's Senator E. L. BARTLETT succinctly state the problem of science and technology vis-a-vis the Federal Government. The National Association of Manufacturers recognized the problem last year, prepared a formal statement for the House Government Operations Committee advocating a scientific advisory group reporting to Congress. We said (Chemical Week, Nov. 3, 1962, p. 5): "Congress needs professional guidance on Government R. & D. spending. When it reconvenes, something should be done about the problem."

Now something has been done. Senator BARTLETT has proposed a Congressional Office of Science and Technology (COST) modeled after the similar office in the executive branch but responsible only to Congress.

We are always chary of new governmental agencies. Too many of them are simply new layers piled on top of existing layers, with overlapping, vaguely defined functions and no clear guidelines to prevent duplication. Congress already has various committees dealing with science and technology, but they are composed of various Congressmen—not of professional scientists.

We are persuaded, however, by the logic of the Senator's proposal. "Increasingly," he continues, "policy decisions made on programs and funds for science and technology affect in their full relevancy not only the security of the country but also the liberty and privacy of every human being everywhere. If democracy and representative government are to prevail in this Nation, it is necessary that the Congress understand the importance of these decisions and that it have a role in making them. At the present time Congress does not appreciate the importance of scientific decisions, and as a result they are made, not in the Halls of Congress but elsewhere, not by the elected representatives but by unknown administrative officials.

"If the Congress does not insist on participating in these decisions, they will be made by others elsewhere. In time, the power will pass to those who make the decision."

BARTLETT conceives of COST as "a small, highly skilled, permanent, professional staff and a large body of consultants, available to Congress to furnish advice, evaluations, and reports. It would be the task of the permanent staff to ask questions for Congress, to answer questions of Congress, and to assist the Members in handling the scientific matters that come before them. It is necessary that the very best scientific opinion be brought to bear, both pro and con, on the important decisions of our society and its Government. It is also important, however, that these decisions shall be made by those responsible to the people."

That's the argument that sells us. As recently as fiscal year 1948, Federal R. & D. authorizations were less than $1 billion; in fiscal year 1963, just ended, they were over $14 billion. This is simply too much money for Congress to appropriate without a sure knowledge of what it's buying and whether it's necessary. As the governmental branch most responsive to the citizens' will, Congress needs independent expert advice.

A STORM IS BREWING

Mrs. NEUBERGER. Mr. President, Lois Mattox Miller and James Monahan continue to perform an inestimable service for the American public through their informative and perceptive articles on smoking and health in the Reader's Digest.

Their latest review of the evidence and the prospects for action, "The Cigarette Controversy: A Storm Is Brewing" is no exception. I ask unanimous consent that this excellent article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE CIGARETTE CONTROVERSY: A STORM IS BREWING

(By Lois Mattox Miller and James Monahan)

As evidence piles up linking heavy cigarette smoking with cancer and other serious ills, the tobacco industry, the medical profession and the public anxiously await the report of a committee of scientists assembled by the Surgeon General of the U.S. Public Health Service.

Confidence, genuine or feigned, was the keynote of most annual meetings held this spring for the stockholders of the major American tobacco companies. Rising costs, dwindling profits, mounting health problems were minimized or skillfully explained away. "The cigarette industry," the New York Times reported, "is quite optimistic over its future despite the recurring lung-cancer controversy."

The president of one company assured the public that research dealing with viruses, radiation and chemicals was yielding "increasing evidence that implicates factors other than smoking" as a cause of cancer. "I am personally convinced," he added, "that cigarettes ultimately will be exonerated."

However, next morning, the Times published the more informed opinion of Dr. Emerson Day, chief of cancer-detection research at the Memorial Sloan-Kettering Cancer Center, and president of the New York City Cancer Committee. "Long-term cigarette smoking," said Dr. Day, "has been soundly established as a factor of direct and major importance in the development of lung cancer. It is most unlikely that it will ever be exonerated, whether or not viruses and other factors are implicated."

Indeed, during the same week, "exoneration" of cigarettes was made even more unlikely by news that pinpointed inhaled smoke as a cause of other diseases far more widespread than deadly lung cancer. From La Jolla, Calif., where scientists were reviewing the year's research at a seminar of the American Cancer Society, Earl Ubell reported in the New York Herald Tribune: "Cigarettes have spread a new plague through our population, scientists have discovered. It is emphysema, a lung ailment which leaves the victims gasping for breath."

MORE THAN CANCER

For the past 8 years, Dr. Oscar Auerbach, professor of pathology at New York Medical College, has been engaged in a massive study of the changes that occur over a lifetime in the lungs of smokers and nonsmokers. Auerbach's original objective was cancer research, specifically designed to find the changes which occur in the lungs of people who had died of lung cancer, and then to determine whether the same or similar changes occur (and to what degree) in the lungs of those who had died of other causes.

During 1955–60 Dr. Auerbach and his associates obtained about 6,000 specimens of lung tissue from more than 1,500 patients who died and underwent autopsy at the Veterans' Administration Hospital in East Orange, N.J., and 11 cooperating hospitals. The specimens were sliced into smaller sections and preserved on glass slides for microscopic study. Each slide was identified only by a code number keyed to an individual case history which included a detailed and verified record of the patient's smoking habits.

The sealed records were entrusted to Dr. Cuyler Hammond of the American Cancer Society, who was in charge of the statistical phase of the study. The slides were sent to Dr. Auerbach's pathology laboratories. Without knowing whether a particular specimen came from the lungs of a smoker, ex-smoker, or nonsmoker, or whether the smoker puffed a pipe or drew draughts of tar-loaded cigarette smoke deep into his lungs, the pathologists studied slides under high-powered microscopes and recorded their findings.

The first important observation was the presence of abnormal cells which might have become cancerous if the patient had lived long enough. But the microscope also revealed other changes in lung tissue that were unrelated, or only distantly related, to cancer. These included destruction of the protective hairlike cilia and underlying cells in the bronchi; formation of callouslike surface tissue from constant irritation; thickening of the arterioles and small arteries; swelling and rupturing of millions of the tiny "air sacs" (alveoli) which form clusters on the smallest branches of the "bronchial tree" within the lung.

When the pathology reports on the thousands of slides were turned over to Dr. Hammond, he identified each by code and matched it to its case history. "The results were amazing," he says. "The pathology findings could hardly have been more consistent with the records if the pathologists had known the source of each slice and the smoking history of each patient."

SMOKERS' LUNGS

Destructive changes of all types were greatest, by far, in the lungs of heavy cigarette smokers. They were much less in light or occasional cigarette smokers, and those who smoked pipes or cigars. They were least (and some types were rare) in nonsmokers. The precancerous cells, for example, were present in the lungs of cigarette smokers almost in direct proportion to the number of cigarettes smoked. However, such cells were rarely found in nonsmokers.

There was encouraging news for ex-smokers, as well as for smokers who wonder if it is too late to quit. The abnormal cells seemed to have diminished in the lungs of ex-smokers (off cigarettes for 5 years or more); instead, the pathologists found a strange type of cell with a disintegrating nucleus, indicating that the precancerous cells begin to die off with the cessation of smoking. This natural repair process, they believe, probably goes on slowly for years after the smoker quits.

But the scientists soon realized that they were observing clinical evidence of much more than cancer. The smoke-induced degeneration of the bronchial tree, for example, could be related directly to the mechanism of heart failure.

Each lung contains about 750 million air sacs connected by a network of tiny blood vessels. Nature intended these air sacs to perform the double function of discharging the waste gas, carbon dioxide, and more important, of absorbing the oxygen which is vital to every cell, tissue and organ of the body, including the heart. But in the smokers' lungs, as shown by the microphotographs, the air sacs had become thick, spongy, ruptured, and had lost their capacity for exchanging carbon dioxide for oxygen. Also, carbon monoxide, a poisonous gas in the smoke, combines with hemoglobin more readily than does oxygen, thus impairing still further the oxygen-carrying capacity of the blood. Finally, the blood vessels in the smokers' lungs, shown unmistakably in the microphotographs, had become fibrous and narrowed, and sometimes blocked completely.

To make matters worse, nicotine in tobacco smoke temporarily constricts the small arteries throughout the body and steps up the heart rate. Thus the heart muscle, already starving for oxygen, has to pump even harder.

"A perfectly normal heart," Drs. Auerbach and Hammond reported last year, "can probably withstand these effects of inhaled tobacco smoke. But [the same effects] can cause heart failure in a person whose coronary arteries are already impaired by atherosclerosis—which applies to the majority of American males and particularly those past middle age." Dr. Hammond believes this lung-heart phenomenon largely explains why "the death rate from coronary heart disease is higher in cigarette smokers than in nonsmokers, increases with the amount of cigarette smoking, and is lower in ex-cigarette smokers than in men who continue to smoke cigarettes."

THE LUNG CRIPPLES

At the La Jolla seminar last April, the latest review of the Auerbach-Hammond lung-tissue project disclosed the striking evidence that directly linked the destructive effects of inhaled cigarette smoke to the incidence of pulmonary emphysema. Over 10 million people in the United States, most of them past 40, suffer from the disease, and the number is increasing. Dr. Luther L. Terry, Surgeon General of the U.S. Public Health Service, calls it one of today's growing health problems.

Many statistical studies have shown that the death rate from emphysema (and chronic bronchitis) is higher among smokers than nonsmokers. One of the latest, "The Role of Tobacco in the Causation of Chronic Respiratory Disease," published last October in the New England Journal of Medicine, was described by an editorial in the same journal as "an impressive addition to the rapidly accumulating reports on the association between smoking and sundry diseases" and "another reminder that the medical profession has yet to take the initiative in presenting the public with a considered appraisal of the threats to health posed by the cigarette."

But now, in the Auerbach microphotographs of smokers' lungs (as contrasted with those of nonsmokers), it was possible to observe the slow, degenerative process whereby emphysema obstructs the bronchi, bloats the tiny air sacs until they are mere "blebs," and turns the lungs into over-inflated and inelastic "air traps" incapable of expiring air. Emphysema is difficult to diagnose in the early stages. The first symptoms may be shortness of breath, wheezing coughing, weakness and fatigue—signs which cause it to be confused with other common respiratory ills. But these also are signs all too common among heavy cigarette smokers.

Coincidentally with the Auerbach-Hammond report on emphysema and chronic bronchitis, Dr. Roger Larson, of the UCLA Medical School in Los Angeles, revealed to the Western Society of Clinical Research the results of "lung function" tests he had made on 600 smokers and non-smokers in Carmel, Calif. Lung X-rays and spirogram measurements showed that the lung function of younger smokers (pack-a-day or more) was about equal to the lung function of nonsmokers who were 20 years older.

The preponderant evidence linking inhaled cigarette smoke to a growing list of diseases other than cancer prompted Dr. Auerbach at the La Jolla seminar to declare solemnly, "We are becoming a Nation of lung cripples."

EVIDENCE GETS ACTION

During the past 18 months, this steady stream of evidence has prompted some strong actions. The most notable were taken in England following the publication of the report on smoking and health by the Royal College of Physicians. There the government launched a vigorous educational campaign against cigarettes using posters, leaflets, lecturers and mobile health exhibits.

The British example inspired action in Italy (which banned all cigarette advertising), Denmark, Germany and other European countries. The Canadian Medical Association declared that cigarettes created a "grave and extensive health problem" and suggested a Federal law which would require cigarettes offered for sale in Canada to bear a label warning smokers of the health hazard involved.

The harmful effects of cigarettes on health were also recognized and condemned, usually with recommendations for action, by the State medical societies of California, Maine, Utah, Pennsylvania, Texas, Florida, and New York; by the Medical Society of Georgia (regional); by scores of county medical societies, and by such influential organizations as the American College of Chest Physicians, the American Heart Association and the American College Health Association.

Cigarette vending machines were ordered removed from some college campuses; a growing number of student publications dropped their lucrative cigarette advertising; and, by faculty orders or voluntary action, some students quit working for cigarette companies as hired pushers of certain brands. The sternest action came when the U.S. Air Force barred the free distribution of cigarettes by cigarette companies in its hospitals, and eliminated cigarettes from flight lunchboxes. Said the Air Force Deputy Surgeon General: "The ever increasing evidence linking cigarette smoking with lung cancer, pulmonary and cardiovascular diseases can no longer be ignored."

If these indicated, to any degree, the nature of things to come, how could the tobacco industry view its future with confidence, and even talk about "increasing evidence" that would exonerate cigarette smoking as a cause of disease?

HOPES AND HUNCHES

The truth is that this year's brave show of confidence was put on, at least partially, to reassure investors and the general public. Privately, tobacco men talked differently. Last January, for example, Fortune quoted one who told colleagues, "Fate has conspired to make this particular moment a testing time for tobacco. The industry is being ganged by many problems."

But the industry has also pinned some forlorn hopes to its own hunches regarding two possibilities, either of which might be exploited by high-powered propaganda or strong political pressure.

The first is current research which indicates that a virus may be an important factor in causing some types of cancer. Even today, with the work still in its infancy, the industry's press agents work hard to emphasize every minor development of the virus theory, while they ignore or deny related evidence that tobacco smoke causes lung cancer.

Responsible scientists who believe in the virus theory still acknowledge that even if a virus is established eventually as an essential factor in the cause of cancer, this will not rule out the equally essential role of specific carcinogens in causing the malignant process to develop in particular sites—e.g., the tobacco carcinogens in cancer of the lung. Indeed, this may answer the moot question of why some cigarette smokers get lung cancer whereas others do not. The inhalation of smoke may be the mechanism which upsets the balance between the virus and the cells and thus triggers the cancer process.

Dr. Harold S. Diehl, senior vice president for research of the American Cancer Society, offers this simple analogy: "Herpes labialis (cold sores) is a disease caused by a virus that is continuously present in the body, but which causes trouble only when the balance between the virus and the cells of the skin is upset by local irritation, such as a common cold, sunburn or windburn."

The second possibility, from the industry viewpoint, seems more immediate and more promising than the virus theory. This hinges on the forthcoming report of the Surgeon General's Advisory Committee on Smoking and Health. If that report is vague, equivocal, compromising, or if it is weighted in the industry's favor, then the tobacco men can afford to relax. Legislation, for example, which might enable the Government to regulate the labeling, advertising, and sale of cigarettes (as is done now with foods, drugs, cosmetics, alcoholic beverages, and other products) will be impossible, at least for a long time to come. Moreover, a weak or equivocal report would enable industry publicists to obscure even more the scientific evidence that implicates cigarettes as a cause of disease, and to persuade the public that such evidence is merely "anticigarette propaganda."

The tobacco men are hopeful and even confident about the outcome. A handful of medical men think the tobacco men are right—they are convinced that the result will be a "coverup" rather than a solution of the problem. Both groups, however, may be guilty of prejudging the Advisory Committee's conclusions.

MORE EVALUATION

How did this committee originate? In June 1961 the leading voluntary American health organizations appealed to the White House, "on the basis of the weight of scientific evidence," for the appointment of a Presidential Commission to "recommend various ways to protect the public" from the health hazards of smoking. Instead, the President referred the matter to the Department of Health, Education, and Welfare. Nothing happened.

Then, in the spring of 1962, following the publication of the Royal College report, the President was faced with the question at a televised press conference. As a result, in July 1962, the Surgeon General of the U.S. Public Health Service announced plans for an "expert committee to study the impact of smoking on health." The committee would first determine the "nature and magnitude of the problem" and then, at some later date, make "recommendations for action."

Medical associations, voluntary health groups, Federal agencies, and the tobacco industry were invited to nominate candidates for membership on the committee. There was one proviso, however: "Scientists who have already taken a strong public position pro or con will not be chosen." Names of some 150 candidates were resubmitted to the participating groups, who were told they could remove individual names "for any reason whatsoever." On October 28 the Surgeon General was able to announce his final selection of 10 scientists—men of known integrity and professional competence.

But doubts about the project were voiced from the outset. Science, official weekly of the American Association for the Advancement of Science, said it "apparently reflected a desire by the administration to move the Government off dead center on the tobacco issue, without delivering too severe a jolt to the tobacco industry."

Later, in a letter to Science, three distinguished cancer researchers added: "What useful purpose can be served by another committee to study the tobacco and health issue? The subject has been studied by at least 10 official and voluntary research and health agencies in the United States, Canada, Great Britain, the Netherlands, and by the World Health Organization. Since the evidence concerning smoking as a health hazard has been assembled and presented so often in the past, there is little excuse for a long delay in answering the question: Is there sufficient health hazard from smoking to justify doing something about it?"

The scientists noted that, since 1950, when the first evidence appeared linking cigarette smoking with lung cancer, little action has been taken. "A conservative estimate of the price of this delay is a quarter million unnecessary deaths (and the accompanying suffering and economic loss). This delay is not happenstance. The tobacco industry has mounted a well-organized and well-financed public relations campaign. The industry experts have developed obfuscation and special pleading into a fine art."

The attitude of the tobacco industry did little to dispel misgivings about the Surgeon General's approach to the problem. The industry, in the past, dismissed all authoritative studies that found cigarettes harmful to health as "sweeping assumptions" and "extreme and unwarranted conclusions." The Royal College report was called "a review of old data without any new research findings."

But now, for some reason, the tobacco men heartily welcomed the new Advisory Committee's "comprehensive review" of the same evidence. Somehow this implied a hope or belief that, this time, the job would be done "without delivering too severe a jolt to the tobacco industry." Last January, the trade journal Tobacco suggested that the worst that could come of it might be Government insistence on "honest" advertising, "full disclosure" of possible ill effects, and "other pressures to stop advertising pointed at youngsters." Then there was this significant statement: "But the Government is operating at a fiscal deficit, and the tax take last year from cigarettes alone was more than $3 billion. The preliminary report may not be too harsh.

DELAYED PUBLICATION?

The Surgeon General's Advisory Committee is still busy studying and evaluating. The report, originally promised for last spring, will not be published until this fall, and there are rumors that it may even be held over until 1964. Most medical men accept this as an encouraging sign that the committee is working hard, digging deep, avoiding hasty judgments. A few, however, attribute the delay to "obfuscation" by the tobacco companies.

What seems to be a fair, well-informed opinion of the probable outcome is expressed by a scientist who is close to the committee but not a member of it. "I have complete confidence in the committee's integrity," he says. "I believe they are trying to do a meticulous and impartial job. But in their efforts to be fair to everyone, they may very well come up with a report which the general public will consider vague, even 'weasel-worded.' I do not believe they have been subjected to any direct pressure. But the awareness of possible consequences to a $7 billion industry, the stock market, and the Federal tax revenue hangs over them like a dark cloud."

The cigarette controversy, certainly, is about to enter a new phase. Whether this will be the showdown or merely a coverup remains to be seen.

SUBSIDY ALLOCATIONS TO FEEDER AIRLINES

Mr. PEARSON. Mr. President, I should like to make note today of a report, issued last week by the Civil Aeronautics Board, concerning subsidy allocations to feeder airlines in many sections of the country. The report was made public amid a background of speculation in Kansas, especially as the CAB recommendation would affect five western Kansas cities which presently are served by feeder-airline service.

After reviewing the CAB report, I find that the facts indicate that the CAB recognizes that these cities must be given a sufficient trial period with adequate service, before any decision on addition or cessation of service is made. I commend the CAB on its approach to this problem of feeder-line service. I know that our five Kansas cities will develop their passenger traffic within the period of time allotted by CAB before hearings would be initiated.

In the case of our five Kansas cities, two will receive additional flights per day, if this report is accepted. One of our cities had an increase in flights per day in May of this year, and its passenger traffic has shown an improvement of more than 100 percent.

Although this report will not become effective until it is reviewed by a special committee headed by the Secretary of Commerce, and including representatives of the Federal Aviation Agency, the Bureau of the Budget, and the Council of Economic Advisers; Congress will finally determine the report's merit and whether it should be placed in effect.

I urge this special committee, which has been empowered to review the CAB report, to study carefully the figures compiled by the Board and to recognize that an adequate number of daily flights, where presently in effect, and which are producing the desired amount of passengers necessary to retain CAB certification, remain unchanged.

The **PRESIDING OFFICER.** Is there further morning business? If not, morning business is closed.

INCLUSION OF DISTRICT JUDGE OR JUDGES ON JUDICIAL COUNCIL OF EACH DISTRICT

Mr. HUMPHREY. Mr. President, a parliamentary inquiry.

The **PRESIDING OFFICER.** The Senator will state it.

Mr. HUMPHREY. What is the pending business?

The **PRESIDING OFFICER.** The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (S. 979) to amend section 332 of title 28, United States Code, in order to provide for the inclusion of a district judge or judges on the judicial council of each circuit.

FLORENCE ANN SEYMOUR

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the unfinished business, S. 979, be returned to the calendar, and that the Senate proceed to the consideration of Calendar No. 373, Senate Resolution 186.

The **PRESIDING OFFICER.** The resolution will be stated by title.

The **LEGISLATIVE CLERK.** A resolution (S. Res. 186) to pay a gratuity to Florence Ann Seymour.

The **PRESIDING OFFICER.** The question is on agreeing to the motion of the Senator from Minnesota.

The motion was agreed to; and the Senate proceeded to consider the resolution.

INCLUSION OF DISTRICT JUDGE OR JUDGES ON JUDICIAL COUNCIL OF EACH DISTRICT

Mr. HUMPHREY. Mr. President, S. 979, which had been the pending business and was to have been considered today, has been set aside and returned to the calendar because Senators who are vitally interested in the bill have asked for this consideration. The bill will be taken up next month. In the meantime, there will be meetings of the Judicial Council, meetings which are important with relation to the bill. I merely wish the Senate to be on notice that the bill has been only temporarily set aside, in order to accommodate conferences of judges and certain Senators who are members of the Committee on the Judiciary and are vitally interested in the subject.

NEEDED: FREQUENT LONG-RANGE FORECASTS OF RECEIPTS AND SPENDING BY FEDERAL GOVERNMENT

Mr. PROXMIRE. Mr. President, this will be the third in a series of speeches I am making on recommendations that have been made by the Subcommittee on Statistics of the Joint Economic Committee on changes in the way to make the budget a more workable and useful document for Congress and the American people.

Mr. President, when does the administration expect that we will balance the budget if we do not have tax reduction? When does the administration expect that we will balance the budget if we do have tax reduction? What is happening to Government expenditures and tax receipts at the present time? How are the changes that are now occurring in the amounts of Government expenditures influencing the private sector?

I think these are relevant questions. They are certainly questions that each of us as Members of Congress should have answers to at the present time if we are to legislate effectively. However, not one of these questions can be answered from the budget information currently provided.

The only estimate on this subject the country has from the administration is based on the original and quite different tax proposals of the administration and on some very general estimates about increases in expenditure programs. Both of these broad assumptions are now out-the-window.

Congress and the Nation suffer seriously because the latest and most comprehensive estimates of future Government spending and revenues are not made available systematically. They easily could be.

I have indicated in past speeches on this floor, during the last several weeks, several of the recommendations contained in a report by the Economic Statistics Subcommittee, of which I am chairman, of the Joint Economic Committee. This report, entitled "The Federal Budget as an Economic Document," makes a series of proposals concerning possible changes in the budget which could make it more useful and more meaningful for Members of Congress. In my previous speeches, I have discussed a number of these proposals. Today, I should like to discuss the suggestions dealing with the timing of budgetary information.

FORECASTING DIFFICULT, BUT VITAL

Mr. President, those who prepare our budget seem to have almost a fear of the future. I share one facet of this fear: I think that we, as social animals, are incapable of accurately forecasting our own future behavior. Such predictions are especially tricky in the economic realm, where the added dimension of dollars is tied to every psychological change by individuals and groups. Economists have not been noted for their accuracy in forecasting, and I share their trepidation concerning future forecasts. However, I think their skill is better than no skill, and that to the best of their abilities they should take responsibility for "guesstimating" the nature of future economic trends.

I am worried, however, that the fear of the future perhaps goes somewhat deeper than simply a lack of reliance upon forecasting ability.

I am sure that is the case, because often I have found, when as a member of the Joint Economic Committee I have questioned eminent economists, that there is very little reluctance on their part to forecast or to estimate, and that there is a great deal of confidence in the validity of their estimates. Yet we in Congress do not receive the benefit we could receive from the estimates made by these very competent and able men. We do not have the benefit of their forecasts, and they are the most gifted economists in the Nation. But perhaps such forecasts are so extreme that there exists an unwillingness to reveal their results. Yet it is always better to know the best judgment of qualified experts on the nature of future problems than to assume that the future is a black and empty abyss. I believe, therefore, that every administration should be required to make and to publish long-range forecasts—by which I mean for 5 years—of the way in which Federal expenditures and receipts are expected to change.

EISENHOWER ADMINISTRATION, NATIONAL PLANNING ASSOCIATION HAS DONE IT

This is not an exacting or an extreme proposal. The outgoing Eisenhower administration in 1960 provided 10-year forecasts for both expenditures and receipts. The techniques and procedures are well known, both in the business community, where such forecasts are viewed as essential for investment decisions, and in the economic profession. For example, an organization with its headquarters here in Washington—the National Planning Association—regularly provides 5-year and 10-year forecasts on all sectors of the economy; and these forecasts have proved extremely useful to Congressmen and to others.

ESSENTIAL TO KNOW TOTAL COSTS OF PROGRAMS

There is another reason for insisting upon these longer range forecasts in the budget: Not only is it important to know the most likely future pattern of general expenditures and receipts; it is also essential to know the total costs of contemplated specific expenditures. Under present budgetary procedures, if a new capital acquisition by the Federal Government is to be built over a period extending beyond 1 year, the total anticipated costs of the project are never provided in the budget document.

We simply do not know—for we are not told—how much it is going to cost or how much the full burden of cost will be in the future. That fact is not revealed in the budget document, although the budget could show the total cost burden on the economy or the benefit of such spending—if it does have any—on the economy generally.

For example, a dam which may take 3 years to build will have roughly only one-third of its total cost included in the budget. Thus, the Appropriations Committee and the Congress cannot have information on the expected total expenditures at the time when initial decisions concerning the feasibility of the project are made. Here, again, predictions are hazardous, and exactness cannot be expected. On the other hand, it should be possible to make fairly reasonable estimates with respect to individual projections; and such estimates would seem to be essential to good budgetary management by the Congress.

Does this proposal make practical, workable sense? The experience we have had indicates the answer is "Yes." We now have the results of laboratory experiments conducted in this area of long-range projections. These experiments have proven quite successful. Not only have advance forecasts yielded information about the future; they have also produced some important byproducts, in the form of revealing future problem areas which policymakers will need to face. They contribute, in other words, storm warnings of problems which otherwise might become urgent at the time when they actually emerge.

The laboratory tests to which I refer are to be found in various agencies of the Government. The principal instance of long-range forecasting currently in use is in the Department of Defense, where of course forecasting is by far the most difficult because the amount of spending is the greatest and changes have to be made as the very rapid changes in military technology proceed. One would think that if there were any area of Government in which forecasting spending would be difficult it would be the area of defense. Yet there, under the very efficient management of Secretary McNamara, such forecasts are made. In the Department of Defense, 5-year extrapolation into the future for the entire Department, in all of its operations, is updated monthly. This method has been found to work well in the Defense Department. More than half the Federal spending is concentrated in this agency. Why could not this method be extended to the rest of Government? Many other agencies of the Government are using similar long-range forecasts, but they are not brought together in the budget document, so that Members of Congress, members of the business community, and economists generally, will be in a position to forecast, predict, and understand what will happen in the future on the basis of how the Government will contribute to the economy.

UP-TO-DATE FIGURES ON BUDGET NEEDED NOW

Mr. President, I also wish to address myself to another question of budgetary timing—namely, the timing of the release of budget figures themselves. In January of this year, the budget for the fiscal year 1964 was presented to Congress by the President. It is now August—8 months later; yet today we have no better figures on the nature of Government receipts and expenditures than we had last January. Surely it is not too much to ask for more frequent revisions of budgetary estimates. The Government provides this type of information with respect to the private sector of the economy, and provides it very usefully; yet it does not provide current figures on its own operations, even though these operations are closely related to the private economy.

It has been argued on occasion that revisions of forecasts are difficult because Congress is slow in making decisions. For example, this year many of the total appropriations bills have not yet been enacted by the Congress. It is further argued that the Bureau of the Budget should not be placed in the awkward position of forecasting the nature of final congressional enactments.

It seems to me that these arguments have some merit. However, they certainly do not apply in the case of Federal receipts and here revisions could be made as quickly as changes in the economy manifest themselves.

Incidentally, insofar as congressional enactments are concerned, they can be made as soon as the Congress acts. We have acted on some measures during the present session of Congress. Both the House and the Senate have acted, and we have acted in concert.

Moreover, the objections are not applicable with respect to appropriations legislation already enacted. The objections are also not valid in the forecasting of continuing or permanent and indefinite appropriations. Better estimates should be available now than were available in January concerning anticipated interest payments on our national debt. Probably better estimates could be made on veterans' programs, on agricultural outlays, and on a number of other areas of expenditures that are either not influenced by current legislation or are only influenced to a very limited extent. In any case, of course, the Bureau of the Budget does make forecasts concerning the enactment of administration programs when it makes its January budget estimates and similar forecasts could be provided at other times throughout the year.

JULY, OCTOBER REVISIONS IN BUDGET ESTIMATES

I would urge, therefore, that the Bureau of the Budget consider various alternative approaches by which additional budget data could be made available to the Congress. One of these approaches would be to make periodic revisions in budget estimates. These revisions might be regularly scheduled for July and October, as well as in January. To the extent that appropriation legislation was not enacted in time for the forecasts, the Bureau of the Budget could simply continue existing forecasts.

An alternative to this approach would be to revise expenditure forecasts after each significant piece of legislation was enacted. A similar procedure is currently used by a number of State governments, according to testimony provided to the Statistics Subcommittee in our hearings on this subject, and apparently the method works quite well.

A number of the budget directors of States appeared before the committee. It was their experience that in the great laboratory of experimentation which we have in the experiences of the 50 States this method of updating forecasts on the basis of legislative enactment was a very efficient and satisfactory way for all concerned to bring up to date the record of State spending. In the same way there is no reason why the method could not be applied successfully to Federal expenditures.

QUARTERLY BREAKDOWN OF BUDGET NEEDED

The final recommendation on the subject of timing contained in our Committee report is that the budget amounts now shown simply on an annual basis should be broken down by calendar quarters. The significance of this proposal lies in the fact that intrayear changes can occur in government receipts and expenditures, and these changes are concealed by annual data. In the calendar year 1963 for instance, it was originally estimated that some of the President's tax reduction program would go into effect. However, also in calendar 1963, a $2 billion tax increase under the social security program did go into effect.

Therefore, while on an annual basis there might well have been net tax reduction in 1963, for at least the first half of the year there were tax increases—and substantial increases, $2 billion increases—which probably served to repress the economy. That was not included in the budget but should have been and could have been very easily.

In making forecasts concerning the economic impact of the Federal Government, it was obviously important to know that tax pressures on the economy were rising during the first half of the year even though they might well have been offset later in the year.

Many other examples could also be given. Defense contractors would like to know not only the amount of additional contracts that will be let but also roughly when, in a particular year, the contracts will be let. Such information would clearly facilitate planning and investment programs by private industry.

Mr. President, time is a valuable asset to the Federal Government as well as to individuals and companies. It should be used and used well. The recommendations I am describing here today are designed simply to obtain greater information within the Federal budget concerning the measurement of the asset of time.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KUCHEL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFICER. Without objection, it is so ordered.

FACTS ON THE OFF-BASE DISCRIMINATION CONTROVERSY

Mr. HART. Mr. President, in days past the Senate has heard discussed what is known as the Gesell report. This report was filed by a distinguished committee with the President of the United States several months ago. It relates to equality of treatment and opportunity for Negro military personnel stationed within the United States. One of the most carefully read periodicals by Members of the Congress—and I would hope by many others—is the Congressional Quarterly.

In its issue of August 16, 1963, Congressional Quarterly has its typically inclusive, readable, informative summary of the events which occurred following the issuance of the Gesell report. Since this collects in summary form many points of view which have been expressed about a matter which I hope concerns all of us, I ask unanimous consent that the article from Congressional Quarterly, captioned "McNamara Antidiscrimination Directive Stirs Controversy," may be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

McNamara Antidiscrimination Directive Stirs Controversy

The Defense Department's recent directive covering off-base discrimination against Negro servicemen has been widely attacked by southern Congressmen as a club to force integration in communities near military bases. But Defense officials say it will be far less sweeping in its effect than initial reports and interpretations indicated. The order was bound to provoke controversy, landing as it did in the midst of this summer's heated civil rights fight and aimed as it was at the Nation's Military Establishment, which is preponderantly located in the South. (See chart, next page.) [Not printed in Record.]

The directive was the outgrowth of a report by a special group appointed over a year ago, in June 1962, by President Kennedy and headed by Washington Attorney Gerhard A. Gesell. The Gesell report which was submitted June 21, 1963, and forwarded from the White House to the Pentagon, is a 93-page documentary of problems still encountered by Negro servicemen on military bases as well as in nearby communities. The report made a battery of suggestions for change. It was promptly branded an "infamous document" by southern Congressmen, who have aimed as much fire at the report as at the directive. (The Gesell Committee is now studying the problems of Negroes in the National Guard and Reserves and those stationed overseas.)

The southerners' basic charge is that the Administration plans to use the military as an instrument for social change. The Pentagon's basic argument is that it is strictly and simply concerned with military effectiveness, which is impaired by demoralizing segregation.

CONTENTS OF DIRECTIVE

The primary misconception about the directive, according to Defense officials, was that the Department planned to make broad use of its "off limits" powers to declare whole communities out of bounds for servicemen. "We hope never to have to use the off-limits sanction," says one Department official. What the July 26 directive did was the following:

Stated that it was the Department's policy to conduct all of its activities in a nondiscriminatory way and that discriminatory practices against servicemen, "all of whom lack a civilian's freedom of choice in where to live, to work, to travel, and to spend his off-duty hours, are harmful to military effectiveness."

Vested the Assistant Secretary of Defense (Manpower) with responsibility for protecting the civil rights of members of the Armed Forces and authorized establishment of a new Office of Deputy Assistant Secretary of Defense (Civil Rights).

Directed the military services to issue instructions, regulations and manuals regarding the protection of civil rights on base and off base, and to institute in each service a reporting and monitoring system.

Held base commanders responsible for combating on-base and off-base discrimination, and directed that "in discharging that responsibility a commander shall not, except with the prior approval of the Secretary of his military department, use the off-limits sanction in discrimination cases arising within the United States."

Directed the military departments to develop the outlines of implementation plans by August 15.

The off-base sanction, therefore, was raised negatively, in the context that it should not be used unless absolutely necessary, and only with the approval of the civilian Secretaries. "This was the least offensive way," said one Defense official, "because it works into the system gradually." "There is no desire to place anything off limits," says another, least of all entire communities. Early press reports had indicated that the Department would declare off limits whole areas where there was "relentless discrimination." This term did not appear in the directive, but was contained in a memorandum to President Kennedy from Defense Secretary Robert S. McNamara reporting on the Department's new antidiscrimination directive. The memo included the following sentence: "The (Gesell) committee suggests using a form of the off-limits sanction when, despite the commander's best efforts with community leaders, relentless discrimination persists against Negro servicemen and their families." The Secretary continued: "Certainly the damage to military effectiveness from off-base discrimination is not less than that caused by off-base vice, as to which the off-limits sanction is quite customary. While I would hope that it need never be put in effect, I agree with the committee that a like sanction against discrimination must be available." It is obviously hoped that the mere availability of the sanction will be an effective bargaining lever in negotiations with local officials and businessmen.

Top 10 States in terms of pay and allowances drawn by servicemen stationed within their borders

State	Pay	Servicemen
California	$820,436,000	214,861
Texas	726,590,000	177,318
Virginia	321,560,000	86,396
Georgia	312,497,000	83,773
North Carolina	302,806,000	87,489
Florida	263,167,000	62,864
Washington	184,895,000	46,831
Maryland	184,317,000	48,048
Illinois	181,462,000	45,645
Kentucky	177,817,000	49,909

Defense officials emphasize that they will move slowly and that they do not and cannot have an overall plan. "It will depend on the community," says one. "Maybe the problem is movie houses in one place, and somewhere else it's housing or schools." Base commanders will have primary responsibility for assessing the problems. The new civil rights office, headed by Deputy Assistant Secretary Alfred B. Fitt, will travel, supervise, support, advise and cajole.

The process, however, will be essentially carried out through the services' command channels, and the emphasis will be on negotiations at the local level.

Some observers have expressed doubts that the base comanders are up to the job. The Gesell report said that "the record of base commanders in dealing with such problems has not been impressive." It blamed this on a lack of specific directives or assurance of support from higher up the command ladder and on the commander's own attitudes. "As a group," said the Gesell report, "they do not believe that problems of segregation and racial discrimination in the local community should be their concern." Most of the commanders' community contacts have been with the white power structure interested in preserving a peaceful status quo.

However, Pentagon officials expect the commanders to be cooperative. Says Fitt: "I expect the same doubts were expressed in 1948 when President Truman integrated the troops. The commanders may have had personal problems with this, but they did it." The main job, he says, is "to get instructions to the commanders and then back them up and down the line."

NEGRO SERVICEMEN'S PROBLEMS

The commanders have a long list of problems facing them. Both the Gesell report and Department investigations found that Negro soldiers, who are almost without exception thoroughly integrated with their white colleagues on the bases, frequently meet with discrimination on all fronts once they go into town.

(The Committee found just a few examples of remaining discrimination on base, and said these resulted largely from a lack of communication between commanders and their men. The Pentagon is working to correct this. The report also cited the lack of Negro officers in the services. Pentagon officials said all efforts were being made to see that promotions are given on strictly nondiscriminatory grounds, but that what is most needed is time for Negroes, who did not begin to come into the services in any large numbers until the 1930's, to gain sufficient time and experience for high posts. The normal cycle, they said, is about 30 years before an enlisted man becomes an officer.)

In many locales, Negro soldiers cannot go to a bar or restaurant with their white friends; they must ride segregated transportation facilities; their children must attend segregated schools; they cannot find adequate or decent housing for their families. Negro and white soldiers walking down the street together may be told by local police to "break it up." These conditions, says the Gesell report, "are a constant affront and a constant reminder that the society they are prepared to defend is a society that deprecates their right to full participation as citizens." Some results of the discrimination, according to the report, are that many Negro military families separate "to protect their children and to maintain some degree of dignity," and that "there are bases where Negro personnel confront such intolerable conditions off base that almost any device will be employed to effect a change in duty assignment." (The services generally deny transfer applications based solely on discrimination problems.)

Number of military personnel stationed in each State, and annual payrolls, as of Dec. 31, 1962

	Number	Annual pay and allowances
East (percent)	14.6	14.6
Connecticut	4,933	$18,682,000
Delaware	8,111	$36,286,000
District of Columbia	19,402	$74,107,000
Maine	14,068	$61,783,000
Maryland	48,048	$184,317,000
Massachusetts	33,796	$137,882,000
New Hampshire	8,311	$36,140,000
New Jersey	41,522	$158,247,000
New York	38,914	$157,488,000
Pennsylvania	15,438	$57,800,000
Rhode Island	7,243	$27,363,000
Vermont	464	$1,995,000
West Virginia	630	$2,491,000
West (percent)	27.4	27.4
Alaska	31,452	$126,568,000
Arizona	21,501	$87,434,000
California	214,861	$820,436,000
Colorado	36,568	$147,852,000
Hawaii	41,586	$152,291,000
Idaho	6,125	$26,953,000
Montana	9,494	$42,587,000
Nevada	8,286	$36,036,000
New Mexico	22,660	$95,827,000
Oregon	4,905	$21,593,000
Utah	4,688	$19,561,000
Washington	46,831	$184,895,000
Wyoming	3,793	$17,031,000
Midwest (percent)	12.3	12.9
Illinois	45,645	$181,462,000
Indiana	8,418	$35,092,000
Iowa	1,476	$6,249,000
Kansas	36,954	$147,332,000
Michigan	22,156	$96,731,000
Minnesota	5,260	$21,859,000
Missouri	25,855	$98,737,000
Nebraska	18,621	$82,596,000
North Dakota	10,208	$45,859,000
Ohio	18,935	$81,924,000
South Dakota	5,960	$26,717,000
Wisconsin	4,422	$18,624,000

Number of military personnel stationed in each State, and annual payrolls, as of Dec. 31, 1962—Continued

	Number	Annual pay and allowances
South (percent)	[1]44.4	[1]43.5
Alabama	21,522	$85,075,000
Arkansas	12,420	$52,032,000
Florida	62,864	$263,167,000
Georgia	83,773	$312,497,000
Kentucky	49,909	$177,817,000
Louisiana	30,708	$121,800,000
Mississippi	29,241	$130,230,000
North Carolina	87,489	$302,806,000
Oklahoma	31,137	$122,682,000
South Carolina	42,528	$167,618,000
Tennessee	18,863	$74,124,000
Texas	177,318	$726,590,000
Virginia	86,396	$321,560,000
Total United States	1,654,554	$6,517,332,000

Source: Department of Defense.

The report says that many of the problems are found in the North as well as the South, and that the housing problem is almost universal. "Some bases established in States such as the Dakotas," the report says, "have confronted forms of segregation and discrimination which have much of the same rigidity found in certain Southern communities."

The committee recommended that the commanders work with biracial community committees. It said there were indications that local proprietors in many areas would cooperate if there were a uniform policy.

Defense officials do not pretend that the new directive will solve all of these problems. Fitt outlined the possibilities for progress in the various fields as follows:

Community activities: The Department already had a fixed policy that armed services bands, choirs, sports teams, etc., or representatives of the base, should not participate in community activities if there is segregation. In some areas this has not been carried out, but that will not be the case in the future because of the new instructions.

Transportation: Sometimes transportation facilities which permit integrated seating on base require Negroes to change seats once the bus leaves the base; in other cases there is desegregated seating on the main route to and from the base, but not elsewhere in town. More and more transportation systems in the South are desegregated and, according to Fitt, "there are so many alternatives of travel that commanders can work something out here."

Public accommodations: This, according to Fitt, "is one obvious area of concern to commanders. We're talking here about the ability of a man to buy a sandwich, to go to a park, to go to the movies, to go to a bowling alley. This is a typical kind of activity of men in their free time. When all avenues of that kind of wholesome activity are barred to a serviceman, it has an obvious damaging effect on his morale and effectiveness. Commanders ought to be able to achieve substantial progress for their men in this area because it's so incontestably a reasonable proposition."

Segregation of public facilities in communities adjacent to military installations

Types of segregated public facility	Number of surveyed installations and activities with such segregated facilities [1]		Number of personnel stationed where facilities are segregated		Percentage of surveyed installations and activities with segregated facilities	
	Army	Navy	Army	Navy	Army	Navy
Public schools	48	143	178,109	58,500	24	25
Restaurants and bars	68	238	257,893	110,000	34	43
Theaters	63	223	232,301	105,000	31	40
Swimming pools	19	226	178,201	102,000	9	40
Golf courses	38	164	190,931	82,000	19	29
Beaches	10	203	123,5 2	90,000	5	36
Bowling alleys	32	194	205,901	103,000	16	35
Libraries	10	49	130,179	28,000	5	9
Public transportation	4	47	41,091	22,000	2	8
Hotels, motels	12	252	205,618	141,000	6	45
Churches	23	163	127,402	70,000	11	29

[1] The Army survey for this table covered 201 installations and activities, while the Navy survey covered 559. Each installation and activity surveyed had 100 or more military personnel assigned to it. Less complete analyses by the Air Force and Marine Corps indicated similar patterns.

Source: Gesell report.

Schools: This presents a different kind of problem from trying to get a community to let servicemen walk down the street together or bowl together. Progress in this area will continue to depend largely on protracted litigation. If Congress approves the President's civil rights bills' provision giving the Government the power to bring school desegregation suits, this will make a difference. In the meantime, the Government has filed five suits for the desegregation of schools in districts which receive Federal aid because they have been "impacted" by military installations. The morale of the troops was a major factor listed by the Government in arguing that it should have the right to bring the suits. The Government has won one of the suits at the district court level. Two others were lost and are on appeal. Also, the Department of Health, Education and Welfare, which administers the "impacted areas" school program, in 1962 announced that it would build its own on-base schools for the children of Federal employees who live and work on Federal installations if the off-base schools were segregated. The first such schools will be open for the fall, 1963, term. Only elementary schools have been built, because in most cases there were not enough pupils to support high schools. HEW took the position that the law did not allow it to build schools for children whose parents lived or worked off base (Weekly report, p. 292).

"Progress in this area will obviously take a long time," Fitt said, "because there are no alternatives in the case of schools. But the commanders can make a persistent attempt to get equal schooling for their men's children, and many have done so."

Housing: The housing problem, Fitt says, "is probably the most difficult of all and certainly the most pervasive. It is particularly hard for the commander to do anything about rental housing." The Gesell report recommended that the Government plan for additional Government-owned or controlled housing where the problem is severe and that it make sure that information on FHA-insured housing, which must be available on a nondiscriminatory basis, is made known to servicemen. The Pentagon is looking over these possibilities. (In one little-noticed action earlier in 1963, the Pentagon established the policy that service bulletin boards throughout the country could not be used to advertise the sale of housing which is not available regardless of race, color or creed.)

The Defense Department parts company with the Gesell report on a number of recommendations. The report recommended that if all else fails, the Department should consider curtailing or closing bases near communities where discrimination is particularly prevalent. McNamara's memo to the President said that he did "not regard this as a feasible action at this time." Thus he did not totally shut the door on the proposal.

The Gesell committee also recommended that every base should have a specific officer to whom Negroes faced with discrimination can take their complaints. The Department feels that there are various ways this should be handled. The challenge, they say, is to let the victims of discrimination know that there is some point to raising their grievances.

One recommendation which southerners jumped on was that "it should be made clear that officers showing initiative and achievement in this area will enhance their performance ratings and obtain favorable consideration for promotion and career advancement." One Defense official said that "any commander who makes an especially commendable performance in this field as in any other field will be recognized, but this does not mean that officers will be promoted solely on the basis of singular accomplishments in this field."

Southerners have charged that the Department is exceeding its powers by involving itself with off-base conditions, and is wrongly using the Armed Forces as instruments of social reform. Senator JOHN STENNIS, Democrat, of Mississippi, July 31 told the Senate that this could "only result in irreparable injury to the military profession" and that it was "a grave and serious challenge to the long-established and traditional concept of complete separation of the military from all political matters and activities." Senator HERMAN E. TALMADGE, Democrat, of Georgia, insisted that by law the military has no control over the civilian areas outside the military base. Senator BARRY GOLDWATER, Republican, of Arizona, pointed up the irony of the controversy by charging that the directive was "a complete flip-flop from the administration's concept of the danger of a military man taking over." Representative L. MENDEL RIVERS, Democrat, of South Carolina, charged that it was "the beginning of the police state and the commissar program in America." Representative ROBERT L. F. SIKES, Democrat, of Florida, charged that the Gesell committee had recommended that "the defense functions of the military forces be subordinated to achieving the goal of complete integration."

Defense officials go out of their way to deny that they have embarked on a general civil rights crusade or are using the military as instruments of social change. Says one: "We are not trying to change the life of a town, but the way they treat servicemen. Our policy is military effectiveness; in pursuit of this we are asking the military to see that there is no segregation." They reject the argument that they are exceeding their powers. "We have the power to restrain our own troops from engaging in activities which are deleterious to their morale," says one official. "Nothing is more deleterious to their morale than to have some allowed to participate in some activities and others not because of color."

Thus, the southerners argue that the Pentagon does not have the power to compel the desegregation of public accommodations; the Pentagon argues that it is not desegregating the restaurants, etc., but is prepared to order its men not to patronize those which are segregated.

In the course of attacking the order, GOLDWATER charged that Fitt and others went into communities "armed with dossiers on the businessmen of the community, dossiers complete with every figure the committee can get out of income tax returns." The Pentagon issued a flat denial.

Those who attacked the order took pains to say that they were not attacking McNamara himself. They said that the directive had undoubtedly been foisted on him by others in the administration, probably Attorney General Robert F. Kennedy (a more vulnerable political target in their districts). Defense officials laughed at the suggestion that the directive had been forced on McNamara against his will.

Mr. HART. Mr. President, not having engaged in the earlier discussion on this report, I wish to make it very clear that I feel that the recommendations of the committee and the action by the Secretary of Defense in response to it should be hailed by all Americans.

PROPOSED LIMITED NUCLEAR TEST BAN TREATY

Mr. GOLDWATER. Mr. President, the question of inspection must be raised and resolved in our considerations of the proposed limited nuclear test ban treaty.

As it stands, of course, the treaty contains no provision for inspection. We are told that it does not need such a provision, that we can check on the performance of the signatory nations by the use of our detection devices. That is not true. There is one entire area of the treaty proposal which cannot be checked by black boxes, or satellites, or ionization counters or any technical means.

That area is section 2 of article I. Let me read it:

> Each of the parties to this treaty undertakes furthermore to refrain from causing, encouraging, or in any way participating in the carrying out of any nuclear weapon test explosion, or any other nuclear explosion, anywhere which would take place in any of the environments described, or have the effect referred to in paragraph 1 of this article.

The wording seems clear to me. A nation that signs this treaty will not cause a nuclear explosion, or test, anywhere in any of the banned environments. A nation that signs this treaty would pledge not to encourage any such test. A nation that signs this treaty would not participate in any such test.

Let us now get down to cases. That clause says that we will not cause, encourage, or participate in regard to any tests that, for instance, the French might carry out. That clause says that the Soviets will not cause, encourage, or participate in regard to any tests that Red China might carry out, to cite just one of the nations that could be involved on their side.

How in the world can any such clause be meaningful if there is no way to inspect it for possible violations?

And how in the world can it be inspected for possible violation through existing technical means? The answer seems clear. It punches a major hole in the validity of the treaty.

Cannot the Soviets immediately claim that we are violating that clause by sharing nuclear information with France? Cannot we immediately ask what protection there is in the treaty against Soviet participation in tests inside the vastness of China? Talk of splits between the Chinese and the Soviets are no more meaningful in this respect than talk of splits between ourselves and the French. We still know whose friend is whose, and what the possibilities for violation actually are.

Secretary Rusk has commented on this by saying that we will not cause, encourage, or participate in regard to French nuclear testing. He can be believed, I am sure. Whether the Russians will share that belief, I cannot say. But Secretary Rusk, in commenting on the other possibility—of the Soviet working the Red Chinese—simply says that he does not believe they will. That is scarcely the sort of assurance on which a treaty can be based.

Inspection of the shipment of fissionable material would be just one of the sorts of inspection that this particular clause of the treaty seems to raise. Transfer of technicians and even of information seems another area. In short, it cries and begs for rigorous inspection and yet provides for absolutely none.

In that way it is symbolic of the entire treaty. It seems only half thought through in its implications. I urge that the Senate try to supply some of the thinking so obviously lacking, lest the mistakes of a few negotiators become the peril of an entire nation, of an entire way of life.

I have spoken of one part of the treaty which demands actual, physical inspection and which will make the treaty meaningless without it. I do not want to gloss over, by that single point, the general impact that this treaty has upon the principle of inspection to which we have hewed until this very proposal.

We have, through countless negotiations with the Soviet, placed the heaviest emphasis upon the need for international inspection of arms agreements. That principle now is dropped in the proposed test ban treaty.

How, having finally renounced our demands for inspection, could we expect to press those demands in future arms control agreements with which we may be faced?

Our position in the United Nations also has reflected part of this problem. We have long been firmly opposed to declaratory treaties, those treaties which simply declare a goal but provide no realistic machinery for inspection, maintenance, or effectiveness. The proposed partial nuclear test ban treaty is surely just such a declaratory treaty. Does it establish a broader precedent than even the arms control precedent? Will it, indeed, establish an entire new avenue of American diplomacy and relationship to international agreements of all sorts? Surely we must not beg this question in studying the proposed treaty.

The people of the United States have, and their representatives have, surely arrived at consensus on the need to inspect, and carefully provide for inspection of any treaty signed with the Soviet Union. Our experience in Cuba alone shows how easily we may be burned. Even with supposedly good air inspection, how long did it take before this Nation was permitted to awaken to the presence of Soviet missiles there? It took almost too long. We risked our lives then. How much more would we be risking our lives now in signing a treaty dealing with the mightiest weapons of all but with no inspection beyond sniffing the air, feeling the ground, or scanning the skies?

No, the question of inspection is not one that is apart from this treaty. Inspection is deeply involved. It must be involved. I call on my colleagues to give this matter their most serious and urgent consideration.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. GOLDWATER. I am happy to yield.

Mr. HUMPHREY. I am sure the Senator knows that the test ban treaty which is now the subject of hearings provides a very effective means by which this country can protect its security interests, that is, by prompt withdrawal in case there is any violation. We can do this on our own volition, by serving notice on a 90-day basis; or, if we presume that there has been a violation, we can withdraw immediately.

I am sure the Senator knows that it is the intention of this Government, from all the reports that have been given to us in the hearings, to maintain at peak performance our laboratories and scientific teams in the field of nuclear science and in the field of nuclear weaponry. We intend to maintain testing equipment for atmospheric, underwater and outer space tests at a ready alert, and to engage in an extensive series of underground tests, which are costly and time consuming—an area of testing the Soviet Union has not perfected but one in which we have expert knowledge.

Finally, I point out to the Senator from Arizona that when raising these doubts—which surely is a legitimate activity on the part of any interested citizens or Senator—it is also important to cite what we do to overcome the doubts. For example, we have the most extensive system of inspection and detection of nuclear explosions of any nation on the face of the earth. We have acoustical, electronic, and seismic detection and identification systems. Those systems are tied in with those of other countries.

The particular treaty under discussion would not cover underground tests for the purpose of inspection. Our international inspection system was primarily directed toward the underground tests. In this environment we needed on-site inspections within the Soviet Union to be able to ascertain whether there had been a violation by underground testing. The problem here is one of differentiating between earthquakes and underground nuclear explosions. This requires an extensive system of seismic stations surrounding the Soviet Union and within the Soviet Union, and a freedom to move within the Soviet Union for on-site inspection.

The limited nuclear test ban treaty relies upon the national systems of surveillance; seismic, electronic and acoustical systems, plus the regular intelligence services of our Government and of friendly countries.

Furthermore, the treaty will be signed by many scores of nations, all of whom have a stake in seeing the treaty enforced and observed.

I rise to protest the strawmen that are set up day after day for someone to come in later and knock down and say, "I have proved my point."

The basic structure of this treaty was submitted by the previous administration; it has been recommended by Members of Congress, by resolutions. The treaty before us is the most simple and direct treaty we could sign in our national interest. The testimony reveals that it is in our national interest. I do not feel that we ought to be frightening the American people as to what is in this treaty or what it means to our security.

The treaty provides every safeguard that could possibly be provided. The treaty provides more safeguards than there were in the so-called uninspected moratorium, which was approved by the previous administration, and which included underground tests.

The treaty requires careful consideration. The hearings have been productive. Nothing has been said in the hearings to date which was not known before or which would in any way frighten the American people into a position of doubt as to the reliability of the instrument we have signed.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. GOLDWATER. I have been listening very carefully. I have been trying to ascertain the point the Senator is trying to make.

I agree with what the Senator has said, but I think the point he is trying to get across is that Senators have no right to stand up and ask questions about the treaty.

Mr. HUMPHREY. Not at all.

Mr. GOLDWATER. If the Senator will read my remarks carefully, he will find there is an area of doubt, but not in the same area. The Senator from Minnesota has raised some very intelligent questions. I know about seismic detection. I know we cannot distinguish between earthquakes and nuclear explosions. I am not arguing that point at all. I am arguing whether there is some doubt as to whether we would have to give up our help with the French, or what the Soviet attitude is toward Red China, or any other country. Once Cuba is recognized as a signatory of this treaty, there is nothing to prevent any other country from giving her atomic information.

Mr. HUMPHREY. Oh, yes; there is.

Mr. GOLDWATER. This is what occurs to me at the time. This is the point I am trying to make. The Senator from Minnesota is making a long recital of things he knows I know, and he knows I agree with him. I am merely trying to raise questions which are in my mind, and I intend to continue raising them.

Mr. HUMPHREY. The Senator is entitled to do so.

Mr. GOLDWATER. I am glad to hear that.

Mr. HUMPHREY. He would be remiss in his duty if he did not.

All I am saying is that the Senator has indicated certain things. He has indicated that the treaty would not be subject to inspection—which is not true. It is subject to inspection—it is subject to our national inspection system.

The Senator has questioned whether or not the treaty would be abided by. I think the point he is trying to make to the American people is a disservice, namely that the treaty is an open invitation to avoidance or evasion. The Senator says the treaty is not subject to inspection. I say it is subject to our inspection. The Senator's questions tend to obscure rather than illuminate the Senate's consideration of this treaty.

Mr. GOLDWATER. It is not subject to the type of inspection that we have been insisting on year after year.

Mr. HUMPHREY. For underground tests?

Mr. GOLDWATER. For all tests. We held, in ventures in the past in trying to reach agreements, that we needed onsite inspections.

Mr. HUMPHREY. The Senator is talking about onsite inspections for the comprehensive, overall nuclear test ban proposals, which included underground tests. I am not going to let the Senator from Arizona befog or becloud the record or to obscure the central issue. The tests being banned under the treaty are the very areas which the previous administration recommended for the kind of treaty we now have, and the previous comprehensive test ban proposals were not approved. It was in the area of onsite inspection and international control where we had differences. The Senator from Minnesota represents that this treaty is subject to inspection—our inspection—and we can withdraw at any time that we find it is in our national interest to do so.

Mr. GOLDWATER. If the Senator will take the trouble in the morning to read the remarks I have made, he will see that I am outlining an area in which I feel that a different type of inspection is needed. I may be mistaken, but the Senator is not talking to the point, so we are not solving it. The point I make is that after reading the draft of the treaty I have a question in my mind as to whether or not we need a better inspection system in that area. I admit that the situation may never develop, but the fact that it could develop worries me. I know we can withdraw. That is the most palatable part of the treaty. I would not want to join in one that was irrevocable.

I further suggest that, in the whole area of underground testing, we can test as much as they and they can test as much as we can. In this we are not stopping a proliferation of weapons. I think we are adding to the proliferation of weapons. But this is neither for nor against the treaty. I have merely raised a question, as have other Members of the Senate. I asked Dean Rusk for a complete briefing—I have not received it yet, but I know I will—as to why, by East Germany's signing the treaty, we would not be in effect recognizing her. I take his word for it. I believe him. But I want to have some legal proof before I say "Yes." I am merely raising questions. I merely wanted to clarify the issue and debate it. I hope the Senator from Minnesota does not suggest that a Senator ought not to have the right or duty to stand up and raise a question. When I have other questions I intend to raise them.

Mr. HUMPHREY. The practice of continually raising questions is a good way to indicate a deep interest in the subject; and the Senator from Arizona has a deep interest in it. But these questions have already been raised. The point with respect to recognition of East Germany has been answered. A pamphlet has been published by the Foreign Relations Committee on the legal question involved. Furthermore, the State Department has a memorandum on this particular legal issue. I point out that the West German Republic has many agreements with East Germany, but it does not recognize the East German regime. East Germany has signed certain protocols and agreements relating to prisoners of war to which we are signatories. That does not mean that the East German regime has been recognized.

First the Senator from Arizona announced that he was opposed to the treaty——

Mr. GOLDWATER. The Senator is mistaken.

Mr. HUMPHREY. At one time.

Mr. GOLDWATER. I said I was opposed to the draft that Dean Rusk showed us 2 or 3 days before.

Mr. HUMPHREY. It was the same treaty.

Mr. GOLDWATER. No; it was not.

Mr. HUMPHREY. I respectfully differ.

Mr. GOLDWATER. I respectfully differ. I heard it. I was present.

Mr. HUMPHREY. I am happy to learn that the Senator is not opposed to the treaty. This is encouraging to me, because I felt that eventually he would not be opposed to it. He is sensible, wise, and intelligent.

Mr. GOLDWATER. Flattery will get the Senator everything.

Mr. HUMPHREY. I am happy to know that the Senator will be on the side of those supporting the treaty. West Germany did not have any difficulty with it, because it signed the treaty. West Germany is not as worried about its relationships with East Germany as we are. The Associated Press indicated a few moments ago that the Republic of West Germany signed the treaty.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. GOLDWATER. If the Senator is interested in my becoming enlightened in this field, if he will allow me to ask questions, I may be contented, and he may find me going arm in arm with him——

Mr. HUMPHREY. Wonderful.

Mr. GOLDWATER. But not having all the intelligence that the Senator from Minnesota has——

Mr. HUMPHREY. That is going too far.

Mr. GOLDWATER. He is going to hinder me and place hurdles in my road. I merely want to be as well informed on this subject as those who have already made up their minds. I hope the Senator will not undertake to restrain me from asking questions in the future that I regard as important questions to me. I hope the Senator will not deny me that right.

Mr. HUMPHREY. I will join the Senator in that exercise of interrogation. I read with considerable interest the Senator's speech during the past weekend. I listened to his remarks today. Both speeches indicate to me that a number of questions are being asked.

The public record, as well as the executive record, has answered these questions. But the constant repetition of them does not reassure the people of the United States. What is needed is reassurance from those who have listened to the testimony. All the questions that have been asked are being answered responsively and effectively. The testimony of Secretary Rusk, the testimony of General Taylor, and the testimony of Mr. McCone, as well as the testimony of other witnesses who have appeared before the committee, has been candid, to the point, and responsive to the questions which have been asked by thoughtful Senators, including the distinguished Senator from Arizona. But let us now acknowledge that these questions have been answered.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. GOLDWATER. I do not believe I have missed one session of the committee hearings on this treaty. I have heard Dean Rusk, and I have heard General Taylor. The fact that there is still some question in my mind indicates that there are areas in the treaty to be questioned. I do not believe a treaty should be brought before the Senate and voted on merely because it seems to be the politically proper or appropriate thing to do or because the President wants it or does not want it. I believe these issues should be considered carefully. I am not a member of the Foreign Relations Committee. My knowledge in this field is entirely military and technical. I must proceed with some caution in a field in which the Senator from Minnesota is so brilliant; namely, foreign policy and international problems. I hope the Senator will therefore help me in my ignorance. I shall be grateful if he will extend my knowledge in this field.

Mr. HUMPHREY. The Senator's expression of humility does him well. His knowledge in this field is far beyond his present testimony, and I am more than happy to be his witness.

The Record will indicate that the Senator from Arizona attempted to tell the American people that we were trying to establish a new pattern and a new policy by signing an agreement without a provision for inspection; and that apparently we were growing a little weak in terms of our relationships with the Soviet Union because the treaty on these subjects is wide open to violation. All that the Senator from Minnesota says is that such statements plant doubts which should be resolved by testimony, and which have been resolved by testimony.

The inspection that is provided is adequate for the type of treaty we are discussing. On-site, international control inspection was required in connection with a comprehensive treaty that included underground tests. I am sure that my remarks at this point will prove to be very pertinent to this Record. I may have more to say later.

Mr. GOLDWATER. I should like to keep the Record straight. I believe that I commented upon the fact that historically we have not been in the habit of making a declaratory type of treaty. That is what I mentioned as being a step in a direction that we have not taken before. I believe that if the Senator from Minnesota will read my speech he will find that to be the case. I am not raising the issue of inspection, because I do not believe that there can be an effective inspection system other than an on-site inspection system. In other words, as it is, if they are going to cheat, they will cheat, and we shall have a hard time catching them.

Mr. HUMPHREY. I do not consider the treaty a declaratory statement. It is a first step in the attempt to bring nuclear weaponry under control. It is a primary, preliminary step. However, I believe it is a very important step in our effort to prevent further proliferation of these weapons. It is not the answer to all problems. It does not represent a major step toward disarmament. It does not reduce our military power. There are many things that it does not do.

As the President says in his message to the Senate:

> This treaty is the first concrete result of 18 years of effort by the United States to impose limits on the nuclear arms race.

Then he goes on to say:

> This treaty is the whole agreement. U.S. negotiators in Moscow were instructed not to make this agreement conditioned upon any other understanding; and they made none.
>
> This treaty advances, though it does not assure, world peace; and it will inhibit, though it does not prohibit, the nuclear arms race.

This is not merely a declaratory statement.

I thank the Senator for his indulgence. I will examine the Senator's speech in more detail. The Senator says, "Having finally renounced our demands for inspection, could we expect to press those demands in future arms control agreements with which we may be faced?" I say that that kind of question is misleading.

Mr. GOLDWATER. Is it a fair question?

Mr. HUMPHREY. It is not a fair question.

Mr. GOLDWATER. It is not?

Mr. HUMPHREY. No. It is not fair because we have not renounced our demands for inspection. Our demands for inspection were in connection with a comprehensive nuclear test treaty. The Senator from Minnesota has said on the floor dozens of times that he has been in favor of this proposal, and encourages it. Furthermore, I have not heard his entire speech. I have heard only a part of it. However, in his speech the Senator asks: "And how in the world can any such clause be meaningful if there is no way to inspect it for possible violations?"

Mr. GOLDWATER. Is that a fair question?

Mr. HUMPHREY. Yes; but the answer is as obvious as the presence of the Senator from Arizona.

Mr. GOLDWATER. Why?

Mr. HUMPHREY. There are means of inspection; and the Senator knows it. He ought to be telling the American people that there is a means of inspection; namely, the inspection system of the United States, which is managed by the U.S. Air Force, of which the Senator is a renowned and respected member.

Mr. GOLDWATER. I wish the Senator would read the entire statement at his leisure. If he does so, he will see that I am not referring to the area of inspection that we discussed previously. I am talking about the question that arose as a result of the signing of the treaty with other countries; namely, that it might allow other countries to develop a nuclear power which they now have no opportunity to develop. I wish the Senator would read the entire statement, and not take portions of it out of context. I believe I have raised a fair, legitimate question. If the Senator can answer it, I shall be grateful to him.

Mr. HUMPHREY. I shall try to do so. With respect to inspection, we have not renounced our requirement for inspection in a comprehensive treaty. I believe that the Senator's speech presents a constant attitude of doubt and suspicion. I do not believe it makes a constructive contribution to a thoughtful discussion of the all-important treaty that is before us.

There is a doubt on some points. There is some doubt as to what will be the reaction of the Soviet Union if we were to give nuclear weaponry and nuclear information to France.

The Senator from Oregon [Mr. Morse] has asked for specific information on that point from the State Department, and he will get it. There is doubt as to what we could expect if China were to explode a nuclear device. All these questions have been referred to in testimony, and they have been discussed at length. All that the Senator from Minnesota is saying is that a continuation of the recital of the doubts, the setting up of strawmen, and the occasional knocking down of those strawmen by the one who initially sets them up, does not contribute to what I believe to be a thoughtful consideration of the treaty.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. GOLDWATER. Perhaps I am in error, but when I am engaged in dealing with the Soviet Union, the Communists, I believe I have some ground for being a bit distrustful, and I shall continue to be.

Mr. HUMPHREY. Every man is distrustful. It is "old hat" to say that we ought to be distrustful of the Communists.

Mr. GOLDWATER. Is it wrong to say it?

Mr. HUMPHREY. Indeed not; let the Senator say it repeatedly. However, it does not fortify the Senator's argument. No treaty with the Soviet Union will be worth the paper it is written on unless it contains some mutual advantages. Furthermore, as Admiral Radford once said, We develop our system of international inspection as an alternative to trust."

Mr. President, we have poured millions of dollars into the system of international inspection.

We have farflung inspection facilities, and every Member of this body is fully aware of it. I believe the American people ought to be told that the treaty is not merely a declaratory statement, but that it involves a system of inspection. They should be told that we are paying for it, and that we will rely upon our inspection system to make sure that the treaty is observed and that there is no violation of it. If there is a violation, we will be ready to take whatever action is appropriate under the existing circumstances.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. GOLDWATER. Once again, the Senator gets away from the point. I admit all the things the Senator is talking about.

Mr. HUMPHREY. The Senator is so helpful about admitting all these wonderful things.

Mr. GOLDWATER. If the Senator will allow me to direct his attention to the basic question that arises by the language of the treaty, I have no doubt about our inspection. I think I know as much about it as does the Senator from Minnesota.

Mr. HUMPHREY. Perhaps more.

Mr. GOLDWATER. I have great faith in it. I am aware of its weaknesses, but we are not discussing them today. I am discussing a question I have in my mind, that I stated on the floor of the Senate, but which, except for the last part, the Senator from Minnesota did not hear. The Senator from Minnesota took exception to it. When he studies the question I propounded, if he can enlighten me on the subject, I shall be very happy to be enlightened. He will not find the question on the last page.

Mr. HUMPHREY. Despite all the genteel protestations, when I read again what the Senator from Arizona said, it is quite obvious what the impact or import of the question is. We know that suspicion exists apart from the treaty. I call upon all Senators to give this subject their serious attention. The Senator from Minnesota will give it serious consideration. Inspection is involved. The Senator from Arizona asks:

> How much more would we be risking our lives now in signing a treaty dealing with the mightiest weapons of all but with no inspection beyond sniffing the air, feeling the ground, or scanning the skies

Sniffing the air under the inspection system we have is a little more than talking about hay fever. It is a mighty process. It involves planes and manpower. It involves the highest, most intricate techniques of air inspection and filtration for atomic debris. It means scanning the skies with radar and electronic devices. That is no little picture of looking up at the milky way or the moon. It is a mighty, technical, and effective process.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. HUMPHREY. So let the Senator from Arizona put the question directly. He said the issue was inspection. That issue is well met in the treaty. It is our inspection system. We are the judge of whether the treaty is being fulfilled. If ever there was a treaty that protected the national sovereignty of the United States of America, this is it. If there were an international inspection system I can imagine the Senator saying, "Are we going to trust those foreigners?" No; we are trusting ourselves, and are trusting the finest inspection apparatus that any country has ever known.

Mr. GOLDWATER. We are getting into a discussion without the Senator's reading my question. He is not giving attention to it.

Mr. HUMPHREY. Would the Senator like to tell me what the question is? I have re-read his statement the second time.

Mr. GOLDWATER. No; the Senator has not.

Mr. HUMPHREY. I would be most happy to have the Senator state the question.

Mr. GOLDWATER. I hope the Senator will read the question and give me an intelligent answer, because I think I asked a legitimate question. It has nothing to do with our inspection system.

Mr. HUMPHREY. What is the Senator talking about in his speech? Would he mind delineating his remarks?

Mr. GOLDWATER. It pertains to section 2 of article 1. That language reads:

> Each of the parties to this treaty undertakes furthermore to refrain from causing, encouraging, or in any way participating in, the carrying out of any nuclear weapon test explosion, or any other nuclear explosion, anywhere which would take place in any of the environments described, or have the effect referred to, in paragraph 1 of this article.

Mr. HUMPHREY. Yes.

Mr. GOLDWATER. This wording, as I said, seems clear:

> A nation that signs this treaty will not cause a nuclear explosion, or test, anywhere in any of the banned environments.

Mr. HUMPHREY. Yes.

Mr. GOLDWATER. Then:

> A nation that signs this treaty would pledge not to encourage any such test.

Mr. HUMPHREY. Yes; that has been testified to in all the hearings.

Mr. GOLDWATER. And:

> A nation that signs this treaty would not participate in any such test.

Mr. HUMPHREY. The Senator from Arizona is making a good case for the treaty. What is the question?

Mr. GOLDWATER. We will get to it. That clause provides that we will not cause, encourage, or participate in regard to any test the French may make.

Mr. HUMPHREY. Yes. The Senator from Oregon [Mr. MORSE] placed that question before the State Department. The question will be answered. A vigorous answer will be made available to the American people.

Mr. GOLDWATER. The Senator agrees with me, then, that there is a question?

Mr. HUMPHREY. The Senator from Minnesota does not agree. The Senator says that the Senator from Arizona is about a week late in catching up with the Senator from Oregon.

Mr. GOLDWATER. It takes about that much time to catch up with the Senator from Oregon.

Mr. HUMPHREY. The Senator from Oregon is a fast man.

Mr. GOLDWATER. The same clause provides that the Soviets will not cause, encourage, or participate in regard to any test Red China may carry out.

Mr. HUMPHREY. Yes.

Mr. GOLDWATER. This is where the present inspection system, in my opinion, is not meaningful, and where I have a question. How in the world can any such clause be meaningful if there is no way to inspect for possible violations? There must be a way to inspect for possible violations. We can inspect on the basis of our ability. I think we can say, without violating secrets, that we can inspect the mainland, heartland, of Russia. I do not think we are set up to inspect any disturbances that might be seismic in nature in China.

Mr. HUMPHREY. We can do so every bit as well as we can in Russia.

Mr. GOLDWATER. We cannot discuss that subject on the floor of the Senate.

Mr. HUMPHREY. The Senator from Arizona and I know that. I do not say we can inspect all seismic events in Russia; but we can do it as well there as we can in China.

Mr. GOLDWATER. We cannot talk about that on the floor of the Senate. That is the question I would like to have answered.

Mr. HUMPHREY. What is the other question? The question is one of inspection. The Senator from Arizona not only raises the point of inspection in that situation, but the entire force of his speech was upon the subject of inspection, planting doubts in the American mind as to whether the treaty provides for inspection.

I say unqualifiedly that the treaty provides for inspection—our inspection. Who else said so? Secretary Rusk, Mr. McCone, and General Taylor. They were witnesses before the committee. Secretary McNamara also testified.

Everyone knows that the treaty provides for inspection. Whether the inspection is as good as it ought to be is a question that can be argued. I am of the opinion that our inspection system can be improved. But let the record be perfectly clear that we do not trust the Soviets, and they do not trust us. We have our inspection system. That is the alternative to trust. To me, the treaty is an enforcible document to protect our national security. We will rely on our national inspection system. The taxpayers of the United States have put hundreds of millions of dollars into this system and have reached a number of agreements with the friendly powers of the world, with whom there is a tie-in of their inspection systems with our own. Many scores of countries will sign the treaty, all of them interested in seeing that the treaty is abided by.

The argument of the Senator from Arizona has very weak underpinnings. It is primarily an expression of doubt, to which he knows the answer. That is the kind of protest the Senator from Arizona makes. I can question whether today is Monday and tomorrow will be Tuesday. I can raise a question. But there are answers to many of the questions, and the answers have been made. The answer to the Senator's speech is in the record. It was answered by the Secretary of State, by the Secretary of Defense, and by General Taylor, and it will be answered a thousand times in the weeks ahead, because the question merely raises the simple issue as to whether we have decided to sign a treaty that is open to violation without inspection. That is the import of that question. The Senator from Minnesota says that such a question is a disservice to the treaty, to those who negotiated it, and to Congress. The question is designed to obscure rather than enlighten the debate on this vital question.

Mr. GOLDWATER. In closing, I say that the Senator from Minnesota recognizes that there is a question. He has recognized it by saying that a memorandum will be submitted to cover the general question. I did not know that such a memorandum was forthcoming; but I still have the question in my mind, despite what the Senator from Minnesota may think are my intentions. I intend to continue to exercise my freedom in this body by raising the question. I do not care what the Senator from Minnesota thinks my motives may be.

Mr. HUMPHREY. I do not contest the Senator's motives. His motives are always good, but his information is what is lacking.

U.S. FOREIGN POLICY

Mr. MORSE. Mr. President, I rise to deliver my daily speech in opposition to the foreign aid bill. I missed a few days; I had to go to Peru, to the inauguration of the new Peruvian president; and that took me away from the Senate for a few days. There have been several other interruptions because of official business.

Today, I propose to raise another point in opposition to the foreign aid bill. I direct attention to the expenditure of American funds in Europe for the defense of Berlin and West Germany, for the continuance of this foreign policy issue is costing the United States billions of dollars. In view of the balance-of-payments problems which confront us, in view of the rehabilitation of Germany by American taxpayers, and in view of the very large defense expenditures we must make, all of which I voted for, and would again, we have not just the right but the duty to question whether these costs are for basic American interests. Our entire foreign aid program to European NATO members, to Greece and Turkey, to Spain and Portugal, to several countries in north Africa and in parts of the Middle East, is designed to strengthen free world defenses against encroachments upon West Germany and West Berlin.

In my opinion, this is a burden of which the United States is carrying an undue share. In my opinion, the time has come to stop foreign aid to NATO. The time has come to stop spending so much money for military purposes in West Germany. The time has come to make perfectly clear to West Germany that she has been economically rehabilitated, is now rich, and should pay a much larger share of the cost of her protection.

Beyond that, there is the question of whether the policies of the German Government are in any way repsonsible for perpetuating any of these conditions that are costing the United States so much money. This question is clearly raised by some of Bonn's complaints about the handling of the test ban treaty and about future negotiations over possible guards against surprise attack.

I am delighted to know that today West Germany is the 61st nation to sign the test ban treaty. I also take note that some very interesting discussions took place between President Adenauer and the U.S. Secretary of State before there was any decision by West Germany to sign the test ban treaty. It is perfectly all right for such conversations to take place; but in my judgment we have maneuvered ourselves into a foreign policy position in which apparently our country hesitates to make any move in Europe until it is first cleared with Adenauer. I suggest to the State Department that it is time first to clear it with the American people, and that we had better discuss some of these problems with the American people before we proceed to discuss them with the heads of foreign states, even friendly states.

So I repeat that I am satisfied this administration does not yet grasp the changing opinion at the precinct level in America in regard to the fleecing of the American taxpayers to the extent of hundreds of millions of dollars by continuation of American foreign aid in many areas of the world where our foreign aid should stop, and where our expenditures should be taken over in part by others.

Next week, in a speech which will be longer than the one I am making today, I shall discuss my amendment to the foreing aid bill. In due course the amendment will reach the floor of the Senate; and it will call for an end to all our foreign aid by the end of the fiscal year 1965.

That does not mean we shall not continue foreign aid; but it means that we will discontinue this program of foreign aid. Then we will say to the world that American unilateral foreign aid—for much of our foreign aid for years has been unilateral, and a good deal of it has been forced upon foreign countries—will end. I favor a continuation of foreign aid, when entered into as a result of direct negotiation, on a bilateral basis, between the United States and the foreign government concerned, as regards specific uses, project by project, for which American money is to be appropriated.

Mr. President, some weeks ago I said the proposed expenditure of $4½ billion, as called for in this year's foreign aid authorization bill, should be cut 25 percent. However, that was an understatement; the cut should be greater, but at the least we should cut it 25 percent. In addition, more and more reports which I am receiving from more and more people returning from Europe—responsible citizens of the United States—convince me all the more that this is the year to stop further aid by us to NATO and to some countries bordering on NATO countries. Let West Germany, France, and Great Britain enter with us into an understanding as to how much they will contribute to any continuation of aid to Greece and Turkey. Today, the United States pays for most of it. Some say Greece and Turkey are not important to the defense of West Germany, France, England, The Netherlands, and the rest of the NATO countries. But if the defense of those two countries is important to the rest of the NATO allies, let the rest of the NATO allies help pay to support their economies and their armies, too. Today the NATO countries are more prosperous than ever before. They are the recipients of billions of dollars of American largess. France, has received more than $9 billion; yet we find De Gaulle following an anti-American course of action. We find him taking a nationalistic course of action in regard to nuclear power. As I have said before on this floor, I am opposed to giving him anything for the development of French nuclear power.

Early this afternoon there was some discussion about the memorandum I called for, from this administration, in regard to exactly what is proposes to do about the United States vis-a-vis France in regard to nuclear power, once the test ban treaty is approved. I repeat that if this administration intends to do anything to aid De Gaulle in connection with the development of French nuclear power, while he insists he will not be a party to the treaty, but will continue nuclear testing in the atmosphere, this administration will be guilty of making the treaty a scrap of paper at the very time when it is approved.

Mr. President, not only do we need to consider France and our country's relationships with her; in addition, we had better take a long, hard look at our country's relationships with West Germany.

Although it may seem to many to be extraneous to the test ban treaty, there has nonetheless been injected into its consideration the question of the division of Germany. This issue, raised by the Federal Republic, necessitated a stopover in Bonn by Secretary Rusk, to reassure Chancellor Adenauer that regardless of whether East Germany signs the treaty, the United States does not plan to change its policy toward East Germany.

It is certainly evident that the Federal Republic regards this question as a paramount one for itself, and expects it to be a paramount one for the United States, as well. We are on notice that all our relationships and negotiations with the Soviet Union will be examined in West Germany from the standpoint of whether they tend to give any standing to the Government of East Germany. So it is time for some public discussion in this country of this whole issue.

In fact, I think the time has come for an emancipation proclamation freeing American foreign policy from West German foreign policy. I do not look with approval on the policy of "clearing it with Adenauer." I am perfectly willing to have our country consult with Adenauer; but American foreign policy should be determined on the basis of what is the best interests of the United States, not those of West Germany. Furthermore, West Germany, as well as the United States, has global responsibilities, now that West Germany has reached a position of great wealth and affluence.

It seems to me that whatever they expect their own policy toward East Germany to be, the political leaders of West Germany are wearing political blinders if they think the American people will for long place the issue of nonrecognition of the Communist regime ahead of prospects for a relaxation in tensions between ourselves and the Soviet Union. Someone in Bonn is kidding himself if he thinks the East German question can for long delay a detente between East and West, if other conditions are conducive to a detente.

HOW DOES REJECTION OF EAST GERMAN TIES LEAD TO UNIFICATION?

This leads me to a related matter. It is the question that has been growing in my mind of just what the present nonrecognition policy toward East Germany is supposed to accomplish.

We share, and sympathize with, the ultimate objective of the reunification of Germany.

Let the record be clear. The senior Senator from Oregon wishes to see a reunification of Germany. The division of Germany is an unnatural one; it was never contemplated by the Western Allies at the close of World War II that the occupation zones should become separate countries. We know that we meant for Germany to be occupied temporarily, until the war in the Pacific was concluded, and that then there would be a final settlement and peace treaty. The occupation of the country and of the city of Berlin was supposed to take care of the governing of Germany only until we could come back to it in a permanent treaty.

On several occasions in recent years I have discussed the Potsdam agreement on the floor of the Senate, and pointed out that the historic record of the Potsdam agreement is perfectly clear. The major powers that agreed on the Potsdam agreement entered into a temporary understanding in respect to Germany until they first finished the defeat of Japan. They had a falling out after the defeat of Japan, and so we had left this temporary arrangement that was entered into at Potsdam, and the Big Five have never been able to reach a permanent agreement in regard to what the final solution of the German question was to be.

So I say that although the agreement was supposed to be temporary, it did not turn out that way. The division of Germany became a fact. The government set up by the Communists became just as real is if we recognized it. Defeated and overrun by countries it had attacked, the separation and dismemberment of the country became a German legacy from the Third Reich. Put more bluntly, the division of the country became one of the prices the German people paid for starting a war and losing it.

Memories are pretty short. That is a human frailty. A little recalling will not hurt in regard to this major foreign policy problem. Do not forget that Russia was devastated by the German Army to an extent that some military strategists and military historians say was unequaled in all human history. Germany has not been able to wipe the slate clean of blood in the history of the world. Forget about the Governments of Russia and Poland. Do not forget what is ingrained in the heritage of the people of Russia and Poland. The merciless, brutal, cruel, and devastating atrocities of the German Army have not yet been wiped off the pages of history.

Yet we listen to some these days who apparently are oblivious to the record of Germany and are oblivious to the repeated threat from Germany to the peace of the world.

I wish to see a united Germany, but I wish to see a united Germany under a negotiated settlement that will remove a repetition of that danger. Let us be frank about that, too. There are many reliable authorities who will tell us that that danger has not been removed. They are living in free countries. Of course, if one should go into the Communist orbit, he would find that the possibility of German aggression is a frightening ogre. It beclouds the thinking of millions of people behind the Iron Curtain. But we see the difficulty of discussing a subject such as this. So many people will not think in terms of historic perspective. So many people are thinking only of the immediate present, their own skins and their own selfish interests. We are dealing here with a problem that may very well determine the direction of mankind 100 years from now.

I do not mean that retribution must be exacted. The futility of punitive peace treaties should be obvious to anyone who can read history. But what one can reasonably expect in the future is often limited by what has happened in the past.

There is a great solemn responsibility of statesmanship to think in terms of a century or two and not in terms of a day in the present.

So we must think of the German question as a question that involves unfinished business and a question that can be solved only by a negotiated settlement. If there are those who think that the German question can and will be decided by West Germany, on her terms, they never will live so long as to see a united Germany. It is not in the cards. In my judgment, there is no more chance of Poland, Russia, Czechoslovakia, and the rest of the Communist bloc—and it happens to be an ugly reality in this world in which mankind lives—agreeing to a settlement of the German question by West Germany than there is of my flying to the moon.

We have not been very realistic in some of our diplomatic discussions with West Germany. I am inclined to think that we have tended to give too many false impressions and unrealistic false hopes that West Germany will write the ticket of the settlement.

There has grown up around this de facto division a whole set of vested interests and emotions both on the side of the status quo and in opposition to the status quo. I can understand the attitude of the Poles and the Russians and some of Germany's other victims, and their apprehensions at the prospect of a reunified Germany. Those apprehensions cannot be taken lightly, nor can they be ignored in the consideration of how and under what terms unification can take place.

I certainly think Americans believe that Germany should be reunified, just as the Germans do. But we know that can only be achieved by negotiation.

It is unthinkable that it could be achieved by war, for under such circumstances there would not be anything left to reunite. We know, and the government in Bonn knows, too, that if reunification is a practical objective and not just a pious dream, it can only be reached by negotiation, and those negotiations must take place among the Soviet Union, East Germany, West Germany, France, Britain, and the United States. Moreover, the Western Powers, and probably West Germany in particular, must expect to pay a price for reunification.

So I think it is fair for Americans to ask the Bonn Government if the Communist Government is not just as real as it can ever get. And does not rejection of any and all dealings with the East German Government really confirm and harden the division of Germany, and make impossible any change in the status quo? Is Bonn satisfied to keep reunification as a hypothetical objective instead of a practical one? And how long does it think the rest of the world—the rest of the Western World—will respect and share its policy of nonrecognition when that policy has no apparent objective, no apparent end, and no apparent relationship to reality? Worst of all, that policy offers no means whatever of leading to or bringing about reunification of Germany.

In my opinion, both Bonn and Washington are contributing to the permanence of the division of Germany by following this policy. In the minds of some, that is a good thing. But it is not our stated objective, nor is it the stated objective of Bonn. I see not the slightest advance, or hope of advance, toward our stated objective, except by undertaking some contacts with those who must be dealt with in the matter of reunification. If Bonn is merely waiting for lightning to strike dead the East German Communists, that may satisfy the people of Germany but it will not satisfy everyone else.

The present rejection policy—and it is political rejection, not an economic one—can only continue so long as there are other issues between East and West so critical and far reaching as to make the reunification issue somewhat secondary. But let any real evidence appear that an easing of other issues is possible, and the nonrecognition question will not stand in the way, so far as this country is concerned.

There is an interesting paradox, a remarkable inconsistency, in the minds of some in connection with West German policy toward East Germany.

I have asked for the facts. I have asked the administration to supply me with all the information available as to the extent of trade between West Germany and East Germany. That will be very interesting material to be used in several connections with respect to the foreign aid debate.

I say to my colleagues, "You should get all ready for those speeches which will be given with respect to the most-favored-nation clause."

The old eagle up there in the ceiling will be flapping his wings once more, trying to fly away under the barrage, when we are told that we must not help people because they may be behind the Iron Curtain.

I should like to find out to what extent West Germany is carrying on trade with peoples behind the Iron Curtain—not only in East Germany, but also elsewhere.

This is one of the great instrumentalities we have for beating communism. I am not critical of trade between East and West Germany. I want to get the facts about it. Well-fed people will not buy communism. People with a decent standard of living will not buy communism. That is why, as chairman of the Subcommittee on Latin American Affairs, Senators find me so often pleading, in the committee and in the Senate, for the export to Latin America of economic freedom. If we can establish a system of economic freedom, that system will take care of communism.

But Bonn cannot expect to enjoy economic contacts with East Germany without others beginning to ask, "Why not political contacts?"

When there is mentioned to West Germany any diplomatic conversations in connection with East Germany, either the Secretary of State of the United States or some other high official is promptly off in a jetplane to Bonn to talk to Adenauer. I am not impressed. I do not think we ought to let West Germany have its cake and eat it, too. I think the time has come for us to raise some very serious questions of great import in connection with American policy toward West Germany.

We have largely deferred to Bonn in the past, where East Germany is concerned. But should it appear that this deference is forestalling better relations between the United States and the U.S.S.R., the question will be put squarely up to the Federal Republic of whether it really wants reunification; and, if so, what price is it willing to pay for it?

It is to be hoped that the initiative for a change in this dichotomic policy will come from Bonn, for it is a matter of greatest import to the Germans. It cannot be expected that the United States, any more than Russia, can view the division of Germany as a problem that must perpetuate the cold war indefinitely. It can be part of the cold war, but it is not a cold war in itself.

Moreover, had events gone as we expected them to at the close of World War II, there would not have been any Federal Republic, or any Bonn government, to wield the weight it wields today on this issue. Suppose that late in 1945 or in 1946 we had had a peace conference over Germany. The terms would have been worked out among the Soviet Union, the United States, Britain, and France, with representation of some kind from representatives within the occupation zones. If one were to speculate on what kind of permanent settlement for Germany might have been arranged at that time, one has to conclude that Germany would have paid some unknown price, and a very high one, for a return to complete self-government of a unified country.

I assure Senators there would not have been anything in those terms which would have provided for sharing atomic power, yet who would deny that some in West Germany have designs on making her a nuclear power? Who is shortsighted or foolish enough to think that if Germany presses those designs, Russia is going to stand up and applaud?

Mr. President, that day of reckoning for Germany has been postponed for 18 years. Has it in fact been canceled? Is it to be assumed that the de facto peace settlement for Germany is its permanent division into east and west?

If this is the assumption, then there is not much point in the continued rejection of all political contacts with East Germany.

If it is not the assumption, then the same negotiations among the same parties and with the same understanding that concessions must be made to gain unified self-government have to be undertaken, as would have had to be undertaken in 1945 if the German question had been settled then.

Today, the United States would probably not impose a German settlement on an unwilling Bonn Government. This is an advantage the Federal Republic has today that did not exist in 1945. It is why I believe the initiative should come from there. It is why I express the fervent hope that someone of political responsibility in the councils of the West German Government is giving thought and formulating some opinions as to whether Germany does want to undertake practical steps to unite the country or whether it is willing to accept the status quo as the final settlement of World War II, and hence accept the existence of East Germany.

If the Germans fail to decide this issue for themselves, they run the risk of having it decided for them by others.

We cannot wish off the face of the globe the existence of West Germany, nor of East Germany, Russia, Poland, Czechoslovakia, nor of any other area directly and immediately affected by whatever the final decision may be in respect to the permanent status of Germany, separated or unified. But I think the time has come when we ought to say to West Germany, "We are going to determine American foreign policy in the best interests of America, and no longer are going to have to clear with Adenauer or his successor."

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MORTON. Mr. President, I ask unanimous consent that further proceedings under the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE MEETING DURING SENATE SESSION TOMORROW

On request of Mr. MORTON, and by unanimous consent, the Committee on Foreign Relations was authorized to meet during the session of the Senate tomorrow.

ADJOURNMENT

Mr. MORTON. Mr. President, I move that the Senate now adjourn until noon tomorrow.

The motion was agreed to; and (at 2 o'clock and 35 minutes p.m.) the Senate adjourned until tomorrow, Tuesday, August 20, 1963, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate August 19, 1963:

DEPARTMENT OF STATE

Dwight J. Porter, of Nebraska, a Foreign Service officer of class 1, to be an Assistant Secretary of State.

DEPARTMENT OF AGRICULTURE

George L. Mehren, of California, to be an Assistant Secretary of Agriculture, vice John P. Duncan, Jr., resigned.

IN THE ARMY

The following-named officer under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as follows:

Maj. Gen. John William Bowen, O18904, U.S. Army, in the grade of lieutenant general.

IN THE COAST GUARD

The following-named person to be lieutenant commander in the U.S. Coast Guard:

Phillip N. Griebel

The following-named persons to be lieutenants in the U.S. Coast Guard:

Dan S. Meginley
Warren K. Wordsworth
Robert A. Rich
James L. Webb
Edward L. Murnane
Carl "J" Angus

The following-named persons to be lieutenant (junior grade) in the U.S. Coast Guard:

Richard H. Hicks
Danny M. Brown
Robert T. Morhard
Lafayette J. Harbison
Donald H. Ramsden

CONFIRMATION

Executive nomination confirmed by the Senate August 19, 1963:

TREASURY DEPARTMENT

Robert A. Wallace, of Illinois, to be an Assistant Secretary of the Treasury.

HOUSE OF REPRESENTATIVES

MONDAY, AUGUST 19, 1963

The House met at 12 o'clock noon.

Dr. William Harry Moore, executive secretary, South Georgia Methodist Home for the Aging, offered the following prayer:

Almighty God, our gracious Heavenly Father: We pause in the very beginning of the deliberations of this day to ask Thy guidance and Thy leadership in all that we shall do and say.

We come this morning remembering that Thou hast led us throughout all the days of the life of this Nation and brought us into this good hour.

We pray that Thou wilt give us Thy grace to keep and sustain us. Bless this Nation of ours. May it be a nation of honest industry, sound learning, and pure religion. We pray Thy blessing upon Thy servant, the President of the United States, and all of those who are in authority over us and under Thee.

Bless these men and women into whose hands has been placed the responsibility of government. May they be men of wisdom and of understanding, and in these days through which we pass preserve our liberties, keep our unity, save us from violence and discord and disharmony, and out of these hours may we move into the land of promise and peace that Thou hast promised to us, Thy children.

Bless this Nation of ours, each home, from the smallest hamlet to the greatest city. May Thy name be honored and hallowed in every home, and may Thy spirit live within our hearts.

These things we ask in Thy name and for Thy sake. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, August 15, 1963, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment a bill and a concurrent resolution of the House of the following titles:

H.R. 7043. An act to amend the act of March 2, 1931, to provide that certain proceedings of the Veterans of World War I of the United States, Inc., shall be printed as a House document, and for other purposes; and

H. Con. Res. 194. Concurrent resolution authorizing the printing of additional copies of the "Pledge of Allegiance to the Flag."

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 1703. An act to amend title V of the Agricultural Act of 1949, as amended, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3872) entitled "An act to increase the lending authority of the Export-Import Bank of Washington, to extend the period within which the Export-Import Bank of Washington may exercise its functions, and for other purposes."

FREE WORLD AND RUSSIAN SHIPPING TO CUBA

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, latest figures on free world and Russian shipping to Cuba show that our allies' ships are continuing to outnumber Russian ships by a substantial margin. The Congress should be aware of these figures, as well as the American people. Most recent reports from the Maritime Administration and Naval Intelligence show the following:

Shipping to Cuba

	Free world	*Russian*
January	12	35
February	19	34
March	28	32
April	37	27
May	44	38
June	43	31
July (incomplete)	28	23

From these figures can be seen that free world shipping is not on the wane, but rather on the continual upswing. It would seem that these free world countries who yearly expect U.S. foreign aid and who yearly, I might add, receive this aid, would lend an ear to the U.S. requests for an effective ban on Cuban trade. A case in point is Greece. In fiscal year 1962, the United States provided $82.2 million in foreign aid for Greece. Of that amount, $64.1 million were outright grants, and yet Greek ships have made 63 calls on Cuba's ports since the beginning of 1963 in spite of a royal decree issued banning shipping to Cuba by Greek shippers. It is strange that the Greek Government cannot enforce its own decree.

I cannot understand why the United States continues to supply aid to countries who will not support our position of ridding communism from the Western Hemisphere. I would hope that we shall bear this in mind when considering the Foreign Assistance Act of 1963 this week.

Again I call on the United States to take steps to ban trade with Cuba in line with the proposals that I have outlined in my bill, H.R. 7687, which provides that no article shall be transported in interstate or foreign commerce to or from the United States aboard vessels of any foreign country which allows any of the vessels under the flag of that country to be used in trade or commerce with Cuba.

Until we effectively cut off trade with Cuba by the free world nations, that Communist cancer shall continue to spread its infection, posing a threat to not only the United States, but to freedom of the whole Western Hemisphere as well.

USE OF CHILDREN IN CIVIL RIGHTS DEMONSTRATIONS

Mr. WATSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. WATSON. Mr. Speaker, in this week's issue of Newsweek there appears a picture of 8 or 10 frightened children, one reportedly only 2 years of age, sitting in the dusty driveway of a Brooklyn construction site attempting to block the entrance of a large dump truck.

While I deplore such action by anyone, this was a most shameful and despicable spectacle.

If their cause is just why would they resort to such cowardly tactics? The subjection of innocent children to such abuse and danger is unpardonable and defies all understanding. Those who would resort to such practices and the cause they represent deserve no consideration. They are the most depraved of humans with a calloused and warped mind. Their barbaric and inhuman tactics are dramatic proof of their unpreparedness for the rights they are demanding.

Of even more tragic concern is the report that a group of so-called ministers have promoted the involvement of children and brought them into the picture by design. In fact, the Sunday Washington Star reports a top secret plan, labeled "Camp Freedom," to mobilize 2,000 children for a demonstration. Such action defies the teachings of the Scripture, which they presumably uphold, when Christ said:

> He that would offend one of these little ones it is better that a millstone were placed around his neck and he were drowned in the depths of the sea.

Those promoting such schemes deserve neither the title of clergymen nor Christian.

Although the control of such actions is not properly a Federal function, I urge State and local governments to enact strong measures prohibiting such practices with severe penalties for parents or other adults promoting such activities. This Nation of civilized people cannot condone these barbaric and sadist exhibitions. Even the most avid do-gooders and do-righters should join me in this plea.

THE GESELL REPORT

Mr. HAGAN of Georgia. Mr. Speaker, I ask unanimous consent to address the

House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. HAGAN of Georgia. Mr. Speaker, broader implications of the recent Gesell report continue to arise. The report's possible deleterious effect on duly constituted municipal authority is discussed in a recent resolution by the Georgia Municipal Association's board of directors. I offer it as further food for thought to my colleagues in the Congress:

> Whereas the President of the United States has appointed a Committee on Equal Opportunity in the armed services; and
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> Whereas this Committee in its report to the President has recommended certain actions, to be enforced through the Military Establishment, the objective of which is to force compliance with Executive policy upon business establishments and other facilities in proximity to military bases, including among other things, recommended use of off-limits powers, the replacement of local transportation facilities with military transportation, and even possible closing of bases; and
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> Whereas at least one of the Committee recommendations has been placed in effect; and
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> Whereas this action is of direct and vital concern to municipal officials; and
>
> Whereas the scope of the action recommended exceeds the normal and traditional function of military command in its relationship to civil authority, and seeks to reach objectives not peculiar to the military, but common to all Americans and thereby seeks to compel an overall civil policy through use of the Military Establishment: Now, therefore, be it
>
> *Resolved by the board of directors of the Georgia Municipal Association,* That we vigorously oppose such use of the military command to transcend the functions and responsibilities of duly constituted local authority in matters of concern to the entire citizenry.

PRAYER IN THE PUBLIC SCHOOLS

Mr. BECKER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BECKER. Mr. Speaker, I was very much interested and pleased by the remarks of my colleague, the gentleman from Missouri [Mr. JONES], in respect to prayer in our public schools and in the relationship of Almighty God to our Nation. A discharge petition is on the desk awaiting signatures of Members. The numbers are increasing every week. This is the only way we are going to get this matter on the floor of the House.

I want to read one paragraph from one of the finest statements I have ever heard of, by the Rev. Walter G. J. Hards, Th. D., rector of St. David's Episcopal Church of Baltimore, Md.

> The Supreme Court has spoken. We must obey. But I heartily concur with the statement released by the archbishop of Baltimore in which he said that the Supreme Court's decision was "another regrettable step on a journey which the Supreme Court should never have commenced." The question is, Where will this journey end?

My colleagues, we can end this journey by bringing a constitutional amendment to the floor of this House. I am afraid the only way we can do it is by way of the discharge petition which I dislike, but which course I feel I must take because I cannot sit idly by and wait year after year after year for legislation through the regular process to correct this tragic decision by the Supreme Court.

SALARIES OF MEMBERS OF CONGRESS COMPARED TO SALARIES OF FEDERAL, STATE, LOCAL, AND MUNICIPAL OFFICIALS

Mr. MICHEL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MICHEL. Mr. Speaker, I made public to the House certain findings that my office made with respect to salaries of Federal, State, local, and municipal officials who are making in excess of $22,500 a year which is the present congressional salary. At that time I indicated to the House, there were some reports from some States that had not yet come in as of that time, but I am today inserting in the CONGRESSIONAL RECORD the balance of findings from those States to complete the report of those officials—Federal, State, local, and otherwise who are making in excess of what Members of Congress are making today. I am sure my colleagues will find this information very interesting.

CONSENT CALENDAR

The SPEAKER. This is the day for the call of the Consent Calendar. The Clerk will call the first bill on the calendar.

PROVIDING FOR ACQUISITION OF CERTAIN PROPERTY IN SQUARE 758 IN THE DISTRICT OF COLUMBIA, AS AN ADDITION TO THE GROUNDS OF THE U.S. SUPREME COURT BUILDING

The Clerk called the bill (S. 254) to provide for the acquisition of certain property in square 758 in the District of Columbia, as an addition to the grounds of the U.S. Supreme Court Building.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, I should like to ask a few more questions about this bill.

As I understand it, this would set up a parking lot for employees of the Supreme Court across the street from the present Supreme Court Building. My question is, Why a special parking lot for members of the Supreme Court to protect them against the rapists and other lawless elements in the area of the Supreme Court Building, to the exclusion of employees and particularly women employees in other Federal offices on Capitol Hill and elsewhere in the District? Can the gentleman tell me why we should indulge in this legislation which is in the nature of special privilege legislation?

Mr. McFALL. Mr. Speaker, if the gentleman will yield for the purpose of answering his question, I have some further information which may have a bearing on this subject. This particular lot is presently used by the Supreme Court employees. There are some 45 cars presently parked there.

If this particular construction is approved, there will be room for some 60 to 65 cars in the lot. The Court has some 200 employees. There is presently room to park some 56 cars in a garage in the basement of the Supreme Court Building. At the present time we have 1,200 parking spaces for automobiles of Members and for the House Office Building employees, and we will have a total of over 3,000 parking spaces when the Rayburn House Office Building and other planned improvements are completed, for Members and House employees. So when the parking program for the House is completed, we will be providing a substantial number of the parking spaces for our employees and for ourselves. This will be comparable to what will be provided for the Supreme Court personnel or the Supreme Court employees by this bill.

Mr. GROSS. I ask the gentleman this question: Why is it not possible to use the block or two blocks that were cleared over here on Independence Avenue? Why is it not possible to use that as a parking space for members of the Supreme Court as well as other employees on Capitol Hill?

Mr. McFALL. Is the gentleman referring to the land which is just immediately east of the Old House Office Building?

Mr. GROSS. That is exactly the tract.

Mr. McFALL. I perhaps am not qualified to answer this question, because I am not a member of the House Building Committee. I understand that there is a plan for the use of this property for other purposes.

Mr. GROSS. I would hope that there was some plan in view of the fact that the Government bought and tore down the business establishments that were paying taxes to the District of Columbia. I would hope that there was some plan to use it. Again I say that I cannot understand why this huge lot cannot be used to save the taxpayers $1,500, or whatever the amount is that is being paid, apparently out of funds appropriated to the Supreme Court, to pay for the parking that is now going on in the lot which you seek to buy. I cannot understand why this big lot is vacant with no parking when you say that parking needs are acute on Capitol Hill.

Mr. McFALL. I am informed that there are plans for permanent building construction on that property for the use of the Library of Congress. We have had before us in the Public Works Committee a bill for construction of such a building which would include a memorial to James Madison. We have not, however, seen fit to pass out this legislation, although there are plans for some permanent construction on that building site. Therefore, within a few years it is expected that there will be a building constructed there. So if plans in the future can be made for parking for Supreme Court people, this is the only available space that would be permanent for them. There might be some temporary use made of this land to which you refer. However, it would not be permanent, and this parking lot will be a permanent facility.

Mr. GROSS. I am glad the gentleman's committee has not come out with another building to fill that space in view of the busted condition of the United States Treasury. I think it is high time to stop some of this building in the District of Columbia.

Moreover, I do not understand why all of the buildings now under construction and nearing completion have been built in the District of Columbia. I thought this was a vulnerable area and the Government was to be decentralized. Does the gentleman, being on the Committee on Public Works, remember the stories we heard a few years ago about how we must relocate some of this Government in other places because of being highly vulnerable to enemy attack?

Mr. McFALL. I am not completely informed on whether it is better to centralize or decentralize, but it is my understanding that these plans for decentralization of buildings around the District of Columbia area were changed because it cost more money for the Government to decentralize than it would to build in the area of the District of Columbia.

Mr. GROSS. I regret that the gentleman from Georgia [Mr. VINSON], a member of the House of Representatives Building Commission, is not on the floor so I could ask him the question as to why the property already vacant is not being used for the purpose intended under this bill.

In view of the fact that I cannot get an answer that seems to me acceptable I ask unanimous consent, Mr. Speaker, that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

STATE OF NEW MEXICO

The Clerk called the bill (H.R. 4786) for the relief of the State of New Mexico.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. ASPINALL. Mr. Speaker, at the request of one of the sponsors of the bill, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

ELECTION TO RECEIVE COMPENSATION UNDER SECTION 401

The Clerk called the bill (H.R. 6396) to permit certain Government employees to elect to receive compensation in accordance with section 401 of the Federal Employees Pay Act of 1945, in lieu of certain compensation at a saved rate, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 208 of the Federal Employees Pay Act Amendments of 1954 (title II of the Act of September 1, 1954; 68 Stat. 1111; Public Law 763, Eighty-third Congress) is amended by adding at the end thereof the following new subsection:

"(c)(1) Each employee who—

"(A) is on the rolls on the date of enactment of this subsection,

"(B) is within any class of employees described in subparagraph (1) of subparagraph (2) of section 401 of the Federal Employees Pay Act of 1945, as amended (5 U.S.C. 926); and

"(C) is receiving aggregate compensation at a saved rate by reason of subsection (b) of this section, may elect, in his discretion, by written request to the appropriate authority concerned, to receive basic compensation for his position in accordance with law and premium compensation under such subparagraph (1) or such subparagraph (2), as applicable, in lieu of aggregate compensation at a saved rate by reason of subsection (b) of this section.

"(2) All such elections made by employees prior to the date of enactment of this subsection, and payments of compensation pursuant to such elections, which would have been authorized under paragraph (1) of this subsection if such paragraph had been in effect at the times when such elections and payments were made are hereby authorized and validated to the same extent as if such paragraph had been in effect at such times.".

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ESTABLISHMENT OF POSTAL STATIONS

The Clerk called the bill (H.R. 5778) to amend title 39, United States Code, to increase from 10 to 20 miles the area within which the Postmaster General may establish stations, substations, or branches of post offices.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 705(c) of title 39, United States Code, is amended by striking out "10 miles" and inserting in lieu thereof "20 miles".

Amend the title so as to read: "A bill to amend title 39, United States Code, to increase from 10 to 20 miles the area within which the Postmaster General may establish stations, substations, or branches of post offices, and for other purposes."

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That subsections (c) and (d) of section 705 of title 39, United States Code, are amended to read as follows:

"'(c) The Postmaster General may establish stations, substations, or branches of a post office within twenty miles of the outer boundary or limits of a village, town, or city having one thousand five hundred or more inhabitants and in which the principal office is located. This authority may not be used by the Postmaster General as a basis for discontinuing an established post office.

"'(d) The Postmaster General may establish stations, substations, or branches of a post office at camps, posts, or stations of the Armed Forces, at defense or other strategic installations, and at airports'."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to amend title 39, United States Code, to increase from 10 to 20 miles the area within which the Postmaster General may establish stations, substations, or branches of post offices, and for other purposes."

A motion to reconsider was laid on the table.

CONVEYING MINERAL RIGHTS TO CALIFORNIA

The Clerk called the bill (H.R. 4479) to provide for the conveyance to the State of California of certain mineral rights reserved to the United States in certain real property in California.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to convey to the State of California, at the fair market value as determined by impartial appraisals, all right, title, and interest in and to the coal and other minerals heretofore reserved to the United States in the real property described in section 2 of this Act, subject to any valid existing rights.

SEC. 2. The real property referred to in the first section of this Act, located in the State of California, is more particularly described as follows: Northeast quarter and east half northwest quarter, section 29, township 20 south, range 3 east, Mount Diablo base and meridian, State of California.

With the following committee amendment:

Strike out all of section 1 and insert in lieu thereof the following language: "That, upon application therefor by the State of California within one year from the effective date of this Act, the Secretary of the Interior is authorized to convey to the State of California, upon payment of the sum of (1) the fair market value as of the effective date of this Act as determined by the Secretary of the Interior, and (2) the administrative costs of the conveyance as determined by the Secretary of the Interior, all right, title, and interest in and to the coal and other minerals heretofore reserved to the United States in the real property described in section 2 of this Act, subject to any valid existing rights."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PUBLIC LANDS FOR DEVELOPMENT OF COMMUNITIES IN ALASKA

The Clerk called the bill (H.R. 6118) to amend the act providing for the admission of the State of Alaska into the Union with respect to the selection of public lands for the development and expansion of communities.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, I am curious to know who established 5,760 acres as necessary for a townsite? How did this occur in the first place? I do not believe I have any objection to the bill, but I am curious to know who could possibly have set up this size acreage for purposes of a townsite, if that is what the bill provides.

Mr. RIVERS of Alaska. Mr. Speaker, if the gentleman will yield, this minimum acreage limitation pertains to community expansion and was provided for in the statehood bill as enacted. There are two categories in the selection of lands for the State domain in Alaska. One is the general program whereby the State may select lands up to 103 million acres. There must be a minimum area of 5,760 acres with respect to each selection. Otherwise the State might select areas too small which would cause surveying problems. The other category has reference to community expansion and involves up to 400,000 acres within the national forests and another 400,000 acres from the open Federal domain. I do not think it was intended to make that minimum acreage apply to these community expansion selections. It is not good land management to have a little community select a much larger area within a forest than necessary to meet its expansion needs.

In other words, this bill is to clarify what was really an ambiguity in the original bill.

Mr. GROSS. I have forgotten who were the authors of the statehood bill that conceived this acreage provision that is now sought to be so drastically reduced?

Mr. RIVERS of Alaska. Senator BARTLETT when he was the delegate from Alaska was one of the authors; the gentleman from Pennsylvania [Mr. SAYLOR], the gentleman from Colorado [Mr. ASPINALL], and various members of the Committee on Interior and Insular Affairs had something to do with it. But that bill was written and rewritten for about 15 years. I do not know to whom blame could be attached for this ambiguity.

Mr. GROSS. You are now reducing it to 640 acres as the minimum acreage?

Mr. RIVERS of Alaska. The committee fixed 640 acres. I am not as happy with this as I might be. This was the doing of the gentleman from Pennsylvania [Mr. SAYLOR]. I think it would be more flexible if it were even smaller. It may be that they can make further adjustments on the other side.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second sentence of subsection (g) of section 6 of the Act entitled "An Act to provide for the admission of the State of Alaska into the Union", approved July 7, 1958 (72 Stat. 339), is amended by striking out "All selections" and inserting in lieu thereof "Except for selections authorized in subsection (a), all selections".

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following: "That the second sentence of subsection (g) of section 6 of the Act entitled 'An Act to provide for the admission of the State of Alaska into the Union', approved July 7, 1958 (72 Stat. 339), is amended by striking out the period at the end thereof and adding 'or, in the case of selections under subsection (a) of this section, six hundred and forty acres.'."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REINSTATEMENT OF U.S. OIL AND GAS LEASE

The Clerk called the bill (H.R. 1233) to provide for the reinstatement and validation of U.S. oil and gas lease numbered Sacramento 037552–C, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any decision to the contrary heretofore made by the Secretary of the Interior of the United States or his authorized agents or representatives, United States oil and gas lease numbered Sacramento 037552–C shall be held not to have terminated by operation of law or otherwise on April 30, 1960, but shall be deemed to be in full force and effect and the term of said lease extended from April 30, 1960, to two years after the effective date of this Act and so long thereafter as oil or gas is produced in paying quantities, and the Secretary of the Interior is hereby authorized and directed to act as to approval upon the assignment of said lease by the last record holder thereof, Jos. R. Neaves, doing business as Neaves Petroleum Developments, to James P. Psaltis, dated April 7, 1960, and filed on April 13, 1960, in the Sacramento, California, land office of the Bureau of Land Management, and to approve said assignment, subject to the payment of accrued lease rentals and tender of a proper drilling bond as hereinafter provided, if the said James P. Psaltis be qualified to hold said lease under the provisions of the Mineral Leasing Act of February 25, 1920, as amended (30 U.S.C. 181 et seq.): *Provided,* That within thirty days after the receipt of written notice from the Secretary of the Interior of the amount of rental then accrued to the United States under said lease and unpaid, which notice shall be given by the Secretary within thirty days after approval of said assignment, the said James P. Psaltis, his heirs, successors or assigns, shall tender payment of said amount of rental together with a proper drilling bond in the amount required by the regulations then in effect.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDMENTS TO THE FEDERAL CREDIT UNION ACT

The Clerk called the bill (H.R. 4842) to amend the Federal Credit Union Act to extend the time of annual meetings, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Credit Union Act (12 U.S.C. 1751–1772) is amended by—

1. in section 1760, deleting the word "month" from the second sentence, and inserting in place thereof "months" and inserting after "January" the following: ", February or March"; and

2. in section 1761a, inserting after the first sentence the following: "The directors may also appoint a general manager.", and inserting after "except that the treasurer shall be the general manager of the corporation" the following: "unless a separate general manager has been appointed".

With the following committee amendment:

Strike out all after the enacting clause and insert the following:

"That section 11 of the Federal Credit Union Act (12 U.S.C. 1760) is amended by striking out 'during the month of the following January' and inserting in lieu thereof 'during the following January, February, or March'.

"SEC. 2. Section 13 of the Federal Credit Union Act (12 U.S.C. 1761a) is amended by striking out ', except that the treasurer shall be the general manager of the corporation' in the fourth sentence."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LOW-RENT HOUSING PROJECT IN DETROIT, MICH.

The Clerk called the bill (H.R. 772) to provide for the transfer for urban renewal purposes of land purchased for a low-rent housing project in the city of Detroit, Mich.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of title I of the Housing Act of 1949, as amended, and the United States Housing Act of 1937, as amended, the Housing and Home Finance Administrator and the Public Housing Commissioner are authorized and directed to consent to the transfer by the city of Detroit, from its low-rent housing project numbered Michigan 1–11 to its Elmwood Park numbered 1 urban renewal project, Michigan R–40, of all real property, except the administration building and appurtenant land, acquired by the city for the low-rent housing project, on the condition that the sum of $1,246,987.31, plus interest thereon from September 9, 1960, to the date of payment at the rate specified in contract numbered C–102 between the city and the Public Housing Administration, will be paid by the city to the Public Housing Administration to be applied to the extent thereof against the city's obligations in connection with the low-rent housing project, and that the amount of these payments will be included in the gross project cost of the Elmwood Park numbered 1 urban renewal project.

SEC. 2. The Housing and Home Finance Administrator and the Public Housing Commissioner are hereby authorized to modify any contracts heretofore entered into with the city of Detroit to the extent necessary to carry out the provisions of section 1 of this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MAXIMUM AMOUNT OF FHA SECTION 207 MORTGAGES

The Clerk called the bill (H.R. 5048) to amend section 207 of the National Housing Act to eliminate the provision presently limiting mortgages thereunder to the cost of the physical improvements involved.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (2) of section 207(c) of the National Housing Act is amended by striking out all that follows the first colon and precedes "to mortgages on housing in Alaska", and inserting in lieu thereof the following: "*Provided,* That this limitation shall not apply".

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

IMPROVEMENTS LOCATED ON RAILROAD RIGHT-OF-WAY

The Clerk called the bill (H.R. 1136) to authorize the Secretary of the Army to pay fair value for improvements located on the railroad right-of-way owned by bona fide lessees or permittees.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Army be authorized and directed to pay to any bona fide lessee or permittee owning improvements, which are or which were situated on a railroad right-of-way, the fair value of any such improvements, which have been or will be rendered inoperative or be otherwise adversely affected by the construction of the Red Rock Reservoir project on the Des Moines River, Iowa, as determined by the Secretary, or by the United States District Court for the District of Iowa on which is conferred jurisdiction for this purpose; and that the Secretary of the Army be authorized to provide the funds necessary to carry out the provisions of this section from any moneys appropriated for the construction of the Red Rock Reservoir project.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REPEAL PART OF NATIONAL DEFENSE APPROPRIATION ACT, 1943

The Clerk called the bill (H.R. 3804) to repeal a portion of the Second Supplemental National Defense Appropriation Act, 1943, approved October 26, 1942 (46 Stat. 990, 999), as amended, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second paragraph under the heading "Federal Works Agency, Public Buildings Administration" in the Second Supplemental National Defense Appropriation Act, 1943 (56 Stat. 990 at 999), as amended by the Act of October 26, 1949 (63 Stat. 930), is amended by striking out all beginning with "*Provided further,* That effective on the date of this enactment" down through "without exchange of funds".

With the following committee amendment:

On page 1, line 10, strike out "funds" and insert in lieu thereof "funds:".

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. McFALL. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1139), to repeal a portion of the Second Supplemental National Defense Appropriation Act, 1943, approved October 26, 1942, as amended, and for other purposes.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second paragraph under the heading "Federal Works Agency, Public Buildings Administration" in the Second Supplemental National Defense Appropriation Act, 1943 (56 Stat. 990 at 999), as amended by the Act of October 26, 1949 (63 Stat. 930), is amended by striking out all beginning with "*Provided further,* That effective on the date of this enactment" down through "without exchange of funds".

Mr. McFALL. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. McFALL: Strike out all after the enacting clause of S. 1139 and substitute the language of H.R. 3804, as passed.

Resolved, That the bill from the Senate (S. 1139) entitled "An Act to repeal a portion of the Second Supplemental National Defense Appropriation Act, 1943, approved October 26, 1942 (56 Stat. 990, 999), as amended, and for other purposes", do pass with the following amendment: Strike out all after the enacting clause and insert: "That the second paragraph under the heading 'FEDERAL WORKS AGENCY, PUBLIC BUILDINGS ADMINISTRATION' in the Second Supplemental National Defense Appropriation Act, 1943 (56 Stat. 990 at 999), as amended by the Act of October 26, 1949 (63 Stat. 930), is amended by striking out all beginning with '*Provided further,* That effective on the date of this enactment' down through 'without exchange of funds:' "

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 3804) was laid on the table.

FAIR VALUE FOR IMPROVEMENTS ON RIGHTS-OF-WAY

The Clerk called the bill (H.R. 5160) to authorize the Secretary of the Army to pay fair value for improvements located on the railroad rights-of-way owned by bona fide lessees or permittees.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Army be authorized and directed to pay to any bona fide lessee or permittee owning improvements, which are or which were totally situated or partially situated on a railroad right-of-way, the fair value of such improvements, which have been or will be rendered inoperative or be otherwise adversely affected by the construction of the Milford Dam and Reservoir project on the Republican River, Kansas, as determined by the Secretary, or by the United States District Court for the District of Kansas on which is conferred jurisdiction for this purpose: *Provided,* That in no case shall the owner of such improvements receive dual compensation for any part of said improvements as a result of this legislation or otherwise: *Provided further,* That the Secretary of the Army be authorized to provide the funds necessary to carry out the provisions of this section from any moneys appropriated for the construction of the Milford Dam and Reservoir project.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. AVERY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. AVERY. Mr. Speaker, the committee report for the bill just passed, Consent Calendar No. 166, sufficiently explains H.R. 5160. There are two comments which I want to place on the record at this time, however,

In the first place, there is an error in the committee report. The cost indicated on page 3, paragraph 2, of the bill is in error and probably is in excess by 50 percent of the cost of the bill.

The second point that I want to place on record is that in my statement to the Committee on Public Works, the estimates on probable costs of the bill were those obtained from the Corps of Army Engineers. At least one beneficiary does not believe that his property was fairly evaluated. I would point out, however, that his rights under the bill are clearly protected, as jurisdiction is conferred on the U.S. District Court of Kansas to hear a condemnation proceedings on any property that is included in the provisions of this bill.

MODIFYING THE FOUR RIVER BASINS PROJECT, FLORIDA

The Clerk called the bill (H.R. 7221) to modify the flood control project for Four River Basins, Florida.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the flood control project for Four River Basins, Florida, authorized in section 203 of the Flood Control Act of 1962, is hereby modified to authorize the Secretary of the Army to credit local interests against their required contribution to the Tarpon Springs feature of such project for any work done by such interests on such feature of the project after July 1, 1963, if he approves such work as being in accordance with such project as authorized: *Provided,* That such credit shall not exceed the Federal share of this feature of the project, presently estimated at $1,255,300.

With the following committee amendments:

Page 1, line 7, insert "the Tarpon Springs feature of" before the words "such project".

Page 1, line 8, insert "feature of the" before the word "project".

Page 1, line 9, strike out the period and insert in lieu thereof a colon and the following: "*Provided,* That such credit shall not exceed the Federal share of this feature of the project, presently estimated at $1,255,300."

The committee amendments were agreed to.

Mr. CRAMER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. CRAMER. Mr. Speaker, I rise in support of H.R. 7221, a bill which I introduced to modify the flood control project for the Four River Basins, Fla., which was authorized in section 203 of the Flood Control Act of 1962 and which would authorize the Secretary of the Army to credit local interests against their required contribution to the Tarpon Springs or Lake Tarpon feature of the project for work done by local interests after July 1, 1963, for such work as is in accordance with the project as authorized and in an amount not to exceed the Federal share of $1,255,300.

This bill has been favorably reported on by the Secretary of the Army and unanimously reported out by the Public Works Committee of the House upon proper presentation to the effect that many millions of dollars of property damage occurred in recent years in the Lake Tarpon area, including residential and citrus developments, due to the flooding of the lake. There is no surface outlet for tributary inflow. Flood waters are removed only by evaporation or through a natural subsurface connection to the Gulf of Mexico. I personally visited the area during the serious flood conditions in the last few years and can attest to the tremendous damage that resulted. Water stood in the homes of many of the residents and a serious threat this year, indicating that such conditions might reoccur, triggered my introduction of this bill, which would permit the local authorities to go ahead with construction and to be reimbursed through credits toward local contributions as the total Four River Basins project progresses.

It has been generally agreed that one of the most serious flood damage areas contained in the Four River Basins project is the Lake Tarpon area. I am proud of having participated in efforts to get the serious flood condition alleviated before the House Public Works Committee on which I serve, and as a result of a survey and other resolutions I introduced, this total Four River Basins project was successfully included in the Flood Control Act of 1962.

The project is to be constructed at an estimated cost of $2,044,200, of which $1,255,300 is Federal cost for engineering and construction, and $788,900 is local cost for rights-of-way and the required contribution.

The local interests, including the Board of County Commissioners of Pinellas County and the Southwest Florida Water Management District, a State agency set up for assessing and collecting taxes and administering the total project, have approved the acceleration of the Lake Tarpon phase of the project in this manner.

Likewise, the local district has collected sufficient funds to go ahead with the project and has expressed a willingness to do so upon the passage of this necessary legislation.

A copy of the pertinent parts of the letter of transmittal and approval of the Secretary of the Army, Cyrus R. Vance, is hereby included:

Reference is made to your request for the views of the Department of the Army with respect to H.R. 7221, 88th Congress, a bill to modify the flood-control project for Four River Basins, Fla.

This bill would modify the flood-control project for Four River Basins, Fla., to authorize the Secretary of the Army to credit local interests against their required contributions to the project for any work done by them on the project after July 1, 1963, provided the work is approved as being in accordance with the project as authorized.

The Four River Basins, Fla., consists of the drainage areas of four main streams in central and southwest peninsular Florida which rise at or within the Green Swamp region, and certain intervening streams on the west coast of Florida. The four rivers are the Hillsborough, Oklawaha, Withlacoochee, and Peace. The city of Tampa is located on the Hillsborough River.

The project authorized by the Flood Control Act of 1962 (76 Stat. 1180, 1183) provides for improvements of southwest Florida, drained by Hillsborough, Oklawaha, Withlacoochee, Peace, Anclote, and Pithlachascotee Rivers, and Lake Tarpon for flood control, major drainage, and other purposes. The estimated Federal cost for the project is $57,760,000. The authorization is subject to a requirement that local interests construct and maintain associated lateral drainage facilities, furnish lands, easements, and rights-of-way, make all bridge, road, and utility relocations, except railroad bridges and approaches, hold and save the United States free from damages, preserve outlet waterways needed for the proposed work, maintain and operate the completed works, and contribute 17 percent of the construction cost of the project.

In the vicinity of Lake Tarpon, residential and citrus developments have suffered frequent damage caused by high water. As there is no surface outlet for tributary inflow, floodwaters are removed only by evaporation or through a natural subsurface connection to the Gulf of Mexico. This condition will be alleviated when the portion of the authorized project for Tarpon Springs, consisting of one outlet canal from Lake Tarpon south to Old Tarpon Bay, with a control structure and three bridges, is constructed. The local interests are desirous of proceeding with this feature of the project prior to the Federal Government undertaking the project. The total cost of this feature is estimated at $2,044,200, of which $1,255,300 is Federal cost for engineering and construction, and $788,900 is local cost for rights-of-way and the required contribution.

In view of the desires of the local interests to proceed with the Tarpon Springs feature of the project, it is suggested that H.R. 7221 be amended so as to modify the project only insofar as it relates to the Tarpon Springs portion thereof.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INCREASE IN AUTHORIZED CAPITAL STOCK OF INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

Mr. PATMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 7405) to amend the Bretton Woods Agreements Act to authorize the U.S. Governor of the International Bank for Reconstruction and Development to vote for an increase in the Bank's authorized capital stock.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Bretton Woods Agreements Act, as amended (22 U.S.C. 286–286k–1), is amended by adding at the end thereof the following new section:

"SEC. 19. The United States Governor of the Bank is authorized to vote for an increase of $1,000,000,000 in the authorized capital stock of the Bank under article II, section 2, of the articles of agreement of the Bank, as recommended in the report, dated November 6, 1962, to the Board of Governors of the Bank by the Bank's Executive Directors."

The SPEAKER. Is a second demanded?

Mr. GROSS. Mr. Speaker, I demand a second.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, H.R. 7405 would add a new section to the Bretton Woods Agreements Act authorizing the U.S. Governor of the International Bank for Reconstruction and Development to vote for a $1 billion increase in the Bank's capital stock. This increase is needed in order to allow for the admission of new members to the Bank and to permit special increases in the capital subscription of the present members when this is appropriate. The United States will not—I repeat, will not—subscribe to any portion of this increase.

The Secretary of the Treasury urged favorable congressional action on this legislation and emphasized that the provisions of the bill involve no increase in our subscription to the capital stock of the Bank or authorization or appropriation of funds by the United States.

The bill was reported out of committee unanimously.

Mr. GROSS. Mr. Speaker, does the gentleman mean it does not cost anything at this time, but may later?

Mr. PATMAN. No, sir; not at any time. This is merely a permissive bill to permit our delegates to vote.

The SPEAKER. The question is on the motion of the gentleman from Texas that the rules be suspended and the bill be passed.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

INCREASED U.S. PARTICIPATION IN THE INTER-AMERICAN DEVELOPMENT BANK

Mr. PATMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 7406) to provide for increased participation by the United States in the Inter-American Development Bank, and for other purposes.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Inter-American Development Bank Act (73 Stat. 299; 22 U.S.C. 283–283i), is amended by adding at the end thereof the following new section:

"SEC. 13. The United States Governor of the Bank is hereby authorized (1) to vote (A) for increases in the authorized capital stock of the Bank under article II, section 2, of the agreement, and (B) for an increase in the resources of the Fund for Special Operations under article IV, section 3, of the agreement, all as recommended by the Executive Directors in a report dated March 18, 1963, to the Board of Governors of the Bank; (2) to agree on behalf of the United States to subscribe to its proportionate share of the $1,000,000,000 increase in the authorized callable capital stock of the Bank; and (3) to vote for an amendment to article VIII, section 3, of the agreement to provide that the Board of Governors may, upon certain conditions, increase by one the number of Executive Directors."

SEC. 2. (a) There is hereby authorized to be appropriated, without fiscal year limitation, for payment of the increased United States subscription to the capital stock of the Inter-American Development Bank, $411,760,000.

(b) There is hereby authorized to be appropriated, for payment of the increased United States subscription to the Fund for Special Operations of the Inter-American Development Bank, $50,000,000.

The SPEAKER. Is a second demanded?

Mr. WIDNALL. Mr. Speaker, I demand a second.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, this bill provides for the increased participation by the United States in the Inter-American Development Bank. It amends the Inter-American Development Bank Act to authorize the U.S. Governor of the Bank to vote for increases in the callable capital stock of the Bank, and, if such increases become effective, to subscribe on behalf of the United States to 41,176 additional shares of stock having a par value of $10,000 each and to consent to an increase of $50 million in the quota of the United States in the Bank's Fund for Special Operations.

The Inter-American Development Bank came into being in 1959, meeting the long-held aspirations of the Latin American countries to join with the United States in a financial institution designed to accelerate the economic development of the Latin America Republics by providing capital, extending technical assistance, and encouraging private investment in development projects. It was modeled after the World Bank and finances the foreign exchange cost of worthwhile and soundly financed projects when financing cannot be obtained elsewhere under conditions considered reasonable by the Bank.

The aggregate resources of the Bank subscribed by its members amount to the equivalent of $959,476,000. This amount consists of $813,160,000 in ordinary capital resources and $146,316,000 in the Fund for Special Operations. The ordinary capital stock subscriptions consist of a paid-in portion of $381,580,000 and a callable portion of $431,580,000. The paid-in portion of each member's subscription was made available to the Bank in three installments in 1960, 1961, and 1962. All members have met their obligations to the Bank prior to the final date for payment of the subscriptions. Cuba did not become a member.

After utilizing its paid-in capital, the Bank must obtain additional funds for its loans from the sale of its bonds to investors. The uncalled capital forms a guarantee fund to back the Bank's bonds. The current U.S. subscription to the Bank's capital is $350 million of which $150 million has been paid in and $200 million is callable.

The Bank's Fund for Special Operations was established completely separate from the Bank's ordinary capital resources by contributions from the members totaling the equivalent of $146,316,000, to make loans on terms and conditions appropriate for dealing with special circumstances arising in particular countries or with respect to specific projects. Such loans may be repayable, in whole or in part, in the currency of the borrowing country. This Fund was established in recognition of the fact that some Latin American countries, from time to time, are not in a position to service additional loans repayable entirely in hard currency, yet may be in need of financing for meritorious development projects. Loans from the Fund are also made for projects which are not directly productive but which are important to the basic development of a country. The United States contributed $100 million to this fund and the Latin American countries contributed $46 million. Half of each contribution was paid in gold and dollars and half in the national currency of the member.

In addition, and completely separate from the Bank's own resources, the United States has entrusted to the Bank the administration of the $394 million Social Progress Trust Fund, created for the purpose of assisting the social development of Latin America. This Fund is not involved in any way in the proposed legislation.

In its 2½ years of existence, the Bank has established a remarkable record. It has made 102 loans from its own resources for an aggregate value of $412 million of which 69 loans for $295 million were financed out of the Bank's ordinary capital resources, drawing upon the paid-in capital subscriptions, as well as the resources derived from the Bank's borrowings. These loans can be grouped in the following larger categories: (a) 14 development loans for relending to private enterprise, $85.2 million; (b) 28 direct private enterprise loans, $60.8 million; (c) 18 loans to governments and government entities for roads, and so forth, $16.6 million; (d) 9 water supply and sewerage loans for $37.4 million.

During the same period, the Bank's Board of Directors authorized 33 operations from the Fund for Special Operations, totaling $116.9 million. These loans may be grouped in the same categories as follows: (a) 10 development loans for relending to private enterprise, $50.8 million; (b) 1 direct private enterprise loan for $700,000; (c) 20 loans to governments and government entities, $50.5 million; (d) 2 water supply and sewerage loans, $14.4 million.

The Bank has borrowed in the private capital market two issues, one in Italy for $24.2 million convertible lire, and a $75 million issue in the United States. The U.S. issue was rated by the leading rating services as AAA, the highest classification possible.

The need for an increase in the Bank's resources arose from the task which under its charter the Bank has to perform within the context of an expanded program of inter-American economic cooperation. The agreement establishing the Bank contemplated that such an increase would be sought after the first 3 years of operations and after the original subscription had been paid. The proposal involves three major acts. First, the authorized capital of the Bank would be increased by $1 billion, entirely in the form of callable capital available to back up the Bank's obligations. Second, the resources of the Fund for Special Operations would be increased by $73 million. Third, the authorized ordinary capital would be further increased by $300 million to provide for the possible future admission of new members to the Bank. The proposed $1 billion increase in the callable capital would be subscribed by all existing members in the same proportion as their present subscription bears to the authorized capital of the Bank. The U.S. share of the increase would thus be $411.8 million for which appropriations would be sought in two equal installments in 1964 and 1965. Authority for this increase is being requested at this time in order to provide the Bank with assurance regarding its ability to raise additional funds in the private capital market. The Secretary of the Treasury told the committee that it is highly unlikely that any of this increase in the U.S. subscription would be paid out as actual cash expenditure of the Treasury.

The proposed increase in the resources of the Fund for Special Operations represents a 50 percent increase of the existing resources of the Fund. The U.S. share of the increase would be $50 million, while the Latin American members will contribute $23 million.

The $300 million additional increase in the authorized capital would not involve subscriptions by the United States or other existing members of the Bank, and therefore no authorizing of appropriations of funds by the United States will be required.

The National Advisory Council on International Monetary and Financial Problems, in a special report to the President and Congress has endorsed this proposal, and Secretary of the Treasury, Douglas Dillon, appeared before the committee urging passage of this legislation.

Mr. Speaker, the Inter-American Development Bank was established as the first tangible symbol of inter-American economic cooperation. It has well fulfilled the expectation of this House when it authorized U.S. membership in this Bank by playing a significant and important role in shaping and stimulating Latin America's own efforts toward a realization of the goals of the Alliance for Progress. It has been well administered and prudently managed and worthy of the continued support of the United States in its efforts. Your committee voted unanimously to favorably report this bill and I urge the approval by the House of this legislation to provide for increased participation by the United States in the Inter-American Development Bank.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Iowa.

Mr. GROSS. This would increase our contingent liability by nearly $500 million; $41 million, I believe.

Mr. PATMAN. Approximately, yes.

Mr. GROSS. Is that correct?

Mr. PATMAN. That is correct.

Mr. GROSS. Will we put up 50 percent of that in gold?

Mr. PATMAN. No; dollars—if we should be called upon to put up anything.

Mr. GROSS. But is there not a requirement that 50 percent be in gold?

Mr. PATMAN. No, we do not put up anything.

Mr. GROSS. Since this is officially a contingent liability, if we are called upon to back up this contingent liability would we not then be compelled to put in gold?

Mr. PATMAN. No gold at any time. Dollars would be required. Any amount that is required to be paid by the United States may be paid in dollars.

Mr. GROSS. What average interest does this Inter-American Bank charge?

Mr. PATMAN. It is not an excessive rate, I assure the gentleman.

Mr. GROSS. That is what I was afraid of, not that it would not be excessive, but there would be practically no interest, three-fourths of 1 percent.

Mr. PATMAN. I am informed it is 5 percent.

Mr. GROSS. Do they not have a soft loan window?

Mr. PATMAN. Yes, as well as a hard loan window. The amount is small in comparison to the other, and the rate charged on these loans is 2½ percent.

The SPEAKER. The Chair recognizes the gentleman from New Jersey [Mr. WIDNALL].

Mr. WIDNALL. Mr. Speaker, I take this time to urge support of this bill. I would also like to point out that in the operation of the Bank, since its inception, the funds of the United States have been provided through the appropriation process and not directly from the Treasury through backdoor spending.

Mr. Speaker, I urge the passage of the bill.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

INCREASING PAYMENTS FOR WIDOWS OF VETERANS DYING FROM SERVICE-CONNECTED DISABILITIES

Mr. TEAGUE of Texas. Mr. Speaker, I move that the House suspend the rules and pass the bill (H.R. 5250) to amend section 411(a) of title 38, United States Code, to increase the rates of dependency and indemnity compensation payable to widows of veterans dying from service-connected disabilities, as amended.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 411(a) of title 38, United States Code, is amended by striking out "$112" and inserting in lieu thereof "$120".

SEC. 2. The amendment made by this Act shall take effect on the effective date of the Uniformed Services Pay Act of 1963, or on January 1, 1964, whichever first occurs.

The SPEAKER. Is a second demanded?

Mr. ADAIR. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. TEAGUE of Texas. Mr. Speaker, under the provisions of Public Law 881, 84th Congress, effective January 1, 1957, dependency and indemnity compensation is payable to widows, children, and parents based on the service-connected deaths of their husbands, fathers, and children, respectively. Specific monthly rates are provided for children and parents. However, the widow is paid at the monthly rate of $112 plus 12 percent of the basic pay of her deceased husband. This is now set forth in chapter 13, title 38, United States Code. This bill would increase to $120 the $112 factor of the widows' rate.

The increase provided herein coupled with those in H.R. 5555—Uniformed Services Pay Act—and now in conference between the two Houses, would equal approximately a 10-percent increase.

The estimated cost of the bill is $11,779,000 the first year affecting 122,700 widows. The cost will remain the same for the following 4 years.

The bill is recommended by the Veterans' Administration.

Mr. ADAIR. Mr. Speaker, I rise in support of this bill. The bill will increase payments by $8 monthly of dependency and indemnity compensation to widows of veterans who died as the result of service-connected disabilities. At the present time, widows so situated are paid under a formula of $112 plus 12 percent of the basic service pay of the deceased husband. H.R. 5250 would increase the $112 factor to $120. The widows affected by this bill have not received an increase in monthly benefits since January 1, 1957, when Public Law 881 of the 84th Congress became effective. Should the military pay bill be enacted into law the modest increase provided by that bill together with the $8 monthly increase provided by H.R. 5250 will provide an approximate 10-percent increase to these service-connected widows. This increase would be approximately the same as that recently authorized for parents and children by Public Law 88-21.

The Veterans' Administration has estimated the bill will affect approximately 122,700 widows at a first-year cost of $11,779,000. I recommend its passage.

The SPEAKER. The question is on suspending the rules and passing the bill, as amended.

The question was taken; and (two-thirds having voted in favor thereof), the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the RECORD on the bill just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EDUCATIONAL ASSISTANCE TO CHILDREN OF VETERANS PERMANENTLY AND TOTALLY DISABLED FROM WARTIME SERVICE-CONNECTED DISABILITY

Mr. TEAGUE of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 221) to amend chapter 35 of title 38, United States Code, to provide educational assistance to the children of veterans who are permanently and totally disabled from wartime service-connected disability, as amended.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 1701(a)(1) of title 38, United States Code, is amended by inserting the following new sentence after the first sentence thereof: "Such term also includes the child of a person who has a total disability permanent in nature resulting from a service-connected disability arising out of service as described in the first sentence hereof, or who died while a disability so evaluated was in existence."

(b) Section 1701(a) of title 38, United States Code, is amended by adding at the end thereof the following:

"(10) The term 'total disability permanent in nature' means any disability rated total for the purposes of disability compensation which is based upon an impairment reasonably certain to continue throughout the life of the disabled person."

(c) Section 1701(d) of title 38, United States Code, is amended by striking out the word "death" both places it appears and inserting in lieu thereof "disability or death".

Sec. 2. Section 1711 of title 38, United States Code, is amended by adding a new subsection (d) as follows:

"(d) If any child pursuing a program of education, or of specialized restorative training, under this chapter ceases to be an 'eligible person' because the parent from whom eligibility is derived is found to no longer have a 'total disability permanent in nature', as defined in section 1701(a)(10) of this title, then such child (if he has sufficient remaining entitlement) may, nevertheless, be afforded educational assistance under this chapter until the end of a quarter or semester for which enrolled if the educational institution in which he is enrolled is operated on a quarter or semester system, or if the educational institution is not so operated until the end of the course, or until nine weeks have expired, whichever first occurs."

Sec. 3. Section 1712(a)(3) of title 38, United States Code, is amended to read as follows:

"(3) if the Administrator first finds that the parent from whom eligibility is derived has a service-connected total disability permanent in nature, or if the death of the parent from whom eligibility is derived occurs, after the eligible person's eighteenth birthday but before his twenty-third birthday, then (unless paragraph (4) applies) such period shall end five years after, whichever date first occurs (A) the date on which the Administrator first finds that the parent from whom eligibility is derived has a service-connected total disability permanent in nature, or (B) the date of death of the parent from whom eligibility is derived;".

Sec. 4. Section 1762(a) of title 38, United States Code, is amended by adding the following clause before the period at the end thereof: "whether eligibility is based upon the death or upon the total permanent disability of the parent".

Sec. 5. In the case of any individual who is an "eligible person" within the meaning of section 1701(a)(1) of title 38, United States Code, solely by virtue of the amendments made by this Act, and who is above the age of seventeen years and below the age of twenty-three years on the date of enactment of this Act, the period referred to in section 1712 of title 38, United States Code, shall not end with respect to such individual until the expiration of the five-year period which begins on the date of enactment of this Act.

The SPEAKER. Is a second demanded?

Mr. SAYLOR. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. TEAGUE of Texas. Mr. Speaker, chapter 35, title 38, United States Code, provides educational assistance for the children of persons who died from service-connected disability during the Spanish-American War, World War I, World War II , and the Korean conflict; or a death resulting directly from armed conflict; or from an injury or disease received while engaging in extrahazardous service including service under conditions simulating war. This law provides education not to exceed 36 calendar months generally between the ages of 18 to 23 with an educational assistance allowance of $110 per month if, of course, his pursuit is on a full-time basis, $80 per month for a three-quarter time basis, and $50 per month if pursuit is on a half-time basis. This chapter originated as Public Law 634 of the 84th Congress.

Under the provisions of H.R. 221, 88th Congress, educational benefits heretofore granted to war orphans would be extended to children of living veterans who have a service-connected total disability permanent in nature. Any disability rated total for the purposes of disability compensation which is based on impairment reasonably certain to continue throughout the life of the veteran would meet the requirements of this bill.

In recent testimony before this committee, the Administrator of Veterans' Affairs testified:

> War orphans' educational assistance has proved to be a most worthwhile benefit. However, at present, this assistance only becomes available when the veteran dies. In many cases we must recognize that a permanently and totally disabled veteran has problems in providing for the education of his children which are comparable to those his widow would face if he died. We recommend that this situation be corrected and that the educational assistance be made available to him by the enactment of this legislation.

The subject bill would accomplish this worthwhile objective and was introduced at the request of the Disabled American Veterans which has long had this objective as one of its key proposals to the Congress.

The Veterans' Administration estimates that this bill would cost $3,300,000 the first year and would involve a cost of $26,200,000 the following 4 years affecting a monthly average of 2,000 trainees the first year and 4,600 in the fifth year.

The SPEAKER. The Chair recognizes the gentleman from Pennsylvania [Mr. Saylor].

Mr. SAYLOR. Mr. Speaker, I rise in support of this piece of legislation. The War Orphans Educational Assistance Act has proved to be of tremendous advantage to the children of servicemen who were killed in wartime action, or died as a result of service-connected disabilities. However, we have a group of children in this country whose parents, particularly the fathers, are suffering from 100 percent service-connected disabilities. This bill will extend to those children the same rights that we are presently extending under the existing act.

The War Orphans Educational Assistance Act contains a provision which, in effect, sets forth the intent of Congress that this educational program is established for the purpose of providing opportunities for education to children whose education would otherwise be impeded or interrupted by reason of a death of a parent from a service-connected disability and for the purpose of aiding such children in attaining the educational status which they might normally have aspired to and obtained but for the death of such parent. In other words, the Congress recognized the obligation of the Federal Government to provide educational assistance in those instances in which Federal Government military service was responsible for the death of the family breadwinner. We are confronted with the same situation, Mr. Speaker, in the case of the totally disabled service-connected veteran. Because of service-connected disabilities, he, too, is unable to pursue gainful employment in many cases, and consequently unable to earn the necessary money to provide educational assistance for his children. It is my carefully considered opinion that the Federal Government has the same obligation to the children of the totally disabled veteran as it does the children of deceased veterans, when military service has been the factor responsible for both situations.

I think it is a good piece of legislation and I ask that it be passed.

Mr. DOLE. Mr. Speaker, will the gentleman yield?

Mr. SAYLOR. Mr. Speaker, I yield such time as he may desire to the gentleman from Kansas.

Mr. DOLE. Mr. Speaker, I take this time to ask the chairman certain questions about this legislation. First of all, am I correct in stating that this is a departure from present law where benefits are available only to children of veterans who have died from a service-connected disability, or killed in service action or activity. Is that correct?

Mr. TEAGUE of Texas. That is correct.

Mr. DOLE. Second, does this law cover both natural and adopted children?

Mr. TEAGUE of Texas. The definition of a child, as I am sure the gentleman well knows, stems from the basic definition of "child" in all the veterans laws and includes a legally adopted child. Also it would broaden the definition of "child" to a degree in that if a young man were in service at age 18, his entitlement would begin at the time he was discharged from the service, so there is a little broader definition of "child" in this legislation.

Mr. DOLE. With reference to the definition of the word "child," in other words, a man or a veteran can adopt a child after he has been rated 100 percent disabled and that child is entitled to the benefits of this act. Is that correct?

Mr. TEAGUE of Texas. If he is a legally adopted child, yes.

Mr. DOLE. Whether he is adopted before or after the rating?

Mr. TEAGUE of Texas. If a veteran becomes legally 100 percent totally disabled and adopts a child legally, the child will be covered.

Mr. DOLE. Is there any limit on the number of children?

Mr. TEAGUE of Texas. There is no limitation of the number of children.

Mr. DOLE. And these can be natural born or adopted either before or after the disability rating is given?

Mr. TEAGUE of Texas. That is correct.

Mr. SAYLOR. Mr. Speaker, will the gentleman yield to me?

Mr. DOLE. Yes.

Mr. SAYLOR. The gentleman's analysis is correct that the benefits would apply to an adopted child, but all veterans' benefits would apply to an adopted child. However, what the gentleman fails to take into consideration in his questioning is the fact that all adoption proceedings are under the control and jurisdiction of competent orphans' courts in our various States, and one of the primary responsibilities of every court is to assure that the parents are in a position to financially support the child. The fact that a father would be permanently and totally disabled and rated by the Veterans' Administration as such, I am satisfied would be sufficient grounds so that almost every orphans' court in the United States would turn down any adoption petition in that case. Therefore, while the theory that the gentleman may have and which he proposes is one which could possibly exist, in actual fact I think it could not.

Mr. DOLE. Let me inform the gentleman that I am in sympathy with veterans, having spent 39 months in Army hospitals, and having served as service officer for the American Legion and VFW for many years in my hometown, but in fairness I wish to express the opinion that legislative history is needed with reference to this particular measure.

I have other questions. What about the veteran who is 100 percent disabled, has been for years and has already educated his children? Is there anything which would reimburse this veteran in this act?

Mr. TEAGUE of Texas. No, sir; there is not.

Mr. DOLE. Is there any reason why he should not be reimbursed?

Mr. TEAGUE of Texas. I do not think the committee considered that question at all, actually.

Mr. DOLE. There are people in this country, fortunately, who do not wait for the Government to come up with a program, and there are possibilities of cases where a 100 percent disabled veteran through scrimping and saving and with his wife and children working, may have educated his child or children. Perhaps this should be considered, because educating his children may have deprived this veteran of what little savings he had. It could be the future basis of additional legislation.

The item which really concerns me is the possibility some veterans group may come in next year and ask that these benefits be made available to children of 90, 80, 70, or 60 percent disabled veterans? The cost would become prohibitive.

Mr. TEAGUE of Texas. No, sir. There has been no mention to me by any group, in any way, form, or fashion, of any such provision, and I can tell the gentleman if I am still chairman of the committee, I would not expect something of that nature to receive very serious consideration.

Mr. DOLE. As far as the veterans groups are concerned, does the chairman know whether the American Legion, the Veterans of Foreign Wars, and the Disabled American Veterans are all in favor of this legislation?

Mr. TEAGUE of Texas. Every veterans group is in favor of this legislation. I have received the following telegram from the legislative director of the Veterans of Foreign Wars:

OLIN E. TEAGUE,
Chairman, House Veterans' Affairs Committee, U.S. House of Representatives, Washington, D.C.

DEAR CHAIRMAN TEAGUE: VFW strongly urges favorable House consideration of H.R. 221, which will help thousands of veterans who were struck down on the battlefield many years ago and are still suffering from total disability which is permanent. These veterans have been unable to accumulate savings to provide higher education for their children, and vitally need this assistance.

FRANCIS W. STOVER,
Director, National Legislative Service.

Mr. DOLE. I might point out, too, when compensation raises are requested one argument used on behalf of those seriously disabled is, "They have families to educate, have children and this should be considered in the amount of the compensation received. This is a justifiable consideration, but now we would be educating this child at a cost of $110 per month for a maximum of 36 months. Will this be considered in later compensation actions by the gentleman's committee.

Mr. TEAGUE of Texas. I should certainly think so.

Mr. DOLE. Again is it very clear this act would not be extended the next time, in the gentleman's opinion, to provide benefits to children of veterans who are 90-percent disabled or 80-percent disabled or something less than 100 percent?

Mr. TEAGUE of Texas. No, sir; in my opinion it would not.

Mr. DOLE. And there is no limit to the number of children. There are 100-percent-disabled veterans who have resources of their own and do not need help from the Government. Is there any exception made in this bill as to the children of those veterans?

Mr. TEAGUE of Texas. No, sir; there is not.

Mr. DOLE. I am wondering if, for the record, we might have the reason for the departure from the original intent of veterans' legislation which was to compensate the veteran, if alive, and not his family. What is the basic justification for this departure?

Mr. TEAGUE of Texas. I think our studies in the committee certainly show that the veteran in most need in our country is the 100-percent-disabled veteran, who has no income because of having lost an arm or a leg or something of that kind. Of all the veterans in our country the 100-percent-disabled, permanently and totally disabled and unemployable veteran is the most deserving and the most needy veteran in our country today. That was the thinking back of the legislation.

Mr. DOLE. Is it not true that some thinking back of the compensation paid to the 100-percent-disabled veteran was and is that he should be adequately compensated so he might properly educate his children? Was not this a consideration in the past?

Mr. TEAGUE of Texas. I am not sure that I understand the gentleman's question.

Mr. DOLE. When they were considering how much the 100-percent-disabled veteran should receive, which I understand is $250, unless there are statutory awards, plus the possibility of a $200 monthly allowance for an aid and attendant—was there consideration of the veteran with a family and proper education and maintenance of his children?

Mr. TEAGUE of Texas. Of course, the gentleman well knows that a 100-percent-disabled veteran with children receives certain allowances for those children under the present law. When those children become eligible for this educational assistance he loses that allowance paid to him because of the children.

Mr. DOLE. Another item for the RECORD is whether this act would apply to everyone rated 100 percent by the Veterans' Administration?

Mr. TEAGUE of Texas. No, it does not apply to everyone who is rated 100 percent by the Veterans' Administration. For example, today when a man goes into a hospital, the Administrator may give him a 100-percent rating for a temporary period. It does not cover him. It does not cover a man with TB or psychoneurosis, unless he has reached a point where a decision is made by a rating board that he is permanently and totally disabled. But the rating that is given by the Administrator for those other diseases would not be covered in this instance until permanency is established.

Mr. DOLE. With specific reference to mental cases—let us say the veteran's child is 24 or 25 by the time the 100-percent rating is held to be permanent. As far as this veteran is concerned, what happens to his child? Is he denied the fruits of this bill?

Mr. TEAGUE of Texas. We have a provision in the bill which covers the child if the total disability of the parent occurs before the child reaches age 23. If the child has reached age 23 when total disability of the parent occurs he is not eligible.

Mr. DOLE. This should be considered by whomever might make the determination: If the children of this 100-percent-rated veteran, because of mental disability, is not rated until his child, or children, pass the age of 23, then some allowance should be made for them. It is certainly not the fault of the veteran he is not rated as 100 percent because of his mental illness earlier.

Mr. TEAGUE of Texas. I agree with the gentleman but point out that there must be some fixed age beyond which a child of a veteran is not considered a child for educational purposes. Otherwise we might be sending persons 50 or 60 years of age to college.

Mr. DOLE. Does this cover the officer who may be rated 100 percent by the VA but receives retirement pay, as he has a right to claim under the law, does it cover his children?

Mr. TEAGUE of Texas. It covers only the children of ex-servicemen rated 100-percent disabled by the Veterans' Administration.

Mr. DOLE. The question which I propound is this: Do the children of a veteran having the option of taking disability retirement pay or veteran compensation, and many will take the retirement pay—three-fourths of their base pay—rather than the disability compensation allowed by the Veterans' Administration, receive benefits under provisions of this bill?

Mr. TEAGUE of Texas. It applies only to the men that the VA finds have 100-percent disability.

Mr. DOLE. If a man is rated 100-percent disabled, does it make any difference if he elects to take retirement or VA pay. The 100-percent disability is the key, is it not?

Mr. TEAGUE of Texas. He has his choice. He can take either one.

Mr. DOLE. Is there any provision whereby the veteran can go back from retirement pay to disability compensation to qualify under this act? I can see some great benefits from payment for a period of 36 months at $110 a month. If a veteran has six children or one, he would not benefit from this law if he was receiving retired pay.

Mr. TEAGUE of Texas. I will say to the gentleman from Kansas that my committee does not have jurisdiction over retired officers.

Mr. DOLE. Just to make it clear, and the gentleman mentioned it before, is it true that the man must be unemployable and rated 100-percent disabled before he is entitled to the benefits of this act?

Mr. TEAGUE of Texas. He must be rated a 100-percent disability. Unemployability might or might not enter into the rating.

Mr. DOLE. And if he should become employable during the course of the educational program, then are the educational benefits terminated?

Mr. TEAGUE of Texas. The benefits would expire at the end of the next semester or quarter, according to the kind of school term the child was following at that time.

Mr. DOLE. What does the gentleman anticipate the total cost of this program will be?

Mr. TEAGUE of Texas. The Veterans' Administration estimates it for 5 years—and it is in the report—as $29,500,000. They estimate a total of 2,000 children in 1964 and up to a total of about 4,600 in 1968.

Mr. DOLE. In conclusion, would the gentleman agree there might be some merit to a law that would reimburse the veteran who has at least started his child in school or who perhaps has not completed the education of one, or more, of his children, or does the gentleman think this is not meritorious at this time?

Mr. TEAGUE of Texas. I certainly do, and if the gentleman will introduce legislation along that line, I will guarantee the gentleman a hearing before the Committee on Veterans' Affairs as soon as possible.

Mr. DOLE. Further with regard to the retired officer or enlisted man, there might be a few dollars difference between the retirement pay and VA compensation. After the veteran has made an election—it was a 5-year period during which he could elect retired pay or VA compensation, it seems to me if he is unemployable and 100 percent disabled, though he does not take VA compensation, but takes, in lieu thereof, retirement pay, that his children should be entitled to the same benefits.

Mr. TEAGUE of Texas. I do not believe that legislation would come to the Committee on Veterans' Affairs. I think it would go to the Committee on Armed Services.

Mr. DOLE. It is my desire to point out to the chairman of the Committee on Veterans' Affairs I certainly felt it necessary to raise these questions. I did so to make some legislative history. I can forsee some very serious questions. Certainly, we have an obligation to the 100-percent-disabled veteran and a responsibility to make certain no veteran is discriminated against. This bothers me, because I know 80-percent-disabled veterans and 90-percent-disabled veterans who, in my judgment, seem to be more disabled than those adjudicated to be 100 percent disabled. On one day the rating board might find the extent of his disablement to be 90 percent and tomorrow might find it to be 80 percent. It is a situation similar to the tax assessor. He might value your property at one figure one day and at another figure another day. This is just one of the things which bothers me about this legislation.

Mr. TEAGUE of Texas. I understand the gentleman's questions and I understand his philosophy on veterans' benefits. I just wish the gentleman were on the Committee on Veterans' Affairs.

Mr. GOODELL. Mr. Speaker, I rise today to express my support for H.R. 221, to provide educational assistance to children of veterans permanently and totally disabled from wartime service-connected disability.

It is estimated that there are approximately 89,000 veterans who have been rendered 100 percent disabled because of wartime service-connected disabilities. These men have made great and burdensome sacrifices for our country. Because of their disabilities they continue to sacrifice each day of their lives.

To my mind it is not right to penalize their children for the sacrifices made by their fathers who have exchanged their capabilities for our freedom. It is not right to penalize the veteran himself.

H.R. 221 will serve to assist many of these families by permitting a greater level of education for the children than might be otherwise available. In helping the child, we help the veteran and repay, in a small measure, the sacrifices he has made and is continuing to make.

In this light, I urge the support of the Members of the House for H.R. 221.

In supporting this legislation and heralding its passage, I want to pay tribute to the efforts of Mr. Kenneth Taft, of Lakewood, N.Y., past commander, Department of New York, Disabled American Veterans, who has long been an advocate of this legislation and has done an effective job in working for its passage.

The SPEAKER. The question is on the motion of the gentleman from Texas [Mr. TEAGUE], that the House suspend the rules and pass the bill H.R. 221, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title was amended so as to read: "A bill to amend chapter 35 of title 38, United States Code, to provide educational assistance to the children of veterans who are permanently and totally disabled from an injury or disease arising out of active military, naval, or air service during a period of war or the induction period."

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the RECORD on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

CONSENTING TO EXTENSION AND RENEWAL OF INTERSTATE COMPACT TO CONSERVE OIL AND GAS

Mr. HARRIS. Mr. Speaker, I move to suspend the rules and pass the resolution (H.J. Res. 220) consenting to an extension and renewal of the interstate compact to conserve oil and gas.

The Clerk read as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby given to an extension and renewal for a period of four years from September 1, 1963, to September 1, 1967, of the Interstate Compact To Conserve Oil and Gas, which was signed in the city of Dallas, Texas, the 16th day of February 1935 by the representatives of Oklahoma, Texas, California, and New Mexico, and at the same time and place was signed by the representatives, as a recommendation for approval to the Governors and Legislatures of the States of Arkansas, Colorado, Illinois, Kansas, and Michigan, and which prior to August 27, 1935, was presented to and approved by the Legislatures and Governors of the States of New Mexico, Kansas, Oklahoma, Illinois, Colorado, and Texas, and which so approved by the six States last above-named was deposited in the Department of State of the United States, and thereafter was consented to by the Congress in Public Resolution Numbered 64, Seventy-fourth Congress, approved August 27, 1935, for a period of two years, and thereafter was extended by the representatives of the compacting States and consented to by the Congress for successive periods, without interruption, the last extension being for the period from September 1, 1959, to September 1, 1963; consented to by Congress by Public Law Numbered 143, Eighty-sixth Congress, approved August 7, 1959. The agreement to extend and renew said compact for a period of four years from September 1, 1963, to September 1, 1967, duly executed by representatives of the States of Alabama, Alaska, Arizona, Arkansas, Colorado, Florida, Illinois, Indiana, Kansas, Kentucky, Louisiana, Maryland, Michigan, Mississippi, Montana, Nebraska, Nevada, New Mexico, New York, North Dakota, Ohio, Oklahoma, Pennsylvania, South Dakota, Tennessee, Texas, Utah, Washington, West Virginia, and Wyoming, has been deposited in the Department of State of the United States, and reads as follows:

"AN AGREEMENT TO EXTEND THE INTERSTATE COMPACT TO CONSERVE OIL AND GAS

"WHEREAS, on the 16th day of February, 1935, in the city of Dallas, Texas, there was executed 'AN INTERSTATE COMPACT TO CONSERVE OIL AND GAS' which was thereafter formally ratified and approved by the States of Oklahoma, Texas, New Mexico, Illinois, Colorado, and Kansas, the original of which is now on deposit with the Department of State of the United States, a true copy of which follows:

" 'AN INTERSTATE COMPACT TO CONSERVE OIL AND GAS

" '*Article I*

" 'This agreement may become effective within any compacting State at any time as prescribed by that State, and shall become effective within those States ratifying it whenever any three of the States of Texas, Oklahoma, California, Kansas, and New Mexico have ratified and Congress has given its consent. Any oilproducing State may become a party hereto as hereinafter provided.

" '*Article II*

" 'The purpose of this compact is to conserve oil and gas by the prevention of physical waste thereof from any cause.

" '*Article III*

" 'Each State bound hereby agrees that within a reasonable time it will enact laws, or if the laws have been enacted, then it agrees to continue the same in force, to accomplish within reasonable limits the prevention of:

" '(a) The operation of any oil well with an inefficient gas-oil ratio.

" '(b) The drowning with water of any stratum capable of producing oil or gas, or both oil and gas, in paying quantities.

" '(c) The avoidable escape into the open air or the wasteful burning of gas from a natural gas well.

" '(d) The creation of unnecessary fire hazards.

" '(e) The drilling, equipping, locating, spacing or operating of a well or wells so as to bring about physical waste of oil or gas or loss in the ultimate recovery thereof.

" '(f) The inefficient, excessive or improper use of the reservoir energy in producing any well.

" 'The enumeration of the foregoing subjects shall not limit the scope of the authority of any State.

" '*Article IV*

" 'Each State bound hereby agrees that it will, within a reasonable time, enact statutes, or if such statutes have been enacted then that it will continue the same in force, providing in effect that oil produced in violation of its valid oil and/or gas conservation statutes or any valid rule, order or regulation promulgated thereunder, shall be denied access to commerce; and providing for stringent penalties for the waste of either oil or gas.

" '*Article V*

" 'It is not the purpose of this compact to authorize the States joining herein to limit the production of oil or gas for the purpose of stabilizing or fixing the price thereof, or create or perpetuate monopoly, or to promote regimentation, but is limited to the purpose of conserving oil and gas and preventing the avoidable waste thereof within reasonable limitations.

" '*Article VI*

" 'Each State joining herein shall appoint one representative to a Commission hereby constituted and designated as THE INTERSTATE OIL COMPACT COMMISSION, the duty of which said Commission shall be to make inquiry and ascertain from time to time such methods, practices, circumstances, and conditions as may be disclosed for bringing about conservation and the prevention of physical waste of oil and gas, and at such intervals as said Commission deems beneficial it shall report its findings and recommendations to the several States for adoption or rejection.

" 'The Commission shall have power to recommend the coordination of the exercise of the police powers of the several States within their several jurisdictions to promote the maximum ultimate recovery from the petroleum reserves of said States, and to recommend measures for the maximum ultimate recovery of oil and gas. Said Commission shall organize and adopt suitable rules and regulations for the conduct of its business.

" 'No action shall be taken by the Commission except: (1) by the affirmative votes of the majority of the whole number of the compacting States represented at any meeting, and (2) by a concurring vote of a majority in interest of the compacting States at said meeting, such interest to be determined as follows: such vote of each State shall be in the decimal proportion fixed by the ratio of its daily average production during the preceding calendar half year to the daily average production of the compacting States during said period.

" '*Article VII*

" 'No State by joining herein shall become financially obligated to any other State, nor shall the breach of the terms hereof by any State subject such State to financial responsibility to the other States joining herein.

" '*Article VIII*

" 'This compact shall expire September 1, 1937. But any State joining herein may, upon sixty (60) days notice, withdraw herefrom.

" 'The representatives of the signatory States have signed this agreement in a single original which shall be deposited in the archives of the Department of State of the United States, and a duly certified copy shall be forwarded to the Governor of each of the signatory states.

" 'This compact shall become effective when ratified and approved as provided in article I. Any oil-producing State may become a party hereto by affixing its signature to a counterpart to be similiarly deposited, certified, and ratified.'

"WHEREAS, the said Interstate Compact to Conserve Oil and Gas has heretofore been duly renewed and extended with the consent of the Congress to September 1, 1963; and,

"WHEREAS, it is desired to renew and extend the said Interstate Compact to Conserve Oil and Gas for a period of four (4) years from September 1, 1963, to September 1, 1967:

"Now, therefore, this writing witnesseth:

"It is hereby agreed that the compact entitled 'AN INTERSTATE COMPACT TO CONSERVE OIL AND GAS' executed in the city of Dallas, Texas, on the 16th day of February 1935, and now on deposit with the Department of State of the United States, a correct copy of which appears above, be, and the same hereby is, extended for a period of four (4) years from September 1, 1963, its present date of expiration, to September 1, 1967. This agreement shall become effective when executed, ratified, and approved as provided in article I of the original compact.

"The signatory States have executed this agreement in a single original which shall be deposited in the archives of the Department of State of the United States and a duly certified copy thereof shall be forwarded to the Governor of each of the signatory States. Any oil-producing State may become a party hereto by executing a counterpart of this agreement to be similarly deposited, certified, and ratified.

"EXECUTED by the several undersigned States, at their several State capitols, through their proper officials on the dates as duly authorized by statutes and resolutions, subject to the limitations and qualifications of the acts of the respective State legislatures.

"THE STATE OF ALABAMA
"By John Patterson, Governor
"Attest: Bettye Frink
"Dated: 9-4-62
"Secretary of State
"(SEAL)

"THE STATE OF ALASKA
"By William A. Egan, Governor
"Dated: 9-21-62
"Attest: Hugh J. Wade
"Secretary of State
"(SEAL)

"THE STATE OF ARIZONA
"By Paul J. Fannin, Governor
"Dated: 11-1-61
"Attest: Wesley Bolin
"Secretary of State
"(SEAL)

"THE STATE OF ARKANSAS
"By Orval E. Faubus, Governor
"Dated: 8-15-62
"Attest: Nancy J. Hall
"Secretary of State
"(SEAL)

"THE STATE OF COLORADO
"By Steve McNichols, Governor
"Dated:
"Attest: George J. Baker
"Secretary of State
"(SEAL)

"THE STATE OF FLORIDA
"By Farris Bryant, Governor
"Dated: 5-28-62
"Attest: Tom Adams
"Secretary of State
"(SEAL)

"THE STATE OF ILLINOIS
"By Otto Kerner, Governor
"Dated: 12-12-61
"Attest: Charles F. Carpentier
"Secretary of State
"(SEAL)

"THE STATE OF INDIANA
"By Matthew E. Welsh,
Governor
"Dated:
"Attest: Charles O. Hendricks
"Secretary of State
"(SEAL)

"THE STATE OF KANSAS
"By John Anderson, Jr., Governor
"Dated:
"Attest: Paul R. Shanahan
"Secretary of State
"Leone M. Powers
"Assistant Secretary of State
"(SEAL)

"THE STATE OF KENTUCKY
"By Bert Combs, Governor
"Dated: 11-30-61
"Attest: Henry H. Carter
"Secretary of State
"(SEAL)

"THE STATE OF LOUISIANA
"By Jimmie H. Davis, Governor
"Dated: 6-12-62
"Attest: Wade O. Martin, Jr.
"Secretary of State
"(SEAL)

"THE STATE OF MARYLAND
"By J. Millard Tawes, Governor
"Dated: 11-20-62
"Attest: Lloyd L. Simpkins
"Secretary of State
"(SEAL)

"THE STATE OF MICHIGAN
"By John B. Swainson, Governor
"Dated: 7-6-62
"Attest: James M. Hare
"Secretary of State
"(SEAL)

"THE STATE OF MISSISSIPPI
"By Ross R. Barnett, Governor
"Dated:
"Attest: Heber Ladner
"Secretary of State
"(SEAL)

"THE STATE OF MONTANA
"By Donald G. Nutter, Governor
"Dated: 1-18-62
"Attest: Frank Murray
"Secretary of State
"(SEAL)

"THE STATE OF NEBRASKA
"By Frank B. Morrison, Governor
"Dated: 1-24-62
"Attest: Frank Marsh
"Secretary of State
"(SEAL)

"THE STATE OF NEVADA
"By Grant Sawyer, Governor
"Dated: 4-25-62
"Attest: John Koontz
"Secretary of State
"(SEAL)

"THE STATE OF NEW MEXICO
"By E. L. Mechem, Governor
"Dated: 10-23-61
"Attest: Betty Fiorina
"Secretary of State
"(SEAL)

"THE STATE OF NEW YORK
"By Nelson A. Rockefeller, Governor
"Dated: 9-22-62
"Attest: Caroline K. Simon
"Secretary of State
"(SEAL)

"THE STATE OF NORTH DAKOTA
"By William L. Guy, Governor
"Dated: 3-2-62
"Attest: Ben Meier
"Secretary of State
"(SEAL)

"THE STATE OF OHIO
"By Michael V. Di Salle, Governor
"Dated: 10-9-62
"Attest: Ted W. Brown
"Secretary of State
"(SEAL)

"THE STATE OF OKLAHOMA
"By J. Howard Edmondson, Governor
"Dated: 10-20-61
"Attest: William N. Christian
"Secretary of State
"(SEAL)

"THE STATE OF PENNSYLVANIA
"By David L. Lawrence, Governor
"Dated: 2-6-62
"Attest: E. James Trimarchi, Jr.
"Secretary of State
"(SEAL)

"THE STATE OF SOUTH DAKOTA
"By Archie Gubbrud, Governor
"Dated: 3-26-62
"Attest: Essie Wiedenman
"Secretary of State
"(SEAL)

"THE STATE OF TENNESSEE
"By Buford Ellington, Governor
"Dated: 9-10-62
"Attest: Joe C. Carr
"Secretary of State
"(SEAL)

"THE STATE OF TEXAS
"By Price Daniel, Governor
"Dated: 10-16-61
"Attest: P. Frank Lake
"Secretary of State
"(SEAL)

"THE STATE OF UTAH
"By George D. Clyde, Governor
"Dated:
"Attest: Lamont F. Toronto
"Secretary of State
"(SEAL)

"THE STATE OF WASHINGTON
"By Albert D. Rosellini, Governor
"Dated: 10-25-62
"Attest: Victor A. Meyers
"Secretary of State
"(SEAL)

"THE STATE OF WEST VIRGINIA
"By W. W. Barron, Governor
"Dated: 10-10-62
"Attest: Joe F. Burdett
"Secretary of State
"(SEAL)

"THE STATE OF WYOMING
"By Jack R. Gage, Governor
"Dated: 10-3-62
"Attest: Robert Outsen
"Deputy Secretary of State
"(SEAL)".

Sec. 2. The Attorney General of the United States shall continue to make an annual report to Congress, as provided in section 2 of Public Law 185, Eighty-fourth Congress, for the duration of the Interstate Compact to Conserve Oil and Gas as to whether or not the activities of the States under the provisions of such compact have been consistent with the purposes as set out in article V of such compact.

Sec. 3. The right to alter, amend, or repeal the provisions of the first section of this joint resolution is hereby expressly reserved.

The SPEAKER. Is a second demanded?

Mr. YOUNGER. Mr. Speaker, I demand a second.

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. DOLE. Mr. Speaker, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Kansas.

Mr. DOLE. Mr. Speaker, I would like to ask one question of the chairman. I support this legislation. In the hearings there was some talk of the President's Committee on the Study of Petroleum. There is some reference in this report to the import situation. On August 6 on the floor of the House many Members made speeches about how the imports affected these various States, including Arkansas and Kansas. We are concerned because we have had a decline in oil activity.

Does the Interstate Oil Compact Commission have authority to make recommendations in reference to imports?

Mr. HARRIS. I may say to the gentleman from Kansas that the Interstate Oil Compact Comission, of course, has the right and authority to make any recommendations it wishes.

Insofar as authority to do anything about the import situation—it does not have any authority.

Mr. DOLE. There might be an area where that might be of some help. There are 33 States at this time involved, I believe. The only other question is this:

There is no cost in this program at all to the Federal Government, is that correct?

Mr. HARRIS. The gentleman is correct.

Mr. DOLE. This is paid for by the States?

Mr. HARRIS. This gives the States the authority under this compact to discuss certain matters in the oil industry affecting conservation problems. The expense is borne solely by the Commission through the activities of the States.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Iowa.

Mr. GROSS. This in no way expands or affects the Tidelands Oil Act, does it?

Mr. HARRIS. No.

Mr. GROSS. There is no relation whatever to it?

Mr. HARRIS. It has nothing to do with it.

Mr. GROSS. This would have nothing to do with this gimmick that is being used by the Mexican Government in collaboration with the State Department of wheeling about 35,000 barrels of oil in bond out of Brownsville, across the bridge at Matamoros and through the customs and received back in the United States, making it free oil?

This would not cure that situation?

Mr. HARRIS. I am not too familiar with the type of operation the gentleman has explained. I believe he has reference to the overland transportation?

Mr. GROSS. Yes, precisely so.

Mr. HARRIS. Of the product itself. This would have nothing to do with that whatsoever.

Mr. GROSS. I thank the gentleman.

Mr. ROGERS of Texas. Mr. Speaker, the purpose of the proposed legislation is to give the consent of the Congress to the extension and renewal for a period of 4 years of the interstate compact to conserve oil and gas, which was entered into originally in 1935 by the States of Oklahoma, Texas, New Mexico, Illinois, Colorado, and Kansas. The Congress first gave consent to such compact by House Joint Resolution 407, approved August 27, 1935—Public Resolution 64, 74th Congress.

Since 1935 the compact has been renewed and extended eight times with the consent of the Congress and, unless again renewed, will expire on September 1, 1963.

When the compact was originally consented to by the Congress in 1935, it was hoped that the several oil-producing States, acting together under the compact, would be able to effect conservation of this important natural resource, prevent its waste, and give aid to the petroleum industry in its effort to achieve a relatively stable situation. During the 28 years that this compact has been in force, that hope has been fulfilled in substantial and ever-increasing degree. Thirty States are now members of the compact.

A compact such as the one under consideration is in complete harmony with the spirit of our form of government. It preserves the rights of each separate State while enabling the several States, as parties to the compact, to work together on a sound program which all of them will accept and endorse.

This compact, in article V, expressly states that nothing in it authorizes the signatory States to limit the production of oil or gas for the purpose of stabilizing or fixing the price thereof, to create or perpetuate monopoly, or to promote regimentation.

Section 2 of the resolution consenting to the renewal in 1955, provided that the Attorney General shall report to the Congress whether the activities of the States under the compact have been consistent with the purpose set out in article V. The same language is contained in section 2 of the present resolution.

Section 3 of the resolution merely repeats the usual reservation of the right to alter, amend, or repeal the compact which was contained in seven of the resolutions consenting to, and the renewal of, the compact. Inadvertently, this provision was omitted from the renewal legislation in 1955. The language of section 3 in the House resolution differs with that of Senate Joint Resolution 33, in that the reference to section 1 is expressed in Arabic numeral in the Senate version—as it was in the extension approved in 1951—whereas the language of the House resolution refers to the first section—as it was in the extension approved 4 years ago—in 1959.

The extension has the approval of the Departments of Justice, Interior, State, and Defense, the Bureau of the Budget, and the Federal Power Commission. No one in the committee hearings has expressed opposition to the proposed extension.

I urge the adoption of the resolution.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk Senate Joint Resolution 33, which is an identical bill to the one just passed extending the interstate oil compact, with the exception of language in the reservation section of section 3, and its immediate consideration.

The Clerk read the title of the Senate joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There being no objection, the Clerk read the Senate joint resolution, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby given to an extension and renewal for a period of four years from September 1, 1963, to September 1, 1967, of the Interstate Compact To Conserve Oil and Gas, which was signed in the city of Dallas, Texas, the 16th day of February 1935 by the representatives of Oklahoma, Texas, California, and New Mexico, and at the same time and place was signed by the representatives, as a recommendation for approval to the Governors and Legislatures of the States of Arkansas, Colorado, Illinois, Kansas, and Michigan, and which prior to August 27, 1935, was presented to and approved by the Legislatures and Governors of the States of New Mexico, Kansas, Oklahoma, Illinois, Colorado, and Texas, and which so approved by the six States last above-named was deposited in the Department of State of the United States, and thereafter was consented to by the Congress in Public Resolution Numbered 64, Seventy-fourth Congress, approved August 27, 1935, for a period of two years, and thereafter was extended by the representatives of the compacting States and consented to by the Congress for successive periods, without interruption, the last extension being for the period from September 1, 1959, to September 1, 1963, consented to by Congress by Public Law Numbered 143, Eighty-sixth Congress, approved August 7, 1959. The agreement to extend and renew said compact for a period of four years from September 1, 1963, to September 1, 1967, duly executed by representatives of the States of Alabama, Alaska, Arizona, Arkansas, Colorado, Florida, Illinois, Indiana, Kansas, Kentucky, Louisiana, Maryland, Michigan, Mississippi, Montana, Nebraska, Nevada, New Mexico, New York, North Dakota, Ohio, Oklahoma, Pennsylvania, South Dakota, Tennessee, Texas, Utah, Washington, West Virginia, and Wyoming, has been deposited in the Department of State of the United States, and reads as follows:

"AN AGREEMENT TO EXTEND THE INTERSTATE COMPACT TO CONSERVE OIL AND GAS

"WHEREAS, on the 16th day of February, 1935, in the city of Dallas, Texas, there was executed 'AN INTERSTATE COMPACT TO CONSERVE OIL AND GAS' which was thereafter formally ratified and approved by the States of Oklahoma, Texas, New Mexico, Illinois, Colorado, and Kansas, the original of which is now on deposit with the Department of State of the United States, a true copy of which follows:

" 'AN INTERSTATE COMPACT TO CONSERVE OIL AND GAS

" 'Article I

" 'This agreement may become effective within any compacting State at any time as prescribed by that state, and shall become effective within those States ratifying it whenever any three of the States of Texas, Oklahoma, California, Kansas, and New Mexico have ratified and Congress has given its consent. Any oil-producing State may become a party hereto as hereinafter provided.

" 'Article II

" 'The purpose of this compact is to conserve oil and gas by the prevention of physical waste thereof from any cause.

" 'Article III

" 'Each State bound hereby agrees that within a reasonable time it will enact laws, or if the laws have been enacted, then it agrees to continue the same in force, to accomplish within reasonable limits the prevention of:

" '(a) The operation of any oil well with an inefficient gas-oil ratio.

" '(b) The drowning with water of any stratum capable of producing oil or gas, or both oil and gas, in paying quantities.

" '(c) The avoidable escape into the open air or the wasteful burning of gas from a natural gas well.

" '(d) The creation of unnecessary fire hazards.

" '(e) The drilling, equipping, locating, spacing or operating of a well or wells so as to bring about physical waste of oil or gas or loss in the ultimate recovery thereof.

" '(f) The inefficient, excessive or improper use of the reservoir energy in producing any well.

" 'The enumeration of the foregoing subjects shall not limit the scope of the authority of any State.

" 'Article IV

" 'Each State bound hereby agrees that it will, within a reasonable time, enact statutes, or if such statutes have been enacted then that it will continue the same in force, providing in effect that oil produced in violation of its valid oil and/or gas conservation statutes or any valid rule, order or regulation promulgated thereunder, shall be denied access to commerce; and providing for stringent penalties for the waste of either oil or gas.

" 'Article V

" 'It is not the purpose of this compact to authorize the states joining herein to limit the production of oil or gas for the purpose of stabilizing or fixing the price thereof, or create or perpetuate monopoly, or to promote regimentation, but is limited to the purpose of conserving oil and gas and preventing the avoidable waste thereof within reasonable limitations.

" 'Article VI

" 'Each State joining herein shall appoint one representative to a commission hereby constituted and designated as THE INTERSTATE OIL COMPACT COMMISSION, the duty of which said commission shall be to make inquiry and ascertain from time to time such methods, practices, circumstances, and conditions as may be disclosed for bringing about conservation and the prevention of physical waste of oil and gas, and at such intervals as said commission deems beneficial it shall report its findings and recommendations to the several States for adoption or rejection.

" 'The Commission shall have power to recommend the coordination of the exercise of the police powers of the several states within their several jurisdictions to promote the maximum ultimate recovery from the petroleum reserves of said states, and to recommend measures for the maximum ultimate recovery of oil and gas. Said Commission shall organize and adopt suitable rules and regulations for the conduct of its business.

" 'No action shall be taken by the Commission except: (1) by the affirmative votes of the majority of the whole number of the compacting States represented at any meeting, and (2) by a concurring vote of a majority in interest of the compacting States at said meeting, such interest to be determined as follows: such vote of each State shall be in the decimal proportion fixed by the ratio of its daily average production during the preceding calendar half-year to the daily average production of the compacting States during said period.

" 'Article VII

" 'No State by joining herein shall become financially obligated to any other State, nor shall the breach of the terms hereof by any State subject such State to financial responsibility to the other States joining herein.

" 'Article VIII

" 'This compact shall expire September 1, 1937. But any State joining herein, may, upon sixty days' notice, withdraw herefrom.

" 'The representatives of the signatory States have signed this agreement in a single original which shall be deposited in the archives of the Department of State of the United States, and a duly certified copy shall be forwarded to the Governor of each of the signatory States.

" 'This compact shall become effective when ratified and approved as provided in Article I. Any oil-producing State may become a party hereto by affixing its signature to a counterpart to be similarly deposited, certified, and ratified.'

"WHEREAS, the said Interstate Compact to Conserve Oil and Gas has heretofore been duly renewed and extended with the consent of the Congress to September 1, 1963; and,

"WHEREAS, it is desired to renew and extend the said Interstate Compact to Conserve Oil and Gas for a period of four (4) years from September 1, 1963, to September 1, 1967:

"Now, therefore, this writing witnesseth:

"It is hereby agreed that the Compact entitled

" 'AN INTERSTATE COMPACT TO CONSERVE OIL AND GAS' executed in the City of Dallas, Texas, on the 16th day of February, 1935, and now on deposit with the Department of State of the United States, a correct copy of which appears above, be, and the same hereby is, extended for a period of four (4) years from September 1, 1963, its present date of expiration, to September 1, 1967. This agreement shall become effective when executed, ratified, and approved as provided in Article I of the original Compact.

"The signatory States have executed this agreement in a single original which shall be deposited in the archives of the Department of State of the United States and a duly certified copy thereof shall be forwarded to the Governor of each of the signatory States. Any oil-producing State may become a party hereto by executing a counterpart of this agreement to be similarly deposited, certified, and ratified.

"EXECUTED by the several undersigned States, at their several State capitols, through their proper officials on the dates as shown, as duly authorized by statutes and resolutions, subject to the limitations and qualifications of the acts of the respective State Legislatures.

"THE STATE OF ALABAMA
"By John Patterson, Governor
"Dated: 9–4–62
"Attest: Bettye Frink
"Secretary of State
"(SEAL)

"THE STATE OF ALASKA
"By William A. Egan, Governor
"Dated: 9–21–62
"Attest: Hugh J. Wade
"Secretary of State
"(SEAL)

"THE STATE OF ARIZONA
"By Paul J. Fannin, Governor
"Dated: 11–1–61
"Attest: Wesley Bolin
"Secretary of State
"(SEAL)

"THE STATE OF ARKANSAS
"By Orval E. Faubus, Governor
"Dated: 8–15–62
"Attest: Nancy J. Hall
"Secretary of State
"(SEAL)

"THE STATE OF COLORADO
"By Steve McNichols, Governor
"Dated:
"Attest: George J. Baker
"Secretary of State
"(SEAL)

"THE STATE OF FLORIDA
"By Farris Bryant, Governor
"Dated: 5–28–62
"Attest: Tom Adams
"Secretary of State
"(SEAL)

"THE STATE OF ILLINOIS
"By Otto Kerner, Governor
"Dated: 12–12–61
"Attest: Charles F. Carpentier
"Secretary of State
"(SEAL)

"THE STATE OF INDIANA
"By Matthew E. Welsh, Governor
"Dated:
"Attest: Charles O. Hendricks
"Secretary of State
"(SEAL)

"THE STATE OF KANSAS
"By John Anderson, Jr., Governor
"Dated:
"Attest: Paul R. Shanahan
"Secretary of State
"Leone M. Powers
"Assistant Secretary of State
"(SEAL)

"THE STATE OF KENTUCKY
"By Bert Combs, Governor
"Dated: 11–30–61
"Attest: Henry H. Carter
"Secretary of State
"(SEAL)

"THE STATE OF LOUISIANA
"By Jimmie H. Davis, Governor
"Dated: 6–12–62
"Attest: Wade O. Martin, Jr.
"Secretary of State
"(SEAL)

"THE STATE OF MARYLAND
"By J. Millard Tawes, Governor
"Dated: 11–20–62
"Attest: Lloyd L. Simpkins
"Secretary of State
"(SEAL)

"THE STATE OF MICHIGAN
"By John B. Swainson, Governor
"Dated: 7–6–62
"Attest: James M. Hare
"Secretary of State
"(SEAL)

"THE STATE OF MISSISSIPPI
"By Ross R. Barnett, Governor
"Dated:
"Attest: Heber Ladner
"Secretary of State
"(SEAL)

"THE STATE OF MONTANA
"By Donald G. Nutter, Governor
"Dated: 1–18–62
"Attest: Frank Murray
"Secretary of State
"(SEAL)

"THE STATE OF NEBRASKA
"By Frank B. Morrison, Governor
"Dated: 1–24–62
"Attest: Frank Marsh
"Secretary of State
"(SEAL)

"THE STATE OF NEVADA
"By Grant Sawyer, Governor
"Dated: 4–25–62
"Attest: John Koontz
"Secretary of State
"(SEAL)

"THE STATE OF NEW MEXICO
"By E. L. Mechem, Governor
"Dated: 10–23–61
"Attest: Betty Fiorina
"Secretary of State
"(SEAL)

"THE STATE OF NEW YORK
"By Nelson A. Rockefeller, Governor
"Dated: 9–22–62
"Attest: Caroline K. Simon
"Secretary of State
"(SEAL)

"THE STATE OF NORTH DAKOTA
"By William L. Guy, Governor
"Dated: 3–2–62
"Attest: Ben Meier
"Secretary of State
"(SEAL)

"THE STATE OF OHIO
"By Michael V. Di Salle, Governor
"Dated: 10–9–62
"Attest: Ted W. Brown
"Secretary of State
"(SEAL)

"THE STATE OF OKLAHOMA
"By J. Howard Edmondson, Governor
"Dated: 10–20–61
"Attest: William N. Christian
"Secretary of State
"(SEAL)

"THE STATE OF PENNSYLVANIA
"By David L. Lawrence, Governor
"Dated: 2–6–62
"Attest: E. James Trimarchi, Jr.
"Secretary of State
"(SEAL)

"THE STATE OF SOUTH DAKOTA
"By Archie Gubbrud, Governor
"Dated: 3–26–62
"Attest: Essie Wiedenman
"Secretary of State
"(SEAL)

"THE STATE OF TENNESSEE
"By Buford Ellington, Governor
"Dated: 9–10–62
"Attest: Joe C. Carr
"Secretary of State
"(SEAL)

"THE STATE OF TEXAS
"By Price Daniel, Governor
"Dated: 10–16–61
"Attest: P. Frank Lake
"Secretary of State
"(SEAL)

"THE STATE OF UTAH
"By George D. Clyde, Governor
"Dated:
"Attest: Lamont F. Toronto
"Secretary of State
"(SEAL)

"THE STATE OF WASHINGTON
"By Albert D. Rosellini, Governor
"Dated: 10–25–62
"Attest: Victor A. Meyers
"Secretary of State
"(SEAL)

"THE STATE OF WEST VIRGINIA
"By W. W. Barron, Governor
"Dated: 10–10–62
"Attest: Joe F. Burdett
"Secretary of State
"(SEAL)

"THE STATE OF WYOMING
"By Jack R. Gage, Governor
"Dated: 10–3–62
"Attest: Robert Outsen
"Deputy Secretary of State
"(SEAL)

SEC. 2. The Attorney General of the United States shall continue to make an annual report to Congress, as provided in section 2 of Public Law 185, Eighty-fourth Congress, for the duration of the Interstate Compact to Conserve Oil and Gas as to whether or not the activities of the States under the provisions of such compact have been consistent with the purpose as set out in article V of such compact.

SEC. 3. The right to alter, amend, or repeal the provisions of section 1 is hereby expressly reserved.

AMENDMENT OFFERED BY MR. HARRIS

Mr. HARRIS. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HARRIS: Strike out all after the enacting clause of Senate Joint Resolution 33 and insert the provisions of House Joint Resolution 220 as just passed by the House.

The amendment was agreed to.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed.

A similar House joint resolution (H.J. Res. 220) was laid on the table.

The title was amended so as to read: "An act consenting to an extension of the interstate compact to conserve oil and gas."

A motion to reconsider was laid on the table.

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may extend their remarks in the RECORD preceding the vote on the joint resolution just passed.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

EXPORT-IMPORT BANK ACT EXTENSION

Mr. PATMAN. Mr. Speaker, I call up the conference report on the bill (H.R. 3872) to increase the lending authority of the Export-Import Bank of Washington, to extend the period within which the Export-Import Bank of Washington may exercise its functions, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas.

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (REPT. NO. 688)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3872) to increase the lending authority of the Export-Import Bank of Washington, to extend the period within which the Export-Import Bank of Washington may exercise its functions, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "That (a) section 2(c)(1) of the Export-Import Bank Act of 1945 is amended by striking out '$1,000,000,000' and inserting in lieu thereof '$2,000,000,000'.

"(b) Section 7 of such Act is amended by striking out '$7,000,000,000' and inserting in lieu thereof '$9,000,000,000'.

"SEC. 2. Section 8 of the Export-Import Bank Act of 1945 is amended by striking out 'June 30, 1963' and inserting in lieu thereof 'June 30, 1968'."

And the Senate agree to the same.

WRIGHT PATMAN,
ALBERT RAINS,
ABRAHAM J. MULTER,
WILLIAM A. BARRETT,
CLARENCE E. KILBURN,
WILLIAM B. WIDNALL,
JAMES HARVEY,
Managers on the Part of the House.
JOSEPH S. CLARK,
JOHN SPARKMAN,
WILLIAM PROXMIRE,
HARRISON A. WILLIAMS, Jr.,
MAURINE NEUBERGER,
TOM MCINTYRE,
PETER H. DOMINICK,
JOHN G. TOWER,
J. JAVITS,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3872) to increase the lending authority of the Export-Import Bank of Washington, to extend the period within which the Export-Import Bank of Washington may exercise its functions, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

EXPLANATION

The bill as passed by the House and the bill as amended and passed by the Senate have certain features in common:

Both versions of the bill would extend the charter of the Bank to June 30, 1968.

Both versions would raise by $2 billion the total amount of loans, insurance, and guarantees the Bank is authorized to have outstanding at any one time.

Both versions would raise (within the overall limit for loans, guarantees, and insurance) the amount of export credit insurance and guarantees, which the Bank may have outstanding against a 25 percent reserve, from a present maximum of $1 billion to a new maximum of $2 billion.

In addition, the House and Senate versions of the bill are similar in that both would provide for a $2 billion increase in the funds available to the Bank—to match the $2 billion increase being made in its lending authority—but the two versions are dissimilar as to the methods which would be used to finance the $2 billion of additional funds. As passed by the House, the bill would authorize to be appropriated the $2 billion of increased financing. As passed by the Senate, the bill would authorize the Bank to obtain the additional funds under its present method of financing, which is to borrow the funds as needed from the Treasury.

The conference agreement adopts those provisions of the bill which are identical in both the House and Senate versions. More specifically, the agreement provides that—

(a) the life of the Bank be extended to June 30, 1968;

(b) the aggregate amount of loans, guarantees, and insurance which the Bank may have outstanding at any one time be increased by $2 billion; and

(c) the aggregate amount of export credit insurance and guarantees which the Bank may have outstanding against a 25 percent reserve be increased from the present maximum of $1 billion to a maximum of $2 billion.

The conferees further agreed, however, that no additional funds are to be provided at this time for financing the Bank's operations. The principal disagreement between the House and the Senate—indeed substantially the whole of the disagreement—is over the method by which the additional funds for the Bank are to be provided. The agreement of the conferees does not resolve this dispute one way or the other, either in favor of the appropriations method or the Treasury financing method. On the contrary, the agreement postpones a resolution of the issue until such time as the Bank is in greater need of additional funds.

Such a postponement of the issue is made possible by the fact that the Bank has available for its loan, guarantee, and insurance operations certain funds other than those made available by its authority to borrow from the Treasury. These additional funds, as of June 30, 1963, consisted of (a) approximately $810 million of surplus; and (b) approximately $520 million which have been borrowed, in effect, from private banks through sales of "participation certificates" in certain of the Bank's assets.

By reason of these funds derived from sources other than Treasury borrowing, it is anticipated that the Bank now has sufficient funds available to it to meet its anticipated needs for a reasonable period of time.

Finally, the bill as passed by the Senate contains a provision not in the House bill which would require that the Bank make a report to Congress only once a year, rather than on a semiannual basis as required by present law. The conference agreement omitted this provision of the Senate bill, upon the belief that the more frequent reporting to Congress is appropriate.

WRIGHT PATMAN,
ALBERT RAINS,
ABRAHAM J. MULTER,
WILLIAM A. BARRETT,
CLARENCE E. KILBURN,
WILLIAM B. WIDNALL,
JAMES HARVEY,
Managers on the Part of the House.

Mr. PATMAN. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, the conferees have agreed unanimously on the conference report, and I hope the House will accept it. The Senate has already accepted it—last Thursday.

There were two differences between the House bill and the Senate bill. One of these concerns the method by which the Export-Import Bank is to be financed, and has been the source of the dispute and the long deadlock.

The charter of the Export-Import Bank, which was last renewed for a period of 5 years, expired on June 30 of this year. In anticipation of this expiration date, the Bank asked that its charter be renewed for another 5 years and that both its lending and borrowing authority be increased sufficiently to provide for an expanding rate of operations over the next 5 years.

At the present time, the Bank is authorized to have loans, guarantees and insurance outstanding at any one time up to an aggregate amount of $7 billion. On the other side of the coin, the Bank is also authorized to have total liabilities to the Treasury in the amount of $7 billion, $6 billion of which may be in the form of loans from the Treasury and $1 billion in the form of capital stock, which capital stock is already outstanding.

The proposal was to increase both the Bank's lending authority and its borrowing authority by $2 billion to permit the Bank to play a greatly enlarged role in promoting exports over the next 5 years.

Both the House and the Senate agreed to this expansion of the Bank's lending and borrowing operations but the disagreement has been over how the additional $2 billion of financing for the Bank is to be provided. The Senate bill would have expanded the Bank's authorization to borrow, thus continuing the Bank's financing on the same method that has been in use since the Bank was founded 29 years ago. The House bill, on the other hand, would require that the $2 billion of additional funds be appropriated but without fiscal year limitation.

After nine meetings of the conferees, it was clear that neither side would yield. Accordingly, the compromise which has been reached is one to expand by $2 billion the Bank's lending authority but to make no expansion of any kind in the Bank's financing. In other words, the controversy has not been resolved; it has simply been put off until another day.

Even so it is apparent that the Bank will have adequate financing under present law for a reasonable period of time—18 months, 2 years, perhaps longer. The committee report accompanying the House bill gives a balance sheet for the Bank as of December 31 setting out its exact financial condition as of that time. As this report shows, the Bank had liabilities of $3,776,768,000, all of which were liabilities to the Treasury except $285 million, which had been borrowed in effect from certain private banks. It is thus apparent that the Bank has quite substantial unused borrowing authority under present law. What it will not have under this compromise agreement is the elbow room it was asking for to expand its export promotion activities and also have provisions for meeting large emergency situations such as it has met in the past.

For example, during the Suez crisis the Bank lent the British Government one-half billion dollars to finance exports from the United States during the extraordinary demands on the British treasury. These funds have been repaid, incidentally.

Similarly, last June when there was a run on the Canadian dollar and a crisis in the Canadian balance of payments, the Bank lent the Canadian Goverment a quarter of a billion dollars. As it happened, the mere existence of this credit helped to solve Canada's problem, and no funds were ever actually disbursed.

It also appears that under existing law the Bank is authorized to issue securities in the private capital market, and to borrow from private sources. Last year it borrowed, in effect, $300 million from some of the private banks, using the device of the so-called participation certificates to effectuate the loan.

This device of setting up a pool of Government assets and then selling the banks a share in the pool is one invented early in the Eisenhower administration to raise funds on the RFC assets, the Commodity Credit assets, and others. The principal appeal of this device is that it is a way of raising funds without having the debt reflected in the national debt and thus escaping the debt limitation. The Export-Import Bank's borrowings in this manner seem to have involved, in addition, the payment of an excessive interest rate. The Comptroller General's audit report on the Bank's operations last year concludes that the Bank paid at least one-quarter of a percent more for the private funds than it would have paid on funds borrowed from the Treasury, pointing out that over the 10-year life of the loan the unnecessary cost to the taxpayers will be $3.9 million. If the Bank should borrow $2 billion at an interest rate of one-quarter of a percent higher than necessary, the cost to the taxpayers will be $5 million a year.

It is my own belief that the excessive interest charges which the Bank has paid on these borrowings from the private banks are higher than need be, and that the Bank could negotiate a rate much closer to that it would have to pay the Treasury. Unless this is true, I would personally be very disappointed to see the Bank engage in any more of this kind of private financing.

A second difference between the House bill and the Senate bill concerns the frequency of the Bank's reports to Congress. Under existing law, the Bank must report every 6 months and the Senate bill would have changed that to permit the Bank to make a report only once a year. Under the conference agreement, the present requirement for a report every 6 months would be continued. It is my belief that a report at least every 6 months is entirely justified and indeed I anticipate that the House Committee on Banking and Currency will have the officials of the Bank before it each 6 months to review these reports and make sure that we are fully informed as to what the Bank is doing.

It will now be well, I believe, for me to take some of the Members' time to review the history of this legislation. It is now obvious that these jurisdictional disputes are going to arise again and again, and lead to other prolonged deadlocks, not only with reference to the Export-Import Bank but each and every time we consider renewing or extending any of the other legislation involving Federal lending or banking operations. This will be true for a variety of veterans and housing programs, as well as for all others. The proposals that have been made from time to time over the years, such as that contained in the resolution of the gentleman from Washington [Mr. PELLY], to place all Federal loan and banking operations under jurisdiction of the Appropriations Committees, having been rejected, the champions of this proposal have given clear warning that they now intend to fight on each individual bill. Manifestly, we are caught up in an issue about which there is a great deal more emotion than substance and in a debate in which there is a great deal more misunderstanding than understanding.

Treasury financing is, of course, known in the dialectic of the rightwing radicals as "back-door financing or back-door spending." And the members of this cult seem firmly to believe that stopping this so-called back-door financing will lead to a reduction in Federal spending and help lay the groundwork for repeal of the Federal income tax. The reasoning behind all this is in no way clear and, in truth, I have been unable to find any reason why putting the Federal lending and banking operations under the Appropriations Committees would lead to any reduction in Federal spending whatever. Nevertheless, this erroneous belief is widely held and held by people who are very militant about having their way about things.

Now what are the facts as they apply to the Export-Import Bank?

The Bank was organized in 1934, almost 30 years ago. In 1945 its legislation was rewritten in several respects to make it accord with the Government Corporations Control Act which was enacted in that year.

Like all other Government corporations subject to the Government Corporations Control Act, the Bank may have a life of no more than 5 years. Until the present time, however, the Bank has operated without interruption since 1934. Over the span of its life, the Bank has been a profitable operation for the Treasury. It has paid dividends to the Treasury on its stock; and on its borrowed funds it has paid the Treasury a higher rate of interest than the Treasury's cost of borrowing the funds.

Since 1945, the life of the Bank has been renewed regularly each 5 years, and on these occasions both its lending authority and its borrowing authority have been expanded. During President Eisenhower's administration, Secretary Humphrey took a special interest in the Bank and, as a result, its charter was renewed more than a year before it was to expire—in 1957. Then in 1958 both its lending and borrowing authority were increased by $2 billion at Secretary Humphrey's request.

President Kennedy has asked Congress to expand both the Bank's lending and borrowing authority by another $2 billion. He made a particular point of this request in his budget message to Congress last January 17. The Bank plays a key role in the administration's program to promote a large-scale increase in our exports in order to help bring our international payments into balance. This is a most serious matter and any legislation which will help solve this problem should be handled expeditiously. The House Committee on Banking and Currency held hearings on the administration's bill last February. We heard testimony from the members of the Bank's advisory committee, a prominent group of bankers, industrialists, and others. In addition, we heard other leaders of the banking community, the foreign policy associations, the American Farm Bureau, the AFL–CIO, the American Cotton Shippers Association, the National Small Business Association, the Chamber of Commerce of the United States, and the National Cotton Council of America, plus a number of prominent representatives of business and finance in the international field. All witnesses uniformly endorsed the administration's bill.

When the committee met to consider reporting the bill, however, the minority members offered an amendment to change the method by which the Bank has traditionally been financed, to shift jurisdiction to the Appropriations Committee. The amendment was rejected on a straight party line vote. Thereafter, on March 11 the committee unanimously reported the bill but with all minority members of the committee submitting a minority report calling for a shift from the traditional method of Treasury financing to one of appropriations.

These two methods of financing make little, if any, difference to anything external but the Congress itself.

Under the Government Corporations Control Act, the Bank must:

First. Submit an annual budget to Congress and, accordingly, the anticipated expenditures of the Bank for the year ahead are in the President's budget.

Second. Any funds which the Bank takes from the Treasury are reflected in the Treasury's debt and are therefore included in the amount which is subject to the debt limitation.

Third. Funds are withdrawn from the Treasury only when needed. In fact, the Treasury handles the disbursements, just as it does in the case of appropriated funds. The only difference is that in the case of appropriated funds there is no I O U or promise to repay given the Treasury.

Fourth. Administrative expenses must be approved in advance by Congress on an annual basis.

Fifth. Finally, the Bank's operations must be audited annually by the General Accounting Office and the Comptroller General must make an annual report to Congress indicating whether or not the Bank's funds have been handled and accounted for properly and whether or not it has engaged in any operations not according to law.

Sixth. The Bank's charter to operate must not be extended for a period of more than 5 years. Congress can of course grant a charter for less than 5 years, and it can grant borrowing authority on an annual basis or even on a monthly basis if it so chooses.

Indeed, these are the controls and safeguards which the Government Corporations Control Act places over all of the Government banking and lending operations with a few exceptions, the most notable exception being the Federal Reserve banks. In the case of the Federal Reserve bank, there is no budget, no limitation on administrative expenses, and no audit.

The Federal Reserve Banks do not of course borrow funds from the Treasury, but they borrow gold from the Treasury. Then they issue money on this gold, and use the money to acquire interest bearing Government securities. The interest payments on these securities give the banks a very comfortable income, which they spend in whatever amounts they please, returning to the Treasury whatever amounts happen to be left over.

Since the Export-Import Bank is under the Government Corporations Control Act, we might ask what possible difference can it make whether the bank is financed by the appropriations method or the promise to repay method.

The Treasury borrowing method runs afoul of the doctrine of what we might call "the House must act first." This doctrine draws upon the language of article I, section 9, of the Constitution and also upon the language of article I, section 7, of the Constitution. Article I, section 9, states: "No money shall be drawn from the Treasury, but in consequence of appropriations made by law." Manifestly, this section was meant to give Congress control over the purse strings. It means, obviously, that no President, Secretary of the Treasury, or any other official is to take money from the Treasury except in amounts and for purposes specified in law. The proponents of the House primacy hold that in this section of the Constitution the framers are not only establishing principles but defining the precise meaning of words, with a view to requiring that legislation use the word "appropriations." Under the Rules of the House, bills using this term are automatically referred to the Appropriations Committee of the House.

The second step in the logic of this doctrine rests upon article I, section 7, of the Constitution, which declares:

> All bills for raising revenue shall originate in the House of Representatives.

Reasoning by analogy, the proponents of the doctrine conclude that raising revenue and expending public funds are one and the same, or at least natural counterparts and, consequently, the section of the Constitution requiring the House to act first on revenue bills applies equally to appropriations bills.

This doctrine has now been pretty well established and accepted by the Senate. In recent years the Senate has not attempted to originate measures which are under the jurisdiction of the Appropriations Committees. The contest now, however, is to place legislation pertaining to the Federal banking and loan operations under the appropriations process where these will also come under the House's prerogative to act first. The Banking and Currency Committee of the House has not adopted the theory that the Senate may not initiate such measures and can act only upon such measures as the House may have passed first.

The Treasury financing procedure also runs afoul of the newer doctrine now developing which holds that the Senate may not properly amend an appropriations measure, although it may accept or reject outright an appropriations bill which the House has sent over. The House of Lords, it is sometimes said, has no right to amend appropriations measures approved by the House of Commons.

After our committee reported the Eximbank bill authorizing an additional $2 billion of borrowing authority for the Bank, and before the bill had received a rule, several soundings or polls were made of the House membership. These indicated considerable doubt whether action on the bill could be successfully completed in the House unless a change were made in the method of financing the $2 billion of additional funds for the Bank. It was clear that many Members of the House felt very deeply about this matter.

Accordingly, I promised the Rules Committee that when the bill was given a rule and brought up for action in the House I would offer an amendment to change the method of financing the $2 billion additional funds, which amendment was offered and accepted by the House.

The Senate, on the other hand, amended the bill to put the $2 billion of additional financing back into the Treasury borrowing category. Thus we have had a long and very costly dispute between the House and the Senate. There have been two debates and rollcalls in the House and one in the Senate, which would not have occurred except for the dispute. The House appointed 7 conferees, the Senate 9 conferees, or a total of 16 Members of Congress. The conferees have had a total of nine meetings, stretching over a period since the latter part of June, up to and through last Wednesday. If these meetings have involved no more than an average of 1 hour per meeting for each of the 16 conferees, then they have cost a total of 144 man-hours. In truth, some of the meetings lasted for several hours, and a great many years have been spent in preparations for the meetings.

Some of our friends in the House have thought, I know, that all the House conferees needed to do was to stand firm, and the Senate would yield. The Senate conferees have not been able to see the matter that way, thinking perhaps that all they needed to do was stand firm and the House would yield. It has been a very long and difficult deadlock.

I am not sure what the result of all this has been except that the Bank has been out of operation for a month and a half and a great deal of export business has been lost to American concerns. Business Week magazine of August 10 reported that $85 million in export business was lost during the month of July, as a result of the Bank's being out of operation, and during the month of August the loss might run as high as $145 million.

The House position, I must be frank to say, did not receive much outside support during these long negotiations. True, we had letters of support from some of the rightwing organizations, but a great many business firms and banks sent letters and telegrams taking the position that the Treasury financing method is more efficient and results in better bookkeeping.

I think we recognize, however, that in the affairs of Government the most efficient way of doing things is not necessarily the best way of doing things, particularly if the most efficient way involves a method that is misunderstood and disquieting to substantial numbers of people. While Members of Congress know that the phrase back-door spending has in fact none of the meanings the phrase implies, this phrase is very sacred in the cult of rightwing radicalism. In many parts of the country the Birchers and sons of Birchers are having almost nightly hootenannies to sing dirges about the evils of back-door financing.

The rightwing radical groups were activated against the Eximbank bill, furthermore, almost as soon as our committee reported it. I might cite, for example, the April 1, 1963, issue of the National Economic Council letter. The National Economic Council was founded by the late Merwin K. Hart, an oldtime American Firster, and in recent years chapter leader of the John Birch Society in New York. Its nine other officers still living are, I am assured, not only members of the John Birch Society but members of that society's committee of endorsers.

The National Economic Council's letter of April 1 lists six steps in what it calls its "campaign to cutback the concentration of power in the Federal Executive." Plank No. 4 is:

> Stop every attempt to use backdoor financing.

This letter goes on to describe the Export-Import Bank bill as a test case which must be won at all costs, and urges its readership to help by writing letters to the Members of the Senate and the House. I quote:

> On backdoor spending, the planners have picked a clever test case. Backdoor spending is permitting Federal agencies to write up their own I O U's and cash them at the Treasury—a highly unsound practice. The

> administration proposes to finance the Export-Import Bank by backdoor financing. This means that for many years the Bank would get its money without having to get appropriations from Congress or show the amount of its spending in the budget.
>
> Why make a test of the Export-Import Bank? Because the Bank is popular, relatively conservative, far better managed than most foreign aid agencies. But you can be sure—if this bill passes—that half a dozen other and worse bills will quickly be introduced using backdoor financing, that is, I O U's which the Treasury will then list among its assets.
>
> This test case must not be won by the spenders. You can help by writing your Senators and Representative asking them that under no circumstances to allow backdoor funds to the Export-Import Bank or any other purpose.

The merits of the Eximbank are, of course, not involved in the dispute. The Bank is simply an innocent victim of a jurisdictional dispute within the Congress, and a doctrinal dispute within one of the major political parties.

Several Members of the House who insist on converting all banking and lending functions to the appropriations method have expressed the view that since the executive branch has a single agency—the Bureau of the Budget—to control the President's budget submissions, the Congress should have a single agency in the Appropriations Committee. This is, I think, an expression of a deep-felt need to meet a very real problem. But the exact proposal being made really does not come to grips with the problem and may misconceive the problem.

If the problem were only to keep the House Appropriations Committee informed of proposed budget expenditures, then manifestly that Committee its already informed. On the other hand, if the proposal is to create a central control over the aggregate expenditures of the Federal Government, which is the real problem, then the proposal to centralize all expenditure measures in the Appropriations Committee does not even begin to solve the problem. In order to provide the Appropriations Committee with such control, not only would the Senate have to give up the practice of amending expenditure bills, but the House would have to do likewise, and I seriously doubt if this solution would be acceptable to either body. At the present time, of course, the Appropriations Committee has many subcommittees acting simultaneously; and at any given moment appropriation bills are at various stages of completion in the House, in the Senate Appropriations Committee, in the Senate, and again in the House.

Furthermore, the question whether we have a surplus or deficit in the budget, and to what extent we have a surplus or deficit, also depends upon what the Ways and Means Committee and the Senate Finance Committee may be doing. It is a most serious problem and on about which thoughtful business groups such as the Committee for Economic Development—CED—have been gravely concerned. For example, I would like to quote from the testimony last year of a CED executive who is also a vice president in charge of the finance committee of the Ford Motor Co., as follows:

> I would emphasize a matter that concerns us greatly. These hearings are probably the last moment at which Congress will consider the budget as a whole. Whether or not the budget target proposed by the administration is the correct one, there is no reliable machinery in the Congress that will make the overall results conform either to the administration's target or to some other target consciously chosen by the Congress.
>
> The various taxing and appropriating committees of the Congress are already going their separate ways, making the unrelated decisions that will finally determine the budget. We will not even know the net results of all this until a month after Congress goes home. To carry out the purposeful budget policy on which there is growing agreement, more effective machinery in the Congress is needed.

This is a matter which should be of most serious concern to all of us. Congress must, I think, find more effective machinery for handling its expenditure legislation if it is to retain the functions assigned to it under the Constitution.

EXPORT-IMPORT BANK

Comparative statement of financial condition, Dec. 31, 1962

[In thousands]

Assets:		
Cash:		
In banks, in transit, and on hand	$2,554	
With U.S. Treasury	878	
		$3,432
Loans receivable:		
Outstanding loans and undisbursed authorizations [1] [2]	5,333,490	
Less:		
Undisbursed letters of credit	98,306	
Other undisbursed authorizations	1,513,968	
Net loans receivable [3]		3,721,214
Accrued interest on loans	52,823	
Less: Amount due others [3]	2,024	
		50,799
Other assets		1,323
Total assets		3,776,768
Liabilities:		
Investment of the U.S. Government:		
Notes payable to U.S. Treasury [4]	$1,680,100	
Capital stock held by U.S. Treasury [5]	1,000,000	
Dividend payable [5]	0	
Retained income reserve [5]	804,495	
Total investment		3,484,595
Other liabilities:		
Participation certificates payable [3]	285,000	
Funds retained as loan security	5,872	
Trust and deposit liabilities	705	
Employees accrued annual leave	278	
Accounts payable	251	
Reservation for contingent labor claims	60	
Deferred and undistributed credits	7	
		292,173
Contingent liabilities for gross guarantees and insurance outstanding: [2]		
Guarantees to agent banks	33,741	
Medium-term guarantees	333,448	
Short-term guarantees	0	
Consignment insurance	1,534	
FCIA medium-term insurance	11,374	
FCIA short-term insurance	$462,693	
Total	842,785	
Total, liabilities and investment		$3,776,768

[1] There are protracted loan defaults aggregating $24,700,000 ($14,000,000 principal plus $10,700,000 interest) involving 3 loans in Cuba and 4 to Bolivia. On these loans, the total outstanding principal is $70,100,000. Of the Bank's $200,000,000 of loans to mainland China, all but $29,000,000 has been repaid. Currently, the Republic of China has resumed payment on $2,600,000. In addition, there are other delinquencies which in the opinion of the Board, are attributable to routine delays or transitory exchange difficulties. The delinquencies total $11,200,000, of which $8,100,000 is principal and $3,100,000 is interest.

[2] The form of this statement differs from that published in June 1962. The change in the presentation was made on the recommendation of the General Accounting Office.

[3] In May 1962, the Bank sold guaranteed 10-year participations in the amount of $300,000,000 in a portfolio of its loans, which consists of selected loans from which collections of principal and interest are to be used for payment of principal and interest on the participation certificates. Participation certificates outstanding at Dec. 31, 1962, amounted to $285,000,000. (Loans designated in a memorandum record as in this fund on Dec. 31, 1962, totaled $648,000,000.)

[4] The Bank's authority to borrow from the U.S. Treasury is limited in the aggregate amount outstanding at any one time to $6,000,000,000. There is an overall ceiling of $7,000,000,000 currently limiting the Bank's loan and guarantee operations. Effective Sept. 26, 1961, Public Law 87-311 authorized the Bank to maintain reserves of a minimum of 25 percent on not to exceed $1,000,000,000 of outstanding insurance and guarantees on short- and medium-term paper. Reserves so calculated, which at Dec. 31, 1962, totaled $220,000,000 are added to outstanding loans and undisbursed loan authorizations as a charge against the Bank's $7,000,000,000 lending authority. At Dec. 31 1962, unused lending authority totaled $1,400,000,000.

The Congress limited the Bank's loan and guarantee activity for fiscal year 1963 to $1,295,000,000 of which not more than $750,000,000 was to be available for project lending. The Bank's operations, calculated in accordance with the above, were within these limitations.

[5] Capital stock of $1,000,000,000 is held by the Secretary of the Treasury. The Bank declared a dividend of $35,000,000 (3.5 percent) on June 29, 1962, and accordingly on July 2, 1962, paid that sum to the U.S. Treasury. All of the Bank's accumulated income of $804,500,000, after payment of dividends, has been reserved for possible future losses.

NOTE.—Figures in footnotes have been rounded to nearest tenths of a billion dollars to simplify presentation.

Source: Export-Import Bank.

[From Business Week magazine, Aug. 10, 1963]

EXPORT-IMPORT BANK FEELS CONGRESS' PINCH—A FIGHT BETWEEN HOUSE AND SENATE OVER WHO SHOULD CONTROL THE PURSE HAS THE 29-YEAR-OLD BANK STOPPED COLD—IT ALSO IS COSTING U.S. EXPORTERS A HUGE CHUNK OF BUSINESS

The Export-Import Bank this week was in its second month as a technically nonexistent institution, and U.S. exporters were confronted with lost sales that may total $230 million by the end of August.

Behind the squeeze on both the Bank's operations and the exporters is a stubborn fight in Congress over who should control the Bank's purse. In the House, a bloc of Republicans and Southern Democrats feel that the Bank should get its funds from Congress through annual appropriations. But the Senate has voted to allow the Bank to continue to borrow its moneys directly from the Treasury, the so-called backdoor method of financing. So far, there is no sign that this deadlock will be resolved.

Since its founding in 1934, the life of the Bank, along with its borrowing authority, has been extended for consecutive 5-year terms by Congress. The last such term expired June 30. In July, the bank was in a technical state of liquidation, unable to make new loans or grant new credit guarantees. As a result, an estimated $85 million in export business was lost—some permanently, some temporarily—because the Bank could not give the necessary credit guarantees. This month, the loss is expected to run to some $145 million.

LARGE AND SMALL

Perhaps the hardest hit by the curtailment of the Bank's functions is the jet aircraft industry. Donald W. Douglas, Jr., president of Douglas Aircraft Co., has warned Congress that sales of U.S. jet transports abroad depend heavily on backing from the Bank. Douglas is trying to sell its proposed DC-9 short-range jet in competition with Britain's BAC-111, on which earlier delivery dates have been promised. If the Export-Import Bank cannot give credits and guarantees for sales abroad, some of Douglas' 6,000 work force probably "will have to suffer," Douglas stated.

The Boeing Co., which is selling its 707 jet abroad and has foreign airline orders on its books for its short- to medium-range 727 for delivery next year, will feel the pinch even faster than Douglas. While the Export-Import Bank is forced to mark time, French and British Government export institutions are expanding their credit guarantees.

Smaller companies are suffering too. "I don't know what they're fighting about * * * I do know they are simply finishing off our export business," says Louis Schriber, president of Schriber Machinery Co., Dayton, Ohio. "We've got a printing machine going to a good Mexican customer. It's blocked on the border."

UNEXPECTED BLOW

The wrangle that stopped the Bank cold started on February 25 when Congress received the request for a 5-year extension of the Bank's life, with $2 billion more in authorized lending power and $2 billion more authorization to back up export guarantees and insurance.

At hearings in both the House and Senate, praise was heaped on the Bank as "one of the Government's finest institutions * * * it pays its own way." Then the ax fell. The House passed a bill extending the Bank's life—but with a year-by-year appropriations approval rider attached. The Senate, feeling the shaky, year-by-year financing arrangements would turn foreign buyers to expanding credits offered by the West Germans, French, and British, voted to continue the present arrangement.

A DIVIDEND

Backers of the Bank say it has repaid on schedule, and with interest, all it has borrowed from the Treasury and has piled up an extra reserve of $825 million from its own earnings. In addition, the Bank this June declared a $50 million dividend, which goes to the Treasury as an unplanned extra. This is the highest dividend in the Bank's history, up from $35 million last year and $22.5 million the year before.

Mr. PATMAN. Mr. Speaker, I yield 15 minutes to the gentleman from New Jersey [Mr. WIDNALL].

Mr. WIDNALL. Mr. Speaker, this conference report on H.R. 3872, the Export-Import Bank bill, merits the support of the Members of this House. Here are five good reasons why this is the case:

First. The life of the Bank is extended 5 years to June 30, 1968.

Second. The Bank's overall lending, guarantee, and insurance authorization is increased by $2 billion from a total of $7 billion to a new total of $9 billion.

Third. The Bank's export credit insurance and guarantee authorization is increased by $1 billion from the present maximum of $1 billion to a new maximum of $2 billion, chargeable against the overall statutory lending, guarantees, and insurance limitation on a 25-percent reserve basis.

Fourth. The position of the House in opposition to increased authorization for back-door spending is preserved—there is not even one penny of additionally authorized back-door spending in this conference report.

Fifth. A reduction of $2 billion is made in the Federal funds obligational authority requested by the President in his budget message of January 17, 1963.

The first three of these points for support of this conference report stem from the provisions included in the text of the report. Points four and five above mentioned stem from omission from the conference report of a provision in the House- and Senate-passed versions of the bill which would have given the Export-Import Bank access to $2 billion of additional Federal funds. In the House-passed version of the bill this added $2 billion of Federal funds would have been provided through the appropriation process. In the Senate-passed version, the $2 billion of additional Federal funds would have been provided through back-door financing. The method by which this $2 billion of additional Federal funds was to be provided was the crux of the long drawn-out controversy between the House and Senate conferees. The controversy was resolved by omitting from the conference report, any provision for added Federal funds for the Bank. Thus, no new back-door spending has been authorized and requested budget obligational authority has been reduced by $2 billion.

To those unfamiliar with the broad charter and operations of the Bank it might seem that the conference agreement means little. It could be argued that while lending authority was increased by $2 billion, no provision was made for a corresponding increase of $2 billion in access to Federal funds and therefore the $2 billion lending increase is an empty gesture. Such is not the case.

The Bank has capital stock of $1 billion, $6 billion of Treasury borrowing authority and surplus of $810 million as of June 30, 1963. That is a total of $7.810 billion of available funds from these sources. However, section 7 of the Export-Import Bank Act, which is the control section, places an overall limit on the amount of loans, guarantees and insurance which the Bank may have outstanding at any one time. Presently that limit is $7 billion. Therefore, even though the Bank has available resources of $7.810 billion as above detailed to make loans, it could only make $7 billion of loans because of the limitation in section 7 of the present law. The conference report in increasing the section 7 control limit of the act from $7 to $9 billion would therefore permit the Bank to utilize its capital stock, Treasury borrowing authority, and surplus in the full amount of $7.810 billion.

In addition to the above-listed sources of usable funds the Bank may also borrow funds in the private market, limited only by the overall control limit in section 7 of the act. Borrowing of $1.2 billion funds in the private market plus $800 million of the now fully usable surplus would give the Bank $2 billion of funds to support the $2 billion increase in lending authority for the Bank provided by the conference report.

The ability of the Bank to borrow in the private market is more than a theoretical right. The Bank has demonstrated that it can do so. In May of 1962 the Bank sold $300 million of 10-year serial, 4¼-percent participating certificates in the private market. In May 1963 the Bank sold an additional $250 million of 4-percent participation certificates with a 7-year serial maturity in the private market. As of June 30, 1963, a total of $520 million of these participating certificates remained outstanding.

There has been some criticism of the Bank for sale of these participation certificates which in effect is borrowing from the private market. I think the criticism is ill-founded. As a matter of fact I believe the management of the Bank should be commended, rather than criticized, for the start it has made in financing its borrowing operations from the private investment market rather than from the Federal Treasury. I hope the Bank will expand its operations of borrowing in the private investment market even to the point where it obtains virtually all of its borrowed funds in the private market. Its Federal borrowing authority could be placed on a virtual standby basis. This is what has been done by the Federal National Mortgage Association in its secondary market operations for the purchase of home mortgages of our own citizens.

Critics of the Bank borrowing funds in the private market contend the interest cost to the Bank is higher by about one-fourth. I believe that is true and that one-fourth of 1 percent is a fair estimate of the added interest cost. But the Bank is in a unique position to cover this added cost and still maintain its customary spread between the cost of funds borrowed and return on funds loaned. Most of the loans of the Bank are for undertakings in foreign countries where the Bank's interest charge of 5¾ or 6 percent is indeed a bargain rate. Many of the Bank's loans are in countries where the going rate of interest even on short-term prime-business loans is 10, 12, or 15 percent. A quarter of 1 percent added on to the Bank's interest charge for foreign financing would still leave the Bank a much sought after source of bargain credit financing.

Let me direct your attention to what could be achieved if a top level policy decision was made to place the Bank's Treasury borrowing authority on a standby basis as support for borrowing from the private market. As of June 30, 1963, the Bank owed the U.S. Treasury $1,476,200,000. All of that money—almost $1½ billion could be repaid to the Treasury with funds borrowed by the Bank in the private market and there is not even any question as to the ability of the Bank to do so. The repayment would result in a reduction of the Federal cash deficit of almost $1½ billion and afford almost $1½ billion leeway in the Federal debt ceiling. I sincerely hope such a top level policy decision will be made with respect to financing of the Bank's borrowing operations.

I think the committee of conference was right in not giving the Bank access to any additional Federal funds. With the authority in the amended act, the Bank can substantially expand its operations. As of June 30, 1963, the Bank had $3.816 billion of outstanding loans receivable, $1.561 billion of undisbursed commitments and $816 million of gross guarantees and insurance. That totals $6.2 billion and represents gross financial assistance being rendered by the Bank as of that date. Under the act as amended by the conference report the Bank could have outstanding $8.5 billion of loans and commitments plus $2 billion of gross guarantees and insurance or total gross financial assistance that could be outstanding at any time of $10.5 billion. The amended act therefor will permit an expansion of $4.3 billion of gross financial assistance the Bank may provide at any one time or approximately 69 percent more than the $6.2 billion of gross financial assistance being rendered by the Bank as of June 30, 1963.

This $10.5 billion of gross financial assistance which the Bank could have outstanding at any one time under the amended act could be financed within the $9 billion limitation on loans, guarantees, and insurance provided in the section 7 control provision of the amended act in the following manner: First, reserve of $500 million for guarantees and insurance, provided on a 25-percent reserve basis of $2 billion outstanding guarantees and insurance; second, borrowed funds of $6.7 billion of which $6 billion could be from the Federal Treasury and $700 million from the private market, or all of it from the private market; third, capital stock of $1 billion; and fourth, surplus of $800 million.

As a matter of record in the operations of the Bank, some commitments are never drawn down but are canceled and there is a substantial lag between the time commitments are made and the time when disbursements are made thereunder. Also with respect to exporter guarantees and insurance, funds are not paid out unless there is an actual loss and premium income under the program is designed to meet such losses. Further, payments and prepayments and interest income on loans previously made provide the Bank with a continuing source of usable funds. What this all adds up to, is, that from an operating point of view the Bank normally makes greater use of its lending guarantees and insurance authorization than is required of its borrowing and other financing authority.

Throughout this long drawn out controversy the position of the House has been clear. On May 1, 1963 the House passed the bill extending the life of the Export-Import Bank and giving it additional authority. The Senate saw fit to modify one of those provisions and thereby provoke the prolonged controversy over the back-door spending issue. The Senate under legislative rules thereby assumed full responsibility for the stalemate. It, in no sense, has been a controversy over the Bank. It has been a controversy over the policy issue of back-door spending. The House clearly expressed itself on the issue by its 110 to 0 vote on July 9 instructing the conference managers on the part of the House "to insist upon the appropriation method of financing provided in the bill as passed by the House" for the proposed $2 billion increase of Federal funds for the Bank. By a subsequent rollcall vote of 379 to 11 on July 30 the House reaffirmed its position that the "House insist on its disagreement to the amendment of the Senate."

As the Senate did not pass its amended bill until June 24—just 6 days before the life of the Bank expired it was obvious a "crisis" over the Bank's operations was in the making. A resolution temporarily extending the life of the Bank for 1 month was cleared with the minority. The minority pledged its full support to the temporary extending resolution and expected it to be acted upon June 26. For reasons best known to the majority leadership, the resolution was not presented although we were given to understand that the Bank itself "saw no harm in a short lapse in its authority to make new commitments."

Early in the conferences it became apparent a stalemate had been reached which could continue for an extended period of time. Minority members of the conference pointed out that according to projected operations in the fiscal 1964 budget the Bank could continue operations for a year without any new authority for additional Federal funds. Later, when figures became available as to the position of the Bank as of July 1, 1963, it was apparent the Bank could continue operations for 2 years or more out of authorizations then in the law. As of July 1, 1963, the Bank had unused lending authority of $1.364 billion, actually more than $1.312 billion available as of July 1, 1961—2 years before.

It seemed to the minority members of the conference the dispute could be resolved, temporarily at least, by dropping from the bill the controversial provision with respect to $2 billion additional Federal funds and how such funds would be provided. Majority members of the conference rejected this proposal until the day before the final conference. Then we were informed, the President of the Bank had met with them, and assured them the Bank had access to ample funds to continue operations for a considerable period of time, and that the controversial provision could be dropped from the bill. A conference agreement was then reached quickly.

Mr. Speaker, this is a good conference report. It provides the Bank with desirable new authority. It does not breach the policy position the House has taken in opposition to new back-door spending authorizations. This conference report should be adopted.

Mr. Speaker, I ask permission to revise and extend my remarks.

Mr. PATMAN. Mr. Speaker, I yield 5 minutes to the gentleman from Washington [Mr. PELLY].

Mr. PELLY. Mr. Speaker, I will not take the full 5 minutes yielded to me by the distinguished gentleman from Texas.

All I want to do is express gratification that the conferees stood firm in support of the position of the House against the back-door financing provision of the Export-Import Bank bill.

After all, this position was taken on a record vote of 379 to 11. Certainly there are a majority of the Members of the House who strongly believe that it is in the public interest that no money be drawn from the Treasury except by an appropriation, and because we take this stand in the interest of better congressional control over expenditures does not indicate we are members of a lunatic fringe as some like to infer. The Constitution calls for control over Federal expenditures to be under the jurisdiction of the legislative branch. I, for one, Mr. Speaker, intend to continue to oppose back-door spending at the risk of being called a financial conservative or other names by liberal free spenders and those who differ from my thinking.

Mr. Speaker, I hope in the future if and when additional capital of the Bank is being sought such funds will be requested through the appropriations procedure. Then the House and Senate can avoid disagreement.

I think the conferees have arrived at a satisfactory agreement and I commend their report to the Memebrs of the House. It should have unanimous support.

Mr. PATMAN. Mr. Speaker, I yield such time as he may desire to the gentleman from Alabama [Mr. RAINS].

Mr. RAINS. Mr. Speaker, the need to continue the operations of the Export-Import Bank is so urgent that I am sure the pending conference report has the support of an overwhelming majority of the House. The Bank's charter expired on June 30 and since then it has been unable to issue loans or guarantees. There is now a backlog of over 100 applications for aid awaiting favorable action on this conference report which would renew the charter of the Bank for 5 years and increase its authority to finance exports through loans and guarantees.

The Bank plays a vital role in our export drive and any decline in sales of American goods to other nations will not only have a serious effect upon the prosperity of American business but will daily worsen our balance-of-payments position and put a further strain on our dwindling supply of gold.

The conference committee was completely deadlocked on the single question of how additional borrowing authority for the Bank was to be financed. The House version would have required appropriations, while the Senate bill would have continued the existing authority for direct Treasury borrowing. Disagreement on this point has held the bill in conference since early July. Recently the conferees were informed by Bank officials that other resources were available to carry the Bank for a reasonable period. In view of this and because of the urgent need for immediate action, the conference committee set this issue aside by eliminating the provision to increase borrowing authority and unanimously agreed on the present conference report.

The Export-Import Bank is not widely known to the public but it has been performing a vital public service since 1934. All those who are familiar with it and do business with it support it vigorously. The function of the Bank is to encourage American exports by supplementing private financing through loans and guarantees. In its nearly three decades of experience it has directly aided $9 billion of American sales abroad and its indirect benefits go far beyond that. It has done this not only without cost to the American taxpayer but, in fact, has earned substantial dividends. Altogether the Bank has paid $456 million in interest to the Treasury and an additional $356 million in dividends on capital stock held by the Treasury. Above these amounts it has placed in reserve $810 million in undivided profits which guarantees that its future operations will be solvent.

Its real importance, however, is the economic benefit it provides for our country. This is particularly true now in view of the adverse balance of payments which has resulted in an ominous drain of American gold into foreign hands. The entire operation of the Export-Import Bank combats this dangerous trend. With rare and minor exceptions, every dollar the Bank lends or guarantees is spent right here in this country. The sales abroad which this makes possible result in a flow of dollars back to the United States and to that extent helps our balance of payments and protects our gold supply. Last year alone, this flow of repayments amounted to $700 million.

The Export-Import Bank helps to relieve our balance-of-payments problem in the best possible way—by financing American production. This means jobs and profits for our people here at home. There is no question of the ability of American goods to compete with foreign products. Our skills and the tremendous productivity of the American private enterprise system are more than a match for any country in the world. Most other nations provide aid of one kind or another for financing their sales and the Export-Import Bank enables American goods to compete on equal terms of financing.

We all know from our daily lives and business transactions that the terms and availability of financing are essential factors in the market. Without the aid of the Export-Import Bank many American producers would be seriously handicapped in selling abroad. This, in turn, would mean reduced sales, fewer jobs, smaller profits, and less national income. Our farms and factories would be hurt just as much as if they had lost sales here at home.

Mr. Speaker, let me take just one example of the importance of the Export-Import Bank to our domestic welfare. Mr. Robert S. Weil, of Montgomery, Ala., testified before our committee in behalf of the American Cotton Shippers Association. He pointed out that even with severely reduced acreage, we are producing 14 million bales of cotton a year. Our domestic mills consume only a little over 8 million bales, leaving an annual surplus of 6 million bales for export. Last year, exports of cotton amounted to $600 million. Unfortunately, our share of the free world market is less now than it was in the thirties. If we could regain that share Mr. Weil estimated that our cotton exports would be at least $400 million higher and this one factor would take care of about one-fifth of our balance-of-payments deficit.

He further pointed out the benefits right here at home of cotton exports. A high and prosperous level of cotton production is important not only to farm income but to many allied industries, such as seed, fertilizer, machinery, railroads, trucking, gins, bagging and ties, insurance, banking, warehousing, and the whole range of consumer products for which those dependent on cotton represent a market.

The Export-Import Bank is important to this whole complex of economic interests which are tied into cotton. Altogether it has financed $1.3 billion of cotton exports. At the end of June, just before its charter expired, the Bank extended a $6 million cotton credit for sales to one country and it now has another application for $3 million of aid awaiting approval of this conference report.

The flow of these commodities abroad also nourishes and sustains our great port cities. Any loss of cotton exports would seriously harm our southern ports which handle this trade. These ports are invaluable national assets in both peace and war and any economic adversity they suffer would soon be felt throughout the Nation. What I have said about cotton, of course, applies equally well to the many other southern export products, such as lumber and construction materials, naval stores, machinery, and so forth. It is equally true of the products of every section of our country.

Mr. Speaker, there are few Government enterprises which have such widespread basic support as the Export-Import Bank. It is important not only to help solve our gold problem but, by the same token, it is important to employment, profits, and production here at home. I urge all Members to support this conference report.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that the gentleman from Virginia [Mr. GARY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. GARY. Mr. Speaker, I want to commend the gentleman from Texas, Chairman PATMAN, and the House conferees for maintaining the House position in this important legislation. As one who has participated in numerous conferences with the other body, I know how difficult it is to reach an agreement that fully carries out the sentiments of the House. On this particular bill, however, I feel the conferees have done an outstanding job. There is no back-door financing in the measure. Although included in the Senate bill, provisions for back-door spending were knocked out in conference. It is important that the back-door financing was eliminated. And it was important that the legislation be approved promptly. The Export-Import Bank is one of the Government's finest agencies. It has helped to stimulate foreign trade and it has a fine record. As a matter of fact, it is making money. Because of the Bank's excellent financial condition, it does not now require additional funds. And I am sure that when the Bank does need additional funds, it will be able to obtain them promptly through the normal and orderly appropriations process.

The SPEAKER pro tempore (Mr. ALBERT). The question is on the conference report.

The conference report was agreed to, and a motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that all Members may have permission to extend their remarks in the RECORD on the conference report just agreed to.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

AUTHORIZED FEDERAL PAYMENT TO DISTRICT OF COLUMBIA AND DISTRICT OF COLUMBIA BORROWING AUTHORITY

Mr. WHITENER. Mr. Speaker, I call up the conference report on the bill (H.R. 6177) to amend section 2(a) of article VI of the District of Columbia Revenue Act of 1947 relating to the annual payment to the District of Columbia by the United States, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 664)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 6177) to amend section 2(a) of article VI of the District of Columbia Revenue Act of 1947 relating to the annual payment to the District of Columbia by the United States, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the text of the bill and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "That subsection (a) of section 2 of article VI of the District of Columbia Revenue Act of 1947 (D.C. Code, sec. 47–2501b) is amended by striking out "and the sum of $21,000,000 for the fiscal year 1959 and for each fiscal year thereafter" and inserting in lieu thereof the following: 'the sum of $21,000,000 for each of the fiscal years 1959 through 1963, inclusive, and the sum of $39,000,000 for the fiscal year 1964 and for each fiscal year thereafter', and in the proviso in such subsection (a) by striking out 'and subsequent fiscal years' and inserting in lieu thereof 'and for each subsequent fiscal year through and including fiscal year 1963'.

"SEC. 2. (a) Subsection (b) of section 1 of the Act entitled 'An Act to authorize the Commissioners of the District of Columbia to borrow funds for capital improvement programs and to amend provisions of law relating to Federal Government participation in meeting costs of maintaining the Nation's Capital City', approved June 6, 1958 (72 Stat. 183), is amended by striking '$75,000,000' and inserting in lieu thereof '$175,000,000'.

"(b) Subsection (f) of section 1 of such Act is amended by striking out 'June 30, 1968' and inserting in lieu thereof 'June 30, 1973'."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title and agree to the same.

Basil L. Whitener,
John Dowdy,
G. Elliott Hagan,
Joel T. Broyhill,
William H. Harsha,
Frank J. Horton,
Managers on the Part of the House.

Alan Bible,
J. Glenn Beall,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 6177) to amend section 2(a) of article VI of the District of Columbia Revenue Act of 1947 relating to the annual payment to the District of Columbia by the United States, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

ANNUAL FEDERAL PAYMENT

The House bill (H.R. 6177) increased the total amount authorized to be appropriated by the United States toward defraying the expenses of the government of the District of Columbia from $32,000,000 per fiscal year to $45,000,000 per fiscal year.

Title I of the Senate amendment substituted for the fixed amount of the Federal payment to the District of Columbia authorized in existing law an amount which would have been determined by a formula based roughly upon the amount the Federal Government would pay to the District of Columbia if it were a private business in the District of Columbia subject to usual taxation. It was estimated that this formula would have resulted in the authorized Federal contribution for the fiscal year 1964 being fixed at approximately $53,000,000, with this amount increasing for succeeding fiscal years to $67,000,000 for the fiscal year 1969.

The proposed conference substitute retains the concept of a fixed authorization as contained in present law and in the House bill. However, the conference substitute increases the total of such authorization for each future fiscal year (beginning with fiscal 1964) from the $45,000,000 contained in the House bill to $50,000,000.

BORROWING AUTHORITY

The House bill (H.R. 6177) contained no provisions relating to the District of Columbia borrowing authority. However, House bill H.R. 4277, as passed by the House, increased the amount which the District of Columbia is authorized to borrow from the Treasury from the $75,000,000 contained in existing law to $150,000,000 and extended the cutoff date on such loans from June 30, 1968, to June 30, 1972.

Title II of the Senate amendment to H.R. 6177 would have substituted for the fixed amount of the borrowing authority of the District of Columbia contained in existing law an amount of borrowing authority based upon a formula keyed to the formula for the authorized Federal payment contained in title I of the Senate amendment. It was estimated that the formula contained in title II of the Senate amendment would result in the borrowing authority of the District of Columbia being increased in fiscal 1964 to $225,000,000, with this amount increasing to $275,000,000 by fiscal 1969. Title II of the Senate amendment did not contain any cutoff date for loans to the District of Columbia under such borrowing authority.

The proposed conference substitute retains the concept of a fixed amount of borrowing authority as contained in existing law and in H.R. 4277 as passed by the House. The proposed conference substitute would increase the borrowing authority for the District of Columbia from the $75,000,000 contained in existing law to $175,000,000, an increase of $25,000,000 over the $150,000,000 authorized to be borrowed by H.R. 4277 and a decrease of some $50,000,000 below the amount initially authorized to be borrowed by the proposed Senate amendment.

In addition, the proposed conference substitute would provide a cutoff date of June 30, 1973, for loans to the District of Columbia under this borrowing authority. This is a 5-year extension of the cutoff date of June 30, 1968, contained in existing law. The Senate amendment would have completely removed from the law any cutoff date limitation for these loans.

TITLE

The proposed conference substitute would accept the Senate amendment to the title of the bill as more accurately reflecting the substance of the legislation.

Basil L. Whitener,
John Dowdy,
G. Elliott Hagan,
Joel T. Broyhill,
William H. Harsha,
Frank Horton,
Managers on the Part of the House.

Mr. WHITENER. Mr. Speaker, the statement of the managers on the part of the House of Representatives, which the Clerk has just read, adequately explains the action taken by the conferees. I will, therefore, forgo detailed discussion of the report.

The net effect of the action taken by the conferees is to raise the amount of the Federal payment to the District of Columbia from $32 million per fiscal year to $50 million per fiscal year. When H.R. 6177 was approved by the House, this figure was set at $45 million. The Senate, however, adopted a formula which would yield approximately $53 million for fiscal year 1964, according to estimates. It will thus be seen that the conference report reduces that estimated figure by $3 million and avoids the use of the formula contained in the Senate proposal.

By separate bill, H.R. 4277, the House had increased the borrowing authority of the District of Columbia from the $75 million presently authorized to $150 million. This bill also extended the cutoff date for such loans to June 30, 1972.

The Senate amendment would have substituted for the fixed amount of borrowing authority a formula which it was estimated would authorize borrowing to the extent of $225 million for fiscal year 1964, and a continuing estimated increase for later fiscal years. The Senate amendment had no cutoff date for loans under the borrowing authority.

The conferees agreed upon a fixed amount of borrowing authority and set June 30, 1973, as the cutoff date for loans to the District of Columbia under this borrowing authority. Thus it will be seen that $175 million fixed amount of borrowing authority approved in the conference report is $50 million less than the estimated amount under the proposed formula.

While some of us may feel the action taken by the conferees was in excess of the real needs of the District of Columbia, I would point out that both the Federal payment and the exercise of the borrowing authority will still be subject to the scrutiny of the appropriations committees of the House and Senate. Since there will be this annual review of fiscal affairs in the District of Columbia government by these committees of the Congress, I see no real cause for apprehension as to the results which will follow the enactment of this legislation.

I hope that the conference report will be adopted.

Mr. COHELAN. Mr. Speaker, the action of the House conferees and the House in agreeing to raise the Federal payment to the District of Columbia to $50 million and the borrowing authority to $175 million is encouraging in light of the extremely difficult financial situation confronting our Nation's Capital City today. It is also encouraging as a further step in recognizing the Federal Government's unique responsibility as the District's principal property owner—a responsibility it has all too often been negligent in meeting fairly.

This is an encouraging step, Mr. Speaker, but let me remind our colleagues that it is just that—only a step. What is needed is the adoption of a formula, such as contained in H.R. 4592 and H.R. 4594; a formula which would put the Federal Government and the District on a continuing, businesslike basis.

This formula has been attacked as being vague and of depriving Congress of its legitimate powers. Neither, in fact, is the case. The formula, rather, is a simple, equitable procedure whereby the Federal Government would be authorized to appropriate each year an amount equivalent to that which it would pay to the District if it were a private business, subject to real property, personal property, business income, and related taxes.

This formula would allow and encourage planning which is essential to the solution of many pressing local problems. It would not, however, diminish in any way the authority or responsibility of this body.

In the first place, Congress could at any time review, alter, or abolish the formula. Second, we are only talking about authorization. Appropriations would continue to be made on an annual basis, and only to the level that that vigilant committee finds completely justified.

Mr. Speaker, I commend the House conferees on the conference bill they have reported to the House. With this new level of financing authority further progress can be made in the District of Columbia. But the long-term planning which is vital to long-term, constructive solutions will only become possible when the more realistic approach of the formula is adopted.

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. McMILLAN. Mr. Speaker, the House District Committee has worked long hours, days, and weeks on the District revenue bill; and I am happy that the House has accepted the conference report of a $50 million Federal payment and a $175 million borrowing authority for the Nation's Capital. The members of the subcommittee who held extensive hearings on this subject should be congratulated and thanked personally by the business people of the District of Columbia.

I have never known the House of Representatives to increase the Federal payment more than $7 million in 1 year; however, we have been successful on this occasion in having the House approve an $18 million increase in the Federal payment for the District of Columbia. After reading some of the news editorials of the local Washington papers, the average person would think that the Congress has done nothing for the District of Columbia, while in actual fact we have prevented a tax increase by our action in increasing the Federal payment to the District of Columbia.

I do not belong to the class that seems to be of the opinion that money can cure all the ills in the District of Columbia. I am certain that there are numerous places in the District government where expenses can be reduced. It is my sincere hope that the chairmen of the House and Senate Appropriations Subcommittees for the District of Columbia will give thorough consideration to every request and every item presented by the District officials, as we cannot afford to increase the Federal payment and taxes every year. The present cost of operating the District government is much more than that of the average State with a population twice the size of the District of Columbia population.

The following is a statement which will give all interested parties some information as to how the different agencies in the District of Columbia have been treated and especially the school system:

> The attached exhibits have been prepared in the belief that they may be of some significance in connection with the financial plight of the District of Columbia, with its soaring cost of city government operation.
>
> Exhibit No. 1 consists of statistics from the 13 U.S. cities, of which the District of Columbia is one, with populations between 500,000 and 1 million. These figures, quoted from "Compendium of City Government Finances," editions of 1951 and 1961, published by the Bureau of the Census, U.S. Department of Commerce, show the population changes for each city over the decade from 1950 through 1960 and also the change in the number of city government employees per thousand population, over the same period of time. It will be observed that the District of Columbia leads all these cities substantially not only in the number of city government employees per thousand population but also in the increase in this number over this 10-year period. Hence, the often-advanced argument that the District of Columbia differs from any other city of comparable size in the number of governmental responsibilities which it must assume—functions many of which are discharged by the various State governments elsewhere—and, therefore, must employ more people to discharge these responsibilities, falls completely flat in view of this latter fact. Since the number of these extra responsibilities has not increased during the past decade, there appears no logical reason for the number of city government employees per thousand population to have increased so disproportionately.
>
> Exhibit No. 2 pinpoints this problem in the District of Columbia in considerably more detail, as it shows the increase in the number of District government employees in the various grades, from fiscal years 1955 through 1963. The tremendous percentage increases in positions from grade 6 upward will be noted, as contrasted with the relatively small increases in positions from grade 5 downward. This clearly indicates a tendency to add more and more to the number of administrative personnel in the District of Columbia government, far out of proportion to the much smaller increase in the number of lower salaried, clerical personnel.
>
> Exhibit No. 3 shows the cost of this situation, in the District of Columbia alone, for fiscal years 1954 through 1963, and also in comparison with the other 12 U.S. cities of comparable size. In the latter instance, it will be observed that again the District of Columbia leads all these cities by a considerable margin.
>
> The seriousness of this situation is revealed by the fact that the expenditure for personal services constitutes some two-thirds of the entire operating expense of the District of Columbia government—and has reached the figure of $176,132,000 in the budget estimate for fiscal 1964.
>
> Exhibit No. 4 shows the total appropriations to the District of Columbia government, and the Federal contribution, both authorized and actually appropriated, for fiscal years 1955 through 1963.

EXHIBIT NO. 1

City	Population, 1950	Population, 1960	Percent change in population	Number of city government employees per thousand population, 1950	Number of city government employees per thousand population, 1960	Number change
Milwaukee	637,392	741,324	+16.3	10.3	12.4	+2.1
Baltimore	949,708	939,024	−1.1	27.0	27.0	----------
Pittsburgh	676,806	604,332	−10.7	9.6	10.9	+1.3
Boston	801,344	697,197	−13.0	27.4	30.9	+2.5
Cincinnati	503,998	502,550	−0.28	11.25	13.56	+2.31
Cleveland	914,808	876,050	−4.2	12.59	12.39	−0.2
Buffalo	580,132	532,759	−8.1	15.56	17.34	+1.78
San Francisco	775,357	740,316	−4.5	25.54	29.93	+4.39
Houston	596,163	938,219	+57.3	6.3	9.1	+2.8
St. Louis	856,796	750,026	−12.4	9.3	12.5	+3.2
Minneapolis	521,718	482,872	−7.4	16.7	19.1	+2.4
New Orleans	570,445	627,525	+10.0	11.3	11.7	+0.4
Washington	802,178	763,956	−4.7	24.9	34.5	+9.6

EXHIBIT NO. 2

Authorized permanent classified positions, 1955 and 1963

Grade level	1955	1963	Numerical change	Percent change
1	511	24	−487	−102.9
2	463	584	+121	+26.1
3	1,239	1,367	+128	+10.3
4	877	1,641	+764	+87.1
5	1,602	1,258	−344	−27.3
6	503	1,249	+746	+148.3
7	730	1,507	+777	+106.4
8	116	373	+257	+221.5
9	354	925	+571	+161.3
10	29	142	+113	+389.6
11	213	515	+302	+141.6
12	190	303	+113	+59.4
13	103	194	+91	+88.3
14	55	163	+108	+196.3
15	38	104	+66	+173.6
16	12	29	+17	+141.6
17	5	8	+3	+60.0
18	0	3	+3	----------

Source: District of Columbia Personnel Office.

EXHIBIT NO. 3

District of Columbia government employment statistics, fiscal years 1954–63

	Number of authorized permanent positions	Total gross payroll
Fiscal year:		
1954	19,818	$82,575,105
1955	20,686	89,673,840
1956	21,181	97,094,671
1957	21,995	102,558,852
1958	23,127	[1] 116,688,138
1959	23,794	[1] 124,672,939
1960	24,479	[1] 134,610,294
1961	25,363	143,611,577
1962	26,229	149,014,318
1963	27,253	156,985,278
Numercial increase	7,435	74,410,173
Percent increase	37.5	90.1

[1] Calendar year figures.

EXHIBIT No. 3—Continued

SALARY INCREASES AUTHORIZED BY CONGRESS FOR DISTRICT OF COLUMBIA PERSONNEL SINCE 1954

	Percent
Classified personnel	30.5
Police and firemen	40.4
Teachers	46.4
Wage board personnel	36.5

Sources: District of Columbia Personnel Office; District of Columbia Budget Office.

[In thousands of dollars]

City	Expenditure for personal services, fiscal 1951	Expenditure for personal services, fiscal 1961	Increase
Milwaukee	28,097	53,829	25,732
Baltimore	58,322	128,426	70,104
Pittsburgh	23,758	37,113	13,355
Boston	75,131	105,215	30,084
Cincinnati	22,843	48,762	25,919
Cleveland	55,012	75,254	20,242
Buffalo	31,649	55,434	23,785
San Francisco	51,811	97,916	46,105
Houston	13,531	37,853	24,322
St. Louis	33,968	57,576	23,608
Minneapolis	21,048	30,958	9,910
New Orleans	18,997	36,231	17,234
District of Columbia	65,387	146,488	81,101

Source: "Compendium of City Government Finances" (1951 and 1961 editions) U.S. Department of Commerce, Bureau of Census.

EXHIBIT No. 4

Total appropriations and Federal contribution (authorized and appropriated), fiscal years 1955 through 1963

[In millions of dollars]

Fiscal year	Total appropriation	Federal contribution authorized	Federal contribution appropriated
1955	172.0	20	20
1956	179.2	20	18
1957	200.5	23	20
1958	203.3	23	20
1959	218.8	32	25
1960	242.8	32	25
1961	288.1	32	25
1962	271.3	32	30
1963	289.0	32	30

The SPEAKER pro tempore. The question is on the conference report.

The conference report was agreed to, and a motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. WHITENER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks upon the conference report just adopted.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

BOOTLEGGING PRAYER

Mr. JONES of Missouri. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include excerpts from a commencement address that I recently delivered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. JONES of Missouri. Mr. Speaker, I wish to call attention to an editorial entitled "Bootlegging Prayer," written by Mr. William Randolph Hearst, Jr., editor in chief of the Hearst newspapers, which in my opinion points up the opposition of the American people to the Supreme Court decisions banning prayer and Bible reading in public schools. This editorial, which under a unanimous consent request will appear in the daily RECORD today, sets forth the results of surveys made by the two great news services, United Press International, and the Associated Press, indicating widespread refusal to go along with the Court.

It has also been refreshing to read in the press and to have reported over radio and television, where many States and innumerable school districts are indicating their opposition to these recent rulings by informing their teachers that they are not prohibited from Bible reading and from having prayer in their classrooms.

I think Mr. Hearst has propounded an intriguing question, which I hope all Members of Congress will ponder in their hearts, when he asks, "How has it arrived at what it is only fair to call an establishment—the establishment of atheism, as a favored 'church'—if you'll pardon the expression?"

Mr. Speaker, I have had occasion to use the theme, "In God We Trust" in two commencement addresses, one delivered at Culver-Stockton College, Canton, Mo., on June 3, and the other at the Southeast Missouri State College, Cape Girardeau, on August 2, in which I discussed the direction in which we are headed unless Congress takes some action in nullifying the action of the Supreme Court, which indicates that the philosophy of the present majority of the Court considers all references to God in the public schools as violating the first amendment to the Constitution, more usually referred to as the first article of the Bill of Rights.

Mr. Speaker, to those who would defend the action of the Court, I would only say, read the concurring opinion of Mr. Justice Douglas in the school prayer case, and you too, may join in the fear expressed by Mr. Hearst.

Mr. Speaker, I am including herewith excerpts from the addresses referred to above, in which I predict what we may expect in the not too distant future, unless this Congress takes some action to reverse the trend:

EXCERPTS FROM ADDRESS BY MR. JONES OF MISSOURI

For the moment lay aside any prejudice you may have against politicians, for after all there are many definitions as to what constitutes a politician. Too often, I think, we are inclined to accept the synonym which most accurately describes the particular politician we have in mind at the moment, whether it be grafter, demagog, or statesman. Actually, the politician is, more often than not, one who does not hold public office. The definition I like best is that a politician is an individual who is experienced in, or versed in the science of politics, which I prefer to describe as the art or science of government. And, in this concept I feel that rather than having too many, we have too few practicing politicians, both in and out of government. The more people we have who are interested in good government, and who really understand how our Government functions, the better our Government will be. That, my friends, is one of the challenges I issue here today—a call to all good citizens to become more interested in politics.

Now, I want to speak to you about the religious foundation upon which this great Government of ours was founded. I want to discuss with you one of the most unfortunate controversies that exists in our national life today. A controversy, about which in my opinion, there is entirely too much misunderstanding. I am referring to the great debate which has been raging over the question of the separation of church and state.

Certainly, I concur in the necessity for the separation of church and state, and will defend to the end the right of freedom of worship, upon which the very foundation of this Nation is based. But the danger which I fear most is the activities of those sinister forces that would abolish and deny the necessity of maintaining religion as the cornerstone upon which the strength of this Nation stands. Separation of church and states does not mean abolishment of the concept of religion as exemplified in our national motto, "In God We Trust," which is based on the many references to the Deity in whom our Founding Fathers put their trust when they were writing the Declaration of Independence.

Despite any impressions to the contrary, which you may have, Congress as a body and through its individual members, has long recognized the need for Divine guidance and strength, and on many occasions throughout the years, has evidenced this belief through positive legislative action. A most recent evidence of this expression of recognition, not only of faith but of dependence upon the Almighty, was the unanimous adoption of a resolution directing the placing over the Speaker's chair in the House of Representatives the inscription, "In God We Trust". This followed closely upon the announcement of the Supreme Court's decision in the now famous school prayer case. It was my privilege to handle this resolution on the floor and to make the motion for its adoption. I know I was not alone in the feeling that by this one gesture we were telling the world, including members of the Supreme Court, that we recognized that the strength of this Nation rests upon the deep and abiding faith that God has been the protector of this Nation since its birth.

During the comparatively brief time that I have been privileged to serve in the Congress of the United States, I have had the satisfaction of supporting legislation that has provided for the inclusion of our national motto, "In God We Trust," on all of the paper currency which is now being printed by our Government. (For almost 100 years this motto has appeared on the metallic coins.) During this same period that I have been in Congress, the pledge of allegiance to the flag was officially changed by congressional action to include the words, "Under God." We are all familiar with the words of "The Star Spangled-Banner," our national anthem as designated by Congress, with its references to the Deity. Every day, when the House and Senate convene, we are reminded of our dependence upon Him, through the prayers of the Chaplains. And, I might add, at the opening of each day's session of the U.S. Supreme Court, the Justices stand while an official of the Court solemnly, and I hope prayerfully, invokes the protection of the Almighty when he intones, "God save the United States and this honorable Court."

Since early in 1955, in conformity with a House concurrent resolution, adopted by both Houses of Congress, there has been a room in the Capitol, designated and set aside as a prayer room. It is not a large room, and is neither designed nor used for religious assemblies or other public uses. In its appropriate, yet simple appointments, its only purpose is to provide a quiet place to which individual Members of Congress may withdraw a while to seek divine strength and guidance, both in public affairs and in their own personal concerns.

Why am I mentioning these things, and why have I referred to the several instances wherein we daily recognize the confidence, the reverence, and the faith we have in our Divine Creator? Simply to impress upon you that if the leaders of our country, since the day of the landing of the Pilgrims upon Plymouth Rock, have found it necessary to place their trust in God, and to seek his help in solving the important problems, with which they are faced—certainly we who have not had the experience and who may lack the strength and the ability to meet the temptations and the challenges with which we are faced, can find the answers through prayer and communion with Him who has invited us to share our burdens with Him. I think it is significant that when our brave astronauts were in outer space they recognized their dependence upon God. As Major Cooper spoke to a joint session of Congress a short time ago, I know I experienced the same reverent feeling that millions of other people did as they listened to this young man repeat the prayer that he gave while in his 17th orbit.

Formally, what we have learned at Southeast Missouri State College gives us wise and enduring guideposts for the future—a solid basis upon which to build. But, in a deeper sense, our education began with birth and covers a far wider spectrum than is suggested by the school curriculum. We have been learning from infancy, through our parents, our neighborhood, our school, our environment, our friends, that we are interdependent. There is no such thing as standing alone. Not one of us can be isolated from the rest of mankind.

Up to now it may be said that you have been given the equipment, the apparatus, not to fail. We would hope that you have mastered that equipment. You are on the launching pad, and it is time for you to take off. The countdown has begun. From now on, you are, in a sense on your own.

You have the responsibility not only of doing for others what has been done for you but you must, as others have done before you, improve on the heritage. Truly you have reached the point where you must accept greater responsibilities, and begin to make a real contribution to society.

Your task may very well be the hardest since the dawn of time. But it also means prospects and hopes beyond the wildest dreams of man.

For the world we are living in today is a world of revolution.

It is a ferment in which it is given to us mightily to shape the future.

To neglect or ignore or bypass this opportunity may develop into the greatest tragedy and therefore the greatest crime in all history.

I repeat: The world we are living in today is a world of revolution. More than one-half of the human race has acquired new political status within the past few years and we have witnessed the breakdown of old and established social, political, and economic patterns. Revolutionary ideas are at work in the minds of men. The uncertainty of this hour of unprecedented world crises has filled men's hearts with frustration and wherever we go the same questions are being asked, "Is there an answer? What are we to do? Is the growing tension in world affairs approaching the point of explosion, that maddening moment of insanity when someone will issue the command and the button will be pushed which will annihilate civilization as we know it?"

Dr. Robert Hutchins, former chancellor of the University of Chicago, commented when he resigned his position more than a decade ago, "I do not want to waste my time teaching the younger generation; the world may not last long enough." At approximately the same time, Winston Churchill said, "This generation may well live to see the end of what we now call civilization." Multitudes of voices have blended with theirs in saying, "Where shall we turn? What shall we do? There must be an answer."

In this hour of confusion and doubt, we might well learn a lesson from the past. One of our greatest leaders, Abraham Lincoln said, "I have been driven many times to my knees by the overwhelming conviction that I had nowhere else to go. My own wisdom and that all about me seemed insufficient unto the day."

Dr. Charles Malik of Lebanon and former president of the United Nations, recognized as one of the world's leading statesmen, recently said: "It is perfectly clear that we can save nobody and nothing if we are not first sure of ourselves. Only those who stay close to Christ can help others who are far away. Only those who prefer Him above everything else, even to the call of the needy world, can be used of Him to meet the need of the world. Nothing, therefore, is more necessary than to arouse responsible Christians from their lethargy and slumber to both the infinite dangers and the infinite possibilities of the moment. At the heart of the whole matter is faith in Jesus Christ. Do we believe in Him as passionately as others believe in their own ideas and systems? If we do, then we are to do better than they, for we worship a person; they worship an idea. We worship life and strength and victory; they worship negation and hatred. Christ can do without us—He may be doing so already in the vast spaces of Asia and Africa. And if we fail Him, it cannot be that He failed. We will have only proven that we are unprofitable servants."

Are you part of the problem or part of the solution that faces civilization during its most critical hour? Edmund Burke, the great British statesman, said, "All that is necessary for evil to triumph is for good men to do nothing." The great leaders of the world, whether leading a cause for God or for evil, have concentrated and continue to concentrate on the youth of the nations. Men like Hitler, Mussolini, Khrushchev and Castro have sought and are seeking to instill their corrupt ideas into the minds and hearts of the collegiate world. J. Edgar Hoover has said: "It may well be that the battlefield for the minds of men will be staged in the classrooms of the Nation. Communist strategists, realizing this, have made the conquest of youth one of their most urgent goals. They seek to channel the vast energies of this growing giant toward their culture of world atheism. But America's heritage of freedom of speech and religion, which is passed on from generation to generation by such agencies as our educational institutions, stands as a major barrier to this objective. Our colleges and universities can help our young men and women to better understand our history. They can also help raise their aspirations to fulfill our destiny in the family of free nations within the ideals of wisdom, temperance, courage and justice. We must present a united front of spiritual and moral integrity against the forces of communism."

Of the first 119 universities in America, 104 were established as Christian institutions—Harvard, Princeton, Yale, Rutgers, Dartmouth, and scores of others. Jesus Christ was their center and circumference—basic to their philosophy of education. Such statements as "This institution was founded for the express purpose of training men to perpetuate the Christian faith," were common.

Yet, today one can spend 4 years and more on the average American university or college campus and never hear a positive statement in the classroom concerning Jesus Christ, the church, the Bible, and Christianity. Abraham Lincoln said: "The philosophy of the classroom in one generation becomes the philosophy of government in the next generation." Prof. E. Merle Root, authority on subversive activities in American universities has stated: "The battle for freedom is being lost in the classrooms of America. The intellectual left dominates the American colleges today."

Real freedom had its beginnings through Christ who emphasized the inherent worth of the individual. The innate dignity of man commands respect only in areas where Christ is not outlawed in the nations of the world today. The words of Christ still bear the flame of moral force, of right, decency, and truth. That dynamic philosophy which sparked this Nation's freedom is a precious heritage which must not be lost to our young men and women.

Former President Schurman of Cornell has stated, "No man is an uneducated man who has a knowledge of the Bible, and no man is truly educated who is ignorant of it." I thank God for our Christian colleges where the Bible is daily a part of the curriculum, and I fervently pray that the time may never come when we do not have Christian men and women who are willing to make the sacrifice by dedicating their lives to teaching in institutions where they have the opportunity of influencing the lives of their students by living exemplary lives themselves.

Another interesting and provocative quote from Dr. Charles Malik, "And, if you think that the hurt feelings of the world are going to be smoothed and placated through diplomacy or classical music or education or culture or humanism or philanthropy or technical assistance or just being nice and reserved and inoffensive, or through the assurance that there is not going to be any nuclear war, then I am afraid you know neither yourself nor the world—Jesus Christ is the only answer. I am personally sobered by His [Christ's] warning, 'Whosoever, therefore, shall confess me before men, him will I confess also before my Father which is in Heaven. But whosoever shall deny me before men, him will I also deny before my Father which is in Heaven'."

Napoleon is believed to have said the following: "Alexander, Caesar, Charlemagne, and myself founded empires; but upon what? Force. Jesus founded his empire on love; and at this hour millions would die for Him. I myself have inspired multitudes with such affection that they would die for me. But my presence was necessary. Now that I am at St. Helena, where are my friends? I am forgotten, soon to return to the earth, and become food for worms. What an abyss between my misery and the eternal kingdom of Christ, who is proclaimed, loved, adored, and which is extending all the earth. Is this death? I tell you, the death of Christ is the death of a God. I tell you, Jesus Christ is God."

The most revolutionary person in all history was Jesus Christ. He alone is the answer to a world in crisis. A new revolution is called for—a spiritual revolution.

This means a revolution not only in that part of the world ruled by communism. Indeed, it means a spiritual revolution in our own midst and an agonizing reevaluation of our spiritual legacy. The time has come to call a halt to a trend in our political and our judicial atmosphere which suggests a distressing deemphasis on the divine influence in our lives. Our Government, the Government of the United States, has a spiritual foundation or it has no foundation at all. The battle line between the greatest threat that faces us, and our future, is clearly drawn. We are confronted in this year of our Lord 1963 by a Communist dominion that rules one-third of the population of the earth. This ideology that denies God holds sway over 26 percent of the earth's surface—or more than one-fourth of this planet.

It is a threat of enormous proportions and of terrifying potentiality.

Against it our Western World must present as nearly as possible a heroic and solidified and consolidated Christian impact.

Therefore, when the U.S. Supreme Court—with no doubt the best judicial intentions—prohibits a simple prayer in the public schools of one of our States and therefore the Nation, I hold that this is an unwise deemphasis of our religious heritage. Although I am not a lawyer, I would point out that many recognized legal authorities insist that the Court has misconstrued the basic law of the land. It is not my aim or purpose to hold the Supreme Court up to ridicule, for I hold that criticism is not vituperation. I would agree with the statement of Dr. Erwin M. Griswold, dean of the Harvard University Law School, who, in a recent speech criticizing the absolutist position taken by the Supreme Court, stated, "An institution charged with the role which the Supreme Court has successfully filled for so many years is entitled to our respect and understanding. If one criticizes the Court (as people have always done in the past, and should continue to do in the future), it should be essentially for the purpose of trying to contribute to that respect and to that understanding. The debt which we all owe to the Court is far greater than any individual can repay. Criticism of decisions of the Court or opinions of its members should be offered as an effort to repay that debt, and with the thought that conscientious criticism may be an aid to the Court in carrying out its difficult and essential task. It is in that spirit that my remarks are offered."

In his address, Dean Griswold stated, "I think it was unfortunate that the question involved in the Engel case was ever thought of as a matter for judicial decision, that it was unfortunate that the Court decided the case, one way or the other, and that this unhappy situation resulted solely from the absolutist position which the Court has taken."

My argument against the Court in this notorious school prayer case, is not that the Court aims to do violence to religion, or that it seeks to undermine our religious foundations. My argument against the Court is that discretion, judgment, wisdom, and just plain commonsense, called for a decision in reverse of the one the Court handed down.

What we got instead was a subtle and complicated interpretation that ignored the facts of life, and, instead, doted on the slenderest of technicalities. It was a decision predicated on nuances of the law, instead of the law itself. It swept aside the massive thinking and the great purposes of the first amendment. It was a decision interested in the niceties of the law; it validated a kind of judicial extremism which—if carried further—promises to dangerously inundate a most important aspect of the American philosophy of life and government. It ran against the tenor, it seems to me, of the whole sweep and flow of American history going back to the Puritan Fathers and beyond.

The prayer which the decision ruled against had no force of compulsion and did no injury to any minority. The very language of the prayer was the very quintessence of religious tolerance. Certainly it was as innocuous a statement as one can imagine. All it said—I quote it whole—is: "Almighty God, we acknowledge our dependence upon Thee, and we beg Thy blessings upon us, our parents, our teachers, and our country."

It would seem to be an ideal prayer for children beginning the schoolday.

To outlaw it is a judicial pettiness beyond my comprehension.

It is beyond my comprehension because of its shocking implications.

Does it mean now that in the future, words like "This Nation Under God" are to be expunged because of the use of the word "God," and that no official Government document, coin, postage stamp, public building facade, may use the religious symbols that mean so much to our people?

By this ruling, then, are the chaplains in the Congress put in danger of their posts and is Congress to be denied its traditional morning prayer? One of the Justices—Mr. Douglas—in an opinion concurring with the majority, seemed to find any form of religious recognition or usage by Government prohibited by our Constitution. He found it wrong, as I read his opinion, that we have chaplains in both Houses of Congress and in the armed services. He found wrong compulsory chapel at the service academies. He found religious services wrong in Federal hospitals and prisons. He even found religious proclamations by the President wrong. Mr. Justice Douglas included Bible reading and coin inscriptions—"In God We Trust" out of range of the legally permissible. It calls for some restraint on my part not to let go at Mr. Justice Douglas in a more dramatic and vigorous attack. For what he has given us is an incredible distortion of American history kneaded into a ruling that does violence to our most cherished beliefs. And the same, in my view, holds true in the opinion for the Court written by Mr. Justice Black. What the Court has given the American people is a mass of convolluted thinking and a ruling so confused that one of the Justices, Mr. Clark, who had concurred, took it upon himself, against tradition, to explain afterward in a San Francisco speech what it was the Supreme Court opinion was supposed to have explained.

We may all of us well ask: And what now?

For this the answer rests in the tolerance, the flexibility, the avenues for change inherent in our God-given form of government, including the judicial branch. For the U.S. Supreme Court has again and again changed—sometimes radically—a previously pronounced pontificial judgment. I could go into this in more detail, but that would call for a full-scale speech. For a time I, for one, looked forward in the not too distant future, to a state of contrition in our highest judicial tribunal. I looked forward to a correction by the U.S. Supreme Court of this lofty judicial error—an error that, in my judgment, is one of the grossest in the history of the Court. I cannot believe that this same Court cannot distinguish between so sublime a doctrine as separation of church and state and so simple an expression of faith as a voluntary prayer for schoolchildren.

Any hopes that I might have had that the Supreme Court would recant and possibly find sufficient reason to detour from the absolutist approach taken in the school prayer case, were abandoned with the two most recent decisions of June 17, when the Court held that Bible reading and the recitation of the Lord's Prayer in public schools were unconstitutional. Now, it appears that the Court will soon be called upon to rule on the constitutionality of the phrase, "Under God," inserted in the pledge of allegiance to the flag which was adopted by Congress just a few short years ago. To be consistent, the Court must rule that Congress acted illegally when it adopted this revised version of the pledge of allegiance. The American Civil Liberties Union has already instituted proceedings which would deny any pupil in a public school from reciting this pledge of allegiance. How soon we may expect similar suits to be instituted which would seek to remove chaplains from the House and Senate, and from Federal hospitals and prisons, no one is prepared to say, but if the Court follows the reasoning indicated in Mr. Justice Douglas' concurring opinion in the school prayer case, we may anticipate what the Court's decision may be. I am not deploring the damage which I believe has been done in the three cases which have been decided by the Court as much as I am concerned with the trend. I am discouraged when I read where prominent church and civic leaders have retreated from the vigorous positions they maintained in the past, and apparently have been brainwashed to the extent that they are willing to accept rulings which I contend are contrary to the beliefs of the great majority of Christian people of this Nation who are aware of and who treasure their Christian heritage based on the sincere belief that this Nation came into being, founded upon an unfaltering belief that there was a divine providence who guided our Founding Fathers.

The U.S. Supreme Court should be reverenced as an institution. When our conscience commands it the Court should, under our system, be duly criticized for decisions we may honestly feel are mistaken. I deem the Court's decision in the school prayer case not only a judicial mistake of incalculable damage, but a historical blunder of the meanest magnitude. This has been followed by other decisions and still others pending. All children in our schools should, of course, be given the opportunity and the discipline of acknowledging Almighty God. And, of course, we are all of us devoutly convinced of the principle of separation of church and state. But we know that our Government is a government predicated on divine law and origins and that the motivating influences of the Founding Fathers—almost without exception—were spiritual and religious. To follow in their path, to which we owe so much, the least of the great examples we can follow is that of being influenced—as they were influenced—by the tenets of Jesus Christ.

Ladies and gentlemen, we stand at a critical juncture in world history.

The shape of the future in large part is in our hands.

Either we hold on to the spiritual forces that made us great, or we abandon them and with them abandon our heritage and our freedom.

Our mightiest strength has always been and must always be our religious faith. Every President from George Washington to John F. Kennedy has found refuge, courage, and fortitude in his faith in God as their inaugurals attest. Thomas Jefferson gives me the thought with which I close my message to you today. He said:

"God who gave us life, gave us liberty. Can the liberties of a nation be secured when we have removed the conviction that these liberties are the gift of God?"

SUPERSONIC TRANSPORT COMPETITION

Mr. STINSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. STINSON. Mr. Speaker, there has been much discussion on the proposed supersonic transport. The following speech by Mr. William Allen, president of the Boeing Co., states the position of our largest producer of subsonic jet transports:

Our Country's Stake in the Supersonic Transport Competition—Boeing President Says, "Cooperation Needed To Finance Nation's Supersonic Program"

(Address by William M. Allen, president, the Boeing Co., and chairman, Aerospace Industries Association, National Editorial Association luncheon, Renton, Wash.)

I would like to raise with you a single question which I believe is important. Perhaps it will strike some of you as surprising after seeing our plant full of airplanes for many nations. The question is, simply: Is America's long-held position of world leadership in transport aircraft manufacture in jeopardy for the future?

For some time our U.S. aircraft industry, now the aerospace industry, has been successful in supplying to the airlines of the world the major portion of their equipment. At present our own company occupies the leading role in fulfilling this mission. Many of these airlines are European, or European affiliated. The question I pose is raised in the light of a phenomenon of recent years with which we are all familiar—the industrial resurgence of Europe. In their new period of ascendency, I think it can be fairly said that the Europeans increasingly wish to think of themselves as no longer necessarily secondary to America in aircraft or any other industry. They are making every effort to have it the other way around. They are conscious that their regional economic growth rate has substantially exceeded our own. They are conscious that American industry has been struggling with a problem of high costs, and although their own labor rates are going up, they are endeavoring to maintain and increase their advantage by enlarging their markets and thus cutting their unit costs. This applies in the field of aircraft, where their potential market is the same as the one we serve, namely, the airlines of the world.

A SPIRITED RIVALRY

For years there has been a spirited rivalry between Europe and America in airplane design and manufacture, but in each case of a significant new phase of airline reequipment and expansion the product has either been introduced by U.S. manufacturers or they have been able to ride quickly to the forefront with improvements. The first innovation to greatly widen the market was the twin-engine monoplane transport, introduced by our own company and popularized by the DC–3 in the 1930's. The next was the four-engine monoplane transport derived from our introduction of the four-engine monoplane bomber in 1935, followed by commercial models by Douglas, Lockheed, and Boeing. Again the United States took substantially the world market. The next was the four-engine jet transport which the British introduced, though we had earlier developed its military counterpart. American manufacturers; namely, Boeing, Douglas, and Convair, were able to improve it to a degree which permitted this country to again dominate the market.

Meanwhile the two- and three-engine short-to-medium-range jet market has been considerably split. The French Sud Aviation Co. gained the first position in this market with the twin-engine Caravelle. We have entered it with the three-engine 727. Douglas has undertaken the twin-engine DC–9. The British offer the three-engine De Havilland Trident and the twin-engine BAC 111. An order for the BAC 111 by American Airlines was announced this week. These airplanes are in different size and performance categories but they are in most cases in vigorous competition for the same airline funds. The outcome of the competition is yet to be seen.

Lastly, the British and French have combined to develop a supersonic transport and are at the moment alone in this field, except that the Russians are believed to have an unannounced parallel development. What America can do remains to be seen, and I will have more to say about this later.

The major past successes of the American aircraft industry which I have enumerated, plus several which I have omitted, have been of great value to our country in several ways. They have given America and its industry what is commonly referred to as prestige, though I would prefer to define the role more as that of pace setters in the technological leadership which America has given to the world, with useful ramifications in various directions. These past successes contributed to our national defense, both in the field of equipment development and, more importantly, in helping to build up the facilities and abilities of a vital industry. They have provided American employment, directly and in several layers indirectly, as a factor in our own national economic growth. They have contributed in a very substantial way to our international balance of payments—a contribution which has become critically important in the past few years when this balance has been running so heavily against us. Last year alone, aerospace exports totaled $1.4 billion, and the export of jet transports accounted for about $250 million of this total.

MORE VALUE FOR HIS DOLLAR

How has the American aircraft industry been able to achieve these successes in the past? They have first of all been accomplished on the basis of technical excellence. We have been able to provide the customer with more value for his dollar than our competitors. To state it differently, we have always sought to excel in performance and utility and in the moneymaking capability of the product, and this is a goal which we must never forsake. Also, the airlines of the United States have in the past comprised the largest portion of the total world commercial aircraft market. These airlines have, however, been free to buy from foreign manufacturers, and have done so when they felt that the foreign product better met their needs.

How, then, has the competitive situation been changing? First, it should be noted that the proportion of foreign airlines in the total aircraft market has been increasing, until now in the case of jet transports foreign purchases amount to 48 percent of the total. With the supersonic, they are expected to account for more than 60 percent. More importantly, the competition has become evermore keen in the sense that the Europeans have been striving to narrow the gap of technological leadership which we have held. We still feel that we have a marked technological advantage, but this must be weighed by the customer against a cost disadvantage which stems from the fact the national average of wages and salaries both in France and in Great Britain at present is less than 40 percent of the average paid in the United States. Even allowing for the relatively higher labor productivity in our country due to our tooling and larger production quantities, the cost of labor in these European countries appears to be well below our own. The question is whether we can maintain a technological advantage great enough, in the hard press of competition, to offset an adverse price differential.

Still another factor, and perhaps an even more important one, is that foreign governments have placed themselves in the role of the risk taker in behalf of our competitors through underwriting further technological improvements. It should be recognized that our competition is not from private companies as such, in the sense that American manufacturers are private, but either Government-owned or Government-subsidized manufacturers. Further, most of the foreign airlines which constitute our oversea market are either government-owned, or substantially so; consequently many must buy as directed.

A NEW SITUATION

Now we come to the new situation where two Governments, the British and the French, and incidentally the owners of two of our principal oversea customer airlines, have teamed up to underwrite the development of the supersonic transport. Each has agreed in principle to share the $475 million estimated development cost of the Concorde, toward which they have already committed $70 million. The action poses plainly a serious challenge to this country. This brings me to the crux of the problem, which is the critically expanding financial risk involved in the creation and marketing of new products in the transport aircraft field, and it explains why our own Government, too, has determined that it must become a party to the supersonic transport development if our country is to maintain its position in the aircraft manufacturing field.

To appreciate what has been happening, we must note what we have been doing to the product itself. The first large expansion of passenger air transportation in 1931 employed trimotored airplanes each of which provided on the average, in actual operation, about 3,500 seat-miles of transportation per day. These airplanes cost $75,000 each. In rapid jumps we have been able successively to increase the capability of the product until now, in the form of the 707 or the DC–8, it is delivering 400,000 seat-miles per day, which is 114 times the output of the 1931 trimotor. The jet airplane cost is $6 million, or 80 times the cost of the trimotor. Even though the dollar has been deflated in value by 60 percent during that period, the industry has been able to accomplish such a magnitude of development that today's 600-mile-an-hour luxurious accommodation costs 30 percent less to the airlines per seat-mile capability than did the Ford trimotor or the Boeing model 80–A.

Each step of progress which has made this change possible has been larger than the one before, and the jump to supersonic is by far the largest of all. The development cost has mounted accordingly. The Boeing Co., using all the money it could scrape together at that time, financed in 1935 the prototype of the four-engine airplane which became the Flying Fortress, at a cost of $660,000. In 1952, it designed and built with company funds America's first jet transport at a cost approaching $20 million. Again this took most of the savings that the company had built up from the preceding lean years. That was 30 times the cost of the once "huge" Flying Fortress. A prototype supersonic transport of the type regarded now as most practical is estimated to cost a possible $150 million, which is seven and a half times the cost of the jet transport just 10 years ago, and more than 200 times that of the first Flying Fortress. This does not include many further elements of the development cost in the realm of testing, prototype modification, etc.

Even with the Federal Government carrying the major share of the financial burden of a supersonic transport development program the risk to the manufacturer can be enormous—so great as to be incommensurate with anything previously undertaken. Already Boeing has expended in the neighborhood of $15 million on supersonic transport study, which happens to be the same as the amount originally appropriated by the company, but later increased, for the design and actual construction of the prototype for the 707 jet transport. But the big costs are still ahead in supersonic prototype development.

Let me make clear that we feel it would be highly inadvisable to undertake this step without the construction of a prototype or preferably two competitive prototypes. Even if the cost of such prototype or prototypes were entirely covered by Government contract, the commitment of necessary facilities and human resources by the manufacturers entering upon the construction project would constitute for them a major investment which would be at risk.

WHEN MANUFACTURER COMMITS HIMSELF

But the really big financial risk comes when the manufacturer commits himself to build production airplanes. When a manufacturer quotes a price to a customer, in order to make the purchase attractive and feasible it has been the practice to quote a price based on the average cost of the customers' airplanes plus those the manufacturer hopes to sell to other customers. Under this practice the manufacturer sells the first airplanes at far below actual cost and then works vigorously to sell enough more so that, as the cost of repeated manufacture comes down, he gains back what he has invested. If the number sold turns out to be much smaller than the hoped for number on which the manufacturer has gambled, or if the costs turn out to be higher than anticipated, the difference is a direct loss. It may not be generally known that it was this combination of lower than anticipated sales and higher production costs rather than initial development cost, which caused the almost back-breaking loss to American manufacturers in connection with the introduction of jet transports. This loss has been quoted by the Aerospace Industries Association as totaling $950 million. In our own case, despite the large number of 707 and 720 aircraft sold, the Boeing Co. is not yet in the black on these projects.

Now we have again entered upon a similar risk in bringing out the short-to-medium-range 727 jet transport regarded by our customers as the very latest technical development in the jet transport field. By committing the 727 program to full-scale production we obligated ourselves to spend several hundred million dollars for engineering, tooling, purchase of materials and salaries and wages. The amount of these expenditures substantially exceeds the revenue that will result from sales of the aircraft now on order.

If past practice is followed the moment we sign our first contract to deliver a new model airplane to an airline, we take this type of risk, because we cannot recover the required investment unless we are successful in making numerous additional sales in competition not only with other American manufacturers but also with the Europeans.

VALID REASON FOR INITIATIVE

When the supersonic transport reaches the stage of being committed to production, the required investment will be several times that which has been necessary for the subsonic jet transport, and it will therefore loom correspondingly larger when compared with prospective returns from early sales. It becomes evident that there is valid reason for the initiative which our Government is taking in developing means to finance the program and that the continued cooperation of Government, the manufacturing industry and the airline industry is required in working out a program that can be practically accomplished within the economic capability of industry and will serve the national interest.

In carrying out this program and undertaking to meet the intensive competition which we will face from abroad we feel it is important, as Federal Aviation Agency administrator N. E. Halaby has recognized, that we retain the advantages of the private enterprise system of contractual responsibility which has proved so effective in our industry in the past. We feel it is likewise important that the airlines be involved early in the process and play a decisive role in determining the character of the program and of the ultimate product. The equipment must from the first be designed to meet the rigorous requirements of competitive and economic airline operation. It must continue our consistent line of progress toward faster service at prices which the public can afford. Not only must the airplane itself be economically sound from an operating standpoint but the program for bringing it into being must be economically feasible for the aircraft manufacturing industry, not involving risks of a magnitude that could result in the crippling of the corporate participants.

Further, we regard it as self-evidently essential, as do our government officials, that we produce an airplane definitely superior to that which will emerge from the joint British-French effort. If we fail to accomplish this, the place of the United States as a supplier of world air transports will indeed be in jeopardy for the future. The market for the supersonic transport has been variously estimated at from 100 to 250 airplanes in first-round orders, including the 30 to 50 which the British and French carriers are expecting to obtain from their own industry. To compete in and continue to serve this market we feel we must build growth potential into the supersonic airplane, with a basic design capable of increased performance in the future as more advanced powerplants become available and operating experience is built up. This has been one of the principles behind our success in the past, a principle which now seems particularly appropriate as we plan to enter upon such a major new step of progress as this one will be, designed to meet the needs of advanced air transportation well into the future. But this aspect of the development, though economical in the longrun, is one which will add to the initial cost as compared with the French-British project, which provides for an airplane limited to a speed of mach 2.2 or 1,450 miles per hour.

I do not wish to leave the impression that the supersonic realm is the only one or principal one in which our aircraft industry's future, depending on the outcome of competition, may be in jeopardy. We are feeling more and more each day the strength of the European competition in other categories, particularly in the short-to-medium-range jet which I have mentioned. This competition we must meet. But the supersonic transport is the big new program in the offing. This market represents a very substantial source of employment for our country in the future, employment which is needed now that the production of subsonic jet transports for the present airline reequipment program is past its peak. Further, it represents an important potential source of future foreign exchange needed in meeting our Nation's balance-of-payments problem. If we find our airlines obtaining their future equipment from Europe, our industry's favorable contribution to the solution of this gold-flow problem could suddenly be reversed. That possibly is real. Already one U.S. airline, mindful of its requirement of providing competitive service in the future, has entered into a provisional contract for a number of the European Concordes, and other lines are considering such action.

WE MUST NOT UNDERESTIMATE

We must not underestimate the capability of the combined British-French team. FAA Administrator Halaby has correctly termed it a "multilateral technical force determined to capture the common world market for air transportation." He has pointed out, after visiting Paris recently, that the European nations are "cooperating to an ever-increasing degree to pool their technical and economic resources to topple the United States from the position of preeminence it has held in transport aviation for the past 30 years."

Mr. Halaby adds that "if we move quickly enough, there is no reason to believe the Concorde, or any other foreign-made aircraft, will preempt the supersonic air transport market."

I agree that our country has the capability of successfully meeting this challenge. But to do so, it is essential that we not underestimate the scope of the problem, and that the public understand the importance of undertaking its solution on a basis economically feasible for the aircraft manufacturing and the airline industry. If private industry is given the opportunity, I believe we can still beat the competition from abroad. This is what we must do.

TO CORRECT THE WASHINGTON POST

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. TALCOTT. Mr. Speaker, some time ago the Washington Post editorialized under the intentionally inflammatory title "Slippery Wetbacks." The editor relied mainly on inaccurate, shopworn clichés and quotations to discredit the bracero program—for supplying necessary supplemental farm labor to permit harvesting of crops without spoilage—and to promote the cruel nomadic migrant family system for supplying such labor. The title is an affront to our true Mexican friends.

The Post also carried a letter to the editor from Mr. Gonzalez, of Texas, in effect complimenting the editorial. I also wrote a letter to the editor admittedly taking exception to the editorial and even questioning the credentials of the perpetrator of the editorial.

The Post declines to print my letter. I take no exception to such exercise of its prerogative, but I want my colleagues, at least, to know that exception is taken to the gist of the editorial and to the credentials of the editorialist on this subject.

The editorial and my letter to the editor follow:

Slippery Wetbacks

The Senate Subcommittee on Migratory Labor will hold hearings today intended to block a cynical power play involving imported Mexican farm labor. On May 29, the House overruled its own Agriculture Committee and refused to extend again, an emergency measure to allow braceros to enter the United States for harvest work. Originally, Public Law 78 was enacted on the grounds that the Korean war caused a shortage of farmworkers—but that pretext has long since vanished.

The effects of the bracero program have been bad for underpaid and underemployed American migrant labor, and bad for Mexican labor—Representative Henry B. Gonzalez, of Texas, who is of Mexican descent, called the bill a shameless piece of legislation. Yet the Senate now has before it the very bill the House has already killed and a vote is expected on Wednesday.

No Senate hearings have been held, and it is the intention of Senator Harrison Williams, chairman of the Migratory Subcommittee, to put on record the facts about the bracero legislation. He deserves strong support. Any back-door attempt to slip the bill through the Senate and to force the House to reconsider by bargaining on other legislation should get this scorching condemnation it deserves.

Editor, the Washington Post,
Washington, D.C.

Mr. Editor: Your July 30 editorial titled "Slippery Wetbacks" proves conclusively that you do not know the difference between a "wetback" (an illegal Mexican entrant) and a "bracero" (a legally admitted, governmentally supervised Mexican national employed in the United States to supplement our domestic supply of desperately needed workers to harvest crops).

This ignorance demonstrates a provincial big city editor's lack of concern for rural America which produces his sustenance, the very food he eats.

Editors who have never been on a row-crop farm, never seen a bracero, have no empathy for the pathetic plight of our migrant farm laborers, and no appreciation of the social or economic problems of farm people should confine their editorializing to other subjects.

The importation of supplemental labor for harvesting field crops to prevent spoilage at peak harvest times has been necessary since the 1870's. Public Law 78 was not an emergency or wartime measure; it simply provided for governmental administration and control of the importation of a necessary supply of reliable farm labor.

My district, "the Salad Bowl of the World," produces at least 1 out of every 3 strawberries grown in the United States; 95 out of every 100 artichokes; 1 out of every 4 heads of lettuce; one-fifth of the broccoli; one-fifth of the celery, etc. The lowest skilled farmworkers earn a minimum of $1 per hour; the average is $1.40 per hour.

Our farmers and employment agencies have tried every suggested means, short of conscription, to obtain a reliable supply of labor. Nevertheless, there is not sufficient row-crop labor to cultivate or harvest our crops. Presently there are 12,000 braceros and 3,000 domestics working in my district. Without the braceros, mature, perishable crops would spoil. Where and how could you possibly obtain 12,000 farmworkers without braceros? If domestics would do the work, where and how could you possibly house their families and educate an influx of 36,000 school children for 3 to 7 months? Who could handle the unemployment, relief, and police problems during the 5 to 9 nonharvest months? Could any community, even a big city? Unwittingly, perhaps, you are advocating chaos for local rural governments, probably bankruptcy for many small farmers, and an exodus of many large farmers to Mexico. Discontinuance of the bracero program will adversely affect more than 1 million skilled workers in numerous allied industries, and many millions of consumers, throughout America.

Public Law 78 prohibits the importation of a single foreign worker if any domestic labor is available. There is double protection for the U.S. citizen in that any domestic who wants to work can "bump" a bracero. You quoted a gentleman from Texas, Mr. Gonzalez. Farmers in California pay farmworkers 50 percent to 100 percent more than the farmers in the district of Mr. Gonzalez. If you and Mr. Gonzalez are sincere about helping the farm laborer, why not advocate betterment of his pay and working conditions in "slave labor" districts. Why penalize progressive, fair farmers by preventing them from harvesting their perishable crops?

You term the bracero program "bad for Mexican labor." Mr. Gonzalez calls it "slave" labor. If it is so "bad," why would a million Mexican men climb barbed wire fences and swim rivers to earn one-half the wages we pay in California? This is the first time in the history of mankind that slaves behaved in this manner.

You said "underpaid." Row-crop labor skills are among the lowest. I challenge any other industry to show that they pay higher wages for similar skills. Your remarks are easy to perpetrate, but impossible to verify.

You referred to underemployed American migrant labor. There may be unemployment in Kentucky or the big city slums, but none on the farms of California. Anyone who wants a job can have one now at a wage higher than he can earn in any other industry. If you cannot believe this, simply produce such a job seeker on any farm where there is a bracero in California today. Actions should speak more loudly than editorials.

The Congressman's uncanny "Freudian slip" (which you quoted)—"a shameless [sic] piece of legislation"—is typical of one who attempts to use inflammatory language erroneously and unfairly. The legislation is shameless—the most effective, successful, humanitarian solution yet devised for a persistent, difficult social-economic problem. The shameful aspect of this whole matter is that some would attempt to defeat the bracero program by promoting and glamorizing this cruel migrant existence.

To write with accuracy and empathy on this issue, you should live with a migrant farm family. Their existence is a pathetic plight, especially for the innocent children. Living a month here, a month there; from one harvest to the next; in one school and out of another; different teachers, few friends, no stability, no roots, no home. Constant movement from school to school cheats them and their classmates of an education. This nomadic way of life is shameful, abnormal and un-American. Persons who attempt to glamorize and promote the migrant way of existence are perpetuating a cruel delusion upon an already unfortunate segment of our social-economic soicety.

People with pens have higher responsibilities for accuracy and integrity than people who scream in the streets. It seems unfair for an editor (or any Congressman) representing areas where wages are less than $1.40 an hour to criticize or attempt to defeat a successful program which is essential to farmers who pay the highest wages.

Your condemnation of the bracero program which has worked to the satisfaction of those involved—the worker, the employer, the domestic, the customer—and your promotion of a migrant system for providing supplemental farm labor in peak harvest times is a shameful disservice to the industries, countries, and people involved.

I shall leave to the Senate whether that body believes your claim that legislation which it introduces and passes is slipped through a back door by some sort of a power play. I trust you do not approve the tactics already used to prevent the Senate from acting on the merits of this legislation.

I trust I have not been to extravagant in my criticism of your lack of appreciation of this vital problem of the agricultural community. Others share your ignorance and lack of concern—usually because they take advice from demagogues or persons who have never seen a bracero.

Yours very truly,
Burt L. Talcott,
U.S. Congressman,
12th District, California.

ADDRESS OF HON. KENNETH GRAY AT 75TH ANNIVERSARY CONVENTION OF RETAIL CLERKS INTERNATIONAL ASSOCIATION, AFL–CIO, CHICAGO

Mr. PRICE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and to include a speech by the Honorable Kenneth Gray.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE. Mr. Speaker, the gentleman from Illinois, the Honorable Kenneth Gray, my able colleague from our great State, recently addressed the 75th anniversary convention of the Retail Clerks International Association, AFL–CIO, in Chicago.

His comments are worthy of consideration by each of my distinguished colleagues in this House of Representatives.

Therefore, Mr. Speaker, I wish to insert Mr. Gray's address at this point in the Record:

Address of the Honorable Kenneth Gray, Congressman From Illinois

Thank you very much. My good friend, President Jim, to all of the lovely ladies here on the dias and to all of the officers and all of the members of the Retail Clerks International Association and to my longtime friend, Chuck Lipsen—I have got a story about him after a while if my time doesn't run out—and to all of you friends: Let me say what a great job and wonderful privilege it is to come and to be with you people, yes, you people in the labor movement, who represent the heartbeat of America.

I am filled with mixed emotions today, because when Jim asked me to come, I felt so delighted that I immediately accepted. But after I got here, I found out he cut me down to 1 hour and 15 minutes.

Of course, really, I am not going to talk that long. I learned my lesson in the last campaign. I got engrossed in a subject and talked for 1 hour and 45 minutes. When I finished, a little lady walked up with a boy about 5 or 6 years old and said, "Congressman Gray, I am just filled with your message."

I felt kind of battered. I thought I had made a pretty good speech, too. So, I leaned over and patted the little boy on the head and said, "And what did you think of that speech, sonny?"

He said, "I got my belly full of it, too." [Laughter.]

I promise I won't talk that long today.

I have been treated royally since coming to Chicago last night; quite a contrast to an incident that happened down in my congressional district. I was campaigning for my fifth term and walked up to an old fellow on the street and said, "I am Ken Gray and I am running for Congress." He didn't recognize his own Congressman, after having served four terms already.

And he said, "Your name is Ken Gray?"

He still didn't recognize me as his own Congressman. He said, "You are running for what?"

I said, "I am running for Congress."

He stood there and scratched his head for a minute and said, "I'll sure vote for you because that guy in there now isn't worth a damn." [Laughter.]

I said, "I agree with you and I will appreciate your vote."

And he said, "You'll get it." [Laughter.]

It is a great job to be here to publicly acknowledge one of the greatest leaders in the labor movement, my longtime friend, a man who is held in high regard, yes, as Mr. Labor, in the United States—I am happy to come and join with you again in extending our congratulations for a job well done and to give Jim Suffridge a round of applause. Let's hear it. [Applause.]

As I said earlier, I have worked for a long time with your chairman of the active ballot club, Chuck Lipsen. Chuck has done a wonderful job and I am glad that I can come and publicly acknowledge his great work.

I think after I conclude my remarks, you will see why it is more important than ever before to give Chuck your support for his fine work in the active ballot club.

I am happy that I can reiterate what Jim told you, that I represent a district that has more RCIA locals than any other congressional district in the entire United States.

We are justly proud of our long-time friends, Mr. McEwing and Jack Falk and Guy Price and all the others who have been doing so much for your clerks' organization in southern Illinois—and glad to come and join with them today in saluting all of you.

This morning I would like to recite some poetry. I will say something that I hope you will be able to take home with you—something that might be helpful for all of us who are working in the labor movement, working, yes, for all of the people in America who want a better way of life.

"I watched them tear the building down,
A gang of men in a busy town;
With a ho heave ho and a lusty yell,
They swung a beam and a side wall fell.
I asked the foreman, 'Are these men as skilled,
As the men you would hire if you had to build?'
He just laughed and said, 'No indeed,
Just common labor is all we need.'
So I thought to myself, as I turned and walked away,
'Which of the roles have I tried to play?
Have I been a builder who works with care,
Measuring life by the rule and square,
Making my deeds to a well made plan,
And patiently doing the best I can,
Or have I been a wrecker who walks the town,
Content with the job of tearing down?' "

Therein lies the answer to America. In that poem lies the answer to, yes, the RCIA or any other worthwhile endeavor. You don't have to have a sledge hammer to tear something down. Inaction or not being interested in your communities, your organization and Nation can be just as harmful as taking a sledge hammer and tearing down a building.

On that theme, I wish to relate to you some of my personal experiences as a Member of the Congress.

I would like to impress upon you the great necessity of being more than just a dues-paying member of this organization; yes, in your community being in fact active and being interested in government from the courthouse to the statehouse and to the White House because government is people; and it is like a chain—it is no stronger than its weakest link.

Can you imagine, ladies and gentlemen, living in a time when man through his genius has been able to level mountains, has been able to change the courses of rivers, has been able, yes, to fly masses of steel through the air and around the earth in 80 minutes. But that with all of this genius, we have in America today people hungry; we have people in America today going into the sunset of their lives without adequate medical attention; we have people in America today living in substandard houses—and all of these things through no fault of their own.

I represent an 18-county congressional district in southern Illinois. They are wonderful people. We have God-given natural resources: Two great rivers on each side, an abundance of coal, water, and many other God-given natural resources; but we have had from 25 to 40 percent of our employable force unemployed over the past 15 years. We are making progress; but much more must be done.

Can you imagine a Congress composed of personal representatives just 2 weeks ago voting 209 to 204 to turn down a small (and I say small because $450 million in this economy is small) amount to spend upon putting people back to work? Yet, the Congress of the United States turned down by a vote margin of five votes the Area Redevelopment Act that held out hope and promise for those people who had no hope for so many years.

Why was this bill defeated in the Congress? It was defeated because the special interest groups, the lobbying groups, those who want their cake and want to eat it also, came down to the Congress; and they told my colleagues of the Congress that this bill is a wasteful dissipation of taxpayer funds, that this bill was not needed. I have told you the result, that we lost by five votes.

Can you imagine again a country that is giving $4 billion a year plus to foreign nations that cannot stand and provide, yes, a firm foundation for America through the expenditure of a very small amount for our own unemployed people?

I come here today filled with mixed emotions; happy that I live in America; happy that we have a free labor movement; happy that as clerks you can come here together and, yes, work up a program—a program to move forward; but I say to you, my friends, that this labor movement in America is in greater danger from special interest groups today than at any time I have served in the Congress in five terms.

There will be lights burning bright in the Capitol tonight to try to find ways of turning back the clock for labor; trying to find ways of putting this organization and labor under the antitrust laws.

Isn't it strange that they will not be trying to put an organization like Sears, or some other like that, under the antitrust laws, but that it is the laboring people they are attempting to put under the antitrust laws? [Applause.]

You say that it cannot happen. Well, it did happen 2 weeks ago. As I said, if we turn down those people who cannot help themselves, those people who have been living on relief, who have no hope—if we cannot spend $450 million to help those people and build America economically, then stranger things can happen than an antilabor bill getting through the Congress.

Therefore, this is why I wanted to come; this is why I wanted to tell you that we must all work and pray together in this organization and throughout America if we are going to continue to march down the road of progress and prosperity.

Always remember—from our great theologians we have heard about the beautiful walls that surround the ancient city of Jericho. They were more than 30 feet high, more than 13 feet wide, and some 40 feet apart. But, by the same token, they also tell us that although these walls looked very strong and you could run chariots on the top of them, and also see for great distances, they come tumbling down. They come tumbling down because they did not have a firm foundation.

Therefore, I say to you in all sincerity this morning that unless we maintain a firm foundation in the RCIA, in the labor movement in general, in our progressive legislation to help those who cannot help themselves—yes, in America all—some day the walls will come tumbling down.

This is the challenge that I desire to leave with you today; not as individuals because you have evidenced by your presence here that you are active and you are interested in this organization, but what about those clerks who want all of the benefits but don't want to contribute their time and effort? This is the type of interest, stamina and fortitude that we have, and we in the Congress want and need your active participation and, yes, we need your advice when these bills come before Congress.

When these bills do come before Congress, sit down and write your Congressman a letter. I receive some 300 letters a day but 99 percent come from people who have a personal problem. Of course, I am glad to hear from them but when an important piece of legislation is before the Congress, sometimes we get three, or five, or maybe half a dozen letters.

We had a bill up before the Congress when I first came there in 1955 that changed the lives of millions of young boys throughout America—get this—changed the lives and, yes, the futures of all of these young boys—a military conscription bill affecting the lives of every boy from 17 to 22 in America. I sent out a news release, got on television and radio and asked the people to tell me how they felt about this most important bill. Well, to make a long story short, I received 13 replies. I think there were seven for and six against. However, the point was that I had to stand there and vote the dictates of my own conscience and, of course, as an elected representative, I try to discharge those duties. However, would it not have been better to have had the opinions of two or three or even a dozen? Would not 100 minds be better than one?

If we should have an all-out war, and God forbid, and we find that we do not have enough people to fight that war, then KEN GRAY made a mistake. But it is too late, can't you see, relative to building a firm foundation for legislation. After all, you must start early, work late and continue to work. I would like to close with this poem:

"I once knew a man who built a wall,
A wall unfriendly, grim and tall;
I knew this man could not be bad,
Maybe timid or even sad;
And so I built a tower by this wall so grim
And looked down and smiled on him,
And this noble man's heart was about to break,
And he tore down the wall and built a gate."

Isn't life that simple? Isn't the work of this organization that simple? You can either have a wall or indifference; a wall that is too high to get over and you cannot go under and you certainly cannot go through it. Or you can have a gate that swings open wide, yes, a gate that will say "come into this movement, come in and let's continue to build on that foundation that Samuel Gompers started, let's continue to provide better working conditions, more pay."

I say that you have some great people here as your guests. I understand that the Vice President of the United States delivered a very great message to you and, therefore, if you will take the words of all of these people who are in places of public trust and if you will put those together and continue to build this firm foundation; if you will continue to let those Members of the Congress who represent you know of your feelings; if you will continue to support the Active Ballot Club and, yes, your great President Suffridge and the officers of this great association; if you will continue to work together in your communities, joining hands together, then I have no fear—I have no fear but what we can eradicate, yes, the 5 million plus unemployed in America; I have no fear we can provide job opportunities; I have no fear we can pass progressive legislation for your welfare.

The challenge is yours. I leave this thought with you—that we can turn relief checks in America into paychecks and we can make this a better organization. I pledge to you as one representative of the Congress of the United States my wholehearted support, as I have in the past, yes, to make the labor movement greater and to make a more stronger organization.

Thank you and God bless you for the opportunity of coming here.

SALARIES OF MEMBERS OF CONGRESS COMPARED TO SALARIES OF FEDERAL, STATE, LOCAL, AND MUNICIPAL OFFICIALS

Mr. MICHEL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MICHEL. Mr. Speaker, on July 18 I had a special order, in which I disclosed the findings of a special study we were making in our office of all those public officials—Federal, State, local, and municipal—who were making salaries in excess of the current congressional salary of $22,500. At that time I indicated that this was a most comprehensive report—one which to the best of my knowledge was the most thorough ever made. Subsequent to making those findings public, we have, of course, the Randall Commission report. In order to make our findings complete, I should like to submit today for the RECORD the additional information which was lacking at the time of our original report on July 18. At this point, Mr. Speaker, I include the additional information received from the several States, to supplement our report of July 18, to be included and printed in the RECORD:

Additional Government employees earning $22,500 or more

State employees (executive):	
Governor: Florida	$25,000
Administrators:	
Florida: General manager of the citrus commission	25,000
New Jersey:	
Commissioner of institutions and agencies	25,000
Commissioner of education	24,500
Oregon:	
Chancellor of education	30,900
Administrator of mental health	24,240
Washington:	
Supervisor of mental health	25,620
Director of institutions	22,500
Director of highways	22,500
Public university presidents, officers, and department heads:	
Arizona—University of Arizona:	
President	25,000
Arkansas—University of Arkansas:	
President	22,500
Dean of medical center	26,000
Professors in university medical center (13)	23,000
Florida (in all State universities) professors (10)	24,000–25,000
Hawaii—University of Hawaii:	
President	30,000
Vice president, academic affairs	24,000
Massachusetts—University of Massachusetts: President	25,000
Nevada—University of Nevada:	
President	23,000
New Jersey—Rutgers, the State University:	
President	$24,500
Dean of the medical school	27,000
Oregon—University of Oregon:	
President	29,800
Dean of dental school	23,050
Dean of medical school	25,800
Associate dean and medical director	24,000
Chairman, department of pathology	24,000
Professor of surgery	22,500
Chairman, department of otolarynology	23,500
Director, crippled children's division	22,500
Director, primate research center	26,500
Utah—University of Utah:	
President	23,000
State employees (judicial):	
Hawaii—Supreme Court:	
Chief justice	23,625
Associates (4)	23,100
Missouri: Supreme Court commissioners (6)	22,500
County employees (executive):	
Administrators and other officials:	
New Jersey:	
Bergen County:	
Clerk of the board and administrative officer	25,000
Superintendent of Bergen Pines Hospital	30,000
Essex County: Superintendent and medical director	26,250
City employees (executive):	
Mayors:	
Hawaii: Honolulu	22,500
New Jersey: Jersey City	22,000
Other administrators:	
Nevada:	
Las Vegas:	
Convention center manager	35,000
Convention center sales Director	25,000
New Jersey:	
Jersey City: Business administrator	22,500
Newark: Director of Finance	22,500
Superintendents of school districts:	
New Jersey: Ridgewood	24,500

MINORITY VIEWS ON FOREIGN ASSISTANCE ACT OF 1963

Mr. ADAIR. Mr. Speaker, I ask unanimous consent that the minority views of the members of the Committee on Foreign Affairs with respect to the foreign aid bill may be printed in the body of the RECORD notwithstanding the fact that the estimated cost is $540.

The SPEAKER. Notwithstanding the cost and, without objection, the request is granted.

There was no objection.

Minority views of Foreign Assistance Act of 1963 are as follows:

MINORITY VIEWS

Four months ago, in its report to the President of the United States, the Committee To Strengthen the Security of the Free World (the Clay Committee) offered this appraisal of our foreign aid program: "We believe that we are indeed attempting too much for too many * * *."

The evidence developed subsequently in the lengthy hearings before the Committee on Foreign Affairs lends full support to that appraisal. As we will show in this report, the foreign aid program assuredly attempts to do too much for too many—and too soon. Unfortunately, the bill accompanying this report does little if anything to correct this situation. The bill, it must be pointed out, contains a few long overdue constructive amendments adopted by the committee. Unfortunately, many others failed to win the committee's approval. Further, by proposing to authorize foreign aid spending at the current exclusively high rates, it also compounds the problem singled out by the Clay Committee and can only add to the already considerable congressional and public disenchantment with the foreign aid program.

For this reason, we are compelled to oppose this legislation.

WE ARE ATTEMPTING TO DO TOO MUCH FOR TOO MANY

During the period since World War II, the United States has provided aid to approximately 110 countries and territories. Not all of them have received assistance simultaneously, or for an equal period of time. Five years ago, for instance, while foreign aid appropriations were running at a level comparable to that in fiscal 1963, U.S. military and/or economic assistance went to some 80 countries. Today, an estimated 95 countries and territories are benefiting from our largesse. And in the proposed program for fiscal 1964, the number of prospective recipients of our aid remains about the same.

It is obviously impossible for any country, no matter how rich or strong it may be at the start, to continue assistance indefinitely to most of the countries of the world. The growing size of our national debt and our dwindling gold reserves attest to the drain of our resources resulting from our heavy foreign and domestic commitments. While we admonish the beneficiaries of our largesse and require them, as a condition of our aid, to balance their budgets, to reduce their national debts, and to stop the outflow of gold, we do none of these things ourselves. It is time that America began to practice in her own economy what she preaches to those who receive her aid.

What is equally alarming is the fact that our diffuse aid effort, spread thinly over most of the globe, is not producing and cannot produce the desired results. As some of us have stated repeatedly in the past, we would do much better by sharpening our objectives, concentrating our efforts, and limiting our assistance to those nations whose self-discipline and will to reform provide a reasonable promise of constructive utilization of our help.

In this respect, we have been troubled by continuing evidence of lack of reasonable criteria in the selection of the recipients of our aid. U.S. economic and even military assistance has been provided simultaneously to countries on both sides of troublesome quarrels; to stanch allies, neutrals, and Communist-dominated countries alike; and, in such cases as those of British Guiana, Kenya, Jamaica, and Uganda, even to territories controlled by colonial powers before such territories were given their national independence. It is difficult to believe when one looks at the list of countries benefiting from American aid, that the dispensers of foreign assistance have exercised any appreciable degree of selectivity or prudence in making their decisions.

Apart from the issue of selectivity, it is becoming apparent that the volume of our aid may in certain cases exceed the capacity of the receiving countries to digest it properly. Some foreign aid funds, obligated as long as 5 years ago, still remain to be disbursed. The Executive practice of overobligating funds for particular programs, exposed by a number of the committee's staff studies, still persists with respect to some projects in Yugoslavia, Korea, Peru, and certain other countries. There is no justification for this practice and the law should be amended to provide for a systematic review of all obligations. Obligated funds against which no program has been developed or initiated within 2 or 3 years, should be deobligated and returned to the Treasury.

We also wish to point out that in some cases, i.e., India and Brazil, the volume of external debt is reaching a level at which the borrowers may find it difficult to meet the annual installments due on U.S. loans. In still other cases, soft loans extended to avoid hard decisions may very well prove to be grants in disguise.

There is perhaps no better measure of the excess in the flow of foreign aid, and of the loss of congressional control over this program, than the growing accumulation of unexpended balances from prior year appropriations. On June 30, 1960, this so-called pipeline, economic and military, amounted to $4.8 billion. As of June 30, 1963, it rose to an estimated $6.8 billion. When the $4.1 billion recommended in this bill is added to this sum, the total which may be available for expenditure in fiscal 1964 reaches the astronomical figure of $10.9 billion. A table showing, country by country, and program by program, the unexpended balances in the foreign economic aid program, follows (pp. 280–290 from hearings before the Committee on Foreign Affairs, Foreign Assistance Act of 1963):

AID PIPELINE

Economic assistance programs administered by AID and other agencies (including military assistance funds used for economic assistance programs)

[In thousands of dollars]

Country and function	Unliquidated obligations, June 30, 1962	Estimated unexpended balance, June 30, 1963
Development loans	1,823,815	2,043,399
Development grants	432,006	371,941
Alliance for Progress	791,843	986,808
Loans	275,960	498,814
Grants	83,087	119,798
Chile reconstruction and rehabilitation	48,796	13,796
IDB trust fund	384,000	354,400
Supporting assistance	661,868	602,324
International organizations	87,372	66,330
Other programs	−40,717	25,341
Total, economic assistance	3,756,187	4,096,143
Africa and Europe	454,719	485,795
Near East and south Asia	1,682,134	1,802,956
Far East	698,842	697,530
Latin America	848,245	1,067,089
Nonregional	72,247	129,991
Adjustment [1]	----------	−87,218
Total	3,756,187	4,096,143
EUROPEAN COUNTRIES		
Berlin: Supporting assistance	905	205
Iceland: Supporting assistance	1,798	298
Poland: Other assistance	1,688	2,468
Spain:		
Development loans	6,000	4,000
Development grants	253	53
Supporting assistance	21,508	10,508
Total, Spain	27,761	14,561
Yugoslavia:		
Development loans	38,493	16,493
Development grants	3,978	1,817
Supporting assistance	941	341
Total, Yugosalvia	43,412	18,651
European technical exchange: Development grants	56	46
Summary, Europe:		
Development loans	44,493	20,493
Development grants	4,287	1,916
Supporting assistance	25,152	11,352
Other assistance	1,668	2,468
Total, Europe	75,600	36,229
AFRICAN COUNTRIES		
Algeria:		
Development grants	----------	900
Supporting assistance	232	632
Total, Algeria	232	1,532
Congo (Léopoldville):		
Development grants	4,057	4,476
Supporting assistance	----------	15,095
Total, Congo	4,057	19,571
U.N. Congo: Contributions to international organizations	[2] (10,177)	----------
Ethiopia:		
Development loans	18,389	8,389
Development grants	7,575	6,833
Supporting assistance	968	268
Total, Ethiopia	26,932	15,490
Ghana:		
Development loans	82,000	82,500
Development grants	2,004	2,534
Total, Ghana	84,004	85,034
Guinea:		
Development loans	----------	2,100
Development grants	2,736	3,470
Supporting assistance	3,865	6,965
Total, Guinea	6,601	12,535
Kenya:		
Development loans	----------	2,200
Development grants	2,332	3,502
Supporting assistance	----------	----------
Total, Kenya	2,332	5,702
Liberia:		
Development loans	2,876	36,576
Development grants	13,789	13,674
Total, Liberia	16,665	50,250
Libya:		
Development loans	480	80
Development grants	785	1,305
Supporting assistance	6,620	620
Total, Libya	7,885	2,005
Mali:		
Development loans	----------	1,800
Development grants	57	635
Supporting assistance	2,419	1,549
Total, Mali	2,476	3,984
Morocco:		
Development loans	22,500	15,500
Development grants	1,303	1,207
Supporting assistance	36,568	28,068
Total, Morocco	60,371	44,775
Nigeria:		
Development loans	107	23,207
Development grants	25,496	30,096
Total, Nigeria	25,603	53,303
Rhodesia and Nyasaland, Federation of: Development grants	2,832	4,264
Sierra Leone: Development grants	1,782	2,481
Somali, Republic:		
Development loans	1,919	5,319
Development grants	10,527	8,127
Supporting assistance	31	----------
Total, Somali Republic	12,477	13,446
Sudan:		
Development loans	2,339	5,739
Development grants	12,863	9,752
Supporting assistance	18	----------
Total, Sudan	15,220	15,491
Tanganyika:		
Development loans	1,584	10,784
Development grants	2,114	3,479
Supporting assistance	205	----------
Total, Tanganyika	3,903	14,263
Tunisia:		
Development loans	46,095	58,795
Development grants	9,362	7,049
Supporting assistance	10,697	12,810
Total, Tunisia	66,154	78,654
Uganda:		
Development loans	----------	2,000
Development grants	3,584	2,574
Total, Uganda	3,584	4,574
Zanzibar: Development grants	55	24
Ex-French Metropole (UAM): Development loans	----------	----------
Burundi: Development grants	----------	35
Cameroon:		
Development loans	9,200	9,200
Development grants	506	231
Supporting assistance	4,135	2,235
Total, Cameroon	13,841	11,666
Central African Republic: Development grants	230	391
Chad: Development grants	312	902
Congo (Brazzaville): Development grants	1,182	447
Dahomey: Development grants	872	1,122
Gabon: Development grants	395	461
Ivory Coast:		
Development loans	----------	3,000
Development grants	1,862	2,582
Total, Ivory Coast	1,862	5,582
Malagasy Republic: Development grants	978	808
Mauritania:		
Development grants	7	197
Supporting assistance	----------	4
Total, Mauritania	7	201
Niger:		
Development loans	----------	500
Development grants	1,561	1,734
Total, Niger	1,561	2,234
Rwanda: Development grants	----------	10
Senegal: Development grants	3,050	3,555
Togo:		
Development grants	1,313	1,513
Supporting assistance	300	----------
Total, Togo	1,613	1,513
Upper Volta: Development grants	1,685	2,050
Programing adjustment: Development loans	----------	−20,500
Regional: Development grants	8,366	11,711
Africa summary:		
Development loans	187,489	247,189
Development grants	125,572	134,131
Supporting assistance	66,058	68,246
Total, Africa	379,119	449,566
NEAR EAST AND SOUTH ASIA COUNTRIES		
Afghanistan:		
Development loans	----------	2,400
Development grants	14,668	20,768
Supporting assistance	44,761	39,761
Total, Afghanistan	59,429	62,929

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[1] Includes estimated receipts and recoveries not distributed by region.

[2] Included in nonregional total.

***Economic assistance programs administered by AID and other agencies (including military assistance funds used for economic assistance programs)*—Continued**

[In thousands of dollars]

Country and function	Unliquidated obligations, June 30, 1962	Estimated unexpended balance, June 30, 1963
Ceylon:		
Development loans	3, 236	3, 136
Development grants	1, 594	924
Total, Ceylon	4, 830	4, 060
Cyprus:		
Development loans	---------	1, 900
Development grants	662	1, 062
Total, Cyprus	662	2, 962
Greece:		
Development loans	41, 052	73, 552
Development grants	287	87
Supporting assistance	25, 392	15, 392
Total, Greece	66, 731	89, 031
India:		
Development loans	720, 836	824, 336
Development grants	28, 918	19, 368
Total, India	749, 754	843, 704
Iran:		
Development loans	18, 405	28, 405
Development grants	5, 877	3, 177
Supporting assistance	1, 976	1, 072
Total, Iran	26, 258	32, 654
Iraq: Development grants	1, 314	1, 414
Israel:		
Development loans	53, 641	73, 641
Development grants	557	57
Supporting assistance	---------	---------
Total, Israel	54, 198	73, 698
Jordan:		
Development loans	824	---------
Development grants	9, 753	7, 753
Supporting assistance	55	---------
Total, Jordan	10, 632	7, 753
Lebanon:		
Development loans	2, 890	2, 090
Development grants	1, 328	478
Total, Lebanon	4, 218	2, 568
Nepal:		
Development loans	400	---------
Development grants	5, 689	4, 989
Total, Nepal	6, 089	4, 989
Pakistan:		
Development loans	301, 984	368, 984
Development grants	12, 471	13, 221
Supporting assistance	40, 523	5, 523
Total, Pakistan	354, 978	387, 728
Saudi Arabia: Supporting assistance	242	---------
Syria:		
Development loans	22, 199	19, 499
Development grants	114	234
Supporting assistance	9, 000	7, 517
Total, Syria	31, 313	27, 250
Turkey:		
Development loans	155, 650	145, 650
Development grants	7, 267	7, 317
Supporting assistance	44, 404	56, 404
Total, Turkey	207, 321,	209, 371
United Arab Republic:		
Development loans	29, 961	58, 461
Development grants	4, 352	4, 152
Supporting assistance	20, 000	25, 000
Total, United Arab Republic	54, 313	87, 613
Yemen: Supporting assistance	5, 615	4, 515
CENTO:		
Development grants	60	110
Supporting assistance	19, 122	6, 562
Total, CENTO	19, 182	6, 672
Programing adjustment: Development loans	---------	−65, 000

***Economic assistance programs administered by AID and other agencies (including military assistance funds used for economic assistance programs)*—Continued**

[In thousands of dollars]

Country and function	Unliquidated obligations, June 30, 1962	Estimated unexpended balance, June 30, 1963
Regional:		
Development loans	---------	---------
Development grants	19, 290	16, 020
Supporting assistance	5, 765	3, 025
Total, regional	25, 055	19, 045
Near East and south Asia summary:		
Development loans	1, 351, 078	1, 537, 054
Development grants	114, 201	101, 131
Supporting assistance	216, 855	164, 771
Total, Near East and south Asia	1, 682, 134	1, 802, 956
FAR EAST COUNTRIES		
Burma:		
Development grants	11, 248	9, 548
Supporting assistance	96	10, 096
Total, Burma	11, 344	19, 644
Cambodia:		
Development grants	15, 970	15, 970
Supporting assistance	20, 699	21, 099
Total, Cambodia	36, 669	37, 069
China:		
Development loans	96, 524	117, 024
Development grants	10, 133	6, 133
Supporting assistance	1, 674	---------
Total, China	108, 331	123, 157
Indonesia:		
Development loans	6, 106	16, 706
Development grants	25, 680	21, 880
Supporting assistance	5, 487	13, 387
Total, Indonesia	37, 273	51, 973
Japan:		
Development grants	421	---------
Supporting assistance	124	---------
Total, Japan	545	---------
Korea:		
Development loans	44, 058	67, 058
Development grants	44, 458	28, 158
Supporting assistance	113, 733	97, 630
Total, Korea	202, 249	192, 846
Laos:		
Development grants	261	---------
Supporting assistance	20, 152	38, 452
Total, Laos	20, 413	38, 452
Malaya: Development loans	13, 539	5, 939
Philippines:		
Development loans	20, 959	31, 959
Development grants	6, 686	4, 681
Supporting assistance	752	---------
Total, Philippines	28, 397	36, 640
Thailand:		
Development loans	20, 472	17, 872
Development grants	14, 711	11, 461
Supporting assistance	17, 949	10, 249
Total, Thailand	53, 132	39, 582
Vietnam:		
Development loans	39, 097	34, 697
Development grants	30, 171	18, 921
Supporting assistance	102, 016	117, 416
Total, Vietnam	171, 284	171, 034
Western Samoa: Supporting assistance	22	---------
Asian Productivity Organization: Development grants	211	261
SEATO: Development grants	2, 194	1, 744
Regional:		
Development grants	436	986
Supporting assistance	12, 803	5, 803
Total, regional	13, 239	6, 789
Programing adjustment: Development loans	---------	−27, 600

***Economic assistance programs administered by AID and other agencies (including military assistance funds used for economic assistance programs)*—Continued**

[In thousands of dollars,

Country and function[	Unliquidated obligations, June 30, 1962	Estimated unexpended balance, June 30, 1963
Far East summary:		
Development loans	240, 755	263, 655
Development grants	162, 580	119, 743
Supporting assistance	295, 507	314, 132
Total, Far East	698, 842	697, 530
LATIN AMERICAN COUNTRIES		
Argentina: Alliance for Progress	28, 378	79, 478
Loans	26, 000	76, 700
Grants	2, 378	2, 778
Bolivia:		
Alliance for Progress	16, 278	27, 685
Loans	12, 238	20, 738
Grants	4, 040	6, 947
Supporting assistance	18, 768	12, 168
Total, Bolivia	35, 046	39, 853
Brazil: Alliance for Progress	13, 389	137, 094
Loans	---------	109, 800
Grants	13, 389	27, 294
Chile:		
Alliance for Progress	109, 889	81, 197
Loans	58, 897	63, 897
Grants	2, 196	3, 504
Reconstruction and rehabilitation	48, 796	13, 796
Supporting assistance	948	904
Total, Chile	110, 837	82, 101
Colombia:		
Alliance for Progress	29, 315	75, 377
Loans	21, 758	68, 758
Grants	7, 557	6, 619
Supporting assistance	---------	---------
Total, Colombia	29, 315	75, 377
Costa Rica: Alliance for Progress	8, 933	14, 033
Loans	6, 825	12, 425
Grants	2, 108	1, 608
Dominican Republic:		
Alliance for Progress	910	3, 961
Loans	---------	1, 900
Grants	910	2, 061
Supporting assistance	13, 500	25, 250
Total, Dominican Republic	14, 410	29, 211
Ecuador:		
Alliance for Progress	21, 478	26, 492
Loans	14, 378	19, 678
Grants	7, 100	6, 814
Supporting assistance	---------	2, 000
Total, Ecuador	21, 478	28, 492
El Salvador: Alliance for Progress	4, 406	12, 706
Loans	1, 600	9, 100
Grants	2, 806	3, 606
Guatemala:		
Alliance for Progress	15, 888	17, 855
Loans	11, 896	14, 096
Grants	3, 992	3, 759
Haiti:		
Alliance for Progress	829	183
Loans	546	---------
Grants	283	183
Supporting assistance	5, 536	8, 323
Total, Haiti	6, 365	8, 506

***Economic assistance programs administered by AID and other agencies (including military assistance funds used for economic assistance programs)*—Continued**

[In thousands of dollars]

Country and function	Unliquidated obligations, June 30, 1962	Estimated unexpended balance, June 30, 1963
Honduras:		
Alliance for Progress	5,480	5,530
Loans	3,706	2,106
Grants	1,774	3,424
Supporting assistance	785	485
Total, Honduras	6,265	6,015
Mexico: Alliance for Progress	20,827	28,627
Loans	20,000	28,000
Grants	827	627
Nicaragua: Alliance for Progress	11,154	9,454
Loans	9,432	7,332
Grants	1,722	2,122
Panama:		
Alliance for Progress	9,128	18,028
Loans	6,665	15,165
Grants	2,463	2,863
Supporting assistance	9,298	7,298
Total, Panama	18,426	25,326
Paraguay: Alliance for Progress	9,246	5,978
Loans	7,949	3,949
Grants	1,297	2,029
Peru:		
Alliance for Progress	51,050	46,009
Loans	41,990	36,990
Grants	9,060	9,019
Supporting assistance	5,518	4,018
Total, Peru	56,568	50,027
Uruguay: Alliance for Progress	3,110	9,050
Loans	2,810	7,310
Grants	300	1,740
Venezuela:		
Alliance for Progress	25,097	48,424
Loans	24,270	46,270
Grants	827	2,154
Supporting assistance	----------	----------
Total, Venezuela	25,097	48,424
British Guiana: Alliance for Progress, grants	1,372	1,672
British Honduras:		
Alliance for Progress, grants	171	121
Supporting assistance, nonproject	45	----------
Total, British Honduras	216	121
Trinidad-Tobago:		
Alliance for Progress, grants	----------	600
Supporting assistance, project	----------	9,092
Total, Trinidad	----------	9,692
East Caribbean:		
Alliance for Progress, grants	2,800	1,200
Supporting assistance	2,004	1,849
Total, East Caribbean	4,084	3,049
Jamaica: Alliance for Progress	970	5,420
Loans	----------	4,500
Grants	970	920
Surinam: Alliance for Progress, grants	218	418
Contributions to PAHO: Alliance for Progress, grants	2,000	1,800
Contributions to OAS: Alliance for Progress, grants	7,701	6,081
IDB Trust Fund: Alliance for Progress	384,000	354,400
Regional: Alliance for progress	7,826	15,629
Loans	5,000	5,000
Grants	2,826	10,629
ROCAP: Alliance for Progress	----------	8,900
Loans	----------	4,000
Grants	----------	4,900
Programing adjustment: Alliance for Progress, loans	----------	−47,700
Latin America summary:		
Alliance for Progress	791,843	995,702
Loans	275,960	510,014
Grants	83,087	117,492
Chile reconstruction and rehabilitation	48,796	13,796
IDB Trust Fund	384,000	354,400
Supporting assistance	56,402	71,387
Total, Latin America	848,245	1,067,089
NONREGIONAL		
U.N. technical assistance: International organizations	37,480	48,780
Indus waters: International organizations	14,500	----------
U.N. Congo: International organizations	10,177	----------
U.N. Children's Fund: International organizations	13,943	6,000
NATO science: International organizations	103	----------
U.N. Relief and Works Agency: International organizations	7,573	10,200
Atoms for peace:		
Development grants	5,105	2,584
International organizations	650	600
Total, atoms for peace	5,755	3,184
Malaria eradication:		
Development grants	122	22
International organizations	2,500	500
Total, malaria eradication	2,622	522
Community water supply:		
Development grants	220	----------
International organizations	400	250
Total community water supply	620	250
American schools abroad: Other programs	12,514	12,214
Investment incentive: Development grants	931	481
Investment survey: Other assistance	2	400
NATO civilian headquarters: International organizations	46	----------
Intergovernmental Committee for European Migration: Other assistance	8	----------
U.N. High Commissioner for Refugees: Other assistance	710	----------
U.S. escapee program: Other assistance	3,238	2,238
Hungarian refugees: Other assistance	30	----------
World refugee airlift: Other assistance	226	----------
Cuban refugee airlift: Other assistance	167	----------
Cuban refugees: Other assistance	2,687	15
Law conference: Supporting assistance	100	50
Office of Inspector General:		
Development loans	----------	----------
Development grants	----------	----------
Supporting assistance	----------	----------
Alliance for Progress	----------	----------
Total	----------	----------
Worldwide school facilities: Development grants	58	64
American national exhibition in Moscow: Other assistance	1	----------
Project Hope:		
Supporting assistance	1,344	472
Alliance for Progress	----------	500
Total, Project Hope	1,344	972
Ocean freight—voluntary relief:		
Development grants	308	1,630
Alliance for Progress	----------	370
Total, ocean freight	308	2,000
Disaster relief: Supporting assistance	63	60
Freight differentials: Supporting assistance	387	287
Foreign scientists: Development grants	654	304
Research:		
Development grants	8,351	9,361
Alliance for Progress	----------	1,100
Total, research	8,351	10,461
Interregional:		
Development grants	9,617	12,563
Supporting assistance	----------	154
Alliance for Progress	----------	2,433
Total, interregional	9,617	15,150
Undistributed: Other assistance	−72,945	−68,945
Administrative expenses, AID: Other assistance	10,920	10,210
Administrative expenses, State: Other assistance	57	201
Organization of American States: International organizations	----------	----------
Unprogramed contingency	----------	74,893
Nonregional summary:		
International organizations	87,372	66,330
Development loans	----------	----------
Development grants	25,366	27,009
Supporting assistance	1,894	1,023
Other assistance	−42,385	31,226
Alliance for Progress	----------	4,403
Total, nonregional	72,247	129,991

The figures in the above table speak for themselves. They lend full support to the conclusion that the $4.1 billion authorization proposed in the bill is excessive. A $2.9 billion authorization recommended by the American Farm Bureau Federation is much more realistic and the bureau should be commended for its soundly conceived presentation.

It is frustrating for the minority to see, year after year, the Committee on Foreign Affairs authorize foreign aid expenditures which are far in excess both of the actual needs of a soundly executed program and of funds eventually appropriated by the Congress. This practice diminishes the credibility of the committee's recommendations and contributes to administrative abuses.

EXCESSIVE VOLUME OF AID ENCOURAGES POOR ADMINISTRATIVE PRACTICES

It is apparent from testimony presented during the hearings on this legislation that the difficulty in handling the large volume of foreign aid leads to many poor administrative practices. In some instances, the committee found that funds hastily obligated for particular projects were subsequently diverted to other uses when the projects did not materialize. This practice circumvents congressional control over the direction of the aid program and should be terminated immediately. All deobligated funds should revert to the Treasury. In some countries, the Agency for International Development (AID) has been unable to provide proper supervision over aid projects.

Instances of poor project management, of funds lying idle, of unnecessary expenditures, abound in the history of the aid program. The legislative framework of the program suffers from the demands imposed upon the overseeing congressional committees by the vastness of this undertaking. The fact that the Inspector General for Foreign Aid to date has no legal authority to review and inspect projects financed out of the Social Progress Trust Fund—through which instrumentality more than $384 million in aid has been obligated in less than 2 years' time—is a case in point.

Another problem that has troubled us relates to AID personnel policies. In spite of personnel freezes, reorganizations, and other administrative reforms, the number and the cost of personnel involved in the administration of foreign aid continue to mount. As of June 30, 1963, an estimated 42,500 persons were employed or participating in the foreign aid program. These were divided, almost evenly, between the military and the economic portions of the program. Of the total mentioned above, only about 17,000 were direct-hire personnel financed from AID and military assistance funds. The remainder were employees of contractors receiving AID funds, personnel financed from trust funds, personnel paid from Defense Department appropriations, and the like.

The true extent of foreign aid personnel costs is obscured by the diversity of sources from which these people are paid—and especially by AID practice of charging some employees to program costs. The average cost of AID administrative personnel in Washington is approximately $13,000 per year per person. The average cost of maintaining a direct-hire AID technician abroad, $34,000. And the cost of contract technicians in some cases has exceeded $50,000 per man-year.

The current practice of expanding contract foreign aid—e.g., technical and other assistance provided by private concerns under contract to AID—is particularly troublesome and raises some serious questions. Because of its magnitude and the manner in which it operates, contract foreign aid is becoming impossible to supervise effectively and to evaluate properly. As of March 31, 1963, the volume of this aid was in excess of $439 million. If contract foreign aid is to be used in the future, current policies governing such aid cannot be allowed to continue. The cost of contract technicians and specialists must be substantially reduced. The dollar volume of contracts awarded to private firms and institutions must be rigidly controlled. And the implementation of all contracts must be subjected to full and thorough supervision.

OTHER OBJECTIONABLE EXECUTIVE BRANCH PRACTICES

Certain other objectionable practices of the executive branch warrant mention at this point. These include entering into long-term aid commitments without prior congressional authorization and the misuse of the contingency fund.

For many years, ignoring repeated congressional objections, the executive branch has followed the practice of making long-term aid commitments without prior congressional authorization. Recently an agreement to provide $398.5 million in aid to Brazil—some of it from future year authorizations and appropriations for the foreign aid program—received considerable publicity. Another case in point is the Bokaro steel mill in India. It may be correct to state that the United States has made no commitment to build this mill. But the fact is that AID has financed a basic study by an American steel company, provided personnel for a followup on technical details, and the President has expressed endorsement of the proposed project. All of these steps were undertaken before the Congress had an opportunity to study the magnitude and the feasibility of the Bokaro steel mill. Under the circumstances, it is difficult to say that we are uncommitted to this project. And, finally, at the very time when the Committee on Foreign Affairs was considering this bill, the executive branch was already involved in making commitments to other countries in connection with future aid to Indonesia.

In these and other cases, once the commitment is made by the executive branch, the argument is advanced that the Congress cannot fail to provide the necessary authorization and funds without breaking faith with foreign countries and causing our Nation irreparable harm abroad. We consider this a specious argument. With the exception of long-term programs specifically authorized by the Congress, no funds should be provided for any long-term aid commitments entered into by the executive branch. Some of the amendments embodied in this bill, such as the long overdue amendment relating to aid to Indonesia, are designed to enforce this principle.

To reemphasize: The Congress should not debate this legislation handcuffed to executive commitments. The Congress must insist on independence of action and on meaningful sharing of authority in this program. Unless this is done, the legislative process will become a mockery and the Congress will become a rubberstamp of the executive.

The use of the contingency fund for purposes not even remotely related to emergency situations is also to be condemned. The contingency fund has been used to finance a variety of projects not included in the regular budget—to purchase independence day gifts for foreign countries, to finance United Nations operations in the Congo, to bail out financially irresponsible dictators, and to pay for a road project in Afghanistan which had been a part of the regular program for several years. Even more shocking are some executive practices relating to the obligation of unspent contingency fund appropriations. Out of the $293 million in contingency fund appropriations used in fiscal 1962, $87.9 million, or 30 percent, was obligated during the last month of the year—$49 million of it on the very last day. While the executive branch is to be commended this year for turning back to the Treasury some of the funds appropriated for the contingency fund, we believe that the practices described above should be abandoned promptly. The contingency fund was intended for emergency situations and should be used accordingly.

There is still another executive branch practice which we find extremely objectionable—the practice of permitting the use of our aid to create or to expand competition by recipient governments with private enterprise. Several provisions of the Foreign Assistance Act caution against such use of funds appropriated for this program. Nevertheless, some instances have been called to our attention in which U.S. aid has been so employed, even to the extent of fostering competition by recipient governments with resident business of American-owned companies. In one case, U.S. aid was provided to a foreign-government-owned corporation interested in establishing a long-distance communications service. The government-owned entity then proceeded to induce the appropriate ministry to deny the application of a private communications company to perform the same service with equipment already on order. This, of course, resulted in the cancellation of the order placed by the private company, and in the use of AID funds to meet needs which could have been satisfied by private industry. Under no circumstances should U.S. aid be used, either directly or indirectly, for such purposes.

AID AND TRADE WITH RED GOVERNMENTS

One of the tragic errors of our foreign policy since 1949 has been the direct aid provided through this program to countries with Communist governments. We refer specifically to Yugoslavia and Poland, whose peoples are stanchly anti-Communist. The Communist governments in these countries were placed in control in the closing period of World War II as a result of the Yalta and the Potsdam agreements. The peoples of Yugoslavia and Poland were thereby deprived of the right to self-determination, and their legitimate prewar officials were driven out by the Communist forces. U.S. diplomacy condoned these actions.

The Communist dictators of Yugoslavia since 1949 and of Poland since 1957, have been receiving aid by fraudulently claiming that they are independent of the international Communist conspiracy. The executive branch, under three Presidents, has claimed that direct aid to Yugoslavia and Poland was necessary to wean them away from Moscow's control. The facts are that aid to a Communist-dominated government merely serves to perpetuate its insidious control over the people and does not provide for their material or political well-being.

We discuss this subject in these minority views since, despite a direct prohibition by the Congress against aid to Communist countries, we are fearful that the executive branch intends not only to restore direct aid to Yugoslavia and Poland, but hopes to extend it to other Communist countries as well.

To compound the tragedy of using American tax dollars to support brutal Communist dictatorships, we find the present administration determined to ignore the provisions of the 1962 Trade Expansion Act by refusing to withdraw the "most favored nation" tariff status from Yugoslavia and Poland. In 1962, section 231 of the Trade Expansion Act directed the President to revoke, as soon as practicable, the "most favored nation" treatment and other trade concessions accorded to these two Red-dominated countries. The executive branch has chosen deliberately to disregard this section of the Trade Act which should be respected and administered as the law of the land.

To compound further this tragic error and dubious policy, the executive branch attempted to repeal this provision in the original draft of this year's foreign aid bill recommended by it to the Committee on Foreign Affairs. However, as a direct result of an objection from the chairman and members of the House Committee on Ways and Means, and in recognition of the strong opposition within our committee, this attempt to repeal section 231 has been temporarily abandoned.

We must direct attention, however, to the fact that the foreign aid bill being processed in the other body may well contain repeal of section 231 of the Trade Expansion Act. It is our intention to guard against the possibility in the conference committee which will ultimately resolve the differences between the two authorization bills.

If the argument for the huge foreign aid expenditures is still based on halting the spread of communism, it is completely contradictory to extend any aid, direct or indirect, or to provide beneficial trade advantages, to Communist governments. It must be recognized that a Communist government exports to the United States items of which its own people are deprived. In turn, they import from the United States materials needed to expand Communist productive resources in direct cooperation with the Soviet economic bloc. When applied to trade relations with a Communist government, free trade is actually a fiction.

The oppressed peoples of Red-dominated lands do not benefit from our mistaken policies. We repeat that aid and favorable trade conditions extended to Communist governments serve to strengthen those governments and help them keep those people in bondage. This is a direct contradiction of our historic support of the principle of self-determination of peoples, and an affront to the intelligence of the American taxpayer.

A THOROUGH REVIEW OF THE MILITARY ASSISTANCE PROGRAM IS LONG OVERDUE

Military assistance has long accounted for a substantial portion of foreign aid expenditures. We are of the opinion that recent developments in Europe and in other parts of the world render imperative a thorough and dispassionate reappraisal of this program. We further believe that the issues raised by the Clay Committee provide a logical starting point for such a review.

As pointed out by the Clay Committee and other observers, our military assistance has been used for a variety of purposes—not all of them equally compelling. Military assistance funds have helped to finance national military establishments in prosperous Western Europe, and to promote military buildups in some of the developing countries. They have been used to support excessively large armies in some countries, and to prop up undemocratic regimes in others. Continued expenditure of public funds for each of these purposes is open to question. But over and above these considerations, one basic issue demands our attention. Are the objectives of the military assistance program realistic, and is its magnitude justified by the contributions of our allies to our common, collective security? The answer to these questions lies at the heart of the security problem confronting the free world.

It is no secret that our plans for a collective defense system within the North Atlantic community—a system which could enhance the security of other parts of the world as well—have suffered some severe setbacks in recent times. For over 15 years, while Western Europe proceeded with the task of reconstruction, the United States—working with and through NATO—shouldered the primary responsibility for the security of the free world. That task and that primary mission of NATO have been accomplished. Western Europe stands today on its own feet economically. It is fully capable of contributing a fair share to the common defense. What seems to be lacking on the part of our allies, however, is the willingness to discharge that responsibility within the framework of an acceptable collective security system.

NATO does not constitute such a system. The integrated supply system which we have worked hard to achieve has not gotten off the ground. Military contributions of many of the member countries have failed to measure up to NATO requirements and goals. Most of the allied forces earmarked for NATO are not actually under the control of that organization but remain under the control of individual member nations. The control over NATO military decisions in time of emergency rests with the North Atlantic Council (also referred to as Council of Ministers) within which any single member can make prompt and decisive action impossible. NATO does not at present provide, as anticipated, a satisfactory instrument of collective security.

We believe that the continuation of the current policy under which the United States still provides for most of the security requirements of Western Europe—and of other areas—should be subject to closer scrutiny. Our prosperous allies should take concrete steps to assume a larger portion of the burdens of free world defense. Until they do, we ought to be less liberal with our assistance.

CONCLUSIONS

The contribution which the foreign aid program, as currently administered, makes to our national interest and security is discouragingly low in relation to its multibillion-dollar cost.

As we have pointed out, there is no selectivity in the dispensing of our aid. The taxpayer's dollars are handed out through a multiplicity of banking windows to virtually every country in the world.

Administrative abuses and excesses still abound in spite of repeated congressional efforts to curb them.

Executive commitments handcuff the Congress in the exercise of its legislative responsibilities, making effective congressional control over this program impossible.

Under these circumstances, we believe it is imperative that the Congress face up squarely to these basic questions:

Can the United States, with a combined public and private debt of $1,700 billion, continue to try to police and wet-nurse the whole world?

Should the United States continue to spend billions on foreign aid when the recipients of our assistance—the rich and the poor alike—appear so little concerned about helping themselves and helping each other?

In our opinion, the answer to both of these questions is "No."

We believe it is high time for the Congress to pause and take a hard, realistic look at this entire program. We must put away the carrot and lay the facts of life before our allies. We must enunciate specific objectives which are within our means to achieve through foreign aid. And we must concentrate and sharpen our effort to secure those objectives.

Most of all, we must not fool ourselves that the bill accompanying this report will accomplish any of these long overdue reforms.

In the public interest, this is the course which we should follow. Until we do, the public interest demands that this legislation be defeated.

To sum up—

The aid program must be completely revised.

The aid program must be brought, in all its financial aspects, under the unfettered control of the Congress.

The aid program must be limited to the actual amount which the recipient countries can absorb effectively, and deobligated funds must immediately revert to the Treasury.

The aid program must be withheld from countries which use it for the purpose of territorial expansion.

The aid program must have stricter administrative supervision, and all featherbedding practices must be determined.

The aid program must require specific congressional authorization for each project exceeding $50 million.

The aid program must be limited exclusively to non-Communist countries.

The aid program must contain stronger safeguards to prohibit the use of our aid to finance government-owned productive facilities which compete with private enterprise in the recipient countries.

E. Ross Adair.
E. Y. Berry.
James F. Battin.
H. R. Gross.
Edward J. Derwinski.
Vernon W. Thomson.

AVERELL HARRIMAN IS A FINE MAN

Mr. CHELF. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and include an editorial.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. CHELF. Mr. Speaker, my heartiest felicitations are extended to the Honorable Averell Harriman, Under Secretary of State for Political Affairs, for his success in connection with the agreement on the nuclear test ban treaty in Moscow.

The magnitude of his efforts in this area cannot be assessed and his adroit handling of the delicate issues involved cannot be overestimated. The finesse he displayed in his negotiations on this particular matter are further corroboration of my own conviction of Mr. Harriman's amazingly astute grasp of political affairs when I first met him in 1945 in Moscow when he was serving as our Ambassador there.

I knew then that he was not only a sincere and dedicated American, with unswerving loyalty to the best interests of America and her ideals of freedom and justice, but that he was also a gentleman of rare perspicacity, prudent judgment, monumental patience and a keen sagacity particularly concerning the handling of Russian diplomatic affairs.

Mr. Harriman's work for his State and his Nation over a period of many years has been incalculably valuable. This, his latest service, will be a lasting tribute to the consummate skill of this wonderfully able man and his unusual endeavors for the peace and freedom of America and the world.

It is a pleasure to include a recent editorial from the Louisville (Ky.) Courier-Journal which is devoted to Under Secretary Harriman. To this editorial I add a loud amen.

Averell Harriman: A Useful Profile

As the great debate on the nuclear test ban begins, the possibility of reasoned judgment would be enhanced were every member of Congress to read a timely dispatch about Averell Harriman, the veteran diplomatic trouble shooter who initialed the pact for the United States last week in Moscow.

The dispatch came from William H. Stoneman, the distinguished London correspondent of the Chicago Daily News, now in his third decade as a journalistic troubleshooter in Europe.

Though Harriman is accepted as "something of a friend by the Russians and Premier Nikita S. Khrushchev personally," Mr. Stoneman wrote, "he has never been gullible in 20 years of dealing with them. He was one of the first men in Franklin D. Roosevelt's official family to foresee a prolonged cold war with the Russians, once they ceased to need American help in resisting Germany and Japan.

"And he didn't hesitate to express his views.

"On a visit to London at the end of the war when he was Ambassador to the Soviet Union, he told me, within earshot of Secretary of State James F. Byrnes and Senator Arthur H. Vandenberg:

" 'We are going to have 70 years of trouble with the United States than ex-President make up our minds to it and prepare for it.'

"Harriman was far less susceptible to Russian promises and protestations of friendship with the United States than ex-President Dwight D. Eisenhower, who enjoyed a triumphant reception in Moscow when he visited the Soviet capital after Germany's defeat.

"After being hailed by a huge crowd in Dynamo Stadium, Eisenhower chided Harriman for being suspicious of Russian motives.

"Eisenhower explained that he had drunk a toast with Marshal Georgi Zhukov, the Soviet commander, to the proposition that the Red Army and the U.S. Army together would join in maintaining peace.

"It was the general's conviction at that time that Zhukov would succeed Josef Stalin as the top man in the Soviet Union.

"According to those who were present at the time, Harriman accepted the general's friendly criticism with an amused smile.

"Harriman was a loyal ally of the Russians during the war and was accepted as such by Stalin and his underlings, including Khrushchev.

"But they have found him to be a tough customer to deal with and they have never really been able to figure him out * * * (or) how he outfoxed them in the Laos negotiations * * * those who watched him in action attributed his success to patience, an almost Oriental capacity to double-talk the Orientals themselves, and infinite skill at stalling off decisions when they were bound to be unpleasant * * * at the same time he has always appeared sweetly reasonable."

That is quite a profile, by a reporter justly famous for his tough-mindedness, of the man who won Soviet agreement to the test ban treaty and who now is seeking to convince the Senate that President Kennedy is right in terming it "an important first step" toward peace. It's a profile to be remembered as the debate continues.

PUBLIC WORKS PROJECTS

The SPEAKER pro tempore (Mr. ALBERT). Under previous order of the House, the gentleman from Minnesota [Mr. BLATNIK] is recognized for 2 hours.

Mr. BLATNIK. Mr. Speaker, I address my comments to an article which appeared a week ago in Life magazine, under date of August 16. It is entitled "Now—See the Innards of a Fat Pig."

At the outset, Mr. Speaker, I ask unanimous consent that at this point I may be permitted to include a letter which I addressed to the editors of the magazine.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

The letter is as follows:

AUGUST 19, 1963.

Mr. EDWARD K. THOMPSON,
Editor, Life Magazine
New York, N.Y.

SIR: Hanging the "pork barrel" label on Federal public works in your August 16 issue is a flagrant distortion of fact, a blot on the ethical standards of a free press, and a disservice to the country in striving to meet critical water-resource development needs to protect human life and health, expand the economy and strengthen national defense.

Life's team of writers and photographers, with their hastily-acquired expertise in evaluating major engineering works, searched the country for two months. It selected a handful of projects, some brand new, others only partly built, or merely proposed for construction, and none of which have yet had the opportunity to produce their measure of public benefits. Though these projects are the handiwork of our country's finest engineering organizations, and the Congress authorized them after intensive consideration of their need and value, Life has branded them as a waste of the taxpayers' money.

Life's article deliberately ignored over 2,800 operating flood control, navigation, power, water conservation and other projects, which the Corps of Engineers has built in 50 States. It omitted the fact that these projects, costing a total of $5.3 billion, have already saved $11 billion in flood losses alone, without counting the savings in human lives, or the tremendous expansion in industrial output, jobs and other benefits they have brought about.

Couldn't Life's team find the Ohio River lock-and-dam system, teeming with barge-laden commerce, where low-cost water transportation, providing an abundance of goods at lowered costs for American consumers, has caused industry to invest $18 billion in new plants in a single decade?

Didn't it visit any of the great harbors, naturally too shallow for modern vessels, which the Army Engineers had to dredge to deepen channels so the United States can import and export the necessities of modern society?

What about the 37 hydroelectric plants the Army Engineers have built in 18 States, producing enough firm power for 11 cities about the size of Detroit, sparking new industry such as the phenomenal growth of the Pacific Northwest? I recall that self-appointed journalistic experts a generation ago predicted that the only customers for the power from dams such as Bonneville and Grand Coulee would be the jackrabbits roaming the sagebrush.

I wonder what the uncounted thousands of Americans who are kept dry by the flood control projects, or the families which visited Federal reservoirs, for healthful, outdoor recreation in numbers 120 million strong last year; or the manufacturers, the businessmen, the farmers, and the labor organizations who know what these Federal projects have done and are doing for their benefit think about your article. I am concerned, too, of what they will think about the $20 million subsidy in taxpayers' funds Life and its associated publications enjoy each year in reduced postal rates, which the Congress has voted, and which I have supported, so the people of our democracy can more readily have access to facts, information, and news of events in this rapidly changing world of ours.

Sincerely,

JOHN A. BLATNIK,
Chairman, Subcommittee on Rivers and Harbors, Committee on Public Works.

Mr. BLATNIK. Mr. Speaker, I wish to be among the first—I am sure there will be others—to address comments to this article in Life magazine.

In this article, five writers and staff—who, according to the magazine itself, spent all of 2 months studying an enormous range of public works projects in all parts of the country—have presumed to set their hastily informed judgment above that of an imposing range of authorities at all levels who have spent literally years in studying each of those projects before recommending them for construction.

These writers and this article form part of a tradition which is in its way as old and historic as the "pork-barrel" cry they echo. Muckraking is a time-tested device of journals whose circulation managers are becoming concerned about competition. But when it is undertaken at the expense of national growth and strength, it may be a very costly device.

It has always been a policy of the U.S. Government to assist and pave the way for economic expansion. It explored the West, cataloged its resources, discovered highway and rail routes, and heavily subsidized their construction. It granted public lands to homesteaders, opened rivers and waterways, subsidized communications, built dams and irrigation developments, and established the basic improvements that would permit private enterprise to enter undeveloped areas and open their resources of wealth.

At each stage of national growth there has been opposition to Government programs in support of further expansion. And the opposition through the decades, far into the past, has always sounded much the same.

The authors of Life's article, in attacking the Arkansas Basin project, neglected to mention the first and biggest public expenditure which made that project possible—one that in its day was attacked in the same way. It was the Louisiana Purchase, which gave us America's heartland—wild then, undeveloped, empty, seemingly worthless.

Later, speaking in the U.S. Senate against a proposal to annex the Pacific Northwest, even the great Daniel Webster once said:

> What do we want with this vast worthless area—this region of savages and wild beasts, of deserts of shifting sands and whirlwinds of dust, of cactus and prairie dogs? To what use could we ever hope to put these great deserts and those endless mountain ranges, impenetrable and covered to their base with eternal snow? What can we ever hope to do with the western coast, a coast of 3,000 miles, rock-bound, cheerless, and uninviting, and not a harbor on it?

Views of this kind have never represented the outward-reaching, dynamic spirit that has distinguished Americans from other peoples. The longer range view has generally prevailed—the view of those who could foresee that the development of resources creates wealth which spreads far and wide and enriches the entire Nation. The lesson of America, taught and confirmed throughout our history, is that the dynamic drive to develop resources and create new wealth is the road to prosperity and greatness. The investment costs are temporary and infinitesimal when compared to the gains which permeate the whole community as the development drive continues.

Looking over Life's article, several points impressed me particularly. One is that it does not deal with projects that have been completed and put into service, and made an actual record. Zealous as they were in sniffing for "pork," the writers apparently found no operating projects, among all the thousands that have been built in the past, to which they could point as a bad investment.

Instead, therefore, they have resorted to dire predictions concerning the prospective usefulness of projects that are still under construction or only proposed. And in making these predictions, again they disdained the record in favor of their own gloomy imaginations.

Water-resource project proposals are probably more thoroughly scrutinized than any other pieces of legislation to come before the Congress. Let me briefly summarize the procedures by which a rivers-and-harbors project of the Army's Corps of Engineers comes into existence.

First, as a raw idea, it is brought before the Congress, which must authorize a study. Authorization is granted only if the project shows sufficient promise to justify an investigation. Many, many proposals are screened out at this first stage. Life made a point of the fact that a canal paralleling the Arkansas River had been proposed; it ignored the fact that this proposal was sifted out at the very first stage of the scrutinizing process which protects the American taxpayer.

Next, the project is studied by the Corps of Engineers, who hold a public hearing and submit a report. Historically, more than half of the corps' reports have been negative. Screen No. 2 has operated to protect the public.

If the initial study report is favorable, the report is submitted to the Board of Engineers for Rivers and Harbors, an independent agency created about the turn of the century as a further public safeguard. At the same time it is submitted to the States concerned, to other Federal agencies, and to the Bureau of the Budget. Again, the public is invited to present its views.

Next, the report is scrutinized by the Public Works Committees of both the House of Representatives and the Senate. Once more, public hearings are held.

If it passes this first congressional scrutiny, the project is authorized in an omnibus bill. But before it can be built, it must once again pass before Congress and once more receive public hearings. This is when it comes up for construction appropriations.

This is the public scrutiny that Life magazine has disdained in favor of its own whirlwind 2-month survey of the entire United States.

I think it is noteworthy that Life magazine, for all its professed concern over the public purse, has not once appeared in opposition to any of the projects it condemns at any of the almost innumerable opportunities it has had to do so—opportunities which, as it itself says, have extended over a period sometimes as long as 20 years ago.

Instead, it has waited until the scrutinizing process is finished and the record of testimony has been made. And then it has gone through this record and culled out only the adverse testimony in an effort to make it appear that the public is being badly served by its representatives in Congress and in the executive branch.

Life has made no pretense of being fair. It has not attempted to present a rounded picture of any of the projects it discusses. It has not bothered to offer a single word of favorable testimony upon those projects.

Among the 3,000-odd projects built by the Army Engineers alone, it apparently has not been able to find a single one that was of benefit to the public. Somehow its zealous reporters could not see the Ohio River waterway project—a project that started out amid the same gloomy predictions that now are raised against the Arkansas, but which has proven to be one of the most successful internal-development undertakings in the United States, one that saw its traffic triple within the 10 years 1946–56, that fostered a huge industrial expansion, that helped the major rail lines in its area earn greater revenues than in other areas, and that is now being enlarged to accommodate the amazing increase in its use.

They ignored the Gulf Intracoastal Waterway, which is earning well over its total construction cost every year, and is annually returning about $14.80 in benefits for every dollar of cost.

Take the upper Mississippi River navigation channel—river traffic has increased 12 times in the last 20 years because of the series of 27 locks constructed on the Mississippi; 500 new plants are built along the river every year. This is because transportation is cheaper than shipping bulky products either by rail or truck.

I could go on and on. But, as I said, Life has not been concerned with the Nation's actual experience with rivers and harbors development. It has been concerned only to make reckless charges against the U.S. Government, and to offer in support of those charges only its own morbid view of future regional and national development.

The falsifications in this article are not confined only to omissions. There are serious direct and positive falsifications which it is hard to believe were inadvertent.

The article derides the Arkansas River navigation project as a 516-mile channel to the landlocked port at Catoosa, Okla., ignoring the fact that this city of Catoosa is actually the port for Tulsa and the central Oklahoma oil region, and that the waterway will serve many other cities en route, including Little Rock.

I cannot take time now to point out the many other flaws in this article. I am sure that every Member of this body has collected his own list. I will take time only to mention one more of its startling omissions. In its sweeping review of alleged "pork" and public subsidies, the article somehow completely omits any mention of the subsidy which Life magazine itself collects from the Federal Government in the form of lower-than-cost mailing rates. We can easily understand this omission. "Porkbarrel" is always something that somebody else gets, not something that we ourselves obtain. But I think we may fairly ask ourselves this question: If we were to allow ourselves to be swayed by this article into cutting down on some of our public investments for internal benefit, might we now well begin by eliminating the subsidy which the Federal Government now finds itself paying to have itself libeled?

I do not dispute the right of these writers or any writers or citizens to question the things done by the Government in any of its activities. We are responsible as Representatives of our respective districts throughout the country to supply the answers, and the agencies, just as we question the agencies that come before our committee to give justifications of either what they propose to do or what they have done. But I do publicly express my contempt for this type of journalism, that comes to broad, sweeping, but inconclusive conclusions indicting all of these operations in all categories on the basis of a very perfunctory investigation, in this article.

We have distinguished colleagues, men who have been engaged in resource development work for years and I am looking now at my very dear friend, Mr. ASPINALL, the distinguished chairman of that very important Committee on the Interior who has handled billions of dollars worth of reclamation projects closely related to areas of flood control and navigation which we in the House Committee on Public Works have to do with. We have had a splendid liaison and cooperation over many, many years and the distinguished chairman will be able to verify the meticulous and systematic method by which projects are given every scrutiny right from the grassroots level on up through the Bureau of the Budget and through our Committee on Appropriations and to the Congress and they are not, as this article says, "dreamed up by somebody in the Corps of Engineers or in the Bureau of Reclamation."

I am delighted to yield to my colleague Mr. ASPINALL, the gentleman from Colorado, the able and distinguished chairman of the House Interior Committee.

Mr. ASPINALL. Mr. Speaker, I wish to join in this rebuttal of the magazine article which five either uninformed or misinformed members of Life magazine wrote in their most recent issue. They use the term "pork barrel." My reply to their article is hogwash—or balderdash—it makes no difference.

Mr. Speaker, these five men by making this attack without substantiation, in Life magazine, have undertaken to undermine some of our worthy national resource projects and programs.

As Abe Lincoln said:

> You can fool all of the people some of the time, some of the people all of the time, but you cannot fool all the people all the time.

This time I am sure the people of the United States will not be fooled by such a foolish article. It appears that the five, and I name them, Keither Wheeler, Henry Suydam, Norman Ritter, Bill Wise, and Howard Sochurek, were assigned the responsibility of manipulating public opinion in an effort to throttle current development and hamstring future Federal development.

Mr. Speaker, if they did not have this in mind in the first place, they would not have proceeded as they did.

While it is always wise to view sensationalism with suspicion, one should be willing to investigate into the qualifications of the author as a test of the soundness of his criticism. Since the critical attack appeared in Life with no hint of expertise of the authors, it is appropriate to inquire into their qualifications.

Mr. BLATNIK. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I will be glad to yield to the gentleman from Minnesota.

Mr. BLATNIK. We talk about expertise in that field. I cannot help but think and wonder if Life magazine had any expert on public works and reclamation as an adviser and consultant and technician on these large projects. Life made no reference to any real expert or specialist in this field.

Mr. ASPINALL. I think that is right. If my colleague from Minnesota will permit me so to state, I think in the statement I have I will refer to some of the constructive positions that Life magazine has taken heretofore.

No responsible biographical data was available from Life's Washington office. It is worthwhile noticing that.

A search of biographical directories at the Library of Congress revealed that none of the authors were so renowned as to be listed among the notables in "Who's Who" or "Current Biography."

A survey of articles written by the same authors since March 1961, is no more flattering. While two of the coauthors are credited with no other articles since that time, the "Reader's Guide" reveals that Sochurek has written one about photography and another about Outer Mongolia. Suydam has written three articles including one about a victim of the Hartford circus fire, while Wheeler's list includes an array of subjects from Cuba to transfusions to crime in Denver. None of the titles suggest any special knowledge from which these authors could accurately judge the merits of any Federal water resource programs.

In short, the most to be said of the critics is that their names appear in Life's masthead and that three of them "spent 2 months of travel and research" in preparation of a story covering a geographical area from Florida to California and technical subject areas as complicated and different as reclamation projects and the space program.

Mr. Speaker, my colleague from Minnesota was kind enough to mention some of the work that this speaker and the members of his committee have done in the past in studying these projects. Now, the gentleman from Minnesota and the committee of which he is a member also spent weeks, months, and years in the study of some of these projects, and here are five writers who come up with their articles on such programs after just 2 months' time. May I continue?

"Two months of travel and research" and a job with Life is just not enough to substantiate any suggested expertise. And it is certainly not enough to discredit the years of study and investigation undertaken by noted experts, in and out of Government, which precede congressional authorizations and appropriations.

Perhaps the authors could have learned more about the projects they label as "pork barrel" if they had sat at home and paged through previous issues of Life than they apparently learned by their "2 months of travel and research."

Water—the abundance or lack thereof—is a common subject for Life. Its pages abound with stories of droughts and floods, with countless losses of lives and property. Life has shown us that disastrous floods and droughts are indiscriminate—that they affect millions of people and thousands of acres of land—and yet these experts tell us that the activities of the Bureau of Reclamation and the Corps of Army Engineers fall into the not needed, pork barrel category.

"Pork barrel," a slang expression, is an appropriation of Federal funds for political purposes rather than for needed improvements. The people of the West do not have to be told of the necessity for development of their water resources, but if they did, they could read Life to learn about the water-poor West.

On December 22, 1961, Life devoted a large section of its weekly issue to water. Life states that only 25 percent of the Nation's water resources are available to the vast West. Some areas, it points out, are using water faster than it can be replaced, and it predicts that other areas—including the Colorado River Basin—could be in a similar fix by 1980.

To prevent such forecasts from becoming reality, Congress has provided the tools with which the Nation can continue to carve its own destiny. For western waters, it has meant development of massive, largely self-liquidating, multiple-use water storage projects, like the Upper Colorado River storage project.

Even Life has recognized the vital role which the Colorado River plays in supplying water for the seven States in the arid basin. The construction of the Upper Colorado River storage dams, said Life on April 9, 1956, "will replenish diminishing water supplies for more than 3 million people in 5 States. The power they will generate will permit the full exploitation of the region's mineral resources." Coupled with previous development of the lower basin, this will add to the vast irrigable acreage of the West. "In all," Life continues, "the project will open a rich new region to the United States which could produce everything from sugar beets and peaches to uranium and molybdenum and provide a promising new center of population for the country."

Mr. Speaker, I shall take only this additional moment. It seems to me that a magazine as widespread as this magazine, a magazine which has enjoyed subsidies from the Federal Government as has this and other magazines, could at least stay consistent in its approach to the question of water resources. If water resource development on these projects specifically mentioned heretofore by Life were good projects and they lent to them their strength and their support, why all of a sudden does Life come out with a sensational article attacking the very basis of the Federal program as far as our water resource development is concerned?

I thank the gentleman very much.

Mr. BLATNIK. I thank the distinguished chairman for his usual modest but very solid and factual presentation. I believe the chairman will agree that in flood control alone, we should think of a total of about $5 billion plus spent in the whole history of the Corps, and already there has been over $11 billion of saving to property and industry, and to life. That is just in the flood control aspects. Also I am thinking of the millions of arable, productive acres of farmland that used to be barren and dry.

Mr. ASPINALL. Mr. Speaker, will the gentleman yield for a moment?

Mr. BLATNIK. I am glad to yield to the distinguished chairman.

Mr. ASPINALL. Mr. Speaker, the gentleman is correct in his statement of the value of these projects. He was talking only of flood control. When you add to that the values that come out of irrigation, the values that come out of Federal power, the values that come out of recreation, the values that come out of municipal water and, above all, adding these together, you have the indirect values that go to the Nation as a whole, it just shows how much nonsense there was to the way that the Life article was written.

Mr. BLATNIK. I think the chairman will recall with more clarity than I, I believe, the arguments that were used when the Bonneville Dam project was being built in the great Northwest and the ridicule that was heaped on that project. I recall as a young man at that time seeing the headlines, in this wild sagebrush, barren, arid, dry country, that said, "What is the electricity for? To light up the sagebrush for the jackrabbits." When you think of the great industrial development, the economic contribution, the development of a great and important part of our country and the contribution to defense—when we talk about the atomic plants and the great aircraft plants and then think of a project like that, and recall the ridicule that it was subjected to in its day, we can see how wrong they were.

Mr. ASPINALL. Will my colleague yield further?

Mr. BLATNIK. I would be pleased to yield further to the gentleman from Colorado.

Mr. ASPINALL. I am sure that they made no study of this area before that project was authorized and that they could not have gone so far as to have flown over it before they wrote this article on which they call themselves experts.

Mr. BLATNIK. I could mention at least one project out of all the 3,000 projects handled by our committee and the thousands which are handled by the gentleman's committee as well as other committees, but I am thinking of the Ohio Valley in order to show how different parts of the country were covered. Here is the report of a very authoritative magazine, the Television Broadcasters, entitled "Ohio River Links Vast Industrial Area."

I am not going into it all, except one key point:

> The Ohio River Valley, from Pittsburgh to the Mississippi owes much of its swift development since World War II—

You see, through the programs in flood control and navigation these improvements have come about. But listen to this:

> Within a decade $18 billion has been spent in the Ohio Valley on plants costing $1 million or more each by private-venture capital investment in industrialization because of the cheaper traffic, protection from floods, accessibility and availability of adequate supplies of waters.

These figures come from the Ohio Valley Improvement Association, these are their own figures—$18 billion, more than all we have spent on reclamation and public works in the history of the country.

Then, Mr. Speaker, we come to the Mississippi River and the St. Anthony Falls lock which was mentioned. The river traffic on the upper Mississippi between St. Louis and on up toward Minneapolis increased 12 times in the last 20 years. Five hundred new plants were built along this river every year. We could go on and on with this.

Now, it is bad enough when this article in Life commits these errors of omission. Not one of these thousands of projects are referred to at all. At least, they could have said, "We wish the Congress would have approved more projects of this type. This is the type project we approve of; we ought to have more of this type project," and not these that in their opinion alone are a waste of the taxpayers' money. But, not one good project was referred to.

Mr. COHELAN. Mr. Speaker, will the gentleman yield?

Mr. BLATNIK. I yield to the gentleman from California.

Mr. COHELAN. I wonder if the gentleman could tell the Members of the House what is involved even in those projects listed in this article which I regard as very unfair in respect to the cost-benefit ratio that is required before a project can be approved?

Mr. BLATNIK. In everyone of them I can give the gentleman the details. I have them all here and they will be available for anyone who writes for them. In everyone of them the basic criteria used by the committees of Congress—that is, the authorizing committees, the Appropriations Committees, by the Bureau of the Budget and by the respective governmental agencies such as the Corps of Engineers, the Bureau of Reclamation, and whatnot—is this: that the investment in dollars yield an economic return, spelled out in quite some detail. That for every dollar invested we should receive more than $1 of economic benefit in one form or another. These projects do. Some of them are close. Some of them may come to 1.1 to 1. Others may be 1.4 to 1. But they do meet the criteria.

Mr. COHELAN. If the gentleman will yield further, in any case, notwithstanding the priority given to the various projects, they were reviewed by all of the standing committees of the House and other groups that are required to pass on them, would the gentleman agree that these represent very important capital improvements in our country?

Mr. BLATNIK. Yes. As I say, they are only the start and at the moment their record may show nothing spectacular. But still in the best considered judgment of engineers and hydraulics experts, technicians on the economics of water utilization and the other different aspects of it, in their judgment they say in the long run there is no question in their mind but what economic benefits will be greater than the cost involved.

Mr. COHELAN. If the gentleman will yield further, I notice here on page 25, I believe it is, the article referred to most of these public works projects which are included in the amount of some $3 billion-plus which are referred to and discussed in this article.

Mr. Speaker, one of the great heritages of our democracy is a powerful and free press; a heritage we take for granted like the air we breathe. Freedom of the press is grounded on the premise that the truth will emerge from free reporting and free discussion. But press freedom, Mr. Speaker, requires responsibility. Press freedom carries with it an obligation to inform; not to mislead, misrepresent or misinform.

These obligations, however, have been largely overlooked by the writers of the Life magazine article of August 16; an article which paints a biased, distorted and untruthful picture of many of our governmental programs for the development and utilization of natural and human resources.

To analyze and refute all of the misstatements and distortions contained in the Life article would take more time than I have this afternoon. But I would like to join my colleagues in examining some of those which pertain to one of these programs—the public employment service.

One of the worst distortions is the statement to the effect that the public employment service spends most of its funds "on people who are employed—to find them better jobs." It also states that "last year only 40 percent of the people USES placed were unemployed."

This, Mr. Speaker, is the same propaganda that the lobbyists for the private fee-charging agencies have been feeding to the public, the Congress, and the press for many months, but it is simply not true.

In fiscal year 1963, the public employment service made nearly 1 million job placements of youth, more than 275,000 job placements of handicapped workers, and 1.3 million nonfarm placements of workers age 45 and older.

Responsible officials of the public employment service, both National and State, have repeatedly declared over the years that only a small percentage of their placements have been of employed workers. These statements are given strong support by a survey made in May of this year; a survey which covered 22 States in which 75 percent of the total placements of the public employment service were made. This survey showed that unemployed persons were given decided preference and priority; that 97 percent of the placements were of unemployed workers.

It seems strange that an otherwise reputable magazine would not check the facts on what is so obviously a ridiculous and unfounded charge.

The article also states that "this agency managed on a $1 million budget in 1933 when it was trying to find work for some of the 12.8 million unemployed. It now spends $169 million a year."

This statement, unfortunately, overlooks two important factors, Mr. Speaker. First, in comparing the fiscal year 1933 budget with funds available for 1963, Life does not take into consideration the changes in population and labor force over a 30-year span, or the effects of technological change on the job needs of American workers and employers. It also disregards the increases in costs of such items as salaries, rents, equipment, and the many added responsibilities under new legislation.

Second, in fiscal year 1933, Federal funds were only provided for 20 offices of 1 or 2 persons, each primarily to route migratory farmworkers; 30 offices to serve veterans; and 100 small offices primarily in metropolitan areas. This was not a nationwide system and, it would clearly be totally inadequate, in both space and staff resources, to meet the urgent requirements of today.

In its 30 years of operation the 53 States and territorial employment services which make up the public employment service have made more than 321 million job placements. This includes not only placements, but related services such as aptitude testing, occupational counseling, and job guidance for millions of young people, older workers, handicapped, veterans, minority groups, and for workers displaced by automation and job obsolescence.

This clearly is an outstanding record of public service in a field which supports and needs both public and private efforts. It is a record, in brief, which does not warrant the unfounded attack which has been made.

Mr. Speaker, I commend the distinguished gentleman from Minnesota [Mr. BLATNIK] for his efforts in setting the record straight.

Mr. BLATNIK. I appreciate the comments of the gentleman from California and I thank him for bringing to the House important facts and information in connection with this subject.

Mr. Speaker, I now yield to my colleague, the gentleman from Wisconsin [Mr. LAIRD], an able and distinguished member of the Subcommittee on Appropriations dealing with appropriations for the Department of Labor.

Mr. LAIRD. I thank the gentleman from Minnesota for yielding to me.

Mr. Speaker, I think the gentleman from California has very adequately stated the case of the U.S. Employment Service in regard to the article appearing in Life magazine. It seems to me the authors of the Life magazine article used questionable techniques in a broadside aimed at all Government programs in referring to them as pork barrel projects. There are examples of pork barrel in the expenditure of Federal funds; however, I feel the USES is not a good example.

The U.S. Employment Service was one of the operations used in error in the article. The gentleman from California very adequately pointed out some very pertinent information as far as the U.S. Employment Service and its operations under the Department of Labor are concerned.

I should like to point out further that in the Life article, appearing on page 21, line 11, there was a clear implication that the public funds that were spent by the U.S. Employment Service represented a "commitment to tap the U.S. Treasury."

The facts, of course, are that the moneys are not appropriated to the U.S. Employment Service from the revenues of the General Treasury but are collected under the Federal Unemployment Tax Act and set aside in an unemployment trust fund for administration by the unemployment insurance and Employment Service programs, and from this fund are appropriated by the Congress to the U.S. Employment Service activities in each of the 53 States and territories.

The implication is made in line 12 of the article on page 21 that the public funds used by the U.S. Employment Service are "for political advantage first and the public welfare second."

As a member of the subcommittee that has worked closely with the U.S. Employment Service, I believe that the facts do not bear out this statement. The gentleman from California very adequately set forth the answer to this particular charge. I believe that this broadside levied against the U.S. Employment Service of the Department of Labor is not borne out by the facts of the case. I commend the gentleman from Minnesota and also the gentleman from California for calling this to the attention of the House.

Mr. BLATNIK. I thank the gentleman from Wisconsin.

Mr. Speaker, I will include my remarks pertaining to the U.S. Employment Service at this point in the RECORD, to save time, so that I may yield to many others of my colleagues.

I was also struck by the broadside aimed at that agency.

First of all, Life infers that public funds spent by the U.S. Employment Service represent a "commitment to tap the U.S. Treasury." If the editors had taken the time to check the facts, they would have found that Employment Service funds are not appropriated from the General Treasury, but are collected under the Federal Unemployment Tax Act. They are set aside in an unemployment trust fund, from which they are appropriated by Congress as the need arises for the unemployment insurance and employment-service programs.

Second, Life implies that funds spent for the U.S. Employment Service are "for political advantage first and public welfare second." I think the record of 321 million placements made by the Public Employment Service in its 30-year existence demonstrates beyond any doubt that the purpose of this agency is to serve the public welfare. This dedication to the national interest is proven not only by figures on placement, but also by such related services as aptitude testing, occupational counseling, and labor market information for millions of young people, older workers, handicapped, veterans, minority groups, and for workers displaced by automation and job obsolescence. These are the vital programs which, in reality, Life is attacking.

Third, Life tries the old trick of comparing the Employment Service budget of 1933 with the budget for 1963. The conclusions they reach in the article are absurd. The 1933 budget supported only 150 one-man or two-man offices—these were completely inadequate to service a national labor market. Life disregards the 30-year differential in population and labor force, and the growing need for a wider variety of labor market services as the economy becomes more complex and jobs are harder to find for those with no marketable skills.

I have received a copy of a telegram which Commissioner Starkey of the department of employment security in my home State of Minnesota has sent to the editors of Life magazine. I ask unanimous consent to have it inserted in the RECORD following my statement. The commissioner explains very well the role of the Employment Service in today's economy. Among other things, he points out that if the Employment Service managed to place any individual even 1 day sooner than he would have got a job on his own, the increase in the gross national product would be enough not only to pay the cost of placement, but would return a very handsome profit to the economy as well. The same goes for Employment Service operations in the country as a whole. I hope my friends and colleagues in the House and Senate will take cognizance of this so that we can lay to rest once and for all these attacks on the public Employment Service.

My friends, someday Life might like to write a pork barrel story about itself: a story on how the Post Office Department goes about 4 cents in the hole for each magazine it sends through the mail. To make it quite simple, the taxpayers are putting about 4 cents per mailed copy into Life's pork barrel. And that is the truth, not fiction.

DATA BASED ON FISCAL 1962 OPERATIONS, ADJUSTED FOR MAXIMUM POSTAGE INCREASES AND EMPLOYEE PAY INCREASES AUTHORIZED OCTOBER 1962

SECOND-CLASS MAIL

Regular rate publications, outside county and transient:

Number of pieces: 4,689 million.

	Millions	Percent	Average per piece (cents)
Costs	[1] $310.5	100	6.6
Revenues	[1] 94.5	30	2.0
Deficiency	[1] 216.0	70	4.6

[1] Source: 1962 cost ascertainment report, p. 20, Post Office Department, Bureau of Finance, Aug. 14, 1963.

Estimate of Life magazine annual second-class mailings (51 by Oct. 1961 count):

Pieces	315,000,000
Percent of total above	6.7

(NOTE.—It is estimated that Life magazine's per piece cost is below and the per piece revenue is above the corresponding averages for the subclass as a whole.)

ST. PAUL, MINN.,
August 14, 1963.

Representative JOHN BLATNIK,
Washington, D.C.

(Copy of the following wire sent to George P. Hunt, managing editor, Life magazine, Rockefeller Center, New York, N.Y.)

Your comments on the U.S. employment service in the list of "tasty items in the dish" of the "the steaming pork casserole" is a piece of not only unfair but inaccurate reporting.

If your reporters had taken the trouble to find out they would have discovered that to compare the Employment Service of 1933 when the first law (the Wagner-Peyser Act passed by Congress June 6, 1933) establishing a Federal-State system of public employment services was enacted with the present nationwide system of Federal-State employment offices in terms of the budget provided is not only absurd but extremely unfair. Anyone in his right mind by simple arithmetic can calculate the amount of job-finding help available to each of the 12.8 million unemployed by a $1 million budget less than 8 cents apiece.

The greatest growth of the Employment Service was largely the result of the requirement in all State unemployment insurance laws that claimants be registered for work in public employment service offices. This was and is certainly a reasonable requirement since the public employment service provides the best exchange possible for the return of unemployed claimants to gainful employment.

Your reports, if they had used a minimum amount of research, would have discovered that their figures indicating that only 40 percent of the peoples placed by the USES last year were unemployed, are the highly distorted figures submitted to Congress by a lobbying organization which is bent on reducing the effectiveness of the public employment services. Research conducted in Minnesota this year indicates that 12 percent of persons placed by the Public Employment Service were employed. This indicates that in Minnesota 88 percent of those placed were unemployed and this corresponds with studies made in other States. Our experience for fiscal year 1963 for direct personal services connected with placements was $393,678. We made 101,437 nonagricultural placementr. That averages out to $3.88 per placement. It is difficult to allocate precisely nonpersonal services between unemployment service activities and employment service. It is safe to say that total cost per placement was less than $30 each. If through our activities we were able to fill these positions 1 day sooner than would have been possible without our service, this cost would be approximately 50 percent of the first day's earnings.

This addition to purchasing power and gross national product by a reasonable calculation would result in a very handsome profit to the country as a whole.

The subsidies that the Government is making to business (including your own in the way of mail subsidies) is so large that we can make no comparison with the minimum amount of Government funds that find their way into helping unemployed people find employment. Don't overlook the fact that it is a saving to the employers to have a readily available source to keep their operations staffed. The only people who would profit by the curtailment of the employment service are the fee charging agencies who are waging a campaign before Congress to curtail public employment activities. The inclusion of the employment service in your tirade on Congress makes it appear that you are in league with them.

FRANK T. STARKEY,
Commissioner, Department of
Employment Security.

In its issue of August 16, 1963, Life magazine, using the name-calling technique, aimed a broadside at many worthwhile Government programs under the general label of "pork barrel" projects. The U.S. Employment Service was one of the targets. The following is an analysis of some of the misstatements and inferences regarding the USES.

1. Life, page 21, line 11: Inference is made that public funds spent by the USES represent a "commitment to tap the U.S. Treasury."

Answer: "Monies are not appropriated from the funds in the general treasury, but are collected under the Federal Unemployment Tax Act, set aside in the Unemployment Trust Fund for administration of the Unemployment Insurance and Employment Service programs and from this fund appropriated by the Congress."

2. Life, page 21, line 12: Inference is made that public funds spent for USES are "for political advantage first and the public welfare second."

Answer: "The record of 321 million placements in 30 years of its existence demonstrates the integrity of the public employment system which was established solely in the public interest to provide job market services. In terms of public welfare, these statistics represent not only placement but related services including aptitude testing, occupational counseling, and job guidance and referral for millions of young people, older workers, the handicapped, veterans, minority groups, and for workers displaced by automation and job obsolescence."

3. Life, page 25, first line under USES: "This agency managed on a $1 million budget in 1933 when it was trying to find work for some of the 12.8 million jobless. It now spends $169 million a year."

Answer: "This statement completely overlooks two factors—(1) In comparing the fiscal 1933 budget with funds available for 1963, Life does not take into consideration the differences in the population and labor force over a 30-year span, or the effects of technological change on the job needs of American workers and employers. It also disregards the increases in costs of such items as salaries, rents, and equipment, and the many added responsibilities under new legislation; (2) In fiscal 1933, the Federal funds were provided only for 20 one or two-man offices for migratory farm workers, 30 offices to serve veterans, and only 100 of that size offices primarily in metropolitan areas. This was not a nationwide system, and it was totally inadequate in both space and staff resources.

4. Life: "It now spends $169 million a year, most of it on people who are employed—to find them better jobs."

Answer: "While public employment service doors are open to all job seekers, the overwhelming majority of its applicants are the unemployed, since all unemployment insurance claimants must by law file applications for work. Moreover, youth searching for their first jobs constitute a significant portion of the unemployed, and they comprise nearly 25 percent of new job applicants at local employment offices. In fiscal year 1963, the public employment service made nearly one million job placements of youth, more than 275,000 job placements of handicapped workers, and 1.3 million nonfarm placements of workers age 45 and older.

In a survey—based on a national sample which included all of the large industrial States—conducted by the Bureau of Employment Security during the week beginning May 19, 1963, it was found that 97 percent of verified placements were placements of unemployed persons. However, under the terms of the Wagner-Peyser Act, the public employment offices are required to provide placement service to all persons legally qualified to engage in gainful occupations.

5. Life: "To attract professional people, some State agencies build elaborate offices with free parking lots in downtown districts."

Answer: "Nationwide, there are only 10 separate local public employment offices devoted exclusively to placement of professional people. These offices are in downtown locations and most of them are modern businesslike facilities. Not a single one of them has a free parking lot. Some of our other local employment offices in downtown districts that provide across-the-board placement services do provide parking."

6. Life: "The unemployed laborer, once the main concern of the service."

Answer: "The unemployed, skilled or unskilled, have always been and still are the main concern of the public employment service. As for 'unemployed laborers' despite the downtrend in total unskilled job openings, the public employment offices found almost 2 million jobs for unskilled workers in fiscal year 1963."

The table below gives the occupational pattern of the placements:

NONFARM PLACEMENTS IN THE UNITED STATES BY OCCUPATION—FISCAL YEAR 1963

By occupation:	
Professional and managerial	$247,500
Clerical and sales	1,058,600
Service	2,145,200
Skilled and semiskilled	1,245,500
Unskilled and other	1,935,500
Total	6,632,300

7. Life: "The unemployed laborers * * * once the main concern of the service, are directed to report to separate offices in the slums."

Answer: "In many metropolitan areas, public employment offices are organized on an industrial-occupational basis, each serving the whole community in specialized occupations and industries. For example, industrial or service offices are situated near the centers of need for such workers and their potential employers. Likewise, clerical and professional offices are located in business districts. This policy hardly merits the interpretation that unemployed laborers 'are directed to separate offices in the slums.'"

8. Life: "Last year only 40 percent of the people USES placed were unemployed."

Answer: "This completely false statement originated with the lobbyists of the private fee-charging agencies. Life did not bother to check its accuracy.

"Continued observations of placement operations over the years indicate that only a small percentage of those placed were employed workers. This was supported by the May 1963 survey which showed that only 3 percent of public employment service placements were of employed workers seeking better jobs, or seeking to make better use of their skills and abilities."

(Source: Bureau of Employment Security, U.S. Department of Labor, Washington, D.C., Aug. 16, 1963.)

I now yield to the gentleman from Arizona [Mr. UDALL].

Mr. UDALL. Mr. Speaker, it has been said by someone that you never mention rope in the house of a man who has been hanged. If I were the editors of Life, the last word I would want to mention would be the word "subsidy." For this magazine and others of its kind enjoy the most juicy piece of "pork" in the barrel. I am a member of the House Committee on the Post Office and Civil Service, and I want to mention some of the facts that deal with the mailing subsidy accorded this and other magazines.

Now the cold, hard fact of the matter is that in this year of our Lord, 1963, it will cost the Post Office Department $310 million to deliver second-class publications such as Life. The Department will get back in postage $95 million. In other words, they have a subsidy of $215 million. This pays about 31 percent of the cost this year of delivering these publications. The Luce publications, it is estimated, will this year receive a subsidy of something in the neighborhood of $20 million. While my 1963 figure is an estimate, I do have more exact figures from some studies made by the House Post Office Committee covering the year 1956. In that year a statement was sent to the stockholders of the Luce publications and in his annual report, Mr. Luce said:

> The level of earnings attained by Life has never been equalled by any other magazine in the history of publishing.

Luce went on to boast that this corporation had been able to show "a net profit of nearly $14 million."

Life paid a dividend that year of something like $7 per share on this $14 million profit. I must point out the sad fact that $12 million of that $14 million profit came as a subsidy from Uncle Sam, and I think it is with poor grace that this particular magazine comes out in this issue and attacks subsidies—which are really not subsidies at all—but which are rather programs which in large part have brought about the constructive development of the resources of this country.

If there are any taxpayers listening let me give you one final shocking fact, and some advice. If you are concerned about the costs of government—and if you are considering subscribing to Life, do not. It is my estimate that the loss to the Post Office Department and the taxpayers on each new Life subscription is $2 per year. This represents the difference between what Life pays the Department for making delivery of 52 issues, and what it costs the Department to deliver.

The editors of Life asked me last week for my comments on their article, and I responded in this fashion. I said I was more struck by Life's omissions than its disclosures. For example, I observed that Life failed to list any instances of State or local "pork barreling," leading one to the conclusion that the authors made their point rather by definition than revelation. In other words, they would have us believe that when the Federal Government builds a dam or a highway, it is "pork barreling," but when State and local government units do the same thing, it is sound, frugal, and prudent investment of the taxpayer's dollar.

However, I had to admit that this thesis suffers from Life's failure to include any Defense spending in its "pork barrel" concept, even though Defense contracts account for nearly two-thirds of all Federal spending. Evidently the authors would have us believe that the B-36s and B-50s we are scrapping for pots and pans, and the battleships we are melting down for razor blades, constituted wise spending, but the Interstate Highway System was a Federal boondoggle.

The omission which struck me as most startling, however, is the $215 million taxpayers of this country pay every year to deliver magazines like Life. In my letter to the editors I made the point which I want to make here today, and that is this: surely such a subsidy would have as much claim to the designation "pork barrel" as any program, project, expenditure or subsidy mentioned in the Life article.

Some wag suggested out in the hall a few moments ago that it might have been appropriate if the magazine had omitted the letter "F" from its title for this particular week's issue.

Finally let me touch on just one other aspect of the article.

One of the biggest attacks was made on the post office's program of building more post offices and particularly on leasing arrangements that the post office has made in recent years. As a member of the House Committee on Post Office and Civil Service, I am concerned about the accuracy of the statements in the article. It reminds me of a meeting I attended in Denver once where the guest speaker was introduced by a badly misinformed master of ceremonies. He said:

> Our speaker today is from Oklahoma. He is a big wheel in the cattle industry. I understand he is just up here on a big transaction that he has just closed in which he made $100,000.

The speaker got up and said:

> The introduction is only approximately correct. I am not from Oklahoma; I am from Texas. I am not in cattle; I am in oil. The deal was not for $100,000; it was $10,000. And I did not make it; I lost it. With those exceptions, the introduction of the master of ceremonies was entirely correct.

And, Mr. Speaker, this is about the way it is with this portion of this article I am going to discuss.

Last spring, before the Appropriations Committe of the House, the president of the Magazine Publishers Association gave his group's urgent endorsement to a 1958 $2 billion program which they called a crash modernization plan.

That $2 billion program which the Magazine Publishers Association has been consistently advocating in a drumfire of editorials and letters to President Kennedy and propaganda to Members of Congress consists of "only $1.5 billion to build 12,000 new post offices the country now needs—the other half billion to be used by the Department to equip the new post offices built by private investors." The publishers of Life magazine are among the most active and vocal members of the Magazine Publishers Association.

Yet, the current Life magazine, presumably directed in editorial policy by the same persons who have vigorously sought to sell this program to the Congress, says:

> Perhaps the oldest and most cherished of all—sources for slicing pork out of the Federal Treasury—is the Post Office Department * * * it may well be that success in scattering new post offices generously around a congressional district has kept more men in Congress longer than any other wrench in the political tool kit.

This amazing disparity between publisher's policy and editorial copy is typical of the gap between text and fact throughout the section of the article dealing with the Post Office Department building program and the participation both of the administration and Members of the Congress in same.

For example, the fictional version in Life describes the program this way:

> It seems fair to call it (post office construction) pork, except in cases where the post office is clearly necessary."

Here are the facts. In 1957 there were approximately 47,000 postal facilities in the United States. In the 17 years from 1940 through 1957 barely 900 of them had been replaced by newly constructed post offices. The last administration and this have, in toto, replaced 5,500 additional buildings since 1957 and the Department is still faced with a backlog of construction which would never be tolerated in private industry.

As an example: New York City, with the largest postal volume in the world and 40,000 employees, has not had a new major postal facility in 50 years.

Despite the fictional presentation in Life—that post offices are built to meet the whims and caprices of campaign politics—4,000 post offices were reviewed between September of 1961 and June 30, 1963, in instances where space and facilities were inadequate. Of those cases only 1,100 survived the scrutiny of space requirement and real estate technicians and the alternatives of modernization or other available space. Thus, slightly more than 25 percent of the eligible new post offices were authorized within tight budgetary limitations.

Since facts seldom support fiction, the authors naturally had strenuously to avoid the truth in scrambling for an example to support their case. They chose the campaign of Senator Kennedy to illustrate just how blatantly post office construction has been manipulated.

They pointed out, factually, that:

> Eight new post offices have been or are being constructed in Massachusetts.

They did not indicate, of course, that the space requirements for each of these offices had been developed many months—up to a year—prior to November 1962. And in the same consistently successful effort to sidestep any facts, they naturally neglected to question the need for any one of these offices.

Then to prove just how broadminded they were, they report that 14 other offices have been approved for construction since Senator Kennedy took office.

As a matter of fact, 23 projects have been approved in Massachusetts since November 1962. And in all but one instance, again, the space requirements were developed long before November 1962. In the vast majority of cases, as a matter of fact space requirements were developed more than a year before the last election in Massachusetts.

The implication that postal construction was somehow inequitably distributed to Massachusetts might, perhaps, have been less telling had the authors also reported on other comparable States. In the same period, look at new post offices in some other States—32 in New Jersey, 21 in Georgia and 32 in Indiana.

Then leaping effortlessly from Massachusetts to the State of Washington, the novelist who researched the postal section of the Life article gave what he describes as "a typical lease-building deal the Department is getting in Bellevue, Wash." In this deal, typical not of postal building, but rather of imagination unfettered by facts is the flat statement that the lessor is guaranteed "an annual 6-percent return on his land investment." There is no guarantee at all. The lessor was the lowest of 14 bidders. He signed a fixed-sum rent contract with utterly no guarantee except the payment of rent.

A "minor" error somehow crept into the article by describing the lease as a 30-year contract. In fact, the lease is for 20 years, substantially altering all aspects of the analysis of cost.

At one point, presumably by accident, an accurate figure is used—the population of Bellevue, Wash., is 13,000. But that post office like most of the new facilities built today, serves a much wider area—in fact, 41,000 people. Finally, this so-called typical case ignores the fact that the lessor is paying maintenance cost, all local taxes, and insurance. Were the building Government-owned, maintenance and insurance equivalent would be added to the cost of a federally owned building and it is a fair assumption that the people of Bellevue, Wash., prefer to receive taxes from the property rather than have a federally owned structure remove even the land from the local tax rolls.

In an article which points to local responsibility, expenditures of local funds and emphasis on local initiative in regard to other Federal projects, Life would, in its postal section, deny 54 local communities approximately $33 million.

Brushing off a factual analysis of cost differentials of $62 million "because of a disagreement on just how interest should be calculated," Life succeeds in putting itself firmly on the side of both local initiative and higher Federal costs—no mean trick even when you do forget what you set out to prove.

This inconsistency appears when Life reports that the GAO quotes the post office as "calculating the extra expenses through lease building at only $62 million" on 54 specific new post offices studied by the General Accounting Office. Space limitations, perhaps, made it impossible for Life's authors to note that of the alleged $62 million, more than half—$33 million—are going to the 54 local communities in the form of local taxes which, if not paid by the lessors of post offices, would have to be absorbed through higher taxes by the people in these communities. An additional $8 million is being paid by the lessors in insurance which the Federal Government would have to pay one way or the other were the buildings federally owned. And $5½ million more represents maintenance of the buildings by their owners—another expense which would be borne by the taxpayer directly were those buildings owned by the Government.

But this last $15.5 million completely evaporates unless it is assumed, as it was by both Life and GAO, that the cost of construction is the same whether the building is a Federal project or built by private enterprise. Given the cynicism on the cost of Federal projects exhibited by the authors in the forepart of the article, it is completely illogical that they would swallow such an assumption.

The average taxpayer should be pardoned for thinking that all post offices are long-term leases, since Life makes the flat statement:

> The post office binds itself to rent the buildings from 20 to 30 years with renewal options up to 50 years.

This statement, like most of the rest of the material used, is almost unbelievably misleading. Ninety percent of all the leases are for 10 years or less—certainly a new approach to statistical analysis is born here when 10 percent of the whole is labeled "typical."

Postal operations are hamstrung by inadequate and obsolete facilities in thousands of cities and towns across the country. Mailers, postal employees, and local community leaders constantly attest to the need for new buildings to match business and industrial growth.

It seems a shame, really, for Life magazine, certainly one of the biggest bargain users of this system, to lead a scatter-shot attack on a soundly based program which its publishers are simultaneously demanding be accelerated.

Remarkably similar to building programs used by major private corporations to provide adequate physical plant, the Post Office Department's lease construction program attracts private capital which otherwise would have to come from the Federal Treasury.

It is unfortunate that Life's article was in conformance neither with the facts nor the policy of their own industry.

I wanted to say that we do have a great need for new post offices. This is adding every year enough additional people to equal a city the size of Philadelphia. We need more roads, more schools, and more post offices. We can either do nothing or take action to provide post offices for these people. If we act, and I feel we must, there are two ways to go about it. One is for the Government to build these post offices. We would need a tremendous program of post office construction. The second way to do it would be to have an intelligent, reasonable leasing program. This is what the Department has worked out, under both Presidents Eisenhower and Kennedy. We have taken the lease road because Congress, with the big budgets it is faced with, has been unwilling to provide the money for a crash program of post office construction. This program has been carefully calculated and I think has been well administered. You can make a good argument for having the Government construct the post offices itself, but in view of the fact that this is not a realistic option, the Post Office has done the very best it can.

As one who has studied closely the workings of our fine Postal Establishment I am particularly aggrieved at the misleading and erroneous charges leveled at the U.S. Post Office Department, which is one of the world's largest and most efficient business operations.

I thank the gentleman from Minnesota for yielding.

Mr. BLATNIK. Mr. Speaker, I thank the gentleman from Arizona for his, as always, very penetrating and effective presentation.

I yield to the gentleman from Texas, a member of the Public Works Committee and a very effective one.

Mr. YOUNG. Mr. Speaker, I want to commend my distinguished chairman at this time for correcting a very distorted report relative to public works and other functions of our Government.

I want to commend particularly the gentleman on his coverage of the very important Gulf Intracoastal Canal, which I think is a typical example of the workings of the benefit-cost ratio as a formula determining the merits of public works programs. I do not think there is any question but that the real way and the best way to examine the efficacy of the public works programs is to look at projects that are actually in operation. I for one was considerably impressed by the lack of treatment in this particular article of projects that have been underway, projects that have been completed for many years. I can only conclude, in view of the viciousness of this article, that the reason why those projects were ignored was that they would not bear out the vicious tenor of the article. We can best contribute here, as I see it, Mr. Speaker, by speaking briefly about projects with which we are personally familiar. I happen to represent the 14th Congressional District in south Texas. There is a fine port at Corpus Christi in Texas. That port, Mr. Speaker, was inaugurated in 1926. From that time until the present time it has been estimated that that port averaged the location of one major industrial plant in the general Corpus Christi area each year since 1926. That port has generated much additional new business in bolstering the economy of that area, which amounts to many, many fold the sums spent on its generation. I do not think there is any question, considering the level of Federal taxes that comes out of business these days, that the port of Corpus Christi paid for itself in hard-earned Federal taxes many times over since it was originally inaugurated back in 1926, just as has the Intracoastal Canal.

In conclusion, Mr. Speaker, to me, and I know it is the same to you, public works projects are an expression of the confidence that the American people have in themselves and in their future. They are investments in the future of this country.

I thank the gentleman from Minnesota for yielding.

Mr. BLATNIK. Mr. Speaker, I thank the gentleman from Texas for his statement.

I yield to the gentleman from New York, a member of the House of Representatives Committee on Public Works, such time as he may desire.

Mr. MURPHY of New York. Mr. Speaker, I want to join my colleague the gentleman from Minnesota [Mr. BLATNIK] and the gentleman from Oklahoma [Mr. EDMONSON] in overruling the implication of the Life magazine article issue, of August 16, 1963, entitled "Pork Barrel Swells."

According to the foreword, this article is the work of five men, three of whom spent 2 months of travel and research reporting, the fourth put their findings into final form, and the fifth took the photographs. The article covers an extremely wide field and includes rivers and harbors, flood control, irrigation and, generally speaking, the entire civil works operations of the Corps of Engineers and the Bureau of Reclamation. It also includes the post office building program, the activities of the Small Business Administration, and the work of the National Aeronautics and Space Administration.

It is difficult to believe that three investigators in one editorial review can in 2 months cover more than the barest fraction of this tremendous program. Books have been written on one aspect alone of one of the programs. In general, the article must be considered as extremely superficial, extremely one-sided and in many ways distorted. In some respects the distortion is so great as to constitute a major fallacy. Even with respect to the comments on the civil works projects of the Corps of Engineers which are covered in this analysis the article is superficial. There is very little reference made, and then only indirectly and in passing, that there might be some merit in some projects. Finally the projects and programs which are commented upon are the result of the work of literally hundreds of engineers, economists and other technically trained experts; they have been reviewed again and again at all levels of government as well as the States and other local interests. In the great majority of cases they have received approval of the Bureau of the Budget acting for the President which has been noted as a conservative body. They have been approved by the legislative committees of the Congress and funds have been made available through the Appropriations Committees. There is no known activity in the world on the part of any government which is subject to the intense scrutiny, to the multiple review and to the countless checks and balances than the civil works program.

The article uses the term "pork barrel" in its caption and throughout its context. This term first appeared in the 1880's and was a result of criticism leveled at so-called unworthy projects which were claimed to have been selected through a logrolling process where the Members of Congress would support each other's projects regardless of the merits in turn for their colleagues' support of their own. Whether this criticism is true or not is not the point at issue here. Subsequent to that time legislation and administrative procedures have grown up over a period of some 60 years designed to prevent the construction of unworthy projects. One of the first steps in this direction was the creation of the Board of Engineers for Rivers and Harbors, an arm of the Corps of Engineers, to review objectively, subject to no influence from anyone, all reports of the corps made by its field offices. This is not an autonomous body and is composed of senior officers of the corps who have had wide experience in civil works. They are usually division engineers, which means that they are in charge of several districts each covering a considerable portion of the country. In addition to the staff of each division engineer there is a well-trained and highly competent civilian staff stationed in Washington whose only function is to review the various reports submitted from various parts of the country and to present the facts to the Board in its monthly meeting. The Board is quasi-judicial in nature and generally conservative in makeup. It is common knowledge that any report which runs the gauntlet of the Board of Engineers must per se have unquestioned merit.

In addition to the Board of Engineers for Rivers and Harbors the reports for the Corps of Engineers have many other gauntlets to run before they finally result in authorized and constructed projects. It would take too long to describe each of the 18 steps which must be taken, but I would like to insert at this point a list of these steps from the original conception of a project to its eventual accomplishment.

Also at this point, Mr. Speaker, I would like to concur in the remarks of the gentleman from California on the responsibilities of the press and also to insert this procedure involving the conception, authorization, and ultimate construction of Corps of Engineers rivers and harbors and flood control projects which in detail list the 18 steps from the beginning to the realization of the public works project.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

The matter referred to follows:

PROCEDURE INVOLVING THE CONCEPTION, AUTHORIZATION, AND ULTIMATE CONSTRUCTION OF CORPS OF ENGINEERS' RIVER AND HARBOR AND FLOOD CONTROL PROJECTS

STEP NO. 1: INITIATION OF ACTION BY LOCAL INTERESTS

Local citizens who desire navigation, flood control, or related water resource improvements should contact their Senators and Representatives with a request that provision of the desired facilities be considered by the Federal Government. Local interests may also request advice of representatives of the Corps of Engineers, who will furnish pertinent available information and advise them of the appropriate further procedures.

STEP NO. 2: CONSULTATION BY SENATOR OR REPRESENTATIVE WITH PUBLIC WORKS COMMITTEE

Either one of two courses of action may be taken by a Senator or Representative in securing authorization of an investigation. If a previous report on navigation, flood control, or allied purposes has been made for the area in question, the Senator or Representative may request the Senate or House Committee on Public Works to adopt a resolution authorizing a review of previous reports to determine whether any modifications of the Chief of Engineers' recommendations in such reports would be advisable, as contemplated by section 4 of River and Harbor Act approved March 4, 1913. If no previous report has been made, the Senator or Representative may request the committee to include authorization for a survey in either an omnibus river and harbor and flood control bill or a separate bill.

STEP NO. 3: ACTION BY THE PUBLIC WORKS COMMITTEE

If the committee is convinced of the need for a review report, an appropriate resolution calling upon the Board of Engineers for Rivers and Harbors to make the review will be adopted by the committee and referred to the Chief of Engineers for necessary action. However, if a previous report involves the project for the alluvial valley of the Mississippi River and tributaries, the resolution will call for a review of that report by the Chief of Engineers rather than by the board. If the committee is convinced of the need for an original report, the authorization for an investigation will be included in either an omnibus river and harbor and flood control bill or a separate bill for consideration by Congress. Each committee may request advice of the Chief of Engineers on the desirability of authorizing such study.

STEP NO. 4: ASSIGNMENT OF INVESTIGATION BY CHIEF OF ENGINEERS

Whether an investigation is requested of the Chief of Engineers by committee resolution or by authority of an act of Congress, the Chief of Engineers will assign the investigation to an appropriate reporting officer, usually the division engineer in whose territory the area is located. Division engineers may further assign the investigation to the proper district engineer. However, before work can be undertaken on an investigation, funds for that purpose must be appropriated by the Congress.

STEP NO. 5: PUBLIC HEARINGS BY DIVISION OR DISTRICT ENGINEER

The division or district engineer, in order to ascertain the views and desires of local people, will hold public hearings as appropriate at localities accessible to all concerned. Local interests will be afforded full opportunity to express their views on the character and extent of the improvement desired and on the need and advisability of its execution. A hearing in connection with cooperative beach erosion studies will be optional with the reporting offices and the cooperating agency.

STEP NO. 6: INVESTIGATION BY DIVISION OR DISTRICT ENGINEER

The division or district engineer after carefully analyzing the data obtained from local interests and developed through field and office studies, will devise a plan of improvement best suited for problems under consideration and the area in question. During development of the plan of improvement, consideration will be given to optimum use of all water resources of the area by providing allied improvements. A favorable recommendation will depend on whether the benefits to be derived through the plan of improvement exceed the costs to be incurred.

STEP NO. 7: REVIEW BY DIVISION ENGINEER AND ISSUANCE OF PUBLIC NOTICE

Upon completion of the report by the district engineer, the division engineer having jurisdiction will review the report and transmit it to the Board of Engineers for Rivers and Harbors. At that time he will issue a public notice to all parties known to be interested in the investigation, setting forth the findings of the district and division engineers and their recommendations for improvement, and informing those concerned that they may furnish their views to the Board.

STEP NO. 8: REVIEW AND HEARINGS BY ENGINEER BOARDS

The Board of Engineers for Rivers and Harbors, an independent body with separate staff in Washington, D.C., is required by law to review all survey and review reports except beach erosion reports. The Beach Erosion Board, also an independent body and staff in Washington, D.C., is the review board for beach erosion studies. These Boards may hold public hearings before making recommendations to the Chief of Engineers.

STEP NO. 9: PREPARATION OF PROPOSED REPORT OF THE CHIEF OF ENGINEERS AND REVIEW THEREOF BY THE AFFECTED STATES AND FEDERAL AGENCIES

When the Board concerned completes its review of the report and transmits its recommendation to the Chief of Engineers, the latter will prepare his proposed report and will refer it, with the Board's report, to the Governors of the affected States and to other interested Federal agencies in order to obtain their views and recommendations on the improvements discussed in the report. The Federal agencies involved may include the Departments of Agriculture, Commerce, Interior, Labor, and Health, Education, and Welfare; the Federal Power Commission; and interested branches of the Department of Defense. The States and the other Federal agencies normally will be expected to forward their comments on the proposed report to the Chief of Engineers within 90 days.

STEP NO. 10: TRANSMITTAL OF REPORT TO BUREAU OF THE BUDGET

After the Chief of Engineers receives the comments of the Governors of the affected States and those of other interested Federal agencies, the Secretary of the Army will submit a draft of his letter of transmission to Congress, with the report of the Chief of Engineers and all pertinent papers, to the Director of the Bureau of the Budget for a determination of the relationship of the report to the program of the President.

STEP NO. 11: TRANSMITTAL OF REPORT TO CONGRESS

Upon receipt of the comments of the Bureau of the Budget, the Chief of Engineers will submit his report, together with all allied papers and comments, to the Secretary of the Army, who will transmit it to Congress. This step will complete the action required of the Chief of Engineers and the Department of the Army insofar as compliance with the congressional resolution or act authorizing the investigation is concerned.

STEP NO. 12: PROJECT AUTHORIZATION BY CONGRESS

After the report is forwarded to Congress by the Secretary of the Army, the Committees on Public Works of the Senate and the House may hold hearings on the report with a view toward formulating a bill including authorization of projects recommended in the report. The report may be ordered to be printed by a committee and then is known as the project document. Authorization for construction of projects will usually be included in omnibus river and harbor and flood control bills.

STEP NO. 13: ASSURANCES OF LOCAL COOPERATION

When scheduling of planning and construction of an authorized project is considered, the district engineer notifies responsible local interests that they will be required to furnish formal assurances that they will provide the authorized measures of local cooperation. If assurances satisfactory to the Secretary of the Army are not furnished projects generally are placed on the inactive list. In the specific case of local flood control projects, projects are deauthorized as provided by law if the assurances are not provided within 5 years after the request is made.

STEP NO. 14: REQUEST FOR PLANNING AND CONSTRUCTION FUNDS

In order for the Corps of Engineers to construct a project authorized in an omnibus bill, funds must be requested from Congress. All requests for planning and construction funds will be reviewed by the Bureau of the Budget, and, if found to conform with the President's budgetary policies, will be transmitted to the House Committee on Appropriations for consideration.

STEP NO. 15: APPROPRIATION OF PLANNING AND CONSTRUCTION FUNDS

Upon completion of hearings by the Appropriation Committees considering the Department of the Army Civil Works Appropriations, a bill will be reported out of committee and referred to the full Congress for passage. The enactment will then go to the President for signature. Authority and funds will be thereby given to the Chief of Engineers to initiate detailed planning and construction of the projects referred to in that bill.

STEP NO. 16: PREPARATION OF PLANS

Before construction of the project can be started, detailed plans, specifications, and cost estimates will be prepared by the district engineer, with such assistance and review by the division engineer and the Chief of Engineers as are necessary. At this time, the formal assurances of local cooperation required by law, of which local interests were notified in step 13, must be provided by local interests and approved by the Secretary of the Army.

STEP NO. 17: INVITATION TO BID

Upon completion of plans and specifications, prospective bidders will be invited to bid on constructing the proposed improvements. Upon determination of the eligible low bidder, a contract will be awarded to him for construction of the project in accordance with those plans and specifications, or, if satisfactory bids are not secured, Government construction with hired labor may be undertaken as provided by law.

STEP NO. 18: INITIATION OF CONSTRUCTION OF PROJECT

After award of the contract, the successful bidder will mobilize his plant, equipment, and personnel, and start construction.

Mr. BLATNIK. Mr. Speaker, I thank the gentleman from New York.

Mr. CLARK. Mr. Speaker, will the gentleman yield?

Mr. BLATNIK. I yield to the gentleman from Pennsylvania, a Member who has served for years on the Committee on Public Works.

Mr. CLARK. Mr. Speaker, I am glad Mr. BLATNIK has taken the time to answer Life magazine who receives such a large U.S. subsidy. The article implies that the Members of Congress are interested only in those projects which affect their own districts. Nothing could be further from the truth. Those dedicated to the development of our Nation's water resources are concerned with the optimum development of river basins throughout the entire United States. It is natural, of course, that a Member will devote special attention to a project which lies in his congressional district. But it should be noted that the leadership in this field have been famous for their general knowledge of the water problems throughout the United States and for their energetic devotion toward their solution. A reading of the hearings before the legislative committees and the Appropriations Committees that the members of these committees have asked penetrating questions and shown great interest in projects far removed from their district.

In addition to the attention given by the appropriate committees and by the Congress itself to the problem of developing the Nation's water resources the agencies involved in this field have made every effort to meet on common ground and to reconcile any differences which might have arisen in the treatment of these problems because of differences of administrative practices. An Interagency Committee was created about 1940 consisting of the three principal constructing agencies in the field of water resources; the Corps of Engineers, the Department of the Interior, and the Soil Conservation Service. This was expanded several times in the fields that followed to bring in other agencies interested in this field such as the Federal Power Commission, the Department of Health, Education, and Welfare, and others. Various subcommittees were formed to permit all the agencies to share in the specialized work of each. One of the most difficult problems in the field of project formulation and evaluation is that of economics. A subcommittee was formed called the Benefits and Costs Subcommittee with a staff composed of representatives of the various agencies involved which met regularly once a week for a period of 5 years to thrash out problems of mutual interest in the analyses of projects. The members of the staff and of the subcommittee were highly trained specialists in the field and have devoted many years, most of them working up from the grassroots. The subcommittee finally prepared a pamphlet commonly known as the "Green Book" and officially entitled "Practices for Economic Analyses of River Basin Projects." This in effect consolidated the practices of the various agencies which up until that time had differed in some important respects. The principles laid down in this treatise were later embodied in official orders issued by the President through the Bureau of the Budget in setting up a standard which would be correct technically and would meet all the criteria necessary for the development of sound river basin planning.

The "Green Book" is not easy reading because the subjects it covers are extremely complex and require a great deal of background and knowledge. It is possible that the writers of the Life magazine article might well have spent the 2 months in comprehending the basic principles underlying this volume and similar publications bearing on the subject before they had attempted to investigate individual projects. It is noted that the article contains no figures except a listing of the costs of some of the projects discussed. There is no listing of benefit cost ratios which is the accepted means of measuring economic worth of the project. There is no analysis or statement of the amount of traffic to be carried and the savings estimated from the various navigation projects referred to in the article. Perhaps the most noticeable thing about the article is the lack of substantiating information in the use of broad generalities and practices. The use of a picture of a navigation channel to prove that it lacks merit is certainly unfair. Equally noticeable is a lack of reference to the thousands of projects which are accepted as being meritorious and which have proved their value over the years.

This article is not isolated in its indictment of the Congress. I believe in criticism—where it is constructive and serves a purpose, but where a communication media uses a distorted article which reflects upon the judgment and integrity of the House, I think it serves as a disservice to the Members of Congress and the American people, who have a right to press reporting without distortion.

Mr. CHENOWETH. Mr. Speaker, will the gentleman yield?

Mr. BLATNIK. I yield to the gentleman from Colorado [Mr. CHENOWETH].

Mr. CHENOWETH. Mr. Speaker, I commend the distinguished gentleman from Minnesota for taking this time today in order to answer the unfounded charges contained in the so-called "pork barrel" article which appeared in Life magazine last week. I was greatly surprised when I read this article. I could not understand why the article was written. The article is obviously misleading. The readers of Life will get a very distorted impression of our reclamation and flood control programs. The conclusions drawn by the writers of this article are not based on facts.

I received a letter last week from Mr. Morton B. White, assistant to the publisher of Life, in which he requested that I comment on the article, which I did. I inserted a copy of my letter in the remarks I made on the floor last Thursday, August 1, when I answered the charges made against the Fryingpan-Arkansas project in Colorado.

I now wish to make some additional observations, and I shall confine my remarks to the Fryingpan-Arkansas project because this is the project with which I am most familiar.

I was happy to sponsor this project from its inception. When I read the reference in the Life article to this project, I immediately recognized the article contained some very glaring misstatements, which I called to the attention of Mr. White in my letter. I did not check the entire article for similar misstatements on the other projects, but I suspect some of the same inconsistencies and inaccuracies will be found in the history and description of all of the projects mentioned in the article.

I do not believe, Mr. Speaker, that it is necessary for us to make any defense today of the irrigation and reclamation, or the flood control programs in this country. These programs have received the closest scrutiny of Congress over the years. I feel that both of these programs have contributed a great deal to the growth and development of our Nation. They do not deserve the characterization given them in this article.

The gentleman from Minnesota [Mr. BLATNIK], has been most zealous and diligent, as a member of the House Committee on Public Works, in sponsoring and supporting projects for the development of our natural resources, and flood protection. These projects are authorized by Congress only after prolonged hearings by subcommittees, and then reviewed by the full committees. It is a long and tedious process for a project to obtain authorization. After the project is authorized appropriations must be obtained, at which time the merits of the project are again reviewed.

Mr. Speaker, we in the West realize and appreciate the importance of our irrigation and reclamation program. We know what it has meant to so many arid areas in the West, which are now prosperous agricultural communities due to these reclamation propects authorized by Congress over the years.

I call attention today to one of these projects, the Colorado-Big Thompson project, which has been completed for several years and is now in operation in northern Colorado. This project is located in the districts represented by my colleagues from Colorado [Mr. Aspinall and Mr. Brotzman]. This is a very similar project to the Fryingpan-Arkansas project mentioned in the Life article. Water is brought from the western slope to the eastern slope of Colorado and made available to the farmers in the northern part of our State.

Colorado has been suffering this year from a prolonged drought, probably one of the most severe droughts in the history of our State. Except for the Colorado-Big Thompson project, and the irrigation water it is making available, the farmers in a very rich agricultural area in northern Colorado would have suffered large crop losses this year. It is most fortunate for them that this project is in operation. The water stored by the project is also available for municipal use by the towns and cities in the conservancy district, which was formed to repay the cost of the project.

That is just one example of what a reclamation project means to our people in the West and I could name many more. Water is the lifeblood of any area. No community can grow and prosper without an adequate supply of water.

I mentioned in my letter to the publisher last week the importance of the Fryingpan-Arkansas project to my disdrict, and that it would bring the same benefits to southern Colorado that other reclamation projects have brought to their respective areas. I also commented on the fact that reclamation projects pay for themselves and are not handouts. All of the construction money is repaid to the Federal Government, with certain exceptions. These projects benefit not only the immediate areas they serve, but the entire Nation. They are not handouts, but a good investment for the American taxpayer.

This is why I have given the irrigation and reclamation and flood control programs, my full support since I have been a Member of Congress. This will continue to be my policy as long as I remain a Member of this House. I feel very strongly that these programs are essential to the economy of our country. I protest against the charges made in the Life magazine article that these are pork barrel projects.

Mr. Speaker, I have a copy of a letter Mr. J. Selby Young, president, board of directors, southeastern Colorado Water Conservancy District, Pueblo, Colo., addressed to Mr. George P. Hunt, managing editor, Life magazine, in which he comments on this article as it relates to the Fryingpan-Arkansas project. I wish to state that this conservancy district was organized under the laws of Colorado and is the sponsor of this project. I ask unanimous consent to include this letter in my remarks.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

The letter referred to follows:

Southeastern Colorado Water
Conservation District,
Pueblo, Colo., August 16, 1963.

Mr. George P. Hunt,
Managing Editor, Life Magazine, Time, Inc., Rockefeller Center, New York, N.Y.

Dear Sir: The undersigned district is the corporate entity under Colorado statutes that represents all property owners to be served by the Fryingpan-Arkansas Transmountain Water Diversion project, including the cities of Pueblo, Colorado Springs, and other towns within an area embracing 280,000 acres of already irrigated and cultivated land in the Arkansas Valley of Colorado. Population of the district is approximately 360,000. The district, by order of its board of directors, vigorously protests the incredible, unfair and biased smear label the Life magazine article of August 16 places on the Fryingpan project without presentation of the true facts. It protests also inclusion of the Upper Colorado River storage project in the same category.

The $170 million Fryingpan project will repay $150 million to the Federal Government, plus interest at a rate which reflects the cost to the taxpayer over a 50-year period. The balance is charged principally to general flood control under established national policies.

In addition to the revenues derived from the sale of water to farmers and municipalities and the production of electric power by reason of water falling over a course beginning at 10,000 feet and ending at 4,800 feet altitude, the taxpayers of the district will also pay a tax on all property included within the district as part of the repayment contract with the Federal Government.

The project not only involves the diversion of 69,200 acre-feet annually from the Colorado River Watershed to the Arkansas River in Colorado, but it also provides reregulation of native waters of the Arkansas River to more efficiently utilize water resources which are becoming of greater value and concern to the entire Nation.

The new water will constitute a supplemental supply to already irrigated farmlands and will not bring any new land under irrigation and cultivation. It will be used to firm up an already established farming economy. The farmers and municipalities will pay for the water they use to the Federal Government under the repayment contract.

The project will not increase crop surpluses in the categories of surplus crop price supports as stipulated under Federal law. It will permit farmers who have invested their money in seed, fertilizer and labor in the spring to have a reliable water supply in August which is sufficient to finish their crops and prevent economic loss to the agricultural economy of southeastern Colorado.

In behalf of the Upper Colorado River Storage project, it should be noted that 72 percent of the water of the Colorado River rises in the Colorado mountains and that the dams and reservoirs being currently constructed and planned for future construction follow the same criteria as those used for the construction of Hoover dam under the Boulder Canyon Act, and the highly successful Colorado-Big Thompson project of 25 years ago and such other projects as Grand Coulee in Northwestern United States.

Harnessing water for beneficial use is an economic investment which will return to the economy of the United States many times the funds invested by the Government with the greatest part of the investment repaid, plus interest to the Treasury.

Colorado does not have one million acres of alfalfa in the soil bank since alfalfa, to the extent needed for local feeding operations, is grown on irrigated land, not on the arid plains. A small portion of grazing lands and dry farming wheatlands in the nonirrigated areas have been put into the soil bank, but not irrigated lands in the said district, which produce crops, not subsidized by price supports by the Federal Government.

The district officials were not contacted by your reporters, nor requested to furnish any information.

We must assume you were not interested in the true facts, but only desired to include, unjustifiably, some projects administered through the Bureau of Reclamation which has constructed many beneficial projects throughout its 60 year history. Such project costs are being repaid to the Federal Government with extremely few defaults or failures.

Even your geography of the project is garbled when it states on page 56 under the Twin Lakes picture: "Out of this pair of neighborly Colorado lakes in the Rockies, water that now flows west will flow east." Twin Lakes are on the east side of the Continental Divide. Water from the west side will flow through the tunnel into Sugarloaf Reservoir, and then into Twin Lakes.

The Fryingpan project is a sound investment in a better America and designed to meet the needs of an established economy but, more important, it will provide for the needs and welfare of future generations.

Sincerely yours,

J. Selby Young,
President, Board of Directors, Southeastern Colorado Water Conservancy District.

Mr. BLATNIK. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. Rhodes].

Mr. RHODES of Pennsylvania. Mr. Speaker, I wish to commend the gentleman from Minnesota and to join with him and other Members of the House in replying to the deceptive and dishonest article published in the August 16 issue of Life magazine. I wish Life readers would have the opportunity to hear the other side, that is being presented here today.

The Life article gives further evidence of the real purpose of the Luce interests in trying to confuse the American people and to create suspicion and distrust of representative government.

It is a slick magazine with lots of fancy trimmings to cover its real objective in pressing for its own selfish interests and those of associated wealthy monopolies whose objectives so often are in conflict with the common good and with the public welfare.

The Life article on "pork" is an example of crass hypocrisy. If programs for river development, water conservation, veterans benefits, and various public works projects can be described as "pork," then surely postal subsidies should be included.

I can think of no group or any special interests which benefits more from so-called Government handouts and giveaways than the Luce publications. They try to hide their grab by giving their readers the silent treatment on programs from which they benefit.

From my own personal experience, I know how they try to browbeat Representatives and malign and punish those who dare to speak out against their unwarranted postal subsidies.

Dishonest practices by this monopoly pollute and corrupt the important bloodstream of news and information in our country which is so vital to our free and democratic society.

The recent attack on Congress by the Luce interests is only one of many such articles which reflect intellectual dishonesty that has contributed substantially to the confusion and difficulties in meeting the serious problems which confront our Nation in these troubled and dangerous times.

Mr. Speaker, I ask unanimous consent that I may include excerpts from remarks I made to the House in reply to a previous attack on Congress in a Life magazine article.

The **SPEAKER** pro tempore. Without objection, it is so ordered.

There was no objection.

POSTAL SUBSIDIES AND THE PEOPLE'S RIGHT TO KNOW

(Excerpts of remarks by Representative GEORGE M. RHODES in the CONGRESSIONAL RECORD, June 28, 1960)

Mr. RHODES of Pennsylvania. Mr. Speaker, I hold in my hand a full-page ad published recently in the Wall Street Journal and many other newspapers throughout the Nation, in which Life magazine asked, "What Shall We Do With Our Greatness?" This define-our-national-purpose campaign by Life needs at least these points included in the definition. Just how can we define the national purpose when the full facts are not known to the American people? How can Life piously call for a national debate on the objectives of American society when it is part of a campaign to confuse and mislead the American people? Distortion, slanting, and rigging are all part of the Life approach to reporting news and information. Has not the Luce monopoly studied democracy sufficiently to learn that the most essential element of a vibrant democratic people is that they are well informed on the issues? By pushing and squeezing and stuffing the issues into the predetermined Time-Life frame of reference, they make a mockery of a "crusade to define our national purpose."

"The sanctimonious Mr. Luce, publisher of Time and Life, most especially is guilty of hypocrisy. He is a man much given to declarations of patriotism: his publications parade him as godlike; he is clamorous in defense of the free press. Yet, his magazines are masterpieces of bias."

Like some of my colleagues, I have been the victim of a stab by Life and Time. For over a year I have been followed by character assassins and have now felt the Luce stab in the back, because I have dared to call public attention to their big and unwarranted postal subsidies.

The excuse for the recent Life smear was a $33.75 purchase I made on my stationery account in 1958—a purchase with funds that every Member knows were my own. The real reason, however, for the Life smear, is because I did not yield to the influence and pressure to abandon my efforts in curtailing the Luce postal subsidy and Federal aid which cost American taxpayers a million dollars a month. I knew what to expect after a visit last July, from a representative of Time, Inc., and Mr. Francis Cawley, lobbyist for the Magazine Publishers' Association.

Mr. Speaker, on Friday, June 17, I addressed the House to explain the reason for what was back of this smear attack by the publishers of Life and Time magazines.

I gave the real reason for this smear; namely, the fact that I have repeatedly fought to place a dollar ceiling on postal subsidies paid to magazine publishers—the largest of which go to Time, Inc., publishers of Life and Time magazines and four other nationally circulated publications.

I was not surprised at the news blackout on my remarks, nor was I surprised at the silent treatment given to the excellent speech last Thursday by the distinguished gentleman from Arkansas [Mr. HARRIS]. On last Thursday Mr. HARRIS gave evidence that clearly shows that the attack by the Luce and Knight news monopolies was for no other purpose than to smear and punish Members of Congress who have been investigating unethical and corrupt practices in the important field of communications, or, as in my case, for calling public attention to the big unwarranted Federal handout in postal subsidies. It is an attempt to browbeat Congress to prevent the probers from reaching and exposing the growing monopoly and corrupt practices, of which the Luce and Knight interests are guilty, and to purge from Congress those who do not yield to their power and corrupting influence.

What is more unethical, I ask, and what is more dishonest and more corrupt than to fake a picture such as was used to discredit a respected and honorable Member of this House as we all know OREN HARRIS to be? This is but one of many such corrupt practices.

The publishers of Time and Life, and of the Knight chain of newspapers, are insincere and dishonest in pretending to crusade for disclosures of information on the expense spending by Members of Congress.

I would not object if that were the real intent, but when the objective of these publishers is to dominate Congress and gain selfish advantages for themselves, I say that we fail in our responsibility when we ignore such unscrupulous and dishonest tactics.

I strongly favor publicizing expense spending by Members of Congress and full disclosure of all information. But this is not what these publishers really seek, for when it comes to really withholding or suppressing vital news and information, it is these same publishers who are most guilty.

They tend to have one standard when they measure the performance of officials and public figures, and another standard when it comes to measuring their own performance, or to put it another way, they hold other institutions up to searching scrutiny, but are unwilling to have the same scrutiny applied to themselves.

The best example of this is the complete blackout of news and information in regard to the million-dollar-a-month postal subsidy which goes to the Luce publications. On this question, they try desperately to keep their readers in the dark. Their reprisal technique is swift. Anyone who calls public attention to their unwarranted subsidy, as I have done, will naturally be marked for reprisal by the beneficiaries of this big Federal handout.

Because of suppression of these facts by the news monopoly few people know that so many of their tax dollars are going to the Luce empire. Very few people know that this subsidy to Life, Time, and other Luce publications amounts to more, much more, than the combined salaries of 437 Members of the House of Representatives, including the cost of their living expenses in Washington, and the total cost of all stationery allowances for 437 Congressmen.

If Congress has been lax on checking expense accounts of its own Members, it has been far more lax in permitting such unwarranted and costly subsidies, without proper scrutiny.

Since Luce interests are receiving millions of dollars annually in tax dollars, why should they not report how this money is being spent?

Would it be unreasonable to ask these Luce officials to inform the public on the amount of the salaries and pensions these executives take for themselves, and which American taxpayers through these subsidies help to pay? Why should the taxpayers not know how much is spent for junketing by executives of Time, Inc., and for liquor, yachts, and entertainment, and such other big spending, particularly when a good portion of the bill is paid by American taxpayers.

The hypocrisy of the Luce empire is obvious. They have opposed Federal aid for needed public services and legislation to help the average citizen. Yet this monopoly is the Nation's largest beneficiary of Federal aid, Government handouts, and welfare stateism.

Luce publications have been the most severe critics of farm subsidies. Yet postal deficits over a 10-year period have exceeded the total cost of all farm price-support programs through the Commodity Credit Corporation for the last 25 years.

The House Committee on Appropriations published in the hearings on the agricultural appropriations bill for the fiscal year 1959 a table setting forth certain Federal expenditures in recent years for business aids and special services. This showed that mail subsidies, of which Life and Time get a lion's share, in a 10-year period, 1946–56, amounted to $5,968 million.

The CCC farm price-support losses from the beginning of the program in 1933 to January 1, 1958, amounted to $5,173,746,788—House Committee on Agriculture report to 85th Congress.

Mr. Speaker, the most recent estimates of postal subsidies for Life magazine by the Post Office Department were based on the first three issues in March 1956. They revealed that Life paid revenue of $7,485,000 for the year, while it cost the Department $16,979,000 to deliver the 249,600,000 copies of Life to its mail subscribers. Thus the annual subsidy during that year to Time, Inc., for just one of its six magazines was $9,494,000. As I have said in the past, actual postal subsidies to Luce publications undoubtedly total well over $1 million a month, if subsidy payments for other Luce magazines are included.

Spokesmen for the magazine publishers' lobby try to explain away their multimillion-dollar annual subsidy at taxpayers' expense, by claiming that the Department's subsidy estimates are unrealistic and inaccurate. Often by its own statements, the Department seems anxious to avoid relying on its own figures. It is claimed that these subsidy estimates are not based on actual traffic studies of each individual publication. However, a previous detailed study by the Department several years ago of the traffic pattern and costs of performing each of the many services in handling and delivering Reader's Digest produced a subsidy figure which was almost identical to the Department's estimated subsidy for this magazine.

Moreover, one publisher whose magazine paid $3.4 million in postage and received an estimated subsidy of $6 million told a congressional committee that my amendment to limit postal subsidies to $100,000 a year would cost his company $11 million—an unintentional admission that the Department's estimates were several million dollars on the conservative side.

The large gains in circulation of Life and other magazines since the 1956 subsidy estimates make these subsidy figures far less than they are today. The million dollars a month to Life magazine is a most conservative estimate.

Let me make it clear that it is not my purpose to eliminate these subsidies. But I do think there should be some limitation. And most of all I believe we should expect a higher standard of ethics and responsibility from those who are the Nation's biggest beneficiaries of Federal aid and subsidies. Taxpayers should not be forced to pay such a heavy tribute for being deceived and misled.

The subsidy limitation bill I introduced this year offers a gradual approach to this problem and sets the limitation for the first year at $5 million.

I believe, too, that consideration should be given to limiting the spending for salaries, pensions, and junketing by corporate officials who benefit so handsomely from big postal subsidies.

My constituents are not very happy in being taxed to help pay salaries of $50,000, $100,000, and $200,000 a year and fabulous pensions for beneficiaries of these subsidies.

Mr. Speaker, one of my purposes in asking for this time is to call public attention to the dangerous drift in this country toward a monopoly and totalitarian press and its threat to our basic freedoms. It would be unfair to place the blame for this on one person or even a group of persons. All of us are to blame, particularly we in the Congress, for not taking adequate steps to cope with this growing evil.

Mr. RHODES of Pennsylvania. Mr. Speaker, the subsidy for the Luce publications continues to grow. A most conservative estimate by the gentleman from California, Representative John Moss, is $12 or $14 million a year, while other estimates by experts on postal matters are as high as $20 million in pork annually for the Luce magazine monopoly.

Compare this with the cost of franked mail so often denounced in editorials and syndicated news columns. The cost for all mail sent out by all Members of the House and Senate and congressional staffs is less than $5 million a year.

It costs the American taxpayers about three times as much to make up for the loss in postage for the Luce publications as it does to handle all the mail of 535 Members of the House and Senate.

The Life story is no credit to the publishing industry which includes many outstanding and dedicated publishers and newswriters. It is an insult to their readers and a disservice to the Nation.

Mr. BLATNIK. I thank the gentleman.

Mr. Speaker, I yield to the very able and effective member of the Committee on Public Works for many years, the gentleman from Texas [Mr. Wright].

Mr. WRIGHT. Mr. Speaker, I rise to congratulate the very able and distinguished leader of this discussion, the gentleman from Minnesota [Mr. Blatnik], on the manner in which he has so factually and forthrightly approached this subject today. It is characteristic of the forthright and able and dedicated manner in which the gentleman from Minnesota over the years has provided leadership and presided over the consideration given in subcommittees of our Public Works Committee to many of these important functions of the Government of the United States. I know of no Member in the Congress who is better equipped through personal knowledge, experience, and background than is the gentleman from Minnesota to speak authoritatively on the matter of water resource development, particularly, and many of these other programs for the development of our domestic resources in general.

Mr. Speaker, as I look up into the press gallery of this Chamber, I am impressed with the irony by which a magazine with such great mass circulation can give so many people throughout the United States an erroneous impression of the essential business of the Congress of the United States. I compare the circulation of the Congressional Record in which these remarks that are being made today will be printed, with the circulation of a great magazine such as the one under discussion, and I realize how difficult it is for those of us in the Congress to make available to the public the factual answers to the broad charges and sweeping allegations which so often are leveled against this lawmaking body.

As I look into the press gallery today, I see five members of the press listening to these debates and recording them at this moment. At times during this discussion there have been as few as two at a time in the press gallery. One almost despairs of ever being able to correct the false impressions which can be spread throughout the country by one magazine article.

As I look about and beyond the press gallery, however, I see on that plaque which all of us in this House have read time and time again, the words of Daniel Webster which are held up as something of a goal for the House of Representatives in its dealing with public problems. Daniel Webster said:

> Let us develop the resources of our land; call forth its powers; build up its institutions; promote all its great interests and see whether we also in our day and generation may not perform something worthy to be remembered.

Now it seems to me that this is precisely what the Congress undertakes to do in these great development programs for the water resources of our land. Nobody who has ever seen the human wreckage of broken dreams and shattered hopes which lie in the wake of a rampaging flood can seriously think of soundly conceived and executed flood control works as essentially pork barrel. Truly nobody who has ever seen the booming industry and thriving commerce that have sprung up on the Nation's navigable waterways can seriously begrudge America the economic strength which they have created and facilitated for our Nation since the Congress voted in 1832 to launch a conscious program of promoting our inland navigation.

The point is that soundly conceived flood control and navigation projects demonstrably pay for themselves. They have paid many times over in the economic strength they have generated for our Nation. The first $3.5 billion which Congress in 14 years voted for the flood control program of this Nation resulted in the creation of dams, levees, and similar projects which, in the short span of their existence already have saved the Nation approximately $9 billion in damages which otherwise would have occurred. With these structures already in place and still in place to tame and harness future floods, the incalcuable damages already prevented by them would have taken in their absence a property toll 2½ times their total cost of construction. Does that sound like a pork barrel? Does that sound like boondoggling or wasteful expenditure? I think not.

The impression is gained from the tongue-in-cheek manner by which some publications refer to these programs that, as this particular magazine charged, Congress considers these matters on the basis of—and I am quoting from this magazine—"political advantage first and the public welfare second." Is that true? One would get the impression that the composition of these omnibus bills that are passed by Congress from time to time is largely a matter of granting some political advantage to various Members of Congress. Certainly this should not be the criterion, and I am convinced that it has not been.

I think I can prove that this charge is not true. In 1958 Congress enacted such an omnibus bill. It was the first one in 4 years. A grand total of 130 new construction projects were embodied in the legislation as it came to the House, affecting this many widely scattered areas throughout the United States and its territories. Seventy-one of these projects involved flood control and allied purposes; 48 were to facilitate navigation; 11 were concerned with hurricane protection and beach erosion.

As will be recalled, 1958 was an election year. The Democratic Party at the time was the majority party in the Congress and I suppose we might recall that the Democratic Party would have been anxious to maintain and, if possible, to increase its majority in the House. Under those circumstances, if political advantage had been the motivation, as is charged in this and other articles, one would have expected this bill to have been lopsided with authorizations in behalf of districts represented by members of the majority party in the House. Laying aside any possible political motivation, the law of averages would have leaned in favor of the Democratic districts, since at the time the House was composed of 231 Democrats and 199 Republicans. Yet a Democratic majority was presenting legislation which authorized projects in 67 districts served by our Republican colleagues and in only 55 districts served by our Democratic colleagues.

Nor is that merely an isolated case or a wild exception to the rule. The same general principle applies in the omnibus authorization bills of 1960 and 1962. Political advantage to individual Members is not and has never been the motivation of this great Committee on Public Works nor of its subcommittees, one of which is so ably headed by the gentleman from Minnesota [Mr. Blatnik].

I think these facts should be known to the public. I congratulate the gentleman for having taken this time in order that those of us who have some experience in the matter might make them available in the public record and help to correct, insofar as possible, the damage which has been done to the reputation of the Congress and of the Government itself.

Mr. BLATNIK. Mr. Speaker, I thank the gentleman from Texas. I yield to my good friend from California and our colleague [Mr. Moss].

Mr. MOSS. Mr. Speaker, I want to add my commendation to those of my colleagues who have expressed their gratitude to the gentleman from Minnesota for taking this time today in order that we be permitted more objectively to deal with the matters raised in the article published in Life magazine than Life itself demonstrated. Irresponsible, intemperate, and inaccurate best characterize the article to which I refer.

On page 22 I have been interested in noting three-fourths of the page taken up by a picture of a project in my home district.

"Seaports No One Needs Are Fat Slices of Pork" is the heading. Down below is a subhead "42-Mile Canal To Link Sacramento With the Sea: $41 Million."

It has a picture of a dredge and to the informed it is readily apparent the dredge is not operating. But it says:

> Now the channel, which can silt up quickly because of its soft banks, will require constant dredging (above) to keep open a port nobody has to have.

It is obvious to anyone that the intent was to infer that the dredge was engaged then in the process of desilting a port which at that time had not been opened. Such was not the fact. That was the last contract dredge engaged in construction on that project. The record is clear that the Sacramento port is an excellent project, fully feasible, that one of its characteristics is that of a slack water port. Silting will be no problem. Maintenance on the port will be far less than the cost of maintaining the old 10-foot channel in the Sacramento River.

That is the type of misleading, deliberately inaccurate reporting which characterizes this article. I think that this whole presentation illustrates the price we must and we willingly pay for the preservation of a free press, as it represents the willingness we have always had to subsidize this free press in order to permit dissemination of even the most prejudiced type of reporting to the American people.

The gentleman from Arizona [Mr. UDALL] dealt briefly with the matter of the subsidy enjoyed by the Time-Luce publications. I would like to go just a little further. Of the $216 million deficiency in the handling of second-class mail I am interested in finding that in 1961, the last year for which figures are available, Life mailed 315 million pieces or 6.7 percent of the total of that deficiency.

Now, it would be inaccurate—but not as much so as Life's reporting—for me to say that the 6.7 percent of the $216 million represents the total of Life's subsidy. I do not say that, because it would be difficult with precision to spell out precisely how much it is. But it certainly runs around $12 million to $14 million a year, and during my time in the Congress, the time in which we have been engaged in constructing the port in my district to which $41 million was committed, I would point out that in that 10 years Life has received a subsidy which would at least build two or three projects of the type which the people of my district sought and worked for for more than a half century.

It does no service to the American people, it adds nothing to the stature of Life's publication when they resort to the deliberately misleading and inaccurate reporting characterized by this article.

Mr. Speaker, I think every Member of this House recognizes that there is ample room for sound and constructive criticism of what we do here in this body and what our colleagues do in the other body. None of us is so perfect in the discharge of our responsibilities that we will not make error, and the contribution of a free press is to point out the error objectively, to aid in correcting it, to aid in removing abuses. But a shotgun indictment, inaccurate and misleading such as that contained in this publication, demeans Life and does damage to our institutions.

Mr. BLATNIK. I thank the gentleman from California for a most knowledgeable presentation and contribution.

Mr. LANGEN. Mr. Speaker, will the gentleman yield?

Mr. BLATNIK. I am pleased to yield to my neighbor, friend, and colleague from my own State of Minnesota, northern Minnesota [Mr. LANGEN].

Mr. LANGEN. Mr. Speaker, I thank my colleague from Minnesota for yielding. I shall not take more than a very brief moment of the gentleman's time, recognizing the extent to which he has had demands in order to cover the subject that is before us at the moment.

Mr. Speaker, I have listened with what I hope is diligence and interest to the discussion that has been going on this afternoon relative to an article recently appearing in Life magazine. I am sure that everyone of us as Members of Congress have no time for any kind of distortion or any kind of an article that may tend to be misleading as far as the public is concerned. To this degree, I think it behooves everyone of us as Members to point them out to the public.

By the same token, in this area and I say this as a former member of the Committee on Interior and Insular Affairs, and presently as a member of the Committee on Appropriations, that I am not so sure that we ought to leave the impression that there is not some room for Members of Congress to take a look at projects and expenditures that have been referred to. By that I again repeat that certainly we ought to clarify the record so that the public is not misinformed. But as a member of that committee I have had occasion to look at a number of projects. Some good, some not so good. Some expenditures, by experience, have been noted not to work out as intended. I think we should be just as conscious of them.

It is not my purpose to develop that at this point, because I do not want to use the time of the gentleman for that purpose. However, there are a few of them that I think the Congress ought to be cognizant of. I shall develop them at a later time on my own time in order that the record may be completely straight so that we, in turn, as Members of Congress can together keep the people informed and practice every kind of prudence in the expenditure of moneys in view of the budget problem and the deficit problem that we now have as we look at projects in the future.

Mr. Speaker, I thank the gentleman again for his kind consideration in yielding to me.

Mr. BLATNIK. I thank the gentleman from Minnesota.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. BLATNIK. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. I thank the gentleman for yielding, and I thank him for his leadership on this issue and on this occasion.

If the gentleman from Minnesota will allow me, I would like to make a comment here at this time with regard to the general picture that has been brought here to the floor this afternoon, because with the lone exception of our friend who has spoken to us last, on the other side of the aisle, we have had a series of Members of Congress from all over the Nation, I think almost to a man, viewing with genuine concern and with genuine disappointment the treatment of the news which occurred in Life magazine in its August 16 issue. From New York to California, from Texas to Wisconsin, the membership of this House has expressed itself pretty forcefully on the question of whether or not an accurate picture of the facts has been presented to the people of the United States in the August 16 issue.

Personally, I doubt very much if Life magazine and its editors care very much what the Members of the Congress have to say on this subject. I question very much whether they regard the respect of the Members of the Congress on either side of the aisle very highly. I do not think it would be possible for them to produce a journalistic monstrosity like this, if they did have any regard for the respect of the Members of the House of Representatives and of the Senate of the United States.

But, perhaps, while the Congress is an easy target, they will not find the people of the United States who are concerned with problems like flood control and the need for navigation quite such easy targets.

It might be helpful at this point to make reference to what is being said across the country by some of the folks who are not Members of the Congress and, yet, who still may hold opinions of some importance to Life magazine.

I have here, for example, an editorial which appeared in the Daily Star of Nowata, Okla., on Wednesday, August 14, in which the able editor of the Daily Star, Mr. R. Marsden Bellatti, states:

> It is a shame a nationally circulated news magazine doesn't check facts before leveling charges of pork barrel. But that's exactly what Life magazine did in its inaccurate description of the Arkansas River navigation and basin development program.

Mr. Speaker, I ask unanimous consent that the full text of this editorial may be a part of the RECORD at this point.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

The editorial referred to is as follows:

LET'S USE THE OOLOGAH, NOW

It is a shame a nationally circulated news magazine doesn't check facts before leveling charges of pork barrel. But that's exactly what Life magazine did in its inaccurate description of the Arkansas River navigation and basin development program. Perhaps Oklahoma's Representative Tom Steed best described the magazine's inaccuracy:

"The article is journalistic prostitution. It's a funny thing they don't find any fault with foreign aid, rather than something that benefits America. The article seems to be more by design than ignorance. It's no surprise to me because the whole press seems to be preoccupied with grabbing on to anything that will discredit the legislative branch of Government."

It should be remembered that for more than a century the Congress has had an established yardstick for determining development of the natural resources of the Nation. And that yardstick has been "will it generate new taxes that in a maximum of 50 years will more then repay cost of the development."

The development of the Nation's harbors have resulted from such a sensible plan. Also the great rivers of the Nation, the Ohio, the Mississippi, and other tributaries have been developed by this method. The result has been the creation of new industrial complexes supplying new jobs and a sounder economy for the various regions involved and eventually for the betterment of the entire Nation.

Senator Monroney had this to say of the misleading article:

"Many of the resource developments required for the tremendous population growth immediately ahead can only be provided through huge subsidies and expenditures under public control."

This is a most important point. It is not socialistic to bring about the development of the Nation's enterprise and labor can develop new work opportunities. For the crepe hangers we have a question: How do you propose to make job opportunities to meet the needs of an increasing population? Certainly the answer is not made-work. And certainly the answer includes development of natural resources that be used by private venture money to create new job opportunities.

This district's Representative Ed Edmondson said of the Life article of misinformation that it is a "travesty of misinformation * * * a libel on the memory of Senator Kerr and a libel on the people of Oklahoma and Arkansas."

How does all this affect Nowata. Since the Oologah is an important segment in the development of the Arkansas navigation complex we're in the position of knowing that in its present stage it is of little use. But, under the far range plans the Oologah will be most important when completed in 1970.

Our problem is to encourage the Congress to hasten the development of the Oologah so that it can immediately generate new jobs and new business and industry and the expansion of old business and industry. Only then will there be new tax money for the Treasury to offset the cost of the Oologah.

It is shortsighted to permit a potential asset, such as the Oologah, to remain nonproductive for 7 long years.

The level of the Oologah needs to be raised to 638 feet now, not 7 years from now. By making possible the impounding of the extra 30 feet of water now there will be every incentive for private citizens to carry on the development that will result in new tax money for not only the U.S. Treasury but new tax money for our schools and units of government in Oklahoma.

We are confident the Congress when fully apprised of the facts will not want to delay the development of a resource that will generate new taxes. If you are really interested, sign one of the Nowata petitions to the Oklahoma congressional delegation asking for immediate remedial action.

Mr. EDMONDSON. Mr. Speaker, I also have a copy of a telegram sent by the mayor of the city of Bartlesville, Oklahoma, Mr. W. A. Hensley, to the managing editor of Life magazine, on the 16th day of August in which the city of Bartlesville takes exception to the article appearing in the August 16 issue.

Mr. Speaker, I ask unanimous consent that the telegram be made a part of the Record at this point.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

The telegram referred to is as follows:

George P. Hunt,
Managing editor, Life magazine,
Rockefeller Center, New York, N.Y.:

The city of Bartlesville takes exception to your article, "See the Innards of a Fat Pig," appearing in the August 16 issue. Our city has worked cooperatively with the Federal Government through the Corps of Engineers in contracting for and purchasing our water supply, present and future, from reservoirs forming a part of the multiple purpose project on the Arkansas River Basin. Water from many of the other existing and planned reservoirs is already under contract to municipalities for their supplies. Multiple purpose usage of water (muncipal and industrial supply, maintenance of low flow, navigation, conservation, and recreation) in the area of the project is absolutely essential to provide for anticipated growth. It is our considered opinion that the authors of this article failed completely to appraise these and other benefits in the light of future requirements. We are confident that had this been done the conclusions would have been entirely different and that they would have found a project or projects similar to the Arkansas plan a necessity for the future of cities in the river basin.

W. A. Hensley,
Mayor, City of Bartlesville, Okla.

Mr. EDMONDSON. Mr. Speaker, I hold also a telegram from one of the Nation's leading businessmen, the chairman of the board of the Phillips Petroleum Co., Mr. K. S. Adams, which he addressed to the managing editor of Life magazine.

The telegram is as follows:

George P. Hunt,
Managing Editor, Life Magazine,
Rockefeller Center, New York, N.Y.:

In reference to the article, "See the Innards of a Fat Pig," appearing in your August 16 issue, the views of your writers seem extreme to an unwarranted extent. The resulting effect places the States of Kansas, Oklahoma, and Arkansas, their citizens generally, and their congressional delegations in an unfavorable light on a nationwide basis. Had the article attempted to analyze the multiple-purpose project in the Arkansas River basin and the other projects on an unbiased basis from an engineering and economic standpoint giving effect to the present and future needs of the areas, the conclusion would have been different. Certainly your article is not one of which you, as managing editor of a supposedly most important magazine, can be proud.

K. S. Adams,
Chairman, Phillips Petroleum Co.

Mr. Speaker, perhaps the opinion of the chief executive officer of the Phillips Petroleum Co. will carry a little weight in some circles at Life magazine.

Mr. Speaker, I have also a newsletter dated August 16, 1963, put out by the Arkansas Basin Development Association, Inc., which includes on its board of directors some of the principal businessmen and industry leaders of the State of Oklahoma, including a number of bank presidents and other officials of major corporations in the State of Oklahoma. This newsletter is also in response to the article carried in Life magazine.

Mr. Speaker, I ask unanimous consent that that may be part of the Record at this point.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

The newsletter referred to is as follows:

NEWSLETTER BY THE ARKANSAS BASIN DEVELOPMENT ASSOCIATION, INC., AUGUST 16, 1963

To: Members and friends of the Arkansas Basin Development Association, Inc.

LIFE CARRIES A FINE PICTURE OF BANK STABILIZATION WORK AT LITTLE ROCK

In the August 16 issue of Life magazine is a large airphoto of bank stabilization work on the Arkansas River at Utah Point which is within the city limits of Little Rock, Ark.

The photo shows clearly how the river has been eating away the land in one of the city parks, and how the erosion has been halted by dikes which stretch far out into the river bed and force the stream to stay in a channel against higher ground on the opposite bank.

In 1927, a major flood washed away between 2,500 and 3,000 acres of rich bottomlands at Utah Point. Subsequestly, the Rock Island Railroad placed piles of rocks beside its roadbed and built two small dikes in an effort to curb the river's appetite for land.

In 1943 there was another great flood on the Arkansas River, so great that it closed every crossing in Arkansas from border to border, completely cutting off one-half of the State from the other. At Utah Point, the bank caved in for a mile, the railroad lost its two dikes, and the city golf course lost three holes.

DAMAGES IN GREAT FLOODS INSPIRED ARKANSAS RIVER PROJECT

The damages in the great flood of 1943 ran into millions of dollars in Arkansas and Oklahoma. The losses in Oklahoma were not as great as Arkansas, but they were staggering, and the Governor of Oklahoma, Robert S. Kerr, mobilized every available State and Federal agency in an effort to assist the flood victims.

As he traveled from county seat to county seat, meeting those whose homes and farms and businesses had been destroyed, Bob Kerr became interested in a plan which was being studied by the Army Engineers at the request of Congress and which was designed to control the floods on the Arkansas and to make the at times savage stream a servant instead of an enemy of thé people who lived along its banks.

Before the end of his term Governor Kerr and Gov. Ben Laney, of Arkansas, obtained from Congress the authorization of a multiple purpose plan for the Arkansas River which involved not only flood control but the making of hydroelectric power, and provision of a 9-foot slack water navigation channel from the Mississippi River across the State of Arkansas and upstream to the vicinity of Tulsa. With these benefits, the project would more than justify the cost of taming the river.

BARGE TRANSPORTATION WILL MAKE ARKANSAS VALLEY AN INDUSTRIAL CENTER

As Senator from Oklahoma from 1948 until his death on January 1 of this year, Kerr's primary goal was to turn this plan into reality, and before he died more than a fourth of the $1.2 billion required to complete the project had been appropriated by the Congress.

Moreover, businessmen in and out of the valley were in agreement that when barge transportation was added to the wealth of rich mineral resources in the Arkansas Valley, America would have all the ingredients necessary for the creation of a river valley economy capable of becoming at least as important industrially as either the Ruhr Valley in Germany or the Ohio Valley in the United States.

Publication by Life magazine of the picture of the Arkansas at Utah Point could most appropriately have been a tribute to Bob Kerr and to other Members of Congress who have had the courage and vision to devote lifetimes to the conversion of natural resources into wealth for a nation. But it was not. Life magazine labeled the Arkansas project the biggest slice of fat in the Federal pork barrel and called Kerr the biggest boondoggler of them all. Flood control and power benefits from the project would be negligible, it asserted, and its writers hooted at the idea of providing barge navigation to a spot on the land locked prairie called Catoosa, Okla.

MAGAZINE CONDEMNS PUBLIC WORKS AS PORK BARREL

Congress, said Life, is throwing away billions that belong to you.

Life says public works projects are political pork and nothing more, 100-percent waste, designed solely for the glorification of Congressmen as a means of winning reelection.

To Life the opening of the St. Lawrence Seaway was pork barrel. Given the power to turn back the clocks of history, and applying Life's philosophy, Congress never should have agreed to the construction of the Hoover Dam and of a pipeline to carry water to the deserts of southern California where Los Angeles now stands. It should have fought the Houston ship canal tooth and toenail, and without the ship canal Houston would not now be one of the great industrial and shipping centers of America.

We wonder if Life's editors consider the millions spent making the Ohio River dependable for navigation a waste of money. The Ohio is today the world's richest valley and a billion-dollar-plus fully justified lock modification program is now underway on that river fulfilling a prediction made by President Herbert Hoover when he dedicated the last lock of the original system in 1929.

Life surely would have opposed the dredging that created a harbor at Los Angeles, and similar work at New York, and in every other U.S. harbor on either coast.

Life would certainly have opposed winning the West as pork barrel—which it most surely was. Life would have never permitted the Army Engineers to make the surveys for the railroads which linked the Atlantic and the Pacific, much less the subsidies in public lands which make these investments in uninhabited areas pay off in the creation of the greatest economy the world has ever known.

As a matter of interest one wonders why Life doesn't mention the billions the United States puts into foreign aid around the world each year in order to finance a larger public works program in other countries than it is carrying on at home.

ATTACKS REMIND US WE CAN NEVER TAKE OUR OPPOSITION FOR GRANTED

The chasm between those who believe that never-ending water power should be used in place of energy fuels which can never be replaced, between those who would curb the floods and stop the erosion of land which has been thousands of years in the making and those who would not, is too broad to bridge with a few words.

However, Life's story may serve a useful purpose because it reminds us that we cannot take the accomplishment of our program for granted. We certainly have not done the job of educating people that needs to be done when the editors of a great magazine show themselves to be so completely uninformed.

The great industrial complexes which have grown up in the Ruhr Valley, the Rhine, the Ohio, the lower Mississippi and the gulf coast are eloquent testimonials to the part river development has played in the great economic growth of the free world, in both the United States and Europe since World War II. Without them, we could not possibly carry the tax load made necessary by the cold war being waged against us by nations which are doing everything in their power to harness their own natural resources in the hope that in this way they can some day outstrip the United States.

It occurs to us that the pork barrellers of yesterday are the ones that present generations venerate as the men of vision who helped to build a great nation. If there is any criticism, it is not that they built too much, only that they did not comprehend how great the future would be—nor how soon.

The public works program of the Corps of Engineers and the Bureau of Reclamation represents less than two-tenths of 1 percent of the annual gross national product. This seems a very small share from the profits to be plowing back into the business, and, of course, the business is America.

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD on the subject of the Army Engineers.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. EDMONDSON. Mr. Speaker, one further point concerns me beyond the unjustified attack upon the Congress and that is the unjustified attack upon great government organizations like the Bureau of Reclamation and the Army Engineers. The gentleman from Ohio [Mr. KIRWAN], I think, answered more than adequately the attack which was made the other day in this magazine upon the Bureau of Reclamation, in his speech to the House on August 14, 1963, entitled "Reclamation Is Money in the Bank."

I wholeheartedly endorse the statement of the able spokesman of the Ohio delegation [Mr. KIRWAN] in his articulate defense of the Bureau of Reclamation. I think it is just as easy to answer the unfair allegations and unfair insinuations made about the Army Engineers because this also is an organization which has earned an enduring place in the respect of the people and in the history of our country. From its very start 188 years ago the Army Engineers have made tremendous contributions to the defense of our Nation and to its economic growth.

They are an organization of which every American is justly proud.

The Army Engineers are fighter-builders. Perhaps the taxpayers are more aware of their peacetime accomplishments in the construction of civil works. Since 1824, when Congress directed the Corps to plan a national transportation system of roads, canals, and waterways, the Engineers have been a spearhead of progress. They surveyed and mapped the West; laid out the routes of the early railroads; developed rivers and harbors; introduced the first iron bridge; collected information on meteorology, geology, mineralogy, zoology, botany, and the culture of the Indians among many things.

The corps has built or completed many great structures over the years, including the dome of this very capitol, the Washington Monument, the Lincoln Memorial, Key and Memorial Bridges, Library of Congress, the State Department Building, the Pentagon, and the Army Medical Center. Army Engineers completed the Panama Canal when that project had bogged down, and the corps was the construction agency for the St. Lawrence Seaway Corporation.

All of the Members of this body, I am sure, are aware of the work of the Engineers in fighting floods, a responsibility assigned to the corps by Congress in 1936. By the outbreak of World War II in 1941, the corps had made comprehensive reports on surveys embracing power, navigation, flood control, irrigation, and other water uses for virtually all of the major river basins and on some 200 individual rivers.

When the fighting stopped in 1945, the corps moved quickly into the water resources development programs on the Missouri, Columbia and other rivers. Great dams, such as McNary, Garrison, and Fort Randall began to rise, and subsequently tasks such as the modernization of the Ohio River navigation system and construction of the St. Lawrence Seaway were undertaken. Work is now proceeding on vital rivers and harbors projects virtually throughout the entire United States.

The Corps of Engineers' program is based on the concept that the continued phenomenal growth of our country will require the fullest practical use of virtually all of our water resources. The corps is now working toward the maximum development of our rivers for flood control, navigation, water supply, hydroelectric power, public recreation, fish and wildlife protection. The program has reached about the half-way point in the construction of active projects under the program as now conceived and authorized by Congress. However, the dynamic growth of our country and recent changes and increases in water resources needs require that these programs be modernized. It is the Corps of Engineers we call upon to reexamine our requirements and potentials and to produce the plans for meeting these problems. We can depend upon the Engineers' technological capability to give us the solutions.

We need an expanding program for two reasons—national advancement and military security. Each is essential to the other—our dynamic growth gives us greater power to develop our military posture, and a strong military protects our economic advancement. Both are in danger from the threat of world communism.

To meet this threat to American and free world security, the Corps of Engineers is concurrently engaged in a worldwide military construction program for the Air Force and Army, costing more than a billion dollars a year. The chain of military defense includes missile bases for launching the Air Force intercontinental ballistic missile as well as construction for the test bases for Nike-Zeus, the Army's antimissile missile which, it is hoped, will be able to shoot down anything the enemy may send over.

The corps has modernized and strengthened capabilities for providing engineer combat support for the Army so as to enhance the mobility and effectiveness of our ground forces in this day of technological warfare. This program of research and development alone has opened up vast new areas of scientific and engineering challenge. These include the development of nuclear powerplants which can be airborne to remote areas of the world; improvement in the accuracy of maps and refinement of data on the size and shape of the earth.

The Armed Forces of the United States must be able to fight anywhere on the globe and under any conditions, and it is the Corps of Engineers' job to provide the engineering skills that will enable them to do so.

Today, the Army Corps of Engineers is the largest and most highly diversified engineering organization in the world.

With its civil and military functions, there is no organization like the Corps of Engineers anywhere. In its existence, lies one of the Nation's bulwarks in war or peace. And now we are in the so-called space age. Where we will be able to go appears to be limited only by the imaginations of our scientists and missile experts. As our horizons expand so do the challenges to the Army Engineers. When the first expedition lands on the moon, you may be assured the Army Engineers will have played a vital role in making it possible, including construction of the extensive and complex ground facilities, such as the launching bases at Cape Canaveral, and the great research and training facilities required by NASA.

I am confident that the challenges will be no more difficult than were those which the Engineers encountered in our early years as a Nation. The courage and accomplishments of their predecessors over the years stand as an inspiration to the men of the Corps of Engineers whose motto is "Essayons"—"let us try."

The civil works program of the Corps of Engineers has contributed to the economic development of the United States by providing:

First. Most of the major harbors through which flows the Nation's vast commerce, as well as numerous small harbors for fishing and recreational craft.

Second. The greatest system of inland waterways in the world.

Third. Most of the major reservoirs that have contributed so greatly to the Nation's development by preventing flood losses, by generating electrical power, by storing water for municipal and industrial supply and for regulating rivers in the interest of downstream water quality, navigation, power and the enhancement of the fish and wildlife resource, and by providing wholesome recreational opportunities for vast numbers of the Nation's citizens.

Fourth. Many miles of levees for the protection of cities and important agricultural areas from floods.

Fifth. Many miles of channel improvements for flood protection and land improvement.

Sixth. Works to protect the coasts from damage by hurricanes and other great storms.

Seventh. Rescue and disaster relief during great floods and other natural disasters.

Over a period of 138 years ending June 30, 1962, the civil works program has contributed to the Nation's economic development by the construction of:

First, 214 reservoirs providing 165 million acre-feet of storage capacity.

Second, 500 local protection projects—including the vast levee system protecting almost 24 million acres of flood plain land along the lower Mississippi River.

Third, 34 power installations having an aggregate capacity of 7 million kilowatts.

Fourth, 3.2 million acres of water area—summer season—which provided more than 120 million person-days of recreation in 1961, and which is being used more intensively each year.

Fifth, 22,500 miles of inland waterway which provided 123 billion ton-miles of low-cost transportation service in 1960.

Sixth, connecting channels between the Great Lakes which have converted them into a great inland sea providing 99 billion ton-miles of transportation service in 1960.

Seventh, 500 deep draft commercial harbors on the shores of the oceans and Great Lakes.

Eighth, 250 small-boat harbors for refuge, recreation, and commercial fishing.

Ninth, shore protection works along more than 300 miles of coastline.

Tenth, rescue and disaster relief work during great floods and other natural disasters.

Eleventh, numerous project and basinwide plans: the latter with the cooperation of the other Federal agencies and the States—as in the Delaware River basin. The corps has also made important contributions to the development—still underway—of comprehensive river basin plans for which leadership is being provided by U.S. Study Commissions for the Southeast River basins and for the Texas River basins.

In addition to the completed works mentioned above, the corps has under construction 172 new projects, including 62 reservoirs which will increase the aggregate capacity of corps' reservoirs by about 46 million acre-feet, and will increase the capacity of power installations by nearly 4.5 million kilowatts—to 11.5 million kilowatts. The corps also has underway, or is participating in, the formulation of several comprehensive river basin plans. A program of flood plain information studies was initiated during fiscal year 1962 to encourage States and local governmental entities to regulate the use of flood plain lands for the purpose of slowing down the growth of new flood problems.

The works above listed have helped make possible the development of the most advanced national economy the world has ever seen. The beneficial effects of these works include:

First, a total waterborne commerce in 1961 of 1,062 million tons of which 502 million tons passed through coastal harbors.

Second, also in 1961, 87 billion ton-miles of deep draft transportation on the Great Lakes.

Third, in the same year 123 billion ton-miles of low-cost shallow draft transportation on the inland waterways.

Fourth, prevention of flood damages aggregating (by June 30, 1961) about $11 billion, which is many times the investment the Nation has made in flood control works.

Fifth, the generation during fiscal year 1962 of 30 billions of kilowatt-hours of electrical energy.

Sixth, the provision of about 1.5 million acre-feet of reservoir capacity for the storage of municipal and industrial water, and about 5 million acre-feet of capacity for storing irrigation water.

Seventh, the provision of over 120 million person-days of water-based recreation during calendar year 1961, and the substantial enhancement of the Nation's fish and wildlife resources by the provision of over 3 million acres of water area and the regulation of rivers.

Surely, Mr. Speaker, this is a proud record of achievement for any organization, and one which speaks volumes of the ability, dedication and contribution to the Nation of the Army Engineers.

Mr. BLATNIK. I yield to the gentleman from California.

Mr. VAN DEERLIN. Mr. Speaker, in the research that preceded its strange bit of journalism last week, Life magazine chose virtually to ignore the assistance extended to countless U.S. communities through the accelerated public works program.

Enacted last year, this program was aimed at helping those sections of the country which had failed to share fully in recovery from the 1960–61 recession. It has pinpointed its matching grants according to clearly stated indices of need, and without regard to what Life likes to call "pork."

I think it can be demonstrated that this APW money has made inroads against the gnawing pockets of unemployment that remain in a generally brightening job picture nationally.

But in July of this year, more than 25,000 persons were still without work in my home county of San Diego, Calif. Our unemployment rate stood at 7.5 percent of the total available labor force—nearly 2 percentage points ahead of the national average. This is a distinction my community has borne unhappily since September of 1960.

The accelerated public works program tackles a localized problem untouched by the Area Redevelopment Agency. The ARA is concerned with the deeper challenge of "chronic" unemployment—chiefly in the Appalachians, the northern Iron Range, Mountain States, and the Pacific Northwest. Under Labor Department standards, a community's unemployment is rated chronic if 50 percent above the national average for 3 of the previous 4 years, 75 percent above for 2 of 3 years, or 100 percent above for 1 year.

I am glad to note that no part of southern California has dropped into this classification. We need no massive outside help. Instead, the accelerated public works was conceived for counties which, like my own, need only a gentle push. It has helped start some worthy public projects on the sound principle that these must be projects already in the long-range planning of the communities applying for grants—projects for which they are willing to put up substantial amounts themselves.

Let me cite some examples. A new city hall will be dedicated in Imperial Beach on September 7. Work is underway on new warehousing at San Diego's 10th Avenue shipping terminal, and on a water filtration plant in the Helix irrigation district. Mercy Hospital, a nonprofit institution, will build an annex.

In the San Diego area, as elsewhere in the Nation, the APW program has unquestionably proved a source of jobs which would not otherwise have been available. I believe it should be extended, with additional money authorized. The backlog of needed public works in eligible communities far exceeds the funds thus far made available by Congress. In the city of San Diego alone, for example, there are 36 applications pending which, if approved, will enable the city to build long-planned sewer extensions and improvements in water mains, fire stations and libraries.

These public works for which the city of San Diego has asked assistance—and in support of which the city administration hopes to see the accelerated public works program continued—are important and badly needed. San Diego has doubled its population since World War II—a growth which has placed understandable demands on facilities and services extended by the city. This growth, and its attendant problems, is shared by the entire metropolitan area lying beyond city boundaries.

I therefore support, and ask my colleagues to enact H.R. 7351 introduced in this session by the gentleman from Minnesota [Mr. Blatnik] to amend the Public Works Acceleration Act, and to increase the authorization for apropriations under that act.

GENERAL LEAVE TO EXTEND

Mr. BLATNIK. Mr. Speaker, I ask unanimous consent that all Members who may so desire may be permitted 5 legislative days in which to revise and extend their remarks on this subject in the Record.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

VITAL CONCERN TO LABOR MOVEMENT

Mr. O'KONSKI. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. O'KONSKI. Mr. Speaker, the railroad crisis is of deep concern to all people. We must judge this matter deeply. Important issues basic to democracy are involved.

A personal friend of mine, William R. Meyers of Superior, Wis., has written a guest editorial for the largest newspaper in my district, which I urge my colleagues to read and judge:

Vital Concern to Labor Movement

(By William R. Meyers)

(Editor's Note.—William R. Meyers, 1111 Baxter Avenue, Superior, is now serving his second 4-year term as executive vice president of the more than 20,000-member Switchmen's Union of North America. A native of Superior, he attended local grade and high schools and is a graduate of Superior State College. He was active in basketball and football at both the high school and college levels as a player or coach. He served in the Air Force during World War II. Following the war, he was granted a scholarship to the School of Labor at Oxford University by the British Government, but circumstances forced him to pass up this opportunity. He also was employed as a teacher. In his railroad work, Meyers held numerous posts both in the Switchmen's Union and the Superior Federation of Labor. Mr. Meyers is presently attending negotiation sessions being held in Washington, D.C.)

The subject of which I speak is of vital concern to the labor movement in general and railroad labor in particular.

Recently, I had occasion to appear before the U.S. Senate Committee on Commerce and the House Committee on Interstate and Foreign Commerce with Mr. Neil P. Speirs, international president of the Switchmen's Union of North America. Mr. Speirs spoke before these two bodies in opposition to a joint resolution submitted by President Kennedy to dispose of the current railroad rules dispute. This resolution provides for the disposition of the dispute by means of compulsory arbitration.

While most all persons in high Government position will not admit that the resolution is compulsory arbitration, the fact remains that it gives to a third party, the Interstate Commerce Commission, the right to impose on one of the parties work rules concerning rates of pay, rules or working conditions without the consent of one of the parties. This would destroy free collective bargaining in the railroad industry and may very well open a Pandora's box to all collective bargaining in these United States. While railroad management may look with favor on such an arrangement in this dispute, who can say that Congress will stop there? If railroad employees are forced to perform labor by Government fiat, the next step will be Government ownership of the railroad industry.

In addition to the fact that this joint resolution contains all the elements of compulsory arbitration, there is another provision in the resolution that makes it doubly onerous. This provision provides for a 2-year period in which neither party, no matter how adversely affected by the imposed rule rendered by the ICC, can move for a change. Under voluntary arbitration, if a party feels that they have been unduly treated, they may serve notice for a change in the rule and proceed through the channels of free collective bargaining to arrive at a more satisfactory agreement.

Many people wonder why free collective bargaining has failed so far to affect a settlement in the current railroad rules dispute. The carriers, through their notices to their employees, demanded the right to make, keep, revise, or discontinue virtually every rule covering the working conditions of the operating workers in the entire industry. The carriers replaced collective bargaining with public relations in two respects. First, the myth of railroad poverty was created and heavily promoted. Second, the defamation of the industry's workers. They made the term "featherbedding" a household expression of contempt.

As to the first item above, Emergency Board No. 154 in its report to the President in May of this year after studying the financial condition of the railroads during the railroad rules dispute, said in pertinent part: "We were impressed with the evidence submitted to us that the vitality and earning capacity of the railroads as a whole are improving, that the productivity of its workers is rising at a rapid rate, and that the industry can face the future with confidence and even optimism."

As to the second item above, the productivity of railroad employees is second to none in the entire United States. This was expressed by Emergency Board No. 154 in pertinent part as follows: "Recent years have been years of progress and innovation for the carriers. Technological and organization changes have been many and far reaching. Forty percent fewer employees than were employed at the beginning of this decade now handle substantially the same volume of traffic. Productivity gains have outstripped those in industry generally by a wide margin."

Since World War II, there are 200,000 less employees in the railroad operating department. This represents a tremendous savings to the railroads in wage cost. All this was accomplished without severance or separation payments or any other protective benefits.

At the time the Presidential Railroad Commission made its report (February 28, 1962), the then Secretary of Labor made the statement that the Government would not countenance a strike in the railroad industry. Statements to the same effect have been repeated by other high governmental officials including the President of the United States. The negotiators for the railroads had every right to believe that their operating employees would, in the end, not be allowed to strike. They insisted that any agreement must be within the framework of the recommendations of the Presidential Railroad Commission and that they have the unilateral right to place their interpretation on the recommendations. Management had no incentive to bargain in good faith. The employees would not be allowed to strike. All that remained was to run out the clock and the end result would be compulsory arbitration.

NATIONAL AVIATION DAY

Mr. PEPPER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. PEPPER. Mr. Speaker, today being National Aviation Day brings back to my mind many meaningful events leading to the designation of this day as National Aviation Day.

In early January of 1939, while a Member of the other body, I was honored by a visit from Mr. Orville Wright who told me that friends of his in the aviation industry suggested that Congress might be willing to pass legislation designating his birthday, August 19, as "National Aviation Day." He asked if I would be willing to introduce such a resolution. I, of course, was pleased to introduce the resolution as Senate Joint Resolution 111 on January 27, 1939. A companion measure was introduced in this House by a number of Members. It so happened that Senate Joint Resolution 111 passed the other body and was thereafter substituted for House resolutions of the same character and enacted by this House.

Senate Joint Resolution 111 authorizing the President to designate August 19 of each year as "National Aviation Day" and to issue a proclamation in conformity with such resolution became law as Public Resolution 14, 76th Congress, approved May 11, 1939.

On July 25, 1939, President Roosevelt issued the following proclamation:

> Whereas the development of aeronautics in recent years has been so rapid that aviation in its many phases has come to exert a profound influence on the course of events throughout the world; and
>
> Whereas American initiative and industry have contributed greatly to this development and should be encouraged to continue such contribution in order that the United States may retain its outstanding position in the field of aeronautics; and
>
> Whereas Public Resolution No. 14, 76th Congress, approved May 11, 1939 (53 Stat. 739), provides: "That the President of the United States is authorized to designate August 19 of each year as 'National Aviation Day,' and to issue a proclamation calling upon officials of the Government to display the flag of the United States on all Government buildings on that day, and inviting the people of the United States to observe the day with appropriate exercises to further and stimulate interest in aviation in the United States."
>
> Now, therefore, I, Franklin D. Roosevelt, President of the United States of America, do hereby designate August 19, 1939, and August 19 of each succeeding year as "National Aviation Day," and call upon officials of the Government to display the flag of the United States on all Government buildings on that day, and invite the people of the United States to observe the day with appropriate exercises to further and stimulate interest in aviation in this country.
>
> In witness whereof, I have hereunto set my hand and caused the seal of the United States of America to be affixed.
>
> Done at the city of Washington this 25th day of July in the year of our Lord 1939, and of the independence of the United States of America the 164th.
>
> FRANKLIN D. ROOSEVELT.

After the President's proclamation, Mr. Orville Wright came back to my office and gave me as a token of gratitude for my sponsorship of the resolution a photograph of the first heavier-than-air flight made by man, which was accomplished by Mr. Orville Wright, with, of course, the invaluable assistance of his brother, Mr. Wilbur Wright, at 10:32 a.m. on December 17, 1903, at Kitty Hawk, N.C. Mr. Orville Wright generously autographed this historic photograph for me. That autographed picture by Mr. Orville Wright of that historic scene depicts one of the epic events in the history of man and shall ever be one of my most cherished souvenirs.

In my lifetime aviation has proceeded from this 12-second flight by this intrepid pioneer to the space age when men have not only flown scores of times around the world at speeds exceeding 17,000 miles an hour but our country is dedicated in this decade to landing two men upon the moon and bringing them safely home. The illimitable possibilities of man in flight in the space age almost exceed the grasp of the imagination.

Many men and women deserve to be honored this day and every day for making these marvels possible and for the treasure, the labor, and the lives they have freely laid upon the alter of sacrifice for the cause of aviation—for the realization of man's dream to rise above the earth like the birds. Today it is man, not the bird, who is the master of the air and soon will be the master of the infinite reaches of space—all to the ennoblement of man and the glory of God.

A TREATY AND ITS VALUE?

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Montana [Mr. BATTIN] is recognized for 30 minutes.

Mr. BATTIN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. BATTIN. Mr. Speaker, the Senate of the United States is currently engaged in hearings and debate over the recent test ban treaty entered into by the United States with Russia and other foreign powers. Much of the discussion over the usefulness of this treaty and its benefit to the United States has centered around the reliability of Russia to live up to its treaty commitments. Performances of Russia in the past have certainly justified the wariness of the American people to accept the solemn promises of Russia when they are broken at will by the Soviet Government.

We in the United States, by our Constitution, have made our treaty obligations the supreme law of the land. The second paragraph of article 6 of our Constitution indicates that all treaties made or which shall be made under the authority of the United States shall be the supreme law of the land, anything in the Constitution or laws of any State to the contrary notwithstanding.

We in the Congress and the Federal courts have placed great emphasis upon the status of a treaty being the supreme law of the land. It is with this thought in mind and the timeliness of the test ban treaty that I call to the attention of the House a matter which is of deep concern to me. It relates to the proposed construction of the Knowles Dam in the State of Montana recently added to H.R. 6016 by the Senate.

The construction of this project will take approximately 20,000 acres of very valuable land from the Confederated Salish and Kootenai Tribes of the Flathead Reservation. Its construction will also flood two and possibly three very highly desirable damsites for the production of hydroelectric power, owned by the Flathead Indians and reserved to them by various acts of Congress.

By treaty with the U.S. Government, known as the Hellgate Treaty signed in the Bitterroot Valley on July 16, 1855, the U.S. Government and the Flathead Tribes agreed that the Confederated Tribes would cede and relinquish and convey to the United States, their right, title, and interest in certain lands occupied and claimed by the Indians. In that treaty, in return for this concession, the U.S. Government recognized and reserved for the use and occupation of the Confederated Indian Tribes, the lands including the powersites, part of which are included in the Knowles project reservoir. This treaty was ratified by the Senate of the United States on March 8, 1859, and is in effect today. It is the same type of treaty and should merit the same concern and treatment as is presently being given the test ban treaty. Yet the Senate of the United States, the same body which ratified the treaty with the Flathead Tribes, completely ignored that treaty and proposed the authorization of the Knowles Dam in Montana in face of the strong and emphatic opposition of the Flathead Tribes who charged that such action is a violation of their treaty rights. I should like to call to the attention of this body a news release from the Montana Standard of August 1, 1963, in which the Flathead Tribes accuse the Senate of bad faith in their action with respect to the Knowles Dam site.

INDIANS ACCUSE SENATE OF BAD FAITH WITH FLATHEAD TRIBE

(By Patricia Scott)

The U.S. Senate was accused Wednesday of breaking faith with the Flathead Tribes by Indian interests who said it was now up to the House of Representatives to "vindicate the Nation's conscience."

That failing, Tribal Chairman Walter Morigeau said the western Montana tribes will sue the Government, asking $116 million for Buffalo Rapids Nos. 2 and 4. The two damsites which the Indians wish to develop are owned by the tribe.

The Indians also claim title to the Knowles Dam site.

Statements were issued in the wake of Senate approval of a bill including authority for expenditure of $609 million including the Knowles Dam project on the Flathead River. The bill was sent back to the House for concurrence.

The Indians claim rights under the Hellgate Treaty of 1855. They said, as they told congressional committees earlier, that the treaty supersedes other law. They said it also guaranteed them the right to refuse giving their land for the Knowles project.

MC DONALD HEARD FROM

Walter McDonald, former Flathead chairman and president of the Affiliated Tribes of the Northwest and Montana Inter Tribal Policy Board, said he was speaking for many Indian tribes. He said he would like to remind President Kennedy of campaign promises in 1960.

"There would be no change in treaty or contractual relationships without consent of the tribes concerned," Mr. Kennedy had promised.

The President 3 years ago also promised to encourage Indians to develop their resources, according to McDonald. The tribal leader said this was in line with his tribe having applied for permission to develop Buffalo Rapids Nos. 2 and 4 under their own power.

The two sites that would be inundated by the Knowles Reservoir are the subject of a second FCC application. Montana Power Co. wants to develop them as run-of-the-river dams in contrast to the multipurpose development proposed with Knowles.

Tribal Attorney John Cragun, Washington, D.C., made this statement:

"The simple fact is that the Indians have rights. The Senate has decided to take (Indian land) notwithstanding the Indian opposition. The United States has power to do

> this even though it be a repudiation of treaty obligations.
>
> "The tribes will call upon the House of Representatives to vindicate the Nation's conscience and to abide by the Nation's solemn agreement. The property rights, in any event, will be protected by the courts."
>
> Freda Beazley, a Fort Peck Indian and a past vice president of the National Congress of American Indians, said she joined McDonald and Morigeau who expressed "extreme disappointment" with the Senate and Majority Leader MIKE MANSFIELD and LEE METCALF, both Democrats of Montana.
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> Mrs. Beazley, a former congressional committeewoman for Montana's eastern district, said, "I will never be able to understand the about-face attitude of our Democrats in Congress who for years have pretended to be friends of the Indians."
>
> She and the others said they hoped the House will kill the Knowles proposal.

Mr. Speaker, the Congress of the United States has recognized and implemented the reservation of powersites in that treaty on several occasions. By the act of March 3, 1909 (35 Stat. 781, 796) and by the act of April 12, 1910 (36 Stat. 296, sec. 25), the reservation of these powersites was specifically affirmed by the Congress. By Public Law 100 in the 70th Congress enacted March 7, 1928 (45 Stat. 200, 212–213) the Congress further recognized the rights of the Flathead Tribes to the development of the powersites on their reservations by the following language:

> *Provided further*, That the Federal Power Commission is authorized in accordance with the Federal Water Power Act and upon terms satisfactory to the Secretary of the Interior, to issue a permit or permits or a license or licenses for the use, for the development of power, of powersites on the Flathead Reservation and of water rights reserved or appropriated for the irrigation projects: *Provided further*, That rentals from such licenses for the use of Indian lands shall be paid to the Indians of said reservation as a tribe, which money shall be deposited in the Treasury of the United States to the credit of said Indians and shall draw interest at the rate of four per centum.

The Congress has on numerous occasions required the consent of the Indian tribes for the use of their reservation lands for power development purposes. Section 10(e) of the Federal Power Act requires the approval of the Indian tribes before tribal lands may be used for power development.

A few years ago, the Public Works Committees of Congress recommended and the Congress enacted, an authorization and appropriation for the construction of the Kinzua Dam in Pennsylvania which flooded 10,000 acres of land owned and reserved to the Seneca Nation under the oldest treaty in the United States. Such action brought a storm of protest throughout the country and is presently the subject of several bills before the Congress, one of which is Senate bill 1836 introduced by the distinguished Senators from the State of New York. The distinguished junior Senator from New York very cogently stated the problem on last July 9 in the Senate when he said:

> We in New York have fought a long, hard battle about the Kinzua Dam. When it was first proposed to build the power structure on the Seneca Reservation, a storm of protest arose in my State. Most New Yorkers argue that the Senecas had a long-standing treaty with the United States—which dates in fact, to 1794—granting them the lands forever. The construction of a dam on this site required our Government to breach one of its oldest treaties, and to go back on its word to the Indians.

Mr. Speaker, the subject of the treaty with the Seneca Nation by reason of the authorization of the Kinzua Dam and the abrogation of the treaty rights of that tribe of Indians is currently before the House Interior Subcommittee on Indian Affairs. I am sure the members of the Interior Committee of this House are well aware of the problems involved when the U.S. Government treats so lightly its solemn treaty obligations entered into with the Indian tribes throughout the United States. On recent occasions my esteemed colleague, the gentleman from Florida [Mr. HALEY] has called to the attention of the House the shoddy treatment of the Seneca Tribes.

Mr. Speaker, we have before us in Knowles Dam an identical and similar situation in which an attempt is being made to authorize the construction of a large reservoir which inundates nearly 20,000 acres of Flathead Reservation lands and in addition two very valuable powersites, all of which are owned by the tribes in Montana and reserved to them by treaty. Such action without the consent of the Flathead Tribes is in my opinion in direct violation of the solemn treaty and promise of the U.S. Government—ratified by the Senate and now the supreme law of the land.

Just recently, the late Oliver LaFarge, president of the Association of American Indian Affairs, Inc., wrote a letter to the chairman of the House Flood Control Subcommittee [Mr. DAVIS] in which he points out that in 1960, then Senator John F. Kennedy wrote him a letter indicating that if elected, he would take care that there "would be no change in treaties or contractual relationships without the consent of the tribes involved."

Mr. LaFarge also pointed out that the 1960 Democratic Party platform further stated with respect to American Indians:

> We recognize the unique legal and moral responsibility of the Federal Government for Indians in restitution for the injustice that has been done them. Free consent of the Indian tribes concerned shall be required before the Federal Government makes any change in Federal-Indian treaty or other contractual relationship.

I am sure many of my colleagues on the other side of the aisle are most anxious to live up to the commitments made in their 1960 platform to the American Indians and the people of the United States. Yet, you cannot do so if you run roughshod over the Flathead Indians by authorizing the Knowles project without their consent. The Salish and Kootenai Tribes of the Flathead Reservation have on nine occasions since 1948 through its governing body, gone on record as opposing the construction of the Knowles project.

Mr. Speaker, I, for one, think we should heed the storm of trouble which arose out of the Kinzua Dam situation. We should live up to our treaty commitments just as we expect others to live up to their treaty commitments made to us. We should not put ourselves in the onerous position of criticizing Russia for lack of integrity in its treaty commitments and then lightly breach treaty commitments which we, the United States, have made with the Salish and Kootenai Tribes of the Flathead Reservation in Montana.

There are two other problems involved in the proposed authorization of the Knowles Dam which concern me very deeply. They are:

First. The inconsistent position of the Secretary of the Interior with respect to this project, between the Bureau of Reclamation and the Bureau of Indian Affairs, both of which are in his Department and under his jurisdiction.

Second. The construction of a project which is almost exclusively for power purposes in the face of a substantial annual loss to the Federal Treasury from the operation of a project of this type.

Concerning the inconsistent position of the Secretary of the Interior, the Secretary has entered into an agreement with the Secretary of the Army in which the Bureau of Reclamation, a subdivision of his Department, is to construct, maintain and operate the Knowles project. As Secretary of the Interior, he is also the trustee of the Indian reservation lands and assets. He has the responsibility to act as trustee in the best interests of his wards, the Flathead Tribes, who have appeared before both the Public Works Committee of the Senate and the Public Works Subcommittee on Flood Control of the House, and presented a very lucid and compelling argument that their best interests are not served by the construction of this project. They have indicated that they desire to develop their own tribal properties and to maintain their tribal assets as continuing income for future generations rather than have them liquidated and thus dissipated as a tribal asset.

In testifying before the Public Works Subcommittee on Flood Control in support of the Knowles Dam and Reservoir project on June 5, 1963, Secretary Udall said:

> You may have a damsite located actually on a reservation. The whole question, of course, that Congress and various administrations have been confronted with over the years, and Indian tribes themselves, is whether we are going to say there should be no developments involving Indian lands. And, of course, the Indians themselves do not want that. Indeed, this Indian tribe wants to develop it, wants dams built. It is not taking a position the way the Seneca Tribe did in Pennsylvania and New York, that they did not want anything built; they wanted to be left alone and said they had special treaty rights and were entitled to be left alone. But this tribe is saying in effect they want developments and they are proposing a plan of development; and the question that confronts the Congress, and the Congress has rights and responsibilities with regard to the Indian people too, is whether this development plan is the best or whether some alternative plan might be made that would accord greater benefits to these Indian tribes.
>
> I would think, if this tribe were taking the position with regard to this particular resource problem that they wanted to be left alone, that they wanted no development, that

> they were proposing that nothing be done, and that they felt in their opinion that the best resource solution was for them to be left alone, I think this would present a very hard problem, for me in particular. But where they are proposing a plan or agree that a resource should be developed, then I think this puts them in a position not of raising the basic questions, the basic type of treaty questions saying "We don't want anything done. We want to be left alone. Don't take our land."

I have the following comments to make about the Secretary's position with respect to the Knowles Dam and his conflicting interest as trustee for the Indians and as head of the Bureau of Reclamation.

First. The Secretary completely misses the point when he said that by desiring to develop their own resources the Indians have agreed that their land should be taken and that it is then up to Congress to determine which alternative is best for the Indians and for the whole resource of the river. The proposed development of the two powersites, Buffalo Rapids 2 and 4, located on the Indian reservation and by treaty and congressional action specifically reserved to the Indians, does not flood the lands of the Indians and hence the Flathead Tribes would not only have the benefit of the development of their tribal powersite resources, which would bring substantial annual income to the tribe, but they would also have the full benefit and use of their lands because their plan would not inundate any of their tribal land and thus would make maximum use of both tribal resources. On the other hand, if Knowles is constructed both the valuable powersites reserved to the Indians, plus 20,000 acres of land, would be taken from them.

Second. I agree with the Secretary that the Congress and indeed the Secretary of the Interior have a responsibility to determine whether this development plan is the best or whether some alternative plan might be made that would accord greater benefits to these Indian tribes. I cannot conceive any circumstance under which the plan for development of the Knowles project would provide greater benefit to the Indians than their own proposed plan of using their own powersite resource themselves or renting their resources. It has been suggested that possibly a block of power comparable to that which could be produced by the tribal development should be assigned to them in payment for their lands and powersites. I had an analysis made of what such an agreement would do to the benefit-cost ratio of this project. The Knowles project—considering Canadian storage and on a 50-year basis with 2⅝-percent interest—has a benefit-cost ratio of 1.08 to 1. According to Mr. Bloch, the engineer who testified before the Committee for the Confederated Tribes there is 1.1 billion kilowatt-hours of annual firm power generation available at Buffalo Rapids sites 2 and 4. If this amount of power were deducted from power revenues available for the Knowles project, it would make the benefit-cost ratio of the Knowles project 0.42 to 1. I bring this out to illustrate that any substantial payment or reservation of power to the Indians in payment for their powersites and lands involved in this project would make it an infeasible project under the best of circumstances.

Mr. Speaker, I think the fiduciary relationship of the Secretary of the Interior as trustee for the Flathead Indians requires the highest responsibility to insure the preservation and well-being of the tribes and their tribal assets. This project has a very narrow justification margin when viewed in the best light possible without giving consideration to the Indian interests involved. I do not believe that the Secretary of the Interior should recommend this project to the Congress in face of the strenuous opposition of the wards of the United States that such a recommendation violates their treaty rights.

Mr. Speaker, because I have many tribes and tribal reservations in my district, I have become acutely aware of the many and diversified problems concerning the well-being of the American Indians and of their desire to maintain and develop their tribal reservation and assets guaranteed to them by solemn treaties. I am most conscious of the fact that in years past, we, the people of the United States, have not dealt too honorably with our Indian groups. I think the time has come to reverse that policy and to recognize the Indians' rights and desires to develop their own assets in their own way. The Flathead Indian Tribes have indicated a desire to develop their lands and improve their circumstances, and the Federal project proposed—Knowles Dam—is one of most questionable feasibility and should not be authorized.

I hope the Members of the House will study most closely this proposal to abrogate a solemn treaty made with the Flathead Indian Tribe. I think we should be particularly conscious of upholding our treaty obligations at a time when we in Congress discuss the possibility of great powers in the world breaking treaty obligations at will.

Mr. Speaker, as to my second problem, I would like to state to the House that I believe in multipurpose development of resources where the production of power is incidental to the multipurpose benefits which are truly within the realm of Federal governmental functions, such as flood control, reclamation, navigation, fish and wildlife, and other multipurpose uses. I have supported such projects as Yellowtail Dam in Montana where irrigation, flood control, fish and wildlife, and reclamation represent some 38 percent of the allocated costs of the project with only 62 percent allocated to power. I also support the Libby project where 29 percent of the project is allocated to flood control and 71 percent to power.

However, I cannot support a project under the guise of multipurpose when it is admitted by both the Corps of Army Engineers and the Bureau of Reclamation to be almost exclusively a power project. Such is the case of the Knowles project.

In the hearings before the Public Works Subcommittee on Flood Control Colonel Garbacz, of the Corps of Army Engineers, testified that over 95 percent of the Knowles project was allocated to power benefits. Secretary Udall testified at those hearings that:

> The financial and economic feasibility of the Knowles Dam project is primarily dependent upon its hydroelectric power potential.

He further said:

> This is primarily a storage project for hydroelectric potential. It involves irrigation, reclamation in the sense that if this type of dam is authorized there will be some farmlands flooded out.

I do not think the Congress of the United States should authorize purely power projects under the guise of multipurpose. I am further most deeply concerned by the fact that a project such as Knowles can be recommended by the Corps of Army Engineers when in fact, based upon realistic standards of revenues received versus costs, and realistic interest rates, this project actually loses over $12 million annually. Over a 50-year life such a dam represents a loss to the taxpayers of the United States of nearly $700 million or based upon a 100-year life, over $1 billion. This occurs by reason of the fact that the Corps of Army Engineers places the value of the power received from this project at approximately 6 mills per kilowatt-hour, whereas the power will actually be sold for a net revenue to the Government of 1.29 mills per kilowatt-hour.

We in the Congress are in dire need of a realistic set of standards to evaluate and appraise the merits of the various public works projects which come before us. These standards should be set by ourselves and not be left to the whims and recommendations of the executive branch and its various agencies. It is indeed amazing to me that we are currently operating under a set of standards which makes feasible on a benefit-cost ratio, a project such as Knowles, when in fact it loses somewhere between $500 million and $1 billion during its lifetime.

I hope that each Member of the House of Representatives will take the time to investigate thoroughly this unneeded, unwanted, and uneconomical project.

Mr. Speaker, I might say at this point that I have today had a conversation with the gentleman from Florida [Mr. HALEY], who is the chairman of the Subcommittee on Indian Affairs of the Committee on Interior and Insular Affairs and he advised that the taking of the approximately 20,000 acres of Indian land in the Flathead Reservation will have a very serious effect upon the economy and economic development of this Indian nation. He compared it to the Kinzua Dam of the Seneca Nation and advised that it was apt to cost the taxpayers an additional $30 million to pay for the lands taken, in violation of the Seneca Treaty. So, we are not talking about a small amount of money.

Mr. ROBISON. Mr. Speaker, will the gentleman yield?

Mr. BATTIN. I yield to the gentleman from New York.

Mr. ROBISON. Mr. Speaker, I would like to commend the gentleman from Montana for the information which he is bringing forth to the House on this particular question. I have been especially concerned, as a member of the

Committee on Public Works, that the cost of making recompense of some sort to the Indians for the violation of their treaty rights which might be involved in this particular project would be something that would be brought along as a charge against the taxpayers of this Nation after the project was built, if it is to be built.

I wonder if the gentleman from Montana has made any study as to whether or not this cost of the payment to the Indians in this instance has been considered as a part of the benefit-to-cost ratio for the project itself?

Mr. BATTIN. No, I would say to the gentleman it has not been considered and this is a project that is very close insofar as the cost versus the benefit ratio that has been used by the Congress in years past is concerned. The cost of the acquisition of the Indian lands in this case is not considered in the cost ratio figure. If it were figured into the cost and, because the Indians are losing two damsites on which they could either build and sell their own power or could lease the site to a private concern to provide them with an income it could not be justified. So, the loss figure here is going to be very, very substantial.

Mr. ROBISON. If the gentleman will yield further, I suppose at this point it would be very difficult to estimate what the payment to the Indians eventually would be if the project were eventually approved and built. Does the gentleman have any idea what that might be in this instance? Has anyone ever made an estimate as to whether it would compare to the proposed payment to the Seneca Indians in connection with the Kinzua project?

Mr. BATTIN. As I stated a minute ago, by comparison, it would be difficult.

The chairman of the Subcommittee on Indian Affairs, the gentleman from Florida [Mr. HALEY], has advised that it is going to cost approximately $30 million in the case of the Seneca Nation on the Kinzua Dam. But, again, I would point out by comparison that there is one dam presently located on Indian lands, called the Kerr Dam, from which the tribe receives an annual rental of $238,000. So this being a basis or at least an established criterion for dams and where you have two such sites which would produce a considerable amount of power, we can see that this figure will go up to, I think, far beyond the $30 million about which we are talking as far as the Seneca Nation is concerned.

Mr. ROBISON. I would assume that the benefit-cost ratio on this project would probably be in a minus category?

Mr. BATTIN. It would. There can be no question about it.

Mr. ROBISON. Mr. Speaker, I would like to commend the gentleman again for bringing this matter to our attention. It certainly does involve, as he is pointing out to us, a moral issue as well as a complex legal question. I can assure the gentleman that the Committee on Public Works of which I have the honor of being a member is aware of this problem and we are disturbed over it. We intend to give it very serious consideration.

Mr. BATTIN. I thank the gentleman for his participation.

Mr. HALEY. Mr. Speaker, will the gentleman yield?

Mr. BATTIN. I yield to the gentleman from Florida.

Mr. HALEY. Of course, we have heard in the last hour or two a good bit about this so-called pork barrel, and so forth. I want to assure the Congress of the fact that there is pork in this, and there is no lean in the construction of this Knowles Dam; it is all fat. The gentleman knows I am interested from the standpoint of the so-called Hellgate Treaty which we have with the Indians on this reservation. I am also concerned about the Kinzua Dam situation in which we are now trying to work out some reasonable settlement with the Seneca Nation, because we have violated the oldest active treaty of the United States, signed by the first President of the United States, George Washington, in 1794.

There is another thing that I think these committees of the Congress should take into consideration, and the gentleman well knows it. In the Kinzua Dam, the supposed cost of the Kinzua Dam is $114 million. It just did barely qualify under the criteria set up by this Congress for that figure. When you add $30 million or $35 million of damages and indirect damages we must pay the Seneca people for the destruction of their property, and their homes, that project would not have qualified under any criteria set by the Congress of the United States. The gentleman is well aware of that fact.

In the case of the so-called Knowles Dam that is proposed to be built in the gentleman's great State of Montana, he is well aware of the fact that this would be the highest cost per kilowatt-hour of any electricity in the United States. They cannot claim it is for flood control; they cannot claim it is for irrigation. It is purely and simply a power project.

When we look at the reports as to how the American people are going to fare in this particular project, I want to inform the gentleman of this: The revenues from power sales, according to the estimates, will be $2,232,000 per year; flood control benefits, $447,000; recreation, which of course is something they tacked on to try to justify some of these projects, $58,000—or a total of $2,733,000. That is the revenue as set out by the Department.

And what does this cost the American taxpayers? The interest alone is $11,034,000; replacement, $163,000; operation and maintenance, $535,000; and taxes which would go to operate your schools and local government that we must forgo in this particular situation, $980,000; and the recreation expense, $27,000. This makes a total yearly cost of operation of $13,739,000. The taxpayers of this Nation are called upon to pick up a tab of $11,002,000 per year.

What does it do? It takes 19,000 acres of the finest land owned by this Indian tribe at a time when we are spending 270 and some odd million dollars to try to build up the economic situation of the Indians of America. We are taking away from them their only chance of a livelihood. The gentleman is well aware of that fact.

Over a period of 50 years of operation it would cost the taxpayers of America for this so-called little project $704,300,000, or in order to justify this project over a 100-year period, which they are attempting to do now, it will cost $1,240 million.

I say to the committees of the Congress that some of these hidden costs that are not shown in these various reports from the departments involved should be known to the Congress of the United States. I would hope that the committees going into these matters will look a little behind the figures furnished by the departments on these various projects and see what the ultimate cost is going to be.

Further, I hope they will take into consideration the damage they are doing to the American Indian that we are supposedly trying to help reach an economic level comparable to the other people in this country.

I thank the gentleman for yielding. I just want to say that I am unalterably opposed, first to the method of going around the committees of the Congress, which is what has been done in this particular instance. The people downtown knew that if this project came to the Committee on Interior and Insular Affairs, where it rightly should be, we would look behind the scenes and develop these things.

Mr. BATTIN. Along that line, it becomes a strange coincidence when the Secretary of the Interior, who has jurisdiction over reclamation projects, signs an agreement with the Corps of Engineers who have jurisdiction over flood control that if Knowles Dam is authorized the Bureau of Reclamation will build it; and at the same time, under the same hat, the Secretary has control over the Bureau of Reclamation, and the Bureau of Indian Affairs. If this is flood control then the Corps of Engineers should have the responsibility. It certainly is not dealing fairly or being fair with the Congress or the Indian nations to handle it in that way.

Mr. HALEY. Mr. Speaker, will the gentleman yield further?

Mr. BATTIN. I yield to the gentleman.

Mr. HALEY. We are in a peculiar position insofar as the American Indians are concerned. Not only are we trustees for the holdings and property of the Indians, but we are in a position of wardship toward them, and I have been very much alarmed and quite disappointed that something was not done by the department involved to protect the Seneca Nation. I am very much disappointed and a little bit confused, I might say, that the department with the responsibility of protecting the Indians of this country, taking into consideration the peculiar position that we occupy, has not come in here and vigorously opposed this legislation because what we are doing is taking away the economic base of livelihood of an Indian tribe. Then what would we do to them? I suppose some of our do-gooders want to put them on the public relief rolls and let them go on public welfare, because that is what it amounts to.

Of course, we would not only be violating the treaty that we have with the Indian nations known as the Hellgate Treaty but we may very well be violating a treaty that we have with our friendly neighbor to the north of us, Canada. I hope the proper committee, if they hope to authorize this project, will go into that phase of the matter because we are constantly talking about other people living up to their commitments. Let us live up to some of our commitments and, if we have to have a so-called image all over the world, let us build up our own household so to speak and build our own image to show that we are treating the people of this Nation, the first Americans so to speak, with a little more fairness and a little more justice.

Mr. BATTIN. I thank the gentleman. I believe the gentleman is referring to the treaty we have entered into with Canada whereby there cannot be any storage projects on this river without the consent of the Canadian Government. Of course, no consent has been forthcoming so that instead of violating an old treaty entered into in the 1800's, just with the Indians, we are also talking about a treaty recently entered into with the Dominion of Canada.

Basically, I am concerned about this not because we are talking about one tribe, even though that is very important. In the area I represent in Montana, this Indian nation is not even involved. But what it does get down to is that in eastern Montana I represent some five Indian reservations and the rights of these people to me are very basic, and when we can on the one hand say that we are going to abrogate an agreement we made with them in order to satisfy the desires of some people, it becomes imperative that we live up to our obligation even though, perhaps, we now feel we have the short end of the bargain.

Mr. HALEY. Mr. Speaker, I would like to call to the attention of my colleagues the situation with reference to the proposed Federal Knowles project on the Flathead River in western Montana.

Mr. Speaker, Knowles Dam is one of the projects being recommended for Federal construction in the rivers and harbors and flood control proposals now under consideration by the House Public Works Committee.

The project has been studied and recommended by the Corps of Engineers but it now is proposed that construction and operation be in the hands of the Bureau of Reclamation, although there are no reclamation purposes assigned to it.

PROJECT COST

The estimated cost of Knowles project has been set at $272,964,000, including interest during construction. However, an engineering witness of the Northern Pacific Railway testified before the Senate Public Works Committee last fall that the Corps of Engineers had understated the cost of railroad relocations by $32,970,000, so that the overall cost of Knowles may run to $305,934,000.

PROJECT STATISTICS

Knowles would be a concrete gravity and earth-fill dam 266 feet high, creating a reservoir with 3,080,000 acre-feet of usable storage. The reservoir area would flood out or take out of production 59,314 acres of land, including 9,000 acres of irrigated cropland. The powerhouse would have 256,000 kilowatts of installed capacity.

COST PER KILOWATT

Knowles would cost from $1,066 to $1,195 per kilowatt of installed capacity, making it the most extravagant project in the Columbia River Basin. Federal projects now on the Columbia River range in cost from $748 per kilowatt at Albeni Falls to $103 per kilowatt at Grand Coulee.

KNOWLES PURELY A POWER PROJECT

The only purpose for the Knowles project is commercial power production by the Federal Government. The project has no reclamation benefits. Flood control objectives of the region can be met by the Canadian Storage Treaty and construction of other projects in the basin with higher benefit-cost ratios than Knowles so that the project is not needed for flood control.

KNOWLES IS MARGINAL

The original analysis of Knowles by the Corps of Engineers admitted to a benefit-cost ratio of 1.08 to 1, which made it the poorest project recommended for construction in the Columbia River Basin. Later, the Corps extended the assumed life of Knowles to 100 years and achieved a benefit-cost ratio of 1.2 to 1 but the project still is the poorest one proposed for construction. The current benefit-cost ratio being used is unrealistic because first, power benefits are based on what it would cost to produce power from a steam-electric plant rather than what the power revenues of Knowles would bring the Government; second, the interest rate of 2⅜ percent is far below the cost of money to the Government itself; third, project costs do not include any compensation to the Confederated Salish and Kootenai Tribes for Indian lands and powersites which the project would flood, and fourth, the assumed life of 100 years is completely unjustifiable because developments in nuclear power will make the plant obsolete long before the 100-year period has been passed.

KNOWLES WOULD OPERATE AT A LOSS

If a realistic interest rate of 4 percent is used and if the project is credited only with the power revenues it would produce for Bonneville Power Administration, which would market the power, Knowles would operate at a loss of between $10 million and $11 million per year. Thus, the total loss to the taxpayers of the Knowles project would be $550 million over a 50-year period or more than $1 billion over a 100-year period.

KNOWLES WOULD PREVENT TAXPAYING CONSTRUCTION

Knowles reservoir would flood out the Buffalo Rapids No. 2 and Buffalo Rapids No. 4 hydroelectric projects which the Montana Power Co. is ready and willing to build and on which the company has filed an application for a Federal Power Commission license. Construction of the Buffalo Rapids projects would result in a saving to the Federal Government, payment of taxes to Federal, State, and local governments and adequate compensation to the Indians for their lands and powersites.

THE $138,600,000 LOSS IN TAXES

The Buffalo Rapids projects would have 240,000 kilowatts of capacity, practically the same as Knowles, and would produce, under Montana Power construction and operation, tax revenues of $2,772,000 annually for Federal, State, and county governments and local school districts. The tax contribution of the Buffalo Rapids developments would be $138,600,000 over the 50-year life of the FPC license.

BUFFALO RAPIDS PROJECTS MORE ECONOMICAL

The Buffalo Rapids projects would cost $42 million or $175 per kilowatt for 240,000 kilowatts of installed capacity. Knowles, producing practically the same amount of power, would cost almost seven times as much.

KNOWLES DETRIMENTAL TO IRRIGATION

The Knowles project would flood out 9,000 acres of valuable cropland now under irrigation. In addition to this destruction, Knowles would not irrigate a single acre of land and because it would operate at a loss, it would not be able to contribute any revenue to assist irrigation and reclamation anywhere.

KNOWLES DESTROYS BISON RANGE

The Knowles Reservoir would flood out and destroy the Moiese National Bison Range, which is one of the few public bison refuges in the country. The man who for 11 years was superintendent of this range has stated that Knowles "will spell the ruination of this area which has stood as a monument to conservation for more than 50 years."

FISH AND WILDLIFE WOULD SUFFER

The Knowles Reservoir would flood out feeding grounds and nesting areas of pheasants and migratory birds which have made the Flathead Valley one of the finest hunting areas in the West. In addition, it would flood out winter range and calving grounds of deer and elk and would destroy some of the finest game fishing streams in the Northwest.

KNOWLES WOULD DISRUPT AREA'S ECONOMY

In addition to flooding 59,314 acres of land, the project would displace nearly 1,300 people, destroy 527 buildings, flood 35 miles of railroad lines, 115 miles of highways and roads, and 158 miles of utility lines and pipelines.

WASHINGTON LAGS BEHIND OTHER FREE WORLD CAPITALS IN HOME RULE

The SPEAKER. Under previous order of the House, the gentleman from Wisconsin [Mr. Reuss] is recognized for 30 minutes.

Mr. REUSS. Mr. Speaker, those of us who have been working for home rule for the beleaguered District of Columbia feel as though we are watching the rerun of an old TV movie for the umpteenth time. Unfortunately in the plot fashioned by the House District Committee, justice does not triumph. In this 88th Congress, we are now witnessing the same disheartening spectacle we have seen in every Congress since the 80th. Home rule bills are introduced in both Houses. In the other body, hearings are held or scheduled. Five times since 1948, a home rule bill has passed the Senate. But on the other side of the Capitol, enter the House District Committee. Home rule bills are committed to it and emerge nevermore. Occasionally some hearings are held but even that has been dispensed with in recent sessions.

Given the present rules of the House and the composition of the District committee, the only means of getting a home rule bill to the floor—where it would almost certainly pass—is a discharge petition. But this, in effect, requires an extraordinary majority. So the failure to obtain the required 218 signatures has been the last scene in this longrun performance.

A new plot with a happy ending that will give the three quarters of a million people of the District of Columbia the right to govern themselves and to solve their own problems is long past due.

I have recently made a study of home rule in many of the major capitals of the world. That study discloses that the residents of the District of Columbia have a lesser degree of home rule than residents of almost any other capital in the free world.

The District of Columbia, with its three Commissioners appointed by the President, a city council which is in reality the Congress of the United States, and its school board which is appointed by the U.S. District Court for the District of Columbia, affords no opportunity for its citizens to participate in the democratic process of self-government. Why should this capital of the free world not permit its own citizens to exercise their voice in municipal government?

To make clear the remarkable contrast between the situation of the citizens of Washington and their counterparts in other free nations, I am presenting short résumés of the types of government which exist in other capitals of the free world.

STOCKHOLM, SWEDEN

Local self-government in Stockholm is greater than in any other city in Sweden.

Sweden is divided into 24 provinces each having its own financial government. Stockholm, however, is a separate government unit with combined functions of a city and a province.

The legislature of Stockholm is the city council, composed of 100 popularly elected city councilors. These city councilors are elected to 4-year terms. Each year, the city council elects a chairman who is the titular head of the city government but has no executive power. The city council legislates on all matters of municipal affairs, as well as on matters concerning the highly developed Swedish system of social welfare, public health, care of the aged and the poor, and the centralized school system.

The city council annually elects from among its own members 12 individuals who serve on the city collegium. One of these 12 members is chosen by the city council to serve as chairman of the city collegium. The city collegium prepares the city council's agenda and represents the city before the courts and administrative agencies.

The power of administration of city affairs in Stockholm is exercised by a board of commissioners. This board is composed of 10 commissioners elected by the city council to 4-year terms. The commissioners need not be members of the city council—although they may be—and must be "persons with special insight and experience in local government or in other pertinent functions." One commissioner is elected by the city council to serve as chairman of the board of commissioners. Each of the other nine commissioners manages one of the city's main departments—finance, personnel, real estate, city building, industry, social welfare, culture, public health, and regional planning.

A commissioner, as head of a department, does not exercise complete power within his department. The nine departments are governed by a small number of special boards designated by the city council. The special boards of between 7 and 15 laymen are elected by the city council from among the citizens of Stockholm. A commissioner chairs each of these boards. The boards decide on matters of importance within their jurisdiction.

The representative of the King of Sweden in Stockholm is the city governor. The city governor has major supervisory authority over the activities of the city authorities, is competent to hear appeals from their decisions, and is responsible for carrying out national government functions in Stockholm.

The governor acts as chief of police and chief of civil defense. He oversees the administration of justice, is the supreme tax authority, and supervises the annual census-taking in Stockholm. In general, it is his duty to "carefully follow the state of affairs in the capital city, and its needs, and to promote the welfare of the city and its population."

BUENOS AIRES, ARGENTINA

The legislative body for the federal district of Argentina is the deliberative council. The council is composed of 30 members elected by the resident of the federal district. The council deals with problems concerning city finances, local taxes, streets, public works, traffic, hospitals, and jails.

The chief executive of Buenos Aires is the intendente, or mayor, whose duties include implementing local ordinances. He is appointed by the President of Argentina.

Residents of the federal district of Buenos Aires elect representatives to Congress. Deputies are elected to the Chamber of Deputies on the basis of one deputy for every 85,000 people. Because of the high concentration of people in the federal district more than one-fifth of the members of the Chamber of Deputies are elected from Buenos Aires. Undoubtedly, this contributes to the success of federal legislation benefiting the capital city. The senate is composed of two senators from each of the provinces and two from the federal district.

PARIS, FRANCE

Because of the importance of the city of Paris, local government is more closely dependent upon the wishes of the central government than in any other city in France.

Paris has a municipal council of 90 members elected to 6-year terms by the people. The council annually elects a president who represents the city and presides over the council. The council deliberates and passes resolutions on all matters concerning the city's finances, police, highways, education, fine arts, public assistance, and public health. Resolutions passed by the council are submitted to the prefect of the Seine for approval.

The prefect of the Department of the Seine, who is appointed by the President of the Republic on the advice of the Minister of Interior, is the administrative head of the city. He directs all the administrative agencies of the city. His powers are more extensive than those of prefects in other areas of France. He has the power to void any resolution submitted by the Municipal Council of Paris. Paris, unlike any other city in France, has also a prefect of police who supervises the city's police force.

NEW DELHI, INDIA

Municipal government in the city of New Delhi is invested in the Delhi Municipal Corporation.

The legislative branch of the Delhi Municipal Corporation is composed of councilors and aldermen. The councilors represent each of the city wards. There are 100 councilors elected to a 4-year term. The councilors in turn appoint six aldermen from among the qualified electors of the city to serve for 4-year terms. Each year the corporation elects a mayor to represent the city and to preside over the meetings of the councilors and aldermen. All matters concerning public health and safety, education, taxation, finance, and public works are controlled by the corporation.

The executive branch of the corporation rests in a commissioner appointed by the Central Government of India for a 5-year term. He supervises all the activities of the city government.

OTTAWA, CANADA

Home rule in Ottawa is much the same as is found in other principal cities of Canada.

The city government of Ottawa is vested in a city council consisting of a popularly elected mayor, a board of control of four controllers elected at large, and 22 aldermen, 2 elected from each of the city's 11 wards.

The city council manages the city finances, levies and collects taxes, and supervises the work of the administrative departments of the city.

The mayor acts as chairman of the board of control and presides over city council meetings. He also is a member of all committees of the council and board of control. He is the chief executive of Ottawa, Canada.

The board of control acts as a standing committee of the city council; prepares all business for the council, supervises all financial transactions, and recommends personnel for municipal appointments. At city council meetings, a controller has the same voting privilege as an alderman.

ROME, ITALY

The city government of Rome is basically the same as that of other Italian cities.

The main organ of government in Rome is the communal council. It is composed of 80 councilors elected for 4-year terms by universal suffrage. The communal council passes regulations governing city personnel, public works, taxes, health, welfare, and police. The communal council also elects the mayor and a city council from among its members.

The city council is made up of 15 members; the mayor, 12 assessors and 2 alternates. The city council acts as an executive committee of the communal council. In addition to serving on the city council, each assessor supervises one of the city's 12 main departments: staff, properties, taxes, health, education, food inspection and control, markets, welfare, equipment, vital statistics, technological services, and supplies.

The mayor is the executive head of the city of Rome and represents it at all official occasions. He is also, by virtue of his mayoral position, a central government official. He prepares the agenda for the councils, carries out their decisions, and supervises the city's departments and institutions.

The Central Government of Italy exercises control over the city of Rome through the prefect of the province of Rome, who is the representative of the executive branch of the government in the province, and through the Minister of Interior. The prefect of Rome reviews all legislation enacted by the councils and determines whether it is in accord with Italian law. If a regulation is found to be in violation of Italian law, the prefect of Rome has the power to annul it. All matters concerning economic affairs in Rome are reviewed by the Italian Minister of the Interior, who also has the power to reverse any decision which he feels is a violation of Italian law.

LONDON, ENGLAND

The British capital, encompassing an urban area of 722 square miles and a population of more than 8 million, is governed by a number of major and subordinate local governments, including the administrative County of London, parts of five other counties, and the city of Westminster. In each of the governing units of the British capital, there is a popularly controlled council exercising power set out for it by statute.

In the administrative County of London, which covers a large part of the metropolis, there is a county council consisting of 126 councilors, who are elected directly, and 21 aldermen, who are named by the councilors. The council elects its chairman annually.

Matters of policy are decided by the council as a whole and council committees supervise administration.

The city of Westminster, where are located the House of Parliament, Buckingham Palace, and the principal Government offices, is governed by a council consisting of a mayor, 10 aldermen, and 60 councilors, who are responsible to the electorate of the city.

The local governments have authority over such functions as education, fire protection, health and welfare services, housing, sewerage, planning, and parks. Police, however, are controlled by the Home Office, a department of the National Government.

TOKYO, JAPAN

Since 1947, Japan has had a democratic system of local self-government. The capital city of Tokyo is a metropolitan prefecture. Its executive branch is the governor, and the legislative body is the metropolitan assembly, both elected by the people of Tokyo.

All city ordinances for Tokyo are passed by the assembly and enforced by the governor. The national supervision over the local affairs of Tokyo is in the nature of recommendations, advice, and requests.

VIENNA, AUSTRIA

Vienna, capital of Austria, is at the same time the capital city and one of the nine states of the Federal Republic of Austria. It holds a special position among Austrian cities combining the rights of a city with those of a state. The municipal and state functions are exercised by the same officials. The mayor of Vienna is also the state governor, and the members of the Vienna City Council are members of the state diet.

The members of the municipal council are elected by the people of Vienna. The municipal council decides on all matters of municipal interest concerning Vienna.

The mayor of Vienna is elected by the members of the municipal council. He is head of the city government and presides over the meeting of both the city council and the municipal council. In his capacity as state governor, the mayor has certain executive powers granted to him by the central government.

The city council of Vienna is composed of 12 city councilors elected by the municipal council. Like the mayor, the city councilors are not members of the municipal council. The city councilors direct the activities of the 12 principal departments of the city of Vienna.

In addition to my studies on the home rule in various capitals of the free world, I have investigated the types of government which exist in Warsaw, Poland; Moscow, Russia; and Peiping, Communist China. No home rule exists in these three major Communist capitals. I include my studies on these three cities.

MOSCOW, RUSSIA

Moscow has no home rule or local self-government as we know it in the free world. Moscow is ruled by a city Soviet. The Moscow City Soviet consists of approximately 850 members. While elected by the people of Moscow, the city Soviet has no will of its own and is constantly restricted by the intervention of the local Communist Party machinery and by surveillance from higher Soviets; both of which have the power to override the city Soviet's decisions.

Despite the large range of functions delegated to the city Soviet, it actually is the organ of Central Government power in the capital city of Moscow. All orders and regulations of the Central Government are carried out by the city Soviet.

The Moscow City Soviet Executive Committee is composed of 60 members who carry out the directives of both the local and Central Governments.

WARSAW, POLAND

A great deal of home rule was exercised by Warsaw during the pre-Communist period. Even after World War II, the city council, borough council, and city executive board of Warsaw, ran that city's municipal government. This home rule was in force until 1950 when the Central Government abolished all units of local self-government in Poland. This brought an end to the autonomous position of the city of Warsaw.

PEIPING, CHINA

Peiping is a municipality directly under Central Government control. Shanghai is the only other city in Communist China in this category. The policy of the Chinese Communist Government is that the Communist Party is the organ which controls all state affairs, central as well as local. Peiping has a local people's council, but all matters discussed by the local council are subject to the approval, or disapproval, of the party committee in Peiping. Since the local council is so close to the central apparatus of the Communist Party, the policies of the party are more rigidly enforced in Peiping than in any other area of Communist China.

The District of Columbia, Mr. Speaker, has as little home rule as the capitals of the Communist world. I contend that the citizens of Washington, D.C., deserve better treatment from Congress than that afforded the citizens of Communist capitals by their governments.

DALLAS AUTHOR TELLS HOW COMMUNISM WON IN ASIA

Mr. FINDLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. ALGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ALGER. Mr. Speaker, under permission to extend my remarks I would like to include the review of a scholarly work on "How the Far East Was Lost" by Dr. Anthony Kubek, chairman of the political science department at the University of Dallas. The review by Ken Thompson appeared in the Dallas Morning News. I commend this description of the work and Dr. Kubek's book for all those who are concerned with the failure of our policy in dealing with the Communist conspiracy to rule the world.

OUR DISASTER IN THE EAST

(By Ken Thompson)

The story of America's most complex and disastrous era of diplomacy—detailing how the Far East was lost, from 1941 to 1949—has

been explained and documented as never before by Dr. Anthony Kubek, chairman of the department of political science at the University of Dallas. Although we are not ordinarily inclined to dole out heavy superlatives, on this occasion an exception must be made. The book is far and away the most outstanding contribution to date as a serious evaluation of this crucial era of American diplomacy.

It is a masterpiece of scholarly research and analysis. The author spent 7 years of intensive study, digesting the record of more than 300 books, articles, official government documents and private papers of key individuals. It is a formidable work of documentation, containing more than 1,500 footnotes.

And yet it is not at all dull and difficult, as comprehensive works of this sort tend to be. It is exceptionally well organized and lucidly written.

Although much of the story which Dr. Kubek tells has been published before, it has never been told so completely or so well. There is also a good deal of highly significant material which has never before been published until the appearance of this book. Although many of the conclusions drawn by the author will be vigorously challenged, the book should establish for him a reputation as one of the Nation's most outstanding, if controversial, scholars on the Far East.

Divided into three major parts plus a postmortem, the book deals first with the destruction of the traditional balance of power in the Pacific. This section covers primarily the efforts and effects of U.S. diplomacy at Cairo, Teheran, Yalta, and Potsdam. It describes briefly the causes of our war with Japan, itemizes the disastrous effects of President Roosevelt's personal diplomacy with Stalin, tells in detail how the Soviet Union was brought into the Pacific war at the last moment and analyzes the consequences of our decision to drop the A-bomb on Hiroshima and Nagasaki.

The second section deals with the undermining of Chiang Kai-shek during the war by our officials here and in China. The author makes clear that this tragedy was accomplished primarily through the bypassing of policies and orders set forth by Roosevelt. It was accomplished by both enemy agents and naive officials who could not comprehend the nature of the Communist "agrarian reformers" in China. The role played by Gen. Joseph Stilwell and the Treasury Department in weakening the Nationalist government in China is one of the most fascinating episodes of the book. The section also includes a great deal of interesting and valuable information on the roles played by Owen Lattimore, John Stewart Service, John Carter Vincent, John Paton Davies, Lauchlin Currie, and Harry Dexter White.

The concluding portion deals with the period after the war leading up to the fall of free China. This covers the role played by Gen. George Marshall and the Institute of Pacific Relations. In every respect it was certainly the most tragic period. For many of the disastrous mistakes made during the war had been partially uncovered. It was only after a frenzied campaign to cover up or justify those mistakes that we continued to employ both the policies and policymakers that had been responsible for the wartime calamities.

Many people may say today that this is all something now in the past. Sure, we made mistakes, but what of it? You can't erase history. That is certainly true. But it is no less true that, if we understand history, we can avoid repeating it.

The China debacle is without equal as a case study in Soviet conquest. The lessons that can be learned from it are vital for free people, both here and elsewhere. Today many of the same people who were responsible for causing that debacle are still guiding or influencing the conduct of American foreign affairs. Certainly many of the same or similar policies are still in effect.

Unless enough of our citizens and leaders take it upon themselves to learn the tremendously costly lessons taught in the Far East from 1941 to 1949, we are doomed to repeat the losses again, and next time the cost could be our survival as a free and independent people.

HOUSING ACT AMENDMENTS

Mr. FINDLEY. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. WIDNALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. WIDNALL. Mr. Speaker, I have today introduced a number of long-overdue amendments to the Housing Act of 1949 in order to prevent clearly unnecessary and excessive demolition of residential and commercial buildings in federally aided urban renewal projects, and to greatly reduce the extravagant waste in them and their cost to the taxpayers.

My amendments are designed to implement a number of recommendations made by the Comptroller General of the United States. These recommendations were based on his recent studies of urban renewal projects in Cleveland, Ohio, and other cities, and also on his earlier study of urban renewal in Washington, D.C.

My new housing bill, H.R. 8138, also includes amendments to the Housing Act of 1949 which are similar to those recently introduced by Senators JACK MILLER, FRANK J. LAUSCHE, WAYNE MORSE, and JOHN G. TOWER, and by my friend and colleague, the gentleman from Iowa [Mr. KYL] in this House.

My bill, H.R. 8138, would—

First. Prohibit the acquisition, disposition, or demolition of residential or commercial buildings in urban renewal projects which are not substandard.

Second. Provide a continuous watchdog review and inspection by the Senate and House Housing Subcommittees of all federally aided urban renewal projects in order to reduce the present huge cost of such projects.

Third. Strengthen and expand local government control of federally aided urban renewal projects. At the present time, such projects are usually undertaken by autonomous agencies which are not under the effective control of local governments. Under the Widnall bill, local governments would have full legal and practical control of urban renewal projects.

Fourth. Encourage States to enact laws allowing local governments to pledge increased tax revenues flowing from urban renewal projects as security for the financing needed to pay for such projects. These projects could be made self-liquidating through such local financing, and the tax burden on Federal taxpayers would be greatly reduced or completely eliminated. California already has such a law. The Widnall bill provides that in States enacting such laws urban renewal projects would be given priority and particular consideration over urban renewal projects in those States which do not provide such local financing.

Fifth. Provide that housing constructed in urban renewal projects will be designed for occupancy by persons from the middle and lower income segments of the population, and that the rentals or other charges to be established will not exceed the level which such persons can reasonably be expected to pay.

Sixth. Direct the HHFA Administrator to (a) check with appropriate domestic and foreign officials regarding tax policies and other devices, such as zoning, and housing codes used to (1) halt the development and spread of urban blight and slums, (2) make slum and blighted properties unprofitable, and (3) encourage and aid private renovation and rehabilitation of residential and commercial real property, and (b) publish his findings from time to time together with such recommendations as he may deem necessary or appropriate in order that such objectives may be achieved throughout the several States. Norman P. Mason, head of the HHFA, under President Eisenhower, was particularly interested in the use of such devices. Recently, the Social Security Agency issued a study, "Slums and Social Insecurity," made in cooperation with HHFA experts, which went deeply into this subject.

I include the text of my bill, H.R. 8138, amending the Housing Act of 1949, for the information of my colleagues and invite those who are interested, and who wish to, to introduce companion measures.

H.R. 8138

A bill to amend title I of the Housing Act of 1949 to prevent unnecessary or excessive demolition of buildings in urban renewal projects, to require that housing constructed in the redevelopment of urban renewal areas be designated for middle and lower income families, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 105(b) of the Housing Act of 1949 is amended by striking out "and (iii)" and inserting in lieu thereof the following: "(iii) to give satisfactory assurances that any housing which may be constructed on such property in the redevelopment of the area will include cooperative housing and will be designed for occupancy by persons from the middle and lower income segments of the population, and that the rentals or other charges to be established for living accommodations in such housing will not exceed the level, as determined by the local public agency, which such persons can reasonably be expected to pay; and (iv)".

SEC. 2. (a) Section 110(c) of the Housing Act of 1949 is amended by striking out the third sentence and inserting in lieu thereof the following: "For the purposes of this title, the term 'project' shall not include (except as provided in paragraph (7) above) (A) the construction or improvement of any building, or (B) the acquisition, disposition, or demolition of any building other than a substandard building. The term 'redevelopment' and derivations thereof shall mean development as well as redevelopment."

(b) Section 110 of such Act is further amended by adding at the end thereof a new subsection as follows:

"(1) 'Substandard building' means any building other than a building (1) which can be economically improved or modified to meet requirements reasonably established by the local public agency for integration into an urban renewal plan, and (2) whose owner or lessee promptly agrees, and presents satisfactory evidence that he is able, to make such improvements or modifications within a reasonable time limit set by the local public agency."

(c) Section 110(a) of the Housing Act of 1949 is amended by inserting before the period at the end thereof the following: "; but no area shall be considered or adopted as an urban renewal area unless the local public agency shall have surveyed such area and affirmatively determined, after public notice and opportunity for hearing to interested parties, that at least 20 per centum of such area is blighted and constitutes slums".

Sec. 3. (a) The first sentence of section 110(h) of the Housing Act of 1949 is amended to read as follows: "'Local public agency' means a country, municipality, or other local government, or a State, or any public body exercising all of its functions relating to a project as agent for a local government or a State, or two or more such local governments, States, or bodies, authorized to undertake the project for which assistance is sought."

(b) The amendment made by subsection (a) shall not apply to any urban renewal project with respect to which a contract has been entered into under title I of the Housing Act of 1949 prior to July 1, 1965, for advances of funds for surveys and plans or for loans or grants.

Sec. 4. Section 101 of the Housing Act of 1949 is amended by adding at the end thereof the following new subsection:

"(e) It is the policy of the Congress that localities desiring to undertake urban renewal or similar projects should be encouraged to take all possible steps to obtain the necessary financing from State and local sources, both public and private. In the case of a locality which will permit increases in tax revenues resulting from the redevelopment of an urban renewal area to be pledged for the payment of principal and interest charges on obligations issued for the financing of the project, or which is otherwise found to have taken all possible steps to obtain State or local financing as described in the preceding sentence, the Administrator shall give priority and particular consideration to an application for assistance under this title to provide any additional funds which may be necessary for the project."

Sec. 5. Section 105 of the Housing Act of 1949 is amended by adding at the end thereof the following new subsection:

The Administrator of the Housing and Home Finance Agency shall give due consideration to such studies (as "Slums and Social Insecurity" by the Social Security Administration) and consult with such State and local officials (as those in Arlington County, Virginia, Milwaukee, New York, and Boston), and with appropriate officials in other countries, where use is made of such devices as zoning, housing codes, and tax policies to (1) halt the development and spread of urban blight and slums, (2) make slum and blighted properties unprofitable, (3) encourage and aid private renovation and rehabilitation of real property, and (4) preserve areas, structures, parks, green spaces, sites, and other properties possessing local, regional, or national importance and recreational, esthetic, architectural, historic, cultural, or other characteristics or associations worthy of preservation and enhancement, and shall publish his findings from time to time together with such recommendations as he may deem necessary or appropriate in order that such objectives may be achieved throughout the several States.

Sec. 6. In order to insure that the objectives of title I of the Housing Act of 1949 (Slum Clearance and Urban Renewal) are carried out, the Committee on Banking and Currency of the House of Representatives and the Committee on Banking and Currency of the Senate shall continuously review the administration of such title and maintain such inspection as may be necessary of urban renewal projects assisted under such title in order to—

(1) insure that the recommendations made from time to time by the Comptroller General of the United States to improve urban renewal programs and administration are carried out;

(2) revise the present criteria governing the eligibility of areas for large-scale demolition with a view to relating these criteria to the structural conditions of the specific buildings being considered;

(3) clarify the present criteria for Federal participation in proposed large-scale demolition projects with specific reference to less costly forms of urban renewal such as rehabilitation and spot clearance;

(4) achieve more effective administration, at all levels, of the Urban Renewal Administration policy so that the Federal Government will not share in the cost of a project which involves the acquisition or demolition of properties which can be economically improved or modified and integrated into an urban renewal plan;

(5) achieve more thorough examinations by qualified personnel of the condition of structures in proposed urban renewal areas before urban renewal projects are approved; and

(6) make and publish their findings from time to time together with such recommendations for administrative, legislative, and other action as they may deem necessary or appropriate.

NO FEDERAL AID TO BAYLOR UNIVERSITY OF TEXAS

Mr. FINDLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Kentucky [Mr. Siler] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SILER. Mr. Speaker, a few days ago when the bill providing Federal aid to higher education, including nonprofit institutions, was being debated in the House of Representatives, it was recklessly asserted by some Members of Congress, especially those on the committee handling the bill, that Baylor University, a Baptist school in Texas, had received large amounts of tax aid in the past. This has been specifically, forthrightly and strongly denied by some of those who are interested in this great institution. At the request of Dr. Daniel W. O'Reagan, pastor of the Burchill Baptist Church, Fort Worth, Tex., I quote pertinent parts of his letter to me on the subject as follows:

> On May 16, the newspapers carried a story about the House bill to grant $175 million in Federal funds for construction of medical and dental college facilities, and teaching facilities in hospitals. I read about your objecting to the fact that a Texas Baptist institution, Baylor University, had received a grant as part of Representative Albert Quie's bill. I agree with you wholeheartedly. Unless you laymen in high positions champion this cherished doctrine of separation, the wall will soon be breached and our public institutions will be brought into disrepute. Education is a part of the great commission of Jesus Christ, and you can be confident that religious groups maintain educational and eleemosynary institutions to make converts for their particular faith. To give any of them Federal funds for either elementary or higher education is to take public tax revenues to make religious converts. I agree with our President that this is clearly unconstitutional.
>
> Concerning Baylor, I have written to Waco, to Dr. Abner McCall, Baylor president; to Earl Hankamer, chairman of board of Baylor University College of Medicine in Houston; to Harry B. McCarthy, dean of Baylor University College of Dentistry in Dallas; and to W. R. White, chancellor of Baylor University in Waco. Without exception, these men have said that the money received was for research contracts in which the Government receives back services equivalent to the money involved, and in such cases no gift is received. In fact, they say that in some cases, the sums received under such research contracts do not always quite pay for the costs of research. Usually, the money is assigned to a special professor for a special research purpose. Recent research contracts have involved the training of chimpanzees for the National Space Agency in Houston, and research on blood dyscrasia and tooth decay for the Atomic Energy Commission done by Baylor College of Medicine in Dallas.
>
> Since these men are the administrators of the respective institutions, and since the Baptist General Convention of Texas has instructed all of our colleges to accept no Government grants, could you please call a news conference to let it be known that this is a research contract, and not an out and out gift or loan?

Mr. Speaker, I have personal knowledge that Baptist institutions generally throughout the country are very much opposed to any Federal aid in the form of grants to themselves, their schools, hospitals or other establishments, and I personally glory in this principle which we Baptists inherited from one of the great patriotic, pioneer church leaders of our Nation, Roger Williams of Rhode Island. I deplore very much the attitude of many Baptist Congressmen who have forgotten all about Roger Williams and his principle and now find themselves willing to support Federal aid to church schools or institutions. It is wrong, un-American and unconstitutional and will always be so, in my opinion.

IMMIGRATION LAWS

Mr. VANIK. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. Sickles] may extend his remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SICKLES. Mr. Speaker, I am today introducing a bill which would implement the immigration program recently proposed by President Kennedy. This legislation, similar to that already introduced by my esteemed colleague, the gentleman from New York [Mr. Celler], represents an important and much-needed step toward correcting a serious blot on the image of the United States. Our existing immigration laws, even when viewed in their most favorable light, are grossly inequitable. The quota system is a thinly disguised attempt to key the criteria for entry to the United States to a discriminatory concept of national interests.

It seems especially ironic that a country which is composed almost entirely of immigrants and descendants of immigrants should have adopted such discriminatory exclusion policies. From the time of the first settlement of the American Colonies until early in this century our country welcomed millions of immigrants. Then, as the supply of open land became exhausted and the cities filled with persons looking for work, policies of restriction began to be imposed. While one can hardly argue that immigration should have remained completely unrestricted, it is hard to justify the way in which certain groups have been welcomed while others are turned away. The first victims of this discrimination were the Orientals. Fear of the "Yellow Peril" led to the conclusion of Theodore Roosevelt's "gentlemen's agreement" between the United States and Japan, with a resulting drastic reduction in Japanese immigration. During the First World War the Congress became receptive to an expansion of the policies of exclusion, with the peoples of southeastern Europe as the new target. After the passage of severel temporary measures, the Immigration Act of 1924 gave permanent status to the discriminatory national origins quota system. This system was perpetuated in the McCarran-Walter Act, which was passed over the veto of President Truman in 1952. While this law still remains in full effect, its provisions are frequently circumvented through special legislation and private bills. Nevertheless, the law has resulted in many serious inequities. For example, Great Britain is assigned over 65,000 quotas annually, with 25,000 of them not being used. At the same time 265,000 Italians are on a waiting list for 5,666 quotas. Additionally, such populous countries as India and Indonesia, as well as most Afro-Asian nations are given only 100 quotas per year.

The existence of this quota system has caused untold damage to the prestige of the United States. It is an affront not only to the extremely important emerging nations of Africa and Asia, but also to some of our closest allies, such as Greece and Italy. These countries must consider our immigration laws as no less than an insult to their peoples and their nations.

The principal feature of this bill is the elimination of the national origins quota system. This would be accomplished over a period of 5 years, by reducing existing national quotas at a rate of 20 percent yearly and placing these quotas in a quota-reserve pool. Quotas which are currently unused will also go into this pool. The quotas in the pool will be made available to reduce the backlog of persons now on waiting lists for entry into the United States. Persons from all countries will be admitted in the order of the dates of their applications. However, immigrants from any country, in any year, will be limited to 10 percent of the total number of quotas in the pool. Some persons would be adversely affected if, when their country's quota is reduced, they were subsequently put at the end of the long waiting list. To compensate for this, the President would be authorized to reserve up to 50 percent of the quotas to persons disadvantaged in this manner. After the elimination of the backlog, a process which will take several years, immigrants would be admitted on a first-come, first-served basis, within preference categories similar to those in existence now. The total number admitted will be limited to about 164,000, and with any country limited to 10 percent of the total.

Another important feature of this legislation is the complete elimination of the Asiatic-Pacific triangle regulations which discriminate severely against potential Asiatic immigrants.

The bill would also give recently independent Western Hemisphere nations the same nonquota status as is now accorded to those states in the Americas which were independent when the McCarran-Walter Act was passed.

An Immigration Board, consisting of seven members appointed by the President would be established under the terms of the bill. This Board would conduct investigations and make recommendations to the President on overall immigration policies and the distribution of quotas.

I feel that the President's proposals are well reasoned and that the solutions he has proposed represent a needed breakthrough in our immigration policy. I believe that the plan to at least temporarily limit the total number of aliens admitted is both wise and necessary. We must insure that we do not create further problems by stimulating a vast influx of persons who come here seeking a land of opportunity, only to find prospects for continued unemployment and life as a public charge.

It is also in the interest of fairness that the administration proposal provides that any country will be limited to 10 percent of the total number of immigrants admitted each year. This serves to give all potential immigrants an equal opportunity to enter the country.

While I would like to see the quota system wiped out immediately, I realize that such complex changes will take time to implement, and even the 5-year time period may seem somewhat long, it is a necessary feature of the legislation.

I hope that each Member of this House will carefully consider both the harm being done to our country by the McCarran-Walter Act and the basic injustice of exclusion policies, and then lend his full support to this legislation. The Members of this House, by supporting the administration proposals, are in the fortunate position of being able to help correct a serious discrepancy between our laws and our avowed national goal of equality for all.

THE REAL FACTS OF THE GESELL REPORT: INSTALLMENT THREE

Mr. VANIK. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Stratton] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. STRATTON. Mr. Speaker, because of the intense interest on the part of Members of the House in the so-called Gesell report, providing for further elimination of discrimination and segregation practices impairing the combat effectiveness of our Armed Forces, I believe Members will be interested in the following dispassionate and detailed analysis of the report and the resulting action being taken on it by the Defense Department, which was released recently, on August 14, 1963, by the distinguished publication Congressional Quarterly:

McNamara Antidiscrimination Directive Stirs Controversy

The Defense Department's recent directive covering off-base discrimination against Negro servicemen has been widely attacked by Southern Congressmen as a club to force integration in communities near military bases. But Defense officials say it will be far less sweeping in its effect than initial reports and interpretations indicated. The order was bound to provoke controversy, landing as it did in the midst of this summer's heated civil rights fight and aimed as it was at the Nation's Military Establishment, which is preponderantly located in the South.

The directive was the outgrowth of a report by a special group appointed over a year ago, in June 1962, by President Kennedy and headed by Washington attorney Gerhard A. Gesell. The Gesell report, which was submitted June 21, 1963, and forwarded from the White House to the Pentagon, is a 93-page documentary of problems still encountered by Negro servicemen on military bases as well as in nearby communities. The report made a battery of suggestions for change. It was promptly branded an "infamous document" by southern Congressmen, who have aimed as much fire at the report as at the directive. (The Gesell Committee is now studying the problems of Negroes in the National Guard and Reserves and those stationed overseas.)

The southerners' basic charge is that the administration plans to use the military as an instrument for social change. The Pentagon's basic argument is that it is strictly and simply concerned with military effectiveness, which is impaired by demoralizing segregation.

CONTENTS OF DIRECTIVE

The primary misconception about the directive, according to Defense officials, was that the Department planned to make broad use of its off-limits powers to declare whole communities out of bounds for servicemen. "We hope never to have to use the off-limits sanction," says one Department official. What the July 26 directive did was the following:

Stated that it was the Department's policy to conduct all of its activities in a nondiscriminatory way and that discriminatory practices against servicemen, "all of whom lack a civilian's freedom of choice in where to live, to work, to travel and to spend his off-duty hours, are harmful to military effectiveness."

Vested the Assistant Secretary of Defense (Manpower) with responsibility for protecting the civil rights of members of the Armed Forces and authorized establishment of a new Office of Deputy Assistant Secretary of Defense (Civil Rights).

Directed the military services to issue instructions, regulations and manuals regarding the protection of civil rights on base and off base, and to institute in each service a reporting and monitoring system.

Held base commanders responsible for combating on-base and off-base discrimination, and directed that "in discharging that responsibility a commander shall not, except with the prior approval of the Secretary of his military department use the off-limits sanction in discrimination cases arising within the United States."

Directed the military departments to develop the outlines of implementation plans by August 15.

The "off-base" sanction, therefore, was raised negatively, in the context that it should not be used unless absolutely necessary, and only with the approval of the civilian Secretaries. "This was the least offensive way," said one Defense official, "because it works into the system gradually."

"There is no desire to place anything off limits," says another, least of all entire communities.

Early press reports had indicated that the Department would declare off limits whole areas where there was "relentless discrimination." This term did not appear in the directive, but was contained in a memorandum to President Kennedy from Defense Secretary Robert S. McNamara reporting on the Department's new antidiscrimination directive. The memo included the following sentence: "The (Gesell) Committee suggests using a form of the off-limits sanction when, despite the commander's best efforts with community leaders, relentless discrimination persists against Negro servicemen and their families." The Secretary continued: 'Certainly the damage to military effectiveness from off-base discrimination is not less than that caused by off-base vice, as to which the off-limits sanction is quite customary. While I would hope that it need never be put in effect, I agree with the Committee that a like sanction against discrimination must be available." It is obviously hoped that the mere availability of the sanction will be an effective bargaining lever in negotiations with local officials and businessmen.

Defense officials emphasize that they will move slowly and that they do not and cannot have an overall plan. "It will depend on the community," says one. "Maybe the problem is movie houses in one place, and somewhere else it's housing or schools." Base commanders will have primary responsibility for assessing the problems. The new civil rights office, headed by Deputy Assistant Secretary Alfred B. Fitt, will travel, supervise, support, advise and cajole.

The process, however, will be essentially carried out through the services' command channels, and the emphasis will be no negotiations at the local level.

Some observers have expressed doubts that the base commanders are up to the job. The Gesell report said that "the record of base commanders in dealing with such problems has not been impressive." It blamed this on a lack of specific directives or assurance of support from higher up the command ladder and on the commanders' own attitudes. "As a group," said the Gesell report, "they do not believe that problems of segregation and racial discrimination in the local community should be their concern." Most of the commanders' community contacts have been with the white power structure interested in preserving a peaceful status quo.

However, Pentagon officials expect the commanders to be cooperative. Says Fitt: "I expect the same doubts were expressed in 1948 when President Truman integrated the troops. The commanders may have had personal problems with this, but they did it." The main job, he says, is "to get instructions to the commanders and then back them up and down the line."

NEGRO SERVICEMEN'S PROBLEMS

The commanders have a long list of problems facing them. Both the Gesell report and Department investigations found that Negro soldiers, who are almost without exception thoroughly integrated with their white colleagues on the bases, frequently meet with discrimination on all fronts once they go into town.

(The Committee found just a few examples of remaining discrimination on base, and said these resulted largely from a lack of communication between commanders and their men. The Pentagon is working to correct this. The report also cited the lack of Negro officers in the services. Pentagon officials said all efforts were being made to see that promotions are given on strictly nondiscriminatory grounds, but that what is most needed is time for Negroes, who did not begin to come into the services in any large numbers until the 1930's, to gain sufficient time and experience for high posts. The normal cycle, they said, is about 30 years before an enlisted man becomes an officer.)

In many locales, Negro soldiers cannot go to a bar or restaurant with their white friends; they must ride segregated transportation facilities; their children must attend segregated schools; they cannot find adequate or decent housing for their families. Negro and white soldiers walking down the street together may be told by local police to "break it up." These conditions, says the Gesell report, "are a constant affront and a constant reminder that the society they are prepared to defend is a society that depreciates their right to full participation as citizens." Some results of the discrimination, according to the report, are that many Negro military families separate "to protect their children and to maintain some degree of dignity," and that "there are bases where Negro personnel confront such intolerable conditions off base that almost any device will be employed to effect a change in duty assignment." (The services generally deny transfer applications based solely on discriminatory problems.)

The report says that many of the problems are found in the North as well as the South, and that the housing problem is almost universal. "Some bases established in States such as the Dakotas," the report says, "have confronted forms of segregation and discrimination which have much of the same rigidity found in certain southern communities."

The committee recommended that the commanders work with biracial community committees. It said there were indications that local proprietors in many areas would cooperate if there were a uniform policy.

Defense officials do not pretend that the new directive will solve all of these problems. Fitt outlined the possibilities for progress in the various fields as follows:

Community activities: The Department already had a fixed policy that armed services bands, choirs, sports teams, etc., or representatives of the base, should not participate in community activities if there is segregation. In some areas this has not been carried out, but that will not be the case in the future because of the new instructions.

Transportation: Sometimes transportation facilities which permit integrated seating on base require Negroes to change seats once the bus leaves the base; in other cases there is desegregated seating on the main route to and from the base, but not elsewhere in town. More and more transportation systems in the South are desegregated and, according to Fitt, "there are so many alternatives of travel that commanders can work something out here."

Public accommodations: This, according to Fitt, "is one obvious area of concern to commanders. We're talking here about the ability of a man to buy a sandwich, to go to a park, to go to the movies, to go to a bowling alley. This is a typical kind of activity of men in their free time. When all avenues of that kind of wholesome activity are barred to a serviceman, it has an obvious damaging effect on his morale and effectiveness. Commanders ought to be able to achieve substantial progress for their men in this area because it's so incontestably a reasonable proposition."

Schools: This presents a different kind of problem from trying to get a community to let servicemen walk down the street together or bowl together. Progress in this area will continue to depend largely on protracted litigation. If Congress approves the President's civil rights bill's provision giving the Government the power to bring school desegregation suits, this will make a difference. In the meantime, the Government has filed five suits for the desegregation of schools in districts which receive Federal aid because they have been "impacted" by military installations. The morale of the troops was a major factor listed by the Government in arguing that it should have the right to bring the suits. The Government has won one of the suits at the district court level. Two others were lost and are on appeal. Also, the Department of Health, Education, and Welfare, which administers the impacted areas school program, in 1962 announced that it would build its own on-base schools for the children of Federal employees who live and work on Federal installations if the off-base schools were segregated. The first such schools will be open for the fall, 1963, term. Only elementary schools have been built, because in most cases there were not enough pupils to support high schools. HEW took the position that the law did not allow it to build schools for children whose parents lived or worked off base (Weekly Report, p. 292).

"Progress in this area will obviously take a long time," Fitt said, "because there are no alternatives in the case of schools. But the commanders can make a persistent attempt to get equal schooling for their men's children, and many have done so."

Housing: The housing problem, Fitt says, "is probably the most difficult of all and certainly the most pervasive. It is particularly hard for the commander to do anything about rental housing." The Gesell report recommended that the Government plan for additional Government-owned or controlled housing where the problem is severe and that it makes sure that information on FHA-insured housing, which must be available on a nondiscriminatory basis, is made known to servicemen. The Pentagon is looking over these possibilities. (In one little-noticed action earlier in 1963, the Pentagon established the policy that service bulletin boards throughout the country could not be used to advertise the sale of housing which is not available regardless of race, color or creed.)

The Defense Department parts company with the Gesell report on a number of recommendations. The report recommended that if all else fails, the Department should consider curtailing or closing bases near communities where discrimination is particularly prevalent. McNamara's memo to the President said that he did "not regard this as a feasible action at this time." Thus he did not totally shut the door on the proposal.

The Gesell Committee also recommended that every base should have a specific officer to whom Negroes faced with discrimination can take their complaints. The Department feels that there are various ways this should be handled. The challenge, they say, is to let the victims of discrimination know that there is some point to raising their grievances.

One recommendation which southerners jumped on was that "it should be made clear that officers showing initiative and achievement in this area will enhance their performance ratings and obtain favorable consideration for promotion and career advancement." One Defense official said that "any commander who makes an especially commendable performance in this field as in any other field will be recognized, but this does not mean that officers will be promoted solely on the basis of singular accomplishments in this field."

SOUTHERN, GOLDWATER REACTION

Southerners have charged that the Department is exceeding its powers by involving itself with off-base conditions, and is wrongly using the Armed Forces as instruments of social reform. Senator John Stennis, Democrat, of Mississippi, July 31 told the Senate that this could "only result in irreparable injury to the military profession" and that it was "a grave and serious challenge to the long established and traditional concept of complete separation of the military from all political matters and activities." Senator Herman E. Talmadge, Democrat, of Georgia, insisted that by law the military has no control over the civilian areas outside the military base. Senator Barry Goldwater, Republican, of Arizona, pointed up the irony of the controversy by charging that the directive was "a complete flip-flop from the administration's concept of the danger of a military man taking over." (Representative L. Mendel Rivers, Democrat, of South Carolina, charged that it was "the beginning of the police state and commissar program in America." Representative Robert L. F. Sikes, Democrat, of Florida, charged that the Gesell committee had recommended that "the defense functions of the military forces be subordinated to achieving the goal of complete integration."

Defense officials go out of their way to deny that they have embarked on a general civil rights crusade or are using the military as instruments of social change. Says one: "We are not trying to change the life of a town, but the way they treat servicemen. Our policy is military effectiveness; in pursuit of this we are asking the military to see that there is no segregation." They reject the argument that they are exceeding their powers. "We have the power to restrain our own troops from engaging in activities which are deleterious to their morale," says one official. "Nothing is more deleterious to their morale than to have some allowed to participate in some activities and others not because of color."

Thus, the southerners argue that the Pentagon does not have the power to compel the desegregation of public accommodations; the Pentagon argues that it is not desegregating the restaurants, etc., but is prepared to order its men not to patronize those which are segregated.

In the course of attacking the order, Goldwater charged that Fitt and others went into communities "armed with dossiers on the businessmen of the community, dossiers complete with every figure the committee can get out of income tax returns." The Pentagon issued a flat denial.

Those who attacked the order took pains to say that they were not attacking McNamara himself. They said that the directive had undoubtedly been foisted on him by others in the administration, probably Attorney General Robert F. Kennedy (a more vulnerable political target in their districts). Defense officials laughed at the suggestion that the directive had been forced on McNamara against his will.

TOP 10 STATES

Following are the top 10 States in terms of pay and allowances drawn by servicemen stationed within their borders. (Figures for all States are given in the next table.)

State	Pay	Servicemen
California	$820, 436, 000	214, 861
Texas	726, 590, 000	177, 318
Virginia	321, 560, 000	86, 396
Georgia	312, 497, 000	83, 773
North Carolina	302, 806, 000	87, 489
Florida	263, 167, 000	62, 864
Washington	184, 895, 000	46, 831
Maryland	184, 317, 000	48, 048
Illinois	181, 462, 000	45, 645
Kentucky	177, 817, 000	49, 909

MILITARY PERSONNEL BY STATE

The following table shows the number of military personnel stationed in each State, and annual payrolls, as of December 31, 1962:

	Number	Annual pay and allowances
East (percent)	14. 6	14. 6
Connecticut	4, 933	$18, 682, 000
Delaware	8, 111	$36, 286, 000
District of Columbia	19, 402	$74, 107, 000
Maine	14, 068	$61, 783, 000
Maryland	48, 048	$184, 317, 000
Massachusetts	33, 796	$137, 882, 000
New Hampshire	8, 311	$36, 140, 000
New Jersey	41, 522	$158, 247, 000
New York	38, 914	$157, 488, 000
Pennsylvania	15, 438	$57, 800, 000
Rhode Island	7, 243	$27, 363, 000
Vermont	464	$1, 995, 000
West Virginia	630	$2, 491, 000
West (percent)	27. 4	27. 4
Alaska	31, 452	$126, 568, 000
Arizona	21, 501	$87, 434, 000
California	214, 861	$820, 436, 000
Colorado	36, 568	$147, 852, 000
Hawaii	41, 586	$152, 291, 000
Idaho	6, 125	$26, 953, 000
Montana	9, 494	$42, 587, 000
Nevada	8, 286	$36, 036, 000
New Mexico	22, 660	$95, 827, 000
Oregon	4, 905	$21, 593, 000
Utah	4, 688	$19, 561, 000
Washington	46, 831	$184, 895, 000
Wyoming	3, 793	$17, 031, 000
Midwest (percent)	12. 3	12. 9
Illinois	45, 645	$181, 462, 000
Indiana	8, 418	$35, 092, 000
Iowa	1, 476	$6, 249, 000
Kansas	36, 954	$147, 332, 000
Michigan	22, 156	$96, 731, 000
Minnesota	5, 260	$21, 859, 000
Missouri	25, 855	$98, 737, 000
Nebraska	18, 621	$82, 596, 000
North Dakota	10, 208	$45, 859, 000
Ohio	18, 935	$81, 924, 000
South Dakota	5, 960	$26, 717, 000
Wisconsin	4, 422	$18, 624, 000
South (percent)	44. 4	43. 5
Alabama	21, 522	$85, 075, 000
Arkansas	12, 420	$52, 032, 000
Florida	62, 864	$263, 167, 000
Georgia	83, 773	$312, 497, 000
Kentucky	49, 909	$177, 817, 000
Louisiana	30, 708	$121, 800, 000
Mississippi	29, 241	$130, 230, 000
North Carolina	87, 489	$302, 806, 000
Oklahoma	31, 137	$122, 682, 000
South Carolina	42, 528	$167, 618, 000
Tennessee	18, 863	$74, 124, 000
Texas	177, 318	$726, 590, 000
Virginia	86, 396	$321, 560, 000
Total United States	1, 654, 554	$6, 517, 332, 000

Source: Department of Defense.

Segregation of public facilities in communities adjacent to military installations

Types of segregated public facility	Number of surveyed installations and activities with such segregated facilities [1]		Number of personnel stationed where facilities are segregated		Percentage of surveyed installations and activities with segregated facilities	
	Army	Navy	Army	Navy	Army	Navy
					Percent	*Percent*
Public schools	48	143	178, 109	58, 500	24	25
Restaurants and bars	68	238	257, 893	110, 000	34	43
Theaters	63	223	232, 301	105, 000	31	40
Swimming pools	19	226	178, 201	102, 000	9	40
Golf courses	38	164	190, 931	82, 000	19	29
Beaches	10	203	123, 502	90, 000	5	36
Bowling alleys	32	194	205, 901	103, 000	16	35
Libraries	10	49	130, 179	28, 000	5	9
Public transportation	4	47	41, 091	22, 000	2	8
Hotels, motels	12	252	205, 618	141, 000	6	45
Churches	23	163	127, 402	70, 000	11	29

[1] The Army survey for this table covered 201 installations and activities, while the Navy survey covered 559. Each installation and activity surveyed had 100 or more military personnel assigned to it. Less complete analyses by the Air Force and Marine Corps indicated similar patterns.

Source: Gesell report.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Pirnie (at the request of Mr. Arends), for today and tomorrow, on account of death in his family.

Mrs. Hansen (at the request of Mr. Albert), for today, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Battin, for 30 minutes, today.

Mr. Halpern (at the request of Mr. Findley), for 10 minutes, today.

Mr. Ayres (at the request of Mr. Findley), for 5 hours, on August 28.

Mr. Feighan, for 15 minutes, on August 20.

Mr. Reuss, for 30 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

Mr. Dorn and to include extraneous matter.

Mr. Hosmer in two instances and to include extraneous matter.

(The following Members (at the request of Mr. Findley) and to include extraneous matter:)

Mr. Alger in two instances.

Mrs. Dwyer.

Mr. Saylor in two instances.

(The following Members (at the request of Mr. Vanik) and to include extraneous matter:)

Mr. Shelley.

Mr. Fascell.

Mr. Feighan in two instances.

Mr. Fraser.

Mr. Murphy of New York.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1703. An act to amend title V of the Agricultural Act of 1949, as amended, and for other purposes; to the Committee on Agriculture.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 3872. An act to increase the lending authority of the Export-Import Bank of Washington, to extend the period within which the Export-Import Bank of Washington may exercise its functions, and for other purposes;

H.R. 6177. An act to provide for increased Federal Government participation in meeting the costs of maintaining the Nation's Capital City and to authorize Federal loans to the District of Columbia for capital improvement programs; and

H.R. 7043. An act to amend the act of March 2, 1931, to provide that certain proceedings of the Veterans of World War I of the United States, Inc., shall be printed as a House document, and for other purposes.

ADJOURNMENT

Mr. VANIK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 50 minutes p.m.) the House adjourned until tomorrow, Tuesday, August 20, 1963, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1136. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated May 9, 1963, submitting a report, together with accompanying papers and illustrations, on an interim report on Port San Luis, San Luis Obispo Harbor, Calif., requested by resolutions of the Committees on Public Works, U.S. Senate and House of Representatives, adopted April 28, 1958 and July 16, 1958, and authorized by the River and Harbor Act approved March 2, 1945 (H. Doc. No. 148); to the Committee on Public Works and ordered to be printed with two illustrations.

1137. A letter from the Chairman, Tennessee Valley Authority, transmitting draft of a proposed bill entitled "A bill to amend the act of November 21, 1941 (55 Stat. 772) providing for the alteration, reconstruction, or relocation of certain highway and railroad bridges by the Tennessee Valley Authority"; to the Committee on Public Works.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BARING: Committee on Interior and Insular Affairs. S. 1185. An act relating to the exchange of certain lands between the State of Oregon and the C. & B. Livestock Co., Inc.; without amendment (Rept. No. 690). Referred to the Committee of the Whole House on the State of the Union.

Mr. SELDEN: Committee on Foreign Affairs. H.R. 7044. A bill to amend Public Law 193, 83d Congress, relating to the Corregidor-Bataan Memorial Commission; with amendment (Rept. No. 691). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. EDMONDSON: Committee on Interior and Insular Affairs. S. 1154. An act to provide for the sale of certain mineral rights to Christmas Lake, Inc., in Minnesota; without amendment (Rept. No. 689). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR:

H.R. 8123. A bill to incorporate the Companion Collie Program; to the Committee on the Judiciary.

By Mr. ASPINALL:

H.R. 8124. A bill to determine the rights and interests of the Navajo Tribe and the Ute Mountain Tribe of the Ute Mountain Reservation in and to certain lands in the State of New Mexico, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. FASCELL:

H.R. 8125. A bill to amend section 207 of the National Housing Act to eliminate the provision presently limiting mortgages thereunder to the cost of the physical improvements involved; to the Committee on Banking and Currency.

H.R. 8126. A bill to provide for increased participation by the United States in the Inter-American Development Bank, and for other purposes; to the Committee on Banking and Currency.

H.R. 8127. A bill to amend chapter 35 of title 38, United States Code, to provide educational assistance to the children of veterans who are permanently and totally disabled from an injury or disease arising out of active military, naval, or air service during a period of war or the induction period; to the Committee on Veterans' Affairs.

H.R. 8128. A bill to amend section 411(a) of title 38, United States Code, to increase the rates of dependency and indemnity compensation payable to widows of veterans dying from service-connected disabilities; to the Committee on Veterans' Affairs.

H.R. 8129. A bill to amend the Social Security Act to assist States and communities in preventing and combating mental retardation through expansion and improvement of the maternal and child health and crippled children's programs, through provision of prenatal, maternity, and infant care for individuals with conditions associated with child-bearing which may lead to mental retardation, and through planning for comprehensive action to combat mental retardation, and for other purposes; to the Committee on Ways and Means.

By Mr. HÉBERT:

H.R. 8130. A bill to amend title 10, United States Code, to provide for the establishment and maintenance of a Junior and Senior Reserve Officers' Training Corps program, and for other purposes; to the Committee on Armed Services.

By Mr. LANKFORD:

H.R. 8131. A bill to amend section 1331(c) of title 10, United States Code, to provide that the requirement that certain individuals have served on active duty during World War I, World War II, or the Korean conflict in order to qualify for retired pay shall not apply to certain individuals who were interned during those periods; to the Committee on Armed Services.

By Mr. LIBONATI:

H.R. 8132. A bill to amend title 18 of the United States Code to prohibit certain officers and employees of the United States from interfering under color of law in the free exercise or enjoyment by any person of any right, privilege, or immunity secured by the Constitution or laws of the United States; to the Committee on the Judiciary.

H.R. 8133. A bill to prohibit the Secretary of the Air Force from requiring membership in the Air Force Reserve as a condition of employment in any civilian position in the Department of the Air Force; to the Committee on Post Office and Civil Service.

By Mr. MILLER of California:

H.R. 8134. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. ROGERS of Texas:

H.R. 8135. A bill to provide for the establishment and administration of public recreational facilities at the Sanford Reservoir area, Canadian River project, Texas, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ST. ONGE:

H.R. 8136. A bill to provide for the designation of qualified interpreters to assist defendants who are unable because of deafness to understand proceedings in Federal criminal actions, and for other purposes; to the Committee on the Judiciary.

By Mr. TOLL:

H.R. 8137. A bill to adjust the rates of basic compensation of certain officers and employees in the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. WIDNALL:

H.R. 8138. A bill to amend title I of the Housing Act of 1949 to prevent unnecessary or excessive demolition of buildings in urban renewal projects, to require that housing constructed in the redevelopment of urban renewal areas be designated for middle and lower income families, and for other purposes; to the Committee on Banking and Currency.

By Mr. ASPINALL (by request):

H.R. 8139. A bill to authorize the Secretary of the Interior to enter into contracts and make grants for research and development in furtherance of the purposes of the act of May 16, 1910 (36 Stat. 369; 30 U.S.C. 1, 3, 5, and 7), as amended and supplemented; to the Committee on Interior and Insular Affairs.

By Mr. FLOOD:

H.R. 8140. A bill to incorporate the Catholic War Veterans of the United States of America; to the Committee on the Judiciary.

By Mr. GALLAGHER:

H.R 8141. A bill to provide under the social security program for payment for hospital and related services to aged beneficiaries; to the Committee on Ways and Means.

By Mr. GREEN of Pennsylvania:

H.R. 8142. A bill to amend section 4 of the act of May 13, 1954 commonly referred to as the St. Lawrence Seaway Act, to provide that the St. Lawrence Seaway Development Corporation shall not engage in certain activities; to the Committee on Public Works.

By Mr. PATMAN:

H.R. 8143. A bill to provide for the establishment of an International Home Loan Bank, and for other purposes; to the Committee on Banking and Currency.

By Mr. PEPPER:

H.R. 8144. A bill to provide for the establishment of an International Home Loan Bank, and for other purposes; to the Committee on Banking and Currency.

By Mr. SICKLES:

H.R. 8145. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. STRATTON:

H.R. 8146. A bill to amend the War Claims Act of 1948, as amended, to provide compensation for certain additional losses; to the

Committee on Interstate and Foreign Commerce.

By Mr. DENTON:

H. Res. 496. Resolution providing for the consideration of the bill (H.R. 2332) to amend title 38, United States Code; to the Committee on Rules.

By Mr. CELLER:

H. Res. 497. Resolution to provide additional funds for the Committee on the Judiciary under Public Law 86–272; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By Mr. THOMSON of Wisconsin: Memorial of the Legislature of the State of Wisconsin petitioning the Congress of the United States to call a convention for proposing an amendment to the Constitution of the United States, unless Congress shall sooner have submitted such an amendment, to provide for the election of the President and Vice President in a manner fair and just to the people of the United States; to the Committee on the Judiciary.

By the SPEAKER: Memorial of the Legislature of the State of Massachusetts, memorializing the President and the Congress of the United States relative to protesting the decision of the Civil Aeronautics Board rejecting the application of Northeast Airlines for a permanent certificate to run commercial flights between Boston and Florida; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOGGS:

H.R. 8147. A bill for the relief of Dr. Fe O. Isla; to the Committee on the Judiciary.

By Mr. GUBSER:

H.R. 8148. A bill for the relief of Mr. and Mrs. Bernardo Da Silva De Jesus; to the Committee on the Judiciary.

By Mr. HARVEY of Michigan:

H.R. 8149. A bill for the relief of Dr. Rebil Mehmet Hankan and his wife, Mesadet Seher Hankan; to the Committee on the Judiciary.

By Mr. O'HARA of Illinois:

H.R. 8150. A bill for the relief of Stavros P. Tourlis; to the Committee on the Judiciary.

H.R. 8151. A bill for the relief of Ionnis Petropoulos; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 8152. A bill for the relief of Rajinder Singh; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 8153. A bill for the relief of Etsuo Miyagishima and his wiffe, Tamae Miyagishima (nee Nogawa); to the Committee on the Judiciary.

By Mr. SHELLEY:

H.R. 8154. A bill for the relief of Ernesto Caputo and Carluccia Caputo, his wife; to the Committee on the Judiciary.

H.R. 8155. A bill for the relief of Otto Bagai; to the Committee on the Judiciary.

By Mr. UDALL:

H.R. 8156. A bill to authorize the Secretary of the Interior to convey certain lands in Pima County, Ariz., to Edward O. Earl and the estate of Madelon Earl; to the Committee on Interior and Insular Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

251. By the SPEAKER: Petition of Mrs. Georgie Ferguson, secretary, Spencer County Democratic Women's Club, Rockport, Ind., relative to approving adoption of the proposed constitutional amendment as provided in legislation introduced by Senator J. Glenn Beall and cosponsored by Senator Vance Hartke, which will clarify the meaning of the Constitution of the United States and will permit Bible reading and the recitation of prayers in public schools; to the Committee on the Judiciary.

252. Also, petition of Jesus D. Sablan, Speaker, 16th Saipan Legislature, Saipan, Mariana Islands, relative to the political reintegration of the Mariana Islands with the territory of Guam; to the Committee on Foreign Affairs.

EXTENSIONS OF REMARKS

St. Stephen's Day

EXTENSION OF REMARKS

OF

HON. JOHN F. SHELLEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 19, 1963

Mr. SHELLEY. Mr. Speaker, for Americans of Hungarian descent August 20 has particular significance. On this day they pay homage to the great national hero of Hungary—St. Stephen I.

It is not an exaggeration to consider St. Stephen as the father of Hungary, for he was crowned the first King of Hungary in the year 1000 A.D. This act—probably the most significant in the Nation's long history—marked the formation of a kingdom out of the former tribal confederacy.

Stephen's 38-year reign was devoted to consolidating the new state. He developed political institutions which combined the advances made by his western neighbors with the solid foundation of Hungarian traditions. He showed great activity in administrative, legislative, and financial matters.

No wonder, then, that the feast of St. Stephen, the patron saint of the Magyars, has special meaning for Americans of Hungarian origin. I know this to be true in my own city of San Francisco where there are more than 2,500 Hungarian Americans. The many distinguished individuals among them—musicians and teachers, men of great learning and culture—have immeasurably enriched the life of San Francisco. It therefore gives me great pleasure to join with the Hungarian Americans of the San Francisco area and of our country in celebrating St. Stephen's Day.

Secret Deal Over A-Pact Charged—Full Revelation Demanded

EXTENSION OF REMARKS

OF

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 19, 1963

Mr. HOSMER. Mr. Speaker, there follows a release to news media dated this evening in which I discuss why a secret side understanding must exist relative to the partial test ban treaty and demand that its terms be disclosed:

SECRET DEAL OVER A-PACT CHARGED—FULL REVELATION DEMANDED

Representative Craig Hosmer today charged a secret side agreement has been made with Russia on the partial test ban treaty and demanded the administration make public its terms.

Unless there is such an unrevealed compact, he asserted, "the language of section 2 of article 1 of the treaty will specifically prohibit the United States from using its nuclear arsenal in time of war."

Hosmer, ranking House minority member of the Joint Committee on Atomic Energy and chairman of the House GOP committee on nuclear testing said the secret document has long been rumored. He said it probably is in the form of an informal memorandum of understanding between Moscow, Washington, and London as to what the published text of the treaty actually means. It also could consist of notes and memorandums made separately, but contemporaneously, by the parties to the transaction during negotiations or at followup meetings, he stated.

The California solon said suspicions of the existence of the hidden document first were aroused by repeated "ready and positive" statements by Secretary of State Dean Rusk and Disarmament Agency Administrator William C. Foster as to "exact meanings of certain provisions of the pact." He said no one familiar with Russian tactics in twisting treaty terms could make such statements with assurance unless detailed interpretations had been hammered out with the Russians before hand and put down in black and white.

"As a practical matter," he declared, "it would be reckless and improvident to conclude a treaty with the Soviets without doing so."

President Kennedy has denied any agreements were reached at Moscow other than the treaty itself, as has our chief negotiator, Undersecretary of State W. Averell Harriman and others, including Rusk and Foster. Hosmer said these denials would apply to formal treaties and international agreements, in the usual diplomatic definitions of those terms. He asserted the denials could truthfully not apply to a side-agreement memorandum of understanding or contemporaneous notes, such as he charges exist.

Hosmer said he makes his charge after examining testimony by Gen. Maxwell D. Taylor, Chairman of the Joint Chiefs of Staff, Thursday before the combined hearing conducted by the Senate Foreign Relations, and Armed Services Committees and the Senate section of the Joint Atomic Energy Committee.

Taylor testified concerning the Joint Chiefs' concern over the possibility that the treaty might bar firing of nuclear weapons in time of war. He said the Joint Chiefs "in a body" called on Secretary Rusk and gained assurance that the treaty has "nothing to do with (preventing) the firing of nuclear weapons in time of war."

"Such an assurance," Hosmer declared, "could only be based on a definite and firm understanding between the United States, Russia, and England of the definition of "war" as it relates to this treaty. Otherwise the assurance is in direct contradiction to section 2 of article 1 of the treaty which outlaws, without exception for war or any other circumstance, any nuclear explosion whatever, test or otherwise, in the air, underwater, or in space."

(Text of section 2: "Each of the parties to this treaty undertakes furthermore to refrain from causing, encouraging or in any way participating in, the carrying out of any nuclear weapon test explosion, or any other nuclear explosion, anywhere which would take place in any of the environments described, or have the effect referred to, in paragraph 1 of this article.")

"In the face of this treaty provision," Hosmer continued, "it would be impossible for such assurance to have been given to the Joint Chiefs unless a side understanding had been reached as to circumstances under which nuclear explosions nonetheless could be carried on despite the treaty's explicit and blanket prohibition."

"The existence of a side arrangement on this point most certainly means that the unrevealed and secret understanding is a comprehensive one, covering all other major points of the treaty," he reasoned.

"All its terms must be revealed if the Senate is to know what it is ratifying or rejecting, and all the other countries who since have signed the treaty are to know to what they are bound."

Hosmer called for an end to "diplomatic doubletalk denials" and "semantic tricks" and for "full revelation of all the understandings reached at Moscow."

His charge was made on Westinghouse Broadcasting System's "Washington Viewpoint" program and amplified in a statement to news media.

The House That Jack Built

EXTENSION OF REMARKS

OF

HON. BRUCE ALGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, August 19, 1963

Mr. ALGER. Mr. Speaker, many of us in Congress have been closely following the work of Frank L. Kluckhohn, prominent newspaperman, State Department security expert, political leader, and author. His three most recent books include "America Listen," "The Naked Rise of Communism," and "What's Wrong With U.S. Foreign Policy," and already the first-named has sold more than 1 million copies.

It is most interesting to note that a recent State Department report of a field trip of the Cairo Regional Publications Officer, Mr. Anthony E. Lewis, reveals a series of lists of banned publications issued by the Censor Bureau, Ministry of Guidance and Information, Kuwait. The Government of Kuwait, in addition to banning many Communist and leftist publications, also has banned obscene literature from Kuwaiti shelves.

Included in such a list of books as "Mr. Hot Rod," "Naked Lovers," "Nurses' Quarters," "One Flesh," and "A Need for Love," is Mr. Kluckhohn's work, "The Naked Rise of Communism." Yes, this most valuable treatise on what communism is and what it has done to individual freedom, liberty, and initiative throughout its history was banned on the grounds of the title alone, which apparently made Kuwaiti censors think of things other than international politics.

I am glad to note that Mr. Kluckholn has chosen a "nonobscene" title for his newest book, "The House That Jack Built," which is being published in November by Devin-Adair Co. of New York. This analysis of the men around our President—their backgrounds, philosophy, and influence over all of our lives—will feature the following chapter headings, according to the latest catalog information from the publisher. Under unanimous consent, I include these most descriptive and promising chapter outlines at this point in the Record:

A list of the chapters will convey the spirit of the book:

"What Breed of Men Are Making Over America?"

"Arthur Schlesinger, Jr.—His Father's Only Son."

"The Genius From MIT, Walt Whitman Rostow."

"The Maxwell Mythologist, Harlan Cleveland."

"Backstage at the Pentagon, Adam Yarmolinsky."

"The Grey Man With Flaming Ideas, Dean Rusk."

"An End to Security."

"Kennedy's Economic Genius, J. K. Galbraith."

"A Bouncing Ball."

"Marvelous McGeorge."

"Lucky, Portly Pierre."

"The Boys From A.D.A."

Miami Metro Government Wins Light Award

EXTENSION OF REMARKS

OF

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 19, 1963

Mr. FASCELL. Mr. Speaker, as Representative of Florida's Fourth District, I am privileged to have many occasions upon which to draw the attention of my colleagues to significant events and outstanding honors which have come to my home community.

Never have I felt more pride than I have in the announcement that Metropolitan Dade County, the first governmental body in the world to adopt a code to aid employment of handicapped people, on July 23 of this year was awarded the Mark A. Light Award for its outstanding work.

Named for a handicapped youth in Perrine, Fla., the Light Award is the highest recognition offered by the World Committee on Employment of the Handicapped, the junior chambers of commerce, and others.

The code of Metropolitan Dade County covers the elimination of architectural barriers to the employment of the handicapped. This code has been implemented by establishment of means for easy access to public buildings and the facilities therein, such as special rails and other equipment.

I hope, Mr. Speaker, that many other communities will follow the lead of Metropolitan Dade County in eliminating unnecessary obstructions to full use by the community of the contribution which can be made by our handicapped citizens. For this reason, I am bringing this story of enlightened community action to the attention of my colleagues.

Meet Goes to Perfection

EXTENSION OF REMARKS

OF

HON. JOHN P. SAYLOR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 19, 1963

Mr. SAYLOR. Mr. Speaker, our State is proud of the results of the recent coal mining first-aid contest conducted at Ebensburg by the Central Pennsylvania District Safety Association, the North Central District Association, Moshannon District Association, and Allegheny-Kisky Valley Safety and First-Aid Association. In one of the most evenly matched contests in 25 years of competition, a perfect score was recorded by the winning team from Diamond Mine of Imperial Coal Corp. at Boltz.

This outstanding exhibition of expert coordination and teamwork, based on thorough and persistent training, should serve as an inspiration to first-aid teams throughout the country. Further, organizations connected with civil defense activities would be well advised to look into the achievements of our first-aid groups and, where practicable, set their own rescue practice programs accordingly.

We congratulate the Diamond Mine team. The performance of each of its members might be compared to the careful and flawless accomplishment of a pitcher who retires 27 consecutive batters without having a single man reach first.

We salute every team and every individual who took part in the competition at Ebensburg. Their dedication to the cause of mine safety and first-aid merit the commendation and gratitude of us all. For this reason I am listing below the order of finish and team rosters:

First. Diamond Mine Team of Imperial Coal Corp., at Boltz, Capt. John Rensko, John Pabrazinsky, John Simon, James Clement, Maurice W. Troska, Nicholas Busoney, Francis Mort and Cleto Santucci.

Second. Mine 32 of Bethlehem Mines Corp., at Revloc, Capt. Gene Persio, Matthew R. Isaacson, Dino Menie, Fred

Parisi, Calvin Prazinko, Steve Zaffuto and John Radebach.

Third. Springfield No. 4 team of Barnes & Tucker Coal Co., Capt. George Kutchman, Robert Stratton, Walter Trybus, Gerald Farabaugh, Tony Kaschack, Peter Trybus, and Gerald Becker.

Fourth. Mine 31, Bethlehem Mines Corp., Nanty Glo, Capt. Earl Soulsby, Anthony Schirato, Illo Bartoletti, Peter Scansaroli, Louis Byich, Walter Hessler, and Ignatius Olsavsky.

Fifth. Harwick Mine, Duquesne Light Co., Capt. Joseph Wilkosz, Joseph Pitlock, Michael Kandziolka, Joseph Sarso, Lois Bott, Maurice Fowler, and John Mudlo.

Sixth. Kelso Mine Team of Bird Coal Co., Capt. Quindo Sidone, Robert Hainsey, Emmanuel Crew, Alex Litko, Andrew Brunnett and Louis Vettori.

Seventh. Harmar Mine of Harmar Coal Co., Capt. C. J. Callahan, John Krasovsky, Rudolph Stanko, Theodore Mackos, Frank Oswald and George Flynn.

The Captive Nations: A Powerful Deterrent Against War

EXTENSION OF REMARKS

OF

HON. MICHAEL A. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, August 19, 1963

Mr. FEIGHAN. Mr. Speaker, on Sunday, August 18, 1963, Americans of Ukranian descent in Youngstown, Ohio, observed Ukrainian Day. This is an annual event of great significance for large numbers of our citizens living in the Youngstown area. The purpose of this annual affair is to spotlight the global struggle between the cause of human freedom and the organized forces of Russian tyranny. It provides an opportunity for public-spirited citizens to renew their commitment to the principles of liberty and national independence. Believing that an alert and informed citizenry is the front line of democracy's defense, the leaders of this annual affair have chosen the theme of captive nations for 1963.

At the request of Michael Yurchison, general chairman of this year's observance, I have provided a statement on "The Captive Nations: A Powerful Deterrent Against War," which follows:

THE CAPTIVE NATIONS: A POWERFUL DETERRENT AGAINST WAR

There is no more important issue before the American people today than the captive nations. The gathering storm within the multinational empire of the Russians confronts the United States with a unique leadership opportunity to move ahead in winning peace with justice and freedom. Rising Chinese nationalism in the Far East is exerting pressures on imperial Russia to return the former Chinese territories taken from China more than a century ago by the czars. The strong tide of national independence running in the captive European nations, from the Baltic Sea to the Caspian Sea, is exerting even stronger pressures on imperial Russia. It is these develpoments which have forced the Russians to adopt the tactics of smiling diplomacy, to agree to a limited test ban treaty and to put pressure on the United States for a nonaggression pact between NATO and the so-called Warsaw Pact.

The real issue involved here is whether the United States will play an active role in preserving the Russian Communist Empire or whether the United States will take an active role in promoting the emancipation of the captive European nations. A nonaggression pact between NATO and the so-called Warsaw Pact would do nothing but place a protective Western shield over the Russian empire. On the other hand promotion by the United States of the right of self-determination and self-government for the peoples in all the captive nations, under the prevailing circumstances, would provide a powerful deterrent against war. The Russian empire is the only threat to the security of the United States and to peace. We must never lose sight of this reality.

A Tribute to Brooklyn's 50-Year Doctors

EXTENSION OF REMARKS

OF

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, August 19, 1963

Mr. MURPHY of New York. Mr. Speaker, never before in this Nation's history has there been such a profound concern over the need to ease the pressing shortage of physicians as there is today. While the Nation's medical schools each year produce well-trained and competent graduates, new programs and new concepts designed to alleviate this shortage are constantly being advanced in virtually every segment of the community.

Certainly, every effort must be made to ameliorate this persistent crisis. In meeting the challenge before us, however, we must not overlook the notable achievements of those devoted men and women who have been and are now actively engaged in the practice of medicine. These individuals, without fanfare, live a new drama each day. The hopes and dreams of countless people are largely dependent upon their skill, their wisdom and their compassion. No yardstick has yet been devised which can adequately measure the contributions physicians have made to the health and happiness of those they serve.

Today's physician, be he a general practitioner or a specialist, shoulders a most fantastic burden because of the very shortage I have mentioned. He recognizes that the number of new men entering the profession each year does not compensate for those who either retire or leave the profession for other reasons. He must assume responsibilities which are awesome in their magnitude.

I think you would agree that they have not withdrawn from this challenge. Rather, they have responded with boldness and vigor to the general betterment of the entire community.

In an effort to offer a measure of recognition to the physicians in Brooklyn, the Kings County Physicians Guild, a most distinguished organization representing 3,000 doctors in the borough, will cosponsor with Amfre-Grant, Inc., an ethical pharmaceutical firm, a luncheon on December 11. This function will offer a tribute to those men and women who have given 50 years or more of service to the Brooklyn populace.

Dr. Solomon Schussheim, a most respected physician and board chairman of the guild, and Lewis Stern, president of Amfre-Grant, Inc., will be cochairmen of this important salute, and will jointly present appropriate awards to Brooklyn's 50-year doctors. Dr. Schussheim and Mr. Stern are already making preparations for this fete, and I believe they are to be lauded for manifesting enormous community spirit.

A healthy America is a strong America. A 50-year doctor who has witnessed the evolution from the era of the horseless carriage to the age of exploration in outer space, himself has not basically changed since the day he greeted his first patient. Now, as then, the conquest of disease and the relief from suffering are his fundamental concerns. The tribute to Brooklyn's 50-year doctors is one which is richly deserved.

Washington Report

EXTENSION OF REMARKS

OF

HON. BRUCE ALGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, August 19, 1963

Mr. ALGER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following newsletter of August 17, 1963.

WASHINGTON REPORT

(By Congressman BRUCE ALGER, Fifth District, Texas)

COMMITTEE COMPLETES STUDY ON TAX PROGRAM

The President's tax recommendations for 1963 have occupied the Ways and Means Committee almost daily since February. Finally, a draft bill has been completed, after months of public hearings followed by executive sessions. Both so-called structural reforms, some 32 basic areas (including individual deductible items, real estate depreciation, dividends exemption and inclusion, sick pay exclusion, medical and casualty loss, child care, moving expense, charitable, natural resources, sale of mineral properties, stock options, capital gains, etc.) and rate reductions both individual and corporate.

The structural reforms unbelievably complicate the law with changes and new formulas. Few persons, if any, will be able to fill out a tax form without legal or expert help. So our goal of simplification becomes a hollow joke. Only $1 billion additional in revenue is secured for the Government by all these changes. The rate reform or reduction is divided between individuals and corporations. The total tax cut is approximately $10.7 billion, of which individual rate cuts is about $8.6 billion and corporate $2.1 billion, phased over 2 years; two-thirds cut in calendar year 1964 and one-third in calendar 1965.

The individual rate cuts are dropped from 20 percent to 6 percent to 14 percent in the lowest bracket while in the highest bracket the rate changes are 91 percent to 77 percent to 70 percent. Corporate rates are dropped from 52 percent to 50 percent (22 normal, 28 surtax) to 48 percent (22 normal, 26 surtax). The individual rates in all but the lowest brackets, that is from $4,000 tax liability on up, have a lesser reduction. Always for political reasons of course, the lowest brackets get preference.

My suggested amendment for the individual rate cut was a flat 20-percent cut for everyone. Tax would be figured as at present and then 20 percent of the tax eliminated to reach tax payment. This would have been fairer as I see it, although no permanent solution inasmuch as this is not a good rate readjustment. My amendment was an effort to improve the bill as were my efforts in oil taxation, real estate depreciation, and others. Yet, in the final analysis many of us knew we should relate any tax cut to reduced Federal spending. Republican efforts in this direction were defeated by votes of 13–12, almost straight party line votes. The bill will now be drafted, studied, and changed before final committee approval or rejection. Then to the Rules Committee and the Floor of the House. Since amendments are not permitted under the rule it is obvious that 25 members of the Ways and Means Committee write the tax law. Members can only approve or reject the final package. Then the Senate will act independently. It looks like no tax bill, if at all, until next year. This gives people a chance to demand reduced spending, a balanced budget, and debt reduction, as equally important to a tax cut.

AID TO EDUCATION

The Higher Education Facilities Act of 1963, H.R. 6143, passed the House (287 to 113) with ALGER voting against. This bill authorizes Federal assistance to public and other nonprofit institutions of higher education in financing the construction, rehabilitation, or improvement of needed academic and related facilities in undergraduate and graduate institutions. My own opposition to the bill was summed up in the minority views of Congressman DAVE MARTIN of Nebraska: (1) This is not a proper function of the Federal Government. Our institutions of higher learning should stand on their own feet, whether private or State supported. There has been a great building boom since World War II at our colleges and universities throughout the country. Most of these buildings have been most elaborate and costly and do not indicate that an austerity program is in effect. (2) This bill would authorize to be appropriated during the next 3 years $1,195 million, divided as follows: $660 million for loans for construction grants to graduate schools, and $360 million for loans for construction. In view of the budget deficit during the present fiscal year, and in view of the projected $12 billion deficit for fiscal year 1964, as well as the expected deficits for future years, I feel that it is fiscally irresponsible to authorize new spending programs at this time. Approximately $2.5 billion is presently being spent for educational purposes by the Federal Government. This involves a hodgepodge of programs among which there is already a great overlapping and waste of the taxpayers' funds. It would be much more pertinent to make a complete study of these programs and come up with recommendations where saving could be made and expenditures reduced. (3) Although I generally do not favor special deductions to get our people to do those things the Government feels they should, I think Congressman MARTIN's approach of allowing an income tax deduction of $1,000 to a parent who is sending his or her child to an institution of higher learning and who is contributing a major portion of the student's expenditures, is a better approach than Federal aid directly to colleges and universities. Additional points against the bill were raised in further minority views by other members of the Committee. To just mention several: The fine balance between research and instruction which many institutions have sought to maintain has already been upset, and there has been a disruption of normal internal relationships in universities. University departments favored by Federal grants can become virtually independent of institutional administration. The needs of vast enrollment increases in colleges and universities since World War II have been met through traditional sources, private endowments, etc. Large-scale Federal aid could discourage and dry up these sources. There is no evidence justifying the conclusion that the needs for higher education for academic facilities cannot be met from present State and private agencies.

BRINGING HOME THE BACON

Once again the issue has been raised on whether a Congressman should be concerned with principle, in preserving the freedoms of the people, in watching out for their tax dollars, or should he forget the basic responsibilities in order to bring home the bacon, get Federal handouts for his district. If the Representative of Dallas County is to be judged on how much he can get for Dallas, then the only kind of representative would be one who would be completely subservient to the New Frontier. No Republican, no conservative Democrat, no one who opposes the Kennedy administration in any way will be free from the blackmail and political coercion practiced by this administration. My own position, and I am firmly convinced, the position of the majority of the people of Dallas County is that the principle of self-government comes first. We shall demand and fight for those things to which Dallas is legitimately entitled, but will not accept the welfare programs and planned economy theories of the New Frontier in order to get them.

Stricter Discipline and the Three R's

EXTENSION OF REMARKS

OF

HON. W. J. BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 19, 1963

Mr. DORN. Mr. Speaker, my distinguished and able colleague, the gentleman from South Carolina, JOHN L. MCMILLAN, is serving this country beyond the call of duty. Patriotic Americans who love the Constitution are grateful to the gentleman from South Carolina [Mr. MCMILLAN] for his devotion and dedication to our Federal City—a Federal City as envisioned by our Founding Fathers.

As the father of five children, I enthusiastically endorse the gentleman from South Carolina [Mr. MCMILLAN's] article which appeared in the Washington Star, Sunday, August 18. I commend a study of this article to each Member of the Congress and to educators and parents everywhere:

STRICTER DISCIPLINE AND THE THREE R'S

(By Hon. JOHN L. MCMILLAN, Chairman of the House District Committee)

In my opinion, the first and greatest need existing in the public schools of the District of Columbia today is more effective discipline. The steady increase in the juvenile crime rate in the city, the McCarthy Committee's report on the riots at the District of Columbia Stadium last Thanksgiving Day, the many complaints which my colleagues and I have received from distraught parents, all point to a desperate need for drastic tightening of discipline in the District of Columbia schools. A child who is not taught to respect the rights of others cannot be expected to grow into a responsible adult citizen, and in too many cases the school children of the District of Columbia are not being so trained today. I acknowledge that the ideal place for such molding of character is the home, and certainly many of the District's children are being properly guided and developed by their parents. However, the best of home training needs to be supplemented by a firm disciplinary control in the schoolroom; and in those cases where the proper home training is utterly lacking, the school's training in this respect is essential, both for the unruly child himself and for his classmates as well.

When the House District Committee was apprised recently of the fact that D.C. school children of compulsory attendance age cannot be suspended or expelled from school under present law, and that the D.C. Board of Education has a strict rule against the use of corporal punishment which is militating seriously against the teachers and principals in their efforts to control unruly pupils, we took prompt steps and got legislation approved by the House of Representatives which is designed to remove these two impediments to discipline in the schools.

I maintain that insistence upon strong discipline starting in the lowest grades will greatly diminish the need for special schools and classes for incorrigible older students, as well as the need for so many psychiatrists. Also, the restoration of order and discipline in the classrooms, without which there can be no teaching, will again enable the District of Columbia public school system to attract and retain good teachers in far greater numbers than is possible today.

Another obvious need in the District system is for greater stress upon the fundamental subjects—the three R's—particularly in the lower grades. This is evident, I think, from the results obtained by exactly such a curriculum at the Amidon School in the past 2 years. Children in this school, brought from all parts of the city and exposed to a steady diet of fundamental education, averaged far higher on standardized subject tests this year than did most classes of comparable size and mental ability elsewhere in the city. This does not surprise me, however, because this Amidon experiment is not new at all, but nothing more nor less than the approach to education which was departed from only when the so-called progressive education became fashionable.

Perhaps this increased emphasis upon the fundamental subjects might also eliminate the need for so many counselors; for it seems to me that more teaching and learning would necessitate less counseling. Also, I am convinced that this return to the true aims of education would make the District of Columbia more attractive to good teachers.

In connection with curriculum, I believe also that increased emphasis upon vocational training, particularly for the high school students in the lower tracks, would captivate these pupils' interest and help materially to improve discipline and to lessen the problem of drop-outs on the high school level.

I feel that the greatest threat to the future of the District of Columbia school system is the often-repeated statement that the solution to all its problems lies in the appropriation of more money for the schools. I and my colleagues in the Congress have always recognized the need for adequate financing for the schools of the District, and through our efforts more than $50 million has been spent on new school buildings in the past 9 fiscal years—much more than has been spent during this period in any other U.S. city of comparable size. Also, teachers' salaries in the District have been maintained on a very favorable level in comparison with other large cities, and today the District of Columbia teachers are the most highly paid in the Washington metropolitan area.

But the two greatest needs in the District of Columbia schools today, as I have pointed them out above, will not involve any additional expenditures whatever. What they will require, however, is sound, realistic thinking and positive action on the part of the entire District of Columbia school administrative system, from the Board of Education on down. And until and unless such a philosophy prevails, the expenditure of any amount of additional money will not permit the city's schools to perform their proper function.

Rusk Assurance to Joint Chiefs on Use of Nuclear Weapons Is Deadly Fiction

EXTENSION OF REMARKS

OF

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 19, 1963

Mr. HOSMER. Mr. Speaker, there follows a release to news media dated today in which I have discussed the lack of meaning of Secretary Rusk's assurance to the Joint Chiefs of Staff relative to use of nuclear weapons if military situations require:

RUSK ASSURANCE TO JOINT CHIEFS ON USE OF NUCLEAR WEAPONS IS DEADLY FICTION

Based on test ban treaty testimony by Joint Chiefs of Staff Chairman, Gen. Maxwell D. Taylor, the charge was hurled yesterday that U.S. hands will be almost completely tied in dealing with Communist armed aggression by force and violence worldwide.

Representative CRAIG HOSMER, ranking House minority member of the Joint Committee on Atomic Energy and chairman of the House GOP's Committee on Nuclear Testing said Taylor and other members of the Joint Chiefs were so seriously concerned that the treaty would bar use of nuclear weapons if war breaks out they called on Secretary of State Dean Rusk in a body to discuss the question. Taylor testified Thursday that assurance was gained from Rusk that the treaty has "nothing to do with [preventing] the firing of nuclear weapons in time of war."

HOSMER declared Rusk's assurance to the Joint Chiefs is meaningless and deadly because "war" no longer has "any meaningful definition," except in the sense of an all-out nuclear exchange between the great powers.

The California Congressman recalled that notwithstanding many costly battles, thousands of American dead and wounded, and 3 years' fighting in Korea, the entire action never was officially called a war. It was defined as a "police action."

"Secretary Rusk's assurances are no aid or comfort to the U.S. fighting men who could again be called on to wage battle if the Korean Communist regime decides to break the truce and resume hostilities. In the eyes of the State Department and under terms of the treaty, only a 'police action' would be restarted. Under terms of Rusk's test ban assurance, it would not be a war. The United States would not be allowed the discriminate use of tactical nuclear weapons to stabilize the situation and avoid more thousands of casualties.

"Almost daily Americans in uniform are being killed, maimed, and taken prisoner by weapons of war in Vietnam. Purple Hearts are awarded and legislation is pending to provide combat pay. Yet this is not a 'war.' Rusk's assurances do not apply here, no matter how badly things might get out of hand, no matter how vastly our conventionally armed forces might be outmanned by a deadly enemy.

"The situation would be the same anywhere else in the world where armed aggression of this kind might take place and U.S. troops could become engaged—for example, Laos, Formosa, and India where Chinese Communist hoards might invade with tanks, artillery, aircraft, mortars, and machineguns. These would not be wars, our diplomats say. They are only incidents—police actions. But they are very real places where Americans could be sent to do battle and to die because a scrap of paper conceived in Moscow ties U.S. hands and bars discriminate use of small, relatively clean and discreet U.S. tactical nuclear weapons to control the aggressor as he deserves to be controlled. These are only instances where the needless slaughter of the bridge at Toki-Roi could be suffered over and over again on a magnified scale.

"The vital national interests of the United States and the lives and bodies of much of its young manhood—and the fears of their loved ones—demands far greater assurance from Secretary Rusk than he so far has given the Joint Chiefs.

"What Rusk has assured to date is no more than that the United States will not use its national power effectively to prevent aggression, that we will submit meekly to conventional and guerrilla warfare harassment, losses and casualties—continued Communist armed encroachment on free world soil—all because of the naive and dangerous legal fiction, conceived by diplomats, that this is not war, simply because the Communists choose not to call it war, but revolution of the proletariat.

"The President and Secretary Rusk, as well as the U.S. Senate, are under deep obligation to declare that this gimmick in the tricky treaty must not be allowed to hamstring vigilant and effective U.S. action wherever and whenever vigilance and effectiveness are demanded by the dangers at hand.

"The Joint Chiefs of Staff, in the execution of their solemn obligation to protect the United States of America courageously should march back in a body to Dean Rusk and demand the kind of assurance that will give our country the ability to insure its survival in a very hostile world—not the kind of half assurance they received by their first try at it," HOSMER concluded.

Foreign Aid Now Conditioned on Performance

EXTENSION OF REMARKS

OF

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 19, 1963

Mr. FRASER. Mr. Speaker, foreign aid has long been criticized for not having enough strings. In the past, the usual reply has been that to attach conditions to aid would be to interfere politically in the domestic affairs of other countries. Now, after years of learning the hard way, the United States has finally begun insisting on conditions before providing foreign aid. Strings are now attached not only to grants and loans for specific programs and projects but to aid programs for entire countries, such as Brazil. At long last, our foreign aid officials are making a careful and concentrated effort, not only to see that our funds are used effectively, but also to insure that recipient countries fully utilize their own resources.

Foreign aid is an investment of the taxes of the American people, and every American taxpayer has a stake in the prudent and businesslike management of the aid program. Americans particularly object to having their tax dollars used for the benefit of the privileged few of another country.

Basically, most Americans are in favor of foreign aid. Recent polls, show increasing public support for the foreign aid program. But public confidence in the efficacy of the program has been shaken by stories of graft and corruption in other countries, or stories about the failure of other countries to do their share, or stories about programs or projects where U.S. funds were wasted because of one failure or another. The feeling has been growing among even the most ardent supporters of foreign aid that the program can work effectively only if these weaknesses are corrected, and that they can be corrected only if the United States conditions its foreign aid on performance.

For these reasons, the new emphasis on establishing conditions for aid is good news for every taxpayer. Americans can now have greater confidence that their tax dollars will be used more prudently and effectively, and that the program will achieve better results.

What kinds of conditions are now being agreed upon by the United States and the recipient governments, and how do these conditions work?

There are two categories of conditions. First, there are conditions based on the performance of an entire country, and applied to all aid programs and projects in that country. Second, there are conditions for specific programs or projects in a country, even where the country as a whole does not have to take certain agreed upon self-help steps.

Under the Charter of Punta del Este, which established the Alliance for Progress, every country in Latin America is committed to undertake certain self-help measures. It is explicitly recognized in the charter that U.S. assistance to Latin American development will be conditioned upon the necessary structural reforms and measures for the mobilization of internal resources on the part of recipient countries.

The recent United States-Brazilian agreement, which conditions further U.S. aid to Brazil upon the taking of certain steps by the Brazilian Government, was made in accordance with the charter. Under this agreement, which is the first of its kind, Brazil was to—

First. Increase revenue by reforming the tax system, as well as improve tax collection and administration;

Second. Reduce government budgetary deficits by eliminating subsidies on wheat and petroleum, eliminating deficits on publicly owned enterprises including transportation and power systems, and curbing public pay increases;

Third. Control inflation by limiting the expansion of credit by the banks, by establishing better central banking machinery, and by appealing to unions and businesses to hold the line on wages and prices;

Fourth. Reduce the balance-of-payments deficit by establishing a realistic exchange rate and by adopting specific measures to increase exports;

Fifth. Stimulate economic growth by adopting measures to encourage outside private investment; and

Sixth. Increase agricultural growth and productivity by seeking a broad program of agrarian reform.

In addition, it was understood that Brazil should arrange with the International Monetary Fund to defer payment on an IMF obligation, as well as secure a standby arrangement under which the IMF would make temporary credits available to offset Brazilian export losses. It was also understood that Brazil would secure additional aid from other free world countries.

In several other cases development loans for Latin American countries have been made contingent upon acceptable arrangements with the International Monetary Fund for exchange rate reform and an economic stabilization program.

One example is the recent $35 million development loan to Chile which is conditional upon a satisfactory stabalization program. The loan will be disbursed at a rate corresponding to the rate of Chile's budgetary performance. Better budgetary performance will speed up the rate of loan disbursement, and vice versa.

In some cases there is a condition that the borrowing nation secure aid from other donor nations before the United States will promise assistance. A stabilization loan for Egypt, and the consortia arrangements for Pakistan and India, and more recently for Turkey, are examples of this type of condition.

There are numerous examples of specific types of conditions required by the United States on development grant and development loan projects.

In one Middle East country the government undertook to reorganize the port administration, to establish separate organizations for the goods handling and customs functions, and to finance the timely completion of complementary requirements such as connecting roads. Management, organizational, financial, and budgetary arrangements for the port satisfactory to the United States were made conditions of an AID loan.

In another Middle East country, specific conditions were set forth in a U.S. loan made for the purchase of construction equipment. Because several Government departments were involved, one condition of the loan was that a new central agency be established to handle the equipment. Employment of qualified foreign advisors and the establishment of an acceptable spare parts and maintenance system were other conditions of the loan.

A home savings program in a Latin American country requires that the U.S. contribution of $7.5 million to the savings bank be matched, and that there be established a National Housing Institute to administer the program.

Conditions to ensure repayment of U.S. loans, including Government guarantees of loans to private or semipublic institutions, are common practice. In one such case, the United States insisted upon the financial reorganization of a truck company to open up prior mortgage bonds so that AID would be ratably insured, the sale of common stock rather than of senior convertible debentures as proposed by the company, establishment of a ratio of debt to net worth not to exceed 2 to 1, and a limitation on dividend payments.

A normal condition of cost sharing between the United States and a recipient country in a grant project is exemplified by a recent work relief project emphasizing rural reconstruction. Under this agreement, the United States provides surplus agricutural commodities for food, hand tools and equipment, Soil Conservation Service specialists and junior level technicians, and the cooperating Government guarantees the provision of cash wages for 60,000 workers.

Establishing conditions for aid is one thing; enforcing those conditions, especially when political considerations are involved, is another. Flexibility in enforcing foreign aid conditions is just as essential as flexibility in enforcing the conditions of a commercial contract. Up to a certain point, exigencies must be taken into account. The problem, of course, is knowing where to draw the line.

In agreements on conditions, especially those involving an entire country program, it would be a mistake to expect the line always to be drawn where it was marked out originally. But allowing for reasonable adjustments, it is reasonable to expect conditions to be carried out, as nearly as possible, as agreed upon. Otherwise agreements on conditions will not be taken seriously.

The difficulty in carrying out conditions while at the same time serving broader foreign policy interests can be seen in the case of Brazil. U.S. aid to Brazil is being held up at the moment because the government of Brazil has not met the conditions agreed upon earlier this year. Since the Brazil-United States agreement was signed, the Brazilian Government has done little, in fact, to live up to its pledge. Inflation increased by more than 25 percent in the first half of 1963, and probably will increase by more than 50 percent before the end of the year. The Government of Brazil has loosened rather than tightened credit. The Brazilian budget deficit has gone up rather than down. Government pay raises, rather than being held to the announced 40 percent, have been increasing by 70 percent.

What happens next? From the standpoint of general foreign policy considerations, Brazil must not be allowed to founder. If the enforcement of conditions on our aid program were predicted to have that effect, it would be very difficult to make the conditions stick. On the other hand, if the conditions are modified to the point of being substantially softened or virtually removed, it would be very difficult in the future to persuade any government to live up to its commitments. The answer may lie somewhere in between. But even if there should have to be some adjustments in the original agreements—and they certainly should be kept to a minimum—we will at least have made a start on establishing, together with the host government, performance standards for a country receiving U.S. assistance. This is one of the most encouraging improvements made in foreign aid since the new program was established in 1961.

Bonneville Invades Southern Idaho

EXTENSION OF REMARKS

OF

HON. JOHN P. SAYLOR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 19, 1963

Mr. SAYLOR. Mr. Speaker, this is the 18th of a series of articles on why Bonneville's multimillion dollar annual losses and areas of substantial and persistent unemployment are not wanted in southern Idaho.

In my speech to the House recorded on pages 13837–13839 of the CONGRESSIONAL RECORD for July 31, 1963, I stated in clear unmistakable language that the slogan "Bonneville, Please Include Us Out," which was a part of the heading on earlier articles of this series, came from a chance remark of a southern Idahoan who has no connection whatsoever with the power companies. In his remarks on page A5237 of the daily CONGRESSIONAL RECORD for August 15, 1963, my colleague from southern Idaho questioned the veracity of my statement when he said the power companies were the sources of my title and that the title did come from Idaho, the Idaho Power Co. This I categorically deny as not having a shred of truth to it. I again repeat my true and factual statement from my speech on July 31, 1963:

> Actually, the slogan "Bonneville, Please Include Us Out" was not my own composition but was coined from a chance remark made by a southern Idahoan who has no connection whatsoever with the power companies. The slogan immediately appealed to me.

Furthermore, I have neither corresponded with nor talked to any official or employee of the Idaho Power Co. relative to editorials, letters, or any other matter regarding Secretary Udall's order extending Bonneville's power-marketing area into southern Idaho.

As a free-born American, I have always opposed the expansion of the socialistic Federal power empire regardless of the river basin it might be in. Subsidized, tax-free competition of the Federal Government with taxpaying power companies is neither right nor proper in any section of the country.

As ranking minority member of the House Interior and Insular Affairs Committee, I feel that I have a duty and an obligation to expose and oppose the unwarranted and untenable action of Interior Secretary Udall in ordering the extension of the Bonneville power marketing area into southern Idaho, when I feel—as I do—that such action is totally unjustified, and is inimical to the best interest of the Nation as a whole and of the area involved. It is part and parcel of the Kennedy administration's plan to extend the socialistic Federal power empire to all sections of the country.

With regard to the purported undated letter of a division manager of the Idaho Power Co., saying I invite people to write me regarding their thinking on Bonneville power, I solemnly swear that I neither requested nor had any knowledge of such an invitation or letter being sent out. The context of the purported letter discloses that it was written long after I had started using the heading "Southern Idaho's New Slogan: Bonneville, Please Include Us Out." The key to this is the reference in the letter to an editorial from the Boise Statesman regarding a recent statement of Lloyd Walker. It so happens that I have a copy of that editorial, which was published in the Idaho Daily Statesman on July 28, 1963. This editorial was in my possession on July 31, 1963, when I presented my rebuttal to the attack on me by the gentleman from southern Idaho. The editorial in question also related to southern Idaho's objection to the invasion by Bonneville but it contained so many derogatory references to the character and honesty of the gentleman from southern Idaho that I refrained from using it or making reference to it.

It is fully evident from the facts that here is a deliberate attempt to use a letter written long after I had coined the slogan "Bonneville, Please Include Us Out," in order to question the veracity of my straightforward statement on the origin of that slogan. I must therefore make reference to the editorial in question and say that it is readily understandable why an editorial so derogatory of him was not included in the CONGRESSIONAL RECORD by my colleague from southern Idaho.

In order that I may have the facts for the record relative to this purported letter, I have sent the following letter to the president of the Idaho Power Co.:

AUGUST 19, 1963.

Mr. TOM ROACH,
President, Idaho Power Co.,
Boise, Idaho.

DEAR MR. ROACH: Enclosed is a copy of the remarks of Congressman HARDING, of Idaho, which were placed in the CONGRESSIONAL RECORD for August 15, 1963. In view of the fact that I have neither written nor talked to you or any other official or employee of Idaho Power Co. relative to Secretary Udall's extension of the Bonneville power marketing area into southern Idaho, I am placing a categorical denial of Congressman HARDING'S accusations in the CONGRESSIONAL RECORD.

Will you please have the matter looked into and advise me if the purported letter was sent out, and if so, what was the date and why did your division manager assume the authority for issuing invitations for letters in my name?

I fully realize that your company has an outstanding record of service at rates well below the national average and that you have loyal employees who naturally resent the invasion of southern Idaho by a subsidized, tax-free Federal power empire that is now operating with multimillion dollar annual losses. Nevertheless, I do not want nor need the help of an overzealous employee of your company in extending invitations in my name for letters about Bonneville.

The flood of letters and editorials I have received and the context thereof indicates to me that there is a widespread buildup of grassroots opposition to the Bonneville invasion of southern Idaho. Here is no stereotyped letter campaign but the varied personalized opinion of a people concerned with the unwarranted extension of a Federal bureaucracy which can only have an adverse effect on their area and lives. The letters have come from all walks of life and I shall continue to utilize them and the editorials and statements of responsible organizations opposing Secretary Udall's unwarranted action as long as that opposition is maintained.

Sincerely,

JOHN P. SAYLOR.

In conclusion I present two letters from my mounting pile which are illustrative of the individual opinion of southern Idahoans who object to the Bonneville invasion of southern Idaho. First, a letter from a schoolteacher with a farming background who has lived in southern Idaho for over 60 years. Here is the reasoning and the opinion of a studious man who has lived close to the soil:

BLACKFOOT, IDAHO,
August 3, 1963.

Hon. JOHN P. SAYLOR,
House of Representatives,
Washington, D.C.

DEAR SIR: Your address listed in the CONGRESSIONAL RECORD, "Proceedings and Debates of the 88th Congress, 1st Session," under date of July 8, 1963, came to my attention and was read with keen interest and appreciation. This address questioned the advisability and need and cost of extending Bonneville power into southern Idaho. Your questions were pertinent, your reasoning logical, and your conclusions practical.

I've lived in southern Idaho over 60 years and paid taxes most of my adult life. An agricultural background and with about 35 years of schoolteaching experience and a keen interest in the development and future of southern Idaho—have given me some strong feelings as to our needs and possible prospects.

Idaho is a comparatively large State geographically but sparsely settled, so there are few taxpayers and also few power users. We do well to support one set of public utilities. Local rail service has been reduced in recent years to a marked degree. Telephone service lags necessarily in most southern Idaho areas because of low population and many miles. Power service likewise is in low demand and despite reasonable industrial expansion it seems ridiculous to bring in an additional competitive public utility such as Bonneville power even if it could be done at no construction cost.

I favor legislative, administrative, and normal business support of existing utilities so that they may survive, expand, serve, and pay taxes to assist in meeting Idaho's financial and growth needs rather than spending more tax money to bring in what we don't need, can't afford, and what would reduce current utilities ability to reduce rates, and pay taxes and all at the expense of the "You Know Who's" in Idaho, Pennsylvania, and elsewhere.

Your efforts to block BPA's extension into southern Idaho is sincerely appreciated. May you have adequate help in this endeavor is my personal hope.

Respectfully yours,

IRVEN CHRISTENSEN.

The second letter is from a newspaperman who is fully aware of the complete lack of justification for Secretary Udall's unwarranted and untenable action in extending Bonneville's power marketing area into southern Idaho. His letter follows:

THE TIMES-NEWS,
Twin Falls, Idaho, August 6, 1936.

Hon JOHN P. SAYLOR,
House of Representatives,
Washington, D.C.

DEAR SIR: I have just finished reading that part of the CONGRESSIONAL RECORD which carries your presentation of your ideas concerning the BPA which is slated to be brought into southern Idaho. Your arguments follow my line of reasoning in this respect and I wish to strongly commend you for such a masterful presentation and stand.

One does not have to be a Harvard economist to understand that when a source of tax revenue is cut off the remaining sources have to carry this additional load. Further than this it is frightening to know that this is but one step more in being eventually submerged in a Federal autocracy. And then what?

Yours sincerely,

E. BORDEWICK.

A New Kind of Foreign Aid

EXTENSION OF REMARKS
OF

HON. FLORENCE P. DWYER

OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Monday, August 19, 1963

Mrs. DWYER. Mr. Speaker, in view of the disenchantment of many Members of Congress with various aspects of our foreign aid program—a feeling which was made unmistakably manifest here last Friday—it is particularly timely to call the attention of the House to legislation which would authorize a new and potentially highly effective and beneficial private form of foreign aid, the proposed International Home Loan Bank.

The Bank would function with private funds exclusively. It would not cost the taxpayers a thing. But because it gives promise of bringing home ownership within the means of millions of families of the developing nations of Latin America and Africa, it could be a major force for social stability and economic progress in these nations—an avowed goal of our present foreign aid program.

As a constructive alternative to parts of our present foreign aid program, I suggest to our colleagues that the legislation deserves sympathetic consideration in light of the hostility which has just been shown to the old form of foreign aid.

As the sponsor of one of the bills—H.R. 6715—to create the International Home Loan Bank, I prepared the following statement in support of the bill for the Committee on Banking and Currency which has just concluded hearings on the legislation.

The statement follows:

STATEMENT OF REPRESENTATIVE FLORENCE P. DWYER, REPUBLICAN, SIXTH DISTRICT OF NEW JERSEY, IN SUPPORT OF HER BILL, H.R. 6715, AND SIMILAR BILLS TO ESTABLISH AN INTERNATIONAL HOME LOAN BANK, BEFORE THE HOUSE BANKING AND CURRENCY COMMITTEE

Mr. Chairman, it seems especially appropriate that our committee should begin hearings on the several bills, including my own (H.R. 6715) to establish an International Home Loan Bank at the very time the House was considering this year's foreign aid authorization bill. The approach to the problem of helping the people of the less-developed areas which is embodied in this housing legislation would be more realistic, more effective, and more beneficial—not to say, much less costly—than are many aspects of our present foreign aid program.

This is a large claim, I realize, but it is a claim which I believe can be substantiated. The International Home Loan Bank idea is based on several premises: that housing, next to food itself, is the most directly important commodity in the lives of most human beings; that the ownership of private housing gives a person a considerable stake in the community and thus is a source of social stability; that a growing middle class, provided with the opportunity to save some money and finance the purchase of residential housing, can be a bulwark against social unrest and a vigorous force for sound economic and social development in the newer nations of Africa and Latin America.

Housing, therefore, occupies a crucial position in the overall problem with which our entire foreign aid program is concerned: the strengthening of independent, self-governing nations by bolstering their capacity to meet the needs of their people for economic opportunity and social progress. To a limited extent, our foreign aid program has recognized the importance of housing and through the Agency for International Development and the Inter-American Development Bank some funds have been used to assist directly in the construction of housing in Latin America. These efforts have been sporadic and relatively minor, however, and of a fiscal year 1962 total of $2.4 billion of nonmilitary foreign aid less than $200 million was devoted to housing programs.

Yet, even this restricted attention to housing has produced very encouraging results. Individual projects have been remarkably successful and U.S.-assisted housing is frequently pointed to as among the most fruitful effects of our aid programs. In addition, AID and other Government programs have cooperated in conducting surveys in Latin America and Africa which have documented the urgent need for private housing—a need, for example, which is estimated to total 14 million units in Latin America alone. A growing awareness has developed that successful housing programs provide not only significant social and political benefits but also stimulate the growth of such important areas of the economy as the construction, finance, and supply industries and have a wholesome impact on the economy generally.

My own interest in this field has been greatly heightened by the experience of one of my most prominent constituents, Mr. Everett C. Sherbourne, president of the City Federal Savings and Loan Association of Elizabeth, N.J. Mr. Sherbourne was the industry representative on a three-man team which studied the housing situation in Libya in 1961. His report is an immensely persuasive document. His group found an urgent need for considerable private housing for low- and middle-income families—a need which, nearly 3 years later, is still unmet and which is intensifying the unrest and resentment which the three members noted in 1961.

As Mr. Sherbourne and his associates pointed out, adequate private housing can be constructed at costs within reach of low- and middle-income wage earners who can afford modest down payments and the subsequent long-term mortgage charges. In the total absence of such long-term mortgage facilities, however, prospective homeowners have no alternative but to pay exorbitant rents for housing, rents so high that the owner's total investment is recouped often within 5 or 6 years.

Mr. Sherbourne's experience has been duplicated widely in other parts of Africa and Latin America. The resulting data and information document the pressing need for encouraging the accumulation of sufficient capital in the underdeveloped countries to service this market, for developing the thrift and home financing institutions needed to put this capital to work, and for creating a central source of technical know-how and seed capital which, as the term suggests, would reproduce itself many times over in the fertile areas of unfilled needs.

This would be the purpose of the proposed International Home Loan Bank. It is designed to meet such a worthy objective in such a practical way that I find it difficult to account for the lengthy delay in establishing this program. No public funds would be required for the Bank. Its capital would be raised from the investment of up to one percent of the assets of individual savings and loan associations and other mutual savings institutions. The one percent limitation should eliminate any risk at all to depositors in such institutions, while the supervision of the Federal Home Loan Bank Board and the State Department should assure the soundness of its banking operations and harmony with the objectives of American foreign policy. The Bank would invest in or lend to those thrift and home-financing institutions in the developing countries, which, in turn, make loans and advances to individual institutions resembling our own savings and loan associations in their thrift and home-financing functions. A few such institutions already exist in some of the developing countries, but here and elsewhere they need the experience and resources of the Bank to help them multipy and flourish.

As a sponsor of this legislation, Mr. Chairman, I am particularly impressed that the Bank would be a striking example of free, private enterprise in this "capitalistic" system of ours investing private funds and talents, with no hope of big profits, into an activity of the most direct consequence to individual people of modest means in many of the less powerful or influential countries of the world. The meaning of this situation will, I feel sure, communicate itself more effectively than many a more ambitious Government project.

No more significant indication could be found of the success of the savings and loan and mutual savings industry during the last fabulous 30 years than this proposal to share its wealth with less fortunate areas of the world in a practical effort to show that the American way holds out hope for the millions everywhere.

The bills we have introduced and are considering today, Mr. Chairman, can themselves be thought of as "seed" bills—legislation designed not as a finished product but as a way of stimulating further thought about some of the real problems associated with this undertaking. Even the most worthwhile objectives pose difficult questions of organization, administration, degrees of legislative authority, financing, and the like.

I have every confidence, however, that our committee, after considering all these questions and possible weaknesses or objections to the plan, can devise a workable and effective method of inspiring and facilitating one of the most constructively revolutionary social movements in the world—the effort to spread the benefits of homeownership among the peoples of the developing world who yearn for stability, opportunity, and the hope of better things in the future.

Imperial Russia, China, and the Captive Nations

EXTENSION OF REMARKS

OF

HON. MICHAEL A. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, August 19, 1963

Mr. FEIGHAN. Mr. Speaker, on Sunday, August 11, 1963, the 61st annual observance of Hungarian Day was held in Cleveland, Ohio. It was my pleasure to address this annual meeting. As is known, some people believe the Hungarian freedom revolution of 1956 was a failure because the Russians put down by armed aggression that effort of the Hungarian people to regain their freedom and national independence. Events of the recent past have demonstrated that victory of the Hungarian revolution was not lost, it was only delayed. Those events as well as events yet to unfold were the theme of my address, the text of which follows:

IMPERIAL RUSSIA, CHINA, AND THE CAPTIVE NATIONS

The Hungarian Nation has enjoyed its epics of greatness and glory just as it has endured its moments of sadness and suffering. Standing as the rampart of Western civilization on the frontiers of Christian culture, it has experienced the burdens of an endless struggle with the forces of the barbarian. In good weather and in bad weather the Hungarian Nation has clung to its heritage with a Christian conviction, and that conviction has preserved the nation for 1,000 years.

In this century alone the Hungarian Nation has enjoyed the blessings of national independence, after a long period of foreign domination, only to have that independence snuffed out by a new and completely alien domination. Those extremes of national status occurred in the brief period of 26 years—between the terminus periods of two World Wars. But 12 years of alien occupation, between 1944 and 1956, by the new barbarians of the East, drove the Hungarian people to a popular revolt, the power of which shook the empire of Muscovy to its foundations and unleashed a powerful tide of new hope and old purposes throughout that empire. Time has proven that the Russians did not defeat the Hungarian freedom revolution. At best the Russian blood bath in Hungary following the historic revolt of 1956 did no more than postpone total victory for Hungarian freedom and national independence.

The past 7 years have provided the world with abundant evidence of the far-reaching consequences of the Hungarian freedom revolution. Those voices on the American scene which predicted there was a finality to the settlements by force following World War II have been thoroughly discredited. Those voices of surrender have taken cover in the musty halls of American diplomacy where they now work covertly for the preservation of the Russian Empire. But the powerful tide of new hope and old purposes which runs in all the captive nations will inundate those voices alien to freedom's cause as surely as that tide will inundate the Russian despots. No power on earth can contain or divert the course of that rushing tide.

There is no denying the fact that the peoples of the captive nations now under the domination of imperial Russia have striven for centuries to break their chains and to win their national sovereignty. I refer, of course, to the non-Russian nations of the Soviet Union as well as the central European satellite nations. All of these nations declared and held their national independence during and in the aftermath of World War I. All of them lost their independence between the great wars or immediately following World War II. All the captive nations have in common two powerful motivations. The first is a common oppressor—imperial Russia. The second is a common purpose to regain their national independence. That is what I mean by the "powerful tide of old purposes."

The Hungarian freedom revolution added an explosive dynamic to that powerful tide of old purposes. That explosive dynamic is new hope—born of the proof that multinational Red army is vulnerable to large-scale popular revolutions, as demonstrated by the Hungarian people in 1956. Providing that proof was costly to the Hungarian Nation but that proof is now bearing a rich harvest in the vast area between the Baltic and Caspian Seas wherein lie no less than 15 captive non-Russian nations. The new hope provided by the Hungarian Freedom Revolution has given a unique dynamic to the spirit of nationalism; that is, the national independence movements behind the Russian Iron Curtain. The new dynamic of which I speak takes logical recognition of the fact that 90 million Russians cannot keep in chains over 200 million non-Russian peoples in the captive nations, if the captives undertake a unity of revolt against tyranny.

The Russian leaders from Khrushchev down recognize the realities of the powerful tide of new hopes and old purposes which engulfs their empire. That is why the Russians are now engaging in the diplomacy of smiles and cocktail toasts with the West. That is the rockbottom reason which impels Khrushchev to call out for a nonaggression pact between NATO and the so-called Warsaw Pact. That explains the Russian haste to enter into a limited nuclear test ban with the United States—through which they expect to extract their price of a nonaggression pact.

There are those who maintain that the deepening dispute between Moscow and Peiping, actual or alleged, impels the Russians to seek a temporary truce with the West. These same people argue that now is the time to take advantage of Russian overtures for peace because Moscow is worried about Red Chinese behavior within the Communist international and along the far eastern borders between the Soviet Union and China. These arguments are the products of political myopia and political immaturity. They ignore the full political realities which a genuine deep-rooted dispute between Moscow and Peiping would produce. If it is true that Peiping is the prisoner of Chinese nationalism, that the Russians fear impatient Chinese action to recover their territories in the Far East annexed by the Czars, the conclusion must be taken that imperial Russian communism is surrounded by the hostile forces of imprisoned nationalism. It is now a generally accepted fact that the European part of the Russian empire is seething with the growing pressures of nationalism. It follows naturally that if the Red Chinese are forced to respond to the pressures of Chinese nationalism, then Muscovy, the heartland of the Russian empire, is in a state of siege by the forces of nationalism. That is the reality of geopolitics which must govern with an iron discipline all our future relations with Moscow.

A partial test ban treaty was signed in Moscow a few days ago and will soon come before the Senate of the United States for ratification. Advocates of that treaty admit publicly it will not prevent war, that it does not ban the use of nuclear weapons in the event of conflict—including a sneak attack against the United States—and that it does not bring a total halt to nuclear weapons tests. It does place a moratorium on tests in outer space, the atmosphere and the waters of the sea, while permitting a continuation of underground nuclear weapons tests. But its advocates do claim this partial test ban opens the way for a reduction of global tensions and for the settlement of major differences between imperial Russia and the nations of the free West, including the United States. This means another round of summitry is a certainty. Khrushchev has announced that his objective is a nonaggression pact between NATO and the so-called Warsaw Pact. Secretary Rusk has announced that discussions on that proposed nonaggression pact will soon begin among the member nations of NATO. There now can be no doubt that a major shift in U.S. foreign policy is in the works, strongly reminiscent of the Hitler-Stalin pact of nonaggression and mutual assistance, and the strange alliance of the West with imperial Russia during the course of World War II.

Secretary Rusk, in connection with the signing of the limited nuclear test ban treaty in Moscow last week, stated that history would judge the importance of the treaty. It has been said that we are living in the age of the historians, that is, a time when momentous decisions are taken from the lessons of the past with an eye to the future. If this is true, and I hope it is, the truth of Russian history is unparalleled as a constant, unchanging source of dependable guidance. The truth of Russian history under the imperial commissars is an open record for all to see—and it is a record filled with deceit, broken treaties and militant conspiracy against peace and human freedom. The truth of Russian history under a long line of imperial czars is very much the same as the record of the commissars. What we are dealing with here, if history is to help guide our decisions for the future, is a record of consistent Russian motives and behavior in international affairs reaching back for centuries.

In 1898, Czar Nicholas II issued an invitation to all the powers of the world to assemble and discuss a treaty for the limitation of armaments—a World Peace Conference. In his invitation the Czar made these observations:

"The present moment would be very favorable for * * * insuring to all peoples the benefits of a real and durable peace, and above all for putting an end to the progressive development of the present armaments. The maintenance of general peace, and possible reduction of the excessive armaments which weigh upon all nations is * * * the ideal towards which * * * all governments should be directed."

This sounds like Khrushchev in 1963 but it was a predecessor, Czar Nicholas II, 65 years ago.

Time has exposed the realities which motivated Czar Nicholas to call out for a limitation of armaments and a world peace conference. Looking at the political climate of 1898 we find that was a time when the imperial Russian Government was in trouble with its people who wanted no part in supporting an arbitrary monarch in a long weapons race. That was a time when imperial Russia was in trouble with most of the Western powers. That was also a time when imperial Russia was in trouble with Japan because of her land grabbing tactics in the Far East, which eventually led to the Russo-Japanese war 6 years later. Russian belligerence and aggression over a protracted period of time had forced the Czar to the wall, and developed hostile powers on all flanks of his vast empire. Those were the practical reasons which drove Czar Nicholas to call out for disarmament and for peace in 1898.

The situation now facing imperial Russia under the Commissars is a striking parallel to that which faced Czar Nicholas. The major difference is the hostility of the peoples in the captive non-Russian nations of Europe and Chinese nationalism in the Far East which has forced Czar Khrushchev to the wall.

It is interesting to note that during the same month Czar Nicholas issued his call for world peace he undertook an inspection of his troops and his fleet. Along the way his military commanders began to inquire about the meaning of his call for peace and disarmament. The czar remarked, with a sly wink while inspecting his troops, "I think I could contrive to get along with a platoon or two less of them." Khrushchev is less sly than the czar about his motives for at the very time the test ban treaty was being negotiated in Moscow, he made the following announcement in reply to Peiping:

"We fully stand for the destruction of imperialism and capitalism. We not only believe in the inevitable destruction of capitalism, but are doing everything for this to be accomplished as soon as possible."

By this statement Khrushchev obviously means he is working overtime to destroy all non-Communist nations, including the United States.

There are countless parallels such as this to be found in the truth of Russian history. The Russians have not changed and will not change. Their goal for centuries has been world domination. We in our time are faced with the challenge of what to do about this centuries-long menace to peace and freedom.

As I have observed, another round of summitry is a certainty. The question is now pertinent—how shall the United States take advantage of the imperial Russian crisis to win a genuine peace with universal freedom?

Should we repeat the errors of World War II by rushing to the defense of imperial Russia in order to preserve the Russian empire against the efforts of the Chinese to regain their lost territories?

Should we desert our proven allies, the peoples of the captive non-Russian nations behind the Iron Curtain, by supporting a nonaggression pact between NATO and the Warsaw Pact?

The answer to both these questions should be an emphatic and articulate no from the electorate of our Nation.

What then should we do in the internal crisis which now confronts imperial Russia?

I have proposed that President Kennedy extend the good offices of our country to negotiate nonaggression pacts between the peoples of the captive European nations and Moscow. The tidal wave of new hope and old purposes which is rising up in the captive nations is Mr. Khrushchev's only real problem. It is true that Chinese nationalism is a threat to the Russian empire, but Mr. Khrushchev cannot deal effectively with that problem until he settles accounts with the peoples of the captive European nations. Unless he settles those accounts to the satisfaction of the captive peoples he will soon be faced with a symphony of popular revolutions from the Baltic to the Caspian Seas. Red China is now stimulating that movement and can bring it to a point of climax at any time by using its manpower to recover her lost territories in the Far East. The Chinese people need those vast virgin lands for its expanding population and it is only a matter of time before necessity moves Peiping to action.

Our good offices proposal to Khrushchev should include exercise of the principle of self-determination under international supervision through which the captive nations can make a free choice as to their status. The choices offered the people of every captive nation should include the right to be allied with imperial Russia, the right to independent governments of their free choice either as allies of imperial Russia or as neutrals. In all cases, however, a nonaggression pact with the Russian nation would be a certainty for every other nation involved in the plebiscites.

This proposal corresponds with the realities of life behind the Iron Curtain. It supports the cause of peace with freedom. It would save the Russians from impending disaster. It could prevent a war which will surely come if the present course of international developments is allowed to continue.

So we may conclude that the Hungarian Freedom Revolution of 1956 was not defeated in its purposes. Victory was delayed by the aggression of imperial Russia. But the seeds of new hope planted by that revolution have brought forth a rebirth of those old purposes which have moved the peoples of all central-east Europe for centuries. For that contribution the world owes a great debt to the Hungarian people. The sacrifice of the Hungarian nation to the cause of peace and freedom will be rewarded in the order of world justice which will follow the crisis of this moment. All of you gathered here today, can take satisfaction from the knowledge that the land of your forefathers has remained ever true to its historic commitments. Fidelity to that commitment will liberate Hungary and return freedom and national independence to its people.

SENATE

TUESDAY, AUGUST 20, 1963

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O Thou God of all grace, again with a new day we bow at this altar the Founding Fathers built at the threshold of daily deliberation, when in the ministry of public affairs, before the chosen servants of the people talk to each other, they may listen to Thee. And so, with distracting public problems haunting this forum of debate, some strange, sad, joyous yearning, unsatisfied ever, bids us put down whatever is in our hands, be they tools or weapons, that we may look toward the far horizons of Thy guiding providence. That stretched-out horizon reminds us constantly that every question which clamors for solution in our homeland has to do with the pressing problems which concern Thy children under all skies.

In this temple of democracy save us, we beseech Thee, from the perversion of power that has not Thee in awe. Upon the altar of our freedom may there ever be lifted the offering of an humble and contrite heart.

In these days freighted with destiny for us and for the world, as keepers of the sacred flame may we fail not man nor Thee.

Hear our prayer in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Monday, August 19, 1963, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries, and he announced that on August 19, 1963, The President had approved and signed the following acts:

S. 192. An act for the relief of M. Sgt. Benjamin A. Canini, U.S. Army;

S. 1003. An act for the relief of the Middlesex Concrete Products & Excavating Corp.;

S. 1388. An act to add certain lands to the Cache National Forest, Utah; and

S. 1652. An act to amend the National Cultural Center Act to extend the termination date contained therein, and to enlarge the Board of Trustees.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3872) to increase the lending authority of the Export-Import Bank of Washington, to extend the period within which the Export-Import Bank of Washington may exercise its functions, and for other purposes.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 6177) to amend section 2(a) of article VI of the District of Columbia Revenue Act of 1947 relating to the annual payment to the District of Columbia by the United States.

The message further announced that the House had passed the bill (S. 1139) to repeal a portion of the Second Supplemental National Defense Appropriation Act, 1943, approved October 26, 1942 (56 Stat. 990, 999), as amended, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the joint resolution (S.J. Res. 33) granting consent for an extension of 4 years of the Interstate Compact To Conserve Oil and Gas, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 221. An act to amend chapter 35 of title 38, United States Code, to provide educational assistance to the children of veterans who are permanently and totally disabled from an injury or disease arising out of active military, naval, or air service during a period of war or the induction period;

H.R. 772. An act to provide for the transfer for urban renewal purposes of land purchased for a low-rent housing project in the city of Detroit, Mich.;

H.R. 1136. An act to authorize the Secretary of the Army to pay fair value for improvements located on the railroad right-of-way owned by bona fide lessees or permittees;

H.R. 1233. An act to provide for the reinstatement and validation of U.S. oil and gas lease numbered Sacramento 037552–C, and for other purposes;

H.R. 4479. An act to provide for the conveyance to the State of California of certain mineral rights reserved to the United States in certain real property in California;

H.R. 4842. An act to amend the Federal Credit Union Act to extend the time of annual meetings, and for other purposes;

H.R. 5048. An act to amend section 207 of the National Housing Act to eliminate the provision presently limiting mortgages thereunder to the cost of the physical improvements involved;

H.R. 5160. An act to authorize the Secretary of the Army to pay fair value for improvements located on the railroad rights-of-way owned by bona fide lessees or permittees;

H.R. 5250. An act to amend section 411(a) of title 38, United States Code, to increase the rates of dependency and indemnity compensation payable to widows of veterans dying from service-connected disabilities;

H.R. 5778. An act to amend title 39, United States Code, to increase from 10 to 20 miles the area within which the Postmaster General may establish stations, substations, or branches of post offices, and for other purposes;

H.R. 6118. An act to amend the act providing for the admission of the State of Alaska into the Union with respect to the selection of public lands for the development and expansion of communities;

H.R. 6396. An act to permit certain Government employees to elect to receive compensation in accordance with section 401 of the Federal Employees Pay Act of 1945 in lieu of certain compensation at a saved rate, and for other purposes;

H.R. 7221. An act to modify the flood control project for Four River Basins, Fla.;

H.R. 7405. An act to amend the Bretton Woods Agreements Act to authorize the U.S. Governor of the International Bank for Reconstruction and Development to vote for an increase in the Bank's authorized capital stock; and

H.R. 7406. An act to provide for increased participation by the United States in the Inter-American Development Bank, and for other purposes.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

H.R. 3872. An act to increase the lending authority of the Export-Import Bank of Washington, to extend the period within which the Export-Import Bank of Washington may exercise its functions, and for other purposes;

H.R. 6177. An act to provide for increased Federal Government participation in meeting the costs of maintaining the Nation's Capital City and to authorize Federal loans to the District of Columbia for capital improvement programs; and

H.R. 7043. An act to amend the act of March 2, 1931, to provide that certain proceedings of the Veterans of World War I of the United States, Incorporated, shall be printed as a House document, and for other purposes.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H.R. 221. An act to amend chapter 35 of title 38, United States Code, to provide educational assistance to the children of veterans who are permanently and totally disabled from an injury or disease arising out of active military, naval, or air service during a period of war or the induction period; to the Committee on Labor and Public Welfare.

H.R. 772. An act to provide for the transfer for urban renewal purposes of land purchased for a low-rent housing project in the city of Detroit, Mich.;

H.R. 4842. An act to amend the Federal Credit Union Act to extend the time of annual meetings, and for other purposes; and

H.R. 5048. An act to amend section 207 of the National Housing Act to eliminate the provision presently limiting mortgages thereunder to the cost of the physical improvements involved; to the Committee on Banking and Currency.

H.R. 1136. An act to authorize the Secretary of the Army to pay fair value for improvements located on the railroad right-of-way owned by bona fide lessees or permittees;

H.R. 5160. An act to authorize the Secretary of the Army to pay fair value for improvements located on the railroad rights-of-way owned by bona fide lessees or permittees; and

H.R. 7221. An act to modify the flood control project for Four River Basins, Fla.; to the Committee on Public Works.

H.R. 1233. An act to provide for the reinstatement and validation of U.S. oil and gas lease numbered Sacramento 037552–C, and for other purposes;

H.R. 4479. An act to provide for the conveyance to the State of California of certain mineral rights reserved to the United States in certain real property in California; and

H.R. 6118. An act to amend the act providing for the admission of the State of Alaska into the Union with respect to the selection of public lands for the development and expansion of communities; to the Committee on Interior and Insular Affairs.

H.R. 5250. An act to amend section 411(a) of title 38, United States Code, to increase the rates of dependency and indemnity compensation payable to widows of veterans dying from service-connected disabilities; to the Committee on Finance.

H.R. 5778. An act to amend title 39, United States Code, to increase from 10 to 20 miles the area within which the Postmaster General may establish stations, substations, or branches of post offices, and for other purposes; and

H.R. 6396. An act to permit certain Government employees to elect to receive compensation in accordance with section 401 of the Federal Employees Pay Act of 1945 in lieu of certain compensation at a saved rate, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 7405. An act to amend the Bretton Woods Agreements Act to authorize the U.S. Governor of the International Bank for Reconstruction and Development to vote for an increase in the Bank's authorized capital stock; and

H.R. 7406. An act to provide for increased participation by the United States in the Inter-American Development Bank, and for other purposes; to the Committee on Foreign Relations.

LIMITATION OF STATEMENTS DURING MORNING HOUR

On request of Mr. MANSFIELD, and by unanimous consent, statements during the morning hour were ordered limited to 3 minutes.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on Foreign Relations, the Committee on Armed Services, and the Joint Committee on Atomic Energy be permitted to meet during the sessions of the Senate for the remainder of this week.

The PRESIDENT pro tempore. Is there objection?

Mr. JOHNSTON. Mr. President, I do not object to such meetings of those three committees.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MONRONEY, from the Committee on Commerce, with an amendment:

S. 1153. A bill to amend the Federal Airport Act to extend the time for making grants thereunder, and for other purposes (Rept. No. 446).

By Mr. McCLELLAN, from the Committee on Government Operations, without amendment:

S. 1543. A bill to repeal that portion of the act of March 3, 1893, which prohibits the employment, in any Government service or by any officer of the District of Columbia, of any employee of the Pinkerton Detective Agency or any similar agency (Rept. No. 447).

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. HILL, from the Committee on Labor and Public Welfare:

Ewan Clague, of Pennsylvania, to be Commissioner of Labor Statistics, U.S. Department of Labor.

By Mr. MAGNUSON, from the Committee on Commerce:

Glenn W. Moore, and sundry other persons for permanent appointment in the Coast and Geodetic Survey; and

Pentti A. Stark, and sundry other persons, for permanent appointment in the Coast and Geodetic Survey.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DIRKSEN:

S. 2062. A bill for the relief of Kiriakos Delalis; to the Committee on the Judiciary.

By Mr. YARBOROUGH:

S. 2063. A bill for the relief of Honorata A. Vda de Narra; to the Committee on the Judiciary.

(See the remarks of Mr. YARBOROUGH when he introduced the above bill, which appear under a separate heading.)

By Mr. YARBOROUGH (by request):

S. 2064. A bill to relieve the Veterans' Administration from paying interest on the amount of capital funds transferred in fiscal year 1962 from the direct loan revolving fund to the loan guarantee revolving fund; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. YARBOROUGH when he introduced the above bill, which appear under a separate heading.)

By Mr. JAVITS:

S. 2065. A bill for the relief of Konstantin P. Veliskakis; to the Committee on the Judiciary.

By Mr. MOSS:

S. 2066. A bill to amend the Interstate Commerce Act to grant the right of eminent domain to any common carrier that is subject to any of the provisions of part 1 of the act that is engaged in or proposes to engage in the interstate transportation of coal by pipeline, and for other purposes; to the Committee on Commerce.

(See remarks of Mr. MOSS when he introduced the above bill, which appear under a separate heading.)

By Mr. PELL:

S. 2067. A bill to add a new title XI to the National Defense Education Act of 1958; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. PELL when he introduced the above bill, which appear under a separate heading.)

HONORATA A. VDA DE NARRA

Mr. YARBOROUGH. Mr. President, I introduce, for appropriate reference, a bill for the relief of Honorata A. Vda de Narra.

This bill would permit Mrs. Narra to enter a claim for payment of gratuitous national service life insurance and would authorize the Administrator of Veterans' Affairs to receive such claim and to pay such insurance benefits previously authorized under section 602(d) of the National Service Life Insurance Act of 1940—now repealed—as the Administrator determines would have been payable had Mrs. Narra made such application as required by such act.

The fact situation in this case is unusual. Mrs. Narra, a resident of the Republic of the Philippines, had a son who served with the U.S. Armed Forces during World War II. While so serving, the son, Florentino A. Narra, died on March 1, 1942. According to the National Life Insurance Act of 1940, claim under the act had to be filed within 7 years after the date of death. However, the Department of the Army did not officially notify Mrs. Narra of the death of her son until January 29, 1958, 16 years after the date of his death.

Under the circumstances, Mr. President, the justness and desirability of this bill becomes evident. I am hopeful that we can now give the matter rapid consideration.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2063) for the relief of Honorata A. Vda de Narra, introduced by Mr. YARBOROUGH, was received, read twice by its title, and referred to the Committee on the Judiciary.

PAYMENT BY VETERANS' ADMINISTRATION OF INTEREST ON CERTAIN CAPITAL FUNDS

Mr. YARBOROUGH. Mr. President, at the request of the Veterans' Administration, I introduce, for appropriate reference, a bill to relieve the Veterans' Administration from paying interest on the amount of capital funds transferred in fiscal year 1962 from the direct loan revolving fund to the loan guarantee revolving fund.

Section 1823(b) of title 38, United States Code, requires the Administrator of the Veterans' Administration to pay interest on funds advanced by the Treasury to the Veterans' Administration for the purpose of making direct loans to veterans to buy or build homes or farmhouses. The interest paid by veterans on these direct loans is used to make the interest payments to the Treasury on the borrowed funds and to cover the losses incurred by the direct loan program.

Public Law 87-404 authorized the transfer of funds from the direct loan revolving fund to the loan guarantee revolving fund during the fiscal year 1962 in order to finance the increased cost of claims and property acquisitions resulting from defaulted guaranteed or insured loans. Pursuant to this provision, $105.7 million was transferred from the direct loan revolving fund to the loan guarantee revolving fund. Under present law, the Administrator is required to pay approximately $4 million annually in interest payments to the Treasury on these transferred funds even though they have not been used in making direct loans and do not provide any income with which to meet the interest payments owed to the Treasury. Therefore, the interest income earned by the direct loan revolving fund has been used to cover the interest due on the transferred $105.7 million which does not itself produce any income to the Veterans' Administration.

The effect of this bill would be to remove the obligation of the Administrator of the Veterans' Administration to pay interest to the Treasury on the funds which were transferred to the loan guarantee revolving fund from the direct loan revolving fund. This revocation would be retroactive as to previous interest payments which have already been paid to the Treasury.

I ask unanimous consent that the bill be printed at this point in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2064) to relieve the Veterans' Administration from paying interest on the amount of capital funds transferred in fiscal year 1962 from the direct loan revolving fund to the loan guaranty revolving fund, introduced by Mr. YARBOROUGH, by request, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1823(b) of title 38, United States Code, is amended by adding at the end thereof the following sentence: "The Administrator shall not be required to pay interest on transfers made pursuant to the Act of February 13, 1962 (76 Stat. 8), from the capital of the 'Direct loans to veterans and reserves revolving fund' to the 'Loan guaranty revolving fund' and adjustments shall be made for payments of interest on such transfers before the date of enactment of this sentence."

TRANSPORTATION OF COAL BY PIPELINE

Mr. MOSS. Mr. President, many times I have expressed on this floor, and elsewhere, my deep concern about the seriously depressed conditions in our domestic mining industry. One of the hardest hit areas in the Nation is Carbon County, in my own State of Utah, where the economy is almost entirely dependent on a healthy coal industry.

The rough time the coal industry has been experiencing in recent years results, in part at least, from the generally unfavorable competitive position of coal vis-a-vis consumer prices of other fuel energy sources that move by pipeline. It has become increasingly evident to me that one of the best ways to help this industry and the people who work in it is through reducing the cost of transporting coal. Western railroads are working on this problem. Under development is an integrated train that will move at once many times the number of cars heretofore possible. And also I feel we must open the door to the construction of coal pipelines.

I therefore introduce, for appropriate reference, a bill to grant the right of eminent domain to any common carrier that is subject to any of the provisions of part 1 of the Interstate Commerce Act and is engaged in, or proposes to engage in, the interstate transportation of coal by pipeline, the proposed operations of which have been found by the Secretary of the Interior to be in the public interest and for the public benefit.

This is substantially the same bill which was forwarded as an administration proposal in March of 1962, and on which hearings were held last session by the Senate Commerce Committee. The bill has been amended, however, to meet some of the objections raised to it in those hearings.

One of the principal concerns in constructing an interstate pipeline is with acquiring rights-of-way at a reasonable expense and in the shortest possible period of time. The right of eminent domain assists in overcoming the difficulties encountered with problems concerning time, expense, and obstruction. Without the right of eminent domain it would be extremely difficult—virtually impossible—to acquire the many miles of rights-of-way needed for such a line. There is now no Federal law that grants the right of eminent domain to coal pipelines. Since most of the coal pipelines which are likely to be constructed will operate in interstate commerce, it would be appropriate that Federal authority for the exercise of eminent domain be enacted.

Congress has taken many measures to try to assist the coal industry. As a result, coal's future now appears less dark. The decades of research on coal may soon bear fruit. It was my privilege to serve as floor leader in the Senate debate on the bill we passed last session to establish an Office of Coal Research. Under this bill the University of Utah in Salt Lake City is now engaged in research which holds great promise.

The Interior Department appropriations bill for the fiscal year 1963—which now has become Public Law 88-79—carried in it an item of $250,000 to begin a Bureau of Mines study on entrainment carbonization as a means of producing tars and oils from Utah and other western coals. These funds were written into the bill at my request by the Interior Appropriations Subcommittee, to whom I am most grateful.

In concert with Senators from other coal-mining States, I have regularly and vigorously protested against the excessive imports of residual oil. As a result, these imports have been curbed—or not increased as much as at first we had feared they would be.

All of this has helped strengthen the coal industry and has brightened the outlook for its future. But coal miners and their families cannot live on promises that conditions in the industry on which they depend for a living will some time change for the better. They want the kind of help which will provide more jobs now—or next month.

As a sponsor and supporter of the Area Redevelopment Act, I was in a strong position to urge favorable action on two ARA industrial loan applications from Carbon County coal companies which will make some new jobs—but not nearly enough.

Carbon County needs some assurance of a development in the coal industry which will put it back into a booming coal business. In my opinion, the coal slurry pipeline proposal offers the greatest hope. The Consolidation Coal Co., which now operates a coal pipeline in the East, has proposed a pipeline from Carbon County to the Los Angeles area. I have conferred many times on this proposal with company officials. Such a pipeline would make Utah coal more competitive with oil and natural gas for the big markets on the Pacific coast.

The recent session of the Utah State Legislature enacted coal pipeline eminent domain legislation which I both encouraged and endorsed.

So Utah is ready to move; and I believe some other States are, too. I am convinced, therefore, that enactment of the bill I now send to the desk, for appropriate reference, is highly important to the effective utilization of one of our most important natural resources—coal.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2066) to amend the Interstate Commerce Act to grant the right of eminent domain to any common carrier that is subject to any of the provisions of part 1 of the act that is engaged in or proposes to engage in the interstate transportation of coal by pipeline, and for other purposes, introduced by Mr. Moss, was received, read twice by its title, and referred to the Committee on Commerce.

EXPANSION OF FOREIGN LANGUAGE AND AREA STUDIES IN THE UNIVERSITIES AND SECONDARY SCHOOLS

Mr. PELL. Mr. President, the preeminence of the United States in the field of international affairs is well noted and generally recognized. It is an inescapable fact which carries with it a great responsibility. To meet this responsibility we must make a greater effort in this country to promote an understanding and awareness of the problems faced by other countries. There is no simple approach to this problem, but there are substantial efforts that we can make which will greatly help to meet it. I would like to suggest today one positive step we can take.

The bill I am introducing, which is identical to H.R. 6112 introduced by Representative Richard T. Hanna, of California, would greatly expand our programs in the teaching of foreign affairs, language and area studies. It would authorize the Commissioner of Education, through contracts with universities, State departments of education and other appropriate agencies, to provide for the establishment and operation of programs in international affairs, language and area studies. The individuals selected would be trained for overseas employment, or for work in the United States, as teachers and researchers in international affairs, foreign languages and area studies.

I would suppose that a very small percentage of the teachers in this Nation who teach languages, foreign affairs, or area studies have ever visited the nation of their specialty. But I can imagine the tremendous impact on their teaching if this were made possible. My bill provides for this opportunity.

The bill also takes into account the great need for more advanced training in these fields for our teachers in the secondary school system, and for those who are prospective teachers. And to facilitate this part of the program, the bill authorizes the hiring and travel of foreign scholars who would aid in the instruction of these teachers.

On May 24, 1963, I submitted a statement to the Senate Foreign Relations Committee regarding the establishment of a National Academy of Foreign Affairs. In outlining my opposition to the proposal, I stated my belief that we can do the job of better preparing those who represent us abroad by better utilizing the existing facilities in our great universities and by better utilizing and expanding the facilities of the Foreign Service Institute. I also expressed the fear that there might be an intellectual timidity amongst the faculty of such an Academy, particularly with regard to the free discussion of controversial matters.

My bill, which would add a new title to the National Defense Education Act, provides for $10 million for fiscal year 1964 and thereafter such moneys as Congress may deem appropriate. It would channel Federal funds, on a matching basis in some cases, into already established programs in the international studies field and would make possible new programs that are not presently being pursued. I feel it much more appropriate and fiscally sounder to use Federal funds to strengthen existing facilities which prepare those who represent us abroad than to pour money into a National Academy of Foreign Affairs which gives us no assurance of improving upon an already well-established and advanced system.

I cannot emphasize how vitally important it is that we expand our breadth of knowledge and training in the fields of foreign languages and studies. My own experiences as a Foreign Service officer and with the International Rescue Committee were aided considerably by the training I received in these fields. But a positive effort to expand this training is important if we are to change the normally insular attitudes of this country to ones which are international in outlook. In this manner, we will both meet our responsibilities in this nuclear age, and provide the basis for continued world leadership.

I am happy to associate myself with the efforts of Representative Hanna who has shown real leadership in this field. I ask unanimous consent that the text of the bill may be inserted at this point in the Record.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 2067) to add a new title XI to the National Defense Education Act of 1958, introduced by Mr. Pell, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a new title be added to the National Defense Education Act of 1958 to be known as title XI:

"(a) The Congress finds and declares that the international programs and activities of the United States business community, cultural and educational institutions, and Government have attained a position of primary importance to the national security and the economic and social welfare of the United States. The Congress also finds a new need for competence in foreign languages, and area studies. Further, with the increasing responsibilities inherent to United States free world leadership, these international programs and activities will require continued expansion in scope and improvement in quality, with respect both to the personnel engaged in foreign affairs, and the need of every private citizen to be well informed.

"(b) The national need for people with knowledge in fields related to international affairs is not currently being met, and large-scale efforts will be required to meet the mounting needs of the future. A greater number of students, teachers, businessmen, professional people, and Government officials must be better prepared to deal with the growing challenges and opportunities in the international field. There is also a growing need for a better informed citizenry. It is the purpose of this Act to improve and develop the facilities in institutions of education for the training of students, teachers, and others in the field of international affairs.

"INTERNATIONAL AFFAIRS PROGRAMS

"(a) The Commissioner is authorized to arrange through contracts with institutions of higher education, State departments of education, and other appropriate agencies for the establishment and operation of programs of international affairs, language, and area studies for the training of individuals for—

"(1) oversea employment as administrative or technical personnel in business or Government work;

"(2) work in the United States in international affairs; or

"(3) teaching or research work in international affairs;

"(4) teaching or research in foreign languages and area studies.

Any such program may include necessary language training and guidance and counseling in employment opportunities. Any such arrangement will be on a matching basis with regard to the establishment and operation of the program with respect to which it is made, including the cost of grants to the staff for travel in the foreign areas, regions, or countries with which the subject matter of the field or fields in which they are or will be working is concerned and the cost of travel of foreign scholars and teachers to enable them to teach or assist in teaching in such program and the cost of their return, and shall be made on such conditions as the Commissioner finds necessary to carry out the purposes of this section.

"(b) The Commissioner is also authorized to pay stipends to individuals undergoing advanced training in all studies related to international affairs at any short-term or regular session of any institution of higher education, or of a comparable institution abroad approved for this purpose by the Commissioner, including allowances for dependents and for travel to and from their places of residence, but only upon reasonable assurances that the recipient of such stipends will, on completion of their training, be available for teaching international affairs in an educational institution or for such other service of a public nature as may be permitted in regulations of the Commissioner.

"INTERNATIONAL AFFAIRS INSTITUTES FOR SECONDARY SCHOOL TEACHERS OR PROSPECTIVE TEACHERS

"(a) The Commissioner is authorized to arrange through contracts with institutions of higher education for the establishment and operation of short-term or regular session institutes for teachers in secondary schools in order to give them a broader understanding of international affairs, and to improve their language proficiency. Any such arrangement may cover the cost of the establishment and operation of the institute with respect to which it is made, including the cost of grants to the staff of travel in the foreign areas, regions, or countries with which the subject matter of the field or fields in which they are or will be working is concerned, and the cost of travel of foreign scholars and teachers or prospective teachers to enable them to teach or assist in teaching in such institute and the cost of their return, and shall be made on such conditions as the Commissioner finds necessary to carry out the purposes of this section.

"(b) The Commissioner is authorized to pay stipends to any individual to study in a program assisted under the provisions of this section upon determining that assisting such individual in such studies will promote the purpose of this Act. Stipends under the provisions of this subsection may include allowances for dependents and for travel to and from the place of residence.

"APPROPRIATIONS AUTHORIZED

"There are authorized to be appropriated not to exceed $10,000,000 for the fiscal year ending June 30, 1964, and such amounts as the Congress may deem appropriate to carry out the program authorized by this Act in each succeeding fiscal year."

AMENDMENT TO TITLE VI OF S. 1731, THE CIVIL RIGHTS ACT OF 1963

Mr. RIBICOFF. Mr. President, on behalf of the distinguished junior Senator from New York [Mr. Keating] and myself, I submit, for appropriate reference, an amendment intended to be proposed by us jointly in the nature of a substitute for title VI of S. 1731, the Civil Rights Act of 1963.

This amendment represents a combination of the proposals previously made individually by the Senator from New York [Mr. Keating] and myself. On August 9, the junior Senator from New York submitted his amendment, and on August 13, I submitted my amendment. Since then we have endeavored to combine our proposals into a comprehensive revision of title VI that meets the objectives both of us were seeking. The amendment we submit today is the result of that effort, and it is my hope that it will be received in the spirit of constructive bipartisanship in which it is offered.

I have joined with the Senator from New York [Mr. Keating] to revise title VI of the civil rights bill to make it both more effective and more humane. The administration's bill is defective in two ways. It relies entirely on the punitive remedy of cutting off funds and yet it gives Federal administrators the discretion to take no action at all to end discrimination. It is an all-or-nothing approach that might work great hardship upon many people in some cases and be totally ineffective in other cases.

Since the administration bill has been introduced, much criticism of title VI has been expressed. Many sound arguments have been raised against title VI on the floor of the Senate. I believe many of the arguments that have been made are valid. I agree that it is wrong to allow a cutoff of Federal funds without any provision for judicial review.

I agree that an antidiscrimination provision should not be used to take away benefits on a wholesale basis where no discrimination exists just to get at one instance where it does exist. I agree that an administrator should not have unlimited discretion to decide whether or not he will take any action to end discrimination in programs using Federal funds.

Our amendment remedies all of these objections. In its main outline, it works as follows:

First. Discrimination would be prohibited in every program or activity that is financed with Federal funds. This is a matter of simple justice. It is also very likely a requirement of the fifth amendment.

Second. If any discrimination occurred, the administrator of the program would be required to take action. He could either ask the Attorney General to institute a civil action to end the discrimination or he could withhold further financial assistance. I would hope and expect that principal reliance would be placed on the remedy of a lawsuit. Cutting off funds does not end discriminations—a lawsuit does.

Third. The Attorney General would be specifically authorized to bring a civil action for preventive relief to end discriminations in Federal financed programs. Such a suit could also be instituted by the person alleging he has been discriminated against.

Fourth. If a situation developed in which a lawsuit was not effective and it became advisable to withhold funds, judicial review is provided so that the recipient of the Federal assistance can challenge in court the allegation of discrimination.

In authorizing suit by the Attorney General to end discriminations in federally financed programs, we have followed the wording of the Civil Rights Act of 1957 and have specifically added the provisions authorizing suit as amendments to that act. This means that all of the difficult questions concerning contempt powers and jury trials will be resolved in title VI lawsuits in the same way they were resolved by Congress in voting cases under the 1957 statute.

Mr. President, I will not repeat here the arguments I advanced last week in support of this revised approach to title VI. My statement appears on page 14833 of the Record.

Let me add only that my purpose is to provide a constructive answer to the many problems I saw in this field as Secretary of Health, Education, and Welfare. I have drawn on that experience in formulating this proposal.

The purpose of this revised title VI is to end discrimination in federally financed programs, and to do this not with merely the negative power of cutting off funds, but using the affirmative power to bring a lawsuit to end the discrimination.

If a Negro child is kept out of a school receiving Federal funds, I think it is better to get the Negro child into school than to cut off funds and impair the education of the white children. A nondiscrimination provision should not be a club to punish people. Its main purpose should be to end discriminations.

I ask unanimous consent that the amendment be printed at this point in the Record and that it lie on the desk for 10 days so that interested Senators may join as cosponsors.

The VICE PRESIDENT. The amendment will be received and printed; and, without objection, the amendment will be printed in the Record and will lie on the desk, as requested.

The amendment was referred to the Committee on the Judiciary, as follows:

Amendment intended to be proposed by Senator Ribicoff and Senator Keating to S. 1731 (the proposed Civil Rights Act of 1963): On page 34, beginning on line 23, strike out all the language of title VI through line 14 on page 35 and substitute in lieu thereof, the following:

"Sec. 601. Discrimination Prohibited.—Notwithstanding any provision to the contrary in any law of the United States providing or authorizing direct or indirect financial assistance for or in connection with any program or activity by way of a grant, contract, loan, insurance, guarantee or otherwise, no such assistance shall be furnished unless in the administration of the program or activity, no discrimination is practiced on the grounds of race, color, religion or national origin, and in the granting of any benefits of such program or activity, no individual for whose benefit the program or activity was designed is discriminated against on such grounds. The administrator of any such program or activity may adopt appropriate rules and regulations for the enforcement of this section.

"Sec. 602. Remedy for Discrimination.—If the nondiscrimination requirement provided in section 601 is violated, the administrator of such program or activity shall act in one of the following ways:

"(a) Request the Attorney General of the United States to institute for or in the name of the United States a civil action under the provisions of section 604 of this title, or

"(b) Withhold all further financial assistance from the recipient until such requirement is complied with.

"Sec. 603. Interim Relief.—Upon such conditions as may be required and to the extent necessary to prevent irreparable injury, any court before which a proceeding under section 604 or section 605 of this title is pending, is authorized to issue all necessary and appropriate process to postpone the effective date of any agency action under this title or to preserve status or rights pending conclusion of the judicial proceedings. Any agency is authorized, where it finds that justice so requires, to postpone the effective date of any action taken by it under section 602(b) of this title during the pendency of any judicial proceedings instituted under section 604 or 605 of this title.

"Sec. 604. Civil Action for Preventive Relief.—Part III of the Civil Rights Act of 1957 is amended by adding at the end thereof the following new section:

"Sec. 123. (a) Whenever any person has engaged or there are reasonable grounds to believe that any person is about to engage in any act or practice which would deprive any other person of any right or privilege secured by the nondiscrimination requirement of section 601 of the Civil Rights Act of 1963, a civil action or other proper proceeding for preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order, may be instituted (1) by the person aggrieved, or (2) by the Attorney General for or in the name of the United States. In any proceeding hereunder, the United States shall be liable for costs the same as a private person.

"'(b) The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether the party aggrieved shall have exhausted any administrative or other remedy that may be provided by law.

"'(c) Whenever a proceeding for judicial review has been commenced under section 605 of the Civil Rights Act of 1963, the Attorney General in the name of the United States may intervene in the proceeding with all the rights of a party thereto.'

"SEC. 605. JUDICIAL REVIEW.—(a) Any person adversely affected or aggrieved by any final agency action under section 602(b) of this title shall be entitled to judicial review thereof.

"(b) FORM AND VENUE OF ACTION.—The form of proceeding for judicial review shall be any special statutory review proceeding relevant to the subject matter in any court specified by statute or, in the absence or inadequacy thereof, any applicable form of legal action (including motions for declaratory judgments or writs of prohibitory or mandatory injunction) in any court of competent jurisdiction."

Mr. KEATING. Mr. President, I am very pleased to join with the junior Senator from Connecticut [Mr. RIBICOFF] in the submission of this new amendment to revise title VI of the proposed Civil Rights Act, S. 1731, to bar discrimination under Federal grant-in-aid programs. Both the Senator from Connecticut [Mr. RIBICOFF] and I have previously submitted separate amendments on this subject designed to make more effective the provisions in the original bill. We have reconciled our differences in the hope of mustering substantial bipartisan support for the needed changes in title VI.

A draft of our proposed amendment already has been brought to the attention of the Department of Justice, since we have been advised that the Department is working on a revision of this section of the bill. I am hopeful that the Attorney General will look favorably upon our proposal. The support of the administration obviously would greatly enhance the prospects for enacting a realistic bar on the grant of Federal funds for segregated or discriminatory programs or activities. The Attorney General is now scheduled to resume his testimony before the Senate Committee on the Judiciary on Thursday of this week.

It is my intention, if the opportunity presents itself, to elicit the views of the Attorney General on our amendment at that time.

Under the terms of our amendment, a policy of nondiscrimination would be required in the administration of every program or activity subsidized by Federal funds. If this requirement were violated, the funds could be denied or a suit for specific performance of the nondiscrimination requirement could be brought either by the Attorney General or by the victim of the discrimination. In addition, in order to assure elemental fairness in the administration of this requirement, any applicant for Federal financial assistance would have the right of judicial review of any final agency action denying funds because of alleged discrimination.

In my judgment there can be no justification on either legal or moral grounds for Federal tax funds collected from the pockets and pay envelopes of all our citizens without regard to race, religion, or national origin to be contributed to programs or activities administered on a segregated basis. It has always been my view that the President could put an end to such practices by the issuance of an Executive order. However, in the absence of such an Executive order, a mandatory provision such as we are today submitting is essential and should be part of any meaningful civil rights bill.

This amendment would allow us to deal with this problem in a uniform and reasonable manner. I would be willing to support a provision which would automatically terminate any assistance administered in a discriminatory manner. However, legislation is the art of the possible, and I know that in its present form the amendment is much more likely to obtain substantial support than would an inflexible proposal for cutoffs in every case without any opportunity for judicial review or injunctive relief.

I want to pay my tribute to the distinguished Senator from Connecticut, who has worked with such diligence on this problem, and has spoken on it out of his wealth of experience as an administrator of some of the very programs which would be affected by this amendment. It is my hope that when this amendment will secure wide bipartisan support and that Members of both parties will add their endorsement to this approach to the problem by becoming cosponsors of the amendment.

ELIMINATION OF DISCRIMINATION IN PUBLIC ACCOMMODATIONS AFFECTING INTERSTATE COMMERCE—AMENDMENT

Mr. PROUTY. Mr. President, on Friday, August 9, I introduced a civil rights public accommodations bill—S. 2037. This bill, if enacted, would provide for equal access to certain public accommodations free from discrimination on the basis of race, religion, or national origin—first, where such discrimination was a historical outgrowth of the slavery sought to be abolished by the 13th amendment; or second, where such discrimination impaired a right of citizenship protected by the 14th amendment to the Constitution of the United States.

I now send to the desk the text of my bill as an amendment in the nature of a substitute to the administration's public accommodations bill, S. 1732, which is presently before the Commerce Committee, and I ask that it be printed and appropriately referred.

The VICE PRESIDENT. The amendment will be received, printed, and referred to the Committee on Commerce.

KEATING BACKS BILLS TO INCREASE DEFENSE WORK IN DEPRESSED AREAS—AMENDMENT

Mr. KEATING. Mr. President, I am very pleased to join with the Senator from Minnesota [Mr. HUMPHREY] and a number of other Senators in introducing legislation to encourage more defense work in areas of continuing high unemployment. This amendment could perhaps double the amount of work going to such areas, since most set-asides now average only 50 percent of the total award. Under present law a portion of certain defense contracts is set aside for competitive bidding from areas of economic difficulty. Yet it is obvious that this program has had only limited effectiveness.

For instance, although 12.5 percent of the Nation's population lives in areas of substantial and persistent unemployment, only 4 percent of defense contracts go to these areas. This amendment, which I am cosponsoring, would make it possible for the Defense Department to increase the amount of an individual procurement which is set aside for distressed areas in those cases where it had a reasonable expectation that prices would be competitive and that the Government would not be paying a premium.

Let me clarify the point. This amendment would probably not increase the number of contracts that go to depressed areas, but it could very substantially increase the size of the contracts. In most set-aside awards, up to half the work is not set aside, so as to have completely open competition. This bill would permit an entire contract to be set aside for depressed areas, as long as sufficient competition within these areas existed to insure that the taxpayer does not have to pick up a bigger tab. The overall effect, in fact, might be greater economy because larger production runs might well lower the price to the Government.

At the same time, Mr. President, while endorsing Senator HUMPHREY's bill as a useful initiative, I am also introducing, on behalf of myself and my colleague [Mr. JAVITS], for appropriate reference, a slightly different version of my own that would make full set-asides available not only to areas of persistent and substantial unemployment but also to areas that have substantial unemployment, but do not qualify, as yet, under the definition of persistent unemployment.

As I have traveled through New York I have found many areas where there is real suffering from unemployment which is certainly substantial but does not qualify under the rather inflexible standard of persistent.

In New York State these areas of substantial but not persistent unemployment include Buffalo-Niagara Falls and Utica-Rome, both of which are large areas, as well as Batavia, Elmira, Geneva-Canandaigua, Glens Falls-Hudson Falls, Newburgh-Middletown-Beacon, Olean-Salamanca, Perry, Watertown, Watkins Glen, and Wellsville. Areas of substantial and persistent unemployment, which, under both bills, would still get preferred treatment include Amsterdam, Auburn, Catskill, Cobleskill, Gloversville, Jamestown-Dunkirk, Medina-Albion, Newark, Ogdensburg, Massena, Malone, Plattsburgh, and Ticonderoga.

Mr. President, I feel very strongly that areas classified "D," such as Buffalo-Niagara Falls, and Utica-Rome, should also be included in this bill. These are large labor-market areas where jobseekers are substantially in excess of job openings and the situation is expected to continue over the next few months. We hope it will improve soon, of course, but we should try to cope with the problem before it becomes "persistent."

Mr. President, I do not expect these amendments, if accepted, to solve the problem of unemployment or to eliminate depressed areas altogether, but I do think they will help some. They will give these areas an opportunity to sell to the Government more of the products they can produce competitively. This effort, particularly along the lines I propose, might go so far as to double the dollar value of contracts awarded through the set-aside system and that means more jobs. It will undoubtedly help retain jobs in these areas, increase the morale of workers and their sometimes worried families, and reduce unemployment and welfare costs.

I ask unanimous consent that the text of the amendment be printed in the Record following my remarks.

The VICE PRESIDENT. The amendment will be received and appropriately referred; and, without objection, will be printed in the Record as requested.

The amendment was referred to the Committee on Appropriations, as follows:

On page 37, line 16, immediately after the colon, insert the following: "*Provided further*, That upon a determination and finding made by the head of procurement agencies in the Department of Defense (including the Director of the Defense Supply Agency) or their designees, that there is reasonable expectation that bids or proposals will be obtained from a sufficient number of responsible concerns so that awards will be made at fair and reasonable prices, set-asides of individual procurements or classes of procurements (including total set-asides) may be made for participation by suppliers in areas of substantial labor surplus."

EXPORT-IMPORT BANK ACT—INDEFINITE POSTPONEMENT OF SENATE RESOLUTION 181

Mr. ROBERTSON. Mr. President, on August 13 I submitted Senate Resolution 181, the purpose of which was to instruct the Senate conferees on the Export-Import Bank bill. I am very happy that the conferees did agree in a manner entirely satisfactory to me; and therefore, I ask unanimous consent that my resolution be indefinitely postponed.

The VICE PRESIDENT. Without objection, it is so ordered.

DOMESTIC VESSELS CONSTRUCTION SUBSIDY—ADDITIONAL COSPONSORS OF BILL

Mr. BARTLETT. Mr. President, I ask unanimous consent that at the next printing the names of the junior Senator from Maryland [Mr. Brewster], the senior Senator from Minnesota [Mr. Humphrey], and the junior Senator from Pennsylvania [Mr. Scott] be added as cosponsors of S. 1773, a bill introduced by me which would authorize a construction subsidy program for carriers in the domestic trade.

The VICE PRESIDENT. Without objection, it is so ordered.

PROHIBITION OF CERTAIN PERSONS TO FISH IN TERRITORIAL WATERS OF THE UNITED STATES—ADDITIONAL COSPONSORS OF BILL

Mr. BARTLETT. Mr. President, I ask unanimous consent that at the next printing the names of the junior Senator from Hawaii [Mr. Inouye], and the senior Senator from Connecticut [Mr. Dodd], be added as cosponsors of S. 1988, a bill introduced by me which would prohibit fishing in the territorial waters of the United States and in certain other areas by persons other than nationals or inhabitants of the United States.

The VICE PRESIDENT. Without objection, it is so ordered.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Record, as follows:

By Mr. YARBOROUGH:

Address by himself at Homecoming in Huntington, Angelina County, Tex., on June 29, 1963.

RECORD BALANCE OF PAYMENTS DEFICIT CHALLENGES WISDOM OF TAX CUT

Mr. PROXMIRE. Mr. President, this morning the newspapers reveal that our U.S. balance-of-payments deficit has reached a record high. In the past quarter, it has achieved a record of an annual rate of $5 billion—$5,200 million, to be exact.

This high figure surpasses any previous record for an adverse balance of payments. It is far worse than was indicated by the President when he called attention to the fact that this serious problem faces us.

It seems to me particularly important that Members of Congress recognize the urgency of the President's proposal for an interest equalization tax. This increase in the adverse balance of payments is made up almost exclusively of purchases by Americans of foreign securities. The increase in such purchases has been very substantial. The interest equalization tax is exactly designed to prevent that.

A remarkable aspect of the balance-of-payments situation is that our balance-of-trade—I repeat "trade"—picture has greatly improved in the past quarter. But in spite of that, we had an adverse balance of payments of more than $5 billion, at an annual rate.

The classic remedy for this structure is austerity: Increase taxes, cut Federal spending. But the administration has proposed precisely the opposite policy: A tax cut at a time when our spending is increasing.

In view of this balance-of-payments situation, I believe we should review very thoughtfully the administration's proposal for a tax cut. I question its wisdom.

But any economic policy we adopt in attempting to combat the balance-of-payments situation should, first of all, be related to our domestic economic situation. Of course, this makes the problem much more complicated, and makes its solution far more difficult.

Finally, I hope the request made by the Senator from New York [Mr. Javits] and other Senators—namely, that consideration be given to a change in our present requirements of a 25-percent gold backing for our Reserve notes—will be seriously considered. I understand that the Joint Economic Committee may hold hearings on this subject. In view of the seriousness of our adverse balance-of-payments situation at the present time, I believe that the hearings will be most important.

Mr. President, I ask unanimous consent to have printed at this point in the Record an article written by Eileen Shanahan, and published in the New York Times. The article spells out in excellent detail not only the present situation, but also a background analysis of our balance-of-payments situation.

There being no objection, the article was ordered to be printed in the Record, as follows:

Payments Deficit at $5 Billion High—Annual Rate in Second Quarter Up $2 Billion; Securities Tax Plan Gets Impetus

(By Eileen Shanahan)

Washington, August 19.—The U.S. balance-of-payments deficit reached an annual rate of $5,200 million in the second quarter of this year.

The deficit surpassed, by a thin margin, the previous records for a single quarter, set in the final quarters of 1961 and 1962.

Administration concern over the worsening balance-of-payments picture was made known by President Kennedy in a special message to Congress a month ago. The second-quarter figure, however, was far larger than he or any other official had indicated.

The increase in the deficit in the second quarter amounted to an annual rate of $2,000 million. Almost the entire increase was traceable to increased flows into foreign hands of American capital of all types, both short-term and long-term.

PRELIMINARY ESTIMATES

The balance of payments measures the difference between what Americans, including the Government, spend, lend, and invest abroad and what they take in from all foreign sources. The United States has run a deficit in its international balance of payments every year since 1957.

The second quarter figures for the balance of payments made public today by the Department of Commerce are preliminary estimates and contain little detail. They do not reveal the precise nature of the outflow.

It is not possible, for example on the basis of the preliminary figures, to distinguish between American capital that went into foreign securities and that which represented so-called direct investment in the assets of companies operating overseas, either American or foreign owned.

Nor was it possible to identify bank loans as a separate component of private capital outflow.

The key item in President Kennedy's new program for dealing with the balance-of-payments deficit is a tax ranging up to 15 percent on American purchases of long-term foreign securities from foreigners. It is designed to discourage such securities purchases and would not affect either direct investments or bank lending to foreigners.

Even the sketchy preliminary figures revealed clearly that increased purchases of foreign securities by Americans had contributed importantly to the increase in the deficit in the second quarter.

Statistics on newly issued foreign securities, which were available, showed that $500 million of these had been sold to Americans in the second quarter. Nearly $1 billion worth was sold in the first half of the year. The first-half volume was "not much less than for the year 1962 as a whole," the Commerce Department said in releasing the figures, and was "almost double the amounts purchased in each of the years 1960 and 1961."

The House Ways and Means Committee will begin hearings tomorrow on the President's proposed foreign securities tax. Secretary of the Treasury Douglas Dillon will be the leadoff witness.

There were indications that the Commerce Department had been asked to rush the preliminary figures so that Mr. Dillon might discuss them and use the big jump in the deficit in the second quarter as an argument against congressional delay in approving the tax.

The one bright spot in the balance-of-payments report for the second quarter was the trend in U.S. foreign trade.

The balance of trade—the amount by which exports exceeded imports—rose by an annual rate of $1,200 million in the second quarter.

The Commerce Department noted, however, that the dock strike of January had kept both exports and imports at lower than normal levels in the first quarter, and that this factor accounted for part of the improvement. Eliminating the effects of the dock strike from the figure would have reduced the second quarter improvement in the trade surplus to around $400 million, the department indicated.

Another negative factor in the second balance of payments was the rise in Government grants and loans for foreign countries.

The second quarter balance-of-payments deficit exceeded the records established in the final quarters of 1961 and 1962 by only about $100 million. In both of those quarters, freakish factors were thought to be at work, among them movements in bank funds that are peculiar to the final quarter of the year and the effects of special Canadian financial problems in both years.

The actual annual U.S. balance-of-payments deficit, for an entire year, reached a peak of $3,900 million in 1960. It then declined to $2,400 million in 1961 and to $2,200 million in 1962.

A major portion of the improvement was, however, attributable to special arrangements the United States made with European governments—to make advance repayments on certain loans, to purchase equipment for their armed forces in this country and to buy some specially issued U.S. securities. These payments, which were recorded as income to the United States in the balance-of-payments figures, reduced the reported deficit.

In today's announcement of the second quarter balance of payments figures, the Commerce Department computed all back figures and the present ones as though no such special payments had occurred.

The change added $100 million to the reported second quarter deficit, puting it at an annual rate of $5,300 million. But it also made the deficits of earlier years look larger, and therefore the deterioration this year look less severe.

On the basis that the Government has now apparently decided to use, the 1960 deficit remains at $3,900 million, but the 1961 deficit becomes $3 billion and the 1962 deficit is $3,600 million.

The deficit in the first quarter of this year, on the new basis that excludes special payments, becomes $3,600 million instead of the $3,200 million reported earlier.

AMERICAN BUSINESS PREJUDICED WHILE EUROPEANS PROSPER

Mr. YOUNG of Ohio. Mr. President, since my election to the U.S. Senate it has always been a matter of grave concern to me that so many thousands of workers in the steel industry in Ohio and in the country have been jobless or working part time—and that our fine steel mills are closed part time instead of producing at capacity. I have been doing my utmost in urging that more defense contracts and subcontracts be placed in Ohio. We have the universities, industrialists and businessmen with the necessary know-how, training and experience, and the skilled workers to handle much more of this work than our State is now receiving. Idle steel mills and manufacturing plants or those operating at far less than capacity not only mean hardship and distress for Ohio workingmen and their families, but also act as a drag on the continued economic growth and well-being of Ohio and the Nation.

In manufacturing Ohio ranks second among the States for values added by products manufactured. Iron, steel and their byproducts are the largest group of manufactured articles. Intelligent, industrious and skilled workers are Ohio's greatest industrial asset. Eight manufacturing centers each contain more than 50,000 workers—Cleveland, Cincinnati, Dayton, Youngstown, Warren, Akron, Toledo, Canton, and Columbus. In addition there are smaller industrial cities in which the steel industry employs thousands of men—Lorain, Steubenville, Massillon, Middletown and others.

There is hope for relieving this unfortunate situation whereby thousands of these workers are without jobs, now that there has been a slight relaxation of international tension with the signing of the limited nuclear test-ban treaty. In my judgment, the Senate will ratify this treaty by affirmative vote of at least 85 Senators.

I am conducting thorough research on the question of permitting the export of certain steel products from our Nation to the Soviet Union and its satellites. This is a good time to pursue this inquiry now that cold war tensions between Communist Russia and our country have been lessened somewhat and that a deep rift has developed between Red China and the Soviet Union.

We must not, under any circumstances, help the Russians build up their war machine. On the other hand we cannot afford to lose markets for nonessential military products to our Western European competitors. Some time back, our allies and supposed friends, the West Germans, were exporting many thousands of tons of steel and steel products to the Soviet Union at the same time our State Department had placed an absolute ban on such exports from the United States. They immediately moved in when our Government restricted our own steel industry from engaging in this trade. Finally, after some intensive arm twisting the West Germans agreed to cease and desist. Immediately, the United Kingdom began exporting steel on a much more extensive scale to the Soviet Union and the Communist bloc. The English profited at a time when more and more steelworkers in the United States were becoming unemployed.

International trade is a double-lane highway. We must not build a wall by high tariffs or State Department fiat preventing the export of the products of American skill and industry.

The VICE PRESIDENT. The time of the Senator from Ohio has expired.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator from Ohio may have 3 additional minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. YOUNG of Ohio. On numerous occasions Ohio industrialists have come to me as their Senator seeking assistance in cases where they had lost contracts with Iron Curtain countries for nonstrategic materials to West German, English, French and Italian competitors because of our arbitrary policies banning such trade, or bureaucrats in Washington causing delays and complicating a competitive situation with so much redtape for export licenses, and so forth, that it became impossible for them to compete effectively. I consider the restrictions and redtape imposed have been inexcusable and outrageous.

Today U.S. trade with Russia is only $35 million a year.

We are protecting the West Germans. They are our friends. Our soldiers are over there trying to maintain their freedom. The West Germans already have an annual trade volume of $500 million with the Soviets. At present British export trade with the Soviet bloc totals $335 million. In the past 2 years French sales to Eastern Europe rose from $220 million to $267 million. Italian trade with the Soviet Union alone amounts to $612 million a year, including machinery and steel tubing. This is an unwarranted situation. How long will Ohio and other American industrialists and labor leaders continue to tolerate it? How long will State Department officials continue this policy of discrimination against American businessmen and working men and women?

If it is essential to embargo all such exports to the Soviet Union then I call upon the State Department to take stern measures to compel our allies to cease such trade.

Either they must permit us to trade or compel our allies, the countries we are protecting, to cease and desist.

As a Senator desiring to do everything I possibly can for Ohio citizens, and outraged over shortsightedness on the part of some bureaucrats, I am personally researching this entire problem.

Mr. President, I have today urgently requested—and I mean urgently—officials of our State Department and the Secretary of Commerce to report fully on this situation and on any dangers they consider involved were we to export steel products to the Soviet Union and its satellites. They should either lift many restrictions, modify them, or demand that our European allies adhere to the same restrictions. Management and stockholders of the Nation's steel corporations have the right to fair treatment from officials of our Government.

I shall carefully review the reports I receive.

I intend to see that I receive without delay reports from the State Department, the Secretary of the Treasury, and the Secretary of Commerce. Then I shall confer with top officials in our State and Commerce Departments. This is so important that following completion of my entire research I am likely to find it advisable to ask for a conference with our President.

Billions of dollars of our taxpayers' money has been spent for the protection of the free world, helping, for example, England, West Germany, France, and Italy. It is just too much to endure that bureaucrats in our State and Commerce Departments have on top of all this acted to favor our allies and to prejudice our own businessmen and workers.

There is "something rotten in Denmark" if England, West Germany, France, and Italy attain full employment and enjoy unparalleled prosperity in large part as a result of their trade, while we their ally and protector, are depriving our businessmen and our workers of the opportunity to engage in this trade and are losing markets which in the near future may be of much greater value.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

VITAL ROLE OF THE USIA

Mr. KEATING. Mr. President, recent cuts in the requested appropriation of the U.S. Information Agency should raise a danger signal not only in this body but also throughout the country.

The U.S. Information Agency has an important job to do. Its efforts—and, above all, its Voice of America programs—are the only contact many foreigners have with the United States. It represents the only opportunity our Nation has in many areas to make known American ideals, American objectives, and American accomplishments.

In the face of a possible slight thaw in the cold war, USIA efforts can assume even greater importance. Even now, for instance, the Voice of America is no longer jammed, I am told, in Eastern Europe—a fine opportunity for us to lift a corner of the Iron Curtain and let in some of the light of truth.

Mr. President, with the exception of allocations to the Voice of America, many aspects of the USIA budget for the next year have been seriously cut.

USIA is asking for $208,236,000, which is an increase of $59,911,000 over last year's allocations. The additional funds will be used mainly to bring new geographical areas into its program, to increase service in the different and growing media of communication, and to attain greater efficiency and precision in the management of the agency. The requested allocations should be examined carefully, but I am sure that in relation to the amount of work that could be done in this area and in relation to the funds spent by the Soviet Union, Red China, the United Arab Republic, and even by Castro's Cuba, the USIA requests are relatively modest.

Mr. President, I ask unanimous consent to have an editorial on this subject from station WBBF in Rochester included in the Record following my remarks.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

USIA—No Need for Hurry?

One hundred twenty-three million dollars is a lot of money—but of course it depends on what you're buying with that amount.

If you're buying one Polaris submarine, for example, you're getting a good price; Polaris submarines cost more than that.

If you're paying for all the General Foods Corp. advertising in 1961, the figure is low; General Foods spent $141 million for advertising in that year.

If you're using the $123 million to help the South Vietnamese fight off communism, then that's about one-third of what you'll need this year.

But if your name is Edward R. Murrow and you're running the U.S. Information Agency and trying to tell America's story abroad, $123 million is all you're going to get for a while. And you'd better not put into effect any bright new plans for combating Soviet propaganda.

One hundred twenty-three million is all you had for the job last year. And this year, although you've requested about $146 million, the House Appropriations Committee rejected just about all your expansion plans except for those involving the Voice of America. What's more, the Senate Committee hasn't even gotten around to examining your request—after all, the fiscal year ran out only a month ago; what's the need for hurrying?

WBBF sees plenty of need. We hope that the Congress quickly restores a large part of Mr. Murrow's requested budget. The cold war races on, and Mr. Murrow's request for helping to fight it is modest—and urgent.

TRIBUTE TO SENATOR KUCHEL

Mr. KEATING. Mr. President, recently, our distinguished assistant minority leader was signally honored at the national convention of the Jewish War Veterans of the USA.

The Massachusetts department presented him with its leadership plaque, honoring the Senator from California as a "dedicated leader among leaders in the great causes for equality and justice for all mankind.

The Senator's message to the convention on this occasion was on a timely and significant subject: "How the Real American Opposes Communism."

I ask unanimous consent that his eloquent address be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

The Real American

(Partial text of address by U.S. Senator Thomas H. Kuchel to the National Jewish War Veterans convention in Washington, D.C., August 9, 1963)

Hardly a day goes by that the postman does not bring me a dozen or more letters from sincere and concerned constituents, all asking the same question.

The question is generally phrased this way: Senator, just what can I, as an individual, do to combat communism?

Many of these letter writers, I suspect, are really asking me, just what organization can they join that is really performing a sensible, honest and effective anti-Communist service.

There are, of course, a number of organizations in our land performing such a service, basically by fostering and promoting the very best Americanism they know how.

And your organization is certainly one of them.

But often I think the true, fundamental answer must go beyond the confines of any organization, directly to the heart and soul of each individual American.

What I am getting to is this:

To me, the most sensible and effective way for an American to fight communism is by being the very best American he knows how to be.

Sounds disarmingly simple, doesn't it? Sadly, it isn't. If it were that simple, I think perhaps the Communists would have conceded to the United States morally, spiritually, and philosophically a long time ago.

Far more is involved than a daily pledge of allegiance—far more than writing letters to the editor, observing that Castro is the contemptible degenerate that he is; far more than attending a periodic meeting to hear a speaker expound on the evils of communism.

Being the very best American each of us knows how to be is, and must be, far more than a mere ceremonial function. It is a daily, even an hourly job—and, what is more, a high American duty.

Let me cite an example, so much with us this very day.

I do not think we fight communism at all by rejecting the constitutional ideal of equal rights for all Americans—or worse, by hypocritically paying only lip service to it.

If we are going successfully to fight communism, we are going to practice, among ourselves, genuine brotherhood every moment, in our homes, in our houses of worship, in our businesses, in our unions, in our service and fraternal organizations, in our streets, in all our living—realizing that an immoral, splintered, hate-ridden America would be a vastly weakened nation, and, therefore, something which international communism would love to see transpire.

There are Communists in the world—and there are Communists even in our blessed land whose activities are carefully followed by the appropriate agencies of our Federal Government.

We keep our eyes open, true, but we are not wild eyed.

We attend our churches and synagogues, not to hunt for traitors in the pulpits, or the benches, but to thank God for our freedoms and to pray for the courage and the wisdom and the vision to do what is right and necessary to keep them.

The Communists, some well known and others well disguised, have sworn their allegiance to a foreign power and to an alien doctrine, which is entirely irreconcilable with our American concepts of freedom.

Their latest campaign is to prove that our country's help to Vietnam is, in their words, a dirty, little imperialist war. Sadly, some Americans, who are not keeping their eyes open, are falling for such Red propaganda.

But above all, let us remember:

It is our individual responsibility to decide that an idea or a program is good or bad, and to make our decision on the basis of reason, and not simply on the basis of who supports it or who opposes it.

If an idea or program is bad, it is bad simply because, using the brains God put in our heads to think with, we conclude that is not good for our country and our people.

The other day, a California newspaperman argued rather strongly with me that our income tax must be abolished, principally on the basis that Marx also advocated such a scheme. Marx also advocated free public schools, and so did Thomas Jefferson years before him. And so do I.

I hope that does not make Jefferson a Marxist, and I hope it does not make any of the rest of us, who believe in the free system of American education, Marxists either.

I have also read that the Soviet Union reportedly is going to abolish its income taxes in 1965—and this, of course, does not make those Americans who want to abolish our income taxes Communists either. The Soviet Union, it appears, is charging its people such exorbitant prices for goods and services that it can add a little window dressing by talking of no more income taxes.

How to fight communism?

Very frankly, I can think, off hand, of a hundred ways each and every American can fight communism, without having to join a single organization or send in a single dollar or boxtop to anybody.

They are elemental ways, such as, since I mentioned the income tax, paying our income taxes promptly and fully, thankful that we have the privilege and the ability to pay whatever is necessary to keep our precious American system of freedom, and to help others keep their freedoms or to attain them. Freedom in some parts of the world, let us remember, translates itself into simply a little better opportunity to stay alive, and a little better chance to put food into hungry stomachs.

How to fight communism?

Consider the simple matter of the vote, at every level. And I mean the vote each of us, as we see the light, ought to cast for the best people and the best approaches to the problems facing local school boards, our communities and cities, our States and our Nation—rather than cast them on the basis of an automatic response to a label or slogan, if, indeed, we cast our votes at all.

There is one of the fundamental differences between the totalitarian Communist state and the free democratic state—the ballot box.

As we all know, the ballot box is a sham and a fraud in the Communist state. Yet in the United States, only half of the people vote in national elections—and in State and local elections, the record is generally more dismal.

And sometimes I get the impression that those crying the loudest about their anticommunism neglect this basic privilege and duty the most. And, to compound this political felony, it is also true that tens of thousands of qualified citizens are denied their right to register and to vote, because of the irrelevance of their ancestry. I venture to hope that the Congress, this year, will stamp out this vicious practice, and adopt legislation to guarantee that our fellow citizens may vote for President and Vice President and Senator and Congressman, no matter where their forebears may have lived.

We work long and hard, too, in behalf of our schools to make sure our children are provided with the knowledge, the maturity, and the power to reason so that they may discover for themselves that communism is slavery and not freedom, and that, under our American Constitution, there is no more cherished possession by any human being than citizenship in our own beloved land.

In our homes, the real American, I believe, tries to raise the strongest and most considerate sons and daughters he can.

In our communities, the real American enlists in the battle against juvenile delinquency, not to qualify his city for an all-American award, but to qualify all Americans for a fair and equitable shot at the future.

In our businesses, the real American doesn't sell defective or outrageously priced materials to our government or to anybody else. In our unions, the real American gives a proud and honest day's labor for a fair and honest wage.

And wherever we are, the real American gives his best dollar's worth in return for every dollar of value received. He is devoted to his God, his country, and to his family. He doesn't want to push anybody around and he doesn't want anyone to try to push him around.

These are just a few things that come to mind.

But yes, you may say, we know all that. It's fundamental. But then, I ask, haven't many of us forgotten? Our newspapers daily are crammed with dozens of such examples, of little things that cumulatively add up to a big potential assist to the Kremlin.

There are so many ways we can fight communism. We can support the work of the United Nations, not blindly but intelligently, in the realization that if a bomb explodes in Leopoldville, another could explode soon after in Washington, Boston, and Los Angeles.

We can support the Peace Corps—and, better yet, if we're able, we can join it.

The other day, I heard for the first time of a young man from Palo Alto in my State by the name of Wil Rose who, all by himself, founded an organization called DATA International. This private organization has in a few years furnished American how-to-do-it answers to nearly 3,000 problems faced by people and villages overseas—from how to purify polluted water to how to tan crocodile hides.

In the southern part of my State, a dedicated organization known as the Laubach Literacy Fund is teaching Mexican-Americans how to read and write English and to qualify for better jobs.

These are a couple of examples of Americans who are really fighting communism by being the best Americans they know how, and by helping their neighbors improve their lot, in a manner that makes their fellow citizens swell with pride at what they see.

Some of you may call yourselves liberals. And others of you may call yourselves conservatives. The truth is, I think, that every person has some conservatism and some liberalism within his soul.

Let us agree that an America that is conservative about truth, honor, and dignity, and an America that is liberal about justice, tolerance, and fairplay, is an America that need not fear any alien ism of any kind.

Over the years it has seemed to me that many who call themselves liberals and many who call themselves conservatives have been suspicious of each other in our continuing struggle against communism.

There is, naturally, the extreme right wing, whose target is not simply communism, but all or most of the progress we have made over the years to improve the lot of the American people.

And there is, also, the extreme left wing, who would exchange their American freedom for totalitarian Communist rule simply because, in their cowardice, they think they would have a better chance to stay alive. Patrick Henry dusted off that contemptible philosophy a long time ago.

I think, however, that it is time that all of us, with the exception of the radicals at both extremes, simply take a strict and scrupulous American approach to the preservation of our beloved Republic and to its strength and its improvement, to an unswerving, relentless opposition to totalitarianism, Communist or not, so that the unfolding dream for which you and your fellow American veterans fought and died shall never, never be transformed into a frightening nightmare of slavery.

We cannot, must not, and shall not play the Communist game—or the Fascist game for that matter—to win the battle for freedom and decency, and for that elusive prize, a just and honorable peace in this weary globe.

Let us simply play, as our patriots in past generations have played, the American game. When the American colonies threw off their shackles and proclaimed their independence, their leaders pledged their lives, and their fortunes, and their honor. The pledge was given without stint for the liberty they intended to establish for themselves and their children. And they did establish it. And now it is ours to cherish, to enjoy, and to keep.

I deeply believe that by being the best Americans we know how to be, freedom will remain our way of life, and the true, irresistible wave of the future for mankind everywhere.

TRUTH IN LENDING

Mr. **DOUGLAS.** Mr. President, on the 17th of August the Chicago Daily News, one of the most distinguished newspapers in the country printed a long article on "Truth in Lending," written by its very able Washington correspondent, Mr. James McCartney. The article gives an excellent explanation of the arguments for the bill, together with some consideration of the objections to the bill.

In this connection it should be noted that the Chicago Daily News, by reporting the tragic suicide of Mr. William Rodriquez in 1960—who was in the hands of the installment "sharks"—also played a great part in developing the public sentiment swelling up all over the country in support of the bill.

I ask unanimous consent that this article, together with other articles on the same subject, from the Chicago Daily News of August 17, may be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

TRUTH IN LENDING SHOWDOWN LIKELY IN 1963—CREDIT CARD LIVING POINTS UP THE ISSUES

(By James McCartney)

WASHINGTON.—Hold on to your credit cards. A new battle over truth in lending is about to erupt in Congress and across the Nation.

The fight has been going on for 4 years and at times has been as bitter as any in Washington.

But this may be the year for the inevitable showdown.

Senate liberals have just won a victory in a power struggle in the heretofore conservatively controlled Banking and Currency Committee.

They won a fight to hold public hearings on truth in lending legislation in communities scattered across the land—and thus a chance to kindle new fires of public favor for the bill.

Truth in lending is an issue that is all wound up with the Nation's galloping, credit card economy—an economy in which debt has become an accepted way of life.

It's a question that advocates have made to sound quite simple, but opponents say isn't simple at all.

It's as close to you as the monthly payment on your car—or maybe on your wedding ring.

The question is: When you borrow money, should the lender have to tell you exactly how much he is charging you for extending credit?

In other words, does he have to tell you how much interest you're paying, in a simple way that anybody can understand?

At first glance, such a proposal would seem to be pretty close to noncontroversial, in the category of asking a merchant to post his prices.

But even the suggestion of simplicity is deceptive when it comes to credit—for with credit things aren't always what they seem.

According to testimony before the Banking and Currency Subcommittee on Production and Stabilization, merchants and lenders have historically had an aversion to using figures larger than 6 percent when mentioning credit costs.

Thus figures often quoted by lenders are likely to sound low—but under examination turn out to be much higher, if computed at simple, annual interest rates.

Senator Paul Douglas, Democrat, of Illinois, chief sponsor of the truth in lending bill, cites many examples:

A small service charge of 1½ percent per month on a department store charge account is often a true annual interest rate of 18 percent.

A 3-percent per month plan often used by small loan companies is actually 36 percent for a year.

New car financing plans used by commercial banks and advertised as 4½-percent plans are often 9 percent per year.

An advertised 5-percent rate on home improvement loans is often nearly twice as much, or about 10 percent per year.

The so-called 6-percent rate for financing used cars offered by some dealers is at least 12 percent per year and sometimes very much higher—18 to 25 percent per year or more.

The cost of teenage credit promoted by some retailers as only pennies per week is sometimes as high as 30 percent per year.

SOMETIMES SOAR ABOVE 100 PERCENT

Forty percent interest rates have not been uncommon in case histories unfolded at hearings before the subcommittee and in some cases rates have soared to 50, 60, 70 or even more than 100 percent.

But they are rarely, if ever, billed that way to borrowers.

The world of credit, as one subcommittee witness put it—a credit manager with years of experience in lending—is a wonderland.

"It's a land," he said, "where percentages are divided and multiplied at will, where finance charges materialize on command and fees are collected on the way out."

It's a land where sharp practices and rackets not only inflate the cost of credit but also impose enormous financial hardships on the debtor, particularly those who can least afford it.

He was far from alone in feeling that the wonderland of credit is confusing. Many experts testified that it is confusing to them, too.

One, William McChesney Martin, Chairman of the Federal Reserve Board and a well-known financial conservative, admitted during public hearings that he was confused by the practices now used by lenders and vendors in stating their interest or financial rates on consumer credit transactions.

And Martin is a former Assistant Secretary of the Treasury and former president of the New York Stock Exchange.

Theodore O. Yntema, vice president in charge of finance of the Ford Motor Co., discussing automobile financing, declared:

"The variety and complexity of finance and insurance arrangements and the charges for them are such as almost to defy comprehension.

"It is impossible for the average buyer to appraise the rates for the finance and insurances services offered, as compared with alternatives available elsewhere."

Says Senator Douglas:

"The average consumer is often either unaware of or badly misinformed about the credit charges and interest rates he pays for various types of credit."

FEAR TO TAMPER WITH BOOM

The implicit suggestion of many who oppose the legislation is that any serious tampering with the Nation's credit boom, somehow, might cause the credit structure to tremble.

For credit is now a way of life in the United States, a rock upon which postwar abundance has been built.

In 1945 consumer debt in the Nation as a whole totaled less than $6 billion. Today it is more than 10 times that—something over $63 billion, and still growing.

It has increased by more than $2 billion a year, for example, since 1960.

This figure covers what are usually known as short and intermediate-term debts.

Says Douglas: "Consumers paid approximately $5 billion more last year for their personal debt than the whole Nation paid in carrying charges on the national debt."

Lending Bills Got Daily News Push

Federal truth-in-lending legislation got its first big push in Illinois from the Daily News.

Early in January of 1960, Senator Paul Douglas, Democrat, of Illinois, introduced a truth-in-lending bill in the Senate, but it fell with a dull thud, attracting little attention.

But just a few weeks later an obscure, 24-year-old Puerto Rican in Chicago, who was deeply in debt, took his own life with rat poison. He was William Rodriquez, a father of four.

A coroner's jury ruled that he killed himself because of despondency over pressures from creditors.

The Daily News first recognized the social implications of the case and told the Rodriquez story in detail.

A newcomer to Chicago, he had more than $800 in debts. He couldn't seem to resist the lure of installment buying.

One result was reform of Illinois' wage seizure laws, which had plagued Rodriquez. Another was to dramatize the case for truth-in-lending legislation.

Says a Douglas aide: "The Rodriquez case brought the truth-in-lending problem home to many people for the first time."

Out of every $100 of after-tax income, the American family pays out about $13 to meet short-term installment debts.

Yet the consumer, according to the argument furnished by those who favor the truth in lending bill, rarely knows what this mammoth amount of credit is costing him.

Many buying on the installment plan are aware of the size of their down payments and of their monthly payments. But they may never know what they're paying for the privilege of credit.

Sen. Douglas says that a consumer who desires to obtain credit for a $100 purchase to be repaid in monthly installments is usually confronted with one of the following alternatives:

Example 1—no rate is quoted:

The borrower is told that the charges will be $10 down and $10 a month. Neither the total finance charges nor the finance rate is disclosed.

Example 2—the add-on rate:

The borrower is told that the finance charge will be $6 on the $100 loan. The lender represents this to the borrower as being a 6-percent rate. This quoted rate is a play on the digit 6.

The actual rate is almost 12 percent, or nearly double the stated rate, because a borrower over a period of the year only has the use of approximately $50 credit rather than the $100 face amount.

In other words, the interest rate is quoted on the original amount of the debt and not on the declining or unpaid balance as is the custom in business credit, government loans, or consumer mortgage transactions.

Example 3—the discount rate:

This is a variation on the add-on rate. In the case of the add-on the borrower receives $100 in cash or goods and must pay back $106. In the case of the discount technique the borrower receives $94, but repays $100.

The finance charge again is $6 and is often represented as being 6 percent. Again, the actual rate is almost 12 percent, or twice the quoted rate because the borrower is periodically repaying the loan.

Example 4—a simple monthly rate:

This rate statement method is usually quoted by small loan companies and by retailers using revolving credit plans. The finance rate is represented as being 1, 2, 3 or 4 percent per month.

The simple annual rate in this case is 12 times the quoted figure, or 12, 24, 36, or 48 percent per year.

Example 5—the add-on or discount plus fee system:

Sometimes lenders compound the camouflaging of credit by loading on all sort of extraneous fees, such as exorbitant fees for credit life insurance, excessive fees for credit investigation, and loan processing fees that rightfully should be included in the percentage rate statement so that any percentage rate quoted is completely meaningless and deceptive.

SENATOR DOUGLAS OFFERS A SOLUTION

Senator Douglas' answer to this sort of thing is a bill requiring that all lenders and credit sellers fully disclose to the consumer the costs of using credit in what he calls an "accurate and uniform manner."

"Anyone engaged in the business of extending credit at the retail level would have to fully disclose in writing the costs of credit to the borrower before the credit transaction is signed," Douglas says.

"This written statement would include the total amount of the finance charge expressed in dollars and cents and the percentage that this charge bears to the total amount financed expressed as a simple annual rate on the unpaid balance."

Though it has been before the Senate for a long time, the Douglas bill has never been in serious danger of becoming law.

First of all, a great lobbying campaign against the bill was started soon after it was first introduced in 1960, and has never abated when the chips were down.

The principal opponents have been small loan companies, automobile dealers—particularly those in the used-car business—furniture dealers and retail merchants in general.

They have successfully enlisted the support of such major lobbying powers as the U.S. Chamber of Commerce, the American Bankers Association and the American Bar Association.

Recently the Department Store Journal characterized the battle this way: "Of all legislation actively pending in Congress, none has caused so much excitement, strident opposition, or downright anguish as the so-called truth in lending bill."

But the lobbying campaign has been aided and abetted by the fact the Senate Banking and Currency Committee has been controlled largely by conservatives.

Southern Democrats, led by the committee chairman, Senator A. WILLIS ROBERTSON, Democrat, of Virginia, have worked with Republicans to retain effective control, which, until recently, had not been seriously threatened.

At the same time, until this year a 5-5 deadlock existed on the 10-member Douglas subcommittee, keeping the "truth in lending" bill bottled up.

The Senate, however, is slowly changing. Bit by bit liberals are gaining power as old-line southern conservatives pass out of the picture and Northern States continue to send liberal Democrats to Washington.

Small Democratic gains at the polls in the 1962 off-year congressional elections resulted in a slight shift in power on the Douglas subcommittee—but it was a vitally important shift.

The membership of the Douglas subcommittee was cut to nine after the elections and the liberals have taken it over, with a five to four majority.

The fruits of this victory are now apparent in the truth in lending picture.

ALLOW HEARINGS IN THREE CITIES

DOUGLAS, after a tough battle with Senator ROBERTSON, has won permission to hold public hearings on his truth in lending bill in three cities—New York, Pittsburgh, and Louisville.

It is the first time that hearings have been scheduled outside Washington. ROBERTSON and the conservatives were soundly beaten, and they know it.

The hearings are scheduled during the last 2 weeks in August. At the same time, discussions are underway to bring the House into the act.

Representative LEONOR K. SULLIVAN, Democrat, of Missouri, chairman of a House Subcommittee on Consumer Affairs, is trying to set up hearings in other cities, perhaps Chicago.

The political problem of the truth in lending advocates lies in the full Banking and Currency Committee in the Senate.

It is generally acknowledged that if the bill could be brought to a vote on the Senate floor, it would pass. Few Senators would want to take the risk of voting against what many consumers believe are consumer interests.

But the Banking and Currency Committee appears to be relatively evenly divided on the issue. Key figures now are Senators JACOB JAVITS, Republican, of New York; JOHN SPARKMAN, Democrat, of Alabama; EDWARD V. LONG, Democrat, of Missouri; and THOMAS J. MCINTYRE, Democrat, of New Hampshire.

THE LABYRINTH OF UNCONTROLLED CREDIT

THESE FOLKS PAID AND PAID BUT THEIR BILL GOT BIGGER

WASHINGTON.—In the wonderland of uncontrolled credit a man can pay and pay—and when he's paid for months; find that he owes more than when he started.

That's what happened to one man who bought a used car in a deal exposed during Senate hearings on the truth in lending bill.

The sucker in this case borrowed $300 to buy a car from an unfranchised dealer.

For 11 months he paid $15 each month.

Then he got billed for the final payment. The bill was for $322.65.

The total cost of borrowing the $300 came to $187.65.

According to calculations by Senator PAUL DOUGLAS, Democrat, of Illinois, sponsor of the truth in lending bill, that amounts to a simple annual interest rate of 62½ percent—a figure the lender neglected to mention.

This is just one of many examples of what Senator DOUGLAS calls "harsh practices" in the lending field.

Hearings before DOUGLAS' Senate Banking and Currency Subcommittee have been studded with many others.

They have involved purchases of everything from autos and TV sets to home improvements and—in one case—a $1,800 accordion.

TV BUYER PAYS 33 PERCENT INTEREST

One fellow bought a TV set for a list price of $285.55. He was supposed to pay for it at a rate of "about $14 a month" but there was no mention, either verbally or in writing, of interest or finance charges.

Even the number of months he was supposed to pay was not mentioned in the contract.

He made payments for more than 10 months to a total of $147.30 and didn't start to wise up until he discovered that he still owed $206.22.

His $285.55 TV set cost him $353.52—a total of $67.97 in credit charges.

This works out to more than 33 percent per year in simple interest although the borrower had no way of knowing it.

Then there was the sad story of the mother of four who fell for an appeal to her parental pride and bought her daughter a $600 accordion "on time."

She was earning only $44 a week, but someone had told her that the daughter had talent. Then she was told that the talent was even more impressive than originally believed—and that a $1,800 accordion would be necessary.

Before she was through she paid carrying charges of $400, billed at a simple interest rate of 20 percent. It cost her $383 to learn the lesson.

TYPIST FOUNDERS IN LOAN MAZE

A typist in the Justice Department became deeply involved with personal loans from bank and finance companies. Before long she was at the end of her economic rope.

She began to review all the special loan charges, the refinancing costs, the required insurance and the original high—but unstated—finance charges.

She found, to her amazement, that she had been paying more than 40 percent simple interest.

A 67-year-old Floridian couldn't afford to retire because he was faced with 17 more years of payments to finance a home improvement bill.

The cost of the improvements: $2,650. The total cost, including the financing, $5,482.50.

One witness before the subcommittee, Richard L. D. Morse, a professor of family economics at Kansas State University, presented a survey showing credit charges and interest rates of various lending institutions in the university area.

Each lender was asked what the monthly payment would be on a $200 loan to purchase a $300 used car, to be repaid in 12 monthly installments, and what the annual interest rate on the loan would be.

Here are some of the answers he was given:

Five lenders said that the monthly payment for 12 months would be $18.67. However, the same lenders quoted these annual rates: 12 percent, 9 percent, 6 percent, and 8 percent.

Four other lenders said that they would charge $18.33 per month. The annual interest rates that these four lenders quoted were: 7.5 percent, 10 percent, 13 percent, and 9 percent.

None of the rates quoted by these lenders is the true annual interest rate, according to Professor Morse.

The true annual rate on the $18.67 monthly payment is approximately 22 percent, he says, and the true annual rate on the $18.33 monthly payment is approximately 18 percent.

NOT FOR PORK, BUT FOR PROGRESS

Mr. YARBOROUGH. Mr. President, last Friday, August 16, 1963, at Houston, Tex., I addressed the 45th Annual Convention of the Texas Electric Cooperatives. It was a vital meeting, and it has been suggested that my remarks, with my comments at some recent charges of "pork barrel" that have been thrown at the REA, be printed in the CONGRESSIONAL RECORD for a wider circle of information. Accordingly, I request unanimous consent that my remarks at the Texas State Convention of Texas Electric Cooperatives be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

NOT FOR PORK, BUT FOR PROGRESS

Members of the Texas Electric Cooperatives, fellow Americans, fellow Texans, thanks to Bascom Perkins for those kind words. It is a high privilege for me to be here today, among friends who champion the cause of rural electrical development, in a State where 223,000 farms or 96.27 percent of the total number of farms in the State have electrical power.

The Rural Electric Administration was created in 1935 by an act of Congress, the same year I was appointed by the late, beloved Gov. James V. Allred, as a member of the original board of directors of the Lower Colorado River Authority of Texas. At this convention you have heard Norman Clapp, National Administrator of REA. The Nation has never had a better or more dedicated administrator. His administration and the national administration have supported and helped the REA, and the local cooperatives.

But all of us come here today under a pall of sadness. Within this tragic week, our President and his gracious First Lady of the land have lost their second-born son, and just 3 days ago in Tennessee, I attended the last rites for one of the true greats of the United States in this postwar period, Estes Kefauver, of Tennessee. His chairmanship of the Antitrust and Monopoly Subcommittee saved my home city of Austin, Tex., $2,400,000 on one electrical equipment purchase, as one of the largest electric companies in the country is now selling this equipment to the city of Austin for $600,000, after having been one of the identical bidders at $3 million before the Kefauver inquiry in the electrical industry price fixing. Mayor Lester Palmer of Austin told me of the low bid last Saturday in Austin. The savings to the electric cooperatives on electrical equipment, because of Estes Kefauver's dedicated work, have been incalculable. All in REA work who know the story will be grateful in their memories of him.

For nearly three decades you have helped to mold the culture of rural and suburban Texas. Now, in this decade of change we are in, with your imagination, courage, and intelligent planning you will continue to be a major constructive force in this State of Texas, that I believe is going to outstrip all others in America's march into the future. I believe that because with our 267,000 square miles of land, Texas is bigger than each of 80 of the 114 independent nations on earth, and with more than 10 million population, we have more people than in each of 86 of the independent nations on earth, and our gross national product of Texas pushes us even higher in the scales, in comparison with each of the independent nations.

It is a pleasure for me to be here with you Rural Electric Cooperative officers, directors, managers, and personnel who are providing leadership and energy to see that the rural resources of this great State are put to use for the benefit of the people and their families who live on and develop these areas, and through them, for the benefit of Texas, of America, and of mankind.

I believe deeply in the inherent strength and vigor of America. And I do not believe that that vigor and that potential for growth has gone out of rural America.

And nowhere in this land is there a group of people more representative of our Nation's best than the people you serve. Your members are serving on rural areas development committees in local efforts to stem the tide of decline in rural communities, to generate new vitality in them, and furnish opportunities for their youth at home.

You have taken the lead in getting commercial and industrial projects underway. You have provided the vision and foresight in making an inventory of the resources in your service areas; you have worked with local businessmen to provide the technical assistance in selecting building sites to furnish engineering, electrical wiring, plumbing, and other requirements necessary to get a factory or other industry established and into operation in the small towns and in the countryside.

In working for rural development you are working toward a goal that is close to my heart. I am a native of Chandler in Henderson County, population now 715, so I understand the country role, the small town role, and the importance of rural electric service. I know the need for light on the farms and in the towns.

I studied by the light of a coal oil lamp. I taught 3 years in the rural schools of Henderson County, 6 miles from a railroad, and I studied and read and graded papers by the light of a coal oil lamp. I know the need for light for the students of Texas; light to match the vision of the people of Texas.

That is one reason my voting record in the U.S. Senate on legislation of concern to the Rural Electric Administration is 100 percent in favor of REA. It is for the good of the people, not my own personal good. I have fought for REA for 28 years; I will continue to fight.

That is why I was a cosponsor of the Area Redevelopment Administration Act of 1961 which created the area redevelopment program.

The area redevelopment program was set up to aid local enterprise in revitalizing communities and areas of high unemployment, low income, and generally of declining population.

Since that bill was passed, it has already brought to Texas new investments of more than $15 million; thousands of new jobs have already been created.

Plans have been submitted and are already pending before the Area Redevelopment Administration for projects in Texas totaling another $73 million, of which the Area Redevelopment Administration will advance $29 million.

The ARA has already loaned to Texas projects $9,356,000 in industrial and commercial loans; it has paid out in Texas $664,000 more in public facilities loans and grants for waterworks, sewage and public buildings; it has brought to Texas $254,744 in technical assistance and feasibility studies; and another $244,000 in training programs, to enable people to earn more by their own efforts.

The progress and benefit this bill is bringing to our beloved State are of deep satisfaction to me, because the ARA was roundly criticized by the same special interests who today are leveling both barrels directly at you in an effort to destroy the REA.

You are under attack as you have never been before. The attack against the best interest of rural electric development, which has turned so bitter in recent months, is carefully planned, carefully timed, well-financed, and never ceasing. Let me show you just one example.

In the August 16, 1963, edition of Life magazine, which is delivered to thousands of Texas homes to be read by the light of the REA, the money appropriated by Congress for the REA is referred to as "the innards of a fat pig." Life calls it "pork barrel work" and "in the pork casserole." You are called pork barrelers and are cartooned as greedy gobblers of public pork.

In this edition, Life magazine also vented its anger on rivers and harbors projects, ship channels, highways, the U.S. Employment Service, veterans hospitals, reclamation service, dams, navigation and flood control—the programs that mark the forward progress of a dynamic nation. All of these are projects of progress. Without such projects, our commerce would dwindle, our machines would be idle, our trade wither away.

These are the projects that have given growing America the greatest return on its investment. They are the lifeblood of commerce, the stimulus of industry, and the nourishers of our growing economy.

When we talk about money loaned to electric co-ops we are talking about money to be repaid to the U.S. Government.

Let's talk about a real pork barrel project. There are some. The U.S. Government subsidy of magazines such as Life, Time, Sports Illustrated, and Fortune magazine, all owned by the same interests, is an example. They are so financially strong and prosperous, they don't need the surplus.

I don't think you are going to get to read about it in the next edition of Life.

Before leaving to come here I made a check with the Post Office Department. I am a member of the Senate Post Office and Civil Service Committee and have some familiarity with the Government subsidy of Life magazine and its pork barrel operation. And I can tell you that the U.S. Government loses an average of $216 million a year to take regular rate second-class mail publications like Life magazine, from their printing presses to your mailbox.

Life magazine mails 315 million copies a year for 6.7 percent of the total of that type of second-class mail. Time magazine mails 130 million copies a year. Sports Illustrated magazine mails 48.4 million copies a year, and Fortune another 4.4 million.

The Post Office Department figures an average loss on each piece of regular rate publication mail, second-class mail, similar to Life, at 4.6 cents a piece. I am informed that the loss to the U.S. Government on delivery of each copy of Life magazine through the mails is less than a nickel a copy, but it still costs the taxpayer several million dollars a year of Government pork to mail that one publication alone.

That, fellow Texans, is what you call "pork barrel."

Life magazine might not call it that, because "pork barrel" is always something that benefits the other fellow.

The $216 million subsidy a year by the taxpayers of America to publications such as Life magazine (regular rate publications, second-class mail) is not a loan, it is a gift. The REA deals in loans, and never in the history of REA has a Texas co-op failed on a debt. REA repays its loans. Life magazine keeps its subsidy. Life magazine gets several million dollars of the taxpayers' money as a gift each year. Life owes an apology to the REA and to the American people REA serves.

Let us get the real facts. At page 25 of the August 16 issue of Life, it listed REA as a part of "The Steaming Pork Casserole," and says that it "throws into the pork casserole: $250 million." The fact is that the REA will loan on electric programs in 1963 approximately $246 million, at 2 percent interest, but due to the high interest rates the Government is now paying, this money will cost the Government about 3.3 percent interest, making a net cost to the Government of about $4 million on this item this year. The total cost of administering the Rural Electric Administration is $10.4 million. A far cry from $250 million. And it's not pork, it is a great and dedicated service organization for the Nation, operated without scandal or graft for 28 years. In that time the REA has loaned over $6 billion, collected back over $2 billion of it, and now has about $3,900 million outstanding in loans. It's a record each of you and every American has a right to be proud of. I wish we had that fidelity to duty, that high sense of honor, that dedication to service, in every branch of the Government.

You have other enemies. We have no time to relax and coast along on our pride in the glorious history of the REA, great as that history is.

The funds requested in the budget for the fiscal year 1964 would permit $350 million for loan commitments for the electrification program and $95 million for the rural telephone program. Another $75 million was included in the budget request on a standby basis, to make generation and transmission loans to rural electric cooperatives that are unable to get adequate power from private companies at a reasonable price. There are now pending before Congress six bills that would raise the interest rate on REA. This is a longtime goal of private power companies in their continuing effort to bury REA. I intend to oppose these bills that raise the interest rates on REA loans. If REA interest rates are raised, it would set off a chain reaction that would cause interest rates of all types to go up, thus putting a further brake on our economy. Even as I speak here, Senator PAUL DOUGLAS has gone to New York to hold hearings that illustrate the drag on our economy caused by the current high interest rates.

Incidentally, five of these six bills aimed at undermining or weakening or destroying the REA are sponsored by Republicans. That's another reason I'm proud to be a Democrat. The Democratic Party sponsored the original REA under Franklin D. Roosevelt in 1935, and has nurtured and supported it ever since.

While the constant attacks on the REA make your job more difficult, you have shouldered the burden; you have borne the shield for the 4 million people with incomes of less than $2,500 a year who live in rural America.

While rural areas account for only one-third of the Nation's population, the farm areas furnish the biggest per capital market for iron and steel, for fuel oil and machinery in America. In addition, the rural market for electrical appliances and equipment alone is estimated at $1 billion a year.

So you who know the true story has assumed the responsibility, not to a special interest, but to the whole national interest—to the people. Not for money in your pocket, but for service to rural America—not for pork, but for progress.

For over a quarter of a century, you have met that responsibility in a manner in which you may take justifiable pride.

Texas REA cooperatives are continuing to increase their service so that you have now strung over 156,000 miles of REA financed lines along the Rio Grande, through the Panhandle, across the west Texas plains, over the central Texas blacklands, and through the east Texas piney woods; you have more

REA users than in any other State in the Union, over 300,000 in Texas alone. You are creating jobs; you are creating business; you are lighting the homes and hopes of rural America.

By 1975, the U.S. Government, working with State and local authorities, will need to spend $560 million more in Texas on reservoirs and dams to save the lifegiving waters that will transform the way of life across the face of our State. For an increased population, we will need and must have more recreational facilities, more tourist development, and more trade and I hope a more peaceful world in which to make our plans, and in which our children may realize their own hopes and dreams.

Our population today, in Texas, is a little over 10 million. By the year 2000, our population will be 22 million, and we must provide jobs for 10 million workers by that century marker.

So urgent is the hour that Texas and the Nation cry out for the best you have to offer in leadership, in planning, in guidance, to conserve the best of our frontier tradition of working together, to make the world a better place than we found it, to preserve the freedoms we cherish.

Your steadfastness, your dignity, your dedication and honor, will carry you through. When those with their hands in the pork barrel up to their shoulder blades, turn their chinny, chin chins to shout "pork casserole" at you, you can truly answer, "Not for pork, but for progress, are we giving our lives." And this goes double for the REA and every employee in it. God bless and strengthen all of you.

HON. EDITH GREEN SPEAKS ON EDUCATION AT ALASKA METHODIST UNIVERSITY

Mr. BARTLETT. Mr. President, earlier this year the Alaska Methodist University, located in Anchorage, Alaska, held its third commencement exercises. This ceremony saw many friends of Alaska in attendance. Among those was the Honorable Edith Green, of Oregon. We in Alaska have had more than one occasion to pay tribute to this distinguished Member of the House of Representatives.

On this graduation day Mrs. Green spoke generally of the education picture of today, and I found her remarks of singular interest. It is for this reason, Mr. President, that I ask unanimous consent that her address be printed following my remarks. I believe my colleagues will likewise enjoy reading what Mrs. Green had to say on that auspicious occasion.

There being no objection, the address was ordered to be printed in the Record, as follows:

Commencement Address of U.S. Representative Edith Green, of Oregon, at the Third Annual Commencement Exercises of Alaska Methodist University, Anchorage, Alaska, May 19, 1963

It was a particularly happy day when I received an invitation to address a graduating class at commencement in a city—in a State where I have had such an interest for so many years—where there literally are "so many ties that bind."

This is my first return visit since that moment of great historical significance on July 4, 1959, when for the first time the 49 star flag was flown over the U.S. Capitol. And this morning as I looked out from my hotel window at Cook Inlet at the beautiful water, the sunshine, the snowcapped mountains, I wished I might stay a month instead of just a day. Washington and all the political turmoil and demands of the moment seemed far more than just a few hours away.

May I say also that it would be impossible for me to do other than accept an invitation when it was issued by Bishop Grant, our beloved Bishop in Portland, as well as in Alaska and the Northwest. He has been exceedingly kind to me over a period of years, and I am aware, not only of his leadership, his courage, his concern in my own city, but also well aware of his leadership in the establishment of Alaska Methodist University, a university whose campus dedication took place on June 29, 1958, a day before the House of Representatives passed the Alaskan statehood bill. And surely the fortunes of Alaska will be greatly affected by the educational and cultural opportunities and the contribution made by Alaska Methodist University.

I am also pleased to be here today because such an occasion is a festive one: the speaker is permitted an unlimited number of cliches; there is the sense of brightness and future, and unlimited possibility in the air; and for those of us who have long since forgotten our own graduation, there is also a feeling of renewal of tradition and the thought that here—for better or for worse—here stands the next generation. I am not going to apologize for the kind of a world our generation gives to your generation. And neither am I going to complain about your generation. Someone has said: "The old begin to complain of the young when they themselves can no longer set a bad example."

I feel very much at home here because two of my happiest undergraduate years were spent at a Methodist university. And as we on the Education Committee of the House of Representatives study, year after year, the educational needs of this country, I am more and more convinced that the role of the private college—the church-related college—is the most important. In the postwar years—in these days when a Nation's people watch the exciting, the dramatic, the glamorous achievements in orbiting the earth—there may be great danger in our national life and in our educational system of overemphasis on science to the neglect of the humanities; great emphasis on outer space, but perhaps too little attention to inner space and the exploration of the truths of the human heart—its attitudes. We seem to more readily accommodate ourselves to the thought of dying together than to working out ways of living together; and the tangled skein of our relationships seem to stir us only slightly. There are, in this area, no medals, few heroes, no Life magazine articles, no promoters with pen and contract in hand. Mean, grubby, hard, anguished, abusive work is demanded for the most part.

Who will respond to the beckoning, crooked finger inviting us to exploration of the human spirit, those hardy adventurers that Albert Camus referred to when he wrote of those who seek out the desperate encounter between human inquiry and the silence of the universe. Surely the private, the church-related college, most often a liberal arts college, has a very special task and a very special role to perform to bring balance to the national education picture by emphasizing the humanities. And I do not want to see the Congress as a matter of national policy do anything to place these colleges in an unfair competitive position; nor do I want to see a situation develop where fees and tuition must be raised so high that the doors of the private college must inevitably be closed to many who are not active participants in our so-called affluent society. Neither do I want to see, nor will I ever support, any legislation which I think would in any way jeopardize the individual institution's autonomy, the professor's academic freedom, or the complete and absolute control that the institution must have over its own destiny. May I also say that if I had my choice—if the final decision were mine alone—my two sons and my grandchildren would all attend relatively small, church-related colleges, where I would hope they might be exposed to a more meaningful interpretation of human existence and where personal and social values would be emphasized.

The problems confronting our church-related colleges are great, but they are so formidable because the challenges confronting the Nation are so formidable. Let me turn for a few moments to the scientific needs of this space age. We have been told that we need 13,000 additional scientists and engineers for the man-on-the-moon project alone. And yet the Secretary of Health, Education, and Welfare reported to our committee that fewer college students are studying engineering now than 3 years ago; that the proportion of all college students majoring in engineering and the number actually graduating in the field declined for the third consecutive year.

A recent National Science Foundation study placed the United States behind the Soviet Union in training of technicians and engineers. Today the U.S.S.R. is graduating three times as many engineers and two times as many scientists, and according to those who have special competence in this field, the quality of that education is as good as ours. Former Secretary Ribicoff said in regard to this National Science Foundation study: "This is further evidence that the balance of brainpower may tip—and tip dangerously against us—if the Nation does not awaken to the importance of education to the freedom of the Western World."

Dr. Terman, vice president of Stanford and a member of the President's Panel on Scientific Manpower Needs, told our committee:

"A manpower shortage clearly exists in the engineering, mathematics and physical sciences at all levels: bachelors, masters and doctors degrees, but is greatest at the higher level of training. The space program alone could absorb the entire engineering, math and physical science output of the Nation's colleges, and universities during the next few years with nothing left over to take care of:

"1. Needs of defense

"2. Civilian economy

"3. More teachers to handle the growing college enrollments."

Dr. Terman also discussed Russia's primitive electronics after World War II and its success in improving its position in technology in the last 18 years. And then he went on to say:

"The overwhelming technological gap that existed in 1945 between the defense technology of the United States and that of Russia has been greatly reduced. It could entirely disappear in another 25 years. The fact that we have better plumbing, more bathrooms per hundred people, electric toothbrushes, and more variety in women's hats may result in a civilization that we feel is superior, but these things do not count in the military and space competition."

And I might add they do not count in bringing about better race relations or better understanding between people.

It is obvious that we are living at a time when education is the key not only to military success, but also to international understanding; where not a rocket thrust, but a national educational thrust of massive proportions may determine who wins the race to the moon.

Today, you who are graduating are receiving a diploma which may not be the open sesame to all the opportunities of this world, but at least it provides an entering wedge, because it certifies that you have earned a college degree—and college trained people are in great demand. You do not have to worry about finding a job because you enter a world which wants and needs you.

However, the diploma which you will soon receive does not certify or even hint that your need for education has come to an abrupt halt. For the times in which we live demand more and more understanding—more and more information in order to make intelligent decisions. Vice President LYNDON B. JOHNSON said: "Our world has narrowed into a neighborhood before it has broadened into a brotherhood."

In these years we hear not only about the population explosion but also the explosion of knowledge, a cliche that perhaps needs examining. I cannot vouch for these statistics but the president of Science Research Associates of Chicago appeared before the House Education Committee and said:

"Human knowledge is approximately doubling every 10 years. Around the world, 60 million pages of research in the fields of science are published every working day—enough to fill seven complete sets of the Encyclopedia Britannica. * * *"

The National Science Foundation tells us that of all the scientists who have ever lived since the dawn of history, 80 percent are alive and working today. Over 50 percent of all scientific reports ever printed have been produced since 1950. Another person before our committee said this:

"Every major executive must acquire the equivalent of an additional college education every 10 years just to keep abreast of his competition."

This outpouring stream of knowledge courses through our lives. Its implication is obvious. We must all run faster just to stay in the same relative place.

In this space age—in the age of intercontinental missiles and satellites orbiting the earth—we can no longer depend upon a wealth of natural resources—or pluck—or luck—to work to our advantage. In such a time, we must rely upon the scientific competence of our people.

Although he may not be the most likely candidate to win a prize at a PTA meeting, Admiral Rickover, father of the Polaris submarine, knows the defense needs of this country. He told our committee: "We must spend more on our schools even if we have to take it way from the Defense Department. Education is our first line of defense. Make it strong."

About 2 or 3 months ago, Dwight D. Eisenhower was interviewed by Walter Cronkite (perhaps you saw it). In response to a question the former President, the five-star general, said we're spending too much on the military.

Since World War II the United States and the U.S.S.R. have spent over $900 billion—close to a trillion dollars—on defense—on safety if you please—with the result that we have fear and jitters and the risk of mass extermination.

It seems to me that if we could spend as a matter of national policy a part of that on education—not just scientific education but all education—that maybe in 10 or 15 years from now our defense would be more secure; maybe our position in world leadership would be even stronger because of it.

We must prepare our young people not just for the 20th century, but for the 21st century in which they will spend most of their lives. And we must give them the kind of an education that will help them find answers to questions which we cannot even imagine today.

Even before the first sputnik, Eisenhower said:

"Our schools are more important than our Nike batteries, more necessary than our radar warning sets, and more powerful than the energy of the sun."

John F. Kennedy said:

"Our progress as a nation can be no swifter than our progress in education. Education * * * is at the same time the most profitable investment society can make and the richest reward it can confer."

Then the question can legitimately be asked: With such bipartisan support, with such national leadership, with educational leaders all over the country pointing to the needs, why have we not solved our educational problems? And it seems to me the answer is that we have no real commitment to education in this country. We pay lip service to it, but when the chips are down, something else is always more important. At the county or State level it may be the highway program or some development program. At the national level: One year the trade bill is the most important; another year a tax bill; and another year a medical care bill. Certainly the glamorous and exotic space program has priority with $4½ billion to be spent this year and $20 billion planned. I do not suggest any of these are unimportant. Yet, for once, I would like to see education given equal priority.

We all need to be reminded of what the British philosopher, Alfred North Whitehead, once said:

"In the conditions of modern life the rule is absolute: the race which does not value trained intelligence is doomed. Not all your heroism, not all your social charm, not all your wit, not all your victories on land or at sea can move back the finger of fate. Today we maintain ourselves. Tomorrow, science will have moved forward yet one more step, and there will be no appeal from judgment which will then be pronounced on the uneducated."

All higher education institutions are faced with a decade of tremendous responsibility and need for growth and improvement. We now have 4.2 million college students; by 1970 there will be 6.9 million. In the next 10 years we need to build what it has taken 150 years to construct. A half century ago, 1 out of every 20 high school graduates entered college. Today, one of every three goes on to college. And this is wonderful. You who are receiving diplomas are in the lucky group. But may I say that this administration, and many Members of Congress, as well as college educators, are very much concerned about the 60,000 to 100,000 capable young men and women who should be graduating with you this year, but are not. The former president of the University of Wisconsin has said that since we spend four times as much on legalized gambling in America as on higher education, we can afford to gamble on every youngster who has the desire for higher education.

There have been several studies at the State level, and one study at the national level, which indicate that between 25 and 40 percent of our most capable students do not now go beyond high school, and largely because of financial need. I am talking now of students with IQ's of 120 and above, who have maintained high academic records during their high school years and who would like to go to college. In addition, there is another group of 60 to 100,000 extremely capable high school graduates each year who are not properly motivated and do not attend college. We must do what we can to reach talented youngsters at an earlier age.

In other words, we have between 150,000 and 200,000 students of outstanding ability who do not go beyond the high school level. This is in addition to the million who drop out during their high school years, and too often become the unemployed. This occurs at a time when there is a great national shortage of doctors, of nurses, of teachers, of ministers, of social workers, of scientists, of engineers, of technicians. This is at a time when the celebrated physicist, Dr. James Van Allen, cautions that our ambitions in space exploration already exceed our scientific competence.

So, on one side of the national ledger we have a shortage of trained manpower in almost every area, and on the other side we have a huge reservoir of untrained people, from whom come most of the unemployed, and to whom we are willing to pay unemployment compensation benefits and spend money for retraining. But, apparently, we are unwilling as a matter of national policy to help make it possible for them to obtain the highly skilled and professional training that this Nation so desperately needs.

We live in a great year, an exciting year. Just a couple of days ago the people of this Nation were glued to their television sets as Major Cooper orbited the earth 22 times in a day and a half. But we also live in a year when a little Negro girl lay bleeding and injured on a street of one of our great cities for far too long because someone made the mistake of calling a "white ambulance." Father Hesburgh, that great president of Notre Dame, is quoted as saying:

"Personally, I don't care if the United States gets the first man on the moon if while this is happening on a crash basis, we dawdle along here on our corner of the earth, nursing our prejudices, flouting our magnificent Constitution, ignoring the central moral problem of our time, and appearing hypocrites to all the world."

Today, more desperately than anything else, we need to build not just pathways to the stars, but bridges of understanding—first here at home among our own people and then bridges of understanding to the people of Laos, of Vietnam, of Nigeria, of Liberia. We need diplomats skilled in human relations, men and women with an understanding of history and the present tide of events. We need not only the Wernher von Brauns, the Van Allens, the Major Coopers, but we also need—and need desperately—the Dr. Dooleys, skilled not only in medicine, but skilled in human understanding. We need Peace Corps volunteers caught up in a cause much greater than themselves. We need nurses—the Florence Nightingales of the 1960's. We need the Frances Kelseys. We need the Albert Schweitzers. This is what the world needs and the gateways to this understanding are through the doors—the classrooms of our schools, our colleges, our universities and through the doors of colleges and universities in other lands.

As graduates of the class of 1963, great opportunities are available to you; great responsibilities fall on your shoulders. May you be more successful than any generation that has preceded you. Congratulations today—and good luck and best wishes for all the tomorrows.

TRIBUTE TO THE LATE SENATOR KEFAUVER

Mrs. SMITH. Mr. President, Estes Kefauver was a truly great Senator and a very valued friend of mine.

From the time that both of us were elected to the Senate in 1948, we had something in common. That year smear charges were made against me—specifically that I voted the Marcantonio line. I answered those smear charges with a devastating refutation pointing out that on some of the votes my opposition sought to smear me on as voting the same way that Representative Marcantonio did, so did the then Republican National Committee chairman, Representative B. Carroll Reece, of Tennessee.

The same charges were made against Estes Kefauver in his campaign—and so I sent him my documented refutation of the smear charges. When we met at the opening of the 81st Congress and were first sworn in as Members of the U.S.

Senate, Estes Kefauver told me that he had taken what I had sent him and had used it to very effective advantage.

So while I grieve the passing of a true and deeply valued friend, I do find some solace in the memory that this great statesman of such tremendous courage found that I gave him effective ammunition to back up that courage at a most crucial time in his career.

DAM AND HYDROELECTRIC POWER PLANT ON SNAKE RIVER AT BURNS CREEK

Mr. McGEE. Mr. President, as is the case in too many arguments over public issues, much more heat than light is generated. Such is the case in the controversy over the construction of a dam and hydroelectric powerplant on the Snake River at Burns Creek.

From the statements made by those who are in opposition to this project, it would appear that the entire State of Wyoming is in opposition to this project. Such is absolutely not the case.

Among the many persons in my State supporting such a project are the members of the Wyoming State Rural Electric Association's board of directors which composed and approved a statement on this project at their recent meeting in Casper, Wyo.

Mr. President, I ask unanimous consent that that statement be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

This statement was prepared and approved at the Wyoming State Rural Electric Association's board of directors' meeting at Casper, Wyo., August 3, 1963.

The press releases and other news sources from Washington and points within Wyoming would seem to indicate that all of the citizens of Wyoming are opposed to the proposed Burns Creek hydroelectric powerplant on the Snake River at a point about 60 miles over the line in Idaho. The Wyoming State Rural Electric Association, an organization that is the spokesman for over 100,000 Wyomingites in matters of power supply, wishes to state that such an assumption as has been made by some of our public officials is without foundation and not based upon facts.

There are allegations that there is now no power shortage in the general area where the proposed plant may be constructed. This allegation is false. Beyond 1964, the 22 cooperatives and municipals in southeast Idaho and western Wyoming will have no source of power at a price they can afford to pay and still remain competitive with other retail power suppliers.

It is claimed by the opponents of the Burns Creek project that Burns Creek will have an adverse economic effect on certain portions of Wyoming. This we deny. The power now being produced in the Kemmerer area does not now flow into the region which would be served by Burns Creek power nor is there any plan to carry such power into the area.

In addition, the Kemmerer Thermal Plant of the Utah Power & Light Co. is now an accomplished fact, making invalid the argument formerly used against Burn's Creek by the opponents of the project.

Kemmerer has its generation facility and the need still exists for Burn's Creek Power.

We wish to point out further that the waters that originate in Wyoming are the gift of a provident power and for our people to waste the heritage conferred upon them by letting the waters run downhill without producing power is wasting a resource, which, in view of world conditions, we cannot afford to lose. Those falling waters will be there for generations to produce power at a reasonable cost to the people in the area where the moisture originally fell.

Opponents of Burn's Creek argue that since 98 percent of the cost of the project is allocated to power that this is purely a power project aimed at putting the Federal Government still further into the power business.

This argument shows either complete ignorance of allocation of cost procedures or a deliberate attempt to cloud the issue.

The benefits of Burn's Creek are many. Flood control, stabilization of river flow, supplemental irrigation water, stabilization of municipal water supplies and recreation, to name a few.

It is impossible to place a dollar evaluation on these benefits when allocating costs, but the power produced has a cash value which can be figured precisely and which will not only pay for all of the other benefits but will ultimately pay money back to the Treasury of the United States which will be just as spendable as money raised by taxes.

Finally, assuming that the use of electricity continues to grow as it has in the past, by the time Burn's Creek is completed there will be a need for still more power by the consumers and the logical answer is a thermal plant of large capacity to supplement Burn's Creek and to supply firm power and utilize to the fullest extent the peaking capacity of Burn's Creek.

Our association and others are looking forward to that day.

The coal for such a plant is in Wyoming and thus we suggest that the tax revenue from such a facility would double the tax revenue of the area since there would then be two generation and transmission facilities rather than one with no duplication of services, which answers the argument of the opponents regarding tax revenues.

The Wyoming State Rural Electric Association believes these are valid reasons for our support of the Burn's Creek project, and its directors hope the committee will give favorable consideration to the project and give authorization for its construction.

HENRY E. JENSEN,
President, Wyoming State Rural Electric Association.

RESOLUTION OF BOARD OF SUPERVISORS, ONONDAGA COUNTY, N.Y.

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the RECORD a resolution adopted by the Board of Supervisors of Onondaga County, N.Y., relating to the designation of August 28, 1963, as Freedom Day in the county of Onondaga.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION 291

Whereas the Emancipation Proclamation in the United States of America is now 100 years old; and

Whereas despite the said proclamation, millions of minority citizens in this country still do not enjoy equal opportunities in voting, employment, housing, public accommodations, and many other areas; and

Whereas on August 28, 1963, many thousands of citizens from this and other communities throughout America will conduct a peaceful and orderly demonstration of their demand for equality for all in these fields through the march on Washington for jobs and freedom; and

Whereas the genius of the form of government of the United States of America lies in the manner by which it provides opportunity for continuing improvement; and

Whereas this board has already placed itself on record by a Declaration of Human Rights in county government and further believes in equal opportunity for all citizens, regardless of race, creed or color: Now, therefore, be it

Resolved, That this board hereby designates August 28, 1963, as Freedom Day in Onondaga County; and be it further

Resolved, That this board hereby expresses its support of the aspirations of those citizens of this and other counties who are joining in the aforesaid march on Washington for jobs and freedom; and be it further

Resolved, That a copy of this resolution shall be sent to the county executive for his endorsement and to the Congressman and Senators representing this county in the Congress of the United States.

Attest:

FRANK S. CONWAY,
Clerk of the Board of Supervisors, Onondaga County, N.Y.

THE SPACE PROGRAM

Mr. ANDERSON. Mr. President, a number of criticisms have been raised because of the alleged lack of scientific content in this Nation's space program. Questions have also been raised as to whether or not NASA was proceeding in an orderly fashion to explore space through the proper utilization of unmanned satellites.

I feel that our Nation's space program is well thought out and balanced between our manned and unmanned space programs. It is clear to me that our unmanned satellites have given and will continue to give us knowledge that will insure our success with manned space flights in the future.

There is a statement in the July-August 1963 edition of Missiles and Space magazine which I believe presents in a concise form this Nation's position in unmanned satellites. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHERE WE'RE AHEAD IN SPACE

There can be little question but that the United States is still behind the U.S.S.R. in manned space flight, despite failure of the Soviet Union's recent attempt to have a man and woman rendezvous in space. As far as manned space flight is concerned, this country has narrowed the gap, but still has a lot of catching up to do before it can surpass the U.S.S.R. All too apparent lags in the Gemini and Apollo programs are not helping us narrow the gap either.

However, in other areas we have won some clear leads—and it is time to take note and give credit where it is due. The United States has gained more knowledge of outer space than the Russians because we've done a better overall job with our unmanned satellite program. We are using unmanned vehicles to help predict weather around the world, to improve navigation, to make possible international television and other communications, and to keep track of what the enemy is doing to establish missiles and other weapon systems aimed at us.

Not only have we learned more about the planet Mars through unmanned space research, but we've gained much knowledge of the vast reaches of space in between and beyond. We've gained experience and know-how with particles found in space as well as radiation and changes in temperature and light. Solar winds have been identified and today are partially understood. We've pursued unmanned space research down far more streets and alleys than have the Soviets.

For the most part, our unmanned satellites are yielding knowledge that will assure our success with manned flights into space in the future. For that reason, if no other, it is easy for the unmanned satellite program to be overlooked, its significance lost in the international competition of manned flights. This is a pity, for what we do in unmanned space exploration today is the very foundation on which we will build future manned space exploration.

In saying this we are not being partisan to the claim so often heard these days that we ought to forget about the manned program and explore space only with unmanned vehicles. We regard the controversy as a mere tempest in a teapot that will prove meaningless in time, and perhaps even silly.

Who really believes man can resist going where he has already sent his machines? Information from unmanned satellites only becomes a challenge, titillating man's imagination and desire to dig deeper into space, to visit the other planets, and the moon. Man's curiosity demands that he see for himself.

Therefore, the carefully devised and tested instruments in NASA's unmanned satellites are pioneers on behalf of man, marking a trail for him into the new wilderness. They yield valuable data on the new environment he will encounter and must overcome. How deep is the dust on the moon? Where is the best place for a landing? What are the considerations of timing, direction, and correction in reaching the moon? How best to control a lunar orbit and a landing and take-off? There are hundreds of questions that our unmatched, unmanned space exploration program can answer—about the moon, the planets, and far outer space.

We have yet to probe closer to the sun, from which we derive the energy of life. And, in time, if we can develop space engines of sufficient thrust and duration, such as photon engines—unmanned probes will be the first to tell us what is beyond our own galaxy. Man will want to follow to see for himself.

The names—Pioneer, Vanguard, Explorer, Discoverer, Ranger, Transit, Samos, Mariner, Tiros, and Voyager, more than 100 of which have been put into space successfully and many more to come—are the true mark of America's unique contribution to a better understanding of space and how we can use it. Already, several of these programs have contributed in most important ways to the success of the Mercury program, and will contribute more to Gemini, and still more to Apollo. Other unmanned projects in space contribute to our defense, to communications and even to betterment of portions of the national economy.

Now that we are building engines and boosters that can lift as much weight into space as those of the U.S.S.R., we are fast approaching the day when the data gained from our unmanned satellites will be giving us an edge in putting manned satellites deeper into space and to insure their safe recovery—Strategicus.

UNWARRANTED MILITARY INTERVENTION

Mr. TALMADGE. Mr. President, the board of directors of the Georgia Municipal Association has by resolution vigorously opposed the proposed extension of military authority into areas which are purely civilian and which are strictly within the domain of civilian authorities.

As I have said on the floor of the Senate, the recent directive of the Department of Defense, implementing recommendations of the President's Committee on Equal Opportunity in the Armed Forces, should be rescinded if we are to keep the military out of the political arena and retain civilian control over our local governments.

I ask unanimous consent that a letter to me from Mr. Elmer George, executive director of the Georgia Municipal Association, and the resolution of the association be printed in the RECORD.

There being no objection, the letter and resolution were ordered to be printed in the RECORD, as follows:

GEORGIA MUNICIPAL ASSOCIATION,
Atlanta, Ga., August 9, 1963.

Hon. HERMAN EUGENE TALMADGE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR TALMADGE: Attached is resolution adopted by the board of directors of the Georgia Municipal Association in opposition to report of the Committee on Equal Opportunities within the Armed Forces. The board requested that a copy of this resolution be transmitted to you and other members of the Georgia delegation with a request that you use your influence in opposition to intervention of the Federal military in matters which normally would be handled by civil authorities.

The resolution is intended in a very broad sense and not necessarily applicable to any issue. It is felt by the Georgia Municipal Association that use of the military to carry out an executive decree regarding matters which have implications of reducing local authority is a dangerous precedent indeed. This could lead to government by force or intimidation.

It will be appreciated if you will let us have your views regarding this resolution.

Yours very truly,
W. ELMER GEORGE,
Executive Director.

Whereas the President of the United States has appointed a Committee on Equal Opportunity in the Armed Services; and

Whereas this Committee, in its report to the President, has recommended certain actions, to be enforced through the Military Establishment, the objective of which is to force compliance with executive policy upon business establishments and other facilities in proximity to military bases, including among other things, recommended use of off-limits powers, the replacement of local transportation facilities with military transportation and even possible closing of bases; and

Whereas at least one of the Committee recommendations has been placed in effect; and

Whereas this action is of direct and vital concern to municipal officials; and

Whereas the scope of the action recommended exceeds the normal and traditional function of military command in its relationship to civil authority, and seeks to reach objectives not peculiar to the military, but common to all Americans and thereby seeks to compel an overall civil policy through use of the Military Establishment: Now, therefore, be it

Resolved by the board of directors of the Georgia Municipal Association, That we vigorously oppose such use of the military command to transcend the functions and responsibilities of duly constituted local authority in matters of concern to the entire citizenry.

STAMFORD ISN'T THE MOON

Mr. RIBICOFF. Mr. President, 100 years ago the possibility of man's voyaging under the seas and into outer space was predicted with uncanny accuracy by Jules Verne. Using only his gifts of imagination and creativity, he described the obstacles to be encountered and details how man would one day accomplish these great feats.

Last week a modern chronicler appeared—equally endowed with imagination and clairvoyance—to look into the future and predict man's ultimate success in completing the most challenging voyage of our era: the commuter run from Stamford to New York City. In the hope that his dream of the future will one day come true, I ask unanimous consent to have printed in the RECORD the article from the Middletown Press entitled, "Stamford Isn't the Moon," written by the "Jules Verne" of the 1960's, Art Buchwald.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

STAMFORD ISN'T THE MOON

(By Art Buchwald)

EASTHAMPTON, N.Y.—The other day Senator ABRAHAM RIBICOFF, on the floor of the Senate, claimed we were spending billions of dollars sending a man to the moon, but not a nickel on getting a man from Stamford, Conn., to New York City in a railroad car. Senator RIBICOFF was highly incensed, politically speaking that is, over a photograph showing his constituents sitting on the floor of a baggage car on their way to work. The worst part of the story was not that some of our highest paid American executives were forced to ride in such a manner, but that no one seemed to complain.

What Senator RIBICOFF was unaware of at the time of his speech is that the Government is concerned about the railroad commuter problem and they even have a school to train qualified commuters in the studies of inner space.

The "Commuternaut School" is located underground at Grand Central Station. We were the first newspaperman permitted to see the training program. One of the reasons for the secrecy is that there have been many failures in the inner space program and, while scientists are learning many things about getting a man from Stamford to New York City and bringing him back alive the same evening, there are still serious bugs to be worked out.

The first thing we noticed at the school was a large capsule the size of a commuter railroad car.

We were told that commuternauts are placed in the capsule for periods of 2 hours without air conditioning at 90° temperatures. Dressed in wash-'n'-dry suits to protect them from the heat, they are forced to stand as the capsule rocks from side to side, simulating the movement of a real train.

If the commuternauts can withstand the terrific pressures of this test, they then go on to an advanced program which involves their standing up and reading a newspaper while the capsule is in motion. If they pass this test, they then can go into the winter program, which consists of sitting in a baggage car capsule in subfreezing weather for 4 hours while the train is stalled in Larchmont.

Prof. Haven Hartford, who is in charge of the program told us, "We have had some disappointments, but we believe if Congress gives us the money we can get a man from Stamford to New York and back again by 1972.

"What are some of the difficulties involved?" we asked him.

"We don't know too much about the Mt. Vernon belt yet," he told us. "This is a belt that our commuternauts will have to go through if they expect to land in New York. We also haven't solved the problem of jerky stops, which cause tremendous pressures to the body. Then there is the extreme fatigue induced by the ancient rail beds. Also, the cost of a ticket from Stamford to New York must be taken into consideration.

"Solving these, we still have psychological problems. Most of our commuternauts suffer from hallucinations once they go through Scarsdale, and it's very difficult for them to focus their eyes or manipulate their hands. They also suffer from weightlessness and complete despair."

"What do you feed them?"

"We are experimenting with an instant dry martini which comes in powdered form. All they have to do is add gin."

"I know you've been asked this question before, sir, but why are you spending so much money and time to land a man on New York City?"

Prof. Haven Hartford looked us straight in the eye and replied, "Because it's there."

THE AGING PROBLEM

Mr. SMATHERS. Mr. President, I ask unanimous consent that there be printed in the Record a column entitled "Acceptance Core of Aging Problem," by R. O. Beckman, which appeared in the Fort Lauderdale News in the July 21, 1963, issue.

Mr. Beckman, the author of this column, has spent many years studying the problems of aging, and is considered to be an expert in his field.

The thoughts embraced in this column are well worth reading, and are of significant value in developing the proper mental outlook for all of us who will someday be included in the category of our Nation's senior citizens.

There being no objection, the column was ordered to be printed in the Record, as follows:

Acceptance Core of Aging Problem

(By R. O. Beckman)

Middle-aged and younger persons may suspect retirement is not all beer and skittles, but do little to pave the way for a heart and mind at peace with the world when they reach the age of 60.

The formula for happiness in later life is not cut and dried. It must be compounded in earlier years. Neither wealth, health, fame, nor family necessarily insure contentment in old age.

Many men and women in their fifties don't want to know they will face an unexpected change when they retire from the wear and tear of filling the breadbasket and raising a family. Their life is altered: Children and fellow workers no longer contribute the same enjoyment.

Adjustment is the way in which you recognize and react to changes in the outside world and in your own personality. A well adjusted person achieves a neat working balance between what he personally needs to be content with life and what the outside world expects of him.

Readjusting yourself is worth an advance effort if you really want to be happy. When you become aware that aging is only natural you can, by continuing a wholesome outlook on life, gain as much satisfaction from the later years as those that have gone before.

You may have to redefine what you want from life. You may have to find new interests and goals. Face the music: Admit the necessity for readjustment.

Personal and social balance involves a satisfactory concept of the self derived from a realistic interpretation and integration of the regard in which you are held by your associates. Sometimes it is called morale. Proper adjustment culminates in genuine maturity in later life.

DIFFERENT MEANINGS

Maturity has different meanings, just like the word "age." A precocious youngster, asked how old he was, replied: "Well, they tell me that mentally I'm 12; physically, 10; emotionally, 9; but as far as years go, I'm 11."

Physical maturity is achieved when bodily growth is completed some years after adolescence. Intelligence reaches its peak in the third decade of life. Emotional maturity is notable in the later years, but for some persons may not be achieved at all.

From a dynamic point of view, the wisdom acquired over the years guides the use of surplus energy (over and above that needed to sustain life) into befitting channels. If all oldsters matured in this sense the word "retirement" would be stricken from the dictionary.

Anyone over 60 needs to ask himself: Have I developed into a "real person" worth knowing? Am I mentally alert or as stale as yesterday's coffee? Have I outgrown earlier quirks of personality or become more difficult, crotchety, more opinionated than ever? Am I living life rather than enduring it? Am I interested in others as well as myself?

Some retired persons have vegetated in the muck of the commonplace or gone off on a tangent that makes companionship like a porcupine's. Others have encouraged their personality to develop into a rare orchid worthy of high admiration. The acceptance and regard of younger persons is the core of the old-age problem; it is well worth the advance planning required.

LIFE MAGAZINE ARTICLE ON PUBLIC WORKS PROJECTS

Mr. FULBRIGHT. Mr. President, after 20 years in public office, I have become relatively immune to criticism by the press and I seldom, if ever, comment on magazine or newspaper stories of this nature. An article in the August 16 issue of Life, while not criticizing me personally—in fact it does not even mention my name—is so gross a misrepresentation of fact on important national programs that I cannot refrain from commenting briefly on it. In my opinion the article amounts to a libel of the entire Congress. I urge my colleagues to take the time to read it and judge for themselves as to whether or not it presents a fair and unbiased picture of Federal public works programs. It is appropriate reading fare for the "dog days."

The Life article purporting to expose the machinations involved in dispensation of public works projects has the intriguing title "Now—See the Innards of a Fat Pig." The title sets the tone for the article and it is not too difficult to guess the authors' conclusions on the merits of this Federal activity.

The average person who reads this article will have little, if any, understanding of how Federal public works programs operate and how decisions are made on the building and location of dams, post offices, hospitals and other projects. After reading this article he will no doubt be convinced that every Senator and Congressman spends most of his waking hours thinking of ways to raid the Federal Treasury to finance projects, particularly those that have no merit, for his State or district. This type of article ridicules the entire Congress and questions the integrity of Representatives and Senators and the people who elected them. Congress does some irrational—and sometimes even silly—things but it is not fair to accuse it of consistently and deliberately wasting billions in tax dollars on useless projects as alleged in this article. Practically all public works spending is "pork," according to the authors. The word "pork" was peculiarly fascinating to the authors. It appears throughout the article; several times in single paragraphs. They define "pork" as "any commitment to tap the U.S. Treasury for political advantage first and the public welfare second." It would be rather difficult, I think, to find a Member of either body who has not at one time done his utmost to promote a Federal project he considered important. One of the factors involved in congressional consideration of proposed public work projects is the political consequences involved. After all we are politicians and we are elected to look after the business of government. To charge that this automatically prevents us from acting in the public interest is strange indeed. We are elected to look after the interests of the people of our State and the Nation. Some of us in the Congress, particularly those of of us from poor States, are parochial enough to believe that what benefits and helps build up the economy of our State also benefits the Nation. It never occurred to us that we were not acting in the public interest all the time.

Senators and Representatives have a unique opportunity to observe the interaction of State and regional economic developments on the Nation. We are a Union of States—with a unified economy—and what helps one State or section indirectly—if not directly—helps every section. I do not question the value of the St. Lawrence Seaway project but it would be difficult for me to find many Arkansas boosters for it. The maintenance of deep water channels for New York and New Jersey shipping certainly does not benefit the people of Arkansas as directly as it does the citizens of those two States, but it is clearly in the national interest. It is impossible to sectionalize and isolate the benefits from public works projects.

The article fails to clarify the obvious question of what is and what is not "pork." Does it include all federally assisted projects such as airports, highways, hospitals, parks, forests? I wonder if the mail subsidies paid by the taxpayer for distribution of Time and Life magazines would qualify as "pork." The millions in this country who do not subscribe to or approve of the editorial policies of Luce publications might classify this subsidy in that manner. The Post Office Department advised me that some 315 million pieces of Life magazine are carried by mail each year. In addition, about 130 million copies of Time, 4.4 million copies of Fortune, and 48.4 million copies of Sports Illustrated—the other Luce publications—move through the mail. I am advised that even with the recent postage rates increase there is an average loss of 4.6 cents a copy for handling publications of this category, amounting to a deficit of about $216 million a year. The loss rate is even higher on the very substantial book shipments of Time, Inc., that are carried through the mail. The subsidy absorbed by the taxpayer for mailing Life magazine alone, using the 4.6-cent average loss per piece, is nearly $14½ million annually. In all fairness I must say that the subsidy for handling the Luce publications is probably substantially less than the average since the company takes care of many usual mail handling steps before turning the publications over to the postal service for delivery. In any case, the taxpayer is footing quite a substantial bill to disseminate the knowledge contained in the Luce publications. The public interest is served, Congress has repeatedly said, by subsidizing mailing of newspapers and magazines. I support this policy as well as the congressional policy, affirmed each year, of developing the Nation's water resources on a sound basis.

It is, of course, consistent with the policies of Life magazine, a publication with a decided bias in favor of a particular party, to oppose public works projects. Those of us in the Congress during the Eisenhower years remember all too well the "no-new-starts" philosophy of that administration. In effect, this amounted to a national policy of refusing to develop the water resources of some of the most underprivileged areas in the Nation. It was a repeat of the old theme the South and the West heard for so long from the industrial States who wished to keep these sections as economic vassals. There are many in the Congress from the South and the West who still remember the discriminatory freight rates imposed upon us by industrialists who had no desire to see our areas grow and prosper. Fortunately for the country the Congress refused to go along with that philosophy and took action to insure the orderly development of the Nation's water resources.

The authors would have done a real public service if they had presented an explanation of the long and tortuous process involved in getting a water project from the idea to the operating stage. There are many pitfalls and hurdles along the way. The weeding out process is quite rigid and no project has a chance unless the public benefits outweigh the costs. It is a complicated process and it is unfortunate that the authors did not bother to further public understanding of the many checks along the way to congressional approval.

It is interesting to note that of all the projects singled out for criticism in the article none of them were old, established projects. The ones mentioned were either completed recently or are somewhere between the authorization and completion stage. It neglected completely the proven record of success of our operating water projects. The authors could have devoted at least a few sentences to the TVA system—a project which serves as an example in regional planning for the entire world. The bountiful benefits from the Ohio, Missouri, or Mississippi Rivers navigation projects did not merit mentioning, apparently. It might be of interest to readers of the Record to know that there is some merit in these projects in which we have invested billions of tax dollars over the years. The Nation has obtained more than fair return on its investment in water projects contrary to the impression the authors sought to leave. I ask unanimous consent to have printed in the Record following my remarks a Library of Congress analysis listing some of the benefits from Corps of Engineers and Bureau of Reclamation projects since the turn of the century. I hope that this will help dispel the false impression that Federal funds spent on these projects is merely money down the drain.

The VICE PRESIDENT. Without objection, it is so ordered.

(See exhibit 1.)

Mr. FULBRIGHT. Mr. President, the authors singled out the Arkansas River navigation project for special attention. It is a big project but the potential is far bigger. It is probably the largest single Federal water development project underway today—because it is our Nation's last major underdeveloped river. There is no reason why the benefits from the Arkansas project will not equal, or surpass, the tremendous success of the navigation projects on the Ohio, Tennessee, or Missouri Rivers.

The factual errors in the Arkansas River part are so numerous that it would burden the Record for me to discuss each one. I do want to make a few brief comments to indicate how far off base the authors were. The Arkansas River navigation project has consistently had a favorable benefit-cost ratio based on a 50-year lifespan. Based on July 1962 prices the annual benefits are estimated to be $65,739,900—well above the amount needed to amortize the project in 50 years. These benefits fail to account for the taxes that will accrue to the Federal, State, and local governments from the economic activity stimulated by the project. It has been conservatively estimated that it will stimulate $1 billion in new business for Arkansas and Oklahoma. Anyone with knowledge of Federal water development programs knows that the benefit estimates have been consistently far below actual experience. There is no doubt that this will be the case with the Arkansas River project. This river has been neglected far too long and I know of no better investment the Congress could make of the taxpayers' dollars than this project to tap the resources of the last great undeveloped river in America.

I ask unanimous consent to have printed in the Record at this point a short summary prepared by the Corps of Engineers listing some of the benefits to be derived from the Arkansas River navigation project.

There being no objection, the summary was ordered to be printed in the Record, as follows:

The Benefits

Navigation: The multiple-purpose plan will provide a navigable waterway from Catoosa, Okla. (15 miles east of **Tulsa**), to the Mississippi River, where it will connect with the existing navigation project on that stream. The canalized waterway will incorporate a large tributary area into that already served by inland waterways. The prospective annual commerce on the waterway is estimated at about 13,200,000 tons. The navigation benefits or savings in transportation charges represent about 63 percent of the total project benefits. In order to utilize the basic facilities provided by the Corps of Engineers, many other physical improvements such as port facilities, wharves, and warehouses will remain to be built by others. As stipulated in the project authorization, local interests will provide adequate terminal and transfer facilities to handle the freight tonnage moved on the river and will bear the increased cost of maintenance and operation of altered rail and highway routes, including bridges and utilities.

Power: Hydroelectric power is being generated in the upstream reaches of the project at the Pensacola, Fort Gibson, and Tenkiller Ferry Dams. The rated capacity at each of these stations, together with capacities to be installed at the Markham Ferry, Keystone, Eufaula, Short Mountain, and Dardanelle Dams, is shown in tables appearing in this folder. When the multiple-purpose project is completed and in operation, the average annual potential energy from these dams, together with potential energy from deferred hydroplants at Oologah, Webbers Falls, and Ozark Dams, when operated in a system with other hydroelectric powerplants in the region, would be in excess of 3 billion kilowatt-hours, enough to supply the needs of a city with a population of over a million. The power aspect of the project, excluding benefits from those units where the powerplant has been deferred, represents about 17 percent of the total benefits to be derived.

Flood control: The seven upstream reservoirs, in addition to their other functions, provide more than 6 million acre-feet of storage reserved exclusively for flood regulation. The flood control capacity for each reservoir is indicated in the upstream reservoir table. These reservoirs represent the flood control aspect of the multiple-purpose project and will be operated in conjunction with other projects in the Arkansas River Basin to control high flows on the main stem and its tributaries and will contribute to the flood control system for the Mississippi River. About 11 percent of the total project benefits is attributed to flood control.

Other benefits: Features of the multiple-purpose plan are primarily related to navigation, development of hydroelectric power and flood control. However, individual elements of the project are planned to derive other benefits wherever feasible. For example, in the upstream Oologah Reservoir, storage space is reserved for water supply to be used for municipal and industrial purposes. Proper utilization of the vast water areas and surrounding shores will result in many collateral benefits to the public.

The lakes formed by the flood control and multiple-purpose dams, together with impoundments above locks and dams, will provide substantial returns in general welfare through recreational development. The long-range plan for recreational development will be prepared in cooperation with other Federal agencies and various State, county, and local governmental agencies. Recreational opportunities will include boating, fishing, hunting, camping, and other sports and activities usually associated with large bodies of water.

Mr. FULBRIGHT. Mr. President, I resent particularly the slur on the name of the late Senator Kerr. Bob Kerr was one of the most able and respected Members of this body. To refer to him as the "grandest pork barreler of them all, a man who chivvied more than $1.2 billion out of the Treasury to adorn his native State" is an insult to a great Senator. It is both factually inaccurate and in very poor taste. That sentence typifies the entire article—in tone and factual content. As far as the facts are concerned: First, $333 million has been appropriated, contrary to the implication that $1.2 billion has been spent; and second, of the total cost of the project, half or around $600 million will be for Arkansas units—$1.2 billion will not be used to "adorn" Oklahoma. It is not becoming of a major national magazine to refer in this derisive, sneering manner to one of the most conscientious public servants ever to sit in the Senate. I think the authors and the publisher owe an apology to the Kerr family.

While they are at it they might also apologize to the entire Congress.

EXHIBIT 1

THE LIBRARY OF CONGRESS,
Washington, D.C., June 14, 1963.

To: Senator J. W. FULBRIGHT,
Attention: Mr. Norvill Jones, Legislative Assistant,
From: Theodore M. Schad, senior specialist in engineering and public works.
Subject: Costs and benefits of Federal civil public works programs included in public works appropriations bill.

This memorandum is prepared to furnish you with information on appropriations for civil public works since the turn of the century, and the benefits that are being realized from the projects constructed with the funds appropriated. The information has been obtained from annual reports of the agencies involved.

The public works appropriations bill includes funds for construction of navigation, flood control, irrigation, water supply, beach erosion control, and multiple-purpose projects of the Corps of Engineers, Bureau of Reclamation, and Tennessee Valley Authority.

Appropriations for construction of such projects from the turn of the century through fiscal year 1962 are as follows:

[Millions of dollars]

Corps of Engineers (fiscal years 1900 to 1962, inclusive):	
Construction:	
Navigation	3,156
Flood control	4,295
Multiple purposes (including power	3,660
Beach erosion control	9
Subtotal, Corps of Engineers, construction	11,120
All other [1]	3,448
Total appropriations to Corps of Engineers, civil functions	14,568
Bureau of Reclamation (fiscal years 1903 to 1962, inclusive):	
Construction (irrigation, hydropower, municipal water supply, and other purposes)	4,117
All other [1]	854
Subtotal	4,971
Tennessee Valley Authority (fiscal years 1933 to 1962, inclusive): For all programs	2,035
Grand total appropriations for water resource related public works since 1900	21,574

[1] Operation and maintenance, surveys and investigations, administration, and miscellaneous expenses.

It can generally be shown that benefits from these programs far exceed their costs. For example, the Corps of Engineers estimates that monetary flood damages prevented by its projects during fiscal year 1962 exceeded $660 million, while total cumulative flood damages prevented since the inception of the flood control program in 1928, were over $11.3 billion. These benefits alone would more than justify the entire civil works program of the Corps of Engineers, considering that the flood control projects have many more years of useful life. There is, of course, no way of estimating the number of lives saved, or personal hardship alleviated, which are extremely important, if not measurable, benefits of the program.

Navigation benefits are somewhat harder to measure, because it is difficult, if not impossible, to determine how much traffic would have moved by water in the absence of an improved project. The latest figures available, for calendar year 1961, show that 210 billion ton-miles of cargo moved on inland waterways. If the benefits from this movement of commerce were estimated at the very low figure of 2 mills per ton-mile, benefits would exceed $400 million annually. In addition, the bulk of the Nation's foreign and coastwise traffic, totaling 329 million tons and 207 million tons, respectively, in 1961, moved through harbors improved under the Corps of Engineers navigation program. Unquestionably, the benefits from the increased commerce made possible through navigation improvements exceed $500 million a year, although it cannot be measured accurately.

Benefits from municipal and industrial water supply of 1,200 millions of gallons daily available from Corps of Engineers reservoirs, at a nominal value of 2 cents per thousand gallons for untreated water in reservoirs, would yield a benefit of $8.76 million annually. This is a new and growing program, the importance of which will increase greatly as the demands on the Nation's water resources increase. The intangible benefits from the availability of water supplies in reservoirs would doubtless exceed the value of the water withdrawn, although there is no way to measure this benefit in monetary terms.

Hydroelectric power generated at Corps of Engineers projects, in excess of 30 billion kilowatt-hours in fiscal year 1962, yielded over $112 million in wholesale power revenues. Again, economists cannot agree on the measure of the benefits from this large amount of low-cost hydroelectric power, but it would be at least equal to the revenues obtained at wholesale.

A corollary benefit from the Corps of Engineers reservoirs stems from their use for recreation. The corps estimated that 120 million visitor-days of use were provided at its reservoirs in 1961. At a nominal value of 50 cents per visitor-day, this would yield a benefit of about $60 million annually.

Thus, for projects the construction cost of which is $11,120 million, annual benefits are estimated to be in excess of $1,340 million, and, as indicated above, the cumulative benefits from flood damages prevented through 1962 is almost sufficient to have returned the entire cost of the entire programs, long before the useful life of the projects is over.

Bureau of Reclamation irrigation projects have yielded crops with a gross value of $17.65 billion from the inception of the program through 1961, and gross crop values have exceeded $1 billion annually for the last 3 years. Revenues from the sale of power generated at Bureau of Reclamation projects is in excess of $60 million annually, and cumulative total power revenues collected by the Bureau of Reclamation is over $977 million, through fiscal year 1962. While the net benefits from this program are difficult, if not impossible, to determine, it is clear that the lasting increase in gross national product due to the program is many times in excess of the Federal costs of the program, and the costs of the program will be returned many times over through increased income taxes collected on the income generated by the projects.

Tennessee Valley Authority power revenues are running at a rate of about $250 million annually. Flood damages prevented by TVA projects in 1960 were only $4.7 million, but have totaled over $300 million since the project was initiated, well in excess of the costs allocated to flood control. Savings to shippers on the 2.3 billion ton-miles of commerce which moved on TVA waterways in 1960 were estimated by TVA at $26.9 million in 1960, for a cumulative benefit of $212 million since inception of the program, far in excess of the costs allocated to navigation. Navigation benefits from TVA projects, estimated on a more conservative basis, are included under the Corps of Engineers totals.

Total expenditures proposed in the 1964 budget for water resources and related developments by the agencies discussed above and other agencies (not all included in the public works appropriations bill) would be $1,477.1 million. Thus, it is clear that the annual benefits from those projects previously constructed are in excess of the annual appropriations required for the larger program of construction now underway.

MOBILIZATION OF UNITED CHURCH OF CHRIST IN STRUGGLE FOR RACIAL JUSTICE

Mr. HART. Mr. President, the Fourth General Synod of the United Church of Christ, meeting in Denver, Colo., on July 5 adopted a comprehensive plan for mobilizing the entire membership of the United Church of Christ in the current struggle for racial justice.

An 11-man committee was named to undertake a program of direct involvement in all phases of the civil rights movement. A distinguished and able citizen of Michigan, the Reverend Nicholas Hood of Detroit, was selected as the chairman of this committee.

I ask unanimous consent that the resolution adopted by the Fourth General Synod of the United Church of Christ entitled "Action for Racial Justice Now" be printed at this point in my remarks.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

FOURTH GENERAL SYNOD, UNITED CHURCH OF CHRIST—ACTION FOR RACIAL JUSTICE NOW

Whereas the racial crisis in this summer of 1963 is a sign of God's action in the history of the United States, the church must now become radically committed at particular times and places to the struggle of our fellowman:

To get the best job for which he is qualified and not be told, "come back later";

To work at the top jobs and not just those in the lowest paid categories;

To establish fair employment practices guaranteed by law on the Federal and all other levels of government, since discrimination in employment robs a man of daily bread for himself and his family;

To expose the cant and hypocrisy which keep him down even among those supposed to be his friends, whether they be churches, labor unions, management or political organizations;

To live where he pleases without paying the double-standard dollar;

To get the best schooling possible even if desegregation upsets educational traditions;

To gain acceptance as a person of worth who may marry whomever he loves and whoever loves him;

To secure public accommodations freely and without insult;

To exercise his God-given rights to protest injustice without suffering the intolerable penalties that we regularly read of in the newspapers;

To gain a larger share in the ownership and use of capital;

To receive equal protection under the law and equal justice in the courts;

To obtain crash programs of special assistance in such critical areas as health, education, welfare, citizenship, housing, and employment, enabling victims of racial discrimination to achieve equality-in-fact;

To push for all that is due here and now without heeding those who counsel patience, moderation, and gradualism; and

To register, vote, and run for office without fear of retaliation, either overt or subtle.

Therefore the General Synod, in session in Denver, Colo., seeking to bring the light of the Christian gospel to bear on the present crisis in race relations confronting our country and the world and thankfully recalling the long-established positions of the Congregational Christian Churches and the Evangelical and Reformed Church and now the United Church of Christ in the field of relations between the races, on July 5, 1963, takes the following actions:

(1) The general synod calls upon the members of the United Church of Christ to uproot intolerance, bigotry, and prejudice within our own lives and to replace them with good will and the determination to strike down immediately the barriers which divide men on account of race. The General Synod calls upon all members to make it plain to all the people with whom we live and work that the church and the members thereof stand for brotherhood.

(2) The general synod believes that the United Church of Christ must free itself of segregation.

(a) To this end, and understanding that the decision must be made for itself by each local congregation, the general synod urges the churches to declare officially and publicly that their fellowship is open to all who qualify for membership without any restrictions as to race, class, or ethnic background. The general synod also urges the churches to declare officially and publicly a policy of calling pastors and employing church staff members without any restrictions as to race, class, or ethnic background. When these actions are taken, the general synod asks that a report be made to the secretary of the church.

(b) The general synod urges the conferences and the associations of the United Church of Christ to become fully integrated "with utmost dispatch."

(c) The general synod promises to utilize to the full the contribution that its Negro members and other racial and minority groups can make to the life and work of the united church, giving these persons their share of leadership opportunities and responsibilities.

(d) The general synod calls upon institutions related to the church to desegregate forthwith.

(3) The general synod proposes to mobilize the manpower and means of the church for racial justice.

(a) To this end, the general synod requests the president of the church, after consultation, to appoint a committee consisting of 11 nonnational-staff persons, including in its membership both white and Negro persons who are trusted throughout the church and have competence in the field of race relations. The life of this committee shall extend until the next meeting of the general synod.

(b) The general synod votes to give to that committee the power to decide how the resources of the church contributed for this purpose will be used in the effort to secure racial equality and social justice both at home and abroad.

(c) The general synod accepts the offer of the Council for Christian Social Action and the Division of the Church Extension of the Board for Homeland Ministries to provide the services of Dr. S. Garry Oniki; approves Dr. Oniki's appointment as executive coordinator of this effort; and suggests that the work and program of this committee normally be implemented by committing it to one of the existing agencies so that money can be conserved for actual program needs. In other cases, the committee would be authorized to borrow on a temporary basis experienced staff from the instrumentalities.

(d) The program which this committee shall project could include but need not be limited to:

a. Mobilizing the whole membership of the church, to join where possible with our Protestant, Roman Catholic and Jewish brethren, on a community basis, to meet the need of the situation on the local level;

b. Providing of bail bonds for those who are arrested as they demand social justice;

c. Providing legal defense for such persons;

d. Providing economic aid to persons who lose their jobs because of their participation in activities in behalf of racial equality;

e. Providing financial aid for institutions whose support is threatened by those who oppose an "open policy" of service;

f. Mobilizing the United Church of Christ, its individual members, congregations, associations and conferences to press for the adoption of legislation to guarantee civil rights;

g. Supporting and commending those church members who successfully begin the integration of their own immediate neighborhoods;

h. Extending the program of voter registration;

i. Urging Christians to give all possible assistance to small businesses in making the transition to nonsegregation; and

j. Providing other emergency or long-term help, the need for which only the future will reveal.

NOTE.—All this work, where at all possible, shall be undertaken in cooperation with the National Council of Churches, State and local councils of churches, the National Conference of Religion and Race, and other interreligious and community groups.

(4) (a) The general synod challenges the people of the United Church of Christ to bring an emergency special offering of funds to cover the cost of this program. The general synod votes that the first of these offerings will be received this fall. The setting of the date for the second offering is left to the executive council.

(b) The general synod commits the responsibility for raising these funds to each congregation and to each member of the church under the direction of the stewardship council.

(c) The general synod also authorizes the officers of the church to borrow against these offerings to be received to the extent of $100,000 in order to begin the work immediately.

(d) The general synod votes to receive an offering at the coming Sunday night ecumenical service here at the general synod as the beginning of this fund, and suggests that congregations and individuals that wish to add to this fund before next fall will be able to do this by sending their contributions to the treasurer of the United Church of Christ, 297 Park Avenue South, New York 10, N.Y.

(5) The general synod calls upon the members of the United Church of Christ to pray that justice and good will shall prevail and then to work in order to make the fulfillment of that prayer possible.

ELIMINATION OF NATIONAL ORIGINS IMMIGRATION QUOTA SYSTEM

Mr. HART. Mr. President, on July 23 the President of the United States sent the Congress an historic message calling for the elimination from our immigration laws of the national origins quota system.

On August 7, a communication signed by 72 national and local organizations from across the country was forwarded to the President endorsing his immigration message. One need but review the organizations thus listed to realize the concern among thoughtful people of this Nation for enactment of this legislation.

I ask unanimous consent that the communication and the list of organizations signing it be printed at this point in my remarks.

There being no objection, the communication was ordered to be printed in the RECORD, as follows:

AUGUST 7, 1963.

To the PRESIDENT OF THE UNITED STATES:

We, the undersigned organizations, wish to endorse strongly the historic step you have taken in your message of July 23 in calling for the elimination of the national origins quota system.

We have long urged the removal of this discriminatory aspect of our American immigration policy.

We are greatly encouraged and wish to express our appreciation for the outstanding leadership you are giving in this major field of human rights.

American Baptist Home Mission Societies.
American Civil Liberties Union.
American Council for Emigres in the Professions.
American Council for Nationalities Service.
American Committee on Italian Migration.
American Federation of Jews from Central Europe, Inc.
American Federation of Musicians.
American Friends Service Committee.
American Fund for Czechoslovak Refugees.
American Jewish Committee.
American Jewish Congress.
Anti-Defamation League of B'nai B'rith.
B'nai B'rith, National Commission on Citizenship, Veterans and Community Affairs.
Brethren Service Commission.
Catholic Committee for Refugees.
Catholic Relief Services, NCWC.
Church World Service, National Council of Churches of Christ.
Council for Christian Social Action of the United Church of Christ.
Division of Immigration and Americanization, Commonwealth of Massachusetts.
General Conference of Seventh-Day Adventists.
Governor's Commission on Refugees, Boston, Mass.
Greater Miami Section, National Council of Jewish Women.
Hias and Council Migration Service of Philadelphia.
Immigrants' Service League.
International Institute of Gary, Ind.
International Institute of Greater Bridgeport, Inc.
International Institute of Jersey City.
International Institute of Los Angeles.
International Institute of Metropolitan Detroit.
International Institute of Providence, Inc.
International Institute of San Francisco.
International Institute of Toledo, Inc.
International Rescue Committee.
International Social Service—American Branch.
International Union of Electrical, Radio & Machine Workers, AFL–CIO.

International Union, United Automobile, Aerospace & Agricultural Implement Workers of America UAW.

Iuliu Maniu American Romanian Relief Society.

Italian Welfare League.

Japanese American Citizens League.

Jewish Community Relations Council of Greater Philadelphia.

Jewish Community Relations Council of Greater Pittsburgh.

Jewish Counseling & Service Agency.

Jewish Labor Committee.

Jewish War Veterans in the U.S.A., National National Ladies Auxiliary.

Lutheran Immigration Service.

Methodist Committee for Overseas Relief.

Michigan Committee on Immigration.

National Board YWCA.

National Catholic Rural Life Conference.

National Catholic Welfare Conference, Department on Immigration.

National Community Relations Advisory Council.

National Conference of Catholic Charities.

National Council of Jewish Women.

National Council Protestant Episcopal Church, Department of Christian Social Relations.

National Travelers Aid Association.

Nationalities Service Center of Philadelphia.

Naturalization Council of Metropolitan Area, Kansas City, Mo.

New York Association for New Americans.

New York Protestant Episcopal City Mission Society.

New York Section—National Council of Jewish Women.

Order of AHEPA.

Philadelphia Citizens Committee on Immigration and Citizenship.

Polish American Immigration and Relief Committee.

Selfhelp of Emigres from Central Europe.

The United Presbyterian Church in the U.S.A., Committee on Resettlement Services.

Tolstoy Foundation.

Ukranian Workingmen's Association.

Union of American Hebrew Congregations, Social Action Commission.

United Friends of Needy and Displaced People of Yugoslavia.

United HIAS Service.

United States Committee for Refugees.

United Steelworkers of America.

ELIMINATION OF NATIONAL ORIGINS IMMIGRATION QUOTA SYSTEM

Mr. HART. Mr. President, the Detroit News in a July 25 editorial endorsed President Kennedy's call for the elimination of the national origins quota system from our immigration statutes as a reform which is "sound and long overdue."

The editorial points out that the old system based on national and racial quotas would be replaced by a system giving preference to individuals of talent and special skills, and to parents of American citizens.

Having introduced the bill recommended by the President, I am hopeful that responsible editorial opinion will broaden public support.

Responsible, discerning editorial support such as this will broaden public understanding and support for the bill recommended by the President and which, when I introduced it on July 24 (S. 1932) was cosponsored by 26 Senators of both parties.

Mr. President, I ask unanimous consent that the Detroit News editorial be printed at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Detroit (Mich.) News, July 25, 1963]

OVERDUE REFORM

The last thing Congress needed this session was another piece of "compelling" legislation. But judged on its merits, the President's proposal for reform of the Federal immigration laws is sound and long overdue.

The quota system based on the nationality of American citizens as determined by the Federal census of 1920 did not make too much sense when it was installed in 1924. It makes less now.

The President called for a law that "serves the national interest and reflects in every detail the principles of equality and human dignity to which our Nation subscribes." This definition certainly does not describe the present system, whose motto seems to be: "Let's keep the United States populated by the same kind of people who are already here."

Mr. Kennedy sees the national interest served by allowing the settling here primarily of an elite based on individual talent and ability, or upon the Nation's need for certain skills. Priority would also be given to parents of American citizens. The number of immigrants to be permitted entry would be only slightly increased and there are checks and balances controlling the percentage of immigrants from any one nation.

The law is thus somewhat of a compromise, but much more soundly based on rationality than the smug prejudice which underlies the quota system.

In the timing of his message to Congress, the President could be accused, probably justly, of political haymaking. But his recommendations make sense and they are at least before Congress and will confront other sessions than the current very involved one.

TRUTH-IN-PACKAGING BILL, TAX REFORM, AND THE TEST BAN TREATY

Mr. HART. Mr. President, top priority legislative business such as civil rights, tax reform, and the test ban treaty are foremost in most of our minds. Yet other legislative proposals also deserve our attention and support. The truth-in-packaging bill (S. 387) which was recently favorably reported to the Judiciary Committee by the Antitrust and Monopoly Subcommittee, is such a measure.

The bill is aimed at the preservation of integrity and rationality in the marketplace and, therefore, is important both to the economy and to the American consumer.

In my opinion, 2 years of extensive hearings by the Antitrust and Monopoly Subcommittee have established conclusively that present law is not adequate to meet the changing conditions in the marketplace resulting from the prepackaging revolution of the past two decades.

Until 3 weeks ago, my mail was running approximately 98 percent in favor of this legislation. But recently we have received a rash of letters triggered by a special "status report" by the U.S. Chamber of Commerce entitled, "Business Action Needed Now To Stop Packaging Bill in Senate Committee."

These letters, most of which are similar in tone, forecast untold damage to the free enterprise system if this legislation is enacted.

I am at a loss to understand how free enterprise can be injured by requiring a package to fairly represent the product inside and to present basic content information in a way which can be translated readily into price-per-unit cost.

The primary result of passage of this bill would be to increase rationality in the marketplace which is, after all, the foundation of the free enterprise system. How else can the manufacturer who produces a better product at a better price be rewarded for his efficiency?

That this fact is well recognized by the vast majority of businessmen in this country is indicated by a recent survey conducted by the National Federation of Independent Business of its 190,000 members. This membership poll on the truth-in-packaging bill revealed that 79 percent favor the legislation, only 18 percent oppose it. Three percent had no opinion.

The public opinion this poll reflects is substantiated by editorials favoring the legislation in such discerning and influential newspapers as the New York Times, the Washington Star, the Washington Post, and the St. Louis Post-Dispatch.

Both the American businessman and consumer have made it clear that the passage of S. 387 is necessary to protect their best interests.

I ask unanimous consent that the release of the National Federation of Independent Business announcing the results of the poll and the newspaper editorials referred to above be printed in the RECORD.

There being no objection, the poll and editorials were ordered to be printed in the RECORD, as follows:

[From the National Federation of Independent Business, Inc., Press Service]

TRUTH IN PACKAGING

The Nation's independent business proprietors, even though many of them are engaged in retailing and wholesaling, are in favor of regulations ending deceptive practices in packaging.

This is reported by C. Wilson Harder, president of the National Federation of Independent Business, in announcing that in a just completed nationwide poll of the organization's membership, 79 percent favor the Hart bill, only 18 percent oppose, and 3 percent had no opinion on the matter.

The proposed legislation introduced by Senator PHILIP A. HART, of Michigan, would require packages, especially in food, soap, drug, and cosmetic items, to be plainly marked as to the exact weight of the contents. The proposal would also set up standards as to where this information would be displayed on the package, and the degree of prominence that it must be given. It would also establish standards of size terminology for the terms such as "small," "medium," or "large."

It would also prohibit the packer from stating on the package that the product is being offered below the normal retail price, or that a price concession is being made because of the size or quantity of the container.

The measure would also outlaw "trick" packages that deceive the consumer through the use of unusual shapes, sizes, or proportions.

Commenting on the vote among independent businessmen, Mr. Harder said, "When

Senator HART introduced this bill, it was considered primarily as protection for the consumer. However, since putting the issue up to a nationwide vote, we find that independent merchants are complaining about the 'loading tactics' that often accompany package changes. In other words, a packer will change his package to contain a part of an ounce more or less, or redesign the package to give the impression of great contents, and immediately this move obsoletes the merchandise which the independent stores have in inventory."

Independent packers and processors also report that the constant change of packages by some big, national concerns is causing them unwarranted competitive problems.

A processor or packer marketing on a regional basis must amortize the cost of package redesign and production over a small number of unit sales than a big, national operator who can spread the cost over much higher unit sales.

"Thus," Harder comments, "when a big, national marketer changes a package to give an illusion of greater value, or comes out with a 'giant economy' container, in order to stay on the shelves, the regional operator must go to extra expense to try to meet the competition."

This entire practice is resisted by the independent retailers and wholesalers as it requires finding room for new package sizes which only vary slightly from the normal sizes, as well as additional inventory capital, Harder states.

In addition, the independent retailer, because he does meet customers face to face, takes the brunt of criticism from the consumers when they learn that they have been duped into paying more for less value.

"And, above all," Harder commented, "there appears to be a feeling that merchandise should be sold on the basis that a pound is a pound, and the fact that a package contains, or does not contain, a full pound, should be clearly established."

[From the St. Louis Post-Dispatch, June 17, 1963]

SENATOR HART'S HAPPY LANDING

Senator HART, of Michigan, who is having some trouble getting legislation against deceptive packaging and labeling, has come up with what looks like a very good answer to the argument that American housewives are too smart to be fooled. This argument has become a firm line with opponents of the bill and recently it has begun to be reflected in the Senator's mail. Senator HART does not wish to put himself in the position of disparaging women's intelligence.

"I wish to make it perfectly clear," he told the Senate, "that I am married to a brilliant American woman. She is a licensed helicopter pilot and a licensed multiengine airplane pilot with an instrument rating. I have watched her with a calculator and radio communications get me from place A to place B through a fog safely—something I could not dream of doing. My wife tells me that when she goes into a supermarket she has a great deal more trouble landing right than she does when she lands in a fog."

Mrs. Hart's example disposes rather neatly, we think, of the already fairly feeble notion that labeling and packaging legislation would be a canard on the wit and wisdom of women. As Senator HART leaves the matter, American housewives possess the intelligence to fly by instruments through a fog, but should not be required to resort to it in order to buy groceries.

[From the Washington Evening Star, July 8, 1963]

WHAT ARE YOU BUYING?

That feeling of bewilderment and frustration often shared by superstore shoppers is no mere coincidence. To begin with, all are wandering through a labyrinth stocked with some 8,000 items of every shape, size, weight, brand and price from which to choose, as economically as possible, the necessities of food, cosmetics, household items and the like.

It would be taxing enough if each knew, as he reached for a certain product, just what he was paying for in comparison with a competing product. But it can be downright defeating when the thrifty shopper, taking the time to read the fine print, finds himself completely baffled by the unmatching assortment of weights, quantities and sizes offered at a wide variety of prices.

Chances are, he will agree with Senator HART, of Michigan, and the Senate Antitrust Subcommittee of the need for a "truth-in-packaging" bill to curb deceptive labeling and packaging practices. During hearings the past 2 years the subcommittee has vicariously followed shoppers through a stupefying maze of "full" quarts which grow into "jumbo" quarts and finally attain "giant imperial" quart size. The once-respectable pint is no more. It has succumbed to the "giant half-quart."

These mirages, however, are innocuous compared with other items which bemused the subcommittee, such as economy-size packages of unproven economic worth, sizes dealing in fractions of ounces and almost impossible to compare as to price with other odd-sized packages, impressive-sized boxes partly filled with air, and oddly shaped containers holding less than they appear to.

The "truth in packaging" bill would standardize the contents of small, medium and large packages, halt the deceptive "cents-off-regular-price" practice, insist on clearly printed weights and contents prominently displayed on packages and clarify other misleading points such as the number of persons a package will serve.

There is nothing in the bill any honest producer should fear. There is a great deal which will help the homemaker to more effectively spend the 20 percent of the family budget used for such purposes. We think that the public is fed up with this kind of treatment and that the full Senate Antitrust Committee should do something about it by favorably reporting the bill this month.

[From the New York Times, May 18, 1963]

TRUTH IN PACKAGING

The Senate antitrust and monopoly subcommittee will decide in the next few weeks whether to report out the truth in packaging bill sponsored by Senator HART of Michigan and eight other Democrats. The bill is designed to protect buyers against the grossly misleading designations, illustrations and size manipulations that often make sensible shopping almost impossible.

Deceptive packaging and labeling practices, as President Kennedy observed in his consumer message last year, are "clearly incompatible with the efficient and equitable functioning of our free competitive economy." In the modern supermarket the function of salesmanship has largely been taken over by the package. Consumers have a right to expect that packages will carry trustworthy information about their contents, set forth in a manner that permits ready comparison with competing products. Responsible manufacturers will benefit as much as the shopper from legal safeguards against unethical competition.

Senator HART announced when public hearings closed last month that modifications were planned to ease some excessively restrictive features in the bill's original draft. These should help guard against the danger of stifling ingenuity or enterprise in making foods and other goods more attractive to buyers. The general purposes of the measure are sound and deserving of subcommittee support. On the basis of positions already indicated, it appears that the key vote may be that of New York's Senator KEATING. His attitude toward the bill may determine whether it goes before the full Judiciary Committee and from there to the Senate floor.

[From the Washington Post, May 20, 1963]

INSIDE STORY

Have you been misled by packages promising a "giant half quart" or confused by labels giving exotic quantities for making price comparisons? With more and more emphasis on consumer packaging, it seems a legitimate public concern that the labels bear a proximate relationship to truth. This at least is the contention of Senator PHILIP A. HART who, with a group of colleagues, has introduced a "truth in packaging" bill. The legislation is now before the Senate Antitrust Subcommittee, and it seems to us that favorable consideration is in order.

Extended hearings have disclosed abuses and have pointed to the lack of remedies under present law. The proposed bill would permit the Food and Drug Administration to issue regulations that would assure honest and conspicuous labeling. When necessary, the FDA would also be authorized to establish standard weights and measures in which commodities may be sold and determine what constitutes "small," "medium" or "large" in various items. The bill is not designed as a criminal measure but is an amendment to the Clayton Act, stressing civil sanctions.

Though there may be dissent on details of the legislation, the essential principle is surely sound. The old doctrine of caveat emptor has long been modified by the law, and it is as much a technique of unfair competition to mislead on size as to deceive with misleading advertisements. Secretary of Commerce Hodges, who is not insensitive to business needs, says of the measure: "The bill would not only serve to protect the interests of consumers throughout the country, but would also serve to protect and advance the interests of manufacturers, packagers, and all other business elements participating in the distribution of consumer goods."

TRIBUTE TO JIUJI GEORGE KASAI

Mr. FONG. Mr. President, during the past few weeks I have had the pleasure of meeting and talking with a distinguished Japanese gentleman, scholar, business executive, and statesman, Jiuji George Kasai, president of the Japan-American Cultural Society, Tokyo, Japan.

For more than 50 years he has been fighting for Japanese-American friendship, and he is in Washington, D.C., now as an ambassador of good will to promote stronger understanding between the two countries.

Mr. Kasai first came to the United States in 1903 and attended Broadway High School in Seattle, where he won honors as the State's best high school orator. He then entered the University of Chicago, graduating in 1913. During his undergraduate days at Chicago there was a strong anti-Japanese movement on the Pacific coast. Before graduation he participated in oration in which he appealed to the American sense of justice and advocated American-Japanese friendship. For this he won the highest prize for oratory, the "Julius Rosenwald Prize for Excellence" and also was awarded a prize by the Carnegie Foundation for Peace.

After Chicago, he went on to Harvard, receiving an M.A. degree from that institution in 1915.

Following completion of his studies in the United States, he returned to Japan and served first as a member of the Tokyo Municipal Assembly, and later in the House of Representatives from his native Yamanashi Prefecture. As a member of the Diet, he opposed war against the United States and was imprisoned by the militarists as a "pro-American traitor."

A Chicago alumnus, he returned to Chicago in June for a 50th reunion of his class of 1913 and presented a huge portrait of the man he had admired most of all throughout his life: Abraham Lincoln. From Tokyo, he hand-carried a 4- by 6-foot painting of Lincoln. The painting is unique, for it was drawn on silk cloth lined with goldleaf with black Japanese brush ink. The painter is Shinsui Igarashi, one of the leading artists in this particular field of painting.

"I consider Lincoln as the champion of freedom and justice," he said, "and during my years at the University of Chicago I visited all historical places in the State of Illinois, such as the place where he made a famous speech against Stephen Douglas."

He built Lincoln Memorial Library in Tokyo with 40 years of his labor, but it was completely destroyed by the American air raid on May 25, 1945.

The 75-year-old Kasai emphasized:

> All through my life I was inspired by Lincoln, by his principles, conviction, justice and freedom.

Since February 12, 1951, Mr. Kasai has continued to hold Abraham Lincoln's birthday celebration in Japan. On the occasion of the 150th anniversary of the Great Emancipator, on February 12, 1959, he held the sesquicentennial anniversary celebration in the Hibiya Public Hall in Tokyo. In this celebration the Prime Minister and the Foreign Minister of Japan participated, and many eminent leaders and thousands of his countrymen attended. Prominent American leaders and statesmen sent eulogies and messages of congratulation. Only this year was Mr. Kasai able to complete the proceedings of that birthday celebration. The program is of historic interest.

I consider this celebration of Abraham Lincoln's birthday in Japan to be noteworthy. I would like to pay tribute to Mr. Kasai, an eloquent spokesman for the ideals of Abraham Lincoln and for his democratic principles in Japan, and I congratulate Mr. Kasai for his great services rendered in the cause of lasting peace and friendship between Japan and the United States.

I ask unanimous consent to have the salient part of the program to which I have referred printed in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

ABRAHAM LINCOLN AND DEMOCRACY

(Address by Jiuji G. Kasai, president, the Japan-American Cultural Society)

Mr. Chairman, Excellencies, ladies and gentlemen, we are gathered here to commemorate the 150th anniversary of the birth of Abraham Lincoln, 16th President of the United States. Today, the American Government and people are celebrating the sesquicentennial birthday of their greatest statesman, and we are assembled here in the Hibiya Public Hall in Tokyo to honor the memory of the Great Emancipator.

Lincoln is loved and admired by the Japanese people. During my student days in the University of Chicago in 1909–13 I traveled through the Lincoln country in Illinois, and became his ardent student and admirer.

In Washington in the fall of 1941 in the crucial days of American-Japanese relations, I asked my American friend to take me to the old battlefield of Gettysburg, Pa., to pay tribute to Lincoln. Under the canopy of clear autumn skies, overlooking the rolling hills decorated with golden colors, I stood on the very spot where Lincoln delivered the immortal eulogy on November 10, 1863, and recited the famous speech to my heart's content.

On my visit to Chicago in February 1950, I attended Lincoln's birthday celebration in Oakridge Cemetery of Springfield, Ill., at the invitation of Gov. Adlai E. Stevenson. It was a terribly snowy day, and I sped through the vast prairie of Illinois in a strong blizzard in a car of my classmate Otto Schnering, president of Curtiss Candy Co., driven by his secretary Harry Mayeda. In the morning of February 12, I joined the ceremony under the auspices of the Veterans of Foreign Wars of the United States, and laid a wreath under Lincoln's casket and paid my eulogy which was broadcast nationwide by Columbia Broadcasting System.

On February 12, 1951, we held Lincoln's birthday celebration for the first time in Japan in this same hall, and today is our 14th annual celebration. On that occasion, we invited Mr. John D. Rockefeller III, member of John Foster Dulles' Peace Mission, who said:

"Our two countries have much in common. We have much to gain by working together. We in America look forward to increasingly close relations between the peoples of our two nations. May the spirit of Lincoln always be a mutual and binding source of inspiration."

Today, in commemorating the sesquicentennial anniversary of Lincoln's birthday, we are very glad to have the honor of the presence of many distinguished guests. Prime Minister Kishi and Foreign Minister Fujiyama expressed their regrets for their inability to be present due to important Diet sessions. American Ambassador Douglas MacArthur II is represented by his cultural attaché, Dr. Donald Bartlett. We have received messages from former Prime Ministers Mr. Shigeru Yoshida and Mr. Ichior Hatoyama.

We are especially happy to receive messages and cablegrams from many eminent American statesmen and leaders. Among them are U.S. Senators Hon. J. William Fulbright, Hon. Paul H. Douglas, Hon. Everett M. Dirksen, and Hon Styles Bridges; Gen. L. L. Lemnitzer, U.S. Army, Vice Chief of Staff, in Pentagon, Washington; Mr. John D. Rockefeller III who is traveling in India; Mr. Dean Rusk, president of Rockefeller Foundation, New York; Gen. David Sarnoff, chairman of Radio Corporation of America; Chancellor Lawrence A. Kimpton of the University of Chicago, and illustrious Luther A. Smith, sovereign grand commander of Supreme Council of Freemasonry, and many other leaders.

We are very glad to welcome Dr. Paul Angle, president of the Chicago Historical Society, and an eminent scholar on Lincoln. Dr. Angle has been sent by the American Government, and will speak on "Abraham Lincoln."

To add the Japanese spirit to today's program I have arranged "Shigin," classical poem, by Professor and Mrs. Gakufu Furukawa; and Kembu, sword dance, by famous Prof. Raifu Hibino who is 73 years old. Finally, the film brought by Dr. Angle, "Meet Mr. Lincoln," will be shown.

The life and character of Abraham Lincoln have given us a great inspiration. He freed Negro slaves and saved the Union. He sacrificed his life on the altar of freedom and inspired mankind with his democratic principles. Those immortal principles of "government of the people, by the people, for the people" are embodied in the new Japanese Constitution.

Lincoln's magnanimity to the vanquished South helped to heel the wound of the Civil War. He paid his magnificent tribute to American character in his second inauguration on March 4, 1865 in saying:

"With malice toward none; with charity for all; with firmness in the right, as God gives us to see the right."

These words are the keynote of Lincoln's appeal for love and brotherhood for humanity. The spirit of magnanimity has become the foundation of America's national policy, and it was manifest in the policy of Gen. Douglas MacArthur's occupation of Japan. Today Japan and the United States are bound by the security treaty for the defense of the free world against Communist aggression.

These noble words and deeds of Abraham Lincoln penetrate into the hearts of mankind. May the spirit of the Great Emancipator eternally bind the peoples of the United States and Japan for the peace and tranquility of the world.

ABRAHAM LINCOLN: THE BASES OF HIS FAME

(By Paul M. Angle, director, the Chicago Historical Society)

This month, in many parts of the world as well as in the United States, the 150th anniversary of the birth of Abraham Lincoln is being celebrated.

On occasions like this there is danger of being merely eulogistic, of praising Lincoln without stopping to ask why he was a great man. This afternoon I propose to ask that question and, I hope, answer it.

We of the United States consider Lincoln to be one of the greatest Americans because he led his people to victory in the American Civil War. Basically, that war was an attempt on the part of certain States of the South to separate from the United States and set up a nation of their own. Although the Southern States had many reasons for their action, the principal one was their desire to preserve Negro slavery. (Most of the Northern States had abolished slavery many years earlier.)

Lincoln had no choice but to oppose the southern attempt to form a new nation. When he became President a few weeks before the war broke out, he had taken an oath to support the Constitution, and the Constitution did not provide for disunion. Besides, he believed firmly that the future greatness of the United States depended on its continuing to be an undivided nation—a belief that was prophetic in the light of Germany and Korea today.

But Lincoln had a deeper purpose than the perpetuation of the Union. In his view, the future of democracy depended on keeping the United States from breaking up into two countries.

When the American colonies rebelled against Great Britain in 1776 and formed a new Nation, they became the first important country in modern times to establish a democracy, or as Lincoln defined it, a government "of the people, by the people, for the people." Even in Lincoln's time, though more than three-quarters of a century had passed, the world was not convinced that democracy could be made to work. The French had tried it after their Revolution but had soon reverted to empire. In South and Central America there were what were called democracies, but in fact these were unstable dictatorships offering evidence, if anything, of democracy's weaknesses.

So Lincoln believed that the fate of democracy as a form of government depended upon the survival of the United States as a united nation. In one of the first opportunities he had to address the American people—his message to Congress of July 4, 1861—he stated what he believed to be the importance of victory.

"This issue," he said, "embraces more than the fate of these United States. It presents to the whole family of man the question, whether a constitutional republic or a democracy—a government of the people, by the same people—can or cannot maintain itself against its own domestic foes."

So that there could be no doubt about what he meant, Lincoln put the issue in even simpler terms. The war that had broken out, he believed, forced the American people to ask themselves two questions: "Is there, in all republics, this inherent and fatal weakness? Must a government, of necessity, be too strong for the liberties of its own people, or too weak to maintain its own existence?"

At every opportunity in his 4 years in office Lincoln emphasized the importance of victory in terms of the democratic faith.

In the course of the war Lincoln had, and took, the opportunity to strike a death blow at slavery. The presence of 2 million slaves in the United States was the great contradiction between American theory and practice. How could slavery be reconciled with the Declaration of Independence, by which the American colonies had justified their revolution against Great Britain? In that declaration they had asserted:

"We hold these truths to be self-evident, that all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness."

As the war progressed, Lincoln became convinced that if the war were to succeed, a blow must be struck at slavery, the basic cause of the conflict. He also believed that in wartime the Constitution gave the President the power, which he would not have had in peacetime, to strike such a blow. Accordingly, on September 22, 1862, he issued the first Proclamation of Emancipation, warning that if the States then in rebellion did not return to the Union by January 1, 1863, he would declare their slaves to be forever free. The rebellious States ignored the warning, so on January 1, 1863, Lincoln issued the second, or final, proclamation as he had promised.

It is true that a constitutional amendment (the 13th) was required to put an end to slavery everywhere in the United States, but Lincoln's Proclamation of Emancipation made this amendment inevitable. Therefore, he can truly be called the Great Emancipator.

We have seen that Lincoln believed that the Union must be preserved in order to prove to the world the strength and durability of democratic government. We have also seen how he removed the one great contradiction—Negro slavery—in American democracy. Now we ask ourselves why Lincoln was so firmly convinced that democracy was superior to all other forms of government.

The answer is to be found in Lincoln's belief that the individual—the common man—had a free chance to advance in life. The democratic society had no classes, no castes, no artificial barriers. Any young man of intelligence, industry, and honesty could better himself, no matter how modest his original circumstances.

Lincoln's belief came out of his own experience. He was a poor boy, and enjoyed only a year of formal schooling. At the end of that time he could read, write, and do simple arithmetic. This was not enough for the station in life to which he aspired, so as a grown man he perfected his education. On his own he mastered grammar so that he could speak and write clearly; he studied advanced mathematics in order to earn a living as a surveyor. Finally he studied law, and in a few years became one of the most highly respected lawyers in his home State of Illinois.

Lincoln also encountered no barrier to his progress in political life. When he was 25 years old he was elected a member of the Illinois Legislature, although he had no influential friends to support his cause. He was reelected three times, and was then chosen a Member of the National House of Representatives. When the new Republican Party was formed he quickly became one of its leaders, and in 1860 was nominated for and elected to the Presidency. Thus the American people bestowed their highest office on a man who had begun life as a poor boy without advantages.

This thought was never far from Lincoln's mind. Often he told soldiers of his own experience, urging them to see in his example a reason for continuing hardship and sacrifice. Perhaps his best statement was the one he made to the 166th Ohio Regiment of Volunteers late in the war.

"It is not merely for today," he told them, "but for all time to come that we should perpetuate for our children's children this great and free government, that we have enjoyed all our lives. I beg you to remember this, not merely for my sake, but for yours. I happen temporarily to occupy this big White House. I am a living witness that any one of your children may look to come here as my father's child has."

Lincoln knew, of course, that few American boys could win the Presidency, but he also knew that in democratic America millions had risen from modest beginnings to positions of prosperity and influence. And he did not believe that this was characteristic of any other form of society.

So, at the time of this 150th anniversary of Lincoln's birth, we see in him a great historical character—the man who preserved the American Union and thus gave proof to the world that democracy was more than an ideal, that it was a highly practical form of government. We—and I mean men of good will everywhere—also see in Lincoln a powerful symbol. His own life proved that democracy does offer the opportunity for anyone to make the most of the capacities with which he has been endowed. That is the meaning of Lincoln for all people.

Message From Prime Minister Nobusuke Kishi

It is my great pleasure to extend my congratulations to the Japan-American Cultural Society today for holding the sesquicentennial celebration of the birth of Abraham Lincoln.

Lincoln is the world's greatest statesman born in the United States. I have paid him my profound respect throughout my life. He is the paragon of liberty, equality and fraternity, and exemplified in his life the true spirit of democracy.

When he was elected to the Presidency of the United States, he faced the great crisis of secession of the North and the South through the question of slavery. And yet, with his firm determination and unflinching courage, he carried out the emancipation of slavery.

As a result, although he fell at an assassin's bullet, Lincoln's name shines throughout the nations of the world today as the Great Emancipator of humanity. We look with admiration that the spirit of Abraham Lincoln has become the foundations of the national policy of the United States.

Today, when Red Communist aggression is threatening the very existence of not only Eastern Asia, but also the entire world we, Government and the people of Japan, must firmly implant Lincoln's democratic principles and strive to make our contributions to world peace.

Nobusuke Kishi,
Prime Minister of Japan.

February 12, 1959.

Address by Hon. Aiichiro Fujiyama, Foreign Minister of Japan

Mr. Kasai, President of the Japan American Cultural Society, honorable guests, ladies and gentlemen; I am highly honored to be given this opportunity today to say a few words at this gathering of the Japan-American Cultural Society, commemorating the 150th anniversay of the birth of Abraham Lincoln, 16th President of the United States of America.

The achievements and anecdotes of Lincoln, the greatest statesman of the United States of America, are widely known in Japan, and the phrase of his Gettysburg Address "government of the people, by the people, for the people, shall not perish from the earth" is especially well known as the expression of the basic principle of democracy.

Fourteen years have now passed since Japan was reborn as a democratic nation at the end of the last war, and 7 years since the conclusion of the peace treaty. It is a matter of great gratification that remarkable progress in reconstruction and democratization has been made in every field during these years.

However, speaking of democracy, it goes without saying that it would never be attained without a long course of history and untiring efforts by individual citizens. In this sense, today, on the occasion of the 150th anniversary of Lincoln's birthday, it is quite significant for us to recall the spirits of democracy and humanity with which Lincoln lived throughout his life and to renew the determination for the democratization and reconstruction of our country. Further, it is my sincere hope, on this commemorable day, that the close friendship happily existing between the new Japan and the United States of America be further advanced and the cause of world peace be enhanced. Thank you.

Telegraphic Message From Hon. Shigeru Yoshida, Former Prime Minister of Japan

Jiuji Kasai,
Japan-American Cultural Society, Tokyo:

I appreciate your noble effort to honor Abraham Lincoln on his 150th birthday anniversary. Lincoln is world's greatest statesman and emancipator of humanity. His spirit of democracy was woven into the new Constitution of Japan. Lincoln is loved and admired by the Japanese people. May Lincoln's noble ideals bind the hearts and minds of the peoples of Japan and the United States for the cause of permanent peace of the world.

Shigeru Yoshida,
OISO.

Message From Ichiro Hatoyama, Former Prime Minister

On this day of February 12, 1959 I am very glad that the Japan-American Cultural Society is celebrating 150th anniversary of the birth of Abraham Lincoln, and I wish to extend my hearty congratulations.

As my father was a graduate of Yale University, I learned from my childhood days about the true greatness of Lincoln and his noble personality.

When I grew up and became interested in politics, I learned his noble spirit of liberty, justice, and fraternity, and his great courage to fight for the cause of humanity; and I have been doing my best to follow his examples.

Today, when we are now facing the important period in my country, we must call forth all our energies to establish our national policy based on Lincoln's democratic principles, and to contribute our shares to world peace based on lasting friendship between Japan and the United States. Again I offer my congratulations on the sesquicentennial celebration of the birth of America's great statesman.

Ichiro Hatoyama,
Former Prime Minister of Japan.

Message From His Excellency Douglas MacArthur II

The U.S. Embassy,
Tokyo, February 12, 1959.

No personage in American history, I am happy to say, is more respected in Japan than is Abraham Lincoln. The same is true in many other countries. I think this is so because he belongs not only to all ages but to all humanity. By his character and by his work he proved once again that the cherished hopes of people do not need to be blind hopes but can be realized if there is faith, courage, and integrity. The humble slave did indeed loose his bonds. But more than that, millions of people throughout the world whose bondage may not be simple and physical, yet who are bound by caste or class or outworn tradition, may, because of Lincoln, lift up their eyes and see the inspiring example of a humble, penniless boy with scant education and no privileges achieve the stature of true leadership—a leadership which he used on behalf of humanity.

Perhaps for these reasons the people throughout the world have taken Abraham Lincoln for their own, and we honor his memory today in Hibiya Hall.

America is proud of him as one of her greatest sons—but America is prouder still that the example and memory of Abraham Lincoln is cherished in so many other lands.

Douglas MacArthur II,
U.S. Ambassador to Japan.

Department of the Army,
Office of the Chief of Staff,
Washington, D.C.

On the occasion of the 14th Lincoln Day celebration sponsored by the Japan-American Cultural Society, it is my distinct pleasure and honor to send special greetings. I wish that it were possible for me to be with you personally to celebrate the 150th anniversary of the birth of Abraham Lincoln—a great American dedicated to the principles of equality, justice, and freedom for all; but even though this is impossible, my thoughts are, nonetheless, with you at this time.

Further, I should like to express my admiration, appreciation, and deep gratitude to the members of the Japan-American Cultural Society, and especially to President Kasai, for the great interest you have engendered in venerating Abraham Lincoln and in your constant quest to make known to more and more of your countrymen his high ideals of democracy and human dignity. These ideals exemplify the true spirit of American democracy and, in my opinion, should serve as the basis for genuine democracy everywhere. Thus, the efforts of your society to promulgate Lincoln's principles not only are contributing significantly to an ever-closer relationship between Japan and the United States, but also are assisting materially in a better understanding of democracy throughout the free world.

Please accept my heartiest greetings and best wishes for the success of this celebration and for the continued effectiveness of the Japan-American Cultural Society in disseminating the principles of one of the United States' greatest Presidents, Abraham Lincoln.

L. L. Lemnitzer,
General, U.S. Army,
Vice Chief of Staff.

February 2, 1959.

Dear Mr. Kasai: I regret I cannot be with you at your important sesquicentennial celebration.

In the United States we take pride and satisfaction that in your great country you also draw inspiration from the life of our former President, Abraham Lincoln. To us he is one of the outstanding human beings and teachers of all time.

All of us today can draw renewed courage and confidence from the ideals and beliefs by which he lived—particularly his belief in the importance and dignity of the individual. May his spirit bind us closer together in our common objectives.

With warm regards, I am,
Very sincerely,
John D. Rockefeller 2d.

From Dr. Lawrence A. Kimpton, Chancellor, the University of Chicago, Chicago, Ill., U.S.A.

Chicago, Ill., *February 5.*

Jiuji G. Kasai,
President, Japan American Cultural Society, Tokyo:

This celebration of the Japan-American Cultural Society honoring the 150th anniversary of the birth of Abraham Lincoln dramatically emphasizes that Abraham Lincoln belongs not just to the United States but to all mankind. Lincoln's was a spirit of idealism and magnanimity. May his example continue to inspire us. The University of Chicago whose home and traditions are proudly rooted in Lincoln's home State of Illinois salutes its many alumni and friends in Japan; I salute you on behalf of our trustees, faculty and students for your thoughtful observance of this memorable anniversary occasion.

Lawrence A. Kimpton,
Chancellor, the University of Chicago.

INVITATION TO MEMBERS OF CONGRESS TO PARTICIPATE IN ALOHA WEEK FESTIVITIES IN HAWAII

Mr. FONG. Mr. President, yesterday Members of the Senate were apprised by our leaders of the distinct probability that Congress may be in session through the end of this year. We were advised to prepare to spend Christmas and New Years in the vicinity of the Capitol because we would be still hard at work in this Chamber.

This is a dismaying prospect, especially to those of us from Hawaii who are accustomed to observing Christmas and New Years island style—at the beach enjoying the balmy trade winds, the sunshine, and the surf. It is not that we would shirk our duties here. We will stay until our business is finished in the Congress. But, meantime, we fervently pray the legislative work will be concluded far earlier.

Therefore, I should like to offer a new incentive to Members of Congress to move more speedily to dispose of our heavy workload. I extend an invitation to all my colleagues in the House and Senate to visit Hawaii starting October 12 to participate in Aloha Week festivities. Three weeks of pageantry and fun are planned, starting on that day on the Island of Maui, the Valley Isle, and continuing through October 19. On Molokai, the Friendly Isle, and Lanai, the Pineapple Isle, Aloha Week lasts from October 16 through 19; on Kauai, the Garden Isle, October 13 through 19; on Oahu, the Aloha Isle, October 20 through 26; and on our biggest island, Hawaii, the Orchid Isle, from October 25 through November 2.

Mr. President, tomorrow is the fourth anniversary of Hawaii's statehood. I can think of no more fitting gesture than for Hawaii to welcome Members of Congress to visit the newest State and refresh themselves physically in the soothing and healthful atmosphere of our lovely islands and to refresh themselves spiritually by partaking of the aloha spirit, Hawaii's most plentiful product.

If Congress has not adjourned by then, I suggest a 3-week recess. This would be wonderful therapy for weary legislators struggling with the complicated and controversial tax bill, the crucial and controversial nuclear test ban treaty, crucial and controversial civil rights legislation, controversial foreign aid legislation and many other difficult measures. Tempers will be frayed and patience strained, calling for a large dose of the aloha spirit, the spirit of brotherhood.

The true meaning of aloha has never been more eloquently expressed than in the beautiful and moving sermon delivered by Rev. Abraham K. Akaka at the time Hawaii was granted statehood by the Congress of the United States.

Said Reverend Akaka:

> Aloha is the power of God seeking to unite what is separated in the world—the power that unites heart with heart, soul with soul, life with life, culture with culture, race with race, nation with nation.

In these troubled times, surely we in Congress would do well to reaffirm this power of aloha, so vividly described by Reverend Akaka, to heal the wounds of a divided nation and a divided world. Because his sermon on the meaning of aloha far transcends the occasion of Hawaii's statehood, I ask unanimous consent that the entire text be printed in the Record following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. FONG. In conclusion, may I repeat that we in Hawaii welcome all Members of Congress and all other visitors to celebrate with us Aloha Week in the islands.

Exhibit 1

Aloha Ke Akua

(By Rev. Abraham Kahikina Akaka)

"One nation under God, indivisible, with liberty and justice for all"—these words have a fuller meaning for us this morning in Hawaii. And we have gathered here at Kawaiahao Church to give thanks to God, and to pray for His guidance and protection in the years ahead.

Our newspapers lately have been full of much valuable historical data concerning Hawaii's development, growth, and aspirations. I will keep these stories as long as I live, for my children and their children, for they call to mind the long train of those whose sacrifices were accepted, whose prayers and hopes through the years were fulfilled yesterday. There yet remains the formal expression of our people for statehood, and the entrance of our Islands into the Union as a full-fledged member.

I would like today to speak the message of self-affirmation: That we take courage to be what we truly are, the Aloha State.

On April 25, 1820, 139 years ago, the first Christian service conducted in Honolulu was held on this very ground. Like our Pilgrim Fathers who arrived at Plymouth, Mass., in 1620, so did the fathers of a new era in Hawaii kneel in prayer after a long and trying voyage to give thanks to God who had seen them safely on their way.

Gathered around the Reverend Hiram Bingham on that day were a few of our "kupunas" who had come out of curiosity. The text of sermon that day, though it was April and near Eastertime, was from the Christmas story. And there our people heard these words for the first time: "Mai maka'u 'oukou, no ka mea, eia ho'i, ke ha'i aku nei au ia 'oukou i ka mea mai'kai, e 'oli'oli nui ai e lilo ana no na kanaka apau. No ka mea, i keia la i hanau ai, ma ke kulankauhale o Davida, he ola no 'oukou, aia ka Mesia ka Haku"—"Fear not, for behold, I bring you good tidings of great joy which shall be to all people. For unto you is born this day in the city of David a Saviour which is Christ the Lord."

Although our grandfathers did not realize it fully then, the hopes and fears of all their years through the next century and more were to be met in the meaning and power of those words, for, from that beginning, a new Hawaii was born. For through those words, our missionaries and people following them under God became the greatest single influence in Hawaii's whole development—politically, economically, educationally, socially, religiously. Hawaii's real preparation for statehood can be said to have truly begun on that day and on this spot 139 years ago.

Yesterday, when the first sound of firecrackers and sirens reached my ears, I was with the members of our Territorial Senate in the middle of the morning prayer for the day's session. How strange it was, and yet how fitting, that the news should burst forth while we were in prayer together. Things had moved so fast. Our mayor, a few minutes before, had asked if the church could be kept open, because he and others wanted to walk across the street for prayer when the news came. By the time I got back from the senate, this sanctuary was well filled with people who happened to be around, people from our government buildings nearby. And as we sang the great hymns of Hawaii and our Nation, it seemed that the very walls of this church spoke of God's dealing with Hawaii in the past, of great events both spontaneous and planned.

There are some of us to whom statehood brings great hopes, and there are some to whom statehood brings silent fears. One might say that the hopes and fears of Hawaii are met in statehood today. There are fears that Hawaii as a State will be motivated by economic greed; that statehood will turn Hawaii (as someone has said) into a great big spiritual junkyard filled with smashed dreams, wornout illusions; that it will make the Hawaiian people lonely, confused, insecure, empty, anxious, restless, disillusioned—a wistful people.

There is an old "mele" that reminds me of such fears as these, and of the way God leads us out of our fears. "Haku'i i ka uahi o ka lua, pa i ka lani, ha'aha'a Hawai'i moku o Keawe i hanau'ia * * * po Puna, po Hilo, po i ka uahi o ku'u'aina * * * ola ia kini, ke 'a mai la ke ahi"—"There is a fire underground, but the firepit gives forth only smoke, smoke that bursts upward, touching the skies, and Hawaii is humbled beneath its darkness * * * it is night over Hawaii, night from the smoke of my land * * * but there is salvation for the people, for now the land is being lit by a great flame."

We need to see statehood as the lifting of the clouds of smoke, as the opportunity to affirm positively the basic Gospel of the fatherhood of God and the brotherhood of man. We need to see that Hawaii has potential moral and spiritual contributions to make to our Nation and to our world. The fears Hawaii may have are to be met by men and women who are living witnesses of what we really are in Hawaii, of the spirit of Aloha, men and women who can help unlock the doors to the future by the guidance and grace of God.

This kind of self-affirmation is the need of the hour. And we can affirm our being, as the Aloha State, by full participation in our Nation and in our world. For any collective anxiety, the answer is collective courage. And the ground of that courage is God.

We do not understand the meaning of Aloha until we realize its foundation in the power of God at work in the world. Since the coming of our missionaries in 1820, the name for God to our people has been Aloha. One of the first sentences I learned from my mother in my childhood was this from Holy Scripture: "Aloha ke Akua"—in other words, "God is Aloha." Aloha is the power of God seeking to unite what is separated in the world—the power that unites heart with heart, soul with soul, life with life, culture with culture, race with race, nation with nation. Aloha is the power that can reunite when a quarrel has brought separation; Aloha is the power that reunites a man with himself when he has become separated from the image of God within.

Thus, when a person or a people live in the spirit of Aloha they live in the spirit of God. And among such a people, whose lives so affirm their inner being, we see the working of the Scripture: "All things work together for good to them who love God * * * from the Aloha of God came his Son that we might have life and that we might have it more abundantly."

Aloha consists of this new attitude of heart, above negativism, above legalism. It is the unconditional desire to promote the true good of other people in a friendly spirit, out of a sense of kinship. Aloha seeks to do good, with no conditions attached. We do not do good only to those who do good to us. One of the sweetest things about the love of God, about Aloha, is that it welcomes the stranger and seeks his good. A person who has the spirit of Aloha loves even when the love is not returned. And such is the love of God.

This is the meaning of Aloha. I feel especially grateful that the discovery and development of our islands long ago was not couched in the context of an imperialistic and exploitive national power, but in this context of Aloha. There is a correlation between the charter under which the missionaries came—namely, "to preach the Gospel of Jesus Christ, to cover these islands with productive green fields, and to lift the people to a high state of civilization"—a correlation between this and the fact that Hawaii is not one of the trouble spots in the world today but one of the spots of great hope. Aloha does not exploit a people or keep them in ignorance and subservience. Rather, it shares the sorrows and joys of people; it seeks to promote the true good of others.

Today, one of the deepest needs of mankind is the need to feel a sense of kinship one with another. Truly all mankind belongs together; from the beginning all mankind has been called into being nourished, watched over by the love of God. So that the real Golden Rule is Aloha. This is the way of life we shall affirm.

Let us affirm ever what we really are—for Aloha is the spirit of God at work in you and in me and in the world, uniting what is separated, overcoming darkness and death, bringing new light and life to all who sit in the darkness of fear, guiding the feet of mankind into the way of peace.

Thus, may our becoming a State mean to our Nation and the world, and may it reaffirm that which was planted in us 139 years ago: "Fear not, for behold I bring you good tidings of great joy, which shall be to all people."

The VICE PRESIDENT. Is there further morning business? If not, morning business is closed.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. Mansfield, and by unanimous consent, the Subcommittee on Intergovernmental Operations of the Committee on Government Operations and the Permanent Subcommittee on Investigations of the Committee on Government Operations were authorized to meet during the session of the Senate today.

TEMPORARY INCREASE IN PUBLIC DEBT LIMIT

Mr. METCALF obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. METCALF. I am glad to yield.

Mr. SMATHERS. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 420, House bill 7824.

The VICE PRESIDENT. The bill will be stated by title.

The Legislative Clerk. A bill (H.R. 7824) to continue, for the period ending November 30, 1963, the existing temporary increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act.

The VICE PRESIDENT. Is there objection to the unanimous consent request? The Chair hears none.

There being no objection, the Senate proceeded to consider the bill.

MID-CONTINENT AREA PLANS

Mr. METCALF. Mr. President, a number of Members of the Congress from a 10-State area have been invited to a $2,200 party at the Mayflower Hotel tomorrow evening, August 21, a party apparently planned to run from a social hour beginning at 5:15 through dinner and an educational session following—with photographic slides and commentary.

I hold here a copy of the invitation I received from the Montana-Dakota Utilities Co., which I request unanimous consent to have inserted in the Record, with the attached list of the members of a new organization known as the Mid-Continent Area Power Planners—MAPP for short.

There being no objection, the material was ordered to be printed in the Record, as follows:

Montana-Dakota Utilities Co.,
Minneapolis, Minn., August 8, 1963.

Hon. Lee Metcalf,
U.S. Senator from Montana,
Senate Office Building,
Washington, D.C.

Dear Sir: The power suppliers in the North Central States have formed an organization known as the Mid-Continent Area Power Planners (MAPP). The purpose of this organization is to coordinate the planning, construction, and operation of the electric power supply facilities in the area. A tabulation of the members to date is attached. Membership is available to any supplier in the area who subscribes to the principles and objectives of this program. You will note the list, includes 7 generation and transmission cooperatives, 14 investor-owned companies, and the Omaha Public Power District. The service territory of these suppliers is included in the States of Iowa, Minnesota, Nebraska, North and South Dakota, Montana, Missouri, Wisconsin, Illinois, and Wyoming.

This program is consistent with the objectives outlined recently by the Federal Power Commission and is directed toward the development of integrated regional planning among members to form the basis for a large regional power pool utilizing the latest technological advances in extra high voltage transmission, generation, and fuel sources.

> We know the coordination of power supply facilities and the elimination of controversy among suppliers are matters of great interest to Members of Congress. So that you might be fully advised, we are arranging for a presentation on August 21 to explain the complete program and benefits of this organization. We invite you to attend. Invitations are also being extended to all the Senators and Representatives in the 10-State area.
>
> The presentation will be made in the East Room of the Mayflower Hotel beginning with a social hour at 5:15 p.m., dinner at 6:15 p.m., and the completion of the program not later than 8 p.m.
>
> We hope your schedule will permit you to make this date. Please feel free to include your administrative assistant and any other members of your staff you may wish to get this information. We would appreciate being advised of your plans so we can make the necessary arrangements.
>
> Yours very truly,
>
> CECIL W. SMITH,
> *President.*

MID-CONTINENT AREA POWER PLANNERS

Black Hills Power & Light Co., Rapid City, S. Dak.

Central Power Electric Cooperative, Minot, S. Dak.

Cooperative Power Association, Minneapolis, Minn.

Dairyland Power Cooperative, La Crosse, Wis.

Eastern Iowa Light & Power Cooperative, Wilton Junction, Iowa.

Interstate Power Co., Dubuque, Iowa.

Iowa Electric Light & Power Co., Cedar Rapids, Iowa.

Iowa-Illinois Gas & Electric Co., Davenport, Iowa.

Iowa Power & Light Co., Des Moines, Iowa.

Iowa Public Service Co., Sioux City, Iowa.

Iowa Southern Utilities Co., Centerville, Iowa.

Lake Superior District Power Co., Ashland, Wis.

Minnesota Power & Light Co., Duluth, Minn.

Minnkota Power Cooperative, Grand Forks, N. Dak.

Montana-Dakota Utilities Co., Minneapolis, Minn.

Northern Minn. Power Association, Virginia, Minn.

Northern States Power Co., Minneapolis, Minn.

Northwestern Public Service Co., Huron, S. Dak.

Omaha Public Power District, Omaha, Nebr.

Otter Tail Power Co., Fergus Falls, Minn.

Rural Cooperative Power Association, Elk River, Minn.

Union Electric Co., St. Louis, Mo.

Mr. METCALF. Mr. President, these invitations have apparently gone to all Members of Congress from a 10-State area, including Iowa, Minnesota, Nebraska, North and South Dakota, Montana, Missouri, Wisconsin, Illinois, and Wyoming.

In the letter of invitation we are informed that the purpose of MAPP is to—

> Coordinate the planning, construction and operation of the electric supply facilities in the area. Membership is available to any supplier who subscribes to the principles and objectives of this program.

Just what the principles and objectives are is not made clear in the letter of invitation, but it is stated that the program—

> Is consistent with the objectives outlined recently by the Federal Power Commission and is directed toward the development of integrated regional planning among members to form the basis for a large regional power pool.

On the face of it, the invitation implies that the basic power suppliers of this region have a plan in line with a publicly announced program of the Federal Power Commission and that they are prepared to present the plan as a part of the Federal Power Commission program.

To the uninitiated, the invitation would also seem to be coming from an open end organization of people who are in a position to carry out such a program and are anxious to talk about it to their Congressmen and Senators.

But I have strong evidences that both inferences are wrong. I have been supplied a proposed news release for the meeting, a set of minutes for a couple of meetings of this organization, and some private comments on its nature and purpose which indicate that this is going to be quite a party and that it has been most carefully planned.

As the letter of invitation, which several of you already have, states, MAPP is a private organization, having no governmental blessing, made up of one publicly owned power district, the Omaha Public Power District, 14 private power corporations, and 7 rural electric generation and transmission cooperatives. The rural electric organizations include one in Wisconsin, one in Iowa, two in North Dakota, and three in Minnesota. The private power companies include two in South Dakota, one in Wisconsin, six in Iowa, three in Minnesota, one in Missouri, and the Montana-Dakota Utilities Co.

This list seems to be particularly abbreviated for a group proposing to dominate the planning and coordination of the future power supply of a 10-State area.

Senators will note that it includes no representative of the scores of locally owned municipal plants except the Omaha Public Power District.

I note also that this list does not include the Bureau of Reclamation, which operates more than 1,800 miles of 230,000-volt transmission lines in this area, 200 miles of 161,000-volt lines, and about 600 miles of 115,000-volt lines to market the power from more than a million kilowatts of capacity already installed, and another 800,000 soon to come on the line from Federal multipurpose dams on the Missouri River.

I am particularly conscience that the organization which proposes to dominate the electric power industry in this region does not include a single cooperative from Montana or South Dakota or Nebraska or Illinois.

Let me refer back to the sentence which states that the objectives of the program of this group are consistent with the objectives outlined recently by the Federal Power Commission. The implications here is that this organization is carrying forward work desired by the Federal Power Commission. Relating this claim to other circumstances which I shall mention, it is apparent that the reference must be made to the Federal Power Commission's national power survey. The record will indicate that some of the organizations now operating privately were participants in the national power survey which included preliminary surveys by area committees appointed by Chairman Swidler of FPC.

An inquiry to the Federal Power Commission brings the information that the report made by people from the north-central area is now in FPC hands, but that it has not been analyzed or evaluated by the FPC. The materials in the regional study are considered merely as raw materials for use in the nationwide study. They do not approach a final, formal plan for the midcontinent area. They do not have a hint of approval or endorsement by the FPC.

Yet here is this group of private power companies, with a few REA co-ops and one, lone municipal district in tow, prepared to present a program to Congressmen and Senators for this 10-State area. They are all set to show us photo slides and educate us with commentaries here in Washington while identical meetings are being carried on in widely separated places in the 10 States—coupled with news releases, arrangements for TV movies of the Mayflower meeting, kleig lights and all. This is a carefully planned show.

Mr. President, there is no hint in any of the scripts that there has been any dissent about the midcontinent area power planning. But there has been.

The junior Senator from South Dakota [Mr. MCGOVERN] has supplied me with a letter which one of the members of the Federal Power Commission's midcontinent area study team wrote to the Federal Power Commission on April 1, dissenting sharply from the proposed report for the area and charging that the extra-high-voltage system proposed would interconnect only the power companies and be used by them to strengthen their control of power supply, to the detriment of cooperatives and municipal systems. The letter was written by V. T. Hanlon, manager of the East River Electric Power Cooperative of Madison, S. Dak. He stated:

> This transmission planning is unscientific and is not based on sound engineering and has had no real economic analysis.

Mr. Hanlon warned, back in April, that the area scheme being proposed is:

> A grab to lay out on paper a future transmission system and be claimed by the large utilities.

Mr. President, I ask unanimous consent to include in the RECORD Mr. Hanlon's communication, and a covering communication reflecting its submission to the Federal Power Commission, so Senators can study it carefully.

There being no objection, the communications were ordered to be printed in the RECORD, as follows:

APRIL 5, 1963.

Mr. JOSEPH H. GUTRIDE,
Secretary, Federal Power Commission,
Washington, D.C.

DEAR MR. GUTRIDE: At the request of Mr. V. T. Hanlon, manager of the East River Electric Power Cooperative of Madison, S. Dak., and a member of the North Central Regional Advisory Committee to the Federal Power Commission, I transmit to you, herewith, copies of a letter dated April 1, 1963, from Mr. Hanlon to Mr. Cecil W. Smith, chairman of said North Central Regional Advisory Committee.

It is Mr. Hanlon's request that the said letter of April 1, 1963, be published as a minority report of the North Central Advisory Committee and delivered to Mr. Smith at the April 8, 1963, meeting of said North Central Advisory Committee scheduled for 9:30 a.m. in room 2071 at the Federal Power Commission; notice of the latter meeting being contained in a letter dated April 2, 1963, from Mr. Ken Tower of the Federal Power Commission to Mr. V. T. Hanlon.

Mr. Hanlon has further requested me to ask that the record of the North Central Advisory Committee be kept open so that he may submit a further minority report. This request is based upon Mr. Hanlon's assertion that material relating to transmission facilities for which he was responsible, and which he supplied to Mr. Tower, was substantially altered without his knowledge and without notice to him, in the process of preparation for the meeting of April 8, 1963.

Very truly yours,

Charles A. Robinson, Jr.,
Staff Engineer and Staff Counsel.

East River
Electric Power Cooperative, Inc.,
Madison, S. Dak., April 1, 1963.

Mr. Cecil W. Smith,
Chairman, Regional Advisory Committee, Federal Power Commission, Chicago, Ill.

Dear Mr. Smith: I would like to have the following submitted to the Federal Power Commission and the advisory committees at their meeting in Washington, April 8, 1963.

I greatly appreciated the opportunity to serve on the Regional Advisory Committee and also express my sincere thanks to Mr. J. W. Swidler for his confidence in making such possible. First, I'll briefly explain the material I submitted to the committee and, second, give you my personal views of the study.

In making a brief explanation of the material I have submitted to the committee, I would like to point out the following:

(1) The study as shown for 1980 was prepared from material that was assembled by a committee from the Department of Interior and the Mid-West Electric Consumers Association. Most of the transmission lines on the 1980 map were put on a network analyzer. Load and resource data were solicited accurately from the field from preference customers only.

(2) Nebraska loads and resources were used but no detailed study was made of the transmission system in that State, except where it affected the other consumers.

(3) The transmission lines shown were the joint system composed of Bureau EHV lines and those contemplated by other preference customers.

(4) Although loads and resources were studied outside of the Bureau marketing area, the purpose of the study was to supply loads within such area.

(5) The 1970 study eliminates those transmission lines not needed for this period from the 1980 study. The flows on such lines mean nothing since no analyzer study was made for this period.

(6) In both the 1970 and 1980 studies, the low-cost fossil fuels of the areas were considered for generation; i.e., the areas of Garrison, N. Dak., eastern Montana, Colorado, and Wyoming, and barge coal on the Missouri.

(7) The material furnished here should be considered for use of the Federal Power Commission and not for wide distribution.

(8) The 500-kilovolt line from Garrison, N. Dak., west is prompted by a 1952 report of the Department of Interior and recent contacts with Canadian suppliers.

At this point I am going to be critical of the National Power Survey from my experience on the Regional Advisory Committee.

From the time the FPC Advisory Committee received its first assignment, I have been greatly concerned about what such a study of EHV transmission lines and generating plant locations would do to the future of the electric industry. Long-range planning is a necessity if we are to keep the cost of electric energy to the ultimate consumer at the lowest possible rate. We cannot forget at this point that long-range planning of competitive utilities may result in a worse monopoly situation in the electric industry than we now have. If the joint planning doesn't result in further monopolization, it will certainly result in more throat cutting.

I am worried that the laying out of these transmission lines form a "bible" that will preempt the progress and growth of the small utilities such as the municipals and the cooperatives. This would bring a great harm to the electric consumer and to the rights of the American people.

Before this report is made public, showing EHV transmission lines, we must know if the large utilities intend to use it with common-carrier principles. The reason I raise this point is that I recently met with officials of Northern States Power Co. and Otter Tail Power Co. regarding the use of part of their subtransmission system to wheel power from the Basin Electric Power Cooperative, an REA-financed thermal plant, to basin members.

These utilities answered to the negative. Their answer means that duplicating lines will have to be built if the cooperatives wish to exercise their rights to own generation. For example: Will this same policy be followed on a transmisson line now being mapped by this committee from Sioux Falls to Minneapolis? Maybe it means we should lay out two transmission lines on our maps.

We all recognize that power and energy pools create great savings to the utilities. Cooperatives can and do enjoy such arrangements. But these cooperatives must be ever alert to such arrangements when they know that the private utilities are fighting them every inch of the way. See the President's message in Otter Tail Power Co.'s last annual report.

The advisory committee's maps of EHV transmission lines show the minimum lines being 230 kilovolts. How many public or cooperative systems can plan such voltages at this time? The load centers of America are in the cities so the advisory committee maps show transmission lines connecting the large utilities. Where does this leave the small utility, private, public, cooperative, or otherwise?

I feel that my own cooperative and others in the upper Missouri Basin in pooling with the Bureau of Reclamation have been fairly well represented in this report. How about the cooperatives and the municipalities and other small utilities throughout the region and the Nation? From my observations they are not represented.

Are cooperatives and municipal needs and plans adequately considered in this study? My impression is that they are not and that rather the study will show only a pattern of interconnection of the large utilities through EHV lines which cannot be used by the smaller publicly or cooperatively financed systems.

The refusal of the two power companies in this area to wheel power from the new, efficient generating plant of Basin Electric Power Cooperative to members of this cooperative is not an isolated case.

Rather, it is a historic pattern that is sure to continue.

The plans of the EHV system laid out in the regional report have already been announced to the public, to the "Electrical World" and other publications to be those heavy transmission lines to be built to interconnect the power companies. It is their intention to finance these giant wholesale power systems which will, of course, be used primarily to strengthen their control of the Nation's power supply system. It is at this point that the Federal Power Commission should be greatly concerned. The developments of this study and the developments of other happenings in the Nation should now be well studied and the principles of a common carrier transmission system for the Nation should be planned. Regardless of the ownership of the EHV transmission systems, they should be made available to all electric systems, small or large, or the competitive influence of the public and cooperative systems will soon be destroyed.

I believe that this report and similar reports are damaging to the cooperatives and other public systems. I believe it completely unnecessary and, unless it is the outline of a common-carrier system backed by contractual agreements, this transmission planning is unscientific and is not based on sound engineering and has had no real economic analysis. It appears to me to be more of a grab to see who can lay out on paper the future transmission system and be claimed by the large utilities to preempt the design by anyone else. I believe that any work done so far could have been and should have been done by the Federal Power Commission if this was their duty rather than to bring in the large utilities so that the utilities do the planning in contradiction to the Federal Power Act. I think that this report is unnecessary and will serve no national purpose and should be forgotten at this point. If the Federal Power Commission has a job to do, let them do it, but let's not wreck the free enterprise system for tomorrow.

Very truly yours,

V. T. Hanlon,
Manager, East River Electric Power Cooperative.

Mr. METCALF. Mr. President, late last week I got a sheaf of background information and documents in regard to this $2,200 affair that caused me concern and I feel some obligation to advise Members of Congress and, through the Congressional Record, the power users of the Nation, of that background.

Late in January 1962, Federal Power Commission Chairman Joseph Swidler announced plans for a national power survey aimed at developing, a long-range program to meet the Nation's energy requirements through a coordinated and interconnected power system which—and I quote the Commission's release—"would provide abundant supplies of low cost power to consumers throughout the United States."

The release continues:

> The FPC program * * * would suggest in broad outline how the Nation's 3,600 electric systems can key their future expansion plans to a national scale rather than a local or area basis. The results of the survey * * * would be published and made available to Congress, the entire electric power industry, and to the general public. * * *
>
> The plan would provide for private, municipal, cooperative, State and Federal electric systems to coordinate their facilities over wide regions, through extra high voltage transmission lines, using large, efficient steam powerplants, hydroelectric generating capacity, and other new power sources as they may become available.
>
> Chairman Swidler's announcement emphasized the large savings which can be made available by an interconnected national system, taking full advantage of the economies of the new technology of the power industry.

In accordance with this plan, Mr. Swidler appointed a national advisory group and area groups to study and report on needs of various areas of the Nation in the years ahead. There was a north central, or midcontinent group, which studied the 10-State area where the grab is now to be attempted.

I am advised that the north central or midcontinent area group report has been sent to the Federal Power Commission as has Mr. Hanlon's letter of dissent, which has gone in the RECORD.

But now, before the area report can be published or reviewed by the National Power Survey Advisory Committee and the Federal Power Commission staff, or evaluated in terms of a national system, this self-appointed group of power suppliers in the midcontinent area are staging this big $2,200 show at the Mayflower Hotel tomorrow night—with a number of simultaneous minor affairs for news media people and I quote their own memorandums directly, for "other thought leaders, local politicians, and so forth"—at a considerable number of towns and cities in the upper Midwest. These are all for the purpose of announcing that they are going to carry out the unevaluated giant power plan in the upper Middle West.

So far as I can see from the publicity blurbs and other materials which have been supplied me—to be used at the party tomorrow night or released in connection with it—there will be really nothing substantive announced: No letting of contracts, no specific plans. It will be bold, broad, brush stuff to create an impression of big doings, but involving nothing really substantive. From the minutes of the MAPP meeting I have been supplied, apparently the only concrete plans MAPP has are to put on this $2,200 Washington debut to stake a claim on the 10 States, print 70,000 copies of a propaganda booklet about it, produce a slide-film series which will premier at the party tomorrow night, spend another $300 entertaining members of the Missouri Basin Interagency Committee when it meets in Minneapolis August 26 and 27, and raise a $25,000 budget for a MAPP coordinator's salary and expenses to keep up the propaganda effort.

Mr. President, I think I ought to share with the Senators and Congressmen the minutes of the management committee meeting, Mid-Continent Area Power Planners, at the Radisson Hotel, Minneapolis, on July 18, 1963. I ask unanimous consent that they be printed in the RECORD.

There being no objection, the minutes were ordered to be printed in the RECORD, as follows:

MINUTES OF MANAGEMENT COMMITTEE MEETING, MIDCONTINENT AREA POWER PLANNERS, RADISSON HOTEL, MINNEAPOLIS, JULY 18, 1963

The meeting was called to order by the chairman, Mr. Ewald.

Persons in attendance at the meeting are listed in exhibit A.

Agenda for meeting is attached as exhibit B.

Mr. Ewald reviewed the exchanged correspondence with Mr. Swidler and stated that the primary purpose of the meeting of the management committee was to agree on an alternate method of carrying out the program of making a public presentation of MAPP's organization, objectives, and plans, and also to agree on the details of carrying out such a program.

Mr. Ewald stated that the executive committee had discussed alternate plans and recommended that the principal presentation be made in Washington the middle of August at a dinner meeting of the congressional delegation from the 10-State area. We also would invite Mr. Swidler and others from the Federal Power Commission and other Government agencies, as well as national press representatives. The same program would be presented to the local press and other interested persons at a number of meetings to be held throughout the MAPP area.

Mr. Ewald also stated that Mr. Hoffmann had done some investigating and that Wednesday, August 21, appeared to be a good date.

There was general agreement that the executive committee's recommendation be adopted and also the date be set for August 21.

The next item on the agenda was a report of the policy committee. Mr. Wolter, chairman of the policy committee, requested that Mr. Ewald serve as chairman during the discussion of the proposed policy statement submitted by his policy committee.

There was considerable discussion of the proposed policy statement. There was no major objection to the basic matters of policy covered in the statement, but many members thought the statement was too long, that it was repetitious, and also that it was too specific, particularly in the statement on municipals.

Mr. Hoffmann suggested that, since there doesn't seem to be any difference of opinion on policy but only how to state it, we might consider a very brief broad general policy statement, similar to the first paragraph of the policy committee's statement.

Mr. Wolter suggested that we can go too far in watering down the policy statement so that it doesn't say anything. He believes that, in order to accomplish the objectives of MAPP, we must completely spell out our policy.

There appeared to be general agreement that the policy statement should provide for existing municipals in some manner.

A motion was made by Mr. Willson, seconded by Mr. Vencill, and passed that the policy statement be referred back to the policy committee for redrafting in line with the discussion of the management committee.

Mr. Wolter requested that each member submit to him in writing their thinking on each item covered in the policy statement no later than July 26.

The next item on the agenda was the report of the program committee by Mr. Angland.

The program committee's recommended plan for generation and transmission by MAPP members through 1980 was shown on a large map of the area. The plan covered not only all the major transmission lines of 115 kilovolts and higher but also lower voltage lines where necessary to complete the area coverage. The transmission lines of suppliers in the MAPP area and adjacent areas who are not members of MAPP are shown in a lighter color. This points out that there are several power suppliers in the MAPP general area who are not presently members who should be encouraged to join in order to complete the area coverage. The estimated cost of the new MAPP members' facilities by 1980 is $2,284 million. Although every member approved the new facilities proposed for his service area, it was suggested that each member look at the map and point out any omissions. The program committee also recommended that consideration be given to establishing an associate membership classification for adjacent systems, such as Kansas City, Milwaukee, etc., so that liaison can be maintained with them.

Mr. Kapp made a motion, seconded by Mr. Hetherington, and passed that the program committee's recommended program be adopted.

The next item on the agenda was the report of the publicity committee by Mr. Barschdorf.

A suggested local news release (exhibit C) was passed out. It was agreed that each member should review the suggested news release and submit any suggestions to Mr. Barschdorf. It was also agreed that the final local news release should be prepared and released to the local news media by each member. It was recommended that all news releases be put out on Monday, August 19, but datelined for 10 p.m. on Wednesday, August 21.

The publicity committee also recommended that members in each area work out the details of how the local publicity would be handled; however, the publicity committee recommends where possible it should be handled at a local public meeting to be held on the evening of August 21 or the morning of August 22. This presentation should be similar to the Washington presentation and should be made by top management people of the local member. Invitations should include not only the news media people, but also other thought leaders, local politicians, etc.

The publicity committee also recommended that the initial public presentations be followed up by making slide presentation to as many civic groups and others as possible. They also recommended that each member consider some institutional advertising connected with MAPP.

The publicity committee will make available glossy prints of the map prepared by the program committee in addition to copies of the slide presentation and also a handout booklet of the slide presentation. It is requested that each member send Mr. E. L. Felton, Northern States Power Co., his requirements for this material.

The publicity committee is arranging for national news coverage for the Washington meeting and will attempt to arrange for several 1-minute film clips of the Washington meeting for distribution to all television stations in the area.

Mr. Felton next went through the script (exhibit D) and also the art work for the slides for the proposed slide presentation. A number of minor suggestions were made and adopted.

Mr. Wolter suggested that much more emphasis should be placed on explaining why local control is good for the community. It was agreed that this should be done.

Mr. Ruisch suggested that we should not state that large blocks of power are being moved from one area to another and that the script should be carefully examined to make certain it is factual.

Mr. Kapp made a motion, seconded by Mr. Ruisch, and passed that the proposed slide presentation and handout booklet be accepted after the suggested changes have been made by the publicity committee.

It was also agreed that the publicity committee should continue to work on the publicity coverage for the meeting along the lines of their recommendations.

The next item on the agenda was a discussion of congressional contacts.

Mr. Hoffmann passed out copies of a suggested letter to be sent to the congressional delegation (exhibit E) and also a list of the congressional delegation from the 10-State area (exhibit F).

Mr. Hoffmann recommended that the suggested letter of invitation (which should be altered to suit local conditions) be sent to each Senator and Congressman by only one company and should be followed up by personal contact by one or more members.

Assignments for sending the letter of invitation and for the followup contacts were agreed to as indicated on exhibit E. It was agreed that all letters would be mailed on Tuesday, July 23, and that the followup contacts should be started on Friday, July 26. All members are requested to let Mr. Hoffmann know by August 1 of the acceptances they receive for the meeting so that proper arrangements can be made. It was suggested that all members who send invitations should be represented at the Washington meeting so that guests will be taken care of properly.

Mr. Moxness made a motion, seconded by Mr. Ruisch, and passed, that an assessment of $100 per member be paid into the administrative fund to cover the cost of the Washington meeting. Bills covering this assessment will be sent out by the secretary-treasurer.

The next item on the agenda was a discussion of the presentation in Washington. It was agreed that this should be left up to the executive committee to work out with the recommendation that, in addition to the chairman, a cooperative representative and a representative of Omaha Public Power District be included.

The next item on the agenda was the report of the planning committee by the chairman, Mr. Linder.

The planning committee has written a letter to the Bureau requesting a meeting to discuss the Bureau's offer to sell temporary firm power to certain MAPP members, but so far has not received a reply from the Bureau. The only members of MAPP who received the June 18 letter from the Bureau offering this temporary firm power were Cooperative Power Association, Minnkota Power Cooperative, Inc., and Rural Cooperative Power Association. The planning committee is assembling load and capability data for use in meeting with the Bureau. All members are requested to advise the planning committee as to their plans for using any additional Bureau power.

Mr. Linder has received a letter from the Bureau on the marketing of Bureau peaking capacity. The Bureau would send a list of questions they would like sent out to MAPP members in order to obtain certain information prior to meeting with the planning committee. The planning committee is also working on a peaking capacity study, in order to determine the value of peaking capacity to MAPP members before meeting with the Bureau.

The planning committee is also gathering information from MAPP members on EHV studies. They will issue this information in the form of a newsletter from time to time.

The next item on the agenda was a report by Mr. Ewald on the executive committee recommendations for the hiring of a MAPP coordinator.

Mr. Ewald reported that the executive committee felt that the coordinator should be someone who knows the MAPP group and also the problems of the area. Also, they felt that the coordinator should be someone on the payroll of one of the members. This would simplify administration, since MAPP could then reimburse the organization for the salary and expenses of the coordinator.

The executive committee recommended that Mr. Kenneth S. Vig, of Minnkota Power Cooperative, Inc., be employed as a full-time coordinator and that a budget of $25,000 be authorized to cover his salary and other expenses.

Mr. Grutle made a motion, seconded by Mr. Zook, and passed, adopting the executive committee's recommendation.

The $25,000 budgeted for this will be prorated in accordance with the "method of assessing operating funds" as approved by the management committee at the February 8 meeting. Statements will be sent out by the secretary-treasurer.

Initially Mr. Vig will operate out of Grand Forks; however, as the work volume of the coordinator increases, consideration will be given to moving the office to some more central location, such as Minneapolis.

The next item on the agenda was a report on the Missouri Basin Interagency Committee meeting by Mr. Spethmann.

The meeting will be held in Minneapolis on August 26 and 27. The agenda for August 26 will include a tour of the upper Mississippi harbor, a boat trip on Lake Minnetonka with a social hour, and then dinner at the Lafayette Club. The agenda for the second day will be the business session and will include a presentation on MAPP by Mr. Vig.

Mr. Spethmann suggested that MAPP should give consideration to sponsoring the boat trip and social hour which is estimated to cost approximately $300.

Mr. Hetherington made a motion, seconded by Mr. Hoffmann, and passed the MAPP sponsor the boat trip and social hour.

The meeting was next opened up for discussion of any other business.

Mr. Willson asked if there would be any objection to inviting some of the other Wisconsin utilities to the Washington meeting at their own expense. It was agreed that other interested persons could be invited by MAPP members.

Mr. Hoffmann stated that it would be desirable for those going to Washington to make their room reservations early, since there will be two large conventions in Washington at that time.

Mr. Engels suggested that there should be some publicity on Mr. Vig's appointment as coordinator. It was agreed that the publicity committee should handle this.

The meeting was then adjourned.

EDWARD C. SPETHMANN,
Secretary-Treasurer.

Mr. METCALF. Mr. President, I also ask unanimous consent to include in the RECORD the register of those who were in attendance at the meeting, indicating their corporate affiliation, so the names in the minutes can be identified.

There being no objection, the register was ordered to be printed in the RECORD, as follows:

ATTENDANCE AT MANAGEMENT COMMITTEE MEETING, MIDCONTINENT AREA POWER PLANNERS, RADISSON HOTEL, MINNEAPOLIS, JULY 18, 1963

Black Hills Power & Light Co.: Neil G. Simpson.

Central Iowa Power Cooperative: Robert White.

Central Power Electric Cooperative, Inc., of North Dakota.

Cooperative Power Association: Roy G. Zook, Ted Lennick.

Dairyland Power Cooperative: John P. Madgett, F. W. Linder.

Eastern Iowa Light & Power Cooperative: Earl E. Jarvis.

Interstate Power Co.: M. L. Kapp, R. W. Steele, M. Schenck, Mr. Gordon.

Iowa Electric Light & Power Co.: Harold H. Brown.

Iowa-Illinois Gas & Electric Co.: R. M. Hetherington.

Iowa Power & Light Co.: L. E. Slade.

Iowa Public Service Co.: Ed Ruisch.

Iowa Southern Utilities Co.

Lake Superior District Power Co.

Minnesota Power & Light Co.: Hubbell Carpenter, J. L. McEachin, J. F. Rowe, Arthur C. Barschdorf.

Minnkota Power Cooperative, Inc.: Kenneth S. Vig.

Montana-Dakota Utilities Co.

Northern Minnesota Power Association, Inc.: Abner J. Thoreson.

Northern States Power Co.: Earl Ewald, R. H. Engels, J. W. Hoffmann, Edward C. Spethmann, D. W. Angland, E. L. Felton, Stuart V. Willson.

Northwestern Public Service Co.: S. A. Moxness, A. D. Schmidt.

Omaha Public Power District: R. W. Shaw.

Otter Tail Power Co.: R. O. M. Grutle.

Rural Cooperative Power Association: Edward E. Wolter, David Kopecky.

Union Electric Co.: G. J. Vencill.

Mr. METCALF. I ask unanimous consent to include in the RECORD a list of the various MAPP committee members.

There being no objection, the list of committee members was ordered to be printed in the RECORD, as follows:

MAPP COMMITTEES

MANAGEMENT COMMITTEE (STANDING COMMITTEE)

Neil G. Simpson, Black Hills Power & Light Co.

Ralph S. Bartel, Central Power Electric Cooperative, Inc.

Roy G. Zook, Cooperative Power Association.

John P. Madgett, Dairyland Power Cooperative.

Earl E. Jarvis, Eastern Iowa Light & Power Cooperative.

C. A. Hummel, Interstate Power Co.

Herbert Henderson, Iowa Electric Light & Power Co.

R. M. Hetherington, Iowa-Illinois Gas & Electric Co.

A. Paul Thompson, Iowa Power & Light Co.

Ed Ruisch, Iowa Public Service Co.

C. E. Parks, Iowa Southern Utilities Co.

M. E. Juhl, Lake Superior District Power Co.

Hubbell, Carpenter, Minnesota Power & Light Co.

Kenneth S. Vig, Minnkota Power Cooperative, Inc.

David M. Heskett, Montana-Dakota Utilities Co.

Abner J. Thoreson, Northern Minnesota Power Association, Inc.

Earl Ewald, Northern States Power Co.

S. A. Moxness, Northwestern Public Service Co.

L. A. Monroe, Omaha Public Power District.

R. O. M. Grutle, Otter Tail Power Co.

Edward E. Wolter, Rural Cooperative Power Association.

G. J. Vencill, Union Electric Co.

EXECUTIVE COMMITTEE (STANDING COMMITTEE)

Chairman: Earl Ewald.

Vice chairman: John P. Madgett.

Secretary-treasurer: Edward C. Spethmann.

Member: Ralph S. Bartel.

Member: Ed Ruisch.

PLANNING COMMITTEE (STANDING COMMITTEE)

Upper Mississippi Valley power pool: Chairman of planning committee (at present time F. W. Linder, Dairyland Power Cooperative, also chairman of this committee).

Iowa pool: Chairman of engineering committee (at present time Harold H. Brown, Iowa Electric Light & Power Co.).

Nebraska: R. W. Shaw, Omaha Public Power District.

North Dakota: Kenneth S. Vig, Minnkota Power Cooperative, Inc.

South Dakota: A. D. Schmidt, Northwestern Public Service Co.

Missouri: C. E. Monfort, Union Electric Co.

E. C. Glass, Northern States Power Co. (planning committee recommended to executive committee that E. C. Glass be appointed to committee—approved May 17, 1963).

PROGRAM COMMITTEE (TEMPORARY COMMITTEE)

(Appointed to develop generation and transmission program for presentation at public meeting.)

D. W. Angland, Northern States Power Co., chairman.

L. A. Monroe, Omaha Public Power District.

F. W. Griffith, Iowa Public Service Co.

P. W. Linder, Dairyland Power Cooperative.

Kenneth S. Vig, Minnkota Power Cooperative, Inc.

PUBLICITY COMMITTEE (TEMPORARY COMMITTEE)

(Appointed to develop publicity program for public meeting.)

Arthur C. Barschdorf, Minnesota Power & Light Co., chairman (each member to appoint own representative to this committee).

POLICY COMMITTEE (TEMPORARY COMMITTEE)

(Appointed to develop a general policy statement for MAPP.)

Edward E. Wolter, Rural Cooperative Power Association, chairman.

R. H. Engels, Northern States Power Co.

Mr. METCALF. An examination of the minutes of the July 18 meeting reveals that the group was shown drawings for a slide film presentation, and went over the script which is to be used in connection with it. The minutes say:

> Mr. Felton next went through the script and also the art work for the slides for the proposed slide presentation. A number of minor changes were made and adopted.

This slide presentation, the minutes indicate, is to be used at the meeting here tomorrow night, and then just as widely as possible at all kinds of meetings throughout the midcontinent area.

There are a number of very interesting statements in the script. One that interested me was in connection with an explanation of how interconnection, large generating units and transfer of large blocks of power back and forth, would save money. But power company costs are rising, the script warns and then states:

> One of the best ways to offset these rising costs is to integrate the operations of the utility companies.

Apparently someone who helped out in the preparation of that script, and the presentation which is to be carried to every hamlet in the midcontinent area, didn't want anyone to get the false idea that giant power would mean any rate cuts for ratepayers in the midcontinent area. He wanted to make the record very adroitly that none of the savings of giant power, giant generation and giant transmission, should be expected to trickle down to those who have to pay electric bills.

The savings, whatever they are, will only offset rising costs.

Some people might regard it as odd that this is the most that can be expected from the supercolossal developments and new technology. But those who understand the private utilities will not be surprised. Accelerated amortization and other tax advantages given to the utility companies to get them to build the generating capacity necessary for defense in the past two decades have not trickled down to the ratepayers. Obviously, it is not intended that any of the savings from giant power installations shall trickle down either.

There is another significant passage at the end of the script supplied to me and intended for use tomorrow evening. The script for slide 32 says:

> These local, independent power suppliers are ready and able to do this job. The Federal Government does not have to do it.
>
> This means savings for taxpayers.
>
> MAPP members are strongly opposed to any type of Federal domination of the power supply or transmission systems in this area.

This allusion to savings for taxpayers is a repetition of the old Power Trust misrepresentation that investments in power facilities are expenditures. They are not. They are repaid. And seven members of the MAPP group who have been put in business with Federal assistance know this statement is untrue. I am shocked that they permit themselves to be associated with such propaganda.

Mr. President, inasmuch as the area involved already contains the eastern division of the Upper Missouri Basin transmission system of the Bureau of Reclamation—a system that made rural electrification possible in the Upper Missouri Basin and some adjacent areas—this anti-Federal Government declaration is an especially significant statement.

It is also significant that the Bureau of Reclamation, has not been counted in as a participant in MAPP. It makes one wonder whether MAPP's plan is integrated electric power supplied from giant generating units for the area, or if it is some other kind of power that really lies behind this whole proposal.

The Bureau of Reclamation proposed a power pool to these people before the national power survey was started. The Bureau has yet to get a reply to that offer.

I must say that it is also significant that among the sponsors of this affair and its accompanying propaganda are rural electric power organizations which exist because of a Federal electric power program and Federal credit. They do not exist, and their patrons do not get electric power service today because their private associates in MAPP planned it that way, but in spite of their private power associates in MAPP. Their private associates fought the rural electrification program when it was established and continue to fight it all the way in congressional appropriations committees, in service areas out in the country, and in the Mayflower Hotel ballroom.

Mr. President, I ask unanimous consent to put the text of the script intended to accompany MAPP's slides in the RECORD.

There being no objection, the text was ordered to be printed in the RECORD, as follows:

SCRIPT FOR SLIDE FILM PRESENTATION, THE MIDCONTINENT AREA POWER PLANNERS AND WHAT THEY'RE DOING FOR YOU

My purpose here today is to tell you about some far-reaching plans by this area's electric power suppliers that will vitally affect you as a user of electricity and as a taxpayer. You already may have heard of the Midcontinent Area Power Planners—MAPP for short.

(Slide 1.)

I want to tell you about the Midcontinent Area Power Planners, why they are working together for your benefit, what their goals are and about their moneysaving plans for the generation, transmission, and exchange of electric power in the upper Midwest.

The power suppliers of this area have a long history of working together to bring you—our customers—the best possible electric service at the lowest possible cost. Steady efforts have been made to expand this cooperation as use of electricity and technological advances have permitted. The number of interconnections, or electric power ties, between utility systems has increased rapidly in recent years. Several area power pools have been organized and are in full operation. The trend has been toward areawide cooperation among electric utilities because of the better service and greater economies possible.

The Midcontinent Area Power Planners organization was formed early in 1963 to take further steps to achieve the fullest benefits possible from areawide cooperation.

(Slide 2.)

The present MAPP membership includes these 22 power suppliers operating in 10 States. These 22 suppliers include 7 generation and transmission rural electric cooperatives, 14 investor-owned electric companies and the Omaha (Nebr.) Public Power District. The States in which they operate are Minnesota, Iowa, Wisconsin, Missouri, Illinois, South Dakota, North Dakota, Montana, Wyoming, and Nebraska. These MAPP members presently serve a combined total of more than 3 million customers and have a combined peak demand for electricity of about 6½ million kilowatts.

(Slide 3.)

The primary objectives of the MAPP organization are to develop integrated regional planning among its members to form the basis for a large, regional power pool that will assure maximum benefits and savings for customers, and to coordinate with other adjacent groups including Federal agencies.

Membership in the Midcontinent Area Power Planners is open to all local electric power suppliers who have a continuing responsibility for supplying the power requirements of their customers and members, to power suppliers who have associated with the MAPP group in the interest of providing better electric service at the lowest reasonable costs for their consumers, and to suppliers who subscribe to the following objectives:

1. To support the principle that every local electric supplier in the north-central area has the basic right to own, control, and operate the electric facilities required to provide the best quality of electric service to its consumers, consistent with the lowest reasonable cost possible.

2. To protect the interest and rights of each local electric supplier to operate and maintain control of its electric facilities and to oppose any attempt by any electric power supplier, whether Federal, investor owned, cooperative, or municipal, to dominate, control, or restrict the generation or transmission of power in the area.

3. To promote and encourage the development of integrated regional planning among MAPP members toward the establishment of a large regional power pool.

4. To establish procedures and organization for coordinating the research activities of MAPP members in planning, constructing, and operating an integrated electric power system utilizing the latest technological developments in high-voltage transmission, generation facilities, and fuel sources, and further, to work toward making the resulting benefits of better service and lower cost available to all MAPP members.

5. To establish procedures and organization for developing coordination with other adjacent electric power suppliers' production and transmission facilities, including those of Federal agencies, insofar as such coordination and cooperation does not restrict, dominate, or otherwise interfere with the individual MAPP member's corporate freedom or initiative in supplying the present and long-range electric power requirements of its consumers.

6. To recognize the right and obligation of each MAPP member, regardless of size or type of corporate organization, to supply generation and transmission facilities proportionate to its electric power requirements, and further, to recognize the right of each MAPP member to have the final decision as to the facilities it will own.

7. To recognize the needs and to plan for the participation of municipal systems in the development of area electric power supply facilities and to provide a method whereby the municipal systems may share in the benefits of regional power pool development in such a manner as to protect the municipals' freedom of action and local initiative in meeting their responsibilities to their consumers.

8. To recognize the right of electric cooperatives to provide their respective generation and transmission requirements where such facilities are locally owned and completely and solely controlled by the cooperatives' members.

(Slide 4.)

To get an idea of why such big power operations are feasible today let's first look back half a century to the early days of the power business. The electric power business of 50 years ago can be compared with the automobile transportation industry of that day. Not too many people owned cars and those that had them didn't go very fast or very far. There was no need for big automobile factories and superhighways then, and building them would have been a waste of time, effort, and money. The cars and the roads of 50 years ago, then, served their purposes pretty well.

(Slide 5.)

And, just as our modern automobile manufacturing industry and our modern highway systems have developed, electric generation and transmission systems have been greatly expanded and modernized to keep pace with the tremendous increase in use of electric power. The average residential electric customer today uses about 5 times as much electricity as he did only 25 years ago. Rapid population growth is continuing, along with steady increases in per capita use of electricity. It is estimated that by 1980 the total peak demand for electricity by MAPP member customers will be 23 million kilowatts, more than 3 times the present total demand. These growing needs call for really large-scale integrated operations such as those planned by the Midcontinent Area Power Planners.

(Slide 6.)

How, specifically, will MAPP carry out these operations? Through construction of giant, extra high voltage transmission lines and large, highly efficient electric generating units, through greater interexchange of low-cost power.

(Slide 7.)

Tying the MAPP members together and with neighboring utility systems will be a giant network of electrical superhighways—transmission lines operating at 230,000 volts, 345,000 volts, and possibly higher. Technological advances in transmission engineering have made possible these higher voltage lines that can move much larger amounts of power. Thousands of miles of these extra high voltage lines, called EHV lines in the industry, are planned for construction throughout this area during the coming years. Compare them to the network of superhighways now being built to carry thousands more vehicles. The electrical superhighways will carry huge volumes of electricity for tomorrow's power needs.

(Slide 8.)

Here are the new additions to this area's high-voltage electric transmission map presently planned by MAPP members and other area power suppliers between now and 1980. These suppliers will cooperate to build a total of some 5,400 miles of 345,000- and 230,000-volt transmission lines. MAPP members will spend more than $280 million on these electrical superhighways and associated facilities. While some of these lines will be built by utilities outside of the area served by MAPP members, they will be completely integrated with the MAPP lines and systems and, therefore, are inseparable from MAPP's plans for the future.

Although the 230,000-volt line between the Twin Cities and Duluth was completed in May 1963, it is shown here because of its importance in the network. The lines between the Twin Cities and Chicago and between the Twin Cities and St. Louis are being planned in detail right now. One complete circuit between the Twin Cities and Chicago is scheduled to be completed in 1966. It will connect the MAPP system with three Wisconsin electric companies and Commonwealth Edison Co. in Chicago. The entire line to St. Louis is scheduled to be completed in 1969. It will connect seven electric companies in MAPP and in addition will tie together 3 power pools having a total of 16 members. The other lines shown on this map will be completed between 1968 and 1980.

(Slide 9.)

MAPP members are by no means alone in their planning for the future. Similar integrated operations and power pool and line developments are being planned all across the country. The gray lines on this map show the great network of existing major transmission lines in the United States carrying electricity between population centers, between electric utility systems, and from generating plants. The red lines represent the major transmission line additions scheduled to be made between now and 1970. Many of these additions will be in the superhighway class—345,000 volts and up. It's interesting to note that the United States present total of more than 300,000 miles of electric transmission lines is about five times the transmission line mileage in Russia, although Russia has about three times the land area of this country.

(Slide 10.)

Such high-voltage lines will make it possible to exchange huge blocks of electric power with the speed of light between the areas and utilities connected. This is important to the MAPP concept of big, regional power operations in the future.

(Slide 11.)

This slide depicts the existing transmission lines between the Twin Cities and Chicago, which are in the range of 115,000 volts. These present facilities have a capacity of 40,000 kilowatts, or enough to serve 40,000 homes.

(Slide 12.)

But the 345,000-volt electrical superhighway between the Twin Cities and Chicago will have a capacity of 360,000 kilowatts, or enough to serve 360,000 homes. This is real mass transportation of electric power.

(Slide 13.)

The biggest reason for integrating the operations of the MAPP member systems through such high-voltage transmission lines and through more interconnections is to save you money. The electric utility industry has about reached a peak of efficiency in producing power with present methods. Yet costs of materials and other operating costs continue to rise. One of the best ways to offset these rising costs is to integrate the operation of utility systems. The principal goal of MAPP, as you have seen, is to interconnect and pool to the fullest possible extent in order to achieve the maximum savings possible.

(Slide 14.)

To get an idea of the kind of money we're talking about, one of the MAAP members estimates that its investment savings alone from use of the planned 345,000-volt lines to Chicago, St. Louis, and Omaha will total about $28 million from 1966 through 1980. These savings will result from that utility's integrated operation with the other utilities connected by these lines. Comparable savings will be realized by other MAPP members through integrated operation. These savings will go a long way toward assuring continued low-cost electric power for our customers. Following are eight big moneysavers possible for MAPP members through integrated operations and extra high voltage line construction.

(Slide 15.)

A power supplier gets more for its money with higher voltage transmission lines.

(Slide 16.)

This chart shows just how a utility gets more for its investment by building and operating extra high voltage transmission lines. As you heard earlier, the carrying capacity of the new 345,000-volt line planned between the Twin Cities and Chicago will be 360,000 kilowatts, nine times the capacity of the existing transmission facilities in the 115,000-volt range between the two areas. The cost of building a 345,000-volt transmission line runs around $60,000 per mile, while the cost of constructing a 115,000-volt line averages about $20,000 per mile. So, while a 345,000-volt line cost about three times as much money to build as a 115,000-volt line, we can transmit nine times as much power over it. That's a 3-to-1 benefit-to-cost ratio that is mighty attractive.

(Slide 17.)

The big new electrical superhighways planned will eliminate the need for many smaller, lower voltage transmission lines to be built. It's the same as when a big four-lane superhighway is built to carry a large volume of traffic * * * there's no necessity then for building smaller trunk roads in the same area. For example, it was initially planned to build two 230,000-volt lines from the Twin Cities to Eau Claire, Wis., to provide for growing power requirements in the latter area. The 345,000-volt line between the Twin Cities and Chicago, passing through Eau Claire, will take the place of the 230,000-volt lines originally planned.

(Slide 18.)

An electric utility operating by itself must maintain a certain reserve of electric generating capability over the highest demand for power to be prepared for an emergency. In fact, a utility must have spare generating capability ready for use at all times. But when two or more electric utilities integrate their operations and pool their generating reserves through high-voltage interconnections, each can lower its reserve. A utility can then depend on its pool neighbors for a certain amount of power to carry it through an emergency. Thus, each utility in the pool saves some investment in spare generating capability.

(Slide 19.)

You know from your own experience that use of electricity varies from season to season. This, of course, affects the operations of your local electric power supplier and the amount of generating capability it must have ready to meet the power demands during a given season. In the past each utility has installed enough generating capability, including the necessary reserve for emergencies, to meet its peak demand on its own. These seasons of peak demand, however, vary among electric utilities. And through high-voltage interconnections and pooling, electric power suppliers can take advantage of this diversity of peak demands among the participating systems.

As an example, most of the member utilities in the northern part of the MAPP area usually experience their yearly peak demands for power in the winter. On the other hand, MAPP members to the south have their annual peak demands in the summer.

(Slide 20.)

So, under integrated operations, MAPP power suppliers in the north will have spare power to send over the extra high voltage lines to the southern members in the summer to help them meet their peak demands.

(Slide 21.)

And when winter comes, southern MAPP members will have extra power to deliver to the northern systems to help them meet their peaks. Such seasonal exchanges of power make it possible for utility systems in a power pool to reduce their generating capability. They can depend on the other member utilities to help them meet their peaks.

(Slide 22.)

Building an extra high voltage transmission line to make possible reductions in generating capability means great savings. Let's say that two power suppliers build a 345,000-volt transmission line connection between them at a total cost of about $22 million. By pooling reserves and taking advantage of the diversity of their peak demands through use of the line, the two power suppliers can reduce their combined generating capability by a total of 400,000 kilowatts. A 400,000-kilowatt electric generating unit would cost about $48 million, compared with the $22 million for the transmission line. This is a saving of $26 million through construction of the line.

(Slide 23.)

The availability of large blocks of electric power over high-voltage transmission lines will make it possible to defer construction of costly new electric generating units. One of the MAPP members, for example, was able to defer a construction start on a new $29 million generating unit for a year for this reason. This represents a saving of $3,700,000 in annual fixed charges. Power was assured the MAPP utility over the new 230,000-volt transmission line between the Twin Cities and Duluth, and through other high-voltage interconnections. A MAPP power supplier also expects to be able to defer a start on another new generating unit for a year and postpone a large expenditure by obtaining capacity over the Twin Cities-Chicago 345,000-volt line in 1966. Other MAPP members likewise will realize savings, through deferral of generating units.

(Slide 24.)

After a generating unit has been deferred it will be possible to make it larger than originally scheduled. The power needs of the utility building the unit will have grown, as will the needs of the other interconnected utilities that may receive power from the unit. By deferring construction of a new generating unit from 1966 to 1967, one of the MAPP members will be able to increase the size of the unit from the 250,000 kilowatts initially planned to possibly 500,000 kilowatts. And a larger unit such as this costs less per kilowatt to build.

(Slide 25.)

Here you see how the cost of a unit goes down per kilowatt as the size increases. A 250,000-kilowatt unit would cost about $133 per kilowatt to build, while a 500,000-kilowatt unit would cost about $118 per kilowatt. That's a saving of $15 per kilowatt, or a total of $7,500,000 less than what it would cost to build two 250,000-kilowatt units.

(Slide 26.)

Larger generating units cost less to operate, in terms of both fuel and labor. And in an integrated network of utility systems, it will be these larger, more economically operated units that will provide the bulk of the power requirements. The most efficient unit in an integrated network will be operated the most, then the second most efficient and so on. The economic benefits of such generator operation will accrue to all of the integrated systems.

(Slide 27.)

When an electric utility operating by itself builds a new generating unit, it normally makes the unit large enough to take care of the utility's needs for several years in the future. Thus, at the time the new unit is completed, the utility has more power than it needs. This graph shows what happens. The diagonal line from the bottom left to the top right shows customer demand for electricity increasing at a fairly constant rate. The stepped line above the customer power demand line represents the generating capability of the utility. You can see that an independently operated utility has an excess of generating capability for a period of time after the installation of each new unit. This, of course, is a waste of generating capability and investment, at least temporarily.

(Slide 28.)

But, when a group of power suppliers pool their needs, maximum use can be made of a new generating unit from the time it is completed. The other member utilities simply use the excess power from the unit. This sharing of excess generating capability is particularly important to the concept of integrated utility operation and power pooling. A power supplier can take advantage of the savings from building and operating a large generating unit because other suppliers will use the extra capability from such a unit temporarily. And, the suppliers purchasing this power thus can defer construction of their own generation for a time.

There are other benefits, too, besides dollar savings from integrated operation among electric utility systems.

(Slide 29.)

Electric service will become even more dependable for customers served by the integrated utilities in MAPP. In the event of an emergency on one utility system, its neighbors can immediately supply it with large blocks of power over the electrical superhighways.

(Slide 30.)

These benefits and the magnitude of the MAPP plans are further proof that local power suppliers are ready and willing to move ahead with whatever programs are needed to assure their customers the best possible service at the lowest possible cost. And it is certainly in the best interests of the customers and the communities served by these local suppliers for them to do the job.

(Slide 31.)

Local ownership, control, and operation of power supply facilities means local responsibility and better service. It means that taxpayers' money won't be spent by the Federal Government for transmission lines that local suppliers want to build.

(Slide 32.)

We ask you to remember these points:

1. MAPP's membership includes investor-owned electric companies. A rural electric cooperative, and a public power district who are joining in a large, regional power-pooling effort.
2. These local, independent power suppliers are ready and able to do this job. The Federal Government does not have to do it.
3. This means savings for taxpayers.
4. MAPP members are strongly opposed to any type of Federal domination of the power supply or power transmission systems in this area.
5. MAPP members can and will make their own investments to obtain savings for their customers.
6. MAPP's ultimate objective is to obtain the most economical power possible for all electric customers in this area.

(Slide 33.)

Mr. METCALF. A study of the minutes of the July 18 meeting reflects considerable discussion of the statement of principles of the group. A copy of the statement of principles is embodied in the script I have just offered for the record.

I ask unanimous consent, Mr. President, to include in the Record a revision of the statement of policy which I am advised, contains the suggestions for revision made by the Minnesota Power & Light Co., and a final, one-page draft.

There being no objection, the statements were ordered to be printed in the Record, as follows:

Minnesota Power & Light Revision—Statement of Policy Midcontinent Area Power Planners

Midcontinent Area Power Planners' membership is open to all local electric power suppliers who have a continuing responsibility for supplying the electric power requirements for their respective customers and members and who have associated with the MAPP group in the interest of providing better electric service at the lowest reasonable costs for their consumers and who subscribe to the following objectives:

1. To support the principle that every local electric supplier in the north-central area has the basic right to own, control, and operate the electric facilities required to provide the best quality of electric service to its respective consumers, consistent with the lowest reasonable cost possible.
2. To protect the interest and rights of each local electric supplier to operate and maintain control of its respective electric facilities and to oppose any electric power supplier whether Federal, investor owned, cooperative, or municipal which shall attempt to dominate, control, or restrict the generation or transmission of power in the area.
3. To promote and encourage the development of integrated regional planning among MAPP members toward the establishment of a large regional power pool.
4. To establish procedures and organization for coordinating the research activities of MAPP members in planning, constructing, and operating an integrated electric power system utilizing the latest technological developments in high voltage transmission, generation facilities, and fuel sources, and further, to work towards making the resulting benefits of better service and lower cost available to all MAPP members.
5. To establish procedures and organization for developing coordination between other adjacent electric power suppliers' production and transmission facilities, including Federal agencies, insofar as such coordination and cooperation does not restrict, dominate, or otherwise interfere with the individual MAPP member's corporate freedom or initiative in supplying the present and long-range electric power requirements of its consumers.
6. To recognize the right and obligation of each MAPP member, regardless of size or type of corporate organization, to own or otherwise provide by suitable contractual arrangement, generation and transmission facilities proportionate to its electric power requirements, and further, to recognize the right of each MAPP member to have the final decision as to the facilities they will own.
7. To recognize the needs and to plan for the participation of municipal generating systems in the development of area electric power supply facilities and to provide a basis for the municipals to share in the benefits of regional power pool development in such a manner as to protect the municipal's freedom of action and local initiative in meeting their responsibilities to their respective consumers.
8. To recognize the right of electric cooperatives to provide their respective generation and transmission requirements where such facilities are locally owned and completely and solely controlled by the cooperatives' members.

Statement of Policy Midcontinent Area Power Planners

MAPP membership is open to all local electric power suppliers who are dedicated to furnishing the best possible electric service at the lowest reasonable cost to all consumers thereof in the midcontinent area and who subscribe to the following objectives:

1. To support the principle of local control and operation of electric power facilities.

2. To promote integrated regional planning among MAPP members toward the establishment of a regional power pool.

3. To recognize the right and obligation of each MAPP member, regardless of size or type of corporate organization, to own or otherwise provide for the facilities required to supply the present and long-range electric power requirements of its consumers.

4. To recognize the need for existing municipal generating systems to share in the benefits of integrated regional planning.

5. To provide an organization for coordinating the activities of MAPP members in planning, constructing, and operating an integrated electric power system utilizing the latest technological developments in high voltage transmission, generation facilities, and fuel sources.

6. To provide an organization for developing coordination with adjacent electric power suppliers, including the Federal agencies, insofar as such coordination does not interfere with each MAPP member's individuality, local initiative, and corporate freedom.

Mr. METCALF. Some of the things left out of the final draft are more significant than what went in. The Minnesota Power & Light Co. thrust at Federal encroachment was left out. But it is in the background. It has not been rubbed out of the minds of the participants. The party who supplied these documents has written:

> This meeting was a revelation. It was surprising to see the diverse people attending and the apparent unanimity of purpose in opposition to Federal activity.

He also commented:

> I think the Minnesota Power & Light changes are clearly aimed at removing as many references to the co-op's rights as possible.

The company succeeded in getting out an allusion to co-op rights.

One further document, indicating the nature of the group, is a memorandum of understanding signed by its members which I ask unanimous consent to put in the RECORD.

There being no objection, the memorandum of understanding was ordered to be printed in the RECORD, as follows:

MEMORANDUM OF UNDERSTANDING

This memorandum of understanding, made this ——— day of ———, 19—, between the local power suppliers in the North Central States area signatory hereto, herein referred to as the "parties," witnesseth:

Whereas the parties are the owners or operators of electric generating and transmission facilities and are engaged in the business of generating and transmitting electric energy to the general public or to other electric distributing agencies; and

Whereas the operating areas of the parties closely adjoin each other and are wholly or partially within the States of Iowa, Minnesota, Nebraska, North Dakota, South Dakota, and Wisconsin, and their systems are already interconnected by transmission lines and are operating in synchronism or are capable of being interconnected; and

Whereas the aforesaid systems of the parties are also interconnected and are operating in synchronism with the systems of the other electric suppliers in the area, all of which systems together constitute an integrated transmission grid blanketing the North Central States area; and

Whereas the parties have long recognized the benefits of power pooling arrangements, and certain of the parties are presently obtaining substantial benefits through participation in power pool agreements covering subareas of the North Central States area and through various bilateral interconnection agreements; and

Whereas the parties have the responsibility to furnish electric service at the lowest reasonable cost to the consumers thereof, and recognize the benefits which will accrue to the consumers on their respective systems by the coordination of the installation and operation of generation and transmission facilities; and

Whereas the parties desire to further coordinate the planning for the installation of generation and transmission facilities by the various pool groups and other power suppliers in the North Central States area which may be required to supply the increasing requirements of their consumers; and

Whereas the parties desire to cooperate with the Federal agencies in regional EHV and other studies;

Now therefore, the parties mutually understand and agree as follows:

1. That the primary objective of the organization shall be to develop integrated regional planning among the parties and other adjacent groups including the Federal agencies.

2. That membership in the organization shall be open to all local power suppliers in the area who are owners or operators of electric generation and transmission facilities and whose systems are interconnected by transmission lines and operating in synchronism or are capable of such interconnection and operation.

3. That membership in the organization may be terminated at any time by notification to the other parties.

4. That the coordination of all activities, pursuant to this memorandum of understanding, shall be directed by a management committee consisting of a representative designated by each of the parties.

5. That the management committee shall, among other things, have the responsibility for appointing a planning committee of qualified engineers who are representative of the group and for developing a more detailed agreement to guide the operations of the organization.

In witness whereof, the parties hereto have caused this memorandum of understanding to be executed by their duly authorized officers as of the day and year first written above.

————————————————.
(Organization)
By————————————————.
————————————————.
(Title)
————————————————.
(Date)

Mr. METCALF. Mr. President, I also ask unanimous consent to place in the RECORD the publicity release approved to be issued in connection with tomorrow night's $2,200 affair, at which Members of Congress are to provide scenery for news media people, other thought leaders, local politicians, and so forth.

There being no objection, the draft of the publicity release was ordered to be printed in the RECORD, as follows:

A $2¼ billion power development program for mid-America was outlined tonight by 22 Midwestern power suppliers to the congressional delegations of 10 States at a meeting in Washington, D.C.

Similar presentations of the far-reaching plans were made to press and civic leaders in Duluth and other key cities in the Midwest area involved in the giant power network.

This power development program which may set a national pattern for coordinated power operations includes a $280 million network of extra high voltage lines, the lawmakers were told. It is being carried forward by Midcontinent Area Power Planners.

MAPP is comprised of seven large rural electric cooperatives' systems, the Omaha, Nebraska, Public Power District, and 14 investor-owned electric companies, including Minnesota Power & Light Co. These power suppliers operate in Minnesota, Wisconsin, Iowa, Illinois, Missouri, North and South Dakota, Montana, Wyoming, and Nebraska.

"MAPP will eventually become one of the world's largest power pools, exchanging large blocks of power among its members over its 5,400 miles of 230,000-volt and 345,000-volt transmission lines," A. H. Herbert, M. P. & L. president, said.

"Thus electric customers in the 10 States will be assured the lowest cost power possible, continued high standards of service, and continued local control of their power supply."

Emphasis in MAPP is on local control, he added. "One of the keystones of the organization is the right of self-determination by the 22 utility systems participating in the program. Each is free to determine the best course to follow in providing electric service while coordinating its operations and planning with MAPP."

MAPP planning through 1980 is being made known in detail to the various Federal agencies involved in producing and marketing electric power, Herbert said.

"We hope that the Federal Government will want to join with us in a long-range program of integrated operation and regional power planning" he added.

"But MAPP is going ahead with or without the Government. The program is sound in every way—financially, technically, and philosophically because it is the cheapest and best way to produce and distribute electric power and at the same time retains local control of the utility systems."

Total demands for electric power of the MAPP member utilities, now at 6.5 million kilowatts, will reach an estimated 23 million kilowatts by 1980, Herbert noted.

"This means tremendous sums of money will have to be invested by MAPP members in new generating facilities, in new transmission and distribution lines, and in other facilities," he pointed out.

"Our goal in MAPP is to lay plans now to form the basis for integrated operations and regional power pooling among MAPP power suppliers so that we can meet the big power needs of the future efficiently and economically," he said. "This way, we can assure our customers continued low-cost power."

MAPP members will coordinate their research activities in planning, constructing, and operating an integrated electric power system utilizing the latest technological advances in high-voltage transmission, electric generation facilities, and fuel sources. While each MAPP power supplier will supply generation and transmission facilities proportionate to its electric power requirements, construction of large, highly efficient generating units will be coordinated among members to provide the greatest economies possible.

The Senators, Representatives, and their administrative assistants heard plans for high-voltage transmission lines spanning the North-Central States area, making it possible to exchange huge blocks of power instantly from Minot, N. Dak., to St. Louis, Mo., or from the Twin Cities to Kansas City, Mo., or from Chicago to Sioux Falls, S. Dak.

One 230,000-volt line in the MAPP plans already has been completed, from the Twin Cities to Duluth, Minn. Detailed planning is under way for 345,000-volt transmission lines from the Twin Cities to Milwaukee and Chicago and from the Twin Cities south through Iowa to St. Louis. Other lines planned by MAPP members and neighboring power suppliers will connect the Twin-Cities-Sioux Falls-Omaha-Kansas City-St. Louis, Omaha-Des Moines-Chicago, St. Louis-Chicago, and the Twin Cities with North Dakota.

"These lines and the integrated utility operations that they will make possible will bring great savings," Herbert said. "One of the MAPP power suppliers estimates that its investment savings alone through use of the Chicago, St. Louis and Omaha 345,000-volt lines between 1966–80 will total about $28 million. Savings like this will go a long way toward assuring continued low electric rates for customers of MAPP members."

In addition to developing integrated operations and regional power pooling among themselves, MAPP power suppliers wish to coordinate their operations with those of adjacent power suppliers, including Federal agencies, provided that such joint efforts do not in any way restrict or interfere with MAPP members' corporate freedom or initiative in supplying the present and long-range electric power requirements of their customers, the Congressmen were told.

"We will strongly oppose any attempt by the Federal Government to dominate, control, or restrict the generation or transmission of power in the area," MAPP spokesmen emphasized. "We want to work in harmony with other adjacent power suppliers but only on equal terms that will protect the right of each MAPP member to operate and maintain control of its own electrical facilities.

The present members of the Midcontinent Area Power Planners are Black Hills Power & Light Co., Rapid City, S. Dak., Central Power Electric Cooperative, Minot, N. Dak.; Cooperative Power Association, Minneapolis, Minn.; Dairyland Power Cooperative, LaCrosse, Wis.; Eastern Iowa Light & Power Cooperative, Wilton Junction, Iowa; Interstate Power Co., Dubuque, Iowa; Iowa Electric Light & Power Co., Cedar Rapids, Iowa; Iowa-Illinois Gas & Electric Co., Davenport, Iowa; Iowa Power & Light Co., Des Moines, Iowa; Iowa Public Service Co., Sioux City, Iowa; Iowa Southern Utilities Co., Centerville, Iowa; Lake Superior District Power Co., Ashland, Wis.; Minnesota Power & Light Co., Duluth, Minn.; Minnkota Power Cooperative, Grand Forks, N. Dak.; Montana-Dakota Utilities Co., Minneapolis, Minn.; Northern Minneapolis Power Association, Virginia, Minn.; Northern States Power Co., Minneapolis, Minn.; Northwestern Public Service Co., Huron, S. Dak.; Omaha Public Power District, Omaha, Nebr.; Otter Tail Power Co., Fergus Falls, Minn.; Rural Cooperative Power Association, Elk River, Minn.; and Union Electric Co., St. Louis, Mo.

Mr. METCALF. Finally I get down to the documents appended to the minutes which indicate the care to the details of our invitation to tomorrow night's affair.

A draft of the letters to be sent out to us on July 23 was approved. Also we were assigned out among various members of MAPP to be invited.

I ask unanimous consent to include in the RECORD a copy of our letter of invitation as approved at Minneapolis meeting and the accompanying table indicating who was to invite and which member was to follow up with whom.

There being no objection, the copy of the letter was ordered to be printed in the RECORD, as follows:

Hon. KARL E. MUNDT,
Senate Office Building,
Hon. BEN F. JENSEN,
House Office Building,
Washington, D.C.

DEAR SIR: The power suppliers in the North Central States have formed an organization known as the Midcontinent Area Power Planners (MAPP). The purpose of this organization is to coordinate the planning, construction, and operation of the electric power supply facilities in the area. A tabulation of the members to date is attached. Membership is available to any supplier in the area who subscribes to the principles and objectives of this program. You will note the list includes 7 generation and transmission cooperatives, 14 investor-owned companies, and the Omaha Public Power District. The service territory of these suppliers is included in the States of Iowa, Minnesota, Nebraska, North and South Dakota, Montana, Missouri, Wisconsin, Illinois, and Wyoming.

This program is consistent with the objectives outlined recently by the Federal Power Commission and is directed toward the development of integrated regional planning among members to form the basis for a large regional power pool utilizing the latest technological advances in extra high voltage transmission, generation, and fuel sources.

We know the coordination of power supply facilities and the elimination of controversy among suppliers are matters of great interest to Members of Congress. So that you might be fully advised, we are arranging for a presentation on August 21 to explain the complete program and benefits of this organization. We invite you to attend. Invitations are also being extended to all the Senators and Representatives in the 10-State area.

The presentation will be made in the East Room of the Mayflower Hotel beginning with a social hour at 5:15 p.m., dinner at 6:15 p.m., and the completion of the program not later than 8 p.m.

We hope your schedule will permit you to make this date. Please feel free to include your administrative assistant and any other members of your staff you may wish to get this information. We would appreciate being advised of your plans so we can make the necessary arrangements.

Yours very truly,

——— ———.

EXHIBIT F

Congressional delegation

	Letter	Followup
MINNESOTA		
SENATORS		
Hubert H. Humphrey	UPA	NSP.
Eugene J. McCarthy	UPA	NSP.
CONGRESSMEN		
Albert H. Quie	ISP	DPC.
Ancher Nelsen	CPA	NSP.
Clark MacGregor	NSP	RCPA.
Joseph E. Karth	NSP	CPA.
Donald M. Fraser	NSP	CPA.
Alec G. Olson	RCPA	OTP.
Odin Langen	OTP	MPC.
John A. Blatnik	M.P. & L.	Northern Minnesota.
MISSOURI		
SENATORS		
Stuart Symington		
Edward V. Long		
CONGRESSMEN		
Frank M. Karsten	Both letter and followup will be made by Union Electric Company for all Missouri Senators and Congressmen.	
Thomas B. Curtis		
Leonor K. (Mrs. John B.) Sullivan.		
Wm. J. Randall		
Richard Bolling		
W. R. Hull, Jr		
Durward G. Hall		
Richard (Dick) Ichord.		
Clarence Cannon		
Paul C. Jones		
NORTH DAKOTA		
SENATORS		
Milton R. Young	OTP	MPC.
Quentin N. Burdick	MPC	NSP and OTP.
NORTH DAKOTA—Con.		
CONGRESSMEN		
Don L. Short	CPC	MPC.
MONTANA		
SENATORS		
Mike Mansfield	Both letter and followup will be made by Montana-Dakota Utilities Co. for all Montana Senators and Congressmen.	
Lee Metcalf		
CONGRESSMEN		
Arnold Olsen		
James F. Battin		
NEBRASKA		
SENATORS		
Roman L. Hruska	OPPD	OPPD.
Carl T. Curtis	OPPD	OPPD.
CONGRESSMEN		
Ralph F. Beermann	I.P. Service	OPPD.
Glenn Cunningham	OPPD	OPPD.
Dave Martin	OPPD	OPPD.
IOWA		
SENATORS		
Bourke B. Hickenlooper.	Mr. Ruisch will coordinate among the Iowa members and let Mr. Hoffmann know the assignments.	
Jack Miller		
CONGRESSMEN		
Fred Schwengel		
James E. Bromwell		
H. R. Gross		
John Kyl		
Neal Smith		
Charles B. Hoeven		
Ben F. Jensen		
SOUTH DAKOTA		
SENATORS		
Karl E. Mundt	NWPS	NSP and B.H.P. & L.
George McGovern	NWPS	NSP and B.H.P. & L.
CONGRESSMEN		
Ben Reifel	NWPS	NSP and OTP.
E. Y. Berry	B.H.P. & L.	NSP.
WISCONSIN		
SENATORS		
William Proxmire	Mr. Willson and Mr. Madgett will work out and let Mr. Hoffman know.	
Gaylord Nelson		
CONGRESSMEN		
Henry C. Schadeberg		
Robert W. Kastenmeier.		
Vernon W. Thomson		
Clement J. Zablocki		
Henry S. Reuss		
William K. Van Pelt		
Melvin R. Laird		
John W. Byrnes		
Lester R. Johnson		
Alvin E. O'Konski		
WYOMING		
SENATORS		
Gale W. McGee	B.H.P. & L.	MDU.
Milward L. Simpson	B.H.P. & L.	MDU.
CONGRESSMEN		
William Henry Harrison (at large).	B.H.P. & L.	MDU.
ILLINOIS		
(Interstate Power Co. and Iowa-Illinois Gas & Electric Co. will decide which Illinois Senators and Congressmen to invite and let Mr. Hoffmann know the assignments for letters and followup.)		

Mr. METCALF. Attention has already been directed to the first sentence in the second paragraph of the draft letter which claims that the area scheme "is consistent with the objectives outlined recently by the Federal Power Commission."

Reference to the Power Commission statement that the survey is intended to "key future expansion plans to a national scale, rather than a local or area basis" belies that claim.

There is one other claim, emphasized and reemphasized in the documentation of this map plan, upon which I would like to comment and submit some evidence.

Mr. A. H. Herbert of the Minnesota Power & Light Co. is quoted in the press release—and the statement of policy and slide scripts reflect the same claim—that consumers are to be assured "the lowest cost power possible, continued high standards of service and continued local control of their power supply."

All these allusions to local control might well be characterized as "MAPP's Pap" for I have looked up the 10 principal stockholders in the utility corporations involved in MAPP and local stockholders are few and far between. The 10 biggest stockholders in Mr. Herbert's company, for example, are Carothers & Clark, of Wilmington, Del.; Don & Co., of Kansas City; Tegge & Co., of New York City; Wonham, Albert & Co., of New York City; Merrill Lynch, Pierce, Fenner & Smith, of New York City; Cudd & Co., of New York City; Brown Brothers Harriman Co., of New York City; Kidder Peabody & Co., of New York City; and Finet & Co., of Chicago. Not one of the 10 biggest stockholders in the Minnesota company is a Minnesotan.

Mr. President, I ask unanimous consent to put in the RECORD at the conclusion of my remarks the 10 principal stockholders of 11 of the 14 private utilities involved in MAPP as taken from their own reports to the Federal Power Commission, and the Securities and Exchange Commission. The other three private companies are apparently so small they are not required to file the information on stockholders with the Securities Exchange Commission.

The VICE PRESIDENT. Without objection, it is so ordered.

(See exhibit 1.)

Mr. METCALF. The MAPP group has a perfect right to come down here, whether they come from Minneapolis or New York, and present this giant scheme of theirs if they want to do so. They have a right to spend shareholders' money, and perhaps legally some of them can spend ratepayers' money, to put on a $2,200 party for the news media, local politicians and thought leaders with Congressmen and Senators present.

But they have no right to infer Federal Power Commission approval they do not have, or misrepresent their area plan.

It seems to me that those who go to the party tomorrow night have a responsibility to get behind the materials which will be presented there—to pull back the curtain and let the people in the midcontinent area—and throughout the Nation—know what is really going on. This country is in the process of determining how huge generating stations, interconnected by extra high voltage transmission lines, shall come to America.

We need to be sure that this Nation gets more than a system of interconnected power companies—that it gets a bona fide national giant power system and energy supplies at the lowest possible cost.

Energy costs are a part of the cost of virtually everything we use. Economic growth, standards of living, and our national well-being are all involved in the assurance of abundant low cost energy.

Congress needs to know—and to let the people know—the plans and policies, the amount of regulation or the absence of regulation, which the Federal Power Commission intends to provide.

Are Chicago to Sioux Falls, and Duluth to St. Louis extra high voltage transmission lines to be built without any study of their integration into a national system?

Are Federal powerlines to be left out?

Are all cooperatives and municipal systems to get service, or only those who play footsie with the private companies?

Is giant power to be used to serve the people, or is it to be used as a tool to accomplish what Adolph Wenzell and the Dixon-Yates deal failed to accomplish—the destruction of public power yardsticks?

Are giant, extra-high-voltage interstate transmission lines to be built without absolute assurance that isolated municipal power systems will be served by them—and served fairly?

What is the nature of this national power survey? How is it progressing? Is this midcontinent MAPP group cooperating in that survey, or prematurely jumping the gun?

Is the national power survey as now proceeding going to result in a highly efficient, low-cost, giant power system in America, or is it going to result in a scramble of comparatively puny intercompany connections?

It is time we found out. In my opinion, it is time for public hearings on how the national power survey is progressing and the meaning of this pilot operation of the power companies in the midcontinent area.

As one part of such a study, I expect to suggest that the Interior and Insular Affairs Committee take a look at the effect these developments will have on Bureau of Reclamation power marketing. I am deeply disturbed that, although the Bureau has the largest transmission system in the north-central area, it apparently has not been consulted on the MAPP plans.

I hope that all my colleagues who attend tomorrow evening's party at the Mayflower will listen carefully. They might even take a copy of tomorrow morning's CONGRESSIONAL RECORD for today along as a sort of a program, or script, to help follow the proceedings.

The affair should be good background for a subsequent careful look at, and evaluation of just where we stand in assuring the power consumers of America the benefits, in terms of low-cost energy supplies, which giant generation and extra-high-voltage transmission have to offer.

Competent engineers believe that it can mean economies sufficient to reduce power rates in fuel-short areas like New England and the southern Pacific coast—not just offset rising costs so rates will not have to be raised by private companies.

It is my intention to propose that after the performance at the Mayflower tomorrow evening is observed by the Members, appropriate committees of the Congress study all the facts about giant power activities and policy which lie behind that $2,200 affair.

EXHIBIT 1

Interstate Power Co., Dubuque, Iowa

	Number of votes as of Dec. 31, 1961	
	Total votes	Common stock
Merrill Lynch, Pierce, Fenner & Smith, Inc., New York, N.Y.	700,826	700,826
Tepe & Co., New York, N.Y.	424,032	424,032
Alsta & Co., care of City National Bank & Trust Co. of Chicago, Chicago, Ill.	376,194	376,194
Hitchins & Co., care of State Street Trust Co., Boston, Mass.	345,849	345,849
Neb & Co., Boston, Mass.	252,000	252,000
Fred D. Ellis, Winnetka, Ill.	246,407	246,407
Edmund J. Haugh, care of Harris Trust & Savings Bank, Chicago, Ill.	240,282	240,282
Massachusetts Mutual Live Insurance Co., Springfield, Mass.	239,400	239,400
King & Co., City Bank Farmers Trust Co., New York, N.Y.	205,121	205,121
Hurley & Co., New York, N.Y.	190,547	190,547

Iowa Electric Light & Power Co., Cedar Rapids, Iowa

	Number of votes as of Dec. 31, 1961	
	Total votes	Common stock
Sutherland Dows, Cedar Rapids, Iowa	1,500	[1] 1,500
Chairman of the board	48,523	[2] 48,523
Mernat & Co., Cedar Rapids, Iowa	47,622½	47,622½
Salkeld & Co., New York, N.Y.	46,100	46,100
Wonham, Albert & Co., New York, N.Y.	27,150	27,150
Tepe & Co., New York, N.Y.	20,900	20,900
Will W. Boyer, San Antonio, Tex.	19,200	19,200
Steere & Co., Philadelphia, Pa.	13,752	13,752
Hitchins & Co., Boston, Mass.	12,800	12,800
Merrill Lynch, Pierce, Fenner & Smith, New York, N.Y.	11,040	11,040
Alsta & Co., Chicago, Ill.	11,025	11,025

[1] Beneficially only.
[2] Of record and beneficially.

Iowa Southern Utilities Co., Centerville, Iowa

	Number of votes as of Dec. 31, 1961	
	Total votes	Common stock
Hitchins & Co., Boston, Mass.	34,200	34,200
File & Co., Boston, Mass.	15,000	15,000
Hurley & Co., New York, N.Y.	5,000	5,000
Celia Carson and Davenport Bank & Trust Co., as trustees, estate of George S. Carson, deceased, Davenport, Iowa	3,318	3,318
Gracechurch Co., New York, N.Y.	3,300	3,300
Sanford Henry Rosenbaum, Los Angeles, Calif.	3,000	3,000
Refell & Co., New York, N.Y.	2,800	2,800
Saxco & Co., New York, N.Y.	2,345	2,345
Aileen Flannary Nevin, Spokane, Wash.	2,037	2,037
Edgar F. Whitmore, Freeport, Long Island, N.Y.	2,000	2,000

Iowa-Illinois Gas & Electric Co., Davenport, Iowa

	Number of votes as of Oct. 31, 1961	
	Total votes	Common stock
Freer & Co., care of Continental Illinois National Bank & Trust Co., Chicago, Ill	74,129	74,129
Don & Co., Kansas City, Mo	36,000	36,000
Brack & Co., First National Bank Building, St. Paul, Minn	35,828	35,828
Merrill Lynch, Pierce, Fenner & Smith, New York, N.Y	34,866	34,396
Massachusetts Mutual Life Insurance Co., Springfield, Mass	31,062	31,062
Anderson & Co., care of Fidelity-Philadelphia Trust Co., Philadelphia, Pa	28,078	28,078
Brown Bros., Harriman & Co., New York, N.Y	27,034	27,034
A. A. Welsh & Co., care of the Cleveland Trust Co., Cleveland, Ohio	26,163	26,163
Bruch & Co., care of the First National Bank of Minneapolis, Minneapolis-Minn	25,454	25,454
Trude & Co., care of Continental Illinois National Bank & Trust Co., Chicago, Ill	25,169	25,169

Otter Tail Power Co., Fergus Falls, Minn.

	Number of votes as of Dec. 31, 1961	
	Total votes	Common stock
1. Total votes of all voting securities	958,151	958,151
2. Total number of security holders	8,039	8,039
3. Total votes of security holders listed below	126,150	126,150
Bruch & Co., Minneapolis, Minn	24,921	24,921
Brack & Co., St. Paul, Minn	14,779	14,779
Thomas C. Wright, Minneapolis, Minn., director	14,000	14,000
Cyrus G. Wright, Fergus Falls, Minn., chairman of the board	12,250	12.250
Mrs. Lucy W. Elmendorf, New York, N.Y	11,568	11,568
Cudd & Co., New York, N.Y	11,362	11,362
The Life Insurance Co. of Virginia, Richmond, Va	11,362	11,362
St. Paul Fire & Marine Insurance Co., St. Paul, Minn	10,000	10,000
Aid Association for Lutherans, Appleton, Wis	9,090	9,090
Woman's Benefit Association, Port Huron, Mich	6,818	6,818

Union Electric Co., St. Louis, Mo.

	Number of votes as of Mar. 21, 1961		
	Total votes	Common stock	Preferred stock
Merrill Lynch, Pierce, Fenner & Smith, New York, N.Y	604,712	602,869	1,843
Tnom & Co., St. Louis, Mo	205,251	204,015	1,236
Harvard & Co., care of the New England Trust Co., Boston, Mass	193,440	191,540	1,900
Sigler & Co., care of the Hanover Bank, New York, N.Y	94,293	86,844	7,449
Shaw & Co., New York, N.Y	93,121	91,821	1,300
Bishop & Co., Boston, Mass	90,000	90,000	------
N. V. Maatschappij tot Beheer Van Het, Administratiekantoor Van Amerikaansche Fondsen, Opgerigt Door Broes and Gosman, Ten Have and Van Essen en Jarman and Zoonen, Te Amsterdam, Amsterdam, Holland	69,010	69,010	------
Paul D. Preger and Houston H. Wasson, trustees under agreement made by Mona Bismarck, care of Paul D. Preger, New York, N.Y	66,000	66,000	------
Steere & Co., care of Girard Trust Corn Exchange Bank, Philadelphia, Pa	56,065	48,749	7,316
King & Co., care of First National City Trust Co., New York, N.Y	55,551	43,068	12,483

Northern States Power Co. (Minnesota), Minneapolis, Minn.

	Number of votes as of Dec. 31, 1961	
	Total votes	Common stock
Carothers & Clark, Bank of Delaware, Wilmington, Del	300,720	270,000
Brack & Co., St. Paul, Minn	204,118	194,544
King & Co., City Bank Farmers Trust Co., New York, N.Y	188,330	62,846
Merrill Lynch, Pierce, Fenner & Smith, Inc., New York, N.Y	176,146	170,794
Atwell & Co., New York, N.Y	168,137	140,037
Emseg & Co., Minneapolis, Minn	156,730	156,730
New York Life Insurance Co., New York, N.Y	155,497	101,747
Johol & Co., care of American Security & Trust Co., Washington, D.C	114,240	108,670
Bruch & Co., care of First National Bank, Trust Dept., Minneapolis, Minn	113,891	109,872
Spicer & Co., Detroit, Mich	112,155	111,605

Iowa Public Service Co., Sioux City, Iowa

	Number of votes as of Dec. 31, 1961	
	Total votes	Common stock
Artnell Co., Chicago, Ill	78,023	78,023
(John W. Allyn, care of A. C. Allyn & Co.)	(26,078)	(26,078)
(John William Allyn, Chicago, Ill.)	(100)	(100)
St. Paul Fire & Marine Insurance Co., St. Paul, Minn	25,991	25,991
Olen & Co., care of First National Bank of Chicago, Chicago, Ill	23,098	23,098
Stryker & Brown, New York, N.Y	22,076	22,076
Mrs. Nellie M. Allyn, Evanston, Ill	16,500	16,500
Board of trustees of the employees retirement system of the Atlantic Refining Co., Philadelphia, Pa	13,167	13,167
Continental Illinois National Bank & Trust Co. of Chicago as executor under will of Walter A. Fisher, Chicago, Ill	9,000	9,000
Adolph J. Lippold, Lake Bluff, Ill	8,566	8,566
City National Bank & Trust Co. of Chicago, successor trustee under agreement with Arthur C. Allyn, June 4, 1932, Chicago, Ill	8,193	8,193

Montana-Dakota Utilities Co., Minneapolis, Minn.

	Number of votes as of Nov. 30, 1961	
	Total votes	Common stock
Merrill Lynch, Pierce, Fenner & Smith, New York, N.Y	50,756	50,756
Don & Co., Kansas City, Mo	45,000	45,000
Rolland M. Heskett, Minneapolis, Minn., chairman of board of directors	41,808	41,808
Trustees of the Leigh Yawkey Woodson, Wausau, Wis.[1]	40,773	40,773
Emseg & Co., care of Northwest National Bank of Minneapolis, Trust Co., Minneapolis, Minn	40,045	40,045
John D. Mylrea, Wausau, Wis	30,000	30,000
Robert M. Ritchie, Bloomington, Ill	24,717	24,717
Ruth Alexander, care of Walter Alexander Co., Wausau, Wis	24,432	24,432
Cummings & Co., care of Chemical Bank New York Trust Co., New York, N.Y	19,650	19,650
Margaret P. Woodson, care of wilmington Trust Co., Wilmington, Del.[2]	19,292	19,292

[1] John E. Forester, vice president and director, is co-trustee.

[2] Woodson Fiduciary Corp., a Delaware corporation, is trustee of the above indicated trust. John E. Forester is president of said corporation.

Iowa Power & Light Co., Des Moines, Iowa

	Number of votes as of Dec. 31, 1961	
	Total votes	Common stock
Mac & Co., Pittsburgh, Pa	82,065	82,065
Carothers & Clark, Wilmington, Del	72,500	72,500
Don & Co., Kansas City, Mo	44,100	44,100
Massachusetts Mutual Life Insurance Co., Springfield, Mass	34,491	34,491
Steere & Co., care of Girard Trust Corn Exchange Bank, Philadelphia, Pa	27,391	27,391
Sigler & Co., New York, N.Y	25,176	25,176
The Continental Insurance Co., New York, N.Y	25,000	25,000
Insurance Co. of North America, Philadelphia, Pa	25,000	25,000
Merrill Lynch, Pierce, Fenner & Smith, Inc., New York, N.Y	24,063	24,063
Brown Bros., Harriman & Co., New York, N.Y	23,983	23,983

Minnesota Power & Light Co., Duluth, Minn.

	Total votes	Number of votes as of—	
		Nov. 10, 1961, common stock	Dec. 15, 1961, preferred stock
Carothers & Clark, Wilmington, Del	100,000	100,000	------
Don & Co., Kansas City, Mo	40,600	40,600	------
Tegge & Co., New York, N.Y	38,858	38,858	------
Wonham, Albert & Co., New York, N.Y	31,420	31,420	------
Tepe & Co., New York, N.Y	24,942	24,942	------
Merrill Lynch, Pierce, Fenner & Smith, New York, N.Y	17,069	16,969	100
Cudd & Co., New York, N.Y	16,833	16,803	30
Brown Bros., Harriman & Co., New York, N.Y	14,845	14,745	100
Kidder Peabody & Co., New York, N.Y	14,554	14,554	------
Finat & Co., Chicago, Ill	14,351	14,351	------

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. METCALF. I am delighted to yield.

Mr. GRUENING. Not being familiar with all the insertions which the distinguished junior Senator from Montana has made in the RECORD I wonder whether he would elucidate for my benefit just what is attempted to be done by this meeting. Are the interests referred to trying to lobby Congress to pass certain legislation? What is the ultimate purpose of the affair to which the Senator has referred?

Mr. METCALF. I am delighted to welcome to this discussion the able and distinguished Senator from Alaska. He is much more knowledgeable on this subject than I. He is the author of one of the most valuable and notable books on the subject of public power that has ever been published, entitled "The Public Pays." I am pleased to note that the Senator's book will soon be republished in paperback form, because it has been rapidly disappearing from the library shelves all over America.

Mr. GRUENING. That is correct.

Mr. METCALF. I know it will have wide circulation. I understand that the distinguished author propose to update the book.

Mr. GRUENING. That is correct.

Mr. METCALF. In this discussion there may lie a part of the updating process. It seems to me that the meeting that I have referred to is the beginning of a long, insidious program, concealed behind a propaganda barrage, on the part of the private power companies to take over whatever opportunity and advantage there exists for long-distance transmission and leave out the very vital and important public transmission systems, so that the ratepayers of America will not enjoy the economies and benefits of new technology in the electrical field.

Mr. GRUENING. The Senator is aware of the fact, I am sure, that these practices were devastatingly exposed by the Federal Trade Commission about 30 years ago. The advertisements, which termed the Tennessee Valley Authority and municipal light plants as socialistic, un-American and insidiously destructive of the inherent values of this Republic, have been resumed and this same propaganda is now being reproduced regularly in full-page advertisements in magazines. The same misleading campaign in an effort to pervert public opinion is again underway. As formerly, the cost of the advertisements is being charged back to the consumers in higher electric light rates. This is happening again even after these similar previous efforts had been exposed as a fraud on the American public, and even though the situation had culminated in the gigantic financial disaster which caused the loss of billions of dollars, in investments made by the American public, when those private utilities securities proved worthless, because of the frenzied financing by those same privately owned public utilities.

The same drama seems to be reenacting itself. I commend the junior Senator from Montana for calling our attention to this situation.

Mr. METCALF. Not only is the same drama reenacting itself, but there is a new opportunity for long-distance transmissions, an opportunity to bring into the Pacific Southwest the cheap power rates enjoyed in the Pacific Northwest. There is an opportunity to bring such benefits to California, and perhaps even bring about the transmission of electric energy at high efficiency all the way across to the northeastern part of the United States, where power rates are inordinately high. There is an opportunity to bring to all America the benefit of cheap power rates that certain areas have enjoyed. By their own statements, and by the statements that I have put in the Record, the power interests are saying, "Let us organize so that we can get the advantages of the new technology and not let the benefits go to the ratepayers throughout America. Let us use these new developments to assure our absolute control of all power supply."

In order to maintain their rate system, in order to make certain that the monopoly private power companies will control the revolutionary new transmission systems, they will charge the cost of the Mayflower party to the ratepayers and will brainwash Senators and Representatives, the press, and others present with their film strips and accompanying propaganda material.

Mr. GRUENING. The action of the junior Senator from Montana in alerting the Senate and the public to the situation may slightly slow down the efforts to brainwash Members of Congress who may not be aware of the past history and of the fact that history is about to repeat itself in a most insidious and destructive manner. The Senator from Montana is to be congratulated for having called this situation to our attention.

Mr. METCALF. I am grateful to the Senator from Alaska.

Mr. MOSS. I would like to commend the Senator from Montana for drawing attention to the problem of how we develop giant transmission and generation in the United States. There are great potentialities for savings in this development, and for making low-cost energy available everywhere in the Nation.

I certainly agree with Senator Metcalf that we here in Congress need to inform ourselves about the progress of the National Power Survey, and of any developments which might threaten the ultimate achievement of a truly integrated national power system.

I have seen what the Russians are doing in this field. Because of greater distances between hydroelectric power sites and major cities, they are well advanced in extra high voltage transmission. They are going to take the greatest possible advantage of new technology in this field.

Some of you know that we are in a race with them in the power field. It would be unfortunate, indeed, if internal bickering and less than adequate transmission grids gave us an inferior system.

I shall be most happy to cooperate with the Senator from Montana in any studies and inquiries in regard to this subject he proposes to make.

The Irrigation and Reclamation Subcommittee of the Interior and Insular Affairs Committee is, of course, quite concerned with the manner in which Bureau of Reclamation facilities are fitted into a national grid.

Mr. METCALF. I thank the Senator.

ACTION ON CIVIL RIGHTS

Mr. MILLER. Mr. President, I have received a copy of the March to Freedom Report for 1962, published by the National Association for the Advancement of Colored People, dated July, 1962. At page 34 of the report is a section entitled "Legislative Action—Defeat of the Literacy Test Bill."

On page 35 is the following statement:

> The cloture vote of May 9 was a test of whether Senators really want action on civil rights. Those who wanted action voted "for" cloture and those who had other objectives voted "against."

Then the votes of individual Senators are listed. It so happened that I voted against cloture.

On the basis of the statement in this report, one who is interested in civil rights action would conclude that I was not among those who wanted action on civil rights. I wish to make it very clear that my record reveals that I have been actively interested in meaningful civil rights legislation.

We who saw fit to vote against cloture on this particular rollcall will have a difficult time preserving an objective view toward future civil rights activities in the face of this report. We believe we had reasons for our votes, reasons which the author of the statement I have read would do well to examine into. All that would have had to be done in this instance by the one who prepared the NAACP report would have been to read the Congressional Record, volume 108, part 6, the very day of the yea-and-nay vote on cloture. At page 8096, he would have found my statement as to why I voted against the motion of the majority leader to table.

After cloture was defeated, the debate on the so-called literacy test amendment continued. The majority leader then moved that the Senate table the so-called literacy test amendment. The motion to table that amendment was agreed to, but I voted against the motion. My reasons for voting against it were set forth in the Congressional Record, volume 108, part 6, page 8096. There I indicated that my reason for voting against the tabling motion was that I thought the literacy test amendment had merit, but that I was opposed to it in its then present form because it was far more than a literacy test amendment.

I ask unanimous consent that my remarks, starting at page 8096, and continuing to the end of the third paragraph in the third column be printed at this point in the Record.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

JAMES M. NORMAN—LITERACY TEST FOR VOTING

The Senate resumed the consideration of the bill (H.R. 1361) for the relief of James M. Norman.

Mr. Miller. Mr. President, I voted against tabling the Mansfield-Dirksen amendment today because I believe that Congress should take some action to solve the problem which has been presented by the discriminatory practices resulting from the literacy test provision which exist in some of the States.

I am much concerned, however, about the Mansfield-Dirksen amendment. The reason is that I believe this amendment has been popularized as being a literacy test amendment, and that is not quite the case. The amendment goes beyond literacy.

I have expressed myself on a number of occasions as being in favor of some kind of a uniform interpretation of the word "literacy." I can understand why the word "literacy" should have a uniform application as among the several States. I think this uniformity is needed in order to prevent discrimination, because of the literally hundreds of cases which have been brought to the attention of the Congress involving abuses of the literacy test.

Mr. President, when I am asked to support a literacy test amendment I believe I should be given a literacy test amendment to support and nothing else. That is not what we have been given.

The Mansfield-Dirksen amendment, subparagraph (d), page 2, line 5, reads as follows:

"Congress further finds that education in the United States is such that persons who have completed six primary grades in a public school or accredited private school cannot reasonably be denied the franchise on grounds of illiteracy—"

So far, so good; but the next two lines read as follows:

"or lack of sufficient education or intelligence to exercise the prerogatives of citizenship."

Now we are considering an amendment which covers not only a test of literacy but also a test of education. It seems to me, Mr. President, this goes far beyond the scope of a test of literacy.

I believe the sovereign States have a constitutional right to determine how much education an elector should have. If a State wishes to make a determination that an elector shall have an eighth-grade education, or a high school education, or a college education, if there is no discrimination involved in the educational system, I believe that is a valid basis for a State to use in exercising its constitutional prerogative. That has nothing to do with literacy.

The Attorney General wrote a letter to the New York Herald Tribune, as reported in the May 4 issue of the New York Herald Tribune, in which he said that this amendment "is limited to the use of discretionary tests, capable of manipulation by registration officials" and that "it is solely concerned with the abuse of these tests and not with the substantive qualification itself." The Attorney General ought to read the amendment, before making such a statement.

* * * * *

Mr. MILLER. I recognize that the measure would be applicable only to Federal elections, and I am concerned about Federal elections only for purposes of the discussion. My point is that once the amendment would be agreed to, the State of New York might wish to establish an education qualification for voting—not a literacy qualification—an education qualification for voting, and if that education qualification for voting was more than six grades, then that law would not be operative with respect to Federal elections. Am I correct in my interpretation?

Mr. JAVITS. The Senator is correct. The law would be operable, but any applicant could invoke the statute, and if the applicant had a sixth-grade certificate, he would have to be registered for Federal elections.

Mr. MILLER. The Senator is correct. If a sovereign State decided at some future time that, in order to have more assurance of an enlightened electorate, everyone who wished to vote in a Federal election within that State must have completed eight grades, it would be just too bad because of the action taken in the U.S. Congress. Do I make my point clear on that?

Mr. JAVITS. I understand the Senator's point perfectly. Of course, we have understood it right along in the debate upon the measure. Certainly we are applying a universal maximum. When we speak of a universal maximum in Federal elections, the question is, Is it constitutional? We do not think there can be any doubt that it is constitutional as to Federal elections. Hence it becomes a question of whether Congress could choose these means. Those of us who support the bill feel that the means are reasonably defined to effectuate the end, and yet would give people who are reasonably able an opportunity to make a judgment in respect of voting.

Mr. MILLER. That is one thing that makes it very difficult for the junior Senator from Iowa to vote against tabling the Mansfield-Dirksen amendment. The reason I voted against tabling is that I believe there is some merit in the proposal. But the reason why I could very easily have voted to table it is I believe the proponents of the measure are going too far in bringing in not only literacy but education as well. I believe that a uniform test of the word "literacy" is desirable. I do not believe that we ought to extend it into the standard of education. I think that the sovereign States should be permitted to decide for themselves whether a fourth-grade, an eighth-grade, or a high-school education should be a prerequisite for voting.

That is something entirely beyond the scope of literacy.

Mr. President, in conclusion, I voted against the motion to table the Mansfield-Dirksen amendment today because I believe there is a problem with respect to literacy. But I certainly hope and trust that in the course of debate between now and the next time we reach the same hurdle all over again I shall have some assurance from the proponents of the Mansfield-Dirksen amendment that lines 9 and 10 will be deleted from the amendment so that we shall in fact, have a literacy test bill, and that we shall have the assurance that that, and nothing more, will be presented to the Senate for vote. Unless I have such assurance, I may well be compelled to vote to table the Mansfield-Dirksen amendment when it comes before the Senate again.

I did wish to have an opportunity to make very clear that I am concerned about abuses of literacy tests. I think some uniform standard is desirable. I hope some measure along that line can be passed.

I believe that we would go too far, and the proponents of the proposed legislation would push some of us too far, by cluttering up the measure with provisions beyond the standard of literacy.

Mr. President, on May 2, in the Washington Evening Star, there appeared an article entitled "Constitution and the Literacy Bill," by the distinguished Columnist David Lawrence, discussing some of the constitutional ramifications of the proposed legislation.

Again on May 3, in the Sioux City Journal, there appeared an article by the same columnist entitled "Attempts To Pack the Electorate," which discusses some other aspects of the proposed legislation. I ask unanimous consent that those two articles be printed at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

"[From the Washington Evening Star, May 2, 1962]

"CONSTITUTION AND THE LITERACY BILL—HYPOCRISY IN PUBLIC OFFICE IS SEEN IN DEBATE OVER CIVIL RIGHTS ISSUE

"(By David Lawrence)

"The business of Congress has slowed down. The Senate is engaged in a filibuster, or lengthy debate, which represents a desperate attempt by a small group of dedicated men to save the Constitution from being violated by a majority who are seeking allegedly to protect civil rights.

"If the vote to shut off debate, known as cloture, were to succeed in getting the two-thirds majority it requires, there is a 51-percent majority ready to pass a bill which would take away from the States the right to set the qualifications for voters. This would be an unconstitutional act, and many Senators who feel they must vote in favor of it for political reasons back home are secretly hoping cloture will fail and that the literacy measure will never get through both Houses. They would presumably retain the favor of the minority groups, even though the bill didn't become law.

"It's a transparent case of hypocrisy in public office. It couldn't happen if the American people knew all the circumstances. But the gap in communication between the people and their Government is in some respects not much different from what it was nearly a century ago. Now, as then, a fraud can be perpetrated and the Constitution completely disregarded without encountering the protest that certainly would come if the people were told all the facts so that they could understand the issues.

"Today, few people in the United States know, for instance, that the 14th and 15th amendments—on which the whole controversy over civil rights laws is based—were never legally adopted.

"Few people know that the Supreme Court of the United States has repeatedly dodged the issue and refused to consider any case involving the legality of the method used in ratifying those two proposed amendments to the Constitution. The alibi or excuse given is that these are questions involving the political departments of the Government and what are termed 'political questions.'

"All the history books describing the events that occurred after the War Between the States was over agree on the facts. Both Presidents Lincoln and Johnson took the position that the Southern States had never left the Union. In May 1865, after the surrender of the South, President Johnson issued a proclamation of amnesty and set up provisional governments in all Southern States. Constitutional conventions were convened in each, and new State governments and Members of Congress were elected. Before the end of the year, the new legislatures had ratified the 13th amendment, which abolished slavery, and their action was accepted as formal ratification by legally constituted State governments. When, however, the newly elected Senators and Representatives presented themselves at the opening of Congress on December 4, 1865, they were refused admittance by the radical Republicans, who were in control.

"These same State governments continued to function through 1866 but declined to ratify the 14th amendment, which had been proposed by Congress in June of that year. The Republican Party then pushed through in April 1867, the first of the 'Reconstruction acts.' This divided the South into five military districts, imposed martial rule, and made ratification of the 14th amendment the price for restoration of civil government and full rights in the Union.

"President Johnson vetoed the measure as plainly unconstitutional, but the bill was passed over his veto. Federal troops were stationed throughout the South and in one instance in a legislative chamber itself. Coercive tactics were used to set up rump legislatures, as white voters generally were disenfranchised. At the point of the bayonet, the Southern States one by one ratified the 14th amendment, until the requisite number had been obtained by July 1868.

"Secretary of State Seward, who also had served in Lincoln's Cabinet and was an outstanding lawyer, hesitated to accept the ratification process as legal, and publicly said so. Congress thereupon, by joint resolution, ordered him to proclaim the amendment to have been ratified. It had no right to do so.

"The 15th amendment was similarly adopted under virtually the same conditions.

"Various attempts were made in the 1870's to get the Supreme Court to take cognizance of what had been happening, but to no avail. Since those days, the High Court has merely assumed the legality of the two amendments because the ratification procedure itself had never been declared invalid. Even within the last 5 years, efforts of lawyers to get the Supreme Court to consider this phase have proved fruitless, though the High Court has taken cases with respect to controversies over the ratification of other amendments involving such points as denying the right of a State to rescind its approval, even if it takes action before the requisite majority of three-fourths of the States has been attained for a particular amendment.

"It is not too late for the 14th and 15th amendments to be resubmitted to the States for ratification, if only to erase a disgraceful chapter in American history. It would be a fitting centennial celebration."

"[From the Sioux City Journal, May 3, 1962]

"ATTEMPTS TO PACK THE ELECTORATE

"(By David Lawrence)

"Just as President Franklin D. Roosevelt became impatient with the processes of the judiciary and asked for laws to permit him to pack the Supreme Court, President Kennedy now has started an analogous controversy which will occupy the attention of the Senate for the next 2 weeks. He wants to pack the electorate by ignoring the rules laid down in the Constitution concerning voter qualifications.

"The Constitution, of course, specifically gives only the States the power and right to fix the qualifications of voters. It reserves to Congress merely the right to alter State regulations as to the times, places, and manner of holding the elections themselves.

"But Attorney General Robert F. Kennedy, in a formal statement to a Senate subcommittee, declares he is tired of the bother of filing lawsuits and says, in effect, that it's easier just to get a law passed to set voter qualifications than to go through the prescribed process of amending the Constitution to take this right away from the States.

"Now, it will be conceded that if there is any discrimination in any State because of race or color in preventing anyone from voting, then certainly the Constitution should be invoked to secure equal treatment. This, however, really isn't the issue, for the basic question is how the Constitution shall be enforced.

"The Attorney General says that, when the 15th amendment was adopted in 1870, it became illegal to practice racial discrimination in the voting process, but 'it is necessary today, 92 years later, to file lawsuit after lawsuit to make constitutional command a reality.'

"The late President Roosevelt argued the same way. He wanted the Justices of the Supreme Court to decide cases the way he wanted them decided, and he declared that he didn't care to wait till enough vacancies on the bench occurred to give him the opportunity to appoint new judges who would support his views.

"Attorney General Kennedy says that persons with a sixth-grade education should not be required to take a literacy test as a qualification for voting. He feels that completion of the sixth grade is sufficient without an examination. He could be right about this as a test in itself.

"Yet he ignores the specific obligations under the Constitution that if the rights of the States—which include the power to fix voter qualifications—are to be changed, then the Constitution itself must be amended by a two-thirds vote of both Houses of Congress and ratification by three-fourths of the States.

"With amazing frankness, the Attorney General proclaims the rule of expediency and the doctrine which has caused the overthrow of many an established government—the end justifies the means. He says in his formal statement:

"'The question is not whether this bill is valid, but whether it would correct the situation.'

"Mr. Kennedy, further on in his statement, adds:

"'I believe legislation, to accomplish directly what can be unquestionably done through litigation, is plainly justified under the 14th and 15th amendments.'

"But is this really true? Litigation can be instituted only where there is evidence of discrimination in denying the vote to anyone eligible. What the Attorney General is proposing is that both whites and Negroes, for instance, be permitted to vote when they have completed a sixth-grade education.

"He is ignoring the fact that, if a State actually administers its laws fairly and doesn't permit either a white or a colored person to vote if a literacy test is given and the applicant fails, then there is no basis for litigation.

"The whole maneuver is characteristic of the Kennedy administration. It has issued many an Executive order that has yet to be tested by the Supreme Court. The argument always is offered that, because it is cumbersome to amend the Constitution, a shortcut can be taken by having Congress act alone.

"George Washington foresaw this trend as likely to develop when he warned in his farewell address:

"'Let there be no change by usurpation. For though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed.'"

* * * * *

Mr. RUSSELL. Mr. President, I yield 3 minutes to the distinguished Senator from Iowa [Mr. MILLER].

Mr. MILLER. Mr. President, I said last week, at the time of the first vote on the cloture motion, that I was persuaded that there had been numerous abuses with respect to the literacy test. I also pointed out that this is not a literacy test bill, and I think there has been too much propagandizing of the American people to that effect. The pending bill goes far beyond literacy tests.

The bill, on page 2 of the Mansfield-Dirksen amendment, paragraph (d), states that:

"Congress * * * finds * * * that persons who have completed six primary grades * * * cannot reasonably be denied the franchise on grounds of * * * lack of sufficient education."

This is not a literacy test bill. It goes to the heart of the rights of the sovereign States to set educational requirements.

It is very apparent to me that some States may see fit, in order to have an enlightened and informed electorate, to provide that 8 grades or 10 grades or 12 grades be required as a matter of the exercise of the franchise.

Later, on page 3 of the bill, it is stated that:

"'Deprivation of the right to vote' shall not be limited to (1) application to any person of standards or procedures more stringent than are applied to others similarly situated, and (2) the denial to any person otherwise qualified by law of the right to vote on account of his performance in any examination, whether for literacy or otherwise, if such other person has not been adjudged incompetent and has completed the sixth primary grade."

I voted against invoking cloture last Wednesday. I voted against tabling the Mansfield-Dirksen amendment because I believed it had some merit. But today I intend to vote again against invoking cloture because I have not been persuaded by any of the leadership that an effort will be made to restrict the Mansfield-Dirksen amendment to literacy, and nothing else.

I regret that this is so, because I think there have been abuses that go far beyond the purposes and intentions of literacy tests. The way to get the question settled is not to try to bring in other issues besides the literacy test.

If I were assured that we would be voting for nothing except the literacy bill, I would vote to invoke cloture, because I think this situation merits some action. Failing that, my vote will be against invoking cloture.

Mr. RUSSELL. Mr. President, I yield 4 minutes to the distinguished Senator from Mississippi [Mr. STENNIS].

Mr. STENNIS. Mr. President, I have had the privilege of following this debate quite closely, and even though I had tried to prepare myself on the subject, it has been very illuminating to me, and I have learned much on the subject matter and related questions.

The Senator from Iowa [Mr. MILLER] has made a fine, clear-cut point, that this is not just a literacy test bill. It goes deep into the proposition of educational requirements. But, all in all, the proponents of the measure—and the burden is on the proponents—have failed to establish the need for general legislation on the subject. To the contrary, it has been shown that the Civil Rights Acts of 1957 and 1960, which are in operation, have been found broad enough to cover the subject matter.

CIVIL RIGHTS AND UNREST

Mr. MILLER. Mr. President, it is rare in Washington to pick up a daily newspaper or a periodical and not find column after column devoted to civil rights. Every aspect is being explored and both the extreme and responsible views are being set out in historic perspective. Some articles have conceived more unrest, others have poured water on the flames of violence. One of the most rounded articles on the subject has flowed from the typewriter of Relman Morin, the Pulitzer Prize-winning staff writer of the Associated Press. His article wraps up the many nuances of the racial unrest in the Nation. It is an article well worth reading.

Mr. President, I ask unanimous consent that the article, entitled "Drive for Civil Rights Embroils Entire Nation," which was published in the Washington Sunday Star of August 11, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SUMMER OF CRISIS: DRIVE FOR CIVIL RIGHTS EMBROILS ENTIRE NATION

(By Relman Morin)

NEW YORK, August 10.—The Negro drive for full equality has reached the dimensions of a national convulsion.

It wracks the whole United States, not just the Southern States. It is breaching the invisible racial barriers of the North no less than the visible walls in the South, shattering the complacency of one region, defeating the slowdown strategy of the other.

"Something's got a-hold of me," the Negro is chanting. "We shall overcome," is his anthem.

His movement is in the streets, the courts, the Halls of Congress.

It touches schools and employment practices, a seat at a lunch counter and a home in a better neighborhood, the right to vote and the right to worship in any church, the right to sit in any public park, and read a book in any public library—in short the rights of an American citizen and access to equal opportunity.

Starting as nonviolent, his campaign has engendered violence. The blood of both races has been spilled. No one can say whether more will flow, or where, or how much.

"We will advise our people not to use violence," said Roy Wilkins, executive secretary of the National Association for the Advancement of Colored People, at a news conference in Jackson, Miss. "The Negro can't win in a pitched battle with the whites. He's in the minority."

But can the Negro leaders control their followers, everywhere and at all times? Who, for example, speaks for Harlem, the huge Negro community in New York City?

"How can anyone ask me to be nonviolent?" said a Negro war veteran. "That's like putting me back in the line in Korea and loading my rifle with blanks."

Violence begets violence and the possibility of a white counterreaction has been noted by many observers. "If that happens," said Hodding Carter, editor of the Greenville, Miss., Delta-Democrat, "all hell will break loose."

During the demonstrations in Birmingham last spring, a white taxi driver said to me: "If they kill any white people, I won't ask any questions. I'll just start killin'."

The hour seems late. Is it 1 minute to 12 now? If so, what raced the hands of the clock?

The story is soon told.

After World War II, the first important Federal Government action in race relations came when President Truman ordered the end of segregation in the Armed Forces. He also asked Congress for strong civil rights legislation. It was not granted.

During President Eisenhower's second administration, Congress enacted civil rights bills in 1957 and 1960. Using these laws, the administration filed 10 suits on behalf of Negroes' voting rights in the South.

The historic year, however, in the long and anguished struggle over civil rights, was 1954. The U.S. Supreme Court struck down, as unconstitutional, the doctrine of separate-but-equal facilities in public schools. Segregation had been a legal fact for 58 years, based on a decision of the Supreme Court in 1896. Now, the Court ordered the schools to be desegregated with all deliberate speed.

Negroes and their white sympathizers exulted.

But the segregationist, eyeing that phrase, "with all deliberate speed," saw an escape hatch. He determined to resist as long as possible. And he did.

TROOPS MOVE IN

Mob violence exploded in Southern and border States.

A climactic point of this stage was Little Rock, Ark. The year was 1957. Exactly 80 years after the end of the Reconstruction in the South, Federal troops marched into a Southern city again. They used bayonets to disperse crowds around Central High School. And they escorted Negro children into classrooms.

Elsewhere in the South, however, the barriers remained.

Oxford, Miss., and Tuscaloosa Ala., were still to come.

At Oxford, two men died and scores were injured when a Negro, James H. Meredith, enrolled in the University of Mississippi. Again, Federal troops marched, bivouacking on the campus.

At Tuscaloosa, Gov. George C. Wallace stood in the doorway of a University of Alabama building when Justice Department officials attempted to enroll two Negroes, Vivian Malone and James Hood. A few hours later he stepped aside when federalized units of the National Guard marched onto the campus. There was no violence.

Long before these incidents, however, the bright-new-day jubilance of 1954 had begun to evaporate.

Negro disappointment, as the years passed with little desegregation, turned to bitterness. "Generalism," the policy of slowly ending segregation, and "tokenism," permitting only a handful of Negro children in schools, offices, or factories, became fighting words.

Today, nearly 10 years after the Supreme Court decision, figures compiled by the Southern Education Reporting Service indicate that about 257,000 Negro children are attending public elementary and high schools with white students in 17 Southern and border States and the District of Columbia. Negro leaders say this is about 8 percent of the school-age total.

Apart from the schools, new sectors opened in the fight for civil rights.

In 1955 and 1956, the Southern Christian Leadership Conference, headed by the Rev. Martin Luther King, Jr., boycotted segregated bus lines in Montgomery, Ala. They won.

The boycott, or selective buying, as the Negro leaders prefer to say, began coming into play as a potent weapon in other parts of the South. Negro economists estimate that the purchasing power of the Negro, nationally, is around $15 billion a year.

Selective buying has put Southern businessmen in a vise. If they integrate some facilities after a Negro boycott, they may be hit by a white boycott.

Along with the boycott came the sit-in, the tactic of simply sitting quietly in a restaurant, seeking service. Or the kneel-in, crowds of Negroes praying on the steps of a public building or in a main street, stopping traffic.

These maneuvers were pioneered by the Committee on Racial Equality (CORE) which was founded in 1942 at the University of Chicago. It obtained a foothold in the South with the sit-in of 1960.

Parallel with action on these fronts, the Negroes began concentrating their efforts in another supremely important field—voter registration. Another Negro organization, the Student Non-Violent Co-ordinating Committee (SNICK) has been active in this work.

UNITED STATES PUSHES VOTER DRIVE

The Justice Department has assisted. Since 1961, it has filed 29 suits against officials for refusing to register qualified Negroes. About 50 percent of these suits have been won.

The Southern Regional Council estimates there are 5,045,000 Negroes of voting age in 11 Southern and border States. About one-fourth, some 1,344,000, are registered.

Many tactics have been used to discourage Negroes from registering—gerrymandering, intimidation, widely spaced meetings of registration boards, throwing out Negro applications on technicalities.

So concerted voter registration drives began. Students went through Negro communities ringing doorbells. Officials stationed themselves in public buildings in the South buttonholing every Negro who came in, whatever his business, and urging him to register, there and then. Voter clinics were set up to instruct Negroes in filling out the application forms, and in meeting the technicalities.

It is a long, slow process, but the figures for Negro registration are rising, spectacularly in some cases. In Bullock County, Ala., there were four registered Negroes in 1961. Now there are 1,341. This, of course, is a special case.

Of the registration drives, Bishop George W. Barber, of the African Methodist Episcopal Church, said:

"The objectives of the campaign would be accomplished substantially by registering and voting every single, eligible Negro voter within sight or hearing of our membership. Our goal is a minimum of 2 million new Negro voters, North and South."

AFRICAN LEADERS IN THE UNITED STATES

In all probablity, another factor has played a part in the Negro drive for equality, a subtle, unmeasurable factor—the new African nations.

The American Negro has seen African heads of state being received in the White House and getting the red carpet treatment from Soviet Premier Khrushchev and other powerful leaders. He has seen African diplomats speaking from the rostrum of the United Nations.

This has been a source of pride and encouragement.

But it also is a two-edged sword. "An African in a robe and turban can go into a restaurant or a hotel where I can't go," said a Negro public relations man in Washington. "How silly can segregation be? How do you think this makes me feel?"

BIRMINGHAM ACTION

Then came another catalyst—Birmingham.

Last spring, Negroes there demonstrated in the streets for desegregation of some facilities in downtown stores and the formation of a permanent biracial committee to handle racial problems. So many were arrested the jails overflowed.

Police dogs and fire hoses were used to disperse the crowds. It was not the first time the dogs had been used in Birmingham. The first time was against white men, rioting around freedom riders at a bus station. Nor, of course, was Birmingham the only city to use dogs.

Nevertheless, photographs of dogs leaping toward Negroes went around the globe.

For some reason, Birmingham appears to have dramatized the Negro struggle more than any other incident.

"Birmingham engineered the revolution that began in the spring of 1963," Martin Ochs, editor of the Chattanooga Times, said in a recent speech at the University of Wisconsin.

Fear of violence and economic trouble has fostered a "mood of reconciliation" toward racial intergration in the South, Mr. Ochs said.

Almost overnight after Birmingham, too, Negro demonstrations erupted in the North. Violence flared in New York, Philadelphia, Chicago, and other Northern cities. The Los Angeles Times published a cartoon depicting two Negro figures, one in a menacing posture. It was captioned, "Integration, Not Intimidation."

In the North, Negro demands focus mainly on jobs and housing. Negro unemployment is high, more than double white unemployment.

Labor unions have been accused of discriminating against Negroes. Negro leaders are demanding that a certain quota of Negroes shall be employed on given projects, and even in restaurants.

In New York City, to dramatize these and other demands, Negroes entered the offices of Governor Nelson Rockefeller and stayed for days in a sit-in. They staged another in the city hall.

UNITY AND EXTREMISM

Another recent development has been a unifying move among seven Negro organizations, some of which had been sniping at each other. They were the NAACP, CORE, SCLC, SNICK, the National Urban League, the National Council of Negro Women, and the legal defense and education fund of the NAACP, a separately incorporated organization.

The coalition takes the name Council for United Civil Rights Leadership.

"Our primary concern is to eliminate violence," a spokesman said. "We want to provide a cadre of experienced Negro leaders who will prevent things from getting out of hand and keep irresponsible elements from turning to violence."

Distinctly separate from these groups are the Black Muslims. They demand, not integration, but total segregation on their own terms. They want the Federal Government to set aside territory in which they propose to set up a Negro state.

Their leader, Muhammad Elijah, lives in Phoenix, Ariz. In answer to the question of whether the Muslims hate white people, he said:

"The Bible teaches us to love good and to hate evil. I can't love him (the white) because he is the very essence of evil."

POSITIVE ACCOMPLISHMENTS

In the vast, complicated and potentially dangerous picture of the racial struggle today, what are the positive sides? The principal ones would seem to be these:

1. To a greater degree than ever before, the problem is out in the open. More people,

especially in the North but in the South, too, are aware of the intricacies and the injustices. More are thinking about it, seeking solutions.

2. Some degree of communication between the races is being restored in the South. Communications, southerners say, generally tended to break down after the Supreme Court decision on the schools in 1954. Now, fitfully and with difficulty, Negroes and whites in some parts of the South are sitting down together again. One southern newspaper publisher called such a meeting in his own plant—and deliberately placed the conference table where it could be seen through the window from the sidewalk.

3. President Kennedy, in conferences with scores of southern businessmen, clergymen, and others, has sought means to desegregate many establishments. He set up a Presidential Committee on Equal Job Opportunity, replacing two other such committees of the Eisenhower administration. It is headed by Vice President Lyndon B. Johnson.

4. Congress is hearing testimony on the President's package of civil rights legislation. On June 11, he asked Congress to "make a commitment it has not fully made in this century to the proposition that race has no place in American life or law." Attorney General Robert F. Kennedy told the House Judiciary Committee: "This bill before you today embodies that commitment."

5. While the Negroes are crying for rights, a Negro lawyer, Mrs. Cora T. Walker, is making speeches sharply reminding them of their responsibilities. She tells them:

"We are as much to blame for our present condition as the white majority."

FAIL TO VOTE IN NEW YORK

On the political side, she says, "there are approximately 1 million black people in New York City. These Negroes have no restrictions on their voting rights. Yet there are only two elected Negroes in the entire city legislative government."

Of the economic situation, Mrs. Walker says, "in Harlem alone, Negroes spend $150 million a year on automobiles, $80 million on liquor, $75 million on wigs and hair pieces, $100 million on playing the numbers. More than 90 percent of the businesses in our ghettos are owned, controlled, and managed by white outside of the community. We give minimum support to our own, who are in businesses or professions."

Of some social facts, she says, "we now are the major statistic in juvenile delinquency, dope addiction, crime and school dropouts. Is this why 75 percent of the out-of-wedlock children are born of our race?"

Mrs. Walker suggests that Negroes should do more to help each other. "Isn't it our responsibility," she asks, "to take the initiative to secure the needs of our underprivileged?"

She says she has never had an adverse reaction from Negro audiences. "On the contrary, there have been more than 500 requests for reprints of these speeches."

SOUL SEARCHING URGED

A similiar position was taken recently by another minority group, the "Nisei," or American-born Japanese. In San Francisco, Howard Imazeki, editor of the newspaper, Hobukei Mainichi, said in an editorial:

"We have yet to hear any Negro voices blaming themsleves for their social maladjustment.

"What we are trying to say most sincerely here is that the Negro leaders should do a little soul searching of their own."

Nearly 72 years ago, on August 19, 1891, the New York Mail & Express published a pathetic little item. It said some Negro clergymen had met to discuss means of obtaining better opportunities for their people.

Today, the Negro drive is for fully equal opportunity, for everything America offers every citizen.

IMPACT OF INACTION ON A WHEAT BILL THIS YEAR

Mr. MILLER. Mr. President, in its issue of July 28, the Waterloo, Iowa, Courier published an article assessing the impact of inaction on a wheat bill this year. Iowa State University agricultural economist Francis Kutish concludes that failure to enact such legislation will have important implications for the livestock and poultry industries. He believes, however, that it is imperative to develop some effective voluntary wheat adjustment program involving relatively low Government cost. I ask unanimous consent that the article, entitled "Corn Belt Woes From Wheat," be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Kutish Cites Problems—Corn Belt Woes Seen From Wheat

Ames.—The problem facing wheat farmers in the aftermath of the wheat referendum is closely related to the feed-grain problem—and there could be important implications for the livestock and poultry industries.

These are the conclusions of Agricultural Economist Francis Kutish of Iowa State University.

"The danger we face," says Kutish, "is that wheat producers will produce several hundred million bushels of wheat next year for which there will be no market other than livestock feed.

"This extra wheat will first depress feed-grain prices next spring and summer. Then, when it is fed, the resulting increased livestock and poultry marketings in the fall of 1964 will depress both livestock and poultry farmers' incomes."

And, Kutish adds, time is beginning to run out on the chances for new wheat legislation for the 1964 crop.

Two main types of wheat legislation are being considered by Congress. One would set wheat price supports at about livestock feeding values. There would also be a massive Government-financed cropland retirement program.

The other proposal is a voluntary combined wheat and feed grain program. It would provide for wheat at 65 percent of parity with acreage diversion payments equal to half the value of the crop not produced.

A third proposal is being discussed. Essentially, it would be the wheat certificate plan which was defeated in the May referendum. The new plan, however, would be voluntary.

In the absence of any new legislation and no special acreage diversion programs, about 300 million bushels of additional wheat are expected to be harvested next year, says Kutish.

Mr. MILLER. Taking into account that some of this new wheat would come from former feed grain acres, the net addition to the feed grain supply is estimated at about 200 million bushels of feed wheat.

Some of this wheat would replace corn as livestock feed. Then the replaced corn would go under loan and be taken over by the CCC.

The result, says Kutish, could be to offset as much as three-fourths of the reduction in feed grain stocks that would otherwise take place next year.

And if the weather is good and participation in the feed grain program drops off, Kutish says the diversion plan of the 1964 feed grain program could be completely offset.

Some of the additional wheat would also find its way into broilers and turkeys, says Kutish. This would mean more competition for Midwest pork and beef. It would directly affect poultry raisers.

The same would hold true for egg producers.

In the face of these consequences, there are some administrative actions possible by the U.S. Department of Agriculture.

One possibility would be to make higher diversion payments in the feed grain program. This might divert enough additional acres of feed grain to offset some of the extra wheat.

Another possibility would be to establish cross compliance between wheat allotments and the feed grain program. That is, to participate in the feed grain program, the wheat producer must also stay within his wheat allotment.

A third possible Department of Agriculture action would be to permit substitution between wheat and feed grain on allotted acres, with the provision that the farmer would have to make an extra diversion of grain acres before he could switch to wheat.

The problem, says Kutish, is to develop some effective voluntary wheat adjustment program that involves relatively low Government cost.

"More is at stake than solely the wheat farmer's interests," he adds. "It is impossible to run a reasonable cost, effective feed grain program in the face of unlimited wheat production."

CAUTIOUSNESS IN DEALING WITH SOVIET UNION

Mr. MILLER. Mr. President, the Washington World, in its August 12 issue, reaches back to June 24, 1934, to underscore the reason why the United States and all free nations must be extremely cautious in dealing with the Soviet Union. The article and its message should be examined closely in these times of test ban treaties and nonaggressive pact discussions.

In the lead paragraph, the magazine quotes a statement by Maxim M. Litvinoff, then foreign commissar of the Soviet Union:

> The most avowedly aggressive state may conclude pacts of nonaggression with some states in order to free its hands and secure its rear and flanks for an attack on other states.

That the Soviet Union lived by these words is a historical fact.

Assuredly, in view of these prophetic words, we must weigh every step, every fact in our actions to come.

Mr. President, I ask unanimous consent that the article, headlined "Possibilities of Trickery Lurk in Efforts To Obtain Nonaggression Agreement," be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Possibilities of Trickery Lurk in Efforts To Obtain Nonaggression Agreement

"The most avowedly aggressive state may conclude pacts of nonaggression with some states in order to free its hands and secure its rear and flanks for an attack on other states." These prophetic words were uttered almost 30 years ago. They were spoken by Maxim M. Litvinoff, then foreign commissar of the Soviet Union.

He is quoted from a New York Times interview of June 24, 1934, in which he rejected military alliances and the policy of the balance of power as tending to unleash rather than prevent war. The irony was that 5 years later, plus only 2 months, the Soviet Union was to sign a nonaggression treaty with Hitler's Germany that most certainly unleashed World War II. World public opinion was totally unprepared for the announcement in Berlin, August 21, 1939, that Foreign Minister Ribbentrop was flying to Moscow within 2 days to affix his signature to a nonaggression treaty.

That Ribbentrop had been the artisan of the Anti-Comintern Pact of 1936 only made the shock more dismaying and the irony more complete.

The specific effect of the 1939 nonaggression pact was just what Litvinoff had predicted. His rear flanks secured, Hitler gave the order to march and Nazi troops invaded Poland by land and air on September 1, the day after the Russian Supreme Soviet went through the motions of ratification. Less than 2 years later, on June 22, 1941, German troops poured into the Soviet Union. Vyacheslav M. Molotov, who had replaced Litvinoff as Foreign Commissar in time to negotiate the pact with Hitler, said: "We had not deserved this."

PACT REMOTE

A pact in the specific terms proposed by Soviet Premier Khrushchev—"between the two main military groups of states, the NATO countries and the Warsaw Treaty states"—seems remote as long as Charles de Gaulle is president of France.

In his mass press conference of July 29 De Gaulle offered his own "solemn declaration through the voice of the President of the Republic that there will never be any aggression by France." Therefore, De Gaulle reasoned, "a pact of nonaggression is hence without purpose."

The Russians in the past have been inclined to tear up treaties the moment these proved inconvenient. In the period between 1926 and 1933 the Soviet Government concluded a series of nonaggression treaties with neighboring governments.

Yet in 1939 Russia invaded Poland and Finland and in 1940 seized Bessarabia from Rumania. After the fall of Paris in 1940, Soviet forces hastily overran the Baltic states in violation of existing treaties. And after the surrender of Germany in 1945, Soviet forces invaded Japanese-held territory despite a Soviet-Japanese nonaggression treaty.

PEACEFUL DESIRE

Foreign Commissar Litvinoff back in 1934 had an alternative to nonaggression treaties that is at least tempting to consider:

"By a process of elimination we * * * arrive at another means—namely, pacts of mutual assistance, which must by no means be regarded as an attempt to encircle any one, since every state belonging to a region may join. * * * Having equal rights and an equal measure of security, not one signatory of such a pact should be considered encircled or subject to any danger if he shares the other signatories' desire for peace."

COMPLICATIONS INHERENT IN EUROPEAN COMMON MARKET

Mr. MILLER. Mr. President, Columnist Henry J. Taylor, writing in the Washington Daily News of August 10, takes a very decisive look at the complications inherent in the European Common Market. He sees various problems creating a series of, as he expresses it, "cross-related demands for increased subsidies and other protections within the Common Market itself * * *." He further notes:

> Each country likes the exports but objects to the imports that hurt it. * * * These countries have no intention whatever of allowing the United States to share their markets where they are self-sufficient, and certainly not in the face of any oversupply.

This one-way street, especially in light of what has occurred in the poultry area, is of utmost concern to all of us. It is incumbent upon us, as a result, to act more firmly; otherwise we will face the loss of more and more markets in Europe.

I ask unanimous consent that the article, entitled "Too Many Complications," be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TOO MANY COMPLICATIONS

(By Henry J. Taylor)

MILAN.—Many Italian industrial-banking leaders in this teeming Milan-Bologna-Turin triangle quietly agree with President de Gaulle's blackball of Britain from the Common Market. They see the compact union better off without external complications—especially in agriculture and labor.

Three hundred thousand Italians now make their living outside Italy in Common Market countries. And today's ebb and flow of the French workers into Germany, the Belgians into France, the Germans into Belgium, etc., in a great, whirling advance of overall productivity has been fundamental in the Common Market's success.

Moreover, for the first time in history, this has actually broken the back of chronic unemployment in many traditionally distressed areas where abject poverty was always the Fourth Horseman of the Apocalypse.

In places like South Italy, and even hereabouts, you still find the conditions that breed the flies that blind the babies. But the merciful opportunity to freely seek good jobs in neighboring nations is providing a profound blessing.

Hardly known to us at home, however, Britain's proposal to join the six-nation union never accepted this migratory labor provision. In fact, when Welsh coal mines attempted to employ Italian labor on even a small scale, the British unions went on strike.

Accordingly, London's position regarding migratory labor, contrasting with the Rome Treaty (1958) among the other six nations, is a largely unreported stumbling block to which even the British themselves hardly see a solution, and certainly Prime Minister Macmillan presented none.

The Common Market is a series of specific, complex obligations. These must be met in a fluid, not static situation: A treaty very hard to live with and full of stresses and strains. Even without commonwealth complications, the complications within the Six make the sailing not nearly as smooth as we may think.

For example, cheap refrigerators and washing machines from this area are flooding France. The resulting layoffs of French household appliance makers has become a political issue in France. At the same time, textile makers here complain about the inrush of weavers from giant new mills in Lyon and other pressures from the overbuilt French textile industry.

President de Gaulle's press conference last week highlighted again the agricultural tensions. Among the six countries, France has the one thing all others lack: France has space. France is no more densely populated than our own State of Ohio.

As one result, the largest single problem in West German agriculture is the sea of cheap French wheat flowing to German flour mills and buffeting hard against that nation's farm income. Cheap Italian wine, in turn, is even beginning to affect the vineyard price level in the Rhineland. And topping off such tensions, every Common Market country except Italy is experiencing a milk glut.

All this now stimulates a series of cross-related demands for increased subsidies and other protections within the Common Market itself and tosses these economic realities smack into politics. For the same old rules of life are still very much alive: Each country likes the exports but objects to the imports that hurt it.

Had you traveled with this writer on Normandy roads only a few days ago you would have seen one dramatization of this. To publicize their plight to the population, groups of French milk farmers were stopping French motorists and giving their milk away to them in large cartons.

The recent tariff boost that assassinated our poultry imports occurred within this atmosphere and is as sure to persist as the sun is to rise. These countries have no intention whatever of allowing the United States to share their markets where they are self-sufficient, and certainly not in the face of any oversupply.

This is what President de Gaulle is really saying. When he speaks for protection among the Six he is echoing popular and political realities here. Talk as we may about "free trade," the outlook is for the Six to try to administer it like a one-way street: The Common Market to sell in the American market, but not much vice versa.

PROPAGANDA AGAINST REPUBLICANS ON CIVIL RIGHTS

Mr. MILLER. Mr. President, the respected New York Times columnist, Arthur Krock, writing in the July 10 edition of the Des Moines, Iowa, Register, assails what he terms as a new-type "hot line" being fed out of Washington against the Republicans in Congress. He deplores the brazen attempts to pin possible failure of the administration's civil rights proposals on the Republicans. The propaganda line, writes Mr. Krock, takes this form:

> Unless the Republicans in Congress supply the administration's equal rights bill with sufficient votes to overcome Democratic opposition to the drastic and foggy "public accommodations" section, their party will be established as "The white man's party."

Mr. Krock rightfully labels this concentration of pressure on the Republicans as a "brazen performance." He draws attention to the fact that these propagandists conveniently overlook that there are 67 Senate Democrats and only 33 Republicans. This lineup gives the Democrats the two-thirds needed to impose cloture on debate. Mr. Krock, as a result, reaches this conclusion:

> If the public accommodations section is lost because of the lack of the two-thirds required for cloture, Democratic defections will be primarily responsible.

I believe civil rights legislation should be outside the arena of partisan politics. It is unfortunate that some individuals, and groups of individuals, including those responsible for this "hot line," have decided to make it a partisan issue. Human and property rights are involved here; and regardless of our party affiliation all of us must remember that we are Americans first. If we act accordingly, then we should be able to strike a reasonable balance between these two moral issues.

Mr. President, I ask unanimous consent that Mr. Krock's column may be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Desire To Pin It on GOP Irks Krock

(By Arthur Krock)

Washington, D.C.—The "hot line" between President Kennedy and Nikita Khrushchev is not quite installed. But there is another kind of hot line being fed out of Washington over the political terrain of the United States. The message its operators are seeking to deliver in this:

Unless the Republicans in Congress supply the administration's equal rights bill with sufficient votes to overcome Democratic opposition to the drastic and foggy "public accommodations" section, their party will be established as "the white man's party."

DOUBTS MUST BE SUPPRESSED

To avoid this (the propaganda line runs), Republicans must suppress very serious doubts of the legality of expanding the interstate commerce clause of the Constitution to prohibit private owners of facilities of public accommodation from discriminating among applicants for these facilities.

And they must leave to an administration deeply involved in reelection strategy the selective judgment whether this or that discrimination "substantially" affects interstate commerce.

Also, enough Senate Republicans must vote with the administration leadership to put a time limit (invoke cloture) on the period in which a minority may try to prevent affirmative action on legislation deeply infringing the traditional American concept of individual rights over private property.

A BRAZEN PERFORMANCE

The concentration of this pressure on the Republicans is a brazen performance. It disregards the fact that there are 67 Senate Democrats and only 33 Republicans, which gives the Democrats just the two-thirds needed to impose cloture on debate. So, if the public accommodations section is lost because of the lack of the two-thirds required for cloture, Democratic defections will be primarily responsible.

If the section is rejected because the administration leadership cannot summon even the simple majority required for its passage, much less the two-thirds needed to impose cloture, accountability to the people will be that of the party in control of the Executive and Congress, and with a Senate membership margin of 67 over 33.

ANOTHER STRAND

There is another strand in the weaving of this hot line that merits inspection. It takes form in the statement that the Republicans will have betrayed "the party of Lincoln" by deserting his moral standard on this issue. As an example of this standard, the Emancipation Proclamation is mentioned.

The incredible implication here is that racial discrimination by private owners of public facilities is as immoral as was the institution of Negro slavery. But even if this comparison were not grossly distorted, a party with the same goal of racial equality would not be betraying Lincoln by rejecting methods it believed would impede instead of advance the end in view.

LINCOLN'S WORDS

"If I could save the Union," wrote Lincoln to Greely in 1862, "without freeing any slave, I would do it; and if I could save it by freeing all the slaves, I would do it; and if I could do it by freeing some and leaving the other alone, I would also do that. * * * I shall do less whenever I shall believe that what I am doing hurts the cause."

Less than 5 months later, with the Emancipation Proclamation, Lincoln freed only those slaves in territory occupied by the Confederate forces. But the Union was saved. And a consequence was the abolition of human slavery by the passage of the 13th amendment in 1865.

SUPPORT OF TEST BAN TREATY

Mr. COTTON. Mr. President, the Test Ban Treaty on which we shall shortly vote has for weeks been the subject of intense feeling and sharp controversy among our people. I believe it is the duty of every Senator, when he has formed his opinions, to state them, and throw such influence as he may have into the balance before final action is taken. Though I have been quite firmly resolved on my own position for some time, I have refrained from stating it until the committee hearings have progressed to the point that it is extremely unlikely any evidence will be produced to alter my decision.

I shall vote for the Test Ban Treaty.

One fact has stood out with increasing clarity throughout its consideration.

Both its benefits and its dangers have been greatly magnified.

Too much has been said about the possible effect of this Treaty in limiting or slowing down the race for nuclear arms supremacy. People should not be encouraged to cherish any such hope. Underground testing will continue. The refining and perfecting of those nuclear weapons, for which atmospheric explosions are not required, will proceed. The sole purpose of this Treaty is to end the menace of radioactive fall-out. And even this accomplishment may be only temporary for the escape clause which was, I believe wisely, inserted in the Treaty permits any of the parties to cancel it and resume atmospheric testing, if they have reason to believe that such a course is necessary for their security.

Nevertheless, the benefits of this Treaty are real and significant. While scientists may differ as to the degree of the danger from radioactive fall-out resulting from nuclear explosions, there can be no doubt that if they are allowed to continue, contamination of air, of water, of food will become an ever-growing menace to life and health on this earth. That this Treaty will permanently end contamination is perhaps only a hope, but every year, indeed every month that it is observed is so much clear gain.

That is why in approaching my decision, I sought for reasons to confirm rather than for reasons to reject.

Now as to the objections and apprehensions that have been expressed. These, too, I believe, have been magnified. I have weighed them most carefully and shall touch upon some of them.

First is the contention that in accepting this Treaty the United States is tying its own hands and permitting our rivals to freeze some important nuclear advantage they have gained over us. This is a serious point and demands painstaking consideration. If on all the evidence I believed it to be true, I could not support the Treaty, but I am convinced it is not true. I have become suspicious of these alleged gaps. In the 1960 campaign the American people became gravely concerned by frightening charges about a missile gap. That proved to be a myth. The widespread talk about a nuclear gap now is much the same, except that different people are talking about it. The fact that some of the professionals in our Military Establishment are understandably reluctant to relinquish air and water testing and that they, as well as a few of our scientists, are of the opinion that our rivals excel us in certain details, to me is reassuring. It is proof that neither our military leaders nor our scientists can be silenced by the President or anybody else and gives me more faith that the position of the majority that our national defense will not be impaired by this Treaty can be relied upon. Furthermore, the fact that the LeMays and the Tellers have voiced their doubts and spoken their convictions, and I honor them for it, gives us added assurance that the American people will not be permitted to become overconfident and that our national defense will not be allowed to deteriorate.

The fact that Khrushchev so suddenly changed from frowns to smiles and, after resisting the test ban so long accepted it with open arms, cannot be taken as proof that the Russians have solidified some significant nuclear advantage. While I am inclined to believe that the rift between the Soviet Union and Red China is real and is the secret of his new attitude, I am not relying upon it for I know, as does everyone else, that Khrushchev's motives are rarely what they seem to be. However, our foreign policy must be flabby indeed and our defenses weak if we must be forever worrying about this man's motives or swayed by his changing moods. I refuse to tremble when he threatens, or recoil when he conciliates. I refuse to deprive our country and the world of such hope as lies in this Treaty because I put no trust in Khrushchev.

Furthermore, we are protected by article IV:

> Each Party shall in exercising its national sovereignty have the right to withdraw from the Treaty if it decides that extraordinary events, related to the subject matter of this Treaty, have jeopardized the supreme interests of its country.

I am convinced that this provision gives us both the legal and the moral right to cancel the Treaty should we later find that the Soviets had perfected some nuclear advantage, such as the interceptor missile, before the agreement was signed and it should be necessary for us to resort to atmospheric testing to offset it. The only restriction being that the advantage must jeopardize the supreme interests of our country, and we are left the sole judge of that.

It is asserted that Mr. Khrushchev has some deep and nefarious purpose in mind, other than a present nuclear advantage, and is seeking to bind us to this Treaty so that he may use it as a means for our destruction. Certainly he is capable of doing exactly that. He may well hope to use this Treaty as a means of enticing the Western Powers into subsequent agreements that will serve his purpose. Such is my own suspicion as I shall indicate. However, what he may expect to gain by this Treaty alone is difficult to understand. We know he breaks treaties, but this time he does not need to break it. All he needs to do is withdraw from it, and we have the same privilege. There is no question of our being morally bound to keep a treaty while our enemies are violating it. We now have scientific means of detecting nuclear explosions on the land or in the sea. If we find that such explosions are taking place, with or without Soviet acquiescence, on the land mass of Red China or anywhere else, we have only to serve notice and cancel the Treaty.

It has been further contended that we cannot trust the President and the State Department to act promptly and firmly in canceling this Treaty should events occur to necessitate our resuming atmospheric testing. With this objection I confess I have some sympathy. The story of Cuba and Laos, as well as other episodes in the past 3 years, does not inspire me with extreme confidence in the promptness and firmness of the President, though I do not question his good faith. However, we in the Senate are not justified in voting against a treaty because of lack of faith in our own President. It is our sworn duty to approach this question on the merits of the Treaty. In doing so, we must assume that this or any other President will perform his sworn duty in its execution. Furthermore, we have the opportunity and capacity to watch and to warn.

There is the objection that our rivals, while not actually testing, may go through the period of secret preparations for such explosions, then cancel the Treaty and proceed. That could happen. However, it has been clearly indicated that, having been caught napping once when the Soviets broke a previous moratorium on testing, we shall not do so again. Our Defense Department and our scientists will be making the same secret preparations and developing, up to the point of testing, any and every new device. It is regrettable, but undoubtedly true, that both sides will continue every means of preparation short of atmospheric explosions. That is why I have discounted the effect of this Treaty on the arms race and believe that its benefits are confined to the possible restraint of radioactive fall-out.

Now I come to what I consider a real danger, not in the Treaty itself, but connected with it, unless our people are fully warned. The President, the Secretary of State and Under Secretary Harriman have referred to other possible agreements that may follow this one. Although the President has wisely cautioned against too many hopes—what disturbs me is that at least one of these "hopes" should not be a hope at all, but a fear. That is the repeated suggestion that this Treaty might be followed by a nonaggression pact. That suggestion came from Mr. Khrushchev and the only reservation concerning it that I have heard expressed by our Government, thus far, is whether it will give us protection against aggression in Berlin.

I shall vote for the Treaty now before us, but I would vehemently oppose any such nonaggression pact. I was amazed when our Secretary of State quoted, with no apparent dissent, Mr. Khrushchev as saying that he wanted a nonaggression pact to "formalize" the present boundaries of the Soviet Bloc. If we ever entered into any such agreement, we would be "formalizing" and finalizing every dastardly desertion of free peoples of which our Government has been guilty since the end of World War II. We would be placing the final seal of approval upon our surrenders at Yalta and Potsdam. We would be saying to the enslaved peoples of Poland, of Czechoslovakia, of Lithuania, of Hungary, of East Germany, and of the Balkans that we shall never lift a finger, even by diplomacy, to make them free. We would be shutting the door of hope to the millions of Poles and Slavs and Hungarians in this country who have watched their families and loved ones disappear behind the Iron Curtain. If we embark upon this policy, Khrushchev will never be content until we "formalize" the Communist control of Cuba. That means we could never stamp out the snakes' nests in our own back yard. Remember, to the Communist, infiltration is never aggression, so we would freeze their frontiers, but have our own constantly pushed back.

We are not an aggressor nation and all the world knows it. We are planning no armed invasions and the world knows that too. But liberty, like tyranny, never stands still. If freedom is to hold its own, we must never fortify its enemies by binding ourselves in advance not to meet propaganda with propaganda, infiltration with infiltration, yes, even war with war should it become necessary for the survival of freedom. If we enter into nonaggression pacts, there is only one way freedom can go. It cannot advance. It can only retreat.

Let us, therefore, ratify this Treaty for what it is—(1) an attempt and a hope for the ending of the menace of radioactive fall-out; (2) proof to the world that having struggled for years to obtain such an agreement, we are neither feeble nor fearful when the hour comes to act; (3) a declaration that we stand ready to move forward with friend or foe to reduce the threat of nuclear war, so long as we do not betray our security or the security of the free world. In ratifying it, let us ratify exactly what it contains and nothing more. Let there be no false hopes and, above all, let there be no implied commitments that we shall ever accept a Treaty that puts the hallmark of approval by the United States upon the oppression of free peoples anywhere in this world.

THE ADMINISTRATION'S CIVIL RIGHTS BILL: A DEBASEMENT OF CONSTITUTIONAL GOVERNMENT AND AN EXALTATION OF GOVERNMENTAL TYRANNY

Mr. ERVIN. Mr. President, I rise to comment upon titles VI and VII of S. 1731, which is the bill embodying the administration's civil rights proposals. Title VI is headed "Nondiscrimination in Federally Assisted Programs," and title VII undertakes to give congressional sanction to the President's Commission on Equal Employment Opportunity.

The constitution of my native State of North Carolina has always contained an admonition which the Congress, the President, and all Americans would do well to heed. It is this: "A frequent recurrence to fundamental principles is absolutely necessary to preserve the blessings of liberty."

Let us pause for a few moments and recur to fundamental principles. By so doing, we can see titles VI and VII of S. 1731 in proper perspective, and realize that they debase constitutional Government and exalt governmental tyranny.

1. THE CONSTITUTION AS A PROTECTION AGAINST GOVERNMENTAL TYRANNY

As Americans, we have received from the Founding Fathers a most precious heritage—government under a written Constitution. Each of us is bound by oath or affirmation to support this Constitution.

Why did the Founding Fathers enshrine in a written Constitution the fundamentals of the government they desired to establish and the liberty of the citizen they wished to secure?

The answer to this question is quite simple. The men who framed and ratified our Constitution were wise men. They had read the history of the long and bitter struggle of man for the right of self-government, and for freedom for the individual, and had found this shocking but everlasting truth inscribed upon each page of that history: No man, or group of men, can be safely entrusted with governmental power of an unlimited nature. As a consequence, they were determined, above all things, to establish a government of laws and not of men.

In saying this, I merely echo in my feeble way eloquent statements made by a great advocate, Jeremiah Black, and a wise judge, David Davis, in the famous case of *Ex parte Milligan*, 4 Wall. 2.

In arguing the unconstitutionality of the trial of his civilian client by a military tribunal, Jeremiah Black asserted:

> But our fathers were not absurd enough to put unlimited power in the hands of the ruler and take away the protection of law from the rights of individuals. It was not thus that they meant "to secure the blessings of liberty to themselves and their posterity." They determined that not one drop of the blood which had been shed * * * during seven centuries of contest with arbitrary power, should sink into the ground; but the fruits of every popular victory should be garnered up in this new Government. Of all the great rights already won they threw not an atom away. They went over Magna Charta; the Petition of Right, the Bill of Rights, and the rules of the common law, and whatever was found there to favor individual liberty they carefully inserted in their own system, improved by clearer expression, strengthened by heavier sanctions, and extended by a more universal application. They put all those provisions into the organic law, so that neither tyranny in the Executive, nor party rage in the legislature, could change them without destroying the Government itself.

In writing the opinion of the Supreme Court upholding Jeremiah Black's contention, Justice Davis declared:

> By the protection of the law human rights are secured; withdraw that protection, and they are at the mercy of wicked rulers, or the clamor of an excited people. * * * These precedents inform us of the extent of the struggle to preserve liberty and to relieve those in civil life from military trials. The founders of our Government were familiar with the history of that struggle; and secured in a written Constitution every right which the people had wrested from power during a contest of ages. * * * Time has proven the discernment of our ancestors; for even those provisions, expressed in such plain English words, that it would seem the ingenuity of man could not evade them, are now, after the lapse of more than 70 years, sought to be avoided. Those great and good men foresaw that troublous times would arise, when rulers and people would become restive under restraint, and seek by sharp and decisive measures to accomplish ends deemed just and proper; and that the principles of constitutional liberty would be in peril, unless established by irrepealable law. The history of the world had taught them that what was done in the past might be attempted in the future. The Constitution of the United States is a law for rulers and people, equally in war and in peace, and covers with the shield of its protection all classes of men, at all times, and under all circumstances.

2. THE CONSTITUTION AS A PROHIBITION UPON THE DELEGATION OF LEGISLATIVE AND JUDICIAL POWERS TO THE PRESIDENT

The Founding Fathers embodied in the Constitution the doctrine of the separation of governmental powers. In so doing, they utilized this doctrine in a twofold way. They delegated to the Federal Government the powers necessary to enable it to discharge its functions as a central government, and they left to each State the power to regulate its own internal affairs. It was this use of the doctrine of the separation of powers which prompted Chief Justice Salmon P. Chase to make this trenchant observation in *Texas* v. *White*, 7 Wall. 700:

> The Constitution, in all its provisions, looks to an indestructible union, composed of indestructible States.

In their other utilization of the doctrine of the separation of governmental powers, the Founding Fathers vested the power to make laws in the Congress, the power to execute laws in the President, and the power to interpret laws in the Supreme Court and such inferior courts as the Congress might establish. Moreover, they declared, in essence, that the legislative, the executive, and the judicial powers of the Federal Government should forever remain separate and distinct from each other.

The Founding Fathers had the soundest of reasons for incorporating the principle of the separation of powers of government in the Constitution. History had taught them that the concentration of such powers in one man or set of men is the chief characteristic and evil of despotic forms of government. As one of the wisest of them, James Madison, declared in "The Federalist":

> The accumulation of all powers legislative, executive, and judiciary in the same hands, whether of one, a few or many, and whether hereditary, self-appointed, or elective, may justly be pronounced the very definition of tyranny.

Mr. TALMADGE. Mr. President, will the Senator yield at that point, or would he prefer to complete his speech?

Mr. ERVIN. I would prefer to complete my speech.

Mr. TALMADGE. I shall wait until the Senator completes his address.

Mr. ERVIN. I shall refrain from any discussion of the inconsistency between the bill and the constitutional division of powers between the Federal Government and the States. Suffice it to say that the bill undertakes to centralize in the Federal Government powers over the lives of the people, which the Constitution vests in the States or reserves to the people themselves.

Let me read the plain English words used by the Founding Fathers to separate the governmental powers which the Constitution vests in the Federal Government.

Article I, section 1:

> All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Article I, section 8:

> The Congress shall have the power * * * to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

Article II, section 1:

> The executive power shall be vested in a President of the United States of America.

Article III, section 1:

> The judicial power of the United States shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish.

The constitutional separation of the legislative, the executive, and the judicial powers of the Federal Government "is not merely a matter of convenience, or of governmental mechanism; its object is basic and vital; namely, to preclude a commingling of these essentially different powers of Government in the same hands" (*O'Donoghue* v. *U.S.*, 289 U.S. 516, 530).

As Justice Miller asserted in *Kilbourn* v. *Thompson*, 103 U.S. 168, 190, the division of the powers of the Federal Government among the Congress, the President, and the courts constitutes "one of the chief merits of the American system of written constitutional law"; and as Chief Justice White declared, in substance, in *McCray* v. *U.S.*, 195 U.S. 27, 55, the safety of our institutions depends upon its strict observance by all those who hold offices created by the Constitution.

The Supreme Court construed article I, sections 1 and 8, which vest the legislative power of the Federal Government in Congress, and article II, section 1, which vests the executive power of the Federal Government in the President, in clear and eloquent words in *Youngstown Company* v. *Sawyer*, 343 U.S. 579, which is popularly known as the steel seizure case. I quote these words from the majority opinion in that case:

> Nor can the seizure order be sustained because of the several constitutional provisions that grant executive power to the President. In the framework of our Constitution, the President's power to see that the laws are faithfully executed refutes the idea that he is to be a lawmaker. The Constitution limits his functions in the lawmaking process to the recommending of laws he thinks wise and the vetoing of laws he thinks bad. And the Constitution is neither silent nor equivocal about who shall make laws which the President is to execute. The first section of the first article says that "All legislative powers herein granted shall be vested in a Congress of the United States * * *." After granting many powers to the Congress, article I goes on to provide that Congress may "make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof." * * * The Constitution does not subject this lawmaking power of Congress to Presidential or military supervision or control. It is said that other Presidents without congressional authority have taken possession of private business enterprises in order to settle labor disputes. But even if this be true, Congress has not thereby lost its exclusive constitutional authority to make laws necessary and proper to carry out the powers vested by the Constitution "in the Government of the United States, or any Department or Officer thereof." The founders of this Nation entrusted the lawmaking power to the Congress alone in both good and bad times. It would do no good to recall the historical events, the fears of power and the hopes of freedom that lay behind their choice. Such a review would but confirm our holding that this seizure order cannot stand.

Congress cannot abdicate its lawmaking power under the Constitution, or delegate it to the President. This is true because the retention and exercise of such power by the Congress is "vital to the integrity and maintenance of the system of government ordained by the Constitution." The principle that Congress cannot abdicate or transfer to others its legislative functions "is not answered by the argument that it should be assumed that the President * * * will act, for what he believes to be the public good. The question is not one of motives, but of constitutional authority, for which the best of motives is not a substitute." (*Panama Refining Co.* v. *Ryan*, 293 U.S. 388, 420, and 421.)

In his recent book entitled "A Commentary on the Constitution of the United States," Bernard Schwartz correctly defines the lawmaking power as "the power to prescribe rules of conduct which must be obeyed lest the sanctions specified by the lawmaker be imposed" (vol. II, p. 75).

An act of Congress constitutes an unconstitutional delegation of the legislative power of Congress to the President if such act undertakes to confer upon the President the power to make a law or to refrain from making a law, or to determine to whom the law shall be applicable and to whom it shall not apply, or to determine what the law shall command or prohibit, or to determine what punishment shall be inflicted upon those who omit what the law commands or commit what the law prohibits. (*Kent* v. *Dulles*, 375 U.S. 116; *U.S.* v. *Sharpnack*, 355 U.S. 286; *American Power & Light Co.* v. *Securities Exchange Commission*, 329 U.S. 90; *Panama Refining Company* v. *Ryan, supra.*

3. THE CIVIL RIGHTS BILL AS AN UNCONSTITUTIONAL DELEGATION OF LEGISLATIVE AND JUDICIAL POWER TO THE PRESIDENT

Titles VI and VII of the administration's civil rights bill are divisible into two parts. The first part, which consists of the first sentence of section 601 of title VI, is addressed to federally assisted programs and activities; and the second part, which is composed of the second sentence of title VI and section 701 of title VII, is concerned with employment practices. Let us consider these parts in their numerical order.

The first part, that is, the first sentence of section 601 of title VI, reads as follows:

> Notwithstanding any provision to the contrary in any law of the United States providing or authorizing direct or indirect financial assistance for or in connection with any program or activity by way of grant, contract, loan, insurance, guarantee, or otherwise, no such law shall be interpreted as requiring that such financial assistance shall be furnished in circumstances under which individuals participating in or benefiting from the program or activity are discriminated against on the ground of race, color, religion, or national origin or are denied participation or benefits therein on the ground of race, color, religion, or national origin.

Since article II, section 3 of the Constitution provides that the President "shall take care that the laws shall be faithfully executed," it necessarily follows that the President is charged with carrying out the provisions of the first sentence of section 601 of title VI to the extent of their constitutionality. This being true, these provisions undertake to vest in the President discretionary powers of unprecedented sweep, undefined character, and unspecified severity. They make one thing, and one thing only, reasonably clear; namely, the President, acting in person or through Federal executive agencies designated by him, is to use according to his uncontrolled discretion and in ways of his own devising untold billions of dollars of congressional appropriations as economic blackmail to coerce States, political subdivisions of States, charitable institutions, business enterprises, and individuals into conformity with the President's notions concerning racial relations. In all other respects, Congress is to leave the matter covered by these provisions to the President without standard or rule to be dealt with as he pleases.

Apart from the language which relates to a denial of participation or benefits in federally assisted programs or activities, the only reference in the first sentence of section 601 of title VI to discrimination is to individuals who "are discriminated against on the ground of race, color, religion, or national origin." The determination of the individuals covered by this reference is left to the unbridled imagination of the President.

I make this assertion because it is well established by dictionaries and judicial decisions that the word "discrimination" without context merely means the act of treating one differently from another. The word "discrimination" as used in this reference has no contextual explanation whatever other than the provision that discrimination "is to be against" individuals participating in or benefiting from federally assisted programs and activities on the grounds specified. With this context, the discrimination condemned by this reference occurs only when an individual is treated unequally or unfairly because of his race, color, religion, or national origin. What constitutes unequal or unfair treatment? The first sentence of section 601 of title VI does not say. It leaves the answering of this question to the uncontrolled imagination of the President. Even Caligula wrote his laws in small letters. He did not conceal them within his cranium.

When all is said, the first sentence of section 601 of title VI constitutes a brazen effort to transfer to the President the lawmaking power of Congress in violation of article I, sections 1 and 8 of the Constitution. This is true because this sentence leaves the determination of these questions to the arbitrary discretion of the President, acting in person or through Federal executive agencies:

What acts or omissions constitute unequal or unfair treatment under the provision which condemns without context or elaboration discrimination against individuals "on the ground of race, color, religion, or national origin"? What economic, legal, or political rights and what governmental powers must States and political subdivisions of States relinquish to the Federal Government for the privilege of participating in federally assisted programs or activities? What economic, legal, personal, or property rights must charitable institutions, business enterprises, and individuals surrender to the Federal Government for the privilege of participating in federally assisted programs or activities? What courses must participants in such programs or activities pursue in carrying them out to avoid charges of unequal, unfair, or illegal discrimination? By what procedures are participants in such programs or activities charged with unequal, unfair, or illegal discrimination to be convicted or acquitted? What punishments are to be imposed upon participants in such programs or activities when they are convicted of unequal, unfair, or illegal discrimination? By what procedures are participants in such programs or activities to obtain a review or correction of convictions which they claim to be unjust? And finally, what redress are participants in such programs or activities to have for the economic damage or destruction which may be inflicted upon them by injudicious or improvident decisions of the President or the executive agencies through which he may act?

These questions make it obvious that the provisions of the first sentence of section 601 of title VI do not stop with the transfer of the lawmaking power from Congress to the President. They also make the President the accuser, the judge and the jury, and the executioner. In so doing, they attempt to vest in the President the judicial power to condemn and punish in violation of article III, section 1 of the Constitution.

Regardless of the name by which it may be called, any government is a tyranny when the rights and responsibilities of its citizens are dependent upon the will of one public official.

While the first sentence of section 601 of title VI is silent on the matter, we can easily infer the steps the administration will take if the bill is enacted. The administration will divert every program or activity of the Federal Government from its primary purpose to compel the American people to conform to its notions in respect to racial relations. This assertion finds ample proof in the orders relating to employment and housing issued by the President and the orders relating to so-called places of public accommodations issued by the Secretary of Defense without congressional authorization. Under the orders of the Secretary of Defense, the Departments of the Army, the Navy, and the Air Force are in the process of converting the military and naval commanders of our country into political arms of the executive department and of putting the Armed Forces at economic warfare with the civilian population to compel civilians to operate their commercial enterprises in conformity with the Presidential will.

Before discussing the provisions of titles VI and VII relating to employment practices, I will digress for a moment to observe that there are already sufficient laws upon the Federal statute books to deal in an adequate manner with any State or local official who denies or attempts to deny any individual any right or privilege given to him by any act of Congress authorizing any federally assisted program or activity. Section 242 of title 18 of the United States Code makes it a crime punishable by fine and imprisonment for any State or local official willfully to deprive any inhabitant of the United States of any right or privilege secured to him by the laws of the United States. Under sections 241 and 371 of title 18 of the United States Code, State and local officials and their coconspirators commit crimes punishable by fine and imprisonment if they conspire to deprive any citizen of any right or privilege secured to him by any act of Congress. Under sections 1983 and 1985(3) of title 42 of the United States Code, any person may sue any State or local official and his coconspirator for damages if such State or local official deprives him of any right or privilege secured by any act of Congress. Moreover, under section 1983 of title 42 of the United States Code, any person may sue any State or local official for preventive relief if such State or local official threatens to deprive him of any right or privilege secured to him by an act of Congress.

This brings me to the provisions of titles VI and VII relating to employment practices.

The second sentence of section 601 of title VI reads as follows:

> All contracts made in connection with any such program or activity shall contain such

> conditions as the President may prescribe for the purpose of assuring that there shall be no discrimination in employment by any contractor or subcontractor on the ground of race, color, religion, or national origin.

Section 701 of title VII reads as follows:

> The President is authorized to establish a Commission to be known as the "Commission on Equal Employment Opportunity," hereinafter referred to as the Commission. It shall be the function of the Commission to prevent discrimination against employees or applicants for employment because of race, color, religion, or national origin by Government contractors and subcontractors, and by contractors and subcontractors participating in programs or activities in which direct or indirect financial assistance by the U.S. Government is provided by way of grant, contract, loan, insurance, guaranty, or otherwise. The President may also confer upon the Commission such powers as he deems appropriate to prevent discrimination on the ground of race, color, religion, or national origin in Government employment.

The mere casual reading of these provisions demonstrates beyond doubt that they attempt to transfer the lawmaking power of Congress to the President in violation of article I, sections 1 and 8 of the Constitution.

Under the second sentence of section 601 of title VI, all contracts relating to federally assisted programs or activities are to "contain such conditions as the President may prescribe"; and under the third sentence of section 701 of title VII, the President's Commission on Equal Employment Opportunity is to "have such powers as may be conferred upon it by the President." The fourth and last sentence of section 701 of title VII contains similar language, which is susceptible of the interpretation that it empowers the President to nullify civil service laws if he deems such action "appropriate to prevent discrimination on the ground of race, color, religion, or national origin."

I note, in passing, that the second sentence of section 601 of title VI and section 701 of title VII are designed to authorize the President and his Commission on Equal Employment Opportunity to control employment practices by virtually all employers in all areas of the United States "to prevent discrimination against employees or applicants for employment because of race, color, religion, or national origin." This is true because the terms "contractor" and "subcontractor" as used in these provisions are broad enough to include every person who agrees to furnish any skill or any material for use in any program or activity "in which direct or indirect financial assistance by the U.S. Government is provided by way of grant, contract, loan, insurance, guaranty, or otherwise."

The extent to which the administration would carry this vast power if Congress should enact these provisions into law is well illustrated by Executive Order 11114, which the President issued on June 22, 1963, and which was published on pages 6485 to 6488, both inclusive, of the Federal Register for June 25, 1963.

Under this Executive order, contractors, subcontractors, and persons selling them materials are barred from federally assisted construction projects and from selling materials for use in such projects unless they surrender to the Federal Government in advance some of the most cherished economic and personal rights belonging to Americans. For example, contractors, subcontractors, and materialmen are required to stipulate in advance that the Federal Government shall have the power to supervise the employment, the promotion, the demotion, the transfer, the layoff, the discharge, and the compensation of their employees. Moreover, they are required to stipulate in advance that the Federal Government may have access to their books, records, and accounts at all times.

All of this is to be done to enable the Federal Government to ascertain whether or not such contractors, subcontractors, and materialmen are complying with the rules, regulations, and orders issued by the Federal Government for the avowed purpose of preventing such contractors, subcontractors, and materialmen from discriminating against employees and applicants for employment because of their race, their creed, their color, or their national origin. Under the original draft of this Executive order, any businessman who wishes to sell a few ten-penny nails to anyone for use in a federally assisted construction project must surrender these powers to the Federal Government before he is permitted to make such sale.

In case any contractor, subcontractor, or materialman fails to comply with these stipulations or with any of the rules, regulations, or orders of the Presidentially established Committee on Equal Employment Opportunity, he is subject to the following punishments: First. His existing contract may be canceled, terminated, or suspended in whole or in part. Second. He may be declared ineligible for any further Government contracts. Third. He may have such additional sanctions imposed "upon him as may be provided by rule, regulation, or order of the President's Committee on Equal Employment Opportunity."

Every businessman in America would do well to anticipate the harassment he will suffer at the hands of the Federal Government if titles VI and VII of the administration's civil rights bill are enacted into law. Every time he fires or demotes an employee for drunkenness or incompetency he may be confronted by the charge that his action was prompted by discrimination against such employee because of his race. Every time he promotes one employee rather than another he may be confronted by the charge that the latter was denied promotion because of his race. Every time he makes any difference between the compensation of one employee and that of another he may be confronted by the charge that the difference in compensation constitutes a discrimination against the employee receiving the lesser compensation because of his race. The businessman will have to disprove these charges or suffer such penalties as the cancellation of rights under existing contracts or rights to make future contracts not only with the Government but also with contractors or subcontractors working on federally assisted projects. Moreover, the businessman will have no remedy at the hands of the Federal Government if he suffers these penalties unjustly because of an improvident or injudicious decision by a Federal bureaucrat whose very identity may be hidden from him.

The Chinese have a proverb to the effect that a journey of a thousand miles starts with a single step. History taught the Founding Fathers that the journey of a people toward total governmental tyranny could start with a single legislative act. As a consequence, they vested all of the legislative power of the Federal Government in Congress and none of it in the President. It is well that they did so because the pressure of the demands of militant groups for coercive governmental action in their own behalf bears more heavily upon the single occupant of the Presidential office than it does upon the many occupants of congressional seats. For this reason, Senators and Representatives are more likely to remember that the overwhelming majority of the people of America desire to retain the liberty to manage their own affairs in their own ways.

4. THE ADMINISTRATION'S CIVIL RIGHTS PROPOSALS AS A DENIAL OF DUE PROCESS OF LAW

The Founding Fathers knew that governments of unlimited power use the forms of law to crush those who oppose their will. As a consequence, they decreed in the fifth amendment that "no person shall be deprived of life, liberty, or property without due process of law."

This principle did not originate in the American system of constitutional law. It was one of the ancient English liberties which the barons wrung from the reluctant hand of King John at Runnymede in 1215. Chapter 39 of Magna Carta declared:

> No freeman shall be taken, or imprisoned, or disseised, or outlawed, or exiled, or anywise destroyed; nor shall we go upon him, nor send upon him, but by the lawful judgment of his peers or by the law of the land.

The principle was reasserted by the Petition of Right which the English Parliament sent to Charles I in 1628. This petition said that no man should be "in any manner destroyed but by the lawful judgment of his peers, or by the law of the land," and that no man should be "put out of his land or tenements, nor taken, nor imprisoned, nor disinherited, nor put to death without being brought to answer by due process of law."

As the textwriter states in 12 American Jurisprudence, Constitutional Law, section 573:

> One of the most famous and perhaps the most often quoted definition of due process of law is that of Daniel Webster in his argument in the Dartmouth College case, in which he declared that by due process of law is meant "a law which hears before it condemns; which proceeds upon inquiry, and renders judgment only after trial."

The due process clause of the fifth amendment limits the legislative powers of Congress, the executive powers of the President, and the judicial powers of the

Federal courts. In short, it forbids any department of the Federal Government to take from any person any liberty or any property except by due process of law.

The administration's civil rights bill contemplates that the provisions of titles VI and VII are to be enforced against alleged violators by administrative decisions of the President, acting in person or through some executive agency, and the President's Commission on Equal Employment Opportunity, in some kind of administrative proceedings not defined in any way in the bill.

Let me enumerate the constitutional requirements of due process in respect to administrative proceedings affecting a person's personal or property rights as they are set out in 16A Corpus Juris Secundum, Constitutional Law, section 628, pages 849 to 873, both inclusive. They are as follows:

First. In proceedings of an administrative character affecting a person's liberty or property, notice and an opportunity for hearing are essential to due process.

Second. Due process of law, with respect to administrative proceedings, requires an adequate hearing in which the procedure is consistent with the essentials of fairplay.

Third. In order to comply with the requirements of due process, the hearing in an administrative proceeding must be a full and fair one before an impartial officer, board, or body, free of bias, hostility, and prejudgment. A hearing is not a full and fair one unless it includes a reasonably fair opportunity to cross-examine opposing witnesses, to offer evidence in one's own behalf, and to be heard in one's own defense.

Moreover, "as a general rule, in order to satisfy the requirements of due process, it is required that administrative proceedings affecting property rights shall be subject to a review in the courts, and to a judicial determination made on notice and a hearing; and the right of judicial review of the constitutionality of statutes is essential to due process before rights and property of a citizen can be taken from him by a legislative or executive body" (16A C.J.S., Constitutional Law, sec. 629, pp. 873-874).

It is well settled that administrative convenience or even necessity cannot override constitutional requirements of due process. Moreover, it is not enough that a person may be accorded notice and a hearing as a matter of favor or courtesy in an administrative proceeding. It is essential to due process that these rights be secured to him by the law authorizing the proceeding.

It seems advisable to note at this point that rights under existing contracts are property and rights to enter into future contracts are liberties within the protection of the due process clause of the fifth amendment.

It is astounding beyond measure that Congress should be urged to enact into law titles VI and VII of the administration's civil rights bill 748 years after the principle of due process of law was embodied in Magna Carta, and 173 years after it was enshrined in the fifth amendment of our Constitution. Titles VI and VII ignore every requirement of due process of law. They undertake to vest in the President, acting in person or through executive agencies, and the President's Commission on Equal Employment Opportunity, the arbitrary and tyrannical power to take from States, local subdivisions of States, charitable institutions, business enterprises, and individuals rights under existing contracts and liberties to enter into future contracts without notice or hearing or trial in flagrant violation of the due process of law guaranteed to all persons by the fifth amendment.

Undoubtedly Daniel Webster had such tyrannical governmental actions in mind as those proposed by titles VI and VII of S. 1731 when he uttered these eloquent words:

> Other misfortunes may be borne, or their effects overcome. If disastrous wars should sweep our commerce from the ocean, another generation may renew it; if it exhaust our treasury, future industry may replenish it; if it desolate and lay waste our fields, still, under a new cultivation, they will grow green again, and ripen to future harvests.
>
> It were but a trifle even if the walls of yonder Capitol were to crumble, if its lofty pillars should fall, and its gorgeous decorations be all covered by the dust of the valley. All these may be rebuilt.
>
> But who shall reconstruct the fabric of a demolished government?
>
> Who shall rear again the well-proportioned columns of constitutional liberty?
>
> Who shall frame together the skillful architecture which unites national sovereignty with States rights, individual security, and public prosperity?
>
> No, if these columns fall, they will be raised not again. Like the Colosseum and the Parthenon, they will be destined to a mournful and melancholy immortality. Bitterer tears, however, will flow over them than ever were shed over the monuments of Roman or Grecian art; for they will be the monuments of a more glorious edifice than Greece or Rome ever saw—the edifice of constitutional American liberty. (Daniel Webster, 1832.)

FLORENCE ANN SEYMOUR

The PRESIDING OFFICER (Mr. Lausche in the chair). The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated by title.

The Legislative Clerk. A resolution (S. Res. 186) to pay a gratuity to Florence Ann Seymour.

THE ADMINISTRATION'S CIVIL RIGHTS BILL: A DEBASEMENT OF CONSTITUTIONAL GOVERNMENT AND AN EXALTATION OF GOVERNMENTAL TYRANNY

Mr. HOLLAND. Mr. President, will the Senator from North Carolina yield for a few questions?

Mr. ERVIN. I am delighted to yield to the Senator from Florida.

Mr. HOLLAND. First, I warmly compliment the distinguished Senator from North Carolina for his able address and for calling the attention of the public, and particularly the attention of Members of the Senate, to the manifest dangers inherent in titles VI and VII.

I should like to ask several questions about title VI.

Mr. ERVIN. I shall be delighted to have the Senator from Florida do so.

Mr. HOLLAND. I am honored by being a member of the boards of trustees of three private institutions of higher learning, all of which are church affiliated in that they are supported by denominations of the Christian faith. Am I to understand from reading title VI and from the able presentation by the Senator from North Carolina that if, in the judgment of the trustees of one of the colleges referred to, it was preferable to continue its operation on a segregated basis—believing that by so doing it could render the greatest service—that institution thereby would be placed in a position in which the President of the United States could deny—by his sole order—that institution the right of access to the Federal lending power in connection with the construction of self-liquidating projects, such as dormitories, cafeterias, gymnasiums, athletic facilities, and the like?

Mr. ERVIN. Under the authority which the bill undertakes to vest in the President, that would be true. Moreover, under the authority which the bill attempts to vest in the President, if such institutions participated in any of the Federal programs described in the bill, the Federal Government could compel them to employ upon their faculties persons of a religion inconsistent with the principles of the Christian religion to prevent discrimination against them on account of their creed. That illustrates the extent to which the bill goes. There are no limitations upon the powers which the bill would vest in the President, except such limitations as still abide in this Nation by reason of constitutional principles.

Mr. HOLLAND. I thank the Senator from North Carolina. I thought I correctly understood the meaning of the title in exactly the way the Senator from North Carolina has stated it.

Mr. ERVIN. Let me give another illustration of the scope of the bill: Some time ago, I read in a newspaper an article in which it was stated that the housing authorities had canceled future Federal guarantees of loans to a building firm in Florida, because the firm did not agree to the demand of a particular Negro that the firm sell him a house in a development it was promoting. If this bill were enacted into law, the President could, after ordering cancellation of Federal guarantees of loans to that builder, or to one in that situation——

Mr. HOLLAND. Both loans and insurance provisions?

Mr. ERVIN. Yes—then the President could say to banks and savings and loan associations, "I forbid you to give this man any financial assistance by way of loans which would enable him to escape from the economic quandary in which I have left him by the cancellation of Federal guarantees. If you dare make him a loan to assist him in escaping from the economic consequences of my act, you will be aiding and abetting discrimination, and I will cancel Federal insurance of your deposits."

This illustrates the extent of the tyrannical power which the bill would vest in the President, acting either in person or through any designated Federal executive agency. It is the most tyrannical proposal made to Congress during our lifetime.

Mr. HOLLAND. I thank the Senator from North Carolina.

Now I should like to ask my next question: In my State and also in the State so ably represented by the Senator from North Carolina, and also in the States represented by other Senators now in the Chamber, as the Senator from North Carolina well knows, there are educational institutions organized and operated by Negro churches or Negro private groups. They are operated exclusively for the education of the youth of that race. Am I correct in my understanding that under title VI of the bill, if that course as determined upon long prior to the time when these various colleges were founded—were pursued, they, too, could lose their entire power of borrowing from Federal funds set up to aid them on a self-liquidating basis to build on their campuses needed dormitories and other facilities?

Mr. ERVIN. There would be no question of the power of the President to do that if the bill should pass and be adjudged constitutional. The bill would be broad enough to empower the Federal Government even to deprive the libraries of such colleges of the benefit of the law under which certain Federal publications are given to such libraries.

In North Carolina there are several excellent institutions of learning in which Negroes are educated—the Johnson C. Smith University, at Charlotte, N.C.; Shaw University, at Raleigh, N.C.; and St. Augustine's College, at Raleigh, N.C.

Mr. HOLLAND. I thank the Senator from North Carolina.

Now let us refer to publicly operated institutions of learning. As the Senator from North Carolina probably knows, there is at Tallahassee, Fla., an institution of higher learning for the education of Negro youths. It is known as the Florida Agricultural and Mechanical University. I am very frank to state that it has been much more outstanding in training in the field of athletics than similar institutions for the education of the white youth have been. For example, it has turned out Althea Gibson, who, I believe, was the world's foremost tennis player, and now is one of the world's foremost women golf professionals; and it turned out Bob Hays, who has been winning all the short dashes during the trip which our nationally selected track team has been making through Europe—as the Senator from North Carolina knows.

That school turned out Willie Gallimore and three or four others whom I shall not mention, who are noted for their great ability as professional football players. It has repeatedly won the national championship among the Negro institutions of learning in various fields of athletics, but particularly in football. In the person of Coach Gaither it has had a coach who is a sportsman, a fine gentleman, and one who is so fully recognized that he has been voted the outstanding coach of all the small colleges, in the United States, whether Negro or white, as the Senator may recall.

Am I to understand that, because it is the policy of the State of Florida to establish under its own laws and finance by its own money such an institution of higher learning, it could be deprived of its rightful participation in the various Federal grants for educational, agricultural, and ROTC purposes, or for other purposes of that kind, under the sole fiat of the President of the United States, if in obedience to the mandate of its State law, it continued in the policy of existing for the benefit solely of the Negro youth, and thus lose all the benefits of these programs?

Mr. ERVIN. There would be no question about the power of the President to do that.

Mr. HOLLAND. The same question, if applied in reverse, would apply to our other institutions of higher learning, which are created and developed for white youth. Is that true?

Mr. ERVIN. That is true. If title VI of the bill were enacted into law, and if it should be found to be constitutional, which I cannot conceive, it would place at the disposal of the President untold billions of dollars of congressional appropriations to be used in ways of his own devising and according to his own uncontrolled discretion to bribe or coerce States, political subdivisions of States, charitable and educational institutions, business enterprises, and individuals, into conformity with whatever the President might will with respect to racial relations. I make that statement because there are two alternative provisions in the first sentence of section 601 of title VI. One of those provisions does not even define the character of acts or omissions which would constitute discrimination. They leave that question solely to the unbridled imagination of the President or Federal agencies designated by him.

Mr. HOLLAND. Mr. President, do I need to ask the Senator to answer the question whether he thinks that any such broad grant of discretion and authority should be vested in any person, of any rank, no matter how high, and no matter how conscientious, and devoted to the cause of law enforcement he might be?

Mr. ERVIN. Frankly, I do not believe a man has yet been born who ought to be entrusted with the vast powers which the bill would attempt to vest in the President.

Mr. HOLLAND. Mr. President, I wish to ask a question devoted to the field of agriculture.

Mr. ERVIN. On the point the Senator previously mentioned, the bill deals with untold billions of dollars of congressional appropriations. Since the President, like the rest of us, has only 24 hours in each of his days, manifestly he could not exercise such powers himself. They would be delegated by him to various Federal agencies; and many of the decisions would be made by men whose very identity would be concealed from the American people in the vast bureaucracy on the banks of the Potomac River.

Mr. HOLLAND. Mr. President, I join in the conclusion which the Senator has reached, that under our system of government, no such authority should be granted to any one individual in time of peace.

Mr. President, I wish to ask a series of questions—or perhaps I can state them in one—dealing with the field of agriculture.

I know what a great agricultural State is represented by the Senator from North Carolina. He has had a lifetime interest in forwarding the interests of people engaged in the field of agriculture. I remember with gratitude and appreciation the fact that our Federal Government, dating back more than 100 years, has been making grants for the purpose of aiding the food producer in agriculture to produce more prosperously in order to support his family and have his home on a higher level than was possible before. I am thinking about such activities as the Agricultural Extension Service, which, as the Senator knows, makes heavy Federal contribution, along with contributions from other sources, to the education of the farmer, and through the home demonstration units in every county—throughout the Nation—to their wives and daughters. I am thinking of the Agricultural Experiment Station Service as found in all the States. I am thinking of all the other benefits that accrue to the land-grant schools, some for the purpose of direct education in the agricultural colleges and the like. Am I to understand from the Senator's able interpretation of title VI and from my own reading of it that, if certain States insisted on continuing the policy of segregation of education in their institutions of higher learning, the President could, at his sole discretion, entirely withhold Federal grants for those laudable purposes from those institutions of learning and from the people who are ultimately reached by them?

Mr. ERVIN. The answer to that question is undoubtedly in the affirmative. Not only that, but under the proposal, the Federal Government would be empowered to deprive a grower of tobacco, cotton, wheat, or peanuts of the benefit of price supports, if some employee of the Federal Government in some kind of proceeding not described in the bill, acting under power delegated to him by the President, should come to the conclusion that the grower had made a discrimination in rates of pay between two of his employees because of race. When the decision was once made, either by the President or by any Federal employee to whom power to act is delegated, that decision would be final and irrevocable. It would not be subject, so far as the bill is concerned, to any review in the courts, and the decision could be made without notice, without a hearing, and without a trial. In short, all of this could happen under the bill without any opportunity being afforded to the grower, who would suffer the economic damage or destruction decreed by the decision, to present his side of the case and even to refute the charge against him.

Mr. HOLLAND. I thank the Senator for his able discussion. He has performed a very useful service in advising the public and illuminating the record of the debate in such a way that people generally cannot be under any doubt as to what is contained in title VI of the act. I cannot believe that the President of the United States really understands what is embraced in this particular provision of the bill the purpose of which is to endow him with discretion much greater than any President or any other officer of the United States has ever been granted or, to my knowledge, has ever requested, in time of peace in the history of our Nation.

Mr. ERVIN. The Senator from Florida will recall that during the month of April of this year the Civil Rights Commission recommended to the President that he should cut off Federal financial aid to the State of Mississippi in order to make the State of Mississippi conform to the notions entertained by the majority members of the Civil Rights Commission.

At that time the President stated, in substance, that he did not believe the President had such power; and he further stated that he thought it would be unwise to vest such power in the President, because the President might use the power in one State for one purpose and use it for another purpose in another State.

Mr. HOLLAND. Has there been any change in that situation since the President made that pronouncement—which I think was a very wise one?

Mr. ERVIN. There has been no change whatsoever, insofar as the desirability of vesting such tyrannical power in any public official is concerned.

Mr. HOLLAND. I thank the Senator warmly for his effective illumination of this hurtful title VI in the bill, which I think is as completely variant from the philosophy of our Government as it is possible to be.

Mr. ERVIN. The second sentence of title VI and section 701 of title VII would empower the establishment of an FEPC in virtually every industry of any kind in the United States. This is so because there is no limitation whatever as to the number of employees who must be employed in any industry to be covered. If a person had one employee he could be brought under FEPC control by the authorization contained in the second sentence of title VI and section 701 of title VII of the bill.

I thank the Senator from Florida for his contribution to the discussion.

Mr. JOHNSTON. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. KENNEDY in the chair). Does the Senator from North Carolina yield to the Senator from South Carolina?

Mr. ERVIN. I am delighted to yield to the senior Senator from South Carolina, who has fought without ceasing against the tyrannical proposals made by the bill.

Mr. JOHNSTON. I am thankful the Senator from North Carolina has offered to the Senate, in the open, the discussion he has brought out today.

I thank the Senator also for the helpful way in which he has worked in the Judiciary Committee of the Senate. Day after day and week after week he has questioned with reason the Attorney General on all facets of the bill and in particular titles VI and VII of the bill. He has indeed questioned the entire text of the bill in a most intelligent and informed manner.

The record of the hearings may not have been read by all. I should like to notify all lawyers at this time, if they wish to have one of the best legal briefs on this subject, the only thing they have to do is to turn to the hearings held by the Judiciary Committee. There they will find the questions by the able Senator from North Carolina and answers which the Attorney General tried to give, in some instances. In some instances the Attorney General went so far as to say that the matter was a little doubtful, so far as constitutionality of certain measures in the bill is concerned.

I think it would be most enlightening if Members of the Senate would read the hearings of the Judiciary Committee in regard to the bill. I believe it would at least change some votes in the Senate, if Senators wish to carry out their oaths of office, under which they have sworn to uphold the Constitution of the United States.

Senators might be convinced, after reading the hearings before the Judiciary Committee, of our position in that respect.

Again I commend the Senator from North Carolina for the able presentation he has made. He served on the Supreme Court of North Carolina for many years before coming to the Senate. Senators realize that he is extremely able in the field of constitutional law.

The Senator from North Carolina rendered a distinct service. The committee will meet again on Thursday, to continue the hearings. I am sure the Senator from North Carolina will be present, asking further questions. At that time I shall be presiding. I know I shall be interested in what the Senator from North Carolina will have to ask the Attorney General in regard to the bill.

If Senators will read titles VI and VII closely, they will see that the powers sought to be granted are almost limitless. Is that not true?

Mr. ERVIN. Yes. Under the terms of the bill, the Federal Government, as a price for the privilege of participating in one of the federally assisted programs or activities, could exact in advance a surrender by States and political subdivisions of State of governmental powers, and a surrender by charitable institutions, business enterprises, and individuals of basic rights which the American people have always cherished.

For example, the Federal Government could require people to surrender their economic rights, as the President now requires them to do in certain cases under the directives already issued by him without any authority from Congress. The Government could require people to surrender the right to determine to whom they shall sell or rent their houses, if they participate in the housing program. If a veteran should borrow money under the Veterans Loan Fund Act, the veteran could be required to surrender in advance, as a condition to obtaining the loan, the right to determine to whom he would sell or lease or rent his house. Under the bill, the President would be permitted to use untold billions of dollars of congressional appropriations for the purpose of bribing or coercing parties into surrender of economic rights, of personal rights, of legal rights, and of property rights which have always been dear to the American people.

Mr. JOHNSTON. I am associated with two denominational institutions. I am very much interested in possible effects on such denominational institutions.

If the bill were to pass, since the States in most instances exempt the denominational institutions from paying taxes, in the future if they were to do any kind of business with the Federal Government, does the Senator think the Federal Government could tell them how to operate their institutions?

Mr. ERVIN. If they were participating in any federally assisted programs or activities, the Federal Government could even tell them whom they should hire on their faculties. Under the terms of the bill, that could be if the Federal Government thought it necessary to prevent discrimination because of race or color or religion or national origin.

Under the bill, the Federal Government would have the power to go into a religiously affiliated college participating in a federally assisted program and dictate that the college should take on the faculty some person who did not entertain the religion of those who supported that institution, if it concluded such action to be appropriate to prevent discrimination on the ground of creed. The bill would prohibit not only racial discrimination, but also discrimination on account of one's creed.

Title VI is the most expansive blueprint for governmental tyranny which has ever been conceived in the mind of any man on the North American Continent.

Mr. JOHNSTON. I thank the Senator for his answers.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. ERVIN. I yield for a question.

Mr. LONG of Louisiana. May I ask the Senator from North Carolina if, under so-called title VI, a great number of innocent persons would be made to suffer from decisions in regard to which they had no power to act whatever?

Mr. ERVIN. There is no question whatsoever about that. For example, under title VI the Federal Government could withhold funds for school aid to schools in an impacted area because the

Federal Government wanted the schools to be desegregated. Under the decision of the Supreme Court in Brown against Board of Education of Topeka, the question of what school a child shall attend is left to the child and his parents. The decision does not belong to the Federal Government. Yet, under the terms of the bill, the Federal Government could usurp the right of the child or its parents to determine that question.

Indeed, it could ignore the desires of the child or its parents, and determine how the right of the child or its parents is to be exercised.

Mr. LONG of Louisiana. Would it be possible, under title VI, for the Federal Government to hold up funds for programs completely unrelated to education?

Mr. ERVIN. Yes.

Mr. LONG of Louisiana. Even though the complaint had nothing to do with the failure of a State to put a certain child in a certain school or place?

Mr. ERVIN. There is absolutely no limitation on the power that the bill would vest in the Federal Government in respect to federally assisted programs or activities insofar as racial relations, or religious relations, or questions of national origin are concerned.

Mr. LONG of Louisiana. Would it be possible under this program for the Federal Government to hold up funds, let us say, for aid to the aged, the disabled, and dependent children, because there was a practice of social segregation in restaurants in a State?

Mr. ERVIN. No; not to that extent. Title II of the bill would cover such practices in restaurants, but the power given to the Federal Government under title VI applies only to programs or activities which are federally assisted from the financial viewpoint. However, that includes virtually every program or activity in which the Federal Government participates in any way.

Mr. LONG of Louisiana. Would the Senator mind giving me an example of how this mechanization could be triggered to cut off funds for the needy, the aged, dependent children, and the blind?

Mr. ERVIN. Under title VI, the Federal Government would have the power to cut off all Federal grants to a State under the Old-Age Assistance Act if it found that some individuals under the program were being discriminated against because of race or religion. Such action would cut off aid for the innocent to punish the allegedly guilty.

No further laws are needed in order to deal with any State or local official for denying any individual any right or privilege in any federally assisted program or activity. Under section 242 of title 18 of the United States Code, which was put on the law books long before the Senator from Louisiana and I were born, a State or local official who wilfully denies to any person, because of race or religion or national origin, or because of any other reason, or lack of reason, any right or privilege such person has under any act of Congress, is subject to prosecution and, upon conviction, can be fined and imprisoned.

Mr. LONG of Louisiana. I thank the Senator.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed, without amendment, the following bill and joint resolution of the Senate:

S. 1066. A bill for the relief of the E. L. K. Oil Co.; and

S.J. Res. 51. Joint resolution to authorize the presentation of an Air Force Medal Recognition to Maj. Gen. Benjamin D. Foulois, retired.

YOUNG DEMOCRATS URGE TIES WITH CUBA

Mr. MILLER. Mr. President, in last night's Washington Evening Star appeared an article captioned "Democrats Urge Ties With Cuba." I read the article with profound shock, because the article states that at a convention of Young Democrats from 13 Western States at Berkeley, Calif., yesterday, several resolutions were adopted, including these: That the United States resume diplomatic relations with Cuba; that a nonaggression pact be signed between NATO and Communist Warsaw pact nations; that the United States withdraw its troops from South Vietnam; that the House Committee on Un-American Activities be abolished; and that the McCarran Internal Security Act be repealed.

I trust these views are not shared by the leaders of the Democratic Party in Washington. I am sure that all Senators await with a great interest and expectation a clear repudiation of these resolutions by what I am afraid was a most irresponsible meeting of irresponsible young people.

I ask unanimous consent that the article be printed in the Record at this point in my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

Democrats Urge Ties With Cuba

Berkeley, Calif., August 19.—Young Democrats from 13 Western States ended their convention in Berkeley yesterday with resolutions concerning Cuba, civil rights and American military deployment.

A total of 32 resolutions demanded, among other things, that the United States resume diplomatic relations with Cuba, that the August 28 Negro civil rights parade on Washington be "carried out as planned," that a nonaggression pact be signed between NATO and Communist Warsaw Pact nations and that the United States withdraw its troops from South Vietnam.

Other points covered included demands for the abolition of the House Committee on Un-American Activities, repeal of the McCarran Internal Security Act, revision of the McWarran-Walter Immigration Act, the elimination of compulsory arbitration in strikes and abolition of the death penalty.

The delegates condemned various organizations, the aim of which they said, is to limit the civil rights of nonwhites. These included, the Young Democrats said, the John Birch Society, the Americans for Constitutional Action and the Christian Crusade.

HARASSMENT OF SOVIET JEWS

Mr. JAVITS. Mr. President, a news dispatch from Moscow discloses that the Soviet Union has uncovered a new way to harass Jews—the Kremlin now denies Orthodox Jews the right to be buried in consecrated cemeteries. This is a basic right which was never denied Jews even in the darkest periods of the Middle Ages.

This latest Soviet action marks continuation of the Soviet Union's drive against Jews, and it calls for renewed protests by religious organizations and leading citizens throughout the world. At a time when the Soviet Union says it is seeking to relieve the tensions of the cold war, it should be made aware that world public opinion condemns unequivocally a course of action as vicious and unreasoning as this deliberate indignity to a people because of their religion.

I ask unanimous consent to have printed in the Record the news report headline "Jews Denied Cemeteries in Moscow," which appeared in the Washington Post, September 16.

There being no objection, the article was ordered to be printed in the Record, as follows:

Jews Denied Cemeteries in Moscow

Moscow, August 15.—A new kind of spiritual setback has developed for the religious Jews of Moscow.

For the first time in memory, Jews who die here are being denied burial in the consecrated ground of a Jewish cemetery. Instead they are buried now in a general civil cemetery, among atheists and non-Jews.

To orthodox Jews, for whom burial in a Jewish cemetery is an ancient religious mandate, new municipal regulations come as a crushing development in deteriorating relations with the Communist regime. Jewish scholars have long regarded consecrated burial as basic, and even the millions of Jews slaughtered during World War II were symbolically reburied in Jewish cemeteries.

All attempts by the Jewish community in Moscow to reverse the new measures have been rejected by Soviet authorities, well-informed sources said Thursday.

The current situation developed when Moscow's 40-year-old Jewish cemetery began filling to capacity, and Soviet officials refused to set aside additional land for a distinctly Jewish burial place.

ECONOMIC FACTORS VITAL ELEMENT IN NEGRO DISCONTENT

Mr. JAVITS. Mr. President, during the recent hearings before the Manpower Subcommittee of the Senate Labor and Public Welfare Committee, of which I am a member, highly significant testimony was presented by Mr. Herman P. Miller, of the Census Bureau, about the deepest sources of Negro discontent. An article in the New York Times of August 18, 1963, describes Mr. Miller's testimony and concludes:

> The Negro revolt has many causes, but its basic power is that of the force of economic wretchedness.

The Census Bureau testimony fully supports this thesis and, as the article points out:

> Disputes the widespread impression that the relative position of the Negro in the affluent society has improved in recent years.

I ask unanimous consent that the Times article be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Aug. 18, 1963]

ECONOMIC FACTORS UNDERLIE NEGRO DISCONTENT—ELIMINATION OF JOBS THROUGH AUTOMATION IS SHARPENING PROBLEM OF EMPLOYMENT DISCRIMINATION AGAINST NONWHITE WORKERS

(By John D. Pomfret)

WASHINGTON, August 17.—The United States is undergoing two internal revolutions. One is the Negro revolt. The other is technological. It is not coincidental that they have arrived together.

The Negro revolt has many causes, but its basic power is that of the force of economic wretchedness. It is this wretchedness that technological change is threatening to exacerbate beyond endurance by automating out of existence many of the unskilled and skilled jobs Negroes hold.

That the Negro community is in the throes of profound economic crisis is evident from the unemployment figures.

Making up less than 10 percent of the country's labor force, Negroes account for 20 percent of its unemployment. Nearly a quarter of those out of work for more than half a year are Negroes.

In July—the most recent month for which comparable figures are available—the jobless rate among white workers was 5.1 percent; among Negroes it was 11.2 percent.

Unemployment of those proportions, were it general, would be a national catastrophe.

The economic vulnerability of Negroes is inherent in their employment pattern. In turn, that pattern is the product of years of discrimination, not only in employment, but also in education, training, and referral to jobs.

POSITION VULNERABLE

For the most part, Negroes hold low-paid jobs. Where they do hold reasonably well paid jobs in industry, they occupy mostly positions that are routine and repetitive and, consequently, lend themselves to being taken over by machines.

Nearly 15 percent of all employed Negroes still work on farms. Only 5 percent of all white workers do. Nearly 15 percent of the employed Negroes work in private households, but only 2 percent of the white workers do.

Only 2 percent of all Negro workers are technicians, while 8 percent of the white workers are in these rapidly-expanding occupations. Only 7 percent of the Negroes are clerks, compared to 16 percent of the whites, and so on.

The evidence is mounting that the situation of Negroes in relation to whites has been steadily deteriorating.

A recent Labor Department study showed that in the years right after World War II the Negro unemployment rate averaged about 60 percent above the white rate. But since 1954 it has been consistently twice as high.

A study by Herman P. Miller of the Census Bureau, issued this month, brought the Negro dilemma sharply into focus.

Mr. Miller disputes the widespread impression that the relative position of the Negro in the affluent society has improved in recent years. In relation to whites, he argues, the Negro's position has not improved for two decades.

MOBILITY HELPFUL

While it is true, Mr. Miller says, that Negroes have raised their occupational levels faster than whites, this has been because they have moved from the rural South to the urban industrial North, not because of any major improvements in job opportunities.

Mr. Miller puts it this way:

"There has been a general upgrading of occupational skills for both whites and Negroes as the American economy has moved away from agriculture and become more complex and industrialized. As a result, Negroes, who were once highly concentrated in sharecropping and farm labor, have now moved up to unskilled and semiskilled factory jobs; some have moved into white-collar employment. But there has been a parallel upgrading of jobs held by whites.

"The real question is whether the relative upward movement has been faster for nonwhites than for whites. In most States the nonwhite male now has about the same occupational distribution relative to whites that he had in 1940 and 1950."

Other measures bear out the point.

The income gap between whites and Negroes narrowed during World War II because of war-induced shortages of unskilled labor, Mr. Miller found. In the last decade, however, there has been no change in income differential between the two groups. The median pay of the Negro worker has remained stuck at about 55 percent of the white.

The disparity is further illustrated.

Negroes who have not gone beyond eighth grade have little chance of becoming anything higher up the occupational ladder than a porter, a laborer, or an assembly line worker.

Negro college graduates at first glance seem to do much better. Three in four were professional or managerial workers—nearly the same proportion as among white college graduates. But the appearance of equality is illusory. The Negroes were concentrated in lower paid jobs.

In terms of income, Mr. Miller found that this boiled down to the fact that the average Negro college graduate could expect to earn less over his lifetime than the white who did not go beyond eighth grade.

The obvious answer to the Negro dilemma is deceptively simple: Open up jobs to Negroes and equip Negroes to fill them.

The first hard fact, however, is that there are not enough jobs to go around. The economy has been producing jobs at a lagging rate. Unemployment has been stuck at well above 5 percent of the work force for more than 5 years and shows no signs of sinking to more tolerable levels soon.

So the Negro's fight is bound inextricably to improving the economy's general performance and this does not seem to be happening very fast.

INCENTIVE LACKING

The educational level of Negroes is still far lower than whites and the gap is not shrinking.

Because of the straited circumstances of their families, many Negro children have to leave school early. This perpetuates the vicious circle.

To attack these problems, Negro leaders are urging enactment of enforcible Federal fair employment practices legislation. Not only should this open up jobs, but it should provide Negro children with the hope necessary to sustain their motivation, the leaders contend.

CONGRESSIONAL APPROVAL

There is not much expectation that such legislation will pass Congress this year.

The administration has recommended an increase in Federal aid to vocational education and in the Federal manpower retraining program. But there is grave doubt among many familiar with the problem whether these measures, if enacted, will make much of a dent.

To redeem large masses of unskilled, uneducated workers who have become virtually unemployed and to prevent hundreds of thousands of children from poor families from falling prey to the same ills is going to take far more work and money than the country has grasped, many Negro leaders believe.

FLORENCE ANN SEYMOUR

The Senate resumed the consideration of the resolution (S. Res. 186) to pay a gratuity to Florence Ann Seymour.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution was agreed to, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Florence Ann Seymour, widow of Robert T. Seymour, an employee of the Senate at the time of his death, a sum equal to one year's compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

TEMPORARY INCREASE IN PUBLIC DEBT LIMIT

Mr. SMATHERS. Mr. President, I move that the Senate resume the consideration of Calendar No. 420, House bill 7824.

The motion was agreed to; and the Senate resumed the consideration of the bill to continue, for the period ending November 30, 1963, the existing temporary increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act.

Mr. BYRD of Virginia. Mr. President, the bill before the Senate is H.R. 7824. It would extend the temporary limit on the Federal debt at $309 billion until November 30, 1963. The bill is in response to an administration request.

As chairman of the Senate Finance Committee, I have asked the ranking majority member of the committee—the Senator from Louisiana [Mr. LONG]—to present the bill to the Senate, because I oppose it.

I shall vote against the bill for three reasons: First, it temporizes with a situation which should be met constructively; second, there is time to enact a sound bill; and, third, this bill simply keeps the door open for a request to raise the limit again, which I shall oppose.

The permanent statutory limitation on the debt is $285 billion. We have been raising it temporarily above this figure since 1959. The present administration has raised the temporary ceiling four times in the past 2½ years.

The most recent increase was enacted July 1 this year. It raised the limit temporarily to $309 billion until August 31. Now the administration is requesting a 90-day extension of its previous 60-day bill. Another bill will be requested in a matter of weeks.

Every businessman knows the Federal debt of the United States, which is now running far more than $300 billion, cannot be responsibly managed on 60- and

90-day authorizations. Such a procedure would be unnecessary if the administration would get down under the ceiling and stay there.

But, instead, the administration closed its second budget on June 30 with 2 years of deficit financing totaling $15 billion. It came close to establishing an unenviable record. It is heading into its third consecutive deficit and proposing planned deficits for years to come.

On the basis of my own examination of every item in the budget for the current year, I am convinced the planned Federal expenditures could and should be reduced by at least $7 billion. Reductions of this size can be made without impairment of any essential function.

If there were a will in the Federal Government to make constructive reductions in public spending, the budget could be balanced and we could start reducing the debt limit toward the permanent ceiling, instead of continually raising it.

But this is not the administration's policy. It wants more debt. It is proposing to increase expenditures and reduce taxes at the same time. This is the reason we are being asked to toy with the debt limit at this time. The administration does not yet know how high to take the limit in the next request.

Most of the appropriation bills and the proposed reduction in taxes have yet to be acted on. The administration estimates another deficit this year on the basis of its spending program alone. And every dollar of any tax cut would add still another dollar to the debt.

The pending bill simply postpones the day when the administration will come in to say how much the tax bill would increase the debt. When the first estimate is made it probably would be only in the amount the debt limit will have to be raised in the remainder of the current fiscal year.

Such a request later on this year would be only the first of a new series of debt limit increases. The administration requested tax reductions each year for 3 calendar years. The tax bill as more recently drafted in the House, would provide reductions over the period of 2 years.

I cannot support a bill which anticipates more unnecessary debt not only to meet nonessential Federal expenditures but also to pay the cost of tax reduction. Congress has never before been asked to raise the debt limit to finance a tax reduction. If the tax reduction bill is enacted and expenditures are not reduced I predict that the administration will ask for a debt limitation of $320 billion or more.

I shall vote against this bill as a means of serving notice that I am opposed in principle to the proposition of charging a Federal tax cut—dollar for dollar—into the Federal debt.

Mr. LONG of Louisiana. Mr. President, I support H.R. 7824, a bill to continue for the period ending November 30, 1963, the existing temporary debt limit of $309 billion. I point out that this is not an increase, but merely a continuation of the existing level.

In May of this year the temporary debt limit of $309 billion for July and August was enacted. It was hoped that by August we would be able to determine the debt limit which would be required for the fiscal year. That hope has not been realized for only two appropriation bills, covering about 7 percent of the budget, have been enacted, and the tax bill has not yet been reported by the Committee on Ways and Means, much less in the Senate by the Committee on Finance. Under these circumstances, the committee has reported this bill which merely extends the present temporary debt limit for 3 months. Unless action is taken, the debt limit will revert to the permanent level of $285 billion on August 31, and the Secretary of the Treasury stated that their estimates indicate that the debt will exceed $306 billion on that date. Consequently, legislation must be enacted before that date.

The Secretary of the Treasury provided projections of the daily cash and debt figures for the period through November 30. These estimates indicate that in late September and early October the $309 billion limit will provide a margin of about $1 billion, but in the latter part of October, this margin will be reduced, and by mid-November, the estimated debt will reach, even exceed, the $309 billion ceiling. When the major appropriation bills have been enacted and when your committee has had an opportunity to consider the tax bill, we will be better able to determine the debt limit required for the remaining months of fiscal year 1964. At the present time, a simple 3-month extension of the present temporary limit of $309 billion, as recommended by the Secretary, seems advisable. I urge the passage of this bill.

Mr. President, I ask unanimous consent that the statement of the committee explaining and detailing the cash balances and estimates be made a part of the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Estimated cash balance and debt subject to limit day by day for period July–November 1963

[In billions of dollars]

Day	July 1963		August 1963		September 1963		October 1963		November 1963	
	Cash balance (excluding gold)	Debt subject to limit	Cash balance (excluding gold)	Debt subject to limit	Cash balance (excluding gold)	Debt subject to limit	Cash balance (excluding gold)	Debt subject to limit	Cash balance (excluding gold)	Debt subject to limit
June 30	[1] 11.1	[1] 306.1								
1	[1] 11.0	[1] 306.0	[1] 5.9	[1] 305.1			9.8	307.9	5.5	308.8
2	[1] 10.7	[1] 305.9	[1] 6.1	[1] 305.1	(2)	(2)	9.5	307.9		
3	[1] 10.6	[1] 306.0			6.1	307.2	9.2	307.9		
4	(2)	(2)			5.7	307.2	8.8	307.9	5.5	308.7
5	[1] 10.0	[1] 306.0	[1] 6.1	[1] 305.0	5.4	307.2			5.3	308.7
6			[1] 5.7	[1] 305.0	4.9	307.2			5.1	308.7
7			[1] 5.6	[1] 305.0			8.0	307.8	4.9	308.7
8	[1] 9.2	[1] 305.8	[1] 5.5	[1] 305.0			7.4	307.8	4.7	308.7
9	[1] 8.8	[1] 305.8	[1] 5.5	[1] 305.0	4.2	307.1	7.0	307.8		
10	[1] 8.5	[1] 305.8			3.8	307.2	6.6	307.8		
11	[1] 8.3	[1] 305.8			3.7	307.2	6.4	307.8	4.7	308.7
12	[1] 8.1	[1] 306.1	[1] 5.4	[1] 305.0	3.8	307.2			4.5	308.7
13			5.4	305.0	3.8	307.1			4.4	308.7
14			5.7	305.0			6.2	307.8	4.3	308.7
15	[1] 7.7	[1] 306.0	5.1	305.0			6.6	308.4	4.3	309.2
16	[1] 7.5	[1] 306.0	5.5	304.9	3.9	307.1	6.4	308.4		
17	[1] 7.4	[1] 306.1			4.2	307.1	6.2	308.4		
18	[1] 7.2	[1] 306.1			6.2	307.9	6.1	308.4	4.5	309.3
19	[1] 7.0	[1] 306.0	5.7	305.1	7.4	307.9			4.7	309.3
20			5.9	305.0	8.5	307.9			5.1	309.3
21			6.1	305.0			5.8	308.4	5.4	310.0
22	[1] 6.9	[1] 306.2	6.3	304.9			5.5	308.3	5.6	310.0
23	[1] 6.7	[1] 306.1	6.4	304.9	9.0	307.8	5.3	308.3		
24	[1] 6.6	[1] 306.1			9.3	307.8	5.1	308.3		
25	[1] 6.7	[1] 306.1			9.7	307.8	4.9	308.8	5.7	310.0
26	[1] 6.5	[1] 306.0	6.3	306.0	9.7	307.8			5.7	309.9
27			6.1	305.9	9.7	307.7			5.6	309.9
28			5.8	306.7			4.6	308.7	(2)	(2)
29	[1] 6.2	[1] 305.9	5.6	306.6			4.5	308.7	5.5	310.1
30	[1] 6.2	[1] 306.1	5.4	306.3	9.5	307.4	4.5	308.7		
31	[1] 6.2	[1] 305.1					4.5	307.8		

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[1] Actual.

[2] Holiday.

Mr. SMATHERS. Mr. President, the bill before us simply provides for an extension of the existing $309 billion temporary debt limit for an additional 3 months—from August 31, 1963, to November 30, 1963.

When we last took action on the debt limit in May, the Treasury's projections indicated that it could operate only to the end of August with a $309 billion debt limit.

The budgetary position of the Federal Government, however, improved substantially during the intervening months. Last May, the Treasury was contemplating a budget deficit in the neighborhood of $8 billion. As you know, the actual budget deficit turned out to be only $6.2 billion, roughly $2 billion smaller than anticipated.

Because the fiscal 1963 deficit was smaller than anticipated, the Treasury now finds that it can operate under the present debt ceiling for a longer period of time.

It might be asked, why proceed with another short extension of the present debt limit instead of setting a debt limit now to cover the entire fiscal year?

The answer is that we do not yet have enough information to determine a debt limit for the entire fiscal year 1964.

At the present time, only two appropriations bills, covering about 7 percent of the budget, have been enacted.

The tax bill has not yet been completed by the House and the Senate Finance Committee has not yet begun its hearings on the tax bill.

With a very limited knowledge of the expenditure and revenue outlook for fiscal 1964, any estimate of the debt limit required for the full fiscal year would necessarily involve a very large element of guesswork.

It is because of the continued absence of enough hard, factual information upon which to base a debt limit requirement for the full fiscal year that the Finance Committee reported out the pending measure providing for a simple extension of the existing $309 billion temporary debt limit through November 30, 1963.

Action must be taken now because the existing temporary debt limit authority will expire on August 31, and on September 1, it will revert to its permanent level of $285 billion. The debt at that time is expected to be in excess of $307 billion, more than $22 billion above the permanent debt limit level. Clearly, action on the debt limit must be taken if the financial integrity of the U.S. Government is to be preserved.

A $309 billion temporary debt limit to cover the period between now and the end of November is a very tight debt limit indeed. In fact, the Secretary of the Treasury cannot assure us that he can operate throughout the entire month of November under this debt ceiling without resorting to unorthodox financing procedures. However, he is reasonably confident of being able to operate up to the middle of November within the present temporary ceiling. We must, therefore, be aware of the fact that final debt limit legislation to cover the entire fiscal year 1964 may have to be effective by mid-November.

One indication of how tight this $309 billion debt ceiling is may be seen in the fact that a year ago at this time the Treasury was operating under a temporary debt limit authority of $308 billion. Since that time we have incurred a budget deficit in excess of $6 billion. Nevertheless, the bill before us, H.R. 7824, provides only for an extension of a temporary debt limit only $1 billion higher than was in effect a year ago at this time.

As I indicated earlier, a $309 billion temporary debt limit constitutes a very tight ceiling for the Treasury to operate under during the next 3 months. The very small margin for contingencies that this debt limit provides is acceptable to the Treasury only because of the short span of time involved.

Any attempt to reduce the debt limit below the present $309 billion level would carry with it very grave consequences.

If a debt ceiling of less than $309 billion were to be established, it would be impossible for the Treasury to finance the operations of the Federal Government in an orderly manner during the months ahead, could well have the end result of increasing the costs of operating the Government and an unduly tight debt ceiling could increase the cost of Government in several ways. By giving the Treasury less flexibility in its management of the debt, it could well mean that the Treasury, instead of borrowing at a time when the market situation is best suited for the flotation of new debt, could be forced into the money markets at just the wrong time.

If we are seriously concerned about holding down the interest costs on the debt, the Secretary of the Treasury must have freedom to do his borrowing when he deems the market conditions to be most appropriate.

Another way in which the interest costs of the debt could be increased by an unduly tight ceiling is by forcing the Treasury to sell nonguaranteed obligations of Federal agencies in lieu of the sale of direct Treasury obligations which are subject to the debt limit.

This actually happened back in 1958–59, when nonguaranteed FNMA obligations were sold instead of Treasury securities, thereby increasing the interest costs of the Government by many millions of dollars, simply because the nonguaranteed securities carry an interest rate about one-half of 1 percent higher than comparable Treasury securities.

Back in 1958–59, when the Treasury was operating under an unduly tight debt ceiling, then Secretary Anderson found it necessary to defer payments to Defense contractors. This, too, increased the cost of operating the Federal Government, since the Defense contractors had to go out and borrow money at high interest rates, and this added cost was passed on to the Federal Government in the contract settlements.

An unduly tight debt ceiling may not only cost us dollars out of the Federal Treasury, it may also cost us gold out of our gold stocks. If we are to improve our balance-of-payments position and reduce our gold losses, it is critically important that the outflow of short-term funds abroad be checked. It was to accomplish this purpose that the Federal Reserve Board recently found it necessary to approve an increase in the discount rate.

One of the most important tools for controlling the level of our short-term interest rates and, therefore, the volume of short-term capital outflows abroad, is the ability of the Treasury to put supply pressure on Treasury bill rates, whenever that may be needed, by issuing additional amounts of Treasury bills.

If the debt ceiling is unduly tight, the Secretary of the Treasury may be unable to issue additional amounts of Treasury bills at times when that may be most desirable. As a consequence, Treasury bill rates may fall, our balance-of-payments position may deteriorate unnecessarily and the gold outflow may be larger than would otherwise have been the case. In a very literal sense, the price of an unduly restrictive debt limit may have to be paid in gold.

Every month, the Secretary of the Treasury, as trustee for the various Government trust funds, invests the net inflow of funds in special issues of Government securities. When he does so, of course, the debt subject to limit rises. We must be very careful to make sure that a situation does not arise in which the Secretary of the Treasury is faced with only two choices: to fail to invest the accruing trust fund money or to break through the debt ceiling. Fortunately, no Secretary of the Treasury has ever been faced with such a grim choice, but an unduly tight debt ceiling could, at some time, place him in this very difficult position.

In short, if we are concerned to see that the Government does not incur unnecessarily any added costs, if we are concerned to see that the Secretary of the Treasury has all of the tools he needs to improve our balance-of-payments position and to cut our gold losses, and if we want to be sure that accruing trust fund money can always be properly invested, then we must make sure that the Treasury has adequate room under the debt ceiling to operate effectively.

An unduly tight debt ceiling would be both self-defeating and dangerous to the financial stability of the United States.

In order to permit the Secretary of the Treasury to maintain sound fiscal procedures, the pending measure changing the expiration date of the existing law from August 31 to November 30, should be adopted in the national interest.

RADIOACTIVE IODINE IN UTAH

Mr. MOSS. Mr. President, I wish to call attention to a situation which is related to the issue of a nuclear test ban but is perhaps being overlooked, because it is a local situation, and only the people in a relatively small geographical area are affected.

The situation to which I refer is the exposure of people residing in my own State of Utah to repeated doses of radiation principally from radioiodine resulting from nuclear weapons tests. This situation has been under study for a number of years by various investigators, but the total impact on the people in the State of Utah has not been studied in what one might call a coordinated manner.

This situation has been brought to light by the recent release by the Atomic Energy Commission of a report prepared by a person then in the employ of the Commission. The report to which I refer is entitled "Iodine 131 in Fresh Milk and Human Thyroid Following a Single Deposition of Nuclear Test Fallout," prepared by Dr. H. A. Knapp, dated June 1, 1963.

The report attempts to estimate the relation between a single deposition of radioiodine and the subsequent levels in fresh milk. The report also presents a means of estimating doses which may have been delivered to the thyroids of children who consume the milk containing radioiodine.

The Commission "in order to provide additional perspective in the matter" attached to the Knapp report a review by an ad hoc committee made up of qualified scientists with special background in experimental biology, radio, instrumentation, and public health. Reactions of individual committee members, with respect to the information in the Knapp report and to the conclusions varied from favorable to highly critical.

The report lists a number of items of uncertainty, and I personally do not know whether the criticisms expressed by the committee members are correct or incorrect. I feel that until the matter is settled scientifically that we must take the conservative approach of assuming that the upper estimates of dosage might be correct.

There is, in addition to the report I have just cited, a pertinent article which appears in the August 16, 1963, issue of Science magazine. This, too, deals with the problem of iodine 131 deposition in Utah during 1962. This study was done by a group at the University of Utah consisting of Dr. Robert C. Pendleton, Dr. Ray D. Lloyd, and Dr. Charles W. Mays. This report tabulates data showing the concentration of radioiodine in milk samples obtained from various farms near Salt Lake City, Utah. The study concludes that about 53,000 children under 2 years of age were subject to a thyroid dose which may have ranged from an average of 1 to a peak of 14 rads during radioiodine episodes in the summer of 1962.

The Subcommittee on Research, Development, and Radiation of the Joint Committee on Atomic Energy today commences a second series of hearings during which nongovernment scientists and members of the public will have an opportunity to express their views on the problem of fallout.

In an attempt to obtain all of the pertinent data on these problems, witnesses have been invited who are expert in the problems of special localized areas. I look forward to the record the Joint Committee will develop during these hearings.

Dr. Charles W. Mays, of the University of Utah, is appearing this afternoon before the subcommittee in order to present the results of a recent study of the impact of radioiodine in the State of Utah resulting from all fallout weapons tests from 1951 through 1962. He calculates with due recognition for some of the uncertainties involved that approximately 250,000 of the children in the State of Utah may have been exposed to average thyroid doses of 4.4 rads prior to age 2.

I am concerned, of course, that radiation doses such as this may have been received by so many young children in this sensitive age group. I recognize that the conduct of these weapons tests over the past year has been necessary in the interest of national defense. I am alarmed, however, to discover that such a situation prevails wherein a group in a local area is repeatedly subject to this kind of a hazard.

I feel that this situation should be weighed very carefully in studying the test ban treaty. It is important not only that the people of Utah—and especially the children of Utah—be protected from further exposure, but that other people elsewhere not be subjected to similar hazards.

TEMPORARY INCREASE IN PUBLIC DEBT LIMIT

The Senate resumed the consideration of the bill (H.R. 7824) to continue for the period ending November 30, 1963, the existing temporary increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act.

Mr. DIRKSEN. Mr. President, even though memory is rather tricky, I think I once read in Isaiah a verse about the cold stones of confusion. If ever we were dealing with cold stones of confusion, that time is now. This is our second try this year on the debt ceiling. There will be a third version in November. It would appear that we are windowshopping for a ceiling; and what difficulties we have in finding an adequate peg for the debt. I refer to it often as the shuffling debt.

Permanently, the debt ceiling is fixed at $285 billion. It has been at $300 billion. It has been at $305 billion. It has been at $307 billion. It has been at $309 billion. The bill before the Senate today proposes that the $309 billion ceiling be extended from the first of September until the last day of November. So I would call that a shuffling debt.

Many factors make it difficult to determine just where the debt ceiling must be. When I talk about confusion, I am reminded that there are eight appropriation bills on which there has been no Senate action. Since we are beyond the 30th of June, the departments and agencies concerned are working on the 1963 base. The longer we go without appropriating, the shorter will be the effective period for the appropriations. On the first of September, the appropriations will be effective only for a 10-month period. If the delay is longer, the effective period will be 9 months, 8 months, and so forth. It is like cutting off the tail of the appropriations dog a little at a time. But I am sure the dog will not die, because appropriations are definitely on the "must" list. But how can we establish a debt ceiling unless we know what the expenditure level for fiscal year 1964 will be?

There is also the factor of growth. The House report and the testimony of the Secretary of the Treasury contain allusions to growth and to the prospect that growth will generate revenue. I do not know about economic growth; but I do know about growth in Government, because many thousands of persons have been added to the rolls, and other thousands will continue to be added in fiscal 1964. If the entire program is consummated, it will mean that from the beginning of the administration until the end of fiscal 1964, as many as 120,000 persons may have been added. If that is not growthmanship, then I do not know the meaning of the term. So what the economic growth will be and what extra revenues it will generate remain to be seen.

There is another factor in the picture. How many of our capital assets will be sold and credited to make it appear that, after all, this is a great, diligent effort at economy? I do not know that anyone can take any real credit for throwing into the market housing loans, veterans' loans, and farm tenant loans, and getting the money for them, because anybody can do that. But the amount of the capital asset account that will finally be sold is a factor in the debt picture.

There is still another item. We were paid in advance the sum of $340 million for military equipment that was delivered in European countries. I do not know that our receiving that money in advance is of any great moment. It would have been necessary to collect it sometime. But since we got it in advance, in the general timetable, it can be used to some advantage.

These are some of the factors that must be considered in the computation of what the debt will be when we move on toward the end of the fiscal year, which will be June 30, 1964. A motion was made in committee, in connection with the pending bill, to change the date, so as to make the proposed debt ceiling effective for fiscal 1964, meaning until June 30.

I recall that an effort was also made to put in a figure which bore a logical relationship to an extended picture. The Secretary of the Treasury gave as an opinion—and I believe it should be qualified by saying it was a very informal opinion—that if the date of June 30 were selected, perhaps the figure $320 billion should be inserted, to make sure that the Treasury would not be in difficulty so far as its financing is concerned.

But that round will be coming in November, assuming some action on appropriation bills and some evaluation of the other factors, so that the Treasury, the President, the Budget Bureau, and the Congress can see a little more clearly where that figure should be established before we prepare to "fold our tents and silently steal away"—for adjournment. But that is one of the significant things about this situation, because normally we get the proposal for a new debt ceiling about 15 days before the expiration date. So, if the tradition maintains, then perhaps in the Finance Committee—over which the distinguished senior Senator from Virginia [Mr. BYRD] presides—along about the 15th of November there should be a suggestion as to what we should do about the debt ceiling. So I mention that significant aspect of this whole matter.

Senators come to me and ask, "When are we to have a recess? When is Congress to adjourn?" The majority leader and I have more or less come to an understanding, because in colloquy in the Chamber the other day, I indicated that Senators might as well abide and prepare to eat their Thanksgiving dinners in the Nation's Capital. I know they would like to go home. I would like to go home. But this is the place where we work and, as the minister said in connection with the benediction, "Where you live, and move, and have your being." So this is where we are going to live; this is where we are going to move; and this is where we are going to have our being.

The majority leader trumped my king, so to speak, with an ace, when he said, "Senator, you might as well buy your Christmas tree at the same time." As the members were preparing to leave the Finance Committee, I told them I was preparing to take orders for Christmas trees, and that if they wanted to leave their orders, I would sneak out, some night, to the farm of my distinguished friend, in Berryville, and, like George Washington, I would sharpen my hatchet and chop down some Christmas trees for the members of the Finance Committee.

So, Mr. President, we might as well prepare to be here for a long time to come.

Is it not going to be wonderful to be here on Thanksgiving Day, when the spirit of appreciation and gratitude, and thanksgiving pervades the whole country; when we make our accolades to the Pilgrim Fathers, and show proper appreciation for the blessings we enjoy in a free country?

So I believe we should get a running start, and should prepare for Thanksgiving Day. We should be thankful—or should we?—for the unimpaired capability of the Congress to spend money. I had hoped, so earnestly and so sincerely, that perhaps a proper and prudential fear might at last fall upon this body and the other body and that they would give some thought to our fiscal affairs and to the delicacy of the structure of financial confidence, and to how easily condign things can happen to the currency of a country.

I rather shudder at the thought that over $20 billion of the short-term paper of the United States is in other hands, particularly in the hands of the Central Banks of Europe. It is callable in dollars and in gold; and today our cushion of gold reserves, as required by law for demand deposits and Federal Reserve notes, is the lowest it has been since I have been around these diggings, and that extends over 30 years, Mr. President; if that does not bring some apprehension, then, frankly, I do not know what will. If anything were to happen in connection with that situation, the result would be calamitous, to say the least.

Yet we deal with bills such as the one creating the Domestic Peace Corps. Perhaps my distinguished friend, the Senator from Florida [Mr. SMATHERS], will remind me of the exact title. In any event, we know it as the Domestic Peace Corps bill. At this time the Domestic Peace Corps is a little sapling; only $6,500,000 is requested for it. But, Mr. President, like Topsy, it will grow. It was said of Topsy, "She just growed." Similarly, the Domestic Peace Corps will develop in much the way the Peace Corps has developed. The initial transfer of funds for it came to $5 million; for the full fiscal year, $30 million; for the second year, $58 million; and for this fiscal year $108 million. Its growth has been fantastic. Let us not think for a moment that the Domestic Peace Corps will not grow, too.

Must we make such increases of appropriations when we should be facing up rather austerely to our responsibilities, in order to make sure that the confidence in the minds of others will not change? If that were to happen, it could be calamitous, indeed.

I believe it was George Bernard Shaw who once observed, "There is only one universal passion, and that is fear." It starts in babyhood, when a mother proceeds to raise her hand and prepares to spank her baby. Almost instinctively, the baby draws back, knowing that that gesture means punishment. That is an incitation of fear. From then on, through the teens, through the days of puppy love, through the days of courtship, through the days when one accepts the responsibilities of a family, until finally one stands in the shadow of eternity, fear is the universal passion; it is the only one I know of.

But, Mr. President, strangely enough, although we deal here with expenditures of billions and billions of dollars, yet I have seen no long, slender shadow of fear strike into the consciousness of the Members of this body. I have not yet seen Senators look down the road and say, "Perhaps we ought to be fairly and rightly warned as we see the debt limit rise and as we see our appropriations increase; perhaps we should take thought of the future."

The other day the Secretary of the Treasury, when speculating in regard to the situation next year, was thinking in terms of a cash budget of $102 billion. If we add to it the trust accounts, we can see what we are facing.

But I am content to work with the administrative budget, the cash budget, the total for the items we cover by direct appropriations, the total of the amounts which will be expended under the warrant of Congress. It disturbs me a good deal, Mr. President, because an end to it will come. Some day we may run out of money and credit. Today, the situation is not quite that bad, although our situation today is somewhat like that of the lady who went to the Governor of a southern State, and said to him, "Governor, I want to get my husband out of prison."

The Governor asked, "What is he in prison for?"

She replied, "For stealing a ham."

The Governor asked, "Is he a good husband?"

She replied, "No, sir, Governor; he drinks, he beats the children—he is no good."

The Governor asked, "And why is he in jail?"

She replied, "For stealing a ham."

Then the Governor asked, "Why do you want him out of jail, if he is no good?"

She replied, "Well, Governor, the fact is that we are out of ham, again."

One of these days we may "run out of ham." Then what? There will be no Marshall plan for us. This is the only country on earth that can render assistance, and when we get to the point at which we need some aid, then look out, because we will not know where to go.

Shall we be thankful for the spending capability of the Congress, which up to this good hour is still unimpaired? Perhaps we should be thankful that the budget is not over $100 billion yet, although now there is every reason to believe that it will be over $100 billion in the fiscal year 1965. Perhaps we should be thankful that the annual interest has not reached $11 billion. It is now $10,013 million. That is a great deal of money for the privilege of borrowing from our own people, whether in corporate or individual capacity—over $10 billion every 365 days for the interest on the public debt.

I believe the committee chairman, the Senator from Virginia [Mr. BYRD], and I came to the Congress about the same time—approximately 30 years ago. As I recall, in the 73d Congress the entire cost of government was in the general neighborhood of $3.5 billion. Today the interest on the debt alone is three times the entire cost of government 30 years ago. That is really moving.

We are told, "We want to get the country moving again." I say to my friend the Senator from Delaware [Mr. WILLIAMS], "We have been moving, but in the wrong direction." We do not seem to be concerned. We forget that the interest must be expressed in the appropriation bills every year, and every year we must appropriate that amount of money. That is $10 billion to hike the budget, and it is 10 percent of the entire annual Federal budget. That amount of money is not "hay" even in the town where I live, which has a population of only 30,000. None of our banks are quite up to $10 billion in capital surplus and undivided reserves. So should we or should we not be thankful?

We were told that we ought to be thankful. We owe the money to ourselves. Is that not wonderful?

Four times a year we make our peace with Uncle Sam because we "lay it on the line." I pay my income tax four times a year in quarterly installments.

What do we receive in return? Twice a year we get back a little on what few Government bonds we own—victory bonds, liberty bonds, and savings bonds. So four times a year one hand reaches out in response to the request, "Come across." Twice a year the other hand reaches out and we are told, "I will give you back a little." Is that not wonderful? We owe the money to ourselves, but we forget how much more is taken than is finally given back. Perhaps we should be thankful that the number of our jobless is not over 6 million. Or should we be? I am suggesting thanksgiving thoughts, hoping that they may be entertained by the membership of the body that has the exclusive power of the purse under the Constitution of the United States.

Over in yonder great white marble building sits the Supreme Court. The Court has neither purse nor sword. At the fine white building at 1600 Pennsylvania Avenue the President lives. To him the Constitution gave the power of the sword by virtue of his capacity as the Commander in Chief. But to this body, the Congress, those frugal people who long ago celebrated the first Thanksgiving gave the power of the purse, for in that organic document there is the provision that no money shall be taken from the Treasury except in pursuance of an appropriation made by law.

We ought to have a proper regard for the great exclusive authority that was vouchsafed to us by the Founding Fathers. But I wonder whether we do. Perhaps we should be thankful that it was given to the people's representatives, and perhaps we ought to go into earnest prayer and think how we have discharged that power and that responsibility.

Perhaps we should be thankful that the country is moving. We got it moving on the debt up and down. Generally the economy is sideways. When it comes to gold, we are moving around in circles. A further withdrawal of gold has given us concern and made us resort to first one expedient and then another in order to keep on an even keel.

Mr. President, perhaps we should be grateful also that the creeping erosion of the dollar is not creeping any faster than it is. It is not deflation that bothers me as much as it is inflation at the rate we are going, and how we are managing our fiscal affairs.

Mr. President, one could hold forth for a long time on this subject. I merely recite that this is our second endeavor to fix a debt ceiling for the current fiscal year. But we are going to make a third try. It will be around Thanksgiving Day. So give thanks that we will have that opportunity. May we hope that perhaps growth will appear, that some genie will come from some far off, unnamed planet, wave a magic wand, and make it possible to hold the debt at a level which will not impair or destroy that slender fabric of confidence upon which the whole structure rests, for when that fails, then look out for the explosion.

In a dainty poem, Shelley said:

> O wind, if winter comes,
> Can spring be far behind?

So I say:

> O wind, when Thanksgiving comes,
> Can Christmas be far behind?

May we hope that the generosity that wells up in our souls at Christmastime will be kept within restraining bounds when we deal with the ceiling for the public debt when November comes. That is all I have to say.

A bill of the kind now before the Senate always provides an opportunity to utter a kind of timely warning. I do not know whether anyone pays any attention to it. But I would feel derelict in my duty if I did not take the occasion to remind Senators again about the situation that now confronts us. Of course, there is an easy road. Oh, how easy it is. But in the informal discussions we had about it, the Secretary of the Treasury, close to whom I sat, used the word "calamitous."

It would be calamitous if we went down either of those roads.

One would be to repeal the Gold Reserve Act. Already there is a bill pending in the House, introduced by a distinguished Member of Congress from New York, to repeal the Gold Reserve Act. I do not know what may happen, but I have an idea that the psychological impact on the country if we should do so would be next door to a nuclear explosion. But that is one way, and that is one easy road.

There is another easy road, and that is devalue the American dollar. If that day should come, we might as well start for the storm cellar, because the impact in the market of Tokyo, Montreal, London, Paris, Berlin, Rome, and elsewhere would be terrific, to say the least. God willing, that day will never come. I hope that we, as exclusive keepers of the purse, will do our share to make certain that that day shall not come.

We have no choice with respect to this bill, as I see it, other than to increase the debt limit, unless we favor having the Treasury Department stop paying bills when it runs out of its cash reserves. The Secretary likes to keep a rather substantial reserve or cash balance on hand. I suppose if I were Secretary I would wish to do the same.

We have held this limit down on a number of occasions. I will go along with the pending bill, even though there was opposition in the committee.

I shall forbear further with respect to this bill with the warning that I have uttered. Somehow we are afflicted with the idea that nothing can happen to us. We are not the first Nation in the world to have been beset by that weakness. Let us read a little of ancient history. It was thought that Rome could not founder. It was thought that Carthage could not fall.

On a Sunday morning I sat on a fragment of granite, where the great amphitheaters of Carthage on the northern coast of Africa once were located, when little boys with "pidgin" English came to show me small coins, and I had no way of knowing whether they were genuine or spurious. I said, "Where is the glorious city that was here?" They did not know.

That was the city of Hannibal, and of Hamilcar. Try to find it. One can find a few vestiges of granite, and that is all. It has disappeared.

Many have disappeared, and most of them down the fiscal road. That is where the trouble begins, and that is the easiest way to encompass suicide for the vitality of the greatest country. It has happened before, and we should have a better regard for the lessons of history.

I yield the floor.

Mr. HOLLAND. Mr. President, I shall be called elsewhere in a few minutes, and I wish to make a very brief statement at this time.

I understand that the present temporary debt limit of $309 billion will expire as of September 1, 1963, at which time the permanent limit of $285 billion will again take effect. If I am not correct in that understanding, I ask that I be corrected by my distinguished colleague from Florida.

Mr. SMATHERS. The Senator is correct.

Mr. HOLLAND. I thank my colleague.

Mr. President, it seems to me, under that situation, that there is no real choice confronting Members of the Senate at this time. We must act upon the immediate, present recommendation of the Secretary of the Treasury, which is contained in the report of the Senate committee in these words:

> I recommend a simple 3 months' extension of the temporary debt ceiling at its current level of $309 billion.

It seems to me that is a reasonable recommendation. I do not know what any responsible Secretary of the Treasury could do after September 1 and up to the end of November unless this action were taken.

I have been deeply concerned by some of the statements I have heard, not contained in the brief report of the Senate's able Committee on Finance. I have heard that it is expected to adopt, between now and the end of November, a very sizable decrease in the receipts of the Government by reducing taxes. I have heard that it is proposed, as of the last of November or the first of December, to expand the debt ceiling in a sum sufficient to take care of that complete reduction of taxes.

I want the RECORD to show that so far as the senior Senator from Florida is concerned, by his vote upon the present extension of the temporary debt limit to the end of November he by no means indicates any intention to follow such a course as that just described, because the reduction of taxes merely to pass on the complete reduction to the public debt after the first of December would, as I see it, be a very great mistake and a further step toward the devaluation of our currency and toward the destruction of the livelihoods of many people of moderate means in our country, by reason of the reduction of the value of their savings and the reduction of the purchasing power of their dollars.

Before I leave the Chamber, I wonder if the distinguished chairman of the Committee on Finance will yield to me so that I might ask him a question or two.

Mr. BYRD of Virginia. I am delighted to do so.

Mr. HOLLAND. I thank the Senator for his courtesy, and I hope he understands my situation.

I should like to ask if I am correct in my understanding that the Senate Committee on Finance was advised that the reason for the temporary extension, other than to enable the Secretary of the Treasury to live responsibly from now until the end of November, was to make way for a reduction of taxes in a substantial amount and for the passage on to the public debt of all, or substantially all, of the reduced amount of receipts of revenues?

Mr. BYRD of Virginia. It is the opinion of the Senator from Virginia that that was the purpose of the administration. It was so indicated in the testimony, because there would be no reason to have a debt limit expire on November 30 other than to add to the debt limit in the event that Congress passed a tax reduction bill without reducing expenditures.

I compliment the distinguished Senator from Florida for his clear statement with respect to the disastrous things which would happen if we should adopt the plan of reducing taxes without reducing expenditures, adding the loss to the public debt. It is the opinion of the Senator from Virginia that that is the purpose of the administration, by reason of the fact that the administration did not select the fiscal year for the expiration of the debt limit but selected a day 90 days in advance of the present expiration of the debt limit and during the period when it is expected there will be action on the bill, which will shortly come to the Senate, to reduce taxes about $10 billion.

Mr. HOLLAND. If the Senator will yield for one further question, did the Secretary of the Treasury, in testifying before the able Committee on Finance, the chairman of which is the distinguished senior Senator from Virginia, indicate what was the amount of the proposed additional extension of the temporary debt limit after the end of November?

Mr. BYRD of Virginia. The Secretary of the Treasury said it would be a figure between $315 billion and $320 billion, depending on the appropriation bills, which have not yet been enacted, and depending on the tax bill, when the tax reductions will become operative, and so forth. The purpose of the administration is to reduce taxes, as the Senator from Florida has said, by $10 billion; and unless there is a corresponding reduction in the expenses, that naturally will have to be added to the public debt, and we shall have to borrow money to pay for that loss in revenue.

The Secretary was not specific, but he did use the figures between $315 billion and $320 billion, depending on what may occur between now and November 30.

Mr. HOLLAND. I thank the Senator from Virginia. His statement conforms to what I had heard. I wish to make it clear that my vote in this instance in no way indicates that I propose to vote for any course of action which in effect reduces our taxes now and places the burden of repaying them, with interest, upon our children in the future.

I thank the Senator for yielding; and I yield the floor.

Mr. WILLIAMS of Delaware. Mr. President, this is the second time this fiscal year that we have been asked to extend the debt ceiling of $309 billion for a 60- or 90-day interval.

In June the Secretary came before our committee and indicated that without such an extension the debt ceiling would go back to $285 billion, and he asked for an extension of the debt ceiling of $309 billion for a 60-day period, or until September 1.

At that time our committee recognized that we could not go back to a $285 billion debt ceiling and suggested that to be fiscally responsible we should not extend the debt ceiling for just 60 days, but for the full fiscal year, or until June 30, 1964. Accordingly the Finance Committee, by an overwhelming vote, adopted the amendment which would have extended the $309 debt ceiling for the full fiscal year.

Later the Treasury Department objected, and upon its request the Senate reversed itself and extended the debt ceiling for only 60 days, with the result that we are here again facing another emergency—being told that the debt ceiling will go back to $285 billion on September 1 unless we act before the end of the month.

There is not a single Member in the Senate, or a single Member in the House, or a single official in the Treasury Department who believes we can go back to the $285 billion ceiling on September 1, on November 30, or even on June 30 of next year. Therefore, why not recognize that fact and put the debt ceiling where it belongs.

I think this procedure of acting for only 60 days at a time is a fiscally irresponsible manner of financing the public debt. All it does is put it on the basis of 60-day installments, and we are going to be here again on November 1 with the same urgent request.

I am not going to be a party to any such fiscally irresponsible way of financing the debt of the United States. I think the bill ought to be defeated unless the increased limit is extended for the full fiscal year.

If the administration does not have the courage to face the truth and to tell the American people that they are not going to be able to roll the debt back in 60 days, then I think we had better call the matter to the attention of the American people and put the administration on notice by defeating the bill.

Certainly the debt ceiling cannot drop back to $285 billion on November 1. It means that the administration will come back in 60 days with another so-called emergency.

I have never seen an administration which thrives on emergencies as much as this one. They seem to create deliberately these emergencies. They thrive on coming to Congress with dramatic statements that if a certain measure is not passed our economy will face a dire catastrophe. I sometimes wonder whether they just want to divert the attention of the American people from noticing what a horrible job of running the Government they are actually doing. No one in any responsible position thinks we can go back to a debt ceiling of $285 billion on November 30. I think the administration has the responsibility to face up to this issue.

We have a debt ceiling of $309 billion today. Why? The Budget Bureau of this administration came before our committee last year and said they were deliberately planning deficits. The only apology they had was that they were not able to spend more money. They would have liked to have spent more and have made the deficit even greater than it was. They had no apology because the size of the deficit was so large, rather they apologized because they were not able to spend more of the taxpayers' money.

Now they propose to finance this debt on 60-day installments.

As the result of their deficit spending we have been piling debt on top of debt, with the result that we are losing our gold. Our gold supply today is the lowest it has been in the history of this country. In addition, we are partly financing our expenditures by borrowing from the same countries to which we have been giving money for the last 15 years. Borrowing from foreign countries and guaranteeing payment in their currencies is the equivalent of guaranteeing them against any devaluation of the American dollars. That is definitely unsound financing.

In the first 2 years of this administration 135,000 new Government employees were added to the payrolls. The administration is hoping to add another 36,000 next year if it can get the money out of Congress. On top of that, with a $9 billion prospective deficit the administration is asking for a tax cut of $10 billion.

Never in the history of this country have we had such fiscal irresponsibility on the part of any administration.

It is time the American people recognized that if this practice continues we shall have another round of inflation which will destroy their life's savings.

I think, as a protest vote against the irresponsible manner in which the administration is financing the debt on 60-day installments the bill should be defeated. If the bill were defeated the Finance Committee could then sit down with the Secretary of the Treasury and work out an intelligent basis on which the debt, over a long-range period, can be financed.

No man operating either a small or a large business would consider borrowing money from a bank on a note payable in 60 days, and then building a factory that would represent a longtime investment. Yet that is what this administration is doing with our national debt.

To say that the debt ceiling will go back to $285 billion, on November 30, as would be implied under this bill, is an irresponsible statement to make to the American people. It is wrong on the part of the administration, and it will be wrong on the part of the Congress to pass the bill under any such false pretense.

I oppose the proposal on that basis. I hope the bill will be defeated so that the committee will have an opportunity to suggest a realistic approach to financing the debt of the U.S. Government.

Otherwise, the administration will be back again in early November talking about another emergency and predicting dire consequences if Congress does not act overnight.

The PRESIDING OFFICER. The bill is open to amendment.

If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H.R. 7824) was ordered to a third reading, and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

Mr. WILLIAMS of Delaware. Mr. President, we shall want a yea-and-nay vote on the bill. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WILLIAMS of Delaware. Mr. President, on the question of the passage of the bill I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. SMATHERS. Mr. President, prior to the vote I should like to point out that it has already been made amply clear that if we do not take action as has been recommended by the Finance Committee, the permanent debt ceiling of $285 billion goes into effect as of September 1. We are already operating at a level close to $308 billion; it will fluctuate, and will get almost as high as $309 billion as we go into September.

At the request of the Secretary of the Treasury, the House of Representatives has already passed the bill now before us, extending the temporary debt ceiling of $309 billion until November 30 of this year. The reason why this action is necessary is that only two or 7 percent of the appropriation bills have thus far been passed by Congress. In fact there is no way of knowing at this time just how much Congress will appropriate. Then, too, it is difficult to determine the outcome of the tax reduction and reform proposal. Without knowing these factors it would be nothing but mere conjecture as to what the debt ceiling should be for the remainder of the fiscal year.

The pending measure merely extends for another 3 months the existing temporary debt ceiling of $309 billion in order to permit the Secretary of the Treasury to maintain sound fiscal procedures.

Until such time as the Treasury Department and the Congress have sufficient facts to determine what the actual debt ceiling should be for the remainder of the year, the action we are asked to take today is in line with sound fiscal responsibility and in the national interest. Holding the debt ceiling down to an unrealistic level will not have the effect of cutting or reducing appropriations. It will, however, cost the Government money.

I suggested to the able Senator from Delaware that the time to fight this proposal is in November when the Secretary of the Treasury will come before us and ask for the debt ceiling to be raised. I believe he pointed out it would be substantially below $320 billion. He said by that time he would know what appropriations had been made, and whether action had been taken with respect to the tax bill. Congress would then be able to see where it was going and what it actually wanted to do.

It has been made clear time and again that if we wish to cut the size of the Government, the place to cut it is in the appropriation bills. It never has made any sense to anyone who thought about the subject logically, to say, "We are going to operate the Government with big appropriation bills and then put a ceiling on the Treasury under which it can finance that which Congress has voted.

If we legislate so tightly that the Secretary of the Treasury cannot go into the money market at a time when money is favorable to the Government, he must pay higher interest and this places him in a position where he is unable to issue new Treasury bills to assist in halting the outflow of gold which in turn seriously affects our balance-of-payments deficit. In addition debts due and owing must be paid. If not interest is due on the unpaid balance. All of this is costly to the Government and false economy. Do not place the Secretary of the Treasury in such a straitjacket.

Therefore, giving the opponents every benefit of that argument, the way to cut expenditures is through appropriation bills, frankly, honestly, and forthrightly, and not to do it, as has been suggested that we do it here, by setting a debt ceiling at a restrictively low level, so that in financing the Government, the Treasury is not permitted to take funds of the social security system, for example, and invest them with interest, because it then becomes an indebtedness of the Government.

Therefore, the Secretary has to hold the money, and loses that benefit. An unrealistically low debt ceiling actually cost the Government money, rather than save the Government money. If we really want to cut down Government spending, the way to do it, and the only way to do it, and the only forthright way to do it, is by voting for reduced appropriation bills. It does not make any sense to vote for higher appropriations and then say we are going to keep the ceiling down so that, having voted the appropriations, and having called on the Government to make certain expenditures, we will make it difficult and expensive for the Government to pay its bills.

Therefore, I merely wished to say that the Committee on Finance has approved the bill, even though it did not like it in every respect. The House Ways and Means Committee approved it, even though it did not like it in every respect. I am sure the same is true of the House itself, which approved it in the light of present circumstances. I feel that this is the only logical and sensible way in which to proceed. I am delighted to report that even the minority leader supports the action which the Committee on Finance has proposed, even though he has so ably expressed himself that he did not particularly like it either, although under the circumstances it was the only thing to do. I urge my colleagues to support the pending proposal. It is not only a course of sound fiscal responsibility but action in the national interest.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. SMATHERS. I yield to the Senator from Kansas.

Mr. CARLSON. If I read the resolution correctly, it provides for a debt limit of $309 billion until November 30.

Mr. SMATHERS. That is correct.

Mr. CARLSON. Then I read the committee report with respect to the estimated cash balance and debt subject to limit day by day for the period July to November 1963, and I note that the ceiling will reach $309 billion before November 15.

Mr. SMATHERS. The Senator is correct.

Mr. CARLSON. Does not the Senator from Florida agree that if that situation develops, the Secretary will have to return to Congress even before November 30 to get an increase?

Mr. SMATHERS. The Senator is absolutely correct. If the estimates of the Secretary of the Treasury are correct, as reported to us, we will have to reconsider this matter in the early part of November or in the latter part of October.

Mr. WILLIAMS of Delaware. Mr. President, I thank the Senator from Florida for his remarks. He has made a better argument than I could possibly make in support of my position; namely, that we should defeat the proposal that is now before us and then have the Committee on Finance ask the Secretary of the Treasury to appear before it and get an estimate from him as to what it will take to finance the debt for a full year.

As to his argument that we should not try to lower the ceiling on the debt as a basis for curtailing expenditures, I agree with the Senator on that point. No one is proposing such a step. When the debt proposal was before the committee in June I offered an amendment to make the $309 billion ceiling effective for a full year, and our committee approved this action. The Senator from Florida—and I respect his position—opposed the amendment. He said, "We will not need it for longer than 90 days." Now the administration is back again asking for an extension for another 90 days. In November they will be back again for another 60- or 90-day extension.

My argument is that to be extending continuously the debt ceiling on a 60- or 90-day basis is an irresponsible way to finance the debt of the U.S. Government. Never before in the history of the country has any administration sought to finance the debt on a 60- or 90-day basis. The Secretary of the Treasury should be told to estimate more nearly what the requirements of the Goverment will be on at least a full year's basis.

The Bureau of the Budget in January submitted an estimate of expenditures which I know and the Senator from Florida [Mr. SMATHERS] knows Congress will reduce but very little. We shall have a debt ceiling of at least $309 billion for the full year at the rate they are spending. For Congress every 30, 60, or 90 days to be told of a great emergency if we do not extend the debt limit is something of which I am getting a little tired. I am tired of hearing about these artificially created emergencies.

The Secretary of the Treasury should pay more attention to financing the debt on a long-range basis. He should pay more attention to our loss of gold, which is the result of a deficit in our balance of payments, rather than to be coming to Congress every 30, 60, or 90 days asking for an extension of the debt ceiling. Everyone knows that the ceiling cannot revert to $285 billion during this fiscal year.

Again, I suggest that the Senate defeat the resolution and ask the Secretary of the Treasury to appear before our committee and tell us and the people how he proposes to finance the public debt over the next couple of years.

The PRESIDING OFFICER. The bill having been read the third time, the question is, shall it pass? The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from Nevada [Mr. BIBLE], the Senator from North Dakota [Mr. BURDICK], the Senator from Pennsylvania [Mr. CLARK], the Senator from Mississippi [Mr. EASTLAND], the Senator from Hawaii [Mr. INOUYE], the Senator from Missouri [Mr. LONG], the Senator from South Dakota [Mr. MCGOVERN], and the Senator from Oregon [Mr. MORSE] are absent on official business.

I further announce that the Senator from Indiana [Mr. Bayh] is necessarily absent.

I further announce that, if present and voting, the Senator from Nevada [Mr. Bible], the Senator from North Dakota [Mr. Burdick], the Senator from Pennsylvania [Mr. Clark], the Senator from Hawaii [Mr. Inouye], the Senator from Missouri [Mr. Long], the Senator from South Dakota [Mr. McGovern], and the Senator from Oregon [Mr. Morse] would each vote "yea."

On this vote, the Senator from Mississippi [Mr. Eastland] is paired with the Senator from Indiana [Mr. Bayh]. If present and voting, the Senator from Mississippi would vote "nay," and the Senator from Indiana would vote "yea."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. Dominick] is necessarily absent.

The Senator from New Jersey [Mr. Case] is detained on official business.

On this vote, the Senator from New Jersey [Mr. Case] is paired with the Senator from Colorado [Mr. Dominick]. If present and voting, the Senator from New Jersey would vote "yea," and the Senator from Colorado would vote "nay."

The result was announced—yeas 57, nays 31, as follows:

[No. 143 Leg.]

YEAS—57

Aiken
Anderson
Bartlett
Beall
Brewster
Byrd, W. Va.
Cannon
Church
Cooper
Dirksen
Dodd
Douglas
Engle
Fong
Fulbright
Gore
Gruening
Hart
Hartke
Hayden
Hill
Holland
Humphrey
Jackson
Javits
Johnston
Jordan, Idaho
Keating
Kennedy
Kuchel
Long, La.
Magnuson
Mansfield
McCarthy
McGee
McIntyre
McNamara
Metcalf
Monroney
Morton
Moss
Muskie
Nelson
Neuberger
Pastore
Pell
Randolph
Ribicoff
Saltonstall
Smathers
Smith
Sparkman
Symington
Talmadge
Williams, N.J.
Yarborough
Young, Ohio

NAYS—31

Allott
Bennett
Boggs
Byrd, Va.
Carlson
Cotton
Curtis
Edmondson
Ellender
Ervin
Goldwater
Hickenlooper
Hruska
Jordan, N.C.
Lausche
McClellan
Mechem
Miller
Mundt
Pearson
Prouty
Proxmire
Robertson
Russell
Scott
Simpson
Stennis
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NOT VOTING—11

Bayh
Bible
Burdick
Case
Clark
Dominick
Eastland
Inouye
Long, Mo.
McGovern
Morse

So the bill (H.R. 7824) was passed.

AMENDMENT OF FEDERAL AIRPORT ACT TO EXTEND THE TIME FOR MAKING GRANTS

Mr. MANSFIELD. Mr. President, I am about to propound a unanimous-consent agreement. It has come to the attention of the leadership that Senate bill 1153, the Airport Construction Extension Act, has been reported unanimously, by the Senator from Oklahoma [Mr. Monroney], from the Commerce Committee. Therefore, Mr. President, after consultation with the distinguished minority leader and with other Senators who have indicated an interest in this proposed legislation—which I understand is only an extension and, I repeat, has been reported unanimously from the Commerce Committee—I make the usual unanimous-consent request for consideration of that bill, with the proviso that there be 1 hour for the consideration of any amendment to the bill and 2 hours on the bill itself.

The PRESIDING OFFICER. Does the Senator from Montana propose the agreement in the customary language?

Mr. MANSFIELD. Yes.

The PRESIDING OFFICER. Is there objection to the proposed unanimous-consent agreement? Without objection, it is so ordered.

The unanimous-consent agreement, as subsequently reduced to writing, is as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That, effective on Friday, August 23, 1963, at the conclusion of routine morning business, during the further consideration of the bill S. 1153, to amend the Federal Airport Act to extend the time for making grants thereunder, and for other purposes, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to 1 hour, to be equally divided and controlled by the mover of any such amendment or motion and the majority leader: *Provided,* That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further,* That no amendment that is not germane to the provisions of the said bill shall be received.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to 2 hours, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided,* That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

Mr. MANSFIELD. Mr. President, for the information of Senators, I wish to repeat that an agreement has now been reached in connection with the consideration of Senate bill 1153.

The PRESIDING OFFICER. Does the Senator from Montana wish to have that bill placed before the Senate?

Mr. MANSFIELD. Very well, Mr. President.

The PRESIDING OFFICER. (Mr. Nelson in the chair). The bill will be stated by title, for the information of the Senate.

The Legislative Clerk. A bill (S. 1153) to amend the Federal Airport Act to extend the time for making grants thereunder, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce with an amendment.

LEGISLATIVE PROGRAM—THE CALENDAR

Mr. MANSFIELD. Mr. President, it is the intention of the leadership to have the Senate take up at this time, in sequence, various items of the Legislative Calendar, beginning with Calendar No. 374. There will be no further yea-and-nay votes today. So far as we can determine, these calendar measures are without objection, and have been cleared without objection by the committees.

It is the intention of the leadership to move, at the conclusion of the consideration of these calendar measures, that the Senate adjourn until Friday next, at 12 o'clock noon.

ORDER FOR ADJOURNMENT TO FRIDAY

Mr. MANSFIELD. Mr. President, I now ask unanimous consent that when the Senate concludes its business today, it adjourn until 12 o'clock noon on Friday.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I now ask unanimous consent that the pending business be temporarily laid aside, and that the Senate proceed to the consideration, in sequence, of the measures on the calendar, beginning with Calendar No. 374.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The clerk will state the first measure for consideration.

NATIONAL PUBLIC WORKS WEEK

The joint resolution (S.J. Res. 87) providing for the designation of the week commencing September 8, 1963, as "National Public Works Week" was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and requested to issue a proclamation designating the seven-day period commencing September 8, 1963, as "National Public Works Week", and calling upon the people of the United States to celebrate such week with activities and ceremonies paying tribute to the public works engineers and administrators of the Nation and the important work which they perform.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 398), explaining the purposes of the joint resolution.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of the proposed resolution is to authorize and request the President of the United States to issue a proclamation designating the week commencing September 8, 1963, as National Public Works Week, and calling upon the people of the United States to celebrate such week with appropriate activities and ceremonies.

STATEMENT

The establishment of National Public Works Week would be an effective means of explaining the role public works engineering and administration play in the lives of every American family, and particularly, those living in urban communities. Due to the vital nature of public works and its importance to most Americans, mass media can be expected to help carry its message to its respective audiences. The designation of a Public Works Week will focus attention on the public works program whose services are dedicated to the health and well-being of the citizens of the Nation. It is felt that this program will help to arouse an interest in the young people of this Nation to pursue careers in the public service inasmuch as that service needs topflight men of imagination, vision, and foresight in the field of public works.

Kiwanis Clubs all over the country having a basic interest in public works, enthusiastically sponsor and endorse this proposed resolution. Kiwanis International, to encourage participation in this week, will have their clubs sponsor recognition luncheons for the public works engineers and administrators in their respective communities. These clubs also have plans to select the "Top 10 Public Works Men of the Year," and announce the names of these men during the National Public Works Week.

The committee deems it appropriate that this resolution, Senate Joint Resolution 87, be favorably considered designating the week commencing September 8, 1963, as National Public Works Week in recognition of those members of the Federal, State and local units of government who are responsible for, and design, build, operate, and maintain the public services and facilities essential to serve the citizens of our country. Accordingly, the committee recommends favorable consideration of Senate Joint Resolution 87, without amendment.

ESTABLISHMENT OF ALASKA CENTENNIAL COMMISSION

The Senate proceeded to consider the bill (S. 49) to provide for the establishment of the Alaska Centennial Commission, to cooperate with the State of Alaska to study and report on the manner and extent to which the United States shall participate in the celebration in 1967 of the centennial anniversary of the purchase of the Territory of Alaska, and for other purposes, which had been reported from the Committee on the Judiciary, with an amendment, on page 4, at the beginning of line 13, to strike out "such sums as may be necessary" and insert "not to exceed $25,000"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) there is hereby established a Commission to be known as the "Alaska Centennial Commission" (hereinafter referred to in this Act as the "Commission") which shall be composed of not more than three members to be appointed by the President.

(b) The President shall, at the time of appointment, designate one of the members to serve as Chairman.

(c) Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

SEC. 2. (a) The functions of the Commission shall be to study and determine, in cooperation with the State of Alaska the extent to which the United States shall be a participant and an exhibitor at any functions to be held in Alaska in 1967 to commemorate the purchase of the Territory of Alaska.

(b) In carrying out its functions the Commission shall—

(1) study and develop suitable methods by which the United States can effectively participate, nationally and internationally, in the commemoration of the centennial anniversary of the far-sighted purchase of the Territory of Alaska;

(2) give due consideration to determining the extent to which the United States can assist in restoring adequately the art treasures, artifacts, historical items, and other objects of Alaska, both native and foreign, with specific utilization, preservation, and display of items depicting the Spanish influence, the British influence, the Russian influence, the military influence, and such other influences as are deemed to be contributory by the State and Federal Governments;

(3) study and develop suitable plans for exhibiting the industrial achievements of all nations which have and which will contribute to the development of the largest and most northern and most western of the fifty States of the United States of America; and

(4) study and determine the most suitable methods by which the United States should invite and encourage other nations to participate in such centennial activities.

(c) The Commission shall submit to the President and to the Congress, not later than March 30, 1964, a report presenting the results of its studies pursuant to this Act, together with such recommendations as it deems desirable. A final report of the activities of the Commission, including an accounting of funds received and expended, shall be made to the President and the Congress not later than December 31, 1967, upon which date the Commission shall terminate.

SEC. 3. (a) The Commission may employ, without regard to the civil service laws or the Classification Act of 1949, an executive director and such other employees as may be necessary to carry out its functions. The annual rate of compensation of the executive director shall not exceed the scheduled rate of basic compensation provided for grade GS-16 in the Classification Act of 1949, as amended.

(b) Expenditures of the Commission shall be paid by the executive director of the Commission, upon vouchers approved by the Chairman of the Commission, and the executive director shall keep complete records of such expenditures and shall account for all funds received by the Commission.

SEC. 4. The members of the Commission shall receive $50 per diem when engaged in the performance of duties vested in the Commission, and in addition shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of such duties.

SEC. 5. There are hereby authorized to be appropriated not to exceed $25,000 to carry out the provisions of this Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 399), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The Committee on the Judiciary, to which was referred the bill (S. 49) to provide for the establishment of the Alaska Centennial Commission, to cooperate with the State of Alaska to study and report on the manner and extent to which the United States shall participate in the celebration in 1967 of the centennial anniversary of the purchase of the Territory of Alaska, and for other purposes, having considered the same, reports favorably thereon, with an amendment, and recommends that the bill, as amended, do pass.

AMENDMENT

On page 4, line 13, strike the words "such sums as may be necessary" and insert in lieu thereof the words "not to exceed $25,000".

PURPOSE OF THE AMENDMENT

The purpose of the amendment is to provide an authorization of not to exceed $25,000 for the purposes of the Commission.

PURPOSE

The purpose of the proposed legislation, as amended, is to provide for the creation of the Alaska Centennial Commission, and to authorize the Commission to cooperate with the State of Alaska to study and report on the manner and extent to which the United States shall participate in the celebration in 1967 of the centennial anniversary of the purchase of Alaska.

ESTABLISHMENT OF BATTLE OF LAKE ERIE SESQUICENTENNIAL CELEBRATION COMMISSION

The bill (S. 1828) to amend the joint resolution establishing the Battle of Lake Erie Sesquicentennial Celebration Commission so as to authorize an appropriation to carry out the provisions thereof was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of the joint resolution entitled "Joint Resolution to establish a Commission to develop and execute plans for the celebration of the one hundred and fiftieth anniversary of the Battle of Lake Erie, and for other purposes", approved October 24, 1962 (Public Law 87-883; 76 Stat. 1245), is amended as follows:

(1) In subsection (a) strike out the colon and the words *"Provided, however,* That all expenditures of the Commission shall be made from donated funds only".

(2) Add the following new subsection:

"(e) There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this joint resolution, but in no event shall the sums hereby authorized to be appropriated exceed a total of $25,000."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 400), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the proposed legislation is to amend the joint resolution establishing the Battle of Lake Erie Sesquicentennial Celebration Commission so as to authorize an appropriation of not to exceed $25,000 for the expenses of the Commission.

STATEMENT

The act of October 24, 1962 (76 Stat. 1244), created a commission to develop and execute plans for the celebration of the 150th anniversary of the Battle of Lake Erie.

The 150th anniversary of the Battle of Lake Erie near Put-in-Bay, Ohio, will occur on September 8, 1963.

The events that are scheduled for that day will include speeches from high Government officials, a visit by ships of the fleet, and speeches by high Canadian Government officials. The theme of the celebration is the 150 years of peace between the United States and Canada.

INCORPORATION OF CATHOLIC WAR VETERANS OF THE UNITED STATES OF AMERICA

The Senate proceeded to consider the bill S. 1914 to incorporate the Catholic War Veterans of the United States of America, which had been reported from the Committee on the Judiciary, with amendments, on page 5, line 21, after "New Hampshire", to insert a semicolon and "and their successors are hereby created and declared to be a body corporate by the name of the Catholic War Veterans of the United States of America (hereinafter referred to as the corporation) and by such name shall be known and have perpetual succession and the powers, limitations and restrictions herein contained."; and on page 15, after line 16, to strike out:

SEC. 15. (a) The financial transactions of the corporation shall be audited annually by and independent certified public accountant in accordance with the principles and procedures applicable to commercial corporate transactions. The audit shall be conducted at the place or places where the accounts of the corporation are normally kept. All books, accounts, financial records, reports, files, and all other papers, things, or property belonging to or in use by the corporation and necessary to facilitate the audit shall be made available to the person or persons conducting the audit; and full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians shall be afforded to such person or persons.

(b) A report of such audit shall be made by the corporation to the Congress not later than March 1 of each year. The report shall set forth the scope of the audit and shall include a verification by the person or persons conducting the audit of statements of (1) assets and liabilities, (2) capital and surplus or deficit, (3) surplus or deficit analysis, (4) income and expense, and (5) sources and application of funds. Such reports shall not be printed as a public document.

And, in lieu thereof, to insert:

"SEC. 15. (a) The accounts of the corporation shall be audited annually in accordance with generally accepted auditing standards by independent certified public accountants or independent licensed public accountants, certified or licensed by a regulatory authority of a State or other political subdivision of the United States. The audit shall be conducted at the place or places where the accounts of the corporation are normally kept. All books, accounts, financial records, reports, files, and all other papers, things, or property belonging to or in use by the corporation and necessary to facilitate the audit shall be made available to the person or persons conducting the audit; and full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians shall be afforded to such person or persons.

"(b) A report of such independent audit shall be submitted to the Congress not later than six months following the close of the fiscal year for which the audit was made. The report shall set forth the scope of the audit and include such statements as are necessary to present fairly the corporation's assets and liabilities, surplus or deficit with an analysis of the changes therein during the year, supplemented in reasonable detail by a statement of the corporation's income and expenses during the year including the results of any trading, manufacturing, publishing, or other commercial-type endeavor carried on by the corporation, together with the independent auditor's opinion of those statements. The report shall not be printed as a public document."

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following persons:

Right Reverend Monsignor Edward J. Higgins, Astoria, New York;
Edward F. McElroy, Chicago, Illinois;
Reverend John J. Garry, Chicago, Illinois;
Charles F. Shelley, Brooklyn, New York;
William W. Histon, Southington, Connecticut;
Walter D. Hyle, Junior, Baltimore, Maryland;
Gerald M. Collins, Middle Village, New York;
Joseph F. Reilly, New York, New York;
Cresenzi W. Castaldo, Bayonne, New Jersey;
William T. Dzurko, Glassport, Pennsylvania;
Margaret E. Leafhill, East Orange, New Jersey;
Leo Courchesne, Manchester, New Hampshire;
Doctor Raymond Wargovich, McKeesport, Pennsylvania;
Frank J. Kozicki, Lancaster, Pennsylvania;
Henry J. Saindon, Manchester, New Hampshire;
Vincent A. Hanna, Havertown, Pennsylvania;
James Hamilton, Bronx, New York;
John Greenwood, Levittown, New York;
William Salamone, Milwaukee, Wisconsin;
John M. Dealy, Port Washington, New York;
Edward T. McCaffrey, Bronx, New York;
Nicholas J. Wagener, Detroit, Michigan;
Donald J. McQuade, Bakersfield, California;
Thomas J. Cuite, Brooklyn, New York;
William J. Gill, Connellsville, Pennsylvania;
Peter J. Hopkins, Yonkers, New York;
Robert T. O'Leary, Baltimore 13, Maryland;
James W. Fay, New York, New York;
Albert J. Schwind, Clifton, New Jersey;
Thomas M. Bailey, Baltimore, Maryland;
Joseph L. Kokoszka, Middletown, Connecticut;
Arthur B. O'Hurley, Hartford, Connecticut;
Samuel Zuraw, Shelton, Connecticut;
Paul P. Zawicki, Baltimore, Maryland;
Harry L. Merdzinski, Grand Rapids, Michigan;
Frank J. Quinn, Grand Rapids, Michigan;
Joseph Czarnowski, Grand Rapids, Michigan;
Edward R. Sieracki, Grand Rapids, Michigan;
Louis Gruver, Cincinnati, Ohio;
Melvin Lawicki, Toledo, Ohio;
Henry A. Jagielski, Youngstown, Ohio;
John C. Mongan, Manchester, New Hampshire;
Roger E. Brassard, Manchester, New Hampshire;
Romeo V. Chagnon, Manchester, New Hampshire;
Henry Saindon, Manchester, New Hampshire;
Roy Rickert, Appleton, Wisconsin;
Henry Woyach, Milwaukee, Wisconsin;
Frank Ott, Wauwatosa, Wisconsin;
Jerome P. Malin, Onalaska, Wisconsin;
Nicholas M. Nimitz, Newark, New Jersey;
Frank R. Wesolowski, Livingston, New Jersey;
Augustus J. Poleto, Green Island, New York;
Francis X. McBarron, Brooklyn, New York;
Kameel J. Habib, Brooklyn, New York;
James F. X. Carney, Hicksville, New York;
Robert Hilber, Fargo, North Dakota;
Fred W. Colby, Fargo, North Dakota;
George Kuntz, Belfield, North Dakota;
J. C. Mosbrucker, Glen Ullin, North Dakota;
Gordon E. Banbury, Seattle, Washington;
Paul C. Maurice, Seattle, Washington;
George Mullins, Yakima, Washington;
Miss Mary Fleming, Seattle, Washington;
Robert Shugrue, Chicago, Illinois;
Marion Mueller, Belleville, Illinois;
Frank Middleton, Chicago, Illinois;
George H. Sansom, Smithton, Illinois;
Martin G. Riley, Philadelphia, Pennsylvania;
Elwood Terway, Philadelphia, Pennsylvania;
Harold Stevens, Sharon Hill, Pennsylvania;
Michael J. Stepien, McKees Rocks, Pennsylvania;
Kika de la Garza, Mission, Texas;
Arturo Vasquez, Corpus Christi, Texas;
Alvino C. Campos, Corpus Christi, Texas;
Gilbert L. Herrera, Corpus Christi, Texas;
A. C. Tiepney, Cincinnati, Ohio;
Leo Gildea, West Wyoming, Pennsylvania;
Joseph F. Flynn, Omaha, Nebraska;
John D. Koffiin, Grand Rapids, Ohio;
John J. Wallace, New York, New York;
Lawrence M. Wolf, Cleveland, Ohio;
Bede Scully, Wassaic, New York;
Rufus Wicelinski, Martinsburg, West Virginia;
Charles Hacherl, Toledo, Ohio;
Joseph E. O'Brien, New York, New York;
Aloysius S. Carney, Newark, New Jersey;
Francis Gilliam, Washington, District of Columbia;
Geoffrey O'Flynn, Washington, District of Columbia;
John Joseph Saunders, Washington, District of Columbia;
Edward S. J. Peters, Washington, District of Columbia;
Stephen L. Burns, Burke, Virginia;
Albert Virbeke, Arlington, Virginia;
James J. Rau, Falls Church, Virginia;
Richard Frakes, Fairfax, Virginia;
Thomas Langer, La Crosse, Wisconsin;
Rolland Belanger, Laconia, New Hampshire;

and their successors are hereby created and declared to be a body corporate by the name of the Catholic War Veterans of the United States of America (hereinafter referred to as the corporation) and by such name shall be known and have perpetual succession and the powers, limitations and restrictions herein contained.

COMPLETION OF ORGANIZATION

SEC. 2. The persons named in the first section of this Act are authorized, a majority concurring, to complete the organization of the corporation by the selection of officers and employees, the adoption of constitution and bylaws, not inconsistent with this Act, and the doing of such other acts as may be necessary for such purpose.

OBJECTS AND PURPOSES OF CORPORATION

SEC. 3. The purposes of the corporation shall be to commemorate the wars and campaigns of the Armed Forces of the United States of America and to foster the association of veterans of the Catholic faith who have served in such wars and campaigns in the Armed Forces of the United States of America, and are as follows:

1. To cooperate to the fullest extent and in a harmonious manner with all veterans' organizations to the end that the best interests of all veterans of all wars in which the United States of America has participated, and the widows and orphans of deceased veterans of such wars, may be best served;

2. To stimulate communities and political subdivisions into taking more interest in veterans of wars and campaigns of the United States of America, the widows and orphans of such deceased veterans, and the problems of such veterans and their widows and orphans;

3. To collate, preserve, and encourage the study of historical episodes, chronicles, me-

mentos, and events pertaining to wars and campaigns of the United States of America;

4. To fight vigorously to uphold the Constitution and laws of the United States, as well as the individual States of the Union and to foster the spirit and practice of true Americanism;

5. To fight unceasingly for our national security in order to protect Americans from enemies within our borders, as well as those from without, to the end that our American way of life be preserved;

6. To fight to the utmost all those alien forces, particularly forces such as communism, whose objectives are to deny our very existence as a free people; and

7. To do any and all acts and things necessary and proper to carry out the objects and purposes of the corporation.

POWERS OF CORPORATION

SEC. 4. The corporation shall have power—

1. to have succession by its corporate name;

2. to sue and be sued, complain and defend in any court of competent jurisdiction;

3. to adopt, use, alter a corporate seal;

4. to choose such officers, managers, agents, and employees as the activities of the corporation may require;

5. to adopt, amend, and alter a constitution and bylaws not inconsistent with the laws of the United States or any State in which the corporation is to operate, for the management of its property and the regulation of its affairs;

6. to contract and be contracted with;

7. to take by lease, gift, purchase, grant, devise, or bequest from any public body or agency or any private corporation, association, partnership, firm, or individual and to hold absolutely or in trust for any of the purposes of the corporation any property, real, personal, or mixed, necessary or convenient for attaining the objects and carrying into effect the purposes of the corporation, subject, however, to applicable provisions of law of any State (A) governing the amount or kind of property which may be held by, or (B) otherwise limiting or controlling the ownership of property by, a corporation operating in such State;

8. to transfer, convey, lease, sublease, encumber, and otherwise alienate real, personal, or mixed property;

9. to borrow money for the purposes of the corporation, issue bonds therefor, and secure the same by mortgage, deed of trust, pledge, or otherwise, subject in every case to all applicable provisions of Federal and State laws; and

10. to do any and all acts and things necessary and proper to carry out the objects and purposes of the corporation.

MEMBERSHIP

SEC. 5. Eligibility for membership in the corporation and the rights, privileges, and designation of classes of members shall be determined as the constitution and bylaws of the corporation may provide, but in no case shall eligibility for membership include persons who did not serve honorably in the Armed Forces of the United States during a war or campaign of the United States of America.

GOVERNMENT; COMPOSITION; FORM; MEETING PLACES

SEC. 6. (a) The supreme governing authority of the corporation shall be the national convention thereof, composed of such officers and elected representatives from the several States and other local subdivisions of the corporate organization as shall be provided by the constitution and bylaws, each of such duly elected representatives to be entitled to one vote at such national convention. The form of the Government of the corporation shall always be representative of the membership at large and shall not permit the concentration of the control thereof in the hands of a limited number of members or in a self-perpetuating group not so representative. The meetings of the national convention may be held in any State or territory or in the District of Columbia.

(b) Each member of the corporation, other than associate or honorary members, shall have the right to one vote on each matter submitted to a vote at all other meetings of the members of the corporation.

BOARD OF ADMINISTRATION; COMPOSITION

SEC. 7. (a) During the intervals between the national convention, the board of administration shall be the governing board of the corporation and shall be responsible for the general policies, programs, and activities of the corporation.

(b) Upon the enactment of this Act the membership of the initial board of administration of the corporation shall consist of such of the following present members of the board of administration of the Catholic War Veterans of the United States of America, Incorporated (the corporation described in section 3 of this Act) as qualify for membership under section 5 of this Act and who are qualified members of said board of administration, to wit:

Edward J. Higgins, Astoria, New York;
John J. Garry, Chicago, Illinois;
Edward F. McElroy, Chicago, Illinois;
Charles F. Shelley, Brooklyn, New York;
William W. Histon, Southington, Connecticut;
Walter D. Hyle, Junior, Baltimore, Maryland;
Gerald M. Collins, Middle Village, New York;
Joseph F. Reilly, New York, New York;
Cresenzi W. Castaldo, Bayonne, New Jersey;
William T. Dzurko, Glassport, Pennsylvania;
Mrs. Margaret E. Leafhill, East Orange, New Jersey;
Leo Courchesne, Manchester, New Hampshire;
Doctor Raymond Wargovich, McKeesport, Pennsylvania;
Frank J. Kozicki, Lancaster, Pennsylvania;
Henry J. Saindon, Manchester, New Hampshire;
Vincent A. Hanna, Havertown, Pennsylvania;
James Hamilton, Bronx, New York;
John Greenwood, Levittown, New York;
William Salamone, Milwaukee, Wisconsin;
John M. Dealy, Port Washington, New York;
Edward T. McCaffrey, Bronx, New York;
Nicholas J. Wagener, Detroit, Michigan;
Donald J. McQuade, Bakersfield, California;
Thomas J. Cuite, Brooklyn, New York;
William J. Gill, Connellsville, Pennsylvania;
Peter J. Hopkins, Yonkers, New York;
Robert T. O'Leary, Baltimore, Maryland;
James W. Fay, New York, New York;
Albert J. Schwind, Clifton, New Jersey;
A. C. Tiepney, Cincinnati, Ohio;
Leo Gildea, West Wyoming, Pennsylvania;
Joseph F. Flynn, Omaha, Nebraska;
John D. Koffiin, Grand Rapids, Ohio;
John J. Wallace, New York, New York;
Lawrence M. Wolf, Cleveland, Ohio;
Bede Scully, Wassaic, New York;
Rufus Wicelinski, Martinsburg, West Virginia;
Charles Hacherl, Toledo, Ohio;
Joseph E. O'Brien, New York, New York;
Aloysius S. Carney, Newark, New Jersey.

(c) Thereafter, the board of administration of the corporation shall consist of not less than seven members elected in the manner and for the term prescribed in the constitution and bylaws of the corporation.

OFFICERS OF CORPORATION: SELECTION, TERMS, DUTIES

SEC. 8. The officers of the corporation shall be the founder, a national commander, three national vice commanders, a national adjutant, an adjutant general (which latter two offices may be held by one person), a national judge advocate, a national treasurer, a national officer of the day, a national historian and six national trustees, and such other officers as may be prescribed in the constitution and bylaws. The officers of the corporation shall be selected in such manner and for such terms and with such duties and titles as may be prescribed in the constitution and bylaws of the corporation.

PRINCIPAL OFFICE; TERRITORIAL SCOPE OF ACTIVITIES

SEC. 9. (a) The principal office of the corporation shall be located in Washington, District of Columbia, or in such other place as may be determined by the board of administration; but the activities of the corporation shall not be confined to that place, but may be conducted throughout the various States, the District of Columbia, and territories and possessions of the United States.

(b) The corporation shall have in the District of Columbia at all times a designated agent authorized to accept services of process for the corporation; and notice to or service upon such agent, or mailed to the business address of such agent, will be deemed notice to or service upon the corporation.

DISTRIBUTION OF INCOME OR ASSETS TO MEMBERS; LOANS

SEC. 10.(a) No part of the income or assets of the corporation shall inure to any of its members or officers as such, or be distributed to any of them during the life of the corporation or upon its dissolution or final liquidation. Nothing in this subsection, however, shall be construed to prevent the payment of compensation to officers of the corporation or reimbursement for actual necessary expenses in amounts approved by the board of administration of the corporation.

(b) The corporation shall not make loans to its officers or employees. Any member of the board of administration who votes for or assents to the making of a loan or advance to an officer or employee of the corporation, and any officer who participates in the making of such a loan or advance, shall be jointly and severally liable to the corporation for the amount of such loan until the repayment thereof.

NONPOLITICAL NATURE OF CORPORATION

SEC. 11. The corporation and its officers and agents as such shall not contribute to or otherwise support or assist any political party or candidate for public office.

LIABILITY FOR ACTS OF OFFICERS AND AGENTS

SEC. 12. The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority.

PROHIBITION AGAINST ISSUANCE OF STOCK OR PAYMENT OF DIVIDENDS

SEC. 13. The corporation shall have no power to issue any shares of stock or to declare or pay any dividends.

BOOKS AND RECORDS; INSPECTION

SEC. 14. The corporation shall keep correct and complete books and records of account and shall keep minutes of the proceedings of its national convention and board of administration. All books and records of the corporation may be inspected by any member, or his agent or attorney, for any proper purpose, at any reasonable time.

AUDIT OF FINANCIAL TRANSACTIONS; REPORT TO CONGRESS

SEC. 15. (a) The accounts of the corporation shall be audited annually in accordance with generally accepted auditing standards by independent certified public accountants or independent licensed public accountants, certified or licensed by a regulatory authority of a State or other political subdivision of the United States. The audit shall be conducted at the place or places where the accounts of the corporation are normally kept. All books, accounts, financial records, reports, files, and all other papers, things, or property belonging to or in use by the corporation and necessary to facilitate the audit shall be made available to the person or persons conducting the audit; and full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians shall be afforded to such person or persons.

(b) A report of such independent audit shall be submitted to the Congress not later than six months following the close of the fiscal year for which the audit was made. The report shall set forth the scope of the audit and include such statements as are necessary to present fairly the corporation's assets and liabilities, surplus or deficit with an analysis of the changes therein during the year, supplemented in reasonable detail by a statement of the corporation's income and expenses during the year including the results of any trading, manufacturing, publishing, or other commercial-type endeavor carried on by the corporation, together with the independent auditor's opinion of those statements. The report shall not be printed as a public document.

ACTIVITIES REPORT TO CONGRESS

SEC. 16. On or before March 1 of each year the corporation shall report to the Congress on its activities during the preceding fiscal year. Such report may consist of a report on the proceedings of the national convention covering such fiscal year. Such report shall not be printed as a public document.

EXCLUSIVE RIGHT TO NAME, EMBLEMS, SEALS, AND BADGES

SEC. 17. The corporation and its subordinate divisions shall have the sole and exclusive right to use the name "Catholic War Veterans of the United States of America, Incorporated". The corporation shall have the exclusive and sole right to use, or to allow or refuse the use of, such emblems, seals, and badges as it may legally adopt, and such emblems, seals, and badges as have heretofore been used by the New York corporation described in section 18 of this Act and the right to which may be lawfully transferred to the corporation.

ACQUISITION OF ASSETS AND LIABILITIES OF EXISTING CORPORATION

SEC. 18. (a) The corporation may acquire the assets of the Catholic War Veterans of the United States of America, Incorporated, a corporation organized under the laws of the State of New York, upon discharging or satisfactorily providing for the payment and discharge of all of the liability of such corporation and upon complying with all laws of the State of New York applicable thereto.

DISSOLUTION OR LIQUIDATION

SEC. 19. The national convention may, by resolution, declare the event upon which the corporate existence of the organization is to terminate and provide for the disposition of any property remaining to the corporation after the discharge or satisfaction of all outstanding obligations and liabilities. A duly authenticated copy of such resolution shall be filed in the office of the United States District Court for the District of Columbia. Upon the happening of the event thus declared, and upon the filing of a petition in said United States district court reciting said facts, said court shall take jurisdiction thereof, and upon due proof being made the court shall enter a decree which shall be effectual to vest title and ownership in accordance with the provisions of such resolution.

RESERVATION OF RIGHT TO AMEND OR REPEAL ACT

SEC. 20. The right to alter, amend, or repeal this Act is expressly reserved.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 401), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the proposed legislation, as amended, is to confer a Federal charter upon the Catholic War Veterans of the United States of America.

STATEMENT

The Catholic War Veterans of the United States of America was founded by the Right Reverend Monsignor Edward J. Higgins in 1935. This organization was formed to commemorate the wars and campaigns of the Armed Forces of the United States of America and to foster the association of veterans of the Catholic faith who have served in such wars and campaigns in the Armed Forces of the United States.

The philosophy of the Catholic war veterans as an organization is based on the recognition of man's dignity and rendering to "God the things that are God's." This philosophy is carried out by the oragnization through a five-point program of unity which embraces Americanism, Catholic activity, leadership, membership, and veteran's affairs.

The committee is of the opinion that this organization is worthy of recognition and the prestige of a Federal charter and, accordingly, the committee recomemnds favorable consideration of S. 1914, as amended.

INCORPORATION OF JEWISH WAR VETERANS OF THE UNITED STATES OF AMERICA

The Senate proceeded to consider the bill (S. 1942) to incorporate the Jewish War Veterans of the United States of America, which had been reported from the Committee on the Judiciary, with an amendment, on page 5, after line 15, to strike out:

SEC. 9. As a condition precedent to the exercise of any power or privilege herein granted or conferred, the corporation shall file in the office of the secretary of each State in which subdivisions, chapters, or posts may be organized, the name and post office address of an authorized agent in such State upon whom local process or demands against the corporation may be served.

SEC. 10. The provisions of this Act shall take effect on the filing, in the office of the clerk of the United States District Court for the Southern District of New York, of affidavits signed by the incorporators named in section 1 of this Act, to the effect that the corporations known as the Jewish War Veterans of the United States of America has been dissolved in accordance with law, but only if such affidavits are filed within one hundred and twenty days after the date of enactment of this Act.

SEC. 11. The right to alter, amend, or repeal this Act is hereby expressly reserved.

And, in lieu thereof, to insert:

SEC. 9 (a) The principal office of the corporation shall be located in Washington, District of Columbia, or in such other place as may be determined by the corporation; but the activities of the corporation shall not be confined to that place, but may be conducted throughout the various States, the District of Columbia, and territories and possessions of the United States.

(b) The corporation shall have in the District of Columbia at all times a designated agent authorized to accept services of process for the corporation; and notice to or service upon such agent, or mailed to the business address of such agent, will be deemed notice to or service upon the corporation.

SEC. 10. (a) No part of the income or assets of the corporation shall inure to any of its members or officers as such, or be distributed to any of them during the life of the corporation or upon its dissolution or final liquidation. Nothing in this subsection, however, shall be construed to prevent the payment of compensation to officers of the corporation or reimbursement for actual necessary expenses in amounts approved by the board of administration of the corporation.

(b) The corporation shall not make loans to its officers or employees. Any member of the corporation who votes for or assents to the making of a loan or advance to an officer or employee of the corporation, and any officer who participates in the making of such a loan or advance, shall be jointly and severally liable to the corporation for the amount of such loan until the repayment thereof.

SEC. 11. The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority.

SEC. 12. The corporation shall keep correct and complete books and records of account and shall keep minutes of the proceedings of its national convention and board of administration. All books and records of the corporation may be inspected by any member, or his agent or attorney, for any proper purpose, at any reasonable time.

SEC. 13. (a) The accounts of the corporation shall be audited annually in accordance with generally accepted auditing standards by independent certified public accountants or independent licensed public accountants, certified or licensed by a regulatory authority of a State or other political subdivision of the United States. The audit shall be conducted at the place or places where the accounts of the corporation are normally kept. All books, accounts, financial records, reports, files, and all other papers, things, or property belonging to or in use by the corporation and necessary to facilitate the audit shall be made available to the person or persons conducting the audit; and full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians shall be afforded to such person or persons.

(b) A report of such independent audit shall be submitted to the Congress not later than six months following the close of the fiscal year for which the audit was made. The report shall set forth the scope of the audit and include such statements as are necessary to present fairly the corporation's assets and liabilities, surplus or deficit with an analysis of the changes therein during the year, supplemented in reasonable detail by a statement of the corporation's income and expenses during the year including the results of any trading, manufacturing, publishing, or other commercial-type endeavor carried on by the corporation, together with the independent auditor's opinion of those statements. The report shall not be printed as a public document.

SEC. 14. On or before March 1 of each year the corporation shall report to the Congress on its activities during the preceding fiscal year. Such report may consist of a report on the proceedings of the national convention covering such fiscal year. Such report shall not be printed as a public document.

SEC. 15. The provisions of this Act shall take effect on the filing, in the office of the clerk of the United States District Court for the Southern District of New York, of affidavits signed by the incorporators named in section 1 of this Act, to the effect that the corporation known as the Jewish War Veterans of the United States of America has been dissolved in accordance with law, but only if such affidavits are filed within one hundred and twenty days after the date of enactment of this Act.

SEC. 16. The right to alter, amend, or repeal this Act is hereby expressly reserved.

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following-named persons, to wit, Morris J. Mendelsohn, Brooklyn, New York; Abraham Kraditor, New York City, New York; Harry Schaffer, Pittsburgh, Pennsylvania; Frederick S. Harris, Meriden, Connecticut; Benjamin Kaufman, Trenton, New Jersey; Maxwell Cohen, Boston, Massachusetts; Milton H. Richman, Bloomfield, Connecticut; Major General Julius Klein, Chicago, Illinois; Meyer Dorfman, St. Paul, Minnesota; Jackson J. Holtz, Boston, Massachusetts; Henry Albert, Jamaica, New York; Paul Ginsberg, Atlanta, Georgia; Harry T. Madison, Oak Park, Michigan; Joseph F. Barr, Washington, District of Columbia; Rubin Kaminsky, Hartford, Connecticut; William Karmen, Brookline, Massachusetts; Benjamin J. Chasin, New York, New York; Samuel Shaikowitz, Saint Louis, Missouri; Bernard Abrahms, Jersey City, New Jersey; L. Feuer, Youngstown, Ohio; Theodore Brooks, Brooklyn, New York; Martin L. London, Teaneck, New Jersey; Daniel M. Heller, Miami, Florida; Morris Lurier, Worcester, Massachusetts; Freman Miller, Syracuse, New York; Samuel Michelson, Baltimore, Maryland; Alfred Schwartz, Atlanta, Georgia; Frederick R. Turkow, Fort Wayne, Indiana, and their associates and successors, are hereby created a body corporate by the name of "Jewish War Veterans of the United States of America" (hereinafter referred to as the "corporation").

SEC. 2. The persons named in section 1 of this Act, or their successors, are hereby authorized to meet to complete the organization of the corporation by the selection of officers, the adoption of a constitution and bylaws, and the doing of such other acts as may be necessary for such purpose.

SEC. 3. The objects and purposes of the corporation shall be—

(a) to maintain true allegiance to the United States of America;

(b) to foster and perpetuate true Americanism;

(c) to combat whatever tends to impair the efficiency and permanency of our free institutions;

(d) to uphold the fair name of the Jew and fight his battles wherever assailed;

(e) to encourage the doctrine of universal liberty, equal rights, and full justice to all men;

(f) to combat the powers of bigotry and darkness wherever originating and whatever their target;

(g) to preserve the spirit of comradeship by mutual helpfulness to comrades and their families;

(h) to instill love of country and flag and to promote soundness of mind and body in the members and children of members of the corporation;

(i) to preserve the memories and records of patriotic service performed by the men and women of the Jewish faith and to shield from neglect the graves of the heroic dead of the Jewish faith.

SEC. 4. Eligibility for membership in the corporation and the rights and privileges of members shall be determined according to the constitution and bylaws of the corporation.

SEC. 5. (a) The corporation shall be nonpolitical and, as an organization, shall not promote the candidacy of any person seeking public office.

(b) The corporation shall have no power to issue capital stock or engage in business for pecuniary profit or gain.

SEC. 6. The corporation shall have perpetual succession and power—

(a) to sue and be sued;

(b) to take, hold, and dispose of such real and personal property as may be necessary for its corporate purposes;

(c) to accept gifts, legacies, and devices which will further the corporate purposes;

(d) to adopt and alter a corporate seal;

(e) to adopt and alter a constitution and bylaws not inconsistent with law;

(f) to establish and maintain offices for the conduct of the affairs of the corporation;

(g) to establish, regulate, and discontinue subordinate regional, departmental, and district subdivisions and local chapters or posts;

(h) to promote the formation of subordinate ladies' auxiliaries and youth organizations, the membership requirements of which shall be determined according to the constitution and bylaws of the corporation:

(i) to publish a magazine or other publications;

(j) to adopt emblems and badges; and

(k) to do any and all acts and things necessary and proper to carry into effect the purposes of the corporation.

SEC. 7. The corporation may acquire any or all of the assets of the existing organization known as Jewish War Veterans of the United States of America, or any auxiliary thereof, upon discharging or satisfactorily providing for the payment and discharge of all its liabilities.

SEC. 8. The corporation and its regional departmental, and district subdivisions and local chapters or posts shall have the sole and exclusive right to use in carrying out its purposes the name of "Jewish War Veterans of the United States of America".

SEC. 9. (a) The principal office of the corporation shall be located in Washington, District of Columbia, or in such other place as may be determined by the corporation; but the activities of the corporation shall not be confined to that place, but may be conducted throughout the various States, the District of Columbia, and territories and possessions of the United States.

(b) The corporation shall have in the District of Columbia at all times a designated agent authorized to accept services of process for the corporation; and notice to or service upon such agent, or mailed to the business address of such agent, will be deemed notice to or service upon the corporation.

SEC. 10. (a) No part of the income or assets of the corporation shall inure to any of its members or officers as such, or be distributed to any of them during the life of the corporation or upon its dissolution or final liquidation. Nothing in this subsection, however, shall be construed to prevent the payment of compensation to officers of the corporation or reimbursement for actual, necessary expenses in amounts approved by the board of administration of the corporation.

(b) The corporation shall not make loans to its officers or employees. Any member of the corporation who votes for or assents to the making of a loan or advance to an officer or employee of the corporation, and any officer who participates in the making of such a loan or advance, shall be jointly and severally liable to the corporation for the amount of such loan until the repayment thereof.

SEC. 11. The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority.

SEC. 12. The corporation shall keep correct and complete books and records of account and shall keep minutes of the proceedings of its national convention and board of administration. All books and records of the corporation may be inspected by any member, or his agent or attorney, for any proper purpose, at any reasonable time.

SEC. 13. (a) The accounts of the corporation shall be audited annually in accordance with generally accepted auditing standards by independent certified public accountants or independent licensed public accountants, certified or licensed by a regulatory authority of a State or other political subdivision of the United States. The audit shall be conducted at the place or places where the accounts of the corporation are normally kept. All books, accounts, financial records, reports, files, and all other papers, things, or property belonging to or in use by the corporation and necessary to facilitate the audit shall be made available to the person or persons conducting the audit; and full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians shall be afforded to such person or persons.

(b) A report of such independent audit shall be submitted to the Congress not later than six months following the close of the fiscal year for which the audit was made. The report shall set forth the scope of the audit and include such statements as are necessary to present fairly the corporation's assets and liabilities, surplus or deficit with an analysis of the changes therein during the year, supplemented in reasonable detail by a statement of the corporation's income and expenses during the year including the results of any trading, manufacturing, publishing, or other commercial-type endeavor carried on by the corporation, together with the independent auditor's opinion of those statements. The report shall not be printed as a public document.

SEC. 14. On or before March 1 of each year the corporation shall report to the Congress on its activities during the preceding fiscal year. Such report may consist of a report on the proceedings of the national convention covering such fiscal year. Such report shall not be printed as a public document.

SEC. 15. The provisions of this Act shall take effect on the filing, in the office of the clerk of the United States District Court for the Southern District of New York, of affidavits signed by the incorporators named in section 1 of this Act, to the effect that the corporation known as the Jewish War Veterans of the United States of America has been dissolved in accordance with law, but only if such affidavits are filed within one hundred and twenty days after the date of enactment of this Act.

SEC. 16. The right to alter, amend, or repeal this Act is hereby expressly reserved.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 402), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the proposed legislation, as amended, is to grant a Federal charter to the Jewish War Veterans of the United States of America.

STATEMENT

The Jewish War Veterans was established in 1896 by Civil War combatants and is one of the oldest active war veterans' groups in the United tSates.

This organization has been in the forefront of the fight against anti-Semitism in all of its forms and this has been an avowed aim of this organization since its foundation. Its program, however, is not limited to discriminatory areas; instead, the association's activities encompass such diverse fields as community relations, veterans' service, and legislative action. The Jewish War Veterans preserves the memory of those brave Jewish soldiers who died serving America so valiantly. Jewish community effort has financed the establishment of a national shrine to the Jewish war dead, which is located in Washington, D.C.

The committee is of the opinion that this organization is deserving of the prestige of a Federal charter and, accordingly, recommends favorable consideration of S. 1942, as amended.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

The concurrent resolution (S. Con. Res. 57) for the suspension of deportation of certain aliens was considered and agreed to as follows:

Resolved by the Senate (The House of Representatives concurring), That the Congress favors the suspension of deportation in the case of each alien hereinafter named, in which case the Attorney General has suspended deportation pursuant to the provisions of section 244(a)(4) of the Immigration and Nationality Act (66 Stat. 214; 8 U.S.C. 1254):

A–11698851, Kong, Yee Lum.
A–12269433, Lee, Bok Yee.
A–12084199, Ng, Chew Wing.
A–12646075, Yee, Sook Jane.
A–12255181, Doo, Sid-Lin.
A–12255180, Doo, Wai-Lin.
A–10441193, Chan, Kwog Chiu.
A–12617228, Jin, Ock-Tai.
A–11407445, Leong, Poy Fong.
A–12688041, Ng, Gum Foon.
A–12687858, Ng, Kum Tai.
A–12652905, Gee, Ming Dong.
A–12145774, Kin, Cheong Chin.
A–12643730, Wong, King Koon.
A–11410381, Huey, Bon Hom.
A–13121496, Lee, Quen Lim.
A–11813296, Yee, Yick Tong.
A–12125517, Lee, Do Pon.
A–12510515, Wong, Chuck Ming.
A–11598014, Hing, Lau Que.

SEC. 2. The Congress favors the suspension of deportation in the case of each alien hereinafter named, in which case the Attorney General has suspended deportation pursuant to the provisions of section 244(a)(5) of the Immigration and Nationality Act (66 Stat. 214; 8 U.S.C. 1254):

A–3679214, Fun, Leong.
A–1228254, Helenius, Einar Olavi.
A–2742166, Rodriguez, Alvaro.
A–1408824, Rodriguez de Torres, Josefa.
A–2886389, Vargas-Gomez, Ascencion.
A–2886388, Vargas-Gomez, Jose Eladio Jesus.
A–10130301, Tak, Wa Kwok.
A–5063060, Hung, Gay Chin.
A–5686658, Alberti, Antoinette Marie.
A–8961227, Kwai-ing, Wong.
A–15805587, Wo, Chan Lok.

SONJA DOLATA

The bill (S. 31) for the relief of Sonja Dolata was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of paragraph (1) of section 212(a) of the Immigration and Nationality Act, Sonja Dolata may be issued an immigrant visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such Act: *Provided*, That this Act shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of the enactment of this Act: *And provided further*, That unless the beneficiary is entitled to care under the Dependents' Medical Care Act (70 Stat. 250), a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act.

MR. AND MRS. JUAN C. JACOBE AND CHILDREN

The bill (S. 71) for the relief of Mr. and Mrs. Juan C. Jacobe, and their four children, Angela Jacobe, Teresita Jacobe, Leo Jacobe, and Ramon Jacobe was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Mr. and Mrs. Juan C. Jacobe, and their four children, Angela Jacobe, Teresita Jacobe, Leo Jacobe, and Ramon Jacobe shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

MOTHER AZUCENA DE SAN JOSÉ

The bill (S. 198) for the relief of Mother Azucena de San José (nee Carmen Hernández Aguilar) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Mother Azucena de San José (nee Carmen Hernández Aguilar), shall be held and considered to have been lawfully admitted for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

YOM TOV YESHAYAHU BRISZK

The bill (S. 202) for the relief of Yom Tov Yeshayahu Briszk was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provision of section 212(a)(4) of the Immigration and Nationality Act, Yom Tov Yeshayahu Briszk may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that Act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this Act: *And provided further*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act.

CHUNG K. WON

The bill (S. 479) for the relief of Chung K. Won was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, Chung K. Won shall be held and considered to be the minor natural-born alien child of Mr. Won Wing, a citizen of the United States.

KAROLINA RADO

The bill (S. 561) for the relief of Karolina Rado was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Karolina Rado shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

AGARAM K. SREEKANTH

The bill (S. 585) for the relief of Agaram K. Sreekanth was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of section 2 of the Act entitled "An Act to facilitate the entry of alien skilled specialists and certain relatives of United States citizens and for other purposes", approved October 24, 1962 (76 Stat. 1247), Agaram K. Sreekanth shall be held and considered to be an alien eligible for a quota immigrant status under the provisions of section 203(a)(1) of the Immigration and Nationality Act on the basis of a petition filed with the Attorney General prior to April 1, 1962.

VINCENZO DELUCIA AND ANGELA DELUCIA

The bill (S. 669) for the relief of Vincenzo DeLucia and Angela DeLucia was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Vincenzo DeLucia and Angela DeLucia shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota for the first year that such quota is available.

SISTER MARIA CLOTILDE COSTA

The bill (S. 789) for the relief of Sister Maria Clotilde Costa was considered, ordered to be enrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Sister Maria Clotilde Costa shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

FAUSTINO G. DUMAPLIN, JR.

The bill (S. 820) for the relief of Faustino G. Dumaplin, Jr., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Faustino G. Dumaplin, Junior, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

TIM L. YEN

The bill (S. 1313) for the relief of Tim L. Yen was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, Tim L. Yen shall be held and considered to be the natural-born alien minor child of Mr. and Mrs. Don Y. Yen, citizens of the United States: *Provided,* That the natural parents of the said Tim L. Yen shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

DULCIE ANN STEINHARDT SHERLOCK

The Senate proceeded to consider the bill (S. 1570) for the relief of Dulcie Ann Steinhardt Sherlock which had been reported from the Committee on the Judiciary, with an amendment to strike out all after the enacting clause and insert:

That the time Dulcie Ann Steinhardt Sherlock, daughter of the late Ambassador Laurence A. Steinhardt and Mrs. Steinhardt, was residing abroad with her parents, during her minority when her father was an Ambassador in the Foreign Service of the United States, shall be held and considered to be compliance with the physical presence requirements of section 301(a)(7) of the Immigration and Nationality Act, as amended.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

YOO SEI CHUN

The Senate proceeded to consider the bill (S. 212) for the relief of Yoo Sei Chun which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

That, in the administration of the Immigration and Nationality Act, Yoo Sei Chun may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the said Act and a petition may be filed by Mr. and Mrs. Michael Fix, citizens of the United States, in behalf of the said Yoo Sei Chun pursuant to section 205(b) of the Immigration and Nationality Act subject to all the conditions in that section relating to eligible orphans.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GEORGE CROKOS

The Senate proceeded to consider the bill (S. 838) for the relief of George Crokos which has been reported from the Committee on the Judiciary, with an amendment to strike out all after the enacting clause and insert:

That, in the administration of the Immigration and Nationality Act, George Crokos may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the said Act and a petition may be filed by Mr. and Mrs. Stelianos Crokos, citizens of the United States, in behalf of the said George Crokos pursuant to section 205(b) of the Immigration and Nationality Act subject to all the conditions in that section relating to eligible orphans.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DESPINA J. SANIOS

The Senate proceeded to consider the bill (S. 1097) for the relief of Despina J. Sanios which had been reported from the Committee on the Judiciary, with an amendment to strike out all after the enacting clause and insert:

That, in the administration of the Immigration and Nationality Act, Despina J. Sanios may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the said Act and a petition may be filed by Mr. and Mrs. John Sanios, citizens of the United States, in behalf of the said Despina J. Sanios pursuant to section 205(b) of the Immigration and Nationality Act subject to all the conditions in that section relating to eligible orphans.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

VIKTOR JAANIMETS

The Senate proceeded to consider the bill (S. 1272) for the relief of Viktor Jaanimets which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

That Viktor Jaanimets shall be held and considered to have been paroled into the United States on October 12, 1960, pursuant to section 1 of Public Law 86-648, as amended.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. JAVITS subsequently said:

Mr. President, I wish to call to the attention of the Senate the passage of Calendar No. 395, Senate bill No. 1272, for the relief of Viktor Jaanimets. I remind the Senate that Viktor Jaanimets, on September 1960 jumped ship from the *Baltica,* which had brought Premier Khrushchev over to his famous table thumping with the back of his shoe at the United Nations.

Americans will recall that it was a very celebrated case of a young man who was seeking the blessings of freedom in a very exciting and dangerous way. Mr. Jaanimets came off the very ship which had brought Chairman Khrushchev to the United States. I am very happy to report to the Senate that under the guidance of the Estonian National Committee, Mr. Jaanimets has made a life for himself in New York. He has a job.

The bill will adjust his status so that he will become eligible for American citizenship, and represents a major step in an extraordinary saga in the life of one young man so markedly called to the attention of the world in the feat that he performed in leaving the *Baltica* at the time that he did.

The incident shows the great blessings of seeking freedom in a world in which movement is relatively free. Very occasionally we have losses to the Communists. Every once in a while someone will go behind the Iron Curtain. There are not many cases all together, and they often come back. But, more importantly, the flood tides of refugees is almost always from East to West and not from West to East. The minute the slightest chink is found in the Iron Curtain, people pour out by the thousands—yes, the hundreds of thousands and, indeed, the millions—as they did out of East Germany when the curtain for the moment could be penetrated.

The experience of a man like Jaanimets is tremendously revealing in that connection. It negates the idea so often advanced of a Communist paradise, which one must see to appreciate what a prison it clearly is, and represents a great asset to what we can offer to lively young people who have a thirst for opportunity, a free world, and a free mind.

Also, and very importantly, it seems to me that it represents a confirmation of what we know: that is, the lessons of the United States—what it has to give to the world and free societies generally—are not lost even in the Soviet Union. Young people know something about them, and the light of freedom burns brightly.

It is rather sad that a special bill must be passed for a young man such as this and that we have not yet brought our immigration laws abreast of modern requirements so that refugees and escapees can, under a regularized procedure, be welcomed into our country and encouraged not only in the United States but in other countries as well.

For all these reasons, Mr. President, I express my appreciation to the Judiciary Committee, which reported the bill, and to the Senate, which has passed it. I think it marks an auspicious milestone in the life of a man who can be—and has every reason to be—a highly effective and deserving American citizen.

MARGARET ANN COVER

The Senate proceeded to consider the bill (S. 1678) for the relief of Margaret Ann Cover which had been reported from the Committee on the Judiciary, with an amendment, in line 7, after the word "fee", to strike out "Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota control officer to deduct one number from the appropriate quota for the first year that such quota is available."; so as to make the bill read:

> *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, Margaret Ann Cover shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

KAZIMIERZ KRUPINSKI

The bill (H.R. 1206) for the relief of Kazimierz Krupinski was considered, ordered to a third reading, read the third time, and passed.

ASTERIO QUITORIANO

The bill (H.R. 1232) for the relief of Asterio Quitoriano was considered, ordered to a third reading, read the third time, and passed.

CLARA G. MAGGIORA

The bill (H.R. 1237) for the relief of Clara G. Maggiora was considered, ordered to a third reading, read the third time, and passed.

FEDERICO LOPEZ-BLANCO

The bill (H.R. 1276) for the relief of Federico Lopez-Blanco was considered, ordered to a third reading, read the third time, and passed.

VAGHARSHAG HOVANNES DANIELIAN

The bill (H.R. 1366) for the relief of Vagharshag Hovannes Danielian was considered, ordered to a third reading, read the third time, and passed.

JANET LUNDIE FARMER

The bill (H.R. 1393) for the relief of Janet Lundie Farmer was considered, ordered to a third reading, read the third time, and passed.

MARGARET BARKER

The bill (H.R. 1398) for the relief of Margaret Barker was considered, ordered to a third reading, read the third time, and passed.

JOHN (IVICA) BEG FARKAS AND ANN (ANKA) BEG FARKAS

The bill (H.R. 1499) for the relief of John (Ivica) Beg Farkas and Ann (Anka) Beg Farkas was considered, ordered to a third reading, read the third time, and passed.

EVA BAKER

The bill (H.R. 1731) for the relief of Eva Baker was considered, ordered to a third reading, read the third time, and passed.

MRS. RITA M. BRAVI

The bill (H.R. 1876) for the relief of Mrs. Rita M. Bravi was considered, ordered to a third reading, read the third time, and passed.

FRANCESCO DI GIACOMO

The bill (H.R. 2207) for the relief of Francesco Di Giacomo was considered, ordered to a third reading, read the third time, and passed.

ANNUNZIATA SABATINI

The bill (H.R. 2239) for the relief of Annunziata Sabatini was considered, ordered to a third reading, read the third time, and passed.

SHIN SOOK (RENEE) WHANT

The bill (H.R. 2287) for the relief of Shin Sook (Renee) Whant was considered, ordered to a third reading, read the third time, and passed.

LUIGI GIUSEPPE LURASCHI

The bill (H.R. 2309) for the relief of Luigi Giuseppe Luraschi was considered, ordered to a third reading, read the third time, and passed.

MRS. MABEL CONSTANCE KENNEDY

The bill (H.R. 2444) for the relief of Mrs. Mabel Constance Kennedy was considered, ordered to a third reading, read the third time, and passed.

LUCIA CARTA GALLITTO

The bill (H.R. 2450) for the relief of Lucia Carta Gallitto was considered, ordered to a third reading, read the third time, and passed.

MIRKO JAKSIZ

The bill (H.R. 2765) for the relief of Mirko Jaksiz was considered, ordered to a third reading, read the third time, and passed.

MRS. KAZUKO (JOSEPH JAMES) KAPP

The bill (H.R. 3218) for the relief of Mrs. Kazuko (Joseph James) Kapp was considered, ordered to a third reading, read the third time, and passed.

PONG YONG JIN

The bill (H.R. 3629) for the relief of Pong Yong Jin (also known as Pang Yong Chin) was considered, ordered to a third reading, read the third time, and passed.

GEOFFREY HOWARD SMITH

The bill (H.R. 5094) for the relief of Geoffrey Howard Smith was considered, ordered to a third reading, read the third time, and passed.

MICHAL GOLENIEWSKI

The bill (H.R. 5507) for the relief of Michal Goleniewski was considered, ordered to a third reading, read the third time, and passed.

ANTHONY JOSEPH CALANDI

The bill (H.R. 5834) for the relief of Anthony Joseph Calandi was considered, ordered to a third reading, read the third time, and passed.

ANTHONY HARRY GIAZIKIS

The bill (H.R. 6567) for the relief of Anthony Harry Giazikis was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, that concludes the call of the calendar.

PROPOSED JOINT COMMITTEE ON TRADE

Mr. McINTYRE. Mr. President, I would like to commend the distinguished senior Senator from Minnesota for a most timely suggestion that the Congress establish a Joint Committee on Trade.

In terms of national policy such a committee would make very good sense. Dr. Paul Prebisch, secretary-general of the United Nations Conference on Trade which will meet next year, believes that the economic development of poorer countries is about to be strangled by worldwide balance-of-payments difficulties. Increases in foreign aid from OECD countries have been largely offset by worsening terms of trade for primary products and rising levels of debt in less developed countries. At the May conference of the General Agreement on Tariffs and Trade (GATT) the action program submitted by the underdeveloped countries to win a place in industrial markets was altogether ignored. Underdeveloped countries are beginning to feel desperate about their prospects for progress and it is perhaps not too dramatic to say that the prospects for greatly expanded world trade in years to come have been called into doubt.

My own State of New Hampshire has become increasingly exposed to import competition in shoes and woolen goods at the same time that poultrymen are suffering from high tariff barriers raised by the European Economic Community. Our industries have not been able to take advantage of foreign markets to any significant degree. In the Nation as a whole, exports for June were below those for the preceding month, and the preliminary July figures show no improvement. With the exclusion of Britain from the Common Market, it is to be doubted that the terms of the Trade Expansion Act of 1962 will be as favorable to the United States as initially expected.

With the entire future of international trade in this cloudy condition, and the difficulties of protecting our national interest increasingly great, I respectfully suggest to my colleagues that the creation of a Joint Committee on Trade would be both wise and helpful. I am pleased to join with the Senator from Minnesota [Mr. HUMPHREY] as a cosponsor of Senate Concurrent Resolution 55.

ADJOURNMENT TO FRIDAY

Mr. RIBICOFF. Mr. President, under the previous order, I move that the Senate adjourn until next Friday at 12 o'clock noon.

The motion was agreed to; and (at 4 o'clock and 39 minutes p.m.) under the previous order, the Senate adjourned until Friday, August 23, 1963, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate August 20, 1963:

AGENCY FOR INTERNATIONAL DEVELOPMENT

William O. Hall, of Oregon, a Foreign Service officer of class 1, to be Assistant Administrator for Administration, Agency for International Development.

PUBLIC HEALTH SERVICE

The following-named persons to be members of the Board of Regents, National Library of Medicine, Public Health Service, for terms of 4 years expiring August 3, 1967:

Dr. Russell Alexander Dixon, of the District of Columbia.

Dr. Herman Howe Fussler, of Illinois.

HOUSE OF REPRESENTATIVES

TUESDAY, AUGUST 20, 1963

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

I Corinthians 2: 5: *That you should not stand in the wisdom of men, but in the power of God.*

O Thou God of all majesty and mercy, constrain us now by Thy grace and goodness to come unto Thee with a humble spirit and a contrite heart.

May we be penitent, for we have all sinned and fallen short of the glory of God, but may we also be grateful, for Thou art willing to forgive and blot out all our transgressions and remember them no more against us.

Grant that daily our hearts may be touched and transformed by Thy Holy Spirit and thus enable us to look at suffering and struggling humanity through the eyes of sympathy and kindness, of charity and considerateness.

Help us to so live and labor that when the days are ended and our work on earth is finished we may leave to mankind a legacy of love and loyalty and receive from Thee the diadem of Thy praise and the benediction which Thou dost bestow upon the faithful.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

VOTER REGISTRATION DEMONSTRATION IN LOUISIANA

Mr. FARBSTEIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FARBSTEIN. Mr. Speaker, I just learned from the wife of Mr. James Farmer, who is the national director of the Congress of Racial Equality, and who is a resident and voter in my district, that he, together with numerous others, was arrested in Plaquemine, La., in front of the city hall, and has been removed to Donaldsonville, La., jail. She informs me that this was in connection with a peaceful voter registration drive.

Unfortunately it seems as though the police officials in Plaquemine, La., found it necessary to use tear gas to break up this peaceful demonstration.

What are we coming to when peaceful demonstrations in connection with a voter registration drive are broken up by the use of tear gas? This is a country whose Declaration of Independence declares that all men are created equal. Our Constitution is the legal embodiment of this concept. Are we going to flout the law of the land by denying the Negro those rights that others take for granted? Are our citizens equal because they are human beings or are they unequal because of their color?

I hope the Attorney General's office will take the necessary steps to see that justice is done and that the local authorities will not deny peaceful people their right to demonstrate without using violence against them.

RECENT RESOLUTIONS OF THE YOUNG DEMOCRAT MOVEMENT

Mr. DERWINSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, in recent months consistent criticism has been directed against the views of the so-called extreme right, and their positions have been labeled as dangerous.

On Sunday, August 18, Young Democrats from 13 Western States met at Berkeley, Calif., and among their resolutions were the following: That the United States resume diplomatic relations with Cuba; that a nonaggression pact be signed between NATO and Communist Warsaw Pact nations; that the United States withdraw its troops from South Vietnam; that the House Committee on Un-American Activities be abolished; and that the McCarran Internal Security Act be repealed.

I appeal to the President and responsible members of the Democrat Party to repudiate these extreme left-wing views and further to free the Young Democrats from the fanatical left-wing groups which have clearly seized control of that organization.

Certainly, it is fair to point out that the radical left is at least as dangerous to the security and freedom of our country as the much-maligned radical right, especially when the radical left movement controls organizations having a strong voice within the administration.

The radical left pronouncements of the Young Democrat movement must be described as tragic appeasement and repudiation of American principles. In advocating diplomatic relations with Cuba, the radical left of the Young Democrats would have us completely accept the existence of communism in the Western Hemisphere. By calling for withdrawal of U.S. troops from South Vietnam, we would endanger the entire defense structure of the Far East and surrender the area to complete Communist control.

My purpose in directing the attention of the Members of the House to these dangerous developments is to generate necessary public attention to the far-reaching, perilous consequences of these official views of the radical left. Administration leaders are forewarned that they should take necessary steps to repudiate the leftist elements in the Young Democrat movement.

An old American truism is that "people who live in glass houses should not throw stones." Instead of continually ranting and raving at the extreme right, it is incumbent upon the Democrat Party to save itself from the extreme left which is far more prominent and dangerous within their group than is the extreme right within the Republican Party.

LEGISLATION TO ELIMINATE THE FEDERAL TAX ON TELEPHONE SERVICE

Mr. SMITH of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SMITH of California. Mr. Speaker, I have today submitted a bill to gradually eliminate over a 5-year period the Federal tax on telephone service.

This tax was originally imposed in 1941 as an emergency fund-raising measure and to discourage nonessential use of the telephone during World War II. Today, 22 years later, we still have the tax, although the time is long past when it can be justified as an essential wartime emergency measure to provide revenue. Nor does anyone claim any continuing need for curtailing telephone use; in fact, the great volume of advertising by communications facilities soliciting wider public use of the telephone is evidence enough to the contrary.

As long ago as 1959, I introduced a bill to repeal the tax on telephone service which would have taken immediate effect. A companion bill having this identical purpose was passed by the House that year as part of a general tax bill, but this provision was stricken by the Senate and the proposal was lost in a conference committee. Objection had been made to repeal of the tax on the ground that the loss of revenue involved could not be afforded.

I have endeavored to meet that objection in my present bill, even though the revenue loss is so relatively small that I do not see how it can be termed a valid objection. This bill proposes a gradual reduction of the tax, beginning January 1, 1964, and continuing through 1968, at the end of which the tax would be completely eliminated.

Mr. Speaker, this grossly unfair and illogical tax is imposed on consumers, not the telephone companies. Telephone service clearly is indispensable in every area of our economic and social life, yet it alone of all the utilities continues to be singled out for an excise tax which is as high as that imposed on furs, jewelry, cameras, and other luxury items.

The Congress this year has devoted many long months, in committees and on both floors, to consideration of a host of domestic proposals which have been essentially administration inspired. Some of these no doubt have wide public support, but in most cases there is no clear evidence of this. I think we might well take a little of our time to enact a piece of legislation for which there can be no question of overwhelming public support—by repealing the telephone service tax. The time for this is long overdue.

FIRST THE TEST BAN TREATY, THEN DISASTER SUPPLIES DELIVERED TO THE CAPITOL

Mr. HOSMER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOSMER. Mr. Speaker, yesterday I made two charges in connection with the partial test ban treaty. They are found at pages 15362 and 15366 of the CONGRESSIONAL RECORD for August 19. One charge was that under the treaty, even during such protracted and violent wars as Korea, the discriminate use of nuclear weapons to stabilize the situation and save thousands of American lives would be barred. The other charge was that there must be in existence a secret side agreement with the Russians as to the meaning of the words of this treaty. Otherwise administration officials, who should be fully aware of Soviet tactics in twisting treaty terms, could not give the glib and positive answers they do when asked about the meaning of particular terms of the document.

These are major charges and pertain directly to the question of the national security and survival of the United States. I call attention to them again so that administration can have no doubt that they exist. These charges deserve a complete discussion by the administration witnesses before the committees of the other body investigating this pact of Moscow.

In closing, I wish to note that I have observed large quantities of emergency supplies in the tunnels beneath the House Office Building. These have been put in place since the treaty has been under discussion. As one who views this treaty as making war more likely rather than less likely, I cannot help wondering if there is a conscious or subconscious connection between the two.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the first bill on the Private Calendar.

OUTLET STORES, INC.

The Clerk called the bill (H.R. 2300) for the relief of Outlet Stores, Inc.

Mr. ANDERSON. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

DR. AND MRS. ABEL GORFAIN

The Clerk called the bill (H.R. 2706) for the relief of Dr. and Mrs. Abel Gorfain.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

CHARLES WAVERLY WATSON, JR.

The Clerk called the bill (H.R. 2728) for the relief of Charles Waverly Watson, Jr.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

RAFAELLO BUSONI

The CLERK called the bill (H.R. 2228) for the relief of the estate of Rafaello Busoni.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the limitations contained in section 33 of the Trading With the Enemy Act, as amended (50 App. U.S.C. 33), with respect to the filing of claims and the institution of suits for the return of property or any interest therein pursuant to section 9 or 32 of such Act (50 App. U.S.C. 9 or 32), the estate of Rafaello Busoni, may, within six months after the enactment of this Act, file a claim for the return of certain property; namely, the interest of the decedent, Rafaello Busoni, in compositions of his father, Ferruccio Busoni, included in the catalogs of Breitkopf and Hartel vested by the United States under vesting orders numbered 2096 and 18593 under the Trading With the Enemy Act; and that claim shall be considered on its merits in accordance with the remaining provisions of that Act. If no such return is made within a period of sixty days after the filing of such claim, the said estate shall be entitled, within one year of the expiration of such period, to institute suit pursuant to section 9 of such Act (50 App. U.S.C. 9) for the return of such property.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ESTATE OF BART BRISCOE EDGAR, DECEASED

The Clerk called the bill (H.R. 2925) for the relief of the estate of Bart Briscoe Edgar, deceased.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $25,000 to the estate of Bart Briscoe Edgar, deceased, in full settlement of the claims of that estate against the United States for the death of the said Bart Brisco Edgar, which resulted from injuries sustained on June 2, 1945, at Saint Petersburg, Florida, when he was struck by a United States Army truck proceeding as a part of an Army convoy over Gandy Bridge in Saint Petersburg, Florida: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 5: Strike "$25,000" and insert "$5,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN F. MacPHAIL

The Clerk called the bill (H.R. 5145) for the relief of John F. MacPhail, lieutenant, U.S. Navy.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The **SPEAKER.** Is there objection to the request of the gentleman from Iowa?

There was no objection.

RICKERT & LAAN, INC.

The Clerk called the bill (H.R. 1263) for the relief of Rickert & Laan, Inc.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The **SPEAKER.** Is there objection to the request of the gentleman from Iowa?

There was no objection.

JOLAN BERCZELLER

The Clerk called the bill (H.R. 1311) for the relief of Jolan Berczeller.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Jolan Berczeller shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act upon payment of the required visa fee. Upon the granting of permanent residence to such aliens as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following: "That, the Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrants of arrest, and bond, which may have issued in the case of Jolan Berczeller. From and after the date of the enactment of this Act, the said Jolan Berczeller shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WETZEL COUNTY HOSPITAL, NEW MARTINSVILLE, W. VA.

The Clerk called the bill (H.R. 1742) for the relief of the Wetzel County Hospital, New Martinsville, W. Va.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Wetzel County Hospital, New Martinsville, West Virginia, the sum of $4,973.33. The payment of such sum shall be in full settlement of all claims of the Wetzel County Hospital against the United States for payment of civil defense matching funds for an emergency generator for the hospital. Through administrative error the payment of civil defense matching funds has not been made and cannot now be made because of regulations which prohibit the retroactive payment of such funds: *Provided,* That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6: Strike "$4,973.33" and insert "$4,874.92." The committee amendment was agreed to.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REBECCA K. CLAYTON

The Clerk called the bill (H.R. 1759) for the relief of Rebecca K. Clayton.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Rebecca K. Clayton, of Ridgeville, South Carolina, is relieved of liability to the United States in the amount of $1,009.46, representing the amount charged her by the United States for transporting the excess weight of her household goods, professional books, papers, and equipment from Munich, Germany, to Ridgeville, South Carolina, in June 1959, as a civilian employee of the Department of the Army. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for amounts for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Rebecca K. Clayton an amount equal to the aggregate of the amounts paid by her, or withheld from sums otherwise due her, in complete or partial satisfaction of the liability to the United States specified in the first section: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sums not exceeding $1,000.

With the following committee amendment:

Page 1, line 5, strike "$1,009.46" and insert "$1,053.85." The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EUGENE AHRENDS

The Clerk called the bill (H.R. 1874) for the relief of Eugene Ahrends.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Eugene Ahrends, Peoria, Illinois, the sum of $736.25. Payment of such sum shall be in full settlement of all claims of the said Eugene Ahrends against the United States for loss of basic compensation as a result of the reclassification on June 20, 1954, of his position of deputy collector, Bureau of Internal Revenue, Department of the Treasury, from grade GS-8 of the classification Act of 1949 to grade GS-9 of such Act: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 6, strike "$736.25" and insert "$200.00."

Page 2, line 1, strike "GS-9" and insert "GS-7".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. BARBARA RAY VAN OLPHEN

The Clerk called the bill (H.R. 2445) for the relief of Mrs. Barbara Ray Van Olphen.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of section 212 (a)(3) of the Immigration and Nationality Act, Mrs. Barbara Ray Van Olphen may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that Act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this Act: *Provided further*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of that Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MERCEDES ROBINSON

The Clerk called the bill (H.R. 2754) for the relief of Mercedes Robinson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Mercedes Robinson shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota control officer to deduct one number from the appropriate quota for the first year that such quota is available.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following: "That in the administration of the Immigration and Nationality Act, Mercedes Robinson Orr may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mrs. Eric Orr, a lawfully resident alien and citizen of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans."

Mr. CHELF. Mr. Speaker, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment to the committee offered by Mr. CHELF: Page 2, line 6 after "United States," insert "respectively" and add the following at the end of the committee amendment:

"Subsection (c) of section 245 of the Immigration and Nationality Act shall be held to be inapplicable in the case of Mercedes Robinson Orr."

The amendment to the committee amendment was agreed to.

The committee amendment as amended was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Mercedes Robinson Orr."

A motion to reconsider was laid on the table.

BRIG. GEN. FRED C. GRAY

The Clerk called the bill (H.R. 5583) for the relief of Brig. Gen. Fred C. Gray.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Brigadier General Fred C. Gray, United States Air Force, a monetary award in an amount determined by the Secretary of the Air Force in full settlement of all claims of Brigadier General Fred C. Gray against the United States on account of the destruction of his personal property by a fire on September 1, 1955, in the quarters assigned to him at Tyndall Air Force Base, Florida. In computing the monetary award to which Brigadier General Fred C. Gray is entitled, all items destroyed by the fire shall be valued at acquisition or replacement cost, whichever is higher, without regard to depreciation or the maximum limitations prescribed by administrative regulations: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, lines 6 and 7, strike "a monetary award in an amount determined by the Secretary of the Air Force" and insert "the sum of $2,708.30".

Page 1, line 11, strike "Florida." and insert "Florida:".

Page 2, lines 1 to 6, strike "In computing the monetary award to which Brigadier General Fred C. Gray is entitled, all items destroyed by the fire shall be valued at acquisition or replacement cost, whichever is higher, without regard to depreciation or the maximum limitations prescribed by administrative regulations:".

Page 2, line 7, strike "in excess of 10 per centum thereof".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

STEAMSHIP TRADE ASSOCIATION OF BALTIMORE-WATERFRONT GUARD ASSOCIATION

The Clerk called the bill (H.R. 5753) relating to the effective date of the qualification of the Steamship Trade Association of Baltimore-Waterfront Guard Association pension fund as a qualified trust under section 401(a) of the Internal Revenue Code of 1954.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Steamship Trade Association of Baltimore, Incorporated-Waterfront Guard Association of the Port of Baltimore, Local 1852 Independent Watchmen's Association pension fund which was established by collective bargaining agreement effective April 1, 1955, and which has been held by the Internal Revenue Service to constitute a qualified trust under section 401(a) of the Internal Revenue Code of 1954, and to be exempt from taxation under section 501(a) of such Code, for years ending on or after June 2, 1962, shall be held and considered to have been a qualified trust under such section 401(a), and to have been exempt from taxation under section 501(a) for the period beginning on April 1, 1955, and ending on June 2, 1962, but only if it is shown to the satisfaction of the Secretary of the Treasury or his delegate that the trust has not in this period been operated in a manner which would jeopardize the interests of its beneficiaries.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WILLIAM L. BERRYMAN

The Clerk called the bill (H.R. 7491) for the relief of William L. Berryman.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $15,000 to William L. Berryman, in full settlement of all claims against the United States. That such sum represents the financial loss incurred by Mr. Berryman, resulting from a physical injury received in Portland, Maine, on November 22, 1949. This claim is not cognizable under the Federal Tort Claims Act of 1946.

With the following committee amendments:

Page 1, lines 10 and 11, strike "This claim is not cognizable under the Federal Tort Claims Act of 1946.".

Page 1, line 11, add the following: "No part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING THE PRESENTATION OF AN AIR FORCE MEDAL OF RECOGNITION TO MAJ. GEN. BENJAMIN D. FOULOIS, RETIRED

The Clerk called the joint resolution (S.J. Res. 51) to authorize the presentation of an Air Force Medal of Recognition to Maj. Gen. Benjamin D. Foulois, retired.

There being no objection, the Clerk read the joint resolution, as follows:

Whereas Major General Benjamin D. Foulois (retired) enlisted in the Army Corps of Engineers on July 7, 1898, was subsequently commissioned as an officer in the Army, became associated with the aviation section of the Signal Corps of the Army in 1908, and qualified as a pilot in 1909; and

Whereas during the punitive expedition into Mexico in 1915 and 1916, he commanded the First Aero Squadron with that expedition; and

Whereas during World War I he served as Chief of the Air Services of the American Expeditionary Forces in France, was elevated to the post of Assistant Chief of the Air Corps in 1927, became Chief of the Army Air Corps in 1931, and continued in that assignment until his retirement as a major general on December 31, 1935; and

Whereas Major General Benjamin D. Foulois (retired), during his twenty-seven years of commissioned service, played a major role in the development of the role of military air power and of the military department now having primary cognizance over military air power, the United States Air Force; and

Whereas General Foulois, now nearly eighty-four years of age, has devoted twenty-seven years in a retired status to the furtherance of aviation, which matches the twenty-seven years of his active commissioned service in behalf of aviation, and totals fifty-four years of uninterrupted dedication and service to the development of aviation; and

Whereas military decorations and awards in specific recognition of aviation service were not authorized during the active military career of General Foulois and he has, therefore, never received a military decoration or award for such service: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Air Force is authorized to cause an appropriate medal to be struck, with suitable emblems, devices, and inscriptions, in recognition of more than fifty years of devoted service by Major General Benjamin D. Foulois (retired) to the advancement of aviation and to present said medal to Major General Benjamin D. Foulois (retired), together with a copy of this joint resolution engrossed on parchment.

SEC. 2. There is hereby authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, such sum as may be necessary to carry out the provisions of this joint resolution.

The joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARIKA N. VATAKIS

The Clerk called the bill (H.R. 2928) for the relief of Marika N. Vatakis.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Marika N. Vatakis shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following: "That, for the purposes of sections 203(a)(2) and 205 of the Immigration and Nationality Act, Maria Caviris shall be held and considered to be the natural-born alien daughter of Mr. and Mrs. Menelas Caviris, citizens of the United States: *Provided,* That the natural parents of the beneficiary shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed. A motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of Maria Caviris."

DR. PEDRO B. MONTEMAYOR, JR.

The Clerk called the bill (H.R. 6097) for the relief of Dr. Pedro B. Montemayor, Jr.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Pedro B. Montemayor, Junior, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of June 24, 1958.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

E. L. K. OIL CO.

The Clerk called the bill (H.R. 5451) for the relief of the E. L. K. Oil Co.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of section 31 of the Mineral Leasing Act of February 25, 1920 (30 U.S.C. 188), the Secretary of the Interior is authorized and directed to receive, consider, and act upon any petition of the E. L. K. Oil Company, of Cheyenne, Wyoming, filed within one hundred and eighty days after the date of enactment of this Act, for reinstatement of United States oil and gas lease "Wyoming 046887 (C)", as if such petition had been filed within the time provided in such section and such section had been applicable thereto.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1066) for the relief of the E. L. K. Oil Co., which is identical with the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of section 31 of the Mineral Leasing Act of February 25, 1920 (30 U.S.C. 188), the Secretary of the Interior is authorized and directed to receive, consider, and act upon any petition of the E. L. K. Oil Company, of Cheyenne, Wyoming, filed within one hundred and eighty days after the date of enactment of this Act, for reinstatement of United States oil and gas lease "Wyoming 046887 (C)," as if such petition had been filed within the time provided in such section and such section had been applicable thereto.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 5451) was laid on the table.

Mr. BOLAND. Mr. Speaker, I ask unanimous consent that the further call of the Private Calendar be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

FOREIGN ASSISTANCE ACT OF 1963

Mr. O'NEILL. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 493 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 7885) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes, and all points of order against said bill are hereby waived. After general debate, which shall be confined to the bill and continue not to exceed five hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

CALL OF THE HOUSE

Mr. LAIRD. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently, a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 127]

Bolling
Bolton,
  Oliver P.
Buckley
Cannon
Corman
Davis, Tenn.
Edwards
Ellsworth
Fraser
Gray
Halleck
Healey
Hoeven
Hoffman
Hull
Karth
King, Calif.
Lindsay
Long, La.
Madden
O'Brien, Ill.
Osmers
Pillion
Pirnie
Powell
Pucinski
Riehlman
Senner
Shelley
Short
Sikes
Trimble
Tuck
Wickersham
Younger

The SPEAKER. On this rollcall 395 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

FOREIGN ASSISTANCE ACT OF 1963

Mr. O'NEILL. Mr. Speaker, I yield myself such time as I may consume, and at the conclusion of my remarks I yield 30 minutes to the gentlewoman from New York [Mrs. St. George].

Mr. Speaker, House Resolution 493 provides for the consideration of H.R. 7885, a bill to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes. This legislation annually provides this House with its major opportunity to make a positive contribution toward shaping the foreign policy of the United States. The Congress, by authorizing the appropriation of funds for foreign assistance, arms our country with its most potent weapon in the day-to-day struggle against the forces of international communism. This resolution provides for an open rule, waiving points of order, with 5 hours of general debate.

The proposed bill is essentially an extension of last year's authorization act which further amended the act of 1961. The 1961 act, as you know, reorganized our foreign assistance program and established the Agency for International Development. The bill before us contains four parts. Part I contains amendments to the Act for International Development of 1961; part II contains the substance of our military assistance authorization; parts III and IV include a variety of general, administrative, and miscellaneous provisions applicable to the foreign assistance program generally, and to parts I and II. The entire bill is designated the Foreign Assistance Act of 1963.

Mr. Speaker, this is a tight program. It has been carefully planned and budgeted. Earlier this year, following the Clay committee review, and the intensive personal review of the program made by the new Administrator, Mr. Bell, the President's original foreign aid request was cut by $420 million. The $420 million cut was made possible by reduced fiscal year 1964 programs and estimates and by tighter administration of program funds available in fiscal year 1963 which can be carried over for use next year. The reductions cannot be described as "paper cuts."

The President's revised program took into consideration the report of the Clay committee. General Clay subsequently expressed to the House Foreign Affairs Committee his committee's gratification with this fact and said that the revised program is "very closely in compliance with the recommendations" of his committee.

We are particularly fortunate in the leadership of the Agency responsible for administering this vital program. The new Administrator, Mr. David E. Bell, brings to his tasks a wide administrative background and extensive experience in programing and budgeting. Having served in the Graduate School of Public Administration at Harvard, and as Director of the Bureau of the Budget, Mr. Bell possesses the know-how essential to bring order and coherence to the program. Since December of last year, when he took over, there has been a significant rise in Agency morale, and both programing and policy have gained new cohesiveness and direction. This past year has seen continued emphasis—and, incidentally, considerable success—in the area of self-help and social and economic reforms in recipient countries and increasing success in our efforts to step up the assistance contributions of our Western European allies and Japan. With regard to the latter, it is significant that in the crucial areas where the challenge of communism and the problems of underdevelopment are the most immediate, the other developed countries of the free world are carrying an increasing share of the burden every year. During recent negotiation for the IBRD consortium for India our allies pledged over a half billion dollars for the next 2 years—a new high. They are playing a greater role, as well, in the Pakistan consortium and the consortia now being planned for Greece and Turkey. In the Far East, as well, our allies, especially Germany, are increasing their contributions substantially.

Mr. Speaker, I commend the Foreign Affairs Committee for a very careful and critical review of the executive branch request. Their efforts have resulted in some significant cutbacks; the savings made are, I believe, consistent with the goals we seek to achieve. The major funding categories are as follows: Development grants and technical cooperation, $217 million as compared with the executive's request of $257 million; international organizations and programs, $136,050,000, compared with the executive request for the same amount; supporting assistance, $380 million compared with the request for $435 million; the contingency fund, $200 million compared with the request for $300 million; and for military assistance, $1,225 million, a cut of $180 million from the executive request. Total authorization request was $4,525,325,000. The committee's reduction will limit the maximum appropriation for fiscal year 1964 to $4,087,075,000.

As we enter this debate today, I believe we must make every effort to keep in mind the "why" of foreign aid, the objectives we seek to accomplish, and the nature of the weapon we have chosen to defeat our common enemy. Economic assistance has a twofold function: it helps free world governments meet the demands of their people for progress in raising living standards and it contributes directly to economic stability necessary for the survival of free governments and free institutions. In areas of the world where the people look to the future for a better life, a decline of living standards, a falling off of tangible economic progress, a decrease in the food supply, or shortages of crucial commodities, can justifiably create severe discontent with free governments, individual initiative, and liberal institutions. In times of crisis, leaders are often tempted by the totalitarian example of Russia. And in times of upheaval or discontent, the opportunities for subversion, stimulation of social unrest, and even revolution increase. Poverty, disease, and despair are potent allies of the Communists.

Military assistance also plays a key role in the fight to preserve freedom. Areas where overt external attack is a danger are few; but areas where guerrilla warfare, terrorism, and insurgency are ever-present dangers are increasing. For this reason, the nature of our defenses have been changing and particularly in Latin America and the Far East, internal security measures have been receiving emphasis under the military assistance program. At the same time, military assistance is continuing to support armies, well trained and adequately prepared, in free world countries situated on the periphery of the Soviet Union and Red China. As Secretary McNamara pointed out in his testimony, in the absence of these armies, the gap might well have to be filled by American troops.

Mr. Speaker, foreign assistance legislation has received consistent support on both sides of the aisle over the years. The legislation has, in spite of the burden on our own people, received the consistent support of a majority of Americans. We are a humanitarian people. We are dedicated to preserving the security of the free world. I know of no better way in which these two goals of the American people have been better served than in the foreign aid program. By helping to raise the living standards of the hundreds of millions in the underdeveloped regions of the world, and by helping them to maintain internal stability and political independence we defeat the common enemy. For as the hopes of peoples everywhere for a better life are fulfilled, we will see the eventual triumph of freedom.

Mr. Speaker, I urge the adoption of the rule and now yield to my colleague, the gentlewoman from New York [Mrs. St. George].

Mrs. ST. GEORGE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this resolution, House Resolution 493, makes in order the consideration of H.R. 7885, the Foreign Assistance Act of 1961, as amended. It allows for 5 hours of general debate and waives all points of order.

Mr. Speaker, I do not know of any objection to the rule.

Now it is a fact and I think most Members of the House will recognize it as such, that this is an old trusty, hardy perennial. It comes back to us every year. We will hear very much the same arguments for it and against it. But we must admit one thing about the foreign assistance—or the foreign aid bill—as some like to call it—the giveaway program. It seems to have more sex appeal than any bill that is every brought to the floor of the House. In fact, I think the best description of it is the one written by Shakespeare when he spoke of Cleopatra and said: "Age cannot wither, nor custom stale, her infinite variety."

This year the committee is asking for an authorization of $4,087,075,000, and to hear the chairman's testimony you would think this was a mere pittance. Well, there is no doubt they have cut this bill, and I am sure they have tried hard. They always cut a little but never much.

Now, lest we forget, this bill carries along with it unexpended balances of $6.7 billion.

Of course, we are told that all but $100 million are obligated, which seems rather amazing, to say the least.

The Clay report, recently published, has this to say of our foreign aid program: "We believe that we are indeed attempting too much for too many." And this is the understatement of the year.

The following extracts from the minority report express the thoughts of a good many. This minority has worked hard and diligently. They have been temperate in their criticism, and they have backed what they had to say with facts. I will now quote from this minority report:

> During the period since World War II, the United States has provided aid to approximately 110 countries and territories. Not all of them have received assistance simultaneously, or for an equal period of time. Five years ago, for instance, while foreign aid appropriations were running at a level comparable to that in fiscal 1963, U.S. military and/or economic assistance went to some 80 countries. Today, an estimated 95 countries and territories are benefiting from our largesse. And in the proposed program for fiscal 1964, the number of prospective recipients of our aid remains about the same.
>
> It is obviously impossible for any country, no matter how rich or strong it may be at the start, to continue assistance indefinitely to most of the countries of the world. The growing size of our national debt and our dwindling gold reserves attest to the drain of our resources resulting from our heavy foreign and domestic commitments.

And by the way, Mr. Speaker, we saw by the morning paper that another $1 billion in gold had left these shores:

> While we admonish the beneficiaries of our largesse and require them, as a condition of our aid, to balance their budgets, to reduce their national debts, and to stop the outflow of gold, we do none of these things ourselves. It is time that America began to practice in her own economy what she preaches to those who receive her aid. * * *
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> There is perhaps no better measure of the excess in the flow of foreign aid, and of the loss of congressional control over this program, than the growing accumulation of unexpended balances from prior year appropriations. On June 30, 1960, this so-called pipeline, economic and military, amounted to $4.8 billion. As of June 30, 1963, it rose to an estimated $6.8 billion. When the $4.1 billion recommended in this bill is added to this sum, the total which may be available for expenditure in fiscal 1964 reaches the astronomical figure of $10.9 billion. * * *
>
> Can the United States, with a combined public and private debt of $1.7 trillion, continue to try to police and wet-nurse the whole world? Should the United States continue to spend billions on foreign aid when the recipients of our assistance—the rich and the poor alike—appear so little concerned about helping themselves and helping each other? In our opinion the answer to both of these questions is "No."

To sum up, the aid program should be completely revised. Mr. Speaker, the last aid program that really accomplished its mission was, of course, the Marshall plan program. Since then this thing has been getting out of hand year by year. We have heard the same explanations of why this must be done. We have had the same old bogeyman raised—"If you do not give them the money, they will go Communist." Well, let us try and empty this pipeline and then let us see how much they will go Communist.

The aid program must be completely revised. The aid program must be brought, in all its financial aspects, under the unfettered control of the Congress.

The aid program must be limited to the actual amount which the recipient countries can absorb effectively and deobligated funds must immediately revert to the Treasury.

Here is one of the most important things that this House should take notice of: The aid program must be withheld from countries which use it for the purpose of territorial expansion.

The aid program must have stricter administrative supervision and all featherbedding practices must be terminated.

The aid program must require specific congressional authorization for each project exceeding $50 million.

The aid program must be limited exclusively to non-Communist countries, which certainly is not being done today.

The aid program must contain stronger safeguards to prohibit the use of our aid to finance Government-owned productive facilities which compete with private enterprise in the recipient countries.

And finally, if this bill were not even considered at this session of Congress the foreign aid program could go merrily on for 1 or, more likely, 2 years without any additional help from the overburdened American taxpayer.

Mr. Speaker, the taxpayers of this country are beginning to ask, How long, how long?

There is no objection to the passage of this rule that I know of. The bill will come before us. We will cut a little off, the other body will restore the little that we cut off and add a little to that and the foreign aid program will continue, and the pipeline will continue to bulge.

Mr. O'NEILL. Mr. Speaker, I have no further requests for time on this side.

Mrs. ST. GEORGE. Mr. Speaker, I yield 5 minutes to the gentleman from Kansas [Mr. AVERY].

Mr. AVERY. Mr. Speaker, I would like to be associated with all the remarks made by my colleague from New York who just preceded me in the well, except in one respect. The gentlewoman from New York [Mrs. ST. GEORGE], I believe, made the comment that we would hear the same old arguments today, the same persuasion would be offered today in the well of the House as to why we should vote for this bill.

I would like to take just one exception to that comment. I would like to note that there will be a voice missing today and that is the voice of our former colleague from Minnesota, Walter Judd. I think if there is one reason why this program drew a measure of voting strength on our side of the aisle it was because of the persuasion that we received from Walter Judd. In the event that this program should not be authorized this year, or perhaps next year, it may be the absence of the voice of Walter Judd that will be responsible for that loss.

Mr. Speaker, I am not going to address myself to the provisions per se of the bill. The gentleman from Massachusetts [Mr. O'NEILL] gave us a very complete and clear explanation of the bill, as did the gentlewoman from New York [Mrs. ST. GEORGE].

I would like to call the attention of the House to a precedent about which I as one member of the Rules Committee, am becoming concerned. That is the tendency of the Committee on Foreign Affairs to come before the Rules Committee and then the House with a bill title covering one subject matter, but then having tucked into the back pages somewhere matter that is entirely unrelated to the title of the bill. We had a previous introduction to this in the case of the foreign buildings operations program that was authorized by the House. This did not occur on our side. I want to make the record clear. The bill passed the House and in the wisdom of the other body, they added amendments to the Philippine War Damage Claims Act. As you know, this is a matter of considerable concern to the House of Representatives. The question was asked why this had to be done—why a clean bill could not come from the Committee on Foreign Affairs.

To that question, Mr. Speaker, we were never able to get a very good answer. Then, today I would like to particularly call attention to Members of the House that the title of this bill is a bill to amend further the Foreign Assistance Act of 1961. What do we find in it? I hope that the Members will examine part IV of this bill in some detail because I can notice in the House at this time that there is going to be considerable controversy under general debate when we reach this portion of the bill. I might further suggest that in the event enough votes cannot be summoned for passage of this bill, it may be because of some objection that is raised to subject matter contained under part IV which is completely unrelated to the aid program. I mean it has nothing to do with Public Law 480. This is particularly controversial.

Then, Mr. Speaker, come a number of amendments to the Foreign Service Act of 1946. What they are doing in an aid bill, I do not know. The committee was not very articulate in advising the Rules Committee why these provisions were inserted here.

But most controversial of all, Mr. Speaker, are amendments to the Immigration and Nationality Act which are contained on page 24. I would like to again point out to the Foreign Affairs Committee that there is objection to this provision on our side of the aisle and that there will no doubt be an amendment offered at this juncture.

Mr. Speaker, the only other point I would like to make was mentioned briefly by the gentlewoman from New York [Mrs. ST. GEORGE], and that is the balance-of-payments problem. As you know, we are admonished every day as to how serious this balance-of-payments situation has become. We can never quite find out what brings it about. It seems that whenever we bring this up, the sponsor of the pending bill completely divests himself and his committee from responsibility for any adverse effect that bill may have on our very serious balance-of-payments problem. So, I would like to ask, where does this problem come from?

Mr. Speaker, I can remember that when we had the reciprocal trade bill here last year the committee assured us that an extension of the Reciprocal Trade Act would not have an adverse effect, but would improve the balance-of-payments situation. But it has gone from bad to worse, as you know, to some extent because of certain policies adopted by the Common Market countries. I asked the chairman of the Foreign Affairs Committee when the gentleman appeared before the Committee on Rules last week what would be the net adverse effect of this aid bill, if passed, on our balance-of-payments situation.

Here is a $4 billion authorization. I would assume that this would be adverse. He assured us that the adverse effect would be, as I recall, only perhaps 10 or 15 percent of the net authorization. This conclusion I cannot understand. I can understand the position of the Wall Street Journal, which this morning carried a story saying that at the rate of the deterioration during the second quarter, our balance-of-payments position would deteriorate $5 billion for calendar year 1964. This, Mr. Speaker, is an extremely serious situation and I think we have to look at this bill in relation to that situation.

Mrs. ST. GEORGE. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. Bow].

Mr. BOW. Mr. Speaker, the gentleman from Kansas [Mr. Avery] pretty well covered the matters which I had in mind on this rule. However, there is a question as to why we now have closed rules on these bills that come from the committee, particularly in the areas in which they invade the jurisdiction of other committees or reappropriate funds. I questioned that a few weeks ago and attempted to do something about it, but was not successful.

I again want to point out here we have in this bill so far as the revolving fund is concerned the reappropriation of funds into a purpose for which they were not originally appropriated. I hope that during the debate on this bill the distinguished members of the Committee on Foreign Affairs will give the House some light on the cost of certain of the other amendments which have nothing to do with foreign aid, the question of travel of dependents, the question of dependents' employees and foreign service officers, their wives, sons, and daughters traveling with them in a representation capacity throughout the world. We ought to have some idea of what this is going to cost the American taxpayers; what that fund is to be. This has nothing to do with foreign aid.

There is a further question of the use of Government vehicles for other employees and for dependents. And here again we find leases being entered into for vehicles. What is this going to cost? They did tell us in the report that the educational facilities, not a part of foreign aid but a revision of the Foreign Service Act, represent an anticipated appropriation of $300,000. This is the only place there is any effort at telling us what these things are going to cost.

I mentioned the working capital of the Department of State and the reappropriation of $750,000. But I have hope, Mr. Speaker, that inasmuch as very important parts so far as the foreign service amendment is concerned come close to the end of this bill that we do not find ourselves in the position tomorrow or next day when the Members become restless, where we put a limitation on the discussion of amendments and we cut Members down to where there is no time to fully and completely debate what is to me a very serious question. That is the reorganization of the Bureau of Security and Consular Affairs and the establishment of a new Assistant Secretary of State. Surely this is a matter that should come up in a foreign service bill not mutual assistance or foreign aid bill. In the past there has been some question as to what committee has jurisdiction. This will create a 12th Assistant Secretary. There are only 11 at the present time. It provides that the Assistant Secretary shall be Administrator of the Bureau and that he will take office without confirmation by the Senate.

I urge that we not get ourselves in the position of trying to rush the passage of a bill that will deny the membership an opportunity to have full and complete debate on this subject, which is at the end of the bill.

Mrs. ST. GEORGE. Mr. Speaker, I yield 5 minutes to the gentleman from Iowa [Mr. Gross].

Mr. GROSS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include letters in full from the Secretary of State and the Secretary of Defense, as well as title XVIII, sec. 1913, of the United States Code.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, I regret that this bill comes to us with points of order waived. I know of no reason why this bill should come to the House with points of order waived unless it is to protect certain provisions of the bill which ought not to be protected by this unusual procedure.

I further regret that the chairman of the full committee did not announce to all members of the committee when the bill was voted out of the committee that he was going to the Rules Committee and ask that points of order be waived. This is information that every member of the committee should have had so that if we so desired we could appear before the Rules Committee in opposition to the waiving of points of order.

Mr. Speaker, I should like to compliment the gentlewoman from New York [Mrs. St. George] for her splendid remarks earlier in discussing the rule. I will say to her that she is dead right. Only token cuts have been made in this bill. It comes to the House calling for $4,100 million, which is $200 million more than was appropriated last year. How in all conscience this bill could come to the floor of the House authorizing $200 million more than was appropriated last year is beyond me. Of course, you have to serve on the Foreign Affairs Committee to understand the reason why.

Mr. HAYS. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Ohio.

Mr. HAYS. The gentleman understands that the section of the bill that was subject to the point that we were trying to protect was the Adair amendment, which guarantees full faith and credit on the investment guarantees, which did not have anything to do with any of the Foreign Service amendments.

Mr. GROSS. When the committee adopted a clean bill it cured that situation, but I know of no reason why this bill should ever come to the House floor with all points of order waived. That amendment or any other amendment should stand on its merits.

Mr. HAYS. The gentleman and I can disagree on that, but I think it is only fair to point out that it has always come in this way. It is nothing new.

Mr. GROSS. If it is, I do not recollect that fact. I will take the gentleman's word for it.

Now, I want to call attention to a letter I have received under date of August 17, 1963, on the stationery of the Secretary of State, signed by Dean Rusk and Robert S. McNamara. It reads as follows:

THE SECRETARY OF STATE,
Washington, August 17, 1963.

DEAR MR. CONGRESSMAN: The House of Representatives takes up this week a keystone of U.S. foreign policy: the Foreign Assistance Act of 1963. The action taken on this important legislation will have a far-reaching effect upon the U.S. position, now and in the future, in the great struggle for freedom.

The President originally requested $4,945 million for this program. He subsequently reduced this request by $420 million. The Committee on Foreign Affairs has further reduced the request by $438 million. Thus, the original request has been reduced by $858 million since January. This reduction is so deep that the bill before you is already less than last year's final appropriation, taking into account the previous 2-year appropriation for the social progress trust fund.

We wish to emphasize that we know of no reason to assume that our total military and foreign policy requirements are less than those of fiscal year 1963. In fact, as we view our evolving relationship with the Soviet Union, the insistent expansionist aims of Communist China, the continuing crises in Laos and Vietnam, and the unfinished business in Latin America and in Africa, we believe we cannot now afford to retreat in our foreign assistance efforts.

Three authorizations directly involve U.S. security interests: Supporting assistance (primarily for several countries confronting the Sino-Soviet bloc), military assistance, and the President's contingency fund. The total authorization recommended for these purposes is already $165 million less than was appropriated last year. Although we have made reductions in these programs as rapidly as possible (over $1 billion in 3 years), we believe that any further reductions here

> would seriously restrict the President's ability to respond effectively to major challenges to free world security, including our own.
>
> Any reduction in the existing yearly $600 million Alliance for Progress authorization would give credence to those who claim that the United States lacks the will and staying power to make good on its promise of long-term assistance to Latin America. Further reductions in any of the other authorizations would seriously undercut the ability of the United States to carry out its foreign policy objective of assisting independent countries to attain self-supporting status.
>
> But adequate funds alone will not support an effective foreign policy—we must have the necessary flexibility to carry out our common objectives. A number of restrictive amendments have been proposed to cut off or drastically reduce aid to some countries or organizations whose actions disturb us. We believe that these amendments stem from an inadequate appraisal of the long-term objective of U.S. foreign and military policy. Attempts to place the conduct of our foreign policy under rigid legislative restrictions will prevent us from acting in support of American interests in a rapidly changing international scene.
>
> We strongly urge you to lend your unqualified support to this bill without further restriction or reduction.
>
> Sincerely,
>
> DEAN RUSK.
> ROBERT S. MCNAMARA.

Let me call your attention to the United States Code, title 18, section 1913:

> No part of the money appropriated by any enactment of Congress shall, in the absence of express authorization by Congress, be used directly or indirectly to pay for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device, intended or designed to influence in any manner a Member of Congress, to favor or oppose, by vote or otherwise, any legislation or appropriation by Congress, whether before or after the introduction of any bill or resolution proposing such legislation or appropriation; * * *
>
> Whoever, being an officer or employee of the United States or of any department or agency thereof, violates or attempts to violate this section, shall be fined not more than $500 or imprisoned not more than one year, or both; and after notice and hearing by the superior officer vested with the power of removing him, shall be removed from office or employment.

I suggest to the Attorney General of the United States, Robert Kennedy, that he take just a little time from the campaign he is carrying on to promote so-called civil rights, perhaps take an evening off from one of those yacht trips on which I understand Members of Congress are being invited, to travel down the Potomac to be brainwashed, so they tell me, in the matter of so-called civil rights. I suggest that he devote a little of his time to bringing an action against the Secretary of State and the Secretary of Defense to remove them from office for this is a clear violation of the law.

Mrs. ST. GEORGE. Mr. Speaker, I yield the remaining time to the gentleman from Pennsylvania [Mr. FULTON].

Mr. FULTON of Pennsylvania. I want to make sure that the House knows, and the American people know, that the U.S. mutual security program is a bipartisan program and that there are Members on both sides of the aisle supporting this program. The House Foreign Affairs Committee is to be complimented for cutting the program originally proposed and making it mode moderate in amount so than an intelligent person can see that the total authorization has been kept within reasonable bounds. We need especially to have a cut in the U.S. foreign aid program because of the U.S. adverse balance of gold payments that we are now faced with, a probable adverse result for the current year of almost $5 billion and it looks bad.

I would like to comment on certain things that I like particularly in the bill. I am grateful for the inclusion of the United Nations Children's Emergency Fund. We are paying 40 percent of the total of that fund and there are children and mothers in 100 countries being helped. This is for children's assistance, for mothers' assistance, extra meals, vitamins and to clear up disease.

The local countries themselves must contribute, which is a good policy. In 1947 it was my amendment that added the United Nations Emergency Children's Fund, to the then mutual security program. The United States has been a contributing member ever since and the U.S. taxpayers have done well by the children of the world. I think it is one of the most important programs the United States implements abroad.

Another important aspect of their foreign policy that the Foreign Affairs Committee has given to us is that we are moving away from grants-in-aid and more and more toward loans. I am glad to see that the interest rates are adequate but are not penalizing the countries and peoples receiving these loans.

Likewise, we are enlarging authorization for investment guarantees abroad for U.S. businessmen. This program has worked out well so far and has permitted U.S. businessmen to participate in the program. Trade not aid is the better policy.

You will notice on page 15 of the report, there are many—several thousand—applications pending by U.S. corporations and businessmen, amounting to several billion dollars worth of investment guarantees which insure that our U.S. business people remain in and help the economies of countries whose existence is critical, and whose governments might be unstable at the present time.

One other point that I would like to make is that we are moving on changing U.S. policy in regard to suspending U.S. aid when there is expropriation of U.S. property abroad not only if it is current expropriation but under this policy laid down by the House Foreign Affairs Committee, "creeping expropriation." I think this is a very valid extension of this whole U.S. policy and program regarding expropriation of U.S. citizens' property abroad.

Finally, I say to my colleagues in the House this. Do not forget the peoples and the governments of the free world who are standing up with us and who are our friends all throughout the world. Real friends should not be abandoned to disaster. Do not forget in South Korea the fine South Korean people are putting 18 fine divisions in the field to hold the 38th parallel while we only have to man only 2 divisions with American servicemen. These are real allies. If we deny them the aid, you will then have to send thousands—and many thousands of American young men to these far lands. Also, remember that among these allies we are getting these troops at an average of maybe $3 to $5 to $800 annual maintenance apiece while if American troops were there, the cost would be $6,000-a-year and up. Do not think we in Congress are just spreading and throwing away money abroad—we are not. We U.S. citizens are getting a very adequate return in the United States of America in defense and in assistance to our troops in addition to the troops that are standing with us for the defense of the free world against any "ism" whatever. I feel the free world must be defended, and I feel we must integrate the free world and look for new avenues of approach in the whole world where we can work together.

We have a joint volunteer Senate House Committee on World Peace through World Law, and we are working for a bright new world. Of course, there are jeers and few cheers, but it is possible, and we should work for this goal. This is a bipartisan committee, by the way, with Senator JAVITS and Senator CHURCH in the Senate, and Congressman FRASER of Minnesota, and I, in the House as co-chairmen. We have a luncheon about once a month on the development of world peace through rule of law.

I like the provision in the bill as well authorizing continuation of the NATO Parliamentary Union, implementing it with specific statutory authorization. I believe that it is fine and rewarding that our Members of the U.S. Congress go and meet with these other parliamentarians, and discuss our mutual problems and progress.

We should do more meeting of parliamentarians and Congressmen throughout the world so that we advance the rule of law in the world and settle our disputes by peaceful means rather than force of arms. World problems must cease to be a corner fight and be settled by reason, not fear nor force.

I hope Congress will accept a recommendation from me on a bipartisan basis that we consider this U.S. foreign aid bill and we pass it.

I do not like the rule waiving points of order and I hope it will not become a practice on foreign aid bills. I would rather have the opportunity to have separate bills. The Foreign Affairs Committee should not be afraid of tiring the House with several bills—this is too important for our United States and free world security and progress. I believe we in Congress can put too much of the foreign policy implementation of this country into one basket. When I was on the House Committee on Foreign Affairs, under the leadership of John Vorys of Ohio, we instituted that approach, along with our then chairman, Congressman Jim Richards of South Carolina. It has been a good reasonable approach to show our U.S. foreign policy in perspective. However, I feel we may be going too far when we put in everything that concerns the State Department, operations, management, personnel and so forth.

I do like, as an individual item in this bill the policy of setting up a working capital fund for the State Department. We should have had this policy long since, I favor passage and approval of this progressive policy although certainly it is important enough to be under separate authorizing legislation rather than being handled as a minor item in this bill.

We should not in Congress forget that the President, John Kennedy, and the U.S. Secretary of State, Dean Rusk, act as the representatives of our bipartisan U.S. foreign policy which defends and protects all of us at home, and builds the progress and defense of the free world, and represents all of the United States and the free world, in working out agreements and policies that will benefit and help progress for all the world's peoples. Regardless of party, we in Congress should rise as representatives of thousands and millions of American people, above partisanship or sectional interest, to this high challenge and American policy. It is necessary and humbling. The world expects us to do our best and our fellow citizens of the world have every right to ask it of us.

We citizens of the United States are grateful to you peoples we have helped and aided for your fine progress and cooperation over the years, for our mutual trust and confidence. We thank you sincerely.

Mr. O'NEILL. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. Hays].

Mr. HAYS. I want to take a few seconds to reassure the gentleman from Ohio [Mr. Bow] that at the proper time we will have the figures on the estimated costs of some of the various amendments which affect State Department personnel. I would say it seems to me appropriate to put it in this bill that there are only five amendments. A great many of the AID people are Foreign Service reserve officers, and all of this legislation affects both AID and the State Department. I suppose if you put it in a separate bill for the State Department, they would say, why should it be in here; why should it not be in the AID bill? If you are against it, you are against it. You can make that argument either way.

I would like to ask the gentleman from Iowa a question about the letter he read. Was that letter addressed to the gentleman from Iowa?

Mr. GROSS. Yes. I will say to the gentleman that it was—"Dear Mr. Congressman."

Mr. HAYS. That shows how far afield some of these people in high places can get. I suppose they could cure their violation by sending 6 cents to the Treasury—1 cent for the stationery and a nickel for the stamp. However, if they knew the gentleman like I did, they would know they were wasting their time by writing to him. I say that with kindness. They would know he will not change his mind when he takes a position. He will not be swayed by letters. I received a good many myself from the administration previous to this one on foreign aid and they did not change my mind. It is a lot like the time when I was in the State senate back when I was in my twenties. An old Senator came up to me, a Republican, and a man I liked very much, and said, "Boy, I just want to give you some advice." He said, "You and Senator Vanik"—and that is now Congressman Vanik—"are by far the two youngest members in this senate." And he said, "You are going to see a lot of lobbyists around here." And may I say parenthetically that I saw more lobbyists in the State senate in 6 months than I have seen here in 15 years. And he said, "You are going to see a lot of lobbyists around here, and if you cannot learn to drink their liquor and eat their food and then vote against them, you do not deserve to stay here."

So I just say to the gentleman, if I get invited to go on a yacht trip, I will go, but what is said there will not influence me very much one way or the other.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HAYS. Certainly.

Mr. GROSS. Does not the gentleman think the United States Code is clear and plain? Would he agree it is clear and explicit?

Mr. HAYS. It sounds clear and plain.

Mr. GROSS. Does he not think it either should be enforced or repealed?

Mr. HAYS. I would say in answer to the gentleman if I were he, I would take the time and use my frank and send a letter to the Attorney General and suggest he enforce it and see what happens.

Mr. O'NEILL. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

Mr. MORGAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 7885) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 7885, with Mr. Rains in the chair.

IN THE COMMITTEE OF THE WHOLE

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. MORGAN. Mr. Chairman, I yield myself 20 minutes.

Mr. Chairman, H.R. 7885 authorizes appropriations of $2,424,050,000 to finance the foreign aid program for fiscal 1964 and also includes a number of amendments to the Foreign Assistance Act and other acts in order to improve the effectiveness of the foreign aid program.

The Executive has requested a total appropriation for fiscal 1964 of $4,525,325,000, but the authorizations contained in this bill, together with the authorizations previously made, will limit the maximum possible appropriation for fiscal 1964 to $4,087,075,000—a reduction of $438,250,000.

The Committee on Foreign Affairs recommends this very large authorization to the House only after long and careful consideration. The committee held 58 meetings on this bill and voted by a majority of 24 to 7 to report it to the House.

I recognize that every Member of the House has two questions in his mind: Is this too much money? and are we providing aid to the wrong countries?

There apparently are some people who believe that it is a waste of the taxpayers' money to spend a single dollar for foreign aid and that the entire program since its beginning has been a mistake. I deliberately used the word "apparently" because I am not sure that anyone really believes that the concept of foreign aid is wrong and that all of our money has been wasted.

I doubt that anyone really holds such a view, because it seems to me that such a person would have to believe also that the best policy for the United States to have followed since World War II would have been to disregard everything the Russians have done.

I am not sure that there is anyone who really believes that it would have been sound policy for us to limit our efforts to minding our own business and to building up our stock of nuclear weapons in the hope that some day everything would come out all right.

There are not many, I am sure, who think that the best way to win the cold war is to ignore it.

I am confident that the overwhelming majority of the Members of this House and of the American people regard winning the cold war as the most important problem confronting us today, and that the money we vote for foreign aid, both military and economic, finances our cold war strategy. I feel confident also that the majority of the Members of this House and of their constituents believe that this is not the time to relax our cold war effort.

I want to direct my remarks primarily, therefore, to those who recognize the importance of foreign aid and the need for an additional authorization but who sincerely question whether or not we really need to vote as much money as the committee recommends and who are honestly in doubt as to whether a lot of our money is being spent to give aid to the wrong countries.

Both of these problems have received long and detailed consideration by the committee, and let me say also that they have received and are receiving the most careful and soul-searching consideration by the President and by our Department of State.

I would like to point out in passing that it is a mistake to regard the administrators of our foreign aid program as being interested only in spending money and as disregarding considerations of economy and efficiency. The House should not forget that the original budget request for foreign aid contained in the budget submitted last January was $4,945,025,000. The President appointed the Clay Committee which conducted a very careful and critical review of the foreign aid program; and after receiving the report of the Clay Committee, in April, he reduced the foreign aid figure presented to the Congress in January by $419,700,000. The authorization in this bill is $857,950,000 below the budget request.

The President appointed Mr. David Bell to administer the foreign aid program, and most of us who have had an opportunity to see Mr. Bell in action have been favorably impressed with his detailed understanding of foreign aid operations and the realistic approach he has made to dollars-and-cents problems.

I want to come back, however, to the problem of giving assistance to the wrong countries. There has been a lot of discussion recently about giving aid to our enemies. In this connection there have been references to Brazil, India, and the United Arab Republic as enemies of the United States. Now our State Department does not regard the governments of these countries as enemies of the United States, and I see no possible advantage to us in having the Congress single out individual countries and designate them as enemies. It seems to me we have enough declared enemies now within the Communist bloc who are devoting their resources and efforts to our destruction without taking formal action to add to that number.

I want to make clear that we are giving aid to several countries which I do not regard as firm friends of the United States. I recognize that they are unreliable, and we do not and should not rely on them.

But why should we deliberately push such governments into the enemy camp? Are we better off to have them behave as they do now even though they are vacillating, trying to play off one side against the other, doing a few things we like and a great many things we do not like, than to have them definitely wind up with the enemy?

Some discussions of foreign aid seem to suggest that we should run the foreign aid program as an exclusive club and that only well-qualified applicants should be admitted to it.

The trouble with this approach is that the danger in the world today is not from the nice guys; the stable, honest, efficient, and far-seeing governments of the non-Communist world are not the problem. Our difficulties are primarily with nations that have behavior problems.

The committee has tried to deal with this situation. We recognize that we have spent more money on unreliable and unstable governments in the past than was justified. We are convinced that our friends and allies deserve priority over the vaccilators and the bargainers; and we believe that whenever we give assistance to governments which we cannot depend on, we should regulate the flow of our aid in accordance with the discernible results which it produces.

Section 306, at the top of page 16 of the bill, requires the termination of aid to Indonesia unless the President determines that furnishing assistance is in our national interest. We have provided total economic aid to Indonesia of $681,500,000, including $206,300,000 of Public Law 480 sales. We do not want to continue spending money on a large scale for Indonesia unless we can see that we are getting more for our money. At the same time, we do not want to push Indonesia formally and permanently into the Communist bloc. It is better to have Sukarno where he is than push him in the wrong direction.

The amendment gives the Indonesians and our own State Department notice that we will not tolerate a continuation of what has gone on in the past. At the same time, we leave the door open so that the Government of Indonesia can look to us if they are ready to turn over a new leaf.

The committee has also included a provision to discourage nations which receive our aid from wasting their own resources on neighborhood quarrels. Section 306, on page 15 of the bill, prohibits U.S. aid or sales under Public Law 480 to any country which is engaging in or preparing for aggressive military efforts against the United States, or any country receiving assistance under this act or any country to which sales are made under Public Law 480. There have been too many instances where the United States has given aid to countries which have used their own resources to finance military threats against their neighbors. These include countries in the Near East, India and Pakistan, and Indonesia.

The committee has also tried to tighten up the requirements in existing law that U.S. aid be cut off to countries which expropriate U.S. property without compensation. Section 304(b) on page 14 of the bill provides that compensation must be "equivalent to the full value" of expropriated property in order to make clear that all elements or interests of value that make up the total worth of any property expropriated must be compensated for.

We have also taken action to prevent U.S. assistance from going to Cuba in the form of voluntary contributions to United Nations agencies. U.S. funds cannot be used for this purpose under the language of this bill—section 303(b) on page 13.

The bill, section 303(c) on page 13, also puts the present and any future Government of Cuba on notice that the United States will hold it responsible for compensating U.S. citizens for property expropriated by the Castro regime and that Cuba cannot count on U.S. aid or on a sugar quota until such compensation has been paid. The President is given authority, however, to waive this provision in order that aid may be given temporarily to a new Government of Cuba which might not be able immediately to make compensation.

Although we have done a number of things to cut down the flow of aid to the neutralists and the unreliables, I want to make clear that the program authorized by this bill includes substantial military and economic assistance to India. The committee has reservations about the construction of the Bokaro steel plant in India, however. We did not want to enact a specific provision prohibiting the furnishing of assistance to such a plant, but we did call Mr. Bell, the Administrator of the aid program, before us and received his assurance that there would be further consultation with the Committee on Foreign Affairs before AID financing of this project was approved.

The problem here is not whether we like the present Government of India, or whether we want to endorse Mr. Nehru or express disapproval of his words or his actions. The hard reality of the situation is that we have to decide whether we want India to resist Red China or fold up. Without our military and economic aid, there can be only one answer: India will fold up.

In this connection, let me point out that one lesson we have definitely learned during the history of our foreign aid operations is that the way to get foreign governments to do what we want them to do is not to say to them, "Do this, or else." Most of the newer and less developed nations have behavior problems, as I pointed out earlier. Their governments do not take a broad view and do not think ahead very far into the future. They are inclined to be highly emotional and to be responsible to a highly emotional electorate. They are perfectly willing to cut off their noses to spite their faces.

It undoubtedly would give Members of Congress a certain amount of satisfaction to include a number of "you don't get any aid unless you do what we we want you to" provisions in the bill, but if our real objective is to get the governments to act in accordance with our wishes, this is not the way to do it.

Now, let me get to the dollars and cents provisions of the bill.

I should remind you that over half of the funds included in this authorization—$1,225 million—are for military aid. This amount is $180 million less than the President requested. We made this cut with two basic conditions in mind.

First, the committee believes that our military aid to Europe has not been phased out fast enough. We made a rather detailed study of our military aid program to Europe, and a subcommittee report was issued on this subject. The countries of Western Europe should be able to finance their own defense if any countries of the free world other than the United States and Canada are able to do so. By cutting military aid, we want to force a more rapid curtailment of military aid to Europe.

We also had in mind, on the basis of our own observations as well as the findings of the Clay Committee, the fact that certain of the countries in Asia receiving our military assistance are maintaining forces which are, to quote the Clay Committee, "larger than required for their immediate mission of defense and not large enough to assume other missions" and that we have been giving military aid to certain other countries in Asia in quantities larger than can be justified by their contribution to our own or to free world security.

We do not believe, however, that any further reduction in military aid can be justified. I cannot improve on the words of our own Secretary of Defense:

> Single or double pronged, the thrust of Communist aggression is still directed against the entire free world; and the expansionist pressure of international communism remains a constant threat to any weak spot where military vulnerability, political instability, or economic deprivation invites attack

> or subversion. The interest of the United States in strengthening such weak spots is based not only upon our traditional commitment to the principle of freedom and the right of self-determination for all mankind but also upon the very practical premise that the security of the United States is interdependent with that of the rest of the free world. Any attempt to return to a fortress America concept of national defense under present circumstances would be a denial, rather than an expression, of self-interest. It would lead, not to self-preservation, but to slow suicide.

Secretary McNamara added:

> I would like to say this in open session: That if it was believed that our economy could not support the total national defense which we need as a foundation for our foreign policy—and I, for one, can't believe we are in that position—if it were believed, if such a proposition was to be advanced, I would strongly urge that to the extent our national economy will not finance our national security that we make the necessary reductions in portions of the defense program other than the military assistance program. Our total defense budget in terms of new obligational authority approximates $53.5 billion. Were we to be requested to cut that budget $300 to $400 million, I would strongly urge that cut be taken from those portions of the defense program other than the military assistance program.

The bill contains an authorization of $217 million for development grant and technical cooperation. This is a reduction of $40 million below the Executive request. This money is used primarily for technical assistance, which includes what is commonly regarded as the point 4 program.

The committee has reduced the authorization requested by the Executive for the Alliance for Progress by only $50 million.

Last year the Congress authorized $600 million for the Alliance for Progress for fiscal year 1964. This authorization is still in effect. The committee refused to authorize a carryover of the unused authorization from last year, so that the Executive cannot have the $650 million appropriation which it requested for fiscal 1964.

In addition, the bill authorizes $200 million for the social progress trust fund, which is an essential part of the Alliance for Progress program.

The committee recognizes that the progress of the Alliance for Progress has been going slower than was anticipated. Nevertheless, the situation in which we find ourselves has been well expressed by General Clay in his testimony before the committee:

> The United States has committed itself to this $200 million development through the social trust fund. It has also committed itself to extending some $600 million annually in loans. I don't mean that these were formal commitments, but assistance of this magnitude had been indicated in the meetings which led to the formation of the Alliance for Progress.
>
> Already it has been charged in Latin America, due to the fact that we have not made all this money available, that the United States does not intend to meet its commitments.
>
> This has been an important charge by antigovernment and other forces, particularly in Brazil.
>
> I am sure that if we did not appropriate this money it would simply add to these charges.

The bill authorizes the full amount requested by the Executive for voluntary contributions to international organizations and programs. Let me remind you that this money is for voluntary contributions only and does not include the regular, assessed costs for U.S. participation in the United Nations or its agencies.

This authorization includes only $5 million for the Congo, all of which is for economic aid. The bill contains no money for the United Nations forces in the Congo. The matter of the financing of the United Nations forces in the Congo is still under consideration by the United Nations, and any U.S. contribution will have to be provided by a specific appropriation for that purpose.

The bill does prohibit, as I have already mentioned, the making of any voluntary contribution to any international organization or program which would provide economic or technical assistance to Cuba.

The committee authorized $380 million for supporting assistance. This is a cut of $55 million below the Executive request and is $15 million less than was appropriated for this purpose last year. Supporting assistance is economic aid, 58 percent of which is programed for Vietnam, Korea, Turkey, and Thailand. These are all countries maintaining large military forces which are face to face with the Communists, and unless we support their economies, their military efforts will collapse. Also included in this program is money to finance aid to certain countries in order to attain U.S. political and military objectives, including countries where we have military bases.

The bill authorizes $200 million for the contingency fund, a cut of $100 million below the Executive request. I am glad to be able to report that during fiscal 1963 the Executive had $265 million available to it in the contingency fund, of which it obligated only $148 million and returned to the Treasury $117 million. Congress has been putting pressure on the Executive to use the contingency fund only for unforeseen emergencies and not to offset cuts made by Congress in various aspects of the program. The record for fiscal 1963 indicates that this lesson may have been learned.

Let me repeat what I said at the beginning. The committee has gone over the program presented by the Executive with care. We believe that in order to carry on the cold war effectively on the many fronts where we are confronted by the Russian threat and with the variety of weapons available to us and to the Communists, we need the funds authorized in this bill.

I am not arguing that all is well with our foreign policy or with the foreign aid program. Anyone who reviews the world situation inevitably finds many causes to be disappointed and dissatisfied.

On the other hand, I urge that no Member vote against foreign aid in order to show his dissatisfaction with the world situation in general or with any particular aspect of our foreign policy.

My fellow members of the Foreign Affairs Committee who signed the minority report say they would be in favor of a better foreign aid program.

So would I.

Where we are in basic disagreement is as to what you do to get a better program. The bill before us is the best the Executive and the committee can produce.

I occasionally hear uninformed talk to the effect that this is the same old program, and that it is being promoted and run by the same old crowd. The facts do not support this statement.

During the last 2 years, the top 20 officials administering the foreign aid program have been changed and a majority of our foreign-aid mission chiefs have been replaced; a new basic law has been enacted and our foreign-aid operations have been substantially reorganized.

I am convinced that our foreign aid operation has improved and that it will continue to improve.

I am confident that the overwhelming majority are in agreement that the continuation of foreign aid is vital to the security of our country. I urge the House to consider the bill carefully and to perfect it in accordance with its judgment, but I am sure that you will agree also that now is not the time to scrap the entire program, which would mean that our foreign policy would have to be completely redesigned and our military strategy completely reorganized.

Mr. WYMAN. Mr. Chairman, will the gentleman yield?

Mr. MORGAN. I yield to the gentleman.

Mr. WYMAN. I would like to ask how much of the program that is in the bill now before us authorizes outright grants, gifts, to foreign countries.

Mr. MORGAN. Of course, we have a development grant section, which is in the amount of $217 million, and most of the money in the supporting assistance section will be grants. Nearly all of the military assistance is on a grant basis.

Mr. WYMAN. I am trying to find out how much in the way of outright gifts, excluding military aid, is in this bill. Does the gentleman have any idea of what the total figure or the percentage of this $4 billion which will be or is authorized in this bill in outright gifts to foreign governments?

Mr. MORGAN. No. I do not have a total figure. The money for development loans and for loans to the Alliance for Progress which can be used only for dollar loans was authorized previously and is not included in this bill. The Executive has requested appropriations of over $1,600 million for these loans.

The Executive is free to lend any of the grant money whenever there is an opportunity.

I do not know the exact amount.

Mr. WYMAN. In the bill anyhere is there any requirement or criteria in respect to the internal fiscal policies of countries to which these grants might be paid, as to whether or not their budgets must be out of balance? Is it possible here to have gifts to countries whose budgets are in the black when we are in the red?

Mr. MORGAN. I am sure if the gentleman will take the time to go to the desk and examine the project books, he will have a complete breakdown of the budget of each individual country where grants have been made.

Mr. WYMAN. But it is not required by the terms of this bill that their budgets be in a deficit position before they are entitled to grants from our country?

Mr. MORGAN. Not necessarily. The President is required, however, to consider whether the recipient country is taking steps to straighten out its economic affairs before making development loans or development grants.

Mr. WYMAN. So we can get into a situation where we are giving gifts to foreign countries, from a deficit here at home when they are not operating at a deficit themselves. Is that right?

Mr. MORGAN. I do not have in mind any particular country where that happened, but we do give aid to some very shaky governments. If countries are in a sound economic condition they are not likely to need economic aid.

The CHAIRMAN. The time of the gentleman has expired.

The gentlewoman from Ohio [Mrs. BOLTON] is recognized for 15 minutes.

Mrs. FRANCES P. BOLTON. Mr. Chairman, the consideration of H.R. 7885, to amend the Foreign Assistance Act of 1961, has been a test of physical endurance and emotional stability. The hearings alone consumed 32 days. The expurgated version of those sessions—almost 1,800 printed pages—is here before you. The executive markup sessions covered 19 days. During that time we considered 83 amendments plus amendments to the amendments and substitutes to the amendments. The report that accompanies the bill added another several days to the time consumed. Here on the table are the six volumes submitted to us by the Executive—five are classified and one unclassified, about 14 inches high, weighing some 14 pounds. Examine them as you will. They are here for your examination, and I hope that you will turn to these volumes to get your questions answered if you feel it is important.

The ground rules under which the program may be conducted have been tightened and clarified. The overall financial reduction, not as great as some of us hoped for, has been reduced by $438,250,000.

We bring it to you with the earnest hope that you will consider it all unemotionally, with a real understanding of the difficult and complex matters involved and with great good commonsense.

Mr. Chairman, may I, at this point, thank our chairman, the distinguished gentleman from Pennsylvania, Dr. MORGAN, for his never-failing courtesy, his restraint, his bits and pieces of humor that tided us over many tense moments? May I say also that Chairman MORGAN's capacity for doing his homework, and his pertinent memory has been of great value to the committee.

This year, Mr. Chairman, the committee minority found itself with six new members. I want to thank the House minority leadership and the committee on committees, for the splendid results of their appreciation of the need there was to give us men of capacity, of dedication, and of honest desire to help build strength into our foreign policy. Each has worked with a refreshing zeal, good to see and we of longer service have found them good comrades along the way.

In these few minutes, I do not propose to go into many details—these will be covered by others—but I cannot refrain from at least a few general comments. These are based upon a background of long service on this great Committee on Foreign Affairs. I have lived through lend-lease, UNRRA, the Marshall plan, point 4, the Truman plan and a variety of other aid measures. I have watched an endless train of aid measures. I have watched an endless train of aid administrators and their alter egos step through the revolving doors of the countless agencies that have been devised, we have been told to improve and strengthen the program, to give it new vigor and direction.

Each new director brings us fresh hope that he has something real, something new. But unfortunately the lines spoken by the witnesses have an all-too-familiar ring and fervor of actors in the annual production of a passion play: The world situation is precarious—but it is improving. Foreign governments are unstable—but if we reduce our aid unwisely we jeopardize their stability. Recipients of our aid have initiated many reforms—but these have not yet taken hold. The Communist menace is threatening us. But we are told Communist commitments are being lessened while we carry on with unabated zeal. Our allies are stronger economically—but we have commitments to them that have yet to be filled. We can be grateful for the modest efforts they are making to assume some of the burden that we have been carrying. It used to be a favorite sport of neutrals to twist the lion's tail. Now they tweak Uncle Sam's beard—but at heart they are really friendly. It takes an extraordinary combination of faith and just good commonsense to understand the "why," the "what" and the "how much" of this program.

In the report of the Clay Committee it is stated that we are attempting "too much for too many." I think many agree that the accuracy of that statement has been indirectly challenged by executive witnesses who have given us encouragement that the list of recipients is being reduced. But the fact is that almost 100 countries and territories plus a number of international organizations and programs are still helped under this program. Certainly the executive request reflects no sharp reduction in funds in recent years. There is a bit of arithmetical legerdemain in all this. We have replaced grant aid to some countries by the device of development loans made available through this program. Many of these loans are of 40 years duration at an interest rate of three-quarters of 1 percent. Our surplus agricultural products, although disposed of under the provisions of another law, sometimes supplement assistance advanced under this bill; in other cases they take the place of such assistance. Regardless of which form such aid takes, it is assistance from the United States.

As I look over each year the list of aid recipients, I can only conclude that for many countries we are the host to the man who came to dinner. And all too often we not only plan the menu—we also peel the potatoes.

It is of little help to us in our present situation to draw our inspiration for a worldwide development program from the success of the reconstruction program in Europe. The war disrupted but did not destroy the political fabric of European countries. Those countries possessed the indigenous talents and institutions that could give almost immediate effect to our aid. The very absence of these qualities in the less developed countries brings into question the success of our present program. We can talk about the growth of the gross national product, about the improved acreage, and the number of technicians we have trained. But none of these statistics gives us a clue to the internal stresses and strains our aid produces. The irony of our assistance is that the greater the change it makes in the economic life of a country, the more it contributes to the internal instability and thereby imperils any success we might achieve.

In simple terms the problem we face is to make our aid available at a pace no more rapid than the recipients can use. We must always remember that no matter what form the aid takes—training, construction or demonstration projects—it must take root in a culture vastly different from our own. A civilization steeped in allegories will not easily master equations. If our aid is to be more than an interesting innovation in the life of a nation, it must be accompanied by internal adjustments that will invariably be painful.

In his remarks to Latin American diplomats in March 1961, President Kennedy said:

> Let me stress that only the most determined efforts of the American nations themselves can bring success to the effort. They, and they alone, can mobilize their resources, enlist the energies of their people, and modify their social patterns so that all, and not just a privileged few, share in the fruits of growth. If this effort is made, then outside assistance will give a vital impetus; without it, no amount of help will advance the welfare of the people.

The Clay report expressed this thought even more sharply:

> Our aid should help create economic units which utilize not only limited Government resources wisely but mobilize the great potential and range of private, individual efforts required for economic vitality and rapid growth.

I know of no valid reason why the President's precepts addressed to the Latin American nations should not be equally applicable wherever we extend aid. I am aware that the Foreign Assistance Act contains some noble prose that suggests this approach. But have those administering the law made these a criteria of our aid? Certainly not—or we would not have financed a jet airport in Afghanistan or built a bypass highway around Djakarta in Indonesia or indulged in a multitude of other foolish projects.

Our Government has to mobilize its resources and enlist the energies of its taxpayers to keep this program going. It is not too much to ask that recipients make any less a contribution. These prerequisites for aid may, in the long run, prove to be our greatest contribution toward their development. They will temper the zeal and encourage the responsibility of the leaders, reduce the lethargy and direct the energies of the populace, and give a sense of national purpose which is so often absent in the emerging nations.

I turn now to another administrative practice that has been bothering me. For want of a better term, I refer to it as the lack of priorities in the program. I tried to explore this point with the AID Administrator but with no success. Not everything in life is equally important. All of us must make choices within the limits of our resources and capabilities. But to the AID, in the minds of those who administer it, the program is apparently unique in this regard. There is a studied refusal to admit, let alone suggest, that some programs and projects are not quite as important as others. This makes no sense to me.

We had before us a request from the Executive for authorizations of a specific sum for each of the titles in the act such as supporting assistance and development grants. That sum is arrived at by adding up the individual projects in each country. We know as well as the administrators of the program know that the amount authorized and subsequently appropriated will not be identical with that requested. In their more reflective moments the administrators must have given some thought to what particular program in a particular country will have to be reduced or eliminated. In short they must of necessity have set their own priorities. But we on the committee will not know until the next annual presentation what their judgment was—if indeed we ever find out. Without such cooperation how can we be expected to act wisely when it comes to a cut.

This is not an easy problem for us to resolve. But it must be done if Congress is to retain some control over the program. We should require from both the military and the economic administrators the submission of programs planned for each country for the next 2, 3, or even 4 years in a priority arrangement. We would be advised that for a particular country health and education are of the highest priority, public administration is next, and at the bottom is a program in transportation. We would know what resources the country is prepared to devote to each of these. Thus the Congress would have something of a balance sheet before it together with planned expenditures. These facts would be for the internal use of the committee and the Congress and not a commitment to the foreign government. Changing circumstances may make it necessary to alter these priorities but at least we would have an opportunity to think ahead and express our judgments before the Executive has acted. Had this device existed, much of our discussion about the Bokaro steel mill in India, for instance, would have been obviated. An inquiry into our projected programs for each country would also provide an opportunity to examine more closely our foreign policy objectives toward that country.

I have dwelt upon only a few of the administrative deficiencies that I have detected and have suggested some remedies. I could add to the list as I am sure anyone familiar with the program could do.

It would be easy to condemn the whole foreign aid program on the basis of its shortcomings.

But my concern is, and I hope yours also, to improve what I believe to be an important instrument of our foreign policy, not to destroy it so long as it has some use.

Many parts of the program are vital. Through development grant funds we are carrying on important, even dramatic work in education, health, and public administration. These are grassroots activities that have their antecedents in the technical assistance program. If I had to choose between these programs and the costly construction programs, I would not hestitate to choose the former. They are laying the foundation upon which durable and stable societies can be built.

During our hearings we heard the testimony, not only of Government people, but of private citizens as well. Among these were spokesmen for groups and organizations who addressed themselves to particular parts of the foreign aid program. In their concern to present their views on a segment of the program they often lost sight of the objectives of the entire program. One of the most thoughtful analyses of foreign aid was that made by Mr. John O. Teeter who appeared on behalf of the chamber of commerce. He was certainly not lacking in criticism but it was a reasoned criticism accompanied by constructive alternatives. More impressive to me was his succinct statement of what we are trying to accomplish.

I give you his succinct description of what it is that we are trying to accomplish.

> Properly conceived and carried out, foreign aid should, can, and does promote the American system; provide a counterforce to international communism; promote a responsible local foreign development, and protect our increasingly important oversea markets and sources of supply, as well as our military security.

To those who may wonder why we are in the foreign aid business at all, I comment this simple declaration of purpose.

Mr. Chairman, we have reached a point in the administration of foreign aid that gives us some solid experience upon which to draw. The time is long overdue to dispense with marginal activities and theoretical approaches to foreign aid. It is incumbent upon the executive branch to establish rigid standards and to demand quality performance. If the legislative frustration results in a meat axe approach to authorizations and appropriations, then it is the obligation of the executive to master the art of using a scalpel.

I fully expect to vote for a number of the cuts, some for one reason, some for another. But I trust that the membership will move with good commonsense in an unemotional effort to remedy the errors, reduce the amounts, and so permit us to carry on a program fundamentally based on our deep-seated urge to build a better world, not just for ourselves but for all mankind.

Mr. MORGAN. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. HAYS].

Mr. HAYS. Mr. Chairman, I take this time in general debate, and I do not believe I have ever spoken on this in general debate before, to put in the RECORD some information asked for by the gentleman from Ohio [Mr. BOW] earlier in the debate on the rule.

Speaking about the five amendments that we offered governing State Department employees and AID employees, the first one, which deals with the provisions relating to length of assignments in the United States, will not cost a single penny because they will be paid the same salary whether they stay on here for an extra year or two and are assigned overseas.

The second one, the Department asked for travel permission for the families of Ambassadors' dependents. We cut that down to one person, either the wife or one dependent, in the case of a daughter acting as hostess, or something of the kind. It is estimated that will cost $15,000.

The third one, the use of Government-owned or leased vehicles, this is concerning use in case of emergency, riot, civil disturbance, and using these vehicles to transport dependents of State Department personnel.

There is no way to estimate that. It is actually estimated at zero dollars because the only amount would be a small amount of gasoline which might be used in time of a civil disturbance in some foreign country, and it would be so negligible the cost would be considered zero.

Then there are two others. The one on education that he mentioned. We did have a figure in the report. I will repeat that this is for education of children of foreign service officers both in the State Department and AID where there is no American type school available. This is estimated to cost $300,000 a year.

The fifth one deals with the working capital and actually would result in a savings, at least; or presumably it would. The working capital where it has been used by other bureaus has resulted in savings and that is the reason the Department of State wanted it to increase cost consciousness among their employees, and this would presumably save some money.

I might just say a word about one amendment that the gentleman from Ohio [Mr. BOW] objected to relative to the conflict between the Committee on the Judiciary and the Office of Security and Deputy Under Secretary of State for Administration and Security. Actually, this does fall somewhat within the jurisdiction of the Committee on the Judiciary and somewhat within the jurisdiction of the Committee on Foreign Affairs. I talked this over with the late Congressman Walter and they wrote the language and we put it in this bill. It is almost identically the language of section 406 of H.R. 7885. It passed the House on March 13, 1962, and was presented by the Committee on the Judiciary. That bill did not pass the Senate. Mr. Walter and members of the Judiciary Subcommittee thought it was important and we put it in this bill for that purpose. If I may, I would like to comment on just one portion of the statement of my colleague, the gentlewoman from Ohio, the ranking minority member of the committee. I, too, have been disturbed by the number of administrators that this program has had. As a matter of fact, I think she has used my designation of them as going through a revolving door. I do not even mind that she did not mention me in this connection, but maybe she did not know I originated it, but I did use it many years ago.

Mrs. FRANCES P. BOLTON. I am sorry I did not realize that. I apologize to the gentleman. I did not know that he had used the term before.

Mr. HAYS. I have no patent on it, but that is exactly what the situation has been. I would just like to point out that this is just about par for the course. This is nothing new with this administration. As a matter of fact, the previous administration in 8 years had five administrators and this administration in a little less than 3 years is on its second one. I have told everyone when they came up that they would be in a revolving door—some thought not—because this is a difficult program to administer. This is a difficult program in the sense that the good leads to be observed by the mistakes in it. I have been one of the severest critics of some of the mistakes in the program. I was one who brought out about the airport at Afghanistan which I thought was a serious mistake. But because mistakes are the things that get the publicity and the good things about the program do not—and there are some good things that do not get publicity—the attention of the public is concentrated on the mistakes. I, myself, when I found out about the details about the Afghanistan airport, I was not sure that I would have not gone ahead with it had I been the administrator. I emphasized that although it looked like a lot of money to spend for an airport that only has about 300 people a week using it, but the reason I was given, and I found this out by accident, was that the Afghans were going to let the Russians build it and in return would give the concession to the Russians to operate all the airlines in and out of Afghanistan and contiguous countries, and if we built it, they would give a concession to Pan American and airlines that would keep important military areas in hands operated by Americans. So this was a decision that was not made on the basis that I first criticized it of how many passengers were using the airport in a week, but on the basis of its military value to the United States. When you put it on that basis, I feel maybe I had been a little remiss in my criticism because it gives you an entirely different look at the picture.

So as the debate goes on and we discuss the amendments, I hope that we may develop some of these matters. As for myself, I have supported the program with some reservations for a long time and I will continue to support it, but I am one of those who believes that maybe it should be improved and I have supported amendments in committee and I will support amendments on the floor which I think will improve it.

Mrs. FRANCES P. BOLTON. Mr. Chairman, I yield 10 minutes to the gentleman from Indiana [Mr. Adair].

Mr. ADAIR. Mr. Chairman, heretofore comment has been made upon the attitude of the chairman of our committee, and I want to underscore and second those remarks. He was patient, tolerant, and fair, and I think we could have asked for no more tolerant presiding officer. Even those of us who differed from him were afforded an opportunity to express our views, to present our amendments and have them voted upon. I am sure that the members of our committee are appreciative of that.

I should not fail to mention the ranking minority member, the gentlewoman from Ohio [Mrs. Bolton], who led us on the minority. She contributed a very great deal to our understanding of and our participation in this program.

People knowing of my opposition to this program sometimes ask me, "Were any improvements made in the bill this year?" I would answer that question in the affirmative. There were several improvements made in the bill. Not enough, I think, but improvements were made. Among these improvements were some relating to a reduction in the dollar amounts, about which more later.

Secondly, we strengthened certain of the anti-Communist portions of the bill.

Thirdly, but not to my mind the least, we did improve those portions of the bill which encouraged the participation of private enterprise in these programs. It has been pointed out time after time that unless there is a very substantial participation by private enterprise, this program in the long run will fail.

I think Members of the House ought to keep certain figures in their minds as we consider this bill today and in the days to follow. In the first place, Members will recall that when the President sent his message last January—and I shall speak now only in round numbers—he requested $4.9 billion for this program. Subsequent to the report of the Clay Committee, that was reduced, I think in part a solid reduction and in part an illusory reduction, to $4.5 billion. As has been pointed out, the action of the committee has brought this authorization bill now down to about $4.1 billion, a figure which I think is still too high. There are places where amendments can be offered reducing the dollar values of this bill. Some places are fairly obvious, and I think Members would want to know where amendments may be offered which will permit them to vote for reductions in the cost of this bill. One such place would be in the military assistance figures. There was originally requested $1.4 billion, and it was brought by the committee down to $1.225 billion. There is still room for a substantial reduction in the military assistance portion of the bill.

The second place where amendments may be anticipated would be with respect to the President's contingency fund. It was first suggested at $400 million, then reduced to $300 million and the committee brought it down to $200 million. Having in mind past expenditures from this fund I think it is reasonable to assume that a $50 million reduction in this amount would still leave an adequate amount for the carrying on of legitimate purposes of the contingency fund.

And thirdly, another area where substantial dollar reductions may be made would be in the Alliance for Progress program. This program admittedly has been slow in getting off the ground. There was previously authorized for this year $600 million for the program. A further reauthorization of unexpended funds of last year in the amount of $50 million was refused by the committee. In other words, the request was for a total for the Alliance for Progress of $650 million—$50 million refused and $600 million remaining authorized. That is a point upon which we may anticipate the opportunity to vote for reductions in dollars authorized for this program.

Now, what are some of the objections of those of us who oppose the bill? In answering that I would invite your attention to the minority views which appear in the back of the committee report. These views also appear in the Congressional Record which was on your desk this morning.

Those in opposition point out, as we have for many years and as General Clay and his committee did in their report, that we are seeking to do too much for too many nations by this program. While it is impossible to say accurately how many nations will be aided by the program for this fiscal year it is a fair assumption to say that 95 of the world's nations will be touched in one way or another by the 1964 fiscal foreign aid program if it goes through in essentially its present form. I repeat, we are trying to do too much for too many rather than sharpening our program to give particular emphasis to those countries which have demonstrated that they are our friends, to give aid to those countries if aid must be given, which have made it clear that if the free world needs assistance, they can be counted upon. To sharpen the program in that respect would make it a much more effective instrument of foreign policy.

Something ought to be said, Mr. Chairman, about this business of the pipeline. There is in the foreign aid pipeline as of this date approximately $6.8 billion. The amount in the pipeline in recent years has tended to rise from a low point a few years ago. If you take the amount authorized by this bill, assuming it should stay at that level, $4.1 billion, and add then the amount in the pipeline $6.8 billion, you would have a total available for the foreign aid program this coming year of $10.9 billion. A reference to the record of appropriations and expenditures in recent years will indicate that the rate of expenditure has been closer to the $3.5 billion figure.

So it is my opinion and the opinion of others who signed the minority report that we do have far too much in the pipeline. We have far more than we need. There would be enough to carry this program for more than a year if not another dollar were authorized and appropriated.

Mr. MORGAN. Mr. Chairman, will the gentleman yield?

Mr. ADAIR. Yes, I yield to the gentleman from Pennsylvania.

Mr. MORGAN. Would the gentleman apply the same formula to the funds of the Department of Defense?

Mr. ADAIR. Yes, I would apply the same formula. I would say to the chairman of the Committee on Foreign Affairs that the Department of Defense pipeline, according to the figures given in the report, is now at approximately $30 billion.

Mr. MORGAN. If the gentleman will yield further, does the gentleman think we could get along this year with a $22 billion defense budget?

Mr. ADAIR. If the chairman will permit me to finish my statement, on a Department of Defense budget of about $50 billion there is a $30 billion pipeline. On a proposed foreign aid budget of $4.1 billion there is a $6.8 billion pipeline.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mrs. FRANCES P. BOLTON. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. ADAIR. I would say to the chairman that obviously there is not enough in the Department of Defense pipeline to carry the program another year. But by the same token in the foreign aid pipeline there is one-and-a-half times enough to carry the program a year. Although the amount in the Department of Defense pipeline is much greater in terms of dollars, when measured relative to the annual requirement it is far less.

Mr. MORGAN. Would the gentleman apply the same formula to the Department of Agriculture?

Mr. ADAIR. As I recall, the pipeline of the Department of Agriculture is too high. I would apply the same standard with respect to the Department of Agriculture that I would apply to the foreign aid program. If it does not meet these criteria, I would have to say to the gentleman that the pipeline of the Department of Agriculture is too great. I would see it reduced and I have voted accordingly.

Mr. MORGAN. If the gentleman will yield further, does the gentleman think the pipeline for the Department of Defense is too high?

Mr. ADAIR. I do not, having in mind the total overall budget. And, incidentally, the Department of Defense pipeline has run at about this same level since 1956. It has fairly well stabilized at the $30 billion level, plus or minus. So it appears that is a fixed figure in which we may have some confidence.

Mr. MORGAN. The pipeline for the Department of Defense in 1953 was $62 billion.

Mr. ADAIR. Yes; before 1956, I will say to the chairman that the Department of Defense pipeline was much higher and I think too high. But since 1956 it has been at a fairly stable level and, in fact, has been decreased when compared to the size of the Department of Defense budget.

Mr. MORGAN. Of course, the gentleman knows that the unobligated, unreserved funds in the Department of Defense are a lot greater than those in the foreign aid program.

Mr. ADAIR. In that Department, as in the foreign aid program, this business of unobligated and unexpended funds I think is illusory, because there can be deobligation as well as reobligation. As long as the funds are there, they can be expended.

Mr. MORGAN. Let me say to the gentleman that the figure of $8.8 billion unobligated and unreserved fund in the Department of Defense against a figure of $100 million of unobligated funds in the foreign aid program is quite a difference. I just want to point out the difference.

Mr. ADAIR. I would repeat that taking the relative figures, year by year, I think the Department of Defense carryover, the pipeline, is much more reasonable. It is three-fifths of the annual budget.

Mr. FRELINGHUYSEN. Mr. Chairman, will the gentleman yield?

Mr. ADAIR. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. This discussion of the foreign aid pipeline is of considerable interest to the Members. I wonder if it is not also true that the method by which the moneys are used is of interest. Is there not a difference between the foreign aid pipeline, so-called, and the Department of Defense pipeline in that a substantial amount of this money is in the form of loans? Is not roughly $2.5 billion available for loans, in addition to loans of some three-quarters of a billion dollars under the Alliance for Progress? Would this not account in large part for the size of the pipeline to which the gentleman is referring? Those loans of course are not made available until the project is ready for the use of these funds. We are not giving a blank check to recipient countries and thereby in some way losing control over it.

Mr. ADAIR. Which I think is an argument in favor of the point that I sought to make earlier, that we do not need the full amount requested for the Alliance for Progress this year.

As the gentleman has pointed out, there is a substantial carryover available for loans and, in my opinion, if these funds are used we will not require the $600 million program for this year.

Mr. FRELINGHUYSEN. General Clay indicated that in his opinion it may not be possible to utilize the full amount authorized for the Alliance for Progress program.

Mr. ADAIR. Yes.

Mr. FRELINGHUYSEN. My point is that if it is needed, and if a justification for these loans can be made, it should be available. The gentleman's suggestion, as I understand it, is to prevent funds from being available even though the countries that would receive the aid would be ready to use it.

Mr. ADAIR. My suggestion is that on the basis of past performance and past records we can very clearly say that there will not be a demand for the full additional $600 million. The program has moved so slowly we can say almost with certainty, as certain as we can of any program reaching into the future, that this amount will not be required and consequently is unnecessary.

Mr. FRELINGHUYSEN. The gentleman is now criticizing the authorization for the Alliance for Progress program. The gentleman's broad criticism was against the overall foreign aid pipeline.

Mr. ADAIR. I criticize both.

Mr. FRELINGHUYSEN. It may be possible to advance that argument on the Alliance for Progress but it does not follow that that argument is applicable to other parts of the program. As I have pointed out, there are about $2.5 billion in the pipeline for loans.

Mr. ADAIR. Even assuming the accuracy of the gentleman's statement, and I think it is accurate, there is still much more in the pipeline than is authorized for this year's program.

Mr. FRELINGHUYSEN. The gentleman is not drawing the conclusion that we should not authorize something for this year's program because there is more in the pipeline?

Mr. ADAIR. I am trying to draw just that conclusion, based not only upon last year but the record of our pipeline for the past several years.

Just one other thing: When this bill first came to us there was a proposal in it to amend the Trade Expansion Act. I am pleased that the proposed amendment was not included in the bill which is before us today. But I would warn the House this is a matter we should not overlook, as it may be presented to us in one way or the other before this bill becomes law. I am referring to that provision which related to the most-favored-nation treatment for Communist-controlled countries. I think our committee did the right thing in removing that proposal from this bill, and I hope if it passes the Congress, we will find there has been no attempt to amend the Trade Expansion Act through the medium of the foreign aid bill.

Mr. MORGAN. Mr. Chairman, I yield 15 minutes to the gentleman from Wisconsin [Mr. ZABLOCKI].

Mr. ZABLOCKI. Mr. Chairman, at the very outset, I wish to commend and congratulate the gentleman from Pennsylvania, the genial chairman of the Foreign Affairs Committee on his masterful stewardship of the legislation before us today. His ability, determination and judicious temperament were continuously demonstrated throughout the several months of hearings and committee considerations of the Foreign Assistance Act of 1963.

Mr. Chairman, since World War II, the United States has expended approximately $104 billion in assistance to nations throughout the world. It is understandable, therefore, that repeatedly the questions asked are: Why foreign aid? When will it stop? Is foreign aid truly in our Nation's best interest?

These are natural questions because foreign aid, even 18 years after it was initiated, is still a controversial issue. We constantly hear it attacked as a giveaway and "money thrown down a rathole."

Much of the controversy over foreign aid results from widespread misunderstanding about our foreign aid program, its purposes and its goals. This misunderstanding is shared even by Members of Congress.

If I were to emphasize one outstanding fact about foreign aid, it would be that the program has been, on the whole, a heartening success.

The success of our aid program is particularly substantiated when we consider, Greece, France, and Italy. Following World War II these nations—and others in Europe—were on the verge of collapse. Their lands were devastated, their economies were in ruins and their people were frustrated.

At the same time communism was on the march. Already most of Eastern Europe had fallen under Soviet domination. There was grave danger that more nations would be subverted, leaving the entire Continent under Soviet control. In Greece the Communists were waging guerrilla warfare. In Italy and France they wielded much influence as a political party. The loss of Europe seemed imminent.

It was at this time of crisis that President Truman made the historic decision to provide these beleaguered countries with large-scale economic and military aid. This was the United States first foreign aid program, called the Marshall plan after Gen. George C. Marshall who was Secretary of State at that time.

France, with $9.4 billion, and Britain, with $8.7 billion, were the largest recipients of this postwar aid. Much of it was military assistance. It allowed these wartorn countries to raise and equip divisions to repel possible land attack by Soviet Russia.

Our economic help under the Marshall plan was largely in the form of grants or outright gifts as we attempted to effect an economic resurgence in this area of the world. Today few question the success of our Marshall plan aid.

There can be no doubt that the Marshall plan aid saved Western Europe as well as Greece and Turkey in the Near East.

The military help we provided proved a deterrent to Soviet aggression. The economic assistance was a potent weapon against Communist subversion.

Today Western Europe is enjoying a prosperity which is unique in its history. Democratic governments thrive there. Industry is booming. The free labor movement is strong. Imports from the United States are high.

The result of the Marshall plan alone demonstrates the falsity of statements which would have us believe that American taxpayers have spent huge sums of money for no good purpose.

What about the basic question, "Why foreign aid?" What are its goals? Simply stated the reason for and the goal of our foreign aid is to assist other countries in maintaining the independence they desire and to help develop them into self-supporting nations in order that they may become equal partners in the mutual efforts to stabilize the world.

Testimony received by the Foreign Affairs Committee has definitely confirmed that it is in the national interest of the United States to help countries help themselves achieve economic progress and political stability under increasingly free and democratic institutions.

Unfortunately, these objectives are jeopardized and deterred not only by the direct threats and pressures directed against underdeveloped nations on the periphery of the Communist bloc, but equally by intensive Communist efforts to exploit conditions of economic and social misery in Latin America, Africa, the Middle East, and Asia.

The greater part of foreign assistance has gone and goes today to countries directly menaced by Communist external or internal aggression. This type of assistance, where communism is a direct threat, is unquestionably an extension of the national defense program.

However, even where there is no immediate danger of Communist aggression or if communism were not a factor, assistance, within our means, to countries that are seeking to achieve economic progress and political independence would be in the interest of the United States. The continued survival of our own free institutions depends upon the gradual development of a world community of stable, self-supporting, free nations.

During the past few years the focus of American aid has changed. Instead of being primarily concerned with strengthening Europe, we have concentrated our assistance on underdeveloped and poorer countries.

Since the end of the Marshall plan in 1952, the emphasis of our aid programs has been to nations such as Korea, India, South Vietnam, and Turkey. Western European countries now receive no economic aid.

For example, in 1962, India was the largest U.S. aid recipient, with $838 million, bringing her overall total to nearly $4 billion. Pakistan was next highest with $439 million, making $1.9 billion total. Turkey got $356 million for a $3.9 billion total and Korea received $345 million, pushing its total to $5.4 billion.

The bulk of the aid to Turkey, Korea, Pakistan was in the form of military assistance. This aid is aimed at keeping the recipient country strong against possible Communist attack. As such, it is directly related to our own national security.

Secretary of Defense McNamara has told us that dollars spent for this purpose go further toward insuring the future welfare of the free world than domestic defense dollars. To obtain the same military posture with U.S. forces alone, the cost would be staggering.

It is distinctly to our advantage that the countries which receive U.S. military aid, many of them linked to us by mutual defense treaties, are providing 2 million armed men ready, for the most part, for any emergency. These forces add materially to free world strength.

Also related to free world strength, although not so directly, is the foreign economic and technical assistance which we have given to developing nations in the form of grants and loans.

It is an inescapable fact that the rich nations need the poor nations as critically as the poor need the rich.

The poor nations require the technical and scientific know-how of the industrialized lands to help their own development; the rich nations need the poor ones as sources of raw materials and as markets for their manufactured goods. For their advancement—and perhaps for their very existence—both rich and poor nations need peace.

Viewed in this light, any assistance that can be given to hasten the peaceful evolution of the low-income countries can be counted as perhaps the best and most constructive step we can take toward insuring our own economic betterment and national security.

For this reason, the United States is providing assistance to 97 nations around the world. This gives rise to the question called to our attention by our colleague, my good friend, the gentleman from Indiana [Mr. Adair]. Are we attempting to do too much for too many? Obviously, this is a legitimate question. The Committee To Strengthen the Security of the Free World—the Clay Committee—made the following observation of our foreign aid program: "We believe that we are indeed attempting too much for too many." The Foreign Affairs Committee gave careful and full consideration to this danger.

The views of the committee are reflected in the $438 million reduction and the amendments enacted to improve the effectiveness of the program by revising certain of its procedures, imposing new limitations on the furnishing of assistance and by making a number of modifications in policy directives.

The continuing interest of the Foreign Affairs Committee to bring the program within reasonable scope is demonstrated throughout the committee report. I wish to call particular attention to the paragraphs dealing with the utilization of private enterprise on page 7 of the report, and I quote:

> AID has advised the committee that it has in preparation a new and stronger charter for the Assistant Administrator, and other changes which will provide more effective assistance to U.S. private sector generally in underdeveloped countries. The committee will follow these changes closely and weigh the results in speeding economic development through private endeavors, thereby reducing the burden on American taxpayers.

Likewise, regarding the complexities of the Kashmir question. The committee carefully considered an amendment that would reduce our aid to both India and Pakistan until such time as the issue is resolved. It noted the small but encouraging measures that have been taken by both parties to remove this issue. Further, as stated in the report, the committee "will keep the matter under continuous review. Should there be no evidence of an improvement in the situation, the committee is prepared to recommend curtailment of aid to both parties."

It is also important to remember that the majority of this economic aid is in the form of "easy credit" loans, not outright grants. Further, contrary to popular opinion, these loans are being paid back as they come due.

Moreover, much of our aid today is in the form of surplus agriculture products. Instead of storing these products at huge Government expense and allowing these agricultural products to rot or be eaten by rats, we are sending them, under a program called food for peace, to lands where starvation is rampant.

In this way, the United States is helping to feed an estimated 90 million needy people around the world. In some cases this food is sold for the currency of the recipient country and the money used for U.S. aid projects there.

Here are a few dramatic examples of the effects of our foreign assistance programs:

In Nepal, some 35,000 people in 800 villages were taught to read and write, 810 new primary schools were started, 54 new health centers were established and 40 old-style dispensaries were modernized.

In El Salvador about 100,000 people in 168 villages were provided with safe drinking water supplies.

The number of students receiving technical educations in Sudan was increased from 1,000 to 2,500 in 1960.

About 85 percent of the population in Bolivia was vaccinated against smallpox. An agricultural credit program was organized which has extended thousands of loans to small farmers.

In Morocco, as a result of U.S. loans, about 5,000 single one-story housing units and about 8,000 small apartments have been completed. An additional 4,250 low-cost housing units were begun.

These are solid achievements of our aid accomplishments that we as Americans can well be proud of.

Our U.S. assistance programs have been an indispensable element in bringing some countries to the point where their economic development can be largely self-sustaining. In other countries the process has not gone that far, but great strides have been made.

It has been said recently that countries containing one-half of the total population of the underdeveloped world are now showing progress and promise of the capacity to grow regularly, remaining ahead of their population growth.

Perhaps the greatest single testimonial to the effectiveness of U.S. foreign aid is the degree and intensity with which the Soviet Union has imitated us.

Russia was late in entering the foreign aid field, doing little prior to 1955. From that time, however, until about 1962, the volume and scope of Soviet aid rapidly intensified.

For example, Sino-Soviet-bloc-aid commitments amounted to only $11 million in 1954, totaled $1.5 billion in 1960. Bloc aid was extended to only 8 countries in 1955; in 1960 to 26 countries. These amounts were for economic and technical assistance and did not include military aid or aid to other Communist countries.

In the past several years, however, Russia has reduced its outlays for aid. Its program has noticeably lacked success and it apparently is retreating in the face of superior performance by the United States.

Our example—and prodding—has stimulated other developed countries to join with us in programs of technical assistance to the emerging nations of Asia, Africa and Latin America. Foreign aid by these nations, principally France and Great Britain, totaled nearly $2.5 billion last year.

Other nations, such as Japan and Germany, are being induced to aid less privileged countries. These efforts are in accord with the directive of the late, great Pope John XXIII, in his encyclical "Pacem in Terris" that the rich nations have an obligation to assist the poorer ones.

How much money is put into assistance efforts by other nations and how much of a load is it on their economies? How does this compare with the aid programs of the United States?

International agency programs, supported largely by contributions from the more advanced governments, are increasing their assistance activities. Twelve industrialized countries—Belgium, Canada, Denmark, France, Germany, Italy, Japan, Netherlands, Norway, Portugal, United Kingdom, and the United States—accounting for about 98 percent of total bilateral public assistance from free world sources, have joined together in the Development Assistance Committee—DAC—of the Organization for Economic Cooperation and Development—OECD—to promote a large, more effective and better coordinated flow of aid.

The following tables indicate the current situation:

Net official aid, United States versus other DAC countries

[Billions of dollars]

	1956	1957	1958	1959	1960	1961
United States	2.0	2.1	2.4	2.4	2.8	3.4
Other DAC countries	1.2	1.7	2.0	2.1	2.1	2.5
Total	3.2	3.8	4.4	4.5	4.9	5.9

The table shows that the U.S. annual aid level rose $1.4 billion or 71 percent over the 6-year period while the combined aid level of other DAC members rose $1.3 billion, or 112 percent. This clearly indicates that other industrialized countries are increasing their contributions.

The following table compares the United States and the other DAC countries combined and shows that their aid as a percentage of gross national product is actually slightly higher than our own.

AID as a percent of gross national product

	1956	1957	1958	1959	1960	1961
Other DAC countries	0.49	0.63	0.70	0.68	0.62	0.71
United States	.48	.47	.55	.50	.56	.66

The statistics do not tell the whole story. For example, the United States spends a much greater share of gross national product on defense than do the other members of DAC. On the other hand, all the DAC countries have lower total and per capita gross national product than the United States and some are much lower. However, the gross national product figures of other DAC countries are understated in terms of real purchasing power when compared to the U.S. gross national product. These and other factors make it difficult to find a fully satisfactory yardstick to measure each country's aid effort.

On balance, the evidence indicates that the programs of other DAC members have grown to significant proportions, but as the chairman of DAC stated in his 1961 report "there is scope for special emphasis on an increase in the aid effort of certain countries."

The stepped-up assistance on the part of industrialized countries to help the underdeveloped countries undoubtedly has a salutory effect on our Nation's willingness to continue and accept its own obligations.

Contrary to a widespread myth, the American public endorses foreign aid by a larger margin today than it did 5 years ago. This was confirmed in a recent Gallup poll. It showed that 58 percent of the public supports the program today as against 51 percent 5 years ago. The percentage of those who are recorded against the program has declined from 33 percent in 1958 to 30 percent in 1963.

I do not want to leave the impression that the foreign aid program has been near perfect. There have been instances of waste, poor planning, mismanagement, and corruption by officials of recipient governments. But efforts have been made, and are being made, to use appropriated funds to the best, most efficient advantage.

It should be pointed out that our own history is strewn with examples of mistakes, miscalculations and projects undertaken which turned out to be useless: canals, railroads, road and other schemes. Many of these were, at least in part, financed publicly.

A careful comparison probably would show that our batting average on foreign aid projects was significantly better than the record on our domestic developments. That is, of course, as it should be since we now have superior know-how and technical resources over those days.

The question is, whether the sum total of our aid program has helped the countries of the underdeveloped world in their efforts toward the productivity, stability and independence. I believe the answer would have to be "Yes."

But how about the cost to the United States? Is it, as some critics charge, too great? Is it about to bankrupt us?

AFL–CIO President George Meany answered this objection well when in recent testimony before the House Foreign Affairs Committee he pointed out that foreign aid is less of a burden on our economy now than it was in the past. He emphasized that a large part of the foreign aid money is spent in the United States.

Mr. Meany cited these facts:

At the beginning of the Marshall plan, foreign aid accounted for 2 percent of our national product. Today it accounts for seven-tenths of 1 percent.

Nearly 80 percent of the foreign aid dollars spent to assist nations to buy products return to the United States. In the case of loans for development, the return is more than 90 percent.

Factories and workers in many cities and towns in the United States are benefiting directly from oversea orders made possible by foreign aid.

The aid program affects 700,000 U.S. jobs directly and even more indirectly.

For the past several months the House Foreign Affairs Committee has been busy at work on the Foreign Assistance Act of 1963. It contains many proposals which President Kennedy, his foreign policy advisers and the Democratic leaders in Congress believe to be in our national interest.

The bill provides limited military aid to India to allow that country to arm itself against the threat of renewed Communist Chinese aggression.

It gives funds to continue the all-important Alliance for Progress, our aid program in Latin America, allowing the people of that area to achieve orderly economic growth and social reforms—thus thwarting the aims of communism against our neighbors to the South.

The legislation allows a small amount of aid to Indonesia, to help that resource-rich and populous nation achieve its potential.

These measures are controversial and will be attacked—as the entire foreign aid program has been attacked from the beginning. Yet our aid has paid off for the most part and deserves our support. Therefore, I urge, Mr. Chairman, that H.R. 7885 be passed without any further cuts or crippling amendments.

Mrs. FRANCES P. BOLTON. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. BARRY].

Mr. BARRY. Mr. Chairman, first of all I, too, want to join with my other colleagues in commending our chairman for having been a most marvelous presider of our committee over the months and years I have known him and served on the committee. He has been a true inspiration. Also I should like to pay my respects to our ranking minority leader, the gentlewoman from Ohio [Mrs. FRANCES P. BOLTON] who, through her interest in calling us together, has welded us into an effective team.

A few moments ago we were discussing why the increase in the pipeline. I would like to clarify exactly why the pipeline today is much larger than it was several years ago. The reason for this is that we did not begin development loans until 1957 when the Development Loan Fund was formed. This was the first opportunity to get into the program of long-term financing, where we would get into large project loans. It takes several years for these to get engineered and during this period of time the money authorized for a particular project has not been largely spent because it has been mostly engineering rather than construction of the project. That is the reason, as has been stated, why over $2 billion of this pipeline money is in the form of long-term development loans, which was not the case in 1960.

In general the question arises before the American people, Why shall we give this foreign aid? So many of us have asked the people, What would you do if you were the Congressman? And so did Mr. Gallup. And Mr. Gallup has answered it. He finds that almost 60 percent of the American people favor foreign aid. I have the honor to represent Westchester County which is a suburb of New York City. We claim in Westchester that if we do not have the president of each organization that is in New York, we have the chairman; if we do not have the chairman we have the executive vice president, whether it is a corporation, an association, an organization, or whatever it is. So for anything New York-oriented I can assure the membership that foreign aid is favored by over 75 percent, because this is exactly what the polls reveal in this area. Therefore, I would say that since New York is often known to be the business center, the nerve hub of the Nation, this is a substantial indication of the general thinking of the leadership of the Nation.

What is the percent of our foreign aid today in relation to where it was when we started in 1948? In 1948 we gave 2 percent of our national income for foreign aid. Today we give one-quarter of that amount. We give one-half of 1 percent of our national income for foreign aid. So, we have cut down our percentages, even though the amounts may still be rather sizable.

Mr. Chairman, what happens to our dollars when they leave this country or, shall we say, when they are authorized and appropriated in the business of foreign aid? I have heard over and over again the gentleman from Iowa speak of a give-away program. This is not a give-away program at all. I can assure the membership that 80 percent of every dollar in the foreign aid bill comes back to the United States in the form of purchases in this country. There are over 1 million jobs—1 million jobs—which have been attributed to the purchases under our aid program.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. BARRY. I have only 10 minutes, but I shall be glad to yield to the gentleman from Iowa.

Mr. GROSS. What happens to that other 20 percent of that dollar?

Mr. BARRY. The great amount of that 20 percent also comes back to us in indirect ways but 80 percent is returned directly under the provisions which we place in our contracts to the effect that the purchases be made in this country. However, a great deal of the remaining 20 percent comes back indirectly in this program.

Mr. GROSS. Mr. Chairman, will the gentleman yield further?

Mr. BARRY. I am very glad for, and I appreciate the gentleman's, inquiry. I will not yield further on that point, since we must move on, but I will yield on something else if the gentleman wishes.

Now, Mr. Chairman, we have heard some talk about the Bokaro steel plant and the membership will hear this a little later when we go through the bill. But let me answer Mr. Drew Pearson, if I may, who made a rather scathing attack on the only other steel mill that the United States has ever caused to be built anywhere in the world. Now, this is surprisingly true. None of our large steel companies have ever been interested in forming subsidiaries any place in the world. But we do have a steel plant in Turkey. This was one of the early development loan projects.

Mr. Pearson, day before yesterday in his editorial made innuendoes and his alleged facts which are erroneous. No. 1, the steel mill in Turkey was never considered to be a $129 million project which he alleged it to be. When the contract was signed by AID, the cost was $234 million. In his article he assumes that the project is costing double what it was planned to cost. This is not true. The development loan fund was originally to provide $129.6 million of the $234 million. The sum of $98.6 million is repayable in Turkish lira at interest of 5¾ percent over a 20-year period. The sum of $31 million was to be payable in dollars at the same rate and on the same terms. But Mr. Pearson is absolutely incorrect in saying that the steel mill will cost almost double the amount originally intended.

Now, we have done some work in the Foreign Affairs Committee this year. I brought to your attention an amendment which you beat down last year to change the zloty rate in Poland so that our American personnel over there could get 55 zlotys for every dollar of pay that they receive. This year the gentleman from Delaware [Mr. McDOWELL] put this amendment into the hopper, and I am very happy to report to the membership that it successfully passed the committee and we hope that when it comes to the floor it will continue to have the support of the membership.

Mr. Chairman, there are many features about this bill on which the membership will have many questions.

I can say I have never worked with a group of more untiring, vigorous and dedicated people as we have on the Committee on Foreign Affairs, and while I am on the subject I have heard much criticisms of the Committee on Foreign Affairs which I do not think is warranted. I do not think a man has to be considered a liberal in order to vote for the foreign aid bill. It has nothing to do with a man's political philosophy whether he is a liberal, ultraliberal or whatnot. It is whether you believe that foreign aid is a major weapon in the hands of our country to keep this world free from Communist domination. That is what it means to me. It means more to me as a weapon for the security of this Nation, for my children and their children than any other one thing we put through the Congress of the United States. This is the time when we win friends not by buying their friendship nor, because it is a giveaway program. This is a "show-how" program where we take our technological and our industrial genius, and we go into a country and say on a 20-year basis you can do this if you will follow us. These are the countries that do not have the kind of technology we have and this is an area where Americans can contribute as much to the world as we have learned how to contribute to each other. I strongly urge adoption of the bill by every Member who sincerely wants to avoid the pitfalls of former generations when the economic imbalance of world economic benefits have led to wars.

Mr. MORGAN. Mr. Chairman, I yield 10 minutes to the gentleman from Connecticut [Mr. Monagan].

Mr. MONAGAN. Mr. Chairman, during the statement of the chairman of the Committee on Foreign Affairs [Mr. Morgan], a question was asked by the gentleman from New Hampshire [Mr. Wyman] as to the standards that might exist with relation to regulate grants under this program. I should like to begin by expanding on the reply that the gentleman from Pennsylvania [Mr. Morgan] gave because it is important to the understanding of this legislation and of the program.

I would like to point out that in four places in the existing law there are standards set out that control the administration of funds under this act. The first one appears in section 102, which is the statement of policy. The one that is most nearly in point appears in section 211 and concerns the general authority of the President to make development grants. In that section it provides the factors that the President must take into account before grants are made. Briefly, they are: First, whether the activity gives reasonable promise of contributing to the development of programs directed toward social progress.

Second, consistency of the activity with other development activities.

Third, the economic and technical soundness of the activity to be financed.

Fourth—a very important one—the extent to which the recipient country is showing a responsiveness to the vital economic, political and social concerns of its people, and demonstrating a clear determination to take effective self-help measures and a willingness to pay a fair share of the cost of programs under this title.

Fifth, the possible adverse effects upon the U.S. economy, with special reference to areas of substantial labor surplus and this concerns depressed areas related problems.

Sixth, the effect on our balance-of-payments position.

Seventh, whether such activity could be financed through a development loan.

So all these things must be taken into consideration by the President before any development grant is made under this program. It is not unrestricted and not unconditional.

There are two other sections. One is section 251 and the other one is section 201.

In addition, there are the standards imposed by the judgment of the executive branch itself. We must remember that $90 million remain unexpended from the Alliance for Progress appropriations of fiscal 1963 due to the unwillingness of the Executive to spend funds without adequate guarantees from recipient countries that the money would be constructively spent.

Mr. Chairman, I support H.R. 7885.

The foreign assistance program remains a vital tool in the armory of our foreign policy weapons in spite of its many defects of operation.

In today's world, one shudders to think of the alternative if we were not flanked by an independent and prosperous Western Europe, and assisted by the armed strength of countries like free China, Greece, and Turkey, or if we were not holding out some hope of eventual progress to the underprivileged countries of Latin America.

The results which have been achieved in Western Europe, the military defenses which bound the Communist empire, and the encouragement and stimulation offered by the Alliance for Progress have all arisen from our oversea aid program.

It is not too much to say that Western Europe was saved from communism through the Marshall plan, and throughout the world, other countries, like Spain, and free China have been lifted to economic self-sufficiency through our help.

This does not mean that the program has not had its faults.

Many of the conceptions have been too grandiose and frequently there has been a broad gap between the concept of the program and its performance. Many times the administrators have been inadequate to meet the required standard of performance. Some of the programs have been dismal failures.

This does not mean, however, that there is no room for a properly administered program. I realize that some people feel that it is impossible to have such a program and I will admit that there is some evidence to justify this conclusion. On the other hand, I am not ready to terminate the program. I have great confidence in the new Administrator, David Bell, and I believe that he should have an adequate opportunity to exercise over the AID agency the firm control of which he is capable. I say this with full realization of the rising feeling of disenchantment that exists in the country about this program. I also emphasize my feeling that the opposition will continue unless firm administrative reforms are instituted.

The current bill is significant in that it does look with a constructively critical eye upon the foreign aid program. To begin with, the total amount of the bill represents a reduction by the committee of nearly a billion dollars under the initial Executive request and nearly a half billion dollars under the Executive request of April 1963. This total is only slightly above the 1963 appropriation of $3.9 billion. Thus, the committee has exercised responsibility.

I do not refer to this program as "foreign aid" because in a monetary sense, for the most part, it does not represent a sending of currency out of the United States. A very material part of the funds of this program for military and economic assistance are spent right here in the United States. It is, therefore, erroneous to assume that the balance-of-payments problem is caused in a major degree by the foreign assistance program.

This does not mean, however, that there is not some impact upon our balance-of-payments deficit from the program, and in this connection I suggested a provision that is now contained in the bill which requires that the President, before authorizing an investment guarantee against loss by an American investor, should consider the impact on our foreign payments deficit of any funds that might be expended under such guarantee. Our balance-of-payments situation is serious enough to require continuous vigilance.

I do want to emphasize the fact that the foreign aid program is an imperfect tool. Through it, we are necessarily dealing with areas of the world that have unstable governments or shaky economies. It is unrealistic, therefore, to expect perfection of performance, or complete and undeviating agreement with our policies any more than we expect it or find it in our defense programs. These countries usually constitute the battle areas between the forces of communism and the free world, and we must expect that some of our decisions will be mistaken and some of our best laid plans will go agley.

In this connection, I want to say a word in support of the people in the State Department. Some irresponsible people foster the belief that the State Department is composed of people who are secretly plotting to undermine the United States and weaken our position in the world. Nothing could be further from the truth. While I differ with some of the directions which our foreign policy has taken and I recognize that officials in the Department of State can make mistakes, like every one else, I am confident that differences of opinion exist within the Department itself and are fully expressed, and that the policies which are arrived at are decided upon because they are considered to be in the best interests of the United States.

There is one disturbing tendency which has made itself felt in connection with this bill. This is a growing attempt to operate details of policy from the Congress. While I do not maintain that a broad policy directive should not be laid down by the Congress, I believe it to be a mistake to become involved too deeply in minor details of policy or of performance. The Constitution places the conduct of foreign affairs in the authority of the President and we should not lightly trespass upon this authority. In many instances, we are acting upon imperfect knowledge and we certainly are assuming a great responsibility in any shotgun approach which opposes a policy carefully considered by the President and the Secretary of State.

I cannot conclude this discussion without pointing to a very significant section of this bill. This is the part which deals with improvements in the administration of the Department of State and the Foreign Service itself. Although many of these provisions are of a housekeeping nature and cover assignments, transportation, and similar matters, some of them, such as that of improving educational opportunities for Foreign Service children, go to the very basis of maintaining the morale of our Foreign Service officers and are of vital importance to our foreign policy. These represent a great step forward.

There are many other important considerations in this bill, Mr. Chairman, but they will be covered by other speakers. This is an authorization bill and the details of appropriations still remain to be considered by the Appropriations Committee. I believe that in H.R. 7885 we have provided that committee with a solid basis on which to build.

Mrs. FRANCES P. BOLTON. Mr. Chairman, I yield 10 minutes to the gentleman from Iowa [Mr. Gross].

Mr. GROSS. Mr. Chairman, once again, with the seeming inevitability of death and taxes, we are engaged in the annual command performance of authorizing a raid upon U.S. citizens for the purpose of dishing out over the world another $4 billion of their money.

It makes no difference that more than $100 billion of our tax dollars have already been spewed out to every nook and corner of the earth; that this Nation has a Federal debt of more than $306 billion, the Treasury is busted, our gold reserves are at the lowest point since 1939, and foreign currencies are being bought in an attempt to bolster the sagging dollar in the international money markets. The phony show must go on.

Personally, and up to this point, I have found this year's performance unusual in two respects.

In the first place, it is the first year I have been a member of the House Foreign Affairs Committee, and I hasten to say that the chairman, the gentleman from Pennsylvania [Mr. Morgan], has been uniformly fair to me as I believe he has been to all members in the conduct of hearings. But I quickly became aware that the committee has an "open door" policy—open to the State Department, that is. This is not to say that the door is closed to others. It is to say that the latch and the hinges are kept well oiled for the emissaries of the State Department and executive branch.

Let me amplify. When the committee went into executive session for the purpose of amending the bill, it was amazing to discover that each of the first few amendments offered was accompanied by what was called a State Department "position paper." In other words, when an amendment was offered every member of the committee was immediately handed a printed copy of the views of the bureaucrats in the State Department; whether the amendment should or should not be approved.

CALL OF THE HOUSE

Mr. UTT. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. Eighty-one Members are present, not a quorum. The Clerk will call the roll.

Eighty-one Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 128]

Abele
Ayres
Baring
Bolling
Bolton, Oliver P.
Broomfield
Buckley
Celler
Corman
Davis, Tenn.
Dawson
Diggs
Edwards
Ellsworth
Grabowski
Gray
Healey
Hoeven
Hoffman
Holifield
Hull
Karth
Kilburn
Long, La.
Madden
Miller, N.Y.
O'Brien, Ill.
Osmers
Ostertag
Pillion
Powell
Pucinski
Rich
Riehlman
Roberts, Ala.
Senner
Shelley
Sheppard
Short
Smith, Va.
Steed
Trimble
Wickersham
Widnall
Williams
Younger

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. Rains, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill, H.R. 7885, and finding itself without a quorum, he had directed the roll to be called, when 387 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. At the time the point of order of no quorum was made, the gentleman from Iowa [Mr. Gross] was addressing the Committee and had consumed 2 minutes of the 10 minutes that had been yielded to him.

The gentleman from Iowa is recognized.

Mr. GROSS. Mr. Chairman, when the quorum call was made, I was discussing the fact that I am a new member of the Committee on Foreign Affairs and as a result of service on the committee, I have become acquainted with some of its procedures.

When the committee went into executive session for the purpose of amending the pending bill, it was amazing to discover that each of the first few amendments offered was accompanied by what was called a State Department "position paper." In other words, when an amendment was offered, every member of the committee was immediately handed a printed copy of the views of the bureaucrats in the State Department, as to whether the amendment should or should not be approved. Having had only a few years experience in Congress, and never having been confronted with this procedure in any other committee, I gained the impression that position papers had long been a way of life in the House Foreign Affairs Committee, and might even be fashionable.

Mr. MORGAN. Mr. Chairman, will the gentleman yield?

Mr. GROSS. Yes, I gladly yield to the chairman.

Mr. MORGAN. I might advise the gentleman from Iowa that this was started in 1953 and has continued up until this year of 1963.

Mr. GROSS. I thank the gentleman for his contribution.

So, having several amendments to offer, and not wishing to be unfashionable, I asked our distinguished chairman if it would be necessary for me to go hat-in-hand to the State Department and ask that they please supply position papers to accompany submission of my amendments. Mr. Morgan informed me that would not be necessary in my case, and shortly thereafter the crank on the mimeograph machine in the State Department was apparently broken or lost for the supply of position papers vanished, never to return.

There remained, however, a room next to the Foreign Affairs Committee room in which was anchored four or five emissaries of the State Department and the Agency for International Development every day the committee was in executive session. They were separated from the committee only by a door which, incidentally, contained an air ventilating panel.

It is out of this atmosphere of unusual helpfulness on the part of Secretary of State Rusk and his hirelings that this bill comes to you today. And I have no hesitancy in saying that this helpfulness has contributed in no small part to the $4.1 billion authorization with which you are confronted in this bill. I trust that at least some of you will want to express your sentiments with respect to this helpfulness when we get to the 5-minute rule and the amending process.

There is another aspect in the consideration of this legislation about which I would like to comment. This is one of the few times in the last 15 years in the consideration of the global giveaway program that unidentified planes have not been reported in the skies, or unidentified submarines lurking off our shores. In other years, when Congress showed even feeble signs of shaking off this monstrosity, it was fashionable to concoct a phony crisis or emergency.

Having spent more than $100 billion to win friends and influence people against communism we now find the Communists with a warplane, submarine, and missile base a scant 90 miles off our shores. Do you remember how we were told a year ago of the great contribution the foreign giveaway program had made to the containment of communism? Today Cuba is the beachhead for the export of communism in the Western Hemisphere. It has brought Russian troops, warplanes, submarines, and missiles to our doorstep. Does anyone wish to deny it?

And then there are the pictures of the recent signing of the limited test ban agreement in Moscow. The pictures of American and Communist Russian officials, champagne and vodka glasses in hand, beaming at each other—friendly and jovial, according to the news reporters—should make it difficult if not impossible to engineer a synthetic crisis or emergency in behalf of this bill.

This legislation when it first received the blessing of the administration carried a price tag of $4.9 billion. For some strange reason, never adequately explained, the New Frontier lopped $400 million off its own inflated asking price. Then Secretary of State Rusk, in his first appearance before the committee on April 5, had the effrontery to say that if Congress cut off $400 million it would be cooperating with Communist global strategy. With Rusk and his power hungry, free-spending associates in the State Department it is the old, old story of do not do as we do but do as we say and you will not be smeared with having given aid and comfort to the Communists.

With more than $6 billion in the foreign handout pipeline as of last July 1, this bill still contains far too much fat. The American people, staggering under a public and private debt of more than a trillion dollars, are sick and tired of the blandishments they get from Washington that it is their responsibility to police and wet-nurse the rest of the world. They are fast becoming aware that the more than $100 billion already frittered away on global giveaways has served largely to tighten the yoke of debt and taxes around their necks, and even more importantly, the necks of their children.

They ask: "What is the image we are trying to create in other lands when we give evidence every day that we are incapable of properly managing our own affairs?" When year after year we plunge deeper into debt—a debt that is more than the total of the rest of the world.

The day and the hour is at hand to begin the process of ending this foolish notion that it is within the capability of the American people to solve all the problems of the world, avert bankruptcy, and preserve the Republic.

A number of amendments will be offered, not only to further reduce the spending under the bill, but to place restrictions and limitations on the administration.

I urge you to support such amendments and begin the process that will be necessary to properly embalm and eventually lay to rest this expensive product of a bad dream.

Mr. CHELF. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I am glad to yield to my distinguished friend from Kentucky.

Mr. CHELF. In other words, we are spending money we have not got on people we do not know, to impress people who hate our guts; is that about right?

Mr. GROSS. That is about right; and I thank the gentleman.

Mr. ICHORD. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield.

Mr. ICHORD. Mr. Chairman, I was completely astounded, to say the least, to read the language of the report on page 22, the last sentence of the next to the last paragraph. I read to the gentleman from the report:

> Furthermore, the less developed countries tend more readily to accept assistance when it is channeled through multilateral organizations of which they are members.

I ask the gentleman, are we actually having difficulty in getting the recipients of this foreign aid to accept it?

Mr. GROSS. I will say to the gentleman that I was not consulted on the majority report. I assume the gentleman is reading from the majority report?

Mr. ICHORD. I am reading verbatim from the majority report.

Mr. GROSS. I would prefer that someone on the majority side, Democrat or Republican, attempt to answer since that is their language. No, we are having not one bit of difficulty. There never has been the least difficulty since this program was initiated of giving our money away, whether it was done unilaterally or through a multilateral organization.

Mr. MEADER. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. MEADER. I was interested in the remarks the gentleman made about the minions of the State Department in the room adjacent to the committee room. Does the gentleman mean to imply that they did not have the assistance of State Department technicians in the markup of the bill in executive session?

Mr. GROSS. Of course, the majority on the committee had assistance clear up to the hilt.

Mr. MEADER. I am trying to find out whether in the committee's executive session there were persons present who were not even members of the committee or members of the committee staff.

Mr. GROSS. They did not have to be present in the room, they were but one door removed from the room.

Mr. MEADER. Some committees have them right in the room.

Mr. GROSS. I doubt whether I would serve on that committee, I will say to the gentleman.

Mr. MORGAN. Mr. Chairman, I yield as much time as he may require to the gentleman from Florida [Mr. HALEY].

Mr. HALEY. Mr. Chairman, I have never voted for this bill and never will vote for it. I have voted against every authorization. I am going to continue to do so. I think it is the most wasteful program we have ever had.

Mr. Chairman, I rise in opposition to this bill—a position which will surprise no one in this distinguished body except, perhaps, some of those who have joined our councils only this year. I would say to those newcomers, however, that I am hopeful that because they come to us fresh from the people, large numbers of them will join me, and a slowly increasing number of my contemporary colleagues, in opposing willy-nilly continuation of this aid program.

It has been in the past, and is now, my opinion that the mind of man has never conceived a more useless, less fruitful, method of spending money than is embodied in what we have for years mislabeled a mutual aid or mutual security program. More important than my own opposition to this program is the fact that I know that an overwhelming majority of those whom I represent in these halls do not believe there is any merit, any value, in continued reckless spending of tax revenues in the inevitably useless effort to buy friendship.

I would like to devote the time which has been allowed me to what I regard as some particularly cogent reasons why the continuation of this extravagant program is harming, rather than helping, our Nation.

It is, for instance, no secret anywhere in the world that there is great concern about the declining health of the U.S. dollar, once but no longer the standard by which all world currencies were measured. Only recently, our own administration has taken three steps which, it is hoped, will prevent further undermining of our dollar.

Perhaps these steps will help the situation—we all hope so. But it is my own belief that the administration could have taken a far more effective step to bolster the dollar by coming before us with a drastically reduced, cut to the quick, foreign-aid budget request aimed at speedy phasing out of the entire program.

I submit, Mr. Chairman, that it is our excessive pouring out of foreign aid money, coupled with the heavy costs we have assumed in taking on almost all of the burden of free world defense, which has offset our favorable trade balances and has resulted in the dwindling of our gold reserves which has, in turn, caused the steady weakening of the U.S. dollar.

Let me show you, in a rather precise comparison, how foreign aid spending—much of it for wasteful and useless purposes as even the President's own Clay Committee reported—has contributed to the destruction of a financially sound Federal Government.

In 1946, the Congress set the Federal debt ceiling at $275 billion. Just the other day, the Congress voted to continue the present temporary ceiling at $309 billion. That is an increase of $34 billion in our national debt in the past 17 years.

Now why has this increase occurred? The answer seems quite simple, Mr. Chairman, as we pause to reflect that in those same 17 years, the U.S. taxpayer has poured into foreign aid for Europe alone a total of about $38 billion—or $4 billion more than the debt increase. I do not think that it is necessary for me to say anything more to demonstrate the exact cause of our increasing National Government insolvency. But I do wish to make certain comments about some of our specific foreign programs to show why I believe this is a useless and disastrously wasteful expenditure of our tax dollars.

Let us look at Brazil, for instance. By the end of 1962, we had given that country just under $2 billion in aid. We have since agreed to another half a billion. And what have we accomplished with this largesse? Well, the record says that Brazil has an inflated currency, a debt-ridden economy, and unstable government which heaps insults on our heads while playing cozy with Russia and arranging with our enemy a $600 million trade agreement which apparently our own officials did not even think about negotiating.

Back in 1952, the Bolivian Government took over the privately owned tin mines. Since then, it has lost money on every ton of tin mined. Who has paid the bill? The United States, of course. We have sent to Bolivia nearly a quarter of a billion dollars in aid funds, including money to subsidize the Government-owned oil industry.

Then there is Indonesia. We have earmarked for that country some $2 billion of our aid money over the years, and for what? Not for friendship—I doubt if there is any place in the world where the United States is more cordially detested, except perhaps in Moscow and Peking. In one of the most brazen pieces of effrontery this Congress has ever witnessed, President Sukarno of Indonesia a few years back came before us singing the praises of Thomas Jefferson and freedom, talked us out of a new bundle of foreign aid dollars—and then jumped into bed with Khrushchev and Red China's leaders.

We are told by the President's own nonpolitical commission, headed by General Clay, to review the foreign aid program that the United States—and this is a direct quote—"should not aid a foreign government in projects establishing Government-owned industrial and commercial enterprises which compete with existing private endeavors." But despite this admonition, we have before us the administration attitude toward India's plan for a government-owned steel mill costing $1 billion. For this, we already have arranged a so-called loan of $400 million to India and still pending is another $512 million loan. This loan almost certainly will be granted—unless we somehow restrain the hands of the spenders. But does anyone here think India is our friend?

I could stand here all day, Mr. Chairman, reciting the long and woeful list of examples which shows how we have wasted our taxpayers' money and starved our own economy to the point of disaster—without harvesting a single real benefit for ourselves. But I have neither the strength nor the time.

But let me say this in conclusion: I am not so naive as to believe that we will—or can, for that matter—shut off this gigantic boondoggle all at once. I know that we are going to vote to continue the foreign aid program.

But I do believe that we can—indeed, I insist that we must—cut deeply into the spending which will authorize through this bill. I am aware that the President, in the light of the Clay Commission report, reduced his original request for funds by $400 million. I am equally aware that our own Foreign Relations Committee has lopped off another $400 million.

But I do not believe that this is a sufficient reduction. Neither do the people whom I represent in the Seventh District of Florida—and I am convinced from what I read and hear that the people of the United States do not believe so either.

I believe that we should devote our efforts, as we consider this bill, not to defeating it outright, but to amending it to reduce the authorized level by another $1½ billion—or to a total of $2.7 billion. The Agency for International Development has on hand, we are told, some $6.7 billion in unspent funds from prior year appropriations. And I submit, Mr. Chairman, that a total bank account of $9.4 billion is not niggardly—does not represent pennypinching by this Congress.

As a matter of fact, it amounts to almost as much as the interest payments on the national debt—and the good Lord knows there is no pennypinching about that figure.

Thus I would hope that—at the minimum—we will amend this bill in at least three important, and moneysaving, ways. I think that, first, we should limit the spending of additional funds so long as the AID pipeline includes all these billions of previously appropriated dollars. I think we then should require specific congressional authorization for any AID project costing more than $50 million, or at most, a hundred million. And, finally, we should make further reductions in the military aid program.

If we take these steps, my friends, we will have done a good week's work on this bill—and for once, we can go home and face our complaining constituents—and they have a right to complain—with something resembling a clear conscience. I hope all of you—including my able friends of the Foreign Relations Committee—will help in this effort that is of such vital importance to the welfare of our own Nation.

Mr. MORGAN. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. PIKE].

Mr. GALLAGHER. Mr. Chairman, will the gentleman yield?

Mr. PIKE. I yield to the gentleman.

Mr. GALLAGHER. I thank the gentleman. I think the State Department would like to submit a position paper on the gentleman from Iowa's last remarks.

I would like at this time, if the gentleman will allow me, to quote from a statement made by former President Eisenhower.

On May 13, 1963, he made the following remarks when he was asked to comment on the Clay Committee. Among other things he said:

> Finally, a few words about the most misunderstood and controversial of all Federal expenditures—foreign aid. Never has there been any question in my mind as to the necessity of a program of economic and military aid to keep the free nations of the world from being overrun by the Communists. It is that simple. Such a program, if well run and kept within the limits we can afford, offers the United States one of its best bargains in national security.
>
> Unfortunately, foreign aid has suffered through its history from political maneuvering and lack of stability. Congressmen seeking reelection have found it a handy issue to kick around. They go back home and stir up votes with speeches saying, "You can be sure I'm not going to vote to give your money to Timbuktu when you good people so badly need more schools and hospitals." Because of this and other political factors, foreign aid never has been planned or administered on a long-range basis, although we know the Communist threat is going to be with us for a long time to come.
>
> That is why I agree with the recommendations of the Committee To Strengthen the Security of the Free World, headed by Gen. Lucius D. Clay.
>
> The Clay report follows the guidelines of rule of reason that I have been talking about. I applaud the administration for accepting the terms of the report and hope that Congress will act favorably on it.

Mr. Chairman, this bill follows the guidelines of the Clay Committee report. I thank the gentleman.

Mr. PIKE. I thank the gentleman from New Jersey.

Mr. Chairman, among the Members of my own party in the State of New York my reputation as a flaming liberal is just a little bit tarnished. My colleagues have a nasty habit of keeping track of how I vote—and if they do not, the Congressional Quarterly does it for them. They remember how I was dubious on the debt limit, fearful on feed grains, and generally mutinous on money.

Furthermore, while I am just as fond of making speeches as the next man in this House, this will be the first time since I have been here that I have asked for time to speak on a bill which did not come out of the Armed Services Committee. For the benefit of that vast majority of Members who had not noticed, I have been here 3 years. No one asked me to speak on this bill—its supporters would probably prefer that I did not, but the gentleman from Pennsylvania is such a kindly man that he could not say no.

No one has told me what he wants me to say either, and if he had, I am sure that my remarks would be better organized and more meaningful. I have not requested this time for the benefit of the folks back home—the district which I have the honor to represent is a very conservative district and I expect that the sentiment against foreign aid runs just as deep out there as the sentiment in favor of it.

In the course of wandering around my district, however, I saw one day in the office of a high school principal a little plaque with these words on it:

> There is a special place in hell reserved for those who, in times of great moral crisis, remain silent.

This is a time of moral crisis. It is a time of economic crisis. It is a time of change.

It is obvious to all of us that our foreign aid program is under fire this year in a manner in which it has not been under fire since World War II. It is very easy for me as a member of the Armed Services Committee to stand up and make patriotic speeches about the need to keep America strong, and it is very easy for all of the Members of this body to vote the funds necessary for national defense.

It is much more difficult, however, to support our foreign aid program, and I wish to pay tribute to the chairman and the members of the House Foreign Affairs Committee, who through 32 days of hearings and 22 days of executive session have engaged in a comprehensive review of this program, and have come up with a bill which represents their collective best judgment on the subject. I wish to pay particular tribute to those members of the committee on the other side of the aisle who support this bill, and who have labored so hard that our foreign aid program may continue to be a bipartisan program, and that regardless of our differences among ourselves, we present one united front to the rest of the world.

Why has this program become so unpopular? For one thing, the people who receive this aid do not vote in your district or in mine, and the people who pay for it do vote in your district and in mine. While it is true that approximately 80 percent of the funds authorized to be appropriated by this bill exclusive of military aid, and an even higher percent of the military aid funds, will be spent in this country, they are not spent with the same splash which accompanies the awarding of a defense contract. It is very easy for its opponents to characterize the entire foreign aid operation as a giveaway program, and to make it sound as if those who supported it were indifferent to the size of the Federal budget, were indifferent to the nature of the balance-of-payments question, and were, in short, indifferent to the welfare of this country.

These, however, may be easy answers to the question of why this program is unpopular, but they are not the real answers. They are no substitute for thought. The real answer lies in the fact that we as a nation get tired—simply get tired—of paying the bills. We get tired of the financial burdens imposed upon us by our effort to remain the leader of the free world. And because of the fact that it is so easy to characterize this whole program as a giveaway, and to pretend that it is not essential to America, this is the place where those who are looking about for an economy vote find it convenient to cast one.

We are united in our determination to keep America free and to keep America strong. To this end we will spend about $50 billion this fiscal year for purely military functions—not including the military assistance involved in this bill.

That $50 billion is up just 45 percent over the last 10 years, by the way, and the folks back home are just as tired of paying that $50 billion as they are the $2.4 billion authorized by this bill.

Yet how many Members of this body vote "no" on the bills reported out by the Armed Services Committee? You cannot vote "no" on them—that is for national defense, but this is a giveaway program.

Back in fiscal 1955 we spent $35.5 billion for the military, $4.5 billion for mutual security expenditures. In 1957 we had increased our military expenditures to $38.4 billion, reduced our mutual security expenditures to $3.7 billion. By 1959 our military was up to $41.2 billion; our mutual security down to $3.6 billion. In 1961 our military was up to $43.2 billion; our mutual security expenditures down to $3.1 billion.

Last year our military expenditures were up to $48.3 billion, and I do not know what we spent on mutual security. We authorized $2,515,400,000 under this bill last year.

This year, again, our military budget is up—45 percent over where it stood 10 years ago. This year, again, this authorization is down. We justify our tremendous military expenditures by saying they are necessary for the cold war we are involved in. Maybe they are, but how is a cold war fought? It is fought in the hearts and minds of people. Today, we have accumulated the greatest destructive force the world has ever seen. We can kill Communists all over the world. But we can not kill communism with it. Communism is not a lot of people—communism is a disease. It thrives in dark, dank places. It feeds on hopelessness in mankind. Its greatest allies are hunger, and ignorance, and poverty—and disease.

This bill is not perfect. The administration of our foreign aid program is not perfect. But when you are dealing with a program aimed, not like a bullet at the heart of a man, but like an idea at the mind of a man, it is hard to tell whether you have hit him or not. It is even harder when others are aiming conflicting and opposing ideas at the same mind. So we should not expect to be able to measure this bill, or this program, in black and white terms. We should expect, and we do know, and we can be proud, that this bill is aimed at the roots of communism and not at its twigs.

This bill involves billions of dollars. But it involves billions of people, too. All over the world people who have lived in darkness are looking for light. People who have been hopeless are looking for hope. And they are looking, as they have looked since long before the days of the Marshall plan, toward America. America, to these people today, is this House of Representatives this afternoon.

What are we going to tell these people? Are we going to tell them we are tired? That they are going to have to look elsewhere for their hope? That we cannot lift the burden of leadership any more?

Of course we are not. We are going to tell them that today, when communism is tired, when communism is split as it has not been split since World War II, America remains strong enough to help them. We are going to tell them that today, as under a Roosevelt, and a Truman, and an Eisenhower, America remains the place to look to for light and for hope, and that while communism may split apart and fall by the wayside, America will carry on.

Mrs. FRANCES P. BOLTON. Mr. Chairman, I yield 10 minutes to the gentleman from South Dakota [Mr. BERRY].

Mr. BERRY. Mr. Chairman, I want to express my appreciation to the chairman of the full committee and the chairmen of the subcommittees for the very fair consideration given to even we, this minority of the minority. I want the House to know how very much we appreciate his fairness.

Actually there are in operation in this country today two foreign aid programs—one is a direct aid program which is broken down into two categories, industrial aid which comes under this program, and agricultural aid which embraces Public Law 480—the second aid program is what I term indirect or back-door foreign aid.

These direct foreign aid programs including industry and agriculture embraces nothing more nor less than the disposition of goods, wares, merchandise and agricultural production of which the Federal Government has become possessed by virtue of various support and subsidy programs.

The bill we have under consideration today is for the purpose of giving away industrial production of which the Government has become possessed as a result of subsidies to industries—the other half of the direct program is the food-for-peace program or Public Law 480 where we give away agricultural production of which the Government has become possessed as a result of subsidies to agriculture.

Actually, Mr. Chairman, the only function of either this program we are considering today, or the Public Law 480 program, is to provide a respectable looking method and means of disposing of these products, resulting from these Government make-market purchases. We call these direct aid programs, foreign aid, and food for peace; the truth is they are nothing but the sewage system that carries away the sludge—the real foreign aid program is the indirect back-door program, where we throw our markets open to the production of the world, shipped in here, practically duty free, taking over our markets, and requiring the Government to purchase the products of our industry and our agriculture to prevent the closing of our plants and to prevent all of our farmers from being thrown off the land.

The international planners knew that as our taxes for domestic spending and free world defense continued to climb that this tax cost would have to be added to the price of everything produced in this country. They were determined that domestic industry and agriculture should not be protected by an import tax or levy or tariff, they wanted all countries to have a free exchange of goods. They joined hands with those who wanted Federal control over both agriculture and industry and could gain it only through Government subsidies. So—we have tariff reduction on one hand with Government subsidies and purchases on the other which has made necessary these giveaway or foreign aid programs to dispose of the so-called surpluses.

Knowing that our goods could not be competitive when $50 to $100 billion per year taxes had to be added to the cost of all our products, they arranged for these subsidies and Government purchases to provide a make-market. The taxpayer would never permit these purchases to be dumped into the ocean, but he does feel that he is getting at least some value from this vast expenditure when these products go to feed, clothe, and provide ammunition and weapons to the underprivileged people of the world.

Let me expand on what has happened and what is happening. Under the system which made this country great, the economic foundation rested upon our natural resources. Our economy resulted from the production, the processing, the transportation, and the distribution of these resources. Natural resources come from the mines, the soil, and the sea. Their processing and distribution accounted for our industries, our transportation systems, and our wholesale and retail distribution systems which in turn provided the American labor market.

When this system was thrown out of balance by artificially stimulating, through tariff reduction, other countries to supplement our natural resources and our processing systems, our farms and industries—these farms and industries had to be saved from bankruptcy by the Government purchasing their production.

This Government market not only disrupts the economy but makes necessary the Government either stockpiling it or in some manner getting it out of the country. Foreign aid, this program and Public Law 480 are the methods of getting it out of the country.

Thus, we complete the full cycle. Today, we are in the process of giving away surpluses, purchased by the Government in order to provide a makemarket, to supplement that market—supplied by imports, through the indirect backdoor foreign aid method.

We are being told over and over again today that no one dare vote against this bill since 80 percent of this authorization will be spent in the congressional districts of every Member of this House. These statements are nothing but left-handed admissions that 80 percent of this authorization and all of the $6.8 billion now in the foreign aid pipeline, is a Government makework, makemarket program, where the production, which has been supplanted by noncompetitive imports, must either be dumped in the ocean or given away to get it out of the country.

Let me make it perfectly clear at the outset that no one would wish to stop, or even slow down honest and competitive imports. Certainly we must have trade, but certainly that trade must be on a reciprocal and competitive basis.

It must be remembered that America is spending $52 billion annually for defense. For the defense of whom? Not merely the defense of America, but the defense of the entire free world. That $52 billion must be raised by taxing the American people, and each individual's proportionate share must be added to the sale price of everything that is produced in this country.

Certainly we cannot levy a tax against the other nations of the free world to compel them to pay their proportionate share of their own defense—but we can collect it from them in the form of a tariff, or duty, or levy on the goods they export into this country. When we do that—their prices then become competitive with ours and our agriculture and industry can again grow and expand and again provide a normal and healthy labor market.

To the extent, however, that we permit their goods and products to come into this country duty free—or if you please—less than the domestic cost of production plus the defense tax—to that extent we are subsidizing foreign industry in what I choose to call back door foreign aid. The cost of that aid in dollars and cents cannot be determined because we can never tell how many farmers and industries will have to be subsidized to prevent their bankruptcy, and how much it will cost us to in turn give their produce away, after the Government has been forced to purchase it—and—worse than all this, how many Government make-work programs will be required to provide leaf raking jobs for the labor thrown out of work by these American subsidized foreign imports.

Already Congress has been called upon to provide two new make-work programs this year. The Youth Conservation Corps and the Domestic Peace Corps are nothing but make-work programs to substitute Government checks for jobs and opportunity and self-respect that this back door foreign aid is robbing from our young people in this country.

Let us first of all take a quick look at what is happening to our natural resources. For all intents and purposes there is no mining industry in this country today. Almost any mineral can be taken from the ground anywhere in the free world and shipped in here for about half of what it can be mined for here. This is true because about half of the domestic cost is Federal tax and the difference in the standard of living.

Even in mining, the difference in the standard of living could be offset by our labor efficiency—the Federal tax, however, is the straw that breaks the camel's back.

The result is, that instead of levying an import tax equal to the Federal tax levied upon our own mining industry, we are forced to go the other route and Congress uses the tattered and torn defense excuse to subsidize what little mineral industry we have left today. We call it our defense strategic mineral stockpile—in truth and in fact, the strategic mineral stockpile is nothing but a Government "make market"—a coverup, if you please, to the taxpayer so he will not recognize the subsidy that must be paid to the miner to compensate for the Federal tax that must certainly be computed in the price of his product.

Congress has stopped most of this mineral makemarket program, and both the mine owners and the labor force are on some Federal social security program or employed under Area Redevelopment or some other leaf-raking Federal make-work program while their individual initiative and human dignity rots in the Siberian cellars of back-door foreign aid.

What about agriculture, the most important of all natural resources? We talk about the farm problem—as if it were something created by a surplus production of the American farmer. Let me point out to you, my friends, there is no farm problem—there is no surplus problem—at least no American produced farm surplus. It is nothing more nor less than an uncompetitive non-defense-tax import problem.

The American farmer cannot add the Federal defense tax to the price of his product and still compete with the non-defense taxed foreign produced product that comes in almost duty free and onto the American tables and onto the American backs in direct competition to our tax ridden domestic farm product.

Let us take a quick look at the farm picture—the 1963 import figures will be much higher—but in 1962 we imported either live or the carcass equivalent of $2\frac{3}{4}$ million head of 1,000-pound beef. The Department of Agriculture estimates that nationwide it requires an average of 25 acres to produce a 1,000-pound beef and put it on the market. In other words, imported beef last year displaced the production of 54.5 million acres. We exported 95.1 thousand head of 1,000-pound beef, which required the production from 1.7 million acres—or a net loss of the production of 52.8 million acres.

These 52.8 million acres which should have produced the beef that went onto the American tables had to be taken out of production by the American farmer. Does anyone think this acreage is not important? The entire national wheat base has been 55 million acres. To put it another way—beef imports last year amounted to 10 percent of the domestic beef consumption. You think of the States of Wyoming, North, and South Dakota being among the great cattle States of the Nation—more beef was imported last year than was produced and marketed in the States of Wyoming, South Dakota, and six of the principal counties of North Dakota combined. Domestic agriculture was forced to take out of production this amount of land in order to make room for these nondefense taxpaying imports.

Another example that may be of interest—wool imports annually supplant the production of more than 50 million acres—we produce less than one-third of the wool that is actually used in this country, and yet we have to have a Government subsidized stockpile program to keep the wool producer from being completely put out of business; sugar imports displaced the production of 1.8 million domestic acres; pork, lamb, mutton, and dairy products displaced thousands more.

So what do we do? We squeeze the American farmer down and force him to give up producing on more and more of his productive acres as these acres are supplanted by these nondefense taxpaying imports.

Of course, we cannot permit this many farmers to be thrown off the land all at one time so Congress passes laws—known as farm legislation—in which the Government rents these displaced acres from him. But as we do this we also force him to take out of production an equal number of acres at his own expense. This, of course, comes out of his own pocket and so reduces his income that he is forced to do the work himself—further reducing the labor market in this country.

Worse than these mandatory programs of forcing the farmer into bankruptcy through idling his acres, is the fact that as these acres are taken out of the production of beef and lamb and pork and wool and sugar and so forth, the Government has encouraged the farmer to use his nonidled acres for the production of grain because grain is more susceptible to storage than are these perishable items. So, the Government through the Commodity Credit Corporation purchases these grains—which it now calls surpluses, but which actually is only a displaced product—and places them in storage. We hold between $5 and $7 billion worth of these grains. Then, in order to reduce storage costs and to prevent spoilage, we must give these grains away, and have established this other direct foreign aid program known as Public Law 480. Last year we were able to give away almost $1½ billion worth of it. This, of course, is not computed as part of this direct foreign aid program, but it is the direct result of nondefense taxpaying imports.

Because much of this Public Law 480 grain goes to countries exporting their produce into this country, this "back-door" foreign aid program actually disrupts both our and their agricultural economy because they produce what they can export to us, and they depend upon us to provide them with the necessary food for their tables through Public Law 480. Again, however, we see the full cycle of economic disruption resulting from back-door foreign aid.

Now, what about industry? The Trade Expansion Act of 1962, in which Congress gave to the President its constitutional mandate to make and levy tariffs, was a most interesting bill. The bill was 63 pages long. Of that 63 pages, 31 pages dealt with authorizations to the President to cut tariffs, 32 pages, more than half, provided subsidies and grants and doles to industries forced out of business and to labor thrown out of jobs by non-defense-taxpaying, noncompetitive industrial imports. These billions, providing for "make market" outlets for these disrupted industries which will either go out of business completely or else manufacture something for the Government stockpile to be given away under this direct foreign aid program—and this labor which now must turn to some Government make-work project—is, if you please, part and parcel of the hidden cost of this back-door foreign aid system.

The time has come when we as a Nation must face up realistically to the actual cause of our industrial, agricultural, and labor difficulties. We stand at the crossroads. Certainly the other countries of the free world should be sufficiently interested in their own defense to pay part of the load—at least on that portion of their economy which they export to America for sale. When they do that our industry and agriculture becomes competitive, and we can operate on the basis of a free economy, under the law of supply and demand. We can then abandon our Government subsidy programs—our agriculture and industries can again thrive and build back our sagging labor market without the need for Government make-work projects. And, by the same token, we can then abandon these direct giveaway foreign aid programs.

Mr. MORGAN. Mr. Chairman, I yield 10 minutes to the gentleman from Florida [Mr. FASCELL].

Mr. FASCELL. Mr. Chairman, I believe a comment is worthy of note with respect to the committee's action on this bill. I have been on the Foreign Affairs Committee 6½ years. It is my observation that the consideration this year by the committee has been more thorough than in any previous year.

I pay tribute to our distinguished chairman for his leadership, patience, tact, and skill in handling the bill and the committee throughout the many months of our effort. The committee in addition to its many weeks of hearings also considered 100 amendments of which 46 were adopted. I do not have any illusions that we will not have more amendments when the bill is open for amendments, but I think those of you who have exhibited the interest to stay here today to hear the general debate will be interested to know the extent to which your Committee on Foreign Affairs went into the entire issue of mutual security.

Mr. Chairman, I am amazed somewhat by the critics of the program; who use whatever crutch is available to support their outright opposition to this legislation. One that has been used over and over again has been the Clay report. But I remind you that it has been said here on this floor that the major recommendations of the Clay Committee report have been adopted. The critics who have used the Clay report as a reason to vote against this bill have done a real surgical job to rationalize their own position.

But just for the sake of the record, it would seem to me if some of the recommendations of that report are valid and are to be used as a predicate for opposition, then their conclusions ought to be equally valid and accepted by the opponents. Therefore, I think it worthwhile to emphasize certain statements of the Clay report. I quote from page 3 of the Clay report:

> Certainly the Agency for International Development (AID) is now aware of the criticisms directed against our foreign aid programs. The Act for International Development of 1961 is a good one.

Then I would call attention of those opponents of foreign aid who would like to use the Clay report to support their position to the language on page 4; among other things, it says:

> There is ample evidence of the need for aid and that it can be successful under proper circumstances.

And then I would call attention of those opponents who want to use the Clay report as a predicate, to other language on page 7 of that report:

> In examining our national interest in foreign military and economic assistance, the direct relationship to free world security is most evident in the defensive strengths of those nations which, in their contiguity to the Communist bloc, occupy the frontier of freedom. Many of these countries are our allies, and some belong to alliances with which we are associated. Several of these nations are carrying defense burdens far beyond their internal economic capacities.
>
> These countries are now receiving the major portion of U.S. foreign assistance but are also providing more than 2 million armed men ready, for the most part, for any emergency. While their armies are to some extent static unless general war develops, they add materially to free world strength so long as conventional military forces are required. Indeed, it might be better to reduce resources of our own defense budget rather than to discontinue the support which makes their contribution possible.

It might be possible by some meek means of demagogic surgery and the improper use of the scalpel to do something about using certain parts of this report as a predicate for either voting against the bill or to criticize it. But I simply submit, in all fairness and reasonableness, that the overall support of the foreign-aid program by the Clay Committee must likewise be accepted.

Mr. FRELINGHUYSEN. Mr. Chairman, will the gentleman yield?

Mr. FASCELL. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. I dislike interrupting the gentleman but I do think his comments on the Clay report are considerably interesting. However, I would like to call attention to page 4 of the Clay report which is carried in the beginning of the minority views. It seems to carry so much weight, I am just wondering if we should not point it out again. "We believe we are indeed attempting too much for too many."

I am sure the gentleman from Florida will agree with me that that is a far-fetched way of describing something about this program and there may be a suspicion in the minds of a number of Members that we are indeed attempting too much for too many. But is it not also true that in testimony before our committee General Clay was less than ample in providing any specific recommendations about where we could do much about cutting down and in what particular countries we could immediately drop the program? The fact of the matter seems to be, or at least General Clay seems to feel, that we are more or less committed to the present level of aid, and he is quoted in the papers as having said that "the authorization recommended by our committee is about right as he sees it and also as to the number of countries. I am not suggesting that changes cannot be made in the future."

If that is what the Clay Committee is saying, they surely are not saying much. But this indicates something radical to have him to transform this program overnight. Yet General Clay when he testified did not sound that way. Is that the recollection of the gentleman from Florida?

Mr. FASCELL. I thank the gentleman for his observation and the gentleman is correct. I concur with him. He simply pointed out that a distinguished Committee has examined at the President's request the program which is under discussion. They have made some constructive recommendations. They have set forth certain guidelines. The committee has considered them and included them in the legislation.

Mr. Chairman, I say to the critics of the program or those who oppose it, if they want to use a part of the Clay report to support their position, they may do so only if they likewise accept the fundamental concept of the Clay Committee report that foreign aid is necessary in this Nation's vital interest. One is just as logical and reasonable as the other.

Mr. DERWINSKI. Mr. Chairman, will the gentleman yield?

Mr. FASCELL. I yield to the gentleman from Illinois.

Mr. DERWINSKI. I thank the gentleman for bringing up a necessary point, and that is that there is virtue on both sides of the argument in interpreting the Clay report. I am sure that the gentleman from Florida would give equal effect to those who draw other inferences from the report as we do to the position of the gentleman from Florida.

Mr. FASCELL. The gentleman is entitled to have his own inference on what I have said, and I will let him decide, by the time I conclude my remarks, as to whether he agrees with me with respect to the right to use that report as a predicate for anything.

Mr. Chairman, let me point out another matter here which I think will be of general interest. Our committee held extensive hearings, which is common knowledge to everyone. We heard a lot of people and numerous organizations. One of the groups which testified of particular interest to me and to a great many members of our committee was the U.S. Chamber of Commerce. The U.S. Chamber of Commerce is a national organization having strong grassroots representation and for more than a decade has supported this program. It has supported it this year. I think their study of this program is well done. We know that no law is perfect and no law is any better than its administration. We must seek not only to improve the law but seek continually to improve the administration of it. In that constructive light I believe that the U.S. Chamber of Commerce along with other organizations and individuals performed a valuable service for themselves and the members of the committee in presenting their views and support.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. FASCELL. I yield to the gentleman from Iowa.

Mr. GROSS. Would the gentleman also say the same thing as to the American Farm Bureau Federation? They always support this appropriation, but this year they came before the committee and asked that it be cut to $2.9 billion.

Mr. FASCELL. Are they supporting the program or opposed to it?

Mr. GROSS. They are supporting it, I assume with a cut.

Mr. FASCELL. If the gentleman is using that as an argument or as a predicate to his position, I assume he is going to change his opposition this year and vote for the bill.

Mr. MORGAN. Mr. Chairman, will the gentleman yield?

Mr. FASCELL. I yield to the gentleman from Pennsylvania.

Mr. MORGAN. The American Farm Bureau has always supported the program and has always recommended a reduction of 25 percent.

Mr. FASCELL. I want to point out, in case some of our colleagues have missed this chart, that by this chart the National Chamber of Commerce demonstrated their analysis of the mutual security program, and showed against the recommendations of their own study, what they determined to be a legislative and administrative gap. As a result of their study, they made certain legislative and administrative recommendations, 33 in all. The legislative recommendations were presented to the Committee on Foreign Affairs. Many of them were adopted and are included in the bill that is now under consideration by this committee. Here is a responsible organization, one among many, which has supported this program, which has analyzed it constructively and which has made suggestions to the committee. The committee has considered those suggestions and acted upon them and presents them to you in the measure before you. That is a responsible way to act, and I only point it out to indicate that we are making strong efforts where we can reasonably and logically in the law to strengthen, to improve, to tighten the administration of this program.

While criticism of the program may be entirely justified because of its administration, it does not seem to me to be fair, reasonable, logical, or equitable to base a "no" vote on those grounds.

Finally, let me say it appears to me that the Communist challenge, which we are confronted with today in this world, operates on three major levels—militarily, economically, and ideologically. We have very little doubt about the emphasis on our military strength and superiority; and the need for our military strength offensively or as a deterrent. But I ask those who criticize or oppose this foreign aid program: Would you abolish the program and do away with 300 military bases on the Communist periphery? Would you abolish this program and do away with some 2 million men who are under arms, who are retained offshore across the world, at a cost of one-seventh of what it cost to keep an American boy in uniform overseas? Would you abolish this program and do away with the hope of economic improvement in the 50 countries of the world who have recently achieved independence and have a population of about 1.3 billion people; who are seeking and struggling to find continued political independence and economic independence? Do you turn your back on those governments and those people and say to the Communists: "All right, now that you have found we the free people of the world led by the United States can deal in the economic offensive arena, we will turn our back on you, the struggling nations, and let the Communists have a clear field "to take over." Is that what you mean by a "no" vote on this bill? How will you divorce the economic strength needed by the recipients and the ideological purpose of this kind of a program? Is an idea stronger than a full belly? I say it is. Who can deny the fact that a great majority of the people of this world tonight are hungry, sick, ill clothed, and not housed properly? But who will deny that we must lead and demonstrate, cajole and assist to get across our idea and opportunities of economic freedom?

We have not only an opportunity but a challenge to meet. The reason this program goes right on is because we recognize deep down in our hearts that we have no alternative except to meet the Communist challenge at every level and in every endeavor of human society. We know that this is a fight for our lives and, as much as we would like to take the load off our backs, we know that we have to meet this challenge day after day and confront it whether on the ideological front, with all-out nuclear war, limited war, or economic assistance. It means fighting for people who are striving to be free; to achieve economic security; and political independence. That is what this fight is all about.

Foreign aid restored Western Europe. Foreign aid kept Greece and Turkey from being taken over by the Communists. Of the 50 nations to achieve independence in Asia and Africa since World War II, not one has chosen communism as a way of life. After decades of neglect, the Alliance for Progress is bringing new hope to countries of Latin America. Foreign aid also helps us economically. Over 80 percent of foreign aid funds are spent right here in the United States, creating jobs for Americans and new markets for American industry.

Notwithstanding the tremendous accomplishments of the foreign aid program, the opponents still want to throw the foreign aid "baby" out with the dirty bath water. What do those who oppose foreign aid by the United States and other countries of the free world offer as an alternative offense? Nothing—except our retreat from forward positions and surrender to the Communists.

Of course, the program must be made more effective and efficient. I have great confidence in the ability of the American people to see beyond their noses—to realize that if we make mistakes we must go on, improving our programs at every opportunity—not pessimistically to downgrade everything that has been done, or "throw in the sponge" in a major area of the cold war.

The foreign aid program costs you only about 4 cents out of each tax dollar. For this we have not only helped ourselves militarily, economically and ideologically, but we have done far more for more people of the world than any nation of people in the history of mankind.

Mr. ADAIR. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. DERWINSKI].

Mr. DERWINSKI. Mr. Chairman, I am most reluctant to take the floor, following the most inspired address of the gentleman from Florida [Mr. FASCELL], but in view of the fact that the House seems to tolerate opposition even to measures of a supernatural nature such as this, I am going to express my views, which are in opposition to the bill.

As one of the minority Members who voted against this bill in committee, I feel it necessary to point out that when those of us who are in opposition to the bill offer amendments we do not deserve to be accused of attempting to kill the measure. The minority on any issue has the right and obligation to offer constructive suggestions in the hope of improving what they consider to be an unsatisfactory measure.

When I label this bill unsatisfactory, I am truly guilty of an understatement, since this year, more than ever before, it represents by its size and scope and basic inconsistency, an insult to the intelligence of the American public.

The Clay report, issued earlier in the year, has become a sourcebook for both proponents and opponents of the aid program. You must remember the Clay Committee was expected to whitewash the program, since its members were hand picked by the White House. However, the report was more noteworthy for its criticism than for its approval of the program, and the bill before us does not reflect the cuts in funds and reduction in scope recommended by the Clay report.

It is inconceivable that the U.S. taxpayer must be burdened by supporting more than 95 other sovereign lands through this seemingly perpetual governmental program. If other countries of the world require capital, economic training and development, private enterprise in the United States and other western lands can provide the needed support whenever the Nation has a legitimate basis for development, and the Government is able to provide minimum stability. It certainly is not necessary for the U.S. taxpayer to be competing with private enterprise, or building and subsidizing socialistic projects.

The criticism is justly made that the foreign aid appropriation represents a limited blank check for the executive branch, since funds authorized and appropriated can be shifted without any regard for country or continental area. There isn't a single domestic program in the United States in which Government authorities have as much free rein as the bureaucratic machine that the AID agency possesses. Congressional control over the program is so lacking as to render our deliberations almost meaningless, except in setting a figure above which the spenders cannot legally move. Even this has little protection since funds of the Department of Defense have been raided to augment the AID program.

The American public is now being told that a policy of peaceful coexistence is the goal of the United States vis-a-vis the Soviet Union; that the arms race can be ended; underdeveloped countries moved overnight into the 20th century, and international good will will therefore reign supreme. If this is true, this bill represents a major contradiction, since it is based on the premise that Communist pressures are continuing in every country of the world, and that this program is needed to either match or suppress Communist actions.

Therefore, if peace in our time is to become a reality, the aid program would be the first to become obsolete. This, however, is obviously not the intent, since we find our administrators setting up programs in nonindependent areas even before they acquire their complete entity. The latest example of this is British Guiana, where despite the leftist philosophy of Mr. Jagan, aid administrators are on the spot expanding their programs.

The American public should be given frank facts. Unfortunately, they are not, since even Members of Congress are not provided with legitimate details and information. The Committee was unable to receive from the AID administrator or any of his subordinates a flat answer as to whether or not a commitment has been made for the Bokaro Steel Mill in India. The Committee was not able to get a clear answer to AID's intentions to continue or even expand aid to Communist countries. The Committee was not able to get any clear information as to whether or not the public could expect it to be phased out.

One last point I direct to your attention is the minority views which commence on page 123 of the Committee report. The special attention of the Members of the House should be directed to the statistics of the AID pipelines which are most interesting reading. The minority views also contain necessarily strong language on the subject of aid and trade with Communist governments.

I especially wish to direct the attention of the Members to the recommendations made in the minority views which I consider practical, timely, and worthy of support and implementation.

Along with other Members of the minority, and I certainly hope majority party Members as well, amendments designed to implement these recommendations and to reduce the funds and scope of the program will be offered. These amendments are designed to correct the abuses in the program and eliminate tragic waste of the taxpayer's funds. It is my hope that we will receive support, that we can make substantial contributions on the floor of the House in cleaning up this wasteful, inconsistent, and misdirected program.

In conclusion, Mr. Chairman, may I remind the Members, since there will be numerous amendments offered, that they should receive the full consideration to which they are entitled, so that we will not be handicapped by arbitrary limitations on debate and discussion so the Members' deliberations could be based on the fullest possible information obtainable on each amendment.

I feel it necessary to repeat that as a minority member who opposed the bill in committee and who will oppose the bill on final passage, I think we are at least entitled to the good will of the majority members when we offer amendments. When we offer amendments to the bill we in the minority have a right, as I see it, to help make improvements in something which we feel is basically bad. We are not gutting the bill, we are trying to make something fairly good out of a proposal which at the moment is beyond description, I think, as anything but unsatisfactory.

Mr. WEAVER. Mr. Chairman, will the gentleman yield?

Mr. DERWINSKI. I yield to the gentleman from Pennsylvania.

Mr. WEAVER. We have heard a great deal in this bill today about the main features but very little about certain amendments. I refer to amendments to section 305, which relates to captive nations. I wonder if the gentleman would give us an explanation of section 305.

Mr. DERWINSKI. I will come to that in just a minute.

The point I wish to reemphasize is that those of us in the minority who offer amendments are offering them with a fair, constructive attitude. I hope that in the next day or two of debate when we do offer our amendments they will be greeted with reasonable respect and attention and not merely subjected to the charge of gutting the bill.

The next thing I feel necessary to reemphasize Mr. Chairman, is the matter of time that will apply to the offering of amendments. We understand members of the House Committee have amendments to offer, most of which were offered and rejected in Committee, and must be offered on the floor. Obviously on a bill of this nature other Members of the House will offer amendments. I hope all the amendments that are offered will receive enough time so that we can explain the points, so that Members when they vote will be familiar with the facts.

Another thing I feel it necessary to reemphasize is that in the minority views we have attempted to be helpful and constructive. I would suggest to all Members that they read the minority views, which are certainly detailed enough and merit the attention of all Members, regardless of their predetermined position on the bill.

Mr. McDOWELL. Mr. Chairman, will the gentleman yield?

Mr. DERWINSKI. I yield to the gentleman from Delaware.

Mr. McDOWELL. I do not question the gentleman's integrity in describing the various amendments that are to be offered as being amendments intended to improve the bill, but I would like to ask the gentleman why, if these amendments are so important and will contribute so much to the improvement of this legislation and to its success, they were not offered during the 8 years of the other administration.

Mr. DERWINSKI. I am sure if the gentleman would take the time to study the RECORD, he would find most of these amendments we discussed have been offered in the past. Furthermore, I would like to point out to the gentleman that those of us who happen to be of the minority were not in support of the bill under the previous administration. And, if anyone is to be blamed for the foreign aid record of the previous administration, it obviously is the majority in Congress rather than we who share the party label. But that point has been debated enough in political circles.

I wish to return to the question asked by the gentleman from Pennsylvania

[Mr. WEAVER]. The section you refer to was placed in the bill to dramatize the existence of the captive republics of the Soviet Union. The Soviet Union in order to halt the nationalistic spirit of the captive peoples within its control often makes empty gestures to these people and pretends to give them some voice in their own republic. Therefore, we have placed the term "captive constituent republics of the Soviet Union" in the bill to dramatize, as the report states, the lack of self-determination and freedom these people actually have. As a matter of fact, I offered the amendment which was accepted without opposition and received favorable comment by members in a bipartisan spirit.

Mr. WEAVER. I thank the gentleman and I would commend him for his continued efforts in the captive nations program.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. DERWINSKI. I yield to the gentleman.

Mr. GROSS. The gentleman from Florida [Mr. FASCELL], spoke of turning our backs upon countries abroad. Now I seem to recall there was a country not too distant from the United States that after having been given $2¼ billion of aid through direct aid and sugar subsidies turned its back upon us. I wonder if the gentleman would care to comment on that.

Mr. DERWINSKI. The only comment I think would be in order to make is that the gentleman from Iowa addresses himself to a point that will be slightly difficult for the gentleman from Florida to defend. But, if the gentleman will permit me to say so, this is not a new subect since I think we are all well aware of the conditions 90 miles from our shores.

Mr. GROSS. But it seems to be all wrong, if we cut down on aid to the various ingrates over the world, but that it is perfectly all right—or perhaps not all right but we condone them turning their backs upon us after we have extended a helping hand to the tune of $2¼ billion. Now may I ask the gentleman if he would comment briefly on the so-called Farbstein amendment to be found on page 10 of the majority report.

Mr. DERWINSKI. If I am correct, the amendment to which the gentleman refers is on page 10, section 102(c) of the report. It is an amendment which states that it is the sense of the Congress that countries receiving U.S. aid should not divert their own economic resources to military or propaganda efforts supported by the Soviet Union or Communist China and directed against the United States or other aid recipients. As I recall the debate in the committee, the purpose of that amendment was to provent our aid being used by a recipient nation directly or indirectly to engage in efforts against another friendly, or at least limitedly neutral nation. Some people do apply this amendment to specific countries, such as Egypt vis-a-vis Saudi Arabia, and Israel; India versus Pakistan, or it would apply to the territorial aspirations of Indonesia. I think it is fair to say, it is effective or should have an effective general effect not aimed at a specific country. But the principle is sound.

Mr. GALLAGHER. Mr. Chairman, will the gentleman yield.

Mr. DERWINSKI. I yield to the gentleman.

Mr. GALLAGHER. In reply to the gentleman from Iowa, and I believe our colleague, the gentleman from Florida is not on the floor at the moment—concerning aid to that unnamed country 90 miles off our shore that was the recipient of our foreign aid, I might say that I, personally, and the gentleman from Ohio [Mr. HAYS] were the ones who introduced the amendment eliminating Cuba from the benefits of the technical assistance program under the bill that was offered in the last administration—in a bipartisan manner, I might say.

I might also ask the gentleman, since the amendment offered by the minority was accepted by the majority concerning captive nations, I am hopeful that this worthy amendment makes the bill worthy of the minority support.

Mr. DERWINSKI. I wish to advise the gentleman from New Jersey if the majority accepts half a dozen more major amendments which we propose, then the bill might be worthy of support, but our support would have to be contingent on the acceptance of our key amendments.

Mr. GALLAGHER. I was hopeful that the outstanding amendment already offered would make the bill worthy.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. DERWINSKI. I am trying to allocate my time between the two gentlemen, so I now yield to the gentleman from Iowa.

Mr. GROSS. I will be glad to identify the country that is 90 miles off our shore. That is Cuba.

Mr. DERWINSKI. Mr. Chairman, I believe it is also necessary for us to weigh the present bill in the light of current international conditions. I am wondering if the maneuvers of late that would lead some people to believe we were entering an era of peaceful coexistence might not be the motivation for serious reconsideration of the dollar amounts and the scope of this bill. If we are entering into an era of international peace and liberty, perhaps the entire direction of this program should be changed. If Communist Russia is no longer an aggressor country, perhaps there are programs that we propose here that could be curtailed and phased out. I raise this as a thought to keep in mind.

The last point I wish to make is that starting sometime tomorrow afternoon there will be a number of very pertinent amendments. The gentleman from Michigan [Mr. BROOMFIELD] will be offering one amendment relative to setting a ceiling on programs which would require specific congressional authorizations for projects for which our total spending would exceed a certain point. We will also have amendments to reduce the bill in terms of its dollar authorization. There may be amendments, I understand, to reduce the long-term nature of the bill. All of these, I reemphasize, will be offered in a constructive manner, and I hope they will all receive, if not support, at least the tolerant attention of every Member; and, whenever they are of such overwhelming, logical, compelling nature as to deserve support, I hope that it is forthcoming.

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. DERWINSKI. Yes, I yield.

Mr. FASCELL. Is the gentleman addressing his remarks to amendments which he offered in the Committee on Foreign Affairs and which were considered by the Committee on Foreign Affairs, or is he talking about other amendments?

Mr. DERWINSKI. I will have two amendments which I offered in the committee, but certainly we as members of the committee realize other Members of the House are equally interested and perhaps even more knowledgable with respect to this program.

Mr. FASCELL. Will the gentleman yield further?

Mr. DERWINSKI. Yes.

Mr. FASCELL. You are referring specifically to your amendments and not amendments which may be offered by somebody else?

Mr. DERWINSKI. No. I am referring to all amendments that may be offered.

Mr. PELLY. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PELLY. Mr. Chairman, I see by the report on the foreign aid bill that the committee has given consideration to the U.S. balance-of-payments problem and the continuing decline in the U.S. gold supply. The report says that although the U.S. gold supply continues to decline and the balance of payments remains unfavorable, it is clear that factors other than foreign aid are directly responsible and that the elimination of the foreign aid program would not balance U.S. payments or have a significant bearing on the underlying causes.

Mr. Chairman, according to this morning's newspapers, the deficit in the international balance of payments ran considerably more than $1 billion in the second quarter of this year. The Department of Commerce figures indicate an annual deficit of $4.2 billion for 1963. This deficit increased sharply despite a substantial excess of exports over imports.

The Foreign Aid Committee has shown the dollar drain and the adverse balance of payments, which are major causes of the flight of gold, to be: Imports, $16 billion; tourists abroad, $2 billion; defense expenditures abroad, $2 billion; private investment abroad, $2 to $3 billion; foreign aid, $1 billion.

I had always understood that the dollar drain on account of foreign aid was $2 billion, but even if it is only $1 billion, I cannot agree with the committee that this is not a major source of our deficit of payments.

Constantine Brown, the noted newspaper correspondent, has said that European bankers are greatly concerned about the instability of the value of the

American dollar, in contrast with strong European currency backed by substantial quantities of gold. Mr. Brown said that privately these bankers do not mince words, and that the United States must take drastic fiscal action. He has said that such drastic action would consist of a substantial curtailment of America's expenditures at home and abroad, with the view of eventually achieving either a balanced budget, or at least one that shows a definite tendency toward balance.

Mr. Chairman, when the appropriation bill for foreign aid comes to the floor of the House, I hope it will have a provision to limit the dollar expenditures to be spent abroad. In this connection, I would like to have a requirement that all such programs which entail expenditures of U.S. dollars overseas would be subject to a determination by our Secretary of the Treasury that such programs would not substantially contribute to the loss of gold by the United States.

The Foreign Aid Committee apparently thinks that the foreign assistance program is not a major cause of the loss of gold, but I disagree, and I would certainly like to have the judgment of the Secretary of the Treasury as a matter of record before we go on spending overseas this $1 billion a year, thereby increasing the balance-of-payments deficit, which increases the causes of our loss of gold.

Also, Mr. Chairman, I have substantial misgivings as to the direction in which we are headed through regularly increasing our national debt through budget deficits. I think we should heed the international bankers, because if they lose confidence in the stability of our economy and the value of the American dollar, we are in for real trouble. To meet the foreign claims amounting to $25 billion on our gold supply, we have only a free and unpledged stock, as I understand, amounting to $2 billion. If the foreigners asked for their gold, we would have to default and as I see it, that would mean a devaluation of the dollar and a reduction in the buying power of every paycheck, every savings account, every life insurance policy, and every pension. Every citizen would be hurt.

This is a serious situation and the spending of $100 billion over the years on foreign aid is certainly a major cause in today's economic plight.

I have supported the objectives of the foreign assistance program, but when we realize the size of the unexpended balances in previous years already in the pipeline—amounting to $6.7 billion—I cannot in all conscience see increasing this by an amount in excess of $4.1 billion. The time has come, it seems to me, for us to put our own domestic house in order and not try to continue in a vain effort to remake the world.

I am not so sure that the anti-Communist cause to which we have so substantially contributed by the foreign aid program throughout the years would not be better served now by America, the bulwark of freedom, remaining economically strong rather than continuing an overexpanded program that has dissipated our strength and is slowly delivering us into growing financial weakness. I think that above everything else, America must remain economically strong if it is to continue as the bastion of freedom and democracy.

Mr. LANGEN. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. LANGEN. Mr. Chairman, perhaps most of us noticed a recent quip in our newspapers that said simply:

> We hear they've brought out a new drink called "foreignade." It's refreshment that never pauses.

It, of course, was meant as a bit of humor, and undoubtedly resulted in many a chuckle across the country. It would be even funnier if it did not touch on what I consider one of the most serious problems facing our Nation.

We have before us today the Foreign Assistance Act of 1963, which would authorize $4.1 billion in what we have come to know as foreign aid. It is our annual ritual of trying to play Santa Claus to the world. It is another round of passing out money to the rich and poor alike, whether they need it or not, in an effort to win friends and influence nations.

Mr. Chairman, permit me to compliment the six members of the Committee on Foreign Affairs who signed the minority views on this legislation. Not once did they suggest that we eliminate foreign aid or that all foreign aid was bad. But they did put the present program in proper perspective and issued a warning that we must heed if we are to prevent Uncle Santa from giving himself to death.

I thought the President's Committee To Strengthen the Security of the Free World, commonly known as the Clay Committee, put it succinctly by saying:

> We believe that we are indeed attempting too much for too many.

We have only to look at our growing national debt and our dwindling gold reserves to see that we are well on the way to overextending ourselves by putting a price tag on our friendships with the rest of the world.

The minority views wisely caution against spreading our effort thinly over the globe without producing the desired results. The point is well taken and it makes sense that we would do better by concentrating our efforts in the areas where assistance is really needed, countries where there is a genuine desire to ultilize our aid to the advantage of the people. We can and must achieve this objective at a cost much less than we are currently spending.

Our foreign aid program is also a paradox. While we spread our aid too thin in too many countries, we also earmark too much in some areas. For example, some funds, obligated as long as 5 years ago, still remain to be disbursed, which indicates that some of the receiving countries are unable to utilize as much aid as we try to give them. Such obligated funds should promptly revert to the Treasury, as should funds for projects that do not materialize.

Mr. Chairman, I believe the time has come when we must completely revaluate our assistance programs. Instead of facing the world with a handful of American dollars, we should encourage our allies, many who are enjoying a high level of prosperity, to assume a larger share of the free world burdens.

Not only have we been overly generous with our allies, but we have permitted our aid to fall into Communist hands. I am aware that one of the arguments put forth by our foreign policy people is that our aid tends to wean Communist nations away from Moscow control. That is nothing but wishful thinking. To halt the spread of communism, we can and must help free nations to remain free, but aid that directly or indirectly helps a Communist government does nothing but perpetuate that dictatorial control.

We hear the argument that most of our foreign aid money is being spent right here in the United States, thereby having no effect on the balance of payments or our declining gold holdings. This is an oversimplification of the situation, which completely disregards complex considerations such as the varying rates of monetary exchange and U.S. support payments for certain commodities. While the buy-American policy is to be commended, we cannot assume that the participating countries would not make purchases in this country without first being handed American dollars.

There are other areas that we have failed to consider properly in this legislation, such as the objectionable practice of the executive entering into long-term aid commitments without prior congressional authorization, and the misuse of the contingency fund. I have no quarrel with long-term commitments, but Congress should make the decision without being faced with the impossible task of being handcuffed to prior executive commitments.

More attention should be directed toward curbing aid that creates or expands competition by recipient governments with private enterprise.

And attention should be directed toward paring down the unexpended balances from prior appropriations. This "pipeline" continues to rise, having reached $6.8 billion as of June 30, 1963. It is a mistake to add another $4.1 billion to that amount.

Mr. Chairman, I agree with the minority view that the bill before us does not accomplish long-overdue reforms. Congress must take a firm grip on the reins or this galloping horse is going to drag us over the precipice. It is commendable that this great country has such a large heart, but it operates more effectively if controlled by a cool head.

Mr. MORGAN. Mr. Chairman, I yield 1 minute to the gentleman from Minnesota [Mr. BLATNIK].

Mr. BLATNIK. Mr. Chairman, as has been stated earlier, perhaps no program is subjected to more attack or more vulnerable to attack than the foreign aid program. In view of the fact that some of the allegations have been repeatedly bandied about, circulated, and recirculated, I wish to make this statement. On last March, March 4, 1963, on pages 3419 to 3421 of the CONGRESSIONAL RECORD, a colleague of ours made allegations comprising approximately 45 in number. They have been put in writing without any substantiation, by the way, Mr. Chairman. I do have answers or facts, and in most cases complete explanations and in some cases partial explanations of these. I will submit them at this point.

The information referred to follows:

ALLEGATIONS ABOUT THE FOREIGN ASSISTANCE PROGRAM

On March 4, 1963, on pages 3419–3421 of the CONGRESSIONAL RECORD, Congressman M. G. SNYDER, of Kentucky, listed a number of allegations about Federal programs. On those allegations involving the foreign assistance program, the facts are as follows:

Allegation: "An untold amount to construct a solar-powered ship to win friends and influence people along the rivers of Surinam."

Fact: The reference cited gives the cost as $28,625, not an untold amount. The purpose cited was "to test performance of solar-powered battery-recharging centers for communications equipment and various other low-wattage power tools" and to "focus attention on peacetime terrestrial uses of solar power." As a result of investigation last summer (1962), performance under the contract was suspended. On March 1, 1963, however, AID requested the General Services Administration to rescind its suspension of the contract with the Hoffman Corp.

This action was taken after a finding by AID that the interests of the Government would be served by completing the contract. AID found that in a number of underdeveloped countries solar energy may prove to be an important and most economical source of power for communications and other electronic systems and that the U.S. Army has an interest in the solar-powered boat.

AID has canceled plans for tests in Surinam and engineering tests of the solar equipment will be conducted at no cost to AID by the U.S. Army Electronic Research and Development Laboratories, Fort Monmouth, N.J.

Allegation: "One thousand 23-inch television sets ordered for use in community education programs in underdeveloped oversea areas were ordered at a cost of $400,000 for areas where there was no electric power supply."

Fact: This refers to a contract which a subcommittee of the House Government Operations Committee investigated at great length last year. Criticism by the committee was directed at weaknesses in AID contracting and evaluation techniques on this program, rather than the purpose for which the program was undertaken—i.e., to provide relatively inexpensive and far-reaching methods of communications and education in underdeveloped countries.

In its report, the committee said: "At this point the subcommittee wishes to make it abundantly clear that its findings and conclusions with respect to this contract are not intended, and should not be construed as an objection to, or criticism of, the proper use of television for educational purposes."

The contract was terminated early in 1963. Negotiations are now proceeding to determine whether there will be any cost to the United States. The Agency, with the guidance of the committee, has improved its contracting for research and development procedures to insure that the weaknesses which that committee found do not recur.

Allegations: "Funds spent for troughs for camels."

Fact: This is a new variation on an old theme. In 1958 a similar charge, answered for the House Foreign Affairs Committee, related to "bath houses for camel drivers." Both versions stemmed from demonstration health projects in Egypt which included public bathing facilities.

Allegation: "Foreign aid funds used in Kenya, Africa, for purchase of extra wives for government officials."

Fact: This charge is typical of many directed at the foreign aid program in that it builds on a single situation only tangentially related to the foreign aid program. The facts are: A traders' loan program was undertaken by the Kenyan Government in 1953 and 1954 to provide a fund for loans to traders and small manufacturers in a program analogous to the U.S. Small Business Administration.

During this period, before any U.S.-owned funds were made available for the program, one trader did borrow approximately $600 and then used the funds to buy a wife. As a result of this incident, extremely tight controls for supervision of the traders' loan program were set up. No such incident occurred after U.S.-owned funds were contributed to the program in 1953. It may be of interest to note that this traders' loan program has been quite successful. Actual experience with repayment has been extremely satisfactory.

Allegation: "Foreign aid funds spent to build superhighways in countries where there are few, if any, automobiles."

Fact: The United States has aided highway programs in a number of countries, notably Turkey, the Philippines, Vietnam, and elsewhere. Divided-lane highways are fairly few and these are in areas of congestion and heavy traffic. Highway improvement is, of course, an important stimulus to economic development. Statistics show that the rate of increase in passenger cars and commercial vehicles in newly developing countries is an impressive one.

Allegation: "A luxury yacht replete with air conditioning and gold wallpaper furnished a millionaire Emperor at the cost of $3.1 million."

Fact: This is probably the most frequently cited example of misuse of the foreign aid program. The facts are: In 1960, the Department of Defense, under the Military Assistance Program, loaned to the Government of Ethiopia a World War II seaplane tender for use as the flagship of the Ethiopian Navy. As a flagship, it contains quarters for flag officers, or the Emperor as commander in chief. It is air conditioned since air conditioning is considered necessary in that part of the world. One basic use of the ship is as a training vessel for the Ethiopian Navy. A significant part of the $3.1 million cost of refitting the ship was to make possible its use as a training vessel. It should be noted that the Department of Defense maintains important military communications facilities in Ethiopia as part of its worldwide network.

Allegation: "Greek Government appealed to its wheatgrowers to curb the growing of wheat to spur U.S. aid, etc."

Fact: The Government of Greece, of course, bases its policies on Greek conditions and requirements; the United States Government acts in the interest of the United States. Any proposed aid to Greece, including agricultural commodity sales programs under Public Law 480, is scrutinized from that standpoint. The kind of wheat which the Greeks are most interested in, to be purchased under Public Law 480, is a type not grown in Greece and must be imported regardless of the size of the Greek wheat crop.

Allegation: "Of the 24 countries sending delegates to the so-called neutral Belgrade Conference in September 1961, 23 are receiving U.S. economic assistance and 13 military assistance in fiscal year 1962."

Fact: The 10 major recipients of U.S. aid in fiscal year 1962 were, in order, India, Pakistan, Turkey, Korea, Vietnam, Brazil, Chile, United Arab Republic, China, and Mexico. Of these, only India and the United Arab Republic were represented at the Belgrade Conference.

Allegation: "Chester Bowles, President Kennedy's roving Ambassador, spent $600,000 on an 18-day jaunt around the world meeting ambassadors and their wives."

Fact: Secretary of State Dean Rusk pointed out during hearings on the foreign aid bill that this $600,000 expense figure was for a series of six regional conferences of top U.S. diplomatic personnel, in which Ambassador Bowles was the leader, but by no means, the sole participant.

During the first 5 years of the new administration these regional conferences were held to acquaint American ambassadors overseas with the policies of the new administration and with the increased responsibilities being given U.S. representatives in the field.

Delegations from Washington, led by Mr. Bowles, also included senior officers of the Departments of Defense and Commerce and, on occasion, other top agency persons such as Edward R. Murrow, Director of the U.S. Information Agency, and George Weaver, Assistant Secretary of Labor for International Affairs.

The six conferences were held in Africa, the Middle East, south Asia, South America, Central America, and the Far East. The expense figure included the travel costs of teams of senior officials from Washington agencies, as well as the expenses of ambassadors, AID mission directors, USIA directors in the field, and key members of their staff.

Allegation: "An FHA aid, fired for gambling, is rehired by the Alliance for Progress and sent to Caracas, Venezuela, at a salary of $17,030 a year."

Fact: The man in question was hired because of an outstanding record in the field of housing and in full knowledge of circumstances leading to his discharge from the FHA position. This followed November 1961 publicity concerning an alleged 1959 card game debt to a housing contractor. At the time, the aid denied any breach of public trust, or that either party considered a debt had existed.

AID reviewed the expert's file in full and was told by Neal J. Hardy, Commissioner of the FHA, that the man's performance as Deputy Commissioner had been superior in every respect. His performance as a housing adviser with AID since 1962 has been outstanding.

Allegation: "$200,000 allocated for a translation center in the African region together with an additional $139,000 for translation services to translate African technical publications into French."

Fact: This project, tried initially in Morocco, has been operating in Paris for the last 6 months or more. It translates technical publications—a high percentage of which are U.S. publications, many prepared by AID and its predecessors—into French for use throughout French Africa. Additional services are performed, such as dubbing-in film narration in French. Many of the new nations of Africa are familiar with French but not with English.

Allegation: "No control can be exercised over the $9 million of aid funds for Libya."

Fact: The $9 million referred to was a cash grant made to Libya in return for the use of Wheelus Air Force Base, and it was presented to the Congress as such. This was not development assistance, but a flat rental fee for a strategic base site which was not only a major link in our defense network outside American shores, but the largest U.S. Air Force training base overseas.

Allegation: "Vietnam, where our marines and other defense forces are fighting and dying, taxes U.S. goods received in that country as gifts. These are distributed in part to private businesses which sell them at a profit."

"Other nations with a system of taxing U.S. aid and selling it for a profit similar to Vietnam's are Cameroon, Guinea, Kenya, Morocco, Senegal, Spain, Tunisia, Uganda, Yugoslavia, Bolivia, Cambodia, Korea, Thailand, Greece, India, Israel, Pakistan, and Turkey."

Fact: The purpose of the commercial import program in Vietnam is to enable that country to meet requirements for the import of essential goods which it cannot purchase because its own foreign exchange earnings are too small. This program covers a wide range of items from consumer goods to raw materials and industrial machinery. This assistance is made available in the form of dollar credits which the Government of Vietnam subauthorizes (i.e., sells) through the National Bank to Vietnamese importers for eligible importations. The U.S. assistance covers only the direct dollar cost of the imported items plus insurance and freight.

The proceeds accruing to the Government of Vietnam from the sale of the foreign exchange and the various taxes and charges on the imports constitute an important element of the total revenues received by the Vietnamese Government. It is from these revenues that the Vietnamese Government must defray the very large defense and security expenditures needed to repel Communist aggression.

Allegation: "AID is spending $120,000 for an orientation course for employees going overseas, together with their wives and adult dependents."

Fact: AID does have a 6 weeks' orientation course for employees going overseas. Three weeks of this is at the Foreign Service Institute and involves subject matter of the culture, geography and politics, as well as language of the countries to which they will be going. Wives and adult dependents are invited to attend. The value of having Americans know something in advance about the countries where they will be stationed is rarely questioned.

Allegation: "Cambodian highway paid for by the United States to cost (hearings, foreign operations appropriations for 1963 House committee) $15 million, was so badly planned and built that it resulted in a cost of $32 million and now must be further repaired at an additional cost of $2.7 million."

Fact: The Khmer-American Friendship Highway extends 130 miles from the capital, Phnom Penh, to Cambodia's only seaport. In addition to providing a rapid freight route, it opened up previously inaccessible areas. It was completed in May 1959, at a total cost to the United States of $32.1 million. It was built, under contract, by two American firms—one for engineering and one for construction. Sections began to deteriorate after very heavy rains in late 1959 and 1960. The U.S. Bureau of Public Roads was asked to make a complete investigation of causes and to supervise repairs. In September 1962 a contract was let to a third American company to carry out reconstruction. Total rehabilitation cost is now estimated at $14 to $15 million. The Bureau of Public Roads has reported the primary cause of failure was lack of stability in the base course.

The Agency for International Development is in communication with the Department of Justice to determine whether there is a basis for legal action against the two firms that originally built the road.

Allegation: "In Taiwan (Nationalist China) a sawmill was built in the mountains with U.S. aid; then it was learned it would not saw the type of logs produced there."

Fact: There has been no expenditure for a sawmill in this case although such a project was proposed. Agreement could not be reached with the Chinese Government on operational details and in 1960, the United States withdrew from the project. A logging operation which was part of the overall project is working well and other sawmills in Taiwan can handle its output.

Allegation: "Contingency funds transferred for aid to countries."

Fact: The President has the right, under the Foreign Assistance Act, to transfer within certain limits from one appropriation to another—10 percent provided the funds increased are not more than 20 percent greater than appropriated.

Allegation: "Many foreign aid plans initiated by the United States, not by the recipient countries."

Fact: No U.S. assistance is provided to any country except on the formal request of the country involved. Once the United States has agreed to assist another country in its development or in strengthening its security, the host country must make formal request for each specific project to which the United States commits its assistance.

None of this occurs in a vacuum. Our assistance programs are the subject of continuing discussion and negotiation between United States and host country representatives. In these negotiations, U.S. representatives are expected to explore the most practical ways in which the United States can help. At the same time, technicians working from AID missions are there precisely because they have the skills to point out ways in which agricultural production can be improved, education expanded, or industry made more productive. These suggestions may well lead the host country to request help in importing fertilizer, buying U.S. paper to print textbooks, or importing needed American machinery. But in every case, no action is taken without an official, formal request by the host country.

Allegation: "Because of the commitments made for foreign aid projects, Congress is losing control of the aid program amounting to billions of dollars."

Fact: The foreign assistance programs must be authorized annually by the Congress, and the funds to continue this program must be appropriated annually by the Congress.

No money committed in prior years for specific projects can be recommitted by the Agency for International Development except to projects already justified to the Congress.

Each year, before the Congress authorizes and votes funds to continue the program, the program is debated on the floor and examined by four separate congressional committees, which conduct thorough and lengthy hearings on program plans for the coming year, and on detailed study of AID performance, country by country, and project by project, during the year preceding.

Allegation: "Countries buying jet planes with aid money without proper facilities or business. Ghana has its own airline, all standing dead at the airport."

Fact: No U.S. aid has gone into airlines in Ghana.

The United States has assisted in the development of civil aviation in other countries, however, where air transport is important to economic development. These include Argentina, Pakistan (whose two regions are separated by more than 1,000 miles) and Ethiopia, where AID financed a technical assistance program by TWA to Ethiopian Airlines, and the Export-Import Bank financed (on commercial terms) the purchase of two American jets by Ethiopian Airlines from the Boeing Aircraft Co.

Allegation: "Teachers, claimed to be in short supply in the United States, are all over the world in the Peace Corps and in AID, some of them in the same building."

Fact: It has been the policy of AID, as that of its predecessor agencies, to refrain from supplying classroom teachers at all levels of education in spite of often repeated requests from national governments. AID policy is to concentrate its resources on (a) the development of national institutions such as teacher training colleges, rural normal schools, and demonstration schools that will provide teachers for all levels of education, and (b) advisory services to ministries of education.

There are two exceptions. One is in Liberia, where a contract was made with International Voluntary Services to supply teachers; this project is being replaced by a Peace Corps project. Another case is in east Africa, where American teachers were supplied to fill an emergency shortage and to permit the training of native career teachers.

Allegation: "Southern Rhodesia has an agricultural school with 9 to 11 pupils as part of AID program and yet has 5 professors, more buildings than they can use and everything else for a large school."

Fact: Investigation of this point shows that no U.S. aid in the field of agriculture has been extended to Southern Rhodesia. In Northern Rhodesia, an agricultural education project is now underway. It consists of a training center providing a 2-year course in agriculture and agricultural extension and eventually will assist regional agricultural institutes. A contract was signed with the University of Connecticut in May 1963 to assist in building up this training facility. The student body has numbered about 80, with 30 to 40 graduates a year.

Allegation: "Splendid new sports stadium built in an African country with primitive roads to get to it."

"A strikingly modern air terminal building constructed for a few planes while fertile land is left without irrigation in an African country."

Fact: Both these statements are attributed to Eugene R. Black, President of the World Bank. Speaking to the board of governors annual meeting of the IBRD, IMF, IFC, and IDA on September 18, 1962, Mr. Black said: "I have seen cases where * * * a splendid new sports stadium has been built, while the highway system remains primitive; or where the national airport has acquired a strikingly modern terminal building while parched but fertile land is left without irrigation."

Mr. Black, at least in the reference cited, did not say "Africa" in either case, or that U.S. aid was involved. In his statement, he did not discuss the condition of the roads leading to the stadium nor did he say the air terminal building was constructed for "a few planes."

The Russians (bilateral aid) helped build a stadium in Indonesia for the Asian games. The United States (bilateral aid) has helped Indonesia's highway program, particularly in Djakarta, where a bypass from the port to the interior is being built around heavily congested areas. The United States was charged with building the roads to the stadium, which is not true since the bypass is on the other side of town.

For countries like Afghanistan and Ethiopia, rugged terrain and the absence of highways or railways make airlines a major means of transport and contact with the outside world. Whether or not all available lands have been irrigated does not reduce the need for internal transportation and communications systems; in many cases projects to improve transport and to raise agricultural output must go forward side by side.

Allegation: "$458,000 granted by the United States to bring Japanese labor leaders to this country."

Fact: In Japan there is a tendency for the labor movement to be split with leftist elements constantly seeking domination. The U.S. Government has felt it important to encourage development of a Western oriented leadership, and has invited Japanese labor leaders here for the purpose of bringing this about.

Allegation: "In Lebanon, at the stock breeding farm furnished by U.S. funds, there were nine stalls to each bull. Lebanon is one of the wealthiest countries in that area."

Fact: This charge apparently refers to an animal husbandry demonstration project in Lebanon during the years 1953 to 1957. A barn was built to house a herd of approximately 30 cows and 15 bulls. During a good part of the year, most of the bulls were transported from village to village to be used in a program to improve the caliber of native livestock. It is therefore possible that at any point in time there might not have been enough bulls in the central barn to fill all the stalls. This program successfully demonstrated the greatly increased productivity possible with better caliber livestock. As a result of this program and a subsequent program using artificial insemination, livestock in many villages was significantly improved. After observation of this program, Lebanese dairy farmers themselves began to import high quality livestock. A thriving dairy industry was developed to provide Lebanese cities with reasonably priced wholesome milk.

Allegation: "No feasibility or engineering studies completed on many projects running into millions of dollars."

Fact: The implication of this charge is totally false. Technical and economic feasibility studies are required on every project costing more than $100,000.

The charge stems from a discussion, during hearings on the foreign aid bill, of the fact that feasibility or engineering studies are not undertaken until funds to carry out new proposed projects have been appropriated and are available. At the time, AID officials noted that it would be wasteful to spend funds for feasibility and engineering studies (which may cost $100,000 to $150,000 on a large project) without assurance that funds to finance the proposed project are available.

Allegation: "Air-conditioned Cadillacs eligible under aid program."

Fact: This charge is based on a hypothetical case. In the course of last year's hearings of the Subcommittee on Foreign Operations Appropriations, an AID representative was asked, hypothetically, whether purchases under the "Commodities" item of a proposed program would include the purchase of air-conditioned Cadillacs. He replied that it would not (the proposed program was for training aids) but that hypothetically, and under certain circumstances, purchase of a limousine might be eligible under the aid program.

Allegation: "$185,000 for a project for airline training in Tanganyika."

Fact: No such project was ever proposed for Tanganyika. A regional West African project was proposed to assist a going international airline, Air Afrique, owned by 11 governments of the Brazzaville (West Africa) group, and two French airlines. A French firm agreed to finance the project, and the AID proposal was dropped.

Allegation: "$330,000 spent for Libyan textbooks, refused by Libya because of its sensitiveness over American technicians editing them from French into Libyan texts."

Fact: The reference is to one of a number of discontinued projects in Africa, none involving translations from French. The textbooks were not printed because of a lack of necessary cooperation from the host government.

Allegation: "New project for a survey of a water supply system for the city of Libreville at a cost of $150,000 made without congressional approval.

Fact: Individual projects do not require prior congressional approval, nor has the Congress ever required this. The Congress does require a thorough outline of aid strategy and emphasis, prior to authorization and appropriation of new funds, and a detailed justification of AID projects undertaken the year preceding, or at any time prior to the new legislation.

Allegation: "For helping tourism in Tunisia there is an estimated obligation of $167,000 for fiscal 1963."

Fact: In the program adjustments of last fall (1963 program), this tourism project was determined to be not of high priority, and the project was discontinued.

Allegation: "In Liberia, independent since 1847, where there is a great deal of poverty and misery, a $10 million palace is being built for the President despite the fact that the present palace practically equals the U.S. White House. Through fiscal year 1962, Liberia has received over $40 million in foreign aid and around $250 million for development loans."

Fact: The Agency for International Development has made no grants or loans to the Government of Liberia for the building of the executive mansion.

Allegation: "Cambodia given enough rifles so that each man had two rifles apiece."

Fact: In the Congressional Record of September 20, 1962, is a statement by Congressman Silvio O. Conte, as follows:

"On page 25 of House Report 2410, September 18, 1962, there is noted what appears to be extravagant overprograming in MAP. However, there is a perfectly logical explanation of '1½ rifles per man.'

"The presentation book did show an active military force of 38,000 men in this country and that a total of 45,548 rifles and carbines had been programed under MAP. What the book did not show—and the detail can never be 100 percent complete—was that in 1961, in response to a special request from this friendly government, 11,000 carbines were furnished under MAP to partially arm 2 paramilitary groups—a rudimentary national guard and a village militia for combating Communist guerrillas in outlying areas. These latter forces number approximately 50,000. Because they are not part of the regular military establishment and not normally supported by MAP, they are not included in 'active military forces' as shown in the congressional document. Deducting these 11,000 weapons from the total number programed for this country (including those proposed in fiscal year 1963) still will not total 1 per man. The ratio of weapons to men in the paramilitary units is far less.

TWO RIFLES PER MAN

"This accusation is based on an error in the congressional presentation document for the country in question. It showed the total cumulative program included 1,947 rifles for a MAP-supported force of only 1,200 men. This latter figure should have been 2,200 men. This corrected information was provided for the record of March 29, 1962."

Allegation: "India, which has received a total of about $4 billion in U.S. aid is now negotiating to buy a Russian Mig aircraft plant."

Fact: According to press reports, this is correct. During July 1963, Mr. S. M. Bhootalingam, Secretary of the Indian Defense Production Ministry, was in Moscow as leader of an Indian delegation which was negotiating for Soviet military assistance to India. The press stories indicate that discussions included assistance in ground-to-air missiles as well as assembly plants for Mig aircraft. Six Mig planes have been delivered to India.

Last November after the Chinese invasion of India, the United States responded to India's urgent request and provided military aid for the first time.

U.S. economic aid to India from 1946 through fiscal year 1961 totaled $3.8 billion including $1.8 billion in the form of surplus U.S. agricultural commodities provided under the food-for-peace program.

U.S. objectives in India are to: (1) assist India to remain independent; (2) maintain close associations with the free world; and (3) improve India's defense capabilities to enable it to resist current and future pressures from Communist China.

Allegation: "Request for $226 million for Pakistan, for projects on which there are no commitments, has been programed for 1963."

Fact: During the annual authorization and appropriation hearings before committees of Congress, AID provides detailed information about country programs which are planned for the next fiscal year including the amounts which are programed for each country. It is not possible for the Agency to specify each and every project which may be financed within the final appropriation. Each development loan authorized by AID is subject to negotiation and must meet rigid criteria before being approved.

Allegation: "AID agency requested information from Library of Congress to compile and supply information to ascertain nations which have or have not received aid from the United States in order to answer questions by House Committee on Foreign Operations Appropriations."

Fact: In any Government research project a doublecheck with the Library of Congress is routine. In this instance, where a complete and up-to-date listing of countries, territories, and possessions was required, the Agency's Statistics and Reports Division (which maintains records of all assistance given to every country) called the Library of Congress to check the most recent listing of all existing countries, to verify its listing of countries that had not received any assistance.

Allegation: "Increased funds for Kenya, a British possession, home of Mau Mau, to $3.2 million for fiscal year 1962."

Fact: Kenya, due shortly for independence, is one of the key nations in east Africa. The free nations of Western Europe have undertaken primary responsibility for assisting in its development. In 1962, the United Kingdom extended $36 million in assistance and Western Germany granted $8.8 in development credits.

U.S. assistance is confined to selected fields in which American technicians have wide experience: education, agricultural extension and training, and public administration.

Allegation: "$2½ million in aid for Mali with a very large element in the Government taking an anti-Western stand."

Fact: On the world scene, the Malian Government has recently tended to temper its sympathies for the Communist bloc by adopting a more impartially neutral foreign policy. The United States hopes to maintain friendly relations with Mali and to provide, in concert with other Western Powers, an alternative large-scale economic and military cooperation furnished by the Communist countries.

Allegation: "Nigeria, gaining independence October 1, 1960, from Great Britain, received a grant aid of $20.5 million for 1962 in addition to U.S. loan commitments of $225 million. Among projects is a TV educational program at a cost of $343,000 for 1963 although Nigeria has only two TV stations and very few TV sets."

Fact: Nigeria, so far as population is concerned, is by far the largest country in Africa. At this year's hearings before the House Foreign Relations Committee, Mr. Hutchinson (Assistant Administrator for Africa-Europe) said of Nigeria:

"It has a heritage from British rule of democratic values and political institutions. Its reservoir of trained manpower is not large but nonetheless above average in Africa. It has significant economic resources and an excellent potential for economic growth and development. It has an important leadership capacity in Africa, has proclaimed an independent foreign policy sympathetic to the West, and looks to the West for encouragement and support in the field of economic development.

"By building on this position of relative strength in Africa, it is the U.S. objective to see that Nigeria develops in an orderly fashion as a strong, united, and independent nation which provides leadership, sense of direction, and example to other countries of Africa."

Mr. Hutchinson noted $50 million support for Nigeria from the United Kingdom, $25 million from West Germany, other assistance from Canada and Israel.

The educational radio and television project is an attempt to overcome a shortage of teachers in schools. Through assistance from an AID adviser, all three regions and the Federal Government of Nigeria have educational radio and television. In the western region alone, 100 schools are using televised lessons and 200 radio lessons provided by the Ministry of Education.

Ford Foundation and UNESCO are both interested in this use of radio and television. U.S. funds are providing the services, under contract, of experts supplied by the school system in Washington County, Md., where one of the pioneering U.S. efforts in educational television has been carried out. Nigeria's contribution includes an annual $140,000 for operating costs and equipment costs of $500,000.

Allegation: "Fraudulent invoices from Laos for generators and sawmill equipment of $207,500 were paid by the United States when actual cost was $44,000. No recovery was made of the money expended."

Fact: On page 620 of the 1963 hearings before the House Foreign Affairs Committee is a statement by AID on these invoices. It says:

"These invoices were financed in fiscal years 1955 and 1956.

"1. Generators: Investigations in 1958–59 by the ICA-Washington, Procurement Analysis Branch and the Inspector General's Office, based on Haynes Miller's 1957 End-Use Report No. 10, disclosed serious irregularities on the part of both the Laotian importer and the Thai exporter in the purchase of 20 generators billed at $160,000. ICA's investigation indicated the value of the generators was not more than $12,450. The Royal Laotian Government has been asked to refund the full purchase price.

"2. Sawmill: Routine price examination conducted by the ICA-Washington, Price Analysis Branch in 1957 disclosed discrepancies in a shipment of sawmill equipment bought by a Laotian importer from a Thai firm. The mission was asked to investigate and the Haynes Miller End-Use Report No. 4 was sent to ICA-Washington in March 1957. The material delivered did not justify the charge of $42,000. The Thai exporter was required to replace the equipment with other equipment equal in value to the payment made by ICA. This replacement equipment has been delivered.

"It should be noted that measures have been taken in connection with the current AID-financed import program in Laos to prevent recurrence of incidents of this nature. The value of imports under the program will be checked by U.S. Government customs inspectors employed by AID. U.S. funds are not released until AID customs inspectors certify that the imports in question have arrived in Laos."

Allegation: "U.S. Government is lending $27 million to Ghana to build the Volta River Dam in addition to other projects."

Fact: The Volta River Dam project is a joint undertaking of the U.S. Government, American private industry (Kaiser and Reynolds aluminum companies), the World Bank, the United Kingdom and the Government of Ghana. The AID loan is for $27 million, at 3½ percent interest, repayable in dollars. An Export-Import Bank loan is for $10 million, at 5¾ percent interest, repayable in dollars.

Allegation: "Many Latin American nations have taken their dollars and have bought U.S. gold. Argentina, for instance, insisted on gold for dollars and in 1961 bought over $150 million worth despite the fact that the United States was paying interest on the dollars."

"Cyprus, which received $679,000 in aid in 1962 from the United States, bought up $2 million of our gold at the end of 1961."

"Iran, in the last quarter of 1961, purchased $16.1 million of U.S. gold, yet that country is under the mutual security program for $54.4 million exclusive of military aid."

"Iraq, which has, through fiscal year 1962, received a total of $67.5 million in U.S. aid, bought a total of $29.8 million of U.S. gold in 1960."

"Cambodia, to whom we gave $24 million in fiscal 1961, turned around and bought $12 million worth of U.S. gold."

"Indonesia, to whom the United States gave $44 million in aid in the last half of 1960, bought up $24.9 million of U.S. gold in 1960."

"Laos also bought $1.9 million of U.S. gold while taking $24 million in aid since 1961."

Fact: Two basic charges are made or implied in these: (1) That the balance-of-payments problem results from foreign aid; (2) That aid recipients use aid to buy gold.

A statement by the Agency for International Development included in the record of the 1963 hearings of the House Foreign Affairs Committee, pages 1730–1731, says in part:

"There is no single cause of the adverse U.S. balance of payments over the recent past. It is quite clear that foreign aid has been only a minor element—one among many and larger burdens.

"Most of the expenditures in the foreign aid program are in the United States and do not cause any outflow of gold or dollars. The total amount of the U.S. foreign assistance effort (including economic assistance, Export-Import Bank, food for peace, and the Peace Corps) which is obligated for expenditure in the United States is between 85 and 90 percent. The funds are spent in the United States for capital goods, agricultural and industrial commodities, and technical, transportation and other services.

"There are many sources of dollar payments to foreigners, all of them 'drains on the U.S. foreign balance' and potential causes of gold loss:

"Calendar year 1962:	*Billions*
Imports	$16
Tourists abroad	2
Defense expenditures abroad	2
Private foreign investments	2–3
Foreign aid	1"

On the U.S. balance-of-payments problem and the continued decline in U.S. gold holdings, the Committee on Foreign Affairs reported: "Although the U.S. gold supply continues to decline and the U.S. balance of payments remains unfavorable, it is clear that factors other than foreign aid are primarily and directly responsible and that the elimination of the foreign aid program would neither balance U.S. payments nor have a significant bearing on the underlying causes."

The reasons that nations buy gold relates to what each considers necessary for its own reserves as well as requirements of participation in the International Monetary Fund. On page 456 of the 1962 hearings of the Subcommittee on Foreign Operations Appropriations is a policy statement from AID which says, in part:

"Most countries wish to keep some part of their reserves in gold as well as in foreign currencies. AID has no control over such decisions and makes no attempt to influence them. It should be noted that a gold purchase is sometimes associated with a deterioration of a country's reserve position, as in the case last year of Cambodia, Egypt, Nigeria, and Syria.

"Countries receiving economic assistance accounted for only a minor part of recent foreign purchases of U.S. gold. During the period April 1, 1961, to March 31, 1962, the latest year for which data are available, foreign nations and international institutions purchased net, $745 million of monetary gold from the United States. Of this amount, $543.1 million was in transactions with international financial institutions and countries for which no economic assistance from the United States was obligated in fiscal year 1962 (Austria, Belgium, France, Iceland, Netherlands, Saudi Arabia, Switzerland, and the United Kingdom); $256.3 million of gold was purchased from the United States by countries receiving economic assistance and $49.8 million was sold to the United States by such countries."

On pages 773 and 774 of the hearings of the subcommittee is a lengthy statement on the Iranian payment to the IMF in gold and IMF requirements.

Allegation: "Household furnishings and other items under highway projects in Cameroon with average contract to technicians at $30,000 each, at an average salary of $12,000."

Fact: The contract for the project in question was awarded to an experienced American engineering firm. The estimates were based on standard charges by American firms for salaries, travel, profit, and overhead for construction work in "hardship" areas overseas.

Allegation: "Agreement between Morocco and the United States gives Morocco the U.S. bases worth millions of dollars by the end of 1963. One base now occupied by Russian personnel and Russian mig planes."

Fact: For 7 years after achieving independence from France, Morocco permitted the United States to continue use of strategic air bases established there under an earlier United States-French agreement. The agreement to release the bases was reached by President Eisenhower and the King of Morocco in 1959, to be completed by the end of 1963.

One base, which the United States had never made operational, was turned over in 1960. The following year, Morocco accepted jet fighters for its own air force from the Soviet Union, and Soviet technicians were assigned temporarily to train Moroccan pilots.

Morocco continues to pursue a policy of friendship toward the United States, and France has resumed major responsibility for assistance to Morocco's economic development.

Allegation: "$10 million loan to textile mill in Sudan; $500,000 for textile mill in Ethiopia while our textile mills are suffering."

Fact: Textile loans are made under extremely rare circumstances—the two loans cited were made in 1959, and only after it was verified that the output of these mills would be used entirely for internal consumption in the two countries and would not interfere with U.S. exports.

It is AID policy to finance no expansion of textile industries unless it can be demonstrated that such expansion is necessary to meet domestic consumption needs in the host country and will not interfere with U.S. exports. The same policy was pursued by AID's predecessor agencies.

Mr. MORGAN. Mr. Chairman, I yield 5 minutes to the gentleman from New Jersey [Mr. JOELSON].

Mr. JOELSON. Mr. Chairman, from time to time the Members of this Congress are charged in the press and in magazine articles with supporting expenditures for political profit or advantage. I think the foreign aid program, though, is one program where certainly such charge cannot be made. On the contrary, many of us get some political heat about this program. However, we support it because it is in the interest of our national security. And we support it because there are humanitarian considerations which I think are too infrequently talked about in connection with the mutual assistance program.

The Alliance for Progress has been talked about and it has been called a failure. But I would like to recall to the attention of my colleagues that just about a year ago last fall we had a crisis in Cuba. The Organization of American States met and 19 of those nations unanimously voted to support the President's strong, firm policy on Cuba. I shudder to think what the state of the world would be today if at that time we had been in a posture where we turned our back on Latin and South America and told those people to go it alone. We might not be enjoying the peace that we have today.

I think the American public has a misunderstanding about foreign aid. They think it is a program under which foreign nations line up, and all we do is ladle out the taxpayers' money. I think it is up to us to disabuse the American citizen of this misconception. We ought to let him know that a great portion of this program is in the form of loans and that there are standards for making these loans and provisions for repayment. I think we ought to let him know, too, that we do not just give money; we give goods and supplies and equipment which are manufactured right here in the United States and which are a boon to our own economy.

Most importantly, I think we ought to emphasize the fact that much of this program is military aid. And we have the choice of saying to the people of the world that, "We turn our backs on you and we abandon you to communism and to aggression," or on the other hand spread the American Army into every nook and cranny of this globe at a risk of life and at a much greater expenditure than is involved today.

So this is not a giveaway program. It is easy to criticize. It is easy to give "wise guy" labels but this is a mutual assistance and a mutual security program. True, there have been faults in the administration, but that is no reason to scuttle a good program. The answer to that is improve the administration, and that is what we are trying to do. True, our allies who are now on their feet should be making a contribution to our mutual assistance. And it is the duty of our administration and our State Department to try to induce them to do so. But this is a longtime program. You do not fight communism overnight. You do it year in and year out. And it is only the summer soldier and the sunshine patriot who will get tired and throw up his hands and say, "We give in." There are those of us here who are responsible enough to see our duty and to rise to our obligation.

Mr. GALLAGHER. Mr. Chairman, will the gentleman yield?

Mr. JOELSON. I yield to the gentleman.

Mr. GALLAGHER. I commend my colleague from New Jersey for his contribution to this important legislation. In line with the gentlemen's statement I would like to point out that over 80 percent of our economic assistance is spent right here in the United States and well over 95 percent of the military assistance is spent right here in the United States—on procurement.

Mr. JOELSON. I thank the gentleman for that contribution.

Mrs. FRANCES P. BOLTON. Mr. Chairman, I yield 10 minutes to the distinguished gentleman from Massachusetts [Mr. MORSE].

Mr. MORSE. First, Mr. Chairman, I would like to join those who have paid tribute to the distinguished and very fair and patient chairman of our committee, the gentleman from Pennsylvania [Mr. MORGAN], who has done such a superb job in bringing the bill before the House, and also to pay tribute to the distinguished gentlewoman from Ohio [Mrs. FRANCES P. BOLTON], whose patience and understanding and capability has meant so much to us on the minority side.

Mr. Chairman, I rise in general support of H.R. 7885, the Foreign Assistance Act of 1963. The bill would provide a total program of $4,087,075,000 for fiscal year 1964—$2,424,050,000 in new authority and $1,663,025,000 against authorizations made in previous years. The total is $438,025,000 below the President's request. I have supported in committee a number of cuts, and although I am in general agreement with the bill before us, I intend to support further reductions in some items.

I think this is constructive legislation which every Member of the House can support. I want to address my remarks particularly to those Members who may be inclined to vote against the bill, for we have tried, successfully I think, to improve the bill so that it will merit your support. When I joined the House Foreign Affairs Committee in January, some of my Republican colleagues were afraid that I might support the grant or loan of the dome on this building under the foreign aid program. I think my colleagues on the committee can testify to the fact that this has not been the case. On the contrary, I have, with the other members of the committee, considered this program with the greatest care and objectivity. We have weighed every request against the compelling considerations of efficiency, economy, and effectiveness.

We have repeatedly asked basic questions about the allocation of our funds: Are they needed? Can they be used effectively?

I asked these questions on the assumption, also accepted by the Clay Committee, that the foreign-aid program, "properly conceived and implemented" is "essential to the security of our Nation and necessary to the exercise of its worldwide responsibilities."

As a new member of the Foreign Affairs Committee, I have been particularly impressed with the manner in which the committee has approached its growing responsibility in the field of foreign affairs. It is almost too obvious to mention that in recent years, we conduct our foreign relations increasingly by legislation rather than by treaty. Those who argue that the legislative branch has abdicated its role in the conduct of foreign policy to the executive by design or default had only to sit in on the thoughtful policy discussions conducted by the Committee on Foreign Affairs to see that this is not the case. We met not merely to grant or withhold funds from our foreign assistance agencies, but to make serious judgments about the role of foreign assistance in the conduct of our foreign policy.

Let me outline a few of the policy determinations made by the committee, determinations which go a long way toward achieving the kind of improvements that the distinguished gentlemen who joined in the minority report have advocated.

For example, the committee took a long, hard look at the justifications for aid to Indonesia and expressed its concern with Mr. Sukarno by requiring that aid shall not be given unless the President of the United States personally determines that it is in the "national interest of the United States."

The committee also sought to guard against the use of American aid by nations engaged in or preparing for aggressive military efforts directed against the United States or other nations receiving our aid. This action reflects the determination of the committee to insure that our assistance would not be used to create arms races that can only nullify the economic and political stability our program is designed to establish in the developing nations of the world.

We also gave careful consideration to an amendment offered by the capable gentleman from Michigan [Mr. BROOMFIELD] requiring specific congressional approval for projects requiring especially large U.S. contributions. This amendment was defeated by a close margin in committee, but I understand that it will be presented here on the floor of the House, and I will support the amendment with a reasonable cutoff point.

The role of private enterprise in strengthening the economies of the developing nations received extensive committee study. We shared the view of the Clay Committee that—

> AID has shown increasing awareness of the vital role played by local and foreign private investment in the development processes, but fuller cognizance is required in conceiving, conditioning, and implementing its programs in various countries.

Our distinguished colleague, the gentleman from New York [Mr. LINDSAY], proposed an important amendment which was adopted by the committee clarifying the criteria to be used by the President in authorizing loans from the Development Loan Fund. Section 201(b) of the 1961 act provided that the President should take into account "whether financing could be obtained in whole or in part from other free world sources on reasonable terms." This provision was intended to encourage greater participation in development assistance by the World Bank and other international lending agencies, but it was not clear whether private funds in the United States were to be used as well. Mr. LINDSAY proposed language to insure that private U.S. sources of loan funds would be surveyed before Government funds are used. Similar language was added to section 251(b) relating to the Alliance for Progress. I feel sure that this amendment will bring about an increase of private U.S. participation in world development, and I compliment the gentleman from New York on the significant contribution he has made to the bill.

We also looked into the investment guarantee program. As you know, AID is authorized to provide, for a fee, guarantees against specified risks of currency convertibility, expropriation and loss due to war, revolution and insurrection. In addition, AID can issue extended risk guarantees covering up to 75 percent of an investment against political and commercial risks. An increase in the total guarantees outstanding is included in the present bill.

And the committee has, wisely I think, required that the President "shall consider the possible adverse effect of the dollar investment under such guarantee upon the balance of payments of the United States" in issuing a guarantee under section 221(b) of the 1961 act. This provision represents another effort by the committee to insure that American foreign assistance will not unnecessarily weaken our balance-of-payments position. Approximately 81 percent of our economic assistance funds obligated in fiscal 1963 will be spent in the United States and this percentage is expected to increase in fiscal 1964.

Mr. Chairman, the assistance program has frequently been criticized for waste, inefficiency, and ineffectiveness. I will not deny that in a shocking number of instances, this has been the case. This does not call for an end to the program, but rather for continuing efforts to make it more effective. An informed critic of the foreign-aid program, Dr. Edward C. Banfield, has written that "even if aid is only moderately effective in keeping the underdeveloped countries out of the hands of the Communists, it is a small price to pay for a large benefit."

We have already derived tremendous benefits from our foreign assistance efforts. We have seen the devastated nations of Western Europe rise from recipients of the Marshall plan aid to donors of economic, technical, and military assistance to all corners of the world. Most of these countries, as well as Canada, Australia, and New Zealand, today have their own foreign-aid programs. The responsibility now being assumed by these countries indicates the magnitude of the shift in our program. They provided about 40 percent of last year's total bilateral economic assistance through the Development Assistance Committee of the OECD. We can expect this trend to continue in the future.

We can already see the end of a need for certain types of assistance clearly in sight for nations like Greece, Israel, and free China.

A program that has made so much progress toward freedom and independence for the developing nations of the world should be preserved and strengthened. I think this is a bill that deserves the support of every Member of Congress. Independence requires more than the proper political framework. The vitality of a nation is equally dependent upon its economic security and cultural development. It is the hope of those who have molded and scrutinized our foreign assistance program that this program will help recipient nations to achieve all three.

One way to avoid the euphoria that we have been warned can result from the test ban agreement is to let the people of the United States know that we know that the world struggle is going to continue for some time. Even if it is not fought on the battlefield or in space, it will be fought in the poverty-stricken areas around the world. If we are to win this struggle, we must continue to provide the developing nations of the world with the tools they need to withstand the seductive promises of the Communist world.

Mr. MORGAN. Mr. Chairman, I yield 10 minutes to the gentleman from Delaware [Mr. McDOWELL].

Mr. McDOWELL. Mr. Chairman, those critics who look upon foreign aid as a giveaway program and who would like to compare it with some of their favorite expressions describing some of our domestic Federal programs as boondoggling, commit two basic errors—the undeniable fact that our foreign aid is part and parcel of the U.S. foreign policy, and that 81 percent of the funds involved are spent in the United States.

Military aid is as much a part of our national defense as our regular defense appropriations. If the approximately one-third of our annual foreign aid funds were appropriated under the defense acts, they would pass the Congress as easily as those measures are passed annually—often by a voice vote.

Economic development aid ranks at least equal to increased spending on arms in the struggle between East and West. Proof must be demonstrated of democracy's superiority in economic strength as well as military strength.

The civil war in Greece was a military operation to conquer that country for communism. Our resistance was a military decision and the success of this foreign aid venture is self-evident today as an independent Greece phases out of the foreign aid program. Sound in its internal security, firm in its allegiance to the West, economically viable.

Korea is another example of a military decision where billions of foreign aid funds were spent in the conduct of a war followed by an uneasy truce which required further billions to sustain its independent government and to rebuild its war-shattered economy.

These are two outstanding examples of military operations where foreign aid funds were expended. There are many other such examples which have occurred during the history of foreign aid.

In order to meet the economic competition of communism in the many newly born nations, it is necessary for foreign aid to start from scratch in the building and rebuilding of internal economies.

Beyond the ideological chasm is a gaping gulf dividing rich and poor, the extent and effects of which we must recognize. The majority of human beings live in conditions of unimaginable poverty and privation. Every year about 40 million people die of undernourishment. More than half the world's population goes hungry. Countless millions have no roof over their head. Frequently, sanitary and hygienic conditions are indescribably bad. In many countries the average span of life is from 30 to 40 years. First and foremost for all these people is the banishment of penury and need.

Development aid is not given for humanitarian or charitable reasons alone. By labeling it "social politics on an international scale," the tag touches a part, but not what is essentially the core of the problem. There are, namely, significant political consequences of development aid. The emerging countries—which to some extent might still be regarded as the no man's land between democracy and dictatorship—will gradually become a makeweight, to tip the scales of the way of the world. It may rest with them, if not entirely, to a larger degree than many would have it, to decide whether the spirit of liberty and of human dignity will triumph. Development aid, as a logical development policy, may thus also promote the reunification of Germany, if we evince real appreciation of the matters vital to the peoples having a seat and say in the United Nations Organization.

The foreign aid program is strongly backed by economic considerations. Highly industralized Europe needs raw material bases. Many of the emerging countries, some of them already associated with the European Economic Community, are—as suppliers of raw materials—essentially linked with European industrial potential. The state of their economy and currency affects the European market and the balance of payments of the trading partners. It is our duty to pursue a balanced policy toward the underdeveloped countries, and not just to give mercantile development assistance. Otherwise we shall fail to persuade these countries to adopt sound economic and fiscal policies. And only on the basis of such policies will it be possible to achieve constructive cooperation, to the benefit of each and every partner. A lucid analysis of the economic situation of all countries concerned, of the economically strong and of the indigent or developable weak, will furnish useful standards for working out an objective policy for promoting the economic development of preindustrial countries.

It is for these reasons that U.S. foreign aid programs have encouraged other nations of Western Europe and Japan to increasingly participate in giving foreign aid. Every effort is, and will continue to be, exerted to have these countries share the burden.

My good friend and distinguished colleague on the committee [Mr. ADAIR], although an opponent of foreign aid, in a statement to the House today, has admitted that the committee this year adopted amendments to improve the administration of the program. This is not a new situation. The Foreign Affairs Committee over the years has adopted many amendments which have had the result of improving and perfecting foreign aid. I am certain the gentleman would agree with me, as I am equally certain all members of the Foreign Affairs Committee would agree, that under the able leadership of our great chairman, the gentleman from Pennsylvania, Dr. MORGAN, the committee has not only worked diligently but conscientiously over the years to contribute to the success of our foreign aid programs.

Unfortunately, there are those who, perhaps for good reason, have in the past, and will now, offer amendments designed not to contribute to the successful administration of the program, but amendments which are designed to insure its failure, thus paving the way for their bitter criticism and opposition to bring about the end of all foreign aid. Those who say foreign aid should be discontinued would be horrified if it were even suggested that they were advocates of contributing to the success of communism to win the cold war.

It is interesting to note that of the 41 major aid-receiving countries we have helped since 1945, these are the results:

Fourteen—Western Europe, Japan, Spain, and Lebanon—have not only reached a satisfactory growth rate of at least 1.5 percent for 5 successive years, but are no longer dependent on aid.

Ten more have reached this record of growth, have made progress in limiting dependence on aid, and several, such as Israel, Greece, and Taiwan, will soon be independent of external aid.

Nine more countries have attained a satisfactory growth rate but will continue to depend on substantial aid.

Only eight cannot be said to have reached a satisfactory rate of growth. Seven of these are in Latin America where aid in substantial amounts has only just begun.

What about social and political progress in these countries? Does aid help or hinder? In virtually all of the 24 countries in the first two groups, democratic institutions have been strengthened or less democratic regimes have been liberalized.

We should not claim too much. The development of nations with free institutions, with the capacity to manage effectively, is a long and arduous process, with many unpredictable turns in the road. But it is clear that U.S. aid has already built a record of significant achievement. There is, to date, no clear case of political backsliding in the countries to which we have extended substantial economic assistance.

Can we afford aid? The question is, more accurately, what costs should the United States bear? There are costs in any course we take. We are aware of those connected with a substantial aid program but have we calculated the costs of abandonment or drastic withdrawal? The costs of the latter course, particularly if we are mindful of the constitutional obligation to our posterity, could well be intolerable.

The facts are that 15 years ago we were spending over 2 percent of our gross national product and 11.5 percent of our budget on aid; today aid accounts for less than seven-tenths of 1 percent of gross national product, less than 4 percent of our total budget, and less than one-twelfth of our budget for defense and security. By this I do not mean to minimize the investment—but I do suggest that we can afford the money.

But can we afford the drain on our gold reserves? Here again we face exaggeration, for many believe the entire dollar drain can be chalked up to aid programs. The fact is that, with increasing efforts to tie our aid to U.S. procurement, we have already moved from a 50-percent figure for expenditures in the United States in 1962 to 70 percent estimated in 1964, with 85 percent of all new obligations being tied to our own goods and services. In 1956 it was estimated that 600,000 American jobs were due, directly or indirectly, to economic aid programs. With increased emphasis on tied procurement, it is fair to assume that the number of jobs has substantially increased.

Those who would slash our aid programs to ease our balance of payments position would do well to ponder the equation recently developed by AID Administrator Bell. Were we to slash economic aid by a billion dollars, he points out, we would reduce our exports by over $800 million a year, while reducing our balance-of-payments deficit only by an amount under $200 million.

The final answer to this problem will depend on a host of measures now being taken by various agencies of government and, ultimately, our ability to compete effectively in world markets.

I should add that our balance-of-payments position today is being aided by the payment, and in some cases the prepayment of Marshall plan loans. In the years to come, we shall increasingly be receiving payment on loans we are making today.

Aid as an instrument of national policy dates at least from 1942 with the launching of a technical assistance program in Latin America. Four Presidents and 11 Congresses have not only ratified but broadened the use of this instrument. There will always be controversy in any program so complex and varied, exercised in areas overseas where our ability to control events is sharply limited. But its necessity, its past achievements, its objectives and operating principles should no longer be the focus of perennial controversy which weakens our will at home and our prestige abroad.

Debate should concentrate on specific issues of policy and practice. The surgeon's scalpel should replace the meat axe. The margin of difference between the executive and legislative branches should be no different than that in the other accepted functions of government. We are within reach of this objective. The time is long overdue.

In sum, aid programs have been part of the fabric of American policy for 21 years. They are now of age. Let us now act with the maturity which experience has given us and which the times demand from us.

THE LAUGHING BUDDHA

Mr. Chairman, having had the distinct pleasure of meeting the Honorable W. S. Kent Hughes, I was delighted to see in the Washington Post of Sunday, August 11, 1963, his article entitled "The Laughing Buddha."

Kent Hughes is a former member of the Australian Parliament and was chairman of that body's foreign affairs committee for many years.

Such factual information as expressed in Mr. Hughes' article is most valuable to the American people who sometimes misjudge the issues through lack of intelligent information.

The article referred to is as follows:

The Laughing Buddha

> The rape of Tibet and the persistent persecution of the churches in the U.S.S.R. and mainland China provide plenty of evidence that the atheist ideology of communism regards religion as a capitalistic drug, which must eventually be entirely eliminated from the body politic. It is therefore not surprising that the Western World has not as yet woke up to the latest Machiavellian machinations of Mao Tse-tung as "the Laughing Buddha."
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> Since the religious disturbances of May 8 in Hue, South Vietnam, Western newspapers have been headlining the struggle between the Buddhists and the "Catholic" regime. True as it may be that the Government has its faults (all governments are human and therefore not perfect), yet the realization that the Chinese Communists are using Buddhism as a counter to Western Christianity and as a weapon of conquest seems to have escaped notice.
>
> Madame Nhu, President Diem's sister-in-law, is at times a great embarrassment to her brother-in-law. Being a recent convert to Catholicism, she seems to pursue her faith with the zeal of a modern Joan of Arc. It is unfortunate that her passionate nationalism and religious fervor have led to occasional excesses, which have been used by her enemies to overshadow the excellent work she has done for her country.
>
> Mao, the modern masochistic version of the Laughing Buddha, ordering extra gold leaf for the pagoda temples in China, while contemplating, not his navel, but the greatest religious doublecross of all time, is the villain of the piece.
>
> Without conducting a long and intricate dissertation on the basic tenets of Buddhism, such as "noninvolvement" in political and other allied matters, the following facts are sufficient to prove the dangers inherent in the situation in Asia.
>
> In Ceylon many leading Buddhists have openly avowed their support for a Communist government. Holmes Welch, a recognized British authority on Buddhism, recently wrote:
>
> "One young monk in Ceylon told me that he and 80 percent of his contemporaries hoped that their country would soon have a Communist government. If it did, he said, the Sangha would be much better off than it is now. It would have financial support and public respect, and it would become stricter in following the Buddhist rules. Other Sinhalese to whom I repeated his estimate felt that it was not very much too high."

In Burma many Buddhists have swung far to the left, and Thailand, strongly anti-Communist, is now being attacked in the vulnerable northwest and northeast frontiers. As Richard Hughes wrote: "A king-god from the Shan States of Burma has proclaimed a new kingdom among hill tribesmen in frontier jungles of north Laos, northeast Thailand and Burma. * * * The movement is being directed and exploited by Chinese Communist agents."

Mr. Matsumura, a former Minister of Agriculture and Education in Japan, visited Peiping in 1959 and again last year. On his return in 1962, the London Economist reported that "In his opinion, China, unlike the Soviet Union, has fostered religious observances. In support of this view, Mr. Matsumura points out that in China he saw Buddhist temples which had been repaired and had their statues newly plated with gold."

The Chinese Communists have been working among both the Zen Buddhists and the Nichiren sects in Japan, and also with Buddhist monks in Nepal. Again quoting from Mr. Welch: "The Japanese hope to reestablish trade with China which causes many Japanese to cooperate in the Buddhist 'friendship' act staged by Peiping."

Peiping also publishes a monthly, Modern Buddhism, consistently advocating that by wiping out the American imperialists, who are disturbers of the world peace, the followers of Shakyamuni will gain credit.

The Peiping radio naturally plays its part in the fictitious religious revival. For example, on July 18: "Religious believers in Peiping have strongly protested against the U.S.-Ngo Dinh Diem gang's persecution of the Buddhists in Vietnam. At a meeting Wednesday, they expressed firm support for the patriotic and just struggle of South Vietnam's Buddhists against American imperialism."

The Diem regime has enough troubles to contend with in the war, not only for its own survival but as the frontline for southeast Asia and Australia, without a lack of understanding by the West that the Buddhist disturbances are symptomatic of the much more deep-rooted designs of the Chinese Communists.

The original casualties in Hue on May 8, judging by photographs of the victims, were caused not by police weapons but by plastic bombs. Two weeks or so later similar bombs caused many casualties outside MAAG headquarters in Saigon. Neither the Vietnamese Army nor the police have been issued plastic bombs, but the Vietcong possess them.

Finally, in Bangkok, the home of SEATO and the capital of Thailand, which with Malaya is the most fearless anti-Communist nation in southeast Asia, the authorities arrested two Buddhist priests on July 18 for subversive Communist activities.

No wonder "the Laughing Buddha" of Peiping continues to contemplate the naivete of the West with a calm, inscrutable Oriental smile of self-satisfaction, as he gazes on the success of his subversive subtleties.

Mrs. FRANCES P. BOLTON. Mr. Chairman, I yield 12 minutes to the distinguished gentleman from Missouri [Mr. CURTIS].

Mr. CURTIS. Mr. Chairman, I want to discuss a little bit the balance-of-payments aspect of this Foreign Assistance Act as well as our problems involving our own domestic financing. I certainly have listened to a great deal of unproven assertions that this foreign aid program does not amount to much when it comes to our balance of payments. I have also, for several weeks, been reading some of the statements by this administration on the subject to the same effect. This afternoon I had the opportunity of interrogating Secretary of the Treasury Dillon who is testifying before the Committee on Ways and Means in behalf of his proposed excise tax on foreign investment, that is, Americans investing in foreign investments. I asked him about some of this data and these figures. It was very interesting that Secretary Dillon said he had done no research in the Treasury on it. I asked where does this figure that I just heard quoted by the gentleman from Delaware—81 percent—come from. Incidentally, the committee put it in their report, on page 5 I believe, in talking about the gold loss. They refer back after this table to page 1731 of the hearings. One refers back to that page and finds that that is in the appendix. No one on the committee apparently thought it was important enough to interrogate the Director of AID to ask him where he got these figures, because all that is on page 1731 is really a repetition of what is put in the committee report. There are no working papers there; there are no estimates. It goes on to say:

> Even a substantial reduction in appropriations for all foreign assistance programs would not significantly affect our gold flow. Since only 10 to 15 percent of the program is presently being spent abroad, each dollar the program is reduced will have two effects: There will be 80 to 85 cents less to pay for American goods and services and 10 to 15 cents less for expenditure elsewhere.

So AID in the committee hearing comes up with some different figures from the gentleman from Delaware, and yet I suspect it is from the same source. These figures quoted by the gentleman from Delaware were 60 percent and then going on to 71 percent, if I recall. I am just going by memory from having listened to him. This is for 1964. Then at some time in the future it is 80 percent. When you are dealing with statistics you do not talk about between 10 and 15. You know what you are talking about. I have been trying to find out where these working papers are that ever gave rise to such a cockeyed idea.

Mr. THOMSON of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman if you can help on this.

Mr. THOMSON of Wisconsin. The Citizens Foreign Aid Committee challenges the figures used in the debate this afternoon and they cite a statement made by AID which says:

> Of all the current commitments, over 80 percent will be spent in the United States contributing to the growth of our economy and employment opportunities.

They continue further and state:

> AID's operation report, April 25, 1963, page 44, appears to support the contention that current aid commitments are being spent mostly in the United States. This claim is spurious as shown in the table and comment which follows.

Mr. CURTIS. I thank the gentleman, because I want to say here and now unless the majority on the Foreign Affairs Committee can back up these figures—and evidently all they did was just take something somebody downtown handed them—unless they can back them up, let us quit using them.

Mr. McDOWELL. Mr. Chairman, will the gentleman yield?

Mr. CURTIS. I yield.

Mr. McDOWELL. I think the testimony of responsible witnesses before the Foreign Affairs Committee is a reliable source of information.

Mr. CURTIS. I want to say that there is no testimony. All you have here on page 1731 is a statement not even signed by anybody; no one on the committee even interrogated a witness on it. So there is not any testimony.

Mr. McDOWELL. I will say to the gentleman whether the testimony is contained in this report, there has been testimony before the Foreign Affairs Committee supporting the figures which I have used in my remarks today.

Mr. CURTIS. Where is it?

Mr. McDOWELL. In support of these figures by responsible administrators in the AID program, and I think they have just as much bearing and should be used as being authentic in the same manner as the gentleman's source of figures.

Mr. CURTIS. You refer in your committee report to page 1731. The Joint Economic Committee has been engaged for several months now in this entire problem of balance of payments. In fact, we were involved in it before this year in another subcommittee. This, in my judgment, is one of the most serious problems that faces our country. This is nothing for us to be sweeping under the rug. What bothers me about this is this idea that foreign aid has no or very little bearing on balance of payments. I happen to be one who favors the theory of foreign aid, and I have said so on the floor of the House time and again, and I have voted for authorization bills. I have not voted for them in the past 2 years and shall not vote for this, because this has gotten so out of context with reality because of this kind of sloppy homework—and the minority views here are well stated—that actually the amounts of money you are voting are damaging the very fine objectives that we seek to attain. At least I feel they are fine objectives, in the foreign-aid program. But to say that this has no direct and very important bearing on balance of payments is frankly nonsense. And to have it stated here as an argument to try to persuade people who are against foreign aid or reluctant to go along with it that this has something to do to benefit our own domestic economy is just unreal.

Mr. Chairman, let me add one other thing. If indeed we really were spending 80 percent here in the United States then I can tell you that we are going against the whole theory of foreign aid, because we are trying to help the economies of these countries abroad, not the domestic economy. And let me say that the bulk of this money should be going into payrolls and undoubtedly is going into payrolls in these countries that are involved in which we are trying to bring about assistance. When you build a road over there that is what some of it is used for, or a schoolhouse, or public facilities; that kind of material is not shipped from the United States, and the labor used on those payrolls are the people of the country involved.

If you have gotten to the point where 20 percent only goes to the country involved and 80 percent is spent in this country, then I can tell you you have gone against the whole theory of foreign aid.

Mr. McDOWELL. Mr. Chairman, will the gentleman yield?

Mr. CURTIS. I yield.

Mr. McDOWELL. All I want to say is that the gentleman has contradicted himself so many times in discussing this problem that I am not sure which side he is on.

Mr. CURTIS. Mr. Chairman, I decline to yield further; I will not yield further until the gentleman documents just one instance where, as he says, I have contradicted myself.

So, let us reveal those contradictions to which the gentleman has referred. I will yield for the purpose of that and will take them up each time where the gentleman says I have contradicted myself, because I want to get it straightened out. I yield to the gentleman for that purpose.

Mr. McDOWELL. My understanding is that the gentleman's argument is that we were not quoting the figures which he had used as 80 percent or 85 percent or the 60 percent.

Mr. CURTIS. I do not know what it is. Which is it?

Mr. McDOWELL. I have reference to the amount of money spent in this country.

Mr. CURTIS. Will the gentleman tell me which figure the gentleman is using?

Mr. McDOWELL. It was 60 percent in 1962, 71 percent in 1963, and 85 percent of the program or of the amount in the bill now would be allocated for domestic purposes.

Mr. CURTIS. At page 1731 of the hearings in the AID Director's statement he says that only 10 to 15 percent of the program is being spent abroad. According to the figures which he uses it should be 85 percent to 90 percent instead of the figures which the gentleman from Delaware is using. That is what I want to get straightened out. Which figure is the gentleman using?

Mr. McDOWELL. I was not referring to that portion of the hearings.

Mr. CURTIS. Point out to me where I contradict myself as the gentleman said; because I said if this is the percentage figure, that we should not be spending this much abroad.

Mr. McDOWELL. That is correct. On the other hand you say we should be spending more than 10 percent or 15 percent or 20 percent in foreign countries.

Mr. CURTIS. I thank the gentleman. I thought he misunderstood the point.

Mr. McDOWELL. The gentleman seems to think we should have spent more of this money abroad to procure the necessary materials to go into the foreign countries.

Mr. CURTIS. Indeed, I do.

Mr. McDOWELL. The gentleman is not in favor of providing jobs in the United States?

Mr. CURTIS. I am not from the foreign aid program; indeed, I am not.

Mr. McDOWELL. I am surprised to know that the gentleman feels that way.

Mr. CURTIS. I certainly do. I think it is a specious argument because the theory of foreign aid is that you are supposed to be spending over there. I happen to have some theories as to how we move forward in our own domestic economy. But this idea of coming in here and arguing in behalf of foreign aid and claiming you are helping the domestic economy is contradictory of the theory of foreign aid. No. 1, I do not believe, fortunately, that the figures are accurate. They cannot be substantiated. I simply feel if they are accurate then, indeed, you are in violation of the principles of the program.

Mr. GALLAGHER. Mr. Chairman, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from New Jersey.

Mr. GALLAGHER. I would like to point out to the gentleman that all of the figures as they apply to the balance-of-payments question come from the Department of Commerce. These are the figures that are in question.

Mr. CURTIS. They are not the figures that are quoted here.

Mr. GALLAGHER. I would like to quote the figures from page 128 of the hearings. In response to a question by the gentleman from Connecticut [Mr. MONAGAN], Mr. Bell stated as follows:

> The statement I made was that, of the funds now being committed in fiscal 1962, we expect that 81 percent of those funds will be spent in the United States. Some of them won't be spent for some time because they are on other projects.

In addition to that, we have another source of information from the vice president of the chamber of commerce wherein he states there is an estimated 84 percent of our current foreign aid disbursements that are now tied to purchases in the United States of goods and services.

Mr. CURTIS. Where is that in the hearings?

Mr. GALLAGHER. At page 1603 of the hearings.

Mr. CURTIS. This is the kind of data I want. Incidentally, this is the kind of data when we get to the working papers behind it which I want available. I have been into this to some degree. I do not think these data will stand up, if they are Department of Commerce figures. This business of working with statistics is an exact science. The statistics themselves, I grant, will always have limitations to them. This is not a question of impugning the motives involved as much as it is looking over working papers so we can come up with intelligent answers. We are really in a position here in the House of not knowing what the figures are. This use of the word or term "81 percent," or whatever it is, does not have the kind of statistical backing that this House needs in order to rely on those figures as a basis for deciding policy or the sums of money involved in this bill.

Mr. Chairman, I again point out that this serious problem of balance of payments and our own deficit financing is wrapped up in this bill, and if it were cut back to about $2 billion instead of $4.1 billion we might be somewhere within reason where we could debate it and come out with a program which had some reasonable chance of attaining its stated objectives. As it is we will continue to drown our good intentions in a flood of excess expenditures.

Mr. BROYHILL of North Carolina. Mr. Chairman, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman.

Mr. BROYHILL of North Carolina. Mr. Chairman, the foreign aid legislation which we are considering today is, in my opinion, one of the most important bills we will consider this year. Some months ago, it was my hope that for the first time in many years, the Congress would thoroughly reassess this sprawling program and make major and necessary changes in policy. This bill, fortunately, does make some needed reforms, but it does not, in my opinion, reflect the kind of searching analysis which the situation requires. Unfortunately, we have again an expression of almost boundless faith in the necessity for a program that has become a "sacred cow."

By the simple process of spending vast amounts of money, Americans are being led to believe that we are accomplishing vast amounts of good. All of us would hope that accomplishment matches spending. However, we all know that is certainly not true. Congress has not faced its responsibilities in this program, and I fear it is attempting to evade them again in this debate.

If any domestic program were so marked by administrative weaknesses, questionable aims, pure waste, and even stupidity, the demands for reform in this Chamber would be unanimous. Why do we apply a double standard of evaluation on the foreign aid program?

Since the advent of this program, we have added dollar considerations to foreign policy on a huge scale. It often appears that the dollar sign is a substitute for clear and sound policies. To the extent that this is true, the foreign aid program is a crutch which, despite its constant use, does not disguise the affliction. The President of the United States has a constitutional responsibility for foreign policy. The Congress has an equally heavy responsibility for authorizing and appropriating funds. It seems to me the continuing conflict has been resolved with respect to this program only to the extent of Congress subordinating its role to take comfortable refuge in periodic flurries of criticism. Instead, the congressional focus has placed a heavy load upon the Appropriations Committees as major battles have been fought out on the actual money bills. However, it is upon the authorization legislation—this bill that we are now considering—that the merits, aims, and administration of the foreign aid program should be fought out. Certainly, the amount of money being poured into this program year after year is a primary consideration. However, it is not the only valid consideration. A reduction in appropriations will not correct the deep administrative problems that have beset this program for many years.

Some of the apparent problems involve the hasty obligation of funds, the unexplained diversion of funds from one project to another, the soundness of the projects themselves, and a lack of supervision over the use of funds in government-to-government contacts where AID money lines the pockets of ruling cliques rather than serving the purpose intended. There appears to be no legal authority within the Agency to assure reasonable review and inspection of projects financed out of the Social Progress Trust Fund through which more than $384 million has been obligated in less than 2 years.

No less a problem is the secrecy and efforts to frustrate attempts by Congress to review what vast sums are spent for and how it has been handled. The Government Operations Committees have encountered obstructions time and time again as they have tried to carry out the investigative responsibilities for which they are specifically charged. The remarkably privileged position of the Agency for International Development is certainly, in my opinion, unjustified and unsupportable. The American taxpayer has a right for a better accounting than he has been provided.

I wish to commend the minority members of the Foreign Affairs Committee for the contributions they have made to this debate. They point out the practice of presenting Congress with a blank check to sign each year and cite the publicizing of agreements which commit the Congress to providing funds before specific projects can be studied by the legislative branch. The amendment being offered this year to require congressional review of all projects costing more than $50 million is a reasonable safeguard against the runaway lack of accountability that is so common in this program.

As in the domestic economy, this administration seems to have little regard for spending. It seems to believe we can go on doling out billions to everyone. Foolish generosity is not something we can continue to tolerate. Despite the elaborate arguments the administration makes to the contrary, the outpouring of foreign aid and military assistance abroad is contributing largely to the serious balance-of-payments problem. To the extent that the security of the United States is shored up in the cold war by this assistance, it may be justified. But I do not believe that the people of the United States think we are getting our money's worth either in world friendship or in added security against communism.

Certainly, the people of the world must question a program that spreads largesse to areas of the Communist world on the pretext of protecting the free world from communism. How can we justify assistance to Communist Poland or Yugoslavia when these nations, in turn, carry on a thriving trade with Cuba in an effort to strengthen the spread of Communist infection in our own hemisphere?

The Clay Committee report's conclusion that we are "attempting to do too much for too many" seems to have had no deterring effect on the contents of the present bill. There is every evidence that the same line of fuzzy thinking and lack of priorities that have spread our effort to 95 countries and territories continues unabated.

There are repeated charges that we attach "strings" to the aid we give abroad. It is incredible to me that we do not attach more conditions. I wish to commend to the Congress the following editorial which appeared in the Daily Independent of Kannapolis, N.C., for August 15, about the Alliance for Progress:

Two Years of the Alliance

> Doubt, disappointment, and disdain color the second birthday of the Alliance for Progress. Those Latin Americans who were to have benefited most from the aid program have perhaps benefited least. Most certainly the disillusionment is deeper in the recipient nations than it is in the United States.
>
> The complaint of the Latinos is of U.S. redtape and bureaucracy, and there is no question of its justification. But the real trouble is default. Of the 19 Latin nations which signed the Charter of Punta del Este—Cuba was barred—only 6, Bolivia, Chile, Colombia, Mexico, Peru, and Venezuela, have presented workable 10-year development plans. Self-help and land and tax reform have been given at best a show treatment by most recipient nations.
>
> A powerful oligarchy traditionally and successfully fights equitable taxation and forward-looking land reform. In Chile the land reform bill admittedly was written by landlords; it will work only if they let it. Land reform may work in Bolivia, but this is a long time off. Mexico, with a burgeoning middle class, is probably as far along as any Latin country. President Lopez Mateos continues to hand out land to peasants, but without Cuban-style confiscation.
>
> Latinos look for short term emergency aid and the development of a skilled labor force because these would advantage rather than disadvantage the rich. Much of the money so far advanced by the United States has been used to bail out wobbling economies rather than for long-term development. Of a $398.5 million loan and aid package arranged for Brazil in March, about $84 million was "walking-a-round" money, used to rescue the cruzeiro.
>
> Last year Argentina suffered more bankruptcies than at any other time in her modern history. And yet out of $150 million credits pledged by the United States, the Government has yet to complete plans for public works and other projects estimated to cost $81 million.
>
> The Agency for International Development has allotted $20 million for Mexico's small farmers. But Mexican banks through which the money must flow are not organized so as to make the individual loans.
>
> These specifics are typical rather than atypical.
>
> The disillusion creeps north. Congress last autumn showed its lack of enthusiasm when it cut $75 million from a $600 million appropriation the administration had requested as part of economic aid to be extended to Latin America in the 1963 fiscal year. Latin American aid is in trouble in this year's foreign aid authorization bill.
>
> President Kennedy in his most recent statement on the Alianza admitted being "depressed." But he urged a long-term view: "I say, on this second anniversary, we have a long, long way to go, and in some ways the road seems longer than it was when the journey started. But I think we ought to keep at it." As the President intimated, it would be a considerable help if the Latinos themselves put a little more sweat into clearing the path.

This is symptomatic of many of the problems we encounter in this big business of giving away money. Perhaps our help will not be as popular with entrenched regimes abroad if we demand accomplishment of the purposes of our help. Nor will loan programs be popular, even at low or no interest rates over long terms. I would rather take a handout, too, with no conditions. But, in these instances, we are being utterly ridiculous if we try to find ways to escape responsibility for accomplishing definable objectives that we see clearly are important to our own survival as a nation. I think we have gone to such lengths in the past, and there is too much evidence that we intend to go on doing it.

I feel strongly that our own economy cannot continue a policy of profligacy. In few Federal programs are the excesses so obvious. Foreign aid has been called a "whipping boy" which has few friends in this country. I honestly believe it has more friends than it deserves. I do not doubt the good faith of its supporters. I simply find it impossible to support this massive program in view of its vast closet of skeletons.

Until there are reforms that are responsive to the volume of justifiable criticisms against the AID program, I cannot support authorizing legislation. The Congress must resume its rightful share of control that it lost long ago. When this is done, the price tag will, I am confident, be vastly reduced. We will also be able to see clearly what we are doing and lighten the load of foreign aid that the American people have carried on their backs for too long.

Mr. HALL. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Chairman, during this week's consideration of the Foreign Assistance Act of 1963, I plan to submit an amendment to carry out the following recommendation of the Clay Committee in respect to United Nations Assistance Agencies:

> U.S. contributions to the budget of these organizations should not exceed our proportionate share of our regular U.N. budget. (P. 16, Clay Committee Report to the President.)

It will also implement herein H.R. 5666 which I introduced on April 11, 1963, and concerning which I testified before the Committee on Foreign Affairs on June 5, 1963, pages 1503 of hearings.

At the present time, our maximum share of the regular—assessed—U.N. budget, as established by Public Law 82–495, is 33⅓ percent. The Clay Committee recommends, and I propose, that this same limit be applied to all U.N. Assistance Agencies to whom we contribute through AID. As the Members of this House well know I researched this problem the first 3 months of this year and 15 times reported on the various funds and abuses.

We now contribute in excess of 33⅓ percent to 10 of the 28 U.N. budgets.

The following table indicates the savings that would accrue if this amendment had been in effect in 1962:

U.N. Fund:	*Savings*
Emergency Forces	$1,233,000
Congo	10,193,000
Special Fund	4,223,000
Expanded Tech. Assistance Program	3,083,000
UNESCO (Special)	1,364,000
Refugee Relief in Near East	12,941,000
WHO Projects (Special-3)	2,156,000
UNICEF	2,643,000
Total	37,836,000

Since virtually all U.N. budgets are increasing except for the Congo operation, it is apparent that greater savings would occur in 1964.

American taxpayers now finance the U.N.'s myriad budget and funds in widely varying amounts, often at the discretion of the State Department. Though our basic contribution to the U.N. general budget is presently 32.02 percent, we pay 40 percent of the Special Fund and ETAP, 70 percent to the U.N. Relief and Works Agency in the Near East, and 100 percent to the WHO community water development and research programs.

When many of these "voluntary" programs were initiated, the Department of State offered to pay more than 33⅓ percent in order to motivate participation.

Yet, we have been paying the same disproportionate share of the U.N. Special Fund and ETAP since 1959. We have paid 100 percent of two WHO projects since 1959 without encouraging any participation by anyone—except in the benefits. Our share of the U.N Palestine refugee relief program has, in fact, increased from 67.48 percent in 1949 to its present alltime high of 70 percent.

Aside from the relative merit of these multilateral programs, they are not nearly so international in cost as they are in benefits. Nor has our increasing contribution to them resulted in any reduction of our own foreign aid program.

So long as we are willing to pay more than our fair share, other nations will be satisfied with paying less than theirs.

In the case of the Special Fund and ETAP, I have previously documented in the Congressional Record, April 11, 1963, examples of substantial aid to Communist bloc countries. Total U.N. aid to, or programed for the Red bloc in 1963–64 includes 16 projects for Cuba, 30 projects for Poland, 32 projects for Yugoslavia, 3 projects for Albania, and 12 interregional projects with Red nations involved—a total of 93 projects costing $9,791,373.

The Soviet Union contributes no more to the Special Fund now than she did in 1959. Her pledge each year is for $1 million—less than the contribution of tiny Switzerland. Yet, the United States contribution to the Special Fund has grown from $10 million in 1959 to $29 million in 1963, an increase of almost 300 percent.

Furthermore, Red bloc contributions are in nonconvertible currencies.

If benefit nations do not criticize Russia for paying less than its fair share, surely no nation can criticize the United States for not paying more than its fair share.

Under leave to include extraneous matter and revise and extend my remarks, so that all Members may be advised in advance, I include herewith (a) a copy of the proposed amendment, (b) a copy of my radio report for this week, and a hope that all will review my remarks of April 11 when H.R. 5666 was introduced.

Other U.N. members must learn to accept responsibilities as well as benefits. Paying one's way is part of the growing-up process for nations as well as men, and our own budget deficit cannot be ignored. I hope you will support the amendment to carry out my considered recommendations, and establish 33⅓ percent as our limit on all U.N. assistance budgets, and the committee will accept it.

AMENDMENTS TO H.R. 7885, AS REPORTED, OFFERED BY MR. HALL

On page 10, immediately after line 12, insert the following:

"Sec. 107. Section 301 of the Foreign Assistance Act of 1961, as amended, which relates to general authority to make contributions to international organizations, is amended by striking out subsection (b) and inserting in lieu thereof:

"'(b) Contributions, whether in cash or in goods and services, and other payments made by the United States for the calendar year 1964 or any subsequent calendar year to the United Nations or to any program or activity thereof (whether or not financed in whole or in part by assessments against member nations) may not exceed 33.33 per centum of the total amount contributed and paid by all nations for the calendar year involved to the United Nations, or the program or activity thereof, as the case may be.'"

And renumber the following sections accordingly.

HON. HALL'S REPORT FROM WASHINGTON

This is Congressman Durward Hall with your "Report From Washington."

In Washington this time of year one can depend on two things, hot weather, and "the foreign aid bill."

Just as the earth revolves around the sun once a year, so the Congress can look forward once a year to a sizzling controversy on the subject of foreign aid. Actually, there are two controversies: one dealing with the authorization of funds—up for debate this week—and the other dealing with the actual appropriation of funds. The bill now before the House calls for the expenditure of $4.1 billion in fiscal 1964.

We have now had a foreign aid program in existence since the end of World War II. But there is no comparison between the "type of aid," we were giving then; and the type we are now being asked to approve and finance.

Funds under the Marshall plan were designated to European countries, where there was a high degree of civilization and understanding of industrial technology. Also the countries of Western Europe were all friendly to America, with no question of their attitude toward the Communist Iron Curtain.

Today the vast brunt of our aid is not directed toward highly civilized nations but rather toward what are called the newly-emerging and underdeveloped nations, most of them located in Africa, Asia and the Near East, and Latin America. Some have failed to evidence responsibility.

Again, there are vast differences between our aid after World War II and the type now being recommended by the present administration.

Few of the countries who are now recipients of foreign aid have the ability to cope with the large amounts of money which we seem bent on bestowing upon them. They have no industrial base, their educational level is pitifully low so that their major challenge is the bare provision of adequate food, clothing and shelter rather than the more advanced consumer items of our own economy. Their governments are for the most part unstable and virtually every one seeks to use our aid to enhance and solidify its position of power. In most of these countries there is virtually no middle class, only the very rich and the very poor.

Whereas our own tax rates, which are used to finance our foreign aid, now range up to 91 percent for individuals and 52 percent for corporations, countries receiving our foreign aid seldom tax in excess of 8 or 9 percent.

Far too many of our aid projects are designed to add to the grandeur of the local "government," without aiding the local people. Thus, for example, we constructed a $15 million jet airport in Afghanistan, a country which has no jet air transportation whatsoever. The present use of the airport is limited to two prop flights a day. This kind of aid has not raised the standard of living of the Afghans by a single grain of rice, but it has certainly provided a nice play-toy, at our expense. Incidentally, this is one country where they are quite happy to accept both U.S. and Soviet aid, thus playing one side of the cold war against the other.

It is quite easy to assume that because we are pouring millions of dollars into an underdeveloped country we are making them more resistant to communism. But more often than not we are weakening them by providing a permanent crutch and prolonging the day when they must stand on their own two feet.

Again, as an example, in Ethiopia we have subsidized a huge university in a country where over 95 percent of the populace has not learned to read and write. This may improve our image with the Emperor, but I doubt that it wins us many friends among the people.

It does little to build industrial plants and jet airports in countries where the most pressing needs are for honest and trained public officials, tax reform, and the most fundamental knowledge of agriculture technology and primary education.

I well know the people of southwest Missouri recognize this fact to a far greater degree than do the tenants of our own State Department. Of the hundreds of letters I have received from the district on the subject of foreign aid, all but a handful urge that the Congress reduce the size and scope of our foreign aid program. I expect to reflect this sentiment when I suggest an amendment, and when I vote this week on the foreign aid bill.

This is Dr. Durward Hall with your "Report From Washington."

Mr. MORGAN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. Rains, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 7885) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes, had come to no resolution thereon.

NORTHEAST AIRLINES DECISION

Mr. FINDLEY. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. Cleveland] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, one of the laughing "heirlines" inheriting Northeast's share of the New York-Florida routes, Eastern Airlines, has generously indicated that it would help give New England continued air service now that Northeast is forced out of business by decree of the CAB. Because of this, I have looked into Eastern's record on short haul local service and find it unimpressive. A while ago, Eastern absorbed Colonial Airlines, serving the upper New York State area. Gradually, under Eastern, service began to decline, and only 4 years later, Eastern turned over the entire New York State operation to Mohawk, who took over with the help of a generous—and to the taxpayer, costly—subsidy.

Last week I shared with my colleagues two fine editorials from New Hampshire newspapers—the Keene Sentinel and the Valley News—discussing the effect of the CAB's unwarranted decision upon air transportation in New England—transportation upon which our industrial, educational, recreational, and economic well-being depends. Both editorials pointed out that a tremendous cut in service would result if Northeast Airlines were forced out of business and another airline took over the New England route. Their concern was based on the reduced schedules which National, another of the laughing "heirlines," generously offered to assuage the grief of those attending the Northeast wake.

But, Mr. Speaker, this sorry affair transcends even the importance of good local service in New England. There are principles at stake—principles of an agency's power to regulate and curtail free enterprise. The aroma of this incredible CAB decree to decapitate Northeast Airlines has reached Washington and has been the subject of editorial comment in the Washington Post. I would like to call their recent editorial to the attention of my colleagues:

AIRLINE AMPUTATION

> The Civil Aeronautics Board's final decision in the Northeast Airlines case once again underscores the need for a coherent set of policy guidelines if the airline industry is ever to be regulated in a rational manner. Last year the CAB rejected the American-Eastern Airlines merger on the ground that it would have significantly reduced competition. But now the Board argues that there is excessive competition on the heavily traveled east coast-Florida route. And by denying Northeast certification to service points south of New York City, it is making the east coast route the exclusive province of two carriers, National and Eastern.
>
> There can be little doubt that the airline industry has in recent years been afflicted by excessive competition on a number of routes, largely as a result of unwise decisions by the CAB. But the majority of the Board has not made a strong case for the existence of excessive competition on the east coast-Florida route. Much of its fire was centered on the financial weakness of Northeast, which is incurring large deficits.
>
> A convincing argument can be made, however, that many of Northeast's woes stem from the uncertainties engendered by its temporary Florida certification. So long as there was doubt about its right to continue on the lucrative Florida run, cash was hard to come by. The CAB majority asserts that granting Northeast permission to fly the Florida route has failed in its purpose of strengthening the airline. If this charge is valid, it must be said that the Board bears much of the responsibility for that failure.
>
> Having deprived Northeast of the only route over which it can hope to make any profits, the Board assumes that the amputated airline can operate successfully as an intraregional carrier, based almost solely upon New England routes. This is a highly dubious assumption in view of the fact that both the Mohawk and Allegheny Airlines have been certified to service a number of New England cities. Moreover, it begs the question of what is to become of the large organization created by Northeast in discharging its responsibilities as an interregional carrier.
>
> Issuing what amounts to a death sentence for an airline which has reduced fares and has been holding its own in the vigorous competition for traffic on the Florida route is a step that should not have been taken without a closely reasoned explanation. None was offered, and there is much substance to the minority charge that:
>
> "The majority decision does not rest on any major policy grounds. It does not go beyond holding that Northeast shall not be permitted 'now,' and 'now' only, to furnish services in the Boston-New York-Florida markets. It establishes no guidelines, which the industry has a right to expect, as to the degree of competition which the Board will be prepared to consider seriously tomorrow or in the days thereafter."

WILL YOU USE URBAN RENEWAL FUNDS TO PAY FOR IT, MR. PRESIDENT?

Mr. FINDLEY. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. WIDNALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. WIDNALL. Mr. Speaker, for those who want to think big I would commend today's New York Times article by Ada Louise Huxtable on the plan for rebuilding Pennsylvania Avenue in the Nation's Capital.

This plan is staggering, so staggering, in fact, that it almost beggars description, and can only be compared with some of the more extravagant flights of fancy of the urban renewal planners in Cleveland, Ohio, New Haven, Conn., and Washington, D.C., where structurally sound buildings have been destroyed or are scheduled for destruction to give free rein to the planners.

> The plan for rebuilding Pennsylvania Avenue—

Says the New York Times—

> calls for radical changes in the street itself, and for the buildings along it. The already wide avenue would be widened further, and where it now ends, petering out at the Treasury Building, a monumental plaza would be created as a fitting and functional terminus. This would involve the demolition of the Washington and Willard Hotels to open the area to 14th Street.
>
> From this point toward the Capitol, large-scale demolition of much of the mixed, deteriorating construction on the north side, is proposed by the Pennsylvania Avenue Advisory Council, along with a series of new structures, of which two are already determined.

This sounds more and more like an urban renewal project backed up by the Federal Treasury, and the planners of this proposal for rebuilding Pennsylvania Avenue are planning large, as though they were as unfettered as the planners of Brazil's new capital city, Brasilia, where everything has had to be imported, even the people.

When the Pennsylvania Avenue rebuilding plan was first presented to the National Capital Planning Commission the first week in June this year, it met with strong resistance.

As the New York Times makes clear, the plan was of such magnificent and awe-inspiring proportions that:

> "It shocked us", said one commission member. "The word should be 'stupefied'," said another.

The New York Times points out that there are still many hurdles ahead. If the President approves, the plan will then have to be sent to the Congress, presented as a bill, hearings held, reports made, money appropriated. Land must be acquired and business compensated against the opposition of private owners and the hazards of commercial speculation.

I gather from the New York Times that the legislative process must seem to the planners to be specifically designed to stymie them, and to smother their beautiful conceptions in miles of redtape.

The New York Times warns:

> There will be howls from vested interests and shouts from congressional budget-watchers when cost estimates—and they will be large—are released.

However, opposition to these grandiose plans for rebuilding Pennsylvania Avenue has encountered other opposition, namely the directors of the National Cultural Center who, says the New York Times—

> came out strongly against another council idea in consideration then, but later abandoned—the moving of the Center, in whole or in part, from its proposed Potomac site to Pennsylvania Avenue. One council member, Minoru Yamasaki, the Detroit architect, known for his spectacular Federal Science Pavilion at the Seattle Fair, who favored the idea, resigned as Government buildings moved inexorably onto the avenue.
>
> In April of this year the council requested the voluntary freeze of building activity on the avenue after the sale of the National Theater and the Munsey Building.

Mr. Speaker, I have spoken a number of times regarding the towering lack of concern at the highest levels of this Kennedy administration regarding the preservation of the present theaters in Washington, at the very time that the country is treated to the largest propaganda and promotion campaign in history about its concern with the arts. This lack of concern by the President regarding something which he could be particularly effective about is reflected in the plans of the Pennsylvania Avenue Advisory Council. This council was interested in providing theaters on Pennsylvania Avenue while completely overlooking the splendid theaters on F Street, one short block to the north.

The Washington, D.C., Post reports today that the President signed the bill which passed the House August 5 giving the trustees of the National Cultural Center three more years to raise $30 million in construction money.

According to the Washington Post article written by Jean M. White:

> The Presidential blessing on the National Cultural Center includes the present site on the banks of the Potomac River. The effect has been to still any official discussion about swapping sites for a move to the downtown area.
>
> There has been some strong sentiment on one side to shift the center to the downtown area to bring life to the city. The idea popped up most recently when the Pennsylvania Avenue Advisory Council began working on plans to redo the north side of the avenue and redeem it as the ceremonial street of the Nation's Capital.
>
> At the time, the National Capital Planning Commission talked about holding up a request for funds to buy additional land to round out the Potomac River site.

The Members who were present August 5, when the bill to extend the National Cultural Center for 3 years was under consideration in this House will recall the following colloquy:

> Mr. WIDNALL. I should like to ask further, is any further acquisition of land contemplated for the Cultural Center?
>
> Mr. JONES of Alabama. No, there is none, or it would be considered along with this legislation. There has been no request for additional land in the last 2 years that I know anything about. There was about 3 years ago a request for additional land. The Public Works Committee took the position that we have already supplied a sufficient amount of land to accommodate the need. The gentleman will recall further that at the time there was a request for additional land it was believed that the building cost would not be as high as it is estimated now. The Board of Trustees then calculated that the best thing to do would be to have a building that would cost some $30 million.

Let me say, therefore, that despite the article in today's Washington, D.C., Post reporting that the National Capital Planning Commission held up a request for funds to buy additional land to round out the Potomac River site, that I am entirely satisfied with the answer which I obtained in response to my query on August 5 from the chairman of the Public Buildings Subcommittee who handled the bill to extend the life of the National Cultural Center.

I include as part of my remarks an article from the Washington, D.C., Evening Star of December 21, 1962:

BUSINESS GROUP SHUNS CENTER SITE CONTROVERSY; EFFORT TO SHIFT FROM RIVER LOCATION SEEN ENDANGERING CULTURAL PROJECT

(By Robert J. Lewis)

A downtown business group has refused to joint supporters of a movement aimed at shifting the $30 million National Cultural Center from a Potomac River site to a more central location.

That was learned today as a spokesman for the Cultural Center said a change of location would "break faith" with contributors all over the country and cause "irremediable delays."

The business-supported National Capital Downtown Committee, Inc.—a central business district renewal organization also known as Downtown Progress—has refused to enter a recently revived controversy over a new site for the Center.

"The only person who could change the site is President Kennedy himself," Robert H. Levi, vice president of Downtown Progress, said emphatically today.

"We have a beautiful site which has received great acceptance and which has been—and is now—the basis for a nationwide campaign for funds," he said.

"To try to change it now would be a move in the direction of torpedoing this project at a time when it is finally gaining the momentum it deserves."

The proposed site of the Center faces the Potomac River, north of Constitution Avenue. It lies between approaches to the new Theodore Roosevelt Bridge and the proposed $60 million Watergate apartment, hotel and office project.

Another official of the organization commented:

"We don't feel this is a matter we should get involved in. Our interest is in getting things done and not in becoming involved in questions which could seriously affect the project."

LOST MOMENTUM FEARED

Jarold A. Kieffer, secretary of the Cultural Center's board, said he regretted the site question has been revived.

Meanwhile, it was learned today that staff members of the National Capital Planning Commission have been studying the possibilities of alternate sites for the Center.

Dissatisfaction with the center's 10-acre site along the Potomac River was expressed in actions almost a year ago by the Washington Building Congress and the American Society of Landscape Architects.

Since a recent nationwide, closed-circuit telecast to raise funds for the center about a month ago, the site issue has been revived among the building congress membership.

OBJECTIONS VOICED

Opponents of the riverside site base their objections on its distance from the central part of the city and its proximity to a network of expressways along Rock Creek Parkway and the east end of the Theodore Roosevelt Bridge now under construction.

Some members of the Washington-Metropolitan Chapter, American Institute of Architects, oppose the site, but the chapter itself has refused to go on record against the location.

The center's site was set aside by Congress 4 years ago. Since then, an enlargement has been proposed to include an additional amount of National Park Service land. Several privately owned tracts must be acquired, including the Watergate Inn, the Waxworks Museum and the old Heurich Brewery property.

Boundaries of the enlarged site would be F Street on the north, the Potomac River on the west, the inner loop highway system on the east, and approaches to the Theodore Roosevelt Bridge on the south. Passage by Congress of an amendment to the original act would be required before the site could be enlarged.

LET US LEVEL WITH EACH OTHER REGARDING THE BRACERO PROGRAM

Mr. FINDLEY. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. TALCOTT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. TALCOTT. Mr. Speaker, a thorough check has been made concerning the necessity of the bracero in the growing and harvesting of various crops in California. Take an honest look with me at the present situation. The bracero has been given the menial manual job on the farm. Domestics prefer the better, less onerous work. During World War II, the more capable and versatile of the farm labor force were enticed into the various war production industries in the cities and received inflated wages and working conditions that were unheard of to the casual farmworker. No one, certainly, expects this group of workers to go back to hand agricultural work.

What other labor is left to work on the farms? The few migrant workers who follow the picking of small fruit are only a drop in the bucket as compared to the thousands several years ago. There are some school students from the rural areas who can be depended upon for some of the fruit picking and even some of the low row-crop work during the vacation period. In some areas the school vacation period is extended for a few weeks to permit students to assist in the harvest. But presently there are not sufficient trained, able, and willing manual farmworkers in the United States.

Who then is going to prepare the row crops and care for them from planting to harvesting? True, we have many unemployed—the misinformed public and some public officials claim these people should be given the manual farm jobs. It is not that easy. A great majority of these unemployed are displaced people with special skills or none at all, who live in the metropolitan areas and have never been off the pavement, so to speak. These persons cannot be counted as qualified farmworkers. Another segment is the down and outers and derelicts who have been kicked around from pillar to post, by society, and industry, many without homes or stability and, as a last resort, are often directed or taken to a farm placement center for referral to a farm job. He is then sent out to a farm laborer's camp, has the evening meal, a shower, a bed, and breakfast, is taken out to the field on the bus in the morning, works a few minutes and then walks off. Many do not even get on the bus to go to the field. Only a meager few stay. And so it goes day after day.

As long as the farmer has a bracero assigned to him, he must, under Public Law 78, give a job to any domestic referred to him, including the derelict, the untrained, the unwilling, the incapable. What other industry is saddled with such an arrangement? California has a great responsibility to furnish important foods for a large part of these United States. Therefore, the farmer should have some guarantee that these crops can be planted, nurtured to maturity, and harvested without spoilage. A dependable labor force is a prerequisite, a sine qua non, to such guarantee. But we must, of course, look further.

Although some skill, training, and ability is necessary, the skill requirements are among the lowest of any industry. Therefore, a fair wage rate is not attractive to all unemployed. There is no unemployment insurance, because the work is seasonal. There is no health and welfare coverage and, naturally, no guarantee of employment the year around. Some farm labor camps are fairly nice, most are satisfactory. Some afford very dismal living. All housing and eating facilities are inspected by State or county officials. They have no formal grievance procedure, although during the harvest time there is so much demand for workers that one can quit for any reason and get another job immediately. Row-crop work is certainly not the most attractive to workers today when the majority knows there are better jobs. Most of them know and resent that unemployment compensation is rather freely given to persons with higher skills in amounts almost equal to their average earnings. Many uninformed people often assert that if wages, working conditions, and periods of work equal to those in the manufacturing or building industries, were available to farmworkers, the needed farm labor force could be supplied with domestics. A decent, minimum wage—national, not just California—time and one half after 8 hours and for Sunday work, fair health and welfare coverage, some assurance against unemployment, and respectable living quarters are reasonable goals. Many areas have made remarkable progress. We should not force a nomadic existence upon this large important segment of our American farmworkers and encourage the chaotic disruption, waste, and extravagance which a migrant family causes in a rural community and which the family itself must bear.

Much has been done in the way of automation to eliminate tedious labor wherever possible, but human hands will still be required in the processing of fruits and vegetables being grown everyday somewhere in California. Many people, organizers, planners, and professional "do-gooders" have been embarrassingly unsuccessful in agriculture. The simple reason is that, try as we might, no legislation can change to any appreciable extent when the crops will mature. Nor should anyone. Legislative bodies tamper with too many natural laws now and almost always damage a perfect thing.

The California Farm Labor office has developed a training program for persons over 16 years for special jobs on the farm such as irrigating, fertilizing, tractor driving, but only a small minority are needed for these jobs.

The high schools in the Salinas area are aware that there is some employment available for students who are not qualified for higher formal education. and are willing to arrange and coordinate a farm employment program for these students. Under supervision these students may even receive some school credits for participating. There is great potential in this area of student farm labor. Students, with some experience, could provide a limited source of dependable farm labor during their school vacation period. Such work could encourage better habits of industriousness, dependability, saving, and community service. Perhaps agricultural areas can arrange to prorate the vacation period to an extent where students would be continually available. We need time to encourage the employment of the teenage students to work on the farms during vacations.

The grower, like everyone else, must produce efficiently. The grower should not be required to employ all of the outcasts not suitable for other types of employment. There should be a fair and realistic method of hiring and screening jobseekers who are referred to the grower. A grower who pays better wages and provides better conditions, should not be harassed and penalized by being forced to accept unwilling, incapable, nondescript workers thereby permitting growers who pay lesser wages to resort to the bracero who is a well-trained and a most willing field laborer. Our domestic farm laborers should be as well trained, able and willing as the bracero.

Progressive farmers are in desperate need of reliable help immediately. They should not be penalized while we attempt to develop a system of providing necessary field labor throughout the United States.

We, in labor, management, and local government, and as consumers, need an indefinite extension of Public Law 78 to develop—properly and professionally—a future working force for the California farms.

To maintain a necessarily high level of farm production, to keep the allied workers more fully employed in the canneries, freezers, dehydration, and prepackaging plants, on trucks and railroads, the bracero must be available until an adequate domestic farm labor force is available and trained.

To expect an industry which has made extraordinary effort to fully and decently employ the domestic labor force, but which nevertheless, has been required for decades to import foreign labor to prevent crop spoilage, to make greater adjustments than is required of any other industry in a few months, is simply unfair. No one expects the railroad people, management, workers, or public, to settle their problems within 5 years. The railroad problem is downright elemental and simple compared with agriculture. The unfairness to agriculture is aggravated when one understands that Public Law 78 is now self-terminating. As quickly as domestic labor is available—in large or small numbers—the importation of braceros is immediately, automatically reduced.

An action committee, composed of the growers, the public, public officials, labor, and the labor unions to promote—first of all—dignity to this type of employment, a fair wage, suitable living quarters, food attractively prepared and served, some fair assurance against unemployment, accident, and medical insurance, and even a fair severance pay as a bonus for those who perform satisfactorily through a season, should be formed and activated immediately.

Labor, organized labor, management, farmers, local and State governments, school boards, have an unbelievably enormous task ahead. Time to evolve a satisfactory solution is undeniably necessary.

None of the groups above mentioned is so stupid as to believe that our industry can or wishes to rely on braceros indefinitely. Neither are any of these groups so ignorant as to think that a good solution can be evolved by planting time which has already passed for some of next year's crops. An industry, a labor force, local governmental officials—no matter how sincere, competent or desirous—cannot accomplish their goals, or solve their problems, satisfactorily in a state of chaos. We, as national legislators—under the guise of helping—should not hamper and hamstring—and then hide.

Therefore, everything should be done to extend the bracero program indefinitely. In the interim, some program should be established for training people to work on the farms.

In this little speech I have tried to level with my colleagues. I believe that most responsible leaders in all sectors of the agricultural industry will generally agree, although I know my request is not completely satisfactory to any one of them.

No one has yet proposed a workable plan other than the bracero system. But the agricultural industry involved has in the past successfully solved its many problems, has continued to furnish the United States and much of the world with bountiful sustenance, in war and peace, without Government subsidy. This record deserves some consideration now.

Now we are asking only for time, a precious asset, when we must solve one of the most difficult problems ever to face us.

I trust a few of my colleagues will look through the emotional and provocative speeches, forget the expletives and demagogery, and analyze our physical, social, industrial, and economic situation factually. I hope we can obtain not only the time we need, but also some constructive, workable, fair ideas for solving our problem of securing a reliable supply of farm labor at harvest time so that valuable food is not lost to those who want and need it.

PROTECTING THE MIGRANT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, I will not be drawn into a name-calling contest with the gentleman from California whose remarks and letter were read into the CONGRESSIONAL RECORD yesterday, August 19. The gentleman has already been reprimanded by the chairman of his own committee for his behavior. Neither will I join in an attack on that portion of the press which has had the courage and honesty to oppose an extension of the bracero program. The bracero program should stand or fall on its own merits, and this House has in its wisdom already made the judgment that it should not be allowed to continue.

The Senate has recently made a similar judgment by amending the original law so that the harm to the migrant laborer, one of the lowest of the low men on the American totem pole, caused by the program would be somewhat lessened.

The action taken by the Senate has been described by an editorial in the New York Times, August 19, 1963, as giving half a loaf to the one-half million migratory farm laborers. Whether they have gotten and are to get half a loaf, one slice, or a crumb is for this legislative body to decide.

The editorial of the New York Times follows:

PROTECTING THE MIGRANT

This country's most exploited workers, its half-million migratory farm laborers, got half a loaf last week when the Senate voted to keep alive the program under which hundreds of thousands of Mexicans have been brought in to harvest United States crops. The Senate authorized a 1-year extension, but it softened the hurt its action would inflict on domestic migrants by requiring that they be offered benefits equal to those guaranteed the Mexican laborers.

American migratory workers have such inadequate protection in housing, transportation, workmen's compensation and assurances of employment that these guarantees are much needed. However, the welfare of the migrants is likely to advance even more if big corporate growers in California, Texas, and other States are deprived entirely of the privilege of drawing on a limitless supply of low-wage labor from south of the Rio Grande. Once this source of manpower is withdrawn, the growers will have to offer wages and living standards that provide a more substantial approach to decency for domestic workers and their families.

The House of Representatives decided 2 months ago that the program for importing Mexican braceros ought to die when the present law expires at the end of this year. With so many Americans unemployed and with the average annual earnings of the domestic migrant still under $1,000, that is the right decision. It is the one that should emerge when the bill goes to conference.

RCIA 24TH CONVENTION

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. ROSTENKOWSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ROSTENKOWSKI. Mr. Speaker, my colleague from Illinois' 11th Congressional District, the Honorable ROMAN C. PUCINSKI, recently delivered a message to the delegates to the 24th Quadrennial Convention of the Retail Clerks International Association, AFL–CIO, meeting in Chicago.

Congressman PUCINSKI's remarks are worthy of consideration in the House.

I, therefore, Mr. Speaker, wish to insert Congressman PUCINSKI's address at this point in the RECORD:

ADDRESS OF HON. ROMAN PUCINSKI

Mr. Dignity himself, Jim Suffridge (and he is certainly a great leader), the very lovely First Lady of the Retail Clerks, Mrs. Suffridge, Senator Douglas, distinguished guests on the platform, and ladies and gentlemen, I feel somewhat under the gun here, and I do not mind admitting that very readily. You have already heard the brilliant address of America's No. 1 Senator, PAUL DOUGLAS, you are about to hear another address by the young man who has given meaning to the great struggle of America for freedom and dignity, the Senator from Hawaii, and so I am reminded of the young man who said, "After you have seen Paree, where do you go?"

Jim Suffridge was very kind in his introduction of me, and it reminds me of the story that Syd Yates used to tell whenever he got a big introduction—about the Congressman who was the leader of the prohibition movement in Congress and insofar as anyone knew he had never had a drop of alcohol in his mouth. One day he became very ill and so his colleagues sent him a bottle of cherry cordial and he wrote back and said, "My dear friends, thank you very much for the jar of fruit. I particularly appreciated the spirit in which it was given."

It is a real pleasure being here and I wish that I could stay for the entire convention. This is indeed one of the most stimulating experiences that any Congressman can have. Knowing the brilliant history of this organization, I could not help but reflect upon the figure of 75.

Certainly one could look over the 75 years of the existence of this organization and look upon the picture of America and certainly say that every man and woman in this organization has made a great contribution to the cause of freedom and progress.

You know, in that famous movie "Music Man," there is that famous song about "You've got to know the territory."

One of the greatest blessing of America, and a thing which I believe distinguishes us from all other social orders, is that we have had a labor movement in this country moving along with the progress and development of America; and I hope that somewhere along the line, through the next 4 days that you sit here and participate in these deliberations that you are going to fix in your mind the full meaning of these 75 years and certainly reflect upon the great contributions that your predecessors have made and certainly reflect upon the great responsibility that you men and women under the dynamic leadership of what I believe to be one of the most respected, one of the most courageous, and one of the most dedicated leaders in the American labor movement, Jim Suffridge, has made.

You have inherited a beautiful background in the labor movement and so for the next 4 and 5 days I hope it is going to be your decision to try to see how you can improve upon that 75-year record.

I will tell you this—that I will yield to nobody in my firm belief that the most important single factor for maintaining sustained prosperity (and this is the issue before you here today) and in my judgment the one factor that has helped to distinguish America from all other social orders in the world today would be the factor which has given America the kind of economic growth never imagined by man. The one factor that makes America the hope and inspiration and the envy of the world is the fact that this country from its very inception developed a corps of salesmen who went out and created through their talents and efforts the consumer demand which has kept our factories going. It is not my purpose to exaggerate, but I am firmly convinced that the sales people of America have given their country the drive and the economic growth which today makes us the most wealthy and independently developed Nation in the entire world.

I hope that this just will not be another convention; that every day that you are here, every moment that you are in this chamber, that you are going to reflect upon the tremendously important role that you men and women as the leaders of the Retail Clerks Association play in our economy today—that of the salesmen of America.

Economic growth began lagging with the advent of the self-service discount house which in ever-increasing numbers has displaced the traditional and classical American retail clerk from the stores. Here is where we began moving into a lazy 3 and 4 percent economic growth instead of a dynamic 5 and 6 percent growth because the man that was on the firing line creating or selling the goods, creating the consumer demand, was being displaced by self-service stores all over the country; and I submit without any fear of contradiction when historians ponder the reason why America has suffered economic fluctuations, the hills and valleys, the prolonged recessions, that they will have to agree on the inescapable fact that while our factories produced the goods, our merchandising outlets did not have the salesmen or did not provide the salesmen to sell them.

This is a question that I hope all of you will ponder justly in your convention.

The Nation's economists have supplied various formulas for economic growth, and certainly each of them is entitled to his own views; but for me, I submit that the economic growth will come to America when America's merchants recognize the fact that you cannot move the goods effectively from the counter to the consumer without a salesman or saleswoman in the store.

Is there a person in America who has not experienced the frustration of going into a store fully intent upon buying an item only to walk out of the store because he or she did not find a salesclerk to complete the necessary transaction? Those automatic turnstiles do not make the sale, and both you and I know it.

No other industry in America has suffered the full impact of automation with all of its results as severely as has the merchandising industry of this country, and I submit that until we put the salesmen back behind the counters of America's department outlets we are going to continue moving along at this lazy 3- and 4-percent pace.

However, the amazing thing, which reflects upon your membership is that, despite the fact that you have been hit by automation, despite the advent of the self-service houses, your membership has been growing. This, I think, reflects the dedication of all of you, and I submit that your membership is going to continue to grow.

We are now in the process of experiencing the largest replacement boom in durable goods in the history of America. In 1963 the Department of Commerce estimates that the American consumer is going to spend $65 billion in replacing washing machines, refrigerators, mixers, television sets, and what have you in the durable goods line.

In 1964 that figure is going up to $68 billion and by 1965 it is going to crash at $75 billion for replacement of durable goods.

I say that we are on the threshold of the most fantastic prosperity that this country has ever seen, and if the merchants will get together with the retail clerks and the newspapers of America and produce the consumer demands, we will have progress. The money is there. Every bank in America shows vast sums of money in savings accounts; but the fact remains that we have to find a formula to move these goods from factory to the consumer, and I don't know of anyone better qualified to do that job than the men and women throughout America that you as representatives of the Retail Clerks International represent, the men and women who can do the job.

It is my hope that this convention is going to dedicate itself to the old principle and old slogan: "Give the lady what she wants."

You will recall that so long as we had clerks in the department stores to take care of the whims of the ladies, we had economic growth. Here is one of the most distinguished economists in America, Senator Douglas; and I certainly hope that the good Senator agrees with me that we have the machinery to move this equipment and that when we have more of it we are going to see economic growth.

Now, there are several other things that you must cover in this convention. I am proud to stand here today, 4 years later after addressing you in Los Angeles, and see all over America the words "collective bargaining" are now taking on a new meaning. We now have editorial writers saying what a fine thing collective bargaining is. The other day the steel contract negotiated between the steelworkers and the steel employers was hailed as a milestone in American collective bargaining; and so I am glad that we are meeting in a new atmosphere and in what I hope is going to be a revival of the fundamental belief that America's basic national labor policy is to encourage the workingmen to organize into unions for the purpose of collective bargaining because here is the epitome, here is the very essence of the democratic process.

We are meeting in an atmosphere of a greater acceptance. Of course, there are some Senators and other political officials who would like to put labor in a straightjacket, and I don't think that these people are going to succeed because I think that the American people know this. We all know that every great despot of the world, in his climb to succeed as a dictator, first attempts to destroy the labor movement. Therefore, I do think that the American people recognize the full meaning of the great contribution the labor movement is making.

Finally, I should like to merely second what the Senator said of civil rights. I think that the President stated it most excellently when he said, "Can you imagine waking up in the morning, facing the world with the reality that you as an individual do not have the same rights and opportunities as your neighbor?"

Here, I think, is the whole issue of civil rights. Just imagine that if you were to leave this room now and were to be reminded of the fact that you are a second-class citizen.

I think that Bob Kennedy put it adroitly when he said, "I am amazed that the minority groups of this country have been so patient for so long."

So this is a great challenge—to capture the imagination of the whole world, because we are going to show them, it is my hope before this session of Congress is over, that when we talk about democracy in America we mean it.

Now, finally, my plea to you is this—that you today, more than any other union I can think of, represent the greatest challenge to economic growth. We have undergone a vast revolution in this country in the last 10 years. Ten years ago 53 percent of the American labor force was engaged in production and only 47 percent in services. In 10 short years we have shifted from a production nation to a service nation.

If those 57 percent of the Americans in the labor force who are today engaged in service industries are not permitted to participate in the full dynamics of our economy through depressed salary schedules, we are not going to be able to move forward. And so your great challenge as a service union, representing today the greatest service union in the country—your responsibility—is to make sure that every 12 months, more and more of those 57 percent of Americans now engaged in service industries are in this union, because the best way to guarantee themselves against automation, and their best protection and guarantee to participants in the full flower of a free economic system, in my judgment, is to belong to a union.

Thank you very much.

POST OFFICE WORK MEASUREMENT SYSTEM

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Murphy] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MURPHY of Illinois. Mr. Speaker, I have also introduced a measure (H.R. 2528) prohibiting the use of stopwatches, work measurement programs, or other performance-standards operations as measuring devices in the postal service.

I am convinced, as a result of personal observation and many discussions with postal employees in my district, that the Post Office Department's work measurement system, also known as "Guide-Lines," is detrimental to employee morale and militates against efficient, economical, and desirable postal operation.

The Post Office Department maintains that the elimination of its work measurement system would involve added costs in the operation of the postal service to the extent of $100 million a year. This figure is admittedly speculative, vague, and without substantial basis. Actually "Guide-Lines" involves the use of thousands of postal workers, including supervisory personnel, in paperwork, recordkeeping, counting, weighing, measuring, timing, and countless other procedures having no direct relation to the distribution and/or delivery of the mail.

My bill seeks to eliminate the "Guide-Lines" system because it is based on unrealistic standards and has proven the greatest detriment to employee morale and initiative in the history of the postal service.

THERE ARE TWO SIDES TO THE QUESTION OF THE TEST BAN TREATY

Mr. FINDLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Alger] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ALGER. Mr. Speaker, the difficulty of overcoming the powerful propaganda machine unloosed by the administration to force public acceptance of the test ban treaty is becoming increasingly clear. Any who even dare raise questions or doubts as to whether or not this treaty is serving the self-interest of the United States are being subjected to attack as warmongers, as visionaries, as being impractical.

Certainly any issue as vital to the Nation as this one should be open to free and unrestricted discussion.

There are powerful and authentic voices being raised against the treaty and I, for one, believe they should be heard and their opinions respected.

Among such voices is that of Dr. Edward Teller whose opinions no clear thinking person would lightly cast aside. To emphasize the views he has expressed, I would like to include as a part of these remarks, an account of Dr. Teller's testimony before the Senate Preparedness Subcommittee as it appears in the August 26 issue of U.S. News & World Report. The article follows:

Teller: "Treaty Will Impede Missile Defense"

(Following are excerpts—with deletions made for security reasons—of testimony by Dr. Edward Teller, noted nuclear physicist often called "the father of the H-bomb," before the Senate Preparedness Investigating Subcommittee on August 12, 1963.)

Three military advantages have been claimed to accrue from the proposed test ban:

1. Such a test ban will make it more difficult for the Russians to catch up with the United States in the field of nuclear explosives.

2. The Russians are not prepared to perform the permitted underground experiments. These experiments are expensive. This circumstance will slow down the Russian effort.

3. The test ban will slow down the proliferation of nuclear weapons.

In my opinion, these points do not give sound support for the proposed treaty.

Comments on point 1: Such a test ban will make it more difficult for the Russians to catch up with the United States in the field of nuclear explosives.

It is by no means certain that the United States is ahead of the Soviet Union in the knowledge of producing and using nuclear weapons. In the field of big weapons, Russian lead has been demonstrated before the eyes of the world. In this category, Russian tests decisively outnumber U.S. tests.

In the category of smaller weapons, from a few kilotons to a megaton, the known Russian tests are somewhat fewer in number than the American tests. It is possible, however, that we may have missed quite a few Russian tests in this range. In the important subkiloton range [deleted]. There is no objective justification to assume, as is usually done, that in this area we are ahead.

It has also been claimed that we have an advantage over the Russians in the production of clean nuclear explosives. Among the multimegaton shots, the Russian 60-megaton experiment is remarkably clean. [Deleted.] In the kiloton range, our knowledge is incomplete. [Deleted.]

There is one field of particularly great importance where we have reason to believe that the Russians have acquired a decisive lead. This is the investigation of the effects of nuclear weapons. [Deleted.]

Comments on point 2: The Russians are not prepared to perform the permitted underground experiments. These experiments are expensive. This circumstance will slow down the Russian effort.

[Deleted.] It would be dangerous to conclude that the Russians have made no effective preparations. Such preparations can be carried out in Russia in an inconspicuous manner.

The cost of underground experiments in the United States is comparable to that of relatively inexpensive experimentation in the atmosphere. [Deleted.] While the cost of shots in the atmosphere can be kept at a somewhat lower value, the total money involved is in no case significant considering the great military impact of the results of such experimentation.

Comments on point 3: The test ban will slow down the proliferation of nuclear weapons.

It is probably true that the spread of nuclear weapons will be slowed down as a consequence of the proposed ban. This is particularly true among law-abiding democracies, which are our friends and from which we have nothing to fear. It is not true for dictatorships, which can develop nuclear explosives in secrecy.

An effort to outlaw the development of nuclear weapons may in fact persuade the governments of some countries to adopt rigorous secrecy. The result may be that these countries will be impelled toward measures which facilitate the development of a police state. From our point of view, the question is more of a political than a direct military or technical nature.

The only technical comment which is relevant is the observation that the development of nuclear weapons is easy once nuclear materials are readily available. Starting with the 1955 Atoms for Peace Conference, we have made it very sure that, in the course of time, nuclear materials will become available on every continent.

Once a country is in the possession of a few kilograms of plutonium, simple experiments that can be carried out in secrecy can produce a small nuclear explosion in less than 1 year. Such small nuclear explosions are sufficient to give the needed assurance and experience to a country which intends to use these explosives on a relatively small scale.

HOW TEST BAN COULD HAMPER UNITED STATES

The military disadvantages of the test-ban treaty are the following:

1. The treaty cannot be completely policed.
2. The treaty will permit the Russians to retain their advantage in multimegaton explosives. With the help of space testing, the Russians may even increase this advantage.
3. The treaty will inhibit the U.S. tests [deleted] to verify the hardness of our missile sites. The U.S.S.R. on the other hand can proceed with such experiments.
4. The treaty will impede the development of missile defense in the United States. A corresponding inhibition in Russia will be very much less effective.
5. The treaty is ambiguous with respect to the use of Plowshare (peaceful use of nuclear explosives) outside the territory of the United States. This may give the Russians a possibility to intervene in our dealings with friendly or neutral nations.
6. The language of the test ban treaty apparently prohibits the use of nuclear explosives in limited conflicts outside the territory of the United States, unless 3 months' notice has been served in advance. Thus, badly needed prompt response to aggression might be inhibited.
7. The treaty erects a new barrier against our cooperation with our allies in the area of preparedness, particularly in missile defense.
8. Excessive caution in interpreting the treaty in the United States may lead to severe inhibition of our underground-testing program. There are precedents of such excessive caution in our past behavior.
9. By prohibiting certain types of experimentation, the ban imposes limitations on future developments. In this way, progress is impeded and we deprive ourselves of possibilities which might acquire great importance in the future.

Comments on point 1: The treaty cannot be completely policed.

In the Geneva negotiations of 1958, no claims were made that atmospheric explosions under 1 kiloton can be effectively policed. [Deleted.]

In June and July of 1959, detailed discussions between the United States, the United Kingdom, and the Soviet Union led to agreement on the following points:

(a) Tests in distant space are feasible;

(b) Information can be broadcast back in complete secrecy;

(c) In the absence of a system of police satellites, such tests will not be discovered even in the multimegaton range;

(d) Police-satellites system will cost many hundred million dollars per year;

(e) Even in the presence of such police system, explosions up to 500 kilotons can be hidden;

(f) The presence of the police satellites will make it necessary for any cheater to use heavier and therefore more expensive rockets for the purpose of nuclear tests.

IF RUSSIANS WERE TO TEST IN SPACE

Comments on point 2: The treaty will permit the Russians to retain their advantage in multimegaton explosives. With the help of space testing, the Russians may even increase this advantage.

At the present time, we cannot detect Russian tests in distant space at a hundred million miles. The size of the test explosion that the Russians could carry out will be limited only by the carrying capacity of their rockets. [Deleted.] It is entirely possible that the Russians could fire such a rocket before we could put into effect our system of police satellites.

Experimentation in this high-yield region will make it possible for the Russians to perform model experiments which could lead to the ability of stockpiling explosives at even higher yields. There have been many discussions about the importance of these extremely high-yield explosions. The results of these discussions are inconclusive. It is not clear to me that these very big yields will result in a substantial advantage for the Russians. It is, however, entirely possible that we have neglected to consider or properly to evaluate some effects of high-yield explosives which may render them particularly dangerous. In evaluating the consequences of the test ban, I do not place very great importance on the lead which the Russians enjoy in this particular field.

Comments on point 3: The treaty will inhibit the U.S. tests [deleted] to verify the hardness of our missile sites. The U.S.S.R. on the other hand can proceed with such experiments.

As Chairman of the Divisional Advisory Group of the Ballistic Systems Division of the Air Force, I have been for the last 18 months deeply worried about one particular question: Does the United States possess a reliable retaliatory capability? We are furthermore worried about retaining this retaliatory capability during the next few years.

We are determined and should be determined not to start an all-out nuclear war. If we want to insure the safety of the United States, in spite of this peaceful determination, we must make as sure as ever possible that we can return a Russian offensive in full force. We must not leave any doubt in the minds of our opponents that we can do so. This is dictated by the most elementary needs of self-protection and by our responsibility to maintain peace.

THREATENED: ABILITY TO RETALIATE

To be able to retaliate, we are installing more than 1,000 Minuteman sites. This force is the backbone of our retaliatory capability. To safeguard these sites we have hardened them so that they will withstand [deleted].

It is a fact fraught with danger that the ability of these sites to withstand the overpressures for which they have been designed has never been tested. [Deleted.] It is probable that under the test ban as proposed and interpreted at the present time these badly needed tests will not be carried out.

To understand this serious situation, it must be pointed out that modern methods of guidance will permit an aiming accuracy [deleted]. A megaton explosive at [deleted] will produce an overpressure which would destroy our Minuteman facility. In absence of the needed tests, we shall remain uncertain whether the Minuteman facility can withstand [deleted] the pressure for which it has been designed. As a result, the facility may be destroyed even if the mid-distance is somewhat greater [deleted].

It has been argued that the Russians do not have a sufficient number of missiles to destroy our Minuteman sites. [Deleted]. In the United States, the precise location of these sites cannot be kept secret and we are therefor indeed open to attack.

Additional atmospheric tests will not eliminate this danger but will define the danger sufficiently accurately so that countermeasures can be discussed and undertaken in a realistic way. It is of the greatest importance to point out that the treaty actually permits some experiments which we need to carry out but that it is extremely doubtful whether we shall actually avail ourselves of the freedom that the treaty opens up for our experiments.

According to the letter of the treaty, it is possible to bury a nuclear explosive a foot or a fraction of a foot underground. As a result, the relevant shock effects can be reasonably reproduced and in addition a considerable though perhaps not sufficient amount can be learned concerning [deleted] effects. According to the letter of the treaty, such an explosion is an underground explosion. We can make the explosion clean enough so that no fission activity will be detected outside the United States. Thus, the treaty will permit the execution of the experiment.

On the other hand, experiments carried out deep underground are not sufficient to obtain the relevant information. Shocks generated by such underground explosions have a different nature from those which one obtains from aerial bursts or shallowly buried bursts. Any attempt for exploring the (deleted) underground runs into great difficulties due to the disturbing effect of the surrounding earth or the walls of the cavity in which the experiment may be carried out.

The situation is rendered particularly dangerous because the Russians can explore effects upon our Minuteman sites by small clandestine experiments in the atmosphere and by bigger shallowly buried, literally legal, underground experiments. These two types of experiments complement each other, the former giving needed variability as to the effects of the surrounding, while the latter can determine the dependence of observed effects on the size of the explosions within wide ranges.

If the Russians should discover by such experimentation that our missile sites are vulnerable to a certain type of attack while we are ignorant of the relevant facts, our main retaliatory force could be neutralized. Atlas and Titan sites are generally more vulnerable than Minuteman sites. Our Polaris missiles are fewer in number; while they remain safe as long as their location is not detected, their continued safety depends on our ability to keep ahead of Russian antisubmarine measures.

The above discussion shows that Russian violation of the treaty in the subkiloton range may endanger U.S. security. It further shows that this danger will be greatly aggravated if we fail to carry out shallow underground experiments which are permitted by the wording of the treaty.

In case the treaty should be ratified, it is of great importance to make certain that shallow underground explosions will indeed be carried out by our side in such a manner as to obtain maximum information from these experiments.

WHERE "SOVIET UNION IS AHEAD OF US"

Comments on point 4: The treaty will impede the development of missile defense in the United States. A corresponding inhibition in Russia will be very much less effective.

An effective defense against ballistic missiles is one of the developments which can upset the strategic balance between the United States and the Soviet Union. In this field the Soviet Union is at present ahead of us. This lead could be increased by small atmospheric tests performed by the Russians. The disadvantage would be even greater if the Russians performed shallow underground tests while we refrained from doing so.

Shallow underground tests can be used to study the distance at which incoming missiles can be destroyed by defensive nuclear explosions. Such experiments could be carried out in deep, pressurized, underground cavities. This procedure, however, has the disadvantage of a great expense and it would also yield inconclusive results. The effects of the walls of the cavity could probably not be eliminated to a sufficient extent.

Another important objective would be the study of the effects of nuclear explosions on the radar which observes the incoming missiles. Such a study is of particularly great importance in case of an attack by multiple warheads or an attack in which the incoming missile is accompanied by several decoys.

Under such conditions, it might be necessary to send defensive missiles against several objectives, and it becomes of decisive importance to find out the effects of explosion-interference with the tracking and destruction of further attacking objects. Experiments of this kind can be carried out by small nuclear explosives, and this the Russians could do in complete secrecy. We shall be barred from any similar experimentation.

It has been stated that the difficulty in missile defense is not lack of defensive explosives but rather questions connected with the functioning of radars, with the hydrodynamics and wakes of incoming missiles, and with other questions that can be studied quite independently of nuclear explosions.

One must, however, remember that missile defense is a problem of extreme complexity in which all observations and operations interact. The study of the nuclear explosives and their effects is an integral part of the defensive system. If this study is omitted, the whole operation may be planned in a mistaken manner. We can have no confidence in missile defense unless complete operational tests are carried out.

It is not likely that the Russians will develop a foolproof missile defense and it is not probable that, by missile defense alone, they will be able to prevent the penetration of our retaliatory forces.

But it is likely that, if our study of missile defense should be deficient, we shall not be in a good position to design the most effective penetration aids for our retaliatory force. Under such conditions, it may be possible for the Russians to shoot down the great majority of our retaliatory missiles. This will be particularly true if a Russian first strike has already substantially weakened our Minuteman sites and other second-strike facilities.

Vulnerability of our second-strike installations is probably not so great as to insure the Russians against our retaliation. Neither is the Russian antimissile missile a sufficient protection for the Soviets. But these two possibilities put together might provide the Russians with sufficient assurance that will enable them at some future time to launch an attack against us with an amount of safety that they may deem satisfactory. It is most unfortunate that the proposed atmospheric-test ban strikes simultaneously at both of the vulnerable elements in our second-strike force.

NATIONAL SURVIVAL MAY BE AT STAKE

The above discussion clearly indicates that a complete defense against a massive ballistic-missile attack is not easy. Nor is it sure that ingenious, extensive work and the expenditure of great sums of money could make our missile defense completely satisfactory. But partial missile defense which protects our hard military installations and other protected locations could mean the difference between complete destruction and national survival.

Furthermore, our missile defense is likely to turn out to be sufficient against a weaker attack, such as could be launched against us any time in the next two decades by China. The fact that an atmospheric-test ban interferes with the development of our missile defense, which had been given rightly a high priority, is one of the most serious objections to the proposed partial test ban.

Comments on point 5: The treaty is ambiguous with respect to the use of Plowshare outside the territory of the United States. This may give the Russians a possibility to intervene in our dealings with friendly or neutral nations.

Peaceful uses of nuclear explosives have been planned for many purposes, including the creation of harbors and sea-level canals. Such engineering constructions could be carried out by clean nuclear devices under the treaty which we are discussing. The treaty would, however, be violated if any measurable activity should be deposited outside the United States. In case that we should want to dig a sea-level canal across the American isthmus, a small amount of activity will be produced, and it seems clear that the wording of the treaty would be violated.

Such a canal is an excellent example to illustrate that works of peace could become quite important for the strength of our country. The locks of the present Panama Canal are vulnerable. A sea-level canal would stand up. In case of war, this difference could be of vital importance. Similar situations could arise elsewhere.

It is not clear to me whether an isthmian canal could be dug under the treaty if certain additional steps were taken. It might turn out that we could dig such a canal provided the Russians explicity agreed that we do so. It certainly does not seem to be in our interest to allow the Russians to interfere in dealings between ourselves and a friendly nation, as would be the case if the digging of an isthmian canal were under active discussion. It is also possible that the canal could be legally dug as soon as the country in question accedes to the treaty.

Whether or not this is so is a legal question outside of my competence. I would urge that this legal question should be clarified. If the answer is given that we can use nuclear explosives in a peaceful manner outside the territory of the United States without explicit permission of the Russians, then the matter of Plowshare will not constitute a reason to oppose the test ban. If the opposite is the case, I think that the treaty will prevent most important and useful application of nuclear energy. I hope that the Senate will not sacrifice the interests of the future for assumed immediate advantages.

IN CASE OF A LIMITED WAR

Comments on point 6: The language of the test ban treaty apparently prohibits the use of nuclear explosives in limited conflicts outside the territory of the United States, unless 3 months' notice has been served in advance. Thus, badly needed prompt response to aggression might be inhibited.

We have been assured that the test ban does not prohibit the use of nuclear explosives in case of war. I am indeed convinced that, if the United States is attacked by nuclear explosives, the treaty will not prohibit our retaliation. In fact, in such a case the attack itself would constitute a tragic breach of the treaty.

On the other hand, there is very serious concern whether we can come to the defense of an ally subjected to an unprovoked attack by conventional means and use our nuclear explosives in doing so. It may be true that such action would be unwise. It may be true that our administration would not contemplate such action in any case. But, up to now, we have refrained from outlawing nuclear weapons in a general manner. That we have not done so was due to the fact that, in nuclear weapons, we possess an instrument which can neutralize Soviet superiority in conventional weapons and manpower. Nuclear weapons could be available at a moment's notice in case of a surprise move by our enemies. We have recognized the danger of leaving the decision whether or not to use nuclear weapons to the initiative of our enemies.

According to a simple and straightforward reading of the treaty, we have now acceded to a Russian demand to outlaw nuclear weapons in case of war, and we have done so in rather sweeping terms. In case of serious need in Asia, are we willing to watch the subjugation of an additional country because we have signed a treaty supposedly banning only tests? In case of extreme need in Europe, are we willing to violate the treaty?

It is true that we can withdraw from the treaty at 3 months' notice. Under modern battle conditions, 3 months may easily finish a local war, and our withdrawal may therefore be of little use. It seems that, by agreeing to the present wording of the treaty, the Senate is sharing a decision of far-reaching consequences which will not necessarily be beneficial to the long-range interests of the United States or the long-range stability of the free world.

A NEW BARRIER AGAINST OUR ALLIES

Comments on point 7: The treaty erects a new barrier against our cooperation with our allies in the area of preparedness, particularly in missile defense.

I had occasion to point out of the effects of the treaty upon the development of ballistic-missile defense. Such a defense may play an important role in the cooperation between ourselves and our NATO (North Atlantic Treaty Organization) allies.

It is possible and, in my opinion, it is highly desirable to institute a common effort throughout the NATO Alliance toward the development of a ballistic-missile defense. Our pooled scientific efforts can outstrip Russian progress, and we can become the winners in this part of the cold-war effort which indeed would give all of us greater safety against aggression by the Russians. Even partial success would be of great value, because it would make the success of a Russian attack more doubtful and would thereby cause the Russians to hesitate and to refrain from a dangerous initiative in circumstances which otherwise may turn out to be fatal to our side.

It would be particularly desirable if missile defense could be extended to our European Allies who are under the immediate menace of hundreds of intermediate-range Russian ballistic missiles.

It is fortunately true that such a joint defense could be planned within the spirit of our present laws and without giving rise to any additional dangers which otherwise may follow from the spread of nuclear arms. If work on the antimissile missile should turn out to be successful, we could give to our allies great numbers of defensive nuclear warheads safely and permanently tied to established fixed defenses. Developments in our laboratory make it completely clear that arrangements can be made whereby the defensive missiles can be installed (deleted). Such arrangements cannot lead to accidental war or unauthorized use of these dangerous instruments. The defensive warheads can be used for nothing but for their proper purpose of defense and, if fired, they would explode over the territory of the same country that has performed the firing. At the same time, one can make absolutely sure that no damage on the ground will result.

The arrangement just described could provide us with a wonderful opportunity to strengthen the NATO alliance and undo the harmful effects of past disagreements on nuclear weapons which have in past months weakened our side.

The wording of the present treaty excludes any arrangement of the kind that I have described. In fact, the treaty categorically forbids us to aid our friends in using nuclear weapons for any purpose, even if that purpose should be self-defense. This is particularly true due to the circumstance that the missile would have to be installed and made ready for use at a time which may precede the actual attack by many years.

The plan I have described is just one example. In this case and in other similar cases, the proposed ban may prohibit the proper functioning of our defensive alliance.

Comments on point 8: Excessive caution in interpreting the treaty in the United States may lead to severe inhibition of our underground-testing program. There are precedents of such excessive caution in our past behavior.

In the past, we have used excessive caution in interpreting an agreement which was not even a treaty but only a voluntary moratorium. In order not to alarm the Russians, we have refrained from fully preparing ourselves for the resumption of nuclear testing. As a result, the Russian explosions in the fall of 1961 caught us only weakly prepared.

It is to be hoped that, in case the partial test ban is ratified, a similarly excessive interpretation will not prevail. Explicitly, it is to be hoped that we shall spend well above $100 million per year for the purpose of being in constant readiness to resume atmospheric testing if the need should arise. Actually, we should spend much more than this if we are supposed to be ready with an adequate response in case the Russians reopen testing in a really high style. If experience is a guide, the Soviets can spend very great amounts for preparedness.

It is further necessary to permit and to encourage shallow underground tests.

Considering the great efforts that the Russians have shown in connection with their atmospheric tests of 1961 and 1962, and which they now may be prepared to expend on underground testing, it will become necessary to speed up our whole underground test program.

Finally, it will be most important to clarify the question of what a "detectable" amount of radioactivity is, so that we should know precisely what the treaty prohibits when it states that no detectable amounts should be released outside our own territory.

Comments on point 9: By prohibiting certain types of experimentation, the ban imposes limitations on future developments. In this way, progress is impeded and we deprive ourselves of possibilities which might acquire great importance in the future.

Progress through experimentation is one of the pillars on which our civilization rests, and one of the causes that have made America great. This is a general statement and, as such, may fail to be properly appreciated by those who demand specific examples. Yet it is hard to give such an example, because future developments are necessarily uncertain, difficult, and often not even suspected. Fortunately, there is a specific case that I can cite as an illustration which, though quite imperfect, may serve the purpose.

Exploration of the moon and the establishment of a small permanent establishment will be a most expensive enterprise. Yet it is one enterprise to which we are committed. I believe that this commitment is proper.

Nuclear explosives constitute a small and easily transportable energy package. Nuclear explosives may be needed for carrying out required civil-engineering jobs on the moon. These explosives may be used to liberate water bound in the rocks of the moon. It is highly probable that, while there is no free water on the moon, bound water is present in similar small amounts as in the crust of our earth. The Plowshare explosion in Carlsbad liberated more than 100 tons of water. A similar operation may have a similar consequence on the moon. Only, in that case, 100 tons of water will be worth more than 100 tons of gold.

Nuclear explosives have been considered as propellants in space missions. The idea seems fantastic and, in its present form, it may not be sound. In the end I believe that this application will become important.

In connection with our space effort, we can catch a glimpse of the future applications of nuclear explosives. These applications may well be ruled out by the treaty which is to be signed. I am deeply worried about the unborn ideas which the treaty may condemn before they have been proposed.

CONCLUSIONS

From the above discussion, it is clear that the proposed test ban will hamper our military preparedness in many important aspects.

Some consequences may become highly dangerous. Some can be mitigated by proper interpretation and proper action after the treaty has been ratified.

Since my testimony is restricted to the technical and military aspects of the question, I feel that it is my duty to conclude by the statement that ratification of the treaty would have grave consequences for the security of the United States and for the free world from the point of view of these technical and military considerations.

WORK MEASUREMENT PROGRAM

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. DULSKI] is recognized for 60 minutes.

Mr. DULSKI. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DULSKI. Mr. Speaker, one of the most controversial issues in our Committee on Post Office and Civil Service is the protest against the work measurement program known as WMS. The bill was assigned to the Subcommittee on Postal Operations, of which I am chairman. Extensive hearings were held. The post office administration, many Congressmen, and heads of postal unions presented their views.

Being a sensitive topic, it had been suggested to make on-the-site inspections and to see the program operate. To talk to individuals who must perform under the scheme, we have visited the Chicago, Ill., post office, the Manhattan post office, and the Brooklyn post office in New York, where the program was first initiated.

Today as one of the 61 sponsors who have introduced legislation to prevent the use of stopwatches, work measurement programs and one who has made this on-the-spot inspection I would like to bring to view this WMS as it is known to the postal employees and discuss it more thoroughly. Right from the outset I say it is a speedup program.

The mechanics of this program were prepared by an outside firm, which had some knowledge of postal operations. However because of the complexity of the problem, and not having a comparable measuring device, they predicated their experience on a business-type operation. This is impossible. First of all, no thought or consideration was given to the uniformity of items handled. Secondly, the human eye was taken into account on measuring the amount of mail to be fed into a 2-foot tray. In the time study of 46 letters per minute, no thought was given to the misfits in mail, illegible writing, incorrect spelling, and a few others.

By the way, in a discussion with the postmaster at Brooklyn, he had advised us that the local unions did not object to the work measurement program. In a colloquy with the union heads they vigorously opposed right from its inception. I have been advised that nowhere in the Postal Bulletin of this date, or of the Postal Manual, are postmasters or any postal officials, authorized, instructed, or advised to establish any production system or efficiency plan to determine the pieces or units of mail distribution by the clerk.

Postal officials in this installation implemented departmental instructions in 1959, with a program converting the guide rates to standards. Without consulting industrial engineers, a system was devised by supervisors unfamiliar with modern industrial techniques, creating an alleged efficiency plan wholly arbitrary and unfeasible in character.

This system born in Brooklyn became the basic model for the Post Office Departments' work measurement system with little variation.

The requirements of so-called scientific efficiency plans particularly cannot be set in motion in mail distribution with the uncertainty of volume, lack of standardization, inadequate mechanical equipment, poor operational facilities, space limitations and other major complex factors.

The work measurement system has allegedly increased production but I doubt if it can cut costs. We must realize that better organization of mailhandling operations and modern equipment are two factors contributing to this increase, plus larger benefits in pay and welfare items for employees.

There may be any number of other answers available to interpretation, however, if it is assumed that the Department's claim for its system is true, then what was the basis for the increase in production and lower costs prior to the inception of these "guidelines."

Let me read into the record part of the testimony:

> Since the Post Office officials state their statistics definitely display increased production during weeks the system is in effect, and since no incentives are offered to employees to produce more, neither pride in the

> quality of their work, additional wages or creative interest, only one conclusion seems possible—clerks are striving for greater production rates under the lash of fear. Fear of the consequences, fear for their jobs, fear that their security may be at stake. This fear is present; though assurances have been issued by management that no clerk would be hurt, clerks have been questioned and subtly cautioned about a low productivity rate, even clerks with years of service and seniority.
>
> Clerks with 20 and 30 years of postal service are complaining of extreme tensions, fatigue, and physical suffering. Many who are in a position to retire are doing so or are seeking positions in executive divisions or in stations where the system is not in vogue, with the concomitant loss to the post office of their valuable skills and knowledge as mail distributors—and distribution still remains the heart and sinew of postal operations. Turnover of substitute clerks is quite high, a possible result of the extreme demands of the system. These tangible and intangible losses should be balanced against the alleged savings.
>
> Although postal officials insist there are guides for all categories of employes, they apparently refuse to concede the distribution clerk is the only one required to prove his total output each hour, each day.

Mr. Speaker, I doubt very much after the inspection the outlay of moneys between $11 to $12 million annually—and I say it is far more than that in hidden costs—to impose work standards on people who have had long experience in the handling and distribution of the mail.

The time and effort that is being exerted to weigh, count, and tabulate to convert to linear measurement is a great hindrance to the efficient moving of the mail.

I am surprised that the Post Office Department has become so insistent upon a program that is so inaccurate, so complicated, and very expensive.

This program has destroyed the morale of its employees and made clerks out of the supervisors.

The postal clerks favor progress and more economical practices.

The people in the Post Office over the decades have shown a very high degree of responsibility and their dedication to their work. They do not need the work measurement system to insure the performance of their duty.

Mr. HORTON. Mr. Speaker, will the gentleman yield?

Mr. DULSKI. I yield to the gentleman from New York.

Mr. HORTON. I should like to take this opportunity to join with the gentleman on this occasion in discussing the work measurement system.

I also wish to thank the chairman of the Postal Operations Subcommittee for reserving this time period so that we Members who are concerned over the Post Office Department's work measurement system may have the opportunity to address our colleagues on its inequities.

As I stated earlier this year at the time I introduced H.R. 6209, a bill to prohibit the use of unfair measurements of postal service employees, the system is demoralizing. A congressional checkrein is needed to protect the vast majority of loyal and dedicated postal workers from the undue pressures inherent in the system.

Just recently, a delegation of postal clerks from my home community of Rochester, N.Y., visted me here in Washington. At that time, they presented me with a petition in the form of a giant post card which had been signed by hundreds of my constitutents. The signers supported my bill and urged me to continue my work to secure its passage.

I have replied to each person who signed this petition and reaffirmed my pledge to work for congressional action that will put an end to the abuses in the work measurement system.

Apparently, overzealous management in the Post Office Department has resulted in a growing tendency to regard postal employees as mere machines. I have been concerned about this for some time—the work measurement system is a blatant example.

I feel there is every reason to adopt sound practices which promote greater economy and efficiency in Government. Yet, Congress must guard against using practices that impair service to the public and unjustly penalize conscientious postal workers.

Improving efficiency and reducing operating costs are the pronounced objectives of the work measurement system. If these objectives were the result and they were being accomplished without adverse side effects, then I would be the first to applaud the system. But, such is not the case.

From my own firsthand inspection of post offices in Rochester, I am convinced beyond doubt the work measurement system has become destructive of employee morale and actually works against a more efficient and economical Post Office Department. This system in fact is impairing postal service by destroying the personal dedication of career workers.

The system sacrifices accuracy for speed. It subjects the workers to constant on-the-job tension. Clerks are pitted against one another. Morale has given way to a mad race with the clock.

Still another facet of this system to which I am opposed is the arbitrary measurement used to determine postal worker output. Without regard to the wide variation of the number of pieces of mail one sorting tray can contain—as much as 250 pieces difference—clerks are judged solely on the time it takes per tray to process the mail in it.

We are not concerned with machines when we consider postal workers. These are men and women, our next door neighbors, the people we meet at church, the coaches of our little league teams, the volunteers for charity. Many are men and women who have been in the postal service all of their working lives. Above all, they want the Post Office Department, of which they are so much a part, to operate with the greatest efficiency and provide the best possible service to the mail-using public.

It is their belief and, I might add, mine as well that improved postal service will result from improved employee working conditions. Harsh and discriminatory rules laid down in Washington with little concern for their effect on these public servants are not the answer.

In any examination of such a system, I believe it is advisable to learn the reaction of those most directly affected by it. In this case, it is the postal clerks who are best equipped to render a judgment. This factor obviously has been recognized by the chairman of the Postal Operations Subcommittee, as he and members of the subcommittee have conducted on-the-spot inspections of postal facilities in Chicago, Brooklyn, and New York City to witness the work measurement system procedure and discuss its operation with the postal clerks in those offices. Further, I understand that additional inspection visits are being planned for other post offices.

As I indicated before, I gained much of the information I have on this subject from inspecting the operation of the system in the Rochester, N.Y., post office. In addition to my own impressions obtained on this visit, I would like to share with my colleagues the feelings of the postal clerks as they have voiced them to me.

The president of Rochester Local No. 215, United Federation of Postal Clerks, William G. Martin, has said:

> They have staggered measurement weeks to cover almost every circumstance or time of the month, and yet they have proven that on those weeks not on individual measurements, the production is the same or almost the same as when we are on the measurements week. They deny this but, in Rochester, the time used and the amount of mail worked proves out. I say this is a tribute to the dedication that postal clerks have toward the postal service. Yes, they are all made different physically and mentally, male and female, veteran and nonveteran, but all the postal clerks are trying. We do not cherish being pitted against our fellow worker. To be compared is not our purpose—to work together and get the mail sorted and delivered is our purpose. We still contend the system is impersonal and takes the pride of work out of the service. Give us back that dedication to service that we once possessed.

I also would like to quote from the words of Hugo Sisca, another postal clerk and vice president of Rochester Local No. 215, United Federation of Postal Clerks:

> I for one believe that the mail will be moved faster by the elimination of the work measurement system.

Mr. Speaker, these comments speak for themselves. We are challenged to respond to them by putting an end to this obnoxious system and allowing individual dignity to be returned to the Nation's postal service.

Mr. MATTHEWS. Mr. Speaker, will the gentleman yield?

Mr. DULSKI. I yield to the gentleman from Florida.

Mr. MATTHEWS. I also would like to thank the gentleman for giving us an opportunity to hear of the splendid work of the subcommittee in this area, and I want to tell the gentleman of my own interest in this problem and to express my thanks to him.

Mr. WALLHAUSER. Mr. Speaker, will the gentleman yield?

Mr. DULSKI. I am very happy to yield to my colleague on the Committee on the Post Office and Civil Service, the gentleman from New Jersey [Mr. WALLHAUSER].

Mr. WALLHAUSER. Mr. Speaker, I appreciate the opportunity to say a few words on this important matter, because as a member of this distinguished subcommittee I may say that we have had an opportunity to listen to the testimony of many of the Post Office employees and to inquire into the actual practicability of this work measurement system, and we find it is not working. We hear the cry, "Guidelines Must Go." After listening to the testimony and evaluating it I have come to that conclusion.

I recognize the fact that the Post Office Department must be run on an efficient basis. Private enterprise uses efficient measurements but of an entirely different character. The work measurement system is an archaic system.

The best solution to the whole problem, in my judgment, is good supervision and not time-wasting methods such as are now employed in the various post offices of the country.

This system works but 1 week in every month, so that it is obvious that in that 1 week there is a speedup of work and in the other 3 weeks there could well be a slowdown, so that it accomplishes very little if anything. I do not think it contributes anything to the general efficiency.

I would say that in the interest of the employees and the interest of their morale and the interest of good departmental efficiency the best thing this Congress could do would be to pass legislation which would abolish the work measurement system as it is now employed in the Post Office Department.

Mr. DULSKI. I thank the gentleman from New Jersey, a member of my subcommittee. I know he strives very hard to bring forward legislation that will be beneficial to the post office and to the employees.

I have made on-the-site inspections, and I could stand here for hours and give you definite examples of what actually transpired. One of the persons I interviewed in the New York Post Office was an employee who had 30 years in the post office service.

Mr. WALLHAUSER. Mr. Speaker, will the gentleman yield?

Mr. DULSKI. I yield to the gentleman.

Mr. WALLHAUSER. Would you agree it as absolutely impossible to judge efficiency when the same number of letters are incapable of being placed in the worktrays—the same size letters and so forth? In other words, the standards cannot be set exactly and it is impossible to work out a system, as I see it. I hope you will agree with me as to whether this can be done. Do you agree with that?

Mr. DULSKI. I agree with the gentleman.

Mr. WALLHAUSER. I think then on this basis the whole system falls down. Also would you agree that it takes a great deal of time on the part of the supervisory personnel to make reports when they should actually be supervising people who are doing the work. Do you agree with that?

Mr. DULSKI. I agree with the gentleman.

We have seen some on-the-spot inspections when the foreman supervises his crew during the guideline week. What is he doing the other 3 weeks? I say they make nothing but a clerk out of the supervisor because all that he worries about is form 2311.

Also let me bring to the gentleman's attention, while we were in New York we went to an office where they had about 19 employees in one office. We were told those are the only ones working on the guidelines. I say that is only part of the staff because there are other employees who are tabulating some of the forms that have to be filled out by the employee and supervisor.

Mr. GATHINGS. Mr. Speaker, will the gentleman yield?

Mr. DULSKI. I will be glad to yield.

Mr. GATHINGS. Does this program work in small post offices? What particular size of post office is this program operating?

Mr. DULSKI. From the beginning, as I understand, it was supposed to be programed in all the post offices, but I understand it was not very profitable to have the operation in a small post office because the system is not effective.

Mr. GATHINGS. Could it be that this WMS system could be extended all over the country?

Mr. DULSKI. It could be used in any post office in the country that the Postmaster General wants to institute this program.

Mr. GATHINGS. I commend the gentleman and his subcommittee for an excellent job, and I do hope the bill will be approved by the committee and passed by this Congress. The bill is one introduced. Is that correct?

Mr. DULSKI. Yes. I thank the gentleman very much for his contribution.

Mr. RYAN of New York. Mr. Speaker, will the gentleman yield?

Mr. DULSKI. I yield.

Mr. RYAN of New York. Mr. Speaker, I should like to commend my colleague from New York [Mr. DULSKI] for his keen understanding of this problem and for the position he has taken on the Work Measurement System. I was privileged to appear before the subcommittee which he chairs so ably earlier in this session of Congress. At that time I expressed my feeling that the Post Office Department was imposing an unfair procedure upon its employees. This is a "speed up" system, and the Federal Government should not be a party to it. I have introduced H.R. 7671 to eliminate it.

Mr. Speaker, one of the most important elements in any operation is morale. The "guidelines" system, as the program is called, has had a seriously detrimental effect on the morale of our hard working and dedicated postal employees. I know that many Members of Congress have expressed their concern about the situation. I hope the House Committee on Post Office and Civil Service will take affirmative action.

Mr. DULSKI. Mr. Speaker, I thank the gentleman from New York for his contribution.

Mr. Speaker, the gentleman from Nebraska [Mr. CUNNINGHAM], a minority member of our committee, is very much in favor of abolishing the guideline. Unfortunately, the gentleman is unable to be here, as he had another important appointment. He wished me to bring to the attention of the House the fact that he is also opposed to the guidelines.

Mr. ADDABBO. Mr. Speaker, it gives me pleasure to associate myself with the remarks of my colleague, the gentleman from New York [Mr. DULSKI]. I should like to compliment the gentleman and the other members of the Subcommittee on Postal Operations, Committee on Post Office and Civil Service, for the thorough and efficient job they have done in this investigation of the Post Office Department's so-called work measurement system.

In my district, in Queens County, N.Y., live great numbers of postal employees who work in the post offices in New York City, Brooklyn, the Bronx, the four post offices in Queens, and offices in Nassau and Suffolk Counties. Certainly, they have had more experience under the work measurement system than most any other place in the United States. Department officials have assured Members of Congress that morale is high among the postal employees and that this system is well worth what it is costing and actually results in savings to the Government.

Mr. Speaker, I have no way of knowing with whom these officials discuss this problem, but I would like for them to sit in with me in my office here in Washington and in my office back in the district and hear the complaints that I hear. I should like to point out here that these people who come to my district office are not union officials only—in most instances they are rank and file workers who are unhappy with the entire situation. One representative complaint is as follows:

> A great number of people are used to count the mail, measure it, weigh it, and perform other duties associated with this system, and as a result, they utilize this cruel system to squeeze more work out of the remaining clerks that are left to sort the mail.

Certainly, in my opinion, this system cannot properly estimate the ability of a man who has given years and years of faithful service to the Government. He is going to resent this check and who can blame him. The men know that they are being judged by the amount of mail handled—yet, each tray of mail is not of equal size, the irregular sizes of the mail handled, and the handwriting on the envelopes, all of these things are impediments to speed.

The Post Office Department has maintained that the "guidelines" have cut costs and that during the period that the so-called test is given there is an increase in output, but this increase is only due to human nature and the fear of reprisals. I do not believe that men and women who have given long years of capable service to the Government should be required to work under these tensions. I believe that there has actually been an increase in costs because of the use of "guidelines" in that many have left the postal service after years of service. It is a known fact that there has in the last several years been a high dropout and turnover rate in the postal service which causes increased costs in training periods and the loss of experienced workers.

If there must be a measurement of costs and this is the system that has been devised, I know that there are other methods which may be used which would not bring so much stress to the individual employee.

Mr. Speaker, I am firmly convinced that this system must be abolished, and it appears that this will only be done through the enactment of legislation for this purpose. I strongly recommend that we act without further delay.

Mr. FINO. Mr. Speaker, as cosponsor of legislation to eliminate work measurement and stop-watch systems from the postal service, I wish to commend the gentleman from New York [Mr. DULSKI] for his intensified study and investigation in this area.

I have been opposed and still am opposed to guideline methods used by the Post Office Department.

As a former member of the New York City Civil Service Commission, I know how a civil service employee reacts when compelled to work under constant observation, supervision, and strain.

I know from experience that whenever guideline measures are used to determine the efficiency of an employee, the work performance suffers because he feels the uncomfortable and undue pressure of supervision. I, also, know that any sort of timing or measuring device can only hinder and interfere with the freedom of work and efficiency of the worker.

I join my colleague in his findings and associate myself with his recommendations.

Mr. HALPERN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HALPERN. Mr. Speaker, I rise today to speak out again on this floor to protest the onerous work measurement system employed in our post offices. I will not go into length this afternoon detailing the evils of this system, for I have done so before on many occasions as recently as last week in this House. But I feel we cannot express ourselves often enough or strongly enough until this iniquitous system is eliminated.

Mr. President, I attack the work measurement system on the grounds of inefficiency and inhumanity.

It is inefficient because it sacrifices accuracy for the sake of speed and in the long run loses even that speed because of the necessity to take out time to redirect misplaced mail. It is inefficient because it forces the post office to use a veritable army of counters and analyzers to determine the estimated counts. Employees assigned as dividers or group leaders spend their time walking back and forth in an aisle or through a section estimating how much mail is in each tray placed in front of each distributor. It is inefficient because of the proliferation and duplication of forms and handbooks it requires throughout the postal system.

Furthermore, it is inefficient because all of this is unnecessary.

According to a recent report of the Bureau of the Budget:

> Individual performance at an office or for a work center within an office is at or above the minimum for an overwhelming proportion of the employees involved.

The Bureau report continued:

> We would see little justification for continuing to incur the costs of individual measurement on a continuing basis so long as the work center or office efficiency indicates that high production is being maintained.

What is the cost? About $11 or $12 million annually.

Mr. President, I further attack the system on the grounds of inhumanity because it imposes mechanical standards on human workers. It is a mechanical monster that has no heart in which to weigh or balance human factors. It increases nervousness and hypertension on the part of employees. It discriminates against the dedicated and accurate older or handicapped employees because they cannot maintain speed standards. And it weakens the high morale and deep pride of workers throughout the postal system.

Mr. President, we know all this—that it is inefficient, that it is inhuman, that it is opposed by every participating employee organization, and that it is opposed by the Bureau of the Budget. In the light of all this, how can we fail to act now to eliminate it?

The answer is simple: we cannot. We cannot fail our obligation to the loyal postal workers of this country to remove this curse from their working life. The case is clear and simple. Our course of action is sharply defined. Let's remove the bludgeon of work measurement from the post office's bag of management tools.

ABOLISH THE GUIDELINES

Mr. MULTER. Mr. Speaker, I believe that the work measurement system in the Post Office Department commonly called the guide-lines system, is an affront to the dignity of the postal employees. It is a system which takes no account of the human element and the morale of the employees has suffered accordingly.

The Department claims it would have to spend $100 million more a year if the work measurement system were eliminated. Frankly, I do not believe that.

Moreover, this system, like all work measurement systems, fails to take into account the individual differences of workers. The assumption that there is one best way for all workers to perform a task is fallacious and I strongly urge that this system be dispensed with immediately.

I join with my many colleagues in urging passage of a bill to prohibit the use of measuring devices in the postal services. I have introduced H.R. 7609 to accomplish this and I hope that the Post Office and Civil Service Committee will take immediate action on the bill.

MEDICARE BILL

The SPEAKER pro tempore (Mr. LIBONATI). Under previous order of the House, the gentleman from Utah [Mr. BURTON] is recognized for 30 minutes.

Mr. BURTON. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include tables and extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. BURTON. Mr. Speaker, the administration's medical care for the aged bill, more commonly referred to as medicare, has caused considerable controversy. Many of us are convinced that the proposal to provide hospitalization insurance through the social security system is either politically motivated, designed wholly to appeal to the 17½ million voters over the age of 65; or it is a deliberate and calculated plan to put the U.S. Government in the medical business one step at a time. The ultimate objective is to bring all phases of medical and dental care under the control of the Federal Government through the Department of Health, Education, and Welfare, and administered under the social security system; or a combination of the two.

These conclusions seem to be supported by examining the President's message, the proposed legislation, and the statistics which were gathered from several other sources.

In his message to the Congress on the 21st of February 1963, the President clearly pointed out the problems of the aged, stating:

> We have more senior citizens than any time in our history.

> Life expectancy of 49 years in 1900 has increased to 70 years in 1963.
>
> Average annual income received by aged couples is half that of the younger two-person families.

> Senior citizens are sick more frequently and for more prolonged periods than the rest of the population.

> Cost of hospital care has risen much faster than the retired workers' ability to pay for that service.

All the foregoing generalizations are true. Many of our elderly people are in a difficult spot and need assistance. Of the two conclusions drawn by the President from the foregoing generalizations, I believe only the first is justified.

His first:

> All levels of government have the responsibility, in cooperation with private organizations and individuals, to act vigorously to improve the lot of our aged.

Is one with which I agree. The sole responsibility is not on the shoulders of the Federal Government.

His second:

> Hospital insurance for our older citizens on social security offers a reasonable and practical solution to a critical problem. * * * It is based on the fundamental premise that contributions during the working years, matched by employers' contributions, should enable people to prepay and build earned rights and benefits to safeguard them in their old age.

This implies that the social security system is the most desirable means by which prepaid and earned rights and benefits can be acquired—which is not the case.

Extensive research has led me to four general conclusions, which I am convinced are supported by the facts rather than political considerations.

First. The proposed plan neglects to consider the individual, completely disregards his needs, desires, and ability to provide his own hospitalization or any arrangements previously made in this regard.

Second. The medicare program cannot and will not provide adequate medical assistance where it is needed the most.

Third. The problem cited by the President is transitional and the solution is now within sight.

Fourth. There are other proposed programs and plans that offer greater potential for solving the medical problems of the aged. These programs will give more assistance to more people, with less cost.

The following data and information support these conclusions:

I. THE PROPOSAL DOES NOT CONSIDER THE INDIVIDUAL

To justify the existence of a medical assistance program for a limited number or special group of American citizens, we must take into account all of the pertinent considerations. Among the most important is the desires of the individuals concerned. A solicited response from my constituents has indicated that only half of them feel that the Federal Government has any responsibility in the matter, and the large percentage of those who recognize a Government responsibility prefer a voluntary program or tax relief as an incentive to provide private insurance.

In approximately 14,000 replies, less than half of those responding felt that the Federal Government had any responsibility to provide medical assistance to persons over 65. Those that recognized a government responsibility preferred a voluntary program or tax relief as an incentive to provide private coverage. Of the 45.5 percent who felt that the Federal Government had a responsibility, 39 percent favored the Kerr-Mills program, 23 percent favored the medicare program, and the rest favored the tax incentive type programs—source: Burton Survey conducted in March, April, and May, 1963, throughout 25 counties in the First Congressional District, State of Utah.

Certainly the next most pertinent question relates to the medical needs of the persons concerned, together with an analysis of the economic and financial status of these same people, with special attention focused on their ability to pay for these services when needed. The President, and other proponents of medicare, considered only two factors. First, that the medical needs of the aged are greater; and second, that their income is smaller. I respectfully submit that there are numerous other considerations, including (a) employment status, (b) income, (c) assets, (d) debt, (e) insurance coverage.

Let us consider these factors in the order listed.

A. EMPLOYMENT STATUS

The following table contains information taken from official Bureau of the Census publications. These figures point out very vividly that there are large numbers of our senior citizens that are physically capable of supporting themselves and assuming the responsibility for their own welfare, and who have the desire to do just that:

TABLE 1.—*Employment status by age and sex, 1960*

Age	Male		Female	
	Employed full time	Employed part time	Employed full time	Employed part time
65	242, 124	65, 857	83, 802	51, 541
66	184, 514	63, 034	64, 388	44, 742
67	161, 306	63, 255	57, 507	42, 220
68	126, 862	56, 237	44, 886	36, 213
69	110, 705	53, 480	39, 568	32, 863
70 to 74	345, 480	203, 245	114, 256	104, 152
75 to 79	134, 677	95, 191	43, 126	39, 041
80 to 84	35, 374	29, 418	12, 410	10, 603
85 and over	11, 123	9, 184	5, 030	3, 557
Total	1, 352, 165	638, 901	464, 973	364, 932

Source: Bureau of the Census Supplementary Reports, 1960 Census of Population; published by U.S. Department of Commerce, Bureau of the Census, Dec. 21, 1962, PC(S1)-35.

The report clearly shows that there are large numbers of the elderly employed on a full or part time basis. In fact, nearly two million are employed full time and over one million part time, for a total of three million employed full or part time. Those persons working full time are receiving good wages, and there is no reason to believe that they cannot meet their own hospital expenses as well as the younger persons. Note that 345,000 males between 70 and 74 are employed full or part time; 35,000 males between 80 and 84 are employed full or part time, and even 11,000 males over the age of 85 are employed.

B. INCOME

Income of the senior citizen is necessarily another area of consideration. Table 2 represents the most recent data available on disposable income. A study of this information will lead objective observers to conclude that there are large numbers of the elderly who very obviously cannot expend large sums of money for hospitalization or medical care. However, the same table indicates that there are many who do not need the assistance. Nearly 30 percent of them make in excess of $3,000 a year after Federal income taxes. Remember table 2 relates only to disposable income. You will observe in table 3 that 48 percent of all families with the head 65 years of age or over make $3,000 or more, with 36.1 percent making $4,000 or more.

TABLE 2.—*Disposable income*[1] *by age of head of spending unit, 1961*

[Percentage distribution of spending units]

Disposable income	Age of head of spending unit			
	35 to 44	45 to 54	55 to 64	65 and over
Under $3,000	14	22	34	71
$3,000 to $4,999	25	21	28	19
$5,000 to $7,499	33	27	22	4
$7,500 and over	28	30	16	6
Total	100	100	100	100

[1] Spending unit annual income minus Federal income taxes.

Source: University of Michigan Survey Research enter, 1962 Survey of Consumer Finances (news release, Oct. 24, 1962).

Proponents of medicare have consistently referred to median income in stating their case for hospital care for the aged through the social security system. In so doing, they use the figure of approximately $1,200 as the median income. This is grossly misleading, since the Bureau of the Census in its current population reports shows the median male income to be $1,758, and the median female income to be $854. This may very well average $1,200. But 72.9 percent of all families with the head of the family 65 years of age or over are two-person families, with the family median income $2,530 a year. See table 3. It is also interesting to note that where the size of the family increases, and the family head is over 65, the median income also increases, and compares favorably with the younger families.

Table 3.—*Money income of families—Distribution by amount and age, 1960*

[Noninstitutional Population of the United States]

Money income class	All families		Families containing specified number of members							
			Two		Three		Four		Five or more	
	Head 65 and over	Head under 65	Head 65 and over	Head under 65	Head 65 and over	Head under 65	Head 65 and over	Head under 65	Head 65 and over	Head under 65
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Under $2,000	31.4	10.2	35.7	16.0	20.3	9.0	17.6	6.5	17.9	8.9
Under $1,000	9.2	4.4	10.0	7.0	8.0	3.7	7.2	2.8	3.6	3.9
$1,000 to $1,499	10.3	2.8	11.5	4.4	6.8	2.3	5.2	1.8	9.4	2.4
$1,500 to $1,999	11.9	3.0	14.2	4.6	5.5	3.0	5.2	1.9	4.9	2.6
$2,000 to $3,999	32.4	16.5	35.5	18.8	28.2	16.6	15.7	14.5	20.0	15.8
$2,000 to $2,499	11.6	3.5	13.7	4.1	5.9	3.5	7.1	3.1	4.0	3.2
$2,500 to $2,999	8.8	3.5	9.8	4.2	6.6	3.7	2.9	2.6	8.0	3.4
$3,000 to $3,999	12.0	9.5	12.0	10.5	15.7	9.4	5.7	8.8	8.0	9.2
$4,000 and over	36.1	73.3	28.8	65.1	51.6	74.6	66.6	79.1	62.0	75.3
$4,000 to $4,999	8.4	10.8	7.9	11.2	12.2	11.5	8.6	10.5	4.9	10.3
$5,000 to $6,999	11.3	25.4	9.4	22.8	15.9	25.3	16.6	27.6	19.2	26.2
$7,000 to $9,999	8.5	21.8	5.9	18.7	14.8	22.5	18.6	24.5	17.4	21.8
$10,000 and over	7.9	15.3	5.6	12.4	8.7	15.3	22.8	16.5	20.5	17.0
Median income	$2,897	$5,905	$2,530	$5,314	$4,122	$5,930	$6,100	$6,300	$5,727	$6,074
Mean size	2.5	3.9	2.0	2.0	3.0	3.0	4.0	4.0	6.4	6.2
Percent distribution	100.0	100.0	72.9	26.4	16.4	21.6	5.1	22.9	5.6	29.1

Source: Bureau of the Census, current population reports: consumer income, series P-60, No. 37, "Income of Families and Persons in the United States: 1960," Jan. 17, 1962, and related unpublished data.

C. ASSETS

Availability of assets, and particularly liquid assets for the payment of hospital and medical expenses, is also a pertinent factor in a complete evaluation of this problem. Table 4 represents some of the most recent data on this subject:

Table 4.—*Liquid asset holdings*[1] *by age of head of spending unit, early 1962*

[Percentage distribution of spending units]

Liquid asset holdings	Age of head of spending unit			
	35 to 44	45 to 54	55 to 64	65 and over
Under $100	36	31	28	34
$100 to $999	36	28	20	14
$1,000 to $4,999	22	26	36	27
$5,000 and over	6	15	16	25
	100	100	100	100

[1] Liquid asset holdings consist of deposits with banks, saving and loan associations, credit unions, and U.S. Government savings bonds.

Source: University of Michigan, Survey Research Center, 1962 Survey of Consumer Finances (News release, Oct. 24, 1962).

Fifty-two percent have $1,000 or more liquid assets, and 25 percent have $5,000 or more. In the $5,000 plus category, the 65 and over age group far exceeds the younger age groups.

Another University of Michigan study on asset ownership by heads of families, and age groups, indicates that the senior citizen groups compare very favorably with all of the other age groups in the ownership of corporate stock and in the ownership of real property; 65 percent of the spending units over 65 own their own homes; more than 80 percent of the homes are free of mortgage debt; and nearly half of the homes are valued at $10,000 or more. In addition, 21 percent of the persons over 65 own other real property.

D. DEBT

Senior citizens are less burdened with personal debt than the other age groups. This is particularly true of debt for purchases on the installment plan.

Installment debt ratio studies and comparisons indicate that senior citizens have less installment debt than the other age group studied; 84 percent over 65 have no installment debt, and the median debt of those with installment debt is $270, compared to $670 for the group 35 to 44—and this is a group with young children to support and educate. The 25-to-34 age group has double the debt of the 65 and older group.

The senior citizen pays a smaller percentage of his income on installment debt. The 18-to-24 group spend 43 percent. The 25-to-34 age group spend 43 percent; the 35-to-44 age group spend 37 percent; the 45-to-54 group spend 28 percent; the 55-to-64 group spend 18 percent; and the group 65 and over spend only 10 percent.

Although table 5 is slightly outdated, I have used it because it represents the most recent information on installment debt ratio, giving debt payments as percent of income. The 1962 Survey of Consumer Finances also shows 84 percent without installment debt:

Table 5.—*Ratio of annual installment debt payment to previous year's disposable income, early 1960*

[Percentage distribution of spending units]

Debt payments as percent of income	Age of spending unit head					
	18 to 24	25 to 34	35 to 44	45 to 54	55 to 64	65 and over
None (no debt)	46	37	41	50	69	84
Under 5	5	9	9	11	5	2
5 to 9	5	13	12	11	7	4
10 to 19	14	24	25	15	11	5
20 to 39	20	14	10	8	3	3
40 to 59	4	2	1	1	1	1
60 or more	4	1	(1)	1	1	(1)
Not ascertained	1	2	1	3	2	1
Total	100	100	100	100	100	100
Median ratio of debtors	22	13	13	12	13	14
Median debt of debtors	$540	$550	$670	$450	$380	$270

(1) Less than ½ of 1 percent.

Note.—Details may not add to totals because of rounding.

Source: 1960 Survey of Consumer Finances. Reproduced by U.S. Library of Congress, with the permission of Survey Research Center, University of Michigan.

E. INSURANCE COVERAGE

Private insurance coverage of all age groups has grown at a fantastic rate over the past few decades. Nearly all hospital coverage policies also include surgical costs, which of course give greater protection than hospital coverage alone, as proposed under medicare. In fact, over 90 percent of the persons with hospital insurance also have surgical insurance, and over 66 percent have regular medical coverage.

It is highly significant that nearly all of the major insurance companies extend coverage to the elderly; policies which carry over to age 65 and older are now commonplace. The younger persons reaching age 65 will be bringing with them into retirement their insurance coverage. Many of these policies will be paid for in whole or in part by employers.

In fact, according to the May–June 1960 issue of the "Collective Bargaining Report," almost all union agreements in the United States now provide for a hospital benefits program to meet hospitalization needs of workers and their dependents.

Projections are risky, and I hesitate to project what type and extent of coverage we can reasonably expect in 5 or 10 years. But a brief look at past experience should give an indication. In 1940 we had only 12 million persons with hospital expense coverage; in just 10 years that coverage rose to 77 million; and 10 years later to 131 million. The insurance coverage of the aged is discussed in detail in a later portion of this paper dealing with the transitional character of the problem.

CONCLUSION

After consideration of many factors that have direct bearing on the problem of hospital assistance for the aged, one must conclude that the needs of this group are far from uniform. Some are well to do, others very comfortable, and some are poor, the same as any other age group or category. Some of these people do and will need help in paying the cost of hospital care, but as a group their status is very much like the other age groups.

A brief look at the net worth of individuals by age group is most revealing:

TABLE 6.—*Net worth by age groups, 1953*

[Percentage distribution of spending units]

Net worth	18 to 24	25 to 34	35 to 44	45 to 54	55 to 64	65 or over
Negative	20	15	13	7	7	3
$0 to $999	53	20	12	16	13	21
$1,000 to $4,999	22	33	26	16	17	14
$5,000 to $9,999	3	16	21	20	18	18
$10,000 to $24,999	1	12	19	24	27	25
$25,000 or more	1	4	9	17	18	19
Total	100	100	100	100	100	100
Median	$300	$2,110	$4,480	$8,270	$8,590	$8,400

Source: Adapted from 1962 Survey of Consumer Finances. Reproduced by U.S. Library of Congress, with the permission of Survey Research Center, University of Michigan.

Note that 44 percent of the elderly have a net worth of $10,000 or more, and nearly 20 percent have a net worth of $25,000 or more, with a median of $8,400.

One final table, table 7, gives meaning to all the foregoing discussion and says more than a thousand words. In spite of all the talk and all the figures advanced by the administration and the proponents of medicare, table 7 indicates that the aged have less medical debt than any of the age groups as listed; 90 percent have no medical debt.

TABLE 7.—*Amount of medical debt by age groups*

[Percentage distribution of spending units]

Amount of medical debt, early in 1962 [1]	All SU's	Age of head of spending unit					
		18 to 24	25 to 34	35 to 44	45 to 54	55 to 64	65 or over
None	76	74	66	73	77	81	90
$1 to $99	14	19	21	14	12	14	6
$100 to $199	4	4	5	5	3	3	1
$200 to $499	3	2	6	4	5	1	1
$500 to $999	1	1	1	1	1	(2)	1
$1,000 or more	1	(2)	1	1	1	(2)	(2)
Not ascertained	1	(2)	(2)	2	1	1	1
Total	100	100	100	100	100	100	100

[1] Debt owed to doctors, dentists, or hospitals which was outstanding at time of interview, January–February 1962.

[2] Less than ½ of 1 percent.

Source: Adapted from 1962 Survey of Consumer Finances. Reproduced by U.S. Library of Congress, with the permission of Survey Research Center, University of Michigan.

II. THE PROGRAM CANNOT AND WILL NOT PROVIDE ADEQUATE ASSISTANCE WHERE IT IS NEEDED THE MOST

In the first place, the administration's proposal is designed to provide payment for "hospital expenses only." It will not provide for the expenses of surgery; it will not pay the physicians' fees; it will not pay the cost of medicines and drugs administered outside of the hospital or nursing home; it will not provide the cost of dental care or the services of a private duty nurse. The proposal is designed only to give assistance for the payment of hospital expenses, and it does not even pay all of them. Two of the three alternative plans have a deductible provision whereby the patient must pay a minimum deductible of $20, or $10 per day for 9 days, or a sum equal to 2½ times the per diem rate, which has been estimated at approximately $90.

Hospital expenses make up only a part of the total medical expenditure of the senior citizen. We hear about the needs of the elderly, and that the senior citizen pays more for hospital care than the younger person, on the average. But they neglect to say that hospital expenses make up only one-third of the average total medical expenditure of the senior citizen.

TABLE 8.—*Distribution of the medical care dollar: United States, selected years, 1948–60* [1]

[In cents]

Type of service	1948	1950	1955	1957	1958	1959	1960
Total	$1.00	$1.00	$1.00	$1.00	$1.00	$1.00	$1.00
Hospital services	.24	.27	.30	.30	.29	.29	.30
Physicians' services	.32	.30	.27	.27	.28	.28	.28
Medicines and appliances	.25	.25	.25	.26	.26	.26	.26
Dentists	.12	.11	.12	.11	.11	.11	.10
All other medical care [2]	.07	.07	.06	.06	.06	.06	.06

[1] Includes expenses for prepayment.

[2] Includes other professional services and nursing home care.

Source: Medical Care Financing and Utilization, a Source Book of Data 1961, published by Department of Health, Education, and Welfare, 1962.

In fairness, it should also be pointed out that in utilizing this figure in a comparative study of medical costs under medicare, it would assume that all drugs are administered outside the hospital or nursing home and, if not, a portion of the drug cost should be attributed to the hospital costs. It should also be noted that the above chart does not distinguish between the medical expenditure of the senior citizen from the younger person. Nothwithstanding, they are relatively accurate as evidenced by table 9, which are the figures used by the administration in the hearings before the House Ways and Means Committee in 1961. Note the percentage relationship between the dollar distribution for the total population and the senior citizen:

Per capita medical expenditures: Amount by private individuals by age and type of service, 12-month period, 1957–58

Type of service	Per person 65 and over		Per person under 65	
	Amount	Percent	Amount	Percent
Total [1]	$177	100	$86	100
Physicians	55	31	29	34
Hospitals	49	28	19	22
Drugs	42	24	18	21
Dentists	10	6	14	16
Other [2]	21	12	6	7

[1] Excludes expenditure for nursing home care.

[2] Special nurses in hospital or at home, optometrists and other health personnel, eyeglasses and other appliances, ambulance fees, nonhospital diagnostic procedures.

Source: "The Health Care of the Aged," published in 1962 by the Division of Program Research, Social Security Administration, Department of Health, Education, and Welfare.

Although table 9 is somewhat outdated—1957–58—let us assume that the $177 represents the yearly medical expense for a given family, with the head over 65 years of age, and assume that he spent only 1 or 2 days in the hospital and, therefore, paid the minimum deductible under the medicare plan, $20.

The Government would pay the $49 hospital cost, less the deductible of $20 or $29.

The patient will pay:

Physicians	$55
Drugs	42
Dentists	10
Other	21
Deductible	20
Total	148

Therefore, the patient pays $148 and the Government contributes $29 for the hospital services.

Mr. Robert J. Myers, Chief Actuary of the Department of Health, Education, and Welfare has indicated to me that the figure of $177 is outdated and that although an exact figure has not been determined, it is estimated at closer to $315. Let us look at an average case wherein the patient is over 65 and spends the $315 in the year, using the same percentage breakdown:

Hospital expenses (30 percent of $315)	$94.50
Doctors' bills (28 percent of $315)	88.20
Medicines and drugs (26 percent of $315)	81.90
Dentists (10 percent of $315)	31.50
Other (6 percent of $315)	18.90
Total	315.00

Again, if we use the minimum deductible of $20, the Government will pay the total hospital bill of $94.50, less the $20 deductible, or a grand total of $74.50 of the yearly medical expenditure. The patient will pay $240.50. The Government's contribution to this senior citizen with a fairly large medical expenditure is less than 25 percent.

If the senior citizen unfortunately suffers a prolonged illness during the year and the total yearly medical cost is $1,000, the average dollar breakdown will be as follows:

Hospital expenses (30 percent of $1,000)	$300
Doctors' bills (28 percent of $1,000)	280
Medicines and drugs (26 percent of $1,000)	260
Dentists (10 percent of $1,000)	100
Other (6 percent of $1,000)	60
Total	1,000

The hospital expenses are $300—less the deductible of $50, or 5 days in the hospital—leaving the Government contribution at the sum of $250. The patient will pay the entire balance of $750.

These examples, although hypothetical, point out clearly that the amount of assistance given by the medicare program would be relatively small and in many cases highly insignificant. Surely if the patient is unable to pay the $250, he is unable to pay the $750 and, therefore, would have to rely upon his family, friends, public assistance programs on the State or local level, or on outright charity.

The President said in his message to the Congress on the 21st of February 1963:

> Let me make clear my belief that public assistance grants for medical care would still be necessary to supplement the proposed basic hospitalization program under social security.

And he further admitted that public efforts by the local communities and States would also have to be made, and that these efforts would be primary.

The proponents of the program know this, but they continue to represent themselves to the aged as their champions, and charge those that disagree as hardhearted, selfish or unsympathetic to the needs of the aged. I am convinced that some of the aged are misled as to the actual benefits that would be available under the medicare plan. Proponents who fail to make known the extent of the benefits do a great disservice to the aged, and the country as well.

The foregoing facts and information have prompted my criticism that the program is politically motivated. It will not do the job that proponents claim must be done.

There is also some speculation, and with reasonable foundation, that the proponents of medicare know these shortcomings and will rely on them in the years to come to expand the program to cover doctors' fees, drugs, dentists' fees, and, before long, their objective will be met—the Government will provide all medical benefits.

III. THE PROBLEM CITED BY THE PRESIDENT IS TRANSITIONAL AND THE SOLUTION IS NOW WITHIN SIGHT

Individual needs and abilities have already been examined, and it has been concluded that there are many of the 17½ million senior citizens who do not need or want medicare or Government paid hospitalization insurance. But in addition to them, I have charged that the problem and need for hospitalization insurance is transitory, implying that the problem is well on the way to solution through other devices or means—which I sincerely believe to be the case.

To begin with, the group over 65 is a very dynamic one. The Census Bureau tells us that Americans reach the age 65 at the rate of 1.3 million per year. The mortality rate of persons over 65 is 1 million per year. Although the mortality rate is high, the size of the group is ever increasing and, therefore, to properly analyze the membership in regard to their medical needs, we must also consider the younger persons now reaching or approaching age 65.

Of the 17½ million senior citizens, 3 million are employed full or part time; 14 million have money incomes; 70 percent have liquid assets; 50 percent have liquid assets of $1,000 or more; 22 percent have liquid assets of $5,000 or more; 65 percent own their own homes; and 21 percent have real estate in addition to their homes. I think it highly unlikely that all these people have neglected to provide for the cost of hospitalization, in the event they require it. Certainly many of them have—and many of the families of these people have made arrangements to assist their parents when the need comes. This is as it should be.

The following table very clearly indicates that sizable percentages of our senior citizens have hospitalization insurance, and what is even more significant is the fact that nearly all of those with hospital insurance also have surgical insurance and, therefore, are entitled to benefits not contemplated under medicare, and for which no provisions have been made.

Percent distribution of persons according to whether they had hospital and surgical insurance, and type of insuring organization by sex and age: United States, July–December 1959

Age, insurance status, and type of insurance organization	Both sexes	
	Hospital insurance	Surgical insurance
PERSONS WITH INSURANCE		
All ages	67.1	62.0
0 to 14	66.5	62.4
15 to 24	63.4	58.8
25 to 34	72.8	69.3
35 to 44	74.5	69.7
45 to 54	74.4	67.9
55 to 64	67.3	60.2
65 to 74	53.2	44.2
75+	32.5	23.6

Source: "Medical Care Financing and Utilization, Source Book of Data through 1961, prepared by the Health Economics Branch of the Division of Community Health Services, Department of Health, Education, and Welfare, and published in 1962. This portion of the survey was taken from p. 98, table 86.

Admittedly the above figure is somewhat outdated. However, this means only that the figures are too conservative and more recent data will show an increase in the number of aged with insurance as well as a greater percentage of the younger persons with both hospital and surgical insurance.

A quick glance at the coverage for some of the younger groups will reveal the fact that nearly 75 percent of some of the groups have hospital insurance, and nearly 70 percent of these same groups have surgical insurance. Surely these people do not need or want medicare—they already have a far better program than is offered by medicare.

The most significant single factor prompting my charge that the problem is transitional is the tremendous increase in the number of persons covered with hospital insurance in the past two decades.

The strongest supporters of medicare argue that private insurance has not met and cannot now meet the needs of our people. In rebuttal, I offer the following table:

Number of people protected for hospital, surgical, regular, and major medical expense, loss of income, and percent of persons with hospital insurance who also have surgical insurance and regular medical insurance: United States, selected years, 1940–60 [1]

Year	Type of protection (in thousands)					Percent of persons with hospital insurance who also have—	
	Hospital expense	Surgical expense	Regular medical expense	Major medical expense	Loss of income	Surgical insurance	Regular medical insurance
1940	12,312	5,350	3,000		(2)	43.5	24.4
1945	32,068	12,890	4,713		(2)	40.2	14.7
1950	76,639	54,156	21,589		37,793	70.7	28.2
1955	107,662	91,927	55,506	5,241	39,513	85.4	51.6
1956	115,949	101,325	64,891	8,876	41,688	87.4	56.0
1957	121,432	108,931	71,813	13,262	42,939	89.7	59.1
1958	123,038	111,435	75,395	17,375	41,870	90.6	61.3
1959	127,896	116,944	82,615	21,850	43,169	91.4	64.6
1960	131,962	121,045	87,541	27,448	42,436	91.7	66.3

[1] Adjusted for duplication.
[2] Not available.

Source: Medical Care Financing and Utilization, Source Book of Data through 1961, prepared by the Health Economics Branch of the Division of Community Health Services, Department of Health, Education, and Welfare, published in 1962.

In 1940, there were over 12 million persons covered with hospital insurance. In 10 years, the number had jumped to nearly 77 million; and by 1960, the number had again multiplied to over 131 million. More significant than this is the fact that the number of persons with surgical insurance has made even bigger strides. In 1960, over 90 percent of the persons with hospital insurance also had surgical insurance coverage. Our total population in 1960 was approximately 180 million, out of which 131 million had coverage. This is a substantial percent of coverage.

These statistics indicate to me that private enterprise, linked with individual responsibility, will—given time and the opportunity—solve whatever problem does remain. This presupposes, of course, that we can prevent Federal intervention in this area of American medicine.

THERE ARE OTHER PROPOSED PROGRAMS AND PLANS THAT OFFER GREATER POTENTIAL FOR SOLVING THE MEDICAL PROBLEMS OF THE AGED AND THESE PROGRAMS WILL GIVE MORE ASSISTANCE TO MORE PEOPLE, WITH LESS COST

Since medicare is limited to the payment of hospital expenses only, any insurance program designed to provide for other medical expenses and drugs necessarily offers greater protection to the patient. If broad voluntary medical insurance can be purchased, this is by far the best solution to the problem. The Federal, State, and local governments can best meet their responsibilities by initiation of programs which encourage incentive, and even assistance to the patient for the purchase of his own broad medical insurance coverage.

The 1962 University of Michigan Survey of Consumer Finances reports that 57 percent of the persons over 65 had no medical expense in 1961. Of the 43 percent that reported medical expenditures in 1961, nearly all reported expenditures for doctor bills and drugs. Less than half reported expenditures for hospital care. Since our aged incur more doctor and drug bills than hospital bills, any solution we now seek should necessarily consider doctor and drug expenses as well as hospital costs.

The general problem of medical assistance for the aged has occupied the minds and challenged the talents of many individuals and organizations for an extended period of time. As a result, numerous proposals have been advanced, some of them by Members of Congress. One good proposal, the Bow plan, authored by the distinguished gentleman from Ohio, Representative FRANK T. BOW, proposes to give taxpayers a tax credit for voluntarily providing their own insurance coverage. This is not a tax deduction to reduce the taxable income, but a credit against the assessed tax. This same tax credit can be given to the family, relatives, or employees who provide the insurance protection for their relatives or retired employees. For those persons whose income is low and has no tax liability, the Government will issue a medical care insurance premium certificate, with which the insurance can be purchased.

The advantages of this type program are obvious. It protects against Government interference with the doctor, and individuals will voluntarily provide their own coverage—which will be far better coverage than medicare. This coverage, when combined with existing State and local programs, should offer adequate coverage for the vast majority of the aged. Children who normally could not assist their aged parents will be encouraged to buy insurance. Another obvious advantage from the cost standpoint is that the cost ceiling will be fixed. Representative Bow proposed the credit figure of $150. This means that the cost to the Government will be $150, times the number of aged who qualify, which moneys will not have to be appropriated by the Congress but will represent cost to the Government in the form of reduction in tax revenues.

Compared to the cost of medicare, this is a far more desirable approach. The Department of Health, Education, and Welfare estimates the medicare cost at $1.1 billion in the first year, and expects the cost to double in 30 years. Many qualified observers think that this estimate is unrealistically low. Like nearly all other Government programs, the costs exceed the estimates, and the agencies are forced to return to Congress to ask for supplemental appropriations. By that time, there is already so much money tied up in the program that we have no choice but to make the additional money available.

Very recently we have heard that the social security tax will have to be increased to nearly 10 percent just to meet the present obligation of the program. If we add on the additional burden of medicare, we will soon find the tax so burdensome that the entire program will collapse under its own weight, or great financial stress will be placed on the worker and employer just to pay the social security tax.

Even former Secretary of Health, Education, and Welfare admitted before the Ways and Means Committee of the House of Representatives in July 1961, that the social security tax was near its maximum. He stated:

> I, for one—and I will say this to you publicly—believe that there is a limit to how far you can go in social security taxes. It is my opinion that you are coming to a situation where you cannot have much more by way of taxes in a social security program.

Even the Department of Health, Education, and Welfare has admitted that the total disbursements of the old age and survivors trust fund exceeded the total receipts by over $1 billion. In 1962 money was available to pay benefits because we had a fairly large reserve, but the demands upon the fund are increasing so rapidly that it will soon be depleted unless the revenue is increased by a tax rate increase or an increase in the tax base. The chairman of the House Ways and Means Committee, very recently introduced a bill—H.R. 6688—to strengthen the actuarial status of the trust funds in the social security program and to increase the tax base upon which the tax is assessed. This will upset the medicare plans because that proposal called for this increase as a means of financing the hospital assistance program, and already we need to utilize the increase for present needs.

SUMMARY

The American people, and particularly the aged, are not completely informed on medicare. The needs of the aged have been overplayed, the value of the medicare plan has been grossly overstated, and the people have not been fully informed of alternative proposals. My purpose in this somewhat extended study has been to lay the facts on the table where all can see them. Readers will draw different conclusions, but the most obvious conclusion supports my original premise that the whole program is politically motivated, designed to get the 17½ million votes involved or it is a deliberate and calculated plan to get the Federal Government in the medical business or it is a combination of the two.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. BURTON. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I want to compliment the gentleman from Utah on the obvious research that he has done in preparing the paper he has made for the benefit of the House today in an objective manner. It is important that we do study this problem from the point of view of other than those who usually consider it from one point of view or the other. Certainly the gentleman in the well of the House did not do that and I in commending him would only ask one additional question to see if his extensive research has shed any light thereon. That is, the relatively sad fact that inflation or deflation of the dollar, depending on which view you want to take, has had on the life savings, the retirement fund or the security that these people have laid up for themselves.

Mr. BURTON. I may say to the gentleman from Missouri I appreciate his comments. Certainly we are all aware of the unsalutary effect that inflation has had on those who have fixed incomes and those who set aside insurance for old age. But we do not have any data involved in this study on that.

Mr. HALL. It has always seemed to me that one of the greatest things that we as elected Representatives of the people could do for those who characteristically and by precept and tradition in our Nation have secured their own future, is to quit washing the foundation from beneath them by the relative decline of that on which they have hung their security on the retirement of the old which we hope so much they enjoy.

Mr. BURTON. I thank the gentleman for his contribution.

Mr. HALL. I thank the gentleman for his erudite statement and for all of the tables he has inserted, which should be read and reviewed and considered by all of the Members of this body.

Mr. BURTON. I thank the gentleman.

AMERICAN SELF-STYLED "STUDENTS" WHO HAVE BEEN IN CUBA

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Alabama [Mr. Selden] is recognized for 5 minutes.

Mr. SELDEN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. SELDEN. Mr. Speaker, the following 58 American self-styled "students" who have been in Cuba have indicated they expect to return to the United States in the near future: Anatole Ben Anton, Michael David Brown, Charles Nicholas Buchanan, Luria Huberta Castell, John Henry Coatsworth, Wayne Berkeley Combash, Salvatore J. Cucchiari, Robert Wayne Davis, Dorothy Mae Denton, Helen Arlene Driggs, Stephen E. Driggs, Carol Beral Esteves, Elena B. Fleming, and Linda Bonny Fleming.

John Robert Glenn, Elinor Ruth Goldstein, Marcus R. Gordon, Marcia Haag, Barry Hoffman, Clara Dee Jencks, Clinton Michael Jencks, Eric Davis Johnson, Robert Kaffke, Peter John Karman, Ann Gail Kyllingstad, James Lee Lacy, Lee Levi Laub, Jose Maria Lima, Frances Irene Luce, and Phillip Abbott Luce.

Albert Lasater Maher, Stefan Martinot, Mabel Cynthia May, John Milton, Wendie Suzuko Nakashima, Martin A. Nicolaus, Elena Victoria Ortiz, Theodore A. Ostrow, Larry Wilford Phelps, Catherine Jo Prensky, Don Rainman, Christian Lee Raisner, Lillian Redfern, Richard D. Reimann, and Joseph Steven Rex.

John Frederick Salter, Ellen Irene Shallit, Allan Creighton Sheffield, John Ramer Sherrill, Rhoden Hilton Smith, Patricia Ann Sopiak, Christopher Todd Stuart, Roger H. Taus, John Wayne Thomas, Richard Thorne, Mark Tishman, Richard Valez, and Carol Ann Williams.

The 59th American, Hector Warren Hill, died shortly after his arrival in Cuba.

While it is surprising that these 58 are returning from the Cuba they have proclaimed in Castro-sponsored propaganda announcements as an island paradise for democracy, their return in itself will be a violation of the law governing the use of passports. Procedurally, the Department of State will invalidate their passports and turn the files over to the Justice Department for possible prosecution.

The illicit trip to Cuba was an affair well organized and obviously preplanned by professionals. The Department of State announced on June 26, 1963, that the American students had been offered subsidized travel grants from an agency of the Cuban Government—Federation of University Students in Havana—for travel to Cuba during July of 1963.

This is not to assert that all the students can be so categorized. Rather it is to assert that previous examples of professional subversion and doctrinaire tactics of Cuba made it unlikely that the group is a typical group of American students.

If the students were ignorant of the law prohibiting Cuban travel without the proper visa before leaving, they were soon enlightened. No less than four times during their trip—at Paris, London, Prague, and Amsterdam—the students were confronted with written statements and oral presentations by Department of State officials. The Department warned them that travel to Cuba by a U.S. citizen without a passport specifically validated by the State Department for that purpose constituted a violation of the travel control law and regulations—title 8 United States Code, section 1185; title 22 Code of Federal Regulations, section 53.3. It was stressed that a willful violation of this law was punishable by a maximum of a $5,000 fine and/or 5 years' imprisonment.

In March, after extensive hearings, the House Subcommittee on Inter-American Affairs, of which I am chairman, released evidence that Cuba serves as an indoctrination and staging area for a wave of Communist sabotage and subversion. The subcommittee—and later the Organization of American States—recommended that all Western Hemisphere countries forbid travel to this hemisphere's beachhead of communism. Also this spring, the Central American heads of state joined with President Kennedy at their meeting in Costa Rica in agreeing to curtail Communist traffic and funds from Cuba to other nations of the hemisphere.

It may prove difficult, however, for the United States to influence other governments to enact bans on Cuban travel if our own restrictions are not adequately enforced. The language of our law is clear, and under this law each student upon his return to the United States can be punished by imprisonment or fines, or both.

These students, in my opinion, should be prosecuted for what they were clearly warned would be a violation of our laws. Failure to prosecute would not only lead to similar trips to Cuba planned by pro-Castro organizations, but our efforts to secure the cooperation of other Latin American countries to fight Communist subversion and infiltration would be greatly hampered.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Ellsworth (at the request of Mr. Halleck) for today on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Selden, for 5 minutes, today, and to revise and extend his remarks.

Mr. Dent (at the request of Mr. Albert) for 30 minutes, on August 21, to revise and extend his remarks and include extraneous matter.

Mr. Ashbrook (at the request of Mr. Findley) for 30 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

Mr. Hosmer and to include extraneous matter.

Mr. Rogers of Texas and to include a speech by the Honorable Wayne Aspinall, chairman of the Committee on Interior and Insular Affairs of the House of Representatives, before the American Bar Association.

Mr. Murphy of New York.

Mr. Broyhill of North Carolina to include extraneous matter in his remarks made in Committee of the Whole on H.R. 7885.

(The following Members (at the request of Mr. Albert) and to include extraneous matter:)

Mr. Powell.

Mr. Fascell in two instances.

Mr. Dent.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 3872. An act to increase the lending authority of the Export-Import Bank of Washington, to extend the period within which the Export-Import Bank of Washington may exercise its functions, and for other purposes;

H.R. 6177. An act to provide for increased Federal Government participation in meeting the costs of maintaining the Nation's Capital City and to authorize Federal loans to the District of Columbia for capital improvement programs; and

H.R. 7043. An act to amend the act of March 2, 1931, to provide that certain proceedings of the Veterans of World War I of the United States, Inc., shall be printed as a House document, and for other purposes.

ADJOURNMENT

Mr. SELDEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 17 minutes p.m.) the House adjourned until tomorrow, Wednesday, August 21, 1963, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1138. A letter from the Comptroller General of the United States; transmitting a report on the unnecessary depot handling and transportation costs of supply items by the Federal Supply Service at selected regional offices of the General Services Administration; to the Committee on Government Operations.

1139. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions which this Service has approved according the beneficiaries of such petitions first preference classification, pursuant to section 204(c) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BECKWORTH:

H.R. 8157. A bill to amend title II of the Social Security Act to reduce from 62 to 55 the age at which a woman otherwise qualified may become entitled to widow's insurance benefits; to the Committee on Ways and Means.

By Mr. BETTS:

H.R. 8158. A bill to amend title I, "Tariff Schedules of the United States of the Tariff Act of 1930, as Amended by the Tariff Classification Act of 1962," to correct certain inequities in the classification and duty provided for certain aluminum products and television picture tubes; to the Committee on Ways and Means.

By Mr. HARRISON:

H.R. 8159. A bill to provide for the establishment of the Big Horn Canyon National Recreation Area, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MURPHY of New York:

H.R. 8160. A bill to prohibit transportation in interstate or foreign commerce of articles to or from the United States aboard certain foreign vessels, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. O'HARA of Illinois:

H.R. 8161. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. OLSEN of Montana:

H.R. 8162. A bill to increase annuities payable to certain annuitants from the civil service retirement and disability fund; to the Committee on Post Office and Civil Service.

By Mrs. ST. GEORGE:

H.R. 8163. A bill to amend section 4339 of title 10, United States Code; to the Committee on Armed Services.

By Mr. SCHNEEBELI:

H.R. 8164. A bill to amend title I, "Tariff Schedules of the United States, of the Tariff Act of 1930, as Amended by the Tariff Classification Act of 1962," to correct certain inequities in the classification and duty provided for certain aluminum products and television picture tubes; to the Committee on Ways and Means.

By Mr. SIBAL:

H.R. 8165. A bill declaring October 12 to be a legal holiday; to the Committee on the Judiciary.

By Mr. SMITH of California:

H.R. 8166. A bill to amend the Internal Revenue Code of 1954 to provide for the gradual reduction and eventual elimination of the tax on general telephone service; to the Committee on Ways and Means.

By Mr. BROYHILL of Virginia:

H.R. 8167. A bill to amend the Poultry Products Inspection Act to change the definition of "commerce" and for other purposes; to the Committee on Agriculture.

By Mr. GONZALEZ:

H.R. 8168. A bill to authorize the coinage of 50-cent pieces to help dramatize the progress of the American Negro from the time of the Emancipation Proclamation until the present; to the Committee on Banking and Currency.

By Mr. KING of New York:

H.R. 8169. A bill to amend the Internal Revenue Code of 1954 to provide increased tax incentives for individuals and corporations that manufacture or produce goods for export; to the Committee on Ways and Means.

By Mr. NELSEN:

H.R. 8170. A bill to prohibit transportation in interstate or foreign commerce of articles to or from the United States aboard certain foreign vessels, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ROGERS of Texas (by request):

H.R. 8171. A bill to reauthorize the Riverton extension unit, Missouri River Basin project, to include all the Riverton reclamation project except the Muddy Ridge area, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. TAFT:

H.R. 8172. A bill to prohibit transportation in interstate or foreign commerce of articles to or from the United States aboard certain foreign vessels, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. GIBBONS:

H.R. 8173. A bill authorizing the Secretary of the Army to accept an advancement of funds for preconstruction planning on the Four River Basins, Fla., flood control project; to the Committee on Public Works.

By Mr. MOORHEAD:

H.R. 8174. A bill to amend the Federal Firearms Act; to the Committee on Ways and Means.

By Mr. MORRISON:

H.R. 8175. A bill to amend the Natural Gas Act in order to exclude from the definition of interstate commerce for the purposes of such act commerce directly between any point in a State and any point on the Outer Continental Shelf and commerce between points in the same State through such Continental Shelf; to the Committee on Interstate and Foreign Commerce.

By Mr. MURPHY of New York:

H.R. 8176. A bill to amend the Federal Firearms Act; to the Committee on Ways and Means.

By Mr. ASPINALL:

H.R. 8177. A bill to amend section 21 of the Merchant Marine Act, 1920, as amended (46 U.S.C. 877), and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. McDADE:

H.J. Res. 655. Joint resolution authorizing and directing the National Institutes of Health to undertake a fair, impartial, and controlled test of Krebiozen; and directing the Food and Drug Administration to withhold action on any new drug application before it on Krebiozen until the completion of such test; and authorizing to be appropriated to the Department of Health, Education, and Welfare the sum of $250,000; to the Committee on Interstate and Foreign Commerce.

By Mr. HAYS:

H. Con. Res. 212. Concurrent resolution authorizing the printing of selected excerpts relating to the 1963–64 national college debate topic, compiled by the Legislative Reference Service of the Library of Congress, as a House document, and for other purposes; to the Committee on House Administration.

By Mr. TAFT:

H. Res. 498. Resolution to amend the Rules of the House of Representatives to create a standing committee to be known as the Committee on Standards; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. HORTON:

H.R. 8178. A bill for the relief of Vito Fustaneo; to the Committee on the Judiciary.

By Mr. PEPPER:

H.R. 8179. A bill for the relief of Dr. Nuri Sagiroglu; to the Committee on the Judiciary.

By Mr. STRATTON:

H.R. 8180. A bill for the relief of Lucia A. Flocco and daughter, Antonietta Flocco; to the Committee on the Judiciary.

H.R. 8181. A bill for the relief of Erika M. Armstrong; to the Committee on the Judiciary.

By Mr. TALCOTT:

H.R. 8182. A bill for the relief of Josephine Rodriguez; to the Committee on the Judiciary.

By Mr. VAN PELT:

H.R. 8183. A bill for the relief of Ana Murgelj; to the Committee on the Judiciary.

By Mr. WILSON of Indiana:

H.R. 8184. A bill for the relief of Mr. and Mrs. Blanton Darbro; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Steve Trumbull, Honored and Honorable Member of the Fourth Estate

EXTENSION OF REMARKS
OF
HON. DANTE B. FASCELL
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 20, 1963

Mr. FASCELL. Mr. Speaker, I rise today to speak only a few words, of the many thousands which could be spoken, in tribute to a greatly respected and much admired newspaperman, Steve Trumbull, of Miami, Fla.

After 40 years as a working newspaperman, 25 of them with the Miami Herald, Steve Trumball recently went into voluntary retirement. His decision so to do aroused a sentiment with almost as much velocity as Hurricane Carla. This culminated in a farewell banquet attended by some 200 people from all walks of life—public officials, business executives, sportsmen and coworkers—all assembled to pay honor to a dedicated newspaperman who has become a legend in his lifetime.

Steve's typical reaction was:

> No soft music, please. I asked for this retirement. I walk into it with open eyes. I hope I can walk out without looking back. I seem to recall that something terrible happened to Lot's wife when she did that.

Steve is, in newspaper parlance, "a real pro" and as such it is fitting to salute his record by reference to the story of England's statesman-orator, Edmund Burke. It is said he looked upward at the reporters' gallery in the House of

Commons and said, "There are three estates in Parliament (clergy, nobles, and commons) but, in the reporters' gallery yonder, there sits a fourth estate, more important far than they all."

Steve Trumbull is in the fullest sense a fourth-estater.

What the Small Towns Mean to America—Speech at Huntington Homecoming

EXTENSION OF REMARKS

OF

HON. RALPH YARBOROUGH

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Tuesday, August 20, 1963

Mr. YARBOROUGH. Mr. President, on Saturday, June 29, 1963, I attended a heart-warming homecoming in Huntington, Angelina County, Tex. It was one of those old-fashioned dinner-on-the-grounds events enjoyed by all. I have had numerous requests for copies of my remarks on that occasion, and I ask unanimous consent that they be printed in the RECORD today.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

WHAT THE SMALL TOWN MEANS TO AMERICA

Chairman Flournoy, fellow east Texans, thank you, Benton Musslewhite for that eloquent and generous introduction.

Here in east Texas in the heart of the Pineywoods, on a ridge of land between the Neches and Angelina Rivers, the pioneers found abundant wood, water and game, and a fertile soil for ample food and fiber. Here they settled and made a small city. Here more than a thousand of their descendants live today, and many other thousands of descendants of those early settlers are here to help you celebrate this Huntington homecoming.

Your home county of Angelina is a good place to live as shown by the fact that you have in it five cities of over a thousand population, four of them with a population of between 1,000 and 3,000 people in addition to the county's capital city of Lufkin, a city of 20,000.

This is a fair land, but the highways to the cities are calling the boys and girls from the farms and ranches and forests and small towns of America.

Those who know the stability and courage and endurance of people from quiet places are alarmed at the drift to megalopolis. You who left Huntington for the cities are back because of the native heath call, the nostalgia for your ancestral home, the inherent instinct of a man for nature, the unrequited longing of a machine man for the quiet of field and forest.

From such environment came the Founding Fathers of America. Such an environment is the native soil of democracy, the kind of heritage that breeds free men and free and progressive political institutions. Nearly two centuries later, with vast cities all around us, it is worthy to note that the first seven astronauts chosen in America, came from small towns.

Those who were calm in space, came from calm spaces. If all of the young people of America leave the small towns, from whence will come this stable leadership for the future?

More than space and quiet is involved in smalltown living. There is a family unity, a family spirit, a family gathering together in the morning, at midday sun, and in the evening's cool, that the big cities do not allow. In these three-times-a-day family gatherings, the family is knit together and a spirit of helpfulness and mutual consideration and cooperation is born, that those in cities miss, and feel a strange unquiet at its absence.

As darkness falls over the trees and town lots and the fireflies throw their stars into the weeds and grass and the whippoorwill gives his deepwoods call, old memories will surge up in the hearts of all the homecomers here of the days they lived these streets and acres. You will look at trees whose shade you knew as a child, standing yet, waiting for your return to the comfort of their shadows.

Your east Texas is my east Texas. My father, now 98 years of age, still lives in the old home I was born in at Chandler, Henderson County, 1 mile from the bank of the Neches.

As a boy, I knew its cool waters, its currents, and eddies, its banks and its mud bars, its sluggish sloughs and swift-moving current. Its riches in fishes, its turtles and terrapins, its alligators and poison water moccasins that add to the background of adventure that every east Texas boy lives.

The catamount's howl and the panther's scream still split the solitude of these woods a few years ago. Some say they hear them yet.

The stately heron, the long-necked water turkey, the large woodpeckers of the deep forests, the many songbirds of brilliant colors, all bring moving color to the countryside and inspiration to the spirit of man. They are art and beauty on the wing, and they lift the spirit of man.

These pioneer east Texas woods, too, had an abundance of game from quail to wild turkeys, from squirrel to deer, from teal to Canadian geese, that gave to the zest of the hunt and added to the material well-being of man.

Here in the small town, nature hugs a man as tightly as the air does; it is a part of his life, his soul, his being. The concrete and asphalt jungles of the giant megapolis have not imprisoned the soul of man. Here his spirit is freer than anywhere else on earth. This is a fair land, a good way of life.

Here the spiritual man lives too. Here live a God-fearing people, loving justice and democracy, and walking humbly with their God.

During these past 20 months, I have visited every inhabited continent on earth, except Australia. I have viewed the length of the Nile, the sands of the Sahara, the cool green hills of east Africa, and the mystic shores of the Congo in the sultry rain forests south of the Equator.

I have watched the mighty Amazon, seen the fabulously rich pampas of the Argentine, the high Andes of Peru, the cedars of Lebanon, the citrus groves of the new Israel, the emerging Arabs in Morocco, Persian gardens in Iran, the herds of Pakistan at Kyber Pass, the vineyards of Italy, and the close-ploughed fields of France and Germany. But, fellow east Texans, for good kindly pleasant living, in an abundant land with a mild climate, east Texas is the best place I've ever lived. Here a beneficent providence touched the earth. Here man can be happy.

So that future generations can continue to live and enjoy this good earth and earn a living, we are building the great McGee Bend Dam, to impound the largest lake wholly within the boundaries of Texas. With the Area Redevelopment Act, we are rebuilding the economy of east Texas, with a tourist inn already approved for Woodville and new plants at Jacksonville. Applications are pending for a historical restoration at Nacogdoches, $3½ million in job-creating projects at Diboll, a $578,000 nursing home for Lufkin, and many other projects near you in east Texas.

You in Huntington are in the center of this activity, with industrial growth at Lufkin and Diboll to the west and the great McGee Bend Dam and lake recreation area to the east. You have the best location of all to grow with the great tourist traffic that can be yours. Your growth is certain, your future can be bright. With the opportunities soon to open to your youth, scarcely dreamed of 10 years ago, you know that there will always be a Huntington.

The homecoming participants today can rejoice in the knowledge that your city is on the eve of a new growth, comparable to that you knew with the coming of the T. & N.O. Railroad, which tied Dallas to the sea at Beaumont and opened the markets of Texas and the world to the products of your fertile fields and rich forests.

But your greatest export has been people, able, honest, dedicated Americans. Now you will open these treasures to visitors coming here. Your natural treasure will be enjoyed in this area by a multitude of visitors who will come to be rested and re-inspired, and their bodies and spirits strengthened, by the greatness of your natural resources and the kindness of you good people.

In this mad, mad world, may this middle Neches area always be one of God's gardens.

Is Agriculture Department Move Driving Small News Service Out of Business a Precedent for Bigger Government Moves Aimed at Bigger Wire Services?

EXTENSION OF REMARKS

OF

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 20, 1963

Mr. HOSMER. Mr. Speaker, under a decision and orders of the Federal Communications Commission adopted January 28 and May 27 of this year, the Federal Government has been empowered to engage in the dissemination of news in direct competition with, and to the great detriment of, a private news agency operating under the American free enterprise system.

As a result of the FCC action, the Department of Agriculture, on May 20 and July 10, announced the establishment of a new Market News Service which will provide, without cost, data and reports on agricultural and farm market activities to newspapers throughout the country.

This is a new venture of the Federal Government into the business of collecting and dissemination of news in competition with private news agencies. One of the latter, the P.A.M. News Corp., is a small wire service serving over 300 customers in the wholesale fresh produce business which is threatened with extinction by the new Agriculture Department activity.

There is no statutory authority by which the Department of Agriculture may expend Federal tax funds for this purpose. The American Newspaper Publishers Association is on record as stating that "the highly improper nature of the new service is characterized by the following condition imposed upon the service:

"The new service is available to all who want it, and no application need be made to

USDA to receive service. However, USDA reserves the right to cancel at any time the connection of any and all subscribers who abuse the service by misrepresentation of reports, or for any other reason when, in its sole judgment, such cancellation is desirable."

This provision would permit the U.S. Government censorship in one of its most odious forms. Any newspaper seeking to subscribe to this new service could be denied service for any reason. Any newspaper already subscribing could have its service canceled without notice or reason. Editorials written by a newspaper that the Department of Agriculture didn't like would, under the above-quoted quotation, be grounds for denial or cancellation of service.

Thus, this news service has transcendent importance. If it is not halted now it could lead to further ambitious attempts by this and other U.S. Government agencies to expand and enter into competition with private news agencies. An expansion of this concept would result in a Government-controlled news service such as presently exists in some other countries, including the Soviet Union, where the so-called news service Tass is Government-owned and operated.

That is what the newspaper publishers of this country think about competition from the Government in the news dissemination field. And I say that it is a shameful intrusion of the Federal Government into a business where it has no business being. Such private news agencies as the PAM News Corp., must expend substantial sums to employ reporters and to maintain a staff of statisticians, analysts and others to gather, analyze, collate and prepare market news whereas such workers in the Department of Agriculture are paid at the expense of the taxpayers.

As I have noted, this Government activity is not supported by any statutory authority. But I know of no statute which directly prohibits it. Consequently, Mr. Speaker, I have today introduced legislation denying the Federal Government the power to engage in competition with private wire services in the dissemination of news. I believe this legislation will receive the support of all Members who oppose Government-controlled news dissemination and Government censorship of the news and who are believers in the American free enterprise system.

Equal Rights for Every 10th American and Every 7th Child

EXTENSION OF REMARKS
OF
HON. JOHN M. MURPHY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 20, 1963

Mr. MURPHY of New York. Mr. Speaker, on August 9, 1963, my good friend and esteemed colleague, Representative Hugh L. Carey, delivered the keynote address before the Fourth Annual National Convention of Citizens for Educational Freedom. As a member of the House Committee on Education and Labor, Hugh Carey has worked tirelessly and effectively in the cause of equal rights for all children where education is concerned. In 1962, in recognition of his outstanding work in the fight for a fair Federal aid bill, he was awarded the Judge Anthony Daly Memorial Award by the Citizens for Educational Freedom. His magnificent keynote speech which I now have the privilege of calling to the attention of my colleagues is a cogent summation of Representative Carey's deep understanding of the complex problem of Federal aid to education.

"Equal Rights for Every 10th American and Every 7th Child"—Address by Hon. Hugh L. Carey, at the National Convention of the Citizens for Educational Freedom, Detroit, Mich., August 9, 1963

"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights."—The Declaration of Independence in Congress, July 4, 1776.

"America is the only nation in the world that is founded on a creed. That creed is set forth with dogmatic theological lucidity in the Declaration of Independence."—G. K. Chesterton.

The spirit of the land is insurgent and the Nation tosses with unrest. We suffer national pangs of conscience, because we are not living up to the spirit of our national creed. That creed as embodied in the Declaration of Independence and codified in the Bill of Rights is an egalitarian doctrine which suffers inequality in no degree. It places the individual at the heart of society, makes the state his servant and the civil law the protector of the equal station he holds under the laws of nature and nature's God.

Under the American creed, the equalitarian doctrine, and the moral law, there can be no lesions on the personal liberty nor fetters on the freedom of any individual.

Today the Congress is locked in debate in order to enact a restatement of our creed and doctrine. The debate does not arise because every 10th American, a Negro, has less than equal opportunity in the ghettoes of the North or the corridors of the South. It is joined that we may live under our American creed—that we may legislate what we believe—that while any American is under distraint or denial by reason of race, religion, or origin, the rights of none of us are safe and the freedom of all of us is in doubt.

We are convened today as citizens of all faiths and races for the preservation of freedom of the individual in education. In that interest I urge you to call upon our Nation to make the dialog and debate as broad and extensive as our American creed and equalitarian doctrine.

EVERY 10TH AMERICAN—EVERY 7TH SON

The debate now centers on every 10th American, the Negro, and equality. Let it also extend to the individual and parental rights of every seventh child in American education. That seventh child, one of 7 million, attends a State licensed and accredited school in compliance with the State compulsory attendance law; a school which fulfills the public purpose in its curriculum.

In the exercise of his freedom of conscience the parent in the seventh child schools has added religion and morality to the required curriculum. This addition does not cause the State to withdraw accreditation because the curriculum has not been modified, it has been enhanced. But by reason of that exercise of freedom of conscience he does forfeit his right to a fair share of the taxes which are levied on all for the educational support of all

When was forfeiture for exercised freedom of conscience ever condoned under the American creed and the equalitarian doctrine? The 7th child pays a price for the conscience of his parents as the 10th American does for the color of his. I do not seek to hitch a freedom ride for my 7th son on the back of the 10th American. But their plight of inequality presents arresting similarities.

First, they both seek individual freedom of choice on a plane and par with every other American.

Second, they proceed on moral and religious, as well as a legal basis because morality and religion are part of the American creed and part of public life. It is significant that clergymen provide substantial leadership for the 10th American and that on the same day as the Supreme Court was striking the Lord's Prayer and the Bible from the public schools the President assembled 243 religious leaders of all faiths at the White House to ask their help.

Third, they both seek equality in education and equality in opportunity. The Negro is a second class citizen under the archaic custom of the segregated schools. Every seventh child is a second-class citizen because he pays the price of fiscal segregation for the exercise of freedom of conscience.

What is the 10th American who also attends a 7th child school, a 3d-class American? Fortunately not, because civil rights leaders have testified before my committee on two occasions that the schools which teach religion are far ahead of other schools on integration. It would seem that as to the 10th American, public schools are not so public and that so-called private schools are more public indeed.

Fourth, they both have an adequate basis in the law for their rights but seek the means to implement them. The 10th American was told in the Brown case, in 1957, that integration was to proceed with all deliberate speed. But the decision was not self executing. State and local laws resisted it and the Negro is in the streets in Biloxi, Birmingham, and Englewood. Every seventh child under the Pierce case, decided in 1925, is in a State accredited school, selected by his parents as a matter of right. But that right, without the means to exercise it, is nugatory. That right is being erased due to the economic erosion of the position of the nonsupported school by increased public spending.

While public school attendance has increased 42 percent in the last 20 years, expenditures have increased 567 percent. The seventh child schools without support cannot keep pace and they are closing down grade by grade, in Billings, Fairfax, St. Louis, and Cincinnati. They, too, are being turned into the streets.

The parallel is complete. Subject to economic forces, the Negro stands stagnated due to growing affluence of middle-class society which has moved away from him, creating an insufferable living gap. The seventh child stands in economic isolation due to the economic restrictions imposed upon him by unfair and illogical selectivism in school finance.

GROUNDS FOR FEDERAL AID

I say the Federal Government must respond to the needs of all the children in the United States as individual citizens without difference or distinction. The only ground on which the Congress can legislate in this field is by reason of the general welfare and the security of all. Citizens of the several States are citizens of the United States and it is the policy of this Nation to develop the capacity for educational excellence of every young American. This does not mean 6 out of 7 or 9 out of 10 but every young American. The Congress is not bound and must not be bound by discriminatory State laws and outmoded customs in assisting every individual.

The dollar must follow the child.

AIM OF FEDERAL AID

The aim of Federal aid must be to adjust imbalances and inequities which are visited upon its citizens from State to State or within the States. It must not distribute funds in such a way that it will sustain the structure of inequality but rather a way that it will stimulate quality for all. What the

States have chosen to regulate, the Federal Government may stimulate. If a school is accredited and licensed by the State then the Federal Government must recognize the students of that school as eligible for its benefits. It is unthinkable that any Federal aid would accentuate the present difficulty of the seventh child schools by giving to all others the funds that will help to hire away their teachers and otherwise increase their hardship.

The clear way to equal aid for all is before the Congress. H.R. 320 by Mr. DELANEY is the GI bill for children. It has more companion bill sponsors than any other general education bill now pending. I am sure that you are familiar with its provisions which aid all individuals as did the GI bill on a fair and equal basis. One of the most important features of this bill is that it would provide aid without Federal control or increased administration. Because there can be no contact with institutions there is no need for expanded bureaus.

As a grant to an individual it deals with the unit in our society which is, and must remain, beyond control, the individual. Support for this bill is mounting because it appeals to fairness, it appeals to commonsense. The recent endorsement of H.R. 320 in the Saturday Evening Post by Dr. Robert M. Hutchins, one of this Nation's most enlightened educators, is a milestone. There are other bills which square with the principles of equality and they are moving in the Congress. The medical education bill and the higher education bill are broadly supported and favorably reported. The first passed the House—the second is now pending before the House. Both make provisions for every American student who has a will to learn.

We can point with satisfaction to the advances at State levels in scholarship and student incentive plans for all students providing freedom of choice in California, Illinois, Maryland, Massachusetts, New Jersey and New York. As a New Yorker I am particularly proud of the statement of the regents in my State referring to that plan: "Hand in hand with the development of increased public facilities must go the strengthening of the private institutions. Our system of education in the United States is characterized by a wholesome diversity. The variety of sponsorship and support reflects the pluralism of our country. In a real sense, this variety is a safeguard against any encroachment on the intellectual freedom which must be accorded our institutions of higher learning. We have a commitment to foster such diversity and, therefore, the distributive responsibility for the conduct of higher education."

Especially let us salute Rhode Island, the plantation of freedom of thought and conscience in America and its new textbook loan plan. And "hail to Michigan" with its fine and fair new school bus law.

Since I last addressed you in 1961 we can truly recount much progress. Many new faces are counted in the ranks of those who support educational freedom and this is a tribute to the efforts of those organizations such as yours which plead the cause of freedom and fairness. You have had criticism leveled at you but that is the risk of those who travel in the advance guard of freedom, keeping the American creed. Know your opponents and hear them, but fear them not. From my seat on the Committee on Education I have looked down the barrel of their objections and they are blank and empty. Without shin kicking and shoe pounding, let us have a discourse on fair and equal treatment and examine the objections of the pedantic professional opposition.

OBJECTIONS ANSWERED

Objection number one is that aid to the seventh child schools would cause proliferation. This is a professional pedantic swearword meaning spread, growth, and diversity. In the words of the Commissioner of Education, Francis Keppel: "The glory of our system of education is its diversity." Schools cannot proliferate unless approved by the State educational agency. How can the Federal Government preclude the growth the State would approve?

Objection number two is the fear of rivalry between State schools and those of every seventh child school. To that I say the essential ingredient of free enterprise is the maximum effort by everyone, in harmony, in the educational marketplace so that no one agency monopolizes. The alternative to competition is unthinkable under the American creed of free enterprise. To cite Rabbi Morris Sherer, executive vice president, Agudath Israel of America, before my committee:

"Our Founding Fathers never intended that our children be reared in a monolithic educational straitjacket. Our educational plant is a mosaic, with the free play of the many faceted cultures of our people blending into the molding of an informed, dedicated, and loyal citizenry." The rabbi correctly stated what this Nation must be prepared to admit: That we are racially and religiously and culturally pluralistic.

Our educational assistance must recognize this and provide for it.

As to the cabal that religion permeates the curriculum in the seventh child schools and that it makes the obvious secular and public purpose subjects indivisible from religious indoctrination, I point out that the American creed, the Declaration of Independence, is permeated with theology and our public life is replete with religion reference points. The overriding concept is that the nature of the subject matter in the public purpose seventh child schools is secular and governments must deal with the nature of things. Education is education and permeation does not change its nature whether that permeation be secularistic or theistic.

Finally, what of the separationists among the objectors who saw the whole edifice of government falling into the hands of the clergy when the seventh school child ate his first hot lunch and boarded a New Jersey bus. The answer for all of us who believe in separation of church and state is that we must have safeguards that will guarantee not only separation of church and state but also separation of school and state in the sense that the mind of the child must remain free from the control of government.

We must have safeguards and we want safeguards but there must not be stumbling blocks in the path of every seventh child.

Two years after the enactment of the GI bill for Junior the education of all our children would be enriched by $1.5 billion. The state would be no weaker because it invested in its own citizens. The church and state would be as separate as before—but the student—the interest of both, would be a more enlightened citizen and church and state should be more secure in that confidence.

AMERICAN EDUCATION WEEK—ECUMENISM IN EDUCATION

The President has proclaimed November 10 to 16 this year as American Education Week. Not Nationalized Education Week, or Monopolized Education Week, but American Education Week. I hope that the spirit of American Education Week will be that cited by the first two administration witnesses who appeared before the Education Committee this year. It was an extension of the American creed as contained in the Northwest Ordinance of 1789, as follows:

"Religion, morality, and knowledge, being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged."

In the spirit of that ordinance, for American Education Week I suggest that we promote the theme of ecumenism in education. Ecumenism in education, not for the benefit of the 10th American and the 7th son, but for all men. I want all my children and all the children of America to know about a man who was not an American but who had America in his heart and lived the American creed. It was he who gave us "Mater et Magistra" to take us to the plane of understanding and "Pacem in Terris" to bring us back from the brink of annihilation. We need ecumenism in education so that as individuals we can see our differences, minimize them and rejoice in our unity in diversity. With John XXIII, as a basis for ecumenism in education and peace, let us advance the universal declaration of human rights—that document which, in most solemn form, acknowledged the dignity of every person, be he that 10th American or my 7th son, the right of free movement in search of truth and in the attainment of moral good and justice—and the prior right of the parent in the education of his children. It would be my hope that through ecumenism every child might learn of John's wish for mankind, that we might become more equal to our task so that every human being will fully enjoy those rights which derive directly from his dignity as a person, and are therefore universal, inviolable, and inalienable. I express this hope for every 10th American and for all Americans, but especially for 1 American—my 7th son. You see, his name is Paul—and he and I have much to do. We need your help.

Let us advance the cause of educational freedom and the new ecumenism in a most militant way. March we must, as far at least as the corner mailbox, the local Citizens for Educational Freedom chapter, the Congressman's district office. The fairness and force of our idea will carry, your ranks will swell. It has been said: "More powerful than the tread of mighty armies is the idea whose moment has arrived."

The moment for this idea to become reality, to fulfill the spirit of our American creed is now; the moment has arrived.

Vocational Education, Manpower Retraining and Social Security in Spain

EXTENSION OF REMARKS

OF

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 20, 1963

Mr. POWELL. Mr. Speaker, due to the interest that my committee, the Committee on Education and Labor, has shown in vocational education and manpower retraining and the responsibility we have had in preparing legislation, I went to Spain to note what was happening in that country in this vital area of living.

During my visit, it was my privilege to inspect the Spanish program in vocational education. I wish to report on the interesting experiment which is already providing excellent results for Spain and its workers.

First of all, there are 3,595 vocational training schools operating as sections of primary schools. However, the most important institutions are the industrial vocational schools, the vocational training high schools and the vocational training universities. Most of these schools were developed after the termination of the civil war and pursuant to the provisions of the legislation asking for equality of employment opportunities for all Spaniards. These requirements could be met only through adequate vocational training and worker education programs.

After a few years of experience, in 1955 a law was passed which, as well as establishing a really ambitious and comprehensive program for vocational education, reclassified and regulated the various types of vocational schools in existence and granted special privileges to private persons, companies and institutions willing to cooperate in the state's effort to raise workers' educational and vocational standards.

The industrial vocational schools number over 700 and are operated not only by the Government agencies, but also by the church, the trade unions, and by private companies. These schools charge no tuition fees and, in the case of the union schools, provide free meals and lodging for an important percentage of those attending.

Students enter these schools at the age of 11 and take four 9-month courses, where technical and on-the-bench instruction is combined with more general subjects designed to improve the cultural background of the future worker and to make him able to take an active part in community life.

The vocational training high schools, operated by the department of national education, have been created in small cities and villages throughout the country where there is no regular high school. The vocational baccalaureate is taught in these institutions which combine technological instruction needed by specialized workers and humanistic instruction as given by regular high schools. This new type of baccalaureate, which is contributing greatly to eliminate the class consciousness produced by the exclusively humanistic classic baccalaureate, has four branches, according to the geographic location of each school and, therefore, to the specific needs of the population involved. The first branch is intended for industrial zones, specializing the students in industrial trades predominant in the area. There is an agricultural branch, there is another which specializes in maritime trades and fisheries, and there is a fourth branch mainly intended for girls, to train secretaries and administrative workers.

The vocational training universities present a very special feature. While the vocational training high schools, as well as the Government- and church-operated vocational schools are open to every Spaniard, only the children of workers are eligible for the vocational training universities. At these institutions the students take a preliminary 18-month course designed to cover general cultural subjects. Likewise opportunity is given to enable the teachers to become acquainted with each student's vocational aptitude. After this course, there is another of the same length of time to provide the students with the skill needed to be a specialized worker and even a foreman. Outstanding students are sent to engineering schools of the university level.

The trade unions system is carrying out, in addition to the operation of vocational training schools, a very important manpower development program called accelerated vocational training. The purpose of this program is to train unskilled workers into skilled or semiskilled ones through a 6-month course. There are five of these schools in operation and two more under construction.

Social security is an aspect of the workers' welfare that is not neglected by any modern country. In this connection, Spain has established one of the most complete systems which covers some 20 million persons. Every Spanish worker and his dependents benefit from the following social insurances: health insurance; old age and survivors insurance; unemployment insurance; workmen's compensation insurance; and professional diseases insurance. In addition, there is a system granting family allowances for each dependent of the insured worker. Finally, there is a program called labor mutual benefit societies which supplements the Social Security Administration program by granting old-age and survivors pensions in addition to the regular social insurance payments when the insured has exhausted the 39 weeks per year that the health insurance allows to each worker. The mutual benefit societies also grant disability pensions, provide health insurance benefits to retired workers and their dependents and grant cash loans carrying very low interest rates to workers who wish to improve their small businesses. Last but not least, every year the mutual benefit societies grant a number of scholarships to the children of workers.

Social security in Spain is financed by contributions from the employers and the workers plus a contribution from the state. The employers pay five times the workers' quota. The administration of the state social security program is carried out by the Social Security Administration—Instituto Nacional de Prevision—which seats elected representatives of the workers and the employers on each of its policymaking boards. The mutual benefit societies are directly administered by committees of workers and employers under the supervision of the Department of Labor.

There is another interesting aspect of the Spanish labor organization to which I would like to refer. The unions are carrying out their regular duties in connection with labor conditions and collective bargaining with great efficency, to the extent that 2,787 agreements covering 5 million workers have been negotiated and signed since 1958, when collective bargaining was established. But in addition to this, the trade union organization maintains a recreational and educational service which provides the workers and their families with 49 winter and summer residences where they can spend their vacation at incredibly low rates. Since 1940, when this union service was created, some 600,000 workers have benefited from it.

A basic point of Spanish labor philosophy is the admission that every labor-management conflict can be resolved without having to resort to strikes. In order to reach this goal a special branch of tribunals was established in 1940, the labor courts, which were to deal with every conflict between a worker and his employer. Recently, these courts have also been entrusted with the task of dealing with collective labor-management conflicts not settled either through negotiation or mediation. It must be noted that prior to going to the courts the conflict must be submitted to a union conciliation committee, which tries to avert judicial intervention by working out a solution which may be acceptable to both parties. Approximately 60 percent of the individual conflicts brought before the union conciliation committees are resolved here.

The labor courts are composed of professional judges who specialize in labor matters. In principle, there is one in each provincial area, except in those industrial areas where there is a large working population, such as Madrid, Barcelona, Bilbao, Oviedo, et cetera. In each of these areas there are several courts.

We all know that it is extremely difficult to avoid all of the strikes, but the institution of labor courts, which exist not only in Spain but also in other countries such as Australia, is proving to be a good instrument to keep industrial peace, to the benefit of the workers and employers in particular and of the national interest in general.

Thus, the vocational education of the Spaniard is seen as a continual whole from the time he first begins his training, throughout his employment, and even during his retirement and periods of unemployment.

Quality Stabilization Bill Provides Missing Link of Protection in Chain of Production and Distribution

EXTENSION OF REMARKS

OF

HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 20, 1963

Mr. DENT. Mr. Speaker, recently one of our distinguished Members, the gentleman from California, the Honorable CHET HOLIFIELD, made an outstanding contribution toward a better understanding of the basic principles behind the drive for quality stabilization in the retail trade.

I would like every Member to read and evaluate his remarks.

I am sure that, like myself, they must be impressed with the logic, the commonsense of his analysis of this phase of our economy.

Too many of us fail to realize that in an industrial complex such as ours, every phase of activity from raw material to ultimate consumption or use of a finished product must carry its weight in our economy or the results will be disastrous.

Every time we shortcut between production and use we lose potential customers for both our farm and mill products and our professional and nonproductive services.

I have heard it said by some amongst us that the basic ingredient in a successful economy is production. That is hogwash and the repeated blabbering of a long list of overrated, overpaid, unqualified present-day economists. Incidentally, many of them are so unqualified that they clamor at the door of Government service for jobs so that they can get the necessary background to sell their pamphlets and books—many of them written on Government time.

You can have all the production you want and unless you have the distribution that leads to consumption, you will stake up surplus just as we have in many lines already.

The answer to prosperity is complex. It is a combination of investment, production, employment, consumption, and profit.

These are the five pillars of prosperity that I have dwelled on from my earliest days in Congress.

Within the framework of these five main pillars there are many sustaining and strengthening lesser pillars and props such as distribution, taxes, services, and so forth. However, in the main, if one of the main pillars loses its strength you can be sure that its sustaining pillars have been destroyed or injured by false economic concepts.

That is why quality stabilization is indeed the link between production and consumption because it is the key to distribution.

Congressman HOLIFIELD points this out in language we can all understand. I am convinced that most of the opposition to the quality stabilization bill comes from the group amongst us that misunderstands, misinterprets, or deliberately and for various reasons always appear as the protectors of the poor and underprivileged, but somehow always help the exploiters.

Quality stabilization will not solve all our problems but it will help American workmen to compete both internally and externally on the sound economic principle of product value, decent wages, reasonable profits, and quality for the purchaser.

This is sound legislation and CHET HOLIFIELD is doing a lot to prove it.

His fine presentation follows:

QUALITY STABILIZATION BILL PROVIDES MISSING LINK OF PROTECTION IN CHAIN OF PRODUCTION AND DISTRIBUTION

Labor is the greatest consumer of goods it produces and should lead in the demand for orderly marketing of quality brand name goods as essential to a stable economy. Therefore, labor should be leading the fight for enactment of the quality stabilization bill, a bill currently sponsored by many of labor's strongest supporters, including Senator HUMPHREY, Representative RAY MADDEN, Senator THOMAS KUCHEL, Representative JOHN DENT, and many others, including the writer. It is bipartisan legislation.

The quality stabilization bill has this strong support in Congress because it will strengthen independent retailing, it will help consumers have a true standard of value combining both quality and a fair price, it will discourage monopoly, it will promote competition, and it will help the national economy.

Many of the sponsors of this bill are themselves small businessmen who have personally experienced the unfair competition that threatens the small businessman's existence. This small businessman, just as the man of labor, should have the right to earn a profit for his endeavors. The small businessman should have a fair profit on his investment and for his long hours of work. Let's look further at the analogy between quality stabilization and labor.

Fair union wages are set by eliminating "scab" labor, thereby modifying the factor of competition in the lab or cost area, not creating a monopoly, but modifying pure competition; union labor calls scab labor unfair and Congress has legislated procedures to protect decent levels for wage earners. In so doing, Congress has recognized that unrestrained competition in the wage area is unwholesome for our society.

Retailing is the final step in the chain of production and distribution. It is just as necessary as any other step. It is entitled to some protection just the same as are the people engaged in all other activities. The proponents of the quality stabilization bill are not asking for complete protection; we are asking for a fair amount of protection. We do not think this legislation will completely protect the small businessman. He has many factors against him in this struggle to stay alive.

Let me describe the chain of production and distribution of a national branded item of merchandise. I use an Arrow shirt, for example, as I am now, and have been a retailer of Arrow shirts and other national brand items of union-made men's wear for more than 25 years.

JUNGLE WARFARE PROMOTED BY PURE COMPETITION

Link No. 1: Production of cotton: Competition modified by legislation (crop control and price support).

The Congress has enacted price support bills for 30 years in the field of agriculture. Each of these acts has modified competition—for the purpose of the beneficial, allover impact on society as a whole.

Link No. 2: Transportation costs from raw cotton to the retailer's store. Here competition again has been modified by legislation of Congress. For example—legislative authority to set interstate commerce rates based on the cost incurred by the transportation companies, including the component union-wage level of all employees.

Link No. 3: The production of textile cloth and manufacture of the same into final garment; this is indeed two links. Every link of production is based on fixed costs, including union wages.

Link No. 4: Distribution of the final garment to the consumer. Now, it is in this field that no legislative protection exists for the independent businessman, who serves in this final link in the chain of production and distribution. Here we have complete competition; unmodified by any type of legislative protection. As a result, "scab" practices run wild.

The decent merchant who wishes to retail good merchandise made in union-wage factories finds himself at the mercy of the "price gimmick," "deceptive advertiser," the mass handler of nonunion-made merchandise.

These practices are threatening this last link in the distributive chain. The independent operator cannot last if he is forced to operate in a cost-of-operation area where his costs are rigid until it reaches the point of delivery to the consumer. There it is suddenly faced with ruthless competition. I would assume that everyone would agree with me that the small businessman is a desirable factor in our society, that he does perform a service and that he is worthy of his hire—and his hire is reasonable profits.

Now, let me further explain the independent businessman's present dilemma as a result of the other links in the chain. The sponsors of the quality stabilization bill fixed costs of operation and unmodified competitive conditions in selling.

1. The article he sells in a national brand item is a nonmonopoly item. Similar articles are made by dozens of competitors. Again let me refer to Arrow shirts. I cite Manhattan, Van Heusen, Jayson, Hathaway, plus hundreds of less well known shirt manufacturers.

So there is no doubt that in selling this national brand item, he is selling a nonmonopoly item.

BILL APPLIES ONLY TO COMPETITIVE PRODUCTS

An important point to remember is that the quality stabilization bill cannot be applied to a monopoly item. There must in every instance be similar items available to the consumer.

2. The independent retailer's cost area contains many noncompetitive areas. I cite a few:

(a) Wages, in most areas unionized. They are fixed.

(b) Rents: Percentage of sales based on a retail scale related to different kinds of businesses plus traffic count of people who would pass in front of his door.

(c) Insurance: All old line insurance companies charge almost identical rates.

(d) Interest rates on commercial loans. Usually the smaller merchant pays an identical rate to all banks in a trade area.

(e) Transportation costs on goods; as noted before, these costs are noncompetitive, fixed by interstate commerce rates.

(f) Utilities: All fixed noncompetitive rates set up by public utilities commissions which, incidentally, include a floor of guaranteed profits to the utilities above their investment and costs. And in most instances, a guaranteed wage to their employees. A fixed wage to their employees, fixed by negotiation.

(g) Last, but not least, the manufacturer must supply the retailer any specific item at a nondiscriminatory price. I refer, of course, to the provisions of the Robinson-Patman Act.

The nondiscriminatory price for an identical item gives the retailer some protection as between himself and a competitor retailer, but it also establishes a fixed noncompetitive price for the wholesale cost of the item.

As a result of all these areas of fixed or semifixed costs, the retailer does not have the benefit of competition in the components of his cost of doing business. His investment in inventory is a cost which deserves a fair profit return. His time and skill deserve a fair recompense.

If we demand that he face unmodified competition at the point of distribution, we deny him the right to a fair profit and say that the law of the jungle must control and apply to this area only in our distributive system.

I say that a principle of equity is involved which is identical to the basic principle involved in securing a fair wage for the wage earner. If we do not permit by legislative approval the extension of reasonable and fair protection to the independent retailer, as we have to the wage earner, we are neither just nor consistent.

THEORISTS IGNORE REALITIES OF MARKETPLACE

Now I've heard the theorists get up and expound that the quality stabilization bill is no good because it will raise prices to the consumer. This is hogwash. The Nation's small independent retailers who so desperately plead for the enactment of this bill do not want it as a means to gouge their neighbors and lifelong friends who helped them build their business.

In the first place, the quality stabilization bill is specific on this point. The law cannot be used unless (par. 8 of the bill): "Goods usable for the same general purpose are available to the public from sources other than the owner of such brand name, or trademark, and are in free and open competition therewith."

The idea that because you have a right to sell an item made in a nonmonopoly industry gives the manufacturer or the retailer a chance to gouge the market is completely erroneous. It may be justified by theories, but in the practical application of it, this is just simply a factor that doesn't obtain.

Yes; this bill is a modification of pure competition. When we talk about competition being the life of trade and competition being necessary in the marketplace we do not necessarily mean the ruthless type of competition which cannibalizes itself and destroys itself by its excesses and abuses. We are talking about competition under orderly rules of society to protect all of the component factors of society to an equitable extent.

This is what the quality stabilization bill will do. It will bring about equity in one area where equity does not now obtain. It will not force any manufacturer to use it; it will not give any manufacturer a chance to use it as a monopoly item area. It will not create an obligation on the part of any consumer to buy that item. He can obtain various similar items and buy them if he does not want the stabilized item. It is an orderly adjustment of what I consider to be an inequitable condition in our pattern of production and distribution which threatens to eliminate that final link of independent retailing.

Now, if independent retailing is worthy of a place in the market, if it is something that we want to preserve to give opportunity to the little man to start into business and grow big, it has a justifiable position in the marketplace. I say that it has such a position, and millions of small retailers throughout the country would certainly also say that it is justified. They are putting in 10, 15, 16 hours a day. They are putting in their life savings into little drugstores, into little retail hardware and clothing and jewelry stores. They are struggling against many odds in the competitive area.

Can't we give them a little bit of the protection that we give to every other facet in the chain of production and distribution by enactment of the quality stabilization bill?

Chairman Aspinall Outlines Public Lands Legislative Program

EXTENSION OF REMARKS

OF

HON. WALTER ROGERS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 20, 1963

Mr. ROGERS of Texas. Mr. Speaker, our distinguished colleague, Hon. WAYNE N. ASPINALL, chairman of the Committee on Interior and Insular Affairs, presented a most interesting and enlightening discussion of public lands policies of the United States in an address before the Section of Mineral and Natural Resources Law at the American Bar Association annual meeting August 14 in Chicago.

Chairman ASPINALL reviewed conservation philosophies, legislation, and proposals affecting our public lands. He concluded his speech by presenting a legislative program designed, as he said, "to satisfy urgent demands for the use of the public domain while at the same time making certain that we shall obtain a reconsideration of all the public land laws and the policies underlying them in the light of conditions as they exist in the mid-20th century."

Because of the great importance of this subject to all of the people of our country it is my privilege to include in the RECORD this fine statement by Chairman ASPINALL. His address was entitled "Issues Affecting Natural Resources—1963: The Public Lands":

ISSUES AFFECTING NATURAL RESOURCES—1963: THE PUBLIC LANDS

(Remarks of the Honorable WAYNE N. ASPINALL, of Colorado)

The invitation to participate in this panel discussion challenged each panel member to "discuss the important issues which he sees affecting natural resources in 1963." I was pleased to accept because I think that in this year 1963 we must make far-reaching decisions concerning one of the most vital of our natural resources: land. I particularly welcome the opportunity to discuss this matter at a forum of attorneys interested in the management of natural resources and to solicit your support of a program that I believe will permit the most beneficial management and use of our Federal public lands.

In selecting "land" as the natural resource to which I think the most important issues attach in 1963, let me cite these statistics: approximately 167 million acres of land in 27 States and an additional 271 million acres in Alaska under the ownership of the Federal Government have not been committed to any specific use. It is to these lands that a burgeoning population, an expanding economy, as well as a recreation-minded America, must look for future development. Most of these so-called vacant and unappropriated lands, except for Alaska, are concentrated in the 11 Western States but the Federal Government has landholdings in all 50 States and the use or disposition of Federal lands generally is a matter of national concern. You cannot consider the disposition of land in the Western States without considering the possible use of land in other States. In addition, consider the fact that outside of Alaska of the 405,726,715 acres owned by the Federal Government, 354,320,451 acres are reserved and unreserved public domain land.[1]

My concern with the use of our lands is not new. Having always subscribed to the principles of the Pinchot-Roosevelt conservation theories, I became disturbed when I discerned what I sensed to be a drifting away from those principles by many of my fellow conservationists. My basic views on conservation movement were set forth in a paper which I presented to the White House Conference on Conservation on May 24, 1962. I am glad the proceedings of that conference have been published and are available for permanent reference.

At the White House meeting, I traced for the conferees much of the thread of conservation philosophy in the United States and related it to policies adopted by Congress. Both the conservation philosophy and the congressional actions added to the definition of a concept that called for use of our resources by providing for our present needs but not exhausting the source of supply. Closely aligned with this theory was the philosophy that our natural resources be developed for the maximum good for the maximum number. At that time, I questioned how the purist-preservationist group had managed to assume the mantle of the conservationists.

In the summer and fall of 1962, our Committee on Interior and Insular Affairs of the House of Representatives had under consideration, as you all know, legislation designed for the preservation of wilderness areas. I found—and still find—it inconsistent for those advocating wilderness preservation to say on the one hand that they want to establish stricter congressional control over public land actions while at the same time, on the other hand, seeking to freeze, without affirmative congressional action, Executive decisions concerning the preservation of wilderness. The committee report[2] on H.R. 776, 87th Congress, as amended, providing for the preservation of wilderness areas, for the management of public lands, and for other purposes, detailed the committee's philosophy, to which I subscribe: that all public lands should be managed for the greatest good for the greatest number. We pointed out that there are no general statutory guidelines governing the use and disposition of public lands and that the act of widest application, the Taylor Grazing Act, authorizes certain withdrawals "in order to promote the highest use of the public lands pending its final disposal."

The deliberations at the White House Conference and our intensive study of the wilderness legislation led me to the inescapable conclusion that there is little relationship between the management and administration of the public lands and the policies enunciated by Congress in enacting the great body of public land laws.

The depth of my convictions, coupled with the need to make vacant lands available for the national good, led me to probe further into the subject while at the same time trying to cooperate with the executive branch in finding the solutions to the manifold problems facing us. On October 15, 1962, I addressed a letter to the President of the United States and invited him to use his good offices to facilitate action on conservation measures affecting public lands. The President, by letter dated January 17, 1963, acknowledged the need for a broad review of the public land laws and left it to the Congress to determine how congressional surveillance over executive agency action should be effected.[3]

In expressing his views, the President took cognizance of the fact that article IV, section 3, clause 2, of the U.S. Constitution imposes on Congress the responsibility of, and authority for, the disposal of all Government property. I had been, and still am, concerned with the failure of Congress to respond to what we lawyers might call ultra vires acts by the Executive. It also concerned me that Congress had failed to come to grips with the overall land-use problem and has allowed outmoded public land laws to remain on the books without significant modification.

Permit me to review for a moment the most significant public land disposition laws and the philosophy behind them. First, of course, we sold our lands to raise money. Then the Homestead Act of 1862[4] enunciated the principle that in exchange for the development of 160 acres of agricultural land the developer would get title. In 1872 the Mining Act[5] established a parallel principle, i.e., that a discoverer of a valuable mineral deposit could, in consideration of its development, purchase the land in which the minerals are located.

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[1] Inventory Report on Real Property owned by the United States as of June 30, 1962, prepared by General Services Administration, which discloses the following:

	Acres
Total land owned by the United States in the 50 States	770, 796, 843. 1
Total public domain	719, 373, 123. 5
Alaska total	365, 069, 285. 3
Alaska public domain	355, 052, 672. 2

[2] H. Rept. No. 2521, 87th Cong., 2d sess.

[3] Text of letters referred to published in Committee Print No. 2, 88th Cong., printed for the use of the Committee on Interior and Insular Affairs, House of Representatives.

[4] Act of May 20, 1862 (12 Stat. 392).

[5] Act of May 10, 1872 (17 Stat. 91).

As the West began to be settled, it was realized that some lands, being more arid, could not readily be developed as economically as other lands. This led to the Desert Land Act [6] permitting entry on desert lands up to 640 acres, reduced to 320 acres in 1891.[7] Then, again, as the lands most suitable for agricultural development were settled upon, it became apparent that an increase in the size of economical units was necessary. Accordingly, the Act of December 29, 1916,[8] commonly known as the Stock-Raising Homestead Act, authorized stock-raising homesteads on areas not exceeding 640 acres of public lands.

We have, subject to isolated exceptions, for all intents and purposes run out of compact areas of 160, 320, and 640 acres of land that can be utilized economically for agricultural purposes. At the same time we have become urban-suburban-industrialized country in which the overall need for additional agricultural production has diminished. In 1934, the Taylor Act,[9] partially in an effort to stabilize the great cattle and sheep industries of the United States, as I indicated earlier, laid down guidelines for the use of public lands pending their ultimate disposal. In 1938, the Small Tract Act [10] became the first congressional recognition of the need to make public lands available for permanent disposition for nonagricultural and nonmineral development. However, the Small Tract has not achieved any significant benefits.

The postwar expansion of our population and of our commerce and industry has placed new demands on the use of public lands; so has the increased leisure time of our people and the resultant demands for recreation areas.

I have traveled through public land areas, I have discussed the problems with Government officials and with the users of the public land; and I have given the matter considerable thought. During this time I have accepted the opportunity of speaking to various organizations on the subject of public lands while, through the Subcommittee on Public Lands in hearings, we received the thinking of interested people and groups.

Users of the public domain under grazing permits, for example, realize that the Taylor Grazing Act did not give them anything but revocable permission; but they believe that, because of the investments they have made in improvements on the public lands, they are entitled to some kind of tenure. Therefore, at hearings before the Subcommittee on Public Lands on various pieces of legislation affecting the public lands, representatives of livestock organizations have testified to the effect that tenure is their major concern. And, quite naturally, they are suspicious of any legislation proposed to establish general procedures for either the management or disposal of public lands.

Some people, frustrated by the current inability to have lands classified for agricultural use under existing statutes, have suggested that we take cognizance of the fact that remaining public lands cannot be settled economically in units previously authorized and that we should therefore establish a new category with an increased acreage for an economic unit that could be disposed of for agricultural purposes. I unequivocably reject this proposition, just as I reject the proposition that would permit all public lands to be put up for sale to the highest bidder. I have seen what will happen when you do this. Permitting marginal lands to be settled, or putting the public lands up for the highest bid, will permit individuals who have the monetary ability to do so, to invest a disproportionate amount in the land or to outbid others just so that they can obtain ownership of a block of land from which to exclude others. Thereafter many of these people shun normal agricultural operations and establish private hunting preserves. This I will resist to my fullest capacity.

If the land is to be devoted to hunting and fishing then I submit that it should be devoted to hunting and fishing by the public at large. But, if the land is needed for development, then the means must be found by which to encourage and permit its development.

The testimony that we received has been as divergent as any sets of views could possibly be. We have been urged by some to dispose of all the public lands. We have been counseled by others to retain most of the public lands in Federal ownership and allow them to be managed by the Bureau of Land Management.

While the testimony we have received was on legislation not involving the mining laws, we must bear in mind that our basic mining law is likewise a disposition law. Accordingly, no discussion of the future use or disposition of our public lands is complete without taking cognizance of the proposals that have been made for revision of the basic mining laws governing the occupation and purchase of public lands in which valuable mineral deposits are found.

I am convinced that primarily the demands for revision of the mining laws stem from the various uses competing for recognition on the public lands. While mining activity on a 320- or 640-acre homestead was not generally incompatible with agricultural use, it is incompatible with the use of public lands for industrial, commercial, or residential purposes where relatively small tracts are involved. Likewise, the newer requirement to satisfy our recreation needs has established yet another category in which there may be a basic conflict with mining activity.

All of this serves to underline the fact that we do have an immediate problem: many landlocked communities must look to federally owned or controlled lands as the only means of expansion. The Congress should not be required to take up each of these cases individually and provide for the sale of 2,000 acres here and 10,000 acres there. But, in the absence of an overall national policy concerning the retention, use, and disposition of Federal public lands, the Congress has been reluctant to grant general sales authority to the executive branch. At the same time, the Congress and its committees have been so burdened with the normal legislative functions that we have been unable to devote the time and attention necessary to establish national policy required for the changed times and conditions.

With these circumstances as background, I offer the following legislative program designed to satisfy urgent demands for the use of the public domain while at the same time making certain that we shall obtain a reconsideration of all the public land laws and the policies underlying them in the light of conditions as they exist in the mid-20th century:

1. The establishment of a bipartisan commission made up of representatives of the executive and legislative branches that will be given the time, money, and staff necessary to undertake a complete review of all laws and regulations affecting Federal public land ownership and the natural resources thereof. As I indicated earlier, the President has acknowledged the need for an overall review; his representatives, the Secretaries of the Interior and Agriculture, have concurred generally in the Commission approach to the solution of the problem. On the assumption that an act authorizing a Commission study will be passed before June 30, 1964, it is my hope that the Commission can report not later than December 31, 1967, which would provide a period of 3 years for the study and approximately 6 months for the preparation of the report itself.

2. The enactment of interim legislation, to expire 6 months after the submission of the Commission's report; i.e., June 30, 1968, establishing the principle of multiple-use for the interim management and administration of public lands under the stewardship of the Department of the Interior.

3. The enactment of interim legislation, likewise expiring 6 months after the submission of the Commission's report, to give the Secretary of the Interior general authority to sell public domain lands that are required for the orderly growth and development of communities.

4. The enactment of interim legislation, similarly keyed to expire 6 months after the Commission's report has been submitted, to provide a new category of exploration claims that will grant prediscovery protection to prospectors on the public lands who are, by the nature of modern methods, required to expend large sums of money in any exploration efforts.

5. The enactment of legislation that will require the executive departments, during the period while the public land laws are being reviewed and their possible revision studied by Congress, to furnish to the Congress, through the respective Committees on Interior and Insular Affairs (1) advance notification of significant actions involving modifications or changes in use or classification of lands, and (2) a periodic reporting of all land actions in order to assure that, through such congressional surveillance, there will be no extensive and irrevocable large-scale modifications of land-use patterns effected during the period of the Commission's study.

Legislation has already been introduced to establish a multiple-use principle in the management of Interior Department lands and to establish broader sales authority in the Secretary of the Interior. I am today introducing a bill proposing the establishment of the Public Land Law Review Commission. In addition, I have directed the preparation of bills to carry out the other points of my program and, as soon as I have had an opportunity to go over the details, I shall introduce the bills.

It is my firm hope that we can obtain reports on the new bills promptly and proceed to hearings next month.

In the last analysis, it is my hope and belief that the program I have outlined will result in the use and disposition of our Federal public lands and all the resources thereof in the highest traditions of the conservation movement of the United States as symbolized by the Roosevelt-Pinchot era, during which the philosophy was permanently ingrained on the national conscience that conservation is equated with wise use and that we should dedicate our lands and the resources thereof to accomplish the maximum good for the maximum number for the longest period of time.

In keeping with this latter concept, I see no reason why Congress cannot immediately give statutory protection for the preservation as wilderness of the over 8 million acres of land in the national forests that are now classified as "wilderness," "wild," and "canoe," continuing those uses not inconsistent with wilderness preservation and permitting other presently authorized uses for a reasonable time. I have never taken the position that all wilderness legislation must await a final review of either all land laws or even all areas that might qualify as wilderness.

Subject to proper safeguards, it should be possible to enact legislation that will provide for our immediate and known requirements while broad reviews of our land use policies move ahead.

I solicit your support of my program.

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[6] Act of Mar. 3, 1877 (19 Stat. 377).

[7] Act of Mar. 3, 1891 (26 Stat. 1096).

[8] 39 Stat. 862.

[9] Act of June 28, 1934 (48 Stat. 1269).

[10] Act of June 1, 1938 (52 Stat. 609).